



Meeting agenda
Monday November 1, 2021 5:00pm

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Approval of minutes October 18, 2021
5. Public comment for non-agenda items (4 minutes per person)
6. Commission member comment
7. Staff comments
8. Development Standards: Lighting, Screening, and Buffering
 - a. Public comment (4 minutes per person)
9. Adjourn

**Oconee County
Planning
Commission**

Council Chambers
415 South Pine Street
Walhalla, S.C. 29691

www.oconeesc.com

YouTube: "YourOconee"

Staff contact

846-638-4218
planninginfo@oconeesc.com

If you are not able to attend in person and you have a comment, you may submit it by contacting the Planning Department at planninginfo@oconeesc.com or 864-638-4218, so that we may receive your comment and read it into the record.

BOARD MEMBERS

Mike Smith, Chairman, District I
David Nix, District II
Pat Williams, At-Large

Frankie Pearson, Vice-Chairman, District IV
Alex Vassey, District III
Gary Gaulin, District V
Mike Johnson, At-Large

OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



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

Minutes

5:00 pm- Monday, October 18, 2021

Council Chambers - Oconee County Administrative Complex

Members Present

Alex Vassey
Mike Smith
Pat Williams
Gary Gaulin

Mike Johnson
Frankie Pearson
David Nix

Staff Present

Vivian Kompier

Media Present

Lauren Pierce – The Journal

1. Call to order – Mr. Smith called meeting to order at 5:00 PM.
2. Invocation was led by Mr. Nix.
3. Pledge of Allegiance was led by Mr. Vassey.
4. Approval of minutes for October 4, 2021 - Mr. Pearson made a motion to approve the minutes for October 4th; seconded by Mr. Nix. Mr. Smith called for a vote; motion was approved unanimously 7/0.
5. Public comment (non-agenda items) – None
6. Commission member comments
 - a. Mr. Smith provided an update on tiny homes issue. No ordinance will be required. There will be an informational section regarding tiny homes added to the website. Mr. Smith wondered out loud why Oconee County was not part of the Greenville Pickens Area Traffic Study. Considering the Planning & Economic Development has asked the Commission to look into curb cuts and auxiliary turn lanes, this study would be a good source of information.
 - b. Mr. Gaulin attended meeting that provided information on Phase I of the City of Walhalla downtown greenway. Mr. Williams asked if the proposed plan addressed downtown traffic—it does not.
 - c. Mr. Nix stated that he also attended Walhalla Greenway meeting and is concerned about the City's prioritization of spending.

7. Staff Comments – Ms. Kompier provide a map that shows where new addresses are located in the County. Mr. Williams commented that this visual could prove helpful in getting constituents a convenience center in the Troy Valley Area.
8. Development Standards Discussion
 - a. Tony Adams, Citizen – Mr. Adams expressed his opposition to passing an ordinance that imposes government overreach. Mr. Adams questioned the financial burden the proposed standards would place on any new development projects.
 - b. Mr. Smith – read the attached email from Debbie Sewell, Chair of Oconee County Agricultural Advisory Board, into the record.
 - c. Mr. Smith started discussion with a brief background of where we are in the process of developing and adopting Development Standards.
 - d. Mr. Smith made a motion that the Planning Commission create a draft ordinance B of the development standards based on the October 4th public hearing and that this version B be further amended after the November 15th public hearing. Mr. Gaulin seconded the motion. Discussion included, but was not limited to, clarification of the action required by the Commission if the motion is passed, practicality of amending after the November 15th public hearing, and the process of the Commission reporting to County Council. Mr. Smith called for a vote. The motion passed 5/2, with Mr. Pearson and Mr. Nix opposing.
 - e. Discussion to create draft B, section by section, was held. Discussion included, but was not limited to, the following points:
 - i. Definition and use of the word subdivision
 - ii. Addition or subtraction of the word “new” before the word development(s) in the opening paragraph
 - iii. Mr. Smith called for a vote on accepting the first paragraph as it was rewritten; accepted 5/2 with Mr. Pearson and Mr. Nix opposing.
 - iv. No changes were made to the applicability section of the original document.
 - v. No changes were made to the second paragraph of the original document.
 - vi. Addition of definitions. Screening and buffering definitions were taken from other ordinances and the lighting definition was newly created.
 - vii. Discussion on the role of the Board of Zoning Appeals if adjacent property owners mutually agree that the screening and buffering provision is not needed. Proposal to change language in ordinance to: “The buffer and screening requirements may be waived or modified between adjacent property owners through a written, recorded document agreement.” A vote found Commission members unanimously agree the language should be changed as above.
 - viii. Critique of the definition of lighting.
 - ix. Mr. Nix made a motion to take a 5-minute break. Mr. Smith called for a vote. The motion passed unanimously.
 - x. Mr. Smith called the meeting back to order.
 - xi. Discussion on the definition of the term “objectionable lighting.” Mr. Nix will email definition he found to Ms. Kompier. Ms. Kompier will research and propose a definition to the Commission.
 - xii. Discussion moved to Section 2. Lighting – Commission members reviewed Appendix A in Chapter 38 of the Code of Ordinances as a possible reference addition to the Development Standards. Members discussed the opinion that there is too much room for interpretation of the appendix by the Planning Director. Mr. Smith called for a vote to change the word “may” in the highlighted sentence in the Lighting Section of the backup document to “shall.” Vote was 4/3 with Mr. Vassey, Mr. Johnson, and Mr.

Nix opposing. Mr. Gaulin suggested that two precise sentences would make the highlighted sentence better. A period would go after “appendix A” and the next sentence would start with “A light plan...” and change “may” to “shall.” Mr. Smith called for a vote and the new revision was approved 7/0.

- xiii. Discussion on Section 3 Screening and Buffering. Suggestion was made to substitute the words “improved area” for development in the first sentence. Mr. Smith called for a vote on the change; the vote was 7/0. The definition of the term “drive lanes” was discussed. The use of the term “other business activities” was discussed. The use of the word “evergreen” was discussed and Commission agreed to strike evergreen where highlighted. Discussion on the minimum buffer size; decided not to change and have public weigh-in during the public hearing. Discussed the use of the term “paved sidewalks,” specifically “paved.” Discussion on exemptions. It was noted that SCDHEC approved uses in the buffer were deleted from the document.
- xiv. Mr. Johnson made a motion to approve draft ordinance B with requested changes. Mr. Gaulin seconded the motion. Discussion produced a more appropriate motion. Mr. Johnson made a motion to direct staff to make requested changes to draft ordinance B to be reviewed and discussed at the next scheduled Planning Commission meeting. Mr. Smith seconded the motion. The motion passed unanimously 7/0.

- 9. Adjourn – Mr. Smith made a motion to adjourn the meeting. Mr. Johnson seconded the motion. Mr. Smith called for a vote. The motion passed unanimously 7/0 at 7:15 PM.

38-9.6 Development Standards: Lighting, Screening, and Buffering.

The purpose of these standards is to encourage and maintain a harmonious living and business environment between the new development and existing residential, multifamily, agricultural, or forestry uses, the following standards shall be applicable to all developments indicated herein.

1. Applicability

The owner or their lawfully designated agent of new non-residential, multifamily, and mixed-use developments being developed adjacent to existing residential, multifamily, agricultural, or forestry uses shall be responsible for the installation and maintenance of the lighting, buffering, and screening standards set forth below.

The buffer and screening requirements may be waived or modified between adjacent property owners by agreement and pursuant to a special exception granted by the Oconee County Board of Zoning Appeals.

Definitions

Lighting: Equipment made for illumination.

Screening: The use of plant materials and other landscape or architectural elements used separately or in combination to obscure views.

Buffer: A portion of property designated to mitigate impacts between land uses or transportation routes or to protect water features from pollutants.

Development means any manmade change to improved or unimproved real estate including, but not limited to: new homes, building structures, dredging, filling, grading, paving, or excavation operations.

2. Lighting

Lighting devices for lighting of horizontal development such as roadways, sidewalks, entrances and parking areas, and all other outdoor fixtures installed for the permanent illumination of signs, landscaping, and buildings shall be aimed, located, designed, fitted, and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light skyward, onto a neighboring property or onto a public roadway. Flashing lights are prohibited. Reference to chapter 38, appendix A and a light plan may be required by the Planning Director or their designated representative.

