

OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



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

AGENDA

6:00 pm, Monday, July 2nd, 2018

Council Chambers - Oconee County administrative complex

1. Call to Order
2. Invocation by County Council Chaplain
3. Pledge of Allegiance
4. Approval of Minutes – June 16th, 2018
5. Public Comment for Non-Agenda Items (3 minutes per person)
6. Staff Update
7. 2020 Comprehensive Plan and Corridor Plan
 - a. Public Comment for Agenda Item
 - b. Discussion / Vote
8. Discussion on clarification of certain code sections bearing on land use and development, as contained in Chapters 26, 32, and 38 of the Oconee County Code of ordinances.
 - a. Public Comment for Agenda Item (3 minutes per person)
 - b. Discussion / Vote
9. Old Business
10. New Business
11. Adjourn

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 achapman@oconeesc.com.

OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



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

MINUTES

6:00 PM, Monday, June 18th, 2018
Oconee County Council Chambers

Members Present

Mr. Kisker District 1
Mr. Gramling District 2
Mr. Pearson District 4
Mrs. Lyles District 5
Mr. Johnson At-Large
Mrs. McPhail At-Large

Staff Present

Adam Chapman, Zoning Administrator
David Root, Oconee County Attorney
Media Present: Caitlin Herrington - Up State Today

1. Call to Order

Mr. Pearson called the meeting to order at 6:00 PM.

2. Invocation by Mr. Root

3. Pledge of Allegiance

4. Approval of Minutes

- a. June 4th, 2018
Mrs. McPhail – Motion
Mr. Johnson – Second
The motion carried 5-0

5. Public Comment for Non-Agenda Items

None

Staff Updates

Mr. Chapman stated that he is still getting phone calls about what the regulations are for minor subdivisions.

7. Public Hearing- Proposed amendments to Chapter 32-214 in regards to Lot Improvements

- a. Public Comment for Agenda Item

Mr. Markovich stated that he agrees with the lot size for the underlying zoning district, but is opposed to the County having regulations on the wording to be put on a plat note and recorded with the deed stating that the lot is unbuildable.

b. Discussion

Mr. Gramling asked if the requirements are for parcels going forward. Mr. Chapman stated that it is only for lots going forward.

The discussion had on changing the wording from is/are too may not be. A motion was made by Mrs. McPhail to amend the wording from is/are too may not be and was seconded by Mrs. Lyles. The motion passed unanimously 6-0. Mrs. Lyles made a motion to remove "nor shall any person contract, install upon this tract any building or structure" Mrs. McPhail seconded the motion. The motion passes unanimously 6-0. A motion was made by Mrs. McPhail as amended to Council Mr. Gramling seconded the motion. The motion passed unanimously 6-0.

8. Discussion on clarification of certain code sections bearing on land use and development as contained in Chapters 26, 32, and 38 of the Oconee County Code of Ordinances.

a. Public Comment for Agenda Item

Mr. Markovich stated he sees the need for minor subdivision regulations but stated that the wording of "should or shall" doesn't need to be included in the ordinance.

b. Discussion

Mr. Chapman stated that Kyle Reid from Roads and Bridges is here to speak on the road standards. Mr. Johnson stated with regards to private drives, private roads, and county roads are they the same as state roads with regards to access to a road. Mr. Reid stated that up to 4 dwellings can be a private drive, 4 to 10 is considered a private road requiring a 50' right-of-way with a 20' wearable service, 11 or more units or dwellings must be built to the road standards in design and construction. The Planning Commission members discussed the private drive and private road standards and access to county roads. Mr. Pearson stated that the next item is RV parks and Manufactured Home parks. Mr. Chapman stated some nearby County's do have standards for R.V. park. Mr. Pearson asked if there are any other ordinances addressing dilapidated homes. Mr. Chapman stated the only the International Building Code addresses housing standards, at the moment

9. Old Business

Mr. Pearson asked the status of the Comprehensive Plan. Mr. Chapman stated that the funds will be available when the new budget is allotted. Mr. Pearson also stated that the County Council meeting is 06-05-2018, regarding the budget.

10. New Business

None

11. Adjourn

Mr. Gramling made a motion to adjourn seconded by Mr. Pearson. The vote was unanimous 7-0. 7:13 pm

Oconee County Comprehensive Plan 2018-2019

The following table provides a generalized listing of key activities proposed for the development of the Comprehensive Plan for Oconee County, as well as a timeframe for completion of each activity. With the exception of the Land Use and Implementation Elements, the order of completion of the elements can be changed as preferred by the County and as needed during the project.

