

RICHLAND COUNTY PLANNING COMMISSION MEETING
June 6, 2022

[Members Present: Jason Branham, Christopher Yonke, Gary Dennis, Mettauier Carlisle, Bryan Grady, Terrence Taylor, John Metts, Stephen Gilchrist; Absent: Beverly Frierson]

Called to order: _____

CHAIRMAN BRANHAM: Ladies and gentlemen, we've got a few folks still signing up to speak it looks like, and so we'll take a couple extra minutes before we start the meeting. Just before we start, ladies and gentlemen, we found a key fob at the sign in table so if anybody's missing keys, Assistant Administrator over there has it. Alright, I think we're collecting a few more signatures but I think we can go ahead and call this meeting to order, and this is the June 6th, 2022, Richland County Planning Commission meeting. Mr. Price or Staff, could we just start by doing a quick roll call?

MR. PRICE: Yes, sir. Alright, roll call for attendance. Branham?

CHAIRMAN BRANHAM: Present.

MR. PRICE: Dennis?

MR. DENNIS: Here.

MR. PRICE: Yonke?

MR. YONKE: Here.

MR. PRICE: Carlisle?

MR. CARLISLE: Here.

MR. PRICE: Frierson?

MS. FRIERSON: [Inaudible]

MR. PRICE: Metts?

MR. METTS: Here.

1 MR. PRICE: Grady?

2 MR. GRADY: Here.

3 MR. PRICE: Taylor?

4 MR. TAYLOR: Here.

5 MR. PRICE: Gilchrist?

6 MR. GILCHRIST: Here.

7 CHAIRMAN BRANHAM: Alright, thank you, we have a quorum. Staff, if you
8 would you please confirm the following: that in accordance with the Freedom of
9 Information Act a copy of the Agenda was sent to the news media, persons requesting
10 notification and posted on the bulletin board located in the county administration
11 building. Is that correct?

12 MR. PRICE: Yes, sir.

13 CHAIRMAN BRANHAM: Alright, thank you. Anything else from Staff before we
14 get started?

15 MR. PRICE: No, sir. Oh, I'm sorry, just to make sure, we did send out an
16 amended Agenda and I just wanna make sure everybody's operating with the amended
17 Agenda for today.

18 MR. GILCHRIST: Alright, so was that sent – Mr. Chairman?

19 CHAIRMAN BRANHAM: Yes, Mr. Gilchrist.

20 MR. GILCHRIST: Was that sent, did we receive that in our – did I miss that from
21 home or did –

22 MR. PRICE: You received your normal packet, but we had an amendment to it
23 and we sent that out by email.

1 MR. GILCHRIST: Okay I'm sorry, Mr. Chairman, I didn't get a copy of that.

2 CHAIRMAN BRANHAM: We'll get some copies.

3 MR. GILCHRIST: Mr. Chairman, is it major amendments to the Agenda or just,
4 what is it?

5 CHAIRMAN BRANHAM: I know we had a motion or two added. You've been
6 given a copy now. It says amended 6.2.22 at the top, is that what you have, Mr.
7 Gilchrist?

8 MR. GILCHRIST: Yes, sir, I do.

9 CHAIRMAN BRANHAM: Okay. Anybody else missing the amended Agenda?
10 Okay. Thank you, Mr. Price.

11 MR. GILCHRIST: Thank you, sir.

12 CHAIRMAN BRANHAM: So ladies and gentlemen, as a reminder the Planning
13 Commission makes recommendations to County Council as to whether to approve or
14 deny zoning map amendments and whether to amend the text of the County's Land
15 Development Code. County Council will conduct its own public hearing and take official
16 votes to approve or deny map amendments and text amendments on a future date to be
17 published by the county. The Council typically holds zoning public hearings on the
18 fourth Tuesday of the month, but please check the county's website for updated
19 agendas, dates and times. And these are just some general guidelines, please take
20 note. Please turn off or silence any cell phones. Audience members may quietly come
21 and go as needed. Applicants for any individual map amendments are allowed up to two
22 minutes to make statements. And any citizens otherwise that are signed up to speak are
23 allowed up to two minutes each. And we ask you to reduce comments if at all possible.

1 Only address remarks to the Commission and don't expect the Commission to respond
2 to questions from the speakers in a back-and-forth style, that's not the purpose of this
3 meeting. And please no audience and speaker exchanges. No audience
4 demonstrations or other disruptions to the meeting are permitted nor are comments
5 from anyone other than the speaker at the podium. Please remember the meeting is
6 being recorded. Please speak into the microphone and give your name and address if
7 you come forward to speak. Abusive language is inappropriate, will not be tolerated.
8 And then please don't voice displeasure or frustration at a recommendation while the
9 Planning Commission is still conducting business. If you have any questions or
10 concerns you may contact the Richland County Planning Department Staff. And now
11 we'll move to Agenda Item III, which if there's any motions for additions to or deletions
12 from the Agenda, and let's also deal with any motions to amend the Agenda, including
13 the Consent Agenda items. But first of all I do know that we have on our Agenda on
14 Item 9A there is a item for discussion, Council Motions, motion made by Councilwoman
15 Newton, and I believe in our materials there was a recommendation from Staff that we
16 defer action or discussion on that motion. Can Staff speak to that recommendation?

17 MR. PRICE: I believe that you're talking about the second package that you
18 received which was the briefing document for County Council.

19 CHAIRMAN BRANHAM: Sounds right.

20 MR. PRICE: Yes, sir. During that time, that was the motion that Staff made to
21 County Council for the DNS Committee on this motion, that we defer it because when
22 this first occurred we were still going through the text amendment portion for the new

1 Land Development Code and so we were gonna address that at a later time. That was
2 the purpose for –

3 CHAIRMAN BRANHAM: Okay. So there's no recommendation that we remove it
4 from today's Agenda.

5 MR. PRICE: No, sir, that was strictly for the Committee at that time and we just
6 wanted you to have the full package of what they received.

7 CHAIRMAN BRANHAM: Alright. Thank you. So let's see, otherwise, Mr. Dennis if
8 you could help us out, which cases have a Staff recommendation of approval but have
9 people signed up to speak in opposition to the application?

10 MR. DENNIS: Alright, for the Consent Agenda we'll need to pull Case No. 22-
11 007, 22-009, 22-011, 22-012, 22-013, 22-014. For discussion.

12 CHAIRMAN BRANHAM: So that's cases ending in 07, 09, 11, 12, 13, and 14?

13 MR. DENNIS: Yes, Mr. Chair.

14 MR. YONKE: So that was – Mr. Chair?

15 CHAIRMAN BRANHAM: Yes.

16 MR. YONKE: That was all but 10 and 15, is that correct?

17 CHAIRMAN BRANHAM: Yes.

18 MR. YONKE: So Items 3 through Item 8?

19 CHAIRMAN BRANHAM: That's right.

20 MR. YONKE: Okay. Thank you.

21 CHAIRMAN BRANHAM: We got Staff recommendations for approval on both of
22 those. Does anyone on the Commission wanna pull those from the Consent Agenda so

1 that discussion is had on those cases? No? Okay. If there are no other motions to
2 amend the Chair will entertain a motion to approve the Agenda as amended.

3 MR. GILCHRIST: So moved, Mr. Chairman.

4 CHAIRMAN BRANHAM: Alright, we have a motion. Is there a second?

5 MR. DENNIS: Second.

6 CHAIRMAN BRANHAM: Alright, moved and seconded, and if we could have
7 Staff please take a vote.

8 MR. PRICE: Let me make sure the items you identify are for the Consent
9 Agenda, or those are cases that we will hear?

10 CHAIRMAN BRANHAM: Items that we identified will be removed from the
11 Consent Agenda so that we will have a discussion.

12 MR. PRICE: Okay.

13 CHAIRMAN BRANHAM: Again, that's cases ending with 7, 9, 11, 12, 13, and 14.

14 MR. PRICE: Okay. Alright, those in favor for the additions and deletions to the
15 Agenda, Branham?

16 CHAIRMAN BRANHAM: Aye.

17 MR. PRICE: Dennis?

18 MR. DENNIS: Aye.

19 MR. PRICE: Yonke?

20 MR. YONKE: Aye.

21 MR. PRICE: Carlisle?

22 MR. CARLISLE: Aye.

23 MR. PRICE: Metts?

1 MR. METTS: Aye.

2 MR. PRICE: Grady?

3 MR. GRADY: Aye.

4 MR. PRICE: Taylor?

5 MR. TAYLOR: Aye.

6 MR. PRICE: Gilchrist?

7 MR. GILCHRIST: Aye.

8 *[Approved: Branham, Dennis, Yonke, Carlisle, Metts, Grady, Taylor, Gilchrist; Absent:*
9 *Frierson]*

10 CHAIRMAN BRANHAM: Okay, the motion passes. Thank you. Onto Item IV.
11 Staff provided the Commission with copies of the transcript of the Commission's March
12 7, 2022 meeting and an excerpt, which is apparently a partial transcript of the April 1st,
13 2022 Special Called meeting. Only those Members present for that meeting should vote
14 on the motion to approve the transcripts as the Minutes for those meetings, but it does
15 appear that all nine Commissioners were present at both of those meetings. And since
16 the same set of Commissioners attended both meetings we'll conduct one vote to
17 approve the Minutes, unless there's an objection. No objections. So the Chair will
18 entertain a motion to approve the March 7th, 2022 and April 1st, 2022 Minutes as
19 provided by Staff.

20 MR. GILCHRIST: So moved, Mr. Chairman.

21 CHAIRMAN BRANHAM: Do we have a second?

22 ?: Second.

1 CHAIRMAN BRANHAM: Alright, moved and seconded. Staff would you please
2 take the vote?

3 MR. PRICE: Alright, those in favor of the motion to approve the Minutes from
4 March 7th and April 1st, Branham?

5 CHAIRMAN BRANHAM: Aye.

6 MR. PRICE: Dennis?

7 MR. DENNIS: Aye.

8 MR. PRICE: Yonke?

9 MR. YONKE: Aye.

10 MR. PRICE: Carlisle?

11 MR. CARLISLE: Aye.

12 MR. PRICE: Metts?

13 MR. METTS: Aye.

14 MR. PRICE: Grady?

15 MR. GRADY: Aye.

16 MR. PRICE: Taylor?

17 MR. TAYLOR: Aye.

18 MR. PRICE: Gilchrist?

19 MR. GILCHRIST: Aye.

20 *[Approved: Branham, Dennis, Yonke, Carlisle, Metts, Grady, Taylor, Gilchrist; Absent:*
21 *Frierson]*

22 CHAIRMAN BRANHAM: Motion passes. Okay. Onto Item V., Remapping Restart
23 and Text Amendment Proposal Process update, which I'll share and, you know, open to

1 any input if there's any to be had from Staff or the Commission. But this is just a general
2 process update. Last year Staff presented a proposed full replacement of the Land
3 Development Code. After review by this Commission and some modifications to the
4 drafts along the way, County Council voted to adopt the new replacement Code.
5 Included in the new Land Development Code is a new set of zoning districts. Every
6 parcel of land in the county that is not inside the city or town has a zoning designation
7 assigned by the county. With the adoption of this new Code each parcel must be
8 assigned a new zoning designation. County Staff prepared a draft map. Earlier this year
9 the Planning Commission was in the midst of reviewing and considering revisions to the
10 draft map and receiving input from the public when County Council voted to direct Staff
11 to restart the map drafting process. The Planning Commission and County Staff
12 restarted the mapping process and began discussing potential changes to and
13 ramifications of amendments to the Land Development Code. The new baseline starting
14 point for the mapping process became the zoning district translation table found in the
15 newly adopted Land Development Code. Staff has since created a first and second
16 draft, neither of which has completely and exactly followed the translation table, but
17 we've discussed some of the reasoning for that; part of which includes their desire to
18 respond to desires expressed by the public and the Commission as to certain uses and
19 densities in certain areas. The mapping process is ongoing, it is not finished. There will
20 be more drafts. One important element that will continue to influence the map drafting is
21 the process of proposing amendments to the text of the newly adopted Land
22 Development Code. Anyone who has reviewed the agenda for today's meeting can see
23 that I've placed two motions under Item VIII. The first one is intended to facilitate the

1 Commission's future work on proposed map and Code text amendments. The second
2 motion is a specific multi-part motion to amend the text and it relates to where
3 townhouses and two to four family dwelling units would be permitted. I am confident in
4 saying that there will be more motions to follow as we have additional discussion of
5 more areas of focus already raised by the public and by Commissioners. We've got a lot
6 going on today so let me try a little more to just talk about why our Agenda is ordered as
7 it is. We're trying to balance priorities and be considerate to as many of you as we can.
8 It's been multiple months since we heard any individual zoning map amendment cases
9 related to specific pieces of property. As such as have several on the Agenda today. We
10 will hear anyone from the public who wants to speak for or against those specific
11 applications on a case by case basis as we call them today. Before that, we're going to
12 offer an opportunity for public input as to the broader ongoing county-wide zoning map
13 drafting and the Land Development Code text amendment process. If you have input as
14 to the motions listed under Item VIII of today's Agenda, that would be the time to offer
15 that. Then shortly after this regular meeting today, we will begin another work session
16 wherein we will continue to discuss areas of concern in our mapping and text
17 amendment projects. There will not be public input during that session, but we will
18 schedule time for public input at an upcoming meeting. You're welcome to watch the
19 work session in person or on the county's YouTube channel. We expect to conduct
20 multiple additional Planning Commission meetings and work sessions before we make
21 recommendations that we will send up to County Council. Thank you for your patience. I
22 hope that was helpful. So now we'll proceed to the public input as to the general
23 remapping and text amendment process. Mr. Dennis, if you would please call the name

1 of the first person signed up. And again just as a reminder to anyone who speaks, you
2 have two minutes to speak and we ask you to please state your name and address
3 before you begin. Mr. Dennis.

4 MR. DENNIS: Alright, so the first person for the public input relating to
5 remapping and text amendment proposal process today, we have Michael Hagler.

6 CHAIRMAN BRANHAM: And Staff, if you'll please keep the timer for us.

7 **TESTIMONY OF MICHAEL HAGLER:**

8 MR. HAGLER: There're actually two of us for this and Ina right after me, we're
9 gonna switch order if you don't mind.

10 CHAIRMAN BRANHAM: Go ahead and give us your name and your address,
11 ma'am?

12 **TESTIMONY OF INA FORT:**

13 MS. FORT: My name is Ina Fort, F-O-R-T. My address is 1801 Carl Road in the
14 Elm Abode subdivision. Zip is 29210. I'm just here as the president of the homeowners'
15 association for two neighborhoods; for Elm Abode where I reside, and also for Huffman
16 Heights, who is our neighbor-neighborhood, we have a joint association. And I'm just
17 here to say that we wanted to thank you for all the diligence and the hard work and you
18 must live on Advil, I can't imagine the scope of this kind of a project. And we have been
19 treated so respectfully and so patiently and I just feel very strongly that we need to say
20 thank you for helping us understand the process, for helping us, giving us an avenue to
21 tell you the real worries that we had. And our neighborhoods are probably 50 to 70
22 years old and a lotta the original homeowners are still living there, so some of the
23 mapping was really worrisome to us, but we've been treated very kindly. Mr. Price, been

1 around a long time, he was so wonderful to help our attorney help us understand
2 exactly what was going on. And we just wanted to say thank you and we appreciate
3 your considering making these changes for us. We just wanted to say we appreciate the
4 courtesy that we've been treated with and the fact that we feel like you've listened very
5 carefully to us. Thank you.

6 CHAIRMAN BRANHAM: Thank you so much. Totally unexpected say to start this
7 meeting. [Laughter] Let me just briefly remind everybody, yeah, everyone here serving
8 on this Commission, it's through an application process, we are vetted by County
9 Council, Rules and Appointments Committee and then Council votes to appoint us all.
10 This has been a lot, yeah, and a lot more than I think any of us expected. We're giving it
11 our best efforts. Thanks for recognizing the time, it's unpaid, it's unreimbursed; I spend
12 three and a half hours driving around the county Sunday looking at the eight pieces of
13 property up on the Agenda today and, you know, that's just outta my pocket, so thanks
14 for the recognition. We're doing our best.

15 MR. HAGLER: My name's Michael Hagler, I'm also on the board of Elm
16 Abode/Huffman Heights Neighborhood Association. But we really feel like we're here
17 representing all the neighborhoods, the single-family detached neighborhoods that have
18 been around for 50 and 70 years, so we appreciate that. Specifically, we're speaking to
19 the items under Item VIII, and particularly motion (b), the upcoming motion (b) at the
20 end of the Agenda, and in support of that and thank you for your efforts and listening to
21 us back in March when that was a long day of testimony from the neighbors. And I'd
22 also like to recognize if I could the neighbors from Elm Abode/Huffman Heights, if you

1 could stand and join us in applauding you guys and supporting your ongoing efforts with
2 this process. So thank you so much.

3 MR. DENNIS: Next we have Jennifer Mancke.

4 CHAIRMAN BRANHAM: Ma'am, can you hold just one moment. We got an audio
5 problem, I think we're gonna try to make sure you're live there so anyone watching
6 online can hear you.

