

RICHLAND COUNTY PLANNING COMMISSION
October 17, 2022
Work Session

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

8
9 Called to order: _____
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11 CHAIRMAN BRANHAM: Mr. Price, while we wait for Mr. Jenson would you be
12 ready to go over some of the M1 sets of properties and then maybe give us a little bit of
13 an update on the online map, versions of the map that are available online?

14 MR. PRICE: Okay, yes.

15 CHAIRMAN BRANHAM: Okay.

16 MR. PRICE: We can talk about the M1 and also if Mr. Jenson is not here, we're
17 also prepared to talk about the green incentives also.

18 CHAIRMAN BRANHAM: What about the legacy rural properties?

19 MR. PRICE: We were unable to get those numbers that we discussed. Just, I
20 guess kind of the timing of what we discussed and try to get those numbers.

21 CHAIRMAN BRANHAM: Sure.

22 MR. PRICE: But that is something that we should be able to gather and send to
23 the Planning Commission Members.

24 CHAIRMAN BRANHAM: Okay alright, well we'll go ahead and get started then
25 and pick up with Mr. Jenson's portions [inaudible]. Okay, we're going to call this meeting
26 to order. This is a work session of the Richland County Planning Commission. Today is
27 Monday October 17th 2022, and time 12:13, apologize for the delay just getting
28 everyone together, starting a little late. But my name is Jason Branham, and Staff I just

1 wanted to ask if you would confirm that the public notices of this meeting as required by
2 law were distributed or published as necessary, is that right?

3 MR. PRICE: That is correct.

4 CHAIRMAN BRANHAM: Okay, so today being work session we will not have a
5 portion of the meeting for public input, however, the public are invited to observe today
6 our discussions. And the, the reasons for the, this work session were discussed some at
7 our last regular meeting and then of course they will bear out as we work through the
8 agenda of topics that we wanted to discuss today. The next regular meeting of the
9 Planning Commission is scheduled for November 7th at 3:00pm and there, we do expect
10 to provide for public input opportunities at that time. We do want to remind everyone
11 that Staff is efforting to keep an up to date ledger of the Planning Commission's
12 proposed motions as to proposed text amendments as well as the zoning map,
13 remapping process on the Planning Department's website, which that page can be
14 accessed from the Richland County government's website. My understanding just as of
15 this morning that a few of the items that were covered in the October, I believe it was
16 October 3rd meeting are not yet posted to the online version of the ledger but Staff
17 indicates that they will get that updated shortly.

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

19 CHAIRMAN BRANHAM: Yes, Mr. Price.

20 MR. PRICE: As of the start of today's meeting that ledger has been updated and
21 is current with our last meeting.

22 CHAIRMAN BRANHAM: Thank you very much. Alright, so that covers items and
23 I. and II., and now we move into item III. The sort of subsets I have written down for this

1 item being the remapping include a review of the properties currently zoned for rural
2 and then also a review of select properties that Staff has called to our attention that are
3 currently zoned M1, that's right isn't it, Mr. Price?

4 MR. PRICE: That's correct.

5 CHAIRMAN BRANHAM: Okay. And then did just want to ask the Staff if they
6 could provide an update as to the, the status of the draft map and its availability online
7 for public review. Can you just update us briefly on that as to the online map?

8 MR. PRICE: I don't believe that the most recent draft map is available online. I
9 think we were just kind of waiting to finish with the M1. However, we can actually place
10 that on the map hopefully after today's meeting going into the November Planning
11 Commission meeting.

12 CHAIRMAN BRANHAM: Yeah. Again just being today a work session, of course
13 you know this Mr. Price, we won't be taking any binding votes today. Any motions that
14 the Commission might want to make we'll probably just plan to add those to the agenda
15 of the November meeting. So I would encourage you to post just the most accurate
16 version of the map. I know some people may be - we've heard from a couple people
17 that they don't love that as much just because it's something that's influx but, you know,
18 again I like to try to provide the most up to date information to the public so that they
19 can be as much a part of the process and up to date in the process as they can. Let's
20 see, Mr. Jenson would you, I know you prepared a graphic for the properties that are
21 currently zoned rural and this is, this is meant to be an effort to create a visual to help
22 the public understand the differences between what would happen to the properties
23 currently zoned rural under the version of the Land Development Code that was

1 adopted by County Council in November of '22 versus how they would be impacted
2 according to the text amendment recommendations that are currently on the ledger with
3 the Planning Commission. Would you like to go over that at this time?

4 MR. JENSON: Thank you, Mr. Chairman. Assistant County Administrator, Eric
5 Jenson for the Record. Mr. DeLage, would you bring up the PDF file that discusses the
6 rural lot size and densities? Zoom out, make that as large as possible. Whoa, not
7 upside down, there we go. Thank you. So at the last Planning Commission meeting, we
8 heard from several folks in the community who were concerned that the discussion on
9 rural densities and lot sizes was complicated and that they did not understand what was
10 being proposed. So I took my best shot to simplify the information and so what we have
11 before you here is a very simple chart that has three different scenarios. Scenario one is
12 the 2021 LDC, that's the code that the Council adopted in November. And there across
13 the headers you'll see AG, the agricultural zone, HM, the homestead zone and RT the
14 rural transition zone. And so in the 2021 Code it says .15 units per acre, so what that
15 means is it's roughly 6.676 and 2/3rd acre per lot. So for people to understand from
16 home who are watching, the way it's adopted right now in the AG zone you have to
17 have 6.67 acres per lot. So if you owned 13 and change you could theoretically
18 subdivide into two lots. In the homestead zone the current was basically .33 that means
19 you have to have three acres per lot. And in the residential transition zone under the
20 current Code, under the adopted Code, excuse me, it's .67 which means you have to
21 have 1.5 acres per lot. Now in the Planning Commission proposal, which is the second
22 line, so in the proposed PC version this is based on the motions that the Planning
23 Commission made a couple months ago, in the AG you would now have to have three

1 acres per lot. In the HM, you'd have to have one and a half acres per lot and in the RT,
2 you would have to have one acre per lot. Now after I put, as I was putting this table
3 together, you know, I just thought to myself if we want to make it really, really simple we
4 would say that in the AG zone, which is the commercial agriculture so this is not a
5 residential zone, this is a zone for commercial agricultural activities, we would just say
6 10 acres per lot because again, the goal of the AG zone is to discourage residential
7 development and to preserve agricultural production. And then we would say in the HM
8 zone two acre minimum per lot. That's easy to understand. And then in the RT would be
9 one acre. So one, two and ten. So, so that's a very, so if the Commission wants to go
10 that direction again, that's, those are very easy numbers for people to understand and
11 follow.

12 CHAIRMAN BRANHAM: Thank you. And just a reminder that under our, our
13 current recommendation a property that is currently zoned RU but is 35 acres or larger
14 would convert over to that AG zoning district. And then a property currently zoned RU
15 that is less than 35 acres, and then I believe more than three acres or equal to, would
16 be HM. And then as I recall it was anything that's currently zoned RU that's three acres
17 down to one acre would convert to the RT zoning district. And just a reminder as well
18 that under the current RU the minimum lot size per dwelling unit is .7 acres. Is that right,
19 Staff?

20 MR. PRICE: .76

21 CHAIRMAN BRANHAM: .76 acres per dwelling unit currently. So every version
22 of these proposals would make the density less in, in those, on those properties.

23 MR. JENSON: Mr. Chairman, may I add to that?

1 CHAIRMAN BRANHAM: Yes, Mr. Jenson.

2 MR. JENSON: Thank you, sir. Again, AC Jenson. So one of the things in my
3 personal experience, you know, doing this for almost 25 years now is that one acre is a
4 general threshold for "rural". In other words once you get below one acre in size it's
5 really a suburban density. And we have zoning that allows roughly lot sizes of about $\frac{3}{4}$
6 of an acre, the R1 zone, and so if somebody, you know, had acreage and wanted to
7 subdivide further they could always apply for a different zone to, to do it, to get smaller.
8 And as I looked at our matrix and the way our table flows if we went to, if we kept the
9 .76 acreage density lot size in the RU it would basically be a duplicate zone to the R1
10 because the R1 has a similar density. And so it doesn't make sense for us to have two
11 of the same tools in our tool box, which is one reason why, just purely as an outsider
12 looking at this, it makes more sense for our rural, our true rural area that if we want to
13 keep them rural for real then we need to have a slightly higher than .76 density, in my,
14 just in my opinion.

15 CHAIRMAN BRANHAM: Thank you. That's a good point to just ask the
16 Commission, does anyone have questions or comments on these, what we've covered
17 so far? Okay. Next up, if we could, again at the last meeting I believe it was the Staff
18 who called to our attention select tracts of land currently zoned for M1 that they
19 recommended we take a look at for, for possibly needing to be zoned something
20 different due to the nature of the current use or proximity to other properties around
21 them and being different or, and in their judgement causing them to recommend
22 something other than what would otherwise be equivalent in the new Land Development
23 Code.

