

Council Members

District 1: Terry Graham
District 2: Charlene McGriff, Vice-Chair
District 3: Billy Mosteller
District 4: Larry Honeycutt, Secretary
District 5: Steve Harper, Chair
District 6: Allen Blackmon
District 7: Brian Carnes



County Attorney
John K. DuBose III

Clerk to Council
Sherrie Simpson

October 28, 2019

6:00 PM

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

LANCASTER COUNTY COUNCIL
County Council Chambers, County Administration
Building, 101 North Main Street, Lancaster, SC 29720

AGENDA

1. **Call to Order Regular Meeting - Chairman Steve Harper**
2. **Welcome and Recognition - Chairman Steve Harper**
3. **Pledge of Allegiance led by Young Marine/Pvt Rollyson and Invocation led by Council Member Larry Honeycutt**
4. **Approval of the Agenda**
[deletion and additions of non-substantive matter]
5. **Special Presentations**
 - a. Proclamation for Red Ribbon Week for the Mecklenburg County Young Marines - Presented by Chairman Steve Harper
 - b. State Accreditation for the Lancaster County Sheriff's Office - Presented by Chip Johnson, Member of the South Carolina Law Enforcement Accreditation Board of Directors and Retired State Law Enforcement Division Agent
 - c. Presentation of Grant Check to Lancaster County EMS - Presented By Samantha Cochran, Store Manager, Wal-Mart, Lancaster, SC
6. **Citizens Comments**
[Speakers are allowed approximately 3 minutes. If there are still people on the list who have not spoken at the end of thirty (30) minutes, Council may extend the citizen comments section or delay it until a later time in the agenda]
7. **Consent Agenda**
[Items listed under the Consent Agenda have previously been discussed by Council and approved unanimously. As such, these items are normally voted on as a group through a single vote rather than with a Council vote for each individual item. However, any Council member may remove any item on the Consent Agenda for individual discussion and vote]
 - a. Minutes from the October 14, 2019 County Council Regular Meeting

- b. 3rd Reading of Ordinance 2019-1610 regarding Amending the County Code to Create the Position of Deputy County Administrator
Ordinance Title: An Ordinance To Adopt Section 2-82 In Article 3 Of Chapter 2 Of The Lancaster County Code Of Ordinances Related To The Position Of Deputy County Administrator, Assign Duties And Responsibilities, And To Provide For Matters Related Thereto. - ***(Favorable Recommendation - Administration Committee). Passed 7-0 at the September 23, 2019 County Council Meeting. Passed 7-0 at the October 14, 2019 County Council Meeting. - Steve Willis***
- c. 3rd Reading of Ordinance 2019-1611 regarding Amending the County Code Related To Residency Requirements
Ordinance Title: An Ordinance To Amend Section 2-132.1 Of The Lancaster County Code Related To Residency Requirements. - ***(Favorable Recommendation - Administration Committee). Passed 7-0 at the September 23, 2019 County Council Meeting. Passed 7-0 at the October 14, 2019 County Council Meeting. - Steve Willis***
- d. 2nd Reading of Ordinance 2019-1619 regarding Adoption of the Solid Waste Management Plan
Ordinance Title: An Ordinance Adopting And Approving The Lancaster County Solid Waste Management Plan As Revised And Set Forth In Exhibit "A" Attached Hereto. - ***(Favorable Recommendation - Infrastructure and Regulation Committee). Passed 7-0 at the October 14, 2019 County Council Meeting. - Steve Willis***

8. Non-Consent Agenda

- a. Resolution 1071-R2019 regarding Establishing a Capital Project Sales Tax Commission
Resolution Title: A Resolution Establishing A Capital Project Sales Tax Commission for Lancaster County, South Carolina. - ***Steve Willis/John DuBose***
- b. Resolution 1072-R2019 regarding Authorizing the Transfer of Funds for Website Update
Resolution Title: A Resolution To Authorize The Transfer of Funds Within The County General Fund; To Authorize Certain County Officials To Take Actions Necessary To Effectuate The Purposes Of This Resolution. - ***(Favorable Recommendation - Administration Committee). - Alison Alexander/Katherine Hayes***
- c. Resolution 1073-R2019 regarding Establishing a Three (3) Minute Time Limit For Speakers At Public Hearings
Resolution Title: A Resolution To Establish A Three (3) Minute Time Limit For Speakers At Public Hearings And To Repeal Any Existing Adopted Bylaws And Procedures To The Contrary. - ***(Positive Recommendation - Infrastructure and Regulation Committee). - John DuBose***
- d. 2nd Reading of Ordinance 2019-1608 regarding Amending the Unified Development Ordinance regarding Chapter 2.4, District Development Standards
Ordinance Title: An Ordinance To Amend Ordinance 2016-1442, The Unified Development Ordinance ("UDO"), Chapter 2.4, District Development Standards, To Increase The Allowed Height Of Buildings Within Light Industrial And Heavy Industrial Zoning Districts. - ***Planning Department Case Number: UDO-TA-19-006. Planning Commission recommended approval with condition by a vote of 6-0. Passed 7-0 at the September 9, 2019 County Council Meeting. - Rox Burhans***
- e. Public Hearing and 2nd Reading of Ordinance 2019-1612 regarding Rezoning Property Owned By Exxit, LLC that is Located at 9794 Charlotte Highway
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A ± 0.95 Acre Tract Of Property Owned By Exxit, LLC - Located At 9794 Charlotte Highway, Fort Mill, SC 29707 (TMS # 008-00-013-01) From MX, Mixed Use District To RB, Regional Business District. - ***Planning Department Case Number: RZ-019-0168. Planning Commission recommended approval by a vote of 6-0. Passed 7-0 at the October 14, 2019 County Council Meeting. - Rox Burhans***

- f. Public Hearing and 2nd Reading of Ordinance 2019-1614 regarding Rezoning Property Owned By Kershaw Property, LLC that is Located at 7784 Kershaw Camden Highway
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 9.1 Acre Tract Of Property Owned By Kershaw Property, LLC And Located At 7784 Kershaw Camden Highway, Kershaw, SC 29067 (TMS #0156A-0E-002.00) From HI, Heavy Industrial District, To GB, General Business District. - ***Planning Department Case Number: RZ-019-0185. Planning Commission recommended approval by a vote of 6-0. Passed 7-0 at the October 14, 2019 County Council Meeting. - Rox Burhans***
- g. Public Hearing and 2nd Reading of Ordinance 2019-1615 regarding Rezoning Property Owned By John and Bridgett Plexico
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 1.91 Acre Portion Of A Tract Of Property Owned By John Bradford Plexico And Bridgett T. Plexico And Located At The Intersection Of Flat Creek Road And Baxter Fiddle Drive (A Portion Of TMS # 0081F-0B-002.00), Lancaster, South Carolina From LDR, Low Density Residential District, To GB, General Business District. - ***Planning Department Case Number: RZ-019-0322. Planning Commission recommended approval by a vote of 6-0. Passed 7-0 at the October 14, 2019 County Council Meeting. - Rox Burhans***
- h. Public Hearing and 2nd Reading of Ordinance 2019-1616 regarding Rezoning Property Owned By Donna Patterson (Applicant Sam Levin)
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 6.7 Acre Tract Of Property Owned By Donna S. Patterson And Located West Of Harrisburg Road, South Of Patterson Lane, Indian Land, SC (TMS #0005-00-091.02) From MX, Mixed Use District, To NB, Neighborhood Business District. - ***Planning Department Case Number: RZ-019-0501. Planning Commission recommended approval by a vote of 6-0. Passed 7-0 at the October 14, 2019 County Council Meeting. - Rox Burhans***
- i. Public Hearing and 2nd Reading of Ordinance 2019-1617 regarding Amending the Unified Development Ordinance regarding Removing the UDO Advisory Committee
Ordinance Title: An Ordinance Amending Ordinance 2016-1442, The Unified Development Ordinance (“UDO”), To Remove Chapter 9.1.6, UDO Advisory Committee. - ***Planning Department Case Number: UDO-TA-0312. Planning Commission recommended approval by a vote of 6-0. Passed 7-0 at the October 14, 2019 County Council Meeting. - Rox Burhans***
- j. 1st Reading of Ordinance 2019-1624 regarding Amending the FY 2019-2020 Budget
Ordinance Title: An Ordinance To Amend Ordinance No. 2019-1594, Relating To The Appropriation Of Funds And The Approval Of A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2019 And Ending June 30, 2020 (FY 2019-2020), To Further Provide For Revenues And Expenditures During The Fiscal Year; And To Provide For Matters Related Thereto. - ***(Positive Recommendation - Administration Committee). - Steve Willis***
- k. 1st Reading of Ordinance 2019-1625 regarding Authorizing the First Amendment to the Lease Agreement for Cardinal Health 200, LLC
Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of The First Amendment To Lease Agreement, By And Between Lancaster County And Allegiance Healthcare Corporation, Now Known As Cardinal Health 200, LLC. - ***Steve Willis***

9. **Discussion and Action Items**

- a. Committee Reports:
 - 1. Infrastructure & Regulation (I & R) Committee - Committee Chair Larry Honeycutt
 - 2. Public Safety Committee - Committee Chair Brian Carnes
 - 3. Trail Advisory Committee - Committee Chair Brian Carnes

4. Administration Committee - Committee Chair Charlene McGriff

5. Discussion of dates for November Committee Meetings (currently scheduled to be held on Thursday, November 14, 2019 since the Council meeting will be on Tuesday, November 12, 2019).

b. Update of Lancaster County Airport's Capital Improvement Plan

(Favorable Recommendation - Infrastructure and Regulation Committee). - Ken Holt/Ed Lee/Paul Moses

c. Appointments to the Health and Wellness Commission

- Appointment of Katrina Grier to fill an At Large position for a four (4) year term that will expire on 06/30/2023 (1st Term)
- Appointment of Robin Dawson as the Health Education Representative on the Health and Wellness Commission for a four (4) year term that will expire on 06/30/2023 (1st Term)

d. Appointments for Boards and Commissions for District 6

- Appointment of Lewis J. (JaBo) Sims to the Board of Zoning Appeals for a four (4) year term that will expire on 06/30/2023 (1st Term)
- Appointment of Silberio M. Francis Sr. to the Community Relations Commission for a four (4) year term that will expire on 06/30/2023 (1st Term)
- Appointment of Tim Catoe to the Construction Board of Appeals for a four (4) year term that will expire on 06/30/2023 (3rd Term - requires a super majority vote of Council for reappointment)

e. 2019 DHEC Grant In Aid (GIA) Grant

(Favorable Recommendation - Public Safety Committee). - Clay Catoe/Steve Willis

f. Continuation of Narcotics Unit Grant - Steve Willis/Sheriff Barry Faile

10. Status of items tabled, recommitted, deferred or held

11. Miscellaneous Reports and Correspondence

a. Changes Involving Cable TV

b. American Battlefield Preservation Program Grant - Hanging Rock Battlefield

12. Citizens Comments

[If Council delays until end of meeting]

13. Executive Session

a. One Item:

1. Legal Briefing on Pending Litigation. SC Code 30-4-70(a)(2).

14. Adjournment

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

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson/Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

Approve or amend the minutes from the October 14, 2019 County Council regular meeting.

Points to Consider:

The draft minutes from the October 14, 2019 County Council regular meeting are attached for Council's review and approval.

Funding and Liability Factors:

N/A

Council Options:

Council can approve or amend the minutes.

Recommendation:

Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 10-14-2019 County Council Regular Meeting	10/23/2019	Backup Material

Council Members

District 1: Terry Graham
District 2: Charlene McGriff, Vice-Chair
District 3: Billy Mosteller
District 4: Larry Honeycutt, Secretary
District 5: Steve Harper, Chair
District 6: Allen Blackmon
District 7: Brian Carnes



County Attorney
John K. DuBose III

Clerk to Council
Sherrie Simpson

October 14, 2019

6:00 PM

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

**LANCASTER COUNTY COUNCIL
County Council Chambers, County Administration
Building, 101 North Main Street, Lancaster, SC 29720**

MINUTES

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Council Members present at the regular meeting of County Council were Allen Blackmon, Brian Carnes, Terry Graham, Steve Harper, Larry Honeycutt, Charlene McGriff and Billy Mosteller. Also present at the meeting were County Administrator Steve Willis, Deputy County Administrator Alison Alexander, County Attorney John DuBose, Clerk to Council Sherrie Simpson, Deputy Clerk to Council Chelsea Gardner, Planning Director Rox Burhans, Economic Development Director Jamie Gilbert, David Hooper with Rock Hill Fort Mill Area Transportation Study (RFATS), various Department Heads, various elected officials, various staff, the press and spectators. A quorum of Lancaster County Council was present for the meeting.

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

Call to Order Regular Meeting - Chairman Steve Harper

Steve Harper called the regular meeting of County Council to order at approximately 6:00 p.m.

Welcome and Recognition - Chairman Steve Harper

Steve Harper welcomed everyone to the Council meeting.

Pledge of Allegiance and Invocation - Terry Graham

Terry Graham led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of the Agenda

Charlene McGriff moved to approve the agenda. The motion was seconded by Larry Honeycutt. There was no further discussion. Council approved the agenda by unanimous vote of 7-0.

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Special Presentations

Steve Harper recognized Sergeant Bill Murphy with the Sheriff's Office as the Employee of the Quarter, 3rd Quarter.

Charlene McGriff, Council Member from District 2, and Paul N. McKenzie, Lancaster County School District, announced that Lancaster County was one (1) of twelve (12) counties selected nationwide to participate in the National Association of Counties' Rural Impact County Challenge. Paul McKenzie provided an overview of the Rural Impact County Challenge and he reviewed a power point presentation with Council, which is attached as Schedule A to the written minutes in the Clerk to Council's office, regarding the Challenge.

Steve Willis, Charlene McGriff and Sheriff Barry Faile presented Paul McKenzie, Lancaster County School District, with a metal Thumbs Up for his work on obtaining grants for the Sheriff's Department and for the County.

David Hooper, Administrator with Rock Hill Fort Mill Area Transportation Study (RFATS), reviewed a power point presentation that provided an overview of the RFATS Collector Road Study/Plan and that power point presentation is attached as Schedule B to the written minutes in the Clerk to Council's office.

Citizens Comments

Grayland Lowry, Indian Land, SC, spoke regarding Ordinance 2019-1613.

Jerry O'Keefe, Charlotte, NC, spoke regarding Ordinance 2019-1613.

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Item **7a.**, Item **7b.**, Item **7c.**, Item **7d.**, Item **7e.** and Item **7f.** as listed in the agenda packet, which are the same as Item **a.**, Item **b.**, Item **c.**, Item **d.**, Item **e.** and Item **f.** below. The motion was seconded by Charlene McGriff. There was no discussion regarding the approval of the Consent Agenda. Council approved Consent Agenda Items **a.**, **b.**, **c.**, **d.**, **e.** and **f.** below by unanimous vote of 7-0.

a. Minutes from the September 23, 2019 County Council Regular Meeting

b. Minutes from the September 30, 2019 County Council Workshop

c. 3rd Reading of Ordinance 2019-1606 regarding Rezoning Property Owned By Stacie and Dustin Catoe

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County to Rezone A ± 1.144 Acre Tract Of Property Owned By Stacie and Dustin Catoe Located At The Intersection Of US Highway 521 And Baxter Kennington Road, Heath Springs, SC 29058 (TMS # 0143-00-027.02) From AR, Agricultural Residential District To RUB, Rural Business District.

d. 3rd Reading of Ordinance 2019-1607 regarding Amending the Unified Development Ordinance regarding Chapter 2.5, Uses Permitted, Chapter 5, Use Regulation and Chapter 10, Definitions

Ordinance Title: An Ordinance To Amend Ordinance 2016-1442, The Unified Development Ordinance ("UDO"), Chapter 2.5, Uses Permitted, Chapter 5, Use Regulations And Chapter 10, Definitions In Order To Accommodate Operations, Maintenance, And Fleet Service Facilities.

e. **2nd Reading of Ordinance 2019-1610 regarding Amending the County Code to Create the Position of Deputy County Administrator**

Ordinance Title: An Ordinance To Adopt Section 2-82 In Article 3 Of Chapter 2 Of The Lancaster County Code Of Ordinances Related To The Position Of Deputy County Administrator, Assign Duties And Responsibilities, And To Provide For Matters Related Thereto.

f. **2nd Reading of Ordinance 2019-1611 regarding Amending the County Code Related To Residency Requirements**

Ordinance Title: An Ordinance To Amend Section 2-132.1 Of The Lancaster County Code Related To Residency Requirements.

Non-Consent Agenda

Discussion of Adoption of RFATS Collector Road Study - Rox Burhans

Rox Burhans asked Council to consider adopting the Rock Hill Fort Mill Area Transportation Study's (RFATS) Collector Road Study so that it can be implemented in Lancaster County. Larry Honeycutt moved to adopt the RFATS Collector Road Study. The motion was seconded by Charlene McGriff. Steve Willis noted, for the record, that the motion needed to more specific. Larry Honeycutt withdrew his motion and Charlene McGriff withdrew her second.

Larry Honeycutt moved that Council authorize the Administrator, county staff, and the county attorney to prepare a proposed ordinance for formal consideration by County Council that would effectuate the RFATS study and allow Lancaster County to accept the proposed roads identified in the RFATS study into the county road system. The motion was seconded by Charlene McGriff.

Brian Carnes explained that the Study can be used as an important planning tool and could help control access to major corridors. He further noted that these Collector Roads within developments would be paid for by the developers, but that the main road within the development would be maintained by the County. Rox Burhans explained that the implementation of the Study/Plan would reflect a partnership between the public sector and the private sector and would provide flexibility in achieving goals. Council discussed connectivity requirements and the timeline for bringing an ordinance forward for approval. Rox Burhans explained that approval of an ordinance would need to happen sooner rather than later because of the numerous projects coming forward for Council's consideration. John DuBose indicated that this item would be a high priority item. He noted that the ordinance will require three (3) readings and a public hearing. Brian Carnes explained that RFATS has been encouraging all members to approve the Study/Plan and David Hooper explained that York County and the City of Rock Hill have already adopted the Study. Steve Willis emphasized that the County would need a way to pay for the roads and that the County road system was closed so that no new roads would come into the system that would require maintenance; however, he explained that adopting the Study would help with traffic gridlock.

The motion authorizing the Administrator, county staff, and the county attorney to prepare a proposed ordinance for formal consideration by County Council that would effectuate the RFATS study and allow Lancaster County to accept the proposed roads identified in the RAFTS study into the county road system passed by unanimous vote of 7-0. Steve Harper requested that Council be updated every couple of months regarding the progress on implementing the Study.

Resolution 1070-R2019 regarding Correcting Scrivener's Error on Ordinance 2017-1455

Resolution Title: A Resolution To Correct A Scrivener's Error On Ordinance 2017-1455 Regarding Exhibits B-1 Through B-11.

Brian Carnes moved to approve Resolution 1070-R2019. The motion was seconded by Charlene McGriff. Steve Willis reviewed the Resolution with Council. There was no discussion regarding the Resolution. Council approved Resolution 1070-R2019 by unanimous vote of 7-0.

3rd Reading of Ordinance 2019-1609 regarding Amending the Unified Development Ordinance regarding Chapter 7.4.6 (C)

Ordinance Title: An Ordinance To Amend Ordinance 2016-1442, The Unified Development Ordinance ("UDO"), Chapter 7.4.6 (C) To Remove Messaging Restrictions On Permitted Electrically-Activated Changeable Signs When Used By Schools, Colleges Or Universities, Public Safety Stations, Worship Centers, Public Recreation Facilities, And Hospital Uses Within The NB, RMX, MX, And INS Zoning Districts.

Terry Graham moved to approve the 3rd Reading of Ordinance 2019-1609. The motion was seconded by Brian Carnes. Rox Burhans reviewed the Ordinance with Council. There was no further discussion. Council approved the 3rd Reading of Ordinance 2019-1609 by unanimous vote of 7-0.

1st Reading of Ordinance 2019-1612 regarding Rezoning Property Owned By Exxit, LLC that is Located at 9794 Charlotte Highway

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A \pm 0.95 Acre Tract Of Property Owned By Exxit, LLC - Located At 9794 Charlotte Highway, Fort Mill, SC 29707 (TMS # 008-00-013-01) From MX, Mixed Use District To RB, Regional Business District.

Brian Carnes moved to approve the 1st Reading of Ordinance 2019-1612. The motion was seconded by Terry Graham. Rox Burhans reviewed the Ordinance with Council. Council approved the 1st Reading of Ordinance 2019-1612 by unanimous vote of 7-0.

1st Reading of Ordinance 2019-1613 regarding Rezoning Property Owned By Gus and Chrisoula Kanos that is Located at 9330 Charlotte Highway

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 3.00 Acre Tract Of Property Owned By Gus Kanos And Chrisoula P. Kanos - Located At 9330 Charlotte Highway, Fort Mill, SC 29707 (TMS# 0008-00-085.00) From LDR, Low Density Residential District, To GB, General Business District.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2019-1613. The motion was seconded by Allen Blackmon.

Rox Burhans reviewed the Ordinance with Council. Council discussed what the process would be if the applicant wanted to change the rezoning to Neighborhood Business instead of General Business, the process for a motion to recommit and traffic implications for Neighborhood Business Districts versus General Business Districts.

Charlene McGriff moved to amend the motion and to recommit Ordinance 2019-1613 to the Planning Commission and that the Commission consider a rezoning to Neighborhood Business with a Public Hearing. The motion was seconded by Allen Blackmon.

Brian Carnes asked if gas stations were permitted in Neighborhood Business Districts and Rox Burhans explained that the Planning Department staff could provide an exhaustive list of businesses that would be permitted under Neighborhood Business Districts. He further noted that gas stations in Neighborhood Business would require a conditional use permit.

Allen Blackmon asked if the first motions should be withdrawn as a matter of parliamentary procedure because there were two (2) motions on the floor. Charlene McGriff withdrew her motion to approve and Allen Blackmon withdrew his second.

Steve Harper indicated that Charlene McGriff's motion to recommit would be considered a motion and not a motion to amend. Charlene McGriff indicated approval. Allen Blackmon indicated approval of his second to the motion. The motion to recommit Ordinance 2019-1613 to the Planning Commission for consideration of a Neighborhood Business rezoning with a Public Hearing passed by unanimous vote of 7-0.

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1st Reading of Ordinance 2019-1614 regarding Rezoning Property Owned By Kershaw Property, LLC that is Located at 7784 Kershaw Camden Highway

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 9.1 Acre Tract Of Property Owned By Kershaw Property, LLC And Located At 7784 Kershaw Camden Highway, Kershaw, SC 29067 (TMS #0156A-0E-002.00) From HI, Heavy Industrial District, To GB, General Business District.

Larry Honeycutt moved to approve the 1st Reading of Ordinance 2019-1614. The motion was seconded by Allen Blackmon.

Rox Burhans reviewed the Ordinance with Council. Steve Harper asked if there were environmental problems on the property and Rox Burhans explained that potential contamination concerns had been shared with the applicant.

Council approved the 1st Reading of Ordinance 2019-1614 by unanimous vote of 7-0.

1st Reading of Ordinance 2019-1615 regarding Rezoning Property Owned By John and Bridgett Plexico

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 1.91 Acre Portion Of A Tract Of Property Owned By John Bradford Plexico And Bridgett T. Plexico And Located At The Intersection Of Flat Creek Road And Baxter Fiddle Drive (A Portion Of TMS # 0081F-0B-002.00), Lancaster, South Carolina From LDR, Low Density Residential District, To GB, General Business District.

Billy Mosteller moved to approve the 1st Reading of Ordinance 2019-1615. The motion was seconded by Larry Honeycutt. Rox Burhans reviewed the Ordinance with Council. There was no further discussion. Council approved the 1st Reading of Ordinance 2019-1615 by unanimous vote of 7-0.

1st Reading of Ordinance 2019-1616 regarding Rezoning Property Owned By Donna Patterson (Applicant Sam Levin)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 6.7 Acre Tract Of Property Owned By Donna S. Patterson And Located West Of Harrisburg Road, South Of Patterson Lane, Indian Land, SC (TMS #0005-00-091.02) From MX, Mixed Use District, To NB, Neighborhood Business District.

Brian Carnes moved to approve the 1st Reading of Ordinance 2019-1616. The motion was seconded by Terry Graham. Rox Burhans reviewed the Ordinance with Council. Council approved the 1st Reading of Ordinance 2019-1616 by unanimous vote of 7-0.

1st Reading of Ordinance 2019-1617 regarding Amending the Unified Development Ordinance regarding Removing the UDO Advisory Committee

Ordinance Title: An Ordinance Amending Ordinance 2016-1442, The Unified Development Ordinance ("UDO"), To Remove Chapter 9.1.6, UDO Advisory Committee.

Terry Graham moved to approve the 1st Reading of Ordinance 2019-1617. The motion was seconded by Charlene McGriff. Rox Burhans reviewed the Ordinance with Council. Council approved the 1st Reading of Ordinance 2019-1617 by unanimous vote of 7-0.

1st Reading of Ordinance 2019-1619 regarding Adoption of the Solid Waste Management Plan

Ordinance Title: An Ordinance Adopting And Approving The Lancaster County Solid Waste Management Plan As Revised And Set Forth In Exhibit "A" Attached Hereto.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2019-1619. The motion was seconded by

Billy Mosteller. Steve Willis reviewed the Ordinance with Council. Council approved the 1st Reading of Ordinance 2019-1619 by unanimous vote of 7-0.

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Discussion and Action Items

Pending Projects Update - Steve Willis

New Construction Project Status Update

- Animal Shelter
- Fleet Maintenance Garage
- EMS Substation 4/9 - Old Bailes Road
- EMS HQ
- Recreation Bond Projects

Renovation Project Overview

- Public Library System
- Barnett Medical Building
- Human Services Complex
- Recreation Bond

Steve Willis explained that Council had not submitted any questions regarding the pending projects updates, but that if they had any questions to please submit them so that staff could provide answers. Brian Carnes requested an update on the Request for Qualifications (RFQ) for the ball fields and Steve Willis stated that he would get an answer from Procurement regarding the RFQ. Terry Graham asked where the County stands on impact fees and Steve Willis explained that staff received the revised, corrected numbers on Friday and that they are in the process of reviewing them. He also explained that staff are awaiting the outcome of the court hearing in York County. Council asked staff to move forward on impact fees and not wait on the outcome of the court hearing. Allen Blackmon indicated that he would like to see the industrial parks bush hogged.

Status of items tabled, recommitted, deferred or held

There were no items to discuss that were tabled, recommitted, deferred or held.

Miscellaneous Reports and Correspondence

There were no Miscellaneous Reports and Correspondence to discuss during the meeting.

Citizens Comments

All citizens were heard during the Citizens Comments period held at the beginning of the Council meeting.

Executive Session

Two Items:

1. *Economic Development Discussions: Project Dumpling and Project RedBird. SC Code 30-4-70(a)(5).*
2. *Discussion of Contractual Negotiations. SC Code 30-4-70(a)(2).*

Terry Graham moved to go into Executive Session. The motion was seconded by Brian Carnes. The motion to go into Executive Session passed by unanimous vote of 7-0. Council went into Executive Session at

approximately 7:42 p.m. to discuss contractual negotiations, pursuant to South Carolina Code 30-4-70(a)(2).

Charlene McGriff moved to come out of Executive Session. The motion was seconded by Larry Honeycutt. Council came out of Executive Session at approximately 8:17 p.m.

Upon returning to open session, John DuBose noted, for the record, that Council discussed matters of contractual negotiations during Executive Session and that, during that session, no formal decisions were made and no actions were taken.

The motion to come out of Executive Session passed by unanimous vote of 7-0.

Brian Carnes moved to authorize the County Attorney to work with Project RedBird to draft an ordinance extending their Fee In Lieu Of Tax (FILOT) agreement. The motion was seconded by Larry Honeycutt. The motion passed by a vote of 6-0-1. Brian Carnes, Larry Honeycutt, Steve Harper, Charlene McGriff, Billy Mosteller and Brian Carnes voted in favor of the motion, no one opposed and Allen Blackmon recused himself from the vote. John DuBose noted, as a point of order, that Allen Blackmon recused himself from the vote due to a financial interest in the entity. Allen Blackmon's Statement of Recusal is attached as Schedule C to the written minutes in the Clerk to Council's office.

Adjournment

Larry Honeycutt moved to adjourn the Council meeting. The motion was seconded by Terry Graham. The motion to adjourn passed by unanimous vote of 7-0. There being no further business, the regular meeting of Council adjourned at approximately 8:19 p.m.

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2019-1610
Contact Person / Sponsor: Steve Willis/Administration
Department: Administration
Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

To include in the County Code that the Deputy County Administrator has full authority to act as County Administrator in the event of the absence or incapacitation of the County Administrator.

Points to Consider:

It may seem strange to "create" the position of Deputy County Administrator when we already have one but that preamble is needed to include the section regarding their authority.

This will explicitly state the Deputy County Administrator has full authority to act as the County Administrator in his or her absence or incapacitation.

Funding and Liability Factors:

N/A on funding. This does remove any question as to their authority so it would reduce potential questions of liability.

Council Options:

Approve or reject the Ordinance.

Recommendation:

I recommend approval and it comes with a positive recommendation from the Administration Committee.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2019-1610	9/16/2019	Ordinance

STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

)
)
)

ORDINANCE NO. 2019-1610

~~Indicates Matter Stricken~~

Indicates New Matter

AN ORDINANCE

TO ADOPT SECTION 2-82 IN ARTICLE 3 OF CHAPTER 2 OF THE
LANCASTER COUNTY CODE OF ORDINANCES RELATED TO THE POSITION OF
DEPUTY COUNTY ADMINISTRATOR, ASSIGN DUTIES AND RESPONSIBILITIES,
AND TO PROVIDE FOR MATTERS RELATED THERETO.

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

Section 1. Amendment of County Code.

Article 3 of Chapter 2 of the Lancaster County Code of Ordinances is amended as follows:

2-82. Office created; functions.

The position of deputy county administrator is hereby created. The deputy county administrator shall be appointed by and serve at the pleasure of the county administrator. The deputy county administrator shall assist the county administrator in all aspects of his duty and shall have primary oversight of such divisions/ departments as may be assigned by the county administrator.

In the absence or incapacitation of the county administrator the deputy county administrator shall have those powers and duties provided for in S.C. Code 1976, § 4-9-620 et seq. and such other powers and duties as may be required by the council.

Secs. 2-823—2-90. - Reserved.

Section 2. 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 3. Conflicting Provisions.

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

Section 4. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: September 23, 2019
Second Reading: October 14, 2019
Third Reading: October 28, 2019

Approved as to form:

John DuBose, County Attorney

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2019-1611
Contact Person / Sponsor: Steve Willis/Administration
Department: Administration
Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

Amending the County Code section regarding residency requirements.

Points to Consider:

This would make two changes:

- 1) This would remove the residency requirement for the County Attorney; and
- 2) This would add a residency requirement for the Deputy County Administrator.

Funding and Liability Factors:

N/A

Council Options:

The Committee may recommend approval or rejection of the Ordinance.

Recommendation:

I recommend approval of the Ordinance and it comes with a positive recommendation from the Administration Committee.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2019-1611	9/16/2019	Ordinance

STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

)
)
)

ORDINANCE NO. 2019-1611

~~Indicates Matter Stricken~~

Indicates New Matter

AN ORDINANCE

TO AMEND SECTION 2-132.1 OF THE LANCASTER COUNTY CODE RELATED TO RESIDENCY REQUIREMENTS.

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

Section 1. **Amendment to Section 2-132.1 of the Lancaster County Code.**

Section 2-132.1 of the Lancaster County Code is amended as follows:

Sec. 2-132.1. - Residency requirements for certain county staff.

- (a) On or after February 1, 2016, the county administrator, the ~~county attorney~~ deputy county administrator and the county's director of economic development shall reside permanently within the boundaries of Lancaster County during the entire period of employment.
- (b) Unless otherwise modified by council because of unusual circumstances, permanent residency shall be established within six (6) months following the staff member's acceptance of employment.

Section 2. **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 3. **Conflicting Provisions.**

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

Section 4. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: September 23, 2019
Second Reading: October 14, 2019
Third Reading: October 28, 2019

Approved as to form:

John DuBose, County Attorney

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2019-1619

Contact Person / Sponsor: Steve Willis/Administration and Jeff Catoe/Public Works

Department: Public Works

Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

Updating the Solid Waste Plan for Lancaster County.

Points to Consider:

This is a DHEC requirement.

We worked with both municipalities and the private haulers in updating the plan.

The prior plan was a regional one; this will be our first "stand alone" county plan.

Funding and Liability Factors:

While not related to the plan we will see the cost of solid waste disposal going up for years to come. We have many more residents now and the impact of the trade war on recyclable materials have been, and will likely continue to be, cost drivers.

We are required by DHEC to update the plan.

Council Options:

Approve the plan or recommit it for further study.

Recommendation:

This comes with a positive recommendation from the I&R Committee.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2019-1619	10/7/2019	Ordinance
Exhibit A- 2019 Solid Waste Plan	10/4/2019	Exhibit
Appendix A to 2019 Solid Waste Plan	10/4/2019	Exhibit
Appendix B to 2019 Solid Waste Plan	10/4/2019	Exhibit
Appendix C to 2019 Solid Waste Plan	10/4/2019	Exhibit

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2019-1619

AN ORDINANCE ADOPTING AND APPROVING THE LANCASTER COUNTY SOLID WASTE MANAGEMENT PLAN AS REVISED AND SET FORTH IN EXHIBIT "A" ATTACHED HERETO.

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

Section 1. Findings and Determinations.

WHEREAS, Lancaster County Council has the authority and responsibility to provide solid waste management facilities for Lancaster County and may enact ordinances to carry out its duties under S.C. Code Ann. §§ 44-96-80(J)-(K).

WHEREAS, Counties may promulgate regulations controlling solid waste and under S.C. Code Ann. § 4-9-30(17).

WHEREAS, Lancaster County is currently a part of the 1994 Regional Solid Waste Management Plan for the Catawba Region.

WHEREAS, Lancaster County is rapidly growing and has circumstances and needs that are unique to Lancaster County and it is therefore desirable to implement a county solid waste plan that is more specific and suitable to the circumstances and needs of Lancaster County.

WHEREAS, Council is empowered to adopt ordinances as necessary and proper for the security, general welfare and convenience of the County and for preserving health, peace, order and good government.

Section 2. Adoption of Solid Waste Management Plan.

NOW, THEREFORE, BE IT ORDAINED by Lancaster County Council, duly assembled, that the attached Exhibit "A" entitled Lancaster County Solid Waste Management Plan dated July 26, 2019 is hereby adopted. Any previously adopted Solid Waste Management Plans are hereby repealed and replaced in their entirety by the newly adopted Plan.

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: October 14, 2019
Second Reading: October 28, 2019
Public Hearing: November 12, 2019
Third Reading: November 12, 2019

Approved as to form:

John DuBose, County Attorney

2019 Solid Waste Management Plan

Prepared for the South Carolina Department of Health and Environmental Control

July 2019



Lancaster County, South Carolina
Public Works Department
Solid Waste Management Program
1890 Pageland Highway • Lancaster, SC 29721

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Chapter I Executive Summary

I.1 Context

Solid waste includes four categories of solid waste generated in Lancaster County: 1) municipal, 2) construction, 3) demolition, and 4) industrial. Municipal solid waste refers to solid waste generated in both cities and counties. These types of wastes vary in composition, potential environmental and health related issues, and management requirements. Although all types will be discussed in this plan, the emphasis of the Lancaster County Solid Waste Management Plan is on municipal solid waste as this waste is of most concern and requires fiscal and management responsibility of Lancaster County and its jurisdictions.

Municipal solid waste, or what is more commonly referred to as “garbage,” is more accurately defined as the combined residential and nonresidential (institutional, commercial, governmental and industrial waste which is co-managed with residential and nonresidential waste) solid waste generated and handled in a given city or county area. It does not generally include other types of solid waste such as industrial or construction and demolition wastes which are handled separately. Municipal solid waste includes food scraps, packaging material, yard waste, discarded appliances, used tires and other similar items. In Lancaster County, municipal solid waste is collected by private and public haulers and is exported out of Lancaster County for proper disposal by Republic Services.

The concern with municipal solid waste is that, if it is not handled properly, it can cause aesthetic, health and environmental problems including diseases, air pollution from fires and contaminated water resources and unsightly litter. In addition, concern has mounted in recent years over the amount of resources being discarded and the use of expensive landfill capacity for materials which need not be placed in landfills. Consequentially, recycling is a more appropriate choice. There are three appendices referenced throughout the plan including A – Codes and Ordinances, B – Lancaster County Debris Management Excerpts, and C – Definitions. Please reference these appendices as needed.

I.2 Planning Process Summary

I.2.1 Plan Development and Goals Overview

Environmental concerns in the late 1980's and early 1990's prompted both the United States Environmental Protection Agency and the South Carolina General Assembly to pass new regulations pertaining to the management of solid waste. The South Carolina Solid Waste Policy and Management Act of 1991 (herein the “Act”) was signed into law on May 27, 1991 and later amended in October, 2000. The 2019 Solid Waste Management Plan was prepared to maintain compliance with the Act, to be consistent with recent court decisions, regulation revisions and other changes to solid waste management, and to develop a comprehensive twenty years plan for solid waste management for Lancaster County. Local plans must be consistent with the State Plan and include the following:

- The amount and type of solid waste projected to be disposed of within Lancaster County.
- An analysis of the current capacity within Lancaster County to manage its solid waste.
- An analysis of existing and new facilities that will be needed to manage the solid waste generated.
- A description of the recycling program including material collected and the type of public education/outreach programs offered.
- An outline of how the County expects to meet the State's recycling and disposal goals
- An estimate of the cost of implementing the plan.

The initial Solid Waste Management Plan covering Lancaster County was “The Regional Solid Waste Management Plan for the Catawba Region” dated February, 1994. The 1994 regional plan was prepared for and at the direction of the four counties of the Catawba Region including Lancaster County. However, Lancaster County opted to no longer be a participant in the Catawba Regional Solid Waste Management Plan in (Insert Year). Upon its adoption, the 2019 Solid Waste Management Plan shall supersede all previous Lancaster County Solid Waste Management Plans.

In order to ensure public participation, the plan was developed in consultation with a local Solid Waste Advisory Council (SWAC). The SWAC includes representatives from County Government, municipalities, solid waste haulers, and interested citizens. The meetings of the SWAC were advertised and open to the public.

The information included in this Plan was obtained from the members of the SWAC, Lancaster County and City of Lancaster Solid Waste staff, administrative staff from the cities of Kershaw and Heath Springs, SCDHEC, South Carolina Solid Waste Management Annual Reports, the United States Census Bureau, the South Carolina Budget and Control Board Office of Research and Statistics and the Lancaster County Comprehensive Plan.

1.2.2 Plan Revision

As outlined in the Solid Waste Policy and Management Act of 1991 (Amended October 2000), the Lancaster County 2019 Solid Waste Management Plan must be reviewed and revised as needed to include changes that are deemed necessary at the time. Upon adoption and submittal to the South Carolina Department of Health and Environmental Control, the 2019 Solid Waste Management Plan and any amendments shall supersede all previous Solid Waste Management Plans.

1.3 Annual Progress Reports

The South Carolina Solid Waste Policy and Management Act of 1991 (Amended October 2000) requires the submittal of annual progress reports to SCDHEC each fiscal year (July 1 – June 30). Submission dates are as determined by SCDHEC and currently annual reports are required to be submitted to SCDHEC by October 1.

Lancaster County prepares and submits an Annual Progress Report to SCDHEC each year. All solid waste management facilities located in Lancaster County, including those operated by the County, must submit an Annual Report for their facility to SCDHEC. All this information must be collected and analyzed to plot a prudent strategy for managing the County’s solid waste in the future.

Chapter 2 Introduction and Background

2.1 Overview of Plan

The Lancaster County 2019 Solid Waste Management Plan has been prepared in compliance with the South Carolina Solid Waste Policy and Management Act of 1991 (As amended October 2000). This Act is the principal law that governs solid waste management in the State of South Carolina. The plan contains a series of goals for the county along with the recommended methods for implementing the plan.

The Act requires SCDHEC to develop a Solid Waste Management Plan for the state. It establishes minimum standards for the construction, operation, and closure of solid waste management facilities in the state. It also establishes a waste recycling goal for the State and requires that each County provide its residents with the “opportunity to recycle” to meet the State recycling goal. The Act requires local governments, primarily counties, to “adequately plan for and provide efficient, environmentally acceptable solid waste management services and programs.” Importantly, it regulates a coordinated statewide solid waste management program implemented through the preparation, by local governments, of solid waste management plans that are consistent with the State Solid Waste Management Plan. The requirements in the Act regarding the preparation of County Solid Waste Management Plans are summarized as follows:

- “...the governing body of a county is authorized to enact such ordinances as may be necessary to carry out its responsibilities under the Act and that such ordinances must be consistent with the State solid waste management plan, the Act, other State laws and regulations promulgated by the Department providing for the protection of public health and safety or for protection of the environment.”
- “...each solid waste management plan submitted pursuant to this section shall be consistent with the state solid waste management plan (Section 44-96-80 (E)).”
- “Local plans should include a brief synopsis of local ordinances related to solid waste management.”
- “...each county shall provide its residents with the opportunity to recycle the categories of solid waste materials designated in the county solid waste management plan. The opportunity to recycle may include one or more of the following: curbside collection systems, drop-off centers, collection centers, or collection systems for multifamily residences. (Section 44-96-80 (D))”

All of the provisions and procedures set forth in this Solid Waste Management Plan are derived from and based upon Lancaster County Council’s findings of fact in reference to the unique and peculiar attributes of Lancaster County including its population projections, density and distribution, its highways and feeder roads, terrain, soil, industrial and commercial propensities, water resources, climate and seasonal effects, present and future environmental projections, public facilities, residential uses, parks and recreation facilities, churches and commercial uses, affects upon tax revenues, quality of life and adverse secondary effects. Based upon these findings, Lancaster County Council has concluded as a matter of fact that the provisions of this Solid Waste Management Plan are necessary and required to avoid or retard the deterioration of life in Lancaster County and the deterioration of commercial, business and industrial viability in Lancaster County. All of those findings are the basis for the requirements and governing provisions of this Solid Waste Management Plan for the preservation of health, order and good government in Lancaster County.

Lancaster County Council further finds that the provisions of this Solid Waste Management Plan are consistent with the State Solid Waste Management Plan, the State Act, other State laws and regulations promulgated by SCDHEC, and are to be construed in accordance with the intent of Lancaster County Council to be consistent.

In order to develop the initial plan, a Lancaster County Solid Waste Advisory Council was formed to provide advice and guide the process. The six-member Advisory Council was composed of representatives from Lancaster County, the City of Lancaster and the towns of Kershaw and Heath Springs. The body maintained the required composition of one-third county appointees, one-third municipal appointees, and one-third private sector appointees. The function of the Solid Waste Advisory Council was to advise and assist the Lancaster County in solid waste issues and to prepare, with County guidance, a Solid Waste Management Plan which outlines the future solid waste system for Lancaster County. The initial appointments have expired since the formation of the Lancaster County Solid Waste Plan. Additionally, a formal Solid Waste Advisory Committee is no longer mandated. This update maintains the adoption of specific waste reduction and recycling goals. It addresses disposal issues, such as municipal solid waste, construction and demolition, and industrial solid waste. The Plan is then reviewed by a group of various interested parties to uphold the document's integrity. The preparation of this plan has been implemented by Catawba Regional Council of Governments (CRCOG).

2.2 Planning Conduct

In developing the plan, Catawba Regional Council of Governments (CRCOG) provided technical assistance and served as staff for plan preparation. Involved parties met to ensure compliance with criteria provided in the Solid Waste Policy and Management Act.

At meetings, information was presented on the existing solid waste management systems; potential technologies for disposal, recycling, and recovery; and projections for the future waste stream. Attendees provided valuable comments and recommendations which helped to guide the development of the plan.

Participation was also provided by county and municipal public works directors, city and county managers and supervisors, and local planning staff. The draft plan was presented to Lancaster County Council for review and adoption on (insert date), 2019. The plan was adopted by ordinance on (insert date), 2019 having had three readings and a public hearing.

2.3 Plan Review

To ensure that the Plan is a reasonable solid waste management planning tool for the County, assessments are made by a coalition of interested parties on how well the plan is being implemented, and recommend any needed modifications or improvements. The Solid Waste Management Plan data and statistics will be updated at least every five years. Any revisions to the Plan shall be submitted to SCDHEC.

Chapter 3 Legislative and Regulatory Authority

3.1 Federal and State Authority

The primary federal law relating to solid waste management is the Resource Conservation and Recovery Act (RCRA) of 1976, established by the United States Environmental Protection Agency (EPA). The first section of the law is Subtitle C (Hazardous Waste). Subtitle D established a national regulatory program to control the management of hazardous wastes. South Carolina received authorization from the EPA to initiate these activities in 1985. The second section of RCRA is Subtitle D (Solid Waste), which was published in the Federal Register on October 9, 1991. This section established a framework to federal, state, and local government cooperation in solid waste management. As a result of this law, the federal government provides minimum national standards for protecting human health and the environment and technical assistance to states for planning and implementing their own solid waste management policies.

The principal law that governs solid waste management within the State of South Carolina is the South Carolina Solid Waste Policy and Management Act of 1991. The Act authorized the South Carolina Department of Health and Environmental Control (SCDHEC) to enforce the appropriate federal and state standards. Regulations are in place for the management of Construction, Demolition, and Land-Clearing Debris (C&D), Industrial Solid Waste, Municipal Solid Waste (MSW), Waste Processing, Waste Tires, Waste Oil, Solid Waste Transfer Stations, and waste reduction.

Section 44-96-80(j) of the Act gives the governing body of each county the responsibility and authority to provide for the management of solid waste within the county. Section 44-96-80(k) authorizes each county to enact ordinances that may be necessary to carry out its responsibilities under the Act as long as such ordinances are consistent with the state solid waste management plan, with any provisions of the Act, with any other applicable provisions of state law, or with any regulation promulgated by SCDHEC providing for the protection of public health and safety or for protection of the environment.

The 2019 Solid Waste Management Plan for Lancaster County has two primary goals:

- To ensure Lancaster County's continued compliance with the Solid Waste Policy and Management Act of 1991 (as amended in October 2000) and,
- To present a reliable, long-term plan for managing Lancaster County's solid wastes.

In the Solid Waste Policy and Management Act of 1991, the primary requirements with which counties must comply are:

- **Proper Disposal of Municipal Solid Waste** – The Act requires municipal solid waste (MSW) to be disposed of in landfills that meet current federal and state requirements. These landfills, which are required to meet minimum siting, design, operation, closure and post-closure requirements, are referred to as "Subtitle D," "lined" or "modern" landfills. Counties are required to provide, either directly or indirectly, for the disposal of municipal solid waste generated within their jurisdictions in Subtitle D landfills.
- **Achievement of Waste Reduction and Recycling Goals** – It is the policy of the State that each county make every effort to meet the State solid waste recycling and reduction goals and that each county that meets these goals be financially rewarded by the State. Counties are required to make good faith efforts to achieve these goals.

3.2 Planning Process

In February 1994, a Regional Solid Waste Management Plan was adopted for the four-county Catawba Region. The area covered by this plan included Lancaster County along with York, Chester, and Union counties. The 2019 Solid Waste Management Plan pertains only to Lancaster County and the jurisdictions within Lancaster County. It contains a series of goals for the County, along with the recommended methods for implementing the plan.

In order to develop the plan, a Lancaster County Solid Waste Advisory Council (SWAC) was formed to advise and guide the process. The six-member Advisory Council is composed of two (2) representatives from Lancaster County, two (2) from the municipalities, and two (2) from the private sector. The SWAC maintains the composition of one-third county appointees, one-third municipal appointees, and one-third private sector appointees as outlined in the original South Carolina Solid Waste Management Act. The State no longer mandates appointment of a SWAC, however, Lancaster County Council elected to work with a SWAC in order to ensure public input. The function of the SWAC is to advise and assist the County in solid waste issues and prepare, with County guidance, a Solid Waste Management Plan which outlines the future solid waste system. The plan adopts specific waste reduction and recycling goals. It addresses disposal issues, such as landfill requirements, Municipal Solid Waste (MSW) disposal needs, transfer stations and disposal in landfills outside the County, and the household hazardous waste (such as batteries, electronics, or household chemicals) management requirements.

In addition to the SWAC, the Catawba Regional Council of Governments assisted with the development of the 2019 Solid Waste Management Plan. The draft plan was reviewed by the SWAC and the Lancaster County Council and submitted to SCDHEC for review and approval.

3.3 Public Review Process

All SWAC meetings are open to the public and meeting notifications are provided to the local media. Copies of the draft plan were made available to the public for review at the Lancaster County Public Works Department and Lancaster County Administration Building. Public notices were printed soliciting citizens to review and comment on the proposed draft plan. The municipalities were invited to participate in the review and comment process, and summaries of the plan were provided to all interested parties.

3.4 Annual Progress Reports

The South Carolina Solid Waste Policy and Management Act of 1991 (Amended October 2000) requires the submittal of annual progress reports to SCDHEC each fiscal year (July 1 – June 30). Submission dates are as determined by SCDHEC.

Lancaster County Solid Waste and Recycling Coordinator prepares and submits an Annual Progress Report to SCDHEC each year. All solid waste management facilities located in Lancaster County, including those operated by the County, submit an Annual Report to SCDHEC.

The annual progress report includes the following:

- Revisions to the Plan, based on new information or changes in county activities;
- Amount of solid waste "by type" collected and/or disposed of during the previous year in the County, and the percentage reduction each year in solid waste disposed at Municipal Solid Waste Disposal Facilities;
- Amount, type and percentage of materials which were recycled during the previous year;
- An estimate of the percentage of the population which participated in recycling activities;

- A description of the reduction, recycling, and recovery programs and their performance during the previous year.

3.5 Existing Solid Waste Ordinances

Lancaster County ordinances that provide authority over solid waste management are referenced in Appendix A of this report. Also referenced in Appendix A is the City of Lancaster ordinance on solid waste. The Towns of Kershaw and Heath Springs have similar ordinances regarding solid waste management. These ordinances cover issues such as littering, solid waste collection, solid waste hauling, storm related debris management, and solid waste disposal.

- **Lancaster County / Flood Damage Prevention Ordinance** - The Flood Damage Prevention Ordinance is intended to protect human life and health, minimize property damage, and encourage appropriate construction practices to minimize public and private losses due to flood conditions by requiring uses and facilities vulnerable to floods be protected against flood damage at the time of initial construction. The sections of the ordinance include general standards; definitions; administration; provisions for flood hazard reduction; variance procedures; and legal status provisions.
- **Lancaster County / Chapter 22 – Nuisances/Section 22** - This chapter of the Lancaster County Code of Ordinances is to promote the general health, safety and welfare of the citizens of the County. The section states it is unlawful for anyone to maintain or permit to be maintained trash, junk, used equipment, garbage, household appliances, furniture, discarded clothing, building materials, glass, wood or other such relevant miscellaneous litter and debris...in any manner which is or may become a public nuisance.
- **Lancaster County / Section 29 Wastewater Collection and Treatment/Foster Industrial Park** - Section 29 sets forth the requirements for wastewater collection and treatment system of the Foster Industrial Park (NPDES No. SC0027391) with the objective to prevent the introduction of pollutants into the wastewater system and provide for equitable distribution of the cost of the wastewater system. Definitions are included as well as prohibition and discharge requirements, fees, administration and enforcement.
- **City of Lancaster / Chapter 23 Solid Waste** – Chapter 23 of the City of Lancaster code has solid waste procedures and requirements for residential collection, commercial collection, bulk collection and prohibited items. Included in this Chapter are the requirements for refuse service charges, litter and roll off containers.

3.6 Policies

It is the policy of Lancaster County to operate its solid waste management in an efficient and economical manner. It is also the policy of the County to promote the reuse and recycling of materials rather than the treatment, storage, or disposal of wastes. Methods of solid waste management shall protect public health, safety and the environment by employing the best available technology economically feasible for pollution control.

3.7 Organization Structure

The Lancaster County Public Works Department oversees the daily management of the solid waste program and makes recommendations to the County Council via the County Administrator on disposal options, disposal facility development, recycling programs, and contracts with private companies. The Lancaster County Council has the ultimate authority regarding solid waste management within the unincorporated areas of the County. The municipalities of Heath Springs, Kershaw, and Lancaster oversee management of solid waste programs within their municipal boundaries. The following solid waste representatives for Lancaster County should be contacted for information regarding solid waste management in the County.

County Administrator

Steve Willis
P. O. Box 1809
Lancaster, SC 29721
Phone: (803) 285-1565
Fax: 877.241.5430
Email: swillis@Lancastercountysc.net

Town of Heath Springs Administrator

Jason Truesdale
103 Duncan Street
Heath Springs, SC 29058
Phone: 803.273.2066 (Heath Springs)
Email: jdruesdale1@gmail.com

Lancaster County Public Works

Jeff Catoe
P. O. Box 1809
Lancaster, SC 29721
Phone: 803.283.2101
Email: jcatoe@Lancastercountysc.net

Town of Kershaw Administrator

Mitch Lucas
113 S. Hampton Street
Kershaw, SC 29067
Phone: 803.475.6065
Fax: 803.475.4405
Email: mitchlucas@comporium.net

City of Lancaster Solid Waste Department

Martin Cauthen
1309 Lynwood Drive
PO Box 1149
Lancaster, SC 29721
Phone: 903.286.8471
Email: mcauthen@Lancastercitysc.com

3.8 Technical Assistance

The South Carolina Office of Solid Waste Reduction and Recycling was created by the Solid Waste Policy and Management Act of 1991 and is part of the Division of Mining and Solid Waste Management. The Office of Reduction and Recycling, in accordance with the Act of 1991, provides educational, technical, and grant assistance to local governments, schools, colleges, and universities and the public regarding solid waste management issues. Lancaster County has and will continue to work with the Office of Reduction and Recycling to obtain assistance with their public education campaign and grant preparation. The contact for information concerning MSW management, recycling, and source reduction in the State is as follows:

Office of Solid Waste Reduction and Recycling

Phone: 800.768.7348
Email: info@dhec.sc.gov
2600 Bull Street Columbia, South Carolina 29201
www.scdhec.net/environment/lwm/recycle/index.htm

Chapter 4 Description of the Region

4.1 General Regional Information

Lancaster County is located in the north-central part of South Carolina within the Piedmont Region of the state. A location map is included as Figure 1. Lancaster County covers an area of 558 square miles and is bordered by Chester, York, Fairfield, Chesterfield, and Kershaw counties in South Carolina and Union and Mecklenburg counties in North Carolina. There are 4 municipalities within Lancaster County: the City of Lancaster, the Town of Kershaw, the Town of Heath Springs, and the Town of Van Wyck. The largest is the City of Lancaster with a population of 8,976 (2017 Census).

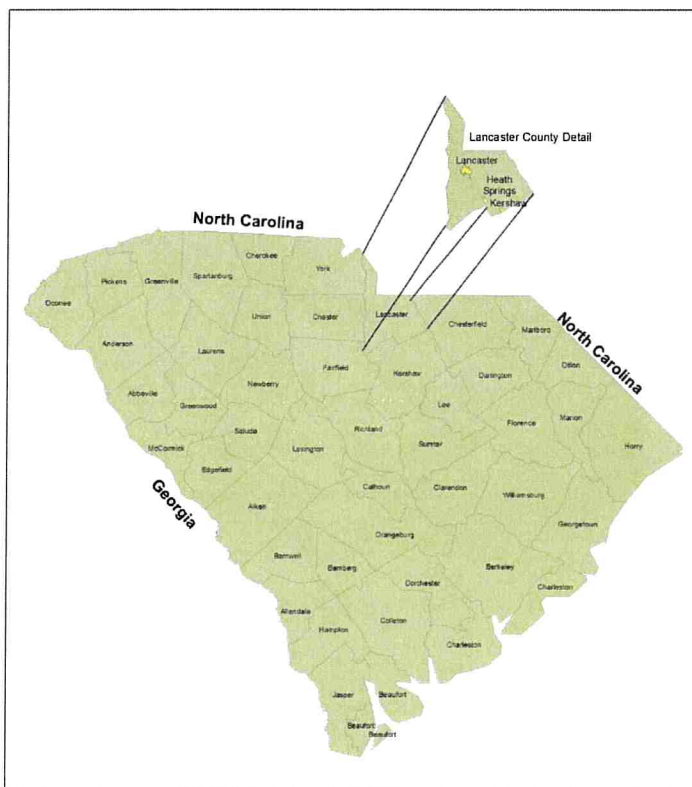
Lancaster County has an advantageous location being situated between two of the largest metropolitan areas in the region, Charlotte, North Carolina to the north and Columbia, South Carolina to the south. The presence of the Charlotte urban area just across the state line has a major impact on development patterns in the northern sections of the county.

Most of Lancaster County is in the Piedmont Physiographic Region, although a small section in the eastern part of the county enters the Upper Coastal Plain Physiographic Region. The northern, central and western sections of Lancaster County drain into the Catawba River, which is part of the Santee drainage

basin. In the eastern section of Lancaster County, water flows into the Lynches River, which is part of the Pee Dee River Basin. Climatic conditions are both moderate and seasonal. The county falls within the North Central and Northwest Climatic Divisions of South Carolina. Average rainfall is around 46 inches and the average temperature in January is around 42 degrees, while the average July temperature is around 79 degrees.

Land use patterns in the county vary significantly. Large areas are covered with forests and other open spaces. Farmland has declined significantly in the past few decades, but some areas still support cropland and pasture land. Urban land uses are beginning to expand, especially in the areas around the City of Lancaster and in the panhandle area of northern Lancaster County. Indian Land, now an urbanized area, has accounted for the majority of the panhandle's growth. The 2010 Census figures show the panhandle's population grew from 7,059 in 2000 to 19,729 in 2010. This is a staggering 179%

Figure 1 – Lancaster County Location Map



Source: Catawba Regional Council of Governments

increase and represents 26 % of Lancaster County's total population.

Most economic development activities have taken place in the County have occurred along either U.S. Highway 521 or S.C. Highway 160. It is anticipated this development pattern will continue based on the following facts: 1) these are the only two roadways in this part of the County which can handle the anticipated increase in traffic volume; 2) U.S. Highway 521 and S.C. Highway 160 serve as gateways into Lancaster County from Mecklenburg, NC and York County, respectively; 3) both water and sewer service is available along both highways, which is significant because areas of the county which are served by both water and sewer are limited.

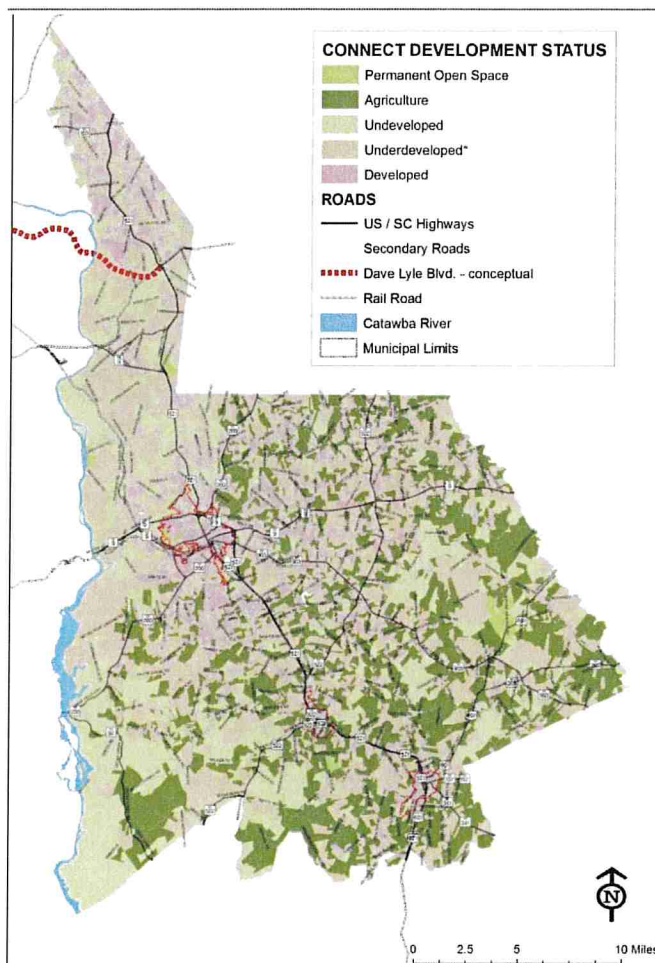
Development in the Panhandle will tend to locate either adjacent to or in close proximity to U.S. Highway 521 or S.C. Highway 160, a more detailed development plan for both highways was proposed through the Highway 521 Corridor Study completed in 2012. This plan proposed a strategy to direct growth to those areas which are best able to provide the infrastructure and services needed to accommodate these types

of developments; to protect the character of the area and the lifestyle residents have enjoyed; to promote a sound development pattern which encourages future development and protects the environment, which is an important factor in the location decisions of both individuals and businesses.

The development pattern in the unincorporated portions of the County is similar to the pattern shown in the panhandle portion of the County except there are fewer areas of concentrated development. The only areas of concentrated development in this part of the County are in those areas immediately surrounding the three municipalities and the area around the intersection of Highways 9 and 522 (the Buford area).

The main area of concentration is surrounding the City of Lancaster. The area immediately to the south of the city contains the largest concentration of residential and commercial development in the unincorporated portion of the county. The reasons for this concentration of development include the area's close proximity to the City of Lancaster and the availability of both public water and sewer lines. These factors will continue to bring development to this portion of the

Figure 2 – Existing Land Use Map



Source: Lancaster County Comprehensive Plan, 2014-2024

County.

The other area of concentrated development surrounding the City of Lancaster is along the Highway 9 By-Pass, to the north and west of the city. This area contains a number of commercial and industrial developments. The same factors cited for the concentration of development to the south of the city apply to this area and should continue to attract development.

The area between Highway 9, to the south, and the South Carolina state line, to the north, has developed because of its accessibility from Highways 200, 522 and 9. In particular, Highway 9 serves as the only east/west highway which connects the City of Lancaster to Chester and Chesterfield counties. Additionally, the Buford community which is located in this area has attracted development; based on its close proximity to Union County, North Carolina, especially Monroe and the area schools.

The areas surrounding the Towns of Heath Springs and Kershaw have developed to a limited degree. Development has occurred in these areas because each town is an area of concentrated population within the county and public water and sewer is available not only within each of the town's limits but also in some of the areas adjacent to the towns. Haile Gold Mine is a significant industrial site located 3 miles northeast of Kershaw.

