



Minutes
Sumter County Council
Regular Meeting
Tuesday, September 22, 2020 -- Held at 6:00 p.m.
Patriot Hall - Auditorium
135 Haynsworth Street, Sumter, SC

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**Council members and the public will be required to wear a face mask
and have temperatures checked upon arrival. Social Distancing is also required.**

COUNCIL MEMBERS PRESENT: James T. McCain, Jr., Chairman; James Byrd, Jr. Artie Baker, Eugene R. Baten, Charles T. Edens, and Vivian Fleming McGhaney.

COUNCIL MEMBERS ABSENT: Chris Sumpter

STAFF MEMBERS PRESENT: Gary Mixon, Denise McLeod, Helen Roodman, Lorraine Dennis, David Shadoan, David Shoemaker, Johnathan Bryan, Keysa Rogers, and Joe Perry.

MEMBERS OF THE PUBLIC PRESENT: Approximately ten members of the public were in attendance.

MEDIA PRESENT: The Item, Shelbie Goulding

CALL TO ORDER: Chairman James T. McCain, called the meeting to order.

INVOCATION: Councilwoman Vivian Fleming McGhaney gave the invocation.

PLEDGE OF ALLEGIANCE: Everyone in attendance repeated the Pledge of Allegiance to the American Flag.

APPROVAL OF AGENDA: Regular Meeting Tuesday, September 8, 2020
Chairman McCain asked for a motion to move the Executive Session item under #8 New Business to #12 after the County Administrator report to discuss a personnel matter.

ACTION: MOTION was made by Councilman Edens, seconded by Councilman Baker, and unanimously carried by Council to approve the agenda as amended.

APPROVAL OF MINUTES: Chairman McCain said he would entertain a motion to take action on the approval of County Council Regular minutes held on August 25, 2020.

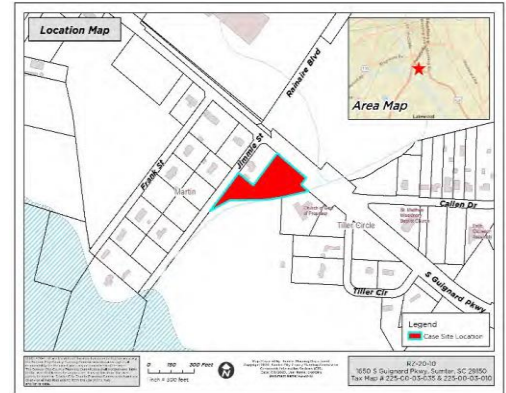
ACTION: MOTION was made by Councilman Baten, seconded by Councilman Byrd, and unanimously carried by Council to approve the minutes as presented.

LAND USE MATTERS AND REZONING REQUESTS:
Planned Development/Rezoning Requests

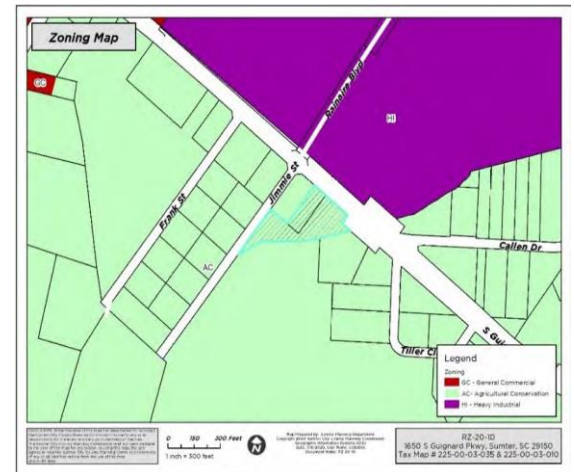
NOTE: *RZ = Rezoning Of Property As Applicable In Sumter County Zoning and Development Standards*
 OA = Ordinance Amendment As Applicable In Sumter County Zoning and Development Standards

(1) RZ-20-10 - 1650 S. Guignard Pkwy. - (County) - Second Reading/Public Hearing - A Request To Rezone Two Parcels Totaling +/-2.2 Acres Of Land From Agricultural Conservation (AC) To Limited Commercial (LC). The Property Is Located At 1650 S. Guignard Pkwy. And Is Represented By Tax Map #'s 225-00-03-010 & 225-00-03-035.

