



be presented to County Council as well for the Unified Development Ordinance Rewrite and also the repealing of the Zoning Map. Tonight we have Kara Drane from the Catawba Regional Council of Government that will be giving a presentation and then we do have people signed up for the public input session. When you come up to speak please state your name and address and we will give you up to five minutes to speak. I will be keeping a timer and once you hear the alarm ring please wrap up your statement so we can move on to the next person.

**Draft UDO/Chapters 1 – 10 and Appendices – Kara Drane, Catawba Regional Council of Government, Penelope Karagounis, Lancaster County Planning Director**

Penelope Karagounis – Kara Drane is the Senior Consultant with the Catawba Regional Council of Government. She has been working with my department to help us with the rewrite of the Unified Development Ordinance. The first part of the meeting we will be talking about the draft chapters 1-10 of the Unified Development Ordinance.

Kara Drane – The first item on the agenda is the presentation on the chapters. Many of you came to the Input Session we had this afternoon and we had some individuals who came this afternoon and submitted comments on both the chapters and the maps. Thank you for being here tonight those of you who couldn't come earlier. The Unified Development Ordinance is an ordinance that includes the zoning and subdivision regulations. It also includes the Flood Plain and storm water regulations. It has the standards for roads and infrastructure. It has ten chapters and it covers a lot of information for Lancaster County. Lancaster County adopted a new Comprehensive Plan in December of 2014. That Comprehensive Plan that was adopted had certain values and goals that were included in it. What happens with a community such as Lancaster County is when they pass a Comprehensive Plan, it is really a good time to revisit and look at your ordinances to see if your ordinances implement the built environment based on what your goals are for a community. Some of the goals that came out of the Comprehensive Plan are included in the first chapter and those include items that talk about, and I'm just going to talk about a couple of them. One talks about a strong diverse economy that supports a wide variety of businesses and enterprises. It states, to promote a safe and healthy environment with good air and water quality. It also talks about preserving open space and providing for sustainable well managed growth. In Lancaster County as you know you have many areas that are very rural and then you also have a very high growth area. You have portions between those that are probably in transition; around the City of Lancaster but that are in the unincorporated portions of Lancaster County. The very first chapter talks about what is the purpose of the code and regulations and also it talks about what are the zoning districts that are included. The information for the zoning districts has been online but it basically covers different districts that cover your rural area and your agricultural and residential areas; also, low density, medium density, your commercial districts and also industrial and open space. It has new districts that you don't have today that include mixed use. Those are areas that are more form based and they are for an area that would be in an urbanized area. They are more geared around people who want to bike and walk. If you have looked at the Future Land Use Map, there are certain nodes in the northern panhandle that are called

pedestrian centers and employment centers. The mixed use districts only apply to those portions of the map. In the first chapter it also includes information about what is called an Overlay District. Sometimes people can confuse that with the base zoning; your base districts are agricultural residential, rural residential or low density, commercial districts or industrial; those are your base districts. When you look at the overlay districts, those are standards that are on top of your base zoning. Those are covered in Chapter 4 but they are mentioned in Chapter 1 to just let the reader know what those overlay districts are. An example of an overlay district would be the Highway Corridor Overlay. That would be an overlay district. You also have the Aviation Overlay around McWhirter field; that is an overlay. Chapter 2 gives you a description of each district, it has the description and it talks about what the standards are and what the density is. It also covers your Use Table. Many people are very interested in that because they want to see based on the zoning district what uses are allowed in that zoning. We very deliberately made sure that as we created new zoning districts that they were very comparable to what was on the ground today. So for example, if you were in a rural district today and you were allowed to do X Y and Z. If you look at the Use Table those items should be covered. If you look at the Use Table in Chapter 2 it lists the different districts and it also lists the different uses that are allowed. It tells you if they are permitted by right, if they are permitted with review which means they have some additional regulations that go with that particular use. Or there may be a conditional use or there may be a special exception. The Conditional Use is something that you don't have today but it is something that we have proposed in the ordinance. What it entails is that if you have a use that is conditional, there is an application that is made and it is not as much as a rezoning; but is an application process that goes before Planning Commission for a recommendation and goes to County Council. You don't see many of those that are called Conditional Uses on the Use Table. If you notice a lot of the uses that are noted as conditional, are really geared towards something that may could be a nuisance to a surrounding property perhaps; but in the right area there wouldn't be a problem. The Special Exception is items that go before the Board of Zoning Appeals.

Penelope Karagounis – The Conditional Use when it goes to County Council is just one reading. They are the governing body to give the permit. It is not a rezoning, the CU. It is just basically where they have gone through the Public Hearing process at the Planning Commission to make the recommendation and then at County Council they would issue the actual permit.

Kara Drane – The second and I wouldn't say it is the most important chapter but it is a very important chapter because it sets what your districts are, what there intent is, and then what the standards and uses that are allowed in that district. The third chapter is a form based code chapter and deals with those mixed use districts that I mentioned earlier. It is very visual because a form based district is more dictated on where the buildings are placed on the ground. If you have ever been in a mixed use district or a walkable area you will know that the buildings are pulled up to the sidewalk and it just has a different street scape and feel to it. The fourth chapter of the overlay districts; you have your same overlay districts you have today. There are a couple that are new. One of them is the Carolina Thread Trail Overlay and Penelope may want to talk about that.

Penelope Karagounis – The County adopted the Carolina Thread Trail Master Plan back in 2011. The first trail that we actually have for Lancaster County is in the Walnut Creek neighborhood. The developer was very cooperative and he gave us an easement and we've actually created our first Carolina Thread Trail. We have three and a half miles of natural surface trail. Over the years as developers are coming into specifically Indian Land where the Carolina Thread Trail proposal is on; we've been obtaining easements from developers and they have been very gracious in giving us those easements. This is just another step now that since we do have the master plan for the Carolina Thread Trail. If people are developing on this trail where it is being proposed, they need to provide us with an easement so the County can then either apply for a grant which is what we did for Walnut Creek. There could be possible money in the future from Parks and Recreation to fund more trails. The issue is we would like to have the easement. If somebody is developing their land on this proposed trail, we would like to obtain the easement.

Kara Drane – A second overlay that is new is the hazardous liquid pipeline rail overlay. This overlay is geared toward your pipeline that runs along Lancaster County. It has some protections in there for development that is along that pipeline that runs along the County. If it happens to be disturbed or if there is some type of incidence, you want to try and protect the public. I won't go into a lot of detail about that. The intent is if their structure is there today, they would remain. If you have a structure within a certain distance of the pipeline; if it's a habitual structure, it would have to be outside of 75 feet from the right of way from that pipeline. If you have a vulnerable population such as a school or a nursing home, those types' populations, you would want them outside of 500 feet. I can go into more detail with that if you are interested but that is something that is different and you don't have today. That was brought forward from Emergency Management. We also included aspects about the rail as well. It's a little bit different because the railroad has a bigger right of way than the pipeline. The thing to remember though is if you have a parcel that is nonconforming someone would still be able to use that parcel or if there is a structure on there today and they wanted to do modifications or something, they would still be allowed to do that. We tried to include the exceptions but we also included some protections at certain distances. The Aviation Overlay is still in here and is a lot different than what you have in your ordinance today. There is a model ordinance that the State Aeronautics Commission had recommended and so that is different. The Flood Plain Overlay that you had is now in Chapter 8. Chapter 8 is the Natural Resources Protection and it has flood plain, storm water, and it also has a buffer along the river that is noted in Chapter 8. The overlay's are in Chapter 4 and the Natural Resources Protection are in Chapter 8. One thing I might note on the Cluster Subdivision Overlay that you have today; that has been modified slightly. The overlay that is proposed changes it before it had low density and medium density. In this ordinance it just shows medium density. So what that means is properties that are zoned MDR would be allowed to do a cluster as an option if their property is already zoned MDR. We talked about mixed use districts earlier; those developments would still have to go through a process of review. Specifically for a form based development, they would have to do a master plan that would come before the Planning Commission and the County Council. So there would be an opportunity for the public to provide input and review.

