

AGENDA
COLLETON COUNTY COUNCIL
REGULAR MEETING
TUESDAY, NOVEMBER 7, 2023
6:00 P.M.
COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING

1. Call to Order
2. Roll Call
3. Invocation & Pledge of Allegiance
4. Approval of Minutes
 - a) Regular Meeting, October 3, 2023
5. Awards and Recognitions
 - a) Proclaiming November 2023 as Family Court Awareness Month in Colleton County
 - b) Proclamation for Colleton County Council’s Appreciation and Support of the “Splash into Safety” Swim Program in Their Efforts to Prevent Drowning
 - c) Government Finance Officers Association – Certificate of Achievement for Excellence in Financial Reporting
6. Appearances & Public Presentations
7. Administrator’s Briefing
8. Public Hearing
 - a) 3rd Reading Ordinance 23-O-15, To Approve a Corrected Plat Related to the Sale of a Portion of Real Property Owned by Colleton County, South Carolina to Mr. Jason McMillan for the property identified by TMS No. 195-00-00-181.000 on Cooks Hill Road; and Other Matters Relating Thereto
 - b) 3rd Reading Ordinance 23-O-16, To Amend Colleton County’s 2030 Comprehensive Plan to Create a Heavy Industrial District
 - c) 3rd Reading Ordinance 23-O-17, To Amend Title 14 – Land Management, 14.08 – Zoning, to Coincide with the Amendment of the 2023 Colleton County Comprehensive Plan
9. Old Business
 - a) 3rd Reading Ordinance 23-O-15, To Approve a Corrected Plat Related to the Sale of a Portion of Real Property Owned by Colleton County, South Carolina to Mr. Jason McMillan for the property identified by TMS No. 195-00-00-181.000 on Cooks Hill Road; and Other Matters Relating Thereto

- b) 3rd Reading Ordinance 23-O-16, To Amend Colleton County's 2030 Comprehensive Plan to Create a Heavy Industrial District
 - c) 3rd Reading Ordinance 23-O-17, To Amend Title 14 – Land Management, 14.08 – Zoning, to Coincide with the Amendment of the 2023 Colleton County Comprehensive Plan
10. New Business
- a) Resolution 23-R-63, To Approve a Joint Use Agreement between Colleton County and the Nettles Family Playground dba Rural Carolina Community Development Corporation for Recreation Improvements
 - b) Resolution 23-R-64, To Authorize Acceptance and Budgeting of Various Grants for FY 2023-2024
 - c) Resolution 23-R-65, To Authorize an Appropriation from E-911 (Fund 141) Fund Balance to Cover the Cost of 911 Dispatch Center Equipment
11. Items for Information and Public Record
12. Public Comments (3 minutes per person/max time 20 min.)
13. Council Time
14. Executive Session
15. Adjournment
16. Informal Meeting of the Whole

Colleton County Council will hold a regular meeting on Tuesday, November 7, 2023, at 6:00 pm. The public will be able to stream the meeting from a link on the County's home page or by going to www.colletoncounty.org/live.

MINUTES
TUESDAY, OCTOBER 3, 2023
REGULAR MEETING
6:00 P.M.

Colleton County Council
Council Chambers, Old Jail Building
109 Benson Street
Walterboro, SC 29488

Present: Chairman Steven Murdaugh called the meeting to order with Council Members Dr. Joseph Flowers, Phillip Taylor, Bubba Trippe, and Scott Biering in attendance.

Others Included: Kevin Griffin, Meagan Utsey, Sean Thornton, Kaela Brinson, Jon Carpenter, Barry McRoy, Josh Rowland, Sue Keith, Robert Renner, Angie Salley, Mark Wysong, Anderson Grant, Clarence Wiggins, Felicia Johnson, and Lisa Langdale.

Councilman Bubba Trippe gave the invocation and led the Pledge of Allegiance.

Approval of Minutes

- A. Regular Meeting September 5, 2023— Councilman Taylor moved to approve the minutes of the Regular Meeting held on September 5, 2023. The motion was seconded by Dr. Flowers and the motion carried unanimously.

Appearances & Public Presentations

- A. SC Department of Mental Health – Angie Salley, Executive Director

Mrs. Salley: Stated, I am Angie Salley, the Executive Director for Coastal Empire Community Mental Health Center, which serves five counties in the Lowcountry area: Colleton, Beaufort, Jasper, Hampton, and Allendale. I am here to give this presentation and to thank this council for your support of Coastal Empire Community Mental Health Center. We consider you one of our strongest community partners and stakeholders. We would not be able to do what we do without the support of this council.

*** See attached Presentation.

Councilman Taylor: Stated, Mrs. Salley, thank you. I do not think you have mentioned to this body that you are from Oakman Branch/Springtown area.

Mrs. Salley: Stated, yes, I am. I am from Colleton County born and raised and I am very proud of that.

Councilman Taylor: Stated, with the new zero tolerance policy, we are seeing a lot more seventeen-year-olds end up in adult learning, so we may need to have a conversation about that.

Mrs. Salley: Stated, it may not be in your packet, but I asked Andrea to mention to you all that in the past we have collaborated before on some in-service training and meetings between council and myself or Mrs. Miley. If you have any designated committees that are looking at human services in your area or different mental health related issues, we are more than willing to collaborate. If it is not me, we do have a chief of clinical operations, and we also have your local clinic director, Mrs. Andrea Miley. We are willing to designate a time to do that at any point that you all make that request.

Councilman Biering: Stated, I do not have any questions, but Councilman Trippe and I went to the Pillars4Hope event the other night, we've been in the schools, and talked with In His Name Colleton. Your presence is always spoken about in high regard. Thank you for what you do, and your continued support. In today's environment we need more of what you do.

Mrs. Salley: Stated, thank you.

Chairman Murdaugh: Stated, Senator Sandy Senn is not here. She may be running late so we will skip that and come back to it.

Administrator's Briefing

Mr. Griffin: Stated, Council made a decision about five years ago by Dr. Flowers' recommendation, that we invest in the services provided by Coast Empire Community Mental Health Center and it has paid off. I do want to thank you again for all you do for the Sheriff's Department, Fire- Rescue, and across our entire enterprise. We appreciate all the help very much. Mr. Chairman, I only have one item to discuss with you all tonight. We had to go back and rework Item "c", second reading, under "Old Business", which is a plat regarding Mr. Jason McMillan. That is next door to the solid waste site. The surveyor went in and found out that there is about three pieces of land that is in "no man's land" and nobody knew who owned them. We are going to come out better than we originally thought with an additional 4 acres +/- . If you look at the plat and have any questions, I will be glad to answer them. There was a strip along the back side of what was the old Walterboro Veneer plant that went all the way to Cooks Hill Road that nobody really owned, so they Quit Claimed that to us and we Quit Claimed a small triangle portion. It is a little confusing. Meagan and I struggled as we were writing it. If you have any questions, I will be glad to answer them.

No questions.

Public Hearing

Dr. Flowers made a motion to move into Public Hearing. Councilman Taylor seconded that motion, and the motion was carried unanimously.

A. 3rd Reading Ordinance 23-O-13, To Ratify FY23 Grant and Budget Resolutions and Related Appropriations for All Funds; To Ratify Transfer and Other Resolutions Previously Authorized by Council; And Other Matters Related Thereto

No comments were made. Dr. Flowers made a motion to close Public Hearing. Councilman Biering seconded that motion and the motion carried unanimously.

Old Business

A. 3rd Reading Ordinance 23-O-13, To Ratify FY23 Grant and Budget Resolutions and Related Appropriations for All Funds; To Ratify Transfer and Other Resolutions Previously Authorized by Council; And Other Matters Related Thereto

Councilman Taylor moved to approve 3rd Reading of Ordinance 23-O-13, To Ratify FY23 Grant and Budget Resolutions and Related Appropriations for All Funds; To Ratify Transfer and Other Resolutions Previously Authorized by Council; And Other Matters Related Thereto The motion was seconded by Councilman Trippe. The motion carried unanimously.

B. 2nd Reading Ordinance 23-O-14, to Amend Title 2 – Administration and Personnel, Chapter 2.30 – County Council, Section 2.30.030 – Meetings and to Add Title 2 – Administration and Personnel, Chapter 2.30 – County Council, Section 2.30.070 – Electronic/Virtual Meetings of the Colleton County Code of Ordinances

Councilman Taylor moved to approve 2nd Reading Ordinance 23-O-14, to Amend Title 2 – Administration and Personnel, Chapter 2.30 – County Council, Section 2.30.030 – Meetings and to Add Title 2 – Administration and Personnel, Chapter 2.30 – County Council, Section 2.30.070 – Electronic/Virtual Meetings of the Colleton County Code of Ordinances. The motion was seconded by Councilman Biering. The motion carried unanimously.

C. 2nd Reading Ordinance 23-O-15, To Approve a Corrected Plat Related to the Sale of a Portion of Real Property Owned by Colleton County, South Carolina to Mr. Jason McMillan for the property identified by TMS No. 195-00-00-181.000 on Cooks Hill Road; and Other Matters Relating Thereto

Dr. Flowers moved to approve 2nd Reading Ordinance 23-O-15 To Approve a Corrected Plat Related to the Sale of a Portion of Real Property Owned by Colleton County, South Carolina to Mr. Jason McMillan for the property identified by TMS No. 195-00-00-181.000 on Cooks Hill Road; and Other Matters Relating Thereto. The motion was seconded by Councilman Trippe. The motion carried unanimously.

D. 2nd Reading Ordinance 23-O-16, To Amend Colleton County’s 2030 Comprehensive Plan to Create a Heavy Industrial District

Councilman Taylor moved to approve 2nd Reading Ordinance 23-O-16, To Amend Colleton County's 2030 Comprehensive Plan to Create a Heavy Industrial District. The motion was seconded by Dr. Flowers. The motion carried unanimously.

Chairman Murdaugh: Asked, do we have a routine schedule that we look at the Comprehensive Plan to determine if there are amendments needed?

Mr. Griffin: Stated, Josh Rowland, our planning director can speak to that.

Mr. Rowland: Stated, typically once a year we will look at it. That does not always mean that changes will happen. Obviously, things happen, and things change. Traditionally, you can see updates every five years. However, the staff and planning commission take a look once or twice a year to review and see if there are any changes needed.

No further questions.

E. 2nd Reading Ordinance 23-O-17, To Amend Title 14 – Land Management, 14.08 – Zoning, to Coincide with the Amendment of the 2023 Colleton County Comprehensive Plan

Councilman Taylor moved to approve 2nd Reading Ordinance 23-O-17, To Amend Title 14 – Land Management, 14.08 – Zoning, to Coincide with the Amendment of the 2023 Colleton County Comprehensive Plan. The motion was seconded by Councilman Biering. The motion carried unanimously.

New Business

A. Resolution 23-R-59, To Amend the Colleton County Record of Roads to Include Wasson Lane

Dr. Flowers moved to approve Resolution 23-R-59, To Amend the Colleton County Record of Roads to Include Wasson Lane. The motion was seconded by Councilman Taylor. The motion carried unanimously.

B. Resolution 23-R-60, To Authorize the Expenditure of Funds Related to Special Projects as Recommended by the Colleton County Accommodations Tax Committee from the State Accommodations Tax Fund – Fund 152 During the Fiscal Year Ending June 30, 2023 and Other Matters Related Thereto

Councilman Biering moved to approve Resolution 23-R-60, To Authorize the Expenditure of Funds Related to Special Projects as Recommended by the Colleton County Accommodations Tax Committee from the State Accommodations Tax Fund – Fund 152 During the Fiscal Year Ending June 30, 2023, and Other Matters Related Thereto. The motion was seconded by Councilman Trippe. The motion carried unanimously.

C. Resolution 23-R-61, To Authorize the Council Clerk to Advertise for Board Vacancies

Councilman Taylor moved to approve Resolution 23-R-61, To Authorize the Council Clerk to Advertise for Board Vacancies. The motion was seconded by Councilman Biering. The motion carried unanimously.

D. Resolution 23-R-62, To Appoint Members to Board Vacancies

Councilman Biering moved to approve Resolution 23-R-62, To Appoint Members to Board Vacancies. The motion was seconded by Councilman Taylor. The motion carried unanimously.

The following appointments were made by acclamation: – Colleton County Keep Colleton Beautiful: Darrie Levine, Colleton County Recreation Commission: Clarence Wiggins, and Colleton County Resource and Development Board: James Warner, Anderson Grant, and William Scott Catterton.

Public Comment

Felicia Johnson: Stated, this is not my first time coming up here about this ditch situation. I first started coming up here must be 15 years ago. I first started with SCDOT about these ditches and someone from there put me on to coming here. I don't know if you all go out and only look by my house or go look in my area. All behind me on Pine Needle, Gadsden Loop, and King Street. When you pass by Family Dollar and by Councilman Taylor's church, you can barely see the drainpipes. At one point you could barely see them at all because of the dirt. All they did was come in our neighborhood and dug the ditches deeper then put bricks around the drainpipes for decoration. My insurance nor my neighbors covered it when our houses flooded out in 2021. The light situation is getting worse. My road is not a street, it is a drag strip. They were just racing the other day. If the Sheriff's Department wants to make money, come sit over by me, they can make plenty. They do not respect where I live. Like I said, it is just dark shadows at night. If my neighbor doesn't turn on her porch light, you can not see anything. Thank you, Lord, for what happened to me. In a way I like it and, in a way, I don't like it. They put a camera up right in front of my house where a young man killed somebody last year. My church sister told me they put a streetlight over by her and I said, "Well thank God for you, because we need it by us." I am riding a bicycle tonight. When these poles went in, you can't ride a bicycle on Jefferies Blvd at night. There was a lady in a wheelchair who had to go on the street because you can't ride on these sidewalks no more. I can't ride my bicycle anymore so I had to figure out which way I was coming tonight. I had to come from that way, because like I said you can't ride your bike or wheelchair on these sidewalks anymore. She could've been killed. Then I see you all lining up trees and that is a hazard too. If a storm comes through and those trees end up in the road, then that will cause a wreck. If you all want to beautify Walterboro, come to these neighborhoods, and do something about these ditches. There used to be a ton of green stuff in the ditches on Green Pond. The mosquitos are bad, and I don't want to find out what else is in the ditch. I looked yesterday and the water is finally drained

out and the ditch is dry. Thank God I didn't see any snakes this year because I normally see them. The water does not leave out of those ditches right there, especially on our front. I broke my ankle in that ditch too. We need help in our community. A lot of the drainpipes you can't even see because they are covered in dirt. We need help, thank you. I know that you have to go through the DOT, but that's where I started from.

Clarence Wiggins: Stated, I have been receiving texts wondering why we are not live streaming.

Chairman Murdaugh: Stated, I will respond during council time. Are there any further comments?

No further comments.

Council Time

Councilman Biering: Stated, Mrs. Felicia, we have talked before. You said Mr. Murdock at DOT sent you to us. I am going to send you back to them. I am just joking. We will get in touch with you. A couple of us have already called about the lights. There is only so much that we are able to do with a state/DOT deal. We may be able to push a little further. I will follow up with you on those safety concerns. You are not being ignored. There are certain things we have control over and certain things we do not. We will go and help as much as we can to help find the right path. I wanted to let you know that you are not being ignored.

