

SUMTER CITY - COUNTY PLANNING COMMISSION

Meeting Minutes

October 25, 2023

ATTENDANCE	<p>Sumter City – County Planning Commission meeting was held on Wednesday, October 25, 2023, in the City Council Chambers located on the Fourth Floor of the Sumter Opera House. Seven board members: Mr. Jim Price, Mr. Jason Ross, Mr. Jim Crawley, Mr. James Munford, Mr. Michael Walker, Mr. Gary Brown, and Ms. Kim Harvin – were present. Mr. Chris Sumpter and Mr. Keith Ivey were absent.</p> <p>Staff members present were Mr. Jeff Derwort, Ms. Helen Roodman, Mr. Kyle Kelly and Ms. Kellie Chapman.</p> <p>The meeting was called to order at 3:00 p.m. by Mr. James Munford.</p>
MINUTES	<p>Mr. Jason Ross made a motion to approve the meeting minutes of the September 27, 2023, meeting as written. The motion was seconded by Mr. Michael Walker and carried a unanimous vote.</p>
NEW BUSINESS	<p><i>Jason Ross recused himself from SD-23-02.</i></p> <p><u>SD-23-02, Red Lane Rd. (County)</u> was presented by Mr. Jeff Derwort. The Board reviewed the request to for preliminary plat approval for +/- 94-lot single family detached residential subdivision with +/- one acre lots.</p> <p>Mr. Derwort mentioned the property has frontage on Red Lane Rd. No official development name or street names have been identified.</p> <p>Mr. Derwort added the purpose of the Agricultural Conservation (AC) zoning district is to protect and preserve areas of the county which are presently rural or agricultural in character and use and are uniquely suited to agricultural uses.</p> <p>Mr. Derwort stated the subject property is within Zone X area as shown on FEMA FIRM Panel 45085C0114F with an Effective Date of October 27, 2022. National Wetland Inventory (NWI) data does show wetlands on a southern portion of the property which is currently not proposed for development.</p> <p>After some discussion, Mr. Jim Price made a motion to approve the above referenced request subject to the preliminary plan set prepared for Tunnel Vision Holdings, prepared by Mathis & Muldrow Land Surveying, Inc., dated</p>

September 10, 2023, and in accordance with the approval conditions outlined in Exhibit 1. The motion was seconded by Mr. Gary Brown and carried a four (Price, Brown, Walker, Crawley) in favor and one (Harvin) in opposition. The motion carried.

SD-20-01 (REV 2), 1455 Camden Hwy. – Bradford Meadows (City) was presented by Mr. Kyle Kelly. The Board reviewed the request for preliminary plat approval to add a total of 3 additional lots to Phase 3 of Bradford Meadows.

Mr. Kelly mentioned the applicant is proposing to revise a previous subdivision approval, SD-20-01 – Bradford Meadows. Previous Major Subdivision approval was granted for 76 total lots.

Mr. Kelly added this request adds a total of 3 new additional lots to the subdivision in a location where a new field survey has revealed that there are no wetlands present that prevent further subdivision and construction of additional residences. Roadway and Utility Infrastructure has been completed and accepted for previously approved lots and many of lots have received final plat approval and residential building permit approval for house construction.

After some discussion, Mr. Michael Walker made a motion to approve the above referenced request subject to the preliminary plat submission titled “Phase 3 of Bradford Meadows Lots 30-33 and 56-72 and 76-80 prepared by Mathis & Muldrow Surveyors, dated July 11, 2023, and the Conditions of Approval for SD-20-01 (Rev 2). The motion was seconded by Mr. Gary Brown and carried a unanimous vote. The motion carried.

SV-23-01, 845 Salterstown Rd. (County) was presented by Mr. Kyle Kelly. The Board reviewed the request for subdivision variance to subdivide a +/- 1.81-acre lot into 3 lots in which the lot width-to-depth ratio exceeds the maximum allowed by the Sumter County Zoning and Development Standard Ordinance.

Mr. Kelly stated the applicant is requesting subdivision variance approval in order to subdivide a +/- 1.81-acre tract into 3 lots of 0.92, 0.44, and 0.46 acres in which the lot width-to-depth ratio for one of the proposed new lots exceeds the maximum depth allowed as a ratio of the proposed lot width.

Mr. Kelly added the tract is part of an enclave of General Residential (GR) zoning located east of Oswego Hwy. and extending approximately 0.5 miles east along Salterstown Rd.