Penelope Karagounis – This master plan and Kara correct me if I'm wrong, it would not be schematic, it will actually be exactly what you are going put; what type of residential. That is a change from what Lancaster County has today.

Kara Drane – Correct. Chapter 5 is the Use Regulations Chapter and it is structured and set up the same way as the Use Table but it has additional maybe say separation requirements or additional standards in that chapter. That follows the same categories that you have on your use table. That chapter is not on line but we are doing some final review and edits of that and it will be online probably the first of next week if not sooner. Chapter 6 is the Subdivision and Infrastructure Standards; today Lancaster County has some roads standards that is not in the Unified Development Ordinance but is in the Code of Ordinances that the County has. Those regulations will be combined and they are proposed in Chapter 6. Chapter 6 has the information about subdivisions and also roads and it also has information about 911. We did get comments back from 911 but that has not been included in this version that is online today. Chapter 7 is the General Development Standards. Chapter 7 has information about landscaping and screening. It has information about parking, buffering, signs, and lighting. So this is where you would go if you are going to do a development and you want to see what is required for those development standards. It goes into detail about what is required for different types of districts. When the Planning Commission reviewed this before we had some discussion about some of the bicycle requirements that were in there; that has been edited and you will see some changes in that when you look at that chapter. Chapter 8 is the Natural Resources Protection and I've already mentioned that particular chapter. I will say this; the storm water portion of it has some different standards based on if it is a MS4 category which is in your urbanized area. They both try to accomplish the same thing but a portion of it Lancaster County is responsible for and a portion of it DHEC is responsible for. That is reflected in Chapter 9 which is the Administrative Chapter. Chapter 9 has information about the review agencies and talks about what their duties and responsibilities are. It also has information about what the processes are for different types of requests. It has information also about violations and penalties and nonconformities. So everything that deals with those subject matters will be in Chapter 9; that one is not online but it will be when we upload Chapter 5.

Penelope Karagounis – The reason it is not online is because we are reviewing the administrative chapter with Kenneth Cauthen tomorrow; the zoning official and the other planners. We are all meeting tomorrow to make sure it is what we all agree on regarding this administrative chapter.

Kara Drane – One of the things when Lancaster County did an analysis of their current code a couple years ago; there were a lot of issues in your current code that are not exactly clear. Or it may not just be as direct and as effective if someone is reading it. That is one of the things that we want to make sure that in Chapter 9 we have everything clear and easy to understand and easy to read. Also, your Development Review Committee, that committee is included in your review bodies because as technical review that is something you don't have in your ordinance today that you will see in Chapter 9.

Chapter 10 is the Definitions Chapter; it is broken up in two sections. It has all the use definitions in the beginning. If you are looking at the Use Table and you want to find out exactly what this particular use includes; if you go to Chapter 10 at the beginning you will see the Use Definitions and they will define that for you. The second half of Chapter 10 are more general definitions for someone that wants to look at more definitions that are not related to the use. There are several definitions in the back that may be specific to storm water or flood plain or that may be specific to a form based district, a mixed use district. If you are looking at those and you have any questions about that I will be happy to help you or answer any questions. There are three appendices in the document. Appendix A is a listing of your current PDD's. You will notice on the zoning map if you've looked at it has Legacy PDD's. In appendix A those PDD's are listed with the PDD ordinance number and if it has a development agreement, it has the development agreement ordinance number or numbers if it has been amended. The intent is that when those PDD's are built out then the base zoning could be applied to that district. For example, the Urban Residential District would be applicable to a lot of your PDD's that you have today. We will also have the development agreements in ordinances that could be found online with the code. Those are separate codes. If they have a development agreement, in essence they have their own standards. That is why we have them noted as Legacy PDD's. Appendix B is your Highway Corridor Overlay; when that ordinance overlay was developed there were diagrams that were used in that process that basically show graphically pictures of what the intent of that overlay is. We wanted to have that in there as an appendix. Lastly, Appendix C is the specifications and standards manual that deals with cross sections and other detail standards that you don't have today that you will have. If you look at that online there are some revisions and edits. There is a fee structure in there; that will not be in there. The fee structure will be pulled out because that could be changed more regularly than you may do amendments to your ordinance. I don't know if Penelope or staff has anymore comments that they would like to add.

Gary Holland – 8728 Collins Road, Indian Land, SC – I think Ms. Hinson said it well a few months ago that there is a tremendous amount of information here and you folks have been working diligently on it for over a year now or a year and a half maybe. I appreciate you giving the citizens an opportunity to look at what you've done thus far. It was my hopes that tonight we would see everything complete. I understand that everything is not complete yet and so we will be looking forward to those other chapters to be online. I think most of the citizens are very interested in the administration chapter. We will be looking forward to that. I did jot down just a couple of notes and I haven't had a chance to go through all that information. On Appendix A where you list the Legacy PDD's; PDD-26, the ordinance was originally Ordinance 959. That was adopted in 2008 as you very well know that ordinance was lost and was never recorded. In 2012 there was a Scribner's error that went back and pulled the draft copy of that and it retained that number 959. However, in July 2014 that was redone by County Council and so the correct number there should be 1346. I would like to see that corrected because if people go to 959 then what they are probably going to pull up is that Scribner's error ordinance which is not correct. I was part of the focus group that met some months ago and Mr. Lindsay Pettus was also part of that group. We were talking at the time about the Carolina Heelsplitter Overlay District which I believe is in Chapter 4. Mr. Pettus and

myself notice that there is an exclusion for the Carolina Heelsplitter Overlay District. Mr. Pettus was there when that ordinance was adopted and he said absolutely that there were no exclusions allowed for the Carolina Heelsplitter District. We have since talked with Morgan Wolfe at US Fish and Wildlife and she also confirmed that absolutely there should be no one excluded from the Carolina Heelsplitter Overlay District. I would like to see that correction done. I think it is Section C in Chapter 4. It is excluded in the Lancaster County Water and Sewer Department. I was thanking Alex and them earlier for all the typing they have been doing and they said well we have been doing a lot of proofing. Actually Kara Drane's group did most of the typing so I wanted to ask the question, I know what the planner's in the planning department have experience that these folks have. By what authority does the folks that have actually put this together; what experience do they have? Maybe someone could speak to that. I talked to Mr. Willis some time back about an item and he and I were discussing that and he said to me something that was kind of discerning to me. He said I will have the UDO rewrite team take that out of the new ordinance. So I was wondering, has that been done? Has the rewrite team been issued orders from staff to take out certain portions of the current UDO? If so, maybe you could give us a list of that or let the citizens know what some of those might have been. I know this new UDO is supposed to be more user friendly and I do notice that in most of the chapters that you have good reference numbers. So if someone wanted to call attention Chapter 4 Section 3.2 A, B, or whatever; you could pretty much define the address. However, I did notice there are some chapters that have just bullet points there. That would be very hard to discern in the future if you wanted to come back to that point. Thank you very much for your time.

John Wilt – 903 Rock Hill Highway, Lancaster SC – I just offer one comment and that is that the release schedule has gotten very compressed over the last few weeks. I'm wondering what the possibility is that the implementation schedule might get pushed back a little bit to kind of adjust for the fact that it takes forever to read this thing. I have been plowing through it and I'm only about half done. I think many citizens will be in the same predicament whenever the time will come to vote on this thing. We won't have time to finish it. Thank you kindly.

