

RICHLAND COUNTY PLANNING COMMISSION
June 2, 2014

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[Members Present: Heather Cairns, Beverly Frierson (in at 1:07 pm), Marilyn Joyner, David Tuttle, Patrick Palmer, Stephen Gilchrist, Bill Theus (in at 1:10 pm), Christopher Anderson, Wallace Brown, Sr.]

Called to order: 1:00 pm

CHAIRMAN PALMER: We'll call the June meeting of the Richland County Planning Commission to order. Please allow me to read this into the Record. In accordance with the Freedom of Information Act a copy of the Agenda was sent to radio and TV stations, newspapers, persons requesting notification, and posted on the bulletin board located in the lobby of the County Administration building. Do we have any changes to the Agenda?

MS. HEGLER: Good afternoon, Chairman. Yes, we do. The first Map Amendment, Case 14-08 on Geiger Road has been deferred and the fifth Map Amendment Case 14-13 for Elm-Abode Terrace has been deferred. All else is good.

CHAIRMAN PALMER: Anything from the Commission? Do we have a motion to approve the Agenda as amended?

MR. TUTTLE: Mr. Chairman, I would like to make a motion that we approve the Agenda as amended.

MR. GILCREST: Second, Mr. Chairman.

CHAIRMAN PALMER: Motion and a second. All in favor say, aye.

[Approved: Cairns, Joyner, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent for vote: Frierson, Theus]

CHAIRMAN PALMER: Alright, Map Amendments Case No. 14-08.

1 MS. HEGLER: 14-10, 08 was deferred.

2 CHAIRMAN PALMER: 14-010 MA, please.

3 **CASE NO. 14-10 MA:**

4 MR. LEGER: Thank you, Mr. Chairman. The Applicant in this case is Mr. Gerald
5 Steele. The property is located at 1530 Dutch Fork Road which is right near the
6 intersection of Bickley and Marina Drive. The property is just a little over an acre in size,
7 currently zoned RU which is our rural residential district. The Applicant is asking for the
8 GC general commercial district. The rural district was original, the original zoning from
9 1977, and in the vicinity we've got some other commercial on the north side of Dutch
10 Fork Road, in either direction really, toward Bickley and toward the west. We have a
11 railroad, set of railroad tracks to the north and further north from that, you have
12 Richland, Richland County Park Soccer Complex. To the south, you've got residential
13 properties as well as some commercial closer to Bickley Road. To the west again some
14 commercial, contracting office. The property is really occupied by single-family
15 residential structure and detached garage. It's got some residential vegetation, very little
16 slope and is located again in an area where they're other commercial zoning districts to
17 the, to the east and west on the north side of Dutch Fork Road. Other than that, there
18 are some residential properties in the area and plenty of undeveloped land. We also,
19 the, the Comprehensive Plan recommends suburban priority investment which tends to
20 encourage development in this, in this area. It calls for commercial and office uses to be
21 near intersections or on arterial roads. We have found that this application meets that
22 criteria. It's in an area where they're other commercial districts. Dutch Fork Road is an
23 arterial, it's four lanes with a turn lane in the center. For these reasons, because of the

1 types of land use and zoning in the area and the recommendation of the
2 Comprehensive Plan, the Staff recommends approval at this time.

3 CHAIRMAN PALMER: Any questions for Staff? We have one person assigned to
4 speak, Gerald Steele. And if you would come down and take the podium and give us
5 your name and address and if you can limit your two minutes we'd appreciate it.

6 **TESTIMONY OF GERALD STEELE:**

7 MR. STEELE: Gerald Steele, 807 Gervais Street.

8 CHAIRMAN PALMER: Grab the microphone and swing it around for you.

9 MR. STEELE: You want me to bring it with me?

10 CHAIRMAN PALMER: There you go.

11 MR. STEELE: Can you hear me now?

12 CHAIRMAN PALMER: Yep.

13 MR. STEELE: I'm Gerald Steele with NAI Avant, 807 Gervais Street, Columbia,
14 Suite 301. I'm here, I don't have anything to add. I'm here to answer any questions. We
15 have checked with all the neighbors, adjoining property owners and nobody had any
16 objection to it.

17 CHAIRMAN PALMER: Thank you, that's all we've got.

18 MR. STEELE: Thank you.

19 CHAIRMAN PALMER: Anything from the Commission?

20 MR. TUTTLE: Mr. Chairman I'll make a motion that we send case 14-10 MA
21 forward to Council with a recommendation for approval.

22 MR. GILCHRIST: Second, Mr. Chairman.

1 CHAIRMAN PALMER: We have a motion to second. Any other discussion? All
2 those in favor say, aye.

3 *[Approved: Cairns, Joyner, Tuttle, Palmer, Gilchrist, Anderson, Brown; Absent for vote:*
4 *Frierson, Theus]*

5 CHAIRMAN PALMER: Any opposed? Okay. And just for those in the room, we're
6 a recommending Body to County Council. All these items will go in front of County
7 Council on June the 24th at 7:00 in these same Chambers. So I'd recommend you come
8 back for that as well. Next case, Case No. 14-11 MA.

9 **CASE NO. 14-11 MA:**

10 MR. LEGER: Yes, sir, Mr. Chairman, the applicant in this case is Mr. Davis
11 Spradling. The property is located at 1408 Peace Haven Road. It's two acres in size cut
12 out of a slightly larger parcel of property at about four and a half acres in size. Currently
13 zoned RU, our rural residential district and the Applicant is calling for, asking for RC
14 which is our rural commercial district. The RU district is original from 1977. In the
15 vicinity, there's not a whole lot going on in this area. Most of the land nearby is zoned
16 RU, our rural district. To the north, we have single-family residential structures and a
17 church. To the south, there is of course the railroad line and Dutch Fork Road. To the,
18 to the east, we've got single family residential and [inaudible] structure. To the west,
19 property remains undeveloped. Again, this, this is a part of a larger piece, two acres out
20 of four and a half acres. The property has about 150' of frontage with the two acres on
21 Three Dog Road and the way it was cut out of the other parcel, it does not have
22 frontage on Peace Haven at this time. The two acres is undeveloped, heavily wooded
23 along the railroad tracks and again in an area where there's either undeveloped parcels

1 or rural residential. Our Comprehensive Plan calls for suburban in this vicinity where
2 office and commercial should be on a major arterials, traffic junctions or where other
3 existing commercial is located. In our analysis we did not find that. There is some
4 commercial development further to the east near the Mount Vernon Church Road
5 intersection on Dutch Fork Road which is right in this vicinity of this sight, it is very little
6 or no commercial. Based on the types of land use in the vicinity and the zoning that's
7 going on in the community, the Staff recommends disapproval at this time.

8 CHAIRMAN PALMER: Any questions for Staff?

9 MS. CAIRNS: I actually have one question. Because you offered, I mean, the
10 diagram we have in our package makes it look as if it has frontage on Peace Haven.
11 But you offered that it does not. So –

12 MR. LEGER: That's correct.

13 MS. CAIRNS: - so can we what the, I mean, yeah, that's the diagram we have
14 which makes it look as if there's frontage.

15 MR. LEGER: Essentially it's been split in half from east to west so that the two
16 acres –

17 MS. CAIRNS: So that is the four acre parcel?

18 MR. LEGER: That is the four acre piece.

19 MS. CAIRNS: Okay, so it's the half against the railroad track? Okay.

20 CHAIRMAN PALMER: Yeah, we need to somehow denote that in our packages.

21 MS. HEGLER: Yeah, I believe it's the, I mean, it really is just the, if you're looking
22 – north is up, it's the southern half of the parcel.

23 CHAIRMAN PALMER: Yeah. So what's the width of it on that plat?

1 MS. HEGLER: Ninety by, let's see, width this way, about 754' by 90 - with the full
2 width of the parcel at the bottom half.

3 MR. LEGER: It's about 90 on the eastern end, it's about 90'. On the western end,
4 141 and somewhere 750' long.

5 CHAIRMAN PALMER: So you're looking at the most, 90' from the railroad
6 intersection, for a, for a cut?

7 MS. HEGLER: At the most 141.

8 MS. CAIRNS: 141 on the left side.

9 MR. TUTTLE: 141, the narrowest -

10 CHAIRMAN PALMER: Okay, I gotcha. What's Dutch Fork classified as?

11 MS. HEGLER: An undivided minor arterial.

12 CHAIRMAN PALMER: Which means that we classify property across the street
13 as contiguous?

14 MS. HEGLER: Across the railroad track? Can it be divided by a railroad track?

15 [Inaudible discussion]

16 MR. PRICE: So that means that the, just looking at these traffic counts, if the
17 traffic counts are currently at 24800 and it's operating at a Level C, that means it's built
18 to handle, what, 35-40?

19 MS. HEGLER: Well, no it's, the design capacity is 24,000.

20 MR. TUTTLE: So instead of C, is it 16, 17,000?

21 MS. HEGLER: C is kind of middle of the road, pun intended. [Laughter]

22 MR. TUTTLE: I have a question for Staff if I may?

23 CHAIRMAN PALMER: Absolutely.

1 MR. TUTTLE: Mr. Chairman. Diagonally across the intersection, if I'm reading the
2 chart right, that's zoned General Commercial. Is that not correct?

3 MS. HEGLER: The southwest quadrant, yes.

4 MR. TUTTLE: Okay. Cause when, when Staff justifies their disapproval
5 recommendation and said that there's no, I'm trying to read it, there's no commercial
6 uses adjacent to or in the uses or intersections in the vicinity but, I mean, the fact that
7 that's zoned General Commercial would say there are commercial uses in the vicinity,
8 correct?

9 MS. HEGLER: Yeah, they're in the vicinity. I think historically we have used the
10 rail line as a dividing - I think it's more about the railroad marker.

11 MR. TUTTLE: So we don't, we don't classify railroad the same as we would a
12 road as far as contiguousness?

13 MS. HEGLER: Historically when we have done rezonings, the, the
14 recommendation of Staff, if there's been a predominant location for the commercial, it's
15 been in one direction or another.

16 MR. TUTTLE: Okay.

17 MS. HEGLER: If predominant.

18 MR. TUTTLE: Okay, thank you. So, so the theory there would be that commercial
19 could exist south of the rail line but not north of the rail line?

20 MS. HEGLER: That's traditionally what we've done.

21 MR. TUTTLE: Thank you.

22 CHAIRMAN PALMER: Even along Two Notch?

1 MS. HEGLER: I think specifically along Two Notch. I can think of a couple
2 [inaudible] to begin with.

3 CHAIRMAN PALMER: Then we've got commercial on both sides of –

4 MR. TUTTLE: Yeah.

5 MR. PRICE: I don't think Two Notch is a good example. [Laughter] I think Two
6 Notch is slightly different because in this particular case, like I say, we've had a few
7 requests that have come in before and as Ms. Hegler was saying, come to use the
8 railroad as kind of the dividing line because there has been a development of residential
9 south, excuse me, north of the railroad. As opposed to Two Notch Road, there really
10 hasn't been that residential, not, not in all places but [inaudible].

11 CHAIRMAN PALMER: Okay, any other questions for - so Staff would not, the
12 Comp Plan calls for this to be suburban? Is that correct?

13 MS. HEGLER: It does.

14 CHAIRMAN PALMER: And so I know Staff doesn't make recommendations on
15 what things should be but in this case this should be suburban but it should not be rural
16 commercial which is our least intrusive commercial zoning?

17 MS. HEGLER: Less intrusive.

18 CHAIRMAN PALMER: What's the least intrusive we have?

19 MS. HEGLER: I mean, it is but there's not a lot of variation between what you
20 can have in rural commercial versus I'm guessing you mean general commercial.

21 CHAIRMAN PALMER: But it is our least intrusive commercial zoning, right?

22 MR. PRICE: OI.

23 MS. HEGLER: OI would be.

1 CHAIRMAN PALMER: But for true commercial applications as opposed to office
2 and industrial or institutional, to have true retail on the site?

3 MS. HEGLER: Yes, I would characterize of the commercial zoning districts, rural
4 commercial is least.

5 CHAIRMAN PALMER: Okay.

6 MS. CAIRNS: Do we know whether or not that's a signalized crossing? Does it
7 have gates or is it just lights? Oh it has, well – yeah, it has gates. No it doesn't. Yes it
8 does.

9 MS. HEGLER: Is that a pole?

10 MS. CAIRNS: Yeah, you can see it in the photograph.

11 CHAIRMAN PALMER: Okay, we, we just may need to take a look at the
12 definition of the, the purpose of the rural district. Because for me it looks like it fits in
13 pretty well to the definition of what we're looking for for rural district. But anyhow, any
14 other questions for Staff? Okay, David Spradling, yes, sir, if you'd like to come up and,
15 you don't have to but as the Applicant you have the ability to come up and tell us about
16 the property and what your thoughts are on it. If you could give us your name and
17 address for the Record we'd appreciate it.

18 **TESTIMONY OF DAVID SPRADLING:**

19 MR. SPRADLING: My name is David Spradling. I live at 1408 Peace Haven
20 Road in Chapin and I've, I'm the one that requested this change in the zoning for the
21 simple reason that I bought the land hoping that I could operate a ministry out of there
22 and I do have a minister's license and also I have a 501(c)(3). And that's my goal is to
23 do the ministry thing with the Gospel of Jesus Christ. But to support myself, I've rezoned

1 or requested the rezoning simply to have some income. I'm not asking for donations. I'm
2 not asking for anything but just to be able to sell a few motorcycles on the back of my
3 property. It's not gonna be intrusive with any of the Peace Haven Road. It's not even
4 gonna be adjacent to that. It's just simply by the railroad tracks across from the roofing
5 company that's been there for years across the tracks. I wasn't aware that there was,
6 you know, it was going to be like this, you know, with such a, you know, strict zoning
7 thing about just selling a few motorcycles that I think the state requires that I have a ten
8 by ten building with a sign. I was preapproved on Dutch Fork Road and I went to the
9 class. I did all the requirements by the state to be able to get my motorcycle license. I
10 paid all the fees. I got my sales tax permit, everything I needed. And when I went to the
11 zoning people to get my retail license approval, they said that the place that I was
12 gonna use was not approved for retail sales. And so, I want to be able to sell
13 motorcycles at my own property and I know I can't do it on the front because that's
14 Peace Haven so I'm just asking to be able to do it on the back. I've already met with the
15 DMV and they're, they're willing to approve that small area back there to sell
16 motorcycles. I'm not wanting to build a big business or anything, I'm just wanting to
17 make a little bit of income to support my ministry.

18 CHAIRMAN PALMER: Alright, thank you.

19 MR. SPRADLING: Thank you.

20 CHAIRMAN PALMER: Beth Brown followed by Peggy McCartha.

21 **TESTIMONY OF BETH BROWN:**

22 MS. BROWN: Hello everyone, I'm Beth Brown. I live at 221 McCloud Road which
23 is right off of Peace Haven. I'm less than a half mile away from this piece of residence.

1 We are trying to keep our area rural, everyone out there wants rural and this is the first
2 time we heard that somebody else is, people have tried to move into our area, buy land,
3 try to make it commercial and we have to come back and fight. This isn't the first time
4 we've been here but we will continue to come back because we definitely want to keep
5 this a rural area. We have, the schools are all made up. They've increased the school
6 districts, the school numbers in our area because of the children and we want to keep
7 this a family environment area with just the rural community with people that have some
8 land that we can raise our children on. Thank you.

9 CHAIRMAN PALMER: Thank you. Peggy McCartha and then Robert Ginsberg.

10 **TESTIMONY OF PEGGY MCCARTHA:**

11 Ms. McCartha: I'm Peggy, excuse me, I'm Peggy McCartha and I live at 1309
12 Peace Haven. I've been living there about 50 years. It's been a very nice, rural
13 residential area. It's been kept that way. We've tried really hard to keep it that way
14 because we don't need all the noise ripping and running down the road. Let's see. But I
15 find it kind of odd that I'm here today and that family has not shown their face to
16 anybody in the neighborhood that I know of. You know, this is all a surprise. I just don't
17 think it's appropriate for commercial. They need to leave commercial over on 76 and
18 leave, we all have our life's earnings in nice home places with acreage that we would
19 like to keep that way.

20 CHAIRMAN PALMER: Thank you. Robert Ginsberg followed by Howard
21 McCartha.

22 **TESTIMONY OF ROBERT GINSBERG:**

1 MR. GINSBERG: Hello, my name is Robert Ginsberg. I live at 1219 Peace
2 Haven Road. I don't think I can be any more eloquent than those two ladies. But like
3 they said, this is a rural residential community. It's a very large residential community.
4 There's very little commercial operations there and we want to keep it that way. That's
5 why we moved there to have a nice, a nice rural experience like it says right behind you
6 up there.

