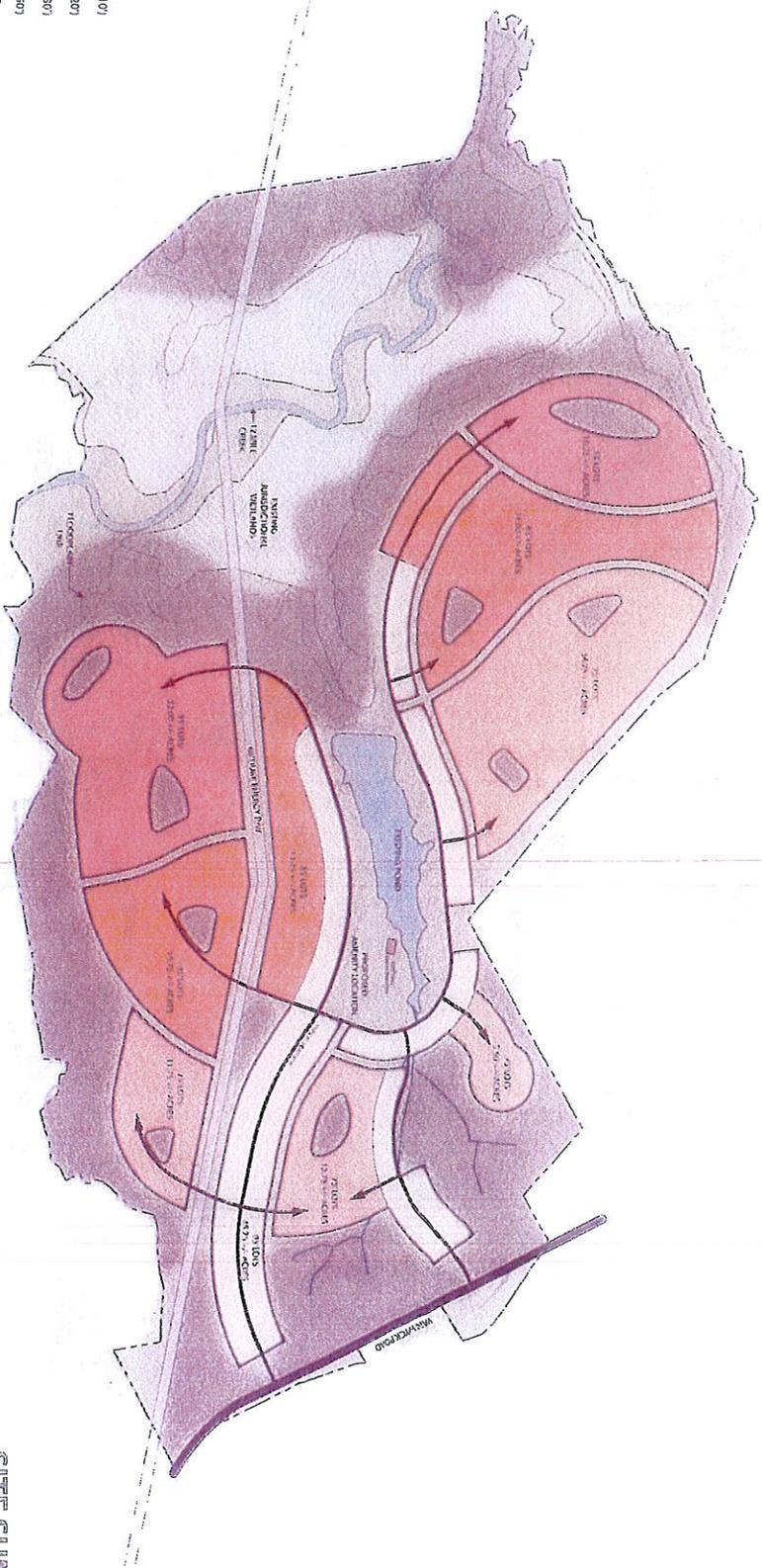


Exhibit 1



- LEGEND**
- 55' Lots 65' x 110'
 - 65' Lots 65' x 130'
 - 75' Lots 75' x 130'
 - 95' Lots 95' x 130'
 - Open Space
 - Pond & Stream
 - Wetlands
 - Approximate Tree Canopy

NOTE: This Bubble Plan is subject to change based on final survey, including but not limited to physical, topographic, and the delineation of all wetlands, floodplains, easements, streams, ponds, and other natural features.

SITE SUMMARY

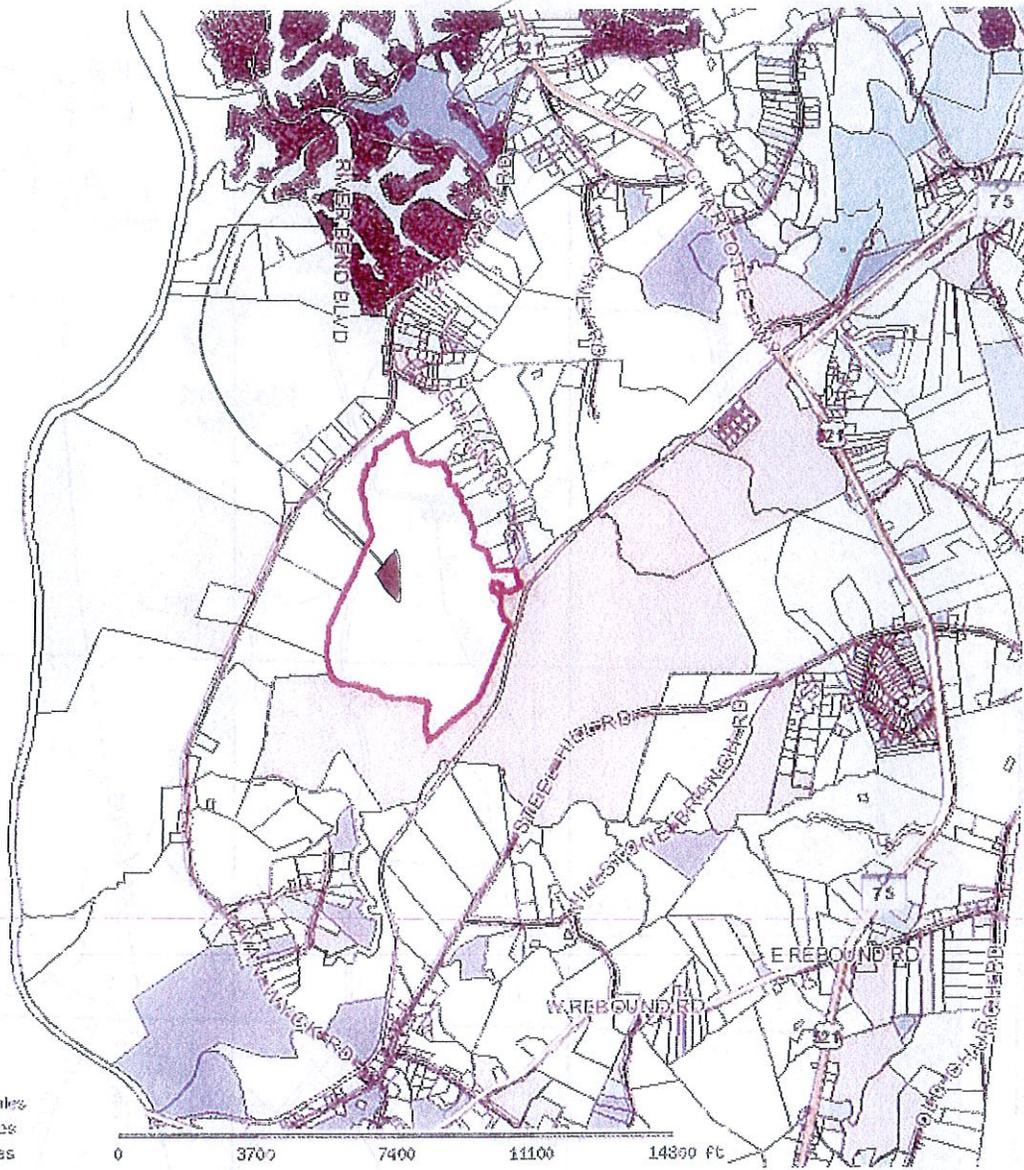
55' Lots	240 +/-
65' Lots	240 +/-
75' Lots	200 +/-
95' Lots	110 +/-
Total	790 +/-



TREE TOPS
MATTAMY HOMES

SCHEMATIC BUBBLE PLAN

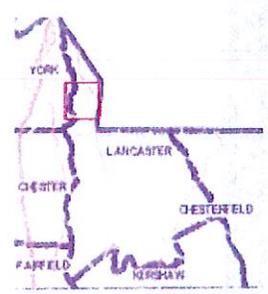




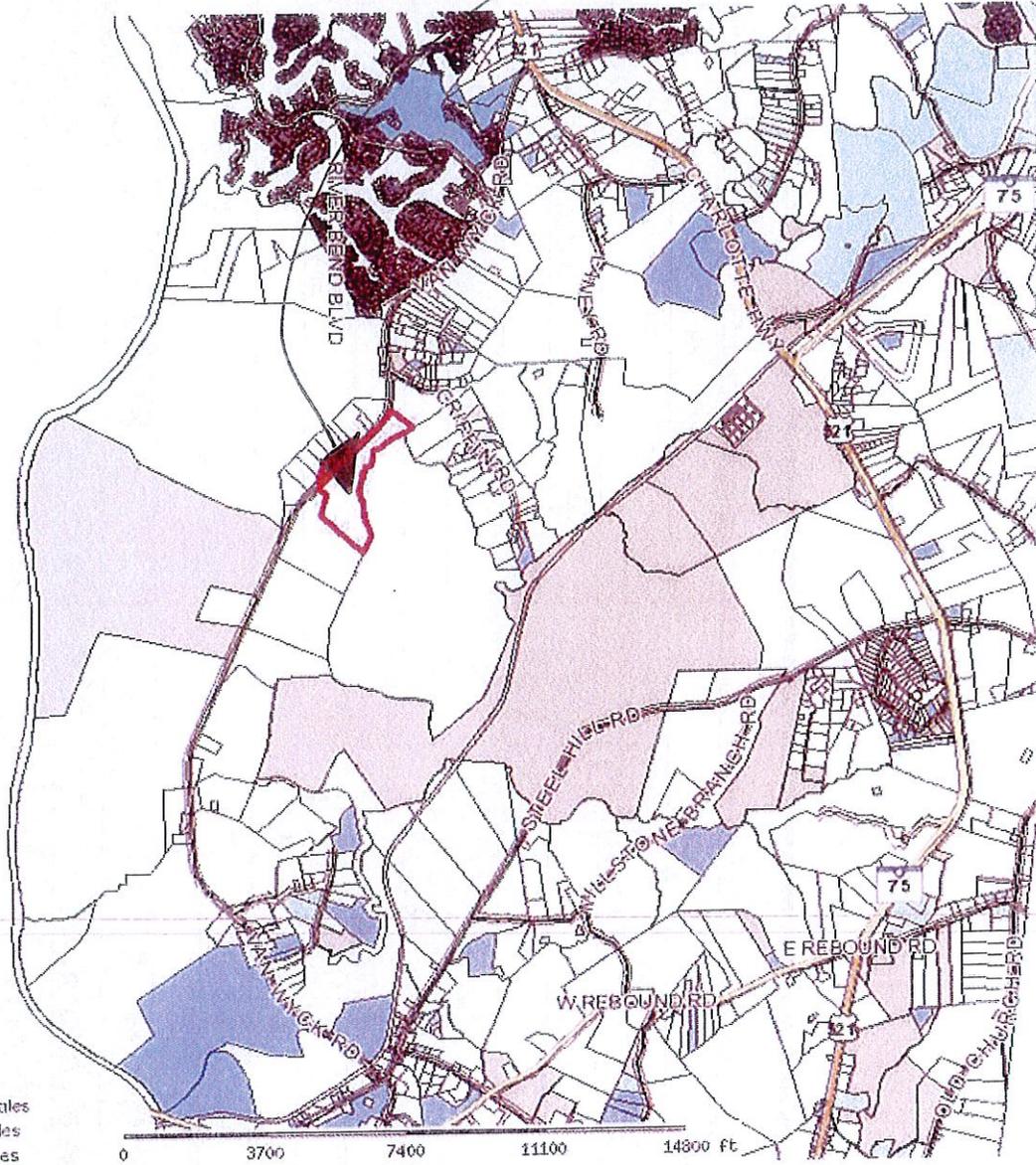
2013+ Parcel Sales
 2012 Parcel Sales
 2011 Parcel Sales

0 3700 7400 11100 14800 FT

Lancaster County Assessor			
Parcel: 0022-00-007.00 Acres: 545			
Name:	FAMILY CENTER INC % STEVE BRACE	Land Value	\$4,087,500.00
Site:	9070 VAN WYCK RD	Improvement Val	\$80,200.00
Sale:	\$0 on 07-1997 Vacant= Qual=2	Accessory Value	\$156,300.00
Mail:	6800 ST. PETER'S LANE	Total Value	\$4,324,000.00
	MATTHEWS, NC 28105		



The Lancaster County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER LANCASTER COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS ---THIS IS NOT A SURVEY---
 Date printed: 02/03/14 : 15:12:56



Lancaster County Assessor			
Parcel: 0019-00-033.00 Acres: 77.48			
Name:	FAMILY CENTER INC % STEVE BRACE	Land Value	\$581,100.00
Site:	HWY 54	Improvement Val	\$0.00
Sale:	\$50 on 07-1997 Vacant= Qual=2	Accessory Value	\$0.00
Mail:	6800 ST. PETER'S LANE MATTHEWS, NC 28105	Total Value	\$581,100.00



The Lancaster County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER LANCASTER COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—
Date printed: 02/03/14 : 15:23:04

Current Ownership

Prior Owner

ID/Factors/Taxes

#	Title	Last Name	First Name	Res ex	% Own	Type
#1	FAMILY CENTER INC					
#2	% STEVE BRACE					
#3						

Street #1	6800 ST. PETER'S LANE	City/Town	MATTHEWS	Province/State	NC	Postal	28106
Street #2		Country		D.O.B.	MM/DD/YY		
Owner Occupied		Account Type		Legal Reference		Sale Date	7/24/1997
		Home Phone		Work Phone		Email	
		Cell Phone					
		Separate Bill	<input type="checkbox"/>	Valid Owner	<input type="checkbox"/>	Private Info	<input type="checkbox"/>
		Owner Lookup Number	71814				

Open 1/31/2014 9:28 AM Exemptions Sales More Owners Other Parties 2052 QuickList

Exhibit 3

Mod Del Save Cancel

Indexed By

Parcel ID

Card #

App



M Parcel ID: 0019-00-033.00
 Account: 2052
 Sticker #:

Card: 1/1
 District: 01 - County
 Ent. Parcel Area: 77,484 - AC

M
 Location: HWY 64 Lancaster
 Land Use: NLN - LandOnly
 Owner #1: FAMILY CENTER INC

Neigh: 02 - 02
 Own Type:

Market Adj Value

Calc. Land Area: 77,480
 Full Market Value: 581,100

Current

Year 2012

Legal Description

Building Value:
 Yard Items:
 Land Value:
 Total Value:
 Assessed Value:
 Capped Total:

77,480
 581,100
 581,100
 34,866
 581,100

774,800
 774,800
 774,800
 774,800

Reval / Market Districts:

01

Narrative Description

Sales Information
 Grantor: FAMILY CENTER INC
 Sale Price: 0
 Sale Date: 7/24/1997
 Legal Ref: H015-0105

Validity: 2
 Sold Vacant: No

Office Notes Notes

Open 1/30/2014 5:22 PM 2052 QuickList

No Picture Available

No Map Available

No Sketch Available

Indexed By Parcel ID Card #

App

2246 QuickList

Exhibit 4

Parcel ID: 0022-00-007.00

Account: 2246
 Sticker #:
 Location: 9070 VAN WYCK RD Lancaster
 Land Use: NLN - LandOnly
 Owner #1: FAMILY CENTER INC

Card: 1/1
 District: 01 - County
 Ent Parcel Area: 545 - AC
 Neigh: 02 - 02
 Own Type:

Market Adj Value

Calc Land Area: 545.000
 Full Market Value: 4,324,000

Current

Building Value: 80,200
 Yard Items: 156,300
 Land Value: 4,087,500
 Total Value: 4,324,000
 Assessed Value: 259,440
 Capped Total: 4,324,000



Year 2012

545.000
 5,686,500
 80,200
 156,300
 5,450,000
 5,686,500

Legal Description

Reval / Market Districts: 01

Sales Information

Grantor: WIKOFF FRED C JR
 Sale Price: 0
 Sale Date: 7/24/1997
 Legal Ref: H015-0105

Validity

2
 Sold Vacant: No

Narrative Description

This parcel contains 545 AC of land mainly classified as LandOnly with a Sing Fam Dw Building built about 1966, having primarily Wood Siding Exterior and 21,000 Square Feet with 0 Unit, 2 Baths, 0 3/4 Bath, 0 HalfBath, 0 Rooms, and 0 Bdrms.

No Picture Available

No Map Available

No Sketch Available

Open 1/30/2014 5:22 PM

Exhibit 4

Indexed By: Parcel ID: Card #

Parcel ID: 0022-00-007.00 Card: 1 of 1 Location: 9070 VAN WYCK RD Lancaster Cost - \$4,324,000

Buttons: Print, Del, Save, Cancel, Home, Back, Forward, Refresh, Help, Close

Current Ownership **Prior Owner** **ID/Factors/Taxes**

#	Title	Last Name	First Name	Res ex	% Own	Type
#1:	FAMILY CENTER INC			<input type="checkbox"/>		
#2:	% STEVE BRACE			<input type="checkbox"/>		
#3:				<input type="checkbox"/>		

Street #1: 6800 ST. PETER'S LANE Fill

Street #2: List

City/Town: MATTHEWS Verify

Province/State: NC Postal: 28105 Verify

Country: Account Type: Home Phone: Cell Phone: Work Phone: Email: Separate Bill:

D.O.B.: MM/DD/YY Legal Reference: Sale Date: 7/24/1997 Owner Lookup Number: 71814 Valid Owner:

Owner Occupied: Private Info:

Sales Exemptions More Owners Other Parties

WHEREAS, the Joint Planning Commission recommended approval of the rezoning application by a vote of 14-0.

