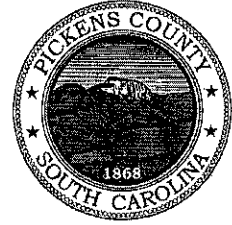


COUNTY OF PICKENS

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COUNCIL MEMBERS

CHRIS BOWERS, CHAIRMAN
ROY COSTNER, VICE CHAIRMAN
TREY WHITEHURST, VICE CHAIRMAN PRO-TEM
ALEX SAIITA
R. ENSLEY FEEMSTER
HENRY WILSON

COUNTY ADMINISTRATOR
Ken Roper
CLERK TO COUNCIL
Meagan Nations

COMMITTEE OF THE WHOLE MEETING

Monday, October 17, 2022

6:00 PM

**Main Conference Room, County Administration Facility
222 McDaniel Avenue, Pickens SC 29671**

1. WELCOME: Chairman Chris Bowers
INVOCATION AND PLEDGE OF ALLEGIANCE: Chairman Chris Bowers
2. COMMITTEE OF THE WHOLE:
 - a) **LOG NO. 80** – COUNTY RADIO SYSTEM
 - b) **LOG NO. 209** – COUNTY CONSTABLES AND CERTIFICATION PROCESS
 - c) **LOG NO. 205** - AN ORDINANCE TO ESTABLISH STANDARDS AND LIMITATIONS ON FUTURE DEVELOPMENT ON THE SOUTH CAROLINA HIGHWAY 11 SCENIC BYWAY AND MATTERS RELATED THERETO
3. ADJOURN:

Committee of the Whole Log
Updated 10/12/2022

Log Number	Description	Date Referred	Meeting Date(s)	Action
80	County Radio System	11/6/2017	2/22/2022	<input type="checkbox"/> No action taken by Committee.
95	Request to Accept Roads in the Minimum Maintenance System	4/2/2018	1/28/2019	<input type="checkbox"/> Committee recommends suspending any further approvals into the minimum maintenance program and staff work on language regarding the issue discussed. No action taken.
105	E911	8/20/2018	10/15/2018	<input type="checkbox"/> The Committee advised staff to research and gather more information and report back. No action taken by Committee.
			12/13/2018	<input type="checkbox"/> Committee recommends staff gather more information and report back to Council in the April 2019 Committee of the Whole Meeting.
			4/8/2019	<input type="checkbox"/> Committee would like for staff to report back in six months at the October 2019 Committee of the Whole meeting. No action taken by Committee.
			10/21/2019	<input type="checkbox"/> No action taken by Committee.
			12/16/2019	<input type="checkbox"/> No action taken by Committee.
109	Fort Prince George	10/1/2018	6/15/2020	<input type="checkbox"/> No action taken by Committee, follow-up in 6 months.
			1/25/2021	<input type="checkbox"/> No Action Taken by the Committee.
			10/15/2018	<input type="checkbox"/> Committee recommends staff working with the Historical Society to explore the logistics of the location and report back to Committee. No action taken by Committee.

Committee of the Whole Log
Updated 10/12/2022

			8/19/2019	<input type="checkbox"/> No action taken by Committee.	
123	AN ORDINANCE No. 572 AMENDING ARTICLE I OF CHAPTER 34 OF THE PICKENS COUNTY CODE OF ORDINANCES SO AS TO PROVIDE REMEDIES AND PENALTIES FOR ILLEGAL LITTER AND DUMPING IN THE UNINCORPORATED AREAS OF PICKENS COUNTY, AND MATTERS RELATED THERETO.	5/13/2019	3/21/2022	<input type="checkbox"/> No action taken by Committee.	
131	Opportunity Zones	8/13/2019			
132	Solar Farm Ordinances	9/9/2019	9/16/2019 10/21/2019 8/17/2020	<input type="checkbox"/> No Action Taken by the Committee. <input type="checkbox"/> No Action Taken by the Committee. <input type="checkbox"/> Vice Chairman Bowers made a motion to move out of committee for first reading, and recommit to the committee for further discussion. Motion was seconded by Councilman Ensley Feemster, and carried unanimously (6-0).	
			10/19/2020 11/16/2020 12/16/2019	<input type="checkbox"/> No Action Taken by the Committee. <input type="checkbox"/> No Action Taken by the Committee. <input type="checkbox"/> No Action Taken by the Committee.	
133	Solid Waste Needs	10/7/2019			

Committee of the Whole Log
Updated 10/12/2022

			3/15/2021	<input checked="" type="checkbox"/> Councilman Trey Whitehurst made a motion to approve moving an allocation of \$358,400 from fund balance, for this capital project, forward into this year's budget for Solid Waste. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0). <input checked="" type="checkbox"/> No Action Taken by the Committee.
			7/19/2021	<input checked="" type="checkbox"/> No Action Taken by the Committee.
134	Mental Health	10/7/2019	1/21/2020	<input checked="" type="checkbox"/> No Action Taken by the Committee.
			1/25/2021	<input checked="" type="checkbox"/> No Action Taken by the Committee.
135	Discuss Policy behind reserving County Property	10/7/2019	4/19/2021	<input checked="" type="checkbox"/> No Action Taken by the Committee.
138	Census Discussion	12/16/2019	1/21/2020	<input checked="" type="checkbox"/> No Action Taken by the Committee.
139	Discussion of County Road User Fee and Alternatives	1/6/2020	1/21/2020	<input checked="" type="checkbox"/> No Action Taken by the Committee.
			2/10/2020	<input checked="" type="checkbox"/> No Action Taken by the Committee.
			3/16/2020	<input checked="" type="checkbox"/> Meeting cancelled due to COVID-19 Special Called Meeting.
			7/19/2021	<input checked="" type="checkbox"/> Vice Chairman Roy Costner made a motion to move forward with 1st Reading in Title Only at the next Council Meeting, to keep things the same with the municipalities and do the \$2.2 million, and eliminate the road user fee. Chairman Chris Bowers seconded the motion. Motion carried unanimously (6-0).
			7/26/2021	<input checked="" type="checkbox"/> No Action Taken by the Committee.
			8/30/2021	<input checked="" type="checkbox"/> No Action Taken by the Committee.
140	Discussion on Insurance Options	2/3/2020		
141	UDSO	2/3/2020	3/16/2020	<input checked="" type="checkbox"/> Meeting cancelled due to COVID-19 Special Called Meeting.
			2/16/2021	<input checked="" type="checkbox"/> No Action Taken by the Committee.
142	Discussion on Old Jail	2/3/2020	2/10/2020	<input checked="" type="checkbox"/> No Action Taken by the Committee.

