

Sumter City-County Planning Commission

February 26, 2025

OA-25-01, Screening Standards for Used Motor Vehicle Parts Merchant Wholesalers (County)

I. THE REQUEST

Applicant: Brown Investments of Sumter, LLC

Request: Amend Article 5.b.3.g of the Sumter County Zoning & Development Standards in order to add an earthen berm and/or earthen berm and fence or wall combinations to meet the established special design criteria screening standards for Used Motor Vehicle Parts Merchants (NAICS 42314) with on-site vehicle dismantling and/or storage in the Light Industrial-Warehouse (LI-W) District.

II. BACKGROUND

On March 12, 2024 Sumter County amended the Zoning & Development Standards Ordinance (the Ordinance) in order to allow Used Motor Vehicle Parts Merchants with on-site vehicle dismantling and/or storage to be established in the Light Industrial-Warehouse (LI-W) zoning district as a special exception use with specific special design criteria (Case No. OA-23-05). Shortly thereafter, the Applicant filed a special exception use application with the Board of Zoning Appeals in order to open a Used Motor Vehicle Parts business to allow for on-site dismantling of vehicles at 495 Myrtle Beach Hwy. (Case No. BOA-24-18).

On June 12, 2024, the BOA approved the special exception use request with the understanding that a 7 ft. tall fence/wall meeting the stated design criteria standards would be constructed around the facility prior to issuance of a business license. In the intervening months since the initial approval, the Applicant has looked at various scenarios for providing the required screening. One of those scenarios involves the construction of a 4 ft. tall earthen berm with a 3 ft. tall fence built on top of the berm in order to meet the 7 ft. screening standard. After discussing screening alternatives with Planning Staff it was determined that an earthen berm could not be substituted for a fence without changing the specific special exception design review criteria through an act of County Council as a Zoning Ordinance Text Amendment.

The applicant has submitted this Ordinance Text Amendment for County Council to consider revising/amending the established screening standards to allow for the use of an earthen berm as part of an overall screening plan for special exception approval.

In the initial creation of the special exception use standards specific attention was given to screening these uses from view, protecting sensitive adjacent uses from noise and nuisance impacts, and ensuring that proper state industrial user permitting is obtained. These considerations are reflected in the adopted special design criteria applicable to siting these uses

in the LI-W zoning district. Staff has prepared this ordinance amendment for consideration to address the applicants' desire to use an earthen berm as part of the overall use screening plan without alteration to any other sections of the established use standards.

Proposed Text Amendment

A strike-through of the proposed text amendment is attached as Exhibit 1. The proposed amendments would impact the following sections:

1. Amend Article 5.b.3.g. Used Motor Vehicle Parts Merchant Wholesalers (NAICS 42314) in the LI-W District as follows:

- **Add** – Expand/add additional language to design criteria #6 to reflect the following:
 6. *All vehicle storage areas, vehicle parts storage areas, vehicle crushing/shredding areas, vehicle fluid drainage/storage areas, and any other primary activities associated with this use shall be either located within a fully enclosed building(s) or shall be screened to a height of at least 7 ft. in one of the following manners:*
 - a. *A solid opaque wall primarily uniform in exterior appearance throughout. The wall may be constructed of brick, concrete block, split face CMU or other materials traditionally used for screening wall construction. as approved by the Zoning Board of Appeals.*
 - b. *A solid opaque fence that is primarily uniform in exterior appearance throughout all sections. The exterior facing color of such a fence shall be muted “earth tone” hue of gray, khaki, brown, beige, olive or other similar color. Fence materials shall be reviewed and approved by the Zoning Board of Appeals.*
 - c. *An earthen berm that has been stabilized with year-round vegetation to prevent erosion and loss of screening height.*
 - d. *A combination of earthen berm and wall and/or opaque fence may be used to meet the 7 ft. screening height, this includes the construction of a wall and/or fence on top of an earthen berm to reach the full 7 ft. screening height, however; all berm and wall/fence designs shall be reviewed and approved by the Zoning Board of Appeals.*

The 7 ft. tall screening provision is not applicable to customer parking areas, business signage, and other customary public facing business features.

III. STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of this request to County Council. The use of an earthen berm in conjunction with other adopted screening methodologies furthers the community goal of screening this use from public view.

IV. PLANNING COMMISSION – February 26, 2023

Exhibit 1

**OA-25-01, Screening Standards for Used
Motor Vehicle Parts Merchant Wholesaler,
Junk Yards
Ordinance Amendment**

Strike-Thru

Amend Article 5.b.3.g as follows:

g. **Used Motor Vehicle Parts Merchant Wholesalers (NAICS 42314) in the LI-W District:**

1. Areas designated for the draining and storage of vehicle fluids shall not be located closer than 500 ft. to a residential use; church, public/private school; historic structure, site or district on the National Register of Historic Places; or public park/playground. This stated separation distance shall be measured in a straight line from structure to structure or in a straight line from designated activity area to designated activity area, whichever is more applicable.
2. Areas designated for the crushing and shredding of vehicles shall not be located closer than 500 ft. to a residential use; church, public/private school; historic structure, site or district on the National Register of Historic Places; or public park/playground. This stated separation distance shall be measured in a straight line from structure to structure or in a straight line from designated activity area to designated activity area, whichever is more applicable.
3. Automobile crushing and/or shredding shall occur between the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday only.
4. The use of permanently installed automobile crushing and/or shredding machinery is not permitted.
5. The stacking of automobiles on top of one another for any purpose is not permitted.
6. All vehicle storage areas, vehicle parts storage areas, vehicle crushing/shredding areas, vehicle fluid drainage/storage areas, and any other primary activities associated with this use shall be either located within a fully enclosed building(s) or shall be screened **to a height of at least 7 ft. by ~~an~~ one of the following manners:**
 - a. A solid opaque wall primarily uniform in exterior appearance throughout. The wall may be constructed of brick, concrete block, split face CMU or other materials traditionally used for screening wall construction. as approved by the Zoning Board of Appeals.
 - b. ~~or~~ A solid opaque fence that is primarily uniform in exterior appearance throughout all sections. The exterior facing color of such a fence ~~or wall~~ shall be muted “earth tone” hue of gray, khaki, brown, beige, olive or other similar color. ~~Such fences materials or walls must~~shall be reviewed and approved by the Zoning Board of Appeals.
 - c. An earthen berm that has been stabilized with year-round vegetation to prevent erosion and loss of screening height.
 - d. A combination of earthen berm and wall and/or opaque fence may be used to meet the 7 ft. screening height, this includes the construction of a wall and/or fence on top of an earthen berm to reach the full 7 ft. screening height, however; all berm

and wall/fence designs shall be reviewed and approved by the Zoning Board of Appeals.

The 7 ft. tall screening ~~This~~ provision is not applicable to customer parking areas, business signage, and other customary public facing business features.

7. Landscape buffering consisting of 2 canopy trees, 1 understory tree, and 15 shrubs per 100 linear ft. shall be installed on the outside of the opaque wall or fence along the entire extent of the opaque wall or fence. Alternate combinations of plantings may be considered by the Zoning Board of Appeals.
8. A National Pollutant Discharge Elimination System (NPDES) Industrial Stormwater Permit shall be issued and in effect prior to the issuance of a Sumter County Business License.