



MINUTES
PLANNING & ECONOMIC DEVELOPMENT
COMMITTEE WORKSHOP MEETING
with the
OCONEE COUNTY PLANNING COMMISSION
January 28, 2009

COMMITTEE MEMBERS

Mr. Reg Dexter, District V, Chairman
Mr. Wayne McCall, District II
Mr. Mario Suarez, District III

The Planning & Economic Development Committee met for a workshop meeting with the Oconee County Planning Commission on Wednesday, January 28, 2009 at 4:00 PM in the Council Chambers, Oconee County Administrative Offices, 415 South Pine Street, Walhalla, SC with Mr. Dexter & Mr. McCall present [Mr. Suarez was absent], County Administrator Dale K. Surrent, County Attorney Thomas L. Martin and Clerk to Council, Elizabeth Hulse present. Mr. George Blanchard, Council District I and Mr. Joel Thrift, Council District IV were also present at the meeting.

Oconee County Planning Commission members present included: Mr. Ryan Honea, Vice Chair; Mr. Rex Ramsey, Mr. Howard Moore, Mr. Bill Evatt and Mr. Randy Abbott.

Oconee County Staff present included: Mr. Aaron Gadsby, Planning Department

Press:

Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeese.com/council]. In addition it was made available to the newspapers, radio stations, television stations and concerned citizens.

Member of the press present: Carlos Galarza - Daily Journal.

Call to Order:

Chairman Dexter called the meeting to order at 4:02 PM.

Acknowledgement of Minutes:

Mr. Dexter noted that the minutes from the October 20, 2008 meeting were received as information for the permanent record. No vote for approval could be taken as all members of the committee were newly appointed.

Workshop Discussion & Review of Certain Section of the Zoning Enabling Ordinance [ZEO] #2007-18:

Mr. Dexter opened the discussion stating that this meeting was strictly between the committee members, other council members and the Planning Commission. He stated that public input regarding what was discussed would be heard at a later time. Mr. Dexter also noted that it is the perception of some on Council and in the community that the lakes are being treated differently in this ordinance with preference being shown to Lake Keowee.

Mr. Dexter asked that a motion be made to [1] draft an ordinance to amend certain portions of the ZEO, and [2] to move the ZEO back to the Planning Commission for additional work on certain specific portions of the ordinance which will be outlined in greater detail later in the meeting.

Mr. McCall made a motion, seconded by Mr. Dexter, approved 2 – 0 to create an ordinance to amend portions of the ZEO and to forward the ZEO back to the Planning Commission to address specific portions of the ordinance. It was noted that after their work is completed they are to return the amended ZEO back to Council for review and approval.

Issue #1:

Mr. Dexter began the discussion by addressing Method #2 on page 15 of the ZEO as stated below:

(2) Method 2- Small Area Rezoning

Any property owner, or group of property owners, may petition for initial rezoning, provided the parcels proposed for rezoning are contiguous and comprise no less than two hundred (200) acres in area, or shall constitute a platted subdivision with a total area of fifty (50) acres recorded in the office of the Oconee County Register of Deeds. For the purposes of this regulation, in addition to standard definitions, parcels separated by a perennial stream or body of water shall be considered contiguous. This method of rezoning shall be initiated by a signed petition containing the signatures of a minimum of 51% of the affected property owners.

Mr. Dexter stated that this section needs clarification as it does not clearly state all applicable procedures and may not follow state law. Mr. Blanchard asked the County Attorney for his interpretation regarding the legality of the wording in this section. Mr. Martin stated that he would recommend to ensure clarity and compliance with the law that some language be added to state that section 8.2 also applies to this method. Section 8.2 reads as follows:

Section 8.2 Public Notice Requirements

(1) Public Hearings- County Council shall conduct all required public hearings for amendments and rezoning. No amendment to these regulations or official zoning map shall be considered for third and final reading until after the public notice and hearing requirements set forth in the South Carolina Code of Laws have been met.

(2) Notice of Hearing- Notice of public hearing shall be published in a newspaper of general circulation at least 15 days prior to hearing. The notice shall carry an appropriate descriptive title and shall state the time, date, and place of the hearing. All interested parties shall be heard at the public hearing.

(3) Posting- Pursuant to the provisions of the South Carolina Code of Laws, signs noting a proposed rezoning shall be posted on or adjacent to affected parcels along public thoroughfares. In the event less than 10 affected parcels are so situated as to share frontage along the same public thoroughfare, a sign

shall be located on each parcel, provided no two (2) signs are closer than one hundred (100) feet of each other. In the event ten (10) or more effected parcels are so situated as to share frontage along the same public thoroughfare, or any number of parcels are located off of the public thoroughfare, signs shall be posted as close as is practical in a manner sufficient to insure due public notice. At a minimum, signs shall be posted at the beginning and end of any continuous shared public frontage, with no more than 1 mile between signs; at least one sign shall be visible from all directions in each intersection adjacent to a parcel for which rezoning is proposed.

(4) Notification of Property Owners- A written notice containing all pertinent information related to any public hearing shall be sent by first class mail to the registered owner of each effected parcel at least fifteen (15) days prior to the event. For the purposes of this section, the name and address of the owner of the parcel shall be that listed on tax records maintained by the Oconee County Tax Assessor.

(5) Action by Council- After conducting a duly advertised public hearing, county council shall consider all information presented at the hearing, staff review, and the recommendation received from the Oconee County Planning Commission, prior to making their decision.

Issue #2:

Mr. Dexter stated that the majority of County Council feels that the ZEO is a strong document as it stands and that there is no need to recreate it. The issue is that all portions of the ZEO should have citizen input. The overlays never had sufficient citizen input and were driven and included at the request of the previous Council.

Mr. Blanchard stated that the overlays received extensive input. Mr. Dexter clarified that citizen input need to be channeled through the Planning Commission. He stated that the previous Council disagreed with some of the Planning Commission recommendations in certain areas as evidenced by the inclusion of the lake and I85 overlays. The exclusion of an overlay for Lake Hartwell communities was also discussed. Planning Commission members noted that as the lake is under the jurisdiction of the Army Corp of Engineers they felt that an overlay was not appropriate.

Lengthy discussion followed between Committee members, Council members and the Planning Commission. Mr. Dexter requested that the Planning Commission revisit the overlay issue and identify an appropriate manner in which to solicit and receive citizen input regarding Lake Keowee overlay, I85 overlay and possibly a Lake Hartwell.

Issue #3:

Mr. Dexter voiced concerns regarding costs to the County associated with the administration for the ZEO. Mr. Surrentt stated that it was the staff's recommendation for the FY 2009-2010 budget that \$125,000 be budgeted to cover costs associated with two staff members and ongoing office costs. In addition, he noted that these staff members would be part of the Planning Department.

Mr. Dexter asked the Planning Commission to look at funding/fee options so that the citizens who initiate zoning in their area are the ones paying some of the costs associated with administering / monitoring the program for their area.

Mr. Dexter noted that additional meeting will likely need to take place between the committee and the Planning Commission. Mr. Evatt noted that he appreciated the opportunity to meet with members of the committee and Council and that enhanced communication.

New Business:

No new business was presented at this meeting.

Old Business:

No old business was addressed at this meeting.

Adjourn:

Mr. McCall made a motion to adjourn at 4:45 PM. The motion passed unanimously.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council