Chairman Murdaugh: Stated, Mr. Wiggins, there is an item on the agenda tonight that somewhat answers your question. The live streaming of council meeting was something that was done as a result of covid. Like most county councils, we do have a provision that allows us to do it, but it is really only for when we are in an emergency situation. We planned to discontinue sooner than we did. The only time that a meeting can be streamed live is in some sort of an emergency situation. So, we have discontinued that. That is what council has decided to do.

Before we go into executive session, I would like to make a comment. We did have Sandy Senn on the agenda tonight. I have not heard from her, but she was coming to address us. She is the South Carolina State Senator for District 41. Some of you may know her. The district lines are scheduled to be redrawn and take effect for the next election. She will be representing a good portion of the eastern district which could cross into the western district. Her district will be in Colleton County during her next election. I think her intentions for coming out tonight was to make citizens aware that part of her district will be in Colleton County next election, sort of educate individuals on district lines.

Executive Session

Dr. Flowers moved to go into executive session to discuss the following: Real Estate – Rural Carolina Community Development Corporation. Councilman Biering seconded the motion. The motion carried unanimously.

Councilman Taylor moved to exit executive session. Dr. Flowers seconded the motion, which was carried unanimously.

Councilman Biering: Stated, I would like to make a motion that we join into a joint land agreement with the Rural Carolina Community Development Corporation on Barracada Road. Councilman Taylor seconded the motion and the motion carried unanimously.

Adjournment

Dr. Flowers moved to adjourn the meeting, Councilman Trippe seconded the motion, which carried unanimously.

This 7th day of November 2023.

Steven D. Murdaugh, Chairman

ATTEST:

Kaela Brinson, Clerk to Council

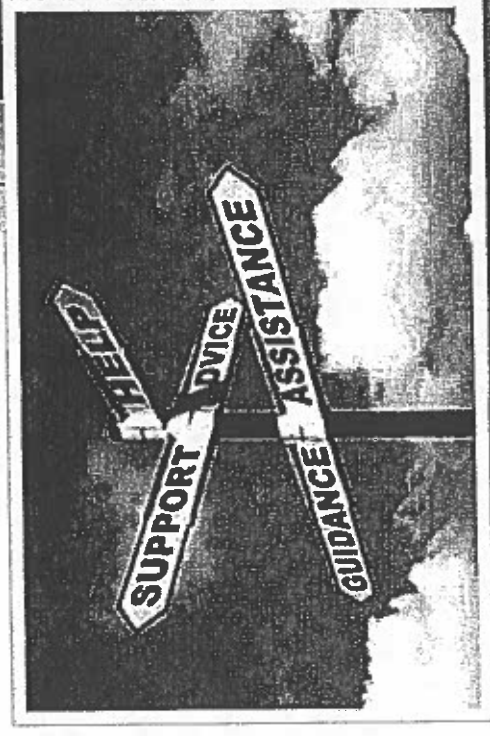
Our mission ...

“To support the recovery of people with mental illnesses.”

Priority is to treat adults with serious and persistent mental illnesses and children with severe emotional disturbances.

Services we provide...

- Clinic Based Outpatient
- Services at the Schools
- Consultation to Detention Center
- Consultation to Medical Center
- Community Education
- Community Support
- Mobile Crisis 24/7



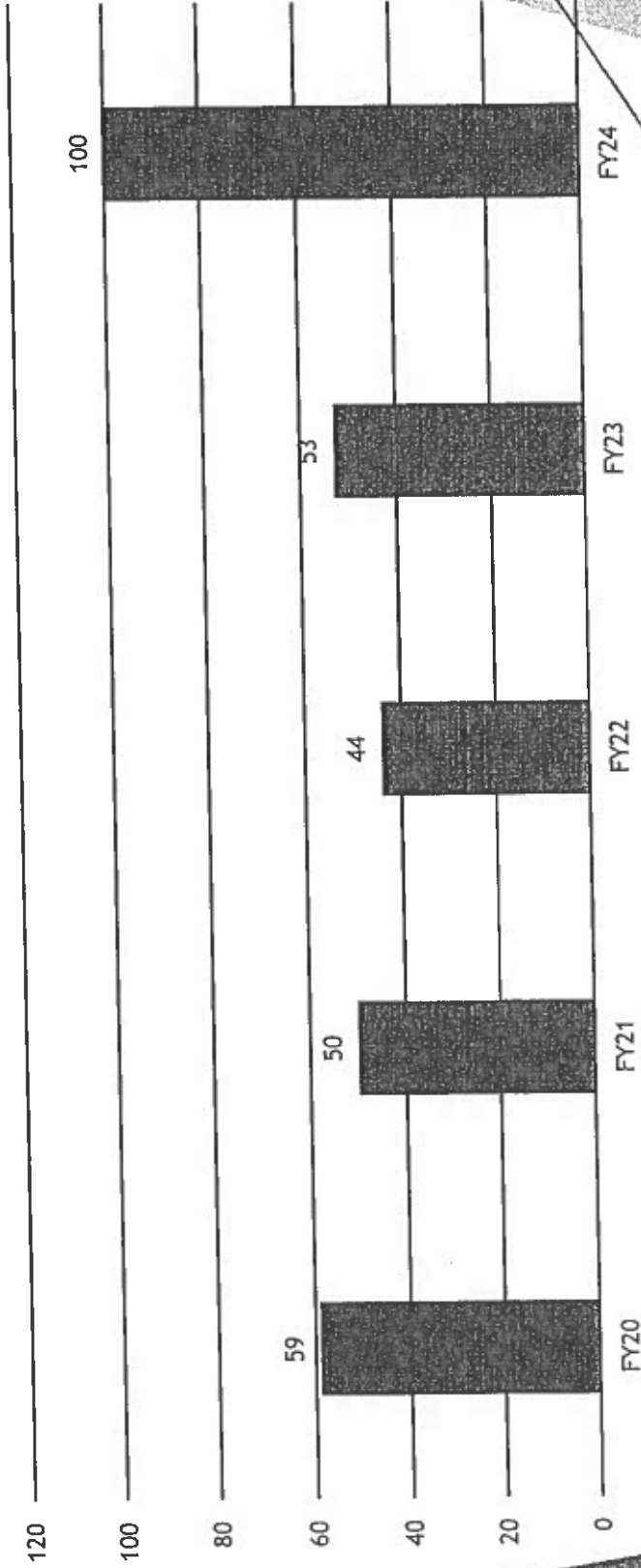
Community Collaboration . . .

- Colleton County Probate
- Colleton Medical Center
- Walterboro Public Safety
- Colleton Pillars 4 Hope
- Lowcountry Community Agency
Shelter Safe Haven
- In His Name Colleton Shelter
- Colleton County School District
- Department of Social Services
- Private Physicians in the Community

Admissions ...

**47% Increase
Over Last Year**

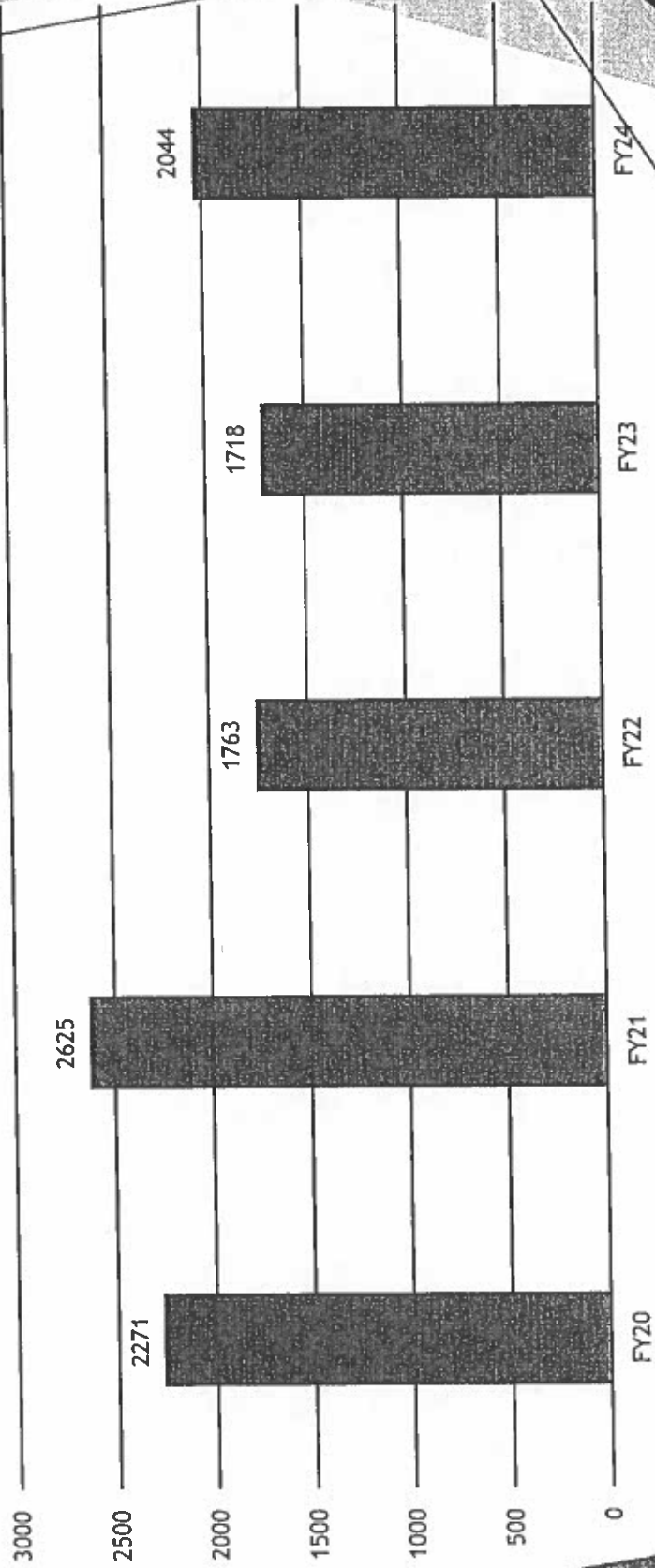
Coastal Empire CMHC Walterboro Clinic First Quarter Admissions
Comparison of Fiscal Years



Services ...

**15.95% Increase
Over Last Year**

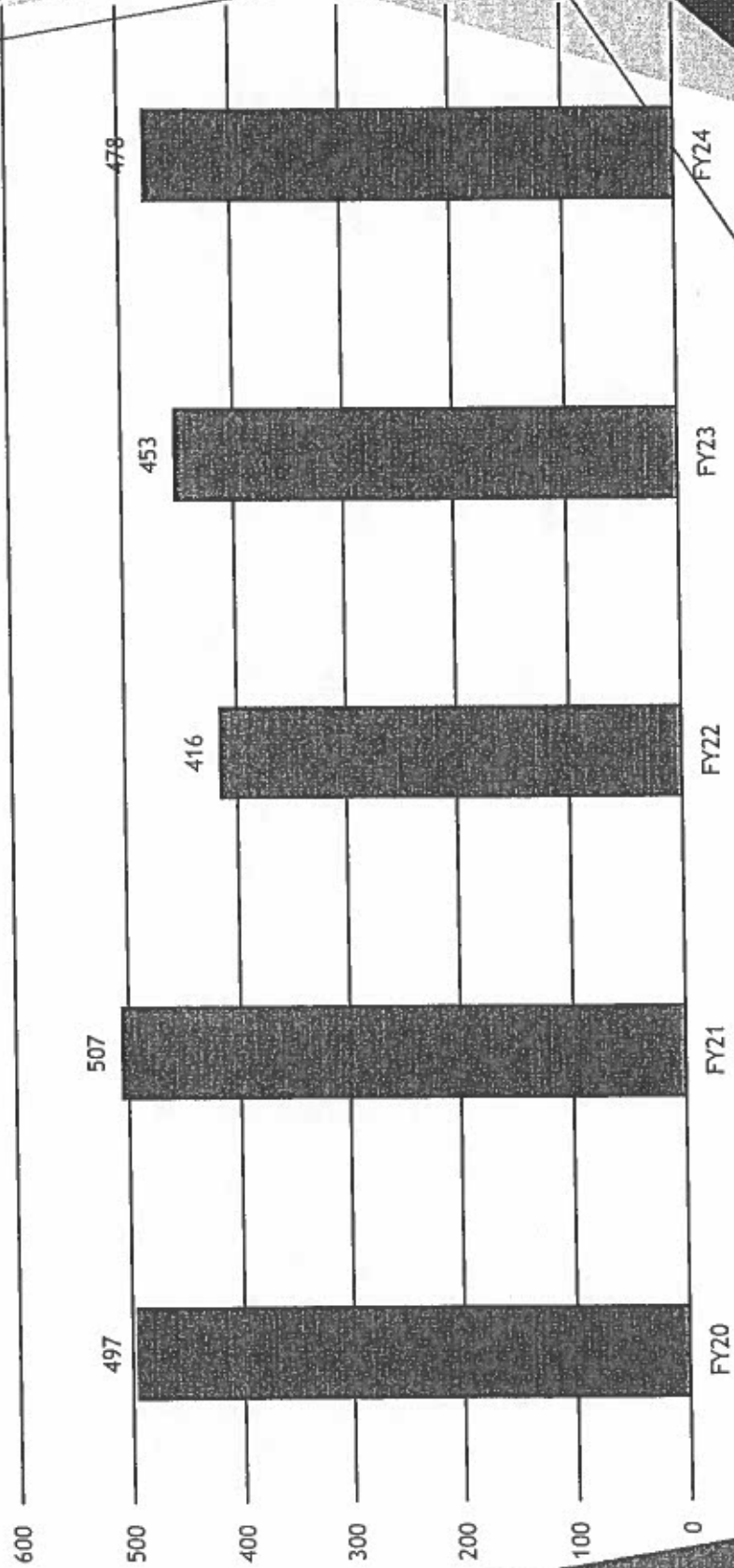
Coastal Empire CMHC Waltherboro Clinic Services Provided - Comparison of Fiscal Years, First Quarter



Patients...

**5.23% Increase
Over Last Year**

Coastal Empire CMHC Walterboro Clinic Fiscal Year Comparison of Persons Served, First Quarter



County Support is important . . .

- ▶ Population growth increasing Mental Health demand
- ▶ Untreated Mental Illnesses can lead to tragedy in the community
- ▶ Law Enforcement/Detention Center/Probation/Parole need us
- ▶ DSS needs us....
- ▶ Schools need us...
- ▶ Hospitals needs us...
- ▶ Our community needs us...
- ▶ You need us.