7 **TESTIMONY OF JENNIFER MANCKE:**

8 MS. MANCKE: Okay. Jennifer Mancke, 320 Clearview Drive, Hopkins. I've been
9 coming to County Council meetings for about six years altogether, initially against the
10 sewer project, knowing that development was on its way once that transpired. And of
11 course, we lost that one. But I appreciate the fact that at one of our earlier meetings with
12 you, you seemed to take our conversation under your belt and defer for a while. I want
13 to, I would like to hearken back to a friend of mine who was a surveyor, and he loved his
14 job cause he was out in the woods all the time surveying, and then he realized what
15 was happening because of his job and took heart and changed his profession because
16 it was not what he intended. And I am hoping that you will think about the
17 consequences to the farmers in our area. What you're doing so far does not affect me,
18 except that I think that land is finite and when you determine that it is all gobbled up
19 does affect us. And we would like it to stay as close to how it is now for the farmers as
20 possible. Thank you.

21 CHAIRMAN BRANHAM: Thank you.

22 MR. DENNIS: Next person to speak is Willis, I cannot read your last name, but
23 from Hopkins, South Carolina?

1 MR. SANDERS: It's Sanders but I think I'm gonna pass.

2 MR. DENNIS: Gonna pass? Mike Sloan?

3 **TESTIMONY OF MIKE SLOAN:**

4 MR. SLOAN: I'm Mike Sloan. I reside at 1430 Wonder Drive, Chapin, South
5 Carolina. I'm here today because number one, we been involved with County Council all
6 the way back into the '80s and '90s. A beautiful thing was put up there at one time
7 behind y'all, Uniquely Urban / Uniquely Rural. We don't have that back there now. I
8 think this is due to the fact that we need to reconsider some things. I don't know who's
9 pushing this zoning issue as hard as they are, but I would like to say that us folks that
10 acquired properties here in Richland County, we had certain rights that were given to us
11 with that property when we purchased it. And what we have now, it's taking away some
12 of those rights. And I just don't think that someone can come in and take our rights, and
13 I use that term take because that's the key here, take our rights. We're the ones that
14 paid for it, we're the ones that pay the taxes, we keep it up, everything, insurance on it
15 and all. And then we're told after we purchase it down the road, we lose certain rights to
16 the property that were once there. And I would like for this Commission to consider,
17 don't remove those rights. Those rights are very precious. Two things you don't do, you
18 don't mess with a man's family, you don't mess with his property. So I'm gonna
19 encourage you today to look at those rights when you look at zoning because when you
20 rezone something and you take those rights away, that's a taking under the Fifth and
21 Fourteenth Amendment. I know it may not have been tested, but maybe it's time to test
22 it if that happens, so please take that in consideration. I applaud you for your efforts.
23 You got a tough job, you got this thing dropped in your lap, let's face it. But you gotta

1 look out for the rights. Don't take personal, when you start taking personal property
2 rights, folks that's not government anymore. We were given those rights when we
3 purchased the property and those rights need to remain with the property. Thank you.

4 CHAIRMAN BRANHAM: Thank you.

5 MR. DENNIS: Next we have Clay Parker.

6 **TESTIMONY OF CLAY PARKER:**

7 MR. PARKER: Thank you. My name's Clay Parker and I live at 6208 Lower
8 Richland Boulevard in Hopkins, near the Harriet Barber House over there, I love the
9 neighborhood. I had a very fiery speech prepared a while back and after finding our
10 more recent restart map here you've stolen some of my fire. And that is because I think
11 this is a great step in the right direction. The fire in the speech was because the original
12 map really did take away the voice of the individual property owners, reassigned zoning
13 that we didn't ask for and we didn't want. And the restart map 02 is very much a step in
14 that direction and I appreciate all of you listening to the people in this room and I
15 support the direction of this. So I just wanted to stand and speak in support of the
16 direction we're headed and thank all of you for your diligence. Thank you very much.

17 MR. DENNIS: Sean Greenwood?

18 **TESTIMONY OF SEAN GREENWOOD:**

19 MR. GREENWOOD: Thank you very much. My name is Sean Greenwood. I'm
20 the City Administrator for the City of Forest Acres and I guess City Hall would be the
21 address I'm representing today. Kinda the same tone, you know, initially when we came
22 out and spoke at the last meeting we were very concerned about the changes that were
23 happening in the unincorporated donut holes that are encompassed within the City of

1 Forests Acres. Obviously a long-standing existing residential area and we just would,
2 you know, ask y'all that as you go through this process y'all keep those kind of areas in
3 mind and keep in mind that some of the cities, while you're working on unincorporated
4 areas a lotta those areas are fully surrounded by existing cities like Forest Acres and
5 some of the other cities in the county. So it's not that these areas are outside of the
6 cities, they're really inside the cities but they're just unincorporated. So we appreciate
7 the work y'all are doing thus far and we think you guys are moving along the track that
8 we can agree on and protect the character of the existing built environment with these
9 changes. And we're happy to help and provide any kind of assistance that we can
10 during the process if y'all have any questions. Thank you.

11 MR. DENNIS: Mark Hershenberger?

12 **TESTIMONY OF MARK HERSHBERGER:**

13 MR. HERSHBERGER: Very close, sir. Good afternoon, gentlemen. My name is
14 Mark Hershberger. My wife and I have lived at 15 Sweetbay Drive for 41 years. In
15 October 2021, my property was zoned RS-LD, which prohibited certain types of
16 construction including mobile homes and multi-family dwellings such as quadraplexes.
17 In November 2021, County Council changed that, authorizing mobile homes and multi-
18 family dwellings across the street from me. My wife and I were distressed. I note that
19 your Agenda indicates you're considering striking multi-family dwellings as a category,
20 but apparently you remain intent upon introducing the, distributing mobile homes in my
21 area which for untold generations has been characterized by detached single-family
22 dwellings. Subdivisions are detached single-family dwellings. Gentlemen, to some of us
23 the LDC seems to be the product of Staff work and an outside consultant. What I ask of

1 you is to keep in mind there appears to be no resident property owner in Richland
2 County, South Carolina who ever said, please do this, this would be a great idea. Many
3 people here have very similar or analogous situations, I ask you gentlemen, find out
4 what your constituents want, revise the text of the Code, the specific Code language,
5 which affects the lives and properties of the people in this room, give us back the
6 protections we had under the old Code. Y'all have been handed a hot potato by County
7 Council, and I respect and admire the work you have undertaken voluntarily or
8 otherwise. Final request, gentlemen, please stop drawing the maps. Wait until you have
9 identified the correct text, the correct legal restrictions and permissions on the use of
10 land, then draw your pictures. All those maps do is set a clock running, it starts the clock
11 ticking for the effective date of the LDC. When you fix the Code, you've done it well.
12 Thank you, gentlemen, appreciate it.

13 MR. DENNIS: James Ewing.

14 **TESTIMONY OF JAMES EWING:**

15 MR. EWING: Gentlemen, I'm Jim Ewing, I live at 5 Trotwood Drive in Columbia.
16 I'm a retired physician, my wife and I moved to Columbia in 1999, we rented for a year
17 and looked all over the greater Columbia area and purchased a home in Trotwood
18 Subdivision and we love it there. It's a economically diverse area, there's a lot of retired
19 people, lotta retired military, some still working, some still have children. We're a racially
20 diverse area. We have 24 families identified as black, 22 as white, four Philipinos, and
21 we have one community home of assisted living with four residents. I share my
22 neighbors' concern that this Code will adversely affect the quality of life and property
23 values in my subdivision and in other areas. Omitting multi-family dwellings from the R2

1 zoning category is a step in the right direction but it does not create the protections that
2 are had under RS-LD zoning. Mobile homes are inappropriate in my neighborhood and
3 in many other neighborhoods. Planning Commission has the opportunity to correct
4 some serious errors made by County Council last November, but it is essential that you
5 take a fresh look at these issues. Your mission is not to salvage for work of County
6 Staff, I recommend that you slow down the process, there's no clock ticking unless it
7 was invented by County Staff. I strongly recommend and request that you stop all work
8 on the so-called zoning maps until Planning Commission has reached agreement as to
9 what zoning categories should be used. You must decide and state in plain English
10 what construction types will be permitted or prohibited in specific areas. Only then will it
11 make any sense to try to determine where the new categories should be located. You
12 may decide to reinstate some categories such as RS-LD, which were lost in the LDC.
13 Thank you, gentlemen.

14 MR. DENNIS: J. Rick Wilson?

15 **MR. J. RICK WILSON:**

16 MR. WILSON: Good afternoon. Thank you for hearing me. When I first got here
17 today I was a little bit worried with not a female on this panel. And I remember being
18 raised, my mother listened to me a lot better than my father. [Laughter] My wife, she
19 listens a lot better than my children, our children, than I listen to them. Yet I'm
20 impressed by all the people applauding you for listening. And so I have some hope
21 because I found out about this process pretty late, but I'm very concerned. The LDC
22 adopted in November of '21 potentially harms my quality of life, my family's quality of
23 life, our property. I've been told that County Staff worked on it for five years. Then

1 County Council approved it. Only then was the public informed and that's what I'm
2 concerned about. I do not know who will benefit from the LDC but it will not be me or my
3 family. It would've been appropriate to inform the taxpayer residents I think of Richland
4 County about the process as it was developed. In some ways it feels like it's been
5 sprung upon us. Originally I purchased the property with the understanding that mobile
6 homes and multi-family dwellings were restricted in our area. The first home that I
7 owned was a mobile home when I was 20 years old. But we didn't have it pulled on its
8 wheels down into the neighborhood where I was raised, they were all single dwellings,
9 had been there, established for a long time. I don't want that to happen to my
10 neighborhood. I invite the Commission Members to physically visit our part of town. My
11 neighbors and I would be glad to show you around. We're diverse, we're a happy
12 neighborhood, we love Columbia, we live here for a reason, it's a beautiful place.

13 CHAIRMAN BRANHAM: Thank you, sir.

14 MR. WILSON: And we don't want it to be changed so drastically. And it changes
15 who we are.

16 CHAIRMAN BRANHAM: Thank you for being here, that's your time.

17 MR. WILSON: So thank you very much.

18 CHAIRMAN BRANHAM: Thank you.

19 MR. DENNIS: Next we have David Williams.

20 **TESTIMONY OF DAVID WILLIAMS:**

21 MR. WILLIAMS: Yes, my name is David Williams. I live at 7 Candlewood Lane in
22 the Trotwood Subdivision. I'll try not to be repetitious but I fully support the remarks of
23 the four or five past people who have already given you remarks today. I moved where I

1 am in Trotwood 30 years ago so I could be near work, but before I did that I very
2 thoroughly researched the zoning and I found RS-LD and I read the zoning regulations
3 thoroughly and I thought, this is the kinda place I wanna live because I have stability.
4 Well, now consideration is being given to eliminating the RS-LD, and I ask you to please
5 reconsider that and not do that because I think I lose a lot as do a lot of other Richland
6 County residents. In our neighborhood there's some lots which if you say, the Staff will
7 say, well we're not, I'm not affected, but if a house burns to the ground or somebody
8 decides to raze their house and subdivide, you can put two and three homes in the
9 space that we now have one home in. And I hope that will become unacceptable and
10 you will not allow that to happen. I feel that the proposed changes to eliminate RS-LD,
11 and it's kind of a strong word, Richland County is in effect betraying me and a lot of
12 homeowners by considering doing such a thing. Thank you for your time.

13 CHAIRMAN BRANHAM: Thank you.

14 MR. DENNIS: Next we have Pam Sulkinhouse?

15 **TESTIMONY OF PAM SULKINHOUSE:**

16 MS. SULKINHOUSE: Hey, I'm Pam Sulkinhouse and I reside at 1944 Marina
17 Road in Irmo. Last month I submitted a no rezoning petition to County Council that was
18 signed by approximately 1400 of my neighbors in the unincorporated areas of
19 Ballentine, White Rock and Chapin. I am here today to show support for Item VIII (b)(i)
20 that would amend the Land Development Code and remove townhouses, two family,
21 three family and four family dwellings from R2, R2 and R4 zoning codes. Thank you for
22 listening to us. We don't wanna all live in the city. Let Richland County be diverse, we

1 like diversity in this county. The diversity helps maintain the current character of our
2 single-family neighborhoods. Thank you again for listening to us.

3 MR. DENNIS: Next we have Donna Cole.

4 **TESTIMONY OF DONNA COLE:**

5 MS. COLE: Good afternoon. My name is Donna Cole. I reside at 209 Amenity
6 Road in Chapin, South Carolina. First of all I'd like to thank you for listening to the
7 voices of Richland County residents and reevaluating your approach to the 2021 Land
8 Development Code text and rezoning map, because our current infrastructure is
9 inadequate to support the high density initially planned. We are encouraged that your
10 extended efforts will provide an improved approach toward diverse and healthy
11 community development in support of addressing the expressed concerns of Richland
12 County citizens. I speak in alliance of the Marina Road, Johnson Marina Road, and
13 surrounding residents within Chapin, White Rock, Ballentine, who showed strong
14 opposition to the initial rezoning approach with 1400 petition signatures. We are in
15 support of other items for action under VIII (b), numbers 1, 2, 3 and 4, and urge you to
16 approve these recommended amendments in support of the livelihood of our local
17 farming communities and true single-family designation. Be our fiduciary by putting the
18 welfare of Richland County citizens first with a duty to preserve good faith and trust in
19 our government processes. Thank you for allowing me to speak today.

20 MR. DENNIS: Next we have Melinda Kelly.

21 **TESTIMONY OF MELINDA KELLY:**

22 MS. KELLY: Good afternoon. My name is Melinda Kelly. I'm with the Finkel Law
23 Firm, 501 Main Street, Columbia and 4000 Faber Place, Charleston. Before I mention

1 anything about specific properties, well I represent property owners who have one, Dr.
2 Serbin has a property on Horseshoe, and we're supportive of the new restart district
3 which is INS for 1721 Horseshoe. And then I have a client who has 12 properties and
4 before talking about any of those I wanted to ask something or really mention that in
5 looking at the new 0.2 restart map, it was very different and hard to figure out. I've been
6 working with maps for many, many, many years and zoning, and the first go around had
7 a place where you could put in the address and the TMS number and find out what the
8 recommended zoning is. This one didn't have streets and you couldn't really do that.
9 And so it took quite a while to figure and I think I figured out the 12 of my other client.
10 And that's the C.L. Corley Lawn & Construction Company, Kevin Corley. One of his
11 properties in particular, 7501 Fairfield Road, is the only RU that's between Light
12 Industrial and what I think is going to be called EMP now. And it's listed still as RU. The
13 map had a legend, or sorry, the equivalency table had a legend or had an equivalency
14 for RU that had AG and HM I believe. Those were not on the legend of the new maps
15 online so it was very hard to figure out what that property would be recommended. And
16 so I'd like to find out about that as well as the other RUs that he has, 1820 Crane
17 Church Road, 1316 Corley Ford, another one on Crane Church without an address,
18 1812 Heyward Brockington.

19 CHAIRMAN BRANHAM: Okay ma'am, thank you very much. Thank you for being
20 here.

21 MR. DENNIS: Next we have Kim Murphy.

22 **TESTIMONY OF KIM MURPHY:**

1 MS. MURPHY: Good afternoon. Kim Murphy, 154 Old Laurel Lane, Chapin,
2 South Carolina. At the risk of sounding redundant, thank you very much, hope you don't
3 mind that redundancy and really appreciate the effort you're putting into this in listening
4 to the constituents. But I do have a couple suggestions; number one, you may not know
5 this but the base map, our current zoning, is not on your planning website page, all
6 kinds of other maps but not our current zoning and that might be helpful to see. Also,
7 with your proposed maps or your working maps, .1 and .2, it might be helpful to put the
8 equivalency zoning classifications in parenthesis next to the proposed zoning
9 classification so we kinda know what you're working with. And I also noticed while
10 looking at the GIS map for our current zoning, the zoning classifications or zoning
11 districts are in certain colors but they're not the same colors as what you're working with
12 on your working maps. I don't know if you can use the same colors, it would be helpful
13 to see when you're comparing one map to the next and how it affects things, and it
14 might also point out - I know with the equivalency chart is said that rural was the same
15 as AG, HM, RT, but if you look at the proposed map that went out back in March you'll
16 see rural is not limited to AG, HM and RT; that you may have property zoned possibly to
17 12 units per acre, properties that once were rural. So having the maps the same color if
18 you are going to use maps, and I do agree with Mr. Hershberger that addressing the
19 Code first but a good starting point is to look at our base map which you are doing. But
20 if you could consider using the same colors for those zoning classifications for
21 comparisons sake. Thank you very much.

22 CHAIRMAN BRANHAM: Thank you.

23 MR. DENNIS: Last person we have is Les Tweed.

TESTIMONY OF LES TWEED:

MR. TWEED: My name is Les Tweed and I live at 111 Saratoga Road, Ballentine, South Carolina, and I'm president of the Ballentine Community Association. I too am here to thank you. When I saw the motions listed for today I was quite pleased and I feel that thanking the Planning Staff and the Commission for bringing either of these motions to a vote is a demonstration that all the citizens of Richland County can feel comfortable that you've been chosen well. It demonstrates that you care about the community and it shows your intelligence and understanding as to how devastating it would be to move forward without enacting these text improvement changes. An approval today will prove to the citizens that by being involved, expressing their concerns, and by working side by side with local government, positive changes can be made for future development and still maintain a good quality of life. Thank you very much.

CHAIRMAN BRANHAM: Thank you.

MR. DENNIS: And that was the last person for this [inaudible].

CHAIRMAN BRANHAM: Anybody else here in the room who wanted to speak on the broad remapping and text amendment? I've got a gentleman over here. Go ahead and come on to the podium, give us your name and address, please.

