

**RICHLAND COUNTY PLANNING COMMISSION**  
**September 8, 2022**

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

7  
8 Called to order: \_\_\_\_\_

9 CHAIRMAN BRANHAM: Are y'all ready?

10 MR. DELAGE: Yes, sir, Mr. Chairman.

11 CHAIRMAN BRANHAM: Okay. Alright, good afternoon ladies and gentlemen. I'm  
12 gonna go ahead and call this meeting to order. This is the meeting of the Richland  
13 County Planning Commission. Today is Thursday, September 8<sup>th</sup>, 2022. And I'm Jason  
14 Branham, the Chair of the Commission. Staff, would you please confirm the following:  
15 that In accordance with the Freedom of Information Act a copy of the Agenda was sent  
16 to the news media, persons requesting notification, and posted on the bulletin board  
17 located in the County administration building. Is that correct?

18 MR. PRICE: That is correct.

19 CHAIRMAN BRANHAM: Alright, thank you. Ladies and gentlemen, as a reminder  
20 the Planning Commission makes recommendations to County Council as to whether to  
21 approve or deny zoning map amendments and whether to amend the text of the  
22 County's Land Development Code. County Council will conduct its own public hearing  
23 and take official votes to approve or deny map amendments and text amendments on a  
24 future date to be published by the County. The Council typically holds zoning public  
25 hearings on the fourth Tuesday of the month, so please check the County's website for  
26 updated agendas, dates and times. And also please take note of the following  
27 guidelines for today's meeting. Turn off or silence any cell phones. Audience members

1 may quietly come and go as needed. Applicants are allowed up to two minutes to make  
2 statements. Citizens signed up to speak are allowed up to two minutes each.

3 Redundant comments should be minimized. Only address remarks to the Commission.

4 Don't expect the Commission to respond to questions from the speakers in a back and  
5 forth style, that's not the purpose of this meeting. No audience and speaker exchanges.

6 No audience demonstrations or other disruptions to the meeting are permitted, nor are  
7 comments from anyone other than the speaker at the podium. Please remember the

8 meeting is being recorded. Please speak into the microphone and give your name and

9 address. Abusive language is inappropriate and will not be tolerated. Please don't voice

10 displeasure or frustration at a recommendation while the Planning Commission is still

11 conducting business. If you have any questions or concerns you may contact the

12 Richland County Planning Department Staff. And at this time, Mr. Price, could you go

13 ahead and conduct a roll call vote of the Commission? Or just a roll call of the

14 Commission.

15 MR. PRICE: Okay. Roll call, Siercks?

16 MR. SIERCKS: Here.

17 MR. PRICE: Taylor?

18 MR. TAYLOR: [Inaudible].

19 MR. PRICE: Durant?

20 MR. DURANT: [Inaudible].

21 MR. PRICE: Metts?

22 MR. METTS: Here.

23 MR. PRICE: Frierson?

1 MS. FRIERSON: Here.

2 MR. PRICE: Johnson?

3 MR. JOHNSON: Here.

4 MR. PRICE: Yonke?

5 MR. YONKE: Here.

6 MR. PRICE: Dennis?

7 MR. DENNIS: Here.

8 MR. PRICE: Branham?

9 CHAIRMAN BRANHAM: Present.

10 *[Present for roll call: Siercks, Taylor, Durant, Metts, Frierson, Johnson, Yonke, Dennis,*  
11 *Branham]*

12 And thank you, Mr. Price. And again, thank you and welcome to our newer  
13 Commissioners, Mr. Siercks, Mr. Johnson, and Mr. Durant, thank you for your  
14 willingness to serve. I apologize I missed the last meeting due to illness. Now to Agenda  
15 Item number III which is Additions/Deletions or corrections to the Agenda. Are there any  
16 from Commission or Staff?

17 MR. PRICE: Yes sir, Mr. Chair. We do have –

18 CHAIRMAN BRANHAM: Mr. Price.

19 MR. PRICE: I would say one correction and one more of an edit to the requests.  
20 On Case, under Item VII under Consent Agenda, VII b.2., we have the acreage as  
21 113.24 acres. That actually didn't include both parcels which were advertised and  
22 posted, so the actual acreage is a little more than 121, I'll give you the exact acreage  
23 shortly once we get the file. But it's actually 121 acres.

1 CHAIRMAN BRANHAM: Alright. Any objection to that correction to the Agenda?

2 No objection. Anything else, Mr. Price?

3 MR. PRICE: And there was one other.

4 CHAIRMAN BRANHAM: Okay, thank you.

5 MR. PRICE: And in your Agenda package under page 47, under Staff  
6 Recommendation it states that Staff recommends approval, but you will also note that  
7 on the discussion it recommends disapproval. So the actual Staff recommendation is for  
8 disapproval.

9 CHAIRMAN BRANHAM: Which case is that?

10 MR. PRICE: That would be Case 22-023 MA.

11 CHAIRMAN BRANHAM: [Inaudible]?

12 MR. PRICE: On page 47 within that, under the Staff Recommendation where it  
13 says approval it actually should be disapproval.

14 CHAIRMAN BRANHAM: Alright, any objection to that correction? Alright, no  
15 objection. Anything else?

16 MR. PRICE: No, sir.

17 CHAIRMAN BRANHAM: Alright, thank you. Mr. Dennis, are you ready to go  
18 [inaudible]?

19 MR. DENNIS: Mr. Chair?

20 CHAIRMAN BRANHAM: Mr. Dennis.

21 MR. DENNIS: Yes, sir. I move we send, on the Consent Agenda we send Cases  
22 22-019, 22-022, and the Road Names to County Council for approval, and we pull 22-  
23 006, 22-017, 22-021, 22-023, 22-024, 22-025, and 22-026 for discussion.

1 CHAIRMAN BRANHAM: Okay, so those map amendment requests would be  
2 pulled from the Consent Agenda for discussion. Are there any other items on the  
3 Consent Agenda that any of the Commissioners would like to have pulled so that we  
4 discuss those matters? Okay. There's no other requests to modify the Consent Agenda.  
5 And so do we have a second of Mr. Dennis' motion?

6 ? : Second.

7 CHAIRMAN BRANHAM: Alright, it's been moved and seconded. Mr. Price, do  
8 you need us to go back over which cases will be pulled again?

9 MR. PRICE: Actually it may be easier if you could just identify the cases that will  
10 still remain on the Consent Agenda.

11 CHAIRMAN BRANHAM: Okay. So I have that would remain would be 22-019,  
12 22-022, is that right, Mr. Dennis?

13 MR. DENNIS: Yes.

14 CHAIRMAN BRANHAM: Okay. So those would remain on the Consent Agenda  
15 and forwarded to Council with a recommendation for approval. Alright, Mr. Dennis or  
16 Staff – Mr. Price or Staff if you could take the vote on the motion.

17 MR. PRICE: Okay. Those in favor, Siercks?

18 MR. SIERCKS: Aye.

19 MR. PRICE: Taylor?

20 MR. TAYLOR: Aye.

21 MR. PRICE: Durant?

22 MR. DURANT: Aye.

23 MR. PRICE: Metts?

1 MR. METTS: Aye.

2 MR. PRICE: Frierson?

3 MS. FRIERSON: Aye.

4 MR. PRICE: Johnson?

5 MR. JOHNSON: [Inaudible].

6 MR. PRICE: Yonke?

7 MR. YONKE: Aye.

8 MR. PRICE: Dennis?

9 MR. DENNIS: Aye.

10 MR. PRICE: Branham?

11 CHAIRMAN BRANHAM: Aye.

12 *[Approved: Siercks, Taylor, Durant, Metts, Frierson, Johnson, Yonke, Dennis, Branham]*

13 CHAIRMAN BRANHAM: Motion passes, thank you. Next up to Item IV, Approval  
14 of Minutes from Prior Meetings. Staff provided the Commission with copies of the  
15 transcript of the Commission's June 7<sup>th</sup>, 2021 meeting. Just those Members present for  
16 the meeting should vote on a motion to approve those Minutes, that transcript for that  
17 meeting. Those that are with us today who were there then include Branham, Frierson,  
18 Dennis, Yonke and Taylor. Am I missing anybody else that was at June 2021 that's on  
19 the Commission today? Alright, so the Chair will entertain a motion to approve the June  
20 7<sup>th</sup>, 2021 Minutes as provided by Staff.

21 MR. YONKE: I'll make a motion to approve the Minutes.

22 CHAIRMAN BRANHAM: Alright, thank you. Do we have a second?

23 MS. FRIERSON: I second.

1 CHAIRMAN BRANHAM: Thank you, Ms. Frierson. Staff, would you please take  
2 the vote?

3 MR. PRICE: That will be just the Members that were on the Planning  
4 Commission during the June meeting?

5 CHAIRMAN BRANHAM: That's right, the five.

6 MR. PRICE: Branham?

7 CHAIRMAN BRANHAM: Yes.

8 MR. PRICE: Dennis?

9 MR. DENNIS: Aye.

10 MR. PRICE: Yonke?

11 MR. YONKE: Aye.

12 MR. PRICE: Frierson?

13 MS. FRIERSON: Aye.

14 MR. PRICE: Taylor?

15 MR. TAYLOR: Aye.

16 *[Approved: Branham, Dennis, Yonke, Frierson, Taylor]*

17 CHAIRMAN BRANHAM: Motion passes. Alright now we'll go ahead and move on  
18 to Item V of our Agenda which is the Re-mapping Restart and Text Amendment  
19 Proposal Process Update. Just a quick review and then a little bit of a map ahead. Last  
20 year Staff presented proposed full replacement of the Land Development Code. After  
21 review of this by this Commission and some modifications to the drafts along the way,  
22 County Council voted to adopt the new replacement Code. Included in the new Land  
23 Development Code is a new set of zoning districts. Every parcel of land in the County

1 that is not inside a city or town has a zoning designation assigned by the County. With  
2 the adoption of this new Code each parcel must be assigned a new zoning designation.  
3 County Staff prepared a draft map. Earlier this year the Planning Commission was in  
4 the midst of reviewing and considering revisions to the draft map and receiving input  
5 from the public when County Council voted to direct Staff to restart the map drafting  
6 process. The Planning Commission and County Staff restarted the mapping process  
7 and began discussing potential changes to and ramifications of amendments to the  
8 Land Development Code. The new baseline starting point for the remapping process  
9 became the zoning district translation table found in the newly adopted Land  
10 Development Code. One important process or element that will continue to influence the  
11 map drafting is the process of proposing amendments to the text of the newly adopted  
12 Land Development Code. Anyone who's reviewed the Agenda for today's meeting can  
13 see there are several motions that relate to completing the new zoning map and some  
14 recommendations to Council to amend the text of the Land Development Code in  
15 various ways. We've got a lot going on today so let me try to say a little bit more about  
16 why our Agenda is ordered as it is. We're trying to balance priorities and be considerate  
17 to as many of you as we can. We have several individual zoning map amendment  
18 cases on the Agenda today. We will hear, anyone from the public who wants to speak  
19 for or against those specific applications on a case by case basis as we call them today.  
20 Before that we're going to offer an opportunity for public input as to the broader ongoing  
21 county-wide zoning map drafting and the Land Development Code text amendment  
22 process. If you have input as to the motions listed under Item IX of today's Agenda now  
23 would be the time to offer that. The Commission's goal is to finalize a draft zoning map

1 and set of recommended text amendments on or before our November 7<sup>th</sup>, 2022  
2 meeting. Between now and then we are also scheduled to meet October 3<sup>rd</sup> and we  
3 expect to permit for additional input at that time. Thanks for your patience, hopefully that  
4 was helpful information. And now on to Item number VI of our Agenda which is the  
5 public input regarding the Land Development Code Re-Mapping Process and Proposed  
6 Land Development Text Amendments. So Mr. Dennis, do you have the list of names for  
7 persons signed up to speak on that?

8 MR. DENNIS: Yes, Chair.

9 CHAIRMAN BRANHAM: Alright, so Mr. Dennis will call the names one at a time.  
10 And just a reminder to each speaker, you'll have two minutes to speak, Staff will be  
11 keeping the time there, and I'm gonna try to keep you pretty, pretty close to that. We do  
12 have two different stands that you can come down to on both sides of chambers. And  
13 please again, make sure to state your name and address before you start speaking. Mr.  
14 Dennis, whenever you're ready just call the first name.

15 MR. DENNIS: First person we have signed up to speak is Melinda Kelly.

16 **TESTIMONY OF MELINDA KELLY:**

17 MS. KELLY: Good afternoon. My name's Melinda Kelly, I'm with the Finkel Law  
18 Firm, 1201 North Main, Columbia and 4000 Faber Place, Charleston. I'm representing  
19 two clients. Some of my comments would've had to do with things that are not involved  
20 in the motions and so I think what I'm gonna do is hold off on those and to address the  
21 ones that are in your motions today. One of my clients has seven properties that are  
22 zoned RU currently. We're very happy with five of the potential outcomes based on your  
23 motion and based on what would happen ultimately with County Council. There are two,

1 one in particular is an RU spot I'm gonna call it between two more intensive zonings.  
2 And so I was just thinking that if there's a way to make a more comparable change for  
3 ones that are next to or sandwiched in-between higher intensity zoning, that that would  
4 be great. I can give you the address or we can talk about it later, but. So the three  
5 categories that you have for RU, most of those we were very happy with. Also he has  
6 three mobile home, manufactured home properties now and we were very happy that  
7 you have recommended those to be R2 I believe. At one point they were R3 and we  
8 were a little concerned. We really wanted R1 so that the density wouldn't be so high, but  
9 R2 would be okay. That same client has two other properties, but again those are not  
10 part of your motions today so there's a – they're two industrials; one is M1 and one is LI.  
11 And then another client has an OI property that's not part of your motions. He's had a  
12 40 year long medical practice there and so we just wanna make sure or request that  
13 there's a zoning that will be comparable. It's hard to tell on the map because of the  
14 streets are not there and it's one little small piece of property. So when the timing's right  
15 we'll address those. Thank you.

16 CHAIRMAN BRANHAM: Thank you, Ms. Kelly.

17 MR. DENNIS: Next we have Jennifer Mancke.

18 **TESTIMONY OF JENNIFER MANCKE:**

19 MS. MANCKE: I'm Jennifer Mancke and I live at 320 Clearview Drive, Hopkins.  
20 For the benefit of the new people on the Planning Commission I just wanted to give a  
21 really brief outline of how long we've been talking about this. This all began with the  
22 sewer project about seven years ago when we began to come to every County Council  
23 meeting because we knew that the addition of sewer out in our rural, beautiful rural area

1 would lead to development; back when this room said, 'Uniquely Rural / Uniquely  
2 Urban', we wanted to save the 'uniquely rural' aspect of Lower Richland. Land is finite  
3 and we, and in the process also I got to know the people who have been in our area  
4 since Reconstruction, their families, and came to love those really well-spoken people  
5 that would, little old ladies that would come up here to talk. I am not from here but I love  
6 the rural character and the last rural character of our county. And so the process started  
7 with the sewer plan, which of course we lost, and continues on to this day, passionate  
8 people who want to preserve the character. And the pride that we have in having a  
9 National Park. We don't anything abutting up to that, we don't want anything threatening  
10 that, we wanna present a nice gateway for people who come from all over the world to  
11 see our National Park, but especially from every state. So the idea of losing all of our  
12 beautiful rural land, somebody going through neighborhood after neighborhood to get to  
13 our National Park is not how National Parks are really supposed to look, especially  
14 when they're about nature. So I hope that you'll understand that this is not a new thing  
15 that just started. The people who care have been doing this for a long time. Thank you.

16 MR. DENNIS: Next we have Frances, I cannot make out the last name.

17 **TESTIMONY OF FRANCES EARGLE:**

18 MS. EARGLE: I'm Frances Eargle at 1925 Marina Road, Irmo, South Carolina.  
19 Your charge of this Commission is very clear, it was given by direction of the County  
20 Council. Our esteemed Councilmember Bill Malinowski gave you a charge to look at a  
21 study for carrying capacity before you all, before they take a vote. If you need, and I'll  
22 just remind you, it seemed to disappear from the public record nor the conveyance of  
23 that charge to you all, it seemed to disappear. But it all takes a village, right? Definition

1 of carrying capacity, it's the number of organisms in an area that can support without  
2 being degraded. There's no expiration date here to get this right. You've done the fun  
3 part of your job, to look at maps. The next part is looking at the science and looking at  
4 the environmental socioeconomic impacts and public health issues. And I think you  
5 gotta, you've got a job ahead of you. Mind you, two minute presenters is not expert  
6 testimony. We look forward to your panel of experts you're gonna subpoena for  
7 testimony, we look forward to citizen advisory group to give you input on socioeconomic  
8 issues, to inform your process. We're all looking very forward to that part of your job. In  
9 2015 we got a huge wakeup call. We heard testimony from flood waters rolling down  
10 like justice in our community that carrying capacity was met. We don't want that again.  
11 We lost neighbors, we lost friends, we lost family. One last reminder, in your role as a  
12 sacred public trust here on this Commission, not to be taken lightly, ask officials I met  
13 with in Flint, Michigan who took a sidebar, they took the easy route. They missed some  
14 steps. It ended their careers, it ended their political aspirations.

15 CHAIRMAN BRANHAM: Thank you, Ms. Eargle.

16 MS. EARGLE: Thank you.

17 MR. DENNIS: Next we have Mike Sloan?

18 **TESTIMONY OF MIKE SLOAN:**

19 MR. SLOAN: Good afternoon Commission, I'm Mike Sloan. I reside at 1430  
20 Wonder Drive. I'm here today on behalf of all property owners. Our zoning process  
21 enables us to look at properties and say, okay if we're gonna change the zoning here,  
22 let's get the owner's permission; alright we've got his permission, let's move forward.  
23 We look at that property, we take that property into consideration one at a time. That's a

1 very good zoning process. Not what we have here. We have a blanket zoning and in the  
2 process of it when you go buy a piece of property, you buy it with the zoning character  
3 that is there and labeled with it, whether it be rural, HI, whatever. You're there with  
4 those rights given to you and granted to you by that property. And then the government  
5 steps in and says, oh no, we're gonna change those rights, we're gonna take those  
6 rights away and let you have maybe these. Folks, property rights are the most sacred  
7 thing we have other than our family, and you're dabbling with property rights and you're  
8 dabbling in something known as, I don't care what anybody says it's a taking, you're  
9 taking these property rights. You're not making things better, you're taking it, you're  
10 making people more infuriated. We need to step back a minute and take a breath  
11 because if we don't we're gonna find ourselves as a county, in trouble down the road  
12 with lawsuits and things they don't want, because we have violated property rights, we  
13 have violated the Constitution at that point. And we can't allow that. If we are a  
14 government of the people, for the people and by the people, the Constitution has to  
15 come first. And we're violating that with the property rights. Thank you.

16 MR. DENNIS: Next we have David Williams.

17 **TESTIMONY OF DAVID WILLIAMS:**

18 MR. WILLIAMS: Good afternoon, I'm David Williams. I live at 7 Candlewood  
19 Lane in Columbia. Members of the Commission and Staff, on June 2<sup>nd</sup> of this year I  
20 addressed some concerns regarding the new LDC. I would like to reiterate these  
21 concerns today. I bought residential property in Lower Richland only after reviewing  
22 applicable zoning regulations and finding desired restrictions and requirements of  
23 RSLD; that is I found the zoning stability that I needed to protect the value of my

1 property. Mr. Price was kind enough to send me an email on July the 18<sup>th</sup> of this year  
2 addressing some of my concerns that I sent to Council, to my County Council  
3 representative, Ms. Newton. And Mr. Price's message included, removing multi-family  
4 dwellings from R2 and R3. Please implement this. Permitting only single family  
5 dwellings in R2 and R3, please implement this. Removing all manufactured homes from  
6 R2, please implement this. Regarding reinstating the district RS-LD, residential single  
7 family, low density, his discussion did not satisfy my concerns because the term single  
8 family needs to be specifically defined, and the new zone R2 would allow higher density  
9 housing than currently allowed in the older RS-LD. I request that the old RS-LD zoning  
10 category be reinstated for those properties currently zoned in that category. Thank you  
11 for your time and consideration.

12 MR. DENNIS: Next we have Jim Edwin, Ewing?

13 **TESTIMONY OF JIM EWING:**

14 MR. EWING: Good afternoon Councilmen and Councilwoman. My name is Jim  
15 Ewing and my address is 5 Troutwood Drive, Columbia. And my wife and I retired to  
16 Columbia in 1999, and we knew this would probably be the last home that we would  
17 ever buy so we rented for a year, looked around the Greater Columbia Area, looked at  
18 location, designs of houses, and we also looked for zoning protection. We desired to  
19 live in a neighborhood that had only conventional detached single family homes and we  
20 did not want alternative housing such as mobile homes, duplexes, triplexes, multi-  
21 plexes. These alternative homes are very appropriate and necessary, but they need to  
22 be in appropriate locations, they don't need to be in an established neighborhood and  
23 change the whole feeling of the neighborhood. A house is the largest investment for

1 most people and existing homeowners in conventional detached single family homes,  
2 neighborhoods, should not be required to allow for alternate housing. This housing  
3 should be placed somewhere else and not destroy the character of our neighborhoods.

4 Thank you for your consideration.

5 MR. DENNIS: Next we have Mark Hershberger.

6 **TESTIMONY OF MARK HERSHBERGER:**

7 MR. HERSHBERGER: Thank you ladies and gentlemen for letting me return. I  
8 am still concerned as is my wife that we have lived for 41 years at an address that is in  
9 a very lovely harmonious residential area of detached single-family conventional  
10 houses. My principal concern, gentlemen, madam is, what are you gonna do with  
11 manufactured housing and multi-family, however that might be defined. I'm concerned  
12 about the effect on a harmonious, stable neighborhood, actually a group of several  
13 neighborhoods, we're worried about our quality of life and incidentally the value of our  
14 properties. What I would ask the Commission to undertake, whether tonight or some  
15 other time at your convenience, could we please have some clarification to the public  
16 regarding the status and the definitions, the definitions of manufactured housing as they  
17 effect the Code, the clarification of the current status of multi-plex, duplex, quadra-plex,  
18 triplex type dwellings, and just based on what we've seen this evening a clarification,  
19 please, of the proposed amendment of 26-3.1(f)(v), which in the R2 zoning pertains to  
20 cluster development. If you could let us know, please, what's going on in zoning  
21 category R2 with regard to clusters? We worry when we hear about clusters, that starts  
22 to sound too much like multi-family. Please gentlemen and madam, take care of the

1 quality of our life, maintain the values of our property and maintain our style of life. I  
2 thank you very much for letting me come back.

3 MR. DENNIS: And lastly we have Sarah Geron?

4 **TESTIMONY OF SARAH GERON:**

5 MS. GERON: Good afternoon gentlemen, ma'am. Forgive my ignorance on the  
6 matter, I've been in Israel and I just recently came back. I'm a property owner, I live on  
7 the 8,000 block of Monticello Road. And one of my favorite quotes is by Edmond Burke,  
8 "Evil triumphs when good men do nothing." I'm not calling you evil, but perhaps that  
9 requires intention in knowing what's gonna happen when you set about a purpose. I  
10 don't know yet, I'm pretty ignorant of what's going on. Obviously one notice, when I was  
11 in Israel I think about what was going on with the zoning, I need to find out what my land  
12 is zoned right now, I don't know, but I wanna just tell you a little bit about what the  
13 ramifications will be for me as a property owner. And ultimately it's not my property, it's  
14 God's property and I live in a great Nation who has a wonderful Constitution who has  
15 given us property rights and liberty and I'm here to defend that. So I grew up in a mobile  
16 home. My mom always dreamt of having land, she grew up in Chicago and when I was  
17 10 she was able to buy seven acres near where I live. When I was 20 something I also  
18 bought land, about five acres where I live right now. And it's a beautiful piece of land  
19 that I thank God for every day. It's not paid for yet and I hope it will be in 10 years or so.  
20 But what happens now affects everybody. So you know, I don't know if you've made up  
21 your minds, if you're still open to suggestion or wisdom from the outside, but this is an  
22 important matter, you're affecting lots of lives. We moved out to the country so we would  
23 be alone, so we would have the beauty that we had the right to have, that God gave us.

1 I'm gonna do some more research on what you're proposing but it sounds like single-  
2 family home are being changed to multi-family homes and districts are changing and  
3 maybe apartments are coming and what does that mean, that means a lot. There's a lot  
4 going on that you guys are probably a lot smarter than we are as far as realizing the  
5 effect of that or maybe we don't know yet, but there is an effect and I'm one of those  
6 effects. Thank you for listening to me.