THANK YOU



Andrea Miley, M.A.
Colleton Clinic Director



**Proclamation
Family Court Awareness Month
November 2023**

WHEREAS, the mission of the Family Court Awareness Month Committee (FCAMC) is to increase awareness on the importance of a family court system that prioritizes child safety and acts in the best interest of children; and

WHEREAS, the mission at the FCAMC is fueled by the desire to create awareness and change in the family court system for the conservatively estimated 58,000 children a year ordered into unsupervised contact with abusive parents, while honoring the hundreds of children who have been reported as murdered during visitation with a dangerous parent; and

WHEREAS, the mission of the FCAMC is to increase awareness on the importance of empirically-based education and training on domestic violence and child abuse, including emotional, psychological, physical, and sexual abuse, as well as childhood trauma, coercive control, and post separation abuse for judges and all professionals working on cases within the family court system; and

WHEREAS, the mission of the FCAMC is to increase awareness on the importance of using scientifically valid, evidence-based treatment programs and services that are proven in terms of safety, effectiveness, and therapeutic value; and

WHEREAS, the mission at the FCAMC is to educate judges and other family court professionals on evidence-based, peer-reviewed research. Such research is a critical component to making decisions that are truly in the best interest of children. This research includes The Adverse Childhood Experiences (ACEs) Study (co-principal investigator: Vincent Felitti, Kaiser Permanente-CDC); Child Custody Evaluators' Beliefs About Domestic Abuse Allegations (principal investigator: Daniel Saunders, University of Michigan, sponsored by the National Institute of Justice); and Child Custody Outcomes in Cases Involving Parental Alienation and Abuse Allegations (principal investigator: Joan S. Meier, GW Law School, sponsored by the National Institute of Justice); and

NOW, THEREFORE, BE IT PROCLAIMED, by Colleton County Council, duly assembled, hereby declare the Month of November, to be **FAMILY COURT AWARENESS MONTH** and encourages all residents to support their local communities' efforts to prevent the harm of children in the hands of family members and to honor and value the lives of children.

ATTEST: _____
Kaela Brinson, Clerk to Council

BY: _____
Steve D. Murdaugh, Chairman



Proclamation for Colleton County Council’s Appreciation and Support of the “Splash into Safety” Swim Program in Their Efforts to Prevent Drowning

WHEREAS, In summer 2023, across Colleton and Dorchester Counties, seven organizations partnered together to launch the Fun Fins swim program (now known as the “Splash into Safety” program) to teach children drowning prevention and increase water safety education in our communities; and

WHEREAS, The CDC ranks South Carolina as the 9th highest state in the U.S. for pediatric drownings. Every year in the U.S. there are an estimated 4,000 fatal drownings and 8,000 nonfatal drownings; and

WHEREAS, In four short weeks (two weeks in Colleton County’s Walterboro community followed by two weeks in Dorchester County’s St. George community), the program taught 335 children ages 5 to 11 years old in 30 minute sessions about sun safety, life jacket usage, what to know about traveling in a boat, the importance of adult supervision, and most importantly, tips on how to be comfortable and prepared in the water; and

WHEREAS, This program transported a 24 foot long, 16 foot wide, and 3 foot deep portable pool to rural communities, placing the pool in a central location to remove the barriers of transportation, and cost for families to participate; and

WHEREAS, The program helped remove equity barriers for minority children in particular, with 56.2% of the participants being African American, 31.5% Caucasian, 2.7% Hispanic, 1.4% Asian Pacific and 6% unlisted; and

WHEREAS, Throughout the five-session course, there were remarkable mental and emotional changes in the children. Most arrived at the first session petrified by the water. The incredible swim instructors calmed their fears and began teaching a critical foundation of water safety. By the end of the second session, the children learned how to roll over and float if they landed face down in the water, and each child was able to swim one complete lap in the pool. In session four, the children learned about boat safety – the importance of always wearing a life jacket and how to put it on, how to pull their friend out of the water if they fell in, and how to react if the boat hits choppy water. By the fifth session, the children were running and laughing on their way to the pool, completely confident in their new abilities to save themselves in the water; and

NOW, THEREFORE, Colleton County Council does hereby proclaim its appreciation and support of the “Splash into Safety” swim program in their efforts to prevent drowning.

Adopted this 7th day of November, 2023.

ATTEST: _____
Kaela Brinson, Clerk to Council

BY: _____
Steven D. Murdaugh, Chairman

Sponsor(s) : County Council
First Reading : September 5, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : October 3, 2023
Public Hearing : November 7, 2023
Third Reading : November 7, 2023
Effective Date : Immediately

I, _____, Council Clerk
certify that this Ordinance was
advertised for Public Hearing on
_____.

ORDINANCE NO. 23-O-15

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Approve a Corrected Plat Related to the Sale of a Portion of Real Property Owned by Colleton County, South Carolina to Mr. Jason McMillan for the property identified by TMS No. 195-00-00-181.000 on Cooks Hill Road; and Other Matters Relating Thereto.]

WHEREAS:

1. Ordinance 23-O-02, approved for third reading on March 14, 2023, provided for the sale of a Portion of Real Property Owned by Colleton County, South Carolina to Mr. Jason McMillan for the property identified by TMS No. 195-00-00-181.000 on Cooks Hill Road; and
2. Since the time of the passing of Ordinance 23-O-02, it has been determined that the property lines in the plat related to the sale were incorrect and a corrective plat must be approved; and
3. The following Quitclaim Deeds are proposed to correct property lines and boundaries for property located on Green Pond Road and Cooks Hill Road owned by Colleton County, MCO Investments, LLC and B & W Walterboro, LLC. The Quitclaims are to be made pursuant to a proposed Plat prepared by Mark M. Carter, P.E.R.L.S. 14564 dated 9/21/2023:
 - a) Tract A (0.58 acres) on said Plat to be conveyed from Colleton County to MCO Investments LLC;
 - b) Tract B (0.06 acres) & Tract C (0.79 acres) to be conveyed from B & W Walterboro LLC to Colleton County;
 - c) Tract D (37.73 acres) to be conveyed from Colleton County to B & W Walterboro LLC;and
4. The Council deems it to be in the best interest of the County to provide these quitclaim deeds.

NOW THEREFORE BE IT ORDAINED BY THE COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:

1. The County of Colleton hereby authorizes following Quitclaim Deeds to correct property lines and boundaries for property located on Green Pond Road and Cooks Hill Road owned by Colleton County, MCO Investments, LLC and B & W Walterboro, LLC. The Quitclaims are to be made pursuant to a proposed Plat prepared by Mark M. Carter, P.E.R.L.S. 14564 dated 9/21/2023 (Exhibit A):

- d) Tract A (0.58 acres) on said Plat to be conveyed from Colleton County to MCO Investments LLC.
 - e) Tract B (0.06 acres) & Tract C (0.79 acres) to be conveyed from B & W Walterboro LLC to Colleton County.
 - f) Tract D (37.73 acres) to be conveyed from Colleton County to B & W Walterboro LLC.
2. The County Administrator is hereby authorized, empowered, and directed on behalf of the County of Colleton to execute and deliver the above referenced Quitclaim Deeds.

3. Conflict:

All provisions in other County Ordinances in conflict with this Ordinance are hereby repealed.

4. Severability:

If any provisions of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect the other provisions or applications of the Ordinance, which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

Attest:

Signed:

Kaela Brinson, Clerk to Council

Steven D. Murdaugh, Chairman

Approved as to Form
Sean Thornton, County Attorney

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
 First Reading : September 5, 2023
 Committee Referral : N/A
 Committee Consideration Date : N/A
 Committee Recommendation : N/A
 Second Reading : October 3, 2023
 Public Hearing : November 7, 2023
 Third Reading : November 7, 2023
 Effective Date : Immediately

I, _____,
 Council Clerk, certify that this
 Ordinance was advertised for
 Public Hearing on _____.

ORDINANCE NO. 23-O-16

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Amend Colleton County’s 2030 Comprehensive Plan to Create a Heavy Industrial District.]

1. There has been a recent increase of large scale development activity in Colleton County, which has prompted staff to propose the recommended changes to establish a heavy industrial district; and
2. The intent of the heavy industrial district is to accommodate intensive industrial uses generally involving large land consumption, large or tall buildings, large non-habitable structures or equipment, and high barriers to entry, all for the manufacture of large products or large quantities of products; and
3. The heavy industrial district generally accommodates uses that manipulate raw materials and chemicals for supply chain products, energy production, and/or the manufacture of heavy machines and equipment. Activities in the heavy industrial district include those that require significant outdoor storage and generate heavy truck and/or rail traffic; and
4. This will allow for orderly development of these activities, and establish a basis for industrial development opportunities in the three industrial districts. Staff believes this change follows the intent of the Comprehensive Plan and allows for a range of development opportunities. Additionally this supports the economic aspect of the comprehensive plan and ultimately will guide opportunities as a need for diversified housing will be needed to support these trends; and
5. The Planning Commission approved these changes to the 2030 Comprehensive Plan at their meeting on August 28, 2023; and
6. County Council believes it is in the best interest of the citizens of Colleton County to approve the changes set forth herein.

NOW THEREFORE BE IT ORDAINED BY THE COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:

1. County Council hereby approves the amendment to the 2030 Comprehensive Plan to amend Element G Primary Zoning Districts to redefine the purpose statements of the Light and Industrial Zoning Districts, and establish and define the Heavy Industrial Zoning District.
2. This ordinance shall take effect upon approval by the Colleton County Council.
3. Provisions in other County Ordinances, Resolutions, policies or by-laws in conflict with this Ordinance are hereby repealed.
4. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid portion or section.

ATTEST:

Kaela Brinson, Council Clerk

Approved as to Form
Sean Thornton, County Attorney

SIGNED:

Steven D. Murdaugh, Chairman

Council Vote:
Opposed:

Sponsor(s) : County Council
First Reading : September 5, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : October 3, 2023
Public Hearing : November 7, 2023
Third Reading : November 7, 2023
Effective Date : Immediately

I, _____, Council Clerk
certify that this Ordinance was
advertised for Public Hearing on
_____.

ORDINANCE NO. 23-O-17

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[TO AMEND TITLE 14 – LAND MANAGEMENT, 14.08 – ZONING, TO COINCIDE WITH THE AMENDMENT OF THE 2030 COLLETON COUNTY COMPREHENSIVE PLAN.]

WHEREAS:

1. Title 14 – Land Management, Chapter 14.08 – Zoning, of the Colleton County Code of Ordinances were reviewed by the Planning Commission on August 28, 2023; and
2. County Council believes it is in the best interest of the citizens of Colleton County to approve the changes set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY COLLETON COUNTY COUNCIL, DULY ASSEMBLED, THAT:

1. **Title 14 – Land Management, Chapter 14.08 – Zoning**, of the Colleton County Code of Laws, is hereby amended to read as follows:

CHAPTER 14.08. - ZONING

ARTICLE 14.08-2. - ZONING DISTRICT REGULATIONS

Amend: **Section 14.08-2.020** to insert “Heavy Industrial: HID” as item 9.

Amend: **Section 14.08-2.050 B.3.** to insert “Event Venue” as item f.

Amend: **Section 14.08-2.060 B.3.** to insert “Event Venue” as item f.

Amend: **Section 14.08-2.100 B.3.** to insert “Event Venue” as item e.

Amend: **Section 14.08-2.110 B.3.** to insert “Event Venue” as item f.

Repeal: Sections 14.08-2.120 Industrial Zoning District (ID) and 14.08-2.130 Light Industrial Zoning District (LID) in their entirety.

Add:

14.08-2.120 Industrial Zoning Districts

The Economic Development element of the 2030 Comprehensive Plan (2030 Update) finds that the service and retail industries are the largest employment industries in the county. While it is critical to support and grow the commercial sector of a local economy, manufacturing, and other industrial activities offer wage premiums that provide a stable, middle-income standard of living.

In addition to recognizing the importance of the Lowcountry Regional Airport and Colleton County Commerce Center, the 2030 Update codifies the goals, objectives, and policies of the County Council, SC Department of Commerce, Palmetto Railways, and the SC Power Team in developing the Highway 64 Mega Site. The Mega Site, in conjunction with other County industrial facilities, creates a competitive advantage for economic development efforts by offering a variety of industrial zoning options and are described as follows

14.08-2.125 Light Industrial Zoning District (LID).

- A. *Purpose.* The intent of this district is to accommodate the storage, distribution, wholesaling, processing, light manufacturing, provision of municipal or county public services, and general commercial uses in fully enclosed buildings. Generally, the LID may include open or enclosed storage and significant truck traffic requiring relatively short distances and ease of travel to major transportation corridors, such as Interstate 95. Such uses are usually controlled operations, relatively clean, quiet, and free of objectionable or hazardous elements, such as smoke, noise, odor or dust.
- B. *Uses.*
1. *Permitted uses.*
 - a. Automotive Parking and garage
 - b. Automotive quick service station, including fuel and/or carwash
 - c. Distribution facilities.
 - d. Dry cleaning plant
 - e. Electrical and similar repair
 - f. Emergency services.
 - g. Forestry.
 - h. Government buildings.

- i. Healthcare services.
 - j. Hotels and motels.
 - k. Motion picture and sound industries.
 - l. Professional offices.
 - m. Public, private and commercial parks and recreation.
 - n. Public and private utilities.
 - o. Railroad stations.
 - p. Research and development facilities, including laboratory.
 - q. Schools, vocational, business, and professional trade.
 - r. Small engine and small equipment sales and repair
 - s. Telecommunications.
 - t. Transportation station, including bus and rail
 - u. Utilities.
 - v. Warehousing and storage (indoor).
 - w. Wholesale trade
2. *Conditional uses (See article 14.08-3 for conditions).*
- a. Accessory structures.
 - b. Animal service with outdoor kennels.
 - c. Automotive services.
 - d. Building Materials and Supply
 - e. Building and Special Trade Contractors
 - f. Commercial Fishing and seafood operation
 - g. Communication towers.
 - h. Light manufacturing.
 - i. Mini-warehouses.
 - j. Farm implement and heavy construction equipment
 - k. Freight Container Storage
 - l. Mixed use buildings.

- m. Restaurant and/or retail
 - n. Temporary uses.
 - o. Waste management services
3. *Special exceptions (See article 14.08-3 for any conditions).*
- a. Auditorium/stadium indoor/outdoor public assembly.
 - b. Fuel supply services (excluding gas stations).
 - c. Heavy Manufacturing.
 - d. Screened outdoor storage.
 - e. Spectator sports.

C. *Dimensional requirements (LID).**

Nonresidential Uses (interior lots)	Minimum Lot Size		Minimum Yard Requirements			Max. Height
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	½ acre (21,780 sf)	90	30	10	15	60

*See section 14.08-2.010(D) for general provisions and exceptions to dimensional requirements.

14.08-2.130 Industrial Zoning District (ID)

A. *Purpose.* The intent of this district is to accommodate distribution, repair, assembly, and manufacturing or production of durable and nondurable goods and is generally contained within one or more buildings. The UID accommodates infill industrial activities in more urbanized environments that can coexist alongside transitional areas due to modern processes, controls, and equipment that keep nuisance issues at a minimum. This district may also accommodate the provision of municipal or county public services and limited commercial uses and generally requires ease of access and proximity to the Lowcountry Regional Airport and Interstate 95. Such uses are generally controlled operations within confined environments with carefully monitored mitigation of objectionable or hazardous elements, such as smoke, noise, odor or dust. The ID, like the LID, may include open or enclosed storage areas.