TESTIMONY OF COREY SWINDLER:

MR. SWINDLER: Corey Swindler, 501 Beach Branch Drive. I apologize, a little late. I appreciate y'all's efforts. I understand that this has been put on you, but quite frankly everyone up here and everyone in this room and everyone in Richland County needs to realize that we have a sincere, severe problem with the lack of density, the

1 lack of housing. If all of us in here continue to have children where are they going to
2 live? The majority of people that'll stand up here and talk to you are short-sited, they
3 don't want something dense across their street. Well the farmer 50 years ago didn't
4 want them to move in either. Well, we've got to do something, we've got to be proactive.
5 There aren't places to live. The housing is going through the roof. I have a 10 year old
6 son, when he graduates college I would love for him to be able to afford a home. He's
7 not gonna be able to. We need to proactively plan certain areas to where we can
8 increase density in the right way, strategic way. The Planning Commission, the Staff, as
9 well as many other people like this consultant, have degrees in planning, have looked at
10 Atlanta and other areas and how they did growth responsibly. We're not the first one.
11 Let's follow the good things they did, not do the bad things they did, and not be short-
12 sided and selfish to say no one else can live near me. Thank you.

13 CHAIRMAN BRANHAM: Thank you. Yes, sir? Please come on down to the
14 podium.

15 **TESTIMONY OF WHITNER SLAGSVAL:**

16 MR. SLAGSVAL: Mr. Branham, thank you very much for going onsite when we
17 were having the Ridge Road debacle about two years ago. You were one of the few
18 people that actually drove out and looked at the situation. We all applauded you. I am a
19 farmer, I have several hundred acres out in Hopkins, South Carolina, and I'd like to
20 draw your attention to something very simple, very critical. I believe there is a lack of
21 understanding within Richland County Planning about water. I'm on Cedar Creek. Cedar
22 Creek goes into the Congaree National Park. There are some high density
23 developments and planned high density developments upstream. If you went and

1 looked at those high density developments by the nature of high density, people throw
2 crap in – that’s not a bad word – in the streams. There’s runoff of petroleum products,
3 chemicals, pesticides and lots of other stuff that come down to my property through our
4 pond and then end up in the National Park. When I asked about it previously two
5 administrators in Richland County Council, they simple point upstream to the Corps of
6 Engineers. I’ve had to do a FOI in order to find out what the heck is going on. I would
7 ask you to please, I’m about done, to get your administrators to either get a grip on the
8 water situation. I’m not talking about above ground necessarily, I’m talking about below
9 the ground because people in rural South Carolina, we depend on the wells and once
10 it’s polluted, it’s over. And we have a sewer that keeps blowing out right there at Green
11 Lakes and the sanitation engineer told me the system was not engineered to hold all the
12 density that we now have. Thank you. Is there a prize?

13 CHAIRMAN BRANHAM: Thank you. You gotta wait till the very end.

14 MR. DENNIS: Sir? Can I get your name?

15 MR. SLAGSVAL: Yeah, Whitner Slagsval, Harmon Road.

16 CHAIRMAN BRANHAM: Alright, thank you. Yes, sir?

17 **TESTIMONY OF MATTHEW COOK:**

18 MR. COOK: Thank you, I’ll be brief. My name’s Matthew Cook, I represent the
19 Manufactured Housing Institute of South Carolina, we’re based here in Columbia, and I
20 represent a number of different companies and manufacturer communities and as well
21 as retailers around the State. And I just wanted to say I appreciate the work that you’re
22 doing, I appreciate the goals and objectives of your development plan. And we’re
23 coming in a little bit late to the conversation, I understand that, but I’m looking forward to

1 working with you. I listened and paid attention to your last meeting on the 18th and I
2 know there's a lotta questions and discussion about what you need to do to try to
3 address manufactured housing. You know, we certainly play a big role in creating
4 affordable housing and providing affordable housing for people in Richland County as
5 well as throughout the State, and we wanna ensure and maintain that we have that
6 opportunity and that people have the opportunity to purchase our homes and place
7 them in the County and specifically as you're looking to address density and some of
8 the different areas that we can work with you going forward and try to answer some of
9 those questions and try to ensure that we can maintain our presence here. So thank
10 you very much.

11 CHAIRMAN BRANHAM: Thank you. Anyone else in the room wanna be heard
12 on this matter? Yes, ma'am?

13 **TESTIMONY OF DANIELLE HOLMES:**

14 MS. HOLMES: Yes, I'm Danielle Holmes and I live at 11 Trotwood. And I speak
15 with my neighbors over here from the Trotwood community. I understand that a lot of us
16 are concerned about densities and housing here in the Richland County area, but I don't
17 think that we need to put more manufactured homes up. And I particularly don't want
18 them in my neighborhood. What I think we need to do if we're really concerned about
19 the housing crisis that we're having is to build some singular family homes for people
20 that cannot afford them. We're in a crisis right now here in the United States of America.
21 This is artificial inflation that we're under here right now. And we've just gone through
22 covid. People are not able to afford housing, they're not able to afford food and a lot of
23 other things, but I don't think we need to crowd our neighborhoods with manufactured

1 housing. I don't think that we need to populate single-family areas with more multiple
2 family dwellings. People want to live in affordable housing but they want their own
3 properties. So please don't put people in all these manufactured housing, and please
4 don't put them in my neighborhood. Thank you.

5 CHAIRMAN BRANHAM: Thank you. Anyone else? Okay, if not we'll go ahead
6 and move on to Agenda Item VII, which is to consider individual map amendment
7 applications.

8 MR. CROOKS: Mr. Chair?

9 CHAIRMAN BRANHAM: Yes, Mr. Crooks?

10 MR. CROOKS: So earlier when we did the additions and deletions to the Agenda
11 we still need to vote on the Consent Agenda items as well. So we would just simple
12 have removed, other than VII(a) and then VII(a)(3) and VII(a)(8). The others would have
13 been removed from that Consent Agenda; the others would still need to be voted on as
14 part of the Consent Agenda. So that would be VII(a), VII(b)(3) and VII(b)(8) would be
15 voted on as part of the Consent Agenda.

16 CHAIRMAN BRANHAM: Thank you for calling that to our attention. Do I have a
17 motion?

18 MR. GILCHRIST: So moved, Mr. Chairman.

19 CHAIRMAN BRANHAM: Thank you, Mr. Gilchrist. Second, is there a second?

20 MR. GRADY: Second.

21 CHAIRMAN BRANHAM: Thank you, Mr. Grady. And Staff would you please take
22 the vote?

23 MR. CROOKS: Alright, Branham?

1 CHAIRMAN BRANHAM: Yes.

2 MR. CROOKS: Dennis?

3 MR. DENNIS: Yes.

4 MR. CROOKS: Yonke?

5 MR. YONKE: Aye.

6 MR. CROOKS: Carlisle?

7 MR. CARLISLE: [Inaudible].

8 MR. CROOKS: Metts?

9 MR. METTS: Aye.

10 MR. CROOKS: Grady?

11 MR. GRADY: Aye.

12 MR. CROOKS: Taylor?

13 MR. TAYLOR: Aye.

14 MR. CROOKS: Gilchrist?

15 MR. GILCHRIST: Aye.

16 *[Approved: Branham, Dennis, Yonke, Carlisle(?), Metts, Grady, Taylor, Gilchrist;*

17 *Absent: Frierson]*

18 MR. CROOKS: The vote is unanimous.

19 CHAIRMAN BRANHAM: Thank you very much. So now we move on to our

20 presentation for Case 22-007 MA. Staff, if you would present that case.

21 MR. DENNIS: Mr. Chair, I don't have anybody signed up for that one.

22 CHAIRMAN BRANHAM: Okay.

23 **CASE NO. 22-007 MA:**

1 MR. PRICE: Alright, so Case 22-007 MA. The Applicant is Lucky Detty. The
2 location is 116 Beatty Downs Road. The Applicant is asking to rezone, it looks like a
3 little less than .25 of an acre from RM-HD to OI. Staff recommends disapproval of this
4 request. It's in the conclusion but just to speak on it, while the residential, high density
5 future land use designation encourages a mixture of residential areas supported by
6 neighborhood commercial uses, the desired development for commercial development
7 is recommended to be located in activity centers and in mixed use corridors. The
8 proposed location of the request does not meet these location guidelines and can be
9 deemed to be an encroachment into the residential development pattern of the area.
10 For these reasons Staff recommends disapproval.

11 CHAIRMAN BRANHAM: Mr. Price, if it's less than two acres and there's nothing
12 contiguous of the same requested district, how is it before us?

13 MR. PRICE: Within the current Land Development Code there are some
14 provisions in place that allow, if you are adjacent to certain use type zoning
15 designations that you can ask for a request. So for this particular one under §26-
16 52(2)(B)(iii), an addition of OI zoning contiguous to an existing commercial or residential
17 zoning district, so because of this proximity to a residential zoning designation it is
18 eligible to request the OI zoning.

19 CHAIRMAN BRANHAM: Thanks. Any discussion from the Commission on this
20 case? Or any other questions for Staff? Mr. Grady?

21 MR. GRADY: Do you have any, so I gather we don't have anything from the
22 Applicant in terms of contribution or testimony. Do we have any, is there a description of
23 the current [inaudible]?

1 MR. PRICE: I'm sorry, could you repeat that, sir? You kinda went out.

2 MR. GRADY: Yeah, I was asking if there was any sort of detail [inaudible] on the
3 existing use of the parcel or any other context that would be helpful that was not
4 provided as part of the Staff Report.

5 MR. PRICE: So currently, you're talking about the current use of the property?

6 MR. GRADY: Yes.

7 MR. CROOKS: It's just a residential use, Dr. Grady. It's, I think most of the
8 properties located on, or most of the properties in this development, and I think that one
9 in particular as well, it's either gonna be typically a duplex, triplex or some kind of other
10 multi-family use as well.

11 CHAIRMAN BRANHAM: Yeah, that's what I saw when I drove down in there
12 Sunday was just everything was very uniform, that same probably two to four family
13 dwelling unit that it's zoned for currently.

14 MR. GILCHRIST: Mr. Chair, will you entertain a motion?

15 CHAIRMAN BRANHAM: Yes, Mr. Gilchrist.

16 MR. GILCHRIST: I would like to make a motion that we send Case No. 22-007
17 MA forward to Council with a recommendation of disapproval.

18 CHAIRMAN BRANHAM: Do we have a second?

19 MR. TAYLOR(?): Second.

20 CHAIRMAN BRANHAM: Thank you. It's been moved and properly seconded that
21 we send Case 22-007 MA to Council with a recommendation of disapproval. Staff would
22 you please take a vote on the motion?

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

1 CHAIRMAN BRANHAM: Aye.

2 MR. PRICE: Dennis?

3 MR. DENNIS: Aye.

4 MR. PRICE: Yonke?

5 MR. YONKE: Aye.

6 MR. PRICE: Carlisle?

7 MR. CARLISLE: Aye.

8 MR. PRICE: Metts?

9 MR. METTS: Aye.

10 MR. PRICE: Grady?

11 MR. GRADY: Aye.

12 MR. PRICE: Taylor?

13 MR. TAYLOR: Aye.

14 MR. PRICE: Gilchrist?

15 MR. GILCHRIST: Aye.

16 *[Approved to deny: Branham, Dennis, Yonke, Carlisle, Metts, Grady, Taylor, Gilchrist;*

17 *Absent: Frierson]*

18 MR. PRICE: So the motion for disapproval is unanimous.

19 CHAIRMAN BRANHAM: Thank you. Next case, please Staff?

20 **CASE NO. 22-009 MA:**

21 MR. PRICE: Alright, the next case is 22-009 MA. The Applicant is Josh Brown.

22 The Applicant is requesting to rezone one acre from Rural to General Commercial. The
23 location is at 341 Western Lane. Staff recommends disapproval of this request, but this

1 is one of those we principally recommend disapproval of the request because it would
2 not be consistent with the objectives outlined in the Comprehensive Plan for the
3 neighborhood, medium density land use designation. However, the request to GC would
4 be compatible with the adjacent land uses nearby along Western Lane and Howard
5 Coogler Road where industrial and commercial uses are present. So Mr. Chair, let me
6 see if I can beat you to your next question, that this was eligible to come before us,
7 again another provision within our Code in which the Zoning Administrator is to look at
8 the rural zoning designation and make a determination of if it's primarily an industrial
9 use, a commercial use or a residential use. And so the adjacent parcel to the requested
10 site, while it is zoned rural it does have industrial uses on the site, so thus this was
11 eligible to come in for a GC rezoning request.

12 CHAIRMAN BRANHAM: The one that's to the east, is it PDD?

13 MR. PRICE: Yes, I'm sorry. Yes, it's PDD which is the same thing with rural; we
14 have to make a determination on what that use is. So it's either, you know, commercial,
15 industrial or residential.

16 CHAIRMAN BRANHAM: Thank you. Any questions for Staff? Comments,
17 discussion?

18 MR. DENNIS: The Applicant did sign up.

19 CHAIRMAN BRANHAM: Okay. The Applicant's here, thank you. Please come
20 forward.

21 **TESTIMONY OF JOSH BROWN:**

22 MR. BROWN: Thank you. I'm Josh Brown, husband and employee of lawyer
23 Lisa, okay? So a/k/a Lisa Hostettler Brown, okay? 1082 Howard Coogler Road, our

1 property that we currently had our business at is down off of Fernandina Road that got
2 imminent domain by the Carolina Crossroads Project, which is mind you in Lexington
3 County. We are trying to relocate this business to this location in Richland County. So
4 we're requesting the GC. We already went through all the zonings right next door to it.
5 It's along I26, I think we all know and realize it shouldn't be rural, I mean, a lot of I26
6 nobody's gonna build a house on I26 on Western Lane there. And we are requesting it
7 be changed to GC so we can move our business there.

8 CHAIRMAN BRANHAM: Questions for Mr. Brown? What do you have next door
9 to that parcel?

10 MR. BROWN: There's a concrete plant on one side and then there's an office
11 building similar to what we're intending on the other side.

12 CHAIRMAN BRANHAM: Yeah. Alright, thank you Mr. Brown.

13 MR. BROWN: Okay.

14 MR. GILCHRIST: Mr. Chairman, if I may?

15 CHAIRMAN BRANHAM: Yes, Mr. Gilchrist.

16 MR. GILCHRIST: So I guess this question is for Staff. So how does that happen?

17 MR. PRICE: What do you mean by that, sir?

18 MR. GILCHRIST: One side of the facility, it's a concrete facility did you mention?

19 MR. BROWN: A concrete plant.

20 MR. GILCHRIST: And on the other side there's an office building and this
21 particular – so help me understand how that happened.

22 MR. PRICE: I guess the best way to put it is, again there – Mr. Crooks will talk
23 about that later, he's getting his in today – the properties that you're looking at where

1 the offices are and also where the concrete plant is are zoned PDD, and I can't point to
2 something in the Code so it's kind of more of an opinion but back in the day when these
3 were rezoned there was a big comfort level with single use PDDs, which you knew
4 exactly what was going to be there, and so a lot of those got approved. So if you're
5 question is how did those get there, location, probably I would wage that there was very
6 little opposition during that time especially when you can see where it is, and because it
7 was just gonna be a single use that was locked in through the PDD process, it got
8 approved.

9 MR. GILCHRIST: Mr. Chairman, I won't ask any more questions about that right
10 now in case anybody else has any questions. Love to play with that one for just a
11 minute though.

12 CHAIRMAN BRANHAM: Anyone else have questions for Staff or comments?
13 This Western Lane is definitely a frontage road. I drive it every day and it is an
14 interesting mix of uses along that road; I26 as is referenced is being widened through
15 there. I think it looks like they're even shifting Western further away from I26 to maybe
16 create more room for the interstate there. So yeah, yeah you gotta concrete facility right
17 there, you got some large buildings that have, seem like they have mixed uses. I drove
18 through there on Sunday and it's a couple buildings that seem like they get used as
19 churches on Sunday and then businesses maybe through the week. So yeah, it's
20 interesting and varied uses along that road. Alright, does anyone have a motion? If not,
21 I'll make a motion.

22 MR. DENNIS: I've got one question.

23 CHAIRMAN BRANHAM: Mr. Dennis?

1 MR. DENNIS: How far is this from the priority investment area? Do we know? I
2 was trying to find it but I couldn't really figure it out. It looked like it was very close, I
3 couldn't tell if it was in it or, like right across the street.

4 MR. CROOKS: It's a fair ways away, Mr. Dennis. So which one are you
5 referencing, the Irmo priority activity center or the one that's at the Peake Interchange?

6 MR. DENNIS: I thought it was the one over there near Irmo.

7 MR. CROOKS: So I'd say it's roughly halfway between the two.

8 MR. DENNIS: Okay, but it's definitely not in it, but it's – okay. Yeah, I was trying
9 to find a little more finite, but I'm good with it.

10 CHAIRMAN BRANHAM: Alright, so if no one else is gonna make a motion, I'll
11 make a motion to send this Case 22-009 MA to Council with a recommendation of
12 approval because the request to GC would be compatible with adjacent land uses
13 nearby along Western Lane and Howard Coogler Road where industrial and
14 commercial uses are present as was noted by Staff in their Report.

