



Oconee County Planning Commission

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29691

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Minutes

Planning Commission Meeting

July 13, 2009

The Oconee County Planning Commission held their regularly meeting on July 13, 2009 in the Council Chambers at the Oconee County Administrative Building, 415 S. Pine St., Walhalla, SC 29691.

Members Present: Tommy Abbott (Chairman)
Ryan Honea, (Vice Chairman)
Howard Moore
Rex Ramsay
Andy Heller

Art Holbrooks (Planning Director)
Carol Harvey (Planner)

Media Present:
Carlos Galaraza (Daily Journal)
Ray Chandler (Anderson Independent)

Item 1: Chairman Abbott called the meeting to order.

Item 2: Approval of Minutes— Ms. Heller made a motion to approve the minutes from the June 8, 2009 meeting. Mr. Honea seconded the motion. The motion passed unanimously.

Item3: Public Comment-

Robert Royer – spoke on behalf of Mountain Lakes Community Association, representing approximately 70 homeowner associations in Oconee County. He expressed their support for the ordinance restricting building heights with the allowance for variances and exemptions.

Gary Owens – on behalf of Advocates for Quality Development, expressed their support for the ordinance restricting building heights, stating their belief that it will help prevent the construction of high rise buildings in inappropriate locations. He expressed approval for the allowance in the ordinance for variances and exemptions.

Mike Wright – local ham radio operator, stated that he is against adoption of the ordinance restricting building heights, expressing his concern that the exemption for communication towers could be removed once the ordinance is adopted.

Mike Oakley – local amateur radio operator and District Emergency Coordinator for the local 9 county area, stated that he is against the ordinance restricting building heights unless it clearly

exempts the amateur radio antenna towers. He stated the value of the ham radio operators network in emergency situations. Mr Oakley offered printed information on the federal PRV regulations and policies and procedures that Mr. Abbot accepted and thanked him for on behalf of the Planning Commission.

Tom Markovich—Mr. Markovich thanked the Commission for an opportunity to speak on the proposed height standard and expressed support in particular for the height regulation being administered as part of the Performance Standards Ordinance. He stated a concern that there could be a conflict in having communication towers exempted in two places, in that the existing communication towers standard already allows for heights in excess of 65'. Mr. Markovich said also that he would like to participate in discussions regarding development activities on steep slopes and hopes that those discussions extend over more than just one meeting.

Item 4: Consideration of Recommended At-Large Planning Commission Member - Mr Holbrooks explained that at the last County Council meeting, Commissioners Evatt and Ramsay were reappointed, Commissioners Abbott, Honea, and Heller were reaffirmed, and Commissioner Moore was newly appointed to the District 2 position, leaving the at-large position on the Planning Commission board vacant. Chairman Abbott called for nominations from the floor. Mr. Howard Moore nominated Mr. Randy Abbott to fill the position, Mr. Rex Ramsay seconded the motion, and the motion carried.

Item 5: Discussion of Comprehensive Plan Update – Mr. Holbrooks referred board members to the three draft sections of the Comprehensive Plan that were sent to them for review. The three drafts are for Cultural Resources, Natural Resources, and Economic Development. Mr. Holbrooks stated that a list of ideas and comments from the Economic Development Stakeholders meeting will be posted online on July 14. He stated that he will check to make sure that the three drafts are posted for online review, as well. Mr. Moore suggested that separate meetings be held to allow for discussion on the drafts. Mr. Holbrooks responded that additional meetings could be arranged for further review and discussion, as comments such as the list for the Economic Development section still need to be incorporated into the drafts. Mr. Holbrooks reminded the board that the overall plan will need to be completed within the next couple of months and that he will have drafts for more chapters of the plan available at the next Commission meeting.

Item 6: Consideration of Draft Height Regulations (Ordinance 2009-16) - Mr. Holbrooks informed the board that the draft ordinance was submitted to the county attorney today so he has not received any response yet. He explained that the County Council wants the regulation incorporated as part of the Performance Standards Ordinance. Mr. Holbrooks confirmed that the standard will be posted online for review once it has been approved and adopted. Mr. Moore asked for assurance that the adoption will not create setbacks for communication towers. Mr. Holbrooks confirmed that the regulation clearly exempts the structures and also echoes the exemption already in the existing communication towers performance standard. Mr. Howard Moore made a motion to adopt the regulation as part of the Performance Standard Ordinance, Mr. Ryan Honea seconded the motion, and the motion carried.

Item 7: Discussion of Steep Slope Development – Mr. Holbrooks presented GIS maps that displayed slopes throughout the county that exceed 30% and explained how the GIS data and tools allow the planning staff to create maps that display a variety of scenarios based on slopes and tax parcels impacted by those slopes. He suggested that three issues for the planning commissioners to consider include the decision of what to consider as “steep”, what problems are created by that steepness, and what types of development should be regulated in regards to

the steep areas. Mr. Abbott asked Mr. Markovich what his opinion of an average steep slope in Oconee County. Mr. Markovich estimated that to be around 20-25%. Mr. Holbrooks informed the board that the GIS maps can be used to show how much additional area is impacted throughout the county, just by reducing the “steep” value by a few percentage points and that he anticipates using such an ordinance as a way to identify parcels of land with severely steep areas that may need to use best management practices to prevent adverse impacts from new activity. Mr. Moore stated that he is not in favor of making it impossible to build in such areas. Mr. Honea agreed with Mr. Moore, stating his desire not to stop construction, but rather to prevent any adverse impacts of construction in such areas. Mr. Holbrooks advised the board that they will need to decide if such an ordinance should only deal with areas along ridgetops and above a certain elevation or if it should apply to slopes in general. He advised them that this is just the beginning of discussion on the issue and that specific problems need to be identified in order to develop specific ways of addressing those problems. Mr. Holbrooks said that he will put together some draft language for review by the board at the next meeting.

Item 8: Old Business –

- A. Mr. Holbrooks asked the board for a decision to clarify an interpretation of impervious surfaces in the vegetative buffer requirement of the lake overlay area. He described a particular situation that has come up and proposed that the buffer requirement be applied to Jocassee, Keowee, and Hartwell in the same manner on the issue of how to incorporate riprap into the buffer zone. Mr. Honea stated that the Corps of Engineers controls requirements along Hartwell shoreline. Mr. Abbot asked what Duke allows and Mr. Holbrooks indicated that it is based on where ownership ends, which varies from the 800 to 804 contours. Mr. Moore suggested just allowing the 25’ buffer width to be measured from the top of the rip rap. Mr. Holbrooks agreed that this made the most sense and board members all concurred.
- B. Mr. Holbrooks asked for input on the issue of removing abandoned roads from the 911 system in order to eliminate the cost and work of installing road signs on those roads. He informed board members that this only pertains to private roads, not county roads, and a procedure of contacting affected property owners and posting public notice for 30 days would be followed before any abandoned roads are removed from the system. Mr. Holbrooks said that he will present draft language regarding the proposal at the next commission meeting. Mr. Ramsay asked Mr. Holbrooks to pose questions to the county attorney about any liability impact this might have with regards to the 911 response system. Mr. John Murray, Director of Communications of the Oconee County E-911 system and a member of the audience, advised the board that if roads are removed, the ENSAG system and the point reference layer in the county GIS maps must be updated concurrent with the road deletions to avoid liability. Mr. Holbrooks confirmed that all changes to the roads and 911 databases are coordinated with the 911 addressing technician.
- C. Mr. Holbrooks informed the board that FEMA has set a deadline of September 11, 2009, for the county floodplain ordinance to be updated, which will require a review and approval by the planning commission before it can be submitted to FEMA.

Item 9: New Business –

- A. Mr. Holbrooks presented the first request for rezoning to the Commission. The request is the Fairview Community proposal to be rezoned from a Control Free District to a Traditional Rural District and was submitted by Mr. Gary McMahan on behalf of the Fairview Community. Mr. Holbrooks presented maps of the area under consideration

and explained that approval of the rezoning request will involve changes to both the ZEO and the Future Land Use Map. He suggested that the Commission review the request in a separate meeting, to allow time to thoroughly review impacts and develop procedures for handling additional requests. Mr. Howard Moore made a motion to conduct a separate meeting to review the request, Mr. Ryan Honea seconded the motion, and the motion carried.

- B.** Mr. Holbrooks reminded the Commission that they are scheduled to present a short report of activities at the August 18th County Council meeting.

Item 8: Adjourn— Mr. Ryan Honea made a motion to adjourn the meeting and Mr. Howard Moore seconded that motion. Chairman Abbott adjourned the meeting.

Minutes recorded and submitted by Carol Harvey.