



**NEWBERRY COUNTY COUNCIL
COUNTY COUNCIL AGENDA
Newberry Courthouse Annex
1309 College Street, Newberry, SC 29108
March 18, 2026
6:00 P.M.**

1. Call to order: Robert Shealy, Chairman.
2. Invocation and Pledge of Allegiance: Karl Sease, Vice Chairman.
3. Adoption of Minutes:
 - a. Newberry County Council Work Session Minutes – March 4, 2026.
 - b. Newberry County Council Meeting Minutes – March 4, 2026.
4. Approval of Agenda.
5. Special Appearance: Danielle Himsey, Newberry Soil and Water Conservation District.
6. Administrator's Report:
 - a. Employee Recognition: Sheena Owens (5 years, NCSO), Deanna Wilbanks (15 years, NCSO), Janeen Toby (20 years Clerk of Court).
 - b. Project Updates.
7. Chairman's Comments.
8. Public Comments Regarding Items on the Agenda (three minutes).
9. Old Business:
 - a. Second Reading – Ordinance 01-01-2026, a text amendment to the Zoning Ordinance, Sections 153.033, 153.168, 153.170, and 153.231; allowing fences and walls within the setback area.
 - b. Second Reading – Ordinance 03-01-2026, allowing Newberry County to enter into an option and purchase agreement with Project Altair for Economic Development Purposes.
10. New Business:
 - a. Resolution 01-2026 - Designating the Month of April 2026 as Fair Housing Month.
 - b. Approval of the 2024-25 Audit by Mauldin & Jenkins, LLC.

- c. Approval of a bid for Plum Nelly Road Repaving, funded by FEMA (2026-04).
- d. First Reading – Ordinance 03-02-2026. A text amendment of section 153.073 to the Zoning Ordinance (Chapter 153) which will allow for Outdoor Retail Sales.
- e. First Reading – Ordinance 03-03-2026. A text amendment section 151.04 to the Zoning Ordinance (Chapter 153) establishing a penalty to building permit fees.
- f. First Reading – Ordinance 03-04-2026. Rezoning property located at Folk Road and Calvary Church Road, Newberry, consisting of 8.34 acres, from LC-Limited Commercial to R2-Rural. (TMS 335-24).
- g. First Reading – Ordinance 03-05-2026. Rezoning property located at the corner of Lindler Field Road and US Hwy 76, Little Mountain, consisting of 3.04 acres, from RS-Single Family Residential to R2-Rural. (TMS 640-83).

11. Possible Actions by Council following the 5 p.m. Executive Session.

12. Appointments:

- a. Building, Fire, Nuisance Board – District 5.

13. Adjournment.

Future Meetings:

- a. Newberry County Council Budget Work Session – March 24 at 5 p.m.
- b. Newberry County Council Budget Work Session – March 25 at 5 p.m.
- c. Newberry County Economic Development Committee – March 30 at 5 p.m.
- d. Newberry County Council will not meet on April 1, 2026.
- e. Newberry County Council Work Session – April 15 at 5 p.m.
- f. Newberry County Council – April 15 at 6 p.m.

**NEWBERRY COUNTY COUNCIL WORK SESSION
MINUTES
March 4, 2026**

Newberry County Council met on Wednesday, March 4, 2026, at 5:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a Work Session.

Notice of the meeting was duly advertised, as required by law.

PRESENT: Robert Shealy, Chairman
Karl Sease, Vice-Chairman
Leon Fulmer, Council Member
Todd Johnson, Council Member (virtual)
Travis Reeder, Council Member
Johnny Mack Scurry, Council Member
Stuart Smith, Council Member
Ted Luckadoo, County Administrator
Joanie Winters, County Attorney
Jessie Long, Economic Development Coordinator
Eric Nieto, IT Director
Katie Werts, Director of Planning and Development
Andrew Wigger, Clerk to Council/PIO

Mr. Shealy called the meeting to order at 5:00 p.m.

1. Executive Session:

a. Contractual Matter(s):

- i. Discussion of matters related to entering into a proposed Option and Purchase Agreement with *Project Altair* pursuant to SC Code of Laws Section 30-4-70(a)(2).

b. Legal Matter(s):

- i. Discussion of matters related to the Board of Zoning Appeals and pre-litigation mediation pursuant to SC Code of Laws Section 30-4-70(a)(2).

c. Economic Development Matter(s):

- i. Discussion of matters related to *Project Nova 2025* pursuant to S.C. Code of Laws Section 30-4-70(a)(5).
- ii. Discussion of matters related to *Project Red* pursuant to S.C. Code of Laws Section 30-4-70(a)(5).

- Mr. Reeder made a motion to go into Executive Session; Mr. Smith provided the second and the motion carried 7-0.
- Newberry county Council went into Executive Session at 5:02 p.m.
- Mr. Sease made a motion to come out of Executive Session; Mr. Smith provided the second and the motion carried 7-0.
- Newberry County Council came out of Executive Session at 5:53 p.m.
- No action was taken.

2. Adjournment.

- Mr. Sease made a motion to adjourn; Mr. Scurry provided the second and the motion carried 7-0.
- Newberry County Council adjourned at 5:53 p.m.

NEWBERRY COUNTY COUNCIL

Robert Shealy, Chairman

Andrew Wigger, Clerk to Council

Minutes Approved: _____

DRAFT

**NEWBERRY COUNTY COUNCIL
MINUTES
March 4, 2026**

Newberry County Council met on Wednesday, March 4, 2026, at 6:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a regular scheduled meeting.

Notice of the meeting was duly advertised, as required by law.