15 MR. GILCHRIST: Mr. Chairman, I'll second that.

16 CHAIRMAN BRANHAM: Alright, it's been seconded. Staff would you please call
17 the vote on this case?

18 MR. PRICE: Okay. Alright, those in favor of the recommendation for approval of
19 Case 22-009, Branham?

20 CHAIRMAN BRANHAM: Aye.

21 MR. PRICE: Dennis?

22 MR. DENNIS: Aye.

23 MR. PRICE: Yonke?

1 MR. YONKE: Aye.

2 MR. PRICE: Carlisle?

3 MR. CARLISLE: Aye.

4 MR. PRICE: Metts?

5 MR. METTS: Aye.

6 MR. PRICE: Grady?

7 MR. GRADY: Aye.

8 MR. PRICE: Taylor?

9 MR. TAYLOR: Aye.

10 MR. PRICE: Gilchrist?

11 MR. GILCHRIST: Aye.

12 *[Approved: Branham, Dennis, Yonke, Carlisle, Metts, Grady, Taylor, Gilchrist; Absent:*
13 *Frierson]*

14 MR. PRICE: The vote is unanimous.

15 CHAIRMAN BRANHAM: Okay. And again, we are a recommending Body so the
16 case will go up to County Council for a final vote. Next case, Staff, when you're ready.

17 **CASE NO. 22-011 MA:**

18 MR. PRICE: The next item is Case 22-011 MA. The Applicant is Oliver Mack.

19 The location is at 6108 Bluff Road. The Applicant is requesting to rezone three parcels
20 which come out to about 4.7 acres from rural commercial and rural to light industrial.

21 Staff recommends disapproval of this request, primarily because it's not in compliance
22 with the recommendations of the Comp Plan, it's not consistent with it, those objectives.

23 Per the Plan rural activity centers should incorporate context sensitive designs that

1 locate more intensive uses away from adjacent residential properties and protect these
2 residential properties from negative impacts such as light, sound and traffic, which
3 typically are part of the light industrial requests. Again, for these reasons Staff
4 recommends disapproval.

5 CHAIRMAN BRANHAM: Okay, any questions for Staff before we hear from the
6 Applicant? Okay, is the Applicant present? Yes, sir, please come on down. Give us your
7 name and address, please.

8 **TESTIMONY OF OLIVER MACK:**

9 MR. MACK: Good afternoon. My name is Oliver Mack, I'm with Mack's towing.
10 My address is 6108 Bluff Road and I'm the owner. Alright, the purpose of changing it
11 from rural commercial to light industrial is because right now it's set up as a, really a
12 mobile towing, it's not set up as a towing establishment because it's just like mobile, you
13 just go out and tow and you just, you don't have an establishment. That's what the RC,
14 you can't store any vehicles, that's what I'm getting at, and I wanna have a legit
15 business like all the other tow companies cause right now we're not legit. Every
16 business in the rural Richland County is not legit because they can't store vehicles, and
17 I wanna change – I know the concerns, the first concern y'all gonna have is that when
18 you got a towing business if you're storing vehicles it becomes a salvage yard. That's
19 not the case, because you can put in control measures, you can do a TR2 to get rid of
20 those vehicles like salvage and stuff like that with the DMV, and also you can do a
21 public auction through the magistrate court. And also you can do an online auction. So I
22 know that's probably the main concern. And in order to have a legit business, I have
23 contracts with Highway Patrol and Richland County Sheriff Department, and sometime

1 we get vehicles, wrecked vehicles and we get vehicles like violation, you got to store the
2 vehicles. I mean, it's no way around it. And I never had any complaints, I been there,
3 like 10 years, nobody, everybody in the community says it's a great thing. And, cause
4 you don't have anything out in that area, you got the National Park and all that, they
5 come up, I tow vehicles for them and work on their vehicles and all that kinda stuff. So I
6 never had a complaint for 10 years and I just wanna have a legit business like all the
7 business in the corporated areas and city and stuff like that, I wanna have that type of
8 business also, being in the unincorporated area. And basically that's all I want.

9 CHAIRMAN BRANHAM: Thank you.

10 MR. GILCHRIST: Mr. Chairman?

11 CHAIRMAN BRANHAM: Yes, Mr. Gilchrist.

12 MR. GILCHRIST: Sir, so you are currently operating.

13 MR. MACK: Yeah, I'm currently in the towing business but I'm not legit. I mean,
14 none of them are legit. You got, like four businesses down there. Because of the rule –

15 MR. GILCHRIST: Sir, how long have you been at the location?

16 MR. MACK: Ten years.

17 MR. GILCHRIST: Ten years, okay. Alright, thank you.

18 CHAIRMAN BRANHAM: Thank you. Mr. Price, can you talk to us a little bit
19 about, you know, current business practice as reported versus the current zoning
20 designation, RC, at the location across the street? I understand it's not the subject
21 location.

22 MR. PRICE: Yeah, so the, a towing business is allowed in a few of our
23 commercial zoning designations, but again it is a towing business. You can get the car

1 but you take it elsewhere. But in order to have the vehicles onsite for storage,
2 regardless if it's a day or if it's long-term, that has to be more of an industrial zoning
3 designation, so either the M1, which of course is not an eligible zoning designation, LI or
4 even HI.

5 CHAIRMAN BRANHAM: Any other questions, comments or motions on this
6 case?

7 MR. DENNIS: Mr. Chairman?

8 CHAIRMAN BRANHAM: Yes, Mr. Dennis?

9 MR. DENNIS: I have one for the Applicant. Is that your residence next door?

10 MR. MACK: Yes.

11 MR. DENNIS: Okay.

12 CHAIRMAN BRANHAM: The answer by the Applicant was yes, that is his
13 residence next door. Is there a motion? If not, I can make a motion. Alright, I'll make the
14 motion that we send Case No. 22-011 MA to Council with a recommendation of
15 disapproval for the reasons cited by Staff in their Report. Is there a second to that
16 motion? No second. Okay, no second on the motion so the motion fails for lack of
17 second.

18 MR. TAYLOR: I have a question.

19 CHAIRMAN BRANHAM: Mr. Taylor?

20 MR. TAYLOR: For Staff, if the concern is to be legitimate, is there any other
21 recourse for him? Cause I mean, looking at the map it looks like there's vehicles there
22 now. I mean, so I'm not sure, is there any other recourse as he describes it to become
23 legitimate?

1 MR. PRICE: From a zoning standpoint, either rezone the property or bring the
2 property into compliance by removing the vehicles and operate under what the rural
3 commercial zoning designation allows you to do.

4 CHAIRMAN BRANHAM: Alright well, so anything else?

5 MR. GILCHRIST: Mr. Chairman, just before –

6 CHAIRMAN BRANHAM: Mr. Gilchrist.

7 MR. GILCHRIST: So you mentioned that there are vehicles on the property now,
8 is that right?

9 MR. PRICE: Correct.

10 MR. GILCHRIST: That are being stored on the property now?

11 MR. PRICE: Yes.

12 MR. GILCHRIST: So is that operating in a non-conforming use?

13 MR. PRICE: No, sir. It's operating in an illegal use.

14 MR. GILCHRIST: What's the difference?

15 MR. PRICE: Non-conforming is something that was legally established and due
16 to actions by the government, be that by text amendment or map amendment would no
17 longer make that a conforming use. However, in this case that's not what has occurred.
18 The property was zoned rural commercial and it allowed for certain uses and I guess
19 over time activities to the property have made them illegal; that's why, I believe this is
20 why this request is before you at this time.

21 MR. GILCHRIST: But you would agree that that's probably a real stretch on the
22 non-conforming side. I mean, a lotta time we hear very similar situations that would
23 certainly fall in line as a non-conforming use, am I right?

1 MR. PRICE: If this was a non-conforming use then the rezoning request wouldn't
2 be necessary because non-conforming uses are allowed to remain as they were, just
3 they can't expand but they're allowed to remain as they were.

4 MR. GILCHRIST: One of the things that I think this Commission might wanna
5 look at, particularly now as I'm leaving, but this might be something that for future
6 discussions to really redefine what non-conforming is. I think in the public there's a very
7 big misconception about what that is and as a consequence of that there are folk who
8 conduct business without in some cases seeking a zoning approval, all but to find out
9 later that they're operating in a non-conforming use.

10 MR. PRICE: Illegally.

11 MR. GILCHRIST: Well, I get it, but –

12 MR. PRICE: I just want to make sure we put that out there. So again, if this was a
13 non-conforming use it doesn't need to come before the Planning Commission unless
14 there was gonna be a change. It would be allowed to remain.

15 MR. GILCHRIST: Right. No, I get it, right.

16 MR. PRICE: But in cases where you do have someone coming in, I didn't really
17 wanna get into this part but if they've been operating illegally and what they're asking
18 now is just for you to make it legal for them.

19 MR. GILCHRIST: No, I get it. I just, just curious whether or not there was some
20 synergy there with the non-conforming designation. Sorry, Mr. Chairman.

21 CHAIRMAN BRANHAM: No, thank you.

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

23 CHAIRMAN BRANHAM: Yes, Mr. Yonke.

1 MR. YONKE: For the Staff. In our materials on page 31, future land use map,
2 we're zoomed out but it looks like the arrow is pointed to a rural activity center. Can you
3 define a rural activity center for me?

4 MR. PRICE: Yes, sir. If you look on page 26 of your packet we do put some of
5 the plans and policies for a rural activity center in there. And just for the Record I'll go
6 ahead and read what we have within the, your Agenda package. It says, Land use and
7 design, a rural activity center provides opportunities at rural crossroad locations for
8 commercial development to serve the surrounding rural community. This can include
9 small feed stores, restaurants, convenience grocery markets and similar smaller scale
10 retail uses. These are not mixed use developments and should not include residential
11 development. However, small bed and breakfasts or other small scale tourism
12 operations are appropriate. So just going by the land use and design as stated for the
13 rural activity center, you know, one recurring theme seems to be smaller scale, and so
14 it's either retail type uses or either smaller scale tourism operations. I don't believe in
15 this particular case if we're just looking at the, you know, again one of the things we as
16 a Staff try not to look at is the actual uses, we just look at the zoning for the property; we
17 treat almost vacant, but in this particular case a towing business, especially with outside
18 storage would not be deemed to be smaller scale retail, it's not a retail use either.

19 MR. GILCHRIST: Mr. Chairman, if I may.

20 CHAIRMAN BRANHAM: Yes, Mr. Gilchrist.

21 MR. GILCHRIST: So this company is operating illegally, is that right, that's what
22 you said to me earlier?

23 MR. PRICE: Yes, with the outdoor storage part, yes, sir.

1 MR. GILCHRIST: So have we cited him as operating as illegal in the county?

2 MR. PRICE: Yes.

3 MR. GILCHRIST: Okay. Thank you, Mr. Price.

4 MR. PRICE: Our officer, and I think as Mr. Mack alluded to, that our code
5 enforcement officers have been in the areas, especially rural areas, give notices of
6 violations for these uses.

7 CHAIRMAN BRANHAM: Are all three parcels currently zoned RC?

8 MR. PRICE: No, sir.

9 CHAIRMAN BRANHAM: So one?

10 MR. PRICE: If you look on page 36 of your, excuse me, page 30 of your packet
11 you will see that the back portion where you see essentially Mack's Towing, that is rural
12 commercial, and the other pieces are zoned rural.

13 CHAIRMAN BRANHAM: I'm guessing that, what was it, priority investment area,
14 probably related to the fact that Congaree National Park entrance is in that area, do you
15 know if that had anything to do with –

16 MR. CROOKS: You mean the rural activity center?

17 CHAIRMAN BRANHAM: Yes, I'm sorry.

18 MR. CROOKS: Yeah, this would be I think partly why that is considered a rural
19 activity center is it's one of the kind of gateways to the National Park.

20 CHAIRMAN BRANHAM: Okay, so anything else? Can we get a motion?

21 [Inaudible] move to defer the matter? You know, I made a motion and it failed for lack of
22 a second.

1 MR. PRICE: I mean, moving to defer it, I'm not sure if you're gonna get any more
2 information at your next meeting. Again, try not to speak, you know, when you're
3 deliberating on these items, but this is not the first time we've kinda run into something
4 similar to this. So one of the things as a Staff we look at is we treat this area just as an
5 undeveloped piece of property. We don't look at the use that's on there when it comes
6 to us making a recommendation. So the question just becomes if this was just a
7 wooded area of land and they came in and made the same request would you feel that
8 this is an appropriate location for light industrial. I think some of the things that can be
9 confusing is when, you know, an applicant comes in, they're kind of there and you're
10 looking at it, the current use on the property and it's always, you know, trying to think,
11 how can we fix this. Again, right now we're just looking strictly at the zoning for that
12 area, not necessarily can we bring something into compliance.

13 CHAIRMAN BRANHAM: Mr. Dennis.

14 MR. DENNIS: Yeah, I, I mean, I kinda agree with Mr. Price there. Like I looked
15 through everything, I looked through it earlier today and I looked through it over the
16 weekend. I tried to look through it again, I just tried to run through everything again
17 trying to see based off what it's been used for, but I can't find anything to do it. So I'm
18 gonna make that motion again to send, I'm gonna make the motion to send to County
19 Council for disapproval per Staff's recommendations.

20 CHAIRMAN BRANHAM: Okay. I'll second the motion. Staff, would you please
21 take a vote?

22 MR. PRICE: Alright. We have a motion for disapproval. Those in favor,
23 Branham?

1 CHAIRMAN BRANHAM: Aye.

2 MR. PRICE: Dennis?

3 MR. DENNIS: Aye.

4 MR. PRICE: Yonke?

5 MR. YONKE: Aye.

6 MR. PRICE: Carlisle?

7 MR. CARLISLE: No.

8 MR. PRICE: Metts?

9 MR. METTS: Aye.

10 MR. PRICE: Grady?

11 MR. GRADY: Aye.

12 MR. PRICE: Taylor?

13 MR. TAYLOR: Nay.

14 MR. PRICE: Gilchrist?

15 MR. GILCHRIST: Nay.

16 *[Approved: Branham, Dennis, Yonke, Metts, Grady; Opposed: Carlisle, Taylor, Gilchrist;*
17 *Absent: Frierson]*

18 MR. PRICE: Alright, that motion passes 6/3 [sic].

19 CHAIRMAN BRANHAM: Thank you. And again we're a recommending Body so
20 County Council will have a binding vote in the future on this case. Alright, Staff when
21 you're ready please present the next case.

22 **CASE NO. 22-012 MA:**

1 MR. PRICE: Okay, the next case is 22-012 MA. The Applicant is Richard Hendy.
2 The location is on Hardscrabble Road; just to help you out it's right near the entrance to
3 Lake Carolina. The Applicant is requesting to rezone 4.63 acres from PDD to an
4 amended PDD. Their proposed use for this site is for a climate controlled self-storage
5 use. The general development plan for this area, which is the Rice Creek Plantation
6 PDD, designates this site for office use so because, in order for them to change uses
7 they have to come in and amend the PDD for the site. Again, this is another one of
8 those principally recommendations from Staff that we recommend disapproval of the
9 request as it's not consistent with the objectives outlined in the Comprehensive Plan.
10 Site's not located along a main road corridor or within a distance of primary arterial,
11 again for these reasons Staff recommends disapproval. However, the requested
12 amendment to the PDD for a climate controlled self-storage would allow for a service
13 oriented commercial use for the surrounding residential areas and would be compatible
14 with allowable uses within the PDD and the existing surrounding development.

15 CHAIRMAN BRANHAM: Thank you. Questions for Staff? Mr. Grady?

16 MR. GRADY: Thank you. I know we've had this conversation, it may well have
17 been about Hardscrabble Road in the past, of why this does not qualify as a primary
18 arterial. There is [inaudible – mic in and out]. As noted it's a five lane road with certainly
19 a substantial traffic count, so clarification would be helpful.

20 MR. CROOKS: Yeah, this would, so this is a state right-of-way, state owned
21 road, Hardscrabble. This is one thing that we did inquire with them in the past because
22 this was, as you mentioned, a question that has come up previously in other cases. So
23 with the road widening to five lanes where they're looking to change that classification,

1 what we were told previously was no and it's still showing as a minor arterial so it has
2 not been upgraded if you will to a primary arterial. So that is, in terms of the
3 classification, it's not specifically a primary arterial but we would typically consider this to
4 be a primary road within the area. But because of just kind of the language with the
5 Comp Plan there's kind of a, little bit of a distinction there, it's nuanced in ways, but for
6 this road in particular, yes it is five lanes but it would still be considered a minor arterial.

7 MR. GRADY: [Inaudible] determined designations?

8 MR. CROOKS: Yeah.

9 MR. GRADY: [Inaudible] it would be helpful to have that, have a map to that
10 affect or something on the Planning Department's website just cause it's a term that
11 comes up a fair bit in our discussions and the public might benefit from that.

12 MR. CROOKS: No, and I think that is a good point and I think that's something
13 that maybe within the future land use map or other planning documents, look to maybe
14 designate some of those where it's not necessarily the functional class but having some
15 type of tiered set up with, you know, how we look at road widths in that case.

16 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

17 MR. DENNIS: When I got out of the military I said I would never say this. To
18 piggy back on Dr. Grady about that, do you think the reason why they haven't changed
19 that is because it's not fully finished yet, they're still working it and it's not fully finished
20 five lanes?

21 MR. CROOKS: I honestly couldn't tell you cause they, even on their websites
22 they do show proposed changes as well, so whether that's gonna be a new road or
23 changes to those as well. So I feel like if they would be looking to change it they would

1 have shown something demonstrating it at this point, but from everything I've seen
2 they've not noticed it in any type of way, so. It could also be because it's not a larger
3 state road as well or a federal road in many cases, so a lotta times that seems to be a
4 differentiating factor. So I couldn't tell you for certain but, I mean, I think that's
5 something that could definitely reach out to DOT with to find out again, and if there are
6 any potential changes to that once the road is completed construction-wise.

