



Agenda
Sumter County Council
Regular Meeting
Tuesday, October 9, 2018 -- Held at 6:00 PM.
Sumter County Administration Building – County Council Chambers
Third Floor, 13 E. Canal Street, Sumter, SC

1. CALL TO ORDER:

- 1) Chairman Or Vice Chairman Of Sumter County Council

2. INVOCATION: Council Member, Staff, or Member of the Public

3. PLEDGE OF ALLEGIANCE:

4. APPROVAL OF AGENDA: October 9, 2018

5. APPROVAL OF MINUTES: Regular Meeting Held On

- 1) Regular Meeting Tuesday, September 25, 2018

6. LAND USE MATTERS AND REZONING REQUESTS:

- 1) **RZ-18-10 - 4690 Thomas Sumter Hwy. (County) – First Reading** --Request To Rezone +/- 3.91 Acres From General Commercial (GC) And Agricultural Conservation (AC) To Light Industrial-Warehouse (LI-W). The Property Is Located At 4690 Thomas Sumter Highway And Is Represented By Tax Map #151-00-01-014.
- 2) **RZ-18-09 - 2800 Dock Road & 0 Thomas Sumter Hwy. (County) –Third Reading** -- Request To Rezone Two Parcels, Totaling 2.45 Acres, From General Commercial (GC) And Agricultural Conservation (AC) To Agricultural Conservation (AC). The Parcels Are Located At 2800 Dock Road And 0 Thomas Sumter Highway, On The West Side Of Thomas Sumter Highway. The Properties Are Represented By Tax Map #S188-00-01-015 And 188-00-01-107.
- 3) **OA-18-06 - Schools in Commercial Zoning Districts (County) – 18-901 -- Third Reading** -- Request To Amend Article 3, Sections 3.F.3, 3.G.3, 3.H.3, And 3.I.3, And Exhibit 5 To Add Elementary And Secondary Schools With SIC Code 821 To The Professional Office (PO), Neighborhood Commercial (NC), Limited Commercial (LC), And General Commercial (GC) Zoning Districts As A Conditional Use.
- 4) **OA-18-07 - Used Auto Parts Sales (County) -- 18-902 – Third Reading** -- Request To Amend Article 3 Section K: Light Industrial-Warehouse District, Article 3 Section M: Multi-Use Industrial (MUI) District, And Exhibit 5: Permitted And Conditional Uses In The Commercial Industrial, Agricultural, And Conservation Districts Of The Sumter County Zoning & Development Standards Ordinance In Order To Remove The SIC Code 5015 – Used Motor Vehicle Parts Classification As Being A Permitted, Conditional, Or Special Exception Use In All County Zoning Districts Except The Heavy Industrial (HI) District.

7. OTHER PUBLIC HEARINGS:

- 1) None

8. NEW BUSINESS:

- 1) **R-18-04** -- A Resolution To Appoint And Commission Code Enforcement Officers For The Proper Security, General Welfare, And Convenience Of Sumter County. (Action On This Resolution Will Be Deferred Until Council Takes Action On Ordinance 18-900 Listed Under Old Business As Item #2.)
- 2) Approval Of Sumter County Council's Meeting Calendar For Calendar Year 2019.
- 3) Approval Of Sumter County's Employees Holiday Calendar For Calendar Year 2019.
- 4) It May Be Necessary To Hold An Executive Session To Discuss An Economic Development Matter Or A Personnel Matter, Receive A Legal Briefing, Discuss A Contractual Matter, Or Other Matter Pertaining To An Executive Session, And Take Appropriate Actions Thereafter If Required.

9. OLD BUSINESS:

- 1) **18-899 -- Third Reading** -- An Ordinance Authorizing --The Transfer Of Property On Jefferson Road To Becton, Dickinson And Company.
- 2) **18-900 -- Third Reading** -- An Ordinance Authorizing The Appointment Of Code Enforcement Officers By Resolution.

10. COMMITTEE REPORTS:

- 1) Internal Affairs Committee Meeting Held On Tuesday, October 9, 2018, at 5:00 p.m. In County Council's Conference Room.
- 2) Fiscal, Tax, and Property Committee Meeting Held On Tuesday, October 9, 2018, at 5:30 p.m. In County Council's Conference Room.
- 3) **Report From Council Members** On Other Meetings, Trainings, And/Or Conferences; And Any Other Council Comments.

11. MONTHLY REPORTS:

- 1) Sheriff's Department Monthly Report

12. COUNTY ADMINISTRATOR'S REPORT:

13. PUBLIC COMMENT:

14. ADJOURNMENT:

Agenda – Regular Meeting - Sumter County Council

October 9, 2018

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In compliance with ADA/Section 504, Sumter County Is Prepared To Make Accommodations For Individuals Needing Assistance To Participate In Our Programs, Services, Or Activities.

Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda was posted on the bulletin board at the County Administrative Office, 13 East Canal Street, Sumter, SC and the Sumter County website www.sumtercountysc.org under Our Council Agenda/Minutes. In addition, the agenda electronically sent to newspapers, radio stations, television, and concerned citizens



Minutes
Sumter County Council
Regular Meeting
Tuesday, September 25, 2018 -- Held at 6:00 p.m.
County Administration Building -- County Council Chambers
13 E. Canal Street, Sumter, SC

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

COUNCIL MEMBER ABSENT: Eugene R. Baten

STAFF PRESENT: Mary Blanding, Gary Mixon, Johnathan Bryan, Steve Campbell, Lorraine Dennis, Keysa Rogers, George McGregor, Joe Perry, and two Sheriff Deputies – McLeod.

MEDIA PRESENT: The Item – Adrienne Sarvis

PUBLIC PRESENT: Approximately six persons from the public were in attendance.

CALL TO ORDER: Chairman Or Vice Chairman Of Sumter County Council

INVOCATION: Vivian Fleming McGhaney gave the invocation at this meeting.

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

APPROVAL OF AGENDA: Chairman McCain asked the Clerk if there were any changes to the agenda. Mrs. Blanding, stated that there were no changes to the Tuesday, September 25, 2018, agenda. Therefore, the Chairman called for a motion on the approval of the agenda.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant approval of the agenda as presented.

APPROVAL OF MINUTES: Chairman McCain stated that he would entertain a motion concerning the approval of the minutes for September 11, 2018.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant approval of the September 11, 2018, minutes as presented by the Clerk with any grammatical/typographical changes if necessary.

LAND USE MATTERS AND REZONING REQUESTS:

Planned Development/Rezoning Requests

- (2) **RZ-18-09 – 2800 Dock Road & 0 Thomas Sumter Hwy. (County) – Second Reading/Public Hearing) – Request To Rezone Two Parcels, Totaling 2.45 Acres, From General Commercial (GC) And Agricultural Conservation (AC) To Agricultural Conservation (AC). The Parcels Are Located At 2800 Dock Road And 0 Thomas Sumter Highway, On The West Side Of Thomas Sumter Highway. The Properties Are Represented By Tax Map #S188-00-01-015 And 188-00-01-107. (Prior To Action On Second Reading, Council Will Hold A Public Hearing On This Rezoning Request.)**

Mr. McGregor, presented this proposed rezoning request. He stated that the applicant would like to rezone two parcels, totaling 2.45 acres of land from General Commercial-Agricultural Conservation to Agricultural Conservation. The property currently has two types of zoning on each parcel. The applicant hopes to place two

manufacturing homes on this property, and the Planning Commission recommends approval. Mr. McGregor also stated that legal access to the property is located on Dock Road; however, there has been some access from Thomas Sumter Highway which is not legal access. If there is a cut-away done for Thomas Sumter Highway from Dock Road, it would have to be approved by South Carolina Department of Transportation.

After discussion on this matter, the Chairman convened a public hearing on this proposed rezoning request. He asked if anyone wished to speak in favor of or opposition to this proposed rezoning request. No one spoke to this matter, therefore, the Chairman closed the public hearing and Council took action on second reading to this rezoning request.

ACTION: MOTION was made by Vice Chairman Byrd, seconded by Councilman Baker, and unanimously carried by Council to grant second reading approval as presented.

(Note: Councilman Sumpter arrived at the meeting prior to OA-18-06 being presented.)

- (2) **OA-18-06 – Schools in Commercial Zoning Districts (County) – 18-901 – Second Reading/Public Hearing) – Request To Amend Article 3, Sections 3.F.3, 3.G.3, 3.H.3, And 3.I.3, And Exhibit 5 To Add Elementary And Secondary Schools With SIC Code 821 To The Professional Office (PO), Neighborhood Commercial (NC), Limited Commercial (LC), And General Commercial (GC) Zoning Districts As A Conditional Use. (Prior To Action On Second Reading, Council Will Hold A Public Hearing On This Ordinance Amendment.)**

Mr. McGregor stated that the applicant, Ms. Shelia Coplin, is the owner of 1-On-1 Plus, LLC which is an organization that provides tutoring, childcare services and owns the K-12 school known as *Sheila E. Academy*. Currently this organization is licensed to operate a tutoring service and childcare facility at 4107 Thomas Sumter Highway in Dalzell. However, the applicant wishes to house *Sheila E. Academy* at the property as well. The property is zoned General Commercial (GC). In the GC district in the County, Elementary and Secondary Schools with SIC Code 821 are not a permitted use.

The Planning Director stated that at current, elementary and secondary schools with SIC Code 821 are a Conditional Use in all residential zoning districts and the Agricultural Conservation (AC) zoning district. Elementary and secondary schools are expressly excluded from all commercial and industrial districts, and have been since at least 1999.

Mr. McGregor also stated that fundamentally the question is, does it make sense to allow elementary and secondary schools in the commercial (PO, NC, LC, GC) zoning districts? Just as with religious and residential uses in the commercial districts, Staff believes that the inclusion of elementary and secondary schools with SIC Code 821 as a conditional use allows each location to be evaluated based on existing patterns of development and the unique characteristics of each site. The text amendment as proposed would permit elementary and secondary schools, with SIC Code 821 as a Conditional Use in the PO, NC, LC, and GC Districts subject to review and approval by Planning Staff. After all discussion, the Chairman of Council convened a public hearing on this ordinance amendment.

ACTION: MOTION was made by Councilman Baker, seconded by Vice Chairman Byrd, and unanimously carried by Council to grant second reading approval as presented.

- (3) **OA-18-07 – Used Auto Parts Sales (County) – 18-902 -- Second Reading/Public Hearing) -- Request To Amend Article 3 Section K: Light Industrial-Warehouse District, Article 3 Section M: Multi-Use Industrial (MUI) District, And Exhibit 5: Permitted And Conditional Uses In The Commercial Industrial, Agricultural, And Conservation Districts Of The Sumter County Zoning & Development Standards Ordinance In Order To Remove The SIC Code 5015 – Used Motor Vehicle Parts Classification As Being A Permitted, Conditional, Or Special Exception Use In All County Zoning Districts Except The Heavy Industrial (HI) District. (Prior To Action On Second Reading, Council Will Hold A Public Hearing On This Ordinance Amendment.)**

Mr. George McGregor also presented this proposed ordinance amendment to Council for review. This particular Ordinance Amendment was suggested by Council to better define certain uses in Heavy Industrial Zoning as oppose to Light Industrial Zoning. After Mr. McGregor's presentation, Chairman convened a public hearing on this proposed ordinance as presented. No one spoke to this issue during public hearing; therefore, the Chairman closed the public hearing and Council took action on second reading.

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

OTHER PUBLIC HEARINGS:

- (1) **18-899 -- An Ordinance Authorizing --The Transfer Of Property On Jefferson Road To Becton, Dickinson And Company. (Council Will Take Action On Second Reading Immediately After The Public Hearing Or During Old Business.)**

Mr. Johnathan Bryan presented this proposed ordinance to Council for second reading approval prior to the public hearing. Currently, the property is between property owned by Becton Dickinson Company and property owned by the children of Scott Rumph. Becton Dickinson is purchasing 15 acres of property from the children of Scott Rumph; therefore, Becton Dickinson needs this strip of land from the County to allow for this Company's property to be contiguous to each other. After Mr. Bryan's presentation, the Chairman called for a public hearing on this proposed ordinance.

Chairman McCain asked if anyone wished to speak in favor of or opposition to this ordinance as presented. No one spoke during public comment; therefore, the Chairman closed the public hearing and called for a motion on this ordinance as listed under Old Business.

NEW BUSINESS:

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

No executive session was held.

