

OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



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

Minutes

5:00 pm- Monday, November 15, 2021

Council Chambers - Oconee County Administrative Complex

Members Present

Alex Vassey
Mike Smith
Pat Williams

Gary Gaulin
Frankie Pearson
David Nix

Staff Present

James Coley
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. Smith.
4. Approval of minutes for November 1, 2021 – Mr. Pearson made a motion to approve the minutes for November 1st; seconded by Mr. Gaulin. Mr. Smith called for a vote; motion was approved 6/0, with Mr. Johnson abstaining.
5. Public comment (non-agenda items) – None
6. Commission member comments
 - a. Mr. Smith advised the Commission that the information on the breakdown of the numbers and types of addresses assigned in the last 10 months will be provided in December per GIS Manager.
7. Staff comments
 - a. Mr. Smith introduced James Coley as the new Planning Director
8. Public hearing – Ordinance 2021-19 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF DEVELOPMENT STANDARDS IN RELATION TO LIGHTING, SCREENING, AND BUFFERING; AND OTHER MATTERS RELATED THERETO.”
 - a. Mr. Smith read the protocol for the public hearing

- i. Planning Commission members should refrain from making comments during public comment and should neither enter into debate or gesture with the public or other members of the Commission during the public hearing.
 - ii. There is no time limit for public comments.
 - iii. At the conclusion of the public comments, the Planning Commission chairperson will close this phase of the public hearing.
 - iv. A discussion by the Planning Commission members will follow.
 - v. The Chairman will call for a motion and when seconded, a formal discussion on the motion will follow.
 - vi. There will be a vote on the motion and the chairperson will announce the results.
 - vii. The results of the hearing along with a summary will be forwarded to County Council for their action
- b. Mr. Smith gave Mr. Root, County Attorney, the floor. Mr. Root stated that he watched the last meeting of the Planning Commission and believes there is some legitimate and understandable confusion on whether the proposed Ordinance is to be in Chapter 38. Mr. Root explained when Adam Chapman, former Planning Director, first drafted the ordinance, he put it in Chapter 38. The ordinance was revised, went through the Planning Commission to the Planning & Economic Development Committee, had some suspended animation time, and then came back to the Planning Commission. At that point, the ordinance was sent back to the Planning & Economic Development Committee by the Planning Commission and then to County Council. At the time it went to County Council is when Mr. Root closely reviewed the proposed ordinance. He stated he did not change anything that the Planning Commission or the Planning and Economic Development Committee did to the ordinance. In fact, he doesn't believe any revisions were made. Mr. Root explained that the change he made during his review is within the adopting ordinance. He switched the ordinance to Chapter 32 because he felt it was better fit for the ordinance. He further explained it is a development ordinance, it is ubiquitous around the County, and as most know, zoning is where and land use development is what. He felt that there was an easy line to zoning versus land use or subdivision development, as restrictions are not that easily distinguished quite often and overlap is common. Considering that general parameter of "what" you can do as opposed to "where" you can do it, Chapter 32 is where he put it. However, he stated that he is not married to that decision but believes Chapter 32 is a better fit because the proposed ordinance is a development standard, it applies ubiquitously around the County, and it would be triggered when there is a new development and that's when the Planning Department would get involved. Mr. Root declared he was open to any argument for the ordinance being placed in Chapter 38 as a zoning regulation or ordinance. Mr. Root reminded the Commission that the way the ordinance was sent to them—for them to hold a public hearing and send back a report to the County Council—checks boxes in Chapters 32 and 38 with regards to the Commissions responsibilities. What County Council will have to do is a more fulsome activity with additional public hearings with notice.
- c. Mr. Smith explained that there will most likely be a version B of the proposed Ordinance attached to the Summary Letter the Commission will send to County Council. The County Council will have three readings and then a public hearing. The version B was developed during two Commission meetings after the first public hearing. Mr. Smith reviewed the changes made to the original ordinance to create version B. Changes included:
 - i. Board of Zoning Appeals (BZA) was removed from Section 1 as a means to acquire a special exception
 - ii. Requirement that the agreement of waiver of buffering and screening requirement between adjacent property owners must be recorded in the Office of the Register of

- Deeds for Oconee County and filed with Oconee County Planning Department was added to Section 1.
- iii. A new section named Definitions was added. The section includes standard definitions used by the County. The definition for Development found in Section 1 was moved to the Definition Section.
 - iv. There were no changes made to the Lighting Section.
 - v. For the Screening and Buffering Section, paragraph (a.), requirements on when the screening should be in place were added. Requirements for plant spacing was deleted and requirement that shrubbery planted must be 6 feet tall within a year of planting.
 - vi. For paragraph (c) in the Screening and Buffering Section, the term “screening methods” was added and reference to the South Carolina Department of Health and Environmental Control (SCDHEC) was eliminated.
- d. Mr. Smith noted the strategies in the 2020 Oconee County Comprehensive Plan that relate to the proposed ordinance.
- i. 11.1.2.4 – Use incentives, tools, and regulatory options for reducing and preventing conflict between incompatible land uses and reducing such issues in high growth areas.
 - ii. 11.1.2.9 – Consider requiring landscaping and buffer provisions for new non – residential development along specific corridors and within specific areas of the county.
 - iii. 11.1.3.1 - Map prime and functioning agricultural properties to determine areas that may request protection from incompatible uses.
 - iv. 11.1.4.1 – develop additional corridor plans focused on safety and design issues but with additional focus on reducing visual blight and inappropriate and incompatible development.
- e. Public comment for public hearing:
- i. Mickey Haney, citizen – Mr. Haney stated that the proposed ordinance does not look after the little man. Mr. Haney argued that the proposed ordinance makes any property that is less than 2.5 acres in the Control Free District, in areas that do not have a water tap that require well and septic, almost impossible to develop with the buffers and screening requirements. He offered properties that he owns as an example and presented a dummy commercial project, complete with development costs as well as the cost of adding the required screening. Mr. Haney stated that the proposed ordinance in this example contributed to 42% of the total cost of the project. Mr. Haney suggested that the Commission should determine how many plots of land will be affected by the “overreach of the governing body.” Mr. Haney asked that the ordinance be tabled until complete research on how many properties will be affected and determine how complying with the ordinance will drive up the cost of starting a business in Oconee County. He added that the purpose of having the variety of zoning districts is to give those who cannot afford to start a business in the municipalities of Oconee County the opportunity to start one in the rural areas. Renting may be their only option. With respect to lighting, Mr. Haney stated that the burden of proof should be on the governing body. He added that the lighting standard does not define specific requirements which leaves the power to define in the hands of the governing body. He believes there should be a standard so that citizens can argue it. A standard would also eliminate the possibility of corruption. Mr. Haney also questioned the practicality of the buffering sliding scale with regards to size of the lot and buffer. Mr. Haney added that he owns a farm and believes that agricultural support of the