7 MR. DENNIS: Is there any way in the future for us to make our own designation
8 of some roads in the county? Because, I mean, even if they classified it as a minor but
9 we know, let's say it's a four or five lane road here in the county, I mean, that could
10 change a lotta things in the future.

11 MR. CROOKS: Yes. I mean, not to get too far off topic here with the case itself,
12 but I mean, that's something that Planning Commission could designate as part of the
13 Comp Plan. So for instance, the future land use map you could have a road typology
14 related to that. I'd probably name is something different from functional class, but I
15 mean, you could look at it as this being, okay this is a primary, secondary, tertiary type
16 of road, cause I think in a lot of instances there are areas where it is a primary or
17 corridor, so take the northwest for instance, you know, Dutch Fork and those, those
18 aren't considered primary arterials, those are either gonna be minor arterials and so
19 even though those are gonna be a primary roadway within that area, they're still not a
20 functional class primary arterial. So there are certain situations where that could come
21 in helpful within the Comp Plan itself, but to better identify how those roads kind of work
22 and function from a local standpoint, too, I think that is something that Planning
23 Commission can do and there's a couple ways that y'all could look at that.

1 MR. DENNIS: Thank you, sir.

2 MR. GILCHRIST: Mr. Chairman?

3 CHAIRMAN BRANHAM: Yes, Mr. Gilchrist?

4 MR. GILCHRIST: Just a quick question. In the past, let me make sure I'm not
5 overlooking this and maybe I am, but you used to include in the map amendments
6 whether or not a particular area was in consideration as part of the Penny. Was this, I
7 mean, I didn't see it anywhere I don't think, is it on there? I'm sorry if I missed it.

8 MR. PRICE: And hopefully this does address what you're asking, but on page 35,
9 I guess it would be the first full paragraph, you see on page 35?

10 MR. GILCHRIST: Yep. Oh yeah, I do. Eyes getting bad, been on the Planning
11 Commission too long. Alright, thank you.

12 CHAIRMAN BRANHAM: So this is part of the Rice Creek Plantation PDD, right?

13 MR. PRICE: Correct.

14 CHAIRMAN BRANHAM: Alright. And so under the current PDD this 4.63 was it
15 acres or, labeled or intended to be office space. Would the office space use be
16 consistent with the objectives outlined in the Comprehensive Plan? Cause you see what
17 I'm getting at? I just feel like if we've already made an accommodation via PDD for this
18 parcel to be not necessarily with the objectives of the Comprehensive Plan, I mean,
19 maybe it's worth considering further, switching it from office to climate controlled self-
20 storage.

21 MR. PRICE: Just kinda looking, let me make sure I'm on the right page here,
22 yeah looking at the land use and character guidelines under the plans and policies for
23 neighborhood, medium density, you see where it's non-residential development may be

1 considered for location along main road corridors and within a contextually appropriate
2 distance from the intersection of a primary arterial. So we would be actually having the
3 same exercise if someone was coming in to make this an office also, had it not been
4 designated under the current PDD.

5 CHAIRMAN BRANHAM: Okay. Thanks. And then we've got a climate controlled
6 self-storage basically across the street.

7 MR. PRICE: Yes, sir. Yeah, and I will just point out one of the, you know, we
8 have a lotta applicants that will come in and ask to do a PDD. One of the problems is,
9 especially as we used to do PDDs, they were very large tracts of land. So if you look at
10 the Lake Carolina area, which was part of the Rice Creek Plantation, you look at a
11 development like Woodcreek Farms, you look at even the Summit, you know, those
12 PDDs are so large and it takes a while for them to fully develop. You know, some of
13 them have been around 20, 30 years right now at this point, and so it takes a while. And
14 so during those times you can't adequately identify what uses you propose to have
15 there, so sometimes they will put a use and as we go forward 20, 25 years later, we
16 need to essentially reevaluate it. But that's just one of the hazards about people putting
17 PDDs in place.

18 CHAIRMAN BRANHAM: And it's a planned development district, right?

19 MR. PRICE: Correct.

20 CHAIRMAN BRANHAM: That's what PDD is and so yeah, it's kind of a micro
21 planning involving I guess Staff and the developer at some point in time, right?

22 MR. PRICE: Well, actually it's really to the developer, it's their chance to create
23 their own zoning designations and create their own plan, and we're to look at that. And

1 unfortunately at times when they are very specific about a parcel or a section within a
2 development and when that use comes they have to go back and later on reevaluate
3 that. I believe there may have been, I'm not sure if there have been a few amendments
4 to the Rice Creek Plantation PDD over the years, actually yes, according to the general
5 history. So there have been some amendments to this PDD previously.

6 CHAIRMAN BRANHAM: I think I remember one in the last few months, several
7 months.

8 MR. PRICE: Yeah, it may be the parcel, I'm not sure if it's the parcel south of it or
9 maybe, I'm not quite sure. I'll have to go back and do some research, but there have
10 been some amendments to the Rice Creek Plantation PDD.

11 MR. DENNIS: Mr. Chair?

12 CHAIRMAN BRANHAM: Yes, Mr. Dennis?

13 MR. DENNIS: We do have two people signed up to speak.

14 CHAIRMAN BRANHAM: Very good. Any other questions for Staff before we hear
15 from the Applicant? Okay.

16 MR. DENNIS: Alright, the first person we have is the Applicant, Richard Hendy.

17 **TESTIMONY OF RICHARD HENDY:**

18 MR. HENDY: Thank you for your time, Council. My name is Richard Hendy, it's
19 146 Golden Jubilee Road in Gilbert. Just, I guess just gonna explain to you the project.
20 We chose this parcel based on the fact it wasn't Hardscrabble Road, and the use
21 directly across the street was the exact use we were planning to develop it on. So that
22 was our thing, our models show that this area, especially within a three mile radius
23 which is our target zone, that it's actually underserved for storage also, so. And that's all

1 pretty much I got to say about it. We were very confused by the fact that Hardscrabble
2 wasn't considered a main arterial so I was kinda surprised with the recommendation
3 when we got it cause we felt that we had chose a good location.

4 CHAIRMAN BRANHAM: Thank you. Any questions for Mr. Hendy? Alright thank
5 you, Mr. Hendy.

6 MR. HENDY: I believe my engineer wanted to speak as well.

7 MR. DENNIS: Next person we have is Gerald Lee.

8 **TESTIMONY OF GERALD LEE:**

9 MR. LEE: Good afternoon. I'm Gerald Lee. I'm an engineer with Chow &
10 Associates and we're working with Mr. Hendy to help him develop this piece of property.
11 As far as the traffic is concerned I'm not an official statement, but I can't believe that five
12 lanes on Hardscrabble Road would not be considered a arterial road when it's all said
13 and done, but that's just that. This property we're gonna, or this project we're going to
14 do with a storage facility is not gonna contribute any traffic issues if that is a concern. It
15 is a tight site, there is a wetlands on the back piece of the property and with the county's
16 50' buffer requirement that's not leaving a whole lotta space, we feel the layout that Mr.
17 Hendy wants to put in there is gonna be a nice working space and work well within the
18 buffers that we have. Thank you.

19 CHAIRMAN BRANHAM: Anyone else signed up to speak?

20 MR. DENNIS: That's all we had.

21 CHAIRMAN BRANHAM: Alright. Mr. Price, can you just – and because it's PDD
22 that's just sort of generic, it doesn't tell us much on its own – can you talk to us about
23 the surrounding parcels? Any current uses or authorized uses under the plan?

1 MR. PRICE: Yeah, just looking on that same side of Hardscrabble Road, the
2 parcels north and west of the subject parcel are either being developed residentially, I
3 believe the site the mouse is on, I'm not sure if that is actually one of them – Tommy,
4 can you zoom out a little bit? Alright, so yes, alright so these other parcels are being
5 developed residentially. Unfortunately our mapping has not caught up to it. But that's
6 primarily the activity that's taking place in that area at this time.

7 CHAIRMAN BRANHAM: To the south of it?

8 MR. PRICE: South of it, that's part – go out, Tommy, where the detention pond is
9 – essentially that's part of a detention pond for the development that's taking place.

10 CHAIRMAN BRANHAM: To the right of that, is that a subdivision?

11 MR. PRICE: To the right of it, here?

12 CHAIRMAN BRANHAM: No, I mean –

13 MR. TAYLOR: Right below it, right below the subject parcel.

14 MR. PRICE: That's the subject site.

15 CHAIRMAN BRANHAM: Okay. Alright. Residential development kind of above it
16 to the north and then to the south and behind it, then I guess some wetlands, is that
17 right?

18 MR. PRICE: Yes. So the parcel just north of it, we actually had the same
19 discussion among Staff, the parcel right there, Tommy. That is not being developed at
20 this time residentially. It's the parcels above that.

21 CHAIRMAN BRANHAM: Oh, okay. Any other discussion or motions? Mr. Grady?

22 MR. GRADY: I would like to propose a motion that would send this request 22-
23 012 MA [inaudible] Hardscrabble Road [inaudible] highly compatible.

1 MR. GILCHRIST: I second that, Mr. Chairman.

2 CHAIRMAN BRANHAM: Moved and properly seconded. The motion is to send
3 this case to County Council with a recommendation of approval. Staff, would you please
4 take a vote on the motion?

5 MR. PRICE: Alright, the motion is for approval of Case 22-012. Those in favor,
6 Branham?

7 CHAIRMAN BRANHAM: Yes.

8 MR. PRICE: Dennis?

9 MR. DENNIS: Aye.

10 MR. PRICE: Yonke?

11 MR. YONKE: Aye.

12 MR. PRICE: Carlisle?

13 MR. CARLISLE: Aye.

14 MR. PRICE: Metts?

15 MR. METTS: Aye.

16 MR. PRICE: Grady?

17 MR. GRADY: Aye.

18 MR. PRICE: Taylor?

19 MR. TAYLOR: Aye.

20 MR. PRICE: Gilchrist?

21 MR. GILCHRIST: Aye.

22 *[Approved: Branham, Dennis, Yonke, Carlisle, Metts, Grady, Taylor, Gilchrist; Absent:*
23 *Frierson]*

1 MR. PRICE: Alright, that passes unanimously.

2 CHAIRMAN BRANHAM: Whenever Staff is ready we'd like you to present the
3 next case.

4 **CASE NO. 22-013 MA:**

5 MR. PRICE: Okay, the next case before you is Case 22-013 MA. The Applicant
6 is Patrick Palmer. The location is on Killian Road. The Applicant is requesting to rezone
7 a little less than 162 acres from M-1 which is light industrial, to GC which is general
8 commercial. Staff is of the opinion the proposed rezoning is consistent with the
9 objectives outlined in the Comprehensive Plan for the economic development center
10 corridor future land use. Likewise, the requested zoning would fit with the intent and
11 description of the priority investment area. For these reasons Staff recommends
12 approval.

13 CHAIRMAN BRANHAM: Okay, thank you.

14 MR. PRICE: We haven't had these in a while, so you know, one of the things is if
15 you look at all of the uses that have, that are on the adjacent properties, while some of
16 them are zoned light industrial, all of them would've been permitted under the GC
17 zoning designation.

18 CHAIRMAN BRANHAM: All of the what?

19 MR. PRICE: All of the uses that you see on the adjacent parcels from the car
20 dealerships to the tractor supply to the Audi dealership, even going across the street to,
21 there's a multi-tenant commercial strip and there's also a Walmart. So all of those
22 would've been permitted under the GC zoning designation.

23 CHAIRMAN BRANHAM: Okay.

1 MR. GILCHRIST: Mr. Chairman?

2 CHAIRMAN BRANHAM: Yes, Mr. Gilchrist?

3 MR. GILCHRIST: I just wanna comment and just echo what, I was gonna as you
4 that question, whether or not what we currently have along that corridor would have
5 been classified under GC, so thank you.

6 CHAIRMAN BRANHAM: Alright. No one here on the, in favor of the application,
7 is that correct, Mr. Dennis?

8 MR. DENNIS: That is correct. We've got three signed up against.

9 CHAIRMAN BRANHAM: Okay. And so before we hear from the public are there
10 any other questions for Staff? Alright, Mr. Dennis.

11 MR. DENNIS: Alright, first person we have is Bob Fuller.

12 **TESTIMONY OF ROBERT FULLER:**

13 MR. FULLER: Thank you, Mr. Chairman and Members of the Commission. My
14 name is Robert Fuller, I'm an attorney in Columbia, 1720 Main Street. I'm here this
15 afternoon with representatives of Jim Hudson Automotive Group which occupies and
16 owns adjacent properties. Present with me are Keith Hudson who is a principal of the
17 Automotive Group and Karen Hymes who is the Chief Financial Officer for Jim Hudson
18 Automotive Group. The reason we are here today and have indicated opposition to this
19 site is the impact that it is likely to have upon Jim Hudson Automotive's existing viable
20 properties that front on Trenholm Road. There are two points of entry or easement ways
21 into this 161 acres that is being asked for permission to rezone to general commercial
22 and both of them go through properties of the Jim Hudson Automotive Group. So there
23 is a tremendous potential for impact on the existing investment properties which are two

1 automobile dealerships and additional peripheral properties owned by the Hudson
2 Group at that location. So the not knowing and for one thing what would be actually
3 there, the opening up of 161 acres of general commercial property adjacent to the
4 Automotive Group's properties without having any real indication of what the actual
5 uses would be is a very scary prospect for the investment at Jim Hudson. The
6 properties that feed off of Killian Road would come through the property which is always
7 an active open facility, it has components of retail sales of automobiles, it has parts
8 delivery, it has the motor carriers that bring in new vehicles. There's a tremendous
9 amount of activity immediately adjacent to a portion of this 161 acres, all of which is
10 desired to be rezoned at one time.

11 CHAIRMAN BRANHAM: Okay. Thank you, that's your time. Thank you, Mr.
12 Fuller.

13 MR. FULLER: Thank you.

14 CHAIRMAN BRANHAM: Next.

15 MR. DENNIS: Next we have Keith Hudson.

16 **TESTIMONY OF KEITH HUDSON:**

17 MR. HUDSON: Thank you, my name's Keith Hudson. I'm owner with my father
18 Jim Hudson on these properties that you're looking at here on Killian Road. We just
19 have a concern about, again the property, what it's being utilized for behind us. That
20 current campus which you see we call Killian campus, there's three dealerships there,
21 there's currently about 250 employees that are at that location, very high traffic already.
22 And the concern going through where you see the hand up on the screen, that's
23 currently where that cul de sac ends, and the easement would be coming straight

1 through that property going to the back area. So access, there's a lotta people, the
2 parking lot you see to the, immediately to the right of where your cursor is, that's my
3 employee parking which normally will occupy at least 150 to 60 employees daily in that
4 location. Plus what you heard, a lotta activity coming through with 18 wheelers, when
5 we have inventory they deliver inventories through there, parts trucks, so there's a lot of
6 activity. So our concern, if it's gonna be housing what's gonna be behind us, because
7 we have currently with the three buildings there, I have about \$45m invested in that
8 corner with facilities that we've built and what's there, and certainly we have a lot
9 invested in that corner. So we're just concerned about what's gonna be behind us, what
10 would that use be and how that'll make an impact on the traffic mainly to us being
11 tenants in the front. Thank you.

12 CHAIRMAN BRANHAM: Thank you, Mr. Hudson. Any questions for Mr. Hudson,
13 Mr. Fuller? And then we have one more?

14 MR. DENNIS: Yes, we have Karen Hymes?

15 MS. HYMES: Hymes, I'll pass.

16 MR. GILCHRIST: Mr. Chairman?

17 CHAIRMAN BRANHAM: Yes.

18 MR. GILCHRIST: I have a question for Staff real quick. How many car
19 dealerships do we have along that corridor?

20 MR. PRICE: Mr. DeLage, can you take off the parcel information and zoom out a
21 little bit more or at least slide this over? So if you look at the ones that are adjacent or at
22 least near the subject parcel, we've identified a few. Zoom in a little bit, Tommy. If you
23 go down Killian Road and then take Killian Commons Parkway, let's see, one, two,

1 three, I think there are four along that area. And then if you go along Killian Road near
2 where Killian Road and West Killian Road intersect, near the MUV Fitness center is, I
3 believe there are two car dealerships there. And there is one that's also being proposed
4 at the intersection of Farrow and Clemson Road, that zoning has changed, no longer HI
5 but that parcel is being proposed for a car dealership also.

6 MR. GILCHRIST: Okay. Thank you, Staff. That's all I have, Mr. Chairman.

7 CHAIRMAN BRANHAM: Alright, thank you Mr. Gilchrist.

8 MR. DENNIS: Mr. Chairman?

9 CHAIRMAN BRANHAM: Mr. Dennis?

10 MR. DENNIS: Yes, Hannah Drive and Kiser Hill Road, are those state, county
11 owned?

12 MR. PRICE: County roads.

13 MR. DENNIS: County roads?

14 MR. PRICE: Yes, county roads.

15 MR. GILCHRIST: Mr. Chairman?

16 CHAIRMAN BRANHAM: Yes.

17 MR. GILCHRIST: I'd like to make a motion.

18 CHAIRMAN BRANHAM: Thank you, Mr. Gilchrist.

19 MR. GILCHRIST: I'd like to make a motion that we send Case No. 22-013 MA
20 forward to Council with a recommendation of approval.

21 MR. METTS: Mr. Chair? I have a question.

22 MR. GILCHRIST: I'm sorry. Yes, sir, Mr. Metts.

1 MR. METTS: I wanted to ask, maybe the Applicant can help me out on this, but
2 are all just these corner pieces Hudson property or is it the other one down, that runs
3 along I77, is that also owned by the Applicant? I'm trying to figure out for the easement.

