

# OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

6:00 PM, Monday, 12/04/2017

COUNCIL CHAMBERS

OCONEE COUNTY ADMINISTRATIVE COMPLEX

## Members Present:

Mr. Kisker  
Mr. Johnson  
Mr. Vassey  
Mr. Pearson  
Ms. McPhail  
Mr. Gramling  
Ms. Lyles

Staff Present: David Root, County Attorney  
Adam Chapman, Zoning Administrator – Community Development

Media Present: None

1. Call to Order  
Mr. Kisker called the meeting to order at 6:00 PM.
2. Invocation by County Council Chaplain  
Mr. Root gave the invocation.
3. Pledge of Allegiance
4. Approval of Minutes
  - a. November 20, 2017, with corrections  
Mr. Pearson – Motion  
Mr. Gramling – Second
5. Public Comment for Agenda and Non-Agenda Items (3 minutes)  
Mr. Codner stated that he has concerns about the following: 1. Silt fences – they need to be installed properly and maintained. 2. Clear-cutting of trees – once a lot is clear cut there is not any way of knowing what it looked like before it was done. Also, there is no enforcement after the fact.  
Mr. Markovich stated he has concerns about the vegetative buffer and the Property Maintenance Code (IPMC). Mr. Markovich wants “premises” defined and silt fence standards need to be enforced.
6. Staff Updates  
Mr. Chapman stated that 26 building permits, also Mr. Chapman had two calls about developing within the 25-foot vegetative buffer area in the Lake Overlay District.
7. Election of Chairman

Mrs. McPhail made a motion to nominate Mr. Kisker as Chairman and Mr. Pearson as Vice-Chairman for the rest of 2017. Mr. Johnson made a second on the motion it was approved unanimously.

8. Discussion on Comprehensive Plan Review

Staff noted that the Community Facilities Element and the Housing Element are the only two up for discussion with the Planning Commission tonight. The Community Facilities Element deals with the Fire Department, Sheriff's Department, Greenville Health System (GHS) and other facilities that deal with the welfare of the public. The Housing Element deals with the residential property that is owner-occupied as well as rentals. The 2010 Census Bureau and 2015 American Community Survey results are used to generate the numbers. Mr. Root suggested the Planning Commission look at the wording regarding the CFD in the Housing Element. If the CFD is to be added to the Zoning Matrix then it needs to be backed up by the Comprehensive Plan. Mr. Root is going to come up with language for the Planning Commission to consider the CFD being put into the matrix. Mrs. McPhail stated that the charts on pages 24 and 25, of the Housing Element, should be removed from the Comprehensive Plan.

9. Discussion on the Vegetative Buffer

Mr. Smith had a PowerPoint presentation on the Vegetative Buffer. Mr. Smith stated he has concerns about enforcement during the week as well as the weekend. Mr. Smith wants the language in Section 5 to include "no motorized vehicles in the Vegetative Buffer area", also in Section 6 it needs to address unstabilized soil. Staff stated that the 800-foot mark is Duke Energy's property and had charts to show to the Commission members and the public what the View Lane could look like. Mr. Kisker stated that the DHEC 50 foot line is intended to keep the drain lines away from the lake. Many of the communities have a Home Owners Association that will have input within a subdivision development. Mr. Johnson and Mr. Kisker had a conversation about Duke Energy's right-of-way. Mr. Pearson asked about placement of silt fences. Mr. Johnson, Mr. Kisker, Mrs. Lyles, and Mrs. McPhail discussed placement of the silt fences along the lakefront properties. Staff asked the Commission if a Duke Energy representative should be contacted to discuss Duke Energy's protocols.

Mr. Kisker asked if allowing a Home Owners Association (HOA) to give approval on the removal of trees in the vegetative buffer without the County's approval would be a good addition. Staff stated that the County has jurisdiction over the Vegetative Buffer. Mrs. Lyles asked if the wire backed silt fence should be mandatory. Staff stated that the wire backed silt fence wouldn't be required as lots have different topography. Mrs. Lyles asked if there are current regulations regarding replanting if trees are removed within the vegetative buffer area. Staff stated they are guidelines already in place. Mr. Kisker asked Mr. Root about the penalties through the International Property Maintenance Code. Mr. Root stated that the International Property Maintenance Code addresses the penalties for the erosion control and enforcement issues. Mr. Kisker asked that the wording 'entrenched' be put into paragraph 5 (silt fence). Mr. Root stated that the following language could be put into the code before or after the Penalties Section.

"Compliance and Conflicts:

Compliance with the requirements of this Section does not nullify a party's duty to comply with other or more stringent regulations, requirements, or guidelines of a Duke

Energy company or affiliate, or any local, state, or federal law or other applicable authority”.

Mr. Markovich stated that not allowing motorized vehicles needs to be exempt from the View Lanes Section. He also stated that the home builder is only one aspect of the construction process and the other contractors after the builder has received a final inspection, come into play. Mr. Smith stated that wire backed 4x4 silt fencing should be required and stay in place until the landscapers are finished. Mr. Barnett stated that the Army Corp of Engineers controls Lake Hartwell and the same regulations need to apply to Lake Keowee. Mr. Gramling asked if the Vegetative Buffer only applies to Lake Keowee and Lake Jocassee. Staff stated that Duke Energy owns Lake Keowee and Lake Jocassee, but the Army Corp of Engineers owns Lake Hartwell. Mr. Kisker stated that motorized equipment should be allowed during construction of the path to the lake, but once the View Lane is established that motorized vehicle should not be allowed. Mr. Johnson stated that these regulations will only apply to Lake Keowee and Lake Jocassee and should apply to all parcels within the 750-foot area. Mr. Codner stated that the 750 feet was put in a long time ago and should not be changed. Mr. Johnson asked can they make a motion to approve the current changes. Mr. Johnson stated that he wants to see the cleaned up version before it goes to County Council. Mr. Root stated that the Planning Commission will have to make a motion before the amendments will go forward to County Council. Mrs. Lyles made a motion to clean up the information and send to County Council. Mr. Johnson seconded and the motion and it was a unanimous vote.

10. Old Business

None

11. New Business

None

12. Adjourn

Mr. Pearson made the motion to adjourn at 7:50 PM