NOW, THEREFORE, BE IT ORDAINED by the Lancaster County Council that the attached constitutes Ordinance #464 in its entirety.

BE IT FURTHER ORDAINED that this ordinance now applies to all that property south of Van Wyck Road known as 9070 Van Wyck Road, Lancaster County, and also known as TreeTops.

AND IT IS SO ORDAINED this 26th day of November, 2001.

LANCASTER COUNTY COUNCIL

Polly C. Jackson

Polly C. Jackson, Chair

T. Alston DeVenny

T. Alston DeVenny, Secretary

Approved as to form and content:

William R. Sims

William R. Sims, County Attorney

Attest:

Irene Plyler

Irene Plyler, Clerk to Council

1st reading: 10-29-2001

2nd reading: 11-05-2001

3rd reading: 11-26-2001

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Approved as to form and content:

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Attest:

Irene Plyler

Irene Plyler, Clerk to Council

1st reading: 10-29-2001

2nd reading: 11-05-2001

3rd reading: 11-26-2001

I. Executive Summary

Mission Statement: The mission of TreeTops is to provide a quality camping experience for economically disadvantaged children. TreeTops is a regional collaboration, partnering with senior volunteers, providing retreat opportunities, and protecting our environment.

The following pages support a request for a Planned Development District. TreeTops property is just over 600 acres and located in the community of Van Wyck in Lancaster County, South Carolina. The land is owned by The Family Center, a 501(c)(3) non-profit organization headquartered in Charlotte. Its Board of Directors, with members from South and North Carolina, manage the property. TreeTops will be a regional enterprise of Lancaster, York, and Chester counties in SC and Mecklenburg and Union Counties in NC. It will provide a camp for economically disadvantaged children from these five counties. In accomplishing its purpose, TreeTops will partner with senior citizens in mutually beneficial relationships in order to help children, will provide a retreat/conference/camping/environmental education center for use by the communities in the five counties, will protect the environment of the property, and will maintain a high standard of collaboration with its regional communities.

A camping experience can be an important part of a child's development. The camp experience helps children improve their self-confidence, sense of responsibility, problem-solving skills, and initiative. TreeTops camping program will emphasize leadership development, values, responsibility, teamwork, and fun, through the use of our natural wilderness setting and through camping activities chosen and designed to meet the campers' physical, emotional, spiritual, and mental development. Although the benefits of camping for kids have been well known for some time, they have not been generally available to all segments of our community. Many families are unable to afford the basic necessities for their children much less the expense of providing their child with a camping experience. TreeTops will provide scholarships and discounted fees to economically disadvantaged children from the surrounding communities.

Its surrounding communities will use TreeTops throughout the fall, winter, and spring: for conferences, family or organizational retreats, for primitive camping and community camping for scouts or other groups, and for recreational purposes. It is the clear intent of the Board of Directors to develop only a small portion of the land; more than 75% will be open space. The PDD will include residential, office, commercial, open space/recreational uses for camp/retreat facilities, recreation and program areas, community camping, and primitive preserve areas.

The TreeTops Board of Directors realizes that in order to reach this large portion of the counties' population, it will need community support. Through collaborations with non-profits, schools, businesses, foundations, individuals, and churches, as well as through earnings received from camp, retreat, and environmental education operations, we will reach thousands of children that would normally not be able to afford a camp experience. The development of this major community project will be in three phases, spread over 5-15 years, in order to raise and earn funds over time, as well as to insure excellence in facility, program, and outcomes. We will be an enduring part of our surrounding communities as we participate together in camp, in retreat, in education, and in *adventures for all ages*.

II. A Request to the State of South Carolina, County of Lancaster, for a Planned Development District for *TreeTops*, in the Van Wyck Community, Lancaster County, South Carolina

1. Purpose

The Purpose of this Planned Development District (PDD) request is to establish certain land use controls over the development of the property known as *TreeTops*, in order to ensure that it is developed in accordance with existing and future needs, and to promote the health, safety, and general welfare of its future residents and users. This PDD is also intended to provide flexibility in order to meet future needs as well as to permit the use of evolving innovative development techniques, for the protection of the natural environment and its open spaces and the quality of life for its community residents and the users from the surrounding communities.

2. The Land Use Zone Map

Of the 605 acres known as *TreeTops*, approximately 20% will be developed with roads, facilities, and infrastructure, and approximately 75% will be open space. The Land Use Zone Map (as shown in Attachment 1) serves as the map of the PDD, showing the location of all land use designations and the boundaries of such areas. All development will comply with this map as established and as it may be amended. Land Use Zone uses by right or permitted uses: residential, office, commercial, and open space/recreational, are defined in Section 9 of this document.

3. The Master Development Plan

The Master Development Plan describes and shows graphically the current plans for actual facilities, as well as the uses of, and activities in, these facilities. (The Master Development Plan is included in Attachment 2.) This plan fully supports and describes the current plans and activities that will occur in the PDD. This plan describes build out for Phases I-III and their associated opinion of probable costs. (Phases I-III may be spread out over 5-15 years in order to accomplish fundraising and earnings goals, as well as excellence in achieved outcomes.) This plan also includes the names of the Board of Directors for *TreeTops*, as well as the names of the Master Site Planning Task Force; these names are listed on its last page. (Complete information on the Board of Directors is included in Attachment 4.)

4. Regulations, Permits, and Fees

All development shall comply with the Unified Development Ordinance of Lancaster County. Buildings constructed within this property shall be constructed in accordance with uniform building codes adopted by Lancaster County and their respective local amendments, as those uniform building codes may exist and may be uniformly enforced, at the time plans for buildings are submitted to the County for review.

Permits and approvals required from government agencies, for any development permitted by this PDD, shall be obtained. Any fees due to the County under the applicable regulations shall be paid to the County.

II. A Request to the State of South Carolina, County of Lancaster, for a Planned Development District for *TreeTops*, in the Van Wyck Community, Lancaster County, South Carolina

1. Purpose

The Purpose of this Planned Development District (PDD) request is to establish certain land use controls over the development of the property known as *TreeTops*, in order to ensure that it is developed in accordance with existing and future needs, and to promote the health, safety, and general welfare of its future residents and users. This PDD is also intended to provide flexibility in order to meet future needs as well as to permit the use of evolving innovative development techniques, for the protection of the natural environment and its open spaces and the quality of life for its community residents and the users from the surrounding communities.

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Permits and approvals required from government agencies, for any development permitted by this PDD, shall be obtained. Any fees due to the County under the applicable regulations shall be paid to the County.

5. Permitted Uses

The uses by right or permitted uses are identified by zone in **Section 9, Planned Development District Land Zone Use Definitions, pages 5, 6, 7, and 8** of this document.

6. Administrative Bodies

The Lancaster County Building and Zoning Department shall have the authority to administer and enforce all the provisions pertaining to buildings and facilities provided by the Unified Development Ordinance.

7. Variances, Appeals, and Amendments

Consideration of variances from this initial PDD request and its applicable regulations may be requested as the property is developed. These variances will be in the form of an appeal for amendment and may be initiated by the Property Owner or by The County. The Land Use Zones map and their associated definitions as found in Section 9, although supported by the Master Development Plan found in Attachment 2, is fully a conceptual plan for the development of TreeTops. As development continues in a phased approach, innovative development techniques or other cost efficient methods may arise which are not defined in the current plan and its defined Land Use Zones

Any such change shall be made in compliance with the Unified Development Ordinance of Lancaster County, Section 13.12.1 Administrative Procedures and Review Process, and in particular paragraph 5. Changes to Master Plan.

8. Enforcement

Lancaster County shall have and exercise all power to enforce the provisions of the Planned Development District.

9. Planned Development District Land Use Zone Definitions

There are 4 development zones, which are reflected on the Land Use Zone Map (shown in Attachment 1). The zones are:

Camp and Retreat

Recreation and Program

Community Camping

Primitive Preserve

From the beginning vision, and throughout the planning process, it has been a clear goal to keep the vast majority of the PDD relatively undeveloped and environmentally protected. Each zone defines the acreage in each zone, the uses by right or land use designation, and the proposed development density per acre.

The Land Use Zones and the Master Development Plan also support and encompass each part of the TreeTops mission statement:

- *A camp for economically disadvantaged children*
- *A retreat center for its communities*
- *A forum for senior volunteerism*
- *A protected environment*
- *A regional collaboration*

The plan respects the beauty, resources, and history of the land. The TreeTops property is located at 9070 Van Wyck Road, 2 miles from Highway 521 and three miles from the community of Van Wyck. Several major landowners, including the Nisbet and Belk families, bound the property.

The conceptual and site planning processes have worked to be true to the above mission, as well as to our actual community neighbors. Genie White Graham of Van Wyck, a member of the Nisbet family, is on the Master Site Plan Task Force and is a member of the TreeTops Board of Directors. Master site planning has been accomplished through the activities of multiple volunteers from South and North Carolina and under the leadership of two firms: Schmitt, Copeland, Parker, Stevens, a land planning and architectural firm in Cleveland, Ohio and Cole Jenest & Stone, a land design and engineering firm in Charlotte, North Carolina. Several firms were considered for this project, and these two were chosen for their excellent track record in site planning for camps and retreat/conference centers and for their customer service.

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The Land Use Zone Definitions:

	<u>Approximate Acreage</u>	<u>Maximum heated area per acre</u>
Zone 1 - Camp and Retreat	186 acres	1,000 sq.ft./acre

- This area is the main residence camper villages, beginning at Van Wyck Road and going through the lake area.
- Uses by Right for the camp/retreat are comparable to a typical PDD and include:
 - Residential: Camper and retreat cabins and decking, senior volunteer residences (both single and multi-family housing), camper/staff lodge (for smaller camp or retreat gatherings), site and camp manager residences. This area will also include one temporary travel trailer for use by the donor of the land, Mr. Fred Wikoff, as he enjoys the development of the camp for children. Mr. Wikoff typically visits TreeTops for a few hours on the weekend. Mr. Wikoff is Chairman of the Board for Wikoff Color Corporation, which has its headquarters in Ft. Mill, SC.
 - Office: Camp offices, health center, doctors and nurses station, maintenance center and garage, arrival and registration shelters.
 - Commercial: Dining hall and main lodge, camp store (tee shirts, books, souvenirs, etc.), snack shop, facilities for boating, fishing, water sports, and equipment rental; covered pavilions.
 - Open Space: The vast majority, if not all, of the property west of the lake in this zone will be open space for hiking, fishing, and other recreational purposes.
 - Such facilities as a chapel, barns, directional kiosks, and covered pavilions may also be in this zone.
 - Private roads and cul-de-sac roads will be in this zone.
- While we are requesting a maximum density of 1,000 sq.ft./acre in this zone for future planning purposes, the current master development plan calls for approximately an overall development of only 63,000 sq. ft. in this 186 acre camp and retreat zone. The 63,000 sq. ft. of development fully includes Phases I – III of the Development Plan.

Approximate Acreage

Overall heated area per
acre

Zone 2 - Recreation and Program

94 acres

500 sq.ft./acre

- This area is designed for program activities to support the outcomes of camp and retreat; it is in relatively close proximity to the general camp/retreat residences and main lodge.
- Uses by Right for the camp/retreat are comparable to a typical PDD and include:
 - Office: Registration and directional offices.
 - Commercial/Recreational: Arts/crafts center, nature center, mountain bike depot, pool, pool house, and water spray ground, equestrian center, equipment rental station.
 - Open Space/Recreational: Athletic courts and fields, frisbee golf course, low and high ropes courses, zip lines, farming (garden, fruits, vegetables) areas, hiking trails, archery range, and other similar recreational usages.
 - Private roads and trails will be in this zone.
- While we are requesting a density of 500 sq. ft./acre for future planning purposes, the current master development plan calls for approximately an overall development of only 12,500 sq. ft. in this 94 acre Recreation and Program Zone. The 12,500 sq. ft. of development fully includes Phases I – III of the Development Plan.

Approximate Acreage

Overall heated area per
acre

Zone 2 - Recreation and Program

94 acres

500 sq.ft./acre

- This area is designed for program activities to support the outcomes of camp and retreat; it is in relatively close proximity to the general camp/retreat residences and main lodge.
- Uses by Right for the camp/retreat are comparable to a typical PDD and include:
 - Office: Registration and directional offices.
 - Commercial/Recreational: Arts/crafts center, nature center, mountain bike depot, pool, pool house, and water spray ground, equestrian center, equipment rental station.
 - Open Space/Recreational: Athletic courts and fields, frisbee golf course, low and high ropes courses, zip lines, farming (garden, fruits, vegetables) areas, hiking trails, archery range, and other similar recreational usages.
 - Private roads and trails will be in this zone.
- While we are requesting a density of 500 sq. ft./acre for future planning purposes, the current master development plan calls for approximately an overall development of only 12,500 sq. ft. in this 94 acre Recreation and Program Zone. The 12,500 sq. ft. of development fully includes Phases I – III of the Development Plan.

Approximate Acreage Overall heated area per
acre

Zone 3 - Community Camping 98 acres 400 sq.ft./acre

- This area is designed for drive-up camping and shelter cookouts for use by community groups such as scouts, church groups, businesses, school groups, etc. These uses will be by reservation and user fees will be collected to provide for maintenance and operation of TreeTops. Hiking and biking trails as well as private, unpaved roads will run through the Community Camping area. Fruit tree orchards may be placed in this area.

- Uses by Right for the camp/retreat are comparable to a typical PDD and include:
 - Residential: Camper tent units, picnic shelters, bath and toilet facilities with both chemical toilets and septic system toilets, Adirondack cabins, elevated platform tree-house structures.

 - Office and/or Commercial: Equipment rental station.

 - Open Space/Recreational: Bike trails, hiking trails, and other similar camping and recreational usages.

 - Private roads and trails will be in this zone. A pump station and central sewer service will be in this zone.

- While we are requesting a density of 400 sq. ft./acre for future planning purposes, the current master development plan calls for approximately an overall development of only 2,500 sq. ft. in this 98-acre Community Camping Zone. The 2,500 sq. ft. of development fully includes Phases I – III of the Development Plan.

Approximate Acreage

Overall heated area per
acre

Zone 4 - Primitive Preserve

277 acres

45 sq.ft./acre

- This area is a nature preserve allowing hiking, hike-in camping, biking, history and environmental studies and restoration, and nature studies.
- This area includes the flood plain; there will be no development in the flood plain. Although the lake dam survey demonstrates the viability of the dam structure above this Primitive Preserve area, our plan calls for no heated square feet of development, only such things as listed below.
- Uses by Right for the camp/retreat are comparable to a typical PDD and include:
 - Residential: Adirondack cabins, primitive camping grounds, Romtec restrooms (very efficient technology for self-contained sewage).
 - Open Space/Recreational: Board walks, tree houses, amphitheatres, suspension bridges, zip lines over the creek (such as are used in high ropes courses), nature outposts (covered or uncovered bench setting for environmental education), orchards, directional kiosks.
- There will be neither paved roads nor utility lines in this zone, except as may be developed for sanitary sewer services as generally shown in Attachment 3. Some areas will have pumps for tapping underground water. There will be minimal electric or oil heat; firewood will be the main source for heat.
- While we are requesting a density of 400 sq. ft./acre for future planning purposes, the current master development plan calls for approximately an overall development of only 2,500 sq. ft. in this 277-acre Primitive Preserve Zone. The 2,500 sq. ft. of development fully includes Phases I – III of the Development Plan.

Please see the Land Use Zone Map – Attachment 1

Approximate Acreage Overall heated area per
acre

Zone 4 - Primitive Preserve 277 acres 45 sq.ft./acre

- This area is a nature preserve allowing hiking, hike-in camping, biking, history and environmental studies and restoration, and nature studies.
- This area includes the flood plain; there will be no development in the flood plain. Although the lake dam survey demonstrates the viability of the dam structure above this Primitive Preserve area, our plan calls for no heated square feet of development, only such things as listed below.
- Uses by Right for the camp/retreat are comparable to a typical PDD and include:
 - Residential: Adirondack cabins, primitive camping grounds, Romtec restrooms (very efficient technology for self-contained sewage).
 - Open Space/Recreational: Board walks, tree houses, amphitheatres, suspension bridges, zip lines over the creek (such as are used in high ropes courses), nature outposts (covered or uncovered bench setting for environmental education), orchards, directional kiosks.
- There will be neither paved roads nor utility lines in this zone, except as may be developed for sanitary sewer services as generally shown in Attachment 3. Some areas will have pumps for tapping underground water. There will be minimal electric or oil heat; firewood will be the main source for heat.
- While we are requesting a density of 400 sq. ft./acre for future planning purposes, the current master development plan calls for approximately an overall development of only 2,500 sq. ft. in this 277-acre Primitive Preserve Zone. The 2,500 sq. ft. of development fully includes Phases I – III of the Development Plan.

Please see the Land Use Zone Map – Attachment 1

10. Development Plan Phases and Costs:

Projected construction costs, over time, based on preliminary land use plans are in the range of \$15-20 million. While a significant portion of construction costs, both material and labor, may come from in-kind donation, in order to fulfill the plan there will be a phased development approach. Initial plans for Phase I incorporate the dining hall and main lodge, resident cabins, and activity courts. Phase I completion would allow for at least 100 campers to be resident each week in the summer of 2003 (or at least 1000 campers from the five-county region over a ten week camping season). Significant retreat opportunities would be available for the communities' use as well.

Development will be phased according to funding and programming. Because TreeTops and The Family Center are non-profit, the construction phasing will be dependent on contributions and grants. Early supporters who have funded the master planning include The J. Marion Sims Foundation, The Springs/Close Foundation, the Lance and Van Every Foundations, The Lutz Foundation, The Dowd Foundation, multiple individuals, and several churches.

The Master Development Plan is shown in Attachment 2.

11. Development Infrastructure:

Setbacks and Building Height: As the Master Development Plan (Attachment 2) displays graphically, development will be well off the public road, Van Wyck Road, which borders the northern end of the property. Current plans call for only one facility, a Site Manager's residence to be located off Van Wyck Road at an approximately 100' setback. All other facility development will be deep within the property. Current plans call for only one and two story facilities. As defined in TreeTops mission statement, one goal of TreeTops is to protect and treasure its environment. Facilities will blend with the natural setting, complimentary to the environment.