7 CHAIRMAN PALMER: Robert McCartha, then Gene, Jeffers, Jeffrey.

8 **TESTIMONY OF HOWARD MCCARTHA:**

9 Mr. McCartha: I'm Howard McCartha, I'm at 1100 Peace Haven Road which is
10 about a half a mile from this residence. I'd hate to see something like this go in. Nobody
11 here said anything about the high traffic area during school months because you've got
12 a grammar school that's about a mile and a half down the road. There's probably 100
13 cars every morning and every afternoon that go around Peace Haven Road and turn on
14 Three Dog Road. And plus the noise. I've got enough noise with the neighbors behind
15 me with their motorcycles. I'd appreciate it if I didn't have any more. Thank you.

16 CHAIRMAN PALMER: Thank you. Gene Jeffrey? And then Louise Baughman.

17 **TESTIMONY OF GENE JEFFREY:**

18 MR. JEFFREY: My name is Gene Jeffrey. I live at 209 McCloud Road which is
19 at, it runs off of Peace Haven. It's in the immediate area. I, I also want, would like to see
20 the, the area remain rural. I've lived there 15 years and it, it's definitely rural. The
21 gentleman said there, there wasn't much going on there but our, there's a lot going on
22 there and it's all, it's all rural residential is what's going on there and we'd like to keep it

1 that way. The, the graphs have kind of confused me with, does, does this parcel, this
2 parcel does not extend across the railroad tracks, is that true?

3 CHAIRMAN PALMER: That's correct.

4 MR. JEFFREY: It does not. So, so and that, the parcel that, or the part of the, the
5 land in that area that is on the other side of the railroad tracks, that's not big enough for
6 any commercial development. You couldn't put anything commercial in there. So kind of
7 alluding to the fact that it, it borders on commercial is, it's not, it's not exactly right. I
8 mean, it's, it's just a, it's just the shoulder width from Dutch Fork Road to the railroad
9 tracks. You couldn't put any commercial property in there. So I, I don't know if that
10 would, would have a difference. But anyways we, all the residents there would like to
11 keep it rural.

12 CHAIRMAN PALMER: Thank you. Louise Baughman.

13 **TESTIMONY OF LOUISE BAUGHMAN:**

14 MS. BAUGHMAN: I'm Louise Baughman. I live at 225 McCloud Road in Chapin. I
15 have been a resident there since 1976 that we bought five acres of land. It is all
16 residential. I live at a dead end. There is no traffic in and out. We are having two new
17 neighbors build really nice homes. This is also part - this piece of property, the egress
18 and the entrance would be on Three Dog Road to come to this property, and then right
19 on Peace Haven Road. Three Dog Road is part of the historic district for Chapin area.
20 Many of you don't know that the Three Dog Road ran through the Dutch Fork
21 community and was part of the original carriage trail before we had cars. And it is part of
22 our historic district. It's not on the chart, map I don't think. But we would love to keep our
23 area safe, residential, family oriented, no, and no problems with - we'd just love to keep

1 it the way it is. We have our neighbors, have all acreage, and I thank you very kindly for
2 your consideration.

3 CHAIRMAN PALMER: Thank you. That's all we've got signed up to speak on it.

4 MR. PRICE: Mr. Chair?

5 CHAIRMAN PALMER: Mr. Price?

6 MR. PRICE: I want to, I don't wanna say correction, but I did a quick review of
7 the Land Development Code comparing the RC district, rural commercial and the NC
8 and the NC would be the least intrusive. There are a number of commercial uses that
9 are allowed in the rural commercial that are not allowed in neighborhood commercial.

10 CHAIRMAN PALMER: Are auto dealers allowed in neighborhood commercial?

11 MR. PRICE: Motor vehicle sales, cars and trucks new and used are not allowed
12 in neighborhood commercial.

13 CHAIRMAN PALMER: Are not allowed?

14 MR. PRICE: No.

15 CHAIRMAN PALMER: Okay.

16 MR. SPRADLING: May I say something?

17 CHAIRMAN PALMER: No, sir, we've closed it. If we open to one, we've just got
18 to open it all back up again. But if anybody's got a question for the Applicant they can
19 ask you. Okay.

20 MR. SPRADLING: [Inaudible]

21 CHAIRMAN PALMER: No, sir, we can't open it back up, open it back up to public
22 comment.

23 MR. SPRADLING: Well, I'm not selling cars. I'm selling motorcycles. It's different.

1 CHAIRMAN PALMER: I understand. Okay, any thoughts, discussion?

2 MS. CAIRNS: I think sort of a comment about, you know, the feeling as to
3 whether or not this is at an intersection or not, it does appear that these train tracks
4 provide a good buffer from the property north from what might someday occur on Dutch
5 Fork. And so while this is close, it is indeed not at the intersection because it's in
6 essence buffered away from the intersection by the train tracks. So I, I think that Staff's
7 recommendation based on the fact that it's not at an intersection is correct and I think
8 that it would be most appropriate for this to stay zoned a residential use.

9 CHAIRMAN PALMER: Any other thoughts? Comments, motions?

10 MR. BROWN: Mr. Chairman, I move that Staff recommendation of this
11 disapproval be sent forward to the County Council for their consideration.

12 CHAIRMAN PALMER: We have a motion to send this case forward to Council
13 with a recommendation of denial. Do we have a second?

14 MS. CAIRNS: I'll second.

15 CHAIRMAN PALMER: We have a second. Any other discussion? All those in
16 favor of the motion say aye. Any opposed?

17 *[Approved: Cairns, Frierson, Joyner, Palmer, Gilchrist, Theus, Anderson, Brown;*

18 *Opposed: Tuttle]*

19 CHAIRMAN PALMER: One, Mr. Tuttle's opposed. Okay, next case.

20 **CASE NO. 14-12 MA:**

21 MR. LEGER: Yes Mr. Chairman, the next case is Richland County Project No.
22 14-12 MA. It is Ms. Denise Bryant. The property is located on Wessinger Road off of
23 Fairfield Road. It is a little over 17 acres in size. It's zoned M-1 which is our light

1 industrial district and Ms. Bryant is asking for the RM-MD district which is residential
2 multi-family, medium density district. The light industrial district was approved as original
3 zoning in 1977. Over the years there have been several other applications for rezoning
4 of this property. Some of them have been withdrawn. The last case was in 2013. It was
5 denied by County Council. That request was for RM-HD, which is our high density,
6 multi-family district. Much of the zoning in the area is either M1, light industrial or RU,
7 our rural residential district. A lot of the properties in the vicinity remain undeveloped.
8 There is a manufactured home to the east and there's a roofing and painting company
9 located to the west on Fairfield Road. Otherwise properties adjacent are undeveloped.
10 This parcel is undeveloped. It was cleared at one time. It's starting to kind of re-grow
11 some vegetation but for the most part it's undeveloped and vacant. Our Comprehensive
12 Plan recommends suburban for this site. Residential development should be at 4 to 8
13 dwelling units per acre. The Staff felt like the 8 units per acre, that would be allowed
14 under the RM-MD district would be really contrary to development pattern in the vicinity
15 due to the light manufacturing zoning and the lack of other residential similar types of
16 use in the vicinity. Because of the RU rural in the area and the light industrial, the Staff
17 felt like the RM-MD was inappropriate and recommended disapproval at this time.

18 CHAIRMAN PALMER: I just have one question for Staff, and I know you
19 probably can't answer this so, don't if you don't feel like it, but if this site were to come
20 in, and I know we can't ask for M1, but if it was already zoned RM-MD and were to
21 come in for M1, I doubt very seriously that Staff would recommend approval of it being
22 changed to M1. That's more of a comment than a question.

23 MS. HEGLER: Yeah, we can't answer that cause they couldn't do that, but.

1 CHAIRMAN PALMER: Right, okay.

2 MR. THEUS: I have a question. Is, does the special exception allowing
3 manufacturing homes still exist for this property? Could they go do manufactured?

4 MR. PRICE: Based on the M1 zoning?

5 MR. THEUS: It says in 2002 a special exception was granted on this parcel
6 allowing a manufactured home.

7 MR. PRICE: No.

8 MR. THEUS: Or is it just one home? Is that what it -

9 MR. PRICE: I believe, I'll double check, I believe [inaudible].

10 MS. HEGLER: Alright, you think we took that out of M1?

11 MR. THEUS: Maybe it's just one home that they got a special exception for, not a
12 mobile home development. I'm not -

13 MS. HEGLER: I do think that's just one, correct - not [inaudible] if that's what you
14 meant.

15 CHAIRMAN PALMER: Even, so those, those exceptions have what a three year
16 timeframe on them? Anyhow, alright, any questions for Staff? Denise Bryant. Followed
17 by Bridgette Deline and Kim Worth.

18 **TESTIMONY OF DENISE BRYANT:**

19 MS. BRYANT: Good afternoon Mr. Chair and Board Members. I was before you
20 on October 2013 and it came forth as a, as a high density project. And, which came
21 forth in error and it should have been medium density and so you both, you split on the
22 decision so we went forward to Council who denied it. Mr. Chair, you indicated that we
23 could make the correction, the intended correction of medium density and come back

1 before this Board and so that is why we are back before you now. Since that time, what
2 we've done, we've talked with the surrounding communities. They all have given their
3 approval for this rezoning. Crane Creek Community Association has repeatedly given
4 us their approval. I met with the owners of Nettles Roofing next door who is adjacent to
5 the property who expressed no objections to us coming into the area. I spoke with the
6 community members there across Fairfield Road, that residential community. They have
7 no objections. And just this last Friday, we held a community meeting with the residents
8 that's immediate adjacent to the property right there in the area and they said that they
9 hope that it would get approved this time. They are welcoming us into the community.
10 They are looking for a change. The infrastructure is there for residential development,
11 SCE&G ran a new quarter line in 2009 adjacent to the property due to projected growth.
12 The City of Richland County Water Bureau has approved a water line extension to run
13 down Wessinger Road to support the development. DHEC has provided permit to
14 construct the water line, and the traffic study report was conducted showing no change
15 in the current traffic pattern which is operating at a Level B. So I'm here to ask the
16 Board's unanimous approval of this rezoning request.

17 CHAIRMAN PALMER: Thank you. Bridgette Deline.

18 **TESTIMONY OF BRIDGETTE DELINE:**

19 MS. DELINE: Good afternoon, Mr. Chair and the entire Board. My name is
20 Bridgette Deline, 1000 Windsor Shores Drive, Columbia, South Carolina 29223. I'm the
21 RTC Community Liaison in the area. The economic development begins with a strong
22 community where people can live, work and play. Commercial establishments thrive
23 where it can draw from the surrounding communities and has visibility to passerbies

1 [sic]. This rezoning request affords the opportunity for a stronger community within the
2 area. It will set the stage of economic growth with tax revenues to the county, affordable
3 housing to Richland County residents and opportunity for employment. Allowing this
4 undeveloped property to remain undeveloped restricts future growth for this community.
5 This plat of land sits well off the main road, that's Fairfield Road, and is not attractive to
6 commercial enterprises because it lacks main road visibility and access. The width of
7 the street would not allow for commercial truck deliveries which is necessary for
8 commercial businesses. This plat is currently zoned for businesses consistent with that
9 of strip malls. It's location is not feasible for such enterprises and will continue to sit
10 undeveloped unless it is rezoned for development more appropriate to its surroundings.
11 Its surrounding is residential and we are seeking a residential rezoning. I humbly ask if
12 this honorable Board would approve this request, thank you.

13 CHAIRMAN PALMER: Ma'am, what is, what's RTC?

14 MS. DELINE: It's the Refuge Temple Church, the developer Bishop William L.
15 Bonner is the Pastor and I'm the Community Liaison in that area.

16 CHAIRMAN PALMER: Okay, thanks. Kim Worth followed by Elaine McQueen.

17 **TESTIMONY OF KIM HAYNESWORTH:**

18 MS. HAYNESWORTH: Good afternoon. My name is Kim Haynesworth. I am a
19 resident of Columbia, South Carolina. My address is 7648 Garner's Ferry Road,
20 Apartment 217. A goal of 2009, Richland County Comprehensive Plan is to enhance
21 community characters. The rezoning of the [inaudible] will do just that. I ask if you would
22 approve it.

23 CHAIRMAN PALMER: Thank you. Elaine McQueen followed by Natasha Davis.

TESTIMONY OF ELAINE MCQUEEN:

MS. MCQUEEN: Good afternoon. My name is Elaine McQueen. I reside at 440 Argent Court, Columbia, South Carolina. The 2009 Richland County Comprehensive Plan that was developed for five Richland County areas says that it encourages the rezoning of undeveloped land to reduce sprawl and inefficient land use. Its cover reads, "Looking Forward to Future Growth". Based upon its report on page 41, the current trend of the price of homes and household income, indicates a lack in affordable housing over the next 30 years from the date the plan was released. In its conclusion on page 43, it reads, in part, "If the population increases as projected, Richland County will have an additional 130,000 residents by 2035 requiring additional housing units."

CHAIRMAN PALMER: Natasha Davis followed by Mary Jefferson.

TESTIMONY OF NATASHA DAVIS:

MS. DAVIS: Good afternoon. I'm Natasha Davis. I reside at 4400 Argent Court, Apartment A, Columbia, 29203. The Staff Report says the rezoning request is a fit for the surrounding area but denied the request because of concerns, not provided facts of diminishing M1 zoned land. There is other M1 zoned land in this area that is still undeveloped and has been for many years it seems and will continue to be until a more populated homeownership community is developed offering them an opportunity for business revenues. The homeownership is too scattered at this time. Strip malls are located in areas where there is a heavy populated homeownership and highly visited, businesses that create a draw to the area. Rezoning this property would create a draw and would be the start of economic growth for the county in this area. I ask the Board to approve this rezoning request based upon the factual data and the 2009 Richland

1 County Comp Plan on projected population increases. The surrounding communities
2 desire for the project and the fact that the likelihood of a commercial development near
3 the back of this road is unlikely. Thank you.

4 CHAIRMAN PALMER: Thank you. Mary Jefferson followed by Takesha
5 Richardson.

6 **TESTIMONY OF MARY JEFFERSON:**

7 MS. JEFFERSON: Good afternoon. My name is Mary Jefferson and I live 4108
8 Lester Drive, Columbia, South Carolina. My zip code is 29203. And we is here for
9 another goal of the 2009 Richland County Comprehensive Plan is to created
10 households for all types and size for an income. And the reason we is here to ask the
11 rezoning Board to [inaudible] would they allow it to happen. And we thank you. Takesha
12 Richardson, she is here also for the same thing. Thank you.

13 CHAIRMAN PALMER: Okay, thanks. Ms. Richardson, you don't care to speak?

14 MS. RICHARDSON: I just agree with it.

15 CHAIRMAN PALMER: Okay, thanks. Nathell Brown followed by Audrey Bowers.

16 **TESTIMONY OF NATHELL BROWN:**

17 MS. BROWN: Good afternoon. The request to rezone this property is with intent
18 to operate and cooperate with the requirements and projections of the Richland County
19 Comprehensive Plan; to develop cooperative relationships with surrounding land
20 owners and to help create a strong community where people can live, work and play.
21 Thank you.

22 CHAIRMAN PALMER: Thank you.

23 **TESTIMONY OF AUDREY BOWERS:**

1 MS. BOWERS: Good afternoon. My name is Audrey Bowers and I reside at 118
2 Joy Creek, Blythewood, South Carolina. According to the '09 Richland County Plan, this
3 area in north central has a project of 35.8% change in the population growth up to 2035.
4 Given these suggestions, this area would need to, would need to have a minimum of
5 607 dwelling units based upon the 2.8 household members by 2012 and 1,513 by 2035.
6 The LA Company rezoning request will only accommodate 120 units of the total of
7 1,513 needed by 2035. I stood here and I listened to other people complain about their,
8 their neighbors and all the loud noise that they didn't want in the community with the
9 motorcycles and things. But I do believe in my heart that this project will help people to
10 move into a quieter neighborhood. Living in a, off of Beltline for so many years, 16 years
11 of my life and it was a area where it was a lot of noise and crime going on, and this
12 place will be the perfect place for people that want to come and have a nice home to
13 live in so they don't have to worry about all the crime in the other areas of Columbia.
14 And we pray that you will have a change of heart and let this here project come forth in
15 the name of Jesus, amen. Thank you.