PRESENT: Robert Shealy, Chairman
Karl Sease, Vice-Chairman
Leon Fulmer Jr., Council Member
Todd Johnson, Council Member (virtual)
Travis Reeder, Council Member
Johnny Mack Scurry, Council Member
Stuart Smith, Council Member
Ted Luckadoo, County Administrator
Joanie Winters, County Attorney
Captain Ben Chapman, NCSO
Rick Farmer, Economic Development Director
Jessie Long, Economic Development Coordinator
Tommy Long, Emergency Services Director
Eric Nieto, IT Director
Andrew Wigger, Clerk to Council/PIO

Mr. Shealy called the meeting to order at 6:00 p.m.

Mr. Scurry led the invocation and Pledge of Allegiance.

1. Adoption of Consent Agenda:

- a. Newberry County Council Meeting Minutes – February 18, 2026.
 - b. Newberry County Council Special Called Meeting Minutes – February 24, 2026.
- Mr. Sease made a motion to accept the minutes as presented; Mr. Scurry provided the second and the motion carried 7-0.

2. Additions, Deletions & Adoption of the Agenda.

- Mr. Reeder made a motion to accept the agenda as presented; Mr. Fulmer provided the second and the motion carried 7-0.

3. Special Recognition:

a. Whitmire Fire Station 3 and Whitmire Rescue Squad Station 16.

- Mr. Long recognized the stations listed above for their accomplishments, history and other accolades, as well as highlighting the work they do throughout the year.

4. Proclamation in Recognition of Disability Awareness Month in Newberry County.

- Mr. Smith made a motion to accept the Proclamation; Mr. Johnson provided the second.
- Mr. Johnson said this hits very close to home and it is his pleasure to vote for this.
- The motion carried 7-0.

5. Ordinance No. 02-01-2026. Amending and Restating an Ordinance Entitled “An Ordinance to Provide for the Issuance and Sale of a General Obligation Bond of Newberry County, South Carolina not Exceeding \$405,000 in Principal Amount, to Prescribe the Purposes for Which the Proceeds of Said Bond Shall be Expended, to Provide for the Payment of Said Bond, and Other Matters Relating Thereto.”

a. Public Hearing.

- Mr. Shealy declared the Public Hearing open, with no one signed up to speak, Mr. Shealy declared the Public Hearing closed.

b. Third Reading.

- Mr. Reeder made a motion to accept third reading; Mr. Smith provided the second and the motion carried 7-0.

6. Ordinance No. 02-02-2026. An Ordinance Authorizing the Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes Agreement by and Between Newberry County, South Carolina and *Project Nova 2025* to Provide for Payment of a Fee-In-Lieu of Taxes; Authorizing Certain Infrastructure Credits; and Other Related Matters.

a. Public Hearing.

- Mr. Shealy declared the Public Hearing open.
- Mr. Tyler Johnson requested that they have another hearing during third reading due to the fact that the only information provided by the county is the code name, a minimum value of \$15,290,000, create 16 new full-time jobs and be added to the MCIP known as Greenwood Newberry Industrial Park. He said with such little information provided it is hard for a fee in lieu of tax to be beneficial to the county with only 16 new jobs. Information pertinent to the public to understand the reason behind this FILOT, the type of business, location of the business, size of land involved in the project, estimated return on investment for the county, time frame, etc. He said this is a concerning trend with council on its lack of transparency, he has checked with other counties and found that most, if not all, have this information readily available and discussed at first reading. He said what is not transparent is that Newberry County in the last two out of three years has voted unanimously to increase property taxes on residents, and he hears the same will occur in the months ahead. He said he listened to the last public safety meeting where fire safety was laid out in detail, and the only suggested fix was increasing taxes. He says he understands bringing in new business is beneficial; they must also be conscientious that tax incentives and decreases given to these businesses through these FILOTs are in the long-term best interest of the county.
- Mr. Shealy declared the Public Hearing closed.

b. Second Reading

- Mr. Fulmer made a motion to postpone second reading until July 1st, pending further communication with the developer; Mr. Sease provided the second and the motion carried 7-0.

7. Ordinance 03-01-2026. An Ordinance authorizing the County of Newberry, by Newberry County Council, to enter into an Option and Purchase Agreement to evaluate the sale of real property to be determined through negotiations of all purchase terms and conditions, for economic development purposes with Project Altair.

a. First Reading.

- Mr. Luckadoo said they have a prospect that is in a due diligence period to determine if their project can move forward, in order for them to do that due diligence, they must enter into an option for the property, allowing them to fully evaluate the feasibility of the project. If the project proves feasible, the prospect would likely move forward with the purchase of the property, but if not, the prospect could or would elect at that time to not exercise their option moving forward.
- Mr. Sease made a motion to accept first reading; Mr. Smith provided the second and the motion carried 7-0.

8. Appointments.

a. Building, Fire, Nuisance Board – District 1.

- Mr. Johnson made a motion to re-appoint Mr. Mike Johnson; Mr. Sease provided the second and the motion carried 7-0.

b. Board of Zoning Appeals – District 5.

- Mr. Smith made a motion to re-appoint Mr. Ty Ransdell; Mr. Reeder provided the second and the motion carried 7-0.

c. Board of Zoning Appeals – District 7.

- Mr. Reeder made a motion to re-appoint Mr. Patrick Wilkes; Mr. Smith provided the second and the motion carried 7-0.

9. Public Comments (Three Minutes).

- There were no public comments.

10. Comments/Requests from County Administrator.

- Mr. Luckadoo informed council that they were provided a copy of the financial audit, and that Mauldin and Jenkins will present their findings to council on March 18th.
- The Fiscal Year 2026-27 Draft Budget will be distributed to council on March 18th, and two Budget Work Sessions will follow on March 24th and 25th.
- The Economic Development Committee meeting will be moved from March 23rd to March 30th.
- Mr. Luckadoo provided project updates on Little Mountain Reunion Park, Pomaria Community Center, Whitmire Gymnasium and the Newberry Museum. He also provided updates on the CDBG projects and the Safe Streets and Roads for All projects.

