

**Kershaw County Planning and Zoning Commission**  
**Regular Session Minutes**  
**April 9, 2012, 5:30 p.m.**  
**County Council Chambers, 515 Walnut Street**  
**Camden, SC 29020**

Members in Attendance: Lewis Shaw, George Gibson, Dan Matthews, Jetter Pittman, and Henry Walker

Members Absent: David Brown and Charles Cottingham

Staff in Attendance: Carolyn Hammond and John Newman

**Call to Order**

The chairman, Lewis Shaw, called the meeting to order at 5:30 p.m.

**Public Comment Period**

There were no comments from the public.

**Central Midlands Council of Governments Transportation Plan Presentation**

Wayne Schuler explained what has been done to date on the transportation plan. They have identified key issues and have come up with the following goals:

1. Improve local vehicular circulation on the arterial and collector road network
2. Increase opportunities for economic development
3. Develop a comprehensive, interconnected system of bike and pedestrian facilities
4. Encourage the use of alternatives to single occupancy travel for commutes out of the county
5. Encourage the development of a sustainable transportation system in Kershaw County

Transportation funding sources in Kershaw County are the County Transportation Committee (CTC), the Santee Lynches Council of Governments, and the Columbia Area Transportation Study (COATS). The total estimated cost for all identified projects is \$750 million. The funded projects reflect \$105.4 million in estimated costs which is roughly 14 percent of the identified need. He closed by saying the study will be completed by June 30 and that it is important to have the Planning Commission's input.

**Battle of Camden Site Presentation**

Charles Baxley told the Commission that Kershaw County has two world class battlefields: Hobkirk Hill and the Battle of Camden site. It is hoped that the Battle of Camden site will become a National Park. 476 acres of the site are owned by the Palmetto Conservation Foundation, but the buffering lands are unprotected. He urged the Commission to look into a historic overlay for this area to protect this culturally significant site. It is important that the National Park Service sees that the site has integrity now and can count on its having integrity in the future.

**Approval of Minutes**

Jetter Pittman motioned that the amended minutes of the March 12, 2012 regular meeting be approved. Henry Walker seconded, and all voted in favor.

## **Text Amendment to Unified Code of Zoning and Land Development Regulations**

In order to begin the discussion on the vendor amendment, the Chairman called for a motion to bring the issue back up for discussion and consideration. The motion was made by George Gibson, seconded by David Brown, and approved by all. The question asked was, what is the problem they are trying to fix? It was stated that there are already regulations in place regarding vendors, and if the problem is competition, then that is not a problem the Commission felt was their place to fix. Unintended consequences were mentioned along with concern about picking only one area of the county to ban vendor activities. It was also pointed out that the vendors are few and too small to hurt any brick and mortar businesses. Current regulations require that someone violating the zoning ordinance be given 30 days to correct the violation. Because this is impractical for enforcing vendor activities, the Commission discussed changing the 30-day requirement to a shorter period of time. This led to the need to first recommend or not recommend approval of the language in the proposed Jones amendment. Henry Walker motioned, Dan Matthews seconded, and all voted in favor of not recommending to County Council that the language in the Jones amendment be approved. Lewis Shaw will write a letter to Chairman Wise explaining the Planning Commission's logic behind not recommending the amendment.

Next, the Commission considered the following amendments:

### Section 3:3.15-1 Vendors:

- The word, vendor, whenever used in this section, means any person who sells or solicits sales of food, drink, or other merchandise from a *self-contained* pushcart, bicycle cart, or other cart, operable motor vehicle, wagon, sled, or carriage propelled by human, animal, or mechanical power.
- A. *All vending operations must be located on property on which there is at least one existing permitted primary use. Under no circumstances shall a vendor be permitted to operate on property that is uninhabited or vacant.*
- B. *Merchandise shall not be removed from the self-contained pushcart, bicycle cart, or other cart, operable motor vehicle, wagon, sled, or carriage for display or sale.*
- H. Vendors must obtain and carry at all times notarized written permission to conduct business per items A-G above from the property owner on which the vendor operation is located.

### Section 6:4.1 Processing of Violations

- C. *Notice of Violation – Upon a determination of the Code Enforcement Officer that a violation has occurred, the Code Enforcement Officer may, in his or her discretion, issue a written notice of violation stating, in the discretion of the Code Enforcement Officer, the nature of the violation; citing the section of the Ordinance being violated; and may give the vendor up to thirty (30) days to remedy the violation. If the violation has not been corrected within the discretionary notice period, the Code Enforcement Officer may make a determination if any substantive remedial action towards correcting the violation has occurred. Upon the determination by the Code Enforcement Officer that no substantive remedial action towards correcting the violation has occurred during the discretionary notice period, the Code Enforcement Officer may issue an ordinance summons to appear in Magistrate's Court. The ordinance summons shall state the penalty fine if convicted and the date and time of the court hearing.*

Dan Matthews motioned to approve the proposed language amending Sections 3:3.15-1 and 6:4 of the Zoning and Land Development Regulations. George Gibson seconded, and approval was unanimous.

**Five-Year Update to the Comprehensive Plan**

This agenda item was deferred to the next meeting.

**Staff Report on County Council Actions Concerning the Planning Commission**

There was nothing to report.

**Other Items**

John Newman distributed copies of the Planning and Zoning Department's monthly report showing building activity, inspections, revenue, etc. He also mentioned that a presentation on the master sewer plan update will be made at the next Planning Commission meeting.

**Adjournment**

At 6:40 p.m., the Chairman called for a motion to adjourn. The motion was made by George Gibson, seconded by Dan Matthews, and all voted in favor.

Respectfully submitted,

*Carolyn B. Hammond*

Carolyn B. Hammond  
Secretary