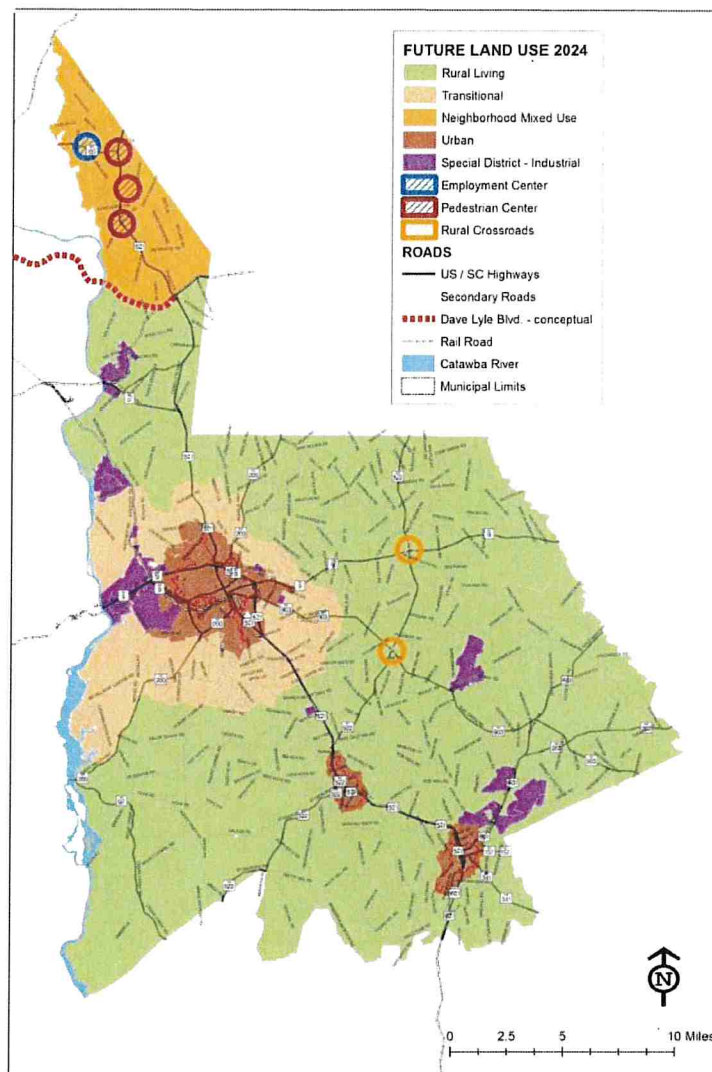
The remainder of the unincorporated portions of the county contain relatively low amounts of any type of development. Much of the land is used for agricultural purposes, is owned by timber companies or is vacant. The only areas of any population concentration in the remainder of the county are along Highways 903, 521 and a small portion of Highway 265. The soils in the eastern part of the county are sandy and are not well suited for development. This factor coupled with the lack of available sewer and the distance these areas are located from the County's population centers have all contributed to this sparse development pattern which should continue in this part of the county for the foreseeable future. Table I presents land use characteristics for Lancaster County.

The highest number of land parcels (29,250) is shown as developed, which accounts for just 12.1% of the acreage in the county. Agriculture, undeveloped and underdeveloped lands have a similar amount of acres, ranging from 26.9% to 31.8%, but vary in terms of actual number of parcels. Permanent open space ranks last with 50 parcels covering 2,280 acres or less than one percent of land countywide.

Table I - Land Use Characteristics

CONNECT DEVELOPMENT STATUS	PARCELS	RATIO	ACRES	RATIO
Permanent Open Space	50	0.1%	2,280	0.7%
Agriculture	2,191	4.9%	92,064	26.9%
Undeveloped	8,394	18.9%	98,050	28.6%
Underdeveloped	4,591	10.3%	108,801	31.8%
Developed	29,250	65.8%	41,354	12.1%

Source: Lancaster County Comprehensive Plan, 2014-2024

Figure 3 – Future Land Use Map

Source: Lancaster County Comprehensive Plan, 2014-2024

The Existing Land Use Map on Page 11 shows where these parcels are located in relation to one another. It is evident that the majority of Lancaster County has a significant representation of undeveloped parcels and that agricultural lands have a high concentration stretching from Buford to Kershaw to Heath Springs and just east of Lancaster. The Indian Land area has a noticeable absence of agriculture designation.

The Future Land Use Map to the left takes into consideration community assets and public infrastructure (existing and proposed) that was identified in preceding elements of the Comprehensive Plan to provides a context for policy-makers to use when updating ordinances and policies that affect future public and private development activities. It also locates in general terms where future growth may occur in the county and specifically where it may occur in relation to the municipalities.

Future land use patterns are reflected as urban; neighborhood mixed use; rural living; transitional; and special districts – industrial. Also, employment centers and pedestrian centers are noted as well as rural crossroads.

4.2 Demographics

4.2.1 Population

The 2017 population of Lancaster County, as reported by the U.S. Census, was 86,544 while the 2010 population was 76,652. This represents a growth of 20.7 percent over the 2010 figure compared to a 7.7 percent population increase experienced by the State of South Carolina during the same period. Table 2 presents the distribution of Lancaster County's population by incorporated and unincorporated areas for the years 2000, 2010, and 2017. Table 2 also shows population growth and decline by the incorporated and unincorporated areas.

Table 2
Lancaster County Population Distribution

Jurisdiction	2000	2010	2017	Percent Change 2000-2017
Town of Heath Springs	864	790	684	-20.8%
Town of Kershaw	1,645	1,803	2,375	44.3%
City of Lancaster	8,177	8,526	8,948	9.4%
Total Incorporated	10,686	11,119	12,007	12.3%
Total Unincorporated	50,665	65,533	74,537	47.1%
County Total	61,351	76,652	86,544	41.0%

Source: U.S. Census Bureau

Table 3 presents the population trends and projections for the county over a twenty-five year period (2015-2040). For purposes of this plan, annual population estimates produced by the U.S. Bureau of the Census in cooperation with the S.C. Office of Research and Statistics have been used for calculations.

Table 3
Lancaster County Projected Population Growth (2015-2040)

Year	Population
2015	86,026
2020	95,870
2025	106,170
2030	117,700
2035	119,810
2040	129,312

Source: U.S. Census Bureau

Table 4**Population Growth Percentages Overall and by Community between 2000 - 2017**

County and Communities	2000 Population	2017 Population	Percentage change between 2000 - 2017
Lancaster County	61,351	86,554	41.0%
Heath Springs	867	872	0.58%
Kershaw	1,684	2,270	25.81%
Lancaster City	8,438	8,976	5.99%
Buford (CT 101)	3,239	4,049 (2016)	25.01%
Indian Land/Van Wyck	7,059	26,315 (2016)	272.79%

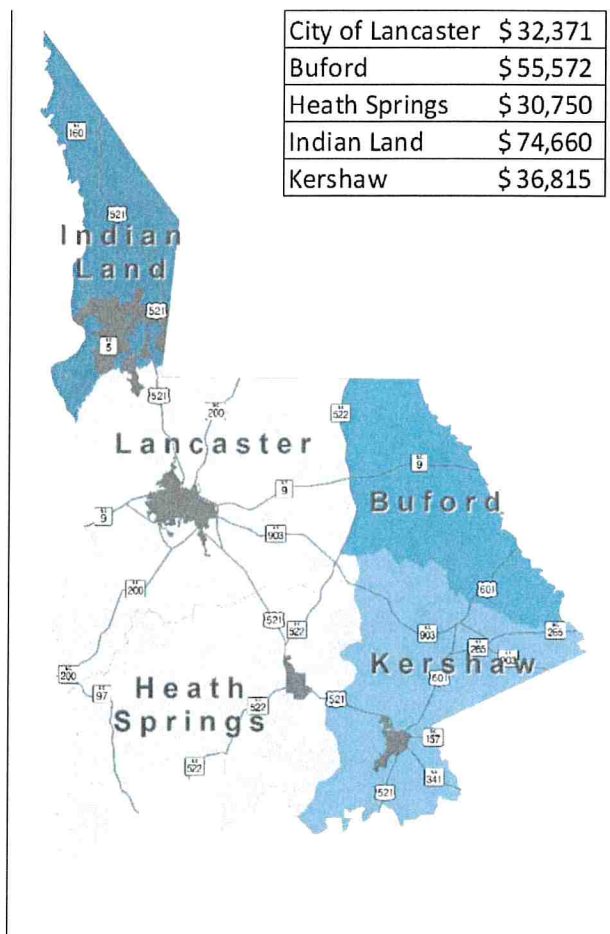
Source: US Census Bureau

4.2.2 Households

In 2017, the total number of housing units in Lancaster County was 35,336 representing a 8.1 percent increase between 2010 (32,687 units). The number of mobile home housing units decreased from 2010 to 2017 by 1,135 units or about 21.3 percent, single family units increased by about 38 percent. The greatest gain came in the number of multi-family homes, which increased by over 64 percent.

There were a total of 31,445 households in Lancaster County during 2017. This total number represents family and non-family households. Of the total households, 21,725 or 71.7 percent were occupied by families or married couples. Non-family households accounted for 9,720 or 30.9 percent of the total households in 2017.

The average number of persons per household was 2.69 in 2017, a increase from 2.51 in 2010 and 2.6 persons per household in 2000. The number of persons per household has been steadily increasing but this will eventually subside. Housing units in Lancaster County are predominantly single family in nature. The 2017 Census reported a total number of housing units of 35,336. Of these total units, 89% were reported as occupied. There were 337 duplex units, or one percent of total housing. Manufactured homes, including single-wide and multiple section units, totaled 4,172. Manufactured homes account for 11.8 percent of the housing in Lancaster County. There were 2,105 multi-family units, including apartments and condominiums. This is 6.2 percent of the total housing. The municipalities have a higher concentration of multi-family housing, while manufactured homes are much more common in the unincorporated areas.

Figure 4 – Median Household Income 2017

Source: US Census Bureau

4.2.4 Economics

The characteristics of a local economy are significant indicators of growth. Changes in the economic base will directly affect solid waste management within Lancaster County and must be an integral part of solid waste planning. The availability and type of employment impacts the demand for housing, retail trade and services.

Industry and business in Lancaster County are crucial factors in solid waste planning. As the number of industries and businesses in the County increases, the amount of waste generated within the County also increases. In an effort to attract industry to Lancaster County, several commercial and industrial sites have been identified focused along existing growth corridors and transportation routes. It is expected that Lancaster County will continue their efforts to attract businesses and industries.

Employment statistics are available from two sources, the South Carolina Employment Security Commission (SCESC) and the U. S. Bureau of the Census. The Employment Security Commission secures its information directly from employers. It can provide information on employment which is offered by companies located in Lancaster County. The Census Bureau bases its data on responses by residents of

4.2.3 Income

Median household income in Lancaster County for 2017 was \$50,557. Median household income for 2017 for the City of Lancaster was \$32,371; \$30,750 for the Town of Heath Springs and \$36,815 for the Town of Kershaw. In 2017, the median household income was estimated to be \$48,781 for South Carolina and \$57,652 for the United States according to the U.S. Census Bureau.

The Census Bureau questions respondents about their income levels. The responses are interpreted to give several measures of income. While the rates of inflation tend to make comparisons from one census year to the next difficult, the figures provide an opportunity to compare Lancaster County with other areas. Three convenient measurements for income levels are per capita income, median household income, and median family income.

Per capita income in the county during 2017 was \$26,425, in 2017 the State of South Carolina's per capita income was 26,641. Per capita income for 2017 was estimated at \$21,408 for the City of Lancaster; \$16,750 for the Town of Heath Springs and \$17,783 for the Town of Kershaw. In 2017, per capita income was \$31,177 for the United States.

the county. They may be employed within the county or may work outside. Therefore, the Census Bureau data reflect employment by residence, not by the location of the jobs themselves.

The county has available industrial sites and public infrastructure in Indian Land along with potential sites for corporate headquarters, information based service and telemarketing companies and research facilities. The remainder of the county holds prime industrial, natural resource and agriculture based economic opportunities.

Table 5 – Employment and Unemployment Data

In 2017, the South Carolina Department of Employment and Workforce indicated that Lancaster County had 39,030 persons in the labor force. The number of employed persons in Lancaster County has steadily increased since the impact of the 2007 economic downturn which resulted in a ten year high of 17.4% unemployment in 2009. Between 2009 and 2016 the labor force in Lancaster County increased approximately 26.4% while the unemployment rate decreased from 17.4% in 2009 to 5.3% in 2016. The American Community Survey (ACS) provided by the US Census Bureau indicates that approximately 31% of the labor force is employed in management, business, science, and arts occupations; followed by 26.9% sales or office; 16% in service occupations; 15.6% in transportation and material moving; and 10% in natural resources, construction and maintenance.

Year	Number in workforce	Unemployment
2017	39,030	7.0%
2016	37,575	9.9%
2015	36,840	9.9%
2014	36,087	12.0%
2013	30,638	9.3%
2012	28,867	11.5%
2011	26,836	14.1%
2010	26,348	15.7%
2009	25,082	17.6%
2008	26,206	11.4%
2007	26,995	9.5%
2006	27,753	8.9%

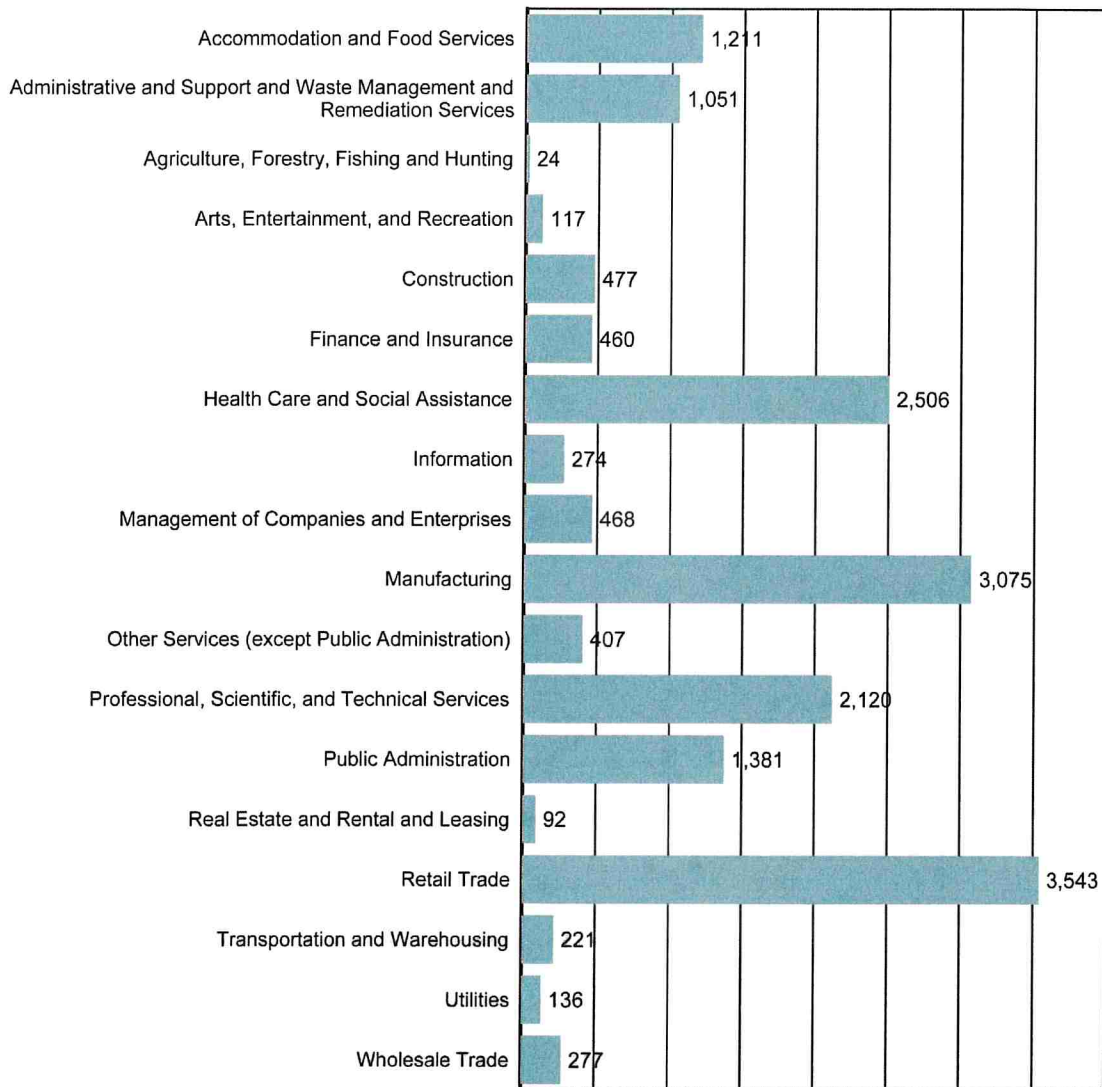
Source: US Census Bureau,

Educational attainment for Lancaster's population over the age of 25 shows that 85.6% are high school graduates and 25.1% hold a bachelor's degree or higher according to the 2017 ACS.

Existing industrial employment in Lancaster County is largely concentrated around the US Highway 521 and SC Highway 9 corridors.

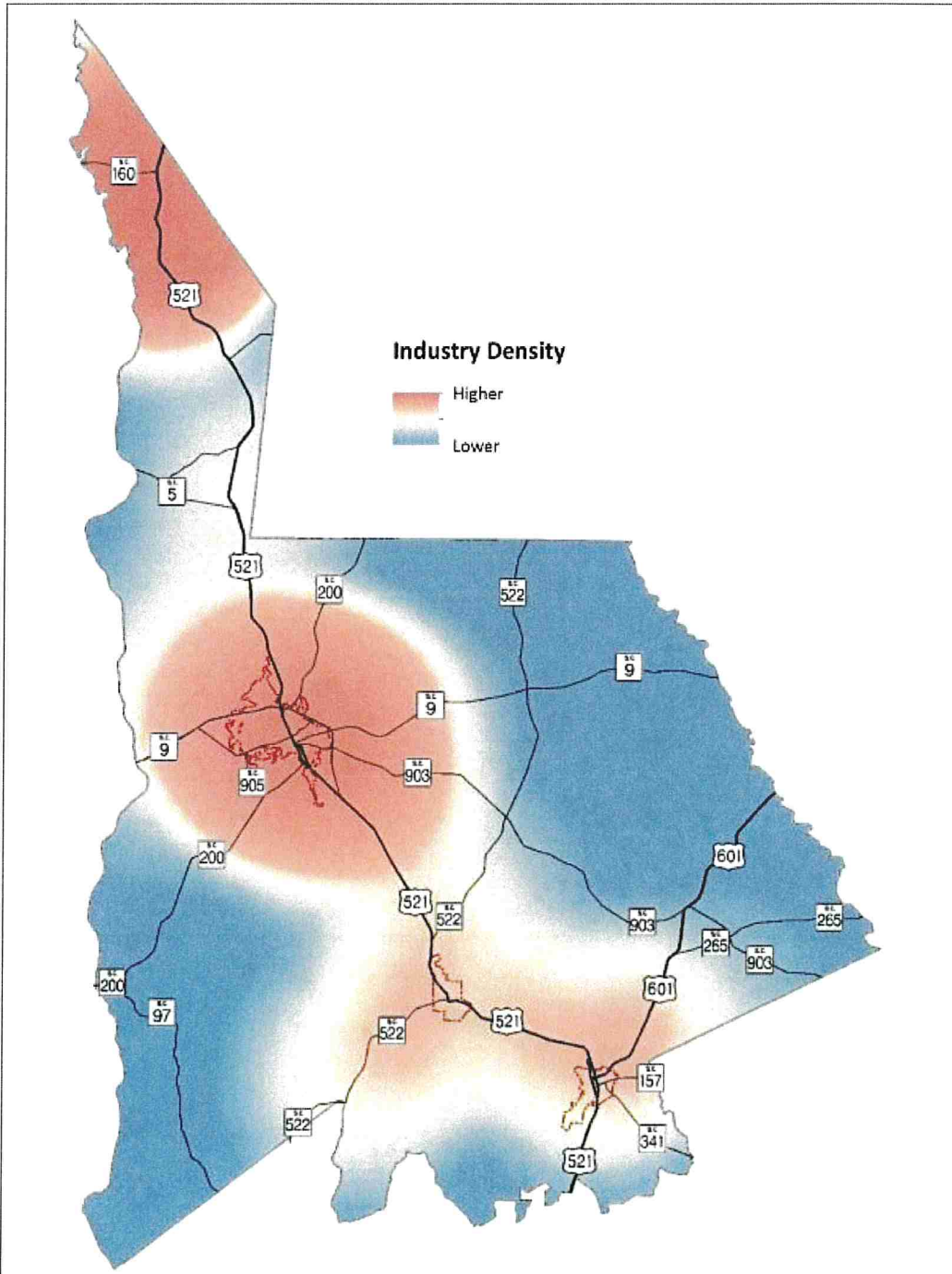
In the 4th quarter of 2013, the South Carolina Department of Employment and Workforce indicated the Retail Trade sector had the highest number of employees in Lancaster County at 3,542; followed closely by Manufacturing at 3,075 and Health Care at 2,506.

Figure 5 - Employment by Industry



Source: SC Department of Employment and Workforce
Quarterly Census of Employment and Wages (QCEW) – 2013 Q4

Figure 6 – Lancaster County Existing Industry Locations



Source: Lancaster County Comprehensive Plan, 2014

Table 6 – Lancaster County Manufacturing

Company	Jobs	Product
Accutrex Products	60	Metal stamping / Precision parts
Akzo Nobel	121	Specialty Coatings
Alemite Corporation	20	Lubrication, Equipment and Industry
American Wax, Inc.	20	Yarn Lubricants
Archer Daniels Midland Co.	40	Soybean Products
Baja Broadband Management, Inc.	25	Broadband Cable Provider
Bowers Fibers, Inc.	55	Textiles
Cardinal Health	800	Assemble Surgical Kits
Carolina Fabrication and Welding	4	Custom Fabrication
Carotron, Inc.	20	Industrial Motor Controls
Central Wire Industries	25	Fine Stainless Steel Wire
Comporium Communications	135	Telephone & Internet Services
Continental Tire the Americas LL	430	Tires for Commercial Trucks, and Cars
Cooley Group	59	PVC awning, Sign Product, & Roofing Membranes
Davis Neon Signs	143	Commercial Signage Manufacturing
DLS Tire	15	Tire retreading
DPI	4	Car Care Industrial Cleaners
ECN Industries	19	Filtration Media
Fab Fours Manufacturing	30	After Market Bumper Manufacturer
Blue Dot Read-Mix	16	Concrete Producer
Gerdau Ameristeel Corporation	44	Railroad Spikes/Forging
Greyne Custom Wood Products	30	Hardwood Flooring
H & A Machine and Fab, Inc.	10	Machine Parts
Harper Tool and Die, Inc.	3	Tool and Die
Honeywell	160	Repair Bar Code Scanners Mobile Computers
Horton Machine & Custom Design	18	Job Shop / Machine Shop
Industrial Manufacturing Services	45	Parts Manufacturing, Fabrication
Inspiration Ministries (INSP)	310	Media Production & Distribution
Integrated Healthcare Solutions	15	Reseller for EHR Software
InteliChart LLC	10	Patient and Physician Portal
J & S, Inc.	23	Ready Mix Concrete, Septic Tanks, Precast
Kennametal	100	Metal Cutting Tools

Company	Jobs	Product
L&C Railway	40	Commercial Railway
Lancaster County Natural Gas Authority	31	Public Utility
Martins Machine	4	Precision Machine Parts
Maverick Funding Corporation	40	Wholesale Mortgage Lender
McClancy Seasoning Company	100	Spice Blending and Production
MetaLogix, Inc.	12	Software Programmers
Metso Power	40	Power & Paper Boiler Components
Mint Condition	14	Commercial Cleaning Business
Nibrol	15	Manufacture Mini Blind Cords
Nutramax Laboratories	160	Human and Pet Pharmaceuticals Manufacturer
PCI Group	87	Mass Mailing Company Indian Land Existing Bldg
Porter Belk Lumber	7	Millwork
Power Engineers, Inc.	30	Engineer Consulting
Procter & Gamble Duracell	405	AA Battery Manufacturing
R&R Equipment Inc.	35	Construction and Mining
Red Ventures	1600	Internet Marketing
Rico Industries	160	Flags, Pennants, Screen printing
Romarco Minerals - Haile Mining Company, Inc. Website	117	Gold Mining
SAEDACCO	36	Environmental Drilling & Construction
Special Materials Company	16	Chemicals
Springs Memorial Hospital	700	Healthcare
Strategic Outsourcing, Inc. (SOI)	250	HR & Benefits Outsourcing Company
Supreme Cores of the Carolinas, Inc.	40	Manufacture Cores for Industry
Synteen Technologies, Inc	50	Industrial Textile Fabrics
Thomas & Betts Corp.	300	Electrical Steel Transmission Towers
Thomas Concrete Of Carolina Inc.	5	Concrete Manufacturing
Tyndall Furniture Distribution	15	Country Living Furniture
U S Strapping Co.	40	Polypropylene & Polyester Strapping
U S Textile Corp, Die & Packaging	24	Hosiery Manufacturing
U S Textile Corp, Distribution	4	Hosiery Manufacturing
URS Nuclear	400	Nuclear Eng. Procurement & Construction
Van Can Corp.	30	Metal Cans for Food Industry
Verian Technologies	57	Software
Zimmer & Sons	2	Pipe Organs

Source: Lancaster County Economic Development Corporation, 2015

Chapter 5 Existing Solid Waste

5.1 Generation and Characterization

Lancaster County is a largely rural county with both limited industry and limited commercial activity; however, Lancaster County has recently experienced significant growth in the Indian Land area. By far, the largest contributor to the solid waste stream in Lancaster County is the residential sector. Local officials estimate that the current County waste stream could be classified as typical household waste. This residential waste consists mainly of items typically found in what is commonly called “household garbage,” and which is referred to as “Municipal Solid Waste” or “MSW”. These items include paper products, plastics, glass, aluminum and ferrous materials. Commercial areas are limited primarily to the incorporated area of Lancaster. The composition of commercial and industrial waste includes, but is not limited to, items such as food processing waste, cotton and fabric scraps, wood product waste, insulation, packaging material, and sludge.

The South Carolina Solid Waste Policy and Management Act of 1991 (Amended October 2000) requires that all solid waste facilities conduct accurate record keeping of waste stream data. Counties must submit Annual Progress Reports to the SCDHEC as required by the ACT. Table 7 below depicts amounts and types of wastes generated in Lancaster County during fiscal years 2011 through 2017 according to the South Carolina Solid Waste Management Annual Reports.

Table 7
Lancaster County Total Solid Waste Generation for Disposal

Waste Stream	2011 Tonnage	2012 Tonnage	2013 Tonnage	2014 Tonnage	2015 Tonnage	2016 Tonnage	2017 Tonnage
Class 2	46,699	57,214	55,438	42,678	27,852	35,036	40,636
Class 3	30,619	30,151	27,494	27,532	40,664	41,871	37,444
Total	77,318	87,365	82,932	70,210	68,516	76,907	78,080

Source: SCDHEC Solid Waste Management Reports FY10-17

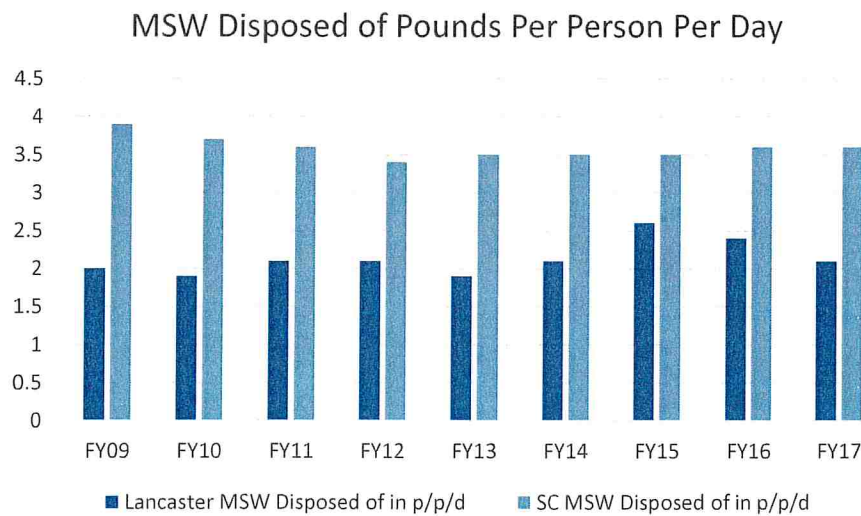
Due to economic conditions, major fluctuations (especially with Class Two waste) have occurred in recent years making it problematic to predict trends for future waste generation. Regardless, Table 8 illustrates the amounts and types of wastes generated in Lancaster County and disposed of in various South Carolina landfills during the 2017 fiscal year along with the corresponding generation rates (based on the 2017 population of Lancaster County) in pounds per person per day (p/p/d).

Table 8
Lancaster County Solid Waste Disposal (Waste Generation FY17)

Waste Stream	Tons	Generation Rate (p/p/d)
Class 1	4,536	0.27
Class 2	40,636	2.41
Class 3	37,444	2.22

Source: SCDHEC Solid Waste Management Reports FY17

Figure 7 – MSW Disposed of Pounds per Person per Day



Source: SCDHEC Solid Waste Management Reports FY09-17

5.2 Unique Conditions and/or Seasonal Variations

The county is not familiar with any unique conditions or seasonal variations that will change the amount of waste projected on an annual basis.

5.3 Waste Generating Disasters

Natural disasters strike with varying degrees of severity and pose both short- and long-term challenges to public service providers. The most severe natural disasters generate debris in quantities that can overwhelm existing solid waste management facilities or force communities to use disposal options that otherwise would not be acceptable.

Debris removal is a major component of every disaster recovery operation. Much of the debris generated from natural disasters is not hazardous. Soil, building material, and green waste, such as trees and shrubs, make up most of the volume of disaster debris. Most of this waste can be recycled into useful commodities. Both state and local governments may enter into mutual aid agreements with other state and local governments prior to any disaster. Such an agreement could provide for either binding commitments or nonbinding intentions of support by state and local governments to assist one another in the event of a disaster. Through these agreements, communities can loan equipment and personnel with specific expertise or experience.

Preparing a disaster debris management plan in advance can pay off in the event of a natural disaster. Planning can help a community identify its debris collection, recycling, and disposal options. Although the recovery process will take a long time, perhaps even years, careful planning will prevent costly mistakes, speed recovery, and avoid creation of more waste. A plan can also save money by identifying cost-effective debris management options and sources of help, increasing control over debris management in the community, and improving administrative efficiency. The Lancaster County Debris Management Plan is included in Appendix B. Emergency Management Debris Collection Sites are depicted in Exhibit B of the document.

5.4 Collection, Temporary Storage, and Transportation of Solid Waste

Both public and private waste collection is conducted within Lancaster County. Most of the residential waste is collected by the City of Lancaster and Lancaster County. The City of Lancaster has curbside collection while Lancaster County offers convenience centers and drop-off centers for the citizens. Commercial and industrial waste is hauled by private waste collection companies. Lancaster County provides thirteen (13) staffed recycling drop-off centers for the citizens in the County to bring their waste and recyclables. Class Three waste and recyclables are collected at each site. Items typically recycled at the referenced convenience centers include aluminum and steel food cans, lead acid batteries, cardboard, mixed paper, glass (clear, green and brown), plastic (#1 and #2), used oil and oil filters, paint, and anti-freeze. Table 9 provides Recycling Drop-Off center locations and hours of operation and Figure 8 is a map depicting locations.

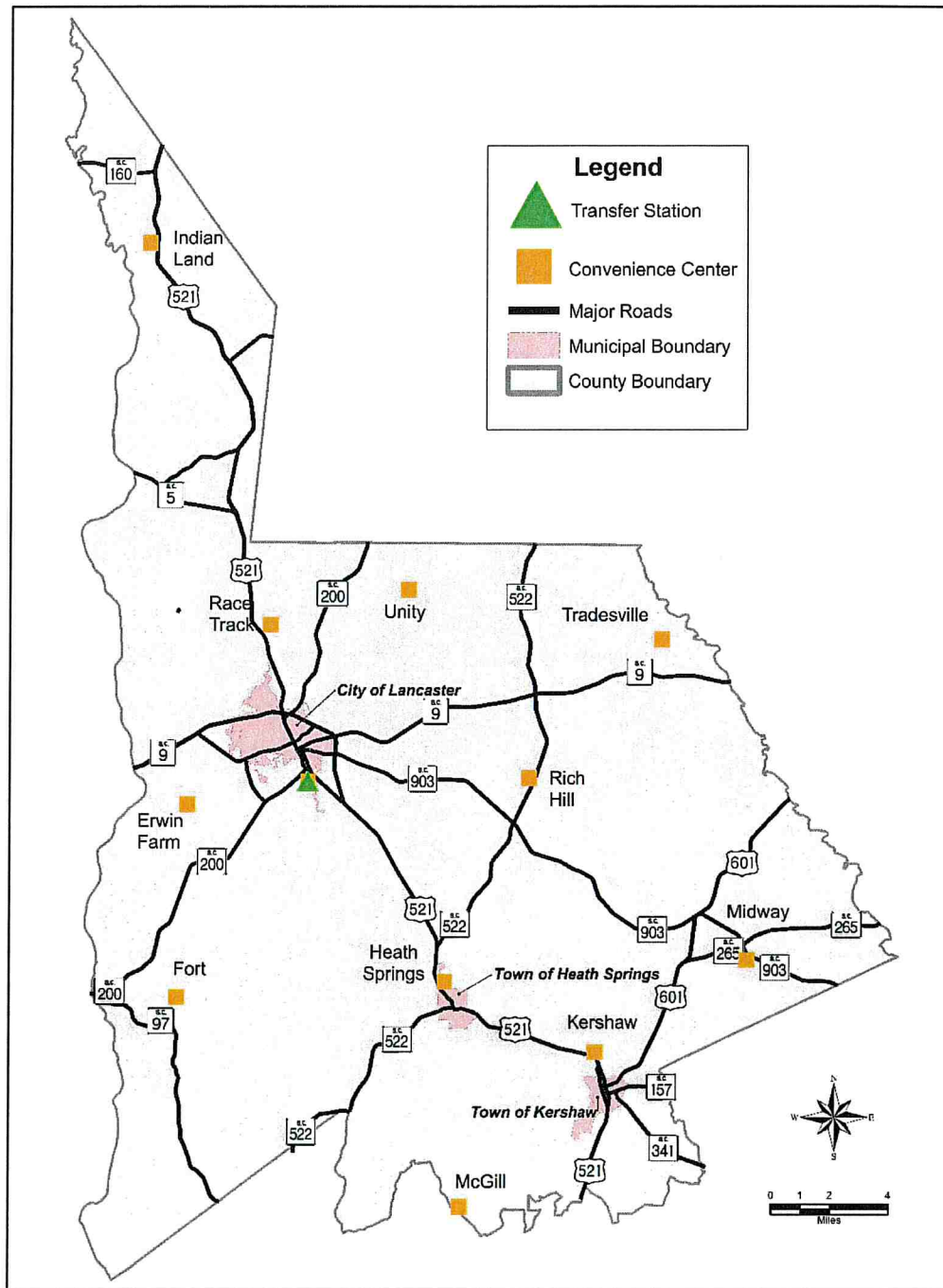
Table 9

Lancaster County Convenience/Recycling Drop-Off Centers

No.	Name	Address	Hours of Operation (Standard Time)
1	Erwin Farm	3122 Bethel Road	Mon/Fri/Sat 9 am-6 pm; Tues 8 am –1 pm; Thurs 1 pm-6 pm
2	Fort	5330 JB Denton Road	Mon/Fri 9 am-6 pm
3	Heath Springs	173 Solar Road	Mon/Fri/Sat 9 am-6 pm; Thurs 1 pm-6 pm
4	Indian Land	9103 Northfield Drive	Mon/Fri/Sat 9 am-6 pm; Tues 8 am –1 pm; Thurs 1 pm-6 pm
5	Kershaw	6491 Old Lancaster Highway	Mon/Fri/Sat 9 am-6 pm; ; Tues 8 am –1 pm; Thurs 1 pm-6 pm
6	Lynwood	1349 Lynwood Drive	Mon/Fri/Sat 9 am-6 pm; Thurs 1 pm-6 pm
7	McGill	3103 Kershaw Country Club Rd	Tues/Thurs/Sat 9 am-6 pm
8	Midway	4125 Payne Road	Mon/Sat 9 am-6 pm; Thurs/Fri 1 pm-6 pm
9	Public Works	1980 Pageland Highway	Mon-Thurs 6:30 am-4 pm Fri 7:30 am -4 pm
10	Race Track	273 Shiloh Unity Road	Mon/Fri/Sat 9 am-6 pm; Thurs 1 pm-6 pm
11	Rich Hill / Primus	4202 Joshua Tree Road	Mon/Fri/Sat 9 am-6pm; Thurs 1 pm-6 pm
12	Tradesville	2149 Old Camden-Monroe Hwy	Mon/Sat 9 am-6 pm; Thurs/Fri 1 pm-6 pm
13	Unity	2511 Shiloh Unity Road	Mon/Sat 9 am-6 pm; Thurs/Fri 1 pm-6 pm

Source: Lancaster County, 2017

Figure 8
Solid Waste Convenience/Recycling and Transfer Station Locations



Source: Catawba Regional Council of Governments, 2015

5.5 Solid Waste Transfer Stations

Solid Waste transfer stations are combinations of structures, machinery, or devices at a place or facility where solid waste is taken from collection vehicles and placed in other transport vehicles for movement to another solid waste management facility.

There is one (1) solid waste transfer station located within Lancaster County. This facility is owned and operated by the City of Lancaster and is permitted to accept up to 180 tons per day of Class 2 waste and up to 315 tons per day of Class 3 waste for a total of 495 tons per day. This transfer station is located at 1309 Lynwood Drive at the City of Lancaster Solid Waste Department and is open Monday through Friday between 6:30 AM and 3:30 PM.

5.6 Solid Waste Processing Facilities

A solid waste processing facility is any combination of structures, machinery, or devices utilized to reduce or alter the volume, chemical, or physical characteristics of solid waste through processes (such as baling or shredding) prior to delivery of such waste to recycling or resource recovery facility or to a solid waste treatment, storage, or disposal facility, and excludes collection vehicles. Currently, no solid waste processing facilities are located within Lancaster County.

5.7 Short Term Structural Fill

A short term structural fill is a very restricted temporary activity whereby hardened concrete, hardened asphaltic concrete, bricks, masonry blocks and land-clearing debris may (under a permit-by-rule) be disposed of in an area of one (1) acre or less for a period not to exceed twelve (12) months. Such sites must be registered and approved by SCDHEC but do not have to be consistent with this Plan. Currently, no short term structural fill facilities are located within Lancaster County.

5.8 Class I Landfills

Approvals to operate landfills for land-clearing debris and yard waste are issued by the SCDHEC under an existing statewide general permit for landfills. Class I landfills are used solely for the disposal of trees, stumps, wood chips, and yard waste generated from land-clearing activities. Currently there is one permitted Class I landfill in Lancaster County. The facility is owned and operated by Lancaster County and is located at the McGill facility at 3103 Kershaw Country Club Road. Additional information is shown in Table 10.

Table 10
Class I Landfill

Site Name	Facility ID Number	Location	Owner/Operator	Permitted Acres
McGill	291001-1703	3103 Kershaw Country Club Rd	Lancaster County	0.16

Source: SCDHEC, 2015

5.9 Class 2 Landfills

Class 2 Landfills are designed to accept various inert wastes such as yard debris, Construction, Demolition, and Land-Clearing Debris (C&D) and similar industrial wastes. Currently there is one permitted Class 2 landfill in operation in Lancaster County. This facility is owned and operated by Griffin Brothers Construction, Inc. and is located at 2524 Mineral Mine Road in Kershaw. Additional information is reflected in Table 11.

Table 11

Class 2 Landfill

Site Name	Facility ID No.	Location	Owner/ Operator	Annual Rate Permitted	FY17 Disposal Tons	Permitted Acres	Est. Remaining Years
Mining Road	292440-1601	2524 Mineral Mine Road	Griffin Brothers Construction, Inc.	200,000 tons	41,062	59 +/-	63.9

Source: SCDHEC, 2015

5.10 Class 3 Landfills

A Class 3 Landfill is one designed to receive wastes such as household waste, sludge, incinerator ash and certain industrial waste but is not a land application unit, surface impoundment, injection well, or waste pile. Currently, no Class 3 landfills are located within Lancaster County. According to the South Carolina Solid Waste Management Annual Report for Fiscal Year 2017, approximately 99.7% of the total 34,326 exported tons of Class 3 waste from Lancaster County was disposed of at Lee County Landfill, LLC and the remaining 0.3% at Northeast Landfill, LLC and Oakridge Landfill, LLC. Additional information about these Class 3 Landfills are shown in Table 12.

Table 12

Class 3 Landfills

Site Name	Location	Owner	Annual Rate Permitted	FY17 Disposal Tons	Est. Remaining Years Permitted Annual Disposal Rate	Est. Remaining Years Current Annual Disposal Rate
Lee County Landfill, LLC	Lee	Republic Service of SC	1,944,939 tons	435,224	11.6	51.8
Northeast Landfill, LLC	Richland	Republic Services of SC	529,600 tons	157,807	10.0	33.5
Oakridge Landfill, LLC	Dorchester	Republic Services of SC	1,144,000 tons	558,570	12.4	25.4

Source: SCDHEC, 2017

5.11 Solid Waste Incinerators

A solid waste incinerator is any engineered device used in the process of controlled combustion of waste for the purpose of reducing the volume, and/or reducing or removing the hazardous potential of the waste charged by destroying combustible matter leaving the noncombustible ashes, material, and/or residue. No permitted solid waste incinerators are currently located in Lancaster County.

5.12 Composting and Wood Chipping/Shredding Facilities

Composting facilities are utilized to provide aerobic, thermophilic decomposition of the solid organic constituents of solid waste to produce a stable, humus-like material. Wood chipping facilities operate similarly to composting facilities, but typically sell the mulch product before decomposition begins. Currently, there are three permitted composting and recycling facilities located in Lancaster County. The locations of these facilities are noted in Table 13.

Table 13
Composting and Wood Chipping/Shredding Facilities

Site Name	Facility Permit No	Location	Owner/Operator	FY 17 Tons Received
Greenway Waste	COM-00188	2524 Mineral Mining Road	Ronald Gilkerson	943
McGill Convenience Site	291001-1703	3103 Kershaw Country Club Road	Lancaster County	3,036
SM Smith & Sons	462655-3001	9531 Charlotte Highway	SM Smith & Sons Inc.	2737

Source: SCDHEC, 2016

5.13 Used Oil Collection and Processing Facilities

Used oil, oil filters, and oil bottles generated by residents of Lancaster County are collected at each of the County's recycling drop-off centers. The used oil collected at the sites is collected in tanks for Santee Cooper's Give Oil for Emergency Recovery (GOFER) program. Santee Cooper collects the used oil when the tanks reach capacity and transports it to Santee Cooper's Jefferies Generating Station, located near Moncks Corner, South Carolina, a coal-fired power station, 463 Powerhouse Road, Moncks Corner, SC 29461 where the recycled oil is used for fuel to generate electricity. A private contractor collects the used oil filters from the collection facilities.

5.14 Waste Tire Haulers, Collection Facilities, Processing Facilities, and Disposal Facilities

Waste tires generated in Lancaster County are accepted at the Lancaster County Public Works Recycling Center located at 1980 Pageland Highway. The current storage limit for tires at this facility is 1,850 tires. Additionally, citizens may dispose of up to 4 tires per month at recycling centers. The County may require a tax receipt illustrating the SC Tire Fee was paid when the tire was purchased. The waste tires are collected and transported for recycling by SCDHEC registered haulers. Currently, U.S. Tire Recycling, LLC, 6322 Poplar Tent Road, Concord, NC 28027 transports waste tires outside of Lancaster County. No other permitted collection facilities, processing facilities, or disposal facilities are currently located in Lancaster County.

5.15 Research, Development, and Demonstration (RD&D) Permits

Research, Development, and Demonstration (RD&D) Permits are issued for innovative and experimental solid waste management technologies and processes. No research, development, and demonstration permits are currently active for any solid waste facilities within Lancaster County.

5.16 Land Application of Solid Waste Permits

Permits for the land application of solid waste covers the land application of non-hazardous solid waste like wood ash, tree back, or cotton gin trash that is a beneficial agricultural purpose and not disposal. These permits establish appropriate application rates, frequency of application, and monitoring requirements for the uniform surface spreading or mechanical incorporation of non-hazardous solid waste on or into soil that is being used for agricultural, silvicultural, and horticultural production. Land application of solid waste is a way to recycle South Carolina's resources and is not a means of waste disposal. One land application permit has been issued to Bowers Fibers within Lancaster County and information about this facility is shown in Table 14.

Table 14
Land Application Permit

Site Name	Facility ID Number	Location	Owner/Operator
Bowers Fibers Lancaster Location	292684- 8001	3577 Lancaster Highway, Lancaster	Bowers Fibers

Source: SCDHEC, 2016

5.17 Recycling Programs

Lancaster County currently contracts with various companies for taking recyclable materials. Recyclables are collected at the referenced convenience/recycling drop-off centers and through curbside collection programs. Lancaster County promotes recycling as a countywide effort that involves some of its municipalities, commercial businesses, industries, independent solid waste collection companies, organizations, and the residents within Lancaster County. The concept is to make recycling as easy and

simple as possible and reduce the amount of waste disposed of in landfills. Currently, all recycling programs within Lancaster County are voluntary.

As previously described, the referenced convenience/recycling drop-off centers in Lancaster County accept cardboard, glass, newspaper, plastic bottles, aluminum cans, lead acid batteries, used oil and used oil filters, anti-freeze, and paint. Used oil is collected in Santee Cooper GOFER tanks at the individual convenience/recycling drop-off centers Santee Cooper empties the tanks on an as-needed basis and transports the used oil for recycling. Waste tires are accepted at all recycling centers except the Lynwood facility and then transported for recycling by SCDHEC registered haulers. The City of Lancaster picks up waste tires curbside as needed and then transports to Lancaster County Public Works. Table 15 reflects Recycling Locations and Material Accepted in Lancaster County.

Disclaimer: Due to international market trends, Lancaster County has suspended its recycling programs for all materials other than cardboard, newsprint, and metal as of December 1, 2019.

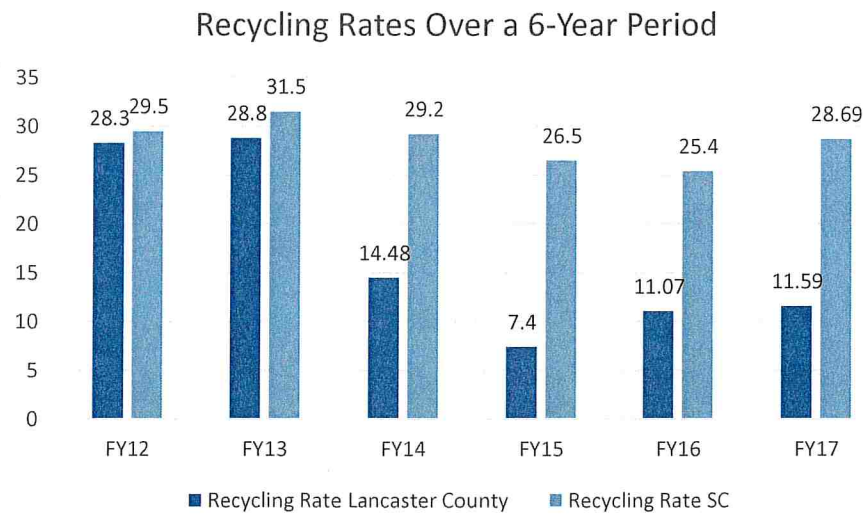
Table 15
Recycling Locations and Materials Accepted

Recyclables Collected	Materials Accepted and Limitations	Recycle Center Locations
Aluminum and Steel Cans	Aluminum beverage cans, scrap aluminum	All Recycling Centers
Appliances (white goods) and scrap metal	All appliances with metal parts including stoves, washers, dryers, refrigerators, grills, bikes, etc.	All Recycling Centers and Public Works
Batteries (lead-acid)	Used automotive, light truck, marine and lawn mower batteries	All Recycling Centers
Cardboard	Corrugated cardboard (no wax finish) used for packing and shipping	All Recycling Centers and Public Works
Farmer Oil	Oil from farm machinery	Rich Hill/Primus Recycling Center
Glass	Clear and brown glass – No Green Glass; window glass, pottery, porcelain and china ARE NOT accepted.	All Recycling Centers
Newspaper and Inserts	Dry newspapers and inserts	All Recycling Centers
Oil/Gasoline Mixtures	Oil and gas mixtures	Erwin Farm Recycling Center
Paint	Latex only	All Recycling Centers
Plastic	Soft drink and plastic bottles marked by a recycling symbol with a number 1-7, milk jugs	All Recycling Centers
Used Motor Oil, Bottles and Filter	Motor oil from cars and trucks (limit 5 gallons per visit)	All Recycling Centers
Tires	Passenger tires	Excluding Lynwood, all Recycling Centers and Public Works

Yard Debris	Leaves, tree limbs and shrubs	McGill Recycling Center and Public Works
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Source: Lancaster County, 2015

Figure 9 – MSW Recycling Rate by Percentage



Source: SCDHEC Solid Waste Management Reports FY12-17

5.18 Special Wastes

Special Waste is defined as commercial or nonresidential solid waste, other than regulated hazardous wastes, that are either difficult or dangerous to handle and require unusual management at MSW landfills. Special Waste includes but is not limited to pesticide wastes, liquid wastes, sludge, industrial process wastes, wastes from pollution control processes, residue or debris from chemical cleanups, contaminated soil from a chemical cleanup.

5.19 Household Hazardous Materials (HHM)

Household Hazardous Material (HHM) is defined as material found around the home, usually in small amounts, which can harm people or the environment. Household Hazardous Waste (HHW) includes many common household products considered to be hazardous substances by the EPA because they exhibit one or more of the following characteristics:

- Ignitability (Flammability – burns easily);
- Reactivity (Can cause explosions);
- Corrosivity (Can erode metal); or
- Toxicity (Can be harmful or fatal).

Examples of household hazardous materials include paint, pesticides, cleaning supplies, and batteries. Household hazardous materials are not regulated as hazardous materials by South Carolina law but are considered part of the Class Three waste stream. Lancaster County periodically conducts Household Hazardous Waste Collection days for County residents.

Other examples of HHW include solvents such as kerosene, nail polish remover or paint thinner; household products such as furniture polish, oven cleaners and drain cleaners; home maintenance products such as paints, pool chemicals and varnishes; automotive products such as batteries, antifreeze, oil, or brake fluid; and pesticides such as mothballs or insecticides. These products become HHW when they are no longer used or needed. Improper disposal of HHW can contaminate drinking water supplies, injure trash collectors, harm sewer and septic systems, and pollute the environment.

5.20 Import and Export of Waste

Lancaster County currently offers disposal for any Class One, Class Two, and Class Three wastes generated within the County. Municipal solid waste (Class Three) generated inside the County is currently managed at Lee County Landfill.

5.21 Solid Waste Management Funding

Lancaster County utilizes county taxes, state grants, and tipping fees from commercial waste haulers to fund the solid waste and recycling activities. Large projects may be funded through municipal bonds and/or state/federal grants. The cities of Lancaster, Heath Springs and Kershaw assess a monthly solid waste management and recycling fee. These sources of revenue have shown to be sufficient to fund all solid waste management operations for the County.

Chapter 6 Future Solid Waste Management

6.1 Overview

This section of the Solid Waste Management Plan outlines the future waste stream projections and anticipated needs to collect, store, transport, recycle, or dispose of solid wastes generated throughout Lancaster County over the next twenty (20) years.

6.2 Waste Stream Projections

When considering the past and current population and economic trends for Lancaster County, it is not likely that the primary sources of solid waste will change during the planning period. The residential sector should continue to be the primary contributor to the solid waste stream. If this holds true, the waste composition should remain virtually the same.

It should be noted that the state's goal is to reduce MSW disposal to 3.25 pounds (or less) per person per day (p/p/d) by FY20. It does not exclude waste generated from out-of-state sources and disposed in landfills located within the state.

Table 16 illustrates the Class Two and Three waste generation projections for the coming years (based on the average generation rate from FY10 – FY16 reflected in Tables 7 and 8 and the projected population). The calculations are based on population projections produced by the U.S. Bureau of the Census in cooperation with the South Carolina Office of Research and Statistics discussed in Section 4.2.1 and presented in Table 3 of this document.

Table 16
Lancaster County Waste Generation Projections (2015-2040)

Year	Population	Waste Generation (tons)	
		Class Two	Class Three
2015	86,026	45,178	28,000
2020	91,305	47,943	29,713
2025	100,807	50,321	31,187
2030	110,309	52,699	32,661
2035	119,810	55,076	34,134
2040	129,312	57,173	35,465

Source: Population Projections – SC Budget & Control Board, Office of Research & Statistics

6.3 Storm Debris Management

Lancaster County has a 2010 Debris Management Plan to guide the County during major storm events. The purposed of the Debris Management Plan is to ensure a coordinated response which achieves

removal, storage and final disposition of debris that mitigates threats to the health, safety and welfare of Lancaster County residents. Due to the size of the document, two excerpts from the plan are attached: Section Two, Annex A and Annex B. These sections of the plan identify the locations for storm debris sites and also the layouts and guidelines for storm debris sites.

6.4 Collection, Temporary Storage, and Transportation of Solid Waste

All solid waste facilities and equipment in Lancaster County are planned, designed, and operated as an integral function of this Plan. All facilities and equipment must be selected to ensure maximum efficiency for operations, proper locations for use by citizens and transportation cost, safety, and the lowest possible purchase price. Lancaster County will strive to improve solid waste management and recycling technologies to minimize the amount of waste disposed of in landfills. Lancaster County will continue to utilize its convenience/recycling drop-off centers for the collection of Class Two (as previously described) and Class Three waste and recyclables. Based upon population projections and waste generation rates, it appears existing infrastructure in the County is sufficient to handle the projected waste-streams for the next twenty (20) years. County will assess locations and services on an as needed basis.

6.5 Solid Waste Transfer Stations

There is one (1) solid waste transfer station located within Lancaster County. This facility is owned and operated by the City of Lancaster and is permitted to accept up to 180 tons per day of Class 2 waste and up to 315 tons per day of Class 3 waste for a total of 495 tons per day. This transfer station is located at 1309 Lynwood Drive at the City of Lancaster Solid Waste Department. It is estimated that this facility will meet the future solid waste management needs for Lancaster County. Therefore, no new municipal solid waste transfer stations, public or private, are planned for this planning period. Permitting a solid waste transfer station is not consistent with this plan.

6.6 Solid Waste Processing Facilities

Currently no recycling separation centers are in operation in Lancaster County. Lancaster County will continue to encourage recycling and will give consideration to such a facility provided the proposed facility can demonstrate that a solid waste processing facility will benefit the residents of Lancaster County. The co-location of a recycling/sorting facility that removes recyclables from the MSW waste stream is consistent with this plan.

6.7 Short Term Structural Fill

No short term structural fill facilities are currently operating in Lancaster County. Lancaster County will communicate with SCDHEC any disposal of structural fill of hardened concrete, hardened asphaltic concrete, bricks, masonry blocks and land-clearing debris; however such facilities do not have to be consistent with this Plan. Such sites would be allowed by SCDHEC through a permit-by-rule for an area of one (1) acre or less for a period not to exceed twelve (12) months. Such structural fill site must be approved and registered by SCDHEC and meet location, design, operating and closure requirements.

6.8 Class I Landfills

Presently, one Class I Landfill exists in Lancaster County. It is estimated that this facility will meet the future solid waste management needs of Lancaster County.

6.9 Class 2 Landfills

The existing Class 2 Landfill located in Lancaster County is sufficient to meet the future needs of Lancaster County and no additional public or private Class 2 Landfills will be permitted nor consistent with this plan.

6.10 Class 3 Landfills

Currently there are no Class 3 MSW Landfills located in Lancaster County. Because of the Demonstration of Need regulations and the existing Class 3 Landfills located within the 75 mile planning area radius, no public or private Class 3 Landfills will be permitted in Lancaster County.

6.11 Solid Waste Incinerators

Lancaster County currently has no operating solid waste incinerators. Disposal capacity at the area landfills is sufficient to manage the waste. Therefore, no new solid waste incinerators will be necessary to fulfill the capacity requirements of the County.

6.12 Composting and Wood Chipping/Shredding Facilities

Three (3) permitted wood chipping and composting facilities are located in Lancaster County. The County will continue to encourage the re-use of yard trash and land-clearing debris by composting or wood chipping at the currently permitted facilities. These facilities provide sufficient capacity to the County for the planning period and beyond. Therefore, no new wood chipping and composting facilities will be necessary to fulfill the capacity requirements of the County.

6.13 Used Oil Collection and Processing Facilities

Used oil, oil filters, and oil bottles generated by residents of Lancaster County are collected at each of the County's convenience/recycling drop-off centers. The used oil collected at these sites is collected in tanks for Santee Cooper's Give Oil for Energy Recovery (GOFER) program. Santee Cooper collects the used oil when the tanks reach capacity and transports it to Santee Cooper's Jefferies Generating Station where the recycled oil is used for fuel to generate electricity. A private contractor collects the used oil filters from the collection facilities. The County intends to manage this waste in the same or similar manner.

6.14 Waste Tire Haulers, Collectors, Processing Facilities, and Disposal Facilities

Waste tires generated in Lancaster County are accepted at the Transfer Station. The waste tires are then collected and transported for recycling by SCDHEC registered haulers. The County intends to continue to manage waste tires in this manner. No permitted waste tire collection facilities, processing facilities, or disposal facilities are currently located in Lancaster County. With sufficient management capacity, no new Waste Tire Collectors, Waste Tire Processing Facilities, or Waste Tire Disposal Facilities will be necessary to fulfill the capacity requirements of the County for the planning period and beyond.

6.15 Research, Development, and Demonstration (RD&D) Permits

Research, Development, and Demonstration projects will be unnecessary to meet the County's solid waste management requirements during the planning period.

6.16 Land Application of Solid Waste Permits

Lancaster County currently has one operating Land Application from Solid Waste Facilities. None will be needed to fulfill the solid waste management requirements of the County during the planning period. Lancaster County will evaluate future projects on a case-by-case basis.

6.17 Recycling Programs

Lancaster County plans to continue its recycling programs through the use of its convenience/recycling drop-off centers. The City of Lancaster and other municipalities encourage individual households to separate recyclables from the waste stream, and then deposit them at one of the twelve (12) recycling centers in the County. As recycling technology and commodity markets become more advanced, Lancaster County will evaluate further recycling opportunities. Lancaster County will continue to educate its residents on the importance of recycling. Lancaster County will seek to expand its public education programs to make citizens, commercial businesses, retailers, etc. more aware of the need to reduce waste and about the opportunities that exist for recycling.

6.18 Special Wastes

Lancaster County will continue to handle special wastes in accordance with current County policies for handling these wastes.

6.19 Household Hazardous Materials (HHM)

Lancaster County will investigate the feasibility of holding regular HHM collection events consistent with the demand of the Lancaster County residents to provide for HHW to be appropriately treated before disposal. In order to provide a mechanism of disposing these wastes, Lancaster County sponsors HHW collection times and have been one-day events in which the HHW is taken to a temporary collection site. The waste is then transferred to an authorized hazardous waste facility for proper treatment, recycling or disposal in accordance with state and federal regulations. Some studies have shown that a greater collection rate is obtained when the collection process is available to householders for a longer period of time.

The ideal management option for management of household hazardous waste would be the development of a regional facility that is permitted and prepared to collect, sort, and properly handle household hazardous waste materials. However, due to budget constraints on both the local and state level, the development of such a facility would have to be planned to be sustainable and self-supporting. In order to make such a facility self-supporting it would have to be operated on a fee-based system. At this particular time there is insufficient data to determine if a fee-based household hazardous waste facility would be feasible in Lancaster County or in the Catawba Region. A plan for studying the feasibility of such a facility could be included in the implementation schedule of this plan document.

6.20 Import and Export of Waste

Lancaster County will continue to only accept Class One, Class Two, and Class Three waste generated within the County at County owned facilities in accordance with Lancaster County Code of Ordinances.

6.21 Solid Waste Management Funding

Lancaster County will continue to fund solid waste management as currently funded, through County taxes, state grants and tipping fees from commercial waste haulers. The municipalities will continue to have a monthly fee to manage solid waste. No additional funding sources are anticipated.

Chapter 7 Goals and Policies

Summary of County Goals and Policies

- To ensure efficient and effective collection of solid waste in the County over the next ten years.
- To continue the County's contribution to the statewide goal of 25 percent per capita reduction in the amount of solid waste disposed.
- To ensure that disposal facilities in the County meet regulatory requirements and can continue to support and facilitate effective solid waste handling programs for the next twenty years.
- To ensure that residents and businesses in the County understand the issues, needs, and goals of the solid waste management system.
- To ensure that proposed solid waste handling facilities are compatible with surrounding areas, are placed in areas suitable for such developments, and are consistent with the Solid Waste Management Plan.
- To achieve a balanced and affordable solid waste management plan implementation strategy, while also meeting the goals and requirements of State law.

7.1 Goal 1 – Maintain Federal and State Laws and Regulations

All local governments in South Carolina must adhere to all Federal and State laws and regulations concerning municipal solid waste. This includes maintain the minimum recycling rates, submitting a Solid Waste Management Plan as necessary and following any regulations dealing with solid waste and its disposal.

A. Reduction

In June 2000, the solid waste management goals outlined in the Solid Waste Policy and Management Act of 1991 were revised as follows:

"It is the goal of this State to reduce, on a statewide per capita basis, the amount of MSW being generated to 3.5 pounds per day not later than June 30, 2005"

In addition, the following definition was amended stating:

- "MSW includes, but is not limited to, wastes that are durable goods, nondurable goods, containers and packaging, food scraps, yard trimmings, and miscellaneous inorganic wastes from residential, commercial, institutional, and industrial sources including, but not limited to, appliances, automobile tires, old newspapers, clothing, disposable tableware, office and classroom paper, wood pallets, and cafeteria wastes. MSW does not include solid waste from other sources including, but not limited to, construction and demolition debris, auto bodies, municipal sludge, combustion ash, and industrial process wastes that also might be disposed of in municipal waste landfills or incinerators."

