

**Minutes**  
**Regular Meeting of the Florence County Planning Commission**  
**Tuesday, August 28, 2018 at 6:00 p.m.**  
**County Complex, Room 803**  
**180 N. Irby St., Florence, South Carolina 29501**

The Florence County Planning Department staff posted the agenda for the meeting on the information boards at the main entrance and the back entrance of the County Complex and on the information board in the lobby of the Planning and Building Inspection Departments office.

The agenda was also mailed to the media.

**I. Call to Order:**

Chairman Lane called the meeting to order at 6:00 p.m.

**II. Attendance:**

**Commissioners Present:** Jody Lane, Chairman  
Cheryl Floyd, Vice-Chairman  
Dwight Johnson  
Linda Borgman  
Doris Lockhart  
Karon Epps  
Jeffrey Tanner  
Ted Greene

**Commissioners Absent:** Allie Brooks  
Mark Fountain

**Staff Present:** J. Shawn Brashear, Planning Director  
Derrick Singletary, Senior Planner  
Lisa Becoat, Secretary

**Public Attendance:** See sign-in sheet on file with the Florence County Planning Department.

**III. Election of Officers:**

Chairman Lane administered the nomination and votes for office of Chairman.

Motion – Commissioner Doris Lockhart nominated Jody Lane and made a motion that Jody Lane remain Chairman / Second – Commissioner Linda Borgman. No other nominations were made. The vote carried 7 to 0 that Commissioner Jody Lane remains Chairman for the upcoming year 2019. Commissioner Jody Lane did not vote.

Chairman Lane administered the nomination and votes for office of Vice-Chairman.

Motion – Commissioner Jody Lane nominated and made a motion that Cheryl Floyd remains Vice-Chairman / Second Commissioners Dwight Johnson, Doris Lockhart and Karon Epps. No other nominations were made. The vote carried 7 to 0 that Cheryl Floyd remains Vice-Chairman for the upcoming year 2019. Commissioner Cheryl Floyd did not vote.

#### **IV. Review and Motion of Minutes**

- **Meeting of July 24, 2018**

Motion to approve minutes as presented – Commissioner Dwight Johnson / Second – Commissioners Karon Epps and Linda Borgman / Unanimously approved 8 to 0.

#### **V. Public Hearing**

##### **Text Amendments:**

**PC#2018-16 Request For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE III. – CONDITIONAL USE REGULATIONS, Sec. 30-111. – Development Standards for unzoned areas, (6) *Certain uses and industrial projects.*, b. *Convenience centers or drop-off centers.*, and d. *Mining and extraction operations.***

Mr. J. Shawn Brashear indicated and notified the Commission that there had not been any telephone comments and/or inquiries received regarding any of the items that would be presented at the meeting.

Mr. J. Shawn Brashear presented the staff report and presentation to the Commission. He directed the Commission's attention to page 13 of the staff report regarding b. convenience centers or drop off centers and the five hundred (500) feet distance from existing residential use. He indicated that the proposed amendment is to change the distance of an active waste handling area of a solid waste processing facility from five hundred (500) feet to two hundred (200) feet from residences, schools, hospitals, and recreational park areas, aligning the ordinance with the South Carolina Department of Health and Environmental Control Standards (SC DHEC).

Mr. J. Shawn Brashear further indicated that d. mining an extraction operations minimum of 2,500 feet from any residential use where explosives are to be employed, the minimum distance shall be one mile, and was excessive. Staff recommends that the mining activities be in accordance with applicable SC laws and regulation standards set by SC DHEC. He stated that the DHEC standard is 50 feet straight from the property line. He gave an example of a person buying a tract of land and wanting to build a cabin and a pond on the parcel while selling the dirt that was extracted. He indicated that by default it is considered a mine operation by DHEC definitions and regulations. So once the tract of land is purchased; cabin built and fish pond dug in the back and the person decided to sell the dirt, they have just created a mine and their fishing pond must be at least one-half a mile

from the back deck of the cabin. So based on that scenario staff felt that 2,500 feet was overly restrictive and recommended a change to the ordinance.

It was additionally explained that d. 4. was added because the word explosive was removed from paragraph 1. Explosive mines are rare in Florence County but should someone decide to have one after consultation with other departments staff would like to have an action plan submitted for review and approval prior to the operation of such mine.

Staff recommends approval of the text amendments.

(Copy of the staff report and presentation are available at the Florence County Planning Department and on the Florence county website at: <http://www.florenceco.org/offices/planning/commission/>).

Chairman Lane opened the floor up for questions/discussions.

Mr. J. Shawn Brashear explained that the 200 foot buffer would be the area from the fence line to the nearest built residence of the active area in which the waste handling was being conducted. He further stated that most areas had no regulations at all and that Florence County regulations were similar to the surrounding areas regulations, if not the same. Staff did not conduct a research of property values near mines or waste handling facilities. Current locations would be grandfathered into the change. The drop off centers are the typical drop off recycling centers which have the 20 or 40 yard box containers, the hills where waste can be pushed off the side and the compaction sites for household garbage. Once the mine operations cease and the site is stabilized, the area becomes a pond.

There were questions and discussion by the Commission.

Chairman Lane inquired if there was any public who desired to speak in favor of the requested text amendment.

Mr. Gary Finklea was present and indicated that he did not come to the meeting for the text amendment, but during the discussion recognized that his family has mines and the numbers concerned him. He indicated that mines are not bad things and there are many nontraditional mines where people are just excavating dirt that happens to fall under DHEC's jurisdiction of mines. His experience with mines is when they are dug deep and not how big the pond is. The deepness of the mine deals with the danger, the water table and the ill effects of going deep, deep, deep, not the general land area. He stated that his brother had a mine off of Alligator road where his house is and the whole front area of the house was a mine. Under this ordinance and even under the amended portion, he would not have been able to mine. He indicated he was in favor of the amended ordinance as he felt staff was looking to make it more passable and less restrictive in many ways. But before it is put in ink he asked the Commission to think about the unintended effect of those with good mines the family mines. His father also has a mine in the middle of nowhere adjacent to agriculture land but it is not 250 feet away from the next adjoining property. It is a beautiful pond approximately 8 feet deep at most with nice banks. His suggestion would be to keep the minimum distance that DHEC allows, but look a little closer at the adjoining land uses and look at the depths of the ponds. For example for every foot below 10 or 15 feet require and extra 5 feet of buffer. Say

if you go down 20 feet, that would be an additional 50 feet on top of what you have, something along those lines so that we are not hurting the mom and pop mines, which are shooting for the end use to be something aesthetically pleasing for recreational uses. His concern was that the distance is too restrictive and that it was not getting at the problem which he felt was the depth of the mine. He thanked the Commission for allowing him to comment and for the consideration of his comments.

Chairman Lane commented that he didn't know many people with the knowledge of mines that was just explained by Mr. Finklea and that maybe staff and the Commission needed to give the text amendment some more attention and time prior to making such a broad stroke to the text amendment.

Chairman Lane inquired if there was any public who desired to speak against the requested text amendments.

There was no public in attendance who desired to speak against the requested text amendments.

Vice –Chairman Cheryl Floyd made a motion that the proposed text amendments **PC# 2018-16 be reviewed** and brought back to the next planning commission meeting with further reflection of mines. / Second – Commissioner Dwight Johnson / Unanimously approved 8 to 0 that the proposed text amendments PC# 2018-16 be deferred for review and brought back to the next planning commission meeting.

There were additional questions and discussion by the Commission concerning DHEC's mention of the depth and feet of the mining operations.

Mr. J. Shawn Brasher responded that the regulation was an exhaustive document. A mine under 5 acres had a maximum depth of 20 feet and other requirements and depth restrictions but nothing pertaining to how far it should be from the property line.

Commissioner Jeffrey Tanner indicated that he wanted to make a motion that the Commission approve part b. active waste handling area to get that part of the ordinance moving.

There was discussion by the Commission.

Commissioner Jeffrey Tanner made a motion that part b. convenience centers or drop-off centers portion of the text amendments be approved as presented. / Second – Commissioner Dwight Johnson / Unanimously approved 8 to 0 **that part of the proposed text amendments PC#2018-16 (6) Certain uses and industrial projects. b. Convenience centers or drop-off centers.**

**PC#2018-17 Request For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE III. – CONDITIONAL USE REGULATIONS, Sec. 30-115. – Aviation notification, Levels 2 & 3 Solar Energy System Requirements.**

Mr. J. Shawn Brashear presented the staff report and presentation to the Commission he explained that the Solar Energy Ordinance already clearly depicts that the owner is ultimately responsible for

the decommissioning of a solar farm. He further indicated that Staff has been asked to ensure that an overabundance of caution is contained within the Florence County Ordinance which makes the owner fully aware that should the solar farm fail or the long term lease expires that the owner is aware and understands they are responsible for the decommissioning of the site and for returning their property back to its original condition. Having this amendment just adds information and clarifies the information that is already contained within the ordinance. Staff recommends approval of the text amendments.

(Copy of staff the report and presentation are available at the Florence County Planning Department and on the Florence County Website at: <http://www.florenceco.org/offices/planning/commission/>).

Chairman Lane opened the floor up for questions/discussions.

Chairman Lane inquired if there was any public who desired to speak in favor of the requested text amendments.

There was no public in attendance to speak in favor of the requested text amendments.

Chairman Lane inquired if there was any public who desired to speak opposed to the requested text amendments.

There was no public in attendance to speak opposed to the requested text amendments.

Vice-Chairman Cheryl Floyd made a motion that **PC#2018-17 be accepted** as presented. / Second – Commissioner Karon Epps / Motion approved 8 to 0 to accept the proposed text amendments for **PC#2018-17**.

**PC#2018-18 Request For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE X. – DEFINITIONS, Sec. 30-311. – Definitions.**

Mr. J. Shawn Brashear presented the staff report and presentation to the Commission he explained that the definition was straight out of the SC DHEC standard regulation concerning mines. He further indicated that Staff wanted to make sure that they included this definition information as they had recommended changes to the ordinance regarding mines. Staff recommends approval of the text amendments.

Chairman Lane opened the floor up for questions/discussions.

Mr. J. Shawn Brashear further explained that staff would have to conduct an inquiry and review to respond to the question of whether natural gas was considered a mining type of operation and what the properties would be, whether ores or mineral solids.

There was discussion by the Commission.

Chairman Lane inquired if there was any public who desired to speak in favor of the requested text amendments.

There was no public in attendance to speak in favor of the requested text amendments.

Chairman Lane inquired if there was any public who desired to speak opposed to the requested text amendments.

There was no public in attendance to speak opposed to the requested text amendments.

Commissioner Dwight Johnson made a motion that **PC#2018-18 be deferred** and brought back along with the proposed mining text amendments item that had been deferred earlier in the meeting, so that they could both be addressed together. / Second – Vice-Chairman Cheryl Floyd / Motion approved 8 to 0 to defer the proposed text amendments **PC#2018-18** and bring item back to Planning Commission along with the other proposed mining text amendments item previously deferred.

The Public Hearing was closed.

## **VI. Plat/Plan Approval**

### **PC#2018-19 Sketch Plan Approval requested by South Florence Development, LLC for Summit At Oakdale, Phase II subdivision located off Meadors Rd., Florence, SC as shown on Florence County Tax Map No. 00052, Block 01, Parcel 005.**

Mr. J. Shawn Brashear presented the staff report and presentation to the Commission. He additionally indicated that the plat/plan had been reviewed at a Technical Review Committee on August 16, 2018. He further indicated that the developer had a road that exceeded the maximum road length and that it was discussed at the Technical Review Meeting. He indicated that Staff and the developer had been in contact with the fire department and the fire department has concurred that they will allow the variance of the road length of 1,200 feet with a 96 foot cul-de-sac at the end of it. The road is proposed as temporary as it is anticipated to be developed out once the remainder of the subdivision is developed. Mr. Brasher indicated that in years past the ordinance for this type of road was 1,200 feet, but in 2007 or 2008 the length was reduced to 400 feet and Staff has not been able to determine why the change was made or recommended from 1,200 feet to 400 feet. The fire department has approved the requested variance. Staff recommends approval of the plat/plan sketch.

(Copy of the staff report and presentation are available at the Florence County Planning Department and on the Florence County Website at: <http://www.florenceco.org/offices/planning/commission/>).

There were questions and discussion by the Commission.

Vice-Chairman Cheryl Floyd made a motion that **PC#2018-19 be approved** as presented. / Second – Commissioner Doris Lockhart/ Unanimously approved 8 to 0 the proposed sketch plat/plan for PC#2018-19.

## **VII. Other Business:**

Mr. J. Shawn Brashear indicated that he wanted the Commission to know that Ms. Linda Borgman of the Commission had noted and recommended a corrected change to the form labeled Florence County Sketch Plan Submittal Requirements as it had listed an incorrect referenced ordinance number. The correction was made to the form. Staff additionally wanted to reiterate that it was Staff's recommendation and request that Planning Review members participate in the Technical Review Committee Boards but do not take an active vote on any items during that review and that staff will ensure that Planning Commission members are notified of each Technical Review meeting so they can adjust their schedules and participate if they are available.

Chairman Lane indicated that he desired for Staff to look into the road variance that was recently discussed regarding the reduction from 1,200 feet to 400 feet and what the intent was; and once completed, if necessary make a recommended change to adjust the ordinance.

There was further discussion by the Commission regarding the Technical Review Committee Board and participation of Planning Commission members.

Chairman Lane made a motion that Planning Commission members participate in the Technical Review Board meetings but not vote, but use the meeting as a tool to gather and learn information regarding the recommended requests. / Second – Cheryl Floyd / Unanimously approved 8 to 0 that the Planning Commission members will participate as observers in the Technical Review Board meetings to gather and learn information about recommended projects but not take an active role in any voting process that may take place at that meeting.

There was further discussion by the Planning Commission.

## **VIII. Director's Report:**

Mr. Brashear's comments were as follows:

- **Summary Plat Report for (July 2018)**
- **Building Report for (July 2018)**

The summary plat and building reports were attached and presented; and, staff was available to answer any questions.

Chairman Lane inquired if there were any further questions or discussion.

There were no further questions or discussion and Chairman Lane called for a motion to adjourn the meeting.

**IX. Adjournment:**

Motion to adjourn – Vice-Chairman Cheryl Floyd / Second – Commissioner Doris Lockhart / Unanimously approved 8 to 0.

The Meeting adjourned at 6:46 p.m.

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Lisa M. Becoat  
Secretary

Approved by:

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J. Shawn Brashear  
Planning Director

\*These minutes reflect only actions taken and do not represent a true verbatim transcript of the meeting.