4 CHAIRMAN BRANHAM: The Applicant's not here.

5 MR. METTS: I'm sorry, my bad. Mr. Hudson I guess, if I can ask him. Those
6 easements that were mentioned, I guess we talked about does that go all the way down
7 or – cause if you're asking about Hannah and Kiser Hill, right?

8 MR. DENNIS: Yes, I was.

9 MR. METTS: Okay. So if those are just county roads I'm just wondering where all
10 these easements are and if those are just the two roads that affect his property here or
11 if there are other properties around, you know, the Applicant's piece here for the 161
12 some odd acres.

13 CHAIRMAN BRANHAM: Mr. Fuller or Mr. Hudson, wanna come back to the
14 podium?

15 MR. FULLER: I think I understand your question and can supply the answer for it.
16 If not Mr. Hudson certainly can. The easements come off of Killian Road into the, the
17 roadways come into the Hudson property. The easements extend from the cul de sac
18 end of the road and at the end projection of the secondary road and go through the
19 Hudson property to join up the 161 acres, which is behind the Hudson Automotive
20 Group properties; meaning that the access to the 161 acres comes through a public
21 road for a part of the way, then comes through an easement through the Hudson
22 property to the 161 acre parcel.

23 MR. METTS: Okay.

1 CHAIRMAN BRANHAM: Okay, thank you. Was there another question there?

2 MR. METTS: No, that's all. I just wanted some clarification on that, thanks.

3 MR. PRICE: Yeah, Mr. Chair, I mean –

4 CHAIRMAN BRANHAM: Mr. Price.

5 MR. PRICE: - maybe for your clarification and maybe Mr. Fuller can address this,
6 is there actually an existing legally recorded easement already for this parcel or will the
7 Applicant need to obtain one once the site is developed going through the Jim Hudson
8 property.

9 CHAIRMAN BRANHAM: Mr. Fuller, thanks for coming back to the podium.

10 MR. FULLER: I may just sit here. If there is a recorded easement at each of
11 those locations that go through the Hudson property to join to that parcel, the parcel
12 size itself of course is of concern to this application because it's for the rezoning of the
13 entire 161 acres. But the access routes to get from Killian Road to the parcel through
14 the Hudson's property do exist as recorded easements.

15 CHAIRMAN BRANHAM: Thank you. Mr. Yonke?

16 MR. YONKE: [Inaudible] the map, is there an easement that we know of over by
17 Tractor Supply? I think it's in this property.

18 CHAIRMAN BRANHAM: Mr. Fuller, you've got an opportunity to speak again.

19 MR. FULLER: That is one of the two easements. One comes by Tractor Supply,
20 the other is closer to the interstate.

21 MR. YONKE: Thank you. I was also curious if we had any comments from
22 residents in the area? I remember some cases, if you zoom the map out, [inaudible]
23 kinda maintain that area.

1 MR. PRICE: No, sir. We haven't received any comments from any of the
2 residents. We haven't, and I think maybe the difference is that when we did receive
3 comments for the parcels across the street, that's because they were abutting parcels
4 that were residentially developed versus this one across the street, it's either by some
5 type of industry or undeveloped parcels.

6 CHAIRMAN BRANHAM: Okay. So currently zoned M-1, the application is for GC.
7 Got GC parcels to the north and M-1 parcel to the east along I77. Properties located
8 within an economic development corridor.

9 MR. PRICE: Excuse me, Mr. Chair. You have a motion on the table.

10 CHAIRMAN BRANHAM: Thank you, yes. Mr. Gilchrist had a motion for approval.
11 And so we'll look for a second, is there a second?

12 MR. YONKE: I'll second.

13 CHAIRMAN BRANHAM: We have a second. And the motion is to send this Case
14 22-013 MA –

15 MR. GILCHRIST: Mr. Chairman, if I may?

16 CHAIRMAN BRANHAM: Yes, Mr. Gilchrist.

17 MR. GILCHRIST: I just wanna ask one quick question to Staff. This particular
18 zoning request would allow for more commercial development in that area, is that right?

19 MR. PRICE: That's correct.

20 MR. GILCHRIST: There's been a great concern in this area of the county that
21 there needs to be more economic development in this part of the county, and so I was
22 just curious to know if in fact my interpretation of what this particular zoning request is

1 would indeed fulfill that, so thank you Mr. Price for sharing that with me. Sorry Mr.
2 Chairman.

3 CHAIRMAN BRANHAM: Were you looking to hear from Mr. Price or are you
4 good?

5 MR. GILCHRIST: Oh no, he's answered my question. I guess. Unless you wanna
6 say something else to me.

7 MR. PRICE: No, I just wanna point out because this was also brought up by the
8 Applicant. So the M-1 zoning designation which is light industrial was a carryover from
9 our Code, at least when I started, I wanna say the original Code, it seems like I started
10 when we first adopted zoning. But it was a carry over to our 2005 Code. Unfortunately
11 you can't rezone to it, it's not eligible for anybody to apply for, but it was just allowed to
12 remain. And that light industrial allowed for a number of commercial zoning
13 designations, as I used to kinda deem those kinda like general commercial on steroids
14 because it allowed for a lot of commercial uses but it also allowed for those light
15 industrial uses. But I think maybe what Mr. Gilchrist may have been kind of asking, one
16 of the distinctions between the M-1 and the GC has to do more with residential. So
17 multi-family uses are a permitted use in the GC designation but not in the light industrial.

18 MR. GILCHRIST: Got it. Okay.

19 CHAIRMAN BRANHAM: Alright, thanks. So if nothing further, we have a motion
20 and a second. Alright, Staff if you'll take the vote, please.

21 MR. PRICE: Those in favor, Branham?

22 CHAIRMAN BRANHAM: Aye.

23 MR. PRICE: Dennis?

1 MR. DENNIS: Aye.

2 MR. PRICE: Yonke?

3 MR. YONKE: Aye.

4 MR. PRICE: Carlisle?

5 MR. CARLISLE: No(?).

6 MR. PRICE: Metts?

7 MR. METTS: No.

8 MR. PRICE: Grady?

9 MR. GRADY: Aye.

10 MR. PRICE: Taylor?

11 MR. TAYLOR: Aye.

12 MR. PRICE: Gilchrist?

13 MR. GILCHRIST: Aye.

14 *[Approved: Branham, Dennis, Yonke, Grady, Taylor, Gilchrist; Opposed: Carlisle, Metts;*

15 *Absent: Frierson]*

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

17 CHAIRMAN BRANHAM: Alright, the motion passes 6 to 2 and again, we're a
18 recommending Body so this case will now go up to County Council for a vote. And Staff,
19 I believe this will be our final individual map amendment case, 22-014 MA?

20 **CASE NO. 22-014 MA:**

21 MR. PRICE: Yes, sir. Alright, the next Case is 22-014 MA. The Applicant is
22 Marion Branche. The location is 1140 Cate Road. The Applicant is requesting to rezone
23 4.55 acres from rural to light industrial. Staff's recommendation for this request is for

1 denial; it's not consistent with the objectives of the 2015 Comprehensive Plan for the
2 policy outlined in the Comprehensive Plan limited development using low impact
3 designs to support environmental preservation, tourism, recreation, research, education
4 and active working land uses are recommended. Subdivision of land for commercial and
5 residential development is discouraged within these areas. Again, for these reasons
6 Staff recommends disapproval of this request.

7 CHAIRMAN BRANHAM: Thank you. Any upfront questions for Staff on this
8 case? Mr. Dennis, do we have anyone signed up to speak?

9 MR. DENNIS: We do have the Applicant. Marion Branche.

10 CHAIRMAN BRANHAM: Okay. Whenever you're ready.

11 **TESTIMONY OF MARION BRANCHE:**

12 MR. BRANCHE: Good afternoon, I'm Marion Branche, 1140 Cate Road. I've
13 been in business for 22 years at this location, working with Richland County Highway
14 Patrol. At one time I worked with, like 125 different car companies, picking up cars for
15 them and disposing of them. And my first question since it doesn't seem to be valid that
16 I upgrade my business from rural commercial, rural to L1, can I withdraw my application
17 or it's a done deal since I'm here?

18 CHAIRMAN BRANHAM: Staff, correct me, but I think you can withdraw it.

19 MR. PRICE: Yes, normally at this case most application withdraw prior to the
20 meeting. I believe that since this has occurred, the meeting's already been opened, that
21 it would be up to the Planning Commission on whether to accept the withdrawal request
22 or to proceed on with making a recommendation to Council.

1 CHAIRMAN BRANHAM: Okay. I'll make a motion to accept the Applicant's
2 withdrawal of Case 22-014 MA.

3 MR. GILCHRIST: Second, Mr. Chairman.

4 CHAIRMAN BRANHAM: Moved and seconded. Staff, please take a vote.

5 MR. PRICE: Alright, those in favor of the motion for withdrawal, Branham?

6 CHAIRMAN BRANHAM: Aye.

7 MR. PRICE: Dennis?

8 MR. DENNIS: Aye.

9 MR. PRICE: Yonke?

10 MR. YONKE: Aye.

11 MR. PRICE: Carlisle?

12 MR. CARLISLE: Aye.

13 MR. PRICE: Metts?

14 MR. METTS: Aye.

15 MR. PRICE: Grady?

16 MR. GRADY: Aye.

17 MR. PRICE: Taylor?

18 MR. TAYLOR: Aye.

19 MR. PRICE: Gilchrist?

20 MR. GILCHRIST: Aye.

21 *[Approved: Branham, Dennis, Yonke, Carlisle, Metts, Grady, Taylor, Gilchrist; Absent:*
22 *Frierson]*

23 MR. PRICE: The motion is unanimous.

1 CHAIRMAN BRANHAM: Alright, thank you sir, your application is withdrawn.
2 Okay, nothing further on the individual map amendment applications, is that right?

3 MR. PRICE: That is correct.

4 CHAIRMAN BRANHAM: Okay. Alright, let's see Item No. VIII on our Agenda,
5 Other Items for Discussion. So we've got sub items, let's see, A and B, yeah, just sub
6 items A and B there, so if you'll give me a second, I just wanna say that I proposed
7 these motions after discussion with Assistant County Administrator Jenson as we talked
8 about the best way to go about advancing the conversation as to the text amendments
9 for the Code and as to the zoning map itself. If we take just binding votes kind of that
10 would stand on their own, as soon as we made a recommendation for one thing or
11 another we would, the natural protocol would be for it to go on up to County Council and
12 then they would vote on it. But you know, we're looking at this as a process that's gonna
13 take multiple conversations and a probably a process that's gonna build on itself, and a
14 process that we might also need to reserve the right to go back and modify some things
15 that potentially we thought were, you know, set just based on how things develop.
16 You've got ripple effects going, you know, forwards and backwards potentially as you
17 look at text amendments and things like that. So this motion under A here on Item VIII,
18 that's what that's meant to do, it's meant to create something of a semi living, running
19 ledger of the things that the Planning Commission has voted on by way of the zoning
20 map and proposed text amendments. This would get it into a way that we have it in
21 writing and that we know that we have, you know, a majority support for the item, but it
22 would keep it in a, you know, not yet final state with the intention to conglomerate these
23 things over time with these meetings. And then ultimately once we reach a point in time

1 where we're ready to take a final vote to send a package of recommendations to County
2 Council, that's when we [inaudible]. And I'd like to be able to take interim votes along
3 the way and put those things in writing so that we're all clear on what we have agreed to
4 or the things that we need to factor in as we continue developing our proposed
5 amendments and the zoning map itself. So that's the basis for that motion. And then
6 you'll see here in sub part B there, I do have a first set of specific motions for
7 recommendation that I'd like to have added to the ledger of recommended amendments
8 and zoning maps. But I'd like to have us take votes on each one of these things as they
9 come up so that, you know, we have a good sense of where the majority really does
10 stand on these things. I feel like based on the conversations that we've had in the past
11 that we were ready for the motion that I laid out in sub part B, and again as I indicated
12 earlier, I fully expect that we will have additional motions for additional amendments
13 along the way. We wanna be able to talk about those things openly, especially during
14 our work sessions, but for at least on these initial motions I wanted to go ahead and
15 have them during this regular meeting, so if [inaudible] running ledger created and then
16 be able to utilize it through the work sessions and the other meetings where we discuss
17 these things.

18 MR. PRICE: Mr. Chair?

19 CHAIRMAN BRANHAM: Yes, Mr. Price?

20 MR. PRICE: As this is placed on the Agenda as a motion item and requires
21 action, you would need to actually make a motion for it and get a second and then take
22 a vote for each one.

1 CHAIRMAN BRANHAM: Right, right. So that was my little explanation for why
2 I've made the motions. And the motions are written out there in the Agenda; the first one
3 being a motion to create a running list of recommended changes to the 2021 Land
4 Development Code and zoning map, which will be voted on individually and changes
5 will be added if they receive a majority vote. The ledger will be consolidated into a single
6 agenda item for the Commission's final consideration at the end of the Land
7 Development Code revision process. So that's the motion and yeah, we need a second
8 before we can vote on that.

9 MR. GILCHRIST: Mr. Chairman, before we go to seconds.

10 CHAIRMAN BRANHAM: Yes.

11 MR. GILCHRIST: Are we taking Item A and B separately?

12 CHAIRMAN BRANHAM: Separately, yes.

13 MR. GILCHRIST: Okay. So moved, Mr. Chairman, on Item A.

14 CHAIRMAN BRANHAM: Okay, seconding my motion, is that –

15 MR. GILCHRIST: Oh, you've already made a motion, I'm sorry. I'm sorry, yes.

16 CHAIRMAN BRANHAM: Okay, and Mr. Gilchrist seconds the motion.

17 MR. GILCHRIST: Yeah.

18 CHAIRMAN BRANHAM: Any other debate or discussion before we vote? Okay,
19 Staff if you would take a vote on Item VIII(A).

20 MR. PRICE: Alright, those in favor of Item VIII(A), a motion to create a ledger for
21 the Land Development Code and zoning map. Those in favor, Branham?

22 CHAIRMAN BRANHAM: Aye.

23 MR. PRICE: Dennis?

1 MR. DENNIS: Aye.

2 MR. PRICE: Yonke?

3 MR. YONKE: Aye.

4 MR. PRICE: Carlisle?

5 MR. CARLISLE: Aye.

6 MR. PRICE: Metts?

7 MR. METTS: Aye.

8 MR. PRICE: Grady?

9 MR. GRADY: Aye.

10 MR. PRICE: Taylor?

11 MR. TAYLOR: Aye.

12 MR. PRICE: Gilchrist?

13 MR. GILCHRIST: Aye.

14 *[Approved: Branham, Dennis, Yonke, Carlisle, Metts, Grady, Taylor, Gilchrist; Absent:*
15 *Frierson]*

16 MR. PRICE: Alright, it's unanimous.

17 CHAIRMAN BRANHAM: Alright, thank you. So that motion passes. The second
18 motion is more specific and it is a recommended, it's a motion to add the following four
19 items to the running ledger of recommendations.

20 MR. GILCHRIST: Mr. Chairman?

21 CHAIRMAN BRANHAM: Yes, Mr. Gilchrist?

22 MR. GILCHRIST: And I didn't make it to the last meeting, so if I'm asking a
23 question that's out of turn please let me know. We got a lotta congratulations in here

1 today for some of these recommendations that obviously are still recommendations I
2 think. Nothing has gone to Council, we hadn't voted on it as a Planning Commission, is
3 that right?

4 CHAIRMAN BRANHAM: Right.

5 MR. GILCHRIST: And so I just wanted to, just for the Record, make sure that the
6 public understands that a, number one, we do have a running ledger of these things;
7 number two, as we look to try to figure out how, you know, if in fact these
8 recommendations are something that we will consider in its totality, I was just, I was
9 quite interested in wanting to know, and I guess from the Commission since you guys
10 worked on this the last time or whoever worked on it, if it was you and the Assistant
11 County Administrator, was there a certain area of the county that we looked at to get
12 these recommendations from, or was it from a totality of information that we gathered
13 from comments that we heard from the public?

14 CHAIRMAN BRANHAM: So if I'm the movant, you know, I just asked that they be
15 placed on the Agenda, for speaking just for myself. This was from the, incorporating the
16 general public input that we received, but also my personal review of the 2005 Land
17 Development Code with the current draft of the 2021 Code, looking again at sort of the
18 equivalency table as it were and how the permitted uses from the old districts compared
19 to the proposed equivalent new districts. So based on the prior LDC, the 2005 Code
20 LDC, we had two to four family dwelling units I know in the RM, residential multifamily
21 districts, and under that translation table in the new Code those would be districts R5
22 and R6. And so that's some of the reasoning for my motion to just go ahead and align
23 those things with what I've heard and then, you know, what I feel like, you know, is

1 harmonious with the 2005 Land Development Code and the current will, my own
2 personal consideration of things but also what I heard from public input.

3 MR. GILCHRIST: Okay, and the Commission – thank you for that – the
4 Commission has not had a chance to debate this or –

5 CHAIRMAN BRANHAM: We've debated the topic but we've definitely not
6 debated my motion.

7 MR. GILCHRIST: Okay, alright. Thank you.

8 CHAIRMAN BRANHAM: Yep. Yeah, the last meeting was, it was a good session.
9 Mr. Crooks was extremely helpful in, you know, talking through some of the specifics
10 and some of the potential ramifications of some of the areas that we've been asked to
11 consider. And so thanks, Mr. Crooks, for that. So yeah, any other discussion? I know it
12 was in the amended Agenda so Mr. Gilchrist didn't have a chance to look at it before the
13 meeting.

