



AGENDA

Planning and Public Works Committee Meeting
Thursday, March 20, 2025, at 12:00 pm
Anderson County Historic Courthouse
101 South Main Street, Anderson, SC
Chairwoman Cindy Wilson, District Seven, Presiding

1. **Call to Order**

2. **Prayer and Pledge of Allegiance**

Hon. Jimmy Davis

3. **Review and Discussion of Townhouse Ordinance**

4. **Review and Discussion of increasing lot size for septic systems where sewer is unavailable**

5. **Discussion of a Requirement for foundation surveys before construction**

6. **Discussion of improved riparian buffer requirement needs**

7. **Old Business**

8. **New Business**

9. **Citizen Comments**

10. **Adjournment**

Tommy Dunn
Chairman, District Five

Chris N. Sullivan
District One

Greg Elgin
District Three

M. Cindy Wilson
District Seven

Brett Sanders
V. Chairman, District Four

Glenn Davis
District Two

Jimmy Davis
District Six

Renee D. Watts
Clerk to Council



Rusty Burns
County Administrator

ORDINANCE NO. 2025-000

AN ORDINANCE TO AMEND SECTIONS 24-138 AND 24-140 OF THE ANDERSON COUNTY, SOUTH CAROLINA, CODE OF ORDINANCES SO AS TO REQUIRE PLANNING COMMISSION APPROVAL FOR CERTAIN DWELLING UNITS; AND OTHER MATTERS RELATED THERETO.

WHEREAS, dwelling units presently defined in Section 24-138 of the Anderson County, South Carolina, Code of Ordinances (hereinafter "Anderson County Code" or "Code") as attached, multifamily, or townhouse are presented to the Planning Commission for approval or rejection if they qualify as a large scale project:

WHEREAS, projects in the aforementioned classifications may have significant impacts upon the general health and welfare of a community;

WHEREAS, the County Council desires that certain projects containing multiple dwelling units should be evaluated by the Planning Commission; and

WHEREAS, the County Council desires that the approval process for certain projects containing multiple dwellings units should mirror the approval process for subdivisions as contained in Article III of Chapter 24 of the Code.

NOW, THEREFORE, be it ordained by the Anderson County Council in meeting duly assembled that:

1. Section 24-138 of the Code of Ordinances, Anderson County, South Carolina is hereby amended to add item (11) to read as follows:

(11) Attached, multifamily, or townhome developments consisting of 14 or more dwelling units or more dwelling units.

2. Section 24-140 of the Code of Ordinances, Anderson County, South Carolina is hereby amended for sub-section (b) to read as follows:

(b) The Commission shall review and evaluate each application with respect only to compliance with all applicable development standards contained herein and elsewhere in this article, except that any application for a project contained within section 24-138 (11) shall be evaluated by the commission in accordance with section 24-335. At the conclusion of its review, the planning commission may find the proposal as being in compliance with all standards and sections contained herein as presented or find the proposal not in compliance with all standards and sections contained herein.

3. The remaining terms and provisions of the Anderson County Code of Ordinances not revised or affected hereby remain in full force and effect.

4. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.

5. All Ordinances, Orders, Resolutions, and actions of Anderson County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

6. This ordinance shall take effect and be in full force upon the Third Reading and Enactment by Anderson County Council.

ORDAINED in meeting duly assembled this _____ day of _____, 2025.

ATTEST:

FOR ANDERSON COUNTY:

Rusty Burns
Anderson County Administrator

Tommy Dunn, Chairman

Renee Watts
Clerk to Council

APPROVED AS TO FORM:

Leon C. Harmon
County Attorney

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

Public Hearing: _____

ORDINANCE NO. 2025-XXX

AN ORDINANCE TO AMEND SECTION 24-432, RELATED TO MINIMUM LOT SIZES, OF THE ANDERSON COUNTY CODE OF ORDINANCES; AND OTHER MATTERS RELATED THERETO.

WHEREAS, the Anderson County Council has the authority to amend ordinances under South Carolina Code section 4-9-25; and

WHEREAS, Anderson County Council desires to amend the Anderson County Code of Ordinances; and

WHEREAS, Anderson County Council wishes to increase the minimum lot size for lots with access to public water and septic tanks from 25,000 square feet for a single lot to 1 acre for a single lot.

NOW, THEREFORE, be it ordained by the Anderson County Council in meeting duly assembled that:

1. That section 24-432(c) of the Code of Ordinances, Anderson County, South Carolina, is hereby amended to read as follows:

The following minimum dimensions apply for lots with access to public water and septic tank:

(1) Minimum area of 1 acre for a single lot, when not in a zoned area of the county. In zoned areas, the applicable minimum area requirements of the zoning ordinance shall apply. Minimum dimensions are subject to approval of lot for septic tank by the county health department. The county health department shall notify the planning commission and the subdivider of its approval in writing. Such notification shall include, at a minimum, information sufficient for identification of the individual lot. Any area within road rights-of-way shall not be included in calculating the minimum acre requirement.