ordinance is asinine. He stated that the screening would produce shade in areas where crops were being grown and shield predators of livestock from detection.

- ii. Tom Markovich, citizen – Mr. Markovich stated he was not in favor of the proposed ordinance because it will affect property owners of smaller tracts of land. He noted that he owns a piece of commercial property that is 5/8 of an acre that he will lose over half the use of the property due to the shape of the property and the buffering/screening requirements proposed in the ordinance. Mr. Markovich referred to the time of effort and compromise that was applied during the creation of the different zoning districts in Oconee County. He stated that he supported that effort and still supports zoning as long as it is used as intended, and not as a County political tool that gives the County police powers to enact certain things. He added that because zoning is political, it is always subject to change. He believes that deeded restrictions are a better tool to govern land use. Mr. Markovich continued with his opposition as he believes the proposed ordinance creates conflict with the zoning that is in place, specifically the Control Free District. He reminded the Commission that South Carolina state law says that zoning ordinances must be uniform. While you can have different regulations in different districts, but it needs to apply equally. Mr. Markovich claimed this ordinance does not do this. Instead, it singles out particular uses and forces the new use to meet specific requirements for the right to develop a property. Mr. Markovich explained that he has already been part of a lawsuit against the County regarding a similar issue. He doesn't want to have to do that again, but he feels the proposed ordinance is saying "if you want to develop a property, you must pay an exaction." Mr. Markovich argued he did not believe this was fair because it only applies in certain cases and not across the board. He believes this is outside the reach of the State Comprehensive Planning Act with regards to uniformity. Mr. Markovich stated that the ordinance is a mechanism for spot zoning. He added that where the ordinance is located (Chapter 32 or Chapter 38) is important because that will determine the appeal process. If in Chapter 38, appeals will go through the Board of Zoning Appeals. If in Chapter 32, appeals will go through the Planning Commission. These stark differences will cause confusion and impede the intended effect of the Comprehensive Planning Act. Mr. Markovich spoke to the process and timeline of approvals for subdivision with regards to issuance of bonds and State law. He stated that the proposed ordinance would have a different process and timelines for screening and buffering that is in total conflict with the State law. He believes this would be outside the realm of what the County is allowed to do and would create more inconsistency. He added that the waiver mechanism in the proposed ordinance will cause more problems as deeded restrictions are a private matter that the County will have no jurisdiction over. With regard to the lighting section, Mr. Markovich had no opinion but did agree with Mr. Haney that there needs to be a defined standard, preferably defined by lumens. He summarized that the proposed ordinance will do far more harm than good.
- iii. Mr. Rex Blanton, member of the Agricultural Advisory Board – Mr. Blanton thanked the Commission for their work on developing the proposed ordinance and stated the Agricultural Advisory Board supports the adoption of the ordinance.
- iv. Ashley Townsend, member of the Agricultural Advisory Board – Ms. Townsend stated that the Board supports Version B of the proposed ordinance. The support encompasses the lighting and screening and buffering as they are written in Version B. Ms. Townsend added that the Board would not support any standards that are less than those in Version B. Compared to other counties, the proposed requirements are

minimal. Ms. Townsend commented on the development growth rate of the County and that it is both wise and responsible to protect the rights of peace and privacy of the existing residents and for developers to acknowledge the neighborly conditions and comply with the ordinance.

