

Council Members

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

**County Administrator**

Dennis E. Marstall

County Attorney

Ginny L. Merck-Dupont

Clerk to Council

Sherrie Simpson

March 13, 2024

4:00 PM

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

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

AGENDA

1. **Call to Order - Chairman Steve Harper**
2. **Welcome and Recognition - Chairman Steve Harper**
3. **Pledge of Allegiance and Invocation - Council Member Terry Graham**
4. **Approval of Agenda**

[deletion and additions of non-substantive matter]

5. **Citizens Comments**

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

6. **Special Presentations**

- a. Recognition of Public Works Employees for their work during recent rain events - Dennis Marstall and Jeff Catoe
- b. Recognition of First Responders who supported recent Search and Recover effort — Dennis Marstall

7. **Discussion and Action Items**

- a. Final Review of Comprehensive Plan 2040 And Discussion of Concurrency - Allison Hardin

- b. Review of the 1st Module of the Unified Development Ordinance - Allison Hardin
- c. Discussion of Additional Conditions for Nonmetallic Mineral Product Manufacturing - Allison Hardin
- d. Discussion on Updating Council Procedures - Ginny Merck-Dupont
- e. Discussion on Updating Personnel Policies - Lisa Parker/Ginny Merck-Dupont
- f. Review of Process for Non-Profit Organizations to Apply for American Rescue Plan Act (ARPA) Funding - Stephany Snowden

8. **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

*Meetings are live streamed and can be found by using the following link:
<https://www.youtube.com/@LancasterCoSCGov/streams>*

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Dennis Marstall / Administration

Department: Administration

Date Requested to be on Agenda: 3/13/2024

Council Action Requested:

Receive information related to the work of staff members from the Public Works Department for their efforts to address a variety of issues that arose during recent rain events throughout the county.

Strategic Plan Focus Area Alignment:

Points to Consider:

On January 9, 2024, the County experienced a significant rain event that flooded many roads and areas in the County. The Public Works employees worked to clear down trees, clean out ditches and culverts, and warn drivers away from flooded roadways.

During this event, several employees worked extended hours particularly around the areas with flooded roadways.

Funding and Liability Factors:

N/A

Recommendation:

This item is for information and recognition only for Council and citizens.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Dennis Marstall / Administration

Department: Administration

Date Requested to be on Agenda: 3/13/2024

Council Action Requested:

Receive information about the role of numerous County departments and officials that coordinated a recent search and recovery effort in the Catawba River.

Strategic Plan Focus Area Alignment:

Points to Consider:

All of Lancaster County's first responder and public safety departments were involved in the recent recovery of a body in the Catawba River. This was a sustained effort that lasted 19 days and involved multiple jurisdictions and departments across the state, plus volunteers.

Funding and Liability Factors:

N/A

Recommendation:

This item is for information and recognition only for Council and citizens.

Agenda Item Summary

Ordinance # / Resolution #: Not Yet Assigned
Contact Person / Sponsor: A. Hardin / Planning
Department: Planning
Date Requested to be on Agenda: 3/13/2024

Council Action Requested:

Provide feedback on the final draft of the 2040 Comprehensive Plan. Review and provide input on the concept of concurrency related to development going forward.

The Resolution and Council Public Hearing is scheduled for 3/25/2024.

Strategic Plan Focus Area Alignment:

Quality Development

Consider the adoption of the County's Comprehensive Plan and implement the approved recommendations.

Points to Consider:

The final draft of the 2040 Comprehensive Plan is available for review at <https://www.lancaster2040.com/> The final draft takes into account changes identified by County Council during the joint stakeholder and Planning Commission meeting in January. Plus, it takes into account comments made during the regional input sessions that were held across the three geographic areas of the County.

The final draft includes recommendations and changes developed by the Planning Commission. See attachment for their final recommendations.

A key concept still in the final recommendation is something known as Concurrency. This concept seeks to outline the impact of growth and development to understand if the County or impacted area has the resources to address the growth and zoning changes related to law enforcement, fire services, EMS, solid waste management, school districts and other.

Funding and Liability Factors:

The Comprehensive Plan was funded in the FY24 budget.

Recommendation:

Provide feedback on the Comprehensive Plan and desire to incorporate concurrency stipulations as an adopted practice with the Comprehensive Plan.

ATTACHMENTS:

Description	Upload Date	Type
Planning Commission recommendations	3/11/2024	Amendment
List of changes presented to the Planning Commission	3/11/2024	Presentation
Lexington County Concurrency Ord 1	3/11/2024	Ordinance
Lexington County Concurrency Ord 2	3/11/2024	Ordinance

Chairman Deese called for a motion on item COMPREHENSIVE PLAN.

Motion A: Motion to Approve by Y. Cureton; 2nd by Judianna Tinklenberg.

Motion B: Motion to Amend, adding list of 9 Additions/Conditions: by A. Patterson; 2nd by Judianna Tinklenberg.

List of Amendments/Conditions:

1. Throughout document, language for Implementation Strategies should replace “consider” with an active action.
2. Change language on page 48 regarding school capacity to match map data and School District information regarding schools presently at capacity.
3. Include a reporting mechanism and schedule for annual reports by Planning staff to Planning Commission and County Council.
4. The following regional agency or entity plans shall be incorporated by reference:
 - 2040 Statewide Multimodal Transportation Plan and subplans - <https://www.scdot.org/Multimodal/>
 - SC Strategic Corridors Plan – references road project needs for Lancaster County (https://www.scdot.org/Multimodal/pdf/SC_MTP_Strategic_Corridors_Plan_FINAL.pdf)
 - RFATS Collector Street Plan – shows desired connections in the network (<https://www.rfats.org/collector-street-network-plan/>) (also – presentation from SCAPA: <https://scapa.org/wp-content/uploads/Rock-Hill-Fort-Mill-Area-Transportation-Study.pdf>)
 - RFATS 2050 Long Range Transportation Plan - <https://www.rfats.org/wp-content/uploads/RFATS-2050-Long-Range-Transportation-Plan.pdf>
 - RFATS Bicycle-Pedestrian Connectivity Plan - <https://www.rfats.org/wp-content/uploads/RFATS-Bicycle-Pedestrian-Connectivity-Plan.pdf>
 - Regional Transit & Coordination Plan, Catawba Region - https://www.scdot.org/Multimodal/pdf/SC_MTP_Regional_Transit_Plan_Catawba_FINAL.pdf
 - Rural Transportation Improvement Program, Catawba Region - <http://catawbacog.org/wp-content/uploads/2023/10/TIP-2024-2033-Draft-10.25.2023.pdf>
 - Rural Transportation Long-Range Transportation Plan - <http://catawbacog.org/wp-content/uploads/2020/01/CRCOG-LRTP-DRAFT-11.07.2019-w-Appendix.pdf>
 - Carolina Thread Trail Master Plan – https://www.carolinathreadtrail.org/wp-content/uploads/2018/05/Lancaster_County_Master_Plan.pdf
 - SC Statewide Comprehensive Outdoor Recreation Plan (2019) - <https://www.scprt.com/recreation/statewide-comprehensive-outdoor-recreation-plan>
 - SC State Trails Plan (2002) - <https://acrobat.adobe.com/link/review?uri=urn%3Aaaid%3Aascds%3AUS%3A5ee2935f-3d20-36ef-9fb2-3e237fdfe37c>
 - SC Green Infrastructure Plan, Catawba Region - <https://www.scfc.gov/wp-content/uploads/2023/04/COG-Cat-web-spreads.pdf>
 - Local Plans:
 - Town of Van Wyck Comprehensive Plan
 - City of Lancaster Comprehensive Plan
 - City of Lancaster Downtown Revitalization Plan

5. At LC 4.8, add a new Implementation Strategy: to support and ensure that the provisions of the Lancaster County Hazard Mitigation plan are met.
6. The updated KVLTL conservation area map shall be incorporated in the Natural Resource Plan Element section, (before p. 124 Key Observations).
7. Cultural Resource information on page 62 will include Mt. Carmel AME Campground as item # 18, and the location will be added to the map.
8. Small Area Plan map at page 55 will be upgraded for clarity.
9. Two areas designated “Growth” in the Future Land Use map for Indian Land area (east and southwest Possum Hollow Road, excluding the Old Bailes Growth area) shall be changed to ‘Neighborhood’ designation.

Discussion: No additional comments.

Vote called for Motion B: Nine Proposed Amendments: **5:0.**
Motion is approved unanimously.

Vote called for Motion A, as amended: **5:0**
Motion is approved unanimously.

Chairman Deese stated the item will go to County Council for first reading and Public Hearing on Monday, March 25, 2024, with a recommendation for Approval with stated amendments.

Lancaster 2040

COMPREHENSIVE PLAN



Planning Commission Meeting
February 15, 2024

Agenda

1. Welcome
2. Project Updates
3. Review Public Comment Received
4. Significant Changes to the Draft Plan
5. Next Steps
6. Adjourn

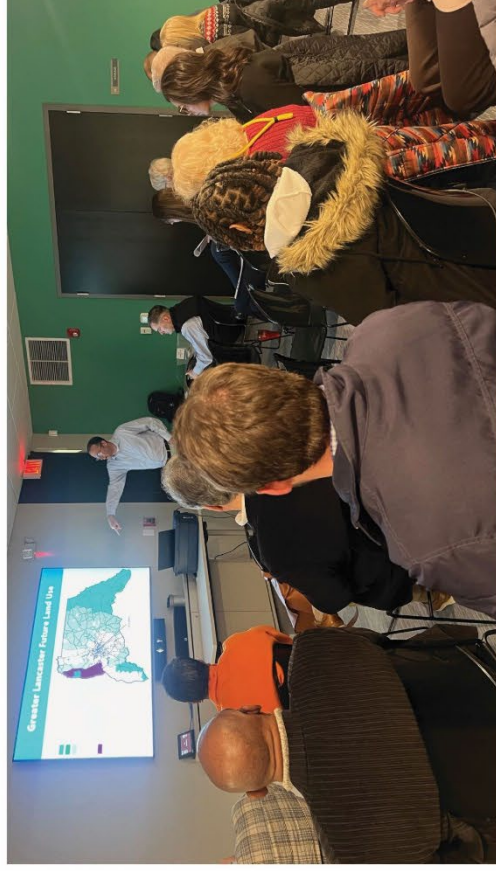
Project Updates

- Planning Commission and Council Workshop to Review Draft (January)
- Public Input Meetings throughout County (January)
- Solicited Feedback from Public Online (January – February 7)
- Changes Made to Draft Plan (ongoing)

Public Meetings

Kershaw

~15 attendees



Lancaster

~60 attendees



Indian Land

~200+ attendees



Public Meeting Attendee Comments

Southern Lancaster

- Discussion around public housing, homelessness, and needed public health and social services in the rural portions of the County

Greater Lancaster

- Discussion around infrastructure impacts (particularly related to Edgewater), the need for downtown revitalization, and public health / childcare services needed in rural portions of the County

Panhandle

- Discussion around growth management, schools, infrastructure, traffic, services / EMS, a moratorium, and similar growth-related concerns

Online Public Comments Received

28 total comments:

- Several comments about the Future Land Use Map
- Comments both for and against dense development
- Questions about implementation and monitoring the plan
- Concerns over schools, infrastructure, water services, traffic, and EMS
- Concerns about the City of Lancaster
- Specific comments about miscellaneous topics (post office, recreation, etc.)

Changes from Initial Public Review Draft

Total Changes

117

Content

45 Replacements

43 Insertions

29 Deletions

General Changes

- Made improvements to appearance / layout of strategies
- Relabeled County-wide strategies from “CW” to “LC”
- Fixed minor spelling and grammatical errors throughout
- Minor modifications throughout (changes to text which did not alter intent of strategy or section of Plan

Changes to Draft Plan – County Strategies

- **Added LC 1.4:** create a housing committee to study and better define affordable housing, promote housing options, and increase options
- **Added LC 1.5:** consider the development of a Transfer of Development Rights (TDR) program to help protect agricultural lands
- **Edited LC 2.3 – 2.6:** re-organized and clarified these recommendations but general intent remained the same
- **Changed LC 2.4:** to be more specific
- **Changed LC 3.3:** to be more broadly about alternative transportation
- **Changed LC 3.8:** to be more specific about funding sources for priority projects

Changes to Draft Plan – County Strategies

- **Added to LC 4.1:** and explore flexible work options that will help to attract and retain employees
- **Edited LC 4.6:** to include mental health issues
- **Added LC 4.7:** consider developing a County-wide housing needs assessment, with a particular focus on determining any unmet residential needs in rural portions of the County
- **Added to LC 5.2:** to partner with Katawba Valley Land Trust
- **Edited LC 6.4:** expand to identifying more County park sites
- **Expanded LC 7.4:** to assisting with the implementation of the Downtown Revitalization Plan

Changes to Draft Plan – County Strategies

- **Added to LC 8.4:** emphasizing the use of native plants and trees
- **Added LC 8.5:** investigate the feasibility of creating a Community Appearance Board to review highway corridor overlay district projects
- **Added LC 8.6:** develop a neighborhood garden assistance program where County staff help neighborhoods identify property options for gardens. Create policies that enable neighborhoods to install gardens

Changes to Draft – Panhandle Strategies

- **Added to PA 1.1:** this will include transportation infrastructure, utilities, emergency services, and schools
- **Added to PA 1.2:** create a standing committee to monitor the effectiveness of growth management implementation and study additional implementation options
- **Changed PA 1.4:** removed TDR program and added “Commit to holding neighborhood meetings to discuss potential changes in land use patterns prior to considering rezonings”
- **Edited PA 2.5:** to focus on connection to Ballantyne
- **Added PA 2.6:** to provide recreation along the Catawba River

Changes to Draft – Panhandle Strategies

- **Combined PA 3.3 and 3.4:** to improving staffing, training, and availability of all emergency response service agencies in the Panhandle
- **Removed PA 3.5:** consider developing a measured and intentional plan to help facilitate the incorporation of the urban area of the Panhandle into a municipality

Changes to Draft – Gr. Lancaster Strategies

- **Added GL 1.4:** encourage renovations/redevelopment of existing housing and neighborhoods, where infrastructure already exists and housing stock needs to be improved or made code compliant. Seek out grants
- **Added GL 1.5:** add a grant writing position to Development Services or Admin staff and secure grants to improve housing conditions
- **Added GL 1.6:** investigate how to attract non-traditional housing developers to improve housing stock in Greater Lancaster area
- **Added GL 1.7:** create small area plans for areas between Lancaster and Highway 5 to capture residents' vision for their growth areas
- **Added GL 4.4:** develop corridor plan for SC Highway 5 and SC Highway 9

Changes to Draft – So. Lancaster Strategies

- **Edited SL 1.2:** to include educating property owners of benefits of agricultural preservation, agritourism, and outdoor recreation
- **Edited SL 2.4:** removed County-wide housing needs assessment and replaced with “Dedicate resources from EDC to identifying and developing employment generating industrial projects that are easily accessible to residents in Southern Lancaster”

Pending Changes

Development Services Request:

- Incorporate a list of outside plans by reference. Examples include:
 - Lancaster County local government comprehensive plans
 - RFATS transportation plans
 - SCDOT plans
 - Thread Trail Master Plan
- Add a new supporting action under LC-4 Resilient Services to support the implementation of the recommendations of the Lancaster County Hazard Mitigation Plan.

Next Steps

- Planning Commission Recommendation (February 15)
- County Council Public Hearing (March 25)
- County Council Adoption (April)

Lancaster 2040

COMPREHENSIVE PLAN



Planning Commission Meeting
February 15, 2024



COUNTY OF LEXINGTON, SOUTH CAROLINA

ORDINANCE NO. 23-14

AN ORDINANCE AMENDING THE LEXINGTON COUNTY ZONING ORDINANCE TO INCLUDE CONCURRENCY REQUIREMENTS FOR CERTAIN RESIDENTIAL-TYPE LAND USE ACTIVITIES AND INVOKING APPLICATION OF THE PENDING ORDINANCE DOCTRINE.

WHEREAS, County Council determines and finds that the unincorporated area of Lexington County is experiencing continued residential growth, which is causing a strain on the public services. This issue has initiated County Council to institute concurrency requirements for certain residential-type land use activities.

NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Lexington, in Council, duly assembled, as follows:

Section 1 – Affected Land Uses: The following land use activities, as defined by the Lexington County Zoning Ordinance, shall provide concurrency confirmation from local law enforcement, fire services, emergency medical services, solid waste management and public school districts that each entity has the capacity to serve the proposed land use:

- Mobile Home and Tiny Home Parks;
- Residential Attached - Duplex
- Residential Attached – Multifamily;
- Residential Attached – Townhouse;
- Retirement Center/Assisted Living Facilities – Independent housing portion of the activity; and,
- Tiny Home

Section 2 – Exemptions. The intent of this Ordinance is not to prohibit the subdivision of property for familial or estate purposes, to provide for accessory dwelling units, or to prohibit the use of multiple dwellings on a larger tracts of land.

Section 3 – Pending Ordinance. Applications for permits of sufficient form and content as determined by County staff, received by the County prior to the date of the beginning first reading of the adoption of this Ordinance, may be reviewed and processed by the County. Otherwise, the provisions of this Ordinance shall be effective upon pending ordinance doctrine from the date of approval of first reading.



COUNTY OF LEXINGTON, SOUTH CAROLINA

ORDINANCE NO. 23-15

AN ORDINANCE AMENDING THE LEXINGTON COUNTY SUBDIVISION ORDINANCE TO INCLUDE CONCURRENCY REQUIREMENTS FOR CERTAIN RESIDENTIAL SUBDIVISIONS AND INVOKING APPLICATION OF THE PENDING ORDINANCE DOCTRINE.

WHEREAS, County Council determines and finds that the unincorporated area of Lexington County is experiencing continued residential growth, which is causing a strain on the public services. This issue has initiated County Council to institute concurrency requirements for certain residential-type land use activities.

NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Lexington, in Council, duly assembled, as follows:

Section 1 – Affected Subdivision of Property: The following land use activities, as defined by the Lexington County Zoning Ordinance, shall provide concurrency confirmation from local law enforcement, fire services, emergency medical services, solid waste management and public school districts that such entity has the capacity to accommodate and serve the proposed land use:

- Residential subdivisions of 10 lots or more; and
- Residential subdivisions with average residential lot sizes of less than 1.5 acres.

Section 2 – Exemptions. The intent of this Ordinance is not to prohibit the subdivision of property for familial or estate purposes, for simple splits or the individual subdivision of property, or to prohibit the creation of large lot subdivisions of land not which do not require the need for water and/or sewer for plat approval (lot sizes of greater than 5 acres).

Section 3 – Pending Ordinance. Applications for plat approval of sufficient form and content as determined by County staff, received by the County prior to the date of the beginning first reading of the adoption of this Ordinance, may be reviewed and processed by the County. Otherwise, the provisions of this Ordinance shall be effective upon pending ordinance doctrine from the date of approval of first reading.

Agenda Item Summary

Ordinance # / Resolution #: Not Yet Assigned
Contact Person / Sponsor: A. Hardin / Planning
Department: Planning
Date Requested to be on Agenda: 3/13/2024

Council Action Requested:

Review the UDO -- Definitions Chapter and provide feedback before the April COW meeting.

Another chapter or collection of chapters will be provided at the April COW for input and discussion at the May COW, and so on.

Strategic Plan Focus Area Alignment:

Quality Development

Consider the adoption and implementation of a revised Unified Development Ordinance.

Points to Consider:

Staff has been diligently working with the UDO consultants on the overhaul of the UDO. In order to give County Council ample time to review the full UDO before proposed adoption in October, this first module related to definitions is being presented for Council review and input.

This will be the first module to start the full review process, with subsequent modules being distributed each month to Council for review and input.

The definitions module, as the first module to be reviewed, sets the stage or understanding for the key development terms the UDO will incorporate. The updated definitions are generally similar to definitions currently being utilized, but in other cases the definitions have been tweaked with a slightly different meaning, while entire new definitions are being added to reflect changes in the planning and development profession. There are many key definitions from dwelling accessory setback, utilities, townhouse development, street and more that staff will highlight as part of the review.

This document has been developed and reworked for over a year. The UDO as a total document is nearly complete, but will still require additional tweaking as staff works with the consultants to ensure it meets the needs of the County. In addition, staff is working with the consultants to fully outline an implementation plan, once the UDO is approved in the Fall.

Funding and Liability Factors:

The re-write of the UDO was funded in previous budget years.

Recommendation:

Provide feedback on the UDO definitions.

ATTACHMENTS:

Description	Upload Date	Type
Proposed UDO Definitions	3/11/2024	Exhibit

UDO CHAPTER 13: DEFINITIONS & ACRONYMS

LAST SAVED: 3/8/2024

LANCASTER COUNTY, SC UNIFIED DEVELOPMENT ORDINANCE UPDATE

CONTENTS

13 DEFINITIONS.....3

13.1 PURPOSE 3

13.2 ACRONYMS 3

13.3 DEFINITIONS 5

13.4 UNDEFINED TERMS 73

13 DEFINITIONS¹

13.1 PURPOSE²

For the purpose of interpreting this ordinance, certain words, concepts, and ideas are defined herein. Except as defined herein, all other words used in this ordinance shall have their everyday meaning as determined by their dictionary definition.

Section 10.3 includes all definitions listed on the Use Table in Section 2.5.3. Section 10.4 are all definitions more general in nature and includes definitions specific to the mixed-use districts in Chapter 3; the aviation regulations in Chapter 4; and the floodplain and stormwater regulations in Chapter 8.

13.2 ACRONYMS³

(A, B, C)

ATM Automated Teller Machine

BFE Base Flood Elevation

BMP Best Management Practice

CLOMR Conditional Letter of Map Revision

(D, E, F)

DBH Diameter at breast height

DHEC See **SCDHEC**

ERU Equivalent Residential Unit

FAA Federal Aviation Administration

FAR Federal Aviation Regulation

¹ This Chapter carries forward the provisions of current Chapter 10: *Definitions*.

² The section carries forward the provisions of current 10.1: *Intent*.

³ New section ...

FCC Federal Communications Commission

FEMA Federal Emergency Management Agency

FHBM Flood Hazard Boundary Map

FIRM Flood Insurance Rate Map

(G, H, I)

HVL Highly volatile liquid

HQAR High quality aquatic resources

(J, K, L)

LAG Lowest adjacent grade

LID Low impact development

LOMA Letter of Map Amendment

LOMR Letter of Map Revision

LOS Level of Service

(M, N, O)

MSL Mean sea level

NAVD North American Vertical Datum

NGVD Nations Geodetic Vertical Datum

NPDES National Pollution Discharge Elimination System

(P, Q, R)

(S, T, U)

SCDHEC South Carolina Department of Health and Environmental Control

SCDOT South Carolina Department of Transportation

SFHA Special Flood Hazard Area

SOB Sexually oriented business

THOW Tiny home on wheels

TRC Technical Review Committee

USDA United States Department of Agriculture

USGS United States Geologic Survey

(V, W, X, Y, Z)

WSE Water surface elevation

13.3 DEFINITIONS⁴

(A)

⁴ The section carries forward the provisions of current 10.3 & 10.4: *Definitions, Use Type & Definitions, Generally*. Assessment p. 62:

“During the UDO revision, existing definitions should be comprehensively reviewed and revised, if needed, to ensure clarity and consistency with the rest of the UDO.”

“The revised UDO should combine all definitions into a single section. The individual definitions specify whether the term is a “use type” so there is no need to further clarify this by placing use type definitions in a separate section.”

“While the list of definitions is extensive (also a best practice to improve clarity in the UDO), staff identified a number of missing terms that are foundational to the UDO, including principal structure, property lines, setbacks, yards, and different types of lots. The revised UDO should incorporate definitions for all of these terms.”

“Staff noted the various definitions of height, building height, story height should be assimilated into a singular cohesive definition.”

“Definitions should not include use conditions, and most of the UDO definitions do not. Where a definition does include use conditions (e.g., independent living facilities), those should be consolidated with other use conditions in Chapter 5.”

Staff comment: “Need a comprehensive review of use definitions and general definitions to ensure necessary words or phrases are suitably defined. Use of industry standard guides such as APA Planners Dictionary and similar resources is fine, if appropriate.” “Combine the definitions in 10.3 with those in 10.4.”

ABUTTING Having common property lines. Property separated by a street or alley is not considered abutting.

ACCELERATED EROSION Any increase over the rate of natural erosion as a result of land-disturbing activity.