14 MR. GILCHRIST: Yes, sir. I appreciate that, Mr. Chairman. I apologize I didn't get
15 to -

16 CHAIRMAN BRANHAM: Sounds like everybody else did – Mr. Crooks, you're
17 looking at me, do you have a comment?

18 MR. CROOKS: I was just gonna ask, so in terms of these motions are you
19 looking to take them up all as one motion or are you looking to split the question and
20 take each one of those individually?

21 CHAIRMAN BRANHAM: Yeah, my intent was to split the question. So if we could
22 – I'll just go ahead and just ask if, you know, based on my motion is there a second as

1 to the Agenda Item VIII(B)(1)(i) that is the motion to remove townhome dwellings from
2 the R4 zoning district? Is there a second on that motion?

3 MR. DENNIS: Second.

4 CHAIRMAN BRANHAM: Alright. It's been moved and seconded, so –

5 MR. CROOKS: Mr. Chair, just to clarify –

6 CHAIRMAN BRANHAM: Yes.

7 MR. CROOKS: - this is just to add these to the ledger; so I guess further
8 clarification on that is then going back, evaluating those as part of either work session
9 discussions or I guess, I'm just trying to get an idea procedurally how you're wanting
10 that to work.

11 CHAIRMAN BRANHAM: Yeah. Yeah, that's how it's written on the Agenda is for
12 it to be added to the ledger. So that's what I would, stick with that.

13 MR. CROOKS: Okay.

14 MR. PRICE: Are we just looking to add these items to the ledger or are you
15 actually going to kinda have discussion and vote on replacing – so we won't take this
16 back up again once it's on the ledger.

17 CHAIRMAN BRANHAM: We could, but I just, you know, again I wanna try to
18 have the opportunity for the Commission to express, to help us figure out where the
19 majority is on certain issues and see if we can find consensus there if we're ready to
20 add it to the ledger. And if not it can just sit and we can take it up later, we can always
21 revisit things if we need to.

22 MR. GILCHRIST: Mr. Chairman, if I may?

23 CHAIRMAN BRANHAM: Yes, Mr. Gilchrist.

1 MR. GILCHRIST: I think the Chairman mentioned that this would be a running
2 ledger, is that right?

3 CHAIRMAN BRANHAM: Right.

4 MR. GILCHRIST: So, which will give us the ability to go back and make
5 modifications, is that correct?

6 CHAIRMAN BRANHAM: Yes.

7 MR. GILCHRIST: Mr. Price, I think Chairman just clarified for you. Mr. Chairman,
8 Chairman Branham did mention that this was a running ledger that would allow us to be
9 able to go back and make any additional adjustments if needed.

10 MR. PRICE: Right. I'm sure throughout the process, as I said, once we add these
11 to the ledger before we take final action on what's going to be forwarded to County
12 Council, we'll probably go back and look at these individually again, what's in the ledger,
13 to ensure that's the will of the Planning Commission.

14 CHAIRMAN BRANHAM: Yeah, again, I think sometimes to facilitate discussion
15 it's easier just to have something in writing that we can discuss specifically and react to
16 versus, you know, just talking about a general topic. We're just trying to advance the
17 conversation where I feel like the Commission might be ready to advance it, so.

18 MR. YONKE: Mr. Chair?

19 CHAIRMAN BRANHAM: Yes.

20 MR. YONKE: Just to paraphrase, my understanding this is a running list that we
21 would put together each time we're able to meet and able to vote. And then at the end
22 take that consolidated list, always have the opportunity to look at it again, but make one
23 big final vote before we send it to Council, right?

1 CHAIRMAN BRANHAM: Yes.

2 MR. YONKE: We can send this out to the public as we go, maybe on the
3 website, that we're making these motions and moving in this direction.

4 CHAIRMAN BRANHAM: Yeah, I hope it'll help, like both the Commission and the
5 public track where we are with the process.

6 MR. PRICE: Alright. We do have a motion on the floor also.

7 CHAIRMAN BRANHAM: We still have a motion and we still haven't had a
8 second, right?

9 MR. PRICE: You had a second from Mr. Dennis.

10 CHAIRMAN BRANHAM: Oh, I got the second, okay. And then Mr. Jenson wants
11 to be heard.

12 MR. JENSON: Thank you, if I may Mr. Chair. Thank you. Eric Jenson, ACA for
13 the Record. Very briefly, the way it's been done in other jurisdictions is very similar to
14 what you just elucidated, that essentially it is exactly that, it is a running ledger of things
15 that Commission has built a consensus on that should happen. But what happens at the
16 end, the text actually has to be written up and brought back to the Body for final
17 approval. In other words at this point here you do not have the actual language of the
18 change in front of you, you are just simply saying, Staff this is the direction that the
19 Commission wants to head at this point, go forth and draft the text and bring it back to
20 us at the end. So that is exactly what you're doing.

21 CHAIRMAN BRANHAM: Any questions for Mr. Jenson while he's at the podium?
22 Okay. Alright, well thank you. So that's the motion, that's the second. I hope there's
23 clarification there. I mean, it's certainly something none of us have engaged in before,

1 this process, so just doing our best, wanna give something a try and hope it just
2 advances things because inasmuch as we do want to take the time requisite to do the
3 job right, we do wanna make progress, we don't wanna be treading water indefinitely.
4 Alright, so the motion is up for vote which is that (B)(1)(i), the motion as to townhouse
5 dwellings, have townhouse dwellings removed from the R4 zoning district as a
6 permitted use. Staff, if you would take the vote.

7 MR. PRICE: Those in favor, Branham?

8 CHAIRMAN BRANHAM: Aye.

9 MR. PRICE: Dennis?

10 MR. DENNIS: Aye.

11 MR. PRICE: Yonke?

12 MR. YONKE: Aye.

13 MR. PRICE: Carlisle?

14 MR. CARLISLE: Aye.

15 MR. PRICE: Metts?

16 MR. METTS: Aye.

17 MR. PRICE: Grady?

18 MR. GRADY: No.

19 MR. PRICE: Taylor?

20 MR. TAYLOR: Aye.

21 MR. PRICE: Gilchrist?

22 MR. GILCHRIST: I will be abstaining since I was not present at the last meeting.

23 So I will be abstaining.

1 *[Approved: Branham, Dennis, Yonke, Carlisle, Metts, Taylor; Opposed: Grady;*
2 *Abstained: Gilchrist; Absent: Frierson]*

3 CHAIRMAN BRANHAM: Alright, thank you. The motion passes and the next one
4 on the Agenda is as to two family dwellings, move to recommend removal of two family
5 dwellings from R2, R3, R4 and CC1 zoning districts. That's the motion, is there a
6 second?

7 MR. PRICE: Mr. Chair?

8 CHAIRMAN BRANHAM: Yes.

9 MR. PRICE: Looking at this, one of the things I wanna point out, that in doing the
10 Land Development Code there were a couple of zoning designations that we had where
11 there weren't any changes. We kept all PDDs as they were, again those have already
12 been approved by Council so none of the PDDs were changed. And the same thing,
13 hopefully I'm correct in saying this, that none of the changes were made to PDDs and
14 the same thing goes with the Master Plans. In this particular case the Crane Creek is
15 part of what was a master planned area and so those changes were not, no changes
16 were made to that designation either. So it's kind of I guess a recommendation of Staff
17 that as you go forward with items 2, 3, and 4, that any action you take remove CC1 from
18 your discussion and really just deal with the new proposed zoning designations of the
19 new Land Development Code.

20 CHAIRMAN BRANHAM: Any discussion on that? What was the difference, you
21 had CC1 and then you have CC2?

22 MR. PRICE: CC1, 2, 3 and 4. And I think I'll leave any of those questions with Mr.
23 Crooks and also the Planning Services area, they're very familiar with the Master Plan.

1 CHAIRMAN BRANHAM: So the two to four family dwelling units were permitted
2 under the CC1 district for Crane Creek Master Plan?

3 MR. CROOKS: Yes, so those are currently cause of the way that that district is
4 set up it's a little bit different than the normal zoning districts. So that would be
5 considered a building type within that and that's already allowed within that district.
6 Within the 2005 Code.

7 CHAIRMAN BRANHAM: Well, like we said it's a running ledger, that's the
8 proposal so I'm happy to amend my motions to remove the CC1 zoning district
9 references for those (B)(1)(2)(3) and (4).

10 MR. YONKE: Mr. Chair?

11 CHAIRMAN BRANHAM: Mr. Yonke?

12 MR. YONKE: On our screen we have the Land Development Code rewrite, the
13 cover page. I believe there's a table that shows with a townhouse, two families, flip to
14 that page so we can have that up? The permitted table? Thank you.

15 CHAIRMAN BRANHAM: CC1 – this is the 2021 version.

16 MR. YONKE: [Inaudible] I don't see a P there, permitted. Mr. Crooks [inaudible]?

17 MR. CROOKS: That looks like, yeah it looks like it's missing a P there, Mr.
18 Yonke.

19 MR. YONKE: Alright, so you see –

20 MR. CROOKS: So I guess what I was referencing is the 2005 Code is that
21 building type, it allows for several different uses within it. And so the CC district in the
22 2005 Code is a true mixed use district so it allows for multiple use types. So that use
23 activity, it allows for certain building types within that, then which would allow for

1 townhomes, things of that nature within that CC1, CC2, CC3, CC4, so it's a more, it's
2 more of a form based zoning district than a Euclidian standard like most of our other
3 districts are.

4 MR. YONKE: Just Mr. Price said CC1 wasn't changing from 2005.

5 MR. CROOKS: It's not supposed to, that was one of the ones that, so this is just
6 one of those where oversight at that point, so.

7 MR. DENNIS: Mr. Chairman?

8 CHAIRMAN BRANHAM: Mr. Dennis?

9 MR. DENNIS: According to CC1 on our old one, it's not, it does not have, it says,
10 dwellings, conventional or modular, multifamily not otherwise listed, it is not permitted in
11 CC1. On that table. So how did we get it permitted in CC1 on the other table then?

12 CHAIRMAN BRANHAM: Mr. Grady?

13 MR. GRADY: Yeah, I believe that this stems from there's been some
14 terminological confusion and I think this, you know, rely on my past experience in the
15 housing regulatory space, when something says multifamily that typically refers to a
16 building of five or more units because that is the way that the federal [inaudible].
17 [Inaudible] Sorry, I believe that when that document refers to multifamily it would refer to
18 a building of five or more housing units as opposed to any number more than one. I
19 think that's come up [inaudible].

20 CHAIRMAN BRANHAM: The comment was that the 2005 Land Development
21 Code did not permit multifamily dwellings in the CC1 district, but multi family was
22 defined as five family dwellings and greater. Is that right, Mr. Grady?

23 MR. GRADY: That is my understanding, yes Mr. Chair.

1 CHAIRMAN BRANHAM: Mr. Dennis?

2 MR. DENNIS: Yes, when you flip the page over it does have a two family
3 category and it's not permitted in that one either. So townhomes can be two family.

4 CHAIRMAN BRANHAM: So the permitted use chart as drafted in the 2021 Code
5 then does seem to match the permitted use chart in the 2005 Code?

6 MR. DENNIS: No. I don't think it does.

7 MR. CROOKS: So Mr. Chair? I think –

8 CHAIRMAN BRANHAM: Mr. Crooks?

9 MR. CROOKS: - one of these – so one of the things I hear is I think in part
10 consolidation of uses. So where previously we have zero lot line common as a specific
11 use versus as a standard, so with the 2021 Code that is a more specific standard and
12 so that use was in part consolidated, so zero lot line common, zero lot line common was
13 consolidated with duplexes. So that use, and particularly zero lot line common, is
14 allowed in CC1, but duplex use specifically was not in the 2005 Code. So there's some
15 distinctions that need to be clarified there related to those uses. And what I was also
16 referencing was those building types as well, and so CC1, again how we're looking at
17 some of that and I'd say terminology is going to have some effect on that as well. But
18 from the use table perspective, Mr. Dennis is correct where duplex specifically in the
19 2005 Code is not noted, but a zero lot line common is. But in the 2021 Code that zero
20 lot line common was consolidated into duplex, so just kinda pointing some of those
21 things out there, but I think from, as this being a running ledger I think this is one of the
22 things that we can discuss going forward from Staff's perspective to point out some of

1 those things as y'all retake this item up or discuss them in work sessions, what have
2 you.

3 CHAIRMAN BRANHAM: Yeah. So that was single family zero lot line common. Is
4 that –

5 MR. CROOKS: That's the use that I'm referencing, yes.

6 MR. PRICE: Does anybody have any questions about the term single family
7 common zero lot line?

8 CHAIRMAN BRANHAM: Is that effectively a townhouse?

9 MR. PRICE: Okay, zero lot line common, they're along the lines of what you
10 would see as a duplex. So if you're riding down the street, for example, and you see two
11 dwelling units and they're attached, a lotta times people say that's a duplex. The
12 difference is when you have zero lot line common it may look like a duplex but
13 technically they're on two separate parcels. And that's one of the defining differences
14 between a duplex and a zero lot line common structure. Would it allow townhomes? No,
15 because part of the requirements for a zero lot line common is that there be a setback
16 from the adjacent property line, from the other property line, so you won't have units,
17 more than two units connected.

18 CHAIRMAN BRANHAM: Well, I mean, we can vote on that now or I can amend
19 my motion to remove the CC1 zoning district for the time being and we can take that up
20 later? So that's what I'd like to do, I'd like to amend my motion so sub parts 2, 3, and 4,
21 to remove reference to CC1 zoning districts.

1 MR. PRICE: Okay Mr. Chair, I also wanna point out that the CC1 zoning
2 designation is exclusive for the Crane Creek master planned area so someone can't
3 come in and just say, I wanna do CC1 and allow the uses within there.

4 CHAIRMAN BRANHAM: Okay. Alright, so that's my newly amended motion, is
5 for (B)(I)(2) so I'll just renew that motion with the amendment and ask for a second on it.

6 MR. YONKE: Second.

7 CHAIRMAN BRANHAM: Alright, this is VIII(B)(I)(ii), so the motion is to
8 recommend removal of two family dwellings from R2, R3 and R4 zoning districts.

9 MR. TAYLOR(?): Second.

10 CHAIRMAN BRANHAM: Alright, thank you. It's been moved and seconded. Staff,
11 would you please take a vote on this motion?

12 MR. PRICE: Okay, thank you. 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: Carlisle?

19 MR. CARLISLE: Aye.

20 MR. PRICE: Metts?

21 MR. METTS: Aye.

22 MR. PRICE: Grady?

23 MR. GRADY: No.

1 MR. PRICE: Taylor?

2 MR. TAYLOR: Aye.

3 MR. PRICE: Gilchrist?

4 MR. GILCHRIST: I'm abstaining due to the fact that I was not at the last meeting.

5 *[Approved: Branham, Dennis, Yonke, Carlisle, Metts, Taylor; Opposed: Grady;*

6 *Abstained: Gilchrist; Absent: Frierson]*

7 CHAIRMAN BRANHAM: Okay. Thank you. Motion passes. So now (B)(I)(3), this
8 is my motion to recommend removal of three family dwellings from R2, R3 and R4
9 zoning districts. That's the motion, is there a second?

10 MR. DENNIS: Second.

11 CHAIRMAN BRANHAM: Alright, moved and seconded. Any discussion? Alright,
12 Staff if you'll please take the vote.

13 MR. PRICE: Alright, 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: Carlisle?

20 MR. CARLISLE: Aye.

21 MR. PRICE: Metts?

22 MR. METTS: Aye.

23 MR. PRICE: Grady?

1 MR. GRADY: No.

2 MR. PRICE: Taylor?

3 MR. TAYLOR: Aye.

4 MR. PRICE: Gilchrist?

5 MR. GILCHRIST: Aye.

6 *[Approved: Branham, Dennis, Yonke, Carlisle, Metts, Taylor; Opposed: Grady;*

7 *Abstained: Gilchrist; Absent: Frierson]*

8 CHAIRMAN BRANHAM: Thank you.

9 MR. PRICE: Okay, that motion passes.

10 CHAIRMAN BRANHAM: Okay, thank you. Motion passes. And then finally, this is
11 my motion to recommend removal of four family dwellings from R2, R3, and R4 zoning
12 districts. Is there a second?

13 MR. YONKE: Second.

14 CHAIRMAN BRANHAM: Alright, moved and seconded. Any discussion? Okay,
15 Staff if you would please take a vote.

16 MR. PRICE: Who seconded that?

17 CHAIRMAN BRANHAM: Yonke.

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

19 CHAIRMAN BRANHAM: Aye.

20 MR. PRICE: Dennis?

21 MR. DENNIS: Aye.

22 MR. PRICE: Yonke?

23 MR. YONKE: Aye.

1 MR. PRICE: Carlisle?

2 MR. CARLISLE: Aye.

3 MR. PRICE: Metts?

4 MR. METTS: Aye.

5 MR. PRICE: Grady?

6 MR. GRADY: No.

7 MR. PRICE: Taylor?

8 MR. TAYLOR: Aye.

9 MR. PRICE: Gilchrist?

10 MR. GILCHRIST: Abstained.

11 *[Approved: Branham, Dennis, Yonke, Carlisle, Metts, Taylor; Opposed: Grady;*

12 *Abstained: Gilchrist; Absent: Frierson]*

13 CHAIRMAN BRANHAM: Alright, thank you. Motion passes 6/1. And now on to
14 Item No. IX, Other Items for Discussion. This is a motion by Councilwoman Newton.
15 Would anyone on Staff like to introduce the motion?