Committee of the Whole Log
Updated 10/12/2022

			8/17/2020	<p>☐ Vice Chairman Chris Bowers made a motion to implement a Memorandum of Understanding, laying out a plan on how Reverend Moss will implement the facility. Motion was seconded Councilman Whitehurst and carried unanimously (6-0).</p>
			3/21/2022	<p>☐ Chairman Chris Bowers made a motion to allocate funding, totaling \$98,000 towards this project at the Old Stockade. Councilman Trey Whitehurst seconded the motion. The motion carried (5-1), with Councilman Alex Saitta opposed.</p>
149	Discussion on Potential Citizen Award	5/4/2020		
150	Sewer Use Ordinance	6/1/2020		
152	Procurement Process	6/1/2020	9/21/2020 2/16/2021	<p>☐ No Action Taken by the Committee. ☐ No Action Taken by the Committee.</p>
157	Scenic Highway Overlay	9/14/2020	9/21/2020 2/16/2021	<p>☐ No Action Taken by the Committee. ☐ No Action Taken by the Committee.</p>
160	Wastewater Disposal Management	11/2/2020	11/16/2020	<p>☐ No Action taken by the Committee.</p>
161	Council Rules	11/2/2020	11/16/2020	<p>☐ No Action taken by the Committee.</p>

Committee of the Whole Log

Updated 10/12/2022

		3/15/2021	<p>■ Councilman Trey Whitehurst made a motion to add in the Council Rules that the Chairman and Vice Chairman be on the agenda conference calls, to add in Rule 2.1 that you can only run for Chairman twice (4 years total), and if there is a vacancy during the Chairman's term, the Vice Chairman will automatically become Chairman to finish the term. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0). ■ Vice Chairman Roy Costner made a motion stating he would like to table this discussion until our next meeting in April, and ask our Attorney to look into the changes made this evening on Council Rules to make sure it is accurate. Motion was seconded by Ensley Feemster and carried unanimously (6-0).</p>
		4/19/2021	<p>■ Councilman Trey Whitehurst made a motion to remove Section 3.5 (C) in the Council Organizational Rules, to replace with Section 2.2 (E). Motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).</p>

Committee of the Whole Log Updated 10/12/2022

162	Ordinance 592- AN ORDINANCE OF THE COUNTY COUNCIL OF PICKENS COUNTY, SOUTH CAROLINA, ABANDONING AND RELINQUISHING MAINTENANCE RESPONSIBILITIES TO CLEMSON UNIVERSITY FOR OLD ROUTE 28 ROAD RIGHT-OF-WAY LOCATED WITHIN THE COUNTY, APPROXIMATELY 50 FEET WIDE, ADJACENT TO AND IS SURROUNDED BY THE REAL PROPERTY ADDRESSED AS 105 OLD GREENVILLE HIGHWAY, CLEMSON, TAX MAP PARCEL NUMBER 4044-18-41-6810; REAL PROPERTY ADDRESSED AS 201 SUNSET AVENUE, CLEMSON, TAX MAP PARCEL NUMBER 4044-18-41-395; A PORTION OF THE CLEMSON UNIVERSITY CAMPUS, TAX MAP PARCEL NUMBER 4053-00-30-0529; AND A DIKE FOR LAKE HARTWELL MAINTAINED BY THE ARMY CORPS OF ENGINEERS.	12/7/2020	1/25/2021	<p><input checked="" type="checkbox"/> No Action taken by the Committee; the Committee asks that this Log item stays until further information is brought back.</p>
163	Committee of 99	12/7/2020	2/16/2021	<p><input checked="" type="checkbox"/> No Action taken by the Committee.</p>
164	Shred Truck Options	1/19/2021	1/25/2021	<p><input checked="" type="checkbox"/> Councilman Wilson made a motion to accept the staff recommendation to discontinue the shredding services, and to communicate it widely throughout the community. Motion was seconded by Vice Chairman Costner and carried unanimously (6-0).</p>
166	2021 Recreation Funding Requests	3/1/2021	10/18/2021	<p><input checked="" type="checkbox"/> Councilman Alex Saitta made a motion to approve the 2021 Recreation Funding Request District 3 for Long Shoals Recreation Area. Motion was seconded by Councilman Ensley Feemster and carried (6-0).</p>
167	2021 Accommodations Tax Funding Requests	3/1/2021	7/19/2021	<p><input checked="" type="checkbox"/> See Minutes for final motions on 2021 ATAX Funding Requests</p>

Committee of the Whole Log
Updated 10/12/2022

		8/30/2021	<p>■ Councilman Henry Wilson made a motion to allocate \$3,000 towards the Pickens County Performing Arts Center project with the SC Entertainment Hall of Fame, in contingent that the Performing Arts Center Foundation Board matches funding. Motion was seconded by Councilman Trey Whitehurst and carried (5-1), with Councilman Alex Saitta opposed.</p>
		10/18/2021	<p>■ No Action taken by the Committee.</p>
		11/15/2021	<p>■ Councilman Trey Whitehurst made a motion to move forward with the fire rings using Jamestown Advance and for county staff to refurbish picnic tables. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).</p>
168	Pickens County Performing Arts Center Foundation Board	3/1/2021	
169	Emergency Services Update	3/1/2021	<p>■ No Action taken by the Committee.</p>
		10/18/2021	<p>■ Chairman Chris Bowers made a motion to add "72 hour carryover limit" for 24/48 hour employees. Motion was seconded by Councilman Henry Wilson and carried (6-0).</p>

Committee of the Whole Log
Updated 10/12/2022

170	501-C3 Boards that Pickens County is currently supporting	3/1/2021	3/15/2021	<input checked="" type="checkbox"/> Councilman Trey Whitehurst made a motion for staff to come up with a format with a formal application for people who are applying for county funds. Motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).
171	AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 34 OF THE PICKENS COUNTY CODE OF ORDINANCES SO AS TO PROVIDE REMEDIES AND PENALTIES FOR ILLEGAL LITTER AND DUMPING IN THE UNINCORPORATED AREAS OF PICKENS COUNTY, AND MATTERS RELATED THEREIN.	3/1/2021	3/15/2021	<input checked="" type="checkbox"/> No Action taken by the Committee.
172	Budget Work Session	4/5/2021	4/19/2021	<input checked="" type="checkbox"/> No Action taken by the Committee.
			5/17/2021	<input checked="" type="checkbox"/> No Action taken by the Committee.
			3/21/2022	<input checked="" type="checkbox"/> No Action taken by the Committee.
			5/16/2022	<input checked="" type="checkbox"/> No Action taken by the Committee.
173	Results of Employee Survey	5/3/2021	5/17/2021	<input checked="" type="checkbox"/> No Action taken by the Committee.
174	Overriding Parks and Recreation Plan	5/3/2021	5/17/2021	<input checked="" type="checkbox"/> No Action taken by the Committee.
175	Council Rules/Council Communication	5/3/2021	5/17/2021	<input checked="" type="checkbox"/> No Action taken by the Committee.
176	Ordinance 533 - 1st Reading In	5/3/2021	5/17/2021	<input checked="" type="checkbox"/> No Action taken by the Committee.

Committee of the Whole Log

Updated 10/12/2022

	Title Only to amend Animal Control Ordinance		8/30/2021	<ul style="list-style-type: none"> ■ Councilman Trey Whitehurst made a motion to amend the ordinance, making the discussed proposed changes, and to send it out of Committee for the next reading. Motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).
177	American Rescue Act Funding	6/7/2021	8/30/2021 9/20/2021 10/18/2021 11/15/2021	<ul style="list-style-type: none"> ■ No Action Taken by the Committee. ■ Chairman Chris Bowers made a motion to use American Rescue Act Funding towards the first bill from the Broadband Project and towards twenty (20) Solid Waste Containers for the Solid Waste Department. Motion was seconded by Councilman Alex Saitta and carried (5-0). ■ Chairman Chris Bowers made a motion to go into executive session to discuss one-time funding for county employees out of American Rescue Act Funding. Motion was seconded by Vice Chairman Roy Costner and carried (6-0). ■ <i>(second motion)</i> Chairman Chris Bowers made a motion to recommend to move forward to council meeting American Rescue Act Funding compensation 5/25/2/1 plan and to exempt county council from the plan. Motion was seconded by Vice Chairman Roy Costner and carried (6-0). ■ Vice Chairman Roy Costner made a motion to use the lost revenue to purchase a bailer for \$750,000. Motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).

