

**RICHLAND COUNTY PLANNING COMMISSION**  
**May 2, 2011**

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*[Members Present: Heather Cairns, Olin Westbrook, David Tuttle, Stephen Gilchrist, Howard Van Dine, Patrick Palmer, Wallace Brown, Sr.; Absent: Kathleen McDaniel, Deas Manning]*

Called to order: 1:00 pm

VICE-CHAIRMAN GILCHRIST: Call to order the May 2<sup>nd</sup>, 2011 Planning Commission meeting. In accordance with the Freedom of Information Act a copy of the Agenda was sent to radio, TV stations, newspapers, persons requesting notification and posted on the bulletin board located in the lobby of the County Administration building. First on our Agenda today is the election of officers. We will have to elect a new Chairman for our Commission here today, is that correct?

MR. BROWN: Mr. Chairman?

VICE-CHAIRMAN GILCHRIST: Yes, sir.

MR. BROWN: I'd like to move that Mr. Palmer be elected Chairman of the Commission.

MR. VAN DINE: I'll second.

VICE-CHAIRMAN GILCHRIST: We have a motion and a second. All in favor?

*[Approved: Westbrook, Tuttle, Gilchrist, Van Dine, Palmer, Brown; Opposed: Cairns; Absent: McDaniel, Manning]*

VICE-CHAIRMAN GILCHRIST: None opposed. We'll switch places.

CHAIRMAN PALMER: Appreciate it.

MS. CAIRNS: What happened to our, what happened to the Chairman that we had? Who was that?

MS. FONSECA: Pat Palmer.

1 MS. CAIRNS: I know, but then why are we, I mean, we didn't do the whole slate  
2 [inaudible].

3 MS. LINDER: In January you had the election of officers. Pat Palmer was the  
4 elected Chair. Stephen Gilchrist was elected Vice-Chair and David Tuttle was elected  
5 Secretary. Then Mr. Palmer's term of, of service on the Planning Commission expired  
6 and he just recently was reappointed.

7 CHAIRMAN PALMER: Well, I appreciate the confidence and hopefully I can live  
8 up to the expectations. Presentation of Minutes for approval.

9 MR. WESTBROOK: Mr. Chairman, I recommend that the Minutes be approved  
10 with one modification, and that modification is the simple fact that I was here at our last  
11 meeting.

12 MS. FONSECA: That'll be noted.

13 MR. TUTTLE: I'll second.

14 CHAIRMAN PALMER: We have a motion and a second to approve the Minutes  
15 as amended and I'd like to make note that I won't be voting on those Minutes since I  
16 was not here.

17 MR. BROWN: And I will not either Mr. Chairman. I was not here.

18 CHAIRMAN PALMER: All those in favor of the motion please signify by raising  
19 your hand.

20 *Approved: Cairns, Westbrook, Tuttle, Gilchrist, Van Dine; Abstained: Palmer, Brown;*  
21 *Absent: McDaniel, Manning]*

22 CHAIRMAN PALMER: None opposed. Road name approvals?

1 MR. TUTTLE: Mr. Chairman, I'd like to make a motion that we approve the one  
2 road name on our Agenda, Roper Pond Circle.

3 MR. WESTBROOK: Second that motion.

4 CHAIRMAN PALMER: A motion and a second, all those in favor please signify  
5 by raising your hand.

6 *[Approved: Cairns, Westbrook, Tuttle, Gilchrist, Palmer, Van Dine, Brown; Absent:*  
7 *McDaniel, Manning]*

8 CHAIRMAN PALMER: Text amendments.

9 MS. FONSECA: Mr. Chairman and Planning Commissioners, the first text  
10 amendment that's before you is the sidewalk ordinance. At our previous meeting we  
11 had discussed having a workshop. Staff went back, had a meeting with, the  
12 homeowners association had a meeting with Ken Ormand, which is an attorney who  
13 deals with the Homebuilders Association and we met, we went over a proposal or a  
14 different ordinance which eliminated a lot of the controversy that we discussed at our  
15 last Planning Commission meeting. Staff felt that because it has been modified so  
16 much and the portions of the Code that were very cantankerous were deleted, that a  
17 workshop would not be prudent at that time to go over a completely different sidewalk  
18 ordinance. So I would ask that you look at this ordinance and we can touch on a couple  
19 of highlights. One of the things that I want you to take into consideration is that we are  
20 working diligently at the roundtable to wrap up many principles including sidewalk and  
21 we have looked at the proposal, we have made sure that it would be compatible with the  
22 principles in the roundtable discussions. One of the things that I want to bring your  
23 attention to, everything in blue has been changed, it is the new language. One of the

