

OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



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

MINUTES

6:00 pm, **Monday, December 17th**, 2018

Council Chambers - Oconee County administrative complex

Members Present:

Andrew Gramling
Brad Kisker
Frankie Pearson
Gwen McPhail
Mike Johnson

Staff Present:

Adam Chapman - staff liaison

Media Present:

Upstate Journal

1. **Call to Order-** Mr. Pearson called the meeting to order at 6 PM
2. **Pledge of Allegiance**
3. **Approval of Minutes** – 12/03/2018 - Motion by Mrs. McPhail, with grammatical corrections, seconded by Mr. Gramling, 5-0 approved
4. **Public Comment** - None
5. **Staff Update**

Mr. Chapman updated the Commission about a meeting he had regarding the Comprehensive Plan with the Student Advisory Board, a board of the Oconee County School system. The board is comprised of students from the various high schools. Mr. Chapman noted that the students were engaged and may address the Commission and Council at a later date.

Planning Commission's January 2019 Calendar

Public Comment: None

Discussion: Mr. Pearson noted that a first meeting date in January needed to be voted upon. Mr. Pearson noted that January 7th was the first Monday. Mr. Kisker made the motion to have January 7th as the first meeting of 2019 for the Planning Commission, Mrs. McPhail seconded the motion, the vote was 5-0 in favor.

7. 2020 Comprehensive Plan - Population Element

Public Comment -

Tom Markovich - Mr. Markovich noted an important trend, our slowing of growth, should be highlighted, and questioned, more than it currently is.

Jerry Edwards - Mr. Edwards, owner of the newspaper of record, the Journal, noted the importance of the plan and the final document to the people. He offered to network with staff to find a way to publicize the process, utilizing his newspaper.

Discussion / Vote-

The Planning Commission had an in depth conversation regarding the data provided, as well as the goals. Mr. Johnson made a motion, seconded by Mrs. McPhail, and voted upon unanimously, to have staff collect all the public information and place it into some form of graph or chart, so that the Commission may "see" the comments as a whole. Mr. Johnson noted that certain important facts seemed buried in text and Mrs. McPhail noted that some of the wording and numbers were repetitive. Mr. Kisker noted that making it shorter and more readable will encourage the population, as a whole, to read the plan.

- 10.** Old Business -None
- 11.** New Business - None
- 12.** Adjourn - 6:58PM

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Proposed meeting dates for 2019

Time: 6PM

Day: Monday, unless otherwise indicated

Location: Oconee County Council Chambers, 415 South Pine Street, Walhalla

1. January 7th
2. January 17th, Thursday
3. February 4th
4. February 21st, Thursday
5. March 4th
6. March 18th
7. April 1st
8. April 15th
9. May 6th
10. May 20th
11. June 3rd
12. June 17th
13. July 1st
14. July 15th
15. August 5th
16. August 19th
17. September 5th, Thursday
18. September 16th
19. October 7th
20. October 21st
21. November 4th
22. November 18th
23. December 2ndth
24. December 16th
25. January 2020 - 6th

Sec. 32-4. - County planning commission.

- (a) *Authority to establish.* The county planning commission (referred to as the "planning commission") is established pursuant to S.C. Code 1976, § 6-29-310 et seq.
- (b) *Functions, powers and duties.* It is the function and duty of the county planning commission to undertake a continuing planning program for the physical, social, and economic growth, development, and redevelopment of the county. The plans and programs must be designed to promote public health, safety, morals, convenience, prosperity, or the general welfare as well as the efficiency and economy of the county. Specific planning elements must be based upon careful and comprehensive surveys and studies of existing conditions and probable future development and include recommended means of implementation. The county planning commission may make, publish, and distribute maps, plans, and reports and recommendations relating to the plans and programs and the development of the county to public officials and agencies, public utility companies, civic, educational, professional, and other organizations and citizens. All public officials shall, upon request, furnish to the planning commission, within a reasonable time, such available information as it may require for its work. The planning commission, its members and employees, in the performance of its functions, may enter upon any land with consent of the property owner or after ten days' written notification to the owner of record, make examinations and surveys, and place and maintain necessary monuments and marks on them, provided, however, that the planning commission shall be liable for any injury or damage to property resulting therefrom. In general, the planning commission has the powers as may be necessary to enable it to perform its functions and promote the planning of the county.