OLD BUSINESS:

- (1) **18-899 -- Second Reading -- An Ordinance Authorizing --The Transfer Of Property On Jefferson Road To Becton, Dickinson And Company.**

Mr. Bryan gave a briefing concerning the contents of this ordinance. After his presentation, the Chairman convened a public hearing. No one spoke during public hearing; therefore, the Chairman closed the public hearing and Council took action on second reading as listed below.

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

- (2) **18-900 – Second Reading -- An Ordinance Authorizing The Appointment Of Code Enforcement Officers By Resolution.**

The County Attorney, Johnathan Bryan, and Steve Campbell, the Building Official, presented this ordinance to Council. Mr. Bryan stated that this ordinance authorizes County Council the authority through a resolution, to appoint Code Enforcement Officers. These officers will be working for the Building Official who will ensures that the current employees and any potential new employees are trained in the requirements of the Building Department and the Codes concerning buildings that are under construction or renovations. However, it is

important that this ordinance is passed so that the citations would have *some bite* to them and make it more stringent for those that tend to be habitual offenders.

Mr. Campbell stated that because of the natural disasters that have occurred in this area in the last several years we have had contractors that come from out of town camouflaging their intent to do good for the community and trying to help the homeowners. However, there have been some unscrupulous contractors that have taken approximately \$250,000 from Sumter's citizens. These contractors want money upfront and then they leave town without doing the work, or do the work improperly and leave town not to return to correct any issues.

It is hard for the Building Department to catch some of these type offenders because they do not apply for building permits. If there is a building permit, there will be an inspection. However, as the Building Inspectors are going from one inspection to the next, if they see construction work going on, they will call the office to see if a permit has been applied for that particular worksite. If not, then the inspector will visit the site to check on the work and give a curtesy notice that a building permit must be applied for. There is case by cases that show the habitual offenders are still do the same thing. Earl McLeod is in support of this project. The biggest problem is a contractor doing the work at a lower standard. They do not do a "building permit."

After all comments, Council took action on second reading.

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

COMMITTEE REPORTS:

- (1) Fiscal, Tax, and Property Committee Meeting Held On Tuesday, September 25, 2018, at 5:30 p.m. In County Council's Conference Room.

Chairman McCain, the Chairman of the Fiscal, Tax, and Property Committee, stated that the Financial Report was received by the Committee. Mr. James Michaelson, the Finance Director, has made Council aware that the software being used by the county allows for expedient reporting of financial information. This in turn helps the Finance Department and the Treasurer to manage the County's money more efficiently.

The Committee also had an executive session concerning a contractual matter. However, no action was taken.

- (2) Report From Council Members On Other Meetings, Trainings, And/Or Conferences; And Any Other Council Comments.

The Chairman asked Council members if they had any reports or would like to speak to any matter. No Council member spoke during this time.

MONTHLY REPORTS

- 1) Planning Commission Meeting Information
- 2) Building Report
- 3) Army's 75th Anniversary Gala
- 4) Oyster Roast 2018
- 5) My Community and Me

COUNTY ADMINISTRATOR'S REPORT

The County Administrator, Mr. Gary Mixon, gave the following report.

1. The Emergency Management Team went into full operation on Thursday, September 7, 2018.

2. The Team included people from Sumter County, City of Sumter, School District, Sheriff's Department, City Police Department, EMS, Department of Social Services, Red Cross, and other local and state agencies throughout Sumter County.
3. Sumter County had a non-essential workforce shutdown on September 12, 2018; nonetheless, the Emergency team was in full-force throughout the storm twenty-four-seven.
4. Mayewood Middle School was the Emergency first Shelter Opened and it had 94 persons located in the Shelter
5. Sumter High School was also opened and it housed 126 persons during the storm.
6. The Emergency Team shutdown on Saturday, September 15, 2018, because all threats of bad weather were gone away from our area.
7. Although the emergency was over by September 17, 2018, the Lynches River Flooding was being watched due to water coming from North Carolina. This included areas on Truluck Road and Highway 403, the northern part of Trinity Road. St. Mark Church was the safety housing for this area during the aftermath of the hurricane/storm. As of Saturday, September 22, 2018, the flooding has crested.

PUBLIC COMMENT

Chairman McCain asked if anyone wished to speak during public comment. The following person spoke.

Willa Pembleton stated that she had three items of concern:

1. Mrs. Pembleton stated that she has lived in the Dalzell community since 2007; she has never heard of a town meeting so that the Council representative can keep the community informed of matters going on in the Community and other parts of Sumter County.
2. Mrs. Pembleton also stated that she is concerned about public notification of land matters and other issues that may be happening but the notification is not widespread in the community. Mrs. Pembleton stated that she has heard about two things at this meeting and if she had not come to the meeting she would not know that they were going on near the subdivision where she lives.
3. Lastly, Mrs. Pembleton stated that she read in the newspaper that the South Carolina Arts Commission gave out \$4,000,000 in grant funds; however, there was no mention of the school in Sumter County receiving any of those funds. She also wanted to know who was responsible for working to get some of the grant funds for Sumter County and why did this county not receive any of these funds.

No one else spoke during public comment.

ADJOURNMENT

There being no further business for Sumter County Council, and no additional comments from the public, the meeting was adjourned at 6:45 p.m. after a motion by Councilman Baker, seconded by Councilman Edens, and unanimously carried by Council.

Respectfully submitted,

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

Mary W. Blanding
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 24, 2018

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 21, 2018

Respectfully submitted,

Mary W. Blanding

Clerk to County Council

DRAFT

Sumter County Council

First Reading
October 9, 2018

Planning Commission Staff Report

RZ-18-10, 4690 Thomas Sumter Hwy. (County)

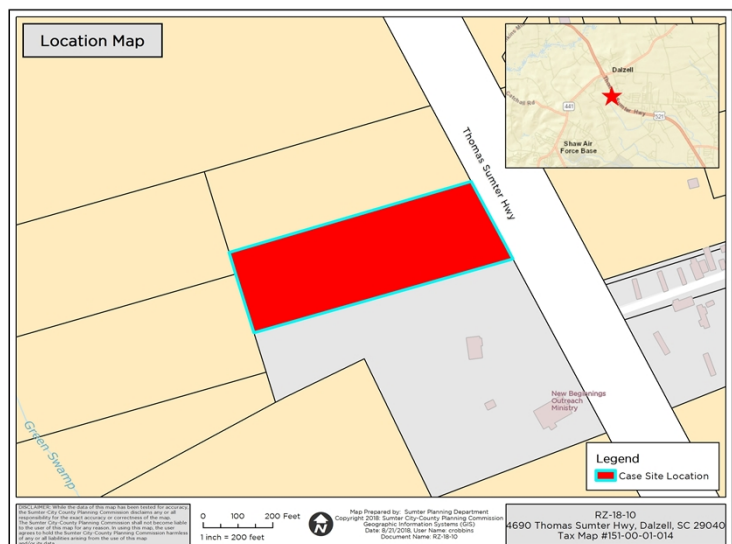
I. THE REQUEST

Applicant:	Caroline Gross
Status of the Applicant:	Authorized agent of Owner
Request:	A request to rezone a +/- 3.91 acre parcel from General Commercial (GC) and Agricultural Conservation (AC) to Light Industrial – Warehousing (LI-W)
Location:	4690 Thomas Sumter Hwy.
Size of Property:	+/- 3.91 Acres
Present Use/Zoning:	Undeveloped/Agricultural Conservation (AC) and General Commercial (GC).
Tax Map Reference:	151-00-01-014
Adjacent Property Land Use and Zoning:	North – Undeveloped / Agricultural Conservation (AC) & General Commercial (GC) South – Church / Agricultural Conservation (AC) & General Commercial (GC) East – Thomas Sumter Hwy. & Undeveloped / Agricultural Conservation (AC) & General Commercial (GC) West – Undeveloped / Agricultural Conservation (AC)

II. BACKGROUND

This request is to rezone a +/- 3.91 acre parcel from General Commercial (GC) and Agricultural Conservation (AC) to Light Industrial- Warehousing (LI-W).

As shown in the location map to the right, the subject property fronts on the west side of Thomas Sumter Hwy., New Beginnings Outreach Ministry Church is to the south with undeveloped land in all other directions.



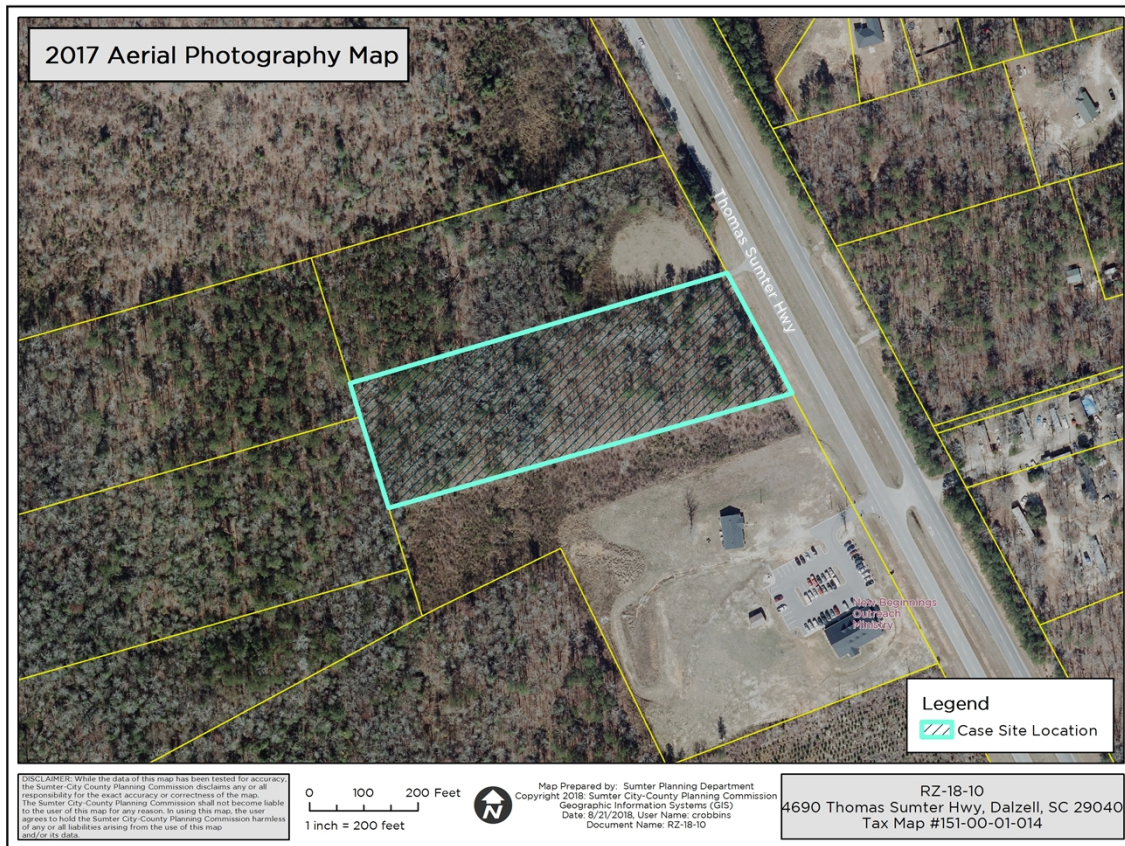
The property abuts a portion of Green Swamp, which consists of rural undeveloped forest and wetlands that stretches between Sargent Rd. to the west and Thomas Sumter Highway.

Below are images of the view of the subject property from Thomas Sumter Highway and from New Beginnings Outreach Ministries to the south.



Left: Frontal View of the property from Thomas Sumter Hwy. Right: View of Property from driveway of New Beginnings Ministries

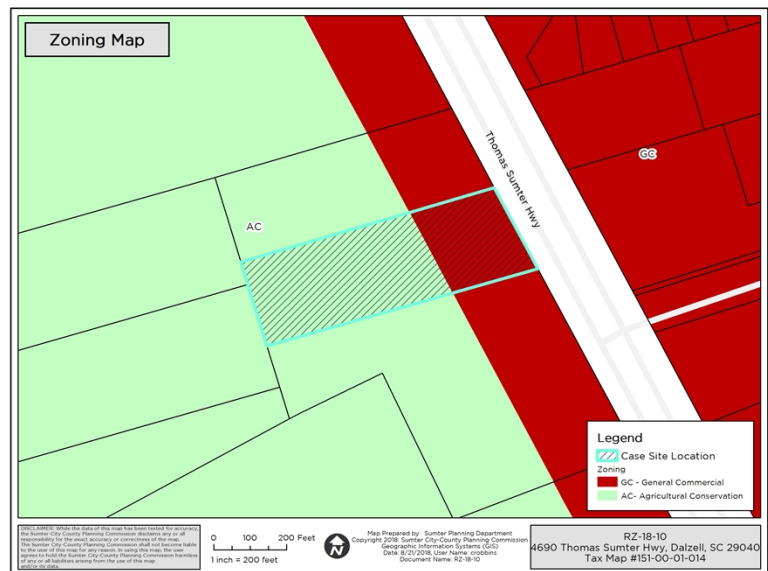
Below, an aerial photograph shows the relationship between the subject property and neighboring properties. With the exception of the church, all other neighboring parcels are rural and undeveloped.