Sanitary Sewer: Discussions with South Carolina Department of Health and Environmental Control (SCDHEC) have reviewed several options. An on-site sanitary sewer treatment system may take several forms; treatment may consist of a packaged aeration system, septic tank with above- or below- grade application field, or an innovative treatment system such as a reed system. An on-site package treatment system would most likely be difficult to permit, and permitting on a septic tank or innovative solution would be more feasible.

Off-site treatment to Lancaster County sewer line located off Highway 521 and Van Wyck Road could be an option depending on cost and maintenance.

Solid Waste: All uses and activities will have regulations for waste deposits and removal, which comply with the Unified Development Ordinance.

Power: York County Electric Co-operative provides service to the property. Conversations have determined that there is sufficient power available to serve the camp.

Water: A 4-inch waterline exists within the right-of-way of Van Wyck Road, tying to a 12-inch waterline within Highway 521 right-of-way.

South Carolina Dam Safety Law: In reference to the lake on the property, SCDHEC has concurred with the on-site dam classification as a small size category with a Low Hazard (Class 11) potential classification.

Roads and Traffic Flow: With the phased approach to construction and facilities, traffic volume will grow slowly and in a controlled fashion. The current gravel roads in the property are sufficient for beginning needs and construction. The private roads and driveways throughout the property shall be permitted without being built to public road standards. Access points to Van Wyck Road shall conform to the design standards outlined by the SCDOT Access and Road Management Standards.

Parking: Parking shall be provided in accordance with the Unified Development Ordinance. Parking sites are shown in the Master Development Plan and should be unobtrusive and amenable to the beauty of the land. Improved roads are part of the plan for Phase III. Parking shall be on paved space or using otherwise approved materials such as pavers or gravel.

Fire, Emergency, Medical: A Health/Medical Center is planned for Phase II; until its construction, health and medical offices will be housed in the Dining Hall/Main Lodge. Fire regulations will be fully met through the camp guidelines set by SCDHEC or the commercial guidelines set by SCDHEC, and according to the decisions of the building officials of Lancaster County. Roads will be accessible for emergency vehicles and emergency services.

Signage: A master signage system shall be adopted for Treetops and will be within the guidelines of the Unified Development ordinance.

A Utility Master Plan is shown in Attachment 3.

12. Effective Date

The above requested Planned Development District shall be effective immediately upon approval by the Planning Commission and subsequent approval obtained by the necessary and normal public hearings, and three readings of the County Council of Lancaster County.

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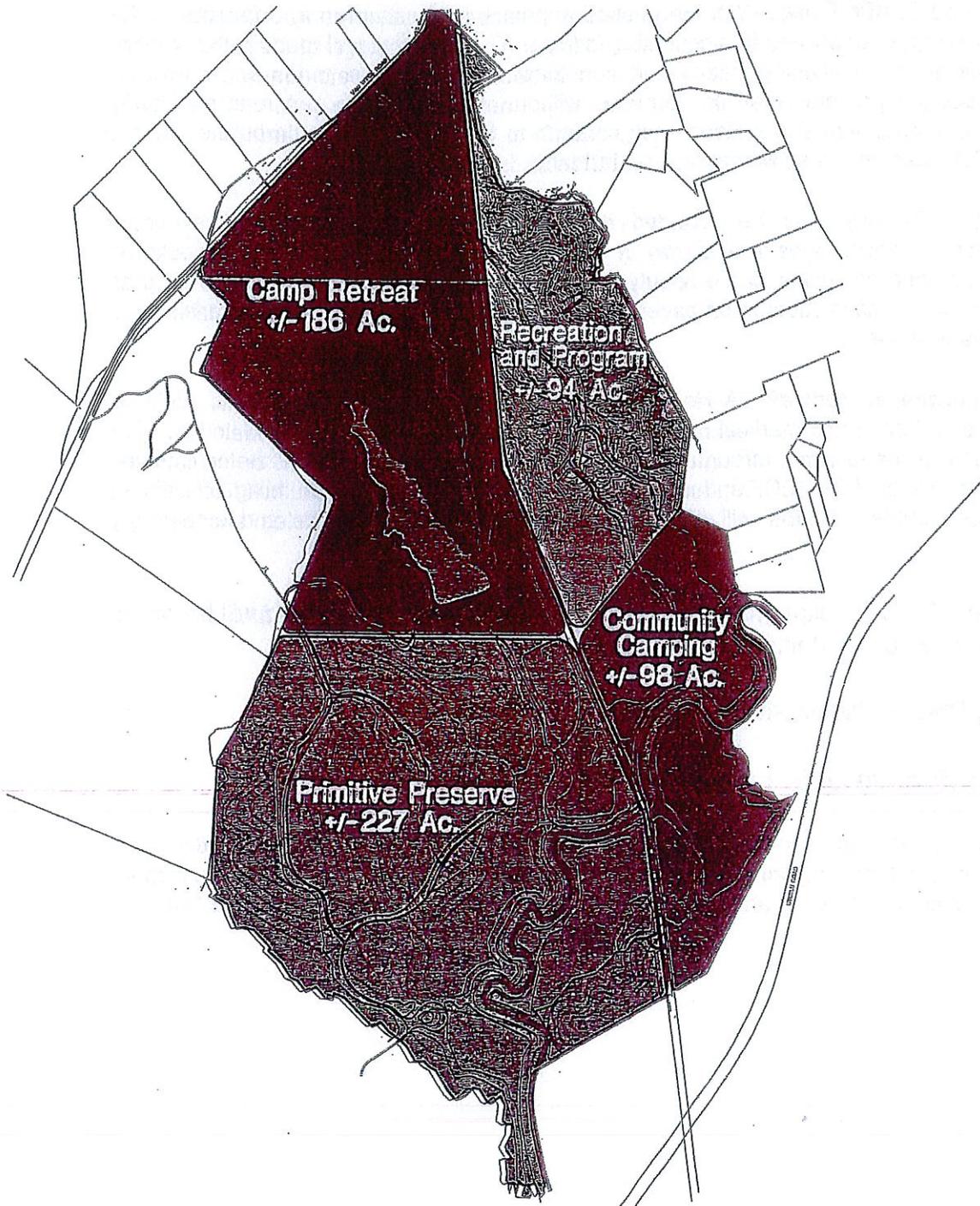
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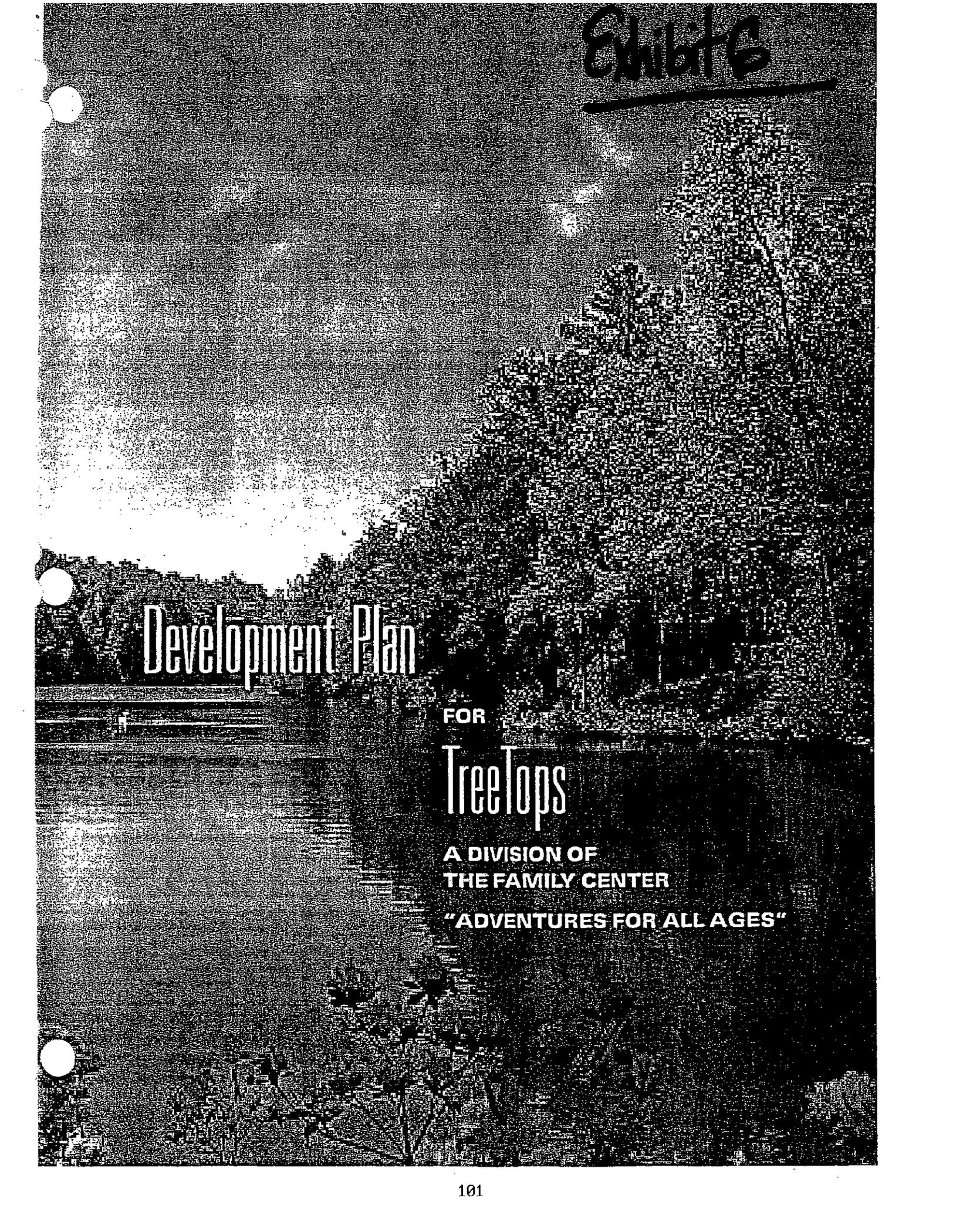
LAND USE ZONES

TreeTops

Schmidt Capital Park Services
Schmidt
Landscaping
Planning
Schmidt Capital Park Services
222 West 24th Street
Des Moines, IA 50319
515-281-1111
515-281-1112
515-281-1113

THE FAMILY CENTER
The North South Center
0 100 200 300 400
FOR DETAILS FOR OFFICIAL USE ONLY SEE 01/20/21

Exhibit 6

A black and white photograph of a park. In the foreground, a large, leafy tree stands on the right side. In the background, a large, multi-story building is visible. The sky is bright and overcast. The overall scene is a park setting.

Development Plan

FOR

TreeTops

A DIVISION OF
THE FAMILY CENTER

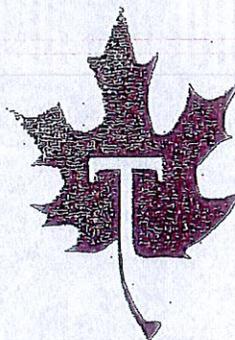
"ADVENTURES FOR ALL AGES"

Exhibit C

Development Plan



FOR



TREETOPS

A DIVISION OF
THE FAMILY CENTER



"ADVENTURES FOR ALL AGES"

Cole Jenest & Stone
Schmidt Copeland Parker Stevens

Introduction

Founded in 1978, The Family Center is a private non-profit agency in Mecklenburg County. Through ten prevention, intervention and treatment programs, The Family Center focuses on building healthy individuals and families through the prevention and treatment of child abuse and neglect. The Department of Social Services, Area Mental Health Authority, the schools, and other human service agencies refer 90% of the Center's clientele.

In 1997, Fred Wikoff gave his 624-acre beautifully wooded property to The Family Center in an effort to carry out his vision of using the land to teach children and allow for the involvement of senior citizens in the community. This property, named TreeTops, will be a camp to serve the needs of economically disadvantaged children. It is also hoped that the camp will set the standard for a regional collaboration of organizations in surrounding North Carolina and South Carolina counties that serve fragile families.

The Master Plan for TreeTops is a long-range guideline for the development of the Fred Wikoff property, into a multi-purpose facility that satisfies the five core maxims stated by the Family Center Long Range Planning Committee.



The plan identifies and locates the facilities, systems and site improvements required to develop a camp at TreeTops. The plan is the result of several months of study and evaluation by the staff, the Master Site Plan Task Force, and the consultant team. The scope of work began in the spring of 2001 and involved four work sessions with the Master Site Plan Task Force, discussions with the staff, and several site visits. Through this process, the consultant team has determined program requirements, evaluated existing conditions, reviewed development concepts, and established the master plans.

Five Key Maxims

- Providing a camp for economically disadvantaged children
- Partnering with senior volunteers
- Providing retreat opportunities for its communities
- Protecting the environment
- Building a regional collaboration

The following report is a brief summary of the recommendations and includes a description of existing conditions, organizational context, development objectives, and the Master Plan for TreeTops. This report concludes with a phasing outline and opinion of probable costs required to implement the plan.

The recommendations outlined in this report are based on program requirements and existing conditions information provided by the consultant team and the Family Center and TreeTops staff. The Master Site Plan Task Force and consultants recognize that additional detailed site design and investigative work will need to be accomplished before development can proceed. Of particular importance will be the production of an accurate topographic base map for the property and on-site field-testing for soil and structural conditions.

The intent of this report is to summarize the key findings and recommendations for the short term and long-term development of TreeTops.

Existing Conditions

SITE: TreeTops is comprised of 624 acres of rolling woodland, open field and water features, traversed by Twelve-Mile Creek. Located in Van Wyck, South Carolina, in Lancaster County, the property is 30 minutes from Charlotte, North Carolina, and will serve the five-county region of Lancaster, Chester, York, Mecklenburg and Union. The property is zoned R-30 Residential/Agricultural and development of the property would be regulated by the Lancaster County Unified Development Ordinance and Zoning District Map.





EXISTING CONDITIONS PLAN

The climate is relatively warm and humid, particularly during the summer months, with temperatures averaging in the upper-80s, and reaching as high as the low 100's. The elevation of the property varies from approximately 475 to more than 600 feet above sea level. The site is primarily forested of pine and hardwoods, with some open areas and wetlands that lie in the floodplain of Twelve Mile Creek.

Access to TreeTops is from Van Wyck Road which partially bounds the property on the north. The property is bisected by a 68' wide, cleared, Duke power line easement that is partly accompanied by a dirt road. An approximately eleven-acre lake was created with a dam that controls the drainage channel's flow into Twelve Mile Creek at the south end of the property. Dirt roads and trails have been cut throughout the property and an existing lodge overlooks the lake from a north south ridge that lies east of the lake. The remainder of the camp is primarily undeveloped.



DEVELOPMENT POTENTIAL AND

CONSTRAINTS: Treetops is a beautifully wooded site that is well suited for development as a camp and retreat center and community resource. The entire site lends itself well to the many program offerings anticipated for the camp at TreeTops. The most appropriate areas for building development lie east of the lake, along the ridges and highpoints and where slopes are gentle enough to allow for structures. Housing and gathering spaces would enjoy spectacular views of the lake from these higher elevations, while being tucked within the densely wooded areas.

Environmentally sensitive areas and significant historical points-of-interest at TreeTops are abundant and will serve as great potential in the development of program opportunities at camp. Although respect and sensitivity for these existing conditions are of



utmost importance in planning a camp at TreeTops, the wetlands, a hardwood grove, and old farm ruins are among the many features already on site that will serve as valuable educational resources.

Development Objectives

The Development Objectives were based on the five core maxims developed by the Master Site Plan Task Force. The vision for TreeTops is to provide a camp where needy children can gain self-confidence, learn environmental awareness, cooperative skills, teamwork, and leadership. Program activities would be geared towards building these assets in each camper.

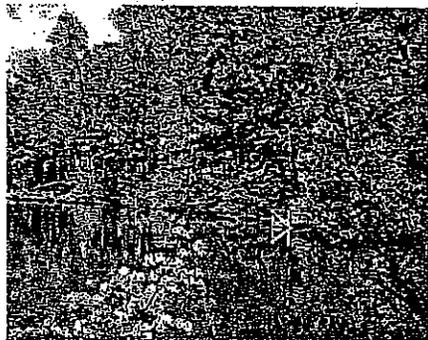
The primary goal of the camp at TreeTops is to provide summer resident camp for girls and boys ages 8 through 16 from economically disadvantaged situations in the five-county region. The desired attendance at each session ranges from 100 campers to a maximum of 200 campers, with expectations to expand in the future. Senior adults who would like to volunteer at TreeTops will serve as some of the staff at the resident camp. Volunteer villages designed to meet the needs of older adults will house these individuals.

The grounds at TreeTops will serve as its own valuable resource for raising funds for the resident camp. Operating costs and financial needs will be defrayed by opening TreeTops for rental to other groups.

Camping facilities will be provided for local scouting groups, such as the Boy Scouts, and, during non-resident camp seasons, TreeTops will also serve as a community retreat center available to local organizations and associations.

Development Concept

The property lends itself to the development of several key areas. The north end of camp will be developed for the entry and arrival sequence, and will work in conjunction with essential operations-type facilities such as a maintenance center, parking areas, and camp offices. The main camp, to include camper and staff housing as well as the dining hall and a health center, will be located just east of the lake. Buildings placed here will enjoy the property's best views of the lake.



A land-based program area will be developed to the east of the existing power line easement and will provide a wide range of recreational facilities for campers and other users of the property. The more level terrain here and its separation from the proposed housing areas are well suited for this type of development. At the southwest end of the lake, another program area will house amenities geared towards environmental education and waterfront program activities. The largest program area, a primitive preserve, intended to carry out the theme of "outdoor adventure for all ages," will lie to the south of the lake, where trails will link the property's many environmentally and historically significant existing site features. A community camping area to the east will provide local scouting groups and other organizations grounds for tent camping while giving access to the program areas for use during non-resident camp seasons.