In the discharge of its responsibilities, the county planning commission has the power and duty to:

- (1) Prepare and revise periodically plans and programs for the development and redevelopment of the county as provided in S.C. Code 1976, § 6-29-310 et seq.; and
- (2) Prepare and recommend for adoption to the county council as a means for implementing the plans and programs:
 - a. Performance (performance zoning) standards and zoning ordinances to include zoning district maps and appropriate revisions thereof;
 - b. Regulations for the subdivision or development of land and appropriate revisions thereof, and to oversee the administration of the regulations that may be adopted;

- c. An official map and appropriate revisions on it showing the exact location of existing or proposed public street, highway, and utility rights-of-way, and public building sites, together with regulations to control the erection of buildings or other structures or changes in land use within the rights-of-way, building sites, or open spaces;
- d. A landscaping ordinance setting forth required planting, tree preservation, and other aesthetic considerations for land and structures;
- e. A capital improvements program setting forth capital projects (as such term is defined in chapter 2, article IV, division 8, section 2-392 of this Code of Ordinances) required to implement or in conformity with plans which have been prepared and adopted, including an annual listing of priority capital projects for consideration by county council prior to preparation of its capital budget;
- f. Policies or procedures to facilitate implementation of planning elements; and

Appeals regarding alleged errors by the planning director concerning a decision on a land development plan or subdivision may be heard by the planning commission. The planning commission shall act on the appeal within 60 days and the action of the planning commission is final. An appeal from the decision of the planning commission may be taken to circuit court within 30 days after actual notice.

- (3) Coordinate with, and receive scored proposals for capital projects from, the Oconee County Capital Projects Advisory Committee pursuant to chapter 2, article IV, division 8 of this Code of Ordinances.

(c) *Membership.*

- (1) The membership of the county planning commission shall be seven in number, selected and appointed by a majority vote of the membership of the county council voting in any meeting of county council, duly assembled, with one member being selected from each of the five county council districts in existence and as delineated at the time of the adoption of this section, nominated by the respective member of county council from each district, together with two members appointed by county council from the county at-large. County council may receive recommendations for the two at-large seats from the county planning commission, the county soil and water conservation district commission, the county school board, and any other interested organization or agency, and county council welcomes any such recommendations; however, county council is not required to wait on such recommendation(s) before county council selects and appoints one or both at-large members, nor is county council obligated to select and appoint any person recommended. Notwithstanding any other provision hereof, the complete selection and appointing authority for the entire county planning commission, including, without limitation, the at-large members, rests with county council, and the ultimate decision of whom to select and appoint for any of the membership positions is that of county council, by a majority vote of the membership of the county council voting in any meeting of county council, duly assembled, with or without any recommendation.
- (2) If after an appointment of a member to represent a particular council district of the county to the planning commission, such district is altered, then such commission member shall continue to serve thereon for the remainder of the term to which said member is appointed, regardless of his/her place of residence within the county.
- (3) In the event the county is further divided into additional county council districts, additional appointments of members to the commission to represent the newly created district(s) may be made by county council through amendment of this section.
- (4) Should any member of this commission move and establish residence outside of the county or the district where such member was residing at the time of the appointment to this commission, such move shall constitute a resignation by the member, and a replacement member shall be appointed to fill the unexpired term of such resigned member, in the same manner as the original appointment.