(2) For twin home lots, minimum combined total area of 1 acre, with each lot containing a minimum area of ½ acre. Any area within road rights-of-way shall not be included in calculating the minimum acre requirement. In zoned areas, the applicable minimum area requirements of the zoning ordinance shall apply.

2. All other terms, provisions, sections, and contents of the Code of Ordinances, Anderson County, South Carolina not specifically affected hereby remain in full force and effect.

3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.

4. This Ordinance shall take effect from and after the public hearing and the third reading in accordance with the Code of Ordinances, Anderson County, South Carolina.

ORDAINED in meeting duly assembled this _____ day of _____, 2025.

SIGNATURE PAGE TO FOLLOW.

ATTEST:

FOR ANDERSON COUNTY:

Rusty Burns
Anderson County Administrator

Tommy Dunn, District #5, Chairman

Renee Watts
Clerk to Council

APPROVED AS TO FORM:

Jordan S. Thayer
Anderson County Attorney

First Reading: _____

Second Reading: _____

Third Reading: _____

Public Hearing: _____

Foundation Survey Ordinance

For all building projects which require construction of a foundation, the building permit applicant shall submit a foundation survey after the foundation is poured. The foundation survey shall be provided by a professional surveyor licensed through the South Carolina Department Labor, Licensing and Regulation. The survey shall include the location of all structure under construction as well as existing structures, all property lines, building setbacks lines, buffers, and easements. The survey shall identify the building permit number, the address of the parcel, the parcel TMS number, and also include a magnetic north arrow, graphic scale, legend, and date of the survey. No further work shall be done on the site until a County Building inspector approves the foundation survey.

Draft Language for Anderson County Riparian Buffer Ordinance

Purpose:

Riparian buffers are established to:

- 1) Promote public health by protecting private and public drinking water supplies from excessive non-point source contaminants, including sediment, chemicals, pollutants, and nutrients.
- 2) Support natural resources by enhancing wildlife habitat, including wildlife corridors, fisheries, and the quality of water bodies.
- 3) Prevent and control flooding, storm damage, and erosion through more even dissipation of drainage flows.
- 4) Enhance the scenic and recreation qualities of publicly utilized water bodies; and
- 5) Promote and protect the public health, safety, order, appearance, prosperity, and general welfare.

Generally:

1) Applicability:

- a) Riparian buffers shall apply to all Waters of the State (WoS), including wetlands, for all new development requiring an approval for stormwater management in accordance with the Anderson County Stormwater Design Manual.

2) Exemptions:

- a) Activities with approval by a State or Federal Agency for Sections 401 or 404 of the Federal Clean Water Act.
- b) New development or redevelopment where a larger common plan of development has prior approval of encroachments into riparian buffers.
- c) Man-made ponds, lakes, and ditches which are outside natural hydrologic connectivity and those created for stormwater management under an NPDES permit or Anderson County stormwater management approval.

3) Manual and Specifications:

- a) Applicants must fully comply with "Anderson County Technical Specification WQ-08 Permanent Water Quality Stream Buffers" to receive post-construction water quality credit.

4) Delineation:

- a) All relevant WoS shall be delineated by a certified licensed professional using U.S. Army Corps of Engineers and SCDES's Water Classifications and Standards and shall be shown in the Storm Water Management and Sediment Control Plan along with all riparian buffer areas.

Standards:

1) Riparian Buffer Requirements:

- a) A minimum 50-foot riparian buffer as measured from the top of the stream bank inland on all WoS.

- 2) **No Disturbance.** Within a riparian buffer the existing vegetation shall not be cleared or disturbed. Grading, stripping of topsoil, plowing, cultivating, filling, or storage of materials and machinery are prohibited within the buffer.
- 3) **Encroachments.** The following structures and activities are permitted within the riparian buffer if approved by Anderson County within the riparian buffer:
 - a) Utilities
 - b) Road crossings, bridges, and trails
 - c) Agriculture and Silviculture
 - d) Scientific studies, including water quality monitoring and stream gauging
 - e) Stream restoration projects
 - f) Removal of hazard trees and invasive species
 - g) Docks and bulkheads

WQ-08: PERMANENT WATER QUALITY STREAM BUFFERS

1.0 Permanent Water Quality Stream Buffers

1.1 Description

A Permanent Water Quality Stream Buffer (Stream Buffer) is the area along a shoreline, wetland or stream meant to protect the waterbody. Development is restricted or prohibited in the stream buffer to prevent impacts to the waterbody. In addition, the stream buffer provides the following:

- Protection to the overall stream quality by providing shade for the stream,
- Natural habit for wildlife,
- Removal of pollutants (sediments, bacteria, and nutrients) from stormwater runoff through infiltration and filtering, and
- A setback from the stream to prevent damage to structures or improved property due to flooding or changes in the stream channel.