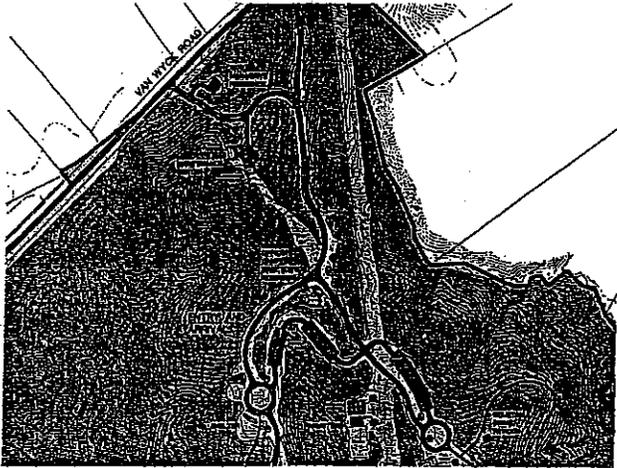
MASTER PLAN



MAIN CAMP

Master Plan

Entry and Arrival



All ingress and egress to the camp will be from an entry drive at Van Wyck Road, at the north end of the property. A site manager's residence and maintenance facilities will be located just inside the property with its own access point at Van Wyck Road, and will be connected to the camp entry drive. This drive, traveling south, will split at an open, level area, and provide vehicular circulation to the two main camp areas. At the split, a camp office will serve as the check-in center for the camp and a year-round camp director.

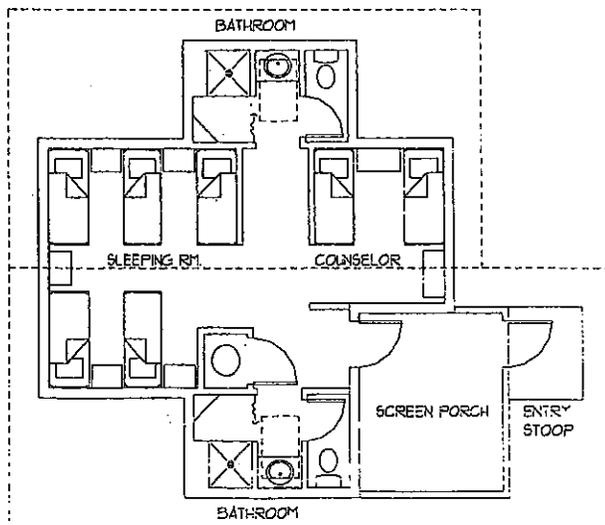
The road will first loop into an arrival and drop-off point with enough spaces for several buses. A luggage drop, kiosk and open space will allow for campers and counselors to gather and organize their groups before heading to their designated villages. The road will continue beyond the

loop to provide vehicular and fire access through the camper housing area, and will end in another loop and a parking area at the proposed volunteer village.

Two parking areas will connect the east and west drives south of the split. On the west side, the road will end in a drop-off loop near the pool. A narrower drive will continue beyond the loop and function as a service drive and access to the community tent camping units.

Main Camp

CAMPER HOUSING: To support the development goals of TreeTops, camper villages will house up to 200 campers and 40 counselors. Two year-round camper villages will be located east of the lake, comprised of two units each, and are intended to house the male and female campers separately. A unit will consist of five cabins that sleep ten campers and two counselors each. Each cabin will be



PROPOSED CAMPER CABIN PLAN

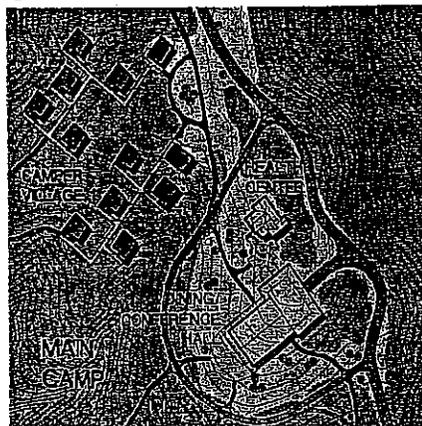


equipped with bathroom facilities to provide programmatic flexibility for use by campers and other types of groups. The cabins will be nestled in the wooded areas, cascading down the hillsides towards the lake. A network of boardwalks through each village will provide access to the cabins as well as to each village's camper lodge. The camper lodges will serve as program and gathering space for the campers in each village.

SENIOR VOLUNTEER AND STAFF HOUSING; Senior volunteer and staff villages will house up to 96 adults. Each village will consist of four staff cabins each, with each cabin housing up to twelve adults. One village is to be arranged around the existing lodge where parking and a drop-off loop will be provided. This village will be geared towards the older adults who volunteer at TreeTops. The other will

be located between the two pairs of camper villages along the hillside and will be connected with boardwalks similar to those at the camper villages.

DINING HALL AND HEALTH CENTER: The dining hall will be designed for 330 persons and will include the necessary kitchen facilities to supply the camp's nutritional needs. The inside spaces will be able to be divided into separate smaller spaces for conference type meetings or can be left undivided for one unified space. There will also be a dividable



meeting/activity room for conferences that can accommodate up to forty people. The health center will be located next to the dining hall and will serve all the health care needs of the campers and staff in a comfortable environment.

Recreation and Program Area



AQUATICS CENTER: A swimming pool will provide a significant program opportunity as well as serve as an amenity for community groups using the TreeTops property. The pool will be located near the drop off loop and will include a pool house containing restroom and shower facilities and a program office.

WATER PLAY: A water playground is proposed at the south end of the activity field. It is a flat colorful pad from which water shoots out of features above and below the ground. This would be a great way to cool off

campers without the need for life-guards because there is no standing water.

SPORTS FIELDS: An existing level area near the proposed pool is well suited for use as an activity field.

Other active recreational program elements, such as bocce ball, horse-shoes and volleyball courts, will provide a variety of program options, and a covered activity court will offer refuge from the hot sun. This recreational area will be encircled by a trail that defines the active recreation space as well as provides circulation to the various activities.

ARTS CENTER: An arts center is to be located on the opposite side of the program area from the pool. This year-round facility will house a ceramics studio, a nature crafts room, and a traditional crafts room as well as appropriate support spaces such as restrooms, an office and storage.

BIKE TRAILS AND ROPES

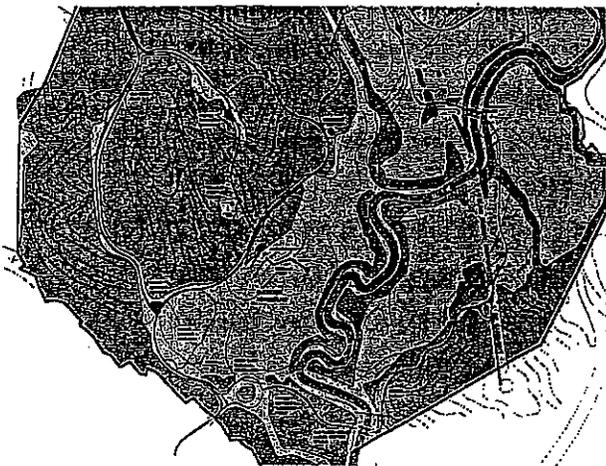
COURSES: Mountain bike trails will be created to the east of the main program area to take advantage of the rolling topography and separation from the more congested camp areas. A pavilion will provide space for gathering and storage of equipment and bikes. Near the bike trails will be low ropes and high adventure facilities for use under the supervision of adult staffers.

Waterfront Program Area



The southern end of the lake is ideal for waterfront activities such as boating and fishing. Thus, a boathouse and several docks are to be located along the western edge of the lake. An archery field on this side of the lake provides an additional program opportunity to help round out a full session of camper activities if needed.

Environmental Education and Primitive Preserve Area



The south half of the property provides a unique opportunity for development of well-marked trails and nature outposts that will convert the land into its own natural classroom. An environmental education pavilion and amphitheater will be situated at the logical starting point of these footpaths, and will serve as a trailhead as well as take advantage of its proximity to the lake.

The opportunities for educational outposts along these trails are abundant. On a high knoll there are old stones and fireplace piers from an old farmhouse and other structures indicating farm life over a hundred years ago. At another high point near the trail projectile points, stone tools, and old Catawba pottery shards, dated from 500 to several thousand years old, can be found where an Indian village once was.

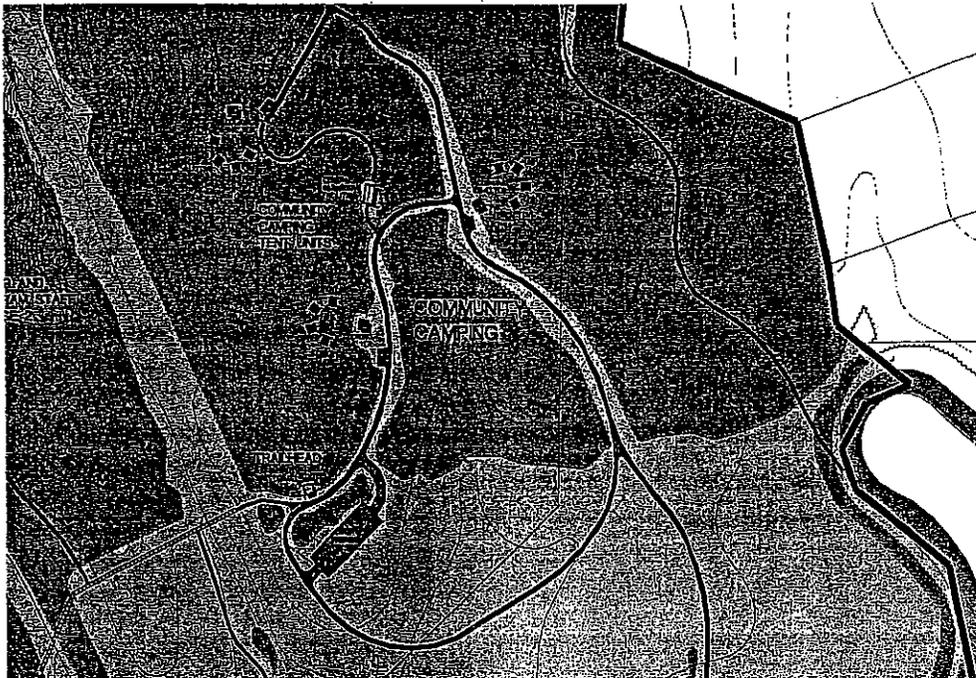
Several spots along the trail are ideal for observation and environmental study. Towards the south end of the property, a series of boardwalks and observation decks will traverse an area of active wetlands that used to be home to wood ducks. A tree house will be built on a large multi-branched tree high above the flood plain as an observation point over the outdoor adventure area. Suspension bridges, a zip line and boardwalks over Twelve Mile Creek and its floodplain will provide an element of fun for campers who hike on the trails.

An amphitheater in the center of the outdoor adventure area will allow for group instruction in environmental education, astronomy and the arts, as well as provide a place for ceremonies and other assemblies. Campers will also enjoy overnight adventures at a primitive tent village near the amphitheater.

Community Camping

In order to provide camping opportunities for local scout groups, three community tent units with a central bathhouse facility will be located south of the main program area. Vehicular access and parking for troop leaders will be provided to each unit, and additional parking, as well as directional signage, will be placed away from the units to the south.

Community groups can therefore use the units for overnight camping, or just enjoy the property for the day.

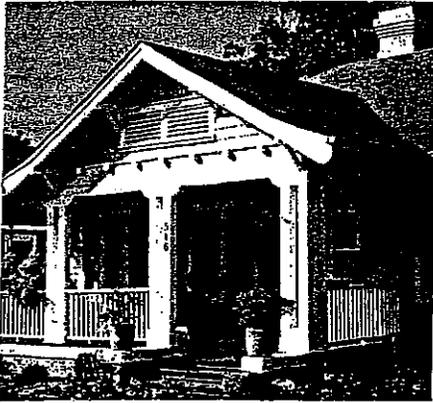


Architectural Style

An important aspect of the camp is to make the proposed buildings feel integrated with the land and surrounding area. In rural South Carolina low country and shotgun architectural styles are prevalent. The low country architectural style began in Charleston and Savannah and then migrated upland to plantation society in the 1800's. One feature of this style included one and two story porches wrapped around the house. At night, the second floor porches functioned as outdoor sleeping areas.

When the southern economy shifted from growing rice and cotton to manufacturing textiles and furniture, company owned mill villages adopted the low country design for the farms and tenant cabins. The workers' shotgun homes featured broad center hallways where, in theory, a shotgun could be fired from the front to back door without hitting a wall. Some of the unique characteristics of these architectural styles include the roof design and materials, the porches, chimneys, and windows. Many of these exterior elements can be readily translated to the retreat and camp buildings, harmoniously grounding them in the architectural character of the region.

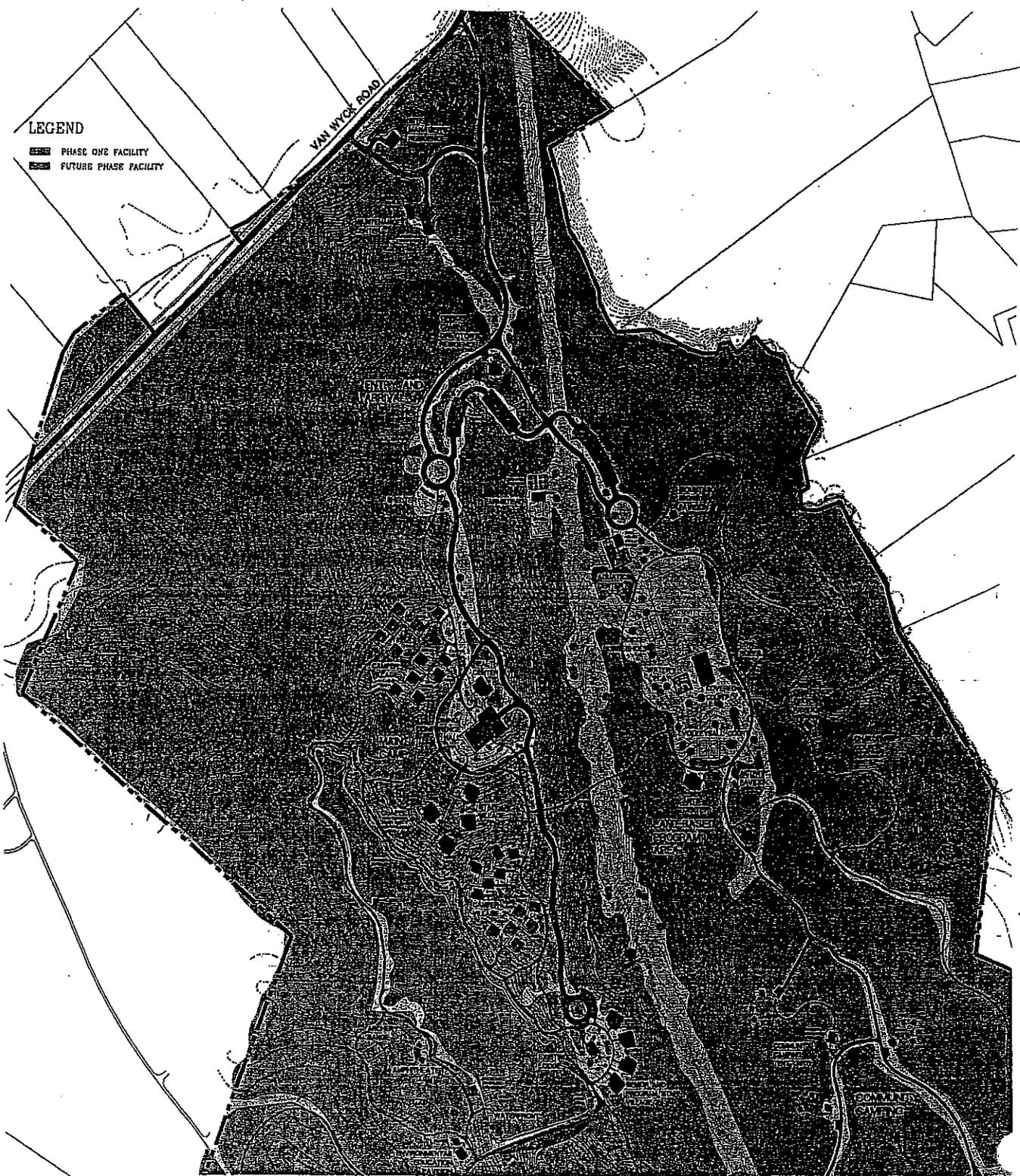




Opinion of Probable Costs

The cost analysis has been determined on a square foot basis or lineal foot basis using input from the Master Site Plan Task Force, current national cost indexes and the planning Consultant's experience with camp construction.

The construction costs assume that a general contractor will be responsible for development. All development costs, including contingencies, furnishings, fees, and expense allowances, have been included. Inflationary projections have not been included because of the unreliability of such forecasting. As an Opinion of Cost, it is important to note that this analysis is based on the facility schedule quantities, not actual or final building designs. It is assumed that this Opinion of Probable Cost will be utilized to establish the extent of financial resources, which must be developed, and that subsequent budgeting will be evaluated throughout the development process.