7 CHAIRMAN BRANHAM: Thank you.

8 MR. DENNIS: Mr. Chair, that was everybody for the public participation.

9 AUDIENCE: [Inaudible] that sheet was not out there.

10 CHAIRMAN BRANHAM: Come on down.

11 **TESTIMONY OF LES TWEED:**

12 MR. TWEED: My name is Les Tweed, I'm at 111 Saratoga Road, Irmo, South  
13 Carolina. One thing I wanna bring up in particular was on April the 5th there was a  
14 County Council meeting and four motions were passed unanimously and they  
15 requested studies. Okay, because the R2 and R3 as other people have spoken about,  
16 the density changes to these neighborhoods that are well established and everything is  
17 gonna be a nightmare, especially if you have properties that are in very desirable  
18 locations because to wipe out one house and put in duplexes, tri-plexes and quads  
19 would be real simple for views maybe over the lake or other desirable things. And the  
20 builders are gonna go after that. So to help this come out as they're saying, a well  
21 thought out process, there was an impact studies requested of Staff and yet never has  
22 been a word at any meeting whatsoever that Staff has ever even begun to work on  
23 these things. And one of the issues were, like water treatment and water supply,

1 drainage, traffic, schools, public transportation, law enforcement, environment and how  
2 it affects the neighborhoods overall. That was one motion. Another motion was  
3 addressing the idea of what you're saying the old Code was no good, it had issues, but  
4 it was requested. Well, what are the issues? If there's, like three or four issues they  
5 were never presented what they are that they couldn't be addressed individually without  
6 reassessing everybody and changing, you know, thousands and thousands of peoples'  
7 lives. The other had to do with, in the area I live in as many of these people may also,  
8 we all have septic systems and well, right? We don't have city water and we don't have public  
9 sewer systems. And by increasing all these impacts DHEC has requirements for things;  
10 how are you gonna let these people come in and put in all these houses and stuff and  
11 there isn't even, the earth can't handle supplying the water or disposing of the waste  
12 material. And the fourth one that was put in in the past, okay –

13 CHAIRMAN BRANHAM: Mr. Tweed, that's your time, I'm sorry.

14 MR. TWEED: Alright, thank you.

15 CHAIRMAN BRANHAM: Anyone else in the crowd who wanted to speak on this  
16 matter? Yes, sir, please come on down.

17 **TESTIMONY OF WALTER JONES:**

18 MR. JONES: Good afternoon.

19 CHAIRMAN BRANHAM: Good afternoon.

20 MR. JONES: It is a pleasure for me to be here and to see you all here, even  
21 though some are new, welcome too [inaudible]. My name is Walter Jones and I'm from  
22 Hopkins, South Carolina, 1005 Brown Road. I grew up there. And my grandfather  
23 passed when I was about three years old and he always used to tell me about

1 generational wealth, they pass it on down to the family members. And I spent 24 years  
2 in the military, when I came back to South Carolina I couldn't wait to get back home. But  
3 I'm kinda shocked now what's going on. Now I have at least 12 acres of land, I'm the  
4 grandson, and the only that living outta eight heads, my sisters and brothers, there was  
5 eight of us. And you know, and I told my grandfather I would promise, when I was a little  
6 boy I can remember, when he say generational wealth and he explained to me that  
7 means you, the Lord say take it on down to your grandkids, all the way down to  
8 generation to generation. And I came back, it was Westinghouse down there, that's  
9 polluting the place. Now they wanna put a dump down there. Now see now they wanna  
10 put multiple house family and homes. What I am, I'm not a family? I don't have a family?  
11 I wanna talk about my family, what they gonna do? Since we got all of that land, now  
12 we're gonna come down saying multiple family, but to me what does it mean, what does  
13 the gentleman get out of it that build these houses that you can stick your arm out the  
14 window and wave and shake hands with your neighbor? And you know, and I don't  
15 understand when we say we belong cause I'm a taxpayer myself, I don't miss paying  
16 taxes, they say it was ours, but not anymore. I can't tell my grandchildren, I don't own it  
17 anymore because you can knock at my door and tell me you done re-code this, you no  
18 longer can have this or you no longer can live like this.

19 CHAIRMAN BRANHAM: Mr. Jones, that's your time. Anyone else in chambers  
20 who wants to come down? Yes, ma'am?

21 **TESTIMONY OF DONNA COLE:**

22 MS. COLE: Good afternoon, thank you for giving me a moment to speak. My  
23 name is Donna Cole, I reside at 209 Amenity Road in Chapin. My understanding as part

1 of this process in your review, we're making motions of recommended amendments to  
2 be added to a running ledger, and at the June 6<sup>th</sup> meeting I just wanted to confirm that  
3 the motions that were presented at that time are still existing as far as the removal of  
4 townhouse dwellings in R4 and as to the removal of two family, three family and four  
5 family dwellings in R2, 3 and 4. It's my understanding those are still on the ledger and  
6 these motions today will be additional recommendations that will then be evaluated as a  
7 whole for approval. So I guess I'm asking you a question, if those still exist in the ledger  
8 as running motions.

9 CHAIRMAN BRANHAM: We're not normally in the question and answer set up  
10 here, but again, check the county's website. The running ledger is on the county's  
11 website.

12 MS. COLE: Okay, so we should be able to see that there.

13 CHAIRMAN BRANHAM: Yes.

14 MS. COLE: Okay, thank you.

15 CHAIRMAN BRANHAM: Alright, anyone else? Yes, sir?

16 **TESTIMONY OF DAVID JACKSON:**

17 MR. JACKSON: Good afternoon. My name is David Jackson, 2178 Congaree  
18 Road, Eastover. I'm a long lifetime resident of Richland County. I grew up in the public  
19 school systems, I have [inaudible] in Eastover. Someone, 90% of the people related to  
20 me one way or the other. I have a issue, and like the man said about passing on  
21 property to your family. One of the things that's disturbing to me was the fact that I  
22 notice in this Code y'all have you currently can have  $\frac{3}{4}$  of an acre of property to build a  
23 house on. But I met with some people and was told that that  $\frac{3}{4}$  of an acre is going up to

1 three acres. So if I wanted to give my child or children some property I'm going from  $\frac{3}{4}$   
2 of an acre to three acres, and if there was an inheritance property you're going to seven  
3 acres. And I'm just trying to figure out as I asked in the meeting, I mean, where do you  
4 pull out three acres, where do you pull out seven acres? I mean, if it's mine, I paid for it,  
5 I wanna give it to my children, I should be able to give to my family, my children, what I  
6 want that I have worked to own. So I'm just kinda want an understanding of at what  
7 point in time do we make a decision for our property, you know, not necessarily, I mean,  
8 some of y'all I know, some I don't, but my understanding is when do we as individuals  
9 decide what we want to do for our property, because I'm like the man said,  
10 Westinghouse, Square D, McEntire, anybody, somebody can make a decision they  
11 wanna put a dump right now. You're putting 1,700 houses in the Hopkins location, area,  
12 no one has discussed another high school, in 45 years or 50 years, other than Hopkins.  
13 So you're bringing in the schools, you're bringing in the people, you're bringing in, and  
14 we're talking about 1,700 houses, average home has two cars, we talking about  
15 probably an initial 3,400 cars. So I mean, so what are we gonna do with all of that?

16 CHAIRMAN BRANHAM: Thank you.

17 MR. JACKSON: Thank you.

18 CHAIRMAN BRANHAM: Yes, Ms. Frierson?

19 MS. FRIERSON: [Inaudible]

20 CHAIRMAN BRANHAM: David Jackson, is that right?

21 MR. JACKSON: David Jackson.

22 MS. FRIERSON: Thank you.

23 CHAIRMAN BRANHAM: Yes, sir?

1 **TESTIMONY OF BERNARD WILSON:**

2 MR. WILSON: Good afternoon.

3 CHAIRMAN BRANHAM: Good afternoon.

4 MR. WILSON: My name is Bernard Wilson. I live at 1104 Goodwin Road in  
5 Gadsden. Been there for 24 years, built my home. I have approximately 10 acres. I  
6 have some other property in the Eastover area. This United States was founded on  
7 Biblical principles. Joshua 1:3 says, 'Every place that the sole of your foot have trod I've  
8 given it unto you'. Property cannot be reproduced. Developers can come into our  
9 community and build multi homes on a small stretch of land just like Mr. David Jackson  
10 says. We have heir property. We can't not give it to our siblings based on the rezoning  
11 and we have where we could, if I had 10 children I could give them 10 acres, at least  
12 nine of them I could give them an acre to themselves. This thing that we're doing now is  
13 disregarding the people that have been living on this property for many, many years.  
14 Our children, many of our children may not want to live in the area that we are presently  
15 living in, but just the fact that we could give it to them if we wanted to; it should mean a  
16 lot to you all as well as unto us. I'm asking you to reconsider the proposed – I know a  
17 lotta effort has been made already, but it can be changed, you can look at what we have  
18 now and go back to that. Thank you.

19 CHAIRMAN BRANHAM: Thank you, Mr. Wilson.

20 MR. DENNIS: Mr. Wilson, what was your first name?

21 MR. WILSON: Bernard.

22 CHAIRMAN BRANHAM: Anyone else in chambers who wanted to speak on  
23 these topics. Okay. Thank you all, thank you for being here. Hope you'll stick around or

1 watch online for the rest of the meeting. But if there's any who wanna leave chambers  
2 you're welcome to do so right now, we can pause for just a quick moment. Alright, well  
3 we will move now to Item number VII on the Agenda, the items that have been removed  
4 from the Consent Agenda, and we'll consider the individual map amendment  
5 applications on the first property. Sure, well I guess Staff we need to go ahead and have  
6 you present the case, I'm sorry.

7 **CASE NO. 22-006 MA:**

8 MR. PRICE: Thank you. The first item is Case 22-006 MA. The Applicant is Jared  
9 Munneke. The location is at the end of Idlewilde Boulevard and Barnes Street. The  
10 property comprises 72.78 acres and the existing zoning is split between General  
11 Commercial, Light Industrial and Rural. The Applicant is requesting to rezone those  
12 parcels to RM-MD, which is residential, multi-family, medium density. Staff's  
13 recommendation is for disapproval of the request as the proposed rezoning is not  
14 consistent with the objectives outlined in the Comprehensive Plan for rural large lot  
15 designation as it would not meet these requirements. So Staff recommends disapproval.

16 CHAIRMAN BRANHAM: Any questions for Staff before we hear from the  
17 Applicant or others here to speak on this case? Did everyone on the Commission, Mr.  
18 Price do you know, did everyone on the Commission receive a copy of this letter from  
19 Sunoco Company? This was in my packet.

20 MR. PRICE: They were all included in the package.

21 CHAIRMAN BRANHAM: Okay. Did you have a chance to review the letter?

22 MR. PRICE: No, sir.

1 CHAIRMAN BRANHAM: Okay. Alright, but you have made it part of the Record  
2 for this application, is that right?

3 MR. PRICE: Yes, sir.

4 CHAIRMAN BRANHAM: Okay, great. Alright, if there's no questions for Staff  
5 upfront, if we, Mr. Dennis, if you'll go ahead and call the Applicant.

6 MR. DENNIS: Alright, we have Layton Lord here to speak.

7 MR. LORD: If it's okay, Mr. Chairman and Commissioners, Jared Munneke with  
8 Landmark is gonna speak first. If he could take two minutes and I'll take two minutes  
9 and just kinda do a summation of the seven factors for a map amendment.

10 CHAIRMAN BRANHAM: We usually [inaudible] for the Applicant, but I think we  
11 could try [inaudible] in favor of the application?

12 MR. LORD: I'll be in favor and he'll be the Applicant.

13 CHAIRMAN BRANHAM: Alright.

14 MR. LORD: And we have materials that Staff said we could hand out.

15 CHAIRMAN BRANHAM: Okay. Staff, wanna hand that out to the Commission,  
16 please?

17 MR. LORD: We're not sure how to do that with the shields. And one other thing  
18 we didn't, weren't aware of the Sunoco letter if that involves our application.

19 CHAIRMAN BRANHAM: Does Staff have a copy of that letter? Yes. Alright, so  
20 tell us your name and your address, sir?

21 **TESTIMONY OF JARED MUNNEKE:**

22 MR. MUNNEKE: Yeah, Jared Munneke. I reside at 316 Oconee Street in Athens,  
23 Georgia.

1 CHAIRMAN BRANHAM: Okay. Thank you.

2 MR. MUNNEKE: And I am the Applicant here. I'm here today representing  
3 Landmark Properties as Layton mentioned, who is a national developer of multi-family  
4 housing, whether that be university-focused housing, single-family for rent housing, or  
5 multi-family housing. The site that we have in front of us today is currently vacant and  
6 primarily the reason for that is just simply that most of it is wetlands, most of it is  
7 floodplain. So the, Landmark and the landowner are somewhat working together to  
8 rezone this property to a residential medium density use to make use of the land that is  
9 not wetlands or floodplain. And we feel like this is consistent with neighboring zonings,  
10 the RMD classification is not only the, you know, parcels next door to this property, but  
11 is essentially also consistent with the density that's found. While it's not, it doesn't show  
12 up on the report it shows up as the City of Cayce planning so it doesn't show up, but  
13 very similar housing that was also developed by Landmark roughly 15 years ago is also  
14 next door. And then the University Foundation actually owns the other adjoining land to  
15 the west and south. So anyway, you know, the primary issue I think that we've run into  
16 is obviously that this zoning portrays that it would be a lot of units, we don't have any  
17 intention of developing a lotta units. You'll see somewhat in the back of the pamphlet,  
18 the site plan is curved around to fit the floodplains and wetlands and preserve that rural  
19 large lot feel that currently exists vacantly. So thank you for your time.

20 CHAIRMAN BRANHAM: Thank you.

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

22 CHAIRMAN BRANHAM: Yes, Mr. Price.

1 MR. PRICE: Just a quick statement. I just kinda wanna set the record straight  
2 that normally, I would say almost all the time, we don't encourage the distribution of any  
3 pamphlets or maps or any depiction of what is proposed to go on a site; that is unless it  
4 is a planned development application, because that's typically more site specific, and so  
5 you wanna take a look at those. We don't do that because I think as everyone knows  
6 each zoning designation allows for a multitude of uses and because we're not  
7 contractually rezoning property you can't hold them to any specific use within that  
8 zoning designation nor can you hold them with any type of depiction that they present to  
9 you. So normally we do not ask for those to be presented to the Planning Commission,  
10 as the same thing we do with County Council.

11 CHAIRMAN BRANHAM: Alright, sounds like maybe a misunderstanding there,  
12 Mr. Lord. Yeah, we've got four factors that Richland County ordinances require us to  
13 consider an individual map amendment applications, so that's what we should consider.  
14 Mr. Lord?

15 **TESTIMONY OF LAYTON LORD:**

16 MR. LORD: Okay. And again, I agree with Mr. Price, we were just showing you  
17 what was built next door and what they intend to build. It's not been approved yet, so.  
18 We think this plan is actually very consistent with the rural nature of this property  
19 because of the 74 acres only about 30 some are gonna be built on. Forty are  
20 necessitated to be kept open with really large buffers because of the wetlands and the  
21 floodplain. So this is gonna be a very low density, very rural, compatible development.  
22 Is it compatible with the area usage? Yes. Some of the parcels in this plot are already  
23 zoned RM-MD. Property next door is RM-MD, this is exactly what this area is doing.

1 Again, nothing else can really be built there because of the floodways and the flood  
2 zones. You have to come in and build a creative mixed use property and work around  
3 the floodways, otherwise it's gonna stay vacant just like it has. So we believe this is one  
4 of the only viable economic uses. Are there suitable public facilities? We have will serve  
5 letters for everything. As you all know, this is by an existing facility so it is very easy to  
6 serve in all ways and very good access. Will it create adverse effects on the natural  
7 environment? No. We're gonna leave almost 40 acres of this vacant. They're very wide  
8 buffers that have to be built because of the wetlands. And it won't contribute to storm  
9 water and other issues that could be a factor. And is it appropriate for the use? We  
10 believe it is because this is already what's going on in that use. Thank you.

11 CHAIRMAN BRANHAM: Thank you. Anyone else signed up to speak? Alright,  
12 having heard from those in favor, are there now any questions or comments for Staff?  
13 Geo, could you talk a little bit about the Comprehensive Plan for that area being rural  
14 large lot future land use designation in light of the current zoning?

15 MR. PRICE: Yes, sir. Every so often we're gonna come across a request where  
16 the Comprehensive Plan recommendation, it really may not seem like it matches the  
17 area to some degree, regardless of whether it be in this particular case, whether it be  
18 residential or industrial. Remember that when we were adopting the Comprehensive  
19 Plan a lot of those designations were broadly, I guess broadly painted in the areas. It is  
20 times like this when we have an opportunity to kinda zero in on an area and really make  
21 a determination on whether that was the appropriate designation for that area. And in  
22 some cases, we probably haven't done this enough, in some cases if it's the decision of  
23 the Planning Commission and ultimately County Council to go against those

1 recommendations of the Comprehensive Plan, that we go back and revisit that area to  
2 maybe apply the more appropriate designation to it.

3 CHAIRMAN BRANHAM: Alright, thank you, Mr. Price. Yeah, I mean,  
4 Comprehensive Plan is one out of four factors that we as a Planning Commission are  
5 asked to consider for these map amendments, so thank you for that insight. Alright, any  
6 question or are there any motions?

7 MR. PRICE: Mr. Chair, also I do have a copy of the letter that you referenced.

8 CHAIRMAN BRANHAM: What'd you say?

9 MR. PRICE: I do have a copy of the letter that was submitted to each of the  
10 Planning Commission Members from Sunoco.

11 CHAIRMAN BRANHAM: Okay.

12 MR. PRICE: I know you had asked if I had a copy of it but I do have one now.

13 CHAIRMAN BRANHAM: Okay. And any issue with providing Mr. Lord with a  
14 copy? Okay.

15 MR. DENNIS: Mr. Chair? So discussion about this, I understand that it doesn't  
16 meet the Comprehensive Plan, but when you're looking at it, somebody's trying to do  
17 something with the land out there other than just sitting there. And we do have the  
18 Comprehensive Plan review coming up and there are instances kinda where it meets  
19 but just doesn't meet the Comprehensive Plan. You know, I – I really, looking at the  
20 Comprehensive Plan and I like to follow it as much as I can, but maybe this is a good  
21 thing. I mean, those wetlands are protected, they're gonna be protected. You can't build  
22 on wetlands. So I don't know the acreage of those wetlands [inaudible]. So I mean, it

1 might be a good idea to get some more housing down in there for people. Any other  
2 Commissioners?

3 CHAIRMAN BRANHAM: I'm sorry, did someone speak up? I was just gonna say  
4 on paper, yeah you [inaudible] rural large lot but then it's currently zoned M1 and there  
5 is a fair amount of M1 around [inaudible]. Yeah, it's pinched in by the City of Cayce, it's  
6 currently zoned M1, so that surely is also not in harmony with the rural large lot kind of  
7 broad stroke map that's in the Comprehensive Plan for this area. And there is a fair  
8 amount of RM-MD [inaudible] right into the heart of the parcel [inaudible]. Staff, what do  
9 we got, just to the south is that also the City of Cayce that's wrapping around like that?  
10 Okay. To the south and east I guess if north is up, yeah.

11 MR. PRICE: Yes, sir.

12 CHAIRMAN BRANHAM: Alright. Anybody need additional information or the  
13 Chair will entertain a motion otherwise.

14 MR. DURANT: Mr. Chair, just from the discussion, I just wanna make sure I  
15 understand from Staff is that the difference here or the problem here is that it doesn't  
16 conform to the Comprehensive Plan in that the Comprehensive Plan has it as just a  
17 rural large lot area and the application is to bring more residential units in there? Is that  
18 essentially it?

19 MR. PRICE: Yes, sir.

20 CHAIRMAN BRANHAM: Thank you, Mr. Price and Mr. Durant. Okay, Mr. Yonke?

21 MR. YONKE: Would it be alright to ask Staff to pull up the Richland maps, this  
22 area? Just look at it better in context. From the printed map on page 6 it does look, I see  
23 M1 here with the RH-MD. So if we made no change to this you could say that it would

1 be M1, more manufacturing could develop there without needing any zoning change,  
2 am I correct?

3 MR. PRICE: That is correct.

4 MR. YONKE: Mr. Chair?

5 CHAIRMAN BRANHAM: Mr. Yonke?

6 MR. YONKE: I'd be willing to make a motion of approval based on its, the  
7 character of the neighborhood as it is now looking at the total map. That's what we see  
8 there. [Inaudible] neighborhood, purple there. And as it's zoned now another  
9 manufacturer could show up right back there along wetlands, so this use of more  
10 housing, especially when we're in a housing crisis, doesn't seem like the worst thing to  
11 me. So to go against Staff's recommendation I would say because the character of it  
12 seems to fit as it currently stands.

13 CHAIRMAN BRANHAM: Okay. We have a motion, is there a second? Okay, let's  
14 see if we can get a second on the motion and then we can have some additional  
15 discussion.

16 MR. METTS: Second.

17 CHAIRMAN BRANHAM: Alright, we have a second from Commissioner Metts,  
18 and Mr. Johnson, please.

19 MR. JOHNSON: Since you raised the issue of residential around there, is there a  
20 neighborhood association in that area and have they weighed [inaudible]?

21 CHAIRMAN BRANHAM: Mr. Price, have you heard from any neighborhood  
22 associations there?

23 MR. PRICE: At this time we have not heard from any.

1 CHAIRMAN BRANHAM: Alright, any further discussion? Mr. Johnson?

2 MR. JOHNSON: Just assuming – Mr. Price, you're saying we've not heard  
3 anything. Notice was given to those communities?

4 MR. PRICE: Yes. We use our typical notifications which we send out mail outs to  
5 adjacent properties within a certain radius of the parcels that are subject to the  
6 requests, and we also post the property and also we advertise it in the newspaper.

7 CHAIRMAN BRANHAM: Mr. Taylor.

8 MR. TAYLOR: So the Sunoco letter, concerning that, I think even, you know, part  
9 of the opposition said should it get approved. I don't know, can that even be imposed on  
10 the Applicant?

11 CHAIRMAN BRANHAM: I mean, we don't usually look for commitments from the  
12 applicants kind of as a condition to approval, but Mr. Price, do you wanna weigh in on  
13 the history of that kind of a practice?

14 MR. PRICE: Well typically the Planning Commission really looks at the request,  
15 also the recommendations of Staff as it compares to the Comprehensive Plan amongst  
16 your discussion on whether you feel the use is appropriate. Normally when it gets to  
17 County Council level the Council representative that represents that area will often  
18 determine if they feel a community meeting is necessary or how they want to reach out  
19 to their constituents regarding a request.

20 CHAIRMAN BRANHAM: Is that helpful? Any further discussion?

21 MR. DURANT: Mr. Chair, just one more clarification.

22 CHAIRMAN BRANHAM: Yes, Mr. Durant.

1 MR. DURANT: As I'm looking at the map, the purple area is already existing  
2 zoning residential, is that correct?

3 CHAIRMAN BRANHAM: Yeah, the colors aren't the same as what we have in  
4 our packet so maybe if Staff can just confirm as far – are you talking about the digital  
5 map that we're looking at on the screens?

6 MR. DURANT: The map up on the screen.

7 CHAIRMAN BRANHAM: Yeah.

8 MR. DURANT: That bumps up against the property at issue.

9 CHAIRMAN BRANHAM: Staff, can you confirm that?

10 MR. PRICE: Yes, the purple that you see that's east of the large tract would be  
11 similar to the brown that you have in your package, represents RM-HD.

12 CHAIRMAN BRANHAM: RM?

13 MR. PRICE: HD. Residential multi-family. Oh I'm sorry, MD, excuse me,  
14 residential multi-family, medium density.

15 CHAIRMAN BRANHAM: Okay. Thank you.

16 MR. JOHNSON: Mr. Chairman, the primary access would –

17 CHAIRMAN BRANHAM: Mr. Johnson.

18 MR. JOHNSON: - not be coming from those areas, it'd be coming through the  
19 industrial area.

20 CHAIRMAN BRANHAM: We don't usually know or discuss that at this stage, but  
21 Mr. Price, do you have any information on access?

22 MR. PRICE: You're correct, normally we don't look at the development of the  
23 site. However, looking at the roads that connect to this property that there seems to be

1 a good couple of options that would be available either from the industrial side along  
2 Idlewilde or along maybe Raleigh Street and Barnes Street that are located within the  
3 residential area. I believe that's also known as Arthurtown. So there would be a number  
4 of options that they have to access the property.

5 CHAIRMAN BRANHAM: Thank you, Mr. Price. Any discussion, anything else  
6 before we take the vote? Okay, Mr. Price if you would please take the vote.

7 MR. PRICE: Alright. Those in favor of the motion for approval of Case 22-006  
8 MA.

9 CHAIRMAN BRANHAM: Mr. Price, I'm sorry. Ms. Frierson.

10 MS. FRIERSON: [Inaudible].

11 MR. YONKE: Motion to approve. Reason to go against Staff recommendation  
12 would be I believe it does fit the character that's currently there [inaudible] RM-  
13 [inaudible].

14 CHAIRMAN BRANHAM: Okay thanks, so yeah, motion to send Case 22-006 MA  
15 to Council with a recommendation of approval. And that was seconded by Mr. Metts, I  
16 believe. Alright, thank you Mr. Price.

17 MR. PRICE: Alright, so those in favor of Case 22-006 MA for approval, Siercks?

18 MR. SIERCKS: Aye.

19 MR. PRICE: Taylor?

20 MR. TAYLOR: Aye.

21 MR. PRICE: Durant?

22 MR. DURANT: Aye.

23 MR. PRICE: Metts?

1 MR. METTS: Aye.

2 MR. PRICE: Frierson?

3 MS. FRIERSON: Aye.

4 MR. PRICE: Johnson?

5 MR. JOHNSON: Aye.

6 MR. PRICE: Yonke?

7 MR. YONKE: Aye.

8 MR. PRICE: Dennis?

9 MR. DENNIS: Aye.

10 MR. PRICE: Branham?

11 CHAIRMAN BRANHAM: Aye.

12 *[Approved: Siercks, Taylor, Durant, Metts, Frierson, Johnson, Yonke, Dennis, Branham]*

13 MR. PRICE: Alright, so motion passes.

14 CHAIRMAN BRANHAM: Alright, thank you. And again, we're recommending  
15 Body so the case will now be with County Council. And next case is Case 22-017 MA.  
16 Mr. Price.

17 **CASE NO. 22-017 MA:**

18 MR. PRICE: As you stated the next item is Case 22-017 MA. The Applicant is  
19 Chandler Roy. The Applicant is requesting to rezone 121.52 acres along Farrow Road  
20 from Heavy Industrial, HI, to residential single-family, medium density, which is RS-MD.  
21 Staff's recommendation is for approval of this request, and I'll read through my  
22 conclusion. The proposed rezoning would be consistent with the Comprehensive Plan  
23 for an economic development center corridor as identified in the future land use

1 designation. The Plan recommends employment uses integrated to adjacent to a  
2 medium and high density residential uses that are secondary to employment uses. This  
3 among some of the other reasons, Staff recommends approval.

4 CHAIRMAN BRANHAM: Thank you. Any questions for Staff before we hear from  
5 the Applicant? Okay, Mr. Dennis?

6 MR. DENNIS: Yes, we have the Applicant, Chandler Roy.

7 **TESTIMONY OF CHANDLER ROY:**

8 MR. ROY: Good afternoon. My name is Chandler Roy with Pulte Homes. I live at  
9 217 River Club Road, Lexington, South Carolina. We've looked at this property a couple  
10 times. As Mr. Price stated it's 121.8 acres, two different TMS numbers. We are asking  
11 for RS-MD. When you look at that zoning, when we talked about the different zonings in  
12 the County, that zoning allows for about 620 units. We are proposing 331 lots so  
13 roughly about, you know, give or take half of what the zoning allows for these two  
14 specific tracts. Looking at the general area around there, we're not flipping the script by  
15 any means, you have communities like Brookhaven, some other residential  
16 communities in the general area. As Mr. Price spoke, this does follow the economic plan  
17 for this area so we just ask for your consideration and happy to answer any questions  
18 that you have.

