



# Oconee County Planning Department

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## MINUTES PLANNING COMMISSION MEETING July 16, 2007

The Oconee County Planning Commission held their monthly meeting at 7:00 p.m. on July 16, 2007 in the Council Chambers of the Oconee County Administrative Complex at 415 S. Pine St., Walhalla, SC 29691.

Members Present: Tommy Abbott, (Chairman)  
Bill Nelson  
Ryan Honea  
Howard Moore  
Rex Ramsay  
Bill Evatt

Art Holbrooks (Planning Director)

**Item 1: Call to Order-** Chairman Abbott called the meeting to order.

**Item 2: Approval of Minutes-** Mr. Holbrooks informed the Commission that, although the draft minutes indicated the vote shown under New Business on the proposed ordinance necessary to protect the County from liability resulting from new state regulations on inquiries about covenants and restrictions, a discrepancy in staff notes needed to be discussed. Commission members were in agreement that the correct vote was 5-1 in favor of the motion. Mr. Honea made a motion to approve the minutes from the June 11, 2007 meeting as written; Mr. Ramsay seconded the motion. The motion passed unanimously.

**Item 3: Consideration of Draft Vested Rights Ordinance-** Mr. Holbrooks informed the Commission that the draft ordinance contained some minor clarifications resulting from comments received, and that the County Attorney had reviewed and approved the new language. The Commission discussed the submission of new comments (see attached documents) from Ms. Linda Lovely (Advocates for Quality Development), and tabled the draft until the next meeting.

**Item 4: Consideration of Draft Sign Control Ordinance:** Mr. Holbrooks briefed the Commission on changes in the draft, indicating that concerns over the ability for business owners to advertise on 2-lane roads had been accounted for with further clarification. Also, new language based on the Outdoor Advertising Association of America provided for the smallest class of billboards to be located on 2-lane roads, provided the 1300 foot separation was maintained. No billboard over 75 square feet may be located on a 2-lane road, and all signs less than 50 square feet are exempted. Mr. Honea made a motion to recommend the draft to County Council for consideration; Mr. Bill Evatt seconded the motion. The motion passed unanimously.

**Item 5: Consideration of the Subdivision Regulation Chapter of the Performance Standards Ordinance:** Mr. Holbrooks presented the Commission with draft changes to the subdivision regulations, and indicated that he expected no action to be taken at present. He informed them that the County Attorney was working on a draft mutually exclusive easement that would allow for right-of-way to be presented to the County in the event that a private road was presented. Also, Mr. Holbrooks presented a memo to the Commission from the County Attorney stating his opinion that the proposed 75' setback for all parts of a septic system from surface water was not prohibited by state law. The Commission tabled the draft until the next meeting.

**Item 6: Update on Draft Zoning Enabling Ordinance:** Mr. Holbrooks informed the Commission that the purpose of the update was to follow onto discussions at the zoning workshop held on June 26<sup>th</sup>. Of particular interest was the apparent support among the Commission and the public to weight any citizen's input in zoning toward property owners. To account for this, the staff proposed moving away from formal advisory referenda, and focus instead on developing a formal survey process. Discussion among the Commissioners indicated strong support for this change, and Mr. Holbrooks stated that he planned to have some draft language for the Commission to review at the next meeting.

**Item 7: New Business-** Mr. Holbrooks informed the Commission that he was interviewing for a new Planner position, and hoped to hire someone within a week.

**Item 8: Old Business-** None

**Item 9: Public Comment-**

Mr. Berry Nichols stated that zoning notices should be put in tax notices, and all property owners should participate.

Mr. Tom Markovich supported removing any specific distance language for septic tank setbacks, and instead reference DHEC approval. Also, he stated that the County Attorney's memo indicating that no case law limited a county from regulating septic tanks was due to cases being taken through administrative law courts.

Ms. Linda Lovely supported the survey of property owners regarding zoning, and indicated some concerns related to specific language in the Subdivision Regulations draft as to how it may impact vesting issues.

Ben Turetzky from FOLKS stated that all property owners should have input in the zoning process. Also, he stated that he had been informed by members of the DHEC board that they were unaware of any changes regarding septic tank approvals.

Mr. BJ Littleton opposed Council taking readings of proposed regulations in title only, and stated that the Commission needed to define zoning in writing. Also, he favors prohibiting residents of gated communities and towns from voting in any zoning referenda.

**Item 10: Adjourn**