11. Comments/Requests from Council.

- Mr. Shealy thanked everyone for coming out and thanked the fire and rescue volunteers for all they do for the county.

12. Future meetings:

- a. Newberry County Council Work Session – March 18 at 5 p.m.
- b. Newberry County Council – March 18 at 6 p.m.
- c. Newberry County Economic Development Committee – March 23 30 at 5 p.m.
- d. Newberry County Council Budget Work Session – March 24 at 5 p.m.
- e. Newberry County Council Budget Work Session – March 25 at 5 p.m.
- f. Newberry County Council will not meet on April 1, 2026
- g. Newberry County Council Work Session – April 15 at 5 p.m.
- h. Newberry County Council – April 15 at 6 p.m.

13.Adjournment.

- Mr. Scurry made a motion to adjourn; Mr. Smith provided the second and the motion carried 7-0.
- Newberry County Council adjourned at 6:28 p.m.

NEWBERRY COUNTY COUNCIL

Robert Shealy, Chairman

Andrew Wigger, Clerk to Council

Minutes Approved: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

ORDINANCE NO. 01-01-2026

AN ORDINANCE AMENDING THE TEXT OF THE OFFICIAL ZONING ORDINANCE OF NEWBERRY COUNTY, SOUTH CAROLINA, AS CODIFIED IN CHAPTER 153 OF THE CODE OF ORDINANCES OF NEWBERRY COUNTY, SOUTH CAROLINA BY AMENDING SECTION 153.033, FENCES AND WALLS, SECTION 153.168, SETBACK FROM THE LAKE SHORE, SECTION 153.170 STRUCTURES AND PROJECTIONS INTO REQUIRED YARDS AND RIGHTS-OF-WAY, AND SECTION 153.231 DEFINITIONS.

WHEREAS, the County of Newberry (the “County”) is a political subdivision of the State of South Carolina; and

WHEREAS, Newberry County Council (the “Council”) is the duly elected governing body of the County of Newberry; and

WHEREAS, the Council is vested with the authority to amend, delete, or create ordinances that are in the best interest of the County pursuant to Section 4-9-30 et al of the South Carolina Code of Laws, 1976, as amended; and

WHEREAS, it has been determined by the Council that certain sections of the Zoning Ordinance of Newberry County were in need of review and amendment.

The following sections of the County Code of Ordinances have proposed amendments:

SECTION 1. The Newberry County Code of Ordinances, Title XV Land Usage, Chapter 153, Zoning Code, Section 153.033, Fences And Walls is amended as follows:

§ 153.033 FENCES AND WALLS.

(A) *In general.* The following standards shall apply to all fences and walls in all zoning districts unless otherwise noted.

- (1) Fences and walls shall be maintained in good order by the owner.
- (2) Fences shall not contain advertising, signs, or logos on the exterior of the fence unless deemed necessary by the Zoning Administrator.
- (3) Fences and walls shall be installed and maintained so as not to interfere with the sight distance requirements of this chapter or the sight distance needs of drivers in parking areas, at entrance and exit locations, and at street intersections.

- (4) Fences and walls shall be constructed such that the "finished" part of the fence or wall is located to the exterior of the property.
- (5) Nothing in this subsection shall preclude the installation of temporary fences around construction works, erected or maintained pursuant to the Building Code, soil erosion and sedimentation requirements, or tree conservation requirements.
- (6) Fences and walls shall be allowed within the setback area as identified in §153.170 (C).

SECTION 2. The Newberry County Code of Ordinances, Title XV Land Usage, Chapter 153, Zoning Code, Section 153.168, Setback From The Lake Shore is amended as follows:

§ 153.168 SETBACK FROM THE LAKE SHORE.

All principal and accessory structures shall be set back no less than 50 feet from the 360 contour line 1929 National Geodetic Vertical Datum (NGVD) on Lake Murray and the 440 contour line on Lake Greenwood, with the exception of fences and walls. However, where adjacent lake properties on both sides of a property are developed, the setback shall not be less than the average of the setback from the 360 contour on Lake Murray or the 440 contour on Lake Greenwood of the principal structures on the adjacent lake properties. Mapping and survey data as provided by the Newberry County Geographic Information System (GIS) will be used by the Zoning Administrator to determine the original location of the 360 or 440 contour lines. Local, state, or federal setback requirements from the lake shore may also apply.

SECTION 3. The Newberry County Code of Ordinances, Title XV Land Usage, Chapter 153, Zoning Code, Section 153.170, Structures And Projections Into Required Yards And Rights-Of-Way is amended as follows:

§ 153.170 STRUCTURES AND PROJECTIONS INTO REQUIRED YARDS AND RIGHTS-OF-WAY.

- (A) No principal building or structure shall be located within any required setback or yard.
- (B) No principal building or structure shall be located within any required buffer.
- (C) Permitted fences and walls, retaining walls, security gates, paths, walkways, handicap ramps, mailboxes, utility poles, signs, lighting fixtures, patios at grade, and similar features may be located in a required setback or yard, including the lake shore setback, so long as the sight triangle on corner lots and at driveway intersections is protected.
- (D) Ornaments, eaves, cornices, gutters, window sills, awnings, canopies, and other minor architectural features projecting less than 18 inches from the main portion of a building shall be allowed to project into any required yard or setback.
- (E) Steps and open porches without roofs shall be permitted in any required yard or setback.

- (F) Permitted signs may be placed in required yards and setbacks per the requirements set forth in §§ [153.213](#) *et seq.* - Signs. However, permitted signs may not extend into or over any existing public right-of-way.
- (G) In GC and IND Districts, guard/entry structures, vehicle scales, and roofs over such structures and devices are permitted within required front yards, provided that they do not constitute a substantial impediment to visibility across the yards which would contribute to the creation of traffic hazards, and further provided that servicing operations in connection therewith can be conducted so as not to interfere with public use of adjacent sidewalks or public streets.
- (H) Above-ground sewer backflow prevention devices are expressly prohibited in the established front yards of buildings.

