

OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



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

COMMISSION MEMBERS

Mike Smith, District I

Alex Vassey, District III

Gary Gaulin, Vice-Chairman, District V

Pat Williams, At-Large

David Nix, District II

Frankie Pearson, Chairman, District IV

Mike Johnson, At-Large

AGENDA

5:00 pm, Monday, August 1, 2022

Council Chambers - Oconee County 415 S Pine St, Walhalla SC 29691

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Approval of minutes from July 18, 2022
5. Public Comment for Non-Agenda Items (4 minutes per person)
6. Commission Member Comments
7. Staff Comments
8. Building Moratorium
 - a. Public comment
 - b. Discussion/ vote
9. Right-of-way
 - a. Public comment
 - b. Discussion/ vote
10. Subdivision subcommittee- development standards
 - a. Public Comment
 - b. Discussion/ vote
11. Adjourn

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. Meetings available on YouTube: "YourOconee"

OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



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

Minutes

5:00 pm- Monday, July 18, 2022

Council Chambers - Oconee County Administrative Complex

Members

Gary Gaulin

Mike Johnson

David Nix

Frankie Pearson

Mike Smith

Alex Vassey

Pat Williams (Absent)

Staff Present

James Coley, Planning Director

Elise Dunaway, Assistant to Planning & Codes

Media Present – None

1. Call to order – Mr. Pearson called meeting to order at 5:00 PM.
Mr. Pearson motioned to amend the agenda to remove building moratorium off the agenda until all members are present; seconded by Mr. Gaulin. Approved 5/1. Mr. Smith opposed.
2. Invocation was led by Mr. Nix.
3. Pledge of Allegiance was led by Mr. Johnson.
4. Approval of minutes from July 7, 2022 – Mr. Pearson made a motion to approve the minutes; seconded by Mr. Nix. Approved unanimously 6/0.
5. Public comment (non-agenda items): None
6. Commission member comments
Mr. Pearson mentioned the building moratorium item will be put on the August 1 agenda due to Mr. Williams absence.
Mr. Smith said a moratorium would require a lot of activity using a professional facilitator and including multiple stakeholders. Revised ordinances have to be completed at the end of the moratorium or it will be ineffective.
7. Staff comments: None
8. Subdivision applications
Mr. Coley mentioned the Soil & Water Conservation District requested information be added to the back-up material.

Garrison Rd. Subdivision – Mr. Johnson asked if Oconee County requirements are similar or different compared to City of Seneca due to how close the subdivision is to City of Seneca. Discussion followed.

9. Hwy 123- Revision to Sec.32-222 Preliminary plan and supporting data (former Curb Cut/ Aux. Lane Subcommittee)
 - a. Public Comment: None
 - b. Discussion/Vote:

Mr. Smith made a motion that the curb cut proposal be approved as presented and then it be forwarded to the county attorney for his comments and suggestions if only minimal suggestions it be revised and forwarded to the appropriate committee for their consideration. Seconded by Mr. Gaulin. Approved 5/1. Mr. Nix opposed.
10. Subdivision subcommittee – Development Standards
 - a. Public comment: None
 - b. Discussion/Vote:

Mr. Pearson commented that the members need to give the subcommittee some direction on where they should start their research. Discussion followed about types of housing and costs. Mr. Smith mentioned this topic had been well covered in last year’s letter to the county council about housing and asked that it be included in the back-up material for next meeting.
11. Commercial Junkyards
 - a. Public comment: None
 - b. Discussion/Vote:

Mr. Smith asked are the current junkyards in the county going to be grandfathered in or are citizens going to be given a time limit in order to comply with the agreed upon ordinance and find grants to help the citizens out. Discussion followed.
12. Adjourn – The meeting was unanimously adjourned at 5:45pm.

Vivian Kompier

From: Jose L Cabrera <jlcabrerac7@gmail.com>
Sent: Wednesday, July 27, 2022 4:19 AM
To: Planning Info
Subject: Ordinance 26-2

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Oconee County Planning Commission,

I am requesting your consideration regarding keeping Ordinance 26-2 in place.

We love this community and want to preserve its beauty.