PHASE I PLAN

Phase I

	Capacity		
	Assembly	Resident	Estimated Cost
Dining/Conference Hall.....	330	10	\$ 2,667,900
Maintenance Workshop.....			55,000
Site Manager Residence.....		4	205,200
1 Senior Volunteer Staff Village Lodge.....	10		342,100
Senior Volunteer/Staff Program Lodge (existing).....	40	4	
5 Camper Cabins.....	60		485,700
Camper Lodge.....	60		232,000
5 Camper Cabins.....	60		485,700
Camper Lodge.....	60		232,000
Decking.....			83,500
Decking.....			83,500
Amphitheater.....	330		50,000
2 Volleyball Courts.....	40		10,000
Covered Chapel.....	60		61,000
Waterfront - boating, swim beach, fishing.....			66,000
Covered Court.....	300		277,200
Utilities.....			282,300
Roads.....			157,500
Dam Improvements.....			28,000
Contingency 10%.....			580,500
Total Construction Cost.....			\$ 6,385,100
Permits, Fees, and Project Costs.....			392,900
TOTAL DEVELOPMENT COSTS.....			\$ 6,778,000

Phase II

	Capacity	
	<u>Assembly</u> <u>Resident</u>	<u>Estimated Cost</u>
Health Center.....	2	\$ 409,700
Vehicle Storage.....		50,600
Entry/Arrival Shelter.....		38,400
3 Senior Volunteer/Staff Lodges.....	30	1,026,300
Decking.....		100,000
10 Camper Cabins.....	120	971,400
Camper Lodge.....	120	464,000
Decking.....		167,000
3 Community Camping Cook Shelter.....	36	63,900
Community Camping Bathroom		139,300
3 Ground Tent Units.....	30	15,000
Environmental Education Pavilion.....	25	53,100
Romtec Restroom		25,000
Aquatics Center Pool House		172,688
Aquatics - Pool and Hardspace		480,000
Water Spray Ground		150,000
Mountain Bike Pavilion		42,500
Farmstead		43,100
Challenge Course Pavilion.....	24	33,000
Challenge Course		85,000
Activity Pavilion.....	24	14,300
Activity Field.....		40,000
Amphitheater #2		50,000
Fishing Docks		9,000
Site Utilities		130,000
Contingency 10%.....		477,300
Total Construction Cost		\$ 5,250,600
Permits, Fees, and Project Costs		223,400
TOTAL DEVELOPMENT COSTS.....		\$ 5,474,000

Phase III

	Capacity	Estimated Cost
	Assembly	Resident
Office and Camp Director's Residence.....	10.....6	\$ 370,400
4 Senior Volunteer/Staff Lodges.....	40	1,368,400
Arts Center.....	49	351,400
Bocce Ball/Horseshoes		2,000
Archery Field.....		5,000
Trail Work - New		98,100
Boardwalks - Wetlands		120,000
Boardwalks - Outpost.....		225,000
TreeHouse - Outpost.....		6,500
Trail Work - Below Creek		40,000
Zip Line.....		6,000
Suspension Bridges		100,000
Fishing Docks		9,000
Trail Work - Existing		69,700
Directional Kiosk and Romtec Restroom.....		32,300
Primitive Tent Village and Romtec Restroom		30,000
Utilities		220,400
Roads		166,200
Contingency 10%.....		322,000
Total Construction Cost		\$ 3,542,400
Permits, Fees, and Project Costs		135,500
TOTAL PHASE III DEVELOPMENT COSTS.....		\$ 3,677,900



- Christa Boggs
- Bob Dooley
- Maurice Green
- Eric Lloyd
- Gene Phipps
- Fay Grasty
- Tom Griffin
- Chris Teat
- JoAnn O'Brian
- Guerdon Stuckey

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- Gregory Copeland
- Richard Parker
- Elizabeth W. Iszler
- Anne Hartman
- Chris Carmosino
- Melissa Miller
- Ed Shearson

Acknowledgements

MASTER SITE PLAN TASK FORCE

- Gene Phipps
- Doug Anderson
- Susan DeVenny
- Jim Teat
- Chris Teat
- Alfred Brand
- Brad Culpepper
- Genie Graham
- Fay Grasty
- Buddy Lever
- Eric Lloyd
- Tyre Green

TREETOPS BOARD OF DIRECTORS

- Susan DeVenny
- Dr. Paul McKenzie
- Genie Graham
- Lindsay Pettus
- Wyndie Harnaer
- Doug Anderson

STATE OF SOUTH CAROLINA

)

COUNTY OF LANCASTER

)

)

ORDINANCE NO. 2013-1251

~~Indicates Matter Stricken~~

Indicates New Matter

AN ORDINANCE

TO AMEND SECTION 2.1.5 OF APPENDIX B OF THE LANCASTER COUNTY CODE (UNIFIED DEVELOPMENT ORDINANCE OF LANCASTER COUNTY), RELATING TO OVERLAY DISTRICTS, SO AS TO PROVIDE FOR CLUSTER SUBDIVISION OVERLAY DISTRICTS; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

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

Section 1. Cluster Subdivision Overlay Districts.

Section 2.1.5 of Appendix B of the Lancaster County Code (Unified Development Ordinance of Lancaster County) is amended by adding:

- 16. The CSOD, Cluster Subdivision Overlay District, is hereby established. Cluster subdivisions are residential developments which offer an alternative to traditional subdivision design, with the principle purpose being to encourage open space in exchange for a reduced lot size. Cluster subdivisions shall be designed using a site planning technique that concentrates buildings and structures to the most buildable areas of a site, in order to preserve the remaining area as open space for recreation and preservation of significant site features. Reductions below the minimums otherwise required by the UDO for lot area, lot width, and setbacks are allowed within a CSOD, and such reductions are only permissible within a CSOD. By preserving open space, a cluster subdivision will provide another tool by which the County shall preserve its rural character. Cluster subdivisions are permitted in low to moderate density single-family residential districts, specifically, (i) R-30, Low Density Residential/Agricultural District, (ii) R-30P, Low Density Residential/Agricultural Panhandle District, (iii) R-15, Moderate Density Residential/Agricultural District, and (iv) R-15P, Moderate Density Residential/Agricultural Panhandle District. Cluster subdivisions are not permitted in any residential use district in which multiple-family developments or manufactured homes are allowed. Cluster Subdivision Overlay Districts are subject to the following general provisions:

- a. Minimum acreage: The minimum tract area for a cluster subdivision shall be thirty (30) gross acres, shall consist of contiguous parcels, and must adjoin or have direct access to at least one collector street.
- b. Minimum lot area: The minimum lot area (in square feet) per dwelling unit within a cluster subdivision shall be 5,000 square feet. This shall be the minimum lot area allowed for any lot with the minimum lot width of fifty feet (50'), as defined in item (c). The minimum lot area per dwelling unit shall increase proportionately with an increase in lot width.
- c. Minimum lot width: In a cluster subdivision, where both central water and sewer services are available and adequate, the minimum lot width shall be fifty feet (50').
- d. Variety of lot sizes: Individual lots in a cluster subdivision shall vary in size and layout. No more than thirty-four percent (34%) of the lots in a cluster subdivision shall have a single designated lot width. The following shall also apply:
 1. The minimum separation between any two designated lot widths shall be ten feet (10'). For example, if thirty-four (34%) of the total number of lots has a lot width of fifty feet (50'), thirty-four (34%) could have a lot width of sixty feet (60'), and the remaining could have a lot width of seventy feet (70') or greater.
 2. The planning commission may allow a developer to vary the width of individual lots to accommodate site restrictions (*i.e.*, easements, corner lot widths, etc). However, such lots shall be counted with the nearest designated lot width.
- e. Setbacks: The following minimum setbacks are required for individual lots within a cluster subdivision:
 1. Front Yard: The minimum front yard setback shall be twenty feet (20'). The front yard setback for a corner lot shall be as set forth in Chapter 5 of the UDO;
 2. Rear Yard: The minimum rear yard setback shall be thirty feet (30');
 3. Side Yard: The minimum side yard setback shall be seven feet (7'). However, a minimum side yard setback of five feet (5') is permissible provided all of the following conditions are met:
 - i. Dwelling units shall have fire resistant siding within a side yard. These materials are to be approved by the Lancaster County Building Official (*i.e.* brick, masonry, stone, concrete siding). Vinyl siding is not permissible with a five foot (5') side yard;
 - ii. Vented soffits are not permissible within a five foot (5') side yard. Unvented soffits shall be permissible if no less than ten feet (10') from an adjacent dwelling unit or structure; and
 - iii. Windows of dwelling units shall be offset from the windows of adjacent units within a five foot (5') side yard.
- f. Open space requirement: For a cluster subdivision, no less than twenty-five percent (25%) of the site acreage, not including primary conservation areas as defined in subitem (3) of this item (f), shall be set aside in perpetuity as open space. Open space shall be clearly labeled as such on any preliminary or final plat (including sketch plans) submitted for review. Open space in a cluster subdivision is also subject to the following:
 1. Open space shall be defined as set forth in Chapter 19 of the UDO and as outlined in Section 17.1 of the UDO. Open space may include, but is not limited to, passive recreation, and natural preservation of important scenic vistas, environmentally sensitive lands, habitat for wildlife, and historically or archaeologically significant areas. Structures, swimming pools, and athletic facilities shall not count as open space. However, structures are permitted in the open space when they serve an accessory function, such as a gazebo, fishing dock, playground equipment or play structures;
 2. The amount of open space required to be set aside shall be determined by the following formula:

Open Space Set Aside = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas

$$TO = ((TP - PC) \text{ OSP}) + PC$$

TO = Total Open Space Set Aside (acres)
TP = Total Parcel (acres)
PC = Primary Conservation Areas (acres)
OSP = Open Space Percentage (% of Improvable Area)

Note: See Item I of this Subsection 6 for an example of how these formulas are applied;

3. Primary Conservation area includes those areas that cannot otherwise be built upon or improved and therefore would be preserved in a conventional development. Such areas specifically include wetlands, surface waters, and intermittent stream channels;
4. To fulfill the requirements of this item (f), the following shall be included in the required open space where practicable:
 - i. Wooded areas;
 - ii. Scenic vistas;
 - iii. Streams, ponds, wetlands and floodplains;
 - iv. Buffers, including landscaped, perimeter, river and stream;
 - v. Areas containing slopes in excess of twenty-five percent (25%);
 - vi. Other areas containing unusual natural site features (such as major rock formations); and
 - vii. Other environmentally, historically or archaeologically significant or unique areas;
5. Open space shall be contiguous to the extent practicable, when not restricted by topography, existing water body and other natural features;
6. Pedestrians shall have access to open space;
7. Open space shall be deed restricted and shall not be developed for use other than open space;
8. Open space shall remain under the ownership and control of the developer (or successors) or a homeowners association or similar organization that satisfies the criteria established in Section 17.4 and 17.5 of the UDO. The person or entity identified as having the right of ownership and control over such open space shall be responsible for the continuing upkeep and proper maintenance of the open space. The County shall have no responsibility for the maintenance of open space areas. If open space location meets a need in the County comprehensive plan, the County and developer may consider conveyance of completed open space to the County, upon planning commission and Council approval; and
9. A cluster subdivision shall include provisions for the protection of trees and other natural amenities within the area or areas designated for open space. The removal of trees and natural vegetation in designated open space is strongly discouraged, though it is permitted during the development phases for the purpose of trails and other such recreational improvements as approved by planning staff. All open space shall be clearly labeled as such on any preliminary or final plat (including sketch plans) submitted for review. Trees over twenty-four inches (24") in diameter (DBH) shall be preserved and incorporated in designated open space where practicable, and upon the request of planning staff such trees existing within areas designated for trails and other such recreational improvements may also need to be shown and labeled. Upon completion of development phases, no person or entity shall remove or destroy any trees or natural vegetation from designated open space without approval from the zoning administrator.

However, normal maintenance and removal of dead or fallen trees are permitted and recommended, and shall be the responsibility of the person or entity identified as having the right of ownership as outlined in subitem (8) of this item (f).

- g. **Maximum density:** The maximum number of dwelling units allowed per acre for a cluster subdivision shall not exceed the maximum for the residential use district in which it is located, as set forth in Section 2.1.1 of the UDO, where the total number of dwelling units allowed shall be based on the gross acreage of the site. For example, when the CSOD is located within the R-30, Low Density Residential/Agricultural District, where the maximum density is two and one-half (2.5) dwelling units per acre, a one hundred (100)-acre parcel of land shall be allowed to have no more than two hundred fifty (250) dwelling units built on the site. By comparison, when the CSOD is located within the R-30P, Low Density Residential/Agricultural Panhandle District, where the maximum density is one and one-half (1.5) dwelling units per acre, a one hundred (100)-acre parcel of land shall be allowed to have no more than one hundred fifty (150) dwelling units built on the site (See Item I of this Subsection 6 for additional examples).
- h. **Commercial requirement:** There shall be no required commercial uses within a cluster subdivision.
- i. **Connectivity:** The proposed cluster subdivision must have a minimum connectivity index of 1.4 as set forth in Section 13.7.9.1 of the UDO. The following shall also apply:
 - 1. Any cluster subdivision which will result in one hundred fifty (150) or more dwelling units dependent on a single point of access shall require the provision of a second means of ingress/egress and is subject to the requirements of Section 13.7.8.9 of the UDO;
 - 2. One (1) stubbed out street shall be required to be provided to any adjacent undeveloped parcel or parcel used for a single-family home that contains a minimum of five (5) acres as set forth in Section 13.7.10.3 of the UDO. However, the planning commission may alter this requirement if the developer demonstrates that the connection would be difficult to provide because of topographical reasons; and
 - 3. Where practicable, the proposed cluster subdivision is required to connect to open space (i.e. bike paths, walking/hiking trails, etc) in adjacent developments.
- j. **Site planning review standards:** A cluster subdivision shall follow the site plan review standards and procedures as set forth in Chapter 13 of the UDO, including but not limited to Section 13.6. Furthermore, planning staff shall also include the following in their review:
 - 1. Overall site design shall be harmonious in terms of landscaping, enclosure of principal and accessory uses, sizes of structures, street patterns, and use relationships;
 - 2. The site layout shall accommodate and preserve any features of historic, cultural, archaeological or sensitive environmental value. Individual lots, buildings, structures, streets, parking areas, utilities and infrastructure shall be designed and sited to minimize the alteration of natural features, vegetation and topography;
 - 3. Where practicable, individual lots, buildings, structures, streets, parking areas, utilities and infrastructure should be designed and sited to be compatible with surrounding development patterns;
 - 4. Where practicable, open space shall be located on a site in such a manner so that view sheds from existing public right-of-way are not obstructed, but are enhanced by the open space;
 - 5. Private streets are permitted in a cluster subdivision, provided such streets meet the construction standards of Chapter 13 of the UDO and Chapter 26 of the Lancaster County Code. The following shall apply:
 - i. As required in Section 26-61 of the Lancaster County Code, the minimum right-of-way and pavement width shall be as follows:

Road Type	Right-of-Way (feet)	Pavement (feet)
Local (closed drainage)	50	20
Local (open drainage)	66	20
Collector	66	24

- ii. On-street parking is permitted in a cluster subdivision where adequate right-of-way and pavement width is provided in accordance with standards of the South Carolina Department of Transportation (SCDOT); and
 - iii. To ensure adequate clearance for emergency vehicles in a cluster subdivision, the planning commission may require signage and/or pavement markings to clearly indicate areas where on-street parking is prohibited;
6. Installing sidewalks on both sides of local streets in a cluster subdivision is encouraged. At a minimum, a sidewalk will be required on at least one side of every local street, with a sidewalk required on both sides of arterial and collector streets. Local, arterial and collector streets shall be clearly labeled as such on any preliminary or final plat submitted for review;
 7. A traffic impact analysis shall be provided to the Development Review Committee (DRC) at the time of the DRC submittal for any development within a CSOD, as required in Section 13.7.10.1 (c) of the UDO. The traffic impact analysis must be conducted and sealed by a licensed South Carolina professional engineer hired by the applicant. The cost of the traffic impact analysis shall be paid by the applicant. Any road improvements, which are determined to be necessary, based on the results of the traffic impact analysis, shall be required to be incorporated into the final site plan prior to approval being given by the Development Review Committee. The traffic impact analysis shall be reviewed by the County and in conjunction with the South Carolina Department of Transportation. If a County level traffic planner is not available to review the traffic impact analysis, the County may choose to hire a third-party consultant to assist in this review at the request of the planning department. The applicant is responsible for fees associated with this review;
 8. In general, landscaping requirements for a cluster subdivision shall comply with the requirements of Chapter 12 and Chapter 22 of the UDO. However, the planning commission may vary such requirements in response to applications demonstrating alternative landscaping based on creative site planning. Existing trees and natural vegetation shall be retained wherever possible and shall count towards meeting the landscaping requirements;
 9. The following buffer requirements shall apply for a cluster subdivision:
 - i. In general, buffer requirements for a cluster subdivision shall comply with the requirements of Chapter 12 of the UDO where a buffer yard may be required between adjacent zoning districts;
 - ii. Existing trees and natural vegetation shall be retained wherever possible and shall count towards meeting the buffer requirements;
 - iii. Ingress/egress to the property shall be allowed within a buffer, as well as utility easements and sidewalks;
 - iv. A fifty foot (50') buffer shall be required on the frontage of all existing public streets. Where there is insufficient natural vegetation to provide a visual buffer for principal structures, plantings shall be installed by the developer. A minimum of twenty-five percent (25%) of the trees and seventy-five percent (75%) of the shrubs shall be evergreens;

- v. The planning commission may allow a developer to vary the buffer requirement to preserve view sheds from existing view sheds, as required in subitem (4) of this item; and
 - vi. Buffer requirements within a cluster subdivision shall count as open space where it is contiguous with other areas designated as open space; and
10. Variety in architecture and building materials shall be encouraged within a cluster subdivision. It is encouraged that buildings are constructed using quality finish materials (*i.e.*, brick, masonry, stone, concrete siding, or stucco). Vinyl siding is permissible if in combination with other building materials.
- k. Other zoning requirements: To the extent that this subsection (6), establishing the Cluster Subdivision Overlay District, may contain zoning and development standards and requirements that are inconsistent with or conflict with zoning and development standards and requirements contained elsewhere in the UDO, the zoning and development standards and requirements contained in this subsection (6) supersede all other zoning and development standards and requirements and this subsection (6) is deemed controlling. Notwithstanding the provisions of this item (k), if a zoning and development standard and requirement contained in this subsection (6) is inconsistent with or conflicts with a zoning and development standard and requirement contained in subsections 2.1.5(1) FP, Floodplain and FW, Floodway Overlay Districts, 2.1.5(2) HNP, Historical and Natural Preservation Overlay District, 2.1.5(3) ESO, Equestrian Oriented Subdivision Overlay District, 2.1.5(4) AC, Aviation Corridor Overlay and 2.1.5(5) CHOD, Carolina Heelsplitter Overlay District, then the zoning and development standard and requirement contained in subsections 2.1.5(1), 2.1.5(2), 2.1.5(3), 2.1.5(4) or 2.1.5(5) supersede the zoning and development standard and requirement contained in this subsection (6) and the provision contained in the respective subsection is deemed controlling.
- l. Examples of Applying Formulas: Below are examples of applying formulas to determine the total number of dwelling units allowed and the amount of the site acreage to be set aside as open space within a Cluster Subdivision Overlay District.

Example A Assume that a fifty (50) acre parcel is being developed. The residential use district is R-15, Moderate Density Residential/Agricultural District, where the maximum density is two and one-half (2.5) dwelling units per acre. Assume that there are five (5) acres of Primary Conservation area. The open space percentage is twenty-five percent (25%) (or as a decimal, .25).

