

RICHLAND COUNTY PLANNING COMMISSION MEETING
February 7, 2022

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

Called to order: _____

CHAIRMAN BRANHAM: - to be published by the County. Council typically holds zoning public hearings on the fourth Tuesday of the month. Please check the County's website for updated agendas, dates and times. Please take note of the following guidelines for today's meeting. Please turn off and silence any cell phones or pagers. Audience members may quietly come and go as needed. Applicants are allowed up to two minutes to make statements. Citizens signed up to speak are allowed up to two minutes each. Redundant comments should be minimized. Only address remarks to the Commission. Do not expect the Commission to respond to questions from the speakers in a back-and-forth style; that is not the purpose of this meetings. Please no audience or speaker exchanges. No audience demonstrations, or other disruptions to the meeting are permitted, nor are comments from anyone other than the speaker at the podium. Please remember the meeting is being recorded. Please speak into the microphone and give your name and address. Abusive language is in appropriate, will not be tolerated. Please don't voice displeasure or frustration at a recommendation as the Planning Commission is still conducting business. If you have any questions or concerns you may contact the Richland County Planning Department Staff. So the next item on the Agenda is any deletions or additions to the agenda.

MS. FRIERSON: Yes, this is Commissioner Beverly Diane Frierson. I have

CHAIRMAN BRANHAM: Ms. Frierson.

1 MS. FRIERSON: I have questions about the December 21 Planning Commission
2 meeting and the election that allegedly took place in December.

3 CHAIRMAN BRANHAM: You have questions?

4 MS. FRIERSON: I have several questions.

5 CHAIRMAN BRANHAM: Is there a motion.

6 MS. FRIERSON: I don't need a motion to ask a question. I'm a duly-elected
7 Commissioner of the Planning Commission. I don't need a motion to make, ask a
8 question.

9 CHAIRMAN BRANHAM: Is it a point of order?

10 MS. FRIERSON: No, it is a series of questions about the December 21 Planning
11 Commission meeting and the election that took place in December. My first question is,
12 well first statement is I did not receive a packet for this meeting and I understand other
13 Commissioners did. Why is that the case?

14 CHAIRMAN BRANHAM: Is this a point for information that you're requesting?

15 MS. FRIERSON: Excuse me, I know you're intelligent and I know I am. I said I
16 did not receive a packet, you know, like the paper, the one in front of you.

17 CHAIRMAN BRANHAM: Yes.

18 MS. FRIERSON: For this meeting. It is normally delivered to my home and I did
19 not receive it and I want to know why. That's the first question.

20 CHAIRMAN BRANHAM: Staff, would you address that?

21 MR. PRICE: Are we talking about for this meeting or the December meeting?

22 MS. FRIERSON: For this meeting.

1 MR. PRICE: That package should have been delivered. Normally I try to get most
2 of them out, I'll have to check with my Staff to find out what happened because I know
3 your package was prepared and it was given to Staff to have it delivered as we always
4 do.

5 MS. FRIERSON: Thank you, I appreciate that response Mr. Price. But I did not
6 receive it. Second question, when I looked at the printed copy and when I looked online,
7 I know that there must be two errors on it because it states under the area of chairman,
8 it states Jason Branham, and it states Vice-Chair Gary Dennis. Would someone please
9 explain to me how that could be so, in that there was an election less than 12 months
10 ago wherein Mr. Gilchrist was elected as Chair and I Beverly Diane Frierson was
11 elected as Vice-Chair. Would someone explain that to me?

12 CHAIRMAN BRANHAM: In just responding to this and treating it like a point of
13 information, there was a motion made at the December hearing where a motion was
14 made to amend the Rules of Procedure to permit an election of the officers at that
15 hearing, on that date. And that was the prevailing vote that the rule would be amended.
16 The rule was amended and the vote took place, so that's how I was elected Chair and
17 Mr. Dennis was elected Vice-Chair.

18 MS. FRIERSON: Thank you for that explanation. Now what I need to know next
19 is this, we have a document, it may not be strong, but we do have a document that does
20 state rules in terms of office and in said document the election for Planning Commission
21 officers is at the first meeting of the year. Further, to my knowledge we have had at
22 least two elections of officers in less than 12 months. Now unless you all have
23 calendars that differ from mine a year consist of 12 months. Would someone please

1 explain to me how is it that we have had at least two, two elections for officers of this
2 Body in less than 12 months?

3 CHAIRMAN BRANHAM: Commissioner, we're here on the item addition and
4 deletions to the agenda, so -

5 MS. FRIERSON: Yeah, but you already entertained some of my questions. So
6 you have a choice -

7 CHAIRMAN BRANHAM: Commissioner, please. Please, please Commissioner.
8 Let's have order. Let's have order.

9 MS. FRIERSON: What you all have been doing is most out of order and you can
10 either answer my questions now -

11 CHAIRMAN BRANHAM: Commissioner, please. Please, please, please.

12 MS. FRIERSON: Or we can take it to another level.

13 CHAIRMAN BRANHAM: We've got, we've addressed the point of order which
14 was a question about how the officers were elected.

15 MS. FRIERSON: That is not the point of order.

16 CHAIRMAN BRANHAM: Okay, alright.

17 MS. FRIERSON: When I ask questions it was not under a point of order.

18 CHAIRMAN BRANHAM: We're following an agenda and the agenda item at hand
19 is additions and deletions to the agenda.

20 MS. FRIERSON: And my point -

21 CHAIRMAN BRANHAM: So you're out of scope with your comments right now.

22 MS. FRIERSON: Well, I noticed that earlier when I ask questions you didn't say
23 that, and even if you do there is a way to resolve it.

1 CHAIRMAN BRANHAM: I'm not looking to be adversarial. There's explanation, I
2 understand you were not here -

3 MS. FRIERSON: Excuse me for a minute. Mr. Gilchrist, Mr. Gilchrist, will you
4 assist me please?

5 CHAIRMAN BRANHAM: Please, you're out of order. The point is not well
6 received. We're moving forward.

7 MS. FRIERSON: It may not be well received by you because you and others
8 have done things that are out of scope with the rules that we have.

9 CHAIRMAN BRANHAM: Alright, please, please we're trying to maintain order in
10 the meeting.

11 MS. FRIERSON: Excuse me?

12 CHAIRMAN BRANHAM: I have the floor. I have the floor.

13 MS. FRIERSON: No, I had the floor.

14 CHAIRMAN BRANHAM: I have the floor. We're trying to entertain the order in
15 this meeting.

16 MS. FRIERSON: Whether you had the floor or not it seems to me that when the
17 questions become more than surface level -

18 CHAIRMAN BRANHAM: We're going to move forward.

19 MS. FRIERSON: - you do not wish to hear them.

20 [Gavel]

21 MS. FRIERSON: You can knock on that as much as you want to.

22 CHAIRMAN BRANHAM: Order in the meeting. Please, we're calling the order in
23 the meeting. We'd like to proceed.

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

2 MS. FRIERSON: Mr. Gilchrist is speaking.

3 CHAIRMAN BRANHAM: Are there any motions on additions or deletions to the
4 agenda?

5 MR. GILCHRIST: Mr. Chairman if I may, given Ms. Frierson's concerns about our
6 last meeting is there a way that in section three that we can amend our agenda to have
7 this conversation, just so that we can help to further explain to Ms. Frierson and answer
8 any questions she may have regarding the December meeting? I guess can we, is that
9 an appropriate place to be able to add that language?

10 CHAIRMAN BRANHAM: If there's a motion and then, you know, there's two
11 thirds vote to amend the agenda, you know, potentially, what I'd like to do is take care of
12 the map amendments at hand so that these fine folks that are here today can go about
13 their business after they've had an opportunity to participate. [Inaudible] parliamentary
14 [inaudible] three few months ago.

15 MR. GILCHRIST: Do we need to amend the agenda for that, Mr. Chairman?

16 CHAIRMAN BRANHAM: I'll entertain a motion.

17 MR. GILCHRIST: Okay, I'll make a motion that we amend the agenda to include
18 a discussion around parliamentary, election of officers from our December meeting. And
19 we can find an appropriate place within the agenda to do that.

20 CHAIRMAN BRANHAM: [Inaudible],

21 MR. GILCHRIST: I'm sorry, say again Mr. Chairman.

22 CHAIRMAN BRANHAM: Item eight perhaps?

1 MR. YONKE: That would've been my suggestion, item eight. Under other items
2 for discussion. If you could add that.

3 CHAIRMAN BRANHAM: Is that a second?

4 MR. YONKE: Oh, to have this discussion this meeting, towards the end of the
5 meeting? Yes, I second.

6 CHAIRMAN BRANHAM: So there's a motion and a second to amend the agenda
7 to include a discussion of the December election of officers under item eight. If we could
8 have the Staff please take a roll call vote.

9 MR. PRICE: [Inaudible] the motion to include a discussion election of officers
10 under article eight which is other items for discussion. Those in favor? Branham.