Mrs. Roodman introduced this rezoning request to Council for second reading approval. She stated that the applicant and property owner, Mr. Raymond Smith, is requesting to rezone two parcels totaling +/- 2.2 acres from Agricultural Conservation (AC) to Limited Commercial (LC). Mr. Smith purchased the property in June of this year with the intent of developing a car stereo retail sales and installation use on the site. The applicant intends to partner with Morris College to provide training and internship opportunities as a significant portion of their business staffing plan. At this time, it is the Planning staff's understanding that a +/- 4,800 sf metal building with brick veneer on the front is being proposed on the property. The subject parcels are located on the south side of S. Guignard Pkwy. (US Hwy 521) near its intersection with Jimmie St. and Raniaire Blvd., as shown on the location map.



The proposed use of the site falls under *Standard Industrial Classification (SIC) Code 5731 -Radio, Television, and Consumer Electronic Stores*. The proposed use is a Conditional-500 (C-500) use in the AC zoning district. As a part of the Conditional-500 use review process, the applicant must obtain consent signatures from at least 67% of property owners and tenants within 500 ft. of the development and meet all other general conditional use criteria outlined in *Article 5.b.1.a - 5.b.f* of the *Sumter County - Zoning & Development Standards Ordinance*. The applicant has submitted a conditional use application concerning the use on the site but is concerned about obtaining consent signatures as required by the C-500 process. The proposed use is a by-right permitted use in the Limited Commercial (LC) district.



Based on review of the subject property, if the two parcels subject to this request are combined in one property, there is sufficient land area to construct a +/- 4,800 sf commercial building and meet basic development standards within the LC or AC zoning districts.

The property is not located in regulated Special Flood Hazard Area (SFHA) per FEMA Firm Panel: 45085C0313D Effective Date: 2/16/2007.

The site is in close proximity to a blue line stream as shown on USGS topographic maps, and predominately within areas identified to be wetlands per National Wetland Inventory (NWI) data available through the US Fish and Wildlife Service. The NWI is used to identify likely locations of wetland areas, the actual delineation of wetlands boundaries must be performed by a qualified professional. The jurisdictional status of any such wetlands must be determined by the US Army Corps of Engineers.

Per information from the Soil Survey of Sumter, South Carolina prepared by the USDA Natural Resources Conservation Service (NRCS) and Sumter County GIS data, the soil type that covers most of the subject property is Rains Sandy Loam. This soil type is considered hydric and may be permanently or seasonally saturated by water. Hydric soils are a primary characteristic of wetland areas.

At some point in time, a drainage canal was constructed along the eastern border of the subject property. Staff does not have sufficient information at this time to determine how this drainage feature may impact the overall develop ability of the site.

The site can be served by public water provided through the City of Sumter. Sewer is currently unavailable to the site but is located in close proximity. Sewer service provision would require an extension of main lines and potentially the installation of a lift system. These improvements would have to be coordinated with the City of Sumter Utility Department with improvement costs borne by the developer. If sewer is unable to be provided to the property, a private septic system would have to be installed. Private septic systems are approved by SC DHEC.



As shown in the 2040 Land Use Map, the property is located within the Suburban Development planning area and is influenced by the Priority Commercial Corridor designation. The primary goal of the Suburban Development planning area is to scrutinize and manage existing development patterns, identify appropriate locations for new commercial and industrial development, to focus on improvements to the form and design of new development, and to ensure that land is developed in an orderly and efficient manner.

Mrs. Roodman stated that the Planning staff recommends approval of this request to rezone +/- 2.2 acres of property from Agricultural Conservation to Limited Commercial, a less intense commercial designation as well as supported by the 2040 plan and the existing pattern of development.

The Chairman convened a public hearing and asked if anyone would like to speak in favor of or opposition to this rezoning request.

The following persons spoke during public hearing

- Jimmy Golden spoke in opposition to the rezoning request. He stated that he resides next to this property. He questioned how wetland property can be developed into commercial property. Mrs. Roodman stated that the map indicates there may be wetlands on the property. The owner would have to go through a delineation process with the Corps of Engineers for a determination on jurisdictional wetlands. A wetlands consultant would have to do a wetlands delineation on the property to verify if the conditions still exist and then submit findings to the Corps of Engineers for a determination on jurisdictional status. If the property is non-jurisdictional wetlands then the Planning Commission would go through their development process to determine how much of the property can be developed. The Planning Commission does not currently have enough information to know if the property is developable.

