OCONEE COUNTY PLANNING COMMISSION

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MINUTES
6:00 PM, MONDAY, NOVEMBER 21, 2016
COUNCIL CHAMBERS
OCONEE COUNTY ADMINISTRATIVE COMPLEX

Members Present: Ms. McPhail
                      Mr. Richards
                      Mr. Honea
                      Mr. Kisker

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

Media Present: none.

1.   Call to Order

Mr. Kisker called the meeting to order at 5:59PM.

2.   Approval of Minutes

Mr. Richards motioned to approve the minutes from November 7, 2016. Mr. Honea seconded the motion. The motion passed 4 – 0.

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

Mr. Tom Markovich thanked Mr. Honea for his service on the Commission. Mr. Markovich expressed concerns over the recent Agricultural District (AD) rezoning of properties in the Fair Play area in regards to initial versus subsequent rezoning requests and the boundary of the area rezoned.

4.   Continued discussion regarding Setbacks, Non-Conforming Use / Grandfathering

Mr. Gordos opened the agenda item for discussion by the Commission.

Mr. Honea expressed his intention to address lots platted prior to current regulations. Mr. Richards asked Mr. Root about an old clause taken out of current regulations. The Commission affirmed their intent to add "grandfathering" language to the Control Free District portion (Sec. 38-10.2.) of the Code of Ordinances.

Mr. Root addressed Commission questions regarding vested rights of a platted property, including the subsequent sale of property to both relatives and new owners.

Mr. Honea stated his intent to protect unzoned property; Mr. Gordos clarified that the Control Free District is still a zoning district and that the County was zoned in 2008-09.

Mr. Kisker noted that the Commission agreed with the setback table as proposed but also wanted to ensure protection of property owners.

Mr. Honea addressed concern regarding existing uses that did not conform with zoning; Mr. Gordos noted that nonconforming uses are addressed in existing code sections.

Additional discussion regarding vested rights and grandfathering uses followed.

Mr. Richards made a motion that language similar to paragraph b. of their handout materials be inserted in Sec. 38-10.2. in relation to setbacks only.

Mr. Richards made a motion, seconded by Ms. McPhail, to forward to County Council amendments to Sec. 38-10.2, including the modified setback table and the added "grandfathering" language. These amendments are captured in proposed Ordinance 2016-40.

The motion passed 4-0.

6. **Discussion regarding Agricultural Zoning**

Mr. Gordos introduced a proposal last heard at the May 2, 2016 meeting of the Planning Commission at the request of several Commission members. This agenda item would modify the existing land uses permitted in the Agricultural District and create two new zoning districts, AD-5 and AD-50. Mr. Gordos noted the differences between these proposed districts and the existing zoning districts, namely that they would require lots sizes of five (5) acres and fifty (50) acres respectively.

Mr. Kisker asked Mr. Gordos to describe the impacts of adding these zoning districts. Mr. Gordos stated that he could not speak for the intent behind these districts, as he was not serving Oconee County in May 2016, but that the Commission should carefully review the Backup materials shown in their commission packets before making a recommendation. Mr. Kisker deferred to members of the Commission with agricultural knowledge for the decision.

Ms. McPhail made a motion, seconded by Mr. Honea, to forward to County Council amendments to Chapter 38 of the Oconee Code of Ordinance, which would add two additional agricultural districts (AD-5 and AD-50) and modify the current agricultural district (AD). These amendments are captured in proposed Ordinance 2016-41.

The motion passed 4-0.

7. **Old Business**

None.

8. **New Business**

None.

9.   **Adjourn**

Mr. Kisker motioned to adjourn. The motion passed 4-0 and the meeting adjourned at 6:58 PM.