For FY17, citizens of the County generated 2.41 p/p/d of defined MSW compared to the statewide average of 3.60 pounds per day. According to the South Carolina Solid Waste Management Annual Report—Fiscal Year 2017, Lancaster County met the waste disposal goal of 3.25 pounds or less disposal per day.

To continue this trend, County residents in conjunction with businesses and organizations must reduce the amount of defined MSW generated within the County for disposal. School outreach, civic speaking engagements, tours of solid waste and recycling facilities, newspaper articles, websites, brochures, radio and TV commercials, displays, and conferences are some of the methods that will be used to promote the benefits and ease of waste reduction. A continued educational effort in source reduction is anticipated to decrease the amount of waste transported for disposal in landfills. The public can be better informed of the benefits of recycling and the various ways in which residents can help in this endeavor. By separating out a greater percentage of recyclable aluminum, paper, cardboard, plastic, and E-Waste, Lancaster County's waste stream will continue to be reduced.

Some additional tools to assist with reduction include recovering more food scraps and yard trimmings through composting and maximizing food recovery opportunities. Strategies to compost more food scraps and yard trimmings may include the following:

- Recommit efforts to promote grasscycling and backyard composting
- Encourage school composting programs
- Promote SCDHEC initiatives, SC Smart Business Recycling program and the Green Hospitality Program to increase commercial composting.

Food scraps comprised of more than 36 million tons of MSW in the United States in 2011 with all being discarded and being the single largest material thrown away. Food recovery can provide food to those families living in hunger by donating wholesome and edible food to local food banks and rescue groups. Prevention, donation and composting will all reduce food waste and protect resources such as water and energy. Strategies to maximize food recovery may include the following:

- Encourage food recovery program for all local stakeholders
- Promote best business practices to reduce food scraps

B. Recycling

The South Carolina Solid Waste Policy and Management Act of 1991 mandated a 25% recycling goal, calculated by weight, based on a per capita waste generation rate. In June 2000, the solid waste management goals were revised as follows:

- "It is the goal of the State to recycle, on a statewide basis, at least thirty-five percent (35%), calculated by weight, of the MSW stream generated in this State no later than June 30, 2005."

For Fiscal Year 2017, Lancaster County recycled 5.23% of the defined Class Three material generated in the County compared to the statewide average of 33.8%. Markets drive recycling efforts and too often adversely impact those efforts. To continue to meet the mandate 25% goal, public education will be utilized to inform residents of recycling programs being implemented with Lancaster County and the best way for each resident to participate. An informed public is more likely to recycle than an uneducated public. Lancaster County will place a larger emphasis on recycling with commercial businesses, retailers, etc. in an effort to increase the County's overall recycling rate. Lancaster County will continue to develop and distribute literature that focuses on recycling and its importance to the environment. In addition, Lancaster County can work with the City of Lancaster to ensure that recycling data is collected and reported annually to SCDHEC. This will increase the total recycling percentage and will aid Lancaster County to meet the mandated 25% recycling goal.

Disclaimer: Due to international market trends, Lancaster County has suspended its recycling programs for all materials other than cardboard, newsprint, and metal as of December 1, 2019.

C. Educational Programs

All educational efforts will target the residents of Lancaster County with an emphasis on the collection service area residents and drop-off/recycling center customers. The method of educational delivery will be through local media, radio and newspaper, small group presentations, exhibits, displays, and demonstrations. Educational leaflets will be distributed where applicable (such as convenience stations, public buildings, and through curbside collection companies.) In addition, information regarding Lancaster County's solid waste recycling program can be obtained from the County's website: www.myLancastersc.org.

7.2 Goal 2: Meet the Needs of Lancaster County

Any successful program developed by Lancaster County has to have the backing of its residents as well as its county and municipal councils. It has to meet resident's needs by providing reliable service, and by offering innovative programs. Finding out what those needs are has to be accomplished before programs can be presented to the public. County programs have to 1) Be simple so it is easy for residents to participate and remember; 2) Has to be convenient; 3) Should be equitable; and 4) Has to be enforceable.

Demonstration of 20-Year Collection Capability - Collection programs for solid waste are sufficient to meet existing community needs. The more populated areas have private curbside collection. Staffed convenience centers are available for solid waste collection and recycling for all citizens.

Demonstration of 20-Year Disposal Capacity - Lancaster County's disposal practices will be adequate for the 20-year planning period. Lancaster County has an agreement with Republic Services of SC for the disposal of solid waste until 2022. Establishment of appropriate alternative technologies could also meet this requirement.

7.3 Goal 3: Be Environmentally Sound

New technologies and products are not always benign to the environment, especially when these products are at the end of its life cycle and are ready for disposal. Being aware of harmful disposal practices we use on a daily basis has to be part of a sound environmental program. Educating residents, businesses, and industries on these hazards and the proper disposal is a priority.

Having an effective environmental program also means educating residents, businesses, and industries about the importance of reducing the amount of trash that they generate and promoting recycling and reuse opportunities. Partnerships with between public and private entities will enhance a comprehensive environmental approach for solid waste management.

7.4 Goal 4: Be Economically Balanced

Governmental programs, including solid waste, should strive to be implemented with being able to pay for itself. Lancaster County will investigate the feasibility of developing a unified Capital Improvements Plan for the County and its municipalities.

7.5 Goal 5: Teach Individual Accountability and Promote Reduction of Litter and Illegal Dumping.

Lancaster County shall work with local partners to educate residents on individual accountability and provide adequate staff for enforcement of fines and penalties for littering and illegal dumping.

Chapter 8 Revisions and Consistency with Solid Waste Management

8.1 Annual Progress Reports

Section 44-96-60 of the Act requires SCDHEC to submit to the Governor and General Assembly a comprehensive report on solid waste management in South Carolina, by March 15 of each calendar year. Therefore, SCDHEC requires each county or region to submit an Annual Progress Report to the Department by October 1 of each year. The Annual Progress Report shall contain information as may be requested by the Department but must contain, at a minimum, the following:

- Any revisions to the Solid Waste Management Plan previously submitted by the county;
- The amount, type, and percentage of materials that were recycled, if any, during the previous year;
- The percentage of the population participating in various types of source separation, recovery, or recycling activities during the previous year; and
- A description of the source separation, recovery, or recycling activities or all of the above activities attempted, if any, their success rates, the reasons for their success or failure, and a description of such activities, which are ongoing.

8.2 Revisions to the Lancaster County Solid Waste Management Plan

Section 44-96-80(E) of the Act states that all solid waste management plans shall be consistent with the South Carolina Solid Waste Management Plan, provisions of state law and regulations promulgated by the Department for the protection of public health and safety and the protection of the environment.

The Lancaster County Solid Waste Management Plan will be reviewed annually and revised as needed by the Lancaster County Public Works Department and the Lancaster County Administrator, and approved by County Council. Revisions to the Solid Waste Management Plan will be conducted to keep this document as an up-to-date planning and communication tool so that the general public is kept abreast of solid waste issues affecting Lancaster County. Revisions to this Plan must be submitted by the Lancaster County Administrator and approved by the Lancaster County Council through an ordinance. The effective date of the revisions to the Plan will be the date of the ordinance. Any revisions made to the Lancaster County Solid Waste Management Plan shall be submitted to SCDHEC. The Department may accept revisions to the Plan only from the County Administrator.

8.3 Determining Consistency with County Solid Waste Management Plan

An applicant must submit a request for a consistency determination through SCDHEC. All correspondence regarding consistency sent to the County shall be forwarded to the Lancaster County Administrator. Only the Lancaster County Administrator may comment to SCDHEC regarding all consistency correspondence.

8.4 Severability

Should any provision of the Lancaster County Solid Waste Management Plan or any application thereof be deemed invalid or unenforceable, the remainder of this Lancaster County Solid Waste Management Plan and any other applications of such provision(s) shall not be affected thereby.

Chapter 9 Full Disclosure of Costs

9.1 Lancaster County Solid Waste Full Cost Disclosure

Lancaster County utilizes landfill tipping fees, county taxes, and South Carolina state grants to fund the solid waste and recycling activities. In accordance with the Act of 1991, Lancaster County shall annually determine the full cost for solid waste management services. The County shall publish a notice by October 1, in a newspaper of general circulation, setting forth the full cost to all users, on an individual basis, of its solid waste management services for the previous Fiscal Year. Please refer to Table 17 for the full cost disclosure for Lancaster County and Table 18 for the full cost disclosure for City of Lancaster based on the Fiscal Years 2010 through 2016 Budgets. Table 19 is the full cost disclosure for the Town of Heath Springs for Fiscal Years 2012 through 2016 and Table 20 is the full cost disclosure for the Town of Kershaw for Fiscal Years 2011 through 2016.

Table 17

Lancaster County Solid Waste Full Cost Disclosure (FY 10 – FY17)

Item	FY11 Funds	FY12 Funds	FY13 Funds	FY14 Funds	FY15 Funds	FY16 Funds	FY17 Funds
Total Net Cost	\$2,063,037	\$2,039,168	\$2,293,902	\$2,550,657	\$2,596,052	\$3,705,312	\$3,022,922
Population	76,652	77,920	79,089	79,515	85,842	89,594	92,550
Cost Per Capita	\$26.91	\$26.17	\$28.51	\$32.08	\$30.24	\$41.36	\$32.66

Source: SCDHEC Solid Waste Management Annual Reports & Lancaster County

Table 18

City of Lancaster Solid Waste Full Cost Disclosure (FY 10 – FY17)

Item	FY11 Funds	FY12 Funds	FY13 Funds	FY14 Funds	FY15 Funds	FY16 Funds	FY17 Funds
Total Net Cost	\$1,581,712	\$1,894,421	\$1,952,214	\$1,589,610	\$2,071,640	\$2,230,582	\$2,236,348
Population	8,526	8,526	8,526	8,526	8,952	9,134	8,976
Cost Per Capita	\$185.52	\$222.19	\$228.97	\$186.44	\$231.42	\$244.21	\$249.15

Source: SCDHEC Solid Waste Management Annual Reports & City of Lancaster

Table 19

Town of Heath Springs Solid Waste Full Cost Disclosure (FY 12 - FY17)

Item	FY12 Funds	FY13 Funds	FY14 Funds	FY15 Funds	FY16 Funds	FY17 Funds
Total Net Cost	\$27,901	\$34,383	\$30,089	\$30,148	\$40,035	\$37,872
Population	872	872	872	872	872	872
Cost Per Capita	\$31.99	\$39.43	\$34.51	\$35.57	\$45.91	\$43.43

Source: Town of Heath Springs, 2018

Table 20

Town of Kershaw Solid Waste Full Cost Disclosure (FY 11 - FY17)

Item	FY11 Funds	FY12 Funds	FY13 Funds	FY14 Funds	FY15 Funds	FY16 Funds	FY17 Funds
Total Net Cost	\$204,324	\$188,809	\$171,473	\$179,074	\$220,886	\$401,688	\$351,241
Population	1,803	1,803	1,803	1,803	1,803	2,131	2,270
Cost Per Capita	\$113.32	\$104.72	\$95.10	\$99.32	\$122.51	\$188.50	\$154.73

Source: Town of Kershaw, 2018

Appendix A

Codes and Ordinances

Lancaster County Codes and Ordinances



Lancaster County

South Carolina

Rural Living. Urban Neighborhoods. One County.

Photo Credit: Bill Stokes

Unified Development Ordinance

Adopted November 28, 2016

**Planning Department
101 North Main Street
Lancaster, SC 29720
803.285.6005
www.mylancastersc.org**

Lancaster County Unified Development Ordinance – Use Table

USE TYPES	RURAL				TRANSITIONAL								SPECIAL				NEIGHBORHOOD				REF	
	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX		IMX
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	-	-	-	-	-	-	-
Junkyard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	5.9.1
Landfill – Class Two	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	SE	-	-	-	-	-	-	5.9.2
Landfill – Class Three	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	5.9.3
Mining - Major In-Depth Resource Extraction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	P	-	-	-	-	-	5.9.4
Mining - Minor Surface Resource Extraction	PR	PR	PR	PR	-	-	-	-	-	PR	PR	PR	-	PR	PR	P	-	-	PR	PR	PR	5.9.5/6
Private Recycling Collection Stations	-	-	-	-	-	-	-	-	-	-	-	PR	-	PR	PR	-	-	-	-	-	-	5.9.6/7
Public Recycling and Waste Collection Facilities	-	-	-	PR	-	-	-	-	-	-	-	PR	-	PR	PR	-	-	-	-	-	-	5.9.8
Research and Development Facilities	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	-	-	-	-	-	P	5.9.9
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	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
	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	PR	PR	PR	PR	-	PR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Animal Production Facilities, Non-Swine	PR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5.10.1
Animal Production Facilities, Swine	SE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5.10.2
Apiculture (Bee Keeping)	P	P	P	P	-	P	-	-	P	-	-	P	P	-	-	-	-	-	-	-	P	5.10.3
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

5.9.3 LANDFILL - CLASS TWO [LI, HI]

A. Exemptions: These requirements shall not apply to the following uses or activities:

1. Landfills classified as Construction, Demolition and Land Clearing Debris and Yard Waste facilities operated in association with an active building permit on the same or adjacent parcel according to the definition for such facilities in South Carolina Solid Waste Policy and Management Act of 1991, as amended October 2000. Such facilities shall be subject to the operational requirements in Lancaster County and any other applicable State requirements.

2 Storage: Outdoor Storage Yards as defined in Chapter 10.

B. Minimum Size: The minimum site size for solid waste landfills shall be 150 acres.

C. Separation Requirement: All landfill uses must be located a minimum distance of 1,000 feet from all Residential uses, Civic uses, and Educational/Institutional uses.

D. Location: No such facilities shall be located in a designated water supply watershed, special flood hazard area or wetland area, or block a natural drainage-way so that water is impounded.

E. Setbacks

1. A 100-foot setback shall apply along all property lines and public rights-of-way for all landfill, including parking, access roads, buildings, or disposal.
2. Roads for access to the site may cross the 100-foot area, and monitoring wells may be located within the 100-foot area. All existing trees within the buffer area shall be preserved, except to allow for construction of necessary road crossings and monitoring of wells.

F. Screening

1. A Type C buffer shall be required along all property lines and public rights-of-way regardless of the adjacent zoning. Existing plant material may be included in the computation of the required plantings, with approval of the Administrator.
2. A chain link security fence, a minimum of 6 feet in height, shall enclose the entire site. The fence must be placed inside the required Type C buffer and may be placed inside the buffer area.

G. Vehicular Access: Vehicular access to the site shall be provided on a major or minor thoroughfare or on a road improved to necessary industrial capacity as determined by the Administrator.

H. Reclamation Plan Required: Applicant shall file in the office of the Register of Deeds, prior to issuance of a Certificate of Occupancy, a reclamation plan for the reuse of the site. Such plan shall indicate that the applicant, or other entity approved by the Lancaster County Council, shall remain the owner and be liable for the site forever, or until County Council approval is given to release this requirement.

I. Burning Prohibited: No waste, junk, scrap materials, or any vehicle, including automobiles and trucks, shall be burned on the premises.

5.9.4 LANDFILL - CLASS 3 [HI]

A. Exemptions: These requirements shall not apply to the following uses or activities:

1. Landfills classified as Construction, Demolition and Land Clearing Debris and Yard Waste facilities operated in association with an active building permit on the same or adjacent parcel according to the definition for such facilities in South Carolina Solid Waste

Policy and Management Act of 1991, as amended October 2000. Such facilities shall be subject to the operational requirements in Lancaster County and any other applicable State requirements.

2 Storage: Outdoor Storage Yards as defined in Chapter 10.

- B. Minimum Size:** The minimum site size for solid waste landfills shall be 250 acres.
- C. Separation Requirement:** All landfill uses must be located a minimum distance of 2,640 feet from the LDR, MDR, HDR, and UR Districts.
- D. Location:** No such facilities shall be located in a designated water supply watershed, special flood hazard area or wetland area, or block a natural drainage-way so that water is impounded.
- E. Setbacks**
 - 1.** A 100-foot setback shall apply along all property lines and public rights-of-way for all landfill, including parking, access roads, buildings, or disposal.
 - 2.** Roads for access to the site may cross the 100-foot area, and monitoring wells may be located within the 100-foot area. All existing trees within the buffer area shall be preserved, except to allow for construction of necessary road crossings and monitoring of wells.
- F. Screening**
 - 1.** A Type C buffer shall be required along all property lines and public rights-of-way regardless of the adjacent zoning. Existing plant material may be included in the computation of the required plantings, with approval of the Administrator.
 - 2.** A chain link security fence, a minimum of 6 feet in height, shall enclose the entire site. The fence must be placed inside the required Type C buffer and may be placed inside the buffer area.
- G. Vehicular Access:** Vehicular access to the site shall be provided on a major or minor thoroughfare or on a road improved to necessary industrial capacity as determined by the Administrator.
- H. Reclamation Plan Required:** Applicant shall file in the office of the Register of Deeds, prior to issuance of a Certificate of Occupancy, a reclamation plan for the reuse of the site. Such plan shall indicate that the applicant, or other entity approved by the Lancaster County Council, shall remain the owner and be liable for the site forever, or until County Council approval is given to release this requirement.
- I. Burning Prohibited:** No waste, junk, scrap materials, or any vehicle, including automobiles and trucks, shall be burned on the premises.

9.2.3 PERMIT/PROCESS TYPE TABLE

Permit/ Process Type	Section	Permit/ Process Type	Reviewing Agency	Public Notification	Approving Agency	Appeal Process	Permit Period	Permit Extension
Zoning Permit	9.2.7.A	Administrative	Admin	None	Admin	BZA	6 months	6 months
Temporary Use Permit	9.2.7.B	Administrative	Admin	None	Admin	BZA	See Chapter 5	n/a
Certificate of Occupancy	9.2.7.C	Administrative	Admin	None	Admin	BZA	n/a	n/a
Modification of Dimensional Standards	9.2.7.D	Administrative	Admin	None	Admin	BZA	n/a	n/a
Sedimentation & Erosion Control Plan/Grading Permit	9.2.8.A	Administrative	Admin	None	Admin	BZA, SCDHEC	3 years	Re-submit
Stormwater Management Permit	9.2.8.B	Administrative	Admin	None	Admin	BZA	1 year	1 year
Floodplain Development Permit	9.2.8.C	Administrative	Admin	None	Admin	BZA	1 year	Re-submit
Site Plan	9.2.9.A	Administrative	TRC	None	TRC	PC	1 year	1 year
Subdivision (Minor & Recombination)	9.2.10.A	Administrative	TRC	None	TRC	BZA	180 days to record Plat	n/a
Subdivision (Major) – Preliminary Plat	9.2.10.B	Administrative	TRC	Yes (1,2,3)	PC	CP	2 years to Final Plat	1 year
Subdivision (Major) – Final Plat	9.2.10.C	Administrative	TRC	None	TRC	BZA	60 days to record Plat	n/a
Street Names	9.2.11	Administration	PC	Yes (1,2,3)	PC	CP	n/a	n/a
Variances	9.2.12	Quasi-Judicial	BZA	Yes (1,2,3)	BZA	CP	30 days to Appeal	n/a
Special Exceptions	9.2.13	Quasi-Judicial	BZA	Yes (1,2,3)	BZA	CP	2 years	6 months
Appeal of Administrative Decisions	9.2.14	Quasi-Judicial	BZA and/or PC	Yes (1,2,3)	BZA	CP	30 days to Appeal	n/a
Text Amendments & Rezoning	9.2.15	Legislative	TRC, PC	Yes (1,2,3)	County Council	CP	n/a	n/a
Conditional Use	9.2.16	Legislative	PC	Yes (1,2,3)	County Council	CP	May be rescinded	n/a
Mixed-Use District/Master Development Plan	9.2.9.B	Legislative	PC	Yes (1,2,3)	County Council	CP	2 years	1 year
Vested Rights	9.2.17	Legislative	PC	Yes (1, 2)	County Council	None	2 years	5 years
Development Agreements	9.2.18	Legislative	TRC, PC	Yes (1,2)	County Council	CP	n/a	n/a

Admin – Administrator \ County Council | TRC – Technical Review Committee \ PC – Planning Commission \ BZA – Board of Zoning Appeals \ SCDHEC – South Carolina Department of Health and Environmental Control \ CP – Court of Common Pleas

9.2.5 APPLICATION REQUIREMENTS

The following general standards for various applications are intended to require only that data/information necessary to render an informed decision by the reviewing agency. The County has determined that it is unnecessary to require a full set of architectural or engineering drawings for review by the various review and decision-making boards unless the application is such that a specific level of detail is necessary (e.g., floodplain/stormwater variance). The "Application Submittal Requirements" list on file in the Planning Department is intended to provide further guidance to applicants as to the necessary level of detail for each application component listed below.

Permit/ Process Type	Section	Site Analysis	Sketch Plan *	Preliminary Plat	Construction Documents	As-Built Drawings	Final Plat	Building Elevations	Sedimentation & Erosion Control Plan	Floodplain Development Plan
UDO Zoning Permit	9.2.7.A		X (a)							
Temporary Use Permit	9.2.7.B		X (a)							
Certificate of Occupancy	9.2.7.C	See Administrator								
Modification of Dimensional Standards	9.2.7.D		X							
Sedimentation & Erosion Control Plan/Grading Permit	9.2.8.A	X			X				X	
Stormwater Management Permit	9.2.8.B	X			X	X	X (a)		X	
Floodplain Development Permit	9.2.8.C	X			X	X				X
Site Plan	9.2.9.A	X		X	X			X (a)		
Subdivision (Minor & Recombination)	9.2.10.A	X	X (a)	X			X			
Subdivision (Major) – Preliminary Plat	9.2.10.B	X	X	X	X					
Subdivision (Major) – Final Plat	9.2.10.C					X	X			
Street Name Changes	9.2.11	See Administrator								
Variances	9.2.12	See Administrator								
Special Exceptions	9.2.13	X (a)		X (a)				X (a)		
Appeal of Administrative Decisions	9.2.14	See Administrator								
Text Amendments & Rezoning	9.2.15	See Administrator								
Conditional Use	9.2.16	See Administrator								
Mixed-Use District/Master Development Plan	9.2.9.B	X	X	X				X	X	X
Vested Rights	9.2.17			X						
Development Agreements	9.2.18	See Administrator								

X - Required | X (a) – on an "as needed" basis as determined by the Administrator

*Sketch Plans shall be reviewed as binding documents for Unified Development Ordinance Zoning Permit (Zoning Permits), and for any other permits or approvals for which the Administrator requires only a Sketch Plan to be submitted with the application. Sketch Plans shall be used for non-binding review for all other development application processes in which they are required.

JUNKYARDS Any land or structure used for storing, dismantling, reconditioning, collecting, purchasing, or selling of scrap metal or other discarded goods and materials, including the collection, dismantlement, and salvage of two or more inoperative vehicles, boats, or other types of machinery or equipment.

KENNELS, INDOOR Establishments for the boarding and grooming of pets.

KENNELS, OUTDOOR A use or structure intended and used for the breeding or accommodation of small domestic animals for sale or for the training, or overnight boarding, of animals for persons other than the owner of the lot, but not including a veterinary clinic in which the overnight boarding of animals is necessary for or accessory to the testing and medical treatment of the physical disorders of animals.

LANDFILL - CLASS TWO - CONSTRUCTION AND DEMOLITION DEBRIS -Discarded solid wastes resulting from construction, remodeling, repair, and demolition of structures, road building, and land clearing. The wastes include, but are not limited to, bricks, concrete, and other masonry materials, soil, rock, lumber, road spoils, paving material, and tree and brush stumps, but does not include solid waste from agricultural or silvicultural operations.

LANDFILL - CLASS THREE A solid waste disposal facility, as defined in South Carolina Code of Laws, Title 44, as amended, for hazardous or nonhazardous solid waste, scrap metal, vehicles and other scrap materials. These establishments also include recycling and resource recovery facilities that operate in conjunction with landfills. This definition is not intended to be inclusive of Outdoor Storage Yards, or landfills classified as Land Clearing Debris and Yard Waste facilities operated in association with an active building permit on the same or adjacent parcel. This definition is not inclusive of the outdoor storage of lumber, pipe, brick, mulch, soil, gravel, sand and similar nonhazardous materials.

LIVE-WORK UNITS An attached residential building type with a small commercial enterprise on the ground floor and a residential unit above or behind with a common tenant in both spaces (no dual occupancy is permitted). Live-work units exist as variations of either the Detached House building type or the Townhome building type and shall be subject to their applicable requirements.

MANUFACTURED HOME PARK The location of two or more manufactured or mobile homes on a parcel of land shall constitute a manufactured home park.

MANUFACTURED (MOBILE) HOUSING A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. This definition is not inclusive of Recreational Vehicles.

MANUFACTURED HOUSING-CLASS A A manufactured home constructed after July 1, 1998 that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development authorized under the National Manufactured Housing Construction and Safety Standards Act of 1974 that were in effect at the time of construction, and has a HUD label attached.

MANUFACTURED HOUSING-CLASS B A double-wide manufactured home constructed to meet or exceed the construction standards promulgated by the US Department of Housing and Urban Development authorized under the National Manufactured Housing Construction and Safety Standards Act of 1974 that were in effect at the time of construction and has a HUD label attached, but does not meet the criteria of a Class A Manufactured Home.

MANUFACTURED HOME-CLASS C A single-wide manufactured home constructed to meet or exceed the construction standards promulgated by the US Department of Housing and Urban Development authorized under the National Manufactured Housing Construction and Safety Standards Act of 1974 that were in effect at the time of construction and has a HUD label attached, but does not meet the criteria of a Class A Manufactured Home.

MEDICAL CLINIC Facilities that provide outpatient ambulatory or outpatient health care such as emergency medical clinics; ambulatory surgical centers dialysis centers outpatient family planning services; community health centers and clinics; and blood and organ banks.

MINING MAJOR RESOURCE EXTRACTION (MINING AT DEPTH) The mining or extraction of any minerals, ore, fossil fuels, or other materials from beneath the surface of the earth.

**City of Lancaster
Codes and Ordinances**

Chapter 23 - SOLID WASTE**FOOTNOTE(S):**

--- (1) ---

Editor's note— Ord. No. 006-02, adopted March 28, 2006, amended chapter 23 in its entirety to read as herein set out. Former chapter 23, §§ 23-1—23-24, 23-51—23-56, 23-76—23-89, pertained to similar provisions, and derived from § 14-1—14-17, 14-19—14-23, 14-26—14-28, 14-30, 14-31, 14-33, 14-34 of the 1974 Code; Ord. No. 87-2, § 14-10, 1-27-87; Ord. No. 87-14, §§ 14-32, 14-36, 14-37, 5-26-87; Ord. No. 87-40, §§ 14-35, 14-38, 12-22-87; Ord. No. 90-9, § 14-18, 4-10-90; Ord. No. 90-16, § 14-25, 6-25-90; Ord. No. 90-17, § 14-24, 6-25-90; Ord. No. 91-10, 6-26-91; Ord. No. 94-33, 10-25-94; Ord. No. 95-18, 6-27-95; Ord. No. 97-19, 7-22-97; Ord. No. 99-16, 6-24-99; Ord. No. 099-22, 8-10-99; Ord. No. 001-1, 1-23-01; Ord. No. 001-2, § 2, 1-23-01; Ord. No. 001-14, 6-12-01; Ord. No. 001-20, 8-28-01; Ord. No. 001-31, 8-28-01; Ord. No. 001-41, 10-9-01; Ord. No. 002-45, 12-10-02; Ord. No. 003-25, 7-8-03; Ord. No. 004-39, 10-26-04.

Cross reference— Administration, Ch. 2; fire prevention and protection, Ch. 9; health, Ch. 10; junk dealers, Ch. 11; utilities, Ch. 28; weeds and nuisances, Ch. 29; wrecker service, Ch. 30; powers and duties of director of public works, § 2-343; solid waste affording food or harborage for rats, § 10-38; placing glass, etc., on streets, § 13-13; derelict or abandoned vehicles, § 13-386 et seq.

State Law reference— Ordinances relating to upkeep of property, S.C. Code 1976, § 5-7-80; franchise for waste disposal service, S.C. Code 1976, § 5-31-50; contract to dispose of county waste, S.C. Code 1976, § 44-55-1210; South Carolina Hazardous Waste Management Act, S.C. Code 1976, § 44-56-10 et seq.

ARTICLE I. - IN GENERAL**Sec. 23-1. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ashes means the residue from the burning of wood, coal, coke and other combustible material in homes, stores, institutions and small industrial establishments for the purposes of heating, cooking and disposing of combustible waste material. Ashes are usually composed of a mixture of fine powdery residue, cinders, clinkers and small portions of unburned or partially burned fuel or other materials. Ashes shall contain no live embers or other burning materials. The term "ashes" does not include combustion byproducts generated in large production or processing operations.

Construction and demolition waste means materials such as lumber, bricks, dirt, stone, plaster, loam, roofing, sheathing, rubble, broken concrete, conduit, pipe, wire insulation, floor covering and other similar items resulting from repairs and additions to or destruction of existing buildings or construction of new buildings.

Commercial container means a metal container provided by the city and of not less than two (2) cubic yards nor larger than eight (8) cubic yards, to be watertight, of all-steel construction, with doors constructed to permit emptying by city vehicles. Such container shall be of standard design suitable for pickup by city vehicles and approved by the director of public works, or his agent, and subject to the approval of the administrator.

Curbside means that area at the edge of the road where garbage and trash shall be placed; that area immediately adjacent to the edge of the roadway.

Garbage means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food. The term "garbage" does not include food processing wastes from canneries, slaughterhouses, packing plants or similar industries, or large quantities of condemned food products.

Refuse means all putrescible and nonputrescible solid wastes, except body wastes, including garbage, rubbish, ashes, street cleanings, small dead animals, abandoned automobiles and solid market and industrial wastes.

- (1) *Dead animals* means those animals that die naturally or from disease or are killed accidentally. Condemned animals or parts of animals from slaughterhouses or similar places are not included in this item.
 - a. *Small dead animals* means dogs, cats, rabbits, squirrels, chickens, rats and other similar animals.
 - b. *Large dead animals* means horses, cows, goats, sheep, hogs and other similar animals.

Roll-a-waste container means a type of garbage container, provided by the city and specified by the director of public works for use in garbage and trash collection. Such container shall remain the property of the city. Its use shall be primarily for single-family residential refuse collection.

Rolloff container means a metal container provided by the city and of not less than twenty (20) cubic yards nor larger than forty (40) cubic yards. Such container shall be of standard design suitable for pickup by city vehicles and approved by the director of public works, or his agent, and subject to the approval of the administrator.

Rubbish means nonputrescible solid wastes, excluding ashes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, wood, glass, bedding, crockery and similar materials. It shall not include garbage, yard rubbish, ashes, dead animals, hazardous refuse, industrial waste or building waste, or special or commercial waste in containers.

- (1) *Industrial waste* means any and all residue resulting from industrial, manufacturing and processing operations, except items specifically included within any other waste definition in this section. Refuse of this class may include putrescible garbage from food processing plants and slaughterhouses, condemned foods, cinders from power plants, incinerators and large factories, and miscellaneous manufacturing waste. Industrial waste shall not include waste originating from commercial operations of an industrial establishment and should not be confused with commercial refuse or so-called "trade waste" which emanates from stores, hotels, restaurants, markets and other similar concerns operated for profit.

(2) *Special waste* means hazardous waste and security waste.

- a. *Hazardous waste* means waste that is dangerous due to its pathological, explosive, radioactive or toxic nature. It may be either solid or liquid.
- b. *Security waste* means waste that is confidential in nature. Included in this category are confidential documents, negotiable papers and other similar items.

White goods means major appliances such as stoves, refrigerators, freezers, ranges, microwaves, televisions, stereos and other large electronic appliances.

Yard rubbish means prunings, grass clippings, weeds, leaves, shrubbery cuttings, limbs and branches five (5) inches or less in diameter, or other materials attending the care of lawns, shrubbery, vines and trees. Limbs and branches shall not be over six (6) feet long. When collected, yard rubbish may contain some earth clinging to the roots of grass, weeds and discarded plants, but large quantities of earth are excluded from this category.

(Ord. No. 006-02, 3-28-06)

Sec. 23-2. - Collection by city; promulgation of regulations; schedule of time of collections.

- (a) All refuse accumulated in the city shall be collected, conveyed and disposed of by the city under the supervision of the director of public works. The director of public works shall have the authority to make regulations concerning the days of collection, type and location of waste containers, and such other matters pertaining to the collection, conveyance and disposal as he shall find necessary, and to change and modify the same; provided, that such regulations are approved by the administrator and are not contrary to the provisions hereof. It shall be unlawful for any person to fail, neglect or refuse to comply with such regulations so promulgated and approved.
- (b) No person, other than those under the direction of the director of public works, shall haul away or remove any refuse set out for collection as provided for in this chapter, except by written consent of the administrator.

(Ord. No. 006-02, 3-28-06)

Sec. 23-3. - Dumping of garbage, refuse, etc.

No refuse or offensive or disease-producing material shall be dumped on any lot or space within the city for the purpose of filling or for any other purpose.

(Ord. No. 006-02, 3-28-06)

Sec. 23-4. - Placing or sweeping trash, rubbish, etc., onto street or sidewalk.

- (a) It shall be unlawful for any person to put, place or throw any refuse, trash, house sweepings, paper cups, garbage, shavings or any other rubbish upon any sidewalk or in any public street, public alley or other public place in the city, except in containers of the type required by this chapter and special sidewalk containers made available in the downtown business district.
- (b) No person shall deposit in or sweep into any street, sidewalk or in any gutter or catchbasin of the city any refuse, paper, trash, rubbish, broken glass, tin cans, bottles, fruit or vegetable peelings or any other refuse, ashes or waste. Such materials shall be accumulated as hereinbefore specified and placed in containers. No householder or storekeeper, by himself or agent, shall cause to be swept from any house, yard, store or elsewhere, any dirt or refuse in or upon the sidewalks or public streets of the city.

(Ord. No. 006-02, 3-28-06)

Sec. 23-5. - Unlawful burning in container.

It shall be unlawful to burn refuse or other items in any solid waste collection container owned by the city.

(Ord. No. 006-02, 3-28-06)

Secs. 23-6—23-9. - Reserved.

ARTICLE II. - SOLID WASTE COLLECTION

DIVISION 1. - RESIDENTIAL COLLECTION

Sec. 23-10. - Days of collection established.

The city shall collect residential garbage based upon a once-a-week schedule. The director of public works shall maintain a map of the city showing the day of collection for all locations served by the city.

(Ord. No. 006-02, 3-28-06)

Sec. 23-11. - Residential pickup procedures.

- (a) Accumulations of refuse shall be placed in roll-a-waste containers. Roll-a-waste containers shall be placed at the curbside no earlier than 4:00 p.m. on the evening prior to the designated collection day and no later than 11:00 p.m. on the evening prior to the designated collection day. Placement shall be such that there is no obstruction to vehicle traffic, pedestrian traffic or storm drainage structures. Roll-a-waste containers shall be removed from the curbside by 7:00 p.m. on such designated collection day. If containers are not removed from the curbside forty-eight (48) hours after the designated collection day, the public works department will return the roll-a-waste container to the side or back of the residence and a five dollar service charge shall be added to the customer's utility bill. Containers shall be stored at the sides or backs of houses when not at curbside for collection.
- (b) Roll-a-waste containers must not be placed within five (5) feet of a mailbox, paper box, post, tree, or similar obstacle.
- (c) All refuse must be placed inside the roll-a-waste container for collection. When the customer has more refuse than will fit in a roll-a-waste container, the refuse must be secured in a sealed trash bag designed for such use and left immediately adjacent to the roll-a-waste container. Customers generating enough refuse to require collection in bags more than once per month, except in November and December, shall be required to obtain and utilize a second roll-a-waste container. Household garbage placed loose outside the roll-a-waste container, or in a container other than the roll-a-waste container provided by the city or sealed trash bag, will not be collected.
- (d) The public works department will collect roll-a-waste containers from the residence rather than the curb upon submission to the public works director of a statement from a physician verifying the resident is physically unable to roll the container the curb for pickup or when no person residing in the residence is under the age of seventy-five (75) years old. In addition, the resident must verify that no other person residing at that residence is physically able to roll the container to the curb for collection.
 - (1) Residents will be required to renew their certification on an annual basis. The public works department will supply forms for this purpose.

- (2) The public works director shall have the authority to terminate such service upon written notification to the resident. The resident may appeal the decision to the city administrator.

(Ord. No. 006-02, 3-28-06)

Sec. 23-12. - Number of roll-a-waste containers.

More than one (1) roll-a-waste container will be provided upon request. An additional user tax shall be charged for each roll-a-waste container at the rate established as a part of the city's annual budget ordinance. The director of public works is authorized, upon the showing of special circumstances and conditions, to authorize a modification of the requirements contained in this section.

(Ord. No. 006-02, 3-28-06)

Sec. 23-13. - Use and maintenance of roll-a-waste containers.

The containers may not be used for purposes other than the storage of refuse which is noncombustible. The deposit of poisons, acids, caustics, explosives, soils, construction materials, furniture or any other materials which would cause damage to the roll-a-waste containers or mechanical lifting devices on collection vehicles is prohibited. Writing, marking, cutting, painting or any abusive treatment of such containers is prohibited.

(Ord. No. 006-02, 3-28-06)

Secs. 23-14—23-19. - Reserved.

DIVISION 2. - COMMERCIAL COLLECTION

Sec. 23-20. - Commercial and Industrial containers—Generally.

- (a) Properly sized commercial containers for refuse collection, as may be designated by the director of public works or his agent shall be provided by the city for all commercial and industrial establishments, including businesses, apartments, tenements or other high density residential developments, schools, churches, clubs, eleemosynary institutions, clinics or any other locations where the use of such containers is considered to be advantageous to the general welfare of the city for reasons of health, sanitation, economy or appearance.
- (b) A commercial or industrial establishment may be required by the director of public works to make use of roll-a-waste containers for refuse collection. In such cases, they will be governed by the rules for residential collection.

(Ord. No. 006-02, 3-28-06)

Sec. 23-21. - Same—Wheel pads; funding.

All new commercial buildings and buildings for which alterations, repairs or rehabilitation work costing in excess of fifty (50) percent of the building value, for which a commercial container is required, shall be required to install a dumpster and wheel pad prior to receiving service. Construction shall be in accordance with specifications provided by the building official. The pad is to be located off street with access provided for the collection vehicle to collect refuse. The city will not be responsible for any damages to the pad or access area as a result from driving the collection vehicle over area. The director of public works can make exceptions to this section when the best interest of the city would be served.

(Ord. No. 006-02, 3-28-06)

Sec. 23-22. - Use and maintenance of containers generally.

Those persons generating large objects of refuse shall be required to first reduce the size of such objects before placing them in the commercial container or roll-a-waste containers for disposal. Large objects shall include, but not be limited to, cardboard boxes, paper containers, wooden boxes and crates and other such objects larger than eighteen (18) inches in width or depth and eighteen (18) inches in height. Certain items are not to be placed into containers under any conditions (see section 23-11). It shall be unlawful for the containers to remain open except while being serviced. Users of containers shall be responsible for keeping containers closed and for the general cleanliness of containers. Refuse set outside of commercial containers shall not be collected. Commercial containers shall not be serviced if ready access is not available to the container.

(Ord. No. 006-02, 3-28-06)

Sec. 23-23. - Damaged containers.

The replacement cost of any container, roll-a-waste or commercial, found to be damaged due to placing unauthorized objects into container or through neglect of user, shall be charged to such user.

(Ord. No. 006-02, 3-28-06)

Sec. 23-24. - Unauthorized use of commercial containers.

(a) It shall be unlawful to place the following objects into commercial containers:

- (1) Tires;
- (2) Building materials;
- (3) Bed springs;
- (4) Box springs;
- (5) Mattresses;
- (6) Stoves;
- (7) Refrigerators;
- (8) Water heaters;
- (9) Large furniture items;
- (10) Poles;
- (11) Hot ashes;
- (12) Hazardous waste.

(b) It has been determined that the above objects cause damage to the packing mechanism in the front loader commercial garbage truck. It will be the responsibility of the users to ensure that none of the above objects are placed into commercial containers. It will also be the responsibility of the person or business that generates any of the above objects to ensure that they are properly disposed of. The director of public works is authorized, upon the showing of special circumstances and conditions, to authorize a modification of the requirements contained in this section.

(c) It shall be unlawful for any person, in person or by his agent or employee, to deposit in any manner any rubbish, waste materials or residential garbage and trash generated outside the city into any commercial container under the jurisdiction of the city.

(Ord. No. 006-02, 3-28-06)

Sec. 23-25. - Number of containers permitted.

The city shall limit each user to four (4) eight-cubic-yard containers. The director of public works or his agent is authorized, upon the showing of special circumstances and conditions, to authorize a modification of the limits contained in this section.

(Ord. No. 006-02, 3-28-06)

Sec. 23-26. - Containers to be put out at time fixed.

It shall be the duty of each landlord, tenant or storekeeper to see that all refuse containers are set out at such time as may be fixed by the director of public works.

(Ord. No. 006-02, 3-28-06)

Sec. 23-27. - Interference with contents of containers.

No person shall overhaul, molest or interfere with the contents of any container set out for removal by the city, unless by permission of the director of public works.

(Ord. No. 006-02, 3-28-06)

Sec. 23-28. - Number of pickups.

The number of pickups will be determined by the director of public works, subject to the approval of the administrator.

(Ord. No. 006-02, 3-28-06)

Sec. 23-29. - Reserved.

DIVISION 3. - BULK COLLECTION

Sec. 23-30. - Leaf collection.

- (a) Leaves may be placed in a roll-a-waste container for collection on regularly scheduled garbage collection days. Otherwise, leaves shall be placed at curbside.
- (b) All leaves placed at curbside for pickup shall be separated from all other material and placed so the collection tube will not be obstructed by a mailbox, paper box, post, tree, or similar obstacle. Placement shall be such that there is no obstruction to vehicle traffic, pedestrian traffic or storm drainage structures. During the special leaf collection season, leaves shall be collected in accordance with section 23-31. Residents placing leaves or grass clippings at curbside at times other than during the special leaf collection season shall call the public works department to schedule their collection.

(Ord. No. 006-02, 3-28-06)

Sec. 23-31. - Special leaf collection season.

The director of public works will, each fall of the year, establish when the special leaf pickup schedule will begin, based on the amount of leaves to be picked up. The special leaf collection season will normally run from mid-November through mid-March each year. When the leaves have been picked up to the point that it does not warrant the expense of the equipment and personnel to continue the special leaf pickup schedule, the director of public works will terminate the special leaf pickup schedule. The director of public works will have published in the local media the starting and ending dates of the special leaf pickup schedule.

(Ord. No. 006-02, 3-28-06)

Sec. 23-32. - Yard rubbish.

- (a) Tree limbs, cuttings, shrubbery and other similar trash may be placed at the roadside (see section 23-40 for yard rubbish generated by a contractor) for collection on regularly scheduled trash collection days. Placement shall be such that there is no obstruction to vehicle traffic, pedestrian traffic or storm drainage structures. Such refuse not exceeding twenty (20) cubic yards, or the load capacity of one (1) open top trash trailer, will be collected when men and equipment are available at no charge. Additional trailer loads, or portions thereof, will be collected when men and equipment are available at a cost per load to be established and from time to time modified by action of city council.
- (b) Tree limbs, cuttings, shrubbery, and other similar trash placed at the roadside for collection must not be placed within ten (10) feet of a mailbox, paper box, post, tree, or similar obstacle. All tree limbs, cuttings, shrubbery, and other similar trash placed at curbside for pickup shall be separated from all other material.
- (c) Tree trunks and limbs less than eight (8) inches in diameter must be reduced to a length of less than forty-eight (48) inches. Tree trunks and limbs eight (8) inches in diameter or larger must be reduced to a length of less than twenty-four (24) inches. The public works director shall notify the property owner when such safe limits are exceeded and such refuse shall not be collected until the length and/or weight has been reduced to safe limits.

(Ord. No. 006-02, 3-28-06)

Cross reference— Tree management, Ch. 27.5.

Sec. 23-33. - White goods.

White goods such as refrigerators, washing machines, water heaters, and other similar items will be picked up on regularly scheduled refuse collection days.

- (a) Residents shall place such items at curbside (see section 23-40 for removal of white goods by a contractor) no earlier than the afternoon prior to their scheduled pickup day. Items placed at the roadside for collection must not be placed within ten (10) feet of a mailbox, paper box, post, tree, or similar obstacle. All white goods and other similar items placed at curbside for pickup shall be separated from all other material. Placement shall be such that there is no obstruction to vehicle traffic, pedestrian traffic or storm drainage structures.
- (b) Doors must be removed from refrigerators and freezers prior to being placed at curbside.
- (c) No special pickup will be authorized without prior approval of the director of public works or his agent, depending upon the availability of men and equipment.

(Ord. No. 006-02, 3-28-06)

Sec. 23-34. - Borrow-a-truck program.

- (a) If a resident is to generate an excessive amount of refuse, such as yard, attic, garage, etc., cleanup, he may request the free use of a twenty-cubic-yard open top trailer to be delivered to his residence and picked up at no additional expense to the resident, depending upon availability. Each resident will be limited to one (1) twenty-cubic-yard trailer monthly at no charge (the one (1) per month at no charge provision shall apply to landlords on a "per location" basis). An additional twenty-cubic-yard trailer, depending on availability, may be requested at an additional charge per trailer established and from time to time modified by action of city council. Any additional charges will be applied to the refuse collection users' tax.
- (b)

If a commercial business is to generate an excessive amount of refuse, it may request the use of a trash trailer to be delivered to his work site within the city to allow for the disposal of the refuse in the trash trailers. Trash trailers will be delivered upon availability. A fee established and from time to time modified by action of city council per trash trailer load or per day, whichever is greater, of refuse will be billed to the commercial business owner/contractor plus any charges incurred by the city for disposing such refuse at the county sanitary landfill. A commercial business owner/contractor using a trash trailer that will be delivered on a Friday and not picked up until the following Monday will be charged a fee established and from time to time modified by action of city council for one (1) load. Trash trailers will be delivered and picked up based on the availability of equipment and personnel.

(Ord. No. 006-02, 3-28-06)

Secs. 23-35—23-39. - Reserved.

DIVISION 4. - PROHIBITED ITEMS, ETC.

Sec. 23-40. - Items not collected by city.

- (a) *Generally; responsibility for disposal.* The city shall not collect the following items. These items are the responsibility of the persons indicated for each respectively:

Solid Waste		Responsible Entity
(1)	Large dead animals	Owner
(2)	Construction and demolition waste, including tree limbs and cuttings from commercial tree trimmers, landscapers, and tree surgeons	Contractor
(3)	Waste or litter resulting from vehicle accident or collision	Wrecker service

(4)	Industrial waste	Owner
(5)	Special waste, including any waste identified by the South Carolina Department of Health and Environmental Control as hazardous waste	Owner
(6)	White goods—If a new white good is delivered and installed by a store or contractor they shall remove and dispose of the old appliance	Contractor

(7)	Any solid waste items where it has been demonstrated by experience that the item has a high probability of inflicting damage to the collection equipment used by the city	Owner
(8)	Tires, automotive parts, oil, undrained oil filters, vehicle batteries, paint, solvents and chemicals	Owner
(9)	Limbs in excess of the limits in subsection <u>23-32(c)</u> , stumps and railroad ties	Owner

(Ord. No. 006-02, 3-28-06)

Sec. 23-41. - Industrial and building materials and refuse.

No building materials or refuse from building operations or landscape contract work will be removed from any lot by the city. For purposes of this division, a landlord and/or his employees working on rental single family dwellings owned by the landlord shall not be considered contract work

and bulk collection will be provided as for any homeowner; provided however, that any material from rental property cleanouts or evictions initiated by the property owner or his agent shall not be placed at curbside for pickup. Landlords shall utilize the Borrow-A-Truck program for such activities. All large accumulations of glass, shavings or waste materials of any kind resulting from building operations shall be removed by the contractor in charge of such building operation. Failure to remove such debris within three (3) business days after notice from the city shall be grounds, in addition to criminal penalties for violation of this chapter, for suspension or revocation of the contractor's business license at the discretion of the city administrator. The contractor shall also be liable for the cost of removal by the city if required by the contractor's failure to remove the debris. No city business license may be issued to any business for any contractor or the successor or assign of that contractor until such time as the contractor pays all fees and costs outlined by this section.

(Ord. No. 006-02, 3-28-06)

Cross reference— Buildings, Ch. 5.

Sec. 23-42. - Requirement for special purpose permit; contract.

Any business involved in performing services within the city that result in the accumulation of debris or refuse in excess of twenty (20) cubic yards shall obtain a special purpose permit from the office of building official and use a contract in the form prescribed by the director of public works. Such contract form shall be issued with the special purpose permit and will be made a part thereof. Failure to obtain a permit or use the contract or a form substantially similar which provides the same information and requires the contractor to remove all debris, or to maintain records of such contracts for a period of three (3) years from performance of work shall be deemed a violation of this chapter. Failure to remove any such debris within three (3) days after notice from the city shall be a violation of this chapter and shall subject the contractor, in addition to criminal penalties, to suspension or revocation of the contractor's business license in the discretion of the city administrator. Businesses affected by the terms of this chapter include, but are not limited to, building contractors, remodeling services, roofing companies, pulpwood services, yard care services and tree removal and trimming services.

(Ord. No. 006-02, 3-28-06)

Secs. 23-43—23-50. - Reserved.

ARTICLE III. - REFUSE SERVICE CHARGES

Sec. 23-51. - Levy and collection.

A special city user tax for the collection of refuse by the city is hereby levied and shall be collected. The city council may establish in the annual budget ordinance a reduction in fees for certain charitable organizations. Any requested reduction in the fee that is not provided for in the annual budget ordinance shall be approved by city council prior to the provision of such service.

(Ord. No. 006-02, 3-28-06)

Sec. 23-52. - Roll-a-waste containers.

Pursuant to section 23-51, there shall be a special city user tax for use of roll-a-waste containers established as a part of the city's annual budget ordinance.

(Ord. No. 006-02, 3-28-06)

Sec. 23-53. - Bulk containers.

Pursuant to section 23-51, there shall be a service charge for the use of bulk containers established as a part of the city's annual budget ordinance.

(Ord. No. 006-02, 3-28-06)

Sec. 23-54. - Application for container for single-level housing facilities.

Single-level housing facilities containing more than two (2) dwelling units may have refuse collected through the use of a commercial container or through the use of a roll-a-waste container. If the method chosen is a commercial container, the service charges shall be borne by the owner of the housing facility.

(Ord. No. 006-02, 3-28-06)

Sec. 23-55. - When due; payment; turning off water for nonpayment.

- (a) The refuse special user tax provided for in this article shall be due and payable under the same rules and regulations as are provided for the collection of utility bills.
- (b) The water of any customer who has not paid such customer's account for the special city user tax for the collection of refuse before the fifteenth day of the month next following the due date on such bill shall have the water turned off. When water has been turned off because of nonpayment of the special city user tax, prior to it being turned back on all delinquent charges must be paid. It shall be unlawful for any unauthorized person to turn water back on after the water has been turned off for nonpayment of account.

(Ord. No. 006-02, 3-28-06)

Sec. 23-56. - Effect if conviction.

A conviction for the violation of any section of this article shall not appear as a release or discharge from the requirement of this article but the city may recover the amount due in any court of competent jurisdiction and shall have all the rights and remedies for the collection of same as is given under the statutes of the state.

(Ord. No. 006-02, 3-28-06)

Secs. 23-57—23-75. - Reserved.**ARTICLE IV. - LITTER****FOOTNOTE(S):**

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State Law reference— Dumping litter on private or public property, S.C. Code 1976, § 16-11-700; litter control, S.C. Code 1976, § 44-67-10 et seq.

Sec. 23-76. - Defined.

Litter, as used in this article, means garbage, refuse or rubbish, as defined in section 23-1 above.

(Ord. No. 006-02, 3-28-06)

Sec. 23-77. - Depositing prohibited.

(a)

It shall be unlawful for any person, in person or by his agent, employee or servant, to cast, throw, sweep, sift or deposit in any manner in or upon any public way or other public place in the city or any river, creek, canal, public water, drain, sewer or receiving basin within the jurisdiction of the city, any kind of litter, dirt, rubbish, waste article, thing or substance whatsoever, whether liquid or solid. Nor shall any person cast, throw, sweep, sift or deposit any of the aforementioned items anywhere within the jurisdiction of the city in such manner that it may be carried or deposited in whole or in part, by the action of the sun, wind, rain or snow, into any of the aforementioned places.

- (b) This section shall not apply to the deposit of material under a permit authorized by any ordinance of the city; or to goods, wares or merchandise deposited upon any public way or other public place temporarily, in the necessary course of trade and removed therefrom within two (2) hours after being so deposited; or to articles or things deposited in or conducted into the city sewer system through unlawful drains in accordance with the ordinances of the city relating thereto.

(Ord. No. 006-02, 3-28-06)

Sec. 23-78. - Littering from automobiles; driver to be held liable.

- (a) No person, while a driver or a passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the city or upon private property.
- (b) The driver of any vehicle, other than a commercial carrier, shall be held liable in the event it cannot be determined which vehicle occupant committed any acts in violation of this article.

(Ord. No. 006-02, 3-28-06)

Sec. 23-79. - Placing in public receptacles.

Persons placing litter in public containers or in authorized private containers shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

(Ord. No. 006-02, 3-28-06)

Sec. 23-80. - Unlawful use of public containers.

It shall be unlawful to use such public containers for the purpose of disposing of any refuse, trash, house sweeping, paper, appliances, garbage, rubbish, ashes, dead animals, putrescible animal and vegetable waste, glass, wood, bedding, crockery or any other similar materials created by or generated from the operations of any business.

(Ord. No. 006-02, 3-28-06)

Sec. 23-81. - Maintenance of private property.

The owner or person in control of any private property shall at all times maintain the premises, including structures situated on those premises, free of used equipment, litter and debris; provided, that this section shall not prohibit the storage of litter in authorized containers for collection. The accumulation and storage of used equipment, litter and debris is hereby found to create an unsightly and unwarranted condition when found on private premises. Such accumulation tends to reduce the value of private property and to constitute an attractive nuisance. Such accumulation and storage of used equipment, litter and debris is further found to promote urban blight and deterioration in the community and is in violation of health and sanitation laws.

(Ord. No. 006-02, 3-28-06)

Cross reference— Offenses and miscellaneous, Ch. 15.

Sec. 23-82. - Containers required at certain establishments.

To help prevent or reduce litter by pedestrians and motorists, owners of publicly patronized or used establishments and institutions, as may be designated by the director of public works, shall provide on their premises and maintain in good condition adequate containers that meet standards prescribed by the director of public works. These owners shall regularly empty these containers into roll-a-waste containers or commercial containers for collection by the city or private collection service. This requirement shall be applicable, but not limited, to fast food outlets, shopping centers, convenience stores, supermarkets, service stations, motels, hospitals, schools, apartment complexes and colleges.

(Ord. No. 006-02, 3-28-06)

Sec. 23-83. - Owner responsibility.

- (a) It shall be the duty of the owner, agent, occupant or lessee to keep exterior private and public property free of litter and unsightly growth. This requirement applies not only to removal of loose litter, but to materials that already are, or become, trapped at such locations as fences and wall bases, grassy and planted areas, borders, embankments, commercial containers and other lodging points.
- (b) It shall be unlawful to sweep or push litter from buildings, property, sidewalks, and strips into streets, sidewalks and the storm drainage system. Sidewalk and strip sweepings must be picked up and put into roll-a-waste containers, public receptacles or commercial containers.
- (c) The building official shall provide written notice to the owner, agent, occupant or lessee identifying any deficiencies or violation requiring correction five (5) days prior to any other enforcement action taken in regard to the provisions of this section.

(Ord. No. 006-02, 3-28-06)

Sec. 23-84. - Failure to remove.

Any person who fails, neglects or refuses to remove the accumulated used equipment, litter or debris and abate such nuisances after given notice by the building official shall be guilty of a misdemeanor.

(Ord. No. 006-02, 3-28-06)

Sec. 23-85. - Penalty.

Violation of this article shall be punishable by a fine or imprisonment, or both, as provided in section 1-7 of the City Code. Each day of violation shall constitute a separate offense.

(Ord. No. 006-02, 3-28-06)

Secs. 23-86—23-89. - Reserved.

ARTICLE V. - ROLLOFF CONTAINERS

Sec. 23-90. - Rolloff containers—Generally.

Properly sized rolloff containers for the disposal of construction and/or demolition debris suitable for disposal in a C & D landfill, as may be designated by the director of public works or his agent shall be provided by the city for locations needing such service where the use of such containers is considered to be advantageous to the general welfare of the city for reasons of health, sanitation, economy or appearance.

(Ord. No. 006-02, 3-28-06)

Sec. 23-91. - Use and maintenance of containers generally.

Users of rolloff containers shall be responsible for keeping container doors closed and for the general cleanliness of containers. It shall be unlawful to burn debris in a rolloff container. Debris set outside the rolloff container shall not be collected. Rolloff containers shall not be serviced if ready access is not available to the container.

(Ord. No. 006-02, 3-28-06)

Sec. 23-92. - Damaged containers.

The replacement cost of any rolloff container found to be damaged due to placing unauthorized objects into the container or through neglect of the user shall be charged to such user.

(Ord. No. 006-02, 3-28-06)

Sec. 23-93. - User tax.

- (a) There shall be a special city user tax for the use of roll-off containers established as a part of the city's annual budget ordinance. In the event of non-payment the city may recover the amount due in any court of competent jurisdiction and shall have all the rights and remedies for the collection of same as is given under the statutes of the state.
- (b) For customers desiring service on a permanent basis the monthly rental fee shall be calculated utilizing the same fee charged per cubic yard as commercial container customers and the hauling fee shall be waived. For the purpose of this section, permanent basis shall mean desiring service in excess of twenty-four (24) months.

(Ord. No. 006-02, 3-28-06)

Sec. 23-94. - When due; turning off utilities for nonpayment; liability for charges.

- (a) The special city user tax for the use of roll-off containers shall be due and payable as specified by the payment terms contained in the invoice produced by the city for usage charges.
- (b) If the individual or business charged for roll-off container use is a customer of the city's water and sewer service, such service may be terminated for failure to pay in full the charges owed for roll-off container usage. When service has been terminated due to nonpayment of roll-off charges, all delinquent roll-off charges must be paid in full prior to service being reinstated. It shall be unlawful for any authorized person to turn water back on after water has been turned off for nonpayment of account.
- (c) If a roll-off container is placed at a property owned by a city resident, the resident is secondarily liable for payment of all outstanding roll-off container usage invoices if primary roll-off customer does not pay invoiced charges.

(Ord. No. 012-03, 3-27-12)

Appendix B
Lancaster County Debris Management Plan
Excerpts

LANCASTER COUNTY DEBRIS MANAGEMENT PLAN

SECTION TWO

ANNEX A

2010

Lancaster County Emergency Management

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I. PURPOSE

After any event that causes widespread damage, priorities must be set for debris clearance and response. The purpose of Annex A is to identify locations with a duty to respond with personnel and equipment in disaster situations. These locations must be accessible immediately after a disaster strikes so that response and recovery efforts may begin.

Priority for debris clearance shall be based upon the following criteria:

- Extricate people
- Egress for fire, EMS, police and Emergency Operations Center
- Ingress to hospitals, jail, and special care unit
- Major flood drainage arteries
- Municipal Buildings
- Major traffic routes
- Egress for fleet, traffic, road and bridge, and designated remote locations
- Supply distribution points and mutual aid assembly areas
- Government facilities
- Public Safety communications towers
- Red Cross / DSS shelters
- Secondary roads to neighbor collection points
- Access for utility restoration
- Neighborhood streets
- Private property adversely affecting public welfare

I. EMERGENCY SERVICES**A. FIRE STATIONS**

The following are fire stations located throughout the Lancaster County. Circumstances of the type, degree, and location of the disaster will of course determine fire station response and the immediacy of debris clearance.

The following are a list of Fire Stations in Lancaster County:

Station 1
Antioch Fire Department
3015 Taxahaw Rd.
34.704560 Lat.
-80.676500 Long.

Station 2
Bell Town Fire Department
4600 Great Falls Hwy.
34.622630 Lat.
-80.853630 Long.

Station 3
Buford Fire Department
1893 N. Rocky River Rd.
34.760580 Lat.
-80.630220 Long.

Station 4
Camp Creek Fire Department
2386 Camp Creek Rd.
34.749140 Lat.
-80.714580 Long.

LANCASTER COUNTY DEBRIS MANAGEMENT PLAN

Annex A – Debris Clearing Priorities

Station 5
Charlotte Rd./Van Wyck Fire Dept
4455 Old Hickory Rd.
34.839860 Lat.
-80.827850 Long.

Station 6
Elgin Fire Department
114 Tram Rd.
34.675510 Lat.
-80.721320 Long.

Station 7
Flat Creek Fire Department
7563 Flat Creek Rd.
34.635450 Lat.
-80.529000 Long.

Flat Creek Fire Dept. (Sub Station)
8300 Taxahaw Rd.
34.671950 Lat.
-80.47869 Long.

Station 8
Gooch's Fire Department
1594 Grace Ave.
34.693090 Lat.
-80.803640 Long.

Station 9
Heath Springs Fire Department
103 Duncan St.
34.594780 Lat.
-80.675070 Long.

Station 10
Indian Land Fire Department
185 Six mile Creek Rd.
34.930610 Lat.
-80.830640 Long.

Station 11
Kershaw Fire Department
110 S. Hampton St.
34.547120 Lat.
-80.582120 Long.

Station 12
McDonald Green Fire Dept.
2787 Lynwood Dr.
34.653540 Lat.
-80.765510 Long.

Station 14
Pleasant Valley Fire Dept.
315 Fort Mill Hwy.
35.000830 Lat.
-80.864610 Long.

Station 15
Rich Hill Fire Department
3089 Rocky River Rd.
34.652270 Lat.
-80.653530 Long.

Station 16
Riverside Fire Department
1875 Riverside Rd.
34.755570 Lat.
-80.844910 Long.

Station 17
Shiloh Zion Fire Department
703 Monroe Hwy.
34.754640 Lat.
-80.759460 Long.

Station 18
Tradesville Fire Department
2145 Old Camden-Monroe Hwy.
34.770990 Lat.
-80.547880 Long.