Committee of the Whole Log
Updated 10/12/2022

				<ul style="list-style-type: none"> ■ Councilman Alex Saitta made a motion to amend to add a refund of \$75,000 for the Clean Up Pickens Program. Motion was seconded by Roy Costner and carried unanimously (6-0). ■ Councilman Henry Wilson made a motion for staff to create a process for Non-Profits to apply for ARPA funding based on the principles set forth. Motion was seconded by Chairman Chris Bowers. The motion carried (4-2), with Councilman Alex Saitta and Councilman Trey Whitehurst opposed.
178	Hagood Mill MOU	6/14/2021		
179	Consideration Of A Plan From Staff For FY2022 Compensation Adjustments Within Existing Compensation Plan Utilizing Funds (1%) Previously Allocated By Council.	7/12/2021	7/19/2021 7/26/2021	<ul style="list-style-type: none"> ■ No Action Taken by the Committee. ■ Councilman Alex Saitta made a motion to accept the proposal from staff as recommended. Motion was seconded by Councilman Henry Wilson and carried unanimously (5-0).
180	Property Rights Resolution	7/12/2021		
181	First Reading in Title Only of an Ordinance for a Referendum regarding Sunday Alcohol Sales in Pickens County	8/16/2021	11/15/2021 2/22/2022	<ul style="list-style-type: none"> ■ No Action Taken by the Committee. ■ Vice Chairman Roy Costner made a motion to move from Committee to Council meeting for First Reading in Title Only of this Ordinance. Motion was seconded by Councilman Ensley Feemster and carried (5-1), with Councilman Alex Saitta opposed.

Committee of the Whole Log
Updated 10/12/2022

			4/18/2022	<p>☐ Councilman Ensley Feemster made a motion to move out of Committee for third reading. Motion was seconded by Councilman Trey Whitehurst and carried (5-1), with Councilman Alex Saitta opposed.</p>
182	Unified Dispatch Plan from Staff	9/13/2021	9/20/2021	<p>☐ Chairman Chris Bowers made a motion to bring in Liberty City Dispatch for the reasons Chief Gibson explained, for Emergency Services to continue to give updates to Council, and to include the updates in Administrator Roper's report each month. The motion was seconded by Councilman Henry Wilson and carried unanimously (5-0).</p>
			10/18/2020	<p>☐ No Action taken by the Committee.</p>
			2/22/2022	<p>☐ No Action taken by the Committee.</p>
183	Annual Update to Capital Improvement Plan	9/13/2021	11/15/2021	<p>☐ No Action Taken by the Committee.</p>
184	Consideration of Recommendation from Public Service Commission for Provision of Sewer for the Grange Subdivision	9/13/2021	9/20/2021	<p>☐ No Action Taken by the Committee.</p>
185	Consideration of Request from Library Board for Expansion Plans for Hampton Library	9/13/2021	9/15/2021	<p>☐ Councilman Henry Wilson made a motion for the Library to move forward with a design and bring Council a final, confirmed budget of the expansion project. Motion was seconded by Vice Chairman Roy Costner and the motion carried (3-2), with Councilman Trey Whitehurst and Councilman Alex Saitta opposed.</p>

Committee of the Whole Log
Updated 10/12/2022

186	First Reading in Title Only of an Ordinance Amending the Pickens County Code of Ordinances Related to Litter and or Other Property Conditions	10/4/2021		
187	Annual Update to Capital Improvement Plan	11/1/2021		
188	Clemson Paw Partners and County Vet	11/1/2021	11/15/2021	■ No Action Taken by the Committee.
189	Pickens County Medical Control Contract and Review of the Process	11/1/2021		
190	Fire Fee Revenue Structure	11/1/2021	11/15/2021	■ No Action Taken by the Committee.
			1/18/2022	■ Meeting rescheduled to 02/01/22.
			2/1/2022	■ Vice Chairman Roy Costner made a motion to recommend refunding the difference to tax payers who paid more than \$1800 on their commercial fire fee and for Council to continue discussion on fire fee revenue structure for the next budget year. Motion was seconded by Councilman Trey Whitehurst and carried unanimously (5-0), with Chairman Bowers absent during this vote in the meeting.

Committee of the Whole Log
Updated 10/12/2022

191	Provision of County Employee Health Benefits for Upcoming Fiscal Year	1/3/2022	9/19/2022	<p>■ Councilman Henry Wilson made a motion to pursue the fully-insured process as initially stated and see what final opportunities can be resolved in a negotiation process with our broker. Motion was seconded by Councilman Ensley Feemster. The motion carried (4-2), with Councilman Alex Saitta and Councilman Trey Whitehurst opposed.</p>
192	2030 Comprehensive Plan Referral By Council To The Pickens County Planning Commission For Further Public Input And Recommendations	1/3/2022	3/21/2022	<p>■ No Action Taken by the Committee.</p>
193	Consideration of Funding Request from the Pickens Joint Regional Water System	1/3/2022	4/18/2022	<p>■ Councilman Alex Saitta made a motion to accept the Planning Commission Draft Proposal, including the amendments that Council made this evening and to send out of Committee. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).</p>
194	Council Redistricting	1/3/2022	1/18/2022	<p>■ Meeting rescheduled to 02/01/22.</p>

Committee of the Whole Log
Updated 10/12/2022

			2/1/2022	<p>■ Councilman Alex Saitta made a motion to recommend first reading in title only of an ordinance to move forward with the Option 2 Draft Map. Motion was seconded by Councilman Trey Whitehurst and carried unanimously (5-0), with Chairman Bowers absent during this vote in the meeting.</p>
			2/22/2022	<p>■ Councilman Trey Whitehurst made a motion to move proposal #2 out of Committee for second reading. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).</p>
195	AN ORDINANCE TO COMBINE CONSTRUCTION BOARD OF APPEALS AND ZONING BOARD OF APPEALS	2/7/2022	2/22/2022	<p>■ Councilman Alex Saitta made a motion to move out of Committee for third reading. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).</p>
196	Arial Mill Rehab Project	2/7/2022		
197	2022 Recreation Funding Recommendations	3/1/2022	8/15/2022	<p>■ See Minutes for final motions on 2022 Rec Funding Requests</p>
198	2022 Accommodations Tax Funding Recommendations	3/1/2022	8/15/2022	<p>■ See Minutes for final motions on 2022 ATAX Funding Requests</p>
199	Renaming of Law Enforcement Center	4/4/2022	4/18/2022	<p>■ Vice Chairman Roy Costner made a motion to move forward on renaming the Law Enforcement Center based on recommendations. Motion was seconded by Councilman Alex Saitta and carried unanimously (6-0).</p>

Committee of the Whole Log
Updated 10/12/2022

200	Regulatory Discussion on General Property	4/4/2022		
201	AN ORDINANCE AUTHORIZING THE ADVANCE OF FUNDS FROM THE GENERAL FUND OF PICKENS COUNTY TO THE PICKENS COUNTY AIRPORT ENTERPRISE FUND, PROVIDING FOR THE REPAYMENT OF SAID GENERAL FUNDS BY REVENUES AND/OR GRANT FUNDING FROM OTHER SOURCES, AND MATTERS RELATED THERETO.	4/4/2022	4/18/2022	<ul style="list-style-type: none"> Chairman Chris Bowers made a motion to remove the runway resurfacing and the existing taxiway, but move forward as staff recommended. Motion was seconded by Councilman Trey Whitehurst and carried unanimously (6-0).
202	PROCESS FOR ABANDONED ROADWAY	5/3/2022	7/7/2022	<ul style="list-style-type: none"> No Action Taken by the Committee.
203	UPDATING COUNTY TIRE POLICY PER DHEC REQUIREMENT	5/3/2022		
204	DISCOUNTED VETERAN ACCESS TO COUNTY PARKS DISCUSSION	5/3/2022	5/16/2022	<ul style="list-style-type: none"> Vice Chairman Roy Costner made a motion on creating a program with the Veteran Affairs Office for Veterans to be offered discounts to use Pickens County Parks. Motion was seconded by Councilman Henry Wilson. Motion carried unanimously (6-0).
205	AN ORDINANCE TO ESTABLISH STANDARDS AND LIMITATIONS ON FUTURE DEVELOPMENT ON THE SOUTH CAROLINA HIGHWAY 11 SCENIC BYWAY AND MATTERS RELATED THERETO.	6/6/2022	8/15/2022	<ul style="list-style-type: none"> No Action Taken by the Committee.
			9/19/2022	<ul style="list-style-type: none"> Councilman Trey Whitehurst made a motion for this item to stay in Committee and for Staff to bring back the proposed changes in the Ordinance to Council. Motion was seconded by Councilman Henry Wilson and carried (5-1), with Councilman Alex Saitta opposed.
206	SOLID WASTE DISCUSSION	6/6/2022	8/15/2022	<ul style="list-style-type: none"> No Action Taken by the Committee.
207	COUNCIL RULES DISCUSSION REGARDING PUBLIC FORUM COMMENT	6/6/2022		