11 CHAIRMAN BRANHAM: Aye.

12 MR. PRICE: Dennis?

13 MR. DENNIS: Aye.

14 MR. PRICE: Yonke?

15 MR. YONKE: Aye.

16 MR. PRICE: Carlisle?

17 MR. CARLISLE: Aye.

18 MR. PRICE: Frierson?

19 MS. FRIERSON: Aye.

20 MR. PRICE: Metts?

21 MR. METTS: Aye.

22 MR. PRICE: Taylor?

23 MR. TAYLOR: Aye.

1 MR. PRICE: Gilchrist.

2 MR. GILCHRIST: Aye.

3 MR. PRICE: Alright, that motion passes.

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

6 CHAIRMAN BRANHAM: Motion passes and item number eight under the agenda
7 is updated. [Inaudible]

8 MS. FRIERSON: Before we proceed, I would request a hard copy because I can
9 view that and mark it better than looking on my tiny computer.

10 MR. PRICE: Okay.

11 CHAIRMAN BRANHAM: A hard copy of what now?

12 MS. FRIERSON: Of the packet that was not delivered to my home.

13 CHAIRMAN BRANHAM: Staff, help us with that.

14 MR. TAYLOR: I need a copy as well.

15 MR. PRICE: If you could just give us a moment, we will have the agenda for Mr.
16 Taylor.

17 CHAIRMAN BRANHAM: Would you like us to stand at ease Mr. Price [inaudible]

18 MR. PRICE: Yeah.

19 CHAIRMAN BRANHAM: Thank you. Alright, thank you so the next agenda item
20 is number four which is the Consent Agenda.

21 MR. PRICE: Excuse me, Mr. Chair. Sorry, we never as far as the additions
22 deletions to the agenda, from a Staff stand point there was one deletion.

23 CHAIRMAN BRANHAM: Oh, excuse me.

1 MR. PRICE: And, I'm sorry, I apologize, we just haven't had the need to label it
2 but under your road names it would be fifth road name which is, the applicant is Brian
3 Wood and the proposed street names were Dream Wood Way, Woody Pines Way,
4 Wooded Pines Way? We would like to remove that from the agenda for your approval.
5 The applicant will resubmit for future road names for this development and so this time
6 for the road names that particular one would not be part of your consideration.

7 CHAIRMAN BRANHAM: Alright, thank you. Correction to [inaudible].

8 MR. PRICE: No.

9 CHAIRMAN BRANHAM: [Inaudible] next on the agenda. [Inaudible] request
10 between people who have signed up to speak on these cases as well as a request from
11 a Commissioner. [Inaudible] from the Consent Agenda and what that means is there
12 would be a discussion by the Commission as to each of the map amendments so the
13 [inaudible].

14 MR. DENNIS: Mr. Chairman, I make a motion.

15 MR. GILCHRIST: Second, Mr. Chairman.

16 MR. DENNIS: I make a motion to remove Case Number 21-041, Case Number
17 21-042, Case Number 22-002 from the Consent Agenda for discussion. I also want to
18 remove the road names TMS number R24800-04-26 for reapplication later as per Staff.

19 CHAIRMAN BRANHAM: Is there a second?

20 MR. GILCHRIST: Chairman, I will second this but I want to, just for the Record
21 indicate that the Consent Agenda does not include the Minutes from the December
22 meeting, is that right?

1 MR. PRICE: Yes sir, no sir we don't. We, I want to make sure you get a little
2 explanation on that. For a while many of our minutes were recorded kind of in an MP3
3 format which our transcriber was having some problems converting that. Staff would
4 often take the MP3 format and convert it to MP3 format and send that for the minutes to
5 be transcribed. But due to some of the lengths of the meetings we've been having some
6 issues converting that. However, we do have the Minutes now and they were sent over
7 really kind of in a bulk of them and we were trying to get the December Minutes first, but
8 the, our transcriber also had an accident recently so she's recovering but she expects to
9 have those Minutes to us hopefully by sometime later this week, maybe early next week
10 but definitely by the next meeting, which is something else we would need to discuss
11 when we get to that.

12 CHAIRMAN BRANHAM: Alright, so there was a motion and there was a second.
13 [Inaudible] vote to [inaudible] road name [inaudible].

14 MR. PRICE: Okay, those in favor. Branham?

15 CHAIRMAN BRANHAM: Aye.

16 MR. PRICE: Dennis?

17 MR. DENNIS: Aye.

18 MR. PRICE: Yonke?

19 MR. YONKE: Aye.

20 MR. PRICE: Carlisle?

21 MR. CARLISLE: Aye.

22 MR. PRICE: Frierson?

23 MRS. FRIERSON: Aye.

1 MR. PRICE: Metts?

2 MR. METTS: Aye.

3 MR. PRICE: Taylor?

4 MR. TAYLOR: Aye.

5 MR. PRICE: Gilchrist?

6 MR. GILCHRIST: Aye.

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

9 MR. PRICE: Motion passes [inaudible].

10 CHAIRMAN BRANHAM: [Inaudible]

11 MR. PRICE: Mr. Chair, we just ask that you speak into the microphone, we're
12 having a little trouble hearing you.

13 **CASE NO. 21-041 MA:**

14 MR. PRICE: Alright, so the first item is Case 21-041MA. The Applicant is Scott
15 Morrison. The location is on Johnson Marina Road. The Applicant is requesting to
16 rezone a little more than 27 acres from rural RU to residential single-family estate which
17 is RSE. Staff recommends approval of this request and this approval is based on the
18 request being consistent with the objectives outlined in the 2015 Comprehensive Plan.
19 As stated in the plan low density residential is the primary land use in character and the
20 area should service as a transition between rural and neighborhood with medium
21 density, and areas provided for opportunities of low-density traditional neighborhood
22 development. So for those reasons Staff recommends approval.

1 CHAIRMAN BRANHAM: Any questions for Staff? Is the Applicant present?

2 Phillip Reams? Alright. Mr. Reams, if you would come down to the podium, and again
3 you have two minutes if you would state you name and your address before you make
4 your remarks.

5 **TESTIMONY OF PHILLIP REAMS:**

6 MR. REAMS: Alright, thank you. Nice to be here in front of y'all. My name is
7 Phillip Reams. My address is 90 North Royal Tower Drive, Irmo, South Carolina. This is
8 a piece of property that we tried to rezone to RSLD a while back. I was really going to
9 try and defer today but we didn't get it in in time so, we've taken a step a back and have
10 decided that we'd like to rezone this to RSE which is a lower density. RSE would, it, a
11 lot smaller lots, it requires about 32% of open space, which is about 8.6 acres. I don't
12 know if y'all have seen our site map but originally under RSLD this was, it could have
13 been about 84 lots. What we have submitted is, under RSE, is 66 estate size lots, which
14 would be 65 x 125' deep. We've also shifted the sub-division down a little bit off of
15 Johnson Marina Road to allow for about a 30' buffer, a natural space to be left with lots
16 of open space on the southern end of it. No houses would back up to the existing
17 neighborhood, which is Lakeside at Ballentine. I don't know if y'all have any specific
18 questions?

19 MR. GILCHRIST: Mr. Reams, thank you for being here today. You mentioned
20 that you had thoughts about deferring it. Why is that?

21 MR. REAMS: Well, the sewer is still just not available there right now. We don't
22 have a flow study that's not back from the County that's supposed to be back sometime
23 in March. I had originally, when I applied, I'd hope to have it January. It's just been

1 pushed back and delayed. I mean, I'm fine hearing it. I just, you know, was hoping that
2 we would have had some kind of answer on the sewer by this time. That's the only
3 reason.

4 MR. GILCHRIST: Thank you sir.

5 CHAIRMAN BRANHAM: I would entertain a request to defer it if you wanted to.

6 MR. REAMS: No, I'm fine.

7 CHAIRMAN BRANHAM: Okay.

8 MR. REAMS: I'm fine I was just hoping to have that sewer study back. That's all.

9 CHAIRMAN BRANHAM: Okay.

10 MR. PRICE: Again, for transparency, the Applicant did call today. He spoke to
11 Staff, primarily with me, regarding a potential deferral. And just from the discussion
12 standpoint, I mean, one of the things that we do try to avoid if possible - there are two
13 parts to this - one, that last minute deferrals, especially when people are coming in
14 regarding a request, so we talked about that. And secondly there is a, we want to make
15 a distinguishing between the actual request to rezone the property and the availability
16 of, you know, sewer for the sight, which are two different things. So just as our
17 discussion, I told him, you know, you could go forward too with the Planning
18 Commission and whatever your recommendation may be, if he wants to wait until he
19 gets the sewer resolved, gets his numbers, he can then ask for deferral before going for
20 the zoning public hearing; that way I think it would give us a chance to see whether we
21 need to post the property or not, but also give people that may want to come in for the
22 meeting at least advanced notice of when the meeting will actually occur.

23 CHAIRMAN BRANHAM: Okay, thank you. Any questions the Staff?

1 MR. REAMS: Yeah, thank y'all very much.

2 CHAIRMAN BRANHAM: On the sign-up sheet for this property, we don't, we
3 don't have anyone signed up to speak. Is there anyone in the crowd who wanted to
4 speak on this case, on this property, Johnson Marina Road and Franklin, Richard
5 Franklin Road? Alright, we'd like to open up for debate and discussion amongst the
6 Commission.

