



MINUTES

City of Liberty- Regular Session

June 9th, 2025 – 6:30 pm

Rosewood Center- 419 E Main St. Liberty SC 29657

- **Welcome and Call to Order, Mayor Woods** time: @6:32 pm
All Councilmembers present.
- **Invocation** given by: Councilmember Padgett
- **Pledge of Allegiance**
- **Public Session (Speakers are allowed 3 minutes)**
-Jon Humphrey
- **Motion to Enter Executive Session**
Motion: Councilmember Arms
2nd: Councilmember Whitaker
Discussion: No Discussion
Vote: 7-0
-discussion of employment, appointment, compensation, promotion, demotion, discipline or release of an employee, or an appointment to a public body; (S.C. Code Sec. 30-4-70 (a)(1)) Matters of discussing personnel.

-After returning to regular session, Council may or may not vote or take action on the matter discussed in executive session.
- **Motion to Exit Executive Session**
Motion: Councilmember Graybeal
2nd: Councilmember Arms
Discussion: No Discussion
Vote: 7-0
- **Approval of Minutes –**
May 12th, 2025- Regular Session
Motion: Councilmember Graybeal
2nd: Councilmember Whitaker
Discussion: Councilmember Arms asked if SERV Line will be rescheduled. Ms. Locke explained there was no response.
Vote: 7-0
- **New Business: (1st Readings/ Resolutions)**
-Resolution 2025-03 Resolution designating a SCRWA District 3 Voting Delegate and an alternate voting delegate to represent the City of Liberty.

Motion: Councilmember Shoenleben
2nd: Councilmember Arms
Discussion: No Discussion
Vote:7-0

-Resolution 2025-04 Resolution- Commissioners on Pickens Regional Joint Water System (PRJWS)

Motion: Councilmember Graybeal

2nd: Councilmember Padgett

Discussion: Councilmember Arms motioned to table this resolution due to not having a copy of the resolution to review prior. Councilmember Whitaker 2nd to table this resolution. No discussion. Councilmember Arms and Councilmember Whitaker voted in favor. Councilmember Massie obtained. Councilmember Graybeal, Councilmember Padgett, Councilmember Shoenleben, and the mayor all voted out of favor.

Vote:4-2 Councilmember Arms and Councilmember Whitaker voted no. Councilmember Massie obtained.

Councilmember Graybeal, Councilmember Padgett, Councilmember Shoenleben, and the mayor all voted in favor.

- **Old Business: (2nd Readings)-**

-Ordinance 2025-03 City of Liberty 25/26 City Operating Budget

Motion: Councilmember Graybeal

2nd: Councilmember Shoenleben

No Discussion

Vote:6-1 Councilmember Massie opposed

-Ordinance 2025-04 Rezoning 530 East Main St. (Residential to Neighborhood Commercial)

Motion: Councilmember Shoenleben

2nd: Councilmember Whitaker

Discussion: No Discussion

Vote7-0

- **City/Financial Report-** see attachment

- **City Council Comments –**

- Robbie Shoenleben (Ward 1) No Comments

- Lavant Padgett (Ward 2)- Moose on Main is a great place; contacted grocery stores like Aldis and Lowes groceries, asked to come to liberty. Pointed out Bailee is on vacation this week, but still here doing her job.

- Daniel Graybeal (Ward 3)- Gave his letters to the Council for his resignation; resignation starts June 30th, not required, chose to at his own request. Wants more time with his family.

- Jeff Massie (Ward 4)- No Comments

- Zachary Arms (At-Large)- Thank you who came to Yanks- Shoutout to Yanks for having great service and food. They are doing very well. Excited for the 4th of July. Wants to start from a zero-based budget next year and start next year's budget tomorrow. Thank you, Lavant, for your service for all these terms and years. I have decided not to run again. It has been a pleasure to serve.

- Rhonda Whitaker (At-Large)

Excited and humbled to see the wall that healed and see it come through Liberty.

Mayor's Announcements-

Liberty was honored to welcome *The Wall That Heals*, which made its way through our area and was displayed at Deer Wood Farms just outside of the city limits.

As we look ahead, 4th of July festivities are just around the corner! The carnival will take place on July 3rd from 5:00–10:00 PM. Our *Love My Liberty* Independence Day celebration will be held on July 4th from 6:00–10:00 PM, and the final day of the carnival will be July 5th from 5:00–10:00 PM.

This year, the Pickens County Library held its summer reading program at our City Gym — a great way to support literacy and community engagement.

We're also excited to welcome a charming new coffee shop, The Moose on Main, located downtown. Everything I've tried has been delicious, and it's a great addition to our local business scene.

- **Motion to Enter Executive Session**

Motion: Councilmember Graybeal

2nd: Councilmember Whitaker

Discussion: No Discussion

Vote:7-0

- Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.(S.C. Code Sec. 30-4-70(a)(2)) - this matter concerns city property; and sewer capacity.

-After returning to regular session, Council may or may not vote or take action on the matter discussed in executive session.

- **Motion to Exit Executive Session**

Motion: Councilmember Padgett

2nd: Councilmember Arms

Discussion: No Discussion

Vote:7-0

Mayor Woods gave Thanks to Councilmember Graybeal for his sacrifice of part of his life and willing to be on the hot seat for many terms, all because of his love of liberty.

- **Adjournment**

Motion: Councilmember Graybeal

2nd: Councilmember Whitaker

Discussion: No Discussion

Vote:7-0

Approved: _____

Mayor, Erica Romo Woods

STATE OF SOUTH CAROLINA COUNTY OF PICKENS CITY OF LIBERTY	RESOLUTION NO.: 2025-05_
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A RESOLUTION CONCERNING BUSINESS LICENSES AND HOSPITALITY TAXES FOR CHILDREN PARTICIPATING IN THE CITY-SPONSORED EVENT EDUCATING AND PROMOTING ENTREPRENEURSHIP AMONG CHILDREN IN THE COMMUNITY ON SEPTEMBER 20th 2025.

WHEREAS, the City plans to hold an event creating an opportunity for children in the community to learn about, demonstrate their skills, and enjoy retail business sales to the public; and,

WHEREAS, participation in the event will be limited to children aged 17 and under; and,

WHEREAS, the event will take place on a single day and will not include persons regularly conducting business within the City of Liberty; and,

WHEREAS, as part of the educational aspect of the event, it appears appropriate to require that the participating children apply for and obtain business licenses and pay hospitality taxes as may be applicable; and,

WHEREAS, rather than discourage youth from participating in the event by requiring annual business licenses, it further appears necessary and appropriate to set a *de minimus* rate for purchase of one-day business licenses and to also set a reduced rate for payment of hospitality taxes by participating children; and,

NOW, THEREFORE, BE IT RESOLVED by City Council, duly assembled with a quorum present, as follows:

1. The clauses above are adopted by reference as if fully recited again herein; and,
2. The rate applicable to business licenses issued to children participating in the one-day event shall be one dollar (\$1); and,
3. The hospitality tax applied to sales by participating children shall be one-half of one percent of covered sales of prepared food and/or beverages; and,
4. These rates shall only be in effect for the one-day City-sponsored entrepreneurship event.

IT IS SO RESOLVED.

SIGNED, SEALED, AND DELIVERED THIS ____ DAY OF AUGUST 2025.

CITY COUNCIL:

Erica Romo Woods, Mayor

ATTEST:

Bailee Locke, Clerk of Council

STATE OF SOUTH CAROLINA COUNTY OF PICKENS CITY OF LIBERTY	RESOLUTION NO.: 2025-0^b__
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A RESOLUTION CONCERNING THE CITY-SPONSORED YARD SALE SCHEDULED FOR SATURDAY, AUGUST 23 FROM 8 A.M. TO 12 P.M. ON SOUTH COMMERCE STREET.

WHEREAS, the City has scheduled a City-sponsored event creating the opportunity for a community Yard Sale; and,

WHEREAS, this event is a four-hour event intended to provide an opportunity for the sale of personal goods, although commercial sellers are also invited to participate; and,

WHEREAS, the event is also intended to draw customers into the downtown commercial district to shop the Yard Sale, and also to encourage them to enjoy the goods, services, and meals available at local businesses afterwards; and,

NOW, THEREFORE, BE IT RESOLVED by City Council, duly assembled with a quorum present, as follows:

1. The clauses above are adopted by reference as if fully recited again herein; and,
2. Business licenses will not be required for participation in the City-sponsored Yard Sale; and,
3. However, food trucks or other entities regularly operating commercial sale of prepared foods and beverages will be responsible for remitting hospitality taxes and for their compliance with all applicable State laws and regulations.

IT IS SO RESOLVED.

**SIGNED, SEALED, AND DELIVERED THIS ____ DAY OF
AUGUST 2025.**

CITY COUNCIL:

Erica Romo Woods, Mayor

ATTEST:

Bailee Locke, Clerk of Council

STATE OF SOUTH CAROLINA}
COUNTY OF PICKENS}
CITY OF LIBERTY}

ORDINANCE #2025-06

AN ORDINANCE

WHEREAS, the Mayor and Council being Duly assembled on this ____ day of _____ 2025, do hereby create an ordinance to annex the following one (1) real property into the City of Liberty:

WHEREAS; the one (1) real property owner of 100% of the property described herein did file one (1) petition requesting annexation of their one (1) parcel, with the City Administrator to become a part of the City of Liberty, and;

WHEREAS; said the petition did contain the signature of the one (1) property owner of the described territory herein, with a map of the said property showing that it is contiguous to the corporate limits of the City of Liberty and.

WHEREAS; the governing body did determine that it is in the public interest that said property be annexed into the City of Liberty and it did further determine that all legal requirements for annexing said real property has been met, pursuant to Section 5-3-150(3), South Carolina Code of Laws, 1976;

WHEREAS; any portions of public rights-of-way abutting the above-described property will also be included in the annexation;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF LIBERTY, SOUTH CAROLINA; being duly assembled, do hereby annex the property as shown on PICKENS COUNTY'S GIS MAP as:

TMS: 4097-13-13-5497

as shown in Exhibit A (attached). Parcels numbers 4097-13-13-5497. Privately owned, and will be zoned **501(a). - MRD Medium Density Duplex Residential District** after annexation:

NOW, THEREFORE; the said real property as described above shall become a part of the corporate limits of the City of Liberty, South Carolina upon second reading and final reading of this ordinance;

Adopted this ____ day of _____ 2025.