1. The following formula would be used to determine the total number of dwelling units allowed:

Total Dwelling Units Allowed = Total Parcel multiplied by Maximum Dwelling
Units per Acre

$$TU = (TP) (DUA)$$

TU	= Total Units Allowed	(dwelling units)
TP	= Total Parcel	(acres)
DUA	= Maximum Dwelling Units per Acre	(dwelling units/acres)

$$TU = (50) (2.5)$$

TU = 125 Total Lots or Dwelling Units Allowed

2. The following formula would be used to determine the amount of the site acreage to be set aside as open space:

Total Open Space Set Aside = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas

$$TO = ((TP - PC) OSP) + PC$$

TO = Total Open Space Set Aside (acres)
 TP = Total Parcel (acres)
 PC = Primary Conservation Areas (acres)
 OSP = Open Space Percentage (% of Site Acreage excluding PC)

TO = Total Open Space Set Aside
 TP = 50 acres Total Parcel
 PC = 5 acres Primary Conservation Areas
 OSP = 25% (or .25) Open Space Percentage

$$TO = ((50 - 5) .25) + 5$$

$$TO = ((45) .25) + 5$$

$$TO = (11.25) + 5$$

$$TO = 16.25 \text{ acres of Total Open Space Set Aside}$$

Example B Assume that a five hundred (500) acre parcel is being developed. The residential use district is R-30P, Low Density Residential/Agricultural Panhandle District, where the maximum density is one and one-half (1.5) dwelling units per acre. Assume that there are one hundred (100) acres of Primary Conservation area. The open space percentage is twenty-five percent (25%) (or as a decimal, .25).

1. The following formula would be used to determine the total number of dwelling units allowed:

Total Dwelling Units Allowed = Total Parcel multiplied by Maximum Dwelling Units per Acre

$$TU = (TP) (DUA)$$

TU = Total Units Allowed (dwelling units)
 TP = Total Parcel (acres)
 DUA = Maximum Dwelling Units per Acre (dwelling units/acres)

$$TU = (500) (1.5)$$

$$TU = 750 \text{ Total Lots or Dwelling Units Allowed}$$

2. The following formula would be used to determine the amount of the site acreage to be set aside as open space:

Total Open Space Set Aside = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas

$$TO = ((TP - PC) OSP) + PC$$

TO = Total Open Space Set Aside (acres)
 TP = Total Parcel (acres)
 PC = Primary Conservation Areas (acres)
 OSP = Open Space Percentage (% of Site Acreage excluding PC)

TO = Total Open Space Set Aside
 TP = 500 acres Total Parcel
 PC = 100 acres Primary Conservation Areas
 OSP = 25% (or .25) Open Space Percentage

$$TO = ((500 - 100) .25) + 100$$

$$TO = ((400) .25) + 100$$

$$TO = (100) + 100$$

TO = 200 acres of Total Open Space Set Aside

Example C Assume that a one thousand (1000) acre parcel is being developed. The residential use district is R-30, Low Density Residential/Agricultural District, where the maximum density is two and one-half (2.5) dwelling units per acre. Assume that there are one hundred (100) acres of Primary Conservation area. The open space percentage is twenty-five percent (25%) (or as a decimal, .25).

1. The following formula would be used to determine the total number of dwelling units allowed:

Total Dwelling Units Allowed = Total Parcel multiplied by Maximum Dwelling Units per Acre

$$TU = (TP) (DUA)$$

TU = Total Units Allowed (dwelling units)
 TP = Total Parcel (acres)
 DUA = Maximum Dwelling Units per Acre (dwelling units/acres)

$$TU = (1000) (2.5)$$

TU = 2500 Total Lots or Dwelling Units Allowed

2. The following formula would be used to determine the amount of the site acreage to be set aside as open space:

Total Open Space Set Aside = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas

$$TO = ((TP - PC) OSP) + PC$$

TO = Total Open Space Set Aside (acres)
 TP = Total Parcel (acres)
 PC = Primary Conservation Areas (acres)
 OSP = Open Space Percentage (% of Site Acreage excluding PC)

TO = Total Open Space Set Aside
TP = 1000 acres Total Parcel
PC = 100 acres Primary Conservation Areas
OSP = 25% (or .25) Open Space Percentage

TO = ((1000 - 100) .25) + 100
TO = ((900) .25) + 100
TO = (225) + 100
TO = 325 acres of Total Open Space Set Aside/

Section 2. Severability.

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

Section 3. Conflicting Provisions.

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

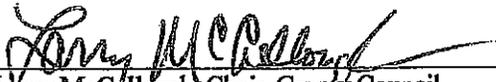
Section 4. Effective Date.

This ordinance is effective upon third reading.

SIGNATURES FOLLOW ON NEXT PAGE.

AND IT IS SO ORDAINED, this 13th day of January, 2014.

LANCASTER COUNTY, SOUTH CAROLINA


Larry McCullough, Chair, County Council

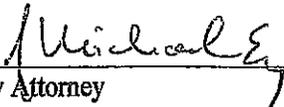

Jack Estridge, Secretary, County Council

ATTEST:


Debbie C. Hardin, Clerk to Council

First Reading: November 25, 2013
Second Reading: December 9, 2013
Third Reading: January 13, 2014

Approved as to form:


County Attorney

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

Kathy Johnson

Exhibit 8

From: reddy4948@windstream.net
Sent: Tuesday, June 11, 2013 1:54 PM
To: Kathy Johnson
Subject: Public hearing on rezoning application Rz-013-010

Dear Ms. Johnson,

It was nice talking to you. I am the owner of the land with tax map number 0019-00-023.02. I will be happy for rezoning if the land price is going to appreciate.

I am unable to attend the hearing.

Mr. Reddy

06/12/2013 Comments from Waylan Wilson regarding proposed Cluster Subdivision Overlay District (please include with presentation at Public Hearing for text amendment and for rezoning request regarding Tree Tops property)

- 1) He has no real objection to a Cluster Subdivision Overlay.
- 2) In regard to common open space held by the HOA, he feels that the County receives no taxes on this increased open space. He would like to see a portion of the common open space taxed since this property would not be used by the public (roads will be private). His opinion is that if the common open space exceeds a certain percentage, then it ought to be taxed. (County should get some money in taxes from an over abundance of open space that would normally be considered a buildable area- and land from which the HOA is benefitting.)
- 3) He also would like to see the Cluster Subdivision Overlay **require that all lots** have a one way rear lot utility access (no driveways in front of residences). (Note; this appears to be an option as the text amendment reads now but perhaps not a requirement.)
- 4) He also suggests that when we submit a new overlay or zone for approval by Planning Commission and County Council, that we wait until it has been **approved** by County Council officially before we start submitting a rezoning request to the Planning Commission that uses the proposed new overlay district or new zone. He thinks this would give the citizens more time to actually think about, digest and comment on the proposed new overlay district or zone. He stated that "the Cluster Subdivision Overlay could be a wonderful thing but that citizens should have enough time to comment on and interject ideas-before a rezoning that utilizes the new overlay district is heard." He mentioned the Haile Gold Mine rezoning and thinks that citizens could have benefitted from having more time to consider the "M" district before the rezoning case was heard.

~~XXXXXXXXXX~~
Exhibit 8

Tree Tops

Joe Ramsey [jrramsey@carolina.rr.com]

Sent: Sunday, June 16, 2013 4:56 PM

To: Planning Planning

I strongly oppose giving special high density permission for the development of Tree Tops. I understand it has a different topographical configuration, but it should not be granted special consideration. 1200 homes creates too much traffic and an overload of the school system. Especially since 400 homes were recently approved for Whiteside Rd. The density rules were rewritten to prevent such overload as the developer is requesting. Please vote against this proposal.

Thanks

Joe Ramsey
803-548-5910

11/15
Exhibit 8

September 15, 2013

Lancaster County Planning Department
101 N. Main St. Ste. 108
Lancaster, South Carolina 29721

You notified me that the rezoning application for 622.42 acres (Tree Tops)

will not be discussed at the Sept. 17 meeting . I am against the proposed

development. The following are my questions and concerns:

The impact on the county in providing the necessary
Infrastructure – water, sewerage, roads, fire and police
protection? The impact on the school system?
Will taxes be increased to provide these services?

Please read this letter at the proper hearing to record my objection
to the development.

Thank you,

Elizabeth N. Martin

Elizabeth N. Martin
3820 Green Haven Lane
Goshen, Kentucky 40026

Kathy Johnson

Exhibit 8

From: bdandridge@verizon.net
Sent: Monday, September 30, 2013 11:08 AM
To: Kathy Johnson
Subject: Re: Cluster Subdivision Overlay District

Hi Kathy,

I appreciate my conversation with you this morning, receiving detailed information about the proposal for a Cluster Subdivision Overlay District in Lancaster County, I can emphathize with the residents in the county because I have experienced their apprehension about this same type of rezoning in Howard County, Maryland where I live. We have several cluster subdivision in my community that have allayed our anxieties and fears about this new type of development.

Most of the homes in my community are built on 4, 5 and 6 acre lots, and the proposal to build homes on one acre or less lots with 2 to 3 acres of open space alarmed us. However, I can now say that the new development has proven to be an asset and has not taken away from the aesthetics of our community. Howard County has undergone extremely rapid growth beginning with a planned city, Columbia, and we knew that the land in our more rural area would eventually be developed and we did not want another planned city.

I do believe that the proposal for Lancaster County will help to control growth in the area, preserving the rural aesthetics of the county.

Thank You Again!

On 09/30/13, Kathy Johnson<kathyjohnson@lancastrcountysc.net> wrote:

Hi Ms. Dandridge,

It was very nice speaking with you today regarding the proposed Cluster Subdivision Overlay District which is being considered here in Lancaster County. I appreciated your comments about your experiences there in Howard County, MD with the Cluster Subdivisions. As I mentioned, this text amendment to create a Cluster Subdivision Overlay District for Lancaster County is being processed by both the Planning Commission and the Lancaster County Council. Once we know the outcome of this proposed text amendment to our Unified Development Ordinance, the developer will decide how to proceed with the rezoning of the Treetops property located on Van Wyck Rd near your property.

Here are the directions for viewing your property on our online map:

Go to <http://www.mylancastersc.org/>

In the red ribbon in the middle of the page, select Departments (A to D) and find the Assessors Department. A red tab will come up that says "Online Assessors Data" and you will want to select that.

Then, choose "Select Records" and click on "Yes, I accept the above statement."

Then, choose "Select by owner's name" and type in your last name (that should be enough). Enter this and a couple of choices will come up. Find yours and select "Map it". Once you are in the map, use the tools at the

top of the map to zoom out and pan around the map. The property that is known as "Treetops" is identified as Tax Map Numbers

0019-00-033.00

And

0022-00-007.00

Actually, it looks like you can use "Control" plus "Click" on either of these two tax map numbers above and it will take you straight to the map. Use "identify" to look at the surrounding parcels. I hope this helps you view your property here in Lancaster County.

I will look forward to hearing back from you if you have time to send your experiences with the Cluster Subdivision Overlay Districts there in Howard County, MD.

Thanks for your input and time,

Sincerely,

Kathy Johnson

Kathy T. Johnson

Planner I

Lancaster County Planning Department

PO Box 1809

Lancaster, SC 29721-1809

(803)416-9394

kathyjohnson@lancastercountysc.net

UDO-TA-014-005 – Chapter 3, Permissible Uses, Table of Permissible Uses, Item 2.1.4.1 (Veterinary Service with outdoor pens and commercial kennels with outdoor pens), Commercial kennels & veterinary services with outdoor pens should be a conditional use only in the B-3 zone. {Public Hearing pg. 141

Kathy Johnson

Conclusions:

Action items:

Person responsible:

Deadline:

UDO-TA-014-005 – Chapter 3, Permissible Uses, Table of Permissible Uses, Item 2.1.4.1 (Veterinary Service with outdoor pens and commercial kennels with outdoor pens), Commercial kennels & veterinary services with outdoor pens should be a conditional use only in the B-3 zone.

Application only included for this text amendment.

**The staff report for this application will be
Passed out at the Planning Commission
Meeting.**

UDO-TA-014-006 – This text amendment is to establish & include a Highway Corridor Overlay District in Lancaster County. The purpose of which is to preserve and enhance corridors that serve as major gateways leading to, from, and within Lancaster County. {Public Hearing} pgs. 142-158

Penelope Karagounis

Conclusions:

Action items:

Person responsible:

Deadline:

Action items:	Person responsible:	Deadline:

PLANNING STAFF REPORT

I. Facts

A. General Information

This text amendment is to establish and include a Highway Corridor Overlay District in Lancaster County. The purpose of which is to preserve and enhance corridors that serve as major gateways leading to, from and within Lancaster County. This is in response to a desire of the resident's of Lancaster County to provide standards relative to connectivity, aesthetic appearance, and safety along major gateways. The intent of this district is to provide unified land development regulations that promote a sense of place and create consistency along significant corridors by improving the visual character of adjacent development. As this is the first phase of implementation, the Highway Corridor Overlay District shall apply to US Highway 521 and SC Highway 75 (Waxhaw) northward to the North/South Carolina state line and SC Highway 160 from US Highway 521 westward to the Lancaster/York County.

Section 2.1.5 Overlay Districts

Proposed Text: Highway Corridor Overlay District (see attached text, Exhibit 2).

II. Findings

The Lancaster County Planning Department received approval from County Council in 2013 to proceed with ColeJenest and Stone with creating a Highway Corridor Overlay District for parcels fronting on US Highway 521 and SC Highway 75 (Waxhaw) northward to the North/South Carolina state line and for parcels fronting on SC Highway 160 from US Highway 521 westward to the Lancaster/York County. On May 14, 2013, a contract was signed between Lancaster County and ColeJenest and Stone for the consultant to begin the work. We had our first open house meeting for any concerned citizens at the Del Webb Library on Friday, June 14, 2014. We had a good amount of citizens from Lancaster County, specifically from the Indian Land community. We also had a second open house meeting in October, which we invited the development community to voice their concerns. The third and final open house meeting in Indian Land was held on December 18th to get any last comments from the citizens before the consultant began to draft the Highway Corridor Overlay text amendment draft. We also held joint workshop meeting between the Lancaster County Council and the Lancaster County Planning Commission boards. This was extremely cooperative because the consultant was able to identify both board's needs and concerns for the Highway Corridor Overlay District. It was evident that the focus of the Highway Corridor Overlay District should be more on aesthetics than excluding certain uses in the Highway Corridor Overlay District. Exhibit 2 is the proposed text amendment for the Highway Corridor Overlay District. This is the first phase in creating the Highway Corridor Overlay District. If this text amendment becomes approved at the County Council level, the second phase would be that Lancaster County would rezone the parcels fronting on US

Highway 521 from SC Highway 75 (Waxhaw) northward to the North/South Carolina state line and the parcels fronting on SC Highway 160 from US Highway 521 westward to the Lancaster/York County line to the Highway Corridor Overlay District. The underlying zoning for those parcels would remain the same, however the Highway Corridor Overlay District would be a separate zoning layer on top of the original zoning layer of each particular parcel on the Highway Corridor.

III. Recommendation

It is the recommendation of the planning staff that the above text amendment be **approved**. The Highway Corridor Overlay text amendment would preserve and enhance corridors that serve as major gateways. This is the first phase for the Highway Corridor Overlay for parcels fronting on US Highway 521 from SC Highway 75 (Waxhaw) northward to the North/South Carolina state line and SC Highway 160 from US Highway 521 westward to the Lancaster/York County line.

LANCASTER COUNTY
SOUTH CAROLINA

APPLICATION TO AMEND OR CHANGE THE TEXT OR MAP OF THE
LANCASTER COUNTY UNIFIED DEVELOPMENT ORDINANCE

Do Not Write In This Box		
Application No. <u>UDO-TA-014-006</u>	Date Received <u>1-21-14</u>	Fee Paid <u>_____</u>

- The application is for amendment to the: (check one)
 - District Boundary Map (fill in all items #2,3,4,5,6,7,&9 only)
 - Ordinance Text (fill in items # 8 & 9 only)
- Give either exact address or tax map reference to property for which a district boundary change is requested: _____
- How is this property presently designated on the map? _____
- How is the property presently being used? _____
- What new designation or map change do you propose for this property? _____
- What new use do you propose for the property? _____

EXPLAIN UNDER ITEM #9 WHY THIS AREA SHOULD BE REDESIGNATED OR CHANGED.

7. Does the applicant own the property proposed for this change? YES NO If no, give the name and address of the property owner and attach written authorization to file this application: _____

8. If this involves a change in the Ordinance text, what section or sections will be affected? Chapter 2 -- Zoning Districts and Zoning Map, Section 2.1.5 -- Overlay Districts

9. Explanation of and reasons for proposed change: The reason for the proposed change is to establish and include a Highway Corridor Overlay District. The purpose of which is to preserve and enhance corridors that serve as major gateways leading to, from and within Lancaster County. This is in response to a desire of the resident's of Lancaster County to provide standards relative to connectivity, aesthetic appearance, and safety along major gateways. The intent of this district is to provide unified land development regulations that promote a sense of place and create consistency along significant corridors by improving the visual character of adjacent development. As this is the first phase of implementation, the Highway Corridor Overlay District shall apply to US Highway 521 from SC Highway 75 northward to the North/South Carolina state and SC Highway 160 from US Highway 521 westward to the Lancaster/York county line.

(Use back of form if additional space is needed)

NOTE: It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant.