After some discussion, Mr. Jim Crawley made a motion to approve this request. The motion was seconded by Ms. Kim Harvin and carried a unanimous vote.

RZ-23-23, Race Track Rd. (County) was presented by Mr. Jeff Derwort. The Board reviewed the request to rezone a parcel of land totaling +/- 78.69-acres from Agricultural Conservation (AC) to Heavy Industrial (HI).

Mr. Derwort stated the property is commonly referenced as the “Gibbs Rail Site”, and was acquired by Sumter County in August 2023.

Mr. Derwort added the property has approximately 0.75 miles of frontage on the CSX rail line, and lies across Race Track Rd. from the Pocotaligo East site where Nova Molecular Technologies is located. The remainder of the Pocotaligo East site is approx. 128 acres and is all zoned Heavy Industrial.

Mr. Derwort mentioned due diligence activities are currently underway (wetlands delineation, geotechnical assessment, Phase 1 Environmental, Cultural Resources Survey, and an endangered species review). Upon completion of due diligence, the property will be listed as a designated “Palmetto Site”, a category of industrial site designated as having particular characteristics ideal for industrial prospects, as managed by guidelines developed by the South Carolina Department of Commerce.

After some discussion, Mr. Jim Crawley made a motion to recommend approval of the request to rezone a parcel of land totaling +/- 78.69-acres from Agricultural Conservation (AC) to Heavy Industrial (HI). The motion was seconded by Mr. Gary Brown and five (Crawley, Walker, Ross, Price, Brown) in favor and one (Harvin) in opposition. The motion carried.

RZ-23-24, 303 S. Main St., 6 E. Oakland & 8 E. Oakland Ave. (City) was presented by Mr. Jeff Derwort. The Board reviewed the request to rezone 3 parcels of land equaling +/- 2.03-acres from Light Industrial-Warehouse (LI-W) to Central Business District (CBD).

Mr. Derwort stated rezoning the property to Central Business District is consistent with applicable Sumter 2040 Comprehensive Plan and 2019 Downtown Master Plan policies.

The Sumter 2040 Comprehensive Plan shows the property being primarily influenced by the Priority Commercial Corridor Area and the Downtown Planning Area.

The purpose of the Priority Commercial Corridor future land use designation is to focus on existing corridors throughout the city that have been host to a diversity of uses.

The goal of the Downtown Planning Area is to achieve a city center which promotes and encourages a design focused, flexible urban core.

Mr. Derwort added in 2019, the Downtown Master Plan was completed for the area including the surrounding Central Business District. To implement the scale, density, and character defined in the Master Plan, some properties must undergo a change in land use category and zoning district.

The plan recommends that all properties in the Downtown Sumter Master Plan study area be rezoned to CBD or added into a new zoning district. The parcels in this request are within the Master Plan study area.

After some discussion, Mr. Jim Price made a motion to recommend approval to rezone 3 parcels of land equaling +/- 2.03-acres from Light Industrial-Warehouse (LI-W) to Central Business District (CBD). The motion was seconded by Mr. Michael Walker and carried a unanimous vote. The motion carried.

OA-23-01, Solar Projects (County) was presented by Ms. Helen Roodman. The Board reviewed the request to amend the Sumter County Zoning and Development Standards Ordinance, specifically, Articles 3, Exhibit 5, to add Primary – Solar Electric Power Generation (Photovoltaic Solar Energy System) with NAICS 221114, as a Special Exception in the Light Industrial (LI-W), Heavy Industrial (HI), Agricultural Conservation (AC), and Conservation Preservation (CP) zoning districts: add Accessory – Solar Electric Power Generation (Photovoltaic Solar Energy Systems) NAICS 221114 as a conditional use in LI-W, HI, AC, and CP zoning districts; amend *Article 5.b.1.m.* to establish conditional use review criteria for accessory photovoltaic energy systems (NAICS 221114), amend *Article 5.b.2.* to add Primary Photovoltaic Solar Energy Systems (NAICS 221114) to the listing of certain hazardous and/or potentially disruptive land development activities; amend *Article 5.b.3.* to add specific special exception use review criteria for Primary Photovoltaic Solar Energy Systems (NAICS 221114); and amend *Article 10.b.1.* to revise the definition of a primary photovoltaic solar energy system.

Ms. Roodman stated the following is a culmination of research and proposed language options to address community concerns associated with large utility scale solar power generation projects.

