



# Oconee County Planning Department

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## MINUTES PLANNING COMMISSION MEETING April 14, 2008

The Oconee County Planning Commission held their regularly scheduled monthly meeting at 7:00 p.m. on February 11, 2007 in the Council Chambers of the Oconee County Administrative Complex at 415 S. Pine St., Walhalla, SC 29691.

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

Art Holbrooks (Planning Director)  
Aaron Gadsby (County Planner)

Media Present:  
Bret McLaughlin (Seneca Journal)

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

**Item 2: Approval of Minutes -** The minutes from the March meeting were reviewed by the Commission - no changes were made. Mr. Evatt made a motion to approve the minutes as written. Mr. Honea seconded the motion. The minutes were approved 7-0.

**Item 3: Public Comment Session –**

**Mr. Phillip Bearden** spoke to the Commission regarding his concerns regarding the proposed scenic highway overlay along Highway 11. ‘The State of South Carolina has already taken eighty five feet that the property owners pay taxes on but can’t use and now the County wants to take more.’ Mr. Bearden informed the Commission that the County should have to pay for the property within the overlay if they want to impose this on them. Also, Mr. Bearden also stated that if a Holiday Inn wanted to build the property owners should have the right to negotiate a price.

**Mr. Jerry Barnett** thanked the Commission for working on behalf of ‘the silent majority. One thing not discussed is the devastating consequences of zoning on those who can not afford it. Truth is developers pushing behind the scenes so they can help pave the way for sewer and water lines. Grandfathering is nothing; try totally exempt. Those living in controlled subdivisions are the ones that want zoning.’

**Mr. Berry Nichols** thanked the Commission for listening to everyone; both sides of the zoning issue. Mr. Nichols stated that the Commission is caught in the middle of ‘this whole mess.’ Mr. Nichols recommended that the zoning issue be put on the ballot and everyone should have the right to vote.

**Mr. Steve MacLeod** thanked the Commission for all their hard work. See the attached comment sheet for a complete copy of Mr. MacLeod comments.

**Mr. BJ Littleton** stated that he had ‘a right to exist’, and that he did not ‘want to live under Communism which we are calling zoning.’

**Item 4: Discussion of Capital Improvement Plan** – Mr. Holbrooks handed out a copy of the capital improvements proposed in the 2008/2009 budget. Mr. Holbrooks also informed the Commission that the third and final reading for the budget is scheduled for June 3<sup>rd</sup>, and the Commission would need to send any recommendations forwarded to Council before the June 3<sup>rd</sup> meeting. Mr. Nelson asked what the GO debt was referring to. Mr. Holbrooks informed the Commission that the terms refer to General Obligation Bonds. Mr. Abbott commented on the Detention Center as it was listed. Mr. Evatt asked Mr. Holbrooks to find out what the total bonding capacity of the county was including the capacity of the school district. Mr. Holbrooks informed the Commission that the department would send out the information as soon it was available.

**Item 5: Discussion of Citizen Initiated Zoning Process** – The Commission discussed the draft procedures allowing a citizen(s) to initiate zoning in their respective districts. Mr. Honea made a motion that 30% should be the number to initiate zoning in the district. Mr. Ramsay seconded the motion. The motion passed four (4) to two (2). Mr. Nelson and Mr. Evatt opposed. The Commission proceeded to discuss whether or not the initiation should be started by registered voters or property owners. No decision was reached. The Commission generally agreed that they were pleased with the process but some of the details needed to work out. Mr. Nelson requested that the Commission receive a copy of the Anderson County zoning process. The Commission tabled the citizen process to initiate zoning until the next meeting.

**Item 6: Old Business** – Mr. Honea brought up the draft zoning enabling ordinance, and made a motion to recommend to County Council that the Scenic Highway overlay be taken out of the Zoning Enabling Ordinance. Mr. Nelson seconded the motion. The motion passed unanimously.

**Item 7: New Business** – Mr. Holbrooks informed the Commission that the Council Chambers would not be available for the May and June Commission meetings due to absentee voting. The Commission asked the Planning Department to schedule the School District Board Room if available; if so, the May and June meetings will be held there. Mr. Holbrooks informed the Commission that the Commission and the public would be notified as soon as the venue for a meeting place is found.

**Item 8: Adjourn**

AQD believes the proposed Citizen Initiated Process is good but can be improved by relying on existing electronic media technology and maintaining the focus on property owners (the preference previously suggested by the Commission) rather than voter registration rolls.

What are the goals for a citizen-initiated process?

- (1) Simple for property owners to initiate.
- (2) Timely.
- (3) Transparent and absent of fraud.
- (4) Easy to administer.
- (5) Low cost.
- (6) A solid, reliable source of information for decision-making.

Our concern is in the initial petition process. The County (rightly so) does not want to begin work to develop zoning amendments for a Planning District unless at least 15 percent of the District's population appears interested. The suggested solution is to require a petition signed by at least 15% of the District's registered voters with signatures verified by election officials.

However, for citizen organizers, the proposed process is time-consuming, labor and paper intensive, and requires physically visiting or mailing to each petitioner and asking them to mail their signatures back. Then there are the inevitable problems with Robert Jones signing as Bob Jones or without a middle initial, etc. The signature verification process also is costly for the County.

At this first stage, the objective is to see if there is sufficient citizen interest to warrant moving forward. This is **NOT** a vote and has no binding purpose other than to show a level of interest. We suggest you accept a combination of paper and electronic signatures. The County could use a random verification process — postcard, phone call, emails — to easily validate the results. The survey of owners at the end of the process is the important one, not the initial petition drive.

Furthermore, the suggested two-year wait period to launch a second petition drive if a District fails to approve zoning amendments gives zoning advocates a built-in incentive to validate signatures rather than inflate numbers for a petition that ultimately fails.

Finally, if the County will allow property owners to register email addresses (easily done when tax notices are sent), it can streamline not only this petition process but other county business thereby reducing costs. Electronic safeguards are available to assure privacy and authenticity.