SECTION 4. The Newberry County Code of Ordinances, Title XV Land Usage, Chapter 153, Zoning Code, Section 153.231, Definitions is amended as follows:

§ 153.231 DEFINITIONS.

STRUCTURE. Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground, including for purposes of this chapter buildings, mobile manufactured homes, travel trailers, signs, swimming pools, fences, and antennae, but excluding from definition as structures minor landscaping features such as ornamental pools, planting boxes, bird baths, paved surfaces, walkways, driveways, fences and walls, recreational equipment, flagpoles, and mailboxes.

SECTION 5. **Conflicting Ordinances.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

NOW, THEREFORE BE IT ORDAINED by the County Council of the County of Newberry, in Council duly assembled this 18th day of February 2026 that the text of the Official Zoning Ordinance of Newberry County, South Carolina, as codified in Chapter 153 of the Code of Ordinances of Newberry County, South Carolina, Section 153.033, Fences And Walls, Section 153.168, Setback From The Lake Shore, Section 153.170, Structures And Projections Into Required Yards And Rights-Of-Way, and Section 153.231, Definitions shall be amended as prescribed by this ordinance.

NEWBERRY COUNTY COUNCIL

BY: _____
Robert Shealy, Chairman

(SEAL)

ATTEST:

Andrew Wigger, Clerk to Council

Approved as to form:

Joanie Winters, County Attorney

**William Theodore Luckadoo,
County Administrator**

1st Reading: January 21, 2026
2nd Reading: March 18, 2026
3rd Reading: April 15, 2026
Public Hearing: April 15, 2026



Newberry County
Administration
 1309 College Street
 Newberry, SC 29108
 803-321-2100

Agenda Briefing

Prepared By: Katie Werts	Title: Director of Building & Zoning
Department: Building & Zoning	Division: Zoning
Date Prepared: 3/12/2023	Meeting Date: 3/18/2026
Legal Review:	Date:
Budget Review: N/A	Date: N/A
Approved for Consideration: Joint Planning Commission	Date: 3/17/2026
Request Consideration by Committee / County Council: County Council	Ordinance No. 01-01-2026 – Fences & Walls

STAFF’S RECOMMENDED ACTION:

Staff recommends approval of the proposed zoning text amendment modifying Sections §153.033 (Fences and Walls), §153.168 (Setback from the Lake Shore), §153.170 (Structures and Projections into Required Yards and Rights-of-Way), and §153.230 (General Terms) of the Newberry County Zoning Ordinance.

The amendment clarifies that fences and walls are permitted within required setback areas and are exempt from the lake shoreline setback requirements while maintaining existing safety, design, and maintenance standards.

FIDUCIARY:

Are Funds allocated in the department's current fiscal year budget?		Yes		No
If no, is a budget amendment necessary?		Yes		No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

The proposed amendment does not create any fiscal impact to the County. Administration of these provisions will occur through existing zoning review and permitting procedures.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA (S) OF LEGAL EXPOSURE:

SUMMARY DISCUSSION:

The proposed zoning text amendment clarifies the regulations governing fences and walls within Newberry County. The amendment provides additional language confirming that fences and walls may be located within required setbacks, including required yard areas, as long as they do not interfere with sight distance requirements for traffic safety.

The amendment also clarifies that fences and walls are exempt from the shoreline setback requirements associated with Lake Murray and Lake Greenwood. This change provides consistency with common residential and property boundary practices while maintaining the required setbacks for principal and accessory structures.

Additional language reinforces that fences must be maintained by property owners, constructed with the finished side facing outward, and built with materials commonly used for fence construction. The amendment also maintains existing standards related to safety, compatibility within developments, and screening requirements where applicable.

These changes are intended to provide clearer guidance for property owners, contractors, and zoning staff while ensuring that fencing regulations remain consistent across the zoning ordinance.

ADDITIONAL COMMENTS FOR CONSIDERATION:

None

ATTACHMENTS:

Ordinance No. 03-02-2026 – Outdoor Retail Sales

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

ORDINANCE NO. 03-01-2026

AN ORDINANCE AUTHORIZING THE COUNTY OF NEWBERRY, BY NEWBERRY COUNTY COUNCIL, TO ENTER INTO AN OPTION AND PURCHASE AGREEMENT TO EVALUATE THE SALE OF REAL PROPERTY TO BE DETERMINED THROUGH NEGOTIATIONS OF ALL PURCHASE TERMS AND CONDITIONS, FOR ECONOMIC DEVELOPMENT PURPOSES WITH PROJECT ALTAIR.

WHEREAS, the County of Newberry (the “County”) is a political subdivision of the State of South Carolina; and

WHEREAS, Newberry County Council (the “Council”) is the duly elected governing body of the County of Newberry; and

WHEREAS, the Council is vested with the authority to sell and dispose of real property owned by the County pursuant to Section 4-9-30 et al of the South Carolina Code of Laws, 1976, as amended; and

WHEREAS, Project Altair has expressed interest in property owned by Newberry County for potential economic development; and

WHEREAS, Project Altair desires to conduct due diligence to determine the feasibility of the potential economic development project for a County-owned Property; and

WHEREAS, the County determined, as a fact and following appropriate investigation, that the Property is no longer needed for county purposes and would be of better and higher use and benefit to the County if owned by an individual or entity other than the County, and that as such the Property has been regularly listed a feasible economic development property; and

WHEREAS, Project Altair has proposed, and the County does hereby agree through the proper legislative process of the use of an ordinance under Section 4-9-130 of the South Carolina Code of Laws, 1976, as amended, that the County does authorize that the Newberry County Council enter into an Option and Purchase Agreement with Project Altair.