- v. Mr. Smith read the attached email into the record for the public hearing.
- vi. Mr. Smith closed public comment portion of the public hearing and asked Mr. Root to discuss the Version B and the summary. Mr. Root reiterated that the matter that are before the Commission and the Public on this night is Attachment A, which is the proposed ordinance that came from County Council and was the subject of the public hearing on October 4, 2021 and the public hearing on this date. Attachment A is what the Commission will issue their recommendation and report on and send back to Council. Attachment B, which the Commission has created over subsequent meetings can be incorporated into the Commission's report to Council. It should not be viewed as the Commission creating a new law, sending to Council for them to adopt. The Council will consider the public hearing, the Commission's report and recommendation on Attachment A and if the Commission chooses, Attachment B can be incorporated into the report. To be clear, Mr. Root restated the focus of this hearing is Attachment A. What Council does with it, send it back to the Commission or something else, is up to Council. The Commission's focus should be limited to what has been called Attachment A, what came to the Commission first. Mr. Root offered his opinion that he believes Attachment B is a great idea, to the extent that the Commission has refined their thinking on it, have considered more input, and have made changes as a result. Sending Attachment B to Council as part of the report and recommendation would allow Council to consider the revisions that the Commission incorporated and if they so choose, make an amendment to Attachment A.
- vii. Mr. Smith stated that the Commission's commitment to hold a public hearing has been fulfilled and now the requirement to develop a summary for the County Council must be met. Part of that summary will include Version B, which is product of the Commissions two previous meetings and two public hearings. During the first of the aforementioned meetings, the proposed ordinance was reviewed, debated, and revised. In the second meeting, each section of the proposed ordinance was reviewed and discussed in detail. The Commission voted on and approved each section. Nothing has changed in Version B since that meeting. Mr. Smith made a motion that Version B be approved as presented and be included with the summary to County Council. Mr. Gaulin seconded the motion. Discussion on the motion was opened.
 1. Mr. Johnson stated the Commission should be addressing Attachment A back to County Council with some formal response. He added that the first action the Commission should take is to decide whether the Commission will give a recommendation of Attachment A as it is or based on the input from the public hearing the Commission is suggesting that A not be moved forward and that the Commission supports Version B as an alternative. Mr. Smith confirmed that A is going back to County Council in its original form with the summary letter. He added that the summary letter is key to this. The plan is for Mr. Coley to author the letter, with Mr. Root to review letter and then the letter will come back to the Commission to review and approve. Mr. Smith added that the Commission voted to create a Version B. That version B will be attached to the summary letter when sent to the County Council. The summary letter will explain that after a great detailed review, the Commission believes that Version B is a better alternative to Attachment A. Mr. Smith emphasized that

the Commission is not rejecting Attachment A, but expressing the belief that Version B is a better alternative. It will be up to County Council to decide if they prefer Attachment A over Version B. Council's process includes three readings and a public hearing. Mr. Johnson asked Mr. Root if County Council's public hearing will be on both A and B as written or will they have other options. Mr. Root explained Council will have options. While it is not State law to have public hearings on every ordinance, we have one on every ordinance and this proposed ordinance would necessitate one. It is not uncommon for the County Council to hold a public hearing on third reading. The purpose of that is to ensure that any amendments that have been made to the ordinance are in place for the public to digest when they have the comments on it. Mr. Root continued his explanation of the process. When Council gets the Commission's report, essentially the summary letter that Mr. Smith spoke of earlier, and for example the letter states that the Commission has reviewed the proposed ordinance (Attachment A) as asked, holding two public hearings and have concluded the Commission does not like the ordinance as they did before. The letter would continue, stating that the Commission has contemplated and the preference is now that Council move to amend and adopt Version B. The summary letter can include how many people spoken for and against. The Council would consider the Commission's summary letter and move forward in their process of three readings and a public hearing. At any point in that process, Council could decide to adopt some or all the recommendations included in the Commission's Version B, they could adopt their own amendments, or they could hold an up or down vote on the original Attachment A.

2. Mr. Nix stated that he has heard the public loud and clear and has not heard good reasons for the adoption of the proposed ordinance, but he has heard very good reasons not to adopt the ordinance. He recommended that the ordinance be sent back to staff and that they develop it as part of Chapter 38 so that it is consistent. This would eliminate the conflict between Chapter 38 and Chapter 32. Mr. Johnson asked if Mr. Nix agreed with the ordinance, but disagreed with its placement with the Code of Ordinances. Mr. Nix stated that he disagreed with the ordinance, but if it is going to be developed, let's put it the right place. He added that he didn't think the ordinance was needed. He thinks it is an onerous piece of legislation and he has heard very clearly from the public that that is the case. Mr. Johnson questioned Mr. Nix if he was considering the public in the Comprehensive Plan, not just those attending public hearings. Mr. Nix stated that he had talked to many people in the public. Mr. Johnson reiterated that while there were members of the public in attendance, the public was the entire county. Mr. Nix restated his stance that he has not heard very good reasons for the ordinance to be adopted, but he has heard very good reasons not to adopt the ordinance. He added that those in attendance tonight that stood in favor of the ordinance did not provide rationale or numbers as to why the County should have such an ordinance, and such overreach. Mr. Smith asked Mr. Root if he could address Mr. Nix's point. Mr. Root stated that when dealing with any type of land use restriction and if a court were to look at it, the court would consider what the governing body's rational basis and what was the legitimate public purpose that they were serving in enacting the land use restriction. Mr. Root explained that if the

Planning Commission has not already done so in previous meetings, they should have the discussion as to why they are proposing the ordinance as part of the record. Having the discussion on why it is good is essential for upholding the ordinance if it is ever challenged. Mr. Gaulin offered his interpretation on the status of this procedure and how they arrived at this point. County Council looked at Version A, decided not to vote on it and then sent it back to the Planning Commission to get public input. Mr. Gaulin stated that the Planning Commission has done their due diligence and has held a public hearing. During that process, the Commission reviewed Version A and determined that it could be improved. Mr. Gaulin added that he believes the Commission should send the Council a summary of the public hearing along with A and include that the Commission believes that Version B is much improved. He stated that he believes the Commission is doing the right thing by sending the proposed ordinance back to County Council, not tabling it, because the Council asked the Commission for more input. The decision will rest with the County Council. Mr. Williams stated the he believes the proposed ordinance does look after the little man. He believes that those in agricultural are the little man, explaining that most property owners in agriculture cannot afford to purchase a \$40,000 lot and build a \$100,000 building on it. He added that those in agriculture purchase land to farm. As a result, the buffering becomes important and is a protection against encroaching developments. Mr. Williams stated that he believes that agricultural land is disappearing and is at the mercy of the banks or whoever has the deepest pockets. Mr. Williams did agree with Mr. Haney's remarks that buffering could create a predator zone. However, it could also create a space for deer and birds to hide. He encouraged all to look at both sides when considering the possibilities. Mr. Williams commended Mr. Markovich for his homework but believes the proposed ordinance is essential in slowing down the development in the county and protecting the agricultural lands. Mr. Vassey stated that agreed with Mr. Williams regarding the speakers, believing they made important points. Mr. Vassey added that he would like to see specific requirements in the Lighting section of the ordinance, but feels like the Commission could spend a substantial amount of time and still never come up with the perfect document. He believes that what the Commission is presenting is a pretty good job. He encouraged the speakers in the audience to attend the County Council meetings and speak, providing specifics on their opinions. Mr. Pearson stated that he disagrees with the entire ordinance. Mr. Johnson questioned Mr. Root on the different protocols of appeal based on where the ordinance is located, Chapter 32 and Chapter 38, that Mr. Markovich presented in his comments. Mr. Root stated that Mr. Markovich spoke in some generalities and he would need specifics to clarify the processes. Mr. Johnson proposed an example—if someone was building a development and there was a question or a need for an appeal, the location of the ordinance, either in Chapter 32 and Chapter 38, one would go under the Board of Zoning Appeals which would go through the court system and one would go through the Planning Department and then County Council. Mr. Root stated that the distinctions that Mr. Johnson made were generally correct, but that both appeals would find their way to court system as both processes are quasi-judicial when they come before the BZA and the Commission. The appeal on these quasi-judicial decisions would be in