16 CHAIRMAN PALMER: Thank you. That's all we've got signed up to speak.

17 MR. TUTTLE: Mr. Chairman, I'd like a motion that Case 14-12 MA be sent
18 forward to Council with a recommendation for approval. And the justification for that
19 would be I believe Staff said it was not compatible with the surrounding zoning or
20 development pattern and I disagree. I think since it's adjacent to residential on the north,
21 northern side that I think it would, it is compatible.

22 MR. BROWN: I second.

1 CHAIRMAN PALMER: We have a motion and a second. Any other discussion?
2 All those in favor.

3 MS. CAIRNS: I just, I just want to offer that, that while I'm generally totally in
4 support of increasing density in our residential uses, I have difficulty supporting this
5 project just because it's too far from, it's like too far away from central facilities and
6 whatnot to be putting that type of density out away from existing stuff. I'm not being very
7 articulate but I just, you know, I think that it's just not a good location for that level of
8 density. So that's all.

9 CHAIRMAN PALMER: Okay. All those in favor of the motion, please signify by
10 raising your hand. All those opposed?

11 *[Approved: Frierson, Joyner, Tuttle, Palmer, Gilchrist, Theus, Anderson, Brown;*
12 *Opposed: Cairns]*

13 CHAIRMAN PALMER: We'll give you guys a minute. Again we're recommending
14 Body to Council. They'll hear this again on the 24th. Alright, first Text Amendment.

15 MS. HEGLER: Chairman, Mr. Price is going to introduce these two Text
16 Amendments to you.

17 **TEXT AMENDMENT #1:**

18 MR. PRICE: As you'll see in the title, the point of this was to clarify Section 26-
19 176 of our Land Development Code. Actually there are two main changes to this. With
20 one, we broke down each section for the type of use that will take place, whether it be
21 new construction or parking, just to require, just to state when the, when the, when it,
22 when a buffer will be required. It's the same language that was in it before. I think what
23 is new here is we, one of the things that our Code didn't address was existing structures

1 when they change uses when buffers were required. And there were, and this does not
2 occur very often and, you know, we went back and looked at this. This does not occur
3 very often but you may have some cases where you may have had some property or
4 may have had a, just take for example, rural zoning and then it changes to commercial
5 but because they did not expand the footprint of the building or they did not have to
6 increase what was some, you know, old parking there, they were not required to put up
7 a buffer. Just those are the two major changes.

8 CHAIRMAN PALMER: Okay. So just to run me through a scenario, somebody
9 buys a structure, an old house, something on a rural area. They get it rezoned to rural
10 commercial, neighborhood commercial, something like that.

11 MR. PRICE: Correct.

12 CHAIRMAN PALMER: They use that existing structure for a dog kennel or a
13 insurance office or whatever they can do under that zoning.

14 MR. PRICE: Correct.

15 CHAIRMAN PALMER: And they have, their current parking is in place and stuff
16 and they just basically move in and start to operate. They don't have to come in and
17 plant the shrubs along the property lines that if you were to tear down and rebuild you
18 would have to put in.

19 MR. PRICE: Correct.

20 CHAIRMAN PALMER: And we, the proposal here is to make them put those
21 shrubs in.

22 MR. PRICE: Correct.

23 CHAIRMAN PALMER: Okay.

1 MR. PRICE: That's one of the proposals, as I say, really it's, it's to clarify the
2 language. But that is one of the main changes to what you have before you.

3 MR. THEUS: But, but that's even in the event that they don't expand the building
4 they have to do it.

5 MR. PRICE: Correct. What happens is a lot of times, if you have to increase your
6 parking up to a certain percentage, you would be required to put in landscaping also.
7 But there are some cases and since it's already gone before the Planning Commission
8 and we've already approved plans, I can kind of use this as an example. Think, you did
9 maybe about a year or so ago, you rezoned a couple of parcels along Bluff Road from
10 rural to rural commercials. They were existing commercial uses going back years, they
11 just lost that non-conforming, conformity. Actually they had been abandoned. But you
12 rezoned those. So they came back in and they changed those to convenient stores, I
13 guess that's what they came in under. But one of the things, because they had some
14 existing parking there from the previous use going back years, they were not required to
15 put in a buffer. So now what you've done is introduce a new commercial use abutting
16 residential uses that is not required to put in a buffer.

17 MS. HEGLER: And this is still based on the table of use type so what you don't
18 see in here is the table that defines whether it's a high intensity use against a lower one.
19 So that still exists so if the uses are compatible and aren't, don't require a buffer by that
20 table, then that, it's not required. So it still refers back to the table, but identifies the
21 change in use if it should have a buffer or not.

22 CHAIRMAN PALMER: So when we're talking about buffer, give me an example.
23 We're talking about a, even if we go to general commercial and then there's a rural

1 zoned piece of property behind it, when we're talking about buffer, we're talking about
2 what?

3 MR. PRICE: I think we're, where you're headed is, correct me if I'm wrong now, I
4 mean, you're correct, that term buffer is really not, does, really does not describe what
5 we're looking for. What it is, is typically you plant some type of landscaping between
6 uses that are deemed to be incompatible. It does not necessarily buffer. There are very
7 few uses in our Code where you would actually have to buffer, and when I say buffer as
8 in put up a fence along with some landscaping where you don't actually see it. But most
9 of them, I think y'all have, y'all have dealt with this, it's really just some additional
10 plantings between uses.

11 CHAIRMAN PALMER: Plantings in addition to an irrigation system?

12 MR. PRICE: Correct.

13 MR. TUTTLE: So, just, just to clarify for me, so a guy has a small business on
14 one acre, it could be any business.

15 MR. PRICE: Um-hum (affirmative).

16 MR. TUTTLE: And he is successful and wants to add eight parking spaces and
17 that's more than 25% of what he currently had, even though he may not encroach the
18 nearest neighbor any closer, it could be a long skinny lot if you can imagine, he has
19 spaces towards the rear where he's still not anywhere near his neighbor on that side, he
20 would have to come back and create a buffer around the entire property.

21 MR. PRICE: No, sir. He would only have to buffer the area of that expansion.

22 MR. TUTTLE: Okay.

1 CHAIRMAN PALMER: But this, somebody goes out and spends \$150,000 on a
2 parcel that's rural, moves their business into an existing structure, doesn't spend a
3 single dollar on the exterior but, you know, maybe does some, doesn't even do anything
4 on the interior, just puts in desks and starts operating. They're then going to have to,
5 according to this language, landscape that buffer and irrigate it.

6 MR. PRICE: That's something they would have to do now.

7 CHAIRMAN PALMER: Not if they don't touch anything.

8 MR. PRICE: If they have to, if it's an existing business –

9 CHAIRMAN PALMER: Right.

10 MR. PRICE: - and they have to add parking -

11 CHAIRMAN PALMER: No, no, no parking. I'm saying if they just go out, parking's
12 gone. If they just go out and buy a structure, let's say somebody's got a \$150,000
13 budget to buy a building.

14 MR. PRICE: It has the parking, it has the required parking.

15 CHAIRMAN PALMER: And, and, yeah, that's right.

16 MR. PRICE: Right, currently under our Code they would not have to do any
17 buffering.

18 CHAIRMAN PALMER: Right. So this is, and it's, this is really more in my opinion
19 for beautification of the county or, or something, but when we use the term buffer,
20 there's, there's really not a buffer between these, it's not like you're setting up some sort
21 of wall or structure. You're talking low lying, you know, one, two, three foot off the
22 ground plants. But the real, I mean, that's just an additional cost to the small business
23 owner and the big cost comes in not in putting the plants in the ground but then having

1 to irrigate those plants and put in a sprinkler system to do that. If someone had the
2 budget and was looking to renovate something and, or build something new or for
3 something like that, then, yeah, you've got to put those numbers into your budget and
4 you've got to figure out where you can go and what you can do. But for me, personally,
5 with trying to help small businesses succeed in Richland County, that's an additional
6 cost that I can see at, at this point is not necessary to impose on folks unless they're
7 looking to get into the redevelopment of a site or something. But if they're looking to use
8 an existing structure, in most cases, they're already budget strapped to find what they
9 can get into and having an additional 10, 15, 20, \$5,000 cost even for that matter, you
10 know, when there may not be water lines out there, they may have to tap into a, a well
11 system of some kind or tap into what they've already currently got and if that well is not
12 deep enough or doesn't have enough water to feed the structure, they've got to dig
13 another well.

14 MR. PRICE: Right, and I don't necessarily disagree with you. I guess it just
15 depends on which point you're looking at. If you're looking at the person that's actually
16 going to either buy the property or use the property, sure, that's a, you know, you're
17 right, save money for them and allow the business to get there. One of the points of this
18 Code was to look at the adjacent property owners so provide some level of protection
19 for them. It's not so much what that person's doing with their property it's what effect
20 they may have potentially have on the others.

21 CHAIRMAN PALMER: Which is I think what the Council and the Planning
22 Commission and the Staff have to take into account when they rezone a piece of
23 property. If the current structure that's there, if they vote to rezone something to general

1 commercial and the current structure that's there is gonna be used, you're going to keep
2 in mind that it's going to be used currently. But, you know, I, I think we've got somewhat
3 of a false sense that this general commercial zoning is going to, there's going to be a C
4 store that comes in and operates in a three bedroom, one bath house and not make any
5 changes. If you make changes to the site, you've got to bring the landscaping up. It's
6 not these obnoxious, intrusive uses that come in and make no changes. If you make
7 changes, you've got to, you've got to do this stuff.

8 MR. PRICE: Right, and to go back to what I stated earlier, this isn't something
9 that occurs frequently. Actually I was dealing with some more of plan reviewing Staff
10 where one particular issue came up and I was asking why they didn't, why the applicant
11 was not required to provide a buffer against the, you know, once again they were
12 establishing a commercial use against a residential use. And I was just asking why and
13 as we read in the Code, one of the things that was missing was changing use type. So
14 we only talked about new construction and expansion. We didn't talk about a change in
15 use type. And so I said, well you know, this will be a good time for us to at least look at it
16 once again. You know, it's our job, we see a potential issue, we come up with some
17 language and we present it to you for your review.

18 CHAIRMAN PALMER: Just for me, I don't, I don't see the change in use. I see if
19 it's a new structure if you're spending money on it, if you're changing something, if
20 you're adding parking, if you're, you know, you got to bring it into current conformity. But
21 if you're using the current structure that's in there and the area develops and now
22 you've got a interchange or something and, and the house is now used for a
23 commercial use of some kind but there's nothing that changes, if you don't have to have

1 more parking, then there's really nothing more that goes on that's going to affect the
2 neighbor than the wife, husband and three kids that were living there to begin with, with
3 the parking that's already currently in place. If you've got to add more parking, then
4 you've got to bring it up to Code. But if you don't have to add anything, you know, that's,
5 that's my thoughts on it. You're not gonna be generating a lot more traffic using the
6 current structure. That's all I've got.

7 MR. BROWN: Mr. Chairman, can you give me an example business that would
8 move in to such a structure and not require any, any changes, just left as, as is.

9 MR. PALMER: Let's say somebody, I don't know, out off Langford Road or
10 somewhere out in the northeast bought a house and wanted to open their tax office. It
11 was them and, they're a CPA and they want to open an office. They can't have an in
12 home office so they want to open an office. So they bought a house, took a chance to
13 see if they got it rezoned. Council rezoned it to rural commercial or neighborhood
14 commercial and then they could open their tax office in that house. They could use
15 those bedrooms as offices. But if this were to pass, then they would have to then do a
16 landscaping package and landscape the exterior of the property as if it were a
17 commercial business coming in there and redoing everything. And the real kicker for,
18 it's, it's, for me, it's not really so much, well it is cause it's the principle of the thing,
19 putting the plants in the ground, it's the irrigation and the sprinkling of those plants to
20 keep them alive that really becomes a cost issue. But that's an example, like if a CPA
21 goes out and buys a house and uses it as their office.

1 MR. BROWN: And I see your point except for the fact that in doing that, they
2 would use the rooms in that house for more people than husband and wife and three
3 kids –

4 CHAIRMAN PALMER: Right.

5 MR. BROWN: - you would have basically all adults and their customers.

6 CHAIRMAN PALMER: Right.

7 MR. BROWN: So in effect you would have greater traffic there.

8 CHAIRMAN PALMER: Right.

9 MR. BROWN: And a greater use of the property there and more parking needed
10 there.

11 CHAIRMAN: Well, if they needed more parking per the Code, then they would
12 already have to do the landscaping. But what we're, we're talking about somebody
13 who's going to use the existing structure as it is.

14 MR. BROWN: And I see your point. I'm just asking for an example of the type of
15 business where you would take a residential property –

16 CHAIRMAN PALMER: Right.

17 MR. BROWN: - or one that's being used for a residence and it's now being used
18 for commercial purposes and they would not increase the traffic. That's, that's the, or
19 increase the use on that property from the parking standpoint and, and so forth. That's,
20 that's all I'm asking.

21 CHAIRMAN PALMER: Right.

22 MR. PRICE: Mr. Chair and Commission, I was just talking to Carol Williamson,
23 our Land Development Administrator. One of the things we do as a Staff, we do

1 definitely try to work with any applicant that comes in. So for, if you had a case where
2 let's - there was a house and they had a large concrete area and they converted that by
3 rezoning and also by use to a commercial use. If all they had to do was stripe that
4 existing concrete area or put in some wheel stops there, we would not consider that a
5 requirement for doing a buffer. It's only when they have to actually disturb an area or
6 create some additional parking elsewhere. What I asked though on Mr. Delage to pull
7 up, not necessarily just trying to sell this to you, but this is a good example and this is
8 one of the ones that came before us. That was a site that was zoned rural. It was a lady,
9 she had a store and when she came in and she rezoned it. Now because it was a
10 commercial business years ago, she kind of had areas already established for parking
11 so she wasn't necessarily creating anything new, but as you can see, now right there,
12 there's a commercial use. Everything around there are residential uses so we were just
13 looking at this particular part of the Code as a way to provide some level, I wouldn't say
14 of protection, but just a, you know, a buffering from that, that new use that's being
15 introduced in that particular area.

16 MR. TUTTLE: Well, so I have a question on the case that we just had where we
17 down zoned the property from, what was it, M1 to, to residential? Did we just impair the,
18 the adjacent M1 property owners and now if they develop that property they have to
19 install a buffer?

20 MR. PRICE: Well, actually the new use would have to install a buffer also.

21 CHAIRMAN PALMER: But if there's nothing on the M1 property when the, it's the
22 first one of the game that develops –

23 MR. PRICE: No, sir.

1 CHAIRMAN PALMER: So it, when M1 develops, it's got to now be buffered next
2 to medium density as opposed to being buffered to M1.

3 MR. PRICE: No, it's based on use and it could be potential use correct, a
4 potential use it for that district.

5 CHAIRMAN PALMER: So for David's example, the, the parcel that's left M1 to
6 the north, instead of having M1 to the south, it now has medium density residential. That
7 buffering between M1 and M1 is negligible. Now that he has medium density to the
8 south, his buffer has increased on that existing M1 property.

9 MR. PRICE: Right, but also in a case where you say M1 to M1, it depends on
10 what use is being placed. Let's take for example the two, one of the M1 parcels is being
11 developed, it would depend on what that use was. It would fall into a particular category
12 and that may determine if there's going to be a required buffer.

13 CHAIRMAN PALMER: I gotcha. But what we're talking about here is having to
14 put in landscaping in an existing use where there's no new construction on the site just
15 because you change the use.

16 MR. PRICE: When the use, right. So when you said existing use, it is an existing
17 structure.

18 CHAIRMAN PALMER: Existing structure.

19 MR. PRICE: But the use has changed, you know, whether it be new construction
20 or if you're just converting what was there, there's still a new use that's being introduced
21 into that area.

22 CHAIRMAN PALME: What's the purpose for buffering?

1 MR. THEUS: But you earlier said that if you don't expand the parking pad or
2 anything, you're not gonna require it.

3 MR. PRICE: Well I'm saying, yeah, there's some, there very, there's some cases
4 where there's an existing structure with existing parking where in that case currently
5 under our Code you would not be required to put in –

6 CHAIRMAN PALMER: But this will require you to put in.

7 MR. TUTTLE: Yeah, so if you change use, so for instance if there was an
8 accounting office like Pat talked about and it changed to a nail salon, then they would
9 be required to do the buffer because the use had changed.

