



OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

AGENDA

6:00 PM, MONDAY, AUGUST 24, 2015

COUNCIL CHAMBERS

OCONEE COUNTY ADMINISTRATIVE COMPLEX

1. **Call to Order**
2. **Approval of Minutes**
 - a. July 27, 2015
3. **Public Comment for Agenda and Non-Agenda Items (3 minutes)**
4. **Discussion and presentation update on Community Meetings**
[to include Vote and/or Action on matters brought up for discussion, if required]
 - a. Staff Presentation
 - b. Discussion & Consideration by Commission
5. **Discussion of Update to Proposed Coordination Element for Comprehensive Plan**
[to include Vote and/or Action on matters brought up for discussion, if required]
 - a. Staff Presentation
 - b. Discussion & Consideration by Commission
6. **Discussion on Update to Wi-Fi Tower Permitting**
[to include Vote and/or Action on matters brought up for discussion, if required]
 - a. Discussion & Consideration by Commission
7. **Old Business** *[to include Vote and/or Action on matters brought up for discussion, if required]*
8. **New Business** *[to include Vote and/or Action on matters brought up for discussion, if required]*
 - Potential Amendments to Planning Commission Rules
 - Potential Setback Option for Small Lots
 - Next Community Meeting, Thursday, August 27, 6:00 p.m.
 - Next Planning Commission Meeting, September 14, 6:00 p.m.
9. **Adjourn**

****After the conclusion of the meeting, the Commission will take part in a training session to acquire continuing education credits required under state law for planning and zoning officials. The public is welcome to be present during the training.****

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.



MINUTES

6:00 PM, MONDAY, JULY 27, 2015
COUNCIL CHAMBERS
OCONEE COUNTY ADMINISTRATIVE COMPLEX

Members Present: Mr. Childress
Mr. Honea
Mr. Kisker
Ms. McPhail
Mr. Ownbey (6:18 PM)
Mr. Richards

Staff Present: Matthew Anspach, Planner I
William Brewer, Planning Intern

Media Present: None.

1. Call to Order

Ms. McPhail called the meeting to order at 6:00 PM.

2. Approval of Minutes for July 7, 2015 and July 13, 2015

Mr. Richards motioned to approve the minutes from July 7, 2015.

Mr. Honea seconded the motion. The motion passed unanimously.

Mr. Honea motioned to approve the minutes from July 13, 2015.

Mr. Richards seconded the motion. The motion passed unanimously, except for Mr. Childress who recused himself due to his absence from the July 13 meeting.

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

Mr. Tom Markovich explained his concerns and opposition to the proposed Coordination Element. He also explained his input on the regulation of communication towers and Wi-Fi towers. He recommended that the Commission be cautious when separating Wi-Fi from other communication towers. He also suggested that that the regulation of communication towers should be included in Chapter 38, as opposed to Chapter 32.

4. Presentation on Location and Tentative Dates of Community Meetings

Mr. Kisker expressed his concern with including the Keowee Key Clubhouse as a location due to the presence of a gate.

The Commission decided to remove the Keowee Key Clubhouse from the list.

Ms. McPhail asked if any of the members would contact the locations in their districts.

Mr. Anspach suggested that staff would contact Commission members individually to confirm if the meeting locations have been contacted and confirmed.

The Commission decided on a starting time of 6:00 PM to begin the community meetings.

Mr. Anspach agreed to begin work on the advertising of community meetings at the request of Mr. Richards.

Ms. McPhail suggested providing copies of the Oconee County Zoning Map at the community meetings for citizens attending the meetings.

5. Discussion of Update to Proposed Coordination Element for Comprehensive Plan

Ms. McPhail expressed her support for the proposed Coordination Element and explained that the 'version 2' document was written more clearly. She also expressed the importance of including coordination with other jurisdictions in the Comprehensive Plan.

Mr. Richards agreed that 'version 2' was the preferable document, but thought portions of it should be removed.

Mr. Anspach mentioned that this proposed element is simply a tool for the Commission and staff to guide their future decisions.

Mr. Kisker expressed that it was his understanding that much of the details in the proposed element were already present in the Comprehensive Plan.

Mr. Honea mentioned that there have been past issues regarding communication between jurisdictions.

