

**NEWBERRY COUNTY COUNCIL WORK SESSION**  
**MINUTES**  
**September 3, 2025**

Newberry County Council met on Wednesday, September 3, 2025, 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  
Travis Reeder, Council Member  
Johnny Mack Scurry, Council Member  
Stuart Smith, Council Member  
Jeff Shacker, County Administrator  
Joanie Winters, County Attorney  
Eric Nieto, IT Director  
Andrew Wigger, Clerk to Council/PIO

ABSENT: Todd Johnson, Council Member

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

1. Review and discussion of proposed ordinance to repeal Section 153.090 - Cluster Development, Single Family Residential of the Zoning Ordinance of Newberry County codified in Chapter 153 of the Code of Ordinances of Newberry County.
  - Right now, in the current Zoning Ordinance, the county allows higher density residential uses in all residential districts, referred to as clustering, providing certain conditions are met, making it a conditional use.



- Mr. Shacker said Newberry County Council voiced concerns about a developer essentially being capable of doubling the density and having that approved administratively.
- This ordinance would repeal that and provides that only Single Family site-built residential dwellings are allowed as a cluster. The minimum size of the subdivision must be five acres, the developer or property owner is authorized to reduce lot sizes, provided they offset that with minimum open space requirements and the density cannot exceed 12 dwelling units per acre.
- This ordinance would also require they reserve 25% of the development site for open space and your minimum lot sizes and your interior lot setbacks could be reduced to no less than 50% of what's required in that zoning district.
- Mr. Sease said his big concern with that was it covers R2 – Rural and they could go in and say they're building cluster homes and now, without it being rezoned, they can go and build more houses than the minimum requirement, one house per acre.
  - Mr. Shacker said what this change does is for a high density development that is proposing to go into R2, they will be required to go through a legislative process, meaning it would go before the Joint Planning Commission who would then give a recommendation to Newberry County Council.
- Mr. Shacker said if Newberry County Council is good to go, they will plan to have first reading on September 17, 2025.

2. Review and discussion of proposed revisions to the Land Development Regulations of Newberry County codified in Chapter 154 of the Code of Ordinances of Newberry County.

- Mr. Shacker reviewed the changes that were made since the Land Development Regulations were last reviewed, in



February. These changes are contained within the Joint Planning Commission's recommendations.

- In Section 154.016. Land Development Review Committee, the changes in this section made clear that the Newberry County 911 addressing official will be involved in the committee, DHEC is now referred to as SCDES, a representative of the Newberry County School District, and the ability, to add other designees with the language "and any other designee as identified by the County Administrator."
  - Mr. Sease said he thinks they need to add a representative from EMS and the Newberry County Sheriff's Office, to which Mr. Shacker said they can add that.
- In Section 154.026. Determination of Subdivision type, the change includes language to parent parcels so that this makes it clear in a 10 year period, if you have carved off so many lots, that will trigger a major subdivision review requirement. A definition of parent parcels was also added under definitions.
- In Section 154.052. Reserved Open Space, in this section a subsection was added addressing cemeteries, following a concern being raised from Mr. Sease. Mr. Shacker said they wanted to make sure rights of access and protections are reflected in the regulations, and they added a minimum setback and buffer on all sides of the cemetery.
- A new section was added, 154.053. Sprinkler and Irrigation Systems, this adds requirements for sprinkler and irrigation systems.
- Mr. Fulmer asked if Ms. Winters reviewed the document and if there were any potential legal concerns; to which Ms. Winter said there were no concerns.
- Mr. Reeder asked how it will be determined who owns the cemeteries; Mr. Shacker said that is a real challenge because



often times they do not identify who the party responsible is.

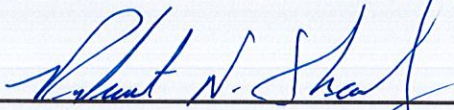
- Mr. Sease asked if there is a subdivision and if there is a cemetery on the land they want to build, they will have to have the buffer, but will they have to maintain the cemetery. Mr. Shacker said they do not have to maintain the cemetery itself, but they do have to maintain the buffer.
- Mr. Fulmer asked if the LDR addresses the appropriate, required setbacks. Mr. Shacker said that is in the zoning ordinance and vary based on the zoning classification.
- Mr. Sease said they previously talked about doing a joint session with the Joint Planning Commission; Mr. Shacker said his recommendation on that, what they just discussed, they get in process and after that maybe have a joint session to discuss other issues.
- Mr. Fulmer said at one point they discussed putting the burden of utility upgrades, infrastructure upgrades, on the developers and there are a lot of ways you can term that. He asked if they had looked at that. Mr. Shacker said the thing about the plan development district concept is it can be paired with development agreements, which would address requirements the developer would have to meet. Mr. Fulmer asked what the timeframe is for that; Mr. Shacker said they have another review at the Joint Planning Commission this month, and if they get done during that meeting, it will come to Newberry County Council in October.



### 3. Adjournment.

- Mr. Scurry made a motion to adjourn; Mr. Smith provided the second and the motion carried 6-0.
- The Newberry County Council Work Session adjourned at 5:38 p.m.



**NEWBERRY COUNTY COUNCIL**

  
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**Robert Shealy, Chairman**

  
  
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**Andrew Wigger, Clerk to Council**

**Minutes Approved:** 9-17-25