Keith Starnes – 261 West Rebound Road, Lancaster SC – I am a life long resident of Van Wyck. I was born there and lived there all my life except for when I was off at school and in the Army. What I have to say may be a little bit too late since I have not been to any of these meetings. I started with zoning back when Chris Karres started with this back in the late 80's I believe. Van Wyck at that time looked at the possibility of incorporating because we felt we were not getting a fair shake from the planning department. Unfortunately at that time we did not possess the density of people to incorporate so we could not do it. However, we were instrumental in getting a 500 foot setback down West Rebound Road and what is now Old Hickory Road into Van Wyck to prevent clutter along that area. I finally gave up with talking to County Council over the years because it seemed that they were pre-conditioned and their minds were made up. I currently have about a 300 acre farm which borders 521 and two sides of West Rebound. I am very concerned about getting protection for the zoning of this area. As you know Indian Land is trying to incorporate and Mr. Holt over there has been active in it. I've

been active in the Van Wyck incorporation with Mr. Wilt and others. In fact, Mr. Wilt and I carried the incorporation document to the Secretary of State and we are waiting their review of it. We understand it will not be too long without saying when. I have concerns and haven't had chance to look at these. I came down this afternoon but all I've got to say is, if we feel like we are abandoned and it's not only us but it's also Indian Land in this County for protection against this saturated development. It should be obvious to County Council and the Planning Commission that the cost for a permit to build will not cover the road long term, the sewage, the police protection, the fire protection. I don't know why we don't have special districts for tax. If you come out of Mecklenburg to Indian Land, tax them higher than us poor guys that were born and raised there and have this land that we worked all our lives for. I feel very confident that if the Council and a zoning committee does not come up with some kind of protection on lower density to protect the land owners, they will incorporate and will no longer be in the County. The other alternative is going to a conservation easement which I've looked at for my land. I talked with Lindsay Pettus and those and Jimmy White who lives in Charlotte; they just put mine under 70 acres in a conservation easement up there close to Treetops. I'm only pointing out that the landowners will rebel in whatever way they can unless this County and I'm not pointing fingers at you or Council; I'm simply saying that somebody has got to take a good look at what is happening. They are going to build an elementary school that borders one of my farms. As I understand it, the referendum for the schools; by the time you get the schools up they are filled up. When are we going to stop? You can't just keep building schools. There is not enough money. So I would like to charge this board that before this thing is printed and before it is approved by the Council to go back and take a good look at these areas. Look at the rural neighborhood, the agricultural residential; I would like to see ours all residential. I do know that some builders can come along and offer the landowner a lot of money; wants to put in three or four houses to an acre. Planning looks at it and they can say no but when it goes to that Council, they are the final say so. I'm just asking; please take a good look at this because I would certainly recommend the Buford community if something is not stopped. You need to start now and incorporate to protect yourself against massive building. Thank You.

Waylon Wilson – 15117 Legend Oaks Court, Indian Land SC – I first want to amplify what Gary Holland said. I know a lot of you have committed a lot of your personal time and effort into what you are putting in with this UDO. I know it's a big job and a lot of people recognize that. I want to thank you. My first comments are and I hope you don't take too lightly. I think it's needed as everyone gets used to the new UDO and that is to suggest to add background space colors that correspond to the zoning map to all the base district identifications. That is just a correlation thing. I further suggest the elimination of colors on the overall type heading of the use table. This could lead someone to say "Oh that's what it means" and then go to the map and see it. So if that color is eliminated I think it would help. I also think it would be good to add background colors to the block spaces to correspond to the zoning map identifications. There again, so it correlates with the zoning map. To me it would just help people get used to it and planners and developers and so forth as they get used to it. I agree that I'm a little disappointed that we didn't get Chapter 5. There was suggestion earlier today that there may be a time

extension. If that happens I think it would be great and there was another public session before there is a public hearing when everything is pretty much finished so people can read it. It's a big job and I know the Planning Commission members have got to take time out of their personal lives to read it. That goes for County Council also. I really think enough time needs to be given so everyone can take a look at it. How will the County's existing variety of the Code of Ordinances integrated with the new UDO and which will supersede? Or when it's adopted how will that coordinate with existing codes? I know that has been a concern in the past. I think you call it the big black book and how that relates to the UDO and you mainly go by the UDO. I think if that could be coordinated and cleaned up it would help everyone looking at the new UDO. Once the UDO is adopted I make a strong suggestion that any changes in the years to come that the change that is approved be underlined and foot noted. How it is now, you may read a section and think oh this is what it reads and then you come back and oh this does not apply because this was approved before that particular item was adopted. It will give everybody with the County, the planning staff, the building group, everyone, a better way of referring to things. Thank you very much.

Rosa Sansbury – 821 Obenosky Road, Van Wyck SC – My comments are regarding the effort that you are putting into this has been well accepted and we appreciate your time. My concern is, if we get this document how binding is this document? We have all these new rules and regulations but will we have the staff and the people to uphold these new ordinances and will they be binding according to the County law? We need to have these new updates but at the same time we need them enforced. We need lots of things in enforced because there are things now that are in the UDO that are not being enforced because the County doesn't have the staff. If you could look into that to make this UDO binding and put some teeth in it and make these developers accountable; I think the rest of the County would appreciate it.

Kara Drane – I took some notes and there were a lot of really good remarks. I know Mr. Holland mentioned the Legacy PDD's; Debbie Hardin is actually going back through those as we speak to note if we have missed any of those. Thank you for pointing that out and we will make that correction. The information you made about the no exclusion; that is something we can go back and look at because we actually sent the Carolina Heelsplitter Overlay to ....

Penelope Karagounis – Morgan Wolfe reviewed it and made some comments which we will be reviewing.

Kara Drane – The thing about the bullets, we can go back and look at that and see if we have bullets in a place that we actually need a letter. I think some of those there was a reason why we did it that way but we will go back and look at that again. I'm not sure what you mean about take portions out of the current ordinance but the way that the code was developed; it was developed based on your current code you have today and then also your standards that you have in the black book. There is actually three chapters in the black book that what we were proposing is that they would be repealed. Those particular chapters in the black book would be repealed. There have been a couple other

sections that have been noted that we are going to look at to make sure that if they need to be in this ordinance. The thing about doing a Unified Development Ordinance; a lot of times it depends on the community and what all they want to include in it. The items that you have in your ordinance deal with the chapters and the topics that we have in these ten chapters. The comment about protecting the rural areas; that has really been a very strong focus of this ordinance because the way your current ordinance is, you almost treat all your districts as more in a uniformed manner. So if you look at your districts you have today and their descriptions and then you look at the descriptions in the proposed ordinance, we are really trying to make an effort to make sure that we have districts that are set out to specifically preserve rural living. We also looked at the zoning to make sure that we weren't making significant changes in the uses that are allowed in those districts. So, that was an emphasis from the Comprehensive Plan that was recommended by the Planning Commission and adopted by County Council. If there are any questions about that we would be happy to show you some examples of where that is included. The note about some of the issues about the colors and the Use Table; that is something that we could look at and see if there are some ways we could make it easier to use. I will note that on the Use Table itself where you have the colors across the top; those actually correspond with your Future Land Use Map. Your zoning is based on your Future Land Use Map and so those districts that have those particular colors, if you happen to look at the Future Land Use Map, they should correlate with that. We will go back and do some revisions and revisiting and then as we have those other chapters online we can send out an email blast. If you are already receiving emails from us we will let you know that those are available online.

