

# OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



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

## AGENDA

6:00 pm, THURSDAY - SEPTEMBER 6TH, 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 – August 20th, 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 ( 2 minutes per person)
  - b. Discussion / Vote
8. Discussion on clarification of certain code sections bearing on land use and development in specific regards to Recreational Vehicle Parks
  - a. Public Comment for Agenda Item ( 3 minutes per person)
  - b. Discussion / Vote
9. Discussion on clarification of certain code sections bearing on land use and development in specific regards to Minimum Lot Size and associated language.
  - a. Public Comment for Agenda Item ( 3 minutes per person)
  - b. Discussion / Vote
10. Old Business
11. New Business
12. 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](mailto:achapman@oconeesc.com).

# OCONEE COUNTY PLANNING COMMISSION

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## MINUTES

6:00 PM, Monday, August 20, 2018

Oconee County Council Chambers

### Members Present

Mr. Kisker District 1  
Mr. Gramling District 2  
Mr. Vassey District 3  
Mr. Pearson District 4  
Mrs. Lyles District 5  
Mr. Johnson At-Large

### Staff Present

Adam Chapman, Zoning Administrator

David Root, County Attorney

Media Present: None

### 1. Call to Order

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

### 2. Invocation by Mr. Root, County Chaplin

### 3. Pledge of Allegiance

### 4. Approval of Minutes

- a. August 6, 2018  
Mr. Gamling – Motion  
Mr. Vassey – Second  
The motion carried 6-0

### 5. Public Comment for Non-Agenda Items

None

### 6. Staff Updates

Mr. Chapman stated that he obtained the information from the Assessor's office on the largest landowners in Oconee County that being Duke Energy and the USA Department of Agriculture. And that the County had a fairly equitable distribution of land where the largest land owners, once Duke and USDA were removed, only owned 11 percent of the land area of Oconee County.

## **7. 2020 Comprehensive Plan and Corridor Plan**

### **a. Public Comment for Agenda Item**

Mr. Mike Smith stated that he has concerns about the Alta corridor plan scope of work

- a. Steering committee, What is the general oversight of this committee?
- b. Size of the committee to be effective?
- c. who will be the members?
- d. How will Alta advertise?

Mr. Tom Markovich stated his concerns on the 123 Corridor study being to the addition of bike and pedestrian facilities as part of the scope of work.

### **b. Discussion / vote**

Mr. Chapman presented the contract for the Comprehensive Plan and Corridor Plan. Mr. Chapman asked the committee if they want a steering committee or does the commission want to be that committee. The commission noted that creation of a sub-committee was not agreeable at this time. Mr. Kisker asked if this study was just for 123 or for multiple corridors. Staff noted that this was just for 123 and the available money would not cover multiple corridors. Mr. Chapman stated that the input will be from the public meetings and their input will drive the analysis and ultimate study. If commission wanted to direct Alta to focus only on traffic and safety then that could be done, as well.

## **8. Discussion on clarification of certain code sections bearing on land use and development in specific regards to Sign Code**

### **a. Public Comment for Agenda Item - None**

### **b. Discussion/Vote**

Councilman Glen Hart, Oconee County District 5 - Mr. Hart noted that while he was driving to the meeting he noticed signs on the Beltline ( Wells Highway) that are larger than current County standards permit. He spoke to the fact that the signs currently there would not have been permitted if the current ordinance was in place. Mr. Hart mentioned that signs and billboards are protected by the first amendment of the United States Constitution. Mr. Pearson asked for clarification regarding Mr. Hart's request and Mr. Hart stated he does not like the 75 square foot size for signs and it should be increased to 332 square feet, on two-lane roads. Mr. Pearson asked Mr. Hart if he had a specific roadway in mind regarding these regulations and Mr. Hart said any two-lane road. Mr. Pearson noted that billboards are not permitted on Highway 11 to which Mr. Hart countered that the state sells permits to do exactly that. Mr. Pearson said that billboards are not permitted on Highway 11 and Mr. Hart encouraged Mr. Pearson to drive down Highway 11 because he owns a billboard on Highway 11 that was permitted in 1994. Mr. Pearson said that Oconee County cannot write rules that allow billboards on scenic highways if the State says they are not permitted. Mr. Root noted that prevention of billboards on scenic highways is written in the County's ordinance and the County could change it. Mr. Root explained the difference between signs and billboards and asked Mr. Hart as to which advertising - signs or billboards- he was referring to. Mr. Hart noted that billboards are his primary concern, to increase the size of billboards on two-lane roads. Mr. Hart pointed out several other non-compliant billboards existing on the Beltline prior to the current ordinance becoming codified. Mr. Hart believes the 75 square feet restriction for billboards on two-lane roads is an overreach by the government. Mr. Gramling noted that the portions of the Beltline, that Mr. Hart is speaking of, are in the city of Seneca and that County rules do not impact those areas. Mr. Hart noted other billboards which would be inconsistent with current regulations within the County's jurisdiction. Mr. Hart said that he should have the right, as a