10 MR. BROWN: And the amount of traffic has changed.

11 MR. PRICE: Yes.

12 MR. TUTTLE: That doesn't relate to the buffer. That relates to the zoning.

13 MR. BROWN: Well, that's true but –

14 MR. TUTTLE: And it's zoned for, once, once you zone it, you can have the
15 maximum of traffic allowed under that zoning classification regardless of whether you
16 had the buffer.

17 MR. BROWN: You still would have to have the buffer though wouldn't you?

18 MR. TUTTLE: Right, but I'm just saying, so, so if, let's say that you're the landlord
19 and you own this house –

20 MR. BROWN: Yeah.

21 MR. TUTTLE: - and you're, the guy that's renting it is an accountant and leaves –

22 MR. BROWN: Um-hum (affirmative).

23 MR. TUTTLE: - and I want to come open a nail salon.

1 MR. BROWN: Right.

2 MR. TUTTLE: Okay, now you have to incur, I don't know 5, 10, \$20,000 worth of
3 landscaping irrigation just to put me in there in that, in that change of use.

4 MR. BROWN: And I'm going to take that into account over time as a part of the
5 expense for having that property.

6 MR. TUTTLE: Right. Or your property may sit there waiting for a new accountant.

7 MR. BROWN: That's true too.

8 CHAIRMAN PALMER: Yeah, you'll never recoup that amount in [inaudible]
9 increase your rent.

10 MS. CAIRNS: I mean, I think right now the way it is with the fact that if you, you
11 know, find this building that you don't have to do anything to is arbitrary that you don't
12 have to put the buffer in. I mean, if we've determined, which I think we have, that we
13 wanted to have buffers between uses that there shouldn't be this sort of anomalous
14 exception that says, well if you happen to find a building, you don't happen to do any
15 expansion to and it happens to be enough parking, even though you've got a land use
16 that in every other situation you would require buffering between these two land uses,
17 but if you find this perfect thing, you get this exception, makes no sense.

18 CHAIRMAN PALMER: What's the purpose for the buffer?

19 MS. CAIRNS: We have buffering so I mean, it's so funny cause, I mean, my
20 office is buffered from the houses behind. I think that's perfectly appropriate and proper
21 that when I took a house and converted it to office space, I didn't make the house any
22 bigger. But, yeah, I had to put a buffer up between the house behind me cause now I
23 was an office, not a house anymore.

1 MS. JOYNER: That was a change in zoning.

2 MS. CAIRNS: It was, no it wasn't.

3 MR. PRICE: Change of use.

4 MS. CAIRNS: I didn't have to change the zoning. It was a change in use. It went
5 from a single-family home to an office and both were acceptable under the existing
6 zoning.

7 MR. PRICE: There is some existing residential uses located in commercial
8 districts that have been there for a while.

9 MS. CAIRNS: But I mean, to me it's just, I think it's, I think it's more odd to have
10 this, this, you know, sort of discovered exception that says, you know, if then no
11 buffering is needed. I think that for the neighboring properties that, you know, so if I'm
12 living in this house and this house next door is gonna go to commercial use whether or
13 not there's a rezoning or not because there are times when you can get that or some
14 change in use, that it is appropriate that that person should have to put in buffering and
15 they shouldn't have this exception that if by chance there happens to be. And we don't
16 know, I mean, it's possible that there were 15 people living in that house all related and
17 they all had cars and the company coming in is gonna be someone who drives one car
18 to work and nobody ever comes. We don't know whether or not there's going to be
19 more vehicles or not. We take this just sort of assumption that differing uses ought to be
20 buffered and I think that this is good that the Staff has caught this anomaly in the Code
21 and that we correct it; that says if you've got a change in use and therefore it triggers
22 the buffering requirements, it doesn't matter that you're not having to do any expansion.
23 You should have to buffer.

1 MR. TUTTLE Okay, well then the other part that concerns me is if I have an
2 existing business and I'm successful and I grow and I have to increase my parking,
3 whether or not that particular parking increase is more or less intrusive to the neighbors
4 or even has a bearing on the neighbors, I'm require to go and buffer my entire parcel.

5 MR. PRICE: No, sir. It, well, if it's less than, less than 25%, you just do it in the
6 area of, of the –

7 MR. TUTTLE: But if it's more than 25?

8 MR. PRICE: If it's more than, you have to, full compliance.

9 MR. TUTTLE: Right.

10 MR. PRICE: Well –

11 MR. TUTTLE: And, and the fact that I'm increasing my parking may not be
12 affecting any neighbor whatsoever.

13 MR. PRICE: Let me make sure I'm reading that correctly. Full compliance if it's
14 more than 25%, full compliance with vehicular surface area requirements in the area of
15 expansion of said vehicular surface area and 50% compliance with the interior of
16 vehicular surface area planning requirements for the existing portions of the vehicular
17 surface area. Fifty percent elsewhere, but, now understand from a Staff standpoint,
18 you're, if you go to an area and there's existing concrete already there, or asphalt, we're
19 not going to, and we know, we're going to ask you to go and dig up 10' along the
20 property line to come and put in landscape, but that might not necessarily be practical.
21 We do have a provision in our Code for an alternative landscaping plan when certain
22 situations like that occur in which Staff, along with the applicant, can kind of work to
23 come up with, you know, some type of buffering yet keeping with what the requirements

1 of the Code are. And if that case, if there was a disagreement and we couldn't come to
2 a resolution, then that would be appealed to the Board of Zoning Appeals. So there, it's
3 not as if it's just written in stone, this is all you have to do and that's it.

4 MR. TUTTLE: I understand. I mean I, you know, I, I don't really know where I
5 stand on it, I'm just trying to think of things that'll come back and hurt someone. And you
6 can certainly understand somebody's penalized by their success in this fictitious nail
7 salon we talked about and they're doing really well and they only have eight spaces and
8 they need to add three. And they're on a one acre parcel and now they have to
9 landscape and spend this money. That, that's concerning.

10 MR. PRICE: You're expanding that means you're making more money.

11 MR. TUTTLE: So why should you be penalized.

12 MR. PRICE: You're not being penalized.

13 MS. CAIRNS: But it's all about trying to make sure that we maintain quality
14 development. And that's the whole thing is that if, you know, if we've decided that
15 buffering is good and we ought to be buffering our parking lots and we ought not just
16 allow the, you know, will withal expansion of parking without landscaping, we need to
17 have it.

18 CHAIRMAN PALMER: Here's the thing, we use the term buffer as it if keeps the
19 residents from seeing into the commercial or the commercial from seeing into. We're
20 talking about five gallon plants in the ground.

21 MS. HEGLER: Right, I've tried to come in - there are requirements for large
22 maturing trees. I mean, it's a little more than just shrubs. In each of the buffer types you
23 do have to plant large maturing trees. So it is more than I think what you're -

1 CHAIRMAN PALMER: Can you tell me what you have to plant along a certain
2 strip?

3 MS. HEGLER: In every type of buffer, you need some amount of large maturing
4 trees and shrubs. So I think it's more than just your small shrubs. But I think this comes
5 back to you asked what the purpose of the landscaping section was and that may be
6 helpful if you're interested in, in hearing it. But it, it kind of does all of the things that you
7 all just said. I mean, it is, it's purely, the purpose is recognizing the value of trees and
8 landscaping. It's the intent of this section to I guess provide landscaping along public
9 rights-of-ways, between dissimilar uses and around parking lots as a, as a aesthetic. I
10 mean, you've said it. It, much of it is aesthetic. Screening for loading is important. All of
11 these benefits contribute to a higher quality of life, enhancing the appeal and economic
12 value of both residential and business properties in the county. So speaking to
13 expansion, and that's not even really on the table here. That's already in there because
14 you've already said that as you expand you do want to continue to maintain the
15 aesthetic appeal of those places you are currently required to add landscaping to it. So,
16 I mean, I think it is more than, than I think what meets the eye in terms of buffering just
17 with shrubs. I mean, you do have large maturing trees that you're required to plant as
18 well.

19 MR. THEUS: What is a typical minimum width of the buffer?

20 MS. HEGLER: I think ten is the smallest but that goes up.

21 MR. THEUS: And what, and what would you do in the event that the width of the
22 buffer impaired the parking capability of the business?

1 MR. PRICE: That's when we would look at the alternative landscaping plan and
2 try to come up with something that would work to serve.

3 MS. HEGLER: Unique site and we do that quite a bit.

4 CHAIRMAN PALMER: Here's the thing. Get outside the rural area. Let's go in
5 town. You've got a piece of property on Two Notch Road or somewhere else, just using
6 Two Notch cause it's, it's all developed, where you've got a 4500 square foot building
7 that's all paved and it's a commercial use that's in there. It's zoned general commercial.
8 You change your use in there. It goes from a Verizon to an office. You then have to
9 come into conformance with the landscaping Code which it was not built under the
10 landscaping Code.

11 MS. HEGLER: But it's unlikely then in that scenario that you have a use that's of
12 a different impact than the one existing next to you potentially. Remember this all boils
13 down to what your proposed use is next to the adjacent existing. So when you're talking
14 Two Notch Road, you're likely going to be in, on this matrix of none. You don't have an
15 impact next to that adjacent use. So it's not, it's not just a cut and dry change of use.
16 You may have a lower impact than what's there, you may be the same. And if that's the
17 case then you don't have to do this. It boils down to that change of –

18 CHAIRMAN PALMER: But all this stuff, all this stuff is done by the NCIS Codes
19 and, yeah, the impacts are different from one or the other. I mean, a nail salon has more
20 impact than a, than a CPA does. And those things constantly change and they grade,
21 yeah. But what I'm saying is –

22 MS. HEGLER: But we were really going to put that under commercial so it's not –

1 CHAIRMAN PALMER: Here's, here's what it's intended for, when you redevelop
2 a site, you have to bring it into current conformancy, the New International Building
3 Code. I mean, the, the detention, I mean, you can't put your storm water back out on the
4 street anymore. Well, people did that years ago and people continue to use those
5 buildings. We don't make people tear their buildings down and have to put in detention
6 now. But with this landscaping Code, if you have a completely covered piece of land
7 and you may back up to a residential neighborhood or you may back up to apartments,
8 then you're gonna have to bring that site into conformity with the landscaping Code
9 when it was never intended to have anything to do with landscaping. It's been existing
10 for the last 20 years that way. And that is crazy to me to have to go back, I mean, it,
11 unfortunately I think this was intended to be this way that, yeah, if you tear something
12 down and you redevelop it, you've got to then put your detention in, you've got to then
13 put your landscaping in, you've got to put your sidewalks in. But if you're not tearing
14 anything down or you're not expanding the structure, you don't have to do that. I think
15 this was intended not to be in here, not an oversight. And I was on the Commission
16 when it happened and I, yeah, I can see where this would be intended not to be here.
17 The more we talk about it, the more structures you see that'll be affected that are
18 already currently developed and it's not just using a house, it's using existing shopping
19 centers that are out there. And you change the uses in those and they may be adjacent
20 to residential uses or they may be adjacent to multi-family product that then you would,
21 you would have an issue with them.

22 MR. PRICE: Okay, I mean, a shopping center to –

23 MS. HEGLER: But it's classified under –

1 CHAIRMAN PALMER: Do you not agree?

2 MR. WILLIAMSON: Well, it's not a change in use, it's the use is not changing and
3 the, the, because the use –

4 MS. HEGLER: Oh, I'm trying to think about the strip center analogy you just
5 made. I'm, I'm –

6 CHAIRMAN PALMER: I know that when we have a change in use, the interior of
7 that space has to be brought up to the current International Building Code with two
8 bathrooms, high/low water fountains and all that stuff. That triggers a change in use.

9 MR. WILLIAMSON: But what we define as a change in use is pretty broad so it's
10 like a 25,000 square foot building against a 25,000 square foot building, 25,000 or less,
11 I mean, we're not looking at the real changes –

12 CHAIRMAN PALMER: Ours is for mercantile to surface.

13 MR. WILLIAMSON: I know. But landscaping, we're not looking at that kind of
14 difference.

15 MS. HELGER: To, to determine whether it's got an impact in its use on this table,
16 I don't think that would trigger it.

17 MR. WILLIAMSON: But it may not trigger it to you, but the next person down the
18 line that's taking a look at this Code, it's a change in use.

19 MR. PRICE: That's pretty clear.

20 MS. HEGLER: No, it's really spelled out. That's what I'm saying. I think that the
21 strip center analogy, 25,000 square foot or less, I mean, has a different use type than
22 over 25. It's not the detail of whether it's a nail salon verses a –

1 MR. WILLIAMSON: You're looking at industrial or retail or residential. I mean, if it
2 falls in that same category, then we're not going to treat it any differently and we're not
3 going to treat it as a change in use.

4 MS. HEGLER: So maybe, maybe we need to, it's hard to, it's hard to see this as
5 it is in what's in front of them verses how it relates on the table of how we would apply it.

6 MS. PRICE: Whatever they need to think –

7 MS. HEGLER: See what I'm saying? It, it, wouldn't necessarily be applied the
8 way you just described.

9 MS. CAIRNS: So in other words the use table and the buffering, in the buffering
10 section provides what –

11 MS. HEGLER: Yeah, you have to see that, well, yes, technically the use may be
12 changing from a nail salon to a accountant's office inside of a strip center, we wouldn't
13 view that as a change of use cause technically it's still the same square footage. It's
14 what it would have been to begin with. Am I describing that?

15 MR. PRICE: Right.

16 MS. HEGLER: So maybe it just needs to be better described in view of the whole
17 rest of the landscaping piece. I'm trying to make it clear. It doesn't matter.

18 CHAIRMAN PALMER: I have a problem overall with an existing structure on site
19 and not adding to that structure and I see it affecting the rural, I see it affecting the
20 suburban and I see it affecting the urban areas dramatically if someone were to come in
21 and have a retail establishment and then they want to change it to a manufacturing
22 establishment or they want to change it to storage or if they want to change it to office.
23 Offices are, I guess retail and office are two different things.

1 MR. PRICE: But it's still based by that square footage.

2 MS. HEGLER: But it wouldn't trigger a change in use requiring the buffer. What
3 you, the first part of what you described I think is what Staff felt the intention of this was.
4 If you are moving into what was a home and it just happened to get rezoned and now
5 you're doing something more manufacturing like in there, then the residential uses
6 around it may deserve that buffer. Moving from, you know, just one degree of use
7 probably won't trigger the need for a buffer. It's, it's the more extreme changes because
8 [inaudible].

9 CHAIRMAN PALMER: We can't use terms like probably. We can't use terms like
10 probably.

11 MS. HEGLER: No, I, because I can't think of every example but what you've just
12 described to me wouldn't, they all would not trigger the change in use.

13 MS. JOYNER: Why can't we take out change in use type and put in change in
14 zoning classification?

15 MS. CAIRNS: Because we have, we have residential and commercial uses
16 allowed in the same zoning and the point of the buffering is to buffer different uses not
17 to buffer different zone classifications. I mean, in general commercial, you can have
18 families and you can have businesses all in general commercial.

19 MS. JOYNER: But going back to what Patrick said, if the uses are somewhat
20 similar and it changes, then they're going to have to put money into the buffer.

21 MS. CAIRNS: And that's what –

22 MS. JOYNER: I think that's unfair.

1 MR. PRICE: Once again, kind of going back to where we started off. This does
2 not occur that often. Going back, if you're looking and I could, you could pretty much
3 take whether it be Two Notch Road or whether you take a Decker Boulevard just to use
4 those areas. Most of those uses are going to be very similar when they change. You
5 know, you may go from hair salon to an office, you may go from an office to, you know,
6 something similar. That probably is not going to trigger additional parking as long as,
7 you know, they stay within the existing building. That's not going to trigger. What Ms.
8 Hegler was saying, we run into this and it doesn't occur very often and I know you said
9 earlier that, you know, you should look at this on a rezoning. I don't think that we've ever
10 taken a look at how the properties going to be redeveloped on a rezoning. But you
11 might have a case where we go from rural to some type of commercial and everything
12 around there is rural. That's when this would more than likely take place. It's not going
13 to, it very, it shouldn't really affect existing commercial often. I mean, if that were the
14 case, I'm sure y'all would have heard about it by now, I mean, with all of the changes
15 that we have coming in, you know, they go from different uses.