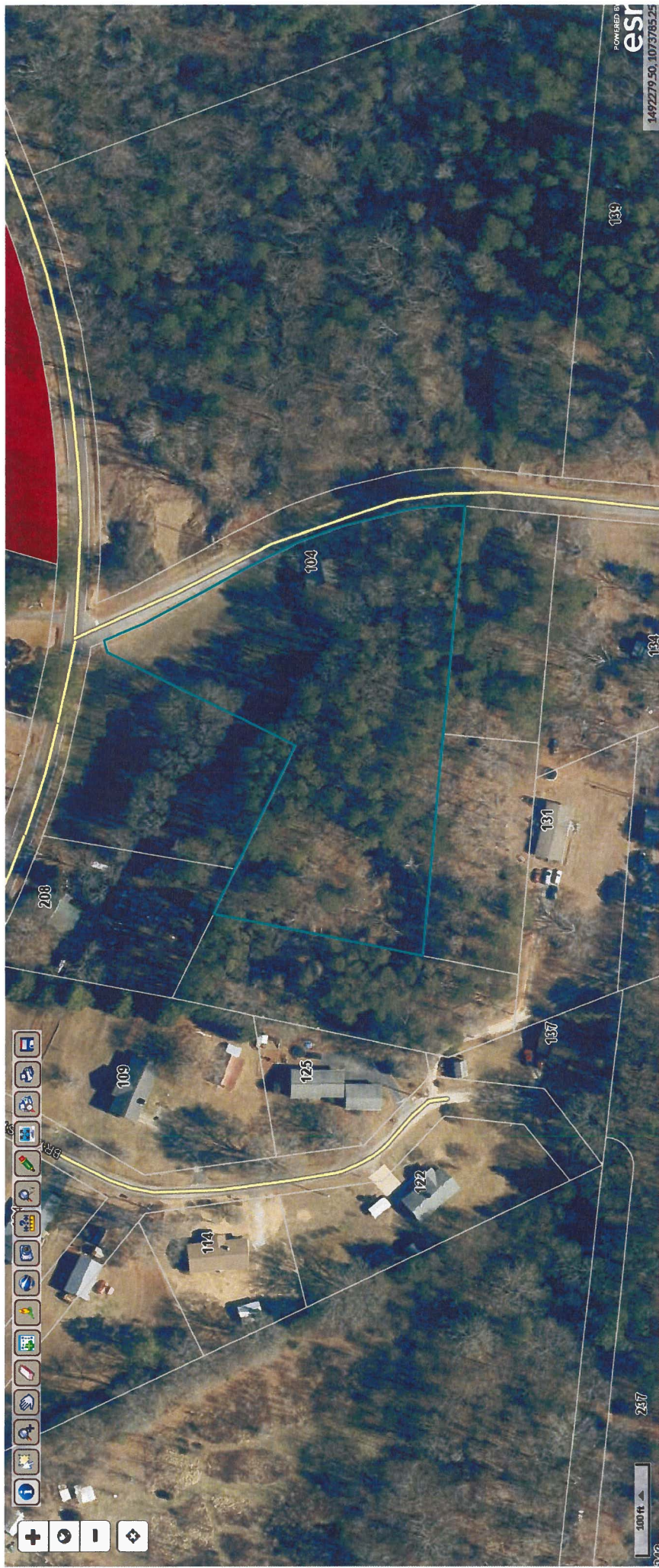
Mayor of the City of Liberty

ATTEST:

1st Reading_____

2nd Reading_____

City Clerk



Parcel ID	4097-13-13-5497	Ownership	CARVER CAMERON	Documents	
Account No	R0097591	Class	151 POSEY HILL RD	Date	12/18/2024
Property Address	104 POSEY HILL RD	Acres	LIBERTY, SC 29657-0000	Price	\$1
District	A12-Liberty	LEA Code	0039	Doc	2757/266
Brief Tax Description	E/SIDE POSEY HILL PLAT 621/189 TRACT-1	Value	\$229,900	Vacant or Improved	Improved
					n/a
					n/a

(Note: Not to be used on legal documents)

100 PERCENT PETITION FORM

TO THE MAYOR AND COUNCIL OF THE CITY OF LIBERTY:

The undersigned, being 100 percent of the freeholders owning 100 percent of the assessed value of the property in the contiguous territory described below and shown on the attached plat or map, hereby petition for annexation of said territory to the City of Liberty by ordinance effective as soon as hereafter as possible, pursuant to South Carolina Section 5-3-150(3).

The territory to be annexed is described as follows: acct# R0097591
parcel id# 4097-13-13-5497
as shown on Pickens County GIS map and shown as Exhibit "A" attached.

Signature: Cameron Carver (must owner or authorized agent)

Print Name Cameron Carver Date 7/2/25

Signature: _____ (must be owner or authorized agent)

Print Name: _____ Date _____

Street Address of Property: 104 Posey Hill Rd, Liberty, SC 29657

ABOVE PORTION MUST BE COMPLETELY FILLED OUT BY VERIFIED OWNER

FOR MUNICIPAL USE:

Petition received by: Dana Chastain Date: 7/2/25

Description and Ownership Verified by: Bailee Locke Date: 7/2/25

Recommendation: Council to annex property into City of Liberty,

to be zoned: S01 (a) MFD Medium Density Duplex Residential District

By: [Signature] Date: 7/2/25

First Reading Date 8/11/25 Second Reading Date 9/8/25

Approved _____
(Date)

Denied _____
(Date)

10/12/1912

10/12/1912

10/12/1912

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10/12/1912



Joins in-city property @ 208 Five Forks Rd

CITY OF LIBERTY, SOUTH CAROLINA

ORDINANCE #2025-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, SOUTH CAROLINA, REZONING A PARCEL OF PROPERTY LOCATED ON THE EAST SIDE OF OLD NORRIS ROAD BEARING TAX MAP NUMBER #4087-12-75-9744 FROM BI (BASIC INDUSTRIAL) TO RM-8 (RESIDENTIAL, MULTI-FAMILY).

WHEREAS, the property in question ("Property") is owned by Monarch Marking System/Avery Dennison Corporation, consists of 19.2 acres located on the east side of Old Norris Road, and bears tax map number #4087-12-75-9744; and,

WHEREAS, the Property is currently located in a BI zoning district, and is a parcel of undeveloped land with standing timber; and,

WHEREAS, in accordance with Liberty City Code Sec. 1002.1, the Property owner, through its representative, Arbor Land Design/TRG Communities, has requested that the Property be rezoned to RM-8, for the purpose of permitting residential development; and,

WHEREAS, in response to this request, the City posted notice of the request on the Property beginning June 19, 2025, in accordance with S.C. Code §6-29-760(A) and Liberty City Code Sec. 1002.3;

WHEREAS, in accordance with Liberty City Code Sec. 1002.3, notice of the rezoning request and the scheduling hearing before the Planning Commission was also published on July 16, 2025, in the Pickens County Courier; and,

WHEREAS, in accordance with S.C. Code §6-29-760 and Liberty City Code Sec. 1002.3, the Liberty Planning Commission held a public hearing on August 6, 2023, subsequently considered the request for rezoning of the Property, and voted to recommend to Council that the request for rezoning be granted; and,

WHEREAS, the Planning Commission directed its Staff Planner to prepare and submit a report to Council containing its reasoning and recommendation in accordance with Liberty City Code Sec. 1002.3; and,

WHEREAS, the Planning Commission report concluded that the requested rezoning would fit well into the surrounding area, which is currently occupied by a mix of various uses and potential uses, including, a church, vacant industrial parcels, and vacant residential parcels, in addition to other residential and industrial uses, and noted that all other industrial uses are located on the opposite side of the street from the Property; and,

WHEREAS, the intent of the RM-8 district is to promote medium to high-density residential development, subject to applicable regulations designed to maintain a stable, healthy environment allowing several

types of multi-family dwellings, currently including single-family dwellings, duplexes, and apartment complexes; and,

WHEREAS, the Liberty City Council has received and carefully considered the request for rezoning; has reviewed the current uses of parcels in the surrounding area, is familiar with the intended goals and permitted uses of the BI and RM-8 districts; has reviewed the Planning Commission report and recommendation; and has taken into consideration the need for various types of housing in the City; and,

WHEREAS, it appearing in the best interests of the City, its residents, and businesses, as well as the City's future residents and businesses, for the Property to be rezoned as requested; and,

NOW THEREFORE, it is hereby found, decided, declared, and ordained by the City Council of the City of Liberty, South Carolina, duly assembled and with a quorum present, that:

1. The recitals above are incorporated by reference as if fully set forth herein;
2. The Property shall be rezoned from BI to RM-8;
3. In accordance with Liberty City Code Sec. 1002.4, the official zoning map of the City shall be amended in accordance with this ordinance;
4. The Clerk is directed to keep a written record of the rezoning and the change to the official zoning map, as required by Liberty City Code Sec. 1002.4; and,
5. The Clerk is directed to notify Pickens County of the rezoning and change to the zoning map, including, but not limited to, the Assessor, the GIS Department, and any other departments or officials as may be required by the County.

IT IS SO ORDAINED this the ____ day of _____ 2025.

ATTEST:

Bailee Locke, Clerk of Council

Erica Romo Woods, Mayor

First reading:

Second reading:



To: Mayor and Council
From: Jennifer Vissage
Date: August 7th, 2025
Re: Old Norris Road Rezoning TMS #4087-12-75-9744

The Planning Commission met on August 6th to discuss the rezoning of the vacant property on Old Norris Road. The applicant is asking to rezone from Industrial to RM-8 (Multi Family), and the proposed development would be approximately 110 Townhomes. The Planning Commission held a public hearing and took public comments. Four residents signed up and spoke against the rezoning. The meeting minutes and staff report are attached for your review. The Planning Commission voted 3-0 to make a recommendation to council to approve the rezoning request.