16 MR. CROOKS: Sure. So this was a motion that was put forth by Ms. Newton
17 back in I believe it was July, and then moved forward to the Development and Services
18 Committee. I believe sometime, I'm gonna say, Mr. Jenson may be able to correct me
19 here, in I believe sometime February/March, it was determined that because of its
20 relation to needing to – depending on what the action came about it was – would need
21 to go before Planning Commission, and because it dealt with the continual planning
22 program that Planning Commission has, that it should come before this Body for a
23 recommendation also. So just to kinda go over the motion, it's to move to direct Staff to

1 evaluate current zoning laws that permit zoning designations for large residential
2 developments to remain in perpetuity and present options to reevaluate and/or rezone
3 those properties if they are not developed within seven years. The recommendation
4 should include processes to ensure that zoning and the Comprehensive Plan remain
5 consistent with the live character of the community. So that was the motion and this, so
6 the Commission received the briefing document, I will say it is the abridged briefing
7 document, so it did not include a couple of attachments which were the State Planning
8 Act, the Comp Plan and the land use planning, so just figured that most of the
9 Commissioners probably had some of that information already, but also to cut down on
10 the 400 and something page document that it was otherwise. So Staff's
11 recommendation for this was to take no action in regards to the proposed motion and
12 continue with the current initiatives and processes in conducting continual planning
13 program for the county. So really what that relates to was at the time continue on with
14 the mapping process as it was moving forward, which could address in part some of
15 those inconsistencies, but also to, as part of say the five year evaluation and/or the new
16 update of the Comp Plan reevaluate areas and see where have we approved, or
17 Council rather, where has Council approved, say going back within that 10 year period,
18 where has Council approved rezoning requests, map amendments, where has
19 development taken place or not taken place. But also part of our recommendation was
20 that approval, consistent or not consistent with the Comp Plan, cause that's really kind
21 of where a lot of the basis for Staff is coming from as part of this recommendation is, if
22 something was consistent with the Plan and it was approved, it's still consistent with the
23 Plan. If it was something that was not consistent and there was no necessary, you

1 know, specific rationale for why that approval went forward, that's one of those where
2 then, okay it makes sense to go back, reevaluate should that be proactively rezoned to
3 another district, whether that was what it was previously or to something as well, versus
4 just, okay that was rezoned 10 years ago, no one started development being that site or
5 not, but that approval is still consistent. So that's kind of where we were coming from as
6 it relates to our recommendation. And there's a couple of things within that briefing
7 document obviously that goes in a little bit more detail in terms of this; one is you can't
8 have, like you know, an automatic motion that something automatically reverts. That's
9 one thing here, Council has to approve that final motion no matter what, go through you
10 know, that motion can be enacted in terms of brought forward to Council, and then also
11 kind of within the briefing document details, the variety of say concerns, issues, but also
12 the comments for consideration that we as Staff brought forward related to this. So
13 things related to consistency, things related to looking at the future land use map, things
14 that you could include related to that, as well as the planning process that Planning
15 Commission was conducting at the time, is conducting now, related to this. And just for
16 clarification, so the briefing document itself was from the September 28, 2021
17 Development and Services Committee, so that agenda item is there, the briefing
18 document, the corresponding materials are all gonna be found in part of that agenda.

19 CHAIRMAN BRANHAM: This motion's been around since before September
20 2021?

21 MR. CROOKS: Looks like it was made at the July 13th meeting. The September
22 28th would've been the next Committee meeting, so Council doesn't have committees in

1 August and so that July 13th meeting, that September 28th would've been the next
2 available day for the item.

3 CHAIRMAN BRANHAM: Okay. Is there anything in the currently adopted 2021
4 Land Development Code that, like approximates this at all?

5 MR. CROOKS: I'm sorry, Mr. Chairman, could you repeat that?

6 CHAIRMAN BRANHAM: Is there anything in the 2021 currently adopted Land
7 Development Code that approximates what she's referenced in this motion at all?

8 MR. CROOKS: I'd say not specifically. So in terms of the Land Development
9 Code, you still wouldn't be able to create an automatic reversal of a previous approval.
10 It's still, there's nothing that can actively say, hey it's been seven years, this thing hasn't
11 been developed, it's automatically gonna change back to whatever it was. There would
12 have to be either a motion brought back by, say County Council, this Commission or
13 initiated by the County Administrator or Planning Staff to then bring that motion back
14 before the process. So that includes recommendation from Staff, recommendation from
15 this Body, and then the approval of County Council specifically to then revert that. So
16 there's nothing that automatically says, hey this thing sure, you know, there could be a
17 process that gets established that does that to create that, but I think from Staff's
18 perspective that doesn't make sense. That's not necessarily I'd say good planning in a
19 way, and so there's nothing explicit that does this in the 2021 Land Development Code.
20 Staff's not necessarily aware of any automatic mechanism that could go ahead and
21 trigger this, but I think what we, after various meetings and discussions, have noted to
22 the Committee was that, you know, we can note as part of the Plan itself, so the Comp
23 Plan that is part of the review we go back a period years, look at things and then bring

1 that back to the Commission and Council's attention. But I don't think in terms of Staff's
2 point of view that there's anything that specifically, you know, hey it's been x period of
3 time, nothing's been done, we're gonna bring back a case that automatically rezones
4 this to whatever it was. And then has to go through that process.

5 CHAIRMAN BRANHAM: We're not asked to take any action today, right?

6 MR. CROOKS: No, sir.

7 CHAIRMAN BRANHAM: Yeah. So we're just talking and we can talk about it
8 more later.

9 MR. JENSON: Mr. Chair? May I be recognized?

10 CHAIRMAN BRANHAM: Yes, Mr. Jenson?

11 MR. JENSON: Thank you. Very simply, the, you know, South Carolina Code
12 requires us to review the Comprehensive Plan every five years. And this should just be
13 a standard part of reviewing it, to look at properties that are zoned and is the zoning
14 appropriate, does it match up with the county's vision at that time that the
15 Comprehensive Plan is revisited? And it's a very simple process to do. You just simply
16 put it in your checklist of things to do when you update and review your Comprehensive
17 Plan. So that's really all that needs to be done.

18 CHAIRMAN BRANHAM: Thank you. I mean, as I indicated earlier we can talk
19 about this more later, it's not an action on today's Agenda but thank you for the kind of
20 initial introduction to the issue and the motion. Is there anything else that the
21 Commission has on this item? Mr. Dennis?

22 MR. DENNIS: Yeah, I got one. I read it in depth so I gotta get my thoughts out
23 there, sorry. But it shouldn't take that long. So when I read this I began immediately

1 thinking about when you buy a piece of property up near a lake that hasn't been
2 developed and you're getting ready to put a dock on it and you get the permit from
3 Dominion now, you get the permit from Dominion and you get your plans approved and
4 you got five years to do it. And that five years if you have not put your house on there
5 and you have not done your dock you gotta resubmit everything and get it approved
6 again. So that's kinda how I was looking at this, I think it's a good idea but I do think
7 what Mr. Jenson said, adding that to our Comprehensive Plan to relook every five years
8 and seeing if we are trying to go out in that area. I think this does help us prevent
9 haphazard development. If we approve something and a couple years go down the road
10 and in-between where it's approved it's starting to change and our Comp Plan changes,
11 it allows us to go in a different route, cause if somebody's really looking to rezone 150
12 acres to do a residential subdivision but they don't do anything, they can't get it done,
13 then we need to look at how we can utilize that in the future for different development.
14 The only problem is a lotta these things that I see in development is, and I just got an
15 email not too long ago, last week, is that DHEC is now taking 17 to 23 weeks to approve
16 septic tanks. So I mean, you know, when you start looking at it, there's other agencies
17 out there that hinder development and there's certain agencies out there that help
18 development. And if we're gonna put a timeline on something I think we need to look at
19 the process of developing something from when you buy it, rezone it, all the way
20 through to ensure that we give people the amount of time that they need to develop a
21 piece of land. And that's just kinda what I got from it when I read it over the weekend, so
22 I just kinda wanted my thoughts to be out there and just give everybody kind of how I

1 was thinking, so in the future when we do take this up you guys might take something
2 away from it and help me figure it out.

3 CHAIRMAN BRANHAM: Thank you. Yes, Mr. Grady?

4 MR. GRADY: Yes. I guess this is a question for Staff. So is this language as
5 written, is this exactly how Councilwoman Newton phrased her motion last year?

6 MR. CROOKS: The motion of origin? Yes, sir, Dr. Grady, that is the motion
7 language specifically, yes.

8 MR. GRADY: Okay. Cause I would just put out there for consideration that there
9 are two terms in here that are very nebulous; the first one being large residential
10 developments, we would need to define what that entails, whether that's in acreage,
11 whether that's on number of proposed units, things of that sort. And the second one is
12 obviously live character of the community, I think depending on where you go you could
13 ask 10 people in a neighborhood what they think of their community and you could get
14 10 different answers. So we would need to identify some I think clearer language if we
15 were going to consider a motion of this sort to define exactly how we would evaluate live
16 character of the community. That's all I have.

17 CHAIRMAN BRANHAM: Thank you, yeah good calls outs. Just make sure that
18 was heard and we should probably look to better define large residential developments
19 and a reference of live character of the community in the motion. Okay. Yeah, we'll talk
20 about it as we prepare the next meeting agenda, we'll look at what we need to do with
21 that agenda item. Anything else on Item IX there? Okay. And Item X is the Chairman's
22 Report. So thank you to Staff for advancing the preparation of the Minutes from prior
23 meetings so we'd have those to be able to vote and adopt those. What additional

1 update can we get as far as both getting those transcribed and then also uploaded to
2 the county's website?

3 MR. PRICE: Right now we're working with our transcriptionist on some older
4 Minutes that we've had, at least more recent ones. There was an issue, again I think I
5 may have stated before, on converting those from one format to another as their ability
6 to be able to transcribe those, but that has been worked out now. And so what we're
7 doing is we're going through and ensuring that all of the Minutes that we have are being
8 transcribed have been approved by the Planning Commission and are being put on the
9 server. I think if you look right now there've been a number of updates to the webpage
10 that have the Minutes from past meetings. There aren't a lot from 2022, but I believe the
11 ones that you've approved today will shortly be placed on there and then we'll work on
12 getting the other ones on there also.

13 CHAIRMAN BRANHAM: Other than the ones we approved today are there any
14 other sets that we've already approved but that are not yet uploaded?

15 MR. PRICE: Not for 2022.

16 CHAIRMAN BRANHAM: But maybe for 2021?

17 MR. PRICE: I think there are two months, and I don't have them directly in front
18 of me, which are being worked on for 2021, cause I believe all of those have been
19 approved except for two.

20 CHAIRMAN BRANHAM: All of 2021's been approved except for two?

21 MR. PRICE: Except for two. And again, once we get those we can bring those
22 forward to the Planning Commission.

1 CHAIRMAN BRANHAM: Yeah. I'm trying to think through how that's gonna go if
2 there's some turnover.

3 MR. PRICE: Well, I'll be happy to talk about that under the next item, the
4 Planning Director's Report.

5 CHAIRMAN BRANHAM: Alright.

6 MR. DENNIS: Mr. Chair?

7 CHAIRMAN BRANHAM: Yes, Mr. Dennis?

8 MR. DENNIS: Yeah, on the Minutes I do have a question about those. I know we
9 started videotaping a lot of these and I know you can go to YouTube and you can
10 search them, but sometimes they're hard. Is there also a way for us to put a link in the
11 Minutes section to which ones that we record so that they can also pull up the recording
12 from YouTube, like a quick line? I mean, I know it's not required by law but I was just
13 curious if it could be done.

14 MR. PRICE: Anything that we can do to make it more convenient for people we
15 can, but –

16 MR. CROOKS: I was gonna say, we can talk about that in the next item, too, or
17 also, in relation to some of the restart stuff. I was gonna point some of those things out,
18 but yeah.

19 CHAIRMAN BRANHAM: Oh, well good. Otherwise just, you know, thank you all
20 for all of your hard yards in this work, both Staff and the Commission, obviously
21 ongoing, gonna have a work session right after this. Hopefully somebody brought some
22 Gatorade or something, I don't know. But anyway, without further ado let's just go
23 ahead and move on to Planning Director's Report.

1 MR. PRICE: Kind of to jump on with what we were just talking about, some years
2 ago we had an issue, it was more with the Board of Zoning Appeals, where we had a
3 turnover but yet you had Minutes that couldn't be, you know, you can argue they
4 couldn't be approved because everybody wasn't there. So we talked to our Legal
5 Department regarding that. You are not required to be present in order to vote on the
6 Minutes, because what you're actually doing is you're really reading through them and
7 based on the content that you see anything that just kind of stands out and you may not
8 have been at the meeting. And we had to, that approach essentially had to be taken by,
9 I think from our Legal Department to us because I think one of the things, as you
10 pointed out, you could have a quick turnover and so the question becomes, well if
11 everybody's gone who was present at the meeting what happens to those Minutes?
12 Does that mean they just never get approved or, you know, so what was said to us is
13 that even if you weren't there you can read those and you can vote based on the
14 content of the Minutes.

15 CHAIRMAN BRANHAM: Alright. We might like to have a county attorney present
16 if it comes to a situation like that.

17 MR. PRICE: Yeah.

18 CHAIRMAN BRANHAM: Look back over the Rules of Procedure as well.

19 MR. PRICE: Yeah, I'll be happy, you know, to have them come – well
20 unfortunately we've had a turnover there so, but no I believe one of the county attorneys
21 who was present during that time is still here, but we can get any of the attorneys to
22 come in and speak on that.

23 CHAIRMAN BRANHAM: Okay. What else do you have, Mr. Price?

1 MR. CROOKS: Tommy, could you go to the Planning homepage for me, please
2 sir? I just wanted to point out, so I think some of the things that we talked about at the
3 work session as well as some of the other meetings is kind of how do we showcase
4 some of the information related to the restart process.

5 CHAIRMAN BRANHAM: Thank you, Mr. Crooks.

6 MR. CROOKS: Yeah, so what we've done here is we've tried to kinda lay this out
7 as best we can with as much information as we can. So one of the things here is
8 anything that's gonna be related to the restart you're gonna be able to find it on this
9 webpage, it may not be as up to date at the moment, but kind of as we have meetings,
10 as we have things come about, there's gonna be that information here. So if you look at
11 it you've got, you know, four real columns here where one of the columns is gonna be
12 everything related to news so whenever there's a press release or any type of
13 informational send out that we have, you'll be able to find that linked information back
14 here. Same way with meetings, so whether that's gonna be a Planning Commission
15 meeting, whether that's gonna be a Planning Commission work session or County
16 Council meeting or work session, be able to find that here. So as you see on here you'll
17 have a date and then you'll have whoever it was, so that first portion of that should be
18 the agenda, that second portion of that is going to be the YouTube link. So as I kind of
19 alluded to Mr. Dennis' question, you know, we're kind of doing that in a way but it's not
20 gonna be related on the Minutes page. So this is kinda gonna take you back and forth to
21 some of those things, it's not gonna take you to the page it's gonna take you to that
22 thing directly, but it's all kinda there at one place. Same way whenever we have
23 presentation of information, same way as we're doing work products. So for instance,

1 the running ledger, you know, once that's created, once that's all put together, it would
2 go here under work products so that way it's there, it's available to review, etc. So kind
3 of everything that we're doing that's related to the restart process, trying to host that
4 information here where it's all consolidated in one place versus kind of scattered about
5 in events and news, planning page, etc. So it's all there in one location for ease of
6 access for the public, for the Commission, for whoever's trying to access that
7 information. So that was one of the things we wanted to mention cause I know that's
8 something that had been brought up a couple times and so we had, here's kind of what
9 we have come up with in relation to this, trying to keep it simple but keep it relatively
10 accessible, all kind of in one place versus kind of buried in a couple different locations.

11 CHAIRMAN BRANHAM: [Inaudible]

12 MR. CROOKS: Yes. So that was gonna be the other thing, so I'm not sure if all
13 the Commissioners know at this point but today's gonna be my last day with the
14 Commission so last meeting with you guys. So I just wanted to say thank you for your
15 time and thanks for helping me plan with Richland County in the last five years, so. But
16 it's been good, it's been a good time, there's been ups, there's been downs, so but
17 appreciate working with you guys.

18 CHAIRMAN BRANHAM: Yeah, thank you. I learned a lot from you, you've been a
19 tremendous resource. You're obviously the resident expert on this 2021 draft and just
20 wish you all the best. Our sincere thanks to you.

21 MR. CROOKS: That's all we've got for that item, Mr. Chair.

1 CHAIRMAN BRANHAM: Okay. Alright, if there's nothing further the Chair will
2 entertain a motion to adjourn and then we'll look to restart our, or start our work session
3 maybe 10 minutes or so thereafter.

4 MR. GILCHRIST: So moved, Mr. Chairman.

5 CHAIRMAN BRANHAM: Motion to adjourn. Second?

6 MR. DENNIS: Second.

7 CHAIRMAN BRANHAM: Seconded. Let's take a vote by a show of hands,
8 please? In favor?

9 *[Approved: Branham, Dennis, Yonke, Carlisle, Metts, Grady, Taylor, Gilchrist; Absent:*
10 *Frierson]*

11 CHAIRMAN BRANHAM: Unanimous. Alright, we adjourned, thank you.

12

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[Meeting adjourned]