7 MR. GILCHRIST: Just for clarity and for the Record Mr. Price, this particular
8 parcel is not a part of PPD is that right?

9 MR. PRICE: No, sir.

10 MR. GILCHRIST: Okay, that's all I have.

11 CHAIRMAN BRANHAM: No debate or discussion the Chair will entertain a
12 motion.

13 MR. GILCHREST: Mr. Chairman, I make a motion that we forward Case Number
14 21-041LA4 to Council with recommendation of approval.

15 MR. DENNIS: Second.

16 CHAIRMAN BRANHAM: It's moved and properly seconded that we send Case
17 21-041MA ahead to County Council [inaudible]. If there's nothing further we ask
18 [inaudible].

19 MR. PRICE: Alright, motion is for approval of the request. Those in favor,
20 Branham?

21 MR. BRANHAM: Aye.

22 MR. PRICE: Dennis?

23 MR. DENNIS: Aye.

1 MR. PRICE: Yonke?

2 MR. YONKE: Aye.

3 MR. PRICE: Carlisle?

4 MR. CARLISLE: Aye.

5 MR. PRICE: Frierson?

6 MS. FRIERSON: Aye.

7 MR. PRICE: Metts?

8 MR. METTS: Aye.

9 MR. PRICE: Taylor?

10 MR. TAYLOR: Aye.

11 MR. PRICE: Gilchrist?

12 MR. GILCHRIST: Aye.

13 MR. PRICE: Motion passes.

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

16 CHAIRMAN BRANHAM: Thank you very much. [Inaudible] whenever Staff is
17 ready.

18 **CASE NO. 21-042 MA:**

19 MR. PRICE: Okay, next item is case 21-042 MA. The Applicant is Ann Altman
20 Morris. The location is 1307 and 1309 Farming Creek Road. The Applicant is requesting
21 to rezone, it's like a little less than 22 acres from rural RU to RSMD which is single-
22 family residential medium density. Staff recommends approval of this request. Again it is
23 consistent with the objectives of the Comprehensive Plan as the plan states the primary

1 use within this area is medium density residential neighborhoods designed to provide a
2 mix of residential uses and densities within the neighborhoods. This request meets
3 those objectives and again Staff recommends approval.

4 CHAIRMAN BRANHAM: Question, is it all single-family residential, is that right?

5 MR. PRICE: Yes, RSMD, yes sir.

6 CHAIRMAN BRANHAM: Any other questions or? Is the Applicant here?

7 [Inaudible].

8 **TESTIMONY OF ANN ALTMAN MORRIS:**

9 MS. MORRIS: Hi, I'm Ann Altman Morris and my address is 118 Glen Ridge
10 Court, Irmo, South Carolina. And I'm here on behalf of the developer and we just
11 appreciate the Staff's recommendation and they look forward to building affordable
12 housing in compliance with the land use ordinance of Richland County. And they are
13 just, you know, it's going to be housing that all of our first responders, teachers and
14 everyone's going to be able to utilize, it's going to be nice affordable housing in this
15 area. Any questions?

16 CHAIRMAN BRANHAM: Any questions [inaudible]?

17 MS. MORRIS: Thank you.

18 CHAIRMAN BRANHAM: Also, signed up to speak on the case is Mike Prader.
19 Mr. Prader if you'd come down.

20 **TESTIMONY OF MIKE PRADER:**

21 MR. PRADER: Thank you for the opportunity to speak to you today. My name's
22 Mike Prader. I live at 125 Quick Terrace Road which is adjacent to the property. I want
23 to point out at your last meeting on page two of this agenda it states that the City of

1 Columbia's sewers available, that's an error. The sewer system there is Blue Granite
2 and Blue Granite is capacitated out. Mr. Binkley, my neighbor on Farm Creek, just within
3 the last eight months had to put a \$10,000 septic tank in because Blue Granite said
4 there was no sewer available and this is one lot from this property. So the sewer study
5 you talked about I would hope that before you go and change the zoning that you would
6 see that that study was done and somebody did have the capacity to supply that
7 property. And I'm dealing on another deal with Blue Granite now and talking to their
8 engineers it's almost impossible, they're, they're non-existent. I don't know how they do
9 their business. So this is an error. It is Blue Granite service area, it's not City of
10 Columbia. And if they have to have that same study I heard that lady talking about, they
11 need to have that before. I would ask that you have them have that before they get a
12 zoning change. Next thing is the road. I don't know how many of you folks ever been
13 down Farm Creek Road but there's a bad curve right there and this property happens to
14 be in that bad curve and it's got about a 120' of frontage. So if we going to build an
15 intersection for a sub division in the curve, I'm not even sure the Highway Department
16 will let them do it. But there been many bad accidents there. Not against, Rose Oaks
17 backs up to me and we kind of went back and forth with Rose Oaks and they did what
18 was right. And I'd rather see low density than medium density but at least medium
19 density would be better than nothing at all. But the sewer and the entrance is what really
20 concerns me. And that's really all I got to say. If I can answer any questions I will.

21 CHAIRMAN BRANHAM: Thank you very much. Questions for Mr. Prader? Thank
22 you. Next, Allen Laney.

23 MR. PRADER: He's going to pass.

1 MR. LANEY: I'm going to pass.

2 CHAIRMAN BRANHAM: Pass, thank you. John [inaudible]? Pass? Okay, thank
3 you. And Kelly Bush. Mr. Bush, please come down.

4 **TESTIMONY OF KELLY BUSH:**

5 MR. BUSH: My name's Kelly Bush. I reside at 45 Bush Oaks Court which is just
6 around the corner from this property. I do reiterate most of the things that he said, well
7 all the things he said, but I also wanted to add in that Rawls Creek runs right through
8 that property. It bisects that yellow line that separates those two properties, an actual
9 creek. And I sit on the Irmo Council and one of the big issues we have in there is Rawls
10 Creek down a little bit further from there in Friarsgate floods all the time. It floods
11 multiple houses in there. There's a 100-year flood plain studies so I don't think any of
12 that investigation has been done as well as to the run off retention ponds and the fact I
13 think MD is 8,500 square foot area per unit. The density and the paving and the
14 impervious surfaces would definitely generate a considerable amount more run off that's
15 going to go right down to that creek. And to piggyback on the Blue Granite issue, they
16 have a lot of sewer infiltration problems throughout that Friarsgate neighborhood, and
17 one of the big contributors to the problems that we have is that all that run off infiltrates
18 the sewer system and blows man hole covers off; at which time they have emergency
19 vehicles coming out pumping raw sewage out of peoples' back yards. So I would urge
20 the Commission to take a good hard look at the density of that property. The areas that
21 are lower than that property, the infrastructure has not been improved in the last, I don't
22 know, four decades. So until somebody can get in there and start improving some
23 infrastructure, i.e., the sewer system and the run off control problems, I would definitely

1 encourage you guys to take a harder look at, at a medium density zoning and potentially
2 roll this back and maybe wait until the new plan that's supposed to go into effect I think
3 in May of this year, you know, prior to making a decision or recommendation on this.

4 Thank you for your time.

5 CHAIRMAN BRANHAM: Any questions? [Inaudible] that's all that I have signed
6 up to speak on this property. Are there any others here in the audience that would like
7 to speak? Yes, sir?

8 **TESTIMONY OF LARRY OLIVER:**

9 MR. OLIVER: I'm at 1303 Farming Creek Road, I'm the little pie next to it.
10 Everything that was mentioned by the two gentlemen before me is absolutely right.
11 There's a sew pumping station behind my house that Blue Granite owns and ever since
12 Rose Oaks finished up, I've had my property flood several because there's more run off
13 now coming from that Rawls Creek runs up to Rose Oaks and the pumping station must
14 get overwhelmed with that flooding because there's an alarm that goes off and we hear
15 that alarm almost bi-monthly. The amount they're trying to reset that pump station to run
16 again. You mentioned the curve. Almost monthly there's something going on, on that
17 curve. We just had a car roll over. They come around that curve kind of quick and there
18 was one in that ditch. That's a very small egress to have a big subdivision coming out
19 onto that curve. That's all I wanted to say. Everything they mentioned is absolutely true
20 and I live right next to it so I know.

21 CHAIRMAN BRANHAM: Thank you Mr. Oliver. Questions for Mr. Oliver? Anyone
22 else to speak?

23 **TESTIMONY OF WILL HARRELL:**

1 MR. HARRELL: Hey, good afternoon I'm Will Harrell. I live at 1208 Farming
2 Creek right across the street pretty much, diagonally from Mr. Oliver and the upside-
3 down Utah form of land but I just want to reinforce the comments that Mr. Oliver's made
4 and Mr. Prader and some of the other gentlemen behind me that, living right across the
5 street I see and hear these accidents that happen. Monthly basis sometimes every
6 couple of weeks people are rolling cars. These aren't just that they're rolling off the road
7 and getting stuck in a ditch, they're rolling the cars. The last one we had up there a
8 young man was ejected and he fled the scene but I heard it and I ran down the hill and
9 tried to assist him but he just took off running. So I have problems getting out of that
10 intersection. My driveway comes out right where, I'm assuming that the new subdivision
11 intersection going to be. People do not obey the 25 mile an hour speed limit there as it
12 is. They come flying around that corner. With medium density even with low density but
13 I'm willing to, you know, accept that somebody is trying to sell their land and develop it,
14 but even with medium density low density I think the risk is going to be significantly
15 increased with this intersection that's right across from the road right here and this bad
16 curve one of the worst curves in Richland County. So just please consider that.
17 Something worse is bound to happen. There's been no fatalities in the five years that
18 I've been there but I'm retired City of Columbia firefighter so I've seen some bad things
19 and the mechanism of injury that this, wrecks in this curve are showing are bound to kill
20 somebody one day, so. And also I just had to upgrade my septic system just like the
21 guys behind me were talking about. I was limited to what I could do because I could not
22 tie in with any larger system into the current sewer system. Mr. Oliver mentioned the
23 creeks backing up, you know, from the off flow from Rose Oaks. That creek runs right

1 through my property and many times even, you know, not a significant rain, but with a
2 little bit of rain it will back up into my property. So just want to let you know that, thank
3 you.

4 CHAIRMAN BRANHAM: Questions for Mr. Harrell? Thank you, sir. [Inaudible]
5 anyone else? We're good. Questions for Staff?

6 MR. GILCHRIST: Chairman? Mr. Price, several speakers have mentioned Blue
7 Granite in their comments. I noticed in our packet it references the City of Columbia. It
8 also references well and septic options. Is that how you framed the Blue Granite
9 designation in the request?

10 MR. GILCHRIST: We've here a lot of times about Blue Granite what is that, why
11 is that not in the packet?

12 MR. CROOKS: So in terms of the way we look at kind of public services, we look
13 at what the service area is. Usually for the most part that incorporates a lot of those
14 private entities. So Blue Granite would be one of those sewer service providers out in
15 the North West, but based on the plat is also shows that there is an easement from the
16 City of Columbia. So based on the plat our assumption is that it's going to be a part of
17 the City's water service area or City's water or sewer service area as well. So just in
18 general it's saying that it falls within that area but there's not a guarantee that that
19 service is available. It's the same way for the county sewer, City of Columbia; that would
20 be up to part of that permitting process when plans are submitted whether or not service
21 could actually be provided. We just look at if there is a service area in general. So kind
22 of thinking about it in a different way. Like the North Central area up off of Campground
23 Road. There's not going to be any sewer providers up that way so, we would just

1 automatically put that water would have to be private or sewer, or septic in that
2 instance. So in terms of our review of it we look at what that sewer or service provider
3 may be. There's not going to be a guarantee that there is service actually available
4 through that provider.

5 MR. GILCHRIST: I'm just curious, do we have to include language about a sewer
6 or water provider in our map amendments?

7 MR. CROOKS: Not necessarily.

8 AUDIENCE: Can I ask a question, can I ask as a question?

9 CHAIRMAN BRANHAM: Not right now, sir. I'm sorry.

10 MS. FRIERSON: I have a question for Staff, please. I apologize I did not get the
11 name of the first speaker but in light of Mr. Bush said and Mr. Oliver and Mr. Harrell
12 about the flooding and about the alarm going off because the pumping apparently is
13 over stimulated by the sewage. What I'm wondering is, I understand Staff looks at
14 certain things but we also have to listen to what the people in the community have
15 actually found to be true because they live there. And so my inclination is not to be in
16 favor of this particular map amendment because I'm alarmed by what I'm hearing about
17 the sewage and the flooding. And so I'm just wondering if there's a way to reconcile
18 that. If not then I'm definitely not going to be in favor of this particular map amendment.

19 CHAIRMAN BRANHAM: To piggy back on that can you give us any information
20 about [inaudible]?

21 MR. PRICE: At this time, no sir. It goes back to what I think we were stating
22 earlier; one of things that we look at mostly as a Staff is how the request relates to the
23 comprehensive plan, what's the appropriate zoning on there? I think some of the

1 questions that y'all have brought up, you know, they're valid but those issues such as,
2 you know, the flood, any run off from storm water from the property, utilities, those type
3 things, typically they take place during the development stage in which again, they may
4 have the zoning but if you can't address those other issues the property is not going to
5 be developed any more than what the current zoning is. So we don't take the availability
6 of utilities into our consideration when we're making our recommendation.

7 CHAIRMAN BRANHAM: [Inaudible] property?

8 MR. PRICE: We can check.

9 [Inaudible]

10 CHAIRMAN BRANHAM: Questions or comments? [Inaudible] it certainly is a tight
11 curve where this property's located and a small amount of road frontage there. When it
12 comes to access [inaudible] that's strictly up to the DOT?

13 MR. PRICE: It is coming off a DOT road and they are one of our partners in
14 reviewing site plans, and so I'm sure that they would take into consideration that curve
15 along there and whether any required improvements are going to be, would need to be
16 put in place prior to them giving approval.

17 [Inaudible]

18 MR. PRICE: There's nothing showing on our map.

19 [Inaudible]

20 MR. PRICE: No, sir.

21 MR. GILCHRIST: Mr. Chairman, if I may just to piggy back on your – so nothing
22 is showing or we don't know?

1 MR PRICE: No, I mean, it looks like, Tommy if you want to talk about this right
2 here, speak on that.

3 MR. DELAGE: So at least as far as a mapped flood plain it's not showing any.
4 We use, for wetlands we used the National Wetlands Inventory, their information. So,
5 you know, potentially could there be some, sure, but it's not mapped by the National
6 Wetlands Inventory. And then the flood plain is, actually was adopted from FEMA so
7 during their mapping process it didn't pick up any flood plain through there so, again, it
8 doesn't mean they're not a creek, we can see a creek on there. But there's no map A
9 zone of E zone on the property.

10 MR. GILCHRIST: Thank you, sir.

11 MR. PRICE: And Mr. Chair, I will also state that is also something that's
12 considered during the review of any plans that are submitted, so additional reviews will
13 take place on this.

14 CHAIRMAN BRANHAM: Okay. Any questions, debate or discussion on this
15 property?

16 [Inaudible]

17 MS. FRIERSON: Mr. Chair, I so move that we send map amendment 21-042 to
18 County Council with a recommendation of disapproval.

19 CHAIRMAN BRANHAM: Is there a second?

20 MR. GILCHRIST: I second it, Mr. Chairman.

21 CHAIRMAN BRANHAM: It's been moved and properly seconded that we send
22 Case Number 21-042 MA to County Council with a recommendation for disapproval.

23 [Inaudible]

1 MR. PRICE: Mr. Chair, typically whenever the Commission goes against the
2 recommendations of Staff that you will outline why you're going against those
3 recommendations.

4 CHAIRMAN BRANHAM: Ms. Frierson and Mr. Gilchrist, [inaudible]

5 MR. GILCHRIST: Ms. Frierson made the motion, she's welcomed to do that.

6 MS. FRIERSON: I made the recommendation because even though we have
7 some information from Staff, and we appreciate that, and listening to the testimony of
8 the people who have actually experienced the flooding and sewage problems and the
9 potential problem with reference to Blue Granite, in my opinion it would be ill-advised for
10 us to recommend that this project go forward with a recommendation of approval from
11 the Planning Commission.

12 CHAIRMAN BRANHAM: [Inaudible]

13 MR. GILCHRIST: [Inaudible]

14 CHAIRMAN BRANHAM: Recommendation of disapproval [Inaudible].

15 MR. PRICE: Okay, those in favor of a recommendation of disapproval?
16 Branham?

17 CHAIRMAN BRANHAM: Aye.

18 MR. PRICE: Dennis?

19 MR. DENNIS: Aye.

20 MR. PRICE: Yonke?

21 MR. YONKE: Aye.

22 MR. PRICE: Carlisle?

23 MR. CARLISLE: Aye.

1 MR. PRICE: Frierson?

2 MS. FRIERSON: Aye.

3 MR. PRICE: Mr. Metts?

4 MR. METTS: Aye.

5 MR. PRICE: Taylor?

6 MR. TAYLOR: Aye.

7 MR. PRICE: Gilchrist?

8 MR. GILCHRIST: Aye.

9 MR. PRICE: Alright, the motion passes 8-0.

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

12 CHAIRMAN BRANHAM: [Inaudible] staff is ready [inaudible].

13 **CASE NO.: 22-022 MA:**

14 MR. PRICE: Okay, our next item is Case 22-002 MA. The Applicant is Kerra
15 Durant. Location is 1304 Peace Haven Road. The Applicant is requesting to rezone
16 about three and a quarter acres from planned development, which is PPD, to general
17 commercial which is GC. Staff recommends disapproval of this request and it's simply
18 because we don't deem it to be consistent with the objectives of the Comprehensive
19 Plan nor is it consistent with the current rezoning and the character of the area along
20 Peace Haven Road.