Committee of the Whole Log
Updated 10/12/2022

208	COUNTY EMPLOYEE HANDBOOK	8/8/2022		
209	COUNTY CONSTABLES AND CERTIFICATION PROCESS	10/3/2022		

PICKENS COUNTY

SOUTH CAROLINA

COUNCIL MEMBERS

CHRIS BOWERS, CHAIRMAN
ROY COSTNER, VICE CHAIRMAN
TREY WHITEHURST, VICE CHAIR PRO-TEM
R. ENSLEY FEEMSTER
ALEX SAITTA
HENRY WILSON



COUNTY ADMINISTRATOR

KEN ROPER

CLERK TO COUNCIL

MEAGAN NATIONS

TO: County Council
FROM: Ken Roper
DATE: 12 October 2022
RE: TUSA Radio Study

Attached is the executive summary from the TUSA study of our county wide radio system. As you can see, the study recommends three options for a county system, all of which greatly exceed any available ARPA funding. Based on these funding levels, I instructed emergency services staff to look at alternatives that would still meet our needs by maximizing both interoperability and coverage. Staff will present our recommended alternative during Monday night's meeting.

Additionally, I have had conversations with representative of Duke Energy and BREC, and both expressed interest in partnering on tower space as they face the same coverage challenges that we experience. At my direction, our planning staff also prepared a recommendation (see attached) regarding our UDSO language, intended to require that new cell phone tower applications before our Planning Commission include dedicated space for public safety communication apparatus.

Thank you for your continued work on this important issue.



tusa Pickens County, South Carolina

Public Safety Communications Needs Assessment & Conceptual Design Phase 1 Executive Summary Report

October 11, 2022



1 EXECUTIVE SUMMARY

TUSA Consulting Services II, LLC (TUSA), a radio consulting firm experienced in the field of public safety communications, was retained by Pickens County, South Carolina to provide professional consulting services associated with the modernization of the County's existing radio communication systems. TUSA has been in business for over 30 years, providing similar assessments as those contained within this report. TUSA has prepared a summary presentation in addition to this report and is ready at the convenience of the County to present our findings and answer any questions about this report at that time.

As part of this analysis, and the subject of this report, TUSA conducted a comprehensive investigation into the current state of the County's and various City radio systems. The County currently operates on eleven (11) separate radio "systems" serving: Pickens County Sheriff's Office (PCSO), various Pickens County Rural Fire and EMS departments, the Cities of Easley, Pickens, Central, Clemson, and Liberty, as well as Clemson University. These systems utilize fifteen (15) sites to provide the collective coverage with more sites licenses than in use today. At the request of the County, not included in this report are the systems and site utilized by the Pickens County School System. To understand the current network, TUSA performed coverage propagation modeling to study the overall coverage of these systems. The study revealed that the current system provides marginal on street coverage and poor in building coverage throughout the County. The system also requires users to learn when a given channel is suitable for use based on the location of the personnel. This is a life safety issue for both the public safety personnel and the public. A user in an emergency should not need to think about whether or not dispatch or other users can communicate with them based on what street they are on or what building they have entered.

As part of our investigation, TUSA also conducted a series of interviews with the radio system stakeholders to gain an understanding of the operational and reliability shortfalls of the existing radio system. TUSA distributed an online survey to the first responder radio user community and received 19 responses. The agency representatives collected feedback from their users and sent in a collective response per agency. We then conducted numerous interviews with various agencies and departments that support operations within the County. Some of the more notable issues cited by radio users include:

Inadequate Radio Coverage – The most complaints were about coverage, particularly with a lack of county-wide coverage inside larger buildings or those with metal roofs. Users are trained to move between towers by changing the channel knob on their radios, and at some point, when they are out of range of a tower, they are forced to communicate radio-to-radio without a repeater to rebroadcast their radio traffic assuming there is another person in range. This prevents this radio traffic from being monitored by dispatch. If a user strays too far from a tower providing coverage, and they are alone, they would not be able to radio for back-up or assistance. Users commented this was detrimental to their operations and a life safety issue.

Audio Quality Issues – Some users complained about audio quality issues stating there can be a lot of static and believe this too has created a life safety issue. Unclear transmissions cause users to try and repeat the message often without additional success and in the meantime, they tie up a very limited resource, the channel being used for the transmission. On larger scenes of incident, this increases the time to provide critical services to the public and can further burden public safety personnel who already operate in inhospitable environments.

Operability and Interoperability Issues – Users expressed concern about operability and interoperability, particularly with neighboring Counties. Operability is defined as communication with other public safety

personnel within a single department followed by communication with other agencies in Pickens County. Interoperability is communication with agencies outside Pickens County. Many command staff must carry multiple radios in a variety of frequency bands in order to have direct communication with other agencies and departments throughout the County. This increases the complexity of an operation as these officers are then required to pass along information from the various overlapping transmissions in addition to running the scene of incident. Further complicating things, due to the surrounding counties being on either the Palmetto 800 in South Carolina, the VIPER network in North Carolina and UHF in Oconee County, Pickens County's first responders do not have the ability to talk with their surrounding neighbors without carrying multiple radios. This lack of direct interoperability extends to federal and state partners. South Carolina state agencies are operating on the Palmetto 800 system and cannot directly talk to the Pickens County personnel without separate radios or multi-band radios in operation in Pickens County. Pickens County is then paying the mutual aid users fee on the Palmetto 800 system to interoperate. With this unnecessary increase to operational complexity, the risk of error or missing information also increases.

Inadequate Radio Features – The user interviews and surveys also revealed there were inadequate radio features. Many users expressed that their radios were lacking feature sets that can be found on modern radio systems. For example, users stated they wanted features like encryption, emergency button, stealth mode, and GPS location. These features improve response times, enable rapid response to personnel life safety issues, and prevent unwanted monitoring of radio traffic that can pose a risk to the public and public safety personnel. These features are very common on modern public safety radio systems.

TUSA also uncovered that few of the radio systems are being properly maintained with some of the RF equipment and auxiliary only serviced when it is in disrepair. A majority of the subscribers in the County have not been properly maintained or had preventative maintenance performed on them. Poorly maintained equipment and subscriber radios will have a negative impact on the service area coverage and the life expectancy of the system overall. The age of much of the equipment is problematic too, with many of the components past end of life. TUSA insists on a layer of resilience to every system design to prevent any single point of failure as much as is possible. Preventative maintenance on a radio system and the user equipment is no different than getting a vehicle service with oil changes, tire rotations, and engine check-ups. Failure to complete these timely, necessary services will ultimately decrease the useful life of the system and reduce its reliability.

It is noted that while the County and Cities have numerous FCC licenses, some are not in use while others are operating at higher powers and at locations in conflict with the license. Greater detail on this and all the issues reported in this document is found in the relevant sections following this executive summary. This variation from the FCC license may result in fines, or worse, being suddenly required to power down or cease operating the relevant equipment causing a communications outage for users operating on those frequencies. Given the already spartan coverage, the loss of any given channel would be a big loss to the County as a whole. These deviations were driven by the poor coverage of the County, with agencies chasing a higher standard through short-cuts. The TUSA designs in this report plan for 25% growth and do not require the County to chase coverage.