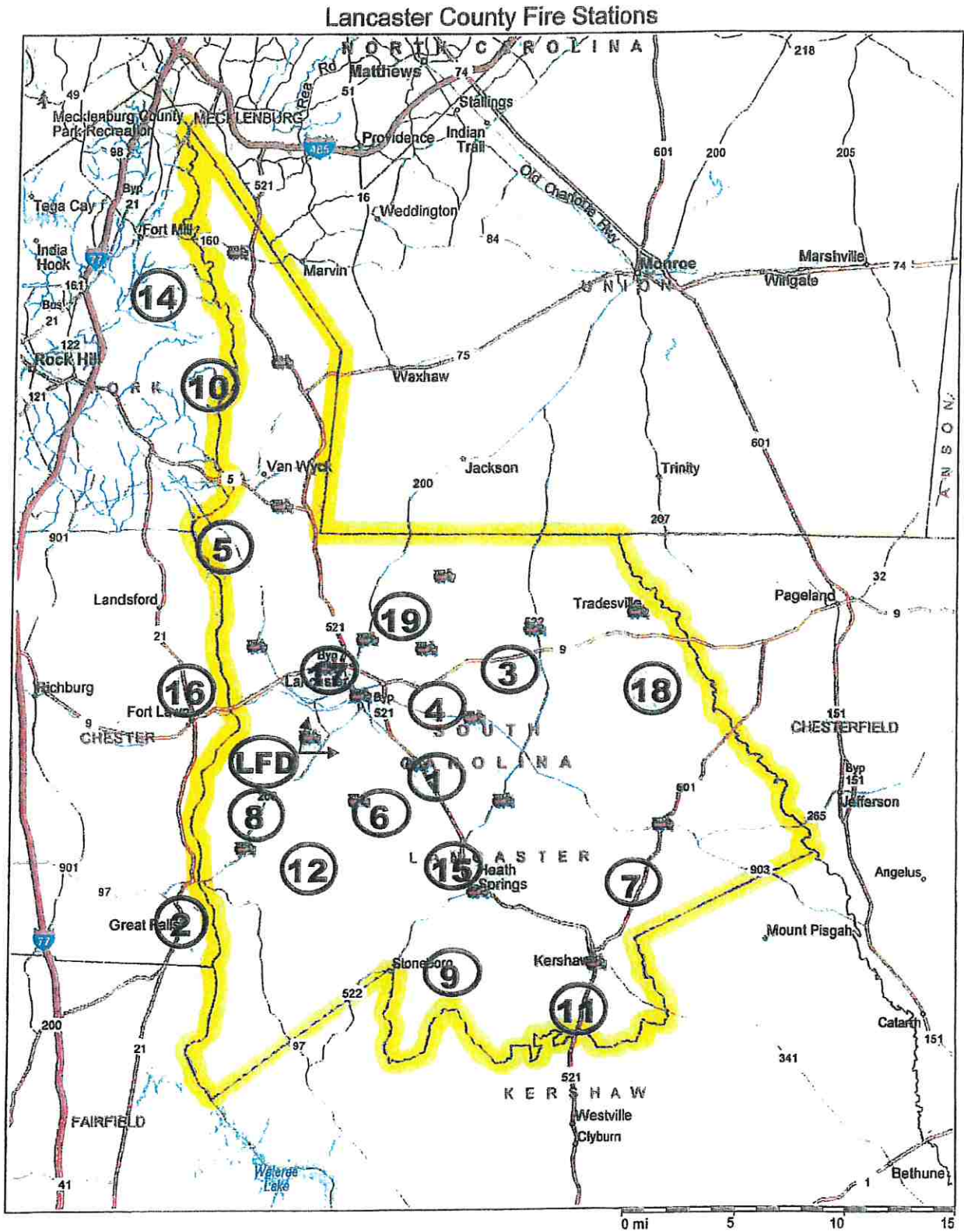
Station 19
Unity Fire Department
2495 Shiloh Unity Rd.
34.795020 Lat.
-80.701070 Long.

LFD Station 1
401 East Arch Street
34.719030 Lat.
-80.764720 Long.

LFD Station 2
453 Hubbard Dr.
34.736890 Lat.
-80.789240 Long.

LANCASTER COUNTY DEBRIS MANAGEMENT PLAN

Annex A - Debris Clearing Priorities



Fire Departments

Antioch Fire Department
3015 Taxahaw Rd.



Buford Fire Department
1893 N. Rocky River Rd.



Bell Town Fire Department
4600 Great Falls Hwy.



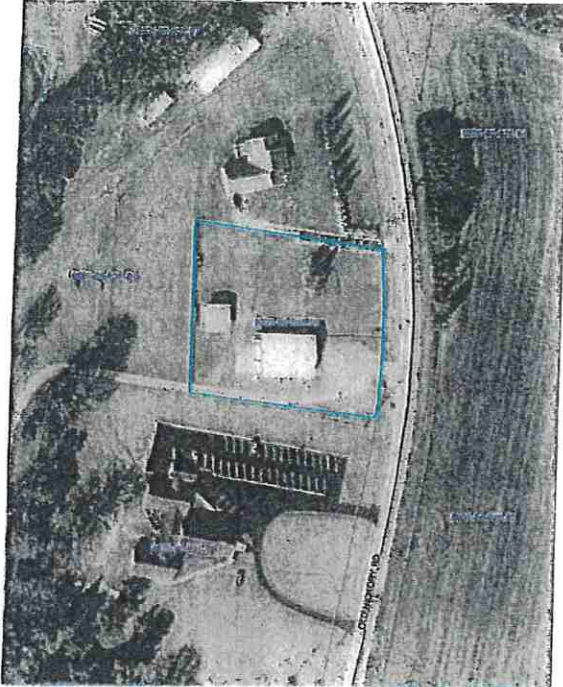
Camp Creek Fire Department
2386 Camp Creek Rd. - Lancaster



LANCASTER COUNTY DEBRIS MANAGEMENT PLAN

Annex A – Debris Clearing Priorities

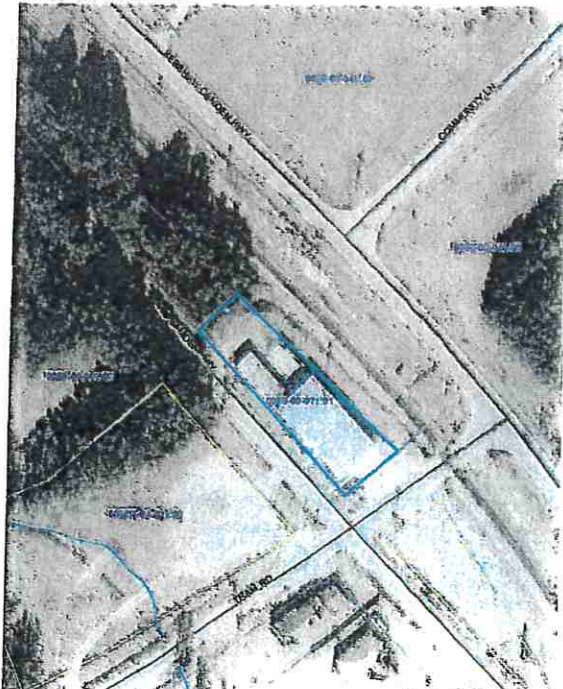
**Charlotte Rd Van Wyck Fire Dept.
4455 Old Hickory Rd.**



**Flat Creek Fire Department
7563 Flat Creek Rd.**



**Elgin Fire Department
114 Tram Rd.**



**Flat Creek Fire Dept. Sub Station
8300 Taxahaw Rd.**



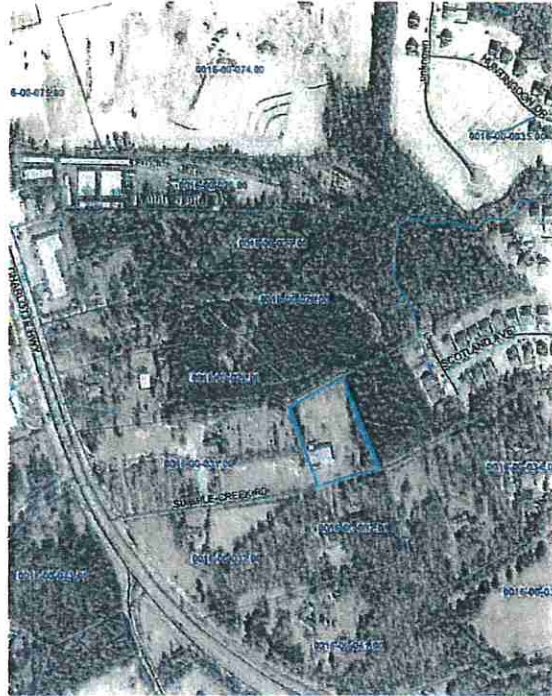
LANCASTER COUNTY DEBRIS MANAGEMENT PLAN

Annex A – Debris Clearing Priorities

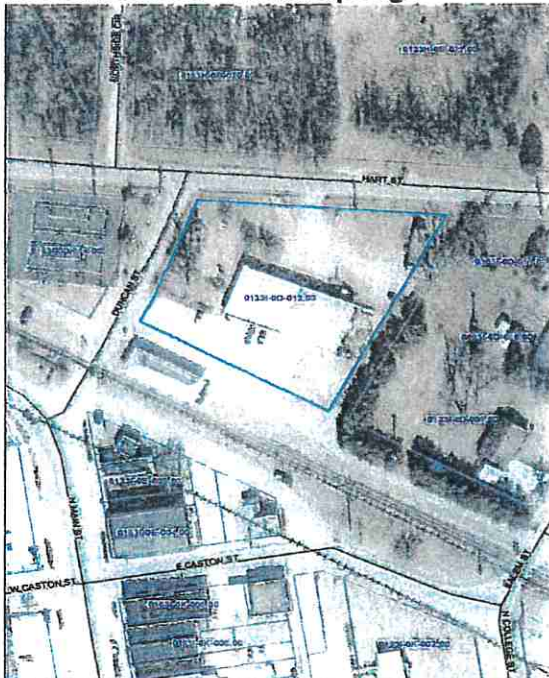
Gooch's Fire Department
1594 Grace Ave. - Lancaster



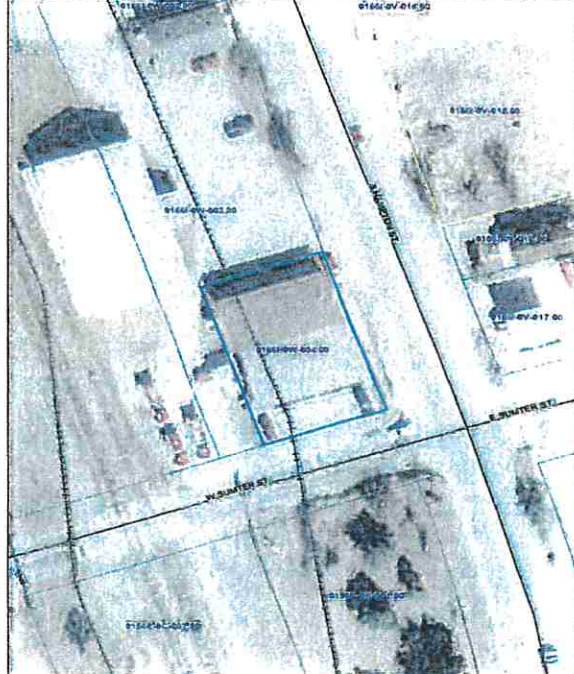
Indian Land Fire Department
185 Six mile Creek Rd. – Indian Land



Heath Springs Fire Department
103 Duncan St. - Heath Springs



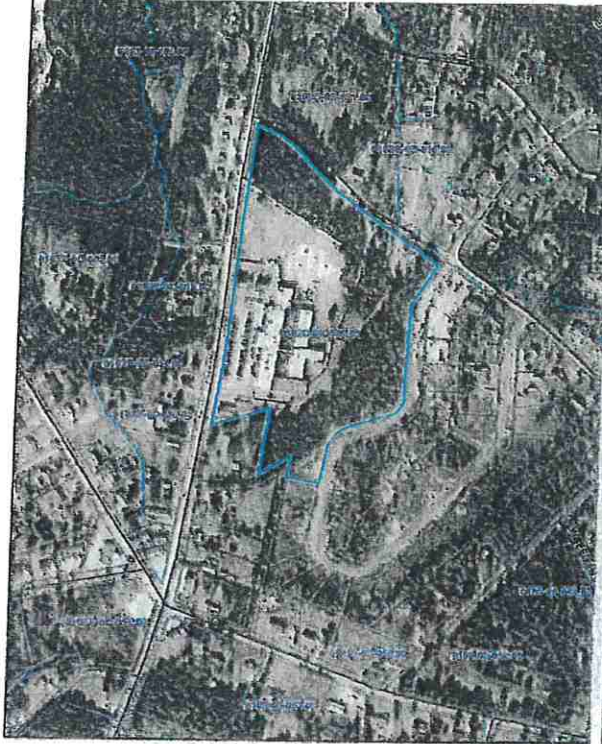
Kershaw Fire Department
110 S. Hampton St. – Kershaw



LANCASTER COUNTY DEBRIS MANAGEMENT PLAN

Annex A – Debris Clearing Priorities

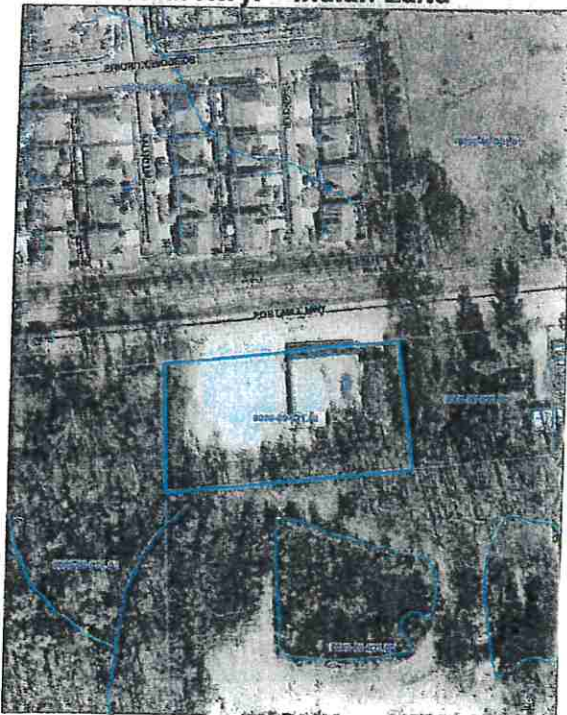
McDonald Green Fire Department
2787 Lynwood Dr.



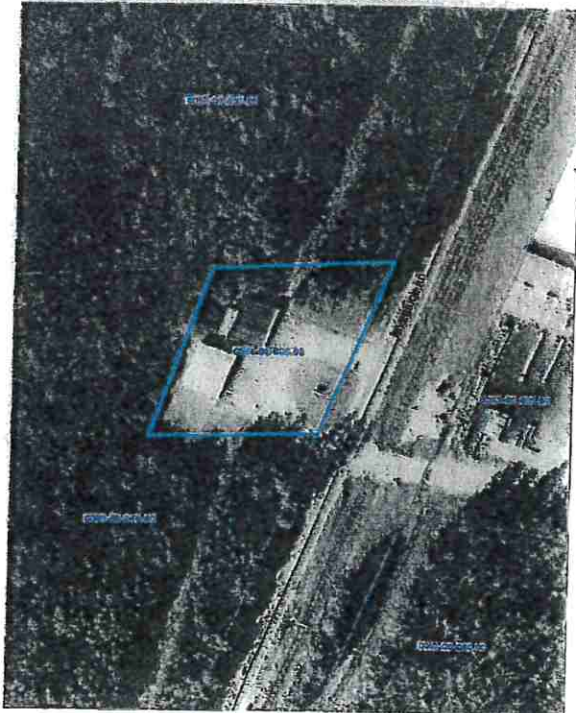
Rich Hill Fire Department
3089 Rocky River Rd.



Pleasant Valley Fire Department
912 Fort Mill Hwy. – Indian Land



Riverside Fire Department
1875 Riverside Rd. - Lancaster



LANCASTER COUNTY DEBRIS MANAGEMENT PLAN

Annex A – Debris Clearing Priorities

Shiloh Zion Fire Department
703 Monroe Hwy. – Lancaster



Tradesville Fire Department
2145 Old Camden-Monroe Hwy.



Shiloh Zion Fire Dept. Sub Station
1509 Monroe Hwy.

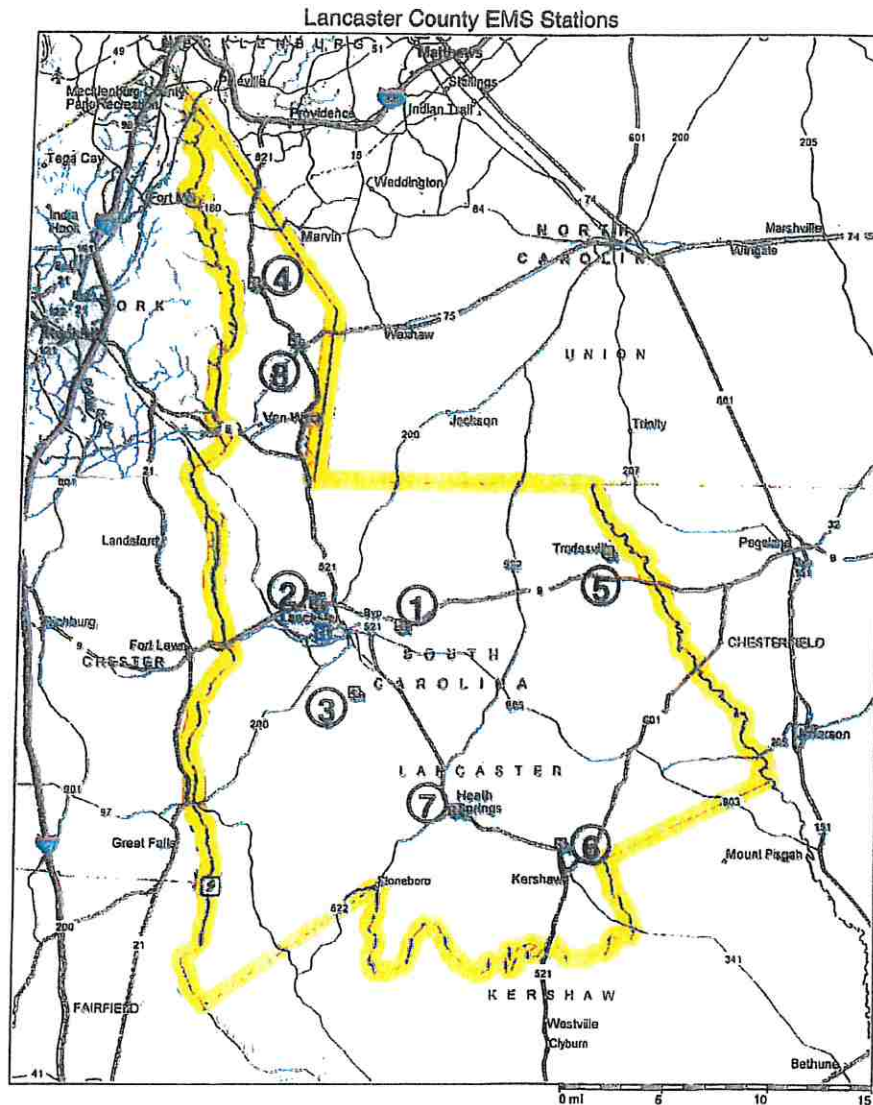


Unity Fire Department
2495 Shiloh Unity Rd.



B. EMS STATIONS

The following are EMS stations located throughout the Lancaster County. Circumstances of the type, degree, and location of the disaster will of course determine EMS station response and the immediacy of debris clearance.



EMS Station 1
2006 Pageland Hwy.
34.721200 Lat.
-80.721340 Long.

EMS Station 2
1101 Crestfield Dr.
34.736890 Lat.
-80.789240 Long.

EMS Station 3
1305 McIlwain Road
34.674990 Lat.
-80.758430 Long.

EMS Station 4
8290 Charlotte Hwy.
34.952680 Lat.
-80.849100 Long.

LANCASTER COUNTY DEBRIS MANAGEMENT PLAN

Annex A – Debris Clearing Priorities

EMS Station 5
2145 Old Camden-Monroe
Hwy.
34.770990 Lat.
-80.547880 Long.

EMS Station 6
3855 Fork Hill Rd.
34.569540 Lat.
-80.586190 Long.

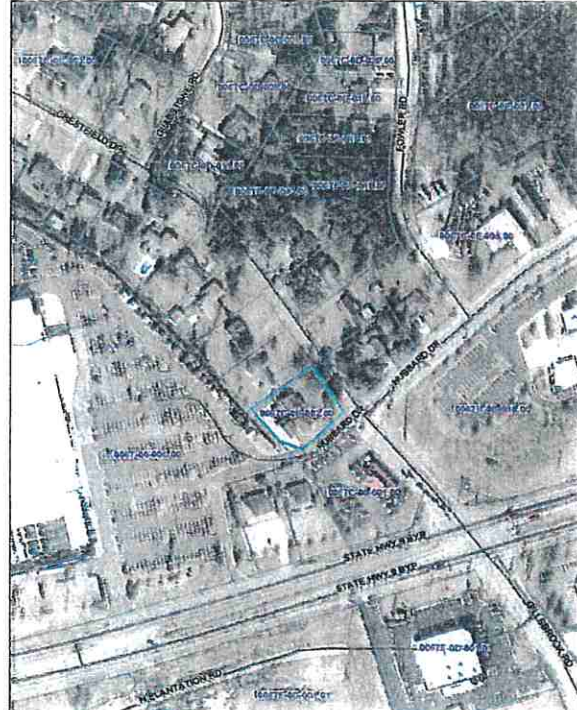
EMS Station 7 (Non -Transport)
309 Hart St. Heath Springs
34.59460 Lat.
-80.67420 Long.

EMS Station 8
10209 Edenmoor Pkwy.
UNDER CONSTRUCTION

EMS Station 1
2006 Pageland Hwy.- Lancaster



EMS Station 2
1101 Crestfield Dr. - Lancaster

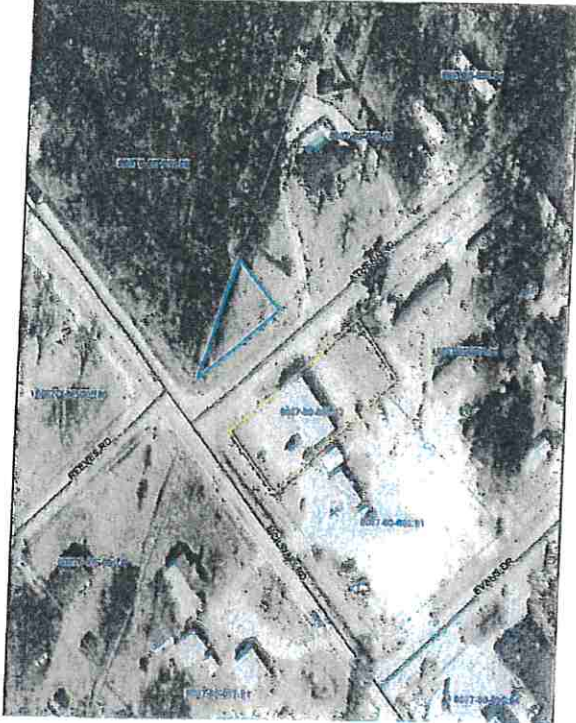


LANCASTER COUNTY DEBRIS MANAGEMENT PLAN

Annex A – Debris Clearing Priorities

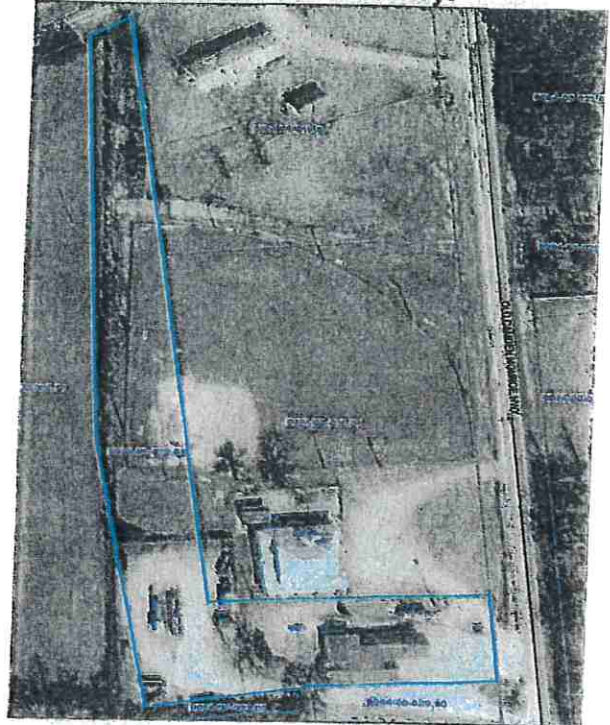
EMS Station 3

1305 McIlwain Road - Lancaster



EMS Station 5

2145 Old Camden-Monroe Hwy.



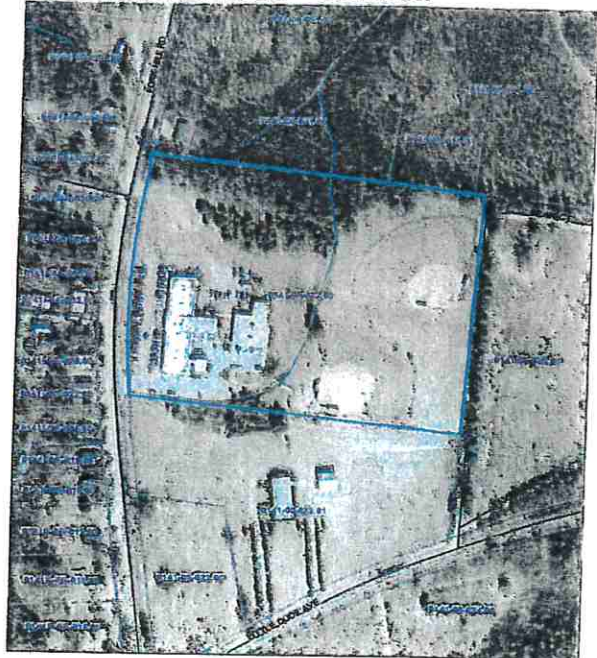
EMS Station 4

8290 Charlotte Hwy. – Indian Land



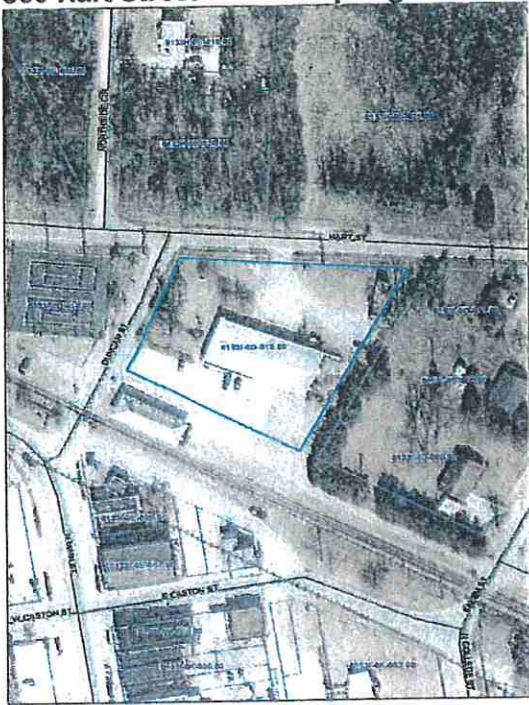
EMS Station 6

3855 Fork Hill Road – Kershaw



EMS Station 7

309 Hart Street – Heath Springs



LANCASTER COUNTY DEBRIS MANAGEMENT PLAN

Annex A – Debris Clearing Priorities

C. Law Enforcement /Sheriff's Department and Sub-Stations

The following are Sheriff's Department stations located throughout the Lancaster County. Circumstances of the type, degree, and location of the disaster will of course determine Sheriff's Department station response and the immediacy of debris clearance.

**Lancaster County Sheriff's Dept.
1941 Pageland Hwy
Lancaster, SC**



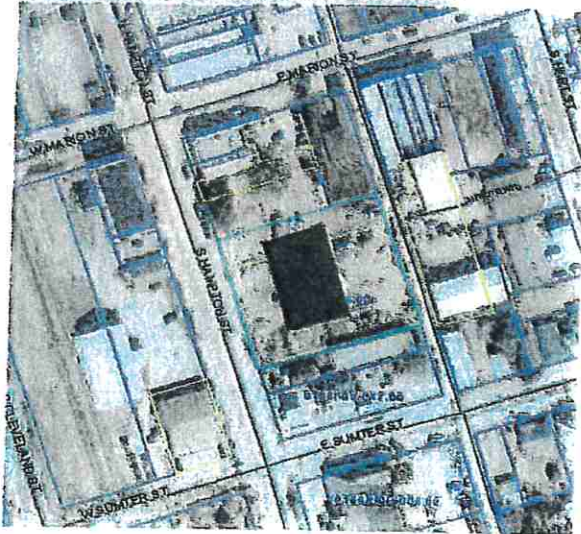
**Lancaster County Sheriff's Dept.
Indian Land Sub-Station
8290 Charlotte Hwy. – Indian Land**



**Lancaster County Sheriff's Dept.
Heath Springs Sub-Station
103 Duncan St. – Heath Springs**



**Lancaster County Sheriff's Dept.
Kershaw Sub-Station
113 S Hampton Street. – Kershaw**



Annex A – Debris Clearing Priorities

D. Emergency Operations Center and Hospital

Lancaster County EOC

208 W. Gay St. — Lancaster

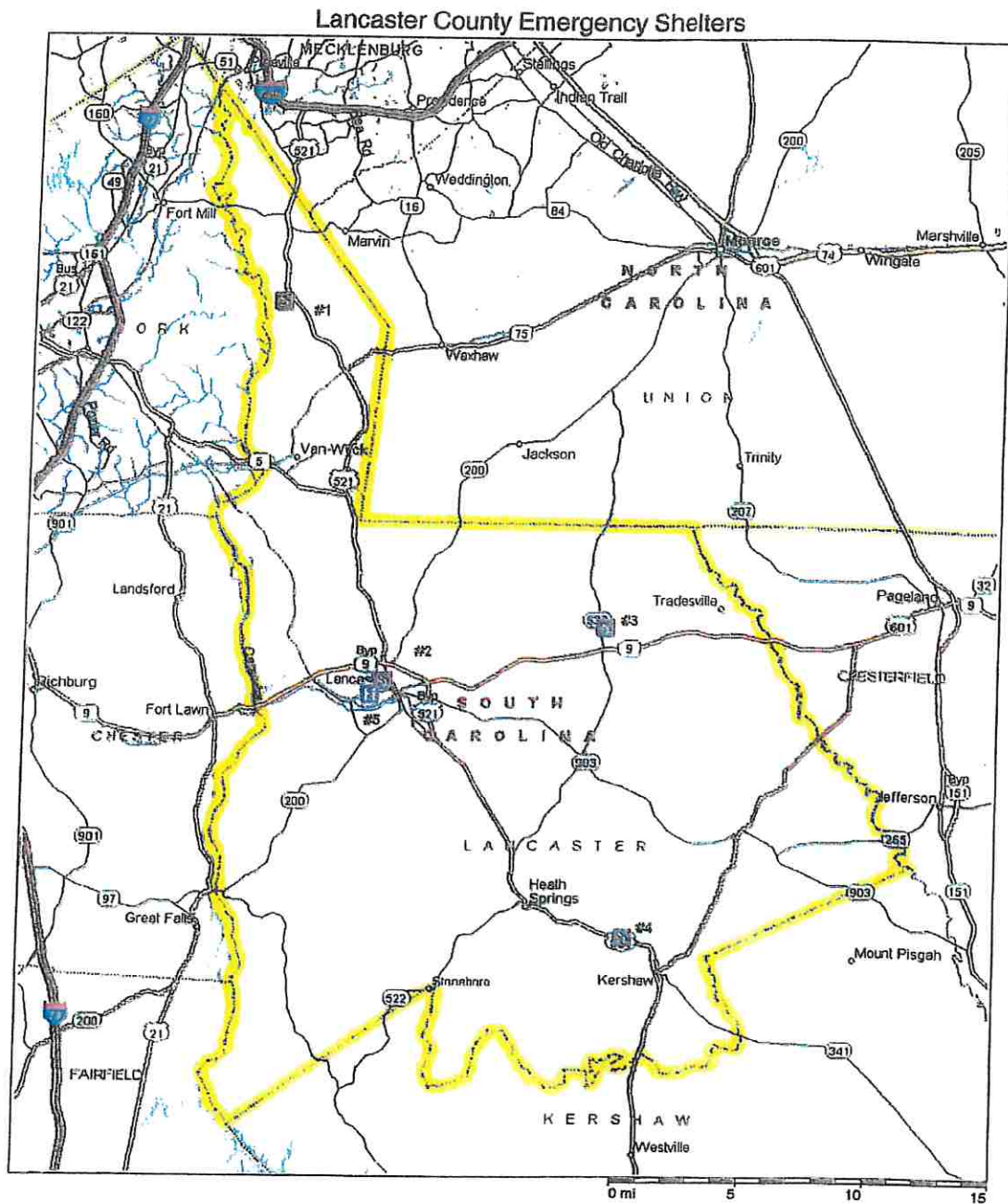


Springs Memorial Hospital

800 W. Meeting Street – Lancaster



E. Emergency Shelters



#1 Indian Land High School
8063 River Rd.

#2 Lancaster High School
617 Normand Rd.

#3 Buford High School
4290 Tabernacle Rd.

#4 Andrew Jackson High School
6925 Kershaw-Camden Hwy.

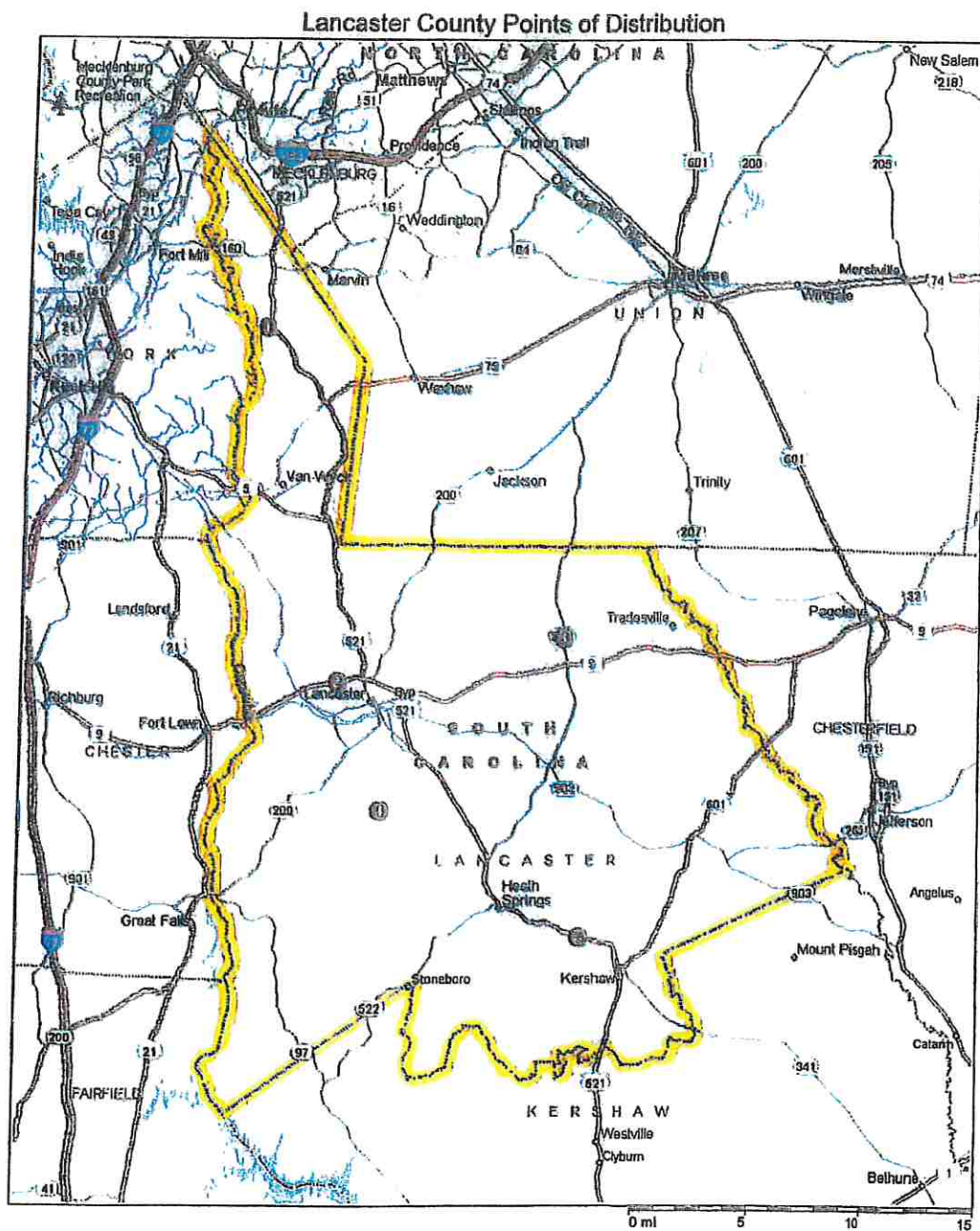
#5 Springs Memorial Hospital
Special Medical Needs Shelter
800 W. Meeting St. - Lancaster

The following map shows the major traffic routes through Lancaster County. Of these, Highway 521, Highway 9, Highway 903, and Highway 200 are vital arteries that link all portions of the County to the City of Lancaster. Reopening these thoroughfares quickly will be imperative for response operations. Equally, these and the other roads indicated on the following map serve as commuter corridors and are of considerable importance to welfare of our citizenry and our ability to recovery from disaster.

[illegible]

G. Commodity Distribution Points

Lancaster County Emergency Management has identified five points of distribution for life sustaining commodities. Access to these locations, identified in the following map, must be attained as quickly as possible to begin providing necessities to citizens in need.



**Point of Distribution # 1
Indian Land Elementary School
4137 Doby's Bridge Rd.**



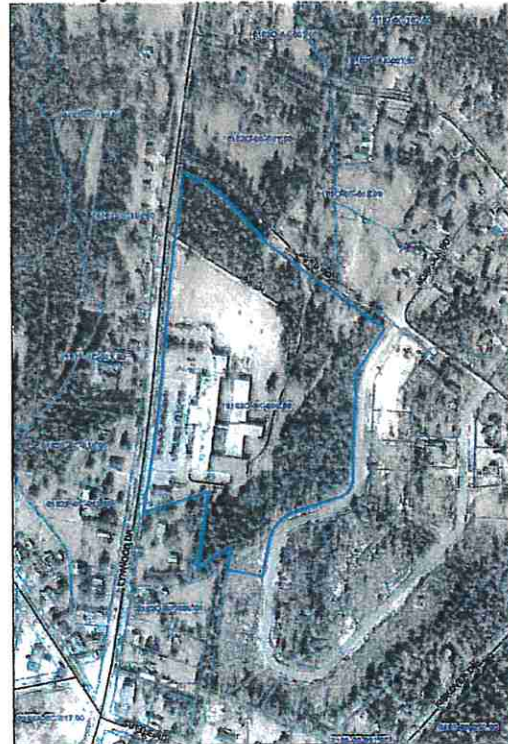
**Point of Distribution # 3
Buford Elementary School
1906 N. Rocky River Rd.**



**Point of Distribution # 2
Lancer Center
1206 Highway 9 By-Pass West**



**Point of Distribution # 4
McDonald Green Elementary
2763 Lynwood Dr.**



**Point of Distribution #5
Andrew Jackson Middle School
6865 Kershaw-Camden Hwy.**



LANCASTER COUNTY DEBRIS MANAGEMENT PLAN

SECTION TWO

ANNEX B

2010

Lancaster County Emergency Management

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I. PURPOSE

To provide a description of the site selection, location, layout, general operational guideline for debris management sites within Lancaster County.

II. GENERAL

Federal debris management guidance and best practices advise local debris management sites should be pre-designate when possible. Lancaster County has selected a site for debris management operations that meets the following criteria:

- The site is sufficient in size with appropriate topography and soil type (work with state/local environmental agencies to determine appropriate topography and soil type).
- The site is located an appropriate distance from potable water wells and rivers, lakes, and streams.
- The site is not located in a floodplain or wetland.
- The site is free from obstructions, such as power lines and pipelines.
- Access to the site can be easily limited and yet still have some defined areas opened to the public, such as areas to drop off debris.
- The site is located close to the center of the county and urban areas, but far enough away from residences, infrastructure, and businesses that could be affected by site operations.
- The site is located on public lands making approval for this use is easier to obtain.

Lancaster County has sites located throughout the county that may be for temporary debris storage sites; however, depending on the size, type and magnitude of the event, private lands may be logistically necessary for temporary debris storage sites.

III. LOCATION AND LAYOUT**A. Location****1. Debris Management Site**

Lancaster County has pre-designated two properties (figure 2 & 3) located on Landfill Road in the central area of western Lancaster County. These conjoined properties are accessible by one road only which allow for better controls of site access by the general

public. Even though both sites include some wetlands within their boundaries and one is bordered by a stream, the expanse of the properties easily affords the placement of controls to mitigate storm water runoff, and erosion.



figure 1.

The location is in a rural area located five miles south of the City of Lancaster. The coordinates for the entrance to the site is 34° 38' 20.09"N 80° 46' 05.56"W. There are no railroads or public utilities on the property and the property is owned by Lancaster County.



figure 2.

Property number one is 178.15 acres. There are roads that transverse the property and open areas for the placement of debris materials.



figure 3.

Property number two is 154.74 acres. There are roads that transverse the property and large open areas for the placement of debris materials and debris management operations.

2. Debris Collection Sites

Residents are asked to bring debris to collection sites (figure 5); those locations are also identified in the pre-incident communication plan (see Annex C of the Lancaster County Debris Management Plan). When planning the operational staffing of the debris collection sites, the Debris Manager will plan for sufficient staffing for these sites and consider establishing hours of operation that

accommodate the residents as a great deal of residential debris cleanup takes place on weekends or after normal business hours.

Locations of the collection sites are as follows:

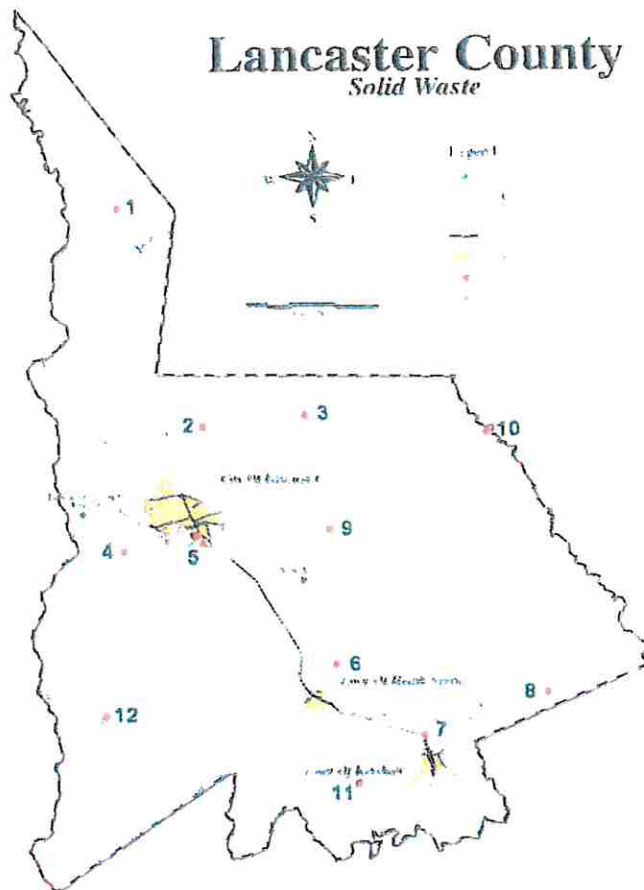


figure 4.

Number	Site Name	Location
1	Indian Land	401 Jim Wilson Road
2	Race Track	273 Shiloh Unity Road
3	Unity	2511 Shiloh Unity Road
4	Erwin Farm	3122 Bethel Road
5	Lynwood Drive	1349 Lynwood Drive
6	Heath Springs	173 Solar Road
7	Kershaw	6491 Old Lancaster Highway

LANCASTER COUNTY DEBRIS MANAGEMENT PLAN

Annex B – Debris Management Sites

Number	Site Name	Location
8	Midway	4125 Payne Road
9	Rich Hill	4202 Joshua Tree Drive
10	Tradesville	2149 Old Camden Monroe Highway
11	McGill	3101 Kershaw-Country Club Road
12	Fort	5330 J.B. Denton Road

B. Layout

1. General

According to FEMA, experience has shown that 100 acres of land is needed to process one million cubic yards of debris. Figure 5 depicts an example of a 100-acre debris management site that primarily manages nonhazardous debris. The site also includes a location for any hazardous waste (marked "HW"). Hazardous waste may be delivered to this location by mistake or included with other non-hazardous materials, which is likely to occur as affected citizens may be confused about how to categorize their waste or where they should take it.

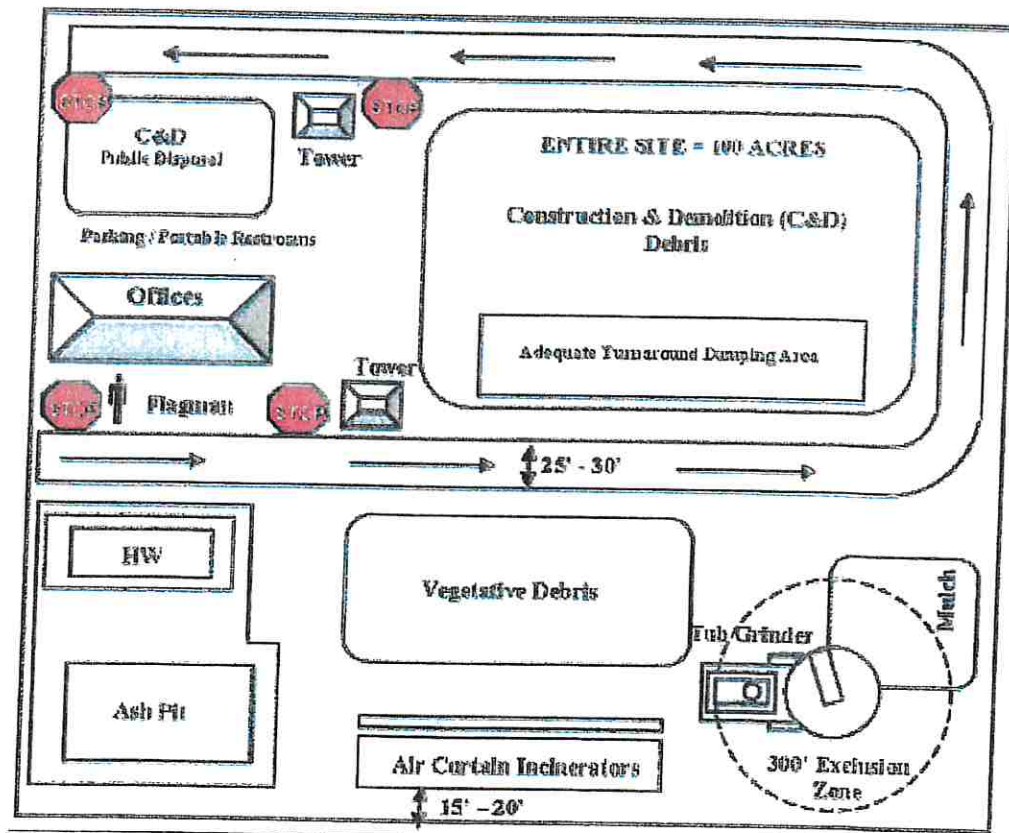


figure 5.

According to section II. B, 2 (Forecasted Debris) of the Basic Plan, the amount of debris estimated for Lancaster County under an average scenario is 338,000 cubic yards of debris. The area required to effectively manage the estimated amount of debris is 34.78 acres. The pre-designated areas specified by this plan are more than adequate to address the needs of Lancaster County.

The Debris Manager, will be responsible for the overall establishment and operations, approval of site layouts and site operational plans to include volume reduction methods for the various debris storage and reduction sites.

Operational boundaries will be established for each site with areas for equipment storage, and fuel storage being segregated outside the areas of operation. Buffering between operational uses will be established. Depending upon the scale of operations, each debris stream will be given own tipping area. Public drop off areas will be designed for passenger vehicle traffic and each site design will keep the public's safety as a primary component.

Traffic patterns throughout the entire site will be well defined and will be clearly marked before site operations begins and may these may be supplemented with flag personnel to help direct traffic. If possible, traffic shall enter and exit through different points with a segregation of debris haulers and public vehicular traffic.

2. Construction & Demolition Materials Storage

Site security will be taken into consideration in the planning and design of each individual site with provisions for obtaining barricades if needed. Access for fire fighting equipment should be accounted for.

These guidelines apply only to sites for staging/transferring C&D storm debris (roof shingles / roofing materials, carpet, insulation, wallboard, treated and painted lumber, etc.). Arrangements should be made to screen out unsuitable materials, such as household garbage, white goods, asbestos containing materials (ACM's), and household hazardous waste.

The following guidelines are presented in locating a site for "staging / transferring" and are considered "minimum standards" for selecting a site for use.

Sites should be located outside of identifiable or known floodplain and flood prone areas; consult the Flood Insurance Rate Map for the location in the county to verify these areas. Due to heavy rains associated with hurricanes and saturated conditions that result, flooding may occur more frequently than normally expected.

Hauler unloading areas for incoming C&D debris material should be at a minimum 100 feet from all surface waters including but not limited to small creeks, streams, watercourses, ditches that maintain seasonal groundwater levels, ponds, wetlands, etc.

Storage areas for incoming C&D debris shall be at least 100 feet from the site property boundaries, on site structures, and septic tanks with leach fields or at least 250 feet from off site residential dwellings, commercial or public structures, and potable water supply wells, whichever is greater.

Materials separated from incoming C&D debris (white goods, scrap metal, etc.) shall be at least 50 feet from site property lines. Other nontransferable C&D wastes (household garbage) shall be placed in containers and transported to the appropriate facilities as soon as possible.

Sites that have identified wetlands should be avoided, if possible. If wetlands exist or wetland features appear at a potential site the areas should be flagged and a 100-foot buffer shall be maintained for all activities on going at the site.

Where possible, signs should be installed to inform haulers and the public on types of waste accepted, hours of operation and who to contact in case of after hours emergency.

Certain types of construction and demolition debris are reusable or recyclable. To conserve landfill space, it is prudent to separate materials for reuse or recycling.

3. Chipping and Grinding Sites

Site security will be taken into consideration in the planning and design of each individual site with provisions for obtaining barricades if needed. Access for fire fighting equipment should be accounted for.

Locating sites for chipping / grinding of vegetative and land clearing debris will require a detailed evaluation of potential sites and site conditions.

Storage areas for incoming debris and processed material should be at a minimum 100 feet from all surface waters including but not limited to small creeks, streams, watercourses, ditches that maintain seasonal groundwater levels, ponds, wetlands, etc.

Storage areas for incoming debris and processed material shall be at least 100 feet from the site property boundaries and on site structures. Management of processed material shall be in

accordance with the guidelines for reducing the potential for spontaneous combustion in compost / mulch piles.

Sites that have identified wetlands should be avoided, if possible. If wetlands exist or wetland features appear at a potential site, the areas shall be flagged and a 100-foot buffer shall be maintained for all activities on going at the site.

Sites shall have an attendant(s) during operating hours to minimize the acceptance of unapproved materials and to provide directions to haulers and private citizens bringing in debris.

Where possible, signs should be installed to inform haulers and the general public on types of waste accepted, hours of operation, and who to contact in case of an after hours emergency.

Grinding of clean wood waste such as pallets and segregated unpainted / untreated dimensional lumber is allowed.

4. Compost, Chip, and Mulch Piles

Spontaneous combustion is more likely to occur in larger piles of debris because of a greater possibility of volatile gases building up in the piles and being ignited by the high temperatures. Windrows shall be maintained at a maximum of 5 feet to 6 feet high and 8 feet to 10 feet wide, to allow volatile gases a better chance of escaping the piles thereby reducing the possibility of spontaneous combustion.

Large piles should be kept away from wooded areas and structures and should be accessible to fire fighting equipment, if a fire were to occur. Efforts should be made to avoid driving or operating heavy equipment on large piles because the compaction will increase the amount of heat buildup, which could increase the possibility of spontaneous combustion.

5. Air Curtain Burner Sites

Locating sites for air curtain burning (ACB) operations is a coordinated effort between the Debris Manager and DHEC air quality officials for evaluating the surrounding area. The following are guidelines for selecting an ACB site and operational requirements once a site is in use.

Contact the County Fire Service Director for input into site selection in order to minimize the potential for fire hazards, other potential problems related to fire fighting that could be presented by the location of the site and to ensure that adequate fire protection resources area available in the event of an emergency.

The requirements for ACB device(s), in accordance with local air quality rules require the following buffers: a minimum of 500 feet from the ACB device to homes, dwellings and other structures and 1000 feet from roadways. Contact the local DHEC office of air quality for updates or changes to their requirements.

Sites should be located outside of identifiable or known floodplain and flood prone areas; consult the Flood Insurance Rate Map for the location in the county to verify these areas. Due to heavy rains associated with hurricanes and saturated conditions that result, flooding may occur more frequently than normally expected. If ACB pit devices are utilized, a minimum two foot separation to the seasonal high water table is recommended. A larger buffer to the seasonal high water table may be necessary due to on site soil conditions and topography.

Storage areas for incoming debris and processed material should be at a minimum 100 feet from all surface waters including but not limited to small creeks, streams, watercourses, ditches that maintain seasonal groundwater levels, ponds, wetlands, etc.

Storage areas for incoming debris shall be located at least 100 feet from property boundaries and on site structures.

Air Curtain Burners in use should be located at least 200 feet from on site storage areas for incoming debris, on site dwellings and other structures, potable water supply wells and septic tanks and leaching fields.

Wood ash stored on site shall be located at least 200 feet from storage areas for incoming debris, processed mulch or tub grinders (if a grinding site and ACB site is located on the same property). Wood ash shall be wetted prior to removal from the ACB device or earth pit and placed in storage. If the wood ash is to be stored prior to removal from the site, then rewetting may be necessary to minimize airborne emissions.

Wood ash to be land applied on site or off site shall be managed in accordance with the guidelines for the land application of wood ash from storm debris burn sites. The ash shall be incorporated into soil by the end of the operational day or sooner if wood ash becomes dry and airborne.

Sites that have identified wetlands should be avoided, if possible. If wetlands exist or wetland features appear at a potential site it will be necessary to delineate areas of concern. Once areas are delineated, the areas shall be flagged, and a 100 foot buffer shall be maintained for all activities ongoing at the site.

Sites bisected by overhead power transmission lines need careful consideration due to large dump body trucks / trailers used to haul debris and intense heat generated by the ACB device. Underground utilities need to be identified prior to digging pits for using ACB device.

Provisions should be made to prevent unauthorized access to facilities when not open for use. As a temporary measure, access can be secured by blocking drives or entrances with trucks or other equipment when the facilities are closed. Gates, cables, or other more standard types of access control should be installed as soon as possible.

When possible, post signs with operating hours and information about what types of cleanup waste may be accepted. Also include information as to whether only commercial haulers or the general public may deposit waste.

6. Debris Collection Site

Site security will be taken into consideration in the planning and design of each individual site with provisions for obtaining barricades if needed. Access for fire fighting equipment should be accounted for. Where possible, signs will be installed to inform the public on types of waste accepted, hours of operation and who to contact in case of after hours emergency.

The condition of these sites should be evaluated and documented prior to use. Depending on the debris that are to be staged there, it may be advisable to assess the soil, groundwater and/or surface water at staging areas prior to receiving debris to establish pre-existing conditions.

Sites should be located outside of identifiable or known floodplain and flood prone areas; consult the Flood Insurance Rate Map for the location in the county to verify these areas. Due to heavy rains associated with hurricanes and saturated conditions that result, flooding may occur more frequently than normally expected.

Storage areas for incoming debris and material should be at a minimum 100 feet from all surface waters including but not limited to small creeks, streams, watercourses, ditches that maintain seasonal groundwater levels, ponds, wetlands, etc.

Storage areas for incoming debris and processed material shall be at least 100 feet from the site property boundaries and on site structures.

Sites that have identified wetlands should be avoided, if possible. If wetlands exist or wetland features appear at a potential site, the

areas shall be flagged and a 100-foot buffer shall be maintained for all activities on going at the site.

IV. OPERATIONS

Once the debris is removed from damaged areas, it will be taken to an approved Landfill or at Temporary Disposal Site for preparation for disposal. Methods of disposal may include, but are not limited to burning, grinding/chipping, recycling and landfill disposal.

Recycling of metals, woody material, and soils are of major importance. Recycling reduces mixed debris volume before it is hauled to a landfill. Recycling is attractive because there may be an economic value to the recovered material if it can be sorted and sold. A Recyclable Materials area should be set up at each site.

Lancaster County Public Works will be able to work with numerous types of debris such as Solid Waste, Construction and Demolition Debris, Trees, Stumps, Limbs, Leaves and Metal. Lancaster County will have to out source hazardous materials. Lancaster County will use all of its resources to recycle recyclable materials.

A. Debris Collection Sites

Each site will have a Debris Site Supervisor and a minimum of one Disposal Site Monitor. Outsourced collection site monitoring **will not** be contracted to debris collection companies.

Dependent on site size, additional personnel may be added. For sites that have been outsourced Lancaster County will provide the Site Manager/Safety Officer, Disposal Site Monitor(s) and a Field Inspection Teams.

Collection sites shall have an attendant during operating hours to minimize the acceptance of unapproved materials and to provide directions to citizens bringing in debris. The Debris Manager may alter the days and hours of operation of collection sites locations to suit the need at hand.

Sites should be secure after operating hours to prevent unauthorized access to the site. Where possible, signs will be installed to inform the public on types of waste accepted, hours of operation and who to contact in case of after hours emergency.

The condition of these sites should be evaluated and documented prior to use. Depending on the debris that are to be staged there, it may be advisable to assess the soil, groundwater and/or surface water at staging areas prior to receiving debris to establish pre-existing conditions.

Areas used to stage vegetative debris should be closely monitored to prevent or at least limit the mixing of Construction and Demolition materials (C&D), hazardous wastes, and putrescible waste.

Hazardous and putrescible waste at Collection Sites should be removed daily or as soon as practical to prevent odors, vectors, human health hazards, and/or environmental releases.

Traffic patterns throughout the entire site will be well defined and will be clearly marked before site operations begins and may be supplemented with flag personnel to help direct traffic.

1. Hazardous Waste

Hazardous Waste (HW) and Household Hazardous Waste (HHW) may be generated as a result of a major natural disaster. HW may consist of chemicals, petroleum products, asbestos, electrical equipment including transformers, capacitors, batteries and paint. HHW may consist of common household chemicals, propane tanks, oxygen bottles, batteries, and industrial/agricultural chemicals.

HW and HHW items can be expected to be mixed into the debris stream after a major natural disaster and will require close monitoring throughout the debris disposal process for removal. Hazardous or Toxic Waste response teams will be assigned and respond ahead of any removal efforts.

Hazardous waste must be addressed at the collection sites. Consider the following safeguards for hazardous waste collection sites:

- Area to be used should be covered with two layers of plastic sheeting, tarps, or a concrete pad.
- Fence off area with T-posts and orange barricade fencing.
- Surround fenced off area with absorbent booms (to absorb any potential leaks) or sandbags (to prevent spills from seeping into the ground).
- Use (wooden) pallets to raise collection bins off the ground (to ascertain potential leaks).
- Provide adequate space for walking/carrying items between pallets.
- Segregate containerized gases, liquids, or solids by material type (e.g. corrosive wastes, reactive wastes), place each material type in a separate bin or barrel, and label bin or barrel appropriately.

- Cover collection bins or barrels with plastic liners/lids or cover the entire hazardous waste collection site with a tent to prevent water collecting in bins.
- Cylinders containing compressed gas should be placed upright with cap on and secured in place.
- Provide sufficient fire extinguishers for the site in case fire breaks out; four fire extinguishers per 10,000 square feet are recommended, placed at the corners or in easily accessible locations.
- Limit site access to ensure that the site is secure. Some wastes present higher levels of concern and should have additional storage controls and security measures.

2. Construction & Demolition Materials Accepted

The following types of waste have been determined by the S.C. Department of Health and Environmental Control to be environmentally safe and may be accepted at construction, demolition & land-clearing debris landfills unless specifically prohibited by the Department. However, any of the materials listed that have been painted with lead-based paint and/or have been in direct contact with hazardous waste (e.g., pesticides, etc.), or petroleum products, are prohibited from disposal at a construction, demolition and land-clearing debris landfill.

- Structural steel
- Hardened concrete
- Bricks and blocks
- Lumber
- Tires reduced in size by 1/8 the original tire prior to disposal
- Plaster and plasterboard
- Insulation material
- Shingles and roofing materials
- Floor, wall and ceiling tile
- Hardened/cured asphalt (Tar sealant material is not acceptable)
- Pipes
- Hardened cement
- Floor coverings
- Glass wire (optical fiber)
- Structural fabrics
- Poly fiberglass (highly polished, wall coverings cured material used for shower stalls, roofing, etc.)
- Other items physically attached to the structure, e.g., signs, mailboxes, awnings, etc.
- Glass

- Nonfriable asbestos-containing material
- Mirrors

3. White Goods

Special care will be taken to segregate white goods from the debris stream. Refrigerant and other fluids are regulated and must be reclaimed by certified technicians and disposed of in a properly permitted facility.

4. Vegetative Debris

Plant-related debris including but not limited to, trees, shrubs, bushes, limbs, branches tree trunks and root balls shall be segregated from other debris forms.

Areas used to stage vegetative debris should be closely monitored to prevent or at least limit the mixing of Construction and Demolition materials (C&D), hazardous wastes, and putrescible waste.

B. Debris Management / Reduction Sites

The two methods of reducing vegetative and land clearing storm debris is "chipping/grinding" for use in landscape mulch, compost preparation, and industrial boiler fuel or using an "air curtain burner (ACB)," with the resulting ash being land applied as a liming agent, incorporated into a finished compost product, or being land filled.

Each site will have a Debris Site Supervisor and a minimum of one Disposal Site Monitor. Outsourced collection site monitoring **WILL NOT** be contracted to debris collection companies.

The debris manager will coordinate any hazardous waste issues with Debris Manager and DHEC as appropriate for the situation. Items classified as Hazardous Waste **WILL NOT** be accepted at debris reduction sites.