the circuit court, with them becoming the final arbiter unless it goes further than that. In summary, Mr. Root stated that mechanically both types of appeals would find their way to the courts for a true judicial review. Mr. Johnson asked Mr. Root if he felt that the proposed ordinance was best served in Chapter 32. Mr. Root answered in the affirmative. While Mr. Markovich may disagree with him, Mr. Root stated that he did not see where we have direct conflicts in 32 and 38. Mr. Root added that he does see that things have been changed with 32 over time and things have been changed with 38 over time. Not to say that there is an overlap where they disagree in a lot of places, but they speak to the same subject matter in a lot of areas. He added that this is why he advocated for a unified development ordinance, but this can serve the same purpose. He summarized that he believes it fits best in Chapter 32, but an argument can be made for Chapter 38 because it deals with lighting, screening, and buffering which falls within the powers of zoning in the Comprehensive Development Act. However, they also fall within the land use provision because it falls within the general police powers of the County to look after the general welfare of the citizens, and this is one of those ordinances. Mr. Root pointed out the communication towers and the sign ordinance found their home in Chapter 32, which are very analogous as far as the restrictions. He stated there a lot more folks who might want to develop land that's going to fall within this than folks who may want to erect a billboard or a communication tower. So the impact is greater, but the nature of the "restriction" is not too dissimilar to those that are in Chapter 32. Mr. Johnson summarized his interpretation of what the public stated earlier about the proposed ordinance. What he heard is that the public believes the ordinance will negatively affect the cost of improving a property, especially on those that are smaller parcels. He also heard was that there is a need for a detailed lighting section. Mr. Johnson agrees with the need for a stronger lighting section. He used a hypothetical example of a gas station moving in next door to a residential property where the owner has been there for 50 years without the requirement of a buffer and screening. He believes "protecting the little guy" is protecting that long-time resident. In summary, he believes that some type of ordinance is needed. However, he admitted he is not sure that the ordinance they are discussing is perfect yet as far as Version B is concerned. He believes that the Commission is headed down the right road in doing something that protects all of the people. He stated that the concerns over established set-backs on smaller lots may be appropriate. However, he doesn't envision a small lot owner developing a gas station (as an example) but instead something like a vegetable stand, which are two very different scenarios with disparate effects to an established property owner. Again, Mr. Johnson voiced his support for an ordinance, and he believes that Version A is not the correct document, but it is the document the Commission was asked to consider by Council. He stated the Commission's summary should suggest that they are rejecting Version A in favor of a new document that is closer to Version B and they would like to continue working on it.

3. Mr. Smith called for a vote on the motion that Version B be approved as presented and be included with the summary to County Council. The motion passed 4/3, with Mr. Johnson, Mr. Pearson, and Mr. Nix opposing.

4. Mr. Smith made a motion that Version B be renamed Revised Development Standards. Mr. Gaulin seconded the motion. Discussion – Mr. Gaulin explained that name Version B came out of a conversation with Mr. Root in an earlier meeting. It was an effective way to refer to the document as the Commission worked through this process, Mr. Gaulin stated his belief that the name be changed prior to going to County Council. Mr. Nix stated he did not believe it mattered what the document was named at this point because if adopted, it will be adopted as Development Standards. Mr. Smith stated the purpose of the change was to make the summary clearer for County Council. Mr. Gaulin proposed an amendment to the motion on the table, to change the name to Revision 1. Mr. Root suggested an easier way to change the motion would be to withdraw the motion and make a new one. Mr. Smith withdrew the motion. Mr. Nix stated that Attachment A is the original Development Standards ordinance that County Council sent back to the Commission to address. Attachment B is the result of the Commission’s review and revision of Attachment A. Mr. Nix added he did not understand the confusion around the names of the attachments. Mr. Root asked Mr. Smith to restate the new motion to clear up confusion. Mr. Smith made a motion that Version B be renamed Revision 1 Development Standards. Mr. Gaulin seconded the motion. Discussion – Mr. Johnson asked how did County Council sent the document to the Commission. Mr. Root stated the Commission was charged to review Attachment A, report on it and hold a public hearing. Mr. Johnson stated since County Council has defined the proposed ordinance as Attachment A, it makes perfect sense for the other to be called Attachment B or a Revision of Attachment A. He believes it should definitely reference Attachment A or County Council is surely to get confused. Mr. Gaulin argued that Attachment B is renaming ordinance. He added that the word Revision in the name will help Council understand the Commission is offering a revision. Mr. Gaulin added he agreed with Mr. Nix that it doesn’t matter what the document is called and therefore doesn’t understand why someone would vote against the motion. Mr. Smith called for a vote. The motion passed 5/2, with Mr. Pearson and Mr. Nix opposing.
5. Mr. Smith made a motion that the Planning Director or their designee write a summary of the public hearing for the County Council and that the summary with Revision 1 Development Standards be returned to the Planning Commission for their December 6th meeting. Mr. Gaulin seconded the motion. Mr. Root questioned Mr. Smith if there were other elements that the Commission wanted staff to include within the summary so that staff knows not to write an essay about what the Commission has accomplished, but to mention particular items. For example, the number of people who have commented and what stance they have taken, and the actions the Commission has taken as a result. This type of direction will make the summary easier for staff to draft. Mr. Smith presented some suggestions of what to include and Mr. Root acknowledged that the suggestions were accurate, but stated the summary should be a half page in length and in bullet point form. He cautioned against a summary that was exceedingly long and not to appear to be guiding the Council in favoring or opposing the proposed ordinance. Mr. Gaulin spoke to why the motion was being made. He felt it is important that staff write the summary. Mr. Smith agreed. Mr. Johnson asked if it was