Above: Aerial Photography Map

As shown in the zoning map to the right, the properties to the west of the subject property are zoned Agricultural Conservation (AC), areas to the north and south are split zoned Agricultural Conservation (AC) and General Commercial (GC), and east of the property are zoned General Commercial (GC). The split zoning that occurs on the applicant's property and the other properties abutting Thomas Sumter Highway are a result of strip commercial zoning that occurs along Thomas Sumter Hwy.

The primary purpose of the AC zoning district is preserve areas that are currently rural or agricultural in use. The subject parcel, as well as the neighboring parcels to the north, west, and east consist of rural, undeveloped forest and vegetation. AC zoning primarily permits low density residential development as well as low density commercial development centered on local commercial uses. The GC strip zoning that is also present on a small portion of the subject parcel allows for a significantly wider array of residential types and commercial uses than the AC district, but neither zoning designation allows for any form of light industrial use.



If successfully rezoned, the applicant has referenced plans to establish a metal fabrication business on the property. Due to being a higher intensity/industrial use, metal fabrication is not permitted in General Commercial (GC) or Agricultural Conservation (AC) zones. Rezoning to Light Industrial-Warehouse (LI-W) would permit the proposed use. If successfully rezoned to LI-W, the following is a non-exhaustive list of some of the other permitted and conditional uses that could also legally operate on the site.

Agricultural, Forestry, and Fishing uses
Construction
Light manufacturing uses
Transportation and Communications uses
Wholesale trade
Warehousing
Postal services

General retail and restaurant uses
Personal Services
Mobile home and automotive dealers (CU)
Religious organizations (CU)
Cemeteries (CU)
Employment agencies (CU)

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.

III. COMPATIBILITY WITH THE 2030 COMPREHENSIVE PLAN

As shown on the following page, the property is influenced by the Military Protection Planning Area within the Sumter 2030 Comprehensive Plan. This planning area is intended to protect Shaw Air Force Base and Poinsett Electronic Combat Range from encroachment of incompatible land uses and reduce the accident and noise potential to citizens in areas adjacent to these two critical military installations.

The 2030 Sumter Comprehensive plan calls for the City and County to “Support commercial, agricultural, and industrial development in the Military Protection Area (MPA) of a type that significantly limits the concentration of people” (LU 17:1).

In addition to being influenced by the MPA, the property is within the Shaw Air Force Base Noise Attenuation zone, an



overlay district that serves to highlight areas that could potentially be exposed to noise resulting from Shaw Air Force base operations. While the overlay district requires that any residential development display signage warning of potential exposure to harmful noises, this does not apply to commercial uses. The nature of the proposed zoning district is such that the Noise Attenuation district has no implications on the site's proposed future operations.

Rezoning to LI-W meets this comprehensive plan goal of removing a residential entitlement from the property, while introducing future uses that are more compatible with Shaw Air Force Base operations.

IV. TRAFFIC REVIEW

The subject property has frontage on Thomas Sumter Hwy., a major arterial road. Thomas Sumter Highway is a four-lane divided highway with intermittent median crossovers. The road is owned by SCDOT. In 2017 the traffic count was 10,700 AADT. Transportation impacts will be evaluated at time of site plan approval with appropriate mitigation measures required.

V. STAFF RECOMMENDATION

Staff recommends approval of this request. The rezoning is supported by Military Protection Planning Area policies, and the site location on a major arterial roadway is practical for light industrial users.

VI. DRAFT MOTION

- 1) I move that the Planning Commission recommend approval of RZ-18-10, rezoning +/- 3.91 acres from General Commercial (GC) and Agricultural Conservation (AC) to Light Industrial-Warehouse (Li-W).
- 2) I move an alternate motion.

VII. PLANNING COMMISSION – SEPTEMBER 26, 2018

The Sumter City-County Planning Commission at its meeting on Wednesday, September 26, 2018, voted unanimously to recommend approval for this request.

VIII. COUNTY COUNCIL – OCTOBER 9, 2018 – FIRST READING

Location Map



Thomas Sumter Hwy

New Beginnings
Outreach
Ministry

Green Swamp

Legend

Case Site Location

DISCLAIMER: While the data of this map has been tested for accuracy, the Sumter City-County Planning Commission disclaims any or all responsibility for the exact accuracy or correctness of the map. The Sumter City-County Planning Commission shall not become liable to the user of this map for any reason. In using this map, the user agrees to hold the Sumter City-County Planning Commission harmless of any or all liabilities arising from the use of this map and/or its data.

0 100 200 Feet
1 inch = 200 feet



Map Prepared by: Sumter Planning Department
Copyright 2018: Sumter City-County Planning Commission
Geographic Information Systems (GIS)
Date: 8/21/2018, User Name: crobbins
Document Name: RZ-18-10

RZ-18-10
4690 Thomas Sumter Hwy, Dalzell, SC 29040
Tax Map #151-00-01-014



Sumter City-County

Planning Department

DERON L. MCCORMICK
GARY M. MIXON
CITY MANAGER
ADMINISTRATOR

GEORGE K. MCGREGOR
PLANNING DIRECTOR

COUNTY

MEMORANDUM

TO: Mary Blanding, Clerk to County Council

FROM: George K. McGregor, AICP, Planning Director

DATE: October 2, 2018

SUBJECT: COUNTY COUNCIL AGENDA – OCTOBER 9, 2018

The Sumter City-County Planning Commission will have the following land use item(s) for review at County Council on Tuesday, October 9, 2018:

FIRST READING

RZ-18-10, 4690 Thomas Sumter Hwy. (County)

Request to rezone +/- 3.91 acres from General Commercial (GC) and Agricultural Conservation (AC) to Light Industrial-Warehouse (LI-W). The property is located at 4690 Thomas Sumter Highway and is represented by Tax Map #151-00-01-014.

THIRD READING

RZ-18-09, 2800 Dock Rd. & 0 Thomas Sumter Hwy. (County)

Request to rezone two parcels, totaling 2.45 acres, from General Commercial (GC) and Agricultural Conservation (AC) to Agricultural Conservation (AC). The parcels are located at 2800 Dock Road and 0 Thomas Sumter Highway, on the west side of Thomas Sumter Highway. The properties are represented by Tax Map #s188-00-01-015 and 188-00-01-107.

OA-18-06, Schools in Commercial Zoning Districts (County)

Request to Amend Article 3, Sections 3.f.3, 3.g.3, 3.h.3, and 3.i.3, and Exhibit 5 to add Elementary and Secondary Schools with SIC Code 821 to the Professional Office (PO), Neighborhood Commercial (NC), Limited Commercial (LC), and General Commercial (GC) zoning districts as a conditional use.

OA-18-07, Used Auto Parts Sales (County)

Request to amend Article 3 Section K: Light Industrial-Warehouse District, Article 3 Section M: Multi-Use Industrial (MUI) District, and Exhibit 5: Permitted and Conditional Uses in the Commercial Industrial, Agricultural, and Conservation Districts of the *Sumter County Zoning & Development Standards Ordinance* in order to remove the SIC Code 5015 – Used Motor Vehicle Parts classification as being a permitted, conditional, or special exception use in all county zoning districts except the Heavy Industrial (HI) District.

If you have any questions or need additional information, please contact me at (803) 774-1660.

Sumter County Council

Third / Final Reading
October 9, 2018

Planning Commission Staff Report

RZ-18-09, 2800 Dock Rd. (County)

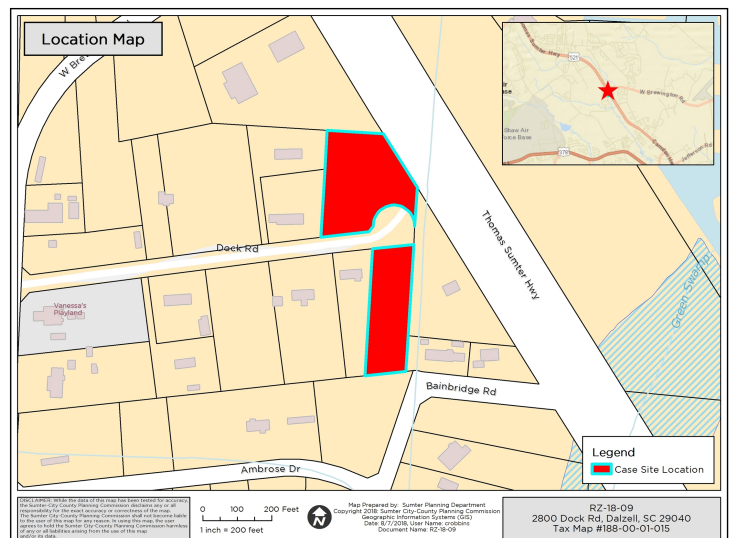
I. THE REQUEST

Applicant:	Samuel McGee, Jr.
Status of the Applicant:	Property Owner
Request:	A request to rezone two parcels from General Commercial (GC) & Agricultural Conservation (AC) to Agricultural Conservation (AC).
Location:	2800 Dock Rd. & 0 Thomas Sumter Hwy. – located on the west side of Thomas Sumter Hwy., south of W. Brewington Rd.
Size of Property:	+/-2.45 acres
Present Use/Zoning:	Undeveloped / Parcels are split zoned AC and GC
Proposed Use of Property:	Single Family Residential/Manufactured home
Tax Map Reference:	188-00-01-015 & 188-00-01-107
Adjacent Property Land Use and Zoning:	North – Commercial / General Commercial (GC) South–Single Family Rural Residential/ Agricultural Conservation (AC) East – Small scale commercial/ General commercial (GC) & Thomas Sumter Hwy. West – Single Family Rural Residential/ Agricultural Conservation (AC)

II. BACKGROUND

This request is to rezone two parcels with a total of 2.45 acres of land from General Commercial (GC) and Agricultural Conservation to Agricultural Conservation (AC). The subject properties (in red) are located on the west side of Thomas Sumter Highway (US 521) near West Brewington Road in Sumter County.

2800 Dock Rd. and 0 Thomas Sumter Hwy. are a part of the Dock Road subdivision, a subdivision created as the result of settling family land to the heirs of the original owners. The applicant wishes



to rezone the parcels in order to accommodate manufactured homes, which based on the current zoning are impermissible on both parcels. The residential development along Dock Rd. is comprised mainly of manufactured homes.

The subject properties are two of the remaining undeveloped lots within the subdivision. These lots were created prior to the 1999 zoning ordinance and highway corridor strip commercial zoning. The photographs below show the properties as they are today.



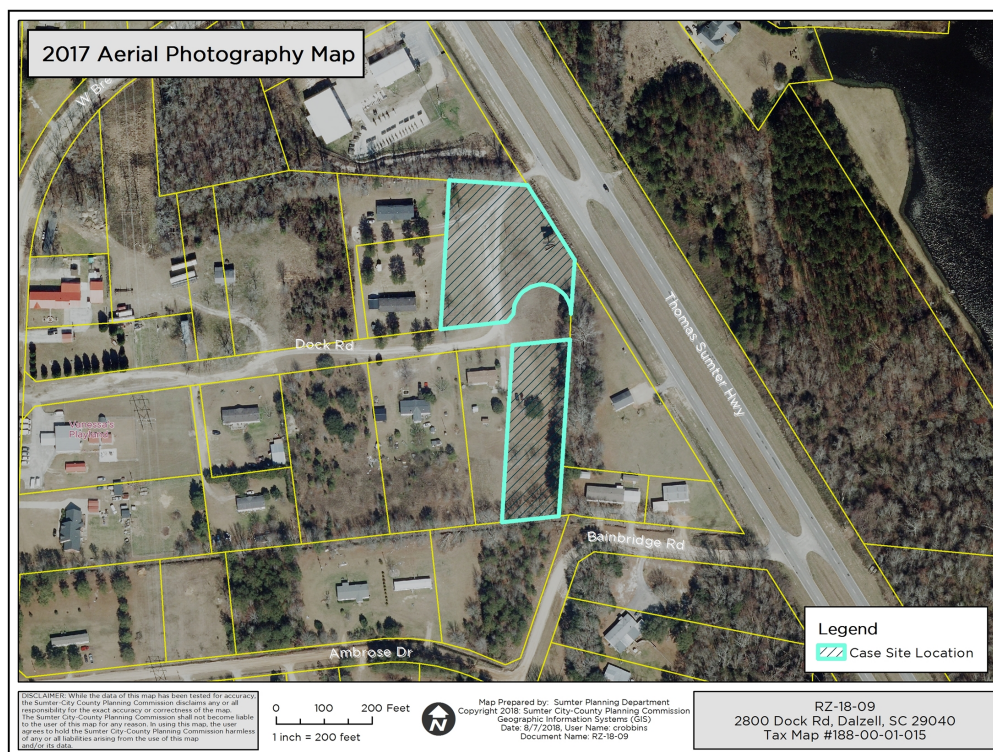
Above Left: The Northern Parcel.



