

# OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

## COMMISSION MEMBERS

Teresa Spicer, District I  
Brit Adams, District III  
Gary Gaulin, District V  
Mickey Haney, At-Large

David Nix, District II  
Frankie Pearson, Chairman, District IV  
Mike Johnson, Vice Chair, At-Large

## AGENDA

6:00 pm, Monday June 5, 2023

Council Chambers - Oconee County 415 S Pine St, Walhalla SC 29691

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Approval of minutes from May 15, 2023
5. Public Comment for Non-Agenda Items (4 minutes per person)
6. Commission Member Comments
7. Staff Comments
8. Discussion of Comprehensive Plan Goals for 2023, chapters 4
  - a. Public Comment
  - b. Discussion/ vote
9. Discussion regarding Commercial Junkyard Ordinance
  - a. Public Comment
  - b. Discussion/ vote
10. Discussion regarding the development of an ordinance to foster the identification and safe repair or removal of structures that have become unsafe for occupation as a result of fire damage and natural disasters.
  - a. Public Comment
  - b. Discussion/ vote
11. Adjourn

*If you are not able to attend in person and you have a comment, you may submit it by contacting the Planning Department at [planninginfo@oconeesc.com](mailto:planninginfo@oconeesc.com) or 864-638-4218, so that we may receive your comment and read it into the record. Meetings available on YouTube: "YourOconee"*

# OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

## Minutes

6:00 pm- Monday, May 15, 2023

Council Chambers - Oconee County Administrative Complex

### Members

Teresa Spicer  
Brit Adams  
Gary Gaulin  
Mike Johnson

David Nix  
Frankie Pearson  
  
Mickey Haney

### Staff Present

James Coley, Planning Director  
Elise Dunaway, Assistant to Planning & Codes  
David Root, County Attorney

### Media

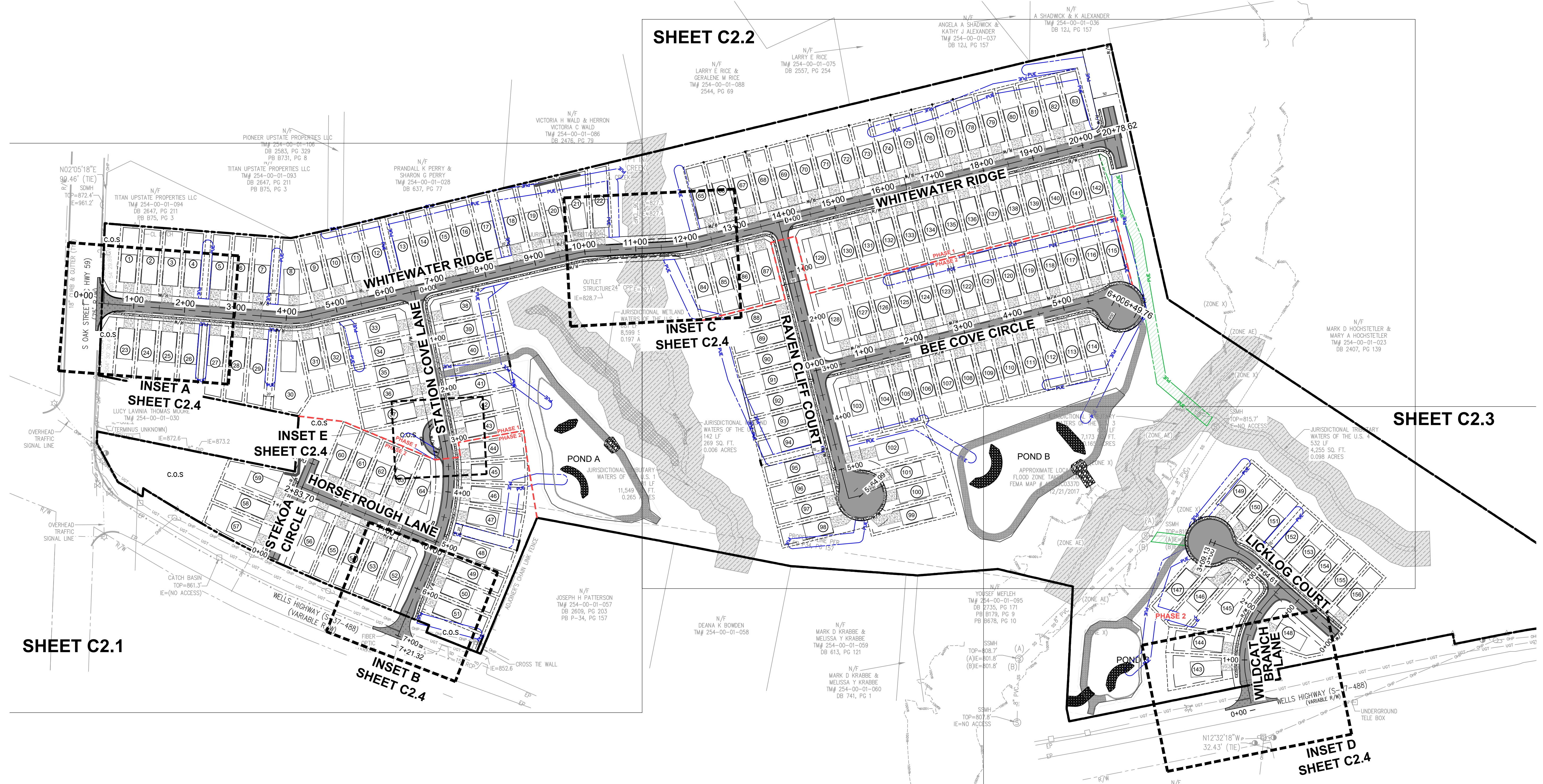
Lauren Pierce – The Journal

1. Call to order – Mr. Pearson called meeting to order at 6:02 PM.
2. Invocation was led by Mr. Root.
3. Pledge of Allegiance was led by Mr. Haney.
4. Approval of minutes from May 1, 2023 – Mr. Gaulin made a motion to approve the minutes; seconded by Mr. Johnson. Approved unanimously 7/0
5. Public comment (non-agenda items):  
Mr. Donald Sanders discussed fiber optic installation on empty lots and asked about liability for possibly injured workers.
6. Commission member comments:  
None
7. Staff comments:  
Mr. Coley presented the subdivision that was in question from the May 1, 2023 meeting. The application was received on April 12, 2023 and comments were sent out May 5, 2023.  
Discussion Followed.
8. Presentation by Ron Wygal of Charles Dojer and Associates regarding development.

9. Discussion of Comprehensive Plan Goals for 2023, chapters 7, with Scott Krein Oconee Emergency Services
  - a. Public Comment:  
Tom Markovich expresses his concern regarding water and sewer systems and infrastructure.
  - b. Discussion / Vote:  
Open discussion among members with Mr. Scott Krein.  
  
Mr. Nix made a motion that the Comprehensive Plan Goals for 2023, Chapter 7 have been reviewed. Seconded by Mr. Johnson. Approved 7/0.
10. Discussion regarding 2023 updates to the Comprehensive Plan Goal for 2023, Chapter 8.
  - a. Public Comment: None
  - b. Discussion / Vote:  
Mrs. Spicer made a motion that the Comprehensive Plan Goals for 2023, Chapter 8 have been reviewed. Seconded by Mr. Gaulin. Approved 7/0.
11. Presentation by Kim Alexander chair of Oconee County Agricultural Advisory Board
  - a. Discussion:  
Open Discussion between members and Kim Alexander.  
  