1 things that we are also trying to do is to eliminate our Green Code ordinance and try to  
2 integrate it into the mainstream of our regular ordinance and that is something that the  
3 roundtable is working on and they're very, they're proponents of that so that we can  
4 have one code and it won't be difficult to maneuver through. One of the things that the  
5 Green Code requires is that sidewalk be placed 5' from the curb and so you have a  
6 grass median. That's 5' from the curb. We looked at that, we looked at what we have  
7 now, we spoke to members of the roundtable; one of the things that one of the  
8 members from the development community said that their sod comes in 18" and that it  
9 would be nice to do it in 18" increments, so we talked about it and we discussed 4', but  
10 we would not be amenable to 18". We wanted something a little larger that would  
11 accommodate landscaping in-between the curb and the sidewalk trees, so we felt that 4'  
12 was a compromise. If there's anything else that you would like to go over I would take  
13 any questions at this time.

14 MS. CAIRNS: Just a question about the [inaudible] the back edge of the  
15 sidewalk aligned with the edge of the right-of-way? It's a common technique in other  
16 places, that way the tree line is as big as it is [inaudible] you don't ever have two pieces  
17 of grass on the right-of-way [inaudible] our side, our side of the sidewalk is in the middle  
18 of the right-of-way and then the planting strip is sometimes one or two and sometimes  
19 10 or 15'. [Inaudible] and that's what I've seen other places and it makes it easy cause  
20 one of the things that was mentioned last month was the issue about if you put the  
21 sidewalk in the middle of the grassy area then we're asking you [inaudible] to try to  
22 maintain both sides of the sidewalk.

1 MS. FONSECA: Well, we're talking about mostly interior. We're not talking  
2 about any state roads. In the state right-of-way they're gonna require the sidewalk  
3 pretty much right up against the curb, so there's no maintenance for the state. The  
4 problem remains that when, in these subdivisions, at times, I'm not gonna say it  
5 constantly happens, but you want to create a canopy as close to the sidewalk as  
6 possible and what happens is when the sidewalk gets placed right up against the curb  
7 and there is no planting strip, the trees or a tree gets pushed way into the lot.

8 MS. CAIRNS: Oh yeah, no I'm not about putting a, I mean, I'm the opposite, so  
9 not up against the curb but put the back edge up against the right-of-way. That way the  
10 planting strip is [inaudible].

11 MS. FONSECA: Um-hum (affirmative), I see. Place the sidewalk at the edge of  
12 the –

13 MS. CAIRNS: At the back edge of the sidewalk, it defines the edge of the right-  
14 of-way. And that's, I mean, that was the technique I grew up knowing.

15 MS. FONSECA: Gotcha.

16 MS. CAIRNS: I mean, you could walk into any neighborhood and know where the  
17 right-of-way was too [inaudible].

18 MS. FONSECA: That's an option.

19 CHAIRMAN PALMER: I have a question. It doesn't feel like to me we should be  
20 reinventing the wheel here. It seems like to me that other communities that we could  
21 just draw from, like they handle the ADA issue, they handle the –

22 MS. FONSECA: And these are principles that have come from those.

23 CHAIRMAN PALMER: Okay.

1 MS. FONSECA: We took a sample from Horry County, we took a sample from  
2 Charleston, we have researched Atlanta, everything from planting strips to ADA  
3 requirements, to the placement of utilities so it was somewhat of a, a compromise of  
4 what we have in here.

5 CHAIRMAN PALMER: Okay.

6 MS. FONSECA: We eliminated the fee in lieu, we have added the responsibility  
7 to fall on the engineer of record to certify that the sidewalks are ADA compliant. Our  
8 Public Works Department requires as-builts at the end of the process, so the engineer  
9 of record must certify, at least at the end of the product, at the end of the submission,  
10 once the as-builts are submitted that the sidewalks are ADA compliant, so I know that's  
11 been an issue back and forth.