16 CHAIRMAN PALMER: I just don't see where, in a rural setting the planting of
17 commercial strips of hedges is, number one, appealing in a rural setting. But number
18 two where it's going to be a difference between the property owner whose house is 50'
19 to 250' away from the property line already in a rural setting putting organized rows of
20 shrubs in and making the new owner irrigate those and you're driving down a
21 commercial, a rural road and then all of a sudden you see these rows of hedges. For
22 somebody who's trying to obviously do something at a lesser amount of money
23 perhaps, or maybe that's their market, I don't know, but they're looking for an

1 economical way to open an office and they're already looking for that out in a rural area
2 and the Council sees that in their wisdom that they need to rezone this to a commercial
3 use, no one's putting up flood lights, nobody's building a single thing on the property.
4 They're not increasing the structure. They're not laying a single spoonful of asphalt on it.
5 To make someone come in and put rows of hedges and irrigate it seems like an undue
6 burden on that property owner or whoever buys that to open their business, for me. And
7 that's, that's all I got on it. We got anything else?

8 MR. THEUS: Frankly, my eyes cross when I read all this. I'm seeing all this about
9 25% or more expansion, 50%, where does it say just an existing structure? I mean, you
10 don't, you're not expanding at all do you still have to do it?

11 CHAIRMAN PALMER: This is what it's saying is that currently you don't have to
12 do it. You do not have to put in the landscaping and the irrigation if you buy an existing
13 structure, don't change the parking or the building.

14 MR. THEUS: The parking or the building.

15 CHAIRMAN PALMER: Right. You don't have to, this will make you have to then
16 do it.

17 MR. THEUS: Where does it say will make, if you, if you're not expanding, not
18 doing anything, where does it say you'll have to do it?

19 MS. HEGLER: Page 48, number 2, bottom of the page, it's the underlined new
20 text there in red.

21 MR. THEUS: Okay.

22 MS. HEGLER: And you see a lot of cross through at the beginning of that
23 paragraph, that's why you can't see it, yeah.

1 MR. THEUS: I just saw that entire paragraph as being struck out.

2 MS. HEGLER: Right. We tried to sneak it in, in the least obvious place.

3 MR. TUTTLE: I understand we're taking hypothetical's that will probably never
4 occur and, and beating them to death. But for instance, if, if I have more than adequate
5 parking and I want to add a second story to my building, right? I haven't come any
6 closer to my neighbors, I haven't impacted anybody that I didn't already impact and now
7 I have to do this buffer, I don't, I don't see the logic of that step. If I were to construct up
8 and I already have adequate parking, how have I impacted my neighbors any more so
9 than I had before?

10 CHAIRMAN PALMER: Well, I think under that scenario you already have to.

11 MS. HEGLER: You already have to.

12 CHAIRMAN PALMER: What we're talking about is not changing a single thing
13 other than –

14 MS. HEGLER: Yeah, that's already in there, Mr. Tuttle, you already have to. I
15 guess you could propose to take it out.

16 CHAIRMAN PALMER: Under the scenario that you, that you change anything,
17 you've got to put landscaping in. What this is talking about is somebody's going to move
18 into an existing structure and use what's currently there.

19 MS. HEGLER: Quite simply the idea is that if the use is changed so much so that
20 it triggers a change in impact in our buffering standards, we are proposing you should
21 have to buffer it. If it's not, if it doesn't trigger an impact change, then you don't have to
22 do it because it simply wouldn't, just simply wouldn't come up in the chart as required to
23 buffer, whereas now we don't even consider it at all.

1 MR. PRICE: Mr. Chair, you know, really looking at this, I think this, once again,
2 this is probably going to occur more as you get more rural type requests to go to
3 commercial from existing structures that are just, you know, lost their non-conformance
4 status. Then this is probably where this will affect it more so than any of the other
5 scenarios you are looking at in a commercial area.

6 CHAIRMAN PALMER: So we have minimum parking requirements for uses,
7 right?

8 MR. PRICE: Yes.

9 CHAIRMAN PALMER: If someone buys a structure and that minimum parking
10 requirement is not in place, they'll have to put it in place?

11 MR. PRICE: Correct.

12 CHAIRMAN PALMER: Right? And if they've got to put it in place, then they've
13 got to come up to current landscaping Codes under what we have on the books right
14 now?

15 MR. PRICE: Yes.

16 CHAIRMAN PALMER: So this is simply for those folks who would fall already
17 under the ability to use the structure for what they buy it for and do not have to change
18 anything with the structure where, we are, this language will make them then have to
19 put in the landscaping buffer and irrigate it?

20 MR. PRICE: Yes.

21 CHAIRMAN PALMER: I don't agree with that.

22 MR. THEUS: And you touched on this earlier, how is change in use defined? It
23 says change in use for existing structure -

1 MS. HEGLER: Well the, in terms of how we would apply it to the landscaping
2 buffer, we have kind of this, it's like this stepped process. It's a land use impact table so
3 you determine what the proposed use is next to, its adjacent use and then it gives you
4 the size of the buffer that's required. But they -

5 MR. THEUS: No, no, this is referring to a change in use of this existing -

6 MS. HEGLER: But they're all lumped into very broad categories. So commercial
7 of either greater or less than 25,000 square feet. It's not, it's not the detail between -

8 MR. THEUS: A hair salon and an accountant.

9 MS. HEGLER: Right. So unless, you know, I think, I think the point is it's going to
10 be rare but we have come across a few where we felt the adjacent uses were impacted
11 by what they were able to go in and do with an existing building. But I think it's going to
12 be very rare that the change is so substantial that they go from say, you can be low,
13 medium or high in impact. It's going to be very hard to make that jump and not, I think in
14 my opinion, deserve to buffer against the adjacent but I don't think that's going to be
15 very frequent that you aren't going to also have to expand your parking or make
16 changes to your facility.

17 CHAIRMAN PALMER: You're not going to go from low impact to high impact
18 without having to build something or do -

19 MS. HEGLER: Having to do that, correct. It's just that we've had a couple of
20 situations that, that in fact that. I think it did make a change to the one that's on the
21 screen right now. It hadn't been in use for years and now all of a sudden because it was
22 able to use the facility the way they wanted to after the rezoning, it was a change in use

1 against those residential neighbors. The fact that it is rural and maybe the planting's not
2 appropriate –

3 CHAIRMAN PALMER: But it had been, but in that case that you're using, it had
4 been a C store for years and years and years and then it shut down –

5 MS. HEGLER: For years and years and years.

6 CHAIRMAN PALMER: Lost its ability but all the neighbors knew that there was a
7 convenience store sitting there. Most of them probably didn't even know it wasn't zoned
8 for a convenience store and so the neighbors are no worse off when it reopened than
9 when it closed.

10 MS. HEGLER: Partly because now it's open and it's being used as that.

11 CHAIRMAN PALMER: But it was before as well.

12 MS. CAIRNS: Okay, 50 years ago we didn't have buffer zoning requirements so
13 nobody had to do any of it. So let's not have them. I mean, that's your argument.

14 CHAIRMAN PALMER: No, but, no the argument is when a piece of property is
15 redeveloped and comes up to current Code, until it's redeveloped that property owner
16 gets to enjoy the benefits from what it was developed under under the time he
17 developed it. And until it's redeveloped, then you don't have to come under current
18 Code.

19 MS. CAIRNS: And change of use is a reason to have to bring up to Code.

20 CHAIRMAN PALMER: No.

21 MR. THEUS: It would be helpful if these, you have these three uses, low use,
22 you just described. Are they specific uses like hair salon?

1 MS. HEGLER: They're not. I mean, it's office and commercial versus industrial
2 versus recreational or residential.

3 MR. PRICE: And it's by size, right?

4 MS. HEGLER: Um-hum (affirmative).

5 MR. THEUS: So maybe going from an office to nail salon would be a change in
6 use.

7 MS. HEGLER: No because it's office/commercial.

8 [Inaudible discussion]

9 MS. HEGLER: That's why I said it would be nice to see the tables. That would
10 probably help you in understanding what the real impact is.

11 MR. THEUS: I'd like to see that.

12 MR. PRICE: So y'all want to see the table and anything else that would help
13 you?

14 MS. HEGLER: Or you can make a recommendation right now. [Laughter]

15 MS. FRIERSON: Mr. Chair? I request that we move forward, and I'm not trying to
16 say that this discussion is not beneficial but there's some instances wherein exceptions
17 will trigger, I mean, not exceptions, but changes will trigger exceptions and we could
18 stay here for two or three hours not agreeing and finding all sorts of exceptions and
19 disagreements but it's not moving the discussion forward. It's just kind of making us be
20 stagnant. So could we please move forward?

21 CHAIRMAN PALMER: Do you have a motion?

22 MS. FRIERSON: That we please move forward.

23 CHAIRMAN PALMER: That's not helpful. You need to have a motion –

1 MS. FRIERSON: It's helpful to me because what we are doing is we keep going
2 back and forward and not advancing it, talking about well, in my opinion, well this is not
3 going to do this. But how is that advancing the discussion? How is that helping us to
4 resolve where we are?

5 MR. THEUS: I move we defer and we get the table of uses and such.

6 MS. FRIERSON: Yeah.

7 MR. THEUS: To address –

8 MS. FRIERSON: Thank you.

9 CHAIRMAN PALMER: That's what I was asking for was a motion.

10 MS. FRIERSON: Well, I second the one that he just made.

11 CHAIRMAN PALMER: Okay.

12 MR. PRICE: And so you want, you just want the table? Is that going to help you
13 out there?

14 CHAIRMAN PALMER: We have a motion and seconded to defer until next
15 month? Is that right Bill?

16 MR. THEUS: Yeah, and that we see this table of uses and any other items that
17 may help.

18 CHAIRMAN PALMER: Any other discussion?

19 MR. PRICE: If, if you could, I mean, and maybe this will help, if y'all happen to
20 come across a parcel and you want to use that as an example, if you will just let me
21 know and we can look at that. Maybe that can, I'm thinking sometimes as a Staff we see
22 certain things on a regular basis that maybe you don't. But if you see one and you just

1 had a question about it, please, you can ask Staff or you can just bring it up at the next
2 meeting and we'll be happy to look at it.

3 CHAIRMAN PALMER: Is this the genesis of this that site out there off Bluff
4 Road?

5 MR. PRICE: Huh?

6 CHAIRMAN PALMER: Is that the genesis of this is that site off Bluff Road?

7 MR. PRICE: That's where it first came up on discussion. It wasn't because that
8 we felt that that's how it should have been, it's just that that brought up a discussion that
9 maybe there was an oversight within the Code.

10 CHAIRMAN PALMER: Okay. Alright we have a motion and a second. All those in
11 favor of the motion, please say aye. Any opposed?

12 *[Approved: Frierson, Joyner, Tuttle, Palmer, Gilchrist, Theus, Anderson, Brown;*
13 *Opposed: Cairns]*

14 CHAIRMAN PALMER: Okay. Next Amendment.

15 **TEXT AMENDMENT #2:**

16 MR. PRICE: The next Text Amendment and hopefully this is a lot simpler. When
17 Staff was looking at the temporary signs section of our Land Development Code for
18 signs, we, looking at, there were two types of temporary signs that we identified:
19 portable signs and grand opening signs. And the Staff looked at this. We said, you know
20 what? This is the same sign. And so, cause you could have a portable sign which could
21 announce everything that the grand opening sign does. So, and what it does, is it
22 actually gives businesses really 90 days as opposed to 60 days to have a sign. So we
23 just got rid of one, one particular type of sign which was the grand opening and will

1 allow portable signs to be there and they'll be allowed to have those signs to advertise
2 for twice a year up to 60 days, oh, excuse me, 30 days a period.

3 MR. TUTTLE: And the portable signs are, you can have one on each street as
4 well?

5 MR. PRICE: No, sir, those have always been just, you know, one sign. But –

6 MR. THEUS: So a portable sign would include a grand opening banner?

7 MR. PRICE: Yes, sir. Yeah, I mean, we think the signs not limited to, I think a lot
8 of us always see the black sign with the neon letters on it. It's not just that. It's anything
9 that is temporary in nature.

10 MR. TUTTLE: Like I said, the only heartburn I have, if you have something –

11 MR. THEUS: The what?

12 MR. TUTTLE: The heartburn I have with before you were allowed to have one on
13 each street frontage.

14 MR. THEUS: If you're on a corner?

15 MR. TUTTLE: So your corner or peninsula or whatever, you could have up to
16 three grand opening signs, potentially one at each entrance, etc. Now with this change
17 you can only have one.

18 MR. PRICE: Correct.

19 MR. TUTTLE: Sorry, I mean -

20 MR. PRICE: This doesn't really change it. I mean, right now it actually doesn't,
21 it's not specific as the same, you know, on one, you know, per street frontage or not. It
22 could be read as, you know, you're allowed a sign per street frontage.

1 MR: TUTTLE: [Inaudible] But it was explicit under number two so I'm wondering if
2 it was explicit there does it need to be explicit up here.

3 MR. PRICE: Yeah, I mean, that's not, that's not a problem.

4 MR: THEUS: The way it's going, you could have two per street front. There's no
5 limit to them except the square footage limitation.

6 MR. PRICE: Yeah, that, actually that –

7 MR: THEUS: Yeah, I hear you, I see what you're saying.

8 MR. PRICE: That is, that is something, there's just an oversight and we can
9 easily add that to it.

10 MS. HEGLER: The intent was to clarify the timing better not necessarily
11 [inaudible] so we could add that.

12 MR. PRICE: And the duplication of what we considered a –

13 MR: TUTTLE: Mr. Chairman, I'll make a motion that we move forward with this,
14 these things are never numbered so I don't know how to address it but the second text
15 ordinance amendment.

16 MS. FRIERSON: I second your motion.

17 MR: TUTTLE: Thank you, but I'd like, with one, with one change. I'd also like to
18 add you can have one on each street frontage.

19 MR. PRICE: We'll take that same language that was taken from the previous
20 one.

21 MR: TUTTLE: Okay. Perfect, thank you.

22 MS. FRIERSON: I second.

1 CHAIRMAN PALMER: We have a motion and second. Any other discussion? All
2 those in favor say, aye.

3 *[Approved: Cairns, Frierson, Joyner, Tuttle, Palmer, Gilchrist, Theus, Anderson, Brown]*

4 CHAIRMAN PALMER: None opposed. Comprehensive Plan Update.

5 MS. HEGLER: Chairman, we have a lengthy discussion planned. Would
6 everybody like to potentially take a break?

7 MS. CAIRNS: How lengthy?

8 MS. FRIERSON: How lengthy?

9 CHAIRMAN PALMER: How long you think?

10 MS. HEGLER: We are going to, we are presenting to you the future land use
11 map as we have it drafted. We've got new categories and we have our public meetings
12 coming up in July so we'd really appreciate some feedback.

13 CHAIRMAN PALMER: Okay, we'll take a ten minute break.

14 MS. HEGLER: I think there are, I wanted to make a note though that there's
15 snacks and drinks in the back to keep you energetic and fueled and excited.

16 MS. FRIERSON: How long is the break?

17 CHAIRMAN PALMER: Ten minutes.

18 MS. FRIERSON: I'm sorry, what did you say?

19 CHAIRMAN PALMER: Ten. Is that good? Do you need some more?

20 MS. FRIERSON: No, thank you.

21 *[Recess]*

22 CHAIRMAN PALMER: Alright. Let's get a little Comprehensive Plan update.

1 MS. HEGLER: As we have been doing and will continue to do, we'll bring to you
2 each month sort of where we are in the Comprehensive Plan update so that you can
3 follow this along with us because we are on such a tight crunch and tight timeframe that
4 I don't want there to be a lot of surprises for you at the end. What we're going to talk to
5 you about today, we have drafted a future land use map. If you remember, we are
6 updating the future land use element and the priority investment area element only of
7 the Comprehensive Plan so we have been focusing on that. Our consultants are in town
8 again. We met last month and discussed some guiding principles that have helped us
9 formulate and kind of create this future land use map as well as some new categories.
10 So we're going to broad brush, describe those categories to you, show you a draft map,
11 everything is in draft form, would really welcome some feedback. I expect that you will
12 not have, be able to totally digest it today. So if you see some clear issues we're really
13 barking up the wrong tree, then let us know. Otherwise, I would ask the Chairman and
14 you all to consider how you could get your feedback to us some other way. So you
15 know what's coming up next in July, we have our next round of public meetings. And
16 that's the week of your next Planning Commission meeting. So any feedback that you
17 might have today or over the next couple of weeks that pertain to what we're going to
18 show to the public in July, we'll need that as soon as possible. We cannot wait until your
19 next July meeting. So, I know Chairman Palmer may discuss that with you but we intend
20 to show this map to the public and start to receive their feedback in July. So we can go
21 into more detail about the content of those meetings as well. But again today the
22 consultants are with us. They're going to go over where we are, what we're thinking,

1 how it's looking. We've done, they've done a lot of work in a very short amount of time
2 and it's actually quite impressive. So with that, Leann King, you remember.