19 CHAIRMAN BRANHAM: Questions for the Applicant?

20 MS. FRIERSON: When you gave your address did you say Lexington?

21 MR. ROY: That's correct.

22 MS. FRIERSON: Okay, that's where I'm confused about. Is the property right on  
23 the border of Lexington County and Richland County?

1 MR. ROY: No, ma'am, that's where I live.

2 MS. FRIERSON: Okay, you just, okay. Thank you.

3 MR. ROY: That's correct. Yep.

4 CHAIRMAN BRANHAM: Okay, anything else for the Applicant? Thank you, sir.

5 MR. ROY: Thank you.

6 MR. DENNIS: Next we have Tombo Milliken? You good? Alright. Chair, that's all  
7 we had signed up.

8 CHAIRMAN BRANHAM: Okay. Mr. Price, have you got – I'm just wondering if  
9 that PDD property to the east across the railroad track from this parcel, is the density or  
10 the lot sizes over there comparable generally would you say with the requested  
11 residential district?

12 MR. PRICE: Going by when this case previously was presented to Staff, from a,  
13 kind of a lot size, essentially some of the lots may be smaller than what the MD  
14 designation, the minimum requirements for the MD would be. And it looks like the  
15 density may be even a little higher, it's pretty, I wouldn't say packed in there but they're  
16 relatively close to each other.

17 CHAIRMAN BRANHAM: It's higher where?

18 MR. PRICE: I was looking at the number of homes in the area on that PDD and  
19 also the, I guess you could say the separation between the homes. Looks like this  
20 would be, that area and the PDD is a lot denser and the lot sizes are a little smaller than  
21 what the minimum requirements would be in the RS-MD.

22 CHAIRMAN BRANHAM: And I see a note where the City of Columbia is labeled  
23 above Hobart Road. How is the city limits, how are they delineated here on this map?

1 MR. PRICE: I'm not sure, the City is not in this area, I'm not sure why that's  
2 there. That may be, I'm not sure if that's a parcel there along a utility but the City is not  
3 in this area.

4 MR. YONKE: You may have to pull a map up again for this one.

5 CHAIRMAN BRANHAM: On the west side of the railroad track all the way over to  
6 77 there's not currently much residential zoning there, is there?

7 MR. PRICE: No, sir.

8 CHAIRMAN BRANHAM: We've got some similar zoning to the east, but not so  
9 much in the other surrounding areas.

10 MR. TAYLOR: So the proposed request matches that of Plantation Parkway, is  
11 that right?

12 CHAIRMAN BRANHAM: Mr. Taylor.

13 MR. TAYLOR: Oh I'm sorry, Mr. Chair. Is that correct? It's the same as what's  
14 on, looks like Rose Haven Lane, Plantation Parkway. That little section?

15 MR. PRICE: Yes, sir.

16 MR. YONKE: Mr. Chair?

17 CHAIRMAN BRANHAM: Mr. Yonke.

18 MR. YONKE: Just a question regarding the economic development corridor that  
19 we see this as a part of. Look on the map [inaudible] railroad tracks, I know it's a broad  
20 stroke but it seems like the railroad tracks break this up between what's neighborhood  
21 and what's economic development. [Inaudible] residential [inaudible] type of economic  
22 impact, you know, building out the area?

23 MR. PRICE: Which one are we looking at, sir?

1 MR. YONKE: Site in question, it overlaps with the economic development center  
2 corridor. [Inaudible]

3 MR. PRICE: One of the things that we do any time that there's property zoned  
4 industrial, we do discuss it with our economic development director to see if he has any  
5 issues with it. [Inaudible] there weren't any from him regarding this request.

6 MR. DELAGE: We have not received any.

7 MR. YONKE: Thanks Staff.

8 MR. DENNIS: Mr. Chair?

9 CHAIRMAN BRANHAM: Mr. Dennis.

10 MR. DENNIS: So to clarify there wasn't anything from the economic side of it,  
11 they didn't have anything with it?

12 MR. DELAGE: I have not received anything from economic development.

13 MR. DENNIS: Okay.

14 MR. PRICE: Like I said, you know, these are, any time there's an industrial area  
15 that we do reach out to them. I'm pretty sure we've had this conversation. And also I  
16 guess if you went on and expounded on what's really happening, you know, Richland  
17 County has two other areas within Richland County now that have been identified for  
18 industrial use to industrial parks; one in Blythewood area, that rezoning came to you  
19 some time ago, and also the area down off of Shop Road and Pineview Road. And  
20 again a number of those zonings have also come to you also. So I believe that this is a  
21 prime area for, you know, pushing for economic development at this location.

22 MR. SIERCKS: Mr. Chair, a question for Staff?

23 CHAIRMAN BRANHAM: Mr. Siercks?

1 MR. SIERCKS: [Inaudible]

2 CHAIRMAN BRANHAM: Your mic's not on.

3 MR. SIERCKS: I'm sorry, I was holding it down. With this proposed change, I  
4 guess how would it work as a part of the larger economic development center and  
5 corridor, if at all?

6 MR. PRICE: Well, as you look at the economic development center corridor  
7 designation within the Comprehensive Plan, this type of request and development  
8 would be supportive of the economic development that takes place in this area. Again,  
9 as stated when, under the land use and design, concentrated areas of high quality  
10 employment facilities integrated with or adjacent to complimentary retail and commercial  
11 uses and/or medium and high density residential uses. So it's a matter of will it  
12 compliment the economic development that's taking place in that area, or the industrial.

13 CHAIRMAN BRANHAM: Mr. Yonke.

14 MR. YONKE: Can we ask the Staff to zoom the map out a little bit? I wanna see  
15 the next neighborhood up. Looks like entrance to this would be from Farrow Road,  
16 residential is on the other side of the railroad tracks, cause it's almost like a, they're  
17 disconnected. [Inaudible] scroll down so we can see Killian Road? Can I make a  
18 motion?

19 CHAIRMAN BRANHAM: Thank you, yes Mr. Yonke.

20 MR. YONKE: Motion to approve [inaudible].

21 MR. TAYLOR: Second.

1 CHAIRMAN BRANHAM: Okay, we have a motion to recommend Case 22-017  
2 MA to County Council with a recommendation of approval. And we have a second. If  
3 there's no further discussion, Mr. Price if you'd please take the vote.

4 MR. PRICE: Okay. Those in favor of Case 22-017 MA for, the motion was for  
5 approval, Siercks?

6 MR. SIERCKS: Aye.

7 MR. PRICE: Taylor?

8 MR. TAYLOR: Aye.

9 MR. PRICE: Durant?

10 MR. DURANT: Aye.

11 MR. PRICE: Metts?

12 MR. METTS: Aye.

13 MR. PRICE: Frierson?

14 MS. FRIERSON: Aye.

15 MR. PRICE: Johnson?

16 MR. JOHNSON: [Inaudible].

17 MR. PRICE: Yonke?

18 MR. YONKE: Aye.

19 MR. PRICE: Dennis?

20 MR. DENNIS: No.

21 MR. PRICE: Branham?

22 CHAIRMAN BRANHAM: No.

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

3           CHAIRMAN BRANHAM: Motion passes. And again, we're a recommending Body  
4 so this case will go on to County Council for vote. Mr. Dennis?

5           MR. DENNIS: Yeah, can I give my reason for no vote?

6           CHAIRMAN BRANHAM: Sure.

7           MR. DENNIS: The only reason why I voted no on this, I'm struggling to give up  
8 economic development area for a residential, considering everything's on the other side  
9 of the railroad tracks and down below. It doesn't go until Clemson Road. I drive that  
10 area a lot so that's the only reason. I know Richland County was very happy when they  
11 got that economic zone passed, so I just really didn't wanna give up anything from it.

12           CHAIRMAN BRANHAM: Alright, thank you. Our next case is Case No. 22-012  
13 [sic] MA. Mr. Price, whenever you're ready. I'm sorry, 021 MA.

14           **CASE NO. 22-021 MA:**

15           MR. PRICE: Alright, so again as stated the next item is Case 22-021 MA. The  
16 Applicant is Tony Lawton. The location is at 113 Sease Road. The Applicant is  
17 requesting to rezone 1.14 acres from RU, rural, to General Commercial, GC. Staff  
18 recommends disapproval of this request. Again, principally Staff recommends  
19 disapproval as it's not consistent with the general objectives of the Comprehensive Plan  
20 for the neighborhood, medium density future land use classification. However, the  
21 proposed zoning would be in character with the adjacently zoned GC district parcels.

22           CHAIRMAN BRANHAM: Okay, thank you.

1 MR. PRICE: You know, so based on the Comprehensive Plan Staff recommends  
2 disapproval of this request.

3 CHAIRMAN BRANHAM: [Inaudible]. Mr. Dennis.

4 MR. DENNIS: Yes, we have the Applicant here, Tony Lawton.

5 **TESTIMONY OF TONY LAWTON:**

6 MR. LAWTON: Good evening. My name is Tony Lawton and I'm representing the  
7 clients, the owners of 113 Sease Road. Sometime in January they received a notice  
8 from the County where they were considering rezoning this from RU to GC, so they  
9 were very excited about hearing that. It would give them the opportunity to locate their  
10 family business back in the area of which they were once located. The property right in  
11 front of it, 1.89 acres is right now currently as C3 and so as Mr. Price said, the  
12 properties around it contiguously, you know, it's between GC and C3. So we would  
13 really consider, you know, thank you for considering moving this to GC.

14 CHAIRMAN BRANHAM: Thank you, sir. Any questions for the Applicant? Alright,  
15 thank you. And yes, Staff if you could pull up the satellite image again, please. Mr.  
16 Dennis.

17 MR. DENNIS: Just a heads up, on every one we talk about if y'all could just pull  
18 up that satellite image cause my 5G is not 5G today.

19 CHAIRMAN BRANHAM: Mr. Yonke.

20 MR. YONKE: While they're pulling that up, just to clarify the Applicant mentioned  
21 [inaudible] notice in [inaudible] property to [inaudible].

22 MR. PRICE: Yes, sir. That was part of our initial remapping process that we were  
23 going to initiate after the adoption of the Land Development Code text in November of

1 2021. And so what the Applicant received, I guess everybody received, is what was  
2 scheduled to be the proposed zoning for that area. So what they received could've  
3 probably stated that this would go from rural to a general commercial designation.

4 CHAIRMAN BRANHAM: Yeah, so personally, I mean, I just look at it and you've  
5 got an L-shaped surrounded general commercial and then you got the railroad track on  
6 the back side of it, pretty pinched in there. Otherwise I would feel less comfortable  
7 [inaudible] Broad River Road [inaudible]. Obviously Broad River Road is a main  
8 thoroughfare in that part of the County. You do have commercial [inaudible]. So looking  
9 at this parcel, that Metz Plumbing, that's in the, is that in the Town of Irmo? Is that why  
10 it's white on our packet? So that is a [inaudible] parcel, looks like a landscaping  
11 business at the other parcel that's part of the Town of Irmo, just to the north of it.

12 MR. DENNIS: Mr. Chair? I got a question for Staff. I notice in the packet that the  
13 site directly to the right, below it and all that is supposedly labeled GC, but when I was  
14 on it I couldn't figure it out when I was on the GIS at home.

15 MR. PRICE: Sometimes the actual zoning overlay color that would describe that  
16 zoning designation doesn't show, but if you put your mouse on it or you click it will tell  
17 you what the zoning of the parcel is. So, like if you take a look at what Mr. DeLage has  
18 highlighted, for some reason when we put the zoning layers up it didn't, that color didn't  
19 show. However, if you look at it the property description does identify it as commercial.

20 MR. DENNIS: So C3 is commercial, general commercial?

21 MR. PRICE: Yes, sir. That was the older, the previous zoning designation prior to  
22 the 2005 Land Development Code. I'm not sure why it didn't transfer over but  
23 essentially the property is GC.

1 MR. DENNIS: So that's why I couldn't find it in the old Land Development Code  
2 and I was scratching my head and kinda going, well –

3 MR. PRICE: It is actually GC, yes, sir.

4 MR. DENNIS: Okay. Got it.

5 MR. TAYLOR: Mr. Chair?

6 CHAIRMAN BRANHAM: Mr. Taylor.

7 MR. TAYLOR: Question for Staff. Similar to Mr. Yonke, so the notice that was  
8 given – again I guess just for clarification – was it communicated that these would be  
9 zoned general commercial or was that just –

10 MR. PRICE: It was communicated that these are the proposed zoning  
11 designations. It was never stated that this is what it will be.

12 MR. YONKE: Mr. Chair?

13 CHAIRMAN BRANHAM: Mr. Yonke.

14 MR. DURANT: I have a question for you. Mr. Chair –

15 CHAIRMAN BRANHAM: Mr. Durant.

16 MR. DURANT: - I just wanna, question for Staff. The site, you communicated to  
17 the owner early on that it's possible that it would be rezoned general commercial. And  
18 it's surrounded by those similar sites, is that correct?

19 MR. PRICE: Yes, sir.

20 MR. DURANT: Right. And can you just tell me what is the inconsistency with the  
21 Comprehensive Plan then? It seems to fit right in with what's already there as general  
22 commercial.

1 MR. PRICE: I think when the Comprehensive Plan was, when we were  
2 identifying areas we didn't necessarily look at the zonings that were already in place. So  
3 in some cases you may have some parcels that already had a certain zoning, in this  
4 case commercial, but based on how we identified the future land use for that area,  
5 commercial may not have been the appropriate zoning or didn't meet those  
6 recommendations of that designation.

7 MR. YONKE: Mr. Chair?

8 CHAIRMAN BRANHAM: Mr. Yonke.

9 MR. YONKE: I'd like to make a motion to approve [inaudible].

10 CHAIRMAN BRANHAM: Alright, we have a motion to send this with a  
11 recommendation of approval up to County Council. Do we have a second?

12 MR. DENNIS: Second.

13 CHAIRMAN BRANHAM: Alright, it's been moved and seconded. Any additional  
14 discussion before we take a vote? Okay, Mr. Price if you'd take the vote, please.

15 MR. PRICE: Alright. Those in favor of the recommendation of approval for Case  
16 22-021 MA, Siercks?

17 MR. SIERCKS: Aye.

18 MR. PRICE: Taylor?

19 MR. TAYLOR: Aye.

20 MR. PRICE: Durant?

21 MR. DURANT: Aye.

22 MR. PRICE: Metts?

23 MR. METTS: [Inaudible].

1 MR. PRICE: Frierson?

2 MS. FRIERSON: Aye.

3 MR. PRICE: Johnson?

4 MR. JOHNSON: [Inaudible].

5 MR. PRICE: Yonke?

6 MR. YONKE: Aye.

7 MR. PRICE: Dennis?

8 MR. DENNIS: Aye.

9 MR. PRICE: Branham?

10 CHAIRMAN BRANHAM: Aye.

11 *[Approved: Siercks, Taylor, Durant, Metts(?), Frierson, Johnson(?), Yonke,*  
12 *Dennis, Branham]*

13 MR. PRICE: Motion passes.

14 CHAIRMAN BRANHAM: Alright, thank you. Yeah, I'll just, again add as the  
15 justification since on paper we're going against Staff, I'll just say as one in support that  
16 the surrounding area, several tracts in the immediate vicinity have the same zoning  
17 designation. I don't anticipate any inordinate impact on the surrounding area and, yeah  
18 that's my – I understand Mr. Yonke is the mover and –

19 MR. YONKE: I agree with the Chair and we've added that to my motion.

20 CHAIRMAN BRANHAM: Alright, thank you. And we're a recommending Body so  
21 that case will now move to County Council. Next case, Mr. Dennis, correct me if I'm  
22 wrong, Case 22-023 MA.

1 MR. DENNIS: Yes, sir. That would be the one that we also had the correction for  
2 Staff recommendation on page 47 from approval to disapproval.

3 CHAIRMAN BRANHAM: Mr. Price, when you're ready.

4 **CASE NO. 22-023 MA:**

5 MR. PRICE: The next item is Case 22-023 MA. The Applicant is Gerald A. Lee.  
6 The parcel is located off of Archie Drive. The Applicant is requesting to rezone 3.12  
7 acres from RS-MD which is residential, single-family, medium density, to RM-MD, which  
8 is residential multi-family, medium density. Again, Staff's recommendation was for  
9 disapproval of this request as it would not be consistent with the objectives of the  
10 Comprehensive Plan which identifies this as neighborhood, medium density within the  
11 Plan. The Plan recommends multi-family development should occur near activity  
12 centers and within priority investment areas with access to roads with adequate  
13 capacity and multi-module transportation options, which we feel that this particular site  
14 does not achieve any of those recommendations. So again for these reasons Staff  
15 recommends disapproval.

16 CHAIRMAN BRANHAM: Thank you. Any questions for Staff before we hear from  
17 the Applicant? Mr. Dennis.

18 MR. DENNIS: Yes, we have the Applicant signed up, Gerald Lee.

19 **TESTIMONY OF GERALD LEE:**

20 MR. LEE: Good evening. My name is Gerald Lee. I represent the property owner,  
21 Mr. Demetrius Summers, or Fuller, Demetrius Fuller. This parcel is located at the end of  
22 Archie Drive where it then turns and becomes Flora Way. The Housing Authority of  
23 Columbia owns an affordable housing complex along the entire length of Flora Way and

1 halfway down the north side of Archie Drive. This complex contains 11 duplexes, three  
2 single units and a maintenance building. The other abutting property on the south side  
3 of Archie Drive is an eight-bed intermediate care facility. Behind the property is a parcel  
4 with access from Rabon Road that is currently zoned PDD, but the possibility of any  
5 development on the property is unlikely since it is virtually all floodplain and wetlands.  
6 Our parcel is 3.12 acres of which .67 acres is jurisdictional wetlands and another .84  
7 acres can't be used because of County-required buffering. Fifty percent of the property  
8 is unusable and will remain undisturbed. The owner of this property approached us in  
9 2021 wanting to develop the property as for much needed affordable housing. We first  
10 wanted to do single-family residential but too much of the property is unusable. We then  
11 discussed with County Staff about possibly doing duplexes but was told the current  
12 zoning would not permit them, however the property was going to have a new zoning  
13 classification soon under the new LDC that would allow duplexes. We just had to wait  
14 until it got approved. The anticipated approval was March of 2022, then we were told  
15 possibly July, and now maybe early 2023; we are still waiting. We're simply asking for  
16 permission to construct these affordable housing units now before construction costs  
17 rise even higher, instead of waiting for a zoning change. Thank you for your time.

18 CHAIRMAN BRANHAM: Any questions for the Applicant? Mr. Dennis, anyone  
19 else?

20 MR. DENNIS: No, sir, that's all we have.

21 CHAIRMAN BRANHAM: Alright. Having heard from the Applicant do we have  
22 any questions for Staff or you wanna move into discussion?

23 MR. DENNIS: Mr. Chair?

1 CHAIRMAN BRANHAM: Mr. Dennis?

2 MR. DENNIS: I just have one question for Staff. The Housing Authority of the  
3 City of Columbia, I know it's primary was RS-MD, but there is a secondary zoning for  
4 RM-MD, correct?

5 MR. PRICE: That's correct.

6 MR. DENNIS: Okay.

7 CHAIRMAN BRANHAM: So the City is upgrading the facility outside of the City  
8 limits, is that it?

9 MR. PRICE: Yes.

10 CHAIRMAN BRANHAM: Okay. And it's duplexes, does that sound right?

11 MR. PRICE: Yes. Yeah, those are duplexes. And also the parcel that's  
12 immediately east of the subject property, it looks like a big house which would be across  
13 the street from the duplexes, the Columbia Housing, that is, it's a single-family  
14 residential use but is owned by the Babcock Center so it's actually a group home  
15 according to our Code.

16 CHAIRMAN BRANHAM: Mr. Johnson.

17 MR. JOHNSON: If Staff could articulate its perspective of the Applicant's  
18 comments relative to future zoning on that site.

19 MR. PRICE: I was trying to remember, I don't have what we actually originally  
20 proposed [inaudible]. So I believe the letters that went out in January as you previously  
21 heard, designed this area, proposed this area to be R6, which was more of a higher  
22 density rezoning than what is here now. So when he's referring to the previous zoning  
23 letters that went out, again just as the previous case we discussed, we sent out letters

1 of what the proposed zoning may be for an area, and in this case it was going to be R6.  
2 During that time action was not taken to initiate any of the remapping, we're still kinda in  
3 that process right now. So it has been bumped, we originally thought this would've  
4 taken place in May of this year, but it's been bumped a little further as we continue to  
5 reevaluate not only the Land Development Code that was adopted in November, but  
6 we're also looking at the mapping, which is part of what Council has asked the Planning  
7 Commission to do. So right now, as he stated, a number of applicants are coming in  
8 rather than just waiting to see ultimately what the decision of the County will be. They're  
9 just coming in and asking for the zoning that they feel is most appropriate for their  
10 intended use.

11 CHAIRMAN BRANHAM: - see one of those notices, Mr. Johnson? Did you get  
12 one in the mail, do you remember seeing it? Yeah, okay. It kinda looked like a tax  
13 notice, it really got everybody's attention and that was Staff's recommendation for  
14 rezoning. That's not binding at all on anybody or anything and that's, you know, just part  
15 of the process that we're still ongoing that we'll be revisiting later in the meeting as far  
16 as what the new zoning map should really look like. But we certainly understand why  
17 people would mention it when they come in for a zoning map application request.

18 MR. JOHNSON: Mr. Chairman, I would just make the comment that from a  
19 density standpoint, there's a fair amount of density in that area and that would just  
20 further [inaudible] that level of [inaudible].

21 CHAIRMAN BRANHAM: Yeah, just looking at the report from the Staff it looks  
22 like the maximum number of units for this site if rezoned would be 24 dwelling units on  
23 the three acres?

1 MR. PRICE: That's correct.

2 AUDIENCE: Can I make a comment to that?

3 CHAIRMAN BRANHAM: No. We usually just give you two minutes as an  
4 Applicant, and if anybody's got a question for the Applicant though you're welcome to  
5 ask, and then we can call him back up to the stand. Sorry, that's just our process. Not  
6 trying to be mean.

7 MR. PRICE: Mr. Chair?

8 CHAIRMAN BRANHAM: Yes, Mr. Price.

9 MR. PRICE: I'll be speaking for – helping the Applicant out a bit. But just for, you  
10 know, again being that we have a number of new members, when we put down what  
11 the total number of units that could go on the property, we're putting down the gross  
12 number, we're not taking in consideration potential infrastructure that's gonna be  
13 necessary for the roads, we don't take in consideration if there are any constraints on  
14 the property such as wetlands or flood zone either, so that number will probably be  
15 reduced based on the existence of the wetlands and also potential infrastructure that  
16 would need to be placed on the site.

17 CHAIRMAN BRANHAM: Thank you.

18 MR. SIERCKS: Mr. Chair?

19 CHAIRMAN BRANHAM: Mr. Siercks.

20 MR. SIERCKS: Question for Staff. With regard to one of the comments that was  
21 made related to the character of, so the buildings around that area, that's just a use  
22 issue, right, that's not related to, that doesn't have anything to do with what the current  
23 zone or what the Comprehensive Plan calls for for that area.

1 MR. PRICE: No, sir. I believe a number of the uses were established prior to our  
2 Comp Plan. We can pull up the date of them being established on the site.

3 CHAIRMAN BRANHAM: Those might well be defined or labeled as non-  
4 conforming uses, permitted non-conforming uses.

5 MR. PRICE: Yeah, potentially, really we're only talking about the site owned by  
6 Columbia Housing Authority. Again, as Mr. Dennis pointed out there is a split zoning on  
7 the property, some single-family, some multi-family so not all of it will be deemed to be  
8 non-conforming.

9 CHAIRMAN BRANHAM: Thanks.

10 MR. PRICE: And again as we discussed before, you know, our recommendations  
11 are based on the Comprehensive Plan, so that's what we primarily look at from Staff.  
12 There are other issues that may come up such as they did on the last case of the  
13 existing zonings in the area or in some cases the existing uses that, you know, you as  
14 the Planning Commission can take into consideration upon making your  
15 recommendation.

16 CHAIRMAN BRANHAM: Thank you, Mr. Price.

17 MR. JOHNSON: Mr. Chairman, I'm inclined to support Staff's recommendation  
18 as a motion.

19 CHAIRMAN BRANHAM: Thank you, Mr. Johnson. We've got a motion, okay. Mr.  
20 Johnson's made a motion to send Case No. 22-023 MA to Council with a  
21 recommendation of disapproval. Is that correct?

22 MR. JOHNSON: Yes.

23 CHAIRMAN BRANHAM: Alright. Is there a second?

1 MR. SIERCKS(?): Second.

2 CHAIRMAN BRANHAM: Alright, we have a second. Any further discussion  
3 before Mr. Price takes a vote? Alright, Mr. Price, thank you.

4 MR. PRICE: Okay. Those in favor of the motion for disapproval of Case 22-023  
5 MA, Siercks?

6 MR. SIERCKS: Aye.

7 MR. PRICE: Taylor?

8 MR. TAYLOR: Nay.

9 MR. PRICE: Durant?

10 MR. DURANT: Nay.

11 MR. PRICE: I'm sorry, Mr. Taylor, what was your –

12 MR. TAYLOR: No.

13 MR. PRICE: Metts?

14 MR. METTS: [Inaudible].

15 MR. PRICE: Frierson?

16 MS. FRIERSON: Nay.

17 MR. PRICE: Johnson?

18 MR. JOHNSON: Aye.

19 MR. PRICE: Yonke?

20 MR. YONKE: Nay.

21 MR. PRICE: Dennis?

22 MR. DENNIS: Nay.

23 MR. PRICE: Branham?

1 CHAIRMAN BRANHAM: Aye.

2 *[Approved to deny: Siercks, Metts(?), Johnson, Branham; Opposed: Taylor, Durant,*  
3 *Frierson, Yonke, Dennis]*

4 MR. PRICE: So that motion fails 4/5.

5 CHAIRMAN BRANHAM: Okay. Brought it back the reverse, somebody make the  
6 motion, please.

7 MR. DENNIS: Mr. Chair?

8 CHAIRMAN BRANHAM: Mr. Dennis.

9 MR. DENNIS: I have a motion to make. I would like to send Case No. 22-023 MA  
10 to County Council for approval, reasoning being the surrounding area does have multi-  
11 family, split zoning uses directly to the right of the area, and that's why I'm going with it  
12 cause it supports that area.

13 MR. YONKE: Second.

14 CHAIRMAN BRANHAM: Alright, moved and seconded to send 22-023 MA with  
15 the recommendation of approval. Mr. Price, would you please take the vote?

16 MR. PRICE: Alright, those in favor of the motion for approval of Case 22-023 MA,  
17 Siercks?

18 MR. SIERCKS: No.

19 MR. PRICE: Taylor?

20 MR. TAYLOR: Yes.

21 MR. PRICE: Durant?

22 MR. DURANT: Yes.

23 MR. PRICE: Metts?

1 MR. METTS: Yes.

2 MR. PRICE: Frierson?

3 MS. FRIERSON: Yay.

4 MR. PRICE: Johnson?

5 MR. JOHNSON: No.

6 MR. PRICE: Yonke?

7 MR. YONKE: Aye.

8 MR. PRICE: Dennis?

9 MR. DENNIS: Aye.

10 MR. PRICE: Branham?

11 CHAIRMAN BRANHAM: No.

12 MR. PRICE: Alright, so that motion passes if I'm correct 6/3.

13 *[Approved: Taylor, Durant, Metts, Frierson, Yonke, Dennis; Opposed: Siercks, Johnson,*  
14 *Branham]*

15 MR. DENNIS: That's what I got.

16 MR. PRICE: You got that?

17 CHAIRMAN BRANHAM: Who voted no? Raise your hand if you voted no. Is that  
18 right? Okay, 6/3, motion passes, motion carries. Alright, so that's the recommendation  
19 that'll go up to County Council. Next case, Case 22-024 MA. Mr. Price, whenever you're  
20 ready.

21 **CASE NO. 22-024 MA:**

22 MR. PRICE: Item, Case 22-024 MA. The Applicant is Charlotte Huggins. The  
23 location is 10512 Garners Ferry Road. The Applicant is requesting to rezone 2.87 acres

1 from rural commercial to general commercial. As you'll note in your zoning history  
2 section of our package for this, there have been a number of rezonings for this  
3 particular parcel. Staff recommends disapproval of this request; that it doesn't seem to  
4 be in compliance or consistent with the objectives of the Comprehensive Plan. Again,  
5 Staff recommends disapproval. The Comprehensive Plan designates this area as rural  
6 large lot and within that designation it recommends residential developments on large  
7 lots, open space subdivisions and smaller agricultural operations for areas designated  
8 as rural. For these and other reasons Staff recommends disapproval.

9 CHAIRMAN BRANHAM: Okay, any preliminary questions for Staff? Alright, Mr.  
10 Dennis?

11 MR. DENNIS: We have the Applicant here, Charlotte Huggins.

12 **TESTIMONY OF CHARLOTTE HUGGINS:**

13 MS. HUGGINS: Good afternoon, thank you for coming. I'm Charlotte Huggins,  
14 reside at 273 Old Congaree Run Road, Eastover. Have been there since 1983. And Mr.  
15 Price, he is right, I have been here several times and currently it's 2.87 and we bought  
16 the property in 2014 and I've been coming here since 2016, multiple times, six or eight  
17 times. It's over two acres. First I was told it's not 2 acres, you can't apply for GC. Then  
18 we got the 2 acres, we had subdivided some adjoining property we had, then we were  
19 told we didn't fit. And there's adjacent property across the road, even the Richland  
20 County Recycle Center that's GC, everybody's GC. We can't get GC, I don't know. I  
21 talked to Norman Jackson in the past and Chakisse Newton and, you know, I'm all for  
22 helping the economy and people grow in our area and our area is growing, our  
23 community. It's growing out there. And you know, that's, like I said I'd like to, still been

1 trying, you know, I survived last year's stroke, I survived the stroke in May and I'm back  
2 here fighting for our community. And you know, that sorta ends that, but I do have a  
3 question. I'm all happy for the owners that get what they need, number four up there,  
4 you approved RU to GC, RU to GC at 1.14 and I have over 2 and I was told on another  
5 property I have I can't even put in my application cause I don't have 2 acres to meet the  
6 GC rule. So that's sorta shocks me right there. I don't understand. But thank you for  
7 your consideration.

8 CHAIRMAN BRANHAM: Thank you, Ms. Huggins.

9 AUDIENCE MEMBER: I did not sign up to speak.

10 CHAIRMAN BRANHAM: Sure, come on down.

11 **TESTIMONY OF TRAVIS HUGGINS:**

12 MR. HUGGINS: Thank you for the two minutes. Travis Huggins, 1719 Old  
13 Eastover Road. I've lived out there for 32 years. I actually came with my mother to fight  
14 this same case for about six years. And I'd like to point out we paid probably \$18,000 in  
15 taxes to Richland County for that time we could not use this building. Across the street I  
16 would like to point out there's a convenience store that is GC. It is only on one acre of  
17 land. If you notice beside that store he was also awarded back in the day 34 acres of  
18 general commercial property where you could build a Walmart, anything you want,  
19 probably several Walmarts. We have a building that's now, cost us probably about  
20 \$300,000 to purchase and be able to use that's been existing businesses all my life. It  
21 was an embroidery shop, it was scientific research, it was a daycare, restaurant and  
22 that's only some of the ones I can remember. But basically the owner died, it reverted  
23 back to rural, which I also disagree with that in Richland County. When it reverted back

1 we purchased it as rural, we've been fighting ever since to be able to do what's in the  
2 area. You know, we have a convenience store across the road, we have an embroidery  
3 shop across the road and we have a dump, which is Richland County. I just ask for your  
4 consideration because they could build a mall across the road with 34 acres GC.  
5 There's no structure on that land. This structure's probably been here since the '70s.  
6 We just wanna be able to use it for the community. Thank you.

7 CHAIRMAN BRANHAM: Are there others signed up to speak?

8 MR. DENNIS: Not on that one, sir.

9 CHAIRMAN BRANHAM: On the screen right now we're talking about the  
10 property that's outlined in the light green, not where the mouse hand is hovering? Okay,  
11 thanks. And Mr. Price, do you wanna review any of the zoning information you might  
12 have as it relates to the parcels across the street from the subject parcel?

13 MR. PRICE: Unfortunately sir, the only thing I can offer is stated under the zoning  
14 history is that that parcel GC south of this site was rezoned back in 2014. I do know  
15 that, you know, right across the street is a convenience store, I think most people just  
16 know it as Mr. Bunky's if I'm correct. And as the Applicant stated there is the Richland  
17 County landfill, solid waste facility which is right, I think where Mr. DeLage is pointing.  
18 And I believe that there was a parcel that was rezoned some years ago, and again I'm  
19 kinda going off memory. Behind there, which you would need to check because I  
20 believe a portion of that was rezoned also commercial to allow for I believe some  
21 parking.

22 CHAIRMAN BRANHAM: What was to the [inaudible] color?

23 MR. PRICE: That's McEntire Air Force Base.

1 MR. YONKE: Mr. Chair.

2 CHAIRMAN BRANHAM: Mr. Yonke.

3 MR. YONKE: I'd like to ask Staff just zoom the app out some.

4 CHAIRMAN BRANHAM: [Inaudible] any other questions for Staff or comments or  
5 discussion?

6 MS. FRIERSON: I have a question.

7 CHAIRMAN BRANHAM: Ms. Frierson.

8 MS. FRIERSON: It's of Staff. If I heard Mr. Huggins correctly, prior to his family  
9 purchasing the land in question there was commercial use there, and when the previous  
10 owner died it reverted back to rural. Is that accurate information?

11 MR. PRICE: Maybe not as stated. I think the intent of it was that the property was  
12 used commercially under the rural zoning designation, which would've made it non-  
13 conforming use, but I guess once the owner died and a period of inactivity took place,  
14 then the non-conforming status was lost and all commercial uses that were previously  
15 allowed were no longer allowed.

16 MS. FRIERSON: So do you know right off hand what period of time the non-  
17 conforming use was allowed to exist and when that expired?

18 MR. PRICE: I would need to go back and take a look at it.

19 MS. FRIERSON: Approximately would be okay.

20 MR. PRICE: I think you can kind of go back and just looking at the history  
21 definitely it was before 2016. And I say that because looking at the history of the  
22 rezoning requests that have taken place had the non-conforming status been in place,  
23 then those would not have been necessary, so, for that time.

1 CHAIRMAN BRANHAM: Currently zoned rural or RC?

2 MR. PRICE: RC.

3 CHAIRMAN BRANHAM: Rural commercial.

4 MR. PRICE: Yes. And that was approved 2019.

5 CHAIRMAN BRANHAM: The property that's got Mr. Bunky's on it, it was zoned,  
6 it became zoned GC, did you say you knew when that was?

7 MR. PRICE: No, sir, I would have to look at exactly when that would've occurred.

8 CHAIRMAN BRANHAM: Yeah. It obviously has been there a long time, the  
9 business has been there a long time. I'm just wondering if that was kind of "proactively  
10 zoned" as such as a part of an initial mapping process or a big round of zoning  
11 mapping.

12 MR. PRICE: Well, only thing I can tell you is, you know, unfortunately being here  
13 forever, I've never had to post that property to be rezoned, so my assumption is that it  
14 would've been proactively rezoned general commercial.

15 CHAIRMAN BRANHAM: Maybe in the '70s?

16 MR. PRICE: Probably during the adoption of our maps.

17 CHAIRMAN BRANHAM: The first time?

18 MR. PRICE: Yes.

19 CHAIRMAN BRANHAM: Yeah, I mean, it feels like a head scratcher that  
20 rezoning of the large parcel across the street behind Mr. Bunky's that was [inaudible].

21 MS. FRIERSON: I'd like to make a motion.

22 CHAIRMAN BRANHAM: Ms. Frierson.

1 MS. FRIERSON: I move that we rezone, I mean, that we recommend that  
2 property number 22-024 MA be sent to County Council with a recommendation of  
3 approval. And because it goes against Staff recommendation my rationale is that  
4 according to what I listened to and what the witnesses stated, it just seems that existing  
5 property is in the general commercial zoning designation and this would just be  
6 consistent with what already exists.

7 ?: Second.

8 CHAIRMAN BRANHAM: Alright, it's been moved and properly seconded we  
9 send Case 22-024 MA to Council with a recommendation of approval. Any other  
10 discussion before we take the vote?

11 MR. DURANT: Just a comment, Mr. Chair.

12 CHAIRMAN BRANHAM: Mr. Durant.

13 MR. DURANT: I'm sitting here trying to wrap my head around this, it just doesn't  
14 seem to make any, much sense to me that the area on the south side of 378, Mr.  
15 Bunky's and everything else is general commercial, but then right across the street,  
16 roughly adjacent to it, that has not been allowed to be general commercial. So that's  
17 why I'm supporting this.

18 CHAIRMAN BRANHAM: Okay, thank you. Anyone else? Alright, Mr. Price if  
19 you'd please take the vote. Again the motion is to recommend approval.

20 MR. PRICE: Motion for recommendation of approval for Case 22-024. Those in  
21 favor, Siercks?

22 MR. SIERCKS: No.

23 MR. PRICE: Taylor?

1 MR. TAYLOR: Yes.

2 MR. PRICE: Durant?

3 MR. DURANT: Yes.

4 MR. PRICE: Metts?

5 MR. METTS: Yes.

6 MR. PRICE: Frierson?

7 MS. FRIERSON: Yes.

8 MR. PRICE: Johnson?

9 MR. JOHNSON: Yes.

10 MR. PRICE: Yonke?

11 MR. YONKE: Nay.

12 MR. PRICE: Dennis?

13 MR. DENNIS: Yes.

14 MR. PRICE: Branham?

15 CHAIRMAN BRANHAM: No.

16 MR. PRICE: Alright, 6/3 vote for approval of the request.

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

18 *Branham]*

19 CHAIRMAN BRANHAM: Alright, thank you. The recommendation is for approval  
20 and that will go to County Council. Next Case, 22-025 MA. Mr. Price, whenever you're  
21 ready to proceed.

22 **CASE NO. 22-025 MA:**

1 MR. PRICE: Alright, our next request, next item is Case 22-025 MA. The  
2 Applicant is Charlotte Huggins. The location is 10201 Garners Ferry Road. The  
3 Applicant is requesting to rezone 4.32 acres from rural to rural commercial. Staff  
4 recommends disapproval of this request. The subject site is located within the rural  
5 designation of the Comprehensive Plan. Staff feels that the request is not consistent  
6 with the recommendations of the Plan which recommends that commercial development  
7 be limited to rural activity centers. In addition to the Comprehensive Plan, the Lower  
8 Richland Community Strategic Master Plan does not support the type of residential,  
9 excuse me, type of development associated with the RC zoning designation within the  
10 identified rural residential areas. Further, the intensity of uses and development allowed  
11 under the RC zoning designation would be incompatible and out of character with the  
12 present zoning, land uses and development pattern within the area. So again, Staff's  
13 recommendation is for disapproval.

14 CHAIRMAN BRANHAM: Thank you. Any questions at this juncture for Staff? Mr.  
15 Taylor?

16 MR. TAYLOR: Mr. Chair? Question for Staff, is that a typo on page 68 at the top?  
17 Should it be RU to RC?

18 MR. PRICE: Thank you very much, that is correct. That should be RU to RC.

19 CHAIRMAN BRANHAM: Anything else for Staff before we hear from the  
20 Applicant? Alright, Mr. Dennis?

21 MR. DENNIS: Yes, we have the Applicant, Charlotte Huggins.

22 **TESTIMONY OF CHARLOTTE HUGGINS:**

1 MS. HUGGINS: Yes, thank you. Charlotte Huggins, 273 Old Congaree Run,  
2 Eastover. This property, 10201 is currently, I mean, it is 4.32 acres. We're not  
3 requesting to build anything, it was an existing restaurant, grill and bar and you've had  
4 it, I think, zoned incorrectly over the years as RU and it has a better fit as RZ, RC.  
5 Currently there is, like I said a business is already there and operating. We just request  
6 a zoning change to have a better fit since everybody's doing all this remapping and  
7 rezoning and everything. Thank you.

8 CHAIRMAN BRANHAM: Anyone have any questions for Ms. Huggins? And Mr.  
9 Dennis, anyone else signed up to speak?

10 MR. DENNIS: We have Travis Huggins.

11 **TESTIMONY OF TRAVIS HUGGINS:**

12 MR. HUGGINS: Travis Huggins, 1719 Old Eastover Road. So my parents just  
13 recently purchased this property. This is an existing business. It has been several  
14 different businesses since the '60s. There is also two other commercial buildings on this  
15 property. As the previous property, we're dealing with existing structures that was  
16 placed in the '60s and '70s and it's been businesses for our community since then. This  
17 one has been able to stay operating, keep the doors open. I actually own and run the  
18 O'Kelly's Bar & Grill now. The property to the right is an existing tire shop. It cannot ever  
19 be anything besides a tire shop, a used tire shop. It cannot be anything else. In front of  
20 that there used to be a welding shop. It's closed, it can't be anything. We're just trying to  
21 use what has been placed in our community for the last 50 years still for the community.  
22 That's why we're here fighting still, you know, we're, there's nothing out there, I've lived  
23 out there my whole life and there's nothing after Bunky's closes at 3:00 at the kitchen

1 and the convenience store closes at 5:00, you're driving 15, 20 minutes to town where  
2 you already have an abundance of vehicles. And we're just trying to do something for  
3 the community out this way. We're not asking to build a Walmart, you know, we don't  
4 have 34 acres that's not being used for anything that's GC, we're just trying to be able  
5 to do different stuff besides a tire shop, if you will. That's what we're trying to do today.  
6 Thank you for your consideration.

7 MR. DENNIS: Mr. Chair?

8 CHAIRMAN BRANHAM: Mr. Dennis.

9 MR. DENNIS: I have a question for Staff. This property, the business on there,  
10 has it been operating non-conforming the whole time, prior to that?

11 MR. PRICE: Yes, sir.

12 MR. DENNIS: So they never did anything, the previous owners never did  
13 anything to have it non-conforming legally, correct?

14 MR. PRICE: No, sir.

15 MR. DENNIS: Okay.

16 CHAIRMAN BRANHAM: [Inaudible] not an established permitted non-  
17 conformance, the business that's there now.

18 MR. PRICE: I'm sorry, say that again sir?

19 CHAIRMAN BRANHAM: Is it operating, you know, lawfully under the current  
20 zoning?

21 MR. PRICE: Yes, non-conforming.

22 CHAIRMAN BRAHMAN: As a non-conformance.

23 MR. PRICE: Yes.

1 CHAIRMAN BRANHAM: Okay. And that's the O'Kelly's and then the tire shop as  
2 well?

3 MR. PRICE: Yes, sir.

4 CHAIRMAN BRANHAM: Okay. Can somebody from Staff maybe talk a little bit  
5 more about non-conformances, like what they are?

6 MR. PRICE: Okay. So I can come at it from two different angles here. So what  
7 we have is a request to rezone this to rural commercial, and the difference between  
8 having the property zoned rural commercial or having a commercial zoning designation  
9 to it as opposed to keeping it as a non-conforming use is non-conforming remains as is,  
10 no future expansion, no change of use. What is there stays and if it discontinues, as I  
11 think Mr. Huggins stated earlier, you know, if a use discontinues or loses that non-  
12 conforming status it cannot be reestablished. The rural commercial or any commercial  
13 zoning that's applied to the property would allow for any of the uses that are listed within  
14 the rural commercial zoning designation and also would allow for expansion or  
15 improvements to the site that would actually physically alter the building or the property.

16 CHAIRMAN BRANHAM: So how does a non-conformance get created?

17 MR. PRICE: Non-conforming is if a use was established prior to any ordinances  
18 or mapping that would make it no longer a permitted use, so you have a, in this  
19 particular use you have a commercial use that was there forever, you know, prior to the  
20 adoption of any zoning regulations. So it is allowed to remain, but its survival's not  
21 encouraged, thus you know, limiting the ability to be able to modify the building as far as  
22 expanding it. But that's where the non-conforming status comes from, it was there prior  
23 to any ordinances that would've prohibited this use.

1 CHAIRMAN BRANHAM: Is it fair to say that they're permitted to continue in  
2 operation just because they're trying to balance, you know, whatever the economic  
3 interests and the ongoing activity versus the public policy as far as what we want that  
4 land and that area to be?

5 MR. PRICE: Yes. So it would be allowed to continue to operate as is, if a  
6 rezoning request does not un-grant it.

7 CHAIRMAN BRANHAM: Okay, any other questions or comments or discussion?  
8 Mr. Johnson?

9 MR. JOHNSON: Mr. Chairman, 22-024 that we voted on and approved seems  
10 [inaudible] clear cut because you had general commercial right around it. This I think is  
11 different. I think that you look at the surrounding uses [inaudible] take that same action.  
12 That's just, just looking [inaudible].

13 CHAIRMAN BRANHAM: [Inaudible]. Mr. Yonke.

14 MR. YONKE: Can we zoom the map out again? Staff, please? What is the  
15 property right next to it? To the left?

16 [Inaudible]

17 MR. DENNIS: Mr. Chair, I have a motion.

18 CHAIRMAN BRANHAM: Okay.

19 MR. DENNIS: I would like to send Case Number 22-025 MA to Council for  
20 disapproval as it does not fit the Comprehensive Plan or the surrounding area.

21 MR. JOHNSON: Second.

1 CHAIRMAN BRANHAM: Is there a second? Seconded by Mr. Johnson. Thank  
2 you. Any other discussion before we take the vote? Okay, Mr. Price if you would please  
3 take the vote. This is a motion for a recommendation of disapproval.

4 MR. PRICE: Alright, those in favor of the motion for disapproval for Case 22-025  
5 MA, Siercks?

6 MR. SIERCKS: Aye.

7 MR. PRICE: Taylor?

8 MR. TAYLOR: Aye.

9 MR. PRICE: Durant?

10 MR. DURANT: Aye.

11 MR. PRICE: Metts?

12 MR. METTS: Aye.

13 MR. PRICE: Frierson?

14 MS. FRIERSON: Aye.

15 MR. PRICE: Johnson?

16 MR. JOHNSON: Aye.

17 MR. PRICE: Yonke?

18 MR. YONKE: Aye.

19 MR. PRICE: Dennis?

20 MR. DENNIS: Aye.

21 MR. PRICE: Branham?

22 CHAIRMAN BRANHAM: Aye.

23 MR. PRICE: That motion passes.

1 *[Approved: Siercks, Taylor, Durant, Metts, Frierson, Johnson, Yonke, Dennis, Branham]*

2 CHAIRMAN BRANHAM: Alright, thank you and that will be our recommendation  
3 and the case will now go up to County Council. And the next case 22-026 MA. Mr.  
4 Price, whenever you're ready if you would present that.

5 **CASE NO. 22-026 MA:**

6 MR. PRICE: Just a moment, sir.

7 CHAIRMAN BRANHAM: No problem. We'll look to take a 10 minute break here  
8 pretty soon.

9 MR. PRICE: So our next item is Case 22-026 MA. The Applicant is Harpal  
10 Grewal, I hope I'm saying that correctly. The location is along Rushmore Drive off of  
11 Broad River. The Applicant is requesting to rezone 2.81 acres from RS-MD to GC. The  
12 RS-MD is residential single-family, medium density, again to GC which is general  
13 commercial. Staff recommends approval of this map amendment principally, as the  
14 proposed [inaudible] just one moment, sir. Okay, I believe there was a typo in here but  
15 the Staff does recommend approval, instead of being inconsistent it would be consistent  
16 with the general objectives outlined in the Comprehensive Plan. However, we wanna  
17 point out that the requested zoning request could be deemed to be an encroachment  
18 into the residentially zoned and developed section of Rushmore Road, Rushmore Drive.  
19 So again, Staff principally approves or recommends approval for this request.

20 CHAIRMAN BRANHAM: Okay, thank you. Questions for Staff?

21 MR. DENNIS: Mr. Chair?

22 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

1 MR. DENNIS: Yeah, so what, when it comes out the tax map number it says a  
2 portion of and I notice when we pull that up it's already zoned GC with a secondary RS-  
3 MD. So I'm trying to figure out –

4 MR. PRICE: Yeah, okay so if you take a look at the entire parcel, I think Mr.  
5 DeLage has a line drawn there, so the portion that's to, I guess on the left side is zoned  
6 general commercial, the portion to the right side is the portion that we have before you  
7 now that is zoned single-family, residential, medium density.

8 MR. DENNIS: Okay, so the whole thing's not GC.

9 MR. PRICE: The whole thing is a split zoning with a small portion of it that's  
10 zoned general commercial.

11 CHAIRMAN BRANHAM: Like in our packet on page 76, the orange square that's  
12 under the word 'site', is the area that Mr. DeLage has highlighted, is that right?

13 MR. PRICE: Yes.

14 CHAIRMAN BRANHAM: Mr. Price? Okay. Ms. Frierson.

15 MS. FRIERSON: Yes. Mr. Price, on page 73, under Conclusion, what's throwing  
16 me off is that first sentence under Conclusion, 'Principally Staff recommends approval of  
17 this map amendment as the proposed rezoning would be inconsistent with . . . ." So I  
18 don't get it.

19 MR. PRICE: Right, yeah I was trying to clarify that earlier.

20 MS. FRIERSON: Okay.

21 MR. PRICE: That should be consistent versus inconsistent.

22 MS. FRIERSON: Oh, okay. Thank you.

1 CHAIRMAN BRANHAM: Okay, if there's nothing further for the Staff right now  
2 we'll go ahead and hear from the Applicant. Mr. Dennis, if you'd like to call them? Oh,  
3 I'm sorry, Mr. Taylor.

4 MR. TAYLOR: Yes, sir, as you just pointed out with, on page 76, Mr. Chair, so  
5 should that red portion also be part of the subject property or no? It's only that second  
6 half?

7 MR. PRICE: It's just the second half.

8 MR. TAYLOR: Okay.

9 MR. PRICE: Because we wouldn't be rezoning from general commercial to  
10 general commercial in this case.

11 MR. TAYLOR: Oh, makes sense.

12 MR. PRICE: So we're just doing a portion.

13 MR. TAYLOR: Also for Staff, you did say that there could be an encroachment on  
14 –

15 MR. PRICE: What we stated was while we recommend approval based on the  
16 Comprehensive Plan, we did wanna point out that it could be deemed to be an  
17 encroachment into what is already a residentially established and developed area along  
18 Rushmore Road.

19 CHAIRMAN BRANHAM: Anything else for Staff?

20 MR. TAYLOR: [Inaudible] on Rushmore?

21 MR. PRICE: Well see, if you're looking at Rushmore Road the parcels that Mr.  
22 DeLage is kind of rolling his mouse across, those are all residential developed parcels,

1 and so we kind of look at how far the commercial goes back into areas that are already  
2 developed or zoned residential.

3 MR. TAYLOR: What about the ones [inaudible]?

4 MR. PRICE: Yes, sir, those are also residential. We didn't necessarily include,  
5 you could say the same thing, you know, the back of it could be commercial. The  
6 reason why we focus more on what's on Rushmore is because access would come off  
7 of Rushmore and not off of Young.

8 CHAIRMAN BRANHAM: Okay, anything else for Staff? Mr. Dennis, would you  
9 call the Applicant?

10 MR. DENNIS: We have the Applicant, Si, Singh, [Inaudible] of South Carolina?  
11 Sorry.

12 **TESTIMONY OF HARPAL GREWAL:**

13 MR. GREWAL: Yeah, my name is Harpal Grewal. I live at 132 Sharon Lake  
14 Court, Lexington, South Carolina. And I represent Singh [Inaudible] of South Carolina  
15 which is a religious, [inaudible] religious organization. We bought this parcel of land in  
16 April and then when we came to Richland County to get the guidelines how we should  
17 start developing for the – the purpose of buying the land is to put a [inaudible] temple on  
18 the land, and that's the purpose – and then when we came here in Richland County in  
19 [inaudible] office then we were told that some of the property is residential, some is  
20 commercial. And so we were told that we can put a building in commercial but then we  
21 cannot put the parking lot in the residential side, so we were actually advised to apply  
22 for, you know, making the whole property commercial zone because the front is  
23 commercial and the back is commercial also. But our purpose is basically to put the

1 temple building. We have [inaudible] community and we have our 20 families who are  
2 members of this organization so it's not going to create any traffic or anything or issue.  
3 We meet only once every Sunday and that's the plan. And we were actually advised  
4 downstairs by the engineers to apply for the changing of the zone from residential to  
5 commercial.