ACCESSORY STRUCTURE (APPURTENANT STRUCTURE) Structures that are located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory Structures should constitute a minimal investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

ACCESSORY DWELLING UNIT See “Dwelling-Accessory”

ACCESSORY USE A use that is clearly incidental to and customarily found in connection with a principal building or use, is subordinate to and serves a principal building or use and is subordinate in area, extent and purpose to the principal building or principal use served.

ACTIVE USE A use other than parking.

ADDITION (TO AN EXISTING BUILDING) An extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction regardless as to whether the addition is a substantial improvement or not. Where a firewall or load-bearing wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and must comply with the standards for new construction.

ADEQUATE DOWNSTREAM STORMWATER CAPACITY A stormwater management system shall be considered to have adequate downstream stormwater capacity if the system can be shown to store or convey up to and including the 100-year stormwater runoff without increasing damage to adjoining properties or to a point downstream known to the Administrator or designee to be a restriction causing significant backwater.

ADEQUATE EROSION CONTROL MEASURE, STRUCTURE, OR DEVICE One which controls the soil material within the land area under responsible control of the person conducting the land-disturbing activity.

ADMINISTRATOR The Planning Director, the Zoning Official, the Public Works Director, Building Official, Fire Marshal, or Emergency Services Director and their subordinate staffs are collectively referred to as the Administrator for the purpose of enforcing the provisions contained in this ordinance.

AFFILIATE A person that directly, or indirectly through one or more intermediaries, controls, is controlled by, or is under common control of another person.

AGRICULTURAL & CROP PRODUCTION/ HARVESTING A property used primarily for the production and activities relating or incidental to the production and harvesting of crops, fruits, **nuts vegetables, ornamental and flowering plants or sod.**

AGRICULTURAL PRACTICES These practices include normal farming, silviculture and ranching activities such as gardening, plowing, seeding, cultivating, harvesting for the production of food, fiber, forest products, nursery stock and livestock; maintenance of agricultural drain tiles, irrigation and drainage ditches; maintenance of farm roads and other access areas for farm vehicles and equipment use.

AGRICULTURAL STRUCTURE A structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Agricultural structures are not exempt from the provisions of this ordinance.

AGRICULTURAL SUPPORT SERVICES Nursery, orchard, forestry, or farm supply and support services including, but not limited to: equipment dealers, support uses for agricultural, harvesting, and/or animal production, seasonal packing sheds, etc.

AGRITOURISM Farm-related enterprises that operate for the enjoyment and education of the public and that combine tourism and agriculture such as agriculture cultural centers; hay rides, corn mazes, and petting zoos (farm animals only).

AIRPORT any area of land used or intended for landing or takeoff of aircraft including appurtenant area used or intended for airport buildings, facilities, as well as rights of way together with the buildings and facilities. In Lancaster County, this use is met by McWhirter Field.

AIRPORT OBSTRUCTION Any living or human-made structure or tree which obstructs the aerial approaches of the airport exceeding the maximum height of structures permitted in the airport operation area or is otherwise hazardous to its use for landing or taking off.

AIRPORT OPERATION AREA All airport zones established in this Ordinance.

AIRPORT OVERLAY ZONES Zones intended to place height and land use conditions on land impacted by airport operations while retaining the existing underlying zone. The Title 14 Code of Federal Regulations Part 77 (14 CFR Part 77) Surfaces and runway protection zones have been combined to create five airport overlay zones. The five specific zones create a comprehensive area focused on maintaining compatible land use around airports.

AIRSTRIP A surface used for take-off and landing of aircraft.

ALCOHOLIC BEVERAGE SALES STORE The retail sales of beer, wine, and/or other alcoholic beverages for off-premise consumption as a primary use.

ALLEY Alleys are intended to provide indirect, limited access to the rear of properties but not to accommodate through traffic. Utilities, either above ground or underground, may be located in alleyways to provide service connections to rear elevations.

AMUSEMENTS, INDOOR Establishments that provide commercial recreation activities completely within an enclosed structure such as video arcades, skating rinks, roller rinks, and bowling alleys.

AMUSEMENTS, OUTDOOR Establishments that provide commercial recreation activities primarily outdoors such as miniature golf establishments; go-cart facilities; theme parks, carnivals, fairgrounds, and midways; paintball parks; and water rides.

ANIMAL PRODUCTION/GENERAL FARMS The raising, breeding, feeding, and/or keeping of animals for the principal purpose of commercially producing products for human use or consumption, including, but not limited to: cattle, pigs, sheep, goats, fish (aquaculture), rabbits, and poultry. This does not include Animal Production Facilities. The animals are generally raised in an open range pasture environment. Establishments primarily engaged in the farm raising and production of aquatic animals or plants in controlled or selected aquatic environments are included in this subsector.

ANIMAL PRODUCTION FACILITY, NON-SWINE The raising, breeding, feeding, and/or keeping of turkeys and/or chickens in confinement at high stocking density for the purpose of commercially producing meat, milk, or eggs for human consumption. The animals are generally raised in total confinement or captivity. These type Animal Production establishments tend to have a blighting and/or deteriorating effect upon surrounding properties.

ANIMAL PRODUCTION FACILITY, SWINE The raising, breeding, feeding, and/or keeping of pigs in confinement at high stocking density for the purpose of commercially producing meat, milk, or eggs for human consumption. The animals are generally raised in total confinement or captivity. These type Animal Production establishments tend to have a blighting and/or deteriorating effect upon surrounding properties.

ANTENNA A transmitting and/or receiving device used in telecommunications that radiates or captures radio and/or television signals. Also: a communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services, and similar equipment used for the transmission or reception of surface waves. The definition includes the appurtenant equipment that is part of the antenna's operating system.

APARTMENT BUILDING A building type that accommodates 12 or more attached dwelling units vertically and horizontally integrated.

APARTMENT COURT A building type that accommodates 12 or more dwelling units vertically and horizontally integrated and organized around a courtyard that fronts a primary street.

APIARY The assembly of 1 or more colonies of bees at a single location.

APICULTURE (BEE KEEPING) The keeping of bees on a large scale with commercial services ranging from selling equipment and supplies, pollination services, honey bee removal, honey bee breeding, queen breeding, etc.

APPEAL A request for a review of the local floodplain administrator's interpretation of any provision of this ordinance.

APPLICABLE CODES Uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization, those codes referred to in Title 6, Chapter 9 of the SC Code of Laws, or local amendments to those codes that are of general application, address public safety, and are consistent with this ordinance.

APPLICANT Any person, firm or governmental agency who owns property or the duly appointed representative that wishes to develop that property and one who executes the necessary forms to procure a permit to carry out such development from the County.

APPROACH AND RUNWAY PROTECTION ZONE MAP The Approach and Runway Protection Zone Map is compiled from the criteria in 14 CFR Part 77, "Objects Affecting Navigable Airspace." It shows the five-airport overlay zones affected by the Airport Overlay Zoning Ordinance, and includes the layout of runways, airport boundaries, elevations, and area topography. Applicable height limitation areas are shown in detail.

AREA OF SHALLOW FLOODING A designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths of 1 foot to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

AREA OF SPECIAL FLOOD HAZARD The land in the floodplain within a community subject to a one percent or greater chance of flooding being equaled or exceeded in any given year.

ARTIST STUDIO/LIGHT MANUFACTURING WORKSHOP The assembly, fabrication, production, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and are visually undifferentiated from an office building or a residentially-scaled garage. These typically involve the work of artisans or craftsman.

AS-BUILT DRAWINGS As-built surveys, drawings, or plans must be prepared by a land surveyor licensed in the state of South Carolina. Horizontal survey datum control shall be based upon, and referenced to, South Carolina State Plane, NAD83 HARN, International Feet coordinates. Vertical survey datum control shall be based upon, and referenced to, the North America Vertical Datum of 1988 (NAVD 88).

ATM Self-service machines used by banking customers for financial transactions, including deposits, withdrawals, and fund transfers, without face-to-face contact with financial institution personnel. These machines may be located at or within banks, or in other locations.

ATTIC A habitable or uninhabitable space within a building situated within the structure of a pitched roof and above the uppermost story.

AUCTION A sales event where potential buyers place competitive bids on assets or services either in an open auction or closed auction format.

AVENUE Avenues serve as connectors between neighborhoods and area centers. As such, they are used both in residential and commercial areas, often terminating at prominent buildings or plazas. Avenues may also circulate around squares or neighborhood parks.

AVIGATION EASEMENT Ownership of the right of imposition upon such property of overflight, excessive noise, vibration, smoke, dust, vapors, and particulates due to the operation of aircraft to and from the airport. Also includes the right to remove airport obstructions on said properties.

AWNING/CANOPY A wall-mounted, cantilevered structure providing shade and cover from the weather for a sidewalk.

AWNING / CANOPY SIGN A sign where graphics or symbols are painted, sewn or otherwise adhered to the awning material as an integrated part of the awning itself.

(B)

BACKYARD PENS/COOPS The long-term keeping of poultry, rabbits, and other similar small creatures in backyards as accessory uses to existing residential structures. Large animals may be allowed depending on size of lot.

BALCONY A platform projecting from the wall of a building with a railing along its outer edge, often with access from a door or window.

BANKS, CREDIT UNIONS, FINANCIAL SERVICES Establishments that engage in financial transactions that create, liquidate, or change ownership of financial instruments. Banks, credit unions, and savings institutions may perform central banking functions, accept deposits, and lend funds. In addition to banks and credit unions, financial services institutions may include: credit agencies, trust companies, holding companies, savings and loan institutions, securities/commodity contract brokers and dealers, security and commodity exchanges, vehicle finance (equity) leasing agencies, and investment companies.

BAR/TAVERN/BREW PUB⁵ Any establishment, whether public or operated as a private club, including cocktail lounges, taverns, and the like, serving an adult clientele whose primary business (51% of gross income) is the sale of alcoholic beverages, including beer and wine, for consumption on the premises, and where the purchase of food is at the option of the customers and not required by the operator. The sale of alcoholic beverages, beer, and wine must be licensed by the State Alcoholic Beverage Commission. May also include beer brewing as part of a brewpub.

BASE FLOOD The flood having a one percent chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE) A determination as published in the flood insurance study of the water surface elevations of the base flood.

BASEMENT Means any enclosed area of a building that is below grade on all sides.

BASIN Sub-watershed area within the County of Lancaster.

BASIN PLAN Study and evaluation of an individual drainage basin's stormwater management, flood control, and restoration/mitigation needs.

BED AND BREAKFAST HOMES (UP TO 8 ROOMS) A private home containing not more than 8 guest rooms that offers bed and breakfast accommodations to guests.

BED AND BREAKFAST INN (UP TO 12 ROOMS) A private home containing between 9 and 12 guest rooms that offers bed and breakfast accommodations to guests.

BEE Any stage of the common domestic honey bee, *apis mellifera* species.

BEST MANAGEMENT PRACTICES (BMPs) means design, construction, and maintenance practices and criteria for stormwater facilities that minimize the impact of stormwater runoff rates and volumes, prevent erosion and capture pollutants.

BILLIARD/POOL HALL Any place where one or more billiard or pool tables are operated or maintained, except for private family use, whether such place is a social club or a business enterprise operated for profit.

BLANK WALL AREA A portion of the exterior façade of the building that does not include substantial material change (paint color is not considered a substantial change); windows or doors; or columns, pilasters, or other articulation greater than 12 inches in depth.

⁵ Staff comment: "Need to distinguish restaurants (i.e. bar/grills) that serve alcohol from bar/tavern uses. ABC has seating and cooking facility requirements for on-premises hard alcohol establishments."

BLOCK⁶ A tract of land bounded on all sides by streets or by a combination of streets, public parks, railroad rights-of-way, public waters or airport boundaries.

BOARDING OR ROOMING HOUSE A building arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit.

BORROW A fill material which is required for on-site construction and is obtained from other locations.

BOULEVARD Boulevards provide multi-lane access to commercial and mixed-use developments. Boulevards also serve to carry regional traffic throughout the County.

BRACKET SIGN A sign attached to the ground by one or more support structures that is not higher than 5 feet and hangs from a bracket or support.

BREWERY A licensed facility, as allowed by SC Code Title 61, Chapter 4 as amended, that offers samples of beer to consumers on its licensed premises. The entire brewing process must take place on the licensed premises. Samplings and sales by consumers must be held in conjunction with a tour by the consumer of the facility.

BUFFER An area of predominantly vegetated land to be left open, adjacent to drainageways, wetlands, lakes, ponds, or other surface waters for the purpose of eliminating or minimizing adverse impacts to such areas.

BUILD-TO ZONE The area on the lot where a certain percentage of the front building façade must be located, measured as a minimum and maximum setback range from the edge of the right-of-way.

BUILDING A closed structure with roof and walls, built for permanent use.

BUILDING ELEMENT A component of a building as described in Chapter 3.

BUILDING ELEVATIONS Scaled, two-dimensional drawings used in development applications to accurately represent proposed building heights, floor levels, and building materials. These drawings typically illustrate each elevation (or façade) visible from a public street or civic space.

BUILDING FAÇADE The face of a building that delineates the edge of conditioned floor space.

BUILDING FLOOR AREA The gross floor area of an individual structure built for support, shelter or enclosure for any occupancy, or storage.

⁶ Staff comment: "Define block." 2023: Defined

BUILDING OFFICIAL: The officer or duly authorized representative charged with the administration and enforcement of the building code per SC Code of Laws Title 6 Chapter 9.

BUILDING TYPE A building type defined by its form and function in the most recent adopted International Building Code (IBC) or International Residential Code (IRC), as published by the International Code Council (ICC)

BUSINESS SUPPORT SERVICES These establishments provide any of the following: document preparation, telephone answering, telemarketing, mailing (except direct mail advertising), court reporting, and steno typing. They may operate copy centers, which provide photocopying, duplicating, blueprinting, or other copying services besides printing. They may provide a range of support activities, including mailing services, document copying, facsimiles, word processing, on-site computer rental, tax preparation, legal services, and office product sales.

BYPASS (relating to stormwater) A means to route tributary drainage area runoff around and not through a stormwater control structure.

(C)

CABINET SIGN A sign that is mounted on the face of a building or on the ground that is typically rectangular in shape and provides for internal illumination and changing the message of the sign by replacing a single transparent or translucent panel.

CAMPGROUND A lot, tract, or parcel of land upon which campsites for trailers, tents, or RVs are permitted for the purpose of temporary habitation for the travelling or vacationing public.

CANOPY SIGN A sign placed on a canopy so that the display surface is parallel to the plane of the wall.

CARRIAGE HOUSE A rear detached accessory dwelling unit located at grade or above a garage that is associated with a detached house building type.

CEMETERY, COLUMBARIUM, AND MAUSOLEM A parcel of land used for internment of the dead in the ground or in a columbarium or mausoleum.

CERTIORARI A writ seeking supervisory judicial review. Appeals “in the nature of certiorari” means that the Court will review the case based on the record as presented to and acted on by the board or commission conducting the original review hearing, and review whether or not the board or commission followed proper procedures. In such reviews, the Court cannot hear or consider new evidence or testimony not already contained in the record.

CHANGE OF USE⁷: A notice required when a type of land use is proposed to change. For instance: when a religious body wants to reuse a vacant retail building, a change of use notice is required to ensure the structure meets the applicable building codes for a place of assembly. Also known as a change of occupancy in the building codes.

CHANGEABLE SIGN A permanent sign, or portion thereof, that is specifically designed to allow periodic changes in the informational content or display by manual or electric (electrically illuminated or mechanically driven changeable segments) means.

CHANNEL MODIFICATION Alteration of a stream channel by changing the physical dimensions or materials of its bed or banks. Channel modification includes damming, rip-rapping or other armoring, widening, deepening, straightening, relocating, and lining and significant removal of bottom or woody vegetation of the channel. Channel modification does not include the clearing of dead or dying vegetation, debris, or trash from the channel.

CHEMICAL STORAGE FACILITY A building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.

CHILD/ADULT DAY CARE HOME (6 OR Fewer PERSONS) Supervision or care provided on a regular basis as an accessory use within a principal residential dwelling unit, by a resident of the dwelling, for five or less children/adults).

CHILD/ADULT DAY CARE CENTER An individual, agency, or organization providing supervision or care on a regular basis for children or adults who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adults; and who are not residents in the center; designed and licensed in accordance with State regulations; not an accessory to residential use.

CIVIC BUILDING A building type that accommodates specifically identified civic uses.

CIVIC SPACE Improved space set aside for public use and recreation that is comprised of one or more of the following typologies (as described in [Chapter 3](#)) Green, Square, Playground, and Community Garden.

COLLEGE/UNIVERSITY Junior colleges, colleges, universities, and professional schools with physical structures (excluding online and remote programs). These establishments furnish academic or technical courses and grant degrees, certificates, or diplomas at the associate, baccalaureate, or graduate levels in a campus setting.

COLLOCATE OR COLLOCATION To install, mount, maintain, modify, operate, or replace Small Wireless Facilities on or adjacent to a support structure or pole.

⁷ Staff comment: "Define change of use."

COLONY A hive and its equipment and appurtenances, including bees, comb, honey, pollen, and brood.

COMMERICAL STABLES Stabling, training, feeding of horses, mules, donkeys, or ponies, or the provision of riding facilities for use other than by the resident of the property, including riding academies. Also includes any structure or place where such animals are kept for riding, driving, or stabling for compensation or incidental to the operation of any club, association, ranch, or similar purpose.

COMMERCIAL STREET Main streets are intended to provide access to neighborhoods and high-density residential and commercial areas.

COMMUNICATIONS AND INFORMATION A use classification for establishments that produce or distribute information, including publishing, motion pictures and sound recording, telecommunications and broadcasting, and information services and data processing industries.

COMMUNICATIONS FACILITY The set of equipment and network components, including wires, cables, surface wave couplers, and associated facilities used by a cable operator, as defined in 47 U.S.C. Section 522(5); a provider of "video service" as defined in Section 58-12-300(10); a telecommunications carrier, as defined in 47 U.S.C. Section 153(51); a provider of information service, as defined in 47 U.S.C. Section 153(24); or a wireless services provider to provide communications services, including cable service, as defined in 47 U.S.C. Section 522(6); telecommunications service, as defined in 47 U.S.C. Section 153(53); an information service, as defined in 47 U.S.C. Section 153(24); wireless service; surface wave communication, or other one-way or two-way communications service.

COMMUNICATIONS NETWORK A network used to provide communications service.

COMMUNICATIONS SERVICE Cable service as defined in 47 U.S.C. Section 522(6), information service as defined in 47 U.S.C. Section 153(24), telecommunications service as defined in 47 U.S.C. Section 153(53), or wireless service.

COMMUNICATIONS SERVICE PROVIDER A cable operator, as defined in 47 U.S.C. Section 522(5); a provider of information service, as defined in 47 U.S.C. Section 153(24); a telecommunications carrier, as defined in 47 U.S.C. Section 153(51); or a wireless provider.

COMMUNITY SUPPORT FACILITY A non-profit or government facility providing personal assistance to individuals in need; such assistance to individuals may include temporary shelter, food services provisions, counseling, instruction, medical services, and other incidental services. This definition does not include Transitional Shelters.

COMPENSATORY STORAGE An excavated, hydraulically equivalent volume of storage used to offset the loss of natural flood storage capacity when artificial fill or structures are placed within a regulatory floodplain.

COMPLETION OF CONSTRUCTION OR DEVELOPMENT No further land-disturbing activity is required on a phase of a project except that which is necessary for establishing a permanent ground cover.

CONDITIONAL APPROVAL REGULATORY FLOODWAY MAP Preconstruction approval by the Federal Emergency Management Agency of a proposed change to the regulatory floodway map and/or BFE. This pre-construction approval, pursuant to this part, gives assurance to the property owner that once an appropriate use is constructed according to permitted plans, the regulatory floodway map and/or BFE can be changed, as previously agreed, upon review and acceptance of as-built plans.

CONDITIONAL LETTER OF MAP REVISION (CLOMR) A letter which indicated that the Federal Emergency Management Agency will revise base flood elevations, flood insurance rate zones, flood boundaries or regulatory floodway and/or BFE as shown on an effective flood hazard boundary map or flood insurance rate map, once the as-built plans are submitted and approved.

CONFERENCE/CONVENTION CENTER A commercial facility for public assembly including, but not limited to auditoriums, conference facilities, convention centers, exhibition halls, and the like.

CONEX CONTAINER (ALSO ISO CONTAINER) A modular storage container with a steel or metal exterior that is available in standard dimensions and is widely used by commercial shipping operators.

CONICAL SURFACE (ZONE E) The conical surface extends upward and outward from the periphery of the horizontal surface at a slope of 20 feet horizontally for every one-foot vertically (20:1) for a distance of 4,000 feet. It is the outermost zone of the overlay areas and has the least number of land use restriction considerations.

CONSTRUCTION DOCUMENTS A component of a site plan or other development application that includes the full and complete set of engineered drawings necessary for final permitting and construction.

CONSTRUCTION SERVICES Establishments that are primarily engaged in the construction of buildings or engineering projects, such as site preparation, new construction, additions, alterations, or maintenance and repairs. This definition includes general contractors, homebuilders, and specialty building trades or subcontractors. The operations of these establishments generally are managed at a fixed place of business where offices are located and equipment and materials may be stored, but the construction operations are usually performed off-site.

CONTROL STRUCTURE A structure designed to control the rate of flow that passes through the structure, given a specific upstream and downstream water surface elevation.

CORRECTIONAL INSTITUTION Government establishments generally designed for the confinement, correction, and rehabilitation of offenders sentenced by a court.

COTTAGE COURT A development building type with individual detached houses organized around a common courtyard that fronts a primary street.

COUNTY Lancaster County.

COUNTY COUNCIL The County Council of Lancaster County.

COUNTY POLE A pole owned, managed, or operated by or on behalf of the County, provided however, that a County pole shall not include any pole, support structure, electric transmission structure, or equipment of any type that is part of a County owned or County controlled electric plant or system for furnishing of electricity to the public for compensation.

CREMATORIA Establishments for the preparation of the dead through cremation in a furnace. This definition includes crematoria for the internment of animal remains.

CRITICAL FACILITY A facility that is critical to the community's public health and safety, is essential to the orderly functioning of a community, store or produce highly volatile, toxic or water-reactive materials, or house occupants that may be insufficiently mobile to avoid loss of life or injury. Examples of critical facilities include jails, hospitals, schools, fire stations, nursing homes, wastewater treatment facilities, water plants, and gas/oil/propane storage facilities.

CROWN SIGN A wall sign extending not more than 3 feet located on the upper horizontal band of a building at least 55 feet in height.

CULTURAL OR COMMUNITY FACILITY Facilities designed to promote cultural advancement and serve the community such as live theater, dance, or music establishments; art galleries, studios and museums, or similar facility; and libraries.

(D)

DAM Any artificial barrier, together with appurtenant works, including, but not limited to, dams, levees, dikes or floodwalls for the impoundment or diversion of water or other fluids where failure may cause danger to life or property.

DAMAGE A measurable rise in flood heights on property currently subject to flooding, flooding of property currently not subject to flooding unless it is contained within the streambanks or a deed or plat restricted area or increases in velocity to the point where the rate of land lost to erosion and scour is significantly increased.

DATA CENTER A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Key components of a data center include routers, switches, firewalls, storage systems, servers, and application-delivery controllers. Typical

supporting equipment includes back-up batteries and/or power generators, cooling units, fire suppression systems, and enhanced security features.

DAY TREATMENT CENTER A state-licensed facility providing behavioral health treatment programs, outpatient care, substance abuse treatment and treatment of mental or nervous disorders. Consumers, or patients, may be residents of their own home, a substitute home, or a group care setting. The day treatment is provided in a setting separate from the consumer's residence.

DECORATIVE POLE A County pole that is specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than a SWF, public safety devices, or specially designed informational or directional signage or temporary holiday or special event attachments, have been placed or are permitted to be placed according to nondiscriminatory municipal rules or codes.

DEED OR PLAT RESTRICTION Permanent easements, covenants, deed restricted open spaces, outlots, reserved plat areas, and conservation easements dedicated to meet the requirements of this article, or public road rights-of-way that contain any part of the stormwater management system of a development.

DEPRESSIONAL STORAGE AREAS Nonriverine depressions where stormwater collects.

DESIGN STORM A selected storm event, described in terms of the probability of occurring once within a given number of years, for which stormwater or flood control improvements are designed and built.

DETACHED HOUSE A building type that accommodates one dwelling unit on an individual lot with yards on all sides along with a rear accessory dwelling unit at grade or above a garage.