Mr. Pearson made a motion for a six-minute recess. Seconded by Mr. Johnson. Approved 7/0.  
Mr. Gaulin made a motion to reconvene the meeting. Seconded by Mr. Nix. Approved 7/0.
12. Discussion with County Attorney regarding development ordinance changes to chapter 32, which would adopt an initial “screening criteria” of “greater than 20 acres in size AND greater than 2 houses per acre (40 or more houses for a 20-acre example) AND property within the proposed subdivision is intended for resale”.
  - a. Public Comment:  
Mr. Tom Markovich discusses his concern of legal issues including targeting a specific type of use and of discrimination.
  - b. Discussion / Vote:  
Mr. Root discusses Chapter 32 with members. Open discussion amongst members and Mr. Root.  
  
Mr. Nix made a motion to postpone the current agenda item. Seconded by Mr. Gaulin. Approved 7/0.
13. Discussion with County Attorney regarding establishment of an “Agricultural 2” zoning district and other matters related there to.
  - a. Public Comment: None
  - b. Discussion/ vote:  
Mr. Haney made a motion to refer the new zoning designation to Agricultural Advisory Board for review. Seconded by Mr. Adams. Approved 7/0.
14. Adjourn – The meeting was unanimously adjourned at 8:07 PM.



**SHEET C2.2**



**SHEET C2.1**

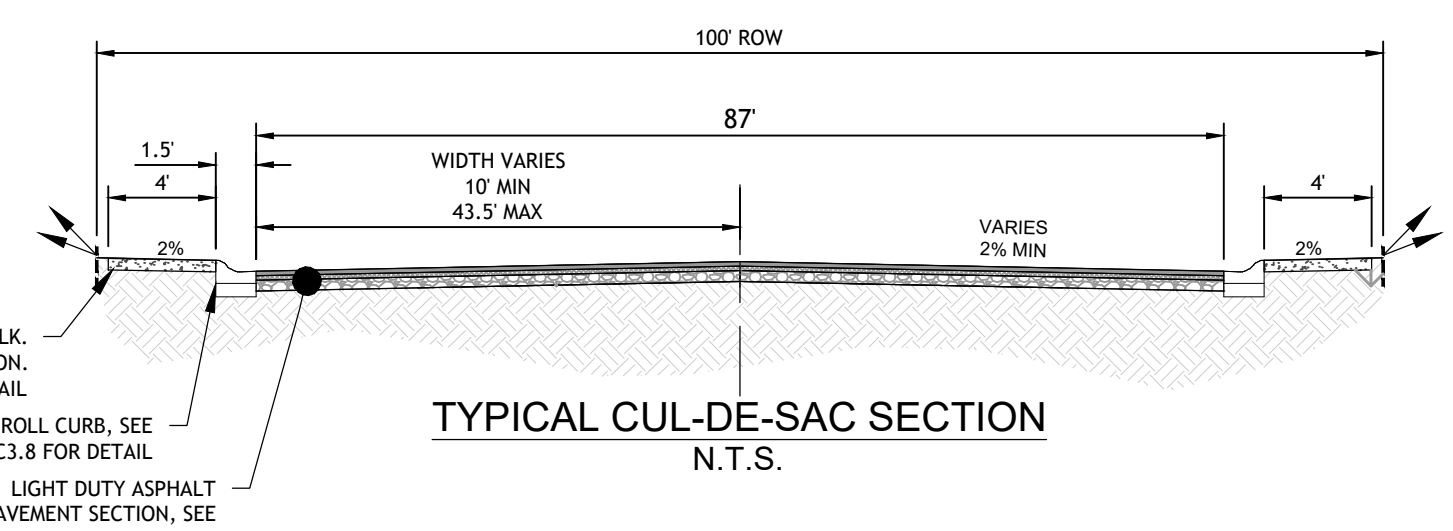
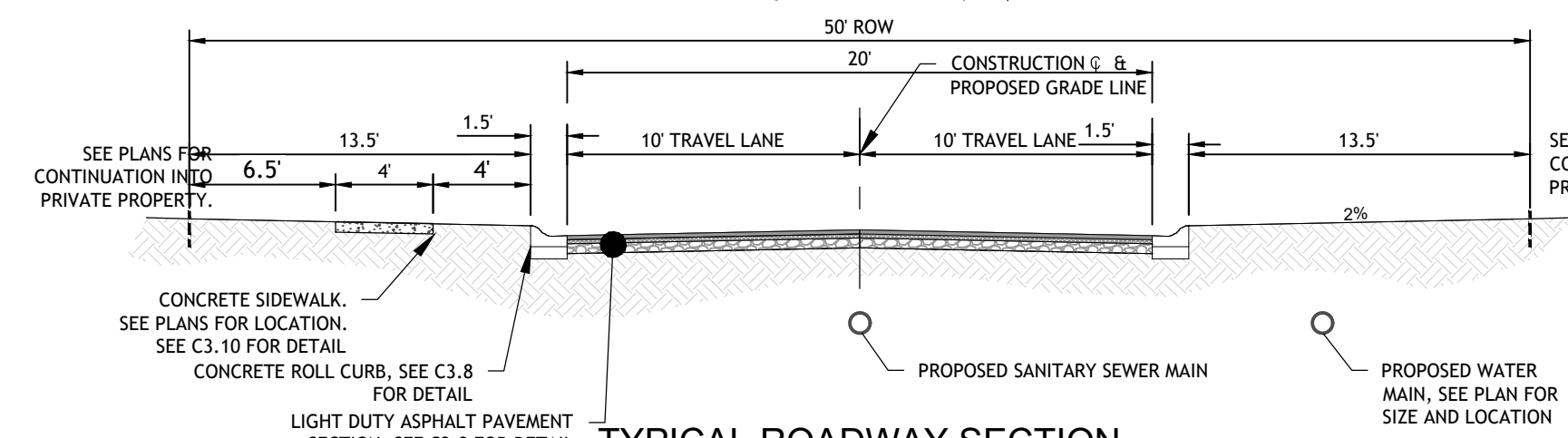
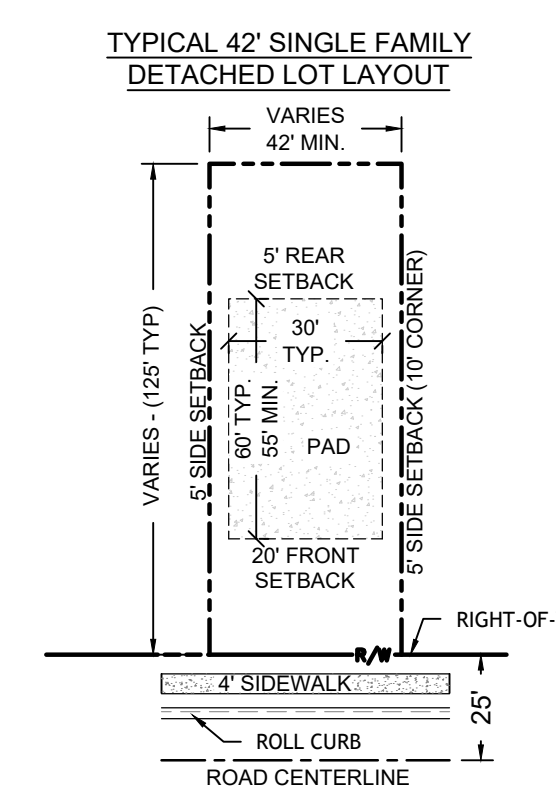
**SHEET C2.3**

Existing Land Use: Vacant  
 Type of Development: Single Family Residential  
 Property Owner/Developer: FORESTAR GROUP, INC.  
 750 Executive Center Drive, Suite 101  
 Greenville, SC 29615  
 864-940-6784