Sumter County first adopted specific land use regulations for solar farms in 2016 (OA-16-08) in order to establish review criteria with an eye to controlling potential adverse impacts for Shaw Air Force Base, Poinsett Electronic Combat Range, and Sumter County Airport. At that time, photovoltaic solar energy systems were separated and defined into two categories – Primary and Accessory. The two categories are defined in Article 10 as follows:

Photovoltaic Solar Energy System, Primary or Accessory –

Primary: *A ground-mounted photovoltaic solar facility with components and subsystems that generate electricity from sunlight, to be sold to a wholesale electricity market through a regional transmission organization and an interconnection with the local utility power grid. The area of the facility includes all the land inside the perimeter of the system, which extends to any fencing, land area required for setbacks, landscaping and signage.*

Accessory: *A ground or roof-mounted photovoltaic solar facility, 10,000 sq. ft. in size or greater, with components that provide for the collection, storage, and use of photovoltaic solar energy for space heating or cooling, electricity generations, or water heating for the primary use.*

The outcome of that amendment in 2016 was to require specific conditional use review criteria for projects within 5 nautical miles of Poinsett Electronic Combat Range, Shaw Air Force Base, and the Sumter County Airport (outlined

in *Article 5.b.1.m*), with sites outside of the 5 nautical mile zone reviewed using only the general Conditional Use review criteria (outlined in *Article 5.b.1.a – 5.b.1.f*).

Since 2016, two facilities have pursued land use approval. Both facilities are small, encompassing less than 50 acres of land, and are located within the Heavy Industrial (HI) zoning district. There is now interest in pursuing larger sites that when implemented could impact hundreds of acres per project site. The latest sites under consideration are in predominantly agricultural areas in and around productive farmlands. There have been significant concerns raised by community members concerning such large-scale solar projects. Specific concerns raised include:

- 1) Current regulations do not go far enough to ensure future large-scale solar projects will not adversely impact the aesthetic character of the rural parts of the community; and
- 2) The current review process does not provide adequate notice to potentially impacted property owners in close proximity to project sites.
- 3) Ensuring removal of solar facilities at the end of the site's productive life.

At the direction of County Council, Planning Staff has reviewed ways to amend current regulations to address those concerns while still permitting the development of solar energy systems in a manner that balances the interests of all parties.

Through the process of reviewing and approving previous projects, and through preliminary review and discussion of other projects that have not come to fruition, Planning Staff has seen areas for potential improvement in the regulations to address community concerns. In order to evaluate changes to the current regulations it is helpful to understand how the solar industry operates and makes site selections.

After some discussion, Mr. Jason Ross made a motion to recommend approval to amend the Sumter County Zoning and Development Standards Ordinance, specifically, Articles 3, Exhibit 5, to add Primary – Solar Electric Power Generation (Photovoltaic Solar Energy System) with NAICS 221114, as a Special Exception in the Light Industrial (LI-W), Heavy Industrial (HI), Agricultural Conservation (AC), and Conservation Preservation (CP) zoning districts; add Accessory – Solar Electric Power Generation (Photovoltaic Solar Energy Systems) NAICS 221114 as a conditional use in LI-W, HI, AC, and CP zoning districts; amend *Article 5.b.1.m*. to establish conditional use review criteria for accessory photovoltaic energy systems (NAICS 221114), amend *Article 5.b.2*. to add Primary Photovoltaic Solar Energy Systems (NAICS 221114) to the listing of certain hazardous and/or potentially disruptive land development activities; amend *Article 5.b.3*. to add specific special exception use review criteria for Primary Photovoltaic Solar Energy Systems (NAICS 221114); and amend *Article 10.b.1*. to revise the definition of a primary photovoltaic solar energy system. The motion was seconded by Mr. Gary

	Brown and carried a five (Ross, Brown, Price, Harvin, Walker) in favor and one (Crawley) in opposition. The motion carried.
OLD BUSINESS	NONE
OTHER BUSINESS	NONE
DIRECTOR'S REPORT	Ms. Helen Roodman briefed the Planning Commission on the 5-year review of the Comprehensive Land Use plan, providing a tentative timeline for the update process with anticipated formal adoption by December 31, 2024.
ADJOURNMENT	With no further business, the meeting was adjourned at approximately 4:27 p.m. by acclamation. The next scheduled meeting is November 15, 2023
	Respectfully submitted, <i>Kellie K. Chapman</i> Kellie K. Chapman, Board Secretary