

RICHLAND COUNTY PLANNING COMMISSION
October 3, 2022

[Members Present: Jason Branham, Gary Dennis, Christopher Yonke, Frederick Johnson, II, Beverly Frierson, John Metts, Charles Durant, Chris Siercks; Absent: Terrence Taylor]

Called to order: _____

CHAIRMAN BRANHAM: Okay. Okay, is Staff ready? Alright, welcome everyone.

Today is October 3rd, 2022. My name is Jason Branham, this is the Richland County Planning Commission meeting for October 3rd, 2022. Alright, Staff would you please confirm the following: In accordance with the Freedom of Information Act a copy of the Agenda was sent to the news media, persons requesting notification, and posted on the bulletin board located in the County administration building. Is that correct?

MR. DELAGE: Yes sir, Mr. Chairman, that's correct.

CHAIRMAN BRANHAM: Thank you, Mr. DeLage. Alright, ladies and gentlemen, as a reminder the Planning Commission makes recommendations to County Council as to whether to approve or deny zoning map amendments and whether to amend the text of the County's Land Development Code. County Council will conduct its own public hearing and take official votes to approve or deny map amendments and text amendments on a future date to be published by the County. Council typically holds zoning public hearings on the fourth Tuesday of the month, please check the County's website for updated agendas, dates and times. And please take note of the following guidelines for today's meeting. Please turn off or silence any cell phones. Audience members may quietly come and go as needed. Applicants are allowed up to two minutes to make statements. Citizens signed up to speak are allowed up to two minutes each. Redundant comments should be minimized. Only address remarks to the

1 Commission. Do not expect the Commission to respond to questions from the speakers
2 in a back and forth style, that's not the purpose of this meeting. Please no audience or
3 speaker exchanges. No audience demonstrations or other disruptions to the meeting
4 are permitted, nor are comments from anyone other than the speaker at the podium.
5 Please remember the meeting is being recorded. Please speak into the microphone and
6 give your name and address. Abusive language is inappropriate and will not be
7 tolerated. Please don't voice displeasure or frustration at a recommendation while the
8 Planning Commission is still conducting business. If you have any questions or
9 concerns you may contact the Richland County Planning Department Staff. So now
10 onto Agenda Item III, which is for motions for additions to or deletions from the Agenda,
11 and let's also deal with any motions to amend the Agenda at this time. First off, I want to
12 move to delete Item IX.b.(4) which is in relation to a motion I made that already passed
13 by vote at the last meeting. At the last meeting Staff indicated it could draft some
14 alternative language to the stricken ordinance. I've since been informed that alternative
15 language might be presented but not earlier than some time next year. It should be
16 deleted from today's Agenda. Is there a second?

17 MR. DENNIS: Mr. Chair?

18 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

19 MR. DENNIS: Could you please repeat that? I did not hear that.

20 CHAIRMAN BRANHAM: This is to delete IX.b.(4), because that motion has
21 already been voted on and passed by the Commission, and Staff might potentially
22 propose some alternative ordinance at a later date but not today.

23 MR. DENNIS: I second.

1 CHAIRMAN BRANHAM: Alright, it's been moved and seconded we delete Item
2 IX.b.(4). I'm just gonna go ahead and take these one by one. Staff, would you take the
3 vote on that?

4 MR. PRICE: Alright, those in favor of the motion, Branham?

5 CHAIRMAN BRANHAM: Aye.

6 MR. PRICE: Dennis?

7 MR. DENNIS: Aye.

8 MR. PRICE: Yonke?

9 MR. YONKE: Aye.

10 MR. PRICE: Johnson?

11 MR. JOHNSON: Nay.

12 MR. PRICE: Frierson?

13 MS. FRIERSON: Aye.

14 MR. PRICE: Metts?

15 MR. METTS: Aye.

16 MR. PRICE: Durant?

17 MR. DURANT: Aye.

18 MR. PRICE: Siercks?

19 MR. SIERCKS: Aye.

20 *[Approved: Branham, Dennis, Yonke, Frierson, Metts, Durant, Siercks; Opposed:*
21 *Johnson; Absent: Taylor]*

22 MR. PRICE: Motion passes.

23 MR. JOHNSON: Mr. Chairman, may I just a clarification comment?

1 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

2 MR. JOHNSON: I clearly misunderstood in the last meeting when I thought that
3 when the vote was for Staff to come back and bring that back, and then we were taking
4 action. I did not, I thought that that was [inaudible] for Staff to take the matter and come
5 back with something. So I misunderstood what we voted on last time so that's why I
6 voted no.

7 CHAIRMAN BRANHAM: Gotcha. Alright, any other motions for additions,
8 deletions or amendments to the Agenda?

9 ?: Mr. Chairman, if I missed it in the meeting package, any information on Item
10 IX.a.? Absent that then I move for that to be tabled if there's no direction from Staff on
11 that.

12 CHAIRMAN BRANHAM: Mr. Price, could you speak to that? Are there any
13 updates?

14 MR. PRICE: Yes, actually we'd be willing to accept that motion. Had a
15 conversation today with the maker of the motion, Councilwoman Newton, and she will,
16 we're going to meet sometime in the next couple of weeks to kinda go into I guess some
17 of the weeds of exactly what her motion was and kinda go through some things before
18 we bring it back to the Planning Commission.

19 CHAIRMAN BRANHAM: Okay. Thank you. That was a motion to delete IX. a.,
20 motion by Councilwoman Newton, table it. Staff, would you go ahead and take a vote on
21 that? Well, I'll second the motion.

22 ?: Second.

23 CHAIRMAN BRANHAM: Yeah, there we go.

1 MR. PRICE: Those in favor, Branham?

2 CHAIRMAN BRANHAM: Aye.

3 MR. PRICE: Dennis?

4 MR. DENNIS: Aye.

5 MR. PRICE: Yonke?

6 MR. YONKE: Aye.

7 MR. PRICE: Johnson?

8 MR. JOHNSON: Aye.

9 MR. PRICE: Frierson?

10 MS. FRIERSON: Aye.

11 MR. PRICE: Metts?

12 MR. METTS: Aye.

13 MR. PRICE: Durant?

14 MR. DURANT: Aye.

15 MR. PRICE: Siercks?

16 MR. SIERCKS: Aye.

17 *[Approved: Branham, Dennis, Yonke, Johnson, Frierson, Metts, Durant, Siercks;*

18 *Absent: Taylor]*

19 CHAIRMAN BRANHAM: Alright, thank you. [Inaudible]. Mr. Dennis, which cases
20 have a Staff recommendation of approval and have people signed up to speak in
21 opposition to the application?

22 MR. DENNIS: Mr. Chair, I wanted to make an addition to the Agenda.

23 CHAIRMAN BRANHAM: Okay, alright.

1 MR. DENNIS: Yes, I wanted to put it at the bottom somewhere for, to talk about
2 §26-5.13, green development initiatives.

3 CHAIRMAN BRANHAM: Okay. Alright, I'll put that down at section IX. That can
4 be the new [inaudible] I guess? And that's just an item for discussion, so that was – tell
5 me again the Code reference?

6 MR. DENNIS: Section 26-5.13.

7 CHAIRMAN BRANHAM: Okay. Alright. Alright, let's go ahead and vote to add
8 that to the Agenda. I'll second it.

9 MR. PRICE: Excuse me. The motion is to add a discussion for §26-5.13 to the
10 Agenda.

11 MR. DENNIS: Yes, sir.

12 MR. PRICE: Alright, those in favor, Branham?

13 CHAIRMAN BRANHAM: Aye.

14 MR. PRICE: Dennis?

15 MR. DENNIS: Aye.

16 MR. PRICE: Yonke?

17 MR. YONKE: Aye.

18 MR. PRICE: Johnson?

19 MR. JOHNSON: Aye.

20 MR. PRICE: Frierson?

21 MS. FRIERSON: Aye.

22 MR. PRICE: Metts?

23 MR. METTS: Aye.

1 MR. PRICE: Siercks?

2 MR. SIERCKS: Aye.

3 *[Approved: Branham, Dennis, Yonke, Johnson, Frierson, Metts, Durant, Siercks;*

4 *Absent: Taylor]*

5 MR. PRICE: Motion passes.

6 CHAIRMAN BRANHAM: Alright, any other motions before we get to the

7 *[inaudible]*? What was that?

8 MR. DURANT: He didn't call me for a roll call.

9 MR. PRICE: Oh, I apologize. Durant?

10 MR. DURANT: Aye.

11 CHAIRMAN BRANHAM: Thank you. So otherwise we just go on to look at some

12 of the typical amendments we would make related to setting up our Consent Agenda

13 and figuring out what items might need to be removed from the Consent Agenda. So

14 anything else, Mr. Dennis, before we do that?

15 MR. DENNIS: Yes. I move to pull Case 22-016 MA, Case 22-028 MA, and Case

16 No. 22-032 MA from the Consent Agenda, and send Case 22-029 MA to County

17 Council for approval.

18 MR. PRICE: Excuse me, Mr. Chair.

19 CHAIRMAN BRANHAM: Mr. Price.

20 MR. PRICE: Just for clarification, we are still on Item III, correct, in additions and

21 deletions?

22 CHAIRMAN BRANHAM: Yes.

23 MR. PRICE: So we haven't gotten to the Consent Agenda yet.

1 CHAIRMAN BRAHMAM: Well, we haven't gotten to the Consent Agenda – I feel
2 like we would usually just do this right now at the additions and deletions, am I
3 misremembering?

4 MR. PRICE: I always kinda thought we did this when we got to the actual items
5 versus at the beginning, because we're not adding or deleting anything from the Agenda
6 at this time.

7 CHAIRMAN BRANHAM: Just moving it.

8 MR. PRICE: Yes.

9 MR. DENNIS: Chair?

10 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

11 MR. DENNIS: I'm gonna pull that till we get done with section III., IV., V., and VI.

12 CHAIRMAN BRANHAM: Sure, no issue. Any objection from the Commission?
13 Alright, none there. Alright, so we'll look at Item No. IV, Staff provided the Commission
14 with copies of the transcript of several prior meetings and a work session, including a
15 work session from April 1, 2021, and meetings on June 14th, 2021, July 12th, 2021,
16 November 1st, 2021, and February 7th, 2022. And I wanna thank the Staff for getting that
17 to us. Just as a preliminary note, based on County's records, are we missing any
18 Minutes to fill in up to our, where we are now?

19 MR. PRICE: I think right now we're up to completing the 2022 Minutes and
20 hopefully at your next meeting we will have those. But this should actually complete all
21 of the Minutes we've had I believe from '17 up until today.

22 CHAIRMAN BRANHAM: So what's the most recent set of Minutes that we
23 approved?

1 MR. PRICE: At your last meeting, the September 8th meeting, you approved the
2 June '21 meeting, 2021 meeting.

3 CHAIRMAN BRANHAM: Okay, 2021, but we had some others we had approved
4 after that, didn't we?

5 MR. PRICE: You mean before that?

6 CHAIRMAN BRANHAM: I thought we had approved some Minutes from
7 meetings that occurred after June 2021.

8 MR. PRICE: No.

9 CHAIRMAN BRANHAM: No?

10 MR. PRICE: No, sir, not that I have. So what we did was we went through all of
11 our records and so these were the Minutes that we have that had not been approved by
12 the Planning Commission, we were just in receipt of these and we got those out to you
13 for your review and for you to give approval to if you deem they're necessary.

14 CHAIRMAN BRANHAM: Okay. So do we have any gaps after we get these
15 approved? Will we have any gaps up to June 2021?

16 MR. PRICE: No, sir, I think this should complete 2021.

17 CHAIRMAN BRANHAM: Okay, all the way through the year 2021.

18 MR. PRICE: Yes, sir.

19 CHAIRMAN BRANHAM: Okay.

20 MR. PRICE: Yeah, there are – and I don't have it directly in front of me but there
21 are some Minutes from one meeting a few years ago that weren't recorded so we just
22 didn't have that one. But other than that all of the Minutes should be available to the
23 public going from at least 2017 up until the end of 2021.

1 CHAIRMAN BRANHAM: Okay. And then February 7th, that was our first meeting
2 in 2022, wasn't it?

3 MR. PRICE: Correct.

4 CHAIRMAN BRANHAM: Yeah. Okay. Alright, well we're on our way to getting
5 caught up with having those Minutes in place. So only those Members present for the
6 meeting should vote on a motion to approve the transcript for that meeting. And
7 because different Members were present at each meeting we will conduct separate
8 votes for each meeting. And before we vote on each set we wanna address any
9 requests to amend those Minutes, so I guess let's first look at the Minutes for the April
10 1st, 2021 work session. I know there were several areas that, in each one of these as I
11 recall, that were listed as 'inaudible'. I'm just looking back now, so on the title for, the
12 heading for the April it says it's April 1st, 2022 with the Agenda said April 1st, 2021? Do
13 you have the record of what the actual date was for the transcript there? I'll look back at
14 my calendar.

15 MR. PRICE: Mr. Chair?

16 CHAIRMAN BRANHAM: Mr. Price.

17 MR. PRICE: I do believe that we're – I'm getting a copy myself but I believe that
18 that should be April 1st, 2022, because that is when you held your work session, that
19 was on a Friday after a Special Called meeting.

20 CHAIRMAN BRANHAM: The body of this transcript says that this, it's the
21 meeting for April 4th and I can see right out the gates we're pulling cases and things like
22 that, so this looks like it would be for April 4th [inaudible].

23 MR. PRICE: So it's April 4th, 2022?

1 CHAIRMAN BRANHAM: Yes. That was the regularly scheduled meeting for April.
2 Does that seem accurate to those that were in attendance? That would've been me, Mr.
3 Yonke, Mr. Metts, Mr. Dennis, and Mr. Taylor.

4 MR. YONKE: Mr. Chair?

5 CHAIRMAN BRANHAM: Mr. Yonke.

6 MR. YONKE: [Inaudible] what some of the case numbers were.

7 CHAIRMAN BRANHAM: 22-001. And if that's the case it looks like we'd just need
8 to amend the heading on the Record that was presented to the Commission so that it
9 reflects Monday, April 4th, 2022. And also while we're looking to confirm that, does
10 anyone have any requests for amendment or changes to what was in the document?
11 What do you see, Mr. Price?

12 MR. PRICE: Not for this particular one far as any changes.

13 CHAIRMAN BRANHAM: Okay, but it does look like this is just an error and –

14 MR. PRICE: Looking at that, this is correct, so the heading was incorrect, it was
15 not from the work session. The heading should be, as you stated, Monday, April the 4th,
16 2022, just a regular scheduled meeting.

17 CHAIRMAN BRANHAM: Alright, so I'll move to adopt this document as the
18 Minutes for the Monday, April 4th, 2022 meeting with the amendment that the date listed
19 at the top should reflect Monday, April 4th, 2022.

20 MR. DENNIS: Mr. Chair?

21 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

22 MR. DENNIS: Can we also get that changed on the, our Agenda so when we go
23 back and look [inaudible] on the Agenda itself?

1 CHAIRMAN BRANHAM: Alright, so I'll make that part of the motion to, also to
2 amend our Agenda to reflect under Item IV., the last date should be April 4th, 2022, and
3 should not say work session. Alright, that's the motion, is there a second?

4 MR. DENNIS: I second that.

5 CHAIRMAN BRANHAM: Alright, Staff would you take the vote?

6 MR. PRICE: Alright, if you don't mind, Mr. Chair, I'll go ahead and call out all of
7 the Members that are present and those who can't vote, they can state for the Record
8 why they are not voting for this.

9 CHAIRMAN BRANHAM: Okay, yes.

10 MR. PRICE: Okay. This is just for the April 4, 2022 Minutes. Those in favor of
11 approval, Branham?

12 CHAIRMAN BRANHAM: Aye.

13 MR. PRICE: Dennis?

14 MR. DENNIS: Aye.

15 MR. PRICE: Yonke?

16 MR. YONKE: Aye.

17 MR. PRICE: Johnson?

18 MR. JOHNSON: Abstained.

19 MR. PRICE: Frierson?

20 MS. FRIERSON: Abstained because I was absent.

21 MR. PRICE: Metts?

22 MR. METTS: Aye.

23 MR. PRICE: Durant?

1 MR. DURANT: Abstained, I wasn't there.

2 MR. PRICE: Siercks?

3 MR. SIERCKS: Abstained.

4 *[Approved: Branham, Dennis, Yonke, Metts; Abstained: Johnson, Frierson, Durant,*
5 *Siercks; Absent: Taylor]*

6 MR. PRICE: Alright, that motion passes.

7 CHAIRMAN BRANHAM: Okay. Next let's look at, again [inaudible] June 7th,
8 2021. I know I had one change to request on page 6, line 16, that's just the name of a
9 road that was referenced. The road is spelled in the transcript T-a-m-a-r. The road in
10 fact is spelled T-a-m-a-h.

11 MR. PRICE: Which Minutes are those, sir?

12 CHAIRMAN BRANHAM: That's June 7th, 2021.

13 MR. PRICE: And what page and line was that?

14 CHAIRMAN BRANHAM: That was page 6 at line 16.

15 MR. PRICE: Okay.

16 MS. FRIERSON: Excuse me, what did you say the correct spelling is?

17 CHAIRMAN BRANHAM: Alright, Mr. Frierson, that was T-a-m-a-h. And as well
18 on pages 25 at line 7 and 27 at line 16, in the conversation there's references to RSD
19 designation which we don't have in our Code nor is it proposed in the new Code. It
20 seems like that should be RSE as in Estate.

21 MR. PRICE: Correct.

22 CHAIRMAN BRANHAM: Okay. Does anyone else have any requests to amend
23 those Minutes, that transcript? Mr. Yonke.

1 MR. YONKE: [Inaudible].

2 CHAIRMAN BRANHAM: Check that. The body does reflect June 7th, the body of
3 the document that is. My calendar shows we would've met on June 6th though, that was
4 a Monday. Did we move that meeting for some reason? Staff, what do you have on that
5 for the Record? Mr. Yonke.

6 MR. YONKE: [Inaudible] that was a Monday.

7 CHAIRMAN BRANHAM: Okay. Yeah, I think I was looking at the wrong year.
8 Thank you, Mr. Yonke. That looks right. So I guess I'll make the motion again because I
9 requested certain changes, so in addition to those changes to the document presented,
10 the motion would also include altering the Agenda at Item IV. so that the June 2021
11 date is shown as June 7th as opposed to June 14th. Any other notes on that before we
12 proceed with the vote? Alright, so that's the motion, is there a second?

13 MR. YONKE: Second.

14 CHAIRMAN BRANHAM: Seconded by Mr. Yonke. Please take the vote.

15 MR. PRICE: Alright, this motion is for the approval of the June 7th, 2021 Minutes
16 with amendments to the date on the Agenda page from June 14th to the June the 7th,
17 and with corrections on page 6, line 16, page 25, line 7, and page 27, line 16.

18 CHAIRMAN BRANHAM: Yes.

19 MR. PRICE: Alright, those in favor of that motion, Branham?

20 CHAIRMAN BRANHAM: Aye.

21 MR. PRICE: Dennis?

22 MR. DENNIS: Aye.

23 MR. PRICE: Yonke?

1 MR. YONKE: Aye.

2 MR. PRICE: Johnson?

3 MR. JOHNSON: Abstained.

4 MR. PRICE: Frierson?

5 MS. FRIERSON: Aye.

6 MR. PRICE: Metts?

7 MR. METTS: [Inaudible]

8 MR. PRICE: Durant?

9 MR. DURANT: Abstained.

10 MR. PRICE: Siercks?

11 MR. SIERCKS: Abstain.

12 *[Approved: Branham, Dennis, Yonke, Frierson, Metts(?); Abstained: Johnson, Durant,*
13 *Siercks; Absent: Taylor]*

14 MR. PRICE: Motion passes.

15 CHAIRMAN BRANHAM: Okay, let's look at the transcript presented by Council
16 dated for the July 12th, 2021 Zoom meeting. I do not have any proposed changes to that
17 transcript before we vote on it. Anyone else? Okay, hearing none, Staff whenever you're
18 ready if you would take the vote.

19 MR. PRICE: Alright, this motion's for the approval of the July 12th, 2021 Minutes
20 for the Planning Commission. Those in favor, Branham?

21 CHAIRMAN BRANHAM: Aye.

22 MR. PRICE: Dennis?

23 MR. DENNIS: Aye.

1 MR. PRICE: Yonke?

2 MR. YONKE: Aye.

3 MR. PRICE: Johnson?

4 MR. JOHNSON: Abstained.

5 MR. PRICE: Frierson?

6 MS. FRIERSON: Aye.

7 MR. PRICE: Metts?

8 MR. METTS: [Inaudible]

9 MR. PRICE: Durant?

10 MR. DURANT: Abstain.

11 MR. PRICE: Siercks?

12 MR. SIERCKS: Abstain.

13 *[Approved: Branham, Dennis, Yonke, Frierson, Metts(?); Abstained: Johnson, Durant,*
14 *Siercks; Absent: Taylor]*

15 MR. PRICE: Alright, that motion passes.

16 CHAIRMAN BRANHAM: Okay, next is the document presented as a transcript
17 for the November 1st, 2021 Zoom meeting. I don't have any changes to request to this
18 transcript. Anyone else have any requests to change? Alright, hearing none, Staff would
19 you please take the vote?

20 MR. PRICE: Alright, those in favor of approval of the November 1st, 2021
21 Planning Commission Minutes, Branham?

22 CHAIRMAN BRANHAM: Aye.

23 MR. PRICE: Dennis?

1 MR. DENNIS: Aye.

2 MR. PRICE: Yonke?

3 MR. YONKE: Aye.

4 MR. PRICE: Johnson?

5 MR. JOHNSON: Abstain.

6 MR. PRICE: Frierson?

7 MS. FRIERSON: Aye.

8 MR. PRICE: Metts?

9 MR. METTS: [Inaudible]

10 MR. PRICE: Durant?

11 MR. DURANT: Abstain.

12 MR. PRICE: Siercks?

13 MR. SIERCKS: Abstain.

14 *[Approved: Branham, Dennis, Yonke, Frierson, Metts(?); Abstained: Johnson, Durant,*
15 *Siercks; Absent: Taylor]*

16 MR. PRICE: The motion passes.

17 CHAIRMAN BRANHAM: The last one I have is dated February 7th, 2022, is that
18 right? Am I missing any?

19 MR. PRICE: No, sir, that's the last set of Minutes that you have.

20 CHAIRMAN BRANHAM: Okay. I've got just a few here that I wanted to request
21 amendment. Page 4, line 2, the words 'the gender' should be replaced with 'agenda'.
22 That was in reference to the deletions to the gender, so that should be agenda. And
23 then on page 12, line 14, the word quest I'm sure should be request.

1 MR. PRICE: What line was that, sir?

2 CHAIRMAN BRANHAM: Line 14 of page 12. The on page 36 at line 19, the word
3 be should be replaced with please, 'will Staff please conduct a vote'. Alright, and then
4 on page 37, line 15, there's a reference to Chairman Gilchrist but that should say
5 Chairman Branham.

6 MR. PRICE: That was line 15, correct?

7 CHAIRMAN BRANHAM: That's correct. Then on page 61, line 19, the word
8 eating should be union, I'm quite sure, it's a reference to McEntire Union Camp,
9 Westinghouse, Pineview. That does sound fun. And then on page 74, line 3, there's a
10 reference to the end of, and it says 202, it should be 2020.