1. Health & Safety

The County complies with all Department of Health and Environmental Control requirements to maintain and ensure the highest quality of health and safety standards for its residents. Personnel will be required to undergo basic safety training, to include, but not limited to, first aid, job site safety, and use of safety equipment. Volunteer personnel will be included in these training scenarios. In addition, personnel utilizing equipment will be certified on that equipment before the operation of that equipment is begun. Information will be disseminated to the public regarding basic health and safety issues as necessary. This may include boil-water notices, disposal of dead animals, reducing home hazards, etc.

The Public Works Director or designee will coordinate all training requirements with appropriate State and Federal agencies responsible for disaster response and recovery operations.

1. Security and Hours

Sites shall have an attendant during operating hours to minimize the acceptance of unapproved materials and to provide directions to haulers and private citizens bringing in debris.

Sites should be secure after operating hours to prevent unauthorized access to the site. Temporary measures to limit access to the site could be the use of trucks or equipment to block entry. Gates, cables, or swing pipes should be installed as soon as possible for permanent access control, if a site is to be used longer than two weeks.

Where possible, signs will be installed to inform haulers and the public on types of waste accepted, hours of operation and who to contact in case of after hours emergency.

2. Lancaster County Debris Site Supervisor

The Debris Site Supervisor is responsible for supervising the overall day-to-day operations, maintaining daily logs, preparing site progress reports, and enforcing safety and permitting requirements during site operations. The site supervisor is also responsible for scheduling environmental monitoring and updating the site layout. The site supervisor has oversight for monitoring the activities of the debris removal contractors and onsite debris processing contractors to ensure they comply with the terms of their contracts.

3. Debris Management Site Foreman

The contractor(s) shall provide a Debris Management Site Foreman who shall be responsible for management of all operations of the site to include, traffic control, dumping operations, segregation of debris, burning, grinding, and safety. The debris management site foreman will coordinate directly with the Lancaster County Debris Site Supervisor.

The debris management site foreman will be responsible for documenting equipment and labor time, quantities of debris received, processed materials hauled away, and providing the daily operational report to contractor(s)' Operations Manager, for further delivery to the Debris Manager.

4. Debris Management Site Night Foreman

The debris management site night foreman, provided by contractor(s) is responsible for managing all night operations approved by Lancaster County Debris Manager that will be limited primarily to burning. Coordination with the Lancaster County Debris Site Supervisor is required.

The debris management site night foreman will be responsible for documenting equipment and labor time, quantities of materials processed, and providing the daily operational report to the contractor(s)' Operations Manager, for further delivery to the Debris Manager.

5. Debris/Disposal Site Monitors

Disposal Site Monitors will be stationed at all Debris Management Sites and landfill disposal sites for the purpose of verifying the quantity of material being hauled by the contractor through the use of load tickets.

A Disposal Site Monitor will be located at each inspection station to verify the load and estimate the volume in cubic yards. The Disposal Site Monitors will estimate the cubic yards of debris in each truck entering the selected Debris Management Sites or landfill disposal site and will record the estimated quantity on pre-numbered debris load tickets. Disposal Site Monitors will be responsible for ensuring complete removal of all debris from all trucks.

The contractor(s) may be required to construct an inspection tower at each debris management site to allow Disposal Site Monitors the ability to look down into the bed of incoming trucks. If required, the floor elevation of the tower shall be 10-feet above the existing ground elevation and shall be so located to enable overhead viewing of incoming haul trucks and trailers. The floor area shall be a minimum 8' by 8', constructed of 2" x 8" joists, 16" O.C. with ¾" plywood supported by a minimum of four 6" x 6" posts. A 4-foot high wall constructed of 2" x 4" studs and ½" plywood shall protect the perimeter of the floor area. The floor area shall be covered with a roof. The roof shall provide a minimum of 7' – 0" of headroom below the support beams. Steps with a handrail shall provide access to the tower. Tower will be anchored to the ground to prevent blow-over. Construction alternatives may be authorized by the Lancaster County Debris Manager but will, as a minimum, provide the same dimensions and meet OSHA safety requirements.

Monitors shall verify the percentage of loaded capacity for each truck or trailer entering the site. Figure 6 shows examples of loaded trailers.

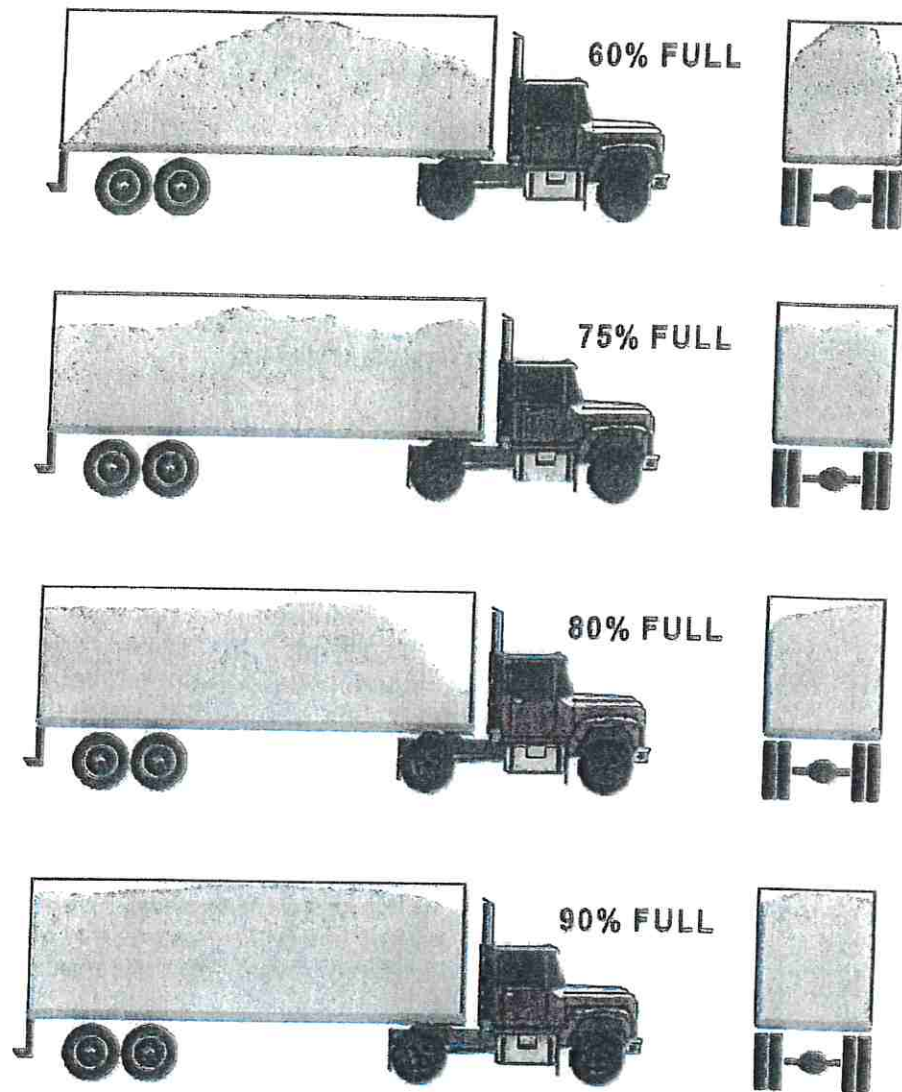


Figure 6

6. Grinding and chipping

Grinding and chipping will be utilized as a viable reduction method of woody materials. This method can reduce the volume of debris on a ratio of 4 to 1. For grinding and chipping to be feasible, 25% or more of the volume processed must have some benefit or use, such as mulch for public and private use. Lancaster County will utilize equipment on hand or may bring in a grinding or chipping operation if the volume exceeds available equipment capacities.

When ground organic debris is in piles, microorganisms can very quickly begin to decompose the organic materials. The microorganisms generate heat and volatile gases as a result of the

decomposition process. Temperatures in these piles can easily rise to more than 160 degrees Fahrenheit. Spontaneous combustion can occur in these situations.

Turning piles when temperatures reach 160 degrees can also reduce the potential for spontaneous combustion. Pile turning provides an opportunity for gases to escape and for the contents of the pile to cool. Adding moisture during turning will increase cooling. Controlling the amount of nitrogen bearing (green) wastes in piles will also help to reduce the risk of fire. The less nitrogen in the piles the slower the decomposition process and consequently the less heat generated and gases released.

Chips/mulch shall be stored in piles no higher than 5 to 6 feet unless authorized by the Debris Manager.

7. Air Curtain Burner Sites

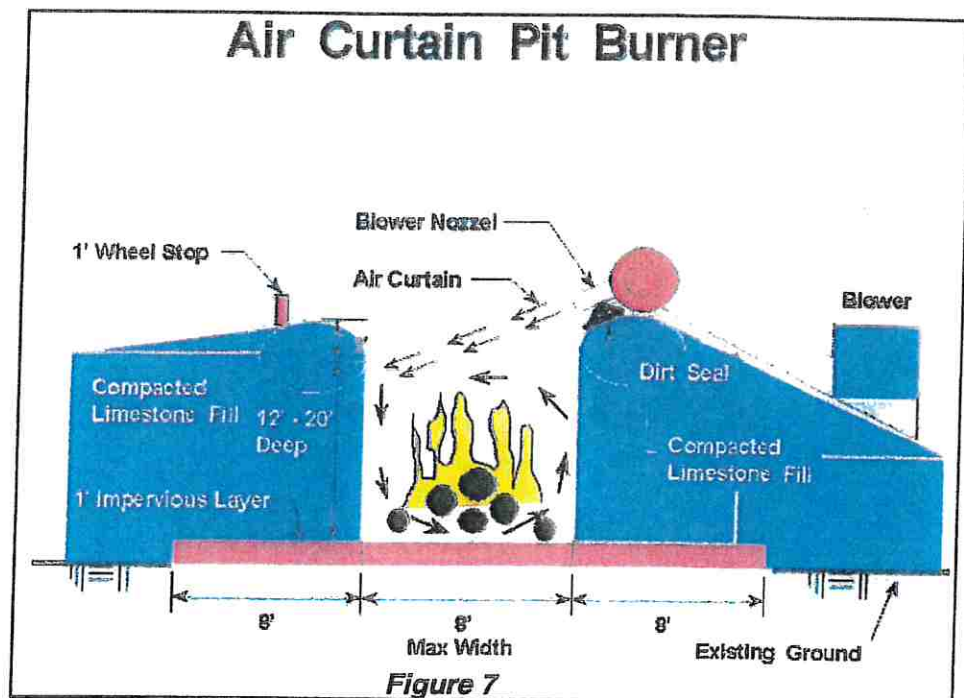
The primary purpose of an Air Curtain Burner (ACB) is pollution control, in particular, the reduction of smoke from open burning. The high velocity air curtain traps the smoke particles momentarily causing them to re-burn and be further reduced. The air then continues in to the firebox or trench to agitate and oxygenate the fire. The result is a burn that is cleaner and faster than open burning.

With a Trench Burner, the burning is done in-ground level in an earthen pit that is dug on site. Some operators "berm" the dirt up to make an above ground trench. The walls of the trench must be vertical and the air curtain manifold must be in the correct position. If either of these is compromised, the pollution control capabilities will be less effective. See figure 7.

If a trench ACB is used, the following guidelines shall be followed:

- (i) A setback of at least 100 feet shall be maintained between the debris piles and the incineration area. Keep at least 500 feet between the incineration area and the nearest building, roadway or wooded area. Contractor shall use fencing and warning signs to keep the public away from the incineration area.
- (ii) The fire shall be extinguished approximately two hours before anticipated removal of the ash mound. The ash mound shall be removed when it reaches 2 feet below the lip of the incineration pit.
- (iii) The incineration area shall be placed in an aboveground or below ground pit that is no wider than 8 feet and between 12 and 20 feet deep.

- (iv) There shall be a 1-foot impervious layer of clay or limestone on the bottom of the pit to seal the ash from the aquifer.
- (v) The ends of the pits shall be sealed with dirt or ash to a height of 4 feet.
- (vi) A 12-inch dirt seal shall be placed on the lip of the incineration pit area to seal the blower nozzle. The nozzle shall be 3 to 6 inches from the end of the pit.
- (vii) There shall be 1-foot high, unburnable warning stops along the edge of the pit's length to prevent the loader from damaging the lip of the incineration pit.
- (viii) Hazardous or contaminated ignitable material shall not be placed in the pit. This is to prevent contained explosions.
- (ix) The airflow shall hit the wall of the pit about 2 feet below the top edge of the pit, and the debris shall not break the path of the airflow except during dumping.
- (x) The pit shall not be longer than the length of the blower system and the pit shall be loaded uniformly along its length.



An above ground firebox (ACB) is a refractory lined steel firebox that allows for controlled burns without the need for an earthen pit or trench. Doors at the end of the machine allow for ash removal. Most

units can be dragged on skids for repositioning of the unit. The ash can also be removed by scooping it out with the excavator or other piece of equipment. The area inside the refractory walls is open to the ground.

An air disbursement manifold system is mounted on one side of the combustion pit and the loading of waste is facilitated from the opposite side. High velocity air is directed across and downwards at an angle into the pit creating the air curtain on top and a rotational turbulence within the pit itself. The rotational turbulence provides an environment within the combustion zone that accelerates the combustion process by raising the temperatures within the pit to approximately 1,832° F (approx. 1,000° C).

8. Wood Ash Storage and Disposal

Wood ash stored on-site shall be located at least 200 feet from storage areas for incoming debris, processed mulch or tub grinders (if a grinding site and ACB site is located on the same property). Wood ash shall be wetted prior to removal from the ACB device or earth pit and placed in storage. If the wood ash is to be stored prior to removal from the site, then rewetting may be necessary to minimize airborne emissions.

Wood ash to be land applied on site or off site shall be managed in accordance with the guidelines for the land application of wood ash from storm debris burn sites. The ash shall be incorporated into soil by the end of operational day or sooner if wood ash becomes dry and airborne.

The following are guidelines for the land application of wood ash from storm debris burn sites:

- In the absence of test data to indicate agronomic rates, application should be limited to 2 to 4 tons per acre / one time event.
- Ash should be land applied in a similar manner as agricultural limestone.
- Ash should not be land applied during periods of high wind to avoid the ash blowing off application sites.
- Ash should not be land applied within 25 feet of surface waters or within 5 feet of drainage ways or ditches on sites that are stabilized with vegetation. These distances should be doubled on sites that are not vegetated and the ash should be promptly incorporated into the soil.

- Records should be maintained to indicate where ash is applied and the approximate quantities of ash applied.
- As an option to land application, ash may be managed at a permitted municipal solid waste landfill after cooled to prevent possible fire.
- Assistance in obtaining soil test data and waste analysis of ash should be available through county offices of the Clemson Agricultural Extension Service.

9. Contractor Responsibilities

The contractor(s) shall provide all labor, services, equipment, materials and supplies necessary to execute their contractual obligations to accept, process, and reduce vegetative debris either through tub grinding into chips/mulch or through air curtain incineration into ash. The Debris Manager will determine the method used based on environmental considerations.

The contractor(s) shall provide all labor and materials necessary to fully operate and maintain (including fuel, oil, grease, and repairs) all equipment under this contract and shall supervise and direct the work, using qualified labor and proper equipment for all tasks.

Once operations have commenced, the contractor(s) shall not relocate any equipment or labor assets, including subcontractors, without giving 24 hours advanced notice of the intended relocation to Lancaster County Debris Manager. In addition, the contractor(s) is required to complete all debris clearing, loading and hauling operations, they have commenced on any particular pass through a defined area prior to moving to another area unless specifically directed to do otherwise by the Lancaster County Debris Manager.

The contractor(s) shall provide proof, in the form of signed copies of load tickets, of proper delivery to the designated disposal location(s). Such load tickets shall be checked against the log of deliveries compiled by the Debris Manager's representative and shall be the basis for payment.

Lancaster County will NOT provide contractor(s) with potable water, sewage treatment, fuel, electricity, other utilities, or other personnel, materials or equipment deemed necessary to operate the temporary debris storage and reduction site(s).

The contractor(s) shall remove or arrange for the removal and final disposal of all debris brought to the debris reduction site by the contractor(s). Options include, but are not limited to, sending the material to an authorized and properly permitted disposal area, recycling facility, or resale entity. The contractor(s) must maintain

records for all materials, including processed debris, residue, and hazardous materials, transported from the temporary debris reduction site to disposal or recycling facilities. Copies of this documentation must be provided to the Debris Manager for review.

The contractor(s) is responsible for the site closure. Site closure shall include removal of site equipment, debris, and all remnants from the processing operation (such as temporary toilets, observation towers, security fence, etc.), and grading the site, and restoring the site to pre-work conditions. The site will be restored in accordance with all local requirements.

The contractor(s) is responsible for the proper disposal of debris and wood chips. Disposal of the hazardous waste is not the responsibility of the contractor(s) under this plan unless otherwise specified in the debris management contract. The contractor(s) shall receive approval from the Debris Manager as to the final acceptance of a site closure.

Once the temporary debris management site is identified by Lancaster County, the contractor(s) will provide a Site Management Plan. Three (3) copies of the plan are required. The plan shall be drawn to a scale of 1" = 50' and address following functions:

- Access to site
- Site preparation – clearing, erosion, and grading
- Traffic control procedures
- Safety
- Segregation of debris
- Location of ash disposal area, hazardous material containment area, contractor
- Area, and inspection tower
- Location of incineration operations and grinding operations (if required)
- Operations require a 200-foot clearance from the stockpile and 500-foot clearance
- Structures, roadways or wooded areas
- Location of existing structures or sensitive areas requiring protection.

V. SAMPLE CONTRACTS

A. Time and Materials Contract

Example Time and Materials Contract

ARTICLE 1: Agreement Between Parties

This contract is entered into on this _____ day of _____, 20____, by and between the city/county of _____, hereinafter called the ENTITY and _____, hereinafter called the CONTRACTOR.

ARTICLE 2: Scope of Work

This contract is issued pursuant to the Solicitation and Procurement on _____, 20____, for the removal of debris caused by the sudden natural or man-made disaster of _____ to _____, 20____. It is the intent of this contract to provide equipment and manpower to remove all hazards to life and property in the affected communities. Clean up, demolition, and removal will be limited to 1) that which is determined to be in the interest of public safety and 2) that which is considered essential to the economic recovery of the affected area.

ARTICLE 3: Schedule of Work

Time is of the essence for this debris removal contract.

Notice to proceed with Work: The work under this contract will commence on _____, 20____. The equipment shall be used for (recommended not to exceed 70) hours, unless the ENTITY initiates additions or deletions by written change order. Based upon unit prices of equipment and labor, no minimum or maximum number of hours is guaranteed.

ARTICLE 4: Contract Price

The hourly rates for performing the work stipulated in the contract, documents, which have been transposed from the low bidder's bid schedule, are as follows:

Equipment/Machine/Operator	Mobilization/ Demobilization Cost	Hourly Rate
----------------------------	--------------------------------------	-------------

Manufacturer, Model

Total unit rate shall be given which includes maintenance, fuel, overhead, profit, and other associated cost with the equipment.

Estimated Cost per unit of material. Only actual invoice amounts will be paid.

Labor man-hours

Protective clothing, fringe benefits, hand tools, supervision, transportation, and any other costs.

ARTICLE 5:
Payment

The ENTITY shall pay the Contractor for mobilization and demobilization if the Notice to Proceed is issued and will pay for only the Time that the equipment and manpower is actually being used in accomplishing the work. The Contractor shall be paid within _____ days of the receipt of a pay estimate and verification of work by the inspector.

ARTICLE 6:
Claims

Not Applicable

ARTICLE 7:
Contractor's Obligations

The Contractor shall supervise accomplishment of the work effort directed by labor and proper equipment for all tasks. Safety of the Contractor's personnel and equipment is the responsibility of the Contractor. Additionally, the Contractor shall pay for all materials, personnel, liability insurance, taxes, and fees necessary to perform under the terms of the contract.

Caution and care must be exercised by the Contractor not to cause any additional damage to sidewalks, roads, buildings, and other permanent fixtures.

ARTICLE 8:
Insurance and Bonds

The Entity's representative(s) shall furnish all information necessary for commencement of the Work and direct the Work effort. Costs of construction permits, disposal sites and authority approvals will be home borne by the Entity. A representative will be designated by the Entity for inspection the work and answering any on-site questions. This representative shall furnish the Contract daily inspection reports including work accomplished and certification of hours worked.

The Entity shall designate the public and private property areas where the work is to be performed. Copies of complete "Right of Entry" forms, where they are required by State or local

law for private property shall be furnished to the contractor by the Entity. The Entity shall hold-harmless and indemnify the Contractor and his employees against any liability for any and all claims, suits, judgements, and awards alleged to have been caused by services rendered under this contract for disaster relief work unless such claims are the result of negligence on the part of the Contractor.

The Entity will terminate the contract for failure to perform or default by the Contractor.

ARTICLE 9:

Insurance and Bonds

The Contractor shall furnish proof of Worker's Compensation Coverage, Automobile Liability Coverage, and Comprehensive General Liability Insurance (Premises-Operations, Personnel Injury, etc, as deemed necessary by the Entity).

Surety: The Contractor shall deliver so the Entity fully executed Performance and Payment Bonds in the amount of 100% of the contract amount, if required by the specifications, general or special conditions of the contract. The Entity will reimburse the Contractor for the costs of the bonds, the costs of which will be included in the base bid.

ARTICLE 10:

Contractor Qualifications

The Contractor must be duly licensed in the State per statutory requirements.

THIS CONTRACT IS DULY SIGNED BY ALL PARTIES HERETO:

Entity (City, County, Town, Etc)

By _____ Seal

by _____ Seal
Principal of the firm

Contractor (Include address, City, State)

B. Sample Lump Sum Contract**Example Lump Sum Contract for Debris Removal****ARTICLE 1:
Agreement Between Parties**

This contract is made and entered into on this ____ day of ____, 20__, by and between the city/county of ____, hereinafter called the ENTITY and ____, hereinafter called the CONTRACTOR.

**ARTICLE 2:
Scope of Work**

This contract is issued pursuant to the Solicitation and Procurement on ____, 20__, for the removal of debris caused by the sudden natural or manmade disaster of ____ to ____, 20__. It is the intent of this contract to provide equipment and manpower to remove all hazards to life and property in the affected communities. Clean up, demolition, and removal will be limited to 1) that which is determined to be in the interest of public safety and 2) that which is considered essential to the economic recovery of the affected area.

**ARTICLE 3:
Schedule of Work**

Time is of the essence for this debris removal contract.

Notice to proceed with the Work: The Work under this contract will commence on ____, 20__. Maximum allowable time for completion will be ____ Calendar days, unless the Entity initiates additions or deletions by written change order. If the Contractor does not complete Work within the allotted time, liquidated damages will be assessed in the amount of ____ per day.

**ARTICLE 4:
Contract Price**

The lump sum price for performing the work stipulated in the contract document is.
\$_____.

ARTICLE 5:
Payment

The Contractor shall submit certified pay requests for completed work. The Entity shall have 10 calendar days to approve or disapprove the pay request. The Entity shall pay the Contractor for his/her performance under the contract within _____ days of approval of the pay estimate. On contracts over 30 days in duration, the Entity shall pay the Contractor a pro-rata percentage of the contract amount on a monthly basis, based on the amount of work completed and approved in that month. The Entity will remunerate the Contractor within 30 days of the approved application for payment, after which interest will be added at a rate of _____ on each payment. Retainer shall be released upon substantial completion of the work.

Funding for this contract is authorized pursuant to Public Law of the State
_____, And _____,
Local Statute or ordinance

ARTICLE 6:
Change Orders

If the scope of work is changed by the Entity, the change in price and contract time will be promptly negotiated by the parties, prior to commencement of work.

ARTICLE 7:
Contractor's Obligations

The Contractor shall supervise and direct the Work, using skillful labor and proper equipment for all tasks. Safety of the Contractor's personnel and equipment is the responsibility of the Contractor. Additionally, the Contractor shall pay for all materials, equipment, personnel, taxes, and fees necessary to perform under the terms of the contract.

Any unusual, concealed, or changed conditions are to be immediately reported to the Entity. The Contractor shall be responsible for the protection of existing utilities, sidewalks, roads, building, and other permanent fixtures. Any unnecessary damage will be repaired at the Contractor's expense.

ARTICLE 8:
Entity's Obligations

The Entity's representative(s) shall furnish all information, documents, and utility locations, necessary for commencement of Work. Costs of construction permits and authority approvals will be borne by the Entity. A representative will be designated by the Entity for inspecting the work and answering on-site questions.

The Entity shall designate the public and private property areas where the disaster mitigation work is to be performed. Copies of complete "Right of Entry" forms, where they are required by the State and local law for private property, shall be furnished to the Contractor by the Entity. The Entity shall hold harmless and indemnify the Contractor judgements and awards alleged to

have been caused by services rendered under this contract for disaster relief work unless such claims are caused by the gross negligence of the Contractor, his subcontractors or his employees.

**ARTICLE 9:
Claims**

If the Contractor wishes to make a claim for additional compensation, for work or materials is not clearly covered in the contract, or nor ordered by the Entity as a modification to the contract, he/she shall notify the Entity in writing. The Contractor and the Entity will negotiate the amount of adjustment promptly; however, if no agreement is reached, a binding settlement will be determined by a third party acceptable to both Entity and Contractor under the sections of applicable State law.

**ARTICLE 10:
Insurance and Bonds**

The contractor shall furnish proof of Worker's Compensation Coverage, Automobile Liability Coverage, and Comprehensive General Liability Insurance (Premises-Operations, Personal injury, etc. as deemed necessary by the Entity).

Surety: The Contractor shall deliver to the Entity fully executed Performance and Payment Bonds in the amount 100% of the contract amount, if required by the specifications, or general or special conditions of the contract. The Entity will reimburse the Contractor for the costs of the bonds, the cost of which will be included in the base bid.

**ARTICLE 11:
Contractor Qualifications**

The Contractor must be duly licensed in the State per statutory requirements.

THIS CONTRACT IS DULY SIGNED BY ALL PARTIES HERETO:

Entity (City, County, Town, Etc.)

By _____ Seal

Contractor (Include Address, City, State)

By _____ Seal
Principal of the Firm

C. Sample Unit Price Contract for Debris Removal

Example Unit Price Contract for Debris Removal

ARTICLE 1:
Agreement Between Parties

This contract is made and entered into on this the __, 20__, by and between the county of ____, hereinafter called the ENTITY and ____, hereinafter called the CONTRACTOR.

ARTICLE 2:
Scope of Work

This contract is issued pursuant to the Solicitation and Procurement on ____, 20__, for the removal of debris caused by the sudden natural or man-made-disaster of ____, to ____, 20__. It is the intent of this contract to provide equipment and manpower to remove all hazards to life and property in the affected communities. Clean up, demolition, and removal will be limited to 1) that which is determined to be in the interest of public safety and 2) that which is considered essential to the economic recovery of the affected area.

ARTICLE 3:
Schedule of Work

Time is of the essence for this debris removal contract.

Notice to proceed with the Work: The work under this contract will commence on ____, 20__. Maximum allowable time for the completion will be ____ Calendar days unless the Entity initiates additions or deletions by written charge order. Subsequent changes in cost and completion time will be equitably negotiated by both pursuant to applicable State law. Liquidated damages shall be assessed at \$ ____/calendar day for any days over the approved contract amount.

ARTICLE 4:
Contract Price

The unit prices for performing the work stipulated in the contract documents, which have been transposed from the low bidder's bid schedule are as follows:

Quantity	Unit of Measure	Description	Unit Cost	Total
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Subtotal	_____
Cost of Bond	_____
Grand Total	_____

**ARTICLE 8:
Entity's Obligations**

The Entity's representative(s) shall furnish all information, documents, and utility locations for necessary for commencement of Work. Costs of construction permits and authority approvals will be borne by the Entity. A representative will be designated by the Entity for inspecting the work and answering and on-site questions.

The Entity shall designate the public and private property areas where the disaster mitigation work is to performed. Copies of "Right of Entry" forms, as required by State laws for private property, shall be furnished to the Contractor by the Entity. The Entity shall hold harmless and indemnify the Contractor judgements and awards alleged to have been caused by services rendered under this contract for disaster relief work unless such claims are caused by the gross negligence of the Contractor, his/her subcontractors, or his/her employees.

The Entity will terminate this contract for failure to perform as specified, or for default by the Contractor.

**ARTICLE 9:
Insurance and Bonds**

The contractor shall furnish proof of Worker's Compensation Coverage, Automobile Liability Coverage, and Comprehensive General Liability Insurance (Premises-Operations, Personal Injury, etc...as deemed necessary by the Entity).

Surety: The contractor shall deliver to the Entity fully executed Performance and Payment Bonds in the amount of 100% of the contract amount, if required by the specifications, or general or special conditions of the contract. The Entity will reimburse the Contractor for the costs of the bonds, the cost of which will be included in the base bid.

**ARTICLE 10:
Contractor Qualifications**

The contractor must be fully licensed in the State

THIS CONTRACT IS DULY SIGNED BY ALL PARTIES HERETO:

Entity(City, County, Township, Village, etc.)

by _____ Seal
Contractor, Address, City, State

by _____ Seal
Principal of the firm

*Debris shall be classified as one of the following units: cubic yards, each, square foot, linear foot, gallon, or an approved unit measure applicable to the specific material to be removed.

ARTICLE 5:
Payment

The Contractor shall submit certified pay request for completed work. The Entity shall have 10 calendar days to approve or disapprove the pay request. The Entity shall pay the Contractor for his performance under the contract within 20 days of approval of the pay estimate. On contracts over 30 days in duration, the Entity shall pay the Contractor a pro-rata percentage of the contract amount on a monthly basis based on the amount of work completed and approved in the month. The Entity will remunerate the Contractor within 30 days of the approved application for payment. After which interest will be added at a rate of _____ per annum. Payments shall be subject to a retainage of _____ on each payment. Retainage shall be released upon substantial completion of the work.

Funding for this contract is authorized pursuant to Public Law of the State _____, and _____.

Local statue or ordinance

ARTICLE 6:
Claims

If the Contractor wishes to make a claim for additional compensation, for work or materials not clearly covered in the contract, or not ordered by the Entity as a modification to the contract. He/she shall notify the Entity in writing. The Contractor and the Entity will negotiate the amount of adjustment promptly; however, if no agreement is reached a binding settlement will be determined by a third party acceptable so both Entity and Contractor under the auspices of applicable State law.

ARTICLE 7:
Contractors Obligations

The Contractor shall supervise and direct the Work, using skillful labor and proper equipment for all tasks. Safety of the Contractor's personnel and equipment is the responsibility of the Contractor. Additionally, the Contractor shall pay for all materials, equipment, personnel, taxes, and fees necessary to perform under the terms of the contract.

Any unusual, concealed, or changed conditions are to be immediately reported to the Entity. The Contractor shall be responsible for the protection of existing utilities, sidewalks, roads, buildings, and other permanent fixtures. Any unnecessary damage will be repaired at the Contractor's expense.

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Appendix C

Definitions

Beverage - A beer or malt beverages, mineral water, soda water, and similar carbonated soft drinks in liquid form, and all other liquids intended for human consumption, except for liquids marketed for and intended for consumption for medicinal purposes.

Beverage Container - The individual, separate, and sealed glass, aluminum or other metal, or plastic bottle, can, jar, or carton containing beverage intended for human consumption.

Class 1 Landfill - Accepts waste from disposal of trees, stumps, and wood chips generated from land-clearing activities and yard trash generated from landscaping maintenance activities.

Class 2 Landfill - Accepts waste generated by construction, demolition, land-clearing, industrial, and/or manufacturing activities, and/or obtained from segregated commercial waste.

Class 3 Landfill - Accept municipal solid waste, industrial solid waste, sewage sludge, nonhazardous municipal solid waste incinerator ash and other nonhazardous waste.

Collection - The act of picking up solid waste materials from homes, businesses, governmental agencies, institutions, or industrial sites.

Compost - The humus-like product of the process of composting waste.

Composting Facility - Any facility used to provide aerobic, thermophilic decomposition of the solid organic constituents of solid waste to produce a stable, humus-like material.

Construction and Demolition Debris - Discarded solid wastes resulting from construction,

remodeling, repair and demolition of structures, road building, and land clearing. The wastes include, but are not limited to, bricks, concrete, and other masonry materials, soil, rock, lumber, road spoils, paving material, and tree and brush stumps, but does not include solid waste from agricultural or silvicultural operations.

County Solid Waste Management Plan - A solid waste management plan prepared, approved, and submitted by a single county pursuant to Section 44-96-80.

Degradable - the material, after being discarded, is capable of decomposing to components other than heavy metals or other toxic substances after exposure to bacteria, light, or outdoor elements.

Department - The South Carolina Department of Health and Environmental Control.

Discharge - The accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying, or dumping of solid waste, including leachate, into or on any land or water.

Disposal - The discharge, deposition, injection, dumping, spilling or placing of any solid waste into or on any land or water, so that the substance or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwater.

Energy Recovery - The beneficial use, reuse, recycling, or reclamation of solid waste through the use of the waste to recover energy therefrom.

Facility - All contiguous land, structures, other appurtenances and improvements on the land used for treating, storing, or disposing of solid waste. A facility may consist of several treatment, storage, or disposal operational units, including, but not limited

to, one or more landfills, surface impoundments, or combination thereof.

For Hire Motor Carrier - A company operating a fleet of vehicles used exclusively in the transportation of freight for compensation.

Generation - The act or process of producing solid waste.

Groundwater - Water beneath the land surface in the saturated zone.

Hazardous Waste - Meaning provided in Section 44-56-20 of the South Carolina Hazardous Waste Management Act.

Incineration - The use of controlled flame combustion to thermally break down solid, liquid, or gaseous combustible wastes, producing residue that contains little or no combustible materials.

Industrial Waste - Solid waste that results from industrial processes including, but not limited to, factories and treatment plants.

Infectious Waste - The meaning given in Section 44-93-20 of the South Carolina Infectious Waste Management Act.

Land-Clearing Debris - Solid waste which is generated solely from land-clearing activities, but does not include solid waste from agricultural or silvicultural operations.

Landfill - A disposal facility or part of a facility where solid waste is placed in or on land, and which is not a land treatment facility, a surface impoundment, or an injection well.

Lead-Acid Battery - Any battery that consists of lead and sulfuric acid, is used as a power source, and has a capacity of six volts or more, except that this term shall not include a small sealed lead-acid battery which means a lead-acid battery weighing twenty-five pounds or less, used in non-vehicular, non-SLI (start lighting ignition) applications.

Lead-Acid Battery Collection Facility - A facility authorized by the Department of Health and Environmental Control to accept lead-acid batteries from the public for temporary storage prior to recycling.

Local Government - A county, any municipality located wholly or partly within the county, and any other political subdivision located wholly or partly within the county when such political subdivision provides solid waste management services.

Materials Recovery Facility - A solid waste management facility that provides for the extraction from solid waste of recoverable materials, materials suitable for use as a fuel or soil amendment, or any combination of such materials.

Motor Oil and Similar Lubricants - The fraction of crude oil or synthetic oil that is classified for use in the crankcase, transmission, gearbox, or differential of an internal combustion engine, including automobiles, buses, trucks, lawn mowers and other household power equipment, industrial machinery, and other mechanical devices that derive their power from internal combustion engines. The terms include re-refined oil but do not include heavy greases and specialty industrial or machine oils, such as spindle oils, cutting oils, steam cylinder oils, industrial oils, electrical insulating oils, or solvents which are not sold at retail in this State.

Municipal Solid Waste Landfill - Any sanitary landfill or landfill unit, publicly or privately owned, that receives household waste. The landfill may also receive other types of solid waste, such as

commercial waste, nonhazardous sludge, and industrial solid waste.

Office - The Office of Solid Waste Reduction and Recycling established within the Department of Health and Environmental Control pursuant to Section 44-96-110.

Owner/Operator - The person who owns the land on which a solid waste management facility is located or the person who is responsible for the overall operation of the facility, or both.

Person - An individual, corporation, company, association, partnership, unit of local government, state agency, federal agency, or other legal entity.

Plastic Bottle - A plastic container intended for single use, which has a neck that is smaller than the body of the container, accepts a screw-type, snap cap, or other closure, and has a capacity of sixteen fluid ounces or more, but less than five gallons.

Plastic Container - Any container having a wall thickness of not less than one one-hundredth of an inch used to contain beverages, foods, or nonfood products and composed of synthetic polymeric materials.

Recovered Materials - Those materials which have known use, reuse, or recycling potential; can be feasibly used, reused, or recycled; and have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not requiring subsequent separation and processing. At least seventy-five percent by weight of the materials received during the previous calendar year must be used, reused, recycled, or transferred to a different site for use, reuse, or recycling in order to qualify as a recovered material.

Recovered Materials Processing Facility - A facility engaged solely in the recycling, storage, processing, and resale or reuse of recovered materials. The term does not include a solid waste processing facility; however, solid waste generated by a recovered material processing facility is subject to all applicable laws and regulations relating to the solid waste. The term does not include facilities which thermally treat solid waste principally for volume reduction or for reduction of contaminants. Records must be kept documenting the amount by weight of materials that are received at the facility and used, reused, or recycled or transferred to another site for use, reuse, or recycling. Records must also be kept which clearly document the location of final disposition of the materials. Records must be made available for inspection by department personnel upon request.

Recyclable Material - Those materials which are capable of being recycled and which would otherwise be processed or disposed of as solid waste.

Recycling - Any process by which materials which would otherwise become solid waste are collected, separated, or processed and reused or returned to use in the form of raw materials or products (including composting).

Region - A group of counties in South Carolina which is planning to or has prepared, approved, and submitted a regional solid waste management plan to the department pursuant to Section 44-96-80.

Regional Solid Waste Management Plan - A solid waste management plan prepared, approved, and submitted by a group of counties in South Carolina pursuant to Section 44-96-80.

Resource Recovery - The process of obtaining material or energy resources from solid waste which no longer has any useful life in its present form and preparing the waste for recycling.

Resource Recovery Facility - A combination of structures, machinery, or devices utilized to separate, process, modify, convert, treat, or prepare collected solid waste so that component materials or substances or recoverable resources may be used as a raw material or energy source.

Reuse - The return of a commodity into the economic stream for use in the same kind of application as before without change in its identity.

Rigid Plastic Container - Any formed or molded container, other than a bottle, intended for single use, composed predominantly of plastic resin, and having a relatively inflexible finite shape or form with a capacity of eight ounces or more, but less than five gallons.

Sanitary Landfill - A land disposal site employing an engineered method of disposing of solid waste on land in a manner that minimizes environmental hazards and meets the design and operation requirements of this chapter.

Secondary Lead Smelter - A facility which produces metallic lead from various forms of lead scrap, including used lead-acid batteries.

Solid Waste - Any garbage, refuse, or sludge from a waste treatment facility, water supply plant, or air pollution control facility and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities. This term does not include solid or dissolved material in domestic sewage, recovered materials, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to NPDES permits under the Federal Water Pollution Control Act, as amended, or the Pollution Control Act of South Carolina, as amended, or source, special nuclear, or by-product material as defined

by the Atomic Energy Act of 1954, as amended. Also excluded from this definition are application of fertilizer and animal manure during normal agricultural operations or refuse as defined and regulated pursuant to the South Carolina Mining Act, including processed mineral waste, which will not have a significant adverse impact on the environment.

Solid Waste Disposal Facility - Any solid waste management facility or part of a facility at which solid waste is intentionally placed into or on any land or water and at which waste will remain after closure.

Solid Waste Management - The systematic control of the generation, collection, source separation, storage, transportation, treatment, recovery, and disposal of solid waste.

Solid Waste Management Facility - Any solid waste disposal area, volume reduction plant, transfer station, or other facility, the purpose of which is the storage, collection, transportation, treatment, utilization, processing, recycling, or disposal, or any combination thereof, of solid waste. The term does not include a recovered materials processing facility or facilities which use or ship recovered materials, except that portion of the facilities which is managing solid waste.

Solid Waste Management Grant Program - The grant program established and administered by the Office of Solid Waste Reduction and Recycling pursuant to Section 44-96-130.

Solid Waste Management Trust Fund - The trust fund established within the Department of Health and Environmental Control pursuant to Section 44-96-120.

Source Reduction - The reduction of solid waste before it enters the solid waste stream by methods such as product redesign or reduced packaging.

Source Separation - The act or process of removing a particular type of recyclable material from other waste at the point of generation or under control of the generator for the purposes of collection, disposition, and recycling.

Specific Wastes - Solid waste which requires separate management provisions, including plastics, used oil, waste tires, lead-acid batteries, yard trash, compost, and white goods.

State Solid Waste Management Plan - The plan which the Department of Health and Environmental Control is required to submit to the General Assembly and to the Governor pursuant to Section 44-96-60.

Storage - The containment of solid waste, either on a temporary basis or for a period of years, in such manner as not to constitute disposal of such solid waste; provided, however, that storage in containers by persons of solid waste resulting from their own activities on their property, leased or rented property, if the solid waste in such containers is collected at least once a week, shall not constitute "storage" for purposes of this chapter. The term does not apply to containers provided by or under the authority of a county for the collection and temporary storage of solid waste prior to disposal.

Surface Water - Lakes, bays, sounds, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within territorial limits, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private.

Tire - The continuous solid or pneumatic rubber covering encircling the wheel of a motor vehicle, trailer, or motorcycle as defined in Section 56-3-20(2), (4), and (13). It does not include an industrial

press-on tire, with a metal or solid compound rim, which may be retooled.

Tire Retailing Business - The retail sale of tires in any quantity for any use or purpose by the purchaser other than for resale.

Transport - The movement of solid waste from the point of generation to any intermediate point and finally to the point of ultimate processing, treatment, storage, or disposal.

Transporter - A person engaged in the off-site transportation of solid waste by air, rail, highway, or water.

Treatment - Any technique designed to change the physical, chemical, or biological character or composition of any solid waste so as to render it safe for transport, amenable to storage, recovery, or recycling, safe for disposal, or reduced in volume or concentration.

Used Oil - Oil that has been refined from crude oil or synthetic oil and that has been used and, as a result of that use, is contaminated by physical or chemical impurities.

Used Oil Collection Center - A facility which, in the course of business, accepts used oil for subsequent disposal or recycling.

Used Oil Energy Recovery Facility - A facility that burns more than six thousand gallons of used oil annually for energy recovery.

Used Oil Recycling Facility - A facility that recycles more than six thousand gallons of used oil annually.

Waste Tire - A tire that is no longer suitable for its original intended purpose because of wear, damage, or defect.

Waste Tire Collection Facility - A permitted facility used for the storage of waste tires or processed tires before recycling, processing, or disposal.

Waste Tire Disposal Facility - A permitted facility where processed waste tires are placed on the land in a manner which constitutes disposal.

Waste Tire Processing Facility - A permitted facility where equipment is used to cut, shred, burn for volume reduction, or to otherwise alter whole waste tires. The term includes mobile waste tire processing equipment.

Waste Tire Recycling Facility - A permitted facility where waste tires are used as a fuel source or returned to use in the form of products or raw materials.

Waste Tire Hauler - A person engaged in the picking up or transporting of waste tires for the purpose of storage, processing, or disposal.

Waste Tire Site - An establishment, site, or place of business, without a collector or processor permit, that is maintained, operated, used, or allowed to be used for the disposal, storing, or depositing of unprocessed used tires, but does not include a truck service facility which meets the following requirements:

(a) all vehicles serviced are owned or leased by the owner or operator of the service facility;

(b) no more than two hundred waste tires are accumulated for a period of not more than thirty days at a time;

(c) the facility does not accept any tires from sources other than its own; and

(d) all waste tires are stored under a covered structure.

Waste Tire Treatment Site - A permitted site used to produce or manufacture usable materials, including fuel, from waste tires.

Waters of the State - Lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial limits, and all other bodies of surface or underground water, natural or artificial, public or private, inland or coastal, fresh or salt, which are wholly or partially within or bordering the State or within its jurisdiction.

White Goods - Include refrigerators, ranges, water heaters, freezers, dishwashers, trash compactors, washers, dryers, air conditioners, and commercial large appliances.

Yard Trash - Solid waste consisting solely of vegetative matter resulting from landscaping maintenance.

Agenda Item Summary

Ordinance # / Resolution #: Resolution 1071-R2019

Contact Person / Sponsor: Steve Willis/Administration and John DuBose/County Attorney

Department: Administration

Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

Creation of the Sales Tax Commission for a potential Capital Project Sales Tax number three.

Points to Consider:

State law requires the creation of a citizen commission to consider the creation of a Capital Project Sales Tax. SC Code 4-10-310 et. seq.

County Council must appoint three (3) members within 30 days of the adoption of the Resolution. This can occur tonight, at the November 11th meeting, or the November 25th meeting.

Lancaster City Council must appoint two (2) members. They are prepared to do so.

The final member must be a resident of the towns of Heath Springs, Kershaw, or Van Wyck. This person will be selected by the two members appointed by the Lancaster City Council.

Funding and Liability Factors:

N/A at this point.

Council Options:

Approve or reject the Resolution.

Recommendation:

I recommend approval of the Resolution.

ATTACHMENTS:

Description	Upload Date	Type
Resolution 1071-R2019	10/21/2019	Resolution

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

RESOLUTION NO. 1071-R2019

A RESOLUTION

**ESTABLISHING A CAPITAL PROJECT SALES TAX COMMISSION FOR LANCASTER
COUNTY, SOUTH CAROLINA**

WHEREAS, pursuant to South Carolina Capital Project Sales Tax Act (the “Act”), South Carolina Code of Laws § 4-10-310 et. seq. and a successful referendum, the Lancaster County Council (the “Council”) imposed a one percent sales and use tax within Lancaster County (the “County”).

WHEREAS, pursuant to the Act and a successful referendum, the County Council is authorized to re-impose the sales and use tax.

WHEREAS, pursuant to the Act, the County Council is authorized to create a commission (the “Commission”) composed of six residents of Lancaster County (the “County”) who must be appointed according to the format specified in § 4-10-320(A) of the Act; and

WHEREAS, the Commission must consider proposals for funding capital projects within the County and formulate the referendum question that is to appear on the ballot pursuant to the requirements of § 4-10-330(D) of the Act.

NOW, THEREFORE, be it resolved by the Council of Lancaster County, South Carolina:

1. Council hereby creates the Lancaster County Capital Projects Sales Tax Commission, the members of which must be appointed pursuant to the requirements of § 4-10-320(A) of the Act.
2. By separate resolution, Council shall appoint three members to the Commission.
3. Pursuant to § 4-10-30(A)(2) of the Act, the City of Lancaster is authorized to appoint two members of the Commission, each of whom shall be residents of the City of Lancaster, South Carolina. The two appointees from the City of Lancaster shall meet and appoint a third municipal member of the Commission, who shall be a resident of either Heath Springs, South Carolina, Kershaw, South Carolina, or Van Wyck, South Carolina.
4. The municipal appointments shall be appointed or chosen within 30 days from the date of adoption of this resolution.
5. The County Administrator is authorized and directed to provide support for this Commission as reasonably as necessary to allow the Commission to discharge its responsibilities under the Act.

6. 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.
7. This resolution is effective upon its adoption.

AND IT IS SO RESOLVED

Dated this _____ day of _____, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

John DuBose, County Attorney

Agenda Item Summary

Ordinance # / Resolution #: Resolution 1072-R2019

Contact Person / Sponsor: Alison Alexander/Deputy County Administrator

Department: Administration

Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

The current County website does not meet ADA accessibility guidelines, and the administrative side is time-consuming for the staff who maintain the site. Public Relations Coordinator Katherine Hayes has researched the County's needs with Admin and IT, and gathered quotes from multiple vendors.

Points to Consider:

A new website will take 8-10 months of development. By authorizing the website now, it will be functional mid 2020. A new site will not only allow the County to be ADA compliant, but also improve our ability to provide useful information to the public on a site that is easier to navigate and use.

Funding and Liability Factors:

Due to the timing of changes in staffing, the request for funding for a new website was not included in the FY 20 budget request. The budget includes \$200,000 for various planning initiatives, and we recommend allocating \$50,000 for a new website redesign.

Council Options:

To recommend approval or denial.

Recommendation:

Staff recommends approval as presented and favorable recommendation from the Administration Committee.

ATTACHMENTS:

Description	Upload Date	Type
Resolution 1072-R2019	10/22/2019	Resolution

STATE OF SOUTH CAROLINA

)

RESOLUTION NO. 1072-R2019

COUNTY OF LANCASTER

)

)

A RESOLUTION

TO AUTHORIZE THE TRANSFER OF FUNDS WITHIN THE COUNTY GENERAL FUND; TO AUTHORIZE CERTAIN COUNTY OFFICIALS TO TAKE ACTIONS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION.

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

Section 1. Transfer of Funds.

Council authorizes and approves the County Administrator and Chief Financial Officer to transfer Fifty Thousand Dollars (\$50,000) from account 10-7-032-600-00, Contractual Services, to account 10-7-011-604-00, Professional Services, to make improvements to the County website including, but not limited to, changes that will make the site fully ADA Compliant.

Section 2. Authority to Act.

The County Administrator, County Chief Financial Officer and any other appropriate County official are each authorized to take such actions and to execute such documents as may be necessary to effectuate the purposes of this resolution.

Section 3. Conflicting Provisions.

To the extent this resolution contains provisions that conflict with provisions contained elsewhere in other Lancaster County resolutions, policies, procedures and actions, the provisions contained in this resolution supersede all other provisions and this resolution is controlling.

Section 4. Severability.

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

Section 5. Effective Date.

This resolution is effective upon its adoption.

AND IT IS SO RESOLVED

Dated this _____ day of _____, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

John DuBose, County Attorney

Agenda Item Summary

Ordinance # / Resolution #: Resolution 1073-R2019
Contact Person / Sponsor: John DuBose/County Attorney
Department: Attorney
Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

Speakers at Public Hearing are currently provided no more than five (5) minutes to speak at public hearing. The proposed Resolution provides that speakers at public hearing would have no more than three (3) minutes to speak.

Points to Consider:

Reducing the time for speakers at public hearing will encourage more direct statements from the public and reduce time spent hearing repetitive commentary on an issue. Reducing speaking time limits should also allow for meetings to be conducted more efficiently.

There is no statutorily required minimum or maximum time limit for speakers at public hearing. By way of example, The Municipal Association of South Carolina recommends a two (2) minute time limit for public hearing speakers in its model rules for municipalities.

Funding and Liability Factors:

Not Applicable.

Council Options:

Approve or Reject Resolution 1073-R2019.

Recommendation:

Approval of Resolution 1073-R2019.

This agenda item received a positive recommendation for approval from the Infrastructure and Regulation Committee.

ATTACHMENTS:

Description	Upload Date	Type
Resolution 1073-R2019	10/21/2019	Resolution

A RESOLUTION

**TO ESTABLISH A THREE (3) MINUTE TIME LIMIT FOR SPEAKERS AT PUBLIC
HEARINGS AND TO REPEAL ANY EXISTING ADOPTED BYLAWS AND
PROCEDURES TO THE CONTRARY**

Section 1. Findings and Determinations

The County Council finds and determines that:

- (a) Citizens are currently allowed no more than five (5) minutes to speak at public hearings before the County Council, Planning Commission, the Board of Zoning Appeals, and other Boards and Commission established by Lancaster County.
- (b) County Council desires to allow adequate public input during public hearings before County Council, Planning Commission, the Board of Zoning Appeals, and other Boards and Commissions established by Lancaster County, while also limiting redundant and overly broad statements during public hearings.
- (c) Establishing a time limit of three (3) minutes for speakers during public hearing will encourage more direct statements from members of the public and allow meetings to proceed more efficiently.

Section 2. Time Limits for Public Hearings

In all matters brought for public hearing before the County Council, Planning Commission, the Board of Zoning Appeals, and any other Board or Commission established by Lancaster County, each citizen wishing to provide input at public hearing shall have no more than three (3) minutes to speak.

Section 3. Conflicting Provisions

To the extent that this Resolution contains provisions that conflict with provisions contained elsewhere in adopted bylaws or procedures, the provisions contained in this Resolution supersede all other provisions and this Resolution is controlling.

Section 5. Effective Date.

This Resolution is effective upon its adoption.

THEREFORE, BE IT RESOLVED by the Council of Lancaster County, South Carolina that time limit for speakers at public hearing before County Council, Planning Commission, the Board of Zoning Appeals, and other Boards and Commissions is established by Lancaster County as three (3) minutes.

AND IT IS SO RESOLVED

Dated this _____ day of _____, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

Attest:

Sherrie Simpson, Clerk to Council

Approved as to form:

John DuBose, County Attorney

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2019-1608

Contact Person / Sponsor: Katie See/Planning

Department: Planning

Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

UDO Chapter 1 provides exemptions to the height limits established in Chapter 2.4 and Chapter 3 for non-habitable structures and related equipment. Examples of these types of structures can include, but are not limited to tanks, towers, smoke stacks, steeples, and related structures. The proposed amendment relocates this verbiage to Chapter 2.4, provides a limit for most structures of 90-ft, and provides a review process by the Fire Marshal Office to ensure the taller structures can be serviced by the fire departments in the event of an emergency. Planning Commission recommended that non-habitable structures be limited to 70-ft near residential properties, which has been incorporated within the amendment for most non-habitable structures.

Points to Consider:

The proposed amendments provide a limit on existing height exemptions within the UDO and incorporates a review process by the Fire Marshal Office to ensure taller structures may be serviced during an emergency based on available equipment and other considerations in the service area.

The amendment approved at 1st Reading has been updated for 2nd Reading to be more consistent with the existing language contained in UDO Chapter 1. See Exhibit 2.

Funding and Liability Factors:

N/A

Council Options:

To approve or deny the text amendment.

Recommendation:

Planning staff recommends **approval** of this text amendment.

Planning Commission voted on August 20, 2019 to **approve** this request with the condition that the height limit be limited to 70' when the structure is within 100' of adjacent single-family use or district.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2019-1608	10/21/2019	Ordinance
Proposed Amended Ordinance 2019-1608 for 2nd Reading	10/18/2019	Ordinance
Exhibit to Ordinance 2019-1608	10/3/2019	Ordinance
Memo to County Council	8/30/2019	Executive Summary
Staff Report	8/28/2019	Planning Staff Report
Ex 1: Proposed Text Change	10/3/2019	Ordinance
Ex 2: Application	8/28/2019	Exhibit
Ex 3: Letter of Intent	8/28/2019	Exhibit

STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2019-1608

COUNTY OF LANCASTER

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AN ORDINANCE

TO AMEND ORDINANCE 2016-1442, THE UNIFIED DEVELOPMENT ORDINANCE (“UDO”), CHAPTER 2.4, DISTRICT DEVELOPMENT STANDARDS, TO INCREASE THE ALLOWED HEIGHT OF BUILDINGS WITHIN LIGHT INDUSTRIAL AND HEAVY INDUSTRIAL ZONING DISTRICTS.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

- (a) The height limit of buildings in the Light and Heavy Industrial (LI and HI) Districts are currently set at fifty feet (50’) in height for principal buildings, while accessory buildings are limited to thirty-five feet (35’) in height.
- (b) Other counties have more permissive height limits which places Lancaster County in a competitive disadvantage in recruiting industrial companies.
- (c) The proposed text amendment will make building height restrictions in the Light and Heavy Industrial (LI and HI) Districts more consistent with the height restrictions in place with other counties and will remove an impediment to recruitment of industrial companies to Lancaster County.
- (d) The proposed text amendment will accommodate recruitment of businesses to Lancaster County while also providing for the safety of adjacent residential properties.

Section 2. Amendment of Ordinance 2016-1442

Ordinance 2016-1442 (Unified Development Ordinance) Chapter 2.4, District Development Standards are amended as reflected on **Exhibit 1** attached to this Ordinance which is incorporated herein by reference.

The amendments are generally described as follows:

- a) In the LI and HI districts, applicants may request to have non-habitable structures and equipment (principal or accessory) exceed the principal or accessory height limit without the provision of additional setbacks subject to Fire Commission and Fire Marshal Office approval. In no instance shall a non-habitable structure or equipment exceed 90-ft in height.
- b) In the LI and HI districts, non-habitable structures and equipment which are located

within 100-ft of an adjacent residential use or district and are otherwise permitted shall not exceed a height of 70-ft.

- c) Buildings and structures shall comply with height limit requirements in McWhirter Field Aviation Overlay District of the UDO.

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: September 9, 2019
Second Reading: October 28, 2019
Public Hearing: November 12, 2019
Third Reading: November 12, 2019

STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2019-1608

COUNTY OF LANCASTER

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AN ORDINANCE

TO AMEND ORDINANCE 2016-1442, THE UNIFIED DEVELOPMENT ORDINANCE (“UDO”), TO INCREASE THE ALLOWED HEIGHT OF BUILDINGS WITHIN LIGHT INDUSTRIAL AND HEAVY INDUSTRIAL ZONING DISTRICTS.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

- (a) The height limit of buildings in the Light and Heavy Industrial (LI and HI) Districts are currently set at fifty feet (50’) in height for principal buildings, while accessory buildings are limited to thirty-five feet (35’) in height.
- (b) Other counties have more permissive height limits which places Lancaster County in a competitive disadvantage in recruiting industrial companies.
- (c) The proposed text amendment will make building height restrictions in the Light and Heavy Industrial (LI and HI) Districts more consistent with the height restrictions in place with other counties and will remove an impediment to recruitment of industrial companies to Lancaster County.
- (d) The proposed text amendment will accommodate recruitment of businesses to Lancaster County while also providing for the safety of adjacent residential properties.

Section 2. Amendment of Ordinance 2016-1442

Ordinance 2016-1442 (Unified Development Ordinance) Chapter 2.4, District Development Standards, and Chapter 1.4.6, Measurement of Height, are amended as reflected on **Exhibit 1** attached to this Ordinance which is incorporated herein by reference.

The amendments are generally described as follows:

- a) In the LI and HI districts, applicants may request to have non-habitable structures and equipment (principal or accessory) exceed the principal or accessory height limit without the provision of additional setbacks subject to Fire Commission and Fire Marshal Office approval. In no instance shall a non-habitable structure or equipment exceed 90-ft in height.
- b) In the LI and HI districts, non-habitable structures and equipment which are located

within 100-ft of an adjacent residential use or district and are otherwise permitted shall not exceed a height of 70-ft.

- c) Buildings and structures shall comply with height limit requirements in McWhirter Field Aviation Overlay District of the UDO.
- d) Addition and consolidation into Chapter 2 of exemptions for height limits currently listed in Chapter 1.4.6 C and limited modifications of those exemptions, as well as deletion of those exemptions from Chapter 1.4.6 C.

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading:	September 9, 2019
Second Reading:	October 28, 2019
Public Hearing:	November 12, 2019
Third Reading:	November 12, 2019

Approved as to form:

John DuBose, County Attorney

* * *

1.4.6 MEASUREMENT OF HEIGHT

Building heights shall be as specified in Chapter 2 and Chapter 3 and shall be determined according to the provisions below.

* * *

~~C. ITEMS NOT INCLUDED IN HEIGHT CALCULATIONS~~

~~The height limitations of this ordinance shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy, monuments, water towers, mechanical penthouses (provided they are set back 20 feet from the front elevation), observation towers, transmission towers, chimneys, smokestacks, conveyors, flagpoles, masts, and antennas (provided evidence from appropriate authorities is submitted to the effect that such building or buildings will not interfere with any airport zones or flight patterns). See Section 4.2.1, McWhirter Field Aviation Overlay District, and Chapter 5, Use Regulations, for additional height limitations related to airports zones and communications towers.~~

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* * *

STANDARD	Institutional (INS)	Open Space Preservation (OSP)	Light Industrial (LI)	Heavy Industrial (HI)	Mining (M)
1. DEVELOPMENT STANDARDS					
A. District/Development Area (min)	1.5 acres	n/a	2 acres*	6 acres	20 acres
B. Development/District Exterior Setback/Buffer	30 ft setback from adjacent AR, RR, RN, MH, LDR, MDR, HDR, OSP Districts. 10 ft setback from all other adjacent properties and adjacent streets.	n/a	25 ft setback from adjacent RB and GB Districts. 50 ft setback from all other adjacent properties and adjacent streets.	75 ft setback from adjacent RB and GB Districts. 150 ft setback from all other adjacent properties and adjacent streets. See Below (4)	75 ft setback from adjacent RB and GB Districts. 150 ft setback from all other adjacent properties and adjacent streets. See Below (4)
C. Density (max)	n/a	n/a	n/a	n/a	n/a
D. Open Space (min)	6%	n/a	n/a	n/a	n/a
E. Park Space (min)	n/a	n/a	n/a	n/a	n/a
2. LOT STANDARDS					
A. Lot Area (min)	1.5 acres	n/a	n/a	n/a	n/a
B. Lot Width at Front Setback (min)	100 ft	n/a	n/a	n/a	n/a
C. Pervious Surface (min)	n/a	n/a	n/a	n/a	n/a
3. PRINCIPAL BUILDING					
A. Principal Front Setback (min)	40 ft (3)	n/a	40 ft (3)	50 ft (3)	50 ft (3)
B. Street Side/Secondary Front Setback (min)	35 ft	n/a	35 ft	35 ft	35 ft
C. Side (from adjacent lot) Setback (min)	35 ft	n/a	35 ft	35 ft	35 ft
D. Rear Setback (min)	35 ft	n/a	35 ft	35 ft	35 ft
E. Other Standards	See Below (3)	See Below (3)	See Below (3)	See Below (3)	See Below (3)
4. ACCESSORY STRUCTURE					
A. Side Setback	5 ft	n/a	5 ft	5 ft	5 ft
B. Rear Setback	5 ft	n/a	5 ft	5 ft	5 ft
C. Other Standards	See Below (1, 2)	See Below (1, 2)	See Below (1, 2)	See Below (1, 2)	See Below (1, 2)
5. PARKING CONFIGURATION					
A. Parking Location per Section 9.3	7.2.3		7.2.3	7.2.3	7.2.3
B. Parking in Exterior Setback/Buffer	n/a	n/a	n/a	n/a	n/a
6. BUILDING HEIGHT					
A. Principal Building (max)	50 ft	35 ft	50-ft	50-ft	60 ft
B. Accessory Structure (max)	35 ft	35 ft	35 ft	35 ft	35 ft
C. Additional Height Permitted with Additional Setback	1 ft additional height permitted with each 2 ft horizontal setback		1 ft additional height permitted with each 2 ft horizontal setback	1 ft additional height permitted with each 2 ft horizontal setback	1 ft additional height permitted with each 2 ft horizontal setback

1. Accessory structures over 600 sf must comply with principal setback requirement.
2. No accessory structures may be located on corner lots between the street and wall line of the principal structure.
3. For any nonresidential structure which is located immediately adjacent to a single family residential use or district, the lot boundary line minimum distance shall be determined as follows: For every foot building height, the developer shall provide setbacks equal to the height of the building. At no time shall the setback be less than what is indicated in the above table.
4. The Development/District Exterior Setback/Buffer shall not apply between adjacent LI and HI districts. A waiver of these requirements may be granted by the Administrator for LI and HI lots existing at the adoption date of this ordinance which do not meet the specified minimum District/Development Area. In such instances

the building setback standards for the AR District shall apply. A waiver of these requirements may also be granted by the Administrator in order to permit access to an adjacent railroad right-of-way.