DETENTION FACILITY A human-made structure for the temporary storage of stormwater runoff with controlled release during or immediately following a storm.

DETENTION VOLUME SAFETY FACTOR A multiplication factor applied to a development's detention volume when the detention facility is constructed on-stream.

DEVELOPED COMMERCIAL/INDUSTRIAL PROPERTY Developed property which does not serve the primary purpose of providing permanent dwelling units for single-family detached units, regardless of the zoning district in which such property is located. Such property shall include all multi-residential and nonresidential property, including, but not limited to, duplexes, apartment buildings and complexes, condominiums, boardinghouses, commercial properties, industrial properties, parking lots, recreational, institutional, and governmental facilities, hotels, offices, schools and other educational facilities, theaters and other facilities for performances, and churches and other religious institutions.

DEVELOPED PROPERTY Real property which has been altered from its natural state by the addition and attachment of any improvements such as buildings, structures, or other impervious area. For new construction, property shall be considered developed property upon final approval of site improvements by the County.

DEVELOPED RESIDENTIAL PROPERTY Developed property which serves the primary purpose of providing a permanent dwelling unit, regardless of the zoning district in which such property is located, for single-family detached units and duplexes, and which may or may not have accessory uses related to the purpose of providing permanent dwelling facilities.

DEVELOPMENT Any human-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

DEVELOPMENT FLOOR AREA The total building floor area of any construction projects simultaneously developed by a single developer.

DIAMETER BREAST HEIGHT (DBH) The diameter of a tree as measured at a point 4.5 feet above the tree's base.

DIRECTIONAL/IDENTIFICATION SIGN A sign used to display only the name, address, crest, trademark, and/or profession of the business, individual, family, organization or enterprise occupying the premises, or the name of the building on which the sign is displayed.

DISCHARGE POINT A point at which stormwater runoff leaves a tract of land.

DISPOSAL Defined as in South Carolina Code of Laws, Title 44.

DISTILLERY A facility used for the commercial purpose of the production of liquors and similar beverages. The facility may incorporate all aspects of production including aging, storage, bottling, wholesale sales, warehousing, and administrative office functions. Retail sales, tasting facilities, and event facilities may be permitted as part of the facility operations.

DISTURBANCE An area where the land surface has been cleared, grubbed, compacted, or otherwise modified to alter stormwater runoff, volumes, rates, flow direction, or inundation duration.

DORMITORY A building used as group living quarters for a student body or religious order as an accessory use for a college, university, boarding school, convent, monastery or other similar public, semi-public use.

DRAINAGE AREA The land area above a given point that contributes stormwater to that point.

DRAINAGEWAY A natural or artificial stream, closed conduit, or depression that carries surface water.

DRIVE-THRU/DRIVE-IN FACILITY A primary or accessory facility where goods or services may be obtained by motorists without leaving their vehicles. These facilities include drive-through bank teller windows, dry cleaners, fast-food restaurants, drive-through coffee, photo stores, pharmacies, etc. Does not include: Automated Teller Machines (ATMs), gas stations or other vehicle services, which are separately defined.

DRY CLEANING & LAUNDRY SERVICES Coin-operated laundries, dry cleaning pick-up stores without dry cleaning equipment, or dry cleaning stores that do not provide cleaning services to other collection stations or stores.

DRY DETENTION FACILITY A dry detention facility is a detention facility designed to drain completely after temporary storage of stormwater flows and to normally be dry over the majority of its bottom area.

DWELLING or DWELLING UNIT A building or structure, or part of a building or structure, providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation and meeting the habitability requirements of the International Residential Code.

DWELLING-ACCESSORY A dwelling unit either detached or attached, such as a garage apartment or cottage, designed for occupancy by one or two persons, located on a lot with an existing single family dwelling.

DWELLING – FOURPLEX Four dwelling units, including modular homes, attached side by side or one on top of another and sharing common walls or common floors and ceilings.

DWELLING-MULTIFAMILY A building or portion thereof containing three or more dwelling units on a single lot where each unit has a separate entrance from the outside or through a common vestibule. A multifamily structure where dwelling units are available for lease or rent for less than one month shall be considered lodging.

DWELLING-SINGLE FAMILY DETACHED A free standing building designed for and/or occupied by one household. These residences may be individually owned or owned by rental or management companies. Also includes factory-built, modular housing units that comply with International Residential Code.

DWELLING – TRIPLEX Three dwelling units, including modular homes, attached side by side or one on top of another sharing common walls or common floors and ceilings.

DWELLING-TOWNHOME A building with two or more residential units, located side by side, with common walls between the units and where each unit has a separate entrance from the

outside and occupies a separate lot. Townhomes typically have one primary yard (rear) and a small front setback to provide some landscaping.

DWELLING-DUPLEX A two-unit building located on a single lot that is divided horizontally or vertically, and each unit has a separate entrance from the outside or through a common vestibule.

(E)

ECOTOURISM Organized, educational and mainly outdoor recreation with or without lodging that invites participants to learn about and promote ecological preservation, conservation, and sustainability. This use shall include at least two of the following characteristics:

- 1) Located near or within a wilderness setting, park, or protected area;
- 2) Interpretive educational program with or without guides;
- 3) Outdoor activities; or
- 4) Cultural experiences.

ELECTRIC VEHICLE CHARGING STATION, PRIVATE One or more electric vehicle charging spaces that are not held open to the general public that are served by electric vehicle chargers or other charging equipment allowing charging of electric vehicles.

ELECTRIC VEHICLE CHARGING STATION, PUBLIC One or more electric vehicle charging spaces that are held open to the general public that are served by electric vehicle chargers or other charging equipment allowing charging of electric vehicles.

ELEVATED BUILDING A non-basement building built to have the lowest floor elevated above the ground level by means of solid foundation perimeter walls, pilings, columns, piers, or shear walls parallel to the flow of water.

ELEVATION CERTIFICATE A form published by the Federal Emergency Management Agency that is used to certify the elevation to which a building has been constructed.

EMERGENCY OVERFLOW The structure in a stormwater management system designed to protect the system in the event of a malfunction of the primary flow structure or a storm event greater than the system design. The emergency overflow capacity initiates at the facility design high water level or base flood elevation.

ENCLOSED⁸: Surrounded by walls, objects, fences, or structures on all sides.

⁸ Staff comment: "Define enclosed." Provided

ENCROACHMENT – FLOODPLAIN⁹ The advance or infringement of uses, fill, excavation, buildings, permanent structures, or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

ENCROACHMENT – LAND USE A fixture (such as a wall or a fence) or a land use that interferes with or intrudes upon the property of others.

ENERGY DISSIPATOR A structure or a shaped channel section with mechanical armoring placed at the outlet of pipes or conduits to receive and break down the energy from high velocity flow.

ENVIRONMENTAL SURVEY A component of a development application that identifies forest stands or trees of a uniform size and species; specimen trees of varying sizes and species, particularly free standing or open-grown or field grown trees; a distinctive tree line or forest edge; existing watercourses; previously documented Federally and State recognized endangered species habitats; and historic or culturally significant areas.

EQUIVALENT RESIDENTIAL UNIT (ERU) The total impervious area of a typical single-family residential property, and is determined as the median impervious area of a representative sample, as determined by Lancaster County, of all developed residential properties in the single-family residential category. The equivalent residential unit is 2.389 square feet.

EROSION The wearing away of land surfaces by the action of wind, water, gravity, friction, or any combination thereof.

EROSION AND SEDIMENT CONTROL PLAN A plan for the control of soil erosion and sediment resulting from land disturbing activity.

EVENT VENUE/BANQUET HALL An establishment which is rented by individuals or groups to accommodate private functions including, but not limited to, banquets, weddings, anniversaries, and other celebrations. The establishment may include:

- 1) Kitchen facilities for the preparation or catering of food,
- 2) The sale of alcoholic beverages for on-premises consumption only during scheduled events that are not open to the general public, and
- 3) Outdoor gardens or reception facilities.

Civic uses are not included in this definition.

⁹ Staff comment: "Definition of encroachment doesn't seem to take Section 1.4.5 into account." – provided a separate definition for land use encroachment

EXECUTIVE ORDER 11988 (FLOODPLAIN MANAGEMENT) Issued by President Carter in 1977, this order requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.

EXISTING CONSTRUCTION Means, for the purposes of determining rates, structures for which the start of construction commenced before January 6, 1983.

EXISTING LOT Any tract of land, less than five acres, for which an approved plat has been recorded at the Lancaster County Register of Deeds office, or which is shown on a preliminary subdivision plat that has been approved by the Lancaster County Planning Commission as of the effective date of the UDO.

EXISTING MANUFACTURED HOME PARK OR MANUFACTURED HOME

SUBDIVISION A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before January 6, 1983.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs).

(F)

FABRICATION SHOPS The assembly, fabrication, production or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and are visually undifferentiated from an office building. This shall not include uses that require deliveries by trucks with more than two axles more frequently than once a day.

FAIRGROUNDS A facility that includes buildings and outdoor areas for animal shows and judging, carnivals, circuses, community meetings, concerts, food booths and stands, games, rides, rodeos, sales and auctions, storage, and theaters, but does not include racetracks or motorized contests of speed.

FALL ZONE The maximum area (the furthest distance from the tower base) in which a telecommunications facility will collapse in the event of a failure, usually less than the total height of the structure. This zone must be defined by a professional civil or structural engineer licensed in the state.

FAMILY A single individual or collective body of persons in a domestic relationship based upon blood, marriage, adoption, or legal custody, living as a separate, independent

housekeeping unit, or a group of not more than three unrelated persons, all living together as a separate housekeeping unit.

FARMERS' MARKET A permanent establishment for the retailing or wholesaling of agricultural products including, but not limited to, vegetables, fruits, meats, eggs, dairy products, grains, and prepared foods. At least 50 percent% of the vendors must be farmers, fishermen, and other agricultural producers who sell produce, eggs, plants, flowers, local seafood, and other value-added farm products such as jams, jellies, and honey.

FEE The annual monetary amount charged to a property owner of record of real property for the services provided by the stormwater utility system and program.

FEMA The Department of Homeland Security, Federal Emergency Management Agency and its regulations codified as 44 CFR 59-79. The following documents are incorporated by reference and may be used by the local floodplain administrator to provide further guidance and interpretation of this article as found on FEMA's website at www.fema.gov:

- 1) All FEMA technical bulletins.
- 2) All FEMA floodplain management bulletins.
- 3) FEMA 348 protecting building utilities from flood damage.

FINAL PLAT The final map, drawing, or chart on which the subdivider's plat of subdivision is presented for approval and which, if approved by the Planning Department and Planning Commission, will be submitted to the Register of Deeds for recording.

FLAG Any fabric, banner, or bunting containing distinctive colors, patterns, insignia, logo or symbols of any nation, government, any religious, civic or fraternal organization, any educational or cultural facility, or other entity.

FLOOD A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation of runoff of surface waters from any source.

FLOOD FREQUENCY A period of years, based on a statistical analysis, during which a flood of a stated magnitude may be expected to be equaled or exceeded.

FLOOD HAZARD BOUNDARY MAP (FHBM) An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

FLOOD INSURANCE The insurance coverage provided under the national flood insurance program.

FLOOD INSURANCE RATE MAP (FIRM) An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY The official report provided by the Federal Emergency Management Agency which contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

FLOOD PRONE AREA See "Floodplain."

FLOOD ZONE A geographical area shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

FLOODING The grade situated below the 100-year BFE of either a FEMA mapped stream or, as determined from a hydrological/hydraulic analysis, below the Q100 BFE elevation of an unmapped stream or conduit.

FLOODPLAIN or FLOOD PRONE AREA Any land area susceptible to being inundated by water from any source.

FLOODPLAIN MANAGEMENT The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

FLOODPLAIN REGULATIONS Included in Chapter 8 and through the UDO zoning and, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes federal, state, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

FLOODPLAIN STUDY A study, formally adopted by the County, excluding base flood determinations performed for a specific development site that examines, analyzes, evaluates, or determines the hydraulic and hydrologic characteristics of flood hazards for a basin or partial basin area. To be used as a regulatory instrument the study shall, at a minimum, meet the FEMA criteria specified in Guidelines and Specifications for Flood Hazard Mapping Partners, most current version.

FLOODPROOFING Any combination of structural and nonstructural additions, changes, or adjustments to structures, which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitation facilities, or structures with their contents.

FLOODPROOFING CERTIFICATE A form published by the Federal Emergency Management Agency that is used to certify that a building has been designed and constructed to be structurally dry floodproofed to the flood protection elevation.

FLOOD-RESISTANT MATERIAL Any building material capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbars are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood resistant. Please refer to the most recently adopted version of Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, available from the Federal Emergency Management Agency. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials. See also: American Society of Civil Engineers (ASCE) / Structural Engineering (SEI) Flood Resistant Design and Construction standard 24.

FLOODWAY The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

FOOD TRUCK A licensed, motorized vehicle mobile food unit which is temporarily stored on privately-owned lot where food items are sold to the general public.

FORECOURT An open area at grade or within 30 inches of grade, that serves as an open space, plaza, or outdoor dining area.

FORESTRY Perpetual management, harvesting, replanting, and enhancement of forest resources for ultimate sale or use of wood products, subject to S.C. Forestry Commission BMPs.

FRATERNITY/SORORITY HOUSE A structure used to provide housing for fraternal or sisterhood organization members while such persons are attending college.

FREEBOARD A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

FRONTAGE¹⁰, LOT – The horizontal distance between two side lot lines of a property as measured along the abutting right-of-way or easement access road.

FRONTAGE ROAD – A roadway used to control access to an arterial, functioning as an access to adjoining property and maintaining circulation of traffic on each side of the arterial.

¹⁰ Staff comment: "Define frontage." Provided

FRONTAGE LANDSCAPE AREA A required landscaped area along any public street right-of-way or easement access road.

FUNCTIONALLY DEPENDENT USE A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

FUNERAL HOMES Establishments for preparing the dead for burial or internment and conducting funerals (i.e., providing facilities for wakes, arranging transportation for the dead, and selling caskets and related merchandise).

(G)

GALLERY A covered passage extending along the outside wall of a building supported by arches or columns that is open on three sides.

GARDEN (COMMUNITY AND PRIVATE) An exterior area for the small-scale production of vegetables and flowering plants for personal or small commercial use. This definition includes community and private gardens. This definition does not include crop production and nurseries.

GARDEN APARTMENT A building type that accommodates 3 to 12 attached dwelling units vertically and horizontally integrated.

GAS Natural gas, flammable gas, or gas that is toxic or corrosive.

GAS PUMP ISLAND/CANOPY SIGN A sign attached to or painted on a gas pump island or canopy.

GENERAL BUILDING A building type that typically accommodates commercial uses.

GENERAL COMMERCIAL, SMALL A place of business with 5,000 or less square feet of floor area providing the sale and display of goods or sale of services directly to the consumer, with goods available for immediate purchase and removal from the premises by the purchaser.

GENERAL COMMERCIAL, LARGE A place of business with more than 5,000 square feet of floor area providing the sale and display of goods or sale of services directly to the consumer, with goods available for immediate purchase and removal from the premises by the purchaser.

GENERAL COMMUNITY SERVICE **Note**- undefined use category (probably non-profit?) from the FAA's draft circular 150/5190-4B model ordinance.

GOVERNMENT OFFICE A room or group of rooms used to conduct the affairs of a local, state, or federal government or government agency.

GOVERNMENT SIGN Any sign, symbol, or device erected and maintained by a federal, state, county, or municipal government, or any such governmental agency, for traffic control, for designation of or direction to any school, hospital, historical site, or public service, property, or facility, or for legal notices.

GROSS FLOOR AREA The sum in square feet of the horizontal area of all floors of the building measured from the exterior walls or from the centerline when two buildings or units abut. Gross floor area includes basement floor area when more than 50% of the basement height is above the established curb level or above the finished lot grade level where the curb has not been established. Elevator shafts, stairwells, floor space used for mechanical equipment, attics, balconies and mezzanines, enclosed porches and floor area devoted to accessory uses is included in the calculation of gross floor area. However, the following is not included: any space devoted exclusively to on-site parking; or outdoor loading, display, storage, utility service areas; and uninhabited enclosed space on tops of roofs; or attic space having head room of less than 7'6".

GROUND COVER Any natural vegetative growth or other material which renders the soil surface stable against accelerated erosion.

GROUND FLOOR The floor of a building that is at or nearest to the level of the ground around the building. It does not include the floor of the basement.

GROUND FLOOR ELEVATION The height of the finished ground floor measured from the top of the abutting sidewalk.

GROUND/FREESTANDING SIGN A sign erected that is wholly independent of any building for support and is for support and is permanently affixed to or constructed upon the lot on which it is located.

GROUND SIGN, LARGE A sign attached along its entire width to a continuous pedestal that is between five and 10 feet in height.

GROUND SIGN, SMALL A sign attached along its entire width to a continuous pedestal that is no higher than five feet.

(H)

HABITABLE STRUCTURES A building or part thereof, designed to be used for human habitation as a residence or lodging regularly or intermittently, or any place of business which is regularly or intermittently inhabited or occupied by the general public: Habitable Structures include but are not limited to the following use types occupied by the general public:

residential, lodging, office/service, commercial/entertainment, civic, educational/institutional, automotive, and industrial. Habitable Structures do not include: barns, storage buildings, utility/toolsheds, playhouses, doghouses, and garages and pool houses without sleeping quarters, etc.

HALFWAY HOME A place where persons are aided in readjusting to society following a period of imprisonment, hospitalization, or institutionalized treatment related to a criminal offense. This term excludes residential/family care homes and residential care facilities.

HAZARD TO AIR NAVIGATION An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of navigable airspace.

HAZARDOUS WASTE MANAGEMENT FACILITY A facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste as defined in South Carolina Code of Laws, Title 44.

HEAVY EQUIPMENT/MANUFACTURED HOME RENTAL/SALES/REPAIR Establishments that may have showrooms, open lots, or garages for selling, renting, leasing, repairing, servicing, alteration, restoration, towing, painting, and/or finishing of heavy equipment such as buses, trucks, manufactured homes, construction equipment, commercial and industrial equipment, and/or boats or other marine craft.

HEIGHT¹¹ The vertical distance from the ground elevation to the highest point of a structure or tree, including any appurtenance thereon expressed as feet above mean sea level (MSL).

HEIGHT, BUILDING The highest point of a pitched or flat roof measured from average grade.

HEIGHT LIMITATIONS No structure or tree shall be erected, altered, allowed to grow, or maintained in any airport surface zone, with a height in excess of the height established for such zone. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation.

HEIGHT, STORY The height of story measured from the top of the finished floor to the ceiling above.

HIGH QUALITY AQUATIC RESOURCES (HQAR) means waters of the United States or waters of the state that are determined to be critical due to their uniqueness, scarcity, function, and/or value.

HIGHEST ADJACENT GRADE The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of the structure.

¹¹ Staff comment: "The various definitions of height, building height, story height need to be assimilated into a singular cohesive definition."

HIGHLY VOLATILE LIQUID (HVL) A hazardous liquid which will form a vapor cloud when released to the atmosphere and which has a vapor pressure exceeding 276 kPa (40 psia) at 37.8°C (100 °F).

HISTORIC STRUCTURE Any structure that is:

- 1) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior (DOI)) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- 2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- 3) Individually listed on a State inventory of historic places;
- 4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified (a) by an approved State program as determined by the Secretary of Interior, or (b) directly by the Secretary of Interior in states without approved programs. Some structures or districts listed on the State or local inventories MAY NOT be "Historic" as cited above, but have been included on the inventories because it was believed that the structures or districts have the potential for meeting the "Historic" structure criteria of the DOI. In order for these structures to meet NFIP historic structure criteria, it must be demonstrated and evidenced that the South Carolina Department of Archives and History has individually determined that the structure or district meets DOI historic structure criteria.

HIVE A structure intended for the housing of a bee colony.

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

HORIZONTAL SURFACE (ZONE D) The horizontal surface is a horizontal plane located 150 feet above the established airport elevation and begins at the edge of the transitional surfaces and primary surface for a distance of 5,000 feet for visual approach runways.

HOSPITAL A health care facility and related facilities the purpose of which is to provide for care, treatment, testing for physical, emotional, or mental injury, illness, or disability, and overnight boarding of patients, either on a for-profit or not-for-profit basis; but not including group homes. The facility must be licensed by the South Carolina Department of Health and Environmental Control (SCDHEC).

HOTEL/MOTEL Establishments providing lodging and short-term accommodations for travelers. They may offer a wide range of services including overnight sleeping space, food services, convention hosting services, and/or laundry services. Entertainment and recreation activities may also be included. Extended-stay hotels are included in this category. This definition includes “inns.”

HYDRAULICALLY EQUIVALENT COMPENSATORY STORAGE Compensatory storage placed between the proposed normal water elevation and the proposed 100-year flood elevation. All storage lost or displaced below the existing ten-year flood elevation is replaced below the proposed ten-year flood elevation. All storage lost or displaced above the existing ten-year flood elevation is replaced above the proposed ten-year flood elevation.

HYDROLOGIC AND HYDRAULIC CALCULATIONS Engineering analysis which determines expected flood flows and flood elevations based on land characteristics and rainfall events.

HYDROPHYTIC VEGETATION Plant life typically adapted for life in saturated soil conditions or water.

(I)

ILLCIT DISCHARGE Any discharge or dumping of material into the stormwater management system, a floodprone area, or a water of the U.S./state that is not composed entirely of stormwater, except for discharges allowed under a National Pollution Discharge Elimination System (NPDES) permit or nonpolluting flows.

IMPERVIOUS SURFACE¹² Impervious surface area includes any material which reduces and prevents absorption of stormwater into previously undeveloped land. This includes but is not limited to, buildings, roads, pavement, gravel surfaces, etc. Items not considered to be “impervious” include the water area of a swimming pool and wooden slatted decks.

IMPERVIOUS SURFACE AREA means a surface which, because of its composition or compacted nature, impedes or prevents natural infiltration of water into the soil, including but not limited to roofs, decks, driveways, patios, sidewalks, parking areas, tennis courts, streets, or compacted gravel surfaces.

IMPERVIOUS SURFACE AREA RATIO The ratio of impervious surface to total parcel area.

IMPROVED SITE AREA The sum of the horizontal area of the outside portion of the site and includes any space devoted to on-site parking; outdoor loading, display, storage, utility service, decorative areas and landscaped areas that are part of the original site plan approval.

¹² Staff comment: “Definition of new impervious surface forgot to insert the date.”

INDEPENDENT LIVING FACILITIES Age-restricted (55 and over) attached congregate living facilities (not a single-family dwelling), with paid or volunteer staff that provide assistance to more than 6 individuals. Independent Living Facilities are designed for persons 55 years of age and older who do not require full-time health and support services, such as medical and nursing care, central dining, and transportation service, to be located on-site. Each living unit within an Independent Living Facilities shall be physically accessible to older persons. Independent Living Facilities shall consist of controlled access to the building, interior elevators, and conditioned corridors. This term excludes residential/family care homes and halfway homes. The site shall have reasonable access to either an arterial or collector road.

INDUSTRY, RESTRICTED A facility that involves the use, storage, production, or processing of any hazardous materials or substances in quantities subject to the reporting requirements of The Emergency Planning and Community Right-to-Know Act (EPCRA) also known as SARA Title III of 1980 (Sections 311-312, 42 U.S.C. §§ 11021-11022) and/or any facility that uses, stores, produces, or processes dangerous goods and/or hazardous substances that are covered by separate regulations, standards, or codes which are classified on the basis of immediate physical or chemical hazards, such as fire, explosion, corrosion and toxicity, and are in sufficient quantities such that accidental release or explosion may affect life, health, property or the environment beyond the immediate perimeter of the facility. These include: flammable gases, flammable liquids, flammable solids (self-reactive and related substances; and desensitized explosives), substances liable to spontaneous combustion, substances that when in contact with water emit flammable gases, oxidizing substances, organic peroxides, toxic substances, radioactive and corrosive substances.

INDUSTRY, HEAVY Typically the largest facilities in a community, these structures house complex operations and allow for intense manufacturing and industrial uses that have high impacts to neighboring properties with extensive outdoor activities.

INDUSTRY, LIGHT These facilities are typically designed for a range of primarily indoor industrial uses such as fabrication, manufacturing, assembly, processing, and bulk storage which have low impacts on surrounding properties.

IN-KIND REPLACEMENT (CULVERT) An in-kind culvert replacement has an equivalent cross-sectional area, shape, roughness coefficient, and inlet and outlet elevations; or the replacement may be shown to have an equivalent hydraulic capacity using appropriate engineering calculations.