APPLICANT'S NAME (PRINT)
Lancaster County
Steve Willis, County Administrator

ADDRESS:
P.O. Box 1809
Lancaster, SC 29720
Cc: ColeJenest & Stone
200 South Tryon Street, Suite 1400
Charlotte, NC 28202
Phone: 803-285-6005


SIGNATURE

Section 2.1.5 of the Unified Development Ordinance of Lancaster County is amended by adding:

- 17. The Highway Corridor Overlay District is hereby established, and is subject to the following general provisions:
 - a. **Purpose and Intent:** The Highway Corridor Overlay District is established to preserve and enhance corridors that serve as major gateways leading to, from and within Lancaster County. As both commercial and residential land uses exist along such corridors, there is a desire of the residents of Lancaster County to provide standards relative to connectivity, aesthetic appearance, and safety along major gateways. The land use recommendations and design requirements contained here within are the result of a community-wide effort. As such, the intent of this district is to provide unified land development regulations that promote a sense of place and create consistency along significant corridors by improving the visual character of adjacent development. The County Council may choose to establish Highway Corridor Overlay Districts by ordinance on roads in various areas of Lancaster County by amending item (b) (1) of this subsection (7).
 - b. **District Boundaries and Applicability:** The Highway Corridor Overlay District applies to the following:
 - 1. All parcels fronting on or within one thousand (1,000) feet of the right-of-way of the roads listed below, except for those properties zoned and used for single family residential, including the single-family portion of a PDD development:
 - i. US Highway 521 from SC Highway 75 northward to the North/South Carolina state line; and
 - ii. SC Highway 160 from US Highway 521 westward to the York/Lancaster county line.
 - 2. This district shall apply to all non-residential portions of a PDD development and all HOA controlled or maintained subdivision entrances; and
 - 3. This district shall also apply to all shared access easements and/or cross-access easements located within the areas defined in item (b) (1) of this subsection (7) that are used to access to any parcel or parcels beyond the boundaries of this district.
 - c. **Permitted Uses:** As an overlay, the Highway Corridor Overlay District supplements standards established elsewhere in the Unified Development Ordinance of Lancaster County (the "UDO"). Any use permitted in the underlying zoning district, set forth in § 3.1 Table of Permissible Uses of the UDO, shall also be permitted in the Highway Corridor Overlay District provided it complies with the provisions of this subsection (7).
 - d. **Exceptions and Non-conforming Situations:** Any property zoned and used for a single-family residential use shall be exempt from the provisions of this subsection (7). However, if such property is rezoned for any use other than single-family, such property shall be subject to all regulations established here within. Likewise, existing development that is not single-family (including PDD development) being lawfully established prior to adoption of this Ordinance, shall also be exempt from the provisions of this subsection (7), until such time the Building Official determines renovation or expansion of the site or development exceeds fifty (50) percent of its appraised value set by the Lancaster County Tax Assessor (or the Building Official for tax-exempt developments). In addition, amendment of a PDD district being lawfully established prior to adoption of this Ordinance shall require PDD developments within such amended district(s) to comply with this subsection (7).
 - e. **Design Review:** All development design and plan reviews, as required by the UDO, shall apply to this subsection (7).
 - f. **General Requirements and Development Standards:**
 - 1. **Building Placement:** All buildings shall front onto a public or private street, or share a frontage line with a square or other similar common open space. The front facade of buildings shall be generally parallel to front property lines when placed along a corridor right-of-way. The following shall also apply:

- i. The development of retail commercial centers or villages is desired over commercial "strip development" in the Highway Corridor Overlay District.
2. **Building Height:** Maximum building height shall not exceed that permitted in the underlying zoning district, set forth in Chapter 5 of the UDO.
3. **Building Vernacular:** Variation in architecture and materials is required. There shall be no large expanse of blank exterior walls along a corridor. Variation in exterior walls may be achieved through the use of windows, projections, recesses, columns, horizontal and vertical offsets, awnings, canopies, or other architectural features. Likewise, rooflines of buildings adjacent to a corridor shall also be varied to add interest and complement the character of surrounding development and neighborhoods. Variation in rooflines may be achieved through the use of gables, eaves, parapets, cupolas, or other architectural features.
4. **Materials:** Buildings, signs, walls, and other structures within the Highway Corridor Overlay District shall be constructed using quality finish materials (i.e. brick, wood, masonry, stone, concrete siding, or stucco). In general, the use of vinyl, tin, metal and masonry block (except split face/decorative masonry) shall be prohibited on the exterior walls of any building located within this district. Metal is permissible if in combination with other building materials for trim, windows, doors, roofing, other architectural elements, and signs. All sides of the building shall comply with this requirement except any side of a building that is not visible from any point on an adjoining road right-of-way. For the purposes of this subsection (7), sides of the building that are screened with landscaping, a fence, or some combination of the two shall be considered to be visible from an adjoining street and must comply with the requirements of this section. Fencing shall be of durable construction using quality material (i.e. brick, stone, other masonry, wood, metal, decorative vinyl, or any combination thereof). The finished side of the fence shall face a corridor right-of-way or other adjacent property. Chain link, welded or woven wire, and other similar fencing are not permitted in the Highway Corridor Overlay District. This requirement is for aesthetic purposes only and is not associated with building code requirements or standards.
5. **Sidewalks and Pedestrian Amenities:**
 - i. **Sidewalks and Connectivity:**
 1. Sidewalks shall be located to allow pedestrians to safely move from their vehicles to the building;
 2. Sidewalks shall connect to existing pedestrian circulation of adjacent parcels where practicable;
 3. When adjacent to a residential use district, sidewalks shall be provided to allow residents pedestrian access to and from a commercial retail development;
 4. Sidewalks shall be required on both sides of public or private streets within a commercial retail development;
 5. A multi-use path shall be required adjacent to a corridor right-of-way and shall be located in the Corridor Frontage Buffer as outlined in item (k) (2) of this subsection (7). The following shall also apply:
 - a. The multi-use path shall have a shared use for both pedestrian and bicycle circulation;
 - b. The multi-use path shall be a minimum of eight (8) feet in width, and shall be constructed of asphalt;
 - c. The multi-use path shall be located behind the required trees of the Corridor Frontage Buffer; and
 - d. The multi-use path shall be designed and constructed in a meandering appearance as to avoid long straight runs, and shall accommodate the natural topographical features of a site as much as possible.

ii. Other Pedestrian Amenities:

1. All retail commercial development or use with a gross indoor floor area in excess of forty thousand (40,000) square feet shall provide improved common open space for use by patrons. Such common open space shall be a minimum of five hundred (500) square feet in area and may include squares, plazas, greens or other similar spaces. This requirement shall also apply to all non-residential portions of a PDD development. The following shall also apply:
 - a. For purposes of this section, "improved" shall mean cleared of underbrush and debris, accessible to pedestrians and shall include one or more of the following: landscaping, walls, fences, walks or similar paved surfaces, fountains, statues, common lawns or greens, tables and chairs, benches or other seating, water fountains, litter and recycling receptacles, playground equipment or other similar furnishings and amenities;
 - b. Such spaces shall include canopy trees to provide shade. At installation, a canopy tree shall have a minimum caliper of 2.5 inches when measured six (6) inches above ground with a minimum height of 12-14'; and
 - c. The property owners, occupants, and tenants or their agents shall be jointly and severally responsible for the maintenance and upkeep of all such common open space. All such areas shall be kept free of litter and debris, and shall generally be maintained with a neat and orderly appearance.

g. **Access Management:**

1. Curb Cuts and Parcel Access:

- i. All curb cuts shall adhere to the standards set forth by the South Carolina Department of Transportation ("SCDOT"), and shall comply with the requirements set forth in the Access and Roadside Management Standards ("ARMS Manual") as published by the SCDOT Traffic Engineering Division. However, within the Highway Corridor Overlay District, curb cuts along a corridor right-of-way shall be limited to one every three hundred (300) feet of street frontage. A greater distance of separation may be required as justified by a Traffic Impact Analysis or review by SCDOT;
- ii. Parcels having three hundred (300) or more feet of corridor frontage may be permitted additional points of access provided they comply with this subsection (7) and are justified by a Traffic Impact Analysis or review by SCDOT;
- iii. Access points for smaller parcels, where access to a shared driveway is limited, shall be subject to SCDOT approval and shall adhere to SCDOT standards;
- iv. Corner parcels located at an intersection of a corridor and a secondary street shall obtain access from the secondary street. Where such parcels have three hundred (300) or more feet of corridor frontage, a point of access to a corridor may be considered provided no other corridor access is located within three hundred (300) feet, and it adheres to SCDOT standards. Such additional access shall be considered on a case-by-case basis, and is subject to approval by the Planning Commission, County Council, and/or Zoning Administration;
- v. Existing median crossovers are to remain. When applicable, access to a parcel shall be aligned directly with existing median crossover. When access does not align directly with existing median crossover, such access must adhere to the SCDOT ARMS Manual; and
- vi. A Traffic Impact Analysis shall be required for all parcels over (5) acres and shall meet the requirements set forth in § 13.7.10.1 (c) of the UDO. The Traffic Impact Analysis must be conducted and sealed by a licensed South Carolina

professional engineer. Any road improvements, which are determined to be necessary, based on the results of the Traffic Impact Analysis, shall be incorporated into the final site plan prior to County approval. The Traffic Impact Analysis shall be reviewed by the County and in conjunction with the SCDOT. If a County level traffic planner is not available to review the Traffic Impact Analysis at the time of submittal, the County may choose to hire a third-party consultant to assist in this review at the request of the planning department. The cost of the Traffic Impact Analysis, including any additional reviews requested by the County, shall be paid for by the applicant.

2. Connectivity: Reduction of access points to a corridor is required. The following shall apply:

- i. Consolidation of Access Points:

1. Shared driveways between two or more parcels shall be required where practicable and shall require mutually executed shared access agreements; and
 2. To the extent practicable, adjoining parking lots serving non-residential buildings shall be connected and shall require mutually executed shared access agreements and/or cross-access easements.

- ii. Stub Outs

1. Where an undeveloped adjacent parcel exists, a stub out or cross-access easement for future stub out, shall be required to allow for connection to future parking and/or shared driveways.

h. Parking and Vehicular Access:

1. Off-street Parking: Off-street surface parking shall be located primarily to the rear of the building it serves. Side yard parking is permissible and shall occupy no more than forty five percent (45%) of the principle corridor frontage line. The following shall also apply:
 - i. Side yard parking shall not be placed in an established side yard abutting an intersecting street;
 - ii. Where dimensions or topographical constraints of existing parcels restrict the location of off-street parking to the rear of the building it serves, the restrictions on side yard parking may be modified, on a case-by-case basis, by the Planning Commission, County Council, and/or Zoning Administration;
 - iii. Uninterrupted areas of parking areas shall be limited in size. Larger parking areas shall be broken by buildings and/or landscape features as outlined in item (k)(5) of this subsection (7); and
 - iv. Parking areas shall be designed to allow pedestrians to safely move from their vehicles to the building.
2. On-street Parking: On-street parking is permitted within a retail commercial development where adequate space for parking and maneuvering is provided outside of travel lanes. On-street parking shall comply with the requirements set forth in the SCDOT ARMS Manual.
3. Parking Count and Dimension Requirements: The number of parking spaces required and required parking space dimensions shall comply with the provisions set forth in § 11.2 and § 11.4 of the UDO.
4. Off-street Loading and Unloading Areas: Off-street loading and unloading areas shall comply with the provisions set forth in § 11.11 and shall be screened from view from all residential use districts and public right-of-way using an opaque screen. Such screening requirements may be increased, on a case-by-case basis, at the recommendation of the Zoning Administrator.
5. Driveway and Internal Street Standards:
 - i. All newly constructed streets within the Highway Corridor Overlay District shall meet the construction standards of Chapter 13 of the UDO and Chapter 26 of the Lancaster County Code. The minimum right-of-way and pavement widths shall

- comply with the provisions set forth in § 26-61 of the Lancaster County Code. Where applicable, such streets shall also comply with the standards established by SCDOT;
- ii. The minimum spacing between driveway accesses to a corridor shall comply with the provisions set forth in item (g) of this subsection (7).
 - iii. Curb and gutter shall be required on all newly constructed streets and parking areas within the Highway Corridor Overlay District; and
 - iv. Interconnectivity between adjacent parcels is required and shall comply with the provisions set forth in item (g) of this subsection (7).
- i. **Signs:** In general, signage within the Highway Corridor Overlay District shall comply with the provisions set forth in Chapter 10 of the UDO. The following additional regulations shall also apply specifically to this overlay district:
1. **Permitted Signs:** All signs that are permitted within the Highway Corridor Overlay District shall compliment the surrounding buildings in material and architectural vernacular. The following signs are permitted in the Highway Corridor Overlay District:
 - i. **Free standing ground monument signs:** All ground monument signs shall have a setback requirement of five feet from any property line or right-of-way line. Ground monument signs shall not project into any street or highway right-of-way. No more than one (1) ground monument sign shall be permitted per lot and may contain a sign face on one (1) or more sides;
 - ii. **Wall signs:** Wall signs attached flat against a wall shall not extend more than eighteen (18) inches from a wall. When a wall sign extends two (2) or more inches from a wall it shall be a minimum of eight (8) feet above any sidewalk;
 - iii. **Projecting signs:** A projecting sign perpendicular to the wall of a building may be substituted for a wall sign provided it is a minimum of eight (8) feet above any sidewalk and projects no more than six (6) feet from the wall on which it is mounted;
 - iv. **Canopy or awning signs;**
 2. **Commercial Retail Developments and Centers:** All retail commercial development or use with two or more businesses shall be allowed no more than one (1) ground monument sign. Signage for individual businesses shall be consolidated onto one (1) such ground monument. The following shall also apply:
 - i. Where such a development fronts two (2) major streets with more than five hundred (500) feet of frontage on each, one (1) additional ground monument sign may be permitted provided no more than one (1) is located on each street;
 - ii. Directional and way finding signs within a retail commercial development or center shall be grouped where practicable, shall be consistent in size, color, ornamentation, and materials, and shall compliment the surrounding buildings; and
 - iii. For such developments, a ground monument sign shall not exceed a height of twelve (12) feet. Where such a development has a gross indoor floor area in excess of forty thousand (40,000) square feet, the maximum height may be increased to no more than twenty (20) feet for a ground monument sign.
 3. **Size and Height of Signs:** The maximum size of any sign shall be as established in Chapter 10 of the UDO. A sign for any individual nonresidential use shall not exceed a height of twelve (12) feet along a corridor and a height of (4) feet along any other street. A sign for a single-family development shall not exceed a height of ten (10) feet along any street. For a multifamily residential or attached single-family development, a sign shall not exceed six (6) feet in height along a corridor and (4) feet along any other street. The height of all signs shall be measured from the lowest adjacent grade at the base of the sign;
 4. **Prohibited Signs:** The following signs, in addition to those prohibited in Chapter 10 of the UDO, are prohibited in the Highway Corridor Overlay District:

Proposed Lancaster County, SC UDO Text Amendment:
Highway Corridor Overlay District

- i. Pylon signs;
 - ii. Flashing and pulsating signs;
 - iii. Signs imitating warning signals;
 - iv. Attached or painted signs;
 - v. Off-premise signs;
 - vi. Animated signs;
 - vii. Beacons;
 - viii. Neon gas tubing or similar signs;
 - ix. Inflatable signs and tethered balloons;
 - x. Illuminated tubing or string of lights typically used for outlining property lines, open sales areas, roof lines, doors, windows or wall edges of any building, except for "holiday season" lights as permitted in item (j) (7) of this subsection (7);
 - xi. Signs that move or give the appearance of moving, including but not limited to feather signs, pennants, inflatable figures, streamers, and other signs which flutter, undulate, swing, rotate, oscillate or otherwise move by natural or artificial means;
 - xii. Reader boards, digital message boards (LED), or other similar commercial electronic variable message signs whose static message or copy change more than once every ten (10) seconds;
 - xiii. Any sign that obstructs or impedes traffic safety or obscures traffic signals, signs, or other similar traffic safety devices. Signs shall not obstruct the view of motorists using any street, driveway, parking aisles or the approach to any street intersection as to cause a traffic safety hazard. Any sight obstruction determined by the County shall be corrected immediately;
 - xiv. Any sign which exhibits statements, words or pictures that are obscene in nature; and
 - xv. Any sign which is not permitted, abandoned signs, or signs which being structurally unsafe or hazardous;
 - xvi. Any sign placed with the primary purpose of providing a sign not otherwise allowed by this section.
5. Temporary Signs: The following temporary signs are permitted provided their use complies with the requirements set forth in Chapter 10 of the UDO, including duration of display and removal requirements:
- i. Real estate signs;
 - ii. Construction site identification signs;
 - iii. Grand opening, going out of business signs, or similar;
 - iv. Holiday signs;
 - v. Special event signs;
 - vi. Roadside stand signs;
 - vii. Signs for onsite contractors;
 - viii. Banners for religious, charitable, civic, fraternal or similar organizations;
 - ix. Banners in non-residential districts;
 - x. Other temporary signs as may be restricted by Chapter 10 of the UDO.
6. Sign Illumination: Illuminated signs, including those with internal illumination, are permitted and shall be placed and shielded so that glare from the sign does not adversely affect any adjacent property, residential use district, cause glare hazardous to pedestrians, or interfere with the operation of a vehicle on any street right-of-way. Signs shall not have light-reflecting backgrounds or letters. The intensity of light shall not exceed twenty (20) foot candles at any point on the sign face;
7. Sign Landscaping: All ground monument signs shall have, at a minimum, landscaping in accordance with the standards set forth in Chapter 10 of the UDO. Where practicable,

landscaping shall be integral with other landscaped areas as required by this district. Minimum plant sizes at installation shall also comply with this subsection (7). All landscaping at the base of a sign shall be located so as not to obstruct any motorist's view of other vehicles moving within a parking lot or entering/exiting a driveway.