Above Right: Southern Parcel

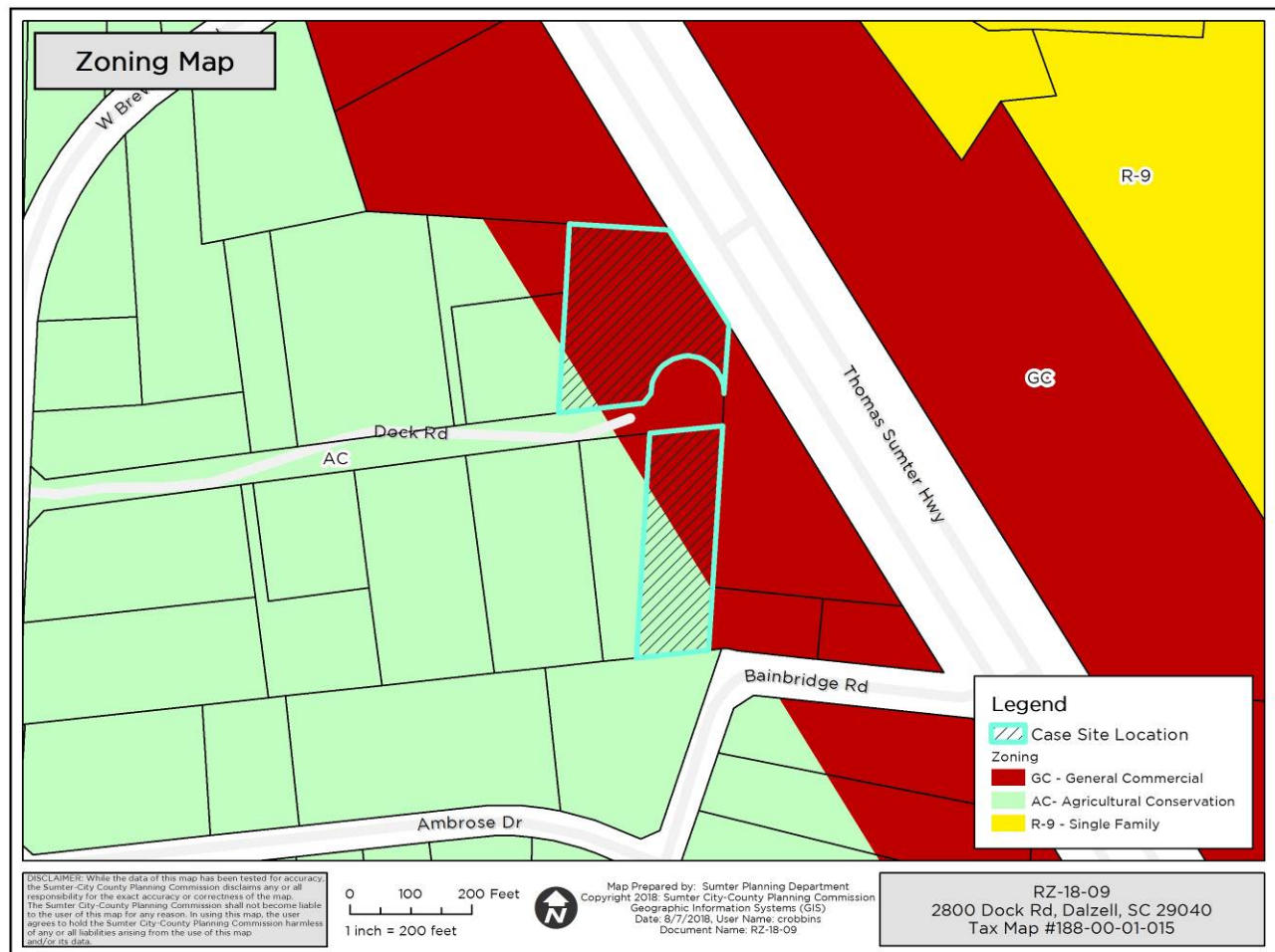
The northern parcel is bisected by an extension of the private dirt road owned by the family of the applicant. Although one of the parcels abuts Thomas Sumter Hwy., legal access is from Dock Rd.

As shown on the graphic below, the land uses to the north and east of the subject property along Thomas Sumter Hwy. (US 521) are primarily commercial, and include a stone countertop business, computer repair shop, and wood sales. Surrounding land uses to the south and west are a mix of single family residential types which include single-family homes and manufactured housing.



As shown in the zoning map below, the properties to the south and west of the subject property are zoned Agricultural Conservation (AC), while the areas immediately to the North and East of the property are zoned General Commercial (GC). The applicant's parcels are split zoned, with portions of both AC and GC zoning existing on both sites. While the General Commercial Zoning (GC) designation that is present on both parcels allows for some types of residential development, it prohibits the placement of manufactured homes. The developmental limitations placed on the parcels by the GC zoning prevent the applicant from developing these lots in a manner consistent with the rest of the Dock Rd. subdivision.

The AC zoning district allows mobile homes as a by-right permitted use. Having both parcels zoned exclusively as AC would allow the applicant to place a mobile home on each parcel.

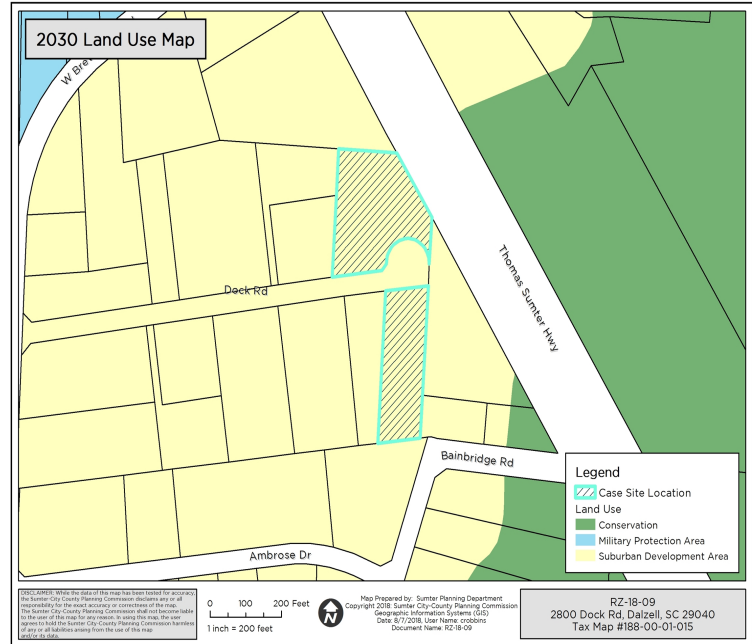


The primary purpose of the AC district is preserve areas that are currently rural or agricultural in use. Land immediately adjacent to the subject property to the west and south is currently zoned AC, and displays all the characteristics of typical rural residential development. Properties fronting along Thomas Sumter Hwy. are influenced by the strip commercial zoning that abuts Thomas Sumter Hwy. Although one of the parcels abuts Thomas Sumter Hwy, the original design intent for the subdivision was for all access to come via Dock Rd, and not Thomas Sumter Hwy.

III. COMPATIBILITY WITH THE 2030 COMPREHENSIVE PLAN

The property is located in the Sumter 2030 Comprehensive Plan's Suburban Development Planning Area and in proximity to the Military Protection and the Conservation Preservation Planning Areas. One of the primary objectives of this planning area is to scrutinize and manage the existing pattern of development, and to encourage more efficient land uses.

While in general the Suburban Development Area seeks to promote a mix of higher density commercial and residential uses, in this instance, low density development is compatible with the established Dock Rd. subdivision which predates current regulations. The request to rezone these particular properties is consistent with the previously developed portions of Dock Rd.



IV. TRAFFIC REVIEW

The subject property has frontage on Dock Road which is classified as a privately owned dirt road, and is owned by the family of the applicant.

W. Brewington Rd is a county owned local road that intersects with Dock Road. The 2017 traffic count for the section of W. Brewington Rd. nearest to Dock Rd. was 1,000 AADT.

Dock Road also intersects with Thomas Sumter Highway (US 521), a major arterial highway with a 2017 traffic count of 11,400 AADT. The proposed use of the property based on conversation with the applicant will be negligible. Should alternative development plans be pursued, impacts on the transportation network will be evaluated at time of development application.

V. STAFF RECOMMENDATION

Rezoning to Agricultural Conservation (AC) would allow for the low density residential development the applicant is seeking in a manner that is consistent with the existing subdivision.

VI. DRAFT MOTION

- 1) I move that the Planning Commission recommend approval RZ-18-09, rezoning 2.45 acres from General Commercial (GC) and Agricultural Conservation (AC) to Agricultural Conservation (AC).
- 2) I move an alternate motion.

VII. PLANNING COMMISSION – AUGUST 22, 2018

The Sumter City-County Planning Commission at its meeting on Wednesday, August 22, 2018, recommended approval of this request.

VIII. COUNTY COUNCIL – SEPTEMBER 11, 2018 – FIRST READING

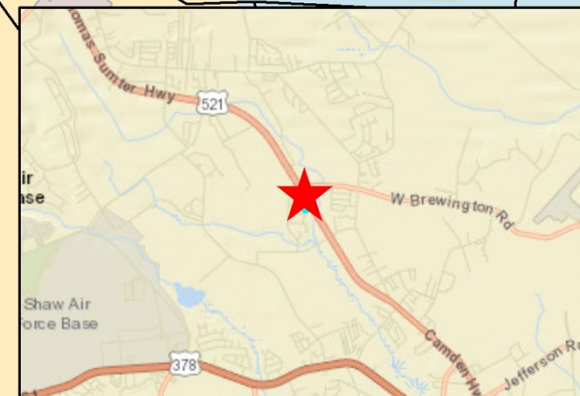
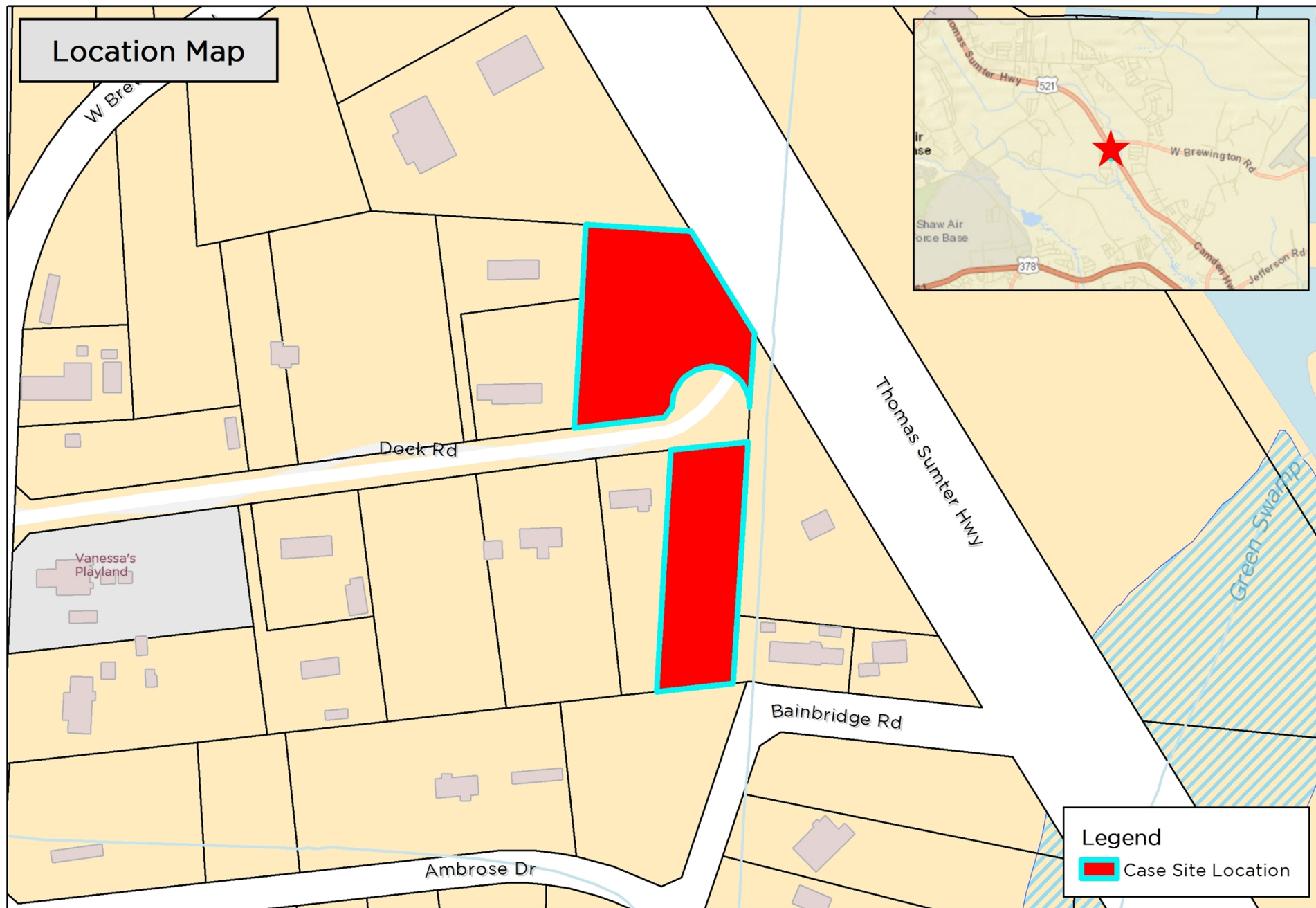
The Sumter County at its meeting on Tuesday, September 11, 2018, gave First Reading approval for this request.