12 CHAIRMAN PALMER: Okay. I have one other suggestion, I'm just kinda  
13 thinking out loud here. The purpose of these sidewalks, I understand the inside of a  
14 residential communities, get people around the community, neighborhood, that kind of  
15 stuff. On the commercial side of things, we want to try to create walkability between  
16 neighborhoods and the commercial applications so that you have less cars in the road  
17 impacting and congestion, and I think I read something in the Minutes last month about  
18 some kind of smog or environmental thing we've got and –

19 MS. FONSECA: Ozone compliancy, yeah.

20 CHAIRMAN PALMER: Stuff like that. Yeah. I thought the thought process of  
21 putting these, requiring sidewalks for commercial properties within a half mile radius or  
22 some radius of light at interchanges. And that way people, the development community  
23 will know, hey I'm within a half mile of a light I'm gonna have to put in sidewalks, or no I

1 don't. It seems like to me it's still up in the air cause you've got to make application to  
2 SCDOT, if DOT says no, then you don't.

3 MS. FONSECA: Well, it's still, even today we could require it but if DOT denies  
4 it, you'd have to put it on your own right-of-way, on your own property. We're actually,  
5 we've spoken to DOT, if there is no proposed development in the area and that, they  
6 would know from us they're doing a sidewalk inventory, we're adding to that. If there's  
7 no connectivity, if there's no, if there seems to be a hazard they will not approve it and  
8 we would not require it, then you would be exempt. So commercial property is mostly  
9 on DOT right-of-way, for the most part.

10 CHAIRMAN PALMER: So if DOT does not allow it then you don't have to put it  
11 in.

12 MS. FONSECA: Correct.

13 CHAIRMAN PALMER: [Inaudible] the county won't require it.

14 MS. FONSECA: Correct.

15 CHAIRMAN PALMER: Okay. So it's just another, it's not black and white  
16 [inaudible] submittal and it goes to somebody at DOT where they then evaluate it and  
17 you don't, you don't know if you have to put them in or not until DOT tells you.

18 MS. FONSECA: Well, you would do that on the front end, obviously. When you  
19 go in to talk to DOT about access, most of the sites require access, at that time you  
20 would ask them to render a decision before you start your plans. You're talking about  
21 commercial.

22 CHAIRMAN PALMER: Right.

23 MS. FONSECA: Yeah.

1 CHAIRMAN PALMER: Alright.

2 MR. TUTTLE: I have a couple questions. The commercial requirement, 3'  
3 [inaudible] planting strip, how would that work in somewhere like Sandhills on an interior  
4 sidewalk?

5 MS. FONSECA: How would it work on Sandhills?

6 MR. TUTTLE: Like in Sandhills where you have the main boulevard.

7 MS. FONSECA: Right.

8 MR. TUTTLE: Would you then require, in addition to the 12' sidewalk, an  
9 additional 3' for planting?

10 MS. FONSECA: Um-hum (affirmative).

11 MR. TUTTLE: We would?

12 MS. FONSECA: Yeah. I mean, other than a PDD and that would, you know,  
13 they would come up with their own design. That's a minimum, so.

14 MR. TUTTLE: And so, so, but a PDD would set its own standards –

15 MS. FONSECA: It could.

16 MR. TUTTLE: - [inaudible] approve it or not.

17 MS. FONSECA: Correct.

18 MR. TUTTLE: And they could, it could in theory be less [inaudible] or more  
19 stringent.

20 MS. FONSECA: Um-hum (affirmative), your own design.

21 MR. TUTTLE: So I'm just trying to, I'm just, I'm just hung up on that one example  
22 [inaudible]. So if I went and I was gonna build a, a lifestyle center tomorrow that wasn't  
23 a [inaudible] –

1 MS. FONSECA: Um-hum (affirmative).

2 MR. TUTTLE: And I had a roadway.

3 MS. FONSECA: Just a commercial.

4 MR. TUTTLE: And I had sidewalk and I had my [inaudible]. So we'd have to get  
5 three more feet between the sidewalk and the [inaudible] interior like that. I'm just, like  
6 a Main Street.

