

## Council Members

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



**County Attorney**  
John K. DuBose III

**Clerk to Council**  
Sherrie Simpson

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**January 13, 2020**

**6:00 PM**

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

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

## AGENDA

1. **Call to Order Regular Meeting - Chairman Steve Harper**
2. **Welcome and Recognition - Chairman Steve Harper**
3. **Pledge of Allegiance and Invocation - Terry Graham**
4. **Approval of the Agenda**  
*[deletion and additions of non-substantive matter]*
5. **Special Presentations**
  - a. Presentation of Tourniquets to the Public Safety Departments - Clay Catoe, Director of EMS
  - b. Recognition of the Parks and Recreation's Girls 15 and Under Soccer Team for Winning the State Championship - Hal Hiott, Director of Lancaster County Parks and Recreation/Mickey Taylor, Athletic/Tourism Director/Eddie Lambert, Soccer Coordinator
  - c. Recognition of Dixie Darlings (7 & 8 Year Old Girls) Softball Team for winning the State Championship - Hal Hiott, Director of Lancaster County Parks and Recreation/Mickey Taylor, Athletic/Tourism Director/Morgan Blackmon, Softball Coordinator
6. **Citizens Comments**  
*[Speakers are allowed approximately 3 minutes. If there are still people on the list who have not spoken at the end of thirty (30) minutes, Council may extend the citizen comments section or delay it until a later time in the agenda]*
7. **Consent Agenda**  
*[Items listed under the Consent Agenda have previously been discussed by Council and approved unanimously. As such, these items are normally voted on as a group through a single vote rather than with a Council vote for each individual item. However, any Council member may remove any item on the Consent Agenda for individual discussion and vote]*
  - a. Minutes from the December 9, 2019 County Council Regular Meeting
8. **Non-Consent Agenda**

- a. 1st Reading of Ordinance 2020-1638 regarding Rezoning Property Owned By Shriner's Hospital For Children (Applicant Wendell Elliott)  
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone One Parcel, 7.00 Acres, More Or Less, Property Owned By Shriner's Hospital For Children And Located At Highway 521, South Of The Retreat At Rayfield, Fort Mill, South Carolina (TMS# 0013-00-107.00) From MDR, Medium Density Residential District, To GB, General Business District. - ***Planning Department Case Number: RZ-019-0916. Planning Commission recommended denial by a vote of 3-2. - Rox Burhans***
- b. Public Hearing and 2nd Reading of Ordinance 2019-1632 regarding Rezoning Property Owned By Crossridge Center, LLC  
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 11.04 Acre Tract Of Property Owned By Crossridge Center, LLC And Located At 8546 & 8574 Charlotte Highway (TMS # 0010-00-056.00 & 0010-00-057.00) From MX, Mixed-Use District, To RB, Regional Business District. - ***Planning Department Case Number: RZ-019-0816. Planning Commission recommended approval by a vote of 7-0. Passed 7-0 at the December 9, 2019 County Council Meeting. - Rox Burhans***
- c. Public Hearing and 2nd Reading of Ordinance 2019-1634 regarding Amending the Unified Development Ordinance (UDO) To Add Utilities - Class 3 as a Permitted Use In Property Zoned Institutional District (INS)  
Ordinance Title: An Ordinance To Amend Ordinance 2016-1442, The Unified Development Ordinance ("UDO"), To Add Utilities - Class 3 As A Permitted Use In Property Zoned Institutional District (INS) And To Provide Protection For The Continued Operation And Expansion Of Utility Facilities - ***Planning Department Case Number: UDO-TA-019-0953. Planning Commission recommended approval by a vote of 7-0. Passed 7-0 at the December 9, 2019 County Council Meeting. - Rox Burhans***
- d. Public Hearing and 2nd Reading of Ordinance 2019-1636 regarding Rezoning Seven Parcels of Property Owned by Lancaster County Water & Sewer District  
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Seven (7) Parcels Of Real Property Totaling Approximately 9.28 Acres In Size Owned By Lancaster County Water & Sewer District And Located At River Road, Near 7864 River Road-LCWSD- Sewer Facility, Lancaster, South Carolina (TMS # 0013-00-085.00; TMS # 0013-00-088.00; TMS # 0013-00-88.01; TMS No. 0013-00-088.02; TMS # 0013-00-089.00; TMS # 0013-00-090.00; And TMS # 0013-00-091.00) From LDR, Low Density Residential, MDR, Medium Density Residential, And RN, Rural Neighborhood District, To INS, Institutional District. - ***Planning Department Case Number: RZ-019-0952. Planning Commission recommended approval by a vote of 7-0. Passed 6-0 at the December 9, 2019 County Council Meeting. - Rox Burhans***
- e. 1st Reading of Ordinance 2019-1613 regarding Rezoning Property Owned By Gus and Chrisoula Kanos that is Located at 9330 Charlotte Highway  
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 3.00 Acre Parcel Owned By Gus Kanos And Chrisoula P. Kanos And Located At 9330 Charlotte Highway, Fort Mill, South Carolina (TMS# 0008-00-085.00) From LDR, Low Density Residential District To NB, Neighborhood Business District. - ***Planning Department Case Number: RZ-019-0171. A previous version of the Ordinance appeared on the October 14, 2019 County Council agenda to rezone the property to GB. County Council referred the case back to the Planning Commission for further consideration of the NB District and another Public Hearing pursuant to UDO Section 9.2.15.C.2.a. Planning Commission recommended approval by a vote of 5-1. - Rox Burhans***
- f. 1st Reading of Ordinance 2020-1637 regarding Amending the County Code Related to Fee Exemptions  
Ordinance Title: An Ordinance To Amend Paragraph C of Section 26-34 Of The Lancaster County Code Of Ordinances Related To Exemptions From The County Road Fee. - ***Steve Willis***



- g. 1st Reading of Ordinance 2020-1639 regarding Amending the Future Land Use Map  
Ordinance Title: An Ordinance To Approve The Request Of Haile Gold Mine Inc., To Amend The Future Land Use Map Contained In The Lancaster County, South Carolina Comprehensive Plan 2014-2024 So As To Change The Future Land Use Designation On The Future Land Use Map For Fifty-One Parcels Of Real Property From Rural Living To Special District-Industrial. - ***Planning Department Case Number: CP 2019-1037. Planning Commission recommended approval by a vote of 6-0. - Rox Burhans***
- h. 1st Reading of Ordinance 2020-1640 regarding Rezoning 46 Parcels Owned By Haile Gold Mine  
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 46 Parcels, Totaling 539.6 Acres In Size, More Or Less, Owned By Haile Gold Mine, Inc. And Located Near 6936 Snowy Owl Road-Haile Gold Mine Road, Lancaster, South Carolina (TMS# 0136-00-036.00) From AR, Agricultural Residential District And INS, Institutional District, To M, Mining District. - ***Planning Department Case Number: RZ-019-1016. Planning Commission recommended approval by a vote of 6-0. - Rox Burhans***
- i. 1st Reading of Ordinance 2020-1641 regarding Rezoning Property Owned By Lancaster County Water & Sewer District  
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone One Parcel, Totaling 3.03 Acres, More Or Less, Owned By Lancaster County Water & Sewer District, And Located East Of 7864 River Road – LCWSD Sewer Facility, Lancaster, South Carolina, Portion Of (TMS# 0013-00-087.00) From MDR, Medium Density Residential District, To INS, Institutional District. - ***Planning Department Case Number: RZ-019-1178. Planning Commission recommended approval by a vote of 6-0. - Rox Burhans***
- j. 1st Reading of Ordinance 2020-1642 regarding Rezoning Property Owned By Francis Faile, Jr.  
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 0.46 Acres, More Or Less, With The Intention Of Combining The Parcel With The Adjacent 1.48 Acres (TMS No. 0086B-0J-011.00) Owned By Francis Faile, Jr., And Located Off Of Williams Circle, Lancaster County, South Carolina (TMS# 0086B-0J-011.00) From MDR, Medium Density Residential District, To GB, General Business District. - ***Planning Department Case Number: RZ-019-0879. Planning Commission recommended approval by a vote of 6-0. - Rox Burhans***
- k. 1st Reading of Ordinance 2020-1643 regarding Rezoning Application of Modie Walters, Sr.  
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 1.668 Acres, More Or Less, With The Intention Of Combining The Parcel With The Adjacent 0.823 Parcel (TMS No. 0069E-0B-003.00), Located At The Intersection Of South Potter Road And Old Gregory Lane, Lancaster, South Carolina (TMS# 0069E-0B-004.00) From INS, Institutional District, To LDR, Low Density Residential District. - ***Planning Department Case Number: RZ-019-0598. Planning Commission recommended approval by a vote of 6-0. - Rox Burhans***

## 9. **Discussion and Action Items**

- a. Pending Projects Update for New Construction and Major Renovation Projects - Alison Alexander
- b. Appointments to Various Boards and Commissions
  - Dr. Brent Glenn as the Veterinarian/Veterinary Service Representative on the Animal Shelter Advisory Board to fill a two year term that will expire on 06/30/2021 (1st Term)
  - Jonah E. Smith, V as the Pleasant Valley Fire Department Representative on the Fire Commission to fill an unexpired term that will end on 06/30/2020
  - Kimberly Blackmon to replace Lisa Hallman as the District 3 Representative on the Library Board to fill an unexpired term that will end on 06/30/2021
  - Leigh B. Pate to replace Laura M. Loughry as the School Health Representative on the Health and Wellness Commission to fill an unexpired term that will end on 06/30/2023
- c. Recruitment and Retention Plan - Steve Willis
- d. Discussion of County Logo - Steve Willis

- e. Name for Barnette Building - Steve Willis

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

- a. HELD - Public Hearing and 3rd Reading of Ordinance 2019-1631 regarding Authorization of a Fee Agreement with Project Boom  
Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Fee Agreement By And Between Lancaster County And Project Boom Providing For The Payment Of A Fee-In-Lieu Of Taxes And The Provision Of Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund. - ***Passed 6-0 at the November 25, 2019 County Council Meeting. Passed 7-0 at the December 9, 2019 County Council Meeting. - Jamie Gilbert***
- b. HELD - Public Hearing and 3rd Reading of Ordinance 2019-1626 regarding Authorization of a Fee Agreement with Project Dumping  
Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Fee Agreement By And Between Lancaster County And Project Dumping Providing For The Payment Of A Fee-In-Lieu Of Taxes And The Provision Of Special Source Revenue Credits; To Authorize A Ten-Year Extension Of The Term Of An Existing Fee Agreement; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund. - ***Passed 7-0 at the November 12, 2019 County Council Meeting. Passed 6-0 at the November 25, 2019 County Council Meeting. - Jamie Gilbert***

**11. Miscellaneous Reports and Correspondence**

- a. Charter Communications - Upcoming Changes
- b. FAA Grant Application Related to the Terminal Area Study

**12. Citizens Comments**

***[If Council delays until end of meeting]***

**13. Executive Session**

- a. One Item:
  - 1. ***Legal Advice Relating to Potential Pending Litigation. SC Code 30-4-70(a)(2).***

**14. Adjournment**

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

## Agenda Item Summary

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Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson/Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 1/13/2020

**Issue for Consideration:**

Approve or amend the minutes from the December 9, 2019 County Council regular meeting.

**Points to Consider:**

The draft minutes from the December 9, 2019 County Council regular meeting are attached for Council's review and approval.

**Funding and Liability Factors:**

N/A

**Council Options:**

Council can approve or amend the minutes.

**Recommendation:**

Approve the minutes as written.

**ATTACHMENTS:**

Description	Upload Date	Type
Draft Minutes from the 12-9-2019 County Council Regular Meeting	1/8/2020	Backup Material

**Council Members**

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



**County Attorney**  
John K. DuBose III

**Clerk to Council**  
Sherrie Simpson

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**December 9, 2019**

**6:00 PM**

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

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

**MINUTES**

**DRAFT**

Council Members present at the regular meeting of County Council were Allen Blackmon, Brian Carnes, Terry Graham, Steve Harper, Larry Honeycutt, Charlene McGriff and Billy Mosteller. Also present at the meeting were County Administrator Steve Willis, Deputy County Administrator Alison Alexander, County Attorney John DuBose, Clerk to Council Sherrie Simpson, Acting Deputy Clerk to Council Angie Estridge, Planning Director Rox Burhans, Fire/Emergency Services Director Darren Player, various Department Heads, various elected officials, various staff, the press and spectators. A quorum of Lancaster County Council was present for the meeting.

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

**Call to Order Regular Meeting - Chairman Steve Harper**

Steve Harper called the regular meeting of County Council to order at approximately 6:02 p.m. He announced that all Council members were present, that the required press notifications had been met and that the agenda had been posted as required.

**Welcome and Recognition - Chairman Steve Harper**

Steve Harper welcomed everyone to the Council meeting and announced that two Boy Scouts, Ross Weisner, III, and William Jones, were in the audience and would lead the Pledge of Allegiance to the American Flag.

**Pledge of Allegiance and Invocation - Brian Carnes**

Ross Weisner, III, and William Jones led the Pledge of Allegiance to the American Flag and Brian Carnes delivered the Invocation.

**Approval of the Agenda**

Steve Harper asked for a motion to approve the agenda and Charlene McGriff so moved. The motion was

seconded by Brian Carnes. Council approved the agenda by unanimous vote of 7-0.

**DRAFT**

### **Special Presentations**

There were no Special Presentations given during the meeting.

### **Citizens Comments**

There were no citizens who signed up for nor came forward to speak for Citizens Comments.

### **Consent Agenda**

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

- a. **Minutes from the November 25, 2019 County Council Regular Meeting**
- b. **Minutes from the November 27, 2019 County Council Special Meeting**
- c. **3rd Reading of Ordinance 2019-1622 regarding Amending the Unified Development Ordinance To Require Sketch Plans For Major Subdivisions, Mixed Use Developments and Certain Site Plans**

Ordinance Title: An Ordinance To Amend Ordinance 2016-1442, The Unified Development Ordinance ("UDO"), Chapter 9.2, Review Procedures, To Require Sketch Plans For Major Subdivisions, Mixed Use Developments, And Certain Site Plans.

- d. **2nd Reading of Ordinance 2019-1631 regarding Authorization of a Fee Agreement with Project Boom**

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Fee Agreement By And Between Lancaster County And Project Boom Providing For The Payment Of A Fee-In-Lieu Of Taxes And The Provision Of Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund.

### **Non-Consent Agenda**

#### **Resolution 1077-R2019 regarding Authorizing the Acquisition of Self Contained Breathing Apparatus**

Resolution Title: A Resolution to Authorize County Staff to Acquire Self Contained Breathing Apparatus Pending Adoption of a Budget Amendment Ordinance; And Other Matters Related Thereto.

Brian Carnes moved to approve Resolution 1077-R2019. The motion was seconded by Billy Mosteller. Steve Willis reviewed the Resolution, which was detailed in the Agenda Item Summary in the Agenda packet. Council and staff discussed the potential costs savings, the lifetime warranty for the air packs and the need for rotational purchasing of equipment in the future. Council approved Resolution 1077-R2019 by unanimous vote of 7-0. Steve Willis explained that the purchase would go through Procurement as required and that Council would receive an update once the final numbers were obtained.



### **Resolution 1078-R2019 regarding Amending The Employee Substance Abuse And Testing Policy to Include CBD Products**

Resolution Title: A Resolution To Amend The Lancaster County Employee Substance Abuse And Testing Policy To Update County Policy Regarding The Use Of Medical Marijuana, Cannabidiol (CBD), And Similar Products

Allen Blackmon moved to approve Resolution 1078-R2019. The motion was seconded by Charlene McGriff. Alison Alexander reviewed the Resolution, which was detailed in the Agenda Item Summary in the Agenda packet. There was no further discussion. Council approved Resolution 1078-R2019 by unanimous vote of 7-0.

### **3rd Reading of Ordinance 2019-1620 regarding Amending the Unified Development Ordinance to Permit Three & Four Family Dwellings**

Ordinance Title: An Ordinance To Amend Ordinance 2016-1442, The Unified Development Ordinance (“UDO”), Chapter 2.4, District Development Standards; Chapter 4, Aviation Overlay; Chapter 5, Use Regulations; Chapter 7.2.4, Parking; And Chapter 10, Definitions, To Allow Three Family (Triplex) Dwellings And Four Family (Quadraplex) Dwellings As Permitted Dwelling Unit Types.

Steve Harper stated that he was recusing himself from the discussion and vote for Ordinances 2019-1620 and 2019-1621. His Statement of Recusal for Ordinance 2019-1620 is attached as Schedule A and his Statement of Recusal for Ordinance 2019-1621 is attached as Schedule B to the written minutes in the Clerk to Council's office. He left the Council Chambers at approximately 6:17 p.m. Charlene McGriff took over as Chair during the time that Steve Harper recused himself from the meeting.

Charlene McGriff asked for the report from staff regarding Ordinance 2019-1620 and Rox Burhans explained that he had no further information to provide to Council since 2nd Reading of the Ordinance. Council did not have any questions for staff and there was no further discussion.

Larry Honeycutt moved to approve the 3rd Reading of Ordinance 2019-1620. The motion was seconded by Billy Mosteller. Council approved the 3rd Reading of Ordinance 2019-1620 by a vote of 6-0-1. Allen Blackmon, Brian Carnes, Larry Honeycutt, Charlene McGriff, Billy Mosteller and Terry Graham voted to approve the 3rd Reading of Ordinance 2019-1620, no one opposed and Steve Harper recused himself from the discussion and vote.

### **3rd Reading of Ordinance 2019-1621 regarding Rezoning Property Owned by MG Williams Limited Partnership located on McIlwain Road**

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 1.18 Acre Tract Of Property Owned By Cane Mill Associates Of Elgin, LP And Located East Of McIlwain Road, Lancaster, South Carolina (TMS # 0087-00-096.05) From NB, Neighborhood Business District, To PB, Professional Business District.

Charlene McGriff asked for the report from staff regarding Ordinance 2019-1621 and Rox Burhans explained that there had not been any changes to the Ordinance since 2nd Reading. Council did not have any questions for staff.

Larry Honeycutt moved to approve the 3rd Reading of Ordinance 2019-1621. The motion was seconded by Brian Carnes. There was no further discussion. Council approved the 3rd Reading of Ordinance 2019-1621 by a vote of 6-0-1. Allen Blackmon, Brian Carnes, Larry Honeycutt, Charlene McGriff, Billy Mosteller and Terry Graham voted to approve the 3rd Reading of Ordinance 2019-1621, no one opposed and Steve Harper recused himself from the discussion and vote.

Steve Harper came back into Council Chambers at approximately 6:19 p.m., re-joined the meeting and resumed his duties as Chair.

### **3rd Reading of Ordinance 2019-1623 regarding Amending the Unified Development Ordinance To Expand the Availability Of Development Agreements For Land Development Projects**

Ordinance Title: An Ordinance To Amend Ordinance 2016-1442, The Unified Development Ordinance (“UDO”),

Chapter 4 And Chapter 9 To Expand The Availability Of Development Agreements For Land Development Projects

Terry Graham moved to approve the 3rd Reading of Ordinance 2019-1623. The motion was seconded by Billy Mosteller.

Rox Burhans explained that, since 2nd Reading, some minor texts had been added to the Ordinance to clarify the applicability of this provision for multi-family projects and how acreage is acquired for development agreements; however, he noted that the changes were secondary language and had no material effect for what Council had already considered. John DuBose noted that if Council wanted to consider including the minor text amendments for approval then a motion to amend the Ordinance in the form attached in the agenda packet would be in order and Allen Blackmon stated that he would make that motion to amend the Ordinance. The motion to amend was seconded by Charlene McGriff. There was no further discussion. The motion to amend passed by unanimous vote of 7-0.

Council approved the 3rd Reading of Ordinance 2019-1623 as amended by unanimous vote of 7-0.

### **3rd Reading of Ordinance 2019-1624 regarding Amending the FY 2019-2020 Budget**

Ordinance Title: An Ordinance To Amend Ordinance No. 2019-1594, Relating To The Appropriation Of Funds And The Approval Of A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2019 And Ending June 30, 2020 (FY 2019-2020), To Further Provide For Revenues And Expenditures During The Fiscal Year; And To Provide For Matters Related Thereto.

Charlene McGriff moved to approve the 3rd Reading of Ordinance 2019-1624. The motion was seconded by Allen Blackmon.

Steve Willis indicated that there were no changes to the Ordinance since 2nd Reading. Billy Mosteller explained that he was for everything in the budget amendment except the Springs Park Boat Landing restrooms. Terry Graham and Brian Carnes agreed that they supported everything in the amendment except the Springs Park Boat Landing restrooms.

Council approved the 3rd Reading of Ordinance 2019-1624 by a vote of 5-2. Allen Blackmon, Brian Carnes, Larry Honeycutt, Steve Harper and Charlene McGriff voted in favor of the 3rd Reading of Ordinance 2019-1624 and Billy Mosteller and Terry Graham opposed.

### **Public Hearing will be held; however, 3rd Reading of Ordinance 2019-1626 will be Postponed (Authorization of a Fee Agreement with Project Dumping)**

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Fee Agreement By And Between Lancaster County And Project Dumping Providing For The Payment Of A Fee-In-Lieu Of Taxes And The Provision Of Special Source Revenue Credits; To Authorize A Ten-Year Extension Of The Term Of An Existing Fee Agreement; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund.

Steve Harper announced that the 3rd Reading of Ordinance 2019-1626 would be postponed but that Council would proceed with the advertised Public Hearing.

Steve Harper opened the floor for the Public Hearing for Ordinance 2019-1626 at approximately 6:24 p.m. There were approximately sixteen (16) citizens in attendance during the Public Hearing for Ordinance 2019-1626. No citizens signed up to speak for the Public Hearing and no one came forward to speak when Steve Harper asked if anyone wanted to speak regarding the Ordinance. Steve Harper closed the Public Hearing at approximately 6:24 p.m.

### **Public Hearing and 3rd Reading of Ordinance 2019-1627 regarding Authorizing the First Amendment to the Special Source Revenue Credit Agreement for Synergy Steel Holdings, Inc., and Golden Spike,**



## LLC

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of The First Amendment To The Special Source Revenue Credit Agreement, By And Among Lancaster County, Synergy Steel Holdings, Inc., And Golden Spike, LLC.

Steve Willis reviewed Ordinance 2019-1627 with Council, which was detailed in the Agenda Item Summary in the Agenda packet. Council did not have any questions for staff.

Steve Harper opened the floor for the Public Hearing for the 3rd Reading of Ordinance 2019-1627 at approximately 6:25 p.m. There were approximately sixteen (16) citizens in attendance during the Public Hearing for Ordinance 2019-1627. No citizens signed up to speak for the Public Hearing and no one came forward to speak when Steve Harper asked if anyone wanted to speak regarding the Ordinance. Steve Harper closed the Public Hearing at approximately 6:26 p.m.

Terry Graham moved to approve the 3rd Reading of Ordinance 2019-1627. The motion was seconded by Charlene McGriff. Council approved the 3rd Reading of Ordinance 2019-1627 by unanimous vote of 7-0.

### **Public Hearing and 3rd Reading of Ordinance 2019-1628 regarding Approval of a First Amendment to the Fee Agreement for RV-Imagitas, LLC and Lancaster Real Estate Group, LLC**

Ordinance Title: An Ordinance To Authorize And Approve The Execution And Delivery Of A First Amendment To Fee Agreement By And Among Lancaster County, South Carolina, RV-Imagitas, LLC And Lancaster Real Estate Group, LLC So As To Provide For Additional Land For The Project.

Steve Willis reviewed Ordinance 2019-1628 with Council, which was detailed in the Agenda Item Summary in the Agenda packet. John DuBose noted, for the record, that one of the changes that was made to the 3rd Reading of the Ordinance was to more specifically identify 406 Potts Lane parcel within the Ordinance. He explained that, when the time is appropriate, if the changes meet with Council's approval, then a motion amending the 3rd Reading of the Ordinance to adopt the version attached to the agenda packet would be in order. Council did not have any questions for staff.

Steve Harper opened the floor for the Public Hearing for the 3rd Reading of Ordinance 2019-1628 at approximately 6:28 p.m. There were approximately sixteen (16) citizens in attendance during the Public Hearing for Ordinance 2019-1628. No citizens signed up to speak for the Public Hearing and no one came forward to speak when Steve Harper asked if anyone wanted to speak regarding the Ordinance. Steve Harper closed the Public Hearing at approximately 6:28 p.m.

Terry Graham moved to approve the 3rd Reading of Ordinance 2019-1628. The motion was seconded by Charlene McGriff.

Brian Carnes moved to amend Ordinance 2019-1628 to include language that was included in the attachment to the agenda. The motion to amend was seconded by Allen Blackmon. There was no discussion regarding the motion to amend. The motion to amend passed by unanimous vote of 7-0.

Council approved the 3rd Reading of Ordinance 2019-1628 as amended by unanimous vote of 7-0.

### **Public Hearing and 3rd Reading of Ordinance 2019-1629 regarding Granting an Easement to Comporium Communications**

Ordinance Title: An Ordinance To Approve A Right Of Way Agreement Between Lancaster County And Comporium Communications, Providing An Easement To Comporium Communications To Be Located Along Grace Avenue; And To Authorize County Officials To Take Such Actions As Necessary To Effectuate The Purposes Of This Ordinance.

Steve Willis explained that there were no changes to the Ordinance since 2nd Reading. Council did not have any questions for staff.



Steve Harper opened the floor for the Public Hearing for the 3rd Reading of Ordinance 2019-1629 at approximately 6:30 p.m. There were approximately sixteen (16) citizens in attendance during the Public Hearing for Ordinance 2019-1629. No citizens signed up to speak for the Public Hearing and no one came forward to speak when Steve Harper asked if anyone wanted to speak regarding the Ordinance. Steve Harper closed the Public Hearing at approximately 6:30 p.m.

Larry Honeycutt moved to approve the 3rd Reading of Ordinance 2019-1629. The motion was seconded by Charlene McGriff. There was no further discussion. Council approved the 3rd Reading of Ordinance 2019-1629 by unanimous vote of 7-0.

### **Public Hearing and 3rd Reading of Ordinance 2019-1630 regarding Amending Chapter 7 of the County Code to Adopt Updated Uniform Building Codes**

Ordinance Title: An Ordinance To Amend Chapter 7 Of The Lancaster County Code To Adopt Updated Uniform Codes As Mandated By The South Carolina Building Codes Council, To Adopt Certain Permissive Uniform Codes, And To Provide For Other Matters Related Thereto.

John DuBose explained that the amendments were mandated by the State. Council did not have any questions for staff.

Steve Harper opened the floor for the Public Hearing for the 3rd Reading of Ordinance 2019-1630 at approximately 6:31 p.m. There were approximately sixteen (16) citizens in attendance during the Public Hearing for Ordinance 2019-1630. No citizens signed up to speak for the Public Hearing and no one came forward to speak when Steve Harper asked if anyone wanted to speak regarding the Ordinance. Steve Harper closed the Public Hearing at approximately 6:31 p.m.

Billy Mosteller moved to approve the 3rd Reading of Ordinance 2019-1630. The motion was seconded by Brian Carnes. There was no further discussion. Council approved the 3rd Reading of Ordinance 2019-1630 by unanimous vote of 7-0.

### **1st Reading of Ordinance 2019-1632 regarding Rezoning Property Owned By Crossridge Center, LLC**

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 11.04 Ac re Tract Of Property Owned By Crossridge Center, LLC And Located At 8546 & 8574 Charlotte Highway (TMS # 0010-00-056.00 & 0010-00-057.00) From MX, Mixed-Use District, To RB, Regional Business District.

Brian Carnes moved to approve the 1st Reading of Ordinance 2019-1632. The motion was seconded by Terry Graham. Rox Burhans reviewed the Ordinance, which was detailed in the Agenda Item Summary found in the Agenda packet. There was no further discussion. Council approved the 1st Reading of Ordinance 2019-1632 by unanimous vote of 7-0.

### **1st Reading of Ordinance 2019-1633 regarding Rezoning Property Owned By Ramon J. Salazar**

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 3.08 Acre Tract Of Property Owned By Ramon J. Salazar And Located East Of The Intersection Of Kershaw Camden Highway And Lineberger Industrial, Lancaster, South Carolina (TMS # 0081N-0A-017.00) From GB, General Business District, To MH, Manufactured Home District.

Terry Graham moved to approve and bring the 1st Reading of Ordinance 2019-1633 to the floor; however, he noted that the motion did not mean that he would vote in favor of the Ordinance. The motion was seconded by Charlene McGriff.

Rox Burhans reviewed the Ordinance, which was detailed in the Agenda Item Summary found in the Agenda packet. Billy Mosteller noted that, in reading the reports, the rezoning was not consistent with the area and inconsistent with the Comp Plan. He further noted that Council should keep industrial areas for industrial uses.

The motion to approve the 1st Reading of Ordinance 2019-1633 failed by a vote of 0-7. No one voted in favor of the 1st reading of Ordinance 2019-1633 and Allen Blackmon, Brian Carnes, Larry Honeycutt, Steve Harper, Charlene McGriff, Billy Mosteller and Terry Graham voted against approval of the 1st Reading.

**1st Reading of Ordinance 2019-1634 regarding Amending the Unified Development Ordinance (UDO) To Add Utilities - Class 3 as a Permitted Use In Property Zoned Institutional District (INS)**

Ordinance Title: An Ordinance To Amend Ordinance 2016-1442, The Unified Development Ordinance ("UDO"), To Add Utilities - Class 3 As A Permitted Use In Property Zoned Institutional District (INS) And To Provide Protection For The Continued Operation And Expansion Of Utility Facilities

Brian Carnes moved to approve the 1st Reading of Ordinance 2019-1634. The motion was seconded by Charlene McGriff. Rox Burhans reviewed the Ordinance, which was detailed in the Agenda Item Summary found in the Agenda packet. There was no further discussion. Council approved the 1st Reading of Ordinance 2019-1634 by unanimous vote of 7-0.

**1st Reading of Ordinance 2019-1635 regarding Amending the Unified Development Ordinance (UDO) To Allow Child Daycare and Adult Daycare Facilities in Light Industrial**

Ordinance Title: An Ordinance To Amend Ordinance 2016-1442, The Unified Development Ordinance ("UDO"), To Allow Child Daycare And Adult Daycare Facilities For Six (6) Or More Persons In The Light Industrial District (LI).

Allen Blackmon moved to approve the 1st Reading of Ordinance 2019-1635. The motion was seconded by Charlene McGriff.

Rox Burhans reviewed the Ordinance, which was detailed in the Agenda Item Summary found in the Agenda packet. He explained that daycare facilities in industrial parks would be required to obtain a special exception permit. Council discussed the safety concerns and risks for children that would attend a daycare in an industrial area. David Rogers, who represented the applicant, explained that their company had built many daycare facilities in business parks. He reviewed the risks associated with building daycare facilities in commercial zoning. Council discussed what type of industries were allowed in Light Industrial versus Heavy Industrial. Brian Carnes explained that daycare facilities in industrial parks is a common practice around the country.

The approval of the 1st Reading of Ordinance 2019-1635 failed by a vote of 3-4. Allen Blackmon, Brian Carnes and Steve Harper voted in favor of the 1st Reading of Ordinance 2019-1635 and Larry Honeycutt, Charlene McGriff, Billy Mosteller and Terry Graham opposed.

Councilman Larry Honeycutt left the Council meeting at approximately 7:00 p.m. due to another commitment.

**1st Reading of Ordinance 2019-1636 regarding Rezoning Seven Parcels of Property Owned by Lancaster County Water & Sewer District**

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Seven (7) Parcels Of Real Property Totaling Approximately 9.28 Acres In Size Owned By Lancaster County Water & Sewer District And Located At River Road, Near 7864 River Road-LCWSD- Sewer Facility, Lancaster, South Carolina (TMS # 0013-00-085.00; TMS # 0013-00-088.00; TMS # 0013-00-88.01; TMS No. 0013-00-088.02; TMS # 0013-00-089.00; TMS # 0013-00-090.00; And TMS # 0013-00-091.00) From LDR, Low Density Residential, MDR, Medium Density Residential, And RN, Rural Neighborhood District, To INS, Institutional District.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2019-1636. The motion was seconded by Brian Carnes. Rox Burhans reviewed the Ordinance, which was detailed in the Agenda Item Summary found in the Agenda packet. A representative from the Lancaster County Water and Sewer District discussed buffers for their facility. Council approved the 1st Reading of Ordinance 2019-1636 by a vote of 6-0.



## Discussion and Action Items

### **Pending Projects Update for New Construction and Major Renovation Projects - Alison Alexander**

Alison Alexander explained that the report on the pending projects was in the Agenda packet and Council did not have any questions for staff regarding the report.

### **Appointment to the Construction Board of Appeals**

- Brent Funderburk as an Alternate on the Construction Board of Appeals for a four year term that will expire on 06/30/2023 (4th Term - requires a super majority vote of Council)

Charlene McGriff moved to approve the appointment of Brent Funderburk as an Alternate on the Board of Construction Appeals for a four year term that will expire on 06/30/2023. The motion was seconded by Terry Graham. There was no further discussion. Council approved the appointment of Brent Funderburk by a vote of 6-0.

### **Notice of Community Development Block Grant Award for DSS Building Renovation - Steve Willis**

Steve Willis explained that Council needed to make a motion for the County to formally accept the Community Development Block Grant (CDBG) for the renovations to the Department of Social Services (DSS) building. Charlene McGriff moved to approve the acceptance of the CDBG Award for the DSS building renovation. The motion was seconded by Billy Mosteller. Council approved the acceptance of the grant award by a vote of 6-0.

## Status of items tabled, recommitted, deferred or held

- a. RECOMMITTED TO PLANNING - 1st Reading of Ordinance 2019-1613 regarding Rezoning Property Owned By Gus and Chrisoula Kanos that is Located at 9330 Charlotte Highway  
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 3.00 Acre Tract Of Property Owned By Gus Kanos And Chrisoula P. Kanos - Located At 9330 Charlotte Highway, Fort Mill, SC 29707 (TMS# 0008-00-085.00) From LDR, Low Density Residential District, To GB, General Business District. - ***Planning Department Case Number: RZ-019-0171. Planning Commission recommended denial by a vote of 5-1. The Ordinance appeared on the October 14, 2019 County Council agenda, where it was referred back to the Planning Commission for further consideration and another Public Hearing pursuant to UDO Section 9.2.15.C.2.d.***

This item was not discussed during the meeting and was for information only for Council and citizens.

- b. HELD - Planning Case Number UDO-TA-0169 - Held at the Request of the Applicant - Ordinance Not Yet Prepared

This item was not discussed during the meeting and was for information only for Council and citizens.

## Miscellaneous Reports and Correspondence

There were no Miscellaneous Reports and Correspondence discussed during the meeting.

## Citizens Comments

There were no citizens who signed up for nor came forward to speak during Citizens Comments.

**DRAFT**

### **Executive Session**

There was no Executive Session held during the meeting.

### **Adjournment**

Charlene McGriff moved to adjourn the Council meeting. The motion was seconded by Terry Graham. The motion to adjourn passed by a vote of 6-0. There being no further business, the regular meeting of Council adjourned at approximately 7:14 p.m.

## Agenda Item Summary

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Ordinance # / Resolution #: Ordinance 2020-1638/ Planning Case Number: RZ-019-0916

Contact Person / Sponsor: Ashley Davis / Planning

Department: Planning

Date Requested to be on Agenda: 1/13/2020

### **Issue for Consideration:**

A request to rezone one parcel from Medium Density Residential (MDR) to General Business (GB) District. The property is located on Highway 521, south of the Retreat at Rayfield (TM # 0013-00-107.00) and is approximately 7-acres in size.

### **Points to Consider:**

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

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

The requested General Business District is consistent with the Neighborhood Mixed-Uses future land use category.

### **Funding and Liability Factors:**

N/A

### **Council Options:**

To approve or deny the rezoning request.

### **Recommendation:**

The Planning Commission voted 3-2 on December 17, 2019 to recommend **Denial** of the rezoning request.

Staff recommended the current 7-acre parcel be subdivided and the front portion of the parcel fronting US 521 (roughly 2.5 acres) be rezoned to General Business while the back portion (4.5 acres) closest to the residential homes be rezoned to Neighborhood Business or Professional Business. The intent is to reduce the opportunity for inappropriate uses to locate closest to the homes. The applicant has indicated to staff that they are open to this option (for Neighborhood Business in the rear).