NOW, THEREFORE BE IT ORDAINED by the County Council of the County of Newberry, in Council duly assembled this 15th day of April, 2026 that:

The Council does hereby authorize entering into an Option and Purchase Agreement with Project Altair so that Project Altair may begin its due diligence to ascertain and determine whether the County-owned Property is suitable for their economic development purposes. Upon such determination, the County will engage in good faith negotiations for the purchase of the property and will conclude any ensuing purchase through the legislative process required by South Carolina law to approve the sale of the Property.

NEWBERRY COUNTY COUNCIL

BY: _____
Robert Shealy, Chairman

(SEAL)

ATTEST:

Andrew Wigger, Clerk to Council

Approved as to form:

Joanie Winters, County Attorney

**William Theodore Luckadoo,
County Administrator**

1st Reading: March 4, 2026
2nd Reading: March 18, 2026
Public Hearing: April 15, 2026
3rd Reading: April 15, 2026

Plum Nelly Road Disaster Repair Project

FEMA Public Assistance Program – Hurricane Helene (DR-4829-SC)

Disaster Event and Damage

In September 2024, Hurricane Helene produced severe storms, high winds, wind driven rain, and falling trees across Newberry County. These conditions caused damage to multiple sections of Plum Neely Road, which is a chip and seal roadway originally constructed around 2005. Storm debris and prolonged rainfall degraded portions of the roadway surface and created potholes in several locations along the road corridor.

FEMA conducted a site inspection and documented the damage along several segments of Plum Neely Road. The roadway damage was determined to be directly related to Hurricane Helene and therefore eligible for reimbursement under the FEMA Public Assistance Program.

FEMA Project Approval

The project was approved under FEMA Public Assistance Category C for Roads and Bridges. The approved scope of work includes removing damaged sections of roadway surface and replacing the chip and seal pavement in order to restore Plum Neely Road back to its pre disaster design, function, and capacity within the existing roadway footprint.

The damage locations were documented with GPS coordinates and detailed measurements during FEMA's inspection process, and the repair quantities were developed using RSMeans cost estimating for the Columbia South Carolina region.

Project Funding

The total approved project amount is \$93,748.93. FEMA funded 75 percent of the project through the federal disaster declaration for Hurricane Helene, which equals \$70,311.70. The remaining 25 percent non federal cost share equals \$23,437.23.

For this project, the State of South Carolina covered the full non federal cost share, meaning Newberry County did not have to contribute any local funding toward the repair of Plum Neely Road. The full project funding amount of \$93,748.93 has already been obligated and paid to Newberry County.

Procurement and Project Status

Newberry County completed the required procurement process in accordance with federal procurement requirements and the Newberry County procurement policy. Competitive bids were solicited and received for the roadway repair work.

With FEMA funding already received and the procurement process completed, the County is now prepared to issue an award notification and notice to proceed to the selected contractor once the protest period has ended, and the contract is in place.

Next Steps

Once the Notice to Proceed is issued, the contractor will begin roadway repairs to restore Plum Neely Road to its pre storm condition. Upon completion of construction, Newberry County will submit final project documentation to FEMA to complete the closeout process under the FEMA Public Assistance Program.

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

ORDINANCE NO. 03-02-2026

AN ORDINANCE AMENDING THE TEXT OF THE OFFICIAL ZONING ORDINANCE OF NEWBERRY COUNTY, SOUTH CAROLINA, AS CODIFIED IN CHAPTER 153 OF THE CODE OF ORDINANCES OF NEWBERRY COUNTY, SOUTH CAROLINA BY AMENDING SECTION 153.073, ZONING DISTRICT TABLE OF PERMITTED USES AND SECTION 153.129, OUTDOOR RETAIL SALES

WHEREAS, the County of Newberry (the “County”) is a political subdivision of the State of South Carolina; and

WHEREAS, Newberry County Council (the “Council”) is a duly elected governing body of the County of Newberry; and

WHEREAS, the Council is vested with the authority to amend, delete, or create ordinances that are in the best interest of the County pursuant to Section 4-9-30 et al of the South Carolina Code of Laws, 1976, as amended; and,

WHEREAS, it has been determined by the Council that certain sections of the Zoning Ordinance of Newberry County were in need of review and amendment.

The following sections of the County Code of Ordinances have proposed amendments:

SECTION 1. The Newberry County Code of Ordinances, Title XV Land Usage, Chapter 153, Zoning Code, Section 153.073, Zoning District Table of Permitted Uses is amended as follows:

§ 153.073 ZONING DISTRICT TABLE OF PERMITTED USES.

(D) *Zoning district table of permitted uses.*

ZONING DISTRICT TABLE OF PERMITTED USES			
Description of Use	2017 NAICS	GC	C/SE Reference
ACCESSORY USES TO NON-RESIDENTIAL USES			
Outdoor Retail Sales	NA	C	§ 153.129

SECTION 2. The Newberry County Code of Ordinances, Title XV Land Usage, Chapter 153, Zoning Code, Section 153.129, Outdoor Retail Sales is amended as follows:

§ 153.129 OUTDOOR RETAIL SALES.

Outdoor retail sales of commercial items as accessory to a commercial retail business shall meet the following requirements where conditionally permitted.

- (A) Such outdoor retail sales include any large-scale sale of items displayed outside of a principal structure. These uses include, but are not limited to, automotive sales lots, boat sale lots, agricultural equipment sale lots, manufactured home sales lots, portable building sales, countertop or building material sales, and landscaping/mulch sales.
- (B) Items displayed for outdoor retail sales shall not be placed within a designated buffer or landscaped area.
- (C) Items displayed for outdoor retail sales shall be setback at least five feet from all property lines.