IX. COUNTY COUNCIL – SEPTEMBER 25, 2018 – SECOND READING/PUBLIC HEARING

The Sumter County at its meeting on Tuesday, September 25, 2018, gave Second Reading approval for this request.

X. COUNTY COUNCIL – OCTOBER 9, 2018 – THIRD / FINAL READING

Location Map



DISCLAIMER: While the data of this map has been tested for accuracy, the Sumter City-County Planning Commission disclaims any or all responsibility for the exact accuracy or correctness of the map. The Sumter City-County Planning Commission shall not become liable to the user of this map for any reason. In using this map, the user agrees to hold the Sumter City-County Planning Commission harmless of any or all liabilities arising from the use of this map and/or its data.

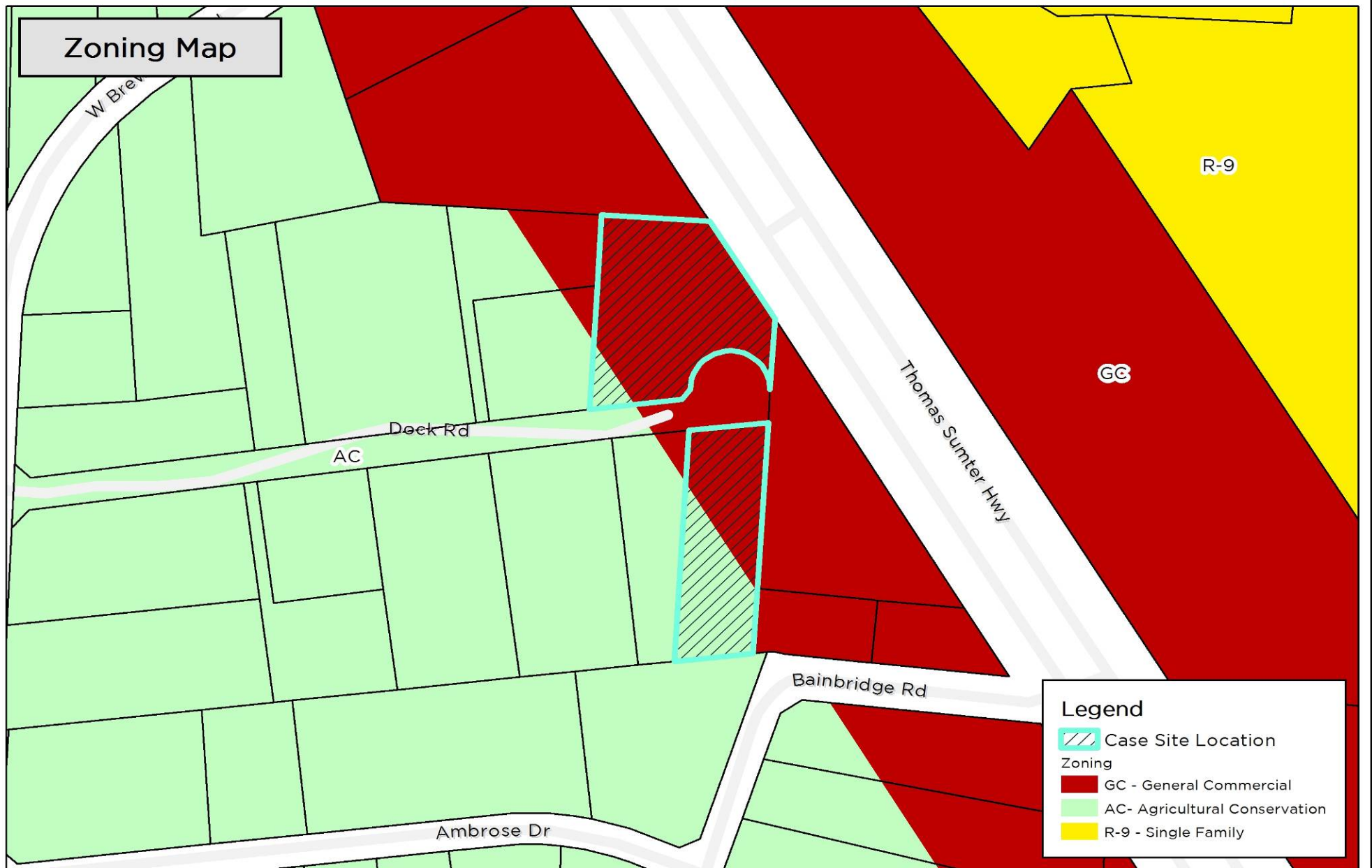
0 100 200 Feet
1 inch = 200 feet



Map Prepared by: Sumter Planning Department
Copyright 2018: Sumter City-County Planning Commission
Geographic Information Systems (GIS)
Date: 8/7/2018, User Name: crobbins
Document Name: RZ-18-09

RZ-18-09
2800 Dock Rd, Dalzell, SC 29040
Tax Map #188-00-01-015

Zoning Map



Legend

-  Case Site Location
- Zoning**
-  GC - General Commercial
-  AC- Agricultural Conservation
-  R-9 - Single Family

DISCLAIMER: While the data of this map has been tested for accuracy, the Sumter City-County Planning Commission disclaims any or all responsibility for the exact accuracy or correctness of the map. The Sumter City-County Planning Commission shall not become liable to the user of this map for any reason. In using this map, the user agrees to hold the Sumter City-County Planning Commission harmless of any or all liabilities arising from the use of this map and/or its data.

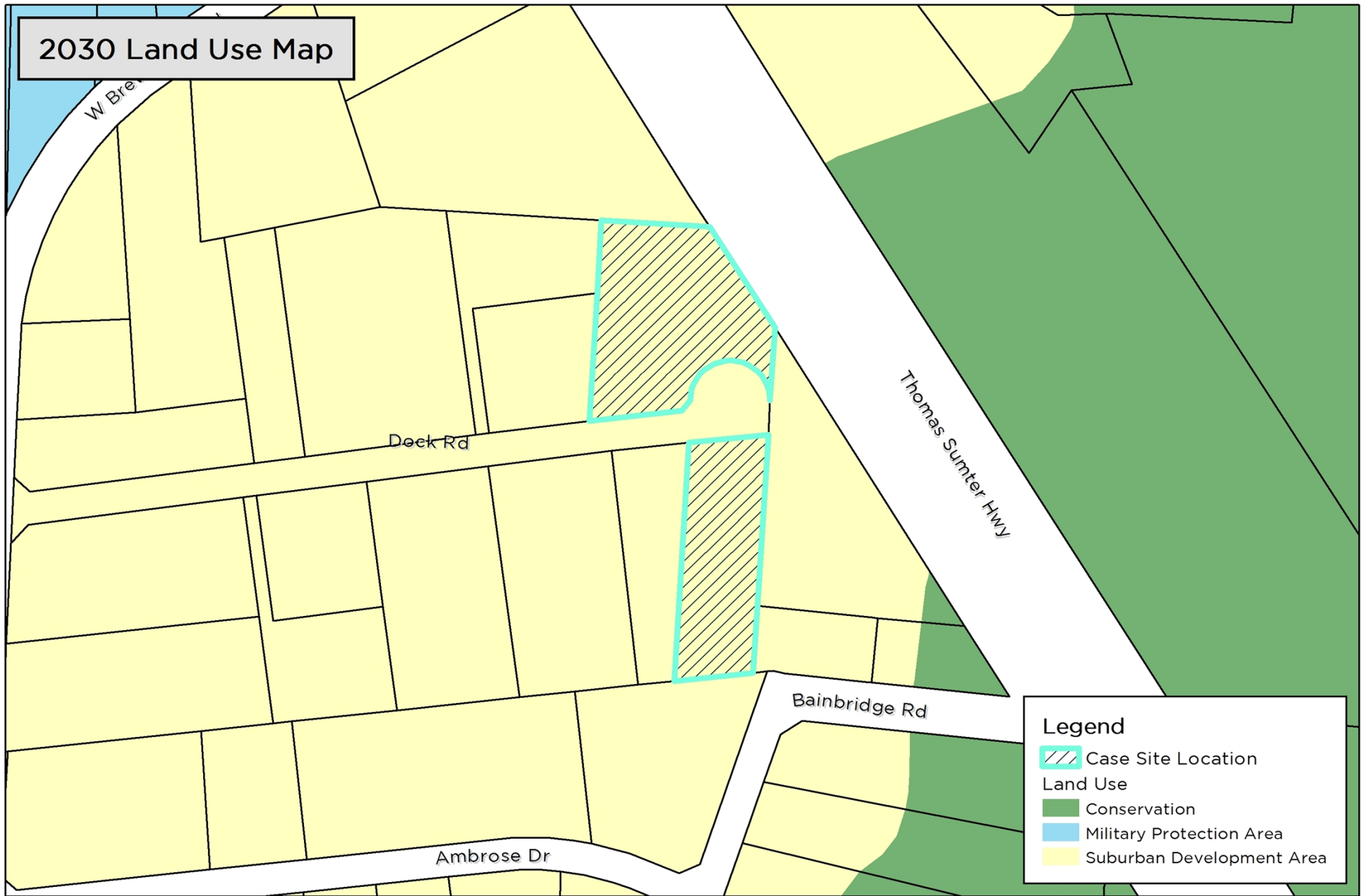
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1 inch = 200 feet



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Geographic Information Systems (GIS)
Date: 8/7/2018, User Name: crobbins
Document Name: RZ-18-09

RZ-18-09
2800 Dock Rd, Dalzell, SC 29040
Tax Map #188-00-01-015

2030 Land Use Map



Legend

- Case Site Location
- Land Use
 - Conservation
 - Military Protection Area
 - Suburban Development Area

DISCLAIMER: While the data of this map has been tested for accuracy, the Sumter City-County Planning Commission disclaims any or all responsibility for the exact accuracy or correctness of the map. The Sumter City-County Planning Commission shall not become liable to the user of this map for any reason. In using this map, the user agrees to hold the Sumter City-County Planning Commission harmless of any or all liabilities arising from the use of this map and/or its data.