### **ATTACHMENTS:**

Description	Upload Date	Type
Ordinance 2020-1638	1/6/2020	Ordinance
Planning Staff Report: Wendell Elliott	1/3/2020	Planning Staff Report
Exhibit 1: Rezoning Application	1/3/2020	Exhibit
Exhibit 2: Location and Zoning Map	1/3/2020	Exhibit



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STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2020-1638

COUNTY OF LANCASTER

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**AN ORDINANCE**

**TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE ONE PARCEL, 7.00 ACRES, MORE OR LESS, PROPERTY OWNED BY SHRINER’S HOSPITAL FOR CHILDREN AND LOCATED AT HIGHWAY 521, SOUTH OF THE RETREAT AT RAYFIELD, FORT MILL, SOUTH CAROLINA (TMS# 0013-00-107.00) FROM MDR, MEDIUM DENSITY RESIDENTIAL DISTRICT, TO GB, GENERAL BUSINESS DISTRICT.**

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

**Section 1. Findings and Determinations.**

The Council finds and determines that:

(a) Wendell Elliott applied to rezone a 7.00-acre parcel of property, owned by Shriner’s Hospital for Children, located at Highway 521, South of the Retreat at Rayfield, Fort Mill, South Carolina (TMS # 0013-00-107.00) from MDR, Medium Density Residential District, to GB, General Business District.

(b) On December 17, 2019, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of (3-2), recommended denial of the rezoning.

(c) The Future Land Use Map identifies this property as Neighborhood Mixed-Use based on the *Lancaster County Comprehensive Plan 2014-2024*. Rezoning the property from MDR, Medium Density Residential District, to GB, General Business District, is compatible with the Comprehensive Plan.

**Section 2. Rezoning.**

The Official Zoning Map is amended by changing the zoning district classification from MDR, Medium Density Residential District, to GB, General Business District, for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0013-00-107.00 (7.00 acres, more or less)

**Section 3. Severability.**

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

**Section 4. Conflicting Provisions.**

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

**Section 5.      Effective Date.**

This ordinance is effective upon Third Reading.

**AND IT IS SO ORDAINED**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**LANCASTER, SOUTH CAROLINA**

\_\_\_\_\_  
Steve Harper, Chair, County Council

\_\_\_\_\_  
Larry Honeycutt, Secretary, County Council

ATTEST:

\_\_\_\_\_  
Sherrie Simpson, Clerk to Council

First Reading:            January 13, 2020  
Second Reading:        January 27, 2020  
Public Hearing:           January 27, 2020  
Third Reading:          February 10, 2020

Approved as to form:

\_\_\_\_\_  
John DuBose, County Attorney



**Proposal:** Request to rezone one parcel 7 acres in size. The purpose of this request is to commercially develop the property.

**Property Location:** Highway 521, south of the Retreat at Rayfield (TM # 0013-00-107.00)

**Current Zoning District:** Medium Density Residential (MDR), Highway Corridor Overlay District

**Proposed Zoning District:** General Business (GB), Highway Corridor Overlay District

**Applicant:** Wendell Elliott

**Council District:** District 1, Terry Graham

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## Overview

### **Site Information**

*Site Description:* This parcel currently has a dilapidated house and a mobile home on the property.

### **Compatibility with Surrounding Area**

The current zoning for the surrounding area is Medium Density Residential (MDR), Neighborhood Business (NB), and Low Density Residential (LDR). Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 3*. The proposed zoning of GB is generally consistent with the larger surrounding area as many properties with direct road frontage along Highway 521 are zoned for commercial use. Within a half mile from the proposed site to the south are properties such as The Promenade and Carolina Commons. A half mile north of the site are Food Lion, the recently approved Sam's Car Wash, and the Widewaters Regional Business development on the corner of 521 and Shelly Mullis. See table below for adjacent property zoning and use comparison.

### **Summary of Surrounding Zoning and Uses**

Surrounding Property	Municipality	Zoning District	Use
North	Lancaster County	Medium Density Residential (MDR)	Vacant
South	Lancaster County	Medium Density Residential (MDR) & Neighborhood Business (NB)	Single-Family Residential (The Retreat at Rayfield)
East	Lancaster County	Low Density Residential (LDR)	Single-Family Residential
West	Lancaster County	Medium Density Residential (MDR)	Single-Family Residential (The Retreat at Rayfield)

Recent Rezoning in Surrounding Area			
Case #	Description	Date	Outcome
RZ-018-042	Request to rezone from GB to RB	10-16-18	Approved by CC

## Photos of Project Area

LOOKING DIRECTLY AT PROPERTY — FROM HIGHWAY 521



LOOKING DIRECTLY ACROSS PROPERTY — AT HIGHWAY 521



LOOKING NORTH ALONG HIGHWAY 521



LOOKING SOUTH ALONG HIGHWAY 521



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### **Analysis & Findings**

The property is currently zoned Medium Density Residential (MDR) District on the Lancaster County Zoning Map. The Medium Density Residential (MDR) District *is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 2.5 dwelling units per acre. Intended to act as a transitional zoning district between rural and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.* (UDO section 2.3).

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

### **COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION**

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

The requested General Business District is consistent with the Neighborhood Mixed-Uses future land use category.

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### **Staff Recommendation**

The parcel’s frontage along US 521 and location near two larger residential communities will provide convenient access to everyday goods and services for the nearby residents. In light of the unique parcel configuration relative to the surrounding neighborhoods, planning staff recommends the current 7-acre parcel be subdivided and the front portion of the parcel fronting US 521 (roughly 2.5 acres) be rezoned to General Business while the back portion (4.5 acres) closest to the residential homes be rezoned to Neighborhood Business or Planned Business. The intent is to reduce the opportunity for inappropriate uses to locate closest to the homes. The applicant has indicated to staff that they are open to this option (for Neighborhood Business).

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**Attachments**

1. Rezoning Application
2. Location Map/ Zoning Map
3. Concept Plan (non-binding)

**Staff Contact**

Ashley Davis

Planner

[adavis@lanastercountysc.net](mailto:adavis@lanastercountysc.net)





## Planning Department

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

Phone: 803.285.6005, [planning@lanastercountysc.net](mailto:planning@lanastercountysc.net)[www.mylanasteresc.org](http://www.mylanasteresc.org)

## ZONING MAP AMENDMENT APPLICATION

## SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

## GENERAL INFORMATION

Property Address 8513 CHARLOTTE HIGHWAY (ADDRESS MAY BE INCORRECT)City FORT MILL State SC Zip 29707 Tax Parcel ID 0013-00-107.00Current Zoning MDR Current Use VACANTProposed Zoning G13 Total Acres 7<sup>1</sup>Project Description RETAIL SALE OF GOLF CARTSSurrounding Property Description VACANT RESIDENTIAL

## CONTACT INFORMATION

Applicant Name WENDELL D. ELLIOTTAddress P.O. Box 2167City LANCASTER State SC Zip 29721 Phone 803-320-1531Fax 803-366-1017 Email KINGOFCARTS@GMAIL.COMProperty Owner Name SHRINERS HOSPITALS FOR CHILDRENAddress PO Box 31356City TAMPA State FL Zip 33631 Phone \_\_\_\_\_

Fax \_\_\_\_\_ Email \_\_\_\_\_

  
JCE

RLM

SLR

P2 of 6

# EXHIBIT A-2

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

Applicant Wendell D. Elliott  
[Signature]

Date 10-4-19

Property Owner(s) \_\_\_\_\_ Date \_\_\_\_\_  
 Attach owner's notarized written authorization with property information if the applicant is not the owner.

## LANCASTER COUNTY OFFICE USE ONLY

Application Number RZ-019-0916 Date Received 10-10-19 Receipt Number 848583  
 Amount Paid \$325.00 Check Number — Cash Amount \$325.00  
 Received By JB Planning Commission Meeting Date 12-17-19

## SCHEDULE/PROCESS 1. Submit Application

- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee — single parcel \$325.00
- Rezoning Application Fee — multi parcel \$500.00

## 2. Planning Commission

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

## 3. County Council

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

July, 2019

[Signature]  
 JCC

RLM [Signature]

SLR [Signature]

page 3 of 6

EXHIBIT A-2

REZONING AUTHORIZATION

Lancaster County Planning Department  
101 N. Main Street  
Lancaster, SC 29721


RE: Rezoning Application for Property, 6.66 Acres, Lancaster Hwy, Fort Mill, SC,  
Lancaster County tax parcel 0013-00-107.00

Dear Zoning Director:

(Corporate Owner)

On behalf of Shriners Hospitals for Children, a not for profit Colorado Corporation, owner of property located on Charlotte Hwy, Fort Mill, SC, Tax Parcel 0013-00-107.00 (as more completely described in the attached deed and survey), I hereby grant permission to Wendell D. Elliott to file for rezoning of the property from MDR to GB. I understand that the applicant is seeking the rezoning in order to facilitate the development of a retail facility on the property. As the authorized representative of the property owner, I hereby authorize Wendell D. Elliott to take all actions needed for the rezoning.


In witness whereof, the undersigned has executed this Rezoning Authorization this 8 day of October, 2019.

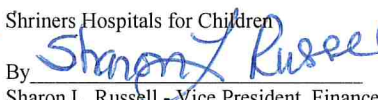
  
Witness

  
Witness

THE STATE OF Florida )  
COUNTY OF Hillsborough )

Shriners Hospitals for Children


By   
Rachel L. Mehlenbacher  
Director Accounting & Investments

Shriners Hospitals for Children  
By   
Sharon L. Russell - Vice President, Finance

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this 8 day of October, 2019, by Rachel L. Mehlenbacher, Director, Accounting & Investments and Sharon L. Russell, Vice President, Finance as authorized representatives for Shriners Hospital for Children.

SWORN to before me this 8 day of October, 2019

  
Notary Public for Florida (L.S.)  
Commission Expires: Sept 12, 2021



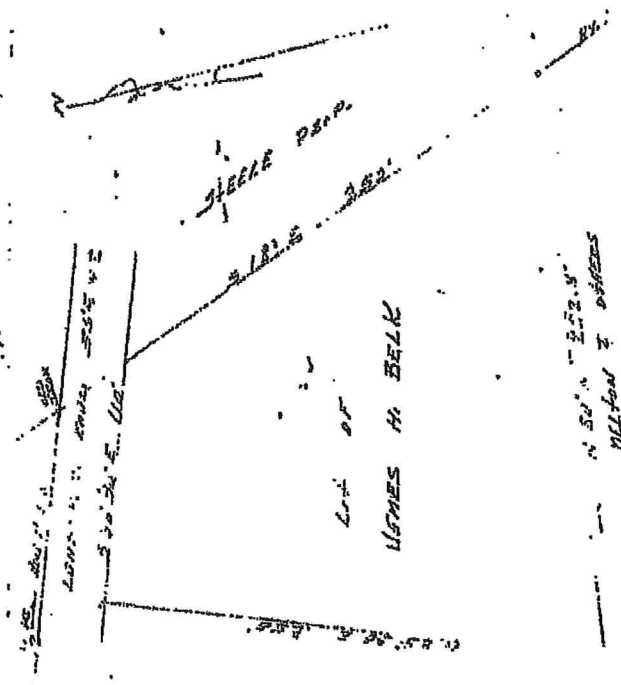
MICHELLE GOODMAN  
Commission # GG 122444  
Expires September 12, 2021  
Bonded Thru Budget Notary Services

  
JCE

P106



## 196

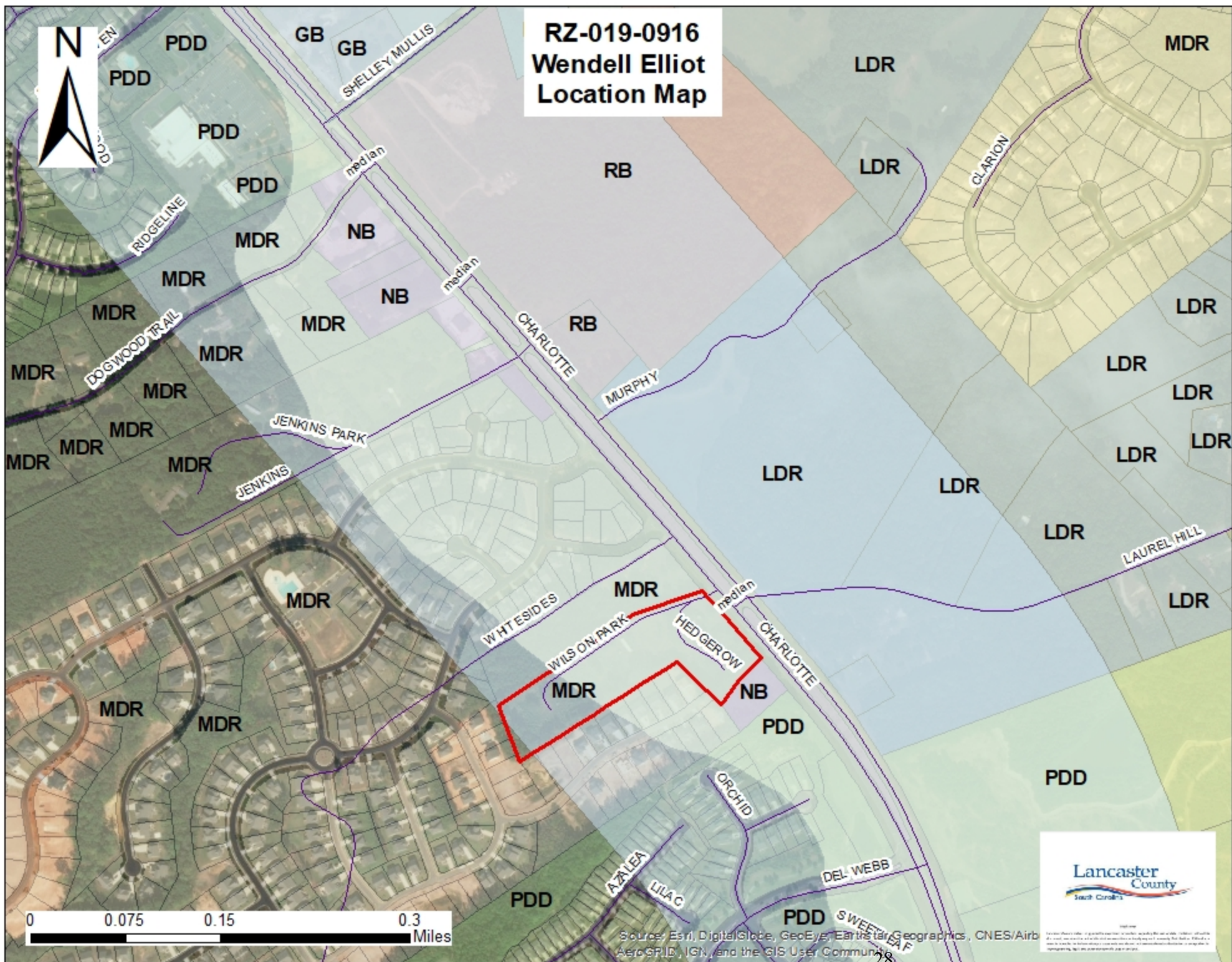


WAB  
JCE

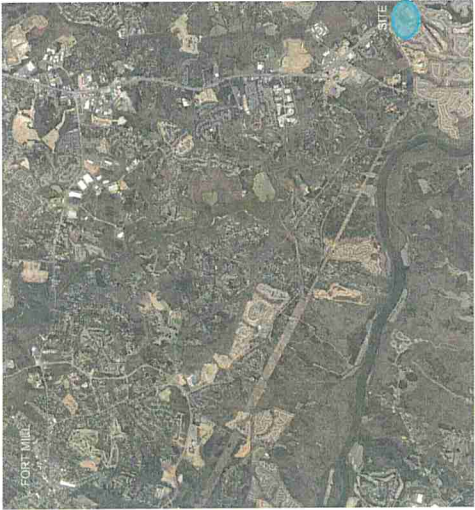
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DEVELOPMENT TABULATIONS

Site Area:	7.0 +/- Ac.
Proposed Dev:	22,000 sf +/-
Proposed Parking:	76 spaces (3.4 x sp/1,000 sf)
Retail / Office:	10,000 sf +/-
Office:	12,000 sf +/-





## Agenda Item Summary

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Ordinance # / Resolution #: Ordinance 2019-1632/Planning Case Number:RZ-019-0816

Contact Person / Sponsor: Ashley Davis / Planning

Department: Planning

Date Requested to be on Agenda: 1/13/2020

### **Issue for Consideration:**

A request to rezone two parcels from Mixed-Use (MX) to Regional Business (RB) District. The properties are located at 8546 & 8574 Charlotte Hwy (TM # 0010-00-056.00 & 0010-00-057.00) and total approximately 11.04 acres in size.

### **Points to Consider:**

The requested Regional Business (RB) District is generally located on the major thoroughfares in the community and provides opportunities for the provision of offices, services, and retail goods to meet the surrounding region. The regulations for this district are intended to accommodate the predominately auto-oriented pattern of existing development until such time that transportation network is retrofitted to accommodate more urban development patterns.

The requested Regional Business District is consistent with the Neighborhood Mixed-Use future land use category.

The Mixed-Use districts require that properties include a minimum of 25 acres of highland property. This property does not meet the minimum development requirement, which makes it a non-conforming lot. In order to develop the property, the applicant has requested to rezone the property to RB.

### **Funding and Liability Factors:**

N/A

### **Council Options:**

To approve or deny the rezoning request.

### **Recommendation:**

The Planning Commission voted 7-0 on November 19, 2019 to recommend **approval** of the rezoning request.

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

### **ATTACHMENTS:**

Description	Upload Date	Type
Ordinance 2019-1632	12/2/2019	Ordinance
Staff Report - RZ-019-0816	11/15/2019	Planning Staff Report
Exhibit 1 - Zoning Map Amendment Application	11/15/2019	Exhibit
Location Map	11/15/2019	Exhibit
Public Hearing Notice for Ordinance 2019-1632 (Planning Department Case Number: RZ-019-0816)	12/19/2019	Public Hearing Notices

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STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2019-1632

COUNTY OF LANCASTER

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**AN ORDINANCE**

**TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE A 11.04 ACRE TRACT OF PROPERTY OWNED BY CROSSRIDGE CENTER, LLC AND LOCATED AT 8546 & 8574 CHARLOTTE HIGHWAY (TMS # 0010-00-056.00 & 0010-00-057.00) FROM MX, MIXED-USE DISTRICT, TO RB, REGIONAL BUSINESS DISTRICT.**

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

**Section 1. Findings and Determinations.**

The Council finds and determines that:

(a) CrossRidge Center, LLC applied to rezone 11.04 acres parcel of property, located at 8546 & 8574 Charlotte Hwy., Lancaster, South Carolina (TMS # 0010-00-056.00 & 0010-00-057.00) from MX, Mixed-Use District (Highway Corridor Overlay and Carolina Heel Splitter Overlay), to RB, Regional Business District (No change to overlay districts).

(b) On November 19, 2019, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of (7-0), recommended approval of the rezoning.

(c) The Future Land Use Map identifies this property as MX, Mixed-Use District (Highway Corridor Overlay and Carolina Heel Splitter Overlay), based on the *Lancaster County Comprehensive Plan 2014-2024*. Rezoning the property from MX, Mixed-Use District (Highway Corridor Overlay and Carolina Heel Splitter Overlay), to RB, Regional Business District (No change to overlay districts), is compatible with the Comprehensive Plan.

**Section 2. Rezoning.**

The Official Zoning Map is amended by changing the zoning district classification from MX, Mixed-Use District (Highway Corridor Overlay and Carolina Heel Splitter Overlay) to RB, Regional Business District (No to change overlay districts), for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0010-00-056.00 & 0010-00-057.00 (11.04 acres, more or less)

**Section 3. Severability.**

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

**Section 4. Conflicting Provisions.**

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

**Section 5. Effective Date.**

This ordinance is effective upon Third Reading.

**AND IT IS SO ORDAINED**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**LANCASTER, SOUTH CAROLINA**

\_\_\_\_\_  
Steve Harper, Chair, County Council

\_\_\_\_\_  
Larry Honeycutt, Secretary, County Council

ATTEST:

\_\_\_\_\_  
Sherrie Simpson, Clerk to Council

First Reading: December 9, 2019  
Public Hearing: January 13, 2020  
Second Reading: January 13, 2020  
Public Hearing: January 27, 2020

Approved as to form:

\_\_\_\_\_  
John DuBose, County Attorney

**Proposal:** Request to rezone two parcels totaling approximately 11.04 acres in size. The purpose of this request is to develop the properties for commercial uses and to eliminate the MX zoning district.

**Property Location:** 8546 & 8574 Charlotte Hwy (TM # 0010-00-056.00 & 0010-00-057.00)

**Current Zoning District:** Mixed-Use (MX), Highway Corridor Overlay, and Carolina Heel Splitter Overlay

**Proposed Zoning District:** Regional Business (RB). No Change to the overlay districts.

**Applicant:** CrossRidge Center, LLC

**Council District:** District 7, Brian Carnes

## Overview

### Site Information

*Site Description:* These parcels are currently vacant.

### Compatibility with Surrounding Area

The current zoning for the surrounding area is Regional Business (RB), General Business (GB), PDD-26, and Mixed-Use (MX). Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 2*. The proposed zoning of RB is generally consistent with the area. See table below for adjacent property zoning and use comparison.

### Summary of Surrounding Zoning and Uses

Surrounding Property	Municipality	Zoning District	Use
North	Lancaster County	Regional Business (RB)	CrossRidge
South	Lancaster County	Mixed-Use (MX)	Vacant
East	Lancaster County	PDD-26	Commercial; YMCA Site
West	Lancaster County	General Business (GB)	Single-Family Residential (For Sale)

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

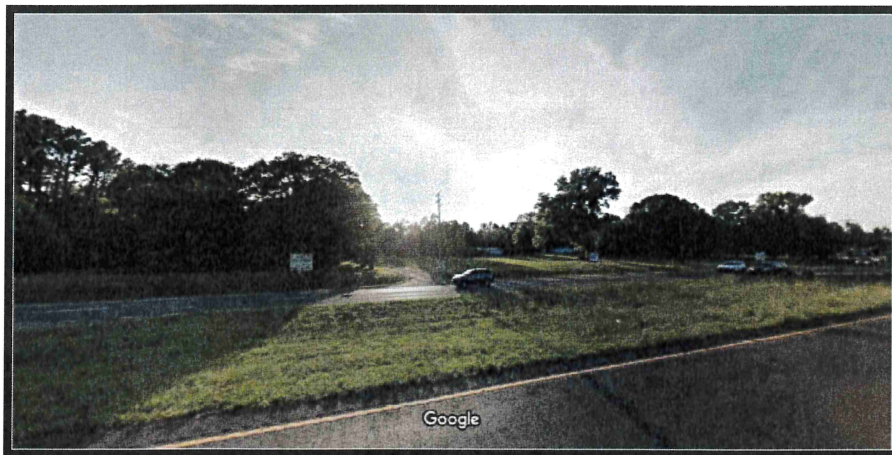
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## Photos of Project Area

LOOKING DIRECTLY AT PROPERTY FROM CHARLOTTE HIGHWAY



LOOKING DIRECTLY ACROSS PROPERTY — ON CHARLOTTE HIGHWAY

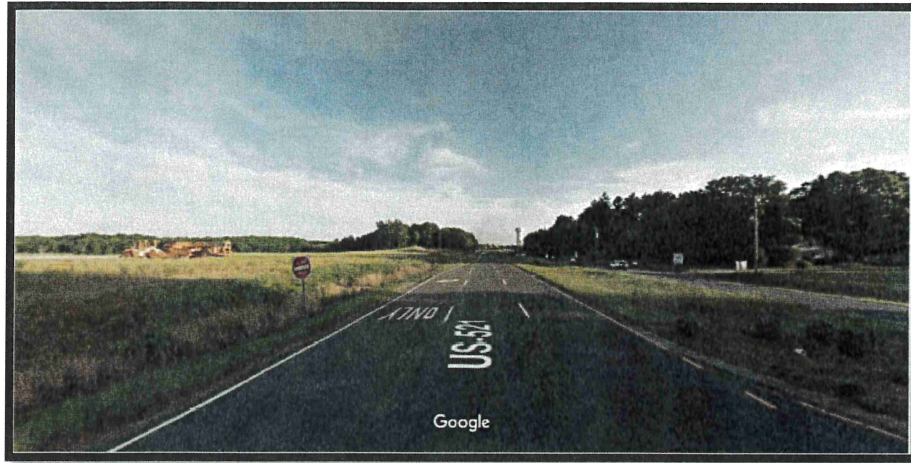


LOOKING NORTH ALONG CHARLOTTE HIGHWAY





LOOKING SOUTH ALONG CHARLOTTE HIGHWAY



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### Analysis & Findings

The property is currently zoned Mixed-Use (MX) District. The Mixed-Use (MX) zoning district *is established as a pedestrian-scaled, mixed-use district which caters to the everyday needs of nearby neighborhoods, stressing accessibility by automobiles, bicycles and pedestrians. This district accommodates an active, pedestrian-friendly area of community-scale commercial, residential, office and civic uses in both vertically mixed-use, as well as free-standing* (UDO section 2.3).

The requested Regional Business (RB) District *is generally located on the major thoroughfares in the community and provides opportunities for the provision of offices, services, and retail goods to meet the surrounding region. The regulations for this district are intended to accommodate the predominately auto-oriented pattern of existing development until such time that transportation network is retrofitted to accommodate more urban development patterns* (UDO section 2.3).

#### *Development Requirements*

The Mixed-Use districts require that properties include a minimum of 25 acres of highland property. This property does not meet the minimum development requirement, which makes it a non-conforming lot. In order to develop the property, the applicant has requested to rezone the property to RB.

### COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION

The future land use designation of this property is the Place Type known as Neighborhood Mixed-Use, which, according to the 2024 Comprehensive Plan is synonymous to the Community Type “Walkable Neighborhood”. The Comp Plan states that this Community Type has *very specific characteristics that set it apart from most other Place Types by virtue of its deliberately structured mix of dwelling types in a development context that often operates through the separation of uses, densities and/or land value.*

*This Place Type and Community Type have their roots in the traditional character of American communities during the early part of the 20<sup>th</sup> century, and has been revived in recent decades as a relevant option for future development.*

The requested Regional Business District is consistent with the Neighborhood Mixed-Uses future land use category. The proposed RB zoning district will provide more consistent zoning across the CrossRidge property.

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#### **Staff Recommendation**

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

---

#### **Attachments**

1. Rezoning Application
2. Location Map/ Zoning Map

#### **Staff Contact**

Ashley Davis  
Planner  
[adavis@lancastersc.net](mailto:adavis@lancastersc.net)  
803-416-9433



## Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721  
 Phone: 803.285.6005, [planning@lanastercountysc.net](mailto:planning@lanastercountysc.net)  
[www.mylancastersc.org](http://www.mylancastersc.org)

## ZONING MAP AMENDMENT APPLICATION

## SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

## GENERAL INFORMATION

Property Address 8546 & 8574 Charlotte Highway  
 City Indian Land State SC Zip 29707 Tax Parcel ID 0010-00-056.000 &  
010-00-057.00  
 Current Zoning MX Current Use Vacant  
 Proposed Zoning RB Total Acres 11.04 Acres (Approximate)  
 Project Description The proposed project is to be consistent with adjacent parcel zoning (RB) and  
eliminate non-conforming zoning (MX).

Surrounding Property Description The surrounding zoning consists of RB and PDD with GB  
across Charlotte Highway.

## CONTACT INFORMATION

Applicant Name CrossRidge Center, LLC, Attn: Ben Cerullo  
 Address 3000 Worldreach Drive  
 City Indian Land State SC Zip 29707 Phone (803) 578-1000  
 Fax \_\_\_\_\_ Email BCerullo@bencerullo.com  
 Property Owner Name Same as above  
 Address Same as above  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_  
 Fax \_\_\_\_\_ Email \_\_\_\_\_

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

Bruce Calk

Applicant

9/26/19

Date

Bruce Calk

Property Owner(s)

9/26/19

Date

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

**LANCASTER COUNTY OFFICE USE ONLY**

Application Number RZ-019-0816 Date Received 9-30-19 Receipt Number 848568

Amount Paid \$500.00 Check Number 161607 Cash Amount —

Received By QB Planning Commission Meeting Date 11-19-19

**SCHEDULE/PROCESS 1. Submit Application**

- The deadline for this application is at least 30 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee – single parcel \$325.00
- Rezoning Application Fee – multi parcel \$500.00

**2. Planning Commission**

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

**3. County Council**

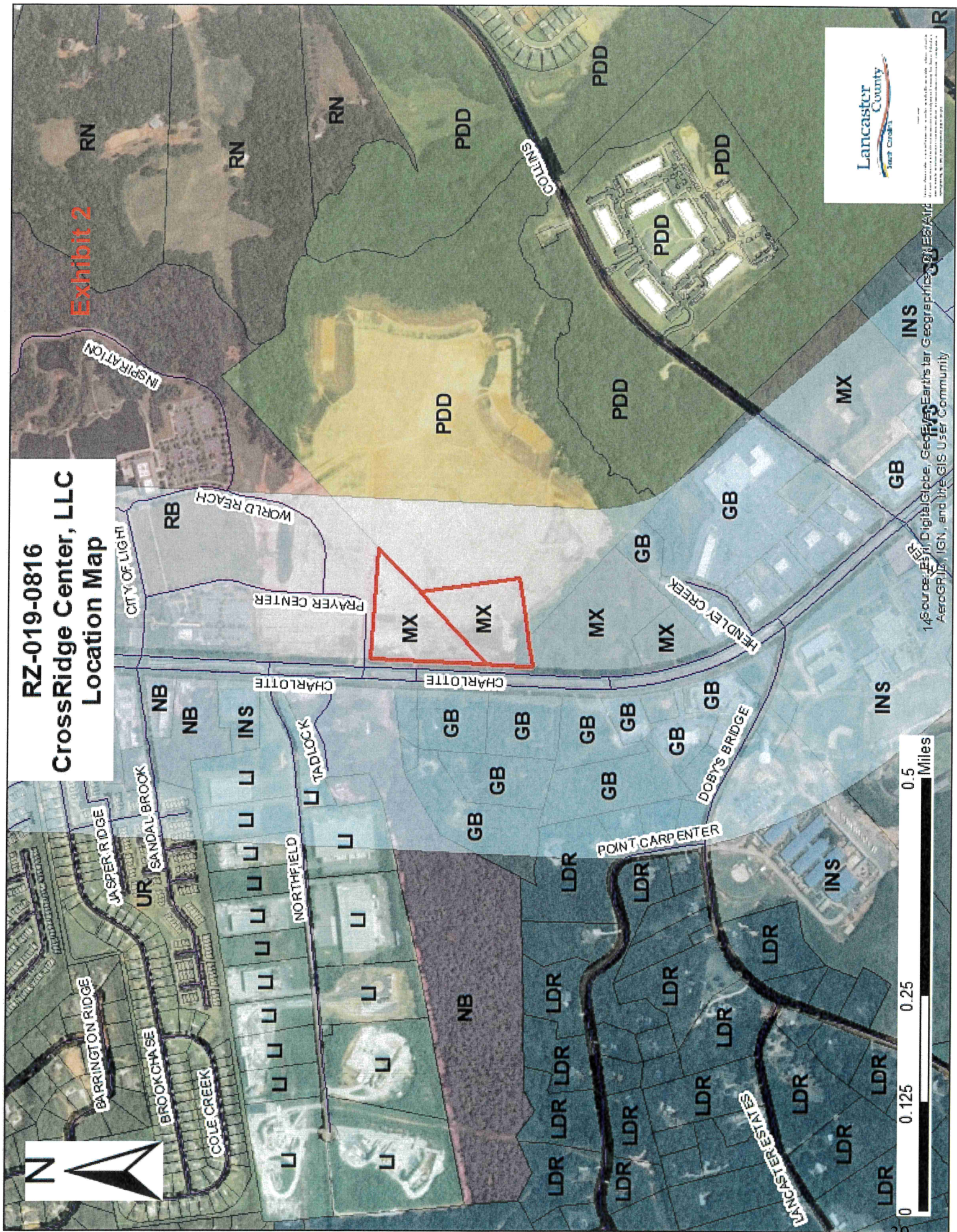
- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval.
- Subsequent to final County Council action on rezoning, notice of action will be provided to the applicant, owner, and adjacent property owners.
- If applicant would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



RZ-019-0816

# CrossRidge Center, LLC Location Map

Exhibit 2



145 sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR AeroGlobe, IGN, and the GIS User Community



# The Lancaster News

701 North White Street  
PO Box 640  
Lancaster, SC 29721  
803-283-1133

## PUBLIC HEARING NOTICE

The Lancaster County Council will conduct a public hearing on Monday, January 13, 2020 at 6:00 PM, Room 224 of the Lancaster County Administrative Building, located at 101 N. Main Street, Lancaster County, SC, for the purpose of obtaining oral and written comments from the public concerning the following:

1. UDO-TA-019-0953: Application of Lancaster County Water & Sewer District to amend UDO Chapter 2 by amending Section 2.5.3 Use Table to a permitted use to accommodate sewer treatment facilities. Use regulations will be added to Chapter 5 and a definition will also be added to Chapter 10, Definitions.
2. RZ-019-0952: Application of Lancaster County Water & Sewer District to rezone Tax Map 13 Parcels 85, 88, 88.01, 88.02, 89, 90, 91 on River Road, from Rural Neighborhood (RN) and Low Density Residential (LDR) to Institutional (INS). The purpose of the request is to accommodate the existing sewer treatment plant as well as future modifications to the facility.
3. RZ-019-0717: Application by Ramon Salazar to rezone Tax ID # 0081N-0A-017.00, located east of Kershaw Camden Highway and west of Highway 521 By-Pass, from General Business (GB) to Mobile Home (MH). The property is approximately 3.08 acres in size and is currently vacant. The purpose of the request is to construct a mobile home.
4. RZ-019-0816: Application by Crossridge Center, LLC to rezone Tax ID # 0010-00-056.00 & 0010-00-057.00 from Mixed-Use (MX) to Regional Business (RB). The properties are located at 8546 & 8574 Charlotte Highway and total approximately 11.04 acres in size. The purpose of the request is to be consistent with zoning of the adjacent parcel and eliminate non-conforming status of the MX district.
5. UDO-TA-019-0875: Application of Clyde Tant to amend UDO Chapter 5.7.2 (update of Section 2.5.3 Use Table) to allow child/adult daycare centers in the Light Industrial District.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department, which is located at 101 North Main Street, Room 108 Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Notice was published in The Lancaster

2019

*Nita G. Gaudin*

Notary Public of South Carolina

My Commission Expires  
January 13, 2021

# The Lancaster News

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Lancaster, SC 29721  
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This is to certify that the attached Legal Notice was published in The Lancaster News in the issue of *December 15, 2019*

*Penita G. Gaudin*

Notary Public of South Carolina

My Commission Expires  
January 13, 2021



# CAROLINA GATEWAY

701 North White Street  
PO Box 640  
Lancaster, SC 29721  
803-283-1133

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Notice was published in CAROLINA

18, 2019

*Enfa G. Gumbly*

otary Public of South Carolina

My Commission Expires  
January 13, 2021

# CAROLINA GATEWAY

701 North White Street  
PO Box 640  
Lancaster, SC 29721  
803-283-1133

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carolinagatewayonline.com

6667 \$/year

This is to certify that the attached Legal Notice was published in CAROLINA GATEWAY in the issue of December 18, 2019

*Bertie G. Smith*

Notary Public of South Carolina

My Commission Expires  
January 13, 2021

## Agenda Item Summary

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Ordinance # / Resolution #: Ordinance 2019-1634/Planning Case Number: UDO-TA-019-0953

Contact Person / Sponsor: Katie See/Planning

Department: Planning

Date Requested to be on Agenda: 1/13/2020

### **Issue for Consideration:**

This is a request to amend UDO Chapters 2, District Standards; Chapter 5, Use Regulations; and Chapter 10, Definitions. The purpose of this request is to accommodate sewer treatment facilities.

