

Planning Commission Members

District 1: Alan Patterson
District 2: T. Yokima Cureton
District 3: Charles Deese, Chair
District 4: Judianna Tinklenberg
District 5: James Barnett, Vice-Chair
District 6: Sheila Hinson
District 7: Ben Levine

**County Attorney**

Ginny L. Merck-Dupont

Clerk to Planning Commission

Jennifer Bryan

Development Services Director

Allison Hardin

May 21, 2024

6:00 PM

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

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

AGENDA

- 1. Call to Order Regular Meeting and Roll Call Vote**
- 2. Approval of the Agenda**
- 3. Citizen's Comments**

*[Lancaster County Council welcomes comments and input from citizens who may not be able to attend Council meetings in person. Written comments may be submitted via mail to ATTN: Sherrie Simpson, Post Office Box 1809, Lancaster, SC, 29721, by email to Sherrie Simpson at ssimpson@lancastersc.net or by online submission by selecting the "Citizens Comments" quick link located on the County website homepage at <https://www.mylancastersc.org/>. Comments must be no longer than approximately 3 minutes when read aloud. Comments received will be acknowledged during the Citizens Comments portion of the meeting. Comments will need to be received prior to 4:00 p.m. on the day of the meeting. Please use the same link above in order to submit input/comments for Public Hearings. *Please note that any handouts presented to Council or Council Boards and Commissions become an official part of the record and a copy is attached to the legal minutes for the meeting.]*

- 4. Approve Minutes**
 - a.** April 16, 2024 Regular Minutes
 - b.** May 2, 2024 Special Meeting

5. Public Items

- a.** RZ-2024-0259 Curative Professional LLC
Application by Curative Professional LLC on behalf of owners James & Yen Ngo to rezone 3.63 acres located at Lodge Road (TM # 0008-00-0069.07) from Low Density Residential (LDR) to General Business (GB) district, to allow development of medical offices, daycare and general commercial uses, in conjunction with adjacent parcel 0008-00-0067.00 (9.38 acres already zoned GB)

b. RZ-2024-0511 Niven/Schmidt

Application by Archie Niven and Sandra Niven Schmidt to rezone 14.62 ac located at the southwest corner of the intersection of Charlotte Hwy and Steele Hill Rd (TM# 0021-00-016.00) from Rural Neighborhood (RN) to General Business (GB) district, to allow development of a gas station. Associated with CP-2024-0511 Comprehensive Plan/Future Land Use Amendment Application

c. CP-2024-0511 Niven/Schmidt

Application by Archie Niven and Sandra Niven Schmidt to amend the Comprehensive Plan (Future Land Use Map) for 14.62 ac located at the southwest corner of the intersection of Charlotte Hwy and Steele Hill Rd (TM# 0021-00-016.00) from Low Density Residential to Commercial designation, to allow rezoning of the property to General Business (GB) district. This item is associated with rezoning application RZ-2024-0511.

d. RZ-2024-0584 Sanchez

Application by Carlos Sanchez to rezone 2.56 acres located at the intersection of Reid Point and Country Acres Road (TM# 0006-00-072.04) from Urban Residential (UR) to Medium Density Residential (MDR), in order to develop for single-family residential use.

e. RZ-2024-0627 Lomax

Application by Courtney Lomax to rezone 5.80 acres at and adjacent to 1743 Lynwood Drive (TM # 0087G-0C-004.00) from Medium Density Residential (MDR) to General Business (GB) district, in order to renovate the existing structure as a daycare facility.

f. TA-2024-0162 Non-Metallic Mineral Manufacture-Conditional Use

Application at direction of Council, to change the newly approved Use at UDO 5.9.17 "Non-metallic Mineral Manufacture" from a "Permitted with Review" use per Use Table 2.5, to a Conditional Use.

g. TA-2024-0789 Amusements Sec 2.5 /Ord. 2024-1896

Application at the request of Lancaster County Council to amend the Unified Development Ordinance at table 2.5, removing the item "Amusements- Indoor" from the Use Table.

6. New Business

a. Overview of next month's Agenda

i. June Overview

Scheduled for June 18:

4 rezonings

1 Conditional Use

2 New Road Name: private drives

1 New Road Name: group submittal, Civil submissions

1 Road Name Change (SCDHEC: Environmental Drive)

b. Other

i. Board Member of the Year Nomination

Annual nomination for Board Member of the Year

7. 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

Meetings are live streamed and can be found by using the following link:

https://mylancastersc.org/boards___commissions/planning_commission/planning_commission_meetings.php

Agenda Item Summary

Ordinance # / Resolution #: April 16, 2024 Regular Minutes

Contact Person / Sponsor: J. Bryan

Department: Planning

Date Requested to be on Agenda: 5/21/2024

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
April 16, 2024 Regular Minutes	5/9/2024	Exhibit
Attachments 1-3	5/9/2024	Exhibit
Attachments 4-5	5/9/2024	Exhibit
Attachments 6-7	5/9/2024	Exhibit



MEMBERS OF LANCASTER COUNTY PLANNING COMMISSION

CHARLES DEESE, DISTRICT 3, CHAIRMAN
JAMES BARNETT, DISTRICT 5, VICE-CHAIRMAN
T. YOKIMA CURETON, DISTRICT 2
JUDIANNA TINKLENBERG, DISTRICT 4
SHEILA HINSON, DISTRICT 6
ALAN PATTERSON, DISTRICT 1
, DISTRICT 7
SECRETARY: GINA JACKSON

MINUTES
Lancaster County Planning Commission
April 16, 2024 6:00 p.m.

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

1. ROLL CALL: Quorum is present (6 Commissioners)

a. Commissioners Present:

T. Yokima Cureton	James Barnett	Sheila Hinson
Charles Keith Deese	Alan Patterson	Judianna Tinklenberg

Staff Present:

Allison Hardin, Interim Director	Matthew Blaszyk, Planner
Jennifer Bryan, Planning Technician	Secretary: Gina Jackson

The following press were notified of the meeting by email in accordance with 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 for the required length of time, and was published on the County website.

b. Prayer and Pledge of Allegiance

Alan Patterson

THE FOLLOWING IS A SUMMARY OF PROCEEDINGS. IT IS NOT A VERBATIM TRANSCRIPT.

2. APPROVE AGENDA

Chairman Deese called for a motion to approve the Agenda.
Motion to Approve by James Barnett; 2nd by Yokima Cureton.
Called vote: 6:0. Motion approved unanimously.

3. CITIZEN'S COMMENTS [see Sign-In sheet attached]

Chairman Deese opened the floor to comments from the public. None signed in to speak.

4. APPROVE MINUTES

a. March 19, 2024 Regular Minutes

Chairman Deese called for a motion to approve March 19, 2024 Regular Minutes as written. Motion to Approve with correction of scrivener's error: correct 5c. RZ-2023-2099 Lynwood Subdivision: **vote was 2:4 denied**) by Judianna Tinklenberg; 2nd by James Barnett.

Called vote: 6:0. Motion approved unanimously.

b. April 4, 2024 Workshop Minutes

Chairman Deese called for a motion to approve April 4, 2024 Workshop Minutes as written. Motion to Approve by Yokima Cureton; 2nd by Judianna Tinklenberg.

Called vote: 5:0. Motion approved. S. Hinson abstained as absent from meeting.

5. PUBLIC ITEMS

a. RZ-2024-0342 Sites

Application by Peter Sites to rezone a parcel of 46.883 acres at 1540 Old Pardue Road (TM # 0050-00-038.02) from Low Density Residential (LDR) to Rural Residential (RR) district, in order to develop the site for agritourism.

Staff Presentation: Matthew Blaszyk, Planner, presented the application consistent with the staff report. Staff Recommendations: Approval

Applicant(s): Available for questions.

Public Hearing: (See attachments: Sign-in Sheets) None signed in.

Chairman Deese closed Public hearing and called for a motion on item RZ-2024-0342. Motion to approve by James Barnett ; 2nd by Sheila Hinson .

Discussion:

- No emails, letters or phone calls were received in opposition.
- LDR differs from RR in minimum lot size, agricultural uses.

Called vote: 6:0. Motion is approved unanimously.

Chairman Deese stated the item will go to County Council for consideration, and applicant will be notified of time and date.

b. SD-2023-2224 HHTF/Woodland Point

Application by David Weekly Homes LLC, HHTF Company LLC and ESP Associates Inc. for a preliminary plat for 112.48 acres off Vance Baker Road (TM# 0009-00-015.00) to develop a single-family residential subdivision of 91 lots.

Staff Presentation: Matthew Blaszyk, Senior Planner, presented the application consistent with the staff report.

Staff Recommendations: Lack of water/sewer access and condition and width of Vance Baker is of concern. See TRC comments.

Questions to staff:

- Vance Baker is too narrow; widening “where possible” is not sufficient, it is needed on the full length.
- There are no sidewalks on Vance Baker.
- The data in the TIA is not recent, however, it is based on a lot count more than double the current plan.

Applicant(s): Prior to meeting, applicant requested continuance to 5/21/2024.

[see attached handouts: a) Response to comments; b) Summary of TTM]

[see attached slide presentation]

Questions from Commissioners:

Public Hearing: (See attachments: Sign-in Sheets)

Fourteen (14) Email comments received prior to publication are attached to the Agenda: (all opposed to development)

- | | | |
|---------------|-------------|-------------------|
| 1. Czerwinski | 6. Hinson | 11. Priest, J & S |
| 2. DeMatino | 7. Keane | 12. Simonetti |
| 3. Earnhart | 8. Martin | 13. Stevens |
| 4. Fuhrman | 9. Mayne | 14. Wheeler |
| 5. Hajek | 10. McNeill | |

[Eleven (11) comments (2 from one email address) were received after publication of agenda and are attached to the minutes; they are noted below as names 1-10. Some of those]

The following additional persons sent emails after 4/9/2024, and/or signed in to speak on this agenda item:

1. **Svetlana Efremova** (opposed) email & in person
2. **John Evans** (opposed) email & in person
3. Hillary Holloway (2 emails) opposed
4. Judy Laing (opposed) email
5. Michael Pylypiw (opposed) email

6. Crystal Reid (opposed) email
7. Adam & Jeni Schlosser (opposed) email
8. Andrew Smith (opposed) email
9. Richard Thomas (opposed) email
10. Katelyn Wallington (opposes) * also spoke in person
11. **Katelyn Wallington** * also submitted email
12. **Michelle Simonetti** (opposed) in person; presented neighborhood petition
13. **Chris Gibbs** (opposed) in person
14. **John Evans** (opposed) (in person, yielded time)
15. **Mike Carter** (opposed) in person
16. **Lyle & Deborah Wasylchak** (opposed) in person
17. **Alex Markowski** (opposed) in person
18. **John Cerwinski** (opposed) in person; was told woods behind him is part of heelsplitter buffer.

Chairman Deese closed public hearing.

Applicant has requested deferral to May 21, 2024 meeting to address TRC comments.

Chairman Deese called for a motion on item **SD-2023-2224**.

Motion to Defer to May 21, 2024 by James Barnett; 2nd by Sheila Hinson.

Discussion:

- The data in the TIA may not take into account changed traffic load in the area with new development.

Called vote: 6:0. **Motion is approved unanimously.**

Planning Commission will continue the item to May 21, 2024.

c. SD-2022-2122 Riverchase Section 2

Application by LGI Homes, Riverchase Estates Partners LLC and R. Joe Harris & Associates for a Preliminary Plat for 578.83 acres on the west side of Riverside Road south of Cobblestone Way (p/o TM# 0030-00-002.00), to develop a 343-lot single family residential subdivision (Section 2 of Riverchase Estates.)

Staff Presentation: Allison Hardin, Development Services Director, presented the applications consistent with the staff report.

Staff Recommendations: Does not meet requirements, per TRC comments.

Applicant(s):

1. **David Gates**, R. Joe Harris Engineering spoke in support of the project. Density calculation is well below the allowed figure. A report on the cemetery noted on the plan will be submitted.

Public Hearing: (See attachments: Sign-in Sheets)

1. **David Basri** (Riverchase Trail Committee) [see attachment “**Riverchase Trail Committee**”] residents have taken it upon themselves to build amenities in the absence of a commitment from the developer.
2. **Chris Krug** (Persimmon Rd) opposed. Developer and realtor promised no neighbors on exterior lots.
3. **Elaine Buhlman** and **Jennifer Sabatino** (HOA residents/ representatives) opposed.
[see attachment “**Riverchase Petition**”]
4. **Dawn Foster** (opposed)
5. **Alex Norman** (Persimmon Rd) opposed.

Chairman Deese closed Public hearing and called for a motion on item SD-2022-2122 In the interest of a vote in the affirmative, Motion to approve by Alan Patterson; 2nd by James Barnett.

Discussion:

- Fire access is inadequate; Cobblestone Way is already the primary exit for Section 1 and the second exit for Section 3.
- The development schedule has still not been updated.

Called vote: 0:6. Motion is denied unanimously.

Planning Commission makes the final decision on Preliminary Plats.

[Brief recess to allow exit of public.]

d. TA-2024-0162 Non-Metallic Mineral Manufacturing: Conditional Use

Application at direction of Council, to change the newly approved Use at UDO 5.9.17 "Non-metallic Mineral Manufacture" from a "Permitted with Review" use per Use Table 2.5, to a Conditional Use.

Staff Presentation: Allison Hardin, Development Services Director, presented the application consistent with the staff report. [See attached slide presentation update]

Council Recommendations: Continue for further discussion.

<i>Option</i>	<i>Capacity Exists?</i>	<i>Requires</i>
Re-set separation between NMPM operations to 1/2 mile	Yes	Site plan review

Periodic stream testing within a measure from the site for contaminants	Yes	Stormwater staff assistance, possible new staff to cover south of Hwy 5
Require annual testing of nuisances relating to operations	Yes	Requirement for operator to turn in reports;
Require a compliance guarantee	Yes	Staff review and legal team if compliance fails
Restrict hours of operation	Potentially	Observation and/or response to complaints
Implement odor mitigation requirement	Not currently	Agreements, ability of County to fine and/or cease operations if violated
Implement stricter air quality standards	No	Air testing, staffing, scientific assistance with code draft

Public Hearing: (See attachments: Sign-in Sheets)

1. **Conrad Trapp** (Treetops) supports CU status and more stringent conditions.

Chairman Deese closed Public hearing and called for a motion on item TA-2024-0162
Motion to continue to May 21, 2024 by Alan Patterson; 2nd by Yokima Cureton .

Discussion: no questions.

Called vote: 6:0. Motion to continue is approved unanimously.

6. NEW BUSINESS

a. NRN-2024-0569 Melanie Drive

Application by Jan Ringeling and the Moody Group on behalf of Barberville Developers LLC, to name a proposed private road accessing two existing parcels at the intersection of Barberville Road and Fort Mill Highway (TM #s 0006-00-057.00 & 0006-00-058.00).

Staff Presentation: Jennifer Bryan, Planning Technician

No hearing is required.

Chairman Deese called for a motion on NRN-2024-0569.
Motion to Approve by James Barnett; 2nd by Alan Patterson.

Discussion:

- Access on Barberville Road is not ideal.
- The new UDO should address and minimize creation of private driveways, and process of site plan review.

Called Vote: 5:1 Motion is approved.

AP: For YC: For JT: Against SH: For JB: For CD: For

- Capital Improvement Plan Presentation : Jamie Privuznak
[See attached slide presentation] The CIP will be presented for a hearing and vote at the Special Meeting on May 2, 2024.
- Administrative/Training topics: Allison Hardin
Deferred to May 21, 224
- Overview of Next Month's Agenda
Thursday May 2: Hearing and vote on CIP provisions

Tuesday May 21:
RZ-2024-0259 Curative (LDR to GB)
RZ/FLU 2024-0511 Niven/Schmidt (RN to GB/ LDR to Commercial)
RZ-20240584 Sanchez (UR to MDR)
RZ-2024-0627 Lomax (MDR to GB)
SD-2023-1409 Pinnacle at Sunset Point (resubmission)
SD-2024-0656 Eagles Point (Edgewater)
- Other: Board Member of the Year nominations will be on the agenda for May 21, 2024.

f. ADJOURN

Motion to adjourn by James Barnett; 2nd by Judianna Tinklenberg. Motion approved by unanimous consent. Meeting adjourned at 8:41 p.m.

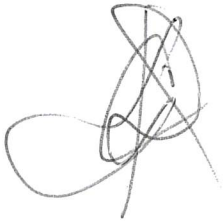
ATTACHMENT 1:

SIGN -IN SHEETS

SIGN IN ONLY IF YOU WISH TO SPEAK

Lancaster County

South Carolina



PLANNING COMMISSION Public Hearing Sign In Sheet

Item 3: CITIZEN'S COMMENTS

General Comments or comments on matters not on tonight's agenda.

For comments on specific agenda items under discussion, please sign in on the appropriate sheet.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, April 16, 2024

Citizens are allowed 3 minutes per person to speak. Everyone speaking before The Commission will be required to do so in a civil manner. The Commission will not tolerate personal attacks on individual Commissioners, County Staff or any person or group. Racial slurs will not be permitted. The Commission's number one priority is to conduct business for the citizens of this county.

PLEASE PRINT

1.
2.
3.
4.

SIGN IN ONLY IF YOU WISH TO SPEAK

Lancaster County

South Carolina



PLANNING COMMISSION Public Hearing Sign In Sheet

Item 5a: RZ-2024-0342 Sites

Application by Peter Sites to rezone a parcel of 46.883 acres at 1540 Old Pardue Road (TM # 0050-00-038.02) from Low Density Residential (LDR) to Rural Residential (RR) district, in order to develop the site for agritourism.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, April 16, 2024

Citizens are allowed 3 minutes per person to speak. Everyone speaking before the Commission will be required to do so in a civil manner. The Commission will not tolerate personal attacks on individual Commissioners, County Staff or any person or group. Racial slurs will not be permitted. The Commission's number one priority is to conduct business for the citizens of this county.

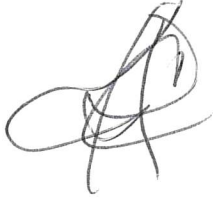
PLEASE PRINT

1.
2.
3.
4.

SIGN IN ONLY IF YOU WISH TO SPEAK

Lancaster County

South Carolina



PLANNING COMMISSION Public Hearing Sign In Sheet

Item 5b: SD-2023-2224 HHTF/Woodland Point

Application by David Weekly Homes LLC, HHTF Company LLC and ESP Associates Inc. for a preliminary plat for 112.48 acres off Vance Baker Road (TM# 0009-00-015.00) to develop a single family residential subdivision of 91 lots.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, April 16, 2024

Citizens are allowed 3 minutes per person to speak. Everyone speaking before the Commission will be required to do so in a civil manner. The Commission will not tolerate personal attacks on individual Commissioners, County Staff or any person or group. Racial slurs will not be permitted. The Commission's number one priority is to conduct business for the citizens of this county.

PLEASE PRINT

NOTE: 14 email comments were attached to Agenda on 4/9/24

*11
Emails
received
after 4/9*

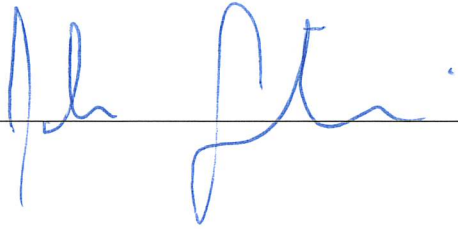
- | | |
|----------|---|
| <i>✓</i> | 1. Svetlana Efremova (email comment)
(opposed) |
| <i>✓</i> | 2. John Evans (email comment) (opposed) |
| <i>✓</i> | 3. Hillary Holloway (2 email comments)
(opposed) |
| <i>✓</i> | 4. Judy Laing (Email comment)
(opposed) |

[Handwritten signature]

SIGN IN ONLY IF YOU WISH TO SPEAK

✓ 5.	Michael Pylypiw (Email comment) (opposed)
✓ 6.	Crystal Reid (Email comment) (opposed)
✓ 7.	Adam & Jeni Schlosser (Email comment) (opposed)
✓ 8.	Andrew Smith (Email Comment) (opposed)
✓ 9.	Richard Thomas (Email comment) (opposed)
✓ 10.	Katelyn Wallington (Email Comment) (opposed) - and a person
✓ 11.	Katelyn Wallington
✓ 12.	Michelle Simonetti
✓ 13.	Chris Gibbs
✓ 14.	John EVANS
✓ 15.	Mike Carter
✓ 16.	LYLE + DEBORAH WASYLCHAK
✓ 17.	Alex Mahan

SIGN IN ONLY IF YOU WISH TO SPEAK

✓ 18.	
19.	
20.	
21.	
22.	
23.	
24.	
25.	
26.	
27.	
28.	
29.	
30.	

SIGN IN ONLY IF YOU WISH TO SPEAK

Lancaster County

South Carolina

PLANNING COMMISSION Public Hearing Sign In Sheet

Item 5c: SD-2022-22122 Riverchase Section 2

Application by LGI Homes, Riverchase Estates Partners LLC and R. Joe Harris & Associates for a Preliminary Plat for 578.83 acres on the west side of Riverside Road south of Cobblestone Way (p/o TM# 0030-00-002.00), to develop a 343-lot single family residential subdivision (Section 2 of Riverchase Estates.)

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, April 16, 2024

Citizens are allowed 3 minutes per person to speak. Everyone speaking before the Commission will be required to do so in a civil manner. The Commission will not tolerate personal attacks on individual Commissioners, County Staff or any person or group. Racial slurs will not be permitted. The Commission's number one priority is to conduct business for the citizens of this county.

PLEASE PRINT

✓ 1.	David Basri
✓ 2.	Kate Wallington KRS KRUG
✓ 3.	ELAINE BULMAN and Jennifer Sabatino

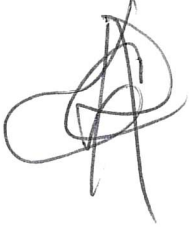
SIGN IN ONLY IF YOU WISH TO SPEAK

✓ 4.	JENNIFER SABATINO Dawne Foster
5.	Alex Norman
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	
16.	

SIGN IN ONLY IF YOU WISH TO SPEAK

Lancaster County

South Carolina



PLANNING COMMISSION Public Hearing Sign In Sheet

**Item 5d: TA-2024-0162 Non-Metallic Mineral Manufacturing
(Conditional Use)**

Application at direction of Council, to change the newly approved Use at UDO 5.9.17 "Non-metallic Mineral Manufacture" from a "Permitted with Review" use per Use Table 2.5, to a Conditional Use.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, April 16, 2024

Citizens are allowed 3 minutes per person to speak. Everyone speaking before the Commission will be required to do so in a civil manner. The Commission will not tolerate personal attacks on individual Commissioners, County Staff or any person or group. Racial slurs will not be permitted. The Commission's number one priority is to conduct business for the citizens of this county.

PLEASE PRINT

✓ 1.	CONRAD TRAPP
2.	
3.	
4.	

ATTACHMENT 2:

5b: SD-2023-2224 HHTF/Woodland Point

Handouts:

- a) Response to Comments**
- b) TTM update**



Date: April 10, 2024
Project Name: HHTF Lancaster aka Woodland Pointe
Project Number: 23-00729
To: Chanda Kirkland, Development Service Coordinator
Re: Preliminary Plat Review Comments on 03/25/2024

Lancaster County has completed the review of the proposed Preliminary Plat submittal. The following items were noted by the town:

County Engineer Comments:

1. Most of our comments and questions will be at the Construction Document review of the civil plans. Below are some general observations from the sketch plan submitted.

Response: Acknowledged.

2. Delineation of wetlands and stream analysis will need to be conducted. Based on those findings, stream buffers of 30' to 50' will be needed.

Response: Please see attached stream and wetland delineation attached. The Preliminary Plat has been updated to show a 50' stream buffer.

3. Permits from the Army Corp of Engineers (USACE 404/DHEC 401) will be necessary for any stream crossings and/or filling in the stream buffer areas and/or wetlands for this project. This can be a lengthy and expensive process.

Response: Acknowledged. There are no proposed stream or wetland crossings.

4. This project is located in the Carolina Heelsplitter Overlay District (Lancaster County Ordinance #963). A CHOD worksheet (uploaded to Evolve) will need to be completed. We will review the impervious surface calculations and any stream buffer numbers as they relate to Heelsplitter Credits. Once a number of credits has been agreed upon, \$8500 per credit or portion thereof will need to be purchased through Lancaster County. This must occur prior to civil approval of the project's plan.

Response: Acknowledged. The CHOD worksheet will be completed prior to civil approval.

5. BMP ponds will be needed and cannot be included in the open space area calculations.

Response: Acknowledged. BMP ponds are not included in the open space area calculations.

1. LCWSD is a separate entity from the County. We have our own submittal requirements. Please check our website. The developer must submit 2 sets of hard copy water and sewer plans directly to LCWSD, adhering to the LCWSD Water & Wastewater Extension Policy.

Response: Acknowledged. The water and sewer sketch plan was submitted to LCWSD for review on 3/27/2024.

Planning Comments:

1. A landscaping plan is required for Preliminary Plat Submittal. Please refer to section 7 of the Unified Development Ordinance for landscaping requirements.

Response: Acknowledged. Please see attached Preliminary Landscape Plan.

2. Submit written verification to serve from all non-county utility service providers (gas, telephone, cable, and water and sewer district).

Response: Acknowledged. Please see attached will serve letters from Lancaster County Natural Gas Authority and Comporium. Water and sewer will serve letters will not be provided to the developer until after LCWSD approves the submitted sketch plan.

3. On a separate page, provide a key on the plan labeling what color is representing the required open space and what color is representing the required park space and depict these areas on a single sheet.

Response: Acknowledged. Please see attached Preliminary Sidewalk and Open Space Plan.

4. Extend the sidewalks and roads on the proposed stub outs to the property line

Response: Acknowledged. Sidewalks and pavement have been extended to the property line for the proposed stub outs.

5. Please label the setbacks for the lots on sheets 1-6 of the plan.

Response: Acknowledged. Please see updated Preliminary Plat Submittal.

6. Extend the sidewalk around the following lots/cul-de-sacs:

- a. 69-70, 73-74, 26 27 28 29, and 40-41.

Response: Acknowledged. Sidewalks have been extended around the above lots/cul-de-sacs.

7. Please show the overall site sidewalk plan on one sheet.

Response: Acknowledged. Please see attached Preliminary Sidewalk and Open Space Plan.

LC School District Comments:

1. No review done -Chanda

Response: Acknowledged.

SCDOT Comments:

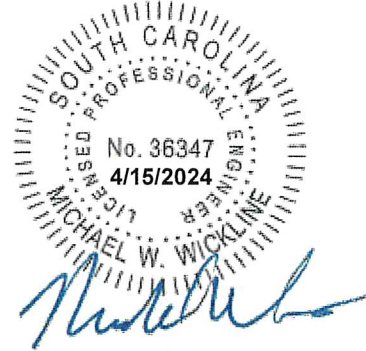
TRANSPORTATION TECHNICAL MEMORANDUM

Date: April 15, 2024

To: Stephen Blackwelder
Environmental Compliance Manager
Lancaster County

From: Michael W. Wickline, PE
Principal
Design Resource Group, PA (COA 2370)

Subject: **Woodland Pointe Residential/Arbor Walk TIA Comparison (498-015)**



Project Information

David Weekley Homes is proposing to develop a small residential community with 91 single family homes on the south side of S Legacy Park Boulevard located in Lancaster County, SC. This site was previously proposed to be developed by Arbor Construction, LLC with 228 single family homes in the Arbor Walk TIA, which was sealed in August 2021, with additional supporting information in August 2022.

Trip Generation

The estimated daily and peak-hour trip generation data for the Arbor Walk site and proposed Woodland Pointe Residential site is presented in Table 1. Values derived for the Arbor Walk site were obtained from the Institute of Transportation Engineers, Trip Generation Manual, 10th Edition, 2017 (the latest version at the time of the August 2021 TIA). Values derived for the anticipated trips generated by the Woodland Pointe Residential site are obtained from the Institute of Transportation Engineers, Trip Generation Manual, 11th Edition, 2021.

Table 1: Site Trip Generation

Land Use [ITE Code]			Daily	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
August 2021 Arbor Walk									
Single-Family (Detached) [210]*	228	DUs	2,219	42	125	167	141	83	224
Proposed Woodland Pointe Residential									
Single-Family (Detached) [210]	91	DUs	925	17	51	68	57	34	91
Difference Between Proposed and August 2021 Trips			-1,294	-25	-74	-99	-84	-49	-133

References:

Trip Generation, 11th Edition, Institute of Transportation Engineers, Washington, DC. 2021.

*Trip Generation, 10th Edition, Institute of Transportation Engineers, Washington, DC. 2017.

Under the August 2021 Arbor Walk TIA, the site was anticipated to generate 2,219 daily trips, 167 AM peak hour trips, and 224 PM peak hour trips. The proposed Woodland Pointe Residential site is anticipated to generate 925 daily trips, 68 AM peak hour trips, and 91 PM peak hour trips.



Table 3: PM Peak Hour TMC Comparison

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
1. Shelley Mullis Road & Henry Harris Road												
2021	13	98	22	122	147	44	36	259	32	46	191	90
2024	31	136	50	97	198	56	41	235	46	64	207	70
Difference	18	38	28	-25	51	12	5	-24	14	18	16	-20
2. Shelley Mullis Road & S Legacy Park Boulevard												
2021	76	6	27	11	3	34	39	235	114	40	178	21
2024	69	1	30	9	3	10	40	214	88	38	244	21
Difference	-7	-5	3	-2	0	-24	1	-21	-26	-2	66	0
3. Shelley Mullis Road & Vance Baker Road												
2021	6	0	22	0	0	0	0	204	16	26	212	0
2024	7	0	25	0	0	0	0	185	7	28	277	0
Difference	1	0	3	0	0	0	0	-19	-9	2	65	0
4. Henry Nesbit Road & Waxhaw-Marvin Road [NC Intersection]												
2021	106	308	0	0	541	136	75	0	145	0	0	0
2024	141	302	0	0	645	164	60	0	142	0	0	0
Difference	35	-6	0	0	104	28	-15	0	-3	0	0	0
5. S Legacy Park Boulevard & Vance Baker Road												
2021	0	0	0	23	0	23	15	5	0	1	3	6
2024	0	0	0	13	0	20	18	6	1	0	1	13
Difference	0	0	0	-10	0	-3	3	1	1	-1	-2	7

Since the intersection of Shelley Mullis Road and Henry Harris Road and the intersection of Henry Nesbit Road and Waxhaw-Marvin Road have the greatest difference in existing TMCs, these two intersections were analyzed to compare the impact of the Woodland Pointe Residential development to the August 2021 Arbor Walk TIA.

The projected background traffic volumes used in the analyses were developed from the existing peak hour TMCs. Per SCDOT and Lancaster County staff, a 2% per year growth rate over 6 years was applied to the 2021 TMCs to obtain the 2027 background volumes in the August 2021 Arbor Walk TIA. For the purposes of this comparison, the same 2% per year growth rate over 6 years was applied to the 2024 TMCs to obtain the 2030 background volumes in the Woodland Pointe Residential analysis.



1. Shelley Mullis Road & Henry Harris Road (unsignalized)

Table 4: Shelley Mullis Rd & Henry Harris Rd Analysis Results

Approach	AM Peak Hour			PM Peak Hour		
	LOS	Delay (sec/veh)	Capacity (v/c)	LOS	Delay (sec/veh)	Capacity (v/c)
2024 Existing Conditions						
Intersection	D	30.1	-	D	31.7	-
Eastbound - Shelley Mullis Rd	C	18.1	-	D	31.1	-
Westbound - Shelley Mullis Rd	D	25.6	-	D	34.0	-
Northbound - Henry Harris Rd	E	45.0	-	C	20.4	-
Southbound - Henry Harris Rd	B	14.6	-	E	37.1	-
2030 No Build Conditions (Signal)						
Intersection	B	18.2	0.77	B	17.5	0.73
Eastbound - Shelley Mullis Rd	B	18.5	-	C	21.2	-
Westbound - Shelley Mullis Rd	C	25.2	-	B	19.1	-
Northbound - Henry Harris Rd	B	14.6	-	B	13.5	-
Southbound - Henry Harris Rd	B	10.7	-	B	14.4	-
2030 Build Conditions (Signal)						
Intersection	B	18.7	0.78	B	17.8	0.74
Eastbound - Shelley Mullis Rd	B	17.8	-	C	20.8	-
Westbound - Shelley Mullis Rd	C	24.9	-	B	18.7	-
Northbound - Henry Harris Rd	B	16.0	-	B	14.5	-
Southbound - Henry Harris Rd	B	11.7	-	B	15.5	-
2030 No Build Conditions (RAB)						
Intersection	C	16.7	0.77	B	13.6	0.70
Eastbound - Shelley Mullis Rd	A	6.7	-	C	17.3	-
Westbound - Shelley Mullis Rd	C	24.5	-	B	11.0	-
Northbound - Henry Harris Rd	C	18.3	-	B	10.5	-
Southbound - Henry Harris Rd	A	7.0	-	B	14.1	-
2030 Build Conditions (RAB)						
Intersection	C	19.1	0.84	C	15.0	0.75
Eastbound - Shelley Mullis Rd	A	7.0	-	C	20.0	-
Westbound - Shelley Mullis Rd	D	30.2	-	B	11.7	-
Northbound - Henry Harris Rd	C	19.2	-	B	11.4	-
Southbound - Henry Harris Rd	A	7.4	-	C	15.2	-

2024 Existing Conditions

Currently the intersection is an all-way stop that operates at LOS "D" during both the AM and PM peak hours. The worst leg of the intersection operates at LOS "E" during both the AM and PM peak hours.

2030 No Build Conditions (Signal)

The following required offsite improvements from the August 2021 Arbor Walk TIA are the shared responsibility of the Harris Mill and Wilson Creek developments and have been included in the analysis for both No Build and Build Conditions at this intersection:



4. Henry Nesbit Road & Waxhaw-Marvin Road (unsignalized)

Table 5: Henry Nesbit Rd & Waxhaw-Marvin Rd Analysis Results

Approach	AM Peak Hour			PM Peak Hour		
	LOS	Delay (sec/veh)	Capacity (v/c)	LOS	Delay (sec/veh)	Capacity (v/c)
2024 Existing Conditions						
Intersection	D	31.8	-	C	17.9	-
Eastbound - Henry Nesbit Rd	F	137.4	-	F	120.9	-
Northbound - Waxhaw-Marvin Rd	A	0.9	-	A	3.5	-
Southbound - Waxhaw-Marvin Rd	A	0.0	-	A	0.0	-
2030 No Build Conditions						
Intersection	F	127.1	-	F	118.6	-
Eastbound - Henry Nesbit Rd	F	505.5	-	F	753.5	-
Northbound - Waxhaw-Marvin Rd	A	1.2	-	A	4.7	-
Southbound - Waxhaw-Marvin Rd	A	0.0	-	A	0.0	-
2030 Build Conditions						
Intersection	F	140.2	-	F	137.2	-
Eastbound - Henry Nesbit Rd	F	545.6	-	F	859.0	-
Northbound - Waxhaw-Marvin Rd	A	1.2	-	A	4.9	-
Southbound - Waxhaw-Marvin Rd	A	0.0	-	A	0.0	-
2030 Build Conditions with Test Improvements						
Intersection	F	80.5	-	E	42.6	-
Eastbound - Henry Nesbit Rd	F	312.2	-	F	260.6	-
Northbound - Waxhaw-Marvin Rd	A	1.2	-	A	4.9	-
Southbound - Waxhaw-Marvin Rd	A	0.0	-	A	0.0	-

2024 Existing Conditions

Currently the intersection operates at LOS "D" during the AM peak hour and LOS "C" during the PM peak hour. The worst leg of the intersection (eastbound) operates at LOS "F" during both the AM and PM peak hours.

2030 No Build Conditions

With the inclusion of offsite traffic and growth in background traffic volumes, the intersection operates at LOS "F" during both the AM and PM peak hours. The worst leg of the intersection (eastbound) operates at LOS "F" during both the AM and PM peak hours.

2030 Build Conditions

When comparing the impact of the 2030 Build to the 2030 No Build conditions, the intersection continues to operate at LOS "F" during both the AM and PM peak hours. The worst leg of the intersection (eastbound) continues to operate at LOS "F" during both the AM and PM peak hours.

2030 Build Conditions with Test Improvement

Based on Lancaster County requirements, the results indicate the need to identify mitigation at the study intersection.



3. Shelley Mullis Road & Vance Baker Road (unsignalized)

- No suggested improvements

4. Henry Nesbit Road & Waxhaw Marvin Road (unsignalized – NC intersection)

- Provide a monetary contribution equal to proportionate impact (3.5%) of a right turn lane (previous estimate \$115,000.00) – approximately \$4,025.00

5. S Legacy Park Boulevard & Vance Baker Road/Access “A” (unsignalized)

We propose the following access configuration:

- One ingress lane and one egress lane on Access “A” (a northbound combined left-thru-right lane)
- Verify sight distance during permitting
- Improve all-way stop controlled intersection with all-way plaques below stop signs and add stop bars

In conclusion, the proposed Woodland Pointe Residential development will not significantly increase the amount of vehicular traffic on the adjacent roadways/corridors especially with the reduction in homes from the original plan to the current plan (228 to 91 homes), but is currently willing to commit to the improvements required for a 228 home subdivision. Updated volume comparisons indicate the traffic volumes are mostly consistent with what was previously studied, with updated traffic analysis for the two intersections with the biggest volume discrepancies indicating no additional mitigation would be necessary. It is our opinion, that this project should not be considered significant enough to warrant the need for a TIA Addendum and we would ask that you take this information into account and grant the request for the waiver of a TIA Addendum and/or Update and consider the previous TIA and TIA recommendations acceptable.

Please contact us should you need any additional information.

Attachments: Suggested Laneage Figure
Volume Development
Raw Count Data
Analysis Results

cc: File

ATTACHMENT 3:

5b: SD-2023-2224 HHTF/Woodland Point

Email Comments (11)

Received after 5/9/2024

From: [Svetlana Ef](#)
To: [Jennifer Bryan](#)
Subject: SD-2023-2224 (new development behind Legacy Park subdivision)
Date: Saturday, April 13, 2024 11:09:27 AM

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, lancastersc.supportsystem.com

Dear Mr. Bryan:

I have been a resident of Legacy Park subdivision for 13 years and they were my happiest years in America. This proposed development in our area is raising a few concerns. Since a new development would not have their own entrance/exit the new residents will use Legacy Park Road , which already has difficulties to come in and out of our subdivision in rush hours.

Additional 91 houses will bring another 180-300 cars to existing traffic. Construction vehicles will damage our road.

That road will have even more traffic with a lawn and trash service for new residents. I am afraid we will end up paying for repairs out of our pockets. Obviously our HOA dues will go up. So, our residents with average cost of houses near \$370 000 will pay for usage of our road by residents with average cost houses near \$1 000 000.

With increasing traffic on our road safety is another concern.

And finally....For all these years we have been enjoying a nice wooded backyard with a lot of privacy and beautiful wildlife. All of this will be gone. No more watching deer families, beautiful rare birds...By the way, the name of our subdivision is Legacy Park. PARK! Why would we destroy the legacy of our beautiful nature, the legacy of our comfortable life in our subdivision?

Svetlana Efremova
1795 Lillywood Ln,
Indian land, SC 29707
Cell: 704-345-8715

Lancaster County Planning Commission

April 10, 2024

My name is John Evans, and I am a resident of Xandra Court in the Legacy Park Sub-division and I have lived here for the past 18 years. I am writing to encourage you do deny the request for building ninety-one homes to be built by David Weekley,

Currently there are over eight hundred homes being built in our immediate area. Lennar is building 400 and KB Home is building another four hundred. There are 379 townhomes being built alongside the Methodist Church on Shelly Mullis along with multiple apartment buildings at the intersection of 521 and Shelly Mullis. Simply put, we do not have the road infrastructure to manage all the cars they will bring. Adding another ninety-one homes will lead to more congestion.

The main entrance for this development will be Vance Baker Road. Vance Baker has a posted speed limit of fifteen mph. The portion of Vance Baker to Wiregrass is used by Legacy Park residents as a place to walk or jog. Since it is a flat surface, it is common to see parents teach their children how to ride a bicycle. Having more cars using this will be a nightmare and cause accidents.

The access from Shelly Mullis to Vance Baker has a section of the road between Shelly Mullis and Goldwing which is extremely narrow and currently it is common to see one car pull off the shoulder to allow a car headed in the other direction to get by. Also, a portion of this road is in extremely poor shape with broken macadam and potholes. This is a significant risk for accidents with more vehicles.

Consider the fact that 521 is so overcrowded with vehicles that it rivals Independence Blvd in Charlotte. The first week of school, cars were backed up over a one ½ miles to the school entrance at the Elementary and Middle School. Adding more cars will further add to this mess of traffic.

Another factor to consider is the influx of school-age children this will bring which will impact on our schools. We currently have over-crowding, and our new high school has 1,740 students this fall. There is a referendum that we need another school built. It is time that the Lancaster County Board coordinated with the School Board before approving more homes and apartments.

Over the years I have enjoyed watching nature in my back yard, the deer, squirrels, rabbits, and the many species of birds. Their habitat will be completely disrupted. Where will they go? There is a stream that contains some fish species along with the toads and they too will be upended. I have seen Boy Scouts using this territory to explore nature and sadly that will end.

I implore you to deny the request and I plan to attend the hearing.

Respectfully,

John Evans

From: [Hilary Holloway](#)
To: [Jennifer Bryan](#)
Subject: Re: SD-2023-2224
Date: Friday, April 12, 2024 8:13:11 AM

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, lancastersc.supportsystem.com

I would also like to add that the Traffic Impact survey the developers want to use was from 3 years ago, prior to much of the development of 5+ subdivisions on Henry Harris and Shelley Mullis roads and during a time when many people were working from home due to the pandemic. I suggest the previous study is not utilized and a new one is required.

Thank You,

Hilary Holloway
980-263-0340

On Fri, Apr 12, 2024 at 7:59 AM Hilary Holloway <hholloway716@gmail.com> wrote:
Good Morning!

We have been made aware of the proposal to develop land off of Vance Baker into a subdivision. While I don't oppose the development of that parcel inherently, there are a few important issues to our Legacy Park community that I feel the county may want to consider before approval.

Traffic Concerns:

- The Legacy Park entrance onto Shelley Mullis is already challenging due to road curvature. With two unrelated developments underway, consideration for a traffic light is crucial.
- Connections from Goldwing and Vance Baker to Shelley Mullis exacerbate the main entrance challenge.
- Vance Baker's one-lane stretch from Wiregrass to Manakin is inadequate to absorb additional traffic.
- Unauthorized use of our common areas off South Legacy Park Blvd.

School Overcrowding:

- Indian Land Schools are already experiencing overcrowding, and further development will exacerbate this issue.
- Please consider revising the plan to a 55 + community to lower this impact.

Environmental Considerations:

- The proposed development area is an active wildlife habitat, and development will disturb wildlife in this limited remaining space.

Road Infrastructure:

- Goldwing road requires expansion, pavement markings, and sidewalks due to visibility concerns caused by the slope.
- South Legacy Park's speed bumps currently mitigate speed issues. Increased traffic will deteriorate this main street, increasing speeding as speed bumps are not expected to be replaced.

Environmental Impact:

- Construction vehicles have previously damaged Goldwing and Vance Baker roads.
- Legacy Park residents may face dirt runoff and debris cleanup as a result of construction.

Respectfully,

Hilary Holloway
1520 Kingdom Way
980-263-0340

From: [Hilary Holloway](#)
To: [Jennifer Bryan](#)
Subject: SD-2023-2224
Date: Friday, April 12, 2024 7:59:30 AM

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, lancastersc.supportsystem.com

Good Morning!

We have been made aware of the proposal to develop land off of Vance Baker into a subdivision. While I don't oppose the development of that parcel inherently, there are a few important issues to our Legacy Park community that I feel the county may want to consider before approval.

Traffic Concerns:

- The Legacy Park entrance onto Shelley Mullis is already challenging due to road curvature. With two unrelated developments underway, consideration for a traffic light is crucial.
- Connections from Goldwing and Vance Baker to Shelley Mullis exacerbate the main entrance challenge.
- Vance Baker's one-lane stretch from Wiregrass to Manakin is inadequate to absorb additional traffic.
- Unauthorized use of our common areas off South Legacy Park Blvd.

School Overcrowding:

- Indian Land Schools are already experiencing overcrowding, and further development will exacerbate this issue.
- Please consider revising the plan to a 55 + community to lower this impact.

Environmental Considerations:

- The proposed development area is an active wildlife habitat, and development will disturb wildlife in this limited remaining space.

Road Infrastructure:

- Goldwing road requires expansion, pavement markings, and sidewalks due to visibility concerns caused by the slope.
- South Legacy Park's speed bumps currently mitigate speed issues. Increased traffic will deteriorate this main street, increasing speeding as speed bumps are not expected to be replaced.

Environmental Impact:

- Construction vehicles have previously damaged Goldwing and Vance Baker roads.

Legacy Park residents may face dirt runoff and debris cleanup as a result of construction.

Respectfully,

Hilary Holloway
1520 Kingdom Way
980-263-0340

From: [JUDY LAING](#)
To: [Jennifer Bryan](#)
Subject: SD-2023-224
Date: Tuesday, April 16, 2024 12:25:16 AM

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, lancaster-sc.supportsystem.com<<https://lancaster-sc.supportsystem.com>>

To whom it may concern,

My family has been a resident of Legacy Park, Indian Land, since 2009. The increase in people & traffic has been unbelievable. Someone has to draw the line on construction. The roads are not maintained and are beyond congested. Also, the schools are starting to become overcrowded

Traffic on Shelly Mullis at our entrances has been extremely dangerous! People are speeding around the curve giving children & adults NO time to cross the road and get out of their way!

With more & more homes being built and squeezed into our already overcrowded area, I can't imagine being able to get to work or school on time. People get very angry and that alone is dangerous. Shelly Mullis is a ONE LANE road and it's a nightmare. I'm begging you to stop allowing more construction

and to at least put in some traffic lights or Roundabouts on N&S Legacy Park Blvd & Shelly Mullis; along with one at the crossroads of Henry Harris & Shelly Mullis before someone gets killed.

I have stopped allowing my grandson to cross Shelly Mullis to walk to the rec center. I drive him and I am terrified to cross it in my car!

I'm not well and can't make the meeting but please share my sentiments with anyone that can help solve our problems.

Thank you for your time.

Judy Laing

From: [Michael Pylypiw](#)
To: [Jennifer Bryan](#)
Subject: SD-2023-2224 - Stop new development
Date: Wednesday, April 10, 2024 10:21:44 AM



The System couldn't recognize this email as this is the first time you received an email from this sender pylypiw@yahoo.com

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, lancastersc.supportsystem.com

I am opposed to another development of 91 homes near the Legacy Park subdivision. This area is completely overbuilt already with housing developments and apartment complexes. The Indian Land Schools are already completely overwhelmed and further development will exacerbate the problem.

The Legacy Park entrance onto Shelley Mullis remains a continued source of problems for our neighborhood. Recent road construction has paved over our crosswalk and the crosswalk has not been repainted further compromising resident safety. I have personally called the department of transportation multiple times with regards to the safety of this intersection and each time they have stated they have done all they can do, and it is up to "enforcement" to slow vehicles down. In response, I have called the Lancaster Sheriff's Office multiple times and each time they stated that while they are aware of the problems, the department of transportation needs to be involved. Neither Transportation or the Lancaster sheriff is willing to take ownership of the problem at this intersection, as a result a new neighborhood will just compound the problems. Additionally, there are no sidewalks along Shelley Mullis further compounding resident safety with increased traffic and development.