Penelope Karagounis – One individual mentioned how earlier today at our workshop there was a time extension mentioned for the moratorium; currently there is a moratorium North of Highway 5 to the state line for any new rezoning applications. That moratorium expires on September 8<sup>th</sup>. We are proposing because with the current ordinance that we have and it expires on September 8<sup>th</sup>; does not give us enough time to go through Planning Commission and three readings at County Council. So we are going in front of Planning Commission on July 19<sup>th</sup> with a new ordinance that basically extends the moratorium to December 31<sup>st</sup> or sooner. When I say sooner, if this Unified Development Ordinance gets adopted before December 31<sup>st</sup>, we will life the actual moratorium. That is one thing that we are doing today so we can have the UDO completed. Like Kara Drane stated, chapter 5 and chapter 9 will be online and we can take a look again for another public input session but we do have the workshops that are coming up, the first Thursday of the month that anybody can come and listen to the discussion that we have. For our public hearing, the tentative date is for Tuesday, August 23<sup>rd</sup>. The reason why we are doing that on the 23<sup>rd</sup> is, we have a full load of cases for I believe the August 16<sup>th</sup> the Tuesday earlier. So on August 23<sup>rd</sup> that night is just strictly for the UDO rewrite and the repealing of the zoning map.

Kara Drane – I know a couple of the comments dealt with the time frame and reviewing it; during that 30 day review period we will also have an area set up in the voter registration office where we will have the computer set up and we will also have copies of the ordinance and we will have print outs of the maps. Staff will be available if you

have questions. You will be able to comment online and you can also submit written comments. We want to make sure that if you have any questions or if there is any clarification that we can provide, we want to make sure that we do that also during that 30 day review period.

Penelope Karagounis – The tentative date for the August 23<sup>rd</sup> meeting by state law I have to advertise it 30 days into the circulatory newspaper which is obviously The Lancaster News. There is a lot of development in Indian Land and more population up there that do not receive The Lancaster News so we are also advertising it in the Carolina Gateway and we are providing it online. As Kara Drane stated, once the newspaper ad gets published in The Lancaster News, I believe it is Sunday, July 24<sup>th</sup>, the next day you can come from 8:30 a.m. until 5:00 p.m. downstairs and review all the chapters, actual maps, and provide comments. They will basically call us from the Voter Registration office to the Planning Department letting us know there are citizens down here and have some questions for you and anyone of us planners will go downstairs. We will be more than happy to help you look at the computer or fill out a comment sheet for the chapters as well. Another comment and I have to say, the credentials of Kara Drane, she is a senior planner. She has many years of experience. She has a college degree. She is also on the National Board of American Planning Association that we planners are involved in and she is an AICP certified planner. She does have great typing skills as well. Her staff at the Catawba Regional Council of Government are a class A facility with secretaries that know how to type and know Microsoft Word. They are also planners and experienced people and we do value their opinion and we really thank them for all their hard work. This is a very big document and it's not the only thing that the planners here are working on. Our office is open and Lancaster County has over 40,000 parcels and on a daily basis we are working on different projects. It has been a huge task and we do appreciate all the help from the Planning Commissioner's and their time, Catawba Council of Government, and County Council. The Fire Marshal is here tonight and his office has helped so much, Kenneth Cauthen the Zoning Official, the County Attorney – John Weaver, all of my planners, Jeff Catoe with Public Works has helped us. Patrick Helms, the grant writer from Emergency Management, the Airport Commission – Paul Moses. It has been very collaborative transparent work effort for the past year and a half.

Charles Deese – We will now move on to Item 2-B which is the zoning map which includes the overlay districts. We will have a brief presentation by Kara Drane and Penelope Karagounis.

Kara Drane – As Penelope stated earlier, you have 40,000 parcels in Lancaster County. So the zoning map includes the areas that are incorporated that are not in the towns or the cities. The map has been available online since probably the end of last year and if you are able to view online if you have access to the internet. You are able to not only view the chapters that have been posted but you can also view the map. The map is a little bit different today due to revisions. If you click on the icon which is magnifying glass and then type in an address you see that it locates the address and when you click the parcel it will outline the parcel. It tells you the information about what the existing zoning is, what the parcel number is, and it will also tell you what the proposed zoning is. It has the

acreage on there also. The arrow actually shows you the Highway Corridor Overlay as well. Today you don't have that information online I don't believe, so this is something that will be helpful not only to staff and to the Planning Commission and Council but also to the public and developers. So if it's within a overlay district it will tell you that. You will not only see what your standards are in your base district but then you also see if you fall under an overlay. All that means is if you are doing a development then that is something that you would have to look at what the requirements are for that particular overlay. If you notice on the screen here at the top when you first go to the map that is blank and doesn't show you anything; but when you type in the address and it goes to the actual address, the legend will appear. Typically what you saw before was the zoning districts, what you see first here are the actual overlay districts. If you scroll down on that legend then you will see the zoning districts and the colors. So this particular one is within the McWhirter field Aviation Overlay and it tells you that it's R-15 and it's proposed medium density residential. It's a way that if you live out of town or you have property in Lancaster County you are able to view what's proposed and what your property is zoned without actually having to come to a meeting. You are able to look at it online. You can also submit comments online if you have a question or a concern. There is a way to submit comments on the left side.

Penelope Karagounis – This is a tool that we've been using for the UDO rewrite process. After it's completed Rob Jackson from the Catawba Regional Council of Governments has created a way that basically the citizens can continue to use when they want to do research about their property or adjacent property. You can still use the software and it will be online forever on our website of Lancaster County. That is something that we don't currently have today for someone to be able to look at the zoning district and to view the different overlay districts as well.

Kara Drane – This particular one you see that is highlighted is R-45A proposed agricultural residential and Andy will you show them how you can zoom out with that button with the negative sign on the bottom. If you go to your parcel but then you want to see a little bit bigger picture of what's around you. If you click that it will zoom out so you can see more. I will say this about the Aviation Overlay if you happen to live within that area or have property near that area; there are particular zones around the airport and you will see those noted on the map. Also, if you look at your property and you fall within that close proximity to the airport; if you notice something that says landfill boundary, all that means is you can't have a landfill within that boundary. That is something I thought I would let you know in case you were looking at the map.

Penelope Karagounis – Currently we are not allowing a landfill but the South Carolina Aeronautics Commission because of the issues with birds and the landing gear with planes, they call that the landfill boundary.

Kara Drane – We may end up just calling it a different zone because it really just means that you are within that landfill boundary. Thank you for clarifying that. We just wanted to show you the online map and what the options were with that if you wanted to look at it. You can also comment on property that is not your own property. If you have

concerns about property near you, you are more than welcome to express comments about that. On the comment sheet it asks you if you own the property or you don't, so that is an option as well. If you go to the page before this, it has the chapters and you can also comment just on the chapters as well or a particular chapter if you have a comment or an issue. We greatly appreciate you being here and we value your input. We look forward to getting your comments on all the chapters and any additional information that we can gather for you.

Charles Deese - It is now time for public comments on the Zoning Map and Overlay Districts.

Gary Holland – 8728 Collins Road, Indian Land SC – I do thank you for showing us that added feature for the maps so you can see what overlay district that property may be in. On that same note, when you look at the overlay districts you see in Chapter 4 where it lists out what the overlay district is but where would one find what further restrictions would be on that property? Is there anyway when you look at the screen that you can maximize the screen and hide the legends and the sidebars so you could get more of a full screen there? Related to the trail overlay district, when I look at the map I see just sort of a line that indicates the path of the trail; I'm wondering is that the overlay district for the trail or is there a district area and not just a single line that indicates the trail? Along the lines of the trail, we were talking with a lady who had property over adjacent to Ansley Park and part of her property is on Six Mile Creek and crossing Six Mile Creek. When we were talking to her about something else she stated "yes they are going to take my property for the greenway." I asked her to state that again because I didn't understand. She had the understanding that Lancaster County was going to come in and take her property down along Six Mile Creek and put a trail down there. I assured her that was not going to be the case. However, when I look at the description of the overlay district it does say and I think Ms. Karagounis spoke about that earlier regarding an easement so they could donate or contribute an easement there. I just wonder if there are going to be any incentives tax wise or anything for a person like this lady I was talking with to be willing to grant that easement and give her a tax break or incentive to do that. Also, related to the overlay districts, I have a question about the hierarchy. If you look at the maps you will see that there is cases especially up in Indian Land where multiple overlay districts overlap and they share the same acreage or the same common land. I was wanting to know say for example up in Black Horse Run you have the Equestrian Overlay District; as we know Black Horse Run is also adjacent to Six Mile Creek which is also the Carolina Heelsplitter Overlay District. We know with horses they walk around on a trail just like people and they compact the earth so that violates the Heelsplitter ordinance in destroying the natural habitat. So I'm wondering is there a hierarchy and if so will that be stated somewhere it can be clearly defined about the different overlay districts that we have. One final thing, on the overlay districts, I noticed that the trail system is listed in the corridor overlay where as the Carolina Heelsplitter is listed in the environmental. One of the statements in the trail is that it enhances the fresh water or clean water act; I'm not sure how that does that exactly but would that not fit into the environmental as well if that is the claims from our new UDO rewrite. In the Equestrian Overlay District, it states like there is a one half acre requirement for a horse and the