SECTION 3. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

NOW, THEREFORE BE IT ORDAINED by the County Council of the County of Newberry, in Council duly assembled this ___ day of _____, 2026 that the text of the Official Zoning Ordinance of Newberry County, South Carolina, as codified in Chapter 153 of the Code of Ordinances of Newberry County, South Carolina, Section 153.073, Zoning District Table of Permitted Uses and Section 153.129, Outdoor Retail Sales shall be amended as prescribed by this ordinance.

NEWBERRY COUNTY COUNCIL

BY: _____
Robert Shealy, Chairman

(SEAL)

ATTEST:

Andrew Wigger, Clerk to Council

Approved as to form:

Joanie Winters, County Attorney

**William Theodore Luckadoo,
County Administrator**

1st Reading: March 18, 2026
2nd Reading: April 15, 2026
Public Hearing: April 15, 2026
3rd Reading: May 6, 2026



**Newberry County
Administration**
1309 College Street
Newberry, SC 29108
803-321-2100

Agenda Briefing

Prepared By: Katie Werts	Title: Director of Building & Zoning
Department: Building & Zoning	Division: Zoning
Date Prepared: 3/12/2023	Meeting Date: 3/18/2026
Legal Review:	Date:
Budget Review: N/A	Date: N/A
Approved for Consideration: Joint Planning Commission	Date: 3/17/2026
Request Consideration by Committee / County Council: County Council	Ordinance No. 03-02-2026 – Outdoor Retail Sales

STAFF’S RECOMMENDED ACTION:

Staff recommends approval of Ordinance No. 03-02-2026. The proposed amendment clarifies that outdoor retail sales are conditionally permitted in the General Commercial (GC) zoning district and establishes development standards regulating the placement of outdoor retail merchandise. These standards are intended to ensure that outdoor display areas do not encroach into required buffers or landscaped areas and maintain a minimum setback from property lines.

FIDUCIARY:

Are Funds allocated in the department's current fiscal year budget?		Yes		No
If no, is a budget amendment necessary?		Yes		No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

The proposed ordinance amendment does not create any direct fiscal impact on the County. Any administrative review associated with outdoor retail sales will be handled through existing zoning and permitting procedures.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA (s) OF LEGAL EXPOSURE:

SUMMARY DISCUSSION:

The proposed ordinance amendment updates the Newberry County Zoning Ordinance by modifying the Zoning District Table of Permitted Uses and adding development standards for outdoor retail sales.

The amendment allows outdoor retail sales as an accessory use to a commercial retail business within the General Commercial (GC) zoning district, subject to specific conditions. Outdoor retail sales include the display and sale of commercial items outside of a principal structure, such as automotive sales lots, boat sales, agricultural equipment sales, manufactured home sales, portable building sales, building materials, landscaping or mulch sales.

The ordinance also establishes basic operational standards to ensure compatibility with surrounding properties. Items displayed for outdoor retail sales may not be placed within required buffer or landscaped areas and must be located at least five feet from property lines. These standards provide clarity for businesses while maintaining orderly development and site layout.

The proposed amendment is also intended to provide clearer guidance for businesses and staff regarding the regulation of outdoor retail display areas and to ensure consistent application of zoning standards within the General Commercial zoning district.

ADDITIONAL COMMENTS FOR CONSIDERATION:

None

ATTACHMENTS:

Ordinance No. 03-02-2026 – Outdoor Retail Sales

NOW, THEREFORE BE IT ORDAINED by the County Council of the County of Newberry, in Council duly assembled this ___ day of _____, 2026 that the text of the Building Regulations of Newberry County, South Carolina, as codified in Chapter 151 of the Code of Ordinances of Newberry County, South Carolina, Section 151.04, Fees shall be amended as prescribed by this ordinance.

NEWBERRY COUNTY COUNCIL

BY: _____
Robert Shealy, Chairman

(SEAL)

ATTEST:

Andrew Wigger, Clerk to Council

Approved as to form:

Joanie Winters, County Attorney

**William Theodore Luckadoo,
County Administrator**

1st Reading: March 18, 2026
2nd Reading: April 15, 2026
Public Hearing: April 15, 2026
3rd Reading: May 6, 2026



**Newberry County
Administration**
1309 College Street
Newberry, SC 29108
803-321-2100

Agenda Briefing

Prepared By: Katie Werts	Title: Director of Building & Zoning
Department: Building & Zoning	Division: Building
Date Prepared: 3/12/2023	Meeting Date: 3/18/2026
Legal Review:	Date:
Budget Review: N/A	Date: N/A
Approved for Consideration: Joint Planning Commission	Date: 3/17/2026
Request Consideration by Committee / County Council: County Council	Ordinance No. 03-03-2026 – Fees

STAFF’S RECOMMENDED ACTION:

Staff recommends approval of the proposed ordinance amendment to §151.04 of the Newberry County Code of Ordinances regarding permit fees and penalties. The amendment establishes a penalty for work that is started or continued prior to obtaining the required permit by requiring the total permit fee to be doubled, consisting of the standard permit fee plus an additional penalty equal to one hundred percent (100%) of the usual permit fee.

FIDUCIARY:

Are Funds allocated in the department's current fiscal year budget?		Yes		No
If no, is a budget amendment necessary?		Yes		No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

The amendment does not create a direct budgetary impact. The provision establishes a penalty structure for work performed without the required permit and is intended to encourage compliance with permitting requirements.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA (s) OF LEGAL EXPOSURE:

SUMMARY DISCUSSION:

The proposed amendment to §151.04 clarifies the penalty structure for situations where work requiring a permit is started or continued prior to obtaining the required permit from Newberry County. Under the amendment, the permit fee will be doubled when work begins without first obtaining the necessary permit.