1 MR. JOHNSON: Mr. Chairman, quickly?

2 CHAIRMAN BRANHAM: Mr. Johnson?

3 MR. JOHNSON: As we transition, the PDF slide that Mr. Jenson put up, do we
4 have a copy of that in our package?

5 CHAIRMAN BRANHAM: Can Staff speak to that? The PDF that -

6 MR. JENSON: The presentation that I just showed?

7 CHAIRMAN BRANHAM: Yes.

8 MR. JENSON: No, I literally created it on Friday afternoon so this is the first time
9 it's been shared so, but it will be circulated. All of the materials that I'll present today will
10 be circulated to the Commission Members and posted.

11 CHAIRMAN BRANHAM: Okay. Thank you, Mr. Jenson. I think again, this is the
12 purpose of asking Staff to discuss these M1 properties just to ask you to share a little bit
13 of your thought process on this and then we'll, you know, just take that under
14 advisement as we move forward.

15 MR. PRICE: Excuse me, Mr. Chair? Can we maybe pause for a moment? We
16 want to ensure that the streaming is working.

17 CHAIRMAN BRANHAM: Okay.

18 MR. DENNIS: Chair?

19 CHAIRMAN BRANHAM: Mr. Dennis?

20 MR. DENNIS: Streaming is working, I've got it on Facebook and YouTube.

21 MR. PRICE: Okay, alright.

22 CHAIRMAN BRANHAM: Okay.

1 MR. PRICE: We can continue. Yes sir, alright, so again as stated as we were
2 looking to do more of the equivalency for most of the parcels in the County I think the
3 only one that really kind of we couldn't do was the M1 zoning designation and that was
4 because that was a previous zoning designation that was, that was intact prior to 2005
5 with the adoption of the 2005 Land Development Code. It's kind of carried over and that,
6 that actually is kind of a hybrid of both commercial, excuse me, commercial and
7 residential uses. So as we look at what those will convert to that was the only one that
8 we kept the proposed zoning as we presented for our maps from the 2021 Land
9 Development Code, those are the ones that actually went I guess you can say
10 February. So we kept most of those zoning designations because those were more in
11 line with the character of the area and the uses that were in place under the M1. What
12 we did see were there were 10 parcels excuse me, eight parcels that would not fall
13 under either commercial or industrial and so we just wanted to kind of bring this to your
14 attention because, you know, there's just a difference between going from, you know,
15 from an industrial or a commercial to go to maybe a potential open space or agricultural
16 use and we wanted to identify those to you.

17 CHAIRMAN BRANHAM: So Mr. Price, these are recommended exceptions to the
18 general rule.

19 MR. PRICE: Yes, sir.

20 CHAIRMAN BRANHAM: As to the translation table being what we're following.

21 MR. PRICE: That's correct.

22 CHAIRMAN BRANHAM: Okay, literally for the remapping. Alright, thank you.

1 MR. PRICE: In some areas, you know, I think looking at those they all kind of
2 made sense based on the character of the area and also the uses on the property. We
3 just wanted to bring this to your attention; more specifically you're looking at, y'all may
4 have received these but 4A and 4B were to be 201 Powell Road and next to
5 Technology Circle, those are in maybe industrial parks off of Farrow Road, those
6 parcels are proposed to go to open space, those consist of the golf courses, I believe
7 that's North Woods, excuse me, The Spur at North Woods golf course. That was one
8 that really caught our attention because the surrounding properties are basically
9 industrial and then they are butted by residential and institutional uses also. They're
10 next to the Midlands Tech campus but there's also some residential just north of the
11 parcels but the remainder of the parcels are industrial. So we just kind of wanted you to
12 take a look at those, maybe give an opinion on what may be the appropriate zoning
13 designation for those.

14 CHAIRMAN BRANHAM: Process wise have these property owners, are they
15 already aware of these proposals?

16 MR. PRICE: Well, they would have been sent out, the notifications, prior to, prior
17 to, excuse me, in February of this year when we sent it out to all of the other property
18 owners in Richland County.

19 CHAIRMAN BRANHAM: Okay.

20 MR. PRICE: So this has not changed. I will tell you, especially the ones that I just
21 identified, Powell Road and Technology Circle in the park, that was a big issue when we
22 were implementing the TROS zoning designation, that's one of the reasons that we
23 didn't make those TROS because the property owners were opposed to not keeping

1 those parcels light industrial even though the golf courses would be deemed non-
2 conforming.

3 CHAIRMAN BRANHAM: Okay. I feel like it would be useful if you pulled up,
4 there's an Excel spreadsheet with the list of these properties with some notes that Staff
5 has made.

6 MR. PRICE: 4A and B.

7 CHAIRMAN BRANHAM: This was shared with the Commission as a whole,
8 right? Before the meeting? I haven't seen it.

9 MR. PRICE: It was sent out so I apologize. If you have it.

10 CHAIRMAN BRANHAM: Yeah, and being that maybe not everyone's looked at it,
11 if you could briefly go through those, you just reviewed two of them with us as lines,
12 parcels 4A and 4B. I, just [inaudible].

13 MR. PRICE: Tommy, if you get it. Yeah, so I'll pretty much read from the notes
14 that I have here. Alright, so this parcel is currently zoned M1 but we're proposing that it
15 go to R2, and the reason is because it's an adjacent to a residential development. This
16 is next to the Misty Glen subdivision. And also for an M1 parcel this does not offer any
17 direct access to an interstate so the most appropriate zoning seemed to be R2 or
18 residential as opposed to a light industrial. Questions or? So this parcel of course again
19 is also currently zoned M1. Due to the constraints on the property by the flood zone the
20 most appropriate zoning would be OS just because of the limited developability of the
21 parcel itself. So due to the constraints on the property that M1 wouldn't be the most
22 appropriate zoning designation for it. This parcel is located off of Fairfield Road and just
23 as previously explained, same reasons due to constraints on the property that the most

1 appropriate zoning would be open space as opposed to any type of industrial or
2 commercial due to the limited ability to develop the site. Go yeah, yeah, and so we can
3 kind of look at 4A and 4B, they're right next to each other. As you can see those are
4 currently developed as a golf course again as stated it's the Spur at North Woods golf
5 course so the parcels north and I guess west, excuse me, east of the properties are
6 zoned light industrial but you can see that there is kind of a buffer between the
7 residential which is north of the site by I believe it's [Inaudible] Creek, and Tommy if you
8 zoom out a little bit, and you can also see that the Midlands Technical College is there.
9 So that is one we just, we weren't quite sure of. Like I said the most appropriate zoning
10 for the golf course would be OS which is open space which would make that golf course
11 conforming, however, any future developability of the golf course would require rezoning
12 so there is potential of keeping it as a non-conforming use and making the zoning more
13 in line with the surrounding properties.

14 CHAIRMAN BRANHAM: For some reason at some point in the past the owners
15 expressed resistance to rezoning to open space.

16 MR. PRICE: Yes, yes sir.

17 CHAIRMAN BRANHAM: Okay.

18 MR. PRICE: During the, when we were looking to implement the TROS zoning
19 designations. Yes sir, they did. But that will take care of 4A and 4B. This is an
20 interesting one because you just had it for a rezoning request in which the applicants
21 were requesting to rezone this property to RMMD and it receive first, did receive first
22 reading approval by Council at their last Zoning Public Hearing meeting. You know, we
23 originally designated this as AG so I think that this may change based on the future

1 actions of Council, I believe second and third reading will be scheduled for this month.
2 This parcel is currently zoned M1 but there is a buffer of Mill Creek that actually it
3 buffers the industrial, the more established industrial uses including the detention
4 center, Tommy can you zoom out a little bit, that are more west of the site. And the, and
5 the properties that are east of this site are more in line with what Staff's recommending,
6 which is AG. We kind of used the, we used the flood zone as an identifier which would
7 be the most appropriate zoning designation for this parcel. As stated on another parcel
8 due to its proximity to residential and also it looks like their kind of like stub outs I guess
9 for access, future access along Eclipse Lane and maybe even County Line Trail for
10 future development of this site, so the most appropriate zoning would be residential.
11 And, and the same with this parcel, even though it's not adjacent to a develop, a
12 subdivision or a highly dense residential development it is abutted by residential
13 development and so for those reasons it was recommended for residential also. This is
14 another parcel that is actually currently before County Council for a map amendment.
15 This is scheduled to go for Zoning Public Hearing on the 25th of October in which the
16 applicant is requesting a rezone from M1 to RSLD. I believe at the October Planning
17 Commission meeting that Planning Commission recommended against the request to
18 rezone to RSLD. And I guess the actions of County Council will kind of determined
19 which recommendation we may make in the future.

20 CHAIRMAN BRANHAM: Okay, any questions for Staff on these parcels? Again,
21 just process wise this would be different from what we're used to with applicants
22 approaching, submitting an application for rezoning, this would be, I guess this would
23 fall under the category of, like a Planning Commission or a Staff-initiated rezoning?

1 MR. PRICE: Yes sir, you're talking about the eight parcels that we identified?

2 CHAIRMAN BRANHAM: Yes.

3 MR. PRICE: Yes sir, that's probably as close to it as what we've done.

4 CHAIRMAN BRANHAM: So how, is there a posting requirement under the
5 county ordinances, a posting requirement?

6 MR. PRICE: No sir, all of this will, will take place along with the map that will be
7 eventually adopted by County Council, because technically we are rezoning all parcels
8 of the County.