appropriate that the strategies in the Comprehensive Plan that align with the proposed ordinance be mentioned in the summary. Mr. Smith agreed and acknowledged the comment and deferred to Mr. Coley who will authoring the summary. Mr. Pearson asked if the summary will be coming back to the Commission to review and approve. If so, the motion needs to be changed from getting the summary to the Council by December 6th. Mr. Smith read the motion again to show the summary will be delivered to the Planning Commission not the Council on December 6th. Mr. Smith called for a vote. The motion passed unanimously 7/0.

9. Adjourn – Mr. Smith made a motion to adjourn. Mr. Pearson seconded the motion. Mr. Smith called for a vote. The motion passed unanimously 7/0 at 6:10 PM.

DRAFT

OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



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

Date: December 6, 2021

To: Members of County Council

From: James Coley

Re: Report to Council: Ordinance 2021-19

Results:

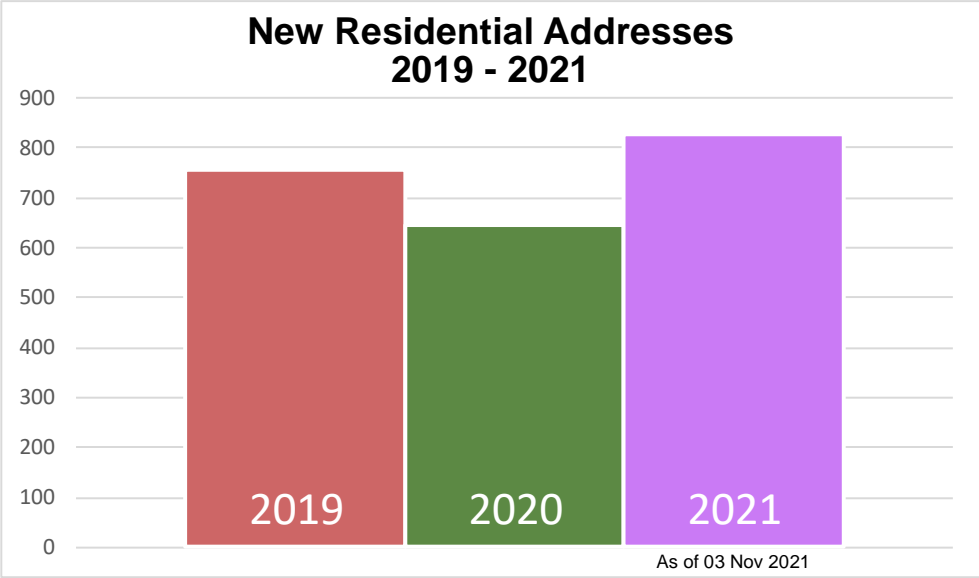
- The Planning Commission has considered the ordinance further, and based on public comments, and the Commission's deliberations, recommends that Council amend 2021-19 to substitute the accompanying "Revision 1, Development Standards" in order to add clarity and make the ordinance more user friendly. The Commission voted to approve the revised ordinance 4-3.

Background:

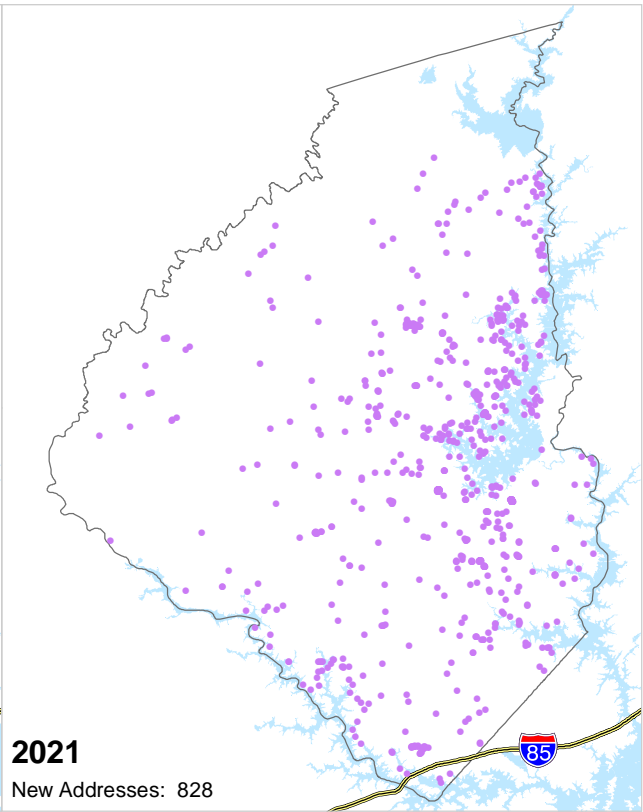
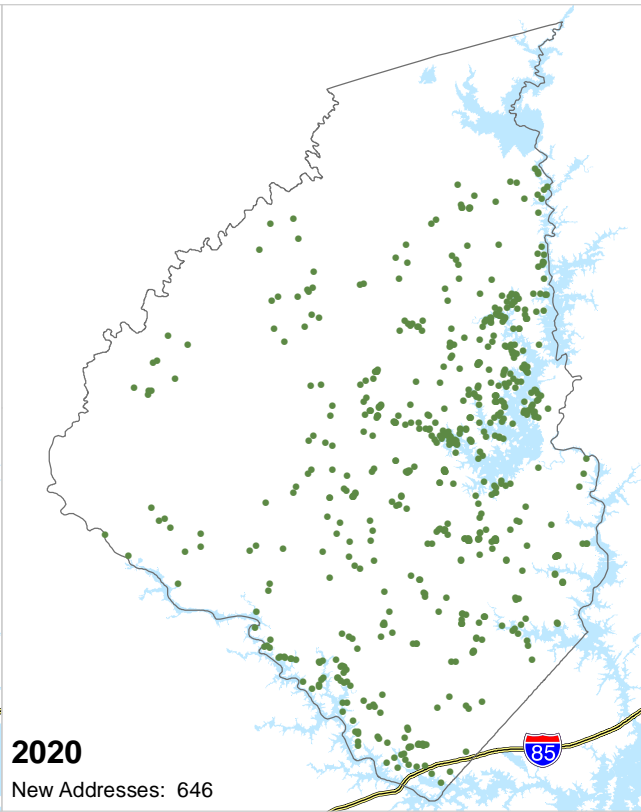
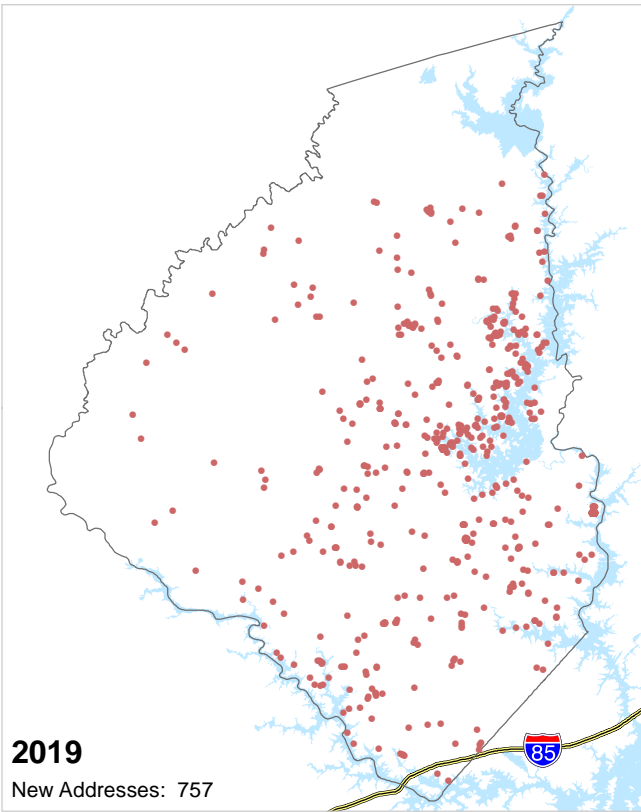
- The Planning Commission received back, by referral from County Council, Ordinance 2021-19 "an ordinance amending chapter 32 of the Oconee County Code of Ordinances, in certain limited regards and particulars only, regarding the establishment of development standards in relation to lighting, screening, and buffering; and other matters related thereto" with the direction to hold a public hearing, and report back to Council.
- The Planning Commission held the official public hearing on November 15, 2021, and received additional public comments during the October 4, 2021, October 18, 2021, November 1, 2021 meetings.
 - October 4, 2021, 3 people directed comments to the Commission, 2 for and 1 against the ordinance.
 - October 18, 2021, 1 person directed comments to the Commission, and 1 email was read into record to the Commission, 1 for and 1 against the ordinance.
 - November 1, 2021, 1 person directed comments to the Commission against the ordinance.
 - November 15, 2021, 4 people directed comments to the Commission, 2 for and 2 against the ordinance.

Synopsis of Public Comments:

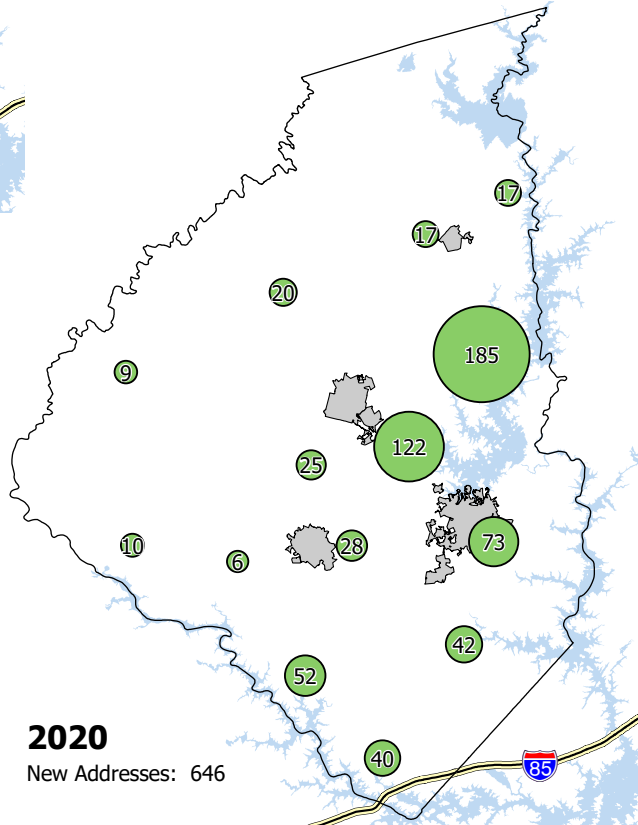
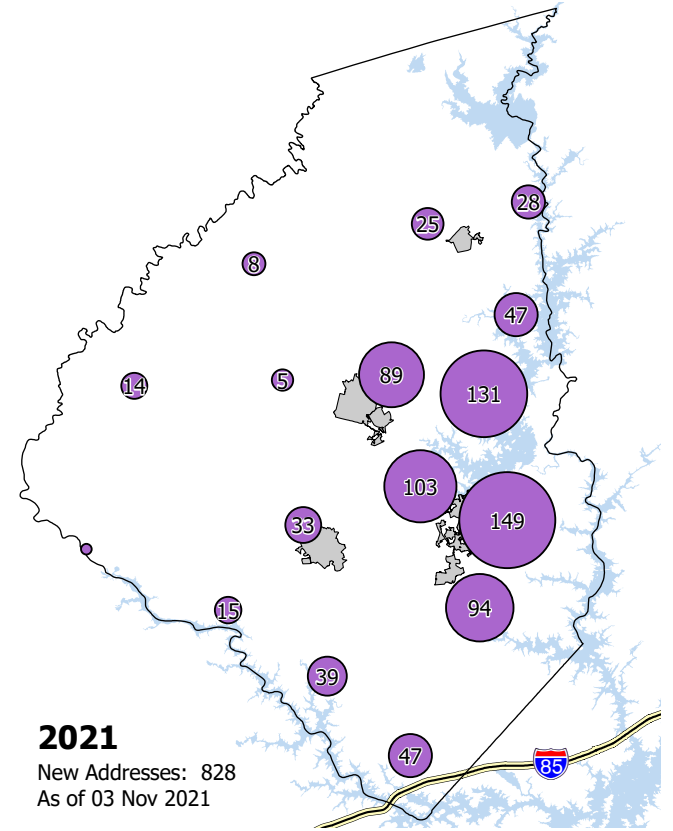
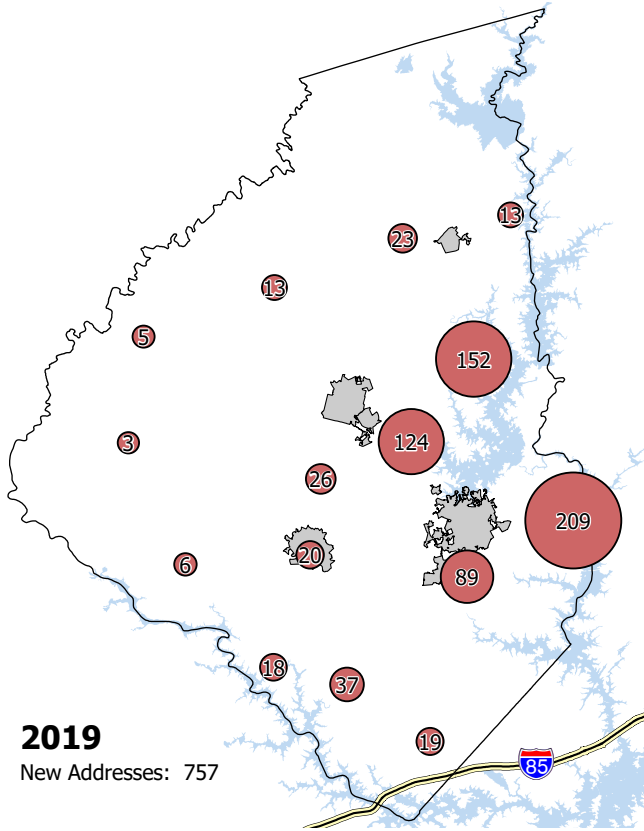
- Against: Ordinance is governmental overreach and imposes too many restrictions on privately owned property/people.
- For: Some rules are needed as development continues to increase to protect the quality of life in the county. The Agricultural Advisory Board supports revision 1.



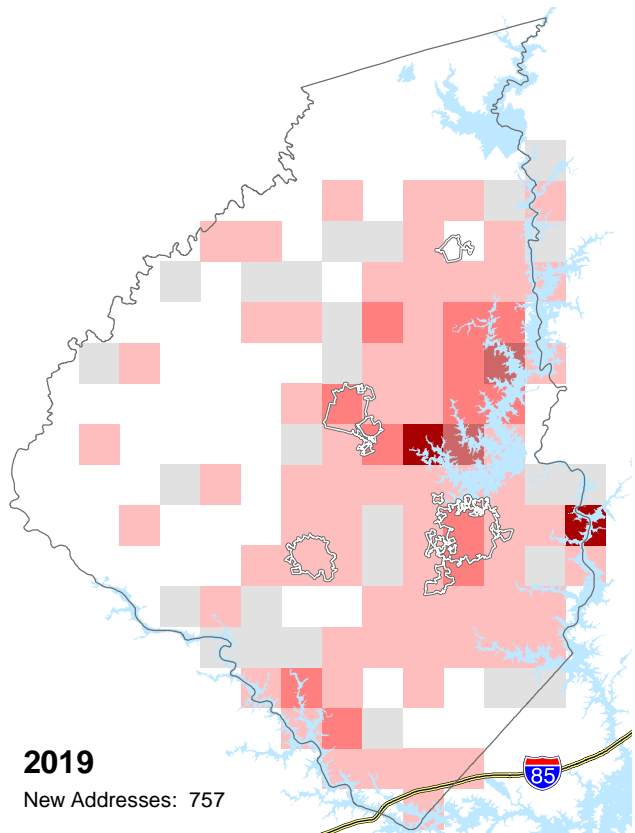
OCSCGIS
Nov 2021



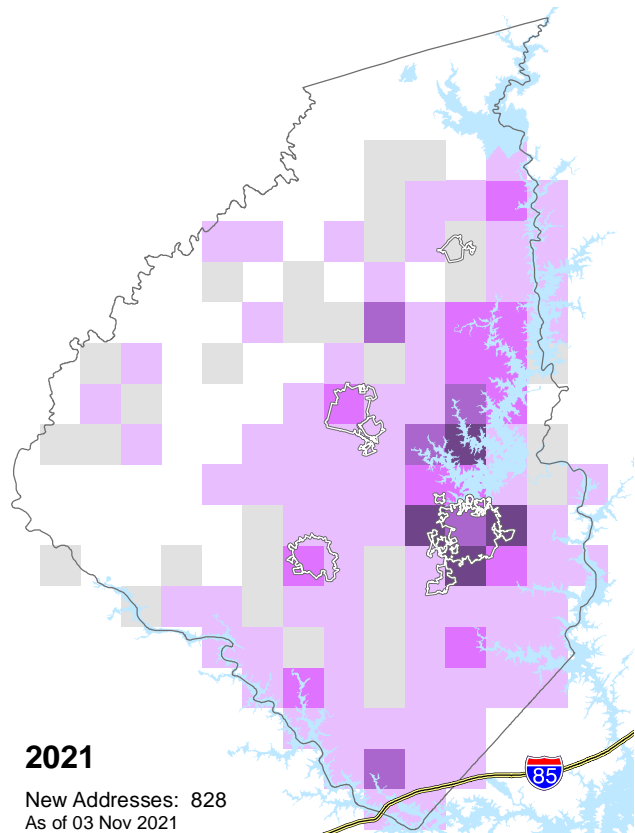
New Residential Addresses 2019-2021



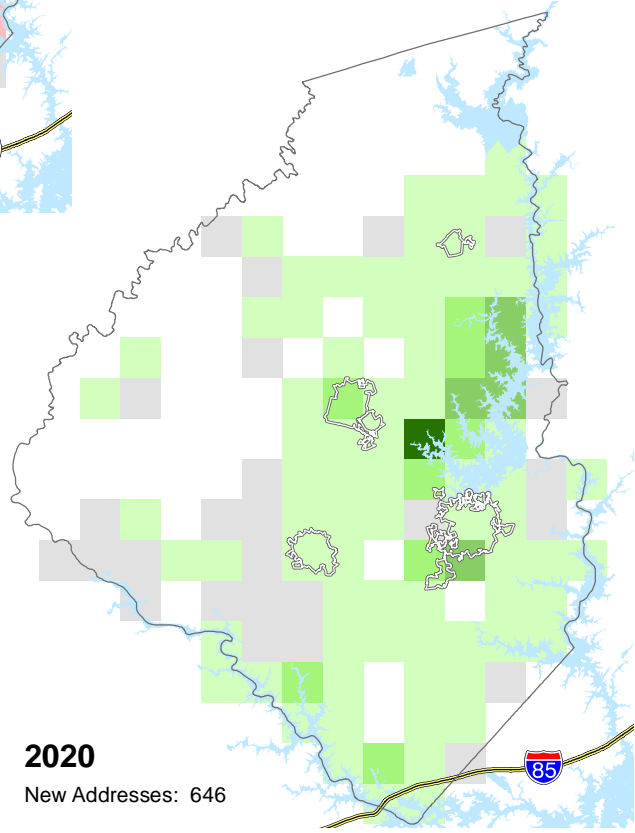
New Residential Addresses 2019 - 2021



2019
New Addresses: 757



2021
New Addresses: 828
As of 03 Nov 2021



2020
New Addresses: 646

Addresses Assigned

2019	2020	2021	Count
Grey	Grey	Grey	1
Light Red	Light Green	Light Purple	2 - 10
Red	Green	Magenta	11 - 20
Dark Red	Dark Green	Dark Purple	21 - 30
Dark Red	Dark Green	Dark Purple	> 30

2 miles x 2 miles grid

Oconee County Planning Commission 2022 meeting schedule

1st and 3rd Monday* at 5:00 p.m.

(*Thursday, if Monday falls on a holiday)

1. February 7, 2022
2. February 24, 2022 (*Th)
3. March 7, 2022
4. March 21, 2022
5. April 4, 2022
6. April 18, 2022
7. May 2, 2022
8. May 16, 2022
9. June 6, 2022
10. June 20, 2022
11. July 7, 2022 (*Th)
12. July 18, 2022
13. August 1, 2022
14. August 15, 2022
15. September 8, 2022 (*Th)
16. September 19, 2022
17. October 3, 2022
18. October 17, 2022
19. November 7, 2022
20. November 21, 2022
21. December 5, 2022
22. December 19, 2022
23. January 16, 2023

Oconee County Planning Commission 2022 meeting schedule

3rd Monday* at 5:00 p.m.

(*Thursday, if Monday falls on a holiday)

1. February 24, 2022 (***Th**)
2. March 21, 2022
3. April 18, 2022
4. May 16, 2022
5. June 20, 2022
6. July 18, 2022
7. August 15, 2022
8. September 19, 2022
9. October 17, 2022
10. November 21, 2022
11. December 19, 2022
12. January 16, 2023