11 MR. PRICE: 20 –

12 CHAIRMAN BRANHAM: It's missing the final zero. So it just says 202, it should
13 say 2020.

14 MR. PRICE: 2020, yes, sir.

15 CHAIRMAN BRANHAM: Yeah. And on that same page at line 21, it says 'seven
16 of us president', I'm sure that should say 'present of us present'. Next page on page 75,
17 on line 8 there's a reference to inner personal rapport, that should interpersonal rapport.

18 MR. PRICE: Inter?

19 CHAIRMAN BRANHAM: Yes. And that's all I had.

20 MR. YONKE: Mr. Chair?

21 CHAIRMAN BRANHAM: Mr. Yonke.

22 MR. YONKE: I have one.

23 CHAIRMAN BRANHAM: Yes.

1 MR. YONKE: Alright, so thank you everyone for being patient as we're doing
2 some housekeeping here. I know the Staff's worked really hard to get these agendas
3 out, thank you guys. Page 84, line 4, please change it to 'inaudible'. I don't know what I
4 was trying to say, it looks like gibberish. At the time I was looking at the website, looking
5 at the current Planning Commissioners, I don't know what I was saying, I'm sorry.

6 MR. PRICE: Alright, so page –

7 MR. YONKE: Line 4 and the first word of 5. No one's fired.

8 MR. PRICE: Page 84, line 4?

9 MR. YONKE: Line 4, starts with [inaudible], line 5, end with fired, strike that out
10 and say 'inaudible'. I'll try to speak clearer.

11 CHAIRMAN BRANHAM: Alright. Any other requests to amend the transcript?

12 MR. DURANT: Mr. Chair?

13 CHAIRMAN BRANHAM: Mr. Durant.

14 MR. DURANT: I don't mean to be picky, however there's a [inaudible], aye, e-y-e,
15 I think it should be a-y-e.

16 CHAIRMAN BRANHAM: Yeah, I noticed that, too. Thanks, yeah. A-y-e.

17 MR. PRICE: Is that on a particular page or is that throughout the document?

18 CHAIRMAN BRANHAM: Do you have that?

19 MR. DURANT: It's on more than one occasion, I just –

20 CHAIRMAN BRANHAM: Yeah, but it's in that transcript. Thanks.

21 MR. PRICE: So what was that change?

22 CHAIRMAN BRANHAM: Just change the word e-y-e in the votes to a-y-e.

23 MR. PRICE: Okay.

1 CHAIRMAN BRANHAM: Okay, thank you Mr. Durant. Anything else? Alright. So
2 I'll make the motion to approve, is there a second?

3 MR. DENNIS(?): Second.

4 CHAIRMAN BRANHAM: Please take the vote, Mr. Price.

5 MR. PRICE: Okay. Motion is for approval of the February 7th, 2022 Planning
6 Commission Minutes with some revisions to page 4, line 2, page 12, line 14, page 36,
7 line 19, page 37, line 15, page 61, line 19, page 74, line 3, page 74, line 21, page 75,
8 line 8, and page 84, line 4, and also with the change of the spelling of aye throughout
9 the document.

10 CHAIRMAN BRANHAM: Yes, thank you. That's the motion.

11 MR. PRICE: Okay, those in favor of the motion, Branham?

12 CHAIRMAN BRANHAM: Yes.

13 MR. PRICE: Dennis?

14 MR. DENNIS: Aye.

15 MR. PRICE: Yonke?

16 MR. YONKE: Yes.

17 MR. PRICE: Johnson?

18 MR. JOHNSON: Abstain.

19 MR. PRICE: Frierson?

20 MS. FRIERSON: Aye.

21 MR. PRICE: Metts?

22 MR. METTS: Aye.

23 MR. PRICE: Durant?

1 MR. DURANT: Aye.

2 MR. PRICE: Siercks?

3 MR. SIERCKS: Abstain.

4 *[Approved: Branham, Dennis, Yonke, Frierson, Metts, Durant; Abstained: Johnson,*
5 *Siercks; Absent: Taylor]*

6 MR. PRICE: Alrighty.

7 CHAIRMAN BRANHAM: Okay, thank you, motion passes.

8 MR. PRICE: Motion passes.

9 CHAIRMAN BRANHAM: We're happy again to be moved into the year 2022 with
10 the approved Minutes and Mr. Price, will those be posted online?

11 MR. PRICE: Yes, sir. What we'll do is we'll get this back to the transcriptionist
12 with the amendments that need to be made and once we receive those we will then put
13 those online.

14 CHAIRMAN BRANHAM: Okay. Do you have a sense of how long that'll take?

15 MR. PRICE: They seem to be relatively simple changes, I hope to have them in
16 the next two weeks.

17 CHAIRMAN BRANHAM: Okay. Alright, we'll move into Item V., which is Re-
18 mapping Restart and Text Amendment Proposal Process Update, and did speak with
19 Mr. Jenson before today's meeting. He's got some information that he will present as I
20 kind of work through the dialogue of how things are going with that process. And then
21 we'll move ahead to the individual map amendment cases after that. So again, last year
22 Staff presented a proposed full replacement of the Land Development Code. After
23 review by this Commission and some modifications to the draft along the way, County

1 Council voted to adopt the new replacement Code. Included in the new Land
2 Development Code is a new set of zoning districts. Every parcel of land in the County
3 that is not inside a city or a town has a zoning designation assigned by the County and
4 with the adoption of this new Code each parcel must be assigned a new zoning
5 designation. County Staff prepared a draft map earlier this year. The Planning
6 Commission was in the midst of reviewing and considering revisions to the draft map
7 and receiving input from the public when County Council voted to direct Staff to restart
8 the map drafting process. The Planning Commission and County Staff restarted the
9 mapping process and began discussing potential changes to and ramifications of
10 amendments to the Land Development Code. The new baseline starting point for the
11 mapping process became the zoning district translation table found in the newly
12 adopted Land Development Code. Any mapping that varies from the translation table
13 has been very minimal and has basically been out of necessity. Those variations have
14 been discussed in our meetings. Additionally, our running ledger of mapping and
15 proposed Land Development Code text amendments is linked on the County Planning
16 Department's website. At our last meeting Staff presented the current draft map
17 incorporating the direction of the Commission. Mr. Jenson, could you tell us a little bit
18 about that map? Is it available for public viewing?

19 MR. JENSON: Thank you, Chairman Branham. The map that is posted currently
20 was the one for discussion today, the M1, so we will be incorporating today's discussion
21 in it at which point the entire map will be posted on the website for viewing. So a few
22 days after this meeting the determination or the findings of the council today in regard to
23 the last remaining M1 related zones will be added to the map that was discussed by

1 Planning Commission at the previous meeting, and that entire map will be posted for the
2 public.

3 CHAIRMAN BRANHAM: Okay. And that, I know that's on our Agenda for later in
4 the meeting.

5 MR. JENSON: Yes, sir.

6 CHAIRMAN BRANHAM: Alright. So one important element that will continue to
7 influence the map drafting process is the process of proposing amendments to the text
8 of the newly adopted Land Development Code. If you've looked at today's Agenda you
9 can see there's several motions related to recommendations to Council to amend the
10 text in various ways. One of the ways we've proposed change relates to properties
11 currently zoned RU or RR, most or all of these will now become AG, HM or RT, and I've
12 asked Mr. Jenson to share some charts that show the differences and the amount of
13 residential units that can be built under the 2005 Code versus the Code that was
14 adopted in 2021, and then versus the proposed version of the Planning Commission.
15 And so Mr. Jenson do you have that ready to share?

16 MR. JENSON: Mr. DeLage, will you bring that one up? Sorry, I gave you the
17 wrong order, it's the other one, it's the one with the RU density, there you go. Can you
18 please zoom into the top line there as large as we can make it possible? Thank you. I
19 know this will not be incredibly legible to everybody, hopefully those at home can see it
20 fairly well. Essentially the 2005 Code which is still in effect right now, which uses the RU
21 zoning designation for primarily, it's almost, I wanna say about 80% of the County is
22 zoned this, it's a huge amount because we have so much rural area still in the County.
23 And so the current density in the RU zone, which is the second column there, the

1 minimum lot size is 33,000 square feet and then it says in text one acre; 33,000 square
2 feet is not one acre, but for whatever reason that's what the 2005 Code says. You have
3 to interpret that in favor of the property owner, so 33,000 square feet is the smallest lot
4 that you could theoretically create in the RU zone right now. So what this chart did is it
5 converts it to density numbers for easy understanding of what that means. So
6 theoretically you could have 1.32 units per acre in the RU right now at a 33,000 square
7 foot lot minimum. However, what that doesn't take into account are you have to
8 construct roads and basins and other kinds of infrastructure along with it, so even
9 though it's 33,000 square foot lot you don't actually get 1.3 units per acre cause you
10 have to net out all these other improvements. So in the planning and in the development
11 world the rule of thumb is 80% efficiency, so basically whatever the lot size is you have
12 to assume that you have to also put in 20% of that toward this infrastructure. So that's
13 what you get. So that's what this chart is, this is a very simple spread sheet and so I did
14 a couple different scenarios here to show the comparison between RU and AG, HM and
15 RT, which are the three different zones that RU is being split up to in the 2021 Code. I
16 mean, you can look there, it's very self-explanatory, it just says that if you had 10 acres,
17 for example, and you were in the RU zone, theoretically this is how many different lots
18 you could have or create in these different scenarios. So in the 2021 scenario you can
19 look at the line there in the first one down and it shows this is how many you would end
20 up with. And then under proposed, this is what Planning Commission recommended in
21 a previous meeting changes the densities to in the RT, HM and AG zone. So that can
22 kinda show you, you know, if you had an RU zoning designation, and we're gonna go to
23 the one at the very bottom which is an easy one, so if you had a large amount of

1 acreage, 500 acres say, and you were a developer or you were the owner of the
2 acreage and you wanted to sell to a developer, this is what you could expect to yield
3 down there. So under the current RU zoning you could anticipate 500 acres would yield
4 520 some odd units. If you look in the other categories there and you look and you can
5 see what AG, HM and RT would be, you can see what those corresponding numbers
6 would be. So again, 2021 tells you this is how many you would get as adopted right now
7 by Council. Proposed is what would be the yield if what the Planning Commission
8 recommended at the previous meeting were it to be adopted by Council as an
9 amendment. So you can see it's fairly substantial. Effectively, you know, we're talking in
10 some cases there, especially in the AG zone which is the commercial/agricultural areas,
11 huge reductions in the number of units that would be developed in the rural areas.
12 When you move to the HM and the RT it's still a substantial difference but you go to
13 what the Planning Commission approved the last time, those numbers start to more
14 approximate what could theoretically happen in RU. And just for the Commission's benefit
15 and the benefit of those listening in from home, the difference, the HM, the AG and the
16 RT are created specifically so you could have gradients, so you could blend heavily
17 rural areas into urban areas. So the idea would be that the AG zone would be your
18 commercial/agricultural, your big farms, you know, the raising of animals and so forth
19 that might not be appropriate immediately adjacent to a suburban neighborhood. And
20 then you could blend those zones in, go to an HM, which is a larger lot, still has a lot of
21 the same uses as the AG but not quite the more intense commercial ones. And then RT
22 would then be a zone that would be really closely adjacent to a suburban development,
23 it's literally rural transition, to transition from urban to rural.

1 CHAIRMAN BRANHAM: I would even say it's a transition from suburban to rural.

2 MR. JENSON: From suburban to rural, yes, sir. Yes. So that is my presentation
3 to you in terms of an analysis of what the Planning Commission is proposing versus
4 what's already on the books versus what the adopted Code has been since 2005.

5 CHAIRMAN BRANHAM: Thank you. This is, so this is one of the areas, one of
6 the few areas where the Planning Commission proposed a change to density, and I
7 know, I believe this was on my motion, I really wanted to try to do a better job in my
8 opinion of balancing, you know, the interests that were at play there. We are striving to
9 create areas that, you know, are preserved as being truly agricultural in nature. At the
10 same time I know Commissioner Taylor who wasn't able to make it here today and
11 sending us email just this afternoon saying he couldn't come, he forwarded a
12 communication from a resident out of Lower Richland County who again questioned,
13 you know, what happens whenever I wanna try to subdivide some land and potentially
14 pass it on to heirs. So I really see this is a balancing of those two things. As you can see
15 under that scenario A, if you've got five acres, if you were zoned AG under the version
16 that County Council passed, you can't build anything there when it comes to a dwelling
17 unit, a house. What we've proposed is to knock it down so that you only have to have
18 something like I think it's 3 1/3 acres or something like that to be able to build a house,
19 because otherwise RU to AG, it was gonna mean you had to have 10 times more land
20 to build a single house. So we tried to kind of bring that back down where it's still much
21 less dense than it could've been under RU, but at the same time hopefully there's some
22 accommodation, it's not so much of a shock to the system of people that own property
23 that was zoned RU that's now gonna transition to AG, HM or RT. And again, we have

1 proposed that as a minimum threshold to be zoned AG you would need to have at
2 minimum 35 acres in a tract. So that's certainly the much larger pieces of property in the
3 County that are currently zoned RU. So yeah, that was the intention there was to show
4 that we're trying to propose some compromise, some moderation but it's still gonna
5 greatly decrease the potential for density in our areas that we want to maintain as rural,
6 agricultural in nature. Any questions or comments for Mr. Jenson while he's at the
7 podium?

8 MR. JOHNSON: Mr. Chairman, if I may?

9 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

10 MR. JOHNSON: Mr. Jenson, I think the correspondence that the Chair
11 referenced that Mr. Taylor forwarded to the Commission, in my limited time at the desk,
12 is representative of three or four comments during the public comment period that we
13 heard, I believe it was in the last meeting where the theme of, I'm trying to pass this on,
14 it's a certain amount of acreage and it was not at that threshold of 30 some acres and
15 what does this mean [inaudible] subdivide for my children, heirs, etc. Given that and
16 given that we are heading into the public comment phase on the Agenda, I would ask
17 what other extraordinary efforts are we making to provide a plain English presentation
18 like this for clarity to the public, certainly there are those who are here, but how
19 aggressive are we specifically reaching out to those owners of three acres and larger
20 that this is the time to come out and be heard, this is the time for public input; not just
21 advertising in the paper, not just running a single notice that meets our legal obligation,
22 but going beyond our legal obligation and affirmatively trying to encourage public input
23 to be aware of what is actually happening. That would be my request is that we take

1 that very much seriously and really try to advocate for getting this information before we
2 continue to take action, then have a larger forum for public input.

3 CHAIRMAN BRANHAM: I mean, just off the top of my head I know that Staff sent
4 notices to every property owner in the County where they notified them of the potential
5 rezoning district. So that was a very direct notice that I think really helped spur public
6 participation. Anything else from the Staff on that?

7 MR. JENSON: If I may, Mr. Chair.

8 CHAIRMAN BRANHAM: Mr. Jenson.

9 MR. JENSON: Thank you. Yes, once we are comfortable that the Planning
10 Commission, this is your recommendation, we will engage the public in a media
11 campaign that will include various forms of outreach, not just you know, the paper, the
12 usual that we do. We have a communications team now here at the County and so we
13 will take advantage of them to reach out, to go out in the community, to do the kinds of
14 things that we have done, we've done so many, I can't even begin to count how many
15 times we've gone out in the community already, but we will do it again once we feel that
16 this has gelled and we can take it out and we're not saying to the public, well it could be,
17 it might be, you know. We'll go out and we'll say, this is where the Planning Commission
18 has landed, give us some input. So yes, we will do that sir, thank you.

19 CHAIRMAN BRANHAM: Thank you. Anything else from Staff or anyone else
20 before we proceed? Alright, thank you Mr. Jenson for that information. Is there anything
21 else you wanted to share right now? I know we'll come around to other topics later in
22 the Agenda.

1 MR. JENSON: Yes, if I may I have scheduled right now to do a brief presentation
2 on the classifications, the different types of structures and so forth which will include the
3 table that the Planning Commission has recommended so far in terms of uses in
4 residential zones.

5 CHAIRMAN BRANHAM: Okay, thank you. Yeah, let's go ahead and do that now.

6 MR. JENSON: Okay, thank you. Mr. DeLage, if you would cue that, there we go.
7 So what I have here is a very quick PowerPoint, I'm not gonna read through everything
8 here because I'm gonna make this, we'll post this and then we'll make it public and we'll
9 also provide it to you. I wanted to talk just really quickly about something that we
10 discussed approximately three or four months ago; in particular, what is the definition of
11 the different type of residential structure and unit, because sometimes in the real estate
12 industry they use one term, sometimes the federal government uses a different term,
13 sometimes we in local government use a different term to describe something. So I
14 wanted to really quickly view some standardized terms here so that everybody knows
15 what we're talking about. So really quickly in the United States almost every single
16 residential unit is designed for one family, even though you may see, you know,
17 something that says multi-family and so forth, they're not, because multi-family means
18 literally more than one family is living in the unit. So things that, you know, you see on
19 flyers, property for sale, it says multi-family unit, no, that is a single family unit in a
20 multiple unit structure or multiple unit building. Only one family's allowed in that single
21 apartment or that single condominium, not multiple families. So that is a common term
22 that is misused so we're gonna try to correct that in our Code so we're going to use a
23 more accurate term to describe what is being proposed. Next slide, please. So again, a

1 dwelling unit, this is a paraphrase of the Building Code, in the International Building
2 Code it says for it to be a dwelling unit you've gotta have a bathroom, you gotta have a
3 bathing area, you have to have a toilet, you have to have a bathing area, you have to
4 have a kitchen, you have to have a sleeping area. And then you have to be connected
5 to utilities, whether it's a sanitary sewer or a septic tank, you have to have a potable
6 water connection, you have to have an electrical connection or power generation of
7 some source. If you don't have these things it's not a dwelling unit under the Building
8 Code. A family, this is the other key part to understand, so there are multiple definitions
9 of what a family is and isn't. Federal government, the Supreme Court has upheld these
10 various definitions but it's very simple; a family is a household that consists of persons
11 related by blood, marriage or some other legal appendage, connection. It can be up to
12 two unrelated persons and their children and it can be up to four unrelated persons. And
13 then that's the citation there for the federal regulations that define this. So that is
14 generally speaking throughout the United States the definition of a family; there are
15 some tweaks here and there but generally speaking that is what a "family" is. So when
16 we say a one family dwelling we're referring to this, a dwelling unit that has a family in it.
17 Next slide, please. These are just some fun, I put these together just really quick, I'm
18 actually gonna use this at some APA presentation in the future so I did this, but really
19 quickly, a detached residential unit for one family, those are some examples there. And
20 attached residential, that's a quick definition and those are some examples and that
21 residential unit just means that it's a unit that meets the Building Code definition of
22 dwelling unit for one family and it's somehow physically attached to another unit. But
23 interestingly enough for whatever reason most people don't consider accessory dwelling

1 units like a basement apartment to be an attached dwelling unit, they say, on no, that's
2 a detached home. Now, but it's just one of those anomalies and not today but some
3 other day I'll explain why they do that. Okay next slide, please. Okay, here's an
4 example, again, of a multi-unit structure, so this is what people commonly say it's a
5 multi-family dwelling, it's not. It's a multi-unit structure, it's a structure that has multiple
6 single family dwelling units that are attached to each other; those are all the different
7 examples of different kinds. Next slide, please. Okay, here's a townhouse, a townhouse
8 is a multi-unit structure, it's a subcategory of multi-unit structure and basically they're
9 side by side, there are no stacked units. So there's not a unit on top of another unit, all
10 the units are connected laterally. That's a townhouse. Okay next slide, please. These
11 are not townhouses, they may look like it but they're not, and you can tell. So the one on
12 the left, that's actually three units stacked on top of each other, just looks like a
13 townhouse. The one on the bottom middle, those are just two detached single family
14 homes, they just happen to be, look the same and they're just on lots next to each
15 other. The one in the middle is only one story high, a townhouse by definition is at least
16 two full stories in height. So even though they're side by side they're not townhouses.
17 Upper right corner, those are just stacked units. And the bottom right, those are just side
18 by side detached homes, not attached. Okay next slide, please. Patio home, this is
19 kinda popular in the industry, in the homebuilding industry. A patio home is essentially
20 an attached, are attached residential units that are one and a half story or one story in
21 height. What is one and a half stories? If you look, a space in the eaves with gables is
22 considered to be a half story because the centerline pitch with the roof of the house is
23 no higher than if it was single story, and so that's called a one and a half story just in the

1 industry. And so patio homes are generally one and a half stories in height and attached
2 to another unit. Okay next slide, please. Townhouse versus a patio home, so bottom
3 right hand corner that would be a patio home, again you can see the centerline of the
4 ridge, the double water roof, it has gables, it's no taller than a single family ranch house
5 that would be next door to it. Upper one, again it's a double water roof with gables, that
6 would be considered a row, patio homes in a row. One in the middle, those are two full
7 stories in height so that's a townhouse. The one on the left, even though it has a pitched
8 roof, two full stories in height, townhouse. The bottom is the trickiest one of all because
9 of how far set back the second row is, it's actually a townhouse cause that's a full story
10 above there with a double pitched roof up above it. Okay, next slide. The unit
11 description is manufactured home, a manufactured home is a home that is built on a
12 chassis in a factory and that is brought completely finished to a site and placed on the
13 ground and connected to utilities. If you don't connect it to utilities it's not a dwelling unit.
14 Again, remember that's one of the definitions of dwelling unit, it must be connected to
15 utilities. So even though this unit is on a chassis, you wheel it to the site, you put it down
16 on a permanent foundation or tie-downs, the chassis remains in place but the wheels
17 are taken away, so these are all manufactured homes here, these are just examples of
18 different types. Next slide, please. Interestingly enough you can have a multi-unit
19 manufactured home, they exist. Duplex and three-plexes on a chassis that you can
20 literally pull in and drop down. We don't discuss that in our Code, we probably need to
21 because they exist; that if we want to allow them or not allow them we need to address
22 that somewhere in our Code that theoretically you could have a manufactured multi-unit
23 structure. Okay, next slide. See, I put this together really quickly, okay these are

1 accessory dwelling units. Accessory dwelling units have been around for a very, very
2 long time but they've kind of become trendy again. For those of you who ever watched
3 Happy Days, and I guess I'm showing my age here, the Fonz lived in an accessory
4 dwelling unit above the Cunningham's house. So if you've ever seen that you know
5 what I'm talking about. Accessory dwelling units are very common in residential
6 neighborhoods that are experiencing growth, especially with multi-generational housing
7 where they will convert detached garages into units for children or grandchildren,
8 sometimes the parents will move into the detached unit and the family, and the children
9 and their family will move into the primary dwelling. Very, very common in urban areas.
10 So if you look up there at the upper left hand corner, that is a single car garage that was
11 converted to a dwelling unit. In the middle photo there you see there's a basement
12 apartment, and there's also an accessory dwelling unit in the rear so that's actually
13 three units theoretically in that neighborhood. The one in the upper right hand corner
14 there, again that is a single family home with a purpose built accessory dwelling unit
15 over a garage. Okay next slide, please. Live/work units, this is something that kinda was
16 cool about 10, 15 years ago and then the pandemic came and we have so many
17 work/live units now, sort of *de facto* work units because people moved home and
18 started working out of their homes. And there was no zoning in place to allow this or
19 anything, they just did it, and so you will have many, many people who now have home
20 offices who did not have them 10 years ago. It was a result of the pandemic and also
21 the great recession that many people started moving their businesses home into their
22 homes and there was no zoning or anything that allowed it or did not allow it, people just
23 did it. And so this idea of live/work, the two slides, the one in the middle and on the right

1 are actual live/work units from the Salt Lake City area, an art space project, and so
2 that's one unit what you're looking at. On the right you're looking at the end where the
3 artist has his workshop, and on the left you're looking where the artist has his sleeping
4 and cooking area. And so that is a true live/work unit by definition where the person
5 literally can live in their unit and work and do something, have some kind of a business
6 in the other end of their unit. Okay next slide, please. And there's no images for these
7 cause I just ran out of time, but zero lot line simply means that you've taken a
8 townhouse or you've taken a patio home and you put each unit on its own lot. Instead of
9 having two, three, four units on one lot, each unit now has a lot so there's a property line
10 that runs down a wall somewhere. That's all that means. Next slide. Group quarters is a
11 generic term for multi-family units or true multi-family; units where multiple families live
12 in one unit. Next slide, please. Dormitory is a type of it so again group quarters, the
13 more typical ones are dormitories, barracks, emergency shelters; those are all types of
14 group quarters where more people than the definition of family allows live together in
15 one dwelling unit. Next slide. Okay, so here's the chart that is currently in the 2021
16 Code that was adopted by Council. I've gone through and I've redlined everything that
17 the Planning Commission asked me to strike and I've amended some language there to
18 make them more accurately fit definitions. I'm going to propose actually once this
19 meeting is done, I'm gonna rewrite this entire chart and make it clean and easy for
20 everybody to read in addition to what I'm gonna do for the Lower Richland folks in terms
21 of understanding density. So, but as far as I know this is reflective of what the Planning
22 Commission motions to date have been in terms of adding and removing uses from
23 different zoning designations. Okay, so that is my presentation Mr. Chair.