9 CHAIRMAN BRANHAM: Right.

10 MR. PRICE: To new zoning designations so they wouldn't need to be any more
11 postings of these properties.

12 CHAIRMAN BRANHAM: Okay.

13 MR. PRICE: Except, excuse me, except for the two that came before the
14 Planning Commission and subsequently County Council for the Zoning Public Hearing.

15 CHAIRMAN BRANHAM: Okay. Will you be able to, I mean, as far as your
16 concerned any reason why we couldn't direct Staff to post these specific properties just
17 because of the different nature of the, the impacts to these properties, and then kind of
18 exceptions to the translation table?

19 MR. PRICE: No sir, you know, we - good question. I don't know if we need to, to
20 do this. Again this is in line with the other map amendments, essentially the rezoning
21 that we're doing throughout the County, and I think you can make the argument that this
22 could be viewed for many of the parcels in the County. Even though we know we just
23 pointed these out we just really wanted you to see that there was a big change for these

1 but again, the parcel, the property owners have been notified of these changes and if
2 they have any objections they can come and speak to us. Also, this has also been part
3 of our map that, excuse me, the map that has been on the website for people to also
4 look at.

5 CHAIRMAN BRANHAM: Okay. Anything else on this, Item III before we move to
6 Item IV to discuss the Green Development Incentives? Alright. Nothing further we'll just
7 go ahead and move to that. Staff, you maybe want to pull up the text or something like
8 that of those provisions?

9 MR. PRICE: Mr. Chair?

10 CHAIRMAN BRANHAM: Yes, Mr. Price.

11 MR. PRICE: While this is being pulled up I'll tell you, so based on the last
12 meeting that the Planning Commission held and this was discussed Staff has done a
13 little more research on this and wanted to, one of the things that we looked at, well
14 actually a couple of things we looked at, but mainly we wanted to see, look at the
15 achievability of these incentives in order of them, at least in order for them to get the,
16 the bonuses that will come along with it. I'll turn this over to Mr. Smith shortly so he can
17 discuss it, he's done a little bit of research on this. Also, we would also point out that
18 one of the things that could be looked at if it was determined to keep the Green Code,
19 excuse me, the Green Development Incentives, is potentially look at what those
20 incentives will be. Maybe potential reduction and density bonuses might be something
21 to look at as opposed to doing away with the entire incentive.

22 CHAIRMAN BRANHAM: Okay, Mr. Smith?

1 MR. SMITH: Good morning. So after further examination on the energy
2 conservation, alternative energy and various other green building incentives features, I
3 investigated several of them one of which I know that was particularly pointed out was
4 the central AC energy star. And the, I guess the concern was that this was very
5 achievable by the majority of the industry. While this might be the way of thinking, from
6 my research most of your ratings that are qualified for energy star have to be 15 or
7 higher. In the State of South Carolina right now they have to be 13.5 minimum, so
8 starting 2023 that SEAR rating for South Carolina will go up to 14. The energy star
9 rating for 15 presumably will have to go up as well. So with that said that piece of
10 information led me to the next one which was the tankless water heating systems,
11 talking to various people in the industry. When you're building 100 homes, you try to find
12 your cheapest alternative. So looking at hot water heating or tankless water heating
13 systems is probably not the most economical. Also research amongst Mungo, Southern
14 Homes and various other sites to see if I could price select these various elements and I
15 wasn't able to. Skylights, wasn't able to find any industry that provides that, at least not
16 for 20% of a habitable area. Green roofs or even cool roofs for that matter are very rare.
17 I don't know when's the last time any of us have ever seen a green roof on someone's
18 house or a metal roof that isn't a barn or, you know, a house that just kind of sticks out
19 because it's a metal roof that is particular color. And what a cool roof is, is a, kind of a
20 metal roof that has a different coat of paint on it that refracts the lighting that cools the
21 house better. So some of these provisions in themselves are not as common as we
22 were led to believe or we think we believe. And amongst the other ones I was looking
23 at, you know, those are the things, three of them that really pointed out to me the most.

1 But the vegetation, the conservation set asides, all of these have to meet. Now, the one
2 thing that I did notice is just by having one these does not mean you get the incentive.
3 You have to have five incentives or five features to achieve one incentive. Now, once
4 you've reached that incentive you cannot reuse these features for another incentive. So
5 once you achieve that increasable, allowable height beyond the maximum allowed that
6 incentive has been used and those features that you used to achieve that have been
7 used, so you have to move on to others to achieve other incentives. And so that's kind
8 of my gist about the whole situation is a lot of these while on the surface seem like they
9 are achievable, some of them are but the multitude of them that you have to achieve
10 becomes more difficult as you move through it.

11 CHAIRMAN BRANHAM: Okay, thank you, Mr. Smith. [Inaudible]

12 MR. JOHNSON: Mr. Chairman, question.

13 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

14 MR. JOHNSON: In your summary once you achieve those, say five items, is it
15 prescriptive or do you have to still make an application?

16 MR. SMITH: As prescriptive you're referring to.

17 MR. JOHNSON: As of, right, once you achieve those five or do you still have to, I
18 just don't remember, do you still then have to submit the formal application for it to be
19 reviewed to achieve those bonuses?

20 MR. SMITH: Yes. So you would have to ultimately still apply for everything but
21 with those being in your plan and only way you can achieve those I having those kind of
22 approved from what, my understanding. So once, I guess I'm not really understanding
23 your question, is once they're achieved, then you can't use them again.

1 MR. JOHNSON: It's automatic? Let me, let me - once you achieve those five it's
2 automatic once you demonstrate you met those hurdles. Once I've cleared those
3 hurdles, I get it, I don't have to, it's not, it's still not a discretionary decision, that if I do it
4 then I can apply for it.

5 MR. PRICE: Sorry, excuse me. During your submittal process I guess for your
6 development, so where it seems like the assumption is that this will be part of a
7 residential subdivision development so all of these will have to be shown to have been
8 met and once that review is done then you'll be allowed to go ahead and build. Of
9 course, we would have to do, you know, also work with our Building Department to look
10 at, make sure some of these incentives are also being met and also potentially do some
11 inspections in the field. But yeah, once you submit those plans to us and those are
12 reviewed, you would then be able to go ahead and construct.

13 CHAIRMAN BRANHAM: Mr. Smith, could you just go ahead and describe a little
14 bit more about the SEAR rating that you referenced earlier? What is that?

15 MR. SMITH: Sure. So the SEAR rating is something the HVAC industry uses to
16 rate their energy efficiency. These elements are used, are conditioned by, you know,
17 how many BTUs are used, how big of a ton, tonnage is used. Also the SEAR rating
18 changes based on what kind of unit you use, whether it's a split unit, whether it's a
19 window unit, or central AC unit, that SEAR rating variates between those. Just by going
20 on to Lowes.com or Home Depot or various other big box stores you can find these
21 SEAR ratings of, you know, lower, all the way down to 13 but all the way up to 22. Now,
22 South Carolina we are a region where you have to have at least a 13.5 right now but
23 that's being raised to 14 or, yeah being raised to 15 this year and that presumably will

1 be raised, but the conditions that the SEAR ratings are based out of are based pretty
2 much on their energy efficiency.

3 CHAIRMAN BRANHAM: The energy star designation that's, that's a different,
4 that's different from the SEAR rating, right?

5 MR. SMITH: No, sir. So the SEAR rating is in concert with the energy star. To be
6 energy star qualified or certified it has to meet a minimum of 15 SEAR.

7 CHAIRMAN BRANHAM: Yeah, they're not, they're not the same thing but to get
8 that energy star status you have to have a certain number on your SEAR rating?

9 MR. SMITH: Right, and achieve that certain SEAR rating you have to achieve
10 other measurables which are, you know, your BT usage, your watts per hour and other
11 various elements.

12 CHAIRMAN BRANHAM: Okay, you indicated earlier that to achieve that energy
13 star rating, which is one of the incentives that you can, one of the things that you can
14 have to obtain an incentive, you say that was, you have to have a 15 SEAR rating, is
15 that right?

16 MR. SMITH: Correct. Currently you have to have at least a 15 SEAR rating but
17 come next year the minimum you'll have to have is a 15 in the State of South Carolina.
18 Now presumably that energy star rating would have to go up order to achieve that. Now
19 talking to people in the industry of HVAC I've asked them about the power star or I
20 guess the energy star rating and they're under the consensus that, you know, that star
21 will rating will have to go up because of what the incentive is, and various other forums
22 of life and industries.

1 CHAIRMAN BRANHAM: You're saying that the energy star minimum number for
2 this SEAR rating would have to go up?

3 MR. SMITH: Yes, sir.

4 CHAIRMAN BRANHAM: And that's why?

5 MR. SMITH: Because the energy star rating, when the government raises
6 standards for HVAC usage or, you know, how we presume or how we see energy
7 savings as by raising our minimums and our expectations to what our day to day is the
8 energy sector also has to raise theirs in order to continue being able to put that emblem
9 on their product, because if they continue putting their, you know, energy star qualified
10 materials out there then presumably it's got to be better than what they're offering on
11 the day to day.