3. Screening and buffering

Screening and a physical separation (buffer) must be provided at least the entire length of the proposed development plus twenty-five percent (25%), or up to the entire length of the shared property line, as determined by the Planning Director or their designee, for the purpose of

screening and buffering adjacent activities from view of proposed projects including but not limited to: buildings, solid-waste, parking and drive lanes, outdoor storage, signage, or lighting.

a. Screening requirements

The purpose of screening is to provide a visual screen between dissimilar uses. The visual screen shall extend from the ground to a height of at least six feet (6'). Not more than twenty-five percent (25%) of the vertical surface shall be open to allow the passage of air, and any such openings shall be designed to obscure visibility. Required screening should be in place within 180 days when a certificate of completion (CC), or certificate of occupancy (CO) – if required - is issued, For other business activities, the screening shall be by mutual agreement with the Planning Director or their designated representative.

Unless otherwise required, the following minimum landscaping and screening provisions will apply.

1. A minimum 6-foot-tall wall, fence, berm, evergreen screening plant material, existing evergreen vegetation or a combination of wall, fence, berm or evergreen screening plant material, existing vegetation, with a combined minimum height of six feet (6') above grade shall be used for the purposes of screening.
2. If evergreen plant material is used, it must be at least four (4) feet in height at the time of planting and capable of forming a continuous opaque screen at least six (6) feet in height within one year of planting.
3. Existing evergreen vegetation may be utilized provided it provides the screening required as determined by the Planning Director or their designee.
4. Fences or walls installed for the purposes of screening shall have a "finished" side toward the adjacent or neighboring properties.

b. Buffer requirements

A buffer is a physical separation by distance between the new development and the adjacent property lines. This is not in addition to any underlying zoning district setbacks.

Buffer width

Acreage of proposed use	Minimum size of buffer
Less than 0.5 acres	5 feet
0.5-2 acres	15 feet
More than 2 acres	25 feet

c. Uses permitted in the buffer:

- Vegetation and landscaping
- Storm water drainage easements and any necessary drains, culverts, riprap, etc.
- Permitted signage
- Paved Sidewalks
- Shared-use driveways/lanes between adjacent property
- Parking lot stub outs (not parking lots) for the purposes of connectivity

4. Exemptions

Original version "B" 10/18/2021

- a. Agricultural and Forestry uses as defined by S.C. Code § 46-45-10, et seq., sometimes referred to as the South Carolina Right to Farm Act, and S.C. Code § 48-23-205, et seq., sometimes referred to as the South Carolina Right to Practice Forestry Act.
- b. The screening and buffering requirements are not required in the following circumstances:
 - Property lines within/adjacent to public or private rights of ways/easements.
 - Property lines within/adjacent to permanent waterbodies.
 - Multi-tenant malls/town centers/ developments or Planned Development Districts for internal property lines. Property lines adjacent to properties outside of the development are required to adhere to the standards of this ordinance.
 - Private recreation facilities within a residential subdivision and not adjacent to properties outside of the subdivision.

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The buffer and screening requirements may be waived or modified between adjacent property owners through a written, recorded document agreement.

The buffer and screening requirements may be waived or modified between adjacent property owners through a written agreement, properly signed by both parties and witnessed, which specifically details the nature of the terms agreed upon. The agreement must be recorded in the Office of the Register of Deeds for Oconee County, and a copy must be filed with the Oconee County Planning Department.

Definitions

Buffer: A portion of property designated to mitigate impacts between land uses or transportation routes or to protect water features from pollutants.

Development: Any manmade change to improved or unimproved real estate including, but not limited to: new homes, building structures, dredging, filling, grading, paving, or excavation operations.

Lighting: Equipment made for illumination.

Objectionable Direct Glare Source: Glare resulting from excessive levels of illumination or insufficiently shielded light source emanating from light fixtures in the field of view where lens, lamp, or reflector is offensively visible above a height of five (5) feet at a property line or public roadway.

Screening: The use of plant materials and other landscape or architectural elements used separately or in combination to obscure views.

2. Lighting

Lighting devices for lighting of horizontal development such as roadways, sidewalks, entrances and parking areas, and all other outdoor fixtures installed for the permanent illumination of signs, landscaping, and buildings shall be aimed, located, designed, fitted, and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light skyward, onto a neighboring property or onto a public roadway. Flashing lights are prohibited. **A light plan shall**

be required by the Planning Director or their designated representative referencing Chapter 38, appendix A, section (c) Lighting standards, 1-7 of the Oconee County Code of Ordinances.

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Original version "B" 11/01/2021

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