1 CHAIRMAN BRANHAM: Thank you, Mr. Jenson. We look forward to getting a
2 copy of this electronically so we can take some time to review, particularly this principal
3 use table within the context of some of the additional definitions you provided. Is there
4 anything from the rest of the Commission for Mr. Jenson right now? If not, we will
5 proceed with an opportunity for public input about this ongoing County-wide zoning map
6 drafting and text amendment process. If you have any input as to the motions listed on
7 Item IX on today's Agenda now would be the time to offer that. And yeah, we're striving
8 to see if we can get together a final recommendation for this, sort of the end of this
9 phase 1 of the process on our November 7th meeting, and we will get additional public
10 input at that time. So appreciate everyone's patience in just getting this information out.
11 We wanna do our best to make sure that we're clear about where things stand right
12 now. There has been a lot of change over several months and it can be hard to keep
13 up, even for myself, so thank you, Mr. Jenson, for presenting that. Alright Mr. Dennis,
14 would you call the first person signed up to speak? And again, you have two minutes to
15 share whatever you'd like to share and if you would please share your name and
16 address before you start your comments. We'll ask Staff to keep the time on that. Mr.
17 Price?

18 MR. PRICE: Yes. I believe Mr. Johnson referenced an email that the Planning
19 Commission should've received from Commissioner Taylor. Just wanna make sure that
20 each one of you received it, if not I have copies of the email for you.

21 CHAIRMAN BRANHAM: Alright. Thank you. Mr. Dennis.

22 MR. DENNIS: Alright, first person we have signed up to talk is Pam
23 Secklinghouse.

1 **TESTIMONY OF PAM SECKLINGHOUSE:**

2 MS. SECKLINGHOUSE: - my house with the intention of renting it out for house
3 parties. For example, the house next door to me is approximately 2,100 square feet and
4 has three bedrooms. The add on Airbnb allows events with 25 or more people. The new
5 owner has put four to six beds in each bedroom, plus they have multiple sleeper sofas.
6 It seems to me that this activity is the same as allowing commercial zoning in residential
7 areas. They have effectively converted a single family house into a motel without being
8 held accountable for standard safety precautions or laws that motels would operate by.
9 This is also affecting my water and sewer. I have done a little research and it seems
10 that certain areas have proposed zoning restrictions to simple limit the number of beds
11 in these short-term rentals. It seems a popular example would be to limit these to two
12 occupants per bedroom, plus two, meaning you would be allowed to have one sleeper
13 sofa. So a three bedroom such as my neighbor's 2,100 square foot house would allow a
14 maximum short-term rental occupancy of eight people. I can live with that and it would
15 prevent house parties that are destroying our peaceful neighborhoods. The massive
16 junk pool parties at my neighbor's house is a revolving door. I live next to a Motel 6 now.
17 It should be pointed out that these investors are driving the prices of single families up
18 making it harder for our own Richland County residents to achieve the lifelong dream of
19 homeownership. These investors can afford to over pay because they are financially
20 benefitting at me and my neighbors' expense, the expense of our County's fire services,
21 EMS services and sheriff services, and believe me, I call the Sheriff's Department. I
22 think this is a zoning issues since these investors are essentially operating a

1 commercial venture in a residential area without oversight for life, safety, fire and ADA
2 compliance. Thank you.

3 CHAIRMAN BRANHAM: Thank you very much. Alright.

4 MR. DENNIS: Alright, next we have Mr. Eargle. I mean Ms., sorry.

5 **TESTIMONY OF MS. EARGLE:**

6 MS. EARGLE: Thank you. Please do not make me a liar or have to retract my
7 statement to WLTX about being, this is good government and responsive to the people
8 in action. In Euclid v. Ambler Realty the US Supreme Court upheld local zoning against
9 takings claims when it was clear that it was not arbitrary. I know you're trying to get it
10 right, I hear that. Technology is our friend, yes, and your computer generated map,
11 okay. But where's the [inaudible] thing of that map, site visits, changing the lines on the
12 map for a selected few? Good intentions? Don't know. Does it pass the Euclid test? Not
13 sure. Carrying capacity studies, expert witnesses, citizen's advocacy. For Hopkins and
14 Blythewood what follow up discussions in your meeting about the Right to Farm Act
15 which you were presentive (sic), it was, it could be a violation of. What current study is
16 underway? The heat study, the Lower Richland Dangerous Flooding study that's
17 coming out soon, currently there's no public record of your decision process. Give us a
18 report of the price tag, please, of the economic and environmental cost; drinking water,
19 air quality, public transportation, public health, and the sewer expansion. We're paying
20 the bills, okay? We deserve to know. Most importantly, and I know you're trying to get
21 this right, but consequences of your decisions are, if you are willing to hold the hand of
22 that mother in the ER whose child is gasping for breath from asthma, from particulate
23 matter and diesel emissions, and you're willing to be, and comfort the families whose

1 homes are gonna wash away due to urban sprawl, and the people who, the vulnerable
2 in our community who cannot pay the bills, then you have earned the right for public
3 services. Thank you so much for your time.

4 MR. DENNIS: Alright, next we have Ivory Jacks.

5 **TESTIMONY OF IVORY JACKSON:**

6 MS. JACKSON: Thank you, my name is Ira Jackson, 2178 Congaree Road,
7 Eastover. I'd like to first thank you for this outline that shows the timeline and actions
8 taken, and that's what one of my issues happens to be. Well, one regarding what was
9 just presented, that was not in layman's terms to me. I can only imagine the folks who
10 were sitting at home, too, on September the 8th meeting based on what you have
11 decided regarding the 35 acres, 335 or 35 more. Pretty much I didn't see any difference
12 because it limits me to seven minimum acre lots, I mean, or acre or three, the HM it still
13 is a three acre minimum. And I sure don't understand why, but anyway I couldn't see
14 the difference and even though you gave that presentation, it still it's like we're gonna
15 be limited. One, I'm the homeowner in one area that's the HM, the other I'm heir owner
16 with the 35 or more acres. I'm concerned, but still we only got one notice and that was
17 that notice that show me I went from RU or AU to RU, whatever it was, RU to HM.
18 That's the only notice, after that that sparked all of this generation from those of us who
19 have been coming to these meetings. Other than that we haven't heard anything. We
20 need written notice, especially those who just gonna definitely affect those who are
21 falling into that category, especially three or more acres will be a minimum from now on.
22 There's not been any written notices. You put something in the paper, how many people
23 still getting the paper these days. But anyway, but that's my concern. I'd like to have

1 more clarity on what was presented today, it needs to be more clearer. I consider myself
2 an educated person and that didn't do me any good. You're speaking in units, you're not
3 speaking in acres. What's a unit? Sounds commercial to me, doesn't sound like I can
4 get one acre, two acre or five acres to divide my land into. So that's my, some of my
5 complaints. So, but anyway, once again thank you for your time.

6 CHAIRMAN BRANHAM: Thank you.

7 MR. DENNIS: Next we have Bernice Scott.

8 **TESTIMONY OF BERNICE SCOTT:**

9 MS. SCOTT: Thank you. I'm Bernice G. Scott, live at 328 Willowind Road,
10 Hopkins 29061. I've been on County Council for 20 years and I've been fighting that
11 land use thing for a long time. We don't have much but we do have land and when our
12 parents and grandparents leave us a piece of land and we have three and four kids, like
13 Ms. Jackson and Ms. Irvin up there, we plan on leaving to our kids. So when you talking
14 about splitting the land up, we know we don't want a lotta stuff on us. We just, it was
15 100 some acres in front of me, late Representative Jimmy Bales owned it, he sold it.
16 The developer came and put each house on an acre of land without water and
17 sewerage because they had to put an acre because of the septic tank and the well. I
18 live on a septic tank and a well. That's okay, it's a nice neighborhood. I don't see why, if
19 I have 50 acres of land, I can't leave my kids an acre of land each also. I love the
20 developers, any of them will tell you when I was on Council 20 years I helped everybody
21 I could and talked to the community. But this is, the Lower Richland area with our land
22 and our land need to be inherited towards our kids. Please take that into consideration
23 and when you're doing a survey out there or whatever please call me or Ms. Jackson,

1 she now retired, I've retired, we can help you to find the people so you can get the
2 feedback what you need when you start splitting up land. Thank you so much.

3 CHAIRMAN BRANHAM: Thank you, Ms. Scott.

4 MR. DENNIS: Mr. Chair, that's all we had signed up.

5 CHAIRMAN BRANHAM: Yes, come on down.

6 **TESTIMONY OF PENNY EVANS:**

7 MS. EVANS: Thank you. I'm Penny Evans, Rosanna Evans, and I live in
8 Millcreek Estates, 8400 Littlejohn Drive, Columbia 29209. I've been in the home since
9 '82 and I'm calling, I'm concerned about Case 22-016 MA.

10 CHAIRMAN BRANHAM: Okay Ms. Evans, if you'll hold up right there cause right
11 now we're just doing public input as to the very broad Land Development Code. We do
12 wanna have individual public hearings for each of the specific properties that are up for
13 today, so –

14 MS. EVANS: So what I signed up for today doesn't pertain to this?

15 CHAIRMAN BRANHAM: If you'll just hang on for a minute, we're wrapping up,
16 like general public input and then we'll go property specific –

17 MS. EVANS: Appreciate it.

18 CHAIRMAN BRANHAM: Yep. Alright, so that concludes Item No. XI. Now to Item
19 No. VII, the Consent Agenda.

20 MR. DENNIS: Mr. Chair?

21 CHAIRMAN BRANHAM: Mr. Dennis.

1 MR. DENNIS: Yes, sir. I would like to pull Case No. 22-016 MA, 22-028 MA, 22-
2 032 MA from the Consent Agenda for discussion, and send Case No. 22-029 along with
3 the Road Names to County Council for approval.

4 MR. PRICE: Excuse me, Mr. Chair.

5 CHAIRMAN BRANHAM: Mr. Price.

6 MR. PRICE: Just for the Record, we just kinda used that as a placeholder but
7 there are no Road Names for you to approve in the October PC meeting.

8 CHAIRMAN BRANHAM: Okay. Is the Applicant here for the 22-029? Yeah, okay
9 hang tight. Let's go ahead and pull that one, too, I'd like to hear from the Applicant on
10 that one.

11 MR. DENNIS: Alright, so I'll amend that motion to pull all cases from the Consent
12 Agenda for discussion.

13 CHAIRMAN BRANHAM: Okay.

14 MR. DENNIS: And of course Case No. 22-031 has been deferred so that's not
15 even applicable to us.

16 CHAIRMAN BRANHAM: Mr. Price, we still go through the motions of taking a
17 vote here? I guess we do have to since they're listed as by default being on the Consent
18 Agenda, so yeah, let's pull – the motion is to pull all of the Map Amendments from the
19 Consent Agenda so that there will be debate and discussion and we would hear from
20 anybody signed up to speak on those.

21 MR. YONKE: Second.

22 CHAIRMAN BRANHAM: Alright, got a motion and a second. Staff, would you
23 take the vote?

1 MR. PRICE: Those in favor of removing all Map Amendment items from the
2 Consent Agenda, Branham?

3 CHAIRMAN BRANHAM: Aye.

4 MR. PRICE: Dennis?

5 MR. DENNIS: Aye.

6 MR. PRICE: Yonke?

7 MR. YONKE: Aye.

8 MR. PRICE: Johnson?

9 MR. JOHNSON: Yes.

10 MR. PRICE: Frierson?

11 MS. FRIERSON: Aye.

12 MR. PRICE: Metts?

13 MR. METTS: Aye.

14 MR. PRICE: Durant?

15 MR. DURANT: Aye.

16 MR. PRICE: Taylor?

17 MR. PRICE: Siercks?

18 MR. SIERCKS: Aye.

19 MR. PRICE: Alright, that motion passes.

20 *[Approved: Branham, Dennis, Yonke, Johnson, Frierson, Metts, Durant, Siercks;*

21 *Absent: Taylor]*

1 CHAIRMAN BRANHAM: Alright, thank you. So there's no Road Names today,
2 we'll move on to the first Map Amendment case which is 22-016 MA. Staff, whenever
3 you're ready if you would present that case, please.

4 **CASE NO. 22-016 MA:**

5 MR. PRICE: Thank you, Mr. Chair. The first item is Case 22-016 MA. The
6 Applicant is John Stephenson, the location is Longwood Road. The Applicant is
7 requesting to rezone 138.5 acres from Light Industrial, M-1 zoning designation to RS-
8 LD, which is residential single family low density. Staff recommends disapproval of this
9 request as we feel that the proposed amendment is not consistent with the objectives of
10 the 2015 Comprehensive Plan, which encourages residential development as
11 secondary uses proximate to employment centers. Additionally, further policy guidance
12 under the Economic Development Center Corridor Future Land Use Designation those
13 secondary commercial and residential uses should be located along primary road
14 corridors approximate to employment centers. The subject is not located along a
15 primary road corridor. Again, for these reasons Staff recommends disapproval.

16 CHAIRMAN BRANHAM: Any preliminary questions for Staff before we hear from
17 those who've signed up to speak on this case? Okay.

18 MR. YONKE: I have one for Staff.

19 CHAIRMAN BRANHAM: Yes, Mr. Yonke.

20 MR. YONKE: Yeah, do we have any updates on the Richland County penny
21 project? I believe the route of, the continuation of Shop Road is very close to this area. I
22 drive through here, it's my commute every day, so is there any update on that? There
23 was, like an option 4 that was in design phase, phase 2 of Shop Road Extension.

1 MR. PRICE: At this time I don't have any information to offer on that.

2 CHAIRMAN BRANHAM: Alright, anything else for Staff before we hear from
3 those who are here to speak? Okay, Mr. Dennis.

4 MR. DENNIS: Alright, we have a Tom Milliken?

5 **TESTIMONY OF TOM MILLIKEN:**

6 MR. MILLIKEN: Thank you. Mr. Chairman and Council Members. My name is
7 Tom Milliken, I live at 21 Cedarwood Lane, Columbia 29205. I'm representing the
8 landowner who's owned this property for 60 years. They also own another 350 acres
9 which recently sold to Richland County as part of the Pineview Industrial Park where
10 Mark Anthony Brewing is. The property's been zoned for M-1 but we've taken it to the
11 County to get approval in economic development and offered this property to the
12 County. They had no interest in it because it's next to a residential subdivision. I've had
13 it listed for, off and on probably 15 years; with an M-1 zoning absolutely no interest. It's
14 on a secondary road and I don't know if, the maps, [inaudible] is gonna pass out some
15 maps. The first map, there's an S curve on this piece of property that separates this
16 property from all the land that the County owns. No trucks are gonna be able to, trucks
17 are gonna have trouble making that curve. When the County proposed zoning changes
18 over a year ago this particular tract is shown on the first page of what I'm passing out,
19 was given an R3 designation. The County was gonna change it from M-1 to R3 since it
20 was next to Millcreek Subdivision. I'll let y'all get those maps. By the way we met with
21 Ms. English last week and reviewed all these properties and these maps and she was
22 very much in favor of changing it to residential because it was next to Millcreek, a 25

1 year old established residential subdivision, as I'm sure you'll hear from her later. It's, on
2 the second page –

3 CHAIRMAN BRANHAM: Mr. Milliken, that's your time. Thank you. It's two
4 minutes per speaker. Thank you.

5 MR. DENNIS: Alright, next we have David Par?

6 **TESTIMONY OF DAVID PAR:**

7 MR. PAR: Hey, I'm David Par with Power Engineering, I'm here to represent the
8 Applicant, I'm an engineer. And I live at 3117 Wilmot Avenue, Columbia 29205. I wish I
9 could finish up for Mr. Milliken but what I'm really here to say is out of all that we just,
10 the developer just plans on putting 118 lots. So that's really it. I think more could
11 probably go on there but that's his only plan. Thank you.

12 MR. DENNIS: Next we have Ms. Penny Evans.

13 **TESTIMONY OF PENNY EVANS:**

14 MS. EVANS: Thank you, I'm Penny Rosanna Evans and I live at, in Millcreek
15 Estates, 8400 Littlejohn Drive, Columbia 29209. Our biggest concern right now in the
16 neighborhood is along that road, Longwood Road is a lotta speeders, especially since
17 they built the Mark Anthony Brewing and the Jitzu was there. I mean, I have a, one of
18 the ladies attending here today live on Longwood and it's very difficult for her to back
19 out of her driveway. So I believe the proposal for the 138 acres is in a flood zone, I'm
20 not sure but that's what I'm told, and I don't see how you could approve residential
21 homes there. The traffic is bad and I think we finally got approval to get speed humps in
22 the area. We're gonna have a traffic study in December, so work is ongoing. We're
23 trying to get – there's a bad curve on the lower part of Longwood Road as well as the S

1 that the gentleman earlier spoke about, and if you come out of your lane in that S curve
2 you'll hit someone head on. So there are a lotta traffic concerns we've been trying to
3 address for the last three years and we're having a lotta difficulties getting everything
4 accomplished for the safety of our neighborhood. So my question is, why would you
5 build on a flood plain and is the community going to be accessible through Millcreek, will
6 you need to come through Millcreek to get to your homes? Will the homes be gated?
7 Will there be sidewalks? We're all in favor of residential development, we need more
8 homes but we just want a partner, a good partner for our neighborhood. Thank you.

9 MR. DENNIS: Mr. Chair, that's all we had signed up for this particular case.

10 CHAIRMAN BRANHAM: Alright. I didn't ask earlier but were there any questions
11 for the Applicant or, now that we've heard from the speakers are there any questions or
12 comments for Staff or otherwise?

13 MR. YONKE: Mr. Chair?

14 CHAIRMAN BRANHAM: Mr. Yonke.

15 MR. YONKE: Can we ask Staff to turn on the zoning layer for a second? I did a
16 quick Google search – Richland Penny Projects, there is a Shop Road Extension, it's in
17 design but if you pan the map down, all that extra traffic is coming down Longwood
18 Road because we've extended, well not we but South Carolinians through Richland
19 County Penny Project, that's extended now. You've got Mark Anthony Brewing and
20 Juicy, like somebody commented and people are using that as a cut through now.

21 MR. PRICE: If you would just give us a quick moment we're gonna pull up the
22 proposed Shop Road Extension that you mentioned, Mr. Yonke.

1 MR. YONKE: Thank you. There is an interactive map when you get there but it's
2 just like a polygon of a potential area. I went to some of those meetings a couple of
3 years ago, might've been before Covid, and there were different versions, 1, 2, 3, 4. I
4 received a letter in the mail saying that number 4 was the one they would go with, and
5 then the pandemic happened, so. You know, I live near Leesburg Road and I'm finally
6 seeing it get widened, it took a long time, so this might take a long time. But it looks like
7 in designs M-1 as it stands now there's other businesses that go near there and the one
8 south part of that parcel. The northern part of this parcel looks like wetlands, people are
9 saying. There it is, alright. So it's just a broad polygon that, hey there's gonna be a
10 phase 2 here, but phase 1 happened and there's all your traffic. Someone commented
11 100 units possibly? If I'm counting houses that's like, that's a big increase for what's
12 there already. The roads are needing some work there, too. Thanks.

13 CHAIRMAN BRANHAM: Thank you, Mr. Yonke. Mr. Johnson?

14 MR. JOHNSON: What was the rationale behind Staff's recommendation?

15 MR. PRICE: Again, our recommendations are based on the recommendations of
16 the Comprehensive Plan. In a way we give a reminder of what the adoption of the
17 Comprehensive Plan was, particularly for this particular area. So we look at the
18 Comprehensive Plan and it did not meet all of the criteria for residential development in
19 this area. Just strictly from the Comprehensive Plan.

20 MR. JOHNSON: Thank you.

21 CHAIRMAN BRANHAM: And so in addition to that we're to look at the similar
22 zoning in the immediate vicinity, the need and the justification for the application, and
23 the impact of the proposed rezoning on the surrounding area. Yes, Mr. Yonke.

1 MR. YONKE: In fact I would note if we change this and then broke it up to
2 housing there is the extension of the Shop Road part, too, wouldn't it be able to bend
3 that way and the traffic would increase on Longwood Road cause there'd be nowhere
4 else to put that. Kind of right where the cursor is now is where, that public information
5 meeting showed how the road would bend through there. And there would be all their
6 industrial opportunities for this area for what's zoned M-1 already so there is potential
7 for a business going there, it is M-1.

8 CHAIRMAN BRANHAM: Thank you, Mr. Yonke.

9 MR. JOHNSON: Mr. Chairman, in support of Mr. Yonke's comments then I move
10 Staff's recommendation on 22-016.

11 CHAIRMAN BRANHAM: So Mr. Johnson your motion is to send it to County
12 Council with a recommendation of disapproval, is that right?

13 MR. JOHNSON: Right.

14 CHAIRMAN BRANHAM: Okay. We have a motion, is there a second?

15 MR. YONKE: Second.

16 CHAIRMAN BRANHAM: Alright, moved and seconded. Any additional debate
17 before we take the vote? Hearing none, Mr. Price would you please take the vote?

18 MR. PRICE: Alright, we have a motion for the disapproval of Case 22-016 MA.
19 Those in favor of that motion, Branham?

20 CHAIRMAN BRANHAM: Aye.

21 MR. PRICE: Dennis?

22 MR. DENNIS: Aye.

23 MR. PRICE: Yonke?

1 MR. YONKE: Aye.

2 MR. PRICE: Johnson?

3 MR. JOHNSON: Aye.

4 MR. PRICE: Frierson?

5 MS. FRIERSON: Aye.

6 MR. PRICE: Metts?

7 MR. METTS: [Inaudible].

8 MR. PRICE: Durant?

9 MR. DURANT: Aye.

10 MR. PRICE: Siercks?

11 MR. SIERCKS: Aye.

12 MR. PRICE: Alright, that motion passes, 7/1.

13 *[Approved: Branham, Dennis, Yonke, Johnson, Frierson, Durant, Siercks; Opposed:*

14 *Metts(?); Absent: Taylor]*

15 CHAIRMAN BRANHAM: Okay, thank you. Again, we're a recommending Body
16 so this matter will now move to County Council for vote and hearing. Okay, next case is
17 22-028 MA, right? And Mr. Price, whenever you're ready.