Construction vehicles have already damaged our surrounding roads and the roads within Legacy Park are crumbling in dozens of areas with no repair work from the county planned.

The last thing this area needs is another housing or apartment development. Poor planning is responsible for the mess Northern Lancaster Country is currently experiencing.

Thank you,

Michael Pylypiw

From: [Crystal Reid](#)
To: [Jennifer Bryan](#)
Subject: SD-2023-2024
Date: Friday, April 12, 2024 9:13:41 AM



The System couldn't recognize this email as this is the first time you received an email from this sender mamacreid@gmail.com

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, lancastersc.supportsystem.com

I am writing to express my concerns regarding the proposed new development off Vance Baker Road (TM# 0009-00-015.00), behind Legacy Park. While I appreciate the need for growth and progress, I believe it is essential to consider the impact on our community, particularly concerning traffic.

1. **Traffic Congestion in the Established Neighborhood:** Our neighborhood already experiences traffic congestion and reckless driving especially on South Legacy Park Blvd. Allowing access to this new development via South Legacy Park Blvd. will exacerbate this issue. Increased traffic not only affects our quality of life but also poses safety risks for pedestrians, cyclists, and existing residents. We must carefully evaluate how the proposed development will impact our local streets and intersections.
2. **Main Road Capacity:** Shelly Mullis Road is not adequately equipped to handle a significant increase in traffic. As more residents and visitors access all the new developments, we can expect delays, longer commute times, and potential safety hazards. The recent work on Shelly Mullis has improved the road but there are still safety concerns with the road being able to handle all the additional traffic. A traffic light at the entrance of Legacy Park may help with some of the safety hazards but encouraging homeowners in the new development to cut through South Legacy Park, only adding to the safety concerns listed in bullet 1. The speed bumps on South Legacy do help some but would be no match for the additional traffic with the proposed neighborhood that will use the road as a cut through to Shelly Mullis.
3. **Safety Concerns on Side Roads:** Vance Baker, Goldwing and other streets in the area were designed for local traffic and are not suitable for handling additional vehicles. Narrow lanes, limited visibility, and lack of proper signage make these roads unsafe. The proposed development will generate more traffic on these side streets, posing risks to pedestrians, especially children, and compromising the tranquility of our residential areas. Much work would need to be done to these roads to make them safe for handling the additional traffic. Also, all the construction vehicles that will be using these roads as well as South Legacy Park Blvd. to access the development.

Please consider the concerns listed above and create proactive solutions to keep our established neighborhood intact.

Thank you,

Crystal Reid

From: [Adam and Jeni Schlosser](#)
To: [Jennifer Bryan](#)
Subject: Citizen against SD-2023-2224
Date: Wednesday, April 10, 2024 10:45:37 AM

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.

—IT Helpdesk, lancastersc.supportsystem.com

Dear Jennifer,

I am writing to express my concerns regarding the proposed new development within our community of Legacy Park. As a resident of this neighborhood, I am deeply invested in maintaining its quality of life and preserving its unique character. However, I am apprehensive about the potential negative impacts that this new development may bring, particularly in terms of increased traffic, degradation of current road infrastructure, and environmental consequences.

One of the primary concerns I have is the anticipated increase in traffic that the new development is likely to generate. Legacy Park already experiences congestion during peak hours, and adding more vehicles to our roads could exacerbate this problem significantly. Not only would this lead to longer commute times for residents, but it could also compromise road safety and diminish the overall livability of our community.

Furthermore, I am worried about the potential degradation of our current road infrastructure. Our roads are already in need of maintenance and improvements, and the influx of additional traffic from the new development would only hasten their deterioration. It is crucial that any new development projects take into account the strain they may place on existing infrastructure and allocate resources accordingly to ensure that our roads remain safe and functional.

In addition to these concerns, I am also mindful of the environmental impacts that the new development could have on our community. Legacy Park is surrounded by natural beauty, including parks, green spaces, and wildlife habitats. It is essential that any development within our neighborhood is conducted in an environmentally responsible manner, with measures in place to mitigate pollution, preserve green areas, and protect local ecosystems.

As a concerned resident, I urge you to carefully consider these issues and vote against the new community. It is imperative that our community's needs and interests are taken into account, and that any development plans are thoughtfully designed to minimize negative impacts on our quality of life, infrastructure, and environment. By putting a new neighborhood inside an existing one, we are going to feel the impact far more than the new neighborhood.

Thank you for your attention to this matter.

Sincerely,

From: [Andrew Smith](#)
To: [Jennifer Bryan](#)
Subject: Opposition to Proposed Development - SD-2023-2224
Date: Saturday, April 13, 2024 3:16:44 PM

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, lancastersc.supportsystem.com

Dear County Planning Commission,

I am writing to express my strong opposition to the proposed development by David Weekley Homes for a subdivision comprising 91 single-family lots on 112.48 acres at the end of Vance Baker. As a resident of Legacy Park, I am deeply concerned about the lack of infrastructure improvements and the potential negative impacts this development would have on our community.

One of the primary concerns is the overcapacity of the local sewer system, which is already strained due to existing developments. Adding more homes without addressing this issue would only exacerbate the problem and potentially lead to environmental hazards.

Furthermore, the roads in Legacy Park, particularly Vance Baker, are already crumbling and unable to handle the current traffic volume. The promised roundabouts to alleviate congestion have not been built, and the addition of more vehicles from the proposed development would only worsen the situation.

School overcrowding is another significant concern. Indian Land Schools are already experiencing overcrowding, and the proposed development would only add to the strain on resources and infrastructure, negatively impacting the quality of education for our children.

Additionally, the environmental impact of the proposed development cannot be overlooked. The area is an active wildlife habitat, and construction would disturb the delicate balance of nature, leading to habitat loss and potential harm to local wildlife populations.

I urge the County Planning Commission to carefully consider these concerns and prioritize the well-being of existing communities like Legacy Park. Development should only proceed with adequate infrastructure improvements in place to support the increased population and mitigate any adverse effects on the environment.

Thank you for your attention to this matter.

Sincerely, Andrew Smith Legacy Park Resident

From: [Richard Thomas](#)
To: [Jennifer Bryan](#)
Subject: Item: SD-2023-2224 Proposed Construction Behind Legacy Park Subdivision.
Date: Saturday, April 13, 2024 11:01:40 AM



The System couldn't recognize this email as this is the first time you received an email from this sender thomasrichardd7@gmail.com

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, lancastersc.supportsystem.com

Dear Ms. Bryan;

As a resident of the Legacy Park Subdivision I am writing this email to you to voice my concerns over the proposed construction of 91 homes at the end of Vance Baker Rd near the rear of the current Legacy Park Subdivision. The conditions concerning proposed construction have not changed since the last time construction was proposed on this parcel of land. This will have a negative impact on our community if the construction goes forward.

Traffic Concerns:

The primary access to these homes will come off of Shelley Mullis Rd., to the Legacy Park Entrance and S. Legacy Park Blvd. The idea that most traffic to access the construction site will come off of Vance Baker Rd. Is nonsense. This new traffic will go right through the heart of the existing Legacy Park Community. This entrance off Shelly Mullis is already challenged due to several developments that are currently in process of construction. The consideration of a traffic light here to assist this traffic is crucial. The idea that the current access off of Shelly Mullis to Vance Baker will absorb this extra traffic is questionable.

Road Conditions:

Other access to the from Goldwing Road will provide additional relief to traffic is questionable. The road itself is not well marked and at one spot is almost a one lane road.

Most of the current asphalt pavement for Legacy Park Subdivision was laid down about 20 years ago. It is currently in a state of distress what with cracking, pothole repair and repairs from utility work. The additional traffic will only go to making this problem worse.

The report that the S. Legacy Blvd will be upgraded, but, Speed bumps removed is also a concern as it will provide a safety concern as there will be nothing there to help reduce the speed of the cars moving through the subdivision.

Environmental Impact:

The Current construction Traffic has already damaged Goldwing and Vance Baker roads. Residents are faced with dirt run off and road dust coming off this section of road and coming from the area of construction. This is causing the residents to deal with the clean-up from this problem.

School Overcrowding:

The Indian Land Schools are already experiencing overcrowding with all the development in the area.

The proposed construction will only go to enlarge this problem.

Environmental Issues:

The proposed development will disturb an area which has become a wildlife sanctuary. This will destroy the habitat for wildlife living in this area and continue to reduce the limited space available for this wildlife to live.

Madame we sincerely hope that you will take all of these considerations into account before passing any judgement in order to allow this aforementioned project to be approved

Sincerely,
Richard D. Thomas
Legacy Park Resident

--

From: [Katelyn Wallington](#)
To: [Jennifer Bryan](#)
Subject: SD-2023-2224
Date: Friday, April 12, 2024 8:47:12 AM



The System couldn't recognize this email as this is the first time you received an email from this sender katelyn.wallington@gmail.com

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, lancastersc.supportsystem.com

Lancaster County Planning Commission,

My name is Katelyn Wrobel Wallington and I am a native of Lancaster County. I was born and raised in Buford, graduated from Buford High School, went to Clemson, moved out of state for a few years then came back home to Lancaster to be near family and "home".

My husband and I chose to move into Indian Land to be nearer to restaurants, the airport for work travel and because I was biased that Lancaster County was better than York or Union. Unfortunately, in the 7 years since we moved back, I have become more and more disheartened that the planning of this portion of the county has done very little to protect the people who live here, but instead has allowed seemingly limitless growth and minimal proactive infrastructure upgrades to run rampant.

We have lived in Legacy Park since 2019 and we have come to accept that development around us is unavoidable. In 2023, we actually chose to move from one house in LP to another house in LP because we needed more space but we love our neighborhood that much. We live here, we work here, our son goes to an in-home daycare here in LP. On Friday afternoons, we sit on our friends driveway on S Legacy Park and let our toddlers run wild together until dark, not the same, but not all that differently than my parents allowed me to do on Hershel Plyler Rd in 1995.

I am not opposed to the development of the land behind our neighborhood; however, there are some crucial infrastructure needs that have to be required of this developer if their proposal is approved. My largest concerns include:

1. Improvement of the following intersections for visibility:

- Goldwing at Shelly Mullis
- Vance Baker at Shelly Mullis
- Legacy Park at Shelly Mullis

2. Widening and addition of sidewalks of the following roads:

- Goldwing from Shelly Mullis to Vance Baker
- Vance Baker from Shelly Mullis to the new neighborhood

3. Right turn lane from Hwy 521 onto Shelly Mullis. The addition of a left, straight and right turn lane from Shelly Mullis onto has improved traffic flow coming from LP but there are still significant traffic concerns getting from Hwy 521 to Shelly Mullis, especially at peak traffic times.

4. Increased green space in the proposed neighborhood. There is a lot of wildlife that is going to be disturbed with the addition of this neighborhood. Many of the new neighborhoods built in this area have completely clear cut the forests around us and few have put any of the necessary green space and trees back in. Please see Millbridge in Union County for an example of excellent addition of walking space & green space for both residents and nature to cohabitate.

I challenge you to come up and drive through our neighborhood on the above mentioned streets to get a full grasp of how dangerous these roads are with even the current rate of traffic - not including the approximately 180-250 cars this development will bring. As a country girl, I am not green when it comes to a blind shoulder or 1 lane road, but the roads in the southern part of the county do not see the amount and pace of traffic that is seen here making blind shoulders and 1 lane, shoulderless roads incredibly dangerous.

Thank you for your time and for ensuring that the development that is bringing so much industry and income to Lancaster County also protects those of us who were here first or came here because of the promise we too see in the area.

Sincerely,
Katelyn Wallington
Lancaster Native
Legacy Park Resident
314-421-9559

ATTACHMENT 4:

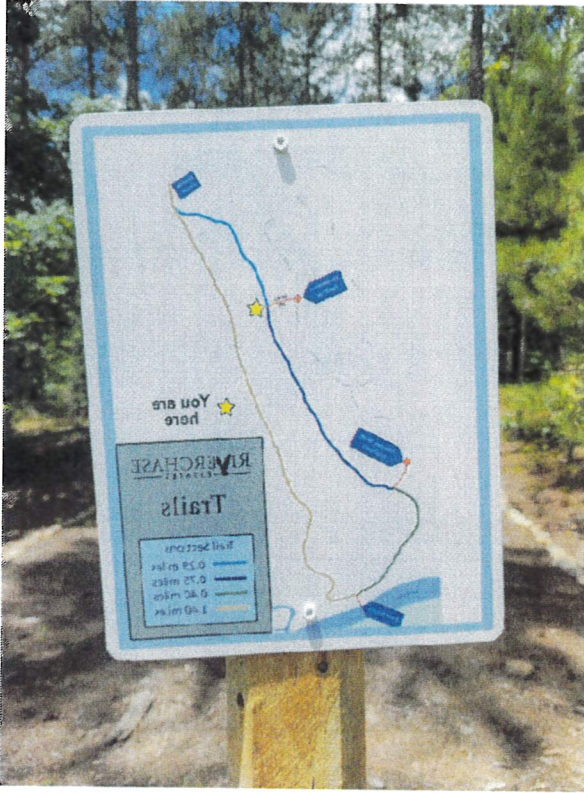
5c: SD-2022-2122 Riverchase Section 2

Riverchase Estates Trail Committee Projects

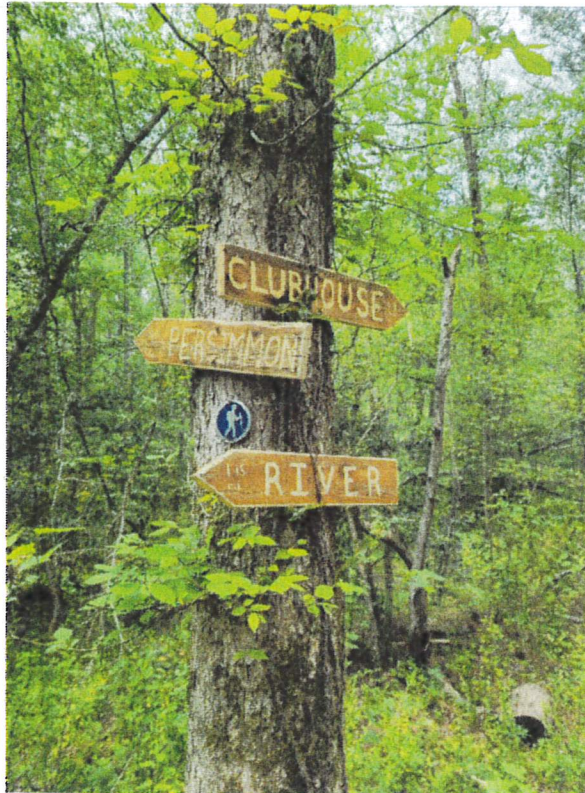
(Provided by David Basri)

Riverchase Estates Trail Committee Projects

All projects are reviewed by and a budget approved by the POA ahead of time. Trail Committee members obtain all materials and all the work. When the project is complete the members are reimbursed for materials costs by the POA.



Trail Map at 4 trail access points



Trail signs and blazes along length of trails



86' raised boardwalk over wetland area connecting the Persimmon trail spur to the main trail. This trail access was inaccessible for weeks after a heavy rain.



18' bridge over creek on new ½ mile trail extension along the Catawba from the picnic tables south to Waxhaw Creek. Front step has since been ramped and steps built up the slope in the back.



New Persimmon Trailhead bridge over dry ditch and up the slope.

Future projects

- Reroute trail 20' to 30' upslope to avoid muddy stretch of about 200 yards.
- Cut in foot trail from Amenity Center south to Waxhaw Creek, then along the creek to the Catawba to connect with the new river extension trail.
- Cut in a trail from Gulf Creek Rd, along the Catawba then along the east side of the creek join the main trail at the Chimney Bluff trail spur bridge.
- Update trail map.

ATTACHMENT 5:
5c: SD-2022-2122 Riverchase Section 2
Riverchase Petition
(Provided by Jennifer Sabatino
& Elaine Buhlman)

PETITION TO URGE LANCASTER COUNTY PLANNING COUNCIL TO HAVE LGI ADD AMENITIES AND SAFETY STANDARDS PROMISED/SOLD TO THE RESIDENTS OF RIVERCHASE ESTATES VIA THEIR WEBSITE, THEIR SALES CENTER PERSONNEL, POSTERS, AND/OR SIGNAGE IN AND AROUND THE COMMUNITY AND TO ADD THEM TO THE PLATS OF SECTIONS 1, 2, AND 3 AND TO MAKE THEM PERMANENT ADDITIONS TO THE PLATS. TO ADD SEPARATE CONSTRUCTION ENTRANCES FOR SECTIONS 2 AND 3 AND PERMANENTLY ADD THEM TO THE PLAT. WE ASK THE LANCASTER COUNTY COUNCIL TO CONSIDER THE SAFETY OF OUR COMMUNITY SHOULD THERE BE A CATASTROPHIC FLOOD, STORM, HURRICANE, FIRE OR NATURAL DISASTER THAT WOULD WARRANT MULTIPLE EXITS AND ENTRANCES FOR RESIDENTS, FIRE, EMS, AND OTHER EMERGENCY SERVICES TO GET IN AND OUT OF OUR COMMUNITY. WE URGE LANCASTER COUNTY COUNCIL TO DO THIS BEFORE APPROVAL OF SECTION 2.

1. Accessible connecting trail systems throughout all 3 communities. Accessible, meaning trails that may be in wetlands must have bridges or accessibility so as not to be under water in low lying areas that are muddy and wet. Accessible meaning sidewalks if the layout, safety and/or terrain dictates the need.
2. The Persimmon Road and Chimney Bluff Trails already in place in Section 1 must connect to a trail system that leads down to the Catawba River.
3. A safe, accessible Kayak Launch on the Catawba River.
4. A third Permanent Entrance/Exit in Section 2. As it looks on the plat now the existing exit converges with section 1.
5. Separate construction entrances for ALL construction vehicles to enter sections 2 and 3 outside of our main entrance in section 1. Section 3 to have its own construction entrance and section 2 to have its own construction entrance and not use the main entrance gate of section 1. These vehicles are tearing up our roads, they speed excessively, run over lawns and are a danger to our CHILDREN and RESIDENTS of our beautiful community.

NAME	ADDRESS	PHONE	SIGNATURE
Sam Grocke	4669 Persimmon Rd		Sam Grocke
Danielle Grocke		936 499 1541	
Michael Wiley	8632 Rainier Ct.	803 286 4084	Michael Wiley
Karen Wiley	8632 Rainier Ct.	803 286 4084	Karen Wiley
Robert Stem	4265 Persimmon	704 520 0155	Robert Stem
Pamela Bertelli	4129 Persimmon	413-386-5974	Pamela Bertelli
Leonard Bertelli	4129 Persimmon Rd	860-833-2545	Leonard Bertelli
LYNN LANPHER	5040 Townsend Rd	952-239-7373	Lynn Lanpher
WINSTON LANPHER	5040 Townsend Rd	952-484-1278	Winston Lanpher
Julia Roberts	4112 Persimmon Rd	706-231-0672	Julia Roberts
William P. Roberts	4112 Persimmon Rd	706-231-0672	William P. Roberts
Amy Weaver	6235 Chimney Bluff	704 594 5929	Amy Weaver
JANINE KATZ	6235 CHIMNEY BLUFF	646-290-4611	Janine Katz
Ken Siffert	4435 Persimmon Rd	631-8060106	Ken Siffert
RICHARD MANT	8640 RAINIER	917-995-3700	Richard Mant
HART NIELSEN	4102 Persimmon	812 890-8854	Hart Nielsen
MARK SALZBRENNER	6296 CHIMNEY BLUFF	302-354-3446	Mark Salzbrenner
MARK BATLEY	3800 SHERMAN	704 242-1605	Mark Batley
Ralph L. B.	4166 Persimmon	330-461-0314	Ralph L. B.
Ralph L. B.	4166 Persimmon Rd	740-503-3723	Ralph L. B.
Genise Sabatino	6070 Chimney Bluff	980-263 4545	Genise Sabatino
William Sabatino	6070 Chimney Bluff	914-602-3066	William Sabatino

ID	Submission Date / Time	Submitted By	Riverchase Address	Additional Comments / Feedback
1	4/15/24 8:07 PM	Charlotte Brubaker	3914 Ostler Court	
2	4/15/24 8:18 PM	Dean Cron	4245 Persimmon Rd	
3	4/15/24 8:21 PM	Jennifer Cron	4245 Persimmon Rd	
4	4/15/24 8:22 PM	Leslie Weaver	6118 Chimney Bluff Road	
5	4/15/24 8:22 PM	Dawne Foster	6367 Chimney Bluff Road	None
6	4/15/24 8:23 PM	Eleanor Nel	3097, Sherman Drive	
7	4/15/24 8:23 PM	Michael Bergstrom	4498 Persimmon Rd	This is a matter of life and death.
8	4/15/24 8:23 PM	Conrad and Sharon Lowe	3124 Sherman Drive	
9	4/15/24 8:24 PM	Heather Howe	6099 Chimney Bluff Rd	
10	4/15/24 8:24 PM	Ken Katz	6235 Chimney Bluff Rd	
11	4/15/24 8:24 PM	Wanda Proctor Tillery	4231 Persimmon Rd	
12	4/15/24 8:24 PM	Garry Nel	3097, Sherman Drive	
13	4/15/24 8:24 PM	Alexandria Norman	4686 Persimmon Rd, Lancaster, SC 29720	
14	4/15/24 8:24 PM	Linda mcGary	4255 Persimmon Road	
15	4/15/24 8:24 PM	Rhonda Shear	3038 Sherman Dr	
16	4/15/24 8:24 PM	Rebel L Blake Strohmeier	9712 Markham Pl	
17	4/15/24 8:24 PM	Tracy Leabo	31114 Sherman Dr	
18	4/15/24 8:24 PM	Elizabeth Hartert	6342 Chimney Bluff Road	
19	4/15/24 8:25 PM	Krista Bergstrom	4498 Persimmon Rd	
20	4/15/24 8:25 PM	Todd Hartert	6342 Chimney Bluff Road	
21	4/15/24 8:25 PM	Craig Rentenber	3170 Sherman Dr	
22	4/15/24 8:25 PM	Megan Honeycutt	4146 Persimmon Road, Lancaster SC 29720	
23	4/15/24 8:25 PM	Charles Hough	3191 Sherman Drive	
24	4/15/24 8:25 PM	Amy Hough	3191 Sherman Drive	Please provide a fire house for our safety
25	4/15/24 8:26 PM	Michael Barber	6076 Chimney Bluff Rd	
26	4/15/24 8:26 PM	Chris Howe	6099 Chimney Bluff Road	
27	4/15/24 8:26 PM	William leabo	3114 Sherman Dr	
28	4/15/24 8:26 PM	Tim Cleveland	6322 chimney bluff Rd	

ID	Submission Date / Time	Submitted By	Riverchase Address	Additional Comments / Feedback
29	4/15/24 8:26 PM	Amanda Barber	6076 Chimney Bluff Rd	Please protect our development from the developer. Please help us keep the items promised to us when we purchased in Riverchase.
30	4/15/24 8:28 PM	Michael Halley	4453 Persimmon Road	
31	4/15/24 8:29 PM	Jessi Nielsen	3142 Sherman Dr Lancaster SC 29720	
32	4/15/24 8:29 PM	Parthiv Patel	7961 Gulf Creek Road	
33	4/15/24 8:31 PM	Mary Beth Vincent	7680 Gulf Creek Road	
34	4/15/24 8:31 PM	Susanne Camilleri	5016 Townsend road, Lancaster SC 29720	
35	4/15/24 8:32 PM	Ronald Camilleri	5016 Townsend Road, Lancaster SC 29720	
36	4/15/24 8:32 PM	Scott Fallecker	4700 Persimmon Rd	Consider stop light at hwy 5 and Riverside drive intersection. Dangerous intersection.
37	4/15/24 8:38 PM	Nathan Scheg	5053 Townsend Road	
38	4/15/24 8:41 PM	James Kutrubs	6310 Chimney Bluff Rd	
39	4/15/24 8:43 PM	Nic Nielsen	3142 Sherman Dr	Please keep our neighborhood safe & hold LGI accountable for being a good member of the business community.
40	4/15/24 8:46 PM	Rochele Grussing	3220 Sherman Drive	Please support our community.
41	4/15/24 8:47 PM	Danielle Scheg	5053 Townsend Road	
42	4/15/24 8:51 PM	James Pritt	3028 Sherman Drive	
43	4/15/24 8:51 PM	Timothy Bumbrey	6198 Chimney Bluff Road, Lancaster SC 29720	
44	4/15/24 8:51 PM	Kevin Kozlowski	9716 Markham Place	
45	4/15/24 8:51 PM	Kristi Pritt	3028 Sherman Drive	
46	4/15/24 9:07 PM	Jeffrey Vincent	7860 Gulf Creek Rd	
47	4/15/24 9:07 PM	Daniel Brubaker	3914 Ostler Ct	
48	4/15/24 9:10 PM	Brendan Lee	8095 Gulf Creek Rd	
49	4/15/24 9:10 PM	Nicole Lee	8095 Gulf Creek Rd	
50	4/15/24 9:11 PM	Haley Brubaker	3914 Ostler Ct.	

ID	Submission Date / Time	Submitted By	Riverchase Address	Additional Comments / Feedback
51	4/15/24 9:12 PM	Kelli Bowen	4145 Persimmon Rd	This needs to be addressed by the county before we are forced to file a lawsuit.
52	4/15/24 9:24 PM	Debra Price	6201 Chimney Bluff Road	We just want LGI to deliver what they promised. We bought our home here because it is such a unique and beautiful community. This should not be taken from us by greed.
53	4/15/24 9:26 PM	Melvyn Price	6201 Chimney Bluff Road	
54	4/15/24 9:36 PM	Kim Black	6314 Chimney Bluff Rd	
55	4/15/24 9:42 PM	Juan Gauffreau	7921 Gulf Creek Road	
56	4/15/24 9:43 PM	Dorene Kutrubs	6310 Chimney Bluff Road	
57	4/15/24 10:19 PM	D'anthony Tillery	4231 Persimmon Rd	Hold LGI accountable to ensure they meet the standards to support the necessary needed amenities as promised.
58	4/15/24 10:31 PM	Cary Veltkamp	3278 Sherman Drive	We urge Lancaster County Planning Council to listen to the residents living here
59	4/15/24 10:41 PM	Tylee Tracer-Anderson	5045 Townsend Rd	
60	4/15/24 10:56 PM	Charme Petersen	4155 Persimmon Road	
61	4/15/24 11:18 PM	Charles Bourgeois	4069 Persimmon Rd	
62	4/15/24 11:53 PM	Jennifer Nelson	3413 Sherman Drive	Please consider the safety of our residents.
63	4/16/24 4:53 AM	William McGary	4255 Persimmon Road	
64	4/16/24 5:02 AM	Cheryl Rentenber	3170 Sherman Dr	
65	4/16/24 6:13 AM	William Nelson	3413 Sherman Drive	
66	4/16/24 6:57 AM	Melanie Smithers	3078 Sherman Dr Lancaster SC 29720	
67	4/16/24 6:59 AM	Jordan Smithers	3078 Sherman Dr Lancaster SC 29720	
68	4/16/24 7:00 AM	Matt Grussing	3220 Sherman Dr	
69	4/16/24 7:30 AM	Gwen Queen	4136 Persimmon Dr	
70	4/16/24 7:56 AM	Ellen Hughes	5028 Townsend road	
71	4/16/24 8:01 AM	James Hughes	5028 Townsend Road Lancaster, Sc 29720-0175	
72	4/16/24 8:06 AM	Robert stanger	6135 Chimney Bluff Road	
73	4/16/24 8:07 AM	Joy Stanger	6135 Chimney Bluff Road	

ID	Submission Date / Time	Submitted By	Riverchase Address	Additional Comments / Feedback
74	4/16/24 8:20 AM	Nicole Hillery	3401 Sherman Drive	
75	4/16/24 8:51 AM	Terry Bourgeois	4069 Persimmon Road	
76	4/16/24 9:31 AM	Julia Johnson	4237 Persimmon Rd	
77	4/16/24 9:34 AM	Stephen Johnson	4237 Persimmon Rd	
78	4/16/24 10:07 AM	Vickie Basri	4099 Persimmon Road, Lancaster SC29720	
79	4/16/24 10:11 AM	David Basri	4099 Persimmon, Lancaster, SC 29720	
80	4/16/24 10:11 AM	Krista Bergstrom	4498 Persimmon Rd	
81	4/16/24 10:14 AM	Michael & Janet Locklear	6371 Chimney Bluff Road	
82	4/16/24 10:21 AM	John McSweeney Jr.	4419 Persimmon Road	
83	4/16/24 10:42 AM	Jordan Smithers	3078 sherman drive Lancaster sc 29720	
84	4/16/24 10:51 AM	Kenneth and Maria Siffert	4435 persimmon rd Lancaster sc 29720	
85	4/16/24 10:55 AM	Danielle Greene	4669 Persimmon Rd	
86	4/16/24 10:55 AM	Laurie Sessa	7836 Gulf creek road	
87	4/16/24 10:57 AM	Michael Wiley	8632 Rainier Ct.	
88	4/16/24 11:03 AM	Debra Morway	6282 Chimney Bluff Road	
89	4/16/24 11:05 AM	Elizabeth Bumbrey	6198 Chimney Bluff Road	
90	4/16/24 11:17 AM	Charles H Midkiff	4060 Persimmon Road	
91	4/16/24 11:38 AM	Rob Foster	6367 Chimney Bluff Rd.	All that is being asked here is what we were all promised - as well as what any developer who cares for their residents should want as well.
92	4/16/24 11:40 AM	Lan Vu-Bailey	3000 Sherman Drive	
93	4/16/24 11:48 AM	Lisbet	De Salem	Please add street lights to section 5 (Phase 5)
94	4/16/24 11:48 AM	Devinn Padilla	8609 Rainier Ct	Please add street lights to section 5 (phase 5)
95	4/16/24 11:49 AM	Jimmy Padilla	8609 Rainier Ct	Please add street lights to phase 5 (section 5)
96	4/16/24 11:52 AM	Angelia Thompkins	6083 Chimney Bluff Rd	
97	4/16/24 11:52 AM	Greg Queen	4136 Persimmon Road	

ID	Submission Date / Time	Submitted By	Riverchase Address	Additional Comments / Feedback
98	4/16/24 12:21 PM	Brad Veltkamp	3278 Sherman Drive	We bought land at a premium based on expectation of level of service, amenities, and preservation of certain lands. This must be adhered to
99	4/16/24 12:32 PM	Amy Dalley	4213 Persimmon Road	
100	4/16/24 12:49 PM	Stephen Wood	9720 Markham Place	
101	4/16/24 12:52 PM	jack miller	4230 persimmon rd, lancaster, SC	
102	4/16/24 12:54 PM	linda miller	4230 persimmon rd, Lancaster, SC	
103	4/16/24 1:10 PM	Colin Winchester	6062 Chimney Bluff Road, Lancaster SC 29720	After living through Edenmore/Walnut Creek, I was hoping people would be held accountable to keeping their word. No more broken promises in Lancaster County!
104	4/16/24 1:13 PM	Susan Selvitelle	6044 Chimney Bluff Rd. Lancaster SC	
105	4/16/24 1:16 PM	william selvitelle	6044 chimney bluff rd	Please hold the builders/contractors accountable for their promises for a Fire Station, walking trails and a safe community.
106	4/16/24 1:59 PM	Diane Winchester	6062 Chimney Bluff Rd, Lancaster SC 29720	
107	4/16/24 2:00 PM	Mark A. Graves	6249 Chimney Bluff Rd	
108	4/16/24 2:28 PM	Gerald Cohen	3010 Sherman Drive	
109	4/16/24 2:28 PM	Laura Landino	7929 Gulf Creek Rd	
110	4/16/24 2:30 PM	John Coglianò	6100 Chimney Bluff Rd	
111	4/16/24 2:51 PM	Nikki Halley	4453 Persimmon Rd	
112	4/16/24 2:56 PM	Anthony Scow	4193 Persimmon Rd	
113	4/16/24 2:57 PM	Dedra SCOW	4193 Persimmon Rd	
114	4/16/24 3:00 PM	Malcolm Edwards	4048 Sherman DR	
115	4/16/24 3:06 PM	Vertina Spurgeon	4266 Persimmon Rd	
116	4/16/24 3:06 PM	William Locke Landino	7929 Gulf Creek Rd	I am in full support of all the homeowners in Riverchase. LGI made numerous promises and they need to be held accountable.
117	4/16/24 3:06 PM	Annette Coglianò	6100 Chimney Bluff Road	I just want LGI to honor the promises they made

ID	Submission Date / Time	Submitted By	Riverchase Address	Additional Comments / Feedback
118	4/16/24 3:15 PM	Judith Johnson-Cohen	3010 Sherman Drive Lancaster, SC 29720	
119	4/16/24 3:16 PM	Jennifer Cron	4245 Persimmon Rd	
120	4/16/24 3:21 PM	Julie Krug	4165 Persimmon Rd	
121	4/16/24 3:28 PM	Tina McSweeney	4419 Persimmon Road	
122	4/16/24 3:36 PM	Cathy Butler	3177 Sherman Drive	
123	4/16/24 3:40 PM	Sandra Edwards	3048 Sherman Dr.	
124	4/16/24 3:49 PM	Donna Rey	4542 Persimmon Road	
125	4/16/24 3:52 PM	Brandy Shiloh	4550 Persimmon Rd.	
126	4/16/24 4:11 PM	Jeanell Graves	6249 Chimney Bluff rd	

127 4/16/24 Cynthia Sherman 6376 Chimney Bluff
43 5:40 pm
170

ATTACHMENT 6:

5d: TA-2024-0162 Non-Metallic Mineral Manufacturing (Conditional Use Status Slide Presentation

5. Public Items

d.)TA-2024-0162 Non-Metallic Mineral Manufacture Conditional Use

Application at direction of Council, to change the newly approved Use at UDO 5.9.17 "Non-metallic Mineral Manufacture" from a "Permitted with Review" use per Use Table 2.5, to a Conditional Use.

Overview

Proposal

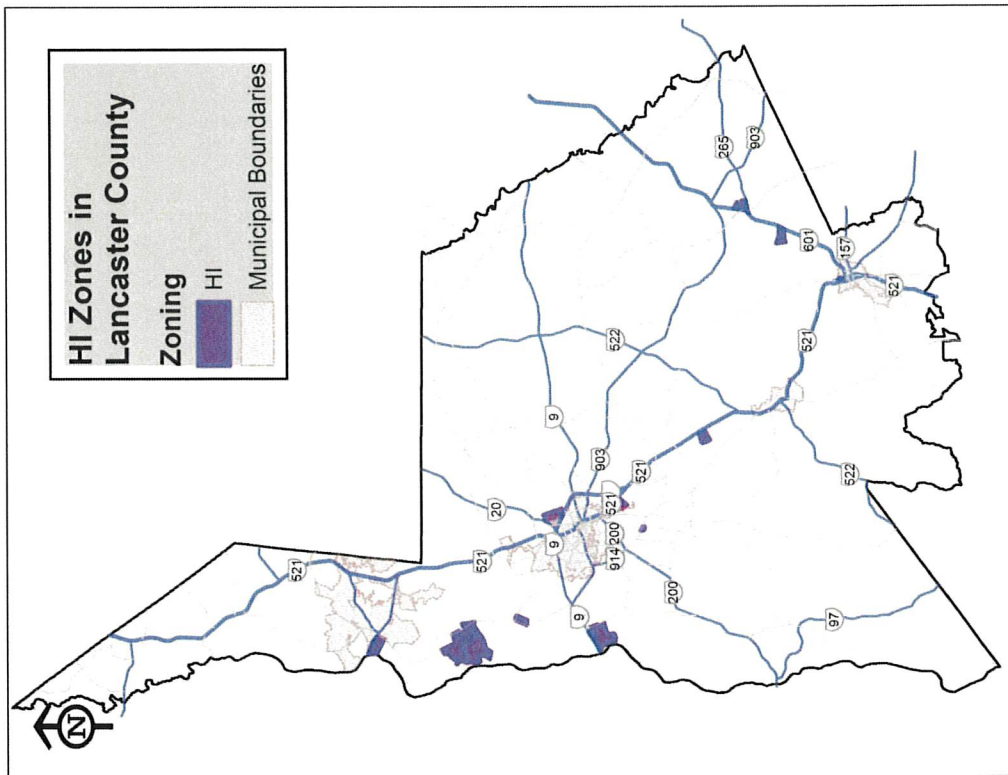
- Amend the UDO to convert “nonmetallic mineral product manufacturing” use in the HI districts from “Permitted with Review” to “Conditional Use.”

Applicant

- Lancaster County

Intent

- To add two legislative review opportunities to the process required to secure a permit for nonmetallic mineral product manufacturing, based on input from the public.



- **October/November 2023:** Private property owner requested a text amendment to the UDO, separating “nonmetallic mineral product manufacturing” from “restricted industry” classification and create new conditions for the review of nonmetallic mineral product manufacturing uses. Planning Commission held a public hearing, and recommended denial.
- **December 2023/January 2024:** County Council reviewed the proposal and received public input. Discussions among Council included options in the future for more control over the use. Staff investigated and developed an ordinance that would achieve this for future uses.
- **February 2024:** County Council gives 1st reading to an ordinance to amend nonmetallic mineral product manufacturing from “permitted with review” to “conditional use.” During the review the Council discussed interest in amending the conditions.
- **March 13, 2024:** Council gives some ideas to staff and asks for additional information.
- **April 8, 2024:** Council gives staff feedback and asks for additional information.

Options Discussed Included:

- *Reverting separation back to 1,320 ft between residential/educational/civic uses*
- *Evaluating a distance buffer from the Catawba River*
- *Discussion of what DHEC regulates:*
 - *Air quality*
 - *Groundwater*

Also Requested:

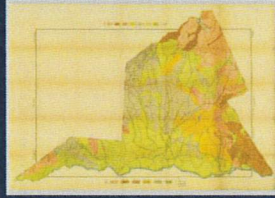
- *What would it cost Lancaster County to increase the code review for options*

Separations

	Separation from Res/Edu/Civic	Separation from Water Bodies
Lancaster County		
Current	500 ft	None
Previous (Under Restricted Industry)	2,640 ft (1/2 mile)	None
Other Counties		
Chester County	150 ft	None
Horry County	500 - 1,000 ft	None
Kershaw County	40 ft	None
York County	500 ft	500 ft

Separations

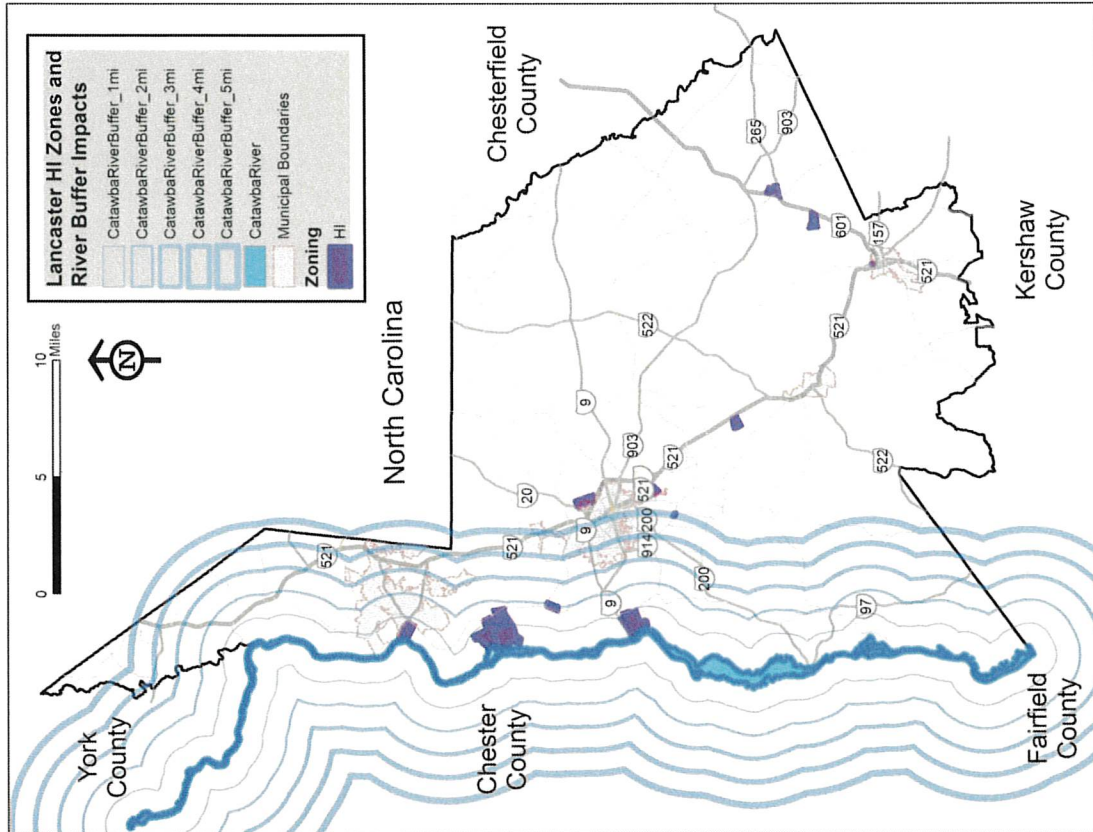
- Separations are different from buffers and setbacks, in that the use has to be located a specific distance from protected uses (residences, schools, civic buildings, sometimes businesses as well)
- Previously, asphalt plants were considered “industry, restricted” which has a ½ mile separation requirement
- “Industry, restricted” covers other uses and still requires a ½ mile separation requirement from protected land uses
- Capacity exists to monitor and enforce separations

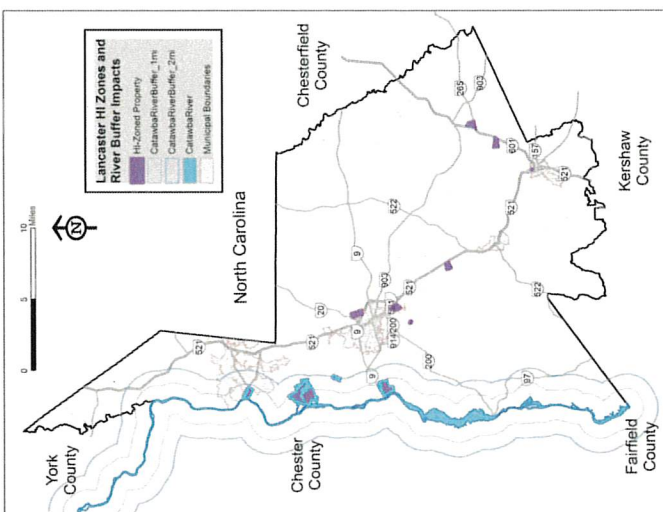
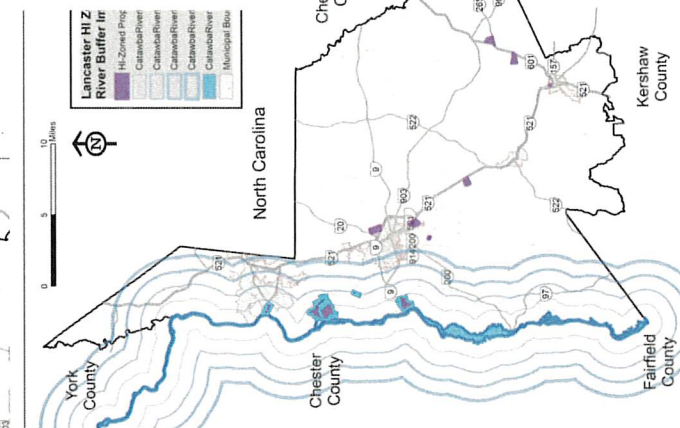
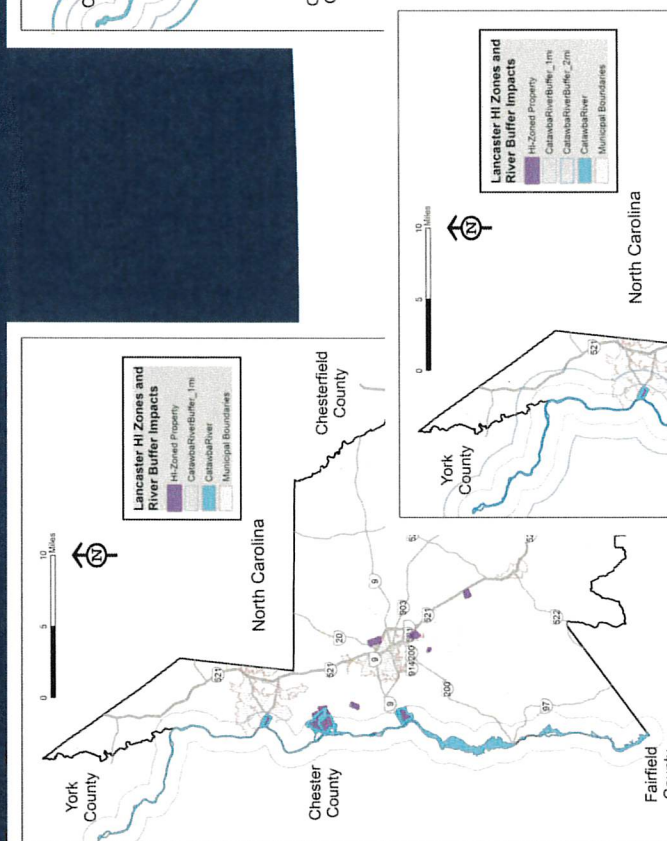
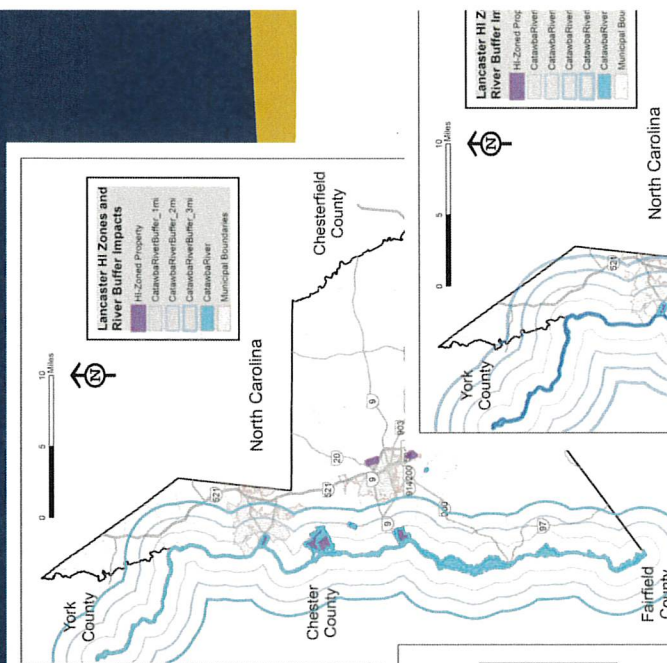
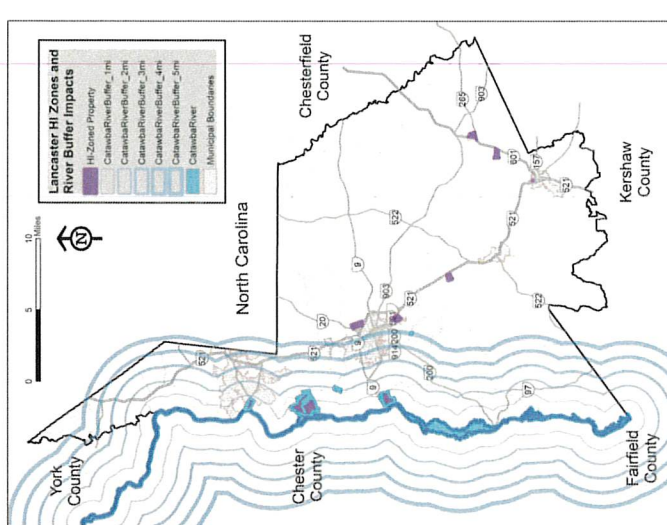


Distance from Catawba River

Soil and Groundwater Information

- Soils around the Catawba River are mostly clay, sand, loam, and silt (such as Cecil, Davidson, and Mecklenburg soils)
- These soils range from slow to medium permeability, which have filtration rates of 0.6 inches per hour to 2.0 inches per hour
- Min $0.6 \times 24 = 14.4$ inches/day = 12.05 years to 1 mile
- Max $2.0 \times 24 = 48$ inches/day = 3.62 years to 1 mile
- Stormwater staff monitors water bodies once per month and could include any water bodies within a specified range of the operation





Buffer Study

- DHEC monitors air quality and issues permits under the General Conditional Major (GCM) permit
- DHEC enforces EPA regulations in-state and has higher standard for source testing
- Thresholds for for Hazardous Air Pollutants (HAPs) are significantly lower than general pollutants
- The entire state of South Carolina is currently attaining all the EPA's health-based national air quality standards
- Currently no capacity to regulate and enforce air quality monitoring

Construction Permit Emission Threshold & Permitting Table

Regulated Air Pollutants	Common Operations	Emission Level Exemption	Minor Source Emission Thresholds	Major Source Emission Thresholds (40% Construction Permit Limit)	Major Source Emission Thresholds (100% Construction Permit)	Minor Construction Permit Thresholds (40% Construction Permit)	Major Source Emission Thresholds (100% Construction Permit)	35% Construction Permit Thresholds (40% Construction Permit)	PSD Construction Permit Thresholds (40% Construction Permit)	100% Construction Permit Thresholds (40% Construction Permit)
Carbon Monoxide (CO)	Construction activities	PTE < 5 Tpy	PTE < 250 or 100 Tpy**	PTE < 250 or 100 Tpy**	PTE < 250 or 100 Tpy**	90 days/No PN Exemption**	N/A	90 days/No PN Exemption**	270 days/No PN Exemption**	N/A
Particulate Matter (PM)	Spreading, stockpiling, processing, operations	PTE < 5 Tpy	PTE < 250 or 100 Tpy**	PTE < 250 or 100 Tpy**	PTE < 250 or 100 Tpy**	90 days/No PN Exemption**	N/A	90 days/No PN Exemption**	270 days/No PN Exemption**	N/A
PM ₁₀	Fixed machinery, operations	PTE < 5 Tpy	PTE < 250 or 100 Tpy**	PTE < 250 or 100 Tpy**	PTE < 250 or 100 Tpy**	90 days/No PN Exemption**	N/A	90 days/No PN Exemption**	270 days/No PN Exemption**	N/A
PM _{2.5}	Building operations, dust, construction	PTE < 5 Tpy	PTE < 250 or 100 Tpy**	PTE < 250 or 100 Tpy**	PTE < 250 or 100 Tpy**	90 days/No PN Exemption**	N/A	90 days/No PN Exemption**	270 days/No PN Exemption**	N/A
Nitrogen Oxides (NO _x)	Construction activities	PTE < 5 Tpy	PTE < 250 or 100 Tpy**	PTE < 250 or 100 Tpy**	PTE < 250 or 100 Tpy**	90 days/No PN Exemption**	N/A	90 days/No PN Exemption**	270 days/No PN Exemption**	N/A
Sulfur Dioxide (SO ₂)	Fixed machinery, operations	PTE < 5 Tpy	PTE < 250 or 100 Tpy**	PTE < 250 or 100 Tpy**	PTE < 250 or 100 Tpy**	90 days/No PN Exemption**	N/A	90 days/No PN Exemption**	270 days/No PN Exemption**	N/A
Volatile Organic Compounds (VOCs)	Painting, operations	PTE < 1000 lb/yr	PTE < 250 or 100 Tpy**	PTE < 250 or 100 Tpy**	PTE < 250 or 100 Tpy**	90 days/No PN Exemption**	N/A	90 days/No PN Exemption**	270 days/No PN Exemption**	N/A
Lead (Pb)	Fixed machinery, operations	PTE < 10 Tpy	PTE < 10 Tpy	PTE < 10 Tpy	PTE < 10 Tpy	90 days/No PN Exemption**	N/A	90 days/No PN Exemption**	270 days/No PN Exemption**	N/A
Hazardous Air Pollutants (HAPs) (each HAP calculated separately)	Fixed machinery, operations	PTE < 10 Tpy	PTE < 10 Tpy	PTE < 10 Tpy	PTE < 10 Tpy	90 days/No PN Exemption**	N/A	90 days/No PN Exemption**	270 days/No PN Exemption**	N/A
Multiple HAPs (All HAPs combined)	Fixed machinery, operations	PTE < 25 Tpy	PTE < 25 Tpy	PTE < 25 Tpy	PTE < 25 Tpy	90 days/No PN Exemption**	N/A	90 days/No PN Exemption**	270 days/No PN Exemption**	N/A

Criteria Pollutants (CO, NO_x, SO₂, Particulate Matter, Lead, VOC) are common and emitted in relatively large quantities by a variety of sources.