B. *Uses.*

- 1. *Permitted uses.*

- a. Air strips and airports.
 - b. Automotive parking and garages (as a principal use).
 - c. Automotive services
 - d. Building and special trade contractors.
 - e. Distribution facilities.
 - f. Dry cleaning plant
 - g. Electrical and similar repair
 - h. Emergency services.
 - i. Forestry.
 - j. Government buildings.
 - k. Manufactured home dealers.
 - l. Marinas.
 - m. Mini-warehouses.
 - n. Motion picture and sound industries.
 - o. Museums, historical sites, sightseeing, and similar institutions.
 - p. Professional offices.
 - q. Public parks and recreation.
 - r. Public and private utilities.
 - s. Railroad stations.
 - t. Research and development facilities, including laboratory.
 - u. Schools, vocational, business, and professional trade.
 - v. Small engine and small equipment sales and repair
 - w. Service uses (indoor).
 - x. Telecommunications and towers.
 - y. Transportation station, including bus and rail
 - z. Warehousing and storage (indoor).
 - aa. Wholesale trade.
2. *Conditional uses (See article 14.08-3 for conditions).*

- a. Accessory structures.
 - b. Automotive services and gas stations (excluding truck stops).
 - c. Commercial fishing and seafood operation
 - d. Farm implement and heavy construction equipment
 - e. Manufacturing, heavy.
 - f. Manufacturing, light.
 - g. Restaurant and/or retail
 - h. Temporary uses.
 - i. Waste management services
3. *Special exceptions (See article 14.08-3 for any conditions).*
- a. Auditorium/stadium indoor/outdoor public assembly
 - b. Correctional facilities.
 - c. Fuel supply services (excluding gas stations).
 - d. Screened outdoor storage.
 - e. Salvage yard, junkyard, and recycling operations.
 - f. Sexually oriented businesses.
 - h. Spectator sports.

C. *Dimensional requirements (ID).**

ID District	Minimum District Size	Minimum District Buffer (May include driveways, roads, rail, stormwater and other landscaping.)	Max. Height
	5 acres	50 feet	60 feet**

Nonresidential Uses (interior lots)	Minimum Lot Size		Minimum Yard Requirements			Max. Height
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1 acre (43,560 sf)	90	30	10	15	60**

*See section 14.08-2.010(D) for general provisions and exceptions to dimensional requirements.

**Buildings in excess of 60 feet shall observe an additional setback from side and rear property lines of one foot for each one foot in height over 60 feet; not to exceed 80 feet. Fixed, non-habitable structures or equipment may exceed 80 feet, but may be subject to any FAA approach limitations if within the flightpath of the airport.

14.08-2.135 Heavy Industrial Zoning District (HID)

A. *Purpose.* The intent of this district is to accommodate intensive industrial uses generally involving large land consumption, large or tall buildings, large non-habitable structures or equipment, and high barriers to entry, all for the manufacture of large products or large quantities of products. The HID generally accommodates uses that manipulate raw materials and chemicals for supply chain products, energy production, and/or the manufacture of heavy machines and equipment. Activities in the HID include those that require significant outdoor storage and generate heavy truck and/or rail traffic.

B. *Uses*

1. *Permitted uses*

- a. Air strips and airports
- b. Distribution facilities
- c. Emergency services
- d. Forestry
- e. Freight container storage and repair
- f. Public and private utilities
- g. Railroad stations
- h. Research and development facilities, including laboratory
- i. Telecommunications and towers
- j. Transportation station, including bus and rail
- k. Warehousing and Storage (indoor/outdoor)
- l. Wholesale trade

2. *Conditional uses (See article 14.08-3 for conditions).*

- a. Accessory structures

- b. Farm implement and heavy construction equipment
 - c. Fuel supply services
 - d. Lumber, sawmills, and pellet production
 - e. Manufacturing, light
 - f. Manufacturing, heavy
 - g. Temporary uses
3. *Special exceptions (See article 14.08-3 for and conditions.)*
- a. Correctional facilities
 - b. Mining
 - c. Salvage, junkyard, and recycling operations
 - d. Solid waste landfill (excluding hazardous waste)

C. *Dimensional requirements (HID).* *

HID District	Minimum District Size	Minimum District Buffer (May include driveways, roads, rail, stormwater and other landscaping.)	Max. Height
	25 acres	100 feet	100 feet**

Nonresidential Uses (interior lots)	Minimum Lot Size		Minimum Yard Requirements			Max. Height
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1 acre (43,560 sf)	90	30	30	30	100**

** Maximum habitable building height is 100 feet. Fixed, non-habitable structures or equipment may exceed 100 feet

ARTICLE 14.08-3. - CONDITIONAL USES

Section 14.08-3.020. Conditional use regulations is hereby amended in its totality to read as follows:

14.08-3.020. Conditional use regulations.

A. Accessory structures and uses.

1. Manufactured homes, campers, trailers or recreational vehicles cannot be used for storage or as any type of accessory structure, and only one shipping container may be used as an accessory structure per lot.
2. No accessory use shall occupy any part of a dedicated easement, a required setback, a buffer yard, a landscaped area or any areas designated as parking and loading zones or areas.
3. Unless specifically stated in subsections A.5, A.6 and A.7 and Table 8 of this section, all accessory uses and structures shall observe all required setbacks, yard, and other requirements applicable to the principal building or use for the district where they are located.
4. Accessory structures shall be located within the buildable area on the same lot as the principal structure and observe the height limits for the district where they are located, but in no instance exceed the height of the principal structure.
5. Farm structures up to 5,000 square feet located on parcels two acres or larger in the RC-1, RC-2, RD-1 and RD-2 zones may be located no closer than 150 feet from the front property line; otherwise, no accessory structure may be located in a front yard. Please also see paragraphs A.6 and A.7 and Table 8 below for more information.
6. In the RD-1 and RD-2 Zoning Districts only, accessory structures of any size on agricultural properties of five acres or more, may be located in the front yard between the principal structure and be no closer than 50 feet from the front property line, if provided with a natural landscaped buffer which has the opacity of a solid wall in accordance with section 14.08-4.020(D)(3), to ensure complete concealment of the structure from any public/private rights-of-way and on the sides facing any residential dwelling units located within 300 feet of the structure on any abutting properties.
7. Waterfront properties with or without an OCRM Critical Line may locate only one (1) accessory structure in the designated front yard under the following circumstances:
 - a. One accessory structure may be located in front of the principal dwelling unit (between the street and the front of the principal dwelling unit) when the minimum lot area is 50% larger than the minimum lot area requirement for the zoning district.
 - b. When the accessory structure is to be located to the side or rear of the principal dwelling unit the accessory structure shall adhere to the minimum principal structure side yard setbacks for the zoning district and a minimum of 30 feet from the OCRM Critical Line or rear property line.
 - c. Accessory structures shall be located a minimum of 15 feet from all other structures.

8. Where an accessory structure is erected in the required rear yard on a corner lot, it shall not be located any closer to the secondary street than the required primary front yard setback.
9. Customarily incidental accessory uses shall be located on the same lot as the principal structure or use, and except for properties utilized for agricultural purposes, a permanent accessory structure shall not be placed on the lot prior to the principal structure.
10. Table 8 below describes the setbacks allowed and other information necessary for specific types of residential, waterfront, commercial and industrial accessory uses and structures.

Accessory Use/Structure	Allowed Location	Allowable Encroachment into Principal Structure Setbacks	Required Setback	Other
Sheds and structures for dry storage and greenhouses	Side or rear yard*	Rear yard setback and side yard setback	3 feet from property line	Accessory structures shall be located a minimum of 15 feet from all other structures and overhead power lines. See subsection A.7 for requirements on waterfront properties.
Domestic animal shelters and pens	Rear yard	Rear yard setback and side yard setback	10 feet from property line	This does not apply to the conditional or special exception use of animal services with outdoor kennels for 24 or more animals of any combination.
Swimming pools & Spas, tennis courts, and recreational uses	Rear yard	Rear yard setback	10 feet from property line	All lighting shall be shielded down and away from adjoining residences. Pre-application meeting and special IBC safety requirements for pools and spas.
Ground supported communication and reception antennas	Side or rear yard	Rear yard and side yard setback	5 feet from property line	none
Fences and walls	All yards	All yard setbacks	Along property line. Driveway and sight-	Less than 6 feet high—zoning permit. 6 to 8 feet high—building permit. More than 8 feet high—ZBA

			triangle setbacks are required.	variance required with hardship.
Boat houses and docks	All yards	All yard setbacks	Along property line where line meets water's edge	Shall adhere to all FEMA and OCRM requirements and permits.
Carport canopies	All yards	Rear yard setback and side yard setback	3 feet from property line	Non-enclosed; square footage not to exceed 25% of principal residence
Handicap access ramps, Ground mounted solar panels, Gate houses, Hunting stands, Gazebos, Landscaping, features and Commercial accessory structures	All yards	All yard setbacks	3 feet from property line	Single-family; mobile homes; commercial; business; office; and, industrial
Park model trailers, campers, and RVs as temporary Housing.	Side and rear	Side and rear	5 feet	Temporary use only up to one year without ZBA approval, see subsection "Y" for all requirements, and all floodplain and floodway requirements apply, restrictive covenants apply, not allowed on Edisto Island.

*See subsection A.5, A.6 and A.7 of this section, for the requirements for accessory structures, including waterfront accessory structures, and farm structures allowed in the front yard setback.

B. *Animal production.*

1. No livestock shall be kept on less than one acre of land.
2. All livestock shall be kept within a fenced area. Any structure used for boarding or feeding livestock shall be located not less than 75 feet from any property line.

Structures for boarding or feeding livestock existing at the time of adoption of this ordinance are exempt.

3. This section shall not apply to dogs, cats, rabbits, small potbellied pigs, chickens (not to exceed 23 in number), or other similar household pets. Exotic pets are excluded from this list.
4. All commercial livestock operations, including poultry, are required to meet SCDHEC regulations for operation.

C. *Animal services with outdoor kennels.*

1. In any place or premises, used in whole or in part for the purpose of keeping, housing, or raising 24 or more animals in any combination whether commercially boarded, rescued, or household pets, they shall be kept a minimum of 300 feet from any property line, and the outdoor kennel place or premises shall meet in full the screening requirements of section 14.08-4.020 for commercial buffers. If allowed to roam freely on the property, outside of their kennels, those outside roaming areas shall also meet the same setback and screening requirements as the outdoor kennels.
2. All outdoor kennels and roaming areas shall be located only in the rear or side yard area of any lot, whichever is determined by the director to be farthest from any abutting residences.
3. Animal waste shall be regularly collected and contained in containers with lids to minimize noxious odors and the accumulation of flies and other disease carrying insects and vermin to minimize deleteriously affecting neighboring properties. Waste containment, and removal from the property at regular intervals, shall be as approved by the director, to minimize the spreading of diseases, the contamination of neighboring properties, the quality of air, and/or any waterways or water bodies.

D. *Automotive services or other non-automotive repair services.*

1. Gas station pumps or other appliances shall be set back at least ten feet from the property line, and all service, storage, or similar activities connected with such use shall be conducted entirely on premises.
2. Wrecked, damaged or inoperable vehicles, boats, heavy equipment, appliances, or above-ground fuel storage tanks shall be located behind the principal structure and shall not be visible from any public right-of-way. Such areas shall be screened in accordance with section 14.08-4.020(D) within 12 months of the adoption of these regulations. This conditional use cannot be grandfathered as a legal nonconforming use and shall be brought up to code as mentioned herein.
3. A permanent structure with permanent restroom facilities must be provided on premises.
4. No outdoor sound system shall be permitted which can be heard beyond the boundaries of the property.
5. Nothing shall be stored or displayed within the public right-of-way.

E. *Bed and breakfast inns.* These inns are intended to provide a unique transient lodging experience in predominantly residential environs and care shall be taken to protect the environs that contribute to the experience of such lodging while promoting their use. Bed and breakfast inns, where permitted by this title, shall:

1. Be occupied by the resident/owner.
 2. Serve no regularly scheduled meal other than breakfast.
 3. Maintain the interior architectural integrity and arrangement of the structure and shall not increase the number of guestrooms above the number of bedrooms in the original structure.
 4. Maintain the exterior architectural integrity of the structure and grounds and make changes only if compatible with the residential character of the area.
 5. Provide off-street parking of one space per guest room, plus two spaces for the resident, and sufficient off-street parking to accommodate private gatherings, when proposed by the applicant.
 6. Be permitted one non-illuminated identification sign, not to exceed four square feet in sign face area.
- F. *Boarding and rooming houses.*
1. The maximum number of bedrooms shall be six rooms for guests plus one for the resident manager.
 2. The use shall be located in a structure which was originally constructed as a dwelling, with only one kitchen which shall only serve meals on premises to overnight residents and guests of the facility.
 3. Provide one off-street parking space per guest room and two spaces for the resident manager.
- G. *Building, trade, and heavy construction contractors.* All outdoor storage of materials and equipment associated with a heavy construction contractor business shall be set back a minimum of 25 feet from property lines, 50 feet from any residential use, and be screened in accordance with section 14.08-4.020(D).
- H. *Campgrounds and recreational vehicle parks.*
1. The site shall be at least nine contiguous acres.
 2. The site shall be developed in a manner that preserves natural features and landscape.
 3. Maximum cumulative (total) stay is 30 days. However, Campers must leave the park for 7 days after reaching the maximum cumulative (total) stay.
 - 4.. The development shall not exceed the following dimensional requirements.
 - a. Maximum impervious surface ratio shall not exceed 15 percent of the project site.
 - b. Minimum setbacks for all structures and recreational vehicles shall be at least 100 feet from any street frontage and 50 feet from all other property lines.
 - c. Maximum density shall not exceed eight vehicles per acre, with the minimum lot size per unit shall be a minimum of 20 feet by 30 feet.
 - d. Minimum spacing between units shall be a minimum of 35 feet.

- d. Buffer yards shall meet the requirements of section 14.08-4.020 for commercial uses.
5. Areas designated for parking, loading and driveways for travel lanes shall be separated from public streets by a distance of at least 150 feet from any street intersection and designed in a manner conducive for safe vehicular ingress and egress.
6. All streets within RV parks shall be private and shall comply with the requirements of chapter 14.04.
7. Each park site shall be serviced by public water and sewer or other systems approved by DHEC.
8. All land disturbance activities in the creation of a campground or RV park or expansions must obtain all necessary permits, including storm water, sediment control permits, coastal consistency determination through SCDHEC before land disturbance can begin.
9. RVs that are deemed uninhabitable by the County will not be allowed to be placed, parked, or stored on any RV parks in the County.
10. The wheels or similar devices for transportation of any RV shall not be removed except for repairs lasting no longer than 10 days.

Modifications of existing RV parks that are made after the date of this regulation shall meet the same requirements as set forth above

11. RV parks and campgrounds shall comply with the Americans with Disability Act, (ADA). Level, accessible sites of the appropriate size.
12. Areas of disturbed ground shall be covered or protected with vegetative growth capable of preventing soil erosion, and preserving natural features and landscape as much as possible.
13. Each campsite shall be serviced by public water and sewer or other systems approved by DHEC or shall not be located less than 150 feet from drinking water supply or 500 feet from a bathhouse.
14. Durable, watertight, refuse containers, with fly-tight covers sufficient to contain all refuse, shall be provided at each service building and sanitary waste station, or at a central storage area readily accessible and located not more than 500 feet from any camp or picnic site unless provided at the campsite. Refuse containers shall be provided at the rate of eight cubic feet or 60 gallons for each five campsites or the equivalent thereof if containers are provided at individual sites. All camp trash and debris must be disposed of by a private qualified third-party contractor.
15. No structure or addition can be attached to or supported by a recreational vehicle that would render the vehicle immobile. All structures and construction associated with campgrounds or recreational vehicle parks must be permitted and inspected by the Colleton County Building Codes Department.
16. Each campsite shall be plainly marked and identified by a numbering system approved by the Colleton County E-911 Office.