The doubled fee consists of the standard permit fee plus an additional penalty equal to one hundred percent (100%) of the usual permit fee. The intent of this provision is to encourage compliance with permitting requirements, promote public safety, and ensure that construction activities are properly reviewed and inspected in accordance with applicable codes and regulations.

Establishing a clear penalty for work performed without permits provides staff with a consistent enforcement tool and helps maintain fairness among property owners and contractors who follow the permitting process.

ADDITIONAL COMMENTS FOR CONSIDERATION:

None

ATTACHMENTS:

Ordinance No. 03-02-2026 – Outdoor Retail Sales

and received comments as to both the existing and intended uses of the property. The Joint Planning Commission determined that it does concur with the recommendation of the Planning Staff. The Planning Commission has now forwarded its report on the rezoning request to Newberry County Council, as required by law, for consideration of its actions by Newberry County Council.

WHEREAS, Newberry County Council is familiar with the site and the existing uses of the properties located at the corner of Folk Road & Calvary Church Road.

NOW, THEREFORE, Newberry County Council makes the following findings of fact and law as to the merits of the rezoning request concerning Tax Map No. 335-24 totaling eight and thirty-four hundredths (8.34) acres located at the corner of Folk Road and Calvary Church Road, Newberry as more particularly shown on the plat accompanying the submitted "Official Zoning Map Amendment Application" included in the submitted Planning Commission report attached hereto, R2-Rural from LC-Limited Commercial .

A. That the proposed map amendment does promote the implementation of the Comprehensive Plan in the area.

B. This amendment is needed because the proposed development cannot be accomplished by the owner under the existing zoning district regulations.

C. That traffic patterns in the neighborhood will not be adversely affected by the change in zoning.

NOW, THEREFORE, BE IT ORDAINED that:

Newberry County Council hereby determines, based on the findings set forth above, that the attached rezoning request for a map amendment for Tax Map No. 335-24 totaling eight and thirty-four hundredths (8.34) acres real estate parcel as acted on by the Planning Commission, be:

_____ disapproved;

_____ approved; or

_____ approved with the following modifications: _____

_____.

AND IT IS SO ORDAINED by Newberry County Council this _____ day of _____, 2026 in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

(SEAL)

By: _____
Robert Shealy, Chairman

Attest:

Andrew Wigger, Clerk to Council

1st reading: March 18, 2026
2nd reading: April 15, 2026
Public Hearing: April 15, 2026
3rd reading: May 6, 2026

Reviewed and approved as to form:

Attorney

County Administrator



Newberry County

Planning Commission Staff Report

Request: Rezoning request MA01-03-17-26 by property owner Fred Harmon. This request is to rezone one (1) property totaling eight and thirty-four hundredths (8.34) acres located at the corner of Folk Road & Calvary Church Road, Newberry, from LC-Limited Commercial to R2-Rural.

Application Number: MA01-03-17-26

Applicant: Fred Harmon

Property Owner: Fred Harmon

Location Address: Corner of Folk Rd & Calvary Church Rd.

Tax Map Number(s): 335-24

Lot Size: 8.34 acres

Current Land Use: Vacant

Proposed Land Use: Residential

Current Zoning District: LC-Limited Commercial

Proposed Zoning District: R2-Rural

Comprehensive Plan Designation: Rural Development

Current Zoning Map:**Current Zoning District**

LC – Limited Commercial: The LC district is intended to accommodate a range of residential and lower intensity non-residential uses including office, institutional, single-family, and multi-family residential, healthcare, food service, accommodations, and neighborhood commercial and services use. The district is generally characterized by a mixture of residential and business uses along major thoroughfares.

Proposed Zoning District

R2-Rural: The R2-Rural district is intended to be rural in nature, allowing low density residential uses including manufactured housing on individual properties, as well as home occupations, family day care, agriculture, forestry, hunting, and religious uses, but also accommodating complementary and associated uses such as recreation, government services, and appropriate service, commercial and industrial uses.

Future Land Use Designation Definition

Rural Development (RD) – Lands in the rural areas of the County that are primarily in use as low density residential, agriculture, or forestry, but may include other complementary and associated uses. Land in Rural Development may also include higher intensity uses on properties that are separated appropriately from residential uses and that have adequate road access. While lands in the RD areas are expected to continue to be primarily low density residential and agricultural in nature, it is anticipated that other complementary and associated uses such as public and institutional, parks and recreation, higher density residential, and light commercial and industrial uses will locate in these areas where appropriate.

Analysis:

Rezoning request MA01-03-17-26 by property owner Fred Harmon. This request is to rezone one (1) property totaling eight and thirty-four hundredths (8.34) acres located at the corner of Folk Rd. & Calvary Church Rd., from LC-Limited Commercial to R2-Rural. The proposed use of this property is residential.

The Comprehensive Plan identifies this property and the surrounding area as Rural Development which supports this rezoning.

When considering a rezoning, per Title 6, Chapter 29 of the Code of Laws of South Carolina, the decision of the Planning Commission serves as a recommendation and is forwarded to County Council for review and approval.

Recommendation:

Staff recommends the rezoning to R2-Rural.

STATE OF SOUTH CAROLINA)
)
NEWBERRY COUNTY)

ORDINANCE NO. 03-05-2026

AN ORDINANCE ACTING ON A REQUEST TO AMEND THE OFFICIAL ZONING MAP ESTABLISHED PURSUANT TO ZONING ORDINANCE NO. 12-24-01 AS REVISED AND AMENDED BY ZONING ORDINANCE NO. 06-11-16 AND CODIFIED IN CHAPTER 153 OF THE NEWBERRY COUNTY CODE OF ORDINANCES, ESTABLISHES ZONING CLASSIFICATION AND DISTRICTS SO AS TO REZONE ONE (1) REAL ESTATE PARCEL TOTALING THREE AND FOUR HUNDREDTHS (3.04) ACRES DESIGNATED AS TMS NO. 640-83 FROM RS-SINGLE FAMILY RESIDENTIAL TO R2-RURAL.