PTE: Potential To Emit

* Sources of VOCs greater than 1,000 lb/month may be exempt on a case by case basis.

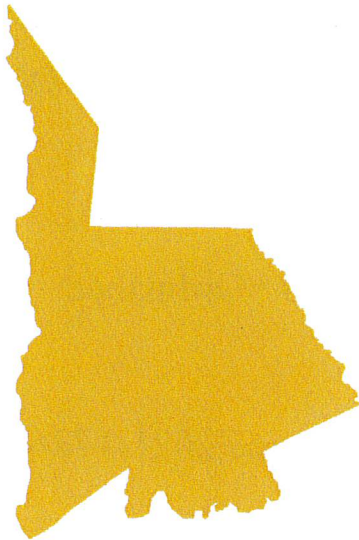
** Sources that are one of the 25 source categories defined in the PSD Regulations have a threshold of 100 tons per year, including fugitive emissions. All other sources have a threshold of 250 tons per year.

*** Visit the Expedited Review Program at www.scdhe.gov/Environment/AirQuality/ConstructionPermits for details prior to application submital.

Options and Capacity

Option	Capacity Exists?	Requires
Re-set separation between NMPM operations to 1/2 mile	Yes	Site plan review
Periodic stream testing within a measure from the site for contaminants	Yes	Stormwater staff assistance, possible new staff to cover south of Hwy 5
Require annual testing of nuisances relating to operations	Yes	Requirement for operator to turn in reports;
Require a compliance guarantee	Yes	Staff review and legal team if compliance fails
Restrict hours of operation	Potentially	Observation and/or response to complaints
Implement odor mitigation requirement	Not currently	Agreements, ability of County to fine and/or cease operations if violated
Implement stricter air quality standards	No	Air testing, staffing, scientific assistance with code draft

ATTACHMENT 7:
Capital Improvement Plan (CIP)
Presentation



2021-2031 Capital Improvement Plan (CIP) Overview

April 16-17, 2024
Jamie Privuznak, Budget Director

1

AGENDA

1. Background
2. 2021-2031 CIP Overview
3. Current Project Status Updates
4. FY25 Project Requests
5. ARPA Update
6. Funding Strategies
7. Next Steps

2

2

CIP TIMELINE IN-BRIEF

- March 2021 – Planning Commission received 2021-2031 CIP for review in accordance with Comprehensive Plan
 - Action Taken – Recommended to Council for approval
- March to July 2021 – Council conducted 1st, 2nd, and 3rd Ordinance Readings and Public Hearing
- July 2021 – Adopted by Council unanimously (Ordinance 2021-1726)

CIP OVERVIEW

- Projects = 44
- 10-Year Total Planned Expenditures = \$203.2M
- Major categories include:
 - Public Safety = \$112.6M
 - General Services = \$38.9M
- Major Revenue Sources:
 - Capital Project Sales Tax 2 and 3
 - General Obligation Debt (Bonds)
 - Impact Fee for specific projects

CIP PROJECT UPDATES

Department/Project	Project Estimate	Cumulative thru March 31, 2024	Fiscal Year 2024-2025
Coroners Office			
Office Space	1,912,140	89,154	1,680,847
Emergency Medical Services			
Ambulances*	9,522,776		1,020,000
Fire Service/Emergency Mgmt.			
Fire Apparatus Countywide	8,740,788	640,788	7,459,213
Fire Stations*	14,391,201		4,000,000
Information Technology			
IT Hardware Improvements*	3,230,000	660,000	220,000

*Includes projects in future years

5

CIP PROJECT UPDATES

Department/Project	Project Estimate	Cumulative thru March 31, 2024	Fiscal Year 2024-2025
Development Services			
Building/Office Space	4,000,000		4,000,000
Stormwater			
Stream Gauging Stations	150,000		150,000
Solid Waste			
Refuse Trucks (4)*	2,603,774	556,887	185,000
Parks & Recreation			
Rec Centers Security Systems	210,000		210,000
Parking Lot at Springdale	1,212,872	112,872	987,128

*Includes projects in future years

6

CIP PROJECT UPDATES

Department/Project	Project Estimate	Cumulative thru March 31, 2024	Fiscal Year 2024-2025
Roads			
Fleet Operations Garage and Public Works Admin Office	2,000,000		2,000,000
Road Preservation*	5,918,500	1,210,000	420,000
Road Paving*	37,649,074	12,474,537	6,350,000
Motorgrader Replacement (5)*	3,050,000	600,000	210,000
Tandem Dump Truck Replacements (4)*	2,205,112	357,556	185,000

*Includes projects in future years

7

FY25 CIP REQUESTS

- Requests = 35
- Total Amount = \$21.4M (refer to combined excel file)
 - Station 3 Fire Station = \$11.7M (IL Consolidated Fire District)
 - 31 Vehicle Replacements = \$1.9M (Sheriff's Office)
 - Two Convenience Site Upgrades = \$1.6M (Solid Waste)
- County Strategic Plan
 - Infrastructure and Public Safety

ARPA PROJECTS UPDATE

COMPLETED PROJECTS - REVENUE REPLACEMENT

Project	Department	Amount Expended
Admin Building Security Upgrades	Information Technology	81,106
Fiber Internet Capability	Airport	21,700
Vendor Software	Procurement	35,976
Camera System	911 Communications	50,318
GIS Server Replacement	Information Technology & GIS	35,926
Badge controller	Administration	34,855
Two Truck Replacement	Fire	640,788
Camera Upgrade	Sheriff	189,180
Replacement Vehicles	Sheriff	663,756

9

ARPA PROJECTS UPDATE

COMPLETED PROJECTS - OTHER EXPENDITURES

Project	Department	Amount Expended
Premium Pay 1 of 2	Multiple	1,338,411
PAPR Masks	EMS & Coroner	377,927
Glass Barriers - Multiple Depts.	Multiple	52,432
Temporary Housing Shelter	Lancaster Area Coalition for the Homeless	334,213
HVAC Unit Replacement	Multiple	1,444,546
Decontamination Shower	Sheriff	22,890
Wall construction	Sheriff	14,000
AV Upgrades to Council Chambers	IT & Administration	75,165
Remote Workstations	Information Technology	52,571
Enhanced bandwidth & remote operations	IT & Sheriff	522,530
Wastewater Project	LCWSD	486,083
Premium Pay 2 of 2	Pleasant Valley Fire	48,000
County of Aging		18,000

10

ARPA PROJECTS UPDATE

IN-PROCESS PROJECTS - REVENUE REPLACEMENT

Project	Department	Amount Allocated	Amount Expended
Recreation Parking Lot Reclamation	Recreation	1,100,000	112,872
Storage Warehouse	Emergency Management	705,797	-
Evidence Building	Sheriff	1,440,000	62,510
Land Purchase and Facility Acquisition	Fleet & Registration & Elections	2,000,000	-
Barnett Building Renovation - Pending	Multiple	500,000	-

11

11

ARPA PROJECTS UPDATE

IN-PROCESS PROJECTS - OTHER EXPENDITURES

Project	Department	Amount Allocated	Amount Expended
County-Wide Network Overhaul	Information Technology	In Progress	2,052,724
Digital Records Indexing	Register of Deeds & Assessor	125,000	-
Building Expansion	Coroner	1,770,000	142,140
EMS HQ Bay Construction	EMS	455,229	94,579
Public Defender Office Addition	Clerk of Court	500,000	290,961
Personal Protective Equipment	Risk Management	50,000	-
Nonprofit/Community Programs	External	100,000	-
EMS Mass Transport Smaller Bus	EMS	975,000	397,119
Other Projects - Pending		1,000,000	-

12

12

ARPA SUMMARY

- Lancaster County Allocation = \$19,037,682
 - \$10 million authorized for revenue replacement
- 22 of 34 approved projects are complete (65% complete)
- \$1.5M pending project approval
- All funds must be obligated via secured purchase orders or executed contracts by December 31, 2024, and spent by December 31, 2026

13

13

FUNDING STRATEGIES

- Fire Millage Discussion
- Bonds/Borrowing/Financing tools
 - Debt Service Fund (Millage Rate = 6.90)
- Capital Improvement Fund (Millage Rate = 5.30)

14

14

FUND BALANCE

- Unassigned General Fund Balance = \$54.3M (June 30, 2023)
- Can only be allocated for one of the following purposes:
 - One-time capital expenses which do not increase ongoing operational costs
 - Establishing or increasing reserves for special purposes
 - Other one-time costs
 - Debt reduction.
- County policy = 28% to 32% of operating budget is fund balance

15

15

NEXT STEPS

- April 17 – Council Workshop – Elected Officials/Department Presentations to Council
- April 30 – Planning Commission – Special Meeting
- May 8 – Council Workshop – County Administrator presents FY25 Recommended
- May 15 – Committee of the Whole Budget Deliberation
- May 28 – 1st Reading of Budget Ordinance
- June 10 – 2nd Reading of Budget Ordinance
- June 24 – 3rd Reading of Budget Ordinance

16

16



LANCASTER COUNTY
PROPOSED CAPITAL IMPROVEMENTS PROGRAM THROUGH FY 2031

	Project Estimate	Cummulative thru March 31, 2024	2024-2025	2025-2026	2026-2027	2027-2031
Coroners Office	1,912,140	89,154	1,680,847	-	-	-
Office Space	1,912,140	89,154	1,680,847	-	-	-
Emergency Medical Services	20,722,776	-	1,020,000	8,645,500	1,072,000	9,375,650
Ambulances	9,522,776	-	1,020,000	1,045,500	1,072,000	5,775,650
EMS Station 3	1,800,000	-	-	1,800,000	-	-
EMS Station 6	1,800,000	-	-	1,800,000	-	-
EMS Combination Station	4,000,000	-	-	4,000,000	-	-
EMS Station 7	1,800,000	-	-	-	-	1,800,000
EMS Station 10	1,800,000	-	-	-	-	1,800,000
Economic Development	4,000,000	-	-	-	4,000,000	-
Spec. Building	4,000,000	-	-	-	4,000,000	-
Fire Service / Emergency Management	47,984,813	9,839,300	11,459,213	3,227,900	-	13,619,101
Fire Apparatus Countywide Purchase	8,740,788	640,788	7,459,213	-	-	-
Aerial Apparatus/Mobile Command Post	18,397,024	9,198,512	-	-	-	-
Apparatus (New Stations)	6,455,800	-	-	3,227,900	-	3,227,900
Fire Stations	14,391,201	-	4,000,000	-	-	10,391,201
IT - Information Technology	3,230,000	660,000	220,000	220,000	220,000	1,250,000
IT Hardware Improvements	3,230,000	660,000	220,000	220,000	220,000	1,250,000
Development Services	4,000,000	-	4,000,000	-	-	-
Building/Office Space	4,000,000	-	4,000,000	-	-	-
Roads	52,366,543	15,004,021	9,165,000	7,180,000	860,000	5,153,500
Fleet Operations Garage and Public Works Admin Office	2,000,000	-	2,000,000	-	-	-
Road Preservation	5,918,500	1,210,000	420,000	425,000	435,000	2,218,500
Road Paving	37,649,074	12,474,537	6,350,000	6,350,000	-	-
Bush Hog Replacements (2)	804,836	202,418	-	-	-	400,000
Motorgrader Replacement (5)	3,050,000	600,000	210,000	210,000	220,000	1,210,000
Track Excavator	739,021	159,510	-	-	-	420,000
Tandem Dump Truck Replacements (4)	2,205,112	357,556	185,000	195,000	205,000	905,000
Solid Waste	6,628,954	556,887	185,000	195,000	205,000	4,930,180
Recycling Center Upgrades	2,120,000	-	-	-	-	2,120,000
Public Works Warehouse, Crew Facility, and Shop	1,905,180	-	-	-	-	1,905,180
Refuse Trucks (4)	2,603,774	556,887	185,000	195,000	205,000	905,000

19

LANCASTER COUNTY
PROPOSED CAPITAL IMPROVEMENTS PROGRAM THROUGH FY 2031

	Project Estimate	Cummulative thru March 31, 2024	2024-2025	2025-2026	2026-2027	2027-2031
Parks & Recreation	69,996,033	15,414,453	1,197,128	-	5,000,000	32,970,000
Lancaster County Regional Park	34,700,000	-	-	-	5,000,000	29,700,000
Recreation Centers Security Systems	210,000	-	210,000	-	-	-
Parking Lot at Springdale	1,212,872	112,872	987,128	-	-	-
Gym Floors at AJRC and BRC	-	-	-	-	-	-
Field Lighting Additions and Replacements	1,925,034	302,517	-	-	-	1,320,000
Renovate IL EMS Station for Rec Use	475,000	-	-	-	-	475,000
Maintenance Shop at Buford Recreation	475,000	-	-	-	-	475,000
Walnut Creek Soccer Fields	1,000,000	-	-	-	-	1,000,000
Indian Land Recreation Center	11,672,138	5,836,069	-	-	-	-
Soccer Fields at Indian Land	8,223,433	4,111,717	-	-	-	-
Soccer Fields at Heath Springs	10,102,557	5,051,278	-	-	-	-
911	2,020,567	1,010,283	-	-	-	-
Console Replacement	2,020,567	1,010,283	-	-	-	-
Stormwater	1,000,000	-	150,000	850,000	-	-
Calvin Hall Road Stream Crossing Replacement	850,000	-	-	850,000	-	-
Stream Gauging Stations	150,000	-	150,000	-	-	-
Sheriff	98,882,405	3,917,822	-	-	-	91,046,761
Armored Vehicle	660,706	330,353	-	-	-	-
In Car Cameras and Body Cameras	524,581	262,290	-	-	-	-
Sheriff's Operations Building	1,210,000	-	-	-	-	1,210,000
Sheriff Substation	3,161,940	-	-	-	-	3,161,940
Detention Center	93,325,179	3,325,179	-	-	-	86,674,821
Total Departmental Requests	312,744,230	46,491,919	29,077,187	20,318,400	11,357,000	158,345,192

FY25 Capital Improvement Plan: Projects Requested

Item #	Project Name	Department	FY25 Request
1	Station 3 Construction	IL Consolidated Fire	11,745,240
2	31 Vehicle Replacements	Sheriff	1,953,000
3	Two Convenience Site Upgrades	Solid Waste	1,605,000
4	2024 Road Rehabilitation	Transportation Committee	1,400,000
5	Station 3 Engine	IL Consolidated Fire	1,200,000
6	Elections/Fleet Facility Add'l Upfit	Administration	600,000
7	Culvert on Henry Harris Road	Stormwater	500,000
8	Replacement Vehicles	Fleet	345,364
9	CAT D-4 Dozer	Road Maintenance	265,000
10	IT - Special Projects	Information Technology	244,000
11	Station 1 and 2 Renovations	IL Consolidated Fire	200,000
12	Refuse Truck	Solid Waste	200,000
13	Admin Building Upfit	Administration	192,000
14	IT - Dept Specific Software	Information Technology	191,337
15	Small Dump Truck	Road Maintenance	150,000
16	Building UPS	Emergency Management	79,000
17	Armored Vests	EMS Ambulance	60,000
18	Refuse Can Replacement	Solid Waste	60,000
19	Apparatus Radios	IL Consolidated Fire	59,331
20	12 Flock Cameras	Sheriff	50,300
21	Ballfield Lighting Retrofit	Park & Recreation	50,000
22	Gym Wall Padding	Park & Recreation	40,000
23	Vehicles	Planning & Zoning	40,000
24	Voting Machines and Apparatus	Registration & Elect	31,615
25	Public Works Ofc Remodel	Road Maintenance	30,000
26	Motorola Radios	Fire/Public Communications	28,549
27	UEBSS RIT Bags	IL Consolidated Fire	28,000
28	TDMA Radio Upgrade	Public Communications	25,000
29	Battalion Chief Truck Upfit	IL Consolidated Fire	21,000
30	Strategic Planning Software	Council	20,000
31	Lifting Pillows	EMS Ambulance	15,350
32	Trailer	Road Maintenance	15,000
33	3/4 Ton Pick-up Truck	Stormwater	10,000
34	8 Body Worn Cameras	Sheriff	10,000
35	Mack Dump Truck	Road Maintenance	5,000

Total: \$ 21,469,086

*The threshold value for projects for the CIP is \$5,000

21

**ARPA Funds
Expenditure Summary
Through 3/31/2024**

Expenditure Group	Project	Amount Allocated	Amount Expended
RR	Admin Building Security Upgrades - IT	Completed	\$ 81,105.91
RR	Fiber Internet Capability - Airport	Completed	\$ 21,700.00
RR	Vendor Software - Procurement	Completed	\$ 35,976.22
RR	Camera System for 911 Communications - 911 Communications	Completed	\$ 50,318.44
RR	GIS Server Replacement - IT & GIS	Completed	\$ 35,925.70
RR	Badge controller for Admin - Administration	Completed	\$ 34,854.74
RR	Two Truck Replacement - Fire	Completed	\$ 640,787.50
RR	Camera Upgrade - Sheriff	Completed	\$ 189,180.31
RR	Replacement Vehicles - Sheriff	Completed	\$ 663,756.19
OE	Premium Pay 1 of 2 - Multiple Depts.	Completed	\$ 1,338,410.70
OE	PAPR Masks - EMS & Coroner	Completed	\$ 377,926.56
OE	Glass Barriers - Multiple Depts.	Completed	\$ 52,431.77
OE	Temporary Housing Shelter - LACH	Completed	\$ 334,213.00
OE	HVAC Unit Replacement - Multiple Depts.	Completed	\$ 1,444,546.10
OE	Decontamination Shower - Sheriff	Completed	\$ 22,890.00
OE	Wall construction - Sheriff	Completed	\$ 14,000.00
OE	AV Upgrades to Council Chambers - IT & Administration	Completed	\$ 75,165.33
OE	Remote Workstations - IT	Completed	\$ 52,571.28
OE	Enhanced Bandwidth & Remote operations - IT & Sheriff	Completed	\$ 522,529.92
OE	Wastewater Project - Hannah's Creek - LCWSD	Completed	\$ 486,083.29
OE	Premium Pay 2 of 2 - Pleasant Valley Fire	Completed	\$ 48,000.00
OE	Council of Aging	Completed	\$ 18,000.00

Expenditure Group	Project	Amount Allocated	Amount Expended
RR	Recreation Parking Lot Reclamation - Recreation	\$ 1,100,000.00	\$ 112,871.80
RR	Storage Warehouse - Emergency Management	\$ 705,797.00	
RR	Evidence Building - Sheriff	\$ 1,440,000.00	\$ 62,510.00
RR	Land Purchase and Facility Acquisition - Fleet & Registration & Elections	\$ 2,000,000.00	\$ -
RR	Barnett Building Renovations - Multiple Depts. - Pending	\$ 500,000.00	\$ -
OE	County-Wide Network Overhaul - IT	In Progress	\$ 2,052,724.46
OE	Digital Records Indexing - RoD & Assessor	\$ 125,000.00	\$ -
OE	Building Expansion - Coroner	\$ 1,770,000.00	\$ 142,139.75
OE	EMS HQ Bay Construction - EMS	\$ 455,229.00	\$ 94,578.95
OE	Public Defender Office Addition - Clerk of Court	\$ 500,000.00	\$ 290,960.79
OE	Personal Protective Equipment (PPE)/Supplies - Risk Management	\$ 50,000.00	\$ -
OE	Nonprofit/Community Programs - External	\$ 100,000.00	\$ -
OE	EMS Mass Transport Smaller Bus - EMS	\$ 975,000.00	\$ 397,118.64
OE	Other Projects - Pending	\$ 1,000,000.00	\$ -

RR - Revenue Replacement
OE - Other Expenditures

22

83

ARPA Funds
Expenditure Summary
Through 3/31/2024

Expenditure Group	Project	Amount Allocated	Amount Expended
RR	Admin Building Security Upgrades - IT	Completed	\$ 81,105.91
RR	Fiber Internet Capability - Airport	Completed	\$ 21,700.00
RR	Vendor Software - Procurement	Completed	\$ 35,976.22
RR	Camera System for 911 Communications - 911 Communications	Completed	\$ 50,318.44
RR	GIS Server Replacement - IT & GIS	Completed	\$ 35,925.70
RR	Badge controller for Admin - Administration	Completed	\$ 34,854.74
RR	Two Truck Replacement - Fire	Completed	\$ 640,787.50
RR	Camera Upgrade - Sheriff	Completed	\$ 189,180.31
RR	Replacement Vehicles - Sheriff	Completed	\$ 663,756.19
OE	Premium Pay 1 of 2 - Multiple Depts.	Completed	\$ 1,338,410.70
OE	PAPR Masks - EMS & Coroner	Completed	\$ 377,926.56
OE	Glass Barriers - Multiple Depts.	Completed	\$ 52,431.77
OE	Temporary Housing Shelter - LACH	Completed	\$ 334,213.00
OE	HVAC Unit Replacement - Multiple Depts.	Completed	\$ 1,444,546.10
OE	Decontamination Shower - Sheriff	Completed	\$ 22,890.00
OE	Wall construction - Sheriff	Completed	\$ 14,000.00
OE	AV Upgrades to Council Chambers - IT & Administration	Completed	\$ 75,165.33
OE	Remote Workstations - IT	Completed	\$ 52,571.28
OE	Enhanced Bandwidth & Remote operations - IT & Sheriff	Completed	\$ 522,529.92
OE	Wastewater Project - Hannah's Creek - LCWSD	Completed	\$ 486,083.29
OE	Premium Pay 2 of 2 - Pleasant Valley Fire	Completed	\$ 48,000.00
OE	Council of Aging	Completed	\$ 18,000.00

Expenditure Group	Project	Amount Allocated	Amount Expended
RR	Recreation Parking Lot Reclamation - Recreation	\$ 1,100,000.00	\$ 112,871.80
RR	Storage Warehouse - Emergency Management	\$ 705,797.00	
RR	Evidence Building - Sheriff	\$ 1,440,000.00	\$ 62,510.00
RR	Land Purchase and Facility Acquisition - Fleet & Registration & Elections	\$ 2,000,000.00	\$ -
RR	Barnett Building Renovations - Multiple Depts. - Pending	\$ 500,000.00	\$ -
OE	County-Wide Network Overhaul - IT	In Progress	\$ 2,052,724.46
OE	Digital Records Indexing - RoD & Assessor	\$ 125,000.00	\$ -
OE	Building Expansion - Coroner	\$ 1,770,000.00	\$ 142,139.75
OE	EMS HQ Bay Construction - EMS	\$ 455,229.00	\$ 94,578.95
OE	Public Defender Office Addition - Clerk of Court	\$ 500,000.00	\$ 290,960.79
OE	Personal Protective Equipment (PPE)/Supplies - Risk Management	\$ 50,000.00	\$ -
OE	Nonprofit/Community Programs - External	\$ 100,000.00	\$ -
OE	EMS Mass Transport Smaller Bus - EMS	\$ 975,000.00	\$ 397,118.64
OE	Other Projects - Pending	\$ 1,000,000.00	\$ -

RR - Revenue Replacement

OE - Other Expenditures

LANCASTER COUNTY
PROPOSED CAPITAL IMPROVEMENTS PROGRAM THROUGH FY 2031

Project Estimate	Cumulative thru March 31, 2024	2024-2025	2025-2026	2026-2027	2027-2031
Coroners Office	1,912,140	1,680,847	-	-	-
Office Space	1,912,140	1,680,847	-	-	-
Emergency Medical Services	20,722,776	1,020,000	8,645,500	1,072,000	9,375,650
Ambulances	9,522,776	-	1,045,500	1,072,000	5,775,650
EMS Station 3	1,800,000	-	1,800,000	-	-
EMS Station 6	1,800,000	-	1,800,000	-	-
EMS Combination Station	4,000,000	-	4,000,000	-	-
EMS Station 7	1,800,000	-	-	-	1,800,000
EMS Station 10	1,800,000	-	-	-	1,800,000
Economic Development	4,000,000	-	-	4,000,000	-
Spec. Building	4,000,000	-	-	4,000,000	-
Fire Service / Emergency Management	47,984,813	9,839,300	11,459,213	3,227,900	13,619,101
Fire Apparatus Countywide Purchase	8,740,788	640,788	7,459,213	-	-
Aerial Apparatus/Mobile Command Post	18,397,024	9,198,512	-	-	-
Apparatus (New Stations)	6,455,800	-	3,227,900	-	3,227,900
Fire Stations	14,391,201	-	4,000,000	-	10,391,201
IT - Information Technology	3,230,000	660,000	220,000	220,000	1,250,000
IT Hardware Improvements	3,230,000	660,000	220,000	220,000	1,250,000
Development Services	4,000,000	-	4,000,000	-	-
Building/Office Space	4,000,000	-	4,000,000	-	-
Roads	52,366,543	15,004,021	9,165,000	7,180,000	5,153,500
Fleet Operations Garage and Public Works Admin Office	2,000,000	-	2,000,000	-	-
Road Preservation	5,918,500	1,210,000	420,000	435,000	2,218,500
Road Paving	37,649,074	12,474,537	6,350,000	-	-
Bush Hog Replacements (2)	804,836	202,418	-	-	400,000
Motorgrader Replacement (5)	3,050,000	600,000	210,000	220,000	1,210,000
Track Excavator	739,021	159,510	-	-	420,000
Tandem Dump Truck Replacements (4)	2,205,112	357,556	185,000	205,000	905,000
Solid Waste	6,628,954	556,887	185,000	205,000	4,930,180
Recycling Center Upgrades	2,120,000	-	-	-	2,120,000
Public Works Warehouse, Crew Facility, and Shop	1,905,180	-	-	-	1,905,180
Refuse Trucks (4)	2,603,774	556,887	185,000	205,000	905,000

LANCASTER COUNTY
PROPOSED CAPITAL IMPROVEMENTS PROGRAM THROUGH FY 2031

	Project Estimate	Cumulative thru March 31, 2024	2024-2025	2025-2026	2026-2027	2027-2031
Parks & Recreation	69,996,033	15,414,453	1,197,128	-	5,000,000	32,970,000
Lancaster County Regional Park	34,700,000	-	-	-	5,000,000	29,700,000
Recreation Centers Security Systems	210,000	-	210,000	-	-	-
Parking Lot at Springdale	1,212,872	112,872	987,128	-	-	-
Gym Floors at AJRC and BRC	-	-	-	-	-	-
Field Lighting Additions and Replacements	1,925,034	302,517	-	-	-	1,320,000
Renovate IL EMS Station for Rec Use	475,000	-	-	-	-	475,000
Maintenance Shop at Buford Recreation	475,000	-	-	-	-	475,000
Walnut Creek Soccer Fields	1,000,000	-	-	-	-	1,000,000
Indian Land Recreation Center	11,672,138	5,836,069	-	-	-	-
Soccer Fields at Indian Land	8,223,433	4,111,717	-	-	-	-
Soccer Fields at Heath Springs	10,102,557	5,051,278	-	-	-	-
911	2,020,567	1,010,283	-	-	-	-
Console Replacement	2,020,567	1,010,283	-	-	-	-
Stormwater	1,000,000	-	150,000	850,000	-	-
Calvin Hall Road Stream Crossing Replacement	850,000	-	-	850,000	-	-
Stream Gauging Stations	150,000	-	150,000	-	-	-
Sheriff	98,882,405	3,917,822	-	-	-	91,046,761
Armored Vehicle	660,706	330,353	-	-	-	-
In Car Cameras and Body Cameras	524,581	262,290	-	-	-	-
Sheriff's Operations Building	1,210,000	-	-	-	-	1,210,000
Sheriff Substation	3,161,940	-	-	-	-	3,161,940
Detention Center	93,325,179	3,325,179	-	-	-	86,674,821
Total Departmental Requests	312,744,230	46,491,919	29,077,187	20,318,400	11,357,000	158,345,192

FY25 Capital Improvement Plan: Projects Requested

Item #	Project Name	Department	FY25 Request
1	Station 3 Construction	IL Consolidated Fire	11,745,240
2	31 Vehicle Replacements	Sheriff	1,953,000
3	Two Convenience Site Upgrades	Solid Waste	1,605,000
4	2024 Road Rehabilitation	Transportation Committee	1,400,000
5	Station 3 Engine	IL Consolidated Fire	1,200,000
6	Elections/Fleet Facility Add'l Upfit	Administration	600,000
7	Culvert on Henry Harris Road	Stormwater	500,000
8	Replacement Vehicles	Fleet	345,364
9	CAT D-4 Dozer	Road Maintenance	265,000
10	IT - Special Projects	Information Technology	244,000
11	Station 1 and 2 Renovations	IL Consolidated Fire	200,000
12	Refuse Truck	Solid Waste	200,000
13	Admin Building Upfit	Administration	192,000
14	IT - Dept Specific Software	Information Technology	191,337
15	Small Dump Truck	Road Maintenance	150,000
16	Building UPS	Emergency Management	79,000
17	Armored Vests	EMS Ambulance	60,000
18	Refuse Can Replacement	Solid Waste	60,000
19	Appartus Radios	IL Consolidated Fire	59,331
20	12 Flock Cameras	Sheriff	50,300
21	Ballfield Lighting Retrofit	Park & Recreation	50,000
22	Gym Wall Padding	Park & Recreation	40,000
23	Vehicles	Planning & Zoning	40,000
24	Voting Machines and Apparatus	Registration & Elect	31,615
25	Public Works Ofc Remodel	Road Maintenance	30,000
26	Motorola Radios	Fire/Public Communications	28,549
27	UEBSS RIT Bags	IL Consolidated Fire	28,000
28	TDMA Radio Upgrade	Public Communications	25,000
29	Battalion Chief Truck Upfit	IL Consolidated Fire	21,000
30	Strategic Planning Software	Council	20,000
31	Lifting Pillows	EMS Ambulance	15,350
32	Trailer	Road Maintenance	15,000
33	3/4 Ton Pick-up Truck	Stormwater	10,000
34	8 Body Worn Cameras	Sheriff	10,000
35	Mack Dump Truck	Road Maintenance	5,000

Total: \$ **21,469,086**

*The threshold value for projects for the CIP is \$5,000.

Agenda Item Summary

Ordinance # / Resolution #: May 2, 2024 Special Meeting

Contact Person / Sponsor: G. Jackson

Department: Planning

Date Requested to be on Agenda: 5/21/2024

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
May 2, 2024 Special Meeting	5/14/2024	Exhibit



MEMBERS OF LANCASTER COUNTY PLANNING COMMISSION

CHARLES DEESE, DISTRICT 3, CHAIRMAN
JAMES BARNETT, DISTRICT 5, VICE-CHAIRMAN
YOKIMA CURETON, DISTRICT 2
JUDIANNA TINKLENBERG, DISTRICT 4
SHEILA HINSON, DISTRICT 6
ALAN PATTERSON, DISTRICT 1
, DISTRICT 7
SECRETARY: GINA JACKSON

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

**May 2, 2024 6:00 P.M.
MINUTES**

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

1. Roll Call:

Members Present:

Jim Barnett	Charles Deese	Sheila Hinson
Yokima Cureton	Judianna Tinklenberg	Alan Patterson (via Teams)

Others Present:

Allison Hardin, Development Services Dir.	
Matthew Blaszyk, Planner	Secretary: Gina Jackson

The following press were notified of the meeting by email in accordance with 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 FOLLOWING IS A SUMMARY OF PROCEEDINGS. IT IS NOT A VERBATIM TRANSCRIPT.

1. APPROVE AGENDA

Chairman Deese called for a motion to approve the Agenda.
Motion to Approve by James Barnett 2nd by Sheila Hinson
Called vote: ___ 6-0 ____ . Motion approved unanimously.

2. CITIZEN'S COMMENTS [see Sign-In sheet attached]

Chairman Deese opened the floor to comments from the public.
None signed in

3. PUBLIC ITEMS

- a. **CAPITAL IMPROVEMENT PLAN:** Review and update of FY2021-2031 Capital Improvement Plan and associated funding requests for FY2025, in alignment with the provisions of the Comprehensive Plan.

Staff Presentation: Allison Hardin, Development Services Director, presented the draft Capital Improvement Plan annual update consistent with the staff report.

Questions from Commissioners:

Commissioners requested more time for consideration in future budget cycles.

Commissioners were unanimous that Indian Land fire station is highest priority

Public Hearing: (See attachments: Sign-in Sheets) __None signed in to speak

1. one email comment was received: James Shelgosh- see attachment

Chairman Deese closed Public hearing and called for a motion on item
CAPITAL IMPROVEMENT PLAN

Motion to approve by Yokima Cureton . 2nd by Alan Patterson

Discussion of original motion, as amended:

Multiple straw polls were held to determine priority. See attachment for final list
Of recommended priorities.

Called vote: 6-0. **Motion is approved.**

Chairman Deese stated the item will go to County Council for consideration.

Recess after conclusion of Public Items at 7:05 pm. End of Livestream.

End recess at 7:18pm. Commence Workshop discussion.

4. **New Business**

a. **RZ-2024-0259: Curative**

Application by Curative Professional LLC on behalf of owners James & Yen Ngo to rezone 3.63 acres located at Lodge Road (TM # 0008-00-069.07) from Low Density Residential (LDR) to General Business (GB) district, to allow development of medical offices, daycare and general commercial uses, in conjunction with adjacent parcel 0008-00-0067.00 (9.38 acres already zoned GB).

Staff: Allison Hardin, Development Services Director

Discussion Topics: No questions

b. **RZ/CP-2024-0511 Niven/Schmidt**

RZ: Application by Archie Niven and Sandra Niven Schmidt to rezone 14.62 ac located at the southwest corner of the intersection of Charlotte Hwy and Steele Hill Rd (TM# 0021-00-016.00) from Rural Neighborhood (RN) to General Business (GB) district, to allow development of a gas station. Associated with CP-2024-0511 Comprehensive Plan/Future Land Use Amendment Application

CP: Application by Archie Niven and Sandra Niven Schmidt to amend the Comprehensive Plan (Future Land Use Map) for 14.62 ac located at the southwest corner of the intersection of Charlotte Hwy and Steele Hill Rd (TM# 0021-00-016.00) from Rural to Growth Area designation, to allow rezoning of the property to General Business (GB) district. This item is associated with rezoning application RZ-2024-0511.

Staff: Matthew Blaszyk, Planner

Discussion Topics:

- Some neighborhood resistance to proposal
- Some commissioners were familiar with property
- Is not in alignment with new CP.

c. **RZ-2024-0584 Sanchez**

Application by Carlos Sanchez to rezone 2.56 acres located at the intersection of Reid Point and Country Acres Road (TM# 0006-00-072.04) from Urban Residential (UR) to Medium Density Residential (MDR), in order to develop for single-family residential use.

Staff: Matthew Blaszyk, Planner

Discussion Topics: no questions

d. **RZ-2024-0627 Lomax**

Application by Courtney Lomax to rezone 5.80 acres at and adjacent to 1743 Lynwood Drive (TM # 0087G-0C-004.00) from Medium Density Residential (MDR) to General Business (GB) district, in order to renovate the existing structure as a daycare facility.

Staff: Allison Hardin, Development Services Director

Discussion: none

- e. **TA-2024-0162**: (Continued) Application at the request of Council, to amend the Unified Development Ordinance at Sec. 2.5 Uses Permitted and Sec. 5.9 Industry/Wholesale/Storage Uses, to establish the newly adopted use "Non-Metallic Mineral Manufacture" as a Conditional Use

Staff: Allison Hardin, Development Services Director

Discussion Topics: no discussion

- f. **TA-2024-0789 (Ord. 2024-1896)**: Application at the request of Lancaster County Council to amend the Unified Development Ordinance at table 2.5, removing the item "Amusements- Indoor" from the Use Table.

Staff Presentation: Allison Hardin

Discussion Topics: no discussion

5. **Adjourn**

Motion to adjourn by James Barnett 2nd Sheila Hinson.

Meeting was adjourned at 7:36 PM

Agenda Item for Discussion:	Rezoning RZ/CP-2024-0511
Meeting Date:	May 21, 2024 04:52 PM
Full Name	First Name: James Last Name: Shelgosh
Phone Number	704-968-3582
Email	shelgoshjk@comporium.net
Address:	5169 Mill Race Lane Lancaster, SC 29720
Citizen Comment - Regarding Agenda Item:	<p>I implore you to recommend against the proposed rezoning RZ/CP-2024-0511 of the 14.62 acres located at the southwest corner of the intersection of Charlotte Hwy and Steele Hill Road from the existing zoning as Rural Neighborhood (RN) to General Business (GB).</p> <p>I am one of 11 owners in Millstone Creek (MSC) whose homes abut the subject property and I am intensely upset about the threat of commercial development on that site.</p> <p>In short, such a change would create a burden to be suffered by MSC homeowners, while the economic benefits go to the selling owners and future developers. This is a win-lose proposition I dearly wish to defeat.</p> <p>Not only is the proposal in clear violation of the Lancaster County Southern Panhandle Small Area Plan, but I also foresee significant, negative impacts if the proposed rezoning is allowed. Arguments against the proposal include:</p> <p>1. Violation of the Southern Panhandle Small Area Plan (SAP) and detracton from the "rural character of the Southern Panhandle." The Southern Panhandle Small Area Plan (SAP) of 2/2/2021, found on the Lancaster County Document Center at this link SAP with Extension 9-13-2021.pdf (revize.com) contains the stated goal to "Retain the southern panhandle rural character." Commercial development in a highly visible area is certainly not in keeping with this goal. Furthermore, the SAP clearly recommended that site to remain as "Low Density Residential." It is clearly outside of the recommended "Commercial Nodes" or "Employment" areas and violates the plan themes to, "Preserve Natural Landscape and Celebrate Rural Lifestyle."</p> <p>Please be reminded that the County leaders and developers of the SAP anticipated exactly this type of development pressure and the ensuing rezoning requests and, using extensive residents' and community inputs, developed the plan with guidance for the</p>

proposed and suggested use of land in the southern panhandle of Lancaster County. That plan explicitly directed commercial development away from the intersection of Steele Hill Road and Charlotte Highway and focused it toward "Commercial Nodes" on the intersections of Rebound Rd and Waxhaw Hwy with 521. (See recommended land use map on page 15 of the SAP.) Those joint considerations by the populous should not be lightly overturned for the benefit of a single property owner.

2. Water runoff, erosion and silt load on Millstone Creek pond and dam: Paved surfaces and roof area will reduce the permeable surface area on the site and will convert percolated water table contribution into rapid, surface runoff. The creek, which is forming parallel to Mill Race Lane, is on Millstone Creek property owners' land, collects all runoff from the proposed rezoning site and runs directly into the pond in Millstone Creek. Any increase in that runoff will negatively impact the silt load on the pond and dam. The increased runoff from that site must be controlled or avoided. The expense of maintaining the pond and dam is born by the Millstone Creek Property Owners Association. Such additional economic burden must not be created for the neighbors.

3. Property value reduction of Millstone Creek homes due to character change of adjacent property. The back side of a gas station is never pretty. Even a high, stockade fence or other strong visual barriers required on the rezoned property would not mitigate the likely property value reduction for adjacent homeowners. The presence of another gas station or commercial development is certainly not going to increase nearby property values.

4. Increased noise exposure to Charlotte Highway due to deforestation; Removal of the trees and vegetation from that site for development will increase noise exposure from Charlotte Highway for adjacent MSC property owners.

5. Litter, rubbish and refuse from "General Business" zoning will certainly clutter the site and adjacent properties, even if it is only small, windblown plastic and paper. Refuse flowing into the pond is already a concern.

I strongly oppose both RZ- and CP-2024-0511. Thank you for declining the proposed rezoning.

FY25 Capital Improvement Plan: Projects Ranked

Results of Planning Commission votes for Top 7 (16 projects, some tied at #1 and #7)

Rank

16

Item #	Project Name	Department	FY25 Request	Rank
1	Station 3 Construction	IL Consolidated Fire	\$11,745,240.00	1
4	Station 3 Engine	IL Consolidated Fire	\$1,200,000.00	1
18	Appartus Radios	IL Consolidated Fire	\$59,331.00	1
26	UEBSS RIT Bags	IL Consolidated Fire	\$28,000.00	1
3	2024 Road Rehabilitation	Transportation Committee	\$1,400,000.00	2
2	Two Convenience Site Upgrade	Solid Waste	\$1,605,000.00	3
5	19 Vehicle Replacements	Sheriff	\$1,150,000.00	4
20	Ballfield Lighting Retrofit	Park & Recreation	\$50,000.00	5
15	Building UPS	Emergency Management	\$79,000.00	6
7	Culvert on Henry Harris Road	Stormwater	\$500,000.00	7
10	Station 1 and 2 Renovations	IL Consolidated Fire	\$200,000.00	7
13	Small Dump Truck	Road Maintenance	\$150,000.00	7
16	Armored Vests	EMS Ambulance	\$60,000.00	7
21	Gym Wall Padding	Park & Recreation	\$40,000.00	7
25	Motorola Radios	Fire/Public Coms	\$28,549.00	7
31	8 Body Worn Cameras	Sheriff	\$10,000.00	7
Sum of Prioritized Requests			\$18,305,120.00	

FY25 Capital Improvement Plan: Projects Requested

The Planning Commission identified their top seven (7) projects in order; votes were tied at #1 and #7

Item	Project Name	Department	FY25	Rank (Top 7)
<u>1</u>	Station 3 Construction	IL Consolidated Fire	11,745,240	1
2	Two Convenience Site Upgrades	Solid Waste	1,605,000	3
3	2024 Road Rehabilitation	Transportation Committee	1,400,000	2
<u>4</u>	Station 3 Engine	IL Consolidated Fire	1,200,000	1
5	19 Vehicle Replacements	Sheriff	1,150,000	4
6	Elections/Fleet Facility Add'l	Administration	600,000	
7	Culvert on Henry Harris Road	Stormwater	500,000	7
8	IT - Special Projects	Information Technology	244,000	
9	Refuse Truck	Solid Waste	200,000	
10	Station 1 and 2 Renovations	IL Consolidated Fire	200,000	7
11	Space Allocation - Admin	Administration	192,000	
12	IT - Dept Specific Software	Information Technology	191,337	
13	Small Dump Truck	Road Maintenance	150,000	7
14	Battalion Chief Truck Upfit	IL Consolidated Fire	125,000	
15	Building UPS	Emergency Management	79,000	6
16	Armored Vests	EMS Ambulance	60,000	7
17	Refuse Can Replacement	Solid Waste	60,000	
<u>18</u>	Appartus Radios	IL Consolidated Fire	59,331	1
19	12 Flock Cameras	Sheriff	50,300	8
20	Ballfield Lighting Retrofit	Park & Recreation	50,000	5
21	Gym Wall Padding	Park & Recreation	40,000	7
22	Vehicles	Planning & Zoning	40,000	8
23	Voting Machines and Apparatus	Registration & Elect	31,615	
24	Public Works Ofc Remodel	Road Maintenance	30,000	
25	Motorola Radios	Fire/Public Coms	28,549	7
<u>26</u>	UEBSS RIT Bags	IL Consolidated Fire	28,000	1
27	TDMA Radio Upgrade	Public Communications	25,000	
28	Lifting Pillows	EMS Ambulance	15,350	
29	Trailer	Road Maintenance	15,000	
30	3/4 Ton Pick-up Truck	Stormwater	10,000	
31	8 Body Worn Cameras	Sheriff	10,000	7
32	Mack Dump Truck	Road Maintenance	5,000	
Total:			\$ 20,139,722	

*The threshold value for projects for the CIP is \$5,000.