City of Liberty Planning Commission Special Called Meeting & Public Hearing
August 6th, 2025 6 PM
Meeting Minutes
DRAFT

Members Present:

Hester Elrod
Karin Shore
Jon Humphrey

Staff Present:

Jennifer Vissage

Opening Comments

Chairperson Elrod opened the meeting at 6 PM, and a quorum was established. There were no opening comments.

Pledge and Moment of Silence

Mr. Humphrey led the Pledge of Allegiance and a moment of silence.

General Comments

Mr. Humphrey asked staff to explain who was responsible for stormwater inspections on new development. Mrs. Vissage stated that Pickens County is no longer managing the stormwater for the municipalities and that the city was working on how to manage inspections. She stated that she would contact Bailee and Austin to see what the plan is and get back to the commission about it.

Review of June 30th, 2025, Meeting Minutes

Chairperson Elrod asked if the board members had reviewed the minutes of the June 30th meeting and asked for any revisions. Mr. Humphrey asked for one revision, and Mrs. Shore made a motion to approve the amended meeting minutes. Mr. Humphrey seconded the motion, and the board voted unanimously to approve the meeting minutes.

Rezoning Request – Old Norris Road (Industrial to RM8) TMS 4087-12-75-9744

Austin Allen of Arbor Land Design and Daniel Spivey of TRG Communities presented their rezoning request for the property located on Old Norris Road. The rezoning request is to change the 19-acre property from Industrial to RM-8 (multi-family residential). The proposed plan would include approximately 110 townhomes on 2500 square foot lots. They will be owner-occupied units with an amenity section.

Chairperson Elrod asked if the lots would be separated deeded lots, and Mr. Allen stated yes. She also asked about entrances to the development. Mr. Allen stated that a traffic impact study will be conducted to address entrances on Old Norris, including emergency access. Mrs. Elrod stated that the city's subdivision regulations state that if there are 51 or more units, two entrances would be required.

She has concerns with the two entrances in that small area. Mr. Allen said that if allowed, by variance, the entrance could be widened to allow for bigger entrance.

Mrs. Shore asked if there would be a separate construction entrance. Mr. Allen stated it would be the same as the main entrance.

Mr. Humphrey asked if they had had a discussion with the school district and what the impact may be on the schools. Mr. Allen stated they did not because it was not required but would be glad to contact the school district. Mr. Humphrey asked if work was already happening because he had seen grading equipment on the property. Mr. Allen stated that a few months ago they did soil testing on the property, but was not aware of any other work on the property. Mr. Humphrey asked about how the cell tower near the property would impact the development. Mr. Allen stated that the title search did not confirm the fall circle of the cell tower, and they would need to do more research.

Mr. Spivey stated that they do not have all the answers but please do not take that to mean that they did not care. They are still in the preliminary stages of the process and are willing to get the answers that are needed.

Mr. Humphrey asked about sewer capacity concerns. Mr. Allen stated they have been in contact with the city engineer, who confirmed that sewer and water capacity were available for this project. He stated he would share it would the planning commission and council.

Chairperson Elrod opened the meeting for public comment.

Angela Adams (206 Summit Drive) is all for affordable housing because there is a need for it in the City of Liberty. But she does not feel this type of development is right for this property. She has concerns about the railroad and cell tower safety, and feels this would not be ideal for families. She is concerned about the impact on the sewer capacity of the city. She would rather have a low-density single-family development with buffers and septic tanks.

Robert Miller (600 Old Norris Road) lives right across from the property. He wanted to know why there were no site plans before a decision is made. Was it going to get approved and then let the developers do whatever they wanted? He wanted to know if they could share other projects that have been completed. He felt it would be better as single-family homes. He asked the commission to ask what they would want across from your property.

Peggy Melton (10 Stone Street) has concerns about traffic, especially during school traffic. She is also concerned about the water and how it will affect the water pressure. She has sewer concerns with the current dilapidated lines. She is also concerned about privacy and wildlife.

Bill Knight (309 Griffin Circle) felt that the property should be single family homes and not multi family. He has traffic concerns.



Chairperson Elrod stated the board would address some of the concerns that were raised by the public comments. First, wildlife concerns need to be addressed. She also stated that the five different schools could be impacted by this development.

Mr. Humphrey stated that wildlife is a concern, but growth does equal wildlife relocation. He is concerned about schools.

Mr. Allen stated that septic tanks cannot be an option because the state regulations state that if there is access to sewer, the development must join. Sewer is available so septic tanks would not be an option on the property.

Mr. Humphrey asked if site plans are needed to make this decision. Mr. Allen stated that a feasibility study has been done because site plans are not usually required with straight zoning versus development agreements. The developer does have a conceptual plan they are willing to share but things could change. Mrs. Vissage stated that the plans would be submitted for review by staff and the planning commission after the rezoning process has been completed.

Mr. Humphrey asked if there is a possibility of rezoning it to a different district because he concerns is that apartments could be allowed in RM-8. He is concerned if the developer changes their mind or sells it is a different developer, apartments could be allowed and could not be stopped with the rezoning. Mrs. Vissage stated 501(a) Medium Density could be a possibility, but that would have to wait until the zoning ordinance update is completed. The planning commission had changed the permitted uses of 501(a) to allow for townhomes, but the update will not be adopted for a few more months.

Daniel Spivey stated that there is no plan for apartments because their company does not build apartments. He stated that if anyone would like to look at their projects, their website is www.trgcommunities.com.

Mr. Shore stated she does understand concerns, but everything is growing. She understands people want single-family homes but there are only so many single-family homes that you can build. She likes the idea that the developer is trying to bring something new and different to the City of Liberty.

Chairperson Elrod stated she wants to see growth. However, the number of units is concerning. However, she does want the rezoning to residential because she would rather see residential than an industrial plant.

Mrs. Shore made a motion to recommend approving the rezoning request from BI to RM-8 (Multi-Family Industrial). Chairperson Elrod seconded the motion, and the board voted unanimously to recommend approval.

Chairperson Elrod stated that the planning commission loves the City of Liberty and wants to do what is best. They did not want to see industrial use, and at this point, it is the only choice they had.

Mrs. Vissage stated that the process for the rezoning is not complete. The next step is for the city council to have two readings on the rezoning request. If the council passes the rezoning, the site plans would be reviewed by all staff and the planning commission before the development could begin. It would have to meet all subdivision regulations.

Zoning Ordinance Update

The Planning Commission reviewed the current zoning map and did not find anything that needs to be changed now.

Other Business

The Planning Commission will meet at their regularly scheduled meeting on August 26th to discuss the core commercial changes that the council suggested. A public hearing will be held.

The Planning Commission will meet at their regularly scheduled meeting on September 23rd to have a public hearing for the zoning ordinance update.

Adjournment

Mr. Humphrey made a motion to adjourn, and Ms. Shore seconded the motion. The board voted unanimously to adjourn.



City of Liberty Planning Commission Staff Report

August 6th, 2025

Report By: Jennifer Vissage, Planner
Applicant: Arbor Land Design/TRG Communities
Owner: Monarch Marketing System/Avery Dennison Corporation
Request: Rezoning Request from Basic Industrial (511) to Residential, Multi Family (502)
Property Location: Old Norris Road
Zoned: Basic Industrial (511)

Basic Industrial District.

511.1 *Intent of District.* The intent of the BI, Basic Industrial, District is to promote the development and continued use of land for basic or primary industrial purposes, which involve extensive manufacturing, processing, or assembly operations; and to preserve undeveloped sizable tracts of land with industrial potential for industrial uses.

RM-8 Residential, Multi-Family District.

502.1 *Intent of District.* It is the intent of this section that the RM-8 Zoning District be developed and reserved for medium-to-high density residential purposes. The regulations that apply within this district are designed to encourage the formation and continuance of a stable, healthy environment for several different types of multi-family dwellings and to discourage unwanted encroachment of commercial, industrial, or other uses capable of adversely affecting the residential character of the district.

Background:

The property is currently a vacant 19-acre parcel that is zoned Basic Industrial. It is surrounded by a church, vacant industrial lots, vacant residential lots as well as other residential uses and industrial uses. It is across the street from all industrial uses. The applicant would like to rezone the property to RM-8 to plan for residential development. The permitted uses in 502 include single-family, duplexes, and apartment complexes in the current zoning ordinance. The proposed changes in the zoning ordinance update would also allow townhomes and patio homes.

Staff Recommendations:

Staff recommends that the planning commission approve the rezoning request from industrial to residential. It will fit in the area with the other residential uses. Staff feels that residential use would be better than any industrial use for the surrounding residential areas.



City of Liberty Planning Commission Staff Report
June 30th, 2025

Report By: Jennifer Vissage, Planner
Applicant: Arbor Land Design/TRG Communities
Owner: Monarch Marketing System/Avery Dennison Corporation
Request: Rezoning Request from Basic Industrial (511) to Residential, Multi Family (502)
Property Location: Old Norris Road
Zoned: Basic Industrial (511)

Basic Industrial District.

511.1 *Intent of District.* The intent of the BI, Basic Industrial, District is to promote the development and continued use of land for basic or primary industrial purposes, which involve extensive manufacturing, processing, or assembly operations; and to preserve undeveloped sizable tracts of land with industrial potential for industrial uses.

RM-8 Residential, Multi-Family District.

502.1 *Intent of District.* It is the intent of this section that the RM-8 Zoning District be developed and reserved for medium-to-high density residential purposes. The regulations that apply within this district are designed to encourage the formation and continuance of a stable, healthy environment for several different types of multi-family dwellings and to discourage unwanted encroachment of commercial, industrial, or other uses capable of adversely affecting the residential character of the district.