INCREASED COST OF COMPLIANCE (ICC) Applies to all new and renewed flood insurance policies effective on and after June 1, 1997. The NFIP shall enable the purchase of insurance to cover the cost of compliance with land use and control measures established under Section 1361. It provides coverage for the payment of a claim to help pay for the cost to comply with State or community floodplain management laws or ordinances after a flood event in which a building has been declared substantially or repetitively damaged.

(J)

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.

(K)

KENNELS, INDOOR Establishments for the boarding and grooming of pets, including dog day care facilities that do not allow overnight boarding or keep unsupervised animals outside.

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.

(L)

LAKE OR NATURAL WATERCOURSE A natural or artificial body of water encompassing an area of two or more acres which retains water throughout the year. Any stream, river, brook, swamp, sound, bay, creek, run, branch, canal, waterway, estuary, and any reservoir, lake or pond, natural or impounded in which sediment may be moved or carried in suspension, and which could be damaged by accumulation of sediment.

LAND DEVELOPMENT ACTIVITY Any activity on land that compromises a part of a development project, permitted or not, including but not limited to land disturbance, clearing/grading/land modification, subdivision or combination of lots, vertical construction, stormwater and erosion control, paving, or compaction.

LAND DISTURBING ACTIVITY Any activity which results in changes in the volume or flow rates of rainfall runoff, soil erosion from water or wind; or the movement of sediments into state waters or onto land within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land.

LANDFILL – CLASS ONE – COMPOSTING FACILITY A Composting Facility, as defined in South Carolina Code of Laws, Title 44, as amended, is a facility used to provide aerobic, thermophilic decomposition of the solid organic constituents of solid waste to produce a stable, humus-like material. The operations of such a facility include the grinding or composting of source separated organic residual wastes. These wastes shall include only yard trimmings, leaves, grass clippings, woodchips, trees, stumps, and other land-clearing debris. Waste shall

not include food waste, masonry materials, road spoils, paving material, solid waste from agricultural or silvicultural operations, scrap metal, vehicles, or other scrap materials.

LANDFILL - CLASS TWO - CONSTRUCTION AND DEMOLITION DEBRIS A land use for the disposal of 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. Allowed waste does not include solid waste from agricultural or silvicultural operations or municipal solid waste.

LANDFILL - CLASS THREE A solid waste disposal facility, as defined in South Carolina Code of Laws, Title 44, as amended, for municipal solid waste, industrial solid waste, sewage sludge, nonhazardous solid waste incinerator ash, scrap metal, vehicles and other nonhazardous waste. These establishments also include recycling and resource recovery facilities that operate in conjunction with landfills.

LAND USE COMPATIBILITY The use of land that is of appropriate scale and context with surrounding land uses and does not endanger the health, safety, or welfare of the owners' occupants or users of the land

LAND USE PLAN A comprehensive plan prepared by the County Council upon recommendation of the Planning Commission which indicates the general locations recommended for the various functional classes of public works, places, and structures and for the general physical development of Lancaster County and includes any unit or part of such plan separately adopted and any amendment to such plan or parts thereof.

LANDSCAPED ISLAND A landscaped area placed at the ends of all parking bays or aisles (other than perimeter parking bays or aisles) or where required along traffic channels.

LANDSCAPED PROTRUSION An extension from the outer perimeter of a parking lot that extends from the perimeter into the parking lot.

LANE Lanes are small traveled ways intended to provide direct access to the front of a limited number of single-family structures. Lanes are limited in the number of lots served. Generally, they are very short; often less than 400 feet. Items including, but not limited to, traffic carrying capacity, topography, and connectivity, shall be a consideration when permitting a lane in lieu of a street.

LARGE PARKING LOT A parking lot where the number of parking spaces exceeds 100.

LATERAL ADDITION Improvements that increase the building footprint square footage. If the common wall is demolished as part of the project, then the entire structure must be elevated. If only a doorway is knocked through the existing structure, then only the additional has to be elevated.

LETTER OF MAP AMENDMENT (LOMA) The official determination by FEMA that a specific structure is not in a special flood hazard area; amends the effective flood hazard boundary map (FHBM) or flood insurance rate map (FIRM).

LETTER OF MAP REVISION (LOMR) A letter issued by FEMA that revises base flood elevation, flood insurance rate zones, flood boundaries or regulatory floodways as shown on an effective flood hazard boundary map or flood insurance rate map.

LEVEL OF SERVICE (LOS) A qualitative assessment of a transportation facility's operating conditions indicating the extent or degree of service provided by, or proposed to be provided by, the facility based on and related to the operational characteristics of the facility.

LIMITED STORAGE An area used for storage and intended to be limited to incidental items that can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood resistant or breakaway material, void of utilities except for essential lighting and cannot be temperature controlled. If the area is located below the base flood elevation in an A, AE, and A1-A30 zone it must meet the requirements of Article IV.A.4 of this ordinance. If the area is located below the base flood elevation in a V, VE and V1-V30 zone it must meet the requirements of Article IV.F of this ordinance.

LITTORAL ZONES Such zones are described as follows:

- 1) The littoral zone is that portion of a wet detention pond which is designed to contain rooted aquatic plants. The littoral area is usually provided by extending and gently sloping the sides of the pond down to a depth of two to three feet below the normal water level or control elevation. Also, the littoral zone can be provided in other areas of the pond that have suitable depths (i.e., a shallow shelf in the middle of the lake).
- 2) The littoral zone is established with native aquatic plants by planting and/or the placement of wetland soils containing seeds of native aquatic plants. A specific vegetation establishment plan must be prepared for the littoral zone. The plan must consider the hydroperiod of the pond and the type of plants to be established.

LIVE-WORK UNIT 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.

LOCAL GOVERNMENT Any county, incorporated village, town or city, or any combination of counties, incorporated villages, towns, and cities.

LOT A portion of a subdivision or any other parcel of land intended as a unit for transfer or ownership or for development or both..

LOT AREA The area included within the rear, side, and front lot lines. Lot area does not include existing or proposed right-of-way, whether dedicated or not dedicated to public use.

LOT, CORNER¹³- **A lot that has frontage along two or more intersecting streets.**

LOT DEPTH The distance between the front and rear property lines measured along a line midway between the side property lines.

LOT, INFILL¹⁴ - **Unutilized or underutilized lot in an already-developed area.**

LOT OF RECORD A lot which is a part of a subdivision, a plat of which has been recorded in the Office of the Register of Deeds of Lancaster County; or a lot described by metes and bounds in a deed of conveyance which has been recorded in the Lancaster County Registry; or a lot on which the building or buildings and improvements for a condominium or townhouse development are to be located; or a residential site where a condominium unit or townhouse development is to be located, which said description shall be contained in a duly recorded declaration creating and establishing a condominium unit or townhouse ownership.

LOT, THROUGH¹⁵ - **An interior lot abutting two roads or access easements – typically one in the front and one in the rear.**

LOT WIDTH The distance between the two side lot lines measured at the primary street property line along a straight line or along the chord of the property line on a curvilinear lot.

LOW IMPACT DEVELOPMENT (LID) A stormwater management strategy concerned with maintaining or restoring the natural hydrologic functions of a site to achieve natural resource protection objectives and fulfill environmental regulatory requirements.

LOWEST ADJACENT GRADE (LAG) Is an elevation of the lowest ground surface that touches any deck support, exterior walls of a building or proposed building walls.

LOWEST FLOOR The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

(M)

¹³ Staff comment: "Define corner lot." Provided

¹⁴ Staff comment: "Define infill lots." Provided

¹⁵ Staff comment: "Define through lot." Provided

MAIN A distribution line that serves as a common source of supply for more than one service line.

MANUFACTURED HOME A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

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 HOME PARK OR SUBDIVISION A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

MANUFACTURED HOME PARK OR SUBDIVISION, NEW A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs) is completed on or after January 6, 1983.

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.

MARKET VALUE shall be determined based on:

1) An independent appraisal by a professional appraiser. The appraisal must exclude the value of the land and not use the income capitalization approach which bases value on the use of the property, not the structure; or

2) Detailed estimates of the structure's actual cash value. The replacement cost for a building, minus a depreciation percentage based on age and condition.

MARQUEE SIGN Three dimensional signs projecting from the side of a building (typically theatres, arenas, and hotels) which may extend above the roof line and/or incorporate changeable type.

MASTER PLAN A component of a development application that provides a detailed two-dimensional drawing illustrating all required site features, including buildings, parking areas, streets locations, street sections, rights-of-way, property lines and setbacks, required or proposed watercourse buffers, site landscaping and lighting (in conceptual form), and all related development calculations.

MEAN SEA LEVEL Means, for the purpose of this ordinance, the Nations Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which the base flood elevations shown on a community's Flood Insurance Rate Maps (FIRM) are shown.

MEDIAN ISLAND A landscaped area in the center between 2 back-to-back parking rows in a parking bay.

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.

MEDICAL FACILITIES, SMALL A use classification that includes doctor offices, dentist offices, urgent care facilities, and similar facilities concerned with the diagnosis, treatment, and care of human beings that are 10,000 square feet or less in gross floor area.

MEDICAL FACILITIES, LARGE A use classification that includes hospitals, medical office buildings, long-term/institutional care facilities, and similar facilities concerned with the diagnosis, treatment, and care of human beings that are more than 10,000 square feet in gross floor area.

MICRO WIRELESS FACILITY A small wireless facility that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height; and any exterior antenna that is no longer than 11 inches.

MINING MAJOR RESOURCE EXTRACTION¹⁶ (MINING AT DEPTH) The mining or extraction of any minerals, ore, fossil fuels, or other materials from beneath the surface of the earth for processing, sale, or any other commercial purpose. This use includes the extraction of any materials more than 12 feet below the existing grade, including quarries to mine, extract, or remove limestone, minerals, or bedrock materials if they extend more than 12 feet below the existing grade.

MINING MINOR RESOURCE EXTRACTION (SURFACE) Extractive uses such as surface mining for sand, gravel, clay, and topsoil for processing, sale, or any other commercial purpose and any other such use. This use includes extraction of materials that does not extend more than 12 feet below the existing grade.

MITIGATION Measures taken to eliminate or minimize damage from development activities, such as construction in wetlands or regulatory floodplain filling, by replacement of the resource.

MIXED USE BUILDING A multi-story building type that typically accommodates ground floor retail uses with upper-story residential or commercial use.

MONUMENT SIGN A type of ground freestanding sign having the entire bottom of the sign affixed to the ground, not elevated on poles, pylons, etc. The widest dimension of a monument sign is at its base.

MULTI-TENANT COMMERCIAL DEVELOPMENT Any planned concentration of multiple commercial uses in one building or lot, or in multiple buildings or lots that are divided by a shared party wall, which utilize shared parking.

(N)

NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929 As corrected in 1929, elevation reference points set by National Geodetic Survey based on mean sea level.

NATURAL EROSION The wearing away of the earth's surface by water, wind, or other natural agents under natural environmental conditions undisturbed by man.

NATURAL, WHEN USED IN REFERENCE TO STREAMS AND CHANNELS Those streams and channels formed by the existing surface topography of the earth prior to changes made by

¹⁶ The revision of the mining definitions is intended to clarify the treatment of quarries and sets the limit at 12 feet as provided in the use regulations for Mining. Under the proposed text, extraction of more than 12 feet (including quarries) are Major Resource Extraction and not Minor Resource Extraction.

man. A modified stream and channel which has regained natural characteristics over time as it meanders and reestablishes vegetation may be considered

NETWORK INTERFACE DEVICE The telecommunications demarcation device and cross connect point demarcating the boundary with any wireline backhaul facility and which is on or adjacent to the pole or support structure supporting the small wireless facility.

NEW CONSTRUCTION Structures for which the "start of construction" commenced on or after January 6, 1983 and includes any subsequent improvements to such structures.

NEW IMPERVIOUS SURFACE Area that is created after the effective date (**insert date**)

NIGHT CLUB A facility serving alcoholic beverages for on-site consumption, and providing entertainment, examples of which include live music, dancing, comedy, etc. Does not include sexually oriented/adult businesses.

NONCONFORMING BUILDING OR DEVELOPMENT Any legally existing building or development which fails to comply with the current provisions of this Ordinance.

NONCONFORMITY Any building, structure, use, sign, light source, or other development feature which was erected legally, but which does not comply with subsequently enacted restrictions and regulations.

NONCONFORMING NON-ENCROACHMENT AREA The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 1 foot as designated in the Flood Insurance Study report.

NONCONFORMING STRUCTURE Any structure or tree which does not conform to this Ordinance as of the effective date of these regulations.

NONCONFORMING USE Any structure or use of land which is inconsistent with the provisions of this Ordinance as of the effective date of these regulations.

NON-DEPOSITORY FINANCIAL INSTITUTION An establishment that provides short-term, high-interest personal lending services. These institutions include check cashing establishments (not including incidental check cashing), motor vehicle title lenders, pawnbrokers, payday lenders, deferred presentment services, bail bonding, and other businesses with similar business models and land use impacts. This definition does not include banks, credit unions, savings and loan associations, precious metals dealers, or similar uses.

NONMETALLIC MINERAL PRODUCT MANUFACTURING Uses as described in the North American Industry Classification System (NAICS) group 3200.

NONRIVERINE REGULATORY FLOODPLAIN Regulatory floodplains not associated with streams, creeks, or rivers, such as isolated depressional storage area or lakes.

NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD) The datum listed as the reference datum on flood insurance rate maps should be used for elevation certificate and floodproofing certificate completion.

NUCLEUS COLONY A small colony used for educational purposes, queen maintenance and rearing, or for use in the capture and future integration of a swarm into a viable colony. A nucleus colony is comprised of significantly fewer bees than a conventional colony and is contained in a structure that is approximately one-half the size of a normal hive.

NURSERIES & GARDEN CENTERS Industries in the Nursery and Garden Center subsector grow and sell plants mainly to be transplanted to another lot. The subsector comprises establishments, such as orchards, greenhouses, and nurseries, primarily engaged in retailing plants, vines, or trees and their seeds.

(O)

OFFICE, GENERAL A use classification for general business enterprises that provide a variety of standard administrative services but do not fall into another specific use classification. These establishments typically employ white-collar and professional workers and may be corporate headquarters, independent enterprises, or part of conglomerates with varied lines of business.

OFF-PREMISES SIGN A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided at a location other than the premises on which the sign is located.

ON-PREMISES SIGN A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided on the premises where the sign is located.

ON-STREAM DETENTION A detention facility constructed in whole or in part on a jurisdictional watercourse.

OPEN SPACE An area, land or water set aside and protected from development which may be left in a generally unimproved state without human-made structures and reserved for enjoyment in its unaltered state.

ORDINARY HIGH-WATER MARK The point on the bank or shore established by the fluctuations of water and indicated by physical characteristics. Distinctive marks may be

present, such as by erosion, destruction, or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other such recognized characteristics.

OUTDOOR AMENITY SPACE A predominately outdoor, open, and uncovered area that serves as an outside amenity for occupants of a development.

OUTSIDE SALES The retail sale of goods and products outside of a permanent primary structure that are clearly secondary to the function contained in that structure. They are typically located within permanent open-air structures, uncovered outdoor areas, or on public or private sidewalks. Sale items include, but are not limited to, landscape materials, lawn and garden supplies, and produce.

OUTSIDE SALES LOT The retail sale of goods and products outside of a permanent primary structure as the principal use of the lot. They are typically located within permanent open-air structures, uncovered outdoor areas, or on public or private sidewalks. Sale items include, but are not limited to, landscape materials, lawn and garden supplies, and produce.

OUTSIDE SALES, SIDEWALK SALES The retail sale of goods and products outside of a permanent primary structure that are clearly secondary to the function contained in that structure and are located exclusively on public sidewalks. Sale items include, but are not limited to, produce, clothing, and other merchandise.

OUTSIDE STORAGE The storage of any material for a period greater than 48 hours, including items for sale, lease, processing, and repair (excluding vehicles for sale) outside the principal or accessory buildings on a property. Storage of construction materials on an active job site may not be defined as outside storage.

OWNER Any individual, firm, association, syndicate, co-partnership, corporation, trust, or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide.

OWNERSHIP PARCEL Any legally described parcel of land. This includes contiguous lots or parcels of land, owned in whole, or in part, by the same property owner.

(P)

PARCEL a continuous tract or plot of land in one possession, no part of which is separated from the rest by intervening land in another's possession.

PARENT means an affiliate that directly, or indirectly through one or more intermediaries, controls another person.

PARENT PARCEL: Property from which smaller lots have been subdivided.

PARKING AISLE A single row of parking spaces.

PARKING BAY Two parking aisles located in a back-to-back configuration.

PARKING LOT/STRUCTURE–PRINCIPAL USE A stand-alone parking lot or structure (deck/garage) that is available for public or private use, but that is not accessory to another use.

PAWNSHOPS Premises operated by a pawnbroker who is engaged in the business of lending money on the security of pledged goods and who may also purchase merchandise for resale from dealers and traders. (Subject to South Carolina Code of Laws, Title 40, Chapter 39)

PEDESTRIAN SHED, LINEAR A pedestrian shed that is based on a one-quarter (1,320 feet) radius around a series of block lengths. Linear pedestrian sheds are useful in planning neighborhood main streets or neighborhoods with multiple nodes.

PEDESTRIAN SHED, STANDARD A pedestrian shed that is based on a one-quarter mile (1,320 feet) radius around a node. Standard pedestrian sheds are useful in planning neighborhoods.

PENINSULA, PROTRUSION OR AREAS THAT CHANNEL TRAFFIC All areas other than parking spaces or pedestrian walkways where traffic flow or direction is channeled or otherwise guided within the parking lot.

PERENNIAL STREAM Any stream displayed as a solid blue line on the most recent maps published by the U.S. Geological Survey, approved by the Army Corps of Engineers, or appearing on a map of perennial streams and wetlands approved by the Lancaster County Council.

PERIMETER LANDSCAPE AREA A landscaped area around a principle building that front upon a public street.

PERSON Any individual or group of individuals, firm, partnership, association, corporation, or any other entity including local government.

PERSON CONDUCTING LAND-DISTURBING ACTIVITY Any person who may be held responsible for violation unless expressly provided otherwise by this Ordinance.

PERSONAL SERVICES Cosmetic services such as hair and nail salons, barber shops, clothing alterations, shoe repair, weight loss centers and non-permanent makeup services.

PERSONAL SERVICES, RESTRICTED A personal service establishment that may tend to have a blighting and/or deteriorating effect upon surrounding areas and that may need to be dispersed from other similar uses to minimize its adverse impacts, including check-cashing services, non-depository financial institutions, and tattooing, piercing, huka or hookah facilities, and similar services. These uses may also include accessory retail sales of products related to the services provided.

PETROLEUM GAS Propane, propylene, butane, (normal butane or isobutanes) , and butylene (including isomers), or mixtures composed predominantly of these gases, having a vapor pressure not exceeding 208 psi (1434 kPa) gage at 100 °F (38 °C).

PETROLEUM PRODUCT Flammable, toxic, or corrosive products obtained from distilling and processing of crude oil, unfinished oils, natural gas liquids, blend stocks and other miscellaneous hydrocarbon compounds.

PHASE OF GRADING One of two types of grading: rough or fine.

PLACES OF ASSEMBLY – LARGE Structures and land designed for 50 or more people to congregate for civic, social, and religious functions. This includes, but is not limited to, worship centers, such as churches, temples, synagogues, and mosques, and civic meeting facilities, such as alumni associations, booster clubs, scouting organizations, ethnic associations, social clubs, fraternal lodge and veterans' membership organizations.

PLACES OF ASSEMBLY – SMALL Structures and land designed for less than 50 people to congregate for civic, social, and religious functions. This includes, but is not limited to, worship centers, such as churches, temples, synagogues, and mosques, and civic meeting facilities, such as alumni associations, booster clubs, scouting organizations, ethnic associations, social clubs, fraternal lodge and veterans' membership organizations.

PLANT UNIT A specific number and type of plants required within the landscape area.

POLE A vertical pole such as a utility, lighting, traffic, or similar pole made of wood, concrete, metal, or other material that is lawfully located or to be located within a right of way including, but not limited to, a replacement pole and a County pole. A 'pole' shall not include a support structure or electric transmission structure.

POLITICAL SIGN A temporary sign used in connection with a local, state, or national election or referendum.

POLLUTANT Any substance harmful to the environment that is not authorized for discharge from a storm sewer by a SCDHEC MS4 or NPDES permit.

POND A natural or artificial body of water of less than two acres which retains water year-round.

PORCH A raised structure attached to a building, forming a covered entrance to a doorway.

PORTABLE SIGN Pedestrian-scaled non-permanent signs which are not permanently affixed to the ground, a building, or any other surface. Such signs are used to display menus, daily specials, sale announcements, and similar messages. These signs include signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

POST-FIRM Construction or other development which started on or after January 6, 1983.

POST OFFICE Establishments conducting operations of the United States Postal Service including permanent, contract, and lease stations.

PRE-FIRM Construction or other development which started before January 6, 1983.

PRECISION INSTRUMENT RUNWAY A runway end having instrument approach procedure utilizing air navigation facilities with horizontal and vertical guidance, or area type navigation equipment, for which a straight-in precision instrument approach procedure has been approved or planned.

PRE-DEVELOPMENT Predevelopment conditions for the purpose of the UDO assume land use conditions prior to the proposed development or re-development. In such cases where development is initiated prior to receiving appropriate local, state, and federal permits, the existing land use condition will be assumed to be native forest.

PRELIMINARY PLAT A map or plat of a parcel of land which is to be or has been subdivided, containing sufficient data in order that a determination may be readily made as to the location, bearing, and length of every street and alley line, lot line, easement boundary line, and other boundary line, and meeting the required standards of this ordinance and approved following the procedures in this ordinance.

PRIMARY FAÇADE A building facade which faces a street, private drive, parking area, park or civic space.

PRIMARY SURFACE The primary surface is longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. When the runway has no specially prepared hard surface, the primary surface ends at each end of that runway. The width of the primary surface is 250 feet, or 50 feet beyond the marked edge of a turf runway.

PRINCIPAL STRUCTURE¹⁷ A structure in which is conducted the principal use of the parcel or lot on which it is located.

PRIVATE FLEET SERVICE FACILITY A facility owned and/or operated by the a business establishment or individual for the purpose of storage, maintenance, and/or fueling of fleet vehicles; storage of equipment and supplies in warehouses or outdoor storage yards; and/or the dispatching and training of field employees.

PRIVATE MATERIALS RECOVERY & WASTE TRANSFER FACILITIES This commercial industry comprises establishments primarily engaged in operating facilities for separating and

¹⁷ Staff comment: "Accessory Structure definition references "principal structure". Principal structure is not defined." Provided

sorting recyclable materials from nonhazardous waste streams (i.e., garbage); and/or operating facilities where commingled recyclable materials, such as paper, plastics, used beverage cans, and metals, are sorted into distinct categories.

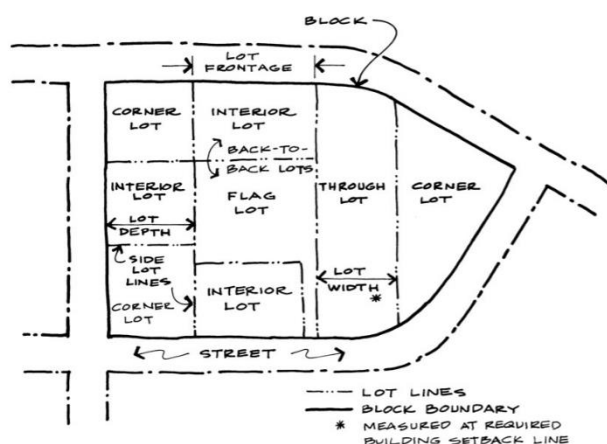
PRIVATE RECREATION FACILITIES Indoor or outdoor uses or structures for active or passive recreation that are owned by private for-profit entities. Such uses include gymnasiums, natatoriums, fitness center, athletic equipment, indoor running tracks, climbing facilities, court facilities, parks, pools, ball fields, batting cages, skateboard parks, playgrounds, greenway trails, driving ranges, archery ranges, tennis courts, riding stables, golf courses and their customary accessory uses including, but not limited to, maintenance sheds, clubhouses (with or without food service), restrooms, and picnic shelters.

PRIVATE RECYCLING COLLECTION STATIONS A center for the acceptance and temporary storage of recyclable materials in a common area in a residential development.