Even with the described license deviations, the coverage shortfalls have still not been fully resolved within the current radio infrastructure configuration. TUSA undertook an examination of which tower sites are required to improve coverage reliability/audio quality and which are superfluous and supports these findings by supplied coverage modeling that considers fully mobile radio and hand-carried portable unit on-hip/on-street, residential and in-building operations. TUSA's findings have revealed that a replacement of existing equipment to a standards-based radio system is warranted, and the addition of new towers

required to meet the industry minimum of 95% countywide coverage with a portable radio worn on the hip outdoors. Modern public safety personnel use their mobile (in-car) radios less than in the past and rely more heavily on their portable (in hand). radios requiring this improvement to coverage

This Report provides conceptual radio configuration solutions for Pickens County's consideration. These configurations each take into consideration future growth, emerging technologies, and are structured to support coverage/capacity needs for a 15+ year life cycle. TUSA plans for sites that are hardened to withstand high sustained wind gusts from seasonal storms as well as high volume traffic created during mass events. TUSA designed systems have withstood direct hits from hurricanes and the highest call volume on a given day of any system in the Country. The Report also includes procurement / sustainment budgetary estimates, leveraging fresh information gleaned from recent P25 radio system procurements throughout the United States These three conceptual solutions each directly address the audio quality, coverage, interoperability, and inadequate radio features identified in the report. They allow Pickens County to maintain a single radio system moving forward, instead of multiple radio systems.

. There are three conceptual solutions presented:

- Project 25 UHF Standalone System
- Project 25 800 MHz Standalone System
- Project 25 Palmetto 800 Existing System (with additional sites)

TUSA conceptual solutions are not the final design provided by a given vendor. All estimates here are based on TUSA's experience on other modern radio systems. Ultimately, through the RFP or a negotiated process, the selected vendor will be responsible for their own design including coverage guarantees based on a TUSA specification. This is required to give the County leverage short the actual coverage fall short of the contracted coverage guarantees. For this reason, the exact location of towers may differ in the final design provided by the vender, but the quality, reliability, and resilience will always be included in both the TUSA conceptual solution and final vendor design.

Based on TUSA's work, the following summary outlines the results of the three conceptual solutions. The first solution would utilize eighteen (18) total sites, including new sites and reconfiguration of some of the existing fifteen (15) sites. The other two solutions would utilize twenty-three (23) total sites, including new sites and again, reconfiguration of some of the existing fifteen (15) sites. All solutions come with pros and cons that are detailed in the final sections of this report. These pros and cons should be considered when choosing the next countywide radio system. Some considerations include, who decides how the system is operated and governed, what frequencies are licensable and free of interference, what value is given to CAPEX versus OPEX funding. The following represents the uppermost cost Pickens County may reasonably expect to pay for a given conceptual solution given todays inflated cost of labor, material, and product availability/delays. Given the size of the conceptual solutions, the competitive RFP process may bring deeper discounts than accounted for in this report.

	Number of Sites	CAPEX	15 Year Cost of Ownership (including CAPEX)
Project 25 UHF Standalone System	18	\$37.7M	\$50.3M
Project 25 800 MHz Standalone System	23	\$44.9M	\$59.8M
Project 25 Palmetto 800 Existing System (with additional sites)	23	\$36.9M	\$63.4M

Figure 1: Summary of Conceptual Solutions

Finally, while TUSA recommends a new standards-based radio system be built immediately, we are concerned about the condition of the current radio systems. While building the new shared system which can take more than 18-24 months to complete, these existing systems must continue to support public safety operations. TUSA recommends that all systems and subscribers have a full preventative maintenance performed by a qualified local radio service shop.

TUSA also recommends work be started to correct the deviations from all FCC licenses by modification to the equipment or update to the license to accommodate the changes. This work may avoid fines that can be significant and take away from funds to build the new system.

Moving forward, a system of this complexity and size will require a dedicated person to manage the day-to-day operations and ensure it remains in good working order for the expected life of the system. This person can be a County employee, a contracted person, or a vendor employee. Regardless, this person must demonstrate the ability to keep the system maintained and manage the administrative functions. Failure to have a person in this role will risk the integrity and longevity of the investment in the system and eroded user confidence.

This document represents the Executive Summary only. For the complete report, please reference the 163-page detailed Needs Assessment Report dated May 6, 2022.

Use of New Wireless Communication Facilities to house Pickens County Emergency Services Radio System:

As the new Pickens County Emergency Services Radio System comes online within the next couple of years, staff recommends addressing the location of Antennas.

Staff recommends having antennas be located on all new cell towers that come online within the county. Items staff still needs to identify are height of the towers, equipment room location and generator location. Section 311 of the UDSO will have to be Amended to allow this to happen.

This will be a great solution for the long term, but staff also recommends addressing where these Antennas can be placed now. After discussions with E911, staff suggests the Duke Energy Transmission Line Towers as a possible location. There is already a cell tower on top of one of Duke Energy's transmission towers at Hwy 123 and 153.

Another option is to coordinate with existing tower owners and place our antennas on their towers, as well as an equipment building and a generator. This option may be very restrictive and also expensive. Stand-alone antenna towers for just county equipment are also an option.

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PICKENS COUNTY PLANNING STAFF PROPOSES THE BELOW ADDITION TO THE UDSO:

1205 (j): Policy Regarding Planning Commission Review of Modifications to Approved Projects:

In addition to any requirements described elsewhere in this document, the following circumstances shall necessitate that a project previously approved by the Planning Commission be brought back to the Planning Commission for review:

1. There is a change of use (in any way introducing in any form or altogether deleting a commercial, institutional, or residential use from the project).
2. There is an increase in density greater than 5% of what was approved.
3. There is a decrease in open space by more than 5% of what was approved.
4. There is an increase in vehicular trip generation by 500 or more trips regardless of project size.
5. Change in location of access drive (if not approved by County Engineer).
6. Change in location of structures by more than 35' in any direction.
7. Change in orientation of any structure by an angle greater than 45-degrees.
8. Change in any specific condition previously stipulated by Commission.
9. Other changes deemed substantive by Planning, Engineering, Stormwater, or Emergency Services

STATE OF SOUTH CAROLINA)
)
COUNTY OF PICKENS)

ORDINANCE # _____

WHEREAS Pickens County, South Carolina (the "County") is a political subdivision of the State of South Carolina and is thereby authorized to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and general law of this State, including the exercise of these powers in relation to health and order in counties or respecting any subject as appears to them necessary and proper for the security, general welfare, and convenience of counties or for preserving health, peace, order, and good government in them; and

WHEREAS, as such the County is further authorized by state law to establish and enforce reasonable land use regulations and/or restrictions, official maps, regulations on structures or changes in land use, building sites or open spaces, and other development and/or use standard in order to promote and preserve the public safety, economy, good order, appearance, convenience, prosperity, and general welfare, and

WHEREAS, South Carolina Highway 11 ("HWY 11") follows part of the historic Cherokee Path through the Blue Ridge Escarpment of South Carolina, spanning 118 miles through five counties, including Pickens County and was designated the "Cherokee Foothills Scenic Byway" on June 9, 1998, establishing it as a National Scenic Byway under the Federal Highway Administration (FHWA) to recognize, protect, and promote America's most outstanding roads; and

WHEREAS, in addition to the requirement that a National Scenic Byway must possess characteristics of regional significance within at least one of the intrinsic quality categories of scenic, natural, historic, recreational, archaeological, or cultural, the byway must demonstrate strong community support and a corridor management plan must be developed that describes in detail the preservation, marketing, and improvement strategies for the byway; and