Background:

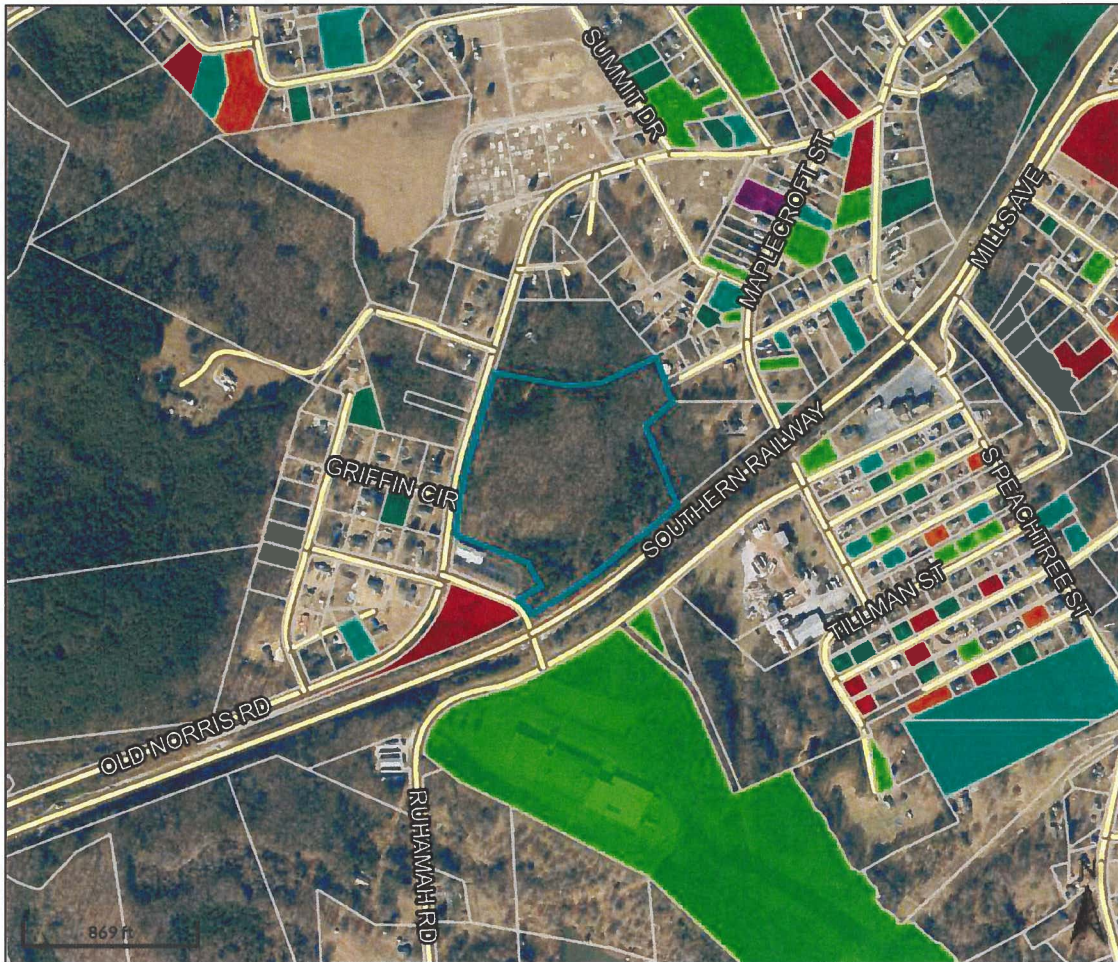
The property is currently a vacant 19-acre parcel that is zoned Basic Industrial. It is surrounded by a church, vacant industrial lots, vacant residential lots as well as other residential uses and industrial uses. It is across the street from all industrial uses. The applicant would like to rezone the property to RM-8 to plan for residential development. The permitted uses in 502 include single-family, duplexes, and apartment complexes in the current zoning ordinance. The proposed changes in the zoning ordinance update would also allow townhomes and patio homes.

Staff Recommendations:

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Pickens County, SC



Overview



Legend

- Parcels
- Yearly Sales
 - 2025
 - 2024
 - 2023
 - 2022
 - 2021
 - 2020
- Roads

Parcel ID	4087-12-75-9744	Account	Vacant	Ownership	MONARCH MARKING	Documents			
Account No	R0021501	Type	Land		SYSTEM	Date	Price	Doc	Vacant or Improved
Property		Class	n/a		8080 NORTON PKWY				
Address		Acreage	19.22		220 TAX DEPT	12/11/1989	\$1	135 / 353	Vacant
District	2-Liberty	LEA	0012.5		MENTOR, OH 44060	n/a	\$	L	n/a
Brief	E/SIDE OLD NORRIS RD	Code							
Tax Description		Value	\$240,300						

(Note: Not to be used on legal documents)

Date created: 6/24/2025

Last Data Uploaded: 6/24/2025 1:04:17 PM

Developed by  **SCHNEIDER**
GEOSPATIAL



Application for Rezoning
\$50 Fee

Applicant

Name Arbor Land Design (Austin Allen) / TRG Communities (Daniel Spivey)
49 Greenland Dr. Greenville, SC 29615 / 607 Pendleton
Mailing Address St. Ste 200 Greenville, SC 29601
864-230-6232 / ama@aldllc.net /
Telephone Number 843-834-4111 Email Address dspivey@trgcommunities.com

Property Owner (if other than Applicant)

Name Monarch Marking System / Avery Dennison Corporation
Mailing Address 8080 Norton Parkway Mentor, OH 44060
Telephone Number 843-834-4111 Email Address terri.melkonian@averydennison.com

Property Information

Address E. Side of Old Norris Rd Liberty, SC 29657
Tax Map Number 4087-12-75-9744 Existing Zoning Industrial
Current Use of Property Vacant
Acres: 19.22 Lot Dimensions 920' x 977'

Property Characteristics

— This property sits vacant and consists entirely of standing timber.

— Property Size 19.22 acres

Proposed Zoning: RM-8 Proposed Use of Property Residential

Reasons for request/supporting information and justification to be listed in the staff's report and evaluation

We are requesting a rezone from Limited Industrial to RM-8
in order to allow Residential Development on this parcel.

CHECKLIST

 \$ Fee
 seven (7) copies of the current plat of the property
 a legal description of the property

I certify that all of the information presented by me in this application is accurate to the best of my knowledge and belief.

Signature



Date

6/19/25

For Office Use Only

Completed Application Received

PC Approved PC Disapproved

Fee \$

City Council 1st Reading

City Council 2nd Reading

Approval Signature:

Application Number

Date of PC Meeting

Date of Public Hearing

Special Events

Shows: For purposes of this ordinance, a show (exhibit) is a group participation event in which exhibitors display in individual booths, stalls or any other specific division of an exhibit area, for the purpose of presenting to an audience, goods, wares, merchandise or services offered for sale, rent, promotional purposes, or for the general good will of the exhibitors. Shows generally are of two (2) types: trade shows and public shows.

(1) Trade Show: For purposes of this ordinance, the term "trade show" means an exhibition or show:

- i. To which the public generally is not invited;
- ii. Where those participating as exhibitors or observers generally have a common business or other interest;
- iii. Where registration of exhibitors and observers is structured and admission is restricted; and
- iv. Where on-floor sales are not the primary purpose.

(2) Public Show: For purposes of this ordinance, the term "public show" means any type of consumer-oriented show or exhibition:

- i. To which the public is invited and admitted, with or without charge; and
 - ii. To which exhibitors present goods, ware, merchandise or services for sale, rent, or promotional purposes.
- A. The producer, promoter or sponsor of a trade show shall acquire a city business license prior to the opening of the show. The license shall be for a period not to exceed seven (7) consecutive days. The fee for the license shall be fixed from time to time by the city council and is set forth below.
 - B. To obtain a license for a public or trade show, the producer, promoter or sponsor shall make application to the business license office at least ten (10) days prior to the scheduled event, naming the producer, promoter or sponsor, specifying the dates and location of the event, specifying the purpose of the event, and listing the exhibitors or participants, and shall pay the required fee. Not later than five (5) days after the close of the show, the producer, promoter or sponsor shall adjust the payment based on estimates to cover a license based on actual revenue received or number of exhibitors, whichever requires the greater payment. The Business License Official may inspect and audit the records of the producer, promoter or sponsor prior to, during or after the event. If he/she determines that any additional fee is due pursuant to this ordinance, the producer, promoter or sponsor shall pay the additional fee within ten (10) days of the Business License Official issuing notification to him/her of the additional fee.
 - C. The exhibitors in any such public or trade show shall not be required to acquire a city business license if the producer, promoter or sponsor has obtained a license for the show. In case the producer, promoter or sponsor does not acquire a city business license for the show before the opening of the show, each exhibitor in the show shall acquire a Vendors

city business license for the show.

(3) Entertainment Events: For the purposes of this ordinance, an entertainment event includes any performance or performances by an individual actor or performer or a cast or group of performers on a day certain, or within any seven (7) consecutive calendar days:

- i. To which the public is invited and admitted upon payment of a charge of admission; and
- ii. To which is designed and produced for the entertainment and enlightenment of those attending.

Examples of entertainment events include but are not limited to an athletic game or match, a concert, a dance, a lecture, a play, a rodeo, a carnival and a circus.

- A. The producer, promoter or sponsor of an entertainment event shall acquire a city business license for the event. The license shall be for a period not to exceed seven (7) consecutive days. The fee for the license shall be fixed from time to time by the city council and is set forth in the fee schedule below.
- B. To obtain such a license for such an entertainment event, the producer, promoter or sponsor shall make application to the business license office at least ten (10) days prior to the scheduled event, naming the producer, promoter or sponsor, specifying the dates and location of the event, specifying the purpose of the event, and listing principal actors, conductors or performers, and shall pay the required fee. No later than five (5) days after the close of the event, the producer, promoter or sponsor shall adjust the payment based on estimates to cover a license based on actual revenue produced by the event. The Business License Official may inspect and audit the records of the producer, promoter or sponsor prior to, during or after the event. If he/she determines that any additional fee is due pursuant to this ordinance, the producer, promoter or sponsor shall pay the additional fee within ten (10) days of the Business License Official issuing notification to him of the additional fee.

(4) City of Easley Sponsored Events:

- i. City is exempt and not required to pay a business license fee.
- ii. Exhibitors, Vendors, and Peddlers would require an individual business license as specified in the City of Easley Business License Ordinance under rate code 9.41.