Survey By: Site Design, Inc.  
 225 Rocky Creek Rd,  
 Greenville, SC 29615  
 864-271-0496

Engineer: WK Dickson & Co, Inc.  
 5 Legacy Park Road, Suite A  
 Greenville, SC 29605

Lot Data:  
 156 SINGLE FAMILY LOTS  
 Minimum Dimensions: 42' x 125'  
 Minimum Area: 5,250 SF



**LEGEND**

LIGHT DUTY ASPHALT PAVING (DETAIL ON C3.10)	
SCDOT ASPHALT PAVING (DETAIL ON C3.10)	
4' SIDEWALK OR 20' DRIVEWAY (DETAIL ON C3.10)	
PUBLIC UTILITY EASEMENT FOR STORM (OCONEE COUNTY)	
PUBLIC UTILITY EASEMENT FOR SEWER (SENECA LIGHT & WATER)	
STORMWATER MANAGEMENT MAINTENANCE EASEMENT	
STREAM BUFFER (30' FROM TOP OF BANK UNLESS OTHERWISE NOTED)	
100 YEAR FLOODPLAIN PER FEMA MAP # 45073C0337D (EFF. DATE 12/21/2017)	
PROPERTY BOUNDARY	
PROPOSED LOT LINE	
PROPOSED RIGHT-OF-WAY	
PROPOSED SETBACK	
PROPOSED RETAINING WALL (W/ RETAINING WALL EASEMENT)	

FRONT: 20' REAR: 5'  
 SETBACKS: SIDE: 5'  
 MAXIMUM BUILDING HEIGHT: 65'

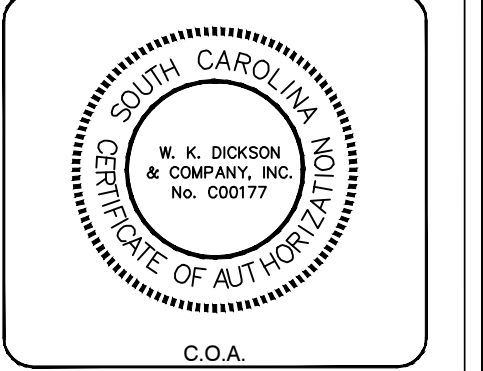
**ROADS:**  
 WHITEWATER RIDGE MINOR LOCAL (PUBLIC - OCONEE COUNTY)  
 STATION COVE LANE MINOR LOCAL (PUBLIC - OCONEE COUNTY)  
 HORSESHOE LANE MINOR LOCAL (PUBLIC - OCONEE COUNTY)  
 RAVEN CLIFF COURT MINOR LOCAL (PUBLIC - OCONEE COUNTY)  
 BEE COVE CIRCLE MINOR LOCAL (PUBLIC - OCONEE COUNTY)  
 WILDCAT BRANCH LANE MINOR LOCAL (PUBLIC - OCONEE COUNTY)  
 LICKLOG COURT MINOR LOCAL (PUBLIC - OCONEE COUNTY)  
 STEKOA CIRCLE MINOR LOCAL (PUBLIC - OCONEE COUNTY)

WELLS HWY MAJOR COLLECTOR (SCDOT)  
 SOUTH OAK ST MINOR ARTERIAL (SCDOT)

SIDEWALKS: 4' WIDE CONCRETE SIDEWALK ON ONE SIDE OF ALL PUBLIC ROADS

RIGHT OF WAY WIDTH FOR ROADS (A-I) = 50'  
 RIGHT OF WAY WIDTH FOR WELLS HWY = 50'  
 RIGHT OF WAY WIDTH FOR SOUTH OAK STREET = VARIABLE

**WK DICKSON**  
 community infrastructure consultants  
 5 LEGACY PARK ROAD  
 SUITE A  
 GREENVILLE, SC 29607  
 (864) 990-0180  
 (864) 990-0185  
 WWW.WKDICKSON.COM



REVISION RECORD

NO.	DATE	DESCRIPTION	BY

PROJECT NAME: SENECA FALLS SUBDIVISION  
 OCONEE COUNTY, SOUTH CAROLINA  
 FOR THE FORESTAR GROUP, INC.  
 750 EXECUTIVE CENTER DRIVE, SUITE 101, GREENVILLE, SC 29615

DRAWING TITLE: OVERALL SITE PLAN

PROJ. MGR.: JHE  
 DESIGN BY: CF  
 DRAWN BY: VW/JS  
 PROJ. DATE: MAY 2023  
 DRAWING NUMBER: **C2.0**  
 WKD PROJ. NO.: 20220014.00.GV

PLOTTED: Thursday, May 11, 2023 5:13:13 PM  
 FILE: Z:\PROJECTS\FORESTAR GROUP\20220014\00.GV - FORESTAR OAK STREET\DWG\SHEETS\20220014\_00\_C\_SHT\_SITE

PERMITTING DRAWING - DO NOT USE FOR CONSTRUCTION



**GENERAL NOTES:**

- 1) CONTRACTOR IS RESPONSIBLE FOR CORRECT HORIZONTAL AND VERTICAL ALIGNMENT OF ALL TIES BETWEEN PROPOSED AND EXISTING PAVEMENTS, CURB AND GUTTER, SIDEWALKS, WALLS, AND UTILITIES.
- 2) CONTRACTOR SHALL CONFIRM AS-BUILT SLOPES OF ACCESSIBLE PARKING SPACES, ACCESSIBLE AISLES, AND ALL ACCESSIBLE ROUTES AS SHOWN ON THE PLAN WITH A 2' SLOPE METER TO CONFIRM MAXIMUM SLOPES ARE NOT EXCEEDED. SLOPE METERS GREATER THAN 2' WILL NOT BE ACCEPTED.
- 3) CONTRACTOR IS REQUIRED TO PROVIDE AS-BUILT SPOT ELEVATIONS ALONG THE ACCESSIBLE ROUTES SHOWN ON THIS PLAN EVERY 10' IN ORDER TO CONFIRM MAXIMUM (1.5%) CROSS-SLOPES AND MAXIMUM (4.75%) SLOPES IN THE DIRECTION OF TRAVEL. IN ADDITION, SPOT ELEVATIONS ARE REQUIRED ON ALL CORNERS AND MIDPOINTS OF ACCESSIBLE PARKING STALLS AND ACCESSIBLE AISLES TO CONFIRM MAXIMUM (1.5%) SLOPES ARE NOT EXCEEDED IN ALL DIRECTIONS. THIS INFORMATION SHALL BE PROVIDED A MINIMUM OF 4 WEEKS BEFORE REQUEST FOR CERTIFICATE OF OCCUPANCY.
- 4) AT ADJOINING MATERIALS THERE IS TO BE A SMOOTH AND LEVEL TRANSITION OF NO MORE THAN 1/4" VERTICAL CHANGE.
- 5) ALL SPOT ELEVATIONS SHOWN ARE AT THE EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
- 6) PROPOSED SIDEWALKS ALONG ADA ROUTE SHALL BE BUILT WITH A 1.5% MAXIMUM CROSS-SLOPE AWAY FROM THE BUILDING.
- 7) CONTRACTOR TO CHECK SPOT GRADES AT AREAS OF NEW AND ADJACENT EXISTING PAVING PRIOR TO BEGINNING OF CONSTRUCTION TO VERIFY THAT COMPLIANCE WITH SLOPE LIMITS CAN BE MET.
- 8) 4' LEVELS ARE NOT ACCEPTABLE FOR CHECKING SLOPES ALONG ACCESSIBLE ROUTE.

LEGEND	
	PROPOSED CONCRETE SIDEWALK
	PROPERTY LINE
	ACCESSIBLE ROUTE (DELINEATION ONLY, DO NOT STRIPE)
	EXISTING SPOT ELEVATION
	PROPOSED SPOT ELEVATION
	PROPOSED TOP OF CURB / BOTTOM OF CURB SPOT ELEVATION



**ENGINEER:**  
**FORESITE** group  
 ForeSite Group, LLC  
 2128 Moore Mill Rd.  
 Suite C  
 Auburn, AL 36830  
 P | 334.887.6054  
 F | 334.887.6024  
 W | www.foresitegroup.net

**DEVELOPER:**  
**MULBERRY APARTMENT INCOME FUND, LLC**  
 3A BRADLEY PARK CT  
 COLUMBUS, GA 31904  
 CHAD COTTRELL  
**CONTACT:**

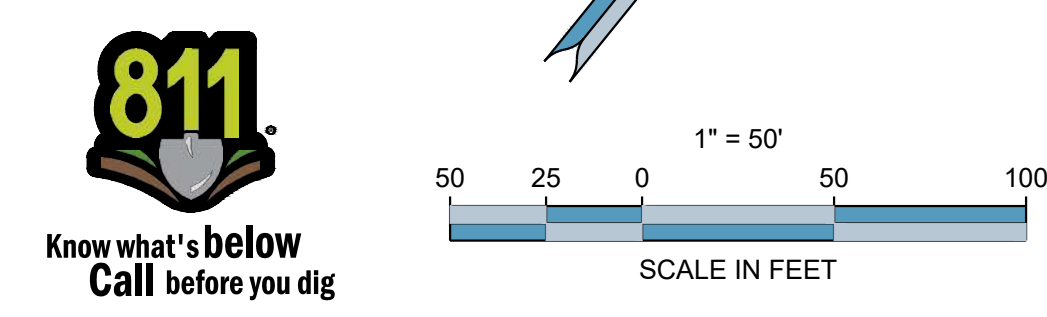
**PROJECT:**  
**SENECA MULTI-FAMILY**  
 STORK WAY  
 SENECA, OCONEE COUNTY, SC  
 PARCEL #: 223-00-05-001

**SEAL:**

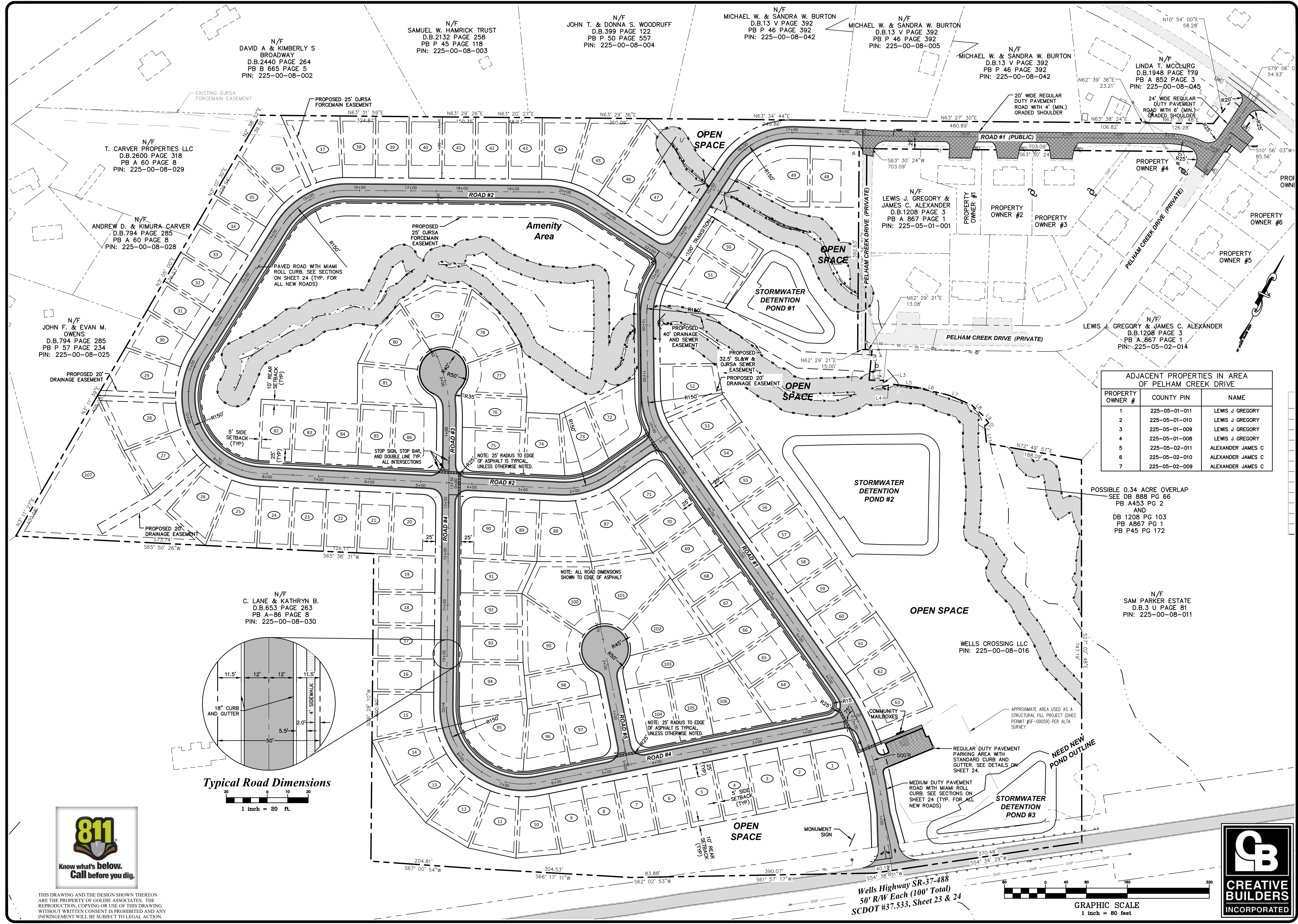
REVISIONS	DATE

PROJECT MANAGER: <BCB>  
 DRAWING BY: JMR  
 JURISDICTION: AUBURN, AL  
 DATE: 5/12/2023  
 SCALE: 1" = 50'  
 TITLE:

**ADA PLAN**  
 SHEET NUMBER:  
**C-1.2**  
 COMMENTS: <NOT RELEASED FOR CONSTRUCTION>  
 JOBFILE NUMBER: 211.046

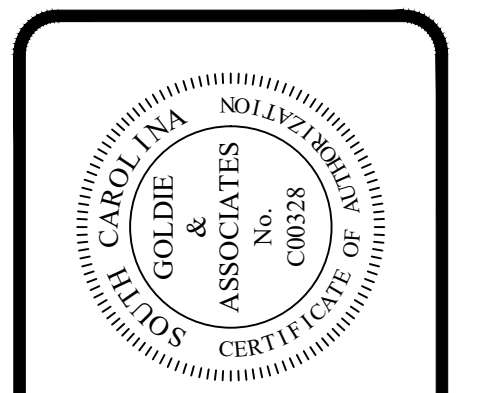
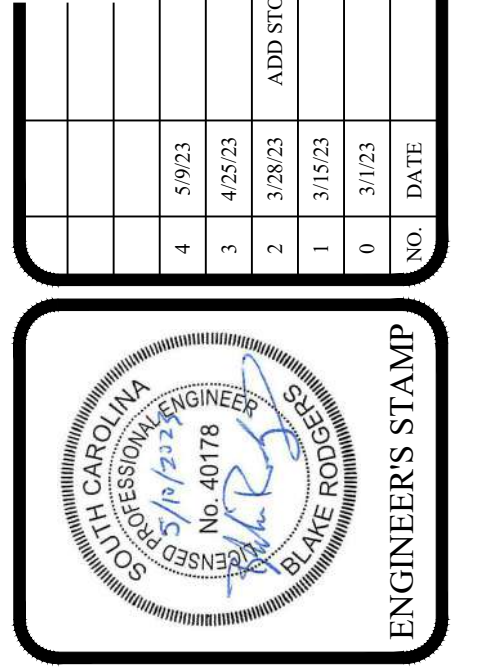






**NOT FOR CONSTRUCTION**

NO.	DATE	DESCRIPTION
1	3/15/23	INITIAL
2	3/15/23	GENERAL REVISION
3	4/25/23	GENERAL REVISION
4	5/9/23	GENERAL REVISION



210 W. North Second Street  
 Seneca, SC 29678  
 Phone: (864) 882-8194

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 Utility Operations  
 Environmental Laboratory

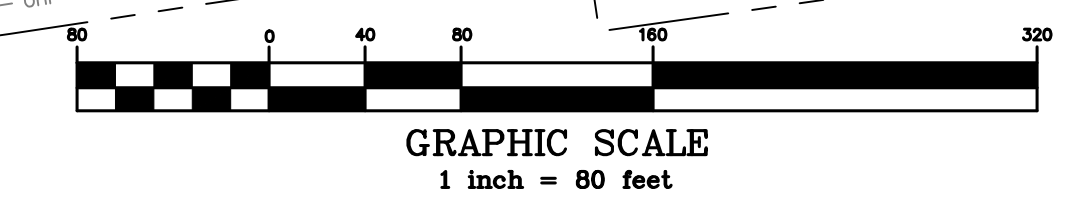
CLIENT: Wells Crossing LLC  
 PROJECT: Wells Crossing  
 SHEET TITLE: Layout Plan

SHEET NO. 3 OF ---  
 FILE NO. 1787.1



THIS DRAWING AND THE DESIGN SHOWN THEREON ARE THE PROPERTY OF GOLDIE ASSOCIATES. THE REPRODUCTION, COPYING OR USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED AND ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.

Wells Highway SR-37-488  
 50' R/W Each (100' Total)  
 SCDOT #37.533, Sheet 23 & 24





#### 4. ECONOMIC

Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation	Date Completed
<b>Goal 4.1. Increase the County's tax base through a thriving and diversified economy.</b>			
<b>Objective 4.1.1. Strengthen Oconee County as an employment center.</b>			
Strategy 4.1.1.1. Maintain economic incentives for new and expanding industry.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• Upstate SC Alliance</li> <li>• SC Dept. of Commerce</li> </ul>	2021	
Strategy 4.1.1.2. Maintain communication with existing business and industry to assess the local business climate, public services, workforce quality, and potential areas for improvement.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• Oconee County Industrial Group (OCIG)</li> <li>• Oconee County Chamber of Commerce</li> </ul>	On-Going	
Strategy 4.1.1.3. Continue to develop the I-85 industrial corridor with associated infrastructure to support fully utilized industrial parks.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• Utility Providers</li> <li>• Upstate SC Alliance</li> <li>• SC Dept. of Commerce</li> </ul>	On-Going	
Strategy 4.1.1.4. Promote the inventory of industrial sites and buildings in Oconee County with an emphasis on vacant and certified industrial sites and parks.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• Upstate SC Alliance</li> <li>• SC Dept. of Commerce</li> <li>• ACOG</li> </ul>	2025	
Goals/Objectives/Strategies	Accountable Agencies	Time Frame for Evaluation	Date Completed
Strategy 4.1.1.5. Recruit new industry to the County and assist in expansion of existing employers in the target sectors of advanced manufacturing, biosciences, automotive, and energy.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• Upstate SC Alliance</li> <li>• SC Dept. of Commerce</li> </ul>	On-Going	
Strategy 4.1.1.6. Continue to support the Oconee Economic Alliance as the primary entity to represent the County and pursue industrial development with broad-based public and private participation.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• Upstate SC Alliance</li> <li>• SC Dept. of Commerce</li> </ul>	On-Going	
<b>Objective 4.1.2. Balance support for retention, expansion and recruitment of businesses.</b>			
Strategy 4.1.2.1. Strengthen relationships and partnerships among the County, civic organizations, municipalities, educational institutions, service agencies, and the private sector to support economic development.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• Chamber of Commerce</li> <li>• OCIG</li> <li>• SDGC</li> <li>• TCTC</li> </ul>	On-Going	
Strategy 4.1.2.2. Maintain a formalized business and retention program (BRE) dedicated to existing employers in Oconee County.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• OCIG</li> <li>• Municipalities</li> </ul>	2025	
Strategy 4.1.2.3. Conduct annual visits and tours of County industrial facilities to establish and maintain rapport and working relationships with existing businesses.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• OCIG</li> <li>• Workforce Development Partners</li> </ul>	Annually	
Strategy 4.1.2.4. Develop and coordinate positive economic and business messages and case studies and marketing for local, regional, and national media outlets.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• Upstate SC Alliance</li> <li>• OCIG</li> <li>• Employers</li> <li>• Media</li> </ul>	2025	
<b>Goal 4.2. Improve the skills, productivity, and economic competitiveness of the Oconee County workforce.</b>			

<b>Objective 4.2.1. Increase employer satisfaction with workforce readiness.</b>			
<b>Strategy 4.2.1.1.</b> Align workforce development and training programs with economic development efforts to include targeted industries, current and projected workforce needs and provide robust apprentice and internship opportunities in a wide variety of County businesses and industries.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• SDOC/TCTC</li> <li>• WorkLinks</li> <li>• ApprenticeshipSC</li> <li>• Employers</li> <li>• Clemson University</li> </ul>	2023	
<b>Goals/Objectives/Strategies</b>	<b>Accountable Agencies</b>	<b>Time Frame for Evaluation</b>	<b>Date Completed</b>
<b>Strategy 4.2.1.2.</b> Work to improve the completion rate including alternative credit sources.	<ul style="list-style-type: none"> <li>• SDOC</li> </ul>	On-Going	
<b>Objective 4.2.2. Raise incomes and earnings potential of the County workforce.</b>			
<b>Strategy 4.2.2.1.</b> Increase the number of jobs with higher than average County wages and demand outlook.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• Upstate SC Alliance</li> <li>• SC Dept. of Commerce</li> </ul>	On-Going	
<b>Strategy 4.2.2.2.</b> Prepare Oconee County graduates and residents for high demand, higher wage careers and occupations, equipping them with the training and education to apply their skills in a	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• SDOC</li> <li>• TCTC</li> </ul>	2021	
<b>Strategy 4.2.2.3.</b> Increase access to local employment opportunities that can reduce overall commuting distance and costs for residents.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• Upstate SC Alliance</li> <li>• SC Dept. of Commerce</li> </ul>	2021	
<b>Strategy 4.2.2.4.</b> Support and promote the continued expansion of the consolidated Oconee County Workforce Development Center Campus at the Oconee Industrial and Technology Park to include Tri-County Technical College and the new	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• SDOC/TCTC</li> <li>• Business/ Industry</li> </ul>	2023	
<b>Strategy 4.2.2.5.</b> Add defined career pathways for existing and projected opportunities in sectors including advanced manufacturing, automotive, healthcare, entrepreneurship, retail, hospitality, and biosciences.	<ul style="list-style-type: none"> <li>• SDOC</li> <li>• TCTC</li> <li>• Workforce Development Partners</li> </ul>	2025	
<b>Strategy 4.2.2.6.</b> Leverage corporate giving by employers for academic, career, and cultural enrichment programs that raise college and work readiness of County students.	<ul style="list-style-type: none"> <li>• Corporate and Community Foundations</li> <li>• SDOC/TCTC</li> </ul>	2025	
<b>Goal 4.3. Increase business and commercial activity in priority areas.</b>			
<b>Objective 4.3.1. Strengthen downtown commercial districts.</b>			
<b>Strategy 4.3.1.1.</b> Promote the development of downtown retail and commercial niche markets in Seneca, Walhalla, West Union, Westminster, and Salem.	<ul style="list-style-type: none"> <li>• Municipalities</li> <li>• Oconee County</li> <li>• Chamber of Commerce</li> </ul>	2025	
<b>Strategy 4.3.1.2.</b> Promote policies that preserve and promote the unique nature of downtowns, key buildings, streets, and public spaces.	<ul style="list-style-type: none"> <li>• Municipalities</li> <li>• Oconee County</li> </ul>	Annually	
<b>Goals/Objectives/Strategies</b>	<b>Accountable Agencies</b>	<b>Time Frame for Evaluation</b>	<b>Date Completed</b>
<b>Strategy 4.3.1.3.</b> Identify and inventory commercial and industrial infill and greyfield sites throughout the County and prioritize for reuse and redevelopment.	<ul style="list-style-type: none"> <li>• Municipalities</li> <li>• Oconee County</li> </ul>	2023	
<b>Strategy 4.3.1.4.</b> Explore local incentives for location of businesses and industries in existing properties and the use of infill properties such as tax or fee reductions or zoning incentives.	<ul style="list-style-type: none"> <li>• Municipalities</li> <li>• Oconee County</li> </ul>	2025	



<b>Strategy 4.3.1.5.</b> Establish a county-wide loan pool, in partnership with area banks, focused on downtown revitalization.	<ul style="list-style-type: none"> <li>• Municipalities</li> <li>• Oconee County</li> <li>• Chamber of Commerce</li> </ul>	2023	
<b>Objective 4.3.2. Foster a climate of entrepreneurial activity and small business success.</b>			
<b>Strategy 4.3.2.1.</b> Support small business start-up and expansion and assist in clearing key steps in the development and start-up process to include permitting and inspections, licensing, and eligibility for State and local incentives.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• Small Business Development Center (SBDC)</li> <li>• Chamber of Commerce</li> <li>• Tri-County Entrepreneurial Development Corporation (TCEDC)</li> </ul>	Annually	
<b>Strategy 4.3.2.2.</b> Establish and maintain local business incubation capabilities.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• SBDC/Clemson University</li> <li>• Chamber of Commerce</li> <li>• TCEDC</li> </ul>	On-Going	
<b>Strategy 4.3.2.3.</b> Support efforts to expand the reach and economic impact of the <i>Think Oconee</i> buy local campaign throughout the County.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• Chamber of Commerce</li> </ul>	On-Going	
<b>Strategy 4.3.2.4.</b> Explore the benefits of <i>Certified Connected Community</i> status.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• Utility Providers</li> <li>• Telecommunication Providers</li> </ul>	2025	
<b>Strategy 4.3.2.5.</b> Identify projects and promote Opportunity Zone incentive areas.	<ul style="list-style-type: none"> <li>• Oconee County</li> </ul>	2021	
<b>Goals/Objectives/Strategies</b>	<b>Accountable Agencies</b>	<b>Time Frame for Evaluation</b>	<b>Date Completed</b>
<b>Objective 4.3.3. Leverage the County's cultural, historic, agricultural, and natural resources as economic assets.</b>			
<b>Strategy 4.3.3.1.</b> Continue implementation of the <i>Destination Oconee</i> plan objectives.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• Municipalities</li> </ul>	2023	
<b>Strategy 4.3.3.2.</b> Capitalize on the local traditional arts, culture, and heritage of the County as an economic opportunity for small business development, downtown revitalization, and tourism.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• Municipalities</li> <li>• Chamber of Commerce</li> <li>• Arts and Cultural Groups</li> <li>• Festival and Event Organizers</li> </ul>	2025	
<b>Strategy 4.3.3.3.</b> Support economic development activity that leverages the assets and strengths of the County's rural areas to include agribusiness and agritourism, outdoor recreation, heritage tourism, and eco-tourism.	<ul style="list-style-type: none"> <li>• Oconee County</li> <li>• SBDC</li> <li>• Chamber of Commerce</li> <li>• TCEDC</li> </ul>	2023	



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[As referred from the Planning Commission]

## **CHAPTER 32**

### **ARTICLE X. - COMMERCIAL JUNKYARDS**

#### **Sec. 32-751. - Findings.**

The County finds that Commercial junkyards:

- a) Provide a necessary service to County residents; and
- b) Contribute to the economy and tax base of the County; yet
- c) Pose a potential hazard to the health, safety, and general welfare of the citizens of the County;
- d) Can depreciate the value of surrounding property;
- e) Can attract and harbor mosquitoes or other insects, snakes, rats, and other pests and vermin;
- f) Pose a potential threat of injury to children and other individuals who may be attracted to the premises; and
- g) Can be a visual blight and depreciative to the aesthetic quality of the environment of the County.

#### **Sec. 32-752. - Purpose.**

- a) The purpose of this Article is to provide for the regulation of existing and proposed Commercial junkyards under the Unified Performance Standards contained in Chapter 32 of the Oconee County Code of Ordinances.
- b) S.C. Code Sections 4-9-25 and 4-9-30 give Oconee County the authority to enact regulations, resolutions, and ordinances relating to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein. In order to accomplish these purposes, the County Council enacts these regulations with respect to Commercial junkyards.
- c) It shall be unlawful for any person, corporation or other business entity to maintain a Commercial junkyard except pursuant to the provisions of this Article.

#### **Sec. 32-573. - Definitions.**

As used in this Article, the following terms shall have the meanings given below:

*Commercial junkyard* shall mean any land or area used, in whole or in part, as a business for storing, handling, or selling Junk. This definition does not include facilities which are an essential part of wrecker, towing, or impoundment services, or County-operated or approved and permitted sanitary landfills. Further excluded from this Article are temporary business operations such as garage or yard sales, which are related to a specific event of a limited time and limited duration.



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*Fence* shall mean a substantial, continuous barrier constructed in a commercially appropriate and sound manner, and extending from the surface of the ground to a uniform height of not less than six feet. The finished side of the *Fence* shall face the public and be constructed of treated lumber, stockade, masonry, chain link or other approved material. Fabric *Fences* shall be not allowed.

*Junk* shall mean, by way of example and not limitation: abandoned barrels or drums; dismantled or inoperable industrial or commercial equipment or machinery being salvaged for parts; and the following old, scrap, or used items: metal; rope; rags; batteries; paper; cardboard; plastic; rubber; pallets; appliances; motors; industrial or commercial fixtures; rubbish and trash; debris; wrecked, dismantled, or disabled motor vehicles, watercraft, and aircraft, or parts thereof; and other old or scrap ferrous or nonferrous material.

*Major local street* shall mean a street that is designed and serves primarily to access abutting residential and commercial properties and other streets or roadways. *Major local streets* are further characterized as having two or more access points and receiving traffic from *Minor local streets* and other *Major local streets*.

*Minor local street* shall mean a street that is designed and serves primarily to access abutting residential properties. *Minor local streets* typically terminate in a cul-de-sac, loop, or other turnaround, and contain no more than two access points.

~~*Nonconforming* shall mean signs, structures, uses of land and characteristics of uses that are prohibited under the terms of this article, but which were lawful on the date of this article's enactment.~~

*Public building* shall mean any building owned, leased, held, or operated by the United States, the state, the County, a city, a special purpose district, or any local, state, or federal governmental agency or political subdivision, which building is used for a governmental or other public purpose.

*Right-of-way* shall denote the limits of public and private roads, including the full property interest or easement area thereof. On County roads, when there is no deeded *Right-of-way* or similar instrument governing road access and use, the *Right-of-way* shall include all portions of the road used for travel, maintenance, and support, and including all accessory structures and features.

*Scenic highway/scenic byway* shall mean a road or highway under federal, state, or County jurisdiction that has been so designated through legislation, ordinance, or other official declaration because of its scenic, historic, recreational, cultural, archeological, or natural qualities. An official declaration is an action taken by an individual, board, committee, or political subdivision acting with the granted authority on behalf of the federal, state or County government.

*Setback* shall refer to the required minimum distance, as established in this Article, between a *Fence* and the nearest property line, *Right-of-way*, body of water, *Scenic highway/scenic byway*, or heritage corridor.

*Temporary storage service* shall be defined as not exceeding 90 days from the date possession or custody of the vehicle is obtained, except when possession is pursuant to a court order.

*Wrecker, towing and impoundment service* shall mean an establishment or place of business that provides towing or *Temporary storage services* for currently licensed and currently registered



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vehicles that have been wrecked or repossessed, or whose possession is by virtue of court order, a copy of which is in the possession of the proprietor of such service or affixed to the vehicle.

**Sec. 32-754. - Regulation of Commercial Junkyards.**

- a) Every *Commercial junkyard* must be enclosed on all sides by a *Fence* that is not less than six feet in height. Commercially reasonable efforts, made in good faith and appropriate to the nature of the operation as carried out in a customary and safe manner, must be employed so that the *Fence*, along with adjacent vegetation (either existing or planted for these purposes), conceals the view of all *Junk* from public roads and private property. Further, the *Fence* shall be constructed and maintained so that the *Commercial junkyard* is protected from access by children or other trespassers.
- b) Each *Commercial junkyard Fence* shall be *Setback* as follows:
  - (1) Subject to the provisions of S.C. Code Section 57-27-10, et seq. (the South Carolina “Junkyard Control Act”), two hundred and fifty feet from all *Rights-of-way* held by the federal or state government, including any agency thereof.
  - (2) One hundred and twenty-five feet from the *Rights-of-way* of all County roads.
  - (3) One hundred feet from all property lines.
  - (4) One hundred feet from the ordinary high-water mark of all bodies of water, including, by way of example and not limitation, lakes, bays, ponds, rivers, streams, creeks, and reservoirs.
  - (5) One thousand feet from all designated *Scenic highways*.
  - (6) One thousand feet from any federally designated heritage corridor.

If more than one *Setback* requirement applies, the greater distance shall be enforced.

- c) No *Commercial junkyard* shall be located within 1,000 feet of a church, school, daycare center, nursing home, health care facility, hospital, *Public building*, or public recreation facility.
- d) *Commercial junkyards* shall be located only on *Major local streets*. Locating a *Commercial junkyard* on a *Minor local street* is prohibited.
- e) All *Junk* shall be stored within the *Fenced* area of the *Commercial junkyard*. The *Setback* area, being the area between the required *Fence* and the roadway, waterway, property line, etc., shall be maintained in a clean manner and shall not be used for storing, loading, or unloading *Junk*.
- f) Each *Commercial junkyard* shall apply to the South Carolina Department of Health and Environmental Control (DHEC) for an appropriate National Pollutant Discharge Elimination System (NPDES) permit, unless the applicant can show that an NPDES permit is not required by DHEC for the subject *Commercial junkyard*. The NPDES permit must be appropriately maintained during the course of operations.
- g) Each *Commercial junkyard* shall comply with all applicable chapters of the International Fire Code with South Carolina modifications, along with all applicable statutory and regulatory laws addressing the handling, storage, and disposal of hazardous waste, along with any applicable manufacturer’s instructions and industry standards.



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**Sec. 32-755. - Existing nonconforming Commercial Junkyards in existence prior to the enactment of these Commercial Junkyard regulations.**

- (a) Any *Commercial junkyard* that can provide documentary proof of ongoing operations occurring prior to the date this Article is enacted shall be exempt from the requirements of this Article as a “*Nonconforming Commercial junkyard*,” unless one of the following conditions arise:
1. Operations are abandoned for a period of twelve (12) months or more.
  2. The storage or handling area reserved for *Junk* is expanded by \_\_\_ %.
  3. Operations are altered such that excessive light, noise, dust, or other negative impacts on neighboring uses arise from the altered operations.
  4. *There is a change in ownership.*
  5. *Safety violations.*
- (b) Once a *Nonconforming Commercial junkyard* loses its grandfathered status as a result of a condition noted in Section 32-755(a), then it must comply with the terms of this Article and the following provisions from Section 32-754 shall apply:

*See Exhibit A for requirements triggered upon the occurrence of a safety violation (or perhaps a violation of item 3, above). Note Items 1, 2, and 4 would trigger enforcement of the entirety of this ordinance.*

- 1.
- 2.
- 3.

Additionally, the following requirements shall be imposed:

- 1.
- 2.
- 3.
- 4.

**Sec. 32-756. - Provisions for administration.**

- (a) No person shall maintain a *Commercial junkyard* except and unless the owner or operator has an approved *Commercial junkyard* Application from the County Planning Department.
1. A *Commercial junkyard* Application shall consist of:
    - i. An initial site plan showing all required items from Sec. 32-754 (a-e).
    - ii. All necessary permits from governing federal, state, or local authorities.
    - iii. A certificate of compliance [what is intent here?] prior to starting operations.
- (b) Fees for required permits shall be established and published by the County Council.
- (c) The enforcement of this Article shall be the responsibility of the County Planning Director or their designee.



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- (d) Any applicant or other affected party shall have the right to appeal a decision of the Planning Director to the County Planning Commission.
  - (e) Penalties for noncompliance. Any violation of this Article shall be a misdemeanor and, upon conviction, is punishable to full extent of the jurisdictional limits of magistrate courts located in the County. Additionally, or alternatively, the County may pursue civil litigation to compel compliance, including the pursuit of injunctive relief, damages, and other available relief.

**Sec. 32-757 through Sec. 32-800 - Reserved.**

## EXHIBIT A

### Existing nonconforming Commercial Junkyards in existence prior to the enactment of these Commercial Junkyard regulations.

- (a) Any *Commercial Junkyard* that can provide documentary proof of ongoing operations occurring prior to the date this Article is enacted shall be permitted the following deviations from this Article:
  - (1) Beyond 150 feet from the *Right-of-way* of a road, any boundary line may be enclosed with vegetation only pursuant to the requirements of the definition of "vegetation" in section 3.
  - (2) Shall be exempt from access restrictions in section 4(d).
  - (3) The *Fence* and/or vegetation required herein shall be located not less than \_\_\_ feet from the *Right-of-way* of a public road, and not less than \_\_\_ feet from a waterway, as described above, and as near the boundary line as practical on all other boundaries.
  - (4) No operator shall place, store or maintain *Junk* less than 10 feet from the property line of a developed residential area, school, church, cemetery, or public property or within 20 feet of the *Right-of-way* of a public road, or within 50 feet of a waterway.
- (b) No existing *Commercial junkyard* may expand without a proper approved application. Any expansion shall conform to all provisions of this article and shall not be permitted the deviations listed above in section 4(a).
- (c) Notwithstanding the provisions for administration contained in section 4, this article is not intended to impose additional restrictions on the nonconforming portion of junkyards existing prior to **DATE**
- (d) All applicable requirements to pre-**DATE** junkyards must be met within 1 year of the effective date.



**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2023-\_\_**

**AN ORDINANCE TO FOSTER THE IDENTIFICATION AND REPAIR  
OR REMOVAL OF STRUCTURES THAT HAVE BECOME UNSAFE FOR  
HUMAN OCCUPATION AS A RESULT OF FIRE DAMAGE OR  
NATURAL DISASTER.**

**1. Title.**

This article shall be known as the “Oconee County Unsafe Building Ordinance.”

**2. Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*County* means the unincorporated area comprising Oconee County.

*Dwelling* means any building or structure, or part thereof, used and occupied for human habitation, or which has been so used or intended to be so used and includes any outhouses, outbuildings, or other appurtenances belonging thereto or usually enjoyed therewith.

*Owner* means the holder of the title to real estate in fee simple and every mortgagee of record, and shall also include the record owner of a mobile home, as shown on the records of the South Carolina Department of Transportation, as well as every lienholder of record. In instances where the owner of a mobile home is not also the owner of the real estate upon which the mobile home is situated, the term “Owner” shall apply to both such parties.

*Parties in interest* means all individuals, associations, corporations, and others who have an interest in a dwelling and any person or persons in possession thereof. For the purposes of this article, the term "Parties in interest" also includes the owner of the real property upon which a mobile home is situated.

*Public officer* means the officer or officers who are designated by the County Administrator to exercise the powers prescribed by this article.

*Reasonable cost* means 50 percent or smaller of estimated cost of required repairs, alterations, and/or improvements in relation to the estimated value of a dwelling.

### **3. Public officer—Appointment.**

The public officer designated to exercise the powers prescribed by this article shall be appointed by the County Administrator and shall serve at the pleasure of the County Administrator.

### **4. Same—Powers.**

The public officer may exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this article, including, but not limited to the following powers, in addition to others herein granted:

- a. To investigate the dwelling conditions in the county in order to determine which dwellings therein are unfit for human habitation as a result of a fire or natural disaster.
- b. To administer oaths and affirmations, examine witnesses, and receive evidence.
- c. To enter upon premises for the purpose of making examinations, provided such entries be made in such manner as to cause the least possible inconvenience to the persons in possession, and are conducted in a manner consistent with state and federal law.
- d. To appoint and fix the duties of such officers, agents, and employees as he deems necessary to carry out the purposes of this article.
- e. To delegate any of his functions and powers under this article to such officers and agents as he may designate.

### **5. Standards for determining fitness of dwelling for human habitation.**

The public officer may determine that a dwelling is unfit for human habitation if he finds that conditions exist in such dwelling that resulted from a fire or natural disaster which are dangerous or injurious to the health, safety, or morals of the occupants of such dwelling, the occupants of neighboring dwellings or other residents of the county. By way of example and not limitation, such conditions shall include the following, inasmuch as they resulted from a fire or natural disaster:

- a. Defects increasing the hazard of fire, accidents, or other calamities.
- b. Lack of adequate ventilation, light, or sanitary facilities.
- c. Dilapidation, disrepair, or structure defects.



**6. Complaints and orders—Procedures for processing; failure to comply; liens.**

- a. Whenever a petition is filed with the public officer by at least five residents of the county charging that any dwelling is unfit for human habitation as a result of fire or natural disaster, or whenever it appears to the public officer (on his own motion) that any dwelling is unfit for human habitation as a result of fire or natural disaster, the public officer shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of, and all parties in interest in, such dwelling a complaint stating the charges in that respect and containing a notice that a hearing will be held before the public officer or his designated agent at a place therein fixed not less than ten (10) days nor more than thirty (30) days after the service of such complaint. The owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the public officer.
- b. If, after such notice and hearing, the public officer determines that the dwelling under consideration is unfit for human habitation as a result of fire or natural disaster, he shall state in writing his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order:
  - i. If the repair, alteration, or improvement of the dwelling can be made at a reasonable cost in relation to the value of the dwelling, requiring the owner, within the time specified in the order, to repair, alter or improve such dwelling to render it safe for human habitation or to vacate and close the dwelling as a human habitation; or
  - ii. If the repair, alteration, or improvement of the dwelling cannot be made at a reasonable cost, requiring the owner, within the time specified in the order, to remove or demolish such dwelling.
- c. If the owner fails to comply with an order to repair, alter, or improve or to vacate and close the dwelling, the public officer may cause such dwelling to be repaired, altered, or improved or to be vacated and closed. The public officer may cause to be posted on the main entrance of any dwelling so closed a placard with the following words: "This building is unfit for human habitation and occupancy is prohibited and unlawful."
- d. If the owner fails to comply with an order to remove or demolish the dwelling, the public officer may cause such dwelling to be removed or demolished.

- e. The amount of the cost of such repairs, alterations, or improvements, vacating and closing or removal or demolition by the public officer shall be a lien against the real property upon which such cost was incurred and shall be collectible in the same manner as county taxes.
- f. If a county in demolishing unfit dwellings as permitted by this section contracts with a third party not employed by the county to do the work, it must bid the work in conformity with the procurement code applicable to the county.

**7. Same—Service; posting and filing copies.**

Complaints or orders issued by the public officer pursuant to this article shall be served upon persons either personally or by registered mail, but if the whereabouts of such persons is unknown and cannot be ascertained by the public officer in the exercise of reasonable diligence and the public officer shall make an affidavit to that effect, the service of such complaint or order upon such persons may be made by publishing it once each week for two consecutive weeks in a newspaper of general circulation in the county. A copy of such complaint or order shall be posted in a conspicuous place on the premises affected by the complaint or order. A copy of such complaint or order shall also be filed with the Clerk of Court for the county. Such filing of the complaint or order shall have the same force and effect as other lis pendens notices provided by law.

**8. Rights of persons affected by orders.**

Any person affected by an order issued by a public officer may within sixty (60) days after the posting and service of the order, petition the circuit court for an injunction restraining the public officer from carrying out the provisions of the order and the court may, upon such petition, issue a temporary injunction restraining the public officer pending the final disposition of the cause. Hearings shall be had by the court on such petitions within twenty (20) days or as soon thereafter as possible and shall be given preference over other matters on the court's calendar. The court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. In all such proceedings the findings of the public officer as to facts, if supported by evidence, shall be conclusive. Costs shall be in the discretion of the court. The remedies herein provided shall be exclusive remedies and no person affected by an order of the public officer shall be entitled to recover any damages for action taken pursuant to any order of the public officer or because of compliance by such person with any order of the public officer.

**9. Sale of material of removed or demolished dwelling.**

If a dwelling is removed or demolished by the public officer, he shall sell the materials of such dwelling and shall credit the proceeds of such sale against the cost of the removal or demolition and any balance remaining shall be deposited in the circuit court by the public officer, shall be secured in such manner as may be directed by such court and shall be disbursed by such court to the persons found to be entitled thereto by final order or decree of such court.



**10. Power of county to declare nuisances not impaired.**

Nothing contained in this article shall be construed to impair or limit in any way the power of the county to define and declare nuisances and to cause their normal removal or abatement by summary proceedings or otherwise.

**11. Provisions are cumulative.**

The powers conferred by this article shall be in addition and supplemental to the powers conferred by any other law to the county in relation to the subject matter hereof.

**12. Penalties:**

Any violation of this article shall be a misdemeanor and, upon conviction, is punishable to full extent of the jurisdictional limits of magistrate courts located in the county. Additionally, or alternatively, the county may pursue civil litigation to compel compliance, including the pursuit of injunctive relief, damages, and other available relief.