WHEREAS, the Corridor Management Plan was developed in 1997 as a collaborative effort between the Appalachian Council of Governments, the appointed Advisory Committee and various residents and businesses from the Highway 11 corridor area and across the region; and

WHEREAS, the General Assembly of the state South Carolina enacted the Local Government Comprehensive Planning Enabling Act in 1994 that allows for local governments to engage in planning activities; and

WHEREAS, the Unified Development Standards Ordinance of Pickens County (hereinafter the "UDSO") sets forth in Article 1 that its purpose is to conserve and ensure access to the County's natural and scenic resources for future generations to enjoy; and

WHEREAS, Pickens County Council adopted the Pickens County Comprehensive Plan in March of 2022 that states an objective to preserve natural beauty; protect mountain vistas, lakes and river watersheds, and forest preserves; increase green space areas; protect pristine land all in a manner that respects the rights of property owners as well as an objective to continue to protect and market the SR 11 corridor and

the county's lakes and mountains to create economic and recreational opportunities related to recreation and tourism in a way that minimizes impact to these natural resources; and

WHEREAS, Pickens County Council established a vision for the County that emphasizes the importance of protecting and enhancing our unique nature; and

WHEREAS, in furtherance of this vision, County Council authorized a 2020 Branding and Marketing Study by the South Carolina National Heritage Corridor ("SCNHC") to conduct an analysis of our county-wide strengths, weaknesses, opportunities, and threats; and

WHEREAS, one of the key recommendations provided in the SCNHC study was to investigate and consider protections for HWY 11 through the adoption of a scenic overlay ordinance for Cherokee Foothills Scenic Byway; and

WHEREAS, based on the recommendation of the SCHNC study, County Council requested a further study of HWY 11 Corridor by the Appalachian County of Governments ("ACOG"); and

WHEREAS, County Council voted for a Moratorium on development along the corridor until such time as the ACOG-led Corridor Study could be completed and considered; and

WHEREAS, during the study, ACOG and the County's Division of Community and Tourism Development scheduled numerous public meetings to receive public comment from citizens and stakeholders, both in person and online; and

WHEREAS, ACOG completed its study, and presented its findings and recommendations to County Council in April of 2022; and

WHEREAS, the results of the ACOG study and its extensive community engagement resulted in a series of recommendations, including 1) preserving the corridor's natural and remote characteristics of the corridor unique driving experience, 2) buffering and/or sighting residential uses so as to limit impact on the visual characteristics of the corridor, 3) limiting commercial development to maintain the rural and natural features of the corridor, 4) excluding industrial impacts, 5) recognizing and protecting the historic, environmental, and cultural significance of the corridor and its features, and 6) preserve the corridor's unique driving experience; and

WHEREAS, the Pickens County Planning Commission also held a public hearing on the ACOG study and its recommendations, and subsequently voted unanimously to advance and endorse the study's recommendation to County Council; and

WHEREAS, as part of the study and public comments the HWY 11 view shed was identified as a desirable natural asset that should be preserved for future generations and that the preservation of the viewshed can be fostered by methods that require further consideration and/or regulation; and

WHEREAS, as a result of the above referenced recitals, public inputs, studies, and approvals, the County Council of Pickens County has found, and does hereby find, that the preservation of the unique nature of the Natural Heritage Area is in the best interest of the County, its citizens, and the region's natural environment,

and is necessary and proper for the security, general welfare, and convenience of County and/or for preserving health, peace, order, and good government in the County;

NOW THEREFORE, BE IT RESOLVED that the Pickens County Code of Ordinances be amended as follows:

ORDINANCE FOR ESTABLISHMENT OF THE PICKENS COUNTY NATURAL HERITAGE AREA

Section 1. DEFINITIONS

A. Pickens County Natural Heritage Area

1. Natural Heritage Area (hereinafter "THE HERITAGE AREA") is the area bound by a line two (2) miles in a southern direction from the center line of Highway 11 northward to the North Carolina state line. The area is bound by Greenville County on the east and Oconee County on the west. A map of the above described area is incorporated herein and shall be dispositive to any ambiguity in the description as Exhibit A.

B. Heritage Area Buffers

1. Highway 11 Buffer The area 250 feet from the center line of Highway 11 in Pickens County South Carolina. Highway 11 traverses Pickens County approximately 21 miles from Oconee County on the west to Greenville County on the east.
2. Roadway Buffers The area 100 feet from the center line of all public roadways in the Natural Heritage Area (exclusive of the Highway 11 Buffer)

C. Roads

1. Major Roads. Public roads with the classification of 1, 2 or 3 as set forth by Pickens County and more particularly described in Exhibit B.

Section 2. BUFFERS

A. Disturbance Prohibition

1. No development including, but not limited to, all new construction, rehabilitation of construction, maintenance, and remodeling or renovation projects may occur within the buffers as defined in **Section 1. B 1.** and **Section 1. B. 2.**
2. No land disturbance, such as cutting of trees, grading, paving, or other disturbance to the character and heritage of the Natural Heritage Area may occur in **Section 1. B 1.** and **Section 1. B. 2.**

B. Exclusions from Buffer Disturbance Prohibition

2. **Major Road Intersection Exclusion.** The Disturbance Prohibition as set forth in Section 2 herein shall not apply to areas 500 feet from the centerline intersection in all 4 directions of

Major Roads. Should the intersection be of more than two Major Roads then the exclusion shall be 500 feet on each major road.

3. Access Exclusion. The Planning Commission may grant an access exclusion through the buffer upon submission of a site plan and remediation plan submitted by or on behalf of the property owner. The access exclusion shall be for access to property through the buffer. The access exclusion shall be in compliance with the remainder of the restrictions set forth herein.
4. Private Road Exclusion. Roads owned by private individuals or by a Home Owners Association are not subject to the buffers set forth herein other than the area where a private road connects to a public road.

Section 3. NATURAL HERITAGE AREA BUILDING AND SITE DESIGN LIMITATIONS

- A. The requirements herein are applicable to all new construction, rehabilitation of construction, maintenance, and remodeling or renovation projects within the area defined as THE HERITAGE AREA.
- B. Any and all new commercial, residential and/or industrial development in THE HERITAGE AREA is hereby prohibited, except as follows:
 1. Single family residential construction on a parcel five (5) acres or more in size.
 2. Renovation, maintenance, and/or expansion of existing commercial uses provided that any portion of such renovation and/or expansion shall not encroach further toward any road in THE HERITAGE AREA than existing at the time of the passage of this ordinance, and shall otherwise comply with the other provisions contained herein.
 3. Agritourism development as defined by the South Carolina Department of Revenue and as outlined in Section 4 of this ordinance.
 4. Recreational developments and associated amenities in partnership with the Pickens County Department of Parks, Recreation and Tourism.
 5. Other Commercial or Residential uses approved by the Planning Commission in conformance with the character of the Natural Heritage Area and in conformance with all requirements herein. Any such use shall be substantially shielded from view by the Heritage Area Buffers.
- C. Compliance with the requirements set forth in this Ordinance shall be required prior to the issuance of any building, electrical, stormwater, development, and/or land use permit. A temporary permit may be issued if it is demonstrated that work necessary to bring the parcel into compliance with this Ordinance will be undertaken simultaneously with a development, rehabilitation, remodeling, or redevelopment project.
- D. All Land Use Plans and Development Plans must be reviewed by the Planning Commission.

- E. Clearcutting of land is not allowed.
- F. A minimum of 20% of trees in any development or site disturbance in the Natural Heritage Area must be preserved and protected. Approved plans must utilize planting of natural vegetation to preserve the character of the Natural Heritage Area.