Examples of City sponsored events include, but are not limited to, July 4th and Christmas Festivals and the Little League/Big League World Series.

(5) Charitable, Educational and Religious and other Eleemosynary Organizations:

- i. That are exempt from Federal Income taxes under Internal Revenue Code section 501 C are exempt from the requirement that a city business license be obtained

for any entertainment or public event produced, promoted or sponsored by such organization.

- ii. Exhibitors, Vendors, and Peddlers not associated with the exempt organization would require an individual business license as specified in the City of Easley Business License Ordinance under rate class 9.41.

Special Event Fee Schedule

The license shall be for a period not to exceed seven (7) consecutive days and the fee of the license shall be:

Trade/Public Shows

<u>Gross Receipts</u>	<u>Vendors</u>	<u>Base Fee</u>	<u>Additional Fee</u>	<u>Total Fee</u>
\$10,000.00	25	\$150.00	-	\$150.00
\$20,000.00	50	\$150.00	\$40.00	\$190.00
\$30,000.00	75	\$150.00	\$80.00	\$230.00
\$40,000.00	100	\$150.00	\$120.00	\$270.00
\$50,000.00	125	\$150.00	\$160.00	\$310.00
\$60,000.00	150	\$150.00	\$200.00	\$350.00
\$70,000.00	175	\$150.00	\$240.00	\$390.00
\$80,000.00	200	\$150.00	\$280.00	\$430.00
\$90,000.00	225	\$150.00	\$320.00	\$470.00
\$100,000.00	250	\$150.00	\$360.00	\$510.00
\$110,000.00	275	\$150.00	\$400.00	\$550.00
\$120,000.00	300	\$150.00	\$440.00	\$590.00
\$130,000.00	325	\$150.00	\$480.00	\$630.00
\$140,000.00	350	\$150.00	\$520.00	\$670.00
\$150,000.00	375	\$150.00	\$560.00	\$710.00
\$160,000.00	400	\$150.00	\$600.00	\$750.00
\$170,000.00	425	\$150.00	\$640.00	\$790.00
\$180,000.00	450	\$150.00	\$680.00	\$830.00
\$190,000.00	475	\$150.00	\$720.00	\$870.00
\$200,000.00	500	\$150.00	\$760.00	\$910.00

Entertainment Events

<u>Gross Receipts</u>	<u>Base Fee</u>	<u>Additional Fee</u>	<u>Total Fee</u>
\$10,000.00	\$150.00	-	\$150.00
\$20,000.00	\$150.00	\$100.00	\$250.00
\$30,000.00	\$150.00	\$200.00	\$350.00
\$40,000.00	\$150.00	\$300.00	\$450.00
\$50,000.00	\$150.00	\$400.00	\$550.00
\$60,000.00	\$150.00	\$500.00	\$650.00
\$70,000.00	\$150.00	\$600.00	\$750.00
\$80,000.00	\$150.00	\$700.00	\$850.00
\$90,000.00	\$150.00	\$800.00	\$950.00
\$100,000.00	\$150.00	\$900.00	\$1,050.00
\$110,000.00	\$150.00	\$1,000.00	\$1,150.00
\$120,000.00	\$150.00	\$1,100.00	\$1,250.00
\$130,000.00	\$150.00	\$1,200.00	\$1,350.00
\$140,000.00	\$150.00	\$1,300.00	\$1,450.00
\$150,000.00	\$150.00	\$1,400.00	\$1,550.00
\$160,000.00	\$150.00	\$1,500.00	\$1,650.00
\$170,000.00	\$150.00	\$1,600.00	\$1,750.00
\$180,000.00	\$150.00	\$1,700.00	\$1,850.00
\$190,000.00	\$150.00	\$1,800.00	\$1,950.00
\$200,000.00	\$150.00	\$1,900.00	\$2,050.00

THE EVENT FEES REFERENCED IN THIS SECTION OF THE BUSINESS LICENSE ORDINANCE ARE IN LIEU OF THE REQUIRED CITY OF EASLEY BUSINESS LICENSE TAX PAYABLE FOR EVENT PRODUCER, PROMOTER, SPONSOR OR VENDORS.

IT DOES NOT INCLUDE COSTS ASSOCIATED WITH CITY SERVICES SUCH AS, BUT NOT LIMITED TO, POLICE, FIRE, AND/OR PUBLIC WORKS.

IT IS THE RESPONSIBILITY OF THE PRODUCER, PROMOTER OR SPONSOR TO CONTACT THE APPROPRIATE CITY DEPARTMENTS TO MAKE ARRANGEMENTS FOR THEIR RESPECTIVE SERVICES.

greenville

Sec. 8-187. - Group event license for shows and entertainment events.

Transient merchants (exhibitors) participating in a group event, including, but not limited to, booth sales and flea markets, may obtain a group event business license, in lieu of an individual transient merchant license, from the city's revenue division by filing an application specifying the sponsoring organization or person, the dates and location where the event is to be held, the purpose of the event and the names of the participants. Taxes for a group event business license shall be as set forth in appendix A of this chapter.

- (1) *Shows.* For the purposes of this section, the term "show" (exhibition) means a group participation event in which exhibitors display in individual booths, stalls or any other specific division of an exhibition area, for the purpose of presenting to an audience goods, wares, merchandise or services offered for sale, rent or promotional purposes or for the general good will of the exhibitors. Shows generally are of two types: trade shows and public shows.

- a. *Trade shows.* For purposes of this section, the term "trade show" means an exhibition or show:

1. To which the public generally is not invited;
2. Where those participating as exhibitors or observers generally have a common business or other interest;
3. Where registration of exhibitors and observers is structured and admission is restricted; and
4. Where on-floor sales are not the primary purpose.

Neither the producer, promoter or sponsor of nor an exhibitor or participant in a trade show is required to acquire any city business license.

- b. *Public shows.* For purposes of this section, the term "public show" means any type of consumer-oriented show (exhibition) to which the public is invited and admitted, with or without charge, and at which exhibitors present goods, wares, merchandise or services for sale, rent or promotional purposes.

1. The producer, promoter or sponsor of a public show shall acquire a city business license prior to the opening of the show. The license shall be for a period not to exceed seven consecutive days. The fee for the license shall be fixed from time to time by the city council and is set forth in the fee schedule in appendix A to this chapter.
2. To obtain such a license for such a public show, the producer, promoter or sponsor shall make application to the revenue administrator at least ten days prior to the scheduled event, naming the producer, promoter or sponsor, specifying the dates and location of the event, specifying the purpose of the event, and listing the exhibitors or participants, and shall pay the required fee. Not later than five days after the close of the show, the producer, promoter or sponsor shall adjust the payment based on estimates to cover a license based on actual revenue received or number of exhibitors, whichever requires the greater payment.
3. The exhibitors in any such public show shall not be required to acquire a city business license if the producer, promoter or sponsor has obtained a license for the show. In case the producer, promoter or sponsor does not acquire a city business license for the show before the opening of the show, each exhibitor in the show shall acquire a transient merchant's city business license for the show.

- (2) *Entertainment events.* For the purposes of this section, the term "entertainment event" includes any performance by an individual actor or performer or a cast or group of performers on a day certain, or within any seven consecutive calendar days, to which the public is invited and admitted upon payment of a charge for admission and which is designed and produced for the

entertainment or enlightenment of those attending. Examples of entertainment events are an athletic game or match, a circus, a concert, a dance, a lecture, a play and a rodeo.

- a. The producer, promoter or sponsor of an entertainment event shall acquire a city business license for the event. The license shall be for a period not to exceed seven consecutive days. The fee for the license shall be fixed from time to time by the city council and is set forth in the fee schedule in appendix A to this chapter.
- b. To obtain such a license for such an entertainment event, the producer, promoter or sponsor shall make application to the revenue administrator at least ten days prior to the scheduled event, naming the producer, promoter or sponsor, specifying the dates and location of the event, specifying the purpose of the event and listing the principal actors, conductors or performers, and shall pay the required fee. No later than five days after the close of the event, the producer, promoter or sponsor shall adjust the payment based on estimates to cover a license based on actual revenue produced by the event.
- c. Charitable, educational and religious and other eleemosynary organizations exempt from federal income taxes under Internal Revenue Code section 501(c) are exempt from the requirement that a city business license be obtained for any entertainment event produced, promoted or sponsored by such organization. In lieu of the city business license such organization will be required to submit a city charitable organization application to include an administrative fee attributed to said application. This does not eliminate the requirement that the organization complete, submit and pay all fees due for a group event, entertainment, or special event permit.
- d. An annual business license may be issued for entertainment events at one facility based upon annual gross revenues.

(Code 1997, § 8-80; Ord. No. 2012-96, exh. A, 11-26-2012; [Ord. No. 2021-74](#), § 6, 11-22-2021)

CITY OF LIBERTY, SOUTH CAROLINA

ORDINANCE #2025-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, SOUTH CAROLINA, AUTHORIZING THE CITY TO CONDUCT STORMWATER MANAGEMENT AND SEDIMENT CONTROL PERMITTING, AND SETTING FEES FOR VARIOUS ASPECTS OF THE STORMWATER AND SEDIMENT CONTROL PERMITTING PROCESS.

