



# Oconee County Planning Commission

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29691

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## Minutes Planning Commission Meeting September 8, 2008

The Oconee County Planning Commission held their regularly scheduled monthly meeting at 7:00 p.m. on September 08, 2008 in the Oconee County Council Chambers, 415 S. Pine St., Walhalla, SC 29691.

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

Art Holbrooks (Planning Director)  
Aaron Gadsby (Planner)  
Amanda Schell (Planner)

Media Present:  
Brett McLaughlin (Daily Journal)  
Dick Mangrum (WGOG)  
Ray Chandler (Anderson Independent)  
Ashton Hester (Keowee Courier)

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

**Item 2: Approval of Minutes-**Mr. Honea made a motion to approve the August meeting minutes as written; Mr. Ramsay seconded the motion. The motion was approved unanimously

### **Item 3: Public Comment-**

Mr. Larry Linsin offered the Commission his thoughts on how the current scenic highway, as currently written, could be interpreted. He stated that the ordinance 'could be used to regulate as far as the eye can see'; further the ordinance prioritizes beautification interest over private landowners. Mr. Linsin also asked the Commission to remove the clause that stops any activity until a determination is made regarding the status of the highway.

Ms. Donna Linsin spoke to the Commission regarding section five of the ordinance to designate roads as scenic highways. Section five designates seven members to serve on a scenic highway committee, five of which are from special interest groups, these members should be chosen as

individual citizens of Oconee County. Ms. Linsin spoke regarding the lack of effort to contact the property owners along highway 28. Property owners need notified in writing prior to any meetings or action by the County.

Mr. Jerry Barnett spoke regarding ‘the special interest group of whiners, complainers, and control freaks which has cast a dark cloud of conspiracy over our entire county and has cost us as citizen’s untold thousands’. He also stated that the ‘only silver lining in this dark cloud is the Planning Commission’, and that protection of private property rights and individual rights must be done on the local level. Additionally, scenic highways should be confined to existing rights-of-way and tax payers shouldn’t be burdened any further by special interest groups. He added that designation of scenic highways ‘is another outrageous demand by a special interest group’. Finally, Mr. Barnett welcomed the consultants from Benchmark to Oconee County as ‘outside experts’.

Ms. Linda Lovely praised the Planning Department website for the comprehensive plan information, noting that the frequently asked questions document was very professional. Ms. Lovely also stated the community meetings were very informational and well done. Further, the willingness of the Planning Commission to get outside advice was to be commended.

Mr. Phil Soper spoke on behalf of the organization KOBA (Keep Oconee Beautiful Association) thanked the Commission for an opportunity to speak. Mr. Soper told the Commission that KOBA supported the Scenic Highway Ordinance that was on the agenda. Mr. Soper also said the ordinance just provides the opportunity to protect some of the roadways similar to highway 11 and also this would help to protect roads from outdoor advertising signs. Mr. Soper, spoke for himself and not KOBA regarding the zoning issue. Growth needs to be controlled in Oconee County and land use/zoning seems to be the best way to control growth for right now. Mr. Soper asked for leadership from the Planning Commission and asked for their leadership on zoning.

Mr. Tom Markovich asked the Commission to ask Mr. Norton to speak toward the concerns he raised at the July meeting of the Planning Commission.

Mr. B.J. Littleton raised concerns regarding the zoning enabling ordinance, Benchmark CMR, Inc, and Art Holbrooks. Mr. Littleton said that the Commission needs to fight against this type of land use control.

**Item 4: Consideration of an Ordinance to Establish a Program to Designate County Scenic Highways-** Mr. Holbrooks informed the Commission that the draft they had reflected the changes they had suggested at the last meeting. In doing so, the Department feels that ordinance is as bare as it can be and still accomplish what it needs to do. Mr. Holbrooks went through the new layout of the ordinance, including the need for appendix A and B. Chairman Abbott then questioned the reason why all of Highway 28 was not included in the proposal to designate the road. Mr. Holbrooks stated that the proposal was submitted by Mr. Harold Thomas’ group. Mr. J. Harold Thomas was recognized, and he informed Chairman Abbott that he believed Highway 28 was only scenic from Halfway Branch to Walhalla and that development that taken it toll on the rest of the road. Mr. Honea raised concerns regarding the definition of a corridor as stated in the ordinance and asked that the definition be removed. Mr. Honea made a motion to strike the definition. Mr. Moore seconded the motion. The motion passed unanimously. Mr. Nelson made a motion to send the ordinance forward to County Council. Mr. Ramsay seconded the motion. The motion passed unanimously.

**Item 5: Planning Consultant Presentation (Benchmark, Inc)**- Mr. Jason Epley and Mr. Richard Smith of Benchmark CMR briefed the Commission on their recommendations for completing the Zoning Enabling Ordinance. A copy of the presentation is attached to the minutes. Mr. Honea raised concerns regarding the recommendation to change the citizen initiation process from property owners back to registered voters. The Commission agreed that the ordinance needed to reflect property owners, because their land would be regulated.

Chairman Abbott asked Mr. Norton (County Attorney) and Mr. Tom Markovich to discuss the legal ramifications of the current draft. Mr. Norton informed the Commission that the County felt the current draft was legal under State Law and would withstand a challenge. Mr. Markovich disagreed.

Mr. Nelson spoke regarding the length of time the Commission has had the ordinance and stated that the legal questions needed to be resolved so that the legal base could be established to move forward from.

Mr. Epley spoke regarding the general ways counties in South Carolina go about adopting a zoning ordinance and suggested the county consider recognize zoning the county as it is today, which would recognize the use in existence today. Mr. Epley spoke about the freedom given counties within the state code in the adoption of a zoning ordinance. Mr. Moore stated the Commission needed to look over the recommendations and incorporate the suggestions they wanted into the document.

Chairman Abbott thanked Benchmark for coming and stated that if a special meeting was called it would be advertised.

**Item 6: Old Business**- Mr. Holbrooks stated that the Planning Department had put out a commonly asked question document from input and question we received from the six community meetings that were completed.

**Item 7: New Business**- None

**Item 8: Adjourn.** Mr. Honea made a motion to adjourn. Mr. Moore seconded the motion. The motion passed unanimously.