

AGENDA
LEXINGTON COUNTY COUNCIL
Committee Meetings
Tuesday, January 12, 2010
Second Floor - County Administration Building
212 South Lake Drive, Lexington, SC 29072
Telephone - 803-785-8103 -- FAX 803-785-8101

***Times are tentatively scheduled committee meetings that may run behind or ahead of schedule; therefore, the times could change by as much as 30 minutes. Also, if time permits, Council may elect to enter into Executive Session to discuss contractual, legal, personnel matters, etc.**

1:00 p.m. - 1:10 p.m. - Economic Development

- (1) Project Refill Inducement Resolution - Economic Development - Chuck Whipple, Manager **A**
- (2) Approval of Minutes - Meeting of December 8, 2009 **B**
- (3) Old Business/New Business
- (4) Adjournment

1:10 p.m. - 1:20 p.m. - Planning & Administration

- (1) Zoning Map Amendment M09-06 - Garden Valley Lane (Goal 2) - 2nd Reading - Community Development - Walt McPherson, Zoning Administrator..... **C**
- (2) Approval of Minutes - Meeting of December 8, 2009 **D**
- (3) Old Business/New Business - Land Use Growth
- (4) Adjournment

1:20 p.m. - 1:30 p.m. - Justice

- (1) South Carolina Law Enforcement Network Award of Replacement Vehicle (Goal 1) - Sheriff's Department - Colonel Allan Paavel **E**
- (2) Approval of Minutes - Meetings of November 10 and December 8, 2009 **F**
- (3) Old Business/New Business
- (4) Adjournment

1:30 p.m. - 1:50 p.m. - Health & Human Services

- (1) Conservation Assessment Program Grant Report - Museum - J.R. Fennell, Director **G**
- (2) Volunteer Fire Assistance Grant Award - Public Safety/Fire Service (Goal 1) - Chief Russell Rawl **H**
- (3) Approval of Minutes - Meeting of December 8, 2009 **I**

- (4) Old Business/New Business - Lexington County Fire Code/Timber Cutting
- (5) Adjournment

1:50 p.m. - 2:20 p.m. - Public Works

- (1) Lexington County Recreation and Aging Commission Request (Goal 1) - Public Works -
John Fechtel, Director **J**
- (2) LiDAR (Light Detection and Ranging) Ground Elevation Data (Goal 2) - Public Works -
John Fechtel, Director and Planning and GIS - Charlie Compton, Director **K**
- (3) Approval of Minutes - Meeting of December 8, 2009 **L**
- (4) Old Business/New Business - Traffic Congestion, Alternate Material for Road Swells,
New Road - Corley Mill/Riverchase, Assessment of Ponds Inventory
- (5) Adjournment

2:20 p.m. - 2:25 p.m. - Airport

- (1) Approval of Minutes - Meeting of November 10, 2009 **M**
- (2) Old Business/New Business
- (3) Adjournment

2:25 p.m. - 2:35 p.m. - Solid Waste

- (1) Solid Waste Processing Facility Application 09-05 - Platt Springs Scrap and Recycling - 1st
Reading - Solid Waste Management - Dave Eger - Director **N**
- (2) Approval of Minutes - Meeting of November 10, 2009 **O**
- (3) Old Business/New Business
- (4) Adjournment

2:35 p.m. - 4:15 p.m. - Committee of the Whole

- (1) Point of Sale Legislation (H3272) - (Goal 3)
- (2) Approval of Minutes - Meetings of November 10 and December 8, 2009 **P**
- (3) Possible Executive Session if Time Permits
- (4) Old Business/New Business - Tax Installment Payments, Local Contractors Procurement
- (5) Adjournment

GOALS

- 1. Provide for public services to citizens of Lexington County.**
- 2. Manage growth to meet needs of Lexington County.**
- 3. Provide innovative Financial Management.**

Economic Development

B. Banning, Sr., Chairman
J. Kinard, V Chairman
B. Derrick
J. Jeffcoat
T. Cullum
D. Summers

Justice

J. Kinard, Chairman
S. Davis, V Chairman
B. Derrick
B. Keisler
D. Summers

Public Works

T. Cullum, Chairman
B. Derrick, V Chairman
B. Keisler
J. Carrigg, Jr.
B. Banning, Sr.
D. Summers

Solid Waste

J. Jeffcoat, Chairman
B. Keisler, V Chairman
S. Davis
J. Carrigg, Jr.
T. Cullum
D. Summers

Planning & Administration

S. Davis, Chairman
J. Carrigg, Jr., V Chairman
B. Derrick
B. Banning, Sr.
T. Cullum
D. Summers

Health & Human Services

J. Jeffcoat, Chairman
B. Banning, Sr., V Chairman
J. Kinard
B. Keisler
D. Summers

Airport

J. Carrigg, Jr., Chairman
J. Kinard, V Chairman
S. Davis
J. Jeffcoat
D. Summers

Committee of the Whole

D. Summers, Chairman
J. Kinard, V Chairman
B. Derrick
S. Davis
B. Keisler
J. Jeffcoat
J. Carrigg, Jr.
B. Banning, Sr.
T. Cullum

A G E N D A
LEXINGTON COUNTY COUNCIL

Tuesday, January 12, 2010

Second Floor - Dorothy K. Black Council Chambers - County Administration Building
212 South Lake Drive, Lexington, South Carolina 29072
Telephone - 803-785-8103 FAX - 803-785-8101

4:30 P.M. - COUNCIL CHAMBERS

Call to Order/Invocation
Pledge of Allegiance

Presentation of Appreciation

ELECTION OF OFFICERS

Chairman
Vice Chairman
Appointment of Parliamentarian

Recognitions

- (1) The 2009 Strom Thurmond Excellence in Law Enforcement Award at the County Level to Sheriff James R. Metts, Lexington County Sheriff's Department Presented by Sheriff Lee Foster, Newberry County Sheriff's Department
- (2) The 2009 Strom Thurmond Excellence in Law Enforcement Award at the Municipal Level to Chief Dennis Tyndall, City of West Columbia Police Department Presented by Sheriff Lee Foster, Newberry County Sheriff's Department

Presentation

- (1) The Commander's Award for Public Service Presented to Members of the Lexington County Sheriff's Department by Lieutenant Colonel Mark Stevens, Unit 360 Civil Affairs Brigade

Resolution

- (1) North Region..... Q

Chairman's Report

Administrator's Report

Employee Recognition - Katherine Hubbard, County Administrator

- (1) Shining Stars - 1st Quarter 2010

Appointments **R**

Bids/Purchases/RFPs

- (1) Architectural and Engineering Services for a New Chapin Fire Station - Public Safety/Fire Service **S**
- (2) One (1) Tractor with Slope Mower (Replacement) - Public Works/Transportation..... **T**
- (3) Exterior Wall Coating Project - Detention Center - Sheriff’s Department **U**

Approval of Minutes - Meetings of November 10 and December 8, 2009 **V**

Zoning Amendment

- (1) Zoning Text Amendment T09-07 - Article 2 - Application of Regulations - Chapter 5 - Signs and Other Related Sections of the Zoning Ordinance as Applicable (Sign Amendments) - 3rd & Final Reading **W**

Solid Waste Processing Facility Amendment

- (1) Solid Waste Processing Facility Application 09-04 - Carolina Materials Corp - Final Reading..... **X**

Ordinances

- (1) Ordinance 09-01 - Landscape Ordinance Amendments - 3rd & Final Reading **Y**
- (2) Ordinance 09-14 - An Ordinance Authorizing the Irmo-Chapin Recreation Commission of the Irmo-Chapin Recreation District to Issue General Obligation Bonds in the Principal Amount of Not Exceeding \$1,030,000; and Other Matters Relating Thereto - 3rd & Final Reading..... **Z**

Committee Reports

Economic Development, B. Banning, Sr., Chairman

- (1) Project Refill Inducement Resolution - **Tab A**

Planning & Administration, S. Davis, Chairman

- (1) Zoning Map Amendment M09-06 - Garden Valley Lane - 2nd Reading - **Tab C**

Justice, J. Kinard, Chairman

- (1) South Carolina Law Enforcement Network Award of Replacement Vehicle - **Tab E**

Health & Human Services, J. Jeffcoat, Chairman

- (1) Volunteer Fire Assistance Grant Award - **Tab H**

Public Works, T. Cullum, Chairman

- (1) Lexington County Recreation and Aging Commission Request - **Tab J**
- (2) LiDAR (Light Detection and Ranging) Ground Elevation Data - **Tab K**

Solid Waste, J. Jeffcoat, Chairman

- (1) Solid Waste Processing Facility Application 09-05 - Platt Springs Scrap and Recycling - 1st Reading - **Tab N**

Budget Amendment Resolutions

6:00 P.M. - Public Hearing

- (1) Zoning Map Amendment M09-08 - Boyd Miller Circle**1**

OLD BUSINESS/NEW BUSINESS

EXECUTIVE SESSION/LEGAL BRIEFING

MATTERS REQUIRING A VOTE AS A RESULT OF EXECUTIVE SESSION

ADJOURNMENT

MISSION:
Provide quality services to our citizens at a reasonable cost.

VISION:
Planned growth for our communities with abundant opportunities for all in a quality environment.

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The Committee Minutes are left out intentionally until approved by the Committee. Upon the Committee's approval, the minutes will be available on the Internet.



COUNTY OF LEXINGTON, SOUTH CAROLINA

Community Development

County Administration Building, 4th Floor
212 South Lake Drive, Suite 401, Lexington, SC 29072
(803)785-8121

ZONING MAP AMENDMENT APPLICATION # M09-06

Address and/or description of the property for which the amendment is requested:

1019 Garden Valley Lane, Columbia, SC 29210

Zoning Classifications: (Current) Low Density Residential (R1) (Proposed) Neighborhood Commercial (C1)

TMS#: 003696-05-002 & 003696-05-004 p/o Property Owner: AA Holding Company, LLC and Davis Family Real Estate, LLC

Reason for the request: A change in zoning is needed to utilize the property to provide underprivileged children, through the public school system, a place of learning through sports activities.

Even though this request will be carefully reviewed and considered, the burden of proving the need for the amendment rests with the applicant.

Date of Application: 10/01/09 Applicant: Property Owner [X] Authorized Agent [X]

Phone #(s): cell (803) 767-7373

Signature: Signature on file Printed Name: Steve Ware

Street/Mailing Address: 1100 Bluff Road, Condo 103, Columbia, SC 29210

Table with 2 columns: Date, Event. Rows: 10/01/09 Application Received, 10/22/09 Newspaper Advertisement, 10/22/09 Notices Mailed

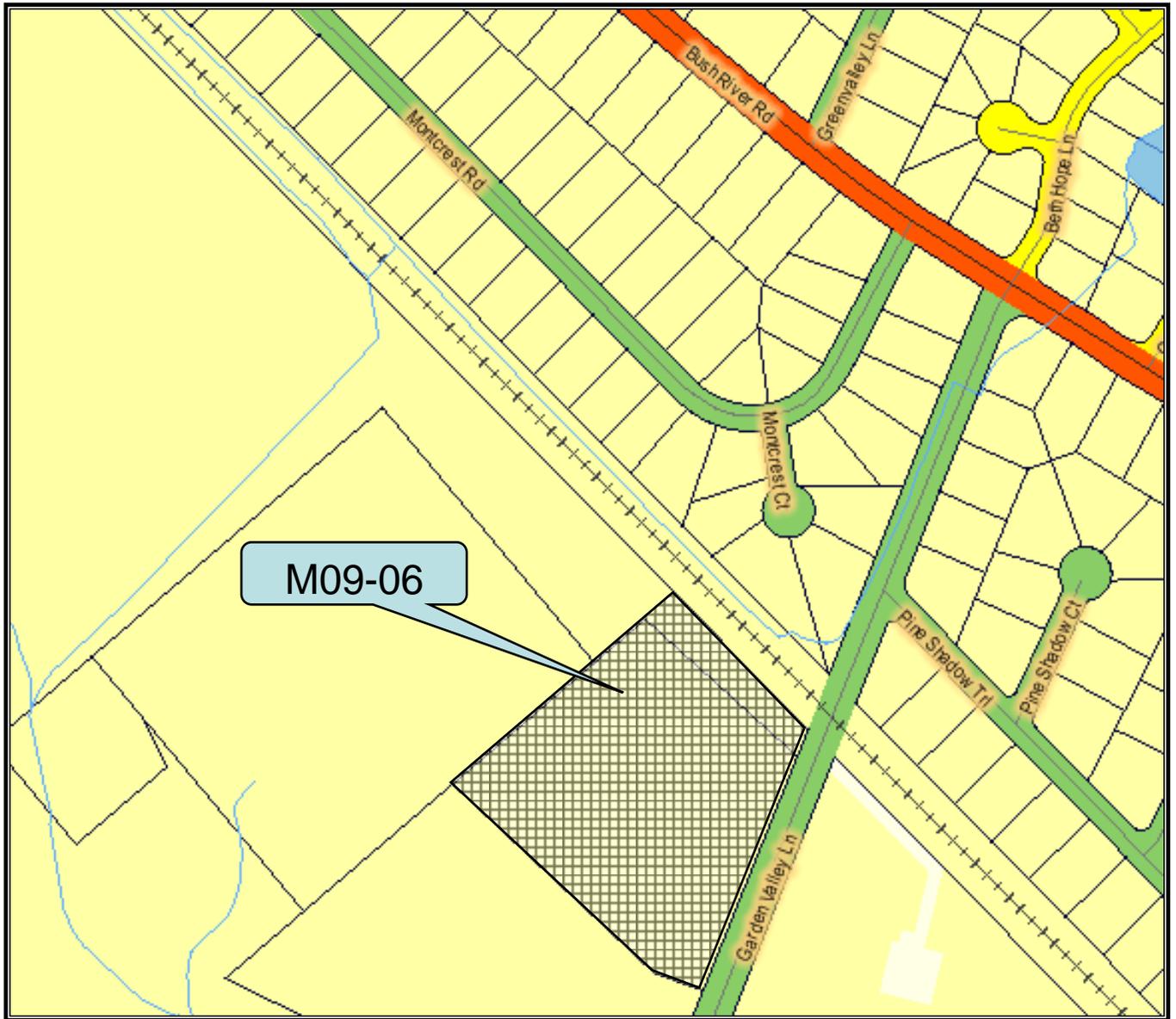
Table with 2 columns: Date, Event. Rows: 10/01/09 Fee Receipted, 10/26/09 Property Posted, 11/19/09 Planning Commission

Planning Commission Recommendation: Recommended denial of the map amendment request by a vote of 7 in favor of the motion to deny, to 0 opposed, with 1 abstaining.

Table with 4 columns: Date, Event. Rows: 10/27/09 First Reading, 11/10/09 Public Hearing, Second Reading, Third Reading

Results:

Zoning Map Amendment Application M09-06



ZONING LEGEND

	I - Interstate		RL5 - Residential Local 5		ID - Intensive Development
	A - Arterial Road		RL6 - Residential Local 6		PD - Planned Development
	C - Collector Road		LC - Limited Commercial		R1 - Low Density Residential
	L - Local Road		C1 - Neighborhood Commercial		R2 - Medium Density Residential
	LL - Limited Local Road		C2 - General Commercial		R3 - High Density Residential
	RL4 - Residential Local 4		D - Development		RD - Restrictive Development

Zoning Map Amendment Application M09-06



NOTE: Parcel boundary lines are approximate and may appear distorted in an oblique view.

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Lexington County Sheriff's Department

Administrative Bureau

MEMORANDUM

TO: Ms. Debbie Summers, County Council Chairman
Ms. Katherine Hubbard, County Administrator

FROM: Colonel Allan Paavel

DATE: December 30, 2009

RE: South Carolina Law Enforcement Network-Award of Replacement Vehicle

The Lexington County Sheriff's Department has been awarded a 2010 Dodge Charger through the South Carolina Law Enforcement Network. There is no cost involved with obtaining this vehicle other than the operating costs of fuel, repairs, and maintenance. We are asking permission to accept this vehicle into our fleet as a replacement to one of our older, existing vehicles. This 2010 Charger must be used for Traffic Enforcement, and will be a marked vehicle.

The value of the vehicle is listed as \$20, 617.00; and the vehicle identification number is 2B3LA43T59H639735.

Thank you for your consideration in this matter.

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Summary of Collections Assessment Program Reports

In 2009 the Lexington County Museum in Lexington, South Carolina received a Conservation Assessment Program grant supported through a cooperative agreement between Heritage Preservation and the Institute of Museum and Library Services. The Museum contracted with David Goist, Conservator, from Raleigh, North Carolina, to perform the Assessment for Collections. William Anderson of Columbia, SC was hired to undertake the architectural assessment. The site visit took place on June 15-16, 2009.

All CAP grant recipients are asked to fill out a Site Questionnaire to provide the Assessors with detailed information before the on-site visit. The goals for Lexington County Museum Assessments, as identified in the site questionnaire, are to:

- Develop a long-range preservation plan for collections
- Improve collections care
- Improve the preservation of the buildings
- Improve environmental conditions
- Use the report as a tool to obtain funding for collections care

The Collections and Architectural Assessors agree that the overall preservation priorities of the museum should be:

1. Repair the roof leak and moisture-damaged ceiling in the Hazelius House.
2. Solve the high humidity problem in the Exhibit Hall and expand collections and storage capacity.
3. Develop a prioritized list of maintenance and repair needs for the building and grounds. Determine which can be accomplished by Lexington County and those that require contract assistance. Then create a preventative maintenance program and budget which includes inspections and repairs of critical areas such as pipes, valves, doors, roofs, mechanical equipment, filters, and similar items.
4. Prepare a written collections management policy and in-house care of collections by creation of a written manual of guidelines and procedures for staff to use in surface cleaning and preventative care of collections. Input from a collections conservator is recommended.
5. Monitor/improve environment in the four main buildings with dataloggers and remove sensitive collections from buildings without climate control. Regularly inspect HVAC systems to determine if the equipment is capable of operating in a satisfactory manner. Evaluate the environmental impact of chimneys which are open top and bottom then resolve problems. Apply moisture barriers to crawl spaces.
6. Create a written Emergency Response Plan for the protection of collections and buildings. Distribute the document to staff and Museum Commission members. Develop a cooperative response group of area museum professionals who have had training. Increase the number of handheld fire extinguishers to NFPA recommendations. Train staff in the use of extinguishers. Expand coverage of monitored fire detection and intrusion to the Hazelius House.
7. Add a staff person to serve as Collections Manager and to support care and conservation of collections and buildings.

Both assessment reports have their own set of priorities and goals for improved care and preservation at the Lexington County Museum. For the next two years, both assessments can serve as guidelines. After all of the short term goals and some of the long-term goals have been accomplished, the Museum should evaluate accomplishments at the site and prepare a Long-Range Preservation Plan with the help of collections and architectural consultants.

COUNTY OF LEXINGTON Grant Request Summary Form

Title of Grant: Volunteer Fire Assistance Grant

Fund: 1000 General Fund **Department:** 131500 PS/Fire Service
No. Title No. Title

Type of Summary: **Grant Application** **Grant Award** X

Grant Overview:

The South Carolina Forestry Commission has awarded Fire Service with a Volunteer Fire Assistance Grant, which is to help Rural Volunteer Fire Departments meet the Wildland Urban Interface problem in South Carolina. This award will help to pay for a portion of a fast attack skid unit, which will be used to fight wildland fires.

This skid unit is already budgeted in the Fire Services FY 09-10 budget, this grant will allow them to supplement a portion of the units cost with grant funds.

Grant Period: January 1, 2009 to March 31, 2010

Responsible Departmental Grant Personnel: Eddie Turner, Chief Operations Officer

Date Grant Information Released: August 1, 2009

Date Grant Application Due: September 30, 2009

Grant Expenditures (Please attach a detailed budget with Excel spreadsheet, Overview, Line Item Narratives, etc.):

Personnel	\$	-
Operating	\$	-
Capital	\$	10,379.00
Total	\$	<u>10,379.00</u>

**** Application Amount: \$5,000**
**** Award Amount: \$5,000**

Local Match Required: Yes No

If Yes, What is the Percentage / Amount:

<u>50</u>	<u>\$5,000.00</u>	* Grant is 50/50 up to \$10,000, anything over this the county has to cover 100%.
<u>50</u>	<u>\$5,379.00</u>	
<u>%</u>	<u>\$ Amount</u>	

Requirements at the End of this Grant (please explain in detail): None

Fire Service had planned to purchase the fast attack skid unit in this year's budget, weather or not this grant was awarded. Fire Service has the \$10,379 budgeted to purchase the skid unit and will use the grant to offset the cost.

Dept. Preparer:	<u> </u>	<u> </u>
Dept. Approval:	<u>ET</u>	<u>12/30/2009</u>
Finance Approval:	<u>AD</u>	<u>12/30/2009</u>
	<i>Initials</i>	<i>Date</i>



PO Box 21707
Columbia, SC 29221
(p) 803.896.8800
(f) 803.798.8097
www.trees.sc.gov

Henry E. (Gene) Kodama, State Forester

Federal Fire Department Grants Administered by the SC Forestry Commission

VOLUNTEER FIRE ASSISTANCE GRANTS

Michael J. Bozzo, Coordinator, 803-896-8810
P. O. Box 21707, Columbia, SC 29221

December 2009

Lexington Co Fire Service
212 S Lake Drive
Lexington, SC 29072-

Dear Sir:

The S. C. Forestry Commission has received authorization to distribute matching federal funds to fire departments in South Carolina under the Volunteer Fire Assistance Program through the National Fire Plan and the USDA Forest Service for federal fiscal year 2009.

Your fire department has been allocated \$5000 which will have to be matched 50/50 by paid expenditures from your funds. The VFA National Fire Plan (NFP) Grants are for purchasing wildland firefighting equipment and supplies **ONLY**. A list of such equipment and supplies is enclosed to show some examples. A list of "*Vendors for Wildland Firefighting Equipment and Supplies*" is also enclosed, but is by no means a complete list nor an endorsement by the SC Forestry Commission as there are additional vendors throughout the state and region.

Purchases of turnout gear for structure fires and SCBA are not reimbursable under this VFA NFP Grant.

Your share of the match can be direct expenditures for the purchase of supplies and equipment. **The receipts for equipment purchased must match what you requested in your application.** Your match can also be expenses incurred by the fire department for Wildland Fire Training or time spent on refurbishing or fabricating equipment such as federal excess property on loan from the SCFC into an operational brush truck. In either case, time spent by volunteer firemen to fabricate a brush truck or attend Wildland Fire Training must be documented on the enclosed VFA FNP Form 7 and can be credited at the rate of \$20.25 per hour toward the fire department's matching funds.

Enclosed are the forms that must be completed and signed by your chairman, mayor, county administrator or other responsible official. **Please return the forms along with paid invoices to this office by March 31, 2009. INVOICES MUST SHOW THE CHECK NUMBER BY WHICH PAYMENT WAS MADE.** You will be reimbursed one half the amount of invoices for wildland firefighting supplies and equipment you submit, but no more than what is allocated

for your fire department. You are not obligated to use the full amount of the allocation. You are encouraged to submit additional invoices in excess of the required amount in case there are additional funds we can allocate to your fire department. **Invoices must be dated between January 1, 2009 and March 31, 2010.**

Please Mail all correspondence – FAXES WILL NOT BE ACCEPTED.

Your assistance in providing rural fire protection, especially in the wildland urban interface, is greatly appreciated, and we're pleased to provide this financial assistance.

Sincerely,

Michael J. Bozzo

Michael J. Bozzo
VFA Grant Coordinator
Fire Management SCFC

Enclosures:

- Checklist of Paperwork Required to Receive Funds
- VFA Form 3A – Request for Reimbursement
- Form W-9 (2 pages)
- Application for Federal Financial Assistance
- Form AD 1048 USDA (2 pages)
- Certification for Contracts, Grants, Loans & Cooperative Agreements
- Form 424B – Assurances (2 pages)
- VFA NFP Form 7 – Time Record (2 pages)
- Items Eligible for VFA Grants
- Vendors for Wildland Firefighting Equipment & Supplies
- Type 6 Engine or Brush Truck Information

Sandy Springs Fire Dept-Anderson Co
PO Box 216
Sandy Springs, SC 29677

The South Carolina Forestry Commission and the USDA Forest Service prohibit discrimination on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotope, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue SW, Washington, DC 20250-9410, or call 202-720- 5964 (voice or TDD). The SC Forestry Commission and the USDA Forest Service are equal opportunity providers and employers.

Chart:
 Fiscal Year:
 Index:

Query Specific Account
 Include Revenue Accounts

Commit Type:

Organization: Fire Service
 Fund: GF / County Ordinary
 Program: Public Safety
 Account:
 Account Type:
 Activity:
 Location:

Account Type	Title	Adjusted Budget	YTD Activity	Commitments	Available Balance
5AA085	E (2) Utility Trailers	2,600.00	2,236.30	0.00	363.70
5AA086	E (1) Bunker Gear Washer	5,221.00	0.00	4,260.65	960.35
5AA087	E (1) Smoke Machine - Repl.	1,800.00	1,472.32	0.00	327.68
5AA088	E (3) Pagers	1,605.00	0.00	1,600.83	4.17
5AA089	E (3) Bunker Gear	5,100.00	0.00	0.00	5,100.00
5AA090	E (1) 800 MHz Radio	3,500.00	3,480.77	0.00	19.23
5AA091	E (1) Fast Attack Skid Unit	10,379.00	0.00	0.00	10,379.00
5AA276	E (1) Gas Range - Replaceme	440.00	427.86	0.00	12.14
5AA277	E (1) Washing Machine - Repl	460.00	427.86	0.00	32.14
5AA287	E (16) Personal Computers (f	9,037.00	9,036.79	0.00	0.21
5AA288	E (8) Semi-Rugged Laptops (l	14,844.00	14,843.04	0.00	0.96
5AA450	E Firehouse System Interface	7,373.00	0.00	0.00	7,373.00
Net Total:		-12,224,826.00	-5,003,987.11	1,944,411.83	

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COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING

Memorandum

To: Katherine Hubbard
County Administrator

From: John Fachtel, Public Works Director
Assistant County Administrator

Date: 1/4/2010

Re: Lexington County Recreation and Aging Request

The Lexington County Recreation Commission is requesting funding (see attached Exhibit "A") for road improvements for their new tennis complex at 12th Street and Saxe Gotha Drive. The River Alliance also plans to co-locate on this same proposed road (see attached letter, Exhibit "B") and Mike Dawson details their involvement.

Attachment "C" is a map which depicts this project. The tennis courts will be located in the area blocked out with the letters RG. The River Alliance portion is blocked out with the letters RA. The portion shown as SCE&G is being graded for future commercial development. The proposed road is shown in the orange color (Phase I) and in purple (Phase II). SCE&G is designing the road and constructing the Phase I portion, approximately 1300'. The Phase II is approximately 860' and the estimated construction cost is \$229,000.00. The design of Phase II is being changed to minimize the fill requirements of the road and allow a transition back to original ground.

Presently we have \$468,358.00 available in the "C" Fund Special Project Account (2700-121302-539900). We had a carry-over of \$204,208.00 from FY 08-09.

Since the property is in the floodplain, the road and the tennis complex is requiring a lot of fill dirt. Public Works recommends County Council approve \$100,000 towards this project and we would reimburse the Recreation Commission as construction on Phase II is accomplished.

Exhibit A

November 12, 2009

**Mr. John Fechtel
Public Works Director
County of Lexington Public Works Director
440 Ball Park Road
Lexington, SC 29072**

Dear Mr. Fechtel,

The Lexington County Recreation and Aging Commission is inquiring about the County providing funding assistance for the construction of Saxe Gotha Drive running east from the 12th street extension toward state road. The Commission is constructing a twenty-three court tennis complex and clubhouse in partnership with the City of Cayce at an estimated cost of \$4.6 million. SCE&G has committed to construct the roadway to the entrance of the tennis complex as part of the lease. This is approximately 1300 linear feet in length.

The Commission would appreciate funding from the County to extend Saxe Gotha Drive the additional 860 feet to the River Alliance History Park Project. The completion of Saxe Gotha Drive will provide access and allow the opportunity for future development of the area. The new tennis complex along with the planned River Alliance visitor center at the History Park will generate an additional economic impact for Lexington County.

Thank you for your assistance and if you have any questions please contact me at 359-9961.

Sincerely,



**Randy H. Gibson
Executive Director**



Exhibit B

THE RIVER ALLIANCE

What 90 miles of river can be.

John Fechtel
Director of Public Works
440 Ball Park Road
Lexington, South Carolina 29072-2440

Subject: Saxe Gotha Drive Extension Project

John:

Per our recent discussion, the River Alliance requests that priority be given to constructing an access road to the new activity areas near Congaree Creek. This project would run east from the current intersection of Saxe Gotha Drive and 12th Street generally following the current gravel road and should continue to the edge of the flood plain.

Our primary interest in the Congaree Creek Area is the 12,000 Year History Park Project and its connections to the Three Rivers Greenway System. We are currently in final negotiation with SCANA Corporation for the public access needed for the project. This new road would become our primary vehicle access off the Interstate System. If we can create positive interstate access, the study, "12,000 Year History Park Development Feasibility and Target Market Identification," predicts visitation ranges starting at 179,000 per year. We believe that after the completion of the park we will meet and exceed this number.

Our additional interest is access for the Lexington County Recreation and Aging Commission Tennis Complex just below the new road and adjacent to our intended visitor facilities. We plan close coordination with their program and activities and see the potential of partnership. This new road supports their needs and allows us to plan the History Park in concert with their facility.

Our final interest is in access to the development potential of what is currently SCANA property east of 12th Street and North of the proposed road. We know from our experience that the History Park and its connecting Greenway will bring visitors and residential development. Construction of this road now will spur this access and development. This Congaree Creek area holds wonderful potential for cultural, recreational, residential and tax base development connected to the rivers.

We ask that you consider the Saxe Gotha Drive Extension Project as a priority project for construction.

Sincerely,



Michael T. Dawson
Chief Executive Officer

Enclosure: 12,000 Year History Park Project Map

Cc: Debbie Summers, Chair of Lexington County Council
Todd Cullum, Councilman, Lexington County Council
Randy Gibson, Executive Director, Lexington County Recreation Commission

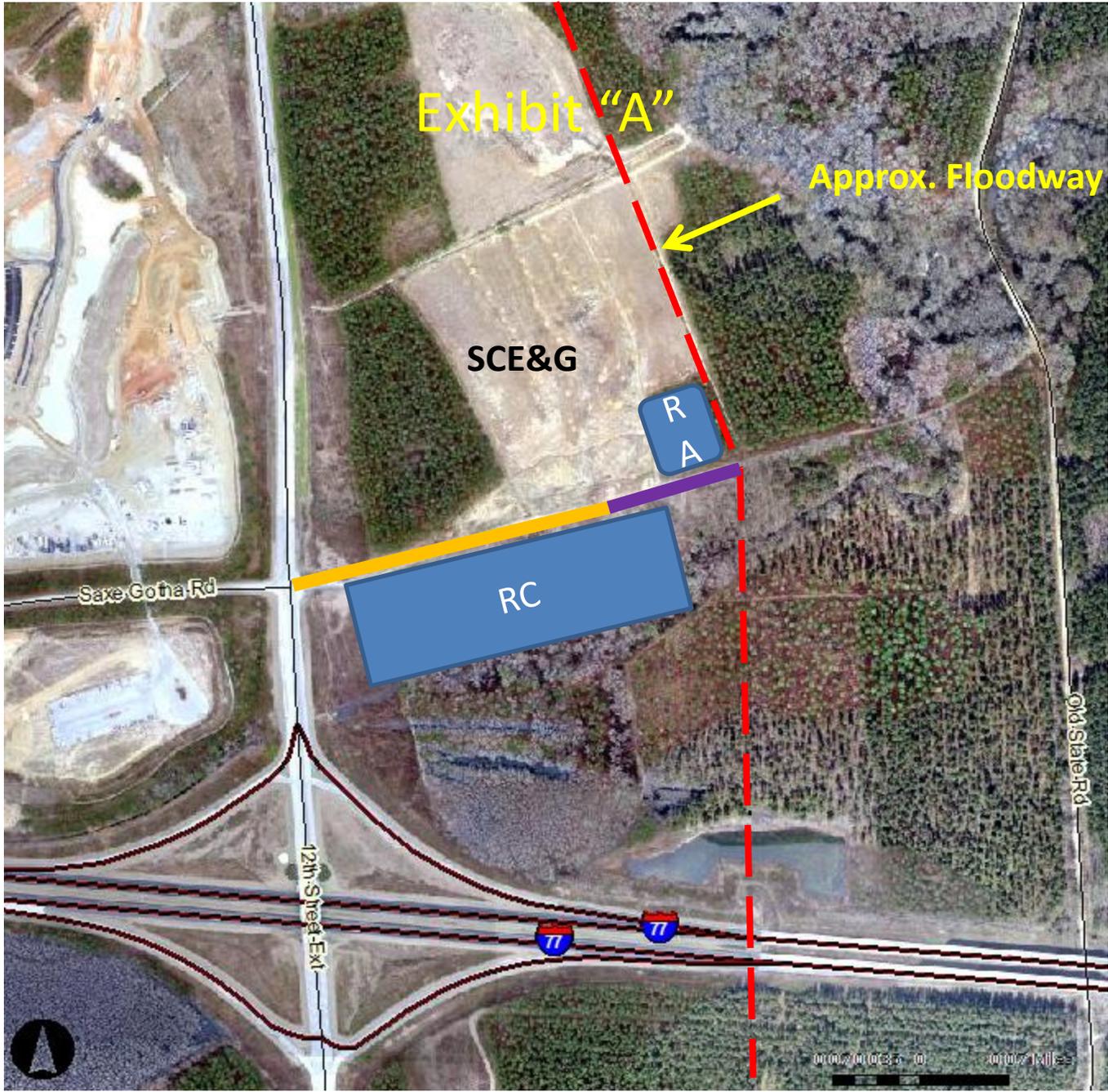


Exhibit "A"

Approx. Floodway

SCE&G

RA

RC

Saxe Gotha Rd

12th Street-Ext

Old State Rd

0 100 200 300 400 Feet

Memorandum

December 31, 2009

To: Katherine Hubbard
County Administrator

For: Public Works Committee
County Council

From: John Fechtel, Director
Department of Public Works

Charlie Compton, Director
Department of Planning and GIS

Reference: LiDAR

During 2010 the Federal Emergency Management Agency (FEMA) is scheduled to redraw the flood maps for Lexington County. This will be the first opportunity since the original flood maps were published in 1979 to have them drawn with a degree of spatial accuracy. Typically such mapping contains specific cross sections with flood elevations published at those locations, but the mapping is not linked precisely to locations on the ground. That information has to be determined through field surveys. It is confusing to explain that the published flood maps do not necessarily represent the actual location of flood waters on the ground. It is also a more serious issue when flood insurance is required (or not) based on such spatially inaccurate mapping.

This appears to be our one chance to correct much of that inaccurate FEMA mapping. They are willing to do what they call their flood map modernization methodologies if LiDAR data is available. LiDAR is an acronym for "light detection and ranging." In the mapping industry, this term is used to describe an airborne laser profiling system that produces location and elevation data to define the surface of the earth and the heights of above-ground features. It is much more accurate and has the ability to get more "ground return" data through tree canopies, something that is always missing from typical aerial contour mapping, . . . and flood plains generally have the most dense tree cover.

South Carolina has a consortium of agencies that contribute what they can every year to LiDAR flights and determine priorities by need and funding. By working together on flights, the costs are much lower. Without Lexington County's contribution, there will be no LiDAR collected here. Previous estimates had the cost for Lexington County between \$170,000 and \$196,000. Capturing road side ditches and other non-stream hydro features would place the cost on the higher end, but the cost per square mile becomes cheaper if more area is flown in South Carolina. FEMA is prepared to pay half of the cost for Lexington County.

The South Carolina Department of Natural Resources is recommending that we ask for less detailed hydro break lines to get a good topographic surface with good stream and connected hydrologic features, but leave the roadside ditches to a time when there are more funds to capture that data. That would bring the price down to \$165,000 for LiDAR with \$82,500 from FEMA and \$82,500 from us. If we really want the more detailed break lines, then our contribution would be \$96,000. FEMA will match up to \$100,000.

We would hate to miss this opportunity which may not come again for another decade, even though it is coming at a terrible time financially. Besides having quality flood mapping for the first time, this data will be used in every aspect of stormwater management, as well as road maintenance and construction. The level of pre-engineering work that can be done on paving projects will definitely increase, and it will serve as a much more accurate digital terrain model (DTM) on which to place our Pictometry flights.

We are recommending that we commit to the LiDAR project using C-funds budgeted for Special Projects. We should then work with some of the key stakeholders in the County to share this data in exchange for their financial participation in the project.

The Committee Minutes are left out intentionally until approved by the Committee. Upon the Committee's approval, the minutes will be available on the Internet.

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COUNTY OF LEXINGTON, SOUTH CAROLINA

Solid Waste Management

498 Landfill Lane
Lexington, SC 29073
Phone (803) 755-3325 Fax (803) 755-3833

SOLID WASTE/PROCESSING FACILITY APPLICATION # SW 09-05

Applicant/Business Name: Platt Springs Scrap and Recycling

Address and/or description of property for which the SW/Processing Facility Application is made:

5253 Platt Springs Road, Lexington, SC 29073

TMS#: 007621-01-001 Activity acreage: 0.8

Type of activity: Metal Recycling Center

On-site processing included? No

Additional comments as necessary: Metal scrap recycling, small metal volume, no vehicles.

Is activity under current review by SCDHEC? No

Does activity have a current SCDHEC permit? No

Even though this request will be carefully reviewed and considered, the burden of proving the need for the request rests with the applicant.

Date of application: 10-28-09

Applicant: Property Owner Authorized Agent X

Phone #(s): (803) 743- 6887

Signature: ON FILE

Printed Name: Travis Batchler

Street/Mailing Address: 6977B Edmund Highway

City, State, Zip Code: Pelion, SC

10-28-09	Application Received
10-21-09	Zoning Site Plan Approved
1-21-10	Adjacent Property Notices Mailed

10-29-09	Fee Received
1-21-10	Property Posted
1-21-10	Newspaper Advertisement(s)

1-12-10	First Reading	2-09-10	Public Hearing	2/23/10	Second Reading
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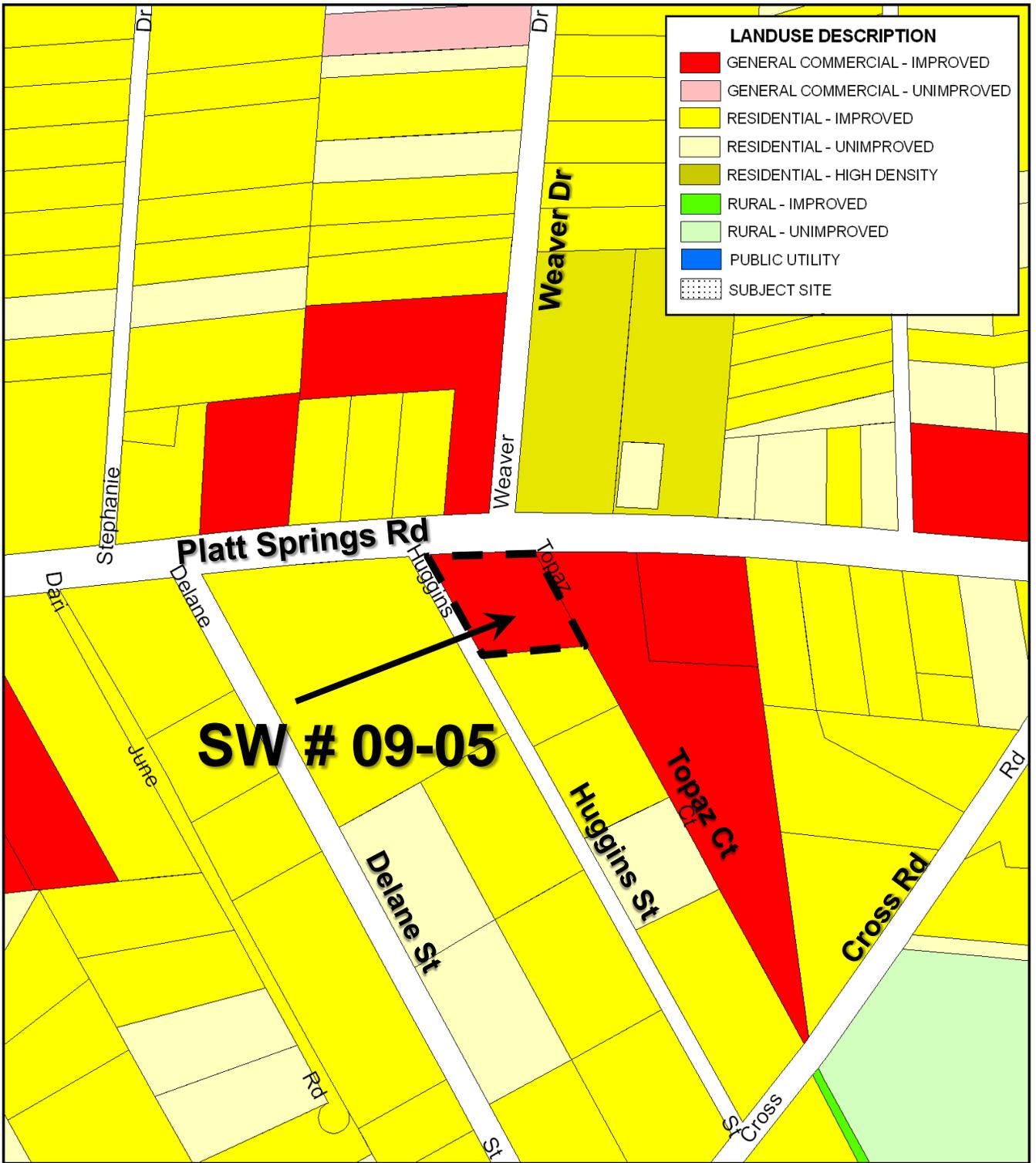
Results: _____

Solid Waste/Processing Facility Application SW09-05



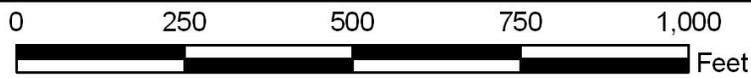
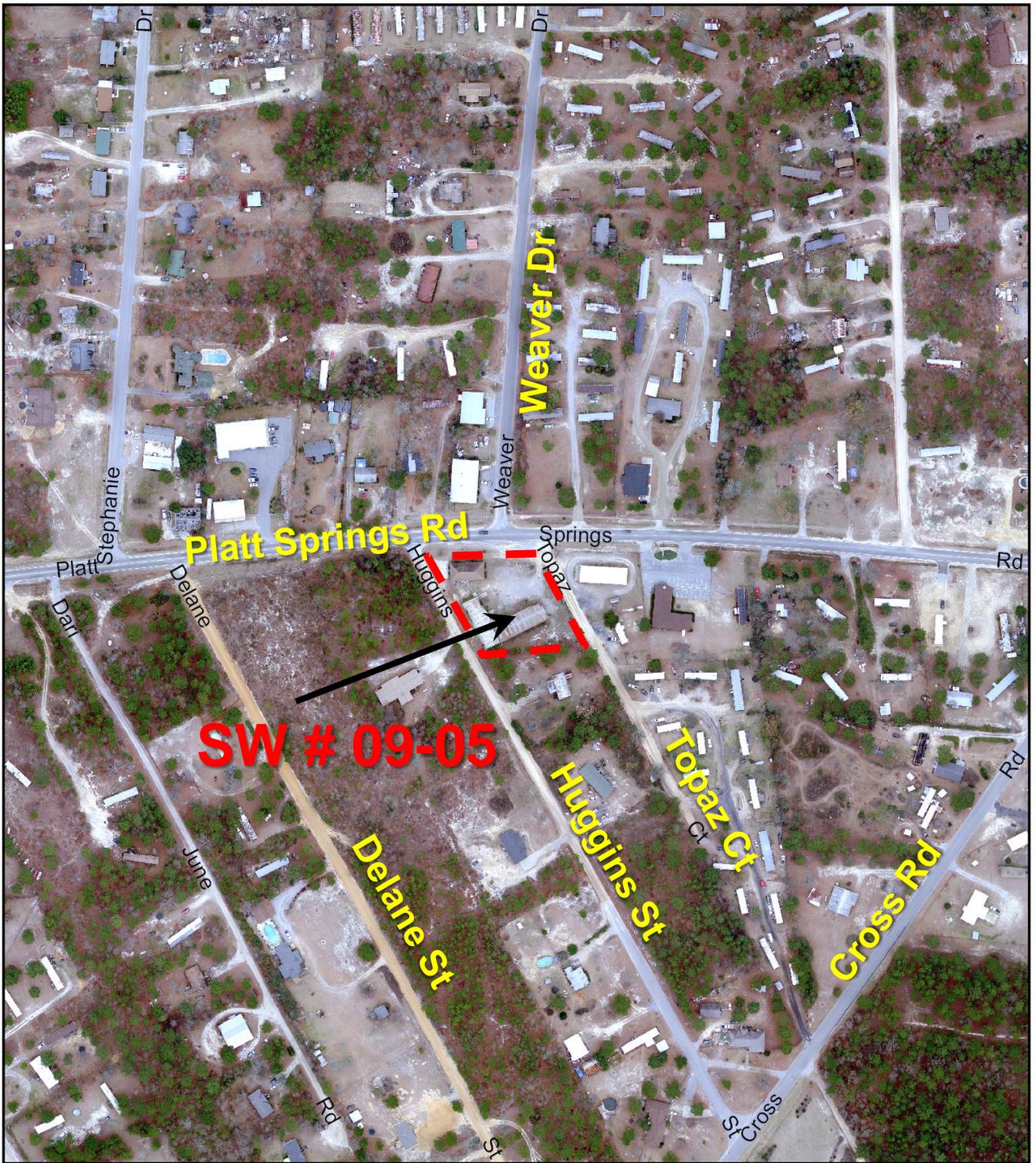
ZONING LEGEND

	I - Interstate		RL5 - Residential Local 5		ID - Intensive Development
	A - Arterial Road		RL6 - Residential Local 6		PD - Planned Development
	C - Collector Road		LC - Limited Commercial		R1 - Low Density Residential
	L - Local Road		C1 - Neighborhood Commercial		R2 - Medium Density Residential
	LL - Limited Local Road		C2 - General Commercial		R3 - High Density Residential
	RL4 - Residential Local 4		D - Development		RD - Restrictive Development



SW # 09-05

**2009 Existing Landuse
SW # 09-05
TMS # 007621-01-001**



2009 Aerial Photo
SW # 09-05
TMS # 007621-01-001

Solid Waste/Processing Facility Application SW09-05



NOTE: Parcel boundary lines are approximate and may appear distorted in an oblique view.

The Committee Minutes are left out intentionally until approved by the Committee. Upon the Committee's approval, the minutes will be available on the Internet.

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RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 12TH DAY OF JANUARY, TWO THOUSAND AND TEN, ADOPTED THE FOLLOWING:

WHEREAS, Sheriff James R. Metts implemented higher accountability in management by the creation of a new Leadership Team Charter and commitment to the agency Mission

To provide professional law enforcement services that enhance the quality of life for all people in Lexington County; and

WHEREAS, the Lexington County Sheriff's Department achieved excellent progress in reducing the number of major crimes countywide by 4.1%, which is remarkable in the distress of current economic times affecting citizens in Lexington County; and

WHEREAS, the North Region implemented 'SPUR' Special Projects - Unified Resources, which are departmental initiatives designed to reduce crime and to address quality of life issues through community enhancement and restoration projects. SPUR initiatives enhance public safety and instill community hope and trust; and

WHEREAS, major crimes were prominently reduced by 13.7% in the North Region by the development and implementation of specialized 'STRIKE' teams designed to prevent and reduce criminal activity through the use of directed patrols, the utilization of accurate and timely intelligence and relentless follow through in addressing crime trends; and

WHEREAS, through the innovative use of a 'Field Booking Process' for non-violent misdemeanor offenders, alleviating the need for physical detention, the North Region reduced inmate housing costs by over \$11,715. Additionally, though short-staffed, yearly overtime expenditures were exceptionally reduced by the unique rearrangement to personnel work schedules of Patrol Deputies, Investigators, Resident Deputies, Code Enforcement Officers, Crime Prevention Officers, School Resource Officers, and use of volunteer Reserve Deputies that saved the county over \$69,295; and

WHEREAS, under the direction of North Region Captain David G. Arnold, the Leadership Command Team composed of Lieutenant William C. Aiken, Sergeants David Amick, Bill Finch, Bill Galardi, Wesley Swinson, Robin Walters, Jeff Weed, and the North Region Personnel worked solemnly together to prosperously improve the quality of life in Lexington County through these efforts.

NOW, THEREFORE, BE IT RESOLVED that we, Lexington County Council, applaud this team for their superior achievements in the use of tactics and resources to reduce crime in the North Region.

Debra B. "Debbie" Summers, Chairman

James E. "Jim" Kinard, Jr., Vice Chairman

William C. "Billy" Derrick

George H. "Smokey" Davis

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

William B. Banning, Sr.

M. Todd Cullum

ATTEST:

Diana W. Burnett, Clerk



APPOINTMENTS BOARDS & COMMISSIONS

January 12, 2010

BILLY DERRICK

Health Services District - Allan R. Risinger - Term expired 03/10/09 - Eligible for reappointment

DEBBIE SUMMERS

Board of Zoning Appeals - Mark Bostic - Term expired 12/31/09 - Eligible for reappointment -
Confirmed desire to serve another term

JOHN CARRIGG

Museum Commission - Vacant - Term expired 11/01/06

BILL BANNING

Accommodations Tax Board - Robert Schaeffer (At Large) - Term expired 12/31/09 - Eligible for reappointment - *Confirmed desire to serve another term*

TODD CULLUM

Health Services District - Vacant - Term expired 03/10/09

AT-LARGE:

Health Services District:

- James D. Whitehead - Term expired 03/10/09 - Eligible for reappointment

Lexington County Wrecker Rotation Disciplinary Board: NEW BOARD

- 1 Vacancy

River Alliance:

- Todd Sease, Citizen Appointee - Term expires 01/26/10 - Not eligible for reappointment
- George M. Rentz, Economic Development Subcommittee Appointee - Term expires 01/26/10 - Resigned effective 10/15/09

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8166

(F) 785-2240

DATE: December 31, 2009

TO: Katherine L. Hubbard
County Administrator

THROUGH: Reggie Murphy
Procurement Manager

FROM: Jeffrey A. Hyde
Procurement Officer

**SUBJECT: Architectural and Engineering Services for a Chapin Fire Station
PS/Fire Service**

We have received a purchase request for the Architectural and Engineering Services for a Chapin Fire Station. MBAJ Architecture has provided the following fee (\$40,250.00) for Site Adaptation, Construction Documents, and Construction Administration. The estimated cost of \$1,146,600.00 (which includes site development and building construction cost) is based on previous project (Corley Mill Fire Station).

Funds are appropriated in the following account:

4504-131500-5A5672	Chapin – Architect and Engineer	\$40,250.00
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I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on January 12, 2010.

copy: Larry Porth, Director of Finance/Assistant County Administrator
Chief Russell Rawl, Fire Coordinator

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: December 10, 2009

TO: Katherine L. Hubbard
County Administrator

THROUGH: Reggie Murphy
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

**SUBJECT: (1) Tractor with Slope Mower (Replacement)
Public Works - Transportation**

We received a purchase request from Public Works (Transportation) to purchase a replacement tractor with slope mower. This John Deere 6330 STD OOS/DAB Tractor with Tiger TRB60C-30S slope mower will be purchased from John Deere through South Carolina State Contract number 05-S6476-A11000.

John Fechtel of Public Works/Assistant County Administrator and Frank Powers, Interim Fleet Manager have reviewed and recommended this purchase. The total cost, including applicable sales tax, is \$88,215.62.

Funds are appropriated in the following account:

1000-121300-5AA035	(1) Tractor with Slope Mower (Replacement)	\$95,000.00
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I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on January 12, 2010.

copy: Larry Porth, Director of Finance/Assistant County Administrator
John Fechtel, Director of Public Works/Assistant County Administrator
Frank Powers, Interim Fleet Manager

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8166

(F) 785-2240

DATE: December 30, 2009

TO: Katherine L. Hubbard
County Administrator

THROUGH: Reggie Murphy
Procurement Manager

FROM: Jeffrey A. Hyde
Procurement Officer

**SUBJECT: Exterior Wall Coating Project – Detention Center
B10020-12/20/09H
Sheriff’s Department**

Competitive bids were solicited and advertised for the Exterior Wall Coating Project for the Detention Center at the Lexington County Sheriff’s Department. A mandatory pre-bid conference was held on December 14, 2009, in which eighteen (18) bidders attended.

We received six (6) responsive bids on December 22, 2009 (see attached Bid Tabulation).

The bids were evaluated by Mr. Rob Lyon, Lyon & Associates, LLC (Consultant); Major JB Quig, Detention Bureau Commander; Randy Quattlebaum, Building Services Manager; and Jeffrey A. Hyde, Procurement Officer. It is our recommendation to award Line Item # 1, to the lowest responsive, responsible bidder; Watertight Systems, Inc., in the amount of \$28,700.00.

County funds are appropriated in the following account:

1000-151300-5AA168	Extraordinary Bldg Repair – W/Leaks	\$98,600.00
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I concur with the above recommendation and further recommend that this bid be placed on County Council’s agenda for their next scheduled meeting on January 12, 2010.

copy: Larry Porth, Director of Finance/Assistant County Administrator
Major JB Quig, Detention Bureau Commander
Randy Quattlebaum, Building Services Supervisor
Sylvia Dillon, Finance Manager LCSD

County of Lexington

B10020
JAH
12/22/2009

Bid Tabulation

Bid # : B10020-12/22/09H

Exterior Wall Coating Project at the Detention Center

Item #	Quantity	U/M	Description	Strickland Waterproofing		Watertight Systems, Inc.		Solid Structures, LLC	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	1	Job	Exterior Wall Coating	\$28,750.00	\$28,750.00	\$28,700.00	\$28,700.00	\$35,050.00	\$35,050.00
2	600	SF	Additonal Wall Coating	\$2.20	\$1,320.00	\$2.75	\$1,650.00	\$2.083	\$1,250.00
Total Bid					\$30,070.00		\$30,350.00		\$36,300.00

Item #	Quantity	U/M	Description	Brian Bros. Painting		Roofco, Inc.		Southern Restoration Maint.	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	1	Job	Exterior Wall Coating	\$43,075.00	\$43,075.00	\$47,300.00	\$47,300.00	\$37,793.00	\$37,793.00
2	600	SF	Additonal Wall Coating	\$2.00	\$1,200.00	\$3.75	\$2,250.00	\$3.56	\$2,136.00
Total Bid					\$44,275.00		\$49,550.00		\$39,929.00

Bid Opened : December 22, 2009 @ 2:00 PM

Jeffrey A. Hyde, CPPB
Procurement Officer

Minutes are left out intentionally until approved by Lexington County Council. Upon Council's approval, the minutes will be available on the Internet.



COUNTY OF LEXINGTON, SOUTH CAROLINA

Community Development

County Administration Building, 4th Floor
212 South Lake Drive, Suite 401, Lexington, SC 29072
(803)785-8121

ZONING TEXT AMENDMENT APPLICATION # **T09-07**

Section(s) of the Zoning Ordinance that are affected:

ARTICLE 2 - APPLICATION OF REGULATIONS - Chapter 5 - Signs, and other related sections of the Zoning Ordinance as applicable.

Reason for the request: To fully implement the concept of scenic corridors and to better coordinate the transition of properties into municipalities through annexation.

Submitted on behalf of: County Council Planning Commission

Printed Name: Charles M. Compton Title: Director of Planning and GIS

Signature: Signature on file

10/07/09	Application Received	10/22/09	Newspaper Advertisement
11/19/09	Planning Commission		

Planning Commission Recommendation: Recommended approval of the Text Amendment by a vote of 8 in favor of the motion, to 0 opposed.

10/27/09	First Reading	11/10/09	Public Hearing	12/08/09	Second Reading	Third Reading
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Results: _____

DRAFT update (as of November 25, 2009)

Chapter 5. Signs

25.00 Intent and Purpose

The purpose of this chapter is intended to accomplish the following objectives:

- a. To encourage a high standard for signs ~~in order that they should be appropriate~~ and to enhance the aesthetic appearance and attractiveness of the community, and; ~~to further;~~ create an ~~aesthetic~~ environment that contributes to the ability of the community to attract ~~sources of~~ economic development and growth.
- b. To ensure that signs are designed, constructed, installed, and maintained so that public safety and traffic safety are not compromised.
- c. To minimize ~~the~~ distractions and ~~the~~ obstructions-of-views that contributes to traffic hazards and endanger ~~the~~ public safety.
- d. To allow for adequate and effective signs for communicating identifications and promoting businesses.
- e. In the interest of public safety, the visibility of street name signs, street address information, and address numbers for use by emergency responders (fire, police and medical) is of preeminent importance and should be considered during the placement of signs covered under this ~~section~~ chapter.

26.00 Definitions and Quick Reference Chart

Advertising Signs. Any signs, pictorial or otherwise, regardless of size or shape, which direct attention to a business, commodity, attraction, profession, service, or entertainment conducted, sold, offered, manufactured, existing, or provided at a location other than on the premises where the sign is located or to which it is affixed. Such signs are sometimes called off-premise signs, and include, but are not limited to, those signs commonly referred to as outdoor advertising signs, billboards, or poster boards.

Audible Signs. Signs which emit any sound capable of being detected on a public road or adjoining property.

Awning Signs. See Marquee Signs definition.

Banners. Signs intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentations applied to plastic or fabric of any kind, excluding flags and emblems of political, professional, religious, educational, governmental, or corporate organizations.

Business Signs. Any signs, pictorial or otherwise, regardless of size or shape, which direct attention to a business, commodity, attraction, profession, service, or entertainment conducted, sold, offered, manufactured, existing, or provided on the premises where the sign is located or to which it is affixed. Such sign shall also include such representations painted on or otherwise affixed to any exterior portion of a business. Business signs are sometimes called on-premise signs.

Canopy Signs. Signs that are erected on a separate, freestanding roof-like covering.

Changeable Copy Signs. Signs on which message copy is changed manually through the utilization of attachable letters, numbers, symbols, and other similar characters or changeable pictorial panels. Poster panels and printed boards are not considered changeable copy signs.

Commercial Center. A commercial complex consisting of more than one retail, commercial, or office establishment grouped together, usually developed under one ownership or management, and generally sharing parking areas and vehicular entrances and exits.

Contractors' Signs. Signs displaying the names of the builders, contractors, architects, engineers, craftsmen, artisans, and similar information erected upon the premises of any work, construction, major repairs, or improvements.

Development / Project Signs. Signs announcing a planned residential, office, business, industrial or mixed use development.

Directory Signs. Any signs listing only the names, uses, or locations of more than one business, activity, firm, professional office, or tenant within a building, group of buildings, or commercial center.

Display Area. That area of a sign including the entire area within a regular geometric shape (square, rectangle, triangle, circle, or semicircle) or combination of regular geometric shapes enclosing all of the elements of informational or representational matter displayed, including blank masking or any surface shape intended to convey ideas, information, or meaning. The display area shall also include any painted portion, whether on a sign or building edifice, that serves as a part or all of a logo or other advertisement for any business product or activity. Frames or structural members not bearing informational or representational matter shall not be included in calculating the display area. For double-faced signs that are relatively parallel (forming an angle of 45 degrees or less) and supported by the same structure, the display area of the sign equals the total display area of the largest face. The display area of other multiple-faced signs equals the total display area of all faces.

Driveway Signs. Signs indicating the direction of travel for driveway ingress and/or egress.

Electronic Message Board. An electrical or electronic sign using **digital technology** or a pattern of lights to form various words or graphics which is capable of changing copy continuously.

Flag. A piece of durable fabric of distinctive design that is used as a symbol or decorative feature. Pennants do not qualify under this definition.

Flashing Signs. Signs that use a blinking, intermittent or flashing light source.

Freestanding Signs. Signs that are permanently secured in the ground and which is not attached to, supported by, or erected on a building or other structure having a principal function other than support of such signs.

Illuminated Signs. Signs either internally or externally lighted by an artificial source.

Incidental Signs. Signs used in conjunction with equipment or other functional elements of a use or operation. These shall include, but not be limited to drive through window menu boards, and signs on automatic teller machines, gas pumps, vending machines, or newspaper delivery boxes.

Inflatable Signs. Any signs that are either expanded to their full dimensions or supported by gases contained within the sign parts, at a pressure greater than atmospheric pressure. Untethered airships are not considered to be inflatable signs. Also see Portable or Moveable Signs.

Marquee Signs. Any signs erected, stenciled, engraved on, attached to, or suspended from a marquee. A marquee is defined as any hood, awning (with or without stanchions), or roof-like structure of permanent construction, which is supported from a wall of a building and projects beyond the building wall, and is generally designed and constructed to provide protection against weather.

Moving Signs. Any sign that has movement caused by means other than the movement of air over the face of the sign or into the body of the sign (see windblown signs).

Off-Premise Signs. Any signs, pictorial or otherwise, regardless of size or shape, which direct attention to a business, commodity, attraction, profession, service, or entertainment conducted, sold, offered, or manufactured, existing, or provided at a location other than on the premises where the sign is located or to which it is affixed. Such signs include, but are not limited to, signs commonly referred to as outdoor advertising signs, billboards, or poster boards.

On-Premise Signs. Any signs, pictorial or otherwise, regardless of size or shape, which direct attention to a business, commodity, attraction, profession, service, or entertainment conducted, sold, offered, or manufactured, existing or provided on the premises where the sign is located or to which it is affixed. Such signs shall also include such representations painted on or otherwise affixed to any exterior portion of a business. See Business Signs.

Pennants. Any lightweight plastic, fabric, or other material, regardless of shape, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move with the wind.

Political Campaign Signs. Signs announcing candidates seeking public office or relating to any election or public referendum.

Portable or Moveable Signs. Any signs, which rests upon, but are not attached to the ground, a structure, a frame, building, or other surface. Such signs include, but are not limited to, the following: trailer signs, signs mounted to and/or displayed from a parked vehicle (see Section 26.40k for allowable vehicle signs), sandwich board signs, sidewalk or curb signs, and inflatable signs.

Projecting Signs. Any signs which are erected on a building wall or structure and extend beyond the wall of the building more than twelve inches.

Projection Signs. Any signs or graphics that are projected on a wall, building, street, screen, or natural backdrop, originating from any projection device which would include, but not be limited to, laser lights, slide or video projections, and any other computer or electronic device.

Public Information Signs. Signs that display information pertinent to the safety, legal responsibilities, or the well being of the general public to include, but not be limited to, warning, no trespassing signs, restrooms, public telephones, walkways, entrance and exit drives, and traffic directions.

Real Estate Signs. Signs offering real estate for sale, rent, or lease.

Residential/Commercial/Industrial Subdivision and Residential Development Signs. Permanent signs displaying no information other than the name of the subdivision, group housing development, apartment/condominium complex, or mobile home park.

Seasonal Signs. On-Premise signs advertising seasonal or holiday products or services.

Sign. Any device which informs or attracts attention.

Short Term Personal Information Signs. Signs such as garage sale, lost and found pets, and wedding and reception directions.

Sponsorship Signs. Signs employed by a school or by a civic, fraternal, religious, charitable or similar organization, which identifies the sponsor (by name, address and/or logo, crest, insignia, trademark or emblem only) of recreational or sports facilities provide on the premises where such signs are displayed. "Sponsorship Fence Signs" shall mean sponsorship signs affixed to permanent fencing. "Facility" shall mean the entire premises of an elementary or secondary school or a recreation or sports facility.

Street Frontage. That property line of a parcel that abuts a public or private road. In those cases where no property lines abut a road, 25% of the parcel's perimeter shall be a substituted measurement for street frontage for the purpose of calculating the maximum display area and number of freestanding signs allowed, as though that parcel had only one street frontage.

Temporary Directional Signs. Directional signs intended for use with seasonal activities and civic or community special events not associated with permanent business activities.

Temporary Signs. Signs which are not permanently installed in the ground or affixed to any structure or building, and which are erected or displayed for a period of time as allowed in this ordinance.

Vehicular Signs. Signs on vehicles or trailers, which are in a street legal operating condition.

Wall Signs. Signs attached to the exterior wall of a building or structure, which do not extend beyond the building wall more than twelve inches.

Window Signs. Signs intended for viewing from the exterior of a window or door.

Windblown Sign. Any banner, device, or display designed to be moved by natural or artificially generated sources of air, that contains a written or pictorial message.

Quick Reference Chart

LEGEND: T = Temporary P = Permanent \$ = Permit Required E = Exempt X = Not Allowed

NOTE: All allowed or exempt signs, including flags, must meet the requirements as outlined in this ordinance.

Sign Type	Ordinance Section Reference	T	P	E	X	Required Setback from Right-of-way	Required Setback from Adjoining Property	Display Area, Height and/or Spacing Restrictions
Advertising Signs	26.60		✓\$			10 ft.*	10 ft.*	✓
Audible Signs	26.32				✓			
Banners	**							
Banners over Public R/W	26.40a	✓						
Business Signs	26.50		✓\$			10 ft.*	10 ft.*	✓
Canopy Signs	26.53		✓\$			10 ft.*	10 ft.*	✓
Changeable Copy Signs	26.52		✓\$			10 ft.*	10 ft.*	✓
Commercial Center Signs	26.52		✓\$			10 ft.*	10 ft.*	✓
Contractor's Signs	26.40b	✓						✓
Development/Project Signs	26.40f	✓						✓
Directory Signs	26.52		✓\$			10 ft.*	10 ft.*	✓
Driveway Signs	26.53		✓				10 ft.*	✓
Electronic Message Board	26.52	**	**					
Flag	26.20			✓				
Flashing Signs	26.33				✓			
Illuminated Signs	26.13d 26.15 26.55	** ** **	** ** **					
Incidental Signs	26.20h			✓				
Inflatable Signs	**							
Marquee Signs	26.52 26.53		✓\$ ✓\$			10 ft.* 10 ft.*	10 ft.* 10 ft.*	✓ ✓
Moving Signs	26.34				✓			
Pennants	26.40c	✓\$				10 ft.*		✓

Sign Type	Ordinance Section Reference	T	P	E	X	Required Setback from Right-of-way	Required Setback from Adjoining Property	Display Area, Height and/or Spacing Restrictions
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Political Campaign Signs	26.40d	✓						
Portable or Moveable Signs	26.40e	✓\$						✓
Projecting Signs	26.53		✓\$			10 ft.*	10 ft.*	✓
Projection Signs	**							
Public Information Signs	26.20c			✓				
Real Estate Signs								
On-Premise	26.40f	✓						✓
Off-Premise	26.40f	✓						✓
On-Premise Sub./Dev. Signs	26.40f	✓						✓
Off-Premise Sub./Dev. Signs	26.40f	✓	✓\$					✓
Residential/Commercial/Industrial Subdivision and Residential Development Signs	26.53		✓\$			10 ft.*	10 ft.*	✓
Seasonal Signs	26.40g	✓						✓
Short-Term Personal Information Signs	26.40h	✓						✓
Sponsorship Signs	26.40i	✓						
Temporary Directional Signs	26.40j	✓						✓
Vehicular Signs	26.40k	✓						
Wall Signs	26.53		✓\$					✓
Window Signs	26.20g			✓				
Windblown Signs	**							

* If the distance from the edge of the road to the edge of the right-of-way is greater than 20 feet, the 10-foot setback from the road right-of-way shall not apply.

** Not considered a type of sign, but as an optional form of construction or method of display.

26.10 General Provisions

26.11 Construction Standards

All signs shall comply with the appropriate provisions of the County's Building Code, and shall maintain clearances from all overhead electrical conductors in accordance with the National Electric Code, provided that no sign shall be installed closer than 10 feet horizontally or vertically from any conductor. Temporary signs shall be erected or placed to remain in the intended location and not to become a safety hazard or litter problem.

26.12 Unsafe or Hazardous Signs

No sign shall be erected or allowed to remain erected that, in the opinion of the County Building Official, is structurally unsafe and constitutes a danger to the public safety. If any sign should become insecure, in danger of falling, or otherwise unsafe, the owner thereof or the person maintaining the sign shall immediately secure or remove the sign.

26.13 Maintenance

To insure that signs are maintained in a safe and aesthetic manner, the following maintenance requirements shall apply to all signs.

- a. No sign shall be allowed to have more than 20 percent of its display area, reverse side, or structure covered with disfigured, chipped, cracked, ripped, or peeling paint or poster paper for a period of more than 30 successive days.
- b. No sign shall be allowed to remain with a bent or broken display area, broken supports, loose appendages or struts, or stand more than 15 degrees away from the perpendicular for a period of more than 30 successive days.
- c. No sign shall be allowed to have weeds, trees, vines, or other wild vegetation growing upon it for a period of more than 30 successive days.
- d. No indirect or internally illuminated sign shall be allowed to have only partial illumination for a period of more than 30 successive days.

26.14 Public Right-of-Way

No portion of any sign shall overhang or encroach upon any public right-of-way.

26.15 Illuminated Signs

All illuminated signs must meet the performance standards related to light and glare as described in Article 2, Section 24.50.

26.20 Exempt Signs

The following are not subject to these sign regulations:

- a. Signs not exceeding one square foot in area and bearing only property numbers, post office box numbers, or names of occupants on premises not having commercial connotations.
- b. The single flag or insignia of the United States or any other governmental or corporate entity, except when displayed in connection with commercial promotion.
- c. Legal notices or identification, public information signs, and directional signs erected as required by governmental bodies.
- d. Integral decorations or architectural features of buildings or grounds, except letters, trademarks, moving parts, or moving lights.
- e. Signs not exceeding four square feet in area directing and guiding traffic on private property.
- f. Wall identification signs and commemorative plaques not more than four square feet in area, memorial cornerstones or tablets providing information on building erection or commemorating a person or event.
- g. Signs which are not designed to be visible beyond the boundaries of the parcel on which they are located or from any public thoroughfare or right-of-way.
- h. Incidental signs or trademarks or product names which are displayed as part of vending machines, dispensing machines, automatic teller machines, and gasoline pumps.

26.30 Prohibited Signs

26.31 Signs Imitating Traffic or Emergency Signals

No sign shall be ~~permitted~~ **allowed** which imitates an official traffic sign or signal, or contains words or symbols displayed in a manner which might mislead or confuse drivers of vehicles, or which displays intermittent lights resembling the color, size, shape, or order of lights customarily used in traffic

signals, on emergency vehicles, or on law enforcement vehicles, except as part of a permitted private or public traffic control sign.

26.32 Audible Signs

No sign shall be ~~permitted~~ **allowed** which emits any sound capable of being detected on a public road or adjoining property.

26.33 Flashing Signs

No sign shall be ~~permitted~~ **allowed** which utilizes flashing, blinking, or strobe-type lights, or any type of pulsating or moving light. ~~except e~~ **Electronic message boards may only be used** in accordance with the provisions of this chapter. ~~However, electronic message boards are not allowed to flash a static message.~~

26.34 Moving Signs

No sign shall be ~~permitted~~ **allowed** which moves or presents the illusion of movement in any manner, when such movement is provided by means other than the movement of air.

26.35 Signs Attached to or Painted on Selected Features

No sign shall be ~~permitted~~ **allowed** which is attached to a utility pole or street sign, or is attached to or painted on tree trunks, rocks, or other natural objects.

26.40 Temporary Signs

In keeping with Section 25.00 Intent and Purpose, temporary signs that are in compliance with the requirements of Section 22.10 Driveway and Street Restrictions, Section 26.10 General Provisions, Section 125.00 Conflict with Other Laws, and all other applicable requirements of this Ordinance, shall be allowed.

a. Banners over Public Rights-of-Way

Banners spanning over public rights-of-way are allowed, subject to approval by the appropriate South Carolina Department of Transportation agency or appropriate local governmental (County or Municipal) agency responsible for maintenance of the right-of-way. Banners attached to existing utility pole shall require the approval of such utility agency.

b. Contractors' Signs

Contractor's Signs displaying the names of the builders, contractors, architects, engineers, craftsmen, artisans, and similar information may be erected upon the premises of any work, construction, major repairs, or improvements. The display area of such signs shall not exceed 32 square feet in Restrictive Development Districts and 50 square feet in Intensive Development Districts. Such signs shall be removed within seven days of the completion of the work.

c. Pennants

Pennants are any lightweight plastic, fabric, or other material, regardless of shape, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move with the wind. Pennants shall be limited to two strands for every 100 feet of road frontage or portion thereof. A strand is defined as being between two attachment points. Pennants and/or attachment points shall be set back a minimum of 10 feet from the road rights-of-way. Pennants are allowed only in conjunction with the permitting of Portable or Movable signs.

d. Political Campaign Signs

Signs announcing candidates seeking public office or relating to any election or public referendum shall be allowed. Such signs shall be placed only on private property, and removed within seven days after the election or referendum. These signs do not have to be set back from road rights-of-way.

e. Portable or Movable Signs

Portable or movable signs shall be permitted up to two separate times per year for a period not to exceed 30 consecutive days per occurrence. Portable signs must be located at least 20 feet from any adjoining business signs or small advertising signs. Pennants are allowed only in conjunction with a permit under this section and in accordance with Section 26.40c.

Individual business centers and commercial centers may have one portable sign per 200 feet of street frontage or portion thereof. Tenants are limited to one portable sign per occurrence. A parcel with frontage on different streets shall have the frontages regulated independently as to number of signs allowed. Multiple signs allowed on the same frontage of the same parcel must be located at least 200 feet apart. Private restrictive covenants and/or lease agreements for business centers and commercial centers may include more restrictive policies for these types of signs.

f. Real Estate Signs

Real Estate Signs are temporary signs offering real estate for sale, rent, or lease. These signs do not have to be set back from road rights-of-way, but still must comply with the engineering criteria found in the Lexington County Land Development Manual and the Driveway Restrictions found in Section 22.10 of this Ordinance.

On-Premise – The real estate sign display area shall not exceed 6 square feet for individual parcels restricted for residential use only and 32 square feet for all other parcels. There may be only one sign per 200 feet of street frontage or portion thereof and such signs shall be removed within seven days of the conveyance or lease of the property.

Off-Premise – Real estate signs not exceeding 4 square feet in area and 2½ feet in height are allowed off-premises, provided they are located on private property with the property owners’ permission. These signs do not have to be set back from road rights-of-way. Such signs shall be removed within seven days of the conveyance or lease of the property.

On-Premise Subdivision/Development/Project Signs shall be allowed in addition to the permanent Subdivision/Development Signs provided they do not exceed 32 square feet, one per entrance, and are ~~meet the same restrictions for On-Premise and Off-Premise Real Estate Signs, except that Off-Premise Development/Project Signs shall be removed after 75~~ 100 percent of the original lots, units, etc. have been sold or leased.

Off-Premise Subdivision/Development Signs shall be allowed provided they are located on private property with the property owners’ permission and meet the following requirements:

1. They must be located no further from the subdivision or development than the first intersection with an Arterial (A) street. If there are multiple directions to arrive at the project there may be multiple signs with the maximum distance allowed determined independently in each direction.
2. These signs shall not contain more than 24 square feet in display area. The decorative structure on which the sign is displayed may not exceed 32 square feet.
3. The maximum height of the sign and/or decorative structure shall be 4 feet.
4. These structures and signs must have the same appearance as the permanent on-site signs and be constructed of the same or similar materials.
5. These off-premise signs must be removed after 90 percent of the lots, units, etc. have been sold or leased.

Multiple subdivisions/developments desiring to place off-premise directional signs on the same property are encouraged to share a single sign structure. They must meet the same size and location requirements of this section, however, the maximum height of the sign structure may be 8 feet. Materials used should be of similar quality as the permanent on-site signs, i.e. painted plywood would not be acceptable. A second sign in the same location that is not sharing a sign structure may not obstruct the view of the first sign.

g. Seasonal Signs

Seasonal Signs are on-premise signs advertising seasonal or holiday products or services. These signs shall not exceed 32 square feet in area and must be located on private property with the property owner’s permission. There may be only one sign per 500 feet of street frontage or portion thereof and such signs must be removed within seven days after the end of the season. These signs do not have to be set back from road rights-of-way.

h. Short-Term Personal Information Signs

Short-term personal information signs, such as garage sale, lost and found pets, and wedding and reception directions, are allowed provided they are located on private property with the property owner's permission. These signs shall not exceed six square feet in size, are limited to no more than seven consecutive days, and must be removed within twenty-four hours after the completion of the event. These signs do not have to be set back from road rights-of-way.

i. Sponsorship Signs

Sponsorship Signs are signs employed by a school or by a civic, fraternal, religious, charitable or similar organization, which identifies the sponsor (by name, address and/or logo, crest, insignia, trademark or emblem only) of recreational or sports facilities provided on the premises where such signs are displayed. "Sponsorship Fence Signs" shall mean sponsorship signs affixed to permanent fencing. "Facility" shall mean the entire premises of an elementary or secondary school or a recreation or a sports facility. These signs are intended to be used for a specific event or sporting season. They must meet all safety standards and local event/location restrictions imposed by the event committee, site owner, etc. Such signs intended to remain beyond the event or sporting season limitation shall be regulated as permanent signs under the appropriate definitions found in this ordinance.

j. Temporary Directional Signs

Temporary Directional Signs are intended for use with seasonal activities ~~and~~ for civic, church, or community special events not associated with permanent business activities. These signs ~~shall be limited to eight in total number and~~ shall not exceed 12 square feet per sign and must be located on private property with the property owner's permission. **There may be only one sign per 500 feet of street frontage or portion thereof and such** ~~These~~ signs do not have to be set back from road rights-of-way. These signs must be removed within seven days after the end of the season or after the individual event for which it was intended. Such signs do not constitute a land use unto themselves and are not considered Off-Premise Advertising Signs.

k. Vehicular Signs

Vehicular Signs are signs on vehicles or trailers, which are in a street legal operating condition. Signage, no matter how attached or painted, on a currently, properly licensed vehicle (motorized or not - including trailers) used in the everyday conduct of the business or activity that it is advertising, is allowed. Vehicles with such signage may be parked in normal designated parking places, but not on grassy areas, sidewalks, or other locations not normally available to customers or patrons of the business. Disabled or unlicensed vehicles, on which signage has been placed, shall be regulated as permanent signs under the appropriate definitions found in this Ordinance. Signs resting upon, mounted to and/or displayed from a parked vehicle, used other than as described above, shall be considered as Portable or Movable Signs.

26.50 Business Signs

26.51 Location

In Intensive Development Districts these signs must comply with the same buffering restrictions as the principal activity for which they advertise, except that they may be erected within the required setback unless other more restrictive provisions of this Ordinance apply. In Restrictive Development Districts these signs must comply with the same buffering restrictions as the principal activity for which they advertise. However, in all districts, any portion of a business sign must maintain at least a ten-foot setback from all property lines and the existing road right-of-way, unless otherwise specifically stated in this Ordinance. If the distance from the edge of the road to the right-of-way is greater than 20 feet, the ten-foot setback from the road right-of-way shall not apply. No sign shall be allowed to violate any of the requirements of Section 22.10, Driveway and Street Restrictions.

26.52 Maximum Display Area, Height, and Number of Signs

Individual businesses and commercial centers may have one freestanding business sign per 500 feet of street frontage or portion thereof. These signs shall comply with the following height and display area requirements:

Location	Maximum Static Display Area per Sign	Maximum Changeable Copy or Electronic Message Board	Maximum Height
Restrictive Development Districts	75 square feet	40 square feet	15 feet
Intensive Development Districts	100 square feet	60 square feet	20 feet
Commercial Centers in ID District	300 square feet	80 square feet	35 feet
Commercial Centers in RD District	150 square feet	40 square feet	15 feet

The maximum height allowed for business signs along roadways shall be measured from the elevation of the roadway, unless the elevation of the sign location is higher than the roadway. In those instances the maximum height allowed shall be as listed in the chart above. This interpretation of allowed heights shall also be used in Section 26.55, Business Signs on Scenic Corridors.

Both the maximum static display area and the maximum changeable copy/electronic message board area may be utilized as part of each allowed individual or commercial center sign. However, the maximum display area per sign shall not be increased with any exchange or substitution of the allowable area for changeable copy or electronic message.

A parcel with frontage on different streets shall have the frontages regulated independently as to number of signs allowed.

A parcel with street access only by an easement over another parcel may consider that easement frontage as an allowed location for a business sign provided it is allowed by the easement agreement. A similar parcel that includes ownership of the strip of property which provides access may also consider that frontage as an allowed location for a business sign. In both situations the signs must meet all of the requirements of this section including location restrictions.

Multiple signs allowed on the same frontage of the same parcel must be located at least 500 feet apart.

The maximum display area allowed for commercial centers includes any directory signs. In addition, each business within a commercial center may erect one wall, projecting, or marquee sign; and, each individual business not within a commercial center may erect one wall, projecting, or marquee sign per street frontage.

Changeable Copy Signs. Signs on which message copy is changed manually through the utilization of attachable letters, numbers, symbols, and other similar characters or changeable pictorial panels. Poster panels and printed boards are not considered changeable copy signs.

Commercial Center. A commercial complex consisting of more than one retail, commercial, or office establishment grouped together, usually developed under one ownership or management, and generally sharing parking areas and vehicular entrances and exits.

Directory Sign. Any sign listing only the names, uses, or locations of more than one business, activity, firm, professional office, or tenant within a building, group of buildings, or commercial center.

Electronic Message Board. An electrical or electronic sign using digital technology or a pattern of lights to form various words or graphics which is capable of changing copy continuously. Images displayed using digital technology must be static messages and the content shall not include animated, flashing, scrolling or full-motion video elements. Static images may not be continuously changing in such a manner that the changes are prominently visible to the traveling public. Electronic Message Boards may change static messages once every 15 seconds provided the message does not change through flashing, scrolling, or any type animation. All digital business signs shall have a method for controlling the illumination intensity or brilliance of the sign so that it shall not cause glare or impair the vision of motorists. These signs shall not exceed a maximum illumination of 7500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign's face. This illumination can be regulated either by an automatic dimmer and photo cell sensor or through the use of computerized controls that accurately replicates these maximum illumination requirements.

26.53 Specialty Signs

Canopy Signs are any signs which are erected on a separate, freestanding roof-like covering. Only business logos or names are allowed as canopy signs, with a maximum of one logo or name on each canopy face. A logo is the symbol or trademark of a company. No portion of a canopy sign shall be permitted above the top of the roof of the covering to which it is attached, or permitted to be lower than eight feet above ground level. An owner of a business with a canopy connected to a building has the option of using either canopy or marquee signage, but not both.

Driveway Signs indicating the direction of travel are required on all one-way driveways. These signs must be above-ground signs, with a maximum height of 2½ feet, and located at the edge of the existing road right-of-way.

Marquee Signs are any signs erected, stenciled, engraved on, attached to, or suspended from a marquee. A marquee is defined as any hood, awning, or roof-like structure of permanent construction, which is supported from a wall of a building and projects beyond the building wall, and is generally designed and constructed to provide protection against the weather. Such a sign shall not exceed 15 percent of the area of the wall of the first story of the building or business to which it is attached. **A maximum of 12 feet in height can be used for this 15 percent measurement.** No portion of a marquee sign shall be permitted above the top of the roof of the building to which it is attached, or permitted to be lower than 8 feet above ground level. The marquee sign information may be dispersed anywhere on the marquee as long as the total display area of all information does not exceed the 15 percent requirement.

Public Information Signs are signs containing no message, copy, announcement, or decoration other than instructions or directions to the public except for subordinate identity. Such signs include, but are not limited to, identifying the following: restrooms, public telephones, walkways, entrance and exit drives, freight entrances, and traffic directions. Information signs shall be allowed on business lots provided that no such sign shall exceed 6 square feet in display area. Information signs shall not count toward the maximum number of signs allowable nor the maximum display area of signs allowable.

Projecting Signs are any signs which are erected on a building wall or structure and extend beyond the building wall more than twelve inches. Such a sign shall not exceed 15 percent of the area of the wall of the first story of the building or business to which it is attached. **A maximum of 12 feet in height can be used for this 15 percent measurement.** No portion of a projecting sign shall be permitted above the top of the roof of the building to which it is attached, or permitted to be lower than 8 feet above ground level.

Residential/Commercial/Industrial Subdivision and Residential Development Signs are permanent signs displaying no information other than the name of the subdivision, group housing development, apartment/condominium complex, or mobile home park. Such signs may be either single signs or gateway signs (paired signs on each side of an entrance). These signs shall not exceed 100 square feet each in display area, and shall not exceed a height of 6 feet. However, the display area and height restrictions are not intended to apply to the entire decorative structure on which the sign is displayed. Within the same project, a single sign or pair of gateway signs must be at least 300 feet from another single sign or pair of gateway signs. Such signs shall also be exempt from the 10-foot setback restriction of Section 26.51, but still must comply with the engineering criteria found in the Lexington County **Land Development Guidelines Manual** and the Driveway Restrictions found in Section 22.10 of this Ordinance. A sign can be located in a road right-of-way median if such sign complies with all engineering criteria found in the Lexington County Development Guidelines.

Wall Signs are signs attached to the exterior wall of a building or structure which do not extend beyond the building wall more than 12 inches. Such a sign shall not exceed 15 percent of the area of the wall of the first story of the building or business to which it is attached. **A maximum of 12 feet in height can be used for this 15 percent measurement.** No portion of a wall sign shall be permitted to project above the wall of the building to which it is attached except in the case of signs mounted to the roof in which case no portion shall project above the top of the roof. The wall sign information may be dispersed anywhere on the wall as long as the total display area of all information does not exceed the 15 percent requirement. A “mural” is a painting applied to a wall containing no advertisement for any business product or activity. A mural, as defined, will not be considered a wall sign.

26.54 High Rise Buildings

Buildings which exceed five stories in height shall be permitted to erect one wall sign per wall at the top story of the building. Such signs, shall only identify the name of the building or the major tenant. The display area of such signs shall not exceed 2 percent of the area of the wall to which it is attached. Such signs shall be permitted in addition to the requirements of this chapter.

26.55 Businesses Signs on Scenic Corridors and/or in Restricted Development Districts

The following additional restrictions shall apply on Scenic Corridors as defined in the Lexington County Landscape Ordinance.

Location	Maximum Static Display Area per Sign	Maximum Changeable Copy Area	Maximum Height
Business Sign in Scenic Corridor 1	60 square feet	30 square feet	6 feet
Business Sign in Scenic Corridor 2	60 square feet	30 square feet	6 feet
Business Sign in Scenic Corridor 3	100 square feet	60 square feet	10 feet
Commercial Center in Scenic Corridor 1 or 2	150 square feet	40 square feet	15 feet
Commercial Center in Scenic Corridor 3	200 square feet	60 square feet	20 feet

Illuminated signs, including changeable copy area, for individual businesses and commercial centers located on Scenic Corridors 1 and 2, as defined in the Lexington County Landscaping Ordinance, or in Restrictive Development Districts as defined in the Lexington County Zoning Ordinance, shall meet one of the following conditions:

Internally illuminated signs must be constructed so that only letters, numbers, and/or logos are illuminated; shall not have light reflecting backgrounds or letters; and shall have a matte finish.

Externally illuminated signs shall have a steady stationary light source that is shielded and directed solely at the sign; shall have white light sources; and shall not have light reflecting backgrounds or letters.

Signs located on Scenic Corridors shall not use any fluorescent colors. Additionally signs located on Scenic Corridors 1 and 2 shall use only earth tone colors intended to be more harmonious and compatible with the surrounding natural environment. The only exception to this restriction shall be the display of a registered mark as exhibited in the certificate of registration issued by the United States Patent and Trademark Office.

If digital technology is used, it must replicate the appearance standards outlined above and the illumination standards found under Electronic Message Boards in Section 26.52. Images displayed must be static messages and the content shall not include animated, flashing, scrolling or full-motion video elements. Static images may not be continuously changing in such a manner that the changes are visible to the traveling public. However, it is permissible to change images daily or hourly as necessary to communicate new information. Electronic Message Boards on a Scenic Corridor 3 may change static messages once every 15 seconds.

26.60 Advertising Signs

This chart is a summary of many of the following restrictions concerning advertising signs:

Locations where Advertising Signs are allowed	Maximum Display Area per Sign	Minimum Spacing	Maximum Height	Minimum Height
Advertising Sign on interstate highways	672 square feet	2000 feet from sign on the same side	110 feet	none
Advertising Sign on arterial (with at least 4 lanes)	378 square feet	1000-foot radius from another sign	45 feet	25 feet
Advertising Sign on arterial (with only 2 lanes)	288 square feet	1000-foot radius from another sign	45 feet	25 feet

26.61 Location

Advertising signs are identified as principal activities in this article and are therefore subject to all other provisions of this Ordinance. They shall be permitted only in the zoning districts where they are allowed, and ~~provided~~ **only where** they meet the street access requirements of this Ordinance. Regardless of the street access restrictions, advertising signs are allowed to locate on interstate highways, expressways, and frontage roads (except when classified RL4, RL5, or RL6) where their right-of-way is contiguous to an interstate highway or expressway; these signs, however, must be located within 200 feet of the right-of-way of the interstate or frontage road, if applicable. No advertising sign shall be allowed on Scenic Corridors **1 and 2**, as defined in the Lexington County Landscape Ordinance, or within 1000 feet of the banks of the Saluda, Congaree, or Edisto Rivers. **Advertising signs will also not be allowed on Arterial (A) streets with only two lanes unless the location of the sign meets the following criteria:**

- a. **there are at least two non-residential activities at two separate locations in the Intensive Development District within 600 feet of the proposed sign,**
- b. **the nearest grandfathered residential use in the Intensive Development District is at least 600 feet from the sign, measured to the footprint of the actual residence, and**
- c. **the nearest non-grandfathered residential use in the Intensive Development District is at least 300 feet from the sign, measured to the footprint of the actual residence.**

All portions of advertising signs must maintain at least a 10-foot setback from all property lines and the existing road right-of-way. If the distance from the edge of the road to the right-of-way is greater than 20 feet, the 10-foot setback from the road right-of-way shall not apply. In some locations, the required minimum setbacks may be greater than this. Such signs shall also comply with all provisions of Section 22.10, Driveway and Street Restrictions.

To minimize the opportunity for visual distraction during vehicular merge operations, advertising signs will be restricted within the vicinity of interstate interchanges and rest areas. No advertising sign located along an interstate may be erected within 500 feet of an interchange or rest area. The interchange or rest area is considered to begin or end at the point where the pavement widens for an entrance or exit ramp/lane. When the entrance or exit ramp/lane is not on the same side of the road as the proposed advertising sign, the point of measurement shall be determined by identifying the location of the relative pavement widening and applying it to an identical point on the side of the road where the advertising sign is proposed to be located.

26.62 Maximum Display Area

The maximum display area for any advertising sign located along an interstate shall be 672 square feet plus a 10 percent allowance for copy extensions. A copy extension is the part of the copy which extends beyond the edge or border of the sign, sometimes called a “cut-out” or “drop-out.”

The maximum display area of advertising signs on any other highway shall be 288 square feet plus 10 percent allowance for copy extensions, except for portions of Arterial (A) streets that have at least four lanes, which may have a maximum display area of 378 square feet plus 10 percent allowance for copy extensions. Those designated portions must have the appropriate zoning district to support advertising signs.

26.63 Minimum Spacing

No advertising sign located along an interstate shall be permitted to locate within 2000 feet of another sign on the same side of the roadway. For non-interstate highways no advertising signs shall be permitted to locate within a 1000-foot radius of another advertising sign.

26.64 Maximum Height

Advertising signs along interstates shall be permitted to a height of 110 feet above the elevation of the highest travel lane at the location of the sign. The maximum height of advertising signs along other roadways shall not exceed 45 feet above the elevation of the roadway.

26.65 Minimum Height

There shall be no minimum height of the display surface for advertising signs located along interstates.

The minimum height of the display surface of advertising signs on Arterial (A) Roads streets shall be 25 feet above the elevation of the roadway, unless the display area does not exceed 200 square feet and placement of the sign does not block visibility of an existing business sign.

26.66 Small Advertising Signs Digital Technology

~~Small advertising signs are not required to meet the spacing and height provisions of Sections 26.63, 26.64, and 26.65, provided they have less than 72 square feet of display area, conform to the location requirements for advertising signs, stay 20 feet from any adjoining business signs, 500 feet from other small advertising signs, and 300 feet* from advertising signs on the same side of the highway; and do not exceed 15 feet in height.~~

~~* As this is a state requirement, variances cannot be granted by the Board of Zoning Appeals.~~

Advertising signs using newer digital technology which allows static images to be changed instantly must follow the following restrictions:

- a. Images displayed must be static messages and the content shall not include animated, flashing, scrolling or full-motion video elements.
- b. The static images may be changed in succession at a rate no faster than once every 6 seconds.
- c. Spacing of digital faces of these signs which are visible from the same direction shall not be closer than 2000 feet apart.
- d. All digital advertising signs shall have an automatic dimmer and a photo cell sensor to adjust the illumination intensity or brilliance of the sign so that it shall not cause glare or impair the vision of motorists. These signs shall not exceed a maximum illumination of 7500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign's face.

26.67 South Carolina Code of Laws

The sign regulations contained in this Ordinance are supplemented by the requirements of The State of South Carolina Department of Transportation which regulates off-premise advertising signs on interstate and federal aid road systems. A permit from the State of South Carolina may contain some restrictions which are in addition to the requirements of this Ordinance. Issuance of a Lexington County Zoning Permit does not imply approval of, or constitute a privilege to violate, any other applicable state or local ordinances, codes, laws, or private restrictive covenants.

(from Article 2 – APPLICATION OF REGULATIONS)

Chapter 3. Buffering Restrictions

23.40 Architectural Standards

- f. All business signs will meet the standards found in Section 25.55, which concerns signs on scenic corridors ~~and in Restricted Development Districts. In addition~~ **Unless a more restrictive height limit is found in that section**, business signs must be designed as “pedestal signs” that do not exceed a height of 12 feet. Marquee and canopy signs are not allowed and wall signs shall be the minimum size necessary to be readable from the adjoining road way or drive.

(from Article 11 – NONCONFORMITY)

Chapter 1. General

111.30 Required Notice

Notice must be given by the Zoning Administrator at least six months prior to the enforcement of any of the provisions of this Article, **except for Sections 113.12 and 113.13 in which a 30-day notice shall be required.**

Chapter 3. Nonconforming Signs

113.00 General Provisions

113.01 Nonconforming Activities

Signs associated with a nonconforming activity may be continued during the lawful life of the activity, but shall be made to comply with all other applicable sign provisions after ten years.

113.02 Reconstruction

A nonconforming sign shall not be removed and rebuilt as a nonconforming sign, except when the South Carolina Department of Transportation or Lexington County Public Works requires the sign to be relocated for improvements within a road right-of-way. However, such relocation shall not increase the degree of nonconformity, as determined by the Zoning Administrator.

113.03 Extension or Enlargement

A nonconforming sign shall not be extended or enlarged except in conformity with these regulations.

113.04 Reconstruction after Damage

A nonconforming sign shall not be rebuilt, altered, or repaired except in conformity with these regulations after sustaining damage exceeding 50% of the replacement cost of the sign at the time of the damage.

113.05 Ordinary Maintenance

Nothing in this chapter shall be deemed to prevent the ordinary maintenance and repair of a nonconforming sign or replacement of a broken part of a nonconforming sign.

113.06 Change of Copy

Nothing in this chapter shall be deemed to prevent the ordinary change of copy on an advertising sign or a business changeable copy sign.

113.10 Amortization

The Board of Zoning Appeals may extend any deadlines contained in this Chapter if it is determined that the regulation would be a financial hardship for the owner of the sign. This hardship must have occurred through contractual obligations in effect before the adoption of these restrictions. However, in the case of the principal activity category of Churches, the Board should give special consideration to any financial hardship.

113.11 Location

Signs which are not an allowed activity because of district designation or road classification, shall be removed within ten years after the effective date of these regulations.

113.12 Advertising Signs

All advertising signs which are nonconforming shall be allowed to remain as installed in their existing location as long as they comply with the provisions contained in Section 26.10.

Signs using Digital Technology as regulated in Section 26.66 shall be brought into compliance with these regulations within 90 days.

113.13 Business Signs

All business signs which are nonconforming shall be allowed to remain as installed in their existing location as long as they comply with the provisions contained in Section 26.10.

Electronic Message Boards as regulated in Section 26.52 shall be brought into compliance with these regulations within 90 days.

113.14 Temporary Signs

All nonconforming temporary signs shall be removed or made conforming within one year after the effective date of these regulations.

113.15 Special Requirements

Any sign violating the provisions of Sections 26.10, 26.20, or 26.30 shall be removed or made conforming within 90 days after the effective date of these regulations.

113.16 Windblown Signs

All nonconforming windblown signs shall be removed within nine months after the effective date of these regulations.

113.20 Change in Business Signs

Whenever any nonconforming sign, or part thereof, is replaced, converted, or altered more than just the replacement of the sign face, the entire sign shall be brought into compliance with these regulations.

113.30 Substantial Repairs, Remodeling, or Expansion

Whenever a business is repaired, altered, remodeled, or expanded to an extent exceeding 50% of the current replacement cost of the building within any period of 12 months, all signs, other than freestanding signs, shall be brought into compliance with these regulations.



COUNTY OF LEXINGTON, SOUTH CAROLINA

Solid Waste Management

498 Landfill Lane

Lexington, SC 29073

Phone (803) 755-3325 Fax (803) 755-3833

SOLID WASTE/PROCESSING FACILITY APPLICATION # SW09-04

Applicant/Business Name: Carolina Materials Corp

Address and/or description of property for which the SW/Processing Facility Application is made:

120 Carl Drive, Lexington, SC 29073

TMS#: 006500-06-002 Activity acreage: 10.8

Type of activity: Existing C&D landfill expansion

On-site processing included? yes

Additional comments as necessary: lateral expansion

Is activity under current review by SCDHEC? No

Does activity have a current SCDHEC permit? Yes #322611-1201

Even though this request will be carefully reviewed and considered, the burden of proving the need for the request rests with the applicant.

Date of application: 10-26-09

Applicant: Property Owner Authorized Agent

Phone #(s): 803- 808-3344 FAX 803-808-3346

Signature: On File

Printed Name: Carolina Materials Corporation, Jo M. Counts

Street/Mailing Address: PO Box 8023 City, State, Zip Code: Columbia, SC 29202

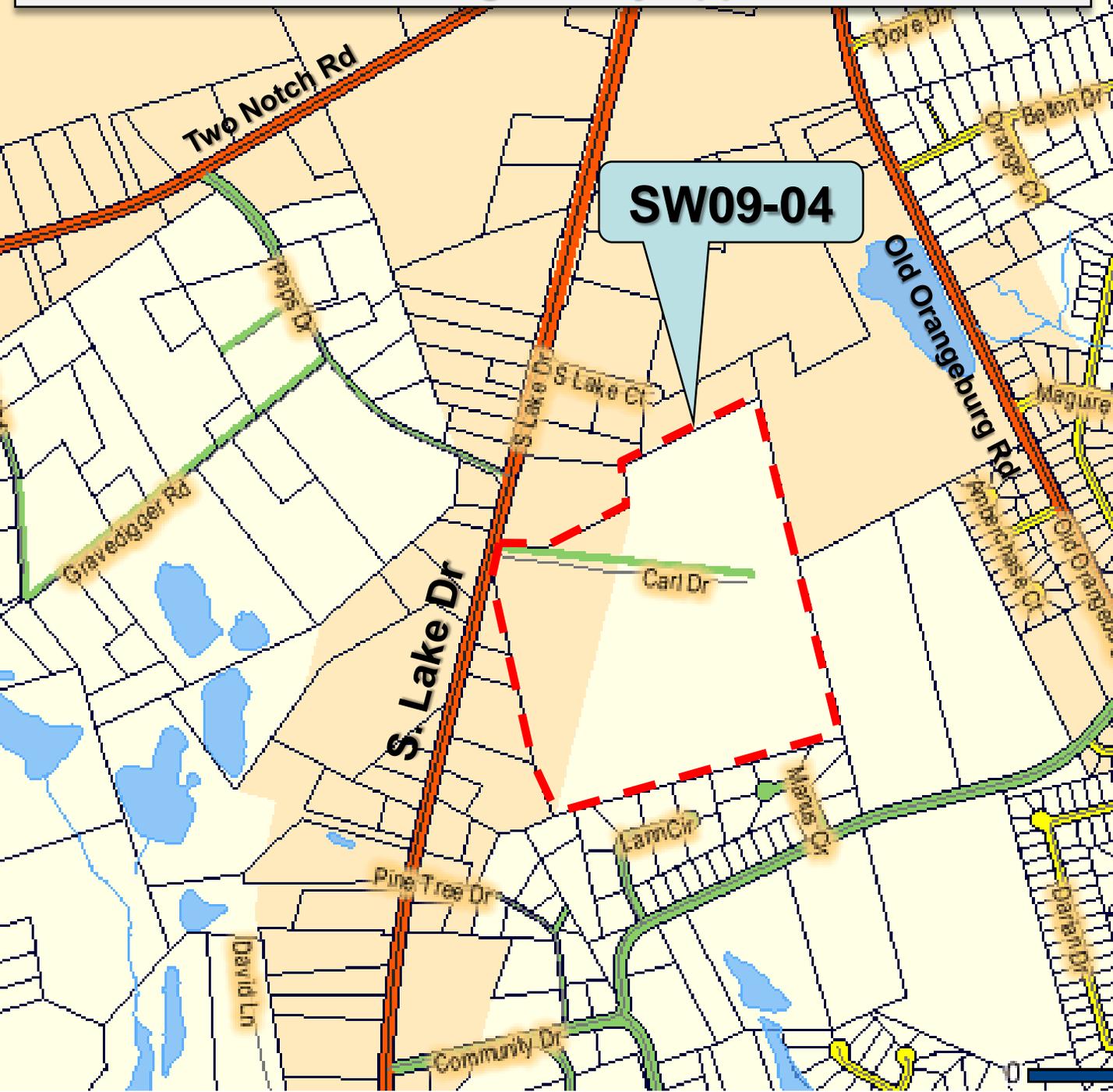
10/26/09	Application Received
10/21/09	Zoning Site Plan Approved
11/19/09	Adjacent Property Notices Mailed

10/26/09	Fee Received
11/19/09	Property Posted
11/19/09	Newspaper Advertisement(s)

11/10/09	First Reading	12/08/09	Public Hearing	1/12/10	Final Reading
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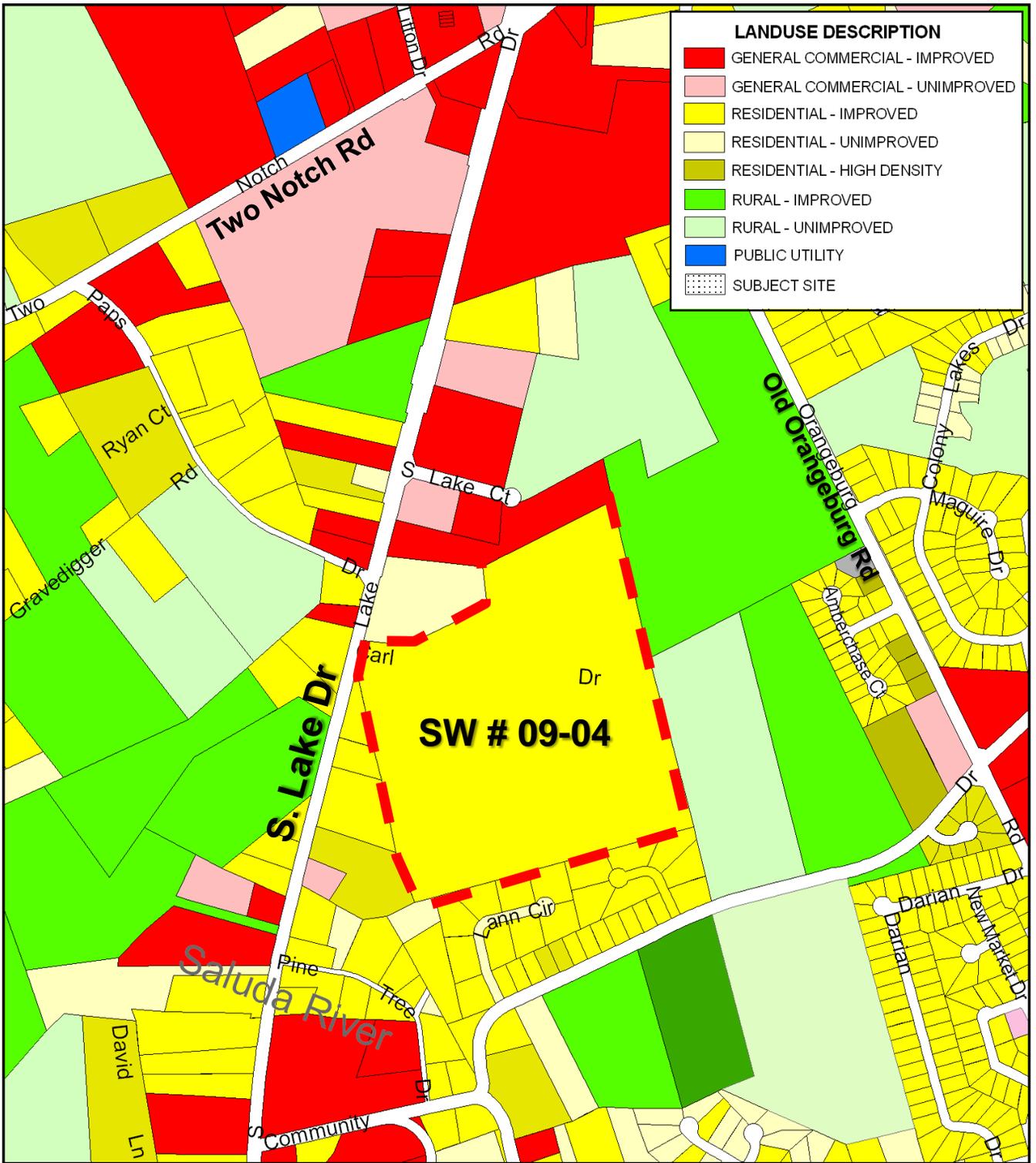
Results: _____

Solid Waste/Processing Facility Application SW09-04

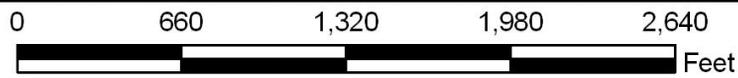


ZONING LEGEND

	I - Interstate		RL5 - Residential Local 5		ID - Intensive Development
	A - Arterial Road		RL6 - Residential Local 6		PD - Planned Development
	C - Collector Road		LC - Limited Commercial		R1 - Low Density Residential
	L - Local Road		C1 - Neighborhood Commercial		R2 - Medium Density Residential
	LL - Limited Local Road		C2 - General Commercial		R3 - High Density Residential
	RL4 - Residential Local 4		D - Development		RD - Restrictive Development



Existing Landuse
SW # 09-04
TMS # 006500-06-002



2009 Aerial Photo
SW # 09-04
TMS # 006500-06-002



Solid Waste/Processing Facility Application SW09-04



NOTE: Parcel boundary lines are approximate and may appear distorted in an oblique view.

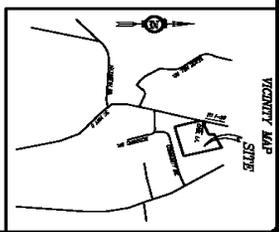
NOTES AND REFERENCES

1. THIS SURVEY IS LIMITED TO THE AREAS SHOWN ON THIS MAP. THE SURVEYOR HAS NOT INVESTIGATED THE DEEDS, RECORDS, OR OTHER DOCUMENTS REFERRED TO IN THIS MAP. THE SURVEYOR HAS NOT INVESTIGATED THE DEEDS, RECORDS, OR OTHER DOCUMENTS REFERRED TO IN THIS MAP. THE SURVEYOR HAS NOT INVESTIGATED THE DEEDS, RECORDS, OR OTHER DOCUMENTS REFERRED TO IN THIS MAP.

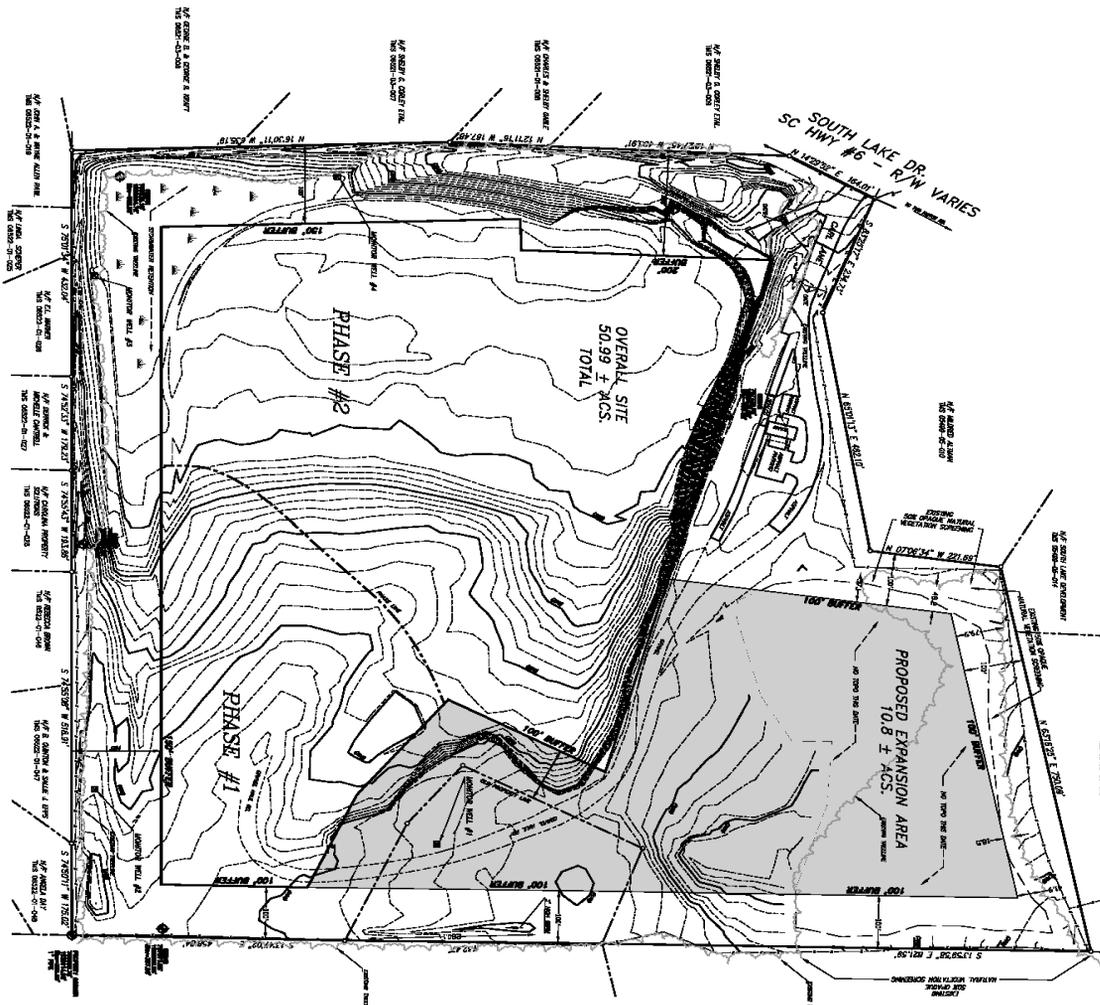
MONITOR WELL TABLE

WELL NO.	DATE	DEPTH	WATER LEVEL	REMARKS
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

VICINITY MAP



- LEGEND**
- Proposed Expansion Area
 - Phase #1
 - Phase #2
 - Overall Site
 - 100' Buffer
 - Topography
 - Utility Lines
 - Existing Structures
 - Survey Points
 - Property Lines
 - Right-of-Way
 - Water Features
 - Other



Anderson & Associates
 Land Surveying, Inc.
 2017 ALBERTA
 2017 ALBERTA
 2017 ALBERTA



TOPOGRAPHIC SURVEY MAP
 PREPARED FOR
CAROLINA MATERIALS CORP.
 LOCATED NEAR LEXINGTON LEXINGTON COUNTY, SC

SCALE: 1" = 100'
 DATE: 7/21/08
 DRAWN: JGA
 CHECKED: JGA
 SHEET 1 OF 1

Anderson & Associates
 Land Surveying, Inc.



REV. #1 6/12/08 DIMENSIONS AND NOTES EXPANSION

Memorandum

December 23, 2009

To: Katherine Hubbard
County Administrator

For: County Council

From: Charlie Compton, Director
Department of Planning and GIS

Reference: Ordinance #09-01 – Landscape Ordinance Amendments

The attached Landscape Ordinance amendments are scheduled to be considered for third reading at the January 12th Council meeting. At the December 8th Planning and Administration Committee meeting recommendations were adopted with respect to these amendments, as well as those related to the sign section of the Zoning Ordinance. In order to implement those recommendations I suggest that the motion for third reading read as follows:

I move that third reading be approved for Ordinance #09-01 with the following conditions:

- ❖ that all of the new provisions of these amendments be effective immediately,
- ❖ that the County-wide expansion of the provisions of the Landscape Ordinance become effective on July 1, 2010, and
- ❖ that the entire list of Scenic Corridors in the Appendix of this Ordinance be used for the implementation of the new sign regulations contained in Zoning Text Amendment #T09-07.

Enclosure: Ordinance #09-01

DRAFT (as of December 8, 2009)

ORDINANCE #09-01

AN ORDINANCE AMENDING THE LEXINGTON COUNTY LANDSCAPE ORDINANCE

Pursuant to the authority granted by the Constitution of the State of South Carolina and General Assembly of the State of South Carolina, be it ordained and enacted by the Lexington County Council as follows:

Amendments to the Landscape Ordinance are to be considered that would update the restrictions contained therein and as a minimum address the following issues:

1. Renaming of the Ordinance to the Landscape and Open Space Ordinance.
2. Increasing the scope of the Ordinance to apply to all residential and non-residential subdivisions.
3. Addressing clearcutting as an activity.
4. Adding a new Article which would address Open Space Requirements.
5. Creating an Open Space District to be added to the list of Road and District Classifications.
6. Considering the expansion of the Landscape Ordinance boundaries.

Make the following changes and additions to:

Article 1 – Authority

1.1 Authority and Jurisdiction

In accordance with the authority conferred by the 1994 “South Carolina Local Government Comprehensive Planning Enabling Act,” S.C. Code Sections 6-29-310 through 6-29-1200, the County of Lexington does hereby establish and enact the following Landscape **and Open Space** Ordinance for the unincorporated area of Lexington County, South Carolina.

1.2 Intent

The purpose of this Ordinance is to protect and enhance the character, appearance, and image of Lexington County through attractive and creative landscape design **and open space**; to ensure land-use compatibility through proper use of vegetation **and open space** as transition areas **and screening**; and to preserve scenic, canopied tree corridors.

1.3 Scope of Regulations

Except as otherwise stated, the regulations set forth herein shall apply to all Residential Attached (3 or more) dwelling units, as defined within the Lexington County Zoning Ordinance; **all residential and non-residential subdivisions, as defined and regulated within Article 4**; and all non-residential development within the unincorporated area of Lexington County, with the exception of the following development conditions/activities:

- a. Any public road construction or utility construction project, except as described in Article 3, Section 4, “Service Areas and Utilities.”
- b. Any land used for Crops and Animal **Raising Operations**, as defined in the Lexington County Zoning Ordinance. **These** definitions includes the raising of trees, vines, field, forage or other plant crops intended to provide food or fiber. However, processing areas, buildings, **transport and warehousing**, and retail or wholesale activities related to crops and animal **raising operations** are not exempt from the terms of this Ordinance. **Section 3.1.7, Clearcutting, further defines the exemptions allowed for timber harvesting.**

- c. Non-residential development containing a parking lot that is used as a display/storage area greater than 10,000 square feet shall be exempt from the provisions of Article 3, Section 3, "Parking Lots", within display ly. (i.e., Automobile, Boat and Craft dealerships; truck terminals.).

Some of the residential activities, exempted above from the scope of these regulations, must follow the requirements of Section 7, Scenic Corridor Protection.

1.3.1 New Activities

Upon the effective date of this Ordinance any building, structure, or tract of land shall be used, constructed, or developed only in accordance with the applicable regulations contained herein.

1.3.2 Existing Activities

Any activity legally established prior to the effective date of this Ordinance which does not comply with its regulations shall be subject to the Nonconforming Use provisions of Article 4- 5.

1.3.3 Existing Permits

Building permits or zoning permits lawfully issued before the effective date of this Ordinance or subsequent amendment shall remain in effect provided that such building, structure, or activity is substantially underway and being diligently pursued within six months of the issuance of the permit. If such does not occur, then the permit shall automatically lapse and the provisions of this Ordinance shall apply.

1.4 Establishment of Districts

1.4.1 Road and District Classifications

In order to implement the provisions of this Ordinance, the following road classification and districts are hereby established:

- LU - Land Use District (See Article 3, Section 2)
- PL - Parking Lot District (See Article 3, Section 3)
- SA - Service Areas/Utilities District (See Article 3, Section 4)
- BD - Building Design District (See Article 3, Section 5)
- RC - Road Corridor District (See Article 3, Section 6)
- OS - Open Space District (See Article 4)**

Scenic Corridor - Those roads designated as Scenic Corridors will carry the extension "/S1, /S2, or /S3" after their road classification as created by the Zoning Ordinance. (e.g. "A/S1", "C/S1", or "L/S1".

1.4.2 Landscape and Open Space Maps

The Landscape and Open Space Maps will show the portions of the County within which each of the provisions applies.

1.5 Incorporation of Maps

The location and boundaries of Scenic Corridors and of Landscape and Open Space Districts established to implement the provisions of this Ordinance are shown on the Landscape and Open Space Maps, which are hereby incorporated into the provisions of this Ordinance. These maps in their entirety, including all map amendments, shall be as much a part of this Ordinance as if fully set forth and described herein.

1.6 Exclusions

Because such activities are developed with benefit of public hearings and other input, any facility or activity established or expanded by Lexington County is exempt from the provisions and administrative procedures of this Ordinance. However, the development plan for all such exempt activities shall be devised with a diligent effort to meet the requirements of this Ordinance.

Add the following definition to:

Article 2 – Definitions

Right-of-Way Plan – the plan adopted by the Lexington County Planning Commission which defines and designates the various categories of roads within Lexington County according to potential right-of-way needs.

Add the following section to:

Article 3 – Landscaping Requirements

3.1.7 Clearcutting

Silviculture is the science of managing the establishment, growth, composition, and quality of forest vegetation for the full range of forest resource objectives, which often include wildlife, water, recreation, aesthetics, etc. Stands of trees and forests are sometimes managed purely for timber where clearcutting is often practiced to regenerate certain species that require sunlit conditions. Even in a silvicultural planned clearcut, virtually all trees may be removed to achieve the environment desired, including certain light and soil conditions.

Timber harvesting is recognized as a practice beneficial to individual property owners, and also to the local economy. However, trees are also recognized as playing a key role in the quality of the economic and environmental future of the County. It is the intent of this section of this Ordinance to have a reasonable review of clearcutting, in conjunction with timber harvesting activities, which allows for equitable financial gain to property owners while preserving that part of the vegetative environment that is essential to the quality of life of the general population.

- a. Clearcutting associated with development may occur only after the provisions of this ordinance have been met for the proposed development. This would typically involve a developer submitting a plan to the Landscape Administrator for review and approval, either for himself or on behalf of the property owner. In forest management terms this will include a development cut because it is considered the final harvest without plans for regeneration of trees.
- b. Clearcutting that occurs with no immediate intention of development will be reviewed by the Landscape Administrator to insure that there is no loss of essential short-term water quality protection or beneficial long-term trophy tree preservation. This review will be done very quickly if there is an unexpected need by the property owner for prompt assistance. This assessment is not intended to prevent equitable financial gain to the property owner, but to insure that the activity does not cause irreplaceable damage to the long-term benefits to the County or the property owner in the following two areas of concern:

Water quality protection: The stormwater runoff after timber harvesting must meet the water quality requirements of Lexington County. Since the water quality protection for the stormwater runoff from an undeveloped tract of land is generally not as rigid as the protection needed for developed property, preserving larger riparian buffers may not be required as a part of the *Best Management Practices for Forestry (BMP's)*; but should be considered as a way to enhance the value of the property for future development. This would especially be true if the lack of adequate riparian buffers causes future development to construct more expensive alternate methods to achieve required water quality protection. Therefore, following BMP's as established and amended by the South Carolina Forestry Commission will be

considered sufficient for timber harvesting, but may not be sufficient for the future development of the property.

Trophy tree preservation: This requirement involves identifying irreplaceable groupings of trophy trees that can easily be included in future development plans as value-added amenities. It is not the intent of this Ordinance to require the preservation of every trophy tree on a piece of property or to imprudently leave isolated trophy trees that are not good candidates for long-term survival. The Appendix of this Ordinance contains the criteria for trophy trees, including a list of those trees that are not considered worthy of protection regardless of size.

Exemptions: Any forestry activity, including tree harvesting, which is being conducted in accordance with the *Best Management Practices for Forestry* as established and amended by the South Carolina Forestry Commission and as part of an ongoing forest management program does not require a review by the Landscape Administrator. A simple notification by telephone, FAX, or e-mail of the proposed activity will be made to the Landscape Administrator. Lexington County may deny any permits for development of a site for a period of three years after the completion of a tree harvest if there was a willful intent by the applicant to exercise this forestry exemption to circumvent any provisions of this Ordinance.

Sediment and Erosion Protection: At all times timber harvesting activities must provide sediment and erosion protection for adjoining properties and public roadways in accordance with BMP's. Even though those practices do not include a visual buffer, Lexington County will require a minimum visual buffer as follows:

Scenic Corridor 1:	25 feet
Scenic Corridor 2 and 3:	20 feet (where the road right-of-way is 50 feet wide) 15 feet (where the road right-of-way is 66 feet wide)
All other roads:	10 feet
Adjoining property:	10 feet

Within all visual buffers, except those along Scenic Corridors, the careful harvesting of single trees is permitted as long as the basic integrity of the buffer is maintained. The visual buffers along roads will be measured from the platted rights-of-way where they exist. On roads without platted rights-of-way they will be measured from the prescriptive easement. That easement is interpreted to include the actual roadway as well as any adjacent drainage ditch systems that are a part of the roadway.

Make the following changes and additions to:

Article 3 – Landscaping Requirements, Section 7. Scenic Corridor Protection

Certain roads in the County, or portions thereof, shall be established for preservation because of their unique character, to include the existence of long-standing natural tree canopies. These scenic roads have an important role in environmental quality, sense of community and history, and economic development. The following provisions are established in order to preserve and protect the natural vistas of certain thoroughfares and byways within the County. Development along these corridors shall be designed with the principal purpose of accommodating and preserving existing tree canopies, to the greatest extent possible. The intent of this Ordinance is not to prohibit extensive development along these corridors, but to retain the unique character in the process of development.

3.7.1 Identification of Scenic Corridors

Criteria for identifying scenic road corridors under this section shall be established by the Lexington County Planning Commission and approved by Lexington County Council. Criteria may include, but not be limited to, the presence of extremely significant tree canopy

or cover. It will be permissible to establish more than one category of scenic corridor designations.

The Landscape and Open Space Maps identifying roads or sections of roads in the unincorporated area of Lexington County that meet the established criteria will be recommended by the Planning Commission and approved by County Council.

Scenic corridors may be removed from or added to the map upon a recommendation of the Planning Commission and approval of County Council. A list of these corridors will be maintained in the Appendix of this Ordinance.

3.7.2 Scope of Regulations

This section shall apply to activities as outlined in Section 1.3. Additionally, the following residential activities shall also be required to follow the restrictions in this section on Scenic Corridor Protection:

- a. Residential subdivisions that have lots developed with frontage on a Scenic Corridor. The requirements of this section shall not apply if the portion of the lot that fronts the road is the front yard of the residence.
- b. Developments that contain Residential Attached (two dwelling units) activities.
- c. Mobile Home Parks.

3.7.3 Pre-Development Activity

There shall be no clear-cutting, timbering, or other removal of canopy trees, understory trees, or underbrush within 50 feet of any existing right-of-way along a scenic corridor without the submission of a clearing plan for approval by the Landscape Administrator.

3.7.4 Clearing Plan

Clearing plans submitted for activities along scenic corridors shall include the following, in addition to the general plan requirements:

- a. Location and identification of all canopy trees with a D.B.H. of eight inches or greater, and all understory trees with a D.B.H. of four inches or greater.
- b. Location and identification of all trophy trees.

3.7.5 Preservation Requirements

Scenic Corridor 1

- a. Except as otherwise provided for in this Ordinance, there shall be no removal of canopy ~~and trees, understory trees, or underbrush~~ within the first 25 feet along a Scenic Corridor 1. The only development allowed within the first 25 feet behind the road right-of-way shall be a sign and an entrance driveway regardless of any buffering requirements of the Lexington County Zoning Ordinance.
- b. Except as otherwise provided for in this Ordinance, all canopy trees with a D.B.H. of 8 inches or greater, and all understory trees with a D.B.H. of 4 inches or greater, shall be preserved within the area 26 - 50 feet deep along a scenic corridor.
- c. Parking, groomed conditions, and natural conditions may be utilized within the area 26 - 50 feet deep along a Scenic Corridor 1 to augment the preserved trees.
- d. Where the imposition of a 50-foot zone represents greater than 20 percent of the area of a parcel, as platted prior to the enactment date of this ordinance, the combined natural and landscaped zone may be reduced from 50 feet to 20 percent of the parcel area. This reduced area shall be proportionately shared between the natural conditions and other uses as described above.
- e. Where there is a significant break or gap in an existing tree canopy along an identified Scenic Corridor 1, the Landscape Administrator shall require that the first 25 feet be

preserved in as natural a condition as possible with an opportunity for the area to re-vegetate naturally in a manner similar to other portions of the corridor. Where there are no substantial trees in this area, the Landscape Administrator may require street frontage trees (as required in **Article 3, Section 6, Major Road Corridors**) to average at least one tree per 20 feet of frontage, or portion thereof.

- f. In all cases, preservation of ~~underbrush, understory trees,~~ and canopy trees that are appropriate for the setting ~~is encouraged~~ **shall be required**. The preservation or planting of undesirable ~~underbrush, understory trees,~~ and canopy trees is discouraged.

Scenic Corridor 2

- a. Except as otherwise provided for in this Ordinance, there shall be no removal of canopy and understory trees within the first 20 feet along a Scenic Corridor 2. The only development allowed within the first 20 feet behind the road right-of-way shall be a sign and an entrance driveway regardless of any buffering requirements of the Lexington County Zoning Ordinance.
- b. Where the imposition of a 20-foot zone represents greater than 20 percent of the area of a parcel, as platted prior to the enactment date of this Ordinance, the scenic zone may be reduced from 20 feet to 20 percent of the parcel area.
- c. Where there is a significant break or gap in an existing tree canopy along an identified Scenic Corridor 2, the Landscape Administrator shall require that the first 20 feet be preserved in as natural a condition as possible with an opportunity for the area to re-vegetate naturally in a manner similar to other portions of the corridor. Where there are no substantial trees in this area, the Landscape Administrator may require street frontage trees (as required in **Article 3, Section 6, Road Corridors**) to average at least one tree per 20 feet of frontage, or portion thereof.
- d. In all cases, the preservation and planting of understory and canopy trees that are appropriate for the setting shall be required. The preservation or planting of undesirable understory and canopy trees is discouraged.

Scenic Corridor 3

- a. Except as otherwise provided for in this Ordinance, there shall be no removal of canopy and understory trees along a Scenic Corridor 3 that may serve as street frontage trees in accordance with **Article 3, Section 6, Road Corridors**. The only development allowed within the first 10 feet behind the road right-of-way shall be a sign and an entrance driveway regardless of any buffering requirements of the Lexington County Zoning Ordinance.
- b. Where there is a significant break or gap in an existing tree canopy along an identified Scenic Corridor 3, the Landscape Administrator shall require the street frontage trees (as required in **Article 3, Section 6, Road Corridors**) to average at least one tree per 20 feet of frontage, or portion thereof.
- c. In all cases, the preservation and planting of understory and canopy trees that are appropriate for the setting shall be required. The preservation or planting of undesirable understory and canopy trees is discouraged.

3.7.6 Signs and Entranceways

Proper preservation of scenic corridors is compatible with the economic feasibility and visibility of development. The placement of signs and entranceways along a scenic corridor shall be designed in such a manner as to minimize the impact on preserved trees, **but shall comply with all placement requirements of the Lexington County Zoning Ordinance**.

3.7.7 Additional Zoning Requirements

Where there is a scenic corridor designation, additional restrictions are contained in the Lexington County Zoning Ordinance.

Add the following article to the Landscape Ordinance:

Article 4 – Open Space Requirements

Improving the quality of all development activities, whether residential or non-residential, contributes to the general welfare, prosperity, and pride of the County; and if the preservation of open space is involved there is the opportunity to mitigate potential environmental damage and promote a healthier and more livable community.

The following open space requirements are established in order to preserve and enhance existing vistas; improve appearance; offset the environmental impact of large expanses of impervious surfaces; improve ground water recharge; and promote adequate light, air, and open space for the residents of and visitors to Lexington County.

It is the intent of this article to encourage creativity in layout design by being as flexible as possible in the application of open space standards.

4.1 Residential Subdivisions

The purpose of this section is to provide guidelines for the establishment of suitable and usable open space within all proposed residential subdivisions with lot sizes less than 2 acres or which have at least ten lots.

4.1.1 Quantity of Open Space

At least 10 percent of the total gross land area of the subdivision shall be designated as open space. The following shall be counted toward this minimum open space requirement provided they are actually set aside on property separate from the subdivision parcels:

- a. Natural features (riparian areas, wetlands, natural ponds, streams, wildlife corridors, steep slopes, etc.), natural hazard areas (floodplains, floodways, etc.), stormwater features (drainage channels, ditches, ponds, etc.), and land area occupied by Low Impact Development (LID) stormwater management devices;
- b. Land designated as open space as a result of the Scenic Corridor Section of this Ordinance; and
- c. Land occupied by active and passive recreational uses such as pools, playgrounds, tennis courts, jogging trails, ball fields, and clubhouses used primarily for recreation purposes. However, this category of open space can only encompass up to 50 percent of the required open space.

4.1.2 Location

Where relevant and appropriate, open space shall be located so as to be readily accessible and useable by the residents. If possible, a portion of the open space should provide a focal point(s) for the subdivision, preferably at the entrance.

On Scenic Corridor 1's, at least the first 25 feet from the road right-of-way shall be designated as open space. On Scenic Corridor 2's and 3's with at least 66 feet of right-of-way, at least the first 15 feet from that right-of-way shall be designated as open space. On Scenic Corridor 2's and 3's with only 50 feet of right-of-way, at least the first 20 feet from that right-of-way shall be designated as open space. These distances shall be measured from the proposed right-of-way as shown in the Right-of-Way Plan if that width is greater than the existing right-of-way.

4.1.3 Configuration

The open space shall use contiguous and compact design elements where possible. These spaces, where applicable, should be interconnected with trail systems, buffer areas, scenic corridors, natural features, or as a portion of the stormwater management system.

Where open areas, trails, parks, or other public spaces are planned or exist adjacent to or within the subdivision, the open space shall, to the maximum extent practicable, be located to adjoin, extend, and enlarge the existing area.

To the maximum extent practicable, the open space should be located and organized to include, protect, and/or enhance as many of the following open areas and features as possible:

1. Natural features (riparian areas, wetlands, natural ponds, streams, wildlife corridors, steep slopes, etc.), natural hazard areas (floodplains, floodways, etc.), stormwater features (drainage channels, ditches, ponds, etc.), and land area occupied by Low Impact Development (LID) stormwater management devices;
2. Areas containing groupings of mature trees, groupings of younger trees with the potential to develop into a forest ecosystem, and trophy trees as defined within this Ordinance;
3. Landscaped buffers or visual transitions between different types or intensities of uses; and
4. Habitat and corridors for wildlife species.

Where the open space is adjacent to a scenic corridor it may be cleared of existing understory and canopy trees only if there is an extensive landscaping and/or berming plan for that area.

4.1.4 Access

Open space shall either front on the road right-of-way within the subdivision or shall have a minimum 20-foot dedicated right-of-way between lots or along property lines to the open space. This access area shall be counted toward this minimum open space requirement.

Motorized vehicles such as motorcycles or all-terrain vehicles shall not be allowed access to the designated open space.

4.2 Golf Courses

The purpose of this section is to provide guidelines for the establishment of suitable and usable open space within the layout of golf courses, to be utilized only in the event the golf course is abandoned as an activity at some point in time.

4.2.1 Quantity of Open Space

A buffer strip of open space at least 100 feet wide shall be established in each of the required locations.

4.2.2 Location

The open space shall be required to be established where residential uses are a part of the development that contains the golf course and where those uses adjoin the fairways that are part of the golf course portion of the development. The designated buffer strip shall extend along the entire length of the residential property line that adjoins the fairways. This shall include all residential lots regardless of whether the lot contains a house.

Where there is a larger tract of land containing a house adjoining the fairways of the golf course the following shall apply. The residential activity [generally the building footprint] that is more than 300 feet from this property line does not qualify for this open space amenity, and a residential activity that is within 300 feet of, but more than 150 feet from, the golf course qualifies for an open space buffer of 50 feet.

4.2.3 Access

This open space shall either front on a road right-of-way or shall have a minimum 20-foot dedicated right-of-way which extends to a road.

Motorized vehicles other than golf carts, such as motorcycles or all-terrain vehicles, shall not be allowed access to this designated open space.

4.2.4 Use of the open space

This open space is being required as a buffer area and shall be used for no activities more intense than passive recreation. If there is golf course property not included in this open space requirement which is accessible only through the buffer area, then a single access point will be allowed as long as that access follows the shortest route possible and comes no closer than 50 feet to any existing residential property lines.

4.3 Ownership of Open Space

Ownership of required open space may be handled in many ways. It may be allowed to be dedicated to Lexington County if it is an integral part of the storm drainage and water quality protection system. It may also be made part of lands owned and managed by a property owners association or dedicated to some other public agency such as a County recreation commission. The use of conservation easements is encouraged and may also allow for additional ownership options.

Renumber Articles 4 and 5 as needed.

Make the following changes and additions to the . . .

Appendix

This Landscape Ordinance was created by Lexington County with a focus on the preservation or planting of trees for shade, erosion control, and transition between land uses, while balancing the needs and demands of a quickly developing community.

The selection of trees to be planted to meet the specific requirements of this ordinance should be limited to native species, in order to help assure hardy and mature growth. In order to limit the potential for maintenance problems and poor growth, hybrids, non-native species, and aggressive or invasive species should be avoided, as well as species outside their normal range.

Trophy Trees

The Ordinance describes the category of trophy trees as those trees that are significant by their size and type and as such should be preserved wherever possible. Guidelines detailed within the Ordinance address the circumstances in which preservation of trophy trees is not feasible. The specifications for determining trophy trees are as follows:

Hardwoods Canopy Trees, except: sweet-gum yellow poplar	>24"D.B.H.
Pines	>30"D.B.H.
Understory Trees	>12"D.B.H.

The specifications for trophy trees may be revised by staff upon direction by Lexington County Council as part of a regularly scheduled meeting.

Additional Resources

The following is a list of resources for information on proper planting and maintenance:

SC Forestry Commission
P.O. Box 21707
Columbia, SC 29221-1707

Clemson Extension Service
Lexington County Office
605 West Main Street, Suite 109
Lexington, SC 29072-2550

SC Forestry Association
P.O. Box 21303
Columbia, SC 29221-1303

<http://www.americanforests.org/>
<http://www.arborday.org/>
<http://www.treesaregood.org/>

Scenic Corridors

The Scenic Corridor designation can only apply to roads that are located in the portions of Lexington County where the provisions of Article 3, Section 7, of the Landscape and Open Space Ordinance apply. The following are the roadways which are designated as Scenic Corridors in accordance with Article 3, Section 7. Scenic corridors may be removed from or added to this list upon a recommendation of the Planning Commission and approval of County Council at any scheduled meeting. All cited intersections, as well as measurement locations, refer to the mapped centerlines of the named roads.

Scenic Corridor 1's

Arterials: Bradley Drive

Bush River Road (from Langsdale Road to the CSX Railroad spur)
Corley Mill Road (from Mountain Laurel Court to within 500 feet of North Lake Drive)
Cromer Road (from English Drive to Oak Drive)
Wildlife Road (from Barr Road to Norfolk Southern Railroad)

Collectors: Andrew Corley Road (from Corley Mill Road to the ID line near North Lake Drive)

Barr Road (from Wildlife Road to Pisgah Church Road)
Cromer Road (from Oak Drive to Mineral Springs Road)
Hope Ferry Road (from Corley Mill Road to the ID line near Sunset Boulevard)
Midway Road
Mill Stream Road
Old State Road (from I-77 to Old Wire Road)
Saint Davids Church Road (from Bradley Drive to Kitti Wake Drive)

Locals: Old State Road (south of Old Wire Road)

Scenic Corridor 2's

Arterials: Barr Road (from Hendrix Street to Wildlife Road)

Bush River Road (from the CSX Railroad spur to St. Andrews Road)
Calks Ferry Road (from Augusta Highway to Spring Hill Road)
Calks Ferry Road (from Triangle Road to I-20)
Emanuel Church Road (from Kitti Wake Drive to the westernmost intersection with Pinestraw Circle)
Longs Pond Road (from Muddy Springs Road to Nazareth Road)
Nazareth Road (from South Lake Drive to Steele Pond Road)
North Lake Drive (from Lincreek Drive to the County Line)
Oak Drive (from Cromer Road to Mineral Springs Road)
Pisgah Church Road (from Hounds Run Drive to Barr Road)

Collectors: Amicks Ferry Road
Beechcreek Road
Beechwoods Drive (from the ID line to Old Cherokee Road)
Berl Mar Road
Cedar Road (from Mineral Springs Road to within 1600 feet of Augusta Road)
Coldstream Drive
Collins Drive
Dreher Island Road
Fox Branch Road
Hebron Drive (from the ID line near Sunset Boulevard to the ID line on the east side of the road near Leaphart Road)
Innsbruck Drive
Irmo Drive
Kitti Wake Drive (from Two Notch Road to Shirway Drive)
Kyzer Road (from Nazareth Road to the ID line near Platt Springs Road)
Long Pine Road
Mineral Springs Road (from the ID line at Leaphart Road to the ID line on the west side of the road near Sunset Boulevard)
Murray Lindler Road (from Old Lexington Highway to Old Bush River Road)
Nursery Road (from Fork Avenue to Goldstone Drive)
Old Chapin Road
Old Cherokee Road
Old Lexington Highway (Chapin)
Peak Street
Pilgrim Church Road (from the ID line to Old Cherokee Road)
Rawl Road
River Road
Rocky Point Drive
Saint Peters Church Road (Chapin area)
Saint Peters Road (from Wise Ferry Road to the ID line)
Shirway Drive (from the ID line on the east side of the road near Two Notch Road to the ID line on the east side of the road near Old Barnwell Road)
Shore Road (from the Rembert Court to Shull Island Road)
Sid Bickley Road (from Old Bush River Road to Old Lexington Highway)
Smith Pond Road (from Calks Ferry Road to Norfolk Southern Railroad)
Weed Drive (from North Lake Drive to Rawls Creek)
Wessinger Road (from Old Bush River Road to Putnam Drive)
Wise Ferry Road (from the ID line to Beechcreek Road)

Locals: Amicks Ferry Road
Beechcreek Road (from Old Cherokee Road to Wise Ferry Road)
Catawba Trail
Counts Ferry Road (from the ID line to the end of the road)
Crockett Road
Foxglen Road
Nursery Road
Old Bush River Road (from Murray Lindler Road to Old Lexington Highway)
Old Bush River Road (from Sid Bickley Road to Wessinger Road)
Old Chapin Road
Old Cherokee Road
Park Road
Press Lindler Road
River Road
Shore Road
Shull Island Road

Wessinger Road (from Putnam Drive to Vernon Amick Roak)
Westwoods Drive
Windward Point Road
Wise Ferry Road

Scenic Corridor 3's

Arterials: Augusta Highway (from West Main Street to Priceville Road)
Barr Road (from West Main Street to Hendrix Street)
Bush River Road (from Lake Murray Boulevard to Langsdale Road)
Calks Ferry Road (from Highway #378 to Spring Hill Road)
Calks Ferry Road (from Augusta Highway to Triangle Road)
Calks Ferry Road (from I-20 to Pond Branch Road)
Chapin Road
Charleston Highway (from Cayce city limits to I-26)
Charter Oak Road
Columbia Avenue (Chapin area)
Corley Mill Road (first 500 feet from North Lake Drive)
Corley Mill Road (from Mountain Laurel Court to Sunset Boulevard)
Cromer Road (from English Drive to Sunset Boulevard)
Edmund Highway (from South Congaree town limits to West Dunbar Road)
Edmund Highway (from South Congaree town limits to South Lake Drive)
Emanuel Church Road (from Kitti Wake Drive to West Dunbar Road)
Highway #378 (from West Main Street to a point 850 feet west of Priceville Road)
Highway #321 (from Charleston Highway to the Gaston town limits)
Lake Murray Boulevard
Nazareth Road (from Calks Ferry Road to Steele Pond Road)
North Lake Drive (from Lin creek Drive to Lake Murray Boulevard)
North Lake Drive (from Sunset Boulevard to the Lake Murray Dam spillway)
Old Barnwell Road (from Old Orangeburg Road to Springdale town limits)
Old Orangeburg Road
Peach Festival Road
Pine Street (from West Dunbar Road to South Congaree town limits)
Pisgah Church Road (from Augusta Highway to Hounds Run Drive)
Platt Springs Road (from Emmanuel Church Road to Boiling Springs Road)
Pond Branch Road (from Boiling Springs Road to Calks Ferry Road)
Priceville Road
South Lake Drive (from Lexington town limits to Edmund Highway)
Sunset Boulevard
West Main Street (Lexington area)

Collectors: Andrew Corley Road (from North Lake Drive to the ID line)
Beechwoods Drive (from Highway #378 to the ID line)
Hebron Drive (from the ID line to Sunset Boulevard)
Hope Ferry Road (from Sunset Boulevard to the ID line)
Kyzer Road (from Platt Springs Road to the ID line)
Murray Lindler Road (from Chapin Road to Old Lexington Highway)
Nursery Road (from Lake Murray Boulevard to Fork Avenue)
Pilgrim Church Road (from North Lake Drive to the ID line)
Old Barnwell Road (from South Lake Drive to Old Orangeburg Road)
Saint Peters Road (from Highway #378 to the ID line)
Shirway Road (from Old Barnwell Road to the ID line)
Shore Road (from Highway #378 to the Rembert Court)
Sid Bickley Road (from Chapin Road to Old Bush River Road)
Spring Hill Road (from Highway #378 to Calks Ferry Road)

Weed Drive (from Rawls Creek to Nursery Road)
Wessinger Road (from the County Line to Old Bush River Road)
Wise Ferry Road (from Augusta Highway to the ID line north of Highway #378)

Locals: Counts Ferry Road (from Highway #378 to the ID line)
Muddy Springs Road

This Ordinance shall be effective from the date that it is approved.

Enacted this 12th day of January, 2010.

Debra B. Summers
Chair, Lexington County Council

ATTEST:

Diana W. Burnett, Clerk

First Reading: January 27, 2009
Second Reading: December 8, 2009
Public Hearing: January 27, 2009
Third & Final Reading: January 12, 2010
Filed w/Clerk of Court: _____

ORDINANCE NO. 09-14
AN ORDINANCE

AUTHORIZING THE IRMO-CHAPIN RECREATION COMMISSION OF THE IRMO-CHAPIN RECREATION DISTRICT TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$1,030,000; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE COUNTY COUNCIL OF LEXINGTON COUNTY, SOUTH CAROLINA, AS FOLLOWS:

Section 1. Findings. The County Council (“County Council”) of Lexington County, South Carolina (“County”), hereby finds and determines”

(a) The Irmo-Chapin Recreation Commission (“Commission”) is the governing body of the Irmo-Chapin Recreation District (“District”) and has submitted a petition dated September 23, 2009, to the County Council requesting authorization to issue not exceeding \$1,030,000 aggregate principal amount general obligation bonds of the District (“Bonds”).

(b) After due notice thereof (Exhibit A), a public hearing was held by County Council on the question of the issuance of the Bonds.

(c) The District was established pursuant to Act No. 329 of the Act and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1969, as amended (“Act”).

(d) The corporate powers and responsibilities of the District are performed by the Commission and as such the Commission is the governing body of the District.

(e) The Act committed to the Commission the power to acquire, by gift, purchase, or through exercise of eminent domain, lands, or interests therein whereupon to establish general recreational facilities.

(f) The Commission plans to undertake the following: (i) acquire certain real property and related improvements; and (ii) make other capital improvements, including repairs, within the District, to its various facilities and equipment (collectively, “Projects”) at an approximate cost of \$1,030,000.

(g) To finance the costs of the Projects, the Commission, on behalf of the District, proposes to issue not exceeding \$1,030,000 aggregate principal amount general obligation bonds of the District, at one time or from time to time, pursuant to the provisions of Title 6, Chapter 11, Article 5 (“Issuing Act”), Code of Laws of South Carolina, 1976, as amended (“Code”).

(h) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended, provides that special purpose districts have the power to issue bonded indebtedness only for a purpose which is a public purpose and a corporate purpose in an amount (1) which does not exceed eight percent of the assessed value of all taxable property therein upon such terms and conditions as the General Assembly shall prescribe by general law or (2) which has been voted upon favorably by the electors of the District.

(i) Pursuant to the Issuing Act, the county boards of all counties of the State of South Carolina (“State”) wherein special purpose districts exist are empowered to authorize the governing body of any such special purpose district to issue bonds of the special purpose district whose proceeds shall be used in furtherance of any power of the special purpose district.

(j) Prior to authorizing a special purpose district to issue bonds, the Issuing Act requires the county board to order a public hearing to be held upon the question of the issuance of bonds of such special purpose district.

(k) The County Council constitutes a “county board”; the District constitutes a “special purpose district”; the Commission constitutes a “commission”; the Bonds constitute “bonds”; and the undertaking of the Projects constitutes a “power” committed to the District, as such quoted terms are defined in the Issuing Act.

(l) The County Council held a public hearing on November 10, 2009, after due notice thereof.

Section 2. *Authorization to Issue Bonds.* Pursuant to the aforementioned constitutional and statutory provisions, the Commission, on behalf of the District, is hereby authorized to issue the Bonds of the District. The Bonds may be issued at one time or from time to time. The Bonds shall be dated, shall mature, shall be in such denominations, shall bear such interest, shall be subject to redemption, shall be executed and shall contain such other provisions as the Commission shall determine.

Section 3. *Security for and Payment of Bonds; Pledge of Credit.* For the payment of the principal of and interest on the Bonds as they respectively mature and for the creation of such sinking funds as may be necessary therefor, the full faith, credit, and taxing power of the District shall be irrevocably pledged, and there shall be levied annually by the Auditor of the County and collected by the Treasurer of the County, in the same manner as property taxes are levied and collected, a tax without limit on all taxable property in the District sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

Section 4. *General Authorization to Commission.* The Commission is authorized to do all things necessary or convenient in accordance with applicable law to effect the issuance and sale of the Bonds at such time as it deems necessary and in the interest of the District.

Section 5. *General Repealer.* All orders, resolutions, ordinances and parts thereof, procedural and otherwise, in conflict herewith or the proceedings authorizing the issuance of the Bonds are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

Section 6. *Codification.* This Ordinance shall forthwith be codified in the Code of County Ordinances in the manner prescribed by law.

THEREFORE, be it ORDAINED by the Lexington County Council, this ____ day of November, 2009.

LEXINGTON COUNTY, SOUTH CAROLINA

Chair, Lexington County Council

(SEAL)

ATTEST:

Clerk, Lexington County Council

First Reading: _____, 2009
Second Reading: _____, 2009
Public Hearing: _____, 2009
Third Reading: _____, 2009

EXHIBIT A

[Affidavit of Publication of Notice of Public Hearing]



COUNTY OF LEXINGTON, SOUTH CAROLINA

Community Development

County Administration Building, 4th Floor
212 South Lake Drive, Suite 401, Lexington, SC 29072
(803)785-8121

ZONING MAP AMENDMENT APPLICATION # M09-08

Address and/or description of the property for which the amendment is requested:

Boyd Miller Circle from portion classified as Local to Marcellus Road (1475 Feet)

Zoning Classifications: (Current) Residential Local Four (RL4) (Proposed) Local (L)

TMS#: N/A Property Owner: N/A

Reason for the request: The applicant is requesting a change in the road classification to allow for a group assembly activity (lawnmower track).

Even though this request will be carefully reviewed and considered, the burden of proving the need for the amendment rests with the applicant.

Date of Application: 11/16/09 Applicant: Property Owner [X] Authorized Agent [X]

Phone #(s): cell (803) 217-7107

Signature: Signature on file Printed Name: Levy and Robin Miller

Street/Mailing Address: 2038 Boyd Miller Circle, Leesville 29070

Table with 2 columns: Date, Action. Rows: 11/16/09 Application Received, 12/24/09 Newspaper Advertisement, 12/23/09 Notices Mailed

Table with 2 columns: Date, Action. Rows: 11/16/09 Fee Received, 12/28/09 Property Posted, Planning Commission

Planning Commission Recommendation: _____

Table with 4 columns: Date, Action, Date, Action. Rows: 12/08/09 First Reading, 1/12/10 Public Hearing, Second Reading, Third Reading

Results: _____

COUNTY OF LEXINGTON, SOUTH CAROLINA
Department of Community Development
County Administration Building (803) 785-8121
212 South Lake Drive Ste. 401 Lexington, South Carolina 29072

STAFF SUMMARY

ZONING MAP AMENDMENT #M09-08

Description of the Amendment: This Map Amendment request is for a change in zoning street classification for a portion (1475 feet) of Boyd Miller Circle from RL4 (Residential Local Four) to L (Local). Boyd Miller Circle is approximately 2460 feet in length. It is a county maintained dirt road.

Character of the Area: The immediate area consists of residential development (primarily mobile or modular home construction), vacant land and farm land.

Zoning History: Boyd Miller Circle is located in the Western Lexington County Planning area. A majority of this planning area received full Lexington County zoning regulations on November 14, 2001. At the time of this adoption, Boyd Miller was approved (as it is currently classified) as Local and RL4. There is a fourteen square mile section located in this planning area that does not have full Lexington County Zoning which has the zoning classification of LR (Limited Restriction).

Council District: Two-William C. "Billy" Derrick

Attachments: Chart of Allowed Uses by Zoning District
Political Boundary Maps
Location Maps

EXCERPTS TAKEN FROM:

LEXINGTON COUNTY



ZONING ORDINANCE

March 11, 2009

22.02 Chart of Permitted Access by Street Classification

The following chart designates the street classifications necessary to access each of the major activities. A principal activity which is restricted from access to a specific street classification may not locate where the activity is reachable only through the use of a street with such a restricted classification.

There are limits placed on some activities allowed to access a Limited Local (LL) street classification. The last column in the chart describes the specific nature of these limits where they exist. They are expressed in either maximum number of dwelling units (DU) per acre, maximum number of beds per acre, or maximum floor area ratio (FAR). A floor area ratio is an expression of the total floor area of a structure or building, including useable basements, compared to the total lot area. For example, a 1000 square foot building on a 10,000 square foot lot would have a floor area ratio of .10.

Proposed Zoning

Current Zoning

A	C	L	RL6	RL5	RL4	LL & Max. Limits	ACTIVITIES
✓	✓	✓				✓ .09 FAR	Administrative Offices
✓							Advertising Signs
✓	✓	✓					Airports
✓	✓	✓					Animal Operations
✓	✓	✓					Boat Docks
✓	✓	✓					Bus and Transit Terminals
✓	✓	✓				✓ .05 FAR	Business Services
✓	✓	✓				✓	Cemeteries
✓	✓	✓					Child or Adult Day Care
✓	✓	✓					Churches
✓	✓	✓				✓ .03 FAR	Communication Towers
✓	✓	✓					Community Education
✓	✓	✓					Construction Services
✓	✓	✓				✓	Crops
✓	✓	✓					Detention Centers
✓	✓	✓				✓	Essential Services (Limited)
✓	✓	✓					Essential Services (Extensive)
✓	✓	✓					Fancier's Kennel/Cattery
✓	✓	✓					Food Services
✓	✓	✓					General Repair and Maintenance Services
✓	✓	✓				✓ .03 FAR	General Retail (Limited)
✓	✓	✓				✓ .03 FAR	General Retail (Extensive)
✓	✓	✓	✓##	✓##	✓##		Golf Courses
✓	✓	✓	✓*	✓*	✓*		Group Assembly (Limited)
✓	✓	✓	✓*	✓*	✓*		Group Assembly (Intermediate)
✓	✓	✓#					Group Assembly (Extensive)
✓	✓	✓	✓			✓ 5.5 DU/acre	Group Housing
✓	✓	✓#					Hospitals
✓	✓	✓					Kennels, Catteries, and Stables
✓	✓	✓					Landfills (Limited)
✓	✓	✓**					Landfills (Intermediate)
✓	✓**						Landfills (Extensive)
✓	✓	✓					Manufacturing (Light Assembly)
✓	✓	✓					Manufacturing (Limited)
✓	✓	✓					Manufacturing (Intermediate)
✓	✓	✓					Manufacturing (Extensive)
✓	✓	✓					Marinas
✓	✓	✓				✓ .07 FAR	Medical Services
✓	✓						Military Installations
✓	✓	✓					Mining (Limited)
✓	✓	✓					Mining (Intermediate)
✓	✓	✓					Mining (Extensive)
✓	✓	✓	✓	✓	✓	✓	Mini-Parks
✓	✓	✓					Mini-Warehouses
✓	✓	✓	✓	✓	✓	✓ 4 DU/acre	Mobile Homes
✓	✓	✓	✓			✓ 6 DU/acre	Mobile Home Parks
✓	✓	✓	✓	✓	✓	✓	Natural Reserves
✓	✓	✓	✓				Non-Assembly Cultural

Proposed Zoning

Current Zoning

A	C	L	RL6	RL5	RL4	LL & Max. Limits	ACTIVITIES
✓	✓	✓				✓ 12 Beds/acre	Nursing Homes
✓	✓	✓				✓ .03 FAR	Personal Convenience Services
✓	✓	✓				✓	Plant Nurseries
✓	✓	✓					Power Plants
✓	✓	✓				✓ .09 FAR	Professional Services
✓	✓	✓					Radioactive Materials Handling
✓	✓	✓					Railroad
✓	✓	✓					Recycling Centers
✓	✓	✓				✓ .09 FAR	Research Services
✓	✓	✓	✓	✓	✓	✓ 4 DU/acre	Residential Detached
✓	✓	✓	✓	✓		✓ 4 DU/acre	Residential Attached(2 Dwelling Units)
✓	✓	✓	✓			✓ 6 DU/acre	Residential Attached(3 or more Dwelling Units)
✓	✓	✓	✓			✓ 6 DU/acre	Retirement Centers/Assisted Living
✓	✓	✓					Salvage/Wrecking Yard
✓	✓	✓					Scrap Operations
✓	✓	✓					Business Parks
✓	✓	✓					Shopping Centers
✓	✓	✓					Industrial Parks
✓	✓	✓					Towing and Impoundment Lot
✓	✓	✓					Trade Enterprises
✓	✓	✓					Transient Habitation
✓	✓	✓					Transport & Warehousing (Limited)
✓	✓	✓					Transport & Warehousing (Extensive)
✓	✓	✓					Transport Services
✓	✓	✓					Undertaking
✓	✓	✓	✓	✓	✓	✓	Utilities
✓	✓	✓					Vehicle Parking
✓	✓	✓				✓	Vehicle Repair
✓	✓	✓				✓ .03 FAR	Vehicle Sales
✓	✓	✓					Vehicle Servicing (Limited)
✓	✓	✓					Vehicle Servicing (Extensive)
✓	✓	✓					Veterinarian
✓	✓	✓					Zoos

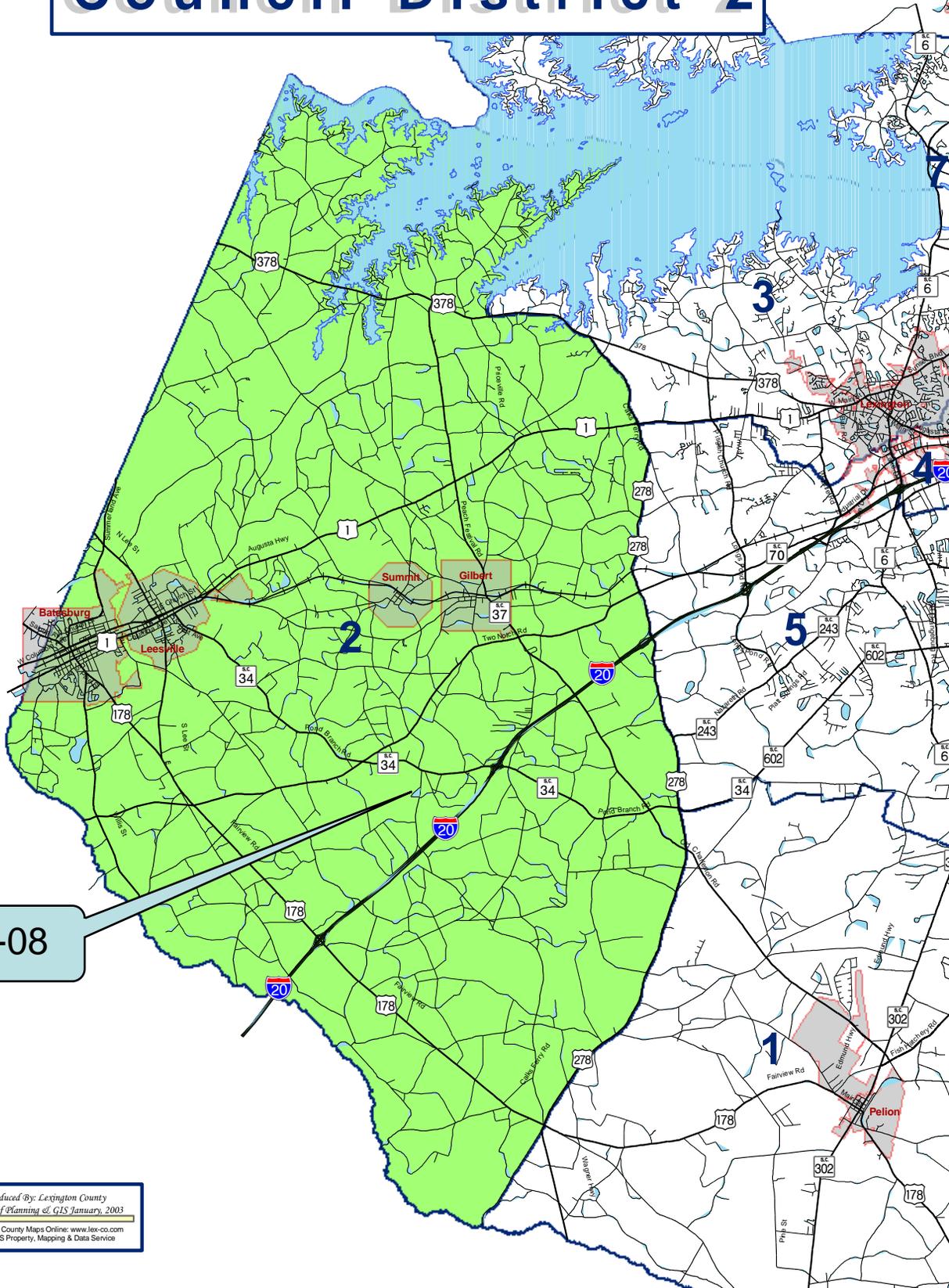
* Access by these classifications is allowed only if the Group Assembly (Limited) activity is a membership facility owned, operated, and used by the property owners in the surrounding residential area for which the facility is being established.

** Access by these classifications is allowed only if the street is paved.

Access by this classification is allowed only if the activity also has access to an Arterial or Collector Street.

Access by this classification is allowed only if the Golf Course activity is a part of a planned development that includes residential development as a part of its design.

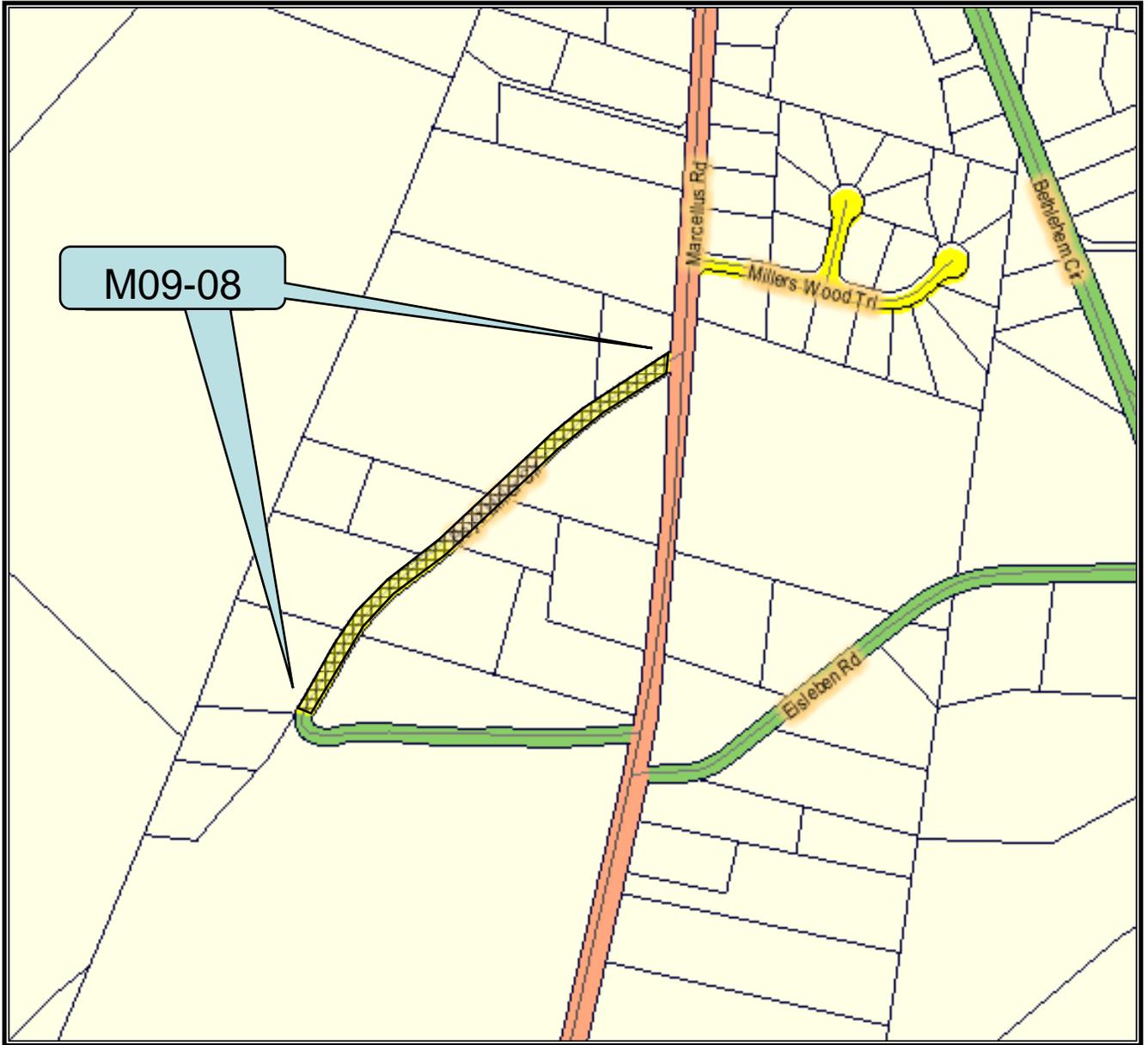
Lexington County Council District 2



M09-08

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Zoning Map Amendment Application M09-08

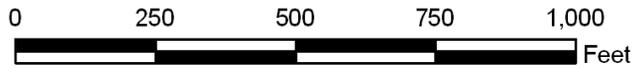
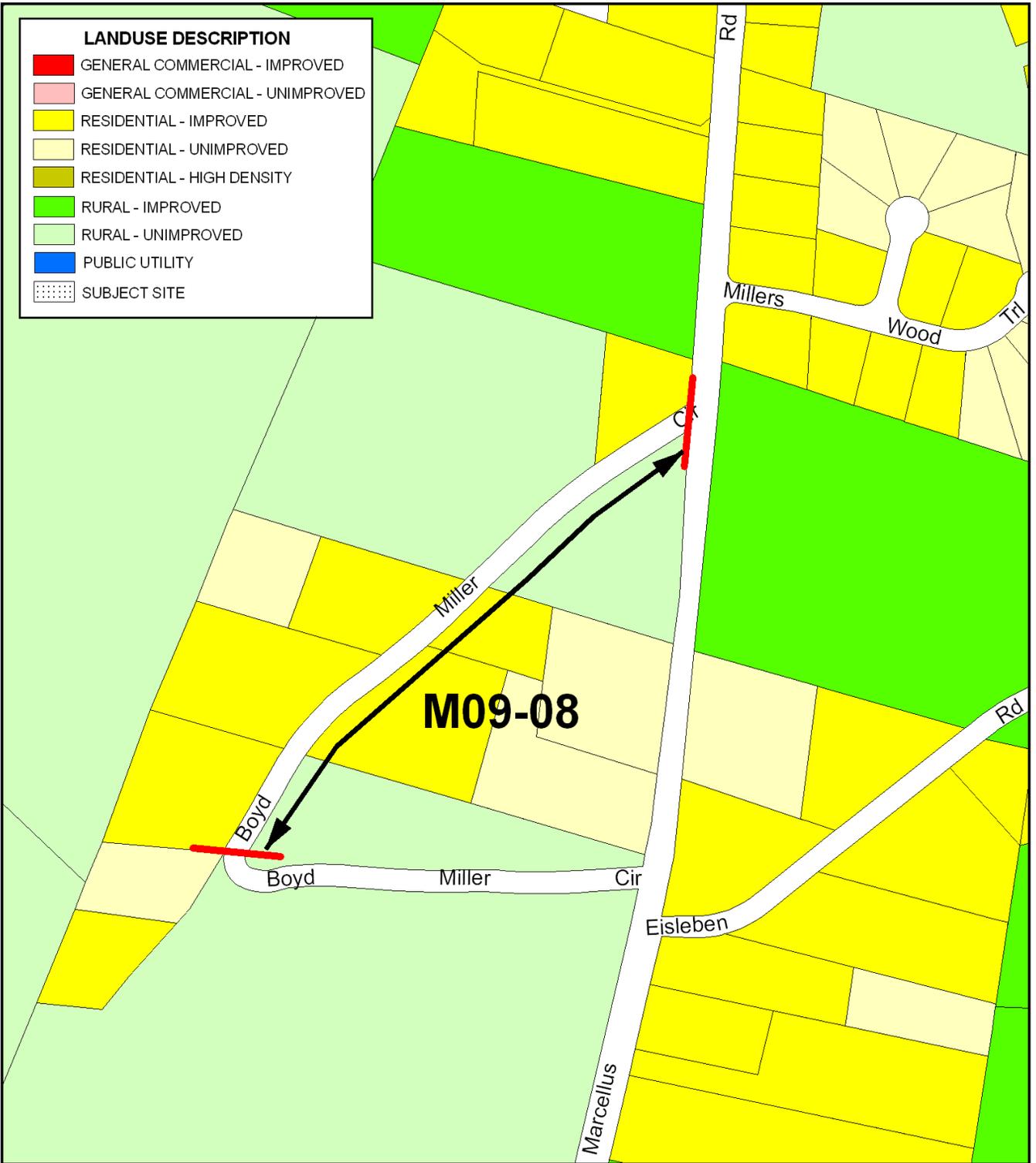


ZONING LEGEND

	I - Interstate		RL5 - Residential Local 5		ID - Intensive Development
	A - Arterial Road		RL6 - Residential Local 6		PD - Planned Development
	C - Collector Road		LC - Limited Commercial		R1 - Low Density Residential
	L - Local Road		C1 - Neighborhood Commercial		R2 - Medium Density Residential
	LL - Limited Local Road		C2 - General Commercial		R3 - High Density Residential
	RL4 - Residential Local 4		D - Development		RD - Restrictive Development

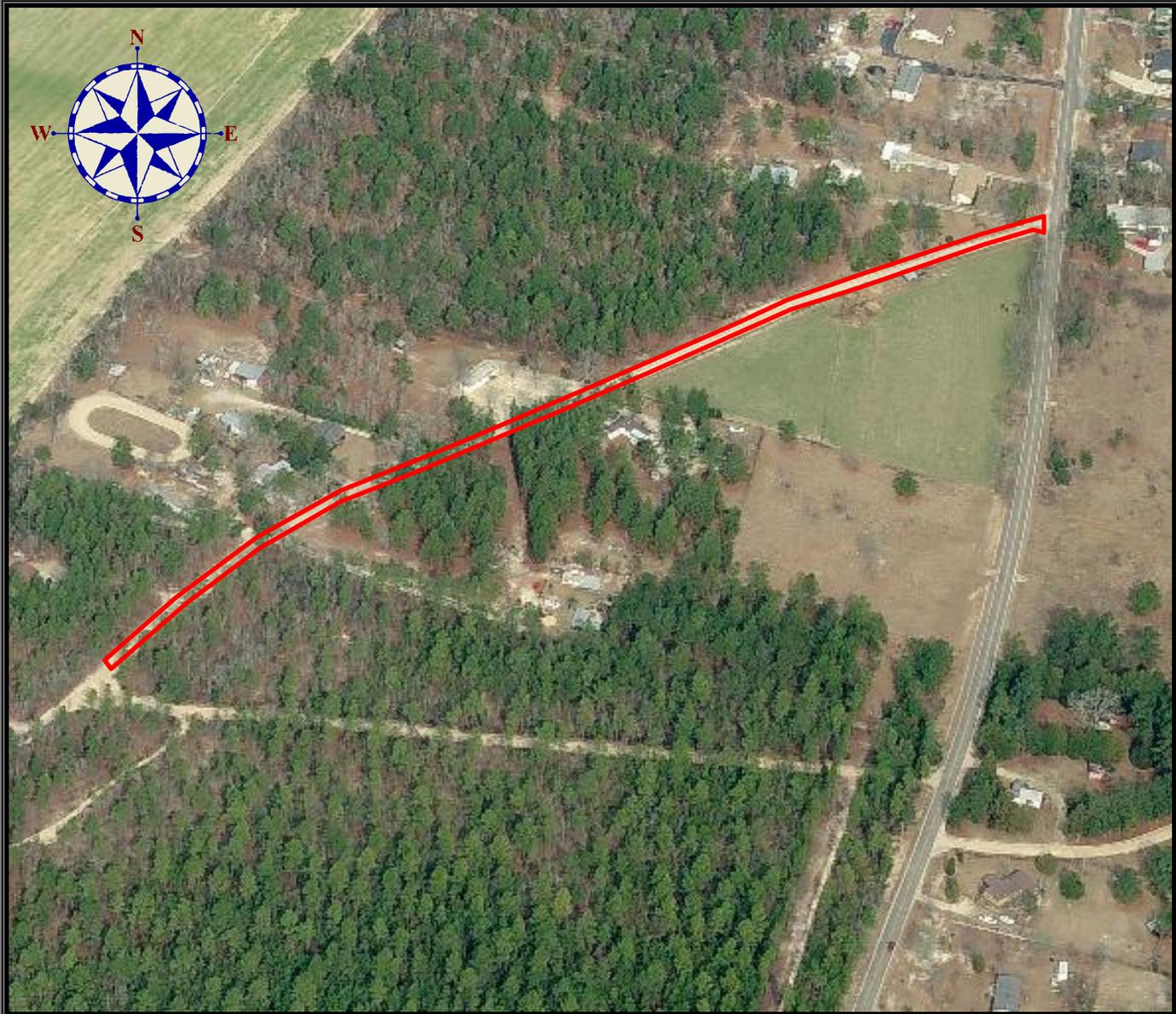
LANDUSE DESCRIPTION

- GENERAL COMMERCIAL - IMPROVED
- GENERAL COMMERCIAL - UNIMPROVED
- RESIDENTIAL - IMPROVED
- RESIDENTIAL - UNIMPROVED
- RESIDENTIAL - HIGH DENSITY
- RURAL - IMPROVED
- RURAL - UNIMPROVED
- PUBLIC UTILITY
- SUBJECT SITE



**Existing Landuse
Map Amendment # M09-08**

Zoning Map Amendment Application M09-08



NOTE: Road boundary lines are approximate and may appear distorted in an oblique view.