

**MINUTES OF THE REGULAR MEETING OF THE
MANNING PLANNING COMMISSION**

**Monday, August 14, 2017
6:30 p.m.**

**City Hall - Second Floor
29 W. Boyce Street**

Members Present

William Blair, Chairman
Lou Murray, Vice Chairperson
Pamela Brunson
Peggy Knoxx

Members Absent / Excused (E)

Effie Hilton - A

Staff Present:

Mary Adger, Admin. Services Coordinator
Charmel Mack, Admin. Assistant Clerk

- I. Call Meeting to Order/Introduction:** Mr. William Blair, Chairman.
- II. Invocation:** Mrs. Pamela Brunson.
- III. Approval of Minutes**

Minutes of the Planning Commission Regular Meeting, June 12, 2017.

A **Motion** was made by Mrs. Knoxx and was second by Mrs. Brunson to approve the written minutes. All were in favor of the motion.

- V. Rezoning Request No. 2017-5M, proposed map amendment to zoning ordinance for property located at 213 South Brooks Street, Tax Map # 169-14-07-010-00 owned by Mary Jo McCutchen from Residential -10 (RS-10) to General Commercial (GC).**

Mrs. Mary Adger

Mrs. Adger informed the Commissioners that 213 South Brooks Street is contiguous to other General Commercial (GC) properties. She mentioned that the applicant is not required to have two or more acres for a change in zoning classification.

Mr. William Blair

Mr. Blair asked Mr. McCutchen if he was requesting to rezone a vacant lot.

PROPONENT

Mr. McCutchen, Representative

Mr. McCutchen stated "Yes."

Mr. William Blair

Mr. Blair asked what does he intend to do with the property.

Mr. McCutchen

Mr. McCutchen stated that he wanted it for residential units or offices.

Mrs. Lou Murray

Mrs. Murray **recused** herself from participating in the hearing or in any discussion due to being acquainted with Mr. McCutchen.

Mrs. Adger

Mrs. Adger informed the commissioners that even though Mr. McCutchen is requesting to rezone the property from Residential -10 (RS-10) to General Commercial (GC), if he intends to use the property for office commercial usage, then the Commissioners can recommend to rezone the property to Office Commercial (OC) instead.

OPPONENT

Mr. Goldsmith

Mr. Goldsmith stated that his mother lives across the street from 213 South Brooks Street. He mentioned that Mr. McCutchen recently requested to rezone 3 Winfield Drive from Office Commercial (OC) to General Commercial (GC). Mr. Goldsmith stated that Mr. Ervin Davis informed him to advise the Commissioners that he was in opposition to the request and that he was unable to attend the meeting. Mr. Goldsmith expressed to the Commissioners that there should be buffers between General Commercial (GC) and residential properties.

Mrs. Adger

Mrs. Adger informed Mr. Goldsmith that if the property was rezoned to General Commercial (GC) or Office Commercial (OC), based on the type of land use, the Zoning Ordinance specifies what type of buffers the property owner would be required to comply with.

Mr. Goldsmith

Mr. Goldsmith asked if the property was rezoned to General Commercial (GC), would the property owner be required to have buffers.

Mr. Adger

Mrs. Adger explained to Mr. Goldsmith that once the property owner develops the property than the owner would be required to meet the buffer yard requirements based on

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the type of business that is developed. She further explained to Mr. Goldsmith that General Commercial (GC) and Office Commercial (OC) are different types of zoning districts, and buffers are what separate different land uses from each other.

Mr. Goldsmith

Mr. Goldsmith stated that he was in opposition of rezoning the property to General Commercial (GC); however, he was for any other type of zoning classification.

Mrs. Adger

Mrs. Adger asked Mr. Goldsmith if he would be satisfied if the property was rezoned to Office Commercial (OC) instead. She informed Mr. Goldsmith that buffers would still be required.

Mr. Goldsmith

Mr. Goldsmith stated, "Yes". Mr. Goldsmith mentioned that he wanted to ensure that his mother lives in a safe neighborhood.

REBUTTAL

Mr. McCutchen

Mr. McCutchen stated that he preferred to have the property rezoned to General Commercial (GC) since contiguous properties are General Commercial (GC).

Mrs. Brunson made a **Motion** to recommend to City Council to rezone the property located at 213 South Brooks Street , Tax Map # 169-14-07-010-00 owned by Mary Jo McCutchen from Residential -10 (RS-10) to Office Commercial (OC). Mrs. Knox seconded the motion. All were in favor of the motion.

Mr. McCutchen

Mr. McCutchen asked the commissioners if offices were allowed on General Commercial (GC) properties.

Mrs. Adger

Mrs. Adger informed Mr. McCutchen that offices are allowed on General Commercial (GC) properties but for him to contact her for further discussion. She advised Mr. McCutchen that offices are allowed in Office Commercial (OC) zoning districts in compliance with the table of permitted use.

VI. A proposed Amendment to the City of Manning Zoning Ordinance, Article 7 Supplementary Regulation, to add Section 727- Solar Energy Systems.

Mrs. Adger

Mrs. Adger informed the Commissioners that the City was receiving inquiries about Solar Energy Systems and she requested Susan Landfried from Santee Lynches Regional Council of Government to draft a proposed amendment to the zoning ordinance for the City of Manning, SC.