### **Points to Consider:**

The Lancaster County Water & Sewer District (LCWSD) has been operating a sewer facility on the River Road location since it was constructed in 2001. The previous UDO permitted water and sewer facilities as a permitted use with Planning Commission review in the property's previous zoning district, R-30P. When the UDO was rewritten in 2016 and the companion zoning map was updated, the property was rezoned Institutional (INS). The UDO did not include water and sewer facilities as permitted uses in the Institutional (INS) district, which therefore resulted in the use being designated non-conforming.

Non-conforming uses cannot be expanded or made more non-conforming. The applicant has requested that the INS district be amended to permit Utilities – Class 3 as a permitted use.

### **Companion Case RZ-019-0952**

The applicant has requested a zoning map amendment for seven parcels totaling approximately 9.28 acres in size.

### **Funding and Liability Factors:**

N/A

### **Council Options:**

Approve or deny the proposed text amendment.

### **Recommendation:**

Planning Commission voted unanimously to recommend **approval** on November 19, 2019.

Staff recommends **approval** of the proposed changes.

### **ATTACHMENTS:**

Description	Upload Date	Type
Ordinance 2019-1634	1/6/2020	Ordinance
Exhibit A to Ordinance 2019-1634	12/3/2019	Exhibit
Exhibit B to Ordinance 2019-1634	12/3/2019	Exhibit
Exhibit C to Ordinance 2019-1634	12/3/2019	Exhibit
Staff Report	11/15/2019	Planning Staff Report
Ex 1: Proposed Text Change	11/27/2019	Exhibit
Ex 2: Text Amendment Application	11/15/2019	Exhibit





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STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2019-1634

COUNTY OF LANCASTER

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**AN ORDINANCE**

**TO AMEND ORDINANCE 2016-1442, THE UNIFIED DEVELOPMENT ORDINANCE (“UDO”), TO ADD UTILITIES - CLASS 3 AS A PERMITTED USE IN PROPERTY ZONED INSTITUTIONAL DISTRICT (INS) AND TO PROVIDE PROTECTION FOR THE CONTINUED OPERATION AND EXPANSION OF UTILITY FACILITIES**

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

**Section 1. Findings and Determinations.**

The Council finds and determines that:

- (a) Utility facilities are vital to the infrastructure needs and the public health of the citizens, businesses, and industries within Lancaster County.
- (b) The Institutional District (INS) is intended to allow for the continued and future use, expansion, and new development of academic and religious campuses and of governmental and health facilities and to promote the many varied uses of such institutions.
- (c) Utilities Class 1 and Utilities Class 2 are currently permitted uses (P) within the Institutional District (INS)
- (d) Utilities Class 3 are appropriate facilities to allow as a permitted with review use (PR) for property zoned Institutional District (INS)
- (e) Utilities serve a vital role in promoting and protecting public health and welfare and this important purpose requires that utility facilities, once established, be allowed to operate and reasonably expand to anticipate and accommodate future utility demands without threat of being found a public or private nuisance by reason of operation or expansion and it is appropriate and necessary that utilities be granted appropriate protection from nuisance allegations as also required by State law.

**Section 2. Amendment of Ordinance 2016-1442**

Ordinance 2016-1442 (Unified Development Ordinance) Chapter 2.3, Districts, and Chapter 2.5 Use Table, is amended as set forth in Exhibit “A” attached hereto and incorporated herein by reference.

Ordinance 2016-1442 (Unified Development Ordinance) Chapter 10, Definitions, is amended as set forth in Exhibit “B” attached hereto and incorporated herein by reference.

Ordinance 2016-1442 (Unified Development Ordinance) Chapter 5, Use Regulations, is amended as set forth in Exhibit "C" attached hereto and incorporated herein by reference.

**Section 3. Severability.**

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

**Section 4. Conflicting Provisions.**

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

**Section 5. Effective Date.**

This ordinance is effective upon Third Reading.

**AND IT IS SO ORDAINED**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**LANCASTER COUNTY, SOUTH CAROLINA**

\_\_\_\_\_  
Steve Harper, Chair, County Council

\_\_\_\_\_  
Larry Honeycutt, Secretary, County Council

ATTEST:

\_\_\_\_\_  
Sherrie Simpson, Clerk to Council

First Reading: December 9, 2019  
Second Reading: January 13, 2020  
Public Hearing: January 13, 2020  
Third Reading: January 27, 2020

Approved as to form:

\_\_\_\_\_  
John DuBose, County Attorney

# EXHIBIT A

Indicates Matter Stricken  
Indicates New Matter

\*\*\*

<b>Institutional District (INS)</b>	<p>This Institutional District is intended to allow for the continued and future use, expansion, and new development of academic and religious campuses, <del>and of</del> governmental and health facilities, <del>and public and private utility infrastructure</del>. The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on the neighboring residential areas. In the attempt to meet this goal numerous requirements are included, such as but not limited to buffers, landscaping, outdoor lighting, parking, signage, building height, setbacks, open space, and the like.</p>
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J. INFRASTRUCTURE	A R	R R	R N	R U B	M H	L D R	M D R	P B	N B	G B	R B	I N S	O S P	L I	H I	M	U R	H D R	R M X	M X	I M X	R E F
Airstrip/Airport	-	-	-	-	-	-	-	-	-	-	-	P R	-	-	P R	-	-	-	-	-	-	5.1 1.1
Geothermal Energy Systems	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	5.1 1.2
Solar Energy Systems	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	5.1 1.3
Solar Farms	C U	*** *	*** *	-	-	-	-	-	-	-	-	-	-	*** *	*** *	-	-	-	-	-	-	5.1 1.4
Utilities – Class 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utilities – Class 2	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utilities – Class 3	P	P	-	-	-	-	-	-	-	-	-	P R	-	P	P	-	-	-	-	-	-	5.1 1.6
Wireless Communication Facility (Concealed)	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	-	P R	P R	P R	P R	P R	P R	P R	P R	5.1 1.5
Wireless Communication Facility (Up to 60.00')	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	-	P R	P R	P R	P R	P R	P R	P R	P R	5.1 1.5
Wireless Communication Facility (60.01'to 199.99')	S E	S E	S E	S E	S E	S E	S E	P R	P R	P R	P R	P R	-	P R	P R	P R	S E	S E	S E	S E	S E	5.1 1.5
Wireless Communication Facility (200' and Over)	-	-	-	-	-	-	-	-	-	-	-	-	-	S E	S E	S E	-	-	-	-	-	5.1 1.5



## EXHIBIT B

~~Indicates Matter Stricken~~

Indicates New Matter

\*\*\*

**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:

**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.

A utility facility, or expansion of such a facility, may not be found to be a public or private nuisance by reason of the operation of that facility if the utility facility:

(1) is operating pursuant to and in compliance with the requisite licenses, permits, certifications, or authorizations under the applicable federal and state environmental laws and county and municipal (if applicable) zoning ordinances; and

(2) commenced operations before the landowner alleging the nuisance acquired, moved onto, or improved the affected property.

If a utility facility seeks to expand its operations 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.

## EXHIBIT C

~~Indicates Matter Stricken~~

Indicates New Matter

### 5.11.6 CLASS 3 UTILITY FACILITIES [AR, RR, INS, LI, HI]

A class 3 utility facility shall comply with the following:

- A. Buffers: A type C buffer yard is required for class 3 utility facilities.

**Proposal:** Amend Chapter 2 to permit Utilities – Class 3 as a permitted with review use in Institutional District

**Applicable Chapters:** Chapter 2, District Standards; Chapter 5, Use Regulations; Chapter 10, Definitions

**Applicant:** Lancaster County

---

### **Project Summary & Proposal**

The Lancaster County Water & Sewer District (LCWSD) has been continuously operating a wastewater treatment plant on the River Road since 2001. The previous UDO permitted water and sewer facilities as a permitted use with Planning Commission review in the property's previous zoning district, R-30P. When the UDO was rewritten in 2016 and the companion zoning map was updated, the property was rezoned Institutional (INS). The UDO reclassified water and sewer facilities as Utilities-Class 3 and did not identify them as a permitted use in the Institutional (INS) district. The existing facility is currently operating as a legal non-conforming use.

Non-conforming uses cannot be expanded or made more non-conforming. The applicant has requested that the INS district be amended to permit Utilities – Class 3 as a permitted use. This will also enable improvements to be made at the plant in conformance with State and County requirements.

### **Companion Case RZ-019-0952**

The applicant has requested a zoning map amendment for eight parcels totaling approximately 12.31 acres in size. The properties are currently zoned LDR, MDR, and RN and the requested zoning district is INS.

---

### **Outline of Text Amendment**

Chapter 2 will be amended to permit Utilities – Class 3 as a permitted use in the Institutional District. The Use Regulations and Definition chapters will also be amended. See Exhibit 2.

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

*Chapter 2, District Standards:* Amend table by permitting Utilities – Class 3 as permitted use in Institutional (INS) District. Also amending INS description.

*Chapter 5, Use Regulations:* Amend chapter to add supplemental regulations for Class 3 utility facilities.



*Chapter 10, Definitions:* Add applicable definitions.

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

---

### **Findings and Conclusions**

The proposed amendment will enable the wastewater treatment plant to operate as a conforming use, which will make it possible for the LCWSD to make improvements and expansions as necessary, with applicable approvals.

---

### **Planning Staff Recommendation**

Staff recommends **Approval** of the proposed changes.

---

### **Exhibits**

1. Proposed Text Amendment
2. Application

### **Staff Contact**

Katie See, Senior Planner  
[ksee@lanastercountysc.net](mailto:ksee@lanastercountysc.net)  
803-285-6005

Indicates Matter Stricken

Indicates New Matter

## 10 DEFINITIONS

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<b>Institutional District (INS)</b>	This Institutional District is intended to allow for the continued and future use, expansion, and new development of academic and religious campuses, <del>and of</del> governmental and health facilities, <del>and public and private utility infrastructure</del> . The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on the neighboring residential areas. In the attempt to meet this goal numerous requirements are included, such as but not limited to buffers, landscaping, outdoor lighting, parking, signage, building height, setbacks, open space, and the like.
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J. INFRASTRUCTURE	A R	R R	R N	R U B	M H	L D R	M D R	P B	N B	G B	R B	IN S	O S P	LI	HI	M	U R	H D R	R M X	M X	IM X	RE F
Airstrip/Airport	-	-	-	-	-	-	-	-	-	-	-	P R	-	-	P R	-	-	-	-	-	-	5.1 1.1
Geothermal Energy Systems	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	5.1 1.2
Solar Energy Systems	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	5.1 1.3
Solar Farms	C U	*** *	*** *	-	-	-	-	-	-	-	-	-	-	*** *	*** *	-	-	-	-	-	-	5.1 1.4
Utilities – Class 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utilities – Class 2	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utilities – Class 3	P	P	-	-	-	-	-	-		-	-	P R	-	P	P	-	-	-	-	-	-	
Wireless Communication Facility (Concealed)	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	-	P R	P R	P R	P R	P R	P R	P R	P R	5.1 1.5
Wireless Communication Facility (Up to 60.00')	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	P R	-	P R	P R	P R	P R	P R	P R	P R	P R	5.1 1.5
Wireless Communication Facility (60.01' to 199.99')	S E	S E	S E	S E	S E	S E	S E	P R	P R	P R	P R	P R	-	P R	P R	P R	S E	S E	S E	S E	S E	5.1 1.5
Wireless Communication Facility (200' and Over)	-	-	-	-	-	-	-	-	-	-	-	-	-	S E	S E	S E	-	-	-	-	-	5.1 1.5

## **5 USE REGULATIONS**

### **5.11.6 CLASS 3 UTILITY FACILITIES [AR, RR, INS, LI, HI]**

A class 3 utility facility shall comply with the following:

- A. Buffers:** A class C buffer yard is required for class 3 utility facilities.
- B. Cutoff Lighting:** Only cutoff lighting fixtures shall be in used in all areas within 100 feet of adjacent residential property .

~~Indicates Matter Stricken~~

Indicates New Matter

## 10 DEFINITIONS

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**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:

**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.

A utility facility, or expansion of such a facility, may not be found to be a public or private nuisance by reason of the operation of that facility if the utility facility:

(1) is operating pursuant to and in compliance with the requisite licenses, permits, certifications, or authorizations under the applicable federal and state environmental laws and county and municipal (if applicable) zoning and nuisance ordinances; and

(2) commenced operations before the landowner alleging the nuisance acquired, moved onto, or improved the affected property.

If a utility facility seeks to expand its operations 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.





Planning Department  
P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721  
Phone: 803.285.6005, [planning@lanastercountysc.net](mailto:planning@lanastercountysc.net)  
[www.mylanastersc.org](http://www.mylanastersc.org)

## TEXT AMENDMENT APPLICATION

### SUBMITTAL REQUIREMENTS

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

### GENERAL INFORMATION

UDO Section(s) Proposed to be Amended Ch 2.5, Ch 5, Ch 10

Current Text Utilities - Class 3: only permitted in AR, RR, LI & HI districts

Proposed Text Permit Utilities - Class 3 in Institutional district  
Add supplemental regulations to Ch 5 and update definition in Ch 10

Description of Need for Proposed Text Use is currently non-conforming since it  
is not listed as a permitted use in the Institutional district.

☐ Additional pages attached for more information

### CONTACT INFORMATION

Applicant Name Lancaster County Water + Sewer District - Stephen White  
Address P.O. Box 1009  
City Lancaster State SC Zip 29721 Phone 803-285-6919  
Fax 803-285-8037 Email SWhite@lcwsd.org

#### APPLICATION CERTIFICATIONS

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

Lancaster County Water & Sewer District - Stephen White  
Applicant

10-14-19  
Date

Stephen White  
Property Owner(s)

10-14-19  
Date

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

#### LANCASTER COUNTY OFFICE USE ONLY

Application Number \_\_\_\_\_ Date Received \_\_\_\_\_ Receipt Number \_\_\_\_\_

Amount Paid \_\_\_\_\_ Check Number \_\_\_\_\_ Cash Amount \_\_\_\_\_

Received By \_\_\_\_\_ Planning Commission Meeting Date \_\_\_\_\_

#### SCHEDULE/PROCESS

##### 1. Submit Application

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

##### 2. Planning Commission

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

##### 3. County Council

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

# The Lancaster News

701 North White Street  
PO Box 640  
Lancaster, SC 29721  
803-283-1133

## PUBLIC HEARING NOTICE

The Lancaster County Council will conduct a public hearing on Monday, January 13, 2020 at 6:00 PM, Room 224 of the Lancaster County Administrative Building, located at 101 N. Main Street, Lancaster County, SC, for the purpose of obtaining oral and written comments from the public concerning the following:

1. UDO-TA-019-0953: Application of Lancaster County Water & Sewer District to amend UDO Chapter 2 by amending Section 2.5.3 Use Table to a permitted use to accommodate sewer treatment facilities. Use regulations will be added to Chapter 5 and a definition will also be added to Chapter 10, Definitions.
2. RZ-019-0952: Application of Lancaster County Water & Sewer District to rezone Tax Map 13 Parcels 85, 88, 88.01, 88.02, 89, 90, 91 on River Road, from Rural Neighborhood (RN) and Low Density Residential (LDR) to Institutional (INS). The purpose of the request is to accommodate the existing sewer treatment plant as well as future modifications to the facility.
3. RZ-019-0717: Application by Ramon Salazar to rezone Tax ID # 0081N-0A-017.00, located east of Kershaw Camden Highway and west of Highway 521 By-Pass, from General Business (GB) to Mobile Home (MH). The property is approximately 3.08 acres in size and is currently vacant. The purpose of the request is to construct a mobile home.
4. RZ-019-0816: Application by Crossridge Center, LLC to rezone Tax ID # 0010-00-056.00 & 0010-00-057.00 from Mixed-Use (MX) to Regional Business (RB). The properties are located at 8546 & 8574 Charlotte Highway and total approximately 11.04 acres in size. The purpose of the request is to be consistent with zoning of the adjacent parcel and eliminate non-conforming status of the MX district.
5. UDO-TA-019-0875: Application of Clyde Tant to amend UDO Chapter 5.7.2 (update of Section 2.5.3 Use Table) to allow child/adult daycare centers in the Light Industrial District.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department, which is located at 101 North Main Street, Room 108 Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Notice was published in The Lancaster

2019

*Nita G. Gaudin*

Notary Public of South Carolina

My Commission Expires  
January 13, 2021



# The Lancaster News

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This is to certify that the attached Legal Notice was published in The Lancaster News in the issue of *December 15, 2019*

*Penita G. Gault*

Notary Public of South Carolina

My Commission Expires  
January 13, 2021

# CAROLINA GATEWAY

701 North White Street  
PO Box 640  
Lancaster, SC 29721  
803-283-1133

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Notice was published in CAROLINA

18, 2019

*Enfa G. Gumbly*

otary Public of South Carolina

My Commission Expires  
January 13, 2021



# CAROLINA GATEWAY

701 North White Street  
PO Box 640  
Lancaster, SC 29721  
803-283-1133

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carolinagatewayonline.com

6667 \$/year

This is to certify that the attached Legal Notice was published in CAROLINA GATEWAY in the issue of December 18, 2019

*Bertie G. Smith*

Notary Public of South Carolina

My Commission Expires  
January 13, 2021

## Agenda Item Summary

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Ordinance # / Resolution #: Ordinance 2019-1636/Planning Case Number: RZ-019-0952

Contact Person / Sponsor: Katie See/Planning

Department: Planning

Date Requested to be on Agenda: 1/13/2020

### **Issue for Consideration:**

Request to rezone TM# 13, Parcels 85,88,88.01,88.02,89,90,91 from Rural Neighborhood (RN) and Low Density Residential (LDR) to Institutional (INS). The properties are located near 7864 River Road, adjacent to the LCWSD wastewater treatment facility. They total approximately 9.28 acres in size.

Under the previous UDO, the property was zoned R-30P, a predominantly single-family residential district. As the result of the 2016 UDO, the property was rezoned to Institutional and as a result, became a non-conforming use. The rezoning in combination with amending the UDO to permit Utilities - Class 3, will make this a conforming use.

Companion Case: UDO-TA-019-0953

The applicant has requested an amendment to the UDO to permit Utilities – Class 3 in the Institutional (INS) District.

### **Points to Consider:**

The requested Institutional (INS) District is intended to allow for the continued and future use, expansion, and new development of academic and religious campuses and of governmental and health facilities. The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on the neighboring residential areas. In the attempt to meet this goal numerous requirements are included, such as but not limited to buffers, landscaping, outdoor lighting, parking, signage, building height, setbacks, open space, and the like.

### **Funding and Liability Factors:**

N/A

### **Council Options:**

Approve or deny the rezoning request.

### **Recommendation:**

Planning Commission voted unanimously to recommend **approval** of this rezoning request on November 19, 2019.

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

### **ATTACHMENTS:**

Description	Upload Date	Type
Ordinance 2019-1636	12/5/2019	Ordinance
Staff Report	12/3/2019	Planning Staff Report
Ex 1: Application	11/26/2019	Exhibit
Ex 2: Zoning Map	12/3/2019	Exhibit
Public Hearing Notice for Ordinance 2019-1636 (Planning Department Case Number: RZ-019-0952).	12/19/2019	Public Hearing Notices



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STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2019-1636

COUNTY OF LANCASTER

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**AN ORDINANCE**

**TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE SEVEN (7) PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 9.28 ACRES IN SIZE OWNED BY LANCASTER COUNTY WATER & SEWER DISTRICT AND LOCATED AT RIVER ROAD, NEAR 7864 RIVER ROAD-LCWSD- SEWER FACILITY, LANCASTER, SOUTH CAROLINA (TMS # 0013-00-085.00; TMS # 0013-00-088.00; TMS # 0013-00-88.01; TMS NO. 0013-00-088.02; TMS # 0013-00-089.00; TMS # 0013-00-090.00; AND TMS # 0013-00-091.00) FROM LDR, LOW DENSITY RESIDENTIAL, MDR, MEDIUM DENSITY RESIDENTIAL, AND RN, RURAL NEIGHBORHOOD DISTRICT, TO INS, INSTITUTIONAL DISTRICT.**

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

**Section 1. Findings and Determinations.**

The Council finds and determines that:

(a) Lancaster County Water & Sewer Authority applied to rezone seven (7) parcels of real property totaling 9.28 acres of property, located at River Road, near 7864 River Road- LCWSD -Sewer Facility, Lancaster, South Carolina (TMS # 0013-00-085.00; TMS # 0013-00-088.00; TMS # 0013-00-88.01; TMS # 0013-00-088.02; TMS # 0013-00-089.00; TMS # 0013-00-090.00; AND TMS # 0013-00-091.00 from LDR, Low Density Residential, MDR, Medium Density Residential, RN, Rural Neighborhood District, to INS, Institutional District.

(b) On November 19, 2019, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of (7-0), recommended approval of the rezoning.

(c) The Future Land Use Map identifies the properties as Neighborhood Mixed-Use, based on the *Lancaster County Comprehensive Plan 2014-2024*. Rezoning the property from LDR, Low Density Residential, MDR, Medium Density Residential, and RN, Rural Neighborhood District, to INS, Institutional District is consistent with the Neighborhood Mixed Use future land use category.

**Section 2. Rezoning.**

The Official Zoning Map is amended by changing the zoning district classifications for the various parcels from LDR, Low Density Residential, MDR, Medium Density Residential, and RN, Rural

Neighborhood District, to INS, Institutional District, for the following property as identified by tax map number or other appropriate identifier:

TMS # 0013-00-085.00; TMS # 0013-00-088.00; TMS # 0013-00-88.01; TMS NO. 0013-00-088.02; TMS # 0013-00-089.00; TMS # 0013-00-090.00; AND TMS # 0013-00-091.00 (9.28 acres, more or less)

**Section 3. Severability.**

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

**Section 4. Conflicting Provisions.**

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

**Section 5. Effective Date.**

This ordinance is effective upon Third Reading.

**AND IT IS SO ORDAINED**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**LANCASTER, SOUTH CAROLINA**

\_\_\_\_\_  
Steve Harper, Chair, County Council

\_\_\_\_\_  
Larry Honeycutt, Secretary, County Council

ATTEST:

\_\_\_\_\_  
Sherrie Simpson, Clerk to Council

First Reading: December 9, 2019  
Second Reading: January 13, 2020  
Public Hearing: January 13, 2020  
Public Hearing: January 27, 2020

Approved as to form:

\_\_\_\_\_  
John DuBose, County Attorney

**Proposal:** Request to rezone seven parcels totaling approximately 9.28 acres in size. The purpose of this request is to accommodate the future expansion of the facility (TM # 13, Parcels 85, (portion of) 87, 88, 88.01, 88.02, 89, 90, 91).

**Property Location:** River Road, near 7864 River Road – LCWSD Sewer Facility (TM # 0013-00-087.00)

**Current Zoning District:** Low Density Residential (LDR) and Rural Neighborhood (RN)

**Proposed Zoning District:** Institutional (INS)

**Applicant:** Lancaster County Water & Sewer District

**Council District:** District 1, Terry Graham

## Overview

### Site Information

*Site Description:* Three of the seven parcels are currently improved with single-family homes. The remaining parcels are vacant.

### Compatibility with Surrounding Area

The current zoning for the surrounding area is Low Density Residential (LDR), Medium Density Residential (MDR), Rural Neighborhood (RN) and Institutional (INS). Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 3*. The proposed zoning of INS is generally consistent with the area, as it would result in the expansion of the Institutional district for the existing LCWSD facility. See table below for adjacent property zoning and use comparison.

### Summary of Surrounding Zoning and Uses

Surrounding Property	Municipality	Zoning District	Use
North	Lancaster County	Low Density Residential (LDR); Institutional (INS)	Single-Family Residential; LCWSD Facility
South	Lancaster County	Institutional (INS)	LCWSD Facility
East	Lancaster County	Medium Density Residential (MDR); Institutional (INS)	Single-Family Residential; LCWSD Facility
West	Lancaster County	Rural Neighborhood (RN)	Single-Family Residential

Recent Rezoning in Surrounding Area			
Case #	Description	Date	Outcome
	None		



## Photos of Project Area

LOOKING DIRECTLY AT ONE PROPERTY



LOOKING DIRECTLY ACROSS RIVER ROAD



LOOKING NORTH ALONG RIVER ROAD



LOOKING SOUTH ALONG RIVER ROAD



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**Analysis & Findings**

The properties to be rezoned are currently zoned Low Density Residential (LDR) and Rural Neighborhood (RN) District. See UDO section 2.3.

*LDR is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 1.5 dwelling units per acre. Intended to act as a transitional zoning district between rural living and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.*

*RN is established to protect the residential character of communities and neighborhoods in the rural area at a density of 1.0 dwelling unit per acre. The district is intended to promote rural living, protect farmland, and to maintain the low density residential.*

*The requested Institutional (INS) District is intended to allow for the continued and future use, expansion, and new development of academic and religious campuses and of governmental and health facilities. The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on the neighboring residential areas. In the attempt to meet this goal numerous requirements are included, such as but not limited to buffers, landscaping, outdoor lighting, parking, signage, building height, setbacks, open space, and the like.*

**Companion Case: UDO-TA-019-0953**

The applicant has requested an amendment to the UDO to permit Utilities – Class 3 in the Institutional (INS) District. which is what the existing facility is currently zoned. Under the previous UDO, the property was zoned R-30P, a predominantly single-family residential district. As the result of the 2016 UDO, the property was rezoned to Institutional and as a result, became a non-conforming use.

### **COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION**

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

The requested Institutional District is consistent with the Neighborhood Mixed Use future land use category.

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### **Staff Recommendation**

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

---

### **Attachments**

1. Rezoning Application
2. Location Map/ Zoning Map

### **Staff Contact**

Katie See  
Senior Planner  
[ksee@lancastersc.net](mailto:ksee@lancastersc.net)  
803-416-9395





Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721  
Phone: 803.285.6005, [planning@lanastercountysc.net](mailto:planning@lanastercountysc.net)  
[www.mylanastersc.org](http://www.mylanastersc.org)

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

portion of 0013-00-084.00 (3<sup>±</sup> acre tract)  
0013-00-088.00

GENERAL INFORMATION (0013-00-085.00) (013-00-089.00) 0013-00-088.01, 0013-00-088.02

Property Address 7918 River Rd, 7826 River Rd, 0013-00-91.00, 0013-00-090.00

City Indian Land State SC Zip 29707 Tax Parcel ID

Current Zoning Current Use Wastewater Treatment Plant

Proposed Zoning Institutional Total Acres  $\pm 79$

Project Description Indian Land Wastewater Treatment Plant

Surrounding Property Description Rural, predominantly undeveloped.

CONTACT INFORMATION

Applicant Name Stephen White, Lancaster County Water & Sewer District

Address P.O. Box 1009

City Lancaster State SC Zip 29721 Phone 803-285-6919

Fax 803-285-8037 Email [SWhite@lcwarsd.org](mailto:SWhite@lcwarsd.org)

Property Owner Name Lancaster County Water & Sewer District

Address P.O. Box 1009

City Lancaster State SC Zip 29721 Phone 803-285-6919

Fax 803-285-8037 Email [SWhite@lcwarsd.org](mailto:SWhite@lcwarsd.org)

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

Stephen White  
Applicant

Oct. 8, 2019  
Date

Lancaster County Water & Sewer District  
Property Owner(s)

Oct. 8, 2019  
Date

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

**LANCASTER COUNTY OFFICE USE ONLY**

Application Number RZ-019-0952 Date Received 10-8-19 Receipt Number \_\_\_\_\_

Amount Paid n/a Check Number \_\_\_\_\_ Cash Amount \_\_\_\_\_

Received By JB Planning Commission Meeting Date 11-19-19

**SCHEDULE/PROCESS 1. Submit Application**

- The deadline for this application is at least 30 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.

**2. Planning Commission**

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

**3. County Council**

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





**RZ-019-0952**  
**LCWSD**  
**Zoning Map**



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



# The Lancaster News

701 North White Street  
PO Box 640  
Lancaster, SC 29721  
803-283-1133

## PUBLIC HEARING NOTICE

The Lancaster County Council will conduct a public hearing on Monday, January 13, 2020 at 6:00 PM, Room 224 of the Lancaster County Administrative Building, located at 101 N. Main Street, Lancaster County, SC, for the purpose of obtaining oral and written comments from the public concerning the following:

1. UDO-TA-019-0953: Application of Lancaster County Water & Sewer District to amend UDO Chapter 2 by amending Section 2.5.3 Use Table to a permitted use to accommodate sewer treatment facilities. Use regulations will be added to Chapter 5 and a definition will also be added to Chapter 10, Definitions.
2. RZ-019-0952: Application of Lancaster County Water & Sewer District to rezone Tax Map 13 Parcels 85, 88, 88.01, 88.02, 89, 90, 91 on River Road, from Rural Neighborhood (RN) and Low Density Residential (LDR) to Institutional (INS). The purpose of the request is to accommodate the existing sewer treatment plant as well as future modifications to the facility.
3. RZ-019-0717: Application by Ramon Salazar to rezone Tax ID # 0081N-0A-017.00, located east of Kershaw Camden Highway and west of Highway 521 By-Pass, from General Business (GB) to Mobile Home (MH). The property is approximately 3.08 acres in size and is currently vacant. The purpose of the request is to construct a mobile home.
4. RZ-019-0816: Application by Crossridge Center, LLC to rezone Tax ID # 0010-00-056.00 & 0010-00-057.00 from Mixed-Use (MX) to Regional Business (RB). The properties are located at 8546 & 8574 Charlotte Highway and total approximately 11.04 acres in size. The purpose of the request is to be consistent with zoning of the adjacent parcel and eliminate non-conforming status of the MX district.
5. UDO-TA-019-0875: Application of Clyde Tant to amend UDO Chapter 5.7.2 (update of Section 2.5.3 Use Table) to allow child/adult daycare centers in the Light Industrial District.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department, which is located at 101 North Main Street, Room 108 Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Notice was published in The Lancaster

2019

*Nita G. Gaudin*

Notary Public of South Carolina

My Commission Expires  
January 13, 2021



# The Lancaster News

701 North White Street  
PO Box 640  
Lancaster, SC 29721  
803-283-1133

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4. RZ-019-0816: Application by Crossridge Center, LLC to rezone Tax ID # 0010-00-056.00 & 0010-00-057.00 from Mixed-Use (MX) to Regional Business

This is to certify that the attached Legal Notice was published in The Lancaster News in the issue of *December 15, 2019*

*Penita G. Gaudin*

Notary Public of South Carolina

My Commission Expires  
January 13, 2021

# CAROLINA GATEWAY

701 North White Street  
PO Box 640  
Lancaster, SC 29721  
803-283-1133

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4. RZ-019-0816: Application by Crossridge Center, LLC to rezone Tax ID # 0010-00-056.00 & 0010-00-057.00 from Mixed-Use (MX) to Regional Business (RB). The properties are located at 8546 & 8574 Charlotte Highway and total approximately 11.04 acres in size. The purpose of the request is to be consistent with zoning of the adjacent parcel and eliminate non-conforming status of the MX district.
5. UDO-TA-019-0875: Application of Clyde Tant to amend UDO Chapter 5.7.2 (update of Section 2.5.3 Use Table) to allow child/adult daycare centers in the Light Industrial District.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department, which is located at 101 North Main Street, Room 108 Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Notice was published in CAROLINA

18, 2019

*Enfa G. Gumbly*

otary Public of South Carolina

My Commission Expires  
January 13, 2021



# CAROLINA GATEWAY

701 North White Street  
PO Box 640  
Lancaster, SC 29721  
803-283-1133

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carolinagatewayonline.com

6667 \$/year

This is to certify that the attached Legal Notice was published in CAROLINA GATEWAY in the issue of December 18, 2019

*Bertie G. Smith*

Notary Public of South Carolina

My Commission Expires  
January 13, 2021

## Agenda Item Summary

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Ordinance # / Resolution #: Ordinance 2019-1613

Contact Person / Sponsor: Katie See/Planning

Department: Planning

Date Requested to be on Agenda: 1/13/2020

### **Issue for Consideration:**

Request to rezone TM # 0008-00-085.00 from Low Density Residential (LDR) to Neighborhood Business (NB) District. The property is located at 9330 Charlotte Highway and is approximately 3-acres in size.

### **Points to Consider:**

The requested Neighborhood Business (NB) District is generally located on thoroughfares and provides opportunities for the provision of offices, services, and retail goods in proximity to generally auto-dependent, community neighborhoods. The regulations for this district are intended to accommodate the predominantly auto-oriented pattern of existing development while encouraging the transition to pedestrian-friendly, mixed-use areas that avoid strip commercial development.

The requested NB District is consistent with the Neighborhood Mixed-Uses future land use category.

### **Funding and Liability Factors:**

N/A

### **Council Options:**

Approve or deny the rezoning request.

### **Recommendation:**

Planning Staff recommends **approval** of this rezoning request.

The Planning Commission voted 5-1 to recommend **approval** of the request at the December 17, 2019 meeting.

### **ATTACHMENTS:**

Description	Upload Date	Type
Ordinance 2019-1613	1/6/2020	Ordinance
Staff Report	1/3/2020	Presentation
Ex 1: Application	1/3/2020	Exhibit
Ex 2: Zoning Map	9/24/2019	Exhibit



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STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2019-1613

COUNTY OF LANCASTER

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**AN ORDINANCE**

**TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE A 3.00 ACRE PARCEL OWNED BY GUS KANOS AND CHRISOULA P. KANOS AND LOCATED AT 9330 CHARLOTTE HIGHWAY, FORT MILL, SOUTH CAROLINA (TMS# 0008-00-085.00) FROM LDR, LOW DENSITY RESIDENTIAL DISTRICT TO NB, NEIGHBORHOOD BUSINESS DISTRICT.**

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

**Section 1. Findings and Determinations.**

The Council finds and determines that:

(a) Gus Kanos applied to rezone one parcel, totaling 3.00 acres in size, more or less, located at 9330 Charlotte Highway, Fort Mill, Lancaster County, South Carolina, (TMS # 0008-00-085.00) from LDR, Low Density Residential District, to NB, Neighborhood Business District.

(b) On December 17, 2019, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a unanimous vote recommended approval of the rezoning.

(c) The Future Land Use Map identifies this property as Neighborhood Mixed-Use, based on the *Lancaster County Comprehensive Plan 2014-2024*. Rezoning the property from LDR, Low Density Residential District, to NB, Neighborhood Business District, is compatible with the Comprehensive Plan.

**Section 2. Rezoning.**

The Official Zoning Map is amended by changing the zoning district classification from LDR, Low Density Residential District, to, NB, Neighborhood District, for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0008-00-085.00 (3.00 acres, more or less)

**Section 3. Severability.**

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

**Section 4. Conflicting Provisions.**

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

**Section 5.      Effective Date.**

This ordinance is effective upon Third Reading.

**AND IT IS SO ORDAINED**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**LANCASTER, SOUTH CAROLINA**

\_\_\_\_\_  
Steve Harper, Chair, County Council

\_\_\_\_\_  
Larry Honeycutt, Secretary, County Council

ATTEST:

\_\_\_\_\_  
Sherrie Simpson, Clerk to Council

First Reading:            January 13, 2020  
Second Reading:        January 27, 2020  
Public Hearing:           January 27, 2020  
Third Reading:          February 10, 2020

Approved as to form:

\_\_\_\_\_  
John DuBose, County Attorney

**Proposal:** Request to rezone one parcel 3 acres in size. The purpose of this request is to sell the property to be developed as a daycare .

**Property Location:** 9330 Charlotte Highway (TM # 0008-00-085.00)

**Current Zoning District:** Low Density Residential (LDR)

**Proposed Zoning District:** Neighborhood Business (NB)

**Applicant:** Gus Kanos

**Council District:** District 7, Brian Carnes

---

## Overview

### **Site Information**

*Site Description:* This parcel is improved with one single-family house.

### **Compatibility with Surrounding Area**

The current zoning for the surrounding area is General Business (GB) and Low Density Residential (LDR). Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 3*. The proposed zoning of NB is generally consistent with the area. See table below for adjacent property zoning and use comparison.