12 CHAIRMAN BRANHAM: You said who's, who sets the energy star rating?

13 MR. SMITH: Energy star is actually an entity of their own. It's energystar.gov.

14 CHAIRMAN BRANHAM: Okay.

15 MR. SMITH: They are a government agency that sets the, sets the ratings on
16 various appliances. And so with that I haven't been able to find out any information
17 about whether that star rating will change in concert with the regulation, so that's
18 something to be seen.

19 CHAIRMAN BRANHAM: Will we be able to see how the other states compare, I
20 guess we're talking state building codes versus energy star?

21 MR. SMITH: Yes, sir. So depending on where you live the SEAR rating is going
22 to be higher in hotter locations because in California the energy usage is much higher.
23 The amount of people using that energy is much higher. So the SEAR rating has to be

1 higher. In the north not so much, you don't have to have a SEAR rating as high. So the
2 SEAR rating is actually broken up into I believe three general areas, which is the north,
3 the south and then the southwest and those ratings variate between those states and
4 those regions.

5 CHAIRMAN BRANHAM: Okay. You mentioned earlier trying to use different
6 neighborhood websites to price select the tankless water heater. You were just trying to
7 figure out based on the options available for the home construction or what was that?

8 MR. SMITH: So various forms of research, whether it was me contacting them
9 through phone or going to their website looking at their pictures that they have of their
10 model homes or just trying to construct a home, you know, just how you try to construct
11 a car online, you can do it online on the various websites. Now, you can go up there and
12 select central AC but it doesn't let you select what kind of AC unit that is. So for all you
13 know you could be buying a SEAR 13 or a SEAR 22, it won't, there's no specification on
14 that.

15 CHAIRMAN BRANHAM: What about the tankless water heater did you, you were
16 saying you were trying to buy one, like proposed that you would buy a house with a
17 tankless water heater and then what happened?

18 MR. SMITH: So what I was saying about the tankless water heater and this kind
19 of goes with the HVAC units as well is when you're building - instead of the, let me just
20 start over. These incentives are primarily going to be used for larger developments.
21 They're not going to be used for the one-time home buyer that's building their dream
22 home or, you know, two houses here, two houses there. This is primarily used for the
23 major subdivisions, that's what majority of these features and incentives are meant to

1 be used for. So when you're building 100 homes, 200 homes, whatever [inaudible] price
2 for goods and services and products becomes a thing for your budget. And everybody
3 knows tankless water heater versus a conventional water heater, there's a substantial
4 money difference there and when you're building 100 homes that makes a big
5 difference.

6 MR. DENNIS: Chair?

7 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

8 MR. DENNIS: Yeah, so when we're talking about tankless water heaters when
9 you go on to the websites of any of these builders and their natural gas communities,
10 they all boast this, tankless water heater, no holding tanks so energy isn't wasted for
11 storing or heating water when it's not in use, every one of them, so they're boasting the
12 energy savings that you get with the tankless water heater. You know, these builders,
13 they're using, you know, in the State of South Carolina R38 is the code standard for
14 insulation, most of the builders here are using up to R50 for attic insulation, along with
15 spray foam in the walls instead of insulation fiberglass. You know, insulation fiberglass
16 about every 25 years needs to be redone. The spray foam last up to 80 years. It's also a
17 more effective option and, you know, that's not even listed in the green incentive over
18 here but it's some they're doing. You know, they're also using radiant barrier sheaths on
19 the roofs that, you know, up to 97% of the sun's radiant heat from the home's attic and
20 that helps lower temperatures in the attic by 30 degrees thus helping lower the
21 temperature inside the house also, along with improving the heating and cooling ability
22 inside the house. You know, it improves energy efficiency, thermo radiant barrier, I
23 mean it's almost, not every builder uses it but it is almost industry standard across when

1 you're looking at them. You know, we talked about the tankless water heater, I can
2 move on the HVAC systems, you know, HVAC systems are done by based on size of
3 the houses. So the HVAC systems, you know, they're using, it's not just the way we
4 used to do it where it just blast AC through the whole house. They're using control
5 zones in it now so those control zones also help with the efficiency of that HVAC system
6 along with using programmable and smart thermostats. These builders are also using
7 low E windows so in the summer it's also helping reduce your power bills and in the
8 winter it's helping reducing your power bills as well. You know the, one of the cool
9 things is the coating that they're putting on those windows when I was doing some
10 research is it's very cost efficient for the builders to use those type of windows because
11 a lot of these companies are moving towards it cause the companies that are providing
12 this stuff, they're getting tax breaks on selling it so those tax breaks are passed on to
13 the consumer in other ways. Builders are also using water conservation, shower heads,
14 faucets, toilets, also any of the appliances you buy from the builders to put in there are
15 energy stars, appliances. Builders, some builders are even going as far as putting
16 electric car charging ports in garages, they're using LED flush mount energy star lights
17 that these lights use 90% less energy than traditional incandescent bulbs. They're
18 boasting that too. And some last over 10 years so I mean, it's that. And one of the
19 biggest things was the HERS ratings so when we look at energy star, energy star is
20 okay, it's a cool thing but the HERS ratings are actually better than an energy star.
21 Energy stars are yes or no, does it meet these criteria? A HERS rating actually is a
22 home energy rating system so you actually have to write down numbers, it's figured up
23 in the thing in order to say you are a HERS index, which is actually better than energy

1 star. So energy star like I said is a yes or no certification rather than the actual score of
2 a new homes energy efficiency. The HERS index rates actual energy efficiency and
3 estimates annual savings cost. You know, when I look over the green stuff, I'm not
4 trying to get rid of the green stuff, I think the greens stuff's good but I think we have an
5 opportunity to do something that government doesn't actually do most of the time. We
6 look at things from the past, however, a lot of this stuff is caught up with where we're at
7 right now. So why not take this time and look into the future and find something better
8 than what we got in here that was pretty much done - between 2012 and 2015 these
9 standards is where I found them from. And now this, all these standards are coming in
10 now with these builders cause, I mean, people want to buy energy efficient houses. So
11 all this other stuff they're doing which is actually way better than the energy star. So to
12 me going energy star is going backwards. So I would like to look at something like if
13 these houses can get a, you know, a HERS rating of above something then going that
14 route. I mean, you know, the government we just, we do a lot of things backwards. I
15 think we actually have a chance for us as a whole to actually move forward for a better
16 green objective for the County. And you know, when we look at the density I was
17 looking at the density, how the density effects, like if they meet this stuff they get a
18 density bonus, but one of the things I haven't found is does density help housing values
19 or lower cost of housing. Well the craziest thing is I haven't found anything but I did find
20 in the academic paper published by the Lincoln Institute of Land Policy, Housing
21 Affordability and Global Perspective working paper published like I said by the Lincoln
22 Institute of Land Policy, their findings confirm earlier studies that show that housing
23 affordability deteriorates as cities face increase in population and density of the urban

1 extent. I just, I want to find a better way to save more. If we're going to do it let's do it.
2 Let's not dilly dally around and just give some things. Now the other side of this when I
3 go to look at the commercial side, the commercial side it's easier for them to actually hit
4 a lot of this stuff, energy star. It is very easy for commercial to hit it because they are,
5 those units that they're dealing with are not 15 SEAR, they are way bigger, they can get
6 that sort of stuff and there's no HERS index for commercial. Commercial is pretty much
7 yes or no, does it meet, does it not? So, you know, I was looking in through the
8 commercial stuff and I just, I couldn't find much to go back on the commercial stuff but I
9 think there's some areas that we can go forward on it. But I think the residential we
10 really need to take a harder look and get more of a, of a leaning forward way. I mean,
11 you know, I tried to do some research on, on geothermal in this area. It ain't gonna
12 happen in Richland County. I mean, I just, what I found with geothermal was not
13 promising here, you got to get up towards to Greenville to really make that work. Our
14 water tables too high up here so we can't utilize geothermal. However, we could utilize
15 solar but the State of South Carolina's solar initiative is not in line with homeowners
16 because if a homeowner puts solar on their house and they go to sell it they either
17 pretty much have to pay off the loan if they get a loan on it or if the buyer takes that over
18 they have to be able to assume that loan and if they assume it, their DTI could go above
19 and the lender not let them buy a house. So that hurts people selling and buying houses
20 too. South Carolina's got a long way to with the green initiative, it does. That's why I
21 think we could be one of the leading counties to figure this out. I don't want to go with
22 the, as we say the land development standard over here that a lot of other people are
23 going with. I want to find something better to better our community. That's, that's kind of

1 how I seen it and that's kind of why I had those talking points done up cause I've done a
2 lot of research on this. And, you know, you hit some of the things I was gonna talk
3 about, the SEAR rating and stuff. I was, one thing I did talk to somebody about the
4 SEAR rating with the federal government, we're just catching up to the federal
5 government, we're not surpassing the federal government. So that's one of the things
6 that South Carolina we're getting there but we're not there. So instead of coming from
7 behind, let's just take the torch and lead it in the future. That's kind of where I'm at with
8 it.