5. *Subject to approval by the Fire Marshal Office, the height limitations of this ordinance shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy, monuments, water towers, mechanical penthouses (provided they are set back 20 feet from the front elevation), observation towers, transmission towers, chimneys, smokestacks, tanks, equipment, conveyors, flagpoles, masts, and antennas (provided evidence from appropriate authorities is submitted to the effect that such building or buildings will not interfere with any airport zones or flight patterns). With the exception of water towers, observation towers, transmission towers and antennas, in no instance shall a non-habitable structure exempted under this section exceed a height of 90-ft or 70-ft when located within 100-ft feet of a residential use or district. Said height exemption for non-habitable structures shall also apply to the UDO Chapter 3 MX Districts subject to Fire Marshal Office approval. See Section 4.2.1, McWhirter Field Aviation Overlay District, and Chapter 5, Use Regulations, for additional height limitations related to airports zones and communications towers.*

* * *

To: County Council

From: Katie See, Senior Planner

Date: August 29, 2019

Subject: Changes to Proposed LI and HI Height Amendment Since PC Staff Report

The actual text amendment language reviewed by and recommended for approval by the Planning Commission at their August 20th meeting varies from that listed in the following staff report. Refinements were made after further discussion with the Fire Marshal's office.

The Planning Commission recommended approval of the following text amendment (shown as footnotes below the table) regarding building height in the Light Industrial and Heavy Industrial districts:

- Applicants may request to have non-habitable structures and equipment (principal or accessory) exceed 50-ft in height subject to Fire Commission and Fire Marshal Office approval. In no instance shall a non-habitable structure or equipment exceed 90-ft in height. Height increases up to 90-ft may be requested without the provision of additional setbacks in section 6.C above.
- Non-habitable structures and equipment which are located within 100' of an adjacent residential use or district shall be limited to a height of 70', as measured to the lot line.

Proposal: To amend permitted principal building height and remove separate requirements for accessory building height in Light and Heavy Industrial zoning districts

Applicable Chapters: Chapter 2.4, District Development Standards

Applicant: Lancaster County

Project Summary & Proposal

The height limit of buildings in the Light and Heavy Industrial (LI and HI) Districts is 50' for principal buildings, while accessory buildings are limited to 35' in the UDO. The Economic Development Department has requested consideration of a building height amendment in order to better accommodate industrial scale buildings and associated accessory structures. The existing 50' height limit creates a competitive disadvantage for Lancaster County when recruiting industrial businesses (see Exhibit 3).

As a comparison, the local jurisdictions permit the following heights in Industrial Districts:

- [Union County, NC](#): 100'
- [Greenwood County, SC](#): No height restriction
- [Rock Hill, SC](#): 60'; unless building is within 100' of residential property, in which case building height is limited to 45'
- [Monroe, NC](#): No height limit

The above listed jurisdictions do not have separate height requirements for accessory structures. Therefore, staff recommends elimination of the separate limit.

Outline of Text Amendment

The height of principal buildings in the Light Industrial and Heavy Industrial zoning districts will be increased from 50' to 90', or 70' when within 200' of a residential structure. Buildings must comply with height limit requirements in the McWhirter Field Aviation Overlay District of the UDO. See Exhibit 2.

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

Chapter 2.4, District Development Standards: Amend table outlining permitted principal building and accessory structure height for Light Industrial and Heavy Industrial Districts.

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

Findings and Conclusions

The height limit established by the UDO for the Light and Heavy Industrial Districts could be restrictive for some businesses looking to locate in Lancaster County. The proposed text amendment will accommodate more businesses while also being mindful of adjacent residential properties.

Planning Staff Recommendation

Staff recommends **Approval** of the proposed changes.

Exhibits

1. Proposed Text Amendment
2. Application
3. Economic Development Department Letter

Staff Contact

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

* * *

1.4.6 MEASUREMENT OF HEIGHT

Building heights shall be as specified in Chapter 2 and Chapter 3 and shall be determined according to the provisions below.

* * *

~~C. ITEMS NOT INCLUDED IN HEIGHT CALCULATIONS~~

~~The height limitations of this ordinance shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy, monuments, water towers, mechanical penthouses (provided they are set back 20 feet from the front elevation), observation towers, transmission towers, chimneys, smokestacks, conveyors, flagpoles, masts, and antennas (provided evidence from appropriate authorities is submitted to the effect that such building or buildings will not interfere with any airport zones or flight patterns). See Section 4.2.1, McWhirter Field Aviation Overlay District, and Chapter 5, Use Regulations, for additional height limitations related to airports zones and communications towers.~~

* * *

* * *

STANDARD	Institutional (INS)	Open Space Preservation (OSP)	Light Industrial (LI)	Heavy Industrial (HI)	Mining (M)
1. DEVELOPMENT STANDARDS					
A. District/Development Area (min)	1.5 acres	n/a	2 acres*	6 acres	20 acres
B. Development/District Exterior Setback/Buffer	30 ft setback from adjacent AR, RR, RN, MH, LDR, MDR, HDR, OSP Districts. 10 ft setback from all other adjacent properties and adjacent streets.	n/a	25 ft setback from adjacent RB and GB Districts. 50 ft setback from all other adjacent properties and adjacent streets.	75 ft setback from adjacent RB and GB Districts. 150 ft setback from all other adjacent properties and adjacent streets. See Below (4)	75 ft setback from adjacent RB and GB Districts. 150 ft setback from all other adjacent properties and adjacent streets. See Below (4)
C. Density (max)	n/a	n/a	n/a	n/a	n/a
D. Open Space (min)	6%	n/a	n/a	n/a	n/a
E. Park Space (min)	n/a	n/a	n/a	n/a	n/a
2. LOT STANDARDS					
A. Lot Area (min)	1.5 acres	n/a	n/a	n/a	n/a
B. Lot Width at Front Setback (min)	100 ft	n/a	n/a	n/a	n/a
C. Pervious Surface (min)	n/a	n/a	n/a	n/a	n/a
3. PRINCIPAL BUILDING					
A. Principal Front Setback (min)	40 ft (3)	n/a	40 ft (3)	50 ft (3)	50 ft (3)
B. Street Side/Secondary Front Setback (min)	35 ft	n/a	35 ft	35 ft	35 ft
C. Side (from adjacent lot) Setback (min)	35 ft	n/a	35 ft	35 ft	35 ft
D. Rear Setback (min)	35 ft	n/a	35 ft	35 ft	35 ft
E. Other Standards	See Below (3)	See Below (3)	See Below (3)	See Below (3)	See Below (3)
4. ACCESSORY STRUCTURE					
A. Side Setback	5 ft	n/a	5 ft	5 ft	5 ft
B. Rear Setback	5 ft	n/a	5 ft	5 ft	5 ft
C. Other Standards	See Below (1, 2)	See Below (1, 2)	See Below (1, 2)	See Below (1, 2)	See Below (1, 2)
5. PARKING CONFIGURATION					
A. Parking Location per Section 9.3	7.2.3		7.2.3	7.2.3	7.2.3
B. Parking in Exterior Setback/Buffer	n/a	n/a	n/a	n/a	n/a
6. BUILDING HEIGHT					
A. Principal Building (max)	50 ft	35 ft	50-ft	50-ft	60 ft
B. Accessory Structure (max)	35 ft	35 ft	35 ft	35 ft	35 ft
C. Additional Height Permitted with Additional Setback	1 ft additional height permitted with each 2 ft horizontal setback		1 ft additional height permitted with each 2 ft horizontal setback	1 ft additional height permitted with each 2 ft horizontal setback	1 ft additional height permitted with each 2 ft horizontal setback

1. Accessory structures over 600 sf must comply with principal setback requirement.
2. No accessory structures may be located on corner lots between the street and wall line of the principal structure.
3. For any nonresidential structure which is located immediately adjacent to a single family residential use or district, the lot boundary line minimum distance shall be determined as follows: For every foot building height, the developer shall provide setbacks equal to the height of the building. At no time shall the setback be less than what is indicated in the above table.
4. The Development/District Exterior Setback/Buffer shall not apply between adjacent LI and HI districts. A waiver of these requirements may be granted by the Administrator for LI and HI lots existing at the adoption date of this ordinance which do not meet the specified minimum District/Development Area. In such instances

the building setback standards for the AR District shall apply. A waiver of these requirements may also be granted by the Administrator in order to permit access to an adjacent railroad right-of-way.

5. *Subject to approval by the Fire Marshal Office, the height limitations of this ordinance shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy, monuments, water towers, mechanical penthouses (provided they are set back 20 feet from the front elevation), observation towers, transmission towers, chimneys, smokestacks, tanks, equipment, conveyors, flagpoles, masts, and antennas (provided evidence from appropriate authorities is submitted to the effect that such building or buildings will not interfere with any airport zones or flight patterns). With the exception of water towers, observation towers, transmission towers and antennas, in no instance shall a non-habitable structure exempted under this section exceed a height of 90-ft or 70-ft when located within 100-ft feet of a residential use or district. Said height exemption for non-habitable structures shall also apply to the UDO Chapter 3 MX Districts subject to Fire Marshal Office approval. See Section 4.2.1, McWhirter Field Aviation Overlay District, and Chapter 5, Use Regulations, for additional height limitations related to airports zones and communications towers.*

* * *

TEXT AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

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

GENERAL INFORMATION

UDO Section(s) Proposed to be Amended Ch 2.4 District Development Standards

Current Text Currently, building height is limited to 50' in Light Industrial and Heavy Industrial zoning districts.

Proposed Text Amend table three under 2.4, District Development Standards, to increase height to 85'.

Description of Need for Proposed Text The current height limit of 50' limits some potential businesses/companies from being able to locate in Lancaster County, or modify an existing building to accommodate needs. Increasing the permitted height will expand options for potential businesses/companies in Lancaster County.

☐ Additional pages attached for more information

CONTACT INFORMATION

Applicant Name Rox Burhans, Director

Address PO Box 1809

City Lancaster State SC Zip 29720 Phone 803-285-6005

Fax _____ Email rburhans@lanastercountysc.net

APPLICATION CERTIFICATIONS

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

Rox Burkhardt
Applicant

6-28-19
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 UDO-TA-019-006 Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date 8-20-19

SCHEDULE/PROCESS

1. Submit Application

- The deadline for this application is at least 30 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.

2. Planning Commission

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

3. County Council

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

August 6, 2019

Mr. Rox Burhans
Director
Lancaster County Department of Planning
P.O. Box 1809
Lancaster, South Carolina 29720

Rox,

As we work together on changes to the 2016 Lancaster County Unified Development Ordinance (UDO) that will put Lancaster County in a better position to recruit and retain industry, one item of concern that has emerged is the restriction within industrial zones regarding the height of buildings and accessory structures.

The UDO restricts the building height in industrial zones to 50 feet and accessory structures to 35 feet. The height can be increased depending on the adjacent land use. If the adjacent use is not single family residential, an additional foot of height is allowed for every additional two feet of setback. In situations where the adjacent use is single family residential, the setback must be at least equal to height of the building but not less than the one foot of additional height for two additional feet of setback.

While a variance could be requested as necessary, LCDED believes we need to look at addressing the height requirements for our industrial zones as they are extremely restrictive compared to the zoning I have reviewed in other communities.

Based on what I have seen and experienced in other areas, I believe the height requirements for our industrial zones need to be amended as follows:

- In both LI and HI when the adjacent land use is industrial, buildings and accessory uses should be permitted to a height of 100 feet. An additional one foot of height would be allowed with two additional feet of setback.
- In both LI and HI in which the adjacent land use is residential, buildings and accessory uses should be permitted to a height of 70 feet; however, an additional one foot of height would be allowed with two additional feet of setback.


Lancaster County Department of Economic Development
1033 West Meeting Street, P.O. Box 1809, Lancaster, SC 29721
803-286-3603 (Phone) 803-288-4324 (Mobile)
jgilbert@lancastercountysc.net
www.lcded.com

Mr. Rox Burhans
August 6, 2019
Page 2 of 2

Lancaster County is at a disadvantage when it comes to recruiting industrial companies in comparison to communities such as Union County, NC and Chester County, SC, two of our main competitors, due to our lack of interstate access (both), higher property taxes (Union County) and higher state incentives for projects (Chester). A UDO that is more burdensome makes our ability to recruit industry even more difficult. Our height restrictions should at least be consistent with our two main competitors if we are going to rebuild the manufacturing economy in Lancaster County.

I would appreciate Planning's support for the recommended height changes. It will be one of several positive steps in addressing some of the economic development shortcomings of the UDO. If you have any questions about this recommendation, please do not hesitate to contact me. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Jamie".

Jamie Gilbert
Executive Director

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2019-1612

Contact Person / Sponsor: Katie See/Planning

Department: Planning

Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

This is a request to rezone TM # 0008-00-013.01 located at 9794 Charlotte Highway from Mixed-Use (MX) to Regional Business (RB) District. The property is approximately 0.95 acres in size.

Points to Consider:

The Mixed-Use districts require that properties include a minimum of 25 acres of highland property. This property does not meet the minimum development requirement, which makes it a non-conforming lot. In order to expand the building, the applicant has requested to rezone the property to RB so they can expand their business. The business currently consists of an audio visual editing facility.

Funding and Liability Factors:

N/A

Council Options:

To approve or deny this rezoning request.

Recommendation:

Planning Staff recommends approval of the text amendment.

Planning Commission recommended approval on September 17, 2019 by a unanimous vote. No members of the public signed up to speak on this request.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2019-1612	10/4/2019	Ordinance
Staff Report	9/24/2019	Planning Staff Report
Ex 1: Application	9/24/2019	Exhibit
Ex 2: Zoning Map	9/24/2019	Exhibit
Ex 3: Future Land Use Map	9/24/2019	Exhibit
Ex 4: Property Survey	9/24/2019	Exhibit
Public Hearing Notice for Ordinance 2019-1612 (Planning Department Case Number: RZ-019-0168)	10/18/2019	Public Hearing Notices

STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2019-1612

COUNTY OF LANCASTER

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AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE A ± 0.95 ACRE TRACT OF PROPERTY OWNED BY EXXIT, LLC- LOCATED AT 9794 CHARLOTTE HIGHWAY, FORT MILL, SC 29707 (TMS # 008-00-013-01) FROM MX, MIXED USE DISTRICT TO RB, REGIONAL BUSINESS DISTRICT.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) EXXIT, LLC applied to rezone a ± 0.95-acre parcel of property at 9794 Charlotte Highway Fort Mill SC 29707 (TMS # 0008-00-013.01) from MX, Mixed Use District to RB, Regional Business District.

(b) On September 17, 2019, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of (6-0), recommended approval of the rezoning.

(c) The Future Land Use Map identifies this property as Neighborhood Mixed-Use based on the *Lancaster County Comprehensive Plan 2014-2024*. Rezoning the property from MX, Mixed Use District, to RB, Regional Business District is compatible with the Comprehensive Plan.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from MX, Mixed Use District, to RB, Regional Business District for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0008-00-00-013.01 (0.95 acre, more or less)

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: October 14, 2019
Second Reading: October 28, 2019
Public Hearing: October 28, 2019
Third Reading: November 12, 2019

Approved as to form:

John DuBose, County Attorney

Proposal: Request to rezone one parcel approximately 0.95 acres in size. The purpose of this rezoning is to add on to an existing office building to create a video production studio.

Property Location: 9794 Charlotte Highway (TM # 0008-00-013.01)

Current Zoning District: Mixed Use (MX)

Proposed Zoning District: Regional Business (RB)

Applicant: EXXIT, LLC (Vince Pampera)

Council District: District 7, Brian Carnes

Overview

Site Information

Site Description: This parcel is improved with one office building. It is located to the rear of the existing European Market gas station/convenience store.

Compatibility with Surrounding Area

The current zoning for the surrounding area is Mixed Use (MX), Regional Business (RB) and General Business (GB). Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 3*. The proposed zoning of RB is generally consistent with the area. See table below for adjacent property zoning and use comparison.

Summary of Surrounding Zoning and Uses

Surrounding Property	Municipality	Zoning District	Use
North	Lancaster County	Mixed Use (MX)	Goodyear
South	Lancaster County	Regional Business (RB)	Single-Family Residential
East	Lancaster County	Mixed Use (MX)	Vacant; Red Venture property
West	Lancaster County	Mixed Use (MX)	Exxon Gas Station; European Market

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

Photos of Project Area

LOOKING DIRECTLY AT PROPERTY (EUROPEAN MARKET IS IN FRONT OF PROPERTY)



LOOKING DIRECTLY ACROSS PROPERTY — AT HIGHWAY 521



LOOKING NORTH ALONG HIGHWAY 521



LOOKING SOUTH ALONG HIGHWAY 521



Analysis & Findings

The property is currently zoned Mixed Use (MX) District on the Lancaster County Zoning Map. The Mixed-Use (MX) zoning district *is established as a pedestrian-scaled, mixed-use district which caters to the everyday needs of nearby neighborhoods, stressing accessibility by automobiles, bicycles and pedestrians. This district accommodates an active, pedestrian-friendly area of community-scale commercial, residential, office and civic uses in both vertically mixed-use, as well as free-standing* (UDO section 2.3).

The requested Regional Business (RB) District *is generally located on the major thoroughfares in the community and provides opportunities for the provision of offices, services, and retail goods to meet the surrounding region. The regulations for this district are intended to accommodate the predominately auto-oriented pattern of existing development until such time that transportation is retrofitted to accommodate more urban development patterns.*

Development Requirements

The Mixed-Use districts require that properties include a minimum of 25 acres of highland property. This property does not meet the minimum development requirement, which makes it a non-conforming lot. In order to expand the building, the applicant has requested to rezone the property to RB so they can expand their business. The business currently consists of an audio visual editing facility.

COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION

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

The requested Regional Business District is consistent with the Neighborhood Mixed-Uses future land use category.

Staff Recommendation

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

Attachments

1. Rezoning Application
2. Location Map/ Zoning Map
3. Future Land Use Map
4. Concept Plan

Staff Contact

Katie See
Senior Planner
ksee@lancastercountysc.net
803-416-9395



RECEIVED
6-27-19

Planning Department
P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lanastercountysc.net
www.mylancastersc.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 9794 Charlotte Hwy
City Indian Land State SC Zip 28033 Tax Parcel ID 0008.00.013.01
Current Zoning Mixed Use Current Use Office
Proposed Zoning Commercial Total Acres 0.95
Project Description Addition to existing office building to create video production studio.

Surrounding Property Description Existing Goodyear Auto Service to the North;
Existing Marathon Service Station to the West; Residential to the South (shielded by
trees); Forest to the East

CONTACT INFORMATION

Applicant Name EXXIT, LLC - Vince Pampena, Sole MBR
Address 3004 Wheatfield Drive
City Waxhaw State NC Zip 28173 Phone 203.940.0262
Fax Email vincentpampena@gmail.com
Property Owner Name EXXIT, LLC - Vince Pampena, Sole MBR
Address 3004 Wheatfield Drive
City Waxhaw State NC Zip 28173 Phone 203.940.0262
Fax Email vincentpampena@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

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 _____

State of North Carolina
County of Mecklenburg

Sworn to and Subscribed before me
on June 20, 2019

by Vincent J. Langene

Notary Public - Comm. Exp. June 10, 2024

SCHEDULE/PROCESS 1. Submit Application

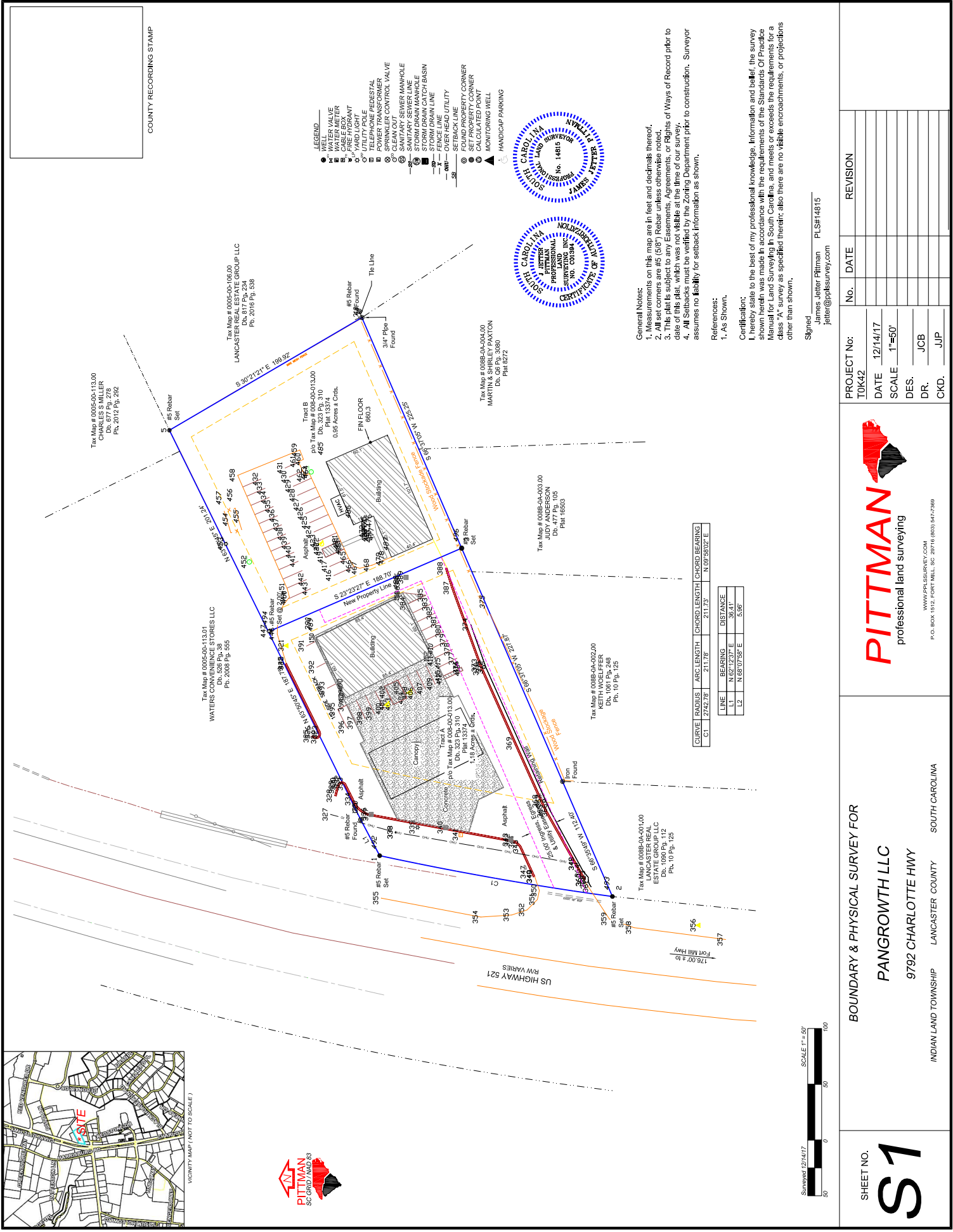
- The deadline for this application is at least 30 days prior to the Planning Commission meeting held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.

2. Planning Commission

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

3. County Council

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



SHEET NO.
S1

BOUNDARY & PHYSICAL SURVEY FOR
PANGROWTH LLC
9792 CHARLOTTE HWY
INDIAN LAND TOWNSHIP LANCASTER COUNTY SOUTH CAROLINA

PITTMAN
professional land surveying
WWW.PITTMAN-SURVEY.COM
P.O. BOX 10711, FORT MILL, SC 29715 (803) 547-2989

PROJECT No:	No.	DATE	REVISION
TOK42			
DATE	12/14/17		
SCALE	1"=50'		
DES.	JCB		
DR.	JCB		
CKD.	JUP		

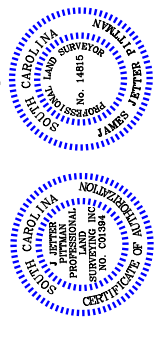
Surveyed 12/14/17
SCALE 1"=50'
0 50 100

Signed
James Jetter Pittman PLS#14815
James@pittmansurvey.com

General Notes:
1. Measurements on this map are in feet and decimals thereof.
2. All set corners are #5 (5/8") Rebar unless otherwise noted.
3. This plat is subject to any Easements, Agreements, or Rights of Ways of Record prior to date of this plat, which was not visible at the time of our survey.
4. All setbacks must be verified by the Zoning Department prior to construction. Surveyor assumes no liability for setback information as shown.

References:
1. As Shown.

Certification:
I, hereby state to the best of my professional knowledge, information and belief, the survey shown herein was made in accordance with the requirements of the Standards of Practice for Professional Land Surveyors in the State of South Carolina, and that I am duly licensed as a Professional Land Surveyor in the State of South Carolina, and that I am duly qualified to perform a class 'A' survey as specified herein; also there are no title encumbrances, or projections other than shown.



COUNTY RECORDING STAMP

- LEGEND
- WATER VALVE
- WATER METER
- CASE VALVE
- FIRE HYDRANT
- ROAD LIGHT
- UTILITY
- POWER TRANSFORMER
- TELEPHONE PEDESTAL
- CLEANER CONTROL VALVE
- SANITARY SEWER MANHOLE
- SEWER CLEANOUT
- STORM DRAIN CATCH BASIN
- STORM DRAIN LINE
- FENCE LINE
- SETBACK UTILITY
- SETBACK LINE
- FOUND PROPERTY CORNER
- SET PROPERTY CORNER
- CALCULATED POINT
- MONITORING WELL
- HANDICAP PARKING

LANCASTER COUNTY, SC	
2018009197	DEED
RECORDING FEES	\$10.00
STATE TAX	\$1508.00
COUNTY TAX	\$638.00
PRESENTED & RECORDED	
06-28-2018	09:12 AM
JOHN LANE	
REGISTER OF DEEDS	
LANCASTER, COUNTY SC	
By: CANDICE PHILLIPS	
BK:DEED 1151	PG:223-225

LANCASTER COUNTY ASSESSOR
Tax Map:
0008 00 013 01

STATE OF SOUTH CAROLINA	}	
	}	TITLE TO REAL ESTATE
COUNTY OF LANCASTER	}	

KNOW ALL MEN BY THESE PRESENTS, that **Pangrowth, LLC** ("Grantor"), for and in consideration of the sum **Five Hundred Eighty Thousand and 00/100 Dollars (\$580,000.00)** to Grantor in hand paid at and before the sealing of these presents by **Exxit, LLC** ("Grantee"), in the State of South Carolina, (the receipt whereof is hereby acknowledged), has granted, bargained, sold and released unto the said Grantees, his, her, its or their Heirs, Successors and Assigns, the following described real property:

SEE ATTACHED LEGAL DESCRIPTION

ADDRESS OF GRANTEE: 6302 Fairview Road, Suite 580,
Charlotte, NC 28210

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.

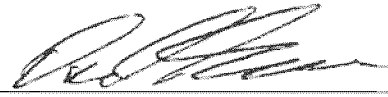
AND Grantor hereby binds ourselves and our heirs, executors and administrators, to warrant and forever defend, all and singular, the said Premises unto the said Grantee, his, her, its or their Heirs, Successors and Assigns, against us and our Heirs, all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand (s) and Seal (s) this 27 day of
June in the year of our Lord 2018.

SIGNED, SEALED and DELIVERED
IN THE PRESENCE OF:



Witness/Affiant



Pangrowth, LLC
By: Daniel Geiser
Its: Member



Witness/Affiant

STATE OF North Carolina }
COUNTY OF Mecklenburg }

PERSONALLY APPEARED before me the undersigned witness and made oath that (s)he saw the within named Daniel Geiser as Member for Pangrowth, LLC, sign, seal and as his or her act and deed, deliver the within written Title to Real Estate, and that (s)he with the other witness subscribed above, witnessed the execution thereof.

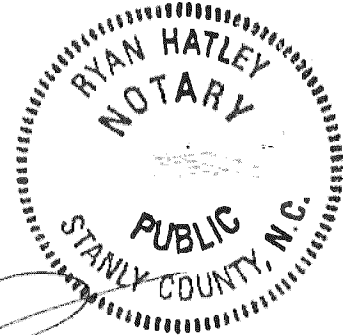
SWORN to before me this
27 day of June, 2018.



NOTARY PUBLIC



Witness/Affiant



MY COMMISSION EXPIRES: 8/10/2019

LEGAL DESCRIPTION

BEING all of Tract B as shown on a Subdivision Survey for Pangrowth, LLC recorded in Plat Book 2017 at Page 885 of the Lancaster County Register of Deeds.

Being a portion of that property conveyed to Pangrowth LLC by that deed of Cubex Investments, LLC recorded in Book 323 at Page 310, Lancaster County, South Carolina.

Commonly known as: 9794 Charlotte Highway, Fort Mill, SC 29707

TMS#: Portion of 0008-00-013.00

LANCASTER COUNTY, SC	
2018009198	EASEMENT
RECORDING FEES	\$12.00
STATE TAX	\$0.00
COUNTY TAX	\$0.00
PRESENTED & RECORDED	
06-28-2018	09:13 AM
JOHN LANE	
REGISTER OF DEEDS	
LANCASTER, COUNTY SC	
By: CANDICE PHILLIPS	
BK:DEED 1151 PG:226-231	

This instrument drafted by: The Sperry Law Firm, P.C. 15801 Brixham Hill Ave., Ste 225, Charlotte NC 28277

After recording, mail to: The Sperry Law Firm, P.C. 15801 Brixham Hill Ave., Ste 225, Charlotte NC 28277

STATE OF SOUTH CAROLINA COUNTY OF LANCASTER	DEED OF EASEMENT AND MAINTENCE AGREEMENT FOR ACCESS AND UTILITIES
--	--

THIS EASEMENT ("Easement"), made this 27 day of June, 2018 by and **Pangrowth, LLC** ("Grantors"), and **Exxit, LLC** ("Grantees"),

WITNESSETH:

WHEREAS, Grantor is the owner of a certain tract of land lying and being in Lancaster County, South Carolina, as more particularly described on Exhibit A attached hereto and made a part hereof ("Grantor's Property");

WHEREAS, Grantee has need of easements over and across a portion Grantor's Property being more particularly on Exhibit C (the "Easement Area") for the purpose of ingress and egress for itself, and its customers, employees, guests and all visitors of any sort and for access to for utilities of any kind for Grantee's adjacent property lying and being in Lancaster County, South Carolina, as more particularly described on Exhibit B attached hereto and made a part hereof ("Grantee's Property");

WHEREAS, Grantor desires to provide said easements to Grantee for the aforesaid purposes.

NOW, THEREFORE, in consideration of TEN and No/100th DOLLARS (\$10.00) in hand paid and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee hereby agree as follows:

1. Grant of Ingress and Egress and Utility Access over Pangrowth Easement Area:

Grantor hereby grants and conveys to Grantee a nonexclusive, transmissible, commercial and utility access easement appurtenant to run with the title to the Grantee's Parcel, for the benefit of Grantee, its successors, assigns, agents, customers, invitees and tenants, for the purpose of pedestrian and vehicular ingress and egress and the construction, maintenance and installation of utilities of a commercial purpose over and across the Easement Area.

Grantee, at Grantee's sole expense, shall maintain all pavement and the curb in the Easement Area.

Grantee hereby indemnifies and agrees to hold Grantor harmless from and against any and all loss, damage or liability or claim thereof, including attorney fees, which Grantor may incur as a result of the exercise of Grantee's rights under this Easement.

The easement hereby granted shall be perpetual and shall run with the land, provided, however, at such time as (i) Grantee removes or substantially removes the existing commercial structure on Grantee's Property then all rights granted hereunder, including, but not limited to, the right of ingress and egress over, across and through the Easement Area, shall be immediately extinguished and the grant contained herein shall be void.

This easement shall be a covenant running the land to both titles and shall inure to the benefit of and be binding upon the parties hereto and their respective representatives, heirs, successors and assigns.

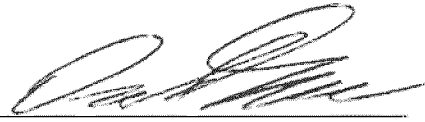
IN WITNESS WHEREOF, the undersigned parties to this Easement have hereunto set their hands and affixed their seals as of the date first above-written.

WITNESS our Hand (s) and Seal (s) this 27 day of June in the year of our Lord 2018.


SIGNED, SEALED and DELIVERED
IN THE PRESENCE OF:



Witness/Affiant



Pangrowth, LLC
By: DANIEL GEISER
Its: MANAGED



Witness/Affiant

STATE OF North Carolina }
COUNTY OF Mecklenburg }

PERSONALLY APPEARED before me the undersigned witness and made oath that (s)he saw the within named Daniel Geiser as Member for Pangrowth, LLC, sign, seal and as his or her act and deed, deliver the within written Title to Real Estate, and that (s)he with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this

27 day of June, 2018.



NOTARY PUBLIC



Witness/Affiant

MY COMMISSION EXPIRES: 8/10/2019

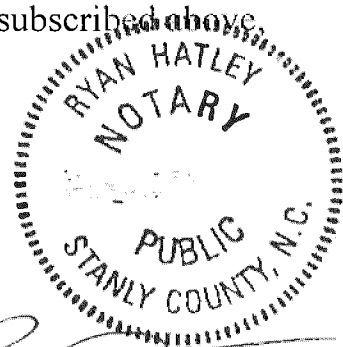


Exhibit A

BEING all of Tract A as shown on a Subdivision Survey for Pangrowth, LLC recorded in Plat Book 2017 at Page 885 of the Lancaster County Register of Deeds.

Being a portion of that property conveyed to Pangrowth LLC by that deed of Cubex Investments, LLC recorded in Book 323 at Page 310, Lancaster County, South Carolina.

Exhibit B

BEING all of Tract B as shown on a Subdivision Survey for Pangrowth, LLC recorded in Plat Book 2017 at Page 885 of the Lancaster County Register of Deeds.

Being a portion of that property conveyed to Pangrowth LLC by that deed of Cubex Investments, LLC recorded in Book 323 at Page 310, Lancaster County, South Carolina. Said property is also being conveyed by Pangrowth LLC to Exxitt, LLC contemporaneously herewith.

Exhibit C

BEING all of that 25.00 foot ingress, egress and utility easement as shown on a Subdivision Survey for Pangrowth, LLC recorded in Plat Book 2017 at Page 885 of the Lancaster County Register of Deeds.

LANCASTER COUNTY, SC
 2018009199 EASEMENT
 RECORDING FEES \$10.00
 STATE TAX \$0.00
 COUNTY TAX \$0.00
 PRESENTED & RECORDED
 06-28-2018 09:14 AM
 JOHN LANE
 REGISTER OF DEEDS
 LANCASTER, COUNTY SC
 BY: CANDICE PHILLIPS
 BK:DEED 1151 PG:232-233

This instrument drafted by:

The Sperry Law Firm, P.C. 15801 Brixham Hill Ave., Ste 225, Charlotte
 NC 28277

After recording, mail to:

The Sperry Law Firm, P.C. 15801 Brixham Hill Ave., Ste 225, Charlotte
 NC 28277

STATE OF SOUTH
 CAROLINA
 COUNTY OF
 LANCASTER

DEED OF EASEMENT AND MAINTENCE
 AGREEMENT FOR SIGNAGE

This deed, made this 27 day of June 2018, by and between **Pangrowth, LLC**
 ("Grantors"), and **Exxit, LLC** ("Grantees"),

WITNESSETH:

That whereas, the said Grantors own a certain tract of land lying on the East side of U.S. Highway 521, Lancaster County, South Carolina, with a tax map number of 008-00-013.00 the same being the land conveyed to them by in Book 323, Page 310, in the office of the Register of Deeds of Lancaster County, which deed is hereby referred to for greater certainty of description; and whereas, the said Grantees own a certain other tract of land adjoining the said land of the said Grantors, the same being the land conveyed to them contemporaneously herewith by the Grantors, in the office of the Register of Deeds of Lancaster County; and whereas, the said Grantees desire to erect a sign for their business on the land of the Grantor and to install said sign and any necessary utilities for the sign's operation thereon and the said Grantors have agreed that the same may be done;

Now, therefore, the said Grantors, for and in consideration of the sum of One Dollar, to them in hand paid, do hereby grant, bargain, sell, and convey unto the said Grantees a perpetual right and easement to erect a sign on said property, to install and maintain all necessary overhead or underground electrical wires or utilities to operate said sign, to go upon said lands whenever the same is reasonably necessary for the purpose of inspecting, maintaining, and repairing said sign, utilities, and electric wires; all to be located as is most practical and convenient to the said Grantees; and at their pleasure to remove and replace said sign, utilities or electrical wires;

To have and to hold said right and easement to them the said Grantees and their successors in title forever; it being agreed that the right and easement hereby granted is

appurtenant to and runs with the land now owned by the Grantees and hereinabove referred to. Grantees shall bear the costs of all maintenance and installation of the sign, utilities and electrical wires.


The location of the signage easement shall be located where the Grantor's sign for the grantor's business currently exists. If Grantor moves or remove's the existing sign, grantee may move its sign to the new location or keep it in its existing location. The sign shall be no greater than 12 inches in height and no wider than the existing sign. The signs shall be erected in a way that the grantee's sign shall be no less than 24 inches from the ground.

WITNESS our Hand (s) and Seal (s) this 27 day of June in the year of our Lord 2018.

SIGNED, SEALED and DELIVERED
IN THE PRESENCE OF:



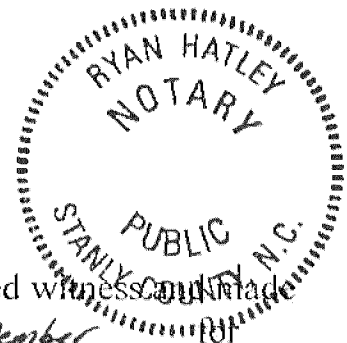
Witness/Affiant


Pangrowth, LLC
By: DANIEL GEISER
Its: MANAGED




Witness/Affiant

STATE OF North Carolina }
COUNTY OF Mecklenburg }



PERSONALLY APPEARED before me the undersigned witness and made oath that (s)he saw the within named Daniel Geiser as Member for **Pangrowth, LLC**, sign, seal and as his or her act and deed, deliver the within written Title to Real Estate, and that (s)he with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this 27 day of June, 2018.

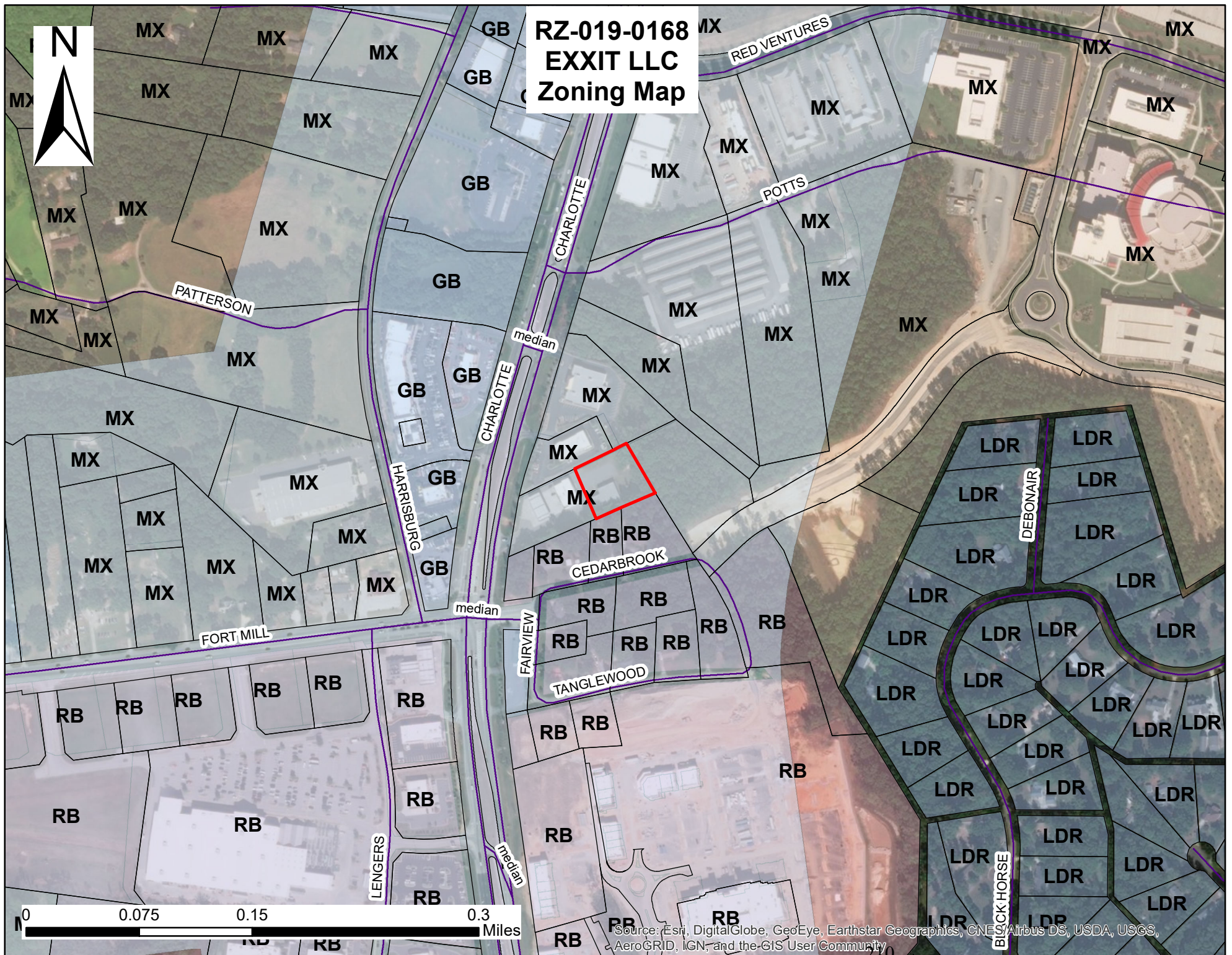


NOTARY PUBLIC



Witness/Affiant

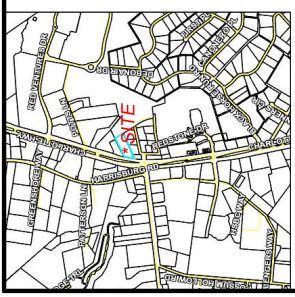
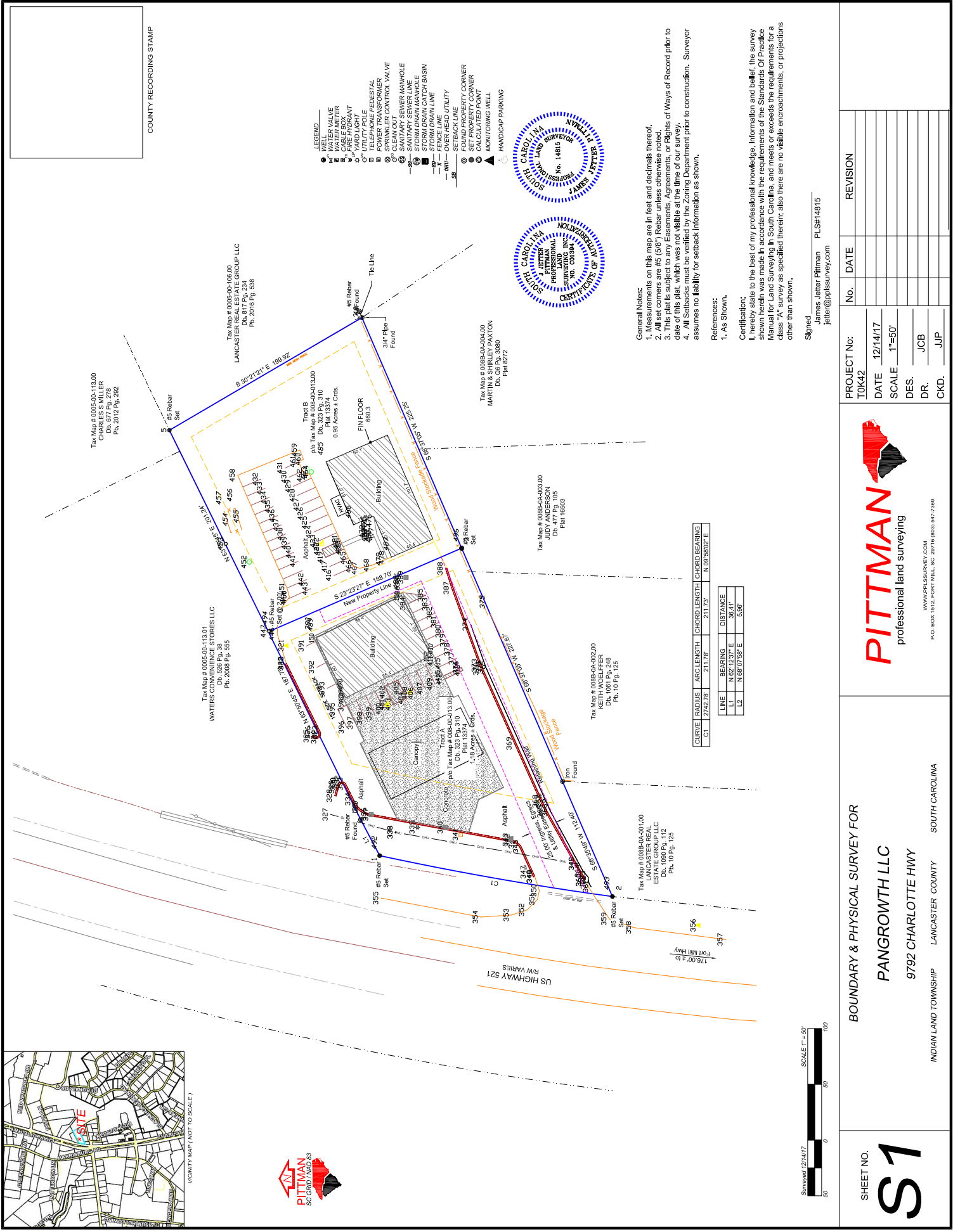
MY COMMISSION EXPIRES: 8/10/2019





RZ-019-0168
EXXIT LLC
Location Map





SHEET NO.
S1

BOUNDARY & PHYSICAL SURVEY FOR
PANGROWTH LLC
9792 CHARLOTTE HWY
INDIAN LAND TOWNSHIP LANCASTER COUNTY SOUTH CAROLINA



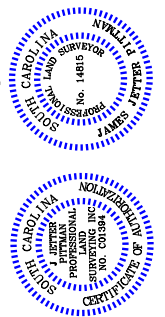
PROJECT No:	No.	DATE	REVISION
TOK42			
DATE	12/14/17		
SCALE	1"=50'		
DES.	JCB		
DR.	JCB		
CKD.	JUP		

Signed
James Jetter Pittman
James@jpsurvey.com
PLS#14815

General Notes:
1. Measurements on this map are in feet and decimals thereof.
2. All set corners are #5 (5/8") Rebar unless otherwise noted.
3. This plat is subject to any Easements, Agreements, or Rights of Ways of Record prior to date of this plat, which was not visible at the time of our survey.
4. All setbacks must be verified by the Zoning Department prior to construction. Surveyor assumes no liability for setback information as shown.

References:
1. As Shown.

Certification:
I, hereby state to the best of my professional knowledge, information and belief, the survey shown herein was made in accordance with the requirements of the Standards of Practice for Professional Land Surveyors in the State of South Carolina, and that I am duly licensed as a Professional Land Surveyor in the State of South Carolina, and that I am duly qualified to perform a class 'A' survey as specified herein; also there are no title encumbrances, or projections other than shown.



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	2742.78'	211.78'	211.73'	N 09°58'02" E

LINE	BEARING	DISTANCE
L1	N 89°07'25" E	3.56'
L2	N 89°07'25" E	3.56'

The Lancaster News

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133


PUBLIC HEARING NOTICE

The Lancaster County Council will conduct a public hearing on Monday, October 28, 2019 at 6:00 PM, Room 224 of the Lancaster County Administrative Building, located at 101 N. Main Street, Lancaster County, SC, for the purpose of obtaining oral and written comments from the public concerning the following:

1. UDO-TA-0169: Application by Griffin Brothers Enterprise, Inc. to amend Chapter 2, District Standards, by amending Section 2.5.3 Use Table. The request is to add Composting, Types 1, 2 and 3 to the use category H., Manufacturing/Wholesale/Storage in the Light Industrial and Heavy Industrial Districts.
2. UDO-TA-0312: Application by Lancaster County to amend Chapter 9, Administration, by eliminating Section 9.1.6, UDO Advisory Committee.
3. RZ-019-0168: Application by EXXIT, LLC to rezone Tax ID # 0008-00-013.01, located at 9794 Charlotte Highway, from Mixed-Use (MU) to Regional Business (RB) District. The property is approximately 0.95 acres in size and is improved with an office building. The purpose of the request is to add an addition to the building in order to create a video production studio.
4. RZ-019-0171: Application by Gus Kanos to rezone Tax ID # 0008-00-085, located at 9330 Charlotte Highway, from Low Density Residential (LDR) to General Business (GB) District. The property is approximately three acres in size and is improved with one principle building.
5. RZ-019-0322: Application by John & Bridgett Plexico to rezone Tax ID # 0081F-0B-002.00 from Low Density Residential (LDR) to General Business (GB) District. The property is approximately 1.91 acres in size.
6. RZ-019-0185: Application by CDP Kershaw LLC to rezone Tax ID # 0156A-0E-002.00, located at 7784 Kershaw Camden Highway, from Heavy Industrial (HI) to General Business (GB) District. The property is approximately 9.1 acres in size. The purpose of the request is construct a Dollar General on a portion of the property.
7. RZ-019-0501: Application by Sam Levin to rezone Tax ID # 0005-00-091.02, located at the intersection of Patterson Lane and Harrisburg Road, from Mixed-Use (MX) to Neighborhood Business (NB) District. The property is approximately 6.7 acres in size. The purpose of this request is to allow an assisted living facility on the property.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department, which is located at 101 North Main Street, Room 108 Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Notice was published in The Lancaster
2019.


County Clerk
County Public of South Carolina

The Lancaster News

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

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Berita G. Gumbly

Notary Public of South Carolina

My Commission Expires
January 13, 2021

CAROLINA GATEWAY

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

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Berita G. Conley

Notary Public of South Carolina

My Commission Expires
January 13, 2021

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2019-1614
Contact Person / Sponsor: Ashley Davis / Planning
Department: Planning
Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

This is the rezoning application of CDP Kershaw, LLC to rezone \pm 9.1 acres of property from HI, Heavy Industrial District to GB, General Business District (Case Number RZ-019-018). The purpose of this rezoning is to construct a Dollar General on 1.7 acres of the property. At this time, there are no plans for the remaining 7.4 acres. The property is located Off of Kershaw Camden Highway near the intersection at Fork Hill Road. (TMS# 0156A-0E-002.00)

Points to Consider:

The property is currently zoned HI, Heavy Industrial District on the Lancaster County Zoning Map. The zoning district of Heavy Industrial (HI) is established to accommodate those industrial, manufacturing, or large-scale utility operations that, by their nature, may create some nuisance and which are not properly associated with, nor compatible with, residential, commercial, and service establishments. Retailing of manufactured items may be permitted in certain instances when it is conducted on the same building site as the principal use. (UDO section 2.3).

The requested GB, 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.

Compatibility with Surrounding Area

The current zoning for the surrounding area is Medium Density Residential (MDR), General Business (GB), Institutional (INS), Heavy Industrial (HI), and Rural Residential (RR). Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 2*. The proposed zoning of GB is generally consistent with the area. See table below for adjacent property zoning and use comparison.

COMPREHENSIVE PLAN CONSISTENCY

The future land use designation of this property is Urban Living, according to the 2024 Comprehensive Plan. The Comp Plan defines this Community Type as a deliberately structured mix of dwelling types in a development context that often operates through the separation of uses, densities and/or land value. The requested General Business District is consistent with the Urban Living future land use category.

Funding and Liability Factors:

N/A

Council Options:

To approve or deny the request to rezone.

Recommendation:

The planning staff recommends that the rezoning request of CDP Kershaw, LLC be **approved**.

At the September 17, 2019 Planning Commission meeting, the Commission recommended **approval** of the rezoning by a vote of 6-0. At the above referenced meeting, no citizens signed up to speak on this case.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2019-1614	10/8/2019	Ordinance
Planning Staff Report: Kershaw, LLC	9/24/2019	Planning Staff Report
Exhibit 1: Rezoning Application	9/24/2019	Exhibit
Exhibit 2: Location and Zoning Map	9/24/2019	Exhibit
Exhibit 3: Future Land Use Map	9/24/2019	Exhibit
Exhibit 4: Concept Plan	9/24/2019	Exhibit
Public Hearing Notice for Ordinance 2019-1614 (Planning Department Case Number: RZ-019-0185)	10/18/2019	Public Hearing Notices

STATE OF SOUTH CAROLINA

(

ORDINANCE NO. 2019-1614

COUNTY OF LANCASTER

(

(

AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE A 9.1 ACRE TRACT OF PROPERTY OWNED BY KERSHAW PROPERTY, LLC AND LOCATED AT 7784 KERSHAW CAMDEN HIGHWAY, KERSHAW, SC 29067 (TMS #0156A-0E-002.00) FROM HI, HEAVY INDUSTRIAL DISTRICT, TO GB, GENERAL BUSINESS DISTRICT.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

- (a) CDP KERSHAW, LLC applied to rezone a 9.1-acre ± parcel of property owned by KERSHAW PROPERTY, LLC at 7784 Kershaw Camden Highway, Kershaw, SC 29067 (TMS # 0156A-0E-002.00) from HI, Heavy Industrial District, to GB, General Business District.
- (b) On September 17, 2019, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of (6-0), recommended approval of the rezoning.
- (c) The Future Land Use Map identifies this property as Urban Living based upon the *Lancaster County Comprehensive Plan 2014-2024*. Urban Living is defined as a deliberately structured mix of dwelling types in a development context that often operates through the separation of uses, densities and/or value. Rezoning the property from HI, Heavy Industrial District, to GB, General Business District, is compatible with the Comprehensive Plan.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from HI, Heavy Industrial District to GB, General Business District for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0156A-0E-002.00 (9.1 acres, more or less)

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: October 14, 2019
Second Reading: October 28, 2019
Public Hearing: October 28, 2019
Third Reading: November 12, 2019

Approved as to form:

John DuBose, County Attorney

Proposal: Request to rezone 9.1 acres from Heavy Industrial (HI) to General Business (GB) with the intention of building a Dollar General on 1.5 acres of the property.

Property Location: Off of Kershaw Camden Highway near the intersection at Fork Hill Road.
(TMS#0156A-0E-002.00)

Current Zoning District: HI, Heavy Industrial District

Proposed Zoning District: GB, General Business District

Applicant: CDP Kershaw, LLC

Council District: District 6, Allen Blackmon

Overview

Site Information

Site Description: This parcel is currently vacant.

Compatibility with Surrounding Area

The current zoning for the surrounding area is Medium Density Residential (MDR), General Business (GB), Institutional (INS), Heavy Industrial (HI), and Rural Residential (RR). Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 2*. The proposed zoning of GB is generally consistent with the area. See table below for adjacent property zoning and use comparison.

Summary of Surrounding Zoning and Uses

Surrounding Property	Municipality	Zoning District	Use
North	Lancaster County	Rural Residential (RR)	Vacant
South	Lancaster County	Heavy Industrial (HI)	Industrial
East	Lancaster County	MDR, GB, and INS	Various commercial, residential, and religious uses
West	Lancaster County	Medium Density Residential (MDR)	Residential

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

Photos of Project Area

Looking south on Kershaw Camden Highway from the property.



Looking at the intersection of Fork Hill Road and Kershaw Camden Hwy
(Pictured: Kershaw Second Baptist Church)



Analysis & Findings

The applicant intends on constructing a Dollar General on 1.5 acres. There are no immediate development plans for the remaining approximately 7.6 acres.

The property is currently zoned HI, Heavy Industrial District on the Lancaster County Zoning Map. The zoning district of Heavy Industrial (HI) *is established to accommodate those industrial, manufacturing, or large-scale utility operations that, by their nature, may create some nuisance and which are not properly associated with, nor compatible with, residential, commercial, and service establishments. Retailing of manufactured items may be permitted in certain instances when it is conducted on the same building site as the principal use.* (UDO section 2.3).

The requested GB, 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.*

COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION

The future land use designation of this property is Urban Living, according to the 2024 Comprehensive Plan. The Comp Plan defines this Community Type as a *deliberately structured mix of dwelling types in a development context that often operates through the separation of uses, densities and/or land value.*

The requested General Business District is consistent with the Urban Living future land use category.

Staff Recommendation

The GB zoning district is consistent with the future land use category of Urban Living. Staff is recommending approval of this request.

Attachments

1. Rezoning Application
2. Location Map/ Zoning Map
3. Future Land Use Map
4. Concept Plan

Staff Contact

Ashley Davis
Planner
adavis@lanastercountysc.net
803-416-9433



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 7784 Kershaw Camden Hwy
City Kershaw State SC Zip 29067 Tax Parcel ID 0156A-0E-002.00
Current Zoning Heavy Industrial (HI) Current Use Vacant
Proposed Zoning General Business (GB) Total Acres 9.1 ac
Project Description 9,100 sf Dollar General on a +/-1.5 ac portion of the property. No immediate development plans on the remaining +/-7.6 ac

Surrounding Property Description Residential to the north, mix of commercial, residential and institutional to the east across Kershaw Camden Hwy, industrial south and residential to the west across rail road track.

CONTACT INFORMATION

Applicant Name Greg Googer (CDP Kershaw LLC)
Address 101 N Pine St Ste 414E
City Spartanburg State SC Zip 29302 Phone 864-278-8585
Fax 877-278-0185 Email ggooger@googer.co
Property Owner Name Kershaw Property LLC
Address 16 Causeway Drive
City Ocean Isle Beach State NC Zip 28569 Phone 910-443-4800
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.