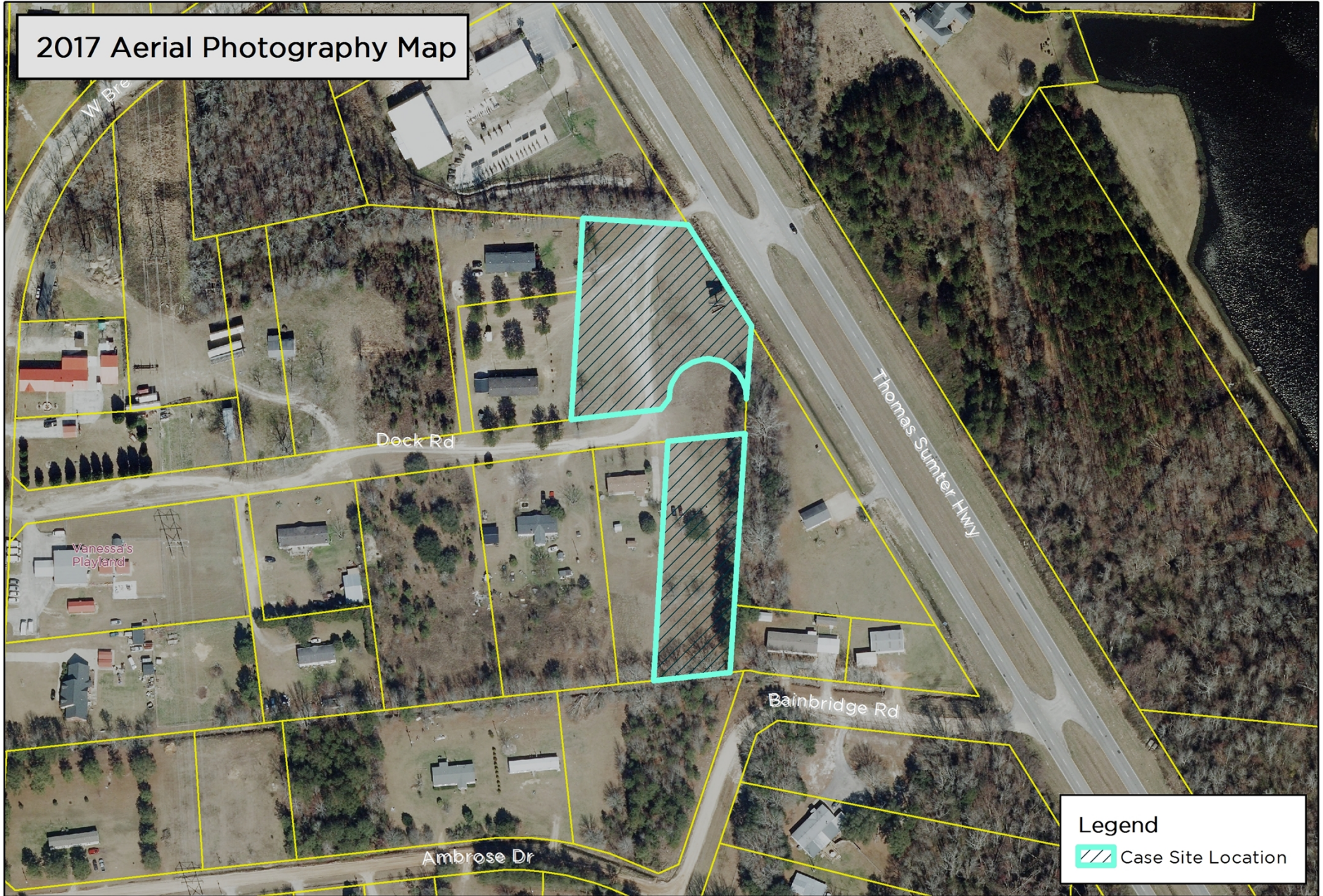
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1 inch = 200 feet



Map Prepared by: Sumter Planning Department
Copyright 2018: Sumter City-County Planning Commission
Geographic Information Systems (GIS)
Date: 8/7/2018, User Name: crobbins
Document Name: RZ-18-09

RZ-18-09
2800 Dock Rd, Dalzell, SC 29040
Tax Map #188-00-01-015

2017 Aerial Photography Map



Legend

 Case Site Location

DISCLAIMER: While the data of this map has been tested for accuracy, the Sumter City-County Planning Commission disclaims any or all responsibility for the exact accuracy or correctness of the map. The Sumter City-County Planning Commission shall not become liable to the user of this map for any reason. In using this map, the user agrees to hold the Sumter City-County Planning Commission harmless of any or all liabilities arising from the use of this map and/or its data.

0 100 200 Feet
1 inch = 200 feet



Map Prepared by: Sumter Planning Department
Copyright 2018: Sumter City-County Planning Commission
Geographic Information Systems (GIS)
Date: 8/7/2018, User Name: crobbs
Document Name: RZ-18-09

RZ-18-09
2800 Dock Rd, Dalzell, SC 29040
Tax Map #188-00-01-015

Sumter County Council

3rd Reading
October 9, 2018

Planning Commission Staff Report

OA-18-06, Schools in Commercial Zoning Districts (County)

I. THE REQUEST

Applicant: Sheila E. Coplin

Request: Amend Article 3, Sections 3.f.3, 3.g.3, 3.h.3, and 3.i.3, and Exhibit 5 to add Elementary and Secondary Schools with SIC Code 821 to the Professional Office (PO), Neighborhood Commercial (NC), Limited Commercial (LC), and General Commercial (GC) zoning districts as a conditional use.

II. BACKGROUND

The Applicant is the owner of 1-On-1 Plus, LLC an organization that provides tutoring, childcare services and owns the K-12 school known as Sheila E. Academy. Currently the organization is licensed to operate a tutoring service and childcare facility at 4107 Thomas Sumter Highway in Dalzell, however; the Applicant wishes to house Sheila E. Academy at the property as well. The property is zoned General Commercial (GC). In the GC district in the County, Elementary and Secondary Schools with SIC Code 821 are not a permitted use. The Standards Industrial Classification Manual defines SIC Code 821 as follows:

821 *ELEMENTARY AND SECONDARY SCHOOLS*

8211 *Elementary and Secondary Schools*

Elementary and secondary schools furnishing academic courses, ordinarily for kindergarten through grade 12. Included in this industry are parochial schools and military academies furnishing academic courses for kindergarten through grade 12, and secondary schools which furnish both academic and technical courses.

*Academies, elementary and secondary
schools
Boarding Schools
Finishing schools, secondary
High schools
Kindergartens
Military academies, elementary and
secondary level*

*Parochial schools, elementary and
secondary
Preparatory schools
Schools for the physically handicapped,
elementary and secondary
Schools for the retarded
Schools, elementary and secondary
Seminaries, below university grade
Vocational high schools*

Within Sumter County, elementary and secondary schools with SIC Code 821 are a conditional use in all residential zoning districts and the Agricultural Conservation (AC) zoning district. Elementary and secondary of schools are expressly excluded from all commercial and industrial districts, and have been since at least 1999.

Previous conventional wisdom appears to have kept schools out of commercial districts for mostly compatibility reasons, as a way to separate schools from uses such as drinking places, tattoo parlors, or other general commercial uses. State alcohol licensing laws do dictate separation requirements from churches, schools, and playgrounds. Based on state and local regulations, in a dense urban commercial environment the presence of an elementary or secondary school can impact the ability for a new retail or service use to obtain proper licensure for the sale of on-premise and off-premise consumption of alcohol.

In Sumter County, most of the commercial districts exist as strip zones along highway corridors and are bracketed and/or abutted by residential and agricultural zoning districts where elementary and secondary schools as well as churches are conditional uses, and residential development is permitted by right. Moreover, all commercial zoning districts conditionally permit religious and residential uses.

This established pattern of commercial zoning abutted by residential and agricultural zoning is such that the impact of a school on a potential alcohol licensee is no greater than the impact of a residential use or church regardless of whether a school is located within the commercial district. For these reasons, it makes sense to allow elementary and secondary schools within the commercial zoning districts as a conditional use just as they are permitted in the residential and agricultural conservation zoning districts within the County.

Proposed Text Amendment:

A strikethrough copy of the proposed text amendment has been attached to this report.

III. STAFF RECOMMENDATION

Fundamentally the question is, does it make sense to allow elementary and secondary schools in the commercial (PO, NC, LC, GC) zoning districts? Just as with religious and residential uses in the commercial districts, Staff believes that the inclusion of elementary and secondary schools with SIC Code 821 as a conditional use allows each location to be evaluated based on existing patterns of development and the unique characteristics of each site.

The text amendment as proposed would permit elementary and secondary schools, with SIC Code 821 as a conditional use in the PO, NC, LC, and GC Districts subject to review and approval by Planning Staff.

IV. DRAFT RECOMMENDATIONS

- 1) I move the Sumter City-County Planning Commission recommend approval of OA-18-06, Elementary and Secondary Schools in the General Commercial District making elementary and secondary schools with SIC Code 821 a conditional use.

2) I move an alternate motion.

V. PLANNING COMMISSION – AUGUST 22, 2018

The Sumter City – County Planning Commission at its meeting on Wednesday, August 22, 2018, recommended approval this request to amend the *Sumter County* and the *City of Sumter Zoning and Development Standards Ordinances* to add Elementary and Secondary Schools with SIC Code 821 as a conditional use in the PO, NC, LC and GC Commercial Zoning Districts.

VII. COUNTY COUNCIL – SEPTEMBER 11, 2018 – FIRST READING

The Sumter County Council at its meeting on Tuesday, September 11, 2018, gave First Reading approval for this request.

VIII. COUNTRY COUNCIL – SEPTEMBER 25, 2018 – SECOND READING/PUBLIC HEARING

The Sumter County Council at its meeting on Tuesday, September 25, 2018, gave Second Reading approval for this request.

IX. COUNTY COUNCIL – OCTOBER 9, 2018 – THIRD / FINAL READING

Sumter County Council

3rd Reading
October 9, 2018

Planning Commission Staff Report

OA-18-07, Used Motor Vehicle Part Uses (County)

I. THE REQUEST

Applicant: Sumter County Council

Request: Amend Article 3 Section K: Light Industrial-Warehouse District, Article 3 Section M: Multi-Use Industrial (MUI) District, and Exhibit 5: Permitted and Conditional Uses in the Commercial Industrial, Agricultural, and Conservation Districts of the *Sumter County Zoning & Development Standards Ordinance* in order to remove the SIC Code 5015 – Used Motor Vehicle Parts classification as being a permitted, conditional, or special exception use in all county zoning districts except the Heavy Industrial (HI) District.

II. BACKGROUND

The purpose of this ordinance amendment is to specifically address used motor vehicle part uses classified under SIC Code 5015. Currently, uses classified under this SIC Code are permitted in both the Light-Industrial Warehouse (LI-W) and Heavy Industry (HI) zoning districts, and are a conditional use in the Multi-Use Industrial (MUI) zoning district.

The definition listed in the Standard Industrial Classification Manual for *SIC Code 5015 – Used Motor Vehicle Parts* is as follows:

*Establishments primarily engaged in the distribution at wholesale or retail of used motor vehicle parts. **This industry includes establishments primarily engaged in dismantling motor vehicles for the purposes of selling parts.***

Uses under SIC Code 5015 are closely associated with *SIC Code 5093 – Scrap and Waste Materials*. The definition listed in the Standard Industrial Classification Manual for SIC Code 5093 is as follows:

*Establishments primarily engaged in assembling, breaking up, sorting, and wholesale distribution of scrap and waste materials. This industry includes auto wreckers engaged in dismantling automobiles for scrap. **However, those engaged in dismantling cars for the purpose of selling secondhand parts are classified in Industry 5015.***

Currently, uses classified as *SIC Code 5093 – Scrap and Waste Materials* are only permitted in the HI district. In recent months, Staff has viewed property in the LI-W district classified under *SIC Code 5015 – Used Motor Vehicle Parts*. Staff has determined that the land use impacts for this classification, particularly uses engaged in dismantling automobiles for second hand parts, are generally the same as uses classified under *SIC Code 5093 – Scrap and Waste Materials*. These impacts include large areas of outdoor storage, dismantled vehicles, etc.

Uses classified under the *SIC Code 5015 – Used Motor Vehicle Parts* should be permitted in the same zoning districts as those classified as *SIC Code 5093 - Scrap and Waste Materials*. Land use impacts noted for *SIC Code 5015 – Used Motor Vehicle Parts* uses include large areas of cleared land being used to stock pile various inventories of used motor vehicle. It is noted that the used motor vehicle inventory is typically stored outdoors. See below example of a use currently classified under SIC Code 5015.