18 **CASE NO. 22-028 MA:**

19 MR. PRICE: The next item as stated, Case 22-028 MA. The Applicant is
20 Elizabeth Swan, the location is 6217 Two Notch Road. The Applicant is requesting to
21 rezone 1.43 acres from General Commercial GC to Light Industrial LI. Staff
22 recommends disapproval of this request. Again, it's not consistent with the objectives of
23 the Comprehensive Plan for this area which designates this area as a mixed use

1 corridor, and our main reasons were due to the intensity of the uses allowed under the
2 requested LI zoning designation it wouldn't be in compliance with the recommendations
3 of the Comprehensive Plan. The plan recommends that mixed use corridor areas be
4 transformed to allow for the integration of uses for a variety of use types including
5 residential, commercial, office and institutional. Based upon its location along Two
6 Notch Road and the types and locations of certain surrounding zoning districts and
7 uses, the area would not be appropriate for industrial expansion nor would it be
8 compatible. And again for these reasons Staff recommends disapproval.

9 CHAIRMAN BRANHAM: Alright, thank you. Mr. Dennis.

10 MR. DENNIS: Yes, we have the Applicant here, Elizabeth Swan.

11 **TESTIMONY OF ELIZABETH SWAN:**

12 MS. SWAN: Good afternoon everyone. I'm Elizabeth Swan, I live at 39 Indian
13 Creek Trail in Lexington 29233. I have met with, we're a Boise, Idaho company, we're a
14 small manufacturing company, we went to Business License and was told we can't use
15 commercial, general commercial, although on our website when we were purchasing it it
16 says you can according to your adopted, which I did not understand had not been done
17 yet. So we purchased the building and when I went for the business license they, the
18 Staff actually helped us and recommended L1 (sic) although we don't need the
19 intensification of an L1, we really only need M-1 but according to M-1 you have to have
20 two acres or more, we only have 1.43 and as you can see on the map all the additional
21 M-1s around us are all under 1.43, so I don't completely understand that, but. I guess
22 I'm kind of also asking for some help, I don't, we don't need the L1 but what we do that's
23 creating the L1 is what we have sometimes, we purchase manufactured parts for our

1 location and sometimes we have to fix them so they're small, very small fabrication
2 going on. So I guess it's one of those businesses that kinda cross between things and
3 we're not really quite sure where we lay, but we have the intentions of hoping to create
4 a very nice looking building on Two Notch. If you actually look at the buildings
5 surrounding us, there's three or four of them that are completely in disarray, completely
6 gutted out, and I really wanna create that. We've decided on Columbia, South Carolina
7 because I really, really enjoyed just the feeling when you get here, it's a great place. I
8 obviously love it cause I bought a house here. I just really wish you would consider the
9 L1, even though it's not really what we want, or I guess it'll still say general if you guys
10 pass this. So again I'm kind of at a loss but it's in your hands. Are there any questions
11 for me?

12 CHAIRMAN BRANHAM: Before you sit, Mr. Price, have you had an opportunity
13 to speak with the Applicant?

14 MR. PRICE: I haven't directly but I think Mr. DeLage and Staff members have.

15 CHAIRMAN BRANHAM: Mr. DeLage, do you feel like you have a pretty good
16 sense of, you know, what they do for business and what their needs would be for
17 zoning?

18 MR. DELAGE: Yes sir, Mr. Chairman. I did not personally visit but one of our land
19 use inspectors were able to meet them onsite, kinda take some pictures. I would say
20 that for the most part the things that kinda trips the requirement for it to go to a Light
21 Industrial or another intense industrial district would be the assembling of the pieces
22 together. And then also as just an ancillary thing, the outside storage whereas typically

1 in a GC you would see certain product displays rather than actual machinery or bits and
2 pieces related to the primary use.

3 CHAIRMAN BRANHAM: Does any of that change, you know, assuming the 2021
4 LDC takes effect with the current parameters and definitions for GC, does any of that
5 change to her benefit or her favor?

6 MR. DELAGE: If the previously proposed map had gone through that
7 recommended zoning would've allowed for it. Now as far as for the direct equivalency
8 I'd have to check the land use table to see if the GC would allow it to say for certain. But
9 I do know that in the previous, the Applicant had mentioned that it made the purchase
10 decision off of it would've allowed for a use like this.

11 CHAIRMAN BRANHAM: Mr. Johnson, please go ahead. You had a comment.

12 MR. JOHNSON: You said you'd have to check the equivalency table?

13 MR. DELAGE: That's correct. Specifically I'd have to check the permitted use
14 table, sir.

15 MS. SWAN: If I may, what I was looking at right there is under the industrial,
16 under the products of goods, underneath that you'll see manufacturing, assembly and
17 fabrication light and it is permitted under General Commercial.

18 CHAIRMAN BRANHAM: Mr. Dennis, was there anyone else signed up to speak
19 on this?

20 MR. DENNIS: Yes, we had a Randy Purdy.

21 CHAIRMAN BRANHAM: Well let's give Staff an opportunity to look this up while
22 we hear from the next speaker.

23 **TESTIMONY OF RANDY PURDY:**

1 MR. PURDY: I'm the owner, Randy Purdy, Precision Pumping Systems, 6515
2 Business Way, Boise, Idaho. And you know, we came here and expanded our business
3 because this looked to be a very business-friendly, you know, area. We really like the
4 people, we like the community. This was the guidance that we were given when we
5 purchased this property a year ago, and we certainly felt like we were – now we may not
6 have understood that that was not fully implemented but we felt like we had a made a
7 purchase in good faith based on this guidance and that what we do fell well within the
8 use. We don't store much stuff outside honestly, a little bit of pipe, there'll be some
9 finished goods, small pumping stations that are wrapped up and ready to go on a truck.
10 We will bring approximately 20, you know, well-paying jobs to the community. We've
11 already invested over \$50,000 in the building to basically, you know, bring it to the
12 shape that it's in. We buy from mostly local fabricators so we will do around \$4 million in
13 business next year which we'll probably buy about a million dollars of that from the local
14 fabrication community. We buy, you know, we use tin benders, sheet metal welders,
15 those kinda people. We bring the product together, we do final assembly and testing
16 and we ship it out.

17 CHAIRMAN BRANHAM: Okay, thank you.

18 MR. DENNIS: Mr. Chair, we don't have anybody else signed up.

19 CHAIRMAN BRANHAM: Okay, thank you.

20 MR. PURDY: Do you have any questions for me?

21 CHAIRMAN BRANHAM: Yeah, any questions for Mr. Purdy? Thank you.

22 MR. DENNIS: Mr. Chair?

23 CHAIRMAN BRANHAM: Mr. Dennis.

1 MR. DENNIS: So you know, I'm sitting here looking at this and we're moving
2 through with our LDC rewrite and we haven't done anything and I haven't brought up
3 any changes and I don't think anybody else has brought up any other changes that
4 would change this for the new LDC in the future. I mean, right now yes, it would not fit
5 but here in a couple months it would be permitted.

6 CHAIRMAN BRANHAM: Well, I think we're waiting to hear from Staff on it.

7 MR. DENNIS: Yeah, kinda what I'm looking at is – do you have an update on
8 that?

9 MR. DELAGE: Yes, sir. And Mr. Price may have some more to add to this, but
10 per the definition for the most part it would fit, we would just have to take a look at the
11 outside storage as a component of that because the manufacturing, assembly and
12 fabrication light specifically mentions where everything is conducted inside the building.
13 But I mean, I think that's something minor compared to as far as for what Staff could
14 work with the Applicant.

15 MR. DENNIS: Is there any way – I mean, going to Light Industrial definitely does
16 not fit in this area, but you know, the new Code kinda gives businesses that have such
17 a, it doesn't need to go Light Industrial it allows them to go General Commercial in that
18 area. I'm kinda looking at it scratching my head going, like is there a variance they can
19 get with Zoning Appeals or anything like that?

20 MR. PRICE: No, sir.

21 MR. DENNIS: Okay.

22 MR. YONKE: Mr. Chair, I have a question.

23 CHAIRMAN BRANHAM: Mr. Yonke.

1 MR. YONKE: I'm just looking at this, too, and it looks like all the existing around it
2 is M-1/GC. Does this fit into M-1? I know we need to look at this from what is presented
3 to us, GC to LI, but.

4 MR. PRICE: With the M-1, that's not a viable zoning designation. Upon the
5 adoption of the 2005 that was kind of pretty much grandfathered in. However, it was no
6 longer allowed, applicants are no longer allowed to apply for the M-1 zoning designation
7 so to get light industrial they would have to go to LI.

8 MR. YONKE: Thank you.

9 MR. PRICE: And I think one of the, maybe one of the distinctions as you're kinda
10 looking at it is that M-1 seems to be more on the opposite side of Two Notch Road
11 going back towards Shakespeare and that area, so it's probably a little bit more
12 industrial, but the parcels that are typically along Two Notch Road are, have more of the
13 General Zoning designation.

14 MR. JOHNSON: But it is contiguous.

15 MR. PRICE: Yes.

16 MR. JOHNSON: Okay.

17 CHAIRMAN BRANHAM: That was Mr. Johnson's question. Just for the Record.

18 MR. DURANT: Mr. Chair, I have a question.

19 CHAIRMAN BRANHAM: Mr. Durant.

20 MR. DURANT: I didn't pick up on it but the Applicant said they relied on
21 something when they made the application. What was that again?

22 CHAIRMAN BRANHAM: If you'd step back to the microphone, Mr., what was it?
23 Mr. Purdy.

1 MR. PURDY: We thought, we assumed since this was said to us that this was
2 the current zoning, it said it had been adopted so we went, looked, yep sure enough
3 there we are right here on Two Notch Road where this, you know, this zoning it allows
4 this, that's what we do, okay we'll make the purchase.

5 CHAIRMAN BRANHAM: The zoning was in the adopted Code, it was proposed
6 by Staff on the zoning map that it would still be GC or was it gonna be something
7 different?

8 MR. DELAGE: Mr. Chairman, it's supposed to be EMP under the proposed map,
9 which is the employment district.

10 CHAIRMAN BRANHAM: Okay, so we think it would fit under the new definition of
11 GC under the 2021 adopted Code based on activities as you understand them.

12 MR. DELAGE: Yes, sir, that's correct.

13 CHAIRMAN BRANHAM: Okay. Alright, thank you. Thank you, sir. Does that
14 answer your question, Mr. Durant?

15 MR. DURANT: Yes, thank you.

16 MR. YONKE: Mr. Chair?

17 CHAIRMAN BRANHAM: Mr. Yonke.

18 MR. YONKE: I will throw out a motion to approve this, which is going against
19 County, with the reasoning that it is contiguous with the area, what's going on behind it.
20 The use, we have a manhole manufacturer, contractor's office, HVAC warehouse, pawn
21 shop, we know all those things can change. I always look at things like it's an empty plot
22 of land. Look at all this in this area, it does kinda fit what's right behind it. That would be
23 my reason to go against Staff.

1 CHAIRMAN BRANHAM: Alright, so that's a motion for approval for the reasons
2 Mr. Yonke stated. Is there a second?

3 MS. FRIERSON: I second.

4 CHAIRMAN BRANHAM: Alright, moved and seconded. The motion is to
5 recommend approval to County Council of Case 22-028 MA. Staff if you would take the
6 vote, please.

7 MR. PRICE: We have a motion for approval of Case 22-028 MA. Those in favor,
8 Branham?

9 CHAIRMAN BRANHAM: No.

10 MR. PRICE: Dennis?

11 MR. DENNIS: Aye.

12 MR. PRICE: Yonke?

13 MR. YONKE: Aye.

14 MR. PRICE: Johnson?

15 MR. JOHNSON: Yes.

16 MR. PRICE: Frierson?

17 MS. FRIERSON: Aye.

18 MR. PRICE: Metts?

19 MR. METTS: Aye.

20 MR. PRICE: Durant?

21 MR. DURANT: Aye.

22 MR. PRICE: Siercks?

23 MR. SIERCKS: No.

1 MR. PRICE: Alright, that motion passes 6/2.

2 *[Approved: Dennis, Yonke, Johnson, Frierson, Metts, Durant; Opposed: Branham,*
3 *Siercks; Absent: Taylor]*

4 CHAIRMAN BRANHAM: Thank you, Mr. Price. So again, we're recommending
5 Body and the case will now go up to County Council for a final vote and a public
6 hearing. Thank you. Next case is 22-029 MA.

7 MR. DENNIS: We do have the Applicant here. He did request he doesn't have to
8 speak unless we've got questions for him.

9 CHAIRMAN BRANHAM: I mean, are there any preliminary questions for Staff on
10 this case before we hear from the Applicant?

11 **CASE NO. 22-029 MA:**

12 MR. PRICE: I'd like to read this into the Record first.

13 CHAIRMAN BRANHAM: Okay, sorry. We're getting ahead of it I guess.

14 MR. PRICE: Alright, the next item is Case 22-029 MA. The Applicant is Douglas
15 Putlock and the location is 1012 Bickley Road. The Applicant is requesting to rezone
16 3.76 acres from Neighborhood Commercial, NC to Residential Single Family Medium
17 Density, RS-MD. Staff recommends approval of this request. It's located within a
18 neighborhood activity center and according to the Comprehensive Plan neighborhood
19 activity centers provide medium density housing for the neighborhood located near the
20 center's shopping and employment. The proposed zoning district is consistent with the
21 objectives and policies outlined in the Comprehensive Plan as it will permit those uses.
22 Again, Staff recommends approval of this request.

1 CHAIRMAN BRANHAM: Alright. Anything before we hear from the Applicant?

2 Alright.

3 MR. DENNIS: Alright, we have Douglas Putlock.

4 **TESTIMONY OF DOUGLAS PUTLOCK:**

5 MR. PUTLOCK: Hi, my name is Douglas Putlock, I live at 402 Cabin Drive, Irmo,
6 South Carolina 29063, which happens to be the purple looking lots just on the opposite
7 side of Ballentine Elementary School in that plan. So I've lived there for 20 years with
8 my family and we purchased this property about, back in December and we're looking
9 to build a family home on it. And so it was neighborhood commercial, it sat vacant for
10 years, it's the local drug hangout for kids right next to the elementary school; we're
11 gonna solve that problem and we're gonna put a house there. But right where that
12 zoning, the little bubble is, back to the right of the finger is where there's a house back
13 there now, that is the party house which you'd be amazed at the things that go on in that
14 place. And then where the other bubble is on the left side is an existing home that was
15 there, which is also in complete disarray. So you know, we wanted to clean it up and we
16 wanted a place to build a house frankly, so that's about it.

17 CHAIRMAN BRANHAM: What was the reason for asking for the RS-MD
18 designation as opposed to something that would be less dense residential use?

19 MR. PUTLOCK: Just because that's, you know, that's what the surrounding area
20 is with the exception of what's across the street were and, you know, that's, I guess
21 that's where we just fell. But Millford Park is the neighborhood that is right there and
22 that's where we live. That's all a residential MD.

1 CHAIRMAN BRANHAM: Okay, thank you. Any other questions for the Applicant?

2 Alright, thank you.

3 MR. DENNIS: Mr. Chair?

4 CHAIRMAN BRANHAM: Mr. Dennis.

5 MR. DENNIS: Yes, I'd like to make a motion to send this to County Council for
6 approval.

7 CHAIRMAN BRANHAM: Okay, is there a second?

8 MR. ?: Second.

9 CHAIRMAN BRANHAM: Okay. And before we take the vote if we could just
10 wanted to question Mr. Price again about the recommendation for approval. Is it on the
11 grounds that it's located within a neighborhood activity center?

12 MR. PRICE: [Inaudible]

13 CHAIRMAN BRANHAM: Okay. Alright, thank you. If there's nothing else, Mr.
14 Price if you would please take the vote.

15 MR. PRICE: Sorry, I was just looking back over that, Mr. Chair.

16 CHAIRMAN BRANHAM: Sure.

17 MR. PRICE: Alright, so we have a motion for approval of Case 22-029 MA from
18 Neighborhood Commercial to Residential Single Family Medium Density. Those in
19 favor, Branham?

20 CHAIRMAN BRANHAM: Aye.

21 MR. PRICE: Dennis?

22 MR. DENNIS: Aye.

23 MR. PRICE: Yonke?

1 MR. YONKE: Aye.

2 MR. PRICE: Johnson?

3 MR. JOHNSON: Aye.

4 MR. PRICE: Frierson?

5 MS. FRIERSON: Aye.

6 MR. PRICE: Metts?

7 MR. METTS: Aye.

8 MR. PRICE: Durant?

9 MR. DURANT: Aye.

10 MR. PRICE: Siercks?

11 MR. SIERCKS: Aye.

12 MR. PRICE: Alright, that motion passes, 8/0.

13 *[Approved: Branham, Dennis, Yonke, Johnson, Frierson, Metts, Durant, Siercks;*

14 *Absent: Taylor]*

15 CHAIRMAN BRANHAM: That'll be our recommendation to Council and that case
16 will go up to County Council next. Thank you. Next Case is 22-032, is that one still on?
17 Yeah, that one's still on. Okay, 22-032 MA. Mr. Price, whenever you're ready.

18 **CASE NO. 22-032 MA:**

19 MR. PRICE: Again, the next item is Case 22-032 MA. The Applicant is Ervin
20 Capers. The location is at 203 and 217 Gatehill Road. The Applicant is requesting to
21 rezone 4.86 acres from Heavy Industrial which is HI to Rural which is RU. Staff
22 recommends disapproval of this request. Again, based on the objectives of the
23 Comprehensive Plan, which the plan recommends limited development within these

1 areas, but we wanna point out the proposal would be consistent with the surrounding
2 Rural zoning districts and residential uses on the western side of McCord's Ferry Road.
3 But again, Staff recommends disapproval, principally because it is not in compliance
4 with the recommendations of the Comprehensive Plan which designates this area as
5 conservation.

6 CHAIRMAN BRANHAM: Thank you. And so the, this zoning was assigned with
7 Richland County's original adoption of zoning in 1977?

8 MR. PRICE: Yes.

9 CHAIRMAN BRANHAM: And do you have a sense for why they landed on this
10 Heavy Industrial.

11 MR. PRICE: If Mr. DeLage would zoom out, basically I think you can look at the
12 industrial uses that are in that area, I believe that's International Paper, then if you look
13 south of, about where the mouse is, those other uses are industrial.

14 CHAIRMAN BRANHAM: Okay. Yes, Mr. Price.

15 MR. PRICE: Interesting, but you know, as we talk about it from a Staff
16 standpoint, actually neither one of the zoning designations was currently there. The HI,
17 what was proposed would be in compliance with the Comprehensive Plan of this
18 designation of conservation.

19 CHAIRMAN BRANHAM: Neither the current zoning designation nor what's
20 proposed would be compliant with – okay – this area. Anything else for Staff before we
21 hear from the Applicant? Alright, Mr. Dennis.

22 MR. DENNIS: Alright, we have Ervin Capers.

23 CHAIRMAN BRANHAM: Name and address, please.

1 **TESTIMONY OF ERVIN CAPERS:**

2 MR. CAPERS: Okay, good afternoon, how y'all doing? Ervin Capers, I live at 203
3 Gatehill Road, Eastover, South Carolina 29044. The property that's being talked about,
4 this property land was given to me by my mother. I was four when we moved down
5 there, the land was not zoned as HI, it was just a rural area. So I own 203, 200 which is
6 across from me, I own 217 which is to the left of me, and also the 3.9 acres that's
7 behind me. And the point where I'm at, I cannot do anything. I have four kids, four boys,
8 10 grandkids, you know, one of my sons wants to put a home in front of me on the acre
9 over there. We can't do that, can't do anything. I just retired from 40 years outta the
10 military and I want to put a building back behind my home, like a 30 x 40 building for me
11 to be able to work out of but I can't do that. I looked at, I'm living in a mobile home, I
12 wanted to upgrade to maybe a modular home or either build me a home. I'm at the point
13 I'm paying taxes every year with land I can't do anything, I can't leave it to my kids. I
14 wanna be able to leave my boys something, but if I die they got land they can do
15 nothing with. I just don't understand it was zoned as HI. I wanna rezone it to RU so I can
16 at least maybe put me a building up back behind where I live to be able to work out of.
17 Right now I work outside, lay it on the ground or whatever, or, and also I wanna be able
18 to leave my kids something. I wanna be able for my boys to say, I wanna build a house
19 in front where my dad lives. Like I say I own the acre in the front of me which is 200, it's
20 not on your Agenda because I didn't have a plat for it but I have the deed for it. It's an
21 acre, it's a cleared acre and we can do nothing, nothing. And I'm just asking for your
22 considerable approval to rezone it to RU so at least I am allowed to do something. Like I

1 said I retired out of the military last year, my goals were to put my shop up, maybe move
2 from a mobile home to a modular home or maybe build me a home.

3 CHAIRMAN BRANHAM: Thank you, that's your time. Quick question for you, Mr.
4 Capers, how long you been out there now?

5 MR. CAPERS: I been out there since I've been five years old. Yes sir, and I'm 60
6 now. Yes, sir.

7 CHAIRMAN BRANHAM: Okay, okay, 60 years. Got it. Any other questions for
8 Mr. Capers?

9 MR. JOHNSON: Mr. Chairman, just a clarity question.

10 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

11 MR. JOHNSON: There's three parcels listed on the Agenda. I'm looking at where
12 the cursor is shown where Mr. Capers made reference to residing, if I understood, in
13 immediate proximity so I'm trying to understand the joining parcels that he's referring to.

14 MR. CAPERS: 203 is adjoined to 213, it may not be 213 on the map but that's
15 the 3.9 acres. That's adjoined to that, and then that part is joined to 217 which is the
16 property below that. 200 which you're not seeing, it's directly across the road from 203.
17 201 is my sister that stays next to me, but the 3.9 acres comes behind my house, her
18 house and along the side of my house back up to Gatehill Road.

19 CHAIRMAN BRANHAM: Thank you. Anything else for Mr. Capers?

20 MR. JOHNSON: So then the actual use despite the zoning is residential?

21 CHAIRMAN BRANHAM: Mr. Price.

22 MR. PRICE: Yes. So what you have here is just nonconforming residential. Mr.
23 Capers is correct, it's a bit of a quandary because when you're nonconforming there's

1 really not much you can do, you're allowed to remain. And so as he spoke of the ability
2 to, you know, add a barn or some other building to the property, that would not be
3 allowed because that would be deemed to be an expansion of a, or an extension of a
4 nonconforming use. It'd be the same thing if you wanted to add onto the home, that will
5 probably be denied because, again it would be deemed to be an expansion of a
6 nonconforming use.

7 MR. CAPERS: And I don't understand –

8 MR. JOHNSON: I understand nonconforming use. I guess the question that I'm
9 raising with this particular view shown here with the other houses is that typically you
10 see a nonconforming use as a standalone and when you look at the zoning map by
11 itself it looks like it would be, the use request is not consistent with what's happening.
12 But when you look at the map that's shown, the nonconforming use expands beyond
13 just those three parcels but includes some of the surrounding parcels as well.

14 MR. PRICE: Yes, sir.

15 MR. JOHNSON: I guess what I'm trying to say is that the zoning map doesn't
16 necessarily reflect what's actually in use.

17 CHAIRMAN BRANHAM: Yeah, sounds like there's been a house of some sort,
18 somebody's been residing out there since well before 1977.

19 MR. CAPERS: Yes, sir. There were because the property right in the front of me,
20 there was a house previously there on that one acre. And I asked could I put something,
21 they said no I couldn't because of the way [inaudible]. But it was a house there, it was a
22 residence there on that side of the property.