PROFESSIONAL SERVICES Services provided that make available the knowledge and skills of their employees to sell expertise and perform professional, scientific, and technical services to others such as legal services; accounting, tax, bookkeeping, and payroll services; architectural, engineering, and related services; graphic, industrial, and interior design services; consulting services; research and development services; advertising, media, and photography services; real estate services; investment banking, securities, brokerages; and insurance-related services.

PROJECTING/SUSPENDED SIGN A pedestrian-scaled sign that is wholly or partly dependent upon a building for support, which projects at an angle away from the building, extending more than one foot and can be read from both sides.

PROPERTY LINES¹⁸ The lines, as shown on a survey or plat, that indicate the legal limits of land ownership rights. Also known as “lot lines,” “parcel lines,” or “boundary lines.”



Source: Moskowitz, Harvey S. and Carl G. Lindbloom. *The Latest Illustrated Book of Development Definitions*, New Brunswick, N.J.: Center of Urban Policy Research, Rutgers University, 2017

¹⁸ Staff comment: “Define property lines. Provided.”

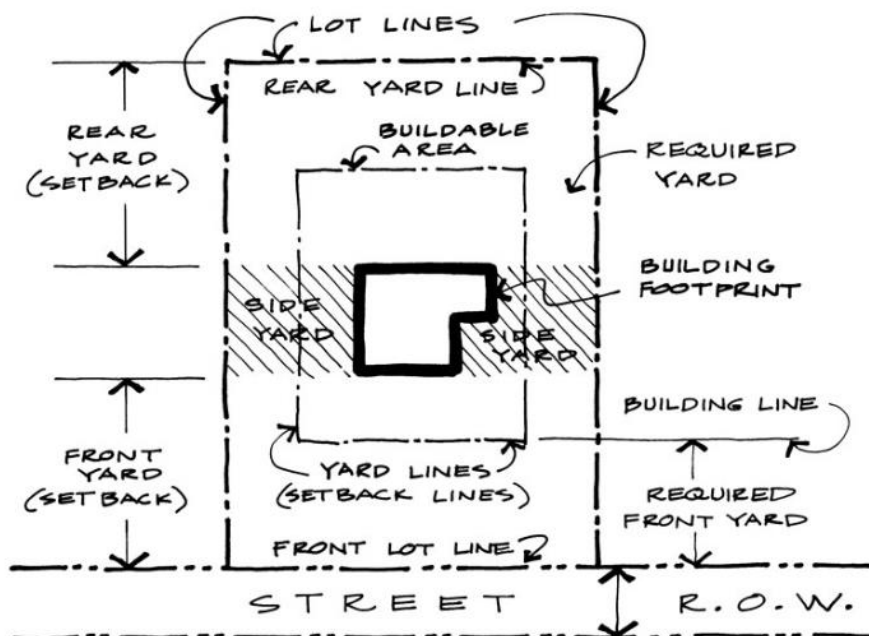
PROPERTY LINE, DOUBLE FRONTAGE Any property with two right-of-way frontages, one being the front property line and the other being parallel to the front property line. Front yard setbacks in double frontage lots must be provided along each such right-of-way.

PROPERTY LINE, FRONT¹⁹ The property line separating the property from a street right-of-way or access easement. On a flag lot, this line may be the line that parallels the street right-of-way or access easement.

PROPERTY LINE, REAR²⁰ The property line opposite and most distant from the front property line. In the case of irregularly shaped properties, the property line that is parallel to and at a maximum distance from the front property line.

PROPERTY LINE, SIDE INTERIOR²¹ Any property line other than a front or rear property line that does not directly abut a right-of-way.

PROPERTY LINE, SIDE STREET²² A property line that abuts a right-of-way or access easement that is not the front property line.



Source: Moskowitz, Harvey S. and Carl G. Lindbloom. *The Latest Illustrated Book of Development Definitions*, New Brunswick, N.J.: Center of Urban Policy Research, Rutgers University, 2017

¹⁹ Staff comment: "Define front property line." Provided.

²⁰ Staff comment: "Define rear property line." Provided.

²¹ Staff comment: "Define side interior property line." Provided.

²² Staff comment: "Define site [side?] street property line." Provided.

PROPERTY OWNER OF RECORD The person identified as owner by County tax records.

PROTECTED DISTRICT The zoning district that is protected by a landscape buffer.

PUBLIC FLEET SERVICE FACILITY A facility owned and/or operated by the government for the purpose of storage, maintenance, and/or fueling of fleet vehicles; storage of equipment and supplies in warehouses or outdoor storage yards; and/or the dispatching and training of field employees.

PUBLIC FLOOD CONTROL PROJECT A flood control project within a deed or plat restricted area that will be operated and maintained by a public agency to reduce flood damages to existing buildings or structures. A land stewardship not-for-profit corporation, or similar entity, may also own, operate, or maintain a public flood control project. In this circumstance, there shall also be an executed agreement with a public agency to take over ownership, operation, or maintenance if the corporation dissolves or fails to meet the operation and maintenance requirements for the project area. The project shall include a hydrologic and hydraulic study of the existing and proposed conditions of the watershed area affected by the project. Nothing in this definition shall preclude the design, engineering, construction, or financing, in whole or in part, of a flood control project by persons or parties who are not public agencies.

PUBLIC RECREATION FACILITIES Indoor or outdoor uses or structures for active or passive recreation that are owned by public or semi- public entities including municipal governments, homeowner's associations, athletic associations, and youth associations. Such uses include, gymnasiums, natatoriums, fitness center, athletic equipment, indoor running tracks, climbing facilities, court facilities, parks, pools, ball fields, batting cages, skateboard parks, playgrounds, greenway trails, driving ranges, archery ranges, tennis courts, riding stables, and golf courses and their customary accessory uses including, but not limited to, maintenance sheds, clubhouses (with or without food service), restrooms, and picnic shelters.

PUBLIC RECYCLING COLLECTION STATIONS A center for the acceptance by donation, redemption, or purchase, of recyclable materials from the public. This definition is not intended to be inclusive of Materials Recovery & Waste Transfer Facilities, which are engaged in the active sorting and processing of recyclables or other waste materials.

PUBLIC RECYCLING & WASTE COLLECTION FACILITY Waste Collection and Recycling - A site, location, tract of land, or building that may be used for the purpose of collecting all types of residential waste and recyclables that are generated "off-site" in the local community to be transported by public or private companies to a waste recycling, transfer, or disposal/recovery facility, permitted by South Carolina Department of Health and Environmental Control (SCDHEC) as required. This use includes County collection (convenience) centers.

PUBLIC ROAD OR TRAIL DEVELOPMENT Any development activities which take place in a public right-of-way or part thereof or easement that is administered and funded, in whole or

in part, by a public agency under its respective roadway jurisdiction. A public road development located within a regulatory floodway and which has been approved by the South Carolina Department of Transportation is exempt from the hydraulic analysis requirements of the UDO. Individual recreation trail systems being constructed as part of another development project are not considered public road or trail development.

PUBLIC SAFETY STATION Facilities for federal, state, and local law enforcement and fire protection agencies, and their accessory uses including office space, temporary holding cells, equipment and evidence storage facilities, and vehicle garages. This definition is not intended to be inclusive of vehicle impoundment lots or state prison facilities.

PUBLIC SIDEWALK An improved surface paralleling a street, road, or alley that is used as a public pedestrian walkway. This sidewalk shall not include any privately installed and maintained areas located adjacent to the public sidewalk that is used primarily to provide a pedestrian linkage between the abutting property and the public sidewalk.

PUBLIC TRANSPORTATION FACILITY A facility used for the purposes of providing regular, continuing shared-ride surface transportation services to the public. **PUBLIC TRANSPORTATION FACILITIES** include bus terminals, subway terminals, trolley and cable car terminals, and railroad terminals.

(Q)

(R)

RACETRACK An outdoor course prepared for horse, dog, automobile, or other vehicle racing.

RACEWAY An enclosed channel of metal or nonmetallic materials designed expressly for holding wires or cables associated with illuminating a sign.

REAL ESTATE SIGN A sign displayed for the purpose of offering for sale, lease, or rental the property on which such sign is displayed.

RECONSTRUCTION The act of rebuilding a structure.

RECREATIONAL VEHICLE A vehicle which is:

- 1) Built on a single chassis;
- 2) 400 square feet or less when measured at the largest horizontal projection;
- 3) Designed to be self-propelled or permanently towable by a light-duty truck; and

4) Designed primarily not for use as permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGISTERED PROFESSIONAL ENGINEER An engineer licensed in the state under the S.C. Code of Regulations Chapter 49.

REGULATORY FLOOD PROTECTION ELEVATION The elevation to which all structures and other development located within the special flood hazard areas must be elevated, or floodproofed if non-residential. Within such areas where base flood elevations (BFEs) have been determined, this elevation shall be the BFE plus 2.5 feet of freeboard. In such areas where no BFE has been established, this shall be 2.5 feet above the highest adjacent grade.

REMEDY A VIOLATION To bring a structure or other development into compliance with State or community floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the Ordinance, or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.

REPAIR, REMODELING OR MAINTENANCE Activities which do not result in any increases in the outside dimensions of a building or any changes to the dimensions of a structure.

REPETITIVE LOSS A building covered by a contract for flood insurance that has incurred flood-related damages on 2 occasions during a 10 year period ending on the date of the event for which a second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25% of the market value of the building at the time of each such flood event.

RESEARCH AND DEVELOPMENT FACILITIES This includes medical and testing laboratories but shall not include uses that require frequent deliveries by truck with more than two axles. This definition also includes facilities for scientific research, and the design, development, and testing of electrical, electronic, magnetic, optical, computer and telecommunications components in advance of product manufacturing, and the assembly of related products from parts produced off-site, where the manufacturing activity is secondary to the research and development activities.

RESIDENTIAL/FAMILY CARE HOME (5 OR FEWER RESIDENTS) A home with support and supervisory personnel that provides room and board, personal care, and rehabilitation services in a family environment for not more than 6 resident handicapped persons and is certified by the State of South Carolina. This term excludes residential care facilities and halfway homes.

RESIDENTIAL CARE FACILITIES (6 OR MORE RESIDENTS) A staffed premises (not a single-family dwelling) with paid or volunteer staff that provides full-time care to more than 6 individuals. Residential care facilities include group homes, nursing homes, residential child-

care facilities, assisted living facilities, adult care homes, congregate living facilities, continuing care facilities, skilled nursing facilities, orphanages, and independent living facilities as defined herein. This term excludes residential/family care homes and halfway homes.

RESIDENTIAL STREET Streets serve as the primary transportation network in the community. Generally, they are two to six blocks in length.

RESTAURANT Any establishment, whether open to the public or operated as a private club, whose primary business (51% of gross income) is serving food or meals prepared on the premises. When alcoholic beverages, including beer and wine, are served, menus must be available and table service provided to patrons. Any defined portion of the restaurant where alcoholic beverages, including beer and wine, are served, but the purchase of food is optional, will clearly be subordinate to the main dining area where the purchase of food is expected and required by the operator. The sale of alcoholic beverages, including beer and wine, must be licensed by the State Alcoholic Beverage Commission.

RETAILER A person or entity engaged in the business of selling personal property to the public or to consumers, as opposed to selling to those who intend to resell the items.

RETAILER, LARGE SCALE A single retail use located in a single building of at least 100,000 square feet of gross floor area.

RETENTION FACILITIES A facility designed to completely retain a specified amount of stormwater runoff without release except by means of evaporation, infiltration, or pumping.

RETROFITTING Measures, such as floodproofing, elevation, construction of small levees, and other modifications, taken on an existing building or its yard to protect it from flood damage.

REVENUES All fees, assessments or other income received by the stormwater utility, including, but not limited to, amounts received from the investment or deposit of monies in any fund or account, and all amounts received as gifts or donations, and the proceeds from the sale of bonds to finance the stormwater management program, or any other type of funds derived from grants, charges, or loans which by purpose or effect relate to stormwater management activities.

RIPARIAN ENVIRONMENT Vegetated areas within the limits of the regulatory floodplain or floodprone area conveyance path, bordering a waterway that provides habitat or amenities dependent on the proximity to water.

RIVERINE Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

ROAD – See “Street”

ROADSIDE DITCHES Drainage ditches within 25 feet from the edge of the outside travel lane. Section 1316 of the National Flood Insurance Act of 1968 refers to the act that provides that no

new flood insurance shall be provided for any property found by the Federal Emergency Management Agency to have been declared by a state or local authority to be in violation of state or local ordinances.

ROADSIDE STANDS A Seasonal Sales establishment, operated primarily in the open air, for the retailing of agricultural products including, but not limited to, vegetables, fruits, meats, eggs, dairy products, grains, and prepared foods.

ROOF SIGN A sign which is erected, constructed, placed, or maintained upon and completely over the roof of the building to which it is attached.

RUNWAY A defined area on an airport prepared for landing and takeoff of aircraft along its length.

RUNWAY END Existing physical end of the hard-surfaced runway, having a defined coordinate and elevation.

RUNWAY PROTECTION ZONE (RPZ) (ZONE A) The area off the end of the runway end designed to provide a clear area that is free of above ground obstructions and structures to enhance the protection of people and property on the ground. Zone A is intended to provide a clear area that is free of above-ground obstructions and structures.

RUNWAY APPROACH SURFACE (ZONE B) A critical overlay surface that reflects the approach and departure areas for each runway at an airport. The approach surface is longitudinally centered on the extended runway centerline, extending outward and upward from the end of the runway. The approach slope for visual runways is 20:1 for a distance of 5,000 feet.

(S)

SCHOOLS–ELEMENTARY & SECONDARY A public or private institution for education or learning including athletic or recreational facilities, but not including lodging. This includes any school licensed by the state and that meets the state requirements for elementary and secondary education. This may include remedial after school activities.

SCHOOLS–VOCATIONAL/TECHNICAL A public or private institution for education or learning including athletic or recreational facilities, but not including lodging. These schools offer vocational and technical training in a variety of technical subjects and trades. Training may lead to job-specific certification.

SECONDARY FAÇADE A building façade which does not face a street, private drive, parking area, park, or civic space.

SECTION 1316 OF THE NATIONAL FLOOD INSURANCE ACT OF 1968 The act provides that no new flood insurance shall be provided for any property found by the Federal Emergency Management Agency to have been declared by a state or local authority to be in violation of state or local ordinances.

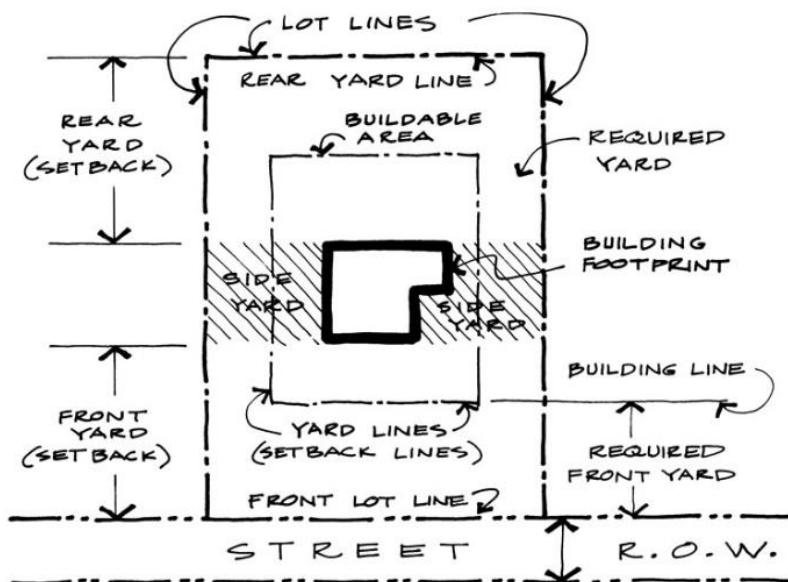
SEDIMENT Solid particulate matter, both mineral and organic, that has been or is being transported by water, air, gravity, or ice from its site of origin.

SEDIMENTATION The process by which sediment resulting from accelerated erosion has been or is being transported off the site of the land-disturbing activity or into a lake or natural watercourse.

SERVICE LINE A distribution line that transports gas from a common source of supply to an individual customer, to residential or small commercial customers, or to multiple residential or small commercial customers served through a meter header or manifold. A service line ends at the outlet of the customer meter or at the connection to a customer's piping, whichever is further downstream, or at the connection to customer piping if there is no meter.

SERVICE STREET A specifically designated street where special rules apply.

SETBACK²³ The distance between a building and any property line.



SETBACK LINE The line that is the required minimum distance from any property line and that establishes the area within which the principal structure may be constructed or placed.

Source: Moskowitz, Harvey S. and Carl G. Lindbloom. *The Latest Illustrated Book of Development Definitions*, New Brunswick, N.J.: Center of Urban Policy Research, Rutgers University, 2017

²³ Staff comment: "Define setback." Provided

SETBACK, FRONT YARD²⁴ The required minimum distance between the front property line and any portion of a principal structure.

SETBACK, REAR YARD²⁵ The required minimum distance between the rear property line and any portion of a principal or accessory structure.

SETBACK, SIDE INTERIOR YARD²⁶ The required minimum distance between the side property line and any portion of a principal or accessory structure.

SETBACK, SIDE STREET YARD²⁷ The required minimum distance between the property line abutting a right-of-way or access easement that is not the primary right-of-way or access easement and any portion of a principal or accessory structure.

SEXUALLY ORIENTED BUSINESS (SOB)/ADULT ESTABLISHMENT Any establishment having a substantial portion of materials or entertainment characterized by an emphasis on sexual activities, anatomical genital areas, or the female breast as listed and defined in South Carolina Code of Laws Section 16-15-375. SOB uses and establishments include, but are not limited to, adult arcades, adult bookstores, adult cabarets, adult motels, adult motion picture theaters, adult theaters, adult video stores, escort motels, escort services, and sexual encounter centers, and any other establishment which contains activities characterized by the performance, depiction, or description of specific anatomical areas or specific sexual activities.

SHADE TREE A locally adapted species with an expected mature height of 35 feet or greater and an expected mature crown spread of at least 30 feet or greater.

SHINGLE SIGN A small projecting sign that hangs from a bracket or support and is located over or near a building entrance.

SHOOTING RANGE, INDOOR An enclosed indoor facility designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, air guns, or any other similar sport shooting. Indoor shooting range facilities are designed to offer a totally controlled shooting environment that includes impenetrable walls, floor and ceiling, adequate ventilation, lighting systems and acoustical treatment for sound attenuation suitable for the range's approved use.

SHOOTING RANGE, OUTDOOR A permanently located and improved area that is designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, air guns, or any other similar sport shooting in an outdoor environment.

²⁴ Staff comment: "Define front yard setback. List this and others as "Setback, Front", etc. so they are clustered together." Provided

²⁵ Staff comment: "Define rear yard setback." Provided

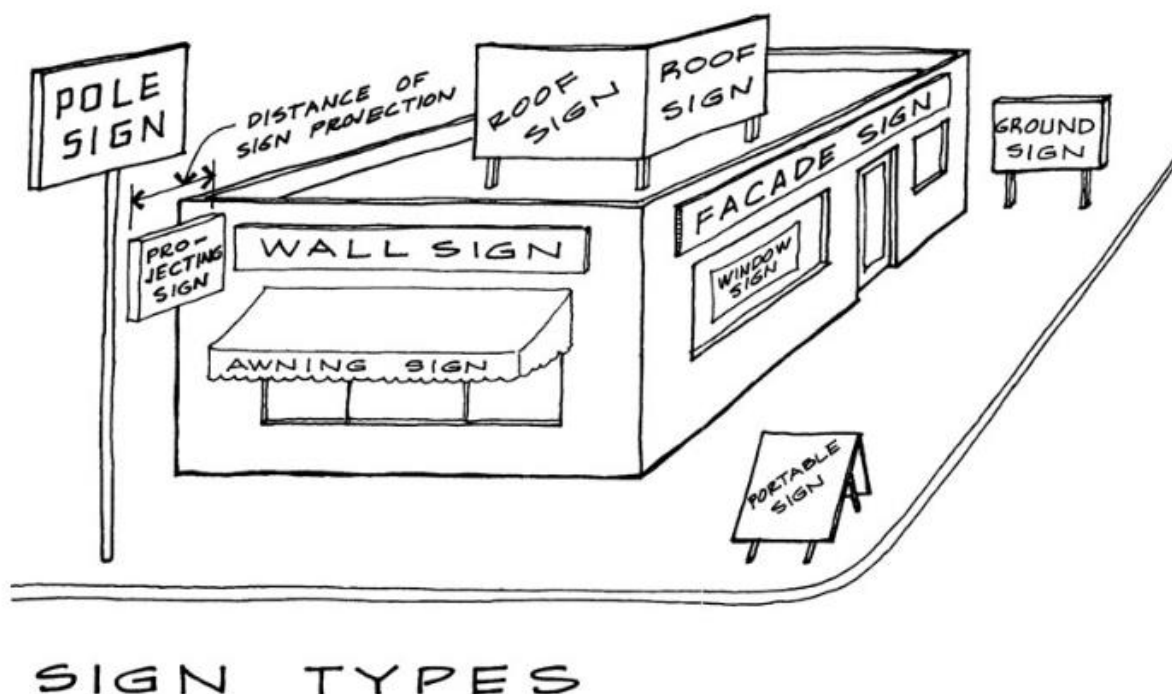
²⁶ Staff comment: "Define side interior yard setback" Provided

²⁷ Staff comment: "Define side street yard setback. Provided

SHOPFRONT BUILDING A single-story building type that typically accommodates ground floor retail uses

SIDEWALK SIGN A moveable sign not secured or attached to the ground or surface upon which it is located.

SIGN²⁸ Any object, device, display, or structure, or part thereof, situated outdoors or indoors, that is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, colors, fixtures, illumination, or projected images.



Source: Moskowitz, Harvey S. and Carl G. Lindbloom. *The Latest Illustrated Book of Development Definitions*, New Brunswick, N.J.: Center of Urban Policy Research, Rutgers University, 2017

SILTATION Sediment resulting from accelerated erosion which is settleable or removable by properly designed, constructed, and maintained control measures; and which has been transported from its point of origin within the site of a land-disturbing activity; and which has been deposited, or is in suspension in water.

SINGLE FAMILY RESIDENTIAL PROPERTY Developed property which serves the primary purpose of providing a permanent dwelling unit, regardless of the zoning district in which such

²⁸ Staff comment: "Reorganize sign related definitions by indicating "Sign, window, Sign, Bracket," etc so that they are clustered together. Clarify Window signs can also be installed on the outside also."

property is located, for single-family detached units, and which may or may not have accessory uses related to the purpose of providing permanent dwelling facilities.

SITE Any lot or group of contiguous lots owned or controlled by the same person or entity, assembled for the purpose of a single development.

SITE PLAN³² The development plan for one or more properties/lots/tracts on which is shown the existing and proposed conditions of the lot, including topography, vegetation, drainage, floodplains, wetlands, and waterways; landscaping and open spaces; walkways; means of ingress and egress; circulation; utility services; structures and buildings, both existing and proposed; signs and lighting; berms, buffers, and screening devices; surrounding properties and development; and any other information that reasonably may be required in order for an informed decision to be made by the Planning Commission, Board of Zoning Appeals, and/or County Council.

SKETCH PLAN A component of a development application that shows in simple line drawing form the proposed layout of streets, lots, buildings, civic spaces, and other features in relation to existing conditions based upon the size of the tract proposed for development.

SMALL EQUIPMENT REPAIR/RENTAL The repair and/or rental of small equipment as a primary use including televisions, computers, cleaning equipment, vacuum cleaners, and other equipment that can be transported by automobile, small truck/van.

SMALL WIRELESS FACILITY Radio transceivers; surface wave couplers; antennas; coaxial or fiber optic cable located on a pole or support structure, immediately adjacent to a pole or support structure, or directly associated with equipment located on a pole or support structure and within a one hundred-foot radius of the pole or support structure; regular and backup power supplies and rectifiers; and associated ancillary equipment, regardless of technological configuration, at a fixed location or fixed locations that enable communication or surface wave communication between user equipment and a communications network and that meets both of the following qualifications:

- A. Each wireless provider's antenna could fit within an enclosure of no more than six cubic feet in volume; and
- A. All other wireless equipment associated with the small wireless facility, whether ground or pole mounted, is cumulatively no more than twenty-eight cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of the volume of all other wireless equipment associated with any such facility: electric meters, concealment elements, network interface devices, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services. The term "small wireless

³² Staff comment: "Define site plan." Provided

facility" does not include: the pole, support structure, or improvements on, under, or within which the equipment is located or collocated or to which the equipment is attached; wireline backhaul facilities; or coaxial or fiber optic cable that is between Small Wireless Facilities, poles, or support structures or that is otherwise not immediately adjacent to or directly associated with a particular antenna. For purposes of this Regulation, in order to be considered directly associated with equipment located on a pole or support structure, coaxial or fiber optic cable must not extend more than one hundred feet in radial circumference from the base of the pole or support structure to which the small wireless facility antenna is attached. No portion of a small wireless facility as defined in this Regulation may be used as a wireline backhaul facility.