### **Summary of Surrounding Zoning and Uses**

Surrounding Property	Municipality	Zoning District	Use
North	Lancaster County	Low Density Residential (LDR)	Single-Family Residential
South	Lancaster County	Low Density Residential (LDR)	Single-Family Residential
East	Lancaster County	Low Density Residential (LDR)	Single-Family Residential
West	Lancaster County	General Business (GB)	Single-Family Residential

Recent Rezoning in Surrounding Area			
Case #	Description	Date	Outcome
RZ-019-018	Request to rezone from GB to MX	5-21-19	Withdrawn at CC Level
RZ-019-17	Request to rezone from LDR to GB	4-16-19	Approved by CC
RZ-019-011	Request to rezone from LDR to GB	3-19-19	Approved by CC

## Photos of Project Area

LOOKING DIRECTLY AT PROPERTY



LOOKING DIRECTLY ACROSS PROPERTY — AT HIGHWAY 521



LOOKING NORTH ALONG HIGHWAY 521





LOOKING SOUTH ALONG HIGHWAY 521



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**Analysis & Findings**

**UPDATE**

The Planning Commission recommended denial of the applicant's request to rezone from LDR to General Business (GB) on September 17, 2019. County Council referred the request back to Planning Commission with the suggestion that the PC consider a less intense commercial district. Therefore, the applicant submitted a new application requesting that his property be rezoned to NB. The applicant has since received interest in the property by a daycare.

The property is currently zoned Low Density Residential (LDR) District on the Lancaster County Zoning Map. The Low Density Residential (LDR) District *is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 1.5 dwelling units per acre. Intended to act as a transitional zoning district between rural living and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district* (UDO section 2.3).

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

**COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION**

The future land use designation of this property is the Place Type known as Neighborhood Mixed-Use, which, according to the 2024 Comprehensive Plan is synonymous to the Community Type "Walkable Neighborhood". The Comp Plan states that this Community Type has *very specific characteristics that set it apart from most other Place Types by virtue of its deliberately structured mix of dwelling types in a*

*development context that often operates through the separation of uses, densities and/or land value. This Place Type and Community Type have their roots in the traditional character of American communities during the early part of the 20<sup>th</sup> century, and has been revived in recent decades as a relevant option for future development.*

The requested Neighborhood Business District is consistent with the Neighborhood Mixed-Uses future land use category.

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### **Staff Recommendation**

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

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### **Attachments**

1. Rezoning Application
2. Location Map/ Zoning Map

### **Staff Contact**

Katie See, AICP  
Senior Planner  
[ksee@lancastercountysc.net](mailto:ksee@lancastercountysc.net)  
803-416-9395

## ZONING MAP AMENDMENT APPLICATION

### SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

### GENERAL INFORMATION

Property Address 9330 Charlotte Hwy  
City Indian Land State SC Zip 29707 Tax Parcel ID 0008-00-085  
Current Zoning LDR Current Use rental  
Proposed Zoning NB Total Acres 3  
Project Description to be sold to national day-care franchise  
per executed letter of intent  
Surrounding Property Description 2 sides LDR, one side  
Hwy 521, other side country road

### CONTACT INFORMATION

Applicant Name Gus Kanos  
Address 3112 Sunnybrook Dr.  
City Charlotte State NC Zip 28210 Phone 704-556-9594  
Fax \_\_\_\_\_ Email okecfemail@yahoo.com  
Property Owner Name Same  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_  
Fax \_\_\_\_\_ Email \_\_\_\_\_

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

Ken Davis  
Applicant

11/27/19  
Date

Christa Kanaz  
Property Owner(s)

11-27-19  
Date

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

#### LANCASTER COUNTY OFFICE USE ONLY

Application Number \_\_\_\_\_ Date Received \_\_\_\_\_ Receipt Number \_\_\_\_\_

Amount Paid \_\_\_\_\_ Check Number \_\_\_\_\_ Cash Amount \_\_\_\_\_

Received By \_\_\_\_\_ Planning Commission Meeting Date \_\_\_\_\_

#### SCHEDULE/PROCESS 1. Submit Application

- The deadline for this application is at least 30 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.

#### 2. Planning Commission

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

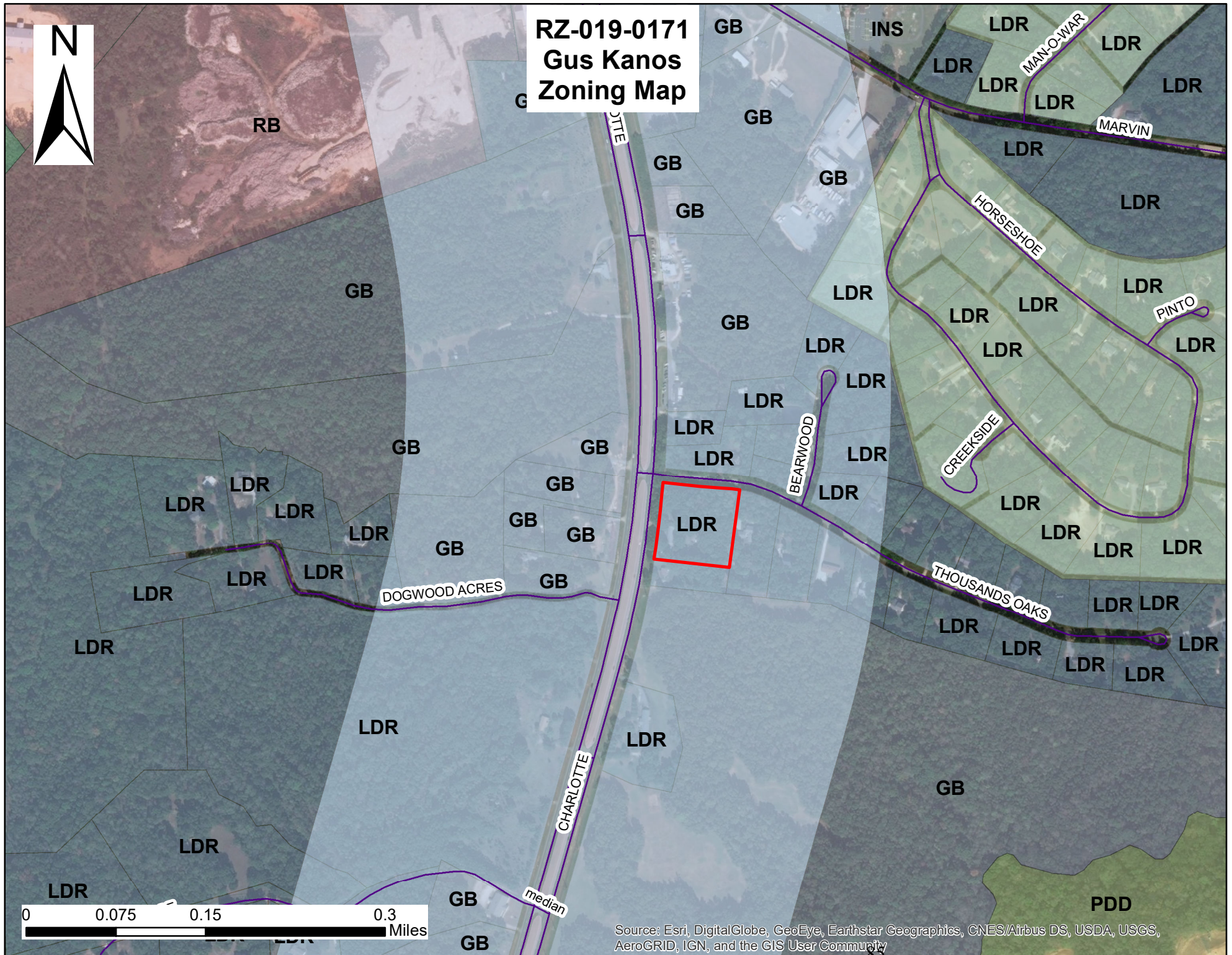
#### 3. County Council

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





**RZ-019-0171**  
**Gus Kanos**  
**Zoning Map**



## Agenda Item Summary

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Ordinance # / Resolution #: Ordinance 2020-1637  
Contact Person / Sponsor: Steve Willis/Administration  
Department: Administration  
Date Requested to be on Agenda: 1/13/2020

**Issue for Consideration:**

To remove an old reference to the fifteen dollar road fee.

**Points to Consider:**

The road fee has been amended several times over the years by way of the budget ordinance.

The exemption section, found in paragraph C of section 26-34 still references the fifteen dollar fee. It will be replaced with wording referencing the fee as mandated in the annual budget ordinance.

**Funding and Liability Factors:**

N/A

**Council Options:**

Approve or reject the ordinance.

**Recommendation:**

This has not gone through a Standing Committee as it is a "clean up" ordinance. I recommend approval.

**ATTACHMENTS:**

Description	Upload Date	Type
Ordinance 2020-1637	1/2/2020	Ordinance



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STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2020-1637

COUNTY OF LANCASTER

)

)

~~Indicates Matter Stricken~~

Indicates New Matter

### AN ORDINANCE

#### TO AMEND PARAGRAPH C OF SECTION 26-34 OF THE LANCASTER COUNTY CODE OF ORDINANCES RELATED TO EXEMPTIONS FROM THE COUNTY ROAD FEE.

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

##### **Section 1.** Findings and determinations.

Council finds and determines that:

- (1) Lancaster County Council has amended the amount of the road fee over the years by way of the annual Budget Ordinance;
- (2) A reference to the original amount in Paragraph C of Section 26-34, dealing with exemptions from this fee, has never been adjusted; and
- (3) It is the purpose of this ordinance to correct this oversight.

##### **Section 2.** Amendment to Paragraph C of Section 26-34.

Paragraph C of Section 26-34 of the Lancaster County Code is amended as follows:

\*\*\*

##### *(c) Exemption.*

- (1) When an individual owns a vehicle which is not operated or nonoperational and such individual certifies this fact to the county auditor, therein certifying that the vehicle in question is not being operated on the roads of South Carolina, such individual shall be exempt from paying the road maintenance fee for that vehicle. Disabled veterans, disabled individuals, or organizations, as certified to the county auditor by the South Carolina Department of Revenue, pursuant to the following provisions of S.C. Code § 12-37-220, as amended, shall be exempt from paying the fee on two (2)

vehicles registered in their name and ~~a fifteen-dollar~~ the mandated fee will be levied on all subsequent vehicles registered by the individual receiving the exemption:

\*\*\*

**Section 3.**      **Severability.**

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

**Section 4.**      **Conflicting provisions.**

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

**Section 5.**      **Effective date.**

This ordinance is effective upon Third Reading.

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**AND IT IS SO ORDAINED**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**LANCASTER COUNTY, SOUTH CAROLINA**

\_\_\_\_\_  
Steve Harper, Chair, County Council

\_\_\_\_\_  
Larry Honeycutt, Secretary, County Council

ATTEST:

\_\_\_\_\_  
Sherrie Simpson, Clerk to Council

First Reading:	January 13, 2020
Second Reading:	January 27, 2020
Public Hearing:	January 27, 2020
Third Reading:	February 10, 2020

Approved as to form:

\_\_\_\_\_  
John DuBose, County Attorney

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## Agenda Item Summary

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Ordinance # / Resolution #: Ordinance 2020-1639/Planning Case Number CP 2019-1037

Contact Person / Sponsor: Katie See/Planning

Department: Planning

Date Requested to be on Agenda: 1/13/2020

### **Issue for Consideration:**

This is a request to amend the future land use designation of the Comprehensive Plan for the subject properties contemplated in the companion case RZ-019-1016. The intent of the amendment is to plan for the future mine expansion and ensure consistency with the above noted rezoning case. Three parcels have also been included in this proposed Comprehensive Plan Amendment application from a prior 2016 Mining District rezoning case (Case No. RZ-016-002), which are currently zoned Mining but their future land use designation is Rural Living.

### **Points to Consider:**

The applicant has requested an amendment to the Comprehensive Plan in order to plan for the future mine expansion and make the requested Mining District consistent with the Comprehensive Plan.

### **Funding and Liability Factors:**

N/A

### **Council Options:**

Approve or deny the future land use amendment request.

### **Recommendation:**

Planning Staff recommends approval of this Comprehensive Plan amendment request with the condition that the corresponding rezoning request be approved. If the rezoning case were to be disapproved, staff would not be in support of the proposed Comprehensive Plan amendment.

The Planning Commission voted unanimously on December 17, 2019 to recommend **approval** of the request.

### **ATTACHMENTS:**

Description	Upload Date	Type
Ordinance 2020-1639	1/7/2020	Ordinance
Exhibit 1 to Ordinance	1/7/2020	Exhibit
Exhibit 2 to Ordinance	1/7/2020	Exhibit
Staff Report	1/6/2020	Planning Staff Report
Ex 1: Application	1/3/2020	Exhibit
Ex 2: Subject Parcel Map	1/3/2020	Exhibit
Ex 3: TM # with Zoning	1/3/2020	Exhibit

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STATE OF SOUTH CAROLINA       )  
  )  
COUNTY OF LANCASTER        )

**ORDINANCE NO.: 2020-1639**

**AN ORDINANCE**

**TO APPROVE THE REQUEST OF HAILE GOLD MINE INC., TO AMEND THE FUTURE LAND USE MAP CONTAINED IN THE LANCASTER COUNTY, SOUTH CAROLINA COMPREHENSIVE PLAN 2014-2024 SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION ON THE FUTURE LAND USE MAP FOR FIFTY-ONE PARCELS OF REAL PROPERTY FROM RURAL LIVING TO SPECIAL DISTRICT-INDUSTRIAL.**

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

**Section 1.     Findings and Determinations.**

The Lancaster County Council finds that:

- (a) the Comprehensive Plan divides all of the areas of the county into a variety of categories;
- (b) Haile Gold Mine has made application to rezone forty-six (46) parcels of real property to M, Mining District, in connection with its mining operations and has also identified additional parcels that were rezoned in 2016 to M, Mining District that will require amendment of the Future Land Use Map amendment;
- (c) the adopted Future Land Use Map contained in the Land Use Element of the Comprehensive Plan shows prior rezoned parcels and the area where Haile Gold Mine Inc., plans to expand operations and rezone numerous parcels to M, Mining District, is inconsistent with the Future Land Use Map, and, thus, not compliant with the requirements in both state law and county code;
- (d) Accordingly, if Lancaster County Council is to favorably consider the rezoning request of Haile Gold Mine Inc. and its plans to expand its mining operations, Council must adopt an amendment to the Future Land Use Map, changing the area from Rural Living to Special District-Industrial.

**Section 2.      Amendment of the Future Land Use Map.**

The Future Land Use Map contained in the Land Use Element of the *Lancaster County Comprehensive Plan 2014-2024* is amended by changing the area containing the following properties as identified by tax map number or other appropriate identifier from Rural Living to Special District-Industrial:

See attached Exhibit 1 identifying the current rezoning parcels

The following from a 2016 rezoning are also subject to the map amendment: TMS # 0140-00-023.00; 0136-00-036.03; 0136-00-001.00

See also attached Exhibit 2, a vicinity map of 2016 rezoning parcels, inasmuch as some of the TMS parcels that existed in 2016 have been combined with adjacent TMS parcels

**Section 3.      Severability.**

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

**Section 4.      Conflicting Provisions.**

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

**Section 5.      Effective Date.**

This ordinance is effective upon Third Reading.

**AND IT IS SO ORDAINED**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**LANCASTER COUNTY, SOUTH CAROLINA**

\_\_\_\_\_  
Steve Harper, Chair, County Council

\_\_\_\_\_  
Larry Honeycutt, Secretary, County Council



ATTEST:

---

Sherrie Simpson, Clerk to Council

First Reading: January 13, 2020  
Second Reading: January 27, 2020  
Public Hearing: January 27, 2020  
Third Reading: February 10, 2020

Approved as to form:

---

John DuBose, County Attorney

# Haile Gold Mine, Inc. Rezoning Request

## Tax Map Parcel #s

## Current Zoning District

0141-00-035.00	AR : Agricultural Residential
0141-00-036.00	AR : Agricultural Residential
0140-00-027.00	AR : Agricultural Residential
0140-00-030.00	AR : Agricultural Residential
0140-00-009.01, 012.00, 014.00	AR : Agricultural Residential
0140-00-045.00	AR : Agricultural Residential
0140-00-045.01	AR : Agricultural Residential
0140-00-031.00	AR : Agricultural Residential
0136-00-031.06	AR : Agricultural Residential
0119-00-101.00, 102.00, 103.00, 104.00, 109.00, 110.00, 111.00, 112.00, 113.00, 114.00, 115.00, 116.00, 117.00, 118.00	AR : Agricultural Residential
0119-00-107.00	AR : Agricultural Residential
0119-00-106.00	AR : Agricultural Residential
0119-00-105.00	AR : Agricultural Residential
0119-00-011.02	AR : Agricultural Residential
0119-00-011.00	AR : Agricultural Residential
0119-00-011.01	AR : Agricultural Residential
0119-00-010.00	AR : Agricultural Residential
0119-00-009.00	AR : Agricultural Residential
0119-00-008.00	AR : Agricultural Residential
0119-00-007.00	AR : Agricultural Residential
0119-00-009.01	AR : Agricultural Residential
0119-00-001.05	AR : Agricultural Residential
0119-00-098.00	AR : Agricultural Residential
0119-00-061.00	AR : Agricultural Residential
0119-00-086.00	AR : Agricultural Residential
0119-00-085.00	AR : Agricultural Residential
0119-00-002.05	AR : Agricultural Residential
0135-00-016.00	AR : Agricultural Residential
0140-00-009.02	INS : Institutional
0120-00-022.00 (Portion of)	AR : Agricultural Residential
0120-00-023.00 (Portion of)	AR : Agricultural Residential





# Exhibit 2

## Vicinity Map RZ-016-002

Subject Property (0136-00-001.00)

Subject Property (0140-00-023.00)

Subject Property (0136-00-036.03)



URIAH

Lancaster  
County  
South Carolina

Source: Aerial photography provided by the South Carolina Department of Transportation. The map is not to be used for any purpose other than the one for which it was prepared. The map is not to be used for any purpose other than the one for which it was prepared.



**Proposal:** Request to amend the future land use designation of 51 parcels totaling approximately 647.76 acres in size. The purpose of this request is to plan for the future expansion of the Haile Gold Mine facility and ensure consistency with upcoming rezoning request, RZ-019-1016. See Attachment 3 for a list of subject property parcel numbers.

**Property Location:** Properties located near 6936 Snowy Owl Road – Haile Gold Mine (TM # 0136-00-036.00). Parcels are located along Haile Gold Mine Road, Ernest Scott Road, Duckwood Road and Gold Mine Road. (TM # See Attachment 3)

**Current Future Land Use Category:** Rural Living

**Proposed Future Land Use Category:** Special District – Industrial

**Applicant:** Haile Gold Mine, Inc.

**Council District:** District 6, Alan Blackmon

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#### **Overview**

Haile Gold Mine, Inc. has requested an amendment to the future land use designation for the subject properties contemplated in RZ-019-1016. The intent of the amendment is to plan for the future mine expansion and ensure consistency with the above noted rezoning case. Three parcels have also been included in this proposed Comprehensive Plan Amendment application from a prior 2016 Mining District rezoning case (Case No. RZ-016-002).

#### **Site Information**

*Site Description:* The majority of the parcels are vacant. Approximately eight parcels are (or have been) improved with single-family homes. One parcel is improved with a Haile Gold Mine office building and parking lot.

---

#### **Compatibility with Surrounding Area**

The current future land use categories for the surrounding area are Rural Living and Special District - Industrial. The proposed future land use designation of Special District – Industrial is generally consistent with the area, as it would result in the expansion of the designation for the existing Haile Gold Mine property. See page LU 3 of Comprehensive Plan for Future Land Use Map.

#### **Analysis & Findings**

The existing future land use designation of this property is Rural Living (*see Appendix A of Comp Plan*). The Comprehensive Plan defines this Community Type as including a variety of residential types, from farmhouses, to large acreage rural family dwellings, to ecologically-minded “conservation subdivisions” whose aim is to preserve open space, and traditional buildings, often with a mixture of residential and commercial uses that populate crossroads in countryside locations.



The requested Mining District is not consistent with the Rural Living future land use designation. Therefore, the applicant has requested an amendment to the Comprehensive Plan in order to plan for the future mine expansion and make the requested Mining District consistent with the Comprehensive Plan.

The applicant has requested the future land use designation of Special District – Industrial (*see Appendix A of Comp Plan*). The Community Type “Industrial Center” includes both heavy and light manufacturing, from clean and green data handling complexes to manufacturing / extraction / distribution processes or power plants that require careful environmental management. These uses usually require considerable land areas and are set aside from other development for environmental or security concerns, or for reasons of heavy truck traffic flow.

---

### **Staff Recommendation**

Staff recommends **approval** of this comprehensive plan amendment request with the condition that the corresponding rezoning request be approved. If the rezoning case were to be disapproved, staff would not be in support of the proposed Comprehensive Plan amendment.

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### **Attachments**

1. Comprehensive Plan Amendment Request
2. Location Map
3. Subject Parcel List

### **Staff Contact**

Katie See, AICP  
Senior Planner  
[ksee@lancastersc.net](mailto:ksee@lancastersc.net)  
803-416-9395

October 24, 2019

Rox Burhans  
Lancaster County Planning Dept.  
101 North Main Street  
Lancaster, SC 29720

Re: Land Use Map Amendment Request  
Lancaster County South Carolina Comprehensive Plan 2014-2024

Rox,

On behalf of Haile Gold Mine Inc., please accept this information identified by the Lancaster County Planning Department to initiate a request to amend the *Lancaster County South Carolina Comprehensive Plan 2014-2024* for the subject parcels referenced on the attached Exhibit A, requesting a change from Rural Living (or other) to Special District-Industrial.

Charleston

Charlotte

**Columbia**

Greensboro

Greenville

Hilton Head

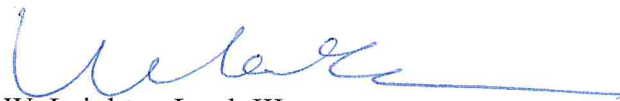
Myrtle Beach

Raleigh

The Land Use Map Amendment request is being requested to coincide with the impending expansion of the permit boundary of the existing permitted mine and the submitted rezoning application. We would also request that properties that Haile Gold Mine Inc. has rezoned in the past to M-Mining be changed to Special District-Industrial.

Enclosed is the application fee of \$325.00 to further initiate this request in anticipation of placement of this item on the December Planning Commission agenda for further consideration. Should you have any questions, please feel free to contact me.

Respectfully submitted,



W. Leighton Lord, III



# Haile Gold Mine Inc



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Lancaster  
County  
South Carolina

Disclaimer

Lancaster County makes no guarantee expressed or implied, regarding the use of data contained within this document, nor does the act of distribution constitute or imply any such warranty. Distribution of this document is intended for information purposes only and should not be considered authoritative or acceptable for any engineering, legal, and other site-specific uses or analysis.



**Haile Gold Mine Inc**

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Disclaimer

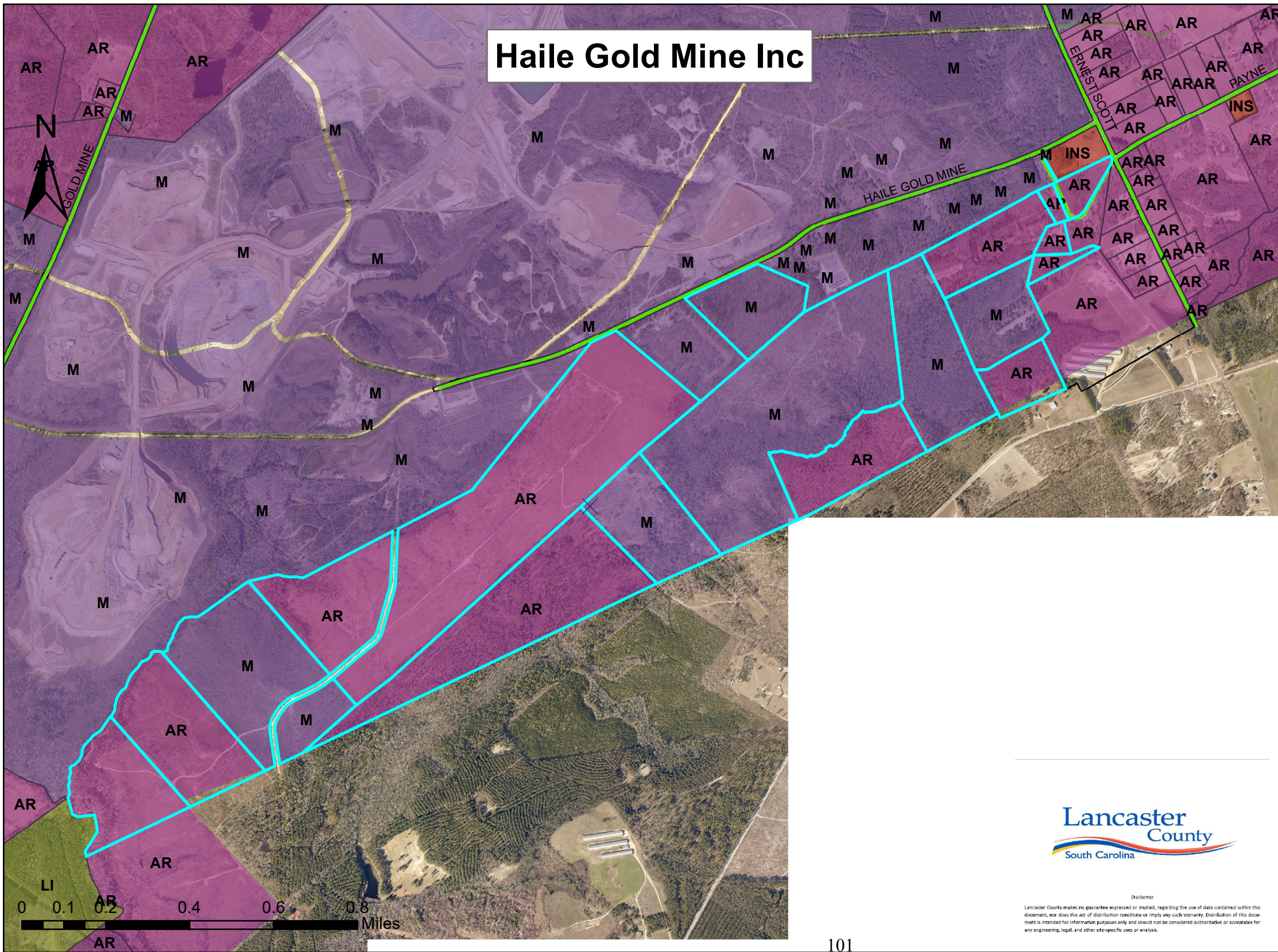
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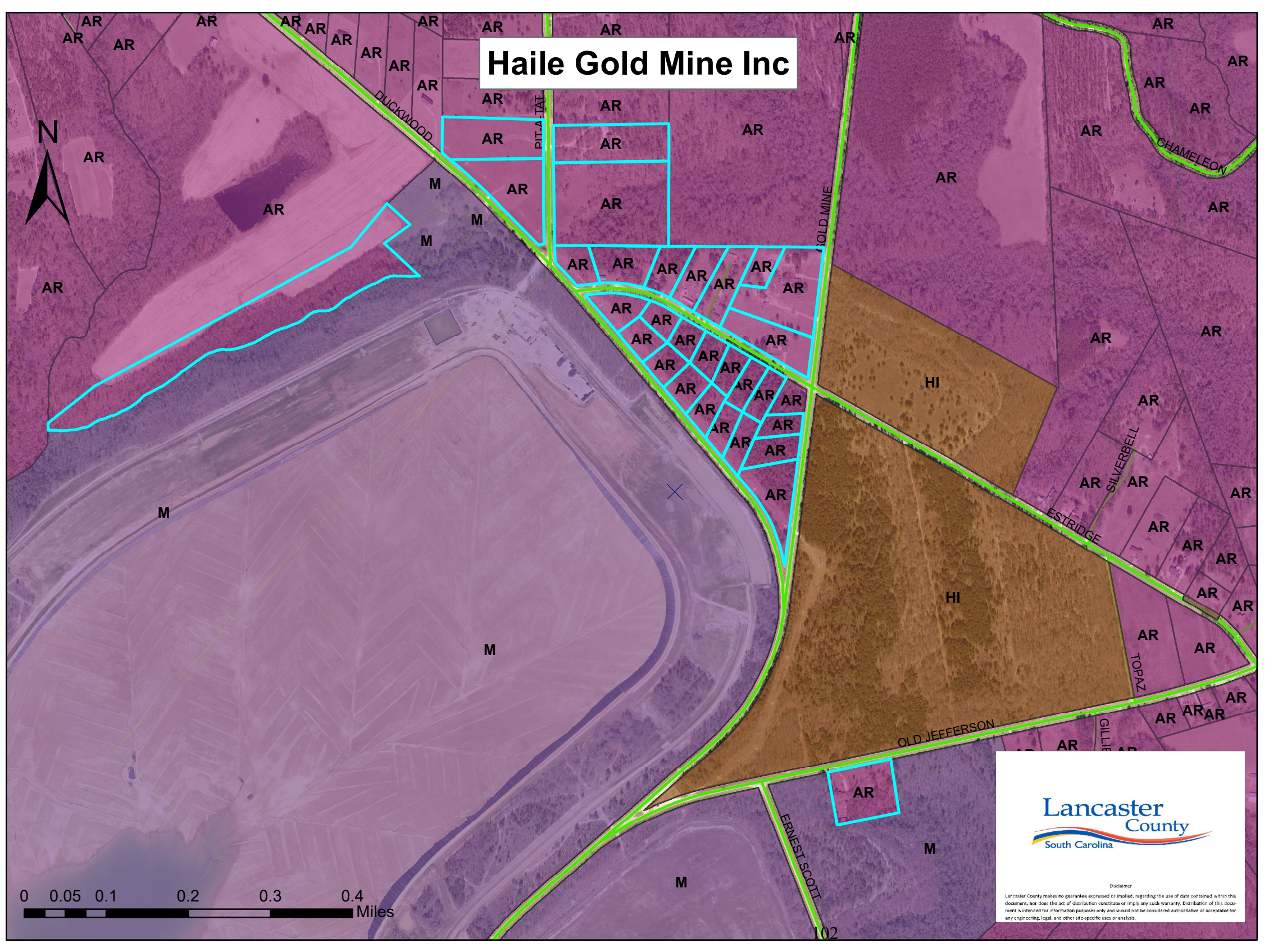


# Haile Gold Mine Inc





# Haile Gold Mine Inc



Lancaster  
County  
South Carolina

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# Haile Gold Mine, Inc. Rezoning Request

Tax Map Parcel #s	Current Zoning District
0141-00-035.00	AR : Agricultural Residential
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0140-00-009.01, 012.00, 014.00	AR : Agricultural Residential
0140-00-045.00	AR : Agricultural Residential
0140-00-045.01	AR : Agricultural Residential
0140-00-031.00	AR : Agricultural Residential
0136-00-031.06	AR : Agricultural Residential
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0119-00-008.00	AR : Agricultural Residential
0119-00-007.00	AR : Agricultural Residential
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0119-00-098.00	AR : Agricultural Residential
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0119-00-086.00	AR : Agricultural Residential
0119-00-085.00	AR : Agricultural Residential
0119-00-002.05	AR : Agricultural Residential
0135-00-016.00	AR : Agricultural Residential
0140-00-009.02	INS : Institutional
0120-00-022.00 (Portion of)	AR : Agricultural Residential
0120-00-023.00 (Portion of)	AR : Agricultural Residential

## Agenda Item Summary

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Ordinance # / Resolution #: Ordinance 2020-1640/Planning Case Number: RZ-019-1016

Contact Person / Sponsor: Katie See/Planning

Department: Planning

Date Requested to be on Agenda: 1/13/2020

### **Issue for Consideration:**

Request to rezone 46 parcels totaling approximately 539.5 acres in size from Agricultural Residential (AR) and Institutional (INS) to Mining (M). The purpose of this request is to incorporate parcels into the adjacent Haile Gold Mine property (TM # See Exhibit 3).

### **Points to Consider:**

#### *Previous Rezoning Request & Project Overview*

On February 16, 2016, the Planning Commission recommended approval of a request by Haile Gold Mine, Inc. to rezone three parcels from Rural Residential/Intense Agricultural District (R-45A) to Mining (M) District. This request was approved by County Council on April 11, 2016. There were no concerns voiced from the public.

The applicant has requested an amendment to the Comprehensive Plan from the existing Rural Living future land use designation to the Special District – Industrial future land use designation in order to achieve consistency with the Comprehensive Plan. See Companion Case: CP 2019-1037.

### **Funding and Liability Factors:**

N/A

### **Council Options:**

Approve or deny the rezoning request.

### **Recommendation:**

Staff recommends approval of this rezoning request with the condition that the corresponding Comprehensive Plan amendment request be approved.

The Planning Commission unanimously recommended **approval** of this request at the December 17, 2019 meeting.

### **ATTACHMENTS:**

Description	Upload Date	Type
Ordinance 2020-1640	1/6/2020	Ordinance
Exhibit 1 to Ordinance 2020-1640	1/6/2020	Exhibit
Staff Report	1/3/2020	Planning Staff Report
Ex 1: Application	1/3/2020	Exhibit
Ex 2: Subject Parcel Map	1/3/2020	Exhibit
Ex 3: TM # with Zoning	1/3/2020	Exhibit



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STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2020-1640

COUNTY OF LANCASTER

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**AN ORDINANCE**

**TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE 46 PARCELS, TOTALING 539.6 ACRES IN SIZE, MORE OR LESS, OWNED BY HAILE GOLD MINE, INC. AND LOCATED NEAR 6936 SNOWY OWL ROAD-HAILE GOLD MINE ROAD, LANCASTER, SOUTH CAROLINA (TMS# 0136-00-036.00) FROM AR, AGRICULTURAL RESIDENTIAL DISTRICT AND INS, INSTITUTIONAL DISTRICT, TO M, MINING DISTRICT.**

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

**Section 1. Findings and Determinations.**

The Council finds and determines that:

(a) Haile Gold Mine, Inc. applied to rezone 46 parcels, totaling 539.6 acres in size, more or less, located near 6936 Snowy Owl Road-Haile Gold Mine Road, Lancaster, South Carolina (TMS # 0136-00-036.00) from AR, Agricultural Residential District and INS, Institutional District, to M, Mining District.

(b) On December 17, 2019, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and by a unanimous vote recommended approval of the rezoning.

(c) The Future Land Use Map identifies this property as Special District-Industrial, based on the *Lancaster County Comprehensive Plan 2014-2024*. Rezoning the property from AR, Agricultural Residential District and INS, Institutional District, to M, Mining District, is compatible with the Comprehensive Plan.

**Section 2. Rezoning.**

The Official Zoning Map is amended by changing the zoning district classification from AR, Agricultural Residential District and Institutional District, to M, Mining District, for the following property as identified by tax map number or other appropriate identifier:

Tax Map No.

See Exhibit 1 attached (46 parcels totaling 539.5 acres, more or less)

**Section 3. Severability.**

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

**Section 4. Conflicting Provisions.**

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

**Section 5.      Effective Date.**

This ordinance is effective upon Third Reading.

**AND IT IS SO ORDAINED**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**LANCASTER, SOUTH CAROLINA**

\_\_\_\_\_  
Steve Harper, Chair, County Council

\_\_\_\_\_  
Larry Honeycutt, Secretary, County Council

ATTEST:

\_\_\_\_\_  
Sherrie Simpson, Clerk to Council

First Reading:            January 13, 2020  
Second Reading:        January 27, 2020  
Public Hearing:           January 27, 2020  
Third Reading:          February 10, 2020

Approved as to form:

\_\_\_\_\_  
John DuBose, County Attorney

# Haile Gold Mine, Inc. Rezoning Request

Tax Map Parcel #s	Current Zoning District
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0119-00-008.00	AR : Agricultural Residential
0119-00-007.00	AR : Agricultural Residential
0119-00-009.01	AR : Agricultural Residential
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0119-00-086.00	AR : Agricultural Residential
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0135-00-016.00	AR : Agricultural Residential
0140-00-009.02	INS : Institutional
0120-00-022.00 (Portion of)	AR : Agricultural Residential
0120-00-023.00 (Portion of)	AR : Agricultural Residential



**Proposal:** Request to rezone 46 parcels totaling approximately 539.5 acres in size. The purpose of this request is to incorporate parcels into the adjacent Haile Gold Mine property (TM # See Attachment 3).