23 CHAIRMAN BRANHAM: Thank you, Mr. Capers.

1 MR. CAPERS: Okay.

2 CHAIRMAN BRANHAM: Anybody else?

3 MR. DENNIS: We have Bernice Scott.

4 **TESTIMONY OF BERNICE SCOTT:**

5 MS. SCOTT: This is the kinda stuff I'm talking about. I knew his mother and
6 father, hardworking honest people, work hard, get a piece of land and then they had
7 kids. He's the baby of the litter. He served military and everything. His sister live next
8 door to him. And for zoning to say it's nonconforming use and he can't do anything, he
9 got four grown boys. Please rezone this so that he can have something to pass on to
10 his kids. Anytime, and we try to protect our military people, he's also a church member
11 of mines, we got to look at this very careful because someone zoned, came by and
12 said, this is zoned HI or whatever, it should not be. We should talk to the people and
13 make sure it's taking in what they have. We only have land and for Mr. Capers to go to
14 the military and come back now and wanna do something and leave something for his
15 kids, please rezone it. Thank you.

16 CHAIRMAN BRANHAM: Anyone else signed up?

17 MR. DENNIS: No sir, that's it.

18 MR. SIERCKS: Mr. Chair?

19 CHAIRMAN BRANHAM: Yes, Chris.

20 MR. SIERCKS: Question, and this may have already been covered so forgive me
21 if that's the case. But do we know what, and this is to the Staff, do we know if the, as it
22 currently stands the proposed zoning in the proposed rezoning as it currently stands?

23 MR. PRICE: [Inaudible] that the proposed zoning would've been for HI.

1 MR. DURANT: Mr. Chair, a couple questions for Staff.

2 CHAIRMAN BRANHAM: Thank you, Mr. Siercks. Mr. Durant.

3 MR. DURANT: First, Staff do you have any idea what the zoning for this property
4 when it was first obtained, first purchased?

5 MR. PRICE: No, what it looks like is when we adopted our zoning going back to
6 1978, '79, and they applied the zoning that they just kinda put a blanket HI out in this
7 area, just to really take a look into the, you know, each individual parcel. Which is, you
8 know, we're going through that process now. It's just kinda hard sometimes to look at
9 each individual parcel and then there are times like this when the applicant comes in or
10 the property owner and makes a request to rezone their property to make it comply so
11 that they can do something with it is when we're alerted to maybe that wasn't the
12 appropriate zoning designation at that time. We're not sure.

13 MR. DURANT: Second question is, it's zoned HI, Heavy Industrial, and looking at
14 the map on page 29 it appears to be no heavy industrial activity anywhere around that
15 site, is that correct?

16 MR. PRICE: No, sir, there's no industrial. That's what I was saying it was
17 probably a blanket rezoning along that section of, I guess property east of McCord's
18 Ferry, that goes down all the way from International Paper and like I said if Mr. DeLage
19 will zoom out you'll see a number of other industrial uses that have been there for quite
20 a while, and so they all just kinda fell in under the HI zoning designation.

21 MR. JOHNSON: Mr. Chairman?

22 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

1 MR. JOHNSON: The previous case, 22-028 MA, 6217 Two Notch, from a legal
2 perspective there were adjacent uses that supported Mr. Yonke's rationalization as to
3 why [inaudible] and right thing to do based on the adjoining uses. And I think here we're
4 struggling with the fact that the existing zoning and the proposed zoning are not actually
5 in conformity with what is prevailing in that area. So we have the standalone request but
6 it sounds as if there are some additional parcels that could also benefit from
7 reconsideration in terms of what the amendment says, map amendment references for
8 those parcels. But it does also seem to be the right outcome in terms of looking at
9 what's actually happening in terms of land use.

10 CHAIRMAN BRANHAM: I think it was in reference to the last case where we just
11 kinda called attention to the fact that Staff's recommendations are based on one of
12 those four factors that our County Code says that we as the Planning Commission
13 should consider when it comes to these map amendments. So they rely strictly on the
14 Comprehensive Plan and then we've got these three additional factors that we look at,
15 the need and the justification, similar zoning in the immediate vicinity and the impact on
16 the surrounding area. So you know, certainly as we hear what we're hearing today and
17 realizing that some of these zonings, they do happen with what we would say painted
18 with broad strokes so they're not, like always specific to specific parcels. And because,
19 you know, this particular Applicant comes here and calls attention to this specific parcel
20 it gives us that chance to look at all four of those factors and maybe, again make a
21 recommendation of whether something should change or not that was originally not
22 looked at at a very specific level. Now we have the chance to look at it at that level.
23 Certainly for me when I look at it the request is RU, that definitely seems to be more in

1 the direction of conservation, which is what the Comprehensive Plan calls for. And then
2 the need and the justification, just kinda hearing about the fact that potentially the
3 Applicant has been out there 60 years, predating the 1977 original zoning and it just
4 kinda got caught in-between these large facilities that are, you know, some distance
5 away, not in the whatever, immediate, immediate vicinity. So it's definitely got my
6 attention, you know, that potentially we need to look at these factors and make a
7 recommendation, you know, that takes all four of those factors into account, not just one
8 specific thing.

9 MR. JOHNSON: Sure, and that's what I'm saying. So the articulation you just
10 gave in terms of surrounding use, when you look at what's actually the surrounding use,
11 see what I'm saying, it gives it justification [inaudible] look at the impact because you're
12 going to continue to reduce [inaudible] applicability of zoning as those existing
13 nonconforming uses get picked off one at a time in terms of trying to do it. So you have
14 a cluster that is homogenous but it's in a zoning area that's not [inaudible].

15 CHAIRMAN BRANHAM: Yeah. I would look at the fact that it might, like cure
16 some nonconformances just as a consequence of whatever our choice would be if we
17 were to rezone it. But certainly I think about the same kinds of things and the history
18 that's there when I think about the need and the justification; that, plus the fact that the
19 Comp Plan is saying it desires conservation in that area, RU would be a lot more on the
20 direction of conservation than Heavy Industrial.

21 MR. DURANT: Mr. Chair?

22 CHAIRMAN BRANHAM: Mr. Durant.

1 MR. DURANT: Totally agree with what you just said and it just seems that this
2 area was given an HI by default so to speak almost and the property owner here is
3 suffering unfairly as a result of that. So it just seems like, it just doesn't seem right
4 where we zone HI but there is no HI anywhere around that, it looks more like a rural
5 zoning than anything else. And I understand what the Comprehensive Plan may be
6 going toward or what it's thinking about in the future, but as of now I would be in favor of
7 approving this application.

8 MS. FRIERSON: Mr. Chair, I have a motion.

9 CHAIRMAN BRANHAM: Ms. Frierson.

10 MS. FRIERSON: Mr. Chair and Members of the Commission, in that the
11 Comprehensive Plan in theory may have good intentions with reference to this case, but
12 based upon the evidence that we heard today from the actual landowner and from Ms.
13 Scott, the evidence indicates that in actuality it impacts the people of that community
14 adversely. Therefore, I move that we send Case 20-032 [sic] MA to County Council with
15 a recommendation of approval.

16 MR. DENNIS: Second.

17 CHAIRMAN BRANHAM: Alright, thank you. Just to confirm that's Case 22-032
18 MA?

19 MS. FRIERSON: Correct.

20 CHAIRMAN BRANHAM: Alright, thank you. It's been moved and seconded that
21 we send this to Council with a recommendation of approval on the grounds that Ms.
22 Frierson stated. Mr. Price, would you please take a vote?

1 MR. PRICE: Okay, we have a motion for the approval of Case 22-032 MA from
2 Heavy Industrial to Rural. Those in favor, Branham?

3 CHAIRMAN BRANHAM: Aye.

4 MR. PRICE: Dennis?

5 MR. DENNIS: Aye.

6 MR. PRICE: Yonke?

7 MR. YONKE: Aye.

8 MR. PRICE: Johnson?

9 MR. JOHNSON: Aye.

10 MR. PRICE: Frierson?

11 MS. FRIERSON: Aye.

12 MR. PRICE: Metts?

13 MR. METTS: Aye.

14 MR. PRICE: Durant?

15 MR. DURANT: Aye.

16 MR. PRICE: Siercks?

17 MR. SIERCKS: Aye.

18 *[Approved: Branham, Dennis, Yonke, Johnson, Frierson, Metts, Durant, Siercks;*

19 *Absent: Taylor]*

20 MR. PRICE: Alright, that motion passes.

21 CHAIRMAN BRANHAM: Alright, thank you. I believe that concludes our Map
22 Amendment cases for today. That'll be our recommendation to County Council. We're

1 two and a half hours in to this meeting. Was the Commission interested in taking, like a
2 five or 10 minutes break or keep going?

3 MR. DENNIS: Keep going.

4 CHAIRMAN BRANHAM: Keep going? Okay. Staff?

5 MR. PRICE: No, we can continue on.

6 CHAIRMAN BRANHAM: Alright.

7 MR. PRICE: It's your wish. Mr. Chair, I'm gonna point out something that just
8 based on a conversation or the discussion that I think the Planning Commission just
9 had, and this may be something that the Planning Commission can start looking at as
10 we, you know, move on. So you run across a situation like you just did where you
11 identify an area, when you see in this particular case a number of homes that you say,
12 you know what, this really doesn't fit but the property's, but the applicant only came in
13 with three parcels. But you can clearly see that there are other parcels in that area that
14 are very similar to what the subject parcels were. In those cases do we just wait until the
15 applicant or the adjacent property owners come in and ask for a rezoning, you know,
16 themselves and say, hey we wanna be rezoned to rural also, just using that as an
17 example, or is that something that maybe we should look at and maybe be a little more
18 proactive in some of these where we clearly see certain areas just aren't in compliance
19 either by zoning or, you know, with the Comprehensive Plan, and that we initiate the
20 request?

21 CHAIRMAN BRANHAM: Yeah. Thank you, Mr. Price, I know I've commented on
22 that here and there just as we've done the LDC rewrite and the remapping, that I
23 personally am receptive to, you know, targeted potential proactive rezonings. This area

1 does seem like it's a good example of one of those potential [inaudible] so appreciate
2 you bringing that up and it's something that I think we could definitely look at as a
3 regular practice if you will when these areas come to our attention. Alright.

4 MR. YONKE: Mr. Chair?

5 CHAIRMAN BRANHAM: Yes, Mr. Yonke.

6 MR. YONKE: Just a follow up question. What would the procedure look like for
7 us if we wanted to look at a particular area? Reach out to you before a meeting and add
8 it to the Agenda?

9 MR. PRICE: I think it would be a good idea the direction we've been going that
10 kinda also reaches out, I mean the Planning Commission reaches out and we put it as a
11 motion on the agenda and so we'll take it up at the next meeting and if it's agreed upon
12 then the following meeting we will initiate that rezoning process.

13 CHAIRMAN BRANHAM: Alright.

14 MR. JOHNSON: Mr. Chairman?

15 CHAIRMAN BRANHAM: Mr. Johnson.

16 MR. JOHNSON: I mean, in this particular case, I mean, but for the procedural
17 logistics of our role, my thought as I'm sitting here listening to the presentation of that
18 particular case, the most expedient thing would've been that if the Applicant was not in
19 a time situation to withdraw it without prejudice and then come back in a comprehensive
20 way and [inaudible] forward, which I think is part of your point, because now instead of a
21 standalone you would have something of more comprehensive nature that fits for that.
22 And so that is in fact a path forward for those rare but realistic situations and it provides

1 a mechanism [inaudible] appropriately in terms of what needs to happen within that
2 corridor or that particular area.

3 MR. PRICE: Right, I see exactly what you're saying but I think the only thing we
4 would have to really look at is that in order – when this got initiated the Applicant paid a
5 fee, completed an application and started the process. I'm trying to figure on what
6 grounds would we not hear the case. See what I'm saying? And so, I'm sorry, so I'm just
7 trying to figure out how we would, in this case, we agree that the area should be maybe
8 proactively zoned by the County, but what do we do with his request, you know, cause
9 you don't deny it. But then at the same time if you approve it it's gonna go forward, you
10 know, maybe that's something we should really look at from that standpoint.

11 CHAIRMAN BRANHAM: Yeah, that'd be another way to go about it, I mean, we
12 could always just encourage them to apply individually, but I know it's within our
13 authority to propose it ourselves. Yep. Okay. Item No. VIII, this is a proposed resolution
14 to recommend that Richland County Council enact an Ordinance amending the
15 Comprehensive Plan by incorporating and adopting the Lower Richland Tourism Plan
16 into that Comprehensive Plan. We heard a presentation from, I believe it was the
17 Conservation Commission last meeting and I just wanna ask, we deferred any action,
18 we talked about I guess potential options for, you know, what we might want to put in
19 our resolution. The resolution we have was drafted by Staff, that was in our materials.
20 And Staff, is there anything that you guys wanna present upfront before we continue the
21 conversation today or?

22 MR. PRICE: Not from the Planning Staff. We can see if the, we have
23 representatives from the Conservation Department but also we have from the

1 Conservation Commission Mr. Greggo, he spoke previously at the last meeting, that
2 they may have some input as to some additional suggestions.

3 CHAIRMAN BRANHAM: Okay. Any questions for this gentleman? Alright.

4 MR. EPPS: Quinton Epps, Conservation Division. We don't have anything further
5 to say but we'd be happy to answer any questions you might have.

6 CHAIRMAN BRANHAM: Thank you, Mr. Epps. I guess again I feel like I'm
7 generally in favor of, you know, the content of what I reviewed in the plan. I'm just a little
8 uncertain as to, you know, whether we would take this – I would be in favor of taking the
9 step to formally recommend that it be incorporated into the Comprehensive Plan. But I
10 do wanna hear from the Commission on this.

11 MR. DURANT: Question, Mr. Chair.

12 CHAIRMAN BRANHAM: Mr. Durant.

13 MR. DURANT: Staff actually, if this is adopted into the Comprehensive Plan does
14 that mean going forward every zoning application that comes through we're gonna have
15 to also look at how it affects the Tourism Plan?

16 MR. PRICE: I think any parcel that comes forward that falls within the designated
17 area of the Tourism Plan, that would be included as part of the package when we're
18 establishing the designations that it falls within and the requirements of those
19 designations. So you would get the Comprehensive Plan as far as whether it's rural or
20 conservation or whatever, those designations are, what those guidelines are. But we
21 would also include those same guidelines for the Tourism Plan also if it falls within those
22 areas. That's just, again, for you and your evaluation on whether you want to approve or
23 disapprove a request.

1 CHAIRMAN BRANHAM: [Inaudible] question.

2 MR. YONKE: Mr. Chair?

3 CHAIRMAN BRANHAM: Mr. Yonke.

4 MR. YONKE: Maybe a simplified question. Who kicked off this Tourism Plan?

5 Was it something Council requested?

6 MR. EPPS: [Inaudible].

7 CHAIRMAN BRANHAM: Mr. Epps, thank you.

8 MR. EPPS: Quinton Epps, Conservation Division for the Record. Planning
9 Commission Chair and Members, I am trying to remember exactly how it started. There
10 was much conversation with the Councilmembers at the time about how we needed to
11 promote existing resources that we already had down in the Lower Richland area. And
12 then a study came out from the National Park Service that, and I can't remember the
13 exact figures but, [inaudible]. So I don't know if you heard that or not but it was 155,000
14 visitors per year and, I've already forgotten, \$9.2 million dollars back then, and since
15 then it's increased. And so there was a lotta discussion among Commissioners about
16 how we would enhance the natural, cultural and historic resources that we already have
17 in the area and produce more value from that, and we started looking at gateway
18 communities all around the country which are thriving because they take advantage of
19 these national park visitors and the income they have in the area. And so we were trying
20 to figure out how we would do that as a county and that's how the Lower Richland
21 Tourism Plan came into effect; it was, frankly the Commissioners and a group of people
22 from the area and the Councilmembers who said, well we need to bring together a study
23 and figure out how other areas do this, and that's how we came to the Lower Richland

1 Tourism Plan. And then during the production of the Plan, if that's the right term, we had
2 stakeholder meetings to determine if people in the area, what they would want and how
3 they would want it done and that's how the Plan came together, if that answers your
4 question.

5 MR. YONKE: It does, thank you.

6 CHAIRMAN BRANHAM: When you reference commissioners you're talking
7 about Conservation Commissioners, is that right?

8 MR. EPPS: Yes, I apologize, the Richland County Conservation Commissioners.

9 MR. DENNIS: Mr. Chair?

10 CHAIRMAN BRANHAM: Mr. Dennis.

11 MR. DENNIS: Yes, sir. How many of the community members down there, how
12 much input did they have? I mean, did y'all have a lotta meetings with them?

13 MR. EPPS: I'm trying to remember the exact number of meetings. It may have
14 been three meetings, but it was at a minimum two meetings we had down there. They
15 were highly publicized where we brought in the consultants and we had all these boards
16 up and we asked a lotta questions and we got a lotta feedback. And we also took
17 feedback online. I'd probably, I'd have to look back at the figures and get back to you if
18 you really want an exact number, but I'd say that we had 500 to 1,000 people who
19 provided feedback over the period of the, when they were writing the Lower Richland
20 Tourism Plan.

21 MR. DENNIS: Was any of that feedback negative feedback or was it all positive
22 or was it a mix?

1 MR. EPPS: There was very little negative feedback about the Plan itself. There
2 were a lot of folks who provided feedback that said they wanted a hospital in the area,
3 which is, it's not really the focus of the Lower Richland Tourism Plan because that's not
4 what we were going for so those kinds of comments were, they were tabulated but, you
5 know, it didn't really apply to us. There were a few comments that were from large
6 adjacent landowners who said that they weren't particularly happy about promoting
7 more people coming down to the area, and there were some, if I'm, off of memory,
8 people that were complaining about the bicycle riders that ride through Lower Richland
9 and how sometimes they get big groups of bicycle riders down there and they block
10 traffic. So those were the kinda negative comments that I remember, very little in the
11 way of negative comments or, in particular significant negative comments. Most people
12 were in favor of it, and even frankly some of the large landowners that I approached
13 later who didn't wanna bring people down into the area, they were, they said, yeah it's a
14 good idea but I don't really want anybody else to enjoy my area, I like it just like it is.

15 MR. YONKE: Mr. Chair?

16 CHAIRMAN BRANHAM: Mr. Yonke.

17 MR. YONKE: I have a question, I don't know how to ask it again, like any input
18 from the military? I look at your map in the middle of the packet, McEntire Air Base in
19 the in center and they fly helicopters, F-16s all over, it's just south of Ft. Jackson. What
20 are some military members saying, I mean, do they have any comments?

21 MR. EPPS: I do not remember, I'm gonna have to look back at that to provide
22 you with some comments later exact, but my thought is is that the consultants did reach
23 out to the Air Force Base in particular and they were in favor of it as long as it promoted

1 activities in the, what I call the mushroom, you know, where they're likely to have all the
2 crashes if anybody crashed, you know, where they land and they take off, there's like a
3 mushroom around the base. And otherwise they didn't want any development in that
4 area; they promote AG and conservation in those areas so that if they have crashes
5 they are not, they're impacting the least amount of people.

6 MR. JOHNSON: Mr. Chairman?

7 CHAIRMAN BRANHAM: Mr. Johnson.

8 MR. JOHNSON: I was certainly here last month and heard the presentation, I
9 appreciate your opening comments in terms of what I'm gonna deem as support in
10 terms of the Tourism Plan. My question is, I think it needs to be adopted, it needs to be
11 as an economic development corridor, my question is, given that we make our decisions
12 based on a set list of criteria in evaluating the cases that come before us, has Council
13 for the County weighed in on whether or not the adoption as a part of the
14 Comprehensive Plan is the right mechanism for the Plan to be adopted. My question is
15 not should this be formally adopted by Council, it is that is the adoption as a part of the
16 Plan the proper mechanism? And has counsel, not council meaning County Council but
17 has legal counsel weighed in or opined on that?

18 CHAIRMAN BRANHAM: Mr. Jenson?

19 MR. JENSON: Thank you, Mr. Chair. Man, he made me stand up after sitting so
20 long. Very simply yes, we went back and forth as administration with the Chair of the
21 Council and with legal staff and so forth, and it was determined that the appropriate
22 mechanism for this Plan was adoption as part of the Comprehensive Plan. So this went
23 to Council approximately two to three months ago, Council reviewed it, they accepted

1 the Plan and they directed Staff to send it to Planning Commission. So that was an
2 actual motion from the Council to bring it to, to do this process, so yes, sir.

3 MR. JOHNSON: Thank you.

4 CHAIRMAN BRANHAM: Yeah, I like a lot of what I saw in the Tourism Plan. I
5 don't remember us, I mean, Mr. Price is there a precedent for, you know, a tourism plan
6 being adopted into the Comprehensive Plan in Richland County?

7 MR. PRICE: Not that I know of, but I mean, adoption of this is very similar to what
8 you did with the Sandhills [inaudible] I believe y'all were on Council, I guess y'all weren't
9 on Planning Commission during that time, but essentially by putting this in our
10 Comprehensive Plan it will allow you, to go back to what Mr. Yonke, one of his
11 questions about, you know, the Air Force Base, again, you still need the zoning a lotta
12 times to help initiate some of these uses. And so again, you will look at the
13 Comprehensive Plan, you'll look at the Lower Richland Plan, and take all those things
14 into consideration. Of course again, with the input a lotta times from the community, but
15 also from the Air Force Base. So, but going back to, we have done something similar
16 and actually more recently we kinda followed that model in which we [inaudible] the
17 Sandhills Plan into the Comprehensive Plan, the Master Plan.

18 CHAIRMAN BRANHAM: Okay. Can I get a thumbs up from the audio technician,
19 do we get the audio, Mr. Price? Can you catch Mr. Price's audio, are you catching what
20 he's saying?

21 MR. PRICE: Yes.

1 CHAIRMAN BRANHAM: Okay. Alright. Thought I'd ask, thanks. What else from
2 the Commission? I gotta thought on a motion, just I could throw that out there just for
3 conversation purposes.

4 MR. DENNIS: Yeah, I'd like to hear your motion.

5 CHAIRMAN BRANHAM: Well, so just, you know, I'm a little hesitant to appear to
6 be endorsing, like budget expenditures. I know there were some budgetary numbers set
7 forth in the Tourism Plan and also, you know, just reluctant to add another layer that
8 might potentially restrict the zoning analysis, so I wanna like put something out that's
9 positive about the Tourism Plan, and it may just be too soft for the Commission, but I
10 was just thinking about moving to recommend that County Council support the stated
11 objectives of the Tourism Plan in any way they deem appropriate. You know, we give it
12 a thumbs up and then it lands with Council to determine what they feel like is
13 appropriate.

14 MR. DENNIS: I second that.

15 MR. PRICE: Mr. Chair?

16 CHAIRMAN BRANHAM: Yes, Mr. Price.

17 MR. PRICE: I'm gonna turn this over to Mr. Epps again; the discussion about any
18 type of financial obligation was discussed at Council, on Council level. Mr. Epps, just
19 talk about that a little bit more.

20 MR. EPPS: Yes. In Council we had several meetings where we discussed the
21 financial obligations that this plan, or in other words this concept might present if it was
22 approved. And the answer was always that it, it's already probably three or four years
23 old and it doesn't present, these are estimates of what it might cost if we were to do

1 these things. But just like any other plan you might have it doesn't mean that it's gonna
2 be implemented exactly the way, and it certainly doesn't mean that that's what it's
3 gonna cost. As we've all seen in the last few years costs change very rapidly. But the
4 costs and the estimates of those costs do not obligate the Commission or the County or
5 anybody else that these projects have to be done and they have to be done exactly like
6 this. As we go forward in the future what we're looking for is the County Council and the
7 Planning Commission to approve these items so that we can go out and look for grants
8 and look for funding mechanisms, look for donations, look for things so that we can fund
9 these things; not that we ever have to do them. And I've been with the County not quite
10 as long as Geo but long enough to know that many plans are made that are, never
11 come to pass because of one reason or another, and in most cases it's because you
12 can't find the funding. So if we do not find the funding to do these things they will not
13 come to pass, then there is no obligation that's presented to the Council or by the
14 Commission through accepting this Plan.