When a buffer must be disturbed, promptly stabilize it with a dense cover of strong rooted natural grasses, native plants, and native trees.

1.2 When and Where to Use

The most effective Stream Buffers for protecting water quality are those that consist of undisturbed natural vegetation including maintaining the original tree line along the stream , channel banks, or other waterbody to protect the waterbody. The buffer remains undisturbed to the maximum extent practicable. Immediately stabilize any stream buffer area that is temporarily disturbed with a dense cover of strong rooted natural grasses, native plants, and native trees.

1.3 Classification

Major streams, drainage ways and water bodies have Stream Buffer requirements based on the following three (3) classifications:

- Class 1: Streams with a drainage area greater than or equal to 100 acres.
- Class 2: Streams with a drainage area greater than or equal to 300 acres.
- Class 3: Streams with a drainage area greater than or equal to 640 acres.

In addition, Stream Buffers are divided into different sections. The section widths vary depending on the stream classification. The sections include:

- Stream Side Zone: Undisturbed area; adjacent to stream.
- Managed Use Zone: Disturbance limited; adjacent to stream side zone.
- Upland Zone: Some disturbance; farthest from stream.

Table 1 specifies the required buffer and section widths based on stream classification.

Table 1: Minimum Stream Buffer Section Widths

Stream Class	Stream Side Zone (ft)	Managed Use Zone (ft)	Upland Zone (ft)	Minimum Buffer Width on Each Side of Stream (ft)
1	30	20	None	50
2	30	20	15	65
3	30	45	25	100

All buffer measurements are from the top of the stream bank.

1.3.1 Stream Side Zone

The Stream Side Zone is directly adjacent to the stream and remains undisturbed. The vegetative target consists of mature forest. This zone is used to protect water quality and the ecosystem of the stream. In addition, the area is expected to hold flood waters during large storm events. Clearing, grading, or cutting of vegetation is prohibited in this zone, and natural vegetation is preferred. In the event stabilization measures are needed, use natural vegetation.

Allowable disturbances of the Stream Side Zone include:

- Flood control structures,
- Stabilized conveyance channels,
- Stream bank stabilization and restoration,
- Footpaths that do not require tree removal,
- Utility crossings, and
- Road crossings.

1.3.2 Managed Use Zone

The Managed Use Zone is between the Stream Side Zone and Upland Zone. The vegetative target for this zone is managed forest. This zone is used to store floodwaters and help remove pollutants through infiltration. Vegetation removal and tree cutting is limited. Grading activities and fill are prohibited. Maintain a minimum tree density of eight healthy trees at least six inches in diameter per 1,000 square feet. If the minimum tree density is not naturally present, reforestation is encouraged. Native grasses are appropriate in this zone.

Allowable disturbances of the Managed Use Zone include:

- Flood control structures,
- Stormwater best management practices (BMPs) provided that no other practicable alternative location exists on-site and minimal disturbance will take place,
- Engineered vegetated filter areas (that do not require the cutting of trees),
- Stabilized conveyance channels, and
- Walking trails and bike paths that result in no net tree removal of trees a minimum of 6 inches in diameter. When implementing walking trails or bike paths, utilize utility crossings or previously cleared areas when possible.

1.3.3 Upland Zone

The Upland Zone filters runoff and protects the stream. This zone is located farthest from the actual stream banks and grading and certain disturbances are allowed when performed in a manner that does not damage the roots of the trees located in the adjacent Managed Use Zone. Do not place fill material in the Upland Zone unless the replacement of deficient soil is required. Ensure the volume of fill material does not exceed the volume of deficient soil removed. Commercial buildings and homes are not permitted in the upland zone. Forest cover is encouraged, but lawns, gardens, and other ground cover is permissible.

Allowable disturbances of the Upland Zone include:

- Stormwater best management practices (BMPs),
- Level spreaders,
- Engineered vegetated filter areas,
- Stabilized conveyance channels,
- Walking trails and bike paths,
- Personal gardens,
- Decks,
- Gazebos, and
- Storage buildings smaller than 150 square feet.

1.4 Design Requirements

Determine the required Stream Buffer width based on the watershed drainage areas.

Design the Upland Zone to have a level spreader to manage the water quality runoff volume. Ensure the water quality runoff from the level spreader discharges to a 35-foot minimum vegetated filter area width (or a width that achieves 80% TSS removal through the use of a pollutant loading model acceptable to County) before entering the Managed Use Zone.