FY25 Capital Improvement Plan: Projects Requested AMENDED

Comprehensive Plan Alignment
with Implementation Strategies

Strategic Plan Alignment with
Objectives & Activities

Item #	Project Name	Department	FY25 Request	Strategies	Activities
1	Station 3 Construction	IL Consolidated Fire	11,745,240	LC4.2, PA3.3	PS 1.1, PS 1.5, PS 3.1, PS 3.2, PS 3.3
2	Two Convenience Site Upgrades	Solid Waste	1,605,000	LC4.2, LC4.3	PS 1.5
3	2024 Road Rehabilitation	Transportation Committee	1,400,000	LC3.4, LC3.6, LC4.2, PA1.3, SL2.1	PS 1.2, PS 1.3, PS 1.5, IN 1.1, IN 2.1, IN 2.2, IN 3.1, RO 3.6, QD 5.2, QD 5.3
4	Station 3 Engine	IL Consolidated Fire	1,200,000	LC4.2, PA3.3	PS 1.1, PS 1.5, PS 3.1, PS 3.2, PS 3.3
5	19 Vehicle Replacements	Sheriff	1,150,000	LC4.2	PS 1.5
6	Elections/Fleet Facility Add'l Upfit	Administration	600,000	LC4.2**	PS 1.5
7	Culvert on Henry Harris Road	Stormwater	500,000	LC4.2, LC4.8	PS 1.5
8	IT - Special Projects	Information Technology	244,000	LC4.2	PS 1.5
9	Refuse Truck	Solid Waste	200,000	LC4.2, LC4.3	PS 1.5
10	Station 1 and 2	IL Consolidated Fire	200,000	LC4.2	PS 1.5
11	Space Allocation - Admin Building	Administration	192,000	LC4.2	PS 1.5
12	IT - Dept Specific Software	Information Technology	191,337	LC4.2	PS 1.5
13	Small Dump Truck	Road Maintenance	150,000	LC4.2, LC4.8	PS 1.5
14	Battalion Chief Truck	IL Consolidated Fire	125,000	LC4.2	PS 1.5
15	Building UPS	Emergency Management	79,000	LC4.2, PA3.3	PS 1.1, PS 1.5, PS 3.1, PS 3.2, PS 3.3
16	Armored Vests	EMS Ambulance	60,000	LC4.2	PS 1.5
17	Refuse Can Replacement	Solid Waste	60,000	LC4.2, LC4.3	PS 1.5
18	Apparatus Radios	IL Consolidated Fire	59,331	LC4.2, LC4.8	PS 1.5
19	12 Flock Cameras	Sheriff	50,300	LC4.2	PS 1.5
20	Ballfield Lighting Retrofit	Park & Recreation	50,000	LC4.2, LC6.5	PS 1.5, IN 4.1, IN 4.2

FY25 Capital Improvement Plan: Projects Requested AMENDED

[Comprehensive Plan Alignment with Implementation Strategies](#)
[Strategic Plan Alignment with Objectives & Activities](#)

Item #	Project Name	Department	FY25 Request	Strategies	Activities
21	Gym Wall Padding	Park & Recreation	40,000	LC4.2, LC6.5	PS 1.5, IN 4.1, IN 4.2
22	Vehicles	Planning & Zoning	40,000	LC1.2, LC4.2, LC8.2	PS 1.5, QD 1.1, QD 1.2, QD 4.1
23	Voting Machines and Apparatus	Registration & Elect	31,615	LC4.2	PS 1.5
24	Public Works Ofc	Road Maintenance	30,000	LC4.2, LC4.8	PS 1.5
25	Motorola Radios	Fire/Public Coms	28,549	LC4.2, LC4.8	PS 1.5
26	UEBSS RIT Bags	IL Consolidated Fire	28,000	LC4.2, LC4.8	PS 1.5
27	TDMA Radio Upgrade	Public	25,000	LC4.2, LC4.8	PS 1.5
28	Lifting Pillows	EMS Ambulance	15,350	LC4.2	PS 1.5
29	Trailer	Road Maintenance	15,000	LC4.2, LC4.8	PS 1.5
30	3/4 Ton Pick-up Truck	Stormwater	10,000	LC4.2, LC4.8	PS 1.5
31	8 Body Worn Cameras	Sheriff	10,000	LC4.2	PS 1.5
32	Mack Dump Truck	Road Maintenance	5,000	LC4.2, LC4.8	PS 1.5
Total:			\$ 20,139,722		

*The threshold value for projects for the CIP is \$5,000.

**LC4.2: Coordinate with all County departments and agencies to ensure resources are in place to meet the demands of the rapidly growing population.

FY25 Capital Improvement Plan: Projects Requested

Comprehensive Plan Alignment with Implementation Strategies

Strategic Plan Alignment with Objectives

Administrator Recommendation

Item #	Project Name	Department	FY25 Request	Actions	Activities	Ranking
11	Space Reallocation - Admin Building	Administration	\$192,000	LC4.2	PS 1.5	1
8	IT - Special Projects	Information Technology	\$244,000	LC4.2	PS 1.5	2
6	Elections/Fleet Facility Add'l Upfit	Administration	\$600,000	LC4.2**	PS 1.5	3
12	IT - Dept Specific Software	Information Technology	\$191,337	LC4.2	PS 1.5	4
19	12 Flock Cameras	Sheriff	\$50,300	LC4.2	PS 1.5	5
21	Gym Wall Padding	Park & Recreation	\$40,000	LC4.2, LC6.5	PS 1.5, IN 4.1, IN 4.2	6
27	TDMA Radio Upgrade	Public Communications	\$25,000	LC4.2, LC4.8	PS 1.5	7
28	Lifting Pillows	EMS Ambulance	\$15,350	LC4.2	PS 1.5	8
2	Two Convenience Site Upgrades	Solid Waste	\$1,605,000	LC4.2, LC4.3	PS 1.5	9
15	Building UPS	Emergency Management	\$79,000	LC4.2, PA3.3	PS 1.1, PS 1.5, PS 3.1, PS 3.2,	10
5	19 Vehicle Replacements	Sheriff	\$1,150,000	LC4.2	PS 1.5	11
1	Station 3 Construction	IL Consolidated Fire	\$11,745,240	LC4.2, PA3.3	PS 1.1, PS 1.5, PS 3.1, PS 3.2,	12
4	Station 3 Engine	IL Consolidated Fire	\$1,200,000	LC4.2, PA3.3	PS 1.1, PS 1.5, PS 3.1, PS 3.2,	13
18	Appartus Radios	IL Consolidated Fire	\$59,331	LC4.2, LC4.8	PS 1.5	14
26	UEBSS RIT Bags	IL Consolidated Fire	\$28,000	LC4.2, LC4.8	PS 1.5	15
30	8 Body Worn Cameras	Sheriff	\$10,000	LC4.2, LC4.8	PS 1.5	16
9	Refuse Truck	Solid Waste	\$200,000	LC4.2, LC4.3	PS 1.5	17
13	Small Dump Truck	Road Maintenance	\$150,000	LC4.2, LC4.8	PS 1.5	18
16	Armored Vests	EMS Ambulance	\$60,000	LC4.2	PS 1.5	19
17	Refuse Can Replacement	Solid Waste	\$60,000	LC4.2, LC4.3	PS 1.5	20
20	Ballfield Lighting Retrofit	Park & Recreation	\$50,000	LC4.2, LC6.5	PS 1.5, IN 4.1, IN 4.2	21
25	Motorola Radios	Fire/Public	\$28,549	LC4.2, LC4.8	PS 1.5	22
32	Mack Dump Truck	Road Maintenance	\$5,000	LC4.2, LC4.8	PS 1.5	23
10	Station 1 and 2 Renovations	IL Consolidated Fire	\$200,000	LC4.2	PS 1.5	24
14	Battalion Chief Truck Upfit	IL Consolidated Fire	\$125,000	LC4.2	PS 1.5	25
22	Vehicles	Planning & Zoning	\$40,000	LC1.2, LC4.2, LC8.2	PS 1.5, QD 1.1, QD 1.2, QD 4.1	27
24	Public Works Ofc Remodel	Road Maintenance	\$30,000	LC4.2, LC4.8	PS 1.5	28
29	Trailer	Road Maintenance	\$15,000	LC4.2, LC4.8	PS 1.5	29
23	Voting Machines and Apparatus	Registration & Elect	\$31,615	LC4.2	PS 1.5	30
31	3/4 Ton Pick-up Truck	Stormwater	\$10,000	LC4.2	PS 1.5	31
3	2024 Road Rehabilitation	Transportation Committee	\$1,400,000	LC3.4, LC3.6, LC4.2, PA1.3,	PS 1.2, PS 1.3, PS 1.5, IN 1.1,	32
7	Culvert on Henry Harris Road	Stormwater	\$500,000	LC4.2, LC4.8	PS 1.5	33
Total:			20,139,722			

*The threshold value for projects for the CIP is \$5,000.

Agenda Item Summary

Ordinance # / Resolution #: RZ-2024-0259 Curative Professional LLC

Contact Person / Sponsor: A. Hardin

Department: Planning

Date Requested to be on Agenda: 5/21/2024

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	5/14/2024	Exhibit
Application	4/23/2024	Exhibit
Location Map	4/23/2024	Exhibit
Proposed Plat	4/23/2024	Exhibit
Deed 1067-254	4/23/2024	Exhibit
Permitted Uses Table 2.5	5/14/2024	Exhibit

PROPOSAL: Request to rezone 3.63 acres of property

PROPERTY LOCATION: 100-block of Lodge Rd (TM# 0008-00-069.07)

CURRENT ZONING DISTRICT: Low Density Residential (LDR) District

PROPOSED ZONING DISTRICT: General Business (GB) District

APPLICANT: James P. Ngo and Yen H. Ngo

COUNCIL DISTRICT: District 4, Jose Luis

STATUTORY NOTICES: Hearing notice published 5/4/2024 in The Lancaster News
Signs posted 5/3/2024
Mailed notices 4/26/2024
Posted agenda in lobby 5/14/2024

OVERVIEW:

Proposal

The applicant has requested to rezone a 3.63-acre parcel from Low Density Residential (LDR) to General Business (GB). The intent is “to combine parcels [0008-00-067.00 and 0008-00-069.07] and unify zoning type to allow for a potential ambulatory, surgery center, medical office building, day care center and general commercial buildings that fall under the General Business zoning.”

Site Information

The parcel proposed for rezoning is one of two abutting properties owned by the applicants. The 3.63-acre subject property is currently vacant, has approximately 600 linear feet of frontage along Lodge Rd, and is surrounded on two sides by properties zoned General Business (GB). The other properties that abut the subject property are zoned Low Density Residential (LDR).

The larger parcel is located at the corner of Spice Rd and Hwy 521/Charlotte Hwy. The 9.38-acre tract includes McMinn Dr and is one of the properties mentioned above that are zoned (GB). The larger parcel has more than 500 linear feet of frontage on Hwy 521, and more than 800 linear feet of frontage along Spice Rd.

Summary of Adjacent Zoning and Uses

The subject property is surrounded predominantly by LDR and GB zoned properties. There are LDR-zoned parcels located across Lodge Rd and GB parcels directly adjacent to the site.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	LDR	Vacant
South	Lancaster County	GB	Residential Structures on Site
East	Lancaster County	GB	Indian Land Masonic Lodge #414
West	Lancaster County	LDR	Residential

ANALYSIS & FINDINGS:

Zoning Districts

As previously noted, the subject property is currently in the LDR District. As described to UDO Chapter 2.3: *"The **Low Density Residential 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 1.5 dwelling units per acre. Intended to act as a transitional zoning district between rural living 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."*

Requested GB

UDO Chapter 2.3 says of the GB District: *"The **General Business District** is generally located on thoroughfares and provides opportunities for the provision of offices, services, and retail goods in proximity to generally auto dependent, community neighborhoods. The regulations for this district are intended to accommodate the predominately auto oriented pattern of existing development while encouraging the transition to pedestrian-friendly, mixed-use areas that avoid strip commercial development."*

RELATIONSHIP TO PUBLIC PLANS

The Future Land Use Category of the subject properties is **Growth**. The newly adopted Comprehensive Plan states that *"**Growth Areas** are intended to designate areas where growth should occur based on the availability of supportive infrastructure and land. These areas are intended to support suburban scale residential development along with supportive commercial development at major crossroads and along arterial streets and thoroughfares. Supportive infrastructure required to provide development includes adequate roadways, water and sewer availability, school capacity, emergency services, and similar services."*

The requested GB District is compatible with the Future Land Use Category of **"Growth"** and the overall *Lancaster 2040 Comprehensive Plan*.

INFRASTRUCTURE CONSIDERATIONS

Transportation

The closest traffic count stations for the subject site include two on Charlotte Hwy: one approximately 1.3 miles south of McMinn Dr and one approximately 1.8 miles north of McMinn Dr. Both stations have at least three years of traffic counts and the average daily trips (ADT) number information has been pulled directly from the SC DOT Traffic Data Public Mode Map. The data shows that traffic counts are increasing after a year of decrease in 2022.

Station Id: 29-0126 Description: US521 : S- 65 (SHELLEY MULLIS RD), L- 51 TO SC 160 (FORT MILL HWY)	2023	2022	2021
AADT	32,400	30,800	32,100
Truck %	5%	5%	5%

Station Id: 29-0128			
Description: US521 : SC 160 (FORT MILL HWY) TO State Line - NORTH CAROLINA	2023	2022	2021
AADT	32,300	37,300	38,900
Truck %	2%	4%	4%

Staff understands that the traffic on Hwy 521 has been a longstanding issue for neighbors in Indian Land. County administration has been working on a transportation penny tax proposal that will be used, in part, to address the traffic issues of Hwy 521. It was continued at the May 13, 2024 Council meeting.

Access

The subject property has access to Charlotte Hwy via Lodge Rd, a dirt road that serves a residential area. Lodge Rd is approximately 3,500 ft north of the proposed Possum Hollow Rd/Charlotte Hwy traffic signal and 4,600 feet south of the Marvin Rd/Charlotte Hwy intersection.

Public Utilities

LCWSD water and sewer lines are available in the Hwy 521/Charlotte Hwy right-of-way on the south-bound lane. These lines currently serve the Windsor Trace neighborhood across Charlotte Hwy from the proposed rezoning.

Public Schools

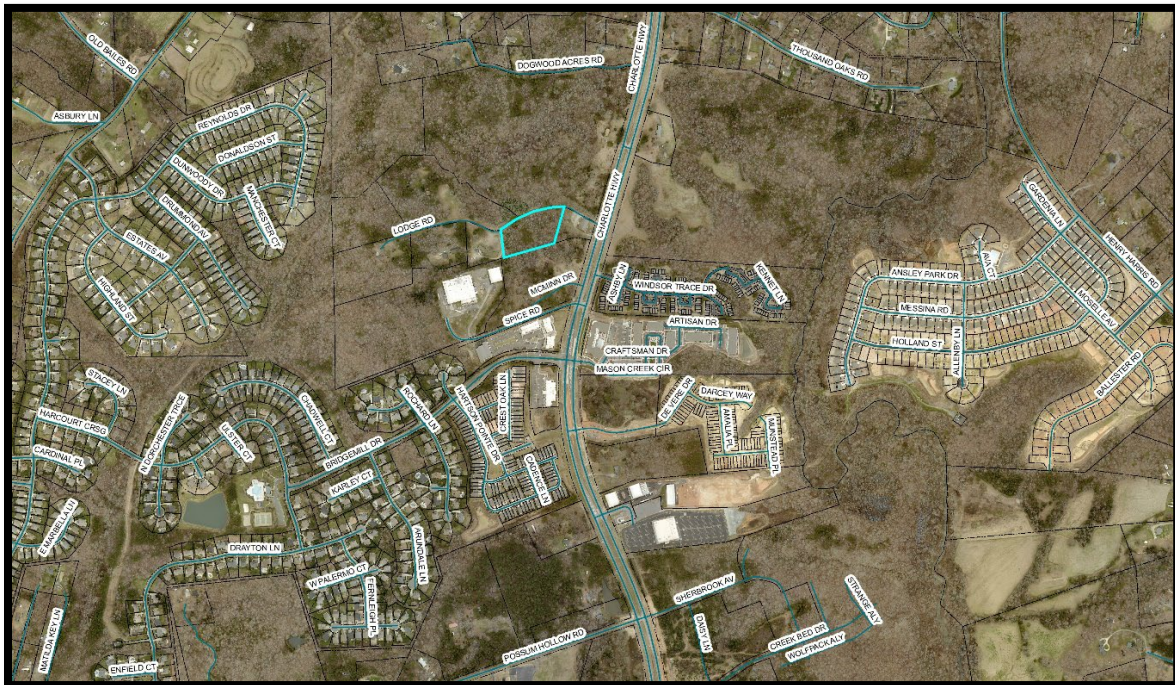
Elementary: Harrisburg
Middle: Indian Land
High: Indian Land

There are well-known capacity concerns for the schools within this area pertaining to this change. Converting the subject property from residential to commercial should not negatively impact the school crowding issues in Indian Land.

Public Safety

Fire District: Indian Land Consolidated Fire District (employees of Lancaster County)
Fire Station Location: 9370 Possum Hollow Rd, approximately 2.2 miles from the subject property
Closest EMS Station: Station 4/9, 9576 Old Bailes Rd, approximately 3.1 miles from the subject property

PHOTOS OF PROJECT AREA: Entry Point from Lodges Rd / Aerial





ALIGNMENT WITH THE COMPREHENSIVE PLAN

LC 1.2						
Use the Future Land Use Map to identify areas of the County that are not zoned in a manner that is consistent with the County's vision for growth and development and initiate zoning map amendments to better align the Zoning Map with the Future Land Use Map.						
Growth	Balance	Vibrance	Service	Sustainability	Prosperity	Mobility

- The proposed rezoning is supported by the future land use plan.

LC 4.5						
Identify ways to work with MUSC and other healthcare providers to improve access to healthcare for all residents, with a particular focus on meeting the needs of rural residents.						
Growth	Balance	Vibrance	Service	Sustainability	Prosperity	Mobility

- The proposed rezoning is reportedly in support of medical uses.

PA 1.1

Direct new development into growth areas identified on the Future Land Use Map.

Growth	Balance	Vibrance	Service	Sustainability	Prosperity	Mobility
--------	---------	----------	---------	----------------	------------	----------

- The proposed rezoning is supported by the future land use plan.*

PA 1.2

Limit growth in the rural areas of the Panhandle where public infrastructure and services are not in place to support urban development. Create a standing committee to monitor the effectiveness of growth management implementation efforts and study additional implementation options.

Growth	Balance	Vibrance	Service	Sustainability	Prosperity	Mobility
--------	---------	----------	---------	----------------	------------	----------

- The proposed rezoning is in a part of the Panhandle with access to water, sewer, and the main transportation corridor in the Panhandle.*

STAFF RECOMMENDATION:

Staff supports the development of medial offices to address the community's needs, and the future land use plan identifies this area as sufficiently prepared with infrastructure to accommodate growth. Staff also recognizes that the traffic impact of General Business is higher than that of Low Density Residential, even when only expanding an existing zone (as opposed to creating a new one). **For these reasons, staff does not have a recommendation for this proposal.**

ATTACHMENTS:

1. Rezoning Application
2. Recorded Plat
3. Recorded Deed
4. Location Map/ Zoning Map
5. Permitted Uses Chart

STAFF CONTACT:

Allison Hardin, Development Services Director
ahardin@lancastersc.net
803-285-6005



Planning Department

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

City _____ State _____ Zip _____ Tax Parcel ID _____

Current Zoning _____ Current Use _____

Proposed Zoning _____ Total Acres _____

Project Description _____

— _____

Surrounding Property Description _____

CONTACT INFORMATION

Applicant Name _____

Address _____

City _____ State _____ Zip _____ Phone _____

Fax _____ Email _____

Property Owner Name _____

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 _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS 1. Submit Application

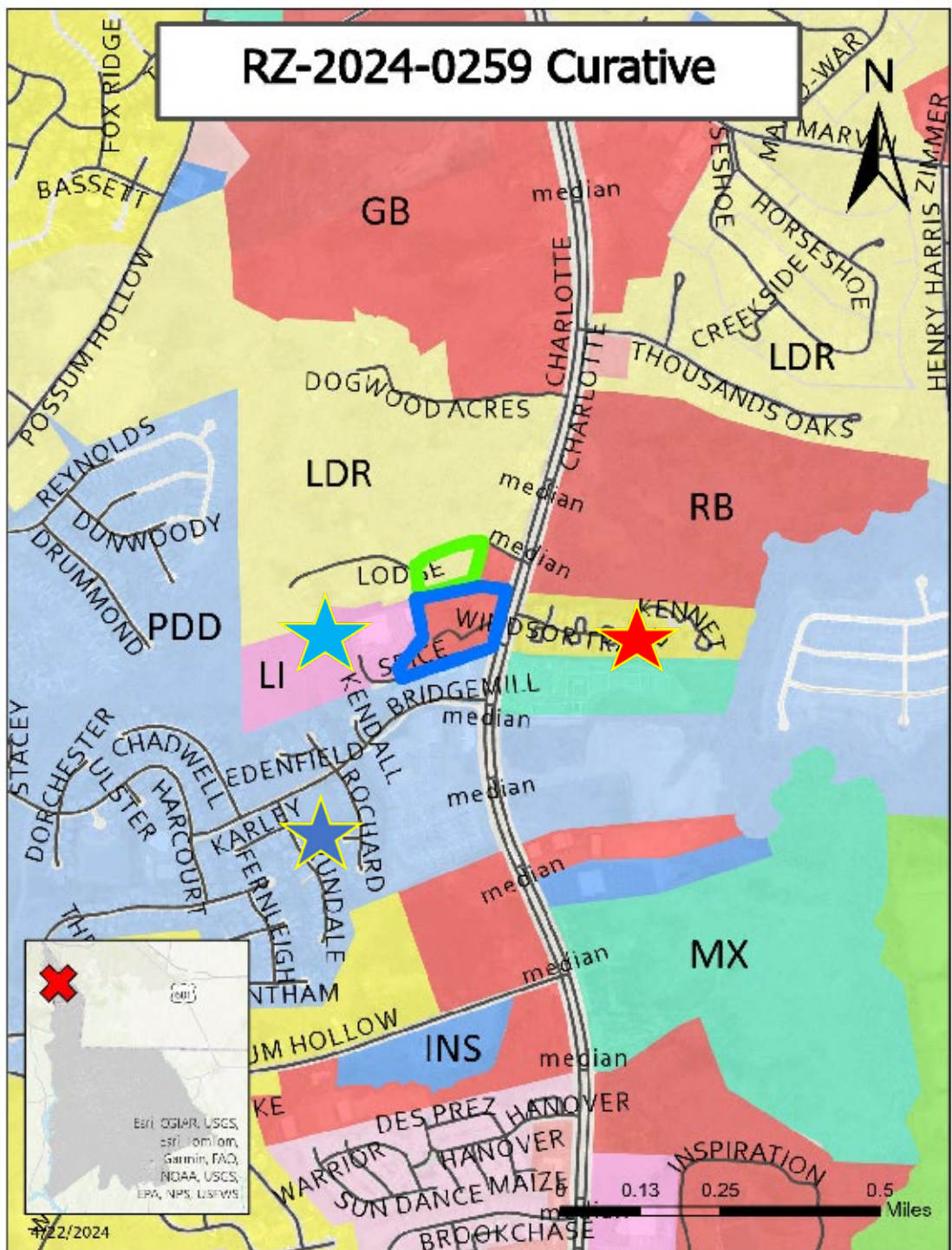
- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and 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.

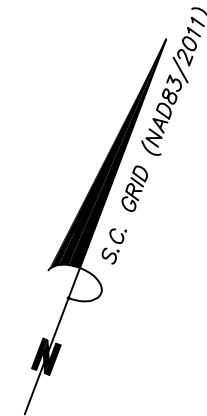
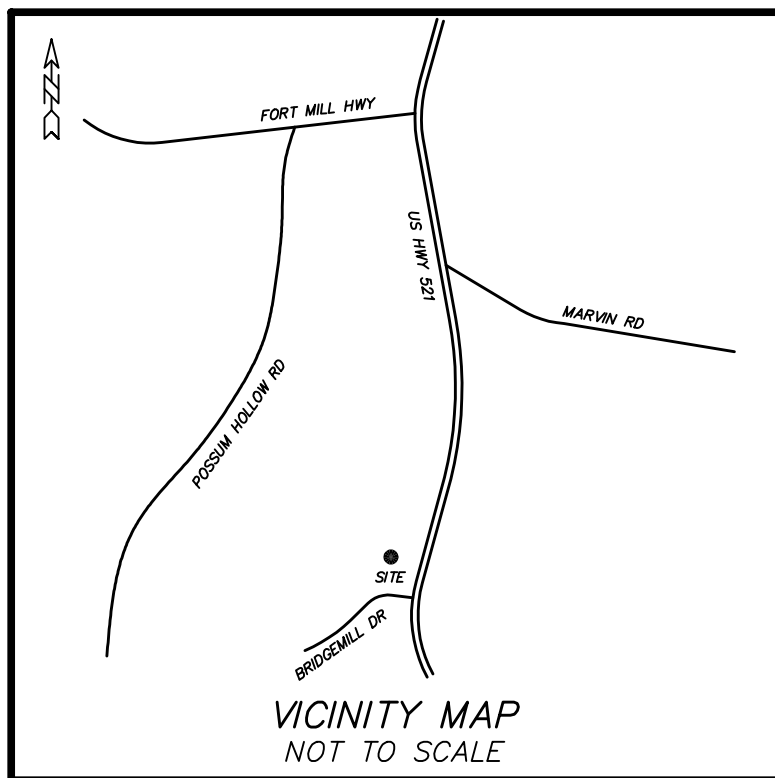


Proposal:
Rezoning LDR to GB

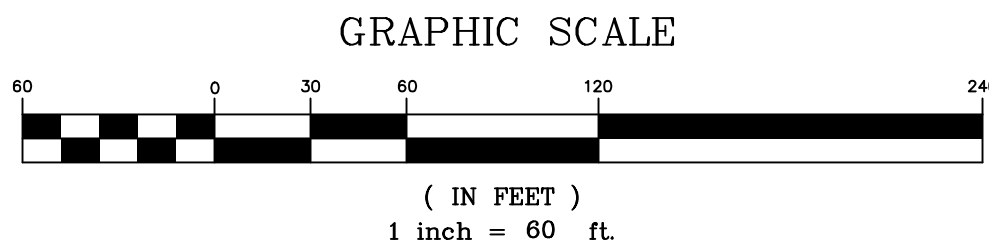
Lancaster
County
South Carolina

Subject Property

- McClancy Seasonings
- Windsor Trace Development
- Bridgemill Development



LINE TABLE		
LINE	BEARING	LENGTH
L1	S74°26'29"W	22.20'
L2	S75°25'12"E	49.33'
L3	N15°43'54"E	28.59'



FIDELITY NATIONAL TITLE INSURANCE COMPANY
COMMITMENT DATE: OCTOBER 11, 2023 AT 8:00 AM
COMMITMENT NO.: M7232951-C-1

SCHEDULE B, PART II - EXCEPTIONS

4. SUCH MATTER(S) AS ARE SHOWN ON THE PLAT RECORDED IN PLAT BOOK 6, PAGE 233 (NO PLOTTABLE MATTERS), PLAT BOOK 2003, PAGE 605 (BOUNDARY LINES SHOWN), AND PLAT NO. 8779 (NO PLOTTABLE MATTERS).

5. TITLE TO THAT PORTION OF SUBJECT PROPERTY EMBRACED WITHIN THE BOUNDS OF MCMINN DRIVE, U.S. HIGHWAY 521, AND SPICE ROAD (AS SHOWN).

6. EASEMENT(S) AND / OR RIGHT(S) OF WAY IN FAVOR OF PALMETTO CABLE TV COMPANY RECORDED IN DEED BOOK D-8 AT PAGE 91 OF THE LANCASTER COUNTY REGISTRY. (BLANKET IN NATURE, NOT PLOTTABLE)

7. EASEMENT(S) AND / OR RIGHT(S) OF WAY IN FAVOR OF LANCASTER TELEPHONE COMPANY RECORDED IN DEED BOOK E-6 AT PAGE 2838 OF THE LANCASTER COUNTY REGISTRY. (LOCATED OFFSITE)

REVISIONS:	
DATE	
SCALE: 1" = 60'	
PROJECT: 23-0453	
DRAWN BY: NB	
FIELD WORK: GW/CJ	
NOVEMBER 6, 2023	
DWG: CARLSON 2023 (BAT/McMinn Dr #142)	
COCG: 2023/McMinn Dr #142	

THIS IS TO CERTIFY TO

FIDELITY NATIONAL TITLE INSURANCE COMPANY
RAMAN SETH

THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1,2,3,4,6a,7a,7b,7c,8,9,13,16,17,18 & 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON _____

THOMAS E. WHITE, SCPLS #27745 DATE _____

- NOTES:
- IRON PINS SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
 - PROPERTY ZONED: GB (SETBACKS & ZONING MATTERS ARE SUBJECT TO INTERPRETATION BY LOCAL MUNICIPALITIES)
 - TAX PARCEL NUMBER 0008-00-067.00 & 0008-00-069.07.
 - DEED REFERENCES AS SHOWN.
 - BOUNDARY SURVEY ONLY THROUGH POINTS AS SHOWN.
 - THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP (FIRM) NO. 45057C0078E, WITH A DATE OF IDENTIFICATION OF 5/16/2017.
 - THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RECORDED OR UNRECORDED EASEMENTS, SETBACKS AND BUFFERS INCLUDING THOSE WITHIN THE APPLICABLE UNIFIED DEVELOPMENT ORDINANCE (UDO), RIGHTS-OF-WAY, IMPERVIOUS AREAS & BUILT UPON AREA (BUA), RESTRICTIONS, AND/OR RESTRICTIVE COVENANTS, OTHER THAN SHOWN.
 - AREA COMPUTED BY COORDINATE METHOD.
 - NO NCSS MONUMENT FOUND WITHIN 2000'.
 - UTILITY LOCATIONS SHOWN ARE LOCATED BASED ON SITE CONDITIONS AND MARKINGS AT THE TIME OF SURVEY. CONTRACTORS ARE TO HAVE ALL UTILITIES ACCURATELY MARKED PRIOR TO CONSTRUCTION.
 - ANY CONSTRUCTION OR USE WITHIN ANY DELINEATED FLOOD AREA IS SUBJECT TO THE RESTRICTIONS IMPOSED BY ANY APPLICABLE ORDINANCES OR REGULATIONS.
 - OFFSITE ADJOINER LINES AND RIGHT-OF-WAY LINES SHOWN AS DASHED ARE APPROXIMATE AND ARE FOR ILLUSTRATIVE PURPOSES ONLY.
 - LINES SHOWN REPRESENTING FENCES AND WALLS ARE MEASURED FROM THE APPROXIMATE CENTERLINE AND DO NOT ACCOUNT FOR THE THICKNESS, PLUMBNESS OR MEANDER OF THE FENCE UNLESS OTHERWISE STATED.
 - DISTANCES SHOWN ARE GROUND U.S. SURVEY FEET UNLESS OTHERWISE NOTED.
 - NO NEW LOTS OR PROPERTY LINES ESTABLISHED.
 - NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.

~NOW OR FORMERLY~
NBI INVESTMENTS III LLC
DB 719/36
PID 0010-00-001.00

~NOW OR FORMERLY~
BARBARA MANNING RAMSEY
DB 1159/114
PLAT P-13469
PID 0008-00-069.04

~NOW OR FORMERLY~
JRA INVESTMENTS LLC
DB 1243/182
PID 0008-00-069.00

~NOW OR FORMERLY~
JAMES P. NGO
YEN H. NGO
DB 1067/254
PLAT 2003/468
PID 0008-00-069.07
(NOT PART OF TITLE
INSURANCE COMMITMENT)

~NOW OR FORMERLY~
INDIAN LAND MASONIC LODGE NO 414
DB A-6/4473
PID 0008-00-069.01

~NOW OR FORMERLY~
NGO F. LLC
DB 214/57
PLAT 2003/605
PID 0008-00-067.00

U.S. HWY 521
VARIABLE WIDTH PUBLIC RIGHT OF WAY

LEGEND:

EIP = EXISTING IRON PIN
OIP = OLD IRON PIPE
SIP = SET IRON PIN
R/W = RIGHT OF WAY
AC = AIR CONDITIONING UNIT
PWR = POWER PAD
PM = POWER METER
PP = POWER POLE
LP = LIGHT POLE
GM = GAS METER
TELE = TELEPHONE PEDESTAL
CATV = CABLE TELEVISION
FOB = FIBER OPTIC BOX
TSB = TRAFFIC SIGNAL BOX
WM = WATER METER
RES = FLARED END SECTION
RCP = REINFORCED CONCRETE PIPE
CMP = CORRUGATED METAL PIPE
CPP = CORRUGATED PLASTIC PIPE
PVC = POLYVINYL CHLORIDE PIPE
DU = DESTINATION UNKNOWN
SDE = STORM DRAINAGE EASEMENT
SDMH = STORM DRAIN MANHOLE
CB = CATCH BASIN
YI = YARD INLET
DI = DROP INLET
SSE = SANITARY SEWER EASEMENT
SSMH = SANITARY SEWER MANHOLE
CO = SEWER CLEAN OUT
BC = BACK OF CURB
(T) = TOTAL DISTANCE
P.O.B. = POINT OF BEGINNING

SYMBOL LEGEND:

● SET MONUMENT (TYPE INDICATED)
○ EXISTING MONUMENT (TYPE INDICATED)
CP CALCULATED POINT
GV GAS VALVE
WV WATER VALVE
MB MAIL BOX
WM WATER METER
WELL
FH FIRE HYDRANT
SSMH SANITARY SEWER MANHOLE
SDMH STORM DRAIN MANHOLE
TMH TELEPHONE/COMMUNICATIONS MANHOLE
EMH ELECTRIC MANHOLE
DECIDUOUS TREE
EVERGREEN TREE
LP LIGHT POLE
PP POWER/UTILITY POLE
BFP BACK FLOW PREVENTOR
GW GUY WIRE
CB CATCH BASIN
DI DROP INLET
YI YARD INLET

LINE/TYPE LEGEND:

— BOUNDARY LINE
--- TIE LINE
--- RIGHT OF WAY
--- APPROXIMATE RIGHT OF WAY (NOT SURVEYED)
--- ADJOINING LINE (NOT SURVEYED)
- - - - - FENCE
--- STORM DRAIN PIPE
--- OVERHEAD ELECTRIC
--- SANITARY SEWER PIPE

THE FOLLOWING WAS USED TO ESTABLISH S.C.S.P.C. INFORMATION:

(1) CLASS OF SURVEY: A-URBAN LAND SURVEY
(2) POSITIONAL ACCURACY: 0.06'
(3) TYPE OF GPS FIELD PROCEDURE: STATIC, ONLINE POSITION USER SERVICE
(4) DATES OF SURVEY: 10/31/2023
(5) DATUM/EPOCH: NAD 83 (2011), EPOCH 2010
(6) PUBLISHED/FIXED-CONTROL USE: CORS SITES
PID DESIGNATION
D7471 NC00 CONCORD CORS ARP
DM3995 NC00 ROCKINGHAM CORS ARP
DK7758 SC01 UNION CORS ARP
DM3523 NC01 HICKORY CORS ARP
DG7402 NC00 POLKTON CORS ARP
D11682 NC01 LUMBERTON CORS ARP
DK4043 NC00 SPINDALE CORS ARP
D13538 NC00 WOODSTOCK CORS ARP
(7) GEOID MODEL: GEOID18; NAVD 88
(8) COMBINED GRID FACTOR(S): 1.00003105
(9) UNITS: INTERNATIONAL FEET

LATITUDE LONGITUDE DISTANCE(m)
N352235.243 W0801351.114 5121.7
N345751.987 W0794747.740 96667.1
N344558.605 W0813655.699 76457.1
N354431.010 W0811830.934 93824.2
N345933.172 W0801037.857 61892.4
N343736.336 W0790436.694 167317.4
N352155.834 W0815457.347 105587.9
N353448.877 W0804812.536 66441.2

BENCHMARK
RIM OF SSMH
ELEV. 639.80
(NAD83)

~NOW OR FORMERLY~
BRIDGEMILL COMMONS LLC
DB 1157/146
PLAT 2016/50
PID 0010-00-003.01

CAROLINA SURVEYORS, INC.
P.O. BOX 267 PINEVILLE, N.C. 28134 - 0267
THOMAS E. WHITE, NCPLS & SCPLS 704-889-7601
TENCAROLINAS.COM
CERTIFICATE OF AUTHORIZATION NC-C-1242 SC-888

McMINN DR & U.S. HWY 521
SURVEYED FOR:
AREA: 13.005 AC.
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

LANCASTER COUNTY ASSESSOR

Tax Map:
0008 00 069 07

DEED DRAWN BY:
ROBERT K. FOLKS
ATTORNEY AT LAW

RECORDED THIS 16th DAY
OF JULY, 2017
IN BOOK 0 PAGE 0


Auditor, Lancaster County, SC

2017010096

DEED
RECORDING FEES \$10.00
STATE TAX \$429.00
COUNTY TAX \$181.50

PRESENTED & RECORDED:
07-12-2017 04:11 PM

JOHN LANE
REGISTER OF DEEDS
LANCASTER COUNTY, SC
By: JENNIFER REESE ROD

BK:DEED 1067
PG:254-255

STATE OF SOUTH CAROLINA)

COUNTY OF LANCASTER)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that, **Jihad D. Barham and Jennifer S. Barham**, ("Grantor"), in the State aforesaid, for and in consideration of the sum of One Hundred Sixty-five Thousand and no/100ths (\$165,000.00) Dollars, to the Grantor in hand paid at and before the sealing and delivery of these Presents, by the Grantee hereinafter named (the receipt whereof is hereby acknowledged), has granted, bargained, sold and released, and by these Presents does grant, bargain, sell and release the following described property, subject to the easements, restrictions, reservations and conditions set forth below, unto **James P. Ngo and Yen H. Ngo**, ("Grantee"), and Grantee's heirs, successors and assigns:

All that certain piece, parcel or lot of land lying, being and situate in Indian Land Township, Lancaster County, South Carolina, on Lodge Road (66' Right of Way), containing 3.634 acres, more or less, and being more particularly shown and described on boundary and subdivision survey for Debra Neal Petit drawn by Charles D. Mackey, PLS, dated June 26, 2003 and recorded as Plat No. 2003-468 in the Office of the Clerk of Court for Lancaster County, South Carolina, reference to said plat is hereby made for a more complete description of the premises.

Being the identical property conveyed to Jihad D. Barham and Jennifer S. Barham by Deed of Debra N. Petit dated August 9, 2006 and recorded August 16, 2006 in Deed Book 349 Page 279, Register of Deeds Office, Lancaster County, South Carolina.

The within described property is conveyed subject to existing easements and rights of way, whether of record or not, and to restrictions, if any, appearing in the chain of title which said restrictions, if any, are not intended to be reimposed hereby.

TAM 0008-00-069.07

Grantee's Address:
2901 Chatelaine Place
Raleigh, NC 27614

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 before mentioned, unto the said Grantee and Grantee's Heirs, Successors and Assigns forever.

AND the Grantor does hereby bind Grantor's Heirs, Successors, Executors and Administrators, to warrant and forever defend all and singular the said premises unto the said Grantee and Grantee's Heirs, Successors and Assigns, against Grantor and whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS the Grantor's Hand and Seal this 12th day of July, 2017, and in the two hundred forty-second year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Robert K. Folks
Dale B. Raulf

Jihad D. Barham (Seal)
Jihad D. Barham

Jennifer S. Barham (Seal)
Jennifer S. Barham

STATE OF SOUTH CAROLINA)

COUNTY OF LANCASTER)

ACKNOWLEDGMENT

I, the undersigned notary public, do hereby certify that the above named Grantor personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 12th day of July, 2017.

Robert K. Folks (Seal)
NOTARY PUBLIC FOR SOUTH CAROLINA

Notary: Robert K. Folks

My Commission Expires: 3-30-21

s:\dbr\deedBarhamNgo

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

USE TYPES	RURAL					TRANSITIONAL						SPECIAL					NEIGHBORHOOD					
A. RESIDENTIAL	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Dwelling - Single Family	P	P	P	-	P	P	P	P	-	-	-	-	-	-	-	-	P	-	P	P	-	
Dwelling - Two Family	-	-	-	-	-	-	PR	PR	-	-	-	-	-	-	-	-	-	PR	-	-	-	5.2.1
Dwelling - Three Family, Four Family	-	-	-	-	-	-	-	PR	-	-	-	-	-	-	-	-	-	-	-	-	-	5.2.3
Dwelling - Townhome	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	P	P	P	P	P	
Dwelling - Multifamily	-	-	-	-	-	-	-	-	-	-	PR	-	-	-	-	-	-	PR	PR	PR	-	5.2.2
Dwelling - Accessory	PR	PR	PR	-	-	PR	PR	PR	-	-	-	-	-	-	-	-	PR	PR	-	-	-	5.2.3
Halfway Homes	-	-	-	-	-	-	-	-	-	SE	-	SE	-	-	-	-	-	-	-	-	-	5.2.4
Live-Work Units	-	-	-	PR	-	-	-	PR	PR	-	-	-	-	-	-	-	-	-	PR	PR	PR	5.2.5
Manufactured Housing	PR	PR	-	-	PR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5.2.6
Manufactured Home Park	SE	-	-	-	SE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5.2.6
Residential/Family Care Home (5 or fewer residents)	P	P	P	-	P	P	P	-	-	-	-	-	-	-	-	-	-	P	P	P	P	
Residential Care Facilities (6 or more residents)	-	-	-	PR	-	-	-	-	PR	PR	PR	PR	-	-	-	-	-	-	-	PR	PR	5.2.8
B. LODGING	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Bed and Breakfast Homes (up to 8 rooms)	PR	PR	PR	PR	-	PR	-	PR	PR	-	-	PR	-	-	-	-	PR	PR	-	PR	PR	5.3.1
Bed and Breakfast Inn (up to 12 rooms)	-	-	-	-	-	-	-	-	PR	-	-	PR	-	-	-	-	-	-	-	PR	PR	5.3.1
Boarding or Rooming House	-	-	-	-	-	-	-	-	-	-	-	PR	-	-	-	-	-	-	-	-	-	5.3.2
Campground	SE	SE	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	-	-	5.3.3
Dormitory	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	
Fraternity/Sorority House	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	
Hotel/Motel	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	P	P	
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	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

P – Permitted by Right

PR – Permitted with Review

CU – Conditional Use Required

SE – Special Exception Required

Lancaster County Unified Development Ordinance – Use Table

USE TYPES	RURAL					TRANSITIONAL						SPECIAL					NEIGHBORHOOD					REF
C. OFFICE/SERVICES (CONTINUED)	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
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	-
D. COMMERCIAL/ENTERTAINMENT	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Alcoholic Beverage Sales Store	-	-	-	P	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	P	-	
Amusements, Indoor	-	-	-	P	-	-	-	-	-	P	P	-	-	P	-	-	-	-	-	P	P	
Amusements, Outdoor	-	-	-	PR	-	-	-	-	-	-	CU	-	-	CU	-	-	-	-	-	-	-	5.5.1
Bar/Tavern/Brew Pub	-	-	-	CU	-	-	-	-	-	CU	PR	-	-	-	-	-	-	-	-	PR	-	5.5.2
Billiard/Pool Hall	-	-	-	CU	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	
Brewery	-	-	-	P	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	P	
Distillery	-	-	-	-	-	-	-	-	-	-	P	-	-	P	-	-	-	-	-	-	-	
Food Truck	-	-	-	-	-	-	-	-	-	PR	PR	PR	-	PR	PR	-	-	-	-	PR	PR	5.5.3
General Commercial	-	-	-	PR	-	-	-	-	PR	PR	PR	-	-	-	-	-	-	-	-	PR	PR	5.5.4
Night Club	-	-	-	-	-	-	-	-	-	-	PR	-	-	-	-	-	-	-	-	-	-	
Outside Sales	-	-	-	PR	-	-	-	-	PR	PR	PR	PR	-	-	-	-	-	-	-	PR	PR	5.5.5
Outside Sales, Sidewalk Sales	-	-	-	PR	-	-	-	-	PR	PR	PR	PR	-	-	-	-	-	-	-	PR	PR	5.5.6
Pawnshops	-	-	-	PR	-	-	-	-	-	PR	PR	-	-	-	-	-	-	-	-	-	-	5.5.7
Racetrack	-	-	-	-	-	-	-	-	-	-	-	-	-	-	CU	-	-	-	-	-	-	5.5.8
Restaurant	-	-	-	PR	-	-	-	-	CU	PR	PR	PR	-	-	-	-	-	-	-	PR	PR	5.5.9
Riding Stables	P	P	P	P	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	
Sexually Oriented Business/Adult Entertainment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	5.5.10
Shooting Range, Indoor	-	-	-	PR	-	-	-	-	-	PR	PR	-	-	PR	PR	-	-	-	-	-	-	5.5.11
Shooting Range, Outdoor	SE	-	-	-	-	-	-	-	-	-	-	-	-	SE	SE	-	-	-	-	-	-	5.5.12
Theater, Indoor Movie or Live Performance	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	P	P	
Theater, Outdoor (Amphitheater)	PR	-	-	PR	-	-	-	-	-	-	PR	PR	PR	-	-	-	-	-	-	PR	PR	5.5.13