**Property Location:** Properties located near 6936 Snowy Owl Road – Haile Gold Mine (TM # 0136-00-036.00). Parcels are located along Haile Gold Mine Road, Ernest Scott Road, Duckwood Road and Gold Mine Road. (TM # See Attachment 3)

**Current Zoning District:** Agricultural Residential (AR) and Institutional (INS)

**Proposed Zoning District:** Mining (M)

**Applicant:** Haile Gold Mine, Inc.

**Council District:** District 6, Alan Blackmon

## Overview

### Site Information

*Site Description:* The majority of the parcels are vacant. Approximately eight parcels are (or have been) improved with single-family homes.

### Compatibility with Surrounding Area

The current zoning for the surrounding area is Mining (M), Agricultural Residential (AR), some Light Industrial (LI), Heavy Industrial (HI) and Institutional (INS). Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 3*. The proposed zoning of Mining is generally consistent with the area, as it would result in the expansion of the Mining district for the existing Haile Gold Mine property. See table below for adjacent property zoning and use comparison.

### Summary of Surrounding Zoning and Uses

Surrounding Property	Municipality	Zoning District	Use
North	Lancaster County	Agricultural Residential (AR); Mining (M); Institutional (INS)	Gold Mine; Church; Vacant
South	Lancaster County; Kershaw County	Agricultural Residential (AR); Mining (M);	Gold Mine; Farm; Vacant
East	Lancaster County	Agricultural Residential (AR); Mining (M); Heavy Industrial (HI)	Farm; Vacant
West	Lancaster County	Agricultural Residential (AR); Mining (M); Light Industrial (LI); Heavy Industrial (HI)	Mining; Vacant; Single-Family Residential

Recent Rezoning in Surrounding Area			
Case #	Description	Date	Outcome
RZ-016-002	Haile Gold Mine, Inc Rezoning 3 Parcels from R-45A	4-11-16	Approved

*Previous Rezoning Request & Project Overview*

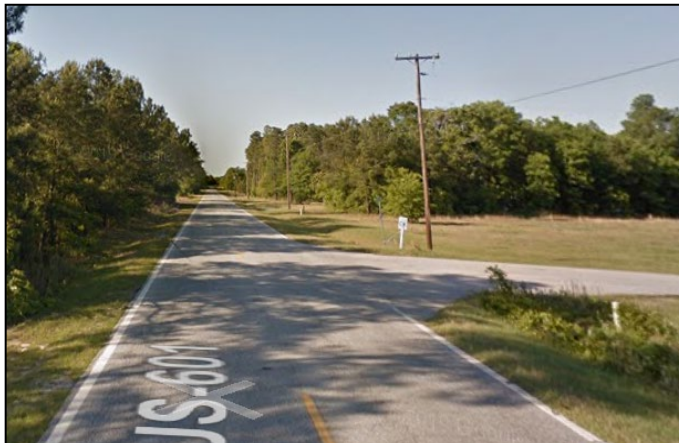
On February 16, 2016, the Planning Commission recommended approval of a request by Haile Gold Mine, Inc. to rezone three parcels from Rural Residential/Intense Agricultural District (R-45A) to Mining (M) District. This request was approved by County Council on April 11, 2016. There were no concerns voiced from the public.

**Photos of Project Area**

LOOKING EAST ON SNOWY OWL DRIVE (GOLD MINE ENTRANCE)



LOOKING NORTH ALONG US-601



LOOKING SOUTH ALONG US-601



PHOTO OF ONE MINING PIT



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### **Analysis & Findings**

There are no plans to mine the properties proposed to be rezoned. The intent is to use the land to serve as a buffer and store overburden, which is waste material such as rock and soil. Based on available maps, there appear to be at least seven residential homes adjacent to the properties proposed to be rezoned. This rezoning request is required as part of their permit application to expand mining operations.

According to Haile Gold Mine, over the past 12 months they have engaged the community in 31 community engagement events, 51 stakeholder engagement presentations/site tours and 52 media/publications for the purpose of notifying the public of the expansion plans.

The properties to be rezoned are currently zoned Agricultural Residential (AR) and Institutional District (INS) District. See UDO section 2.3.

*The (AR) District is established as a district in which the principal uses of the land are restricted due to lack of available utilities, unsuitable soil types, steep slopes, or for the protection of prime agricultural lands.*



The (INS) District *is intended to allow for the continued and future use, expansion, and new development of academic and religious campuses and of governmental and health facilities. The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on the neighboring residential areas. In the attempt to meet this goal numerous requirements are included, such as but not limited to buffers, landscaping, outdoor lighting, parking, signage, building height, setbacks, open space, and the like.*

The requested Mining (M) District *is established for large-scale operations that extract and process mineral materials. This district may create some nuisance which is not properly associated with, nor compatible with, residential, commercial, and service establishments.*

## **COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION**

The applicant has requested an amendment to the Comprehensive Plan from the existing Rural Living future land use designation to the Special District – Industrial future land use designation in order to achieve consistency with the Comprehensive Plan. **See Companion Case: CP 2019-1037.**

The requested future land use designation of this property is Special District – Industrial according to the 2024 Comprehensive Plan. The Community Type “Industrial Center” *includes both heavy and light manufacturing, from clean and green data handling complexes to manufacturing / extraction / distribution processes or power plants that require careful environmental management. These uses usually require considerable land areas and are set aside from other development for environmental or security concerns, or for reasons of heavy truck traffic flow.*

Should the rezoning request to Mining District be approved, the requested future land use designation of Special District – Industrial would make the zoning district consistent with the Comprehensive Plan.

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## **Staff Recommendation**

Staff recommends **approval** of this rezoning request with the condition that the corresponding Comprehensive Plan amendment request be approved.

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## **Attachments**

1. Rezoning Application
2. Location Map/ Zoning Map
3. Subject Parcel list

## **Staff Contact**

Katie See, AICP  
Senior Planner  
[ksee@lancastersc.net](mailto:ksee@lancastersc.net)  
803-416-9395



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721  
Phone: 803.285.6005, [planning@lanastercountysc.net](mailto:planning@lanastercountysc.net)  
[www.mylanastercsc.org](http://www.mylanastercsc.org)

## ZONING MAP AMENDMENT APPLICATION

### SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

### GENERAL INFORMATION

Property Address Please see the attached Exhibit A for property information.

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Tax Parcel ID multiple

Current Zoning see Exhibit A Current Use Property aquired by Applicant after Applicant's prior re-zoning application and is being held until rezoned to be consistent with adjacent land area.

Proposed Zoning M, Mining District Total Acres \_\_\_\_\_ see Exhibit A

Project Description Mining operations and accessory mining uses, consistent with adjacent  
property owned by Applicant.

Surrounding Property Description Applicant intends to incorporate these properties into its  
adjacent land area which is currently zoned in the Mining District and used for permitted mining  
operations and related uses.

### CONTACT INFORMATION

Applicant Name Haile Gold Mine Inc. (David B. Thomas, as President)

Address 6911 Snowy Owl Road

City Kershaw State SC Zip 29067 Phone 803/475-2924

Fax \_\_\_\_\_ Email David.Thomas@oceanagold.com

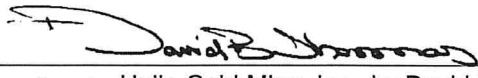
Property Owner Name Haile Gold Mine Inc.

Address 6911 Snowy Owl Road

City Kershaw State SC Zip 29067 Phone 803/475-2924

Fax \_\_\_\_\_ Email David.Thomas@oceanagold.com

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

  
Applicant Haile Gold Mine, Inc., by David B. Thomas as President Date 10/23/2019

SAME  
Property Owner(s) \_\_\_\_\_ Date \_\_\_\_\_  
Attach owner's notarized written authorization with property information if the applicant is not the owner.

**LANCASTER COUNTY OFFICE USE ONLY**

Application Number RZ 2019-1016 Date Received 10-25-19 Receipt Number 848600  
Amount Paid \$500.00 Check Number 526183 Cash Amount —  
Received By JB Planning Commission Meeting Date 12-17-19

**SCHEDULE/PROCESS 1. Submit Application**

- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee – single parcel \$325.00
- Rezoning Application Fee – multi parcel \$500.00

**2. Planning Commission**

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

**3. County Council**

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



**Additional Signature Page to Zoning Map Amendment Application**

As to Parcel 5, TMS No. 0140-00-028.00:

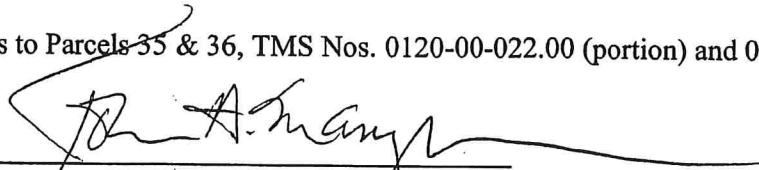
**Thomas C. Gregory Family Limited Partnership**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

As to ~~Parcels 35~~ & 36, TMS Nos. 0120-00-022.00 (portion) and 0120-00-023.00 (portion):

A handwritten signature in black ink, appearing to read "John A. Mangum", is written over a horizontal line. The signature is fluid and cursive.

**John A. Mangum, as sole heir of the Estates of  
Ann/Faile Mangum and Jack M. Mangum**

**HAILE GOLD MINE INC. - EXHIBIT A to ZONING MAP AMENDMENT APPLICATION**

Parcel No.*	Prior Owner	TMS No.	Acreage	Present Designation
1	JONES, R	0141-00-035.00	30.5	AR : Agricultural Residential
2	JONES, A	0141-00-036.00	41	AR : Agricultural Residential
3	AMERICAN TIMBERLAND	0140-00-026.00	66.99 (67.8 per assessor)	M : Mining
5	See Below - Pending Contract			
4	HORTON (JONES)	0140-00-027.00	170.5 (169 per assessor)	AR : Agricultural Residential
6	CRAFT	0140-00-028.01	31.7 (30 per assessor)	M : Mining
7	BAXLEY	0140-00-029.00	123.95 (112 per assessor)	M : Mining
8	MCILWAIN (RAYNOR)	0140-00-023.00	25.5	M : Mining
9	PARKER	0140-00-030.00	27.9	AR : Agricultural Residential
10	LOWERY	0140-00-031.01	40.19 (38 per assessor)	M : Mining
11	BYRD, B	0140-00-009.01, 012.00, 014.00	34.04	AR : Agricultural Residential
12	TOWNSEND	0140-00-045.00	3.02	AR : Agricultural Residential
13	BYRD, MARY	0140-00-045.01	3.02	AR : Agricultural Residential
14	BYRD, John Lewis	0140-00-046.00	26.34	M : Mining
15	MERKLE	0140-00-031.00	13.94	AR : Agricultural Residential
16	ROBERTS	0136-00-031.06	1.7	AR : Agricultural Residential
17	BLACKWELL	0119-00-101.00, 102.00, 103.00, 104.00, 109.00, 110.00, 111.00, 112.00, 113.00, 114.00, 115.00, 116.00, 117.00, 118.00	16.15 (15.1433 per assessor)	AR : Agricultural Residential (118.00 does not exist)
18	COX	0119-00-107.00	1 (1.0042 per assessor)	AR : Agricultural Residential
19	CARNES, Jerry 2	0119-00-106.00	1 (1.004 per assessor)	AR : Agricultural Residential
20	CARNES, Jerry 1	0119-00-105.00	1 (1.004 per assessor)	AR : Agricultural Residential
21	HOLDEN	0119-00-011.02	3.37	AR : Agricultural Residential
22	WILLIAMS, Linda K	0119-00-011.00	5.55	AR : Agricultural Residential
23	HINSON, JS Jr	0119-00-011.01	1	AR : Agricultural Residential
24	SIMS, James Willie Jr	0119-00-010.00	2.05	AR : Agricultural Residential
25	BOWERS, LLC	0119-00-009.00	1.75	AR : Agricultural Residential
26	FAILE, John	0119-00-008.00	2	AR : Agricultural Residential
27	FAILE, Wanda/Willie	0119-00-007.00	2	AR : Agricultural Residential
28	FAILE-HGM	0119-00-009.01	0.9	AR : Agricultural Residential
29	MACKEY	0119-00-001.05	9.204	AR : Agricultural Residential
30	ROGERS, Bobby	0119-00-098.00	4.3	AR : Agricultural Residential
31	Morgan Derrick, Randall, Dennis Dolbres	0119-00-061.00	2.8	AR : Agricultural Residential
32	ROOP	0119-00-086.00	4.01 (4.015 per assessor)	AR : Agricultural Residential
33	DEESE	0119-00-085.00	4.092	AR : Agricultural Residential
34	CATOE, Gladys Deese (Carol/Rex)	0119-00-002.05	14.12	AR : Agricultural Residential
35	See Below - Pending Contract			
36	See Below - Pending Contract			
37	GREGORY, Susan	0135-00-016.00	127.97	AR : Agricultural Residential
38	Church, Haile Gold Mine (roadway)	0140-00-009.02	0.06	INS : Institutional

\*NEED NEW TMS

\*NEED NEW TMS

**PENDING CONTRACTS WITH HAILE GOLD MINE INC.**

Current Property Owner	
5 Thomas C. Gregory Family Limited Partnership	0140-00-028.00
35 MANGUM, Ann	p/o 0120-00-022.00* .37ac
36 MANGUM, Jack/Ann	p/o 0120-00-023.00* 4.55

\*To be combined as one Jack Mangum per Survey 5.0 ac

\*Parcel Nos. identified on attached Exhibit A-1.

[illegible]



# Haile Gold Mine Inc



M

AR

AR

M

M

AR

AR

ERNEST SCOTT

M

0 0.0075 0.015 0.03 0.045 0.06 Miles

Lancaster  
County  
South Carolina

Disclaimer

Lancaster County makes no guarantee expressed or implied, regarding the use of data contained within this document, nor does the act of distribution constitute or imply any such warranty. Distribution of this document is intended for information purposes only and should not be considered authoritative or acceptable for any engineering, legal, and other site-specific uses or analysis.



## Haile Gold Mine Inc



INS

HI

HI

HI

REX OUTZEN

HI

TOM GREGORY

**GOLD MINE**

AR

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AR

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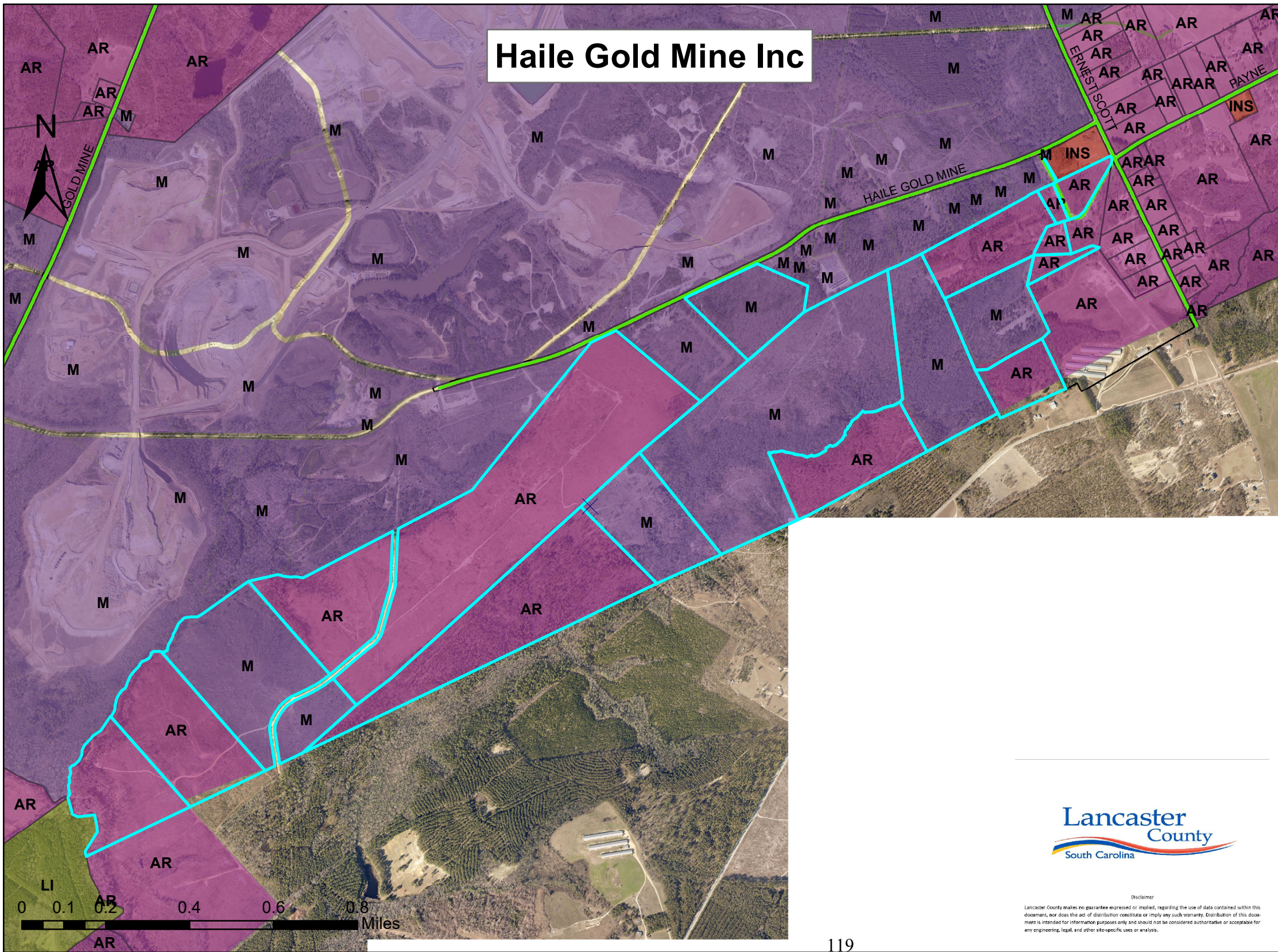
Disclaimer

Lancaster County makes no guarantee expressed or implied, regarding the use of data contained within this document, nor does the act of distribution constitute or imply any such warranty. Distribution of this document is intended for information purposes only and should not be considered authoritative or acceptable for any engineering, legal, and other site-specific uses or analysis.

A map of the study area showing the location of the study site (M) and the distance scale in miles (0 to 0.4). The map includes a scale bar and a legend indicating the location of the study site (M) and the distance scale in miles (0 to 0.4).



# Haile Gold Mine Inc





# Haile Gold Mine Inc



Disclaimer  
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**Haile Gold Mine, Inc. Rezoning Request**

Tax Map Parcel #s	Current Zoning District
0141-00-035.00	AR : Agricultural Residential
0141-00-036.00	AR : Agricultural Residential
0140-00-027.00	AR : Agricultural Residential
0140-00-030.00	AR : Agricultural Residential
0140-00-009.01, 012.00, 014.00	AR : Agricultural Residential
0140-00-045.00	AR : Agricultural Residential
0140-00-045.01	AR : Agricultural Residential
0140-00-031.00	AR : Agricultural Residential
0136-00-031.06	AR : Agricultural Residential
0119-00-101.00,102.00,103.00,104.00,109.00, 110.00,111.00, 112.00,113.00,114.00,115.00,116.00,117.00,118.00	AR : Agricultural Residential
0119-00-107.00	AR : Agricultural Residential
0119-00-106.00	AR : Agricultural Residential
0119-00-105.00	AR : Agricultural Residential
0119-00-011.02	AR : Agricultural Residential
0119-00-011.00	AR : Agricultural Residential
0119-00-011.01	AR : Agricultural Residential
0119-00-010.00	AR : Agricultural Residential
0119-00-009.00	AR : Agricultural Residential
0119-00-008.00	AR : Agricultural Residential
0119-00-007.00	AR : Agricultural Residential
0119-00-009.01	AR : Agricultural Residential
0119-00-001.05	AR : Agricultural Residential
0119-00-098.00	AR : Agricultural Residential
0119-00-061.00	AR : Agricultural Residential
0119-00-086.00	AR : Agricultural Residential
0119-00-085.00	AR : Agricultural Residential
0119-00-002.05	AR : Agricultural Residential
0135-00-016.00	AR : Agricultural Residential
0140-00-009.02	INS : Institutional
0120-00-022.00 (Portion of)	AR : Agricultural Residential
0120-00-023.00 (Portion of)	AR : Agricultural Residential

## Agenda Item Summary

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Ordinance # / Resolution #: Ordinance 2020-1641/ Planning Case Number: RZ-019-1178

Contact Person / Sponsor: Katie See/Planning

Department: Planning

Date Requested to be on Agenda: 1/13/2020

### **Issue for Consideration:**

Request to rezone one portion of one parcel 3.003 acres in size from Medium Density Residential (MDR) to Institutional (INS). The parcel is located on the Lancaster County Water and Sewer District Indian Land Treatment Facility site. The purpose of this request is to accommodate the future expansion of the facility (portion of TM # 0013-00-087.00). This parcel was left off the previous rezoning application and is being considered for rezoning as a separate request.

### **Points to Consider:**

The requested Institutional (INS) District is intended to allow for the continued and future use, expansion, and new development of academic and religious campuses and of governmental and health facilities. The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on the neighboring residential areas. In the attempt to meet this goal numerous requirements are included, such as but not limited to buffers, landscaping, outdoor lighting, parking, signage, building height, setbacks, open space, and the like.

The proposed zoning of INS is generally consistent with the area, as it would result in the expansion of the Institutional district for the existing LCWSD facility.

Companion Case: RZ-019-0952

This project is a companion case to the rezoning case heard by County Council on December 9, 2019. This parcel was omitted in the initial application by the LCWSD.

### **Funding and Liability Factors:**

N/A

### **Council Options:**

Approve or deny request.

### **Recommendation:**

Staff recommends **approval** of the request.

Planning Commission voted unanimously to recommend **approval** at the December 17, 2019 meeting.

### **ATTACHMENTS:**

Description	Upload Date	Type
Ordinance 2020-1641	1/6/2020	Ordinance
Staff Report	1/3/2020	Planning Staff Report
Ex 1: Application	1/3/2020	Exhibit
Ex 2: Zoning Map	1/3/2020	Exhibit



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STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2020-1641

COUNTY OF LANCASTER

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**AN ORDINANCE**

**TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE ONE PARCEL, TOTALING 3.03 ACRES, MORE OR LESS, OWNED BY LANCASTER COUNTY WATER & SEWER DISTRICT, AND LOCATED EAST OF 7864 RIVER ROAD – LCWSD SEWER FACILITY, LANCASTER, SOUTH CAROLINA, PORTION OF (TMS# 0013-00-087.00) FROM MDR, MEDIUM DENSITY RESIDENTIAL DISTRICT, TO INS, INSTITUTIONAL DISTRICT.**

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

**Section 1. Findings and Determinations.**

The Council finds and determines that:

(a) Lancaster County Water & Sewer District applied to rezone one parcel, totaling 3.003 acres, more or less, in size, located East of 7864 River Road – LCWSD Sewer Facility, Lancaster, South Carolina, portion of (TMS # 0013-00-087.00) from MDR, Medium Density Residential District, to INS, Institutional District.

(b) On December 17, 2019, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a unanimous vote, recommended approval of the rezoning.

(c) The Future Land Use Map identifies this property as Neighborhood Mixed-Use, based on the *Lancaster County Comprehensive Plan 2014-2024*. Rezoning the property from MDR, Medium Density Residential District, to INS, Institutional District, is compatible with the Comprehensive Plan.

**Section 2. Rezoning.**

The Official Zoning Map is amended by changing the zoning district classification from MDR, Medium Density Residential District, to INS, Institutional District, for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0013-00-087.00 (3.003 acres, more or less)

**Section 3. Severability.**

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

**Section 4.      Conflicting Provisions.**

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

**Section 5.      Effective Date.**

This ordinance is effective upon Third Reading.

**AND IT IS SO ORDAINED**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**LANCASTER, SOUTH CAROLINA**

\_\_\_\_\_  
Steve Harper, Chair, County Council

\_\_\_\_\_  
Larry Honeycutt, Secretary, County Council

ATTEST:

\_\_\_\_\_  
Sherrie Simpson, Clerk to Council

First Reading:	January 13, 2020
Second Reading:	January 27, 2020
Public Hearing:	January 27, 2020
Third Reading:	February 10, 2020

Approved as to form:

\_\_\_\_\_  
John DuBose, County Attorney

**Proposal:** Request to rezone one parcel 3.003 acres in size. The purpose of this request is to accommodate the future expansion of the facility (portion of TM # 0013-00-087.00).

**Property Location:** East of 7864 River Road – LCWSD Sewer Facility (portion of TM # 0013-00-087.00)

**Current Zoning District:** Medium Density Residential (MDR)

**Proposed Zoning District:** Institutional (INS)

**Applicant:** Lancaster County Water & Sewer District

**Council District:** District 1, Terry Graham

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## Overview

### **Site Information**

*Site Description:* This property is currently vacant.

### **Compatibility with Surrounding Area**

The current zoning for the surrounding area is Low Density Residential (LDR), Medium Density Residential (MDR), Rural Neighborhood (RN) and Institutional (INS). Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 3*. The proposed zoning of INS is generally consistent with the area, as it would result in the expansion of the Institutional district for the existing LCWSD facility. See table below for adjacent property zoning and use comparison.

### **Summary of Surrounding Zoning and Uses**

Surrounding Property	Municipality	Zoning District	Use
North	Lancaster County	Institutional (INS)	Vacant
South	Lancaster County	Medium Density Residential (MDR)	Vacant
East	Lancaster County	Medium Density Residential (MDR)	Single-Family Residential
West	Lancaster County	Institutional (INS)	LCWSD Facility

Recent Rezoning in Surrounding Area			
Case #	Description	Date	Outcome
RZ-019-052	LCWSD Request to Rezone 7 Parcels	11-19-19	Scheduled for CC 1-13-20



## Photos of Project Area

LOOKING DIRECTLY AT 7864 RIVER ROAD (SUBJECT PROPERTY IS LOCATED EAST OF PARCEL WITH NO ACCESS)



LOOKING DIRECTLY ACROSS RIVER ROAD



LOOKING NORTH ALONG RIVER ROAD



LOOKING SOUTH ALONG RIVER ROAD



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## Analysis & Findings

The property to be rezoned is currently zoned Medium Density Residential (MDR) District. See UDO section 2.3.

*MDR is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 2.5 dwelling units per acre. Intended to act as a transitional zoning district between rural and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.*

*The requested Institutional (INS) District is intended to allow for the continued and future use, expansion, and new development of academic and religious campuses and of governmental and health facilities. The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on the neighboring residential areas. In the attempt to meet this goal numerous requirements are included, such as but not limited to buffers, landscaping, outdoor lighting, parking, signage, building height, setbacks, open space, and the like.*

## Companion Case: RZ-019-0952

This project is a companion case to the rezoning case heard by the Planning Commission on November 19, 2019. This parcel was omitted in the initial application.

## COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION

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

The requested Institutional District is consistent with the Neighborhood Mixed Use future land use category.

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**Staff Recommendation**

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

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**Attachments**

1. Rezoning Application
2. Location Map/ Zoning Map

**Staff Contact**

Katie See, AICP  
Senior Planner  
[ksee@lancastersc.net](mailto:ksee@lancastersc.net)  
803-416-9395

## ZONING MAP AMENDMENT APPLICATION

### SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

### GENERAL INFORMATION

Property Address TM #0013-00-087.00 (portion of)  
City Indian Land State SC Zip 29707 Tax Parcel ID \_\_\_\_\_  
Current Zoning ~~Industrial~~ Current Use Wastewater Treatment Plant  
Proposed Zoning Institutional Total Acres ± 79  
Project Description Indian Land Wastewater Treatment Plant

Surrounding Property Description Rural, predominantly undeveloped

### CONTACT INFORMATION

Applicant Name Stephen White, Lancaster County Water & Sewer District  
Address P.O. Box 1009  
City Lancaster State SC Zip 29721 Phone 803-285-6919  
Fax 803-285-8037 Email Swhite@lcwsd.org  
Property Owner Name Lancaster County Water & Sewer District  
Address P.O. Box 1009  
City Lancaster State SC Zip 29721 Phone 803-285-6919  
Fax 803-285-8037 Email Swhite@lcwsd.org

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

Stephen White  
Applicant

Nov. 26, 2019  
Date

Lancaster County Water & Sewer District  
Property Owner(s)

Nov. 26, 2019  
Date

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

#### LANCASTER COUNTY OFFICE USE ONLY

Application Number \_\_\_\_\_ Date Received \_\_\_\_\_ Receipt Number \_\_\_\_\_

Amount Paid \_\_\_\_\_ Check Number \_\_\_\_\_ Cash Amount \_\_\_\_\_

Received By \_\_\_\_\_ Planning Commission Meeting Date \_\_\_\_\_

#### SCHEDULE/PROCESS 1. Submit Application

- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee – single parcel \$325.00
- Rezoning Application Fee – multi parcel \$500.00

#### 2. Planning Commission

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

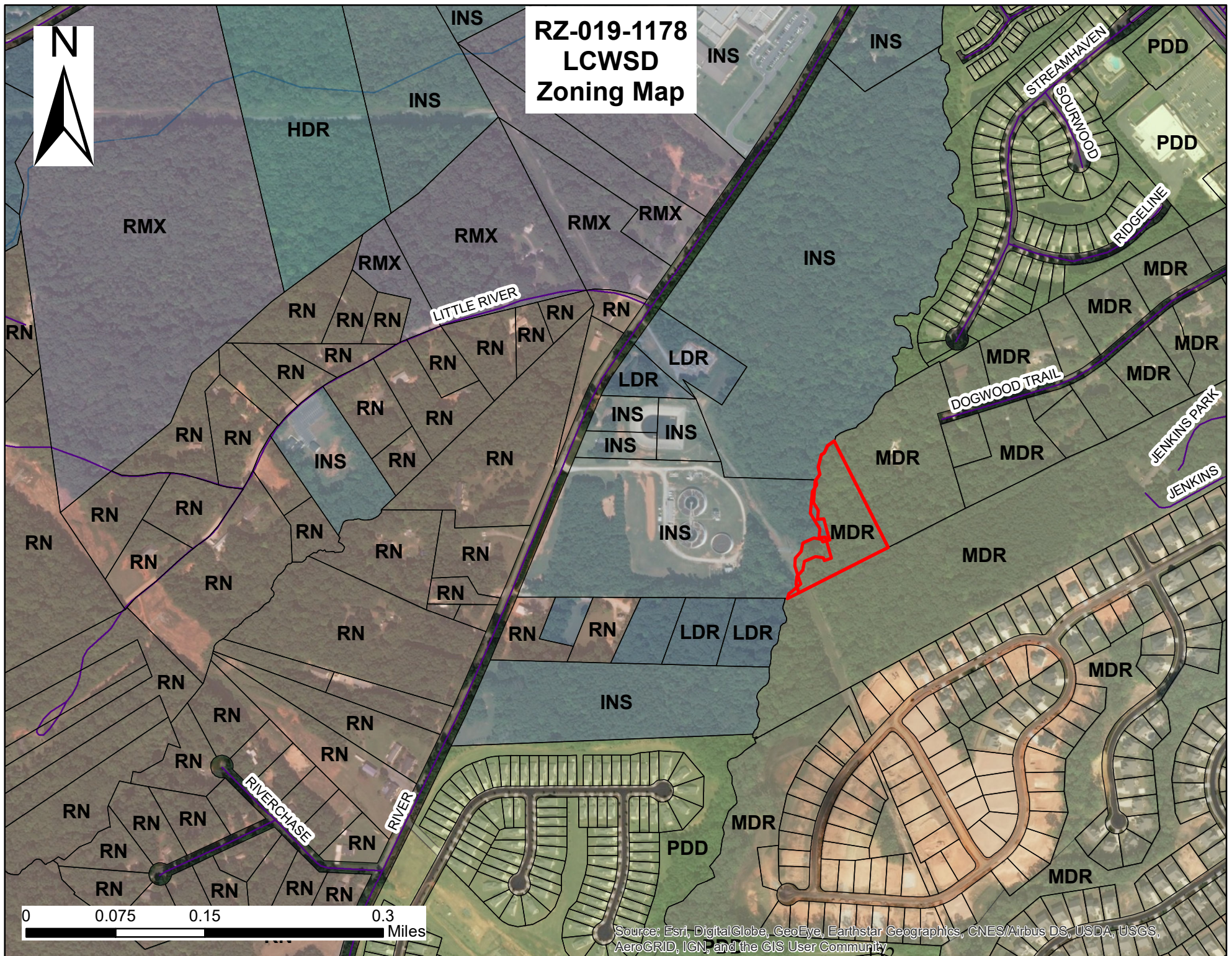
#### 3. County Council

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





**RZ-019-1178**  
**LCWSD**  
**Zoning Map**



0 0.075 0.15 0.3 Miles

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



## Agenda Item Summary

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Ordinance # / Resolution #: Ordinance 2020-1642/Planning Case Number: RZ-019-0879

Contact Person / Sponsor: Ashley Davis / Planning

Department: Planning

Date Requested to be on Agenda: 1/13/2020

### **Issue for Consideration:**

A request to rezone one parcel from Medium Density Residential (MDR) to General Business (GB) District. The property is located off of Williams Circle (TMS# 0086B-0J-011.00) and is approximately 0.46 acres in size.

### **Points to Consider:**

The requested General Business (GB) district *is generally located on thoroughfares and provides opportunities for the provision of offices, services, and retail goods in proximity to generally autodependent, community neighborhoods.*

The future land use designation of this property is Urban, according to the 2024 Comprehensive Plan. The Comp Plan defines this Community Type as a deliberately structured mix of dwelling types in a development context that often operates through the separation of uses, densities and/or land value

The requested General Business District is consistent with the urban future land use category.

### **Funding and Liability Factors:**

N/A

### **Council Options:**

To approve or deny the rezoning request.

### **Recommendation:**

The Planning Commission voted 6-0 on December 17, 2019 to recommend **approval** of the rezoning request.

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

### **ATTACHMENTS:**

Description	Upload Date	Type
Ordinance 2020-1642	1/7/2020	Ordinance
Planning Staff Report:Francis Faile Jr.	1/3/2020	Planning Staff Report
Exhibit 1: Rezoning Application	1/3/2020	Exhibit
Exhibit 2: Location and Zoning Map	1/3/2020	Exhibit

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STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2020-1642

COUNTY OF LANCASTER

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**AN ORDINANCE**

**TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE 0.46 ACRES, MORE OR LESS, WITH THE INTENTION OF COMBINING THE PARCEL WITH THE ADJACENT 1.48 ACRES (TMS NO. 0086B-0J-011.00) OWNED BY FRANCIS FAILE, JR., AND LOCATED OFF OF WILLIAMS CIRCLE, LANCASTER COUNTY, SOUTH CAROLINA (TMS# 0086B-0J-011.00) FROM MDR, MEDIUM DENSITY RESIDENTIAL DISTRICT, TO GB, GENERAL BUSINESS DISTRICT.**

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

**Section 1. Findings and Determinations.**

The Council finds and determines that:

(a) Francis Faile, Jr., applied to rezone a parcel, totaling 0.46 acres, more or less, in size, located off of Williams Circle, Lancaster, South Carolina (TMS # 0086B-0J-011.00) from MDR, Medium Density Residential District, to GB, General Business District.

(b) On December 17, 2019, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a unanimous vote, recommended approval of the rezoning.

(c) The Future Land Use Map identifies this property as Urban, based on the *Lancaster County Comprehensive Plan 2014-2024*. Rezoning the property from MDR, Medium Density Residential District, to GB, General Business District, is compatible with the Comprehensive Plan.

**Section 2. Rezoning.**

The Official Zoning Map is amended by changing the zoning district classification from MDR, Medium Density Residential District, to GB, General Business District, for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0086B-0J-011.00 (0.46 acres, more or less)

**Section 3. Severability.**

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

**Section 4. Conflicting Provisions.**

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



**Section 5.      Effective Date.**

This ordinance is effective upon Third Reading.