The intent of the LI-W district is to accommodate wholesaling, distribution, storage, processing and light manufacturing in an environment suited to such uses and operations while promoting land use compatibility both within and beyond the boundaries of such districts. Uses classified under *SIC Code 5015 – Used Motor Vehicle Parts* have been shown to have characteristics not in keeping with the intent of the LI-W district. These land use characteristics have a high potential for conflict with adjacent properties. As such, these uses do not promote land use compatibility within and beyond the boundaries of the LI-W District. They are not in keeping with the intent of this zoning district.

The intent of the MUI district is to accommodate a wide range of industrial uses while providing the multiple uses required to support those industries in an environmentally sound, pedestrian oriented neighborhood. Again, for the reasons stated above, uses classified under *SIC Code 5015*

– *Used Motor Vehicle Parts* have a potential for conflict with adjacent properties and do not meet the intent of the MUI District—to establish industrial uses with supportive retail and residential uses in an environmentally sound, pedestrian oriented neighborhood environment. As such, uses classified under *SIC Code 5015 – Used Motor Vehicle Parts* are not in keeping with the intent of this zoning district.

If approved, this request would permit uses classified under with *SIC Code 5015 – Used Motor Vehicle Parts* in the HI District only.

Recommended Ordinance Amendments

1. Amend *Article 3: Section K – Light Industrial Warehouse District* of the *Sumter County Zoning & Development Standards Ordinance* to include SIC Code 5015 – Used Motor Vehicle Parts as a listed exception to the uses permitted under SIC Code 50/51
2. Amend *Article 3: Section M – Multi-Use Industrial (MUI) District* of the *Sumter County Zoning & Development Standards Ordinance* to include SIC Code 5015 – Used Motor Vehicle Parts as a listed exception to the uses requiring conditional approval under SIC Code 50/51 in.
3. Amend *Article 3: Exhibit 5 – Permitted and Conditional Uses in the Commercial, Industrial, Agricultural, and Conservation Districts* of the *Sumter County Zoning & Development Standards Ordinance* to specifically reference *SIC Code 5015 – Used Motor Vehicle Parts* as only being permitted in in the HI District and not being permitted in any other county zoning districts.

III. STAFF RECOMMENDATION

Staff recommends approval of this request. The land use characteristics of uses classified under SIC – 5015 – Used Motor Vehicle Parts are not in keeping with intent of the LI-W and MUI districts.

IV. PLANNING COMMISSION – AUGUST 22, 2018

The Sumter City-County Planning Commission at its meeting on Wednesday, August 22, 2018, recommended approval of this request.

V. COUNTY COUNCIL –SEPTEMBER 11, 2018 – FIRST READING

The Sumter County Council at its meeting on Tuesday, September 11, 2018, gave First Reading approval for this request.

VI. COUNTY COUNCIL – SEPTEMBER 25, 2018 – SECOND READING/PUBLIC HEARING

The Sumter County Council at its meeting on Tuesday, September 25, 2018 gave Second Reading approval for this request.

VII. COUNTY COUNCIL – OCTOBER 9, 2018 – THIRD / FINAL READING

**A RESOLUTION TO APPOINT AND COMMISSION CODE ENFORCEMENT
OFFICERS FOR THE PROPER SECURITY, GENERAL WELFARE, AND
CONVENIENCE OF SUMTER COUNTY.**

WHEREAS, the Sumter County Council, in the exercise of its general police power, is empowered to protect the health and safety of the residents of Sumter County; and

WHEREAS, the Sumter County Council is further authorized by Section 4-9-145 of the *Code of Laws of South Carolina*, (1976, as amended) to appoint and commission as many code enforcement officers as may be necessary for the proper security, general welfare, and convenience of the County;

WHEREAS, Sumter County Ordinance 18-900 sets forth the procedure for appointing Code Enforcement Officers,

NOW, THEREFORE, BE IT RESOLVED THAT the following named individuals are hereby appointed and commissioned as Code Enforcement Officers of Sumter County for the purpose of providing for the proper security, general welfare, and convenience of the County, replete with all the powers and duties conferred by law upon constables in addition to such duties as may be imposed upon them by the governing body of this County, including the enforcement of the applicable building codes and the Sumter County Zoning and Development Standards Ordinance and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 4-9-145 of the *Code of Laws of South Carolina*, (1976, as amended) and Sumter County Ordinance 18-900. Provided, however, these named individuals shall not perform any custodial arrests in the exercise of their duties as code enforcement officers and their authority to issue an ordinance summon will be in the unincorporated areas of Sumter County. This appointment shall remain in effect only until such time as these named individuals are no longer employed by Sumter County as a code enforcement officer.

Brent C. Bullard	Sumter City-County Building Department
Leonard W. Avins	Sumter City-County Building Department
Charles W. "Steve" Campbell, Jr.	Sumter City-County Building Department

Danielle M. Malachi	Sumter City-County Planning Commission
John F. Macloskie	Sumter City-County Planning Commission
Preston McClun	Sumter City-County Planning Commission
Helen M. Roodman	Sumter City-County Planning Commission
George K. McGregor	Sumter City-County Planning Commission

ADOPTED THIS THE _____ DAY OF _____, 2018.

James T. McCain, Jr., Chair
Sumter County Council

Attest: _____
Mary W. Blanding
Clerk of Council



2019 Calendar

Sumter County Council Regular Meeting Dates

Each meeting will begin at 6:00 p.m. or as otherwise publicized. Other special meetings of Sumter County Council may be called during the year, as Council deems necessary.

Regular meetings of Sumter County Council are scheduled to be held in County Council Chambers or at a location deemed appropriate by County Council on the second and fourth Tuesdays of each month. Council will meet only one time in December to concur with other requirements of Sumter County Council. This calendar may be adjusted by a majority vote of Sumter County Council members at a meeting of Council.

Month Of Meeting	First Meeting Date	Second Meeting Date
January	8	22
February	12	26
March	12	26
April	9	23
May	14	28
June	11	25
July	9	23
August	13	27
September	10	24
October	8	22
November	12	26
December	10	None

This calendar was adopted by members of Sumter County Council on October 9, 2018.

NOTE: Anyone wishing to place an agenda item on County Council's agenda must give written request to the Clerk to County Council and provide appropriate supporting documents to the Clerk on the Wednesday before each meeting date prior to 4:00 p.m. Information can be mailed to 13 E. Canal Street, Sumter, SC; or fax information to 803-436-2108, or email information to council@sumtercountysc.org.

Mary W. Blanding
Clerk To Sumter County Council



GARY M. MIXON
ADMINISTRATOR

Sumter County
Sumter, South Carolina
29150

ADMINISTRATION BUILDING
13 EAST CANAL STREET
TELEPHONE: (803) 436-2102
FAX: (803) 436-2108

MEMORANDUM

TO: All Department Managers
FROM: Gary M. Mixon
RE: 2019 Holiday Calendar
DATE: October 9, 2018

G.M.M.

The following is Sumter County's 2019 Holiday Calendar. You and your families have a Merry Christmas and Happy New Year.

TUESDAY, JANUARY 1	NEW YEAR'S DAY
MONDAY, JANUARY 21	MARTIN LUTHER KING'S DAY
MONDAY, FEBRUARY 18	PRESIDENT'S DAY
FRIDAY, APRIL 19	GOOD FRIDAY
MONDAY, MAY 27	MEMORIAL DAY
THURSDAY, JULY 4	INDEPENDENCE DAY
MONDAY, SEPTEMBER 2	LABOR DAY
MONDAY, NOVEMBER 11	VETERAN'S DAY
THURS & FRI, NOVEMBER 28 & 29	THANKSGIVING
TUES, WED, & THURS DECEMBER 24, 25, & 26	CHRISTMAS
VARIED	EMPLOYEE BIRTHDAY

ORDINANCE NO. 18-899

**AN ORDINANCE AUTHORIZING
THE TRANSFER OF PROPERTY ON JEFFERSON ROAD TO BECTON, DICKINSON
AND COMPANY**

- WHEREAS*, Sumter County currently owns a discrete parcel of land on Jefferson Road which is part of an old railroad right-of-way, measuring approximately 1.38 acres in size, which is identified as part of TMS number 232-00-01-003; and
- WHEREAS*, Sumter County uses the parcel as a part of the Cypress Trail, which is a recreational walking and biking trail; and
- WHEREAS*, Becton, Dickinson and Company owns the adjoining real property on the western border of the subject tract that is identified as TMS number 231-00-04-001 on which its Sumter plant is located; and
- WHEREAS*, Becton, Dickinson and Company plans to acquire 15 acres on the eastern border of the subject tract as a part of its planned expansion more specifically described in the Fee in Lieu of Tax and Incentive Agreement dated June 12, 2018 as approved by Sumter County Ordinance 18-885; and
- WHEREAS*, Becton, Dickinson and Company plans to use the property described herein so that it will own its existing parcel, the subject parcel and the 15 acres that it plans to acquire and have continuity of ownership of the contiguous tracts so that it may expand its operations and employ more people; and
- WHEREAS*, The Cypress Trail will be re-routed around the perimeter of the 15-acre parcel on the eastern boundary of the subject tract that Becton, Dickinson and Company plans to acquire;
- WHEREAS*, Sumter County does not need the property described herein for any public purpose;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF SUMTER COUNTY, SOUTH CAROLINA, AT ITS REGULAR MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

That the Sumter County convey to Becton, Dickinson and Company the parcel described as follows:

All that certain piece, parcel or lot of land located on Jefferson Road, containing 1.38 acres, more or less, shown and delineated as "SUMTER COUNTY" on a plat prepared by William E. Lindler dated January 12, 2018 to be recorded in the Office of the Register of Deeds for Sumter County.

The Chairman of Sumter County Council is authorized to sign the Deed conveying the property to Becton, Dickinson and Company after Becton, Dickinson and Company acquires the 15-acre parcel on the eastern border of the subject property.

**THE COUNTY COUNCIL FOR SUMTER COUNTY
SOUTH CAROLINA**

BY: _____
James T. McCain, Jr.

ITS: Chairman

ATTEST:

BY: _____
Mary W. Blanding
ITS: Clerk to County Council

First Reading: _____, 2018.

Second Reading: _____, 2018.

Notice of Public Hearing published in
The Item: _____, 2018.

Public Hearing Held: _____, 2018.

Third Reading and Adoption: _____, 2018.

ORDINANCE NO. 18--900

**AN ORDINANCE AUTHORIZING THE
APPOINTMENT OF CODE ENFORCEMENT OFFICERS BY RESOLUTION**

WHEREAS, §4-9-145 of *The Code of Laws of South Carolina*, (1986, as amended) provides that the governing body of a county may appoint and commission as many code enforcement officers as may be necessary for the proper security, general welfare, and convenience of the county; and

WHEREAS, such appointed officers are vested with all the powers and duties conferred by law upon constables in addition to duties imposed upon them by the governing body of the county except that no code enforcement officer commissioned appointed under §4-9-145 of *The Code of Laws of South Carolina*, (1986, as amended) may perform a custodial arrest; and

WHEREAS, such appointed code enforcement officers must exercise their powers on all private and public property within the county but the governing body of the county may limit the scope of a code enforcement officer's authority or the geographic area for which he is authorized to exercise the authority granted,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF SUMTER COUNTY, SOUTH CAROLINA, AT ITS REGULAR MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

1. The County Council for Sumter County, pursuant to the provisions of S.C. Code 1976, § 4-9-145, as amended, shall appoint and commission as many code enforcement officers as may be necessary for the proper security, general welfare, and convenience of Sumter County.
2. Recommendation for appointments shall be made to the County Council by the Sumter County Administrator.

3. Code enforcement officers shall be appointed and commissioned by resolution of the County Council. Any and all proposed resolutions appointing a code enforcement officer shall be placed on the Agenda of the County Council for its approval.

4. The officers appointed and commissioned hereafter shall be vested with all the powers and duties conferred by law upon constables in addition to duties imposed upon them by the ordinances of the county. However, no code enforcement officer commissioned pursuant to this ordinance shall perform a custodial arrest.

5. The officers appointed and commissioned hereafter shall exercise their powers on all private and public property within the unincorporated areas of the county.

6. The officers and appointed and commissioned hereafter shall be sworn in by the Clerk of Court for Sumter County as soon as practicable after their respective appointments.

7. The officers appointed and commissioned hereafter shall serve while they are employed by Sumter County, the Sumter City-County Building Department or the Sumter City-County Planning Commission in the position of a code enforcement officer.

**THE COUNTY COUNCIL FOR SUMTER COUNTY
SOUTH CAROLINA**

BY: _____
James T. McCain, Jr.

