

AGENDA
LEXINGTON COUNTY COUNCIL
Committee Meetings
February 11, 2014
Second Floor - County Administration Building
212 South Lake Drive, Lexington, SC 29072
Telephone - 803-785-8103 -- FAX 803-785-8101

If special accommodations are needed to participate in this public meeting, please contact the Lexington County Council Office at (803) 785-8103 or dburnett@lex-co.com at least two business days prior to the scheduled meeting date.

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.

2:30 p.m. - 2:40 p.m. - Planning and Administration

- (1) FY 2014-15 CDBG Projects and HOME Projects as Funded by HUD (Goal 1) - Community Development - Peatra Cruz, CDBG Administrator..... A
- (2) Old Business/New Business
- (3) Adjournment

2:40 p.m. - 4:15 p.m. - Committee of the Whole

- (1) Possible Executive Session
- (2) Old Business/New Business
- (3) Adjournment

GOALS

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

Planning & Administration

D. Summers, Chairman
K. Collins, V Chairman
J. Kinard
B. Banning, Sr.
T. Cullum

County Transportation

J. Jeffcoat, Chairman
T. Cullum, V Chairman
J. Kinard
F. Townsend, III
K. Collins
D. Summers
B. Keisler
B. Matthews
B. Banning, Sr.

Committee of the Whole

J. Jeffcoat, Chairman
T. Cullum, V Chairman
J. Kinard
F. Townsend, III
K. Collins
D. Summers
B. Keisler
B. Matthews
B. Banning, Sr.

**AGENDA
LEXINGTON COUNTY COUNCIL**

February 11, 2014

**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**

If special accommodations are needed to participate in this public meeting, please contact the Lexington County Council Office at (803) 785-8103 or dburnett@lex-co.com at least two business days prior to the scheduled meeting date.

4:30 P.M. - COUNCIL CHAMBERS

Call to Order/Invocation

Pledge of Allegiance

Chairman's Report

Presentation

- (1) New Green Business Member - Solid Waste Management - Amanda H. Edwards, Recycling Coordinator and Matt Schnabel, Environmental Coordinator B

Administrator's Report

Employee Recognition - Joe Mergo, County Administrator

Resolution

- (1) Resolution for Ms. Deborah Francis C

Appointments

- (1) Boards and Commissions D

Bids/Purchases/RFPs

- (1) Energy Management System Upgrades (Sole Source) - Building Services E
- (2) Request for Approval to Utilize the Competitive Sealed Qualifications Process for a Stormwater Management Program - Public Works F
- (3) Two (2) Rebuilt Motorgraders (Sole Source) - Public Works G
- (4) Request for Approval to Utilize the Competitive Sealed Proposal Process for Detention Center Commissary and Fiduciary Management Services - Sheriff's Department H

Zoning Amendments

- (1) Zoning Text Amendment #T14-01 - Communication Towers - 1st Reading I
- (2) Zoning Text Amendment #T14-02 - Airport District - 1st Reading..... J
- (3) Zoning Text Amendment #T14-03 - Advertising Signs - 1st Reading K

Committee Reports

County Transportation, J. Jeffcoat, Chairman

- (1) City of West Columbia ENH (Enhancement Grant) 108-07 C-Fund Request L
- (2) FY 13 SCDOT Resurfacing Funds & Corley Mill/US 378 Project M
- (3) FY14 Municipal C-Fund Requests..... N

Budget Amendment Resolutions

OLD BUSINESS/NEW BUSINESS

EXECUTIVE SESSION/LEGAL BRIEFING

MATTERS REQUIRING A VOTE AS A RESULT OF EXECUTIVE SESSION

ADJOURNMENT



County of Lexington

Community Development Department
212 South Lake Drive Suite 401
Lexington, SC 29072
Phone: (803) 785-8121
Fax: (803) 785-8188

MEMORANDUM

TO: Planning and Administration Committee
Lexington County Council

THROUGH: Joe Mergo III, County Administrator

FROM: Peatra Cruz, CDBG Administrator

DATE: January 31, 2014

RE: FY 2014-15 Community Development Block Grant (CDBG) Program
FY 2014-15 HOME Investment Partnership Program

The United States Department of Housing and Urban Development (HUD) establishes the annual award for the Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships (HOME) Program. HUD has not notified the County of its allocation for FY 2014-15. However, HUD recommended using the current year's allocation of \$1,453,995 for CDBG and \$479,747 for HOME when preparing our budgets.

A summary is attached of project funding recommendations for the FY 2014-15 CDBG and HOME Programs. We are recommending 14 CDBG activities and 2 HOME activities. All new requests were reviewed and evaluated by the Community Development staff and the Grant Programs Advisory Committee. After preliminary rankings, staff also evaluated the general project eligibility, feasibility, and the capacity of the applicants to administer programs according to federal guidelines. HOME projects will be administered internally, with the exception of the funding set aside as required by HUD for Community Housing Development Organizations (CHDO).

It is County Council's authority to approve any proposed projects or combination of projects that total the amount of available funds. Funding for approved projects will not be available until after July 1, 2014, and will be provided on a reimbursable basis after staff review of supporting documentation.

We request County Council's consideration and approval of the proposed CDBG and HOME projects so that we may proceed with developing our Annual Action Plan, which is due to HUD by May 15, 2014. The projects and budget approved by County Council will be listed in the Annual Action Plan and will also be considered as approved for the purposes of the County's FY 2014-15 budget process.

Requested Action: Committee recommendation to County Council for approval of staff recommendation of the FY 2014-15 CDBG projects and HOME projects as funded by HUD.

FY 2014-15 CDBG PROJECT PROPOSALS

<u>PROJECTS</u>	<u>RECOMMENDED FUNDING</u>
(1) Minor Home Repair Program and Project Delivery <i>Neighborhood Revitalization/Affordable Housing</i>	\$261,000
(2) Acquisition and Affordable Housing Program <i>Neighborhood Revitalization/Affordable Housing</i>	\$250,000
(3) Central SC Habitat for Humanity <i>Neighborhood Revitalization/Affordable Housing</i>	\$162,000
(4) Town of Lexington <i>Duffie Street Sidewalk</i>	\$130,000
(5) Brookland Center for Community Change <i>Senior Center Roof Replacement</i>	\$110,000
(6) Irmo/Chapin Recreation Commission <i>ADA Vehicle for Program Transport</i>	\$53,000
(7) Lexington School District One <i>Pelion Youth Summer Arts Program</i>	\$40,000
(8) Sistercare, Inc. <i>Shelter Upgrades</i>	\$35,000
(9) Town of Gaston <i>ADA Improvements to Police Department</i>	\$31,000
(10) Harvest Hope Food Bank <i>Summer Backpack Child Feeding Program</i>	\$30,000
(11) Midlands Housing Alliance, Inc./Transitions <i>Shelter Facility Improvements</i>	\$30,000
(12) Irmo/Chapin Recreation Commission <i>Afternoon Adventures Program for Children with Disabilities</i>	\$18,000
(13) Babcock Center, Inc. <i>Facility Improvements</i>	\$14,000
(14) Boys and Girls Club <i>BE GREAT Academy Afterschool Program</i>	\$10,000
Total	<u>\$1,174,000</u>



County of Lexington

Department of Solid Waste Management

498 Landfill Lane

Lexington, South Carolina 29073

Telephone: (803) 755-3325

Facsimile: (803) 755-3833

M E M O R A N D U M

DATE: January 30, 2014

TO: Joe Mergo, County Administrator

FROM: Amanda H. Edwards, Recycling Coordinator (presenter)
Matt Schnabel, Environmental Coordinator (presenter)

RE: Lexington County Green Business Member Recognition

Lexington County Solid Waste and Public Works Departments are proud to induct a new organization into the Green Business Certification Program. Below is the information for the County's newest Green Business Member:

Bartlett Financial

Certifying in two areas: Energy Efficiency and Waste Reduction/Recycling.

We ask that this organization be recognized at the 4:30 Council Meeting on February 11, 2014.

RESOLUTION

THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA, MEETING IN GENERAL SESSION THE 11TH DAY OF FEBRUARY, TWO THOUSAND AND FOURTEEN, ADOPTED THE FOLLOWING:

WHEREAS, Deborah “Debbie” Francis has more than thirty-five years of public service to her community in various leadership positions within the healthcare field, most recently as President & CEO of Lexington/Richland Alcohol and Drug Abuse Council (LRADAC), a non-profit organization; and

WHEREAS, Ms. Francis led various departments of the South Carolina Department of Health and Human Services including Pharmaceutical Services, Hospital and Hospital Reimbursement, Physician Services, and served as the Deputy Director of the Office of Programs; and

WHEREAS, Ms. Francis furthered her knowledge on health care administration by pursuing her Juris Doctor from the University of South Carolina, School of Law. Her practice in health law at Haynsworth Sinkler Boyd, P.A. provided Ms. Francis a platform to focus on regulatory, governmental affairs, and third party payors, particularly Medicaid and Medicare compliance, reimbursement and policy issues; and

WHEREAS, in her current capacity as President & CEO, Ms. Francis spearheaded the organization’s relocation to new state-of-the-art facilities by securing support from government sources. Under her leadership, LRADAC has become recognized as the premier provider of prevention, intervention, and treatment services for substance use disorders to the citizens of Lexington County; and

WHEREAS, Ms. Francis has served the citizens of Lexington County and the greater Midlands area through her important roles that received service recognition awards from the Drug Enforcement Administration (Certificate of Appreciation, August 1989), United Way of South Carolina (Healthy Start Grant Recognition, April 1992), Department of Health and Environmental Control (Maternal and Child Health Day Special Recognition Award , December 1996), and the YWCA Midlands Tribute to Women and Industry, (Certification of Recognition, May 2000), and the SC House of Representative Republican Women’s Caucus (Woman of Achievement Award, 2010).

NOW, THEREFORE, BE IT RESOLVED that we, the members of Lexington County Council, offer our sincere congratulations and appreciation to **DEBORAH FRANCIS** for her many years of dedicated service and wish her an abundance of happiness and health upon her retirement.

Johnny W. Jeffcoat, Chairman

M. Todd Cullum, Vice Chairman

James E. Kinard, Jr.

Frank J. Townsend, III

Kent Collins

Debra B. Summers

Bobby C. Keisler

K. Brad Matthews

William B. Banning, Sr.

ATTEST:

Diana W. Burnett, Clerk



**APPOINTMENTS
BOARDS & COMMISSIONS
February 11, 2014**

JIM KINARD

- **Lexington County Health Services Board** - Heather Jackson; term expires 3/10/14; not eligible for reappointment; *pending qualified board nominee*

KENT COLLINS

- **Lexington County Health Services Board** - Rev. Charles Benjamin Jackson, Sr.; term expires 3/10/14; eligible for reappointment

DEBRA SUMMERS

- **Assessment Appeals Board** - Linda Ham; term expired 09/21/13; confirmed desire **NOT** to serve another term; *pending qualified board nominee*
- **Board of Zoning Appeals** - Mark Bostic; term expired 12/31/13; confirmed desire **NOT** to serve another term; *nomination form for Jennifer Nettles* (attached)
- **Nancy K. Perry Children's Shelter** - Rob Winchester; term expired 06/30/13; confirmed desire **NOT** to serve another term; *pending qualified board nominee*
- **Lexington County Health Services Board** - Frank R. Basnett; term expires 3/10/14; eligible for reappointment, *confirmed desire to serve another term*

BOBBY KEISLER

- **Lexington County Health Services Board** - Joel A. Tyson; term expires 3/10/14; eligible for reappointment, *confirmed desire to serve another term*
- **Lexington County Health Service Board** - Carol R. Metts; term expires 3/10/14; eligible for reappointment, *confirmed desire to serve another term*

JOHNNY JEFFCOAT

- **Lexington County Health Services Board** - Dan E. Jones; term expires 3/10/14; eligible for reappointment, *confirmed desire to serve another term*
- **Lexington County Health Services Board** - George H. Holland; term expires 3/10/14; eligible for reappointment, *confirmed desire to serve another term*

BRAD MATTHEWS

- **Lexington County Health Services Board** - Richard N. Westbrook; term expires 3/10/14; eligible for reappointment, *confirmed desire to serve another term*

TODD CULLUM

- **Assessment Appeals Board** - William Power; term expired 09/21/12; not eligible for reappointment; *pending qualified board nominee*
- **Museum** - Carol Metts; term expired 11/01/13; resigned effective 06/27/11; *pending qualified board nominee*

AT LARGE:

River Alliance

- **Mike Crapps** - term expires 01/26/16; resigned effective as of 08/30/13; *pending qualified board nominee*



LEXINGTON COUNTY COUNCIL

BOARD/COMMISSION NOMINATION FORM

Lexington County Board of Zoning Appeals
(Name of Board/Commission to which you are applying)

Name: Nettles Jennifer Lynn
(Last) (First) (Middle)

Home Address (Please provide both physical and mailing address if different)

Street 340 Carola Lane
City Lexington State SC Zip 29072

Address:
(Former address if less than five (5) years at current address)

Telephone: Home () 803-520-6828 Office () 803-996-5757 Mobile () 803-201-6445

E-mail Address: jenny-icb@yahoo.com

Are you a permanent resident of Lexington County? Yes [X] No

Are you related to anyone that is employed by the County or affiliated with the Board/Commission for which you are applying? Yes No [X]

If yes, please list the relative's name

Voter Registration Number: 326278147 Driver's License State/Number SC DL# 101550158

Occupation: President

Employer: LCB Construction, Inc.

Address: 703 N. Lake Dr. City Lexington State SC Zip 29072

Why would you like to serve on this Board/Commission? To become more involved in the growth of our community.

Do you serve on any local or state board, commission, committee or in an elected position? Yes No [X]

If yes, please give details.

List other Boards/Commissions on which you currently serve and have served and dates

Have you ever been convicted of a crime other than a minor traffic violation? Yes No [X]

If yes, please explain.
 Highest Level of Education: High School Grad
 High School Graduate GED Equivalent _____
 College/University Attended NA
 Degree _____

Do you have any interest in any business that has, is, or will do business with the County of Lexington or with the Board or Commission entity for which you are applying? Yes No _____

If yes, please provide details. President of local Home Builders

Initial I understand that my appointment to this Board/Commission may/will require some training and/or certification, and if selected to serve, I agree to give the time necessary for such training and/or certification.

Initial I understand that my attendance at all meetings is important. I hereby agree to attend all of the stated and called meetings of this entity to which I am begin considered for appointment, and I further agree that I will resign my appointment should I miss:

- A. As per Section 2-133. Absences - 25 percent of the meetings within a one-year period. The Council may, in its discretion waive enforcement of this section in the case or illness, death of a family member, court appearance or other similar circumstance beyond the control of the appointee.

CERTIFICATION OF APPLICANT

By signing below, applicant certifies that his/her statements are true, accurate, and complete, and that he/she knows and agrees that any misrepresentation or omission of the facts may result in his/her being disqualified or being discharged should he/she already be appointed by the County Council as their assignee. I understand that my application will be considered by County Council and voted upon by Council. I further understand that if I am selected for service, I will receive written confirmation by Council.

At the County's discretion, the County and/or its agents may conduct a criminal background check and that information can be used for or against an appointment on a board/commission for Lexington County.

Witness [Signature]
 Date 2-5-14

Applicant's Signature [Signature]

Submitted by: Debbie Summers
 New Appointee or Reappointee: New
 Council District Number: 4
 Date: 2/6/14

Please return completed form to:
 Lexington County Council
 212 South Lake Drive, Suite 601
 Lexington, SC 29072
 Or Fax to 803-785-8101
 For questions call 803-785-8103

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: February 3, 2014

TO: Joe Mergo, III
County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: **Energy Management System Upgrades – Sole Source
Building Services**

We have received a purchase request from Building Services for the procurement of seven (7) facility energy management system upgrades. This will be a “sole source” award to Palmetto Controls, Inc. as they are the current vendor providing the existing service for our other County facilities.

Mark Kerley, Building Services Manager has reviewed and recommended this purchase. The total cost, including applicable sales tax, is \$182,365.00.

Funds are appropriated in the following accounts:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>	<u>Requisition Amount</u>
1000-999900-5AE534	Facility Administration System- Administration	\$106,151.00	\$106,151.00
2300-230099-5AE535	Facility Administration System- Library	\$57,451.00	\$57,451.00
1000-151300-5AE533	Facility Administration System- Jail	\$18,763.00	\$18,763.00

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 February 11, 2014.

copy: Randolph C. Poston, Chief Financial Officer
Mark Kerley, Building Services Manager

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 803- 785-8319

(F) 803- 785-2240

DATE: January 14, 2014

TO: Joe G. Mergo, III
County Administrator

THRU: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: Request for Approval to Utilize the Competitive Sealed Qualifications Process for a Stormwater Management Program

We are requesting the use of the Request for Qualifications (RFQ) process in order to seek competitive proposals from potential qualified respondents for a Stormwater Management Program for Public Works. The Procurement Office in coordination with this department feels that it would be in the best interest of the County to request proposals from outside sources.

This program will assist Lexington County and seven (7) municipalities maintain compliance with the Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System, (NPDES) Phase II requirements of the current permit. It would also further evaluate the existing program and provide recommendations for the new permit requirements, assist the department with grant management, and provide additional consulting services.

Due to the scope of this project, we feel that it would not be practical or to our advantage to prepare a comprehensive set of specifications that may limit our resources or restrict competition. In selecting a contracted vendor, it will be advantageous to consider award criteria other than cost. Proposals shall be reviewed and evaluated by a review panel based upon specific evaluation factors such as experience of the firm, personnel assigned to the project, familiarity with applicable local, state, and federal laws, knowledge of local issues, references, and overall responsiveness to this RFQ.