15 MR. JOHNSON: Mr. Chairman, I –

16 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

17 MR. JOHNSON: I think that your motion as presented is an endorsement of the
18 Plan, still allowing Staff to use it as a funding mechanism that has been reviewed by this
19 Body and endorsed and accepted by the Body. It just is not adding the legal teeth to
20 add it as a part of the Comprehensive Plan.

21 CHAIRMAN BRANHAM: Right. Anything else for Mr. Epps?

22 MR. EPPS: I'd like to ask if Mr. Jenson could come up.

23 CHAIRMAN BRANHAM: Mr. Jenson, come on up.

1 MR. JENSON: Thank you again, Mr. Chair. Very briefly, you know, there are two
2 different regulatory documents, planning documents, that are just in general. You have
3 comprehensive plans which are advisory in nature, and then you have zoning codes
4 which are regulatory in nature. And so there are other things, other than comprehensive
5 plans there are other plans that the County and local jurisdictions adopt such as the
6 annual strategic plan that the Council adopts every year. They're not regulatory in
7 nature, they are purely advisory, and so the reason why the legal Staff, the County
8 Attorney's Office, the administrative Staff recommended this process was because it's
9 not a regulatory process in the sense that it is mandatory. It is purely advisory and so
10 any numbers, any policies, anything you see in here, again are advisory. Every year the
11 Council would have to approve a budget, which they do, and in their budget they would
12 have to take into consideration whatever expenditures are recommended in this
13 document, and then they would approve them in the budget at which time they would
14 become effectively regulatory type things because they would be approved as part of
15 the annual budget. So that is the reason why this process was recommended because
16 this is an advisory document, the Comprehensive Plan is an advisory document, and
17 any expenditures, anything that enacts this Plan would have to be approved annually by
18 Council through their budget process.

19 CHAIRMAN BRANHAM: Okay. I mean, I appreciate the information. I don't know,
20 nothing in my motion is, you know, adverse to what's in the Tourism Plan, I just, you
21 know.

22 MR. EPPS: No, the reason I bring that up is because Council specifically tasked
23 us as Staff to take it before you to add to the Comprehensive Plan. So if your direction

1 is to add it to the Comprehensive Plan then you should say, add it to the
2 Comprehensive Plan. If your direction is don't add it to the Comprehensive Plan then
3 your motion should say, don't add it to the Comprehensive Plan. In other words giving
4 us a motion that doesn't do one or the other doesn't affect what Council has tasked you
5 with or tasked us with. So my only request is if you think it should be part of the Plan
6 then say that and if you think it shouldn't be part of the Plan then say that, and either
7 way we can then take the action to Council or we can take the item to Council for action.

8 CHAIRMAN BRANHAM: Alright, I think that speaks a little bit to the dynamics
9 between the Planning Commission and County Council, I mean, we have our authority
10 that's by statute and, I mean, you know, there are motions that Councilmembers make
11 that, you know, we're asked to consider because they're within a certain purview. I
12 mean, it just, you know, you're saying Council directed the Planning Commission to
13 make a recommendation about whether or not to add the Tourism Plan to the
14 Comprehensive Plan.

15 MR. JENSON: That's the direction is to, do you recommend, as a body does the
16 Commission recommend this as part of the Comprehensive Plan or not; that is what
17 Council has put before you.

18 CHAIRMAN BRANHAM: Yeah, I'd like to have information along those lines, you
19 know, it just shows up on our Agenda as a resolution to recommend. You know, dot,
20 dot, dot, so.

21 MR. JENSON: I understand. And so if you need to continue this with the new
22 information I've given you that's fantastic. I just wanna make sure that you understand

1 that is what has been, that is what the application is, the application for lack of a better
2 term is to add this to part of the Comprehensive Plan.

3 CHAIRMAN BRANHAM: Okay. Mr. Yonke, I think you –

4 MR. YONKE: Quick question for Staff, Mr. Jenson. Would you guys say that this
5 Plan contradicts the Comprehensive Plan at all or is it just another layer?

6 MR. JENSON: It is, Mr. Chair, may I address?

7 CHAIRMAN BRANHAM: Yes, Mr. Jenson.

8 MR. JENSON: Thank you. Yes, it is another layer. So in South Carolina in our
9 State Code there are certain elements you have to have in a Comprehensive Plan. You
10 have to have a land use element. You have to have, I think it's a transportation element.
11 And I cannot remember all the – I could tell you in other states, I could tell you better.
12 But I know here, and so this is the equivalent of another element. An economic
13 development plan is a typical element in a Comprehensive Plan in many jurisdictions
14 and many states. There are all different kinds of elements, so a tourism or heritage or
15 conservation element is very, very common in a Comprehensive Plan.

16 CHAIRMAN BRANHAM: Anything else?

17 MR. JOHNSON: Just one, I'm not trying to split hairs but just make sure I'm
18 hearing what, I'm pitching what you're catching.

19 MR. JENSON: Yes, sir.

20 MR. JOHNSON: Was Council's vote for the Planning Commission to be part of
21 the process so that we would vote and bring it as a part of the Comprehensive Plan for
22 them to approve, or has Council asked us to consider it?

23 MR. JENSON: Thank you, Mr. Chair may I address?

1 CHAIRMAN BRANHAM: Yes, Mr. Jenson.

2 MR. JENSON: Thank you. Yes, so the request is to have the Planning
3 Commission weigh in on whether or not it should be part of the Comprehensive Plan so
4 that they can then take a final action on it. Yes, sir.

5 MR. JOHNSON: Thank you, Mr. Jenson.

6 MR. DENNIS: Mr. Chair?

7 CHAIRMAN BRANHAM: Mr. Dennis?

8 MR. DENNIS: So we have a motion and it's seconded.

9 MR. JOHNSON: We still need to call the question on the motion on the floor.
10 Editorial comment, I mean, I do think that your motion does what [inaudible]. Yeah,
11 could you restate your motion?

12 CHAIRMAN BRANHAM: Yes, it's to recommend that Council support the stated
13 objectives of the Lower Richland Tourism Plan in any way they deem appropriate.

14 MR. JOHNSON: Can I make an amendment?

15 CHAIRMAN BRANHAM: Yes, go ahead.

16 MR. JOHNSON: Including adoption as part of the Comprehensive Plan.

17 [Inaudible]

18 CHAIRMAN BRANHAM: Yeah, I have no objection to that friendly amendment.

19 MR. DENNIS: So we had a motion, a second and now we're amending the
20 motion, correct?

21 CHAIRMAN BRANHAM: Yes.

22 MR. DENNIS: Alright, I withdraw my second on the amended motion.

23 CHAIRMAN BRANHAM: Okay. Is there a second to the amended motion?

1 MR. YONKE: I second.

2 CHAIRMAN BRANHAM: Motion and second, anymore debate or discussion? Or
3 we'll go ahead and take the vote.

4 MR. DURANT: Mr. Chair, question.

5 CHAIRMAN BRANHAM: Yes, Mr. Durant.

6 MR. DURANT: The initial motion was to offer someone a softer version for the
7 Council to look at, and what Mr. Johnson added strengthens it a little bit, but I don't think
8 enough.

9 CHAIRMAN BRANHAM: You don't think enough, is that what you said?

10 MR. DURANT: I think as Mr. Administrator said, the Council has asked us should
11 they do it or should they not do it, and they're not looking for options.

12 CHAIRMAN BRANHAM: Yeah, and I just don't, I don't have that background
13 other than just hearing it now from the podium. So you know, normally there's a written
14 motion, for example, what was said under IX.(a.) Council Motions, you know, an
15 articulated motion with the source on it and, you know, I don't have that background
16 information, what I have is just a draft resolution, you know, in the packet, so. We could
17 defer it but we do have a motion and a second on this amended motion. Any other
18 debate on this motion? Alright, so the motion is to recommend County Council support
19 the stated objectives of the Lower Richland Tourism Plan in any way they deem
20 appropriate, including adoption as a part of the Comprehensive Plan. Mr. Price, would
21 you take the vote on that?

22 MR. PRICE: Alright, those in favor of the motion, Branham?

23 CHAIRMAN BRANHAM: Aye.

1 MR. PRICE: Dennis?

2 MR. DENNIS: No.

3 MR. PRICE: Yonke?

4 MR. YONKE: Aye.

5 MR. PRICE: Johnson?

6 MR. JOHNSON: Aye.

7 MR. PRICE: Frierson?

8 MS. FRIERSON: Aye.

9 MR. PRICE: Metts?

10 MR. METTS: Aye.

11 MR. PRICE: Durant?

12 MR. DURANT: Aye.

13 MR. PRICE: Siercks?

14 MR. SIERCKS: No.

15 *[Approved: Branham, Yonke, Johnson, Frierson, Metts, Durant, Opposed: Dennis,*
16 *Siercks; Absent: Taylor]*

17 MR. PRICE: Motion passes 6/2.

18 CHAIRMAN BRANHAM: Okay, thank you. So yes, Mr. Dennis is that you?

19 MR. DENNIS: Yes. I just wanted to make a brief statement on why I voted no.

20 CHAIRMAN BRANHAM: Sure.

21 MR. DENNIS: The reason why I voted no, I did not want to add this to the

22 Comprehensive Plan because I feel that it's not needed at this time. I do support it, I like
23 it, but with the upcoming Comprehensive Plan I think there would've been a better way

1 to go forward with it and looking at that more in-depth. I just, I just don't see, like it's
2 more of a County Council thing, not for us, cause I mean, it can either go yes or no from
3 us and they can do whatever they want to with it. It just, it didn't go against the
4 Comprehensive Plan, it didn't go with the Comprehensive Plan, so I mean, I think that's
5 why, and that's why I voted no cause I really think County Council should make that
6 final determination. I just didn't support telling them to make it.

7 CHAIRMAN BRANHAM: Okay. Mr. Price, Mr. Jenson, if you guys have any
8 additional information or direction from County Council once you provide them the
9 report of our actions today, please let us know.

10 MR. JOHNSON: I just wanted the Vice-Chairman to know I understand that that's
11 why we approached it that way because it wasn't us saying yes, it was you as County
12 Council make your decision.

13 CHAIRMAN BRANHAM: Alright, thank you. That is Item VIII, Mr. Price, was there
14 anything else from you?

15 MR. PRICE: Just for clarity on the motion, so are you essentially approving the
16 resolution or?

17 CHAIRMAN BRANHAM: Well, we probably would wanna reword the resolution to
18 try to follow pretty closely what my motion was; definitely not approving the resolution as
19 it was written in our packet.

20 MR. PRICE: Okay, so do you want us to go ahead and reword the resolution
21 then send it out to you for your review or?

22 MR. JOHNSON: Mr. Chairman, can you reread your resolution, please?

1 CHAIRMAN BRANHAM: Yes. The request is to reread it. The motion was to
2 recommend County Council support the stated objectives of the Lower Richland
3 Tourism Plan in any way they deem appropriate, including adoption as a part of the
4 Comprehensive Plan. And I'll be happy to circulate the draft amongst the Commission
5 once you've drafted that, Mr. Price.

6 MR. PRICE: Okay.

7 CHAIRMAN BRANHAM: Alright. Anything else on Item VIII?

8 MS. FRIERSON: I have one statement editorially.

9 CHAIRMAN BRANHAM: Okay.

10 MS. FRIERSON: I heard the discussion and I think the problem is, like you said
11 you're not trying to tell them what to do, I think we added too much verbiage when we
12 included that part about including, blah, blah, blah, blah, blah, blah. The part right before
13 that, if we'd stopped right there then I don't think the ambiguity would've come and I
14 don't think that we'd be "telling them what to do". If you just read it again and stop and
15 just hear it, if you would, just please.

16 CHAIRMAN BRANHAM: Sure. To recommend County Council support the stated
17 objectives of the Lower Richland Tourism Plan in any way they deem appropriate.

18 MS. FRIERSON: I mean, and in any way they deem appropriate covers that, we
19 wouldn't have to say, including blah, blah, blah, blah, blah.

20 MR. DENNIS: Mr. Chair?

21 MS. FRIERSON: Just editorially.

22 CHAIRMAN BRANHAM: Mr. Dennis.

1 MR. DENNIS: Yeah, I totally agree. That's why when he read it the first time
2 that's why I seconded it the first time. And then when we added it that's why I didn't
3 second. I agree, I think the first one was the better one.

4 CHAIRMAN BRANHAM: Okay. Anything else on Item VIII? And thank you to the
5 Conservation Commission for your hard work on the Plan. I was really excited to look at
6 it. I think I mentioned last month I grew up in that area, still have a lot of family out that
7 way, really excited about the idea of the gateway to the Congaree Park becoming a
8 more successful area and bringing the attention that I believe that, you know, our
9 natural assets deserve and the history of that area as well. So thank you for your work
10 there. We'll just see what County Council does with it. And we had Item IX.a., that was
11 tabled and so we move to Item IX.b., these are recommended amendments to the 2021
12 Land Development Code. And we, none of these are new as I recall so we had two
13 motions by Mr. Dennis and then a third from me and the County was gonna offer some
14 potential fine tuning of terminology as to my motion and then as I recall Mr. Dennis was
15 gonna propose some potential special requirements as to his motions. Mr. Dennis, do
16 you wanna talk about yours there, that first one as to Animal Shelter?

17 MR. DENNIS: Yeah, the special requirements were already in there for the, for it,
18 it was just when I looked at RT, I really wanna do something a little bit different with that.
19 But I was down and out for a little bit so I didn't get to dig into as much, but your motions
20 really didn't affect it like I thought it was for size. I did not print that out, I printed
21 something else out and forgot to print that coming here so I would need to pull up the
22 special requirements, so while we're talking I can pull them up.

1 CHAIRMAN BRANHAM: So in my motions were you talking about just the
2 modifications to the density for AG/HM?

3 MR. DENNIS: Yes, the densities. So there was special requirements already for
4 the animal shelter and veterinary services, and I just think they should just roll over to
5 that RT area. Basically taking the exact same thing out of there and putting it in there,
6 cause I mean, as far as land size I didn't see anything in there. You know, there's
7 already the services in there, I had some other things but when I read through it I just
8 figured that what's in there is already good enough and actually a lot better than what I
9 came up with. So I just kinda wanted to keep those as the special requirements.

10 CHAIRMAN BRANHAM: I'm not really following. Where are the special
11 requirements that you think are appropriate right now?

12 MR. DENNIS: So what they got in front of us where he just highlighted, those are
13 the special requirements that would have to go in there for it. And I think there's one on
14 the page below it, too.

15 CHAIRMAN BRANHAM: What area is this found right now, Tommy, Mr. DeLage?

16 MR. DELAGE: Alright, currently it is by special requirements and the [inaudible]
17 all the way at the bottom of this so I just have to follow it up, at the GC district, the INS,
18 or I'm sorry, the LI district, the CC4 and then as part of a planned development district.
19 And just a note, it is permitted outright in the INS district.

20 CHAIRMAN BRANHAM: Go back to that list. That's not it, is it? We're looking at
21 group living right now?

22 MR. DELAGE: And I apologize. I was looking at the wrong chart. It's special
23 requirement INS and then permitted outright in EMP.

1 MR. DENNIS: My reasoning for putting it out there, I know in a lot of other areas
2 around the country you find the animal shelters more in a rural area versus more
3 industrial areas, getting them out away from the city and things like that. I personally
4 liked it. I've had some people ask about it, why don't we have it more out in rural areas
5 than we do up in the city, so I started looking at it and looked at Richmond County,
6 North Carolina, I wanna say it was Tallahassee, Florida or Leon County, and that's
7 kinda how they had it, they had those out in those areas. So I thought it'd be a good
8 way to incorporate it for us to, out in some of these rural areas, allow this type of use.
9 Cause I mean, you might have somebody that has that land that wants to do that but
10 they can't, I mean, if you got 100 acres or even 10 acres or three acres, just wherever
11 you're at; if you're in the middle of nowhere, and I hate to say that, in the middle of
12 nowhere, but when you look at a lotta these areas when we got some RT districts that
13 are just out in the middle of RU, I mean, it can support it. I just thought it was a good
14 idea for the future because, I mean, as a city we're growing out and I really don't think
15 it's conducive to have a lot of these animals in the city. I think it's better off in a more
16 rural setting. I know it seems like a stretch but that was my thinking, I really think you
17 have a lot of people with big hearts that could utilize their land and help, cause I actually
18 know quite a few people that have, you know, started rescues and things like that and
19 they're towards the city and they got that area, but I mean, if you got somebody out in
20 the rural area they could do this. They could absolutely do this. And this is just a
21 suggestion, it's not like I'm fighting tooth and nail to get it, I just threw it out there trying
22 to make some things for the future a little bit better.

1 CHAIRMAN BRANHAM: I know where you're coming from there, Mr. Dennis. I
2 wanted to ask, does Staff have any opinion about this?

3 MR. PRICE: Yes. I guess one of the concerns that we looked at, at least I looked
4 at, basically what we did was we took all of our rural zoning designations that were
5 three acres or less and they became RT. If I'm correct.

6 CHAIRMAN BRANHAM: Three acres or less, yes.

7 MR. PRICE: But one of the things, you know, even going back to when we were
8 looking at a whole new Land Development Code rewrite was looking truly at the rural
9 areas and, like what is really rural. So I guess one of the things I'm looking at here is
10 how do we look at RT now? Is it a true rural zoning designation or is it more of what we
11 looked at, what was our rural residential, you know, more residential it's just that you
12 have larger lots. With that being said if you look at the special requirements that we're
13 looking at it says, building, housing, animals should be located a minimum of 150' from
14 residential districts. So it seems like, I think the intent of these is that you want these
15 away from where residential use is occurring, more out, if you're, you know, right now I
16 think we have them in the commercial designations primarily, but if you're going to have
17 them in a, what was one of our rural zoning designations it would seem like you would
18 want these in a, maybe an AG or HM, which typically aren't gonna have that residential
19 component, you know, around it.

20 MR. DENNIS: I see where you're coming from with the, about the RT. The only
21 reason why I was incorporating RT is because I know a lot of the areas, because they're
22 under that HM will be RT out away from residential areas, and that's kinda why I was
23 looking at it that way, too. But I do understand how you're looking at it.

1 CHAIRMAN BRANHAM: So if we only did it in AG and HM we would then at least
2 be securing the fact that these lots would be at least three acres.

3 MR. DENNIS: Right.

4 MS. FRIERSON: Mr. Chair, I have a question.

5 CHAIRMAN BRANHAM: Yes, Ms. Frierson.

6 MS. FRIERSON: With reference to the animal shelters and the animal services,
7 that phrase permitted by right, what does that actually mean?

8 CHAIRMAN BRANHAM: Would Staff like to address that?

9 MR. PRICE: What was the question? I apologize.

10 MS. FRIERSON: That's okay. You know, under the section still dealing with the
11 animal shelters and the animal services, Item 1. and 2. under letter i., the phrase
12 permitted by right is used both places. What does that actually mean?

13 MR. PRICE: It says permitted by right? That means there are no special
14 requirements that go along with it, they are just allowed uses.

15 MS. FRIERSON: What? I couldn't hear the last part.

16 MR. PRICE: I apologize.

17 MS. FRIERSON: Under Roman numeral IX., letter b., and letter i., then letter 1.
18 and 2., and the phrase permitted by right under animal shelter and animal services, I
19 was just wondering what does that permitted by right really mean.

20 MR. PRICE: Which means it can be a, that use is an allowed use in that zoning
21 designation without any additional requirements to go along with it. So there wouldn't be
22 any additional special requirements for the establishment of that use.

23 MS. FRIERSON: That's a legal term?

1 MR. PRICE: Yes, ma'am, very similar to if we tell you a property's zoned RS-LD,
2 a single family detached unit is a permitted use by right, which means it can go there,
3 no additional requirements that would need to be in place.

4 MS. FRIERSON: Thank you.

5 CHAIRMAN BRANHAM: We are potentially talking about special requirements in
6 this motion, so is that wording correct or appropriate or would you recommend different
7 phrasing?

8 MR. PRICE: I think the wording is correct but I think, my thought is with the
9 inclusion of the RT zoning designation, that's the only thing that concerns me. But if the
10 RT was not there then I think those special requirements would be appropriate for the
11 HM and the AG cause it would ensure at least some type of setback or separation
12 between a residential zoning designation or a residential use.

13 CHAIRMAN BRANHAM: If we could, could we go back again to the list of special
14 requirements?

15 MR. PRICE: And one thing we can point out and we'll be more than happy to pull
16 up the remapping that we did, I think where we went to the equivalency table, that I
17 think one of the things that may help alleviate any of the concerns that Mr. Dennis had
18 is that you do have a lot of RT that is amongst the AG zoning designation and also the
19 HM. So they're kind of in the same area so it's not as if you would have, you know, one
20 section of an area that's zoned RT and then miles away would be AG or HM. I think that
21 they would support each other but yet at the same time still give some type of
22 protections for the RT zoning designation.

1 CHAIRMAN BRANHAM: That d., that fenced outdoor runs from 6:00am to
2 10:00pm for boarding does make me think we probably should have some space. And
3 there's no restrictions on the, you know, number of animals or anything like that, right, in
4 the zoning? And Mr. Dennis, I totally understand what you're getting at as far as, you
5 know, there seems like there would potentially be some need for sheltering animals in
6 rural areas where some agricultural activity related to animals is taking place; farm
7 animals or other domesticated animals I guess.

8 MR. DENNIS: My idea was, you know, the whole rural concept out there, it's just,
9 you know how the RT's sprinkled in areas, you know, I just, that's why I threw the RT in
10 there cause I figured there was some areas out there and because of the land. But you
11 know, I'd be willing to change that motion and just, and drop the RT and just go with AG
12 and HM.

13 CHAIRMAN BRANHAM: Can we get some preliminary feedback from the
14 Commission on that?

15 MR. DURANT: Mr. Chair, that makes sense to me.

16 CHAIRMAN BRANHAM: Thank you, Mr. Durant. Mr. Yonke has stepped away
17 briefly but Mr. Dennis, upon some feedback from Mr. Price, was offering that potentially
18 he could amend his motion to eliminate the, to remove the RT zoning district from the
19 motion such that the animal shelter would be permitted with special requirements in the
20 AG and HM. Okay, anyone else wanna comment on that or we can go ahead and just
21 have Mr. Dennis make his motion and go from there.

22 MS. FRIERSON: Hold on just one moment.

23 CHAIRMAN BRANHAM: Thank you, Ms. Frierson.

1 MS. FRIERSON: If I understood correctly, RT is the three acres or less. Okay,
2 what's the acreage for AG?

3 MR. DENNIS: AG is 35 acres or more.

4 MS. FRIERSON: Okay, and what about HM?

5 MR. DENNIS: HM's from three to 35 acres.

6 MS. FRIERSON: Alright, then we've got a problem with the wording then
7 because you all explained to me what permitted by right is, and then that's the one that
8 Geo said, Mr. Price said no additional requirements. And we skip right over and then
9 say, subject to special requirements, so we've got the wording messed up, we've gotta,
10 I shouldn't say messed up, we've got to get it, that wording I would think.