SMALL WIRELESS PERMIT A written authorization, in electronic or hard copy format, required to be issued by the County to initiate, continue, or complete the collocation of a small wireless facility or the installation, modification, or replacement of a pole upon which a small wireless facility is to be collocated.

SOLAR ENERGY SYSTEM Any device or combination of devices or elements which rely upon direct sunlight as an energy source, including but not limited to any substance or device which collects sunlight for use in the heating or cooling of a structure or building, the heating or pumping of water, or the generation of electricity. A solar energy system may be used for purposes in addition to the collection of solar energy. These uses include, but are not limited to, serving as a structural member or part of the roof of a building or structure and serving as a window or wall. A solar energy system may be mounted on the building or on the ground and is not the principal use of the property.

SOLAR FARM An energy generation facility comprised of one or more freestanding, ground mounted devices that capture solar energy and convert it to electrical energy for use in locations other than where it is generated. Solar generation stations typically utilize photovoltaic solar cells, but can also be combinations of light reflectors, concentrators, and heat exchangers. A solar farm is also known as a solar power plant, solar generation plant, solar power plant, or solar thermal power plant.

SPECIAL FLOOD HAZARD AREA (SFHA) The land in the floodplain subject to a 1 percent or greater chance of being flooded in any given year as determined in [Chapter 8](#) of this Ordinance.

SPORTS ARENA/STADIUM. A structure that is open or enclosed and used for games, concerts, and major events and is partly or completely surrounded by tiers of seats accommodating spectators.

STORAGE-OUTDOOR STORAGE YARD The storage of various materials including, but not limited to, lumber, pipe, bricks, stone, shingles, mulch, soil, sand, gravel, and other nonhazardous materials outside of a structure, as a principal use. This definition is not inclusive of any scrap metal, junk vehicles or other similar salvage materials.

STORAGE–SELF-SERVICE A building containing separate enclosed storage spaces of varying sizes leased or rented on an individual basis.

STORAGE-WAREHOUSE, INDOOR STORAGE Facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include warehouse, storage, self-service, or mini-storage facilities offered for rent or lease to the general public; warehouse facilities primarily used for wholesaling and distribution; or terminal facilities for handling freight.

STORAGE-WAREHOUSE, INDOOR STORAGE, RESTRICTED A facility that involves the storage of any hazardous materials or substances which would be subject to the reporting requirements of The Emergency Planning and Community Right-to-Know Act (EPCRA) also known as SARA Title III of 1980 (Sections 311-312, 42 U.S.C. §§ 11021-11022) and/or any facility which stores dangerous goods and/or hazardous substances that are covered by separate regulations, standards or codes which are classified on the basis of immediate physical or chemical hazards, such as fire, explosion, corrosion and toxicity and are in sufficient quantities such that accidental release of explosion may affect life, health, property or the environment beyond the immediate perimeter of the facility. These include: flammable gases, flammable liquids, flammable solids (self-reactive and related substances; and desensitized explosives), substances liable to spontaneous combustion, substances that when in contact with water emit flammable gases, oxidizing substances, organic peroxides, toxic substances, radioactive and corrosive substances.

STORMWATER FACILITY See Stormwater drainage, flood control and pollutant reduction in runoff.

STORMWATER MANAGEMENT SYSTEM All ditches, channels, conduits, bridges, culverts, levees, ponds, natural and human-made impoundments, wetlands, wetland buffers, riparian environment, tile, swales, sewers, BMPs or other natural or artificial structures or measures which serve as a means of draining surface and subsurface water from land.

STORMWATER PERMIT A permit established by this article and issued through the County prior to the approval of a building permit signifying conformance with provisions of this article.

STORMWATER POLLUTION PREVENTION PLAN A document which describes the best management practices (BMPs) and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

STORMWATER RUNOFF The portion of a precipitation on the land which reaches the drainage system.

STORMWATER UTILITY SERVICE FEE The monthly monetary amount charged each parcel of real property for the services provided by the stormwater utility system and program as set

forth in the County schedule of rates and fees, a copy of which is located in the office of the County Clerk and is incorporated by reference herein.

STREAM A perennial or intermittent stream shall be deemed present if the feature is shown on either the most recent version of the soil survey map prepared by the Natural Resources Conservation Service of the United States Department of Agriculture (USDA) or the most recent complete version of the 1:24,000 scale (7.5 minute) quadrangle topographic maps prepared by the United States Geologic Survey (USGS).

STREAM CHANNEL Any river, stream, creek, brook, or branch in or into which surface or groundwater flows, either perennially or intermittently.

STREET – Any vehicular right-of-way that is (1) an existing state, county, or private roadway; (2) is shown upon a plat or survey approved pursuant to law; and/or (3) is shown on the official map or an adopted master plan. Also known as “road,” “roadway,” and other terms listed below:

See SCDOT design manual 3.4.1 (also see Ch. 6)

STREET - ALLEY Alleys are intended to provide indirect, limited access to the rear of properties but not to accommodate through traffic. Utilities, either above ground or underground, may be located in alleyways to provide service connections to rear elevations. Alleys are limited to one lane of traffic and should be one way only unless there is not a connecting roadway to complete the network. Alley design should be straight (180 degrees) and may not curve. Alleys may not end in cul-de-sacs and must connect to another road in the network (usually a local road). On-street parking is strictly prohibited on alleys.

STREET- LOCAL (URBAN)

Roads that primarily serve as access to residences, businesses, and other properties. They distribute traffic to higher functional classification streets in the network. These roads should have the lowest traffic counts in the urban network, which includes the transitional and neighborhood zones as shown in Section 2.5.3. Informal on-street parking is not allowed on local (urban) streets with less than 30 feet of pavement width after the date of adoption of this ordinance. On-street parking is allowed with an approved parking plan that includes parking stalls designed to work with the street.

STREET - LOCAL (RURAL)

Local roads and streets primarily serve as access roads to farms, residences, businesses, and other properties. They distribute traffic to highways in the higher functional

classification network. These roads should have the lowest traffic counts in the county-wide network and are found in rural zones as shown in Section 2.5.3.

STREET - COLLECTOR (URBAN)

Collector routes are characterized by a roughly even distribution of their access and mobility functions. Traffic volumes and speeds will typically be somewhat lower than those of arterials. Access to properties is normally allowed on collector roads unless a traffic impact analysis (TIA) performed in the area indicates a shared access is safer. Collector streets (urban) serve as intermediate links between the arterial system and points of origin and destination, providing access and traffic circulation within residential neighborhoods and commercial/industrial areas.

Collector (urban) roads are found in the transitional, special, and neighborhood zones as shown in Section 2.5.3. In fully developed areas, spacing generally is approximately ½ mile between routes. On-street parking is not allowed on collector (urban) roads.

STREET - COLLECTOR (RURAL)

Collector routes are characterized by a roughly even distribution of their access and mobility functions. Traffic volumes and speeds will typically be somewhat lower than those of arterials. Access to properties is normally allowed on collector roads.

The function of rural collector roads is to serve travel needs within the county and collect traffic flow from the rural local roads to the rural arterials and to distribute traffic flow from arterials back to the local roads. These collectors are found in the rural network, which includes rural zones as shown in Section 2.5.3. On-street parking is not allowed on collector (rural) roads

STREET - COMMERCIAL/ARTERIAL (URBAN)

Commercial/arterial (urban) roads are characterized by their ability to quickly move relatively large volumes of traffic but are often impacted by access to abutting properties. They have the highest travel speeds and the longest trip movements. Development along arterials should encourage shared driveways and/or frontage roads in order to manage highway access points.

Commercial/arterials may take the form of multilane facilities (divided or not), two-lane rural highways, four lane urban street, or major two-lane urban street. At no time will an arterial consist only of gravel and/or dirt for a road surface; all arterials will be paved.

Commercial/arterial (urban) roads are found in the transitional, special, and neighborhood zones as shown in Section 2.5.3.

STREET - COMMERCIAL/ARTERIAL (RURAL)

Commercial/arterial (rural) roads are characterized by their ability to quickly move volumes of traffic but are often impacted by access to abutting properties and slow-moving machinery using the road as transportation between fields. They have the highest travel speeds and the longest trip movements and provide a mix of intrastate/interstate and intercounty travel service.

Commercial/arterial (rural) roads provide service to, through, and/or around urban areas from rural areas, may provide for significant suburban travel demands, and may warrant management of access to the highway. Commercial/arterial (rural) roads are found in rural zones as shown in Section 2.5.3 and generally do not penetrate neighborhoods.

STRUCTURE³³ Any human-made item that is built or constructed.

STUDIO–ART, DANCE, MARTIAL ARTS, MUSIC Facilities for individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics, yoga, and similar instruction; and aerobics and gymnastics studios with no other fitness facilities or equipment.

SUBDIVIDER Any individual, firm, association, syndicate, co-partnership, corporation, trust, or any other legal entity proceeding under to subdivide land hereunder for himself or for another.

SUBDIVISION All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any 1 or more of those divisions is created for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets.

SUBDIVISION, MAJOR Subdivisions that include new streets, extensions of streets, requests for variances, dedication of public utilities or streets, include 11 or more acres or subdivide land into 6 or more lots, and result in an increase in the number of lots/parcels included in subdivision previously approved by Lancaster County.

SUBDIVISION, MINOR Subdivisions that do not include new streets, extensions of streets (except for improving or widening existing streets), requests for variances (except those for curb and gutter requirements), dedication of public utilities or streets, include 10 or fewer acres or subdivide land into five or fewer lots, and do not result in an increase in the number of lots/parcels included in subdivision previously approved by Lancaster County.

³³ Staff comment: "Definition of structure is limited to principal uses."

SUBSIDIARY An affiliate that is directly, or indirectly through one or more intermediaries, controlled by another person.

SUBSTANTIAL DAMAGE Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Such repairs may be undertaken successively and their costs counted cumulatively. Please refer to the definition of "substantial improvement".

SUBSTANTIAL IMPROVEMENT Any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures that have incurred repetitive loss or substantial damage, regardless of the actual repair work performed.

The term does not, however, include either:

- 1) Any project of improvement to a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or,
- 2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Permits shall be cumulative for a period of 5 years. If the improvement project is conducted in phases, the total of all costs associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether "substantial improvement" will occur.

SUBSTANTIALLY IMPROVED EXISTING MANUFACTURED HOME PARK OR SUBDIVISION Where the repair, reconstruction, rehabilitation, or improvement of the streets, utilities, and pads equals or exceeds 50% of the value of the streets, utilities, and pads before the repair, reconstruction, or improvement commenced.

SUPPORT STRUCTURE, COMMUNICATIONS Includes communication towers, buildings, and any other structures used to support 1 or more antennas.

SWALE A vegetated channel, ditch, or low-lying or depressional tract of land that is periodically inundated by conveying stormwater from one point to another.

(T)

TECHNICAL REVIEW COMMITTEE (TRC) A staff committee established to provide technical advice on sketch plans, preliminary plats, and final plats.

TECHNICALLY FEASIBLE A deployment that, by virtue of engineering or spectrum usage, the proposed placement for a small wireless facility, or its design, concealment measures, or site location can be implemented without a material reduction in the functionality of the small wireless facility.

TEMPORARY SIGN A sign that is used in connection with a circumstance, situation, or event that has a definite beginning and end date/time. This definition does not include changeable signs.

TEMPORARY USE A land use on an individual parcel or site established for a limited and fixed period of time for a purpose which may not normally be permitted in a zoning district, or which does not meet all zoning requirements, but which is necessary in special situations.

TEN-YEAR STORM The stormwater runoff resulting from precipitation of an intensity expected to be equaled or exceeded, on the average, once in 10 years, and of a duration which will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions.

THEATER, INDOOR (MOVIE OR LIVE PERFORMANCE) A specialized theater for showing movies or motion pictures on a projection screen or a stage for live performances. This category also includes cineplexes and megaplexes, complex structures with multiple movie theaters, each theater capable of an independent performance. This does not include Sexually Oriented Businesses/Adult Entertainment.

THEATER, OUTDOOR (AMPHITHEATER) An establishment for the performing arts with open-air seating for audiences, usually circular or oval, in which tiers of seats rise from a central open avenue.

TINY HOME A Detached Dwelling that is 600 square feet or less in Floor Area, excluding lofts. A "loft" is a floor level located more than 30 inches above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet, 8 inches and is used as a living or sleeping space.

TINY HOME COURT A Development that contains three or more Tiny Homes located on a single Lot.

TINY HOME ON WHEELS (THOW) A type of Recreational Vehicle that: is 400 square feet or less in area; includes basic functional areas that support normal daily routines, such as a bathroom, a kitchen, and a sleeping area; and is mounted on a wheeled trailer chassis.

TOWER, COMMUNICATIONS Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

TOWER, LATTICE A guyed or self-supporting multi-sided, open, steel frame structure used to support wireless communications equipment.

TOWER, MONOPOLE A structure composed of a single spire used to support wireless communications equipment.

TOWNHOUSE A building type that accommodates three or more dwelling units where each unit is separated vertically by a common side wall. Units cannot be vertically mixed.

TOWNHOUSE DEVELOPMENT A townhouse development is a development consisting of two or more townhouses with each townhouse on its own lot separated by property lines and constructed within a building group of townhouses with their accompanying common areas, courtyards, and accessory buildings as authorized by the condominium or townhouse development regulations of the Lancaster County Unified Development Ordinance.

TOXIC OR HAZARDOUS MATERIALS Any substance or combination of substances, which upon exposure to any organism, either directly from the environment or indirectly by ingestion through food chains, has the potential to cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, physical deformities, or other adverse health effects in such organisms or their offspring.

TRAFFIC AISLE A driveway for traffic along parking spaces.

TRAFFIC CHANNEL A driveway for traffic movement within a parking lot other than landscape islands.

TRAFFIC ISLAND Any peninsula, protrusion, or area within or along parking lots that channel traffic or separate entrance drives from parking spaces. A traffic island is not necessarily a complete "island" surrounded by other installations or constructions.

TRANSITION SECTION The reaches of the stream or regulatory floodway where water flows from a narrow cross-section to a wide cross-section or vice-versa.

TRANSITIONAL SHELTER A facility that provides temporary housing. Such a facility is a temporary use and is distinct from the definition for Community Support Facility.

TRANSITIONAL SURFACE (ZONE C) The transitional surface extends outward and upward at right angles to the runway centerline and extends at a slope of seven feet horizontally for each one-foot vertically (7:1) from the sides of the primary and approach surfaces. The transitional surfaces extend to the point at which they intercept the horizontal surface at a height of 150 feet above the established airport elevation.

TRANSMISSION PIPELINES Include, but not limited to, pipelines designed for the transmission of a "Gas", or "Petroleum Gas", except a "Service Line" or "Main", as those terms are defined by Title 49, Code of Federal Regulations, Section 192.3; also includes pipelines

designed for the transmission of a "Hazardous Liquid", "Petroleum Product", "Highly Volatile Liquid", as defined by Title 49, Section 195.2.

TRANSPARENCY The total area of window and door opening filled with glass expressed as a percentage of the total facade area by story.

TWENTY-FIVE YEAR STORM The stormwater runoff resulting from precipitation of an intensity expected to be equaled or exceeded on the average, once in 25 years, and of a duration which will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions.

(U)

UDO Lancaster County Unified Development Ordinance.

UNCOVERED The removal of ground cover from, on, or above the soil surface.

UNDERSTORY TREE A locally adapted species with an expected mature height of at least 15 feet and an expected mature crown spread of at least 15 feet.

UNDEVELOPED COMMERCIAL/INDUSTRIAL PROPERTY Undeveloped property located within a zoning district in which multifamily, industrial, service, or commercial uses are included as permitted uses.

UNDEVELOPED RESIDENTIAL PROPERTY Undeveloped property located in a district zoned primarily for detached single-family dwelling units, but not included as permitted uses industrial, service, and commercial uses.

UNENCLOSED³⁴ Not enclosed (see definition of Enclosed)

UPPER STORY Any story above the ground story or floor.

USE The principal activity or function that actually takes place or is intended to take place on a parcel.

UTILITIES Facilities or systems for the distribution of gas, electricity, steam, or water, the collection, treatment and disposal of sewage or refuse; the transmission of communications; of similar functions necessary for the provision of public services. Radio transmission facilities less than 180 feet in height for use by ham radio operators or two-way radio facilities for business or governmental communications shall be deemed accessory uses and not utilities. Utilities are divided into 3 classes:

³⁴ Staff comment: "Define unenclosed." Provided

Class 1: Distribution, transmission, and collection lines (above and below ground) including electrical, solar panels, telephone/broadband internet, natural gas, waste water collection, and water distribution lines; pumping stations, lift stations, and telephone/broadband switching facilities (up to 200 square feet).

Class 2: Elevated water storage tanks; above ground natural gas facilities including regulator stations and Point of Delivery stations; package treatment plants; telephone/broadband switching facilities (over 200 square feet); substations; or other similar facilities in connection with telephone, electric, natural gas, steam, and water facilities, **not including cellular communication towers.**

Class 3: Generation, production, or treatment facilities such as power plants, water, and sewage plants.

If a utility facility seeks to expand its operation or facility and maintain its protected status, then the utility facility may reasonably expand its operation or facilities without losing its protected status if it is in compliance with all county, municipal, state, and federal environmental codes, laws, or regulations at the time of expansion. This protected status of a utility facility, once acquired is assignable, alienable, and inheritable, provided the utility facility is operating for the same use as when it commenced operations or a reasonable expansion thereof as provided heretofore and the protected status may not be waived by the temporary cessation of operation for a period not to exceed two years or by diminishing the size of the operation. (Ord. No. 2019-1634, 1.27.20)

(V)

VARIANCE A grant of permission that authorizes a person, owing to conditions particular to the property, in which a literal enforcement of the UDO would result in unnecessary and undue hardship.

VEHICLE RENTAL/LEASING/SALES Establishments that may have showrooms or open lots for selling, renting, or leasing vehicles. May include car dealers for automobiles and light trucks, mobile homes, motorcycle, ATV, or boat and marine craft dealers.

VEHICLE SERVICES–MAJOR REPAIR/BODY WORK The repair, servicing, alteration, restoration, towing, painting, or finishing of automobiles, recreational vehicles, boats, and other personal vehicles as a primary use. This includes major repair and body work such as collision repair, painting services, tire recapping, and other body work. This may be an accessory use to an establishment that provides vehicle rental/leasing/sales. “Vehicle Services – Minor Repair/Maintenance” use as well as the sale of vehicle parts, food and convenience items may also be included as an incidental part of such uses.

VEHICLE SERVICES–MINOR REPAIR/MAINTENANCE Facilities for the fueling, cleaning and servicing of automobiles, recreational vehicles, boats, and other personal vehicles as a primary use. Examples include: gas stations; car washes (attended and self-service); car stereo and alarm system installers; detailing services; muffler and radiator shops; tire and battery sales and installation (not including recapping); and quick-lube services. Such uses may include structures that are specialized for selling gasoline with storage tanks, often underground or hidden. The sale of vehicle parts, food, and convenience items may be included as an incidental part of such uses.

VELOCITY The average velocity of flow through the cross section of the main channel at the peak flow of the storm of interest. The cross section of the main channel shall be that area defined by the geometry of the channel plus the area of flow below the flood height defined by vertical lines at the main channel.

VETERINARY CLINIC Establishments that include services by licensed practitioners of veterinary medicine, dentistry, or surgery for animals; boarding services for pets; and grooming.

VIOLATION The failure of a structure or other development to be fully compliant with these regulations.

VISUAL APPROACH An approach to an airport conducted with visual reference to the terrain.

(W)

WALL SIGN A sign fastened to or painted on the wall of a building in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign and which does not project more than one foot from the building or structure.

WASTE Surplus materials resulting from on-site land-disturbing activities and being disposed of at other locations.

WASTE COLLECTION AND RECYCLING A site, location, tract of land, or building that may be used for the purpose of collecting all types of residential waste and recyclables that are generated "off site" in the local community to be transported by public or private companies to a waste recycling, transfer, or disposal/recovery facility, permitted by South Carolina Department of Health and Environmental Control (SCDHEC) as required. This use includes county collection (convenience) centers.

WATER DEPENDENT Structures or facilities relating to the use of, or requiring access to, the water or shoreline. Examples of water-dependent uses include, but are not limited to, pumping facilities, wastewater treatment facilities, facilities and improvements related to recreation boating or commercial shipping.

WATER SURFACE ELEVATION (WSE) The height, in relation to mean sea level, of floods of various magnitudes and frequencies in the floodplains of riverine or lacustrine areas

WATERCOURSE A lake, river, creek, stream, wash, channel, or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

WATERSHED The land area above a given point on a channel that contributes stormwater to that point.

WATERSHED BENEFIT A decrease in flood damages to structures or an improvement in water quality upstream or downstream of the development site created by installation of the stormwater management system. The benefit must be beyond the benefit provided by meeting the minimum stormwater ordinance standards and stormwater technical reference manual guidance.

WATERS OF THE STATE The South Carolina Pollution Control Act defines waters of the state as: lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial limits of the state 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. The definition includes, but is not limited to:

- 1) All waters such as lakes, rivers, streams (including intermittent streams), mudflats, wetlands, sloughs, wet meadows, or natural ponds.
- 2) All impoundments of waters not otherwise defined as waters of the state under the definition.
- 3) Tributaries of waters identified above.
- 4) Wetlands adjacent to waters identified above.

For clarification, Waste Treatment Systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act (other than cooling ponds as defined in 40 CFR 123.11(m) which also meet the criteria of this definition) are not waters of the state. It should also be noted that the following waters are generally not considered to be waters of the state:

- 1) Drainage and irrigation ditches excavated on dry land.
- 2) Artificially irrigated areas that would revert to upland if the irrigation ceased.
- 3) Artificial lakes created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stormwater storage, stock watering, irrigation, or settling basins.

- 4) Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.
- 5) Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the state.

WATERS OF THE UNITED STATES Those water bodies and wetland areas that are under the U.S. Army Corps of Engineers' jurisdiction.

WET DETENTION FACILITY A wet detention facility designed to maintain a permanent pool of water at least three feet in depth after the temporary storage of stormwater runoff.

WETLAND Lands that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, under normal conditions, a prevalence of vegetation adapted for life in saturated soil conditions (known as hydrophytic vegetation). A wetland is identified based upon the three attributes:

- 1) Hydrology;
- 2) Soils; and
- 3) Vegetation as mandated by the current federal
- 4) wetland determination methodology.

WETLAND IMPACT Waters of the U.S. or state that are disturbed or otherwise adversely affected by flooding, filling, excavation, or drainage which results from implementation of a development activity.

WHOLESALE AND DISTRIBUTION Establishments engaged in transferring, loading, unloading, buying, and selling merchandise to and from retailers, contractors, trucking and freight companies, manufacturers, institutions, farms, other wholesalers, or other professional businesses. This includes establishments such as trucking terminals, goods transfer facilities, and other establishments acting as agents or brokers in buying, selling, or otherwise transferring merchandise to or from the aforementioned entities. This does not include establishments engaged in selling goods and merchandise to the public. Specific examples of these establishments include:

- 1) Agents, merchandise or commodity brokers, and commission merchants;
- 2) Assemblers, buyers, and associations engaged in the cooperative marketing of farm products;
- 3) Merchant wholesalers;

- 4) Stores primarily selling electrical, plumbing, and heating and air conditioning supplies and equipment; and
- 5) Trucking terminals.

WHOLESALE AND DISTRIBUTION, RESTRICTED A facility that involves the storage, wholesaling or distribution of any hazardous materials or substances that are not packaged for retail sale and are one site in quantities which would be subject to the reporting requirements of The Emergency Planning and Community Right-to-Know Act (EPCRA) also known as SARA Title III of 1980 (Sections 311-312, 42 U.S.C. §§ 11021-11022) and/or any facility which stores or distributes dangerous goods and/or hazardous substances that are covered by separate regulations, standards or codes which are classified on the basis of immediate physical or chemical hazards, such as fire, explosion, corrosion and toxicity and are in sufficient quantities such that accidental release of explosion may affect life, health, property or the environment beyond the immediate perimeter of the facility. These include: flammable gases, flammable liquids, flammable solids (self-reactive and related substances; and desensitized explosives), substances liable to spontaneous combustion, substances that when in contact with water emit flammable gases, oxidizing substances, organic peroxides, toxic substances, radioactive and corrosive substances.