Mr. Markovich expressed that creating an element in the Comprehensive Plan requires an act of County Council. He also mentioned that this proposed element suggests mandatory coordination.

Mr. Bill Gilster explained his experience in coordinating with County jurisdictions and encouraged the Commission to make efforts to work together with these jurisdictions more often.

Ms. McPhail requested that staff make corrections to the document by changing the wording to make it less restrictive, but also encouraged staff to continue to work on the proposed Coordination Element.

6. Presentation on Wi-Fi Tower Permitting Draft Ordinance #2015-25

Ms. McPhail suggested some minor corrections to the grammar and wording in the ordinance. She also inquired about the Residential and Lake Residential districts wording in the draft.

Mr. Anspach explained that the districts were singled out because they both prohibit communication towers outright.

Mr. Richards requested that Mr. Markovich step forward to answer a question. He asked him about moving Article 4 of Chapter 32 to Chapter 38.

Ms. McPhail asked about the significance of moving the article. She also suggested that the Commission could seek legal advice about making any decisions regarding the structuring and placement of communication towers within the code of ordinances.

Mr. Richards inquired about the legality of communication tower setbacks on scenic highways. He also asked about the legality of the visual impact analysis required in the ordinance.

Mr. Anspach informed the Commission the staff could use direction from the Commission on obtaining legal advice over items pertaining communication towers.

Mr. Richards motioned to direct staff to seek legal counsel on items pertaining to communication towers.

Mr. Childress seconded the motion. The motion passed unanimously.

7. Presentation on Height Ordinance Consolidation Draft Ordinance #2015-26

Mr. Anspach explained the draft of the height ordinance and requested that the Commission motion to amend the draft by removing the words: “at the front” in Chapter 38-9.4.

Mr. Ownbey motioned to direct staff to amend the height ordinance draft by removing the words: “at the front” in Chapter 38-9.4.

Mr. Richards seconded the motion. The motion passed unanimously.

Mr. Honea motioned to direct staff to remove the Building Height Regulations ordinance in Chapter 32 Article 9 and consolidate any overlapping language into Chapter 38 Article 9.4 for County Council consideration.

Mr. Ownbey seconded the motion. The motion passed unanimously.

8. Old Business

No old business was discussed.

9. New Business

Mr. Anspach informed the Commission that the next meeting is set for Monday, August 10, 2015. He mentioned that the first community meeting is set for a tentative date of August 13, 2015. He also informed the Commission that staff would be attending a conference on Thursday for the South Carolina Chapter of the American Planning Association.

10. Adjourn

Mr. Honea motioned to adjourn the meeting.

Mr. Childress seconded the motion. The motion passed unanimously. 6:56 PM

Public Comment
August 24, 2015

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Meeting #	Day	Date	Location	District	Commissioner
Aug. 1 st PC	Mon	8-10	Chambers		
✓1.	Thu	8-13	Fair Play Community Center	5	Honea
✓2.	Mon	8-17	Duke, World of Energy	1	Kisker
✓3.	Thu	8-20	Mountain Rest Community Club	2	Richards
Aug. 2 nd PC	Mon	8-24	Chambers		
✓4.	Thu	8-27	Gignilliat Community Center	3	Ownbey
✓5.	Mon	8-31	Long Creek Community Center	4	Childress
6.	Thu	9-3	Crossroads Baptist Church	5	Honea
7.	Mon	9-7	Keowee Key Clubhouse	1	Kisker
✓7.	Thu	9-10	Foxwood Hills Community Center	4	Childress
Sept. 1 st PC	Mon	9-14	Chambers		
8.	Thu	9-17	Shaver Complex	3	Ownbey
✓8.	Mon	9-21	Walhalla Depot	2	Richards
✓9.	Thu	9-24	Westminster Depot	4	Childress
Sept. 2 nd PC	Mon	9-28	Chambers		
✓10.	Thu	10-1	Salem Community Center	1	Kisker
11.	Mon	10-5	Utica Baptist Church	3	Ownbey
✓12.	Thu	10-8	Blue Ridge Electric Co-op	4	Childress

Article I Organization

Section 1. Rules

These rules of procedure are adopted pursuant to S.C. Code § 6-29-360 for the Oconee County Planning Commission which consists of members appointed by the Oconee County Council.