stable can be within five feet of the rear setback or the rear property line. However, in the case of Black Horse Run, where that is also in the Carolina Heelsplitter Overlay District; should the new restrictions also be listed right there so that the people who own that property can see exactly what I'm supposed to adhere to there on what restrictions.

Waylon Wilson – 15117 Legend Oaks Court, Indian Land SC – One thing I noticed on the map and I've questioned this; it is about the consistency of the colors and it's my understanding that it may be a function of when you are at home. It's depending on your speed as the colors change as you go from magnification in and out. I'm hoping that some day when everything gets finalized that will somehow disappear because it kind of gives you a false look sometimes if you zoom way out and you are saying this is low density but then you zoom in and find out it may be something else. One other thing I think would be very beneficial particularly to the planning staff, building group, and the zoning group is that in the polygon which I think is what you call it, the pop up, that if a parcel is in a PDD or has a development agreement; that the PDD number or the development agreement number is there so that the official would recognize that something is zoned PDD and it gives them a direct reference of where to go to in order to see any exceptions to existing codes. I know it's been said but I think it would be good for the Planning Commission to reaffirm that when this ordinance is passed that any zoning that is shown on the map; that is the official zoning. When you go through the adoption and County Council adopts this; that will be the official zoning. To say it a better way, this is an official affirming of the zoning from what it was to what it is; it may have stayed the same but it may have changed. I think that needs to be clarified. I wanted to ask a question and if a parcel is changed in the zoning, will that property owner receive some kind of official communication from the County saying that you were R15-P but now you are AR or some other zoning? I think the property owners should get that from the County. One other thing that I just noticed today as I was looking that at one other session it was indicated I believe that property that was in a city was going to be whited out and that did not appear to be done. Because parcel numbers and parcel identification within the City of Lancaster still showed up and I think you are drawing this from the Assessor's website; I think it would be very beneficial unless it's the County's responsibility for zoning in the different cities, to have that completely whited out so there is no confusion. Thank you very much.

Ken McManus – 4776 Charlotte Highway, Lancaster SC – The reason that I wanted to speak tonight is because my industrial building that was built in the early 90's which is north to the entrance of Andrew Jackson State Park was built as an industrial building. We have always from inception done light manufacturing warehousing and distribution. It is currently zoned B-3. When I looked at the proposed zoning which is RB and it really does not suit that property such as light industrial would suit it. We have been doing this since inception. In that building we currently have a cabinet manufacturer, warehousing and distribution, and also a part manufacturer in that building. I would really appreciate some consideration and I know it has been stated that if whatever it is currently used for you tried to stick to that in the proposed UDO. I just think that this has been missed and that this needs to be corrected for this building. I certainly appreciate that consideration. Thank you.

Ken Faulkenberry – 3022 Mulberry Lane, Lancaster SC – The thing I hope we make sure of because I have sit where you fellows have, fortunately twice. I didn't stay as long the second time. We continually go through property that is not zoned. If it's industrial today and it's been industrial for 30 years but then we rezone it residential; we all know that landowner pays that no attention. We can even look at the County, they don't pay it a whole lot of attention because we had to do two rezoning's on the old Wamsutta building before we could sell it. Is the public going to be notified of their zoning change at all? I live in R-15, am I going to get notified that I'm going to low density, medium density? Or is this just going to automatically get changed? I know that is a task but are we going to notify every landowner in the County of what their new zoning is being changed to? If we are going to do that, we need to do that before we adopt it because they don't have a say so after it's adopted. I know you have put a lot of time and effort in this, there is no doubt about. You are going to have people who don't know that their property was rezoned and that they can't do with it what they thought they could do with it last year. I hope we really take that into consideration and have some system where we notify everyone. I know we say we put it in the newspaper and we have announced public meetings but that doesn't get it done and we know that. The public doesn't pay that any attention. They don't consider it a problem until it is problem and the problem is when it starts effecting what they want to do with their property. We have all seen that and been through that. I thank you for your time.

Charles Deese – We will now have closing remarks from Kara Drane and Penelope Karagounis.

Kara Drane – One of the questions brought up was about the overlay district and specifically where you find that; all the overlay district requirements and regulations are in Chapter 4. If someone looks at the map and they see that they fall into an overlay, Chapter 4 is available online if someone wants to view those regulations.

Penelope Karagounis – This is something we could discuss; sort of like what the Catawba Council of Governments did with the comp plan, we still have that active link and maybe we could have an active link on the planning departments website of the Unified Development Ordinance. Today the County's Unified Development Ordinance is on the government page under municode. We could possibly have a link on our planning department website that is an easy access for the UDO.

Kara Drane – We had some questions about the zoning map and the screen online. There are some templates that were used in developing the map and there may be an option with doing something slightly different. As far as the trail overlay, it is the line of the trail in the master plan that was the proposed corridor for that trail and so where it has the line the overlay deals with the parcels that abut that line.

Penelope Karagounis – We did not touch the regulations that were done in 2003 by Black Horse Run; the actual HOA the subdivision created that equestrian subdivision. So they are basically grandfathered in with the Carolina Heelsplitter because a lot of those homes

were built in the 70's and then they did the actual equestrian subdivision. I believe the Carolina Heelsplitter deals with impervious due to horses and trails. They are just natural surface trails. We will take a look at that but I believe that equestrian subdivision was there before the Carolina Heelsplitter.

Kara Drane – There was a question about the most restrictive regulations. The way that works is, if you have overlay's that overlap; it's which ever overlay is most restrictive is the one that is going to apply. I believe that is noted in Chapter 4 or no it is Chapter 1. As far as the thread trail being listed in a corridor instead of environmental; it does have environmental benefits but the purpose for actually preserving the land is to create the trail corridor so you have opportunities for people to bike and walk. It is an actual transportation corridor. So that is why it was listed there. The comments about the colors in the map; that is something that we can ask and see if there is a way to buffer that when you are zooming in and out. I know that is an issue with that today. About the official zoning map; I believe the way it is worded is that the official zoning map is actually charged with the Planning Department and is the way it is described today. I think it would be a good note to have something on the online version that states where the official zoning map is maintained. As zoning amendments are made to the map then those would be reflected on the online version as the zoning map is updated and maintained on a regular basis.

Penelope Karagounis – The zoning department issues actual official certified zoning letters. Once you have that letter you know it's certified from an official and that is another avenue as well. That is correct, any rezoning application that gets approved, we will continue like we do today. We notify the property owner with a copy of the ordinance and we also notify the adjacent property owners. We also give a copy to Zoning, Building, and also to the Assessor's office of the change made to the zoning district. We are going to continue the same process that we've done today with rezoning's.