Respectfully,

Jose Cabrera
38 Lighthouse Way Drive
Salem SC 29676
864-944-2545

Sec. 26-2. - Private road standards and regulations.

Oconee County shall have no responsibility for nor control of the design, engineering, construction, inspection or maintenance of private driveways, drives and roads in Oconee County and shall only be involved with private driveways, drives and roads to enforce these regulations and to the extent required for the county to carry out its other duties and functions, such as approving the subdivision of property.

- (a) **Private driveways.** Private driveways shall serve no more than three residential dwellings, and shall be maintained by the property owner(s). No design standards shall apply to private driveways, but driveways must comply with applicable building and fire codes.
- (b) **Private drives.** All private drives existing and in use at the time of adoption of these regulations, as well as those private drives under construction prior to the time of adoption, shall be exempted from the standards contained in this section. This exemption shall also extend to those private drives approved by the planning department prior to the time of adoption. All other private drives shall:
 - (1) **Serve no more than ten lots or dwellings;**
 - (2) **Have a minimum road right-of-way of 50 feet, or an appropriately executed private roadway easement as defined by these regulations;**
 - (3) Have an appropriate encroachment permit from either the county or the South Carolina Department of Transportation;
 - (4) Have a minimum driving surface width of 20 feet constructed of no less than five inches of compacted crushed stone or gravel base; a minimum height clearance of $13\frac{1}{2}$ feet; and appropriate documentation from a professional engineer licensed by the State of South Carolina certifying the maximum weight limit of any bridge or culvert located along the drive. All bridges and any culvert over which a private drive crosses a perennial stream must include appropriate signage (located at each end of the bridge) displaying the structure's weight limits;
 - (5) Be maintained by an individual, association of property owners, or commonly held by the property owners fronting the private drive;
 - (6) Comply with all current fire regulations and codes;
 - (7) Shall serve no more than ten dwellings, and shall connect to another road, either public or private, on one end only. In the event proposed construction and/or development will result in an existing private drive serving 11 or more dwellings, the existing drive shall be upgraded so as to meet the standards put forth in these regulations for private roads;
 - (8) Parcel boundaries may extend to centerline of the road, with the appropriate road right-of-way shown on all plats and deeds;
 - (9) Be named in accordance with adopted E-911 addressing regulations and procedures;
 - (10) Allow at least 100 feet of sight distance for each ten miles per hour of the posted speed limit where the private drive intersects a public road. The sight distance shall be measured from a seeing height of $3\frac{1}{2}$ [feet], offset 15 feet from edge of road, to an object $4\frac{1}{4}$ feet in height above the grade of the public road, as stated in SCDOT's 1996 Access and Roadside Management Manual. If the proposed drive does not

meet the sight distance requirement, a waiver must be signed by the individual(s) constructing the private drive stating that the property owner(s) is liable and responsible for any accidents, injuries, problems, and property damage resulting from improper sight distance;

- (11) Meet all applicable stormwater management and sediment control regulations;
- (12) Be approved in writing by planning commission or designated staff prior to submission of plat(s) to the register of deeds for recording. The following shall be prominently printed on the plat(s):
- "THE ROAD RIGHT-OF-WAY SHOWN ON THIS PLAT SHALL BE PRIVATE DRIVES NOT OWNED, MAINTAINED OR SUPERVISED BY OCONEE COUNTY, AND WERE NOT CONSTRUCTED PURSUANT TO ANY PLAN FOR FUTURE ACCEPTANCE BY OCONEE COUNTY. ROAD RIGHT-OF-WAYS SHOWN UPON THE PLAT SHALL NOT BE ACCEPTED FOR MAINTENANCE BY OCONEE COUNTY AT ANY TIME IN THE FUTURE UNLESS CONSTRUCTED IN ACCORDANCE WITH ALL ADOPTED OCONEE COUNTY REGULATIONS. MAINTENANCE OF THE RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF _____."

(13) Signage shall comply with the manual for uniform traffic control devices.

- (c) **Private roads.** Private roads shall provide vehicular access and road frontage to developments, or sections of developments, containing more than ten dwellings. All private, nondedicated roads shall be prominently indicated as such on plats prior to subdivision approval. Maintenance arrangements for such roads must be noted in writing on subdivision plat submittals and must be subsequently recorded. The development served by a private road shall have direct access into a public road, and no such private road shall be laid out so as to serve property outside the development. All private roads shall:

- (1) **Serve a minimum of 11 lots;**
- (2) **Have a minimum road right-of-way width of 50 feet;**
- (3) Be designed in accordance with the regulations set forth in subsection 26-3(e) of these regulations;
- (4) Be constructed in accordance with the regulations set forth in subsection 26-3(f) of these regulations;
- (5) Be maintained by an association of property owners or the developer and be designated on all plats and recorded in appropriate deed covenants and restrictions, or an appropriately executed private roadway easement as defined by these regulations;
- (6) Parcel boundaries may extend to the centerline of the road, with the appropriate right-of-way designated on all plats and deeds;
- (7) Be legally certified for compliance by a surveyor/engineer licensed by the State of South Carolina;
- (8) Be named in accordance with adopted E-911 addressing regulations;
- (9) Meet all stormwater management and sediment control regulations;
- (10) Be properly approved in writing by planning director prior to submission of plat(s) to the register of deeds for recording. The following shall be prominently printed on the plat(s):

"THE ROAD RIGHT-OF-WAY SHOWN ON THIS PLAT SHALL BE PRIVATE ROADS, NOT OWNED, MAINTAINED OR SUPERVISED BY OCONEE COUNTY AND NOT CONSTRUCTED PURSUANT TO ANY PLAN FOR FUTURE ACCEPTANCE BY OCONEE COUNTY. ROAD RIGHT-OF-WAY SHOWN UPON THE PLAT SHALL NOT BE

ACCEPTED FOR MAINTENANCE BY OCONEE COUNTY AT ANY TIME IN THE FUTURE UNLESS CONSTRUCTED IN ACCORDANCE WITH ALL OCONEE COUNTY REGULATIONS. MAINTENANCE OF THE RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF THE _____."

- (11) Have installed signs that control the traffic flow in a safe manner as specified by standards in the Manual for Uniform Traffic Control Devices.

With the exception of the requirements put forth in this section, all private roads shall meet the requirements for all public roads as defined by this article.

(Ord. No. 2008-19, Art. 2(1—3), 12-16-2008; Ord. No. 2013-16, § 2A, 7-16-2013)

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Challenges to Affordable and Attainable housing in Oconee County

The Oconee County Planning Commission requested speakers from various entities that operate housing related businesses to speak during Commission meetings. The Oconee County Planning Commission sincerely thanks the following individuals for sharing their knowledge and time with the Commission:

*Lauren Richardson, Our Daily Rest
Jon Goyert, Oconee County Habitat for Humanity
David Gully, Oconee County Home Builder's Association
Brad Kisker, Oconee County Home Builder's Association
Chris Eleazer, Oconee Joint Regional Sewer Authority*

Abstract: The primary limitations for construction of new developments that provide Affordable and Attainable housing in Oconee County are the topographical constraints, lower than average median household income, and the availability of critical infrastructure services. Regardless of the fluctuations in the market for real estate, labor, and building materials the ability of developers to make any density driven housing project financially viable is directly correlated to the ability of the market to bear the rental or mortgage costs, costs associated with site preparation and the availability of critical infrastructure.

Issue: The lack of housing in the County that is both Affordable and Attainable as well as located in areas with fundamental amenities such as shopping, jobs, and schools is a primary contributing factor for sprawl and the cycle-of-poverty that many of our citizens are stuck in. Home owners County wide pay an average of 21.1% of income on mortgages. Renters, County wide pay an average of 31.5% on rent. Approximately 1,904 home owners (8.5% of all homeowners) and 1,975 renters (23.7% of all renters) spend more than 50% of household income on housing costs. (Source: U.S. Census 2018 American Community Survey)

Definitions:

Affordable housing: Less than 30% of income spent on housing
(Source: Department of Housing & Urban Development)

Attainable housing: Nonsubsidized, for-sale housing that is affordable to households with incomes between 80 and 120 percent of the area median income (AMI).
(Source: Urban & Land Institute / Brookings Institute)

Examples: Using the definitions for Affordable and Attainable, the data in Table 1 indicates AMI across different Census tracts in the County and what Affordable and Attainable housing costs should look like in these areas. Countywide, the AMI is \$46,056 with a range of \$30,919-\$60,632 per year.

Table 1

Area Median Income (AMI)	Affordable rent or mortgage	Attainable housing cost (purchase price)
\$30,000	\$750/month, \$9,000/year	\$24,000-36,000
\$46,056	\$1,151/month, \$13,816/year	\$36,844-55,267
\$60,000	\$1,500/month, \$18,000/year	\$48,000-72,000

Housing: The availability of housing stock in Oconee County has plummeted recently in reaction to the attraction of the area for retirees from other states, proliferation of short-term rental properties, increase of property values, costs of building materials, and high-demand / short-supply of home builders.

Housing issues mean different things to different people. The growing number of homeless in Oconee County have a unique perspective on what a house means to them. A house to a homeless person is another chance at life and another chance to hope. A reduction in rental or mortgage costs to those almost 4,000 families that spend more than 50% of their income on housing means a chance to better themselves and their families, be more than a paycheck away from financial hardship, and raise themselves out of the cycle-of-poverty. A reduction in rent or mortgage for those who are not “burdened” by excessive housing costs creates opportunities to invest and distribute their disposable incomes around the County and region.

While there is not one individual factor to pin all housing issues for all housing types on, when focusing on Affordable and Attainable housing in the County a lower AMI, topography, and the availability of critical infrastructure are major constraints.

The AMI is an indicator to developers how they can price their product on the market. If that market price does not support their financial goals, they won’t build. Oconee County has very little in the way of land-use and density restrictions when compared with other jurisdictions. Approximately 88% of the County is Control-Free District which has no usage or density limitations. Where the local government provides very few hurdles, mother nature does. The elevation in the County ranges 554’ above mean sea level (MSL) to 2,064’ MSL. Topography for a developer is a major consideration for construction. Costs associated with grading, filling, storm water planning, design and build of infrastructure are all amplified as the grade of a property increases. In order to build with economies of scale, developers need to put as many dwellings on a piece of property as they can. Certain infrastructure is required to make Affordable and Attainable housing viable, including sewer. A lack of wide-reaching sewer service is good in certain regards. The density becomes focused on the cities instead of sprawling out. This helps keep the rural areas rural and the cost of roads, police, fire, and emergency services lower. The

creation of Affordable and Attainable housing in rural portions of the County is hampered by the lack of a robust sewer system.

Next steps: As the three main constraints – AMI, topography, and infrastructure– have been identified the next step is creating an action plan to address these items. The state of South Carolina’s AMI is \$56,227 while Oconee County’s AMI is \$46,056. Working on goals to raise the AMI to meet or exceed the state average through economic development and other methods would address the issue. While the County can do little about its topography, addressing any governmental constraints or regulations related to topography could be of benefit to developers and the County. When looking at infrastructure such as sewer, creating a long term plan to not just run sewer anywhere but to strategically place the sewer and regulate the land-use in places that sewer serves could address both sprawl and Affordable and Attainable housing.

Affordable and attainable housing was an issue frequently mentioned in community meetings when developing the comprehensive plan.

To address that issue, the PC requested speakers from various entities to address this topic.

This 'white-paper' summarizes the problem, but most important, it offers a 'next step' to the issue of affordable and attainable housing

The issues facing this issue are:

*Availability of critical infrastructure services - mainly sewer

Lack of wide-ranging sewer is a benefit since density becomes focused around cities instead of encouraging urban sprawl

*Lower than average median income as compared to the state of S.C.

S.C. = \$56,227 Oconee = \$46,056

The AMI is a main factor a developer will use to price their product. If that market price point does not support their financial goals, they wouldn't build.

*Topographical constraints

Elevations in the county ranges from 554' MSL to 2,064' MSL

These restraints are more than local government restrictions.

Next Steps – A solution

Work on goals to raise the AMI to meet or exceed the state average through economic development and other methods to address this issue.

When looking at infrastructure such as sewer, creating a long-term plan to strategically place sewer and regulate the land-use in

places that sewer serves could address both sprawl and affordable housing.

There is little the county can do about the topography. But addressing any regulations related to topography could encourage developers to build attainable housing.