Section 3.1. LIMITATION ON BUILDING MATERIALS

All facades of buildings visible from a road in THE HERITAGE AREA, including accessory buildings, must have fenestration and articulation on all sides with the consistent and appropriate materials, detailing, and features:

- A. All buildings shall be constructed of brick, stone, exposed timber, fiber cement siding, wood siding, shingle siding, or other material that is consistent with the natural features of THE HERITAGE AREA. No building shall be covered with sheet or corrugated metal or with vinyl siding. Exterior building materials shall be continued to finished grade of any elevation in accordance with minimum manufacture specifications.
- B. Architectural accent materials located above the roof line shall be constructed of brick, stone, wood, pre-cast concrete, architectural quality steel, fiber cement siding or other high quality, long-lasting material that is consistent with the natural features of THE HERITAGE AREA. Accent materials must be approved by the Planning Commission.
- C. The color of all structures must be those occurring in the natural environment of THE HERITAGE AREA, such as various natural shades and earth tone hues. Neon, unnatural, or fluorescent colors are prohibited. Colors must be approved by the Planning Commission.

Section 3.2. LIMITATIONS ON BUILDING CONFIGURATION

- A. Building facades shall have no more than one hundred (100) feet of frontage on any road in THE HERITAGE AREA and shall not exceed thirty-five (35) feet in height from existing grade at the proposed building site location. Buildings located on steep areas shall conform to hillside topography by stepping or staggering the mass of the proposed structure up or down the slope.
- B. Building masses shall maintain a balance of scale and proportion using design components which are harmonious with natural landforms and landscaping.
- C. Proposed structures shall not be sited atop peaks or silhouetted against the sky when viewed from a road within THE HERITAGE AREA.
- D. Retaining walls visible from any public right of way shall not exceed ten (10) feet in height as measured from grade at face to top of wall. Multiple "stepped" retaining walls whose total height exceeds ten (10) feet must each be offset by at least six (6) horizontal feet. Visible walls shall be colored and textured to complement the background land and vegetation.

- E. Changes in existing elevation and/or slope beyond fifteen (15) degrees from existing and/or natural conditions are hereby prohibited.
- F. Sites with multiple buildings shall have a uniform design and material composition amongst the buildings.

Section 3.3. ARCHITECTURAL LIMITATIONS

Elements of articulation shall be employed on any building visible from any public right-of-way to reduce the apparent bulk and uniform appearance of large buildings, provide visual interest and variety, and reinforce local architecture. A minimum of three (3) articulations of at least twelve (12) inches, fenestration, or change of material for each fifty (50) feet of façade is required.

Section 3.4. ROOF DESIGN LIMITATIONS

The roof of any building shall present a distinctive profile and add interest to larger buildings and complement the character of other buildings included on the same lot or parcel.

- A. All structures with a footprint of three thousand (3,000) square feet or less shall incorporate a pitched roof system; all others shall be constructed of either a pitched, parapet, or mansard roof system (enclosed on all sides).
- B. Standing seam metal roofs shall be constructed of a factory-treated, non-metallic, matte finish. Metal roofs with lapped seam construction, bituminous built-up roofs, and flat, membrane-type roofs which are visible from any public right-of-way shall be prohibited.
- C. All rooftop mechanical equipment and vents greater than eight (8) inches in diameter shall be screened from the line of sight of public rights-of-way, private roads, parking lots, public sidewalks, greenways, and internal pedestrian ways except for instances where site topography precludes reasonable compliance with the minimum screening requirement. Materials used to screen equipment must be compliant with those listed in Section 3.1. This screening, if necessary, shall not be counted towards the thirty-five (35) foot maximum building height.

Section 3.5 PROHIBITION OF FRANCHISE ARCHITECTURE

To maintain the unique character of THE HERITAGE AREA, buildings shall not be constructed or renovated using franchise and/or branded architecture. Any commercial use must follow the standards of this ordinance to remain strictly compatible with the existing topography, features, and character of THE HERITAGE AREA.

Section 3.6. LIMITATION ON SUBDIVISIONS

New developments classified as Major Subdivisions within THE HERITAGE AREA boundary shall use the Master Planned Development (MPD) option set forth in Article 5 of the Pickens County Unified Development Standards Ordinance. MPD are hereby deemed incompatible with the purposes of this ordinance unless and until their siting, placement, and orientation cause them to be excluded from view from any road in THE HERITAGE AREA by either the existing topography and vegetation or sufficient native plant and natural material buffers as described in the relevant sections of the UDSO.

Section 3.7. LIMITATIONS ON PARKING LOTS

Vehicular use areas are defined as any area used for movement, circulation, parking and/or display of any type of vehicle, including but not limited to parking lots, loading and unloading areas and sales service areas. Vehicular use areas under the jurisdiction of this Ordinance must be located behind the front building line and screened with a ten (10) foot Class 2 buffer and shall comply with the following standards:

- A. When a parking lot contains twenty-five (25) or more spaces, an area equal to twenty (20) percent of the total interior square footage of the vehicular use area shall be dedicated to landscaping. The twenty (20) percent landscape requirement is in addition to any required buffers as outlined in this Ordinance and in Article 8 of the Pickens County Unified Development Standards Ordinance.
- B. Landscaped areas shall contain a mixture of native canopy trees, understory trees, evergreens/conifers, and shrubs. Article 8 of the Pickens County Unified Development Standards Ordinance details the minimum standards for plant sizes, substitutions, installation, and maintenance of landscaped areas.
- C. There shall be sufficient canopy trees within and around the vehicular use area to ensure any paved area is within thirty (30) feet of the trunk of a planted or retained canopy tree.
- D. The minimum landscape area for each tree shall be no less than one hundred seventy (170) square feet with four (4) foot minimum distance between all trees and paving at time of planting, measured at the base of the tree.
- E. Any developments with two hundred fifty (250) feet or less of frontage on a road in THE HERITAGE AREA, only one (1) curb cut shall be allowed. Developments with more than two hundred fifty (250) feet of frontage shall be allowed two (2) curbs cuts.
- F. No drive-through windows allowed.

Section 3.8. LIMITATIONS ON EXTERIOR LIGHTING

- A. All outdoor light fixtures shall be fully shielded and Dark Sky Compliant (as defined by the International Dark-Sky Association). A fully shielded fixture must be a full cutoff luminaire or a decorative luminaire with full cutoff optics, and is defined as an outdoor lighting that is shielded

or constructed so that all light emitted is projected below a horizontal plane running through the lowest part of the fixtures.

- B. No flickering or flashing lights shall be permitted.
- C. Fixtures shall be limited to twenty-five (25) feet in height.
- D. Planning staff may require submission of an exterior lighting plan if deemed necessary to ensure compliance with the intent of this Ordinance.

Section 3.9. LIMITATIONS ON SIGNAGE

Signs within THE HERITAGE AREA boundary shall conform to Article 7 of the Pickens County Unified Development Standards Ordinance and shall also be subject to the following standards and prohibitions:

- A. In addition to the signs prohibited in Section 704 of the Pickens County Unified Development Standards Ordinance, the following signs shall be prohibited in THE HERITAGE AREA:
 - 1. Free-standing pole signs;
 - 2. Water towers as advertising;
 - 3. Wall murals as advertising;
 - 4. Any and all off-premise signs, including billboards;
 - 5. Electronic signs;
 - 6. Streamers, pennants, ribbons, spinners and other similar devices;
 - 7. Signs containing reflective elements that sparkle or twinkle in the sunlight; and
 - 8. Signs containing moving parts.
- B. One (1) free-standing monument sign shall be permitted per parcel of land:
 - 1. Single tenant monument signs shall not exceed fifty (50) square feet in area and ten (10) feet in height above the finished grade elevation at the edge of the adjacent public roadway.
 - 2. Multi-tenant monument signs shall not exceed one hundred (100) square feet in area and fifteen (15) feet in height above the finished grade elevation at the edge of the adjacent public roadway.
 - 3. Signs shall be setback ten (10) feet from public rights-of-way and property line(s) and may be located within a buffer yard, however, there shall be no reduction in the planting requirements of any buffer yard.
 - 4. Monument signs shall be constructed of brick, stone or similar materials that are used on the principal building. Landscaping around the base of the sign shall be required.
- C. Permanent signs attached to buildings shall be limited to fifty (50) square feet in size and limited to one (1) per building.