17. All electrical services supplying power for camping units must meet the following requirements:
 - a. Maximum service size of 100 amps or be designated and approved by the building official.
 - b. All campers must be cord and plug connected to their service.
 - c. Electrical outlets must be provided in accordance with the most current state adopted National Electrical Code.
18. Water and Sewer Requirements:
 - a. Campgrounds shall be provided with safe public drinking water systems. Such systems shall be sized, installed and maintained in accordance with latest State and Colleton County adopted International Plumbing code and DHEC regulations.
 - b. Sewage shall discharge into an approved public collection, treatment and disposal system, if available. Where the use of onsite wastewater treatment and disposal systems is necessary, the systems shall be installed and operated in accordance with applicable regulations and standards of DHEC.
 - c. Each campsite which serves recreational vehicles having self-contained toilet and/or bathing facilities must be provided either with an individual sewer riser, or with an approved sanitary dump station at a convenient location within the camp.
 - I. For those campsites where sewer risers are provided, the risers must be part of an approved sewage collection system and be equipped with removable, tight-fitting covers.
 - II. If sewer risers are not provided, sanitary dump stations are required at the ratio of one dump station for each 100 sites or fraction thereof.
 - i. A dump station shall consist of one or more trapped four-inch sewer risers surrounded by a concrete apron having a diameter of at least two feet, and sloped to the drain. Risers must be equipped with removable, tight-fitting covers; and
 - ii. Each dump station shall be equipped with an adequate water outlet for the wash down of the immediate area. The outlet shall be protected by a vacuum breaker or a check valve installed at its highest point, or by other approved means; and
 - iii. A sign shall be placed near the water outlet indicating: "DANGER - THIS WATER NOT TO BE FOR DRINKING OR DOMESTIC PURPOSES".
19. Bathhouse requirements
 - a. If every campsite within a camp is provided with pressurized drinking water and a sewer connection or dump station and only recreational vehicles

containing self-contained bathing facilities are allowed use of the campsites, then this section's requirement can be omitted.

- b. All campgrounds shall have adequate toilet and bathing facilities.
- c. No campsite shall be located more than 500 feet from an approved bathhouse.
- d. The following chart shall be used to determine the minimum number of water closets, urinals, lavatories and showers to be provided in bathhouses.

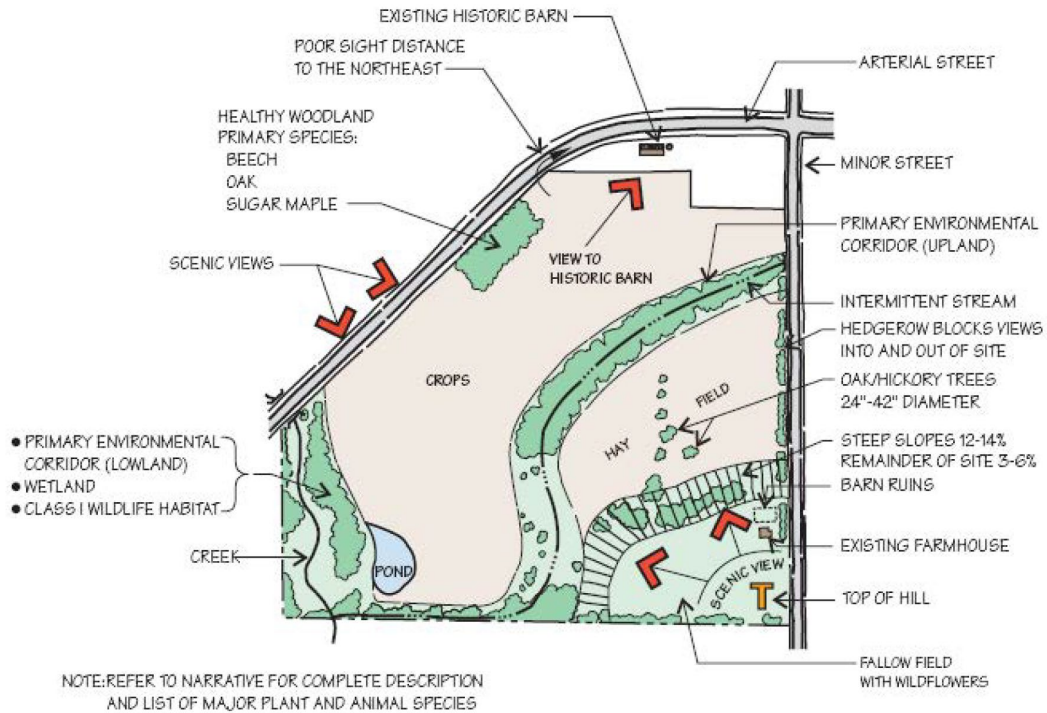
Number of Campsites	Water Closets Men	Water Closets Women	Urinals Men	Lavatories Men	Lavatories Women	Showers Men	Showers Women
1-25	1	2	1	1	1	1	1
26-50	2	3	1	2	2	1	1
51-75	3	4	2	3	3	2	2
76-100	4	5	2	4	4	3	3
** For properties with more than 100 sites, there shall be one additional toilet and lavatory per sex for each 25 sites and one additional shower per sex for each additional 40 sites. **							

- e. Bathhouses and other toilet and bathing facilities shall be constructed of durable materials and shall be kept in good repair.
 - I. Structures must be made handicap accessible in accordance with the current adopted building codes; and
 - II. Floors, walls, and ceilings shall be constructed of durable, easily cleanable materials and shall be kept clean and in good repair; and
 - III. Adequate ventilation shall be provided to control odors and help prevent the accumulation of condensation; and
 - IV. Adequate interior lighting shall be provided to facilitate cleaning operations; and
 - V. Toilet tissue shall be provided at each toilet; and
 - VI. All showers and other bathing facilities shall be supplied with hot and cold water under pressure; and
 - VII. Hand lavatories shall provide water.
20. The owner of the property or the operating agent shall be responsible for maintaining the camp in compliance with these regulations.
- I. *Commercial fishing and seafood operation.* May include processing, cold storage, packaging, wholesaling, and distribution, as well as cellular aquaculture, but not to include hatcheries.

J. *Conservation subdivisions.* A conservation subdivision is a subdivision of five acres or more that preserves agricultural and forestry lands, natural and cultural features, and the rural character that would likely be lost through conventional development practices, which allows the lot sizes to be reduced, subject to the following requirements:

1. The density shall not exceed that permitted for the zoning district. A yield plan shall be provided at the pre-application meeting to demonstrate that the maximum permissible density has not been exceeded. Yield plans are conceptual in nature and they shall be realistic and not show development in areas that would not be permitted in a conventional subdivision, such as in wetlands, or where streets should be located.
2. A minimum of 50 percent of the total area of the subdivision shall be set aside as common open space.
3. Each site plan for a conservation subdivision shall follow a four-step design process as described below. When the conceptual site plan is submitted, applicants shall be prepared to demonstrate that these four steps were followed in determining the layout of their proposed streets, lots and open space conservation areas.
 - a. *Step #1.* All conservation areas (primary and secondary) shall be identified, using an existing conditions survey. Primary areas shall consist of wetlands and other environmentally protected areas and secondary areas shall include the most sensitive and noteworthy natural, scenic and cultural resources.

FIG 3.1: EXAMPLE OF AN EXISTING CONDITIONS SURVEY



Source: Southeastern Wisconsin Regional Planning Commission (SEWRPC). "Conservation Subdivision Design." 2002.
conservationsubdivisions/pdfs/conservation_subdivision_design_process.pdf

- b. *Step #2.* Potential house sites and lots are tentatively located since the proposed location of the houses on the lots represents a significant decision with potential impacts on the ability of the subdivision to meet the evaluation criteria, and the applicant shall show these on the conceptual sketch plan. House sites should be located no closer than 30 feet to primary conservation areas.
- c. *Step #3.* Aligning proposed streets to provide vehicular access to each house in the most reasonable way that avoids, or minimizes, adverse impacts on the primary and secondary conservation areas. Wetland crossings shall be avoided. Street connections shall be provided to minimize the number of cul-de-sacs and facilitate easy access to and from homes throughout the subdivision.



- K. *Day cares.* The following shall apply to commercial day cares not operated as a home occupation:
 - 1. The facility must be registered or licensed by the state, as required.
 - 2. There must be at least 100 square feet of outdoor play area for each child, with the play area being fenced to a height of at least four feet.
 - 3. All play equipment shall be located in the fenced area. Front yards shall not be used as play areas.
 - 4. Hours of operation shall be limited to 6:00 a.m. to 8:00 p.m. unless approved as a special exception, the hours of operation may be specified by the zoning board of appeals.
 - 5. No parking areas shall be permitted in the required setbacks.

6. For loading and unloading children, one on-street space shall be provided for each 20 children enrolled, or fraction thereof.
- L. Event Venue is a commercial facility rented to individuals, groups, or organizations, and used to host gatherings such as, but not limited to, weddings, receptions, parties, meetings, and conferences. An Event Venue may be comprised of a permanent structure(s), temporary structure(s), uncovered outdoor gathering area(s), or any combination thereof. This definition does not include lodges, civic clubs, community centers, religious facilities, or publically-owned facilities. Event Venues are subject to the following conditions;
1. An on-site manager shall be present and available for the duration of all events occurring at the venue. Up-to-date contact information for the on-site manager shall be included on the venue's website, on marketing materials for the venue, and in the venue's operational plan. Updated contact information shall be provided to the Zoning Administrator any time the on-site manager's contact information changes.
 2. An operational plan shall be submitted with the special exception application describing generally how the facility will operate. Substantive changes to the operational plan shall require additional approval by the ZBA. The operational plan shall include, at a minimum, the following items:
 - a. Maximum capacity of the facility, based on building code, fire code, and/or parking requirements;
 - b. Contact information for the on-site facility manager;
 - c. Whether the venue will operate seasonally or year-round;
 - d. Type(s) of events anticipated/marketed;
 - e. Anticipated annual number of events; and
 - f. How solid waste will be disposed of (private vs. public collection).
 3. The facility is located on a parcel of at least five acres in size;
 4. (c) Vehicular access to the site shall be adequate in terms of width, vertical clearance, and construction to support emergency vehicles, and shall meet all applicable provisions of the Zoning Ordinance and Fire Code;
 5. Notwithstanding the provisions of Section 14.08-5, parking associated with an Event Venue may be constructed of pervious materials; however, handicap parking spaces shall be constructed in accordance with ADA Standards for Accessible Design;
 6. All outdoor areas associated with an Event Venue or Large Capacity Event Venue shall be located at least 200 feet from all dwelling units not located on the same parcel as the venue. This distance shall be measured in a straight line from the edge of the outdoor area nearest the dwelling unit to the dwelling unit. Outdoor areas include, but are not limited to, parking areas, decks, patios, gazebos, fire pits, and docks.
 7. With the exception of parking areas, outdoor areas associated with an Event Venue or Large Capacity Event Venue and located within 300 feet of a dwelling unit not

located on the same parcel as the venue shall cease operation by 10 p.m. This distance shall be measured in a straight line from the edge of the outdoor area nearest the dwelling unit to the dwelling unit.

8. (h) Amplified music or other sound is permitted in all outdoor areas, provided it ends no more than 30 minutes past sunset.
 9. The maximum number of users an Event Venue or Large Capacity Event Venue may accommodate at one time shall be limited to the maximum capacity of the venue, as determined by applicable building code, fire code, and/or parking requirements. "
- M. *Family care homes for the handicapped.* in accordance with S.C. Code 1976, § 6-29-770(E), family care homes for the handicapped are deemed residential uses and permitted in all districts where single-family homes are permitted, subject to the following conditions:
1. The homeowner and immediate family plus up to nine mentally or physically handicapped residents are permitted to live in the home.
 2. The operator of the home shall give prior notice to the local governing body advising of the exact site of the proposed home and identify the individual responsible for site selection.
 3. If the county objects to the selected site, it must notify the individual responsible for site selection within 15 days of receiving notice and must appoint a representative to assist in selecting a comparable alternate site. This triggers the following:
 - a. The site selection representative of the entity proposing the project and the county representative select a third mutually agreeable person.
 - b. The three people have 45 days to make a final site selection by majority vote.
 - c. This final site selection is binding for both the proposing entity and the governing body.
 - d. In the event that no selection has been made at the end of the 45-day period, the entity selecting the site may select the site without further proceedings.
 4. A home shall be licensed with the state before operating.
 5. Prospective residents of these homes must be screened by the licensing agency to ensure that the placement is appropriate.
 6. The licensing agency shall conduct reviews of these homes no less frequently than every six months for the purpose of promoting the rehabilitative purposes of the homes and their confirmed compatibility with their neighborhoods.
 7. No exterior signage is permitted.
 8. No lockdown, violent, or dangerous residents.
 9. Only incidental and occasional medical care may be provided.
- N. *Family group development.*

1. Family group developments may incorporate up to a maximum of six dwelling units of family members related by blood, marriage, or adoption on a single lot of record.
 2. The maximum of six dwelling units on a single lot only applies if the development density of dwelling units per acre, and the setbacks for every unit complies with the zoning district for the subject property.
 3. Each dwelling unit shall be placed a minimum of 15 feet away from any other unit and be accessed by a minimum 15 foot wide driveway for the passage of emergency services vehicles.
 4. A special exception is required for any family group development that exceeds this threshold of six dwelling units on a single lot. The special exception can only be requested if the subject single lot has enough acreage to allow all six units to comply with the density, setback, access way, and space between units requirements.
 5. A notarized Family Group Development declaration/affidavit shall be recorded at the county register of deeds stating that all residents on the single lot are related by either blood, marriage or adoption and the land will not be subdivided in the future unless all of the requirements of this chapter and chapter 14.04 are met.
- O. *Farm implement and heavy construction equipment.* Manufacturing, assembly, and storage of whole equipment limited to HID district and subject to the Manufacturing use conditions below. Assembly and manufacturing of parts, storage, and distribution limited to the ID district and subject to the Manufacturing use conditions. Parts warehousing, distribution, logistics, and similar activities limited to LID district.
- P. *Freight container storage and repair.* Limited to indoor only in the LID district.
- Q. *Fuel supply service.* Generally bulk storage and distribution including fueling of large farm or construction equipment and fleet vehicles, and excluding fueling or gas stations for automobiles or boats
- R. *Gun clubs, outdoor shooting ranges and turkey shoots.* The unique nature of this use is such that the following criteria shall be observed in siting any such use in the county:
1. It shall be located west of I-95 and no closer than one-fourth mile to any existing residential use. Gunfire shall be oriented away from habitable areas. Areas east of I-95 shall require special exception approval by the zoning board of appeals. Hours of operation shall be extended to accommodate law enforcement training and certification for low-light conditions.
 2. The site upon which the use is proposed shall be suitable in size and topography, and preferably contain a wooded perimeter to buffer noise and improve the safety of any surrounding residents.
 3. Seasonal "turkey shoots." Separately, turkey shoots are temporary in nature, not lasting more than 60 days, shall meet the following requirements:
 - a. Gunfire shall be no closer than 500 feet from any residential use, and not allowed from 11:00 p.m. until 8:00 a.m.