ITS: Chairman

ATTEST:

BY: _____
Mary W. Blanding

ITS: Clerk to County Council

First Reading: _____, 2018

Second Reading: _____, 2018

Third Reading and Adoption: _____, 2018



Agenda
Sumter County Council
Committee Meeting: Internal Affairs
Tuesday, October 9, 2018 - Held at 5:00 p.m.
County Administration Building, Third Floor
County Council's Conference Room -- 13 E. Canal Street, Sumter, SC

-
- I. Call to Order: Committee Chairman, The Honorable Jimmy Byrd
 - II. Invocation: Council Member, Staff, or Local Minister
 - III. Action On Agenda – October 9, 2018
 - IV. New Business
 1. **Executive Session Matters** -- Discussions And Possible Appointments Or Reappointments To The Following Boards And Commissions:
 1. Crystal Lakes Advisory Board
 2. Cultural Commission
 3. Development Board
 4. Sumter County Employee Grievance Committee
 5. Planning Commission
 6. Santee Lynches Regional Council On Government
 7. Sumter Iris Festival Commission
 8. Additional Boards/Commissions _____
 - V. Old Business
 1. Stormwater and Sediment Control Boards And Ordinance Passed By The City of Sumter.
 2. Other Boards And Commissions Updates
 - a. Tax Board Of Appeals
 - b. Historical Commission
 - c. Additional Boards/Commissions _____
 - VI. Adjournment

Committee Members: *Byrd, Baker, and Sumpter*

In compliance with ADA/Section 504, Sumter County is prepared to make accommodations for individuals needing assistance to participate in our programs, services, or activities.
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Agenda
Sumter County Council
Committee Meeting: Fiscal, Tax, And Property
Tuesday, October 9, 2018 - Held at 5:30 p.m.
County Administration Building -- County Council's Conference Room 13 E.
Canal Street, Sumter, SC

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- I. **Call to Order:** Committee Chairman, The Honorable James T. McCain, Jr.
- II. **Invocation:** Council Member, Staff, or Citizen
- III. **Action On Agenda:** Tuesday, October 9, 2018
- IV. **New Business:**
 1. **Executive Session:** It Is Necessary To Hold An Executive Session To Discuss A Property Matter, And It May Be Necessary To Discuss An Economic Development Matter, Receive A Legal Briefing, Or Other Appropriate Items For Executive Session -- And To Take Actions Thereafter On Any Of These Matters.
 2. Additional Agenda Item: _____.
- V. **Old Business**
 1. None
- VI. **Adjournment**

<p>In compliance with ADA/Section 504, Sumter County is prepared to make accommodations for individuals needing assistance to participate in our programs, services, or activities.</p>



SUMTER COUNTY SHERIFF'S OFFICE

ANTHONY DENNIS, SHERIFF

To: Sumter County Council

From: Anthony Dennis, Sheriff

Date: October 4, 2018

Reference: Monthly Activity Report - Sumter County Sheriff's Office

The following Monthly Activity Report is submitted for the month of September, 2018 from the Sheriff's Office:

EXECUTIVE TEAM:

LEGAL/INTERNAL AFFAIRS

Contractual Matters - 2

FOIA Requests - 5

Subpoenas - 3

Discovery Requests - 7

Lawsuits:

Filed - 1

Disposed - 0

Appeals - 1

Jury / Bench Trials Disposed - 47

Status conferences: 2

Cases scheduled: 193

DMV Hearings: 0

Fines assessed - \$11,566.00

Fines suspended - \$ 0.00

Total fines - \$11,566.00

Incarcerations - 0

Internal Affairs Investigations - 1

Mileage - 2,003

Training Hours - 4

Civil Papers - 0

Miscellaneous Legal: Depositions (Williams, Buchanan); Hurricane duty; meeting with Jim Davis; Fed. Ct. order re: inmate; Dog bite case review; correspondence with DHS regarding unfounded employee complaint; meeting regarding affidavits from deputies in Cantey lawsuit; monitor Coker v Pinewood; appeal of State v. Wright; 1 consent order

PROFESSIONAL STANDARDS

SEX OFFENDER REGISTRY:

Required Home Visits – 0
Training Hours – 0
Registrations – 55
New Registrations – 0
Special Operations - 0
Warrants Signed / Arrests – 0
Complaints - 0
Transfers in/out of county – 1
Agency / Division Meetings – 2
Hearings / Trials – 0
Annual fees assessed – \$1,200.00
Mileage – 0

RECRUITING AND HONOR GUARD:

Mileage – 2,110
Applications received – 16
Interviews – 9
Recruiting events - 1
Hiring boards conducted – 0
Public relation events attended - 1
Honor guard events – 0
Background Checks – 0
Special Assignment – 0

GRANTS AND TESTING:

Grants researched – 4
Grants applied for – 1
Grants Awarded - 0

INFORMATION TECHNOLOGY

Software - 15
Hardware - 5
Virus - 3
E-Mail - 11
Printer - 2
Meetings/Projects – 3
Server Issues – 3

PATROL DIVISION:

PATROL

Accidents Investigated - 8
Arrests – 75
Assist motorists – 56
Complaints – 2,868
Driver's license checks – 23
DUI/Data Master – 4
DUS arrests – 60
Escorts – 28
Fines assessed – \$102,820.00
Fines suspended – \$ 6,413.00

Total fines – \$96,407

Mental Patients – 6

Mileage – 263,345

Other citations – 155

School visits – 38

Training hours - 155

Agencies assisted - SC Highway Patrol – N/A Sumter Police Department – N/A Other – 43

CAT TEAM:

Accidents investigated – 1

Arrests - 13

Assisted motorists – 16

Complaints – 72

COP Meetings – 2

D.U.I. / Data Master – 1

D.U.S. – 13

Driver license checks – 1

Fines assessed – \$39,264.00

Fines suspended – \$ 0.00

Total fines – \$39,264.00

Interdiction hours – 0

Mileage – 20,587

Petitions – 0

Saturation hours – 0

Training hours - 18

Agencies assisted - SC Highway Patrol – N/A Sumter Police Department – N/A Other – 7

CANINE UNIT:

Search Warrants - 2

Training Hours – 68

Agencies assisted - SC Highway Patrol – N/A Sumter Police Department – N/A Other – 6

CRIME PREVENTION:

Complaints – 80

COP Meetings - 18

DARE Classes - 2

Mileage – 3,668

School visits - 12

Training hours – 14

SCHOOL RESOURCE OFFICERS/ ADMINISTRATION:

Arrests- 0

Assisted Motorists – 6

Complaints – 88

DUI – 0

Fines Assessed – 0

Fines Suspended – 0

Total Fines – 0

Mental Patients – 0

Mileage – 6,708

Other Violations – 0

Petitions – 1

Training hours – 0

Agencies assisted - SC Highway Patrol – N/A Sumter Police Department – N/A Other – N/A

INVESTIGATIONS:

CRIMINAL INVESTIGATIONS DIVISION:

Accidental/natural death/suicides – 3
Arrests – 41 (Adults – 41) (Juveniles – 0)
Arson – 5
Assaults (general) – 27
Assaults (sexual) – 6
Assist other agencies – 17
B & E auto – 18
Bomb threats – 0
Breach of trust – 6
Burglaries – 32
Child abuse/neglect – 3
Contributing to the delinquency of a minor – 0
Counterfeit/credit card fraud/fraud/forgery – 11
Crime scenes worked – 48
Crime scene hours – 84
Criminal domestic violence – 45
Criminal warrants – 54
Emergency protective custody – 0
Fugitive from justice – 3
Identity theft – 4
Incorrigible child – 3
Indecent exposure – 1
Interfering with the operation of a school bus – 1
Kidnapping – 0
Larcenies (auto) – 9
Larcenies (general) – 44
Lynching – 0
Malicious injury to property – 18
Mileage – 27,073
Missing Person – 0
Murder – 0
Petitions – 0 (Juvenile)
Pointing/presenting a firearm – 3
Recovered property – \$30,127.00
Robberies – 2
Runaways – 1
Search warrants – 11
Stakeouts – 1
Stalking – 2
Stolen Property – \$61,205.00
Threatening a public official – 0
Training Hours – 89
Unlawful use of telephone – 0
Weapons violations – 0

CRIME ANALYSIS AND POLYGRAPH:

Crime analysis reports – 0
Polygraphs – 0

FORENSICS:

Autopsy – 2

Autopsy Hours – 6

NARCOTICS DIVISION:

Arrests – 0

Fines Assessed - \$500.00

Fines Suspended – \$0.00

Total Fines - \$500.00

Mileage – 10,108

Search warrants – 1

Training hours – 12

Drug complaints – 20

Seizures – currency - \$5,579.86 vehicle(s) - 0

Surveillance – 203 hours

Agencies assisted - SC Highway Patrol – 0 Sumter Police Department – 0 Other – 12

Recovered narcotics:	Marijuana wt. – 258.66 grams	Marijuana Plants - 0
	Crack cocaine – 27 grams	Cocaine powder – 8.8 grams
	Heroin – 48.99 grams	Methamphetamine – 22.4 grams
	All Pills – 123	Other drugs- 0

VICTIM ADVOCATE:

Interviews of Victims/Witnesses - 2

Meetings with Victims and/or families) – 110

Court Appearances – 6

Meetings (interoffice) – 135

Meetings (Prosecutors & Court Officials) – 4

Meetings (other agencies) - 20

Child forensic interviews – 0

Called to scene – 3

Debriefings & Defusings – 0

Special Assignments – 1

Training (Attended & Conducted) – 2

Mileage – 1,974

Disciplinary Hearing/Inmate Representative – 0

CIVIL PROCESS:

WARRANTS DIVISION

Arrests – 0

Attempted service – 220

Bench warrants – 0

Civil Papers - 502

Complaints – 30

Criminal warrants – 0

Executions – 38

Fines Assessed - \$310.00

Fines Suspended - \$250.00

Total Fines - \$ 60.00

Mileage – 6,998

Sheriff's fees – \$4,478.37

Training hours- 33

FAMILY COURT DIVISION:

Arrests – 0
Bench warrants – 23
Criminal warrants – 4
Family Court Security – 22 days 1,760 hours
Fines Assessed - \$22,697.28
Fines Suspended - \$0.00
Total Fines - \$22,697.28
Mileage – 5,635
Non-service – 34
Petitions - 17
Training hours – 42
Total papers – 365 issued, 287 served = 79% service
Total value of process – \$374,999.68
Transportation, adult – 0
Transportation, juvenile – 0

SPECIAL OPERATIONS:

TRAINING

Arrests - 1
Assist Motorists - 0
Meetings - 2
Mileage – 3,098
Training hours – 49
Training Classes - 1

ANIMAL CONTROL:

Animal control complaints – 108
Animals picked up – 74
Mileage – 3,633
Money collected – \$260.00

CODES ENFORCEMENT:

Certified mail – 1
Codes Violations - 55
Complaints – 48
Fines assessed – \$.00
Fines suspended – \$.00
Total fines - \$.00
Mileage – 3,080
Training hours – 24

QUARTERMASTER:

Uniform & Equipment – 45

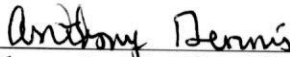
TOTALS FOR ALL DEPARTMENTS:

Complaints – 3,314
Arrests – 130
Civil Papers – 502
Currency Seizures - \$5,579.86
Training Hours – 508
Mileage – 360,020
Petitions - 18
Mental Patients – 6
Fines assessed – \$177,417.28
Fines suspended – \$ 6,663.00
Total fines – \$170,754.28
Stolen Property – \$ 61,205.00
Recovered property – \$ 30,127.00
Sheriff fees – \$ 4,478.37
Codes Violations – 55
Escorts – 28
Agencies assisted - SC Highway Patrol – 0 Sumter Police Department – 0 Other – 61
Recovered narcotics: Marijuana wt. – 258.66 grams Marijuana Plants - 0
Crack cocaine – 27 grams Cocaine powder – 8.8 grams
Heroin – 48.99 grams Methamphetamine – 22.4 grams
All Pills – 123 Other drugs- 0

STATISTICS BELOW REPORTED TO SLED

Homicide – 0
Robbery - 4
All other larceny – 57
Arson – 0
Assaults (Simple) – 37
Assaults (Aggravated) - 22
Assaults (sexual) – 7
Theft (motor vehicle) – 11
Theft from motor vehicle – 19
Theft motor vehicle parts/accessories - 3
Burglaries – 44
Kidnapping – 0
DUI – 7
Suicide – 5
Missing Person – 3

Respectfully submitted,



Anthony Dennis, Sheriff