property owner, to place a billboard on his property and it should not be dictated by an overreach. Mrs. Lyles noted that having a billboard on her property, which is on a two-lane road, would be beneficial to her. Mr. Johnson noted he is pro-individual property rights however, he believes the planning commission has a level of responsibility to ask what the future may look like based upon their actions today. Mr. Hart noted that the state has a 1,300-foot distance between billboards regulation. Mr. Johnson pointed out that the distance of 1300 feet puts a sign approximately every 8 seconds as a motorist drives a road. Mr. Johnson believes that this issue should have more public input put into it. Mrs. Lyles noted that there is a scenic difference between driving through the mountains and driving through the farmland and that creating a one-size fits all approach may not be effective or fair in regards to signs and billboards. Mr. Johnson asked Mr. Hart if a 75 square foot sign is as effective as a larger sign. Mr. Hart stated a larger sign would be more effective. Mr. Hart then used the example of Sam's Club in Anderson, SC and how the large sign that changes message every 8-seconds brings in a high rate of income for the sign owner. Mr. Pearson asked staff how many billboard permits have been applied for in the last year and staff was not aware that any billboard permits had been issued in the last 14 months. Mr. Johnson asked the staff if the language before them was the same language that planning commission had previously sent to Council. Staff affirmed this and noted the only changes were organizational and that the height and setback restrictions for signs and billboards were codified. Mr. Johnson believes that neither planning commission or council may know the correct answer for the size and placement of signs and billboards in the County but the people of the County should be given the opportunity to be heard, through the Comprehensive Plan process, to make this decision. Mrs. Lyles asked why the sign code was back before Planning Commission and Mr. Hart noted that he recommended it be sent back to the planning commission to be amended. Mr. Hart feels like the current sign code regulations are a governmental overreach. Mr. Root informed the planning commission of how, procedurally, the ordinance would move from planning commission to the council and be codified. Mr. Root gave an example of how the planning commission could move forward in recommending changes. Mr. Root also pointed out that the County owned industrial parks, which are on two-lane roads, have different signage requirements than the County ordinance. Mr. Kisker asked the difference between the proposed ordinances the existing ordinance in regards to two-lane roads. Mrs. Lyles asked when the current ordinance went into effect. Staff noted the ordinance went into effect in early 2017. Staff noted that the only changes to the ordinance, in regards to Mr. Kisker's question, were that the organization had been improved and the setback and height limitations had been codified. Mr. Kisker asked Mr. Hart to clarify his request and Mr. Hart wants billboards on two-lane roads to be allowed up to 300 square feet, from current 75 square feet. Mr. Hart has concerns about the effects of the sign code and how it may be detrimental to enticing industry to move to the County. Mr. Kisker noted the conflict between the county-owned industrial parks and the county ordinances. Mr. Hart believes this conflict should be removed and the sign size increased. Mrs. Lyles noted that the County should not be able to act differently than the rest of the citizens, in regards to signage restrictions. Mr. Johnson noted that the people of the County should be able to weigh in on this decision by way of the comprehensive plan if the distinction between the right-to-advertise and beautification argument is to be decided. Mrs. Lyles notes that having a billboard highway 11 could be beneficial to the industrial parks and other businesses.

Mr. Gramling made a motion to amend section 32-522(c) of the proposed ordinance in regards to the allowable size of a billboard on two-lane roads from 75 square feet to 350

square feet, Mrs. Lyles seconded the motion. Mr. Kisker believes that the council should recommend a number since this number had been voted upon previously. The vote was two in favor (Gramling / Lyles) and four against ( Vassey / Johnson/Pearson /Kisker).

Mr. Johnson made a motion to send a recommendation to Council for the Council to come up with the correct number for the size of billboards on a two-lane road. Mr. Pearson seconded the motion. The vote was four in favor (Vassey / Johnson / Pearson / Kisker) and two against (Gramling / Lyles).

Mr. Pearson made a motion to send the recommendation to Council to have the ordinance read the same as the industrial park covenants in that one wall-mounted sign allowed on each building, overall size not to exceed 20% of the wall area, not to exceed 350 square feet. Mr.Gramling seconded it; the vote was unanimous in favor.

Mrs. Lyles made a motion to recommend to the council that the language restricting the creation of billboards on scenic roads be struck by the Council. Mr. Gramling seconded the motion. The vote was unanimous in favor.

## **9. Discussion on clarification of certain code sections bearing on land use and development in specific regards to Recreational Vehicle Parks**

### **a. Public Comment for Agenda Item**

Mr. Markovich stated that this is a land development regulations it is not a zoning ordinance and that the language referring to the zoning administrator as the enforcer of these regulations should be changed.