3 MS. KING: Afternoon, Mr. Chairman and Commissioners. In the sake of time and
4 trying to use it efficiently, I'm going to go through the first part of the presentation pretty
5 quickly so we can kind of cut to the chase. Tracy mentioned that, you know, we've got
6 our next round of public meetings coming up in July. We're here in June again with a
7 draft future land use map and priority investment area recommendations that we want to
8 make to you. So we'll have the choices workshop in July that, where we'll be testing
9 these ideas with the community. We'll come back to them in September with a full draft
10 of the plan after you've had an opportunity to take a look at that. And then the plan is for
11 targeting adoption in December of this year. The community conversations report, we
12 talked with you last month about the outcomes of the meetings that we had in April.
13 That report is up on the project website and we can make that available to you if it
14 hasn't been already. I just wanted to remind you that that is out there if you're
15 interested. And again also this, the ten draft guiding principles that we went through last
16 month, these are all kind of setting the stage for our discussions today. So we're going
17 to jump right in to the future land use piece. Greg Dale is going to help facilitate these
18 discussions, walk you through the map and I'm going to hand out a map to you here in
19 just a moment.

20 MR. DALE: So, Mr. Chairman, Members of the Commission, the, what we're
21 going to be presenting is a draft future land use map. And it is, it is draft. And I do want
22 to emphasize the fact that this is not actually formally before you so we're certainly not
23 looking for any action. This is a preview that we want to allow you the opportunity to see

1 this, have any comments, influence it before it goes out for the public meetings. Even
2 after all of that is finished, it still comes back to you for formal review and comment. So
3 like I said, we're not looking for any kind of decision today. I'm sorry, there it is, okay. So
4 quickly, I think, I think the Commission is generally aware that the future land use plan is
5 the policy guide in terms of the way in which the county desires itself to develop in the
6 future. It identifies desired land uses and character, it's a visual long range vision for the
7 community, it serves as a planning guide for the kinds of decisions you were
8 considering earlier today in terms of, of potential rezonings, and it's ultimately the basis
9 for your land use regulations. We have attempted to develop the map that you have
10 before you that we'll walk through here in just a minute to accomplish a number, or
11 based on a number of things: existing conditions, infrastructure service areas,
12 opportunities for future redevelopment, your, your different neighborhood plans, the
13 plans of neighboring jurisdictions, regional planning influences and in particular the, the
14 ULI reality check effort that unfolded six months or so ago. The plan that you see before
15 you is the result of a considerable amount of work that we did, primarily Leann in terms
16 of the substance, but working very closely with your Planning Staff. We literally at our
17 last, last time we were here, the next morning, we stayed around based upon your
18 comments and we started drawing on a giant map and we ended up developing a draft,
19 reviewed it with your Staff, had Staff, Tracy, from a number of different departments, not
20 just the Planning Department were involved in that. Planning Department has reviewed
21 it. So it's a couple of, of iterations but it is, it is still very much a draft, a draft map. You
22 see on this slide, those, mainly the first three big categories: the rural, suburban and
23 urban. And you will recall that your current land use plan generally deals with those

1 categories. You may also recall at our last meeting, I asked the question, just gut
2 reaction, we all have a sense that three's not enough and 30 is probably too many. So
3 what is, you know, I asked the question, what is the appropriate sense, what's your
4 sense of what the appropriate number of land use classifications might work here? And
5 the number that someone came up with was six. No magic to that, there was some
6 head nodding that, yeah, that's probably the neighborhood. So what we did, if you look
7 at the rural, suburban and urban, what we tried to do is take those and break them up
8 into a little bit finer grain. We end up with about seven, what is that seven or eight
9 categories and in addition, we've got a couple of the special ones, the military
10 installations, the joint land use zones, we'll get to those. But basically what we tried to
11 do is to stick with your framework, your combination of rural, suburban and urban and
12 tried to give you a little bit finer grain in terms of what you have. Now this is your current
13 land use plan and I want to put this up, I might kind of toggle back and forth a little bit on
14 this. But if you can, you know, focus in particular, you've got those three categories, the
15 urban, the suburban which is the yellow and, and the various flavors of, of the rural. And
16 if you would look on your map in front of you, you'll see that area there in particular and
17 some of this area out here, is, is particularly relevant. Because what we've tried to come
18 up with, and this is what, this is what you have before you - and what I'd like to do is just
19 kind of walk you, walk you through this map and in particular to contrast it with what you
20 have before you. So what we have here are, are a couple of categories. Let me kind of
21 work my way from the, from the center in and that is the, the urban core which is that
22 gray area in the middle. What we're calling suburban mixed use and we're still not sure
23 if we're comfortable with that particular terminology of the suburban mixed use. But it's

1 generally, mostly corresponding to the area within the city. Now what you should
2 understand, you recall is that the city is currently updating its land use plan at the same
3 time and we're working with the city. So the details of what happens in that area, that's
4 probably going to get fleshed out in more detail. Think of that right now as kind of a
5 place holder in terms of the, the city. And then we have the suburban neighborhood
6 which is that yellow area. And then we have, and, well, and let's call that one suburban
7 neighborhood medium density for lack of a better term right now.

8 CHAIRMAN PALMER: So when you use the term medium density, are you using
9 our terminology of 8500 square foot lots?

10 MR. DALE: I believe that's correct. Tracy, is that the, if you heard the question.

11 MS. HEGLER: I did hear the question. I'm multi-tasking. No, not necessarily. It
12 starts there as a framework but it, we, we kind of, not entirely. It starts there but we
13 actually can continue to refine that further for what we want the future, you know,
14 sections to look like. So remember these are, these are new categories. And I think we,
15 we talked about whether we could have a range of densities but don't focus on the
16 numbers yet. I mean, I think that would be guidance we want from you is do we want to
17 keep those current densities or do we want to actually, you know, frame them
18 differently? But I think for today's purpose think difference between low, medium and
19 high density. But they start with what we have today but I don't necessarily support that
20 they have to stay with that. You can reshape those densities as you, as we go forward.

21 MR. DALE: What, what you will see in writing that Tracy will be passing out is
22 that the suburban neighborhood medium density is showing a maximum for discussion
23 purposes of 8 dwelling units per acre I think is what's in there now.

1 MS. HEGLER: Which is consistent with what's in our Comp Plan.

2 CHAIRMAN PALMER: So your thought process isn't, and trust me I know it's all
3 preliminary, but if this were to pass, if someone were to look at this site and see, okay
4 anything south of Langford Road on the northeast, anything south of Langford, it should
5 be pretty easy for me to get through rezoning with a medium density zoning?

6 MS. HEGLER: Correct.

7 CHAIRMAN PALMER: Okay.

8 MS. HEGLER: Very, very, yes, I mean, very simply put that, yes, this is how we
9 currently use only three categories to frame our recommendation. We're, we're trying to
10 actually create more and different opportunities, which is why, which is why I think the
11 numbers won't necessarily always stay the same. I think we can, we can make these
12 densities what we want them to.

13 CHAIRMAN PALMER: How did you come up with the lines that are not bounded
14 by major roads?

15 MS. HEGLER: Kind of knowledge of what's there and for instance if you're
16 looking at the, the purple, or the pink that's going straight up and, that's an economic
17 development corridor. There were some neighborhoods in the little yellow piece that's
18 chunked out of that just working with other departments and kind of understanding
19 what's currently on the ground. So they either, yes, so they either follow a road or kind
20 of what we know to be in that area that either did or did not seem consistent with the
21 category we were placing there.

22 MR. TUTTLE: Is it two, have you, it might be too preliminary to have overlaid
23 infrastructure and infrastructure plans going forward against this?

1 MR. DALE: Those, those were considered particularly in this line up in here as it
2 relates to the difference between the suburban and the, and the rural.

3 MR. TUTTLE: Okay, that explains –

4 MR. DALE: Yeah.

5 MS. HEGLER: It was part of the same.

6 MR. DALE: It was part, part of it. And, as you, as you look at this map, one of the
7 things you might suspect is there is as much, I would call it art as science in this. I
8 mean, it's based upon knowledge of the community, it's based upon a whole series of
9 factors. And, and perhaps it would be helpful to think as we, as we go forward that
10 there's, there's kind of three dimensions of this that we would ask you to think about.
11 One is what I would call the structure of it and that is that, that table that I just showed
12 this. This, the way of thinking about this or generally these categories, you know, kind of
13 the structure of it. Then the question would be the map. Are the lines in the right place?
14 And again that's a, that's a policy question. That's always subject to discussion. Are the
15 lines in place? And then finally, is the written description and things like the density or
16 intensity, are those right? So you might say, yeah, I like where the lines are but I don't
17 like the way you've described it. Or I like the way you've described it but we think you
18 need to move this line. So all three of those are kind of fair game at this point to, to be
19 thinking about.

20 CHAIRMAN PALMER: And you're going to define for us later what these
21 corridors mean?

22 MR. DALE: Yeah, yeah, we'll go through them one at the time. The other thing I'd
23 like to point out, if, if I could before we, before we go on and that is you see those, if you

1 look closely, you see a, a blue line that separates essentially the suburban from the
2 rural. We labeled that primary growth area and let me try to explain a little bit about the
3 logic of, of why we did this. And I want to go back to the current plan because one of the
4 things that we heard is you have this situation where you've got some of these areas
5 that are currently designated as rural that are actually considered to be potential growth
6 areas. So if you compare this map to this map, you can see that the rural line essentially
7 kind of retreats a little bit. And so what we, and we had a lot of discussion about, you
8 know, what the distinction between these areas are and we came up with this idea of
9 drawing this line around here, labeling it, as you can see in the legend, primary growth
10 area, to signal that some of these areas like the area that I'm highlighting right here and
11 here, which are consistent, in this case, it's consistent with the Lower Richland plan, the
12 southeast area plan, are actually identified as growth areas, which is something that
13 your current plan doesn't do right now. We actually consider this based upon what
14 we've heard in the community and what we've heard from this Board to be frankly a pro-
15 growth plan. And so we've tried to make it clearer with that line that this is the primary
16 growth area. That doesn't mean that growth can't occur out in these rural areas, but, in,
17 particularly in the Lower Richland plan, this area is an area where while growth might be
18 allowed to occur, it's also an area that's really valued for its agricultural value and its
19 rural character. So we thought it was important to try to make that distinction between,
20 from the policy perspective where the county wants to encourage growth to occur as the
21 primary area. The conservation zone by the way that you see on there is probably pretty
22 clear. Those are areas that are already in a conservation status. And I'll describe each
23 one of these in, in a little bit more detail as we go forward.

1 MS. FRIERSON: Excuse me just one moment.

2 MR. DALE: Yes, ma'am.

3 MS. FRIERSON: Under the primary growth area where that kind of blue border
4 is?

5 MR. DALE: Yes.

6 MS. FRIERSON: The thing that's confusing me, are you referring just to the
7 skinny water area, the edge?

8 MR. DALE: No, I'm saying the area within, if you can see the area within there.

9 MS. FRIERSON: The area within the blue.

10 MR. DALE: That's the primary growth area.

11 MS. FRIERSON: Okay.

12 MR. DALE: Contained within that.

13 MS. FRIERSON: Okay.

14 MR. DALE: Yeah, thank you, that needs to be clear.

15 MS. FRIERSON: Thank you.

16 MR. ANDERSON: What are some other words used other than primary? Cause,
17 I mean, I'm sure we're going to see stuff from Staff that says, oh, this is outside our
18 primary growth area.

19 MR. DALE: Right.

20 MR. ANDERSON: So we, or, you know, this is inside the primary growth area.
21 What were some other terms that you thought of, semantics?

22 MR. DALE: Right, no, that's a, that's a really good question. We did discuss just
23 growth area. Our concern with just calling the growth area was that it implied that

1 outside it that there's not any growth. But that's not the policy of this. The policy of this
2 as, as currently conceived is that that's the area where you want to see growth within
3 the parameters of the densities of those different categories and that's, those are areas
4 where the preference is not to see a lot of growth. But again, this is not a community
5 that I, I understand to embrace a policy that would say, no we don't want growth in
6 those areas. So that's, that's a really good question and, and I have to be honest with
7 you and say this idea of even putting this blue line on the map was, is just that. It's an
8 idea. And, and we want it to signal the right thing but if your sense is that it's potentially
9 a miss signal, that line doesn't have to be on that map at all. It's not necessary for this to
10 work. It's just a way of communicating, look, we have a substantial area where we want
11 to see growth occur and we have areas where it might, might occur but in terms of
12 timing, the preference would be to see it grow in this area first. That's where most of the
13 infrastructure is, that's where most of the growth pressure is.

14 CHAIRMAN PALMER: I think I agree, Chris that you, you say primary, it implies
15 there's a secondary or if you say growth area it implies there's a non-growth area.
16 You're almost better off just leaving it off and just saying these are the areas and this is
17 what we foresee as being a rural area for the next ten years and this is where, how we
18 define rural.

19 MR. DALE: Right.

20 CHAIRMAN PALMER: Which in the definition of rural you can put something to
21 the effect of, you know, not anticipated, you know, no infrastructure anticipated in the
22 next ten years or, you know, whatever to that affect.

1 MR. DALE: And we could describe it just the way you described it with that line
2 on there. I mean, we could have a section of the land use plan that does exactly what
3 you said with that line. I'm, look, I'm not arguing for or against the line.

4 CHAIRMAN PALMER: Yeah.

5 MR. DALE: It was something as a potential way of signifying some policy
6 difference from that perspective but if it's scarier than it is clarifying, we, we certain
7 understand that.

8 CHAIRMAN PALMER: Yeah, we have a history of red dots at nodes in this
9 county [laughter] that people don't like to see. That if you're outside the red dot, you
10 can't do anything with your property. If you're inside you can. So that's, probably drum
11 up some old history that doesn't need to come back up again.

12 MR. DALE: I understand.

13 MS. FRIERSON: What I was going to say is I'm going in agreement with the
14 Chairperson. When you say primary, since we're trying to seek citizen input, even
15 though your intentions are good and honorable, people might perceive it in terms of,
16 well they've already made up their minds and there cannot be growth in my area or
17 they're going to focus all the resources on a particular area. So it might not be good to
18 label it as such in my opinion.

19 MR. DALE: Fair enough.

20 MR. TUTTLE: Can, can I ask you specifically in your travels and having done
21 this, the area that's, that's slightly north and east of Blythewood that would become rural
22 or is rural, you know, we're, we're trying to look 30 years in the future.

23 MR. DALE: Right.

1 MR. TUTTLE: I can assure you the area directly south of that 30 years ago,
2 those residents felt like they were rural and didn't want any growth. I think it's going to
3 be impossible for that corridor right there not, not to grow and receive significant density
4 given demographics, school district lines, infrastructure, proximity to interstates, etc. I
5 just, I think that's going to be tough not to –

6 MR. DALE: You're talking about that area correct?

7 MR. TUTTLE: Yes.

8 MR. DALE: I just want to be sure.

9 CHAIRMAN PALMER: Yeah, I think the whole pie shape between 20 and 77,
10 that whole Dentsville area through there is going to be –

11 MR. DALE: You're saying essentially that?

12 CHAIRMAN PALMER: Right.

13 MR. TUTTLE: And I just have a concern to, that dove tails to the earlier things
14 that, you know, if you go two roads over into that area and we noted that as a non-
15 growth area or a less primary growth area, then you've automatically armed people to
16 be against growth that maybe that should be where growth goes. You certainly have a
17 lot of capacities in that particular area.

18 MR. DALE: And I guess the question, and Tracy you can maybe talk about the
19 characteristics of that area better than we can, even if there is growth pressure, is it
20 desirable from a, from a community perspective for that to receive the medium density
21 suburban growth.

22 MS. HEGLER: Yeah, I mean, I would be receptive to that, to that pie. I mean, it is
23 between two major interstates which is hard to, to see here.

1 MR. TUTTLE: I just think it's –

2 MS. HEGLER: I'm not sure about the –

3 [Inaudible discussion]

4 MS. HEGLER: - I I'm there was. I'm sure [inaudible] because in fact we had, at
5 one point Langford north was kind of the cut off and we said, no, that's really already
6 stale in terms of growth. So we had already expanded it from our first cut. So we can,
7 we can look at, if infrastructure is already there and leaning that way, then it makes
8 sense to, to increase it.

