

OCONEE COUNTY PLANNING COMMISSION

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MINUTES OCONEE COUNTY PLANNING COMMISSION

6:00 PM, MONDAY, JANUARY 27, 2013
COUNCIL CHAMBERS
OCONEE COUNTY ADMINISTRATIVE COMPLEX

Members Present: Mr. Lyle, Chairman
Mr. Gilster
Ms. Heller
Mr. Honea
Ms. McPhail
Mr. Childress

Staff Present: Josh Stephens, Deputy Director of Community Development
Matthew Anspach, Planner I
Tom Martin, Esq., County Attorney

Media Present: None

1. Call to Order

Mr. Lyle called the meeting to order. 6:02 PM

2. Approval of Minutes for Monday, January 6, 2014

Ms. McPhail motioned to approve the minutes.

Mr. Gilster seconded the motion. The motion was approved unanimously.

3. Public Comment for Agenda and Non-Agenda Items (3 minutes)

Glen McPheeters spoke on his support for property complaints to be made only by residents who live within the planning district in which the complaint is being made.

Ben Turetsky of FOLKS stated his support for allowing property complaints to be made by citizens even if the complaint is about a property not within their district. He also spoke on his desire for there to be reasonable updates to the Ordinances in regards to cluster developments in the Lake Overlay District, in particular.

Dave Bennett commented on communication tower height, and the possibility of lessening the heights and finding alternative ways to lessen the impact of communication towers in general.

Nicole Hayler, Executive Director of the Chattooga Conservancy, asked the Commission to consider the Conservancy's protection plan for the Chattooga River area.

4. Discussion regarding Sub-Committee Ordinance Review of Chapter 32 & 38

a. Staff Comments

Mr. Stephens discussed options for facilitation of the Commission's discussion of Chapter 32 and 38.

b. Discussion & Consideration

Mr. Stephens talked about the Sub-Committee's efforts to combine all definitions into Article 1 of Chapter 32.

Mr. Lyle stated his concern with the nature of the Sexually Oriented Business terms and whether they need to be included in the overall chapter definitions.

Mr. Stephens acknowledged the issue and discussed possible ways to denote the particular article in which words would be found.

Mr. Gilster talked about previous discussions on the merging of the definitions regarding any words that were difficult to generalize for all chapters. He stated the understanding was, when difficult words were found, efforts would be made to find ways to alleviate the confusion by more accurately naming or defining terms.

Ms. McPhail asked for advice from Mr. Martin on the legal ramifications of combining the definitions.

Mr. Martin mentioned that it would be important for the Commission to decide whether their goal was to make definitions narrower or broader to cover more or less applications. He added it would be essential to add the statement "for purposes of this article only" when a definition would not be consistent throughout. He added the statement could make it difficult for someone unfamiliar with the Ordinance.

Ms. Heller suggested legal advice be available at Board of Zoning Appeals meetings.

Mr. Stephens stated that he would bring the suggestion up to his superiors.

Ms. Heller talked about the quarter-mile update to page 7, part d., concerning notices for public hearings in Article 1 of Chapter 32.

Mr. Gilster asked whether a quarter-mile meant from the property line or simply a radius from the cell tower.

Mr. Lyle requested staff state clearly that the notice distance is a quarter-mile from the property line.

Ms. Heller brought up an issue she had with the Single Family definition on page 13 Article 1 of Chapter 32. She was concerned with the potential for abuse of the definition due to its ambiguity.

Mr. Stephens stated that staff would review the definition to be more specific so as to avoid any misuse.

Mr. Lyle brought up the definition for “Nude Model Studio.” He did not believe there was an exemption for them in an educational context (i.e. colleges, schools) and that maybe there should be an exemption.

Mr. Stephens responded that he would seek Mr. Martin’s assistance in looking over the Nude Model Studio issue.

Ms. Heller suggested staff review Chapter 32 for consistency with categorizing sections in alphanumerical format.

Ms. McPhail pointed out that the definition for “Terrain” is lacking substance.

Mr. Stephens responded that the definition was lacking before the review and that staff would look to see if it needed to be updated or possibly removed.

Mr. Lyle recused himself from the discussion of communication towers.

Ms. Heller questioned the 175 foot tower height regulation for towers in residential districts in Article 4 of Chapter 32.

Mr. Lyle recognized Mr. Jonathan Yates.

Mr. Jonathan Yates followed that the height was essential based on the layout of the County and to allow for collocates.

Ms. Heller also asked about specifying a half-mile radius for communication tower hearing postings.

Mr. Stephens responded that it is best to be consistent with postings and to not change the radius based on the type of hearing. He then added some comments on staff's changes to Article 4. He spoke on the new chart that was made that included permitting and review requirements. He added the "1000 feet from Scenic Highway 11" regulation on cell towers was amended to be drafted as "1000 feet from any Local, State, or Federal Scenic highway".

Mr. Honea stated he was concerned that 1000 feet may impede safety by keeping towers away from a particular area.

Mr. Yates agreed with Mr. Honea and suggested that the regulation read 100 or 200 feet instead of 1000 feet.

Ms. Heller disagreed, and suggested 1000 feet was not quite a quarter-mile, and that that may not have an effect on cell tower performance.

Mr. Lyle recognized Mr. Jim Gurley.

Mr. Jim Gurley talked about the land that future towers are being proposed on and his opposition to the towers.

Mr. Lyle recognized Mr. Dave Bennett.

Mr. Dave Bennett expressed that he had experience in the telecommunications industry and that he doesn't believe a 1000 foot setback should be an issue for a communication tower's performance capabilities.

Mr. Lyle recognized Ms. Nicole Hayler.

Ms. Nicole Hayler reiterated that Emergency Services could carry out their obligations without cellular service.

Mr. Gilster commented that the Commission should first look at learning more about cell tower distances and performances before trying to make any potential changes.

Mr. Martin suggested that the concern about a 1000 feet setback and the tower height should be revisited with someone who could educate the Commission scientifically or objectively about the issues.

Mr. Stephens also suggested the communication tower map get an update from the previous (year 2000) tower site survey.

Ms. McPhail offered alternatives to the screening requirements for communication towers.

Mr. Stephens expressed that he would review the screening requirements.

Ms. Heller stated the Commission should address the definition of a ridgeline and consider ridgeline protection standards.

Mr. Lyle suggested that the Commission get input about the new cell tower technologies from professionals; potentially something similar to repeaters used at football stadiums.

Mr. Stephens mentioned that staff proposed removing family transfers in Article 6 of Chapter 32 from exemption of the subdivision review process due to the potential for properties to become noncompliant.

Ms. McPhail expressed her support for the updated “parking standards” to be placed in Article 6 of Chapter 32.

Mr. Stephens spoke about the work staff did on “sign control” in Article 8 in Chapter 32.

Ms. Heller asked everyone about their thoughts on the update to the ordinance regarding industrial building height, going from 65’ to 100’ in Article 9 of Chapter 32.

Mr. Lyle recognized Ms. Nicole Hayler.

Ms. Nicole Hayler asked the Commission if they had any other questions for her as representative of the Chattooga Conservancy.

8. Old Business

None.

9. New Business

The next meeting date was set for Monday, February 3 at 5:30 PM if possible.

10. Adjourn

Ms. Heller motioned to adjourn.

Ms. McPhail seconded the motion. The motion passed unanimously. 8:25 PM

Anyone wishing to submit written comments to the Planning Commission can send their comments to the Planning Department by mail or by emailing them to the email address below. Please Note: If you would like to receive a copy of the agenda via email please contact our office, or email us at: jstephens@oconeesc.com.