Proposed Oconee County Comprehensive Plan Activities and Timeline

#	Activity	Month											
		1	2	3	4	5	6	7	8	9	10	11	12
1	Preliminary Planning Meeting												
2	Gather relevant documents, maps and other background info												
3	Population Element – existing conditions development												
4	Population Element Stakeholder Committee												
5	Population Element Draft ready for review												
6	Economic Element – existing conditions development												
7	Economic Element Stakeholder Committee												
8	Economic Element Draft ready for review												
9	Natural Resources – existing conditions development												
10	Natural Resources Element Stakeholder Committee												
11	Natural Resources Element Draft ready for review												
12	Cultural Resources – existing conditions development												
13	Cultural Resources Element Stakeholder Committee												
14	Cultural Resources Element Draft ready for review												
15	Community Facilities Element – existing conditions development												
16	Community Facilities Element Stakeholder Committee												
17	Community Facilities Element Draft ready for review												
18	Housing Element – existing conditions development												
19	Housing Element Stakeholder Committee												
20	Housing Element draft ready for review												
21	Land Use Element – existing conditions development												
22	Land Use Element Stakeholder Committee												
23	Land Use Element draft ready for review												
24	Implementation Element Development and Draft												
25	Comprehensive Plan Draft ready for PC and public review												
26	Comprehensive Plan Draft ready for CC review and Public Hearing												

Draft Mobile Home / Manufactured Home Park Ordinance

Chapter 32 - Article 10

Purpose and Intent. (This language was pulled from other parts of the Oconee County Code and modified to fit) It is the purpose of this article to manage the growth of a necessary component of housing types, to promote the health, safety, and general welfare of the Citizens of Oconee County, and to promote reasonable and uniform regulations to encourage healthy and safe environments within these facilities.

It is the intent of this article to establish standards for mobile and manufactured home park facilities that will insure that these businesses are operated in a manner that is in full compliance with all applicable laws of the United States of America, the State of South Carolina, and Oconee County; and to provide Oconee County with a reasonable and legitimate mechanism for enforcing applicable laws.

In General

All Mobile Homes in the Park must have all necessary moving and setup permits and with appropriate documentation as well as have all appropriate taxes paid up to date. The Park's private and common areas must be kept neat and free of debris as defined by the International Property Maintenance Code as adopted by Oconee County. Vegetation shall not be permitted to grow on homes within the Park, unless managed to do so. Usable Open Space shall be kept usable for all tenants. Individual and Community garbage and refuse must be managed in accordance with all applicable laws and not become a hazard, nuisance or litter.

Appeal of decision. (In code)

Any person aggrieved by the Zoning Administrator's decision to approve or deny an application for Park approval may appeal the decision to the Planning Commission in writing within ten working days of said decision as outlined in [section 32-223((d)].

Violations and penalties. (In code)

(a) A violation of this Article is punishable by fine and/or imprisonment in an amount not to exceed the jurisdictional limits granted to a magistrate's court in Oconee County under South Carolina law. Additionally, building and zoning permits may be revoked, stop work orders issued, and civil fines levied as appropriate under the circumstances. Further, the provisions, including prescriptions, proscriptions, and penalties contained within the International Property Maintenance Code may apply. (This is the same Penalties language from the Lake Overlay District)

(b) Unapproved Parks and subsequent renting, leasing or sale of units. Any such agreement, negotiated before such Park has been approved by the county planning commission's designee

shall be considered a violation of this article and punishable as provided herein. The description of metes and bounds in the instrument of transfer or other documents used in the process of renting, leasing, selling or transfer shall not exempt the transaction from these penalties. Oconee County may enjoin such transfer or sale or agreement by appropriate action.

Exemptions

The following uses are exempt from the regulations in this Chapter:

- a. Mobile or manufactured homes sales lots;
- b. Family Housing: Where the occupant of the mobile/manufactured home is related by blood or marriage to the owner of the land or home and the owner of the home or land upon which the home is situated receives no rent or other income from the occupant of the home AND an affidavit is signed stating as such, by the property owner(s) AND owner(s) of the mobile/manufactured homes AND recorded with the register of deeds and the Community Development Department of Oconee County ,then the regulations set forth in this chapter do not apply.
- c. Migrant and Seasonal Worker Housing: If four or more mobile homes are placed on one tract of land for use as temporary Migrant and Seasonal Worker's Housing where the property owner(s) receive no rent or other income from the occupant(s) of the home occurs AND an affidavit is signed by the property owner(s) AND recorded with the register of deeds and the Community Development Department of Oconee County, then the regulations set forth in this chapter do not apply. All housing must meet federal and state standards in regards to migrant and seasonal worker housing, when being utilized as such.