WHEREAS, Zoning Ordinance, codified in Chapter 153 of the Newberry County Code of Ordinances, establishes zoning classifications and districts, as well as an Official Zoning Map; and

WHEREAS, said Zoning Ordinance provides procedures for the amendment of both the text of the Ordinance and the district boundaries shown on the Official Zoning Map; and

WHEREAS, pursuant to the procedures established by the Zoning Ordinance, application was made for a map amendment to rezone one (1) real estate parcel totaling three and four hundredths (3.04) acres located at the corner of Lindler Field Road and US Highway 76, to R2-Rural from RS-Single Family Residential. Tax Map No. 640-83 is currently vacant land. The Comprehensive Plan shows the future land use for this area to be within the **transitional rural development** projected area. The Planning Staff does recommend that this real estate parcel be rezoned to R2-Rural.

WHEREAS, the Newberry County Joint Planning Commission, in case number MA02-03-17-26, had this matter on its agenda and considered this request

and received comments as to both the existing and intended uses of the property. The Joint Planning Commission determined that it does concur with the recommendation of the Planning Staff. The Planning Commission has now forwarded its report on the rezoning request to Newberry County Council, as required by law, for consideration of its actions by Newberry County Council.

WHEREAS, Newberry County Council is familiar with the site and the existing uses of the properties located at the corner of Lindler Field Road & US Highway 76, Little Mountain.

NOW, THEREFORE, Newberry County Council makes the following findings of fact and law as to the merits of the rezoning request concerning Tax Map No. 640-83 totaling three and four hundredths (3.04) acres located at the corner of Lindler Field Road and US Highway 76, Little Mountain, as more particularly shown on the plat accompanying the submitted “Official Zoning Map Amendment Application” included in the submitted Planning Commission report attached hereto, R2-Rural from RS-Single Family Residential.

A. That the proposed map amendment does promote the implementation of the Comprehensive Plan in the area.

B. This amendment is needed because the proposed development cannot be accomplished by the owner under the existing zoning district regulations.

C. That traffic patterns in the neighborhood will not be adversely affected by the change in zoning.

NOW, THEREFORE, BE IT ORDAINED that:

Newberry County Council hereby determines, based on the findings set forth above, that the attached rezoning request for a map amendment for Tax Map No. 640-83 totaling three and four hundredths (3.04) acres real estate parcel as acted on by the Planning Commission, be:

_____ disapproved;

_____ approved; or

_____ approved with the following modifications: _____

_____.

AND IT IS SO ORDAINED by Newberry County Council this _____ day of _____, 2026 in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

(SEAL)

By: _____
Robert Shealy, Chairman

Attest:

Andrew Wigger, Clerk to Council

1st reading: March 18, 2026
2nd reading: April 15, 2026
Public Hearing: April 15, 2026
3rd reading: May 6, 2026

Reviewed and approved as to form:

Attorney

County Administrator



Newberry County

Planning Commission Staff Report

Request: Rezoning request MA02-03-17-26 by property owner Paul James Rumfelt III. This request is to rezone one (1) property totaling three and four hundredths (3.04) acres located at the corner of Lindler Field Road and US Highway 76, Little Mountain, from RS-Single Family Residential to R2-Rural for a possible manufactured home.

Application Number : MA02-03-17-26

Applicant: Paul James Rumfelt III

Property Owner: Paul James Rumfelt III

Location Address: Corner of Lindler Field Road & US Highway 76, Little Mountain

Tax Map Number(s): 640-83

Lot Size: 3.04 acres

Current Land Use: Vacant

Proposed Land Use: Residential

Current Zoning District: RS-Single Family Residential

Proposed Zoning District: R2-Rural

Comprehensive Plan Designation: Rural Development

Current Zoning Map:**Current Zoning District**

RS – Single Family Residential: The RS district is intended to be residential with single-family, site-built dwellings and low population densities. Compatible uses such as home occupations, K-12 education, limited recreation, and religious uses are also allowed. Manufactured homes and businesses are not permitted.

Proposed Zoning District

R2-Rural: The R2-Rural district is intended to be rural in nature, allowing low density residential uses including manufactured housing on individual properties, as well as home occupations, family day care, agriculture, forestry, hunting, and religious uses, but also accommodating complementary and associated uses such as recreation, government services, and appropriate service, commercial and industrial uses.

Future Land Use Designation Definition

Rural Development (RD) – Lands in the rural areas of the County that are primarily in use as low density residential, agriculture, or forestry, but may include other complementary and associated uses. Land in Rural Development may also include higher intensity uses on properties that are separated appropriately from residential uses and that have adequate road access. While lands in the RD areas are expected to continue to be primarily low density residential and agricultural in nature, it is anticipated that other complementary and associated uses such as public and institutional, parks and recreation, higher density residential, and light commercial and industrial uses will locate in these areas where appropriate.

Analysis:

Rezoning request MA02-03-17-26 by property owner Paul James Rumfelt III. This request is to rezone one (1) property totaling three and four hundredths (3.04) acres located at the corner of Lindler Field Road and US Highway 76, Little Mountain, from RS-Single Family Residential to R2-Rural. The proposed use of this property is residential with a possible manufactured home.

The Comprehensive Plan identifies this property and the surrounding area as Rural Development which supports this rezoning.

When considering a rezoning, per Title 6, Chapter 29 of the Code of Laws of South Carolina, the decision of the Planning Commission serves as a recommendation and is forwarded to County Council for review and approval.

Recommendation:

Staff recommends the rezoning to R2-Rural.