9 MR. TUTTLE: Yeah, I think definitely the water with that expansion from five or
10 six years ago is there and close enough. I'm just throwing that out for –

11 MS. HEGLER: [Inaudible] particularly want to hear from you so that's fine. We'll
12 certainly research that. And getting to the, to the growth area, we really wanted to do
13 exactly the opposite of what, what maybe it implied too so that's what we need to hear
14 as well. We wanted to show that actually it's all growth. It's not growth versus non, it's
15 kind of primary versus secondary but those, if it's better to leave it off, I would
16 [inaudible].

17 MR. TUTTLE: I would support hyper growth versus –

18 MS. HEGLER: Hyper versus what? Sedentary?

19 CHAIRMAN PALMER: How do the economic development corridors stop at
20 Blythewood? Did that come from somewhere else, or?

21 MS. HEGLER: Yeah, I mean, we did, I did speak to the economic development
22 director about that. This is the area he's focusing on but I can ask that question.

1 MS. CAIRNS: And I, regarding this line, not stating whether it's good or bad, but I
2 would have expected that it would have showed the military installations and the joint
3 land use zones as not being growth areas as opposed to showing them in growth area.

4 MR. DALE: You're talking about right here?

5 MS. CAIRNS: Yeah, both McIntyre and the Fort that, you know, it's my
6 understand that like the, the buffer area we're supposed to not push development in, let
7 alone the Fort itself. I mean, we should put it all there.

8 MR. DALE: That's, that's a good point and honestly we didn't have that specific
9 discussion. So Leann, she's saying [inaudible] –

10 MS. CAIRNS: It should flip around, I mean, basically outside the buffer area.

11 MR. DALE: Right.

12 MS. HEGLER: And now, and we'll get to this when we get into the detail of each
13 section, but the joint land use zone as its own category, it'd probably be one of the last
14 ones we get to, but there are options that will be presented to you on buffers for the
15 installations. You had a presentation on that probably a year or so ago.

16 MS. CAIRNS: But see, I mean, are there some land uses that are encouraged
17 within it like non-residential?

18 MS. HEGLER: Right, well there are nine that the consultants created a, a, an
19 implementation study a year or so ago that identified nine different military zones, none
20 of which have been acted upon but, but it will come before you and it will probably be a
21 part of this discussion, which of those nine you would, you would choose to support and
22 they all have different degrees of, of regulations and strictness.

23 MS. CAIRNS: Okay.

1 MS. HEGLER: Those aren't on here and we were going to admit that when we
2 got to it. But I think depending on which one we overlay, that would change obviously
3 where that blue line if it, if it stayed would be. Agree?

4 MR. DALE: Tracy, I, I went and jumped ahead since we're talking about the, the
5 JLUS. I'm not sure if you're familiar, we're using the term JLUS, the joint land use, Joint
6 Land Use Study which is a planning tool that's used around military installations all over
7 the country. That's not unique to you. There's kind of a methodology and approach and
8 the purpose is to try to cooperate with the military to plan for the land uses around them
9 both from the communities planning perspective and in terms of protecting the integrity
10 of the military base. And Tracy, you were explaining, you've gone through that process
11 and that will come out through this process. At some point you might want to elaborate
12 on that just a little bit.

13 MS. HEGLER: Yeah, the proposed zones, if you will, exist and they provide
14 different levels of protection for the installation. Those have been proposed but they
15 have not been presented to you for a vote. It seemed, it made sense I think to do it as
16 part of this activity. So the, the degree to which you buffer mostly Fort Jackson of
17 course in terms of, of area, but McIntyre as well could totally change where growth
18 occurs.

19 MR. TUTTLE: And can I ask another specific, I'm sorry if I'm jumping ahead. If
20 you're looking at the northwest area where I26 kind of gets to the end of the county, it's
21 hard for me to imagine with the growth that's currently started to take place in the
22 Chapin area, etc. that there wouldn't be another commercial corridor.

23 MR. THEUS: It would be at that Peake interchange I would think.

1 MR. TUTTLE: Yeah.

2 MR. THEUS: I was thinking the same thing.

3 MR. TUTTLE: You know, because I mean, we're repeatedly getting small mom
4 and pop requests for that, that general corridor and I know that the residents in
5 Springhill and so forth are [inaudible]. But I just think just to support basic needs and
6 services, you're going to have to have some growth there.

7 MR. THEUS: The last interchange up 26.

8 MS. HEGLER: Well, you'll see that there's a priority investment area at that
9 interchange currently and we'll get to this as well but we potentially were proposing
10 removal of that because there's such a, a push back against it but there is currently a
11 priority investment area at that interchange so to draw it out and make it more of a
12 corridor growth would –

13 MR. TUTTLE: Yeah, I just think it's going to, you know, long term it's going to be
14 unrealistic to expect all those folks to travel back to Harbison for all those goods and
15 services. I just don't think –

16 MS. HEGLER: Okay.

17 MR. TUTTLE: Okay.

18 MS. FRIERSON: As I'm looking at the map in my hand and then the overlay on
19 the screen, I know it's unintentional but it makes it appear as if the part marked Fort
20 Jackson and McGrady Training Center is the same as Columbia. See I'm looking at this
21 map and I'm looking at the overlay that you have on the screen.

22 MS. HEGLER: That's because it is in the city.

1 MS. FRIERSON: No I'm not saying it's not in the city. But my point is looking at
2 this map, it makes it appear as if Fort Jackson is the entire city. It probably needs to
3 more, to be refined a little bit more.

4 MR. THEUS: That's because the word Columbia is written within Fort Jackson is
5 what you're saying.

6 MS. HEGLER: Fort Jackson is in the city so it –

7 MS. FRIERSON: Maybe so, cause on my [inaudible] I don't even see Fort
8 Jackson. The other little observation is that the icons for these areas, I can see Arcadia
9 Lakes, Columbia, Forest Acres and so forth, the font needs to be a bit bigger. I know my
10 eyes are old but I mean it's really, really, really, really hard to see the ones that are tinier
11 than Irmo and so forth.

12 MR. DALE: Yeah, they're about three point aren't they? This is a, this is a
13 reduction of what in the public meeting will be a big wall map.

14 MS. CAIRNS: That is true, yeah, having the word Columbia on the Fort is maybe
15 a mis [inaudible].

16 MS. FRIERSON: Yeah.

17 MS. CAIRNS: Put it down there in the urban core.

18 MR. DALE: With the GIS thing, we'll have to look. And just so everybody
19 understands while we're talking about it, you see the dot pattern that I think the
20 Commissioner's talking about on, on Fort Jackson. That dot pattern, you can see that
21 that carries through. Those are the municipal, that is the municipal boundary. So you
22 can see for example in the brown area, there certain areas with the dot pattern that are

1 in the city and certain areas that are in the brown that are outside the city from a land
2 use perspective.

3 MS. FRIERSON: If you could just tighten it up to make it clearer that would be
4 better and larger font.

5 MR. DALE: Yeah, and larger font, I'm all in favor of that.

6 MS. CAIRNS: I guess what's interesting is like so Forrest Acres and Arcadia
7 Lakes are not dotted even though they're outside. Right, don't they do their own
8 planning?

9 MS. HEGLER: They do but the dots here are specifically saying Columbia.

10 MS. CAIRNS: Yeah, but I just wonder if –

11 MR. DALE: Well, yeah, that's a good point because the dots, we keep saying
12 Columbia because it's the biggest. Are the other municipalities in the dot pattern also?

13 MS. HEGLER: No, they're not.

14 MS. KING: No and we, so City of Columbia is the one other than Blythewood
15 [inaudible]. But Columbia's the one that's kind of in the development stage right now in
16 terms of their future land use plan. For the rest of the communities we looked at the plan
17 that they have adopted today. We also looked at the Blythewood draft for future land
18 plan to try to come with [inaudible].

19 MS. CAIRNS: Right, but I mean –

20 MR. DALE: Clarify what you're, say that –

21 MS. CAIRNS: Well, I mean, I mean, I follow the dots are only the City of
22 Columbia and the other area is called out. But I mean it's, you know, when you really
23 look at what Richland County's land comp plan's going to control, it's almost like, and I

1 know it becomes a graphics challenge, but to, to somehow have Arcadia Lakes, Forest
2 Acres, Blythewood, all those pulled back out so it doesn't look as if we're doing their
3 planning.

4 MS. FRIERSON: Right.

5 MS. KING: So this kind of gets to the question that we talked about last time.
6 Your current Comp Plan has, it actually has land uses assigned for all areas of the
7 county. So it's really a county-wide plan that kind of incorporates the land use plans of
8 the other, of the municipalities in the county.

9 MR. DALE: But it's not just, it's not just a hole in the donut. You, you have a plan
10 that depicts future land uses in all of the municipalities.

11 MS. KING: And so we were, we had a little bit of discussion about this at the last
12 meeting and, and I think we thought we were coming out with maintaining that
13 approach. Now what we could do in the plan is we could have a map, if you're
14 comfortable with this, that has land uses in all of the areas of the county and then you
15 could also have a map that's very clearly the planning and zoning jurisdiction of the
16 county that would gray out the other municipalities.

17 MS. FRIERSON: That would be helpful.

18 CHAIRMAN PALMER: I'm of the personal opinion not to even put it in there.

19 MR. DALE: Well I was just going to say that's kind of an important policy question
20 for us. Many, many times if you pull out a county comprehensive plan, the areas that
21 are any unincorporated area are essentially whited out. I mean, they're, they're the
22 holes in the donut, you know, they're the Swiss cheese of it.

1 MS. CAIRNS: And I almost wish they were on an acetate overlay so we could
2 see what they've got planned.

3 MR. DALE: And then peel it back.

4 MS. CAIRNS: But then peel it back and see what we're actually, cause I don't
5 want to just not exist, like as a black box.

6 CHAIRMAN PALMER: But you take their plan and you put it into ours or this is
7 what we're saying we want to happen. I think that's the difference.

8 MR. DALE: No, I understand and I think it's a little bit of a chicken and an egg. I
9 think the idea, as I understood it if I can explain it to make, see if this makes sense, is
10 generally speaking within municipalities, the county would defer to those communities
11 because they have the zoning jurisdiction.

12 CHAIRMAN PALMER: Right.

13 MR. DALE: But it does behoove the county to depict future land uses not just
14 look at it in a vacuum. And so the idea for example in, in and in the discussions with the
15 Columbia Staff is while the Columbia might have, if you zoom into their plan, there might
16 be five shades of brown in their plan and yet we're just calling it urban neighborhood.
17 And then they may have urban neighborhoods one, two, three, four and five. But we did,
18 the intent was to show that so that, you know, the flipside of that is the county is
19 accused of planning without regard to land uses at its borders and their unincorporated.
20 It's not, it's not an easy, simple answer. Keep in mind though, you do have elected
21 officials who represent those areas also. That's what we also hear in other, other
22 communities. You have elected officials, you have County Councilmembers who
23 represent those municipal areas.

1 MS. HEGLER: But, but I think to, to specifically answer that, we won't be
2 proposing those land use categories for the municipalities but trying to merge more
3 clearly at the edges. And that's why it's so beneficial that the City of Columbia
4 particularly is doing theirs at the same time and we're having open dialog with the other
5 municipalities to say, it's very likely that what we're calling urban neighborhood and
6 urban core will be their top tier but then they'll have finer gradations of that within it. So
7 at least we're using the same terminology, we're meeting and making sense of the
8 borders. So we can show it and depict it any way you want. It just, it just makes sense
9 that we're actually, it's coming together at a seam and not just a blank space in the
10 map.

11 MR. ANDERSON: I agree and that goes to something that I wanted to ask. Is
12 there some way, I mean, it's probably pretty difficult with this map right here being so,
13 you know, high above from a - I want to see the watersheds. And I think it's important to
14 see the zoning of other municipalities with the watersheds. So I'd like to see some
15 watersheds on here just so I can see, you know, the flood plain. Is that possible?

16 MR. DALE: Well we certainly, I'm just asking if we actually have those layers. We
17 could print them whether they're on here or a separate map. But the question is whether
18 or not we have that data from the GIS. We do.

19 MS. KING: Yeah, there's going to be, one of the maps that will be included in the
20 Comprehensive Plan is a composite environmental map that will have flood plains and
21 you'll have wetlands, other, you know, it'll have a lot of different [inaudible].

22 MR. ANDERSON: I mean, I just, you outlined the conservation part which I
23 thought was great, but just so that we can see kind of the full picture with water quality.

1 MR. DALE: We can, we can certainly do that. The other thing I would suggest as
2 you're thinking about this question of the municipalities is where we often see this come
3 into play is where developments are proposed either on your border in the county or in
4 the city near your border. And so sometimes it is helpful to know, you know, what, what
5 is the plan, what is our plan, what is our policy for what land use should be in those
6 municipalities because you often, or you can conceivably run into the situation where
7 you become very interested in something that's happening just inside your border or
8 vice versa. And I think one of the policy things you ought to think about is whether there
9 should be some communication mechanisms when you have major developments
10 occurring proximate to your borders. And what a lot of communities have done is
11 agreed to some sort of mutual notification and opportunity for comment. So, I, I know
12 I'm jumping ahead, but that's, that may be a situation also where you don't want to just
13 white out, mask out those municipal plans. But again that's, it's not a simple answer.

14 CHAIRMAN PALMER: Okay, real quick, what's the, what does the Commission
15 think just as a guidelines, put everything on one map, don't put the city, the different
16 municipalities on this map or do two maps; one the way they have it here and then
17 another map that shows the public what we actually have jurisdiction over?

18 MS. FRIERSON: Two maps.

19 CHAIRMAN PALMER: I'm thinking two.

20 MR. THEUS: Two.

21 MR. ANDERSON: I like two. But I want to be clear, primary growth line, I don't
22 like that on there.

23 MS. FRIERSON: I don't either.

1 CHAIRMAN PALMER: I don't think we like the primary growth line.

2 MR. DALE: Yeah, we got, we kind of got that.

3 CHAIRMAN PALMER: Yeah, or the, and I think that, I think that double maps
4 may be a, a direction for you.

5 MR. DALE: Sure, I like, I think that's good.

6 CHAIRMAN PALMER: That shows what we can actually control and what we
7 can't. But I can see the Councilmembers who are completely engulfed by the city
8 wanting their

9 MR. DALE: Exactly.

10 CHAIRMAN PALMER: - areas on a map.

11 MS. HEGLER: And we've historically shown them. They just weren't really
12 meaningful and we're trying to create that [inaudible].

13 MR. BROWN: Mr. Chairman, the landfills, did we show those on here?

14 MS. HEGLER: Landfills?

15 MR. BROWN: Landfills, do we show those on there? Where they are and do we
16 deal with their impact?

17 MS. HEGLER: Well, we need to figure out a way to do that. I mean, that's not,
18 that's just a very specific use that –

19 MR. BROWN: It is a very specific use but it has a big impact particularly with land
20 values and, and so forth.

21 MS. HEGLER: I, I guess I'm not, how are, how are we showing that or in what
22 way are we considering that?

23 MR. DALE: Just as existing, existing land uses?

1 MR. BROWN: Existing landfills, where they are and any planning that goes
2 around that. You know, people need to know where those things are and how they
3 impact that area cause it impacts the value of property in the immediate area of those
4 landfills as far away as some very high priced property.

5 MR. DALE: Right. Typically - and I, I think I'm going to try to answer your
6 question. Typically in a, in a land use plan chapter, we can show a series of kind of
7 existing conditions, what I would call analysis map. So the, the map that shows existing
8 environmental conditions, a map that shows landfills, a map that shows, you know,
9 anything else that kind of is the buildup, if you will, to the future land use plan. So if
10 there are certain things that you think would be important that, you know, before we
11 have the big reveal, you know, of this map, that there are other maps that kind of lead
12 up to it, infrastructure service areas or, you know, things like that. We can show those
13 kinds of analysis maps as kind of the progression to lead up to this.

14 MR. BROWN: I don't know if you can do this or not but the impact of those
15 landfills on watersheds and water, bodies of water, if that's possible. I don't know that it
16 is.

17 MR. DALE: Yeah, we'll have to look at that one more. I'm not sure I can say that
18 that's something that we can demonstrate in a series of maps. But we'll, we'll try to look
19 at that.

20 MS. HEGLER: I need to give us a time check. I've been alerted to the fact
21 Council has a meeting in here this evening. They will be rolling in though shortly after
22 4:00, so I'm going to have to get you out of here at 4:00 so you can move your cars.

23 MR. BROWN: One final observation. In the –

1 MR. TUTTLE: So we ate their food? [Laughter]

2 MS. HEGLER: No, I ordered you food.

3 MS. FRIERSON: It was really good food too.

4 MS. CAIRNS: So we better get out now. [Inaudible]

5 MS. HEGLER: So, Greg, I'm sorry, I just got notice of that, that they park in the
6 same spaces and I need to get them going.

7 MR. DALE: How much time does that, oh, it's 20 till, like finish, okay.

8 MS. HEGLER: This is, I mean, this is the kind of feedback we need though. So
9 we'll, if Greg could do just a couple of more broad brush strokes.

10 MR. DALE: Well maybe what I'll do, and let me, let me do this and make a
11 suggestion because what, what we have here is we have these kind of descriptions of
12 each of these categories and then we have a map that just kind of highlights some of
13 those areas so we don't have time to go through every one of these. But we have this
14 for every one of these. So maybe what we should do, Tracy, is give them the full written
15 report version and then give them copies of this PowerPoint which is kind of a higher
16 level summary because what we've done in that map as you can see those blue letters,
17 they're just kind of popping out with arrows just to give you some, some geographic
18 points of reference as to where those lines are and a higher level summary of the more
19 detailed version of what, of what Tracy will be giving you. Because what we're ultimately
20 looking for, is to, I'm getting back to this, there we go, is the question that we really want
21 to pose to you between somehow, Tracy, between now and July is we want to get this
22 at a point where you at least had a chance to say, you know, we've got, exactly what
23 you've been doing, we've got these concerns we'd like to suggest this. Because what

1 we want to do is to take this out to a series of public meetings, July 7th, 8th and 9th and
2 allow the public to comment on it. It's still nothing formal but we'd rather if you have
3 heartburn over anything in here, we'd rather have you have the opportunity before that
4 goes to the public for, for their comment. Because what we don't want to have happen if
5 we can avoid it is the public seeing it and you thinking, gosh I wish I had known that was
6 in there before it went public. But again, keep in mind, this is still not formally before
7 you, this is all preview, this is all informal. The public meetings are informal, they're not
8 legally noticed public meetings like you think of them for something like a zone change.
9 That formal process hasn't started yet and that won't happen until much later in the
10 process when it will come back to you when you will have public comment in this room
11 and you'll have the opportunity to further fine tune it.

12 MR. BROWN: Can you include in the, in the narrative something about those
13 landfills?

14 MR. DALE: Yes, sir. I, I get, I, I take your point about the landfills and I think
15 we've got some more conversations we need to have with Staff about what the policies
16 should be in terms of what the, how do you mitigate the impact of those landfills which I
17 take it is what you're concerned about.

18 MR. BROWN: That's exactly right.

19 MR. THEUS: Is our next meeting the week of the 4th?

20 MS. HEGLER: It's the 7th, the next week.

21 MR: TUTTLE: Can I ask a question?

22 MS. HEGLER: It's the Monday right after.

1 MR: TUTTLE: Back on the Fort Jackson, I know that there's a group that will start
2 convening relative to the BRAC, the Chamber, etc. and there's some criteria I think that
3 are important to our congressional delegation, etc. that, that we hit certain benchmarks.
4 I, I think we'd be remiss if we didn't try to at least in a preliminary overlay, Fort
5 Jackson's dream of what that's to look like and then let us figure out whether we can
6 live with that or not versus us guessing and then we missed a box because we didn't
7 have 300 acres that could have been under a different classification and that counts us
8 out and hurts us in the scoring.

9 MS. HEGLER: That was the direction I was kind of personally leaning, so that
10 makes a lot of sense. We'll do that.

11 MR: TUTTLE: Well clearly it does if you were thinking it.

12 CHAIRMAN PALMER: Alright, real quick, but just to your point, for this map, do
13 you want us to take a quick look at this and see if we see these corridors developing
14 this way over the next, what, ten years?

15 MR. DALE: I think 20.

16 MS. HEGLER: Twenty.

17 CHAIRMAN PALMER: Over the next 20 years?

18 MR. DALE: I'd think a generation as a good way of thinking about it.

19 CHAIRMAN PALMER: Okay. Tell me, tell me why the commercial, so the red is
20 the commercial, right?

21 MR. DALE: Yes.

1 CHAIRMAN PALMER: Why do we not see, why do we not already have what's
2 allocated, like Clemson Road, Killian Road corridor as already developed commercially?
3 Why is that not -

4 MR. THEUS: Yeah, I had the same thought. Clemson and Hardscrabble,
5 Clemson, Long Town, they're already -

6 CHAIRMAN PALMER: Yeah.

7 MS. KING: There are, within the residential uses there are, it's just similar to your
8 urban, suburban, rural that you have today. There are commercial uses that are
9 assumed as part of those residential categories. These are identified as kind of the
10 primary -

11 MR. DALE: The major ones.

12 MS. KING: - yeah, commercial corridors with specific policy guidance for those.
13 But again there's the assumption that you're going to have and you will continue to have
14 in new areas commercial and these other designations as well.

15 MR. DALE: But Mr. Chairman, that's actually a really, a good question in a sense
16 that it, you know, if you look inside this brown area, there are lots of areas within the
17 smaller corridors and smaller business districts. And the question really is at what fine,
18 what level of detail. I mean, if we keep, if we keep zooming in in detail then they have
19 something that starts to look like a land use map. So what we were trying to do was to
20 hit that sweet spot I think that we talked about last time which is more detail, finer grain
21 than you have now but not something that goes so detailed that it becomes something
22 like a zoning map. But if we do need to focus it a little bit more and highlight things a
23 little bit more, we're, we're fine with that. It's really -

1 CHAIRMAN PALMER: But here's the problem. People are going to use this as a
2 fine detailed map.

3 MR. DALE: Right.

4 CHAIRMAN PALMER: Eventually someday. I mean, I know we've taken a look at
5 projects on one side of Rimer Pond Road is suburban, the other side is rural. These,
6 these lines are great but they're going to get drilled into and you're going to see these
7 property lines that people are going to look at.

8 MS. HEGLER: But the thing is go to the PIA. That would help, well there isn't one
9 of those places.

10 MR. TUTTLE: I mean, I would think over the next 20 years, you're going to be
11 hard pressed to find a, a more intensely developed commercial corridor than from
12 Killian/Clemson Road from 77 to 20. I mean, I just, it's all there and it's coming and
13 there's no impediments really.

14 CHAIRMAN PALMER: Right.

15 MR. DALE: So if, if we've missed them, we're happy to, we're happy to add any,
16 any more. Now I will say as you think about that, think about this map also in connection
17 with what Tracy's going to pass out for you to read. In other words, if you read the text
18 associated with this, suburban mixed use, you will see language in there about retail,
19 about mixed uses. So look at those, the map in connection with the text. But by all
20 means, if there's more of these corridors that need to be added to reflect what you
21 have, that's, that's why we're having this discussion.

1 CHAIRMAN PALMER: But, yeah, but, you know, for example, that Clemson
2 Road corridor, you don't even have it as, designated as suburban mixed use. It's just
3 suburban neighborhood.

4 MR. DALE: I [inaudible] -

5 CHAIRMAN PALMER: Yeah, I mean, and I'm not harping on that area.

6 MR. DALE: [Inaudible]

7 MS. HEGLER: Yeah, I made a note. We'll have to look at some of those.

8 MR. TUTTLE: I mean, if you're doing this stuff in the southeast, you clearly would
9 have to, you know, that.

10 MS. CAIRNS: I know kind of what you're doing to my, to my Garner's Ferry. I'll
11 have to stop heading east. I won't go east anymore.

12 MR. DALE: But Mr. Chairman, to answer your question, yes, if you would look at
13 that map and if you want a larger versions of it, if you want a digital version of it, we can
14 get you that in whatever form you look at. We'd love it if each one of you would look at
15 that map and take notes on it, if you would read what Tracy's going to give you and take
16 notes on it, that would really help.

17 CHAIRMAN PALMER: Can you, can we, when you send this to us, can we zoom
18 in to where we can see where the property lines are and where, like for example why
19 you've got an arch in one area as opposed to a straight line? I mean, just like how the
20 lines are, you've obviously gone by something.

21 [Inaudible discussion]

22 MR. DALE: You're right. Lines matter.

1 MS. HEGLER: And we hope it makes it easier to make decisions, quite honestly
2 is the intent.

3 CHAIRMAN PALMER: Right.

4 MS. HEGLER: So we gotta get it right. We want it right.

5 MS. KING: Yeah, we can, we can create a map file that has the parcel lines on it.
6 One thing we had talked about, and I can't remember if it was last meeting or not but
7 just again kind of the approach to creating a future land use map is that, especially in
8 areas where it's maybe on the edge between two categories, the [inaudible] future land
9 use plan unlike a zoning map, there's some discretion as to whether or not it fits within
10 one category or another. So we typically encourage communities not to place the parcel
11 lines on the final adopted map just because it's a policy document, it needs to maintain
12 some flexibility unlike a zoning map where it needs to be very clear from parcel to parcel
13 what the land uses are. So, but again that's something that we can discuss.

14 CHAIRMAN PALMER: Well, then you can't use it –

15 MS. CAIRNS: So as you zoom in it'll just get blurry. I like that. [Laughter]

16 MR. TUTTLE: You need to put language on there that says that.

17 CHAIRMAN PALMER: Well then you can't use it for zoning map amendments as
18 a major factor as to whether or not you recommend approval or not.

19 MS. HEGLER: We do now.

20 CHAIRMAN PALMER: That's what I'm saying. But to the, but to her point, if
21 you're not going to do it by parcel and it's not something that gets as specific as a
22 zoning map does and it's, then you shouldn't use it for zoning maps.

1 MR. DALE: Yeah, I understand. That's exactly the dilemma that planners face for
2 future land use maps all the time. So one thing you could do, kind of picking up on what
3 Leann said, you could write into this plan a policy that says in effect when it is near a
4 line on the map, you know, the Planning Commission can apply its judgment and
5 discretion in determining exactly what those boundaries are. You have more flexibility.
6 You wouldn't be able to do that with a zoning map, right? A zoning map is a legal line on
7 a map. We've experimented with blurry lines, you know, we've experimented with not
8 putting parcel lines on but people are smart enough to say, I can, I can go to the GIS
9 and turn the parcel lines on and I can zoom in. But there are ways, it's a policy
10 document, alright? It is a policy document and you can write it however you want to be
11 able to use it. So if you anticipate here's the loophole somebody's going to try to find in
12 it, then write, we can write language to give you flexibility to deal with those.

13 CHAIRMAN PALMER: I think the problem we've got is that it's such a critical part
14 of the Staff's recommendation but it's the policy, we, we say that out loud that it's a
15 policy guide, but in effect it becomes a major component of whether they recommend
16 approval or denial -

17 MR. DALE: No, I understand.

18 CHAIRMAN PALMER: - in something. If it wasn't, if it wasn't weighted then we
19 could, it would be a great policy.

20 MS. HEGLER: [Inaudible] wouldn't have it [inaudible].

21 MS. CAIRNS: Well I mean maybe, you know, what's interesting is maybe, maybe
22 what we need to have is instead of just this binary it agrees or it doesn't -

23 MR. DALE: Exactly.

1 MS. CAIRNS: - is to have something that says, you know, okay if it does agree
2 they get to say it agrees but if doesn't and they've got really good reasons to offer why
3 not, maybe we need, they need the ability to offer something other than yes/no.

4 MR. DALE: Right, I –

5 MS. CAIRNS: You know, cause maybe that's the problem. Cause maybe we're
6 going to get a situation where the broad brush it was clearly supposed to be purple,
7 okay, but when that parcel, but when that parcel came forward because of whether it's
8 conditions that existed at the time or not that specific parcel really ought to be pink. And
9 so even though it doesn't, you know, they have the ability to say, while it's not in
10 compliance with the comp plan because of blah, blah, blah, we still feel it should be
11 recommended for approval, which right now I don't think they have that discretion.

12 CHAIRMAN PALMER: Yeah they can.

13 MS. HEGLER: We do, it just, and I think, I hope we consider a lot of different
14 factors but the Comp Plan being as it should be one of the biggest because of, it should
15 be the most weighted. It's the thing that the state tells us to use. But what we need as
16 Staff and I think what you and Council also needs is flexibility by having I guess more
17 options. I know that seems kind of counter intuitive but right now it, just to say we have
18 these three choices but it doesn't really fit, we do have to go into almost every single
19 site and totally recreate a process of decision making wheel every time we look at a
20 particular site. Whereas if we, if we took the time up front to drill down to what we think
21 the, you know, the direction we should be going in and we have a very thorough set of,
22 of ideas and policy guidance, you know, that goes along with each one of them, it
23 should be easier for all of us to make our decision. It should be easier for you to

1 promote a piece of property because you have clear expectations about how it's
2 intended to be used and we're just trying to make that more options but with greater
3 flexibility, so.

4 MR. DALE: And as you're, as you're thinking about this, and I know we need to
5 finish, as you're thinking about this, I really urge you to think about the idea that a land
6 use plan can and should be about much more than just the map. It can be about the
7 text, the policies, it can have graphics to illustrate, it can have photographs. So, I really
8 urge you to try to get away from this, what I call the color check aspect of land use
9 planning, is it the right color on the map, is it the right side of the line? We can write this.
10 It's a policy. We can write it however you would best use it. But just think about this land
11 use plan as map and text and graphics and anything else you need to illustrate the
12 intent of, of what you're doing.

13 MS. HEGLER: But to answer your very first question, yes, we will get you a
14 detailed enough, that's currently in electronic form. You can zoom in and see great
15 detail and I can print out large scale if you want. It's probably still better seen
16 electronically. It blows up very nicely. It's in a very fine grain. It does have a lot of detail
17 that you can zoom in on and really make sense of what these are.

18 CHAIRMAN PALMER: Okay.

19 MR. DALE: Good discussion.

20 MS. HEGLER: Chairman, I want to ask you how do you want to get feedback to
21 me? Email?

22 CHAIRMAN PALMER: When's this go out to the public? Does anybody see
23 anything other than the Killian Road corridor currently? I mean, is this, is the –

1 MR. THEUS: The Peake exit of I26.

2 CHAIRMAN PALMER: The Peake exit of I26.

3 MS. HEGLER: I wrote down pretty much everything, yes.

4 MR. TUTTLE: The northeast corner up there to the right of –

5 CHAIRMAN PALMER: Yeah, including -

6 MS. HEGLER: But I think you'll find more things when you spend some time on
7 it.

8 CHAIRMAN PALMER: Including that northeast corner. Do you see any
9 commercial activity going out to 21 along that economic corridor right there? Down 77?
10 Not much?

11 MR. THEUS: Down 21.

12 CHAIRMAN PALMER: Like the, 21 being the east/west corner. That'd be alright
13 wouldn't it?

14 MR. THEUS: Well they, they have the, you want it to go farther down 21? Is that
15 what you're saying?

16 CHAIRMAN PALMER: No, I'm just wondering, you know, the red area, the
17 commercial corridor, or just try to keep everything between the interstates? I know
18 Decker Boulevard on one side of it, you've got the, I know we don't get tied up in lines,
19 but you've only got like half of Decker Boulevard and I would imagine the other side of
20 Decker/Parklane would need to go on out. What is that, 77 right there? Alright. Y'all got
21 any, this goes out to the public next month?

22 MS. HEGLER: Yes, we, we are presenting this at the public meetings the week
23 of July 7th.

1 CHAIRMAN PALMER: Okay.

2 MS. HEGLER: So any direction you want to –

3 MR. THEUS: What date is this being presented?

4 MS. HEGLER: Monday, Tuesday and Wednesday, we have three nights of
5 meetings. That's 7 –

6 MR. THEUS: So whatever thoughts we have we have to present before our next
7 meeting?

8 MS. HEGLER: Yes, so I don't know if you want to have another meeting or if you
9 want to just trust me to interpret everybody's emails?

10 MR. THEUS: Why don't we all email? Why don't we all email?

11 CHAIRMAN PALMER: Yeah, let's all email. We've got to have enough sitting
12 here to adjourn.

13 MS. FRIERSON: Oh, I'm not going, my knees not working. But you're going to
14 send it to us, right?

15 MR. THEUS: Move we adjourn.

16 CHAIRMAN PALMER: Do we have a motion to adjourn?

17 MR. GILCHRIST: Second.

18 CHAIRMAN PALMER: We have a motion and a second, all those in favor say,
19 aye.

20 *[Approved: Cairns, Frierson, Joyner, Tuttle, Palmer, Gilchrist, Theus, Anderson, Brown]*

21

22 *[Meeting adjourned at 3:55pm]*

23