

# OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



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

## Minutes

5:00 pm- Monday, March 21, 2022

Council Chambers - Oconee County Administrative Complex

### Members

Gary Gaulin

Frankie Pearson

Mike Johnson (absent)

Pat Williams

Mike Smith

David Nix

Alex Vassey

### Staff Present

James Coley, Planning Director

Vivian Kompier, Senior Planner

David Root, County Attorney

### Media Present – Lauren Pierce, The Journal

1. Call to order – Mr. Pearson called meeting to order at 5:00 PM.
2. Invocation was led by Mr. Root.
3. Pledge of Allegiance was led by Mr. Gaulin.
4. Approval of minutes from February 24, 2022 – Mr. Williams 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:
  - a. Mr. Williams mentioned that development is out of control.
  - b. Mr. Gaulin mentioned that he attended an OJRSA meeting and it was very informative. Mr. Gaulin also attended the Fair Play master plan meeting, the meeting was well attended by the community.
7. Staff comments: None
8. Discussion by County Attorney regarding procedural / parliamentary issues: Mr. Root explained the Model Rules of Parliamentary Procedure for South Carolina Counties and answered board member questions.
9. County “Junkyard” Ordinance subcommittee

- a. Public comment: Mr. Jake Marcengill spoke about his junkyard calling it “The Junkyard” and explained that there is difference between junkyards and storage facilities.
  - b. Update:
    - Mr. Gaulin updated the commission with a handout (attached).
    - Mr. Smith said that it was a very cordial meeting and that all members recognized the need and that Mr. Travis Nix will do some outreach.
    - Mr. Williams would like to “fine tune” the definition of the word “junkyard”.
    - Mr. Nix agreed with Mr. Williams.
10. County Junkyard Letter to County Council
- a. Public comment: None
  - b. Discussion/ vote:
    - Mr. Smith made a motion that no letter or Planning Commission contact be made with the County Council regarding the junk yard subject until the junk yard sub-committee makes their final report to the Planning Commission. Mr. Gaulin seconded the motion. Much discussion followed by a 3/3 vote with the motion failing.
    - Mr. Gaulin asked for a roll call vote with the following results: Mr. Vassey – opposed, Mr. Smith - in favor, Mr. Williams – in favor, Mr. Pearson – opposed, Mr. Gaulin in favor, Mr. Nix – opposed.
    - Mr. Pearson made a motion to send a letter to Council asking for their approval/denial to work on the junkyard ordinance. Motion was seconded by Mr. Nix. Discussion followed. Motion failed 2/4 with Mr. Smith, Mr. Gaulin, Mr. Vassey, and Mr. Williams opposing.
11. HWY 123 Curb Cut and Aux turn Lane Ordinance subcommittee
- a. Public comment: None
  - b. Update:
    - Mr. Smith gave an update of the meeting that was on March 10<sup>th</sup> as well as mentioned that the next meeting will be April 12<sup>th</sup>. The people that attended were himself, Mr. Gaulin, Mr. Coley, Mr. Markovich, and an interested citizen. PED met June 1<sup>st</sup>, 2021 directing the Planning Commission to address curb cuts. Mr. Smith showed a map of “miracle mile” (attached).
12. Sidewalks Chapter 26-3, q, construction of sidewalks in the county road right-of-way subcommittee
- a. Public comment: None
  - b. Update:
    - Mr. Smith updated the Commission that the sidewalk committee has had two meetings. The discussion was on sidewalks in the county right-of-way. Three ways to address this:
      1. Leave the ordinance as is with no sidewalks.
      2. Revise the ordinance to allow sidewalks with the HOA or other entity taking the maintenance of them.
      3. The County take maintenance and liability after the warranty period expires.
    - Mr. Smith then made a motion that the sidewalk sub-committee draft an ordinance to allow for sidewalks built to SCDOT standards in the County road right-of-way provided the HOA or other entity will be responsible for their maintenance and liability. The motion was seconded by Mr. Vassey. Discussion follow and Mr. Gaulin amended the motion to include a list of conditions. (attached). Mr. Smith seconded. The amended motion was approved 6/0.
    - Mr. Markovich said this is a tricky subject. You are trying to put a private mechanism into a public right-of-way. The original motion as amended was approved 6/0.

13. Adjourn – The meeting was unanimously adjourned at 6:12pm.

Chapter 26-3(q)

Sidewalks are only permitted in the County Right-of-Way when they meet the following conditions:

1. An entity is established to own, maintain, and accept liability for the sidewalk.
2. The sidewalk is designed to the most recent SCDOT minimum standard, by a professional engineer, register in South Carolina, and final construction drawing include their stamp.
3. Final plat recording drawing for the location must include

"THE SIDEWALK LOCATED IN THE OCONEE COUNTY RIGHT-OF-WAY SHOWN ON THIS PLAT SHALL BE PRIVATE, NOT OWNED, MAINTAINED OR SUPERVISED BY OCONEE COUNTY, AND NOT CONSTRUCTED PURSUANT TO ANY PLAN FOR FUTURE ACCEPTANCE BY OCONEE COUNTY. SIDEALK IN THE 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 SIDEWALK SHALL BE THE RESPONSIBILITY OF \_\_\_\_\_."

4. Repair or replacement of any portion will be performed expeditiously and to the most recent SCDOT minimum design standards.



US-123 Corridor

Use Type

- Church
- Commercial
- Educational
- Industrial
- Residential
- Undeveloped