- D. Signs may be externally illuminated. External illumination must be directed downward; text and logo only may be illuminated. Internally lit signs are prohibited.

Section 4. AGRITOURISM ALLOWANCE

- A. Agritourism use is typically an activity that is supplemental and incidental to the primary purposes of the tract's use for agriculture, grazing, horticulture, forestry, dairying, and aquaculture. Agritourism uses are of the character desired in THE HERITAGE AREA and are allowed. Any construction or development including, but not limited to, all new construction, rehabilitation of construction, maintenance, and remodeling or renovation projects must be in conformance with Section 3 above.
- B. For purposes of this section, agritourism uses include, but are not limited to: educational tours, education barns, wineries, on-farm historical reenactments, farm schools, farm stores, living history farms, on-farm heirloom plants and animals, roadside stands, agricultural processing demonstrations, on-farm collections of old farm machinery, agricultural festivals, on-farm theme playgrounds for children, on-farm fee fishing and hunting, pick your own, farm vacations, on-farm pumpkin patches, farm tours, horseback riding, horseback sporting events, cross country trails, on-farm food sales, agricultural regional themes, hayrides, mazes, crop art, harvest theme productions, native ecology preservations, on-farm picnic grounds, dude ranches, trail rides, Indian mounds, earthworks art, farm animal exhibits, bird-watching, stargazing, nature-based attractions, and ecological based attractions.
- a. The Pickens County Planning Department may further define those uses qualifying as agritourism and appropriate definitions for "supplemental and incidental" as used in this section.

Section 5. ESTABLISHMENT OF THE PICKENS COUNTY NATURAL RESOURCE CONSERVATION BANK

Section 5.1. The Pickens County Natural Resource Conservation Bank (hereinafter THE BANK) is hereby established to protect lands with significant natural resources in Pickens County, South Carolina that meet the criteria set forth in Section 5.3 by providing a financial incentive to willing landowners to convey either a conservation easement or fee simple title to eligible recipients.

Section 5.2. RESPONSIBILITIES

- A. Pickens County Community and Tourism Development staff will:
1. Establish guidelines and procedures necessary to establish the BANK;
 2. Develop a ranking system for applications pursuant to the criteria in Sections 5.3;
 3. Receive applications from Eligible Bank Recipients pursuant to Sections 5.3;
 - a. Eligible Bank Recipient means any of the following:
 1. Pickens County;

2. A municipality in Pickens County;
 3. An agency or commission of Pickens County whose mission directly relates to the conservation of lands with significant natural resources;
 4. A not-for-profit charitable corporation or trust authorized to do business in South Carolina and organized and operated for natural resource conservation or land conservation, and having tax-exempt status as a public charity under the Internal Revenue Code of 1986, as amended, and having the power to acquire, hold, and maintain interests in land for these purposes;
 5. Federal, state, and local agencies organized and operated for natural resource protection, or land conservation purposes.
4. Evaluate applications from Eligible Bank Recipients for eligibility in the program pursuant to Section 5.3;
 5. Review and rank applications from Eligible Bank Recipients pursuant to the ranking system;
 6. Submit Eligible Bank Recipients to Pickens County Council for approval; and
 7. Submit an annual report of the BANK to Pickens County Council
- A. Pickens County Council will approve and award grants to Eligible Bank Recipients with such conditions as determined County Council.
 - B. The County Administrator will provide the administrative resources and support needed to operate and manage the BANK.

Section 5.3. CONSERVATION CRITERIA

Pickens County Community and Tourism Development staff shall use the following conservation criteria in developing a ranking system for applications to the BANK.

- A. Environmental Sensitivity
 1. Presence of wetlands;
 2. Frontage on USGS blue line streams;
 3. Water quality classification of stream by the South Carolina Department of Health and Environmental Control;
 4. Presence of threatened and/or endangered species;
 5. Habitat suitable for threatened and/or endangered species;
 6. Habitat suitable for native wildlife species;
 7. Extent of biological diversity viii. Presence of unique geological and/or natural features; or
 8. Percentage of Property Sharing a Boundary with Protected Land
- B. Percentage of Property Containing Prime/ Statewide Important Soil Types
- C. Extent of Active Farming on Property
- D. Extent of Public Visibility of Property
 1. Visibility from public roads
 2. Visibility from public land
- E. Scenic view from property

- F. Extent of public access
- G. Location of property
- H. Threat of development
- I. Size of property

Section 5.4. EMINENT DOMAIN OR CONDEMNATION PROCEEDINGS

The BANK may not be used to acquire interests in lands or other interests in real property through the exercise of any power of eminent domain or condemnation proceedings.

Section 5.5. RECREATIONAL AND ECONOMIC USE

The provisions of this Ordinance shall not be construed to eliminate or unreasonably restrict hunting, fishing, farming, forestry, timber management, or wildlife habitat management, as regulated by the law of this State, upon lands for which interests in lands are obtained pursuant to this Ordinance. These and other traditional and compatible activities may be conducted, where appropriate, upon lands protected with the BANK.

Section 5.6. BANK ACCOUNT

The Pickens County Treasurer shall establish an account for the BANK that is separate and distinct from all other funds appropriated by County Council. The BANK shall receive revenues according to one or more funding measures approved by Pickens County Council. The Council acknowledges and agrees that funding measures shall be undertaken as soon as feasible in order to avoid escalating land costs and lost acquisition and protection opportunities. Any funds not fully expended during the fiscal year shall remain in the BANK and be available for grants in subsequent years unless the Council expressly provides otherwise.

Section 7. LEGAL STATUS PROVISIONS

Section 7.1. AUTHORITY

This ordinance is adopted pursuant to authority conferred by the South Carolina Code of Laws upon Pickens County in Title VI, Chapter 29, Section 710 of South Carolina Code of Laws. Likewise, 4-9-25 of the South Carolina Code of Laws provides counties with the police power to regulate for health, safety and welfare of local citizens.

SECTION 7.2. SEVERABILITY

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part or application so declared to be invalid or unconstitutional.

SECTION 7.3. RELATIONSHIP TO OTHER LAWS

Nothing contained in this Ordinance is intended to relieve compliance with any other Ordinance or law adopted and in effect by Pickens County, South Carolina, or the United States. Where any provision or regulation contained in this Ordinance is in conflict with any other Ordinance of Pickens County, South Carolina the stricter regulation shall apply.

SECTION 7.4. CASE OF HARDSHIP

If any of the provisions or regulations contained in this ordinance impose an undue hardship on any property owner, that property owner has the right to seek relief through the Pickens County Board of Appeals. Variance procedures and criteria for determination of a hardship shall be as specified in the Pickens County Development Standards Ordinance.

SECTION 7.5. ENACTMENT

This Ordinance shall become fully enforced and binding upon its formal adoption by Pickens County, South Carolina.

Passed and approved, this _____ day of _____, 2022.

COUNTY COUNCIL OF PICKENS COUNTY,
SOUTH CAROLINA

Chris Bowers, Chairman of County Council
Pickens County, South Carolina

(SEAL)

Attest:

Meagan Nations, Clerk of County Council
Pickens County, South Carolina