21 CHAIRMAN BRANHAM: What can you tell us about the current [inaudible]?

22 MR. PRICE: I can tell you, there's actually – sorry. This PDD was rezoned and
23 I'm trying to get the actual date when it was rezoned '06, 2006, it was rezoned in 2006

1 and it was really allowed for more of a heavy equipment storage as part of it. It's also in
2 your package on page 18. Some of the requirements of the PDD is, are that no more
3 than eight pieces of heavy equipment were to be located on there at one time, the
4 existing metal building of 5,000 square feet in a 907 square foot office trailer and
5 additional 1,200 square foot storage shed were the only permitted structures. The hours
6 of operation were restricted from 6AM to 8PM with heavy equipment movement,
7 transportation being restricted during the school year until 8AM.

8 CHAIRMAN BRANHAM: [Inaudible] Kerra Durant.

9 **TESTIMONY OF KERRA DURANT:**

10 MS. DURANT: And I'll actually just read from what I have written down. Good
11 afternoon.

12 CHAIRMAN BRANHAM: Name and address please.

13 MS. DURANT: Kerra Durant, 1422 Glenwood Road, Columbia South Carolina.
14 Good afternoon. I'd like to start out with thanking each of you for the opportunity to
15 speak on behalf of the rezoning of 1304 Peace Haven Road. Over the past several
16 weeks Cayley and I have been working diligently to reach out to friends and colleagues
17 sharing the hopeful yet exciting possibility of Carolina Athletics. Community members
18 such as Representatives Chip Huggins, Nathan Ballentine, Nikki Hayley's former chief
19 of staff James Burns, District Five superintendent Dr. O'quiel Ross, Irmo Chief of Police
20 Bobby Dale, and several from Richland County Council, Chapin Juniors Women's Club
21 and a hand full of Richland County teachers and residents have all reached out and
22 offered their support of the rezoning of 1304 Peace Haven Road. In addition to the
23 above listed supporters Cayley, and I have reached out to the residents of Peace Haven

1 Road by mailing a brochure to each of them late last week. We recognize that Peace
2 Haven was their home first and we are committed to working alongside of them. We
3 also would like to say that we recognize and respect that each of you work to protect the
4 rural character of the community while also advocating a proactive business approach
5 to business development. We find that extremely honorable as Chapin and Ballentine's
6 rural character is what makes Chapin and Ballentine, Chapin and Ballentine. We also
7 recognize that Chapin and Ballentine are both growing communities and with growth
8 comes development and change. I would present that the location of 1304 Peace
9 Haven Road is an optimal location for business development. The building sits right off
10 76 in line with many other businesses. The only difference is 1304 is accessed by
11 Peace Haven Road instead of the road over the railroad tracks, which I would argue is
12 much safer. I would also present, as I'm sure that you already know is Peace Haven
13 Road is already home to a business and is a great example of residential and
14 commercial co-existing peacefully. Peace Haven is capable of supporting the minimal
15 traffic that would flow through it if 1304 is rezoned. Mount Vernon Church Road is a
16 great example that intersects with Peace Haven. Mount Vernon Church Road is smaller
17 in width than Peace Haven and is home to residents and businesses and it supports a
18 substantial amount of traffic. I would respectfully like to conclude with this last thought,
19 1304 Peace Haven Road is clearly a desired piece of property that many people already
20 view as commercial. You can see this by the continued rezoning requests that you all
21 see for this piece of property. Should this property not be rezoned today I envision it
22 eventually getting rezoned. Now as -

23 CHAIRMAN BRANHAM: [Inaudible] conclude?

1 MS. DURANT: Yep. And I would just add that we really do vow to work with the
2 people who live on Peace Haven Road and we don't expect to break any rules of the
3 PPD.

4 CHAIRMAN BRANHAM: [Inaudible]

5 MS. DURANT: Thank you.

6 CHAIRMAN BRANHAM: [Inaudible]

7 **TESTIMONY OF KALEY SUSONG:**

8 MS. SUSONG: Kaylie Susong, and 2038 Lake Murray Boulevard, Apt 732002.
9 I'm a Kaylie Susong, I am a kindergarten teacher in Lexington Five schools at Nursery
10 Road and I coach cheerleading and our goal is to open up an all-star cheerleading gym
11 in the Chapin, Ballentine area. There is a need, a huge need for a space and for an all-
12 star cheerleading gym you need a building that can hold a 42 x 56'foot cheer floor and
13 have 22' ceilings with no obstructions. And 1304 Peace Haven is just that. We would,
14 you know, hold cheer practices throughout the week and even bring in some adult work
15 out classes as Kerra's a certified personal trainer. This isn't something that we plan to,
16 you know, make big and flashy and, you know, not respect the residents of Peace
17 Haven. We're both very respectful, you know, determined, working individuals and both
18 of us are at the point in our life where we would leave our now current jobs to run this
19 facility full time if given the opportunity. So I know that the board had, you know, the
20 Staff recommendation was a disapproval but I just ask that you, you know, you think
21 otherwise and give us a chance of opening Carolina Athletics that would be housed on
22 1304 Peace Haven.

23 CHAIRMAN BRANHAM: Anyone else here to speak [inaudible]?

1 **TESTIMONY OF ROBERT GINSBURG:**

2 MR. GINSBURG: Hello, my name is Robert Ginsburg. I live at 1219 Peace
3 Haven, and while their efforts may be laudable, the rezoning to general commercial is
4 not something we want to see. It is a residential rural neighborhood and general
5 commercial would allow any type of business to operate there. And if they want to make
6 an arrangement where their business could operate under perhaps a PDD that might be
7 something that we could accept as a neighborhood but rezoning it in general to general
8 commercial is something we would not like to see. And I recommend, highly
9 recommend that you take the Staff recommendation and not to allow that to happen as
10 general commercial.

11 CHAIRMAN BRANHAM: [Inaudible]

12 MR. GINSBURG: Thank you.

13 CHAIRMAN BRANHAM: Any other questions or comments? [Inaudible]

14 MR. GILCHRIST: Chairman, just a quick question for Staff. So the two buildings
15 to my right what is that zoned there? Do we know what that is?

16 MR. PRICE: I believe that those parcels are zoned rural. Kind of knowing the little
17 bit of the history, those buildings have been there for a while on that property so they
18 would just be deemed non-conforming unless they were related some type agricultural
19 use.

20 MR. GILCHRIST: Okay.

21 MS. FRIERSON: I have a question, I'm sorry. I was listening to the proposed
22 plans that the ladies mentioned and I also listened to the gentleman that talked about
23 not wanting general commercial in the neighborhood, residential community. What I

1 want to know is there a zoning classification that's not as intense as general commercial
2 whereby the ladies could build their cheer facility and yet not have to bump it all the way
3 up to general commercial?

4 MR. PRICE: We're going to check on that now. Go back and check on that.

5 MS. FRIERSON: Thank you.

6 MR. PRICE: I can, while Mr. Delage is looking for us I can kind of give a little bit
7 more information regarding the PDD zoning. Back during the time when that property
8 was zoned PDD our Code actually allowed, there were two types of planned
9 developments; there was a PUD, planned unit development, which typically consisted of
10 residential commercial type mixes. There was also a PDD which was like planned
11 development, which was more of a site specific development. And so that's how the
12 current use was out there, is out there because you could put certain limitations and
13 restrictions as I read to you. Sorry, I don't have the actual ordinance for it but it does
14 allow for you to put certain limitations. However, a ruling from the State stated that
15 planned developments could not be single use and required them to be mixed use. So
16 essentially the PDD that's out there now will be deemed non-conforming PDD, and
17 that's why they couldn't just say, well I wanna amend the PDD, because if that was the
18 case that's something that we would have recommended. And that's why they also
19 can't, it has to be rezoned to a PDD because that is not a permitted zoning request at
20 this time, without a true mixed use.

21 CHAIRMAN BRANHAM: They could have requested to be a PDD but it would
22 have to include mixed use? Multiple use.

23 MR. PRICE: It would have to be a true mixed used development, yes sir.

1 CHAIRMAN BRANHAM: Actual use or just requested and permitted uses?

2 MR. PRICE: That's a good question. One of the things that we do try, especially
3 now, and I'll, you know, again, like I try to tell everyone, I think I've been here longer
4 than anybody in this room, so I've kind of seen a lot of the old PDDs or PUDs come
5 through. And a lotta times they would just outline the uses and, you know, as they get
6 built they get built. But one of the things that we do, we've been requiring of any
7 planned developments that have come lately is some type of phasing so that you don't
8 end up coming in saying, well I'm going to do a mixed use development, but really you
9 have no intent, you're just going to do that one use. And it happens so we do require
10 some type of phasing of the development so that it will truly be a mixed use
11 development.