6 CHAIRMAN BRANHAM: Thank you. Are there any questions for the Applicant?

7 Thank you, sir.

8 MR. DENNIS: Yes, we have Don Nye.

9 **TESTIMONY OF DON NYE:**

10 MR. NYE: Good afternoon. My name's Donald Nye. I live at 1515 Rushmore  
11 Road, Columbia, out in St. Andrews. My wife and I have lived there since 1963, and  
12 that's one of the main reasons we bought the property, bought the house because of  
13 the private we had there – you have to excuse me, I get a little nervous. But we had the  
14 wooded area across the street from us, it's been like that, our kids grew up and played  
15 in the woods and it's just a beautiful view from our house looking across the street. And  
16 I think every house in the neighborhood which this affects has been there at least, I  
17 mean, not the houses, the neighbors been there at least 50 years probably, the ones  
18 that it affects. And I just can't see it being rezoned, I think it should stay like it is. But we  
19 already got, we got Columbia High School down below us which we get all that traffic  
20 and I think more traffic on that road is just gonna be more than we can handle out there.  
21 I just hope y'all give consideration to leave the property as it is. Thank you.

22 CHAIRMAN BRANHAM: [Inaudible]

23 MR. DENNIS: Next we have Ross Driggers.

**TESTIMONY OF ROSS DRIGGERS:**

1           MR. DRIGGERS: My name's Ross Driggers, I live at 1509 Rushmore Road. I  
2 bought my house in 1972 so I been there right at 50 years. I'm probably just gonna  
3 repeat what Mr. Nye said cause I live next door to him. Our children played together in  
4 that property, you know, as cowboys and Indians and whatever. But I'm opposed to it  
5 being rezoned because of, like Mr. Nye said the problem with more traffic in the  
6 neighborhood. We've got the traffic of Columbia High School already and I'd like y'all to  
7 take in consideration that we are opposed to having it rezoned. Thank you.

8           MR. DENNIS: Next we have, I'm just gonna say the last name, Kamar? You're  
9 good? Okay. And we have -

10           CHAIRMAN BRANHAM: He's gonna pass. Just for the Record.

11           MR. DENNIS: Now we have Cynthia J. Smith.

**TESTIMONY OF CYNTHIA J. SMITH:**

12           MS. SMITH: Council gentlemen and Council Miss, I'm gonna start off with saying  
13 that I'm Cynthia J. Smith, 835 Greenville Circle. I speak for the community that we are  
14 200% opposed for several reasons. Adjacent to where they want to build is a  
15 commercial spot. You have Subway, you had the kid's dentistry and so much over  
16 there. Then you have Rush's at the top. You have a flooded Broad River Road that they  
17 won't give us funding to expand, to widen Broad River Road. They did malfunction  
18 junction instead of Broad River, okay? Within that corridor of St. Andrews Road and  
19 Greystone we have seven churches, large churches, that is a non-profit organization  
20 that don't bring any tax money. We need viable businesses bringing in bodies that's  
21 getting a paycheck, that's paying tax dollars. The building, we don't need no more non-

1 profit where you're taking money out of the community and not putting it in and not  
2 being visible and present and putting into the community. As you heard where he live at,  
3 he live in Lexington. Let him take his place to Lexington, not over on Broad River Road  
4 where you wanna get cheap soil and not put into the community, not invest into the  
5 community. That's not what we need. We don't need the congestion. We don't need the  
6 free visibility. We need taxpayers, we need involved citizens and businesses. That's as  
7 a homeowner. As a business tip maybe he should do a little bit more investigating  
8 before he purchase something to know what he's purchasing at and what he's gonna  
9 get, because we're already a train wreck that we're trying to correct.

10 CHAIRMAN BRANHAM: Thank you, ma'am.

11 MR. DENNIS: Alright, that's all we have signed up.

12 CHAIRMAN BRANHAM: Alright. Okay, come on down, ma'am. Just be sure to  
13 give us your name and address upfront.

14 **TESTIMONY OF LINDA COLEMAN:**

15 MS. COLEMAN: We will. Thank you for letting me speak. My name is Linda  
16 Coleman and I reside at 1821 Nunnamaker Drive. We're also part of the Pine Valley  
17 Neighborhood Association, and what we're concerned about is by rezoning it to  
18 commercial, and I don't have a problem with home for worship, that's not our concern,  
19 but the concern is rezoning it to commercial, because at whatever point in time the  
20 owner may decide to move, it's still commercial. Now I don't know if you're familiar with  
21 Broad River Road, but if you turn right there at Rush's, where you see the Rush's  
22 restaurant, across we have a strip mall. We're already having problems there because a  
23 lotta seedy type individuals are, you know, just sorta lounge around in that area. Now

1 when you come down that road on Rushmore, you're actually coming to Pine Valley,  
2 okay? And like the gentleman was saying that have lived here a long time, that was  
3 strictly residential. So when you come down there, even though the part of the land that  
4 they wanna purchase for a house of worship, I mean, no problem with that, but then  
5 right beside that you still have residential, single. And then you come around the bend  
6 and you have a church. Now if it can be designated maybe for a house of worship or  
7 whatever and then once they decide to relocate it still stays that designation, then that's  
8 no problem. But then you come around, you know, you have the whole community and  
9 it's strictly residential. And not only that, but the property that's behind, the acreage is  
10 residential. It's residential, you're in the peoples' backyard. So not only are these people  
11 having to face commercial property, but the ones on the other side and their back door  
12 is commercial. We have a lotta homeless people, transit people that's already in that  
13 area and we are, and I do agree with the lady about having some sort of development,  
14 because you really do need development. There are a lot of existing buildings on Broad  
15 River that can easily be purchased; houses that are -

16 CHAIRMAN BRANHAM: That's your time, ma'am.

17 MS. COLEMAN: Okay, anyway. But we ask you please to disapprove it. Thank  
18 you.

19 CHAIRMAN BRANHAM: Mr. Siercks, yes, sir.

20 MR. SIERCKS: Mr. Chair, quick question. I was taking notes, I didn't have a  
21 chance to get the lady's name.

22 MR. DENNIS: Linda Coleman.

23 MR. SIERCKS: Thank you.

1 **TESTIMONY OF WILLIAM H. COLEMAN, II:**

2 MR. COLEMAN: Good afternoon. My name is William H. Coleman, II. I live at  
3 1821 Nunnamaker Drive; that happens to be my wife. We have 957 homes in our  
4 neighborhood, that's a lotta traffic. The gentleman that was talking, the one in the white  
5 cap cuts his neighbor's yard. He doesn't have to but he does, that's how close our  
6 community is. And I don't live near him but I pass by him all the time. We really don't  
7 need any other commercial business in our area. We've been trying to get rid of seedy  
8 stuff for years. We move one out another one moves in. It would be nice if we could get  
9 something, just something that we ask for once in a while, and this is something we're  
10 asking, please disapprove this. I'm speaking for our neighborhood, I am an executive  
11 committee member so I'm speaking for the neighborhood. We don't need it. Thank you  
12 for your time.

13 CHAIRMAN BRANHAM: Thank you. Anyone else here on this case? Alright.  
14 Alright Commissioners, anything for the Staff or would you like to move into discussion?

15 MS. FRIERSON: I have a question.

16 CHAIRMAN BRANHAM: Ms. Frierson.

17 MR. FRIERSON: For Staff. Is there a zoning classification that accommodates  
18 houses of worship but it's not classified as general commercial?

19 MR. DENNIS: Mr. Chair? I wanna say something cause that's gonna piggyback  
20 on what she said.

21 CHAIRMAN BRANHAM: If I can get the answer from Staff, then follow up.

22 MR. DENNIS: Okay, yeah.

23 CHAIRMAN BRANHAM: Mr. Price.

1 MR. PRICE: The answer is yes, basically all of our zoning designations allow for  
2 places of worship in some form or capacity, either as permitted uses outright or by  
3 special exception.

4 MS. FRIERSON: Say that again and clarify it for me, please, Mr. Price.

5 MR. PRICE: If it's in a commercial zoning designation, a place of worship is  
6 permitted outright.

7 MS. FRIERSON: So if you were –

8 MR. PRICE: [Inaudible] allowed. But if it's in a residential area it would be  
9 allowed by special exception, which means it would have to go before the Board of  
10 Zoning Appeals for their approval.

11 MS. FRIERSON: Thank you.

12 CHAIRMAN BRANHAM: Mr. Dennis.

13 MR. DENNIS: Alright, so looking back at the Code places of worship is permitted  
14 in the GC, so that first little block next to Rush's is considered GC, correct?

15 MR. PRICE: Yes, sir.

16 MR. DENNIS: And then, so technically they could build on that the way it sits,  
17 correct?

18 MR. PRICE: Yes, sir.

19 MR. DENNIS: And then the rest of it, if they needed it they could apply for SE,  
20 which is special exemption, if they needed the rest of it, correct?

21 MR. PRICE: No, sir.

22 MR. DENNIS: They couldn't?

1 MR. PRICE: Here's the issue, if they built on the general – okay, for the Record  
2 speaking on specifics of a rezoning request – but they could build on the general  
3 commercial site, could build a church. But you couldn't put the parking or any other  
4 ancillary uses for the church on anything zoned RSE, not RSE, excuse me, RS-MD, on  
5 the residential portion.

6 CHAIRMAN BRANHAM: There'd be no special exception for that?

7 MR. PRICE: No, because those would not be principal uses, they would be, you  
8 know, accessory to the church. So it would not be able to go before the Board of Zoning  
9 Appeals for a special exception.

10 MR. DENNIS: So why if you flipped it and asked for the SE on the other side and  
11 build on the other side, then could they put the parking lot in the –

12 MR. PRICE: Okay, you could parking, you could put the parking on the general  
13 commercial side and then get a special exception for the back half, the portion that's  
14 before you, go before the Board and they would have to be specific as to what they're  
15 requesting and that's what the Board would approve. And of course, any future  
16 expansions or additions to the property would still have to go back through the special  
17 exception.

18 MR. DENNIS: That would keep the whole property from just coming GC, so if  
19 they couldn't build on it or anything then we just don't open it up to anything commercial.

20 MR. PRICE: As I just stated, the scenario I just used previously, the property  
21 would retain the single-family residential zoning designation, even with the special  
22 exception.

23 MR. DENNIS: Okay, thank you.

1 CHAIRMAN BRANHAM: Mr. Johnson, did you have –

2 MS. FRIERSON: I have a question. I have a question.

3 CHAIRMAN BRANHAM: You wanna go ahead and let Ms. Frierson – okay.

4 MS. FRIERSON: My question is this, when we had the workshop on August 26<sup>th</sup>  
5 and there was some discussion about driveways, my confusion is this, if a person or  
6 entity wished to purchase, I meant build something, I thought a parking lot, you know,  
7 like there might be requirement that you have enough space for a certain number of  
8 automobiles or trucks or whatever. So in essence when a person applies to rezone  
9 something you have to get a separate designation for the parking lot and a different one  
10 for the building? They don't come as one parcel?

11 MR. PRICE: No, ma'am. So if the zoning allows for the principal use all of the  
12 accessory, the ancillary uses that would normally accompany that would be permitted  
13 on that property. So you build a church, because that's allowed under that zoning  
14 designation on that same zoning, which you can also put the parking and the fellowship  
15 hall and so on that goes along with a church.

16 MS. FRIERSON: Okay, now what you're saying to me makes a lot of sense so  
17 my confusion is when the initial person spoke to us, he talked about being told that he  
18 could build the sanctuary or the temple but that there was a problem with the parking  
19 lot, so could someone clarify that part?

20 MR. PRICE: That's what I think Mr. Dennis or Commissioner Dennis previously  
21 asked. So on the portion that is not subject for your review for rezoning, the front part is  
22 zoned general commercial so the place of worship could go there because that is  
23 allowed in that zoning designation. However, the remaining half of the property is zoned

1 single-family and that would not support any of the parking or additional uses that would  
2 be associated with the church on their own.

3 MS. FRIERSON: But couldn't the whole issue be resolved by getting the  
4 appropriate designation for the church and asking for the special exemption for the  
5 parking lot?

6 MR. PRICE: Actually it would be the opposite; what they could do is ask for the  
7 special exception for the establishment of the church on the residential portion and then  
8 you could, you know, potentially build – well of course if you get the church you can also  
9 build the parking on that same site that's subject to the special exception, or you could  
10 also build it on the general commercial side.

11 MS. FRIERSON: Is this an issue that could be delayed and maybe the entities  
12 involved get back with zoning to work out something that's amenable so there won't be  
13 a conflict?

14 MR. PRICE: Just kind of basing on, now I'm kinda going back into my, you know,  
15 my history of being here with the County and on these type cases, I think the discussion  
16 that we're having now, I think the Applicant is, has heard this and I think I've had a brief  
17 discussion with the Applicant also regarding this. What you have before you is a  
18 rezoning request for general commercial. If you deem this to be appropriate we'll  
19 continue forward and take it to County Council with a recommendation for approval and  
20 County Council will make a decision. If you give a recommendation for denial it will still  
21 go before County Council but the Applicant may also, you know, determine that they  
22 may wanna look at other options and maybe not proceed going forward to County

1 Council with essentially, with a recommendation of denial from the Planning  
2 Commission.

3 MS. FRIERSON: Thank you, Mr. Price.

4 MR. JOHNSON: Mr. Chairman?

5 CHAIRMAN BRANHAM: [Inaudible]. No, no I'm sorry, you can't. Mr. Johnson, I  
6 believe you were up next.

7 MR. JOHNSON: I was simply, Mr. Chairman, gonna point out that, your point that  
8 Mr. Price was responding to that there's at least two paths forward without the approval  
9 of the rezoning process. They've discussed one, but the other is to rezone the first  
10 parcel as [inaudible] there are other paths forward.

11 CHAIRMAN BRANHAM: And Mr. Durant?

12 MR. DURANT: Yeah, I have a question for Staff. Mr. Price, in your conclusion  
13 you said, "However the request to rezone could be deemed to be an encroachment into  
14 the residentially zoned and developed section of Rushmore Road". As I look at the map  
15 there's, that statement essentially described the site if it's zoned [inaudible] you'll have a  
16 GC stuck right in-between roughly two residential areas and that's what the  
17 encroachment is?

18 MR. PRICE: Yes, sir, that's what we're looking at, the depth of that commercial  
19 rezoning, you know, going into that residentially developed area.

20 CHAIRMAN BRANHAM: Okay. You don't just have one lawyer up here anymore,  
21 now you've got four lawyers up here and we're probably all thinking the same thing  
22 about legal definitions of encroachment under property law.

1 MR. PRICE: I gotcha. And that's why I say deemed, you know, again that can be  
2 an opinion piece. Now again, I wanna, you know, just point out to the Planning  
3 Commission again, what we have before you is a rezoning request for general  
4 commercial, and while we do have, and I think we started off the whole meeting with  
5 this, while we have an idea what may go there, that's really not before you as a  
6 Planning Commission. I mean, the idea is just the intent but what we're looking at is a  
7 general commercial zoning request and whether it's an appropriate zoning designation  
8 at this location. Now again, you've had enough discussion that I believe the Applicant  
9 can probably take from that, you know, what options they have but again, what you  
10 have before you is simply a rezoning request for general commercial.

11 CHAIRMAN BRANHAM: Okay. Mr. Johnson?

12 MR. JOHNSON: And I think from the neighborhood standpoint the concerns  
13 articulated really focus on the fact that once that entitlement is given and another user  
14 comes then there's no [inaudible]. And so for that reason I think as it relates to 22-026  
15 MA, [inaudible] approving it as presented.

16 CHAIRMAN BRANHAM: Okay, is that a motion? Are you making a motion?  
17 Okay. So it's a motion to recommend disapproval.

18 [Inaudible]

19 CHAIRMAN BRANHAM: Alright, thank you. Alright, and it's been seconded. Any  
20 further discussion before we ask Mr. Price to take a vote? Mr. Price?

21 MR. PRICE: Yeah, Staff's recommendation was for approval so if you don't mind  
22 stating why you're opposed to Staff's recommendation.

1 MR. JOHNSON: Well I tried to do that on the front end with my rationale in terms  
2 of the fact that there is a about two block [inaudible] with the other path forward for that  
3 use that is less intrusive.

4 CHAIRMAN BRANHAM: I'll just add to that too that indeed this parcel does run  
5 deeply down into a residential area, so it just isn't in harmony zoning-wise with the  
6 majority of the surrounding parcels. Alright. Mr. Price, would you please take a vote?

7 MR. PRICE: Alright, so we have a motion for disapproval of Case 22-026 MA.  
8 Those in favor, Siercks?

9 MR. SIERCKS: Aye.

10 MR. PRICE: Taylor?

11 MR. TAYLOR: Aye.

12 MR. PRICE: Durant?

13 MR. DURANT: Aye.

14 MR. PRICE: Metts?

15 MR. METTS: Aye.

16 MR. PRICE: Frierson?

17 MS. FRIERSON: Aye.

18 MR. PRICE: Johnson?

19 MR. JOHNSON: Aye.

20 MR. PRICE: Yonke?

21 MR. YONKE: Aye.

22 MR. PRICE: Dennis?

23 MR. DENNIS: Aye.

1 MR. PRICE: Branham?

2 CHAIRMAN BRANHAM: Aye.

3 MR. PRICE: Motion passes.

4 *[Approved to deny: Siercks, Taylor, Durant, Metts, Frierson, Johnson, Yonke, Dennis,*  
5 *Branham]*

6 CHAIRMAN BRANHAM: Okay, so that'll be the recommendation and that goes to  
7 County Council next. Anybody wanna add anymore map amendment application cases  
8 for today? Alright, so we're almost three hours into the meeting. We have for Item VIII a  
9 presentation that I think is gonna be primarily from the County Conservation  
10 Commission of the Lower Richland Tourism Plan. Representations were made that the  
11 presentation would be about 10 minutes long. Of course we wanna allow time for  
12 conversation as well. Question is do we wanna take a 10 minute break right now or after  
13 we hear from the Tourism Plan?

14 MR. YONKE: Now.

15 CHAIRMAN BRANHAM: Right now? Okay, alright we'll stand in a 10 minute  
16 recess. Alright, try to get back here about 6:03.

17 *[Recess]*

18 MR. DELAGE: [Inaudible] without Mr. Price.

19 CHAIRMAN BRANHAM: Now we can really get some stuff done. Alright. Alright,  
20 the meeting will come back to order. Thank you for your patience, those of you that  
21 have stayed with us. The next Item on the Agenda is Item VIII which is a proposed  
22 Resolution to Recommend that Richland County Council Enact an Ordinance Amending  
23 the "2015 Richland County Comprehensive Plan – Putting the Pieces in Place", By

1 Incorporating and Adopting the “Lower Richland Tourism Plan” Into the Plan. And I  
2 know that we have some representatives here today from, it’s the Conservation  
3 Commission, correct, Richland County Conservation Commission. And Tommy, is there  
4 anything that Staff would like to share before we turn the time over to them to present  
5 on this?

6 MR. DELAGE: As we were just kinda partners or assisted with it, I would defer to  
7 Mr. Epps who is the Manager of the Conservation Commission and is also present as  
8 well.

9 CHAIRMAN BRANHAM: Okay. Mr. Epps.

10 MR. EPPS: Quinton Epps from the Conservation Division. I think I would just say  
11 that I’ll introduce John Greggo who’s the Chairman of the Conservation Commission to  
12 make his presentation and then if you have any questions afterwards we’ll be happy to  
13 answer those.

14 CHAIRMAN BRANHAM: Great, thank you and welcome Mr. Greggo.

15 MR. GREGGO: I’m John Greggo, I’m Chair of the Richland County Conservation  
16 Commission. I live at 830 Old Woodlands Road in Columbia. I do stutter so I may pause  
17 occasionally. The purpose of the presentation is just to introduce you to the Plan if  
18 you’re not familiar with it. And I set aside 10 minutes for the talk, if I go over that just cut  
19 me off and I can go to the ask on Slide 19. So if you could advance, Tommy? Okay,  
20 quick timeline on the Lower Richland Tourism Plan, the process actually started in 2016  
21 and in the winter of 2016 and 2017 we had public input sessions, stakeholder meetings,  
22 and meetings with County Councilmembers. A final draft was prepared in June or 2018  
23 and then accepted the following month by the Richland County Conservation

1 Commission. We presented it to the Council about six months later. That request stalled  
2 and due to the efforts of Staff and Community Planning and Development the project  
3 was reinitiated in the fall of 2021. And so from February 2022 to July of 2022 we made a  
4 series of presentations to Council and to the Development and Services Committee.  
5 The Development and Services Committee recommended forwarding the Plan to  
6 Council to be accepted as a County Plan, and in July of 2022 it was accepted as the  
7 County Plan. Just to set some context for this, Congaree National Park had record  
8 visitation last year, 215,000 people, and visitors to the park spent over \$12,000,000 that  
9 year within a 60 mile radius of Congaree National Park. So it was spent in the Greater  
10 Columbia Area, but very little of it was spent in Lower Richland and so the purpose of  
11 the Plan is to make sure that Lower Richland can benefit from visitors to the area and  
12 that that increased exposure can create a greater appreciation for national and cultural  
13 resources. Next slide. Okay, and this slide just places national park visitation in a larger  
14 context; Congaree National Park, it's a small park and at the national level we're talking  
15 about tens of millions of visitors and billions of dollars, and so that's the opportunity  
16 that's available to gateway communities. Next slide. Okay, the main themes of the Plan  
17 are that Lower Richland needs to have better tourism infrastructure, that Lower  
18 Richland residents should be the primary beneficiaries of that improved infrastructure,  
19 and that a successful plan needs to address small business development, cultural  
20 tourism and nature tourism, a three-legged stool if you will. Next slide. This map shows  
21 different physical locations for the Plan. There are gateways around the periphery of  
22 Lower Richland County, there are major hubs, Mill Creek Nature Center close to  
23 Congaree National Park, Lower Richland Small Business incubator and Lower Richland

1 Heritage Center, just the major hubs. There are minor hubs, Eastover, Gadsden and the  
2 County's Cabin [inaudible] property. Points of interest include Congaree, the Water  
3 River Heritage Preserve, Pinewood Lake Park and historic houses and churches,  
4 corridors connecting them all, and the Plan also had recommendations on branding and  
5 way-finding. And on a regulatory framework which was timely given the reconsideration  
6 of the Land Development Code, and we particularly like to advocate for rural zoning  
7 categories that promote tourism. Next slide. Okay. Let's see, for nature tourism, I'm  
8 gonna talk about nature tourism, heritage tourism and small business development in  
9 turn now. For nature tourism the recommendations included minor nature tourism hubs  
10 that include the Town of Gadsden, Bluff Road intersection, Pinewood Lake Park,  
11 interpretative courses for guides and outfitters, hopefully those from the Lower Richland  
12 community, developing interpretative trails linking natural and heritage sites, seeing that  
13 the Mill Creek Nature Park, that major hub, compliments Congaree National Park  
14 because Congaree National Park is over 90% designated wilderness there's a lot of  
15 uses that can't take place in the park's floodplain that could take place out at Mill Creek.  
16 And then [inaudible] access at Mill Creek and Wateree River Heritage Preserve, both  
17 the Congaree River and Wateree River are blue trails but as you know there's no  
18 access to the Congaree River between downtown Columbia and US 601, no public  
19 access. And on the Wateree River there's no public access all the way from Garners  
20 Ferry Road down to Low Falls Landing. And we actually have public points of access  
21 that we could leverage through the plan. Next slide. This shows the Mill Creek property  
22 right on the Congaree River and elements of that include 10 platforms, the opportunity  
23 for RV camping, a nature tourism center at the site of the old two-story hunt club

1 building, and paddling access and paddling facilities at the upstream and downstream  
2 ends of the property. Next slide. Okay, and this shows the Cabin Branch property,  
3 another large County-owned property. The focus there is just gonna be on passive  
4 recreation with green trails. It also shows off to the left the site of a farm-to-table  
5 restaurant that's more related to small business development. Next slide. Okay, for  
6 heritage tourism our goals would be to include Lower Richland in the South Carolina  
7 National Heritage Corridor to leverage existing resources both southeast rural  
8 community outreach and Cowasee have developed interpretative guides, help existing  
9 nonprofits with development, create a way-finding system, have a Lower Richland  
10 Heritage Center at Hopkins Green, and we're not, it's not clear that that could be a  
11 standalone enterprise so there's talk of combining it with a county branch library and a  
12 village green concept. And then help the City of Eastover both with historic building  
13 rehabilitation and adaptive reuse of historic buildings. And there have been multiple  
14 Lower Richland oral history projects but more could be done. Next slide. This shows  
15 one possible site of a heritage tourism center, we're calling it the Hopkins Village Green,  
16 and it would include a branch library, heritage tourism center. There'll also be the small  
17 business incubator would be located there, and it would include a farmer's market area,  
18 a commercial kitchen and possibly a [inaudible] so that's more a conceptual plan. Next  
19 slide. Okay, the three elements of the small, of small business development include  
20 lodging and accommodations, food service and production, and agricultural and food  
21 production. Recommendations for all three includes education programs and financing  
22 options for local residents, specifically for lodging and accommodations, there'd be a  
23 shared economy training and small loan program and recreational vehicle and lodging

1 options at the Mill Creek Nature Center. Okay, so sorta focused, the first elements, the  
2 shared economy we're referring to Air BNB, VRBO and those sorts of developments.  
3 Next slide is food service and production and recommendations would include  
4 commercial kitchen at the small business incubator as I mentioned earlier, catering and  
5 restaurant facilities at major and minor hubs, food trucks and adapting zoning to  
6 facilitate restaurant development. Next slide. Okay, agriculture and food production. The  
7 recommendations for agriculture and food production include a farm-to-table branding  
8 campaign, a farmer's market and educational and training programs for specialty  
9 farming, and then a farmer's coop and refrigeration. Next slide. And so the tourism plan,  
10 part of the plan included a guide to its implementation and that implementation included  
11 the funding and phasing of an entire series of major projects that would comprise the  
12 plan. And it also listed the resources and partners for these projects and provided  
13 estimated costs. At the time this was put together that entire buildout of the plan was  
14 gonna, estimated to take 10 to 20 years and cost \$17-24 million dollars. As we had to  
15 emphasize with Council, when we were asking them to accept the plan as a County  
16 Plan, you were accepting the concept and, you know, not necessarily committing  
17 yourself to a budget. An important point to consider here is that if we move forward with  
18 these projects it would follow the typical County process for major project approval.  
19 Okay, next slide. Okay, and then we also put together a five year implementation plan.  
20 The five year implementation plan focused on improving the infrastructure at the Mill  
21 Creek Nature Center, working or developing a cultural tourism through a heritage  
22 tourism marketing plan that's actually funded through the hospitality tax, and  
23 development of the small business incubator. Okay, next slide. And we wanna

1 emphasize again that the projects are subject to change based on availability of  
2 funding, in fact those are not the actual costs and the cost won't be determined until  
3 projects are approved, procured and a vendor is selected. Next slide. Okay, we have  
4 made progress since 2019, even though the project wasn't officially accepted as a plan  
5 until this year. We have completed the sign work on bridge improvements on the Mill  
6 Creek tract. There've been some major improvements to the Palmetto Trail that we  
7 helped fund through our hospitality tax program. We've been actively involved in the  
8 Land Development Code. Hopkins Magistrate Office has been sited on the Cabin  
9 Branch property, that provides parking for access to a greenway system that could  
10 develop there. At Pinewood Lake we've had a very successful pollinator garden  
11 established there; both the Staff and Commission Members have been very actively  
12 involved in Congaree biosphere region planning, which helps identify partners including  
13 Central Midlands Council of Governments that could provide resources to get the plan  
14 enacted. And then the Southeast Air & Water Expansion creates some of the  
15 infrastructure to make these projects possible, and Staff has consistently prepared  
16 capital improvement requests for Council. Next slide.

17 CHAIRMAN BRANHAM: It's right at your 10 minutes.

18 MR. GREGGO: Okay. Well, here's the ask and I think I can stop here. So our  
19 implementation property process, the Commission approved the Plan, Development  
20 and Services forwarded the Plan to County Council for acceptance as a County Plan.  
21 The County has accepted the Plan. And we're asking you to recommend adoption of the  
22 Plan, and Staff put this wording together, in its entirety by reference and as an appendix  
23 to the Comprehensive Plan. So that basically says, you know, just accept the Plan as a

1 whole and then make a recommendation to adopt this as an appendix to the  
2 Comprehensive Plan, and then we would ask the County Council to amend the  
3 Comprehensive Plan to add the Lower Richland Tourism Plan. And that just allows us to  
4 bring a few more resources within the County to bear to help implement the Plan. And I  
5 think we can stop there.

6 CHAIRMAN BRANHAM: Thank you very much. Very interesting to me at least.  
7 I've reviewed the materials as well as I could over the last couple of days and really like  
8 the spirit of what you guys are pursuing in this vein. Does anyone on the Commission  
9 have questions for Mr. Greggo?

10 MR. DENNIS: Mr. Chair?

11 CHAIRMAN BRANHAM: Mr. Dennis.

12 MR. DENNIS: So when we're looking at this what – if we're putting this in the  
13 Comprehensive Plan or asking to be put in the Comprehensive Plan, like who's gonna  
14 own the land in order to put the cabins and things like that in?

15 MR. GREGGO: The County owns the land. Some has been purchased by the  
16 Conservation Division and some has been purchased through the penny tax program. I  
17 think storm water may have purchased some of the property as well.

18 MR. DENNIS: And so the County's gonna own the land and it's gonna be run  
19 through you guys or would it be the Recreation Commission?

20 MR. GREGGO: It's, that would be something to be decided, which model we  
21 would use for that, yeah. And as you notice there, because I mentioned Hopkins  
22 [inaudible] that's one parcel that's not currently owned by the County, yeah.

1 MR. DENNIS: Cause what I'm trying to figure out is, you know, if we move  
2 forward with this what's to stop free enterprise from somebody else building something  
3 down there also that's not part of your guys' plan or us and trying not to –

4 MR. GREGGO: Well, we like to think it's all part of the Plan. I mean, if it's  
5 something that's helping promote the goals of the Plan we would hope that we could be  
6 partners with them in that. I don't know if Staff wants to add something to that or not.

7 MR. EPPS: I would basically say the same thing, except that we, the whole  
8 purpose of the Plan is to promote a sustainable economic development in that area and  
9 any private folks that wanted to follow our lead would be great. And what the initial  
10 phases of the project would be is to develop a business incubator and to put some  
11 camping things down in Lower Richland to keep people to stay in the area longer  
12 because that's what happens now, people come to the park for a day visit, then they  
13 leave. And if we had some camping or something down there they could stay, you  
14 know, three or four days or a week and then people would see, you know, start looking  
15 around for restaurants or places to stay. And that would encourage business developed  
16 in the area, along with our small business incubator. What the whole purpose of it is is  
17 to promote a sustainable business environment down there to promote sustainability  
18 and enhance the value of the natural resources in the park that already exists there.

19 MR. DENNIS: Thank you.

20 MR. EPPS: Does that answer your question?

21 MR. DENNIS: Yes, sir.

22 CHAIRMAN BRANHAM: Mr. Price, did you have something? Thank you, Mr.  
23 Epps.

1 MR. PRICE: I was just gonna state, just as I think you may notice, there are  
2 times when we're looking at a rezoning request and we, of course, we'll reference our  
3 Comprehensive Plan, but we also may reference a master plan for that area, what that  
4 calls for. And this is kinda along those same lines, which we would reference the Lower  
5 Richland Tourism Plan as certain requests come in, does it help support what the  
6 Tourism Plan is calling for and help achieve those goals.

7 MR. DENNIS: Mr. Chair?

8 CHAIRMAN BRANHAM: Mr. Dennis?

9 MR. DENNIS: What have we heard from the residents of Lower Richland  
10 County? Cause I know, like we're up here, you know, we're doing the LDC and people  
11 want us to not do certain things and they want us to do certain things, but I haven't –  
12 where does the people stand?

13 MR. GREGGO: You could go on the Lower Richland Community Facebook page  
14 and get a sense of their sentiment. It's strongly supportive, you know, why haven't you  
15 started going this already, what's the hold up, you know. Now, when we had the drop in,  
16 you could find a property owner or two that had misgivings, but in general the  
17 feedback's really supportive.

18 MR. DENNIS: Thank you.

19 CHAIRMAN BRANHAM: You say it's been adopted by Council as a plan.

20 MR. GREGGO: Right, yeah. We were a little, I mean, we were on shaky ground  
21 saying it was the Lower Richland Tourism Plan, which kind of identified it with a County  
22 Plan when it really wasn't, and so this at least establishes it as a County Plan.

23 CHAIRMAN BRANHAM: Mr. Jenson.

1 MR. JENSON: Thank you. Eric Jenson, Assistant County Administrator for the  
2 Record. Just like you have regulatory bodies and advisory bodies, there's regulatory  
3 documents and advisory documents. So our Comprehensive Plan and our Zoning  
4 Code, our Land Development Code are regulatory documents. And so Council has not  
5 adopted this Plan because adoption intimates that it is a regulatory document. And so  
6 for this to become a regulatory document it must be included within a document that is  
7 recognized by the State of South Carolina as a regulatory document, which in our case  
8 is the Comprehensive Plan and the Land Development Code. So that's what is before  
9 you today is we are asking as the Staff and me representing the Commission that this  
10 be included within our Comprehensive Plan so that when a property owner or business  
11 or somebody comes in and asks for a permit of some kind then we can now refer to this  
12 and say, the Land Development Code says this, the Comprehensive Code says this,  
13 and the Lower Richland Tourism Plan says this, so that when you're making your  
14 informed decisions you have a basis for those decisions. So that is essentially what  
15 we're doing and what we're asking is that you include it as an appendix rather than to  
16 try to dismantle it and insert it into the Comprehensive Plan. It's just a lot easier just to  
17 say, yes this works, it's a standalone document, it's an appendix to the Plan, we can  
18 reference it when we have to make these decisions.

19 CHAIRMAN BRANHAM: What was the action that Council took already?

20 MR. JENSON: They accepted, they acknowledged that it was complete and they  
21 remanded it to you for consideration.

22 CHAIRMAN BRANHAM: Alright. I think it was 176 pages, I looked over it as best  
23 I could, but you know, personally I might like an extra month to review it before I would

1   wanna take any action on it, but that's just my opinion. Does anybody else wanna  
2   discuss this further? [Inaudible] now, and again I'm very much in support of everything  
3   that you guys are advocating for as far as just the spirit of it, promoting tourism, our  
4   natural resources, our history in that area. I'm from that area originally, so. But yeah, I'd  
5   just like a little more time before we took a vote on that. So I guess I'll just make the  
6   motion to defer to the next meeting, to October. Is there anything else that Staff would  
7   like to share as far as input goes?

8           MR. PRICE: No, sir, not if there's – if there's anything that we can provide to you,  
9   you know, through the conservation that may assist you, just let us know. We'll get it to  
10   you.

11           CHAIRMAN BRANHAM: Alright, so yeah that's my motion, motion to defer to the  
12   next month. Is there a second on that?

13           ?: Second.

14           CHAIRMAN BRANHAM: Alright. And if there's no further discussion we'll ask Mr.  
15   Price to take the vote on that. Just for the Record Ms. Frierson informed me that she  
16   needed to leave so she's no longer at the meeting.

17           MR. PRICE: Those in favor of the motion to defer until the October meeting,  
18   Siercks?

19           MR. SIERCKS: Aye.

20           MR. PRICE: Taylor?

21           MR. TAYLOR: Aye.

22           MR. PRICE: Durant?

23           MR. DURANT: Aye.

1 MR. PRICE: Metts?

2 MR. METTS: Aye.

3 MR. PRICE: Johnson?

4 MR. JOHNSON: Aye.

5 MR. PRICE: Yonke?

6 MR. YONKE: Aye.

7 MR. PRICE: Dennis?

8 MR. DENNIS: Aye.

9 MR. PRICE: Branham?

10 CHAIRMAN BRANHAM: Aye.

11 MR. PRICE: Motion passes.

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

14 CHAIRMAN BRANHAM: Thank you again to Mr. Greggo, Mr. Epps, for your  
15 presentations, for your information, and just very well put together and we look forward  
16 to reviewing it more closely over the next month. Okay, the next item on the Agenda is  
17 Item IX, Other Items for Discussion, sub item a. is a Council motion made by  
18 Councilwoman Newton, and I believe we have introduced this motion to the  
19 Commission in a prior meeting. And just wanna ask Staff if they've got a  
20 recommendation at this point as far as whether or not we should take action at this  
21 juncture.

22 MR. PRICE: It's requested by Staff that we defer this until the October meeting.  
23 Looking at, there are a few things we wanna look at also, and I also think it'd be

1 important to kind of see which direction you take on a number of the motions that y'all  
2 are proposing under Item IX.b.

3 CHAIRMAN BRANHAM: Okay. And when we do take it up if we defer it to next  
4 month, at that time will we have some information, or maybe you already have some  
5 information gathered about any proposed approaches just as far as actual working goes  
6 to make sure that it's a lawful –

7 MR. PRICE: Yes, sir, because I mean, we'll have that for you because it may  
8 actually be language that you may want to just adopt as part of the Comprehensive  
9 Plan. So going forward, regardless of who sits upon, you know, Planning Commission  
10 will have that consistency on how these, how the Comp Plan will be reviewed and which  
11 methods we'll be using.

12 CHAIRMAN BRANHAM: [Inaudible].

13 MR. DENNIS: Mr. Chair?

14 CHAIRMAN BRANHAM: Mr. Dennis.

15 MR. DENNIS: Yeah, I make a motion to defer IX.a.i. to the October meeting.

16 MR. DURANT(?): Second.

17 CHAIRMAN BRANHAM: Seconded. Alright, any discussion? Mr. Price, if you  
18 would call the vote.

19 MR. PRICE: Alright, those in favor of the motion for deferral, Siercks?

20 MR. SIERCKS: Aye.

21 MR. PRICE: Taylor?

22 MR. TAYLOR: Aye.

23 MR. PRICE: Durant?

1 MR. DURANT: Aye.

2 MR. PRICE: Metts?

3 MR. METTS: Aye.

4 MR. PRICE: Johnson?

5 MR. JOHNSON: Aye.

6 MR. PRICE: Yonke?

7 MR. YONKE: Aye.

8 MR. PRICE: Dennis?

9 MR. DENNIS: Aye.

10 MR. PRICE: Branham?

11 CHAIRMAN BRANHAM: Aye.

12 MR. PRICE: Motion passes.

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

15 CHAIRMAN BRANHAM: Alright. [Inaudible]. Alright, now onto sub item b.

16 Recommended Amendments to the 2021 Land Development Code. And before we get  
17 into these motions I did wanna give the Staff an opportunity – it seems like a good time  
18 to present a review of the current draft zoning map. I know the Staff provided the  
19 Commission with a copy of that map today, and I mean, if nothing else Mr. Price, maybe  
20 you could review some of the parameters used to prepare the map or anyone else on  
21 Staff?

22 MR. PRICE: Essentially what we did, within the Land Development Code that  
23 was adopted in November of 2021, within there was an equivalency table. Based on the

1 comments [inaudible] also from the Planning Commission, we prepared the map that  
2 you have before you which essentially follows that equivalency and which we looked at  
3 the current zoning designations and we applied the zoning designation within the newly  
4 adopted Land Development Code, which of course, was equivalent to it. And we  
5 [inaudible]. So there are in some cases, not all of the new zoning designations were  
6 able to be applied.

7 CHAIRMAN BRANHAM: It doesn't seem like your microphone is activated.

8 MR. PRICE: Oh okay, I'm sorry. Kinda go back, so again what we did was we  
9 used the equivalency table within the Land Development Code and used those to create  
10 a map to use the current zoning designations that we have and those that corresponded  
11 as closely with those identified within the new Land Development Code. And as you will  
12 notice in the legend it shows you which of those, you know, how those districts matched  
13 up. Of course, there were some zoning designations under the new Code that we do  
14 not, were unable to create, you know, such as the MU2 using that as an example, so  
15 some of them weren't able to be created. One of the things that we also looked at was  
16 specifically with the rural zoning designations in which we showed any parcels that were  
17 greater than 35 acres, any parcels that were greater than 35 acres were identified as  
18 AG and the parcels that were between three and 35 acres were designated as HM, and  
19 any parcels that were zoned rural or rural residential that were less than three acres  
20 were designated as RT.

21 CHAIRMAN BRANHAM: Alright, very good. And is this map already available  
22 online for public viewing?

1 MR. PRICE: No, sir. We didn't, we haven't done that yet, depending on the  
2 actions of the Planning Commission today we'll determine if we put this on for public  
3 viewing.

4 CHAIRMAN BRANHAM: Sure. Okay, thank you. And again, just the dark gray  
5 areas are municipalities that have their own zoning schemes, so the County Land  
6 Development Code does not apply to those municipalities.

7 MR. PRICE: Right. And I think one of the things – no, it doesn't. One of the, I  
8 guess of all of the zoning designations that we have I think the one that probably from a  
9 staffing standpoint we feel it may deserve a little closer look are the parcels that are  
10 currently zoned M1. And we say that because the M1 zoning designation is a little bit of  
11 a hybrid between commercial, more of a general commercial type uses and also light  
12 industrial. And so, you know, just to apply what we deem to be an equivalency, in this  
13 case the employment designation, we may want to look at that because also within the  
14 M1 zoning designations were residential uses.

15 CHAIRMAN BRANHAM: Do you have a simple recommendation?

16 MR. PRICE: I think we may have to go and just actually take a look at those  
17 parcels. I don't believe that there are a lot of M1 properties that were residentially  
18 developed, but I believe that we can go through and try to identify as many of those as  
19 we can. And even if it turns out that maybe we actually apply the EMP zoning  
20 designation to something that should've maybe taken on a residential designation, that's  
21 something that I think that we should be able to come back and look at and make those  
22 adjustments at a later time.

1 CHAIRMAN BRANHAM: Do you think you could have something for us next  
2 month?

3 MR. PRICE: Yes, sir.

4 CHAIRMAN BRANHAM: Okay. Thanks for calling our attention, it makes a lotta  
5 sense that we would review that if there's a way to get that done sooner rather than  
6 later. And thank you for preparing that map with that criteria. Again, that was certainly  
7 based on previous discussion and I believe decision-making by the Planning  
8 Commission, so thank you for that. And again, this is just to confirm that this draft of the  
9 map is quite basically as close as can be other than discuss to the equivalency table,  
10 that's 26-1.9E in the Land Development Code adopted November 2021. That's right,  
11 isn't it, Mr. Price?

12 MR. PRICE: Yes, sir.

13 CHAIRMAN BRANHAM: Okay. Can you throw this up on the screen? The map?

14 MR. PRICE: I apologize, the Staff member, he may have left already that actually  
15 had that. I mean, if you wanna go ahead and discuss some other parts of this I think I  
16 can actually get it real quick on a jump drive and actually have it for you.

17 CHAIRMAN BRANHAM: Yeah, sure. I mean, again I know all the Commissioners  
18 have it in hand. And I wanted to get this out in front of us before we got into the motions  
19 because some of the motions deal specifically with the way that this map has been  
20 compiled. So without getting into the motions is there any other comments about the  
21 map from the Commission just up front? Alright. Mr. Yonke.

22 MR. YONKE: I'd like to say, Mr. Chair, thank Staff for working on this. As a fellow  
23 GIS guy I know it's cumbersome dealing with all these parcels. And to see it broken

1 apart, the AG, the HM, we're starting to see a better picture here, more detail, so thank  
2 you guys.

3 MR. JENSON: Mr. Chair, may I be recognized while we –

4 CHAIRMAN BRANHAM: Mr. Jenson, yes.

5 MR. JENSON: Thank you. I just wanted to talk about a little bit of housekeeping  
6 just in terms of process and where we are. First of all I wanted to see if any of the  
7 Planning Commissioners have gone on to the website to look at the rolling ledger and  
8 so forth. I wanted to make sure that that was functioning, that the public could get to it  
9 and, you know, with any kind of certainty look through and see where we are in the  
10 discussion. Good, I'm glad to hear that. Okay, and so what we will do tonight is  
11 subsequent to this meeting I will go and update that ledger with whatever discussion,  
12 whatever motions, whatever dialogue occurs tonight. It'll probably take me a good two  
13 or three days minimum, you know, work days to get that there so you could probably  
14 expect it middle to end of next week I'll be able to get that information up for you.

15 CHAIRMAN BRANHAM: Okay. What else, Mr. Jenson?

16 MR. JENSON: Then in terms of process, I know, Mr. Chair, that you have  
17 suggested or requested that we have this available by, or a motion by November. I'm  
18 assuming that the structure of that will not be necessarily a polished product but will be  
19 something along the lines of we want all of these changes and so forth. If we can,  
20 obviously, we would go into the document, into the Land Development Code, the 2021  
21 version as adopted, and make those changes as redlines and then provide them to you.  
22 But I'm not sure within two months, given the amount of information we have here and  
23 the decisions that still have to be made, that I can have a polished product to you, yeah,

1 by that November date. But I am confident that I can have a rough, at a very minimum,  
2 a list of all the requested changes that you could vote on and say, yes these are the  
3 changes that we want made to the text, this is the map and, you know, 99% of what we  
4 want, and then that would allow us time during the November and December months to  
5 go through and then come back to you in early January or February with the final for  
6 your vote. Is that what you're asking or are you asking us to have the polished final  
7 document to you by November?

8 CHAIRMAN BRANHAM: Well, I think as close as you can. I, you know, if it's 99%  
9 of the way there, 95% of the way there I feel like that's gonna be good enough for our  
10 intentions to be clear to County Council, and then they can do with it what they will.

11 MR. JENSON: I think, Mr. Chair, if I may, Council will want it to be, you know,  
12 very clear cut to them when it comes to them. I'm just not sure that I can go through,  
13 especially given the number of motions that we have tonight and the ones we've had  
14 previously, I'm not sure I can go back in to the actual document, make all those  
15 changes and have them to you in a format that will be absolutely ready for a final vote in  
16 November. I mean, I can get them really darn close and you may say, okay you know,  
17 we're there, tweak this, tweak this, tweak this, bring back those redline corrections to us  
18 and then we'll be ready for a final action.

19 CHAIRMAN BRANHAM: Yeah. Well, do your best and we'll just see how things  
20 play out, what the Commission wants to do at that time. But yeah, our goal is November  
21 7<sup>th</sup> to have this phase complete as to the Planning Commission.

22 MR. JENSON: Yeah, thank you, sir.

1 CHAIRMAN BRANHAM: Alright. Let's see, alright, so these sets of motions  
2 we've got Mr. Dennis' motions are the first six motions, so I think we do wanna go over  
3 each one individually, even if there's unanimous consent to it. You know, we can move  
4 through it fast if that's the desire of the Commission, but I do wanna, you know, give the  
5 movant of each one an opportunity to present it and then, you know, again if there's no  
6 need for a lotta discussion, fine, we'll take the votes and we'll rock on through them. So  
7 Mr. Dennis has the first six and then I have 7 through 15 are mine. So Mr. Dennis,  
8 [inaudible].

9 MR. DENNIS: Alright, I make a motion to, as to Manufactured Homes I move to  
10 recommend removal of manufactured homes from the R2 zoning district.

11 CHAIRMAN BRANHAM: I know this is something that we've talked about in prior  
12 meetings, but. Mr. Yonke, did you have a comment?

13 MR. YONKE: [Inaudible] I was gonna second that.

14 CHAIRMAN BRANHAM: Would anyone like to discuss it? Alright, Mr. Price if you  
15 would take the vote.

16 [Inaudible]

17 MR. SIERCKS: I was gonna say, Mr. Chair may I make a suggestion? Since  
18 these are not binding resolutions you could simply do a yay/nay as a body rather than  
19 have to roll call vote every single one of them. I would like to make that suggestion for  
20 the sake of expediency.

21 CHAIRMAN BRANHAM: Sure, let's – yeah, all in favor just raise your hand and  
22 say aye? Any opposed?

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

3 CHAIRMAN BRANHAM: Alright. The vote's unanimous, the motion to add that to  
4 the ledger passes.

5 MR. DENNIS: Alright, I move to as to farm supply and machine sales and  
6 service, I move to recommend addition of farm supply and machine sales permitted by  
7 right in HM zoning district.

8 CHAIRMAN BRANHAM: Alright, do you wanna tell us anything about that. Have  
9 you talked about it in prior meetings or?

10 MR. DENNIS: No, so I was going through here and I was looking at how the rural  
11 area works and kinda agriculture and things like that, and I noticed the farm machines  
12 and supplies – I gotta find it in here – it was permitted in RU. So when you go around  
13 looking, AG is, or HM is still a big area, that's gonna be your smaller less than 35 acres.  
14 So we would actually be taking that outta the HM and, you know, those HM areas can  
15 be up to 35 acres so that's why I was wanting to keep that in the HM for future areas for  
16 agriculture.

17 CHAIRMAN BRANHAM: Okay. Any other questions? All in favor of the motion  
18 [inaudible]. Any opposed?

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

21 MR. DENNIS: Alright, as to the Farm distribution hub, I move to recommend the  
22 addition of farm distribution hub permitted by right to the RT zoning district. Reasoning

1 for that is the same as above, a distribution hub can be a small area of items for  
2 agriculture, so RT could still support that.

3 CHAIRMAN BRANHAM: Is that defined in the Code, the farm distribution hub?

4 MR. DENNIS: It is.

5 CHAIRMAN BRANHAM: Mr. Dennis.

6 MR. DENNIS: I do not have it, the website has it and 5Gs not working so I can't  
7 pull it up because that was where I had it at.

8 MR. YONKE: Mr. Chair?

9 CHAIRMAN BRANHAM: Yes, Mr. Yonke.

10 MR. YONKE: As we're passing the website there I see, Mr. Jenson, where the  
11 ledger is. Is there any way to make that easier for the public to see what we're working  
12 on, because earlier during public input it really seems like a lotta people were not aware  
13 of the ledger that we were working on, like with the multifamily, issues like that that we  
14 discussed? Just that we're moving this on?

15 MR. JENSON: If I, excuse me, Mr. Chair if I may be recognized?

16 CHAIRMAN BRANHAM: Yes, Mr. Jenson.

17 MR. JENSON: If I understand your question is you're saying that it's not obvious  
18 on the website where this is or for people to find it, or do we need to do more publicity to  
19 let people know about it? I didn't quite follow what you're asking.

20 MR. YONKE: Maybe both. When you look at the website that ledger link is very  
21 tiny towards the bottom.

22 MR. JENSON: Okay. I gotcha, thank you.

1 CHAIRMAN BRANHAM: I should've mentioned it at the beginning of the meeting  
2 as well, but. As drafted on the map the HM is everything that used to be RU that is less  
3 than 35 acres but more than three acres.

4 MR. DENNIS: Yeah, there's the definition.

5 CHAIRMAN BRANHAM: Okay. Thank you. Alright, any other discussion? Okay,  
6 being none all in favor please raise your hand and say aye. Opposed?

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

9 CHAIRMAN BRANHAM: Okay.

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

11 CHAIRMAN BRANHAM: Yes.

12 MR. PRICE: I apologize. If you don't mind can we have a brief discussion on Item  
13 b.i.1. regarding the manufactured homes?

14 CHAIRMAN BRANHAM: Okay.

15 MR. PRICE: Just one thing to point out. So looking at our matrix that we have for  
16 land uses under the new Code, so a manufactured home was originally, I guess it is in  
17 the Land Development Code, allowed under the AG, the HM, the RT, R1 and the R2  
18 zoning designations. Right, so it's our understanding that if we take it out of the R2 it  
19 would only be allowed in those other designations. And I think, you know, one of the  
20 questions that has come up, you know, from others is the required acreage that's  
21 necessary in order to establish a manufactured home, because all of those designations  
22 typically are gonna be required to at least be 33,000 square feet.

23 CHAIRMAN BRANHAM: R1?

1 [Inaudible]

2 MR. PRICE: Yes.

3 CHAIRMAN BRANHAM: By acreage how much is that?

4 MR. PRICE: It would be about 33,000.

5 CHAIRMAN BRANHAM: Acreage wise?

6 MR. PRICE: Three quarters of an acre.

7 CHAIRMAN BRANHAM: Okay. And also there is the option for mobile homes to  
8 be in a mobile home park.

9 MR. PRICE: Correct.

10 CHAIRMAN BRANHAM: Okay, and that's – was it R6, 5 and 6? I can't  
11 remember.

12 MR. PRICE: What we're looking at is either, you know, you go to a very large  
13 tract of land, you know, which it depends on who's looking at it, but you know, you're  
14 gonna go from 33,000 square feet on up [inaudible] establish a manufactured home, or  
15 you go into a manufactured home park, which again is only allowed in the AG, excuse  
16 me, the HM and the RT zoning designation, and the R5 zoning designation.

17 CHAIRMAN BRANHAM: Right.

18 MR. PRICE: So as far as an individual unit on an individual parcel it would only  
19 be allowed in parcels that are at least 33,000 square feet and then have a zoning  
20 designation of RT or, you know, or one of the lower zoning, density, zoning  
21 designations.

1 CHAIRMAN BRANHAM: Yeah, I think the results of the motion was to have  
2 mobile homes be relatively if not generally aligned with where they were allowed under  
3 the previous Code.

4 MR. PRICE: Alright, just wanted to mention that.

5 CHAIRMAN BRANHAM: Yeah, thank you. Alright, number 4., Mr. Dennis.

6 MR. DENNIS: Alright, I move to recommend – well as to Veterinary Services  
7 (livestock) I move to recommend the addition of veterinary services (livestock) permitted  
8 by right in the RT zoning district.

9 CHAIRMAN BRANHAM: Generally, it means a vet could treat livestock on a  
10 property zoned RT, is that right?

11 MR. DENNIS: Correct. If you look at our map that was just presented to us we  
12 have a lotta little RT areas out in the rural area and that's just, I mean, I don't see a lot  
13 of vets opening up businesses out there, but at the same time a rural area needs to  
14 have that. And it was permitted in RU in the, across RU in the previous LDC.

15 CHAIRMAN BRANHAM: Currently as drafted in the AG and HM districts, is that  
16 right?

17 MR. DENNIS: Correct.

18 CHAIRMAN BRANHAM: Okay. And if a motion [inaudible] layout the legacy RU  
19 properties. Yeah, number 12., three acres or less that was zoned RU would be zoned  
20 RT, so that's the small previously RU lots would become RT. And [inaudible] veterinary  
21 services for livestock [inaudible].

22 MR. DENNIS: Real reason behind that is livestock, you normally put it on a  
23 trailer, you bring it out to the veterinary place and you're not gonna bring a horse into

1 the town because there's no area to do it, so that allows people out in the rural areas  
2 still to have a place to take their horses, cows, goats, llamas, emus, got a few of those  
3 around, to have a place out in the rural area that somebody don't have to own 35 acres  
4 or seven acres, they can have a smaller RT area in one of those little clusters and get it  
5 done, because I mean, really and truly they could have their house and a little barn and  
6 most livestock vets, that's kinda how they operate.

7 CHAIRMAN BRANHAM: If number 12 passes, it's gonna be three acres or less,  
8 and then you would have livestock veterinary services on that. Sounds kinda small,  
9 doesn't it?

10 MR. DENNIS: Not really. I mean, livestock veterinary services, they're not, you  
11 bring the animal to them so I mean, if they have a barn there they're only doing it, you  
12 don't really keep animals overnight at livestock veterinary services.

13 CHAIRMAN BRANHAM: Is there a definition on that, Staff?

14 MR. PRICE: For veterinary services?

15 CHAIRMAN BRANHAM: Veterinary services (livestock).

16 MR. PRICE: I was actually looking for that. We do have a use category for  
17 veterinary hospital or clinic. I didn't see one for livestock so I believe that motion, I could  
18 be missing it, but I believe that motion may actually require [inaudible]. I was looking for  
19 it within the use table.

20 MR. TAYLOR: Oh, gotcha.

21 MR. DENNIS: Yeah, it's in the agriculture area all the way down to the very  
22 bottom. It's permitted in AG and permitted in HM. But it was taken outta the RT.

1 CHAIRMAN BRANHAM: That's where I just, obviously gives me a little pause,  
2 just the nature of the activity and being on a small, I mean, that could be all the way  
3 down to whatever, half an acre if everything under three acres that was RU becomes  
4 RT. Can you, I mean, under that definition do we know, can you keep the animal  
5 overnight at the vet?

6 MR. PRICE: I don't see why not.

7 CHAIRMAN BRANHAM: Do you have, like 20 cows out there?

8 MR. PRICE: I will tell you from a definition standpoint we can impose that, but I  
9 mean, from an enforcement standpoint we'll be riding by there at night to look to see is  
10 the horse still there.

11 CHAIRMAN BRANHAM: Yeah.

12 MR. YONKE: Mr. Chair, there's complaints from neighbors. When we're talking  
13 about smaller parcels now in RT and they've got ailing horses loud at night, would it be  
14 possible to change this to a special permit instead of by right?

15 MR. PRICE: If you do it by special requirement all you're really doing is  
16 identifying development standards for it to be there. You're still saying it can be there,  
17 it's just that you may require additional screening or something to that affect, if you do it  
18 by special requirements. And the same affect would be for a special exception, it just  
19 you will establish what the criteria is, it'll be reviewed by the Board, but ultimately unless  
20 they can clearly define where it would be a real nuisance or have a negative impact on  
21 surrounding properties, it's probably gonna get approved.

22 CHAIRMAN BRANHAM: Anybody else on the Commission got anything on this?  
23 Thoughts? Okay. Alright, you wanna take a vote, Mr. Dennis?

1 MR. DENNIS: Hey, let's go for it.

2 CHAIRMAN BRANHAM: Alright. Alright, everybody in favor raise your hand and  
3 say aye. Those opposed? Nay.

4 MR. YONKE: No.

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

7 CHAIRMAN BRANHAM: Alright, so it passes 6/2. Right? Is that what y'all saw?  
8 Okay.

9 MR. JENSON: Yes, 6/2.

10 CHAIRMAN BRANHAM: Alright, number 5., Mr. Dennis.

11 MR. DENNIS: Alright, as to Animal Shelters, I move to recommend the addition  
12 of animal shelters permitted by right, subject to special requirements in AG, HM, RT  
13 zoning districts.

14 CHAIRMAN BRANHAM: What's it showing now, the permitted use table, is it with  
15 special requirements in RT?

16 MR. DENNIS: No, it was showing special requirements over in the, I wanna say it  
17 was EMP, INS area.

18 MR. JENSON: Mr. Chair, if I may be recognized?

19 CHAIRMAN BRANHAM: Mr. Jenson.

20 MR. JENSON: I believe animal shelter here is referring to the type of animal  
21 shelter that the County and City run, not a shelter for animals. Is that, what the  
22 Commission understands this to be defined as?

23 MR. DENNIS: That's what I understood.

1 MR. JENSON: Okay.

2 CHAIRMAN BRANHAM: So does the County have a position on this, being that it  
3 would be the ones operating these shelters?

4 MR. JENSON: If I may, Mr. Chairman?

5 CHAIRMAN BRANHAM: Mr. Jenson.

6 MR. JENSON: My experience is that tonight part of the discussion was whether  
7 or not animals would be boarded or not at a veterinary clinic. In a shelter there's no  
8 question they would be boarded. And so the smells, the sounds and so forth would be  
9 present after business hours. So that is something I think the Commission needs to  
10 think about, you know, is – I'm going to suggest the distance and lot size makes a big  
11 difference in running an animal shelter, unless it is something that is completely  
12 confined within a building and is an industrial type situation.

13 CHAIRMAN BRANHAM: Can you tell us the nature of the special requirements  
14 that would be there? Is it kinda setbacks from property lines or?

15 [Inaudible]

16 MR. YONKE: Mr. Chair?

17 CHAIRMAN BRANHAM: Mr. Yonke.

18 MR. YONKE: I don't mean to add any confusion to this, but is it possible for us to  
19 defer number 5. and number 6., until after we vote for 7-12 where we're talking about  
20 changing lot sizes? Cause in my mind the RT may get smaller and we're speaking  
21 about housing animals overnight, more dense of an area, even though it's rural  
22 Richland County, still.

1 CHAIRMAN BRANHAM: Yeah, I mean, that, those motions deal just with density  
2 [inaudible] but yeah, number 12. would deal with lot size, is that what you would be  
3 asking?

4 MR. YONKE: Yes, how would we do this, Staff, with number 12. being later in our  
5 Agenda?

6 MR. JENSON: Mr. Chair, I would suggest that you may adjust the order of the  
7 items and once they are heard, unless it is opposed by the rest of the body.

8 MR. DENNIS: Mr. Chair?

9 CHAIRMAN BRANHAM: Mr. Dennis.

10 MR. DENNIS: Yes, I know I'm asking for RT in those areas also, but I'm also  
11 asking for the, you know, special requirements. I still have to go through and figure out  
12 those special requirements to adjust for the RT area.

13 CHAIRMAN BRANHAM: Would you like to defer the vote on number 5?

14 MR. DENNIS: I mean, we can defer it for number 5. and 6. and I can go through  
15 and double check and adjust the special requirements. So, like if it's an RT area, and  
16 let's say it's two acres still, that could still work for that type, but if it's less than that we  
17 can adjust the special requirements in that designation.

18 CHAIRMAN BRANHAM: Okay. So –

19 MR. DENNIS: I'm happy to hold off on them and then work on that next week or  
20 two and finish that up and get those numbers to you. I was just trying to add it to the  
21 ledger and then when we do the final vote I would have those requirements to get it  
22 done correctly.

1 CHAIRMAN BRANHAM: Okay. Well, if there's no objection we'll defer the votes  
2 on numbers 5. and 6. to next month. Is there any objection to that?

3 MR. DENNIS: Mr. Chair?

4 CHAIRMAN BRANHAM: Mr. Dennis.

5 MR. DENNIS: One thing I just, I need to pull my motion for the number 5. Cause I  
6 already made a motion so I rescind that motion.

7 CHAIRMAN BRANHAM: Okay.

8 MR. DENNIS: And I make a new motion to defer items 5. and 6. until the next  
9 meeting.

10 CHAIRMAN BRANHAM: Okay. I'll second it and all in favor just raise your hand  
11 and say yes?

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

14 CHAIRMAN BRANHAM: Alright, unanimous. Numbers 5. and 6. are deferred.

15 MR. DENNIS: Mr. Chair? And for those special requirements, I'll get that to Staff  
16 when I look at it so I can make that a little more cleaned up for everybody so there won't  
17 be any questions going forward and you'll see exactly where it's at.

18 CHAIRMAN BRANHAM: Okay, alright. Sounds good. Let's see, so my motions  
19 pick up at number 7., and 7., 8., and 9. are all related. The adopted LDC from  
20 November 2021 has got some serious increases in required acreage for a dwelling unit  
21 when it comes to density, and I mean, that's not the most accurate statement but I'm  
22 just trying to say it in a relatable way. Basically you've gotta have something like seven  
23 acres in AG before you can put a house on it, and then three acres in HM and I think it

1 was an acre and a half more or less in RT. And I certainly understand that the objective  
2 there is to preserve some of the rural lands, some of the worked agricultural lands, and  
3 to keep them of that nature. I think something that I would like to balance with that  
4 interest is the interest of some of the families that have spoken to us over these last  
5 several months, including a few that spoke to us today regularly out of the Lower  
6 Richland area that reference family land; that they had an expectation that they would  
7 be able to subdivide at some point into the future and share with their family. And you  
8 know, I feel like that's something that I would like to honor as far as, again suggesting a  
9 compromise between the requirements set forth in the new LDC and what existed  
10 before, previously under RU, you needed, like .7 acres to put a house on it. And if  
11 you're gonna get rezoned to AG with the LDC as adopted it would be, like 10 times, you  
12 would have to have 10 times more land to be able to put a dwelling unit on it. So that's  
13 the reason for these motions is to in effect cut the density requirements in half from  
14 what was adopted in an effort to move in sort of a compromised position when it comes  
15 to density for those more rural type zoning districts, AG, HM and RT. Does that make  
16 sense? Are there any questions, comments or discussion? Alright, hearing none let's go  
17 ahead and vote on each one.

18 MR. DENNIS: Mr. Chair?

19 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

20 MR. DENNIS: I just wanna clarify. So what you're doing is you're just taking  
21 those, like let's just take RT for example, instead of having such a big area you're  
22 allowing the people, so if they do subdivide it and things, they can put houses on it.

1 CHAIRMAN BRANHAM: They can do it with less land than they would be able to  
2 do it under the newly adopted Code. Yeah.

3 MR. DENNIS: Copy, alright.

4 CHAIRMAN BRANHAM: More dwelling units per acre. Still not as low as it was  
5 before under RU but half as much as the newly adopted Code. And again, hopefully  
6 that's a balancing act, it's a compromised position and I hope it lets us serve both, the  
7 interests on both sides of that equation. So number 7. is I move to increase the  
8 maximum lot density of the new AG zoning district from 0.15 dwelling units per acre to  
9 0.33 dwelling units per acre. All in favor please raise your hand, say aye. And any  
10 opposed?

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

13 CHAIRMAN BRANHAM: So that passes. And number 8. is I move to increase  
14 the maximum lot density of the new HM zoning district from 0.33 dwelling units per acre  
15 to 0.66 dwelling units per acre. All in favor please raise your hand. And any opposed  
16 please raise your hand.

17 *[Approved: Siercks, Taylor, Durant, Metts, Yonke, Dennis, Branham; Abstained:*  
18 *Johnson; Absent for vote: Frierson]*

19 CHAIRMAN BRANHAM: Mr. Johnson, did you raise your hand? I looked over I  
20 didn't see it.

21 MR. JOHNSON: [Inaudible]

22 CHAIRMAN BRANHAM: No vote then?

23 MR. JOHNSON: Yes.

1 CHAIRMAN BRANHAM: Okay, 7/0. Number 9. is I move to increase the  
2 maximum lot density of the new RT zoning district from 0.67 dwelling units per acre to  
3 1.0 dwelling units per acre. Alright, all in favor please raise your hand. And any  
4 opposed?

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

7 CHAIRMAN BRANHAM: Okay, that passes 7/0. Mr. Johnson [inaudible]. Oh, you  
8 did? Alright, 8/0.

9 MR. DENNIS: Those last two were 8/0, I'm pretty sure.

10 CHAIRMAN BRANHAM: Number 8. you voted yes to, Mr. Johnson?

11 MR. JOHNSON: [Inaudible].

12 CHAIRMAN BRANHAM: Alright, we got 8/0 on number 9. and then on number 8.  
13 was 7/0, does that sound right? Okay. Again, this next motion is related to  
14 conversations I know the Commission's had. I move to designate any parcel comprising  
15 35 acres or more that was zoned RU under the 2005 LDC zoning scheme be assigned  
16 the AG zoning district in the 2021 LDC zoning re-mapping. [Inaudible] 35 acre number  
17 comes from the Code itself and the description of the AG district that it would be. Alright,  
18 all in favor of that motion please raise your hand. And any opposed in the same way?

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

21 CHAIRMAN BRANHAM: Yes for 8/0, the motion passes. Eleven, I move to  
22 designate any parcel comprising more than three acres but less than 35 acres that was  
23 zoned RU under the 2005 LDC zoning scheme be assigned the HM zoning district in

1 the 2021 LDC zoning re-mapping. [Inaudible] previously RU, next size category down  
2 from what we just did with AG. No, the map's been drafted according to the standards,  
3 which again is something we talked about before, we just never did a formal motion to  
4 document that. All in favor of that motion please raise your hand. And any opposed  
5 please raise your hand.

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

8 CHAIRMAN BRANHAM: Alright. Mr. Johnson, no vote? [Inaudible]

9 MR. JOHNSON: Looking back at number 8., taking your density up to .66, so  
10 you're excepting out what's less than three acres [inaudible].

11 MR. JENSON: Mr. Chair, may I address that?

12 CHAIRMAN BRANHAM: Yes.

13 MR. JENSON: Thank you. Just very simply –

14 CHAIRMAN BRANHAM: Mr. Jenson.

15 MR. JENSON: Thank you. The density does not necessarily relate to the lot size  
16 in terms of simply for the zoning designation purpose. So in this activity here what we're  
17 doing effectively is we're assigning zoning designations and we're saying that if it's in  
18 this range these are the rules that apply. And so theoretically yes, somebody could  
19 come in and in the future subdivide it to something smaller than it, this is simply for the  
20 purposes of establishing the rules applicable to the parcel. We're saying if you're within  
21 this range these are the rules that apply to you. If you're within this range . . . that's an  
22 absolutely accurate observation. The lot size, the minimum effective lot size of a future

1 subdivision doesn't have to correspond to this acreage range that we are using to  
2 establish what zones should be, if that makes sense.

3 MR. JOHNSON: It does. I understand, I was just trying to see what is that  
4 practical effect, so if that .66, three acres, you're talking about less than two units an  
5 acre. I mean, I was just –

6 MR. JENSON: Yes, sir, you are absolutely correct. Just for the folks who are  
7 watching from home, and this may seem mystifying, again what we're doing now is  
8 we're assigning rules to things and so you are correct that in the future somebody with  
9 this may actually create a lot that's smaller than three acres, it's possible, sure.

10 [Inaudible]

11 CHAIRMAN BRANHAM: Alright, so the motion was made and, to add it to the  
12 ledger and it was just a question of whether you wanted to vote in favor, Mr. Johnson.  
13 Okay, he votes in favor and so that's an 8/0 yes. Number 12. which is a companion  
14 motion, I move to designate any parcel comprising three acres or less that was zoned  
15 RU under the 2005 LDC zoning scheme be assigned the RT zoning district in the 2021  
16 LDC zoning re-mapping. So that takes us all the way down to the smallest parcels that  
17 might've been RU before, they would be RT. Any discussion? Alright, all in favor please  
18 raise your hand. And any opposed, like side? None.

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

21 CHAIRMAN BRANHAM: Alright, so [inaudible] there, Mr. Johnson? Okay, 8/0 in  
22 favor. And then number 13. is an item that I'd spoken with Staff about. I move to amend  
23 the new LDC text to provide a six month period of time during which an owner of

1 property currently zoned RU may apply with no application fee for a zoning map  
2 amendment as to said property if they believe said property should be assigned a  
3 zoning district other than the newly assigned district. The six month period would begin  
4 the day the newly adopted Land Development Code and zoning map take effect. So I  
5 think this is a little bit of an acknowledgment that, you know, we're trying to do some  
6 broad strokes as far as addressing a lot of property in the County has been zoned RU  
7 all along. And this just gives a six month application fee free period for people to come  
8 in and have the Commission take a second look to see if it's just, it just doesn't fit, you  
9 know, based on uses or whatever.

10 MR. DENNIS: Mr. Chair?

11 CHAIRMAN BRANHAM: Mr. Dennis.

12 MR. DENNIS: Yeah, on that one, I mean, you know, if we pass it and all that, like  
13 I really want to encourage the County to somehow WIS everybody, like have a special  
14 thing so everybody knows about it so we don't get the, a year later, oh I never heard  
15 about it. And I know not everybody watches the news and, but I mean, a spot on radios  
16 or, I mean, we gotta go above and beyond for this one.

17 MR. JENSON: If I may, Mr. Chair?

18 CHAIRMAN BRANHAM: Mr. Jenson.

19 MR. JENSON: We would actually, we talked about this as Staff and we were  
20 gonna suggest that we actually have the six month period start six months after so that  
21 we can have a period to do a campaign and to get the word out and everything. So  
22 effectively it would be, you know, a 12 months period. So what we would do is we would  
23 adopt the Code, we'd let everybody get to know about it, we'd do some campaigns to

1 educate people on the Code, and then we would open up a six month window to allow  
2 people to come in and request modifications. So that would be our recommendation.  
3 We think it would be more effective that way.

4 CHAIRMAN BRANHAM: What about the immediate six months after?

5 MR. JENSON: Mr. Chair. If you wanna do it that's fine, but we think that there  
6 needs to be a time of information and campaign to look at people, to know about the  
7 new Code before they come in and say, oh we wanna re-do it. In other words, what our  
8 biggest concern is that folks would have a knee jerk reaction and come in for a request  
9 and then all of a sudden would say, you know what, now that I understand what this is  
10 that's not exactly what I wanna do. And so that's why we would rather do an education  
11 campaign and then open it for folks to come in. Whatever the Commission decides  
12 that's fantastic, that's just our opinion and how we think would be better to do it.

13 CHAIRMAN BRANHAM: So these are all just recommendations, of course. And  
14 jeez, I lost my train of thought. Go ahead. Who wanted to say something? Mr. Taylor?

15 MR. TAYLOR: I was gonna ask, I think you kinda asked it. So an additional six,  
16 or after six months, that doesn't preclude anyone coming in before then, does it? Is it  
17 essentially a 12 month?

18 MR. JENSON: Whatever the Commission would like. Yes, you know, if you just  
19 wanna make it a 12 month and then we will commit to doing an education campaign  
20 those first few months, that's great. Because I think really what will happen is people will  
21 come in and ask us and say, what does the new Code allow me to do or not do. And  
22 they will think about it for a period of time and they're gonna go back and say, you  
23 know, do I really wanna make this decision or not. And so I don't think you're gonna get

1 any the first few months, that's just my personal experience. Nobody will come before  
2 you cause they're gonna be digesting all this information and deciding do I wanna do it  
3 or not.

4 CHAIRMAN BRANHAM: Mr. Taylor.

5 MR. TAYLOR: I think we gotta lot that's on their game and they're waiting to  
6 come, so quite honestly I believe the day after you'll probably have quite a few ready to  
7 go, chomping at the bit. And will put up a pretty big stink if they have to wait an  
8 additional six months.

9 CHAIRMAN BRANHAM: Yeah, I mean, that's what I'm thinking about is just that  
10 there's gonna be people that are caught up, up to date on what's going on. I would think  
11 it would be awkward to ask them to pay, it's almost like penalizing them for being up to  
12 date on what's going on with their property.

13 MR. TAYLOR: My only – Mr. Chair?

14 CHAIRMAN BRANHAM: Mr. Taylor.

15 MR. TAYLOR: Yeah, my only question or concern would be that the education  
16 period does not preclude anyone from coming in prior to the end of that period.

17 CHAIRMAN BRANHAM: That's right, this is just a discussion about whether to  
18 recommend waiving a fee or not.

19 MR. DENNIS: Mr. Chair?

20 CHAIRMAN BRANHAM: Mr. Dennis?

21 MR. DENNIS: I think an amendment to that to a 12 month period would be good  
22 so if you do have those early people, but then you get those people after two or three

1 months of Staff getting all that information out, now they don't have just two months to  
2 get it done, they got six.

3 MR. DURANT: Mr. Chair, I'm all in favor of an education campaign cause people  
4 need to know what's going on in time [inaudible]. But I also wanna give people as much  
5 time as possible, I don't know how you came up with the six months initially but I would  
6 even go 12 months.

7 CHAIRMAN BRANHAM: Yeah, it was a conversation with Staff. Thank you, Mr.  
8 Durant. Alright, well –

9 MR. SIERCKS: Mr. Chair?

10 CHAIRMAN BRANHAM: Yeah, Mr. Siercks?

11 MR. SIERCKS: One question just by way of background. When it talks  
12 specifically about those property owners zoned RU, I guess is the reason that the  
13 property owners zoned RU are named specifically in this motion because of some of the  
14 public opinion that was voiced in previous sessions?

15 CHAIRMAN BRANHAM: I would say it's more so just because there is a more  
16 extreme impact when it comes to the variation in density, and the fact that in a lotta  
17 ways RU has previously just been a catch-all zoning district. If it didn't clearly fit some  
18 [inaudible] labeled RU. [Inaudible] any comment on our conversations and why we were  
19 specific to the legacy RU, I'm happy to hear. Even cutting AG in half down to three,  
20 basically the [inaudible].

21 AUDIENCE: We can't hear you.

22 CHAIRMAN BRANHAM: That's four times more land than was required  
23 previously when they were zoned RU. So there's a great impact to them when it comes

1 to density. Alright, anything else on number 13.? So seems like maybe Staff would be in  
2 agreement that we could amend this motion to provide for a 12 months period of time  
3 for an application from these certain applicants without an application fee? Does that  
4 seem reasonable?

5 MR. JENSON: Yes, Mr. Chair. I mean, we're gonna find out if folks are satisfied  
6 with this very quickly, and so if necessary we will modify it even further. But I think that's  
7 very reasonable to say at this point in time.

8 CHAIRMAN BRANHAM: Okay. I'm gonna amend my motion so that it provides  
9 for a 12 month period of time instead of a 12 [sic] month period of time. Mr. Yonke.

10 MR. YONKE: Staff, do we limit the number of map amendments we would see  
11 during a meeting? Like today we had nine, some were on a Consent Agenda. I'm  
12 thinking everybody starts coming in, is a year even gonna be long enough to get  
13 everybody to fit into our schedule, are we gonna - I'm happy being here tonight at 7:30  
14 and I'm happy to be on Planning Commission, but how are we gonna manage this when  
15 they do come in?

16 MR. PRICE: Again, if somebody comes in and they meet the deadline for, you  
17 know, submitting a map amendment, you know, there won't be a cost, we'll schedule  
18 them for the following month's agenda or, you know, after Staff has the monthly review  
19 anybody that comes, if they don't meet that deadline we'll just push them, you know, to  
20 the next scheduled agenda. If you're asking after 12 months, you know, do we still have  
21 more coming in, is that kinda what your question is?

22 CHAIRMAN BRANHAM: We can manage the number of cases that we hear in a  
23 given meeting, right?

1 MR. PRICE: Not necessarily, I mean, over the years if you meet the deadline  
2 then you're put on the agenda. So we haven't said, okay the first 12 that come in, you  
3 know, get in.

4 CHAIRMAN BRANHAM: Yeah. How high have you seen it go?

5 MR. PRICE: Over the years, I mean, go back in the day you might get 15+ cases,  
6 you know, 15 to 18 cases. You know, just kind of looking at some old agendas, this is,  
7 you know, normal some years ago they had this many cases come in.

8 CHAIRMAN BRANHAM: How much is the application fee?

9 MR. PRICE: \$105.31 for the first 10 acres and any portion thereof [inaudible]  
10 after that.

11 CHAIRMAN BRANHAM: Okay.

12 MR. JENSON: Mr. Chair, if I may. I suspect that these will not be hotly contested  
13 simply because we're talking about gradations of agriculture, we're not talking  
14 agriculture to commercial or commercial to multifamily. I just do not think that, if  
15 somebody comes in and challenges it or says, you know, RT was not quite right, it  
16 should've been HM or vice versa or whatever, I'm just not seeing these as being hotly  
17 contested things that will take up significant time before you. You know, the neighbors  
18 are gonna say, oh it's just a different type of rural, it's rural but it's this many acres  
19 instead of this many acres, I'm just not seeing that as being significant time consumers.