Section 2. Officers

The officers of the Commission shall be a chairman and vice-chairman elected for one (1) year terms at the first meeting of the Commission in each calendar year. The Oconee County Planning Department shall fulfill the role of secretary for the Commission.

Section 3. Chairman

The chairman shall be a voting member of the Commission and shall:

- a. Call meetings of the Commission;
- b. Preside at meetings and hearings;
- c. Act as spokesperson for the Commission;
- d. Sign documents for the Commission;
- e. Transmit reports and recommendations to Council; and
- f. Perform other duties approved by the Commission.

Section 4. Vice-Chairman

The vice-chairman shall exercise the duties of the chairman in the absence, disability, or disqualification of the chairman. In the absence of the chairman and vice-chairman, an acting chairman shall be elected by the members present.

Section 5. Planning Department

The Planning Department shall:

- a. Provide notice of meetings;
- b. Assist the chairman in preparation of agenda;
- c. Keep minutes of meetings and hearings;
- d. Maintain Commission records as public records;
- e. Attend to Commission correspondence; and
- f. Perform other duties normally carried out by a secretary.

Article II Meetings

Section 1. Time and Place

An annual schedule of regular meetings shall be adopted, published and posted at the designated Oconee County Planning Department office in December of each year. Special meetings may be called by the chairman upon twenty four (24) hours notice, posted and delivered to all members and local news media. Meetings shall be held at the place stated in the notices, and shall be open to the public.

Section 2. Agenda

A written agenda shall be furnished by the Planning Department to each member of the Commission and the news media, and shall be posted at least five (5) days prior to each regular meeting, and at least twenty four (24) hours prior to a special meeting. Items may be added to the agenda at a meeting by majority vote.

Section 3. Quorum

A majority of the members of the Commission shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling the meeting.

Section 4. Rules of Order

The Model Rules of Parliamentary Procedure for South Carolina Counties shall govern the conduct of meetings except as otherwise provided by these Rules of Procedure.

Section 5. Voting

A member must be present to vote. Each member shall vote on every question unless disqualified by law. The question of disqualification shall be decided by the member affected, who shall announce the reason for disqualification, have it placed in the minutes, and refrain from deliberating or voting on the question.

Section 6. Conduct

No person shall speak at a Commission meeting unless invited to do so by the Commission.

Article III Public Hearings

Section 1. Notice

The Planning Department shall give the notice required by statute or ordinance for all public hearings conducted by the Commission. Members of the public desiring to be heard shall give written notice to the Planning Department at least one week prior to commencement of the hearing.

Section 2. Procedure

In matters brought before the Commission for public hearing which were initiated by an applicant, the Planning staff shall be heard first, the applicant, his agent or attorney shall be heard second, and members of the public next. The applicant shall have the right to reply last. No person may speak for more than two (2) minutes without consent of the Commission. No person speaking at a public hearing shall be subject to cross-examination. All questions shall be posed by members of the Commission. In matters not initiated by an applicant, members of the public shall speak in the order in which requests were received, or in such order as the Commission shall determine.

Article IV Variance Procedures and Hearings

Section 1. Notice

Once an application has been received by the Planning Department, a meeting will be scheduled no earlier than thirty (30) days from the date of application, and no later than sixty (60) days from the date of application. Upon good cause shown by the applicant, the meeting may be held earlier than thirty (30) days if so ordered by the Chairman of the Planning Commission.

Once the hearing date is set, the Planning Department shall issue notification to the adjacent property owners by mail, notify the public through a press release and by posting the property in question on road frontage property lines, and by placing notice on the Planning Department website.

The notice shall contain the following: a tax map number identifying the property, the party requesting the variance, the deadline for the submission of comments and signing up to speak at the hearing, notice that application is on file in the Planning Department.

Section 2. Submission of Comments and Speaking

The deadline for the submission of written comments and signing up to speak at the hearing will be one week prior to the date of the scheduled meeting.

The Planning Department will mail all comments and a list of those wishing to speak to all commission members prior to the scheduled meeting.

Section 3. Hearing Procedures

The Chairman will call the meeting to order;

The Planning Director will present the department's findings and give a synopsis of the issues surrounding the variance;

The Party requesting the variance shall be granted a maximum of twenty (20) minutes to present their case before the Commission;

Once the party wishing to receive a variance has finished his or her presentation, those opposing the variance request shall be granted a maximum of twenty (20) minutes to speak;

No debate shall occur between those who favor the variance and those who do not;

The Commission, for good cause shown, may extend the time limits set out in this section;

Once all parties have presented their concerns to the Commission, the Commission may ask questions and render a decision.

Article V Records

Section 1. Minutes

The Planning Department shall record all meetings and hearings of the Commission on tape which shall be preserved until final action is taken on all matters presented. The Planning Department shall prepare minutes of each meeting for approval by the Commission at the next regular meeting. Minutes shall be maintained as public records.

Section 2. Reports

The Planning Department shall assist in the preparation and forwarding of all reports and recommendations of the Commission in appropriate form. Copies of all notices, correspondence, reports and forms shall be maintained as public records.

Section 3. Attendance

The minutes shall show the members in attendance at each meeting and the reason for absence submitted by any member. The Commission shall recommend to the governing body the removal for cause of any member who is absent from three (3) consecutive meetings without adequate reason.

Article VI Review Procedure

Section 1. Plats

Plats submitted for review pursuant to land development regulations shall be reviewed by designated staff members who may approve for recording plats of existing lots of record, minor subdivisions of land which meet all zoning requirements, and subdivisions which are exempt from regulation pursuant to S.C. Code § 6-29-1110(2). A public record of such actions shall be maintained. All other plats shall be subject to review and approval by the Commission. [NOTE: See chapter 6 of the Performance Standards Ordinance]

Section 2. Comprehensive Plan

All land development regulation amendments shall be reviewed first for conformity with the comprehensive plan. Conflicts with comprehensive plan shall be noted in any report to the governing body on a proposed amendment. The elements of the comprehensive plan shall be reviewed and updated on a schedule adopted by the Commission meeting the requirements of S.C. Code § 6-29-510(E).

Section 3. Reconsideration

The Commission may reconsider any review when so requested by the governing body, or when an applicant brings to the attention of the Commission new facts, a mistake of fact in the original review, correction of clerical error, or matters not the fault of the applicant which affect the result of the review.

Article VII Adoption and Amendment

Section 1. Adoption

These rules were adopted by vote of a majority of the members of the Commission at a regular public meeting on May 14, 2007.

Section 2. Amendment

These rules may be amended at any regular meeting of the Commission by majority vote of the members of the Commission at least seven (7) days after the written amendment is delivered to all members.



Coordination Element

Overview

Community efforts to implement comprehensive planning and attain established goals are often adversely impacted by decisions made elsewhere. Among the more common sources of such impacts are the location of roadways, storm-water management improvements, utilities, public and recreational facilities, and economic development projects, as well as the enforcement of (or lack of) land use and zoning standards. Although negative effects on another community's efforts may be unintended, the affected individuals, businesses, industries, organizations, and government agencies are forced to deal with the consequences. In an effort to address such concerns, this Coordination Element has been developed to facilitate increased communication and cooperation among the various communities in and around Oconee County.

The amendment of the element into each partnering community's comprehensive plan formalizes the process by which planners will proactively seek to identify shared goals, objectives, and policies intended to minimize potential conflicts and foster expanded opportunities for intergovernmental coordination and area-wide success.

Partnering jurisdictions will look to share information, attend or facilitate regular meetings of each participating jurisdiction's planning staff to allow for periodic updates on anticipated and ongoing activities. They will also direct solicitation of input from potentially impacted partner jurisdictions on all proposed infrastructure, zoning, capital projects, and economic development activity. Staff from each jurisdiction will present an annual update for partner jurisdictions on progress on implementation of Comprehensive Plan goals and strategies. They will also look to develop a joint priority list of planning issues, with appropriate goals and strategies. Partnering jurisdictions will identify inconsistencies, potential conflicts, and attempt to develop appropriate solutions.

After establishing the necessary understanding of all the pertinent issues, the next effort, will be the creation of a Future Land Use Map and alignment of land use standards consistent with the mission and goals of the participating governments and regional planning agencies. Naturally, the effort should include widespread public input.