9 CHAIRMAN BRANHAM: So Mr. Dennis, you clearly made a bunch of notes in
10 preparation for today's meeting and you cited one of the studies by name but, and I
11 know you're in the real estate industry for your day job, but can you give us a little bit
12 better sense of where you got this information?

13 MR. DENNIS: So pretty much all this information that I got is actually from every
14 builder from Mungo, Eastwood Homes, Great Southern, all this is off their website and
15 what they include in their houses.

16 CHAIRMAN BRANHAM: So did you, I think maybe you were, you were
17 articulating, you know, the purpose for bringing all that up but do you want to, like
18 summarize or do you have, like a proposal, like specific proposals, based on your
19 comments?

20 MR. DENNIS: So one of the proposals that I was thinking about was really sitting
21 down and kind of not taking the green initiative away but taking it out for residential and
22 looking at it a little bit more, seeing what we could do with the HERS rating, see how we
23 could incorporate that into County. Boost those HERS ratings up so that the County and

1 people could utilize stuff, but we also got to be careful along with density. If we over
2 pack some of these areas it might be, one of the things about density that went with all
3 this was, is densities a double-edged sword. The more dense some other areas are it
4 helps with, you know, infrastructure but half your infrastructure and then it overwhelms
5 the other half. So there's a lot, I mean, you know, we talked about this last meeting and
6 I've had some thoughts and then I didn't like some of the ideas I had. Then I kind of
7 went back and forth, but I really think it would be beneficial if we really looked at it in depth.
8 I don't think this is something we can come up with in a month or two. I think this going
9 to take a lot of work. I really do. If we go forward with just leaving it like it is I think we're
10 doing an injustice to our citizens in the County and the environment.

11 CHAIRMAN BRANHAM: Okay. Thank you. Anything else from other
12 Commissioners at this point? Anything else from Staff on the topic?

13 MR. SMITH: Yes, Mr. Chairman.

14 CHAIRMAN BRANHAM: Mr. Smith?

15 MR. SMITH: Yes, I just wanted to point out when these denser areas are
16 permitted the density, the allowable density, just because these open space set asides
17 occur and these allowable density increases, the amount of units does not. So while you
18 can have 10 homes on a specific zoning designation and you get these incentives,
19 doesn't mean you get more homes because of those incentives, it just means you get
20 the pack them in tighter, that's all that means. Just wanted to point that out.

21 MR. DENNIS: Chair?

22 CHAIRMAN BRANHAM: Mr. Dennis?

1 MR. DENNIS: Yeah, one of my things about density wasn't just about single
2 family, it was about multi-family too. So I mean, across the board that's kind of what I
3 was getting at. It's not just about the single family, it's about multi-family, it's about how
4 we can make affordable housing but, you know, there, the big thing about affordable
5 housing is out there, oh if we can get these bonuses we can make more affordable
6 housing, I have yet to see affordable housing in this County being built. It's far from
7 none in this County. You know, we talk about it all the time but I don't see it. Every time
8 I look out there a house \$300,000, like even the smaller units that were \$100,000 units,
9 no they're selling for \$300,000 now. Sorry, that's not affordable housing. I know that's a
10 total separate thing but I mean, you get, in government we start linking green initiatives
11 and affordable housing together and it, that's just not where we should be going with it.
12 We should really, if we're going to do it, let's do it. Let's find a way to incentivize some
13 affordable housing areas, let's find a way to incentivize better green initiatives. Like one
14 of the things that I liked about the green initiative was electric car charging ports. That's
15 something I haven't seen in many parts across the nation and South Carolina's actually
16 getting, doing it. Kinda threw me for a loop when I seen it and I started researching into
17 it a little bit more and housing prices are going up, car prices are going up and gas
18 prices are still going up right now but there's got to be a way to do it. I just, and I just
19 keep talking around it, I just don't know the way to do it yet. That's why I'm, hopefully all
20 the Commissioners, we all can come together and figure out a way to go forward with it
21 instead of just sitting back and doing something that was prepared a few years ago. I
22 would like to, doing it how we do it we're always gonna be behind, but I mean, we're
23 almost behind, if I did my math right, by five years behind from when this whole thing

1 started working and when I was looking at how these tables and all this stuff goes along
2 with Clarion, kind of some of this stuff was back from 2012 and 2015. There's one or
3 two things from 2018 but that's the closest that I found throughout my research on the
4 world.

5 CHAIRMAN BRANHAM: You're sense was just that some of these green building
6 features are, are pretty status quo at this point? They're not innovative as, as they might
7 have been 10 years ago, I guess.

8 MR. DENNIS: Yeah, they're not as innovative but there's, there are a lot of good
9 innovations and I hate to say it, there are good innovations; when we talked about the
10 cool roof, that's great for commercial buildings. There's a lotta stuff, Charlotte, North
11 Carolina, they started adding some cool roof initiatives on some of their taller buildings.
12 The central air, that's going to be commercial. The use of solar and tankless water
13 heating systems through structure, that's one thing we haven't seen is a solar water
14 heater. I have seen them in the past in other areas. I've seen them in Florida, I've seen
15 them in North Carolina, but I have not seen any in Richland County. That's one of the
16 things that I think could go, solar water heater, but there's just, it's just too bland for me.
17 It's not enough. We always talk about green and helping save the earth and energy
18 conservation but why go with the status quo of Land Development Codes when we can
19 really eat it up and go further into the future with it.

20 CHAIRMAN BRANHAM: I mean, some of my sense obviously is that, you know,
21 we certainly have a public policy that's in favor of things that are environmentally
22 friendly and obviously this draft Code tries to incentivize those kinds of things. Just in
23 reviewing at high level some of my thoughts again were just, you know, if we're going to

1 give something then we should get something meaningful in return. And so the, I don't
2 want to give out any freebies and a freebie kind of feels like whatever the status quo is
3 already. I mean, if I'm a person who wakes up every day and breaths, you know, it
4 would be weird for somebody to come up to me and say, here I'm going to give you a
5 dollar for every day you wake up and then a dollar for every breath you take, you know,
6 I'm doing it already. So I think that there are meaningful green initiatives that maybe we
7 should incentivize. But the other thing that I feel like I'm looking at is again just wanting
8 to have simple and transparent zoning districts and this, this kind of mechanism is
9 similar to the cluster development mechanism in that, you know, it's modifying what the
10 underlying zoning district is to the point with the density credits that, you know, I think it
11 really does start to change the meaning of what the density, what the zoning district is.
12 When you're talking about potentially a density credit of 25% all the way up to 30%,
13 you're jumping entire zoning districts at that point. And so the nature and the character
14 that was originally intended by that original zoning district gets modified through the
15 utilization of these incentives and of these credits. And that's what was called attention
16 to earlier by Staff and by others there's, the benefits are not typically to the individual
17 home builder, you know, the owner builder, it's usually a developer type situation and
18 development is how most of our residential homes get built now. But the scale of the
19 impact is something that, you know, weighs heavily on me knowing that we're not
20 talking typically about one piece of property on one acre, we're potentially talking about
21 400 homes on 100 acres or something like that. So whatever incentives we provide I do
22 think that they should be moderate and reasonable and maybe less extreme and less
23 impactful when it comes to things like density. Those are just some of my thoughts.

1 MR. JOHNSON: Mr. Chairman?

2 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

3 MR. JOHNSON: I hear you and the Vice Chair. I would reemphasize a few things
4 that Staff said; that these aren't just lay ups they are multiple elements that have to be
5 incorporated. I think there are five, am I correct, that have to met to obtain it. I'd also
6 emphasize Staff's comments as it relates to how we're using the term density. And so
7 when you start talking about a jump through from one zoning district to the next, we're
8 really talking about how those units are being placed and laid out from a development
9 standpoint, not purely or solely a math number of going from 20 units an acre to 50 units
10 an acre in terms of increased household. So I would say that I think as well my
11 colleague raised a couple points earlier that I think that for those that are not, they don't
12 live in the real estate industry that I would like to point out. Part of the argument for why
13 we need to look at making these revisions is a lack of affordable housing and how some
14 of those entry level homes that, example \$100,000 are now \$300-and-some thousand,
15 that's a separate policy issue in terms of giving the teeth to maintain long term
16 affordability. When we look at the success that Charleston has had, we look at the
17 success that Greenville has had as it relates to affordability it's not the zoning issue at
18 play, it's the restrictive covenants to make sure those units stay affordable for a long
19 period of time. So that's a separate policy issue, and when the issue was first raised in
20 our last meeting there were two divergent issues; one was density and the other was
21 whether or not we're going to be effective in terms of our agreement. So I would like for
22 us to, you know, bifurcate these issues and focus on one and the other. If we are
23 focusing on the green incentives then I would like to focus on those green incentives,

1 not necessarily [inaudible] effective about the issue of density and density bonuses
2 because you have to have incentives at different thresholds in order to carry out
3 [inaudible] the whole point of having some incentives.

4 CHAIRMAN BRANHAM: Yeah, I think we would just sense that the main
5 incentive is the density bonus so, you know.

6 MR. JOHNSON: I'm saying but what it takes to get there. Are there, do we need
7 to revisit a level of what those goals are?