- b. Gunfire oriented towards residential uses shall be no closer than one-half mile. This distance may be reduced by the use of licensed engineer approved projectile absorbing barriers on the subject property.
 - c. A site plan submitted to the director illustrating the shooting range, orientation of fire, topography of the land, and distances and locations of adjacent residential uses.
 - d. Turkey shoots are allowed in the UD-2, RD-1, RD-2 and RC-1 zoning districts as a conditional use.
- S. *Heavy construction contractors.* All outdoor storage of materials and equipment associated with a heavy construction contractor business shall be set back a minimum of 25 feet from property lines, 50 feet from any residential use, and be screened in accordance with section 14.08-4.020(D).
- T. *Home occupations.*
- 1. *Customary home occupations (RS and UD-1 district only).*
 - a. The home occupation shall be carried on wholly within the dwelling and occupy no more than 25 percent of the principal building floor area, up to a maximum of 400 square feet.
 - b. No exterior signs, merchandise, storage or articles shall be visible from outside the building.
 - c. No more than one person not residing in the residence may be employed on site.
 - d. No alteration away from the residential nature of the buildings or property is allowed.
 - e. Only cars, vans and pickup trucks used primarily as passenger vehicles shall be allowed in the daily operations of the home occupation.
 - f. The occupation shall not create any noxious fumes or odors, light emissions, noises or interference with radio or television reception that can be detected off of the premises.
 - g. Home occupations may operate between the hours of 7:00 a.m. and 8:00 p.m. with no merchandise manufactured off premises and brought in for retail sales.
 - 2. *Child care home occupation.* In addition to the requirements for a customary home occupation, the following requirements shall apply to a child care home occupation:
 - a. Child care home occupations shall be limited to a maximum of six children in addition to any children of the operator.
 - b. A minimum of 100 square feet of outdoor play area per child shall be provided in the rear yard which shall be fenced to a minimum height of four feet.
 - 3. *Rural home occupations.* For residential lots located in the RC-1, RC-2, RD-1, RD-2, and UD-2 districts, and in addition to the requirements for a customary home occupation, the following requirements shall also apply to a rural home occupation:
 - a. A rural home occupation may be carried on within the principal dwelling or an accessory building, not to exceed 400 square feet. Any accessory building used

for a rural home occupation shall meet the principal structure setbacks for the district.

- b. Rural home occupations include carpentry, metal working, electrical, welding, plumbing, repair shops, professional and technical services, insurance and real estate services, personal care services, and retail, excluding the sale of firearms.
4. *Motor vehicle repairs and sales home occupations.* In addition to the requirements for a customary home occupation, the following requirements shall apply to motor vehicle repairs and sales home occupations:
 - a. The repair of motor vehicles at a place of residence is subject to the following restrictions:
 - i. Only minor repairs and maintenance may be performed, which for the purposes of this subsection are defined as the:
 - (1) Changing and replenishment of fluid levels, such as hydraulic fluid, windshield washer fluid, and lubricating oil.
 - (2) Replacement of sparkplugs and wires.
 - (3) Rotation of tires and checking of adequate pressure.
 - (4) Replacement of drive belts and hydraulic lines.
 - ii. Any other repairs shall be restricted to totally enclosed spaces and only accomplished on privately registered vehicles having current state license plates, or motor vehicles designated by the state as qualifying for any antique or horseless carriage designation.
 - b. The sale of motor vehicles at a place of residence is subject to the following restrictions:
 - i. No more than two vehicles at any given time.
 - ii. The vehicle may be displayed by appropriate window or other attached signage.
 - iii. The vehicle and associated signage may not be located in the public right-of-way.
- U. *Hunting and fishing camps.*
 1. A maximum density of ten campers per acre is allowed.
 2. Any structure or camper shall be setback a minimum of 50 feet from property lines.
 3. Demonstrate compliance with SCDHEC waste treatment.
 4. All structures and campers within 100 feet of the front property line shall meet the buffer requirements found in section 14.08-4.020(B), Street yard.
 - V. *Lumber and saw mills, and pellet production.* All outdoor storage of materials and equipment shall be set back a minimum of 200 feet from the property boundary and screened in accordance with section 14.08-4.020(D.3). In addition, these operations shall be subject to the provisions of the Manufacturing use conditions.

- W. *Manufactured homes (on individual lots)*. Manufactured homes on individual lots shall:
1. Be built according to the Federal Manufactured Housing Construction and Safety Standards Code (245 CFR 3280), enacted June 15, 1976. Manufactured housing built prior to the effective date of the code shall not be permitted for reasons of safety.
 2. Be installed in accordance with the Manufacture's Installation Manual. In the absence of such a manual, the home must be installed in accordance with the requirements of the state manufactured housing board regulations.
 3. Be under-skirted around the entire home with brick, masonry, vinyl, or similar materials designed and manufactured for outdoor installation.
 4. Have landing steps installed or constructed at each exterior doorway, in accordance with applicable building codes.
 5. Be provided with a sanitary sewer system approved by SCDHEC.
 6. It shall be unlawful for any such home to receive electricity except by use of this separate meter. It shall be unlawful for any public utility or electrical supplier to connect power to any manufactured home in the absence of all approved permits.
- X. *Manufactured home parks*. The establishment and operation of a manufactured home park shall comply with the following design and development standards:
1. The park site shall not be less than two acres, and have not less than 200 feet frontage on a publicly maintained street or road.
 2. The park shall be served by public water and sewer systems or other systems as approved by local DHEC officials. A storm drainage plan is required and subject to compliance with section 14.04-5.070(L).
 3. All manufactured home spaces shall abut upon an interior all-weather roadway subject to section 14.04-5.070(K)1 and shall have unobstructed access to a public street or road.
 4. All on-site roadway intersections shall be provided with a street light.
 5. Each individual home site shall be at least 25 feet from any other site and at least 25 feet from the right-of-way of any street or drive providing common circulation.
 6. All homes shall be installed in accordance with the installation requirements of the state manufactured housing board regulations.
 7. Not less than 15 percent of the park site shall be set aside and developed for common open space and recreational usage.
 8. Permanent space numbers shall be provided on each space and located to be visible from the street or driveway. Signs identifying space locations shall be provided at each street or driveway intersection.
 9. The maximum number of spaces shall not exceed eight per acre.
 10. Two parking spaces shall be provided for each designated space. Parking may be provided at the designated space or in community parking areas.

11. Existing trees and other natural site features shall be preserved to the extent feasible.
 12. Buffer yards shall be provided on the perimeter of the park or court in accord with the requirements of section 14.08-4.020.
 13. The zoning permit may be revoked by the director or his designee for a violation of this title or other applicable ordinances and regulations governing the operations of such uses.
 14. A site plan showing the above required data, and in all other respects meeting the minimum requirements for a building permit shall accompany all applications to establish a manufactured home park.
 15. All pre-existing manufactured home parks at the time of the adoption of the ordinance from which this chapter is derived are considered legal nonconforming uses, and any expansions must comply with these requirements.
- Y. *Manufacturing*. All proposed manufacturing uses shall meet the following performance standards:

1. Vibration:

- a. No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments at any point beyond the property boundary of the subject facility; nor shall any vibration produced exceed the following particle levels, as measured by a qualified technician using a vibration monitor in inches per second at the nearest:
 - i. Residential property line:0.02
 - ii. Non-residential property line:0.10

Vibration emanating from construction activities between 7:00 a.m. and 9:00 p.m. shall be exempt from these regulations.

2. Noises:

- a. All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness. In no event shall the sound pressure level of noise radiated continuously from a facility exceed at the lot line the values given in Table 3 in any octave band or frequency. Sound pressure level shall be measured with a sound meter and an octave band analyzer that conforms to specifications published by the American Standards Association. (See Table 3)

TABLE 3

Maximum permissible sound pressure levels at the lot line for noise radiated continuously from a facility between the hours of 9:00 p.m. and 7:00 a.m.

Frequency Band (In Cycles Per Second)		Sound Pressure Levels (In Decibels)	
		At Non-Residential Lot Line	At Residential Lot Line
20 -	75	79	65
75 -	150	60	50
150 -	300	56	43
300 -	600	51	38
600 -	1,200	42	33
1,200 -	2,400	40	30
2,400 -	4,800	38	28
4,800 -	10,000	35	20

Day time schedule. Maximum permissible sound pressure levels at the lot line for noise radiated from a facility between the hours of 7:00 a.m. and 9:00 p.m. shall not exceed the limits of the preceding table except as specified and corrected below.

Type of Operation in Character of Noise	Correction in Decibel*
Daytime operation only	Plus 5
Noise source operates less than 20% of any one-hour period	Plus 5
Noise source operates less than 5% of any one-hour period	Plus 10
Noise source operates less than 1 & of any one-hour period	Plus 15

Noise of impulsive character (hammering, etc.)	Minus 5
Noise of periodic character (hum, speech, etc.)	Minus 5
* Apply to the preceding table one of these corrections only.	

Noises emanating from construction activities between 7:00 a.m. and 9:00 p.m. shall be exempt from these requirements.

3. Air Pollution

- a. The emission of visible smoke, dust, dirt, fly ash, particulate matter from any pipes, vents, or other openings, or from any other source into the air, shall comply with the regulations of the South Carolina Department of Health and Environmental Control.

4. Odors

- a. There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive at the outer property boundary of the subject facility. Any process, which may involve the creation or emission of any such odor, shall be provided with both a primary and a secondary safeguard system so that control may be maintained in the event of failure of the primary safeguard system.
 - i. *Odorous matter*: Solid, liquid or gaseous material which produces an olfactory response in a human being.
 - ii. *Odor threshold concentration*: The lowest concentration of odorous matter which will produce an olfactory response in a human being. Odor thresholds shall be determined in accordance with American Society for Testing and Materials Test Method DI 391-57 (1967).
 - iii. *Emission of odorous matter*: Odorous matter released from any operation or activity shall not exceed the odor threshold concentration across a protected property line measured at ground or habitable elevation.

5. Toxic matters and hazardous waste

- a. *Toxic matter*: Materials or substances which, either singly or in combination with other materials or substances, through synergistic action, poses a threat to the health of human beings, either acutely or chronically.
- b. *Hazardous waste*: Materials or substances which are not biodegradable and which, due to such fact, pose a threat to living organisms through chemical contamination of the ecosystem.
- c. *Determination of material status*. The determination that a material or substance is either toxic or poses a threat as a hazardous waste shall be based upon the listing published by the Environmental Protection Agency under the

Toxic Substances Control Act of 1976, as amended, and the rules and regulations promulgated for identification of such by SCDHEC.

- d. Compliance with existing statutes. Any facility proposing to locate within the jurisdiction of the ordinance which would utilize toxic matter or produce hazardous waste in the process of manufacturing, fabricating, assembling, packaging or any related activity, shall provide to the zoning administrator for Colleton County a certificate from either the Bureau of Solid and Industrial Waste Management for the Compliance and Enforcement Division of the NPDES Permits Administration of DHEC, or both, indicating compliance with the rules and regulations administered by those agencies. Only until such certification is received from SCHEC shall the facility be permitted for occupancy.
 - i. Nothing contained herein shall be intended to pre-empt or abrogate the requirement for a user of toxic matter or generator of hazardous waste to adhere to the administrative and procedural requirements of state or federal agencies with regard to environmental protection.
 - e. Special requirements. Notwithstanding the requirements of state and federal agencies charged with the administration of the rules and regulations governing the operation of facilities utilizing toxic matter or generating or storing hazardous waste, any facility involved in such identified material shall provide an on-site containment area for the material so that a leak or spill is contained entirely on the facility's property and thus prevented from entering the surface or subsurface drainage system, manmade or natural, within the county. The review of the containment structure as to its design and acceptability shall remain with the zoning administrator who may rely upon the expertise provided by the county building Official or any other agency as necessary to ascertain satisfaction that the proposed structure will provide compliance with the intent of this section.
 - f. List of materials. Materials and substances considered as either toxic matter or hazardous waste shall be those contained within the listing published by the Environmental Protection Agency, as amended, under the provision of the Toxic Substances Control Act of 1976. A further listing of such materials is found in Regulation No. 61-79.1 of the Rules and Regulations for the State of South Carolina, appended to the 1976 Code of Laws, as amended.
6. Fire and explosive hazards
- a. Activities involving the storage, utilization, or manufacture of materials or products which are considered detonable (non-atomic), flammable, or ignitable shall be subject to the rules and regulations of the South Carolina Department of Health and Environmental Control (SCDHEC) for such.
 - b. Particular requirements for Colleton County. Vehicular fuels shall be stored in accordance with the following storage capacity limits:

	Adjacent Grandfathered Residential Use or Adjacent Restricted Development District	Adjacent Intense Development District
Underground Tank	80,000 gallons/acre	Unlimited
Above Ground Tank	40,000 gallons/acre	150,000/acre

7. Light and glare

- a. *Foot candle.* A unit of illumination. Technically, the illumination at all points one foot distant from a uniform point source of one candlepower.
- b. *Glare.* The disturbing quality of direct illumination which, although not necessarily providing a measurable amount of light from a given vantage point, nonetheless is an attractive nuisance to the eye to the point of causing discomfort when viewed.
- c. *All outdoor light fixtures shall be fully shielded and installed to prevent any light trespass onto any abutting property. Light-emitting-diode (LED) lighting shall be used. Light sources visible in residential or medical areas shall not exceed one-tenth footcandle, and in all other areas, shall not exceed one-half footcandle, measured at the property line.*

8. Electromagnetic interference

- a. In all districts, no operations or activities shall be conducted that cause electrical disturbances to be transmitted across protected property lines.

9. Smoke and particulate matter

- b. Activities which produce smoke or particulate matter shall abide by the regulations of the South Carolina Department of Health and Environmental Control under authority granted by the Pollution Control Act. (Reference Regulation 61-62 appended to the South Carolina Code of Laws of 1976, as amended).

10. Fumes

- c. There shall be no emission of any fumes or vapors of a noxious, toxic or corrosive nature, which can cause damage or irritation to health, animals, vegetation, or to any form of property.

11. Compliance guarantee

- d. The applicant of a permit for a manufacturing or processing plant which would produce any of the above "objectionable elements" shall

acknowledge in writing his understanding of the performance standards applicable to the proposed use and shall submit with the permit application, an agreement to conform with such standards at all times. Any violation of the agreement shall constitute a violation of this Ordinance and shall be treated accordingly. Enforcement of this agreement shall be precipitated by complaint from any person allegedly aggravated by failure of the industrial use to comply with the provisions of this section. Where there is a potential problem in meeting any one of these performance criteria in this section, the applicant shall be required request a variance before the board of zoning appeals in accordance with the provisions of Article 14.08-7.

Z. Commercial mining and extraction.

1. Minimum lot size shall be 25 acres.
2. All land disturbing activity shall be located at least 100 feet from any property line and at least 500 feet from any residential, religious, civic, community service or day care use, school, or public park.
3. All extractive uses shall be surrounded by a solid fence or berm at least eight feet high, located no less than 100 feet from any public right-of-way, and no less than 50 feet from any adjacent property.
4. Blasting may only be conducted between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Loading and hauling operations are not permitted between the hours of 9:00 P.M. and 7:00 A.M.
5. Operations shall not create any light, noise, smoke, odors, or dust at a level which creates a nuisance to any person of normal sensitivities at the property line.

AA. Mixed use buildings. Dwelling units in a mixed use building shall not be located on the ground floor.