12 CHAIRMAN BRANHAM: Phasing [inaudible]

13 MR. PRICE: So for example, somebody came in and said, I'm going to put, I'm
14 just making up some things as I go along here, they say I want to put some, you know,
15 office buildings, maybe a little bit of retail, then we're going to put some residential in the
16 back portion. Well we would want to know when each was going to be built out, you
17 know, put some requirements in. So as opposed to coming in and building all new
18 commercial first and then say well I'll get to the residential when I do, because you
19 know, years pass and what you end up with is just a single use developed property. So
20 what we'll do is require a certain build out stage of the commercial, a certain build out
21 stage of the residential would also be required and that way you end up having a true
22 mixed use development.

1 CHAIRMAN BRANHAM: If they don't comply with the build out schedule, what
2 happens?

3 MR. PRICE: Well, we wouldn't permit for the development. So if we say you can
4 build 25% of the commercial but at that point you would have to build a certain amount
5 of residential, if you build out your commercial but you didn't do the residential then we
6 wouldn't permit the additional commercial to be built out.

7 CHAIRMAN BRANHAM: Mr. Price, [inaudible] or something similar.

8 MR. PRICE: That's what I believe they're looking for now.

9 MR. CROOKS: Yeah. Mr. Branham, that's what we're looking at now. Just based
10 on the way that they're describing the use of how they'd be doing it, we would probably
11 identify that as fitness or training center/studio. The lowest intense zoning district under
12 the new Code that would allow it would be the rural crossroads; still would have a fair
13 amount of use as it could be allowed within it, but that would be the least permissive
14 and least intense for that intended use.

15 CHAIRMAN BRANHAM: Maybe we can talk about it more later. [Inaudible]
16 application [inaudible] this time the request could be for that designation, correct?

17 MR. CROOKS: Correct, they could request for the rural crossroads. It's very
18 similar to the current rural commercial, but again different name, little bit different flavor.
19 But if they were to submit a new map amendment and that was the ones they wanted to
20 go with, it would have to be under the, one of these under the new codes specifically
21 and would not likely have an effective date until the code as a whole goes into effect. So
22 they could obtain approval of it but the effective date of that map amendment would still
23 be at a later time.

1 CHAIRMAN BRANHAM: [Inaudible] exactly?

2 MR. CROOKS: May is the anticipated date right now, subject to change of any
3 deferrals or anything like from Council, but that's what our anticipated date is is May 2nd
4 at the moment.

5 CHAIRMAN BRANHAM: Thank you.

6 MR. PRICE: Mr. Chair, I want to make sure I point this out, kind of have
7 discussion periodically that, you know, while we all many times hear what the intended
8 use is for a parcel and it sounds great we have to be kind of careful of trying to fit that in
9 because as Mr. Crooks has stated while under the new code it could go under a rural
10 crossroads, is that correct, zoning designation. There are many uses within that zoning
11 designation. If you go through them, some may be appropriate, some may not. It's the
12 same thing with the GC that you have before you. It's not that I think anybody is
13 opposed to what they're proposing but we're looking at the GC district as a whole and
14 the intensity of the uses in area that seems to be zoned residential in character and also
15 in zoning.

16 MR. GILCHRIST: Based on your analysis would you consider the crossroads
17 designation to be more intense than the general commercial?

18 MR. PRICE: No sir, like I say it's similar to our rural commercial but no sir.

19 MR. GILCHRIST: Alright.

20 CHAIRMAN BRANHAM: Ms. Frierson, anything else?

21 MS. FRIERSON: Not as this time.

22 CHAIRMAN GILCHRIST: Okay, thank you so much Staff. I think we'll talk about it
23 a little bit more later but we are dealing with this transition period between two entirely

1 different Land Development Codes and our County Staff has been working extremely
2 hard conducting community meetings throughout the County and helping share
3 information to help residents who are concerned about that [inaudible]. If there is no
4 additional discussion I would [inaudible].

5 MR. GILCHRIST: Chairman, I may ask one other question, please? So Mr. Price,
6 if the Planning Commission accepts the Staff's recommendation on denial, how long
7 would it be before applicants are able to come back before Commission to submit
8 another request?

9 MR. PRICE: April.

10 MR. GILCHRIST: April.

11 MR. PRICE: Yes, sir.

12 MR. GILCHRIST: Chairman, I would like to make a recommendation, motion. I
13 would like to recommend that we defer this case until such time as we give our Code an
14 opportunity to catch up with some of the interest we have in the County and to see
15 whether or not that timeline would align consistently with when we as a Commission
16 may be prepared, and the Council, to enact the new Code. So I'll make a
17 recommendation that we defer this case until a future date.

18 MS. FRIERSON: I second the motion.

19 CHAIRMAN BRANHAM: [Inaudible]

20 MR. GILCHRIST: Well Staff can, I mean, is there a certain period that we defer
21 this or I mean?

22 MR. PRICE: Well, one of the things about deferring an item, you could defer but
23 Council can at any time without the 30 days, you know, period before the Planning

1 Commission, Council can actually just pull it and have it on their agenda, also. So you
2 can say for two months or three months but Council could also pull it. I guess from a
3 Staff's standpoint I'm just trying to make sure I understand that rational behind the
4 deferral.

5 MR. GILCHRIST: So the recommendation would be to defer the case and to
6 ensure that obviously the, this particular designation in some ways, or request in some
7 ways conflicts with our current Code, and as the Chairman mentioned we have a new
8 Code that's about to come into place here soon. And so in order, that's why I asked the
9 question earlier if we deny this and accept Staff's recommendation how long would it
10 before the group can come back and actually submit another request to the Planning
11 Commission?

12 MR. PRICE: So what can happen now, this case is scheduled -

13 MR. GILCHRIST: Unless you have another recommendation, I'll accept it, so.

14 MR. PRICE: This case is scheduled to go before County Council on the 22nd of
15 February for the zoning public hearing. Really the applicant between now and that time
16 could submit another application for rezoning, you know, just in case it get denied and
17 that way they'll automatically be on the April agenda. So what I'm kind of looking at is if
18 you defer it, I don't see what the difference is if this goes forward to County Council,
19 how it changes anything.

20 MR. GILCHRIST: Okay, well that's what I'm asking.

21 MR. PRICE: Yeah, that's what I'm trying to see because, you know, really if you
22 defer it, it seems like you're deferring it to eventually be able to come back as the same
23 request as the general commercial and -

1 MR. GILCHRIST: No, that's not what I, why? I mean, well I don't know.

2 MR. PRICE: That's what I'm saying.

3 MR. GILCHRIST: They would get back with you to determine that, is that right?

4 MR. PRICE: I mean, they can do that now. I mean, they can -

5 MR. GILCHRIST: Okay.

6 MR. PRICE: - regardless of what you're, whatever your recommendation is to
7 decide.

8 MR. GILCHRIST: So help walk me through the process. If we accept the
9 recommendation from Staff on a denial today a disapproval or whatever, then what
10 happens for them?

11 MR. PRICE: It would, they, it would be scheduled to go before County Council on
12 the 22nd of this month.

13 MR. GILCHRIST: Alright.

14 MR. PRICE: They would actually be able, they would need to do it today, make a
15 determination; if they want it done administratively, they can make a request to, if they
16 wanted to defer it from the zoning public hearing.

17 MR. GILCHRIST: They meaning.

18 MR. PRICE: The applicant.

19 MR. GILCHRIST: Okay.

20 MR. PRICE: Or withdraw. If they wait, you know, a couple of days and do it they'll
21 fall within that 15 day window of the meeting so they would have to make any request
22 before County Council. So whether it be for deferral or withdrawal of the request.

23 MR. GILCHRIST: Okay.

1 MR. PRICE: So they would forward.

2 MR. GILCHRIST: So they would still have options on whether or not they want to
3 defer the case?

4 MR. PRICE: Yes, sir.

5 MR. GILCHRIST: Alright. Then with that being said I'll withdraw my motion and
6 accept another motion.

7 CHAIRMAN BRANHAM: [Inaudible].

8 MR. GILCHRIST: Chairman, I guess I will go forward and make a motion that we
9 send this case forward to Council with Staff recommendation for disapproval.

10 MR. TAYLOR: Second.

11 CHAIRMAN BRANHAM: Okay, it's been move and seconded [inaudible] County
12 Council, this case to County Council with a recommendation of disapproval. Will Staff
13 please conduct a vote?

14 MR. PRICE: Alright, those in favor of motion of disapproval, Branham?

15 CHAIRMAN BRANHAM: Aye.

16 MR. PRICE: Dennis?

17 MR. DENNIS: Aye.

18 MR. PRICE: Yonke?

19 MR. YONKE: Aye.

20 MR. PRICE: Carlisle?

21 MR. CARLISLE: Aye.

22 MR. PRICE: Frierson?

23 MRS. FRIERSON: Aye.

1 MR. PRICE: Metts?

2 MR. METTS: Aye.

3 MR. PRICE: Taylor?

4 MR. TAYLOR: Aye.

5 MR. PRICE: Gilchrist.

6 MR. GILCHRIST: Aye.

7 MR. PRICE: Motion passes for disapproval.

8 *[Approved to deny: Branham, Dennis, Yonke, Carlisle, Frierson, Metts, Taylor, Gilchrist;*

9 *Absent: Grady]*

10 CHAIRMAN BRANHAM: Alright, thank you. Alright, [inaudible] next up is Section
11 V, Item V, Land Development Code rewrite updates. Mr. Crooks, would you like to
12 speak to that?

13 MR. CROOKS: Yes sir, Mr. Chair so, I sent y'all the document, I believe
14 Thursday or Friday, one of the days, also handed out a copy of that today as well. So
15 this is basically the red line section, and it may look a little different than what we may
16 have previously talked about and I can give you some explanations of that. But the bulk
17 of it is going to be falling under that applicability section so we looked at red line so the
18 Commission can kind of see what we would propose if this was what Council wanted to
19 do. So just to kind of preface that from Staff's perspective we would still not recommend
20 to make this a requirement. We would still leave it as optional just because of the
21 potential issues that could arise with it, from a couple of different places but just in
22 general. Making this a requirement is a little problematic. But again, if it were to be a
23 requirement this is the way that we would recommend it to function. So primarily again

1 as we kind of discussed previously looking at more so the applicability where it is the
2 requirement for map amendments and planned development districts but even for those
3 specific things there are certain exceptions. And then any other application type it would
4 be optional besides those two; so those would be things like your land development
5 permits, your subdivisions, special exceptions, variances, administrative adjustments,
6 etc. Everything else that's within that application, any other application would be
7 optional for an applicant to look at. So that's really kind of the bulk of the way this
8 language would play out. And then if you look at some of the other sections on, I guess
9 the back of this page related to the actual procedure for the meeting, we have made a
10 couple of different adjustments there as well. And so where we kind of discussed at the
11 last meeting having this more so I would say substantial notification process, thinking
12 about how things may or may not get posted, who gets mailed or notified about certain
13 things, we thought about necessarily not codifying that specifically so that way it gives a
14 little bit more flexibility as the process goes on in terms of being able to make
15 adjustments if it's one of those things where, do we need to, you know, for this type of
16 application have to do this amount of area, I think was kind of what we were thinking
17 about previously versus, you know, just leaving it as kind of a blank lane with what it
18 previously was; if you think about mailed notice it would have been a 100' from all
19 property lines and 350' for any of the other application types. And so we kind of looked
20 at just a little bit more substantial notice requirements as part of that I think kind of
21 bringing that back in a little bit more where we'd still have, based on the application
22 type, based on the application size, still have a certain amount of notice area that you'd
23 have to reach. So I think one of the examples that we had was for anything that was, so

1 let's say a non-residential to a non-residential for five to 10 acres you'd have to do a
2 quarter of a mile. So rather than codifying that language specifically just because it gets
3 a little bit harder to visualize and look at, that that would be something that would just be
4 kept in-house as part of the procedural manual. And that would also give us a little bit of
5 flexibility as time goes on versus if it was becoming an issue or it needed to be
6 changed, rather than having to do a text amendment that would take three months we'd
7 be able to just make an internal adjustment at that point and then go from there. So
8 that's really what a lot of that change is as it relates to the notification. And then we also
9 looked at some more specific language for the conduct of a meeting. So that redline
10 section that applicants have the right to remove any attendees that are acting in a
11 disrespectful manner, and that is something that is one of our hesitations with making
12 this a specific required neighborhood meeting. One again, you know, because what if
13 someone doesn't know what they're wanting to do, and then what happens with that
14 community meeting if the folks don't necessarily like answer or like that response. How
15 does that get handled? You know, does it - other than making that, okay you have to
16 provide security at your meeting because it's your meeting and just in case things get
17 out of hand or whatnot, you know, you would still have the right, even though it's a
18 public meeting it's opened to attendees, but you have the opportunity to remove
19 individuals who are acting in a disrespectful manner. But again as part of that, as part of
20 the written summary, you have to provide who was removed and then why they were
21 removed. What was that conduct that was deemed significant enough for them to be
22 removed from the meeting? Just so that way it's kind of noted in there that, hey this was
23 an issue, here's what it was. And that person would still get the opportunity to respond

1 as part of that response to summary. But this is essentially the language that we would
2 recommend if it were to be made a required submittal portion, but again I think
3 ultimately we're still saying that we should leave it as optional, but if it were to be a
4 requirement here's how we would ultimately recommend that otherwise. So questions
5 from the Commission?

6 MR. DENNIS: Mr. Chair, I gotta question. So I looked over this the other day, I
7 think the exact day you sent it out, and it all looked great, I'm not gonna lie. You guys
8 did some pretty good stuff on here. The one thing, you know, I agree with those little
9 comments on the side for the section B1 to change from, I forgot what it was, where is it
10 mail to -

11 MR. CROOKS: Yeah, so right now in terms of process, you would do the pre-
12 application meeting, or excuse me the pre-application neighborhood meeting, and then
13 you do your pre-application meeting with Staff.

14 MR. DENNIS: Okay.

15 MR. CROOKS: Is the way that it's kind of structured in the general format. And
16 so what we're also saying with this is you would do your pre-app with Staff first cause
17 than you would come in and see whether or not you actually needed to do it, and then
18 we tell you alright here, if you want to move forward with this here's how you would
19 have to do it, here's how you would have to do your notices, all of that. You would give
20 us the information, etc. of how you're doing it, date, time, all that stuff. Then you would
21 hold your pre-application neighborhood meeting. Versus pre-application neighborhood
22 meeting and then your pre-application conference with Staff.

1 MR. DENNIS: Okay, and I had one other. So when it comes to conduct of
2 meeting I think you hit on it but I wrote down, this should be a given, there should be
3 some sort of, something to police us there, but who provides that security? Is it gonna
4 be the applicant or do can they request the sheriff's office or stuff like that? Or do they
5 have to hire private security? How does that go?

6 MR. CROOKS: I'm sure they could because I know - let's just assume they use
7 an RCRC facility. They have the option to have, you know, security at a meeting but
8 they would still have to hire it. And again that would be an additional cost that the
9 applicant would then have to take on. And again part of this too, you know, in terms of
10 who the applicant is, it could be, you know, most people think about it as big bad
11 developer but it also could be, you know, little ole grandma, too.

12 MR. DENNIS: Yeah, that's kind of what I'm getting at.

13 MR. CROOKS: And that's one of those things to think about in terms of this is
14 what that potential cost impact with it on the end of the applicant, one, but yeah they
15 would have the right to have security and either way whether it was, you know, the
16 sheriff's department or whatever as part of any potential meeting that they could
17 otherwise schedule.

18 MR. DENNIS: If somebody was removed, they would have to say why?

19 MR. CROOKS: Yeah, so that's what that section B, or excuse me D, would
20 cover. Okay, if you did remove somebody, give us the explanation of why they were
21 removed, what were they doing that caused this, you know, basically what were they
22 doing to disrupt the meeting and why was it an issue?

1 MR. DENNIS: How would that play over if we had another meeting or something
2 like that? I mean, are those people allowed to come back civil or are they not allowed?
3 What's -

4 MR. CROOKS: So, I guess, I mean, the meetings that the Planning Commission
5 conducts, they're public meetings. We wouldn't necessarily bar anybody unless for
6 whatever reason they just couldn't get into the county building because of X, Y or Z
7 reasons and they just wouldn't be able to come here anyway. But in terms of that I
8 mean they'd still be able to come here and address the Commission, the same way with
9 County Council, they'd be able to come and speak at the zoning public hearing. They
10 have their two minutes to say their peace and -

11 MR. DENNIS: Well what I'm hitting at is, like let's say somebody gets in trouble
12 cause they get a little unruly and they, the applicant takes out a restraining order, the
13 applicant's here because it's their application. And then, like is there any way we can
14 add, like if something like that happens that we can we get a written testimony from
15 them or not a testimony but a written, why they oppose? Just so we can have that for
16 the Record.

17 MR. CROOKS: So the person that would be removed, if that did happen, they
18 would still be able to provide a response to the meeting, so that's what that section E is.
19 So they would be able to provide a response of well, you know, I just thought it was BS
20 kind of thing. They could do that.

21 MR. DENNIS: It would just be written.

22 MR. CROOKS: Yeah, it would just be written and that would be part of the
23 submittal documents that the applicant, or it would be added to their file.

1 MR. DENNIS: Okay.

2 MR. CROOKS: And so if there was something like this I think that's something
3 where we can begin adding or presenting those to Planning Commission, okay here,
4 yeah, here's what the neighborhood meeting was, here's how it went and then what
5 have you, you know, if this became a thing. I think that that's something procedurally
6 that we could look out. But if that was the case and someone put out a restraining order
7 and it was an effective restraining order, I, that's above my pay grade, so.

8 MR. DENNIS: I mean, there's a lot of things around so, I mean, I'm just trying to
9 head off something before it could possibly get worse. Thank you.