P – Permitted by Right

PR – Permitted with Review

CU – Conditional Use Required

SE – Special Exception Required

Lancaster County Unified Development Ordinance – Use Table

USE TYPES	RURAL					TRANSITIONAL						SPECIAL					NEIGHBORHOOD					
E. CIVIC	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Cemetery	PR	PR	PR	PR	-	PR	PR	-	PR	PR	PR	PR	-	-	-	-	-	PR	-	-	PR	5.6.1
Conference/Convention Center	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	P	P	
Cultural or Community Facility	-	-	-	P	-	-	-	-	P	P	P	P	-	-	-	-	-	-	-	P	P	
Event Venue/Banquet Hall	P	P	PR	PR	-	PR	PR	PR	PR	PR	PR	PR	-	-	-	-	-	-	-	PR	PR	5.6.2
Places of Assembly	PR	PR	PR	PR	CU	CU	CU	PR	PR	PR	PR	PR	-	PR	-	-	-	CU	-	CU	CU	5.6.3
Private Recreation Facilities	-	-	-	PR	-	-	-	-	PR	PR	PR	PR	-	-	-	-	-	-	-	PR	PR	5.6.4
Public Recreation Facilities	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	-	-	-	PR	PR	PR	PR	PR	5.6.5
Public Safety Station	P	P	P	P	-	-	-	P	P	P	P	P	-	P	P	-	-	-	-	P	P	
Sports Arena/Stadium (4,000 or more seats)	-	-	-	-	-	-	-	-	-	-	CU	CU	-	CU	-	-	-	-	-	-	CU	5.6.6
F. EDUCATIONAL/INSTITUTIONAL	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Child/Adult Day Care Home (5 or fewer persons)	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	-	-	-	-	PR	PR	-	PR	PR	5.7.1
Child/Adult Day Care Home (6 or more persons)	-	-	-	-	-	-	-	-	PR	PR	PR	PR	-	-	-	-	-	-	-	PR	PR	5.7.2
College/University	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	P	P	
Community Support Facility	-	-	-	PR	-	-	-	-	-	PR	PR	PR	-	-	-	-	-	-	-	-	-	5.7.3
Correctional Institution	-	-	-	-	-	-	-	-	-	-	-	CU	-	SE	SE	-	-	-	-	-	-	5.7.4
Day Treatment Center	-	-	-	-	-	-	-	-	-	PR	PR	PR	-	PR	-	-	-	-	-	-	-	5.7.5
Hospital	-	-	-	-	-	-	-	-	-	-	P	P	-	P	-	-	-	-	-	-	-	
Operations, Maint., and Fleet Service Facility	-	-	-	SE	-	-	-	-	-	PR	PR	PR	-	PR	PR	-	-	-	-	-	PR	5.7.6
Schools – Elementary and Secondary	PR	PR	PR	PR	-	PR	CU	CU	CU	CU	CU	PR	-	-	-	-	CU	CU	CU	CU	CU	5.7.7
Schools – Vocational/Technical	-	-	-	P	-	-	-	-	P	P	P	P	-	P	P	-	-	-	-	P	P	
Studio – Art, dance, martial arts, music	P	-	-	P	-	-	-	P	P	P	P	P	-	P	-	-	-	-	-	P	P	
G. AUTOMOTIVE	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Drive-Thru/Drive-In Facility	-	-	-	PR	-	-	-	-	CU	PR	PR	-	-	PR	PR	-	-	-	-	PR	PR	5.8.1
Electric Vehicle Charging Stations	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	5.8.2
Heavy Equipment/Manufactured Home Rental/Sales/Repair	-	-	-	-	-	-	-	-	-	-	SE	-	-	PR	PR	-	-	-	-	-	-	5.8.3
Parking Lot/Structure – Principal Use	-	-	-	-	-	-	-	-	-	PR	PR	PR	-	PR	PR	-	-	-	-	PR	PR	5.8.4
Vehicle Rental/Leasing/Sales	-	-	-	PR	-	-	-	-	-	PR	PR	-	-	-	-	-	-	-	-	CU	CU	5.8.5
Vehicle Services – Minor Maintenance/Repair	-	-	-	P	-	-	-	-	CU	CU	PR	-	-	PR	PR	-	-	-	-	CU	CU	5.8.6
Vehicle Services – Major Repair/Body Work	-	-	-	PR	-	-	-	-	-	CU	PR	-	-	PR	PR	-	-	-	-	-	-	5.8.7

P – Permitted by Right

PR – Permitted with Review

CU – Conditional Use Required

SE – Special Exception Required

Lancaster County Unified Development Ordinance – Use Table

USE TYPES	RURAL					TRANSITIONAL						SPECIAL					NEIGHBORHOOD					
H. INDUSTRY/WHOLESALE/STORAGE	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Artist Studio/Light Manufacturing Workshops	-	-	-	P	-	-	-	-	-	P	P	-	-	P	P	-	-	-	-	P	P	
Industry, Light	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Industry, Heavy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	
Industry, Restricted	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PR	-	-	-	-	-	-	5.9.1
Junkyard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	5.9.2
Landfill – Class One	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	5.9.16
Landfill – Class Two	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	SE	-	-	-	-	-	-	5.9.3
Landfill – Class Three	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	5.9.4
Mining - Major In-Depth Resource Extraction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	P	-	-	-	-	-	5.9.5/6
Mining - Minor Surface Resource Extraction	PR	PR	PR	PR	-	-	-	-	-	PR	PR	PR	-	PR	PR	P	-	-	PR	PR	PR	5.9.6/7
Private Recycling Collection Stations	-	-	-	-	-	-	-	-	-	-	-	PR	-	PR	PR	-	-	-	-	-	-	5.9.8
Public Recycling and Waste Collection Facilities	-	-	-	PR	-	-	-	-	-	-	-	PR	-	PR	PR	-	-	-	-	-	-	5.9.9
Research and Development Facilities	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	-	-	-	-	-	P	
Storage – Outdoor Storage Yard	-	-	-	-	-	-	-	-	-	PR	PR	-	-	PR	PR	-	-	-	-	-	-	5.9.10
Storage – Self Service (Mini)	-	-	-	-	-	-	-	-	-	PR	PR	-	-	PR	PR	-	-	-	-	-	-	5.9.11
Storage – Warehouse Indoor	-	-	-	-	-	-	-	-	-	CU	PR	-	-	PR	PR	-	-	-	-	-	PR	5.9.12
Storage – Warehouse Indoor, Restricted	-	-	-	-	-	-	-	-	-	-	-	-	-	PR	PR	-	-	-	-	-	-	5.9.13
Wholesaling and Distribution	-	-	-	-	-	-	-	-	-	-	PR	-	-	P	P	-	-	-	-	-	P	5.9.14
Wholesaling and Distribution, Restricted	-	-	-	-	-	-	-	-	-	-	-	-	-	PR	PR	-	-	-	-	-	-	5.9.15

I. AGRICULTURE	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Agriculture and Crop Production/Harvesting	P	P	P	P	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	
Agricultural Support Services/Nurseries	P	P	P	P	-	-	-	-	P	P	P	-	-	P	P	-	-	-	-	-	P	
Agritourism	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Animal Production/General Farms	PR	PR	PR	PR	-	PR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5.10.1
Animal Production Facilities, Non-Swine	PR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5.10.2
Animal Production Facilities, Swine	SE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5.10.3
Apiculture (Bee Keeping)	P	P	P	P	-	P	-	-	P	-	-	P	P	-	-	-	-	-	-	-	P	
Backyard Pens/Coops	P	P	P	P	-	P	PR	PR	-	-	-	PR	-	-	-	-	-	-	-	-	PR	5.10.4

P – Permitted by Right

PR – Permitted with Review

CU – Conditional Use Required

SE – Special Exception Required

Lancaster County Unified Development Ordinance – Use Table

USE TYPES	RURAL					TRANSITIONAL						SPECIAL					NEIGHBORHOOD					
I. AGRICULTURE (CONTINUED)	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Commercial Stables	P	P	P	P	-	-	-	-	P	P	P	-	-		-	-	-	-	-	-	-	
Ecotourism	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Farmer's Markets and Roadside Stands	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	
Forestry	P	P	P	P	-	P	-	-	-	P	P	P	P	P	P	P	-	-	-	-	-	
Gardens (Community and Private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	P	P	P	
Wineries	PR	PR	PR	PR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

J. INFRASTRUCTURE	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Airstrip/Airport	-	-	-	-	-	-	-	-	-	-	-	PR	-	-	PR	-	-	-	-	-	-	5.11.1
Geothermal Energy Systems	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	5.11.2
Solar Energy Systems	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	5.11.3
Solar Farms	CU	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5.11.4
Utilities – Class 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utilities – Class 2	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utilities – Class 3	P	P	-	-	-	-	-	-		-	-	PR	-	P	P	-	-	-	-	-	-	5.11.6
Wireless Communication Facility (Concealed)	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	-	PR	PR	PR	PR	PR	PR	PR	PR	5.11.5
Wireless Communication Facility (Up to 60.00')	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	-	PR	PR	PR	PR	PR	PR	PR	PR	5.11.5
Wireless Communication Facility (60.01' to 199.99')	SE	SE	SE	SE	SE	SE	SE	PR	PR	PR	PR	PR	-	PR	PR	PR	SE	SE	SE	SE	SE	5.11.5
Wireless Communication Facility (200' and Over)	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	SE	SE	-	-	-	-	-	5.11.5

K. OTHER	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Temporary Uses	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	5.12

P – Permitted by Right**PR** – Permitted with Review**CU** – Conditional Use Required**SE** – Special Exception Required

(Ord. No. 2017-1468, 9.25.17; Ord. No. 2018-1492, 2.12.18; Ord. No. 2018-1494, 3.12.18; Ord. No. 2018-1519, 7.16.18; Ord. No. 2019-1607, 10.14.19; Ord. No. 2019-1620, 12.9.19; Ord. No. 2019-1634, 1.27.20; Ord. No. 2020-1645, 2.24.20; Ord. No. 2020-1698, 12.14.20; Ord. No. 2021-1708, 04.12.21)

Agenda Item Summary

Ordinance # / Resolution #: RZ-2024-0511 Niven/Schmidt

Contact Person / Sponsor: M. Blaszyk

Department: Planning

Date Requested to be on Agenda: 5/21/2024

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	5/15/2024	Exhibit
Application	4/23/2024	Exhibit
Location Map	4/23/2024	Exhibit
Recorded plat	4/23/2024	Exhibit
Deed	4/23/2024	Exhibit
Email Comment : Shelgosh	5/13/2024	Exhibit
Email Comment: Steele	5/13/2024	Exhibit

PROPOSAL:	Request to rezone and change the Comprehensive Plan for 15.4 acres of property
PROPERTY LOCATION:	5987 Charlotte Highway (0021-00-016.00)
CURRENT ZONING DISTRICT:	Rural Neighborhood (RN) District
PROPOSED ZONING DISTRICT:	General Business (GB) District
CURRENT FUTURE LAND USE:	Rural
PROPOSED FUTURE LAND USE:	Growth Area
APPLICANT:	Archie Niven and Sandra Schmidt
COUNCIL DISTRICT:	District 1, Terry Graham
STATUTORY NOTICES:	Hearing notice published in The Lancaster News 05/04/2024 Signs posted 5/3/2024 Mailed notices 04/24/2024 Posted agenda in lobby 5/14/2024

OVERVIEW:

Proposal/Site information

The applicant has requested to rezone and change the future land use of a 15.4-acre parcel at 5987 Charlotte Highway. The property is located on the corner of Steele Hill Road and Charlotte Highway, South of the AME Zion Church and Indian Land High School. The parcel's current use is residential with 2 primary structures and several accessory structures. These would need to have demolition permits filed prior to building permits being issued.

The intent of the proposed comprehensive plan amendment is to allow a commercial use to be permitted on the parcel. Staff recommended the applicant to submit a sketch plan of the proposed site during the pre-submittal meeting. The applicant applied without submitting a sketch plan. The applicant intends to place a gas station/convenience store on the parcel. The proposed rezoning to the General Business Zoning District would allow for the applicant to apply for a conditional use for a gas station on this parcel but would not guarantee approval of the conditional use.

Summary of Adjacent Zoning and Uses

The properties are surrounded predominantly by LDR and RN zoned properties.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	INS	AME Zion Church
South	Lancaster County	LDR	Millstone Creek Residential
East	Lancaster County	RN	Residential
West	Lancaster County	LDR	Millstone Creek Residential

Summary of Adjacent Future Land Use

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	Growth	AME Zion Church
South	Lancaster County	Neighborhood	Millstone Creek Residential
East	Lancaster County	Rural	Residential
West	Lancaster County	Neighborhood	Millstone Creek Residential

ANALYSIS & FINDINGS:

Steel Hill Road is a secondary (state) road that stretches from US 521 to SC.5. The average traffic count for Steel Hill Road is 1,850 trips per day. The average traffic count for this portion of US 521 ranges between 14,800 to 24,300 trips per day.

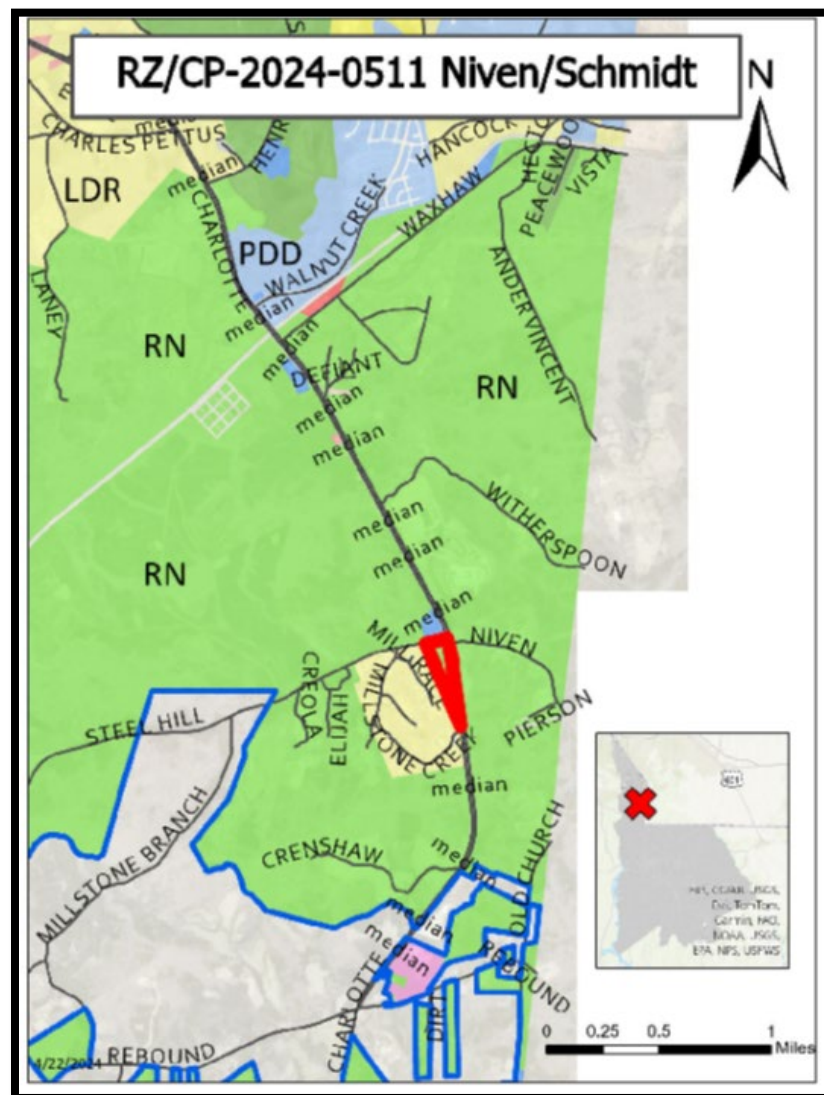
Zoning Districts

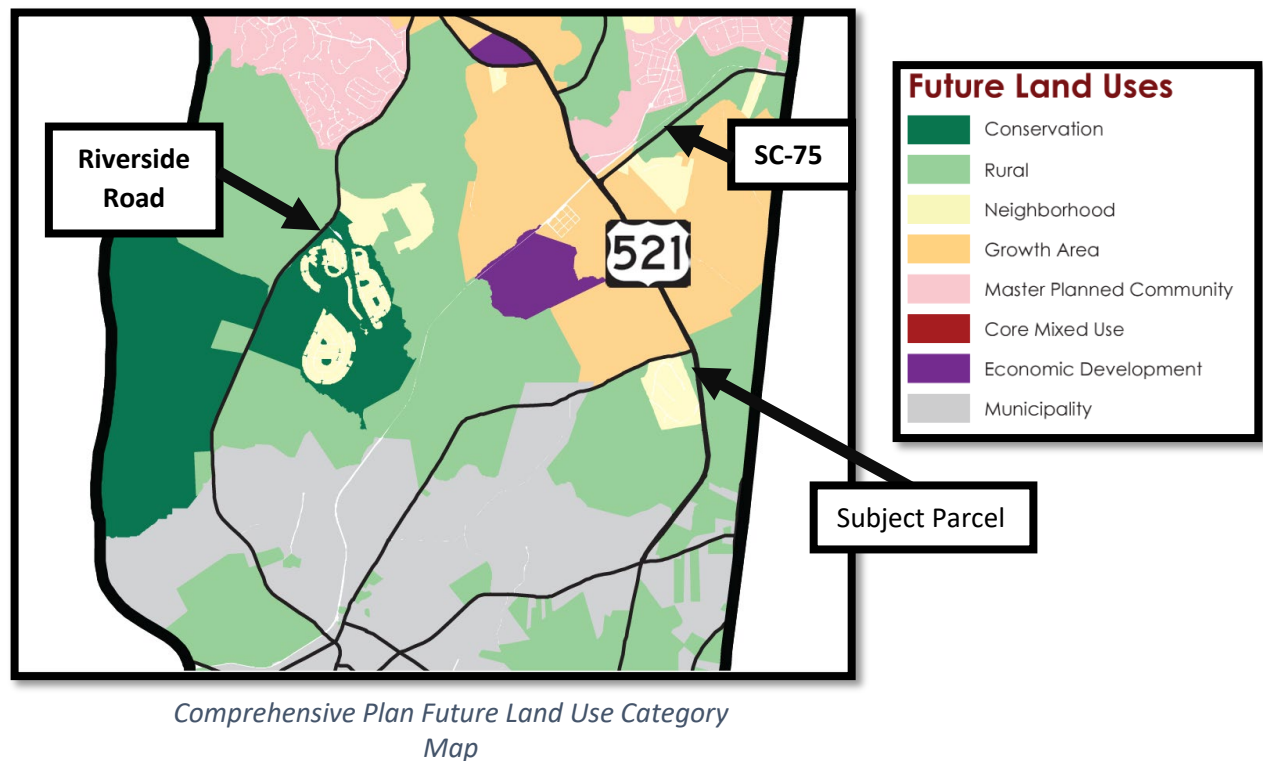
As previously noted, the subject property is currently in the RN District. Pursuant to UDO Chapter 2.3, the RN District *"...is established to protect the residential character of communities and neighborhoods in the rural area at a density of 1.0 dwelling unit per acre. The district is intended to promote rural living, protect farmland, and to maintain the low density residential."*

Requested GB

Pursuant to UDO Chapter 2.3, the requested GB District *"... is generally located on thoroughfares and provides opportunities for the provision of offices, services, and retail goods in proximity to generally auto dependent, community neighborhoods. The regulations for this district are intended to accommodate the predominately auto oriented pattern of existing development while encouraging the transition to pedestrian-friendly, mixed-use areas that avoid strip commercial development."*

The closest GB Zoned parcel is 7517 Charlotte Highway which is located 3.7 miles to the north of the subject property.





Existing Future Land Use Category: Rural

This category is generally applied to lands that lack wastewater access, have accessibility challenges, or have insufficient infrastructure to support urban growth. This category is also assigned to areas which should provide a transition between growth areas or serve as a buffer when more dense development would present compatibility challenges. Low density residential development, agriculture, rural and crossroads commercial uses should all be permitted so long as they maintain the rural character of the area.

Proposed Area Future Land Use Category: Growth Area

According to the newly adopted 2024 Comprehensive Plan, Growth Areas are areas intended to support suburban scale residential development along with supportive commercial development at major crossroads and along arterial streets and thoroughfares.

SOUTHERN PANHANDLE SMALL AREA PLAN

This project is included in an area which makes up a portion of the Southern Panhandle Small Area Plan and Extension. The Southern Panhandle Small Area Plan and Extension is a planning document that was implemented in the fall of 2021. The area that this plan encompasses is directly south of Indian Land, the area which has received the highest growth rates in the County. The intent of this plan was to look ahead for this area and have designated uses for each area within the plan area. The plan upheld current County goals and policies, such as maintaining a strong economy and managed growth and keeping the environment safe and healthy. Large sections of this plan area has become its own independent entity, the Town of Van Wyck since the plan's adoption. Attractive resources within this area include Indian Land

High School, Van Wyck Elementary School, and Andrew Jackson State Park. Recommended Land Uses within the U.S. 521 corridor included Environmentally Sensitive Land, Protected Open Space, Rural Residential/Agriculture, Low Density Residential, Medium Density Residential, Commercial, Employment, Institutional, and Mixed Use.

The Zoning of this parcel is Rural Neighborhood, and is located directly adjacent to the existing Millstone Creek Community which is zoned Low Density Residential. The Small Area Plan Future Land Use recommendation for this parcel is Low Density Residential. The 2040 Comprehensive Plan altered the Future Land Use Category from Low Density Residential to Rural, in keeping with the existing Rural Neighborhood Zoning on the property.

INFRASTRUCTURE CONSIDERATIONS

Public Utilities

Water is provided via the Lancaster County Water and Sewer District.

PUBLIC CONCERN

Staff have received several emails and phone calls in opposition to this proposal.

PHOTOS OF PROJECT AREA:



Subject Parcel on 521, South of AME Zion Church and Indian Land High School



Subject Parcel off Steel Hill Road



Facing AME Zion Church across from subject parcel

STAFF RECOMMENDATION:

Staff recommends **Denial** of the request to rezone 15.40 acres (TM#0021-00-016.00) from Rural Neighborhood (RN) District to General Business (GB) District and alter the future land use map from Rural to Growth Area pursuant to the following findings of fact:

1. That the subject project consists of the following parcel: TM# 0098-00-037.01
2. That the subject property is currently zoned RN District;
3. That the subject property's future land use designation is rural:
4. That the proposed future land use designation of growth area is not consistent with the adopted comprehensive plan:
5. The closest General Business zoned parcel is 3.7 miles north of the property.

ATTACHMENTS:

1. Rezoning Application
2. Recorded Plat
3. Location Map/ Zoning Map

STAFF CONTACT:

Matthew Blaszyk, Planner
mblaszyk@lancastersc.net | 803-416-9380



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lanastercountysc.net
www.mylanastercsc.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 5987 Charlotte Hwy.
City Lancaster State SC Zip 29720 Tax Parcel ID 0021-00-016.00
Current Zoning RN Current Use non-res ; agricultural
Proposed Zoning GB Total Acres 15.4 (surveyed 14.62 ac)
Project Description 14.6 acres along Hwy 521 and corner of Steele Hill Rd. This property holds a brick 3 BR. home and to the south also facing 521 there is a 2 BR smaller home. Several old out buildings.
Surrounding Property Description Millstone Creek Estates are to the west, Millstone Creek pond to the south. Niven Road runs to the east toward N.C.

CONTACT INFORMATION

Applicant Name Sandra Niven Schmidt
Address 602 Rugby Rd
City Lancaster State SC Zip 29720 Phone 803 804 4605 husband
Fax _____ Email sschmidt02121@gmail
Property Owner Name Sandra Niven Schmidt
Address 602 Rugby Rd
City Lancaster State SC Zip 29720 Phone 803 804 4605 husband
Fax _____ Email sschmidt02121@gmail
or RSchmidt4764@yahoo.com husband
Rudolph C. Schmidt

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.

Sandra Niven Schmidt
Applicant

3/12/2024
Date

Sandra Niven Schmidt
Property Owner(s)

3/12/2024
Date

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

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.
- After preliminary review, staff will determine when the case can be scheduled for a hearing with Planning Commission.
- 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.



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 5987 Charlotte Highway
City Lancaster State SC Zip 29720 Tax Parcel ID 0021-00-016.00
Current Zoning RN: Rural Neighborhood Current Use NQ Res (NRN) Qual Ag (QUSE)
Proposed Zoning GB- General Business District 15.4 ; Surveyed 14.62 ac
Project Description car wash, gas station

Surrounding Property Description church, high school, residential

CONTACT INFORMATION

Applicant Name	<u>Archie P. Niven, III</u>	<u>Sandra N. Schmidt</u>
Address	<u>3217 Ripley Route 0</u>	<u>602 Rugby Road</u>
	<u>573-707-1054</u>	<u>Lancaster, SC 29720</u>
City	<u>Deniphan</u>	State <u>MO</u> Zip <u>63935</u>
Phone		<u>803-804-4606</u>
Email	<u>ck.chestnutridge@gmail.com</u>	<u>rschmidt4764@yahoo.com</u>
Fax		
Property Owner Name	<u>Archie P. Niven III</u>	<u>Sandra N. Schmidt</u>
Address	<u>Same as above for both owners</u>	
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.

Archie P. Nye
Applicant

3-12-24
Date

Archie P. Nye
Property Owner(s)

3-12-24
Date

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

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

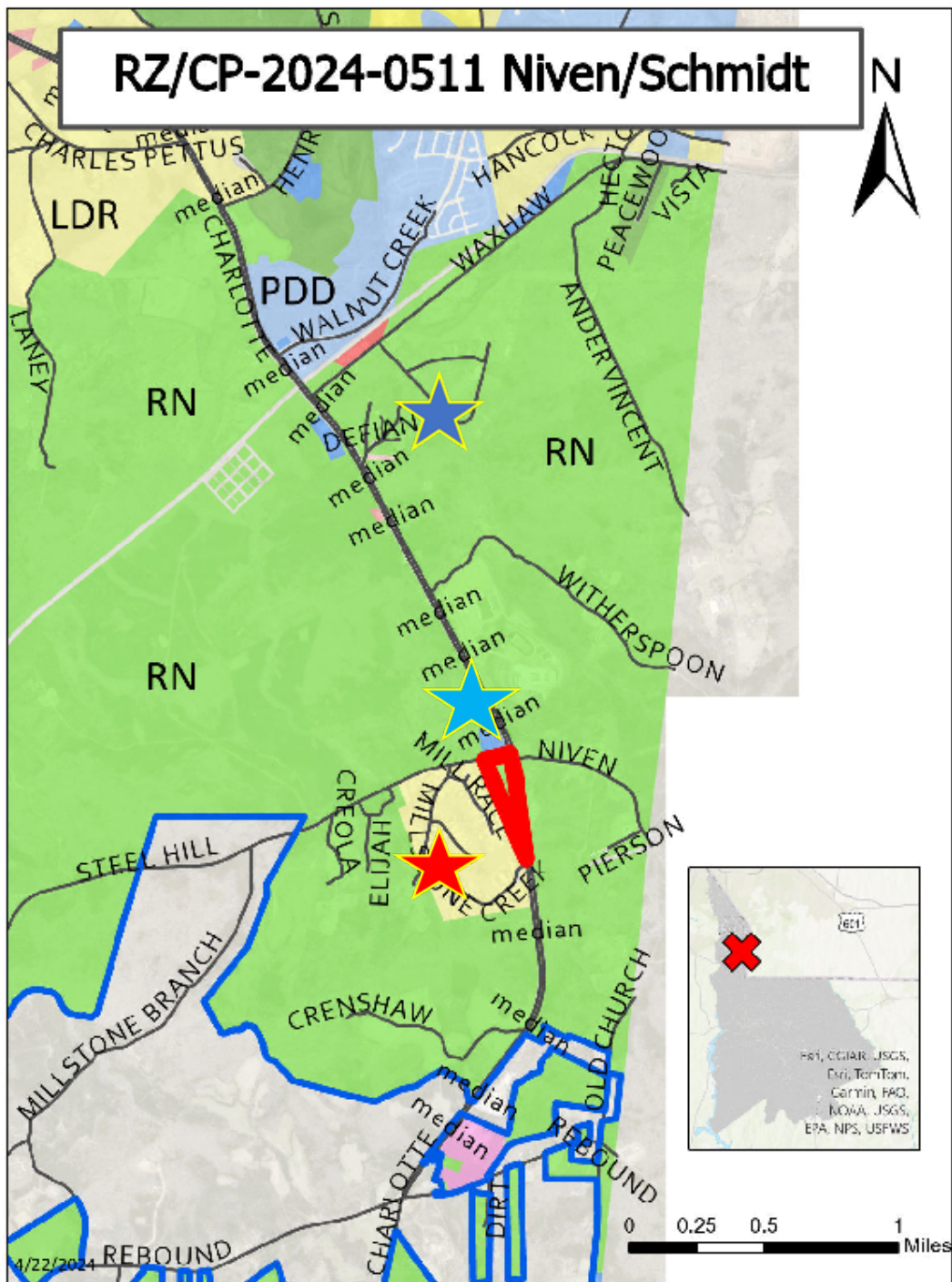
2. Planning Commission

- 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.

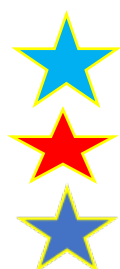
RZ/CP-2024-0511 Niven/Schmidt



Proposal:
Rezoning RN to GB

Lancaster
County
South Carolina

 Subject Property

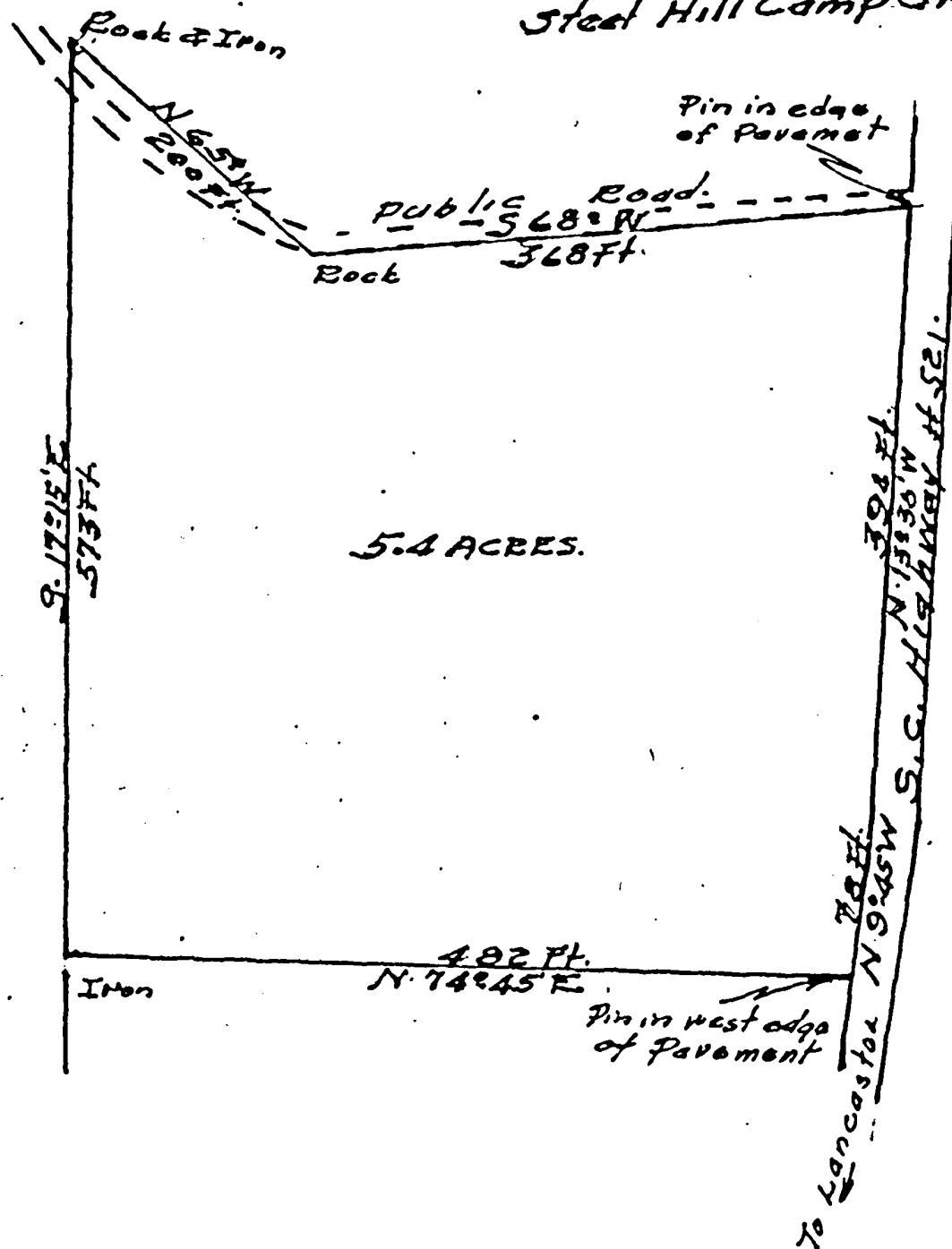


Steele Hill AME Zion Church
Millstone Creek Development
IL High School

L.E. Jackson Prop.

Steel Hill Camp Ground.

E.H. Jackson Property.



ARCHIE P. NIVEN, JR.

Survey By J.C. Dore
Registered Land Surveyor, N.C.Scale 1" = 100 ft.
Date Sept 25, 1954.Filed 9 A.M. October 6th, 1954

Deed Prepared by:
Norrell & Powers Norrell, LLC
P.O. Box 994
Lancaster, SC 29721



2021005919
DEED OF DISTRIBUTION
RECORDING FEES \$15.00
PRESENTED & RECORDED:
03-23-2021 01:19:09 PM
BRITTANY GRANT
REGISTER OF DEEDS
LANCASTER COUNTY, SC
BY: PAM FAULKENBERRY
BK: DEED 1419
PG: 112 - 114

NO TITLE SEARCH PERFORMED

**STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER**

PROBATE COURT

**IN THE MATTER OF IDA ELIZABETH NIVEN AKA IDA L. NIVEN
CASE NUMBER 2020ES2900560**

DEED OF DISTRIBUTION

WHEREAS, the decedent died on the 7th day of September, 2020; and,

WHEREAS, the estate of the decedent is being administered in the Probate Court for Lancaster County, South Carolina in File# 2020ES2900560; and,

WHEREAS, the grantee herein is either a beneficiary or heir at law, as appropriate, of the decedent; and,

WHEREAS, the undersigned Personal Representative is the duly appointed and qualified fiduciary in this matter; and,

NOW, THEREFORE, in accordance with the laws of the State of South Carolina, the Personal Representative has granted, bargained, sold and released, and by these Presents does grant, bargain, sell and release to:

Name: Archie P. Niven, III and Sandra N. Schmidt
Address: 3217 Ripley Route O 602 Rugby Road
Doniphan, MO 63935 Lancaster, SC 29720

All of Ida L. Niven's right, title and interest in and to:

"All that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Lancaster, Waxhaw Township, containing 5.4 acres and having such courses and distances as shown on plat of T.C. Dove, Surveyor, dated September 25, 1954. Being bounded now or formerly as follows: North by L.E. Jackson property and Steele Hill Camp Ground; East by South Carolina Highway #521; South by other property of Archie P. Niven, Sr., and West by R.H. Jackson property. For a more complete description reference to the aforementioned plat is craved which will be found recorded in the Office of the Register of Deeds for Lancaster County in Plat Book 7, at Page 129."

ALSO

"All that certain piece, parcel or tract of land lying, being and situate in Waxhaw Township, Lancaster County, South Carolina, North of the City of Lancaster, lying just South of the intersection of U.S. Highway 521 and South Carolina Road Number 125, located on the West side of Highway Number 521, containing ten (10) acres, more or less, and being bounded now or

Page 1 of 3

**RECORDED THIS 24th DAY
OF MARCH, 2021
IN BOOK 00 PAGE 00**

Signature of Auditor

Auditor, Lancaster County, SC

formerly as follows: On the North by other property of A.P. Niven, Jr. (as described on plat of survey recorded as Plat Book 7, Page 129); on the East by U.S. Highway 521; on the West by lands of Robert H. Jackson; and being all the property owned by A.P. Niven, Sr. lying to the West of U.S. Highway Number 521."

Being the identical properties conveyed to Ida L. Niven (aka Ida Elizabeth Niven) by Deed of Distribution of the Estate of Archie P. Niven, Jr., dated and recorded August 20, 2010 at the office of the Register of Deeds for Lancaster County, South Carolina, in Deed Book 576, at Pages 138-140 (see Probate Case No. 2020ES2900560).

Tax Map Code: 0021-00-016.00

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

TO HAVE AND TO HOLD, all and singular, the said Premises/Property unto the said Archie P. Niven, III, his heirs and assigns forever.

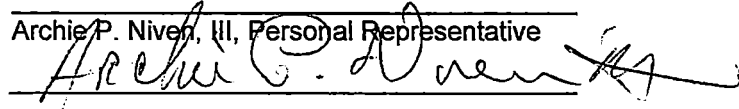
IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of the decedent, have executed this Deed, on this 26 day of February, 2021

Estate of Ida Elizabeth Niven AKA Ida L. Niven

IN THE PRESENCE OF

by Signature:

Archie P. Niven, III, Personal Representative



Witness: Jennifer Gargac

Witness: Elaine Whitaker

STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER

PROBATE COURT

PERSONALLY appeared before me Jennifer Gargac Elaine Whitaker and made oath that he/she saw the within named Personal Representative(s) sign, seal, and as his act and deed, deliver the within written Deed, and that he/she with Jennifer Gargac Elaine Whitaker witnessed the execution thereof.

SWORN TO before me this
26 day of Feb, 2021.

Witness Signature:

Debra Crowley
Notary Public for Missouri
My Commission Expires: 6-17-2023

Jennifer Gargac
Elaine Whitaker

DEBRA CROWLEY
Notary Public - Notary Seal
State of Missouri
Commissioned for Butler County
My Commission Expires: June 17, 2023
Commission Number: 15551087

From: [Matthew Blaszyk](#)
To: [Jennifer Bryan](#)
Subject: FW: Against Rezoning proposals RZ/CP-2024-0511 of the 14.62 acres located at the southwest corner of the intersection of Charlotte Hwy and Steele Hill Road
Date: Thursday, May 2, 2024 1:38:28 PM
Attachments: [image.png](#)
[LCLogo_c716c29e-f766-46c0-a18c-7d20f2fc6ebd.png](#)



Matthew Blaszyk, Planner
Planning


Lancaster County Government
P.O. Box 1809
Lancaster, SC 29720

P:(803) 285-6005 F:(877) 636-7963
mblaszyk@lancastersc.net

CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain private, restricted and/or legally privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Lancaster County. Finally, the recipient should check this email and any attachments for the presence of viruses. Lancaster County accepts no liability for any damage caused by any virus transmitted by this email.

NOTICE: All email correspondence to and from this address may be subject to public disclosure under the SC Freedom of Information Act.

From: Jim & Kathy Shelgosh <shelgoshjk@comporium.net>
Sent: Thursday, May 2, 2024 1:26 PM
To: Matthew Blaszyk <mblaszyk@lancastersc.net>; Sherrie Simpson <ssimpson@lancastersc.net>
Cc: tananastrange <tananastrange@gmail.com>; millstonecreekscpresident@gmail.com
Subject: Against Rezoning proposals RZ/CP-2024-0511 of the 14.62 acres located at the southwest corner of the intersection of Charlotte Hwy and Steele Hill Road

 **The System couldn't recognize this email as this is the first time you received an email from this sender shelgoshjk@comporium.net**

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, lancastersc.supportsystem.com

Mr. Blaszyk, and Ms. Simpson,

I implore you to **recommend against the proposed rezoning RZ/CP-2024-0511** of the 14.62 acres located at the southwest corner of the intersection of Charlotte Hwy and Steele Hill Road from the existing zoning as Rural Neighborhood (RN) to General Business (GB).

I am one of 11 owners in Millstone Creek (MSC) whose residents directly abut the subject property and **I am intensely upset about the threat of commercial development on that site.**

In short, the burden will be suffered by MSC homeowners, while the economic benefits go to the selling owners and future developers. This is a win-lose proposition I wish to resist.

Not only is the proposal in clear violation of the Southern Panhandle Small Area Plan, but, I also foresee significant, negative impacts if the proposed rezoning is allowed. Details and arguments follow:

1. Violation of the Southern Panhandle Small Area Plan (SAP) and detracting from the "rural character of the Southern Panhandle." I have reviewed the Southern Panhandle Small Area Plan (SAP) at this link [SAP with Extension 9-13-2021.pdf \(revize.com\)](#)

which contains the stated goal to "Retain the southern panhandle rural character." Commercial

development in a highly visible area is certainly not in keeping with this goal. Furthermore, the SAP clearly recommended that site to remain as "Low Density Residential." It is clearly outside of the recommended "Commercial Nodes" or "Employment" areas and violates the plan themes to "Preserve Natural Landscape and Celebrate Rural Lifestyle."

Please be reminded that the SAP anticipated exactly this type of development pressure and the ensuing rezoning requests and, using extensive residents' and community inputs, developed the plan with guidance for the proposed and suggested use of land Appendix C in the southern panhandle of Lancaster County. That plan explicitly directed commercial development away from the intersection of Steele Hill road and Charlotte Highway, and focused it toward "Commercial Nodes" on the intersections of Rebound Rd and Waxhaw Hwy with 521. (See recommended land use map snip shown below.) These joint considerations by the populous should not be lightly overturned for the benefit of a single land owner.

2. Water runoff, erosion and silt load on Millstone Creek pond and dam: paved surfaces and roof area will reduce the permeable surface area on the site and will convert percolated water table contribution into rapid, surface runoff. The creek which is forming parallel to Mill Race Lane is on Millstone Creek property owners' land and accepts all runoff from the proposed rezoning site and runs directly into the pond. Any increase in that runoff will negatively impact the silt load on the pond and dam. The increased runoff from that site must be controlled or avoided. The expense of maintaining the pond and dam is born by the Millstone Creek Property Owners Association.

3. Property value reduction of Millstone Creek homes due to character change of adjacent property. The back side of a gas station is never pretty. Even a high, stockade fence or other strong visual barriers required on the rezoned property would not mitigate the likely property value reduction for adjacent homeowners. The presence of another gas station or commercial development is certainly not going to increase nearby property values.

4. Increased noise exposure to Charlotte Highway due to deforestation; Removal of the trees and vegetation from that site for development will increase noise exposure from Charlotte Highway for adjacent MSC property owners.

5. Litter, rubbish and refuse from "General Business" zoning will certainly clutter the site and adjacent properties, even if it is only small, windblown plastic and paper. Refuse flowing into the pond is already a concern.

I strongly oppose both RZ- and CP-2024-0511. Thank you for resisting the potential rezoning.

Unfortunately I will not be available for the May 21 Public Hearing, but I trust that you understand and will share my deep concerns as communicated herein.
Call me if you have questions.

James Shelgosh

5169 Mill Race Lane

Lancaster, SC 29720
Resident since 2009

tel. 704-968-3582

Reference online agenda for May 2, [NovusAGENDA](#)

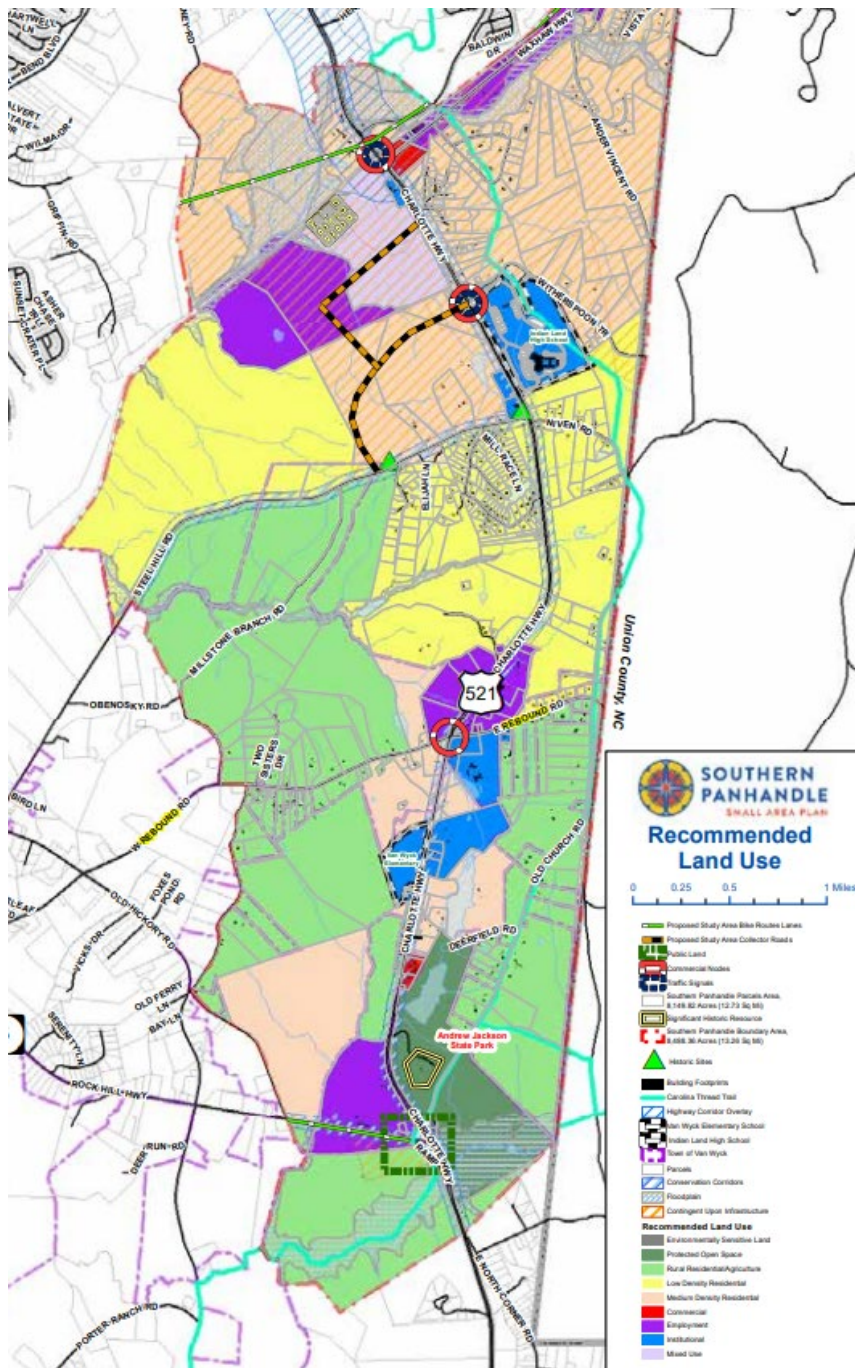
5.	<u>New Business</u>	
----	---------------------	--

		a.	Overview of next month's Agenda	
--	--	----	---------------------------------	--

			i.	...	
			ii.	RZ-2024-0511 Niven/Schmidt	
				Application by Archie Niven and Sandra Niven Schmidt to rezone 14.62 ac located at the southwest corner of the intersection of Charlotte Hwy and Steele Hill Rd (TM# 0021-00-016.00) from Rural Neighborhood (RN) to General Business (GB) district, to allow development of a gas station. Associated with CP-2024-0511 Comprehensive Plan/Future Land Use Amendment Application	
			iii.	CP-2024-0511 Niven/Schmidt	
				Application by Archie Niven and Sandra Niven Schmidt to amend the Comprehensive Plan (Future Land Use Map) for 14.62 ac located at the southwest corner of the intersection of Charlotte Hwy and Steele Hill Rd (TM# 0021-00-016.00) from Low Density Residential to Commercial designation, to allow rezoning of the property to General Business (GB) district. This item is associated with rezoning application RZ-2024-0511.	

Excerpts from the Southern Panhandle SAP: [SAP with Extension 9-13-2021.pdf \(revize.com\)](#)

- " With significant undeveloped land, County staff expects rezoning requests in the study area to continue to increase. County leaders recognized a need for a Southern Panhandle Small Area Plan in order to develop a consistent vision for land use and transportation as the area grows. **This plan provides the County with a guide for future growth,**"
- "...the importance of preserving the area's rural lifestyle, protecting natural resources and community heritage, planning for infrastructure needs, developing trails, and establishing mixed use centers and employment areas **in designated locations.**"



From Appendix C of the SAP:

Public Engagement and development of the Southern Panhandle Small Area Plan - "Public Participation The Southern Panhandle Small Area Plan was developed with the participation and input from stakeholders from the planning area and the surrounding communities. The Southern Panhandle vision and planning themes reflect the values of the residents and stakeholders. Staff from the Lancaster County Planning Department and Catawba Regional Council of Governments met with residents and property owners from the Southern Panhandle. Visioning Week was held November 4 - 7, 2019 at Our Lady of Grace Catholic Church. Events included a hands-on workshop, property owner and stakeholder interviews, drop-in visits, and a Steering Committee meeting. Steering Committee The Steering Committee was comprised of representatives from Lancaster County, Lancaster County Economic Development, Town of Van Wyck, Andrew Jackson State Park, Lancaster County School District, Lancaster County Water and Sewer District, Lancaster County Gas Authority, CSX Transportation, SCDOT, Duke Energy, John M. Belk Endowment,

Our Lady of Grace Catholic Church, Osceola United Methodist Church, Steele Hill AME Zion Church, Katawba Valley Land Trust, Carolina Thread Trail, business and property owners, and residents."