### **b. Discussion/Vote**

Mr. Chapman stated that he added language requested at the past meeting that speaks to temporary Parks under the section titled "exclusions". Mr. Pearson made a motion to change the enforcement from the Zoning Administrator to the Director of Community Development or designee. Mr. Johnson seconded the motion. The motion passed 6-0. Mr. Johnson asked if the State law states the language about "30 days to appeal the decision of the Zoning Board of appeals" or is that a local ordinance. Mr.Root noted it is a state ordinance that has been put into our County code.. Mr. Johnson asked if anything has changed about the number of units permitted and why the number "4" for the definition of Parks. Mr. Chapman stated that the requirements are in line with road standards, although there are no road standards in this ordinance. Mr. Johnson stated that under the uses permitted that "shall" should be change to "are permitted". Mr. Chapman noted he would clean up the language as requested and bring it back at the next meeting.

## **10. Old Business**

None

## **11. New Business**

None

## **12. Adjourn**

Mr. Johnson made a motion to adjourn and Mr. Vassey seconded the motion. The motion passed 6-0. 7:14 pm



## Comprehensive Plan 2020 Planning for your future

### **Possible locations for comprehensive plan meetings**

(based upon suggestions from Planning Commission members)

**District 1**      **Duke Energy**

**District 2**      **Council Chambers**

**District 3**      **Library**

**District 4**      **Fair Oak Youth Center**

**District 5**      **Tookena Farm or Fair Oak Youth Center**

Other options are some of the fire stations and the other library branches. Any other suggestions?



Comprehensive Plan 2020  
Planning for your future

**Planned community events where the County could set up a “listening post” or survey center?**

1. Heritage Fair
2. Planning Commission input.....

## **Draft Recreational Vehicle Park Standards**

### **Chapter 32-###**

#### **Intent:**

The recreational vehicle park site development standards are established to encourage high quality recreational vehicle parks within Oconee County that are safe for its occupants and sensitive to the environment.

#### **Definitions:**

Recreational Vehicle (RV) - A vehicular unit, which is designed as a temporary dwelling for travel, recreational, and vacation use, and which is self-propelled, mounted on, or pulled by another vehicle. Examples include but are not limited to a travel trailer, camping trailer, truck camper, motor home, fifth-wheel trailer, or van.

Recreational Vehicle Park (Park) - Any parcel of land upon which four or more recreational vehicle sites are located, established, or maintained for occupancy as temporary living quarters for purposes of recreation or vacation.

#### **Exclusions:**

a. This Ordinance does not include any premises on which unoccupied recreational vehicles, whether new or used, are parked for the purposes of inspection, sale, storage, or repair.

b. Temporary Parks : Properties may be utilized as a temporary Park for the purpose of festivals, fairs, hunting/fishing, and other events that are temporary in nature. Those uses are exempt from this Ordinance provided they are not permanently utilized as a Park, being temporary in type and use. The Director of Community Development or their designee shall make the determination if the Park is permanent or temporary in type.

#### **Appeal of decision:**

A Park developer or any party may contest the decision made by the Director of Community Development, or their designee, to approve or deny the approval of a Park by appeal to the Planning Commission in writing within ten business days of said decision. The Commission shall schedule a hearing, conduct said hearing, and render a decision within 60 calendar days of the date of appeal. The decision of the Commission is final. The decision of the Commission may be appealed to the circuit court within 30 days after the actual notice of the Commission's decision.

#### **Violations and penalties:**

Any violation of these regulations shall be a misdemeanor and, upon conviction, is punishable as provided by law.



**Site Plan:**

a. Approval: Prior to construction of a new Park or enlargement of an existing Park at the time of adoption of this Ordinance, a development plan must be submitted and approved by the Director of Community Development or their designee in accordance with the regulations set forth in this Chapter. Any recreational vehicle, service building, or recreation area located in any Park shall be placed in accordance with an approved development plan.

b. Requirements: The site plan shall contain the following information:

- a. The location of the proposed Park.
- b. The location and dimensions of streets, rights of way, drives and parking spaces.
- c. The location and size of recreational vehicle sites.
- d. The location and size of service buildings and recreation areas, if applicable
- e. The location and type of screening, fences, or hedges, if applicable
- f. The names and addresses of owners and developers of the proposed park.
- g. The location of fire hydrants, if applicable.
- h. Location of storage areas , if applicable
- i. Location of dumpsters, if applicable.
- j. Delineation of 1% area of Special Flood Hazard, if applicable
- k. Description, and proposed location, of utilities (sewer, water, electric, etc.).
- l. Buildable area of the lot in regards to setbacks from property lines of the underlying zoning district, found in Chapter 38.
- m. Other items as requested by the Director of Community Development or their designee