Ms. Susan Landfried, Representative from Santee Lynch Regional Council of Government

Ms. Landfried stated that the purpose of the Solar Energy System regulation is to ensure that solar systems are placed in the appropriate location, safe, effective and meet the City of Manning building standards. Ms. Landfried shared the following:

Two Types of Energy Solar System uses

Accessory Use

- SES is allowed on accessory building, commercial and residential zoning districts.
- Permission is required from utility company before SES can be installed.
- SES cannot be used for the sale of energy to others.
- Property owners are not prohibited from selling SES to get service back with their utility company.
- How SES would be shield from adjacent residential properties
 - Screens between the SES panels and residential use (neighbor).
- Maintenance requirements: If the SES has not been in operation for 12 months, defective or deemed to be unsafe by the Code Official, the Solar Energy System must be repaired to meet local safety standards or removed.

Principal Use

- SES is allowed in Heavy Industrial (HI) and Light Industrial (LI) zoning districts.
- Permission is required from a public utility company before a solar system can be installed
- Screening required
- Solar radiation or glares shall not be directed onto nearby properties or roadways
- Blue print and plan submitted; Cost estimate must be included in plan
- Maintain requirements: A system shall be considered a discontinued use after one year without energy production, unless a plan is developed and submitted to the Zoning Administrator outlining the steps and schedule for returning the system to service.

Two Types of Mountings:

Roof mounted solar energy system:

- Shielding required
- Cannot exceed building height requirement
- Meet setback requirements

Ground mounted solar energy system:

- Shielding required

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- Meet setback requirements

Mrs. Adger

Mrs. Adger asked if the regulation applies to small solar panels that aren't attached to utility poles.

Ms. Landfried

Mrs. Landfried stated "No".

Ms. Charmel Mack

Ms. Mack asked Ms. Landfried to clarify if the plan that she was referring to, if the SES companies would have to present site plans to the Planning Commission in order to install solar panels.

Ms. Landfried

Ms. Landfried stated, "Yes".

Mr. Blair

Mr. Blair asked if the SES companies would have to submit a site plan for the Planning Commission to approve or deny.

Ms. Landfried

Ms. Landfried stated, "Yes".

Ms. Mack

Mrs. Mack asked if the property owner, a tenant, or the solar energy system company would be responsible for providing the City a letter stating that the utility company has authorized the installation of solar panels.

Ms. Landfried

Ms. Landfried stated that a homeowner should obtain authorization from their utility company; however, the solar energy company can obtain authorization on their customer behalf. She further mentioned that the property owner must acknowledge that he or she is responsible for the solar energy system. She stated that the proposed amendment has been submitted to Clarendon County Building Code Administration whom has approved the proposed regulations.

Mrs. Brunson

Mrs. Brunson inquired if insurance companies would be notified of the regulation.

Mrs. Adger

Mrs. Adger stated that the City would not be responsible for regulating those notifications.

Ms. Landfried

Ms. Landfried informed the Commissioners that SES are currently permitted outright in Light Industrial (LI) and Heavy Industrial (HI) districts without the Planning Commission approval. She advised the Commissioners that they could change it to Conditional use.

Mrs. Adger

Mrs. Adger informed the Commissioners that if the SES becomes a Conditional use that the conditions would need to be specified. The applicant would have to go before the Board of Appeals and Adjustment instead of the Planning Commission.

Ms. Mack

Ms. Mack asked if local utility companies would be notified of the SES regulation if approved by City Council for utility companies to be aware of why their customers are requesting authorization for an SES company to install solar panels at their location.

Ms. Landfried

Ms. Landfried stated that the City would have to determine if they would notify local utility companies of the SES regulation.

Ms. Adger

Mrs. Adger stated that a public hearing will be held and the utility companies will have an opportunity to express their concerns during the Public Hearing meeting if they desire.

Mrs. Brunson

Mrs. Brunson mentioned that before a SES company can present a plan to the Planning Commission a letter from their utility company is required.

Ms. Landfried

Ms. Landfried stated that the purpose of the proposed zoning ordinance is to ensure that SES is placed in the appropriate location, safe and effective. She mentioned that it is between the property owner and the utility company to decide who would provide a letter to the City for a SES company to install solar panels.

Mrs. Brunson

Mrs. Brunson asked if SES currently installed in the City would be grandfathered.

Mrs. Adger

Mrs. Adger stated, "Yes".

A **Motion** was made by Mrs. Brunson to recommend to City Council a proposed amendment to the City of Manning Zoning Ordinance, Article 7 Supplementary Regulation, to add Section 727- Solar Energy Systems. Mrs. Knox seconded the motion.

All were in favor of the motion.

VII. Board Comments

Mrs. Adger

Mrs. Adger informed the Commissioners that in light of the controversy of public prayers in governmental settings they should invite the public to join them in prayer.

Mr. Blair

Mr. Blair requested that the Code Enforcer be notified that a car lot is being established on Dyson Street, a residential zoning district.

Mrs. Murray

Mrs. Murray asked how mosquitos are being handled in the area.

Mrs. Adger

Mrs. Adger stated that the state was requiring certification from each municipality; however she is not aware of how the City stands.

Mrs. Knoxx

Mrs. Knoxx asked who is responsible for trimming limbs that is passing the edge of the street. She mentioned that tree limbs are in the road on Branch View Drive.

Mrs. Adger

Mrs. Adger stated that SCDOT or the utility company (Duke Energy) usually handle limbs that are in the public right of way. Mrs. Adger mentioned that if a tree on private property is preventing visibility, Code Enforcement can address the issue.

A **Motion** was made by Mrs. Brunson and was second by Mrs. Murray to adjourn. All were in favor of the motion.

Time: 7:21 P.M.

Respectfully submitted,

Charmel S. Mack
Administrative Assistant Clerk