**AND IT IS SO ORDAINED**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**LANCASTER, SOUTH CAROLINA**

\_\_\_\_\_  
Steve Harper, Chair, County Council

\_\_\_\_\_  
Larry Honeycutt, Secretary, County Council

ATTEST:

\_\_\_\_\_  
Sherrie Simpson, Clerk to Council

First Reading:            January 13, 2020  
Second Reading:        January 27, 2020  
Public Hearing:           January 27, 2020  
Third Reading:          February 10, 2020

Approved as to form:

\_\_\_\_\_  
John DuBose, County Attorney

**Proposal:** Request to rezone 0.46 acres with the intention of combining the parcel with the adjacent 1.48 acre parcel currently zoned GB at TMS# 0086B-OJ-001.00

**Property Location:** Located off of Williams Circle (TMS# 0086B-OJ-011.00)

**Current Zoning District:** MDR, Medium Density Residential

**Proposed Zoning District:** GB, General Business

**Applicant:** Francis Faile Jr.

**Council District:** District 4, Larry Honeycutt

---

## Overview

### **Site Information**

Site Description: The property is currently vacant.

### **Compatibility with Surrounding Area**

The current zoning for the surrounding area is Medium Density Residential (MDR) and General Business (GB). Existing zoning for the subject property as well as surrounding properties can be seen in *Exhibit 2*. The proposed zoning of GB is generally consistent with the area. See table below for adjacent property zoning and use comparison.

### **Summary of Surrounding Zoning and Uses**

Surrounding Property	Municipality	Zoning District	Use
North	Lancaster County	General Business	Storage Facility
South	Lancaster County	Medium Density Residential (MDR)	Single Family Residence
East	Lancaster County	Medium Density Residential (MDR)	Single Family Residence
West	Lancaster County	Medium Density Residential (MDR)	Single Family Residence

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

## Photos of Project Area

Looking at the parcel from Williams Circle.



Looking across from the parcel on Williams Circle





Looking south on Williams Circle



Looking north on Williams Circle



### **Analysis & Findings**

The property is currently zoned Medium Density Residential District on the Lancaster County Zoning Map. The zoning district of Medium Density Residential (MDR) *is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 2.5 dwelling units per acre. Intended to act as a transitional zoning district between rural and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.*

The requested General Business (GB) district *is generally located on thoroughfares and provides opportunities for the provision of offices, services, and retail goods in proximity to generally autodependent, community neighborhoods.*

### **COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION**

The future land use designation of this property is Urban, according to the 2024 Comprehensive Plan. The Comp Plan defines this Community Type as a deliberately structured mix of dwelling types in a development context that often operates through the separation of uses, densities and/or land value

The requested General Business District is consistent with the urban future land use category.

---

### **Staff Recommendation**

Staff is recommending approval of this request.

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### **Attachments**

1. Rezoning Application
2. Location Map/ Zoning Map

### **Staff Contact**

Ashley Davis

Planner

[adavis@lanastercountysc.net](mailto:adavis@lanastercountysc.net)

803-416-9433



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721  
Phone: 803.285.6005, [planning@lanastercountysc.net](mailto:planning@lanastercountysc.net)  
[www.mylanasteresc.org](http://www.mylanasteresc.org)

## ZONING MAP AMENDMENT APPLICATION

### SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

### GENERAL INFORMATION

Property Address Locustwood Ave Lancaster SC  
City LANASTER State SC Zip 29721 Tax Parcel ID 0086B-05-011.00  
Current Zoning MDR Current Use Open Land  
Proposed Zoning GB Total Acres 4.46 Acres  
Project Description Expand Stuck + Dash Storage units

Surrounding Property Description Fire Department, single family homes.  
Stuck + Dash

### CONTACT INFORMATION

Applicant Name Francis Fink, Jr.  
Address PO Box 1287  
City LANASTER State SC Zip 29721 Phone 803-283-7299  
Fax \_\_\_\_\_ Email ffink1@compositum.net  
Property Owner Name SAME  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_  
Fax \_\_\_\_\_ Email \_\_\_\_\_



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

Applicant

Date

Property Owner(s)

Date

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

**LANCASTER COUNTY OFFICE USE ONLY**

Application Number RZ-019-0879 Date Received 10-7-19 Receipt Number 848576

Amount Paid \$500.00 Check Number 8519 Cash Amount —

Received By JB Planning Commission Meeting Date 11-19-19

**SCHEDULE/PROCESS 1. Submit Application**

- The deadline for this application is at least 30 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee – single parcel \$325.00
- Rezoning Application Fee – multi parcel \$500.00

**2. Planning Commission**

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

**3. County Council**

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





## Agenda Item Summary

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Ordinance # / Resolution #: Ordinance 2020-1643/Planning Case Number: RZ-019-0598

Contact Person / Sponsor: Ashley Davis / Planning

Department: Planning

Date Requested to be on Agenda: 1/13/2020

### **Issue for Consideration:**

A request to rezone one parcel from Institutional (INS) to Low Density Residential (LDR) District. The property is located at the intersection of South Potter Road and Old Gregory Lane (TMS# 0069E-0B-004.00) and is approximately 1.668 acres in size.

### **Points to Consider:**

The requested Low Density Residential (LDR) district *is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 1.5 dwelling units per acre. Intended to act as a transitional zoning district between rural living and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.*

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

The requested Low Density Residential District is consistent with the rural living future land use category.

### **Funding and Liability Factors:**

N/A

### **Council Options:**

To approve or deny the rezoning request.

### **Recommendation:**

The Planning Commission voted 6-0 on December 17, 2019 to recommend **approval** of the rezoning request.

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

### **ATTACHMENTS:**

Description	Upload Date	Type
Ordinance 2020-1643	1/6/2020	Ordinance
Planning Staff Report: Modie Walters Sr.	1/3/2020	Planning Staff Report
Exhibit 1: Rezoning Application	1/3/2020	Exhibit
Exhibit 2: Location and Zoning Map	1/3/2020	Exhibit
Exhibit 3: Plat	1/3/2020	Exhibit



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STATE OF SOUTH CAROLINA

(

ORDINANCE NO. 2020-1643

COUNTY OF LANCASTER

(

(

**AN ORDINANCE**

**TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE 1.668 ACRES, MORE OR LESS, WITH THE INTENTION OF COMBINING THE PARCEL WITH THE ADJACENT 0.823 PARCEL (TMS NO. 0069E-0B-003.00), LOCATED AT THE INTERSECTION OF SOUTH POTTER ROAD AND OLD GREGORY LANE, LANCASTER, SOUTH CAROLINA (TMS# 0069E-0B-004.00) FROM INS, INSTITUTIONAL DISTRICT, TO LDR, LOW DENSITY RESIDENTIAL DISTRICT.**

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

**Section 1. Findings and Determinations.**

The Council finds and determines that:

(a) Modie Walters, Sr., applied to rezone a 1.668 acres, more or less, located near at the Intersection of South Potter Road and Old Gregory Lane, Lancaster South Carolina (TMS # 0069E-0B-004.00) from INS, Institutional District, to LDR, Low Density Residential District.

(b) On December 17, 2019, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a unanimous vote, recommended approval of the rezoning.

(c) The Future Land Use Map identifies this property as Rural Living, based on the *Lancaster County Comprehensive Plan 2014-2024*. Rezoning the property from INS, Institutional District, to LDR, Low Density Residential District, is compatible with the Comprehensive Plan.

**Section 2. Rezoning.**

The Official Zoning Map is amended by changing the zoning district classification from INS, Institutional District, to LDR, Low Density Residential District, for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0069E-0B-004.00 (1.668 acres, more or less)

**Section 3. Severability.**

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

**Section 4. Conflicting Provisions.**

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

**Section 5.      Effective Date.**

This ordinance is effective upon Third Reading.

**AND IT IS SO ORDAINED**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**LANCASTER, SOUTH CAROLINA**

\_\_\_\_\_  
Steve Harper, Chair, County Council

\_\_\_\_\_  
Larry Honeycutt, Secretary, County Council

ATTEST:

\_\_\_\_\_  
Sherrie Simpson, Clerk to Council

First Reading:            January 13, 2020  
Second Reading:        January 27, 2020  
Public Hearing:           January 27, 2020  
Third Reading:          February 10, 2020

Approved as to form:

\_\_\_\_\_  
John DuBose, County Attorney

**Proposal:** Request to rezone 1.668 acres with the intention of combining the parcel with the adjacent 0.823 acre parcel currently zoned LDR at TMS# 0069E-0B-003.00.

**Property Location:** Located at the intersection of South Potter Road and Old Gregory Lane (TMS# 0069E-0B-004.00)

**Current Zoning District:** INS, Institutional

**Proposed Zoning District:** LDR, Low Density Residential

**Applicant:** Modie Walters Sr.

**Council District:** District 3, Billy Mosteller

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## Overview

### *Site Information*

Site Description: The property is currently vacant.

### *Compatibility with Surrounding Area*

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

### Summary of Surrounding Zoning and Uses

Surrounding Property	Municipality	Zoning District	Use
North	Lancaster County	Low Density Residential (LDR)	Single Family Residence
South	Lancaster County	Low Density Residential (LDR)	Vacant
East	Lancaster County	Rural Neighborhood (RN)	Single Family Residence
West	Lancaster County	General Business (GB)	Vacant (Wooded)

Recent Rezoning in Surrounding Area			
Case #	Description	Date	Outcome
RZ-019-1046	Pleasant Dale Baptist Church (RN to INS)	12-17-2019	Postponed



## Photos of Project Area

Looking at the parcel from South Potter Road



Looking across from the parcel on South Potter Road





Looking south on South Potter Road



Looking north on South Potter Road



### **Analysis & Findings**

The property is currently zoned Institutional (INS) District on the Lancaster County Zoning Map. The zoning district of Institutional (INS) *is intended to allow for the continued and future use, expansion, and new development of academic and religious campuses and of governmental and health facilities.* (UDO section 2.3).

The requested Low Density Residential (LDR) district *is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 1.5 dwelling units per acre. Intended to act as a transitional zoning district between rural living and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.*

### **COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION**

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

The requested Low Density Residential District is consistent with the rural living future land use category.

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### **Staff Recommendation**

Staff is recommending approval of this request.

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### **Attachments**

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

### **Staff Contact**

Ashley Davis  
Planner  
[adavis@lanastercountysc.net](mailto:adavis@lanastercountysc.net)  
803-416-9433





Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721  
Phone: 803.285.6005, [planning@lanastercountysc.net](mailto:planning@lanastercountysc.net)  
[www.mylanastersc.org](http://www.mylanastersc.org)

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

GENERAL INFORMATION

Property Address South Potter Rd  
City LANCASTER State S.C. Zip 29720 Tax Parcel ID \_\_\_\_\_  
Current Zoning INS Current Use VACAN  
Proposed Zoning LDR Total Acres 1.668  
Project Description Rezone from INS - To - LDR

Surrounding Property Description Residential

CONTACT INFORMATION

Applicant Name Modie R Wathen, Jr  
Address 267 - Dixie School Rd  
City LANCASTER State SC Zip 29720 Phone 803-235-8178  
Fax \_\_\_\_\_ Email \_\_\_\_\_  
Property Owner Name Pleasant Dale Baptist Church  
Address 133 - S. Potter Rd  
City LANCASTER State S.C. Zip 29720 Phone 803-283-8688  
Fax \_\_\_\_\_ Email \_\_\_\_\_

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

Modie Royce Walters Sr.  
Applicant

9-11-19  
Date

Modie Royce Walters Sr.  
Property Owner(s)

9-11-19  
Date

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

#### LANCASTER COUNTY OFFICE USE ONLY

Application Number RZ-019-0598 Date Received 9-11-19 Receipt Number 848542

Amount Paid \$325 Check Number 1107 Cash Amount —

Received By KS Planning Commission Meeting Date 11-19-19

#### SCHEDULE/PROCESS 1. Submit Application

- The deadline for this application is at least 30 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee – single parcel \$325.00
- Rezoning Application Fee – multi parcel \$500.00

#### 2. Planning Commission

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

#### 3. County Council

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



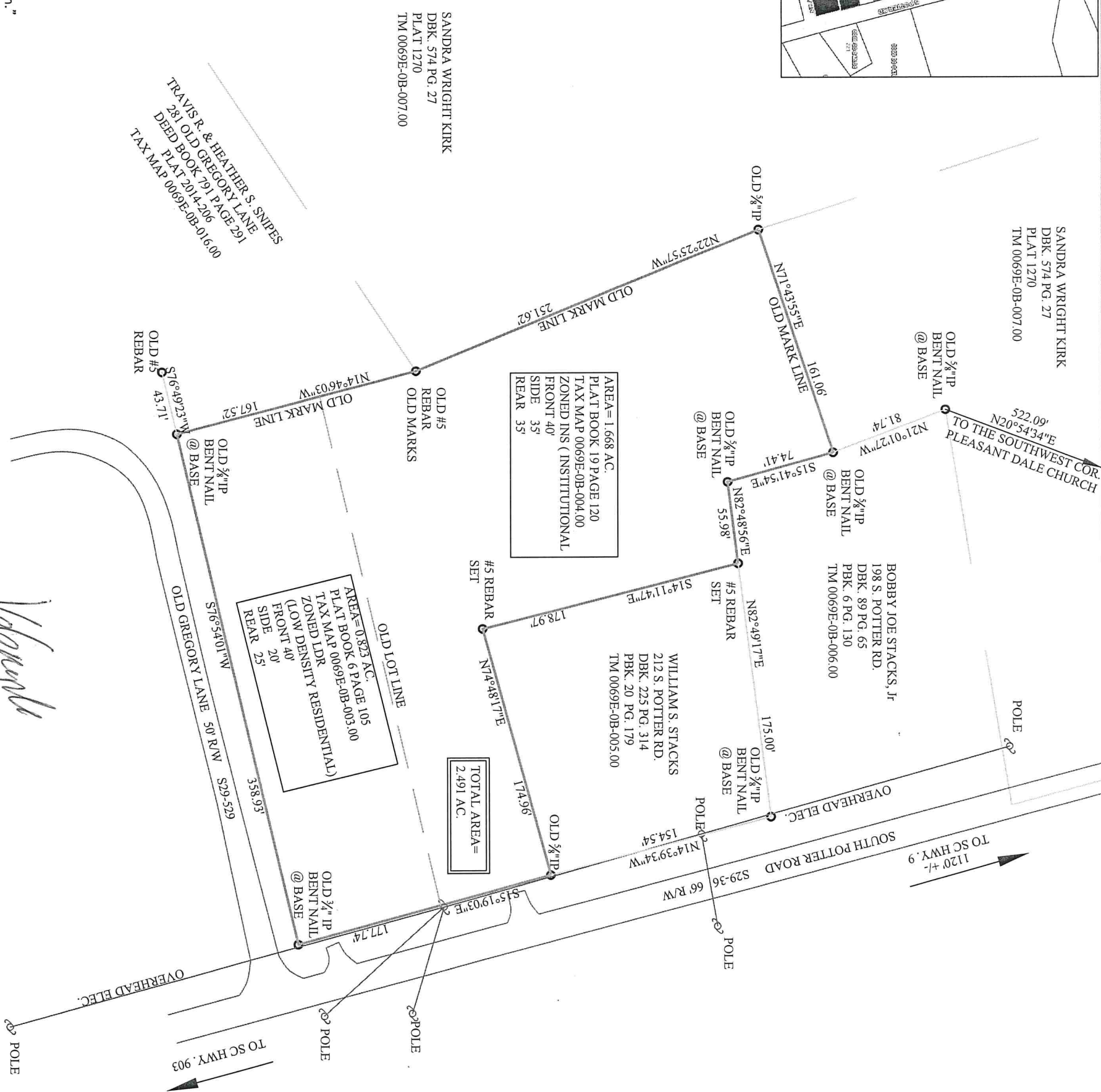
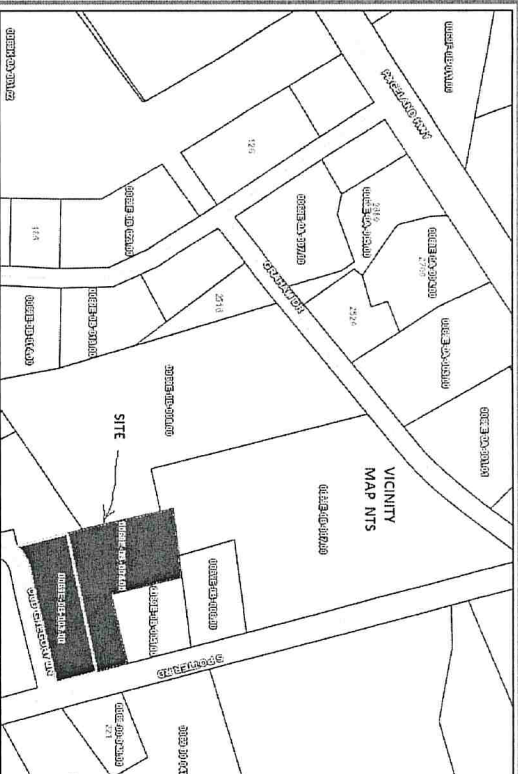


**RZ-019-0598**  
**Modie Walters Sr.**  
**Location Map**



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus, AerialGIS, IGN, and the GIS User Community

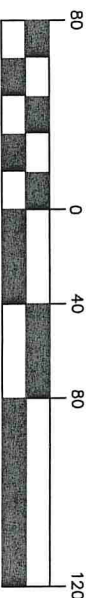




Plat Of Property Of  
*Modie Royce Walters, Sr.*  
Located At  
133 South Potter Road  
Pleasant Dale Community  
Lancaster, South Carolina  
Lancaster County

Scale 1" = 80' Date

GRAPHIC SCALE



( IN FEET )  
1 inch = 80 ft.

Survey By: J. C. Crumpler  
S.C. Reg. No. 6574  
207 Chesterfield Avenue  
Lancaster, South Carolina  
1-803-283-9818  
email: iseleysurveying@gmail.com

THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RIGHT-OF-WAYS AND RESTRICTIVE COVENANTS OF RECORD.

"I, hereby state to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class B<sup>+</sup> survey as specified therein."

**NOTE:** This lot does not lie within any designated flood area and there are no encroachments or projections other than as shown on this plat.

TRAVIS R. & HEATHER S. SNIPES  
281 OLD GREGORY LANE  
DEED BOOK 791 PAGE 291  
PLAT 2014-206  
TAX MAP 00695-0B-01600

SANDRA WRIGHT KIRK  
DBK. 574 PG. 27  
PLAT 1270  
TM 0069E-0B-007.00

SANDRA WRIGHT KIRK  
DBK. 574 PG. 27  
PLAT 1270  
TM 0069E-0B-007.00

OLD 3/8" IP  
BENT NAIL  
@ BASE

BOBBY JOE STACK  
198 S. POTTER RD.  
DBK. 89 PG. 65  
PBK. 6 PG. 130  
TM 0069E-0B-006.00

WILLIAM S. STACKS  
212 S. POTTER RD.  
DBK. 225 PG. 314  
PBK. 20 PG. 179  
TM 0069E-0B-005.00

TOTAL AREA=  
2.491 AC.

AREA=0.823 AC.  
PLAT BOOK 6 PAGE 105  
TAX MAP 0069E-0B-003.00  
ZONED LDR  
(LOW DENSITY RESIDENTIAL)  
FRONT 40'  
SIDE 20'  
REAR 25'

AREA= 1.668 AC.  
PLAT BOOK 19 PAGE 120  
TAX MAP 0069E-0B-004.00  
ZONED INS ( INSTITUTIONAL  
FRONT 40'  
SIDE 35'  
REAR 35'

OLD #5 43.71  
REBAR

BENT NAIL

S76°54'01"W S29-529  
50' R/W  
OLD GREGORY LANE

OLD  $\frac{3}{4}$ " IP  
BENT NAIL

POLE

DRAWN BY:	JCC	DATE:	09/10/2019
CHECKED BY:	JCC	TAX MAP ID	00659E-0B-003.00 & 004.00
JOB NO.:	18-03-9	SHEET	1 OF 1

## Agenda Item Summary

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Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Alison Alexander/Deputy County Administrator

Department: Administration

Date Requested to be on Agenda: 1/13/2020

**Issue for Consideration:**

This information is provided to Council as an update regarding the County's ongoing projects.

**Points to Consider:**

N/A

**Funding and Liability Factors:**

The funding and liability factors vary by project.

**Council Options:**

N/A

**Recommendation:**

N/A

**ATTACHMENTS:**

Description	Upload Date	Type
Pending Projects Update 01.20	1/2/2020	Backup Material

## **Construction Project Status Update**

*January 13, 2020 County Council Meeting*

### **UNDER CONSTRUCTION**

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- **Animal Shelter**

- The center building of the shelter is in place and dried in. The MEP in the interior has been installed and inspected. Drywall is ongoing. The kennel building on the sides and rear building have been erected and the CMU block kennel walls are complete outside of miscellaneous touch-ups and final cleaning.

- **EMS Substation 4/9 - Old Bailes Road**

- The footing has been formed on the building pad. Under slab plumbing has been installed. A large amount of rain slowed the progress of this period because of having to re-grade or remove water from plumbing trenches. Depending on weather, the slab pour and metal building delivery will take place by late January 2020.

- **Public Library System**

- Demolition has begun at the Lancaster location and construction should begin around mid-January. Construction will be concurrent for all three branches.
- Overall construction schedule estimates are twelve (12) months for the Main branch, and 6 to 8 months for the Del Webb and Kershaw branches.

- **Barnett Building**

- Voter Registration and Elections has decided to postpone their move until after the Primary Election. Their Estimated move date is now mid-March.
- While preparing the subfloor for new flooring installation in the DHEC area, a substance was discovered that we believe is asbestos. We are awaiting results from the asbestos testing. A new move date for DHEC will be set when the results are received and abatement (if needed) has been scheduled.
- Plans are being revised to accommodate space for Recreation Administration and IT staff on the second floor in 2020.

### **IN DESIGN PHASE**

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- **Fleet Maintenance Garage**

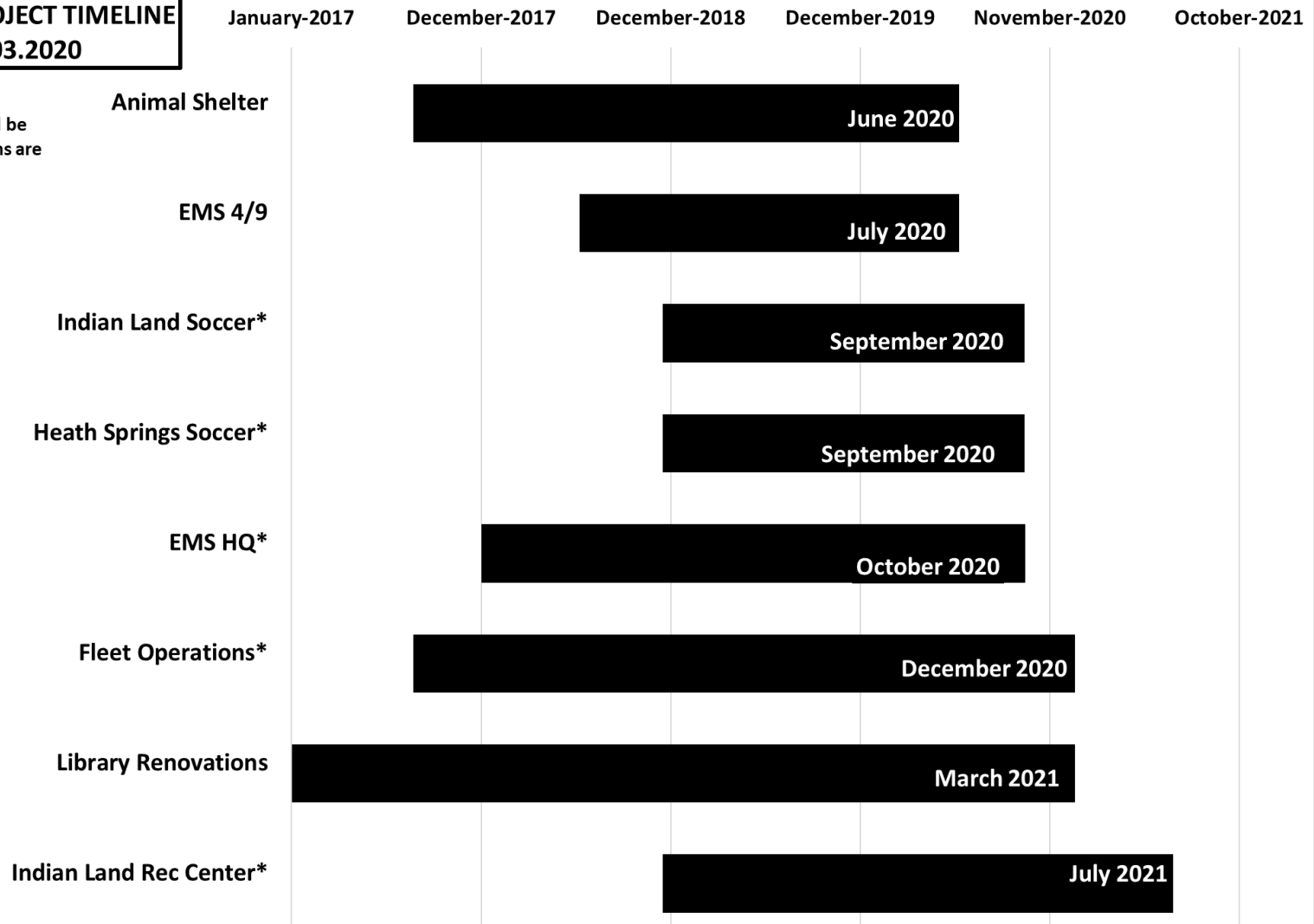
- 95% drawings were received including the adjustments from the TRC review. The Estimating firm completed the final estimate, and it is still in the range of previous estimates, at \$3.4 million for the building, which does not include FF&E, or design fees or testing. Total project cost is estimated at \$3.8 million. The \$800 - \$900,000 for site work has been a consistent cost.
- We are now awaiting direction to send the project to Bid or pursue other options.
- There have been discussions about the old LCWSD site as a possible public works / fleet maintenance destination. LC PM will be meeting with a civil engineer to develop a few sketches to see if the site can accommodate a fleet maintenance building if the current design and location does not proceed.



- **EMS HQ**
  - The architectural drawings have been completed and sent to the estimation company. Once the estimate is returned in January, a decision on moving to contractor bidding must be made. This will likely depend on the cost figures that come back. Total project cost will be prepared, to include design fees, FF&E and exterior work (parking lot, fire lane, signage and landscaping) for a total project budget.
  -
- **Soccer Fields – Heath Springs and Indian Land**
  - Woolpert selected for design. Kickoff anticipated in December/January. Second reading of Heath Springs rezoning is scheduled for January Town Council meeting.
- **Indian Land Recreation Center Renovations**
  - Architect firm of Craig Gaulden Davis selected in November. Design kickoff anticipated in January. No physical work **can begin until the EMS 4/9 building is completed.**
- **Human Services Complex**
  - County received notice of grant award in November 2019. County staff to finalize the full project scope with DSS and DHHS staff. Work is anticipated to begin in FY 2021.

**ACTIVE PROJECT TIMELINE**  
01.03.2020

\* items are staff estimates and will be adjusted as designs are finalized.



## Agenda Item Summary

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Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson/Clerk to Council

Department: Administration

Date Requested to be on Agenda: 1/13/2020

**Issue for Consideration:**

Whether to appoint Dr. Brent Glenn to the Animal Shelter Advisory Board, Jonah E. Smith, V, to the Fire Commission, Kimberly Blackmon to the Library Board and Leigh Pate to the Health and Wellness Commission.

**Points to Consider:**

The application of Dr. Brent Glenn, the letter from the Fire Commission regarding Jonah E. Smith, V, and the applications of Kimberly Blackmon and Leigh B. Pate are attached for Council's review and consideration.

**Funding and Liability Factors:**

N/A

**Council Options:**

Approve or deny the appointments.

**Recommendation:**

Approve the appointments.

**ATTACHMENTS:**

Description	Upload Date	Type
Application from Dr. Brent Glenn for the Animal Shelter Advisory Board	1/2/2020	Backup Material
Letter from Fire Commission regarding Jonah E. Smith, V	1/2/2020	Backup Material
Application from Kimberly Blackmon for the Library Board	1/2/2020	Backup Material
Application from Leigh B. Pate for the Health and Wellness Commission as the School Health Representative	1/6/2020	Backup Material



LANCASTER COUNTY BOARDS & COMMISSIONS  
APPLICATION FOR SERVICE



Name Brent Glenn County Council District 5

Mailing Address \_\_\_\_\_ City/Zip Lancaster 29721

Street Address \_\_\_\_\_ Registered Voter yes ☒ no ☐

Tel. Number <sup>cell</sup> (home) \_\_\_\_\_ (work) \_\_\_\_\_ (other) \_\_\_\_\_

Email: brenteglenn@yahoo.com

Occupation veterinarian Place of employment Faulkner Animal Hospital

Address 739 Lancaster By Pass E Normal working hours 8-7 M W 8-12 S 8-5:30 T F  
(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

Name of Board or Commission in which you are interested

1st choice Animal Shelter Advisory Board 2nd choice \_\_\_\_\_

3rd choice \_\_\_\_\_

Reason for interest

I want to help support my local shelter for the pets and the county.

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

I have been a veterinarian in the community for the past 20 years.

Do you presently serve any State, County or Municipal Boards? NO If yes, list \_\_\_\_\_

Have you ever served on a county board? NO If yes, list \_\_\_\_\_

Additional pertinent information

Applicant's signature Brent Glenn Date 12-12-19

Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

Return completed application to Sherrie Simpson, Lancaster County Council Office, P.O. Box 1809, Lancaster, SC 29721  
Form Revised 1-20-17



**Lancaster  
County  
Fire Rescue**

PO Box 1809  
Lancaster, SC  
29721

Business Phone  
803-283-8888

Fax  
803-283-6333

E-mail  
LCFR@compurium.net



*Proud and Progressive*

TO: Sherrie Simpson, Clerk to Council  
FROM: Butch Ghent, Fire Commission Chairman *BG*  
DATE: December 17, 2019  
SUBJECT: Replacement for Fire Commission—Pleasant Valley

The Lancaster County Fire Commission respectfully submits the name of a new member from the Pleasant Valley Fire District for approval by the Lancaster County Council. This member will replace the current member who is unable to fulfill the remainder of their term through June 2020.

Pleasant Valley Fire Department  
Jonah E. Smith, V

Indian Land, SC 29707

If you have questions or need any additional information, please contact the Fire Rescue office.

BG/dmg

cc: Darren Player, Lancaster County Fire Rescue



# APPLICATION FOR SERVICE LANCASTER COUNTY BOARDS &

~~COMMISSIONS~~ KIMBERLY BLACKMON County Council

District DISTRICT 3

Mailing Address City/Zip

Street Address \_\_\_\_\_ Registered

Voter yes \_\_\_\_\_ no \_\_\_\_\_

Tel. Number (home) \_\_\_\_\_

(work) \_\_\_\_\_

Email: Kim.Blackmon@lcsdmail.net

Occupation MEDIA SPECIALIST Place of employment BUFORD High School

Address 4290 TABERNACLE ROAD Normal working hours \_\_\_\_\_

(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)  
Name of Board or Commission in which you are interested

1st choice LIBRARY 2nd choice \_\_\_\_\_

3rd choice \_\_\_\_\_

Reason for interest \_\_\_\_\_

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

Do you presently serve any State, County or Municipal Boards? \_\_\_\_\_ If yes,  
list \_\_\_\_\_



Have you ever served on a county board? \_\_\_\_\_ If yes,  
list \_\_\_\_\_

*Additional pertinent information*

Applicant's signature Keith P. Black Date 12/11/19  
Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

Return completed application to Sherrie Simpson, Lancaster County Council Office, P.O. Box 1309,  
Lancaster, SC 29721  
Form Revised 1-20-17

**LANCASTER COUNTY BOARDS & COMMISSIONS  
APPLICATION FOR SERVICE**

Name Leigh B. Pate County Council District 6

Mailing Address \_\_\_\_\_ City/Zip Kershaw 29067

Street Address \_\_\_\_\_ Registered Voter yes<sup>x</sup> no

Tel. Number (home) \_\_\_\_\_ (work) \_\_\_\_\_ (other) \_\_\_\_\_

Email: LBPate9@mailbox.sc.edu

Occupation Nursing Professor, FNP Place of employment USC College of Nursing/Community

Address 476 Hubbard Drive Lancaster, SC 29720 Normal working hours 8a-5p  
(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

**Name of Board or Commission in which you are interested**

1st choice Health & Wellness Commission 2nd choice \_\_\_\_\_

3rd choice \_\_\_\_\_

**Reason for interest**

I am interested in joining the Lancaster County Health & Wellness Commission to further promote a healthier county in SC. Currently, Lancaster ranks 14th in the state for overall health. We need to strive to be at least within the top 10 counties and I believe this committee has the potential to impact these numbers significantly through partnerships and community engagement activities.

**Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)**

I feel that through my nursing career and current employment, I can offer suggestions and knowledge in the area of nursing. I have been in the healthcare field for over ten years and practiced as a Family Nurse Practitioner (FNP) for five years. I currently hold a doctoral degree in nursing and teach BSN nursing students full-time while also serving as a lead FNP at a free medical clinic providing primary care services, telemedicine, and school-based health clinic services for middle and high school students.

Do you presently serve any State, County or Municipal Boards? No If yes, list \_\_\_\_\_

Have you ever served on a county board? No If yes, list \_\_\_\_\_

**Additional pertinent information**

**Applicant's signature**

  
esign via SeamlessDocs.com  
Key: 34909b47d83d0e97e204bd1c81dd901

**Date** 12/11/19

Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

Return completed application to Sherrie Simpson, Lancaster County Council Office, P.O. Box 1809, Lancaster, SC 29721

## Agenda Item Summary

---

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Steve Willis/Administration

Department: Administration

Date Requested to be on Agenda: 1/13/2020

**Issue for Consideration:**

Implementation of a pilot Recruitment and Retention Program for FY 19-20.

**Points to Consider:**

This is a pilot program as requested by the Administration Committee. It will only be in effect for FY 2019-20. Any extension would require funding in future fiscal years by County Council.

The proposal addresses three target positions: EMS Shift Paramedics, 911 Telecommunicators, and Parks and Recreation Maintenance Technicians.

After the proposal was drafted, Parks & Recreation requested the Maintenance Technicians positions be removed from the pilot program.

**Funding and Liability Factors:**

Once we have the go ahead to proceed we will report back exact numbers since this depends upon employment as of December 31st but this will be accomplished within existing budgetary authority utilizing funding not expended for the Classification and Compensation Plan adjustments.

**Council Options:**

Approve or reject the pilot program.

**Recommendation:**

Approve the pilot program.

**ATTACHMENTS:**

Description	Upload Date	Type
Recruitment & Retention Program	12/2/2019	Exhibit



Council has authorized a pilot program for recruitment and retention of specific positions. The Pilot Recruitment and Retention Program will only be in effect for Fiscal Year 2019-20. Any extension into future years will depend upon funding approval by County Council, and the success of this pilot.

**Purpose:** To target those positions with a high turnover rate and/or a level of technical ability that require significant training in order to meet the requirements of the job.

The program will only cover employees in the following job categories:

- Public Safety Communications Telecommunicators
- Emergency Medical Services Shift Paramedics
- Parks and Recreation Park Maintenance Technicians

**Retention Program:**

If remain employed between these dates		Receive a bonus in:	Bonus amount
July 1, 2019	December 31, 2019	January 2020	\$500.00
January 1, 2020	June 30, 2020	July 2020	\$500.00
Hired between July 1 and December 31, 2019		Successful completion of 6-month probation	\$500.00
<p>1. New employees are only eligible for one (1) bonus payment within a six-month period. I.e. a new employee will not receive both an end of probation bonus and a regular employee bonus.</p> <p>2. All payments listed are before tax deductions.</p>			

**Recruitment Program:**

An employee who recruits a new employee in the positions specified above between July 1, 2019 and June 30, 2020 will receive \$250 upon the completion of that new employee's six-month probationary period. New recruits must notify HR at time of hiring who recruited them to the position.

## Agenda Item Summary

---

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Steve Willis/Administration

Department: Administration

Date Requested to be on Agenda: 1/13/2020

**Issue for Consideration:**

Discussion of County logo.

**Points to Consider:**

On September 23rd Council received a presentation from Dean Faile and Pamela Trimmal regarding a unified branding initiative. After the presentation Council was informed that we would proceed with implementation without objection from Council. No objection was received.

Council Vice-Chair McGriff would like to revisit the logo and potentially return to the "swish" style logo. If Council desires to do so staff needs direction on this matter.

**Funding and Liability Factors:**

We didn't make wholesale changes when we updated from the County seal to the "swish" logo and we were not this time either. Some business cards and shirts with the new logo had been ordered but we would continue to use the current stock of material. The same would hold true if we revert back to the "swish" logo. There would be minor costs to this for reverting or continuing to change to the new logo.

**Council Options:**

Advise on the logo.

**Recommendation:**

Dean Faile will be present to address the branding initiative and answer any questions.

Staff recommends proceeding with the branding.

**ATTACHMENTS:**

Description	Upload Date	Type
Minutes of 09-23-19	1/2/2020	Exhibit

**Council Members**

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



**County Attorney**  
John K. DuBose III

**Clerk to Council**  
Sherrie Simpson

---

**September 23, 2019**

**6:00 PM**

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

---

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

**MINUTES**

Council Members present at the regular meeting of County Council were Allen Blackmon, Brian Carnes, Terry Graham, Steve Harper, Larry Honeycutt, Charlene McGriff and Billy Mosteller. Also present at the meeting were County Administrator Steve Willis, Deputy County Administrator Alison Alexander, County Attorney John DuBose, Clerk to Council Sherrie Simpson, Deputy Clerk to Council Chelsea Gardner, Planning Director Rox Burhans, Chief Financial Officer Veronica Thompson, Budget Analyst Kim Belk, Economic Development Director Jamie Gilbert, Facilities Project Manager Kelvin Alexander, Public Relations Coordinator Katherine Hayes, various Department Heads and elected officials, various staff, the press and spectators. A quorum of Lancaster County Council was present for the meeting.

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

**Call to Order Regular Meeting - Chairman Steve Harper**

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

**Welcome and Recognition - Chairman Steve Harper**

Steve Harper welcomed everyone to the Council meeting.

**Pledge of Allegiance and Invocation - Allen Blackmon**

Allen Blackmon led the Pledge of Allegiance to the American Flag and delivered the Invocation.

**Approval of the Agenda**

Charlene McGriff moved to approve the agenda. The motion was seconded by Brian Carnes.

Steve Willis noted, for the record, that the applicant, Waxhaw Solar LLC, had withdrawn their rezoning application and so **Item 8a. (Public Hearing and 1st Reading of Ordinance 2019-1605)** would need to be



removed from the agenda. Terry Graham moved to remove **Item 8a.** from the agenda. The motion was seconded by Larry Honeycutt. Terry Graham requested that staff notify Council as soon as possible once an item has been withdrawn. The motion to remove **Item 8a.** from the agenda passed by unanimous vote of 7-0.

Council approved the agenda as amended by unanimous vote of 7-0.

### **Special Presentations**

Dean Faile, President of the Chamber of Commerce, and Pamela Trimnal, Vice Chair of Community Development for the Chamber of Commerce, presented a branding initiative being led by the Chamber of Commerce. They presented a video and a power point presentation entitled, "Lancaster County Brand Campaign Development," which is attached as Schedule A to the written minutes in the Clerk to Council's office. **Steve Willis explained that, without objection from Council, the County will be moving forward with implementation of the initiative.**

### **Citizens Comments**

Jack Logan, from Greenville, SC, and founder of Put Down The Guns Now Young People in South Carolina, spoke regarding gun safety and the need for a nuisance ordinance.\*

\*The County Attorney, John DuBose, responded to Mr. Logan's comments and explained that he is working with the attorney for the Sheriff's Office to determine what mechanisms the County has to address shooting incidents at a business.

Dean Faile, from Lancaster, SC, and President of the Lancaster County Chamber of Commerce, spoke regarding the proposed amenities at the Springs Park Boat Landing site.

### **Consent Agenda**

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

- a. **Minutes from the September 9, 2019 County Council Regular Meeting**
- b. **3rd Reading of Ordinance 2019-1601 regarding Amending the UDO regarding Chapter 6.11 and 6.12**  
Ordinance Title: An Ordinance To Amend Ordinance 2016-1442, The Unified Development Ordinance ("UDO"), Chapter 6.11, Street Names And House Numbers And Chapter 6.12, Uniform Addressing And Numbering.
- c. **3rd Reading of Ordinance 2019-1604 regarding Establishing an Animal Shelter Advisory Board**  
Ordinance Title: An Ordinance To Establish An Animal Shelter Advisory Board And To Set Forth The Duties And Responsibilities Of Those Persons And Organizations Associated Therewith.

### **Non-Consent Agenda**

**Public Hearing and 1st Reading of Ordinance 2019-1605 regarding Rezoning Property Owned By**

## Agenda Item Summary

---

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Steve Willis/Administration

Department: Administration

Date Requested to be on Agenda: 1/13/2020

### **Issue for Consideration:**

Does Council desire to have a different name for the Barnette Building?

### **Points to Consider:**

Council Vice-Chair McGriff would like for Council to weigh in on the name for the Barnette Building which will house the Health Department, Voter Registration/ Elections, administrative offices for Parks and Recreation, and temporarily the Main Library Branch. The building also has a commercial (pharmacy) tenant.

Council has not previously spoken to this issue. The planned signage would have Lancaster County and in smaller lettering Barnette Building along with a directory of offices housed there.

This hasn't come up previously as that building has been known as the Barnette Building for decades. Since it is a well-known name for the building we simply planned to retain it for ease of finding it by our residents.

If Council desires to name the building something else please so advise.

### **Funding and Liability Factors:**

N/A

### **Council Options:**

Determine if Council desires to retain the name Barnette Building, select some different name, or simply have no name.

### **Recommendation:**

On the building name we recommend keeping the well-known name but Council is certainly free to adopt a different name. When the Human Services Complex (Health Department and DSS) opened decades ago the name was based on function of the building. With a wide variety of uses and a commercial pharmacy tenant there wasn't a common use name that fit for this building.

## Agenda Item Summary

---

Ordinance # / Resolution #: Ordinance 2019-1631 - HELD  
Contact Person / Sponsor: Jamie Gilbert/Economic Development  
Department: Economic Development  
Date Requested to be on Agenda: 1/13/2020

### **Issue for Consideration:**

Project Boom is a construction products company that is considering establishing a new facility in Indian Land. The operation would include the company's manufacturing, administrative, sales and service operations. Project Boom would create 22 new jobs in Lancaster County over five years with an hourly wage of at least \$16. The capital investment is expected to be \$3,200,000, which includes land, building and equipment.

The Lancaster County Department of Economic Development (LCDED) has assisted the company with its site search, county/state incentives, tax issues and workforce development.

LCDED is recommending that Project Boom receive the following county incentives, should the company locate the new project to Indian Land:

- A 20 Year Fee-In-Lieu-of-Taxes (FILOT) agreement that will provide an assessment rate of 6% for real and personal property with a fixed millage rate of 325.4 mills.
- A 5 Year Special Source Revenue Credit (SSRC) that will reduce the company's annual FILOT payment by 50% annually.

The following will be required by Project Boom:

- Maintain 10 full time jobs and a capital investment of \$2.5 million at the facility in order to receive the FILOT annually. If the project falls below either in a given year, the FILOT will be calculated to reflect the ad valorem payment that would be due for that year.
- Employ an average of 10 new full time jobs (NFTJ) at the facility in Year 1, 13 NFTJ in Year 2, 15 NFTJ in Year 3, 17 NFTJ in Year 4 and 18 NFTJ in Year 5 at an hourly wage of at least \$16 during each of the corresponding years of the SSRC. Failure to do will result in the 50% SSRC being reduced in the same proportion that the jobs requirement was not met.

### **Points to Consider:**

Project Boom is an excellent industrial project for Lancaster County. The project is competitive as the company has considered several states for the new facility. South Carolina's property taxes are higher than other states for industrial projects and the FILOT/SSRC are important to addressing this issue and to securing the project in Lancaster County. The recommended incentives for the project follow LCDED's incentive guidelines for new businesses.

### **Funding and Liability Factors:**

There are no funding or liability factors associated with Project Boom.

### **Council Options:**

Council can approve, deny or table with changes.

### **Recommendation:**

LCDED recommends approval of the Project Boom Ordinance.





## Agenda Item Summary

---

Ordinance # / Resolution #: Ordinance 2019-1626 - HELD

Contact Person / Sponsor: Jamie Gilbert/Economic Development

Department: Economic Development

Date Requested to be on Agenda: 1/13/2020

### **Issue for Consideration:**

Project Dumping is a well respected corporation that is seeking to invest and create new jobs in Lancaster County. The project is expected to invest \$20,000,000 and create 200 new jobs over five years. The project has looked at locations in Lancaster County, the Charlotte Region and throughout the United States. The Lancaster County Department of Economic Development (LCDED) and South Carolina Department of Commerce (SCDOC) have worked with Project Dumping to secure the project in Lancaster County. LCDED has assisted the project with site selection, incentives, transportation issues and other related items.

Three inducement resolutions were passed by County Council on August 27, 2018, November 26, 2018 and April 8, 2019 reflecting the county's commitment to provide property tax and infrastructure incentives for Project Dumping. The following are the recommended incentives for the project:

- A 30 Year Fee-In-Lieu-of-Taxes (FILOT) agreement that provides a property tax assessment rate of 6%, a locked in millage rate of 317.6 mills and a ten year investment period.
- A 15 Year Special Source Revenue Credit (SSRC) of 70% for the first six years that the property is placed in service during the investment period, 65% for years seven through eleven, and 60% for years twelve through fifteen.
- A ten-year extension of the term for an existing FILOT agreement between Lancaster County and the company.
- Securing of funds through one or more sources including but not limited to grants, utility tax credits, enhanced property tax credits and general appropriations to assist with the construction of all road improvements required for approval of Project Dumping.
- Reimbursement to the company for road improvement costs the company incurs, up to \$194,500.

### **Points to Consider:**

- Project Dumping will result in a large number of new jobs and substantial investment coming to Lancaster County.
- The company is well respected and a leader in their industry.
- The road improvements will be beneficial to both businesses and residents in the area in which the project is located.
- The direct cost to the County of the road improvements is less than what was initially projected at the time the resolutions were approved.

### **Funding and Liability Factors:**

The only direct funding/liability factors for Lancaster County are associated with the county road improvements. The following outlines the potential funding/liability factors for the County.

- The road improvement costs are estimated to be \$1,195,5000
- LCDED has secured \$350,000 in grant funding from Comporium, South Carolina Department of Commerce and Duke Energy for the road improvements.

- The County has applied to the U.S. Economic Development Administration (EDA) for a grant. If approved the grant could fund up to \$724,400 of the county road improvement costs.
- If the EDA grant is awarded, the balance of the road improvement costs will be approximately \$121,100 which would be paid by County.
- If the EDA grant is not awarded, the County will seek other grants to offset the costs. In the event no other grants are available, the County will provide the balance of the \$845,500 in county road improvement costs.

**Council Options:**

County Council can approve, deny or table for additional changes, the Project Dumping Incentive Ordinance and Agreement.

**Recommendation:**

LCDED recommends the County Council approve the Project Dumping Incentive Ordinance and Agreement.



## Agenda Item Summary

---

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Steve Willis/Administration

Department: Administration

Date Requested to be on Agenda: 1/13/2020

**Issue for Consideration:**

The County received the following e-mail regarding services from Charter Communications:

This will serve as notice that Charter Communications (“Charter”), locally known as Spectrum, is notifying its customers that on or around February 4, 2020, FOX Soccer Plus on the channel line-up serving your community, will no longer be available in its current sports tier channel package. FOX Soccer Plus will remain available as a standalone subscription for ten dollars per month. Customers can contact Charter to add FOX Soccer Plus to their current TV package.

To view a current channel lineup, visit [www.spectrum.com/channels](http://www.spectrum.com/channels) .

**Points to Consider:**

This information is provided for information only. Please contact Charter Communications with any questions or concerns.

**Funding and Liability Factors:**

N/A

**Council Options:**

This item is for information only.

**Recommendation:**

This item is for information only.

## Agenda Item Summary

---

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Steve Willis/Administrator and Ken Holt/Holt Consulting

Department: Administration

Date Requested to be on Agenda: 1/13/2020

**Issue for Consideration:**

FAA Grant Application

**Points to Consider:**

This was approved as part of the Airport CIP which Council adopted. Nonetheless, we like to make sure that Council is aware of grant applications.

This grant, which was prepared by Ken Holt Consulting, will revisit the study for a future Airport Terminal. The prior FAA plan had the terminal being relocated to the eastern end of the Airport. That would have involved a lot of costly new infrastructure. The current plan is to renovate and enhance what we have now.

A copy of the grant application is attached.

**Funding and Liability Factors:**

Total project is \$73,880. The federal share is \$66,492, the state share is \$3,694, and the local match is \$3,694.

This will be covered in the Grant Match account.

**Council Options:**

N/A - already approved.

**Recommendation:**

N/A

**ATTACHMENTS:**

Description	Upload Date	Type
FAA Grant Application	1/2/2020	Exhibit



Lancaster County Airport (LKR)  
Lancaster, SC



FY 2020 FAA Grant Application Package  
Terminal Area Study  
December 2019





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FAA ATLANTA AIRPORTS DISTRICT OFFICE (ATL ADO)  
AIRPORT IMPROVEMENT PROGRAM (AIP)  
FY 2020 APPLICATION CHECKLIST

Please complete and sign this checklist and return it with your 5-Year CIP & Preapplication Information package to the ADO by January 1, 2020.

- ☒ 5-Year Airport CIP
- ☒ FAA Form 424 (for combined projects or individual projects)
- ☒ Individual Project Cost Breakdown (total project cost(s) & AIP share) of each project by type, project phase and pavement area (apron, taxiway, runway, etc.)
- ☒ Individual Project Description, narrative and justification
- ☐ Graphic(s) showing individual project locations on or off airport and/or photographs of equipment replacement projects.
- ☒ Environmental documentation for each individual project:
  - ☐ Requires FAA review and approval
  - ☐ Include a copy of previously approved environmental documentation i.e. Catex, EA, or EIS cover page (with airport name, project description and date) and signature page(s).

*Note: FY 2021 Discretionary funded projects must have substantially complete environmental finding by April 30, 2020 to compete for funds.*

- ☐ For **Pavement Rehabilitation or Reconstruction Projects**: Include current PCI/ PCN rating of proposed pavement project area/ use.
- ☐ For **Obstruction Removal Projects**: Include the overall obstruction issues and proposed comprehensive mitigation plan in project narrative.
- ☐ For **New or Replacement Equipment**: Include existing equipment list for review (ARFF, SRE, etc.)
- ☐ For **Revenue Producing Projects** (hangars, fuel farms, etc.): Include a statement that all existing approach/ departure surfaces meet published clearing criteria and airside standards currently meet design standards (unless otherwise approved by FAA in a RSAD or MoS).

Preparer:  (Ryan Hounshell)

Date: 12-31-2019

Airport Sponsor Signature: 

Date: 12-31-19

# Lancaster County Airport (LKR) Capital Improvement Plan (CIP) FFY 2021 - FFY 2025

FFY 2018 & FFY 2019 shown for reference

Federal Fiscal Year (FFY)	Project	Phase	NPR	Cost		FAA Share		SCAC Share		Sponsor Share
2018	Apron Rehabilitation & REILs	Design	58/47	\$131,496		\$118,346		\$6,575		\$6,575
	<b>Total</b>			<b>\$131,496</b>		<b>\$118,346</b>		<b>\$6,575</b>		<b>\$6,575</b>
	<b>Entitlements</b> <span style="float: right;">\$0 + \$150,000 - \$118,346 = \$31,654</span>									
2019	<b>Roll Over Entitlements</b> <span style="float: right;">\$31,654 + \$150,000 - \$0 = \$181,654</span>									
2020	Apron Rehabilitation & REILs	Construction	58/47	\$953,000		\$857,700		\$47,650		\$47,650
	Terminal Area Study	Planning	54	\$73,880		\$66,492		\$3,694		\$3,694
	<b>Total</b>			<b>\$1,026,880</b>		<b>\$924,192</b>		<b>\$51,344</b>		<b>\$51,344</b>
	<b>Entitlements</b> <span style="float: right;">\$181,654 + \$150,000 - \$924,192 = -\$592,538</span>									
2021	Terminal Building Complex (Terminal)	Design	37	\$255,000		\$150,000		\$12,750		\$92,250
	<b>Total</b>			<b>\$255,000</b>		<b>\$150,000</b>		<b>\$12,750</b>		<b>\$92,250</b>
	<b>Entitlements</b> <span style="float: right;">\$0 + \$150,000 - \$150,000 = \$0</span>									
2022	Terminal Building Complex (Terminal)	Construction	37	\$2,000,000		\$0		\$500,000		\$1,500,000
	<b>Total</b>			<b>\$2,000,000</b>		<b>\$0</b>		<b>\$500,000</b>		<b>\$1,500,000</b>
	<b>Roll Over Entitlements (Design &amp; Construction of Hangar)</b> <span style="float: right;">\$0 + \$150,000 - \$0 = \$150,000</span>									
2023	<b>Roll Over Entitlements (Design &amp; Construction of Hangar)</b> <span style="float: right;">\$150,000 + \$150,000 - \$0 = \$300,000</span>									
2024	<b>Roll Over Entitlements (Design &amp; Construction of Hangar)</b> <span style="float: right;">\$300,000 + \$150,000 - \$0 = \$450,000</span>									
2025	Terminal Building Complex (100' X 100' Hangar)	Design & Constr.	31	\$1,500,000		\$600,000		\$0		\$900,000
	<b>Total</b>			<b>\$1,500,000</b>		<b>\$600,000</b>		<b>\$0</b>		<b>\$900,000</b>
	<b>Entitlements</b> <span style="float: right;">\$450,000 + \$150,000 - \$600,000 = \$0</span>									

FAA Total (FFY 2021 through FFY 2025) **\$750,000**

**Note: SCAC participates in funding construction of terminal buildings at 50% of the non-federal share up to \$500,000.**

**Note: SCAC does not participate in funding hangars.**

December 31, 2019



## Application for Federal Assistance SF-424

**\* 1. Type of Submission:**

- ☐ Preapplication  
☒ Application  
☐ Changed/Corrected Application

**\* 2. Type of Application:**

- ☒ New  
☐ Continuation  
☐ Revision

**\* If Revision, select appropriate letter(s):**

**\* Other (Specify):**

**\* 3. Date Received:**

**4. Applicant Identifier:**

**5a. Federal Entity Identifier:**

**5b. Federal Award Identifier:**

**State Use Only:**

**6. Date Received by State:**

**7. State Application Identifier:**

**8. APPLICANT INFORMATION:**

**\* a. Legal Name:**

Lancaster County, SC

**\* b. Employer/Taxpayer Identification Number (EIN/TIN):**

57-6000370

**\* c. Organizational DUNS:**

0868669440000

**d. Address:**

**\* Street1:**

101 North Main Street

**Street2:**

**\* City:**

Lancaster

**County/Parish:**

Lancaster

**\* State:**

SC: South Carolina

**Province:**

**\* Country:**

USA: UNITED STATES

**\* Zip / Postal Code:**

29720-2409

**e. Organizational Unit:**

**Department Name:**

Lancaster County

**Division Name:**

Lancaster Airport

**f. Name and contact information of person to be contacted on matters involving this application:**

**Prefix:**

Mr.

**\* First Name:**

Paul

**Middle Name:**

T.

**\* Last Name:**

Moses

**Suffix:**

**Title:**

Airport Manager

**Organizational Affiliation:**

**\* Telephone Number:**

(803) 285-1513

**Fax Number:**

(877) 241-7297

**\* Email:**

pmoses@lancastercountysc.net

## Application for Federal Assistance SF-424

### \* 9. Type of Applicant 1: Select Applicant Type:

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

### \* 10. Name of Federal Agency:

Federal Aviation Administration

### 11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

### \* 12. Funding Opportunity Number:

\* Title:

### 13. Competition Identification Number:

Title:

### 14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

### \* 15. Descriptive Title of Applicant's Project:

Terminal Area Study (Planning)

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

**Application for Federal Assistance SF-424****16. Congressional Districts Of:**\* a. Applicant \* b. Program/Project 

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

**17. Proposed Project:**\* a. Start Date: \* b. End Date: **18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="66,492.00"/>
* b. Applicant	<input type="text" value="3,694.00"/>
* c. State	<input type="text" value="3,694.00"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text" value="73,880.00"/>

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☒ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☐ c. Program is not covered by E.O. 12372.

**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ \*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix:  \* First Name:

Middle Name:

\* Last Name:

Suffix:

\* Title: \* Telephone Number:  Fax Number: \* Email: 

\* Signature of Authorized Representative:

\* Date Signed:



## Application for Federal Assistance (Planning Projects)

### Part II – Project Approval Information

#### Section A – Statutory Requirements

The term “Sponsor” refers to the applicant name as provided in box 8 of the associated SF-424 form.

<b>Item 1</b>  Does Sponsor maintain an active registration in the System for Award Management (www.SAM.gov)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Item 2</b>  Can Sponsor commence the work identified in the application in the fiscal year the grant is made or within six months after the grant is made, whichever is later?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<b>Item 3</b>  Are there any foreseeable events that would delay completion of the project? If yes, provide attachment to this form that lists the events.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
<b>Item 4</b>  Is the project covered by another Federal assistance program? If yes, please identify other funding sources by the Catalog of Federal Domestic Assistance (CFDA) number.  CFDA: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
<b>Item 5</b>  Will the requested Federal assistance include Sponsor indirect costs as described in 2 CFR Appendix VII to Part 200, States and Local Government and Indian Tribe Indirect Cost Proposals? <div style="text-align: right; margin-top: -10px;"> <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    <input type="checkbox"/> N/A         </div> If the request for Federal assistance includes a claim for allowable indirect costs, select the applicable indirect cost rate the Sponsor proposes to apply: <div style="margin-top: 10px;"> <input type="checkbox"/> De Minimis rate of 10% as permitted by 2 CFR § 200.414  <input type="checkbox"/> Negotiated Rate equal to ____% as approved by _____ (the Cognizant Agency) on _____ (Date) (2 CFR part 200, appendix VII)         </div> <i>Note: Refer to the instructions for limitations of application associated with claiming Sponsor indirect costs.</i>	

## Section B – Certification Regarding Lobbying

The declarations made on this page are under the signature of the authorized representative as identified in box 21 of form SF-424, to which this form is attached. The term "Sponsor" refers to the applicant name provided in box 8 of the associated SF-424 form.

The Authorized Representative certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Sponsor, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Authorized Representative shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions

(3) The Authorized Representative shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

## Part III – Budget Information

### Section A – Budget Summary

Grant Program (a)	Federal Catalog No (b)	New or Revised Budget		
		Federal (c)	Non-Federal (d)	Total (e)
1. Airport Improvement Program	20-106	\$ 66,492	\$ 7,388	\$ 73,880
2.				
3. TOTALS		\$ 66,492	\$ 7,388	\$ 73,880

### Section B – Budget Categories (All Grant Programs)

4. Object Class Categories	Airport Improvement Program (1)		Other Program (2)		Total
	Amount	Adjustment + or (-) Amount (Use only for revisions)	Amount	Adjustment + or (-) Amount (Use only for revisions)	
a. Administrative expense	\$	\$	\$	\$	\$
b. Airport Planning	73,880				73,880
c. Environmental Planning					
d. Noise Compatibility Planning					
e. Subtotal					
f. Program Income					
g. TOTALS (line e minus line f)	\$ 73,880	\$	\$	\$	\$ 73,880

### Section C – Non-Federal Resources

Grant Program (a)	Applicant (b)	State (c)	Other Sources (d)	Total (e)
5. 20-106 AIP Program	\$ 3,694	\$ 3,694	\$	\$ 7,388
6.				
7. TOTALS	\$ 3,694	\$ 3,694	\$	\$ 7,388

### Section D – Forecasted Cash Needs

Source of funds	Total for Project	1 <sup>st</sup> Year	2 <sup>nd</sup> Year	3 <sup>rd</sup> Year	4 <sup>th</sup> Year
8. Federal	\$	\$	\$	\$	\$
9. Non-Federal					
10. TOTAL	\$	\$	\$	\$	\$

### Section E – Other Budget Information

11. Other Remarks: (attach sheets if necessary)
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## Part IV - Program Narrative

(Suggested Format)

<b>PROJECT:</b> Terminal Area Study (Planning)
<b>AIRPORT:</b> Lancaster County Airport (LKR)
<b>1. Objective:</b> <p>Although the current ALP depicts a new terminal area proximate to the east end of Runway 6/24, the sponsor, Lancaster County, has decided to abandon this concept due to the significant investment that has been made by the FAA, State, and County in the existing terminal area and intends to expand the terminal area facilities in this location. This area possess constraints to development including wetlands, 100-year flood plain, major gas line easement, etc., which limit the amount of available property for future terminal area facilities. Therefore, the Terminal Area Study will be critical in determining an efficient layout for future development that will accommodate anticipated activity while considering the highest and best use of this property.</p>
<b>2. Benefits Anticipated:</b> <p>A Terminal Area Study will provide the County with guidance on how to best utilize the available airport property to accomodate forecasted growth and future development projects.</p>
<b>3. Approach:</b> <i>(See approved Scope of Work in Final Application)</i>
<b>4. Geographic Location:</b> Lancaster County Airport (LKR), Lancaster, SC
<b>5. If Applicable, Provide Additional Information:</b>
<b>6. Sponsor's Representative:</b> <i>(include address &amp; telephone number)</i> Holt Consulting Company, LLC. 2801 Devine Street, Suite 201 Columbia, SC 29205, 803-771-4658

**LINE ITEM BREAKDOWN**  
**SECTION B - CALCULATION OF FEDERAL GRANT**  
**LANCASTER AIRPORT**

	<b>TERMINAL AREA STUDY (PLANNING)</b>
<u>Line Item 1 - Administration Expenses</u>	
None	\$0
	\$0
<u>Line Item 2 - Preliminary Expenses</u>	
None	\$0
	\$0
<u>Line Item 4 - A/E Basic Fees</u>	
Terminal Area Study (Professional Services)	\$65,380
	\$65,380
<u>Line Item 5 - Other A/E Fees</u>	
Grant Phase Services	\$8,500
	\$8,500
<u>Line Item 6 - Project Inspection Fees</u>	
None	\$0
	\$0
<u>Line Item 11 - Construction</u>	
None	\$0
	\$0
<b>TOTAL PROJECT</b>	<b>\$73,880</b>
<b>FAA ELIGIBLE</b>	<b>\$73,880</b>
<b>FAA SHARE (90%)</b>	<b>\$66,492</b>
<b>STATE SHARE</b>	<b>\$3,694</b>
<b>LOCAL SHARE</b>	<b>\$3,694</b>

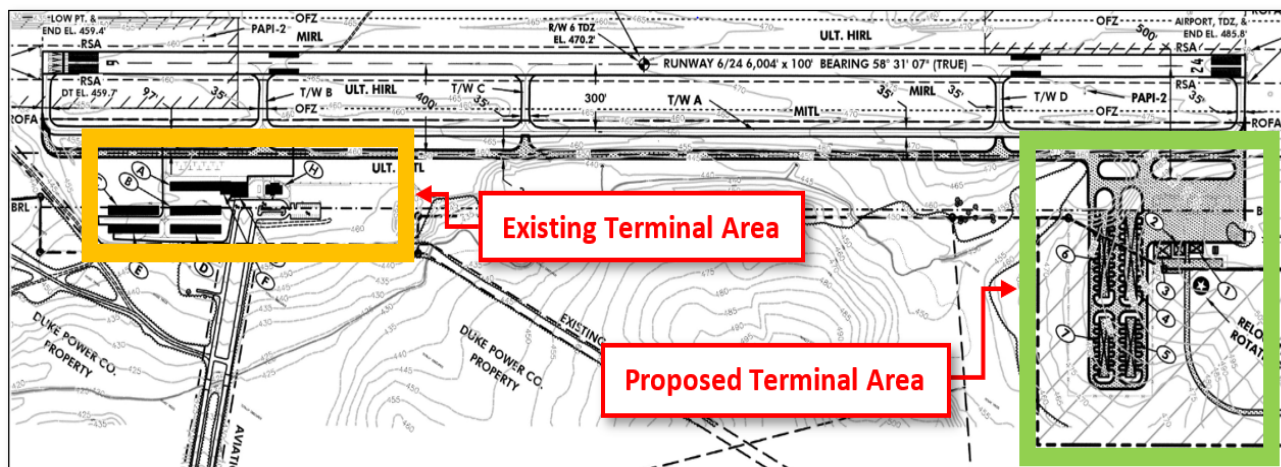
# LANCASTER COUNTY AIRPORT (LKR)

## TERMINAL AREA STUDY (TAS)

### Attachment "A" Scope of Services

#### Background

The currently approved Airport Layout Plan (ALP) completed in March 2006, depicts a new terminal area in close proximity to the Runway 24 end as depicted below. This was concluded largely due to the determination that there was limited property within the exist terminal area available for development and thus forecasted aviation demand could not be met at the existing



site. Within the recent past, the Sponsor decided not to abandon the existing site due the cost of relocating such would be financially unfeasible and not prudent due to the significant investment in associated infrastructure at the existing site. In addition, the time required to complete development of the new site would be extensive; an environmental assessment would have to be performed, property would have to be acquired, multiple design packages would have to be prepared, and a phased construction process would have to take place. Therefore, the current vision of the sponsor is to continue to develop/redevelop the existing terminal area. Consequently, the FAA was contacted about this new vision and have indicated that this change has been so noted on the existing ALP.

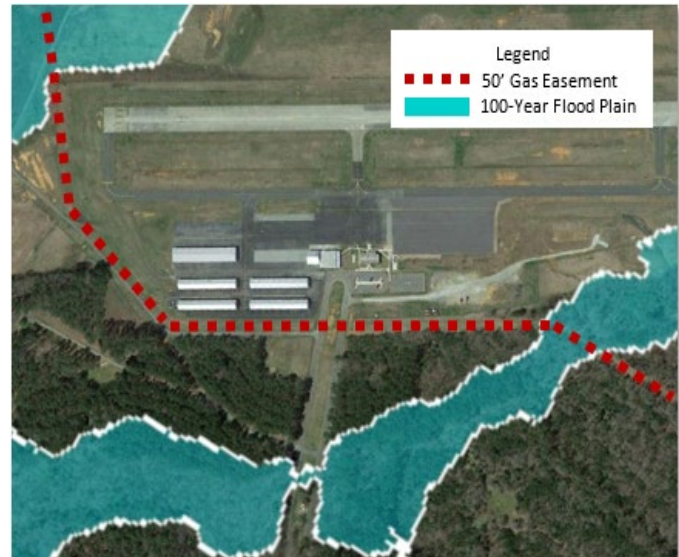
Currently, there is a hangar being retrofitted to store/base a King Air aircraft, after which there will be no available hangar storage capacity on the airfield. In addition, the existing terminal building is undersized for existing and future demand and is dated (constructed over 30 years



ago). Also, there have been several recent interests expressed by jet aircraft owners in basing their aircraft at LKR as well as several interest by aircraft maintenance operators in locating at the Airport.

## Introduction

Developable land within the existing terminal area is limited due to significant constraints, i.e., 50-foot gas line easement and 100-year flood plain and associate wetlands. In addition, the area possesses restrictive topographic relief relative to required fill material to eliminate an elevation differential of as much as 30 feet. Therefore, it is critical for the Sponsor to be proactive so that the terminal area can be developed in the most



efficient way to optimize the land area while yielding the highest and best use of this property and respecting FAR Part 77 surfaces, specifically the primary surface and transitional surface.

This study will be conducted in accordance with FAA Advisory Circulars 150/5300-13A, [Airport Design](#), 150/5070-6B, [Airport Master Plans](#), and other associated FAA guidance. In addition, the International Building Code (IBC) Section 412, International Fire Code (IFC) Chapter 20, and National Fire Protection Agency (NFPA) Section 409 will be consulted. This effort will consist of an in-depth analysis of existing facilities and the identification of future facilities, either expansion and/or a new, to meet anticipated demand.

A TAS Advisory Committee (TAC) will be formed to participate in this study. Possible participants include the Airport Manager, an Airport Advisory Committee member, a County Council member, a representative from the County's Department of Economic Development, an airport engineer/planner, and an architect. A kick-off meeting will be held with the TAC to ensure all parties that will be engaged throughout the TAS process, understand the goals of the study and how the various elements of the study work together.

Since the terminal building should be the central focus of the terminal area, with all other facility locations revolving around it, the first emphasis of this study will be to determine its size and location.

After the terminal building analysis has been accomplished, various storage hangar layouts (size, location, and orientation) will be developed and upon conclusion, other facilities will be evaluated such as an aircraft maintenance hangar, fuel farm, etc.

## Scope

**Task 1 - Project Formulation:** A scope of services and fee for the project will be developed. This scope will identify the tasks necessary to accomplish the goals of the study and the fee will define the estimated time and expenses associated with each task. Expenses may include costs for travel, lodging, meals, presentation materials, printing, etc.

**Task 2 - Inventory:** The first element of the TAS involves the collection of information relating to the physical facilities within the terminal area. Therefore, this effort will consist of an on-site review of the existing terminal area facilities (terminal building, storage hangars, aircraft parking apron, fuel farm, etc.) with attention being paid to their size, condition, use, configuration, and adequacy of these facilities under current operating conditions. This information will be used to evaluate the effectiveness of each individual facility, interrelationships between developed uses on the airport, and how they may be affected by changes designed to improve terminal area operations and/or capacity. The results of this Task will be documented.

**Task 3 - Forecasts:** The forecast developed in the 2018 South Carolina Aviation System Plan (2018 SCASP) Update will be utilized for this study. Since the 2018 SCASP did not include a peaking analysis, related SCASP data will be utilized and synthesized by incorporating information provided by the Airport Manager in order to determine peak hour operations and peak hour pilots/passengers. The forecasts and methodologies of developing such will be documented and submitted to FAA and the South Carolina Aeronautics Commission (SCAC) for review, comment, and approval prior to initiating Task 4.

**Task 4 - Facility Requirements:** This element of the TAS is intended to provide a comparison of existing airport facilities against the projected level of demand to allow for the identification of

enhancements needed for the Airport to meet the forecasted level of activity. The projections of based aircraft and aircraft operations from the 2018 SCASP along with peak hour activity generated in Task 3, will be utilized to identify current and future demand for associated terminal area facilities. Facilities to be analyzed include the terminal building, storage hangars, maintenance hangar, access roads and auto parking associated with the previously listed facilities, apron parking and maneuvering, and fuel farm and its access for refueling.

An explanation of the analysis conducted, procedures followed, and calculations generated to arrive at the required facilities will be documented. The result will be a set of spatial guidelines to be followed to provide adequate facilities to meet future demand levels of activity.

**Task 5 - Site Visits:** The TAC will be briefed on the findings of Task 4 in preparation for site visits to a maximum of three (3) airports with similar characteristics to LKR. Candidate sites will be identified and presented to the TAC for selection of the three sites to be visited. These site visits will be coordinated with each respective airport representative to arrange for a tour of the terminal area followed by a meeting to discuss what works and why, what doesn't and why, and any suggested changes pertaining to facility size, orientation, and location relative to other facilities. Also, room measurements within each terminal building will be taken if a floorplan is not available and the function of each room will be noted. Other facilities will be measured if determine needed for the purposes of this study. A summary of each meeting will be documented and distributed to the TAC for approval.

**Task 6 - Alternatives:** With the completion of Tasks 4 and 5, conceptual alternatives will be developed beginning with the terminal building, then storage hangars, and will conclude with the other facilities. The concept development process will be an iterative process, which includes analysis of various alternatives from a "stand alone" perspective as well as taking aspects of one alternative and combining them with another. Therefore, this task consists of a three-tier analysis; Identification, Refinement, and Selection. As this process moves forward, the number of alternatives being considered decreases and the level of layout detail and analysis increases.