[Signature]
Applicant

7-9-2019

Date

Kershaw Property, LLC
[Signature]
Property Owner

7-9-2019

Date

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number RZ-019- Date Received 7-22-19 Receipt Number 850284

Amount Paid \$325.00 Check Number 2029 Cash Amount —

Received By *[Signature]* Planning Commission Meeting Date 9-17-19

SCHEDULE/PROCESS 1. Submit Application

- The deadline for this application is at least 30 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee — single parcel \$325.00
- Rezoning Application Fee — multi parcel \$500.00

2. Planning Commission

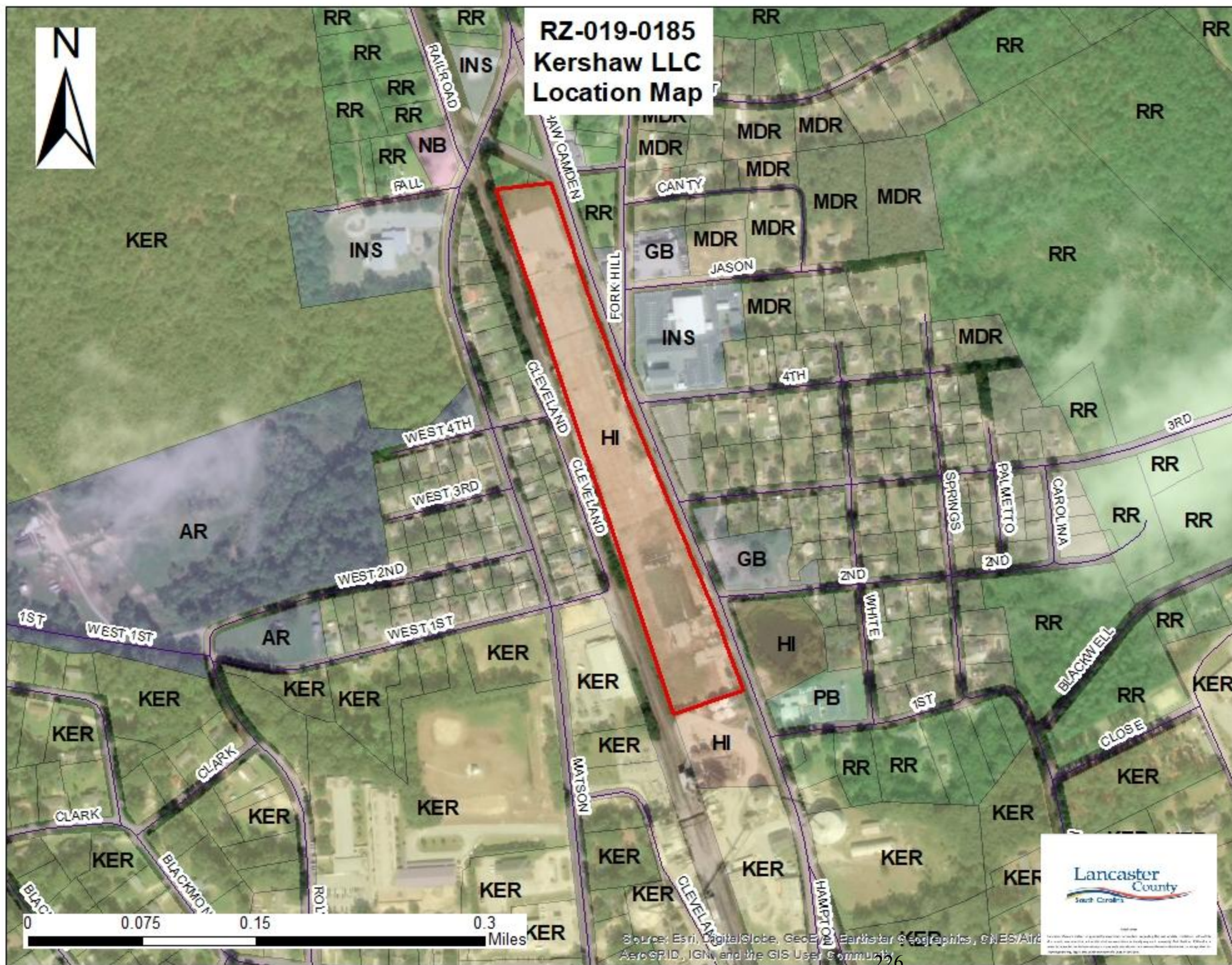
- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes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



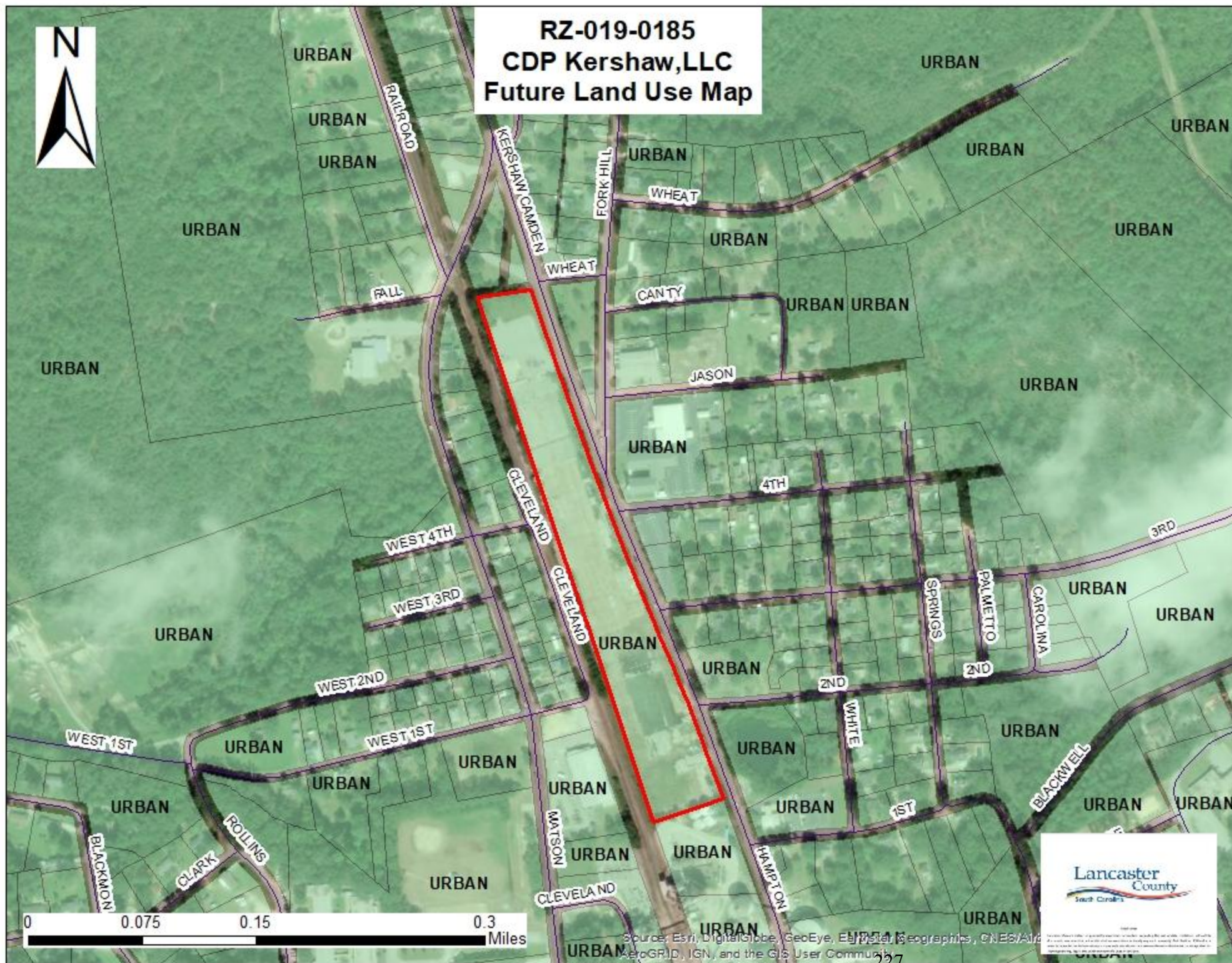
RZ-019-0185
Kershaw LLC
Location Map



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



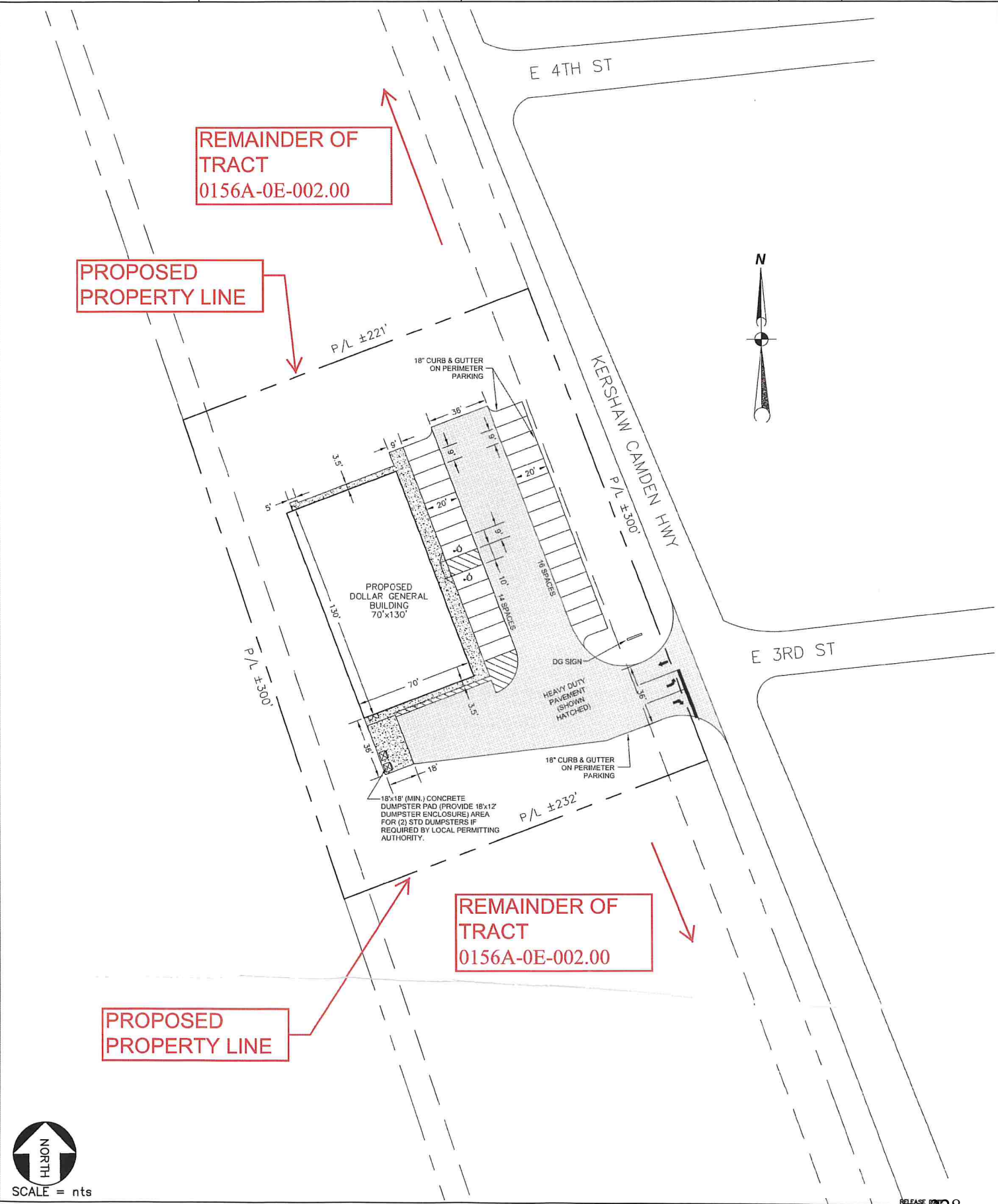
RZ-019-0185
CDP Kershaw, LLC
Future Land Use Map



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PRELIMINARY SITE PLAN		CITY, STATE - STREET: KERSHAW, SC- KERSHAW CAMDEN HWY		DATE: 05/08/2019
PROTOTYPE:	C	DEVELOPER	DESIGNER	
BLDG/SALES SF:	9100 / 7385	COMPANY: COASTAL DEVELOPMENT PARTNERS	COMPANY: KB SELLARS ENGINEERING	
ACREAGE:	±1.5 AC	NAME: GREG GOOGER	NAME: KELLY SELLARS	
PARKING SPACES:	30	PHONE #: 864-621-3692	PHONE #: 864-699-9512	



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PERMIT #33
INDIAN LAND, SC 29707

This is to certify that the attached Legal Notice was published in CAROLINA GATEWAY in the issue of *October 9, 2019*

Berita G. Conley

Notary Public of South Carolina

My Commission Expires
January 13, 2021

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2019-1615
Contact Person / Sponsor: Ashley Davis / Planning
Department: Planning
Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

This is the rezoning application of John and Bridgett Plexico to rezone a \pm 1.91 acre property from LDR, Low Density Residential District to GB, General Business District. The property owners intend to combine the 1.91 acre property with an adjacent 4.32 acres already zoned GB. The property is located at the intersection of Flat Creek Road and Baxter Fiddle Drive (A portion of TMS# 0081F-0B-002.00).

Points to Consider:

The current zoning for the surrounding area is General Business (GB) and Low Density Residential (LDR). Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 2*. The proposed zoning of GB is generally consistent with the area.

The requested General Business district (GB) 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 future land use designation of this property is Urban. The Comprehensive Plan defines this Community Type as a deliberately structured mix of dwelling types in a development context that often operates through the separation of uses, densities and/or land value. Some examples of permitted uses listed in the comprehensive plan also include neighborhood commercial, restaurant, and professional office. Therefore, the requested General Business District is consistent with the Urban future land use category.

Funding and Liability Factors:

N/A

Council Options:

To approve or deny the rezoning request.

Recommendation:

The planning staff recommends that the rezoning request of John and Bridgett Plexico be **approved**.

At the September 17, 2019 Planning Commission meeting, the Commission recommended **approval** of the rezoning by a vote of 6-0. At the above referenced meeting, no citizens signed up to speak on this case.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2019-1615	10/7/2019	Ordinance
Planning Staff Report: John and Bridgett Plexico	9/24/2019	Planning Staff Report
Exhibit 1: Rezoning Application	9/24/2019	Exhibit
Exhibit 2: Location and Zoning Map	9/24/2019	Exhibit
Exhibit 3: Future Land Use Map	9/24/2019	Exhibit

Exhibit 4: New Plat
Public Hearing Notice for Ordinance 2019-1615 (Planning Department
Case Number: RZ-019-0322)

9/24/2019
10/18/2019

Exhibit
Public Hearing Notices

STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2019-1615

COUNTY OF LANCASTER

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AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE A 1.91 ACRE PORTION OF A TRACT OF PROPERTY OWNED BY JOHN BRADFORD PLEXICO AND BRIDGETT T. PLEXICO AND LOCATED AT THE INTERSECTION OF FLAT CREEK ROAD AND BAXTER FIDDLE DRIVE (A PORTION OF TMS # 0081F-0B-002.00), LANCASTER, SOUTH CAROLINA FROM LDR, LOW DENSITY RESIDENTIAL DISTRICT, TO GB, GENERAL BUSINESS DISTRICT.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) JOHN BRADFORD PLEXICO AND BRIDGETT T. PLEXICO applied to rezone a 1.91-acre parcel of property located at the intersection of Flat Creek Road and Baxter Fiddle Drive (a portion of TMS #0081F-0B-002.00), Lancaster, SC from LDR, Low Density Residential to GB, General Business District to be combined with their adjacent property already zoned GB, General Business District (TMS #0081F-0B-011.00).

(b) On September 17, 2019, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of (6-0), recommended approval of the rezoning.

(c) The Future Land Use Map identifies this property as LDR, Low Density Residential based on the *Lancaster County Comprehensive Plan 2014-2024*. Rezoning the property from LDR, Low Density Residential District to GB, General Business District is compatible with the Comprehensive Plan.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from LDR, Lower Density Residential to GB, General Business District for the following property as identified by tax map number or other appropriate identifier:

Potion of Tax Map No. 0081F-0B-002.00 (1.91-acre portion, more or less)

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: October 14, 2019
Second Reading: October 28, 2019
Public Hearing: October 28, 2019
Third Reading: November 12, 2019

Approved as to form:

John DuBose, County Attorney

Proposal: Request to rezone 1.91 acres from Low Density Residential (LDR) to General Business (GB) with the intention combining the 1.91 acres with the 4.32 acres currently zoned GB at TMS# 0081F-OB-011.00

Property Location: Located at the intersection of Flat Creek Road and Baxter Fiddle Drive (A portion of TMS# 0081F-OB-002.00)

Current Zoning District: LDR, Low Density Residential

Proposed Zoning District: GB, General Business District

Applicant: John & Bridgett Plexico

Council District: District 5, Steve Harper

Overview

Site Information

Site Description: There is currently an unused workshop on this parcel.

Compatibility with Surrounding Area

The current zoning for the surrounding area is General Business (GB) and Low Density Residential (LDR). Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 3*. The proposed zoning of GB is generally consistent with the area. See table below for adjacent property zoning and use comparison.

Summary of Surrounding Zoning and Uses

Surrounding Property	Municipality	Zoning District	Use
North	Lancaster County	General Business (GB)	Used Car Sales
South	Lancaster County	Low Density Residential (LDR)	Vacant
East	Lancaster County	General Business (GB)	Unused space on same parcel as Car Lot
West	Lancaster County	General Business (GB)	Vacant

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

Photos of Project Area

Looking at the adjacent parcel from Fiddle Drive, which this rezoning intends to combine with.



Looking at the parcel from Fiddle Drive.



Analysis & Findings

The property is currently zoned LDR, Low Density Residential District on the Lancaster County Zoning Map. The zoning district of Low Density Residential (LDR) *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.* (UDO section 2.3).

The requested General Business district (GB) *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.*

COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION

The future land use designation of this property is Urban, according to the 2024 Comprehensive Plan. The Comp Plan defines this Community Type as a deliberately structured mix of dwelling types in a development context that often operates through the separation of uses, densities and/or land value.

The requested General Business District is consistent with the urban future land use category.

Staff Recommendation

The GB zoning district is consistent with the future land use category of Urban Living. Staff is recommending approval of this request.

Attachments

1. Rezoning Application
2. Location Map/ Zoning Map
3. Future Land Use Map

Staff Contact

Ashley Davis
Planner
adavis@lanastercountysc.net
803-416-9433

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

GENERAL INFORMATION

Property Address Fiddle Drive
City Lancaster State SC Zip 29720 Tax Parcel ID 0081F-0B-002.00

Current Zoning Low Density Residential Current Use _____

Proposed Zoning General Business Total Acres 1.91 acres

Project Description Future lot line adjustment to combine with 0081F-0B-011.00 that is already zoned General Business (Commercial Use).

Fiddle Dr. - 2019007565 BK: Plat 2019 PG: 288-288 May 30, 2019 4:00 p.m.

Surrounding Property Description Adjacent to property 0081F-0B-011.00.
This property is a total of 4.32 acres and zoned General Business.

CONTACT INFORMATION

Applicant Name John Bradford Plexico and Bridgett T. Plexico

Address 1954 Flat Creek Road

City Lancaster State SC Zip 29720 Phone 803-804-4824

Fax N/A Email bplexico@comporium.net

Property Owner Name John Bradford Plexico and Bridgett T. Plexico

Address 1954 Flat Creek Rd

City Lancaster State SC Zip 29720 Phone 803-804-4824

Fax N/A Email bplexico@comporium.net

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.

John Bradford Phipps Bridgett T. Phipps
Applicant

8/8/19
Date

John Bradford Phipps Bridgett T. Phipps
Property Owner(s)

8/8/19
Date

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number RZ-019-0322 Date Received 8-13-19 Receipt Number 848510

Amount Paid \$325.00 Check Number 4641 Cash Amount —

Received By JB Planning Commission Meeting Date 9-17-19

SCHEDULE/PROCESS 1. Submit Application

- The deadline for this application is at least 30 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.

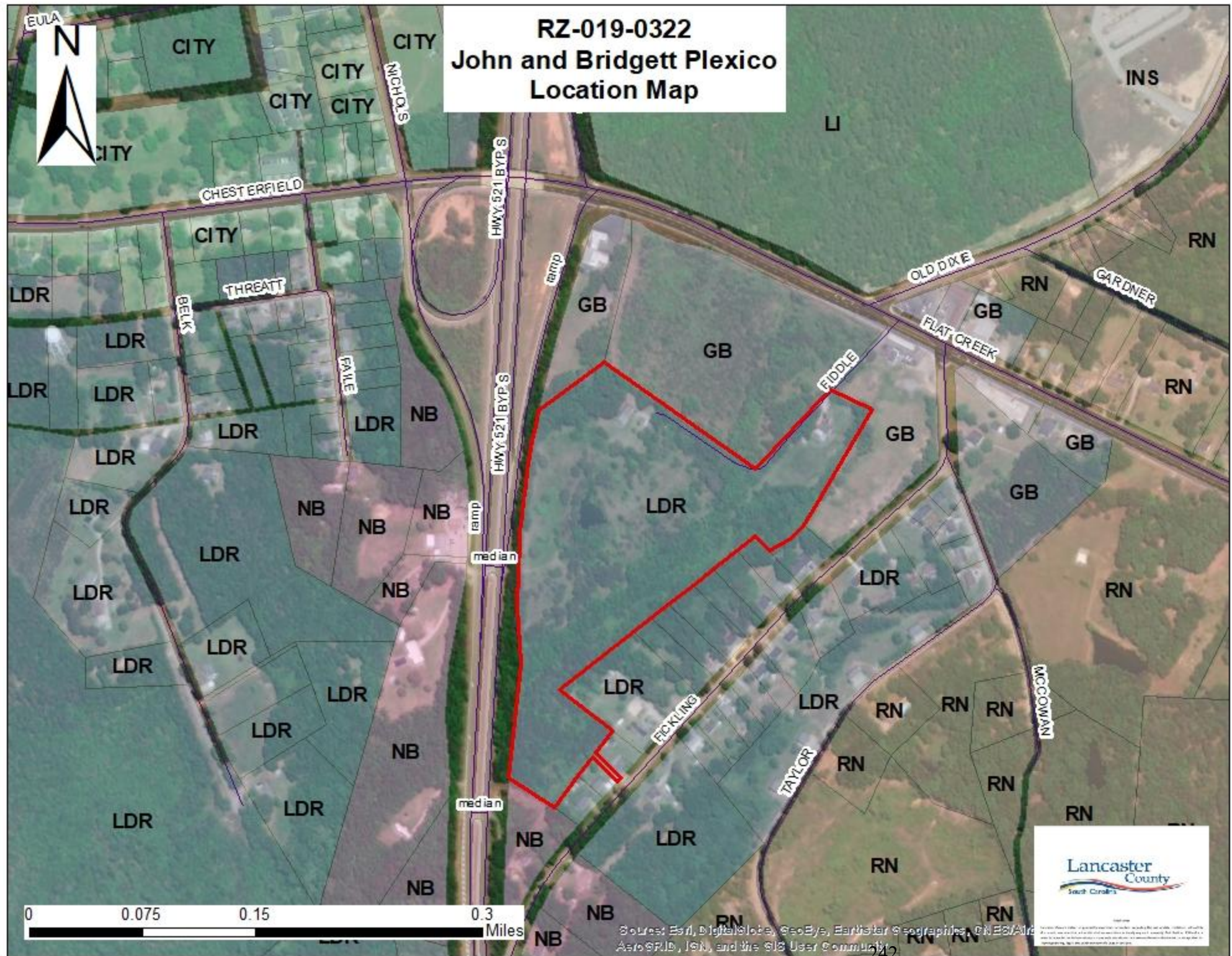
2. Planning Commission

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

3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires 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-019-0322
John and Bridgett Plexico
Location Map

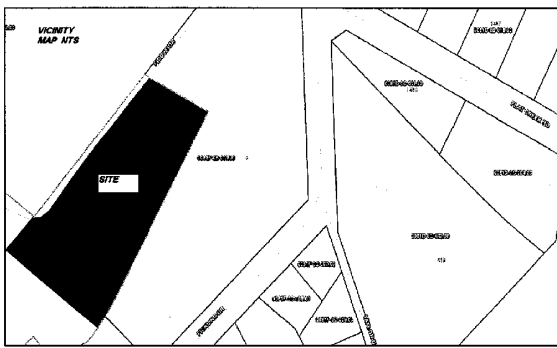


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus, GeoEye, IGN, and the GIS User Community

RZ-019-0322
John and Bridgett Plexico
Future Land Use Map



Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus, AeroGRID, IGN, and the GIS User Community



THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RIGHT-OF-WAYS AND RESTRICTIVE COVENANTS OF RECORD.

THE PRIVATE DRIVE PROVIDING ACCESS TO LOTS IN THIS DEVELOPMENT IS NOT AND WILL NOT BE MAINTAINED BY LANCASTER COUNTY. OWNERS OF LOTS IN THIS DEVELOPMENT ARE FINANCIALLY OBLIGATED TO MAINTAIN THIS ROAD IN PERPETUITY FOR THE BENEFIT OF ALL PROPERTY OWNERS IN THE DEVELOPMENT.

THIS PROPERTY IS ZONED LDR (LOW DENSITY RESIDENTIAL)

SPRINGLAND, Inc.
DEED BOOK A-6 PAGE 284
TAX MAP 0081F-0B-012.00
ZONED GB (GENERAL BUSINESS)
FRONT SETBACK 50'
SIDE SETBACK 15'
REAR SETBACK 15'

JOHN BRADFORD & BRIDGETT
PLEXICO
DEED BOOK 1144 PAGE 289
TAX MAP 0081F-0B-011.00
ZONED GB (GENERAL BUSINESS)
FRONT SETBACK 50'
SIDE SETBACK 15'
REAR SETBACK 15'

SPRINGLAND ASSOCIATES, LLC
DEED BOOK 482 PAGE 270
PLAT 15939
TAX MAP 0081F-0B-002.00
ZONED LDR (LOW DENSITY RESIDENTIAL)
FRONT SETBACK 40'
SIDE SETBACK 20'
REAR SETBACK 25'

JOHN BRADFORD & BRIDGETT
PLEXICO
DEED BOOK 1144 PAGE 289
TAX MAP 0081F-0B-011.00
ZONED GB (GENERAL BUSINESS)
FRONT SETBACK 50'
SIDE SETBACK 15'
REAR SETBACK 15'

ALBERT KENNETH JONES
DEED BOOK 383 PAGE 15
PLAT 96-340
TAX MAP 0081F-0B-010.00



APPROVED FOR RECORDING

Ashley Davis 5/24/2019
Planning Official Date

This plat must be recorded by the
following date: 7/24/2019

2019007565

PLAT MEDIUM
RECORDING FEES \$10.00

PRESENTED & RECORDED:
05-30-2019 04:00 PM

REGISTER OF DEEDS
LANCASTER COUNTY, SC
By: CANDICE PHILLIPS DEPUTY

BK:PLAT 2019
PG:288-288

NOTE: This lot does not lie within any designated flood area and there are no encroachments or projections other than as shown on this plat.

"I hereby state to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class _____ survey as specified therein."

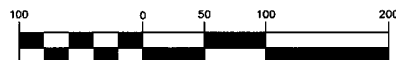
DRAWN BY: JCC	DATE: 03/13/2019
CHECKED BY: JCC	A PORTION OF TAX MAP 0081F-0B-002.00
JOB NO.: 19-03-1	SHEET 1 OF 1

Plat Of Property Of
John Bradford & Bridgett T. Plexico
Located
1.5 Miles East Of
Lancaster, South Carolina
Lancaster County

Scale 1"=100'

Date 03/13/2019

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

Survey By: J. C. Crumpler
S.C. Reg. No. 6574
207 Chesterfield Avenue
Lancaster, South Carolina
1-803-283-9818

The Lancaster News

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133


PUBLIC HEARING NOTICE

The Lancaster County Council will conduct a public hearing on Monday, October 28, 2019 at 6:00 PM, Room 224 of the Lancaster County Administrative Building, located at 101 N. Main Street, Lancaster County, SC, for the purpose of obtaining oral and written comments from the public concerning the following:

1. UDO-TA-0169: Application by Griffin Brothers Enterprise, Inc. to amend Chapter 2, District Standards, by amending Section 2.5.3 Use Table. The request is to add Composting, Types 1, 2 and 3 to the use category H., Manufacturing/Wholesale/Storage in the Light Industrial and Heavy Industrial Districts.
2. UDO-TA-0312: Application by Lancaster County to amend Chapter 9, Administration, by eliminating Section 9.1.6, UDO Advisory Committee.
3. RZ-019-0168: Application by EXXIT, LLC to rezone Tax ID # 0008-00-013.01, located at 9794 Charlotte Highway, from Mixed-Use (MU) to Regional Business (RB) District. The property is approximately 0.95 acres in size and is improved with an office building. The purpose of the request is to add an addition to the building in order to create a video production studio.
4. RZ-019-0171: Application by Gus Kanos to rezone Tax ID # 0008-00-085, located at 9330 Charlotte Highway, from Low Density Residential (LDR) to General Business (GB) District. The property is approximately three acres in size and is improved with one principle building.
5. RZ-019-0322: Application by John & Bridgett Plexico to rezone Tax ID # 0081F-0B-002.00 from Low Density Residential (LDR) to General Business (GB) District. The property is approximately 1.91 acres in size.
6. RZ-019-0185: Application by CDP Kershaw LLC to rezone Tax ID # 0156A-0E-002.00, located at 7784 Kershaw Camden Highway, from Heavy Industrial (HI) to General Business (GB) District. The property is approximately 9.1 acres in size. The purpose of the request is construct a Dollar General on a portion of the property.
7. RZ-019-0501: Application by Sam Levin to rezone Tax ID # 0005-00-091.02, located at the intersection of Patterson Lane and Harrisburg Road, from Mixed-Use (MX) to Neighborhood Business (NB) District. The property is approximately 6.7 acres in size. The purpose of this request is to allow an assisted living facility on the property.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department, which is located at 101 North Main Street, Room 108 Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Notice was published in The Lancaster
2019.


County Clerk
County Public of South Carolina

The Lancaster News

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

The Lancaster County Council will conduct a public hearing on Monday, October 28, 2019 at 6:00 PM, Room 224 of the Lancaster County Administrative Building, located at 101 N. Main Street, Lancaster County, SC, for the purpose of obtaining oral and written comments from the public concerning the following:

1. UDO-TA-0169: Application by Griffin Brothers Enterprise, Inc. to amend Chapter 2, District Standards, by amending Section 2.5.3 Use Table. The request is to add Composting, Types 1, 2 and 3 to the use category H., Manufacturing/Wholesale/Storage in the Light Industrial and Heavy Industrial Districts.
2. UDO-TA-0312: Application by Lancaster County to amend Chapter 9, Administration, by eliminating Section 9.1.6, UDO Advisory Committee.
3. RZ-019-0168: Application by EXXIT, LLC to rezone Tax ID # 0008-00-013.01, located at 9794 Charlotte Highway, from Mixed-Use (MU) to Regional Business (RB) District. The property is approximately 0.95 acres in size and is improved with an office building. The purpose of the request is to add an addition to the building in order to create a video production studio.
4. RZ-019-0171: Application by Gus Kanos to rezone Tax ID # 0008-00-085, located at 9330 Charlotte Highway, from Low Density Residential (LDR) to General Business (GB) District. The property is approximately 1.5 acres in size and is improved with a house and a garage.

Disclosed any possible motive in the case.
'Cut so short'
Dedrick Strain died less than a week before his daughter's fifth birthday. "Miah was Dedrick's world," said Carolina Strain.
"This man not only took my husband, but he took my daughter's father too," she said. "How do I explain to our daughter that her father is dead?"
Follow Kayla Vaughn on Twitter @kaybvaughn or contact her at (803) 416-8416.

This is to certify that the attached Legal Notice was published in The Lancaster News in the issue of *October 6, 2019.*

Berita G. Gumbly

Notary Public of South Carolina

My Commission Expires
January 13, 2021

CAROLINA GATEWAY

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

The Lancaster County Council will conduct a public hearing on Monday, October 28, 2019 at 6:00 PM, Room 224 of the Lancaster County Administrative Building, located at 101 N. Main Street, Lancaster County, SC, for the purpose of obtaining oral and written comments from the public concerning the following:

1. UDO-TA-0169: Application by Griffin Brothers Enterprise, Inc. to amend Chapter 2, District Standards, by amending Section 2.5.3 Use Table. The request is to add Composting, Types 1, 2 and 3 to the use category H., Manufacturing/Wholesale/Storage in the Light Industrial and Heavy Industrial Districts.
2. UDO-TA-0312: Application by Lancaster County to amend Chapter 9, Administration, by eliminating Section 9.1.6, UDO Advisory Committee.
3. RZ-019-0168: Application by EXXIT, LLC to rezone Tax ID # 0008-00-013.01, located at 9794 Charlotte Highway, from Mixed-Use (MU) to Regional Business (RB) District. The property is approximately 0.95 acres in size and is improved with an office building. The purpose of the request is to add an addition to the building in order to create a video production studio.
4. RZ-019-0171: Application by Gus Kanos to rezone Tax ID # 0008-00-085, located at 9330 Charlotte Highway, from Low Density Residential (LDR) to General Business (GB) District. The property is approximately three acres in size and is improved with one principle building.
5. RZ-019-0322: Application by John & Bridgett Plexico to rezone Tax ID # 0081F-0B-002.00 from Low Density Residential (LDR) to General Business (GB) District. The property is approximately 1.91 acres in size.
6. RZ-019-0185: Application by CDP Kershaw LLC to rezone Tax ID # 0156A-0E-002.00, located at 7784 Kershaw Camden Highway, from Heavy Industrial (HI) to General Business (GB) District. The property is approximately 9.1 acres in size. The purpose of the request is construct a Dollar General on a portion of the property.
7. RZ-019-0501: Application by Sam Levin to rezone Tax ID # 0005-00-091.02, located at the intersection of Patterson Lane and Harrisburg Road, from Mixed-Use (MX) to Neighborhood Business (NB) District. The property is approximately 6.7 acres in size. The purpose of this request is to allow an assisted living facility on the property.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department, which is located at 101 North Main Street, Room 108 Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Notice was published in CAROLINA

9, 2019

Miss G. Campbell

ary Public of South Carolina

CAROLINA GATEWAY

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

The Lancaster County Council will conduct a public hearing on Monday, October 28, 2019 at 6:00 PM, Room 224 of the Lancaster County Administrative Building, located at 101 N. Main Street, Lancaster County, SC, for the purpose of obtaining oral and written comments from the public concerning the following:

1. UDO-TA-0169: Application by Griffin Brothers Enterprise, Inc. to amend Chapter 2, District Standards, by amending Section 2.5.3 Use Table. The request is to add Composting, Types 1, 2 and 3 to the use category H., Manufacturing/Wholesale/Storage in the Light Industrial and Heavy Industrial Districts.
2. UDO-TA-0312: Application by Lancaster County to amend Chapter 9, Administration, by eliminating Section 9.1.6, UDO Advisory Committee.
3. RZ-019-0168: Application by EXXIT, LLC to rezone Tax ID # 0008-00-013.01, located at 9794 Charlotte Highway, from Mixed-Use (MU) to Regional Business (RB) District. The property is approximately 0.95 acres in size and is improved with an office building. The purpose of the request is to add an addition to the building in order to create a video production studio.
4. RZ-019-0171: Application by Gus Kanos to rezone Tax ID # 0008-00-085, located at 9330 Charlotte Highway, from Low Density Residential (LDR) to General Business (GB) District. The property is approximately three acres in size and is improved with one principle

Thousands swarmed around the National Fallen Firefighters Memorial in Maryland last week-end, honoring those who died in the line of duty last year. Among the names added to the memorial, was fallen Van Wyck Assistant Fire Chief Dennis Straight. Straight was one of 119 firefighters honored during the ceremony.

www.carolinagatewayonline.com
New Room: (803) 283-1154 or (800) 844-9344, ext. 225; fax: (803) 283-8969; cnews@thelancasternews.com. Advertising: (803) 283-1140 or (803) 283-1142; advertising@thelancasternews.com.
PR SRT STD
U.S. POSTAGE PAID
PERMIT #33
INDIAN LAND, SC 29707

This is to certify that the attached Legal Notice was published in CAROLINA GATEWAY in the issue of *October 9, 2019*

Berita G. Conley

Notary Public of South Carolina

My Commission Expires
January 13, 2021

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2019-1616

Contact Person / Sponsor: Katie See/Planning

Department: Planning

Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

Request to rezone TM # 0005-00-091.02, which is located west of Harrisburg Road and south of Patterson Lane, from Mixed-Use (MX) within the Highway Corridor and Carolina Heel Splitter Overlay Districts to Neighborhood Business (NB). The property is approximately 6.7 acres in size. The purpose of the request is to permit residential care facilities (assisted living).

Points to Consider:

Analysis & Findings

The requested Neighborhood Business (NB) 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 predominantly auto-oriented pattern of existing development while encouraging the transition to pedestrian-friendly, mixed-use areas that avoid strip commercial development.

Development Requirements

The Mixed-Use districts require that properties include a minimum of 25 acres of highland property. This property does not meet the minimum development requirement, which makes it a non-conforming lot. In order to expand the building, the applicant has requested to rezone the property to RB so they can expand their business.

Funding and Liability Factors:

N/A

Council Options:

Approve or deny request to rezone.

Recommendation:

Staff recommends approval.

The Planning Commission voted unanimously to recommend approval on September 17, 2019. No members of the public signed up to speak regarding the request.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2019-1616	10/8/2019	Ordinance
Staff Report	9/24/2019	Planning Staff Report
Ex 1: Application	9/24/2019	Exhibit
Ex 2: Zoning Map	9/24/2019	Exhibit
Ex 3: Future Land Use Map	9/24/2019	Exhibit
Ex 4: Concept Plan	9/24/2019	Exhibit
Public Hearing Notice for Ordinance 2019-1616 (Planning Department)		

STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2019-1616

COUNTY OF LANCASTER

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AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE A 6.7 ACRE TRACT OF PROPERTY OWNED BY DONNA S. PATTERSON AND LOCATED WEST OF HARRISBURG ROAD, SOUTH OF PATTERSON LANE, INDIAN LAND, SC (TMS #0005-00-091.02) FROM MX, MIXED USE DISTRICT, TO NB, NEIGHBORHOOD BUSINESS DISTRICT.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) Sam Levin applied to rezone a 6.70-acre parcel of property owned by Donna S. Patterson and located West of Harrisburg Road, South of Patterson Lane, Indian Land, SC (TMS #0005-00-091.02) from MX, Mixed Use District, to NB, Neighborhood Business District.

(b) On September 17, 2019, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of (6-0), recommended approval of the rezoning.

(c) The Future Land Use Map identifies this property as Neighborhood Mixed-Use based on the *Lancaster County Comprehensive Plan 2014-2024*. Rezoning the property from MX, Mixed Use District to NB, Neighborhood Business District is compatible with the Comprehensive Plan.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from MX, Mixed Use District, to NB, Neighborhood Business District for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0005-00-091-02 (6.70 acres, more or less)

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: October 14, 2019
Second Reading: October 28, 2019
Public Hearing: October 28, 2019
Third Reading: November 12, 2019

Approved as to form:

John DuBose, County Attorney

Proposal: Request to rezone one parcel approximately 6.7 acres in size. The purpose of this request is to permit residential care facilities (assisted living).

Property Location: West of Harrisburg Road, South of Patterson Lane (TM # 0005-00-091.02)

Current Zoning District: Mixed-Use (MX), Highway Corridor Overlay, and Carolina Heel Splitter Overlay

Proposed Zoning District: Neighborhood Business (NB). No Change to the overlay districts.

Applicant: Sam Levine

Council District: District 7, Brian Carnes

Overview

Site Information

Site Description: This parcel is currently unimproved and being used for agriculture, including raising sheep.

Compatibility with Surrounding Area

The current zoning for the surrounding area is Neighborhood Business (NB) and Mixed-Use (MX). Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 3*. The proposed zoning of NB is generally consistent with the area. See table below for adjacent property zoning and use comparison.

Summary of Surrounding Zoning and Uses

Surrounding Property	Municipality	Zoning District	Use
North	Lancaster County	Mixed-Use (MX)	Single-Family Residential; Vacant
South	Lancaster County	Mixed-Use (MX)	Commercial; Tyndall Furniture
East	Lancaster County	General Business (GB)	Commercial; Bojangles; Retail Plaza
West	Lancaster County	Mixed-Use (MX)	Single-Family Residential

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

Photos of Project Area

LOOKING DIRECTLY AT PROPERTY FROM HARRISBURG ROAD



LOOKING DIRECTLY ACROSS PROPERTY — AT HARRISBURG ROAD



LOOKING NORTH ALONG HARRISBURG ROAD



LOOKING SOUTH ALONG HARRISBURG ROAD



Analysis & Findings

The property is currently zoned Mixed-Use (MX) District on the Lancaster County Zoning Map. The Mixed-Use (MX) zoning district *is established as a pedestrian-scaled, mixed-use district which caters to the everyday needs of nearby neighborhoods, stressing accessibility by automobiles, bicycles and pedestrians. This district accommodates an active, pedestrian-friendly area of community-scale commercial, residential, office and civic uses in both vertically mixed-use, as well as free-standing* (UDO section 2.3).

The requested Neighborhood Business (NB) 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 predominantly auto-oriented pattern of existing development while encouraging the transition to pedestrian-friendly, mixed-use areas that avoid strip commercial development.*

Development Requirements

The Mixed-Use districts require that properties include a minimum of 25 acres of highland property. This property does not meet the minimum development requirement, which makes it a non-conforming lot. In order to expand the building, the applicant has requested to rezone the property to RB so they can expand their business.

COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION

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

The requested Neighborhood Business District is consistent with the Neighborhood Mixed-Uses future land use category. The proposed NB zoning district will provide a good transition between the adjacent residential homes on Patterson Lane and the more intense commercial uses located near the intersection of Harrisburg Road and Hwy 160.

Staff Recommendation

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

Attachments

1. Rezoning Application
2. Location Map/ Zoning Map
3. Future Land Use Map
4. Concept Plan

Staff Contact

Katie See
Senior Planner
ksee@lancastrcountysc.net
803-416-9395



Planning Department

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

Phone: 803.285.6005, planning@lanastercountysc.net

www.mylanastersc.org

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

GENERAL INFORMATION

Patterson Lane

Property Address _____

City Indian Land State SC Zip 29707 Tax Parcel ID 0005-00-091.02

Current Zoning MX Current Use UNDEVELOPED

Proposed Zoning NB Total Acres 6.70 AC

Project Description Proposed rezoning to allow assisted living facility and independent care cottages (single family detached)

Surrounding Property Description North = residential, East = retail, South = retail, West = residential

CONTACT INFORMATION

Applicant Name SAM LEVIN

Address 156 SPANISH POINT DRIVE

City BEAUFORT State SC Zip 29902 Phone 843-345-0824

Fax _____ Email sam.levin234@gmail.com

Property Owner Name PATTERSON DONNA S. ET AL

Address 182 PATTERSON LANE

City INDIAN LAND State SC Zip 29707 Phone 704-426-3663

Fax _____ Email adpatterson@fmtc.net

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.

[Signature]
Applicant

August 23, 2019

Date

8/20/19

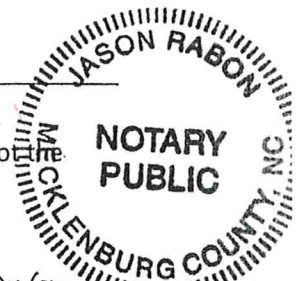
Property Owner(s)

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

State of North Carolina
County of Mecklenburg

Date

[Signature]
Jason Rabon



LANCASTER COUNTY OFFICE USE ONLY

Application Number RZ-019-0501 Date Received 8-23-19 Receipt Number 848526

Amount Paid \$325.00 Check Number 1118 Cash Amount —

Received By [Signature] Planning Commission Meeting Date 9-17-19

my Commission Expires
March 2, 2022

SCHEDULE/PROCESS 1. Submit Application

- The deadline for this application is at least 30 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee — single parcel \$325.00
- Rezoning Application Fee — multi parcel \$500.00

2. Planning Commission

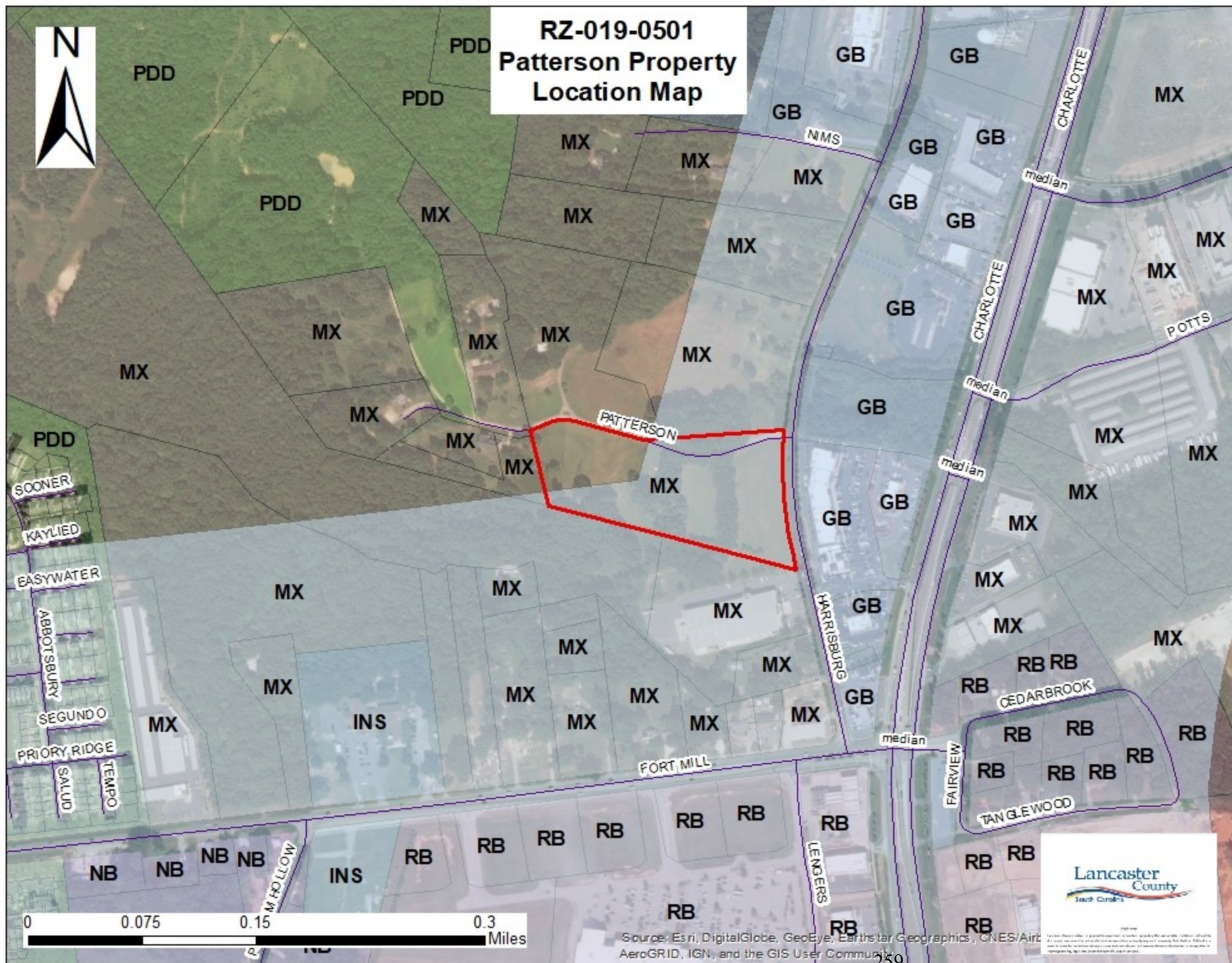
- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes 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-019-0501 Patterson Property Location Map

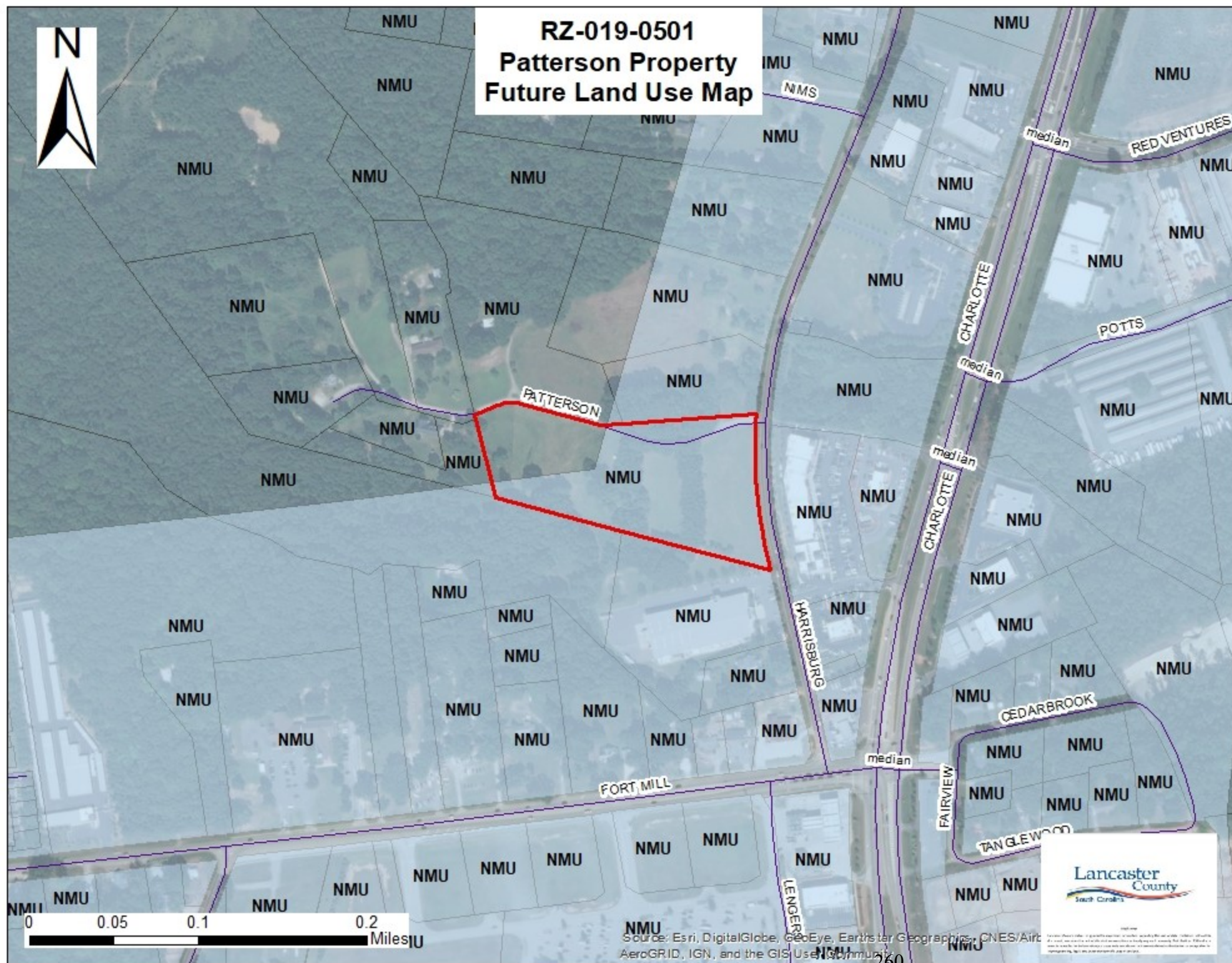


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus, AeroGRID, IGN, and the GIS User Community

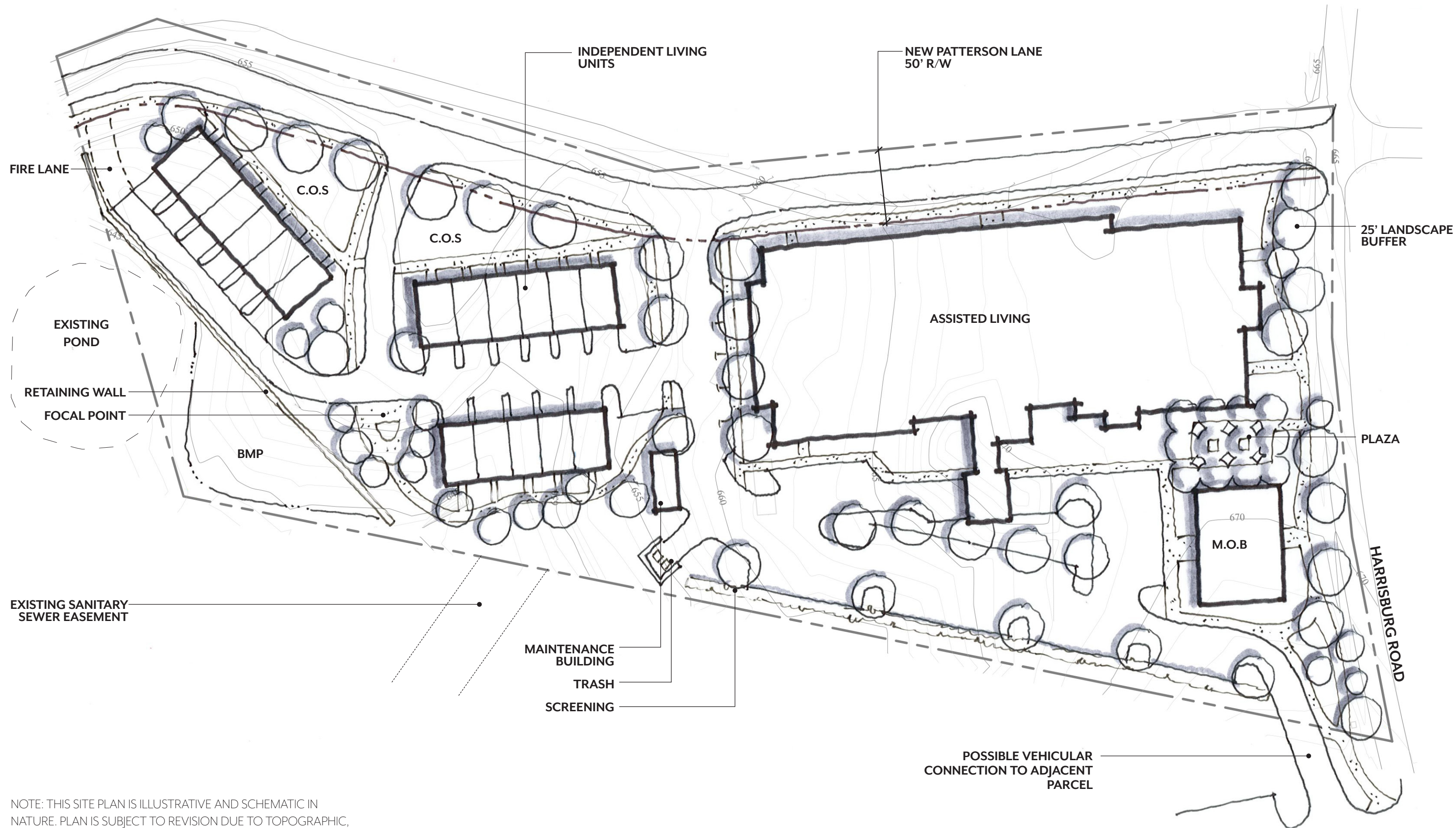
Lancaster
County
South Carolina



RZ-019-0501
Patterson Property
Future Land Use Map



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



NOTE: THIS SITE PLAN IS ILLUSTRATIVE AND SCHEMATIC IN NATURE. PLAN IS SUBJECT TO REVISION DUE TO TOPOGRAPHIC, ENVIRONMENTAL, ECONOMIC, AND/OR MARKET CONSTRAINTS.

The Lancaster News

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133


PUBLIC HEARING NOTICE

The Lancaster County Council will conduct a public hearing on Monday, October 28, 2019 at 6:00 PM, Room 224 of the Lancaster County Administrative Building, located at 101 N. Main Street, Lancaster County, SC, for the purpose of obtaining oral and written comments from the public concerning the following:

1. UDO-TA-0169: Application by Griffin Brothers Enterprise, Inc. to amend Chapter 2, District Standards, by amending Section 2.5.3 Use Table. The request is to add Composting, Types 1, 2 and 3 to the use category H., Manufacturing/Wholesale/Storage in the Light Industrial and Heavy Industrial Districts.
2. UDO-TA-0312: Application by Lancaster County to amend Chapter 9, Administration, by eliminating Section 9.1.6, UDO Advisory Committee.
3. RZ-019-0168: Application by EXXIT, LLC to rezone Tax ID # 0008-00-013.01, located at 9794 Charlotte Highway, from Mixed-Use (MU) to Regional Business (RB) District. The property is approximately 0.95 acres in size and is improved with an office building. The purpose of the request is to add an addition to the building in order to create a video production studio.
4. RZ-019-0171: Application by Gus Kanos to rezone Tax ID # 0008-00-085, located at 9330 Charlotte Highway, from Low Density Residential (LDR) to General Business (GB) District. The property is approximately three acres in size and is improved with one principle building.
5. RZ-019-0322: Application by John & Bridgett Plexico to rezone Tax ID # 0081F-0B-002.00 from Low Density Residential (LDR) to General Business (GB) District. The property is approximately 1.91 acres in size.
6. RZ-019-0185: Application by CDP Kershaw LLC to rezone Tax ID # 0156A-0E-002.00, located at 7784 Kershaw Camden Highway, from Heavy Industrial (HI) to General Business (GB) District. The property is approximately 9.1 acres in size. The purpose of the request is construct a Dollar General on a portion of the property.
7. RZ-019-0501: Application by Sam Levin to rezone Tax ID # 0005-00-091.02, located at the intersection of Patterson Lane and Harrisburg Road, from Mixed-Use (MX) to Neighborhood Business (NB) District. The property is approximately 6.7 acres in size. The purpose of this request is to allow an assisted living facility on the property.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department, which is located at 101 North Main Street, Room 108 Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Notice was published in The Lancaster
2019.


County Clerk
County Public of South Carolina

The Lancaster News

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3. RZ-019-0168: Application by EXXIT, LLC to rezone Tax ID # 0008-00-013.01, located at 9794 Charlotte Highway, from Mixed-Use (MU) to Regional Business (RB) District. The property is approximately 0.95 acres in size and is improved with an office building. The purpose of the request is to add an addition to the building in order to create a video production studio.
4. RZ-019-0171: Application by Gus Kanos to rezone Tax ID # 0008-00-085, located at 9330 Charlotte Highway, from Low Density Residential (LDR) to General Business (GB) District. The property is approximately 1.5 acres in size and is improved with an office building. The purpose of the request is to add an addition to the building in order to create a video production studio.

She said Dedrick was loved by everyone who knew him, and she knows there's a void in a lot of people's lives since his death. "He lived his life to the fullest," she said. "I know my husband had no regrets." Follow Kayla Vaughn on Twitter @kaybvaughn or contact her at (803) 416-8416.

This is to certify that the attached Legal Notice was published in The Lancaster News in the issue of *October 6, 2019.*

Berita G. Gumbly

Notary Public of South Carolina

My Commission Expires
January 13, 2021

CAROLINA GATEWAY

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

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4. RZ-019-0171: Application by Gus Kanos to rezone Tax ID # 0008-00-085, located at 9330 Charlotte Highway, from Low Density Residential (LDR) to General Business (GB) District. The property is approximately three acres in size and is improved with one principle building.
5. RZ-019-0322: Application by John & Bridgett Plexico to rezone Tax ID # 0081F-0B-002.00 from Low Density Residential (LDR) to General Business (GB) District. The property is approximately 1.91 acres in size.
6. RZ-019-0185: Application by CDP Kershaw LLC to rezone Tax ID # 0156A-0E-002.00, located at 7784 Kershaw Camden Highway, from Heavy Industrial (HI) to General Business (GB) District. The property is approximately 9.1 acres in size. The purpose of the request is construct a Dollar General on a portion of the property.
7. RZ-019-0501: Application by Sam Levin to rezone Tax ID # 0005-00-091.02, located at the intersection of Patterson Lane and Harrisburg Road, from Mixed-Use (MX) to Neighborhood Business (NB) District. The property is approximately 6.7 acres in size. The purpose of this request is to allow an assisted living facility on the property.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department, which is located at 101 North Main Street, Room 108 Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Notice was published in CAROLINA

9, 2019



ary Public of South Carolina

CAROLINA GATEWAY

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

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4. RZ-019-0171: Application by Gus Kanos to rezone Tax ID # 0008-00-085, located at 9330 Charlotte Highway, from Low Density Residential (LDR) to General Business (GB) District. The property is approximately three acres in size and is improved with one principle

Thousands swarmed around the National Fallen Firefighters Memorial in Maryland last week-end, honoring those who died in the line of duty last year. Among the names added to the memorial, was fallen Van Wyck Assistant Fire Chief Dennis Straight. Straight was one of 119 firefighters honored dur-

www.carolinagatewayonline.com
Newroom: (803) 283-1154 or (800) 844-9344, ext. 225; fax: (803) 283-8969; cgnws@thelancasternews.com. Advertising: (803) 283-1140 or (803) 283-1142; advertising@thelancasternews.com.
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INDIAN LAND, SC 29707

This is to certify that the attached Legal Notice was published in CAROLINA GATEWAY in the issue of *October 9, 2019*

Berita G. Conley

Notary Public of South Carolina

My Commission Expires
January 13, 2021

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2019-1617
Contact Person / Sponsor: Ashley Davis / Planning
Department: Planning
Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

This is a request to remove UDO Chapter 9.1.6, UDO Advisory Committee. This chapter establishes the UDO Advisory committee and outlines their powers, duties and membership.

Points to Consider:

Currently, the UDO states that the UDO Advisory Committee makes a recommendation to the Planning Commission on select UDO text amendments, who would then make a recommendation to County Council prior to a decision. This proposed text amendment would remove the extra step by dissolving the UDO Advisory Committee. A further point of consideration is that a majority of the UDO Advisory Committee is currently made up of individuals who will be reviewing the text amendment at another point in the process already.

Removal of this section will eliminate an unnecessary step in the review process, which would ensure a timely review for the applicant. If, in the future, a major update or rewrite of the UDO is undertaken, a project-specific stakeholder group could be formed at that time to provide feedback on draft proposals.

Funding and Liability Factors:

N/A

Council Options:

To approve or deny the proposed text amendment.

Recommendation:

Planning Commission voted unanimously to recommend **approval** of this request at their September 17, 2019 meeting.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2019-1617	10/8/2019	Ordinance
Planning Staff Report: UDO Advisory Committee	9/26/2019	Planning Staff Report
Exhibit 1: Text Amendment Application and Memo	9/26/2019	Exhibit
Exhibit 2: Proposed Change	9/26/2019	Exhibit
Public Hearing Notice for Ordinance 2019-1617 (Planning Department Case Number: UDO-TA-0312)	10/18/2019	Public Hearing Notices

STATE OF SOUTH CAROLINA

(

ORDINANCE NO. 2019-1617

COUNTY OF LANCASTER

(

(

AN ORDINANCE

AMENDING ORDINANCE 2016-1442, THE UNIFIED DEVELOPMENT ORDINANCE (“UDO”), TO REMOVE CHAPTER 9.1.6, UDO ADVISORY COMMITTEE.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

- (a) The UDO Advisory Committee is an advisory Committee that makes recommendation to the Planning Commission on select UDO text amendments and then the Planning Commission makes recommendation to County Council regarding the UDO text amendments.
- (b) The majority of the UDO Advisory Committee is comprised of individual that already review the proposed UDO text amendments at the staff level or at another stage of the legislative process.
- (c) The UDO Advisory Committee is a redundant step in the review process of proposed UDO text amendments.
- (d) Elimination of the UDO Advisory Committee will ensure a timely review of proposed UDO text amendment applications.

Section 2. Amendment of Ordinance 2016-1442

Ordinance 2016-1442 (Unified Development Ordinance) is amended to remove Chapter 9.1.6, UDO Advisory Committee, in its entirety as set forth as follows:

~~Indicates Matter Stricken~~

Indicates New Matter

* * *

~~9.1.6 UDO ADVISORY COMMITTEE~~

~~A. POWERS AND DUTIES~~

~~The Lancaster County UDO Advisory Committee shall have the following powers and duties to be carried out in accordance with the terms of this ordinance:~~

- ~~1. To review the UDO on an annual basis to discuss and consider any necessary amendments for a more efficient and effective ordinance.~~
- ~~2. To make recommendations to the Planning Commission on amendments that have a demonstrated public benefit and are constant with the Comprehensive Plan.~~
- ~~3. To make amendment recommendations that reflect consistency throughout the UDO with references and definitions.~~

B. MEMBERSHIP

~~The UDO Advisory Committee shall be chaired by the Planning Department Director (or designee) and shall consist of two members of County Council, two members of the Planning Commission, the Building Official, the Zoning Official, the Fire Marshal, the Public Works Director and three residents of Lancaster County.~~

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: October 14, 2019
Public Hearing: October 28, 2019
Second Reading: October 28, 2019
Public Hearing: November 12, 2019
Third Reading: November 12, 2019

Approved As To Form:

John K. DuBose, III, County Attorney

Proposal: To remove the UDO Advisory Committee.

Applicable Chapter(s): 9.1.6, UDO Advisory Committee

Applicant: Lancaster County

Project Summary & Proposal

Chapter 9.1.6 of the UDO establishes the UDO Advisory committee and lays out their powers, duties and membership.

Currently, the UDO states that the UDO Advisory Committee makes a recommendation to the Planning Commission, who would then make a recommendation to County Council prior to a decision. This text amendment would remove the extra step by removing the UDO Advisory Committee. Also, a majority of the UDO Advisory Committee is currently made up of people who will be reviewing the text amendment at another point in the process already.

Outline of Text Amendment

The following chapters of the UDO have been amended or created:

Chapter 9.1.6, UDO ADVISORY COMMITTEE

Removal of this section in its entirety.

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

Findings and Conclusions

Removal of this section will eliminate an unnecessary step in the review process, which would ensure a timely review for the applicant.

Planning Staff Recommendation

Staff recommends **approval** of the request.

Exhibits

1. Application & Memo
2. Proposed Text Amendment

Staff Contact

Ashley Davis, Planner

adavis@lancastercountysc.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 Ch 9.1.6 UDO Advisory Committee

Current Text Chapter 9, Administration, establishes review agencies for Lancaster County, including the UDO Advisory Committee.

