



## MINUTES

6:01 PM, MONDAY, JUNE 19, 2017

COUNCIL CHAMBERS

OCONEE COUNTY ADMINISTRATIVE COMPLEX

Members Present: Mr. Ownbey  
Mr. Gramling  
Mr. Johnson  
Mr. Kisker  
Ms. Lyles  
Mr. Pearson  
Ms. McPhail

Staff Present: Gregory Gordos, Senior Planner – Community Development  
David Root, County Attorney

Media Present: None.

### **1. Call to Order**

Mr. Ownbey called the meeting to order at 6:01 PM.

### **2. Invocation by County Council Chaplain**

Mr. Root gave the invocation.

### **3. Approval of Minutes**

Mr. Kisker motioned to approve the minutes from June 5, 2017. Mr. Pearson seconded the motion. The motion passed 7-0.

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

None presented.

### **5. Discussion on Chapter 38 Article 8. – Amendments and Rezoning**

Mr. Gordos stated the matter before the board; Mr. Tom Markovich had given a presentation at the last Planning Commission meeting on June 5<sup>th</sup> with recommendations to amend Chapter 38, Article 8 and Article 10, with the Commission requesting that these

recommendations be addressed at the June 19<sup>th</sup> meeting as an agenda item. Mr. Gordos recommended keeping the status quo and as staff against removing text from Sec. 38-8.5. - Methods of initial rezoning, specifically under Method 2—Small area rezoning. However, he acknowledged that Control Free District zoning has additional requirements under the current zoning ordinance that other zoning districts do not, such as the 200 acre requirement found in this section. He stated that if text amendments are recommended to Council, that zoning districts should be treated fairly and uniformly.

Mr. Ownbey invited Mr. Markovich to speak before the Commission. Mr. Markovich agreed that zoning district regulations should be applied uniformly but disagreed with the recommendation to keep the status quo. He stated Chapter 38, Article 9 (Sec. 38-9.3. - Dimensional requirements: General provisions and exceptions.) as an example of where the Control Free District is referenced. Mr. Markovich questioned whether Method 1 (zoning by planning district) and Method 3 (zoning by Council) were feasible.

Discussion from the Commission followed, including on the topic of equal protections under the 14<sup>th</sup> Amendment, government regulation, rural versus urban land conditions and the ability to rezone from several different zoning districts. Mr. Root stated that their decision should be considered a policy, rather than a legal, recommendation.

Mr. Gramling made a motion, seconded by Ms. McPhail, to remove the 200 acre requirement under Method 2—Small area rezoning and for staff to present this text amendment in the form of a draft ordinance at a future date. Vote on and unanimously voted for 7-0.

## **6. Discussion on Chapter 38 Article 10. – Zoning Districts**

Mr. Gordos stated the matter before the board; Mr. Tom Markovich had given a presentation at the last Planning Commission meeting on June 5<sup>th</sup> with recommendations to amend Chapter 38, Article 8 and Article 10, with the Commission requesting that these recommendations be addressed at the June 19<sup>th</sup> meeting as an agenda item. Mr. Gordos recommended keeping the status quo and as staff against removing all setback requirements from Sec. 38-10.2. - Control free district (CFD). He stated that there are several controls in the Control Free District, such as land uses found in Chapter 32 of the Code of Ordinance that would still be in place even if setbacks are removed. Mr. Gordos recommended as staff amending the name of the Control Free District to General Use and to add this zoning district and the land uses specified in Chapter 32 to the Zoning Use Matrix.

Mr. Ownbey invited Mr. Markovich to speak before the Commission. Mr. Markovich stated one purpose for removing setbacks in the Control Free District would be to allow multi-family development such as condominium and townhome units (i.e. units with shared walls but separate ownership) to be built by-right rather than subject to board approval. He stated that previous staff had implemented setback requirements in the Control Free District in 2015 and that language regarding setbacks was previously found in Chapter 32 Article VI. Land Development and Subdivision Regulations, rather than Chapter 38 – Zoning. Mr. Markovich advocated moving setbacks back to Chapter 32.

Discussion from the Commission followed, including on the topic of renaming the Control Free District, affordable housing, high-density apartments, building codes (IBC), density requirements, and the concept of setting business-friendly policy for the county.

Ms. Lyles made a motion, seconded by Mr. Gramling, to remove setback requirements from Sec. 38-10.2. - Control free district (CFD).

Discussion followed regarding the intent behind establishing setbacks in the CFD district in 2015, with Mr. Markovich invited to participate in this discussion.

Ms. Lyles motioned to amend the original motion to move language regarding setback requirements in the Control Free District to Chapter 32 of the Oconee County, South Carolina – Code of Ordinances and for staff to present this text amendment in the form of a draft ordinance at a future date. Mr. Gramling seconded the motion to amend. The motion passed 6-1, with Mrs. McPhail abstaining as no “nay” vote was called for.

Ms. Lyles motioned to approve the motion as amended. Mr. Gramling seconded the motion. The motion passed 6-1 ,with Mrs. McPhail abstaining as no “nay” vote was called for.

## **7. Staff Presentation on Case Studies for a Corridor Overlay District**

Mr. Gordos presented a PowerPoint presentation on the communities of Fulton County, Georgia and Lancaster County, South Carolina. The presentation went through each county’s zoning overlay districts and the applicable material that could be implemented in Oconee County. Quotations from each ordinance were marked with a “check-mark” if staff felt it fit with Oconee County’s goals for their corridors.

Mr. Johnson stated that he felt staff had done a good job indicating what would work in the county. The Commission directed staff to create a draft ordinance using Lancaster County as a template and that removes text not applicable to Oconee County. Mr. Kisker requested maps be included in this draft ordinance. Ms. McPhail added that pedestrian safety should be emphasized, given the recent pedestrian fatalities in Greenville County. Motion by Mr.Kisker for staff to create a corridor plan, utilize checkmarks and create maps. Mrs. McPhail would like to include native trees species and including a bicycle lane and pedestrian safety protocols. .Motion made by affirmation.

## **8. Old Business**

Mr. Gordos reminded the Commission of the 2<sup>nd</sup> Reading of Ordinance 2017-09 regarding amendments to Sign Control, to be considered at the next evenings Oconee County Council meeting.

## **9. New Business**

Mr. Pearson asked if there would be a meeting in the first week in July. Mr. Gordos stated that it may be cancelled due to the Independence Day holiday, but that he would check [Mr. Gordos later emailed the board stating that the meeting on July 3<sup>rd</sup> was still scheduled].

## **10. Adjourn**

Mr. Ownbey motioned to adjourn. The motion passed 7-0 and the meeting adjourned at 7:50 PM.