Identification: The initial alternatives developed will be presented to the TAC for input. The alternatives will be evaluated on the basis of their ability to satisfy the identified facility requirements, provide convenience for users, offer future growth and expansion capabilities, simplify implementation, consider environmental impacts, and minimize costs leading to the



selection and discussion of the best option for meeting identified needs. These initial diagrams will explore the range of terminal building and terminal area possibilities in broad conceptual terms without providing building component details. A maximum of three (3) initial terminal building and three (3) initial terminal area concepts will be developed and presented for discussion. Each concept will consider future expansion, flexibility to accommodate changes in the aviation industry, recent security mandates/issues and requirements relative development costs, and general constructability.

**Refinement:** The results of the TAC meeting will be utilized to refine the alternatives into a preferred concept. The refined concept will include more detail such as a general building layout, access, parking, order of magnitude construction cost estimates, etc. The preferred alternative and associated information will be documented and provided to the TAC for comment.

**Selection:** Once the TAC's comments are received and incorporated, the preliminary final preferred alternative will be enhanced with more detail such as terminal building schematics, programming level design geometry, quantity-based cost estimates including professional services fee estimates, etc. This information will be documented and presented to the TAC for review and final comment.

At the completion of this alternatives development effort, the TAC's final selected alternative will become the basis of the new Terminal Area Plan, which will be submitted to the FAA for approval and incorporation into the existing ALP drawing set.

**Task 7 - Documentation:** The new Terminal Area Plan will be developed along with a brief narrative documenting the data collected, forecasts developed, facility requirements determined, site visits conducted, and the alternatives identified, refined, and selected.

**Task 8 - Meetings:** Seven (7) meetings will be conducted during the study process.

- Kick-off meeting with the TAC
- Three (3) airport site visits with TAC
- Alternatives meeting with the TAC
- Final alternatives meeting with the TAC
- Presentation of the findings to the Lancaster County Council

Agendas, materials, and summaries of each meeting will be prepared as well as a presentation for County Council.

# Lancaster County Airport

## Terminal Area Study

### Attachment "B" - Fee Breakdown

Task	Principal	Project Manager	Senior Engineer / Planner	Engineer / Planner	Designer	Technician	Technical Assistant	Total
1 - Project Formulation	2	0	4	0	0	0	2	8
2 - Inventory	2	0	8	8	0	0	2	20
3 - Forecasts	2	0	8	8	0	0	2	20
4 - Facility Requirements	2	0	4	4	0	0	2	12
5 - Site Visits	24	0	24	4	0	0	2	54
6 - Alternatives	4	0	8	16	24	16	2	70
7 - Documentation	4	0	8	8	0	0	16	36
8 - Meetings	16	0	2	2	8	8	16	52
<b>Total Hours</b>	<b>56</b>	<b>0</b>	<b>66</b>	<b>50</b>	<b>32</b>	<b>24</b>	<b>44</b>	<b>272</b>

Rates	\$72.24	\$57.49	\$54.55	\$41.28	\$35.38	\$29.48	\$22.11	
Total Direct Labor Cost	\$4,045.44	\$0.00	\$3,600.30	\$2,064.00	\$1,132.16	\$707.52	\$972.84	\$12,522.26
Overhead (216.77%)	\$8,769.30	\$0.00	\$7,804.37	\$4,474.13	\$2,454.18	\$1,533.69	\$2,108.83	\$27,144.50
Profit (10%)	\$1,281.47	\$0.00	\$1,140.47	\$653.81	\$358.63	\$224.12	\$308.17	\$3,966.68
<b>Total Burdened Labor Cost</b>	<b>\$14,096.21</b>	<b>\$0.00</b>	<b>\$12,545.14</b>	<b>\$7,191.95</b>	<b>\$3,944.98</b>	<b>\$2,465.33</b>	<b>\$3,389.83</b>	<b>\$43,633.44</b>

Subconsultant Grady L Woods Architect, LLC \$19,500.00

Travel 7 trips @ 122 miles + 3 trips @ 452 miles = 2,210 miles x \$0.58 \$1,281.80

Lodging 3 nights @ \$150 \$450.00

Printing 400 b&w (8.5"x11") @ \$0.09 +100 color (8"x11.5") @ \$0.50 + 20 color (11"x17") @ \$1.00 + 10 color (24"x36") @ \$15.00 \$256.00

Meals 7 meals x 3 people = 21 meals @ \$12.00 \$252.00

**Total Fee (Rounded up to the Nearest \$10) \$65,380.00**



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

## **FAA Form 5100-129, Construction Project Final Acceptance – Airport Improvement Program Sponsor Certification**

### **Paperwork Reduction Act Burden Statement**

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Federal Aviation Administration at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ASP-110.



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## Construction Project Final Acceptance Airport Improvement Program Sponsor Certification

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Sponsor: Lancaster County

Airport: Lancaster County Airport

Project Number: 3-45-0034-XXX-XXXX

Description of Work: Terminal Area Study (Planning)

### Application

49 USC § 47105(d), authorizes the Secretary to require me certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program. General standards for final acceptance and close out of federally funded construction projects are in 2 CFR § 200.343 – Closeout and supplemented by FAA Order 5100.38. The sponsor must determine that project costs are accurate and proper in accordance with specific requirements of the grant agreement and contract documents.

### Certification Statements

Except for certification statements below marked not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgment and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. The personnel engaged in project administration, engineering supervision, project inspection, and acceptance testing were or will be determined to be qualified and competent to perform the work (Grant Assurance).  
☐ Yes   ☐ No   ☒ N/A
2. Construction records, including daily logs, were or will be kept by the resident engineer/construction inspector that fully document contractor's performance in complying with:
  - a. Technical standards (Advisory Circular (AC) 150/5370-12);
  - b. Contract requirements (2 CFR part 200 and FAA Order 5100.38); and
  - c. Construction safety and phasing plan measures (AC 150/5370-2).☐ Yes   ☐ No   ☒ N/A
3. All acceptance tests specified in the project specifications were or will be performed and documented. (AC 150/5370-12).  
☐ Yes   ☐ No   ☒ N/A

4. Sponsor has taken or will take appropriate corrective action for any test result outside of allowable tolerances (AC 150/5370-12).  
☐ Yes ☐ No ☒ N/A
5. Pay reduction factors required by the specifications were applied or will be applied in computing final payments with a summary made available to the FAA (AC 150/5370-10).  
☐ Yes ☐ No ☒ N/A
6. Sponsor has notified, or will promptly notify the Federal Aviation Administration (FAA) of the following occurrences:
- a. Violations of any federal requirements set forth or included by reference in the contract documents (2 CFR part 200);
  - b. Disputes or complaints concerning federal labor standards (29 CFR part 5); and
  - c. Violations of or complaints addressing conformance with Equal Employment Opportunity or Disadvantaged Business Enterprise requirements (41 CFR Chapter 60 and 49 CFR part 26).
- ☐ Yes ☐ No ☒ N/A
7. Weekly payroll records and statements of compliance were or will be submitted by the prime contractor and reviewed by the sponsor for conformance with federal labor and civil rights requirements as required by FAA and U.S. Department of Labor (29 CFR Part 5).  
☐ Yes ☐ No ☒ N/A
8. Payments to the contractor were or will be made in conformance with federal requirements and contract provisions using sponsor internal controls that include:
- a. Retaining source documentation of payments and verifying contractor billing statements against actual performance (2 CFR § 200.302 and FAA Order 5100.38);
  - b. Prompt payment of subcontractors for satisfactory performance of work (49 CFR § 26.29);
  - c. Release of applicable retainage upon satisfactory performance of work (49 CFR § 26.29); and
  - d. Verification that payments to DBEs represent work the DBE performed by carrying out a commercially useful function (49 CFR §26.55).
- ☐ Yes ☐ No ☒ N/A
9. A final project inspection was or will be conducted with representatives of the sponsor and the contractor present that ensure:
- a. Physical completion of project work in conformance with approved plans and specifications (Order 5100.38);
  - b. Necessary actions to correct punch list items identified during final inspection are complete (Order 5100.38); and
  - c. Preparation of a record of final inspection and distribution to parties to the contract (Order 5100.38);
- ☐ Yes ☐ No ☒ N/A
10. The project was or will be accomplished without material deviations, changes, or modifications from approved plans and specifications, except as approved by the FAA (Order 5100.38).  
☐ Yes ☐ No ☒ N/A

11. The construction of all buildings have complied or will comply with the seismic construction requirements of 49 CFR § 41.120.

☐ Yes ☐ No ☒ N/A

12. For development projects, sponsor has taken or will take the following close-out actions:

- a. Submit to the FAA a final test and quality assurance report summarizing acceptance test results, as applicable (Grant Condition);
- b. Complete all environmental requirements as established within the project environmental determination (Order 5100.38); and
- c. Prepare and retain as-built plans (Order 5100.38).

☐ Yes ☐ No ☒ N/A

13. Sponsor has revised or will revise their airport layout plan (ALP) that reflects improvements made and has submitted or will submit an updated ALP to the FAA no later than 90 days from the period of performance end date. (49 USC § 47107 and Order 5100.38).

☐ Yes ☐ No ☒ N/A

Attach documentation clarifying any above item marked with "No" response.

#### Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

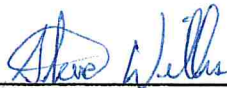
Executed on this 31st day of December, 2019

Name of Sponsor: Lancaster County

Name of Sponsor's Authorized Official: Steve Willis

Title of Sponsor's Authorized Official: County Administrator

Signature of Sponsor's Authorized Official: \_\_\_\_\_



I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.





U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

## **FAA Form 5100-131, Equipment and Construction Contracts – Airport Improvement Sponsor Certification**

### **Paperwork Reduction Act Burden Statement**

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

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## Equipment and Construction Contracts Airport Improvement Sponsor Certification

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Sponsor: Lancaster County

Airport: Lancaster County Airport

Project Number: 3-45-0034-XXX-XXXX

Description of Work: Terminal Area Study (Planning)

### Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General procurement standards for equipment and construction contracts within Federal grant programs are described in 2 CFR §§ 200.317-200.326. Labor and Civil Rights Standards applicable to the AIP are established by the Department of Labor ([www.dol.gov](http://www.dol.gov)) AIP Grant Assurance C.1—General Federal Requirements identifies all applicable Federal Laws, regulations, executive orders, policies, guidelines and requirements for assistance under the AIP. Sponsors may use state and local procedures provided the procurement conforms to these federal standards.

This certification applies to all equipment and construction projects. Equipment projects may or may not employ laborers and mechanics that qualify the project as a “covered contract” under requirements established by the Department of Labor requirements. Sponsor shall provide appropriate responses to the certification statements that reflect the character of the project regardless of whether the contract is for a construction project or an equipment project.

### Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting “Yes” represents sponsor acknowledgement and confirmation of the certification statement. The term “will” means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. A written code or standard of conduct is or will be in effect prior to commencement of the project that governs the performance of the sponsor’s officers, employees, or agents in soliciting, awarding and administering procurement contracts (2 CFR § 200.318).

☐ Yes ☐ No ☒ N/A

2. For all contracts, qualified and competent personnel are or will be engaged to perform contract administration, engineering supervision, construction inspection, and testing (Grant Assurance C.17).
- ☐ Yes ☐ No ☒ N/A
3. Sponsors that are required to have a Disadvantage Business Enterprise (DBE) program on file with the FAA have included or will include clauses required by Title VI of the Civil Rights Act and 49 CFR Part 26 for Disadvantaged Business Enterprises in all contracts and subcontracts.
- ☐ Yes ☐ No ☒ N/A
4. Sponsors required to have a DBE program on file with the FAA have implemented or will implement monitoring and enforcement measures that:
- a. Ensure work committed to Disadvantaged Business Enterprises at contract award is actually performed by the named DBEs (49 CFR § 26.37(b));
  - b. Include written certification that the sponsor has reviewed contract records and has monitored work sites for performance by DBE firms (49 CFR § 26.37(b)); and
  - c. Provides for a running tally of payments made to DBE firms and a means for comparing actual attainments (i.e. payments) to original commitments (49 CFR § 26.37(c)).
- ☐ Yes ☐ No ☒ N/A
5. Sponsor procurement actions using the competitive sealed bid method (2 CFR § 200.320(c)). was or will be:
- a. Publicly advertised, allowing a sufficient response time to solicit an adequate number of interested contractors or vendors;
  - b. Prepared to include a complete, adequate and realistic specification that defines the items or services in sufficient detail to allow prospective bidders to respond;
  - c. Publicly opened at a time and place prescribed in the invitation for bids; and
  - d. Prepared in a manner that result in a firm fixed price contract award to the lowest responsive and responsible bidder.
- ☐ Yes ☐ No ☒ N/A
6. For projects the Sponsor proposes to use the competitive proposal procurement method (2 CFR § 200.320(d)), Sponsor has requested or will request FAA approval prior to proceeding with a competitive proposal procurement by submitting to the FAA the following:
- a. Written justification that supports use of competitive proposal method in lieu of the preferred sealed bid procurement method;
  - b. Plan for publicizing and soliciting an adequate number of qualified sources; and
  - c. Listing of evaluation factors along with relative importance of the factors.
- ☐ Yes ☐ No ☒ N/A
7. For construction and equipment installation projects, the bid solicitation includes or will include the current federal wage rate schedule(s) for the appropriate type of work classifications (2 CFR Part 200, Appendix II).
- ☐ Yes ☐ No ☒ N/A

8. Concurrence was or will be obtained from the Federal Aviation Administration (FAA) prior to contract award under any of the following circumstances (Order 5100.38D):

- a. Only one qualified person/firm submits a responsive bid;
- b. Award is to be made to other than the lowest responsible bidder; and
- c. Life cycle costing is a factor in selecting the lowest responsive bidder.

☐ Yes ☐ No ☒ N/A

9. All construction and equipment installation contracts contain or will contain provisions for:

- a. Access to Records (§ 200.336)
- b. Buy American Preferences (Title 49 U.S.C. § 50101)
- c. Civil Rights - General Provisions and Title VI Assurances( 41 CFR part 60)
- d. Federal Fair Labor Standards (29 U.S.C. § 201, et seq)
- e. Occupational Safety and Health Act requirements (20 CFR part 1920)
- f. Seismic Safety – building construction (49 CFR part 41)
- g. State Energy Conservation Requirements - as applicable(2 CFR part 200, Appendix II)
- h. U.S. Trade Restriction (49 CFR part 30)
- i. Veterans Preference (49 USC § 47112(c))

☐ Yes ☐ No ☒ N/A

10. All construction and equipment installation contracts exceeding \$2,000 contain or will contain the provisions established by:

- a. Davis-Bacon and Related Acts (29 CFR part 5)
- b. Copeland "Anti-Kickback" Act (29 CFR parts 3 and 5)

☐ Yes ☐ No ☒ N/A

11. All construction and equipment installation contracts exceeding \$3,000 contain or will contain a contract provision that discourages distracted driving (E.O. 13513).

☐ Yes ☐ No ☒ N/A

12. All contracts exceeding \$10,000 contain or will contain the following provisions as applicable:

- a. Construction and equipment installation projects - Applicable clauses from 41 CFR Part 60 for compliance with Executive Orders 11246 and 11375 on Equal Employment Opportunity;
- b. Construction and equipment installation - Contract Clause prohibiting segregated facilities in accordance with 41 CFR part 60-1.8;
- c. Requirement to maximize use of products containing recovered materials in accordance with 2 CFR § 200.322 and 40 CFR part 247; and
- d. Provisions that address termination for cause and termination for convenience (2 CFR Part 200, Appendix II).

☐ Yes ☐ No ☒ N/A



13. All contracts and subcontracts exceeding \$25,000: Measures are in place or will be in place (e.g. checking the System for Award Management) that ensure contracts and subcontracts are not awarded to individuals or firms suspended, debarred, or excluded from participating in federally assisted projects (2 CFR parts 180 and 1200).

☐ Yes ☐ No ☒ N/A

14. Contracts exceeding the simplified acquisition threshold (currently \$250,000) include or will include provisions, as applicable, that address the following:

- a. Construction and equipment installation contracts - a bid guarantee of 5%, a performance bond of 100%, and a payment bond of 100% (2 CFR § 200.325);
- b. Construction and equipment installation contracts - requirements of the Contract Work Hours and Safety Standards Act (40 USC 3701-3708, Sections 103 and 107);
- c. Restrictions on Lobbying and Influencing (2 CFR part 200, Appendix II);
- d. Conditions specifying administrative, contractual and legal remedies for instances where contractor or vendor violate or breach the terms and conditions of the contract (2 CFR §200, Appendix II); and
- e. All Contracts - Applicable standards and requirements issued under Section 306 of the Clean Air Act (42 USC 7401-7671q), Section 508 of the Clean Water Act (33 USC 1251-1387, and Executive Order 11738.

☐ Yes ☐ No ☒ N/A

Attach documentation clarifying any above item marked with "No" response.

#### Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 31st day of December, 2019.

Name of Sponsor: Lancaster County

Name of Sponsor's Authorized Official: Steve Willis

Title of Sponsor's Authorized Official: County Administrator

Signature of Sponsor's Authorized Official: \_\_\_\_\_



I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

## **FAA Form 5100-134, Selection of Consultants – Airport Improvement Program Sponsor Certification**

### **Paperwork Reduction Act Statement**

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Federal Aviation Administration at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ASP-110.

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## Selection of Consultants

### Airport Improvement Program Sponsor Certification

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Sponsor: Lancaster County

Airport: Lancaster County Airport

Project Number: 3-45-0034-XXX-XXXX

Description of Work: Terminal Area Study (Planning)

#### Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements for selection of consultant services within federal grant programs are described in 2 CFR §§ 200.317-200.326. Sponsors may use other qualifications-based procedures provided they are equivalent to standards of Title 40 chapter 11 and FAA Advisory Circular 150/5100-14, Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects.

#### Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. Sponsor acknowledges their responsibility for the settlement of all contractual and administrative issues arising out of their procurement actions (2 CFR § 200.318(k)).  
☒ Yes   ☐ No   ☐ N/A
2. Sponsor procurement actions ensure or will ensure full and open competition that does not unduly limit competition (2 CFR § 200.319).  
☒ Yes   ☐ No   ☐ N/A
3. Sponsor has excluded or will exclude any entity that develops or drafts specifications, requirements, or statements of work associated with the development of a request-for-qualifications (RFQ) from competing for the advertised services (2 CFR § 200.319).  
☒ Yes   ☐ No   ☐ N/A

4. The advertisement describes or will describe specific project statements-of-work that provide clear detail of required services without unduly restricting competition (2 CFR § 200.319).
- ☒ Yes   ☐ No   ☐ N/A
5. Sponsor has publicized or will publicize a RFQ that:
- a. Solicits an adequate number of qualified sources (2 CFR § 200.320(d)); and
- b. Identifies all evaluation criteria and relative importance (2 CFR § 200.320(d)).
- ☒ Yes   ☐ No   ☐ N/A
6. Sponsor has based or will base selection on qualifications, experience, and disadvantaged business enterprise participation with price not being a selection factor (2 CFR § 200.320(d)).
- ☒ Yes   ☐ No   ☐ N/A
7. Sponsor has verified or will verify that agreements exceeding \$25,000 are not awarded to individuals or firms suspended, debarred or otherwise excluded from participating in federally assisted projects (2 CFR § 180.300).
- ☒ Yes   ☐ No   ☐ N/A
8. A/E services covering multiple projects: Sponsor has agreed to or will agree to:
- a. Refrain from initiating work covered by this procurement beyond five years from the date of selection (AC 150/5100-14); and
- b. Retain the right to conduct new procurement actions for projects identified or not identified in the RFQ (AC 150/5100-14).
- ☒ Yes   ☐ No   ☐ N/A
9. Sponsor has negotiated or will negotiate a fair and reasonable fee with the firm they select as most qualified for the services identified in the RFQ (2 CFR § 200.323).
- ☒ Yes   ☐ No   ☐ N/A
10. The Sponsor's contract identifies or will identify costs associated with ineligible work separately from costs associated with eligible work (2 CFR § 200.302).
- ☒ Yes   ☐ No   ☐ N/A
11. Sponsor has prepared or will prepare a record of negotiations detailing the history of the procurement action, rationale for contract type and basis for contract fees (2 CFR § 200.318(i)).
- ☒ Yes   ☐ No   ☐ N/A
12. Sponsor has incorporated or will incorporate mandatory contract provisions in the consultant contract for AIP-assisted work (49 U.S.C. Chapter 471 and 2 CFR part 200 Appendix II)
- ☒ Yes   ☐ No   ☐ N/A



13. For contracts that apply a time-and-material payment provision (also known as hourly rates, specific rates of compensation, and labor rates), the Sponsor has established or will establish:

- a. Justification that there is no other suitable contract method for the services (2 CFR §200.318(j));
- b. A ceiling price that the consultant exceeds at their risk (2 CFR §200.318(j)); and
- c. A high degree of oversight that assures consultant is performing work in an efficient manner with effective cost controls in place 2 CFR §200.318(j)).

☒ Yes ☐ No ☐ N/A

14. Sponsor is not using or will not use the prohibited cost-plus-percentage-of-cost (CPPC) contract method. (2 CFR § 200.323(d)).

☒ Yes ☐ No ☐ N/A

Attach documentation clarifying any above item marked with "no" response.

### Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

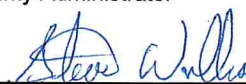
Executed on this 31st day of December, 2019.

Name of Sponsor: Lancaster County

Name of Sponsor's Authorized Official: Steve Willis

Title of Sponsor's Authorized Official: County Administrator

Signature of Sponsor's Authorized Official: \_\_\_\_\_



I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

## **FAA Form 5100-135, Certification and Disclosure Regarding Potential Conflicts of Interest – Airport Improvement Program Sponsor Certification**

### **Paperwork Reduction Act Statement**

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Federal Aviation Administration at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ASP-110.

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## Certification and Disclosure Regarding Potential Conflicts of Interest

### Airport Improvement Program Sponsor Certification

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Sponsor: Lancaster County

Airport: Lancaster County Airport

Project Number: 3-45-0034-XXX-XXXX

Description of Work: Terminal Area Study (Planning)

#### Application

Title 2 CFR § 200.112 and § 1201.112 address Federal Aviation Administration (FAA) requirements for conflict of interest. As a condition of eligibility under the Airport Improvement Program (AIP), sponsors must comply with FAA policy on conflict of interest. Such a conflict would arise when any of the following have a financial or other interest in the firm selected for award:

- a) The employee, officer or agent,
- b) Any member of his immediate family,
- c) His or her partner, or
- d) An organization which employs, or is about to employ, any of the above.

Selecting "Yes" represents sponsor or sub-recipient acknowledgement and confirmation of the certification statement. Selecting "No" represents sponsor or sub-recipient disclosure that it cannot fully comply with the certification statement. If "No" is selected, provide support information explaining the negative response as an attachment to this form. This includes whether the sponsor has established standards for financial interest that are not substantial or unsolicited gifts are of nominal value (2 CFR § 200.318(c)). The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance.

#### Certification Statements

1. The sponsor or sub-recipient maintains a written standards of conduct governing conflict of interest and the performance of their employees engaged in the award and administration of contracts (2 CFR § 200.318(c)). To the extent permitted by state or local law or regulations, such standards of conduct provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the sponsor's and sub-recipient's officers, employees, or agents, or by contractors or their agents.

☒ Yes   ☐ No

2. The sponsor's or sub-recipient's officers, employees or agents have not and will not solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements (2 CFR § 200.318(c)).

☒ Yes ☐ No

3. The sponsor or sub-recipient certifies that it has disclosed and will disclose to the FAA any known potential conflict of interest (2 CFR § 1200.112).

☒ Yes ☐ No

Attach documentation clarifying any above item marked with "no" response.

### Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and have the explanation for any item marked "no" is correct and complete.

Executed on this 31st day of December, 2019.

Name of Sponsor: Lancaster County

Name of Sponsor's Authorized Official: Steve Willis

Title of Sponsor's Authorized Official: County Administrator

Signature of Sponsor's Authorized Official: \_\_\_\_\_



I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



## CERTIFICATION REGARDING LOBBYING

### Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### \* APPLICANT'S ORGANIZATION

Lancaster County

#### \* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

Prefix: Mr.

\* First Name: Steve

Middle Name:

\* Last Name: Willis

Suffix:

\* Title: County Administrator

\* SIGNATURE:



\* DATE:

12-31-19



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

## **FAA Form 5100-132, Project Plans and Specifications – Airport Improvement Program Sponsor Certification**

### **Paperwork Reduction Act Statement**

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Federal Aviation Administration at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ASP-110.

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## Project Plans and Specifications

### Airport Improvement Program Sponsor Certification

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Sponsor: Lancaster County

Airport: Lancaster County Airport

Project Number: 3-45-0034-XXX-XXXX

Description of Work: Terminal Area Study (Planning)

#### Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). Labor and civil rights standards applicable to AIP are established by the Department of Labor ([www.dol.gov/](http://www.dol.gov/)). AIP Grant Assurance C.1—General Federal Requirements identifies applicable federal laws, regulations, executive orders, policies, guidelines and requirements for assistance under AIP. A list of current advisory circulars with specific standards for procurement, design or construction of airports, and installation of equipment and facilities is referenced in standard airport sponsor Grant Assurance 34 contained in the grant agreement.

#### Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. The plans and specifications were or will be prepared in accordance with applicable federal standards and requirements, so that no deviation or modification to standards set forth in the advisory circulars, or FAA-accepted state standard, is necessary other than those explicitly approved by the Federal Aviation Administration (FAA) (14 USC § 47105).  
☐ Yes   ☐ No   ☒ N/A
  
2. Specifications incorporate or will incorporate a clear and accurate description of the technical requirement for the material or product that does not contain limiting or proprietary features that unduly restrict competition (2 CFR §200.319).  
☐ Yes   ☐ No   ☒ N/A

3. The development that is included or will be included in the plans is depicted on the current airport layout plan as approved by the FAA (14 USC § 47107).
- ☐ Yes ☐ No ☒ N/A
4. Development and features that are ineligible or unallowable for AIP funding have been or will be omitted from the plans and specifications (FAA Order 5100.38, par. 3-43).
- ☐ Yes ☐ No ☒ N/A
5. The specification does not use or will not use "brand name" or equal to convey requirements unless sponsor requests and receives approval from the FAA to use brand name (FAA Order 5100.38, Table U-5).
- ☐ Yes ☐ No ☒ N/A
6. The specification does not impose or will not impose geographical preference in their procurement requirements (2 CFR §200.319(b) and FAA Order 5100.38, Table U-5).
- ☐ Yes ☐ No ☒ N/A
7. The use of prequalified lists of individuals, firms or products include or will include sufficient qualified sources that ensure open and free competition and that does not preclude potential entities from qualifying during the solicitation period (2 CFR §319(d)).
- ☐ Yes ☐ No ☒ N/A
8. Solicitations with bid alternates include or will include explicit information that establish a basis for award of contract that is free of arbitrary decisions by the sponsor (2 CFR § 200.319(a)(7)).
- ☐ Yes ☐ No ☒ N/A
9. Concurrence was or will be obtained from the FAA if Sponsor incorporates a value engineering clause into the contract (FAA Order 5100.38, par. 3-57).
- ☐ Yes ☐ No ☒ N/A
10. The plans and specifications incorporate or will incorporate applicable requirements and recommendations set forth in the federally approved environmental finding (49 USC §47106(c)).
- ☐ Yes ☐ No ☒ N/A
11. The design of all buildings comply or will comply with the seismic design requirements of 49 CFR § 41.120. (FAA Order 5100.38d, par. 3-92)
- ☐ Yes ☐ No ☒ N/A
12. The project specification include or will include process control and acceptance tests required for the project by as per the applicable standard:
- a. Construction and installation as contained in Advisory Circular (AC) 150/5370-10.
- ☐ Yes ☐ No ☒ N/A



b. Snow Removal Equipment as contained in AC 150/5220-20.

☐ Yes ☐ No ☒ N/A

c. Aircraft Rescue and Fire Fighting (ARFF) vehicles as contained in AC 150/5220-10.

☐ Yes ☐ No ☒ N/A

13. For construction activities within or near aircraft operational areas(AOA):

a. The Sponsor has or will prepare a construction safety and phasing plan (CSPP) conforming to Advisory Circular 150/5370-2.

b. Compliance with CSPP safety provisions has been or will be incorporated into the plans and specifications as a contractor requirement.

c. Sponsor will not initiate work until receiving FAA's concurrence with the CSPP (FAA Order 5100.38, Par. 5-29).

☐ Yes ☐ No ☒ N/A

14. The project was or will be physically completed without federal participation in costs due to errors and omissions in the plans and specifications that were foreseeable at the time of project design (49 USC §47110(b)(1) and FAA Order 5100.38d, par. 3-100).

☐ Yes ☐ No ☒ N/A

Attach documentation clarifying any above item marked with "No" response.

#### Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 31st day of December, 2019.

Name of Sponsor: Lancaster County

Name of Sponsor's Authorized Official: Steve Willis

Title of Sponsor's Authorized Official: County Administrator

Signature of Sponsor's Authorized Official: \_\_\_\_\_



I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

## **FAA Form 5100-133, Real Property Acquisition – Airport Improvement Program Sponsor Certification**

### **Paperwork Reduction Act Burden Statement**

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Federal Aviation Administration at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ASP-110.



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## Real Property Acquisition Airport Improvement Program Sponsor Certification

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Sponsor: Lancaster County

Airport: Lancaster County Airport

Project Number: 3-45-0034-XXX-XXXX

Description of Work: Terminal Area Study (Planning)

### Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements on real property acquisition and relocation assistance are in 49 CFR Part 24. The AIP project grant agreement contains specific requirements and assurances on the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended.

### Certification Statements

Except for certification statements below marked not applicable (N/A), this list includes major requirements of the real property acquisition project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards.

1. The sponsor's attorney or other official has or will have good and sufficient title as well as title evidence on property in the project.  
☐ Yes   ☐ No   ☒ N/A
2. If defects and/or encumbrances exist in the title that adversely impact the sponsor's intended use of property in the project, they have been or will be extinguished, modified, or subordinated.  
☐ Yes   ☐ No   ☒ N/A
3. If property for airport development is or will be leased, the following conditions have been met:
  - a. The term is for 20 years or the useful life of the project;
  - b. The lessor is a public agency; and
  - c. The lease contains no provisions that prevent full compliance with the grant agreement.☐ Yes   ☐ No   ☒ N/A

4. Property in the project is or will be in conformance with the current Exhibit A property map, which is based on deeds, title opinions, land surveys, the approved airport layout plan, and project documentation.
- ☐ Yes ☐ No ☒ N/A
5. For any acquisition of property interest in noise sensitive approach zones and related areas, property interest was or will be obtained to ensure land is used for purposes compatible with noise levels associated with operation of the airport.
- ☐ Yes ☐ No ☒ N/A
6. For any acquisition of property interest in runway protection zones and areas related to 14 CFR 77 surfaces or to clear other airport surfaces, property interest was or will be obtained for the following:
- a. The right of flight;
  - b. The right of ingress and egress to remove obstructions; and
  - c. The right to restrict the establishment of future obstructions.
- ☐ Yes ☐ No ☒ N/A
7. Appraisals prepared by qualified real estate appraisers hired by the sponsor include or will include the following:
- a. Valuation data to estimate the current market value for the property interest acquired on each parcel; and
  - b. Verification that an opportunity has been provided to the property owner or representative to accompany appraisers during inspections.
- ☐ Yes ☐ No ☒ N/A
8. Each appraisal has been or will be reviewed by a qualified review appraiser to recommend an amount for the offer of just compensation, and the written appraisals as well as review appraisal are available to Federal Aviation Administration (FAA) for review.
- ☐ Yes ☐ No ☒ N/A
9. A written offer to acquire each parcel was or will be presented to the property owner for not less than the approved amount of just compensation.
- ☐ Yes ☐ No ☒ N/A
10. Effort was or will be made to acquire each property through the following negotiation procedures:
- a. No coercive action to induce agreement; and
  - b. Supporting documents for settlements included in the project files.
- ☐ Yes ☐ No ☒ N/A



11. If a negotiated settlement is not reached, the following procedures were or will be used:
- a. Condemnation initiated and a court deposit not less than the just compensation made prior to possession of the property; and
  - b. Supporting documents for awards included in the project files.

☐ Yes ☐ No ☒ N/A

12. If displacement of persons, businesses, farm operations, or non-profit organizations is involved, a relocation assistance program was or will be established, with displaced parties receiving general information on the program in writing, including relocation eligibility, and a 90-day notice to vacate.

☐ Yes ☐ No ☒ N/A

13. Relocation assistance services, comparable replacement housing, and payment of necessary relocation expenses were or will be provided within a reasonable time period for each displaced occupant in accordance with the Uniform Act.

☐ Yes ☐ No ☒ N/A

Attach documentation clarifying any above item marked with "No" response.

### Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 31st day of December, 2019.

Name of Sponsor: Lancaster County

Name of Sponsor's Authorized Official: Steve Willis

Title of Sponsor's Authorized Official: County Administrator

Signature of Sponsor's Designated Official Representative: \_\_\_\_\_



I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

## **FAA Form 5100-130, Drug-Free Workplace – Airport Improvement Program Sponsor Certification**

### **Paperwork Reduction Act Burden Statement**

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Federal Aviation Administration at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ASP-110.



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## Drug-Free Workplace Airport Improvement Program Sponsor Certification

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Sponsor: Lancaster County

Airport: Lancaster County Airport

Project Number: 3-45-0034-XXX-XXXX

Description of Work: Terminal Area Study (Planning)

### Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements on the drug-free workplace within federal grant programs are described in 2 CFR part 182. Sponsors are required to certify they will be, or will continue to provide, a drug-free workplace in accordance with the regulation. The AIP project grant agreement contains specific assurances on the Drug-Free Workplace Act of 1988.

### Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. A statement has been or will be published prior to commencement of project notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the sponsor's workplace, and specifying the actions to be taken against employees for violation of such prohibition (2 CFR § 182.205).

☒ Yes ☐ No ☐ N/A

2. An ongoing drug-free awareness program (2 CFR § 182.215) has been or will be established prior to commencement of project to inform employees about:

- a. The dangers of drug abuse in the workplace;
- b. The sponsor's policy of maintaining a drug-free workplace;
- c. Any available drug counseling, rehabilitation, and employee assistance programs; and
- d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

☒ Yes ☐ No ☐ N/A

3. Each employee to be engaged in the performance of the work has been or will be given a copy of the statement required within item 1 above prior to commencement of project (2 CFR § 182.210).

☒ Yes ☐ No ☐ N/A

4. Employees have been or will be notified in the statement required by item 1 above that, as a condition employment under the grant (2 CFR § 182.205(c)), the employee will:

- a. Abide by the terms of the statement; and
- b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

☒ Yes ☐ No ☐ N/A

5. The Federal Aviation Administration (FAA) will be notified in writing within 10 calendar days after receiving notice under item 4b above from an employee or otherwise receiving actual notice of such conviction (2 CFR § 182.225). Employers of convicted employees must provide notice, including position title of the employee, to the FAA (2 CFR § 182.300).

☒ Yes ☐ No ☐ N/A

6. One of the following actions (2 CFR § 182.225(b)) will be taken within 30 calendar days of receiving a notice under item 4b above with respect to any employee who is so convicted:

- a. Take appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; and
- b. Require such employee to participate satisfactorily in drug abuse assistance or rehabilitation programs approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

☒ Yes ☐ No ☐ N/A

7. A good faith effort will be made, on a continuous basis, to maintain a drug-free workplace through implementation of items 1 through 6 above (2 CFR § 182.200).

☒ Yes ☐ No ☐ N/A

**Site(s) of performance of work (2 CFR § 182.230):**

**Location 1**

Name of Location: Lancaster County Airport

Address: 286 Aviation Blvd, Lancaster, SC 29720

**Location 2 (if applicable)**

Name of Location:

Address:

**Location 3 (if applicable)**

Name of Location:

Address:



Attach documentation clarifying any above item marked with a "No" response.

**Sponsor's Certification**

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 31st day of December, 2019.

Name of Sponsor: Lancaster County

Name of Sponsor's Authorized Official: Steve Willis

Title of Sponsor's Authorized Official: County Administrator

Signature of Sponsor's Authorized Official: 

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.