Definitions

- a. *Mobile home (manufactured housing unit)* means a detached, single-family dwelling designed for long-term occupancy, designed to be transported on its own axle and wheels, arriving at the site in sections or a complete dwelling unit, ~~usually including major appliances and furniture,~~ and ready for occupancy. Removal of wheels and placement of a foundation does not change the mobile home classification. A travel trailer or Recreational Vehicle is not a mobile home. (Currently in the Code, LDR)
- b. *Mobile Home and Manufactured Home Park (Park)* means a group of four or more mobile and/or manufactured homes on one tract of land for rent, lease or sale and which may include buildings, structures, vehicles or enclosures used or intended for use as part of such Park. Land subdivided and subsequently sold for the purpose of siting mobile homes is not considered a mobile home park under this article and falls under the subdivision regulations located in Chapter 32.

- c. Usable Open Space shall be construed to mean parks, open space, and recreation amenities such as clubhouse, swimming pool, or similar improvements. Utilization of septic fields for passive recreation is discouraged.
- d. Recreational Vehicle : Recreational vehicle means a vehicle which is:
 - (1) built on a single chassis;
 - (2) Four hundred square feet or less when measured at the largest horizontal projection;
 - (3) Designed to be self-propelled or permanently towable by a car or light duty truck;
 - and
 - (4) Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.(definition from our code)

Park Development Standards

- a. *Density* is the regulated by the underlying zoning district, located in Chapter 38. If the Park is within the Control-Free District then (3-5) mobile homes per acre, spaced at least 10' apart (IRBC standard), is the density standard (net density) . The distance shall be measured at the widest/longest point of the home which could include any decks, porches, overhangs, hauling equipment, etc.
- b. *Licensure*: All Parks and Park property managers must maintain all necessary county, state and federal licenses including business licenses, property manager licenses and any and all other state or federal licensure required. (The State of SC requires a property manager be licensed if managing property other than their own)
- c. *Park manager*. Mobile home parks shall have a park manager responsible for maintenance of the park and its mobile homes, including ensuring compliance with the requirements of this article and the International Property Maintenance Code as adopted by Oconee County. Up to date contact information for the Park Manager , including email and phone numbers shall be provided to the Community Development Department.
- d. *Park name*. The proposed name of the Park shall not duplicate, or too closely approximate phonetically, the name of any other Park or subdivision in the area covered by these regulations. The planning commission's designee shall have final approval authority for the name of the Park.
- e. *Parking*: A minimum of two off-street parking spaces of at least 10'x20' shall be provided per unit.
- f. *Recreational Vehicles*: Use by recreational vehicles limited. Ten percent of the lot spaces may be allocated for temporary use by recreational vehicles. The length of such use is to be limited to 14 days in any 60-day period by the same vehicle.
- g. *Refuse Collection*: Parks with onsite refuse collection shall have the collection point screened from view unless the refuse collection point is being utilized.

- h. *Road way standards:* Road plans and supporting documentation needed to comply with all adopted county road standards, found in Chapter 26, shall be included with the submission of Park plans. Approval of the Park shall not be granted unless all applicable road standards are met. (This is already in the Code, just being stated here for clarity)
- i. *Setbacks:* Setback requirements are regulated by the underlying zoning direct located in chapter 38.
- j. *Usable Open Space* shall be provided in amount of at least 400 contiguous square feet per unit and accessible to all residents of the park. Designed play areas for children are permissible and encouraged as part of the usable open space requirement.
- k. *Utilities:* All Mobile Homes shall have access to electricity, sewer/septic and water service/well.

Submittal

1. Parks with 4-10 units a site plan following the standards laid out in 38-2.4 part 5 is required. The planning department may ask for feedback from any and other department

2. Parks with 11 or more units the submittal plan shall follow the standards for subdivisions found chapter 32 , Article 6, Land development Regulations.

Setup permits for additional units, after the Park has been established, shall be submitted on the approved master site plan for the Park along with approval from the Park Manager.

Unoccupied and Derelict Structures

Unoccupied mobile homes shall not become a nuisance and must be maintained to the standards set forth in this chapter as well as the International Property Maintenance Code as adopted by Oconee County.

Grandfathering

Parks existing prior to this chapter being accepted to the Code of Ordinances shall be exempt from _____ in this chapter.