Mr. Golden asked how his taxes would be affected by this new construction. Mrs. Roodman stated that the development of this property should have no impact on his property taxes, as his

property taxes are based on how it is currently used. Mr. Golden also added that constructing this stereo business is another recipe for crime in the neighborhood.

- **Jacqueline Wright Williams** spoke in opposition to this rezoning request. She resides at 1410 Jimmie Street, behind the Golden's residence. She does not think it is a good idea to construct a stereo business because we already have break-ins and a car stereo business is what the young people are looking for, therefore, it is not a good opportunity in our neighborhood.
- **Raymond Smith**, applicant and owner, spoke in favor of this rezoning request. He would like to see this request granted in conjunction with the 2040 Comprehensive Plan Rezoning for this corridor. Mr. Smith stated crime shouldn't be an issue as he will have security in place. He stated that he intends to build the facility to partner with Morris College for training and internship opportunities for students.

The Chairman allowed Council members to ask the applicant questions.

Councilman Edens asked Mr. Smith if he currently has a business of this nature. Mr. Smith replied that he currently owns the stereo shop around the corner, and purchased this property to expand and offer additional services.

Councilman Baker asked if there will be a lot of noise from this business. Mr. Smith replied that he typically tries keeping the noise at a minimum. He added, the reason for additional space is to contain any stereo testing noise. Of course we have to take into consideration the nearby churches and residences, and we do not intend to have any noise after 7-8 o'clock, especially on Sundays, but there could potentially be noise.

Councilman Baker stated that he would like there to be a wetlands study to know if and how much of the property can be developed prior to approving the rezoning request.

Mr. Smith stated to have a complete topographical survey, the wetlands delineation, etc. would cost approximately \$12,500. It would not be in his best interest to invest this much capital into the property before knowing the outcome of my request.

Councilwoman McGhaney stated that Council has the propensity to want to please everyone, but she cannot support this rezoning request. She apologized to the applicant, and stated that she hopes he could find a place to follow his dreams and find a more community friendly operation to place on this property.

Councilman Edens inquired if this request is denied, this same request cannot come back for a year? Mrs. Roodman stated it can come back with a different zoning request. Councilman Edens is not in favor of this property being rezoned Limited Commercial.

After all comments, the Chairman of County Council closed the public hearing and stated that he would entertain a motion for second reading for this rezoning request.

ACTION: Motion was made by Councilwoman McGhaney to deny second reading, seconded by Councilman Baten, and unanimously approved by Council to deny second reading for this rezoning request as presented.

- (2) **RZ-20-12 - Corner Of Patriot Parkway & Deschamps Rd. - (County) - Second Reading/Public Reading - A Request To Rezone A Parcel Totaling +/- 2.00-Acre Portion Of A Tract From Agricultural Conservation (AC) To Limited Commercial (LC). The Property Is Located On The Corner Of Patriot Parkway and Deschamps Road And Is Represented By Tax Map #184-00-01-009 (part).**

Mrs. Roodman introduced this rezoning request to Council for second reading approval. She stated that the applicant, J. H. Seale and Son, represented by Louis Tisdale, Black River Land Services, is requesting to rezone a 2.00-acre portion of an overall 7.2-acre tract from Agricultural Conservation (AC) to Limited Commercial (LC). The applicant is requesting this rezoning in order to facilitate development of a future gas station and convenience store project on the site. The site is currently undeveloped. The proposed rezoning covers a 2.0-acre portion of a 7.2 acre tract. If this rezoning is successful, the remaining 5.2 acres will continue to be zoned Agricultural Conservation (AC).



The properties to the north and west of the subject property are zoned Agricultural Conservation (AC). The area to the east is zoned Residential Multi-Family (RMF). The area to the south is zoned small-lot Residential (R-6). The primary purpose of the AC zoning district is to preserve areas that are currently rural or agricultural in use. The subject parcel consists of planted pine trees. AC zoning primarily permits low density residential development as well as low density commercial development centered on small scale neighborhoods serving commercial uses.