WHEREAS, a municipal separate storm sewer system ("MS4") is a system of conveyances that include, but are not limited to, catch basins, curbs, gutters, ditches, man-made channels, pipes, tunnels, and/or storm drains that discharge into waters of the state; and,

WHEREAS, such conveyances may not be part of a publicly-owned treatment works and may not operate as a sewer system combining sanitary sewage and stormwater; and,

WHEREAS, operators of large, medium, and regulated small MS4s are required to obtain National Pollutant Discharge Elimination System ("NPDES") coverage and meet certain regulatory requirements in order to discharge pollutants (as carried in stormwater) into waters of the state;

WHEREAS, the City of Liberty is designated as a regulated small MS4 by the South Carolina Department of Environmental Services ("SCDES"); and,

WHEREAS, the City and the County previously reached an intergovernmental agreement pursuant to which the County was providing certain services related to Construction Site Stormwater Runoff Control and Post-Construction Stormwater Management for New Development and Redevelopment as outlined in the Minimum Control Measures in the mandate to control nonpoint source pollution - subject to fees set and charged by the County; and,

WHEREAS, Pickens County has advised that due to organizational and jurisdictional restraints, it will no longer be able to provide the full measure of services it agreed to provide under the previous intergovernmental agreement; and,

WHEREAS, the County has agreed to develop and provide a public education and outreach program for use in both the County and the City; and,

WHEREAS, the County's change in the service provided under the intergovernmental agreement shifts to the City the responsibility for conducting services related to Construction Site Stormwater Runoff Control and Post-Construction Stormwater Management for New Development and Redevelopment as outlined in the Minimum Control Measures in the mandate to control nonpoint source pollution; and,

WHEREAS, the City's stormwater ordinance provides the City with authority to conduct plan reviews and inspections of stormwater plans, measures and practices (Liberty City Code Sec. 53-54(b)(4)); and,

WHEREAS, providing these services will require the City to set various fees applicable to the Stormwater and Sediment Control permitting process; and,

WHEREAS, S.C. Code §6-1-330 authorizes local governing bodies to charge and collect service and user fees; and,

WHEREAS, the Liberty City Council has sought and considered the advice of its water/wastewater services consultant, has considered the nature and requirements of implementing the City's Stormwater and Sediment Control permitting process, has held a public hearing to allow for input from the community, and has reviewed available data regarding fees charged by surrounding counties for the same or similar services; and,

WHEREAS, it appearing in the best interests of the City, its residents, and businesses, as well as the City's future residents and businesses, to amend the City Stormwater ordinance as set forth below and to adopt and implement the fee schedule set forth below for the various stages and aspects of the City's Stormwater and Sediment Control permitting process; and,

NOW THEREFORE, it is hereby found, decided, declared, and ordained by the City Council of the City of Liberty, South Carolina, duly assembled and with a quorum present, that:

1. The recitals above are incorporated by reference as if fully set forth herein;
2. The following section shall be added to the City's stormwater ordinance as Sec. 53-54(c)

(c) *Stormwater and sediment control permitting fee schedule.* The application for a Stormwater Management and Sediment control permit

to disturb land in the City of Liberty shall be accompanied by nonrefundable Fees.

1. The Fee for all Land Disturbing Activity requiring the submission of a Stormwater Management and Sediment Control plan is:

A base fee of \$1500 plus \$300 per disturbed acre for any application submitted.

2. An additional fee for all applications requesting a Waiver or Variance from the requirements of the City of Liberty Stormwater Ordinances will be assessed.

A base fee of \$1500 plus \$300 per disturbed acre for any application submitted.

3. The aforementioned fees do not include the fee charged separately by South Carolina Department of Environmental Services (SCDES) to issue the NPDES permit for all construction activities one acre or larger.
4. The following application fee will be charged for extensions or renewals of a Stormwater Management and Sediment control permit:

A base fee of \$1500 plus \$300 per disturbed acre for any application submitted.

5. A maintenance fee may be required on approvals granted for Stormwater Management structures that will be maintained by the City.
6. Excessive resubmittals (more than two resubmittals will be charged additional fees of:

An excessive resubmittal fee of \$750 for each resubmittal over two.

7. A fee for major modifications to stormwater management and sediment control plans will be assessed:

\$1500 for any application submitted. When the modification includes an increase in the disturbed area an additional fee of **\$300** per disturbed acre will be charged for the increased acreage.

8. A compliance inspection fee will be assessed prior to conducting an inspection following the issuance of a notice to comply where site activities were requested to cease and desist:

A compliance inspection fee of \$500 for each inspection.

3. The Stormwater and Sediment Control fee schedule shall be effective beginning the date this ordinance is enacted by Council.

IT IS SO ORDAINED this the ____ day of _____ 2025.

ATTEST:

Bailee Locke, Clerk of Council

Erica Romo Woods, Mayor

First reading:

Public hearing:

Second reading:

ARTICLE III. - STORMWATER MANAGEMENT UTILITY

Sec. 53-51. - Findings of fact.

- (a) The city is a designated SMS4 and is required by state and federal laws to control and reduce stormwater runoff and associated pollutants. The management of stormwater runoff and sediment is necessary to reduce pollution, siltation, sedimentation, local flooding and stream channel erosion, all of which impact adversely on land and water resources and the health, safety, property and welfare of the residents of the city.
- (b) The city maintains a system of stormwater management facilities, including but not limited to, inlets, conduits, manholes, channels, ditches, drainage easements, infiltration facilities, and other components, as well as natural waterways.
- (c) The stormwater management facilities and components of the city need to be regularly maintained, rehabilitated, upgraded or expanded, and additional stormwater management facilities and measures need to be installed throughout the city.
- (d) There are chronic drainage problems in numerous areas of the city which, on an annual basis, threaten property, limit access to property, create unpredictable driving conditions and present a negative image of the city's ability to address community problems.
- (e) There is no comprehensive mapping system or base line data to assist in analysis, design and/or development of comprehensive maintenance and retrofit programs, and there is no long term comprehensive drainage infrastructure maintenance program/plan in the city.
- (f) There is a lack of resources (equipment, manpower, funds) in the city to address problems comprehensively and within a defined time frame.
- (g) The city is a community comprised of citizens with a wide range of incomes with varying means to afford government services.
- (h) In the city, current and anticipated growth will contribute to the need for improvements in, and maintenance of, the stormwater management system.
- (i) The city needs to upgrade its capability to maintain existing and future stormwater management facilities and measures.
- (j) Every parcel of real property in the city either uses or benefits from the stormwater management system, and the improvement of existing facilities and construction of additional facilities in the system will directly or indirectly benefit the owners of all real property.
- (k) The extent of use of the stormwater management system by each classification of real property is dependent on a variety of factors that influence runoff, such as land use, topography, intensity of development, amount of impervious surface, and location in a particular watershed or basin.
- (l) Property owners and users should finance the stormwater management system to the extent they contribute to the need for the system and to the extent they benefit from the system, and charges therefore should bear a reasonable relationship to the cost of the service, and every effort should be made to fairly and reasonably spread the cost of the system to all property owners and users.
- (m) Creating a permanent stormwater management utility requires stormwater management utility fees and classifications be established thereunder.
- (n) In general, two methods for determining rates/fees are widely used: impervious area method and intensity of development method. Both rate structures attempt to provide a fair, equitable and cost-effective method of financing the utility. The city has evaluated the two methods for determining rate structures and has decided to use a modified version of the intensity of development method as detailed in this chapter, and believes this decision to be in the best interests of the community and environment.
- (o) After careful review, a base rate in the amount of \$24.00 per year is determined to be fair and reasonable, and in the best interests of the community.
- (p) It is in the best interests of the citizens of this city and, most specifically, the owners of real property, that a stormwater management utility with fees and classifications thereunder be established by ordinance and implemented as part of the city's utility enterprise system as authorized by S.C. Code 1976, § 48-14-10 et seq. and specifically § 48-14-120, § 5-7-30, and other relevant laws and regulations of the state.
- (q) In accordance with state and federal laws and regulations the requirements applicable to designated SMS4s and the city will become more stringent since municipal compliance is an iterative process. Therefore, the creation of a stormwater management utility, that provides for a source of funding, will ensure that the city attains compliance with the state and federal requirements. The failure to attain compliance with applicable state and federal requirements will subject the city to fines, penalties and liabilities under the Clean Water Act.

(Ord. No. 12-0401, 5-7-2012)

Sec. 53-52. - Title and authority.

This chapter may be cited as the stormwater management utility ordinance and is adopted pursuant to S.C. Code 1976, § 48-14-10 et seq. and specifically § 48-14-120, § 5-7-30, and S.C. Code Regs. 72-300 et seq. and 61-9 et seq.

about:blank

(Ord. No. 12-0401, 5-7-2012)

Sec. 53-53. - Definitions and exemptions.

Unless the context specifically indicates otherwise, the meanings of words and terms used in this article shall be as set forth in S.C. Code 1976, § 48-14-20, and S.C. Code Reg. 72-301, and S.C. Code Reg. 61-9 mutatis mutandis.

Agricultural residential property. Property designated as a single parcel on the Pickens County tax maps, containing no more than two dwelling units, and used for agricultural purposes. The requirements set forth in this article are not applicable to land disturbing activities on agricultural residential property if the property is being used for production of plants and animals useful to man. However, any construction on agricultural residential property that requires the issuance of a building permit is subject to the fees as calculated for agricultural residential property, as set forth herein in section 53-58.

Base rate. The annual stormwater management fee charged per equivalent residential unit, which rate shall be \$24.00.

Billing period. The stormwater fee shall be billed on an annual basis, such billing period as established by the county, and shall be due and payable within the time and in the manner prescribed by law for city ad valorem taxes pursuant to S.C. Code 1976, § 12-45-70 (as may be hereafter amended), or other law of similar import.

Commercial property. Developed property that is not single-family residential property or agricultural residential property, to include but not be limited to mixed use property, multifamily property, parking lots and properties used for office, retail, industrial, recreational, institutional, cultural, accommodation and assembly purposes.

Developed property. Real property which has been altered from its natural state by the addition of any improvements such as buildings, structures, or other impervious surface area. For new construction, property shall be considered developed property upon final approval of site improvements by the city engineer.

Dwelling unit. A unit providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Equivalent residential unit (ERU). A descriptive value based on the total gross area and the amount of impervious surfaces. The ERU is defined, for computation purposes, as an average single-family dwelling unit, including any improvements thereon, on a lot less than or equal to 20,000 square feet.

Fee. The annual amount charged to the owner of real property as of the annual first billing date, which is January 1 of each calendar year, for the services provided by the stormwater utility.

Forest land. Property being used for the production and harvesting of timber and timber products. The requirements set forth in this article are not applicable to land disturbing activities on forest land for the purpose of production and harvesting of timber and timber products.

Impervious surface area. A surface which is compacted or covered with material that is resistant to infiltration by water, including, but not limited to, most conventional surfaced streets, roofs, sidewalks, parking lots, and other similar structures.

Mixed use property. Developed property that includes a building or buildings containing residential and commercial uses.