**Design Standards:**

a. Uses permitted within a Park may include: recreational vehicle sites, recreation facilities, common buildings and facilities (laundry, dining, parking, etc.), and management offices (which may include living quarters for the operator or manager of the park). Uses may also include facilities to utilize the adjacent environment such as, but not limited to, boat facilities and hiking trails.

b. Minimum Space Size: A minimum net space of seven hundred fifty (750) square feet is required for each RV site. A distance of at least ten (10) feet shall be maintained between RV sites. Any accessory structures or attachments shall, for the purpose of this Ordinance, be considered a part of the trailer or recreational vehicle. No part of any site for an RV may encroach within the setbacks of the underlying zoning district found in Chapter 38 of the Oconee County Code of Ordinances.

c. Utility and Security Connection: Each recreational vehicle area shall be attached to the site only by quick disconnect type utilities and security devices, which are NEC compliant, there shall be no permanently attached additions to any RV. RVs shall be connected to an approved water supply system that provides an accessible, adequate, safe, and potable supply of water. If provided, the septic and/or sewer system(s) shall be approved by the South Carolina Department of Health and Environmental Control "DHEC".

d. Parking: Adequate off-street parking space shall be provided within the Park. The use of any public road, sidewalk, or right-of-way for the purpose of parking vehicles is prohibited.

e. Maintenance: Recreational vehicles must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on wheels or a jacking system.

**Operating Requirements:**

The operator of each Park shall comply with all DHEC rules and regulations governing the sanitation and operation of recreational vehicle parks and amenities.

**Hazards:**

Condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. No portion of the Park that is subject to flooding, subsidence, or erosion shall be used for any purpose that would expose persons or property to hazards;

**Parks existing prior to the adoption of this Ordinance:**

In the event additional RV sites are proposed for any Park, existing when this ordinance is enacted, the following standards shall apply:

- (1) The altering, expanding, changing, rebuilding, or resuming of an existing Park shall be subject to review and permitting under provisions established in this chapter.
- (2) If an existing Park is reused or reoccupied without alteration, or an abandoned Park is resumed within 12 months, no permit is required under this chapter, provided, the nature and degree of the existing Park will not be changed or increased from that which existed before the existing Park became unused, unoccupied, or abandoned.
- (3) An expansion of an existing Park that is a nonconformity solely due to dimensional setbacks shall be permitted, provided the dimensional nonconformity will not be increased.

- (4) Any Park existing at the time of adoption of this ordinance or any sequential rezoning shall be permitted to be expanded by an amount up to 10 percent of the number of RV sites existing at the time of adoption of this ordinance, without following the regulations set forth in this ordinance, provided:
- a. District setback and height requirements are met, with no existing dimensional nonconformities being increased;
  - b. Any increase in light, noise, dust, or other negative impacts on neighboring uses resulting from the proposed expansion are mitigated by screening, fencing, or other means necessary.

For the purposes of this section, the terms "altering", "expanding" and "changing" shall be strictly construed. "Rebuilding" shall mean the rebuilding, reconstruction, or restoration of any existing Park which was damaged or partially destroyed by fire, flood, wind, explosion, or other calamity or Act of God. "Resuming" shall mean the reusing or reoccupying of an existing Park which was unused or unoccupied for a continuous period, or the resuming of an existing Park use which was abandoned for a continuous period. All existing Park rebuilt or otherwise modified under the provisions of this chapter shall be constructed to conform to adopted building codes.

# OCONEE COUNTY PLANNING COMMISSION

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## Report on the necessity of certain language recommended to be added to Sec. 32-214(c) "*Minimum Lot Size*".

September 6th, 2018

Council Members,

At the request of Council the Planning Commission is providing it's rationale for recommending the two amendments to chapter 32-214(c) "Minimum Lot Size" :

### **Amendment 1**

Action : Striking the current, county-wide, minimum lot size, of 0.57acres, and changing the minimum lot size to be determined by the underlying zoning district.

Rationale: The current language is reflective of a past standard that SCDHEC had utilized but never formally adopted as code. The 0.57 acres is in conflict with the minimum lot size of several of Oconee County's zoning districts and was based on presumed, not actual, state laws.

### **Amendment 2**

Action : Addition of the following language " Creation of lots that primary uses cannot be built upon due to dimensional setbacks, buffers, easements and/or lot size must be accompanied by the following language on the plat(s) to be recorded with the Register of Deeds: *Lot(s)\_\_\_\_, depicted on this plat may not be eligible for connection to a sanitary sewer or septic system tank approval, building permits, certificates of occupancy or any other development permit until it has been combined with another tract in a manner that creates a conforming tract in accordance with Oconee County Code of Ordinances*"

Rationale :

Planning Commission to discuss.....