

Minutes
Regular Meeting of the Florence County Planning Commission
Electronic Meeting Format (Webinar)
Tuesday, April 27, 2021 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:

Prior to the meeting being called to order Mr. J. Shawn Brashear Director of Planning and Building ensured that all commissioners and public that desired to attend the meeting were connected and on line in the live stream webinar. He conducted a roll call of the Commission Members and indicated that the Commission did have a quorum and could begin at the appropriate time.

Chairman Jody Lane, called the meeting to order at 6:01 p.m.

II. Attendance:

Commissioners Present: Jody Lane, Chairman
Cheryl Floyd, Vice-Chairman
Dwight Johnson
Doris Lockhart
Linda Borgman
Karon Epps

Commissioners Absent: Allie Brooks
Jeffrey M. Tanner
Mark Fountain

Staff Present: J. Shawn Brashear, Planning Director
Nickolas Ammons, Planning Manager
Ethan Brown, Senior Planner
Lisa Becoat, Secretary III

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

III. Review and Motion of Minutes

• **Meeting of February 23, 2021**

Motion to approve minutes with one correction that Commissioner Dwight Johnson was present in the webinar but had audio difficulties. – Vice-Chairman Cheryl Floyd / Second – Commissioner Linda Borgman. / Voting Commissioners (Chairman Jody Lane approved; Vice-Chairman Cheryl-Floyd approved; Dwight Johnson

approved; Linda Borgman approved; Karon Epps approved; and, Doris Lockhart approved;) - Unanimously approved 6 to 0 the modified minutes of the planning commission meeting of February 23, 2021.

IV. Public Hearing

Text Amendments:

PC#2021-06 Request For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, DIVISION 1. - GENERALLY, Sec. 30-28. – Table I: Schedule of permitted and conditional uses and off-street parking requirements for residential districts.; and, Sec. 30-29. - Table II: Schedule of permitted and conditional uses and off-street parking requirements for business & rural districts; and, ARTICLE III. - CONDITIONAL USE REGULATIONS, Sec. 30-111. - Development standards for unzoned areas. (6) Certain uses and industrial projects.

Mr. J. Shawn Brashear presented the staff report and presentation to the Commission. He indicated that the item was published and advertised as required and that no public comments and/or inquiries had been received regarding the proposed requested text amendments. He further indicated that County had situations in zoned and unzoned areas where they come into a nuisance situation. People have stuff covered in their yard under tarpaulins and when code enforcement arrives and informs them the property must be cleaned up, they provide excuses that they are having a yard sale. Then the conflict begins of when is a yard sale, a yard sale; and/or are items just being stored on the property and being a nuisance to the surrounding community. The change to the ordinance is to help effectively assist and regulate open flea markets and yard sales throughout the County. He indicated that the proposed text stated that a yard sale was permissible for two consecutive days in a seven day period; and that most people were okay with their neighbors having a yard sale. However, when the yard sale is everyday for months on end, that becomes something else and not simple what people consider a yard sale.

He further explained that the changes would take place in three separate sections of the ordinance and explained where those sections were in the ordinance and what changes were being proposed. (See staff report and mark-up of proposed ordinance changes). He stated that the changes were conducive to other sections of the ordinance, which indicated that the Board of Zoning Appeals would be the commission to hear such requests and provide such approval for anything more than what is stated and mentioned in the ordinance. He further indicated that staff did not think that neighbors were concerned with neighbors having a yard sale. It is a nuisance when it becomes a continuing thing; as someone having a yard sale every day of the week. Then it becomes a business use and they need to meet the requirements for that business type use either inside or outside.

(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 Jody Lane opened the meeting up to questions/discussions by the Commission.

In response to questions by the Commission Mr. Brashear stated that the proposed changes to the ordinance could be amended so that it included residential and commercial structures. The proposed text could also include must not be stored outside of the residential or business structure during non-business hours or hours when they are not attended in a residential setting.

There was further discussion on when yard sales could be conducted and how much time should be allotted in between yard sales.

In response to questions by the Commission Mr. Brashear indicated that most municipalities required permits for yard sales and then there were other variations of how often the frequency of the yard sale could be. He indicated that it was a hit or miss across jurisdictions.

There was further discussion by the Commission.

In response to the discussion by the Commission Mr. Brashear stated that he wanted it noted that the Planning and Building Staff did not have the staffing resources to go out into the community and search out types of yard sales. The information most times comes through complaints received from the community and in most cases had been going on for some time; and have started getting under the skin of the surrounding community and thus is reported as a nuisance.

There was further discussion by the Commission.

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

There was no public in attendance on line in the webinar who desired to speak in favor of the proposed text amendments.

Chairman Lane inquired if there was any public on line in the webinar who desired to speak opposed to the proposed requested text amendments.

There was no public in attendance on line in the webinar who desired to speak opposed to the proposed text amendments.

There were no further questions and/or discussion and Vice-Chairman Cheryl Floyd made a motion that the proposed text amendment **PC# 2021-06** be approved with amended language. Changing the 7 days to 30 days and including residential and commercial properties. / Second – Commissioner Dwight Johnson.

Before voting on the motion, Mr. Shawn Brashear requested that he be allowed to read the proposed amended changes to the Board to ensure the correct terminology for the proposed text amendments that was being approved.

“Any new use which includes outside sales of new or used household good and other material goods and products which are akin to yard sales and flea markets for more than any two consecutive days within a thirty day (30) period must obtain a certificate of zoning compliance. The Board of Zoning Appeals shall hear and deliberate such requests. The goods and products of such uses, whether permitted or allowed, must not be stored outside the properties primary or secondary structure during non-business hours.”

Mr. Brashear indicated that the proposed text amendment would cover residential, commercial, or whatever properties were thrown at it and ensured that products were kept indoors after hours.

The Commission concurred and voted on the motion. Voting Commissioners (Chairman Jody Lane approved; Vice-Chairman Cheryl Floyd approved; Dwight Johnson approved; Linda Borgman approved, Karon Epps approved; and, Doris Lockhart approved) - Unanimously voted 6 to 0 to approve the proposed text amendment PC#2021-06 as amended.

The Public Hearing was closed.

V. Other Business:

Chairman Jody Lane indicated that there was no other business to discuss and asked for the director's report.

VI. Director's Report:

Mr. J. Shawn Brashear comments were as follows:

The summary plat and building reports were attached and presented for review.

- **Summary Plat Reports for (February and March 2021)**
- **Building Reports for (February and March 2021)**

Adjournment:

There were no further questions and/or discussion Chairman Lane requested a motion to adjourn.

Vice-Chairman Cheryl Floyd made a motion that the webinar meeting be adjourned. / Second – Commissioner Dwight Johnson / Unanimously voted 6 to 0 to adjourn the meeting.

The meeting adjourned at 6:20 p.m.

Lisa M. Becoat
Secretary

Approved by:

J. Shawn Brashear
Planning Director

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