11 CHAIRMAN BRANHAM: Yeah, that's what I was asking Mr. Price about earlier
12 was that wording correct or did we need to change it.

13 MR. DENNIS: Mr. Chair.

14 CHAIRMAN BRANHAM: Well Mr. Dennis, alright.

15 MR. DENNIS: Yeah, permitted by right was subject to special requirements, the
16 wording I got. If you actually look at the table that is a designation of an SR, so it would
17 go down SR, not a P.

18 CHAIRMAN BRANHAM: Is that why you said earlier, Mr. Price, that we didn't
19 need to change the phrasing?

20 MR. PRICE: Okay, so we're getting more clarification now. Right, so by including
21 this type of use in the HM and AG district we'll just do it by special requirements versus
22 as a P, which would be what Ms. Frierson was mentioning is a permitted use outright.

23 CHAIRMAN BRANHAM: Right, so is the proper wording permitted –

1 MR. PRICE: By special requirements.

2 CHAIRMAN BRANHAM: Okay.

3 MR. DENNIS: So it's not permitted by right subject to special requirements?

4 Because, I mean, that's how it's in our Code for all, for anything SR or SE. If it was
5 exemptions it would be permitted subject to approve of special exemption permit. I'm
6 just going by our new Code.

7 MR. PRICE: Alright, so looking here at our Code, and Tommy we'll go back to
8 the special requirements that were just – okay. Alright, so again looking at it if we were
9 to introduce it into the AG and HM zoning designations it would be by SR when you're
10 looking at this, SR. But those special requirements as you go the end it tells you which
11 section those special requirements could be found. So it would just be special
12 requirements.

13 CHAIRMAN BRANHAM: Permitted by special requirements, is that what you
14 said earlier?

15 MR. PRICE: Yes, permitted by special requirements and that's what the SR
16 stands for. By right subject to special requirements.

17 MR. DENNIS: But then our table on 26-4.2(b) is wrong. Or our verbiage. Up at
18 the top. The SR says permitted by right subject to special requirements.

19 MR. PRICE: Right, so it's allowed provided you can meet these requirements. So
20 that's, it would be correct.

21 MR. DENNIS: So my motion is correct.

22 MR. PRICE: Your motion would be – yes, include this under this section under S,
23 it would be an SR under this. I think we're all learning this Code, so.

1 MR. DENNIS: Yeah, I mean, if it was under 2005 I think it would've been different
2 verbiage, but because it's under the new that's why I went with that permitted by right
3 subject to special requirements which would designate it as an SR on the table.

4 CHAIRMAN BRANHAM: Mr. Dennis, did you make a motion?

5 MR. DENNIS: I can't remember either. So here, let me make the motion. I'm
6 gonna amend the motion as to animal shelter, I move to recommend the addition of
7 animal shelters permitted by right subject to special requirements in the AG/HM zoning
8 districts.

9 CHAIRMAN BRANHAM: Okay.

10 MR. YONKE: Second.

11 CHAIRMAN BRANHAM: Alright. It's been moved and seconded. Is there any
12 further debate or discussion on this motion? Alright, so motion is to add it to the ledger,
13 the recommendation the addition of animal shelters permitted by right subject to special
14 requirements in the AG and HM zoning districts, those being the same special
15 requirements set out, I guess we got here on page 4-17 of the November 2021 version
16 of the Land Development Code. Alright Staff, would you please take the vote?

17 MR. PRICE: Alright. Those in favor of the motion, Branham?

18 CHAIRMAN BRANHAM: Aye.

19 MR. PRICE: Dennis?

20 MR. DENNIS: Aye.

21 MR. PRICE: Yonke?

22 MR. YONKE: Aye.

23 MR. PRICE: Johnson?

1 MR. JOHNSON: Aye.

2 MR. PRICE: Frierson?

3 MS. FRIERSON: Aye.

4 MR. PRICE: Metts?

5 MR. METTS: Aye.

6 MR. PRICE: Durant?

7 MR. DURANT: Aye.

8 MR. PRICE: Siercks?

9 MR. SIERCKS: Aye.

10 *[Approved: Branham, Dennis, Yonke, Frierson, Johnson, Metts, Durant, Siercks;*

11 *Absent: Taylor]*

12 CHAIRMAN BRANHAM: Okay, thank you. So we're on to IX.b.i.2, and this is Mr.
13 Dennis' motion as to animal services, veterinary hospital or clinic. Yes, Mr. Dennis.

14 MR. DENNIS: Yes, after the discussion on the last one I think I would like to
15 change that motion.

16 CHAIRMAN BRANHAM: Okay.

17 MR. DENNIS: I would like to change that motion and make the motion with
18 discussion as to animal services, veterinary hospital or clinic, I move to recommend the
19 addition of veterinary hospital or clinic permitted by right subject to special requirements
20 in the AG/HM zoning districts. And those special requirements are already listed in our
21 new Code.

22 CHAIRMAN BRANHAM: Can we pull those up?

23 MR. DENNIS: Tommy, it's on page 4-27.

1 MR. DELAGE: Thank you, sir.

2 MR. DENNIS: Number 3, it'd be veterinary hospital or clinic. Right there.

3 CHAIRMAN BRANHAM: Outside activities shall be limited to six hours per day or
4 fewer?

5 MR. DENNIS: Hospital or clinics not meant to house animals long-term, which is
6 why one of the requirements is facilities shall not include provisions for kennels or
7 boarding of animals not undergoing treatment.

8 CHAIRMAN BRANHAM: Well I mean, that could happen at any time of the day
9 during a 24 hour day?

10 MR. DENNIS: It possibly could.

11 MR. PRICE: Just like any use I think someone could abuse it, but if you look at
12 most veterinary hospitals and clinics they work with, you know, they're open a certain
13 time and they close at a certain time. So I think that that, the concern about outside
14 activity will probably be limited to those times when they're actually, you know, fully
15 staffed if they're opened in some way during the daytime. That's no guarantee but,
16 there's always somebody that may –

17 MR. DENNIS: Right off Trenholm Road we have a 24 hour area for pets, which
18 I've utilized myself two or three times. And thank God we got them, but I mean, if you
19 got people living out towards the Saluda area, they don't have these areas that they can
20 get to real quick. So allowing that to be out there, that's why I went with the veterinary
21 clinic, hospital and clinic. You know, at first the RT made sense the way it was until we
22 had those motions that changed the size and then I think taking out that RT and going
23 AG/HM made it right, because I mean, you gotta keep in mind it's limited to six hours

1 per day, that means you can't have a, you know, animals out there all the time. But if
2 you gotta take it out to use the restroom or you need it outside for something you can
3 take it out there. Most of those animals that are in a veterinary hospital or clinic are not
4 outside all the time cause they're either, you know, got IVs in them or being monitored
5 for seizures or, there's a whole list of stuff, I didn't realize it was that in-depth with
6 specialized care in animals hospitals and clinics.

7 CHAIRMAN BRANHAM: Were they permitted or permitted with special
8 requirements under the 2021 adopted LDC? Is it the same as the animal shelters?

9 MR. DENNIS: It was –

10 MR. PRICE: Under the, allowed under the RC, MU1, MU3, MU2 and the GC
11 zoning designations along with the institutional and the light industrial. Those are the
12 main ones not including the Crane Creek zoning designations, but the ones that we're
13 looking at, it would be allowed in those, the ones I just read out.

14 CHAIRMAN BRANHAM: What's the MU? What does that stand for?

15 MR. PRICE: Mixed use.

16 CHAIRMAN BRANHAM: Yeah.

17 MR. DENNIS: The idea of this is to allow those people with animals not to have
18 to load up a horse and bring it all the way into Spring Valley Animal Hospital right off
19 Two Notch next to the Dollar Tree in the middle of Columbia. Yeah, sorry for having you
20 get back to the special requirement, 4-27, Tommy. I'm showing page –

21 CHAIRMAN BRANHAM: I think it's tough when I started looking at side yard of
22 10' between lots containing a residential use. That just sounds like [inaudible]. And I
23 understand [inaudible] gotta provide some opportunities for services in the rural areas.

1 MR. DENNIS: And I think, you know, I know that 10' is kinda hard to stomach but
2 I think getting rid of that RT and allowing it to be in the HM/AG, cause there's so much
3 land there. I mean, they're not gonna put it right next, I mean, they could but then again
4 –

5 CHAIRMAN BRANHAM: It might be a hassle but kinda seems like it'd be nice to
6 just increase those setbacks or whatever you wanna call it, side yards.

7 MR. DELAGE: Mr. Chair?

8 CHAIRMAN BRANHAM: Yes, Mr. DeLage.

9 MR. DELAGE: I was gonna – thank you, I was gonna mention that in cases
10 where there's a conflicting provision under the special requirements, so – and again this
11 is more geared towards your commercial where you have small setbacks – the more
12 restrictive would apply. So for instances in the AG and HM districts as it's currently
13 being kind of recommended, those setbacks would apply to the principal structure, so
14 it'd actually be greater than the 10'.

15 CHAIRMAN BRANHAM: What are they?

16 MR. DELAGE: So those are, let me go – so in the AG district it'd be 20' and then
17 in the homestead district it would be at 20' as well.

18 MR. PRICE: Mr. Chair.

19 CHAIRMAN BRANHAM: Yes, Mr. Price.

20 MR. PRICE: Okay, and I see, I kind of see an issue with this some way. Alright,
21 so this is a little off base but I think you'll see where I'm going with this, so years ago we
22 had an applicant that came in to Richland County, wanted to do a daycare and they
23 wanted to rezone their property to general commercial. Council thought, well we like the

1 idea, we just don't like the location for general commercial. So we amended our
2 ordinance to allow daycare centers in the rural zoning designations. Kinda of made
3 sense. You know, you think about it, you put them out there, people have places to drop
4 off their kids. One of the issues that we ran into over the last few years was someone
5 put a daycare right in the middle of a residential area that was zoned rural. And of
6 course, you know, nobody liked that. I say that because currently under the 2021 Land
7 Development Code all of the veterinary clinics are allowed in commercial zoning
8 designations so in some way that does move them away from residential areas. You
9 know, they may be adjacent to them or abutting but typically they are gonna be on main
10 roads. We have not put in, I think we have to take into consideration if we're gonna
11 move these to an AG or HM, that maybe we should have maybe we should have maybe
12 another section for veterinary clinics for the HM and AG districts and have certain
13 additional special requirements. It may be things such as they have to be on a certain
14 type of road, maybe they have to have an additional setback, more like the animal
15 shelters that we were looking at from a residential use. So I think there might be a little
16 bit more to this that we should look at rather than just trying to allow it in the same
17 zoning designation that we have for our commercial uses.

18 CHAIRMAN BRANHAM: Any thoughts about that, Mr. Dennis?

19 MR. DENNIS: When I really think about it I kinda understand where you're going
20 with it, but at the same time, I mean, putting it in an HM or AG area, it puts it out there
21 and there's a lotta requirements to be a veterinary hospital or clinic. I just, I think it
22 belongs – I truly think it belongs out there more than in a commercial setting.

1 CHAIRMAN BRANHAM: So I think the suggestion was just, yeah just add some
2 more sort of protections I guess from surrounding property owners, maybe buffers or
3 just like he referenced –

4 MR. DENNIS: Well, what happens when you got a commercial, if it's in a
5 commercial area and that commercial area butts right up to a residential area, you're
6 already, I mean, you're looking at 40', it's not just 20 cause you got 20 on one side, 20
7 on the other side of that lot line so you're looking at 40' already.

8 MR. PRICE: I think Mr. Smith just pointed out that veterinary clinics are allowed
9 in the rural commercial zoning designations, so in some ways it is intended to serve
10 those areas. We just have to have more rural commercial.

11 CHAIRMAN BRANHAM: I think that was part of the, I don't know if this is directly
12 related but it's part of the reason why I felt somewhat motivated to try to work on this
13 breaking down of the legacy rural zoning district so that it wasn't just so, you know, one
14 size fits all so that we could potentially create some opportunities for things [inaudible]
15 service in those areas, while at the same time potentially keeping them in an ideal
16 zoning map situation, keeping them away from, you know, large populations maybe or
17 things like that where the disturbances could be increased. We're not there yet but
18 again just the fact that potentially you don't put it in RT, you put it in HM and maybe AG,
19 that creates in theory a little bit more separation. The likelihood that they would be
20 located in truly rural areas [inaudible].

21 MR. PRICE: And also take into consideration that, you know, looking at the
22 equivalency table the map that we have, that you could have some RT right next to AG
23 or surrounding that AG or HM, you know, which you know, could be a problem for those

1 people that live out there that are primarily zoned RT then this large tract of land is
2 zoned AG or HM and all of a sudden there's a veterinary clinic there that they may be
3 opposed to.

4 MR. DENNIS: Yeah, but the way I look at it, I mean, you got somebody, if they're
5 out in an RT and they move out to the area with HG or, you know, they might not want
6 people out there at 3:00am plowing fields but if you got 35 acres it's gotta get done. I
7 mean, that's the thing, you gotta push and give when you live out in the rural area.

8 MR. PRICE: Well remember, one of the things that we're doing is we're taking
9 our rural zoning designation, our true rural, current rural, which is only $\frac{3}{4}$ of an acre, and
10 we're gonna make those RT. So you may have a lot of areas that are zoned, that would
11 now be zoned RT but really from a – they'll be probably nonconforming I believe just
12 from a lot size, and probably primarily residentially developed in those areas, they just
13 happen to now be RT because they were formerly RU. But they may be adjacent or
14 near one large tract of land that just hasn't been developed, you know, but potentially
15 could be, you know, a clinic but in some cases even an animal shelter.

16 CHAIRMAN BRANHAM: Anybody else on the Commission wanna add
17 something to the discussion?

18 MR. DURANT: Yes, Mr. Chair.

19 CHAIRMAN BRANHAM: Mr. Durant.

20 MR. DURANT: Just to ask a simple question, is the intent of Mr. Dennis' motion
21 is simply to add AG and HM to the zoning areas that, zoning districts that would be able
22 to have animal services, veterinary [inaudible] in a nutshell?

1 MR. DENNIS: Yes. Well, I already made a motion, there's one or two things I
2 haven't, either somebody seconds it or they don't. I mean, somebody could second it
3 and it get voted down or, I mean.

4 CHAIRMAN BRANHAM: Yeah, the motion's here, so. Do we have a second?

5 MR. SIERCKS(?): I'll second.

6 CHAIRMAN BRANHAM: Alright, seconded. Okay. Mr. Price, would you please
7 take the vote?

8 MS. FRIERSON: Would you please repeat that motion? It's been a while.

9 MR. DENNIS: Yes, ma'am. As to animal, I make a motion as to animal service
10 veterinary hospital or clinic I move to recommend the addition of veterinary hospital or
11 clinic permitted by right subject to special requirements in the AG/HM zoning districts.

12 MR. PRICE: Alright, those in favor of that motion, Branham?

13 CHAIRMAN BRANHAM: No.

14 MR. PRICE: Dennis?

15 MR. DENNIS: Yes.

16 MR. PRICE: Yonke?

17 MR. YONKE: Aye.

18 MR. PRICE: Johnson?

19 MR. JOHNSON: Aye.

20 MR. PRICE: Frierson?

21 MS. FRIERSON: Yes.

22 MR. PRICE: Metts?

23 MR. METTS: Aye.

1 MR. PRICE: Durant?

2 MR. DURANT: Yes.

3 MR. PRICE: Siercks?

4 MR. SIERCKS: Aye.

5 *[Approved: Dennis, Yonke, Frierson, Johnson, Metts, Durant, Siercks; Opposed:*
6 *Branham; Absent: Taylor]*

7 MR. PRICE: Motion passes 7/1.

8 CHAIRMAN BRANHAM: Alright, thank you.

9 MR. PRICE: I'm sorry.

10 CHAIRMAN BRANHAM: Mr. Price.

11 MR. PRICE: Mr. Smith just pointed out something else, that veterinary livestock,
12 veterinary services for livestock is already a permitted use in the AG and the HM zoning
13 designations.

14 CHAIRMAN BRANHAM: So it's already permitted for livestock, it's just an issue
15 whether other animals could be –

16 MR. PRICE: Right. I think it would go along with maybe Mr. Dennis' intent and I
17 think he can speak on it.

18 MR. DENNIS: I can speak on it. I mean, you're looking at, you can already,
19 somebody can already have a horse out there, they can already do that, but they can't
20 see other animals. That makes zero sense.

21 CHAIRMAN BRANHAM: Got it. Okay. It passes, 7/1. Alright, let's see, Item
22 IX.b.i.3., which was my motion to delete subsection 26-3.1(f)(4) which provides for zero
23 lot line development and any other provisions for zero lot line development of single

1 family dwellings. So again, that's a motion to delete those sections. Mr. Jenson, I know
2 we spoke some last time, do you have anything to share with us today on that topic?

3 MR. JENSON: Thank you, Mr. Chair. Just one thing that I think you should be
4 aware of. Again, single family dwelling means any unit that has one family living in it, so
5 if you say single family dwelling then that means townhouses can't have zero lot lines
6 and all those. So I think what you're saying is detached structures –

7 CHAIRMAN BRANHAM: Right.

8 MR. JENSON: - should, no zero lot lines for detached.

9 CHAIRMAN BRANHAM: Okay, so that, we talked about amending the motion to
10 include that word detached single family dwellings, is that –

11 MR. JENSON: That is correct, sir.

12 CHAIRMAN BRANHAM: - still good?

13 MR. JENSON: Yes.

14 CHAIRMAN BRANHAM: Alright. Cause one of the things that we didn't wanna do
15 as Mr. Jenson indicated was disrupt the ability to build zero lot line structures in base
16 zoning districts that already permitted them. This provision that I moved to delete was a
17 provision that was kind of a catchall that was an exception to all the other base districts
18 in saying that you could do it in any district as I recall so long as the adjoining property
19 owners agreed to do it. And I just kinda raised the reality that many developments these
20 days are subdivided by a single property owner and as such they could really change
21 the character of a development by using that provision in an area that otherwise would
22 not permit zero lot line development. So that's the motion and is there a second?

23 MR. DURANT(?): Second.

1 CHAIRMAN BRANHAM: Any discussion before we take the vote? So again, it's a
2 motion to delete subsection 26-3.1(f)(4) which provides for zero lot line development
3 and any other provisions for zero lot line development of detached single family
4 dwellings. Alright.

5 MR. JOHNSON: Mr. Chairman?

6 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

7 MR. JOHNSON: I go back to my question, statement at the beginning of the
8 meeting; then what action did we take last month? Because my understanding
9 [inaudible] act on it [inaudible] additional information.

10 CHAIRMAN BRANHAM: We did take action on the cluster development, that was
11 a different motion. And then this motion is specific to the zero lot line provisions and on
12 this one we deferred the vote so that Mr. Jenson could address and review any
13 concerns unintentional prohibitions of attached developments in base districts that
14 permitted it. So with his report today his recommendation was to include the word
15 "detached single family dwellings" so I've added that to my motion and that's where we
16 are. Alright, this is my motion, is there a second?

17 MR. DURANT: Second.

18 CHAIRMAN BRANHAM: Alright, it's moved and seconded. Any other discussion
19 before we take the vote?

20 MR. DENNIS: Mr. Chair, I just have one question.

21 CHAIRMAN BRANHAM: Mr. Dennis.

22 MR. DENNIS: Where, what are we amending on that motion?

1 CHAIRMAN BRANHAM: Just I'm adding the word "detached" in front of the last
2 three words where it says single family dwellings.

3 MR. DENNIS: Okay.

4 CHAIRMAN BRANHAM: Adding the word "detached".

5 MR. DENNIS: Just wanna make sure I had it right.

6 CHAIRMAN BRANHAM: Hopefully my explanation makes sense. Again, this is
7 just, this is not meant to disturb the base districts that already permit, you know,
8 townhomes and things like that. Alright, anything else from Staff? If not if Staff would
9 please take the vote.

10 MR. PRICE: Alright, those in favor of the motion, Branham?

11 CHAIRMAN BRANHAM: Aye.

12 MR. PRICE: Dennis?

13 MR. DENNIS: Aye.

14 MR. PRICE: Yonke?

15 MR. YONKE: Aye.

16 MR. PRICE: Johnson?

17 MR. JOHNSON: No, sir.

18 MR. PRICE: Frierson?

19 MS. FRIERSON: Aye.

20 MR. PRICE: Metts?

21 MR. METTS: Aye.

22 MR. PRICE: Durant?

23 MR. DURANT: Aye.

1 MR. PRICE: Siercks?

2 MR. SIERCKS: Aye.

3 *[Approved: Branham, Dennis, Yonke, Frierson, Metts, Durant, Siercks; Opposed:*
4 *Johnson; Absent: Taylor]*

5 MR. PRICE: Motion passes 7/1.

6 CHAIRMAN BRANHAM: Okay, that's all of the motions for text amendment
7 recommendations that were on the Agenda. Are there any others that the Commission
8 wants to bring forward?

9 MR. DENNIS: We had added discussion for 26-5.1(3).

10 CHAIRMAN BRANHAM: Thank you. That was you who said that?

11 MR. DENNIS: Yes, sir.

12 CHAIRMAN BRANHAM: Alright, Mr. Dennis do you wanna go ahead [inaudible]?

13 MR. DENNIS: Yeah, so in §26-5.1(3) it talks about credits and you're looking at
14 building houses and you can get credits so, and it's labeled green initiatives. However,
15 it's giving initiative to something that's already done today. So if you, take for example,
16 for residential structures if you add, gotta find it here, if you use essential air
17 conditioning that's energy star qualified and you use a tankless water heater together,
18 guess what, you can add another story to your house. So if your roof limit in some of
19 these areas, I wanna say it was like 44', guess what, that no longer applies and now
20 you can have a third story because it has that incentive in there. Or you know, for
21 example, for residential R2, R3, R4, R5, R6, MU1, MU2, MU3 and GC, an increase in
22 the maximum allowable residential density by 25% for residential structures in the AG,
23 HM, RT and R1, and then get a 30% increase also. So you start looking through doing

1 the math, I mean, we're just, basically we're allowing a developer to come in, do what's
2 pretty much standard in the industry today and they don't get these credits for these,
3 and we're allowing them to bypass coming in front of County Council and giving the
4 people that's out there in the community a say in what they want around them. I just, I
5 really can't support at all, I can't support these initiatives. I mean, you also got
6 reductions of minimum front setback from 8 to 15 or 15', reduction of the minimum side
7 setbacks by 1 or 3', reduction in minimum rear setbacks, I mean, there's some things in
8 here that make sense for some of the commercial stuff but, I mean, I think it limits the
9 commercial. I think commercial's just got a lot more for this cause the commercial
10 buildings, those are the ones that don't get a lotta the energy star things. But the houses
11 today get the energy star equipment, I mean, you cannot build a house today and you
12 go look on that hot water heater, energy star. You go look on the HVAC, energy star.
13 And that meets two of them. I mean, other things you can do, just not that, you can put
14 a skylight in a house and that's gonna give you energy credits. Use of vegetation or
15 basically plants to plant around your HVAC unit, that's gonna give you energy credits.
16 You know, construction for the chip emerald performance, I mean, a lotta this stuff is
17 standard practices already so I mean, basically we're losing out on what we can say
18 and what we can do and we're basically upzoning with energy credits. I don't like that at
19 all. I mean, that's not what we're trying to do here. It's way aggressive, it's not really
20 green initiatives, it's do what we want when we want and don't let the public know about
21 it; that's the way I see it. And that's why I don't like it, I would like to hear some of the
22 other Commissioner's thoughts on it, I mean, you know, it's just, what do they think
23 about it. I would like to hear some more.