7 MS. FONSECA: Right.

8 MR. TUTTLE: Main Street in Columbia then we'd also have the [inaudible].

9 MS. FONSECA: Well, depending on what –

10 MS. CAIRNS: Depending on what business, that's central business district  
11 [inaudible]. That's what we don't have is a central business district [inaudible].

12 MR. TUTTLE: Irrespective, Main Street somewhere, pick a new site –

13 MS. FONSECA: Right.

14 MR. TUTTLE: - not Main Street in the –

15 MS. FONSECA: And you're building a commercial –

16 MR. TUTTLE: You're building a commercial thing, you are [inaudible] –

17 MS. FONSECA: To do the strip. Yeah. Unless you put it on the back edge of the  
18 right-of-way.

19 MS. CAIRNS: That also then gives you the [inaudible].

20 MS. FONSECA: And then, right, you have everything, you got edge of right-of-  
21 way, it'll always be placed there, the sidewalk, and then of course the grassed area and  
22 the curb.

1 MR. TUTTLE: The only dilemma I see is the back of the right-of-way, if you plant  
2 trees close to the curb and then you move the sidewalk farther away over here, you  
3 start taking away your free space to get to utilities without having to [inaudible] trees and  
4 sidewalks.

5 MS. FONSECA: Well, you could place the trees within that sidewalk edge and,  
6 and the curb.

7 MR. TUTTLE: Right, that's my point. But not you, you've taken something that's  
8 this wide and instead of reducing everything here where you had free space to dig –

9 MS. FONSECA: Um-hum (affirmative).

10 MR. TUTTLE: - on the interior without having to destroy sidewalk or trees, when  
11 you spread it out like that you don't, you're kind of in no man's land, you tear up  
12 something no matter what you do.

13 CHAIRMAN PALMER: Any other questions or comments?

14 MR. TUTTLE: And so later on if we go back and we, we examine RU and come  
15 up with something, you know, I think viable that differentiates horse communities and  
16 stuff like that –

17 MS. FONSECA: Um-hum (affirmative).

18 MR. TUTTLE: - there would be a provision then under that new zoning  
19 classification to exempt it or have a different sidewalk scenario?

20 MS. FONSECA: There could be, absolutely.

21 CHAIRMAN PALMER: And so I guess to your point, Mr. Tuttle, that as it is now  
22 the sidewalks can run adjacent to the curbing on the road. Is that right?

23 MR. TUTTLE: Yeah.

1 CHAIRMAN PALMER: And we're requiring, what, a 4' sidewalk in the new  
2 Code?

3 MS. FONSECA: In the new Code.

4 CHAIRMAN PALMER: So you're talking about 4' plus 3' of stripping, so you're  
5 talking about 7' all the way around the site that's just –

6 MR. TUTTLE: [Inaudible]

7 CHAIRMAN PALMER: Five feet, I'm sorry. So you're talking about 8' you take  
8 around the perimeter on all road insides I guess, and it's just [inaudible].

9 MS. CAIRNS: Well, it's right-of-way.

10 MS. FONSECA: Um-hum (affirmative). On a commercial site you have to  
11 provide sidewalk.

12 CHAIRMAN PALMER: Right, but as it stands now, but that sidewalk can abut  
13 the road.

14 MS. FONSECA: On a commercial site, yes.

15 MR. TUTTLE: To your point, I think over time you're gonna find that the right-of-  
16 way is become a larger [inaudible].

17 MS. FONSECA: Well, currently you have to provide a street protective yard on a  
18 commercial site; trees and shrubs, especially if you have parking in the front.

19 MR. TUTTLE: Right.

20 MS. FONSECA: Cause your parking has to be screened. So what most, most  
21 sites will do is they will put the sidewalk up against the curb because they're trying to  
22 utilize as much space for the parking in the front. And then provide that landscaping as  
23 close – you, you get a more consolidated design because they're trying to utilize as

1 much of the property as possible. You don't find trees, you know, as you do in  
2 residential subdivisions placed all the way back towards the house and not towards the  
3 street.

4 CHAIRMAN PALMER: Right.

5 MS. FONSECA: And in, in some developments, commercial developments, you  
6 do find that they will place the sidewalk closer into the property. They're not a lot, but it  
7 depends on the design. But for the most part it would be up against the curb.