Multifamily property. Developed property containing a dwelling unit or units designed for or occupied by three or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units, which may or may not have accessory uses related to the purpose of providing permanent dwelling facilities, to include apartments and condominiums.

Revenues. All fees, assessments or other income received by the stormwater utility, including but not limited to, amounts received from the investment or deposit of monies in any fund or account and all amounts received as gifts, donations and the proceeds from the sale of bonds to finance the stormwater management program.

Service period. The service period begins on January 1 of each year and ends on December 31 of that year.

Single-family residential property. Property designated as a single parcel on the county tax maps, containing no more than two dwelling units, to include townhouses.

Undeveloped property. Real property which has not been altered from its natural state by the addition of any improvements such as buildings, structures or other impervious surface area, or which has less than 50 percent of the equivalent residential unit of impervious surface area, to include golf courses and parks.

Utility customer. The person or entity who is the owner of the property as of January 31 of the calendar year, and such person or entity shall receive the annual billing for the stormwater utility.

(Ord. No. 12-0401, 5-7-2012)

Sec. 53-54. - Stormwater management utility established; duties and powers.

- (a) *Establishment.* The council hereby establishes a stormwater management utility (also called "utility" in this article) to carry out the purposes, functions and responsibilities herein set forth. The governing body of the utility shall be the mayor and council. The stormwater manager shall administer the utility under the engineering division of the department of planning and development. The utility shall have the powers and duties set out in division (b) of this section, which powers are not necessarily exclusive to the utility.
- (b) *Duties and powers.* The stormwater management utility shall have the following duties and powers:
 - (1) Stormwater management planning and preparation of comprehensive watershed master plans for stormwater management.
 - (2) Regular inspections of public and private stormwater management facilities and measures and the construction thereof.
 - (3) Maintenance and improvement of stormwater management facilities that have been accepted by the city for that purpose.
 - (4) Plan review and inspection of stormwater management plans, measures, and practices.
 - (5) Retrofitting designated watersheds to reduce existing flooding problems or to improve water quality.
 - (6) Acquisition of interests in land, including easements.
 - (7) Design and construction of stormwater management facilities and measures and acquisition of equipment.
 - (8) Water quantity and water quality management, including monitoring and surveillance.
 - (9) Any and all powers and duties delegated or granted to it as a local government implementing agency under the laws and regulations of the state, and the ordinances of this city.

(Ord. No. 12-0401, 5-7-2012)

Sec. 53-55. - Boundaries and jurisdiction.

The boundaries and jurisdiction of the stormwater management utility shall extend to the corporate limits of the city, including all areas hereafter annexed thereto, and such additional areas lying outside the corporate limits of the city as shall be approved by council.

(Ord. No. 12-0401, 5-7-2012)

Sec. 53-56. - Regulation of land-disturbing activity.

The council shall establish by ordinance a system regulating land-disturbing activities, including, but not limited to, provisions for reviewing and approving stormwater management plans, creating design requirements for such plans and land-disturbing activities, and providing operational and maintenance requirements for stormwater management facilities and measures.

(Ord. No. 12-0401, 5-7-2012)

Sec. 53-57. - Stormwater utility fees.

- (a) The council shall establish by ordinance the amounts and classifications of stormwater management utility fees to be implemented to help fund the utility and its programs and projects.
- (b) The council shall consider, among other things, the following criteria in establishing fees:
 - (1) The fee system must be reasonable and equitable so that property owners and users pay to the extent they contribute to the need for and benefit from the utility, and the fees must bear a substantial relationship to the cost of the service. The fees shall be apportioned with approximate equality and upon a reasonable basis of equality with due regard for the benefits conferred. The council recognizes that these benefits, while substantial, in many cases cannot be measured directly.
 - (2) Cost analysis, construction, maintenance, and the overall operation of the stormwater system should be borne equally by all classifications of property owners in the city, in that all will enjoy the direct and indirect benefits of an improved and well-maintained system.
 - (3) Any fee established should be in an amount that is reasonable and equitable and not unduly burdensome on each property owner and user.
 - (4) The components of the calculations used to establish fees may include, but shall not be limited to, the following cost factors:
 - a. Stormwater management planning and preparation of comprehensive watershed master plans for stormwater management;
 - b. Regular inspections of public and private stormwater management facilities and measures and the construction thereof;
 - c. Maintenance and improvement of stormwater management facilities that have been accepted by the city for that purpose;

- d. Plan review and inspection of stormwater management plans, measures, and practices;
- e. Retrofitting designated watersheds to reduce existing flooding problems or to improve water quality;
- f. Acquisition of interests in land, including easements;
- g. Design and construction of stormwater management facilities and measures and acquisition of equipment;
- h. Administration of enforcement;
- i. Water quantity and water quality management, including monitoring and surveillance; and
- j. Debt service and financing costs.

(5) The practical difficulties and limitations related to establishing, calculating, and administering such fees.

(6) The components of the calculations used to establish fees shall be based on an equivalent residential unit (ERU), to be determined by council with reasonable general adjustments being made for, but not limited to, the following factors:

- a. Commercial and land uses other than single-family residential;
- b. Vacant and/or undeveloped land;
- c. Imperviousness of land as it relates to the intensity of development as derived from use classifications hereof; and
- d. Other generally accepted factors relevant to such calculations based upon the provisions of this chapter.

(Ord. No. 12-0401, 5-7-2012)

Sec. 53-58. - Classification of property and determination of fee.

(a) *Classification.* For purposes of determining the fee, all properties in the city are classified as follows:

- (1) Single-family residential property: R-12, R-10, R-8.
- (2) Agricultural residential property. Agricultural residential property is exempt from the fees determined herein if the property is being used for production of plants and animals useful to man. Any construction on agricultural residential property that requires the issuance of a building permit is subject to the requirements of this article.
- (3) Commercial property, including but not limited to the following classifications: CBD, GBD, NBD, RLI, GI.
- (4) Recreation facilities, parks, golf courses and appurtenances thereto.
- (5) Multifamily property: RM-8, RM-16, MHP.
- (6) Mixed use property.
- (7) Undeveloped property.

(b) *Base rate.* The base rate shall be \$24.00 per year. For purposes of this article, a year shall coincide with the county's property tax billing year, from January 1 of the current year through December 31.

(c) *ERU.* One commonly accepted rate unit for stormwater utilities is the equivalent residential unit (ERU). This is a descriptive value based on the total gross land area and the amount of impervious surface. The ERU is used to relate a rate charged for a typical residential property, and this becomes the common denominator by which all other classifications of properties are evaluated. In general, there are two principal methods used to assign values for impervious surfaces: actual amounts of impervious surface on a parcel can be physically measured, or accepted land use coefficients can be used to relate imperviousness to the intensity of development. The latter method is adopted herein. Pursuant to this chapter, an ERU is considered to be a single-family lot less than or equal to 20,000 square feet. The run-off coefficient assigned to the ERU is 0.36. The run-off coefficients assigned to the classifications are as follows:

- (1) Single-family residential (SF1)0.25
- (2) Residential (R-8, R-10, R-12)0.25
- (3) Low/high density multifamily (RM-8, RM-16, MHP)0.56
- (4) Neighborhood business district (NBD)0.60
- (5) Central business district (CBD)0.86
- (6) General business district (GBD)0.86
- (7) General industrial (GI, RLI)0.73

(d) *Computation of stormwater utility fee and example calculation.*(1) *Computation of stormwater utility fee.*

- a. Determine rate to assign ERU.
 - b. Equate base range (0—0.5 ac) of commercial to the ERU.
 - c. Assign area ranges for commercial zones.
 - d. Calculate ratios for parcels >0.5 ac based on area.
 - e. Using the ratios calculated in (d)(1)d., multiply by base rate to obtain the yearly fee.
- (2) *Example calculation.* In order to find the fee for 2.75 ac property in a GBD zone:
- a. $ERU = \$24.00/\text{year}$.
 - b. Ratio of GBD to ERU $0.86/0.36 = 2.39$. Therefore, a parcel $\leq 20,000$ sf has a ratio of 2.39.
 - c. The property (2.75 ac) falls within the assigned area of 2.1—5.0 ac.
 - d. Multiply ratio by average value for this range: $2.39/.5 \times 3.55 = 16.97$.
 - e. Compute fee based on ERU: $16.97 \times \$24.00 = \$407.28/\text{year}$.

(e) *Stormwater utility fee: assigned ratios based on "C" factors and acreage.*

Areas of Parcels (acres)*	Average Areas (acres)	R-8, R-10, R-12	RM-8, RM-16, MHP	RLI/GI	NBD	GBD/CBD
0 - 0.50		0.69	1.56	2.03	1.67	2.39
0.51 - 1.0	0.76	1.05	2.37	3.09	2.54	3.63
1.1 - 2.0	1.55	2.14	4.84	6.29	5.18	7.41
2.1 - 5.0	3.55	4.90	11.08	14.41	11.08	16.97
5.1 - 10.0	7.55	10.42	23.56	30.65	25.28	36.09
10.1 - 15.0	12.55	17.32	39.16	50.95	41.92	59.99
15.1 - 20.0	17.55	24.22	54.76	71.25	58.62	83.89
20.1 - 30.0	25.05	34.57	78.16	101.70	83.57	119.74

Parcels larger than 30 ac based on actual acreage.

*Note: Average area within each range is used to determine ratio.

(f) *Annual fees.* Annual fees for all property, whether occupied or vacant, shall be as follows:

- (1) *Single-family residential property.* Single-family residential property shall be charged a fee equal to the base rate times one equivalent residential unit (ERU), regardless of the size of the parcel or the improvements.