BB. Multi-family residential.

1. Such projects shall have a minimum of one acre.
2. Not more than eight, nor fewer than three, townhouses may be joined together, with approximately the same (but staggered) front line.
3. Minimum distance between buildings shall be 20 feet.
4. Minimum lot width shall be 18 feet.
5. Sidewalks not less than five feet in width, to meet ADA Standards, shall be provided along the front property line and the parking area side of each building.
6. Not less than ten percent of the site shall be dedicated as common open space.
7. No building shall exceed a length of 150 feet.
8. All trash containers shall have a lid and be completely screened from view from the street and adjacent properties with fencing and/or landscaping.

CC. Outdoor markets (including farmers markets flea markets, etc.).

1. Any sale of items where booths or spaces may be rented on the same property or by the same organizers more than four days per calendar year shall be considered an outdoor market, and all sales shall be conducted under cover of an approved structure or tent.
2. Approved SCDHEC restroom facilities shall be provided but not located between the permanent structure or tent and the street right-of-way and be screened from view.
3. Trailers for delivery or pickup may be stored temporarily on site for not more than three days at a time and shall be parked to the side or rear of the permanent structure.
4. When the outdoor retail market is not open for business, all items shall be removed or screened from view from the street and any adjacent residentially zoned properties.

DD. *Outdoor storage.* Outdoor storage as an accessory use may be permitted provided such storage area does not occupy over 20 percent of the lots' buildable area, is not located in any required setback yard, and is screened from public view as set forth in section 14.08-4.020(D).

EE. *Park model trailers, campers and RVs as temporary living accommodations (on individual lots).*

1. All units must retain their axles, wheels and towing hitch and remain road-ready. Units are not to have a permanent foundation nor can they have any structurally and permanently attached additions, such as porches, decks, platforms, coverings, steps, stairs, landings, supports or related elements.
2. Only one camper, park model trailer or RV is permitted per lot as a principle use and it shall comply with all district setbacks and buffers established for the principle use, not accessory use.
3. Units may not be renter-occupied for income generation.
4. Units must demonstrate compliance with all applicable restrictive covenants.
5. No park model trailer, camper or RV may be permitted as a principle use on an individual lot of record within the unincorporated portion of Edisto Island.
6. Units will comply with all provisions of the County's Floodplain Ordinance when located in a Special Flood hazard Area. Units located in a floodway must receive a permit for each three (3) day stay, and up to six 3-day permits may be issued per calendar year per unit. Units located in a floodway in excess of three days per stay or 18 days per year must comply with the completion of a no-rise-no-impact study performed by a licensed professional engineer.
7. No more than 100 amp electrical service is to be provided on-site, and only after the site has a SCDHEC approved septic system installed.
8. Units located within the Urban Development-1 district shall have a minimum of one acre lot size.

9. These units are designed as temporary housing units only, and not recognized by the International Residential Codes as a permanent residential dwelling unit, where they can only be used as temporary housing for up to one year, such as during construction or reconstruction of an active permitted onsite residence, where they are allowed in all zoning districts, unless prohibited by restrictive covenants, and may be granted an additional six months extension upon review of the zoning board of appeals. They are considered temporary uses and must comply with the above stated conditions of approval, except where they are prohibited to be placed on Edisto Island.

FF. *Produce stands (year-round and permanent).*

1. All produce grown on a lot under the same ownership as the lot upon which the produce stand is located is exempt for the provisions of this chapter.
2. All other produce stands shall be considered temporary uses and shall follow the special requirements for temporary uses.

GG. *Recreational group quarters.*

1. Recreational group quarters are located on lands intended for outdoor recreational purposes in combination with on-site residential dwellings.
2. A minimum of 100 acres is required.
3. Accessory uses and structures including golf courses, marinas, horse stables, trails, tennis courts, hunting preserves, shooting ranges, and similar type uses are permitted.
4. All structures shall be set back a minimum of 500 feet from any property line.
5. Hotels, motels, condominiums, apartments, and townhomes are not permitted.

HH. *Residential care facilities.*

1. A minimum of two acres is required for a residential care facility.
2. Structures shall be set back a minimum of 50 feet from all property lines.

II. *Restaurant and/or retail.* Specific to the LID and ID zoning district. Either use permitted as an accessory “front of house” use to a related manufacturing or production use.

JJ. *Salvage yards, junkyards, and recycling operations.* The location of these uses shall be regulated by the following:

1. No such use shall be located closer than 500 feet to any residential use, church, school, historical place or public park or within 50 feet of a public street right-of-way.
2. No material because it is discharged and incapable of being reused in some form shall be placed in open storage.
3. No material shall be placed in open storage in such a manner that it is capable of being transferred out by wind, water, or other causes.
4. All paper, rags, cloth and other fibers, and activities involving the same, other than loading and unloading, shall be within fully enclosed buildings.

5. All materials and activities not within fully enclosed buildings shall be enclosed by an opaque fence or wall or vegetative material, excluding points of ingress or egress, at least eight feet in height. No items may be stacked in a manner so that they protrude above the top of the opaque screen within 50 feet of the screen.
6. Disposal of garbage unrelated to motor vehicles shall be in an approved container and regularly maintained. Open dumping of garbage is prohibited.
7. Disposal of toxic/hazardous matter is prohibited without a state permit.
8. Storage of items shall be so arranged as to permit easy access for firefighting purposes.

KK. *Seasonal worker housing.*

1. Seasonal worker housing shall be permitted on agricultural land of greater than 20 acres.
2. Seasonal worker housing shall be either permanent residential structures built to South Carolina Building Codes, HUD approved manufactured homes, or park model homes. Recreational vehicles may only be used for seasonal worker housing if they are located on the property no more than three months per calendar year.
3. There shall be a minimum 30-foot easement and driveway to the housing that is suitable for access by emergency personnel.
4. All seasonal worker housing shall be set back a minimum of 100 feet from all property lines.
5. The farm operator shall provide a site plan showing the proposed location of seasonal worker housing.
6. Sanitary sewer and water supply shall be provided as approved by the SCDHEC.

LL. *Sexually oriented businesses.*

1. This section regulates sexually oriented businesses to uphold the health, safety, morals and general welfare of the county residents, and to establish reasonable and uniform regulations to prevent the deleterious location and concentration of sexually oriented businesses in the county. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials including sexually oriented materials. Similarly, it is not the intent or effect of this section to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually-oriented entertainment to the intended market. Neither is it the intent of this section to condone or legitimize the distribution of obscene material.
2. The county has conducted an extensive review of land use studies concerning the secondary effects of sexually oriented businesses in other cities including, Palm Beach Co., FL (2007), Ellicottville, NY (1998), Cleburne, TX (1997), Dallas, TX (1997), Houston, TX (1997), Newport News, VA (1996), New York, NY (1994),

St. Croix Co., WI (1993), Oklahoma City, OK (1992), Garden Grove, CA (1991), Tucson, AZ (1990), Indianapolis, IN (1984).

3. The clear conclusions to be drawn from these reports are that in areas surrounding adult-entertainment establishments crime increases, property values decrease, and the quality of life for residents declines. Specifically, the reports indicate that sex-related crimes and property crimes increase significantly in close proximity to sexually oriented businesses, including prostitution, pandering, exposing minors to harmful materials, possession and distribution of obscene materials and child pornography, possession and distribution of controlled substances and violent crimes against persons and property. Owing to the potentially objectionable operational characteristics of sexually oriented or adult uses, and the deleterious effect of such uses on existing businesses and/or residential areas around them, the location of such uses, where permitted by article 14.08-2, shall be tempered by the supplemental siting criteria of this section.
4. No property line of such use shall be located within 1,000 feet (measured in a straight line, without regard to intervening structures or objects, from the nearest property line of any lot on which contains a building or structure from which any part is used as a sexually oriented business) of the nearest property line of the uses listed below and documented on a map drawn to scale of:
 - a. A residence or an RS zone;
 - b. A church or religious institution;
 - c. Public or private schools and educational facilities;
 - d. Public parks and recreational facilities;
 - e. U.S. Highway 15, 17A, 17, and 21, and S.C. Highways 61, 63, 64, 174, 303, 641, and the Walterboro Bypass, and Interstate 95;
 - f. Another sexually oriented business;
 - g. Day care facilities; or
 - h. Licensed nursing home.
5. It shall be a misdemeanor for a person to operate a sexually oriented business without a valid permit, issued by the responsible governing authority for the particular type of business. An application for a permit must be made on forms provided by the director. The premises must be inspected and found to be in compliance with the law by health, fire and building officials.
6. Each permit shall expire at the end of each calendar year and may be renewed only by making application as provided herein prior to the end of each consecutive calendar year. If an application and permit fee are not received within 30 calendar days from the end of the previous year, the permit has expired and the business shall be required to shut down until a new application and fee are received before the end of the current year, to have a permit for the following calendar year.
7. The annual permit fee for a sexually oriented business permit shall be \$1,000.00.
8. An applicant or permittee shall allow representatives of the county planning and development department, county sheriff's office, SCDHEC and/or county fire

rescue or other governmental departments or agencies involved in code enforcement to inspect the premises of a sexually oriented business for the purpose of ensuring compliance with the law, at any time it is occupied or open for business.

9. A person who operates a sexually oriented business and/or his agent or employee commits a misdemeanor if he refuses to permit such lawful inspection of the premises at any time it is occupied or open for business.
10. The director shall suspend a permit and/or license for a period not to exceed 30 days if he determines that a permittee and/or licensee has:
 - a. Violated or is not in compliance with any section of this chapter; or
 - b. Refused to allow an inspection of the sexually oriented business premises as authorized by this section.
11. Revocation. The director shall revoke a permit and/or license if he determines that:
 - a. A permittee gave false or misleading information in the material submitted as part of the application process.
 - b. A permittee or an employee has knowingly allowed possession, use or sale of controlled substances on the premises.
 - c. A permittee or an employee has knowingly allowed prostitution on the premises.
 - d. A permittee or an employee knowingly operated the sexually oriented business during a period of time when the permittee's permit and/or license was suspended or revoked.
 - e. A permittee or an employee has knowingly allowed any act of sexual intercourse, sodomy, oral copulation, masturbation, or other sexual conduct to occur in or on the permitted premises.
 - f. On two or more occasions within a 12-month period, a person or persons committed an offense, occurring in or on permitted premises, constituting a specified criminal act for which a conviction has been obtained, and the person or persons were employees of the sexually oriented business at the time the offenses were committed. The fact that a conviction is being appealed shall have no effect on the revocation of the permit.
 - g. A permittee is delinquent in payment to the county for any taxes or permit fees past due.

MM. *Solid waste.*

1. *Sanitary landfills.*
 - a. Sanitary landfills shall be located no closer than 1,000 feet from the nearest property line of any existing residential, recreational, religious, educational, medical or public use (measured in a straight line).
 - b. A geotechnical engineering firm approved by the director shall render a written opinion that, in their best professional judgment, the formations being used to

contain the waste are impermeable and that surrounding ground water sources will not be contaminated.

- c. The facility shall be enclosed by an opaque fence or wall structure on all sides visible from the street serving the facility and an opaque cyclone fence on the remaining unexposed boundaries. Said screen fencing shall be a minimum of six feet tall.
- d. A plan showing restoration of the site upon completion of the landfill use shall accompany the request.

2. *Construction and demolition landfill.*

- a. A construction and demolition landfill may be located internally up to, but not closer than 300 feet from any property line, and no property line of a landfill shall be located any closer than 300 feet from the nearest property line of a residential dwelling, school building, daycare center, religious, recreational, or medical facility.
- b. No material shall be placed in open storage or areas in such a manner that it is capable of being transferred out by wind, water, or other causes.
- c. All materials and activities shall be screened in such fashion as not to be visible from off site. The provisions of this subsection may be waived by the director where such facility will be utilized for a period not to exceed 90 days. Screen fencing shall meet the opacity of a solid wall and be a minimum of six feet tall.
- d. A plan showing restoration of the site upon completion of the landfill use shall accompany the request.

3. *Waste Management service*

- a. Storage and maintenance of waste management vehicles only; no waste disposal or storage on site.

NN. *Telecommunications towers.*

1. All new towers (including antennas) shall be designed to accommodate additional antennas equal in number to the applicant's present and future requirements.
2. All applicable safety code requirements shall be met.
3. Towers shall not be painted or illuminated unless otherwise required by state or federal regulations.
4. No tower shall be located in any marsh or wetlands.
5. No tower shall be located within 1,000 feet of an existing tower, except where the applicant certifies that the existing tower does not meet the applicant's structural or technical design requirements, or that a co-location agreement could not be obtained.
6. Towers shall be exempt from the maximum height requirements, except as provided in section 14.08-2.010(D)3.
7. Tower shall be located so adequate setbacks are provided on all sides to prevent the tower's fall zone from encroaching onto adjoining properties. Should this fall

zone encroach onto another property, a recorded easement may be prepared and signed by the adjacent property owner to ensure that no structure will be built within the fall zone. If the tower is designed to collapse within a specified "fallzone" this must be certified by a letter from a licensed professional engineer or the tower manufacturer.

8. Permit requirements for the erection or replacement of a tower shall be accompanied by the following:
 - a. One copy of the tower specifications, including the design characteristics and materials.
 - b. A site plan drawn to scale showing: property boundaries; tower location and height; guy wires and anchors; existing structures; fall zone; CGI generated images, photographs or elevation drawings depicting design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property (site plan not required for colocation on an approved existing structure).
 - c. A map showing locations of applicant's tower, any existing towers within 1,000 feet, and proposed towers planned for the future.
 - d. Identification of all owners of all antennae and equipment to be located on the site.
 - e. Written authorization from the site owner for the tower.
 - f. Evidence that a valid FCC license for the proposed activity has been issued.
 - g. A line of sight analysis, drawing and/or CGI generated images showing the potential visual and aesthetic impacts on adjacent residential districts.
 - h. A written agreement to remove the tower and/or antenna within 120 days after cessation of use.
 - i. A certificate from a licensed professional engineer that the proposed facility and equipment will meet all FCC requirements, together with written indemnification of Colleton County and proof of liability insurance or financial ability to pay claims up to \$1,000,000.00 in the aggregate related to the operation of the facility, at no cost to the county.

OO. *Temporary/seasonal sales uses and structures.*

1. *General provisions for all temporary uses and structures.*
 - a. The director or his designee is authorized to issue permits for temporary uses and structures specified in this section, including fireworks and Christmas sales. No temporary use may be established without receiving such permit and shall be valid for up to 30 days unless otherwise specified.
 - b. Temporary use permits may be renewed no more than twice within one calendar year, for a total of three permitted use terms, provided use doesn't create traffic congestion or a nuisance to surrounding uses. Any temporary use creating a nuisance may have its temporary permit revoked by the director.
 - c. Temporary uses and structures shall be removed from the site after the permit has expired.
 - d. All temporary uses shall:

- i. Not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare;
- ii. Be compatible with the principal uses taking place on the site;
- iii. Not have substantial adverse effects or noise impacts on any adjoining permanent uses or nearby residential neighborhoods;
- iv. Not include permanent alterations or in any way create damage to the site;
- v. Meet all the setbacks of the underlying base and any overlay zoning districts;
- vi. Comply with the maximum signage size for temporary signs;
- vii. Remove temporary signs associated with the use or structure after the activity ends;
- viii. Not violate the applicable conditions of approval that apply to a site or use on the site;
- ix. Not interfere with the normal operations of any permanent use located on the property; and
- x. Contain sufficient land area to allow the temporary use, structure, or special event to occur, and accommodate the associated parking, traffic movement, port-a-potties, and waste receptacles, without disturbing principal parking areas, traffic flows and/or environmentally sensitive lands.