8 MS. CAIRNS: It's just not, I mean, it does not make good community and good  
9 sidewalks to have them smashed up against the curb.

10 MS. FONSECA: No.

11 MS. CAIRNS: I mean, I think that's the last thing we should be doing is  
12 [inaudible]. Now, you know, things like Sandhills are built sort of like a central business  
13 district which is a completely different beast. I mean, in a city you're, you're generally  
14 gonna get sidewalk from the edge of the building to the edge of the street [inaudible].  
15 That's why those are just fundamentally [inaudible] whereas a commercial area would  
16 be a better commercial area if indeed there was green between the road and the  
17 sidewalk.

18 MS. FONSECA: And a lot of the commercial sites, depending on the road  
19 speeds, if it is a pretty highly traveled road they will accommodate that sidewalk further  
20 away from the curb in most instances.

21 MS. CAIRNS: Yeah, I mean, Garners Ferry [inaudible] smashed up on the  
22 street, which is just a very hostile [inaudible]. I mean, it's used all the time.

23 MR. TUTTLE: Well, that's cause it's a [inaudible] that's the requirement.

1 MR. FONSECA: No choice, yeah.

2 MR. TUTTLE: They won't let you –

3 MS. CAIRNS: But I just, I, I understand that but I'm saying we should try to  
4 minimize the number of times and the number of places where that occurs.

5 MS. FONSECA: Um-hum (affirmative).

6 MS. CAIRNS: We should try to get the sidewalk as separated from the road as  
7 we can, accommodating [inaudible] utilities and this and that. But I mean, we're dealing  
8 with where it goes in the right-of-way, [inaudible].

9 MR. TUTTLE: Yeah, I, I'm actually fine with the ordinance, I just have a concern  
10 on the interior commercial; lifestyle center or something to that effect, that it changes  
11 the dynamic. I could [inaudible] planners that would argue that as you start spreading it  
12 out further and further you're gonna lose the nuance of having that old timey Main  
13 Street, and I don't want to get in that debate.

14 MS. CAIRNS: I wouldn't disagree with that at all, but the point is is that we're,  
15 our commercial areas are by and large not old town looking places in the county. We  
16 have a –

17 MR. TUTTLE: I have no idea what these properties are gonna look like five years  
18 in the future, Heather. I've got a town center at Lake Carolina that is an old timey town  
19 center and the sidewalk comes up to the curb.

20 MS. FONSECA: You, you do find in the Village at Sandhills that there is that  
21 separation in some areas where you have the curb, a landscape strip, the sidewalk and  
22 then landscaping again. They've accommodated the sidewalk in the middle of the  
23 landscaping. But there area sections, once you get into the promenade area, it, it gets

1 more urban and so you have the sidewalk up against the curb. So they've, actually the  
2 Village at Sandhills is a great example of where they've used both types.

3 MR. TUTTLE: And that's my only concern us that flexibility is now gone. And my  
4 other question would be if there was a commercial area that was being redeveloped,  
5 okay, what, and there's a, not a [inaudible] there now, would the sidewalk be able to go  
6 to the curb or would you have this offset sidewalk that all of a sudden had to come in  
7 [inaudible]?

8 MS. FONSECA: Well, it also allows the county engineer to approve and –  
9 because it wouldn't be a state road, so. Have some flexibility.

10 CHAIRMAN PALMER: I'm thinking the same thing that you're talking about is  
11 that I understand that, you know, on, on main roads where people are traveling, you  
12 know, 45, 55, 65 miles an hour, yeah you want to separate them as much as you can  
13 from the road.