The subject property is influenced by the Sumter County Highway Corridor Protection District (HCPD), a design review overlay district that influences exterior appearance of structures and other site development requirements. Any commercial or industrial development that would occur on site would be required to comply with the corresponding design and form guidelines in the HCPD.

The proposed use of the site after rezoning is for a convenience store with accessory gasoline pumps (SIC 531), which is a permitted use in the Limited Commercial Zoning District.

The property is located within the Priority Commercial Mixed-Use Area. Priority Commercial Mixed-Use Area designation offers opportunity to direct future, high quality commercial and mixed-use development. These areas include anticipated green fields such as the Sumter West area along Patriot Parkway, as well as established locations expected to redevelop with higher and better uses over time. As set forth in the broader suburban policies, continued commercial development is expected along major corridors. Priority locations are designated for protection against undesirable uses such as industrial, automotive repair, or uses primarily engaged in outdoor storage. These locations encourage both destination retail commercial uses and neighborhood commercial uses as appropriate. Design, layout, impact on adjacent properties, landscaping, and architecture all play a vital role in determining context viability.

This site is just west of the Sumter West Planned Development. The Limited Commercial (LC) zoning district, by definition, permits commercial development along major streets while promoting land use compatibility by limiting the type and conditions of development. Rezoning to a commercial designation is supported by the plan. The broader policy implications related to design and aesthetics must be evaluated at time of site planning regardless of the end use/user.

Patriot Parkway (SC-441) is an SCDOT owned two-lane roadway. It is functionally classified as a minor arterial road. The 2019 annual daily trip count (AADT) for Patriot Parkway was 10,600 vehicles. Deschamps Rd. (S-983) is an SCDOT owned two-lane roadway. It is functionally classified as a minor arterial road. The 2019 annual daily trip count (AADT) for Deschamps Rd. was 2,900 vehicles. The

intersection is unsignalized, with Patriot Parkway having right-of-way. The site is located in Traffic Analysis Zone (TAZ) #17011.

The SUATS 2045 Long Range Transportation Plan calls for a roadway widening on this section of Patriot Parkway. However, this project is not included in the fiscally constrained portion of the plan and is rather left to the vision element. The LRTP also calls for improvement of bicycle and pedestrian facilities along the Patriot Parkway corridor, including improvement of both Patriot Parkway and Deschamps Rd for bicycle use as well as extension of an existing paved multi-use path from its current terminus at Lisbon Dr. to US-378, which would cross the subject parcel.

Any proposed development at the subject property will have its transportation impacts evaluated at time of site plan approval with appropriate mitigation measures imposed as needed.

Mrs. Roodman stated that the Planning staff recommends approval of this request to rezone 2.0 acres of property from Agricultural Conservation to Limited Commercial as it is consistent with the 2040 Land Use Plan. Also it is at the intersection of two minor arterial roadways and the development pattern surrounding the property does support this type of use and request.

The Chairman convened a public hearing and asked if anyone would like to speak in favor of or opposition to this rezoning request. No one spoke to this issue. Therefore, the Chairman closed the public hearing and Council took action on second reading.

ACTION: MOTION was made Councilman Baker, seconded by Councilman Baten, and unanimously carried by Council to grant second reading approval to this rezoning request as presented.

(3) OA-20-03 - General Merchandise Stores (SIC Code 53) In The Limited Commercial (LC) & Neighborhood Commercial (NC) Districts (County) - (20-936) - Second Reading/Public Hearing - Amend Article 3, Section 3.g.3: Conditional Uses (NC), Article 3, Section 3.h.3: Conditional Uses (LC), Article 3, Exhibit 5: Permitted & Conditional Uses In The Commercial, Industrial, And Conservation Districts, And Article 5, Section 5.b.1: Criteria For Review In Order To Provide Different Size Classifications For General Merchandise Stores Uses (SIC Code 53) And To Allow General Merchandise (SIC Code 53) Stores Uses With A Gross Floor Area (GFA) of 11,000 Square Feet Or Less In The NC And LC Districts As Conditional Uses With Specific Conditional Criteria.

Mrs. Roodman introduced this ordinance amendment to Council for first reading approval. The Planning staff is requesting an amendment to the *Sumter County – Zoning & Development Standards Ordinance* (the Ordinance) in order provide two distinct size classifications for general merchandise stores (SIC Code 53) and to include general merchandise stores with a gross floor area (GFA) of 11,000 sf or less as a conditional use within the Neighborhood Commercial (NC) and Limited Commercial (LC) districts. Further, staff has developed specific conditional use criteria that would be applied to such uses in addition to the general conditional use criteria outlined *Article 5, Section 5.b.1.a – Section 5.b.1.f.*

This request is a result of multiple conversations with small general merchandise store chains concerning potential locations within Sumter County. Currently within Sumter County jurisdiction, general merchandise stores are permitted by-right in the General Commercial (GC) district and Central Business District (CBD) districts and are allowed as standard conditional uses in the Light Industrial-Warehouse (LI-W) and Multi Use Industrial (MUI) districts. Conditional-500 (C-500) approval is required in the Agricultural Conservation (AC) district.

General merchandise stores are defined by the Standard Industrial Code Classification Manual under Major Group 53 – General Merchandise Stores as retail establishments which sell a number (multiple) of lines of merchandise, such as dry goods, apparel and accessories, furniture and home furnishings, small wares, hardware, and food. Types of retail establishments included within this definition include department stores, variety or discount stores, and general stores. This definition includes “big box” retailers such as a Wal-Mart, Target, Sears, Big Lots, etc. and also includes retail establishments with a smaller development footprint such as Dollar General, Family Dollar, Dollar Tree, Fred’s, as well as locally owned and operated general merchandise stores.

Under the parameters of the current Ordinance, uses under SIC Code 53 are only permitted in zoning districts that allow the most intensive commercial uses or in districts where they are subject to conditional use review, including C-500 review requiring adjacent property owner and tenant consent signatures in the AC district. They are not permitted by-right, conditionally, or by special exception approval in the NC or LC districts. The current Ordinance makes no distinction concerning the overall size of the use.

Restricting larger regional serving “big box” retailers, as well as other medium sized general merchandise store retail establishments, from the NC and LC districts is appropriate. These uses generate significant traffic impacts, have longer operational hours, have a much larger development footprint, and generally need access from high traffic arterial roadways. However, smaller sized establishments within the SIC Code 53 classification do not have the same level of trip generation, are more local or neighborhood serving, and have impacts similar to other retail uses already permitted in the NC and LC districts.

Staff is proposing that general merchandise stores with 11,000 sf of GFA or less be included as conditional uses, not by-right permitted uses, in order to mitigate potential conflicts with less intensive land uses. The NC district is intended to meet the commercial and service needs generated by nearby residential development. Goods and services normally available in this district are of a “convenience variety”, and the size of the district should relate to the surrounding residential market areas. The LC district is intended to accommodate commercial development along major streets, while promoting land use compatibility by limiting the type and conditions of development. These zoning districts are intended to either serve nearby residential areas or to serve as a buffer between residential areas and zoning districts that permit more intensive uses. As such, these districts are immediately adjacent to residential or less intensive zoning districts in many instances. Therefore, an additional level of review with specific conditions relating to site access, landscaping, commercial dumpster enclosures, and site exterior lighting are appropriate for consideration.

All conditional uses must meet the general conditional use criteria outlined in Article 5, Section 5.b.1.a – Section 5.b.1.f, as follows:

- a) That ingress and egress to the proposed use be provided with reference to automotive and pedestrian safety and convenience, traffic generation flow and control, and access in case of fire or catastrophe, such as not to be detrimental to existing or anticipated uses, either adjacent to or in the vicinity of the proposed use;
- b) The off-street parking and loading areas, where required or proposed by the applicant, be designed and provided in harmony with adjacent properties;
- c) That refuse and service areas be adequately screened so as not to be visible from adjacent property or public rights-of-way and shall be located in such a way as not to create a nuisance to adjacent properties;

- d) That screening, buffering or separation of any nuisance or hazardous feature be provided with reference to type, dimensions and character, and be fully and clearly represented on the submitted plans, to protect adjacent properties;
- e) That proposed signs and exterior lighting be provided so as not to create glare, impair traffic safety, or be incompatible with adjacent properties;
- f) That the affected site shall be suitable in terms of size, shape and topographic conditions to accommodate the proposed use, building or project and to insure compatibility and the safety and welfare of area residents.

In addition to the standard conditional use criteria, staff is proposing specific conditions applicable to SIC Code 53 uses that have 11,000 sf of GFA or less in size in the NC and LC districts. Major conditions are discussed in more detail in the paragraph below:

- Site Access - Site access is specifically limited to no more than one (1) access per street frontage. Under current applicable development standards, non-residential uses in commercial districts can have two site accesses per street frontage, provided there is more than a 150 linear feet (lf) of street frontage.
- Landscaping – Specific plantings requirements included where property is adjacent to the street and adjacent to residential, commercial, office, agricultural, and industrial type uses. Further, conditions are included for parking lot landscaping and mechanical irrigation to promote healthy plant growth.
- Dumpster Enclosure – An opaque enclosure consisting of either masonry, stucco, or vinyl exterior materials on three (3) sides of the dumpster is required. An opaque gate is required for the open side of the enclosure. Wood exterior materials are not permitted.
- Exterior Lighting – Submittal of an exterior lighting plan is required. Exterior lighting must use either “Full Cut Off” or “Fully Shielded” fixtures. Light spill over to adjacent non-residential property shall not exceed 0.1 foot-candles and light spill over to adjacent residentially used property shall not exceed 0.05 foot-candles. Exterior lighting conditions were developed using the “Guidelines for Good Exterior Lighting Plans” prepared by the Dark Sky Society as guidance.

Proposed Text Amendment

The proposed amendments would impact the following sections:

1. Amend *Article 3, Section 3.g.3. Conditional Uses* to include general merchandise stores (SIC Code 53) with a GFA of an 11,000 sf or less as a conditional use within the NC district.
2. Amend *Article 3, Section 3.h.3. Conditional Uses* to include general merchandise stores (SIC Code 53) with a GFA of an 11,000 sf or less as a conditional use within the LC district.
3. Amend *Article 3, Exhibit 5: Permitted and Conditional Uses in the Commercial, Industrial, Agricultural, and Conservation Districts* in order provide two distinct size classifications for general merchandise store uses (SIC Code 53), specifically stores that have 11,000 sf of GFA or less and stores that have more than 11,000 sf of GFA. Additionally, show general merchandise stores (SIC Code 53) with 11,000 sf of GFA or less as conditional uses in the NC and LC districts.
4. Amend *Article 5, Section 5.b.1. Criteria for Review* in order to add specific conditions for general merchandise stores (SIC Code 53) with an 11,000 sf of GFA in the NC and LC districts. Proposed conditions are outlined below:
 - All conditional use criteria outlined in Article 3, Section 5.b.1.a thru 5.b.1.f. shall be met.
 - All other applicable requirements of this Ordinance shall be met.
 - Access – Site access shall be limited to one access driveway per street frontage.
 - Landscaping – Site landscaping shall consist of at least the minimum features outlined below:

- Street bufferyard planting area that is 10 foot in width and consists of three (3) canopy trees and twenty (20) shrubs per one hundred (100) linear feet (lf).
- Where a property is adjacent to a residential use – Bufferyard planting area that is 15 foot in width and consists of a mixture of canopy trees, evergreen trees, and tall shrubs capable of achieving a six (6) foot opaque screen within three (3) growing seasons. An opaque privacy fence can be used to meet this requirement only if such a fence is proposed with plantings that meet Section 5.b.1.o.3.c requirements.
- Where a property is adjacent to vacant, agricultural, religious, commercial, or office uses – Bufferyard planting area that is five (5) foot in width and consists of two (2) canopy trees, two (2) understory trees, and fifteen (15) shrubs per 100 linear feet (lf).
- Where property is adjacent to industrial uses – Bufferyard planting area that is ten (10) foot in width and consists of a mixture of canopy trees, evergreen trees, and tall shrubs capable of achieving a six (6) foot opaque screen within three (3) growing seasons. An opaque privacy fence can be used to meet this requirement only if such a fence is proposed within plantings that meet Section 5.b.1.0.3.c requirements.
- Parking lot landscape islands that are a minimum of nine (9) feet by seventeen (17) feet in dimension are required at the end of each parking space row where such a row is not adjacent to a perimeter landscape and are required throughout a parking area in sufficient number that there are no more than fifteen (15) parking stalls between parking lot landscape islands. Each parking lot landscape island shall contain a minimum of one (1) canopy tree and three (3) shrubs.
- All landscaped areas are required to have an irrigation system that ensures that all plant materials and landscaped areas are watered on a regular basis. Irrigation systems shall not be installed to water inside retention areas or storm water facilities. All components of irrigation systems shall be maintained in proper working order.
- Existing trees may be retained to achieve landscaping requirements. Existing trees to be retained must be shown and identified by species and diameter at breast height (DBH) measurement on landscape plans.
- Dumpster Enclosure – All exterior dumpsters or exterior garbage containers (excluding containers or groups of containers with a combined capacity of less than six cubic yards) shall be screened on three (3) sides by an opaque enclosure consisting of masonry, stucco, or vinyl exterior materials. Such enclosures are required to have an opaque gate for the open side of the enclosure. No portion of the enclosure or gate shall consist of wood exterior materials. The average height of the enclosure shall be one (1) foot more than the height of the container but shall not be required to exceed eight (8) feet in height.
- Exterior Lighting –
 - An exterior lighting plan consisting of the following features of at minimum the following features is required:
 - Location of all exterior lighting on the site
 - Maximum illuminance levels expressed in foot-candle measurements on a grid of the site showing foot-candle readings in every five (5) or ten (10) foot squares. The grid shall include light contributions from all exterior sources and shall show foot-candle reading five (5) feet beyond the property lines.
 - “Full Cut Off” or “Fully Shielded” exterior light fixtures are required.
 - Light Spill over to adjacent non-residential property shall not exceed 0.1 foot candles. Light spill over to adjacent residentially used property shall not exceed 0.05 foot-candles.

Mrs. Roodman stated that the Planning staff recommends approval of this ordinance amendment. Smaller general merchandise stores do not have the same impacts as larger “big box” retailers serving a regional market or medium sized retailers serving significant portions of a jurisdictional area. Such uses, with a GFA of 11,000 sf or less, will typically serve neighborhood scale markets and have impacts that are equivalent to other retail uses already permitted in these districts. However, given the purpose of these districts, there is an increased likelihood of proximity to less intensive zoning districts and an increased potential for conflict with such district. Therefore, specific conditional use criteria are recommended to mitigate any such conflict.

Councilman Byrd stated that he has reservations concerning landscaping verbiage in this ordinance as Sumter County already has a landscaping ordinance.

Mrs. Roodman stated that generally with conditional use review items, we ask for specific review standards. The Planning staff has taken the opportunity to spell out exactly what type of buffering and screening are required for a particular use for compatibility purposes. This only applies to this particular use classification in these two particular districts. It doesn’t apply to any other zoning districts or any other uses.

Councilman Edens asked if every district had its own landscape requirements. Mrs. Roodman stated that the Planning Commission has a landscaping standard for the entire County in Article 8 of the Zoning Ordinance. This clearly spells out landscaping expectations for this use in the zoning districts as a conditional use review. This will not modify the landscaping ordinance for rest of the County.

The Chairman convened a public hearing and asked if anyone would like to speak in favor of or opposition to this ordinance amendment. No one spoke to this issue. Therefore, the Chairman closed the public hearing and Council took action on second reading.

ACTION: MOTION was made Councilman Edens, seconded by Councilman Baker, and unanimously carried by Council to grant second reading approval to this ordinance amendment as presented.

PUBLIC HEARINGS: None

NEW BUSINESS:

- (1) It May Be Necessary To Hold An Executive Session To Discuss An Employment Matter, An Economic Development Matter, A Legal Briefing, Or Other Matters Pertaining To An Executive Session, And Take Appropriate Actions Thereafter If Required.**

This item has been moved to #12 for action after the County Administrator’s report

OLD BUSINESS: None

COMMITTEE REPORTS:

- Fiscal, Tax, and Property Committee Meeting March 24, 2020, 5:30 p.m. at Patriot Hall – Band Room, 135 Haynsworth Street, Sumter, SC (McCain, Edens, McGhaney) (Note: This meeting will begin immediately after the conclusion of the Forfeited Land Commission Meeting scheduled at 5:15 p.m. in Patriot Hall’s Band Room.)**

The Chairman of the Committee, James T. McCain, stated all Committee members were in attendance. The Committee received information on two economic development issues. No action was taken.