WILDLIFE ATTRACTING USES EXCLUSION ZONE (ZONE F) The Wildlife Attracting Uses Exclusion Zone is a horizontal buffer with a six mile radius measured from the edge of the runway surface that is established to limit wildlife attracting uses, such as solid waste landfills, in the vicinity of the airport.

WINDOW SIGN A sign affixed to the inside of a window or door or a sign placed within a building so as to plainly visible and legible through a window or door.

WINERY An agricultural production and processing facility used for growing grapes and other fruit and vegetables with the associated processing grapes, other fruits, or vegetables to produce wine or wine related spirits, excluding beer and liquor. Processing includes crushing, fermenting, blending, aging, storage, bottling, administrative office functions of wine and related promotional items and winery tours may be permitted as part of the winery operations. The agricultural use without the processing and production is considered Agriculture and Crop Production/Harvesting.

WIRELESS COMMUNICATIONS Any communications using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public.

WIRELESS COMMUNICATIONS TRANSMISSION FACILITIES A tower, pole, or similar structure more than 30 feet in height erected on the ground or on a building or other structure, used primarily for the support of one or more antenna(e) which are used as support for any personal wireless services as defined in the Federal Telecommunications Act of 1996 including cellular, personal communications services (PCS), paging equipment, and similar services that

currently exist or may in the future be developed. This term shall not include radio and television stations' antenna(e), residential television antenna, any antenna(e) which is part of a communication system used by a business to communicate with their employees or satellite dishes, etc.

WIRELESS INFRASTRUCTURE PROVIDER Any person, including a person authorized to provide telecommunications service in the State, acting to build or install wireless communication transmission equipment, wireless facilities, or support structures, but that is not a wireless services provider.

WIRELESS PROVIDER A wireless infrastructure provider or a wireless services provider.

WIRELESS SERVICES Any services using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public.

WIRELESS SERVICES, PERSONAL Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services.

WIRELESS SERVICES PROVIDER A person who provides wireless services.

WIRELINE BACKHAUL FACILITY An above ground or underground wireline facility used to transport communications between a small wireless facility network interface device and a network or another small wireless network interface device.

WORKING DAYS Days exclusive of Saturday and Sunday during which weather conditions or soil conditions permit land-disturbing activity to be undertaken.

YARD An open space that lies between the principal building(s) and the nearest parcel line.

YARD, FRONT³⁵ A space extending the full width of the parcel between the principal structure and the front parcel line and measured perpendicular to the building at the closest point to the front parcel line.

YARD, REAR³⁶ A space extending the full width of the parcel between the principal structure and the rear parcel line and measured perpendicular to the building at the closest point to the rear parcel line.

³⁵ Staff comment: "Define front yard. List this and others as "Yard, Front, etc." so they are clustered together." Provided

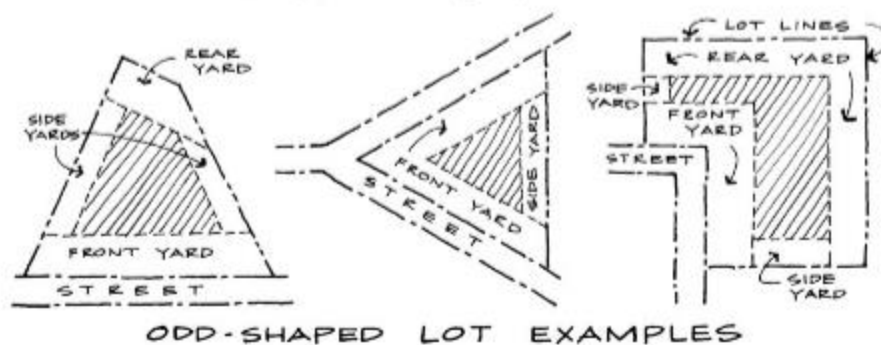
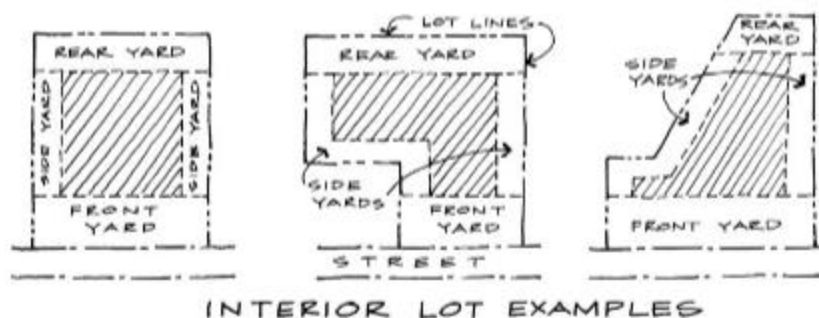
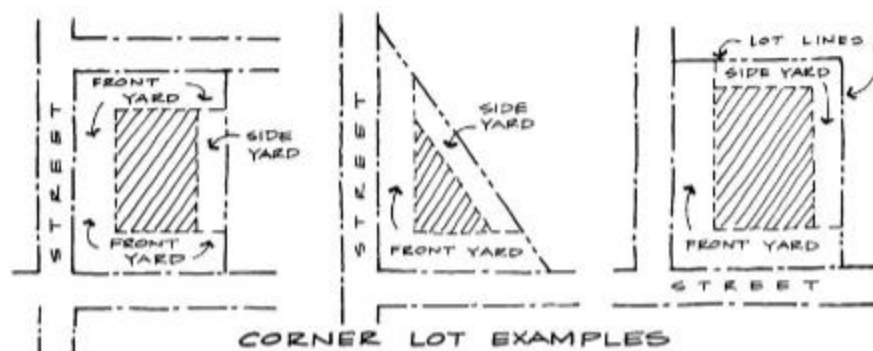
³⁶ Staff comment: "Define rear yard." Provided

YARD, SIDE INTERIOR³⁷ A space extending the full width of the parcel between the principal structure and the side parcel line and measured perpendicular to the building at the closest point to the side parcel line.

YARD, SIDE STREET³⁸ A space extending the full width of the parcel between the principal structure and the side street parcel line and measured perpendicular to the building at the closest point to the side street parcel line.

³⁷ Staff comment: "Define side interior yard." Provided

³⁸ Staff comment: "Define side street yard." Provided



REQUIRED YARDS

 BUILDING (ZONING) ENVELOPE
(TWO DIMENSIONAL)

Source: Moskowitz, Harvey S. and Carl G. Lindbloom. *The Latest Illustrated Book of Development Definitions*, New Brunswick, N.J.: Center of Urban Policy Research, Rutgers University, 2017

13.4

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: A. Hardin / Planning

Department: Planning

Date Requested to be on Agenda: 3/13/2024

Council Action Requested:

Council is being asked to provide feedback regarding additional conditions for nonmetallic mineral product manufacturing (asphalt plants) as it relates to pending ordinance 2024-1893.

Strategic Plan Focus Area Alignment:

Points to Consider:

County Council recently established updated conditions for nonmetallic mineral product manufacturing (asphalt plants), with some Councilmembers stating an interest in establishing additional conditions,

Funding and Liability Factors:

N/A

Recommendation:

Provide feedback on additional conditions that Council would like to include in Pending Ordinance 2024-1893.

ATTACHMENTS:

Description	Upload Date	Type
Code Citations	3/6/2024	Backup Material

LANCASTER COUNTY

CURRENT CONDITIONS ON NONMETALLIC MINERAL PRODUCT MANUFACTURING SECTION 5.9.17

B. Permitted Location and Size

1. Such uses shall be exclusively located in the HI zoning district.
2. Such uses shall be sited on a parcel(s) of not less than 6 acres.

C. Separation Requirements

1. A nonmetallic mineral product manufacturing use shall be located at least 500 feet from: Any lots located in the LDR, MDR, HDR, MH, RMX, MX, IMX, BP, and INS zoning districts; and
2. A nonmetallic mineral product manufacturing use shall be located at least 500 feet from any lots containing residential dwelling units, schools, day care centers, religious facilities, public parks, and designated historic districts and landmarks, whether or not such lots are located in the incorporated or unincorporated area of Lancaster County.

D. Required Setbacks

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

E. Screening

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

F. Vehicular Access

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

G. Dust Reduction Measures

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

H. Outdoor Storage

1. All materials stored outdoors must follow the separation requirements in 5.9.17.C.
2. All materials must be contained within a defined area or structure and shall not be allowed to spill out into adjacent areas or the separation buffers.

3. All materials shall be stored and maintained so as to not create environmental hazards that may pose a threat to ground or surface water quality, air quality, wildlife, and/or humans.

OTHER JURISDICTION REGULATIONS

See attached:

Chester County, SC
Horry County, SC
Kershaw County, SC
York County, SC

Zoning Ordinance

Chester County

Chapter 4 DISTRICT REGULATIONS

Chapter 4

§ 4-119

§ 4-119 ID-1- Restricted Industrial District Uses.

ID-1 PERMITTED USES (continued)	NAICS CODE	NAICS DESCRIPTION	PARKING SPACES REQUIRED
3. Manufacturing, limited to NAICS codes listed	3112, 3113, 3114, 3115, 3118, 3119, 312, 315, 3162, 3169, 321214, 321219, 3219, 3222, 323, 32513, 3252, 3254, 3256, 3259, 3261, 3262, 327111, 327112, 327113, 3272, 327992, 327993, 327999, 3312,	Grain milling (except 311225-fats, oils); Sugar & confectionery; Fruit & vegetable; Dairy products; Bakeries & tortilla; Other Misc. food; Beverage, tobacco products; Apparel; Footwear; Leather products & allied products; Truss Mfg.; Reconstituted wood products; Other wood products; Converted paper products (except 322299); Printing, related support; Dye & pigment; Resin, plastic, synthetic fibers; Pharmaceutical, medicine; Soap, cleaners; Other chemicals (except 32592-explosives); Plastics; Rubber products (except 32621 - tires); Vitreous plumbing fixtures; China & pottery; Porcelain electrical supply; Glass & glass products; Mineral & earth; Mineral wool; Misc. nonmetallic mineral; Steel products;	1 per employee for maximum shift plus 1 per office and 1 per 200 square feet of sales area

Zoning Ordinance

Chester County

South Carolina

Chapter 4

§ 4-120

Chapter 4 DISTRICT REGULATIONS

§ 4-120 ID-1 - Restricted Industrial District Regulations.

The following regulations apply to all uses in ID-1 districts:

Minimum lot area	<u>Utility substations and water towers</u> : 10,000 square feet. <u>Other</u> : As specified in conditions, or none.
Minimum street frontage	100 feet, or access as specified in conditions.
Minimum front yard depth:	30 feet from road right-of-way; except gasoline island may be 20 feet from road right-of-way.
Minimum setback from second street frontage:	Side street on corner lot - 10 feet. Rear street on double frontage lot - 30 feet.
Minimum side yard:	<u>Principal structure</u> - 10 feet from interior side lot line. <u>Accessory structure</u> - 6 feet from interior side lot line.
Minimum rear yard:	<u>Principal structure</u> - 15 feet from interior rear lot line. <u>Accessory structure</u> - 6 feet from interior rear lot line.
Minimum setback from any commercial or industrial district	50 feet
Minimum setback from any rural, residential or agricultural district	150 feet, <u>or</u> 75 feet with a 50-foot-wide densely planted buffer maintained at least 6 feet high along the rural, residential or agricultural district line, <u>or</u> as specified in conditions
Maximum structure height:	50 feet to the roof line [not applicable to church spires, belfries, cupolas, domes, utility and communication towers, chimneys, flag poles, antennae]. Manufacturing, processing and assembly plants may exceed 50 feet in height provided setbacks from residential districts shall be increased by four additional feet for every two feet in height over 50 feet.
Outdoor storage:	Wrecked or junk vehicles prohibited. Outdoor storage of materials used in assembly, fabrication or processing is permitted; provided, junk or salvage is limited to 25% of floor area of buildings on same lot. Outdoor storage shall be screened from view from a public road.



HORRY COUNTY, SC

SECTION 903 - ASPHALT, CONCRETE AND AGGREGATE PROCESSING FACILITIES

Section 903 - Facilities engaged in the processing of aggregates used in the production, demolition or recycling of asphalt and/or concrete products shall be subject to the following conditions.

A. HOURS OF OPERATION

Hours of operation shall be governed by the Horry County Noise Ordinance.

B. SEPARATION FROM RESIDENTIAL.

1. All proposed batch production facilities shall be located a minimum of five hundred (500) feet from any residentially used or zoned lot, whether said lot is located within the unincorporated county or a municipal jurisdiction. The distance shall be measured from the parcel line of the proposed site to the residential zoning line or residentially used lot line. The separation distance shall be reduced to three hundred (300) feet if the facility is separated from the residential by an active railroad right-of-way or highway with at least two hundred fifty (250) feet of right-of-way.
2. All proposed outdoor aggregate processing (i.e., crushing, sorting and recycling) facilities are required to be separated by one thousand (1,000) feet from any residentially used or zoned lot, whether said lot is located within the unincorporated county or a municipal jurisdiction. The distance shall be measured from the parcel line of the proposed site to the residential zoning line or residentially used lot line. The separation distance shall be reduced to five hundred (500) feet if the facility is separated from the residential by an active railroad right-of-way or highway with at least two hundred fifty (250) feet of right-of-way.

C. MINIMUM LOT AREA

2.5 acres.

D. MINIMUM SETBACKS

Mixing, batching, crushing and processing equipment shall be a minimum of fifty (50) feet from all property lines. Setbacks may be greater if required by the zoning district in which the facility is being constructed. Setbacks for all other buildings or uses on the property are required to meet the minimums for that zoning district.

E. ENCLOSURE REQUIREMENTS

All asphalt and concrete batch plants under this section shall be located in fully enclosed structures. Aggregate

processing (i.e., crushing, sorting and recycling) facilities are not required to be fully enclosed as long as they meet all other requirements of this ordinance.

F. VEHICLE AREAS

All internal vehicle use areas shall be maintained in a dust free condition. All aggregate processing facilities must submit a dust control plan prior to receiving approval.

G. LANDSCAPING/BUFFERING.

1. Roadway Screening.

The site shall be screened from adjacent roadways to a minimum height of ten (10) feet. This can be accomplished from any combination of walls, berms and/or vegetation whether planted or existing. If screening is composed solely of vegetation the buffer width from the roadway must be a minimum of twenty-five (25) feet and no less than eighty (80) percent opacity in the winter season. Buffers shall contain landscape materials equal to twice that of the standard supplemental planting requirements of Article V. If the screen contains walls and/or berms a minimum of ten (10) feet in height or the roadway only services adjacent industrial uses then the site only has to meet the landscaping requirements of Article V.

2. Side and rear property lines. All side and rear property lines must be screened according to the requirements of Article V, unless subject to (c) below.

3. Enhanced buffers. Asphalt and concrete batch facilities within one thousand (1,000) feet of a residentially used or zoned property shall be screened through enhanced buffers. The enhanced buffer shall be around the entire work area with openings provided for approved entrances. The site should be designed so that structures and or walls are designed to provide interior site screening in front of the openings provided for access. The enhanced buffer shall consist of one of the following options:

- a) Buffer one hundred (100) feet in width with twice the landscaping material as required by the supplemental planting in buffer areas. Existing vegetation may be supplemented using a combination of evergreen trees and shrubs to reach eighty (80) percent winter season opacity within three (3) years; or
 - b) A ten-foot wall, berm or combination in addition to the landscape buffer requirements of Article V..
-

H. TRUCK ROUTES.

1. All such facilities shall submit to the County for approval a map showing a pre-designated route for all transport trucks traveling north, east, south, and west between the facility and the nearest arterial/collector street. The intent of this section is to control the route between the nearest arterial/collector street and the facility, taking into consideration that the routes may be different depending on the travel direction.
2. The route maps shall restrict to the greatest extent possible the routing of transport trucks so as to minimize routes that traverse residential neighborhoods, that unreasonably and adversely impact residential dwelling units, or that damage or degrade public streets from repetitive heavy weights or the spillage of materials from transport trucks. No facility operations shall commence until the county has approved

the truck route map as conforming to the requirements of this section. Once the route map is approved by the county, all transport trucks shall travel the approved routes as shown on the route map unless a temporary diversion is necessary to avoid emergency or hazardous conditions along the approved route. The owner or operator shall promptly contact the county in the event of any circumstance necessitating a diversion from the route map.

I. MAINTENANCE OF PUBLIC STREETS.

1. Facilities shall employ measures to limit the tracking, carrying, or depositing of aggregates, fillers, dirt, dust, mud, sludge, or other materials associated with the facility upon any public street or thoroughfare.
 2. All transport trucks and equipment leaving a facility shall be completely rinsed of asphalt, concrete, aggregates, fillers, dirt, dust, mud, sludge, or other facility materials prior to leaving the site.
 3. All facilities shall provide paved aprons from any paved public or private right-of-ways onto the site for a distance of at least one hundred (100) feet.
 4. If, on paved public roadways, there are visible tracks or deposits of aggregates, fillers, dirt, dust, mud, sludge, or an other material associate with the operation of a concrete or asphalt facility along the travel path of vehicles exiting the facility site, all such paved public road(s) shall be swept by the owner or operator at least once each day of operation or more often as reasonably required by the county to remedy and remove the tracking and deposit. All sweeping shall be done by a commercial grade mechanical, vacuum or regenerative air sweeper that uses water for controlling dust. The owner or operator shall keep a daily written log of sweeping activities. The log shall be kept for one month.
 5. If accessing off an unpaved road the facility operator will be required to maintain said road to Horry County standards. This will involve, at a minimum, the provision of a water truck and motor grader for all plant locations.
-

J. STORMWATER.

1. All sites regardless of size will be required to obtain a Horry County stormwater permit.
2. All liquid residues resulting from the cleaning of transport trucks and equipment shall be directed to impervious process holding basins approved by the county.
 - a) Basins shall be designed to hydraulically separate from the stormwater detention/water quality control facilities.
 - b) All liquids from such basins shall be either recycled through the facility or discharged to the sanitary sewer system.
 - c) All residual material from the basins shall be collected and disposed of or recycled, in accordance with applicable laws and regulations.
 - d) After issuance of approval by the county, records evidencing proper disposition of residue materials must be maintained on site.
 - e) The stormwater detention pond and liquid and the holding basins may be combined into a single facility where it can be demonstrated that the facility will meet the discharge and

water quality requirements.

KERSHAW COUNTY

3:3.18 Manufacturing Facilities

The following performance standards shall be used to ensure that all conditionally permitted manufacturing uses shall produce no injurious or obnoxious conditions related to the operation of such uses sufficient to create a nuisance beyond the premises. The Planning and Zoning Commission or the Planning Official, as applicable, may require additional restrictions based on proximity to schools, churches, residential areas, etc. Furthermore, the Planning and Zoning Commission may require that an engineer certify that the proposed project will not violate the restrictions listed herein.

3:3.18-1 Vibration

No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments at any point beyond the lot line; nor shall any vibration produced exceed the following velocity levels, measured with a vibration monitor in inches per second at the nearest:

- A. Residential property line: 0.02
- B. Non-residential property line: 0.10

3:3.18-2 Fire and Explosives

All activities and all storage of flammable and explosive materials shall be provided with adequate safety devices against the hazards of fire and explosion, including adequate fire fighting and fire suppression equipment, as prescribed in the applicable building codes.

3:3.18-3 Noise

All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency, or shrillness. In no event shall the sound pressure level of noise radiated continuously from a facility exceed at the lot line the values given in the night time and day time schedules below in any octave band or frequency. Sound pressure level shall be measured with a sound level meter and an octave band analyzer that conforms to American National Standards Institute (ANSI) type 2 standards.

A. Night Time Schedule

Maximum permissible sound pressure levels at the lot line for noise radiated continuously from a facility between the hours of 9 p.m. and 7 a.m.:

Table 3-7 MAXIMUM CONTINUOUS SOUND PRESSURE LEVELS - NIGHT TIME		
Frequency Band (In Cycles per Second)	Sound Pressure Levels (In Decibels)	
	At Non-Residential Lot Line	At Residential Lot Line
20-75	69	65
76-150	60	50

151-300	56	43
301-600	51	38
601-1,200	42	33
1,201-2,400	40	30
2,401-4,800	38	28
4,801-10,000	35	20

B. Day Time Schedule

Maximum permissible sound pressure levels at the lot line for noise radiated from a facility between the hours of 7 a.m. and 9 p.m. shall not exceed the limits of the preceding table except as specified and corrected below:

Table 3-8 MAXIMUM SOUND PRESSURE LEVEL EXCEPTIONS - DAY TIME	
Type of Operation in Character of Noise	Correction in Decibel*
Day time operation only	plus 5
Noise source operates less than 20% of any one-hour period	plus 5
Noise source operates less than 5% of any one-hour period	plus 10
Noise source operates less than 1% of any one-hour period	plus 15
Noise of impulsive character (hammering, etc.)	minus 5
Noise of periodic character (hum, speech, etc.)	minus 5
* Applicable only if these corrections may be applied to the preceding table.	

Noises emanating from construction activities between 7:00 a.m. and 9:00 p.m. shall be exempt from these requirements.

Vibration emanating from construction activities between 7:00 a.m. and 9:00 p.m. shall be exempt from these regulations.

3:3.18-4 Air Pollution

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

3:3.18-5 Odor

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

3:3.18-6 Glare

There shall be no direct or sky reflected glare, whether from floodlights, high temperature processing, combustion, welding, or otherwise, so as to be visible in any residence.

3:3.18-7 Fumes and Vapors

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

3:3.18-8 Heat, Cold, Dampness, or Movement of Air

Activities which could produce any adverse effect on the temperature, motion, or humidity of the atmosphere beyond the lot line shall not be permitted.

3:3.18-9 Toxic Matter

The measurement of toxic matter shall be at ground level or habitable elevation, and shall be the average of any twenty-four (24) hour sampling period. The release of any airborne toxic matter shall not exceed the quantities permitted for those toxic materials currently listed in *Threshold*

3:3.18-10 Exterior Illumination

All operations, activities, and uses shall be conducted so as to comply with the performance standards governing exterior illumination prescribed below.

In general, the pattern of light pooling from each light source shall be carefully considered to avoid throwing light onto adjacent properties. Light sources visible in residential or medical areas shall comply with light intensities indicated in Column A, below. Light sources visible in commercial or industrial areas shall comply with light intensities indicated in Column B below.

Table 3-9 MAXIMUM INTENSITY FOR EXTERIOR LIGHTING		
	Column A	Column B
Bare Incandescent Bulbs	5 watts	40 watts
Illuminated Buildings	15 ft. candles	30 ft. candles
Internally Illuminated Signs	150 ft. lamberts	250 ft. lamberts
Externally Illuminated Signs	25 ft. candles	110 ft. candles
Any Other Unshielded Sources, Intrinsic Brightness	50 candela per square centimeter	50 candela per square centimeter

Illumination shall be measured from any point outside the property. Measurements are to be conducted by Illumination Engineering Society of North America (IESNA) standards.

3:3.18-11 Compliance Guarantee

The applicant of a permit for a manufacturing or processing plant which would produce any of the above "objectionable elements" shall acknowledge in writing his understanding of the performance standards applicable to the proposed use, and shall submit with the permit application, an agreement to conform with such standards at all times. Any violation of the agreement shall constitute a violation of this Ordinance and shall be treated accordingly.

YORK COUNTY, SC

AN ORDINANCE

TO AMEND THE YORK COUNTY CODE OF ORDINANCES, CHAPTER 155, ZONING CODE, SO AS TO PROVIDE FOR "NONMETALLIC MINERAL PRODUCT MANUFACTURING"("NMPM"); TO PROVIDE FOR REGULATORY PROVISIONS RELATED THERETO; TO AMEND THE DEFINITION AND USE TABLE IN ORDER TO ESTABLISH THE USES AND PROVIDE FOR THE DISTRICTS IN WHICH THEY ARE ALLOWED OR REMOVED; TO CHANGE FROM A PERMITTED USE TO A SPECIAL EXCEPTION USE IN ID; AND TO REMOVE AS A PERMITTED USE IN UD; TO AMEND INDIVIDUAL DISTRICT USE REGULATIONS IN ID BY ADDING SUPPLEMENTAL REGULATIONS IN ORDER TO ADDRESS ITEMS SUCH AS MINIMUM LOT SIZE; ACCESS AND ROUTING PLANS; SEPARATION, SCREENING, DUST REGULATION; PERFORMANCE STANDARDS AGREEMENTS; AND PROOF OF OTHER GOVERNMENTAL REGULATORY COMPLIANCE REQUIREMENTS/PERMITS; TO REMOVE NMPM AS AN ALLOWABLE USE IN UD; TO INVOKE THE PENDING ORDINANCE DOCTRINE; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

BE IT ORDAINED AND ENACTED BY THE COUNTY COUNCIL OF YORK COUNTY, SOUTH CAROLINA:

SECTION 1. Legislative findings.

As an incident to the adoption of this ordinance, the York County Council, as the governing body of York County, South Carolina, has made the following legislative findings:

I.I The Code of Ordinances of York County, South Carolina, should be amended by amending through amendments to Chapter 155, Zoning Code, in order to clarify the ordinance governing uses which are not set out sufficiently in the Code or which are developing to such a degree or with such impact that additional regulation is needed to safeguard our citizenry and promote orderly prospective treatment of the uses in order to guide development with regard to existing and future zoning needs and promote the public health, safety, convenience, order, appearance, prosperity and general welfare of York County and its citizens.

1.2 Council is empowered to enact ordinances for the implementation and enforcement of powers granted to Council pursuant to Sections 4-9-30 (9), (14), and (17), S.C. Code Ann., as amended, and to exercise such other powers as may be authorized for counties under S.C. Code Ann. Section 6-29-710, as amended.

1.3 Council finds that the amendment and clarification will, inter alia, guide development and provide for the orderly and subsequent growth in the County; facilitate the creation of a convenient, attractive, and harmonious community; regulate the uses of buildings, structures and land for trade, industry, residence, recreation, agriculture, public activities, and other purposes; and further the public welfare.

1.4 Specifically, Council finds that regulation of nonmetallic mineral product manufacturing will expound upon a zoning use not sufficiently regulated within the existing code of ordinances and will thereby provide a regulation process specific for the NMPM (concrete) industry within York County while safeguarding the interests of the York County citizens and the integrity of the County.

SECTION 2. Code of York County Amended.

Chapter 155, ZONING CODE, is hereby amended **in** the particulars established in Exhibit A, attached and incorporated herewith by reference.

SECTION 3. Public Hearing Required.

The York County Council shall conduct a public hearing after publishing a notice of the date, time and place of such hearing at least fifteen (15) days in advance of such hearing before final legislative action is taken for the adoption of this ordinance.

Additionally, the York County Council hereby invokes the application of the Pending Ordinance Doctrine to this Ordinance.

EXHIBIT A

York County Code of Ordinances, Section 155.009, DEFINITIONS is hereby amended by adding the following terms {in alphabetical order within the Code) and definitions, as follows:

NONMETALLIC MINERAL PRODUCT MANUFACTURING {NA/CS CODE 32J: An industrial facility used for the manufacturing and production of Clay Product and Refractory Manufacturing (NAICS 3271); Glass and Glass Product Manufacturing (NAICS 3272); Cement and Concrete Product Manufacturing (NAICS 3273); Lime and Gypsum Product Manufacturing (NAICS 3274); and Other Nonmetallic Mineral Product Manufacturing (NAICS 3279).

York County Code of Ordinances, Section 155.010, TABLE OF PERMITTED USES AND SPECIAL EXCEPTIONS, Paragraph {FI is hereby amended, to remove uses "Asphalt Manufacturing, Clay Product Manufacturing, Concrete Manufacturing and Production, Enamel Manufacturing and Production, Glass and Glass Production Manufacturing, Stone and Masonry Manufacturing and Production," and Add "Nonmetallic Mineral Product Manufacturing" as follows:

<i>Table of Permitted Uses and Special Exceptions</i>													
<i>Uses</i>	<i>Supplemental Regulations?</i>												
MANUFACTURING													
Nonmetallic mineral product manufacturing	Yes											SE	

The York County Code of Ordinances, Section 155.161, INDUSTRIAL DEVELOPMENT DISTRICT (ID) PERMITTED USES is hereby amended by deleting paragraphs (L) (3), (6), (9), (12), (18), (32), and renumbering subsequent paragraphs:

The York County Code of Ordinances, Section 155.162, INDUSTRIAL DEVELOPMENT DISTRICT (ID) SPECIAL EXCEPTIONS is hereby amended by adding new paragraph (BJ) (BJ, as follows:

"(B) (8) Nonmetallic mineral product manufacturing, provided:

- (a) *Minimum lot size.* Minimum lot size is 5 acres.
- (b) *Access and routing plan.*
 1. The purpose of the access and routing plan is to avoid unreasonable impacts on residential land uses and to maintain the safe conditions of public roads in the vicinity of the proposed use, which may deteriorate or be damaged by heavy truck traffic associated with industrial uses.
 2. The access and routing plan shall include:
 - (i) All public roads within two (2) miles of any property boundary of the proposed site;
 - (ii) Access ways to the site, including public rights-of-way, intersections, existing and proposed paving and drainage improvements;
 - (iii) State- and federally-designated truck routes; and
 - (iv) County roadway classifications for each public road.
 3. The access and routing plan shall demonstrate compliance with the following criteria:
 - (i) Reasonable steps have been taken to avoid regular hauling and transport routes and points of access in residential areas;

- (ii) All means of access for heavy trucks must be onto a major road, as defined by York County Zoning Code Section 155.009, unless the Zoning Board of Appeals determines that:

- a. The minor road is sufficient to accommodate safe turning movements into and out of the site;
- b. The minor road is built to conditions sufficient to withstand the impacts of heavy truck ingress and egress to the site or the applicant commits to necessary upgrades or to repairs, if needed, through a liability agreement;
- c. Ingress and egress by heavy truck traffic at the proposed access points will not unreasonably impact residential land uses and areas; and
- d. Measures have been included at all intersections where access drives connect with a public right-of-way to limit dirt, rocks, and other debris from collecting on the road surface.

- (iii) No minor roads will be used for regular hauling and transport within the 2-mile plan area, unless the ZBA determines that:

- a. Regular hauling and transport routes will not unreasonably impact residential land uses lands zoned for residential uses; and
- b. Minor roads in the plan area are built to conditions sufficient to withstand the impacts of heavy truck traffic, based on projected trips to and from the site, or the applicant commits to necessary upgrades to the minor roads or to any repairs attributable to the use, through a liability agreement.

or

- (iv) The applicant has instituted procedures for ensuring drivers of heavy trucks associated with the site are provided with maps indicating the roads within the 2-mile plan area approved for regular hauling and transport.
- (v) If the Director of Public Works determines that any road designated for regular hauling and transport is not adequately constructed to meet the weight and volume of heavy truck traffic associated with the proposed use, a special exception must include as a condition the execution of a liability agreement with the County prior to final site plan approval.

(c) *Separation Requirements.*

1. Nonmetallic mineral product manufacturing uses shall be located at least 500 feet from:
 - (i) Any existing or approved residence, school, day care center, church or similar religious land use, hospital, or public park.
 - (ii) The following zoning districts: RC-I, RC-II, RD-I, RD-II, PD, and TND; and
 - (iii) The following overlay zoning districts: Lake Wylie and Catawba River Buffers and AGC and RUD Significant Historical and Architectural Sites Overlay.
2. Separation distances shall be measured from the property line of the manufacturing facility to the nearest property line of the existing land use or the nearest zoning district boundary, as applicable.

3. **Setbacks.** All elements of the facility, including structures/buildings, equipment, parking areas, and access roads, shall be located at least 125 feet from all property lines; except that access roads may cross the 125-foot setback area and utilities may be located within the 125-foot setback area.
- (d) **Screening.**
1. A Type D bufferyard shall be required along all property lines regardless of the adjacent land use.
 2. Access roads may cross the bufferyard.
 3. Utilities may be located within the bufferyard. Where utilities are located within the required buffer, only the minimum amount of disturbance necessary shall be allowed for installation of the utility. The Zoning Board of Appeals may require supplemental buffering including, but not limited to, additional buffer width, supplemental plantings in other areas of the buffer, or a privacy fence, if the ZBA determines the placement of the utilities in the buffer negatively impacts adjacent property owners.
 4. All existing trees within the buffer area shall be preserved, except for reasonable allowances for construction of necessary road crossings and utilities.
 5. When located within 1,000 feet of a residential use, the ZBA may require additional screening measures in order to protect nearby residential areas from noise and visual blight.
- (e) **Dust reduction measures.** Dust reduction measures shall be employed to minimize on-site and off-site dust nuisance generated by the manufacturing use. These measures may include, but are not limited to:
1. Utilization of stabilized roadways within the site;
 2. On-site speed limits to minimize disturbance; and
 3. Application of water and other dust palliatives.
- (f) **Performance Standards Agreement.** All nonmetallic mineral product manufacturing uses shall comply with the provisions of the Performance Standards Agreement in Appendix D, Exhibit 1. A signed copy of the agreement shall be submitted with the special exception application.
- (g) **Proof of other required permit approvals.**
1. In conjunction with the special exception application, the applicant shall submit one complete digital (PDF) copy of all final approvals to operate from other required local, state, and/or federal permitting agencies. All approvals must be demonstrated to be up-to-date and in effect.
 2. In cases where final permitting agency approval is not issued without evidence of all necessary local zoning approvals, the applicant shall provide one complete digital (PDF) copy of the application submitted to the permitting agency. Once final approval is received, the applicant shall provide one complete digital (PDF) copy of the permit to County staff prior to the start of manufacturing operations."

Agenda Item Summary

Ordinance # / Resolution #: Not Yet Assigned
Contact Person / Sponsor: Ginny Merck-Dupont
Department: Attorney
Date Requested to be on Agenda: 3/13/2024

Council Action Requested:

Provide input on the updated and proposed Council procedures.

Strategic Plan Focus Area Alignment:

Points to Consider:

County Council's current Rules of Procedure were adopted August 10, 2020, which helped to address many of the issues facing governing bodies during the COVID Pandemic.

The current Rules of Procedure mirror the Model Rules of Parliamentary Procedures for South Carolina Counties published by the South Carolina Association of Counties with some modifications to work with existing Lancaster County practices and procedures.

The current Rules of Procedure include a great deal of verbatim statutory law, particularly in regards to FOIA requirements. County Council's current Rules of Procedure are also required to be utilized by all Boards and Commissions for which the County Council appoints a majority of the members.

As was discussed during the Council Retreat, the update to Council's Rules of Procedure will help define current practices and streamline the rules to allow for uniformity across Council appointed Boards and Commissions.

A combination of certain current rules along with prior rules, and some new rules, are being suggested for Council's consideration and adoption at an April Council Meeting via resolution. There will be a Council action presented at the next March meeting to begin the process to transition to the updated rules.

Funding and Liability Factors:

N/A

Recommendation:

Provide feedback regarding the updated and proposed procedures.

Agenda Item Summary

Ordinance # / Resolution #: Not Yet Assigned

Contact Person / Sponsor: Lisa Parker/Ginny Merck-Dupont

Department: Attorney

Date Requested to be on Agenda: 3/13/2024

Council Action Requested:

Provide input on the updated and proposed Personnel Policies.

Strategic Plan Focus Area Alignment:

High Performance

Develop an organizational structure and systems to foster an intense focus on high-performance service delivery.

Points to Consider:

Lancaster County's current personnel policy was adopted in September, 2010 with some revisions occurring later in 2010, 2012 and 2019. A revised personnel policy is being compiled in conjunction with the assistance of an outside labor and employment attorney in order to address an evolving workforce, as well as newly enacted or amended state and/or federal laws and to support PEBA policies.

The revised personnel policy will include approximately 39 additional and/or significantly altered policies from what was adopted in 2010.

The revised personnel policy will be presented to County Council for adoption via resolution, based on Council Retreat discussion, to allow for more expedient adoption and amendments as well as account for changes in employment law which are happening constantly.

The revised personnel policy will be proposed for adoption at the April 22, 2024 County Council Meeting. However, there will be other actions presented at the next March Council meeting, to begin the process to move from the current policies to the updated policies.

Funding and Liability Factors:

N/A

Recommendation:

Provide feedback on the proposed Personnel Policies.

ATTACHMENTS:

Description	Upload Date	Type
Power Point Presentation	3/11/2024	Presentation



LANCASTER COUNTY PERSONNEL POLICY UPDATE

March 13, 2024

- Retained records regarding the personnel policy can be traced back to June 23, 1997 when the Lancaster County personnel policy was adopted by County Council as part of the County's Budget Ordinance.
- Following the adoption of the personnel policy as part of the Budget Ordinance, the following revisions were made:
 - May, 1999: Addition of alcohol and substance abuse testing;
 - June, 2000: New policy manual adopted;
 - Prior to August, 2002: Adoption of new personnel manual;
 - August, 2002: Addition of workplace privacy and computer/internet abuse; employee appearance; exempt employees;
 - October, 2002: Updating of the anti-harassment policy;
 - October, 2004: Adoption of a new personnel manual;
 - December, 2007: Amending leave provisions.

- Lancaster County's current personnel policy was adopted in September, 2010.
- Revisions to the personnel policy were made in October, 2010 dealing with overtime and compensatory time as well as employee leave; additional revisions to employee leave were made in November, 2010.
- In August, 2012 the personnel policy was again revised in regards to social media and networking, employee appearance and annual leave was again amended.
- Final revisions to the current personnel policy were made in December, 2019 and dealt with amending the substance abuse testing policy to address medical marijuana, CBD and similar substances.

Lancaster County – Personnel Policy Proposed Revisions

- Lancaster County's personnel policy currently consists of 64 pages. The revised personnel policy (currently in draft form) is approximately 130 pages.
- The revised personnel policy (currently in draft form) is being compiled in conjunction with the assistance of an outside labor and employment attorney.
- The most recent version of the personnel policy was adopted in 2010 and as a result of an evolving workforce coupled with changing dynamics in the workplace and events such as COVID, an updated personnel policy is needed.
- A new personnel policy is also necessary in order to address newly enacted or amended state and/or federal laws as well as to support PEBA policies.
- The revised personnel policy (currently in draft form) includes approximately 39 additional and/or significantly altered policies from what was adopted in 2010.
- The revised personnel policy (currently in draft form) also includes forms which will accompany a number of the policies in order to properly document use of certain benefits provided to employees.

Current revisions: Each policy will display this table with information to include effective date, revision date, reason for revision, and resolution number.

Policy Title:	Section Number: Policy Number:
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

Lancaster County – Personnel Policy Proposed Update

Current policy changes include, but are not limited to:

- **Workplace Violence/Bullying**
 - New added policy that states the County expressly prohibits any act or threat of violence by any County employee or former employee against any other employee in or about the County's facilities
 - Also, the County will not condone any acts or threats of violence against County employees, citizens or visitors on County premises
- **Access to Personnel Records**
- **Substances Abuse/Testing Policy**
 - Updated and moved to a better location in the policy manual
- **Use of County Mobile Devices/Accounts While Off-Duty**
- **Telecommuting/Remote Work**
 - Added policy based on our temporary policy established during COVID
- **Secondary Employment**
- **Employee Standards for Dealing with the Public**
- **County Property**
- **Safety/Accident Prevention**
- **On The Job Injuries**
 - Policy was added to and updated
 - Explains the procedures if an employee is injured on the job
 - Briefly explains the first 7-14 days if employee is out of work

Lancaster County – Personnel Policy Proposed Update

- **Return to Work/Temporary Modified Duty**
- **Vehicle Use/Accidents**
 - Employees authorized to drive a county vehicle must successfully complete a Defensive Driving Course every 3 years
 - Must be 18 years of age and have a valid driver's license
 - The county and/or a supervisor can request a driving record at any time
 - No passengers are allowed unless they are on official business or traveling with an employee who is on official business
 - No passengers under 18 are allowed in county owned vehicles
 - ALL use of tobacco products is prohibited in county vehicles
- **Employee Tobacco Product Usage**
 - New added policy that takes the place of our Smokefree Workplace Policy
 - This policy prohibits the use of ALL tobacco products in all county owned facilities and premises
 - It is to ensure a safe and healthy work environment for all employees
- **Performance Evaluations**
 - Performance evaluations provide a means for discussing, planning, and reviewing the performance of each full-time and regular part-time employee
 - Appraisals will be conducted annually
 - Evaluators are responsible for the timely and equitable assessments of performance for each employee
- **Background Checks**
- **Employee Status**
- **Travel Reimbursement**
- **Work Week/Hours of Work**

Lancaster County – Personnel Policy Proposed Update

- **Paid Parental Leave**
 - Paid Parental Leave policy was approved in the budget process for FY24 when the funds were approved for this program
 - All full-time and regular part-time employees are eligible
 - Eligible employees receive six weeks of paid leave for birth or placement of a child
 - Paid parental leave runs concurrent with FMLA, if the employee is eligible
- **Timekeeping/Clocking**
- **Alternate Summer Work Schedule**
 - Alternate work schedules are allowed from Memorial Day to Labor Day
 - Alternate work schedules must be submitted to the County Administrator for approval
 - Alternate work schedules must not compromise customer service delivery that Lancaster County provides citizens
- **Employee Benefits**
- **Tuition Assistance**
 - Employees may receive assistance for tuition and/or books up to \$1000 per semester with a maximum in tuition for three completed courses within a 12-month period
 - The schedule of assistance is based on the grades; grades below a C are not eligible of assistance

- Employees who use this program shall be expected to remain with the County one year following the completion of the last completed course; if the employee leaves, he/she shall be expected upon resignation or termination to pay back a pro-rata share of the assistance amount
- **Leaving Employment**
- **Affirmative Action**
 - This policy was added to the current Equal Employment Opportunity policy
 - This section supports our policy of providing equal opportunity employment to all persons
 - Lancaster County shall take affirmative action in the hiring and placement of eligible employees
- **Immigration**
 - This policy is under the New Employee Processing, Onboarding and Introductory Period
 - This policy state Lancaster County complies with the SC Illegal Immigration and Reform Act of 2008 and the federal immigration law, Immigration Reform and Control Act of 1986
 - All new employees must complete an Employment Eligibility Verification Form I-9 and show documents to prove identity and employment eligibility and be verified through the E-Verify federal work authorization program

Lancaster County – Personnel Policy Proposed Update

- **Salary Basis Policy**
 - This policy is under Time, Method, and Place of Payment of Wages and Salaries
 - Insures the County complies with the Fair Labor Standards Act, a federal law that requires most employees be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over the appropriated overtime threshold, normally over forty work hours in a week
- **Promotions/Transfers From Within**
 - This policy is under Recruitment and Selection
 - Insures all promotions and transfers are filled with the best qualified person, regardless of age, race, religion, color, sex, national origin, genetic information, citizenship, or disability
- **Inclement Weather**
- **Notice of Right to Health Care Continuation (COBRA)**
- **Health Insurance Marketplace Coverage (ACA)**
- **Neutral References**

- Staff is prepared to have the proposed Lancaster County Personnel Policy finalized, with the continued involvement of an outside labor attorney, and ready to be brought forward for Council consideration and adoption during the month of April, 2024.
- At the March 25, 2024 County Council Meeting, an ordinance to rescind the current requirement to adopt the County personnel policy via ordinance will be presented for Council consideration.
- At the April 8, 2024 County Council Meeting, second reading of the ordinance to rescind the current requirement to adopt the County personnel policy via ordinance will be presented for Council consideration.
- County Administration will present the proposed personnel policies to staff at the April 10, 2024 Department Director Meeting.
- At the April 25, 2024 County Council Meeting, third reading of the ordinance to rescind the current requirement to adopt the County personnel policy via ordinance will be presented for Council consideration along with a resolution for adoption of the proposed updated personnel policies.
- By having third reading of the ordinance to rescind the current requirement to adopt the County personnel policy via ordinance and the resolution to adopt the proposed updated personnel policies at the same meeting, there will be no lapse any implementation of County personnel policies.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Stephany Snowden / Administration

Department: Administration

Date Requested to be on Agenda: 3/13/2024

Council Action Requested:

Provide feedback for the process and criteria that will be utilized to provide limited funding to area non-profits with ARPA funds.

Strategic Plan Focus Area Alignment:

Points to Consider:

County Council authorized the use of \$100,000 in ARPA funds to support area non-profits.

Staff will outline the process and criteria by which the funds will be distributed, adhering to the rules established by the Dept of Treasury for the distribution of ARPA funds to non-profits.

Based on Dept of Treasury guidance, the selected non-profits will be treated as sub-recipients of the federal ARPA funds and will have reporting requirements that will need to be included in the County's overall reporting of the use of ARPA funds.

The use of funds by non-profits has to have some nexus to the impact of the COVID pandemic.

Funding and Liability Factors:

\$100,000 from ARPA funds has been allocated by County Council for use by non-profits.

Recommendation:

Provide feedback on the process and criteria by which ARPA funding will be distributed to area non-profits.

ATTACHMENTS:

Description	Upload Date	Type
Power Point Presentation	3/11/2024	Presentation



Non-Profit American Rescue Plan Act (ARPA) Application Process

Federal Requirements

- ❑ The U.S. Department of The Treasury's Final Rule governing the use of American Rescue Act Plan funds (ARPA) went into effect in April of 2022.
- ❑ Non-profits are required to use ARPA funds to respond to or mitigate the COVID-19 public health emergency or negative impacts experienced from it.

Examples of Eligible Programs

Qualified non-profits may address community concerns such as:

- Food and Nutrition Insecurity
- Housing Insecurity
- Community health and economic challenges that were exacerbated due to the Pandemic.
- Job Training (Vulnerable Populations)



Community Feeding Program

Examples of Eligible Programs

- Pre-existing Social Vulnerabilities
- Mental Health
- Irregular distribution or disparate public health or economic impacts within a particular demographic, household or region (Qualified Census Tracts)

Examples of Eligible Programs

- The U.S. Treasury presumes that certain types of services when provided within Qualified Census Tracts are eligible uses of ARPA funds and include:
 - High Quality Childcare
 - Enhanced Learning Services, Pre-K Programs
 - Affordable housing initiatives
 - Services to address homelessness

Federal Eligibility Summary

- The U.S. Department of Treasury presumes eligibility for the following programs or services:
 - Programs that mitigate the impact of COVID-19 on communities disproportionately impacted by the Pandemic.
 - Programs serving families, children, or individuals living in Qualified Census Tracts, or QCT's.

Federal Eligibility Summary

- The U.S. Department of Treasury presumes eligibility for the following programs or services:
 - Programs that reduce food and nutrition or housing insecurity.
 - Programs that address the economic or health needs of a community's most vulnerable populations.

Federal Eligibility Summary

- The U.S. Department of Treasury Requirements of the County:
 - The County is required to follow all ARPA non-profit eligibility prerequisites.
 - The County is responsible for auditing/monitoring of organizations participating in our program.

Federal Eligibility Summary

- The U.S. Department of Treasury Requirements of the County:
 - All funds are required to be allocated by December 2024.
 - All funds are required to be expended by December 2025

Award Scoring Methodology

- All funding decisions will be based on a scoring methodology, which incorporates the following:
 - Overall background and experience
 - Staff and financial capability
 - Stability and strength of the proposed project to satisfy post pandemic needs
 - The ability of the organization to complete the project within a 12 month cycle
 - Other factors at the discretion of Lancaster County

Non Profit Requirements

- Completed Application
- Internal Revenue Service 501c3 determinate
- Registration of non-profit documentation with the State of South Carolina
- Bylaws
- List of Board Members
- Conflict of Interest Policy

Application Process



Non Profit Requirements

- Most recent audited financial statement
- Internal Revenue Form 990
- Balance Sheet for 2022-20223

Award Scoring Methodology

Metrics	Score
Eligible Organization	5
Organizational Background/Experience	25
Staff and Financial Capacity	15
Assistance to Disparate Populations	15
Proposed Project Meets Post Pandemic Needs	25
Ability to Complete Project in 12 Months	15
Total Score	100

Award Timeline

Process	Event	Date
Step 1	Public Education/Outreach to Non Profit Organizations	March 2024
Step 2	Host Non Profit Information Meeting	March 29, 2024
Step 3	Application Available	March - May 2024
Step 4	Independent Panel Review	May 2024
Step 5	Award Announcements	June 2024
Step 6	Program Execution	August 2024
Step 7	Program Closeout	August 2025

QUESTIONS