Kara Drane – We also had a question about the city being the incorporated areas and having no color on the map. It is that way on the printed version and I thought it was that way online but we'll go back and double check that and make sure that is the case. I will say if you happen to look at the map that is printed, there are some white segments and those are the open space preservation district. You will see some notes written on that map. That was an error in what was plotted today. They are actually zoned open space preservation but there was an issue with the coding and so when it got printed it actually is showing up as white. Those big white areas are your forty eight acre rock and other open space preservation zoning districts.

Penelope Karagounis – I want to answer the question regarding are we responsible for the zoning for the City of Lancaster. The City of Lancaster has there own Planning Commission and they deal with their own zoning. We here at the County are responsible for all the County zoning. For the Town of Kershaw and The Town of Heath Springs; we are also in charge of their zoning. They have their own separate UDO's. Part of this commission of the UDO rewrite did not have the new zoning districts for Kershaw and

Heath Springs; that will be at a later date. The contract was just for Lancaster County Zoning. The County is responsible in helping the Town of Kershaw with their zoning cases and also the Town of Heath Springs.

Kara Drane – There was a question about when the UDO and the official Zoning Map are updated. Since you are going through such an extensive update many communities do not do the notification of individual property owners because it's basically something that would be cost prohibited. However, I will say that with the different outreach and work that we have done through community meetings and through multiple community meetings and also through outreach through different clubs and venues and going to neighborhood associations and having information online; the main part too is that we are really trying not to make any dramatic changes. That was the point I tried to make earlier is that we really want it to be seamless. If you are interested in looking at that and if you look at your zoning today and what your zoning is going to be in the future; if manufactured homes are not allowed today then they won't be allowed in the future. If they are allowed today, they would be allowed. So we are really trying to make it where what uses are allowed in certain districts are allowed today. I will say this just to clarify though; with your commercial districts there are some revisions with that which deal with your uses within those districts. The reason I say that is, today your B-3 district pretty much allows everything from this end to this end. What is proposed is that you have uses that are allowed in your community business district that serve the community. If you have a use that is more geared toward the region like a type of use that has even a larger draw and has more traffic that would be regional business. If it is something more like a neighborhood business let's say like a hair salon or maybe a barber shop or a bank; there are certain uses that fall under neighborhood business. Then we have professional business that is a new district. It is office based and would be things like an attorney's office or an engineer's office. Something that is more professional and it would have the appearance of a residential district and would have a lawn in the front and the parking would be in the back. It would not generate a lot of traffic. So those are some of the changes and I didn't go into a lot of detail with that but I did want to say that is one of the reasons why that there is not a push to go in and notify everybody because it's really a process that hopefully will be seamless. With that said, if you go to your use table today and the way your use table is done on your commercial districts and you have a property that is zoned a certain thing; there may be a few uses that are not allowed by right that maybe are allowed by right today. We will have a lot of publicity through the media and the newspapers and to promote the public hearing process and be available to answer questions that any property owners may have.

Penelope Karagounis – Just to reiterate, with the proposed zoning, if the property was zoned today currently like this one gentleman stated it was currently zoned B-3; we proposed to rezone it to Regional Business or General Business. We've had people ask for other zoning districts but whatever it is currently zoned today with their type of business we made sure that it stayed commercial. Something we did last summer was we had two interns that rode around with two of my planners throughout the County and they looked at all the parcels that had existing buildings in the rural areas that were zoned residential. But they needed to be zoned to a type of commercial because these buildings

had been there since the 50's. We've created a rural business district so parts of the eastern part of the County or the southern part where there were crossroads that always had a gas station and some type of old buildings. We've basically now zoned them for that rural business. There has been an extensive leg work by going out there and looking at all these parcels. We are not perfect and there will probably be some mistakes. We are very confident that we have worked so long on the zoning map itself that it's 90 or 95% pretty accurate.

Charles Deese – I want to say thank you to the citizens for your comments. This is not the last opportunity you have to comment on this. There will be public hearings and of course you can always make comments online. Written comments are addressed as much so as those they heard tonight. Your comments have been a great deal of help to staff, Kara Drane, and they will be to this commission. Thank you for that. At this time we will move into the last section of the agenda into a business meeting. I am going to call a five minute recess at this point.

Kara Drane – I think we got a lot of really good feedback from the citizens that made comments tonight. I think we will get additional comments as we go through this process. The chapters that you have we noted most of everything in the public input session. I will say that Chapter 2 that you have if you notice it has the district development standards for each zoning district. It has the rule districts and it also has the low, medium, and high density. It has your commercial and it has the industrial and other special districts. On page 2-6, these charts have your standards on the density and it also has information about setbacks. It has information about assessor structures. You will notice that you don't have the mixed use districts in this chapter. That information is covered in chapter 3 and since it is more of a form based code that information is covered there. We did discuss about having a chart for those districts similar to this. A lot of it would be referencing back to chapter 3 because if you look at chapter 3 and you look at all the standards that are included in that; a lot of that information is what is included here in the charts. That is something that we can still look at. There is a typo on the Use Table that I did not get corrected on all your copies I don't think, it's on page 2-12. If you look at the professional business district under professional services, that should have a "P" in that box instead of a dash. We will make sure we get that corrected for what is online as well.

Jerry Holt – Looking on page 2-6 under the manufactured housing – density; so we will have a mobile home park with...unable to hear complete sentence

Kara Drane – If you notice the number three off to the side where it has the footnote. What the comment is if you notice on lot standards where it says lot area one acre; then it says density one unit per acre. If you are in a manufactured home park and the way your ordinance is today and Elaine correct me if I'm wrong, it allows three units per acre. Is that right?

Elaine Boone – I think that is it.

Kara Drane – So the reason why you have the three here and if you look at this footnote, it's going to refer you to Chapter 5 and this chapter has the information on manufactured home parks. The way your ordinance is today for a single manufactured home your requirements are one acre.

David Freeman – What about assisted living facilities?

Elaine Boone – Assisted living is a general business type zoning. We have a B-3 now but it will go to a General Business.

David Freeman – So the dwelling units?

Elaine Boone – That is not going to matter. The footnotes at the bottom, the one, two, three, and four that is just some of the stuff that we use now on the current ordinance. As far as the accessory structures, it is some of the same information we have in our Chapter 5 now.

Jerry Holt – When you look at the density on that row, it doesn't refer you to the footnote.

Kara Drane – That is a typo and we will get that corrected. You were asking about assisted care facilities?

David Freeman – Does it go in with your density? I didn't know but Elaine answered my question. It's a residence and people live in there. So you have an assisted living center and maybe 8 to 10 units on an acre of land. I just wanted to know what kind of zoning you have to have to do that.

Kara Drane – That is going to fall under your commercial district and Elaine was right in what she said. Under Chapter 5 there may be some additional standards but Elaine is right.

David Freeman – It doesn't effect the density of the building it just determines if the building...

Kara Drane – So if you look at the standards in your commercial districts on page 2-8, the density is marked as N/A, so that is what Elaine was referring to.

David Freeman – What determines that, the developer?

Elaine Boone – There is something to do with the number of beds you can have in a facility. That is something that we don't really have anything to do with. That is probably determined by SCDHEC.

Kara Drane – In Chapter 5 you will have a few things and it does refer back to the state and the requirements and the licensing.

Jerry Holt – In Chapter 3 on page 2-2 and 2-3, I don't want to get into a discussion on Two Capital but if we look at building types 3-2. It defines an apartment building and in 2-3 it shows....unable to hear due to other discussion.

Kara Drane – Is everybody on 3-2?

Jerry Holt – Now think of the Two Capital project, which of those would it be? Would it be an apartment building or.....

Elaine Boone – This is just mixed use.

Kara Drane – If you go over to 3-4 and look, for example, in your mixed use in the far right column, all the buildings except the single-family attached are allowed in those districts.

Jerry Holt – What zone is that proposed to be regarding Two Capital?

Penelope Karagounis – It's the HDR (High Density Residential). It's currently multi-family.

Jerry Holt – Here is the reason I'm asking the question because if I look at the definition between those two. It says an apartment building is not intended for non-residential use. So now I go back to the utilization of those garages that are rented out and are non-residential and where has in stack flat is for both non-residential and residential. I didn't want to get into the details of that particular application since it's coming back again. I was looking at those two trying to determine which one it fits. If we classify those as apartment buildings then this garage just shouldn't be in there and conform with this regulation.

Kara Drane – If you noticed in Chapter 2 HDR is noted in Chapter 2. HDR is really not a mixed use district. A lot of your HDR property is in the urbanized area. So I've actually got it in both chapters, with that said.....

Penelope Karagounis – Andy just told me that regarding Two Capital I believe the proposal is mixed use because it's in that node of the pedestrian center. So it wouldn't be HDR, it would be that mixed use.

Kara Drane – We've had discussion about whether or not we need to actually show HDR in Chapter 3.

Jerry Holt – Mixed Use means the buildings are called what?

Penelope Karagounis – Look at page 3-4, all those are permitted.

Jerry Holt – So they are allowed but which are they?

Kara Drane – What do you mean?

Jerry Holt – Those cottage homes that have the garages underneath.

Jim Barnett – They are both allowed.

Jerry Holt – They are both allowed but if it's determined that they are apartment buildings then I would say under the definition for apartment buildings then garages wouldn't be allowed. I was looking for some clarity between those two definitions and I'm not sure that gives it.

Elaine Boone – You are talking about an apartment building with just apartments but as opposed to where it would be like Penelope said, the stack flat.

David Freeman – At the end of the day though they are not going to lease garages to the public.

Penelope Karagounis – I'll reach out to some planners that I know because if you cross into North Carolina those apartments that have been built; they all have garages and if you take a look at it, there are some people that a little house above the garage.

Elaine Boone – They have some stand alones in the back.

Jerry Holt – I don't recall seeing that.

Penelope Karagounis – If you go on Highway 160 Mr. Holt you can see that one garage that is literally in the apartment building; then you have the other garages that are separate and by themselves.

David Freeman – Is it possible to say they should just be rented to the owners and tenants of the buildings to keep from renting one to the outside.

Penelope Karagounis – I know we are not supposed to be talking about another case but that was mentioned to put it on the plan. I think he stated that for the record that it was for his people that are renting the actual apartments.

Jerry Holt – Where it talks about side setbacks for mixed use building for instance, look at 3-6. Look at the right hand column on number B where it talks about building setbacks. There is one if the building is in the middle of the block I guess and then another one at the side street. So if you are looking a B it says it is zero feet which means it can be right on the lot line. Earlier in the chapter somewhere it talks about there is an inferred right of way but it's in the context of a front setback. My question is, the way that is worded if you have a building that let's say is at the corner of two intersections, does this really mean that the building can be right up next to the concrete with a zero side setback? Even if there is no sidewalk there it can be right up next to the pavement.

Penelope Karagounis – You need the sidewalk.

Jerry Holt – I was looking for something on the diagram that shows there is a sidewalk or something else that is there as a buffer and I don't see it.

Penelope Karagounis – The E is where the sidewalk would be.

Jerry Holt – Earlier in the chapter it talks about inferred right of way but again when it talks about that inferred or implied right of way, whatever term was used; it just talks about it in terms of the front setback and not a side.

Kara Drane – There is also something in the previous chapter that says if you have a parcel fronting a corner that those sides are treated as a front also. There is something in another section that deals with that.

David Freeman – I thought you only had to meet the front side yard setback on the highway.

Kara Drane – That is a little different from what you have today. If you have a corner lot though, there is language in there that says that you have to meet the front yard setbacks for...But to your point though, we will go back and look and see if there is something else related to the form based portion that deals with that and is covered somewhere else. But yes, that is the intent because the ideal thing about a mixed use district is that it is all the way....unable to hear

Jerry Holt – Just take a look at it and make sure that it doesn't mean that we can put it right up next to the concrete.

Kara Drane – The intent is that it would be next to the sidewalk. That is why when we say mixed use that is the intent. One of the things that I would like to mention about chapter 3 because we haven't had a chance to talk about it; you see where it says build to zone? The reason why is you are showing that you have a range that when the developer comes in they want to do a mixed use district with those MX buildings. With this particular one it shows you what the minimum and what the maximum build to is on. It's a different way of thinking about because in your other districts you are saying you have to set it back this far. Well this one is saying you have to build it within this. That is just a new way of looking at it but again; it's just for the mixed use districts. So the way it's laid out is the buildings that we looked at on that chart earlier where it had the images of the different types of buildings; is that you have two pages that deal with the four items across the top. So for each building height it provides where it has to be on the lot and the placement, the height, and the activation. That is something we can talk about further at another meeting after you've had a chance to look at it and absorb it a little bit.

Jerry Holt – On 3-7 does that mean for instance this particular one where it says three stories / 45 feet; does that mean either three stories with a 45 foot maximum?

Kara Drane – Yes, the maximum. It has that noted up here.

David Freeman – Do we not do anything with this setback as far as that front yard setback and get them back off the highway further?

Kara Drane – So that is in Chapter 4 and is in the Highway Corridor Overlay; we added the language in there that says you can have a common setback. Whereas what you have today does not allow for that. So for example, if you've got a building here and a building here and your requirement is for it to be up a certain amount; then there is a flexibility that staff has now that they can let that building have a common setback.

David Freeman – In past building they wanted you to stay 50 to 75 foot off the highway right of way and now we are building them 15 foot off the highway right of way. I think we should look at giving some more room to the highway right of way. Building on the setback on the back has always been your building height so if you flip a building around backwards and this building height; that 25 just went to 15.

Kara Drane – Are you talking about the Highway Corridor Overlay?

David Freeman – Yes that concerns me. We are building too close to the highway. We don't have any room to go anywhere. I think that may be an error we made when the Highway 55 was built there. If it was adjacent that way but slide back another 15, 20 feet; but that needs to be something we definitely need to be concerned with. The Cube Smart across the street is the same way. We are right on the highway. If we stifle that highway, people will go down a different way to come to Lancaster. That is already happening.

Kara Drane – In Chapter 7 I just wanted to show you where we made the change on the bicycles since we had a lot of discussion about that last time. On page 722 there is a chart that talks about parking spaces based on the use category. There was a column on there about bicycle spaces and that has been removed. There still is a bicycle chart however it is on page 727 and is really more applicable in a mixed use district. Penelope and I actually talked about stating which districts these parking spaces would apply to. So that is something that we could discuss before you advertise if you want to specific just your mixed use districts and maybe some of your commercial districts or institutional or whatever. That section is a little different from what you saw before. Is there anything else we need to point out to them? There was someone here from the railroad that came this afternoon and we gave them a copy of Chapter 4 and pointed out the Hazardous Corridor Overlay that we have about the railroad. We will see what kind of feedback we get from that.

Jerry Holt – At the last meeting we talked about the hazardous restricted terms and incorporated that into the rest of the document.

Kara Drane – Those standards are in Chapter 5. I believe the definitions should already be in Chapter 10. We did add a definition for habitual structure. If you remember we

talked about that last time. It is not in my copy and I could have sworn we added that definition. I will go back and double check tomorrow because we did that last Thursday.

Charles Deese – There is a site on Camp Creek Road right in the middle of an industrial area. Did we not discuss that at some point....unable to hear.

Kara Drane – We have language in there about the different types of mining; minor mining and major mining. We will check that tomorrow.

Jerry Holt – I'm on page 7-4 now. There is a table in here that says basically if the developers establish in a tree save area. I haven't read the details of this at all. I'm thinking of Tree Tops. They have hundreds of acres of trees that they are not going to build on because they are around the lake and stuff like that. Is that going to give them a significant advantage to where now they've got offsets or credits? So they don't have to do certain things with parking the roads or other things that we might otherwise want in a development?

Kara Drane – We still have that chart greyed out because we still had some discussion about this particular section. The intent is if you have somebody who is doing a development and they are going to go out of their way to preserve or do something where they are going to indicate on the plans that they provide where they are going to save those trees....

Alex Moore – For example, the required street tree planting designated in that table gives a location, the action taken establishment of a tree save area along a street; it gives the result there right beside of it, what that allows us to do.

Kara Drane – The point of your question is that would having this as an option as a policy or are you actually decreasing other planting and things that may happen.

Jerry Holt – Her is my concern and again, take Tree Tops, you have a long road that goes in there and say it goes by big woods that they preserved for other reasons; does this now mean that if they have that woods over there, that they didn't intend to build in anyway... Allow them not to build trees along a corridor?

Alex Moore – Based on this they could reduce it by 50%.

Kara Drane – Wait a minute. Under 7-4 the last sentence says “water course buffer areas and wetlands are not eligible for the tree credit and a respective amount of parcel areas exempt from the base line tree coverage requirement. I think the intent there is to say if you have areas like what you are asking, those don't count towards...

Jerry Holt – Well, maybe it's not along a waterway and maybe it's just a natural...

Alex Moore – It could be a non-wetland area that they are using as their tree save area.

Jerry Holt – Just think of that as an example of a situation and see if that is what we really want to do to let them off the hook on planting trees that may otherwise enhance the home development site.

Kara Drane – Let me just make one comment. If you look at a tree that is an established tree and I'm saying that tree has a lot more value in economic benefit to that development than a new street tree that is going to be planted. So you have to think of it also on the value that the larger tree is going to provide; you have to look at that way too. We'll go back and look at that.

Jerry Holt – If you look at the Highway 521 side of Ansley Park when we were talking about that and our requirements along there.

Penelope Karagounis – 24 inch

Jerry Holt – Yes they keep the trees that ran along Highway 521 because we did want to preserve those trees. This would seem to be that if that were back again and we said will you have to keep those trees; now they may not have to plant trees along the roadways within the development.

Penelope Karagounis – Ansley Park is still a PDD so this wouldn't apply.

Jerry Holt – We may not have to give them incentives to do that. I'm not sure that we need to offer free credit incentives like this.

Kara Drane – Let's go back and look at it again before we take it all the way out. One of things I will point out is that it does say if they are going to get credit for this, then it has to be dedicated open space and it has to be in a conservation easement. So that is a lot more than just doing street trees too. I'm not advocating that we keep it because we have actually discussed this as well and that is why some of it is still in grey.

Charles Deese – In Chapter 5 on page 5-4/5.7.6 4-A, all manufactured homes may have a permanent foundation and it should be "shall have or must have". If you go down to B standards for manufactured homes in rural residential districts, this is still greyed out. It says if approved as a conditional use only double wide manufactured homes are permitted in rural residential.

Kara Drane – That was taken out.

Charles Deese – I can mark it out?

Kara Drane – Yes sir.

Charles Deese – The twenty five years is still in there for the age. You have a lot of people who don't like that. You know that so I won't say anything else. On page 534

Item I Abandonment, it talks about cell towers and if it's abandoned for a six month period then it has to come down within 90 days?

Elaine Boone – I think it's six months in the new stuff.

Charles Deese – If it's abandoned for six months then it has to come down 90 days after the six months is the way it reads. This removal shall occur within 90 days of the end of such six month period. Upon removal the site will be re-vegetated to blend with the existing surrounding vegetation.

Elaine Boone – We did change in here to where with the setbacks on that to where instead of having to lease the whole setback with the tower and change to where you will only lease the fall zone. That has to be certified by an engineer. I'm still looking at it.

Charles Deese – I'm concerned about 90 days. If it's abandoned it's abandoned.

Kara Drane – Are you saying it should be less than that?

Charles Deese – After 90 days you would have to have a dismantling company to come in there and take it down with a crane. It has to be abandoned for six months then its 90 days.

Kara Drane – We will go back and look at that tomorrow. One thing I want to point out to you in Chapter 2 on the Use Table which is on page 2-15. Under infrastructure, you will notice where you have different types of wireless communication facilities; and when Elaine says we've been working on it, this is one of the things that Elaine has recommended and I think it's a great idea. You see how it has wireless concealed and then up to 60 and those are allowed in all districts but the open space preservation. You're 60 to 199.99, those are allowed as a PR in all your commercial districts and your industrial districts but it's a special exception in your other districts. If you go further and it's over 200 then it's only allowed in your industrial districts as a special exception. By doing this you are treating the wireless facilities a little differently than what you have today.

Elaine Boone – They want to stay under that 200 foot because .....

David Freeman – I've never seen one abandoned.

Kara Drane – What I wanted to point out to you is the difference is rather before you treat it as one use and you allow it everywhere and your standards are very high because you are treating them all the same. What we are doing is saying if you are in a residential district we are going to protect it more than we are in a commercial district. That was not on there last time.

Sheila Hinson – That is a good idea.

Kara Drane – Good job Elaine.

Jim Barnett – Two stars.

Charles Deese – I'm not sure what chapter the fees/schools.

Kara Drane – I think that was in Chapter 6.

Charles Deese – I think it was changed from 18 months to 6 months. That needs to be taken out completely.

Kara Drane – That is on page .....

Jerry Holt – What are we discussing now?

Charles Deese – The school board and the County Council having any authority to decide that they want to use this piece of property for a school but they can wait 18 months or 6 months down the road before we will let them develop or do anything with it once they are notified that they brought the plan in. When he comes in with a plan to us as a Planning Commission to develop a piece of property, it becomes the duty of the Planning Director to notify the school board that somebody wants to develop this property. Well it's been reserved for the school so then the school board along with County Council can go out and say no you are going to have to hold this right now for 6 months. It was 18 months.

Kara Drane – What Mr. Deese and I have talked about is maybe take that section out all together. The very first word is "if" and you don't do this today but if you did it, that would give those parameters for how that would work. Its fine if ya'll would like to strike that all together, we can do that.

Charles Deese – School board finds a piece of property they want let them go out and option it and then they can deal with the land owner with an option. Rather than us going out there and say ok you can't build on that property until the school board decides whether they want to buy it or not.

Kara Drane – The other thing I wanted to point out also is in your overlay districts; your sections that deal with TIA's. Your TIA language in Chapter 6 was more restrictive than what was in your overlay; so we put in language and we referred to Chapter 6 in your overlays.

Charles Deese – TIA's are great but I've listened to citizens all over this County complain about so much building that the cost of services is outrunning the revenue coming in. Somewhere down the line we are going to have to start doing a cost plus revenue analysis on these big subdivisions coming in so that we can see and we all know that residential does not pay the bill; commercial does.

Jerry Holt – It depends on the value of the residential property.

David Freeman – For every dollar they pay we are going to have to put 75 cent with it.

Charles Deese – I'm saying in the future.

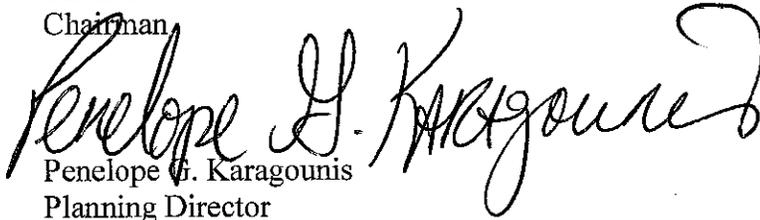
Sheila Hinson made a motion to adjourn and Jim Barnett seconded the motion.

VOTE:                      UNANIMOUS                      MOTION CARRIED

Respectfully Submitted,



Charles Deese  
Chairman



Penelope G. Karagounis  
Planning Director