- (2) *Agricultural residential property.* Agricultural residential property shall be charged a fee equal to the base rate times one equivalent residential unit (ERU), regardless of the size of the parcel or the improvements. Provided, however, that land disturbance activities on agricultural residential property for the production of plants and animals useful to man are exempt from the requirements of this article. Any construction on agricultural residential property that requires the issuance of a building permit is subject to the requirements of this article.
- (3) *Commercial property.* The intensity of development factor is greater than the single-family unit used as the base ERU because of the amount of impervious area. Pursuant to generally accepted engineering data, the run-off coefficient or C-factor for commercial property has been determined to be as set forth below in (3)a. through e. An equation is used to relate the run-off coefficient of the multi-family property to the base ERU. This equation is then multiplied by the average acreage for the appropriate size range of the property in question. The determined ratio is then multiplied by the base rate to determine the yearly fee.
- Light industrial (RLI, GI)0.73
 - Neighborhood business district (NBD)0.60
 - Central business district (CBD)0.86
 - General business district (GBD)0.86
 - Multifamily (RM-8, RM-16, MHP)0.56
- (4) *Undeveloped property.* Undeveloped property shall be charged one-half of the ERU base rate. Pursuant to generally accepted engineering data, the run-off coefficient is approximately one-half of the run-off coefficient for the ERU definition stated herein.
- (5) *Recreation facilities, parks, golf courses, and appurtenances thereto.* Recreation facilities, parks, and golf courses shall be charged one-half of the ERU base rate for each individual tax parcel. Clubhouses, tennis and pool facilities, and appurtenances thereto shall be billed at the appropriate rate as previously defined in this section under division (e).

(g) *Minimum fee.*

- All dwelling units within the city that have been assigned a tax map number by the county shall be charged the base rate multiplied by one ERU.
- All non-residential/commercial property within the city that has been assigned an individual tax map number by the county shall be charged a minimum fee based upon a parcel size of less than one-half acre within the applicable zoning classification, or a fee based upon an actual calculation as prescribed by this chapter, whichever is greater.

(Ord. No. 12-0401, 5-7-2012)

Sec. 53-59. - Investment and reinvestment of funds and borrowing.

Funds generated for the stormwater management utility from fees, bond issues, other borrowing, and other sources shall be utilized only for those purposes for which the utility has been established, including but not limited to: planning; acquisition of interest in land including easements; design and construction of facilities; maintenance of the stormwater system; billing and administration; and water quantity and water quality management, including monitoring, surveillance, private maintenance inspection, construction inspection, and other activities which are reasonably required. Such funds shall be invested and reinvested pursuant to the same procedures and practices established by the city for investment and reinvestment of funds. The council may use any form of borrowing authorized by the laws of the state to fund capital acquisitions or expenditures for the stormwater management utility.

(Ord. No. 12-0401, 5-7-2012)

Sec. 53-60. - Billing of fees; late charges.

The stormwater management utility fee shall be billed annually to the users. The fee cannot be prorated. No refunds shall be made. The stormwater fee shall be billed on an annual basis and shall be due and payable within the time and in the manner prescribed by law for city ad valorem taxes pursuant to S.C. Code 1976, § 12-45-70 (as may be hereafter amended), or other law of similar import. The county tax collector shall bill and collect the annual stormwater fee established herein, in the manner as county and municipal taxes are collected and shall include the stormwater fee as one or more line items on the tax bills mailed to each owner of property subject to the stormwater fee. Annual fees unpaid as of the 61st day after the first billing date shall be subject to a penalty fee of \$5.00, and an additional penalty fee of \$5.00 after the 91st day after the billing date. If court proceedings are instituted, users will also be subject to court costs and accrued interest. The city administrator shall have the authority to develop guidelines and procedures for the implementation of the provisions of this section.

(Ord. No. 12-0401, 5-7-2012)

Sec. 53-61. - Municipal liability.

Nothing in this article, and no action or failure to act under this article, shall or may be construed to:

about:blank

- (1) Impose any liability on the city, or its departments, agencies, officers or employees for the recovery of damages; or
- (2) Relieve any person engaged in a land-disturbing activity of duties, obligations, responsibilities, or liabilities arising from or incident to operations associated with such activity or imposed by the provisions of this article or the laws and regulations pursuant to which it was adopted.

(Ord. No. 12-0401, 5-7-2012)

Sec. 53-62. - Requests for reconsideration.

- (a) A utility customer may request a reconsideration of any determination or interpretation by the city engineer in the operation of the stormwater utility.
 - (1) Such request must be in writing, specifically explaining the grounds for the request, and filed with the city engineer within 30 days of the annual billing date.
 - (2) In addition, payment of the assessment under protest shall be a condition precedent relative to any request for reconsideration of any determination or interpretation by the city engineer.
- (b) The city engineer shall review the application and make a decision on the request within 30 working days.
- (c) The request shall be made upon such forms and be accompanied by such information as the city engineer, by written policy, shall require.
- (d) In cases where the applicant believes the fee to be inappropriate based: (1) on the actual, rather than permitted, uses of the property; or (2) on the actual impervious area of the property in which the applicant has interest, the applicant shall submit a site survey of the property. The survey shall be prepared by a licensed land surveyor and shall contain the name and license number of the surveyor and date when the field survey was conducted. The survey shall also include, at a minimum:
 - (1) Property boundaries;
 - (2) Parking areas;
 - (3) Driveway(s);
 - (4) Building(s);
 - (5) Storm drainage facilities; and
 - (6) Any other surface improvements.

(Ord. No. 12-0401, 5-7-2012)

Sec. 53-63. - Appeals.

- (a) Utility customers aggrieved by a decision of the city engineer hereunder shall have the right to petition the city stormwater manager within ten days of receipt of the decision for relief from the decision of the city engineer.
- (b) The petition shall be in writing and shall set forth, in detail the requested relief and the grounds supporting the request for relief. The city manager shall render a written decision on the request for relief within 30 days of the filing of the petition.
- (c) The city manager shall have full authority to affirm, modify, or reverse a decision of the city engineer. In evaluating the request for relief, the city manager shall determine whether the decision of the city engineer was made in compliance with the standards, policies and criteria of this article. In issuing a decision the city manager shall cite the applicable standards, policies and criteria that were the basis for the manager's decision.
- (d) Any person aggrieved by a decision of the city manager hereunder shall have a right to appeal to the city board of zoning appeals ("BZA") within ten days of receipt of the decision in accordance with article X, section 1004 of the official zoning ordinance.
- (e) Any person aggrieved by a final determination of the BZA shall have the right to file an appeal with the circuit court in the county in accordance with S.C. Code 1976, § 6-29-820.

(Ord. No. 12-0401, 5-7-2012)

Sec. 53-64. - Enforcement.

The city engineer and/or such other official(s) as the city manager shall designate, shall be the enforcement officer(s) for the provisions of this article.

(Ord. No. 12-0401, 5-7-2012)

Sec. 53-65. - Penalty.

- (a) It shall be unlawful for any person to violate any provision of this article, and any such violation shall be punishable in the municipal court pursuant to the jurisdiction and punishment thereof. Each violator shall be fined not more than \$500.00 or imprisoned for not more than 30 days. Each day a violation continues constitutes a separate offense.
- (b) In addition to any other penalties or remedies provided in this article, the city, upon the recommendation of the city attorney and approval of the city manager, may institute a civil action in the appropriate court to obtain compliance with the provisions of this article or remedy or prevent the violation or threatened violation of any provision of this article.

(Ord. No. 12-0401, 5-7-2012)

The application for a Stormwater Management and Sediment control permit to disturb land in the City of Liberty shall be accompanied by nonrefundable Fees.

1. The Fee for all Land Disturbing Activity requiring the submission of a Stormwater Management and Sediment Control plan is:

A base fee of \$1500 plus \$300 per disturbed acre for any application submitted.

2. An additional fee for all applications requesting a Waiver or Variance from the requirements of the City of Liberty Stormwater Ordinances will be assessed.

A base fee of \$1500 plus \$300 per disturbed acre for any application submitted.

3. The aforementioned fees do not include the fee charged separately by South Carolina Department of Environmental Services (SCDES) to issue the NPDES permit for all construction activities one acre or larger.

4. The following application fee will be charged for extensions or renewals of a Stormwater Management and Sediment control permit:

A base fee of \$1500 plus \$300 per disturbed acre for any application submitted.

5. A maintenance fee may be required on approvals granted for Stormwater Management structures that will be maintained by the City.
6. Excessive resubmittals (more than two resubmittals will be charged additional fees of:

An excessive resubmittal fee of \$750 for each resubmittal over two.

7. A fee for major modifications to stormwater management and sediment control plans will be assessed:

\$1500 for any application submitted. When the modification includes an increase in the disturbed area an additional fee of **\$300** per disturbed acre will be charged for the increased acreage.

8. A compliance inspection fee will be assessed prior to conducting an inspection following the issuance of a notice to comply where site activities were requested to cease and desist:

A compliance inspection fee of \$500 for each inspection.

Bailee Locke

From: Drew Langston <drew.langston@clearwatersolutions.com>
Sent: Wednesday, August 6, 2025 12:15 PM
To: Bailee Locke
Cc: Mayor
Subject: Stormwater Plan Review Fee
Attachments: Draft Stormwater Plan Review Fees.docx

Bailee,

Attached is a draft fee structure that City of Liberty may choose to adopt. Based upon review fees from 3rd party providers, I think these numbers would help avoid any excessive cost from the City. I also have a summary of some surrounding counties for comparison. Some of these numbers may not have been updated in awhile.

Summary Stormwater Plan Review Fees				
	Base Fee	Fee per disturbed acre	Modification Fee	Excessive Resubmi
Pickens County	\$ 850.00	\$ 200.00	\$100 (base) \$200 per disturbed acre	NA
Anderson County	\$ 850.00	\$ 300.00	\$1000 (base) \$300 per disturbed acre	\$550 per resubmitta 2)
Greenville County	\$ 2,500.00	\$ 100.00	\$1,000	\$400 (Revision Fee)
Spartanburg County	\$1,000	\$140	\$1,000	

*These were the published fees I could find from surrounding areas. I searched several other municipalities v success. Each fee structure is somewhat nuanced. Anderson County had a comprehensive fee structure doc that I would recommend mirroring.

Happy to discuss further.

I will drop by the plan review invoice done by [REDACTED] and the plan review fee check from [REDACTED] later today.

Thanks,

Drew

DREW LANGSTON
Regional Director, SC & NC

C. (276) 696-4168



Quality Water. | Vibrant Communities.



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