- (5) No member of the planning commission may hold an elected public office within the boundaries of the county.
- (d) *Terms of members.*
- (1) The length of the regular term served by each member shall be four (4) years, beginning on January 1 of the year of appointment.
- (2) For the purposes of implementing the standards of this section, and thereby returning the reappointment/replacement schedule of the membership of the commission to staggered lengths in as fair and equitable manner as possible, the following shall apply:
- a. All members appointed by county council district shall serve for the same term as the length of the remaining term of the council member who appointed them, after which the term of such district members shall be equal to and coincidental with the term of the council member appointing or reappointing them, with all terms or parts thereof starting as of January 1 of the year of appointment or reappointment.
- b. The first at-large member appointed by county council after adoption of the restatement of this section shall serve for four years and the second such at-large member shall serve for two years, after which the term of each such at-large member shall be four years following appointment/reappointment, with all terms or parts thereof starting as of January 1 of the year of appointment or reappointment.
- (3) In the event the regular term of a member in good standing expires prior to reappointment or replacement by county council, said member shall continue to serve until his/her replacement is appointed and qualified. The date of reappointment or replacement, however, in no way alters the scheduled length of the term.
- (e) *Removal of members.* Members of the county planning commission may be removed at any time by a majority vote of the county council, for cause (defined herein as dereliction of duty, as duties are defined herein, conviction of any felony or any crime of moral turpitude, or violation of the South Carolina Ethics Act, all as determined by county council). If, or in the event, any member of the commission shall fail to attend 50 percent or more of the regularly scheduled meetings of the commission within any period of 12 calendar months without excuse of the commission chairman, such member may be replaced without notice by action of the county council.
- (f) *Organization, meetings, procedural rules, records, and purchases.* The county planning commission shall organize itself, electing one of its members as chairman and one as vice-chairman, whose terms must each be for one-year. The chairman and vice-chairman shall have the right to vote. The commission shall appoint a secretary, who may be a member or an employee of the county council or of the commission. If the secretary is a member of the commission, he/she shall also have the right to vote. The commission shall meet at the call of the chairman, and at such times as the chairman or commission may determine. Vacancies in such offices by reason of death, resignation or replacement shall be filled for the unexpired term of the officer whose position becomes vacant, in the same manner as the original election or appointment.

The commission shall adopt rules of organizational procedure, and maintain a record of its resolutions, findings, determinations, recommendations, and other actions as required by state and federal requirements.

Typical operational expenses of the commission shall be provided for in the budget of the planning department; however, the commission may from time to time employ or contract for professional services with funds appropriated by county council.

- (g) *Powers and duties.* The county planning commission shall have those powers and duties provided for in Title 6, Chapter 29 of the South Carolina Code of Laws, 1976, as amended, to be exercised with respect to the total unincorporated area of Oconee County, South Carolina, and to include the function to undertake a continuing planning program for the physical, social, and economic growth and development, and redevelopment, throughout its area of responsibility. The commission shall,

within the bounds of standards established in state law, draft and periodically review a comprehensive plan for the county, which shall be the basis for a planning process consisting of those elements considered critical, necessary, and desirable to guide the development and redevelopment for the county. It shall also be the duty of the planning commission to provide advice to the county council on any and all matters related to growth and development within the unincorporated areas of the county.

- (h) *Salaries and funding.* Each member of the county planning commission shall be paid the sum of \$25.00 per meeting of the commission attended, or as county council shall subsequently direct by ordinance or resolution. Additionally, members shall be compensated at the same rate, and in the same manner, as county employees for expenses incurred as a result of attending schools, seminars, meetings, and other normal activities associated with membership, provided said trips and activities are approved in advance by the chairman of county council.

(Ord. No. 1999-14, § 1.4, 4-4-2000; Ord. No. 2009-10, § 1, 5-19-2009; Ord. No. 2010-14, §§ 2(Exh. B), 3(Exh. C), 8-17-2010; Ord. No. 2011-06, § 2, 3-15-2011)

Cross reference— Boards, commissions and committees, § 2-241 et seq.