2. *Carnival, fair, circus, or special events.*

- a. The total amount of required off-street parking spaces shall be determined by the director. If shared parking for the event is co-located on a parcel with an active use during the event, a shared parking agreement shall be approved by the director prior to the event. The traffic management plan shall be approved by the director for any events with over 100 attendees that will enter and exit off of a local road or highway.
- b. All activities shall be located a minimum of 50 feet from all lot lines. Any concerts or events requiring amplified sound systems shall be approved in advance to be directed away from residential and medical uses and facilities. Any stages, raised platforms, or scaffolding shall require inspection approvals from the building department prior to the start of the event.
- c. Demonstrate compliance with SCDHEC regulations for food safety, sewage, trash, and wastewater disposal and/or removal from the site.
- d. Provide documentation on how electrical services will be provided to all food vendors, rides, attractions, and any other structures or devices which require additional electricity needs.
- e. Churches, places of worship, and/or religious institutions are exempt from the provisions of this section.

3. *Seasonal agricultural sales.* This includes the sale of such items as Christmas trees, pumpkins, seasonal produce, and similar agricultural products, may be permitted in accordance with the following standards:

- a. The property contains an area not actively used that will support the proposed temporary sale of products without encroaching into or creating a negative

impact on existing vegetated areas, open space, landscaping, traffic movements, or parking.

- b. The sale of goods shall not occur within the public right-of-way, or within 50 feet of a dwelling.
 - c. A minimum unobstructed pedestrian walkway of at least five feet in width along the front of the display shall be maintained in accordance with ADA Standards.
 - d. The range of goods or products available for sale shall be limited to products obtained primarily through farming or agricultural activities, including, but not limited to: grains and seeds; fruits; vegetables; nursery, floral, ornamental, and greenhouse products; forest products, including trees, Christmas trees, firewood, and pine straw; bees and bee biproducts; seafood; and dairy products.
Processed/prepared food products shall not be considered agricultural products.
 - e. The itinerant sale of products from a vehicle that does not involve the display or short term storage of products on a property for a period of two days or longer, shall not be considered seasonal agricultural sales.
 - f. The seasonal sale of agricultural products shall be allowed to operate from 7:30 a.m. until 10:00 p.m.
 - g. Seasonal sales shall be allowed on an individual lot for no more than 120 days per calendar year.
 - h. When seasonal sales are not in operation, the stand shall be properly closed up and maintained.
 - i. Churches, places of worship, and/or religious institutions are exempt from the provisions of this section.
4. *Temporary construction trailers.*
- a. Commercial construction trailers or equipment sheds used in conjunction with construction projects are allowed provided the following requirements are met.
 - b. Authorization to place a commercial construction trailer onto a development site may be granted after the preliminary plans for the development or phase have been submitted. Multiple construction trailers are allowed; however, no sales may occur from the construction trailers.
 - c. Such construction trailers may be located at a commercial or residential building site where a valid building permit exists.
 - d. All construction trailers shall be located at least ten feet off of any street right-of-way.
 - e. For construction projects or residential subdivisions valued at more than \$1,000,000.00, one or more residential security guard houses may be installed which include sleeping, kitchen and full restroom facilities for overnight stay, provided the same conditions and requirements for construction trailers are met.
 - f. Authorization to relocate commercial construction trailers and/or residential guard houses from a completed phase to a future phase of the development may be approved by the director provided that the completed phase has received final

approval for recording and no further improvements are required to close out that phase of work.

- g. Authorization to relocate a construction trailer and/or guard houses to a future phase of development does not grant the developer the right to begin site improvements in the future phase unless the preliminary plat for the next phase of construction has been approved

5. *Residential sales offices.*

- a. Temporary or permanent commercial structures located in a subdivision may be used as sales offices for the subdivision development.
- b. Any temporary structure used as a sales office shall be located on a lot which is in compliance with the regulations of this chapter and meets all yard requirements for the applicable zoning district.
- c. Five off-street parking spaces plus two spaces for sales employees shall be provided on the lot where the sales office is located.
- d. A commercial trailer may be used as a temporary sales office, provided that the following conditions are met, as approved by the director:
 - i. The trailer shall have underpinning installed from the bottom of the walls to the ground.
 - ii. Landscaping shall be provided around the base of the trailer.
 - iii. At the completion of the sales in a tract, or two years from the date the temporary sales office began operation, whichever is sooner, said sales office shall cease operation unless the director determines that substantial progress is being made in the selling of the lots and/or homes in the subdivision. Extensions may be so authorized by the director as required. The temporary sales office structure shall be removed after its use as a sales office has terminated and the lot shall be returned to a natural state, including the removal of any paved or graveled driveway and/or parking area used by the sales office. All remaining bare soil areas shall be returned to a natural vegetative state (reseeded or sodded) immediately after removal of the sales office and driveway/parking area.

6. *Portable classrooms.* Portable classrooms in any district for cultural, community, educational, or religious facilities are permitted for an indefinite period provided all required setbacks for the zoning district are met and the portable structure is located on the same site as the principal structure.

7. *Tent sales and vendor sales from vehicles.* Sale of commercial goods may be conducted within a tent or from a vehicle located on a lot with a legally established commercial principal use, provided the following criteria are met: a. A temporary permit is obtained prior to erecting the tent or parking the vehicle for sales.

- b. The tent or vehicle shall be located outside the normal flow of traffic and areas of ingress and egress.

- c. The tent or vehicle shall be located on an improved surface such as asphalt or gravel, and not within areas devoted to required landscaping, tree protection, or open space.
 - d. The tent or vehicle shall be located to ensure the minimum number of required parking spaces for the principal use are maintained over the duration of the sale.
 - e. The tent sale shall not include any signage other than that allowable as temporary signage.
 - f. The hours of operation shall be from 7:30 a.m. until 10:00 p.m.
 - g. The total number of days allowed for tent or vehicle sales per lot shall be limited to a maximum of 15 total days per calendar year.
8. *Yard and estate sales.*
- a. Yard and estate sales may be conducted for a total of six days in any calendar year by civic or religious organizations, occupants of a residence, or in cooperation with neighbors for the purpose of selling household items.
 - b. One on-premises sign and three off-premises signs no larger than six square feet each may be displayed 24 hours in advance of the sale and removed within 24 hours after the sale ends. Signs shall not be located within the street right-of-way, or attached to street signs, trees or utility poles.
9. *Temporary emergency permits.*
- a. *Individual emergency.* When a structure or building has been damaged or destroyed by fire, flood, wind or other forces majeure, and strict compliance with zoning permit requirements will impair the health and safety of the affected individuals or the security of the premises, the director may declare an emergency condition and grant a temporary administrative permit in accordance with the following requirements:
 - i. If the structure or building complies with all applicable requirements of this chapter, a nonrenewable, temporary administrative permit shall be issued for a period not to exceed one year.
 - ii. If the structure or building is a legal nonconformity, and less than 50 percent of the appraised value has been damaged or destroyed, a nonrenewable, temporary administrative permit shall be issued for a period not to exceed one year.
 - iii. If the use, structure or building is a legal nonconformity, and 50 percent or more of the appraised value has been damaged or destroyed, only emergency housing or the use of manufactured housing units for the conduct of emergency business operations while relocation efforts are in progress shall be allowed. The nonrenewable, temporary administrative permit shall be issued for a period not to exceed six months.
 - b. *Community emergency.* Where a major disaster affects the health, safety or welfare of the general public and compliance with zoning permit requirements

will delay remedial action, the director shall be authorized, upon approval of the county administrator, to waive zoning permit requirements for a period of time.

ARTICLE 14.08-4. - LANDSCAPING, BUFFERING, AND ENVIRONMENTAL PROTECTION

Amend: **Section 14.08-4.020 A.1.** to read: *Applicability.* A buffer shall be required for all new commercial uses adjacent to any existing single or two-family residential use or adjacent to properties zoned RS, CC, VC, UD-1, UD-2, . Properties located in the LID, ID, and HID district shall only comply to type A landscaping requirements for any portion of the property that is adjacent to properties zoned RS, CC, VC, UD-1, UD-2. The expansion of a commercial use by more than 50 percent of building area or land area also requires compliance with this section.

Amend: **Section 14.08-4.020 A.2.h.** to read: The following table shows the minimum buffer width and composition for a new or expanding commercial use adjacent to an existing single or two-family residential use or property zoned RS, CC, VC, UD-1, UD-2. Properties located in the LID, ID, and HID district shall only comply to type A landscaping requirements for any portion of the property that is adjacent to properties zoned RS, CC, VC, UD-1, UD-2

Amend: **Section 14.08-4.020 B.1.a.** to read: A street yard shall be required for all new commercial uses within the CC, VC, UD-1, UD-2, LID, ID, and HID zoning districts. An expansion of an existing commercial use by more than 50 percent of building area or land area also requires compliance with this section.

Amend: **Section 14.08-4.020 C.1.a.** to read: A parking lot canopy is required within all parking lots except automobile sales display areas in the CC, VC, UD-1, UD-2, LID, ID, and HID.

Amend: **Section 14.08-4.030 E.1.c.ii.** to read: Commercial developments in the UD-1, UD-2, LID, ID or HID zoning districts on lots of ten acres or more.

ARTICLE 14.08-6. - SIGNS

Amend: **Section 14.08-6.040 I.** to read: *Light Industrial (LID), Industrial (ID), and Heavy Industrial (HID).*

Amend: **Section 14.08-6.050 A.2.a. Table** to read:

Zoning District	Maximum Area
RC-1, RC-2, RD-1 and RD-2	10% of wall area
CC, VC, UD-1, UD-2, LID, ID, and HID	25% of wall area

Amend: **Section 14.08-6.050 A3.a. Table** to read:

Zoning District	Maximum Area
RC-1 and RC-2	24 sq. ft.
RD-1 and RD-2	80 sq. ft.
CC and VC	72 sq. ft. + 12 per tenant up to combined total of 144 sq. ft.
UD-1 and UD-2	1 square foot per linear foot of street frontage up to a total of 120 sq. ft.
LID, ID, and HID	120 sq.ft.

Amend: **Section 14.08-6.050 A.3.b. Table** to read:

Zoning District	Maximum Height**
RC-1 and RC-2	24 feet
RD-1 and RD-2	24 feet
CC and VC	36 feet
UD-1 and UD-2	36 feet
LID, ID and HID	36 feet

2. Severability:

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

3. Conflict:

Provisions in other County Ordinances, Resolutions, policies, or by-laws in conflict with this Ordinance are hereby repealed.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

Approved as to Form
Sean Thornton, County Attorney

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : November 7, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 23-R-63

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Approve a Joint Use Agreement between Colleton County and the Nettles Family Playground dba Rural Carolina Community Development Corporation for Recreation Improvements.]

WHEREAS:

1. County Council deems it to be in the best interest of the Citizens of Colleton County to enter into a Joint Use Agreement for the improvements at the Nettles Family Playground in the Walterboro area; and
2. Because the County neither owns nor has a long-term lease on the Playground property, a Joint Use Agreement with said Playground must be included for the funding of any improvements.

NOW THEREFORE BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:

1. The Joint Use Agreement with the Nettles Family Playground dba Rural Carolina Community Development Corporation, attached and included herein by reference, are hereby approved, and the County Administrator is authorized to execute said agreements on behalf of the County pending approval of same by the County Attorney.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:
OPPOSED:

Sponsor(s) : County Council
Adopted : November 7, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 23-R-64

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize Acceptance and Budgeting of Various Grants for FY 2023-2024.]

WHEREAS:

1. The County Budget Ordinance requires a Resolution to record all non-budgeted revenues and non-budgeted grant revenues; and
2. The Colleton County Sheriff's Office, is the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY24 received from the South Carolina Department of Public Safety Office of Highway Safety and Justice Programs Body Worn Cameras Grant Fund in the amount \$93,317.38; and
3. The Colleton County Fire-Rescue Department is the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY24 received from the South Carolina FY 24 State Budget Appropriation for the Neyles Fire Station; and
4. The Fourteenth Judicial Circuit Solicitor's Office is considered the Office of Primary Responsibility (OPR) related to the receipt of non-budgeted income for FY24 received from the South Carolina Office of the Attorney General Crime Victims Services Division for a Violence Against Women Act Grant #1K23005, a Victims of Crime Act Grant #1S24013 and a Opioid Recovery Fund Assistance Grant.

NOW THEREFORE BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:

1. County Council hereby authorizes the designation of appropriate general ledger accounts to record revenues and expenditures in the following funds for the grant and unbudgeted revenues for FY24 as listed:
 - a. Fund 120 – Special Revenue Fund; South Carolina Department of Public Safety Office of Highway Safety and Justice Programs; Body Worn Cameras Grant Fund; \$93,317.38; and
 - b. Fund 156 – Fire-Rescue Fund; South Carolina FY 24 State Budget Appropriation; \$600,000.
 - c. Fund 120 – Special Revenue Fund; South Carolina Office of the Attorney General; \$279,934; Violence Against Women Act Program Grant #1K23005; Violence Against Women Prosecution Team; match is included in Fund 125 – Solicitor's Office Fund;
 - d. Fund 120 – Special Revenue Fund; Fund 120 – Special Revenue Fund; South Carolina Office of the Attorney General; \$90,603; Victims of Crime Act Program Grant #1S24016; Sexual Assault Forensic Exam (SAFE) Program; match is included in Fund 125 – Solicitor's Office Fund;

e. Fund 120 – Special Revenue Fund; Fund 120 – Special Revenue Fund; Opioid Recovery Fund Assistance Grant; \$221,896.

2. The above listed OPRs (Offices of Primary Responsibility) are responsible for preparing any external reports related to said funds, complying with grant terms and conditions, coordinating reimbursement requests with the Finance Department in addition to being the responsible parties for providing copies of external reports to the Finance Office, grant auditors, and to external auditors at the end of FY24 as requested for this grant/non-budgeted revenue received.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:

OPPOSED:

Sponsor(s) : County Council
Adopted : November 7, 2023
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 23-R-65

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Authorize an Appropriation from E-911 (Fund 141) Fund Balance to Cover the Cost of 911 Dispatch Center Equipment.]

WHEREAS:

1. The Sheriff's Office needs to purchase equipment for the 911 Dispatch Center in the amount of \$37,668.36; and
2. The Sheriff wishes to use funding from the E-911 fund balance (Fund 141) to purchase said equipment for the 911 Dispatch Center in the amount of \$37,668.36; and
3. Said equipment is on State contract; and
4. The Sheriff's Office recommends that Council approve a Fund Balance appropriation from E-911 (Fund 141) to cover the costs of the equipment and training.

NOW THEREFORE BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:

A fund balance appropriation in the amount of \$37,668.36 from E-911 Fund 141 is hereby approved for the purchase of equipment for the 911 Dispatch Center.

ATTEST:

SIGNED:

Kaela Brinson, Council Clerk

Steven D. Murdaugh, Chairman

COUNCIL VOTE:

OPPOSED: