

# OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



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

## COMMISSION MEMBERS

Teresa Spicer, District I  
Gary Gaulin, District V  
Pat Williams, At-Large

David Nix, District II  
Frankie Pearson, Chairman, District IV  
Mike Johnson, Vice-Chairman, At-Large

## AGENDA

5:00 pm, Monday April 17, 2023

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 April 3, 2023
5. Public Comment for Non-Agenda Items (4 minutes per person)
6. Commission Member Comments
7. Staff Comments
8. Discussion regarding development ordinance changes to chapter 32, which would adopt an initial “screening criteria” of “greater than 20 acres in size AND greater than 2 houses per acre (40 or more houses for a 20 acre example) AND property within the proposed subdivision is intended for resale”. If a prospective development meets ALL of these criteria, the property will be “automatically” screened into the “residential zoning” category upon staff approval of the proposed subdivision, and then the applicable rules in Chapter 38 (Zoning) of the Oconee County ordinances would apply.
  - a. Public Comment
  - b. Discussion/ vote
9. Discussion regarding Density and the Zoning District Standards of Oconee County Ordinances Chapter 38, 38-10-2 – 38-10-13.
  - a. Public Comment
  - b. Discussion/ vote
10. Discussion regarding prioritization of Commission goals
  - 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](mailto: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, April 3, 2023

Council Chambers - Oconee County Administrative Complex

### Members

Gary Gaulin - Absent  
Frankie Pearson  
Mike Johnson

Teresa Spicer  
David Nix  
Pat Williams

### Staff Present

James Coley, Planning Director  
Elise Dunaway, Assistant to Planning & Codes

### Media

Lauren Pierce, The Journal

1. Call to order – Mr. Pearson called meeting to order at 5:04 PM.
2. Invocation was led by Mr. Nix.
3. Pledge of Allegiance was led by Mr. Pearson.
4. Approval of minutes from March 20, 2023 – Mrs. Nix made a motion to approve the minutes; second by Mr. Johnson. Approved unanimously 5/0
5. Public comment (non-agenda items): Kim Alexander – Agricultural Advisory Board Chairman – Spoke on adjustments to agricultural density and preservation of agriculture land. Discussion Followed.
6. Commission member comments:  
Mrs. Spicer gave an update on the Comp Plan. Including completion of 10.2.1.3
7. Staff comments:  
Mr. Coley reminded commissioners of the annual in service training next week as well as an email sent to the members regarding a joint meeting with the planning commission and OJRSA.
8. Discussion regarding proposal for Growth Management Diagnostic Study by outside consultant. Members discussed, and no motions or votes were held.
9. Discussion regarding amending chapter 32 of the Oconee County Code of Ordinances by adding a provision providing for SCDOT encroachment permit conditional approval prior to receiving final approvals from Oconee County Planning Department
  - a. Public Comment: None

b. Discussion / Vote:

Mr. Johnson made a motion to adopt the section revisions as written and to send the recommendation to council. Seconded by Mrs. Spicer. Approved 5/0.

10. Discussion regarding Density and the Zoning District Standards of Oconee county Ordinances Chapter 38, 38-10-2 – 38-10-13.

a. Public Comment: None

b. Discussion / Vote:

Members discussed options to improve and make adjustments to Chapter 38, 38-10-2 – 38-10-13.

11. Adjourn – The meeting was unanimously adjourned at 6:47 PM.

DRAFT

**From:** [David Nix](#)  
**To:** [James Coley](#)  
**Cc:** [David Nix](#)  
**Subject:** Proposed Density Ordinance  
**Date:** Saturday, April 8, 2023 1:43:06 PM

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Jim,

I would like to take the opportunity to address countywide concerns regarding development density, particularly in control-free areas of the county. There are rising concerns all across the political spectrum about how to address high density subdivisions, and there is an evolving willingness to do this in spite of the competing concerns of potential bottom up zoning and adverse impacts on housing affordability. The ordinance changes I propose bringing to the table are simple, enactable with a short and efficient turnaround, and will directly target development density concerns. They will not be perfect. However, they will be a move in the right direction. Additionally, the proposed ordinance changes will not enact “top-down” zoning as so many strong pro-property rights people are concerned about. Furthermore, as the we should be pro-business, the proposed changes will still allow for a measure of predictability for prospective developers in that they will be able to determine what rules apply before they engage in a potential project in the county.

The proposed changes are as follows: We will propose adding into Chapter 32 (Development Standards) of the county ordinances an initial “screening criteria” of “greater than 20 acres in size AND greater than 2 houses per acre (40 or more houses for a 20 acre example) AND property within the proposed subdivision is intended for resale”. If a prospective development meets ALL of these criteria, the property will be “automatically” screened into the “residential zoning” category upon staff approval of the proposed subdivision, and then the applicable rules in Chapter 38 (Zoning) of the Oconee County ordinances would apply. The proper regulatory structure which addresses specific density, setback, and other subdivision requirements once a development is “screened” into residential zoning is already in place (in Chapter 38) within the zoning ordinances.

Additionally, to ensure a seamless regulatory interaction between this new ordinance and existing zoning activities, it is proposed that we reduce the “self zoning” acreage minimum from 50 acres to 20 acres.

Is this proposal perfect? No. Just like in Greenville County, where they are constantly trying to tweak ordinances to close loopholes, the same situation would apply here in our county. It is a start. It doesn’t require an expensive and possibly unclear or inconclusive urban planning study, nor does it require a complex or complete planning overhaul of our existing zoning and development standards ordinances, which would likely take years to work through. Folks, we don’t have years to plow through the bureaucracy if we want a short term limited fix to this issue.

A similar version of this screening criteria was discussed last year in the Planning Commission. The county lawyer said “it could work as intended”. The Planning Staff evaluated the 2022 “list of subdivisions” and determined that there were several high density subdivisions which would have met the screening criteria and therefore concluded that the new proposal could be “impactful” in helping reduce development density. Therefore, I urge you all to consider this proposal.

You may forward this proposal as needed.

David Nix

Sent from my iPhone

Sec. 38-10.2. - Control free district (CFD).

The control free district is intended to be the initial zoning district for all parcels within the jurisdiction at the time of initial adoption of zoning in Oconee County, only; any parcel subsequently rezoned to any other district shall not be a part of the control free district at any future date.

*Dimensional requirements:*

Residential Uses	Density and Lot Size				Minimum Yard Requirements			Max. Height
	Min. Lot Size	Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	N/A	Greater than or equal to ½ acre	N/A	N/A	25	5	10	65
	N/A	Less than ½ acre to greater than or equal to ¼ acre	N/A	N/A	15	5	5	65
	N/A	Less than ¼ acre	N/A	N/A	10	5	5	65

Nonresidential Uses	Minimum Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	N/A	Greater than or equal to ½ acre	N/A	25	5	10	65
	N/A	Less than ½ acre to greater than or equal to ¼ acre	N/A	15	5	5	65
	N/A	Less than ¼ acre	N/A	10	5	5	65

;adv=61;These setback requirements shall not apply to subdivision plats that were recorded in the Office of the Oconee County Register of Deeds prior to May 7, 2002.

Setback requirements do not apply to lot lines separating dwelling units which are part of a multi-family housing structure (e.g., townhouses).

As to multi-family housing structures located on one lot (e.g., duplexes or apartments), setback requirements apply only to the exterior perimeter wall of the entire structure.

Setback requirements do not apply to lot lines separating commercial units which are part of a multi-unit commercial structure (e.g., a strip mall).

As to multi-unit commercial developments located on one lot (e.g., traditional malls, town centers, or mixed-use developments) setback requirements apply only to the exterior perimeter wall of an entire structure.

(Ord. No. 2012-14, § 1, 5-15-2012; Ord. No. 2015-15, § 2(Att. B), 6-2-2015; Ord. No. 2016-40, § 1(Att. A), 2-7-2017; Ord. No. 2017-31, § 1(Att. A), 12-19-2017; Ord. No. 2018-04, § 1(Att. A), 2-20-2018)

Sec. 38-10.3. - Traditional rural district (TRD).

*Title:* Traditional rural district.

*Definition:* Parcels located in areas with little or no commercial, industrial, or other significant development; residential development is primarily limited to single-family dwellings. Public infrastructure is limited.

*Intent:* This district is meant to provide for a continuation of traditional lifestyles in sparsely populated areas with low intensity commercial, industrial, or other development; and to preserve the character of more remote rural areas. Additionally, residents of traditional rural areas typically have access to fewer public conveniences than more urban areas, but retain greater freedom in the manner in which they use their land.

*Dimensional requirements:\**

Residential Uses	Density and Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	½ acre (21,780 sf)	2 dwellings per acre	80	35	10	20	
Nonresidential Uses	Minimum Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size		Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	½ acre (21,780 sf)		80	35	10	20	



\*See [Article 9](#) for general provisions and exceptions to dimensional requirements.

(Ord. No. 2012-14, § 1, 5-15-2012)

Sec. 38-10.4. - Rural residential district (RRD).

*Title:* Rural residential district.

*Definition:* Those areas wanting to protect the rural nature of their community but allow for limited residential growth.

*Intent:* The intent of this district is to allow for residential development in rural areas that wish to minimize the impact of dense residential development.

*Dimensional requirements:\**

Residential Uses	Density and Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	5 acres	1 dwelling per 5 acres	400	35	20	50	65
Nonresidential Uses	Minimum Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size		Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	5 acres		600	35	20	50	65

\*See [Article 9](#) for general provisions and exceptions to dimensional requirements.

(Ord. No. 2012-14, § 1, 5-15-2012)

Sec. 38-10.5. - Conservation district (CD).

*Title:* Conservation district.

*Definition:* Those areas designated for preservation and protection.

*Intent:* This district is intended to protect and promote the continuation of Oconee County's natural resources.

*Dimensional requirements:\**

Residential Uses	Density and Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	10 acres	1 dwelling per 10 acres	600	35	20	50	65
Nonresidential Uses	Minimum Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size		Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	10 acres		600	35	20	50	65

\*See [Article 9](#) for general provisions and exceptions to dimensional requirements.

(Ord. No. 2012-14, § 1, 5-15-2012)

Sec. 38-10.6. - Agriculture district (AD).

*Title:* Agriculture district.

*Definition:* Those areas in which rural lifestyles have traditionally been and continue to be intertwined with agricultural activity and production which has a significant economic impact to the area and Oconee County.

*Intent:* Agricultural districts are intended for the protection of farm land in Oconee County while ensuring sufficient residential and commercial development opportunities exist to serve the needs of citizens living in those areas.

*Dimensional requirements:\**

Residential Uses	Density and Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1 acre (43,560 sf)	1 dwelling per acre	100	35	10	20	
Nonresidential Uses	Minimum Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size		Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1 acre (43,560 sf)		100	35	10	20	

\*See [Article 9](#) for general provisions and exceptions to dimensional requirements.

Sec. 38-10.7. - Residential district (RD).

*Title:* Residential district.

*Definition:* Those areas where the primary land use is single family residential.

*Intent:* This district is intended to provide for residential single family development in the county and for those related uses that are normally associated with residential communities. Those uses that may generate negative secondary effects impacting life shall be discouraged.

*Dimensional requirements:\**

Residential Uses	Density and Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
¼ acre (10,890 sf) Utilities Available	4 dwellings per acre	80	25	5	10	65	
½ acre Utilities not available	2 dwellings per acre	80	25	5	10	65	

Nonresidential Uses	Minimum Lot Size		Minimum Yard Requirements			Max. Height
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	¼ acre or ½ acre depending on availability of utilities	80	35	10	30	65

\*See Article 9 for general provisions and exceptions to dimensional requirements.

(Ord. No. 2012-14, § 1, 5-15-2012)

Sec. 38-10.8. - Lake residential district (LRD).

*Title:* Lake residential district.

*Definition:* Those areas around the lakes where the primary land is single family residential with limited multi-family residential use.

*Intent:* This district is intended to provide for residential single family development around the lakes and for those related uses that are normally associated with lake residential communities. Those uses that may generate negative secondary effects impacting the quality of life shall be discouraged.

*Dimensional requirements\*:*

		Density and Lot Size	Minimum Yard Requirements	Max. Height
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Residential Uses	Min. Lot Size	Lot size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	¼ acre (10,890 sf) Utilities Available	Greater than or equal to ½ acre	4 dwellings per acre	80	25	5	10	65
	¼ acre (10,890 sf) Utilities Available	¼-less than ½ acre	4 dwellings per acre	80	15	5	5	65
	½ acre Utilities not available	½ acre	2 dwellings per acre	80	25	5	10	65
Nonresidential Uses	Minimum Lot Size				Minimum Yard Requirements			Max. Height
	Min. Lot Size			<i>Min. Width (ft.)</i>	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	¼ acre or ½ acre depending on availability of utilities		80	35	10	30	65	

\*See [Article 9](#) for general provisions and exceptions to dimensional requirements.

Sec. 38-10.9. - Community commercial district (CCD).

*Title:* Community commercial district.

*Definition:* Those areas well suited to supporting low intensity commercial activity centered around providing service to the adjacent community.

*Intent:* This district is intended to protect rural areas, while allowing for the development of commercial and business establishments that are low intensity and provide basic goods and services to the surrounding community.

*Dimensional requirements:\**

Residential Uses	Density and Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1 acre (43,560 sf)	1 dwelling per acre	100	25	5	10	
Nonresidential Uses	Minimum Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size		Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	<i>Structure Height (ft.)</i>
	1 acre (43,560 sf)		100	25	5	10	

\*See [Article 9](#) for general provisions and exceptions to dimensional requirements.

Sec. 38-10.10. - Highway commercial district (HCD).

*Title:* Highway commercial district.

*Definition:* Those areas well suited for higher intensity more regional scale commercial activity typically found adjacent to major highways and intersections.

*Intent:* This district is intended to provide commercial goods and services to a larger service area at a more regional scale. The uses are much more intense than what would be expected in a community commercial district.

*Dimensional requirements:\**

Residential Uses	Density and Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	<i>Min. Width (ft.)</i>	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	½ acre (7,260 sf)	6 dwellings per acre	70	25	5	10	
Nonresidential Uses	Minimum Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size		<i>Min. Width (ft.)</i>	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	¼ acre (10,890 sf)		70	30	5	10	

\*See Article 9 for general provisions and exceptions to dimensional requirements.



(Ord. No. 2012-14, § 1, 5-15-2012)

Sec. 38-10.11. - Industrial district (ID).

*Title:* Industrial district.

*Definition:* Those areas suited for light and/or heavy industries.

*Intent:* The intent of this district is to provide for the industrial and commercial needs of Oconee County while protecting other uses from potential negative impacts associated with such activities.

*Dimensional requirements:\**

ID District	Minimum District Size		Minimum District Buffer			Max. Height
		10 Acres		50 feet		
Nonresidential Uses (interior lots)	Minimum Lot Size		Minimum Yard Requirements			Max. Height
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	½ acre (21,780 sf)	90	30	10	15	200

\*See [Article 9](#) for general provisions and exceptions to dimensional requirements.

(Ord. No. 2012-14, § 1, 5-15-2012; Ord. No. 2014-28, § 4(Att. D), 12-16-2014)

Sec. 38-10.12. - Agricultural residential district (ARD).

*Title:* Agricultural residential district (ARD).

*Intent:* The Agricultural Residential districts are intended to allow for most agricultural, forestry, and other related uses that are typically found in rural communities; however, in consideration for the residential areas nearby, certain uses are prohibited in this zoning district.

*Definition:* For those areas that have maintained their rural uses, including engaging in agricultural and forestry practices, while the neighboring areas have experienced a growth in residential development not typical to rural areas.

*Dimensional requirements:\**

Residential Uses	Density and Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	½ acre	1 dwelling unit per acre	80	35	5	10	65
Nonresidential Uses	Minimum Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size		Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1 acre with availability of utilities		80	35	10	30	65

\*See Article 9 for general provisions and exceptions to dimensional requirements.

(Ord. No. 2012-14, § 1, 5-15-2012; Ord. No. 2015-08, § 1(Att. A), 6-2-2015)

Sec. 38-10.13. - Public and/or recreation lands district (PRLD).

*Title:* Public and recreation lands district.

*Definition:* Those areas set aside for the promotion, use, and protection of natural resources in the form of (but not limited to) parks, forests, and educational or research facilities; or federal, state, and county owned lands typically maintained for the benefit of the public.

*Intent:* This district is meant to provide for a continuation and identification of public lands and to allow for those uses typically associated with accomplishing the mission of the agency charged with the care and promotion of the land.

*Dimensional requirements:* See Article 9 for general provisions and exceptions to dimensional requirements.

(Ord. No. 2012-14, § 1, 5-15-2012)

<b>Planning Commission Goals 2023</b>	
<b>Commissioner</b>	<b>Goal(s)</b>
Pearson	1. Development Standards
Johnson	1. Development Standards 2. Agriculture Protections
Gaulin	1. Quality Development 2. Development Regulations 3. Agricultural Issues 4. Affordable housing 5. Comp Plan review
Williams	1. Density Standard 2. Agriculture Standards
Spicer	1. Confirm adequate fire service for new development 2. Traffic safety (ACOG)
Nix	1. Density and development standards