From: "Jim & Kathy Shelgosh" <shelgoshjk@comporium.net>
To: "tananastrange" <tananastrange@gmail.com>
Cc: "millstonecreekscpresident" <millstonecreekscpresident@gmail.com>
Sent: Wednesday, May 1, 2024 8:58:13 PM
Subject: Fwd: Message From millstonecreek-poa.com

Edwina,
Regarding the attached rezoning proposal, below is my original email to the POA Board and the response from Fran Lemieux, the President.
I appreciate that you share my concerns and encourage your involvement in this matter.
I would like to use every channel of communications to influence the rezoning denial.
I see now, in the Public Hearing Notification **the name, telephone number and email address of the County Staff Contact, Planner, Matthew Blaszyk at tel. 803-416-9380 or mblaszyk@lancastersc.net.**
I will email and call him, and hope that many others will do the same.
Thank you, in advance, for your involvement,

Jim Shelgosh
Tel. 704-968-3582

From: "Millstone Creek President" <millstonecreekscpresident@gmail.com>
To: "Neil Jackson" <MillstoneCreekSCTreasurer@gmail.com>, "Sharrie Danielson" <denny.danielson@verizon.net>, "Terry Hanline" <terry.hanline@gmail.com>, shelgoshjk@comporium.net
Sent: Wednesday, May 1, 2024 8:13:24 AM
Subject: Re: Message From millstonecreek-poa.com

James,

I presented your email to the board last night. Thank you for bringing this to our interest. I will be sending your email to the entire community with hopes they understand the urgency of your message to stand in force at the upcoming meeting. I plan on being there with hopes that I can bring the community with me.

I spoke to the seller a year or so ago and he has high hopes of turning this into a commercial piece of property. It's my understanding that he has several commercial opportunities, but he needs a zone change. Unfortunately, he'll make the big dollars and our community will suffer from his rewards. We need to stop this.

Fran Lemieux
President, Millstone Creek Property Owners Association

On Sun, Apr 28, 2024 at 10:10 AM Millstone Creek POA (Replies Not Accepted) <noreply@millstonecreek-poa.com> wrote:

Message submitted Sun April 28, 2024 Sent from page http://www.millstonecreek-poa.com/contact.php Sent To: Board of Directors Name: James Shelgosh Email: shelgoshjk@comporium.net Address: 5169 Mill Race Lane Phone: 704-968-3582

I ask for your advice/assistance and that of the Millstone Creek POA board as I plan to resist the proposed rezoning described in the recently distributed Public Hearing Notification from Lancaster County (RZ/CP-2024-0511).

The proposal would convert the 14.62 acres located at the southwest corner of the intersection of Charlotte Hwy and Steele Hill Road (which abuts 11 MSC properties and the pond.) from the existing zoning as "Rural Neighborhood (RN): rural communities with of density of 1.0 dwellings per acre, to protect rural living and farm land." to General Business (GB) to be developed as a gas station!

I foresee the following significant, negative impacts if the proposed rezoning is allowed.

1. Water runoff, erosion and silt load on Millstone Creek pond and dam: paved surfaces and roof area will reduce the permeable surface area on the site and will convert percolated water table contribution into rapid, surface runoff. The creek which is forming parallel to Mill Race Lane is on Millstone Creek property owners' land and accepts all runoff from the proposed rezoning site and runs directly into the pond. Any increase in that runoff will negatively impact the silt load on the pond and dam. The runoff from that site must be controlled.
2. Property value reduction of Millstone Creek homes due to character change of adjacent property. The back side of a gas station is never pretty. Even a high, stockade fence or other strong visual barriers required on the rezoned property would not mitigate the likely property value reduction for adjacent homeowners.
3. Increased noise exposure to Charlotte Highway due to deforestation; Removal of the trees and vegetation from that site for development will increase noise exposure from Charlotte Highway for adjacent MSC property owners.
4. Litter, rubbish and refuse from "General Business" zoning will certainly clutter the site and adjacent properties, even if it is only small, windblown plastic and paper. Refuse flowing into the pond is already a concern.

In short, the burden will be suffered by MSC homeowners, while the economic benefits go to the selling owners and future developers. This is a win-lose proposition I wish to resist. Unfortunately, I am scheduled to be away during the Planning Commission meeting of Tuesday, May 21, but I will send them my concerns in writing. It would be a great help if the gentlemen representing MSC facilities would address the Planning Commission regarding the pond and runoff management. I do not yet have his name and contact information.

Please call me if you have suggestions about how we might better address this situation.

James Shelgosh
Tel. 704-968-3582

From: [Sam Steele](#)
To: [Jennifer Bryan](#)
Subject: RZ-2024-0511
Date: Monday, May 13, 2024 11:49:00 AM



The System couldn't recognize this email as this is the first time you received an email from this sender samuelesteele@gmail.com

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, lancastersc.supportsystem.com

Thank you for taking my call earlier today. I am unsure if I will be able to attend the meeting on 5/21.

I am writing to let the board know I am strongly opposed to the rezoning of the lot on the corner of 521 and Steele Hill Rd for a convenience store.

I recently moved to Pierson Dr off Niven Rd. With the introduction of a convenient store being so close to our new home, I am concerned about noise, increased traffic and the safety of others. The cut through traffic on Niven is terrible now and it will only get worse. There are many people that speed, cut through yards because they don't like the speed bump, and have no respect for others. I have 2 small kids and I am concerned for their safety and well being.

This will drastically increase the traffic at the intersection of Niven/521/Steele Hill Rd. This is a difficult place to turn or cross due to the traffic on 521. A convenient store will only make it worse.

The convenience store's presence would lead to an increase in littering and other environmental concerns. The area surrounding the store could become littered with trash and pose a threat to the local ecosystem.

It will also attract unwanted elements to our area, including loitering, vandalism, and other criminal activities. It would be very easy to rob this place and then be in another state in less than 60 sec. This will undermine the sense of safety and security that we currently enjoy as well as have a detrimental effect on property values.

I urge you to reconsider the rezoning of this lot. I trust you will listen and take to heart the concerns of others on Niven Rd, Pierson Dr, and within Millstone Creek. We do not want this near our home and community.

Sam Steele
803-416-2730

Agenda Item Summary

Ordinance # / Resolution #: CP-2024-0511 Niven/Schmidt

Contact Person / Sponsor: M. Blaszyk

Department: Planning

Date Requested to be on Agenda: 5/21/2024

Issue for Consideration:

Points to Consider:

For attachments and joint staff report, see associated RZ case

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
Application	4/23/2024	Exhibit
Location Map	4/23/2024	Exhibit
New FLU Map, Panhandle	4/24/2024	Exhibit



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721

Phone: 803.285.6005, planning@lancastercountysc.net

www.mylancastersc.org

**COMPREHENSIVE PLAN AMENDMENT
APPLICATION**

For amendments to Comprehensive Plan, Future Land Use Map, and Small Area Plans

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner(s)
- Deed and survey plat or boundary survey
- Fees associated with review: \$435.00

GENERAL INFORMATION

Property Address 5987 Charlotte Hwy.
City Lancaster State SC Zip 29720 Tax Parcel ID 0021-00-016:00
Current Zoning RN Current FLU Small Area Plan: Low Density Residential
Proposed FLU: Commercial (to allow GR)
Total Acres 14.62 Surrounding Property Description rural, with housing area in back. Property faces Hwy 521.
Is there a Rezoning Application associated with this request? Not yet
Intended Use/Reason for change in use We are wanting to change this property to commercial.

CONTACT INFORMATION

Applicant Name Sandra Niven Schmidt
Address 602 Rugby Rd.
City Lancaster State S.C. Zip 29720 Phone 803 804 4606
Email sschmidt02121@gmail.com
Property Owner Name Sandra Niven Schmidt & Archie P. Niven, III
Address 602 Rugby Rd. Lancaster
City Lancaster State S.C. Zip 29720 Phone 803-804-4606
Email sschmidt02121@gmail

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.

Sandra Niven Schmitt
Applicant

3/11/2024
Date

Sandra Niven Schmitt
Property Owner(s)

3/11/2024
Date

ATTACH OWNER'S NOTARIZED WRITTEN AUTHORIZATION WITH PROPERTY
INFORMATION IF THE APPLICANT IS NOT THE OWNER

SCHEDULE/PROCESS

Submission of Application

- Please schedule a pre-submittal meeting with planning staff to answer questions and prevent delays.
- 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 an upcoming Planning Commission agenda.
- If the application is intended to amend the use of only a portion of an existing parcel then a survey subdividing the lot will need to be approved by staff prior to the Planning Commission hearing. This survey, and a deed for the newly created parcel, will need to be recorded no later than the second reading at County Council.
- An application withdrawal should be made in writing and received PRIOR TO PUBLIC NOTICE in order to receive a refund. If notice has been published, fee cannot be refunded.

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.

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 amending FLU, 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 5:00 pm on the first Monday of the month to make arrangements.

This letter is in regards to the property at 5987 Charlotte Highway.

The property faces hwy 521 to the front (east) and is on the corner of Steele Hill Road at 521. To the south is Millstone Creek Pond and entry to Millstone Creek Homes. Millstone Creek homes surround our property.

My Father and Mother built the brick home that is there now. It had been a corn field before that. My Grandfather Niven had a Gulf station and store across the old 2 lane 521. We were surrounded by corn fields and watermelon patches. It was a peaceful rural area. We moved into the new home when I was in 2nd grade. My brother was born the next year. It was my home until I married in 1968 and moved with my husband to San Juan, PR where he was stationed in the Navy.

We would visit often because we lived in Va. SC and California until 2001. My parent's health declined rapidly so I returned to help my brother care for them. My parents refused to go into professional care so I cared for them with hired help. My brother and his wife bought a large ranch and moved to Missouri in 2007 and Dad died in 2009. My mother died in 2020 and was both deaf and blind. I was the main care giver to my parents last days.

My husband and I lived in a Mobile Home on the property to make care for my parents easier. It also faced 521.

What I need to address is the noise from the highway. When we moved there I was a child, it was a peaceful lovely place. We could spend time under the tree visiting with family and friends. When 521 was widened the quiet began to go leave. With all the growth came heavier traffic. Trucks and motorcycles can be especially loud and offensive.

I believe this property should be rezoned commercial. No one will build a home with 521 frontage and apartments/condos can't be built there because there is no sewer line. Our son and his family live in my mother's home now. They stay in the back as much as possible because of the noise from the hwy. Two of the bedrooms are at the front of the house and they say they are woken up often by loud trucks and traffic.

This is not a quiet peaceful rural area as it was in the past. I feel sure that some commerce/business would welcome that place on the corner of 521 and Steele Hill Road. It is a place well-traveled with many people coming out of NC on Niven Road. Residential living on 521 is not very good now and will get worse in the future.

Thank you for your consideration and time.

Sandra Niven Schmidt
March 11, 2024



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

COMPREHENSIVE PLAN AMENDMENT APPLICATION

For amendments to Comprehensive Plan, Future Land Use Map, and Small Area Plans

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner(s)
- Deed and survey plat or boundary survey
- Fees associated with review: \$435.00

GENERAL INFORMATION

Property Address 5987 Charlotte Hwy
City LANCASTER State SC Zip 29720 Tax Parcel ID 0021-00-016-00
Current Zoning RN Current FLU SMALL TREAPLAN: LDR
Proposed FLU: Commercial (to allow GB)
Total Acres 14.62 Surrounding Property Description _____

Is there a Rezoning Application associated with this request? _____

Intended Use/Reason for change in use _____

CONTACT INFORMATION

Applicant Name Archie P. Niven III
Address 3217 Ripley Rt 0
City Doniphan State MO Zip 63735 Phone 573-707-1054
Email CK.Chestnutridge@gmail.com
Property Owner Name Archie P. Niven III Sandra Niven Schmitt
Address _____
City _____ State _____ Zip _____ Phone _____
Email _____

April 2021

1

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.

Archie P. Niven
Applicant

3-8-24
Date

Archie P. Niven
Property Owner(s)

3-8-24
Date

ATTACH OWNER'S NOTARIZED WRITTEN AUTHORIZATION WITH PROPERTY
INFORMATION IF THE APPLICANT IS NOT THE OWNER

SCHEDULE/PROCESS**Submission of Application**

- Please schedule a pre-submittal meeting with planning staff to answer questions and prevent delays.
- 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 an upcoming Planning Commission agenda.
- If the application is intended to amend the use of only a portion of an existing parcel then a survey subdividing the lot will need to be approved by staff prior to the Planning Commission hearing. This survey, and a deed for the newly created parcel, will need to be recorded no later than the second reading at County Council.
- An application withdrawal should be made in writing and received PRIOR TO PUBLIC NOTICE in order to receive a refund. If notice has been published, fee cannot be refunded.

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.

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 amending FLU, 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 5:00 pm on the first Monday of the month to make arrangements.

April 2021

2

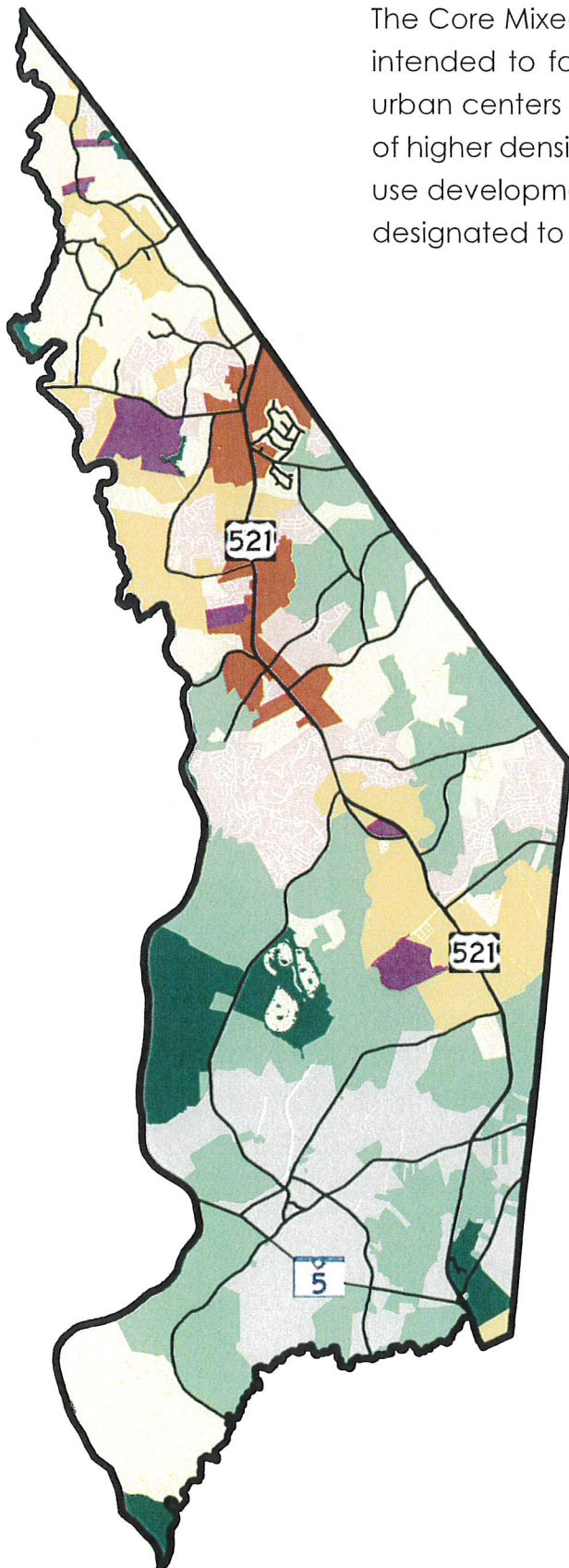
N



Rezoning RN to GB



IL High School



The Core Mixed Use area, which is concentrated along US-521, is intended to facilitate the ongoing development of the primary urban centers in the Panhandle, accommodating a wider range of higher density housing, as well as major commercial and mixed use developments. A few Economic Development areas are also designated to protect development which already exists.

Much of the southern portion of the Panhandle is designated as Conservation or Rural. The Conservation areas include large contiguous tracts which are protected from development. The Rural areas should permit low density residential development, agriculture, and crossroads commercial use so long as they maintain the rural character of the area. In the Panhandle, a number of these rural areas also serve as a transition between growth areas and places with compatibility issues, or areas which do not have the proper infrastructure to support growth. The Town of Van Wyck is designated as a Municipality, as it is not subject to the County's zoning and land development regulations.

Future Land Uses

- Conservation
- Rural
- Neighborhood
- Growth Area
- Master Planned Community
- Core Mixed Use
- Economic Development
- Municipality

Agenda Item Summary

Ordinance # / Resolution #: RZ-2024-0584 Sanchez

Contact Person / Sponsor: M. Blaszyk

Department: Planning

Date Requested to be on Agenda: 5/21/2024

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	5/13/2024	Exhibit
Application	4/23/2024	Exhibit
Location Map	4/23/2024	Exhibit
Recorded Plat	4/23/2024	Exhibit
Recorded Deed	4/23/2024	Exhibit
Reid Point Master Plan	4/23/2024	Exhibit

PROPOSAL: Request to rezone 2.56 acres

PROPERTY LOCATION: Intersection of Reid Point and Country Acres Road
(TM# 0006-00-072.04)

CURRENT ZONING DISTRICT: Urban Residential (UR) District

PROPOSED ZONING DISTRICT: Medium Density Residential (MDR) District

APPLICANT: Carlos Sanchez

COUNCIL DISTRICT: District 4, Jose Luis

STATUTORY NOTICES: Sign posted 05/03/2024
Hearing notice published 05/04/2024 in The Lancaster News
Mailed notices 04/24/2024
Posted agenda in lobby and online: 05/14/2024

OVERVIEW:

Proposal

The applicant has requested to rezone a 2.56-acre property at the intersection of Reid Point and Country Acres Road, Indian Land. The intent is to develop the property as residential.

Site Information/ Parcel History

The 2.56-acre parcel is currently vacant. It was formerly part of the Reid Point Development to the east, designated as future commercial property. It was found that there were no regulations set in place for this parcel to remain as open space. This parcel was purchased by Carlos Sanchez in November of 2023.

Summary of Adjacent Zoning and Uses

The property is surrounded by a mix of residential and commercial zoning and uses.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	GB	Small Businesses (Ft. Mill Hwy)
South	Lancaster County	MDR; UR	Residential; Reid Pointe
East	Lancaster County	UR	Reid Pointe Development
West	Lancaster County	MDR	Residential

ANALYSIS & FINDINGS:

Zoning Districts

As previously noted, the subject property is currently in the UR District. Pursuant to UDO Chapter 2.3, the UR District is “...established to accommodate a variety of housing types in a neighborhood setting with a density of 4 dwellings units per acre. The regulations of this district are intended to provide areas of the community for those persons desiring urban-sized in relatively high density neighborhoods within walking or biking distance from mixed-use centers.”

Requested MDR

Pursuant to UDO Chapter 2.3, the requested 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.”

Compatibility with Surrounding Area

As noted previously, the subject property is predominately surrounded by MDR, GB and UR districts. The surrounding uses are primarily residential and commercial in nature.

RELATIONSHIP TO PUBLIC PLANS

The Future Land Use Category of the subject properties is “Growth Area”. The newly adopted Comprehensive Plan states that Growth Areas are intended to support suburban scale residential development along with supportive commercial development at major crossroads and along arterial streets and thoroughfares.” The requested MDR district is consistent with the Comprehensive Plan.

INFRASTRUCTURE CONSIDERATIONS

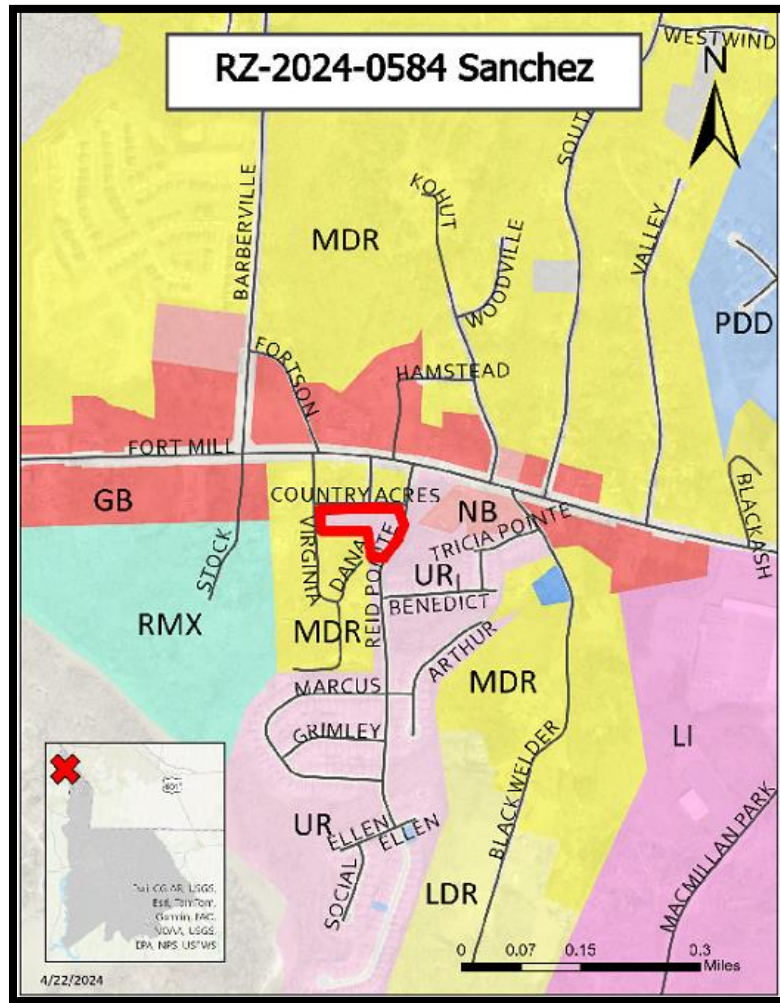
Public Utilities

The parcel has access to water on site provided by the Lancaster County Water and Sewer District, sewer lines are located nearby.

Access

The parcel currently has access to Country Acres Drive, a County road, and to Reid Pointe Avenue which is a private road.

PHOTOS OF PROJECT AREA:



Aerial view of subject property outlined in red



facing – subject parcel off Reid Point Ave



facing – subject parcel off Country Acres Drive



facing – subject parcel off Reid Point Ave

STAFF RECOMMENDATION:

Staff recommends **approval** of the request to rezone 2.56 acres the intersection of Reid Point and Country Acres Road (TM# 0006-00-072.04) from Urban Residential (UR) District to Medium Density Residential (MDR) District, pursuant to the following conditions:

1. That the subject project consists of the following parcel: TM# 0006-00-072.04;
 2. That the subject property is currently zoned UR District and proposed to be rezoned MDR District;
 3. The nearby uses are residential and commercial in nature;
 4. That the subject property has a Future Land Use designation of Growth Area; and
 5. That the proposed MDR District is Compatible with the Comprehensive Plan;
-

ATTACHMENTS:

1. Rezoning Application
2. Location Map/ Zoning Map
3. Recorded Plat
4. Deed
5. Reid Pointe Master Plan

STAFF CONTACT:

Matthew Blaszyk, Planner
mblaszyk@lancastersc.net | 803-416-9380



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 COUNTRY ACRES
City FORT MILL State SC Zip 29707 Tax Parcel ID 0006 00 072 04

Current Zoning "UR" Current Use NA

Proposed Zoning MDR Total Acres 2.56 acres

Project Description Divide the 2.56 acres into 4 lots
(10,000 square feet) to build houses or ~~condominiums~~ single home.
Need to rezone - was zoned UR as part of
neighboring project

Surrounding Property Description Reid Point, Sanchez Rd.
and houses in front of property located on
Country Acres Dr.

CONTACT INFORMATION

Applicant Name Carlos Sanchez Flores Mariela Sanchez

Address 2900 Eppington South Drive 803-762-6833

City FORT MILL State SC Zip 29708 Phone 803-554-1902

Fax _____ Email Carlossanchez202323@yahoo.com

Property Owner Name Carlos Sanchez, Carlos Julian Sanchez

Address 2900 Eppington South Drive


City FORT MILL State SC Zip 29708 Phone 803-554-1902

Fax _____ Email Carlossanchez202323@yahoo.com

Tax Map: 0006 00 072 04

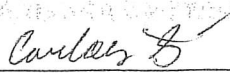
I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, 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



Property Owner(s)

Date


01/17/2024

Date

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

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.
- After preliminary review, staff will determine when the case can be scheduled for a hearing with Planning Commission.
- 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.

Experiencing Lancaster County, SC through GIS Technology

Parcel Summary

Parcel ID 0006-00-072.04
 Account # 102939
 Millage Group 01 - County - County
 Land Size 2.556 ACRES
 Location Address FORT MILL HWY
 Indian Land 29707
 Zoning
 Neighborhood 3
 Property Use Code Land Only (NLN)
 Plat Book 2023
 Plat Page 313
 Block#
 Lot# 1

Scanned Property Card

Property Card

Note: Property Cards are current as of 4/1/2020 and are no longer updated

Owner Information

[SANCHEZ CARLOS FLORES](#)
 PO BOX 823
 FORT MILL SC 29716

SANCHEZ CARLOS JULIAN
 PO BOX 823
 FORT MILL SC 29716

Land Information

Land Use	Number of Units	Unit Type	Land Type	Frontage	Depth	AgUse Value
LandOnly (NLN)	2.56	ACRES	SITE	0	0	

Sales Information

Sale Date	Sale Price	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
11/21/2023	\$45,000	DEED	1730	338	Qualified	Improved	YW PROPERTIES LLC	SANCHEZ CARLOS FLORES
2/9/2023	\$529,455	DEED	1634	192	Qualified	Improved	SOUTHEASTERN LAND INVESTMENTS LLC	YW PROPERTIES LLC
4/4/2005	\$987,120	DEED	277	174	Qualified	Improved	CAROLINA DRVELOPMENT OF CCHARLOT	SOUTHEASTERN LAND INVESTMENTS LLC

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

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

| [User Privacy Policy](#) | [GDPR Privacy Notice](#)

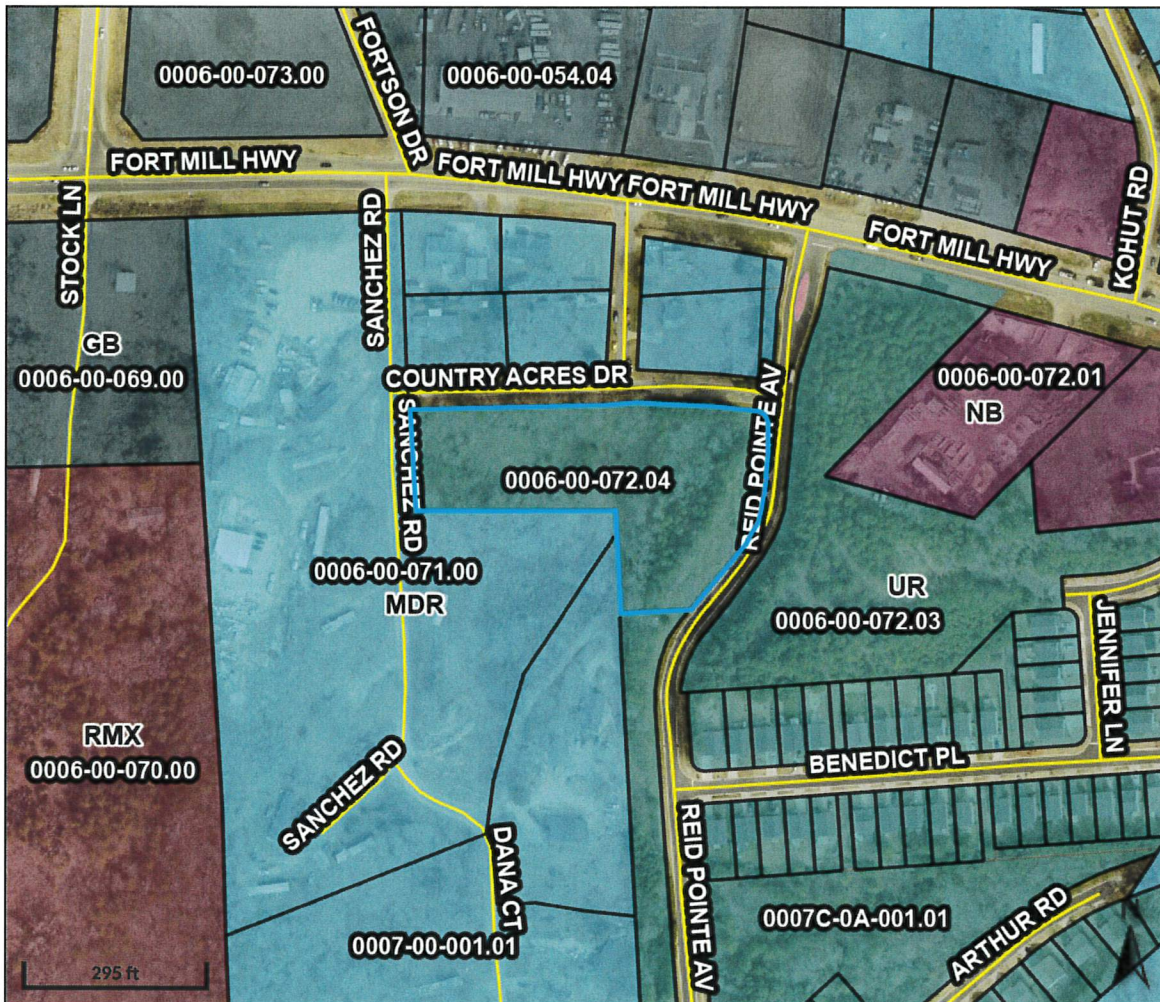
Last Data Upload: 3/12/2024, 10:29:18 AM

Contact Us

Developed by



Experiencing Lancaster County, SC through GIS Technology



Overview



Legend

Parcels

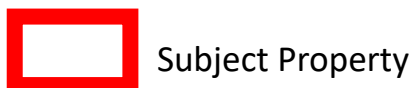
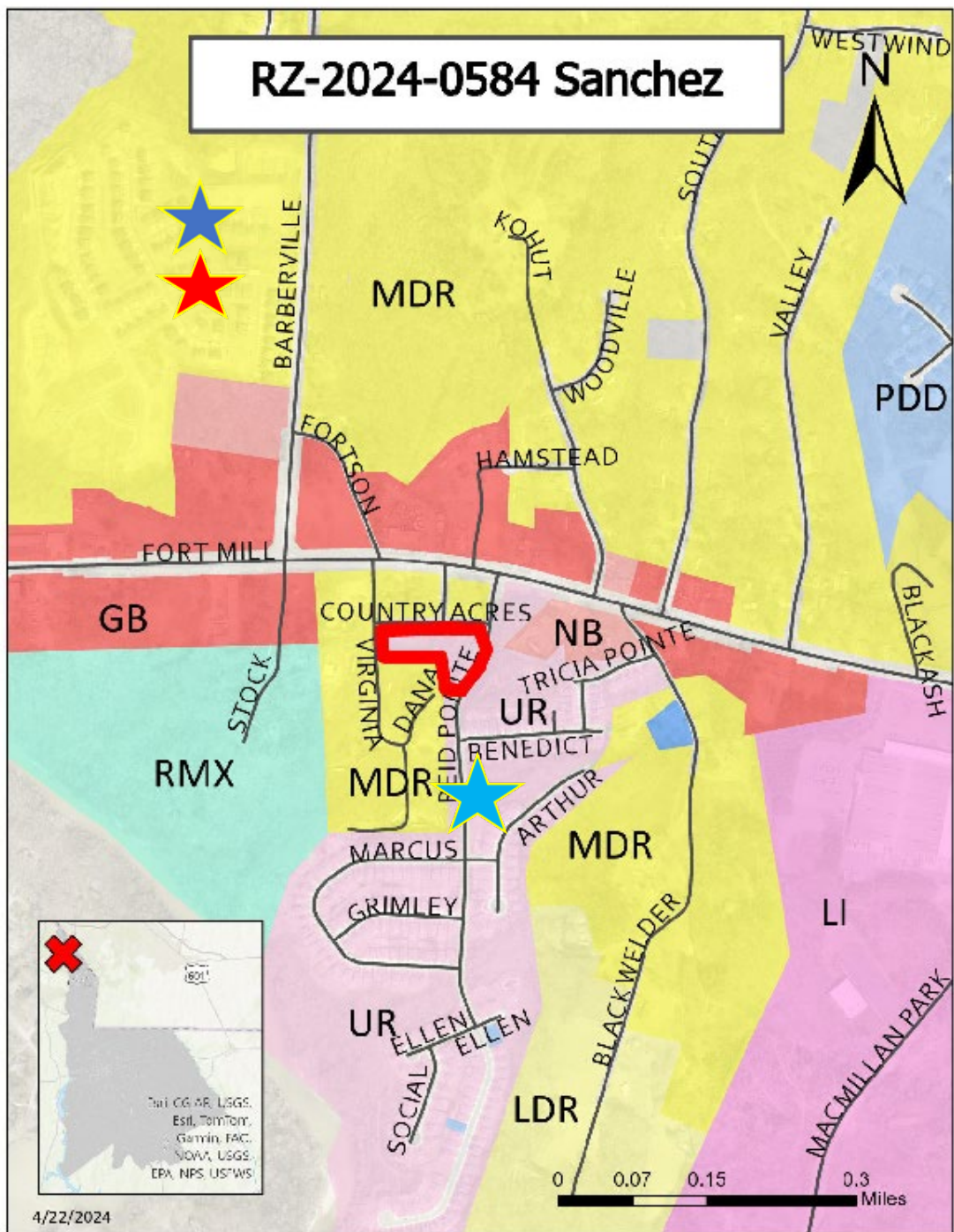
Roads

Zoning Districts

- AR
- CITY
- GB
- HDR
- HI
- HSPRGS
- IMX
- INS
- KER
- LDR
- LI
- M
- MDR
- MH
- MX
- NB
- OSP
- PB
- PDD
- RB
- RMX
- RN
- RR
- RUB
- UR

Parcel ID	0006-00-072.04	Owner	SANCHEZ CARLOS FLORES	Last 2 Sales			
Class Code	Land Only		SANCHEZ CARLOS JULIAN	Date	Price	Reason	Qual
Taxing District	County		PO BOX 823	11/21/2023	\$45000	TRUE SALE	Q
	INDIAN LAND		FORT MILL, SC 29716	2/9/2023	\$529455	TRUE SALE	Q
Land Size	2.56 ACRES	Physical Address	FORT MILL HWY				
		Assessed Value					

(Note: Not to be used on legal documents)



Proposal:
Rezoning UR to MDR



Reid Pointe Development



Bethel Freewill Baptist Church



Overlook at Barber Rock

Augusta C. Murphy

Auditor, Lancaster County, SC

Prepared By

& Return

Solorzano

111 Cleb

Suite 230

Fort Mill

LANCASTER COUNTY, SC	
2023014628	DEED
RECORDING FEES	\$15.00
STATE TAX	\$117.00
COUNTY TAX	\$49.50
PRESENTED & RECORDED	
11-22-2023	08:38:25 AM
BRITTANY GRANT	
REGISTER OF DEEDS	
LANCASTER, COUNTY SC	
By: TERRY PARKMAN	
BK:DEED 1730 PG:338-341	

LANCASTER COUNTY GIS

Tax Map:

0006 00 072 04

-----Space Above This Line For Recording Data-----

STAT

COUNTY

)
)
)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS that **YW Properties, LLC**, a South Carolina limited liability company ("Grantor") in the State aforesaid, for and in consideration of the sum of FORTY FIVE THOUSAND AND 00/100 DOLLARS (\$45,000.00), the receipt and sufficiency of which is here acknowledged, **subject to easements, restrictions, covenants, and conditions of record, including matters shown on recorded plats**, have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said:

Carlos Flores Sanchez and Carlos Julian Sanchez

CS CJS

as Joint Tenants with Rights of Survivorship and not as tenants in common ("Grantee"), Grantee's heirs, successors and assigns forever, all Grantor's right, title and equitable or legal interest in and to the following described real property:

See Attached "Exhibit A" for Property Description

Tax Map No:

A portion of 0006-00-072.03

Address of Grantee:

*P.O Box 823
Fort Mill SC 29715*

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 before mentioned unto the said Grantee, his, her, its or their Heirs, Successors and Assigns, forever.


AND THE GRANTOR does hereby promise, for themselves and Grantor's heirs, successors, assigns, and representatives, to warranty and forever defend the above premises unto the said Grantee and Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, successors, and assigns and against any person whomsoever lawfully claiming, or to claim, the same or any part thereof.


WITNESS our Hand(s) and Seal(s) this 21st day of November, 2023.

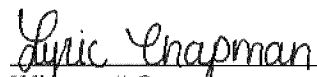
**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

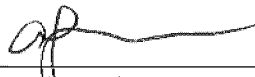
GRANTOR:

YW PROPERTIES, LLC,
a South Carolina limited liability company


Joel R. Taylor, Member


Christopher D. Butler, Member

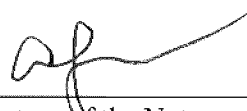

Witness # One


Witness # Two/Notary

**STATE OF SOUTH CAROLINA
COUNTY OF YORK**

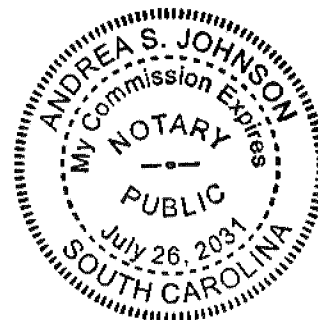
I, Andrea Solorzano Johnson, Notary Public, do hereby certify that Joel R. Taylor and Christopher D. Butler, Members of YW Properties, LLC, a South Carolina limited liability company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 21st day of November, 2023.


Official Signature of the Notary

Printed or typed name of Notary: Andrea Solorzano Johnson

My Commission Expires: 07/26/31



STATE OF SOUTH CAROLINA }
COUNTY OF LANCASTER } AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

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 was transferred by YW Properties, LLC, a South Carolina limited liability company
to Carlos Flores Sanchez and Carlos Julio Sanchez on 11/ 21 /2023.

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 as distribution to a trust beneficiary.
- (C) ☐ exempt from the deed recording fee because (See Information section of affidavit): _____ (Explanation required)
(If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes ☐ or No ☐

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):

- (A) ☒ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$45,000.00.
- (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 _____.

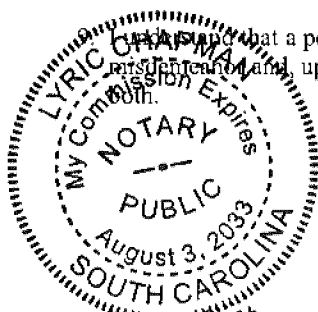
5. Check YES ☐ or NO ☒ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is _____.

6. The deed recording fee is computed as follows:

- (A) Place the amount listed in item 4 above here: \$45,000.00
- (B) Place the amount listed in item 5 above here: _____
(If no amount is listed, place zero here.)
- (C) Subtract Line 6(b) from Line 6(a) and place the result here: _____

7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is:
\$166.50.

8. As required by Code Section '12-24-70, I state that I am a responsible person who was connected with the transaction as:
Joel R. Taylor, Member and Christopher D. Butler, Member.



Sworn this 21st day of November, 2023
Lyric Chapman
Notary Public for SC
My Commission Expires: 08/03, 2033

Joel R. Taylor
Responsible Person Connected with the Transaction
Joel R Taylor
Print or Type Name Here

Exhibit A

BEING ALL THAT CERTAIN PIECE, PARCEL, OR LOT OF LAND SITUATE, LYING AND BEING SOUTH OF COUNTRY ACRES DRIVE, AND WEST OF REID PONTE AVENUE, INDIAN LAND, LANCASTER COUNTY, SOUTH CAROLINA, BEING A PORTION OF PARCEL ID # 0006-00-072.03 AND DESIGNATED AS "PROPOSED NEW LOT 1" ON PLAT BY ESP ASSOCIATES, INC. RECORDED AUGUST 3, 2023 IN PLAT BOOK 2023 AT PAGE 313 IN THE OFFICE OF THE CLERK OF COURT FOR LANCASTER COUNTY, SC AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM SCGS MONUMENT "EA 52" HAVING SOUTH CAROLINA GRID COORDINATES NORTH: 1,154,419.49, EAST: 2,032,096.45 LOCATED ON THE SOUTH SIDE OF FORT MILL HIGHWAY, THENCE S 20° 19' 19" E FOR A DISTANCE OF 375.01 FEET TO A #5 REBAR WITH A CAP FOUND IN THE SOUTHERN RIGHT OF WAY OF COUNTRY ACRES DRIVE (HAVING A 50' PUBLIC RIGHT PER PLAT 11730) AND BEING THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING, CONTINUING WITH THE SAID RIGHT OF WAY FOR THE NEXT (3) COURSES AND DISTANCES, N 87° 04' 59" E FOR A DISTANCE OF 305.58 FEET TO A #4 REBAR IN THE RIGHT OF WAY OF COUNTRY ACRES DRIVE; THENCE S 84° 30' 40" E FOR A DISTANCE OF 220.90 FEET TO A SET #5 REBAR; THENCE S 74° 19' 04" E FOR A DISTANCE OF 35.97 FEET TO A SET #5 REBAR IN THE WESTERN RIGHT OF WAY OF REID PONTE AVENUE (HAVING A 50' PUBLIC RIGHT OF WAY PER DB 1275 PG 266-271). THENCE CONTINUING WITH THE SAID RIGHT OF WAY FOR THE NEXT (3) COURSES AND DISTANCES, S 06° 12' 04" W FOR A DISTANCE OF 101.44 FEET TO A SET #5 REBAR (THE BEGINNING OF A CURVE), SAID CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 97.74 FEET, HAVING A RADIUS OF 175.00 FEET, AND WHOSE LONG CHORD BEARS S 22° 12' 04" W FOR A DISTANCE OF 96.47 FEET TO A SET #5 REBAR (THE END OF THE CURVE). S 38° 12' 06" W FOR A DISTANCE OF 127.53 FEET TO A SET #5 REBAR. THENCE LEAVING SAID RIGHT OF WAY S 87° 07' 57" W FOR A DISTANCE OF 102.93 FEET TO A SET #5 REBAR AT THE COMMON CORNER WITH REID PONTE HOMEOWNERS ASSOCIATION INC (DB 973 PG 292), SOUTHEASTERN LAND INVESTMENTS, LLC (DB 277 PG 174) AND BERNARDO S. LAGUNES (DB 1471 PG 236); THENCE ALONG THE COMMON LINE OF BERNARDO S. LAGUNES (DB 1471 PG 236) AND CARLOS F. SANCHEZ (DB 438 PG 172) N 02° 46' 01" W FOR A DISTANCE OF 161.97 FEET TO A #5 REBAR. THENCE CONTINUING WITH THE LINE OF CARLOS F. SANCHEZ, S 89° 56' 34" W FOR A DISTANCE OF 314.61 FEET TO A 1" IRON PIN; THENCE RUNNING ON THE EASTERN SIDE OF SANCHEZ ROAD (PLAT BOOK 2016 PAGE 583, UNKNOWN RIGHT OF WAY), N 03° 08' 26" W A DISTANCE OF 149.59 FEET TO A #5 REBAR WITH A CAP IN THE SOUTHERN RIGHT OF WAY OF COUNTRY ACRES DRIVE, BEING THE TRUE POINT OF BEGINNING. CONTAINING 111,325 SQUARE FEET OR 2.556 ACRES MORE OR LESS.

DERIVATION FOR INFORMATIONAL PURPOSES ONLY:

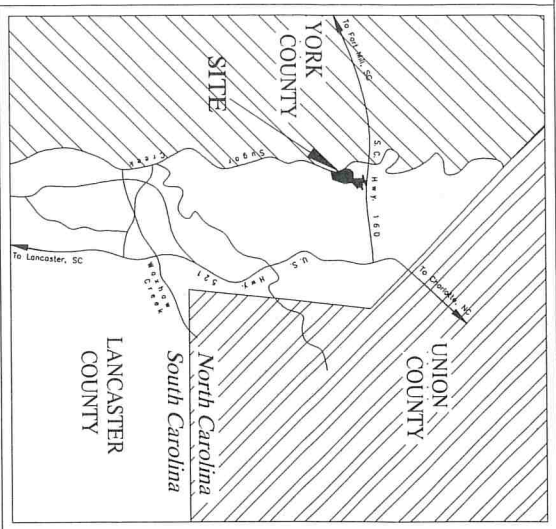
THIS BEING A PORTION OF THE SAME PROPERTY CONVEYED UNTO YW PROPERTIES LLC, A SOUTH CAROLINA LIMITED LIABILITY COMPANY, BY DEED OF H&EG INVESTMENT MANAGEMENT, LLC, A NORTH CAROLINA LIMITED LIABILITY COMPANY, DATED 2/9/2023 AND RECORDED 2/9/2023 IN BOOK 1634 AT PAGE 192 IN THE OFFICE OF THE CLERK OF COURT FOR LANCASTER COUNTY, SOUTH CAROLINA.

TAX ID NO: A PORTION OF 0006-00-072.03

Revised Master Plan

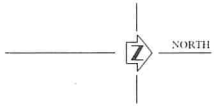
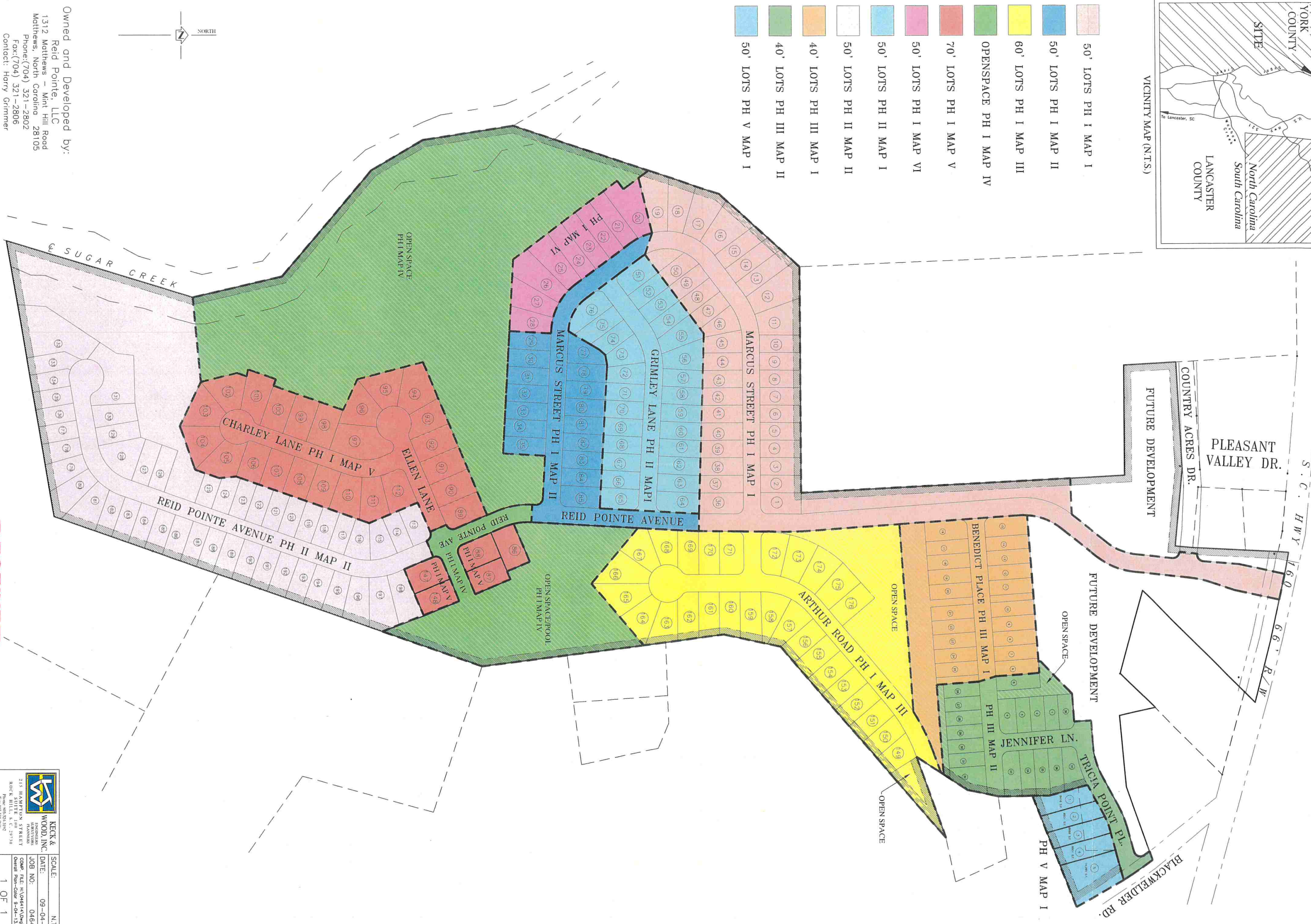
OVERALL MAP FOR
REID POINTE SUBDIVISION

INDIAN LAND TOWNSHIP
LANCASTER COUNTY, SOUTH CAROLINA
SEPTEMBER 4, 2013




VICINITY MAP (N.T.S.)