Proposed Text Remove 9.1.6, UDO Advisory Committee, in its entirety.

Description of Need for Proposed Text First, multiple text amendments are needed and going through the UDO Committee slows the process down. Second, there is more collaboration among relevant departments, which leads to better communication on potential changes. Third, taking proposed text amendments before the Committee adds another layer of bureaucracy, as they are an advisory committee to the Planning Commission, who then makes recommendations to County Council. Most members of the Committee are already involved in the review process.

☒ Additional pages attached for more information

CONTACT INFORMATION

Applicant Name Steve Willis, County Administrator

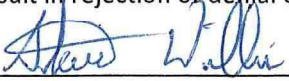
Address PO Box 1809

City Lancaster State SC Zip 29720 Phone 803-416-9300

Fax _____ Email swillis@lanastercountysc.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.


Applicant

8-12-19
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 UDO-TA-019-0312 Date Received 8-12-19 Receipt Number —

Amount Paid — N/A Check Number — Cash Amount —

Received By  Planning Commission Meeting Date 9-17-19

SCHEDULE/PROCESS**1. Submit Application**

- The deadline for this application is at least 30 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.

2. Planning Commission

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

3. County Council

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

MEMORANDUM

TO: Alison Alexander, Deputy County Administrator
Rox Burhans, Planning Director

FROM: Steve Willis, County Administrator *SW*

TODAY'S DATE: July 8, 2019

DUE DATE: N/A

SUBJECT: UDO Text Amendment

I would like to propose a text amendment to the UDO. I would like to consider the deletion of section 9.1.6 UDO Advisory Committee. I would request a review to see if there are related sections that may require amendment if this section is deleted.

I have several reasons for making this request even though I was an early champion of the UDO Advisory Committee. My main rationale in supporting the creation of the committee was that I thought it would be best if text amendments were held and only considered annually when changes could be coordinated across all sections. As we have seen, this did not work out and the approach has not found favor with Council. While the UDO has many strong points, there are areas in need of improvement and waiting to make needed changes is not productive.

Secondly, we are transitioning to a Development Services Division approach to handling services. In the past we had separate departments that focused on their specific area. This did not create a holistic approach and in fact sometimes ended up with departments working at cross purposes. This will no longer be the case so there is no need for an extra committee so that all departments communicate on potential changes.

Finally, I now see that if we abandon the concept of holding amendments that the Advisory Committee is merely an added, and unnecessary, layer of bureaucracy. With a Development Services team looking at the UDO and related services as a whole, do we really need for the proposals from the professional staff to go to an advisory committee to advise the statutory advisory committee (the Planning Commission) to advise the decision makers (County Council)? This is especially true since the bulk of the membership of the superfluous advisory committee is primarily composed of members who are already involved in the process.

Once the review is complete please prepare a text amendment submittal for my signature. Thanks.

SW
cc: County Council

* * *

9.1.6 UDO ADVISORY COMMITTEE

~~A. POWERS AND DUTIES~~

~~The Lancaster County UDO Advisory Committee shall have the following powers and duties to be carried out in accordance with the terms of this ordinance:~~

- ~~1. To review the UDO on an annual basis to discuss and consider any necessary amendments for a more efficient and effective ordinance.~~
- ~~2. To make recommendations to the Planning Commission on amendments that have a demonstrated public benefit and are constant with the Comprehensive Plan.~~
- ~~3. To make amendment recommendations that reflect consistency throughout the UDO with references and definitions.~~

~~B. MEMBERSHIP~~

~~The UDO Advisory Committee shall be chaired by the Planning Department Director (or designee) and shall consist of two members of County Council, two members of the Planning Commission, the Building Official, the Zoning Official, the Fire Marshal, the Public Works Director and three residents of Lancaster County.~~

* * *

The Lancaster News

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133


PUBLIC HEARING NOTICE

The Lancaster County Council will conduct a public hearing on Monday, October 28, 2019 at 6:00 PM, Room 224 of the Lancaster County Administrative Building, located at 101 N. Main Street, Lancaster County, SC, for the purpose of obtaining oral and written comments from the public concerning the following:

1. UDO-TA-0169: Application by Griffin Brothers Enterprise, Inc. to amend Chapter 2, District Standards, by amending Section 2.5.3 Use Table. The request is to add Composting, Types 1, 2 and 3 to the use category H., Manufacturing/Wholesale/Storage in the Light Industrial and Heavy Industrial Districts.
2. UDO-TA-0312: Application by Lancaster County to amend Chapter 9, Administration, by eliminating Section 9.1.6, UDO Advisory Committee.
3. RZ-019-0168: Application by EXXIT, LLC to rezone Tax ID # 0008-00-013.01, located at 9794 Charlotte Highway, from Mixed-Use (MU) to Regional Business (RB) District. The property is approximately 0.95 acres in size and is improved with an office building. The purpose of the request is to add an addition to the building in order to create a video production studio.
4. RZ-019-0171: Application by Gus Kanos to rezone Tax ID # 0008-00-085, located at 9330 Charlotte Highway, from Low Density Residential (LDR) to General Business (GB) District. The property is approximately three acres in size and is improved with one principle building.
5. RZ-019-0322: Application by John & Bridgett Plexico to rezone Tax ID # 0081F-0B-002.00 from Low Density Residential (LDR) to General Business (GB) District. The property is approximately 1.91 acres in size.
6. RZ-019-0185: Application by CDP Kershaw LLC to rezone Tax ID # 0156A-0E-002.00, located at 7784 Kershaw Camden Highway, from Heavy Industrial (HI) to General Business (GB) District. The property is approximately 9.1 acres in size. The purpose of the request is construct a Dollar General on a portion of the property.
7. RZ-019-0501: Application by Sam Levin to rezone Tax ID # 0005-00-091.02, located at the intersection of Patterson Lane and Harrisburg Road, from Mixed-Use (MX) to Neighborhood Business (NB) District. The property is approximately 6.7 acres in size. The purpose of this request is to allow an assisted living facility on the property.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department, which is located at 101 North Main Street, Room 108 Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Notice was published in The Lancaster
2019.


Mary G. Gumbly
ary Public of South Carolina

The Lancaster News

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4. RZ-019-0171: Application by Gus Kanos to rezone Tax ID # 0008-00-085, located at 9330 Charlotte Highway, from Low Density Residential (LDR) to General Business (GB) District. The property is approximately 1.5 acres in size and is improved with a video production studio.

disclosed any possible motive in the case. "Cut so short" Dedrick Strain died less than a week before his daughter's fifth birthday. "Miah was Dedrick's world," said Carolina Strain. "This man not only took my husband, but he took my daughter's father too," she said. "How do I explain to our daughter that her father is dead?" (803) 416-8416. Follow Kayla Vaughn on Twitter @kaybvaughn or contact her at (803) 416-8416.

This is to certify that the attached Legal Notice was published in The Lancaster News in the issue of October 6, 2019.

Berita G. Gumbly

Notary Public of South Carolina

My Commission Expires
January 13, 2021

CAROLINA GATEWAY

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

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Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department, which is located at 101 North Main Street, Room 108 Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Notice was published in CAROLINA

9, 2019

Miss G. Campbell

ary Public of South Carolina

CAROLINA GATEWAY

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

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Thousands swarmed around the National Fallen Firefighters Memorial in Maryland last week-end, honoring those who died in the line of duty last year. Among the names added to the memorial, was fallen Van Wyck Assistant Fire Chief Dennis Straight. Straight was one of 119 firefighters honored during the ceremony.

www.carolinagatewayonline.com
Newroom: (803) 283-1154 or (800) 844-9344, ext. 225; fax: (803) 283-8969; cnews@thelancasternews.com. Advertising: (803) 283-1140 or (803) 283-1142; advertising@thelancasternews.com.
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This is to certify that the attached Legal Notice was published in CAROLINA GATEWAY in the issue of *October 9, 2019*

Berita G. Conley

Notary Public of South Carolina

My Commission Expires
January 13, 2021

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2019-1624
Contact Person / Sponsor: Steve Willis/Administration
Department: Finance
Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

Amendment to the Fiscal Year 2020 budget.

Points to Consider:

The proposed amendments are attached. They include two departments who are requesting fee changes as well as additional funding requests for several projects and other items. Most requests will be funded through general fund fund balance except for the additional staff for the Indian Land Fire Dept. which will come from its own fund reserve. Several items have already been approved by Council via prior action, but this will catch up the budget.

Funding and Liability Factors:

Requests are to change the overall budget for the fiscal year and will impact fund balance.

Council Options:

Approve or reject the amendments.

Recommendation:

Staff recommends approval and positive recommendation from the Administration Committee.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2019-1624	10/22/2019	Ordinance
Budget Amendment Items	10/3/2019	Budget Amendment

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2019-1624

COUNTY OF LANCASTER

)

~~Indicates Matter Stricken~~

Indicates New Matter

AN ORDINANCE

TO AMEND ORDINANCE NO. 2019-1594, RELATING TO THE APPROPRIATION OF FUNDS AND THE APPROVAL OF A DETAILED BUDGET FOR LANCASTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020 (FY 2019-2020), TO FURTHER PROVIDE FOR REVENUES AND EXPENDITURES DURING THE FISCAL YEAR; AND TO PROVIDE FOR MATTERS RELATED THERETO.

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

Section 1. Appropriations; Detailed Budget.

(a) Section 2 and Section 4. of Ordinance No. 2019-1594 are amended to read:

/A. Subject to the terms and conditions of this ordinance, the sums of money set forth below, if so much is necessary, are appropriated from the General Fund of the County and other applicable funds as specified, to meet the ordinary expenses, including debt service, of county government for the fiscal year beginning July 1, 2019 and ending June 30, 2020 (FY 2019-2020):

Airport Fund	239,863
Capital Improvement Fund	2,600,000
Capital Project Sales Tax 2	17,530,162
County Debt	8,233,643
County Transportation Committee Fund	1,800,000
Court Mandated Security	1,504,706
Development Agreement Fund	1,305,801
E-911 Fund	734,013
General Fund	60,213,597 <u>64,919,386</u>
Hospitality Tax Fund	1,280,000
Indian Land Fire Protection District Fund	850,000 <u>1,011,420</u>
Local Accommodations Tax Fund	100,000
Pleasant Valley Fire Protection District Fund	786,933
Victims Services Fund	76,500
State Accommodations Tax Fund	381,550
Stormwater Fund	1,316,505

(b) The County Administrator is authorized to adjust the detailed operating budget for the County, as contained in the Annual Financial Plan, as previously approved by Council in Section 2A) and Section 4 of Ordinance No. 2019-1594, for the following items:

General Fund		Revenue	Expense
	Supplemental Revenue-State Department of Natural Resources	\$100,000	
	Springs Boat Landing Upgrades/Renovations		\$100,000
	Supplemental Revenue-Fund Balance	\$4,605,789	
	Springs Boat Landing Upgrades/Renovations		\$301,795
	Ongoing Maintenance for Springs Boat Landing		\$64,065
	Assistant Solicitor (grant ending)		\$85,241
	EMS Station 4/9 Construction Costs		\$730,063
	Old Bailes Road Grant Match		\$424,625
	EMS Headquarters Design		\$700,000
	Land Acquisition		\$2,300,000
Indian Land Fire District Fund	Supplemental Revenue- Fund Balance	\$161,420	
	Three Additional Full-time Staff and related costs		\$161,420

14.00 Planning

14.04	Subdivision Fees		
	Final plat	Per plat	\$100 plus- \$25 <u>for each lot</u>
	Civil Construction Plan Review	Per-plat	\$300 plus- \$25 <u>for each lot</u>

14.05	Zoning Fees		
	Rezoning application- single parcel		325 <u>435</u>
	Rezoning application- multi parcel		500 <u>610</u>
	2nd rezoning fee (within 1 month)		250 <u>360</u>
	Text amendment & Future Land Use Map Amendment Fee		325 <u>435</u>

14.06	Miscellaneous Fees		
	Item	Unit	Amount
	<u>Commercial Review Fee</u>		<u>\$300 plus- \$150</u> <u>per disturbed</u> <u>acre</u>

26.00 Airport

Item	Unit	Amount
<u>Open Airport hangar rental</u>	Per Month	100-150.00
<u>Airport Callout Fee</u>	<u>Per Hour,</u> <u>minimum 3</u>	<u>\$100.00</u>
<u>Ramp Tie Down Over Night</u>		<u>\$20.00</u>
<u>Ramp Tie Down Monthly</u>		<u>\$75.00</u>
<u>Small-Medium Turboprops/Light Jets Facility Fee</u>	<u>Per Day</u>	<u>\$75.00</u>
<u>Large Turboprops/Medium Jets Facility Fee</u>	<u>Per Day</u>	<u>\$150.00</u>
<u>Large Jets Facility Fee</u>	<u>Per Day</u>	<u>\$250.00</u>
<u>Lavatory Services</u>		<u>\$100.00</u>

Section 4. 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 5. Conflicting Provisions.

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

Section 6. Effective Date.

This ordinance is effective upon Third Reading.

SIGNATURES FOLLOW ON NEXT PAGE.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading:	October 28, 2019
Second Reading:	November 12, 2019
Public Hearing:	November 12, 2019
Third Reading:	November 25, 2019

Approved as to form:

John DuBose, County Attorney

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Funding Amendments

Item	Amount	Funding Source	Contact Department
Indian Land Firefighters	\$161,420	Indian Land Fire Fund Reserve	Indian Land Fire
Springs Boat Landing	\$401,795	General Fund Reserve	Recreation
Maintenance for Springs Boat Landing	\$64,065	General Fund Reserve	Recreation
Assistant Solicitor (grant ending)	\$85,241	General Fund Reserve	Solicitor
EMS 4/9	\$730,063	General Fund Reserve	EMS
Old Bailes Grant Match	\$424,625	General Fund Reserve	Stormwater/Administration
EMS HQ Design	TBD	General Fund Reserve	Project Management
Land Purchase	\$2,300,000	General Fund Reserve	Administration

Fee Amendments

14.00 Planning

14.04	Subdivision Fees		
	Final plat	Per plat	\$100 plus- \$25 <u>for each lot</u>
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Item	Unit	Amount
<u>Open</u> Airport hangar rental	Per Month	100 <u>150.00</u>
<u>Airport Callout Fee</u>	<u>Per Hour,</u> <u>minimum 3</u>	<u>\$100.00</u>
<u>Ramp Tie Down Over Night</u>		<u>\$20.00</u>
<u>Ramp Tie Down Monthly</u>		<u>\$75.00</u>
<u>Enclosed hangar rental</u>		<u>Call for Price</u>
<u>Small-Medium Turboprops/Light Jets Facility Fee</u>	<u>Per Day</u>	<u>\$75.00</u>
<u>Large Turboprops/Light Jets Facility Fee</u>	<u>Per Day</u>	<u>\$150.00</u>
<u>Large Jets Facility Fee</u>	<u>Per Day</u>	<u>\$250.00</u>
<u>Lavatory Services</u>		<u>\$100.00</u>

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2019-1625

Contact Person / Sponsor: Jamie Gilbert/Economic Development

Department: Economic Development

Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

Cardinal Health has operated a sterile custom surgical procedure kit assembly facility in Indian Land since 1999. As an incentive to locate in Lancaster County, the company was awarded a 20 Year FILOT at 6% assessment for both real and personal property with a fixed millage rate of 235.5 mills. The FILOT agreement required the company to invest at least \$14 million in real and/or personal property or create 600 jobs by 2001 in order to be eligible for the property tax reductions. Additionally, Cardinal Health was required to maintain a minimum investment of \$5 million throughout the term of the FILOT. The company met these requirements and has been in good standing with the FILOT.

Cardinal Health's final year of the FILOT is the current 2019 Tax Year. State tax law, allows the company to request that the Lancaster County Council extend their FILOT an additional ten years. The decision to extend is at council's discretion. Cardinal Health made the extension request to the Lancaster County Department of Economic Development (LCDED) on April 26, 2019.

In discussing the extension, LCDED and Cardinal Health agreed to a 50 mill increase of the millage from 235.5 mills to 285.5 mills. Additionally, due to a recent layoff at the Indian Land location, LCDED requested that a minimum number of full time jobs at the Indian Land facility be part of the FILOT extension and that those jobs had to be maintained annually in order for the company to receive the FILOT benefits each year. Cardinal Health has agreed to maintain 375 jobs annually at the facility during the extension period.

LCDED is requesting on behalf of Cardinal Health that their FILOT be extended an additional ten years with the following key terms and conditions:

- The millage will increase from 235.5 mills to 285.5 mills.
- The company will maintain a minimum investment of \$5 million annually and 375 full time jobs.
- Failure to maintain the investment or jobs requirement will result in the a FILOT calculation as if all property were taxable at the ad valorem rate.

Points to Consider:

Cardinal Health has been a good employer and corporate citizen throughout their 20 years in Lancaster County. Their decision to locate in Indian Land in 1999 was among the first major office/industrial investment in Indian Land and started the movement of major employers to the panhandle area of the County. The company owns their Indian Land facilities and has room for future growth.

The recently announced layoffs at Cardinal Health's Indian Land location are unfortunate but should not minimize the importance of the company to Lancaster County. Following the layoffs, Cardinal Health will be the sixth largest private employer in Lancaster County heading into 2020.

Historically, Lancaster County has approved FILOT requests when a company has met the requirements of their agreement and consistently demonstrated that they are a valuable and integral member of the County's business community.

Funding and Liability Factors:

A ten year extension of the FILOT does not create any funding or liability factors to Lancaster County. It does forego additional revenue that would be generated, as the FILOT expires this year and the company would begin paying ad valorem taxes on their land, building and equipment.

If no extension of the FILOT is granted the company will only see their assessment rate on personal property change, as the operation is classified by DOR as a commercial use. The building and land would continue to receive a 6% assessment, while personal property would increase from 6% to 10.5%. Additionally, the millage would increase on all property from 235.5 mills to the current annual millage rate, which in 2019 is 338 mills. Lastly, the value of the real property would be adjusted, as it would be picked up by the county assessor and be valued at fair market. What that amount would be is unknown but would likely be higher than the value under the FILOT.

As previously noted, the extension would increase the millage by 50 mills from what is in the agreement. This adjustment will result in additional taxes paid by Cardinal Health over the next ten years when compared to recent years. Additionally, if the company does not maintain the 375 required jobs, property taxes will be paid at the ad valorem rate, which means no adjustment to the assessment rate and the current annual millage applied to the assessed value of the property.

Council Options:

County Council can vote to:

- 1) Approve the Cardinal Health FILOT extension request per the amendment and ordinance,
- 2) Not approve the Cardinal Health FILOT extension request, or
- 3) Table the Cardinal Health FILOT extension request for further consideration and any additional changes.

Recommendation:

The Department of Economic Development recommends that County Council approve the Cardinal Health FILOT extension per the amendment and ordinance.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2019-1625	10/21/2019	Ordinance
Exhibit A to Ordinance 2019-1625 - First Amendment to Lease Agreement	10/21/2019	Amendment

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2019-1625

COUNTY OF LANCASTER

)

)

AN ORDINANCE

TO AUTHORIZE THE EXECUTION AND DELIVERY OF THE FIRST AMENDMENT TO LEASE AGREEMENT, BY AND BETWEEN LANCASTER COUNTY AND ALLEGIANCE HEALTHCARE CORPORATION, NOW KNOWN AS CARDINAL HEALTH 200, LLC.

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

Section 1. Findings.

The Council finds that:

(a) Lancaster County, South Carolina (the “County”), is a body politic and corporate and a political subdivision of the State of South Carolina (the “State”) and is authorized and empowered by the provisions of Title 4, Chapter 12 of the Code of Laws of South Carolina 1976, as amended (the “Act”), to enter into arrangements pursuant to which it acquires title to a project for the purpose of leasing the project to an industry and pursuant to which fee-in-lieu of tax (“FILOT”) payments are made to the lessor, all as provided in the Act for the purpose of promoting industrial development and trade in the State by inducing new industries to locate in the State and by encouraging industries now located in the State to expand their investments and thus utilize and employ the workforce and other resources of the State;

(b) Pursuant to the Act, the County and Allegiance Healthcare Corporation (after a name change and conversion to a limited liability company, now Cardinal Health 200, LLC) (the “Company”) entered into an Inducement and Millage Rate Agreement, dated July 27, 1998 (“1998 IMRA”) and a Lease Agreement, dated as of October 1, 1999 (“1999 Lease Agreement”);

(c) Pursuant to the 1998 IMRA and the 1999 Lease Agreement, the Company has made significant investments in the County (the “Project”), and has exceeded the investment and job requirements set forth in the 1998 IMRA and the 1999 Lease Agreement;

(d) The 1998 IMRA, at Section 4.02(a)(ii), and the 1999 Lease Agreement, at Sections 4.3 and 4.5(c)(iii), provide for a 20-year period (“Exemption Period”) during which Project property will receive FILOT benefits provided thereunder, and Section 4.3 of the 1999 Lease Agreement provides for a maximum term ending not later than December 31, 2026;

(e) The Company has requested that the County approve a 10-year increase of the Exemption Period, from 20 to 30 years, under the 1998 IMRA and the 1999 Lease Agreement, with the maximum term ending not later than December 31, 2036 (the “Extension”);

(f) The 1998 IMRA, at Section 4.04, and the 1999 Lease Agreement, at Section 4.5(c)(i), set the millage rate used to calculate FILOT payments during the Exemption Period at 235.5;

(g) The County and the Company have agreed to increase the millage rate that would be used during the Extension by increasing the rate by 50 mills, from 235.5 mills to 285.5 mills; and

(h) The Company has caused to be prepared and presented to the Council the form of an amendment to the 1999 Lease Agreement and it appears that the amendment, which is attached to this ordinance, is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended.

Section 2. Approval of Amendment.

Subject to the provisions of Section 4 of this ordinance, and, in order to promote industry, develop trade, and utilize and employ the workforce, products, and natural resources of the State by assisting the Company to expand or locate an industrial facility in the State, the First Amendment to Lease Agreement is authorized, ratified, and approved.

Section 3. Statutory Findings.

Council makes the following additional findings:

(a) The County's actions herein will subserve the purposes and in all respects conform to the provisions and requirements of the Act.

(b) The Project and the First Amendment to Lease Agreement are anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally and the Extension is of substantial public benefit in that it encourages the Company to remain in the County and to make additional investments in the County.

(c) The Project and the First Amendment to Lease Agreement give rise to no pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either.

(d) The purposes to be accomplished by the Project and the First Amendment to Lease Agreement, *i.e.*, economic development and addition to the tax base of the County, are proper governmental and public purposes.

(e) The inducement of the retention or expansion of the Project within the County and State is of paramount importance.

(f) The benefits of the Project and the First Amendment to Lease Agreement to the public will be greater than the costs to the public.

Section 4. Approval and Execution of Amendment.

The form, terms, and provisions of the First Amendment to Lease Agreement, attached hereto as Exhibit A, is approved, and all of the terms, provisions, and conditions thereof are incorporated herein by reference as if the First Amendment of Lease Agreement was set out in this ordinance in its entirety. The Council Chair and Council Secretary are authorized, empowered, and directed to execute and acknowledge the First Amendment to Lease Agreement in the name of and on behalf of the County, and thereupon to cause the

First Amendment to Lease Agreement to be delivered to the Company. The First Amendment to Lease Agreement is to be in substantially the form as attached to this ordinance and hereby approved, with such changes therein as shall not be materially adverse to the County and as shall be approved by the officials of the County executing the same, upon the advice of counsel to the County, such officer's execution thereof to constitute conclusive evidence of such officer's approval of any and all changes or revisions therein from the form of the First Amendment to Lease Agreement attached to this ordinance.

Section 5. Authority to Act.

The Council Chair, Council Secretary, Clerk to Council, County Administrator, County Attorney and all other appropriate officials of the County are authorized and directed to do any and all things necessary to effect the execution and delivery of the First Amendment to Lease Agreement and the performance of all obligations of the County under and pursuant to the First Amendment to Lease Agreement.

Section 6. 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 7. Controlling Provisions.

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

Section 8. Effective Date.

This ordinance is effective upon Third Reading.

SIGNATURES FOLLOW ON NEXT PAGE.

AND IT IS SO ORDAINED

Dated _____ day of _____, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: October 28, 2019
Second Reading: November 12, 2019
Public Hearing: November 25, 2019
Third Reading: November 25, 2019

Approved as to form:

John DuBose, County Attorney

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Exhibit A to Ordinance No. 2019-1625

First Amendment to Lease Agreement

See attached.

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO LEASE AGREEMENT (this "Amendment") is dated this ____ day of _____, 2019, by and between LANCASTER COUNTY, SOUTH CAROLINA (the "County"), a body politic and corporate and political subdivision of the State of South Carolina (the "State"), acting by and through its County Council (the "County Council") as governing body of the County, and CARDINAL HEALTH 200, LLC, a Delaware limited liability company (the "Company").

WITNESSETH:

WHEREAS, Allegiance Healthcare Corporation (after a name change and conversion to a limited liability company, now Cardinal Health 200, LLC) (the "Company") has made significant prior investments in the County and, in connection therewith, the Company and the County entered into an Inducement and Millage Rate Agreement, dated July 27, 1998 ("1998 IMRA") and a Lease Agreement dated as of October 1, 1999 ("1999 Lease Agreement");

WHEREAS, the 1998 IMRA, at Section 4.02(a)(ii), and the 1999 Lease Agreement, at Sections 4.3 and 4.5(c)(iii), provide for a 20-year period ("Exemption Period") during which property placed in service under the 1998 IMRA and the 1999 Lease Agreement will receive the fee-in-lieu of tax ("FILOT") benefits provided thereunder, and Section 4.3 of the 1999 Lease Agreement provides for a maximum term ending not later than December 31, 2026;

WHEREAS, the Company has exceeded the investment and job requirements set forth in the 1998 IMRA and the 1999 Lease Agreement;

WHEREAS, the Company has requested that the County approve a 10-year increase of the Exemption Period, from 20 to 30 years, under the 1998 IMRA and the 1999 Lease Agreement, with the maximum term ending not later than December 31, 2036 (the "Extension");

WHEREAS, the 1998 IMRA, at Section 4.04, and the 1999 Lease Agreement, at Section 4.5(c)(i), set the millage rate used to calculate FILOT payments during the Exemption Period at 235.5;

WHEREAS, the County and the Company have agreed to increase the millage rate that would be used during the Extension by increasing the rate by 50 mills, from 235.5 mills to 285.5 mills; and

WHEREAS, by enactment of Ordinance No. 2019-____, the County Council has authorized the County to enter into this Amendment.

NOW, THEREFORE, in view of the respective agreements contained in this Amendment and other consideration, the parties hereby agree as follows:

SECTION 1. EXTENSION OF LEASE TERM.

Section 4.3 of the 1999 Lease Agreement, relating to Lease Term, is amended to read:

“The County agrees to deliver to the Company sole and exclusive possession of each item of the Facilities on the same date that title to each such item vests in the County pursuant to Section 3.4, and to grant the Company such sole and exclusive possession of each such item for the term beginning on such vesting date and continuing until the end of the 30 years after the 31st day of December in the year of such vesting date; provided that the maximum term hereof shall not be later than December 31, 2036. The Company shall have sole and exclusive possession of the Facilities during the term hereof. This Agreement shall terminate with respect to the Facilities or any part thereof upon the earliest to occur of (a) payment of the final installment of Payments-in-Lieu-of-Taxes pursuant to Section 4.5(b) hereof, or (b) exercise by the Company of its option to purchase and terminate pursuant to Section 11.1 hereof.”

SECTION 2. MILLAGE RATE INCREASE.

The opening paragraph of Section 4.5(c)(i) of the 1999 Lease Agreement, relating to Payments-in-Lieu-of-Taxes, is amended to read:

“The Company has agreed to make an annual Payment-in-Lieu-of-Taxes with respect to the Project in an amount not less than the property taxes that would be due with respect to such property, if it were taxable, but using an assessment ratio of 6%; a millage rate of 235.5 except that for the period exceeding 20 years following the year that any Project property was placed in service during the Project Acquisition Period, a millage rate of 285.5; and a fair market value estimate determined by the DOR as follows:”

SECTION 3. EXTENSION OF PERIOD FOR CALCULATING PAYMENTS.

Section 4.5(c)(iii) of the 1999 Lease Agreement, relating to Payments-in-Lieu-of-Taxes, is amended to read:

“Any property placed in service as part of the Project during the Project Acquisition Period shall be included in the calculation of payments pursuant to paragraphs (c)(i) and (ii), above, for a period not exceeding 30 years following the year in which such property was placed in service. Replacement Property shall be included (using its income tax basis) in the calculation of payments pursuant to paragraphs (c)(i) and (ii), above, but only up to the original income tax basis of property which is being disposed of in the same property tax year. To the extent that the income tax basis of the Replacement Property exceeds the original income tax basis of the property which it is replacing, the portion of such property allocable to the excess amount shall represent a Non-FILOT Asset and be subject to payments as provided in subsection (a) above. Replacement Property is entitled to the fee payment pursuant to this paragraph (c) for the period of time remaining on the 30-year fee period for the property which it is replacing; provided, however, that where a single item of property replaces two or more items of property, the fee period for such Replacement

Property shall be measured from the earliest date on which any item of property it replaces first became subject to Payments-in-Lieu-of-Taxes.”

SECTION 4. JOBS REQUIREMENT.

Section 4.5(c) of the 1999 Lease Agreement, relating to Payments-in-Lieu-of-Taxes, is amended by adding at the end:

“(v) Notwithstanding the provisions of Section 4.5(c)(i), in any year during the period exceeding 20 years following the year that any Project property was placed in service during the Project Acquisition Period, if the Company fails to have employed in full-time jobs (*i.e.*, at least thirty (30) hours per week and all with health care benefits) an average of not less than 375, the Company agrees to pay to the County an additional fee equal to the difference between the total amount of Payment-in-Lieu-of-Taxes actually made by the Company pursuant to Section 4.5(c)(i) and a Payment-in-Lieu-of-Taxes calculated using the then current millage rate and the assessment ratios that would be applicable if Project property were subject to *ad valorem* property taxes.”

SECTION 5. NOTICE ADDRESSES.

Section 12.1 of the 1999 Lease Agreement, relating to Notices, is amended to read:

“All notices, approvals, consents, requests and other communications hereunder shall be in writing and may be delivered personally, or may be sent by facsimile or certified mail, return receipt requested, to the following addresses, unless the parties are subsequently notified of any change of address in accordance with this Section 12.1:

If to the Company:

Cardinal Health 200, LLC
7000 Cardinal Place
Dublin, Ohio 43017
Attention: Planning Manager, State and Local Tax

If to the County:

Lancaster County, South Carolina
PO Box 1809 (29721-1809)
101 N. Main St. (29720)
Lancaster, South Carolina
Attention: County Administrator

With a copy to (which shall not constitute notice):

Lancaster County, South Carolina
PO Box 1809 (29721-1809)

Lancaster, South Carolina
Attention: Economic Development Director

Any notice shall be deemed to have been received as follows: (1) by personal delivery, upon receipt; (2) by facsimile, 24 hours after transmission or dispatch; and (3) by certified mail, 3 business days after delivery to the U.S. Postal authorities by the party serving notice.”

SECTION 6. CONTROLLING PROVISIONS.

To the extent that the terms of the 1999 Lease Agreement, as amended by this Amendment, differ from, or are inconsistent with, the terms of the 1998 IMRA, County and Company agree that the 1999 Lease Agreement, as amended by this Amendment, supersedes and controls over any term of the 1998 IMRA that differs from or is inconsistent with, the terms of the 1999 Lease Agreement as amended by this Amendment, and the County and Company agree that to the extent of any difference or inconsistency, the 1998 IMRA is hereby amended to be consistent with the terms of the 1999 Lease Agreement, as amended by this Amendment. Every provision of the 1999 Lease Agreement not amended or modified by the terms of this Amendment shall remain unchanged and in full force and effect.

SECTION 7. COUNTY AND COMPANY REPRESENTATIONS.

A. The County represents that it has approved this Amendment by adoption of Ordinance No. 2019-____ and in accordance with the procedural requirements of the County Council and any other applicable law.

B. Company represents that the execution, delivery and performance by the individual or entity signing this Amendment on behalf of Company has been duly authorized and approved by all requisite action on the part of Company.

SECTION 8. COUNTERPARTS.

This Amendment may be executed in several counterparts, each of which shall be deemed an original, and such counterparts shall constitute but one and the same instrument.

SECTION 9. COST REIMBURSEMENT.

Company agrees to reimburse the County its administrative expenses related to this Amendment promptly upon written request therefore, but in no event later than thirty (30) days after receiving the written request from the County; provided, however, that in no event shall Company be responsible for reimbursing the County in excess of \$3000 for any administrative expenses incurred in the form of attorneys’ fees or otherwise with respect to any matter relating in any way to the preparation, review, approval and execution of this Amendment. The written request shall include a description of the nature of the administrative expenses.

SECTION 10. FILING WITH DEPARTMENT OF REVENUE.

In addition to any filing requirement applicable by law to the Company relating to this Amendment, the County Administrator, or the County Administrator's designee, shall deliver, or cause to be delivered, a copy of this Amendment to the South Carolina Department of Revenue within thirty (30) days of the date first above written.

SECTION 11. EFFECTIVE DATE.

This Amendment is effective as of the date first above written.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date first above written.

LANCASTER COUNTY, SOUTH CAROLINA

By: _____
Steve Harper, Chair, County Council

By: _____
Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

CARDINAL HEALTH 200, LLC

By: _____

Name: _____

Title: _____

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Ken Holt/ Ed Lee/ Paul Moses

Department: Administration

Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

Updating the Airport Capital Improvement Plan.

Points to Consider:

Having an Airport Capital Improvement Plan is a FAA requirement.

As with any CIP, being included in the plan is not a guarantee of funding. That only happens when Council authorizes the funding.

The new project in the fifth year is a 100 by 100 aircraft hangar.

Funding and Liability Factors:

The CIP is for planning purposes and no funding is allocated until approved in the budget.

Council Options:

Approve the CIP or send it back to the Airport Commission for more study.

Recommendation:

The Airport Commission recommends approval and the Infrastructure and Regulation Committee moved the item to full Council with a favorable recommendation.

ATTACHMENTS:

Description	Upload Date	Type
Proposed Lancaster County Airport Capital Improvement Plan FFY 2021 - FFY 2025	10/2/2019	Backup Material

Lancaster County Airport (LKR) Capital Improvement Plan (CIP) FFY 2021 - FFY 2025

FFY 2018 & FFY 2019 shown for reference

Federal Fiscal Year (FFY)	Project	Phase	Cost	FAA Share	SCAC Share	Sponsor Share
2018	Apron Rehabilitation & RELLs	Design	\$131,496	\$118,346	\$6,575	\$6,575
	Total		\$131,496	\$118,346	\$6,575	\$6,575
	Entitlements		\$0	+ \$150,000	- \$118,346	= \$31,654
2019	Roll Over Entitlements		\$31,654	+ \$150,000	- \$0	= \$181,654
2020	Apron Rehabilitation & RELLs	Construction	\$887,450	\$798,705	\$44,373	\$44,373
	Terminal Area Plan	Planning	\$90,000	\$81,000	\$4,500	\$4,500
	Total		\$977,450	\$879,705	\$48,873	\$48,873
	Entitlements		\$181,654	+ \$150,000	- \$879,705	= -\$548,051
2021	Terminal Building	Design	\$250,000	\$150,000	\$12,500	\$87,500
	Total		\$250,000	\$150,000	\$12,500	\$87,500
	Entitlements		\$0	+ \$150,000	- \$150,000	= \$0
2022	Roll Over Entitlements		\$0	+ \$150,000	- \$0	= \$150,000
2023	Terminal Building	Construction	\$1,300,000	\$300,000	\$500,000	\$500,000
	Total		\$1,300,000	\$300,000	\$500,000	\$500,000
	Entitlements		\$150,000	+ \$150,000	- \$300,000	= \$0
2024	Roll Over Entitlements		\$0	+ \$150,000	- \$0	= \$150,000
2025	100' X 100' Hangar	Construction	\$1,200,000	\$300,000	\$0	\$900,000
	Total		\$1,200,000	\$300,000	\$0	\$900,000
	Entitlements		\$150,000	+ \$150,000	- \$300,000	= \$0
FAA Total (FFY 2021 through FFY 2025)			\$750,000			

Note: SCAC participates in funding construction of terminal buildings at 50% of the non-federal share up to \$500,000.

Note: SCAC does not participate in funding revenue producing facilities such as hangars.

September 24, 2019

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson/Clerk to Council

Department: Administration

Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

Katrina Grier completed an application to be appointed as an At Large member on the Health and Wellness Commission. If appointed, she will be filling a four (4) year term that will end on 06/30/2023. This appointment will be her first to the Health and Wellness Commission.

Robin Dawson completed an application to be appointed as the Health Education Representative for the Health and Wellness Commission. If appointed, she will be filling a four (4) year term that will end on 06/30/2023. This appointment will be her first on the Health and Wellness Commission.

Points to Consider:

Katrina Grier's and Robin Dawson's applications are attached for Council's review and consideration.

Funding and Liability Factors:

N/A

Council Options:

Council can approve or deny the appointments.

Recommendation:

Approve the appointments.

ATTACHMENTS:

Description	Upload Date	Type
Application from Katrina Grier for an At Large position on the Health and Wellness Commission	10/22/2019	Backup Material
Application from Robin Dawson as the Health Education Representative on the Health and Wellness Commission	10/24/2019	Backup Material

**LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE**

Name Katrina Grier County Council District _____

Mailing Address _____ City/Zip Lancaster, SC

Street Address _____ Registered Voter yes^X no _____

Tel. Number (home) _____ (work) _____ (other) _____

Email: kldg@008@yahoo.com

Occupation Program Coordinator Place of employment The Children's Council

Address 1609 Pageland Hwy Normal working hours 7:30a-4p
(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

Name of Board or Commission in which you are interested

1st choice Health and Wellness Commission 2nd choice Community Relations Commission

3rd choice Recreation Advisory Board

Reason for interest

I was born and raised in Lancaster, and I feel that is an honor to be able to serve the city that has served me.

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

I feel that I am qualified to serve on any board because I am a Lancaster Native who has a passion for the men, women, and children, in my community and in my city, and because of my education and experiences. I was educated in the Lancaster County School District; I studied business, psychology, and criminal justice at the University of South Carolina Lancaster; I've had the honor of serving my country in the Army National Guard, that is where I learned uniformity, leadership skills, resiliency, perseverance, and the importance of teamwork.

Do you presently serve any State, County or Municipal Boards? No If yes, list _____

Have you ever served on a county board? No If yes, list _____

Additional pertinent information

I am currently employed with The Children's Council, where I am a Teen Pregnancy Prevention (TPP) Program Coordinator. My job is to teach an evidence-based curriculum to students attending Lancaster's middle and high schools. I also serve on the Policy Council at the Southside Early Childhood Center.

Applicant's signature 
Key: 349c8b47d830a7a204bd1e81d19b1

Date 10/17/2019

Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

Return completed application to Sherrie Simpson, Lancaster County Council Office, P.O. Box 1809, Lancaster, SC 29721

**LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE**

Name Robin M. Dawson County Council District 4

Mailing Address _____ City/Zip Lancaster

Street Address _____ Registered Voter yes^X no _____

Tel. Number (home) _____ (work) _____ (other) _____

Email: rdestrada@comporium.net

Occupation Professor Place of employment University of South Carolina

Address 1601 Greene St. Columbia SC 29208 Normal working hours 8-5
(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

Name of Board or Commission in which you are interested

1st choice Health and Wellness Commission 2nd choice _____

3rd choice _____

Reason for interest

I am committed to improving the health of Lancaster residents by focusing on both the individual and the community.

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

I have practiced as a pediatric nurse practitioner for over twenty years in Lancaster and am well versed in delivering primary care in this setting. I am also a doctorally prepared researcher and educator who focuses on improving patient outcomes. I have served on other boards in Lancaster, including the Diabetes Education Center. I think my background prepares me well to be of benefit on this board.

Do you presently serve any State, County or Municipal Boards? No If yes, list _____

Have you ever served on a county board? No If yes, list _____

Additional pertinent information

Applicant's signature 
eSigned via SeemlessDocs.com
Key: 349c9b47d83dc0e7ae264bd1c81d19b1

Date 10/22/2019

Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

Return completed application to Sherrie Simpson, Lancaster County Council Office, P.O. Box 1809, Lancaster, SC 29721

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Allen Blackmon, Councilman, District 6

Department: Administration

Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

Allen Blackmon has nominated Lewis J. (JaBo) Sims to the Board of Zoning Appeals for a four (4) year term that will expire on 06/30/2023. Mr. Sims is currently serving an unexpired term on the Board, so if he is reappointed, he will actually be serving his first term on the Board.

Allen Blackmon has nominated Silberio M. Francis Sr. to the Community Relations Commission for a four (4) year term that will expire on 06/30/2023. Mr. Francis is currently serving an unexpired term on the Commission, so if he is reappointed, he will actually be serving his first term on the Commission.

Allen Blackmon has nominated Timothy Charles Catoe to the Construction Board of Appeals for a four (4) year term that will expire on 06/30/2023. If reappointed, Mr. Catoe will be serving his third term on the Board.

Points to Consider:

Lewis J. Sims', Silberio M. Francis Sr.'s and Tim Catoe's applications are attached for Council's review and consideration.

Funding and Liability Factors:

N/A

Council Options:

Council can approve or deny the appointments.

Recommendation:

Approve the appointments.

ATTACHMENTS:

Description	Upload Date	Type
Application from Lewis Sims for the Board of Zoning Appeals	10/22/2019	Backup Material
Application from Silberio Francis Sr. for the Community Relations Commission	10/22/2019	Backup Material
Application from Tim Catoe for the Construction Board of Appeals	10/24/2019	Backup Material

LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE



Name LEWIS J. (JABO) SIMS County Council District 6
Mailing Address _____ City/Zip Kershaw, SC 29067
Street Address _____, Kershaw Registered Voter yes ☒ no _____
Tel. Number (home) _____ (work) ☒ (other) _____
Email: _____
Occupation LET Place of employment _____
Address _____ Normal working hours _____
(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

Name of Board or Commission in which you are interested

1st choice Zoning Board & AREA 2nd choice _____
3rd choice _____

Reason for interest I UNDERSTAND IT'S BEEN A HARD SLOT TO
FILL, WE NEED SOMEONE FROM OUR AREA TO
LOOK OUT FOR OUR INTEREST.

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

HAVE SERVED ON SIMILAR BOARDS IN THE PAST.
I ALSO HAVE A 12TH GRADE EDUCATION (DIPLOMA)

Do you presently serve any State, County or Municipal Boards? NO If yes, list _____

Have you ever served on a county board? YES If yes, list ZONING BOARD,
C+C BOARD

Additional pertinent information

Applicant's signature Lewis J. Sims Date 1-9-17
Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE



Name SILBERIO M FRANCIS SR County Council District _____

Mailing Address _____ City/Zip 29720

Street Address _____ Registered Voter yes ☒ no ☐

Tel. Number (home) _____ (work) _____ (other) _____

Email: SFRANCISSR1652@OUTLOOK.COM

Occupation RETIRED Place of employment _____

Address _____ Normal working hours _____

(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

Name of Board or Commission in which you are interested

1st choice Community Relations 2nd choice _____

3rd choice _____

Reason for interest

I see a failure of communication for the needs of the community - such as education, employment and relationships with authority. I believe I have the capability of bridging some of the gaps between the community and its problems.

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

My first language is Spanish and I am sensitive to the environment of the streets. I served 12 honorable years in the USMC and 15 years on the New York City Police Dept. I also ran a group home in NYC for troubled teens for 4 years.

Do you presently serve any State, County or Municipal Boards? NO If yes, list _____

Have you ever served on a county board? NO If yes, list _____

Additional pertinent information

Applicant's signature Silberio M Francis Sr Date 1-28-16

Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE



Name Timothy Charles Catoe County Council
District _____

Mailing Address _____ City/Zip Lancaster 29720

Street Address _____ Registered Voter yes ☒ no ☐

Tel. Number (home) _____ (work) _____ (other) _____

Email: Tim.catoe@comporium.com

Occupation security system installer repairman Place of employment Comporium

Address _____ Normal working hours 8:00-5:00
(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

Name of Board or Commission in which you are interested _____

1st choice construction board of appeals _____ 2nd choice any
3rd choice any _____

Reason for interest _____

Reapplication _____

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

I have a 2 yrs degree in civil engineering

Do you presently serve any State, County or Municipal Boards? Yes _____ If yes, list construction board of appeals _____

Have you ever served on a county board? Yes _____ If yes, list construction board of appeals _____

Additional pertinent information _____

Applicant's signature _____

Date 10-22-19

Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Clay Catoe/EMS and Steve Willis/Administration

Department: EMS

Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

Notification of receipt of 2019 DHEC GIA (Grant In Aid) Grant.

Points to Consider:

This is an annual formulamatic grant from DHEC. 50% of the funding is divided equally among the counties and 50% is divided based on population.

Plans this year are to offset the cost of sending 4 medics to Paramedic class rather than the usual 2.

Statewide we are not turning out as many Paramedics as we are losing every year. This is making the competition for Paramedics even more important than in the past.

Funding and Liability Factors:

The GIA amount for 2019 is \$10,274.73.

There is a 5.5% local match (\$565.13) which would come from the grant match account.

Council Options:

Approve or reject the local match.

Recommendation:

Staff recommends approving the local match and the Public Safety Committee voted to send the item to full Council with a favorable recommendation.

ATTACHMENTS:

Description	Upload Date	Type
DHEC GIA Letter	9/28/2019	Exhibit



September 16, 2019

Steve Willis
County Administrator
PO Box 1809
Lancaster, SC 29721-1809

Re: FY2019-2020 Grant-in-Aid fund

Dear Mr. Willis:

The South Carolina Department of Health and Environmental Control ("DHEC"), in accordance with section 34.8 of the Part 1B Provisos of the **2019-2020** Appropriations Act, will distribute state appropriated funds among Counties for the purpose of improving and upgrading the Emergency Medical Services system throughout the state. The funds are allocated in accordance with the following methodology or formula: 50% of the funds appropriated will be allocated equally among the 46 counties in SC and the remaining 50% will be allocated based on the proportion of the population in each county. **Lancaster County** allocation for Fiscal Year 2019-2020 is determined to be **\$10,274.73**.

By signing and returning this letter to DHEC, **Lancaster County** agrees that it is entitled to a portion of funds and understands how the money was allocated. The funds will be used in accordance with Proviso 34.8 of the **2019-2020** Appropriations Act and any applicable statutes and regulations.

Section 117.21 in the Miscellaneous Provisions section of the Act requires organizations receiving contributions from DHEC in the Appropriations Act to provide the following documentation by November 1st of the year that the funds are to be received:

1. An accounting of how the state funds will be spent;
2. Goals to be accomplished;
3. Proposed measures to evaluate success in implementing and meeting the goals;
4. A copy of your adopted budget for the current year; and
5. A copy of your organization's most recent operating financial statement.

It is further required, that by **June 30, 2020**, the following shall be provided:

1. An accounting of how the funds were spent;
2. Outcome measures used to determine the success of the stated goals

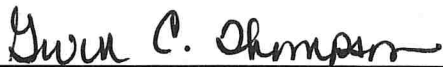
In addition to these requirements, Proviso 34.8 requires local matching funds to be provided by the recipients of the allocations. In order to meet these requirements, we will need the following:

1. Documentation that the receiving party meets the 5.5% matching amount and a description of the local Matching funds.

Disbursement of these funds will take place once this information has been received and processed by DHEC. If the funds are used in any way that is different from what was described in the submission under item #1, please submit a letter stating what was funded differently and how the funds were actually spent with a statement that the funds were spent in a manner appropriate to the requirements of the Proviso.

The above documentation must be sent by mailing paper copies to Mary Neely, Grant in Aid, Bureau of EMS at 2600 Bull Street, Columbia, SC 29201 or by **emailing electronic copies to emsgia@dhec.sc.gov.**

Please contact Mary Neely at (803) 545-4273 or **email at emsgia@dhec.sc.gov** if you have any questions or need further assistance.



Gwen C. Thompson

Interim Director, Health Regulation

I have reviewed the methodology provided by DHEC and I agree both that the method is reasonable, and this is the correct amount using this formula. I agree to provide the required documentation. I am an authorized party of **Lancaster County** to legally commit this organization.

Print Name (Authorized Party)

Signature (Authorized Party)

Date

34.8. (DHEC: Emergency Medical Services) Funds appropriated herein for Emergency Medical Services, shall be allocated for the purpose of improving and upgrading the EMS system throughout the state. The monies allocated to the Counties are for the purpose of improving or upgrading the local EMS system through the licensed ambulance services, the monies allocated to the EMS Regional Councils are for the administration of training programs and technical assistance to local EMS organizations and county systems. All additional funds are to be allocated as follows: to the counties at the ratio of eighty-one percent of the additional funds appropriated herein, to the EMS Regions at a ratio of twelve percent of the additional funds appropriated herein and to the state EMS Office at the ratio of seven percent of the additional funds appropriated herein. The Department of Health and Environmental Control shall develop criteria and guidelines and administer the system to make allocations to each region and county within the state, based on demonstrated need and local match. Funds appropriated to Emergency Medical Services shall not be transferred to other programs within the department's budget. Unexpended funds appropriated to the program may be carried forward to succeeding fiscal years, and fifty percent may be expended for administrative and operational support and for temporary and contract employees to assist with duties related to improving and upgrading the EMS system throughout the state, including training of EMS personnel and administration of grants to local EMS providers. After January 1st of the current fiscal year, the remaining fifty percent of unexpended funds carried forward shall be transferred to the South Carolina EMS Association to promote and encourage education of emergency medical technicians and directors of emergency medical services; to collect, analyze, and distribute information about emergency medical services; to promote the improvement of patient care; to cooperate with other organizations; and to effect more efficient administration of emergency medical services in the State of South Carolina. In addition, when instructed by the Executive Budget Office or the General Assembly to reduce funds by a certain percentage, the department may not reduce the funds appropriated for EMS Regional Councils or Aid to Counties greater than such stipulated percentage.

117.21. (GP: Organizations Receiving State Appropriations Report) Each organization receiving a contribution in this act shall render to the state agency making the contribution by November first of the fiscal year in which funds are received, an accounting of how the state funds will be spent, goals to be accomplished, proposed measures to evaluate success in implementing and meeting the goals, a copy of the adopted budget for the current year, and also a copy of the organization's most recent operating financial statement. The funds appropriated in this act for contributions shall not be expended until the required financial statements are filed with the appropriate state agency. No funds in this act shall be disbursed to organizations or purposes which practice discrimination against persons by virtue of race, creed, color or national origin. The State Auditor shall review and audit, if necessary, the financial structure and activities of each organization receiving contributions in this act and make a report to the General Assembly of such review and/or audit, when requested to do so by the State Fiscal Accountability Authority. From the funds an organization receives from a state agency, for accountability purposes, by June thirtieth organizations receiving contributions in this act shall submit a report to the state agency making the contribution that includes an accounting of how the funds were spent and the outcome measures used to determine the success of the stated goals. State agencies receiving such data from organizations shall forward the information to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

117.21. (GP: Organizations Receiving State Appropriations Report) Each organization receiving a contribution in this act shall render to the state agency making the contribution by November first of the fiscal year in which funds are received, an accounting of how the state funds will be spent, goals to be accomplished, proposed measures to evaluate success in implementing and meeting the goals, a copy of the adopted budget for the current year, and also a copy of the organization's most recent operating financial statement. The funds appropriated in this act for contributions shall not be expended until the required financial statements are filed with the appropriate state agency. No funds in this act shall be disbursed to organizations or purposes which practice discrimination against persons by virtue of race, creed, color or national origin. The State Auditor shall review and audit, if necessary, the financial structure and activities of each organization receiving contributions in this act and make a report to the General Assembly of such review and/or audit, when requested to do so by the State Fiscal Accountability Authority. From the funds an organization receives from a state agency, for accountability purposes, by June thirtieth organizations receiving contributions in this act shall submit a report to the state agency making the contribution that includes an accounting of how the funds were spent and the outcome measures used to determine the success of the stated goals. State agencies receiving such data from organizations shall forward the information to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Steve Willis/Administration and Sheriff Barry Faile/Sheriff's Department

Department: Administration

Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

Continuation of federal grant for Lancaster County Sheriff's Office Narcotics Unit position. Justice Assistance Grant Program Number 1G19005.

Points to Consider:

This is a continuation grant so it is coming straight to County Council for approval without going through a Committee.

Funding and Liability Factors:

Local match of \$8,644 (coming from grant match account)

Federal grant amount of \$77,791

Total project is \$86,435

Council Options:

Approve or reject the grant.

Recommendation:

I recommend a motion be approved for this grant:

MOTION: That the Sheriff, Finance Director, and such other County staff as may be needed are authorized to execute documents related to accepting the continuation grant for the Sheriff's Narcotic Unit with funding coming from the Grant Match account.

ATTACHMENTS:

Description	Upload Date	Type
DPS Notice of Grant	10/14/2019	Exhibit



South Carolina Department of Public Safety

Office of Highway Safety and Justice Programs

October 1, 2019

Mr. Steve Willis
County Administrator
Lancaster County
Post Office Box 1809
Lancaster, South Carolina 29721-1809

RE: Justice Assistance Grant Program No. 1G19005
Narcotics Unit Expansion Continuation

Dear Mr. Willis:

I am pleased to provide you with a grant award approved by this office in the amount of \$77,791 for the above-referenced grant project. To complete the contract for this award, it is necessary for you, as the Official Authorized to Sign, to return the original grant award with an original signature within 30 days from the date of this award. The signed original should be sent to:

Mrs. Angel Majors, Administrative Assistant
Office of Highway Safety and Justice Programs
S.C. Department of Public Safety
Post Office Box 1993
Blythewood, South Carolina 29016

Copies of the Request for Payment/Quarterly Fiscal Report Forms are enclosed. The financial reports should be completed for each calendar quarter ending date and are due 30 days after the end of the quarter. The due dates and periods covered for programmatic progress reports are indicated within the enclosed special conditions.

Please contact your assigned program coordinator if you have any questions regarding this award.

Sincerely,

John Westerhold
OHSJP Director

Enclosures

c: Sheriff Barry S. Faile
Official File

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Steve Willis/Administration

Department: Administration

Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

This is to inform Council that Video Vision now has a new corporate identity and that Charter is making pricing changes for their new customers.

Points to Consider:

Cable TV franchises have been handled by the state for many years.

I have informed the Secretary of State that we will retain our franchise fee as provided for in the budget ordinance and that we must retain our two Public Access channels for Video Vision/ Catawba Services.

The pricing change by Charter is just a formal notice and requires no Council action.

Funding and Liability Factors:

N/A - no change in franchise fee; just a name change.

Council Options:

N/A - this is for Council information only.

Recommendation:

N/A

ATTACHMENTS:

Description	Upload Date	Type
Video Vision Notice	10/13/2019	Exhibit
Charter Notice	10/13/2019	Exhibit

September 27, 2019

Sent Via Certified Mail

Mr. Steve Willis
County Administrator
P. O. Box 1809
Lancaster, SC 29721

Dear Mr. Willis:

Please be advised that the Video Vision, Inc. State-Issued Cable Franchise for the County of Lancaster is being transferred to Catawba Services, LLC (d/b/a Comporium) effective October 1, 2019 (see enclosed).

At the effective time, upon the terms and subject to the condition set forth in the transfer, Video Vision, Inc. shall be merged with and into Catawba Services, LLC whereupon the separate identity and existence of each shall cease, and Catawba Services, a limited liability company, shall continue as the surviving company in the Merger (the "Surviving Entity") and all rights, privileges, powers, franchises, properties and assets of Video Vision, Inc. shall be vested in the Surviving Entity.

If you have any questions or concerns, please feel free to give me a call at 803-326-2745 or e-mail me at karl.skroban@comporium.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karl W. Skroban'.

Karl W. Skroban
Vice President
Video Strategy & Programming

KWS/cj
Enc.

AFFIDAVIT REGARDING TRANSFER OF
STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY

PERSONALLY appeared before me the undersigned who being duly sworn according to law, deposes and says on oath:

My name is KARL W. SKROBAN and my title/position is VP OF VIDEO STRATEGY & PROGRAMMING of CATAWBA SERVICES, LLC. This affidavit is based upon my personal knowledge of the facts contained in this affidavit. My company is the successor in interest to VIDEO VISION, INC. who holds a Certificate of Franchise Authority. I certify and affirm that all such facts are true and correct. I affirm that my company agrees to comply with all applicable federal and state laws and regulations.

My company is successor in interest to VIDEO VISION, INC. who currently holds a Certificate of Franchise Authority to provide cable or video services in the following areas:
LANCASTER COUNTY

(Written description of the municipalities and unincorporated areas of the counties to be served in whole or in part. A map or other graphic representation may supplement, but not substitute for the written description.)

The principal place of business for my company is located at 330 E. BLACK STREET,
ROCK HILL, SC 29730

The principal executive officers of the applicant are:

Name & Title	Address	Telephone No.
BRYANT G. BARNES, PRES.	330 E. BLACK STREET, ROCK HILL, SC 29730	803-326-6009
KARL W. SKROBAN, VP	330 E. BLACK STREET, ROCK HILL, SC 29730	803-326-2745
JOHN M. BARNES, JR., EVP	330 E. BLACK STREET, ROCK HILL, SC 29730	803-326-4496
KEVIN CAGE, EVP/TREAS.	330 E. BLACK STREET, ROCK HILL, SC 29730	803-326-7626

Dated this 27th day of September, 2019.

SWORN to and subscribed before me this

27th day of September, 2019

Jessie B. Vaughn

Notary Public for SC

My Commission Expires: 07/29/2020

Karl W. Skroban

Officer/General Partner's Signature

KARL W. SKROBAN

Type or Print Name

330 E. BLACK STREET, ROCK HILL, SC 29730

Address

803-326-2745

Telephone Number

Steve Willis

From: Tanck, Michael E <Michael.Tanck@charter.com>
Sent: Wednesday, October 9, 2019 11:18
To: Tanck, Michael E
Subject: [EXTERNAL] Charter Communications - Upcoming Changes

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



Dear Sir or Madam:

At Charter, locally known as Spectrum, we continue to enhance our services in order to offer more entertainment and communication choices, and to deliver the best value to our customers. We are committed to offering our customers with products and services we are sure they will enjoy.

Programming fees charged by TV networks we carry are the greatest single factor in higher cable prices, and continue to rise. Despite our best efforts to control these costs, this has resulted in a change in the rates we charge our customers.

Effective on or after November 12, 2019, the following monthly pricing changes will affect **new** customers subscribing to Spectrum TV Silver and Spectrum TV Gold services.

Services/Products/Equipment	Pricing Adjustment
Spectrum TV Silver	Price will increase by \$5.00 to \$97.49.
Spectrum TV Gold	Price will increase by \$5.00 to \$117.49.

Further, effective on or after November 12, 2019, Charter will launch the Spectrum TV Sports Pack, a channel sports tier, available for monthly subscription to new customers for \$5.00 per month. Existing customers who currently receive these channels as part of their service will not be charged an additional fee for the new tier.

Channels that may be included in the new Spectrum TV Sports Pack may include: ESPNNews, Tennis Channel, Outdoor Channel, Golf Channel, NHL Network, NFL Network, MAVTV Motorsports Network, NFL RedZone, ESPN Goal Line/Bases, MLB Strike Zone, Olympic Channel, Olympic Channel HD, Tennis Channel HD, MLB Strike Zone HD, ESPN Goal Line/Bases HD, ESPNNews HD, NFL Network HD, Golf Channel HD, NFL RedZone HD, NHL Network HD, Outdoor Channel HD, MAVTV Motorsports Network HD, ESPN College Extra 1 HD, ESPN College Extra 2 HD, ESPN College Extra 3 HD, ESPN College Extra 4 HD, ESPN College Extra 5 HD, ESPN College Extra 6 HD, ESPN College Extra 7 HD and ESPN College Extra 8 HD. Not all channels are available on all channel lineups. To view a current channel lineup for your area, visit www.spectrum.com/channels.

We remain committed to providing an excellent experience for our customers, in your community and in each of the communities we serve. If you have any questions, please feel free to contact me.

Sincerely,

--Mike



Michael E. Tanck | Director of Government Affairs | (O) 704.378.2739 | (C) 704.719.7604
3140 West Arrowood Road | Charlotte, NC 28273
michael.tanck@charter.com

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Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Steve Willis/Administration

Department: Administration

Date Requested to be on Agenda: 10/28/2019

Issue for Consideration:

The National Park Service/ United States Department of the Interior has awarded Lancaster County and the South Carolina Battlefield Preservation Trust an American Battlefield Protection Program Battlefield Land Acquisition Grant for the Horton IV Tract - Hanging Rock Battlefield.

Points to Consider:

This will be the fourth tract acquired in the last few years to protect the Battle of Hanging Rock site. The South Carolina Battlefield Preservation Trust, in conjunction with the Katawba Valley Land Trust, will preserve this battlefield in perpetuity.

Funding and Liability Factors:

We simply serve as the pass through fiscal authority to the South Carolina Battlefield Trust. The grant amount is \$162,153.

Council Options:

N/A - information only.

Recommendation:

N/A

ATTACHMENTS:

Description	Upload Date	Type
Grant Notice from the US Park Service	10/20/2019	Letter



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street,
N.W. Washington,
D.C. 20240

October 17, 2019

H32(2287)
(Via Email)

Mr. Steve Willis
County Administrator
Lancaster County
101 N. Main Street
PO Box 1809
Lancaster, South Carolina 29721-1809

Dear Mr. Willis:

On behalf of the Acting Director of the National Park Service, I am pleased to inform you that your application has been awarded an American Battlefield Protection Program Battlefield Land Acquisition Grant.

Your proposal for the acquisition of the Horton IV Tract at Hanging Rock Battlefield, submitted in partnership with the American Battlefield Trust, has been selected for funding. The Federal amount awarded is \$162,153.00, and the non-Federal matching share is \$162,153.00.

You will be receiving your Grant Agreement in the next few weeks. It will contain the terms and conditions of the grant, as well as required deliverables. As the authorized representative for this award, you must sign and return the grant agreement, along with the accompanying forms. If you are no longer the authorized representative for this award, please notify me immediately.

We look forward to working with you on this important project and ensuring the successful acquisition of this battlefield tract.

Sincerely,

Melanie O'Brien

Melanie O'Brien
Awarding Officer
American Battlefield Protection Program

cc: Kathy Robertson, American Battlefield Trust (via email)