8 CHAIRMAN BRANHAM: Right, yeah. Yeah, they are kind of two separate areas
9 of the same conservation. I would agree with that. Very good, thank you, Mr. Johnson.
10 Anyone else? Alright, good. Well, obviously we're not going to be voting on any motions
11 or anything like that today so good food for thought and good conversation. If there are
12 any proposed motions by Members of Commission, I would just ask you to get those
13 several days in advance of our November 7th meeting if that's when you would like to
14 have it heard.

15 MR. JENSON: Mr. Chairman, may I be recognized?

16 CHAIRMAN BRANHAM: Mr. Jenson, yes.

17 MR. JENSON: Thank you. I would like to just very quickly if I may go over the log
18 from the last time just to make sure that the Commission, before they move on from this
19 point, have discussed and addressed everything that was brought up at the last
20 meeting, just to make sure.

21 CHAIRMAN BRANHAM: Okay, yeah, thank you.

22 MR. JENSON: If that is okay. Mr. DeLage if you would bring up the log there. If
23 you would, I cannot read it at that scale, if you can zoom that make it every nice and

1 large for me. If you want, if you use the PDF format, it's actually easier to read. It breaks
2 it up into - there we go, just in large that, there we go, thank you, I can almost read that
3 from here. So in fact if you would Mr. DeLage, would you actually read those since it's a
4 little bit difficult for me to read from this distance? Just go through each one of them
5 again. I think I captured what the Commission Members said but I want to make sure
6 that we that that was accurate.

7 MR. DELAGE: Alright, so the first comment is "As to animal shelter, recommend
8 the addition of animal shelters permitted by right, subject to special requirements in the
9 AG, HM and RT zoning districts."

10 MR. JENSON: And then what was the action that the Commission took? It's just
11 over on the third column.

12 MR. DELAGE: Okay, so the motion passed to add the animal shelter use as a
13 special requirement in the AG and HM zoning districts.

14 MR. JENSON: Alright. Okay, next one, please.

15 MR. DELAGE: "As to animal services, veterinary hospitals or clinic, I move to
16 recommend the addition of veterinary hospital or clinic permitted by right, subject to
17 special requirements in the AG, HM and RT zoning districts." And then that action was
18 motion passed to add the veterinary hospital or clinic use as special requirement in AG
19 and HM zoning districts. Next motion is "I move to delete subsection 26-3.1(F)(4) which
20 provides for zero lot line development in any of the provisions for zero lot line
21 development of single family dwellings." Motion passed to delete subsection 26-
22 3.1(F)(4) without a replacement or substitution. Next motion was "I move to delete
23 subsection 26-3.1(F)(5) which provides for the complete elimination or massive

1 reductions on minimum lot width requirements in instances involving cluster
2 development and any other provision for cluster development of single family dwellings.”
3 Motion passed to delete the subsection 26-3.1(F)(5) and to direct Staff to draft a
4 substitute standard. As to green incentive bonuses Staff was directed to research and
5 provide additional information to the Commission.

6 MR. JENSON: Thank you.

7 MR. DELAGE: And last was “Zoning map revisions, Staff was directed to provide
8 an electronic copy of the M1 map to the Commission for the further analysis and to
9 consolidate the information from all previous maps into one map for the final
10 Commission decision or discussion.” Excuse me.

11 MR. JENSON: So thank you, Mr. DeLage. So that was the information that I
12 gathered from the last meeting and so I just wanted to comment really briefly on two
13 points there. The first, the cluster development, it will take time, that is not something
14 that can be done in a matter of weeks, for me to research that and to look at the
15 applicability here to the County. So that’s something that I hope to be working on in
16 November, December, January timeframe when the Council is less active and I have
17 more time to devote to this. The last one on the mapping, again we will get that map
18 together. So I want to make sure that everyone who is at home listening in understands
19 that regarding the map what we will do now is we will take all the information that we
20 have accumulated over the last five, six months that we’ve been working since the
21 restart began and we will put that on one map. That will then get posted so that
22 everybody can go see cumulatively what the impact is of what has been recommended
23 and discussed. That is something that will occur. And then at that point once all of the

1 text and all of the mapping comes together that is when we would bring it back to the
2 Commission for a vote on everything. And some items may get pulled, some items, the
3 Commission may say, you know what we're just not ready to move that forward, and
4 when that vote occurs that will occur. But up until this date these have all been informal
5 directions to Staff to compile and prepare information. So I want to make sure
6 everybody understands that's what the motions have been so far. They have just been
7 direction to Staff to prepare this information, to bring it back for a final consideration in
8 front of the Commission.

9 CHAIRMAN BRANHAM: Yeah, just to affirm again that, you know, I would expect
10 just based on the development of our conversations that we would look to have a vote
11 on the full slate of recommended text amendments and the zoning map at the
12 November 7th meeting. Obviously that's, you know, there's potential for change there
13 but that's what we've been working towards as a Commission. And kind of dually noted
14 by what Assistant Administrator Jenson indicated earlier, we may very well, you know,
15 take a vote and then, you know, that may still leave some execution work that the Staff
16 might need to carry out as they prepare to hand it over to County Council for review and
17 a vote. And let me just ask if we can have, off the top of my head the two sets of
18 information that were shared today so far that I don't think had been made available to
19 the public yet. One was the M1 list of eight properties as it were and then the other was,
20 what was other, lost my train of thought.

21 MR. JENSON: Rural density equivalency table.

22 CHAIRMAN BRANHAM: Yeah, the rural -

23 MR. JENSON: Yes.

1 CHAIRMAN BRANHAM: - density table. If we could have both of those things,
2 Mr. Price you got a master list, right, of people that have requested information, agenda,
3 things like that? Could we get those two items circulated to that email list?

4 MR. PRICE: Yes, sir.

5 CHAIRMAN BRANHAM: Okay, alright.

6 MR. JENSON: Mr. Chair, if it's in -

7 CHAIRMAN BRANHAM: Yes.

8 MR. JENSON: If I may be recognized.

9 CHAIRMAN BRANHAM: Mr. Jenson?

10 MR. JENSON: Thank you. If you would like I can also, I'm prepared today to go
11 over the table of uses for the residential zones. I cleaned it up a little bit from the last
12 meeting. If you would like for the Commission to review it while we're here, I can
13 present that. If not we can just put it online and that's fine also.

14 CHAIRMAN BRANHAM: I'd be happy to have you put it online but I don't know if
15 the Commission wants to hear or have that presented today? Maybe just put it online?

16 MR. JENSON: Okay, yes sir.

17 CHAIRMAN BRANHAM: Okay. Okay, if there's nothing else on Item IV, I would
18 like to move onto Item V which was a requested discussion on -

19 MR. DENNIS: Chair?

20 CHAIRMAN BRANHAM: Yes, Mr. Dennis?

21 MR. DENNIS: I got one question for Mr. Smith.

22 CHAIRMAN BRANHAM: Okay.

1 MR. DENNIS: It seems like you were doing a lot of digging like me. Did you find
2 anything groundbreaking in your digging that we could go forward that you and I could
3 talk about?

4 MR. SMITH: I believe, it's funny you said that. Not last weekend but the weekend
5 before I did a presentation out at Riverbanks Zoo about sustainability and conservation
6 and how the County can do better and what the different elements should be
7 implemented and various things. So I do have that information so I'd love to share that
8 with you.

9 Mr. DENNIS: Sweet, thank you.

10 MR. SMITH: Yep.

11 CHAIRMAN BRANHAM: Good. Alright, if nothing else we'll move onto Item V
12 discussion on the future public participation process. And I thank Mr. Johnson for raising
13 the topic cause if nothing else I think it gives us a good opportunity to take a real quick
14 high level review of the prior types of community involvement that have taken place over
15 these years, just a real high level. I probably would ask Staff to speak to that and then
16 I'd like to, you know, maybe after that make a few comments as far as
17 recommendations for future, future timetables or thoughts on communicating once
18 we've completed this phase of our involvement in this process.