14 MS. FONSECA: Um-hum (affirmative).

15 CHAIRMAN PALMER: But, I mean, we have a landscaping ordinance and, and  
16 we handle landscaping in that. I don't want to use the sidewalk ordinance to now try to  
17 put more landscaping into a commercial development where, you know, outside of the  
18 landscaping ordinance. If you go on internal roads on a commercial development,  
19 people should be doing 25 miles an hour anyhow. So my, my issue is the internal roads  
20 on a commercial development where, you know, somebody, I guess they may drop their  
21 car off to get the oil changed and, you know, walk next door to the service station or  
22 something, but you know, I'm looking at it differently from what David's looking at in, in  
23 the smaller commercial subdivisions that I see around town, you know, they're not trying

1 to make it into *Architectural Digest*, they're just trying to make the project work. They're  
2 not trying to put, you know, Magnolia trees in it and all that kind of stuff. Putting a  
3 sidewalk up against the curbing saves in all kinds of aspects, especially financially,  
4 where they already have landscaping requirements and the parking lot and the front  
5 buffer yards and that kind of stuff. If the problem with putting a sidewalk up next to the  
6 road is safety, which I assume it is, which is the reason we want to move it off the road,  
7 am I correct, that's the only reason for it?

8 MS. CAIRNS: It's quality, it's quality of environment.

9 CHAIRMAN PALMER: That's just an ambiguous term, but –

10 MS. CAIRNS: No, it's not, it's the pedestrian walking down the street and the  
11 person pushing the baby stroller, whether there's gonna be a car right there or whether  
12 there's a planting strip [inaudible] that's what I grew up knowing them as. It makes a  
13 huge difference. You go look at Shandon [inaudible].

14 CHAIRMAN PALMER: I can understand the residential, I have no problem with  
15 the residential.

16 MS. CAIRNS: But I don't under – I mean, where do you, how many commercial  
17 interior roads? I don't really even, I mean, we're not talking about parking lot circulation.

18 MR. TUTTLE: Well, I guess every apartment complex would fall under that.

19 MS. CAIRNS: [Inaudible]

20 MR. TUTTLE: Right? You take every road –

21 MS. FONSECA: Commercial.

22 MR. TUTTLE: - and you add up 3 x 3 x 3 x 3 and all of a sudden you lose –

1 MS. FONSECA: Let's not, let's not deviate from the – the frequency that you  
2 speak of, Mr. Palmer, is not, is slight. We do get commercial development in  
3 commercial subdivisions but they're not in the consistency and frequency that we get  
4 them on state roads. We don't see a lot of the commercial subdivisions. I mean, yeah,  
5 you'll have your anomalies but most of them, I would say the majority of them are on  
6 state roads. That would not be the issue and that's why Staff reviewed that in that  
7 fashion. Those that are in cul de sacs, they want more – usually they want to integrate  
8 more of a residential feel. It's not heavy industrial or anything like that, but this also  
9 gives the county engineer and the Planning Director a little bit of flexibility to be able to  
10 look at something where the existing Code did not, at all. So you know, if we see that  
11 it's becoming an enormous burden and problem, by all means we're gonna bring this  
12 back to deal with some other issues in the near future, or in the future. I don't see that  
13 to be the, the real issue that we're dealing with. We were really trying to focus on the  
14 residential portion that we're really dealing with right now and have been for probably  
15 the last 12 months.

16 CHAIRMAN PALMER: Okay. Any other questions for Staff? We don't have  
17 anybody signed up to speak.

18 MR. VAN DINE: Mr. Chairman, for whatever it's worth, the fact that the  
19 [inaudible] is now out of this makes it much more palatable for me as presently  
20 proposed and based on that I'd make a motion we approve the ordinance as presented  
21 by Staff.

22 MR. GILCHRIST: Second, Mr. Chairman.

1 CHAIRMAN PALMER: I have a motion and a second. All those in favor of the  
2 motion please signify by raising your hand.

3 *[Approved: Cairns, Westbrook, Tuttle, Palmer, Gilchrist, Van Dine, Brown; Absent:*  
4 *McDaniel, Manning]*

5 CHAIRMAN PALMER: None opposed. Number two.

6 MS. FONSECA: Mr. Chairman, we have the signs and I believe Mr. Geo Price is  
7 here to discuss – okay – the off-premise weekend signs, directional signs.

8 MS. LINDER: Members of the Planning Commission, the weekend directional  
9 sign ordinance was enacted I believe, I don't have my tracking sheet in front of me, but I  
10 believe it was enacted in 2009. It had a sunset provision that the ordinance expired in  
11 2010 and Staff became aware of that situation earlier this year and so we are asking the  
12 Planning Commission to make recommendation as to whether you want to allow  
13 weekend directional signs again. The language that's in your package is identical  
14 language that was passed in 2009. And Mr. Price may have something to add.

15 CHAIRMAN PALMER: Mr. Price?

16 MR. PRICE: I'm trying to figure out which way to go.

17 CHAIRMAN PALMER: Is that part of a usual day?

18 MS. CAIRNS: It's all about signs and which direction you're going, right?

19 MR. PRICE: The language is very similar to what you had before. There was  
20 one change, and that dealt with how to deal with any violations of this particular section.  
21 Unfortunately, we don't have it in your package as to what language will be taken out.  
22 But currently in our Code, the way the ordinance was formerly written, there were about  
23 three steps in which there was a violation [inaudible] one of those offenses. And what

1 the language that you have in your package does, it just puts the enforcement in line  
2 with how we deal with all of our every day issues. If it's in violation we'll do our removal  
3 [inaudible] potentially notify the, the company or the business who's signs are in  
4 violation and just deal with it that way, as opposed to us, you know, removing them, slap  
5 on the hand here, removing them, keep them again, let them know we [inaudible].

6 CHAIRMAN PALMER: Okay. Any questions for Staff?

7 MR. BROWN: One question, Mr. Chairman. What's the experience, this one  
8 year that it's been in effect, it was sunsetted, I understand that, but what, what was the  
9 experience during that one year?

10 MR. PRICE: One of the things that we found and this, you kind of have to  
11 separate this into two areas; one the builders, the real estate companies that purchased  
12 the permits to put up their signs, actually we did find that there was a great change in  
13 removing their signs when they were supposed to, so it actually allowed them to have  
14 the visibility that they needed, especially on weekends, and yet we also removed those  
15 signs [inaudible] the issues that we've had we dealt with the companies that are  
16 probably non-real estate, unrelated who will put their signs out without the permits, and  
17 that's an issue we're still dealing with. But we found that it kind of works for the –

18 MR. BROWN: So it has worked well, is that what you're saying?

19 MR. PRICE: Yes, sir.

20 MR. BROWN: Thank you.

21 MR. VAN DINE: So basically all the signs you see out there on the side of the  
22 road [inaudible] were improper, correct?

1 MR. PRICE: Yes, sir. We're still dealing with those, which the funny thing is they  
2 actually will be able to put those signs out except on weekends, if they will come in and  
3 purchase a permit and remove them by the end of Sunday.

4 MS. CAIRNS: [Inaudible] I mean, if these are directional signs, if they're saying  
5 we're selling health insurance [inaudible].

6 MR. PRICE: They should – there's some more standards that they have to abide  
7 by.

8 MR. VAN DINE: My understanding is that they get, for each sign that they get,  
9 pay a fee, that that sign located in one location all the time or it can be moved from  
10 place to place within the county [inaudible] a sign.

11 MR. PRICE: You get the permit and you're able to move that sign to different  
12 locations.

13 MR. VAN DINE: That sign is [inaudible] it's supposed to have the sticker on it  
14 [inaudible].

15 MR. PRICE: Yes, sir.

16 MR. TUTTLE: But you can only move the signage within the parameters of your  
17 coordinates, i.e., it has to be within so many miles of the, of your site, if memory serves.

18 MR. PRICE: That's dealing mostly with the county roads, state roads. You have  
19 a little bit more flexibility.

20 MR. TUTTLE: Mr. Chairman, I'd like to make motion that we send this ordinance  
21 relating to signage forward to Council with a recommendation of approval.

22 MR. VAN DINE: Second.

1 CHAIRMAN PALMER: We have a motion and a second. This would make it  
2 permanent with no sunset, is that right?

3 MS. LINDER: That is correct.

4 CHAIRMAN PALMER: Okay. All those in favor of the motion please signify by  
5 raising your hand.

6 *[Approved: Cairns, Westbrook, Tuttle, Gilchrist, Palmer, Van Dine, Brown; Absent:*  
7 *McDaniel, Manning]*

8 CHAIRMAN PALMER: None opposed. And that does it.

9 MS. FONSECA: That concludes it. Thank you.

10 CHAIRMAN PALMER: Is there a motion to adjourn?

11 MR. VAN DINE: So moved.

12

13

*[Meeting Adjourned at 1:30pm]*