20 MR. YONKE: Mr. Chair, my final thoughts.

21 CHAIRMAN BRANHAM: Mr. Yonke.

22 MR. YONKE: I'm just thinking in my head a term limit or a term for someone on  
23 the Planning Commission is four years. I'm not saying go out that far but even when you

1 get a new car you can get oil changes on the thing for two years, so I don't know if that  
2 seems too long for you guys for the first two years to allow people to come in; if you  
3 rewind the clock and take what we learned from this process when we thought we were  
4 initially gonna have this adopted and it got held up and took longer, and as we see  
5 people come in and learn more about what's going and getting caught up, I think it's  
6 gonna get some people some time to say, oh I'm RU, I don't really agree with this, oh I  
7 can go in? So even 12 months is kinda short to me. Just so we get the word out and  
8 they can avoid that fee.

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

10 CHAIRMAN BRANHAM: Yes, Mr. Jenson.

11 MR. JENSON: My suggestion would be if we get in that point then we would  
12 come back and make a recommendation to extend it. I would feel more comfortable at  
13 one year or 12 months and then doing an extension than to just go to two years,  
14 personally.

15 CHAIRMAN BRANHAM: Alright. Mr. Johnson.

16 MR. JOHNSON: Mr. Chairman. The distinction I guess that he articulated a  
17 minute ago was what was kinda rattling around in my head as the distinction between  
18 something that is a disagreement between a gap in the, like [inaudible] the gaps  
19 between those as opposed to any blanket zoning change request for amendment.

20 CHAIRMAN BRANHAM: Are you saying you would try to limit the basis that an  
21 applicant could use?

1 MR. JOHNSON: No, it's like I said, if there's a distinction that under the old it was  
2 this and the new it's that and there's a difference in terms of a [inaudible] would  
3 complicate the language of it tremendously, but.

4 CHAIRMAN BRANHAM: I don't know, I'll get Staff's two cents on it, but I think  
5 honestly there was some sense that maybe that wouldn't be the worse thing as far as if  
6 we're looking at existing uses. So maybe that would be a distinction? Cause again we  
7 just have some properties that are, it's just like one size fits all, it's labeled RU and it  
8 really has no business. There's stuff that's near Williams Brice Stadium, really close,  
9 like in the shadows that are zoned RU. I think those are some parcels that we  
10 [inaudible].

11 MR. JOHNSON: I'm not trying to drag it out anymore, I just, that's just what was  
12 rattling around in my head was –

13 MR. JENSON: Mr. Chair, if I may.

14 CHAIRMAN BRANHAM: Mr. Jenson.

15 MR. JENSON: Mr. Price and I were just talking about that exact same thing in  
16 our sidebar down here. And we were, cause it was always my impression that your  
17 motion meant that one of the three AG zones for lack of a better term, rural zones, you  
18 know, is that we could go back and forth between those, it wouldn't be if a – let's just  
19 say that a homeowner owned 10 acres and it got zoned, I don't know, something they  
20 didn't like, to HM or RT or something, and then they said, you know what, I really wanna  
21 develop this as an R2 subdivision. I really think we should request that they come in and  
22 pay a fee and go through all the regular process; if they're making a significant change  
23 from, you know, if they got classified HM and they really wanted RT I can say, oh yeah

1 waive the fee, you know, that's a slam dunk. But as Commissioner Johnson was saying,  
2 if it was a, I think you should put some boundaries on this but I don't know what those  
3 boundaries are.

4 CHAIRMAN BRANHAM: Applications may only be for either AG, HM or RT.  
5 Good point. Alright, anything else on that motion? So here's how I would re-read it  
6 incorporating feedback, I move to amend the new LDC text to provide a 12 month  
7 period of time during which an owner of property currently zoned RU may apply with no  
8 application fee for a zoning map amendment as to said property if they believe said  
9 property should be assigned a zoning district other than the newly assigned district. The  
10 12 month period would begin the day of the newly adopted Land Development Code  
11 and zoning map take effect. Applications may only be for either AG, HM or RT. Alright,  
12 everybody in favor of that motion please raise your hand. Any opposed, likewise? None,  
13 okay.

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

16 CHAIRMAN BRANHAM: Okay, motion passes. Item number 14. deals  
17 specifically with the mechanism for zero lot line development. The way I understand it is  
18 that this is a provision that would be available potentially in any zoning district that if the  
19 owner of adjacent properties is the same person, the same ownership or if two adjacent,  
20 the owners are different and the owners of each adjacent property agree and record an  
21 agreement consenting to development of zero setbacks and agree to maintenance and  
22 drainage easement, then you can just wipe out the setback line and have zero setback

1 so that the wall of the structure could be constructed on the property line. Is that a  
2 general accurate statement?

3 MR. PRICE: Yes, sir.

4 CHAIRMAN BRANHAM: Okay, thank you.

5 MR. PRICE: Yeah, you can build right on the zero lot line on your property, so it'd  
6 be zero one-sided, different setback on the other.

7 CHAIRMAN BRANHAM: Right. And I wanna also just specify that I'm not seeking  
8 to eliminate any sort of provision for something like that or close to that that might  
9 already exist as part of the base zoning districts for some base zoning that might  
10 already exist. This is just, this provision appears to be something of a catch-all that  
11 would permit it in any district so long as neighboring property owners agreed to that,  
12 and I just immediately think of someone who owns maybe a lot of land and wants to  
13 divide it into smaller tracts of land and then would seek to, you know, utilize that just on  
14 a massive scale and that might ultimately, in my opinion, impact the intentions of what  
15 that base zoning district might be otherwise. You know, and it might be an area where  
16 it's meant to be much less dense, and again I know how density-based zoning works,  
17 but with zero lot lines, you know, it just seems like you could put two structures right  
18 next to each other and that would be a very different look and experience for a  
19 residential neighborhood that was [inaudible]. I just think of the single-family residential  
20 neighborhood as an example. So that's the basis for my motion.

21 MR. DENNIS: Mr. Chair?

22 CHAIRMAN BRANHAM: Mr. Dennis.

1 MR. DENNIS: So what you're saying is, like – I'm just gonna use all of us for  
2 example, so we're all single-family houses but Terry and I decide, hey let's build  
3 townhouses together so we build right on the lot and that's what we're trying to prevent?

4 CHAIRMAN BRANHAM: Something like that.

5 MR. DENNIS: Okay.

6 CHAIRMAN BRANHAM: Alright, any discussion on this provision? Mr. Johnson.

7 MR. JOHNSON: This is a blanket no zero lot line development?

8 CHAIRMAN BRANHAM: Again that's what I wanna emphasize is that if that's  
9 permitted in the base zoning district I'm not seeking to eliminate that. That would  
10 already exist somewhere else in another provision. So I'm just specific to the single-  
11 family dwellings, you know, not townhouses or anything like that that might be permitted  
12 in another residential district, maybe R6 or something like that, R5.

13 MR. JOHNSON: Does Staff have rationale for wanting to do that?

14 CHAIRMAN BRANHAM: Staff? This is my motion. I didn't discuss it with Staff.  
15 Anybody else?

16 MR. DURANT: Does the Staff have an opinion on that?

17 CHAIRMAN BRANHAM: Mr. Price, any feedback on that motion?

18 MR. PRICE: I'm still looking at this, you want to, essentially what we're doing, we  
19 would just get rid of zero lot line developments, sort of like what Mr. DeLage has up on  
20 your screen for zero lot line where one's built on the property line and the other one  
21 isn't? Or are we talking about zero lot line common development where essentially they  
22 share a property line? So if you were riding down the road you might think it's a duplex  
23 but really there're two separate parcels.

1 CHAIRMAN BRANHAM: Yeah, I mean, that's certainly of a higher concern to me  
2 than the other example where they're still, you know, relatively or equally spaced out or  
3 whatever. I don't know, I just, I don't really get the wisdom of doing this or providing for  
4 this, especially if it's like an infill type situation.

5 MR. JOHNSON: That's exactly when you need them. Exactly when you need  
6 them.

7 CHAIRMAN BRANHAM: Can you talk – the mic didn't catch your comment.

8 MR. JOHNSON: I said that's exactly when you need them is when you're doing  
9 infill development, when you need to work off of [inaudible].

10 CHAIRMAN BRANHAM: You could utilize them if you were in a situation, yeah,  
11 where you otherwise couldn't meet the setbacks. That's kinda what you're getting at?  
12 Yeah. Right. I understand.

13 MR. JENSON: Mr. Chair, may I comment?

14 CHAIRMAN BRANHAM: Mr. Jenson.

15 MR. JENSON: Earlier in previous meetings we had discussed modifying the  
16 definitions of single-family and so forth to make them more accurately describe what  
17 they are physically. I think that when I make those changes and bring that language to  
18 you that will inform your action here, because if the definition – right now in our Code we  
19 have definitions, for example, for townhouses, for multi-family for things and they don't  
20 really reflect physically what they are. So when we go to more accurate definitions, you  
21 know, that specifically say a townhouse is a vertically stacked unit that is attached to  
22 other units, then a zero lot line would come into effect because if you have four  
23 townhouses that are literally units that are occupied by one family that are attached

1 where they own the ground underneath the unit itself, then zero lot line would come into  
2 effect. So to simply just eliminate zero lot line, it might do some things you don't wanna  
3 do, so I would like to suggest you defer this and let me bring you the definitions and  
4 then you can decide does this now work in some cases but not in others.

5 CHAIRMAN BRANHAM: Okay.

6 MR. PRICE: I wanna point out, I mean, I understand exactly where you're going,  
7 under our current Code when we talk about townhomes there is a minimum number of  
8 units that you must have in order to be categorized as a townhome. Now in this  
9 language that you have here it specifically states for single-family detached so there will  
10 be a distinction. So you wouldn't have to worry about this applying to townhomes, just  
11 only for single-family detached.

12 CHAIRMAN BRANHAM: Well, I need to add the word detached cause it's not –

13 MR. PRICE: I'm sorry, attached.

14 MR. JENSON: Like I said, if we can bring the definitions back to you and then  
15 you can wordsmith this to make it do what you want.

16 CHAIRMAN BRANHAM: Okay. Alright, well for now I will definitely make the note  
17 to include the word detached for the draft motion. I can amend that later.

18 MR. JOHNSON: Move deferral, Mr. Chairman.

19 MR. PRICE: And I would ask that y'all really look at, when we're looking at the  
20 example, is it zero lot line as in – a lotta people would call those patio homes, you know,  
21 where the smaller lot and it's tighter on the property, that's where you a lotta times see  
22 the zero lot line where the unit is still on its own individual parcel and it's not connected  
23 to another. But we also had in our previous Code, and we wanna make sure it doesn't

1 apply here, a zero lot line common as we would call them, and that's what I was  
2 referring to earlier where as you're driving by you might think of it as a duplex but  
3 technically they're on two separate parcels and potentially two different ownerships.

4 CHAIRMAN BRANHAM: Okay, but including the word detached would  
5 distinguish it from zero lot line common scenarios, is that right?

6 MR. PRICE: Yes, like I said I can definitely get with Mr. Jenson here and we'll  
7 make sure that that's clear, we're pretty clear on the language and what you're looking  
8 at so not to eliminate something unintentionally.

9 CHAIRMAN BRANHAM: Right. Mr. Johnson?

10 MR. JOHNSON: Mr. Chair, I think what Mr. Price is saying though is that as  
11 written this would still eliminate patio homes.

12 CHAIRMAN BRANHAM: Well I mean, a patio home can still exist if it meets the  
13 minimum setback requirements. This is just saying you can circumvent minimum  
14 setback requirements through this mechanism.

15 MR. JOHNSON: Like I said, that's not always a bad thing, that there are  
16 legitimate reasons, and especially in a patio home type community, that it would make  
17 sense.

18 CHAIRMAN BRANHAM: Okay. Alright, anybody else? So I'll go ahead and move  
19 to defer the motion for the reasons that we discussed with the Staff and can I get a  
20 second on that motion?

21 ?: Second [inaudible].

22 CHAIRMAN BRANHAM: Yes, motion to defer Item 14. Alright, and it's been  
23 seconded. All in favor of the deferral of number 14. raise your hand. Any opposed?

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

3 CHAIRMAN BRANHAM: Okay, motion to defer passes 8/0. Alright, and then Item  
4 15. relates to cluster development and the section and the subsection is provided in the  
5 agenda and it goes through kinda two different subsets where as utilized if it's utilized in  
6 a certain subset of zoning districts, AG, HM, RT or R1, then you're eligible to reduce the  
7 dimensional standards of that district by 75%, up to 75%, and then there's these  
8 minimum setback lines that you can't go below. As to the cluster development in these  
9 districts, R2, R3, R4, R5 and R6, the lot width standard is completely eliminated. So  
10 that's some of what we've seen in a general sense with open space provisions that exist  
11 in our current Land Development Code. When you utilize those provisions you move  
12 away from a minimum lot size standard and you move into a density [inaudible]  
13 standard. Along with that credits are given when you designate property for open space  
14 and you're able to put many more lots, well you're able to put many more structures on  
15 a smaller amount of acreage than you would've been able to do had you not set some  
16 open space aside. And then under the current Land Development Code as well, not  
17 only can you put the same number of houses on a smaller piece of property, but you  
18 actually can put more houses on a smaller piece of property. And what we see is that,  
19 you know, on 35, 40, 50 acre tracts of land in areas that would be zoned otherwise for  
20 half acre lots, the lot size that actually results through the use of these types of  
21 provisions, it goes from a half acre down to, like an eighth of an acre. And so part of  
22 what happens is the, when it comes to, like the character of a community, of a  
23 neighborhood, of an area, it's zoned for a certain level of density, I think in part to

1 harmonize with what all is there or what the County wants to be there, but what results  
2 is something that is much more dense. Again, and so a lot of what happens is there  
3 ends up being no distinction in how a neighborhood actually gets built out. When you  
4 look at the difference between some place that has a base zoning of a half-acre lot to  
5 something that's an eighth of an acre, that's a big difference when you look at the scale  
6 of what the residential zoning districts are. And so everything ends up getting pushed  
7 into the same type of density as it relates to the neighborhood that's actually developed.  
8 The tradeoff that's been there is that there's been these big incentives provided for  
9 groups that want to subdivide larger tracts of land. There's no real benefit to anyone  
10 who's using one parcel of property to put one dwelling on, but there is a big benefit to  
11 people that are looking to put lots of dwelling units on larger tracts of land. And so the  
12 way that I'm looking at this in the sense that subsection a. provides for reduction up to  
13 75% and then subsection b. provides for the entire removal of the lot width standard. It  
14 feels very extreme to me and that's why I've made this motion to have this cluster  
15 development provision removed, potentially so that we can have a reset and kind of  
16 review where we might go going forward as it relates to requirements for open space  
17 and any sort of incentives that the government might wanna provide to somebody who  
18 is setting aside some open space. So anyway, that's my motion and that's motion 15.  
19 Does anybody have any discussion, questions, comments, anything?

20 MR. JOHNSON: Please, Mr. Chairman.

21 CHAIRMAN BRANHAM: Mr. Johnson.

22 MR. JOHNSON: Alright, I think that is something that I would appreciate, like the  
23 other one, an opportunity to have a much greater depth of conversation before we just

1 blanketly strike it. I mean, I do not pretend to ignore that there may be some abuses,  
2 there's some larger developers that may [inaudible] ways. But particularly  
3 understanding the price pressures on housing, when we start talking about having a  
4 diversity of housing and [inaudible] affordability that when you are looking at having  
5 some tools to really look at how to deliver different products and different situations, that  
6 is a tool to have in the tool belt. But does it maybe need tweaking? Probably so. But I  
7 would really hate to see us make a proposal to make a real swath at cluster  
8 development, just for me, because it kinda goes back to the other one is that whether  
9 you're talking about high end development or a more affordable development, density is  
10 not necessarily a bad word when it's done correctly. And [inaudible] afraid of density, so  
11 again that's one that I would urge the Commissioners to take slow walk before we just  
12 took a broad brush stroke and eliminate it and then rebuilt it. I'd rather us do the hard  
13 work up front and figure out how to get that language where we want it, where we feel  
14 comfortable before we just take a tool completely out of the toolbox altogether.

15 CHAIRMAN BRANHAM: Yeah, and – I didn't mean to interrupt you.

16 MR. JOHNSON: No, sir. Thank you, Mr. Chairman.

17 CHAIRMAN BRANHAM: I do wanna say that, you know, nothing that I'm  
18 proposing is eliminating the existence of dense residential districts. I mean, those  
19 districts still exist in the Code, they still exist on the zoning map, so it's really an  
20 intention of having development occur within the sorts of expectations that I believe the  
21 communities have where they have certain levels of zoning so that there is actually  
22 some variety in the residential housing market instead of everything being about the  
23 same thing, it just being a sliding scale of how much of the cluster development

1 provision do I have to use to get down to an eighth of an acre of lot regardless of  
2 whether the property was zoned for R1 or R5, so. Anyway, that's my intention there.  
3 Anybody else? Thank you, Mr. Johnson. Mr. Taylor?

4 MR. TAYLOR: Mr. Chair? So with Staff coming back with I guess more clearly  
5 defined [inaudible] parameters or definitions? But does that also apply to this particular  
6 one?

7 CHAIRMAN BRANHAM: I don't think so. I don't know how it would.

8 MR. JENSON: If I may.

9 CHAIRMAN BRANHAM: Mr. Jenson.

10 MR. JENSON: Thank you. Yeah, I think those are two different – the work I am  
11 doing is purely definitions and so what I am hearing from both Commissioner Johnson  
12 and from Chair Branham is the discussion revolves around what are the standards for  
13 doing a cluster development and where it should be applied. And I think that is the  
14 discussion you're having right now.

15 CHAIRMAN BRANHAM: Yeah, I did wanna call attention to a letter I received  
16 from the Building Industry Association of Central South Carolina. I don't know if this  
17 made it into the County file? Okay, alright so I'm gonna give that to Staff so it's part of  
18 the County file.

19 MR. JOHNSON: Chairman, but I would like for Staff to weigh in on some  
20 parameters for that if [inaudible]. [Inaudible]

21 [Inaudible]

1 MR. JOHNSON: I was just saying that I would just like for Staff to sort of weigh in  
2 on the zero lot line, I'd like for Staff to weigh in on some balance on the cluster  
3 development.

4 CHAIRMAN BRANHAM: The microphone doesn't like your soothing voice, Mr.  
5 Johnson.

6 MR. JOHNSON: They don't, do they?

7 CHAIRMAN BRANHAM: Does Staff have anything they wanna add to the  
8 conversation regarding cluster development?

9 MR. JENSON: We would be more than willing to provide input and maybe some  
10 best practices and some other things that are happening that could maybe help inform  
11 your decision. So we could have it for you by the next meeting.

12 CHAIRMAN BRANHAM: Best practices?

13 MR. JENSON: Regarding clustering and so forth, because clustering, you know,  
14 this is just one set of parameters, you know, cluster in one community is a whole  
15 different thing than it is in another, and so I can't tell you that this is the end all best, you  
16 know, standard for clustering. Maybe we're giving way too much density bonuses.  
17 Maybe we, you know, I mean, I understand exactly what you're saying, Mr. Chair, in that  
18 the end product appears in zoning to be this, but the end product when the developer is  
19 done is this. It gives the appearance of a bait and switch that the adjoining property  
20 owners kind of expect this to happen because that's what the zoning looks like, but the  
21 end product looks like a different zoning designation. And I totally understand what  
22 you're saying with that and the question is, why is that happening, and you know,  
23 maybe we can go back and do a little research and come back and report and say,

1 these particular parameters or these particular provisions within the Code is why you're  
2 getting this product when the zoning looks like this. And that may inform your decisions.  
3 So let us have a month to noodle on that and get you some more information.

4 CHAIRMAN BRANHAM: Mr. Dennis, did you have something there?

5 MR. DENNIS: Yeah, so I'm looking at this, so if we was to defer this you could  
6 get us – but if we went ahead and voted on this and let's say it passed, we would still  
7 have to vote again in November or whenever we vote on the final to get the final. So this  
8 would actually make it a hot item if we put it on there for you guys to do the research.  
9 You see what I'm saying? So that way we wouldn't defer it to the next; if we took a vote  
10 on it you would have more time to get –

11 MR. JENSON: It depends – your vote effectively of just giving Staff direction to  
12 do something, so just tell us what you want and we'll go work on it.

13 CHAIRMAN BRANHAM: Yeah. Yeah, I mean, I get Mr. Dennis' point, we're just  
14 putting it on a ledger right now that's later gonna be subject to a final vote.

15 MR. DENNIS: Yeah, cause I was looking, if we put it on there now then they  
16 would, you could possibly have more time to get this stuff than deferring it to the next  
17 meeting.

18 CHAIRMAN BRANHAM: Yeah.

19 MR. JENSON: Right, so I guess what I'm hearing is that, I mean, if you – excuse  
20 me, Mr. Chair, if I may.

21 CHAIRMAN BRANHAM: Yes, Mr. Jenson.

22 MR. JENSON: If your motion is to eliminate this we're not gonna do anything  
23 else, we're just gonna strike it. If your motion is to go back and refine this or to

1 accomplish what you, Mr. Branham, have, are wanting to accomplish and to give you a  
2 different way of doing the same thing, then that will result in something different. So in  
3 other words if the motion is to strike it we're putting a line through it, we're not doing any  
4 more homework. If your motion is to modify it to achieve the result you want then we're  
5 gonna go back and do our homework and come back with something for you.

6 CHAIRMAN BRANHAM: And it seems like we can still strike it and then just also  
7 direct Staff to provide certain types of information.

8 MR. JENSON: Yes, you can make a motion to strike it and say come back with  
9 an alternative. Sure. Absolutely.

10 CHAIRMAN BRANHAM: Okay. Alright, I'd be happy for that, I'd be comfortable  
11 with that. We got I guess a month or two left to try to talk about it and still meet our goal  
12 if that's a possibility. Anything else from the body? I just wanted to note that Mr.  
13 Johnson has left the meeting. 8:03, I don't really blame him. Alright, so I'll go ahead and  
14 amend my motion just to specify that we would like to receive some alternative  
15 provisions from Staff at the next meeting related to cluster development. But otherwise  
16 I'm happy for us to conduct a vote on that. Any other, any thoughts on that type of  
17 motion? Okay. Alright, so the motion is there, that's motion number 15. on the Agenda  
18 with the added request that Staff return with some potential alternative provisions  
19 related to cluster development. All in favor of that motion raise your hand please.

20 Alright, and any opposed?

21 *[Approved: Siercks, Taylor, Durant, Metts, Yonke, Dennis, Branham; Absent for vote:*

22 *Frierson, Johnson]*

1 CHAIRMAN BRANHAM: Alright, so that is now 7/0, motion carries. Alright, that  
2 takes us to Item number X, Chairman's Report. I just wanna thank everybody again for  
3 all of your hard work and your efforts on this. I know that there is confusion and there's  
4 misunderstanding and we wanna keep working towards clarifying what we're doing as it  
5 relates to the LDC and the remapping process. I wanna also commend everybody, you  
6 did a great job especially with the individual map application cases today. We had really  
7 good participation and I thank you for those of you who made motions as we worked our  
8 way through. I feel really good and optimistic about our group with our new members.  
9 Next meeting will be on October 3<sup>rd</sup> and again I would just ask that you please submit  
10 any final motions related to the remapping and LDC text amendments at least several  
11 days prior to that October 3<sup>rd</sup> date. And just a reminder we would like to be able to make  
12 some final motions if we can as to these things on November 7<sup>th</sup>. Reminder to  
13 everybody that the motions ledger is on the County website so Commissioners please  
14 reference that and the public please reference that as well. There were references  
15 made during the public input period to impact studies that were requested or directed  
16 from an April County Council meeting. Does Staff have information on that?

17 MR. JENSON: May I speak to that, Mr. Chair?

18 CHAIRMAN BRANHAM: Mr. Jenson.

19 MR. JENSON: Thank you. And also if you can get your motions in at least seven  
20 days in advance that allows us to prepare the Agenda, get it to the Chair for his  
21 approval and then get it posted. So I would request at least seven days prior. And then  
22 regarding that, yes there was discussion at a Council meeting, or committee meeting  
23 and I can't remember who was, which one it was, but effectively the request was for

1 information and studies that are more applicable to a comprehensive plan and that this  
2 County actually did it when it updated its Comprehensive Plan. And so it's, the request  
3 was not germane to a Code rewrite. In other words what the Councilmember was  
4 talking about was is the land capacity, is it capable, is there infrastructure, is there these  
5 things, those are comprehensive plan decisions. When you say, we wanna have  
6 development in this area, we wanna have this, that's when you go and you look and you  
7 say, is there enough infrastructure, do we need more infrastructure. And then once  
8 you've made those big picture decisions then you come back and you create the rule  
9 book. And so that's what that was referring to and so it's not germane to writing a land  
10 development code, it's germane to next year when we have to update our  
11 Comprehensive Plan, that's when we'll be having those conversations.

12 CHAIRMAN BRANHAM: And anything from the Director, Director's Report?

13 MR. PRICE: Apologies, normally we put in the actions of the County Council's  
14 meeting as it relates to the cases that you recommended from the previous meeting. I  
15 didn't include those, so in the October meeting we will have the ones from July and  
16 September.

17 CHAIRMAN BRANHAM: Okay. Great. Alright, well thank everyone. Chair will  
18 entertain a motion to adjourn.

19 MR. DENNIS: Mr. Chair?

20 CHAIRMAN BRANHAM: Mr. Dennis, did you have something before that?

21 MR. DENNIS: Yeah, I have one thing before that. I don't know if anybody  
22 watched the news today but I just wanted to take a second of personal privilege, it'll just  
23 take a second. I served in the military and I served almost eight years in the United

1 States – or served over 20 years in the United States Air Force but I served eight years  
2 in Europe and the United Kingdom especially, and I've got a lotta British friends that are  
3 here with their husbands and their wives that are stationed here at Shaw and Fort  
4 Jackson, and just, my heart goes out to them for losing their Queen today.

5 CHAIRMAN BRANHAM: That is news to me. Alright, thank you and yeah, our  
6 respects to the British. Motion to adjourn, I'll entertain one.

7 [Inaudible]

8 CHAIRMAN BRANHAM: It's made, it's seconded. All in favor say aye.

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

11 CHAIRMAN BRANHAM: Alright, we're adjourned, thank you.

12 *[Meeting adjourned]*