19 MR. JOHNSON: Mr. Chairman?

20 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

21 MR. JOHNSON: If I could just moment of privilege, please. I have raised and
22 asked the question to have it put on the Agenda, if I could just have a -

23 CHAIRMAN BRANHAM: Oh, sure.

1 MR. JOHNSON: - couple minutes, please. I'm trying to be extremely brief.

2 CHAIRMAN BRANHAM: Okay.

3 MR. JOHNSON: And I do want to have the comments from Staff as well. First, I
4 raise the question about public participation not as a criticism of the work that this body
5 has done before the three new Members joined. We recognize and applaud the
6 dedication it takes to sit here and work through the process and listening to the folks
7 who've not been pleased at different points and those who want different changes. And
8 Mr. Jenson, you know, I also want to make sure that Staff understands we're very much
9 supportive and appreciate the work done in terms of public engagement. But having
10 said that in the time between being asked and appointed to serve and actually taking
11 this seat, that was a timeframe that there was a lot of media attention, a lot of public
12 attention to the rewrite, and not all of those meetings were without energy and
13 enthusiasm from the public. Because I happen to have made my living mostly doing
14 community development and public participation, I have a real acute appreciation for the
15 distinction between the media campaign that Mr. Jenson referenced in terms of once we
16 get to that point and we get this approval and reaching out versus what I call a
17 participation process where the public is engaged actively in the process of forming it so
18 that people don't feel like a decision was made and then it's being announced as
19 opposed to having meaningful engagement so far. And all of the topics and
20 conversations that we've had so far, when we've had people come, it's a lot of it is
21 surrounded, you know, I have assembled this amount of acreage, you know, I want to
22 pass this onto my children but if we subdivide it among my three to five kids, do they still
23 have the ability, I mean, we've heard that story just in the last three months, how many

1 times? Several. And I think that the chart that Mr. Jenson showed earlier today shows
2 the progress and hearing and reacting to that. And so I think that there's both good
3 news even in the process of doing this, but my encouragement and my suggestion, and
4 I'll try and get something written to you and to Mr. Price, is that we ask a specific
5 request of Staff to do something that's more engaged in terms of participation of what
6 we're doing now and looking at these proposed amendments that we're working on
7 before it's passed and approved. Not afterwards. So I just wanted to give that as
8 context. I think that that's extremely important and, you know, if I'm the only one, I'm the
9 only then but I think I'm duty bound to say we need to expand that process and quite
10 honestly, I think it will save us some hours after the fact, down the road.

11 CHAIRMAN BRANHAM: Mr. Jenson, you wanted to speak?

12 MR. JENSON: Yes, thank you, sir. Thank you, Commissioner Johnson, much
13 appreciated. And yes I understand exactly what you're saying so thank you. We will
14 have a period of time from once Planning Commission makes a recommendation to the
15 point where before Council will start their consideration of this, and that period of
16 months is the time that I am proposing to engage the public and to talk about these
17 issues; because if the number that the Planning Commission as a "professional"
18 "technical" group is not the right number, that is the time for us to engage the public and
19 say, you know, this is what the Planning Commission is suggesting, is it the right thing,
20 before we get to Council and we actually make a recommendation. So I've heard and I
21 understand the difference, I understand what you're saying between announcing
22 something and actually entering into discussions and so we will do that. That's my
23 commitment.

1 CHAIRMAN BRANHAM: Mr. Price or I don't know, Mr. DeLage, can somebody
2 kind of just give, give a sense of some of the types of activities that have occurred
3 beyond just the regular Planning Commission meetings and the public input there that
4 engaged the public process.

5 MR. PRICE: One of the main avenues that we've used to try and communicate
6 the Land Development Code or 2021 Land Development Code was to have public
7 meetings in various areas of the County and invite citizens to come to those. I guess,
8 you know, just kind of thinking along with Mr. Johnson, you know, there's always that
9 question of just providing adequate notice or how do people receive the information of
10 the meetings. You know, we can post it on a website, we can put it in a newspaper but
11 that doesn't always necessarily guarantee that everyone will get that. So in the main
12 ones that we've used to, you know, personally engage those people is to go to the
13 communities, and again in addition to also putting it on our website. I think the biggest
14 kinda, I guess you could say return that we've received from citizens was one we sent
15 out the notification about the remapping. That was probably the most personal way we
16 could actually, you know, reach people and also field their question. And then once that
17 was done and Staff members were to receive phone calls, we establish an email
18 address where people can email in their questions also to help address any concerns
19 they may have or questions they have with the new Land Development Code.

20 CHAIRMAN BRANHAM: Okay.

21 MS. FRIERSON: I have a question.

22 CHAIRMAN BRANHAM: Ms. Frierson.

1 MS. FRIERSON: Mr. Price, some time ago, months and months ago we had a
2 discussion about whether or not the signs that we use when we're posting information
3 about a proposed remap or zoning change. We talked about whether those signs were
4 adequate and whether or not we wanted to include a QR code, and I bring this is to your
5 attention and to the Members of the Commission cause just yesterday I received a call
6 from two citizens concerned about a proposed changed in their neighborhood, and
7 they're here today, and we want to of course do our very best to make sure that the
8 citizens are aware. But when we as Commissioners talked about it, I don't think we ever
9 came to a final decision about how we can make sure that we do a more adequate job
10 of making sure that the signs can be seen and read and what should we put on that. Do
11 any of you who were Commissioners, not recently, but prior to our three new people
12 coming on remember that conservation? And we didn't finish it did we? We talked about
13 it, we didn't take action, did we?

14 CHAIRMAN BRANHAM: We definitely did, yes, we definitely talked about it. And
15 I think we were kind of moving in that same direction of -

16 MS. FRIERSON: Right.

17 CHAIRMAN BRANHAM: - wanting to promote visibility, greater visibility. So
18 sounds like a good candidate for a motion to be added to the agenda for the next
19 meeting.

20 MR. DENNIS: Mr. Chair?

21 CHAIRMAN BRANHAM: Mr. Dennis?

22 MR. DENNIS: I think we came up with the 90% conclusion, I'm pretty sure cause
23 I thought -

1 CHAIRMAN BRANHAM: Staff.

2 MR. DENNIS: - I thought we was talking placing signs but I don't think we
3 finished with the QR codes.

4 MS. FRIERSON: Right, we didn't finish it, we didn't finish it.

5 MR. DENNIS: I think we got almost all the way there and then we started working
6 on the LDC pretty heavy.

7 CHAIRMAN BRANHAM: Yeah.

8 MR. PRICE: Right. I will say, as I remember -

9 CHAIRMAN BRANHAM: Mr. Price.

10 MR. PRICE: - and I do invite both Mr. DeLage and Mr. Smith to chime in on this
11 one. I do remember there were two parts to that. One had to do mostly with the posting
12 as far as how frequent we place the signage for a parcel.

13 CHAIRMAN BRANHAM: Yeah, distance between signs. Sure.

14 MR. PRICE: Yes, that was probably what we discussed more of. I think as Ms.
15 Frierson was just stating looking at the sign itself is something that we've been looking
16 at. I will tell you this question has come up probably since I've been here, the ability to
17 be able to read a sign from the right-of-way which is, it's not easy. And I think if, you
18 know, during, you know, my travels around whenever you see signs, you know, various
19 methods that have been used. With us we actually either we put the date on the sign
20 and we also will include what the request is going from and to. I know the City of
21 Columbia kind of does some of the same things but I've also seen other places where
22 they were just put a sign up and have, maybe it's a letter on there or just something that
23 says rezoning and a phone number so people can call in there. But ultimately it's really

1 difficult to fully outline what the request is for people as they're just riding by to see what
2 the rezoning of the request is.

3 CHAIRMAN BRANHAM: Didn't we, did we not change the draft before it went to
4 County Council in November at least as to the distance between signs?

5 MR. PRICE: I believe we did and we can -

6 CHAIRMAN BRANHAM: Can you guys find that? In the code?

7 MR. PRICE: We can find that.

8 MS. FRIERSON: I think that we might consider -

9 CHAIRMAN BRANHAM: Ms. Frierson.

10 MS. FRIERSON: - you know how when candidates run for office, they sometimes
11 pay to have a digital sign and they are very eye catching. I really have no idea how
12 much they cost, but there are certain locations in our County wherein the visibility is
13 great. Can we look in terms of how much it would cost to do, not to replace the signs
14 within a neighborhood but also to include some digital signs that pertain to zoning.

15 CHAIRMAN BRANHAM: Alright, yeah, all things that are worth a discussion for
16 sure. I'm thinking about like three sided signs too, you know, again just trying to help
17 increase visibility, cause I know a lot of times the signs are facing the road way but if
18 you're driving past 45 miles an hour, really hard to notice.

19 MR. PRICE: I think looking at that that's something that we can look at as a Staff.
20 I think there are ways to post the property, again I don't know if you're driving 45 miles
21 an hour, you're going to be able to be able to actually read what the sign is.

22 CHAIRMAN BRANHAM: Right.

1 MR. PRICE: But there are ways to actually orient the sign to, so that it's a lot
2 easier for people to at least see what the request is.

3 CHAIRMAN BRANHAM: Yeah, they'll at least be able to see that there is a
4 request.

5 MR. PRICE: Yeah, yeah. Parallel to the road is probably not always the best,
6 usually what we find is, you know, certain, if you post a property, it may be on the ends
7 of the property that you can do it more perpendicular to the road and somewhere in
8 between maybe do a sign that's parallel for others, so. There are different ways that we
9 can probably look at posting those to at least give better visibility.

10 MS. FRIERSON: And Mr. Chair and Commissioners and Mr. Price, I think
11 sometimes our intentions are really good but when we don't even set a, I don't want to
12 say a deadline but at least a goal of in terms of when we're going to do something, it
13 kind of gets lost in the mix. And one of the gentlemen talked about earlier that there is a
14 certain time when the agenda items of County Council are not quite as intense so
15 maybe if Mr. Price could come back to us with, not it done but the proposal in terms of
16 cost, etc. etc. by 2023, is that reasonable?