2. Report From Council Members On Other Meetings, Trainings, And/Or Conferences.

Councilman Baten that he attended the Veteran’s Upward Bound program sponsored by Central Carolina Technical College. This is a program that consists of 125 veterans who seek counseling and help, as well as any training and additional education. Every month the veterans converse “Vet Talk” and 40-50 members meet to discuss various issues, 75% of this group are African-American.

Councilman Baten stated that black citizens continue to die at a disproportionate rate. The Sumter County Coroner reports 56 deaths due COVID-19, however SCDHEC reports 77 deaths. Black people make up just 27% of the South Carolina population, but accounts for 46% COVID-19 deaths. In Sumter County black citizens make up 49% of the population, shamefully they account for 76% of deaths in Sumter County. Every four citizens who died from COVID-19, three are African-Americans.

Councilman Baten further stated that this is shameful because Sumter County Council members have the authority to reduce the number of COVID-19 deaths by passing a mask ordinance similar to the mask ordinance approved by Sumter City Council members. Councilman Baten also stated that Mayor McElveen published an article in The Item, August 29, 2020, about the significant difference in the infection rate of counties with mask ordinances, a 15% decrease; counties without a mask ordinance, a 30% increase. Councilman Baten quoted Mayor McElveen “.....*I am going to once again request that the members of Sumter County Council approve a masked mandate ordinance.*”

Councilman Baten stated for the record, the veterans that have served in the military, they are American Patriots, they are not Suckers.

MONTHLY REPORTS

- SCSO Detention Center August Report

COUNTY ADMINISTRATOR’S REPORT

- Mr. Mixon, the County Administrator, updated Council on COVID-19 cases in Sumter County. According to SCDHEC we currently have 3,145 cases in Sumter County, an increase of 227 cases – 16 per day from our last meeting. Two COVID-19 deaths since last meeting; one black female and one white female. Out of the 57 COVID-19 deaths in Sumter County, seven deaths are veterans which represents 12%.
- Remnants of Hurricane Sally dropped over six inches of rain in Sumter County according to the weather service. This was the largest amount of rain in the State of South Carolina per any county. We had three tornado warnings during the day. According to the weather service we had one tornado touch down near East Brewington Road as an EF-1.
- The Public Works Department has done an excellent job travelling the County roads to identify the worst areas and addressing the issues, and will be doing so for the next few week.
- The Second Mill Dam system did work as designed. The water level increased rapidly and the gates were automatically lifted as much as possible to not flood residents downstream.

- (2) **It May Be Necessary To Hold An Executive Session To Discuss An Employment Matter, An Economic Development Matter, A Legal Briefing, Or Other Matters Pertaining To An Executive Session, And Take Appropriate Actions Thereafter If Required.**

Councilman Edens motioned to enter Executive Session, seconded by Councilman Baker, to discuss a personnel matter and unanimously approved by Council to enter Executive Session.

Once Executive Session was concluded, Councilman Byrd motioned to adjourn Executive Session, seconded by Councilwoman McGhaney, and unanimously approved by Council to adjourn Executive Session and re-enter open session.

ACTION: the Chairman called for a motion from Executive Session. Councilman Baker motioned to extend the County Administrator's contract by an additional two years for a total of five years, seconded by Councilman Baten, and unanimously carried by Council to extend the County Administrator's contract for an additional two years for a total of five years for the contract.

ADJOURNMENT

After all discussions, motion was made by Councilman Edens, seconded by Councilman Baker to adjourn the meeting of Sumter County Council at 7:20 p.m.

Respectfully submitted,

James T. McCain, Jr.
Chairman or Vice Chairman
Sumter County Council

Denise P. McLeod
Acting Clerk to County Council
Sumter County Council

Approved: _____

I certify that public and media notification of the above-mentioned meeting was given prior thereto as follows required by Freedom of Information:

- Public Notified: Yes
- Manner Notified: Agendas posted on bulletin board on third floor of the Administration Building.
- Date Posted: September 4, 2020
- Media Notified: Yes
- Manner Notified: Agenda Information is listed on Sumter County's Home Page, and E-mailed to The Item, The Chamber, WIS-TV, WBTW, and Time Warner Cable.
- Date Notified: September 4, 2020

Respectfully submitted,
Denise P. McLeod
Mary W. Blanding