- 50' LOTS PH I MAP I
- 50' LOTS PH I MAP II
- 60' LOTS PH I MAP III
- OPENSOURCE PH I MAP IV
- 70' LOTS PH I MAP V
- 50' LOTS PH I MAP VI
- 50' LOTS PH II MAP I
- 50' LOTS PH II MAP II
- 40' LOTS PH III MAP I
- 40' LOTS PH III MAP II
- 50' LOTS PH V MAP I



Owned and Developed by:
Reid Pointe, LLC
1312 Matthews - Mint Hill Road
Matthews, North Carolina 28105
Phone: (704) 321-2806
Fax: (704) 321-2806
Contact: Harry Grimmer

RECEIVED
9-9-13



KICK & WOOD, INC.
ENGINEERS
ARCHITECTS
215 HAMPTON STREET
SUITE 300
FARMINGTON, CT 06030
PHONE: 860-676-1234

SCALE: N.T.S.
DATE: 09-04-13
JOB NO: 046414
COMD. FILE: H:\046414\046414.dwg
Overall Plot Color 9-04-13.dwg
1 OF 1

Agenda Item Summary

Ordinance # / Resolution #: RZ-2024-0627 Lomax

Contact Person / Sponsor: A. Hardin

Department: Planning

Date Requested to be on Agenda: 5/21/2024

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	5/13/2024	Exhibit
Application	4/23/2024	Exhibit
Location Map	4/23/2024	Exhibit
Recorded Plat	4/24/2024	Exhibit
Recorded Deed	4/24/2024	Exhibit

PROPOSAL:	Request to rezone 5.819 acres of property
PROPERTY LOCATION:	1743 Lynwood Drive (TM# 0087G-0C-004.00)
CURRENT ZONING DISTRICT:	Medium Density Residential (MDR) District
PROPOSED ZONING DISTRICT:	General Business (GB) District
APPLICANT:	Courtney Lomax
COUNCIL DISTRICT:	District 2, Charlene McGriff
STATUTORY NOTICES:	Hearing notice published 5/4/2024 in The Lancaster News Signs posted 5/3/2024 Mailed notices 4/26/2024 Posted agenda in lobby 5/14/2024

OVERVIEW:

Proposal

The applicant has requested to rezone a 5.819-acre parcel from Medium Density Residential (MDR) to General Business (GB). The intent is to allow the property to be renovated as a daycare facility.

Site History

The site was home to a church building that began in the late 1940s, when Lynwood United Methodist Church (UMC) was constructed on the donated acreage on Lynwood Dr. Over time, Lynwood UMC added a manse on the site to house the church's worship leaders.

In 2020, the congregations of Grace UMC and Lynwood UMC merged and decided to locate their worship services on the Grace UMC campus on Country Club Dr. The newly named Grace-Lynwood UMC secured a demo permit in May 2021 and subsequently removed the church structure from the Lynwood Drive property. The manse was left on site.

Attempts to sell the property under the zoning at the time (INS) were not successful, so in June 2023, the church petitioned the County to rezone the property from INS to the current MDR zone. The request was favorably reviewed and approved in September of the same year.

Site Information

The parcel is currently zoned for residential use at 2.5 units per acre (MDR). One residential structure is located on the site, and the remaining acreage is open.

The property is located at the intersection of Evans Drive and Lynwood Dr. There is a curb cut to the property on both streets.

Summary of Adjacent Zoning and Uses

The properties are surrounded predominantly by MDR and GB zoned properties. There are MDR parcels located across the street and GB parcels directly adjacent to the site.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	GB	Vacant
South	Lancaster County	MDR	Residential
East	Lancaster County	GB	Vacant
West	Lancaster County	MDR	Residential

ANALYSIS & FINDINGS:

Zoning Districts

As previously noted, the subject property is currently in the MDR District. Pursuant to UDO Chapter 2.3, 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.”*

Requested GB

UDO Chapter 2.3 describes the requested GB District as *“... generally located on thoroughfares and provides opportunities for the provision of offices, services, and retail goods in proximity to generally auto-dependent, community neighborhoods. The regulations for this district are intended to accommodate the predominately auto- oriented pattern of existing development while encouraging the transition to pedestrian-friendly, mixed-use areas that avoid strip commercial development.”*

RELATIONSHIP TO PUBLIC PLANS

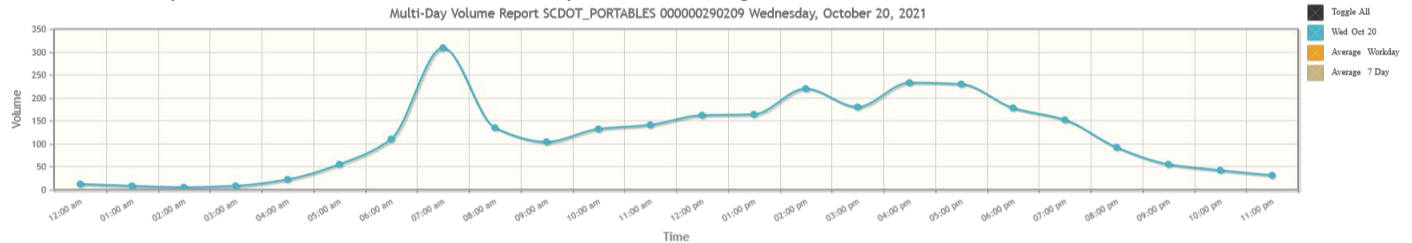
The Future Land Use Category of the subject properties is **Growth**. The newly adopted Comprehensive Plan states that **“Growth Areas** are intended to designate areas where growth should occur based on the availability of supportive infrastructure and land. These areas are intended to support suburban scale residential development along with supportive commercial development at major crossroads and along arterial streets and thoroughfares. Supportive infrastructure required to provide development includes adequate roadways, water and sewer availability, school capacity, emergency services, and similar services.”

The requested MDR District is compatible with the Future Land Use Category of **“Growth”** and the overall *Lancaster 2040 Comprehensive Plan*.

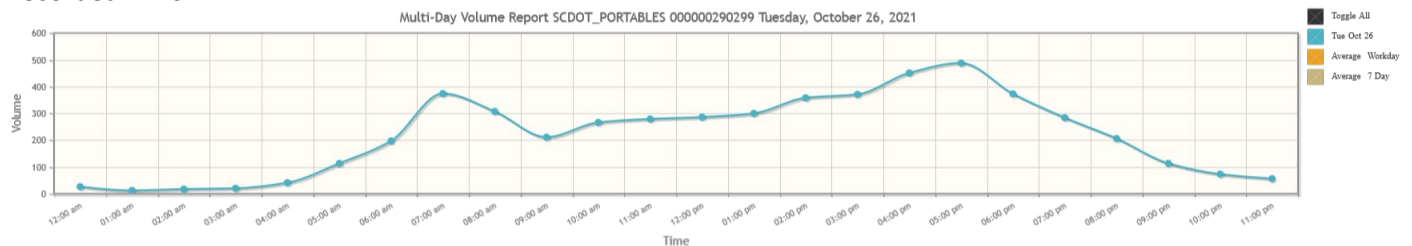
INFRASTRUCTURE CONSIDERATIONS

Transportation

The closest traffic count stations for Lynwood Dr include one on Lynwood Dr recorded in 2021, 1.77 miles south, at the point where Rum Creek crosses Lynwood Dr (avg 2400 ADTs):



...and 1.5 miles south, along McIlwain Rd between Pineview and Providence (avg 5600 ADTs), also recorded in 2021:



There are no issues with traffic generated from this request at this time. If the rezoning is approved, any proposed use other than single family residential may be required to provide a TIA prior to permit approval.

Public Utilities

LCWSD is currently providing water and sewer access to the site.

Public Schools

Elementary: Brooklyn Springs

Middle: South Middle

High: Lancaster High School

There are no known capacity concerns for the schools within this area pertaining to this change.

Public Safety

Fire District: McDonald Green Volunteer Fire Department

Fire Station Location: 2787 Lynwood Dr, approximately 2.5 miles from the subject property

Closest EMS Station: Station 3 / 1305 McIlwain Rd, approximately 1.1 miles from the subject property

PHOTOS OF PROJECT AREA:



An ariel view of the subject property



Facing residence off Lynwood Drive



Facing former church site and residence off Lynwood Drive

STAFF RECOMMENDATION:

Staff recommends **approval** of the request to rezone 5.819 acres (TM# 0087G-OC-004.00) from Medium Density Residential (MDR) District to General Business (GB) District pursuant to the following findings of fact:

1. That the subject project consists of the following parcel: TM# 0087G-OC-004.00;
2. That the subject property abuts other properties in the area that are zoned for General Business (GB);
3. That the subject property has a Future Land Use designation "Growth;"
4. That the proposed GB District is generally consistent with the future land use and existing zoning in the area; and
5. That there is sufficient infrastructure (water, sewer, and roads) to support the proposed use after rezoning.

ATTACHMENTS:

1. Rezoning Application
2. Recorded Plat
3. Recorded Deed
4. Location Map/ Zoning Map

STAFF CONTACT:

Allison Hardin, Development Services Director | ahardin@lancastersc.net | 803-285-6005



Planning Department

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

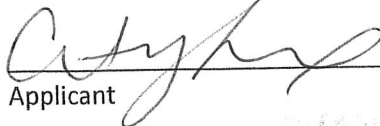
Property Address 1743 Lynwood Dr
City Lancaster State SC Zip 29720 Tax Parcel ID 0087G-00-004.00
Current Zoning Residential Current Use Single family house
Proposed Zoning MB Total Acres 5.8 acres
Project Description Commercial Daycare facility

Surrounding Property Description GB

CONTACT INFORMATION

Applicant Name Courtney Lomax
Address 962 Wilson Dr
City Lancaster State SC Zip 29720 Phone 704 724 8269
Fax _____ Email Courtneylomax78@gmail.com
Property Owner Name Courtney Lomax
Address 962 Wilson Dr
City Lancaster State SC Zip 29720 Phone 704 724 8269
Fax _____ Email Courtneylomax78@gmail.com

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

3/19/2024
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 _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

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.
- After preliminary review, staff will determine when the case can be scheduled for a hearing with Planning Commission.
- 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

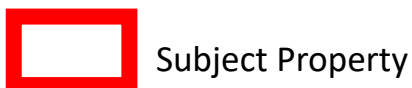
- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes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

3. County Council

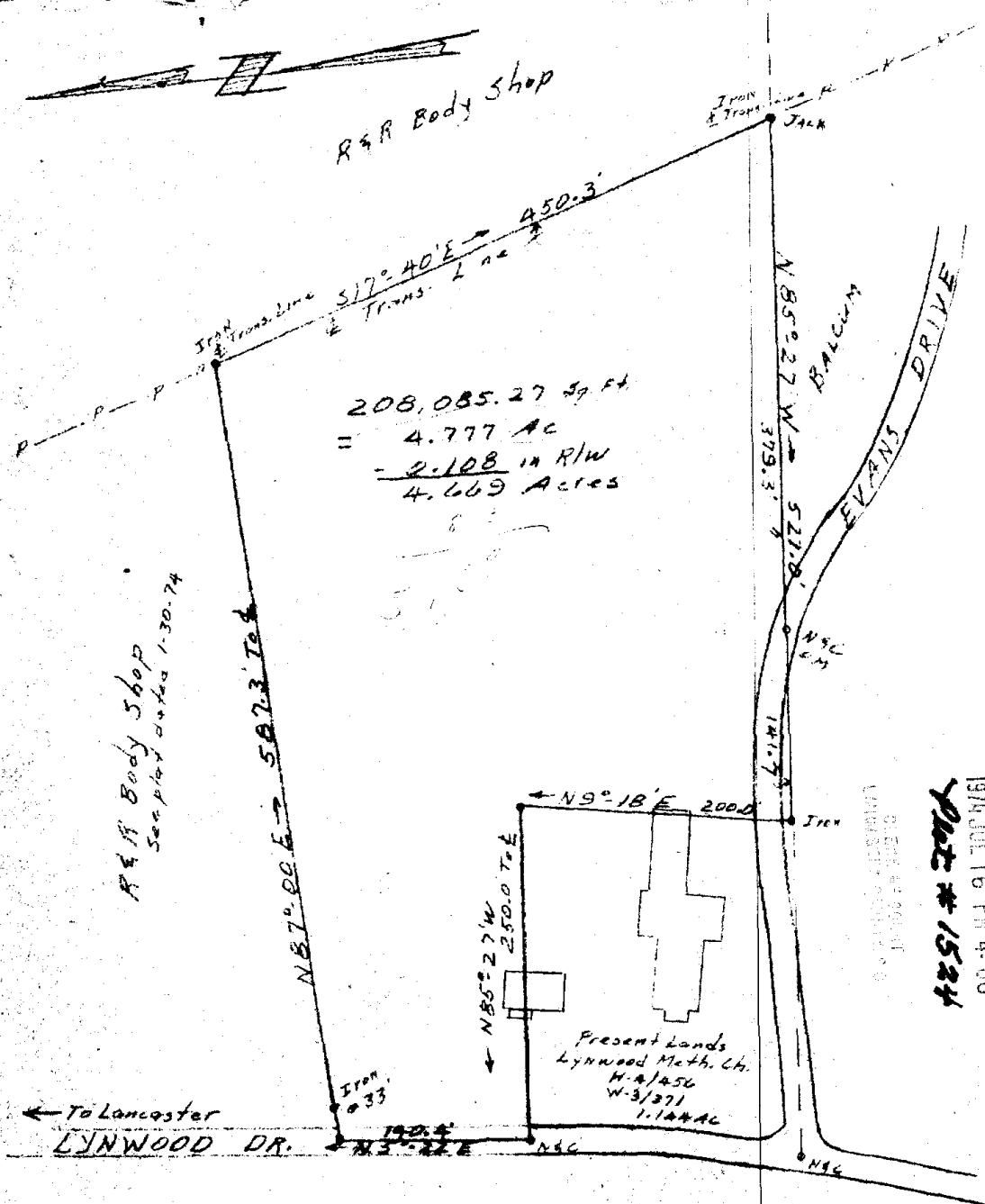
- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval.
- Subsequent to final County Council action on rezoning, notice of action will be provided to the applicant, owner, and adjacent property owners.
- If applicant would 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.



Rezoning MDR to GB



Y & J Express Gas Station



STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER
PROPERTY TO BE CONVEYED TO
LYNWOOD METHODIST CHURCH

Located south of Lancaster, near intersection of Lynwood Drive and Evans Drive. Being a portion of the lands shown on plat of R & R Body Shop, by Jack Smith, dated 1-30-74.

Scale: 1" = 100'

13 June 1974

Jack Smith
Jack Smith, RLS
100 Forest Drive
Lancaster, S. C.

PREPARED BY TRIMNAL & MYERS, LLC

LANCASTER COUNTY ASSESSOR

Tax Map:

0087G 0C 004 00

RECORDED THIS 22nd DAY
OF MARCH, 2024
IN BOOK 00 PAGE 00

August C. Murphy
Auditor, Lancaster County, SC

STATE OF SOUTH CAROLINA)

COUNTY OF LANCASTER)

TITLE TO REAL ESTATE

LANCASTER COUNTY, SC	
2024003270	DEED
RECORDING FEES	\$15.00
STATE TAX	\$780.00
COUNTY TAX	\$330.00
PRESENTED & RECORDED	
03-21-2024	02:24:35 PM
BRITTANY GRANT	
REGISTER OF DEEDS	
LANCASTER, COUNTY SC	
By: TERRY PARKMAN	
BK:DEED 1768	PG:324-327

KNOW ALL MEN BY THESE PRESENTS, THAT **Lynwood United Methodist Church, Inc. (nka Grace-Lynnwood United Methodist Church by Articles of Merger filed October 21, 2021 with the South Carolina Secretary of State)** (hereinafter called "Grantors") in the State aforesaid, for and in consideration of the sum of THREE HUNDRED THOUSAND AND 00/100 (\$300,000.00) Dollars, to him paid by **Courtney Lomax** (hereinafter called "Grantee/s") in the State aforesaid (the receipt whereof is hereby acknowledged), have granted, bargained, sold and released, and by these Presents (do(es) grant, bargain, sell and release, unto the said:

Courtney Lomax, his/their Heirs and/or Assigns Forever:

All that piece, parcel or lot of land lying, being and situate in Gills Creek Township, Lancaster County, SC, being the Southern portion of Lot No. 35 on plat of survey of estate lands of J. P. Funderburke, November, 1935, by J. M. Bailes, Surveyor, being bounded on the West by Water Works paved State Highway for a distance of one hundred feet, on the South by a new cut road known as the Blackmon Road for a distance of two hundred and fifty feet, on the East by other lands of Mrs. B. C. Hough, Sr. for a distance of one hundred feet, and on the North by other lands of Mrs. B. C. Hough, Sr. for a distance of two hundred and fifty feet. Said lot of land being in the shape of a parallelogram, and being the Southern and Western portion of Lot No. 35 hereinabove mentioned, with such measurements and shape as hereinabove mentioned.

ALSO: All that certain piece, parcel or tract of land situate, lying and being in Lancaster County, SC, in Gills Creek Township, located South of Lancaster near intersection of Lynwood Drive and Evans Drive, containing 4.669 acres, more or less, as shown on plat made by Jack Smith, RLS, dated June 13, 1974, recorded in the Office of the Register of Deeds for Lancaster County, SC, as Plat Number 1524, and having such courses and distances as shown thereon. For a more complete description reference to said plat is craved.

ALSO: All that piece, parcel or tract of land lying, being and situate in Gills Creek Township, Lancaster County, SC, situated about one mile south of the Town of Lancaster, on the East side of State Highway No. 529. known as the Old Coile Road, having a frontage of 100 feet (one hundred) on said highway #529. bounded as follows: On the North by lands of Ben C. Hough

and Perry Belle B. Hough for a distance of two hundred and fifty 250 feet; on the East by other lands of Ben O. Hough and Perry Belle B. Hough for a distance of one hundred (100) feet; bounded, on the South by Lynwood Methodist Church property for two hundred and fifty (250) feet.

Being the property conveyed to Lynwood United Methodist Church, Inc by Deed recorded October 16, 2008 in Deed Book 489 Page 156 in the Register of Deeds Office for Lancaster, SC.

TMS# 0087G-0C-004.00

Grantee's Address: 962 Wilson Dr Lancaster SC 29720

This conveyance is made subject to all existing easements, restrictions, rights of way and/or encroachments.

TOGETHER will 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 before mentioned unto the said **GRANTEE/S**, Their Heirs and/or Assigns forever.

AND the said **GRANTOR/S** do hereby bind themselves and their heirs and/or assigns to warrant and forever defend all and singular the said premises unto the said **GRANTEE/S**, Their Heirs and/or Assigns, against Themselves and Their Heirs and/or Assigns and against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

WITNESS our Hand(s) and Seal(s) this 20th day of March in the year of our Lord 2024.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Lynwood United Methodist Church, Inc.
(nka Grace-Lynnwood United Methodist
Church by Articles of Merger filed October
21, 2021 with the South Carolina Secretary
of State)

Charles Dimmo
Witness #1

BY: Jack E. Hammond
Jack Hammond, Trustee

[Signature]
Witness #2

BY: Ronald Woods
Ronald Woods, Trustee

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

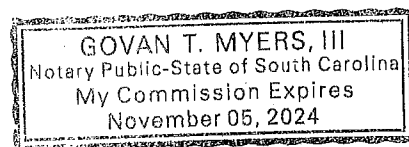
ACKNOWLEDGEMENT

I, Govan T. Myers, Notary Public for the State of SC,

do hereby certify that **GRANTOR/S** personally appeared before me this day and acknowledged
the due execution of the foregoing deed.

Sworn before me this 20th day of March, 2024

[Signature]
Notary Public for the State of SC
My Commission Expires: 11/5/24



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 located at 1743 Lynwood Dr. being transferred Lynwood United Methodist Church, Inc nka Grace-Lynnwood United Methodist Church by Articles of Merger filed October 21, 2021 with the South Carolina Secretary of State to Courtney Lomax dated 03/20/2024.

3. Check one of the following: The deed is

- (a) XXX 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 as a distribution to a trust beneficiary.
- (c) _____ exempt from the deed recording fee because (See Information section of affidavit):
(If exempt please skip items 4 - 7, and go to item 8 of this affidavit)

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See Information section of this affidavit.):

- (a) X The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$300,000.00
- (b) _____ The fee is computed on the fair market value of the realty which
- (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) Place the amount listed in item 4 above here: \$300,000.00
- (b) Place the amount listed in item 5 above here: _____ (If no amount is listed, place zero here.)
- (c) Subtract Line 6(b) from Line 6(a) and place result here: \$300,000.00
.000.00

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$1110.00

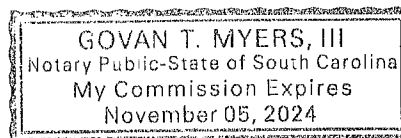
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Grantor

9. I understand that a person required to furnish this affidavit who wilfully furnishes 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, or both.

SWORN to before me this 20th
day of March 2024

Notary Public for [Signature]
My Commission Expires: 11/5/24

[Signature]
Grantor Th. Stoe.



Agenda Item Summary

Ordinance # / Resolution #: TA-2024-0162 Asphalt Conditional Use

Contact Person / Sponsor: A. Hardin

Department: Planning

Date Requested to be on Agenda: 5/21/2024

Issue for Consideration:

Points to Consider:

Council will discuss the Text Amendment again at the April 10 C.O.W., and will report additional conditions.

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	5/14/2024	Exhibit
Application	2/5/2024	Exhibit
Research: Other Jurisdictions	3/12/2024	Exhibit

PROPOSAL:	Amend Unified Development Ordinance (UDO) to change Non-metallic Mineral Manufacture: from “Permitted with Review” to “Conditional Use” status.
APPLICABLE CHAPTER(S):	Use Table 2.5 and Section 5.9.17
APPLICANT:	Planning Department on behalf of County Council
NOTICE:	Published in Lancaster News 5/4/2024 Agenda published 5/14/2024 Agenda Posted in Lobby 5/14/2024

BACKGROUND:

In October 2023, KCH Real Estate (Kim Lineberger) petitioned for a text amendment to the UDO, and in January 2024, County Council approved Ordinance 2023-1879 that added ‘Non-metallic Mineral Manufacture’ as a “permitted with review” use under HI (Heavy Industrial) zoning, and adopted a set of requirements for the review. As a result of public input on the topic, Council discussed and eventually directed staff to prepare a second ordinance that would change the use from “permitted with review” to “conditional use.”

REQUEST: To change the use status of the defined use “Non-metallic Mineral Manufacture” from “Permitted with Review” to “Conditional Use” status. This would require future applicants to submit a Conditional Use Application for review and referral by Planning Commission, and final approval by Council upon issuing a Resolution allowing the use.

RELEVANT CODE CITATIONS:

The purpose of the Conditional Use application is described in the UDO:

9.2.16 CONDITIONAL USE

The County Council may from time to time approve Conditional Use permits.

A. APPLICATION PROCEDURES

1. **Process Type:** Legislative.
2. **Applicants:** Conditional Use permits may be submitted by any of the following:
 - Any owner of property within the land use jurisdiction of the County.
3. **Pre-Application Procedure:** Before filing a petition for a Conditional Use, an applicant shall meet with the Administrator to discuss the proposed Conditional Use request and to become more familiar with the applicable requirements and approval

procedures of the County.

4. **Content of Application:** A petition for a Conditional Use shall be filed on a form provided by the Administrator. Such a petition shall contain all the information required on the form and must be determined to be complete by the Administrator prior to advancing it through the review process.
5. **Determination of Completeness:** Staff shall review an application for a Conditional Use to determine if it is complete. If an application is complete, the Administrator shall schedule the matter for consideration at a meeting of the Planning Commission. The Administrator shall prepare a staff report and recommendation on the matter.

B. REVIEW BY PLANNING COMMISSION

1. **Public Notification (Prior to Planning Commission):** Levels 1, 2, and 3 are required for Conditional Use applications. **Neighborhood Meeting:** Optional.
2. **Consideration by Planning Commission:** The Planning Commission shall conduct a public hearing and receive public input on the proposed use and shall provide a written recommendation to the County Council regarding whether to approve or deny the proposed use within 35 days of its first consideration on the matter. The recommendation shall address consistency with Chapter 5 and the surrounding neighborhood and other matters deemed appropriate by the Commission. A recommendation for denial of the petition shall not preclude consideration or approval of the proposed use by the County Council.

C. CONSIDERATION BY COUNTY COUNCIL

1. **Public Notification (Prior to Planning Commission):** Level 1 and 2 are required for all conditional uses to the UDO. Level 3 is required for all amendments to the UDO that involve a specific parcel of land. Such actions include, but are not limited to Conditional Use.
2. **Consideration by the County Council:** Following receipt of a recommendation of a proposed amendment, the County Council may:
 - a. Approve the proposed use.
 - b. Approve the proposed use with restrictions.
 - c. Reject the proposed use.
 - d. Refer the proposed use back to the Planning Commission for further consideration.

(Ord. No. 2018-1521, 7.16.18)

D. WAITING PERIOD FOR SUBSEQUENT APPLICATIONS

When an application for a use has been approved or denied by the County Council, no application shall be considered on the same issue within the next 12 months after approval or denial.

The code adopted for Nonmetallic Mineral Manufacturing operations was adopted as follows:

CHAPTER 10.3 DEFINITIONS, USE TYPE

Nonmetallic Mineral Product Manufacturing: Uses as described in the North American Industry Classification System (NAICS) group 3200.

CHAPTER 5 USE REGULATIONS, SECTION 5.9 INDUSTRY/WHOLESALE/STORAGE USES

5.9.17 Nonmetallic Mineral Product Manufacturing [HI]

- A. Permitted Industrial and Manufacturing Activities: Nonmetallic Mineral Product Manufacturing as described in the North American Industry Classification System (NAICS) group 3200. This land use activity includes facilities that engage in the recycling, storage, processing, resale, or reuse of recovered materials and are not classified as a Class III Landfill.
- B. Permitted Location and Size
 - 1. Such uses shall be exclusively located in the HI zoning district.
 - 2. Such uses shall be sited on a parcel(s) of not less than 6 acres.
- C. Separation Requirements
 - 1. A nonmetallic mineral product manufacturing use shall be located at least 500 feet from: Any lots located in the LDR, MDR, HDR, MH, RMX, MX, IMX, BP, and INS zoning districts; and
 - 2. A nonmetallic mineral product manufacturing use shall be located at least 500 feet from any lots containing residential dwelling units, schools, day care centers, religious facilities, public parks, and designated historic districts and landmarks, whether or not such lots are located in the incorporated or unincorporated area of Lancaster County.
- D. Required Setbacks

All elements of the nonmetallic mineral product manufacturing facility, including structures, buildings, equipment, parking areas, and access roads, shall be located at least 75 feet from all property lines; except that access roads may cross the 75-foot setback area and utilities may be located within the 75-foot setback area.

E. Screening

A minimum 8ft. tall opaque buffer of no less than 50ft in width consisting of 18 trees and 36 shrubs per 100 linear feet will be placed between adjoining properties. Buffer can be placed within required setbacks.

F. Vehicular Access

Vehicular access to the site of all nonmetallic mineral product manufacturing uses shall be located on an arterial or major collector road, or on a road improved to necessary industrial capacity as determined by the Administrator.

G. Dust Reduction Measures

Nonmetallic mineral product manufacturing facilities shall employ dust reduction measures to minimize on-site and off-site dust nuisance generated by the manufacturing use. These measures may include but are not limited to: (A) Utilization of stabilized roadways within the site; (B) On-site speed limits to minimize disturbance; and (C) Application of water and other dust palliatives.

H. Outdoor Storage

1. All materials stored outdoors must follow the separation requirements in 5.9.17.C.
2. All materials must be contained within a defined area or structure and shall not be allowed to spill out into adjacent areas or the separation buffers.
3. All materials shall be stored and maintained so as to not create environmental hazards that may pose a threat to ground or surface water quality, air quality, wildlife, and/or humans.

CHAPTER 2, SECTION 2.5.3.D USE TABLE - INDUSTRY/WHOLESALE/STORAGE – add “Nonmetallic Mineral Product Manufacturing” as a Use Permitted with Review (PR) in HI zones.

THE PENDING ORDINANCE DOCTRINE

During the conversations with the public, it became clear that while the majority of County Council approved of the proposed location for the Lineberger operation and that there were no Heavy Industrial (HI) zones north of Hwy 5, other members of Council wanted an option to prevent potential nonmetallic mineral manufacturing operations being located near Indian Land. This led to the Council instructing staff to look for ways to change the ordinance in such a way that would not leave a large window of time open during the legislative process.

Staff advised Council that there was a policy known in South Carolina as the “pending ordinance doctrine” that allowed local jurisdictions to essentially put an ordinance into effect after the

first reading by the elected body, even though the ordinance wasn't officially adopted yet. It gives the local jurisdiction time to process the legislative steps for changing a law without the risk of an applicant slipping in a permit request for the thing the application is trying to change.

The pending ordinance doctrine was enacted by the South Carolina Supreme Court in a decision issued in 1979. In that decision, the Supreme Court held that a jurisdiction could properly refuse a building permit for a land use when such use was in direct violation to a pending and later enacted zoning ordinance. The Supreme Court held that in order for the pending ordinance doctrine to apply, the ordinance must be "pending" at the time of the permit application in order to be able to deny the permit.

There are two conditions to applying the pending ordinance doctrine: the meeting has been properly notified (public notice has been made), and some official action is undertaken. The Court was vague in defining what official action must be undertaken, which has led to several jurisdictions enacting ordinances which adopt the pending ordinance doctrine outright and applying it to any rezoning. Other jurisdictions, which have not codified the pending ordinance outright, include pending ordinance doctrine verbiage in any ordinance(s) they may be considering relative to rezoning matters. This can be met by stating the intent to invoke the doctrine at first reading.

With this advice, Council instructed staff to bring an ordinance that changed the nonmetallic mineral manufacturing use from "permitted with review" to "conditional use" and include language invoking the pending ordinance doctrine. Staff did this, and the Council gave the ordinance first reading. Council then instructed staff to continue with the legislative processes required for ordinances, including a public hearing and review with the Planning Commission. Staff advised the Council that the public hearing with the Planning Commission had been advertised and set for February 20, 2024. This meeting was held, and the public hearing continued through subsequent meetings.

COUNCIL DISCUSSIONS

County Council met in March and April, providing staff input regarding potential conditions for future nonmetallic mineral product manufacturing uses, as well as the County's capacity to enforce them. The Council reviewed and commented on the following conditions:

SEPARATIONS

Separations are different from buffers and setbacks, in that the use has to be located a specific distance from protected uses (residences, schools, civic buildings, sometimes businesses as well). Previously, asphalt plants were considered "industry, restricted" which has a ½ mile separation requirement. When nonmetallic mineral product manufacturing was separated as a

use, the 2,640-ft separation requirement was reduced to 500 feet for nonmetallic mineral product manufacturing uses. “Industry, restricted” remains a use in the code that covers other uses and still requires a ½ mile separation requirement from protected land uses.

CAPACITY

Staff has the capacity to enforce the separation requirements, which are handled in the permit review process.

OTHER JURISDICTIONS

	Separation from Residential/ Education/Civic Uses	Separation from Water Bodies
Lancaster County		
Current	500ft	None
Previous (Under Restricted Industry)	2,640ft (1/2 mile)	None
Other Counties		
Chester County	150ft	None
Horry County	500 - 1,000 ft	None
Kershaw County	40 ft	None
York County	500ft	500ft

COUNCIL INPUT

Council asked for information on how the half-mile separation requirement would impact the properties currently zoned HI. Staff has evaluated those properties and determined that only one property in the County could be used for nonmetallic mineral processing facilities if the separation distances were set to half a mile.

At their 5/13/24 meeting, the Council proposed to set the separations at 500 ft for commercial uses and 1,000 feet for non-commercial uses.

DISTANCE FROM THE CATAWBA RIVER

Protecting the Catawba River is a priority for the residents of Lancaster County, as shown in the *Lancaster 2040 Comprehensive Plan*. Council asked staff to evaluate the appropriateness of a buffer from nonmetallic mineral product manufacturing uses and the river, up to five miles.

BASIS FOR DISCUSSION

Staff based recommendations on water quality issues, including surface water and groundwater.

- Surface water: Staff evaluated the issues related to surface water pollution and determined that the collection pond requirements for the NPDES permitting solutions would address most surface water runoff issues by collecting the water into a stormwater BMP. The water would then stay in the BMP until released based on the BMP design.
- Groundwater: Staff evaluated groundwater with more diligence, knowing that any pollution that made it into the stormwater BMPs would eventually make it to the ground.
 - Soils around the Catawba River are mostly clay, sand, loam, and silt (such as Cecil, Davidson, and Mecklenburg soils).
 - These soils range from slow to medium permeability, which have filtration rates of 0.6 inches per hour to 2.0 inches per hour.
 - Min $0.6 \times 24 = 14.4$ inches/day = 12.05 years to 1 mile
 - Max $2.0 \times 24 = 48$ inches/day = 3.62 years to 1 mile

Staff created maps showing what buffers would look like from the Catawba River, using 1-mile intervals. The maps are attached to this report.

CAPACITY

Stormwater staff already monitors water bodies once per month and could include any water bodies within a specified range of the operation. This may include staff from the Indian Land Service Center traveling out of their service area to provide monitoring services south of Hwy 5.

OTHER JURISDICTIONS

LCWSD already has a 100-ft buffer from the riverbanks before any construction may be instituted.

COUNCIL INPUT

Council has proposed to install a one-mile buffer from the Catawba River. Buffers for other rivers have not been discussed at this time.

AIR QUALITY

Following Council questions, staff contacted DHEC to ask air quality controls enforced by the state. The following points were reported to Council:

- DHEC is the monitoring agency that enforces EPA regulations in the state.
- DHEC monitors air quality and issues permits on behalf of EPA under the General Conditional Major (GCM) permit.
- DHEC enforces EPA regulations in state and has a higher standard for source testing.
- Thresholds for Hazardous Air Pollutants (HAPs) are significantly lower than general pollutants (meaning the regulations are more strict).
 - Hazardous air pollutants, also known as toxic air pollutants or air toxics, are those pollutants that are known or suspected to cause cancer or other serious health effects, or adverse environmental effects.
 - EPA works with state, local, and tribal governments to reduce air emissions of 188 toxic air pollutants to the environment. The full list is available on the EPA website via <https://www.epa.gov/haps/initial-list-hazardous-air-pollutants-modifications>.
- According to annual reports, the entire state of South Carolina is currently attaining all the EPA's health-based national air quality standards.

Construction Permit Emission Threshold & Permitting Table

Regulated Air Pollutants	Common Operations	Emission Level Exemption	Minor Source Emission Thresholds Minor Construction Permit	Major Source Thresholds Synthetic Minor (SM) Construction Permit Limit	Major Source Emission Thresholds (PSD) Construction Permit	Major Source Emission Thresholds (112g) Regulatory Permit	Minor Construction Permit Permit Review & Public Notice (PN) Regulatory Timeframe	SM Construction Permit Permit Review & Public Notice (PN) Regulatory Timeframe	PSD Construction Permit Permit Review & Public Notice (PN) Regulatory Timeframe	112(g) Construction Permit Permit Review & Public Notice (PN) Regulatory Timeframe
Carbon Monoxide (CO)	Combustion devices	PTE < STPY	PTE < 250 or 100 TPY**	PTE < 250 or 100 TPY**	PTE > 250 or 100 TPY**	N/A	90 days/No PN Expedited*** 30 days/No PN	90 days/PN Expedited*** 65 days/PN	270 days/PN Expedited*** 120 days/PN; Non Class 1 Area 150 days/PN; Class 1 Area	N/A
Particulate Matter PM	Sandblasting, woodworking	PTE < STPY	PTE < 250 or 100 TPY**	PTE < 250 or 100 TPY**	PTE > 250 or 100 TPY**	N/A	90 days/No PN Expedited*** 30 days/No PN	90 days/PN Expedited*** 65 days/PN	270 days/PN Expedited*** 120 days/PN; Non Class 1 Area 150 days/PN; Class 1 Area	N/A
PM ₁₀	Fuel combustion, sanding operations	PTE < STPY	PTE < 250 or 100 TPY**	PTE < 250 or 100 TPY**	PTE > 250 or 100 TPY**	N/A	90 days/No PN Expedited*** 30 days/No PN	90 days/PN Expedited*** 65 days/PN	270 days/PN Expedited*** 120 days/PN; Non Class 1 Area 150 days/PN; Class 1 Area	N/A
PM _{2.5}	Mining operations, fuel combustion	PTE < STPY	PTE < 250 or 100 TPY**	PTE < 250 or 100 TPY**	PTE > 250 or 100 TPY**	N/A	90 days/No PN Expedited*** 30 days/No PN	90 days/PN Expedited*** 65 days/PN	270 days/PN Expedited*** 120 days/PN; Non Class 1 Area 150 days/PN; Class 1 Area	N/A
Nitrogen Oxides (NO _x)	Combustion devices	PTE < STPY	PTE < 250 or 100 TPY**	PTE < 250 or 100 TPY**	PTE > 250 or 100 TPY**	N/A	90 days/No PN Expedited*** 30 days/No PN	90 days/PN Expedited*** 65 days/PN	270 days/PN Expedited*** 120 days/PN; Non Class 1 Area 150 days/PN; Class 1 Area	N/A
Sulfur Dioxide (SO ₂)	Fuel oil, boilers	PTE < STPY	PTE < 250 or 100 TPY**	PTE < 250 or 100 TPY**	PTE > 250 or 100 TPY**	N/A	90 days/No PN Expedited*** 30 days/No PN	90 days/PN Expedited*** 65 days/PN	270 days/PN Expedited*** 120 days/PN; Non Class 1 Area 150 days/PN; Class 1 Area	N/A
Volatile Organic Compounds (VOCs)	Paint booths	PTE < 1000 lb/ mo*	PTE < 250 or 100 TPY**	PTE < 250 or 100 TPY**	PTE > 250 or 100 TPY**	N/A	90 days/No PN Expedited*** 30 days/No PN	90 days/PN Expedited*** 65 days/PN	270 days/PN Expedited*** 120 days/PN; Non Class 1 Area 150 days/PN; Class 1 Area	N/A
Lead (Pb)	Fuel combustion, lead smelting operations		PTE < 10 TPY	PTE < 10 TPY	PTE ≥ 10 TPY	N/A	90 days/No PN Expedited*** 30 days/No PN	90 days/PN Expedited*** 65 days/PN	270 days/PN Expedited*** 120 days/PN; Non Class 1 Area 150 days/PN; Class 1 Area	N/A
Hazardous Air Pollutant (HAP): Single HAP (each HAP calculated separately) www.epa.gov/ttn/atq/airtox.html	Printing operations, textile operations		PTE < 10 TPY	PTE < 10 TPY	N/A	PTE ≥ 10 TPY	90 days/No PN Expedited*** 30 days/No PN	90 days/PN Expedited*** 65 days/PN	N/A	105 days/PN
Multiple HAPs: (All HAP emissions summed together)	Chemical batch operations		PTE < 25 TPY	PTE < 25 TPY	N/A	PTE ≥ 25 TPY	90 days/No PN Expedited*** 30 days/No PN	90 days/PN Expedited*** 65 days/PN	N/A	105 days/PN

Criteria Pollutants (CO, NOX, SO2, Particulate Matter, Lead, VOC) are common and emitted in relatively large quantities by a variety of sources

PTE: Potential To Emit.

* Sources of VOCs greater than 1,000 lb/month may be exempt on a case by case basis.

** Sources that are one of the 28 source categories defined in the PSD Regulations have a threshold of 100 tons per year, including fugitive emissions. All other sources have a threshold of 250 tons per year. If your facility has proposed emissions at or greater than the 100/250 TPY threshold and are not taking limits, please contact BAQ to discuss.

*** Visit the Expedited Review Program at www.scdhec.gov/Environment/AirQuality/ConstructionPermits/ExpeditedReviewofPermits for details prior to application submittal.



CR-011244 10/16

CAPACITY

Staff does not have the capacity to monitor air quality nor the enforcement tools necessary to compel compliance. Those tools lie with the state.

OTHER JURISDICTIONS

Kershaw County is the only jurisdiction in our study that included airborne nuisance regulations in their local code. They address air pollution, fumes and vapors, and odors:

3:3.18-4 Air Pollution

The emission of visible smoke, dust, dirt, fly ash, particulate matter from any pipes, vents, or other openings, or from any other source into the air, shall comply with the regulations of the South Carolina Department of Health and Environmental Control (SCDHEC) and the SCDHEC Air Operating Permit. Air pollution emanating from construction activities shall be governed by the SCDHEC Air Construction Permit.

3:3.18-5 Odor

There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive at the property line. Any process which may involve the creation or emission of any such odor shall be provided with both a primary and a secondary safeguard system so that control may be maintained in the event of failure of the primary safeguard system.

3:3.18-7 Fumes and Vapors

There shall be no emission of any fumes or vapors of a noxious, toxic, or corrosive nature which can cause damage or irritation to health, animals, vegetation, or to any form of property.

(Kershaw County Manufacturing Facilities Code, 3:3.18)

When asked if the County had any mechanism to enforce the regulations, the Kershaw County staff admitted that they had not been challenged yet. To date, they have required DHEC permits before finalizing local permit processes and placed the DHEC permits in the file.

COUNCIL INPUT

Council asked for similar regulations to Kershaw County.

COMPLIANCE STATEMENTS AND REPORTS

In discussion with Kershaw County staff, they indicated that part of the permit application was a document that acknowledges that the applicant has read all of the requirements in the Kershaw County code that apply to the use, and that the applicant declares that the operation will not violate the applicable codes. Staff indicated this statement is required in order to avoid any claims of “not knowing” the use was regulated locally as well as by the state and federal agencies involved.

Additionally, Kershaw County staff required reports from the use operators to ensure that the emissions, noise, vibrations, etc were in code compliance.

From Kershaw County code:

The applicant of a permit for a manufacturing or processing plant which would produce any of the above “objectionable elements” shall acknowledge in writing his understanding of the performance standards applicable to the proposed use, and shall submit with the permit application, an agreement to conform with such standards at all times. Any violation of the agreement shall constitute a violation of this Ordinance and shall be treated accordingly. (Kerhsaw County Manufacturing Facilities Code, 3:3.18)

CAPACITY

Staff has the capacity to create and enforce compliance statements. Staff is also able to require and review annual reports that show self-testing; contractors with experience in operating such uses could be hired to review the reports for any technical issues or early warning indicators.

COUNCIL INPUT

Council has proposed to use compliance statements, to be signed and filed before the initial permit is issued.

SUMMARY TO DATE:

Proposed changes highlighted and underlined.

CHAPTER 2, SECTION 2.5.3.H USE TABLE –

H. INDUSTRY/WHOLESALE/STORAGE	HI	REF
Non-metallic Mineral Manufacture	PR CU	5.9.17

5.9.17 Nonmetallic Mineral Product Manufacturing [HI]

- A. Permitted Industrial and Manufacturing Activities: Nonmetallic Mineral Product Manufacturing as described in the North American Industry Classification System (NAICS) group 3200. This land use activity includes facilities that engage in the recycling, storage, processing, resale, or reuse of recovered materials and are not classified as a Class III Landfill.
- B. Permitted Location and Size

1. Such uses shall be exclusively located in the HI zoning district.
2. Such uses shall be sited on a parcel(s) of not less than 6 acres.

C. Separation Requirements

1. A nonmetallic mineral product manufacturing use shall be located at least 1,000 feet from: Any lots ~~located in the~~ **zoned RR, RN,** LDR, MDR, HDR, MH, RMX, MX, IMX, BP, **PB, OSP** and INS zoning districts, **as well as 1,000 feet from any residential, educational, day care centers, religious facilities, public parks, historic districts and landmarks, or medical use in any zone or jurisdiction;** and
2. A nonmetallic mineral product manufacturing use shall be located at least 500 feet from any lots ~~containing residential dwelling units, schools, day care centers, religious facilities, public parks, and designated historic districts and landmarks, whether or not such lots are located in the incorporated or unincorporated area of Lancaster County~~ **zoned NB, GB, RB, RUB, or AR.**

D. Required Setbacks

All elements of the nonmetallic mineral product manufacturing facility, including structures, buildings, equipment, parking areas, and access roads, shall be located at least 75 feet from all property lines; except that access roads may cross the 75-foot setback area and utilities may be located within the 75-foot setback area.

E. Screening

A minimum 8ft. tall opaque buffer of no less than 50ft in width consisting of 18 trees and 36 shrubs per 100 linear feet will be placed between adjoining properties. Buffer can be placed within required setbacks.

F. Vehicular Access

Vehicular access to the site of all nonmetallic mineral product manufacturing uses shall be located on an arterial or major collector road, or on a road improved to necessary industrial capacity as determined by the Administrator.

G. Dust Reduction Measures

Nonmetallic mineral product manufacturing facilities shall employ dust reduction measures to minimize on-site and off-site dust nuisance generated by the manufacturing use. These measures may include but are not limited to: (A) Utilization of stabilized roadways within the site; (B) On-site speed limits to minimize disturbance; and (C) Application of water and other dust palliatives. **Operators must report on the measures used annually to the Administrator. Failure to do so will be considered a violation of the UDO and subject to fines**

for each day compliance is not achieved.

H. Outdoor Storage

1. All materials stored outdoors must follow the separation requirements in 5.9.17.C.
2. All materials must be contained within a defined area or structure and shall not be allowed to spill out into adjacent areas or the separation buffers.
3. All materials shall be stored and maintained so as to not create environmental hazards that may pose a threat to ground or surface water quality, air quality, wildlife, and/or humans.