17 MR. PRICE: You would like us to bring the cost?

18 MS. FRIERSON: You know, like the cost of digital ads, the cost of making some
19 of the changes that we mentioned earlier. Could we have that maybe by January of
20 2023? Is that a reasonable timeframe?

21 MR. PRICE: Sure.

22 MS. FRIERSON: Okay.

1 MR. PRICE: I think we may meet in February. Unless you want to have a special
2 call meeting in January but typically Planning Commission doesn't meet in January.

3 MS. FRIERSON: February is fine with me but I mean, you know, I can't speak for
4 the entire Commission but I think that would be good we have a goal in mind and a date
5 in mind.

6 MR. DENNIS: Mr. Chair?

7 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

8 MR. DENNIS: I got some information for Ms. Frierson. So actually this weekend I
9 was on one of the websites getting ready to run an ad for my company. Just, it was one
10 as blip between - cause they do them in blips, so the blip between, and 7:00 and 10:00
11 are the most traffic times, and for me to run it for seven days it's going to be roughly
12 about \$800.

13 MS. FRIERSON: That's helpful. And I'll just add, you know, I'm a member of the
14 League of Women Voters and we did a digital ad prior to the end of voter registration
15 coming to an end, you know, and I really have no idea the cost cause it was another
16 committee. But my point is, you know, when you're in a certain area where the traffic is
17 heavy and you have to be held up in the traffic you have quite a bit of time to look at it,
18 and some of the placements of those digital ads it's just really optimal. So I think that it
19 would be good for us to, as we said, come up with this timeframe and Mr. Price has
20 proposed February of 2023 which seems reasonable, cause I mean, we can get a great
21 bang for our buck in my opinion, if we look at that.

22 MR. PRICE: I would like to point out one of the things that we have to take into
23 consideration if we go to larger signs potentially with the digital signs that all properties

1 that are subject for a rezoning request don't really allow for the rural to place signage.
2 And so there are sometimes when we're barely putting the signs at the right-of-way and
3 of course I don't think DOT is going to want us to put a digital sign or anything of any
4 potential size in their right-of-way. So we have to take those into consideration that
5 there may be times when it's just not really feasible to be able to put a sign on the
6 property.

7 CHAIRMAN BRANHAM: Ms. Frierson.

8 MS. FRIERSON: What I meant really wasn't purchasing a new digital billboard
9 like a, I don't know the name of the streets but you know the one that's nearby, it's not
10 too far from Transitions. The ones that are already existing and the one off of Two
11 Notch and I may miss a few others. Some of those are already placed, and I'm not
12 saying to use them in place of the ones that you put in the neighborhood but I meant in
13 addition to.

14 MR. PRICE: Okay.

15 CHAIRMAN BRANHAM: And it does look like Staff found that we did have that,
16 the posted notice requirement, there's at least one notice for every 150' and I believe
17 we cut that in half from the original draft which was one every 300', so. Thank you for
18 that and Ms. Frierson thank you for your input.

19 MS. FRIERSON: You're welcome.

20 CHAIRMAN BRANHAM: Look forward to seeing what kind of information Staff
21 can put together on that when it comes to potential cost.

22 MR. YONKE: Mr. Chair, comment?

23 CHAIRMAN BRANHAM: Yes, Mr. Yonke.

1 MR. YONKE: I think this is a great discussion on signage. Versus physical signs
2 and digital ones that we're talking about Staff, are we doing any sort of social media
3 campaigns? We're not going to reach all ages of the population all of the same way but
4 for example, I sold my car via Facebook ads and they pop up as people scroll through.
5 Are we doing any digital signs? It's going to show up based off your location as you're
6 scrolling through and be pretty eye catching and affordable. So are we doing any type of
7 social media campaigns? I spent a couple of pennies to sell my car.

8 MR. PRICE: Are we referring to the Land Development Code itself or we're just
9 looking at additional rezonings?

10 MR. YONKE: Postings, rezonings. In addition to the signs that we physically put
11 in the right-of-way.

12 MR. PRICE: I would say no other than what we do on our webpage and what we
13 advertise in the paper. However, we can work with our PIO Department to find better
14 ways to make sure that these requests and anything that going before any of our boards
15 and committees is, you know, communicate it more broadly to, excuse me, is dedicated
16 as, as sent out, more broadly sent out to the residents in an area. So I think that there's
17 a, I agree that there's more technology out there for us to start using, we just have to
18 kind of put the first foot forward to do it.

19 MR. YONKE: Mr. Price, can we add this to our discussion for February with Ms.
20 Frierson and digital billboard to also talk about more social media? Cause I feel like we
21 can do it, we can get this in front of people's eyes who are not even looking as I was
22 going through Twitter feeds and Facebook feeds at a very cost effective way on the
23 County. I've seen it based off zip code. You are a certain zip code and you happen to

1 see this sign that we post, just a picture of it maybe so we don't have to distract drivers
2 as they're going down the street.

3 CHAIRMAN BRANHAM: Thank you, Mr. Yonke.

4 MR. JOHNSON: Chairman, when you -

5 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

6 MR. JOHNSON: Last thing for me for today. I want to thank Mr. Jenson for his
7 comments in terms of the, I'm sorry, switching back from the ongoing application
8 signage back to the conversation on the public participation process as it relates to the
9 rewrite on the Land Development Code. And [inaudible] meant to [inaudible] after we
10 get approval to have some public engagement before Council takes action. But I think
11 it's also a good opportunity, Mr. Price, Mr. Jenson, to weave into our conversation the
12 email from Mr. Taylor about some of his constituents writing because I think that, you
13 know, Mr. Jenson's chart addresses bullet number one and bullet, I think number four
14 which goes back to the progress that we've made as it relates to our density. But I think
15 that bullet number three, I just want to read that cause I think it really ties back to my
16 point about outreach of public. Saying before approval, written notifications need to be
17 mailed, marked and read to every land owner in those zones designated as HM, AG
18 and RT, that doesn't mean you should neglect the other zones but also use the media
19 and other avenues to notify the pending changes, letters coming. Only been one mail
20 out that is related to the new zoning codes. And again I think that prior to us making a
21 recommendation, finalizing out that some other type of outreach, you know, as Staff has
22 pointed out the letters have certainly, or notices have generated a certain amount of
23 response but I just think just to take action that some type of outreach is done and the

1 email that, I guess for the public that was sent out was just a constituent's email in that
2 came to one of the Commissioners and was forwarded to the rest of the Commission.
3 But I just thought that, that correspondence tied back to the agenda item and I think it
4 was just worth noting since he took the time to send it in.

5 CHAIRMAN BRANHAM: Thank you, yes. Mr. Price.

6 MR. PRICE: Yeah, okay, so for clarification, and this is more for Mr. Johnson
7 what he's stating, are we looking to do more, do more I guess publicizing or at least try
8 to get more citizen involvement prior to the Planning Commission making their
9 recommendation to Council?

10 MR. JOHNSON: That's what I was suggesting, please.

11 MR. PRICE: Okay.

12 CHAIRMAN BRANHAM: Alright. Anything else on this topic for now? Alright, very
13 good. Let's see, I did want to just note, didn't call roll earlier. So just for the Record
14 those that are present are: Commissioners Branham, Dennis, Yonke, Johnson,
15 Frierson, Metts, Durant and Siercks. Commissioner Taylor wasn't able to make it today
16 due to a work commitment and travel out of state. Again our next scheduled meeting is
17 for November 7th at 3:00 pm here in County Council chambers and would encourage
18 those of you that would like to to put forth any motions that you might like to based out
19 of today's conversations or, or otherwise. And yeah let me, let me just take a moment of
20 personal privilege to highlight one of our Staff members Mr. Tommy DeLage, I was
21 speaking with a resident over the weekend I think it was and they just could not say
22 enough good things about working with Mr. DeLage on a particular item, I won't get into
23 any details at all just because I want to keep confidence of the person that I was

1 speaking to. But just, they just noted his commitment to the issue and the concern and
2 kind of his tenacity in working with other departments of government and levels of
3 government to help address a concern that they had related to, to zoning. So just
4 wanted to pass along the kudos to Mr. DeLage, good work on that. And then if there's
5 nothing else the Chair will entertain a motion to adjourn.

6 MR. PRICE: Mr. Chair, again before -

7 CHAIRMAN BRANHAM: Yes, Mr. Price.

8 MR. PRICE: - adjournment want to make sure that you pick up your lunches
9 before you leave.

10 CHAIRMAN BRANHAM: Okay, thank you very much. Alright, is there a motion
11 to adjourn?

12 MS. FRIERSON: So moved.

13 CHAIRMAN BRANHAM: Thank you.

14 MR. DENNIS: Second.

15 CHAIRMAN BRANHAM: Alright, moved and seconded for adjournment. Would
16 you please take the vote, Mr. Price?

17 MR. PRICE: Alright, those for adjournment, 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 CHAIRMAN BRANHAM: Siercks left early. Thank you, motion passes. We're
10 adjourned.

11 *[Approved: Branham, Dennis, Yonke, Frierson, Johnson, Metts, Durant; Absent for*
12 *vote: Siercks; Absent: Taylor]*

13

14

[Meeting Adjourned]