1 CHAIRMAN BRANHAM: Just Staff, I feel like when we talked about the green
2 incentives it was, I feel like the presentation was more geared towards the commercial
3 stuff. I don't remember us [inaudible] along these lines.

4 MR. DENNIS: Mr. Chair?

5 CHAIRMAN BRANHAM: Mr. Dennis.

6 MR. DENNIS: I know when Clarion talked about it I don't ever remember them
7 talking about stuff like this. At all. I know they were highlighting these green initiatives
8 for commercial but, I mean, the commercial stuff they got on here is, it doesn't really
9 help them. I mean, it looked great, it was a great talking point but I think that talking
10 point was to get this other stuff in under the public's nose and our nose. That's the way I
11 feel about it.

12 CHAIRMAN BRANHAM: Looks like we're giving up a lot for stuff that's kinda
13 industry standard.

14 MR. JOHNSON: Mr. Chairman.

15 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

16 MR. JOHNSON: [Inaudible] I was just simply saying that I was not around when
17 the ordinance was written so I do not know the history, the legislative history of the
18 ordinance. But [inaudible] infrequent, I don't know if I would characterize it as standard
19 practice [inaudible] as a blanket policy and that if we are trying to create incentives
20 make appropriate provision for them. I mean, I don't have the same visceral reaction to
21 the provisions. Certainly reasonable minds can differ but I'm just, I don't have that same
22 [inaudible]. I do not have the same reaction to it when it's designed to encourage, it's

1 not as if we're giving away the house and the farm, but we are trying to encourage
2 those incentives in it.

3 CHAIRMAN BRANHAM: Alright, thank you Mr. Johnson.

4 MS. FRIERSON: Mr. Chairman?

5 MR. DURANT: Oh I'm sorry, Ms. Frierson, go ahead, proceed.

6 CHAIRMAN BRANHAM: Ms. Frierson.

7 MS. FRIERSON: Okay, I was gonna say this issue is very, very important in my
8 opinion and very, very interesting. I love talking about this, but I think due to the
9 lateness of the hour, it's almost 7:00, it would be really unfair and unjust to perhaps
10 continue talking maybe another half hour or so. I would recommend that we perhaps
11 take this up at a work session or at another meeting and we can have maybe some
12 experts here and give it more time and fresh energy. That's just my suggestion.

13 CHAIRMAN BRANHAM: Okay. Thank you, yep. Mr. Durant.

14 MR. DURANT: [Inaudible] question but I'll ask it anyway. I hear the concern is
15 that we're giving up a lot for what should be standard practice. What are we giving up
16 and who are the we?

17 MR. DENNIS: It's kind of a general thing, like it's basically taking anything out of
18 our hands and letting credits go towards developers to get more houses in an area. I
19 mean, it's not a bad thing for more houses in certain areas, but for something that's, I
20 mean, two of the things were energy star, tankless water heater and central air
21 conditioning. That's, I mean, I haven't sold a house today that's a new house that I
22 haven't seen that sticker on all, both of them. I mean, it's already there, they're already
23 doing it. I mean, this is just blindly giving it to them.

1 CHAIRMAN BRANHAM: I think part of what I saw was the giving up is that you're
2 modifying the base density for the zoning district that's otherwise assigned to it, so I
3 think what we saw was some of the districts that would shrink, or it would increase the
4 density by 25%, other districts it would increase it by 30%, and then also just the other
5 one I think that Mr. Dennis referenced is you could add a story, extra story to the house.
6 So those would be some of the things that are, you know, "being given" as incentives for
7 those green measures.

8 MR. DENNIS: And don't get me wrong, I mean, I'm all for the green initiative for
9 certain things, but when it's already standard practice why are we giving more when it's
10 already standard? They're not getting it now, why give it to them in the future? Why not
11 come up with something that's better than what we're already doing? I mean, that's the
12 whole thing, come up with future things that's better in the future, not something that
13 we've been doing since 2012. I mean, if you go to the energystar.gov site it says these
14 are standard practices since 2012. Go look at houses, they're standard practices, you
15 buy an HVAC unit at Lowe's it's standard energy star. You buy, everything's energy star
16 because – and the reason why everything's energy star, the companies that make
17 energy star gets tax credits when they sell energy star equipment. So I mean, that's
18 kinda why it's easy to do and plus energy star equipment is actually cheaper to make
19 than non-energy star.

20 MR. YONKE: Mr. Chair.

21 CHAIRMAN BRANHAM: Mr. Yonke.

22 MR. YONKE: I like Commissioner Frierson's idea of taking this up again for a
23 couple of reasons, you know, to let the public see this on an agenda and have an

1 opportunity to come out and talk. I agree with Mr. Dennis, it seems like they snuck this
2 in under our noses in what, a 400, 500 page document that we've been reviewing.

3 CHAIRMAN BRANHAM: Not to Staff, I'm sure you don't mean to Staff.

4 MR. DENNIS: No, and I do not mean Staff. For the Record I do not mean Staff. I
5 mean, the, you look on the front of it it says what groups did this on there and they're
6 the ones nationally that do it. And I mean, it's on the front of the cover.

7 MR. YONKE: So my follow up comment was Mr. Dennis, could you come up with
8 a few motions for the next agenda specifically that you'd like to see removed from the –

9 MR. DENNIS: Well my intent today was to get it in front of everybody's face so
10 they kinda know so they can look at it. And then do what we feel fits today or in the
11 future or whenever, but I mean, it was there and we almost missed it twice.

12 MR. JOHNSON: Mr. Chairman, all I'm saying –

13 CHAIRMAN BRANHAM: Mr. Johnson.

14 MR. JOHNSON: - to Yonke and my colleague's point over here, before we jump
15 to start talking about motions, let's have a broader hearing for opinions that reflect a
16 little bit broader perspective, and then we can weigh in on that before we start – cause
17 we're doing a lot right now with zero lot lines and density bonuses that are very
18 restrictive, especially when we're talking about affordability and making sure that there
19 is a broad spectrum of opportunities in terms of ability to deliver a various product
20 throughout the County. So let's find a time that we can have voices noticed and
21 participate in the conversation.

22 CHAIRMAN BRANHAM: We could potentially have a work session that's
23 targeted to, you know, this provision and maybe try to have that before the next

1 meeting, the November 7th meeting. I kinda catch that from a couple few of you
2 generally? Alright.

3 MS. FRIERSON: It might not need to be before our November meeting. You
4 know, this green initiative is very important and it really would be important in my
5 opinion to bring in experts and we don't wanna just throw it together and say that we
6 dealt with it. That's not fair. And then my Commissioner on the other end mentioned we
7 want to make sure the public is aware and when you do that comprehensively it's not a
8 good idea just to throw it together very quickly. But yet we can deal with it in depth when
9 we plan it well.

10 CHAIRMAN BRANHAM: Sure. And you know, let's see where we land on that.
11 Certainly anybody's welcome to make a motion that wants to make a motion, again just
12 for the purposes of trying to publish, you know, the intent of the direction. Cause I think
13 what everyone has said, even folks that have spoken critical of, you know, what is there
14 right now is that we do like the idea of green development incentives, it's just a question
15 of degrees which is, you know, the question on so many of these things that we've
16 talked about here on the Land Development Code rewrite.

17 MR. DENNIS: I just think that the green development initiatives, the labeling of it
18 is very misleading. Very.

19 CHAIRMAN BRANHAM: It was too easy is what it sounds like what you're
20 saying.

21 MR. DENNIS: Yeah.

22 CHAIRMAN BRANHAM: Yeah. Alright, well we can talk about, let's talk about
23 calendaring later. Let's just move on from now, is that okay Mr. Dennis?

1 MR. DENNIS: Yeah, I mean, and I just wanna make clear my intent was to bring
2 this up to put it in front of everybody's face and out in the public's face so they see it,
3 too. That's kinda why it was there because it's like every day I look at this and then
4 every day somebody else looks at it and everybody's looking at it and they go, hey did
5 you see this or, and then I see something, I'm like, you gotta be kidding me. You know,
6 it's just one thing after another.

7 MR. JOHNSON: Mr. Chairman, Mr. Vice-Chair, I think your point, you know, you
8 all have done a lot of hard work in getting us to this point and Staff has, you know,
9 [inaudible]. So [inaudible] get through it and bring those items forward.

10 CHAIRMAN BRANHAM: Thank you, Mr. Johnson. Alright. So we are on IX.4.? I
11 can't keep up anymore with this numbering.

12 MR. PRICE: Excuse me, Mr. Chair.

13 CHAIRMAN BRANHAM: Mr. Price.

14 MR. PRICE: Going back to Mr. Dennis', well what was added to the Agenda, 26-
15 5.1(3), so where are we with that? Are we gonna just take it up at another, try to do a
16 work session or is it gonna wait till the November meeting or what is the will of the
17 Planning Commission in regards to this?

18 CHAIRMAN BRANHAM: I wanted to pick that back up maybe at the Chairman's
19 Report, I'm just trying to wrap up the formal part of the Agenda and then maybe circle
20 back to that topic when we look at the calendar.

21 MR. DENNIS: Mr. Chair?

22 CHAIRMAN BRANHAM: Mr. Dennis.

23 MR. DENNIS: I have a motion.

1 CHAIRMAN BRANHAM: Well, okay.

2 MR. DENNIS: I would like, my motion would be to have a work session prior to
3 our November meeting to, as a Commission, talk about it amongst ourselves and then
4 see how we're gonna proceed in-depth. Try to get some other ideas into it.

5 MR. JOHNSON: Mr. Chair.

6 CHAIRMAN BRANHAM: Mr. Johnson.

7 MR. JOHNSON: Can we include as a part of that a conversation on the input
8 piece? [Inaudible]

9 CHAIRMAN BRANHAM: Can you come back into the microphone and just finish
10 that thought again?

11 MR. JOHNSON: I was just asking, piggybacking on the comments earlier about
12 the public input piece, just if we're gonna have a work session [inaudible].

13 MR. DENNIS: Alright, so for the public to have input?

14 MR. JOHNSON: No, for us to discuss methodology for increase, instead of
15 waiting until we are essentially complete to have a public input, just to have a
16 conversation internally among ourselves about that subject.

17 CHAIRMAN BRANHAM: You're not saying to have public input at the work
18 session.

19 MR. JOHNSON: Right, I'm saying for us –

20 MR. DENNIS: No, no, the work session's just for us.

21 MR. JOHNSON: Right, and I'm just adding a second item to that work session for
22 us to discuss.

1 CHAIRMAN BRANHAM: Yeah, I mean, I think we go into the work session with
2 the intention of talking specifically about this section and kind of everything that comes
3 with it I guess.

4 MR. DENNIS: Yeah, that was my intention [inaudible].

5 CHAIRMAN BRANHAM: Are you talking about public participation generally or
6 specific to this –

7 MR. JOHNSON: [Inaudible].

8 CHAIRMAN BRANHAM: Oh, okay. Sure, we can talk about public participation,
9 right? Mr. Dennis, you wanna amend your motion?

10 MR. DENNIS: Yeah, and I'll amend that motion for a talk about public
11 participation in the future.

12 CHAIRMAN BRANHAM: Alright. Let's take a vote. I'll second the motion for a
13 work session before our November 7th meeting to discuss the provisions of 26-5.1(3)(d)
14 as well as public participation.

15 MS. FRIERSON: [Inaudible] I have a question.

16 CHAIRMAN BRANHAM: Okay, yes.

17 MS. FRIERSON: I'm not against the work session, I'm just trying to figure out
18 what is the urgency to do it before the November meeting?

19 CHAIRMAN BRANHAM: No, November was just a goal we had to see if we
20 could make a recommendation as to both the map and a set of text amendments.

21 MS. FRIERSON: Okay.

22 CHAIRMAN BRANHAM: But yeah, I mean, that's the only reason why. If it's not
23 ready at that time, obviously we can make a decision if it's not ready to go.

1 MS. FRIERSON: Thank you.

2 CHAIRMAN BRANHAM: Sure. Okay, so Mr. Dennis' motion and I seconded it, so
3 Mr. Price would you take a vote?

4 MR. PRICE: Those in favor of a work session, I think that's what we're
5 scheduling, a work session?

6 CHAIRMAN BRANHAM: Yes.

7 MR. PRICE: On 26-5.1(3) and also the public notification process that we'll
8 undertake. Is there a particular date or time we're gonna look to do this or?

9 CHAIRMAN BRANHAM: I guess we're already here, I was just hoping to talk
10 about calendar later, but I guess we can talk about it now.

11 MR. PRICE: I mean, we can do that. I just wanna, as long as we're gonna take
12 that matter up because we'll need to make sure everything is, you know, chambers is
13 reserved and everything. Okay, those in favor, Branham?

14 CHAIRMAN BRANHAM: Aye.

15 MR. PRICE: Dennis?

16 MR. DENNIS: Aye.

17 MR. PRICE: Yonke?

18 MR. YONKE: Aye.

19 MR. PRICE: Johnson?

20 MR. JOHNSON: Aye.

21 MR. PRICE: Frierson?

22 MS. FRIERSON: Aye.

23 MR. PRICE: Metts?

1 MR. METTS: Aye.

2 MR. PRICE: Durant?

3 MR. DURANT: Aye.

4 MR. PRICE: Siercks?

5 MR. SIERCKS: Aye.

6 *[Approved: Branham, Dennis, Yonke, Frierson, Johnson, Metts, Durant, Siercks;*

7 *Absent: Taylor]*

8 CHAIRMAN BRANHAM: Yeah, and if the Staff can maybe take a look at
9 potential chambers availability while we cover the map, I don't know if that's possible or
10 not, but.

11 MR. PRICE: We're still looking at 3:00 as the time or earlier or later?

12 MR. DENNIS: I mean, my motion was just whatever we can get and we can get
13 there, that's what we get. I mean, not to lock us down to 8:00 or 3:00 or 7:00 at night, I
14 mean, my intent was just to get us to talk about it. This is getting old talking about it to
15 myself and then bring it [inaudible].

16 CHAIRMAN BRANHAM: Just think on that, if Staff could look at availability and
17 then let's, I just would like to get through the mapping part and then come back to that.
18 So we're on the map piece, the remapping process, we've made a ton of headway just
19 as far as saying the baseline was gonna be the equivalency table in the newly adopted
20 Code. We had these conversations that we needed to have to deal with legacy RU and
21 figure out where AG, HM and RT were gonna fall and we covered all of that. And then
22 we talked a little bit, too, I think it was LI that we needed to deal with.

23 MR. PRICE: M1.

1 CHAIRMAN BRANHAM: M1, okay. I know we wanna talk about that some today.
2 Who wants to kick that off?

3 MR. PRICE: One of the things we did was we took, you should have two maps
4 before you. Okay, so you have two maps before you and what we did was because a
5 lotta work had already gone into when we were proposing our map back in, I guess
6 February, that all the work had gone into looking at the M1 zoning designations. And we
7 pretty much just kinda copied those since – and so some of those M1 areas became
8 GC, some of those became light industrial, and in some cases some of them became
9 EMP. And that was because those were actually based on the, either the existing use of
10 the property or the character of the area that it was located within and what would be
11 the more appropriate zoning designation. One of the things that we did also, if you look
12 at the second map it has some numbers on it; those were areas that we just kinda
13 highlighted because the changes were going from M1, they were not going from M1 to
14 some type of commercial zoning designation, they were going from M1 to either a
15 residential or an agricultural zoning designation. And so I think those would be ones that
16 you may want to look at a little more in-depth for discussion purposes.

17 CHAIRMAN BRANHAM: The one that has all purple on it, that's the one that just
18 is reporting what was –

19 MR. PRICE: M1.

20 CHAIRMAN BRANHAM: - M1 under, currently under the 2005 Land
21 Development Code.

22 MR. PRICE: Yes, sir.

23 CHAIRMAN BRANHAM: Okay.

1 MR. PRICE: And if you see the one that says remapping restart M1 based on the
2 equivalency table, those are the ones that will be changed to one of our newer
3 designations, especially for commercial uses and industrial. Because those would be
4 the equivalency for M1.

5 CHAIRMAN BRANHAM: The one that's got the numbers on it 1, 2, 3, 4, 5, 6
6 [inaudible] numbers, 7.

7 MR. PRICE: Yes, those were just labeled for, I think for more discussion
8 purposes because I think most of these made sense just going from M1 to let's just say
9 LI or even HI or EMP or GC, one of those, they kind of stayed within that same line of a
10 commercial or industrial designation. But the ones that have the numbers beside them
11 those actually went to either a residential or an agricultural zoning designation, I think in
12 some cases even open space. And I think we might want to just highlight those and we
13 can actually go to those particular areas using our County GIS and show you why we
14 selected those areas to go from M1 to a non-commercial designation.

15 CHAIRMAN BRANHAM: So the one with the numbers on it has kind of a broader
16 set of possible proposed rezoned districts, it could be both commercial and non-
17 commercial?

18 MR. PRICE: Yes.

19 CHAIRMAN BRANHAM: Whereas the one that's multi-colored with no numbers,
20 that one's a more –

21 MR. PRICE: They're the same, those are the same, we just have the one with
22 the numbers on it so that, for discussion purposes, to just tell you exactly where to go.

1 CHAIRMAN BRANHAM: Okay, so there's seven in particular you wanted to talk
2 about.

3 MR. PRICE: Yes.

4 CHAIRMAN BRANHAM: Does everybody follow what we have here?

5 MR. DENNIS: Basically the map with the numbers, that's the areas they wanna
6 talk about.

7 MR. PRICE: Yes.

8 MR. DENNIS: Okay.

9 CHAIRMAN BRANHAM: I didn't think there was any chance we were gonna beat
10 the last meeting, but we're only like 57 minutes away, four hours and 19 minutes.

11 MR. PRICE: Okay, I won't use the entire 57. Yeah again, if you wanna look at
12 this we can take this up at the work session.

13 MS. FRIERSON: That's an excellent idea.

14 MR. PRICE: Just showing you just as an example, the piece that Tommy has
15 highlighted right now, we have that designated to go to R2, and that was based on the
16 adjacency of the residential along that area.

17 CHAIRMAN BRANHAM: That's labeled number one on the map.

18 MR. PRICE: It's R3, yes. And so just wanted to show you the reasons why those
19 didn't automatically go to a commercial designation. Also it wasn't appropriate, I think as
20 Matthew was telling me earlier, not appropriate for some type of EMP because it doesn't
21 have the right access onto an interstate.

22 CHAIRMAN BRANHAM: Maybe you could just email us the tax map numbers for
23 these seven and we could look at them.

1 MR. PRICE: Okay.

2 CHAIRMAN BRANHAM: In advance of the work session.

3 MR. PRICE: Okay. And I tell you what I can do, I'll make it kinda simple, I'll send
4 you a little email basically with numbers 1 through 7 and I'll tell you, include the tax
5 maps and I'll just kinda give a little brief sentence or two, it doesn't take much to tell you
6 why we thought that was more appropriate. And then that way you'll have that for more
7 discussion when we come in for the work session.

8 CHAIRMAN BRANHAM: That sounds good. Okay, any objection to that? Sounds
9 good to me. Alright. Otherwise I guess from Staff, have we addressed everything that
10 we needed to address and make sure there's no holes in the map, that we have a
11 complete map?

12 MR. PRICE: I do believe that everything has been covered.

13 CHAIRMAN BRANHAM: Okay, great.

14 MR. PRICE: And especially with, I think what we're gonna allow, you know, that
15 year for people to come in, with any rural property, to come back in for free and petition
16 for a different zoning designation.

17 CHAIRMAN BRANHAM: Okay, yeah. That provision is there, one year waiver of
18 the application fee for owners of former RU parcels that believe they should be rezoned
19 to something other than what we stick them with. Okay, so that covers the mapping. So
20 yeah, we're good there. Anything else on that item before we move to the Chairman's
21 Report?

22 MR. PRICE: No, sir.

1 CHAIRMAN BRANHAM: Okay. Nothing else from the Commission? Alright, just
2 again thank you all for your time and the efforts. This has been so much work and just
3 so very valuable, and I know that many in the community are very appreciative, I've
4 heard it here and there from individuals. And you know, it takes all of us, especially you
5 know, the few of you that have been with us for a short period of time, just a lotta work
6 trying to get caught up in a short period of time. I certainly look at this as a, like us
7 coming to the end of the first phase of what we may want to do with the Land
8 Development Code and the Comprehensive Plan in the near future. I don't look at this
9 as the end by any means, this is just round one in my opinion, so that's just kinda how I
10 try to look at all this. You know, Council will have their opportunity to voice their opinions
11 on all this stuff, we're making recommendations. I feel like we have followed their
12 requests of us, which was to restart the remapping process and then provide
13 recommended text amendments along with that, so thank you all again. Let's, can we
14 get some proposed dates, do we have any for a work session before November 7th?

15 MR. PRICE: Is there a certain date or time that doesn't work for anyone? Do a
16 little process of elimination.

17 MR. YONKE: I'm outta town next week.

18 CHAIRMAN BRANHAM: [Inaudible] no for next week.

19 MR. DENNIS: I'll put it this way, you make it, I'll be there. Unless I'm in the
20 hospital, which that has happened before but, you know.

21 CHAIRMAN BRANHAM: The week of the 17th then?

22 MR. PRICE: Okay.

23 MR. YONKE: [Inaudible], that's like Monday?

1 CHAIRMAN BRANHAM: [Inaudible] availability, the 17th? Or do we need to wait
2 and ask? 17th, would that work?

3 MR. PRICE: We can put it on the calendar. Can we have an alternative date just
4 in case?

5 CHAIRMAN BRANHAM: Any objections from the Commission there? Any
6 particular time of day? Do we just wanna shoot for 3:00pm again? Okay. Gary, don't
7 keep me here four and a half hours on the 17th.

8 MR. DENNIS: You better do your homework.

9 CHAIRMAN BRANHAM: Alright, I promise I will.

10 MS. FRIERSON: Could we have it earlier and then you all treat us to lunch? I
11 mean, let's get real here.

12 CHAIRMAN BRANHAM: Alright, motion for Geo to treat us to lunch on the 17th.

13 MS. FRIERSON: [Inaudible] as long as it's from a good restaurant, you know.

14 CHAIRMAN BRANHAM: 12:00 noon on the 17th? I knew you didn't wanna say no
15 to Ms. Frierson.

16 MS. FRIERSON: Y'all had the other one on my birthday, that food was yum, yum
17 delicious.

18 MR. PRICE: We'll be having that again.

19 MS. FRIERSON: You can make it happen.

20 CHAIRMAN BRANHAM: Okay, the 17th at noon is what we'll try to confirm with
21 the County that the room's available. And Mr. Price, anything else from you for Planning
22 Director's Report? Okay, Chair will entertain a motion to adjourn.

1 MS. FRIERSON: Hold on just one second. Someone said something earlier
2 about, said something to me about parking permits. I forgot who it was cause it was so
3 long ago. Any updates on that?

4 MR. DENNIS: Ms. Frierson, that was me. I'll talk to you after. They're working on
5 getting you yours.

6 MS. FRIERSON: Okay, thank you.

7 MR. DENNIS: You're welcome.

8 CHAIRMAN BRANHAM: Alright, anything else? Is there a motion to adjourn?

9 MR. DENNIS: So moved.

10 CHAIRMAN BRANHAM: Alright, moved.

11 MR. METTS(?): Second.

12 CHAIRMAN BRANHAM: Seconded. Alright, all in favor say aye.

13 *[Approved: Branham, Dennis, Yonke, Frierson, Johnson, Metts, Durant, Siercks;*

14 *Absent: Taylor]*

15

16

[Meeting Adjourned]