For Stream Classes Type 2 and Type 3, the Managed Use Zone may be used as the vegetated filter area when:

- The Managed Use Zone consists of an existing dense herbaceous buffer,
- The herbaceous buffer has an existing minimum ground cover of 70%,
- The area is validated by Anderson County during a field site visit, and
- In no cases, trees are cut in the Managed Use Zone to create the required vegetated filter area.

For water quality control, design the level spreader to capture the water quality volume from the site and bypass larger storm flows directly to the receiving water body through a stabilized flow bypass conveyance channel.

For outlet applications, design the level spreader to capture the peak flow for the 10-year, 24-hour storm up to 10 cfs, and bypass larger storm flows directly to the receiving water body through a stabilized flow bypass conveyance channel.

If stormwater quantity management is not addressed by other stormwater controls, then a stabilized stormwater conveyance channel is required for all buffers.

1.5 Maintenance

Stabilize all deposited sediment as soon as possible. Maintain the level spreader and vegetated filter areas as needed.

1.6 Buffer Impacts

Often times, impacts to buffers are unavoidable. In some cases, mitigation is needed to compensate for the impact and in other cases, mitigation is not required. Activities that require mitigation must be approved by Anderson County.

1.6.1 Buffer Impacts Not Requiring Mitigation

- Flood control structures.
- Road crossings.
- Utility crossings.
- Paths and trails in the Managed Use Zones that result in no net tree removal for trees a minimum of 6 inches in diameter.
- Stabilized conveyance channels.
- Stabilized drainage improvements or repairs.
- Domesticated animal trails lost by action beyond farmers' control. Fencing is required to limit and direct animal movement.
- Activities with mitigation or approval by a State or Federal Agency for Sections 401 or 404 of the Federal Clean Water Act

1.6.2 Buffer Impacts Requiring Mitigation

- Filling of the Stream Side or Managed Use Zone.
- Vegetation removal in the Stream Side or Managed Use zones that do not meet the requirements in section 1.3.
- Paved paths in Stream Side Zone.
- Fences and walls requiring tree removal in the Stream Side or Managed Use Zones.

1.6.3 On-Site Mitigation Techniques

In the event that a stream side buffer is impacted, there are several on-site mitigation options that are acceptable upon request. Review and approval is required by Anderson County on a case by case basis.

1.6.3.1 Re-vegetation

For temporary Stream Buffer zone impacts or disturbance, re-vegetate the impacted area with native vegetation species to the pre-disturbed condition for specific vegetation size and species.

1.6.3.2 Installation of Structural BMPs.

Structural BMPs reduce the amount of pollutants that are released into the stream, and are used when impacts to the stream buffer reduce the effectiveness of the buffer. Install the BMPs outside of the Stream Side Zone when practicable. A long term maintenance plan for the BMP is required.

1.6.3.3 Stream Restoration.

Restoration, enhancement, or stabilization of the existing Stream Side Zone on-site may be used when impacts to the stream buffer reduce the effectiveness of the buffer. Restoration, enhancement, or stabilization improvements must be equal to the Stream Buffer footage in need of mitigation.

1.6.3.4 Controlled Impervious Cover.

Limit the impervious cover on the overall development to 24% or less when impacts to the Stream Buffer reduce the effectiveness of the buffer.

1.6.3.5 Open Space Development.

Preserve 50% of the total development area as undisturbed open space when impacts to the Stream Buffer reduce the effectiveness of the buffer.

1.7 Marking Permanent Water Quality Stream Buffer and Final Plat Requirements

Clearly mark the different buffer zones during construction to protect the Stream Buffer and prevent unnecessary disturbance. Prior to the initiating of land disturbing activities, ensure construction layout surveys include staking and labeling of the Stream Buffer. Use a combination of staking, flagging, and/or other methods to ensure adequate visibility of the Stream Buffer during construction activities.

Ensure the final plat shows the exact boundary of all Permanent Water Quality Stream Buffers prepared by a registered surveyor.

Provide visible permanent Stream Buffer boundary markers approved by Anderson County prior to recording the final plat for the property. Ensure the boundary markers are installed in a visible area located on the landward edge of the Stream Buffer. Place boundary markers a minimum of one every 100 linear feet of Stream Buffer. Ensure permanent Stream Buffer boundary markers include the statement "*Water Quality Buffer – Do Not Disturb*". Where possible, attach the permanent boundary markers to trees larger than 6-inches in diameter. Where it is not possible to attach the marker to a tree, use treated wood, steel, or plastic signposts.

Ensure the final plat contain the following statement:

“This property contains a Permanent Water Quality Stream Buffer that must be maintained in perpetuity in accordance with the recorded Operations and Maintenance Agreement by the responsible property owner. No clearing, grading, construction or disturbance is permitted in the Permanent Water Quality Stream Buffer except as permitted by the Permanent Water Quality Stream Buffer Technical Specification and permitted by Anderson County.”