- j. **Lighting:** In general, lighting within the Highway Corridor Overlay District shall comply with the provisions set forth in § 11.6.5 of the UDO. The purpose of this item (j) is to provide aesthetic regulations and to assure that exterior lights are shielded and do not cast direct light beyond a property line. Streets, driveways, parking areas, sidewalks, and building entrances shall be lighted in order to contribute to the security of a property and to facilitate the safe passage of persons using such streets, driveways, sidewalks, and parking areas after dark. However, measures shall be provided to limit the amount of ambient light perceptible from adjacent properties and glare that may impair the vision of motorists. The following shall also apply:
1. Light intensity shall not exceed twenty (20) foot candles at any point in the Highway Corridor Overlay District. Light intensity shall not exceed two (2) foot candles at a property line adjacent to a street right-of-way or non-residential use, and shall not exceed one-half (0.5) foot candle at a property line adjacent to a residential use district;
 2. The following light intensities measured in foot candles (fc) shall also apply:
 - i. Parking Lots: 0.6fc Minimum/2.4fc Average/10fc Maximum;
 - ii. Walkways & Driveways: 0.2fc Minimum/1.0fc Average/10fc Maximum;
 - iii. Landscape & Decorative: 0fc Minimum/0.5fc Average/5.0fc Maximum;
and
 - iv. Outdoor Display of Merchandise: 0.5fc Minimum/1.0fc Average/
15fc Maximum;
 3. Where a lighted intersection is required, a Mast-arm traffic light shall be installed;
 4. Decorative fixtures are desired and shall be consistent throughout a site. Each fixture shall be a down-directional lighting fixture with its source being recessed within an opaque housing. All light fixtures shall be located, aimed or shielded as to limit the amount of ambient light perceptible from adjacent properties and street right-of-way. The color of all such light sources shall be white;
 5. Street lighting shall comply with SCDOT requirements where applicable. All street lights shall be consistent along a corridor and throughout a site. Such fixtures shall be shielded except that decorative street lights shall have caps to direct light downward. The color of all such light sources shall be limited to white, off-white, or as required by SCDOT;
 6. All wiring and service connections for all lighting must be underground. Likewise, the back of all signs shall have a finished appearance unless it is screened with an opaque screen and is not visible from any residential use or street right-of-way;
 7. Holiday lighting displays, lighting for approved temporary events and directional lighting during construction are exempt from these requirements provided they do not exceed the maximum foot candles and do not negatively impact safety;
 8. Fixture heights shall not exceed eighteen (18) feet except in areas where the total number of parking spaces exceed one hundred (100) spaces. In such cases, fixtures shall not exceed twenty-five (25) feet provided they are limited to the central areas of the parking area. A luminary located within fifty (50) feet of a residential use district shall not exceed a height of twelve (12) feet. Fixtures along the primary vehicular/pedestrian streets shall not exceed a height of eighteen (18) feet;
 9. Outdoor lighting installed on canopies or drive-thru facilities are permitted with a maximum foot candle reading of twenty (20) foot candles under any illuminated area. Fixtures located under a building canopy shall be flush-mount with a flat lens, shall use diffusers and be shielded;
 10. Buildings shall be safely illuminated at entry/exit locations, and shall be illuminated using shielded lighting or off-building lighting that does not generate glare or otherwise allow the light to be viewed directly from an adjacent property. Building walls may be

illuminated and may include up-lighting. However, no building illumination shall cause the site to exceed maximum light intensity limitation;

11. Landscape lighting may include up-lighting for accent. However, no landscaping illumination shall cause the site to exceed maximum light intensity limitation, and such fixtures shall be located, aimed or shielded as to limit the amount of ambient light perceptible from adjacent properties and street right-of-way;
12. Security lighting shall be provided, particularly at pedestrian walkways. Motion detector security lights shall be exempt from the requirements of this section provided such lights are normally "off", and are limited to being "on" for four (4) minutes or less when motion is detected;
13. Flood lights shall be permissible for security, loading areas, and other such applications provided they are focused toward the primary building or space intended to be illuminated. Likewise, they may be aimed at no higher than a forty-five (45) degree angle, and shall be generally aimed or shielded as to limit the amount of ambient light perceptible from adjacent properties and street right-of-way;
14. The following lighting fixtures are prohibited: non-directional lighting fixtures, searchlights, laser source lights, flashing lights or any similar high-intensity light used to attract attention, except for use during emergencies by authorized emergency, police and fire personnel;
15. Any damaged, broken or malfunctioning light fixture or pole shall be repaired or replaced immediately; and
16. A lighting plan shall be submitted as part of a County site plan review. The County may adjust the standards for the maximum illumination at a property line if it is determined that the design and nature of the adjacent use creates a need to either reduce or increase the maximum illumination. Likewise, the Zoning Administrator may require changes to fixtures to bring the lighting levels into compliance, or as necessary to reduce impact on adjacent properties and street right-of-way.

k. Landscaping, Buffer Yard, and Screening Requirements:

1. General Landscape Requirements:
 - i. Landscaping shall comply with SCDOT sight distance and sight triangle requirements. Landscaping shall not obstruct or impede traffic safety or obscure traffic signals, signs, or other similar traffic safety devices. Likewise, landscaping shall not obstruct the view of motorists using any street, driveway, parking aisles or the approach to any street intersection as to cause a traffic safety hazard. Any sight obstruction determined by the County shall be corrected immediately;
 - ii. Native species and related cultivars are desired and shall be used where practicable. In general, all trees and shrubs shall be low maintenance, locally adapted to the area and shall conform to the requirements in the latest edition of American Standards for Nursery Stock, published by the American Association of Nurserymen;
 - iii. The use of existing trees to satisfy the requirements of this section is desired. However, supplemental plantings may be required, in the addition to native plant material, by the Zoning Administrator;
 - iv. Vacant commercial parcels shall be landscaped while vacant to stabilize the site and maintain an attractive appearance along a corridor. At a minimum, such landscaping shall include turf grass or other vegetative ground cover to stabilize the soil;
 - v. Where practicable, earthen berms may be used to comply with the landscaping, buffer yard and screening regulations of this section provided they comply with all other requirements of this district. Likewise, additional screening in the form of earthen berms (or fencing) may be required, on a case-by-case basis, by the Planning Commission, County Council, and/or Zoning Administrator. In general,

The following shall also apply to earthen berms located within the Highway Corridor Overlay District :

1. Berms shall have a minimum height of two (2) feet and a minimum crown width of eight (8) feet;
 2. Berms shall not exceed a maximum height of six (6) feet;
 3. If four (4) feet in height or less, a berm shall have a side slope no greater than three to one (3:1). If greater than four (4) feet in height, a berm shall have a side slope no greater than four to one (4:1);
 4. Berms shall be designed and constructed with an undulating appearance to resemble the natural topographical features of a site as much as possible; and
 5. The Zoning Administrator may allow an exception to the minimum and maximum height requirements for an earthen berm where topography or other natural site features may justify such an exception.
- vi. Plants shall compliment the surrounding structures in form, color and height. Compliance of this requirement shall be determined during plan review by the Planning Commission and/or Zoning Administrator; and
- vii. Landscaping Completion and Maintenance:
1. Completion: All landscaping shall be installed pursuant to the requirements of this subsection (7) or County approved landscaping plans unless substitutions are approved under the regulations set forth in § 12.13 of the UDO. A certificate of occupancy for any business or use within the Highway Corridor Overlay District shall not be issued until the required landscaping is installed by the property owners, occupants, and tenants or their agents. If agreeable to County Council and/or the Zoning Administrator, a certificate of occupancy may be issued prior to the installation of required landscaping provided the owner furnishes a surety bond, letter of credit, cash escrow, or other guarantee acceptable to the County assuring completion of all landscaping, including labor; and
 2. Maintenance: The property owners, occupants, and tenants or their agents shall be jointly and severally responsible for the maintenance of all landscaping. All landscaping required by or installed pursuant to the requirements of this subsection (7) or County approved landscaping plans shall be free of disease and maintained in a healthy condition. All required landscaping shall be kept free of litter and debris, and shall be free of dead, diseased, or severely damaged plants. Likewise, any plants removed as the result of death, disease or damage shall be replaced in a timely manner.
2. Corridor Frontage Buffer: Landscaping shall be provided along corridor frontage within the first twenty-five (25) feet of front yard as measured from the edge of the road right-of-way. The following shall also apply:
- i. Three (3) canopy trees shall be planted per one hundred (100) feet of corridor frontage and shall be equally spaced on center where possible. Where overhead utility lines exist, five (5) understory trees shall be planted per one hundred (100) feet of corridor frontage instead and shall be equally spaced on center where possible. At installation, canopy trees shall have a minimum caliper of 2.5 inches when measured six (6) inches above ground with a minimum height of 12-14'; understory trees shall have a minimum caliper of 2.5 inches when measured six (6) inches above ground with a minimum height of 10-12';
 - ii. In addition to the tree requirement, the Corridor Frontage Buffer shall consist of any combination of shrubs, turf grass or other ground cover. In general, no portion of the Corridor Frontage Buffer shall contain bare soil;

- iii. No impervious surface shall be allowed in this area except for driveways connecting to the point of ingress and egress, required multi-use path (see item (f)(5) of this section), sidewalks, boundary fences or walls; and
 - iv. There shall be no display of merchandise for sale, or other similar display within this area.
3. Screening and Buffer Yards: To minimize potential conflicts between zoning districts and/or uses, the screening and buffer yard regulations established in Chapter 12 of the UDO shall apply. The following shall also apply:
- i. Containers, dumpsters, mechanical equipment, and similar structures shall be located to the rear and/or side of the building it serves. Where practicable, utility boxes shall also be located to the rear and/or side of the building it serves;
 - ii. All containers, dumpsters, mechanical equipment, utility boxes, and similar structures shall be screened from view from all adjacent properties, residential use districts and public right-of-way using an opaque screen;
 - iii. Where applicable containers, dumpsters, and similar structures shall be screened from view, using a semi-opaque screen, from the upper levels of adjacent buildings;
 - iv. Roof-top mounted mechanical equipment shall be screened to their full height by a parapet or other structure that is complimentary to the building in material and color. Ground-mounted mechanical equipment shall be screened to their full height on all sides using an opaque screen;
 - v. Outdoor vending machines and similar devices shall be located as to limit view from residential use districts and corridor right-of-way;
 - vi. Boundary fences or walls as may be permitted in Chapter 12 of the UDO shall comply with the materials requirements of item (f) of this subsection (7);
 - vii. Chain link, welded or woven wire, and other similar fencing is not permitted unless their use is temporary during construction; and
 - viii. Screening and buffer yard regulations within the Highway Corridor Overlay District may be increased on a case-by-case basis at the recommendation of the Zoning Administrator.
4. Median & Right-of-Way Landscaping: Median and/or street right-of-way landscaping shall be required for retail commercial development or use with a gross indoor floor area in excess of forty thousand (40,000) square feet. This requirement shall also apply to all non-residential portions of a PDD development and all HOA controlled or maintained subdivision entrances. The following shall also apply:
- i. All landscape improvements shall be approved by SCDOT, and shall comply with the requirements set forth in the SCDOT ARMS Manual;
 - ii. An encroachment permit with SCDOT shall be required for any landscape work performed within a public street or highway right-of-way;
 - iii. Landscape improvements shall comply with SCDOT sight distance and sight triangle requirements. Any sight obstruction determined by the County or SCDOT shall be corrected immediately;
 - iv. Irrigation shall be required as determined necessary by SCDOT, per the ARMS Manual;
 - v. As required by SCDOT, applicants shall furnish, install, and maintain all plantings. Applicants shall be responsible for maintaining all vegetation (and irrigation) within the right-of-way that is contiguous with the landscape improvements. SCDOT shall not be responsible for providing water, fertilizer, labor, materials, or maintenance within the landscaping limits of the right-of-way; and
5. Parking Area Landscaping and Screening:
- i. Perimeter Parking Area Planting:

1. A perimeter landscape strip with a minimum width of eight (8) feet shall be required on all sides of parking areas. This area shall not be located within the required Corridor Frontage Buffer;
 2. A continuous evergreen shrub screen is required within the perimeter landscape strip. Evergreen shrubs shall be at least thirty (30) inches in height with a minimum spread of twenty-four (24) inches at time of planting, and shall be spaced no more than five (5) feet on center. Shrubs shall have an average mature height of six (6) feet. A masonry wall, three (3) feet above ground level, may be used in place of a continuous evergreen shrub screen where practicable. Such perimeter screen may be penetrated for ingress/egress;
 3. Canopy trees shall line the perimeter of all parking areas and shall be spaced no more than 40' on center. At installation, canopy trees shall have a minimum caliper of 2.5 inches when measured six (6) inches above ground with a minimum height of 12-14'. Where overhead utility lines exist, understory trees shall be planted instead and shall be spaced no more than 30' on center. Understory trees shall have a minimum caliper of 2.5 inches when measured six (6) inches above ground with a minimum height of 10-12'. All trees shall have all limbs trimmed at least six (6) feet above ground level;
 4. No less than a minimum of one (1) tree planting area shall be provided for every ten (10) parking spaces. Additionally, a tree planting area shall be provided at both ends of all parking aisles. Each tree planting area shall be a minimum of two hundred (200) square feet in area, being at least ten (10) feet in width, and shall be edged with a curb at least six (6) inches in height. Each tree planting area shall be planted with one (1) canopy tree shall have a minimum caliper of 2.5 inches when measured six (6) inches above ground with a minimum height of 12-14'. Where overhead utility lines exist, understory trees shall be planted instead and shall have a minimum caliper of 2.5 inches when measured six (6) inches above ground with a minimum height of 10-12'. In addition to the tree requirement, each tree planting area shall consist of any combination of shrubs, turf grass or other ground cover so that no portion of the tree planting area shall contain bare soil. Where sight lines may not permit shrubs, tree planting areas shall contain turf grass or other ground cover. Shrubs in tree planting areas shall be maintained at a maximum height of three (3) feet. All trees shall have all limbs trimmed at least six (6) feet above ground level;
 5. The landscaping requirements of this item (k) (5) shall not be used to meet any other landscaping, buffer yard or screening requirements of the UDO; and
 6. Parking areas with less than twenty (20) spaces shall not be subject to the provisions of this item (k) (5) of this subsection (7).
6. Lists of Recommended Trees and Shrubs: The following lists are by no means comprehensive and are intended merely to suggest the types of flora which would be appropriate along the Highway Corridor Overlay District. Plants were selected for inclusion on these lists according to their general suitability for the climate and soil conditions of this area, ease of maintenance, tolerance of area conditions, and availability from area nurseries. If an introduced species has proven highly effective in this area, it too may be a proper selection.
1. Canopy Trees:
 2. Understory Trees:
 3. Evergreen Trees:

4. Shrubs:

I. Open Space and Tree Preservation:

- i. **Open Space:** A minimum of twenty-five (25) percent of the site must be devoted to open space, public greens, or other similar areas not covered by buildings or pavement. Required setbacks and buffer yards may be included in calculating this open space requirement. All open space shall be clearly labeled as such on any plans submitted for County review;
- ii. **Tree Preservation:** All required setbacks, buffer yards and open space shall be used as tree preservation areas. All canopy trees with a diameter (DBH) greater than twenty-four (24) inches shall remain unless the Planning Commission or Zoning Administrator determines there is no suitable alternative due to unavoidable grading, or because of required configuration of a street, driveway, sidewalk, permitted sign, essential utility or buildings. In general, all such shall be located as to preserve the maximum number of existing trees possible. All canopy trees with a diameter (DBH) greater than twelve (12) inches but less than twenty-four (24) inches and all understory trees with a diameter (DBH) greater than four (4) inches shall also remain where practicable. The following shall also apply:
 1. Such trees may only be removed from tree protection areas under one or more of the following conditions:
 - a. The tree is unhealthy, diseased or dead;
 - b. The tree causes a safety hazard to nearby buildings or pedestrian or vehicular circulation;
 - c. The tree is of a species that may drop debris or sap that can significantly affect property;
 - d. The tree is interfering with an existing underground utility line;
 - e. The tree is causing significant structural damage to a building or other similar structure; and/or
 - f. It is necessary to allow construction of a street or driveway essential for access to a parcel.
 2. To ensure protection of existing trees, protection shall be provided around tree preservation areas and shall comply with the provisions set forth in § 12.11.4 of the UDO;
 3. **Mitigation:** Any canopy trees with a diameter (DBH) greater than twelve (12) inches and all understory trees with a diameter (DBH) greater than four (4) inches that are removed from a tree preservation area for any reason shall be replaced with another similar tree elsewhere within the preservation area, or elsewhere on a parcel. Replacement trees shall be from the approved tree list. At installation, a replacement canopy tree shall have a minimum caliper of 2.5 inches when measured six (6) inches above ground with a minimum height of 12-14'; a replacement understory trees shall have a minimum caliper of 2.5 inches when measured six (6) inches above ground with a minimum height of 10-12'.
- m. **Typical Corridor Cross Section:** The following Illustration 1.1 is a typical cross section along the Highway Corridor Overlay district.
- n. **Other Zoning Requirements:** To the extent that this subsection (7), establishing the Highway Corridor Overlay District, may contain land development standards and requirements that are inconsistent with or conflict with land development standards and requirements contained elsewhere in the UDO, including permitted uses of the zoning districts which underlie this overlay district, the more restrictive and stringent regulations shall be deemed controlling. Likewise, when any existing county ordinance is amended, the more restrictive provisions of such revised ordinance shall apply even if the provisions of this

subsection (7) are more relaxed. In addition, all projects within the Highway Corridor Overlay District shall comply with all other applicable provisions of the UDO which are not in conflict with the preceding provisions of this subsection (7)./

HWY 521 Typical Section . NTS

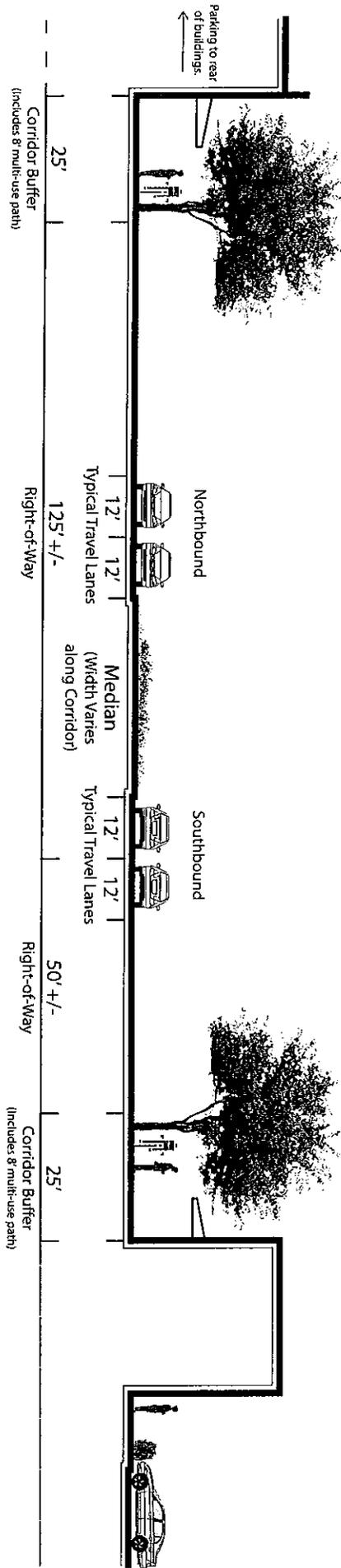


Illustration 1.1, Typical cross section along Highway Corridor Overlay District.