I. Air/Water Pollution

1. **No certificate of occupancy or certificate of completion shall be issued for any use which entails the use of a potential source of air contaminant (e.g. boilers, incinerators, and furnaces) or which emits visible smoke, dust, dirt, fly ash, or particulate matter, or which entails the discharge of industrial wastewater or industrial stormwater, until the appropriate government agency has certified to the Administrator that:**
 - A. **the appropriate permits have been received by the developer, or**
 - B. **the proposed use does not require such permits.**
2. **Air pollution emanating from construction activities shall be governed by the SCDHEC Air Construction Permit.**
3. **The release of any airborne toxic matter shall not exceed the quantities permitted for those toxic materials currently listed in *Threshold Limit Values* as published by SCDHEC. If a toxic substance is not contained in said listing, the applicant shall provide scientific reports to satisfy the Administrator that the proposed levels will be safe to the general population.**
4. **County staff will test water quality in streams within a mile of the operation in order to monitor for pollutants. If pollutants are found and traced to the nonmetallic mineral processing facility, operators and property owners will be cited and reports shared with DHEC for additional penalties. Within 30 days of citation, the operator must present a cleanup/mitigation plan to the Administrator for review; the Administrator must review and approve or recommend amendments within ten (10) days of submittal. Cleanup operations and costs will be the responsibility of the operator. The County will contract with a mitigation specialist to ensure the project progresses effectively. The cost of this contractor's services will be reimbursed by the operator.**

J. Odor

1. Any process which may involve the creation or emission of any such odor shall be provided with both a primary and a secondary safeguard system so that control may be maintained in the event of failure of the primary safeguard system.

K. Heat, Cold, Dampness, or Movement of Air

1. Uses that have adverse effect on the temperature, motion, or humidity of the atmosphere beyond the lot line shall not be permitted.

L. Fire

1. All activities and all storage of flammable and explosive materials shall be provided with adequate safety devices against the hazards of fire and explosion, including adequate firefighting and fire suppression equipment, as prescribed in the applicable building codes.

M. Glare

1. There shall be no direct or sky reflected glare, whether from floodlights, high temperature processing, combustion, welding, or otherwise, so as to be visible in any residence or overnight accommodation.

N. Vibration

1. No use may generate any ground transmitted vibration that is perceptible to the human sense of touch outside the immediate space occupied by the use.
2. No use may generate any ground transmitted vibration (particle velocity) more than:
 - A. At any residential property line: 0.02
 - B. At any non-residential property line: 0.10
3. Measurements shall be taken at the property line. These maximums are stated in terms of particle velocity, which may be measured either:
 - A. directly with suitable instrumentation, or
 - B. computed on the basis of displacement and frequency using the following formula:
$$PV=6.28 F \times D$$

Where:
PV = particle velocity, inches per second.
F = vibration frequency, cycles per second.
D = single amplitude displacement of the vibration, inches.
The maximum velocity shall be the vector sum of the 3 components recorded.

4. The instrument used to measure vibrations shall be a three-component measuring system capable of simultaneous measurement of vibration in 3 mutually perpendicular directions.
5. Vibrations resulting from temporary construction activity that occurs between 6:00 a.m. and 11:00 p.m. are exempt from the requirements of this section.

O. Noise

1. All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency, or shrillness. Operators may use dense buffers, fences, and berms to buffer noise, and should locate the operations centrally to the proposed site to prevent noise impacts to neighboring properties.

P. Compliance Guarantee

1. The applicant of a permit for a manufacturing or processing plant which would produce any of the above "objectionable elements" shall acknowledge in writing his understanding of the performance standards applicable to the proposed use, and shall submit with the permit application, an agreement to conform with such standards at all times. Any violation of the agreement shall constitute a violation of this Ordinance and shall be treated accordingly.

STAFF CONTACT:

Allison Hardin, Development Services Director | ahardin@lanastercountysc.net



Planning Department

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

TEXT AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

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

GENERAL INFORMATION

UDO Section(s) Proposed to be Amended UDO Sec 2.5 & Sec. 5.9

Current Text _____

See attached text "Exhibit 1"

Proposed Text _____

See attached text "Exhibit 2"

Description of Need for Proposed Text _____

At direction of County Council, to establish newly adopted HI use

"Non-Metallic Mineral Manufactuer" as a Conditional Use

☒ Additional pages attached for more information

CONTACT INFORMATION

Applicant Name _____

Address _____

City _____ State _____ Zip _____ Phone _____

Fax _____ Email _____

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.

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 _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

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

LANCASTER COUNTY

CURRENT CONDITIONS ON NONMETALLIC MINERAL PRODUCT MANUFACTURING SECTION 5.9.17

B. Permitted Location and Size

1. Such uses shall be exclusively located in the HI zoning district.
2. Such uses shall be sited on a parcel(s) of not less than 6 acres.

C. Separation Requirements

1. A nonmetallic mineral product manufacturing use shall be located at least 500 feet from: Any lots located in the LDR, MDR, HDR, MH, RMX, MX, IMX, BP, and INS zoning districts; and
2. A nonmetallic mineral product manufacturing use shall be located at least 500 feet from any lots containing residential dwelling units, schools, day care centers, religious facilities, public parks, and designated historic districts and landmarks, whether or not such lots are located in the incorporated or unincorporated area of Lancaster County.

D. Required Setbacks

All elements of the nonmetallic mineral product manufacturing facility, including structures, buildings, equipment, parking areas, and access roads, shall be located at least 75 feet from all property lines; except that access roads may cross the 75-foot setback area and utilities may be located within the 75-foot setback area.

E. Screening

A minimum 8ft. tall opaque buffer of no less than 50ft in width consisting of 18 trees and 36 shrubs per 100 linear feet will be placed between adjoining properties. Buffer can be placed within required setbacks.

F. Vehicular Access

Vehicular access to the site of all nonmetallic mineral product manufacturing uses shall be located on an arterial or major collector road, or on a road improved to necessary industrial capacity as determined by the Administrator.

G. Dust Reduction Measures

Nonmetallic mineral product manufacturing facilities shall employ dust reduction measures to minimize on-site and off-site dust nuisance generated by the manufacturing use. These measures may include but are not limited to: (A) Utilization of stabilized roadways within the site; (B) On-site speed limits to minimize disturbance; and (C) Application of water and other dust palliatives.

H. Outdoor Storage

1. All materials stored outdoors must follow the separation requirements in 5.9.17.C.

2. All materials must be contained within a defined area or structure and shall not be allowed to spill out into adjacent areas or the separation buffers.
3. All materials shall be stored and maintained so as to not create environmental hazards that may pose a threat to ground or surface water quality, air quality, wildlife, and/or humans.

OTHER JURISDICTION REGULATIONS

See attached:

Chester County, SC
Horry County, SC
Kershaw County, SC
York County, SC

Zoning Ordinance

Chapter 4

Chester County

§ 4-119

Chapter 4 DISTRICT REGULATIONS

§ 4-119 ID-1- Restricted Industrial District Uses.

ID-1 PERMITTED USES (continued)	NAICS CODE	NAICS DESCRIPTION	PARKING SPACES REQUIRED
3. Manufacturing, limited to NAICS codes listed	3112, 3113, 3114, 3115, 3118, 3119, 312, 315, 3162, 3169, 321214, 321219, 3219, 3222, 323, 32513, 3252, 3254, 3256, 3259, 3261, 3262, 327111, 327112, 327113, 3272, 327992, 327993, 327999, 3312,	Grain milling (except 311225-fats, oils); Sugar & confectionery; Fruit & vegetable; Dairy products; Bakeries & tortilla; Other Misc. food; Beverage, tobacco products; Apparel; Footwear; Leather products & allied products; Truss Mfg.; Reconstituted wood products; Other wood products; Converted paper products (except 322299); Printing, related support; Dye & pigment; Resin, plastic, synthetic fibers; Pharmaceutical, medicine; Soap, cleaners; Other chemicals (except 32592- explosives); Plastics; Rubber products (except 32621 - tires); Vitreous plumbing fixtures; China & pottery; Porcelain electrical supply; Glass & glass products; Mineral & earth; Mineral wool; Misc. nonmetallic mineral; Steel products;	1 per employee for maximum shift plus 1 per office and 1 per 200 square feet of sales area

Zoning Ordinance
Chester County
South Carolina

Chapter 4
§ 4-120

Chapter 4 DISTRICT REGULATIONS

§ 4-120 ID-1 - Restricted Industrial District Regulations.

The following regulations apply to all uses in ID-1 districts:

Minimum lot area	<u>Utility substations and water towers</u> : 10,000 square feet. <u>Other</u> : As specified in conditions, or none.
Minimum street frontage	100 feet, or access as specified in conditions.
Minimum front yard depth:	30 feet from road right-of-way; except gasoline island may be 20 feet from road right-of-way.
Minimum setback from second street frontage:	Side street on corner lot - 10 feet. Rear street on double frontage lot - 30 feet.
Minimum side yard:	<u>Principal structure</u> - 10 feet from interior side lot line. <u>Accessory structure</u> - 6 feet from interior side lot line.
Minimum rear yard:	<u>Principal structure</u> - 15 feet from interior rear lot line. <u>Accessory structure</u> - 6 feet from interior rear lot line.
Minimum setback from any commercial or industrial district	50 feet
Minimum setback from any rural, residential or agricultural district	150 feet, <u>or</u> 75 feet with a 50-foot-wide densely planted buffer maintained at least 6 feet high along the rural, residential or agricultural district line, <u>or</u> as specified in conditions
Maximum structure height:	50 feet to the roof line [not applicable to church spires, belfries, cupolas, domes, utility and communication towers, chimneys, flag poles, antennae]. Manufacturing, processing and assembly plants may exceed 50 feet in height provided setbacks from residential districts shall be increased by four additional feet for every two feet in height over 50 feet.
Outdoor storage:	Wrecked or junk vehicles prohibited. Outdoor storage of materials used in assembly, fabrication or processing is permitted; provided, junk or salvage is limited to 25% of floor area of buildings on same lot. Outdoor storage shall be screened from view from a public road.



HORRY COUNTY, SC

SECTION 903 - ASPHALT, CONCRETE AND AGGREGATE PROCESSING FACILITIES

Section 903 - Facilities engaged in the processing of aggregates used in the production, demolition or recycling of asphalt and/or concrete products shall be subject to the following conditions.

A. HOURS OF OPERATION

Hours of operation shall be governed by the Horry County Noise Ordinance.

B. SEPARATION FROM RESIDENTIAL.

1. All proposed batch production facilities shall be located a minimum of five hundred (500) feet from any residentially used or zoned lot, whether said lot is located within the unincorporated county or a municipal jurisdiction. The distance shall be measured from the parcel line of the proposed site to the residential zoning line or residentially used lot line. The separation distance shall be reduced to three hundred (300) feet if the facility is separated from the residential by an active railroad right-of-way or highway with at least two hundred fifty (250) feet of right-of-way.
2. All proposed outdoor aggregate processing (i.e., crushing, sorting and recycling) facilities are required to be separated by one thousand (1,000) feet from any residentially used or zoned lot, whether said lot is located within the unincorporated county or a municipal jurisdiction. The distance shall be measured from the parcel line of the proposed site to the residential zoning line or residentially used lot line. The separation distance shall be reduced to five hundred (500) feet if the facility is separated from the residential by an active railroad right-of-way or highway with at least two hundred fifty (250) feet of right-of-way.

C. MINIMUM LOT AREA

2.5 acres.

D. MINIMUM SETBACKS

Mixing, batching, crushing and processing equipment shall be a minimum of fifty (50) feet from all property lines. Setbacks may be greater if required by the zoning district in which the facility is being constructed. Setbacks for all other buildings or uses on the property are required to meet the minimums for that zoning district.

E. ENCLOSURE REQUIREMENTS

All asphalt and concrete batch plants under this section shall be located in fully enclosed structures. Aggregate processing (i.e., crushing, sorting and recycling) facilities are not required to be fully enclosed as long as they meet all other requirements of this ordinance.

F. VEHICLE AREAS

All internal vehicle use areas shall be maintained in a dust free condition. All aggregate processing facilities must submit a dust control plan prior to receiving approval.

G. LANDSCAPING/BUFFERING.

1. Roadway Screening.

The site shall be screened from adjacent roadways to a minimum height of ten (10) feet. This can be accomplished from any combination of walls, berms and/or vegetation whether planted or existing. If screening is composed solely of vegetation the buffer width from the roadway must be a minimum of twenty-five (25) feet and no less than eighty (80) percent opacity in the winter season. Buffers shall contain landscape materials equal to twice that of the standard supplemental planting requirements of Article V. If the screen contains walls and/or berms a minimum of ten (10) feet in height or the roadway only services adjacent industrial uses then the site only has to meet the landscaping requirements of Article V.

2. Side and rear property lines. All side and rear property lines must be screened according to the requirements of Article V, unless subject to (c) below.

3. Enhanced buffers. Asphalt and concrete batch facilities within one thousand (1,000) feet of a residentially used or zoned property shall be screened through enhanced buffers. The enhanced buffer shall be around the entire work area with openings provided for approved entrances. The site should be designed so that structures and or walls are designed to provide interior site screening in front of the openings provided for access. The enhanced buffer shall consist of one of the following options:

- a) Buffer one hundred (100) feet in width with twice the landscaping material as required by the supplemental planting in buffer areas. Existing vegetation may be supplemented using a combination of evergreen trees and shrubs to reach eighty (80) percent winter season opacity within three (3) years; or
 - b) A ten-foot wall, berm or combination in addition to the landscape buffer requirements of Article V..
-

H. TRUCK ROUTES.

1. All such facilities shall submit to the County for approval a map showing a pre-designated route for all transport trucks traveling north, east, south, and west between the facility and the nearest arterial/collector street. The intent of this section is to control the route between the nearest arterial/collector street and the facility, taking into consideration that the routes may be different depending on the travel direction.

2. The route maps shall restrict to the greatest extent possible the routing of transport trucks so as to minimize routes that traverse residential neighborhoods, that unreasonably and adversely impact residential dwelling units, or that damage or degrade public streets from repetitive heavy weights or the spillage of materials from transport trucks. No facility operations shall commence until the county has approved the truck route map as conforming to the requirements of this section. Once the route map is approved by the county, all transport trucks shall travel the approved routes as shown on the route map unless a temporary diversion is necessary to avoid emergency or hazardous conditions along the approved route. The owner or operator shall promptly contact the county in the event of any circumstance necessitating a diversion from the route map.
-

I. MAINTENANCE OF PUBLIC STREETS.

1. Facilities shall employ measures to limit the tracking, carrying, or depositing of aggregates, fillers, dirt, dust, mud, sludge, or other materials associated with the facility upon any public street or thoroughfare.
 2. All transport trucks and equipment leaving a facility shall be completely rinsed of asphalt, concrete, aggregates, fillers, dirt, dust, mud, sludge, or other facility materials prior to leaving the site.
 3. All facilities shall provide paved aprons from any paved public or private right-of-ways onto the site for a distance of at least one hundred (100) feet.
 4. If, on paved public roadways, there are visible tracks or deposits of aggregates, fillers, dirt, dust, mud, sludge, or an other material associate with the operation of a concrete or asphalt facility along the travel path of vehicles exiting the facility site, all such paved public road(s) shall be swept by the owner or operator at least once each day of operation or more often as reasonably required by the county to remedy and remove the tracking and deposit. All sweeping shall be done by a commercial grade mechanical, vacuum or regenerative air sweeper that uses water for controlling dust. The owner or operator shall keep a daily written log of sweeping activities. The log shall be kept for one month.
 5. If accessing off an unpaved road the facility operator will be required to maintain said road to Horry County standards. This will involve, at a minimum, the provision of a water truck and motor grader for all plant locations.
-

J. STORMWATER.

1. All sites regardless of size will be required to obtain a Horry County stormwater permit.
2. All liquid residues resulting from the cleaning of transport trucks and equipment shall be directed to impervious process holding basins approved by the county.
 - a) Basins shall be designed to hydraulically separate from the stormwater detention/water quality control facilities.
 - b) All liquids from such basins shall be either recycled through the facility or discharged to the sanitary sewer system.
 - c) All residual material from the basins shall be collected and disposed of or recycled, in

accordance with applicable laws and regulations.

- d) After issuance of approval by the county, records evidencing proper disposition of residue materials must be maintained on site.
- e) The stormwater detention pond and liquid and the holding basins may be combined into a single facility where it can be demonstrated that the facility will meet the discharge and water quality requirements.

KERSHAW COUNTY

3:3.18 Manufacturing Facilities

The following performance standards shall be used to ensure that all conditionally permitted manufacturing uses shall produce no injurious or obnoxious conditions related to the operation of such uses sufficient to create a nuisance beyond the premises. The Planning and Zoning Commission or the Planning Official, as applicable, may require additional restrictions based on proximity to schools, churches, residential areas, etc. Furthermore, the Planning and Zoning Commission may require that an engineer certify that the proposed project will not violate the restrictions listed herein.

3:3.18-1 Vibration

No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments at any point beyond the lot line; nor shall any vibration produced exceed the following velocity levels, measured with a vibration monitor in inches per second at the nearest:

- A. Residential property line: 0.02
- B. Non-residential property line: 0.10

3:3.18-2 Fire and Explosives

All activities and all storage of flammable and explosive materials shall be provided with adequate safety devices against the hazards of fire and explosion, including adequate fire fighting and fire suppression equipment, as prescribed in the applicable building codes.

3:3.18-3 Noise

All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency, or shrillness. In no event shall the sound pressure level of noise radiated continuously from a facility exceed at the lot line the values given in the night time and day time schedules below in any octave band or frequency. Sound pressure level shall be measured with a sound level meter and an octave band analyzer that conforms to American National Standards Institute (ANSI) type 2 standards.

A. Night Time Schedule

Maximum permissible sound pressure levels at the lot line for noise radiated continuously from a facility between the hours of 9 p.m. and 7 a.m.:

Table 3-7 MAXIMUM CONTINUOUS SOUND PRESSURE LEVELS - NIGHT TIME		
Frequency Band (In Cycles per Second)	Sound Pressure Levels (In Decibels)	
	At Non-Residential Lot Line	At Residential Lot Line
20-75	69	65
76-150	60	50
151-300	56	43
301-600	51	38
601-1,200	42	33
1,201-2,400	40	30
2,401-4,800	38	28
4,801-10,000	35	20

B. Day Time Schedule

Maximum permissible sound pressure levels at the lot line for noise radiated from a facility between the hours of 7 a.m. and 9 p.m. shall not exceed the limits of the preceding table except as specified and corrected below:

Table 3-8 MAXIMUM SOUND PRESSURE LEVEL EXCEPTIONS - DAY TIME	
Type of Operation in Character of Noise	Correction in Decibel*
Day time operation only	plus 5
Noise source operates less than 20% of any one-hour period	plus 5
Noise source operates less than 5% of any one-hour period	plus 10
Noise source operates less than 1% of any one-hour period	plus 15
Noise of impulsive character (hammering, etc.)	minus 5
Noise of periodic character (hum, speech, etc.)	minus 5
* Applicable only if these corrections may be applied to the preceding table.	

Noises emanating from construction activities between 7:00 a.m. and 9:00 p.m. shall be exempt from these requirements. Vibration emanating from construction activities between 7:00 a.m. and 9:00 p.m. shall be exempt from these regulations.

3:3.18-4 Air Pollution

The emission of visible smoke, dust, dirt, fly ash, particulate matter from any pipes, vents, or other openings, or from any other source into the air, shall comply with the regulations of the South Carolina Department of Health and Environmental Control (SCDHEC) and the SCDHEC Air Operating Permit. Air pollution emanating from construction activities shall be governed by the SCDHEC Air Construction Permit.

3:3.18-5 Odor

There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive at the property line. Any process which may involve the creation or emission of any such odor shall be provided with both a primary and a secondary safeguard system so that control may be maintained in the event of failure of the primary safeguard system.

3:3.18-6 Glare

There shall be no direct or sky reflected glare, whether from floodlights, high temperature processing, combustion, welding, or otherwise, so as to be visible in any residence.

3:3.18-7 Fumes and Vapors

There shall be no emission of any fumes or vapors of a noxious, toxic, or corrosive nature which can cause damage or irritation to health, animals, vegetation, or to any form of property.

3:3.18-8 Heat, Cold, Dampness, or Movement of Air

Activities which could produce any adverse effect on the temperature, motion, or humidity of the atmosphere beyond the lot line shall not be permitted.

3:3.18-9 Toxic Matter

The measurement of toxic matter shall be at ground level or habitable elevation, and shall be the average of any twenty-four (24) hour sampling period. The release of any airborne toxic matter shall not exceed the quantities permitted for those toxic materials currently listed in *Threshold*

3:3.18-10 Exterior Illumination

All operations, activities, and uses shall be conducted so as to comply with the performance standards governing exterior illumination prescribed below.

In general, the pattern of light pooling from each light source shall be carefully considered to avoid throwing light onto adjacent properties. Light sources visible in residential or medical areas shall comply with light intensities indicated in Column A, below. Light sources visible in commercial or industrial areas shall comply with light intensities indicated in Column B below.

Table 3-9 MAXIMUM INTENSITY FOR EXTERIOR LIGHTING		
	Column A	Column B
Bare Incandescent Bulbs	5 watts	40 watts
Illuminated Buildings	15 ft. candles	30 ft. candles
Internally Illuminated Signs	150 ft. lamberts	250 ft. lamberts
Externally Illuminated Signs	25 ft. candles	110 ft. candles
Any Other Unshielded Sources, Intrinsic Brightness	50 candela per square centimeter	50 candela per square centimeter

Illumination shall be measured from any point outside the property. Measurements are to be conducted by Illumination Engineering Society of North America (IESNA) standards.

3:3.18-11 Compliance Guarantee

The applicant of a permit for a manufacturing or processing plant which would produce any of the above "objectionable elements" shall acknowledge in writing his understanding of the performance standards applicable to the proposed use, and shall submit with the permit application, an agreement to conform with such standards at all times. Any violation of the agreement shall constitute a violation of this Ordinance and shall be treated accordingly.

YORK COUNTY, SC

AN ORDINANCE

TO AMEND THE YORK COUNTY CODE OF ORDINANCES, CHAPTER 155, ZONING CODE, SO AS TO PROVIDE FOR "NONMETALLIC MINERAL PRODUCT MANUFACTURING"("NMPM"); TO PROVIDE FOR REGULATORY PROVISIONS RELATED THERETO; TO AMEND THE DEFINITION AND USE TABLE IN ORDER TO ESTABLISH THE USES AND PROVIDE FOR THE DISTRICTS IN WHICH THEY ARE ALLOWED OR REMOVED; TO CHANGE FROM A PERMITTED USE TO A SPECIAL EXCEPTION USE IN ID; AND TO REMOVE AS A PERMITTED USE IN UD; TO AMEND INDIVIDUAL DISTRICT USE REGULATIONS IN ID BY ADDING SUPPLEMENTAL REGULATIONS IN ORDER TO ADDRESS ITEMS SUCH AS MINIMUM LOT SIZE; ACCESS AND ROUTING PLANS; SEPARATION, SCREENING, DUST REGULATION; PERFORMANCE STANDARDS AGREEMENTS; AND PROOF OF OTHER GOVERNMENTAL REGULATORY COMPLIANCE REQUIREMENTS/PERMITS; TO REMOVE NMPM AS AN ALLOWABLE USE IN UD; TO INVOKE THE PENDING ORDINANCE DOCTRINE; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

BE IT ORDAINED AND ENACTED BY THE COUNTY COUNCIL OF YORK COUNTY, SOUTH CAROLINA:

SECTION 1. Legislative findings.

As an incident to the adoption of this ordinance, the York County Council, as the governing body of York County, South Carolina, has made the following legislative findings:

I.I The Code of Ordinances of York County, South Carolina, should be amended by amending through amendments to Chapter 155, Zoning Code, in order to clarify the ordinance governing uses which are not set out sufficiently in the Code or which are developing to such a degree or with such impact that additional regulation is needed to safeguard our citizenry and promote orderly prospective treatment of the uses in order to guide development with regard to existing and future zoning needs and promote the public health, safety, convenience, order, appearance, prosperity and general welfare of York County and its citizens.

1.2 Council is empowered to enact ordinances for the implementation and enforcement of powers granted to Council pursuant to Sections 4-9-30 (9), (14), and (17), S.C. Code Ann., as amended, and to exercise such other powers as may be authorized for counties under S.C. Code Ann. Section 6-29-710, as amended.

1.3 Council finds that the amendment and clarification will, inter alia, guide development and provide for the orderly and subsequent growth in the County; facilitate the creation of a convenient, attractive, and harmonious community; regulate the uses of buildings, structures and land for trade, industry, residence, recreation, agriculture, public activities, and other purposes; and further the public welfare.

1.4 Specifically, Council finds that regulation of nonmetallic mineral product manufacturing will expound upon a zoning use not sufficiently regulated within the existing code of ordinances and will thereby provide a regulation process specific for the NMPM (concrete) industry within York County while safeguarding the interests of the York County citizens and the integrity of the County.

SECTION 2. Code of York County Amended.

Chapter 155, ZONING CODE, is hereby amended **in** the particulars established in Exhibit A, attached and incorporated herewith by reference.

SECTION 3. Public Hearing Required.

The York County Council shall conduct a public hearing after publishing a notice of the date, time and place of such hearing at least fifteen (15) days in advance of such hearing before final legislative action is taken for the adoption of this ordinance.

Additionally, the York County Council hereby invokes the application of the Pending Ordinance Doctrine to this Ordinance.

EXHIBIT A

York County Code of Ordinances, Section 155.009, DEFINITIONS is hereby amended by adding the following terms {in alphabetical order within the Code) and definitions, as follows:

NONMETALLIC MINERAL PRODUCT MANUFACTURING {NA/CS CODE 32J: An industrial facility used for the manufacturing and production of Clay Product and Refractory Manufacturing (NAICS 3271); Glass and Glass Product Manufacturing (NAICS 3272); Cement and Concrete Product Manufacturing (NAICS 3273); Lime and Gypsum Product Manufacturing (NAICS 3274); and Other Nonmetallic Mineral Product Manufacturing (NAICS 3279).

York County Code of Ordinances, Section 155.010, TABLE OF PERMITTED USES AND SPECIAL EXCEPTIONS, Paragraph {F} is hereby amended, to remove uses "Asphalt Manufacturing, Clay Product Manufacturing, Concrete Manufacturing and Production, Enamel Manufacturing and Production, Glass and Glass Production Manufacturing, Stone and Masonry Manufacturing and Production," and Add "Nonmetallic Mineral Product Manufacturing" as follows:

<i>Table of Permitted Uses and Special Exceptions</i>													
<i>Uses</i>	<i>Supplemental Regulations?</i>												
MANUFACTURING													
Nonmetallic mineral product manufacturing	Yes											SE	

The York County Code of Ordinances, Section 155.161, INDUSTRIAL DEVELOPMENT DISTRICT {ID} PERMITTED USES is hereby amended by deleting paragraphs (L) (3), (6), (9), (12), (18), (32), and renumbering subsequent paragraphs:

The York County Code of Ordinances, Section 155.162, INDUSTRIAL DEVELOPMENT DISTRICT (ID) SPECIAL EXCEPTIONS is hereby amended by adding new paragraph {B} (B), as follows:

"(B) (8) Nonmetallic mineral product manufacturing, provided:

- (a) *Minimum lot size.* Minimum lot size is 5 acres.
- (b) *Access and routing plan.*
 - 1. The purpose of the access and routing plan is to avoid unreasonable impacts on residential land uses and to maintain the safe conditions of public roads in the vicinity of the proposed use, which may deteriorate or be damaged by heavy truck traffic associated with industrial uses.
 - 2. The access and routing plan shall include:
 - (i) All public roads within two (2) miles of any property boundary of the proposed site;
 - (ii) Access ways to the site, including public rights-of-way, intersections, existing and proposed paving and drainage improvements;
 - (iii) State- and federally-designated truck routes; and
 - (iv) County roadway classifications for each public road.
 - 3. The access and routing plan shall demonstrate compliance with the following criteria:
 - (i) Reasonable steps have been taken to avoid regular hauling and transport routes and points of access in residential areas;

- (ii) All means of access for heavy trucks must be onto a major road, as defined by York County Zoning Code Section 155.009, unless the Zoning Board of Appeals determines that:
 - a. The minor road is sufficient to accommodate safe turning movements into and out of the site;
 - b. The minor road is built to conditions sufficient to withstand the impacts of heavy truck ingress and egress to the site or the applicant commits to necessary upgrades or to repairs, if needed, through a liability agreement;
 - c. Ingress and egress by heavy truck traffic at the proposed access points will not unreasonably impact residential land uses and areas; and
 - d. Measures have been included at all intersections where access drives connect with a public right-of-way to limit dirt, rocks, and other debris from collecting on the road surface.
 - (iii) No minor roads will be used for regular hauling and transport within the 2-mile plan area, unless the ZBA determines that:
 - a. Regular hauling and transport routes will not unreasonably impact residential land uses or lands zoned for residential uses; and
 - b. Minor roads in the plan area are built to conditions sufficient to withstand the impacts of heavy truck traffic, based on projected trips to and from the site, or the applicant commits to necessary upgrades to the minor roads or to any repairs attributable to the use, through a liability agreement.
 - (iv) The applicant has instituted procedures for ensuring drivers of heavy trucks associated with the site are provided with maps indicating the roads within the 2-mile plan area approved for regular hauling and transport.
 - (v) If the Director of Public Works determines that any road designated for regular hauling and transport is not adequately constructed to meet the weight and volume of heavy truck traffic associated with the proposed use, a special exception must include as a condition the execution of a liability agreement with the County prior to final site plan approval.
- (c) *Separation Requirements.*
- 1. Nonmetallic mineral product manufacturing uses shall be located at least 500 feet from:
 - (i) Any existing or approved residence, school, day care center, church or similar religious land use, hospital, or public park.
 - (ii) The following zoning districts: RC-I, RC-II, RD-I, RD-II, PD, and TND; and
 - (iii) The following overlay zoning districts: Lake Wylie and Catawba River Buffers and AGC and RUD Significant Historical and Architectural Sites Overlay.
 - 2. Separation distances shall be measured from the property line of the manufacturing facility to the nearest property line of the existing land use or the nearest zoning district boundary, as applicable.

3. *Setbacks.* All elements of the facility, including structures/buildings, equipment, parking areas, and access roads, shall be located at least 125 feet from all property lines; except that access roads may cross the 125-foot setback area and utilities may be located within the 125-foot setback area.
- (d) *Screening.*
1. A Type D bufferyard shall be required along all property lines regardless of the adjacent land use.
 2. Access roads may cross the bufferyard.
 3. Utilities may be located within the bufferyard. Where utilities are located within the required buffer, only the minimum amount of disturbance necessary shall be allowed for installation of the utility. The Zoning Board of Appeals may require supplemental buffering including, but not limited to, additional buffer width, supplemental plantings in other areas of the buffer, or a privacy fence, if the ZBA determines the placement of the utilities in the buffer negatively impacts adjacent property owners.
 4. All existing trees within the buffer area shall be preserved, except for reasonable allowances for construction of necessary road crossings and utilities.
 5. When located within 1,000 feet of a residential use, the ZBA may require additional screening measures in order to protect nearby residential areas from noise and visual blight.
- (e) *Dust reduction measures.* Dust reduction measures shall be employed to minimize on-site and off-site dust nuisance generated by the manufacturing use. These measures may include, but are not limited to:
1. Utilization of stabilized roadways within the site;
 2. On-site speed limits to minimize disturbance; and
 3. Application of water and other dust palliatives.
- (f) *Performance Standards Agreement.* All nonmetallic mineral product manufacturing uses shall comply with the provisions of the Performance Standards Agreement in Appendix D, Exhibit 1. A signed copy of the agreement shall be submitted with the special exception application.
- (g) *Proof of other required permit approvals.*
1. In conjunction with the special exception application, the applicant shall submit one complete digital (PDF) copy of all final approvals to operate from other required local, state, and/or federal permitting agencies. All approvals must be demonstrated to be up-to-date and in effect.
 2. In cases where final permitting agency approval is not issued without evidence of all necessary local zoning approvals, the applicant shall provide one complete digital (PDF) copy of the application submitted to the permitting agency. Once final approval is received, the applicant shall provide one complete digital (PDF) copy of the permit to County staff prior to the start of manufacturing operations."

Agenda Item Summary

Ordinance # / Resolution #: TA-2024-0789 Amusements Sec 2.5 /Ord. 2024-1896

Contact Person / Sponsor: A. Hardin

Department: Planning

Date Requested to be on Agenda: 5/21/2024

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	5/14/2024	Exhibit
Application	4/24/2024	Exhibit
Exhibit 1 Existing TExt	4/24/2024	Exhibit
Ordinance 2024-1896	5/14/2024	Exhibit

PROPOSAL: Amend Unified Development Ordinance (UDO) to remove “Indoor Amusements” from 2.5 Use Table Sec 2.5.3.D.

APPLICABLE CHAPTER(S): Section 2.5

APPLICANT: Lancaster County

BACKGROUND:

During discussions surrounding the rezoning request for a day care/private school to be located in an industrial park (MacMillan Industrial Park), a Councilman pointed out that other uses that hosted children for multiple hours at a time were allowed in the zone. The Development Services Director thanked the Councilman for the observation and proposed that the Council pass an ordinance to repair the situation. The Council passed first reading of an ordinance to remove “amusement” uses from the Light Industrial (LI) zones and applied the pending ordinance doctrine. This has the effect of preventing any amusement uses from opening in an industrial zone prior to this ordinance being either approved or denied.

“Amusments” are not allowed in any other industrial zone, and the original reason how the uses ended up in the LI zones to begin with has not been found.

REQUEST: To amend the UDO Use Table at Section 2.5, removing “Amusements- Indoor” and “Amusements – Outdoor” from list of permitted uses in the LI (Light Industrial) district.

RELEVANT CODE CITATIONS:

Chapter 2, Section 2.5.D

Lancaster County Unified Development
Ordinance – Use Table

DISTRICT STANDARDS
2.5 USES PERMITTED

USE TYPES	RURAL					TRANSITIONAL					SPECIAL					NEIGHBORHOOD						
D. COMMERCIAL/ ENTERTAINMENT	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Amusements, Indoor	-	-	-	P	-	-	-	-	-	P	P	-	-	P	-	-	-	-	-	P	P	
Amusements, Outdoor	-	-	-	PR	-	-	-	-	-	-	CU	-	-	CU	-	-	-	-	-	-	-	5.5.1
P – Permitted by Right					PR – Permitted with Review					CU – Conditional Use Required					SE – Special Exception Required							

P – Permitted by Right

PR – Permitted with Review

CU – Conditional Use Required

SE – Special Exception Required

Chapter 10 – Use Definitions

AMUSEMENTS, INDOOR Establishments that provide commercial recreation activities completely within an enclosed structure such as video arcades, skating rinks, roller rinks, and bowling alleys.

AMUSEMENTS, OUTDOOR Establishments that provide commercial recreation activities primarily outdoors such as miniature golf establishments; gocart facilities; theme parks, carnivals, fairgrounds, and midways; paintball parks; and water rides.

THE PENDING ORDINANCE DOCTRINE

There is a policy in South Carolina known as the “pending ordinance doctrine” that allows local jurisdictions to essentially put an ordinance into effect after the first reading by the elected body, even though the ordinance wasn’t officially adopted yet. It gives the local jurisdiction time to process the legislative steps for changing a law without the risk of an applicant slipping in a permit request for the thing the application is trying to change.

The pending ordinance doctrine was enacted by the South Carolina Supreme Court in a decision issued in 1979. In that decision, the Supreme Court held that a jurisdiction could properly refuse a building permit for a land use when such use was in direct violation to a pending and later enacted zoning ordinance. The Supreme Court held that in order for the pending ordinance doctrine to apply, the ordinance must be “pending” at the time of the permit application in order to be able to deny the permit.

There are two conditions to applying the pending ordinance doctrine: the meeting has been properly notified (public notice has been made), and some official action is undertaken. The Court was vague in defining what official action must be undertaken, which has led to several jurisdictions enacting ordinances which adopt the pending ordinance doctrine outright and applying it to any rezoning. Other jurisdictions, which have not codified the pending ordinance outright, include pending ordinance doctrine verbiage in any ordinance(s) they may be considering relative to rezoning matters. This can be met by stating the intent to invoke the doctrine at first reading.

STUDY

Staff searched through multiple resources to identify all amusements located in Lancaster County to determine if any were actually on property that is zoned for industrial use. Staff’s research returned the following (those in shaded fields were in municipal jurisdictions):

Name	Address	Amusement Type	Zoning	MapID
High Seas Miniature Golf	10001 Charlotte Hwy	Outdoor active amusement (mini golf)	GB	1
Shamrock Bingo	1325 Hwy 9 Byp W	Indoor passive (bingo parlor)	CITY	2
Lancaster Bowling Center	1352 Reece Rd	Bowling, indoor games	NB	3
Time Out's	1649 Memorial Park Rd	Pool Hall (adult amusements)	GB	4
Crow's Nest at Arrowood	2081 Charlotte Hwy	Outdoor active (driving range)	CITY	5
Jumpin' Jax	2650 Charlotte Hwy	Indoor active amusement (trampoline park)	GB	6
Coates Billiards	504 Shop Rd, Kershaw	Pool Hall (adult amusements)	AR	7
Tumble-N-Roll	535 Hwy 9 Byp E	Indoor gymnastics	INS	8

Other uses reviewed but determined not to be categorized amusements included:

Name	Type	Name	Type
Al State Park	State Park	Stone Theaters	Movie Theater
Buford Battleground	Battlefield	Native American Studies Center	Art Gallery
Lancaster Super Speedway	Racetrack	Lancaster & Chester Railway Museum	Museum
Crown Cinema	Movie Theater	Lancaster Cultural Arts Center	Art Gallery
Bob Doster Backstreet Studio	Art Gallery	Old Waxhaw Presbyterian Church	Historic Site
Springs House	Art Gallery	USCL Bundy Auditorium	Theater
Lancaster Historic Courthouse	Museum		

Existing amusement locations are shown on a map on the following page.

STAFF RECOMMENDATION:

Staff recommends approval.

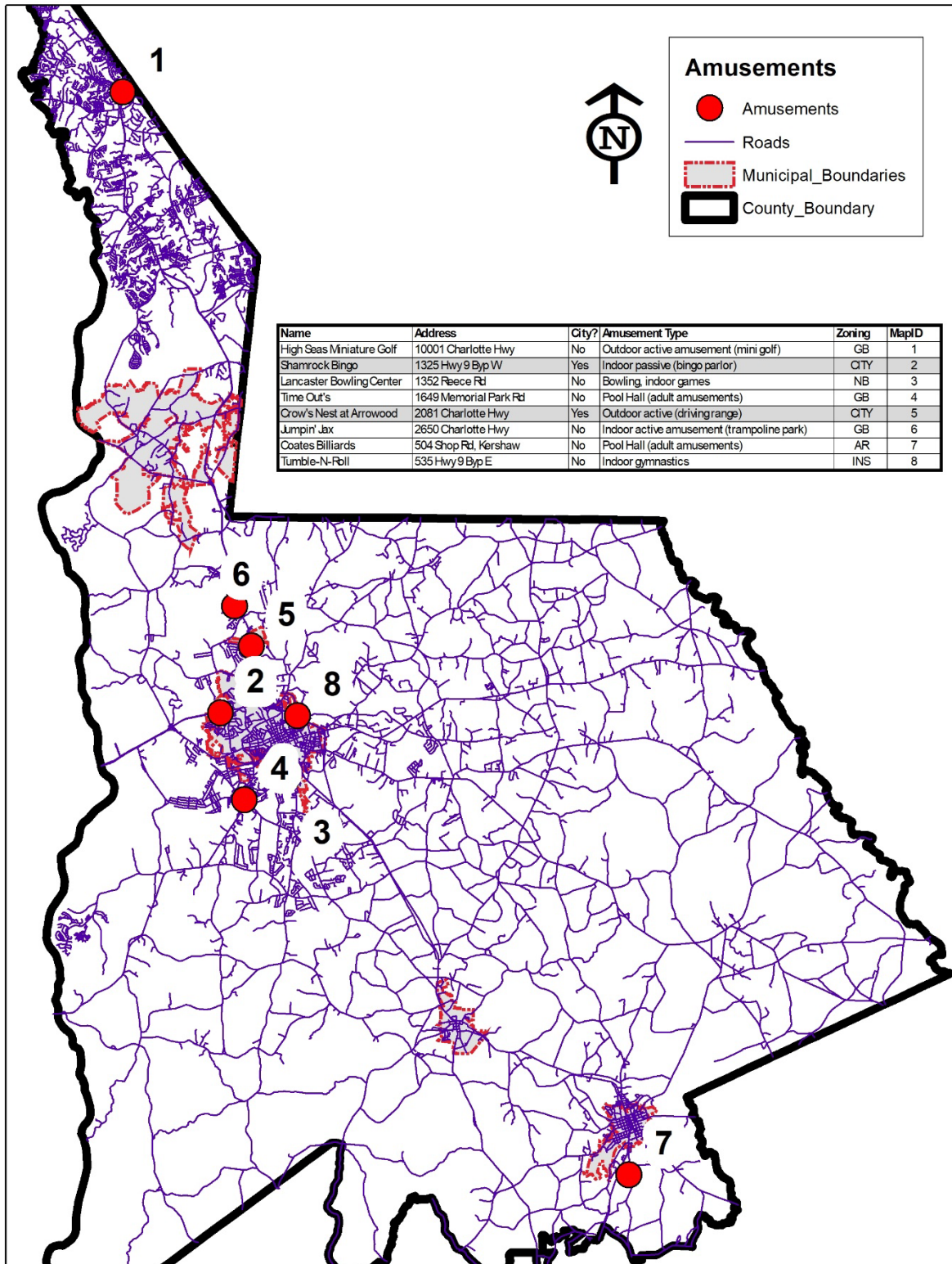
STAFF CONTACT:

Allison Hardin, Development Services Director

ahardin@lancastersc.net

ATTACHMENTS:

1. Map
2. Ordinance 2024-1896





Planning Department

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

TEXT AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

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

GENERAL INFORMATION

UDO Section(s) Proposed to be Amended Use Table 2.5.3.D

Current Text _____

In Use Table 2.5.3, Sec D " Commercial/Entertainment"

Line 2, 'Amusements, Indoor'

Proposed Text Strike line from Use Table

Description of Need for Proposed Text Ord. 2024-1896

No regulations or definitions for use; remove line in Use Table

☐ Additional pages attached for more information

CONTACT INFORMATION

Applicant Name At the direction of County Council. % Allison Hardo, Development Svc Dir.

Address 101 N. Main Street

City Lancaster State SC Zip 29720 Phone 803-285-6005

Fax _____ Email ahardin@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.

County Council % Development Services

Applicant

Allison Hardin



Date

4-22-24

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 _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

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

UDO Sec. 2.5.3.D (relevant portion)

D. COMMERCIAL/ENTERTAINMENT	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Alcoholic Beverage Sales Store	-	-	-	P	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	P	-	
Amusements, Indoor	-	-	-	P	-	-	-	-	-	P	P	-	-	P	-	-	-	-	-	P	P	

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2024-1896

COUNTY OF LANCASTER

)

)

AN ORDINANCE

TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (“UDO”) CHAPTER 2, SECTION 5 USE TABLE, TO REMOVE THE USES “AMUSEMENT, INDOOR” AND “AMUSEMENT, OUTDOOR” FROM THE PERMITTED USE LIST FOR LIGHT INDUSTRIAL (LI) DISTRICTS, AND TO INVOKE THE PENDING ORDINANCE DOCTRINE SO THAT NO PERMIT SHALL BE ISSUED THAT WOULD BE IN CONFLICT WITH THE PROPOSED ZONING CHANGES AS SET FORTH HEREIN

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

Section 1. Findings and Determinations.

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

- (a) As part of the Constitutional police powers, states have the capacity to promote and maintain the health, safety, morals, and general welfare of the public they serve by regulating behaviors and enforcing order, and that restricting certain land uses from being in close proximity to each other is a proper use of that police power.
- (b) In 1994, the State of South Carolina delegated the ability to restrict land uses (known as land use planning) to the counties and municipalities of the state via the laws recorded in the SC Code of Laws 6-29-310, et seq.
- (c) Lancaster County has properly followed the procedures set forth in the Local Government Comprehensive Planning Enabling Act of 1994 to allow for land use regulation in the jurisdiction.
- (d) Lancaster County initiated a full rewrite of the Unified Development Ordinance (UDO) in October 2021 to address substantive issues with the UDO, has retained a UDO consultant to assist in the full rewrite of the UDO, and the full rewrite is expected to take another twelve (12) months to complete.
- (e) There has been an outpouring of concern regarding the safety of children and uses that draw children being located in the same zones where hazardous uses (such as those in the Light Industrial zone) may be located.
- (f) In the interest in reducing the potential interface between uses that attract children and cause them to remain for extended time frames, and uses that may include landfills, junkyards, light industry, mining, heavy equipment repair, and shooting ranges, the Lancaster County Council wishes to remove certain uses from the list of permitted use for the Light Industrial (LI) zones.
- (g) The Pending Ordinance Doctrine, as defined and applied by the South Carolina Supreme Court in the case of *Sherman vs. Reavis* 273 S.C. 542, 257 S.E.2d 735, and as adopted and applied by the state courts in other decisions, is hereby invoked to preclude issuance of any permits that are in conflict with the intended zoning changes in this ordinance.

- (h) The text amendment is consistent with the applicable provisions of the Comprehensive Plan as required by UDO Section 9.2.15.B.3, as well as applicable provisions of South Carolina Code, Title VI.
- (i) Lancaster County Planning Commission will hold a public hearing and consider the issue at their April 16, 2024 meeting and will convey their report to the County Council prior to a third/final reading of this ordinance.

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

Ordinance 2016-1442 (Unified Development Ordinance), is amended as follows:

CHAPTER 2, SECTION 2.5.3.D USE TABLE - COMMERCIAL/ENTERTAINMENT

–Remove “Amusements, Indoor” and “Amusements, Outdoor” from a Use ~~Permitted by Right (P)~~ in Light Industrial (LI) zones, making them a “use not listed” for the LI zones.

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

In addition, in furtherance of the above stated findings, County Council declares that the Pending Ordinance Doctrine is invoked and the directions to staff are effective upon first reading, and the ordinance of such direction shall be effective upon third reading and may only be revoked by a legislative act of equal dignity.

Section 5. Effective Date.

Per the Pending Ordinance Doctrine, this ordinance is in effect as of first reading, and is adopted into the Unified Development Ordinance effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2024.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: _____, 2024
Public Hearing: _____, 2024
Second Reading: _____, 2024
Third Reading: _____, 2024

Approved as to form:

Virginia Merck-Dupont, County Attorney

PROPOSED AMENDMENT

Remove “Amusements, Indoor” and “Amusements, Outdoor” from the permitted use list for Light Industrial (LI) zones in Section 2.5.3.D (Commercial/Entertainment Uses)

Lancaster County Unified Development
Ordinance – Use Table

DISTRICT STANDARDS
2.5 USES PERMITTED

USE TYPES	RURAL					TRANSITIONAL					SPECIAL					NEIGHBORHOOD						
D. COMMERCIAL/ ENTERTAINMENT	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Amusements, Indoor	-	-	-	P	-	-	-	-	-	P	P	-	-	P	-	-	-	-	-	P	P	
Amusements, Outdoor	-	-	-	PR	-	-	-	-	-	-	CU	-	-	CU	-	-	-	-	-	-	-	5.5.1
P – Permitted by Right					PR – Permitted with Review					CU – Conditional Use Required					SE – Special Exception Required							

Agenda Item Summary

Ordinance # / Resolution #: June Overview
Contact Person / Sponsor: G. Jackson
Department: Planning
Date Requested to be on Agenda: 5/21/2024

Issue for Consideration:

Points to Consider:

Recommendation:

Agenda Item Summary

Ordinance # / Resolution #: Board Member of the Year Nomination

Contact Person / Sponsor: J. Bryan

Department: Planning

Date Requested to be on Agenda: 5/21/2024

Issue for Consideration:

Points to Consider:

Recommendation: