

Mayor  
Elise Partin

Mayor Pro-Tem  
Tara S. Almond

Council Members  
Phil Carter  
Eva Corley  
James E. Jenkins

City Manager  
Tracy Hegler

Assistant City Manager  
James E. Crosland



**City of Cayce  
Regular Council Meeting  
Wednesday, December 18, 2019  
5:00 p.m. – Cayce City Hall – 1800 12<sup>th</sup> Street  
caycesc.gov**

**I. Call to Order**

A. Invocation and Pledge of Allegiance

**II. Public Comment Regarding Items on the Agenda**

**III. Ordinances**

A. Discussion and Approval of Ordinance 2019-23 Amending Zoning Ordinance Section 6.10 Design Overlay District to Add Language Concerning the City's Design Overlay Districts – Second Reading

B. Discussion and Approval of Ordinance 2019-24 Establishing a Temporary Moratorium on Certain New Residential Developments in the City – Second Reading

**IV. City Manager's Report**

**V. Council Comments**

**VI. Executive Session**

A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege

B. Discussion of possible contractual arrangements concerning Lexington County water rates

C. Discussion of negotiations incident to proposed contractual negotiations for economic development in the City

D. Discussion of negotiations incident to proposed contractual arrangements with Lexington School District Two regarding the old Taylor Elementary School

**VII. Reconvene**

**VIII. Possible Actions by Council in follow up to Executive Session**

**IX. Adjourn**

**SPECIAL NOTE: Upon request, the City of Cayce will provide this document in whatever form necessary for the physically challenged or impaired.**

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# Memorandum

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**To:** Mayor and Council

**From:** Tracy Hegler, City Manager  
Carroll Williamson, Planning and Development Director

**Date:** December 11, 2019

**Subject:** Second Reading of an Ordinance Amending Zoning Ordinance Section 6.10 Design Overlay District to add Language Concerning the City's Design Overlay Districts

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## Issue

Council approval is needed for the Second Reading of an Ordinance amending Section 6.10 Design Overlay District of the Zoning Ordinance to add additional prohibited uses to the City's Design Overlay Districts.

## Discussion

The City currently has four Design Overlay Districts: Knox Abbott Drive, 12<sup>th</sup> Street Extension, I-77 Gateway, and Arts Design Overlay District. Because these districts are gateway routes within the City that accentuate the best that the City has to offer, they each have specific permitted and prohibited uses that reflect their character.

Staff recommends adding some additional prohibited uses to these Design Overlay Districts to further improve these important corridors of the City. Among the prohibited uses are firework sales, electronic cigarette stores, mini-warehouses and self-storage units, and auto repair and car washes.

The Planning Commission voted on amending the Zoning Ordinance to add additional prohibited uses to the Design Overlay Districts at the Planning Commission meeting on November 18, 2019.

## Recommendation

Planning Commission recommends Council approve Second Reading of an Ordinance amending Section 6.10 Design Overlay District of the Zoning Ordinance to add additional prohibited uses to the City's Design Overlay Districts.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )  
CITY OF CAYCE )

**ORDINANCE 2019-23**  
**Amending the Zoning Ordinance**  
**Section 6.10 Design Overlay District to**  
**Add Language Concerning Prohibited**  
**Uses in the City's Overlay Districts**

**WHEREAS**, Council has determined that it is in the best interest of the public to amend the Zoning Ordinance Section 6.10 Design Overlay District to add language concerning prohibited uses in the Overlay Districts; and

**WHEREAS**, the Planning Commission held a regularly scheduled public hearing on this request to receive comments from the public; and

**WHEREAS**, the Planning Commission met on November 18, 2019, to review public comments and vote on recommending the amended Section 6.10 Design Overlay District, of the Cayce Zoning Ordinance, and decided that they do recommend this amendment as shown on the attached document,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Cayce, in Council, duly assembled, that Section 6.10 Design Overlay District is hereby amended as shown on the attached document.

This Ordinance shall be effective from the date of second reading approval by Council.

**DONE IN MEETING DULY ASSEMBLED**, this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Elise Partin, Mayor

Attest:

\_\_\_\_\_  
Mendy Corder, CMC, Municipal Clerk

First Reading: \_\_\_\_\_

Second Reading and Adoption: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

## Section 6.10-3 Uses

### 1) **Knox Abbott Drive Design Overlay District and 12<sup>th</sup> Street Extension Design Overlay District**

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- a. Permitted Uses. Unless specifically prohibited by Section 6.10-3.1.b, the uses permitted within the underlying zoning district shall apply.
- b. Prohibited Uses
  - i. Truck (stops) and freight terminals
  - ii. Billboards
  - iii. Outdoor sales and storage lots, including, but not limited to, vehicular, boat, trailers, recreational vehicles, campers, manufactured homes, flea markets, furniture, lumber, scrap metal and salvage operations
  - iv. Sexually oriented businesses, night clubs and drinking places (bars and lounges)
  - v. Communication towers and antennas, with the exception of small wireless facilities as defined in Article 12
  - vi. Pawn shops, consumer cash lending secured by personal property
  - vii. Kennels
  - viii. Check cashing services
  - ix. Fireworks sales, temporary and permanent
  - x. Electronic cigarette stores
  - xi. Mini warehouses and self-storage units
  - xii. Auto repair and car washes

### 2) **I-77 Gateway Design Overlay District**

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- a. Permitted Uses. Unless specifically prohibited by Section 6.10-3.2.b, the uses permitted within the underlying zoning district shall apply, in addition to the following:
  - i. Residential- single-family and multi-family
  - ii. Light Industrial, commercial, office and institutional, public administration, and rural
- b. Prohibited Uses
  - i. Any use which emits an obnoxious odor, noise, or sound which can be heard or smelled outside of any building or structure
  - ii. Any operation primarily used as a distilling, refining, smelting, or mining operation
  - iii. Any trailer court, labor camp, junkyard or stockyard provided, however, this prohibition shall not be applicable to the temporary use of construction trailers during periods of construction, reconstruction, or maintenance or the use of office and administrative trailers in connection with the marketing of lots or condominium units for sale
  - iv. Any dumping, disposing, incineration, or reduction of garbage; provided however, this prohibition shall not be applicable to garbage compactors located near the rear of any building or any other approved location

- v. Any use involving selling or exhibiting pornographic materials or illicit drug-related paraphernalia
  - vi. Any use involving selling the exhibition, either live or by other means to any degree, of nude or partially nude dancers or wait staff
  - vii. Any massage parlors or similar establishments
  - viii. Billboards
  - ix. Pawn shops, consumer cash lending secured by personal property
  - x. Check cashing services
  - xi. Kennels
  - xii. Outdoor sales and storage lots, including but not limited to vehicular, boat, trailers, recreational vehicles, campers, manufactured homes, flea markets, furniture, lumber, scrap metal, and salvage operations
  - xiii. Mobile homes and mobile home parks
  - xiv. Fireworks sales, temporary and permanent
  - xv. Electronic cigarette stores
  - xvi. Mini warehouses and self-storage units
  - ~~xiii-xvii.~~ Auto repair and car washes
- c. Conditional Uses
- i. Communication Towers and Antennas are permitted as a conditional use in accordance with Article 7, Section 7.8.

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3) **Arts Design Overlay District**

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- a. Permitted Uses. Unless specifically prohibited by Section 6.10-3.3.b, the uses permitted within the underlying zoning district shall apply, in addition to the following:
- i. Single-family detached residences
  - ii. Accessory apartments permitted as part of a single family detached residence or as an accessory to a business permitted in the overlay district.
  - iii. Duplexes.
  - iv. Artisan-level production. The shared or individual use of hand-tools, mechanical tools, and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Uses include: electronic goods, woodworks, food and bakery products, beverages, printmaking, leather products, jewelry and clothing/apparel, metal work, furniture, glass or ceramic production, and paper manufacturing.
  - v. Neighborhood commercial (C-2) uses.
  - vi. The following Accessory uses to primary single-family residential uses are exempt from the home occupation requirements of Sec. 7.7:
    - a) Real estate
    - b) Financial consulting
    - c) Art studios
    - d) Schools/classes less than 5 students per class
    - e) Home health care services

- f) Personal care services.
- vii. Specialty and/or boutique furniture and home furnishing stores including bath, kitchenware, chinaware, linen, electric lamp/lighting, glassware and housewares.
- viii. "Brewpub" primarily being an eating and drinking establishment with a small brewery on the premises which produces beer, ale, or other malt beverage and where the majority of the beer produced is consumed on the premises, but also allows "brewpub" to sell its products at retail for off-site consumption.
- ix. Specialty and/or boutique wine and craft beer shops that allow for on-site and off-site consumption.
- b. Prohibited Uses
  - i. Pawn shops and consumer cash lending secured by personal property
  - ii. Sexually-oriented businesses
  - iii. Communication towers and antennas, with the exception of small wireless facilities as defined in Article 12
  - iv. Billboards
  - v. Kennels
  - ~~vi.~~ Check cashing services
  - ~~vii.~~ Fireworks sales, temporary and permanent
  - ~~viii.~~ Electronic cigarette stores
  - ~~ix.~~ Mini warehouses and self-storage units
  - ~~x.~~ Automotive oil change and lubrication shops

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# Memorandum

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**To:** Mayor and Council

**From:** Tracy Hegler, City Manager  
Jim Crosland, Assistant City Manager

**Date:** December 11, 2019

**Subject:** Temporary Moratorium on Certain New Residential Developments

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## Issue

Council's approval is needed for the Second Reading of an Ordinance to establish a Temporary Moratorium on applications, and the administrative processing of such applications, for new large scale single-family residential subdivisions of fifteen or more residences, and new large scale multi-family residential (including rental or owner-occupied apartments or condominiums) complexes of more than four living units in the City.

## Discussion

The City of Cayce finds itself in a time of potential rapid development. It would be beneficial for the operations of the City, and beneficial for the promotion of the public interest in orderly and prudent development of the City, for the City to undertake a study of the consequences and impact of planned and unplanned large scale residential growth in and around the City.

A temporary moratorium of 180 days on the applications of residential developments would be helpful, while the study is being undertaken. Specifically, the moratorium would suspend the acceptance, receive, processing and granting of applications related to the development of construction of:

- single-family residential subdivisions of fifteen (15) residences or more, and
- multi-family residential housing, including rented or owner-occupied apartments or condominium units, of four or more living units (except in a planned development district.)

If approved, staff would solicit the services of a housing expert or related consultant to aid in the preparation of the study.

## Recommendation

Staff recommends that City Council approve the Second Reading of an Ordinance to establish a Temporary Moratorium on applications, and the administrative processing of such applications, for new large scale single-family residential subdivisions of fifteen or more residences, and new large scale multi-family residential (including rental or owner-occupied apartments or condominiums) complexes of more than four living units in the City.

STATE OF SOUTH CAROLINA )  
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COUNTY OF LEXINGTON )  
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CITY OF CAYCE )  
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**ORDINANCE 2019-24**

**Establishing a Temporary Moratorium  
on Applications and Administrative  
Processing for Approval of Certain  
Large Scale Single-Family Residential  
Subdivisions and Multi-Family  
Residential Complexes**

**WHEREAS**, the City Council determines and finds that it would be beneficial for the operations of the City, and beneficial for the promotion of the public interest in orderly and prudent development of the City, for the City to undertake a study of the consequences and impact of planned and unplanned large scale residential growth in and around the City; and

**WHEREAS**, the Council further determines and finds that the benefits and effectiveness of such a study will be aided and facilitated by a temporary moratorium on applications, and the administrative processing of such applications, for new large scale single-family residential subdivisions of fifteen or more residences, and new large scale multi-family residential (including rental or owner-occupied apartments or condominiums) complexes of more than four living units in the City; and

**WHEREAS**, the Council further determines and finds that a period of one hundred eighty (180) days in duration is the minimum reasonable time needed to undertake and complete the study contemplated by the Council; and

**WHEREAS**, the Council believes and finds that it is appropriate to establish, by this Ordinance, a temporary moratorium period of one hundred eighty (180) days on the acceptance, processing, and grant of any approvals, permits or permissions, as described below,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Cayce, in Council, duly assembled, as follows:

1. All activities by the City, including City staff and any of the City's agents or boards or commissions, in connection with the acceptance, review, processing and granting of applications for approvals, permits or permissions related to the development or construction of (a) single-family residential subdivisions of fifteen (15) residences or more, and (b) multi-family residential housing, including rented or owner-occupied apartments or condominium units, of four or more living units (except in a planned development district), are temporarily suspended in order for the City, through its officials and staff and any other agents or contractors, to have adequate time and opportunity to study, analyze, and make recommendations to the Council concerning the consequences and impact of planned and unplanned large scale residential growth in and around the City. Applications, of sufficient form and content as

determined by the City, received by the City prior to the date of adoption of this Ordinance, may be reviewed and processed by the City.

2. This temporary suspension or temporary moratorium shall remain in effect for one hundred (180) days from the effective date of this Ordinance when it shall terminate.
3. The Council, by subsequent Ordinance, may extend the temporary suspension and temporary moratorium for a further time period upon appropriate findings.

This Ordinance shall become effective from its adoption on second and final reading.

**DONE IN MEETING DULY ASSEMBLED**, this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Elise Partin, Mayor

Attest:

\_\_\_\_\_  
Mendy Corder, CMC, Municipal Clerk

First Reading: \_\_\_\_\_

Second Reading and Adoption: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney