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ARTICLE III. - A PROGRAM TO DESIGNATE OCONEE COUNTY'S SCENIC HIGHWAYS; ESTABLISHED

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Sec. 26-151. - County highways.

Highways located within Oconee County, South Carolina and found to be of special value to the citizens may be designated as Oconee County Scenic Highways pursuant to the rules, regulations, and criteria set forth below.

(Ord. No. 2007-21, § 1, 10-21-2008)

Editor's note—

Please see Code Comparative Table for ordinances, not codified, affected by this Code section.

Sec. 26-152. - 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.

Committee means the Oconee County Scenic Highway Committee as described in this document.

Highway means all those roads, streets and highways within the federal, state or Oconee County Highway System.

Intrinsic qualities means those significant tangible and intangible resources found within a scenic corridor that are known to be distinct within the region. "Intrinsic qualities" include:

- (1) *Scenic*: The composition of features that are regionally representative, associative or inspirational. These features are memorable, distinct, visually impressive, and continuous across the view;
- (2) *Historic*: Landscapes and structures that educate and stir an appreciation for the legacy of Oconee County's past;
- (3) *Cultural*: Activities or objects that represent unique and distinctive expressions of community life, customs or traditional ways and identify a place, region or culture;
- (4)

Recreational: Passive and active leisure activities directly dependant on the scenic qualities of the area and usually associated with outdoor recreation, as we seek to refresh and renew our spirits.

- (5) *Natural:* Relatively undisturbed and visually pleasing natural areas and/or ecologically sensitive landscapes representing natural occurrences including landforms, water, vegetation and wildlife characteristics,
- (6) *Archaeological:* Sites, artifacts or structures recognized by the scientific or academic communities as being representative of past human life and activities.

Scenic highway means a highway or segment of a highway deserving of recognition due to scenic vistas, cultural or historical significance, or other criteria specified by county council. All scenic highways shall be divided into two route categories:

- (1) Routes with limited development visible from the roadway, yet still retaining special characteristics worthy of preservation shall be designated a Category I Scenic Route.
- (2) Routes with little or no development visible from the roadway lying outside primary growth areas shall be designated a Category II Scenic Route.

(Ord. No. 2007-21, § II, 10-21-2008)

Sec. 26-153. - Designation process.

- (a) Applications shall be submitted in writing to the planning department by a sponsoring agency. Such agencies shall include, but are not limited to, a civic club, chamber of commerce, convention and visitor bureau, business, industry, municipal government, county governments, or other organization. Submitted materials shall include a "Scenic Highway Corridor Management Plan" (see [section 26-158](#), Appendix A).
- (b) Upon receipt of an application for the designation of a road or highway as an Oconee County Scenic Highway, the Oconee County Planning Director or his/her designee shall contact the committee, which shall schedule a meeting to review the application. Meetings of the committee shall be public meetings, and shall be advertised at least 14 days in advance in a newspaper of general circulation.
- (c) The committee shall review applications for compliance with the criteria for designating a scenic highway established in this article (see [section 26-157](#), Appendix B). Upon completion of the review, the committee shall by vote determine a recommendation regarding the designation of the highway. The recommendation shall be reviewed by the planning commission, which shall forward a report to county council. In the event county council determines the proposed highway merits designation as a scenic highway, it shall so indicate its decision by resolution.
- (d) Any highway proposed for designation as a scenic highway denied a positive recommendation by the committee, or rejected for designation by county council, may not be proposed again for a period of one-year from the date of publication of the decision.

(Ord. No. 2007-21, § III, 10-21-2008)

Sec. 26-154. - Regulations.

- (a) It shall be unlawful for any person other than the owner, owner's agent, or other individual with the full knowledge and consent of the owner of a property situated along the right-of-way of a designated and properly identified county scenic highway to dig, pull up, gather, remove, cut, maim, break, or injure in any way a public or private property, to include any injury done by fires intentionally set; any wild, cultivated, ornamental plants, shrubs, and trees. These

provisions shall not apply where the acts hereby prohibited are done by or under the instructions of county or state authorities lawfully in charge of such public roads, highways or lands, or by a utility in the lawful pursuit of installation or maintenance of their facilities. Violation of this provision of this article shall be punishable by a fine not to exceed \$500.00 dollars.

- (b) The sponsoring organization or group submitting an application to the County for designation of a road as an Oconee County Scenic Highway shall be responsible for the removal of trash along the portion of the highway so designated as a scenic highway no fewer than three times each year. Permits and/or required notifications related to any and all activities inside a right-of-way shall be the responsibility of the sponsoring organization or group. Any individual taking part in trash removal duties, or any other activities related to the standards of this article, shall comply with any and all standards and practices utilized by the entity responsible for maintenance of the roadway.
- (c) A member of the county staff shall be designated by the county administrator to review the status of all county designated scenic highways every two years. In the event it is determined a route fails to meet the criteria established in this article, a report shall be made to the committee, who shall recommend a course of action to county council. Such recommendations include, but are not limited to, re-classification to a lower category, and [r]e-designation.
- (d) Regulations contained in this section shall apply equally to both Category I and Category II Scenic Highways, however, Category II Scenic Highways shall receive preference in the pursuit of funding to be utilized in maintaining and enhancing the intrinsic values leading to their designation.
- (e) All county rules and regulations concerning scenic highways shall apply immediately to a nominated road or highway until a determination is made as to whether or not the road or highway shall be designated a scenic highway. A determination of this issue must be made within six months of the county receiving an application.

(Ord. No. 2007-21, § IV, 10-21-2008)

Sec. 26-155. - Oconee County Scenic Highway Committee.

The committee shall consist of seven members, each having primary residency in the county. The committee members shall serve at the pleasure of the organization that appoints the member. The following organizations shall appoint one member each to the committee:

- (1) Keep Oconee Beautiful Association (KOBA);
- (2) Concerned Citizens for Conservation;
- (3) The Oconee County Arts and Historical Commission;
- (4) Upstate Forever (Oconee Chapter);
- (5) Oconee Alliance.

In addition, county council shall appoint two members at large from resident property owners in the county.

In the event that any organization named above fails to provide a representative willing or able to take part in the committee as needed, county council may replace the organization with a similar entity; also, any organization may terminate its position on the committee by sending a letter of resignation to county council, who will appoint a similar replacement.

(Ord. No. 2007-21, § V, 10-21-2008)

Sec. 26-156. - Appendix A.

A scenic highway corridor plan shall include the following components:

- (1) A detailed description of the section of the road or highway to be designated, including two or more of the intrinsic qualities as defined in this article. Specify how the road in question fits the criteria. Identify any problem areas that may impact the scenic designation.
- (2) A marked map clearly indicating the section of the road or highway the applicant is proposing for designation.
- (3) Photographs or videos of areas which the applicant considers to be of intrinsic value or significance.
- (4) Letters of support from citizens, businesses, civic groups and other organizations.
- (5) A maintenance plan outlining proposed litter collection activities.
- (6) Any additional proposed actions intended to enhance and maintain the highway if awarded designated.

(Ord. No. 2007-21, App. A, 10-21-2008)

Sec. 26-157. - Appendix B.

Criteria for designating a road or highway as an Oconee County Scenic Highway:

- (a) The committee shall consider the following in determining whether a road or highway should be designated a scenic highway:
 - (1) Intrinsic qualities (as defined by this article).
 - (2) Additional amenities and support (such as but not limited to):
 - (a) Hospitality features.
 - (b) Length of route.
 - (c) General support for proposed route.
 - (d) Financial commitment.
 - (e) Role in regional/statewide strategy.
 - (f) Protective easements, zoning overlays, or other land use restrictions.
 - (3) Features negatively impacting the scenic qualities of the highway, (such as but not limited to):
 - (a) Junkyards/litter.
 - (b) Dilapidated/unattractive structures.
 - (c) Excessive advertising.
 - (d) Heavy traffic uses.
 - (e) Mining/umbering scars.
 - (f) Heavy industry.
 - (g) Parallel and visible utilities along roadway.
 - (h) Landfills/other pollutants visible from route.
 - (4) Feasibility of maintenance plan and responsibilities.

(Ord. No. 2007-21, App. B, 10-21-2008)