It is therefore our recommendation to utilize the competitive sealed proposal procedure established in the County ordinance. We further recommend that we seek approval at the next scheduled County Council meeting set for February 11, 2014.

copy: Randolph C. Poston, Chief Financial Officer
Wrenn Barrett, Director of Public Works
Sheri Armstrong, Stormwater Manager

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: January 30, 2014

TO: Joe Mergo, III
County Administrator

THROUGH: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

**SUBJECT: Two (2) Rebuilt Motorgraders – Sole Source
Public Works**

We received a purchase request from Public Works for the procurement of rebuilding two (2) Lexington County owned motorgraders. This will be a “sole source” award to Blanchard Machinery as they are the only vendor who can provide this service on our existing machines and maintain the warranty.

Wrenn Barrett, Director of Public Works and Bill Kazmierczak, Fleet Services Manager have reviewed and recommended this purchase. The total cost, including applicable sales tax, is \$260,869.14.

Funds are appropriated in the following account:

<u>Account Number</u>	<u>Account Description</u>	<u>Account Balance</u>	<u>Requisition Amount</u>
1000-121300-5AE518	Two (2) Rebuilt Motorgraders	\$275,000.00	\$260,869.14

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 February 11, 2014.

copy: Randolph C. Poston, Chief Financial Officer
Wrenn Barrett, Director of Public Works
Bill Kazmierczak, Fleet Services Manager

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 803- 785-8319

(F) 803- 785-2240

DATE: January 31, 2014

TO: Joe G. Mergo, III
County Administrator

THRU: Jeffrey A. Hyde
Procurement Manager

FROM: Angela M. Seymour
Procurement Officer

SUBJECT: **Request for Approval to Utilize the Competitive Sealed Proposal Process for Detention Center Commissary and Fiduciary Management Services Sheriff's Department**

We are requesting the use of the Request for Proposals (RFP) process in order to seek competitive proposals from potential qualified respondents for the Detention Center Commissary and Fiduciary Management Services for the Sheriff's Department. The County privatized this operation in 1997 and feel it is in the best interest of the County to continue this service through a contracted vendor. The Procurement Office in coordination with this department feels that it would be in the best interest of the County to request proposals from outside sources.

Due to the scope of this project, we feel that it would not be practical or to our advantage to prepare a comprehensive set of specifications that may limit our resources or restrict competition. In selecting a contracted vendor, it will be advantageous to consider award criteria other than cost. Proposals shall be reviewed and evaluated by a review panel based upon specific evaluation factors such as overall system capabilities and experience of the firm and personnel assigned to the project, demonstrated understanding of the scope and future objectives, technical resources and work plan, references, and proposed commission.

It is therefore our recommendation to utilize the competitive sealed proposal procedure established in the County ordinance. We further recommend that we seek approval at the next scheduled County Council meeting set for February 11, 2014.

copy: Randolph C. Poston, Chief Financial Officer
Chief Keith Kirchner, Assistant Sheriff
Colonel Alan Paavel, Sheriff's Department
Major Kevin Jones, Sheriff's Department
Sylvia Dillon, Sheriff's Department

Memorandum

January 30, 2014

To: Joe Mergo
County Administrator

For: County Council

From: Charlie Compton, Director
Department of Planning and GIS

Reference: Zoning Text Amendment #T14-01 – Communication Towers

Council previously expressed concern for cell towers possibly locating improperly in residential areas and expressed a preference to have such towers go through a zoning map amendment process. I quickly prepared Zoning Text Amendment #T11-02 which allowed Council through the Pending Ordinance designation to immediately make that a requirement.

A couple of industry representatives have been very helpful in furnishing information concerning possible alternative methods to furnish wireless service in underserved residential areas. That material was presented to the Planning Commission and to the Council Planning and Administration Committee. I was hopeful that technology would by now give us more less intrusive options. Right now I do not have any specific language that I can add to the original amendment, so I am recommending that we complete the reading process on this change.

Your ordinance policies require that we complete this process with a current Ordinance number. I would recommend that we keep the map amendment requirement in place by invoking the Pending Ordinance Doctrine with the first reading of this Text Amendment Application.

Enclosure: Zoning Text Amendment #T14-01



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 # **T14-01**

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

ARTICLE 2-APPLICATION OF REGULATIONS

Reason for the request: To revise the regulations pertaining to Communication Towers

Submitted on behalf of: County Council Planning Commission

Printed Name: Charles M. Compton Title: Director, Planning & GIS

Signature: _____ *signature on file*

01/27/14	Application Received		Newspaper Advertisement
	Planning Commission		

Planning Commission Recommendation: _____

02/11/14	First Reading	Public Hearing	Second Reading	Third Reading
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Results: _____

**Excerpts from Chapter 1, Schedule of Permitted Uses, and
Chapter 2, General Requirements,
of Article 2, Application of Regulations**

Make the following changes to these two charts:

21.31 Chart of Permitted Activities by District

R1	R2	R3	D	RA	RD	LC	C1	C2	ID	LR	ACTIVITIES
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Communication Towers (Limited)
					✓				✓	✓	Communication Towers (Extensive)

22.02 Chart of Permitted Access by Street Classification

A	C	L	RL6	RL5	RL4	LL & Max. Limits	ACTIVITIES
✓	✓	✓	✓	✓	✓	✓	Communication Towers (Limited)
✓	✓	✓				✓ .03 FAR	Communication Towers (Extensive)

Memorandum

January 30, 2014

To: Joe Mergo
County Administrator

For: County Council

From: Charlie Compton, Director
Department of Planning and GIS

Reference: Zoning Text Amendment #T14-02 – Airport District

I have been working with Dan Mann, Columbia Metropolitan Airport Executive Director, and his staff on an update of our Zoning Ordinance Airport District for some time now. When Dan arrived they began reviewing aspects of their Master Plan and we need to make sure our Ordinance mirrors their Plan. With your recent revisit to communication towers, we quickly recommended that you give first reading to a text amendment that would insure any expansion plans for the Airport would not be hampered by towers or any other structures that are too tall.

Your ordinance policies require that we complete this process with a current Ordinance number. I would also recommend that we keep the height protection in place for the Airport with first reading of this Text Amendment Application by invoking the Pending Ordinance Doctrine with respect to only the Height Control Overlay Zones portion of this update. As you will notice, the Planning Commission has already completed work on a recommendation for the Noise Exposure Overlay Zones. This however needs full review by Council before implementation.

When we complete this process, I will be developing a model text that can be adopted by all of the surrounding municipalities. This has become a very important project as they annex more of the adjacent unincorporated land area.

Enclosure: Zoning Text Amendment Application #T14-02



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 # T14-02

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

ARTICLE 4-AIRPORT DISTRICT

Reason for the request: To implement all applicable sections of the Columbia Metropolitan Airport Plan

Submitted on behalf of: [X] County Council [] Planning Commission

Printed Name: Charles M. Compton Title: Director, Planning & GIS

Signature: signature on file

Table with 4 columns: Date (01/27/14), Action (Application Received), Agency (Planning Commission), and Note (Newspaper Advertisement)

Planning Commission Recommendation:

Table with 5 columns: Date (02/11/14), First Reading, Public Hearing, Second Reading, Third Reading

Results:

Make the following changes and additions to this Article:

ARTICLE 4 - AIRPORT DISTRICT

Chapter 1. General Provisions

41.00 Purpose

The concentration of people and sound-sensitive activities on lands adjacent to airport or heliport operations and the maximum height of buildings, other structures, and trees in such areas shall be regulated by airport district overlay zones as set forth in this Article. In order to protect people and property in the vicinity of airports and heliports from the danger of aircraft accidents and the impact of excessive noise levels, certain land use activities shall not be permitted in designated noise exposure overlay zones surrounding such facilities. Establishment of sound-sensitive activities on lands in less intense noise exposure overlay zones may be permitted if specified soundproofing standards are met. To preserve the safety and efficiency of air navigation, height control overlay zones may be designated around airfields to limit the obstruction of landing, takeoff, and maneuvering airspace by buildings, other structures, and trees. Such controls serve to protect the public investment in airports or heliports by restricting adjacent land uses incompatible with the use, growth, or expansion of these facilities.

41.10 Application of Airport District Overlay Zones

The land use controls associated with airport district overlay zones shall be in addition to and shall only apply where underlying zoning districts and their controls have been established under other Articles of this Ordinance. Where airport district overlay zone controls conflict with the controls of underlying zoning districts, the more restrictive controls shall apply.

41.20 Definitions

Columbia Metropolitan Airport Plan: **[This definition to be updated to represent the most current Airport Plan]** the official Land Use/Noise Contour Plan associated with the development of the Columbia Metropolitan Airport as prepared by the LPA Group, Inc. and accepted by the Federal Aviation Administration as a component of the Environmental Impact Statement in March 1987. Section 42.10 will also refer to the Airport Plan prepared by Wilbur Smith and Associates and adopted by the Columbia Metropolitan Airport Commission on February 9, 1982.

Elevation: a numerical representation of a vertical distance in relation to mean sea level.

Height: a numerical representation of a vertical distance in relation to existing ground level or some other specified reference level.

Heliport: a facility specifically designed to accommodate the operational characteristics of helicopters and other rotary wing aircraft, separate and apart from inclusion in an airport facility.

Primary Surfaces: horizontal planar surfaces which, in plan view, are longitudinally centered on runways, extending 200 feet horizontally beyond the runway ends, and of constant width for a given runway.

Runway: a defined area on an airport prepared for landing and takeoff of aircraft along its length.

Structure: an object, including a mobile object, constructed or installed by man, including but without limitation to buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.

Tree: any object of natural growth.

Chapter 2. Designation of Columbia Metropolitan Airport District

42.00 Introduction

The Columbia Metropolitan Airport District is hereby established pursuant to the purposes of this Article, comprising all those lands within the noise exposure and height control overlay zones as further delineated in this Chapter.

42.10 Noise Exposure Overlay Zones

Three noise exposure overlay zones are designated for the Columbia Metropolitan Airport, based on the ~~LDN DNL~~ (Day-Night noise level) contours described in the ~~1987 Environmental Impact Statement~~ **2002 Noise Compatibility Study** approved by the Federal Aviation Administration and shown on the Columbia Metropolitan Airport Plan. ~~However, the 1982 version of the Airport Plan contained two different noise exposure overlay zones, based on the NEF (noise exposure forecast) contours. Since the NEF contours have been on the Lexington County Zoning Maps since 1985, and the LDN contours are based on uncertain levels of future air traffic, this Ordinance combines the areas restricted by both sets of noise contours, though excluding the 70-75 LDN contour for now.~~ The following activities are not permitted in the designated zones:

65+ DNL	60-65 DNL	55-60 DNL
75+ LDN/NEF 40	65-70 LDN/NEF 30	
Business Services	-----	-----
Churches	Churches	-----
Community Education	Community Education	-----
Child or Adult Day Care	-----	-----
# Group Assembly	# Group Assembly	# Group Assembly
Limited	-----	-----
Intermediate	Intermediate	-----
Extensive	Extensive	Extensive
Group Housing	Group Housing	Group Housing
Limited	Limited	
Extensive	Extensive	
Hospitals	Hospitals	Hospitals
Limited Child Care	-----	
Medical Services	-----	-----
Mobile Homes	-----	-----
Mobile Home Parks	Mobile Home Parks	-----
Limited	-----	-----
Extensive	Extensive	-----
Non-Assembly Cultural	Non-Assembly Cultural	-----
Nursing Homes	Nursing Homes	Nursing Homes
Professional Services	-----	-----
Research Services	-----	-----
** Residential Detached	⊛ Residential Detached (>4 DU/acre)	Residential Detached (>8 DU/acre)
Residential Attached	⊛ Residential Attached (>6 DU/acre)	Residential Attached (>10 DU/acre)
Retirement Centers/ALF	Retirement Centers/ALF	Retirement Centers/ALF
Transient Habitation	-----	-----

Outdoor sports facilities and their related accessory activities are allowed in these two Noise Exposure Overlay Zones; however, this does not include outdoor concert facilities.

** **Existing Residential Detached activities are allowed to do renovations and construct additions and accessory structures. New houses are** allowed only if approved by the Airport Commission in accordance with conditions and requirements consistent with the Columbia Metropolitan Airport Plan.

~~⊛ Allowed if the following requirements are met:~~

- ~~1. Residential developments must not exceed a maximum density of 10 dwelling units per acre.~~
- ~~2. All glass openings shall be double glazed.~~
- ~~3. Any large areas of glass that exceed 30% of the wall area shall be triple glazed.~~
- ~~4. Full year air conditioning must be installed.~~
- ~~5. Exterior doors must be solid core with gaskets. If a storm door is used, then any exterior door can be used as long as door gaskets are installed.~~
- ~~6. At least 50% of the roof area must encompass attic space.~~
- ~~7. These provisions shall not apply to dwelling units that are not intended for long term occupancy such as a laundry room, a storage closet, or a bathroom.~~

42.20 Height Control Overlay Zones [This section to be updated to represent the most current Airport Plan with future runway extensions]

Four types of height control overlay zones are established for the Columbia Metropolitan Airport District, based on the present and proposed runway configuration described in the Columbia Metropolitan Airport Plan (see definitions) and the Federal Aviation Administration Advisory Circular # 150/5190-4, A Model Zoning Ordinance to Limit Height of Objects Around Airports, dated August 23, 1977. The diagram on page 59 represents the present and proposed runway configuration as well as the related primary surfaces (see definitions).

The elevations of the primary surfaces are different for each runway end, according to this table:

<u>RUNWAY END</u>	<u>PRIMARY SURFACE ELEVATION</u>
11L	229 feet as far east as the centerline of runway 5/23
29R	210 feet as far west as the centerline of runway 5/23
5	228 feet as far north as the centerline of runway 11R/29L
23	209 feet as far south as the centerline of runway 11R/29L
11R	190 feet as far east as the centerline of runway 5/23
29L	206 feet as far west as the centerline of runway 5/23

42.21 Approach Zones

Approach zones are delineated for each of the six runway approaches. The beginning of each approach zone is coincident with, as wide as, and at the same elevation as the end of the primary surface for the respective runway end. Each approach zone expands outward uniformly to its ultimate width which is at a distance measured horizontally from the end of the primary surface. The centerline of each approach zone is the horizontal continuation of the centerline of the respective runway end. The six approach zones are dimensioned as follows:

<u>APPROACH ZONE</u>	<u>WIDTH at END of PRIMARY SURFACE *</u>	<u>ELEVATION at END of PRIMARY SURFACE</u>	<u>ULTIMATE WIDTH *</u>	<u>HORIZONTAL LENGTH of APPROACH ZONE #</u>
11L	1000 feet	229 feet	16,000 feet	50,000 feet
29R	1000 feet	210 feet	16,000 feet	50,000 feet
5	1000 feet	228 feet	16,000 feet	50,000 feet
23	1000 feet	209 feet	3,500 feet	10,000 feet
11R	500 feet	190 feet	3,500 feet	10,000 feet
29L	500 feet	206 feet	3,500 feet	10,000 feet

* width is measured horizontally, perpendicular to the horizontal extension of the runway centerlines
 # length is measured along the horizontal extension of the runway centerlines

42.22 Transitional Zones

Transitional zones are established adjacent to the sides, but not past the wide ends, of the approach zones and the sides, in plan view, of the primary surfaces, except that the transitional zones shall not overlay, in plan view, any primary surfaces. Transitional zones shall be 5000 feet wide, measured horizontally and perpendicular to the runway centerlines, and the runway centerlines extended.

42.23 Horizontal Zone

The horizontal zone is established by swinging radii 10,000 feet, measured horizontally, from the midpoints of the ends of the primary surfaces (see runway diagram) at runway ends 11L, 5, 23, and 29L, and then connecting the adjacent arcs by drawing straight lines tangent to those arcs. All lands within the outermost boundary so formed are in the horizontal zone.

42.24 Conical Zone

The conical zone begins at any given point on the periphery of the horizontal zone and extends outward from the airport for a horizontal distance of 4,000 feet, measured perpendicular to a line tangent to the periphery of the horizontal zone at the given point.

42.25 Height Limits

The maximum height of buildings, other structures, and trees shall be restricted within each height control overlay zone. Where these zones overlap each other, the most restrictive height limitation shall apply. However, the height limits of this Article shall not prohibit the construction or maintenance of any building or other structure, or the growth of any tree up to a height of 50 feet above the land surface elevation as it existed at the date of enactment of this Ordinance. Following are the height limits for the height control overlay zones.

- a. Approach Zones 11L, 29R, and 5: starting at the end of and at the same elevation as the primary surface at the respective runway ends, measure a slope one foot vertically upward for each 50 feet horizontally outward from the runway end, for a distance of 10,000 feet measured parallel to the horizontal extension of the runway centerline. Subsequently, measure a slope one foot vertically upward for each 40 feet horizontally outward from the runway end, for a distance of 40,000 feet measured parallel to the horizontal extension of the runway centerline.
- b. Approach Zones 23, 11R, and 29L: starting at the end of and at the same elevation as the primary surface at the respective runway ends, measure a slope one foot vertically upward for each 34 feet horizontally outward from the runway end, for a distance of 10,000 feet measured parallel to the horizontal extension of the runway centerline.
- c. Transitional Zones: starting at the side of and at the same elevation as the primary surfaces, and also starting at any given point on the sides of the approach zones at the same elevation as the approach zone height limit for the given point, measure a slope one foot vertically upward for each seven feet horizontally outward from the runway, for a distance of 5000 feet measured perpendicular to the runway centerline or the horizontal extension of the runway centerline.
- d. Horizontal Zone: the height limit for the horizontal zone is 385 feet above mean sea level.
- e. Conical Zone: starting at any given point on the periphery of the horizontal zone and at the same elevation as the horizontal zone height limit, measure a slope one foot vertically upward for each 20 feet horizontally outward from the airport, for a distance of 4,000 feet measured perpendicular to a line tangent to the periphery of the horizontal zone at the given point.

On page 59 is a cross-sectional perspective illustration of the height limits for the height control overlay zones of a portion of the Columbia Metropolitan Airport (see the X and Y arrows on the runway diagram for the corresponding location of the corner on the perspective illustration).

42.30 Other Use Restrictions

Notwithstanding any other provisions of this Ordinance, no use may be made of any land or water body within the Columbia Metropolitan Airport District in such a manner as to create electrical interference with navigational signals or radio communications between

the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, or otherwise endanger the landing, takeoff, or maneuvering of aircraft using the airport.

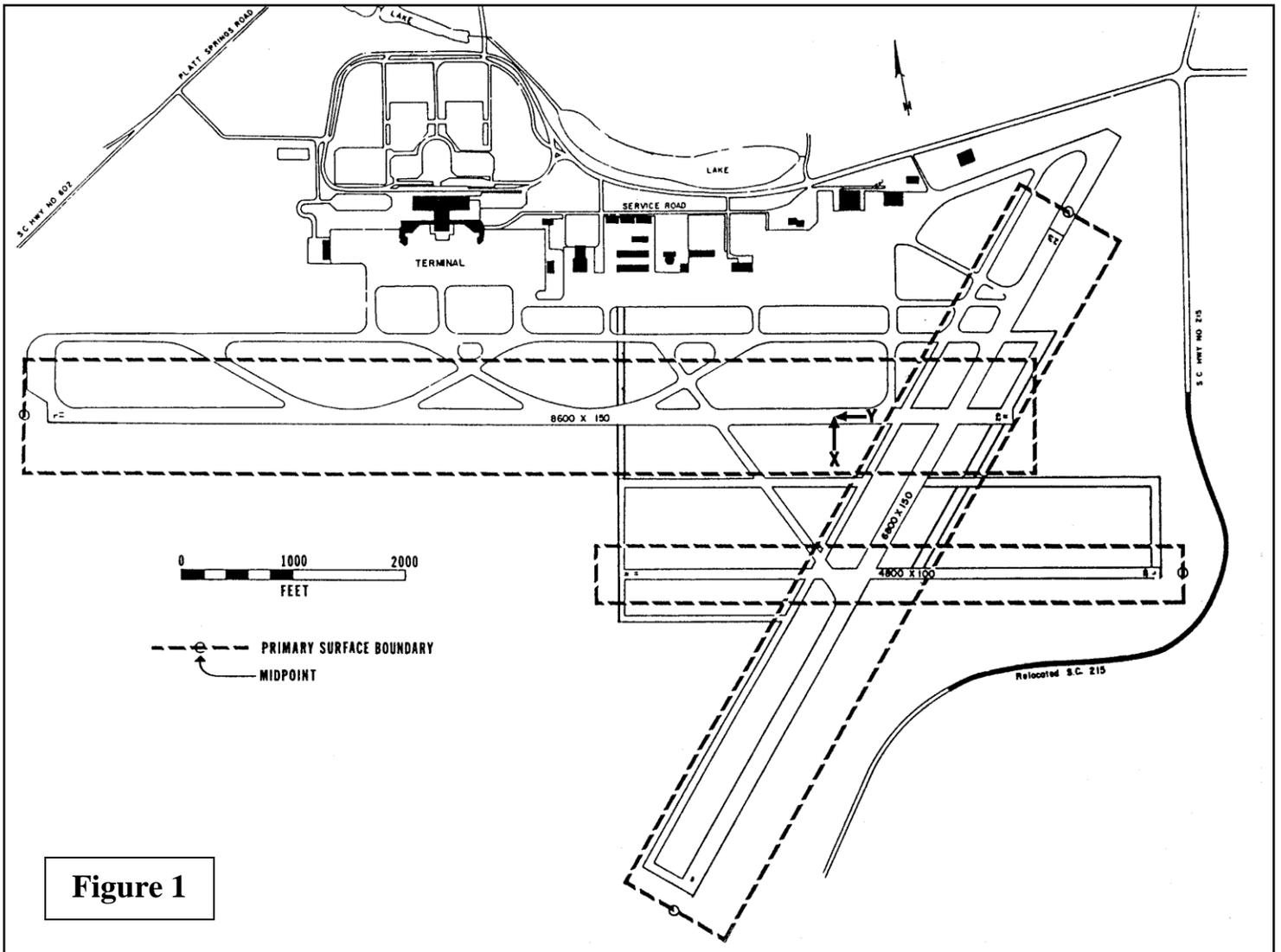


Figure 1

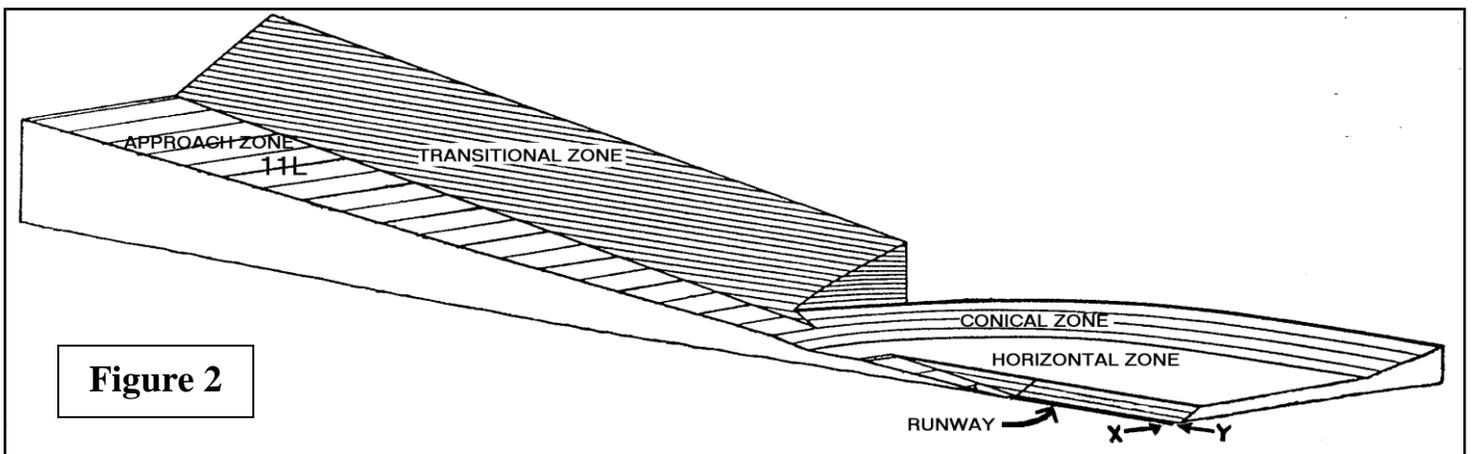


Figure 2

Memorandum

January 30, 2014

To: Joe Mergo
County Administrator

For: County Council

From: Charlie Compton, Director
Department of Planning and GIS

Reference: Zoning Text Amendment #T14-03 – Advertising Signs

Previously Council quickly took action to place limits on Advertising Signs either surrounded by or in close proximity to portions of municipalities that restricted the location of such signs. In the time since that decision no alternatives have surfaced for dealing with this issue. It is therefore time to take final action on this decision.

Your ordinance policies require that we complete this process with a current Ordinance number. I would recommend that we keep this new requirement in place by invoking the Pending Ordinance Doctrine with the first reading of this Text Amendment Application.

Enclosure: Zoning Text Amendment #T14-03



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 # **T14-03**

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

ARTICLE 2-APPLICATION OF REGULATIONS

Reason for the request: Coordination of Outdoor Advertising regulations with municipalities

Submitted on behalf of: County Council Planning Commission

Printed Name: Charles M. Compton Title: Director, Planning & GIS

Signature: _____ *signature on file*

01/27/14	Application Received		Newspaper Advertisement
	Planning Commission		

Planning Commission Recommendation: _____

02/11/14	First Reading	Public Hearing	Second Reading	Third Reading
----------	---------------	----------------	----------------	---------------

Results: _____

Excerpt from Chapter 5, Signs, of Article 2, Application of Regulations

Make the following addition to this section:

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 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. **Advertising signs will not be allowed to locate in a portion of the County that is at least 75% surrounded by lands under the jurisdiction of a municipality, or on property within 2000 feet of a municipal boundary, if that portion of the municipality prohibits the location of advertising signs.** No advertising sign shall be allowed on Scenic Corridors 1 and 2, as defined in the Lexington County Landscape and Open Space 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 nonresidential activities on 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.



COMMITTEE REPORT

RE: City of West Columbia ENH (Enhancement Grant) 108-07 C-Fund Request

DATE: January 27, 2014

COMMITTEE: Public Works & Solid Waste Management

MAJORITY REPORT: Yes

The Public Works/Solid Waste Management Committee convened on Monday, January 27, 2014 to review the City of West Columbia ENH (Enhancement Grant) 108-07 C-Fund Request.

Mr. Wrenn Barrett, Public Works Director, presented a request for approval from the County Transportation Committee (CTC) to reimburse the City of West Columbia for SCDOT Project ENH No. 108-07 (N. 12th Street Streetscape Project – Phase I) \$1,860 in C-Funds. Public Works has reviewed and determined the request is an eligible expense under the Special Projects “Unclassified” account #2700-121302-539900. The account currently has \$180,152 available.

The Public Works/Solid Waste Management Committee voted unanimously to recommend to the County Transportation Committee (CTC) to approve the City of West Columbia’s request.



COMMITTEE REPORT

RE: FY 13 SCDOT Resurfacing Funds & Corley Mill/US 378 Project

DATE: January 27, 2014

COMMITTEE: Public Works & Solid Waste Management

MAJORITY REPORT: Yes

The Public Works/Solid Waste Management Committee convened on Monday, January 27, 2014 to review the FY 13 SCDOT Resurfacing Funds and Corley Mill/US 378 Project.

Mr. Wrenn Barrett, Public Works Director, presented a request for approval from the County Transportation Committee (CTC) to redirect FY13 SCDOT Resurfacing funds of \$349,673.13 to the Corley Mill/US 378 Project (Account #2700-121300-5R0136). Staff is also requesting to then reassign the \$349,673.13 to the Nursery Road Bridge Project (Account #2700-121300-5R0106) due to a budget shortfall. Mr. Barrett reported this is primarily an internal accounting change to re-appropriate SCDOT Resurfacing funds to a specific project. He said initially SCDOT was to utilize the \$349,673.13 for just general resurfacing wherever needed; however, Public Works requested it to be applied specifically to the Corley Mill/US 378 Project in order to uphold the CTC's 25% state requirement met in FY13. Upon approval, the SCDOT C-Fund Program Administration office will dedicate the funds to the Corley Mill/US 378 Project for the CTC's 25% state requirement. This will free up funding under the County's control in order to appropriate funding where needed. Council approved \$900,000 for the Corley Mill/US 378 Project in December 2011.

The Public Works/Solid Waste Management Committee voted unanimously to recommend to the County Transportation Committee (CTC) to approve staff's request.



COMMITTEE REPORT

RE: FY14 Municipal C-Fund Requests

DATE: January 27, 2014

COMMITTEE: Public Works & Solid Waste Management

MAJORITY REPORT: Yes

The Public Works/Solid Waste Management Committee convened on Monday, January 27, 2014 to review FY14 Municipal C-Fund Requests.

Mr. Wrenn Barrett, Public Works Director, reported letters were sent to all municipalities in October 2013 for project submittals for C-Funds. There is \$50,000 available for FY2014. He said one request was received from the Town of South Congaree. Mr. Barrett reported the Town of South of Congaree is requesting an additional \$30,000 for the paving of Shumpert Street estimated at \$60,000. The Town was appropriated \$30,000 in FY 2012 and 2013. Staff recommended approving the request. Mr. Barrett said the remaining C-Fund balance of \$20,000 will be rolled over and added to next year's \$50,000 for a total amount of \$70,000 for municipality C-Funds.

The Public Works/Solid Waste Management Committee voted unanimously to recommend to the County Transportation Committee (CTC) to approve the C-Fund request from the Town of South Congaree.