10 MR. GILCHRIST: Chairman? So Mr. Crooks could you refresh our memory about
11 what Council asked us to consider?

12 MR. CROOKS: So we had, so I guess several months ago at this point, I
13 honestly feel like it was just last month but I know it's not, that wasn't the case. Several
14 months ago, as we were going along through the text we had a work session with
15 Council and one of the things that we noted that as it was coming back before them, this
16 was one of the things that was changed from a previous draft to what ultimately you all
17 recommended, and then what was before them for action. And so this was changed
18 back from required meeting to an option meeting, and that there could be, you know,
19 there's cons, there's pros and cons to each but we gave them kind of the same
20 explanation of why, you know, it's not necessarily the best idea to require it. We have to
21 treat every applicant the same way, whether you are a big bad developer or you're
22 someone's grandma. You know, the way that that applicant would have to do this would
23 be the same either case. And so I think that's one of the things that they found to be,

1 you know, a valid reason, a good reason why it would be made optional for everyone.
2 But then it was kind of, if we were to have it be a requirement how could we look at
3 that? And so I think that's one of the things that we recommended that we would bring
4 back to you all and get y'all's thoughts and inputs on it before anything was brought back
5 to them. So that's kind of how we came to be with this and why we're taking a look at it.
6 Because again, our recommendation is to not make it a requirement. But if Council did
7 decide to that this is how it would look. I think that could also be if the Commission didn't
8 necessarily, you know, the ultimate recommendation was to still leave as optional and
9 then kind of give Council again, kind of the hey, same way with Staff, we think it's
10 optional, or should be optional. If you wanted to make it a requirement here's how you
11 could probably do it. But that's kind of the, how we got here with it.

12 MR. GILCHRIST: Gotcha. So it looks like to me that there are quite a few
13 exemptions.

14 MR. CROOKS: Um-hum. Yeah.

15 MR. GILCHRIST: Any rationale why that is?

16 MR. CROOKS: Yeah. So this is, so a lot of those exemptions really kind of relate
17 to again, kind of going back to this compatibility aspect. In terms of what, when a zoning
18 district is, you know, sitting around this other zoning district, what would be the reason
19 why there shouldn't be and what would be, if you're doing, sorry I'm starting to wander
20 here. So let's use the Johnson Marina Road case with, that we just had today; same
21 case that we had last month, where it was a higher density but in terms of what it is it's,
22 on its face, the request, the type of development that could ultimately be achieved is the
23 same exact thing that it's cut out around. So that 20 acres right there would be the same

1 exact type of development as the one that's on the left-hand side of it, back side of it
2 and the right-hand side of it, where it be the same exact thing. It's ultimately capable,
3 congruous, I think that was the actual term that we used, where it's pretty much would
4 be a replica of what's adjacent to it. So in terms of compatibility aspect it's going to be
5 the same. And in terms of what the impacts that you have from it would be the same
6 type of impact that neighborhood, that neighborhood and that neighborhood are all
7 having at the same time. So in terms of what it is you're essentially equal in terms of
8 what the request is. So that's kind of where we're looking at it in a lot of cases, would be
9 something as an extension of the same boundary or something of a significant size
10 where in terms of the impacts from it would be something that would ultimately be
11 manageable within development standards. Versus something that's going to be entirely
12 different from what would otherwise be out there in the area.

13 MR. GILCHRIST: I guess where I was going with this is if Council asked us to
14 look at some type of rule on this and we sent back to them a bunch of exemptions, I
15 mean, I'm just trying to figure out if that's consistent with what Council's asking us to
16 do?

17 MR. CROOKS: I'd say that's up to the Commission. If that's what, you know, y'all
18 ultimately agree with -

19 MR. GILCHRIST: Gotcha.

20 MR. CROOKS: - with this, like I said, I think this is ultimately, again if we were to
21 make this a requirement, this is what we would recommend, this is how we would go
22 ahead and set it up, structure it, and then if Planning Commission thought, you know,

1 okay well maybe these are too big of exemptions in terms of size or what have you, and
2 then ultimately Council would have the same way to make amendments to that also, so.

3 MR. GILCHRIST: And these would be community meetings, is that right?

4 MR. CROOKS: Yes, sir, they would be pre-application neighborhood meetings;
5 so basically where the applicant would be scheduling a meeting to talk about what is
6 he proposing, what's the application he's submitting for, why's he submitting it and
7 what's he hoping to achieve out of it.

8 MR. GILCHRIST: The County's going to help pay for security on those meetings?

9 MR. CROOKS: I couldn't tell you that. We're not requiring security and it's also,
10 again this is one of those things where we as Staff are not necessarily at this point in
11 time planning to be involved with other than, hey this is, if it's required this is how you
12 have to do it, here's what you need to send us, here's what the requirements of it would
13 be, and then here's how you do it.

14 MR. GILCHRIST: We would tell them how to conduct those meetings, right?

15 MR. CROOKS: Yeah, that's what that Section III would be those procedures.

16 MR. GILCHRIST: Oh.

17 MR. CROOKS: Basically, just check in with us, here's what you need to do,
18 here's how you need to do it, here's when, you know, when do you want to host it.
19 Here's kind of your range of availability. If that day doesn't work, we can try to come up
20 with something else. I think that was one of the changes that we made for the meeting
21 time and location to say okay well, 6PM Wednesday, or you know, 6PM on a Friday
22 night if that's what you're shooting for. Alright, that's probably not the best time but you
23 don't have any other availability during the week as an applicant so you want to do

1 something on Saturday morning, okay, you know, you get approval from the Planning
2 Department that says okay yeah, that day works we're good with that based on what
3 you're proposing and how you're proposing it. And then here's who you have to notice
4 based on your application, here's where you have to post, and then here's how you
5 conduct and here's what you need to give back to us.

6 MR. GILCHRIST: And, Staff would be at these meetings too?

7 MR. CROOKS: Hum-um (negative). As of right now these would be all up to the
8 applicant. Staff would not be involved in terms of the meeting itself.

9 MR. GILCHRIST: I guess I get a little nervous about anytime we're legislating
10 conduct of meetings that we have no control over. That just makes me a little nervous
11 about what that looks like.

12 MR. CROOKS: Well, this is again why I think our recommendation is that this
13 should be an optional requirement at the applicant's to do; if they want to do it they, do it
14 cause it's, like I said there's a lot of issues that could potentially arise with this. One,
15 with just the meetings themselves, what their purpose is. Sause, you know, we as Staff
16 we've been to somewhere there've just become screaming matches at the applicant
17 because well, you're lying to us because you know you're going to do something. Well,
18 no, I'm just trying to sell my land.

19 MR. GILCHRIST: Well, I support the idea of community involvement and
20 opportunities for the community to be engaged in these conversations. I think it's very
21 important. I guess where I, Mr. Chairman, where I fall a little bit, trying to figure this out
22 is whether or not when we get to legislatively prescriptive, what obligation does that

1 obligate the County to with regard to these proposals. Are we under a timeline with this,
2 Mr. Chairman?

3 CHAIRMAN BRANHAM: No, I'm comfortable with the conversation and share
4 some of the same concerns. Potential liabilities of [inaudible] thinking about that
5 language [inaudible] stating the county ordinance that a private citizen has the right to
6 remove [inaudible] I can see them potentially try to use that as [inaudible] criminal
7 matter for assault or battery. I was wondering about wording, maybe go in a different
8 direction and saying something like, attendees who are disrespectful and are directed to
9 do so must exit the meeting. Then just kind of make it an affirmative duty of that person.
10 But no, and I wonder if based on the conversation whether, you know, we should think
11 about having some sort of preliminary vote to say whether or not we believe all of these
12 such meetings should be optional or whether some of them or all of them ought to be
13 required under various [inaudible].

14 MR. GILCHRIST: Chairman, are we having to vote on this today?

15 MR. CROOKS: Y'all don't have to take action today. We put it under the action
16 category but action could be, okay we're going to send this to Council or it could be,
17 alright Staff, here's where we want you to go with this, you know, depending on how
18 formal y'all wanna get with that. That's why it's under the action section.

19 MR. GILCHRIST: Chairman, I really would like to kind of take some time to go
20 through this and be a little bit more engaged so that we can make sure that we're
21 making the right recommendation to the Staff and to the Council. And if we could just
22 have a little time to maybe review this a little more and get some [inaudible] Staff with
23 that, I mean, since it's not under any obligation?

1 MR. TAYLOR: Can I get clarification on one item before we do that?

2 CHAIRMAN BRANHAM: Yes sir, Mr. Taylor.

3 MR. TAYLOR: I think it's III, Notification, item III, Notice Content, Section D, can
4 you read that red line portion. I'm having a hard time understanding what's being said.

5 MR. CROOKS: Under, B1?

6 MR. TAYLOR: [Inaudible] written summary of meeting.

7 MR. CROOKS: Okay, yeah. So in the event the removal of the attendee occurred
8 the applicant shall not, excuse me, shall not, okay.

9 MR. TAYLOR: [Inaudible]

10 MR. CROOKS: Yeah, that should be - should note, yeah, the applicant shall note
11 such action along with -

12 MR. TAYLOR: I couldn't figure out note, I'm sorry.

13 MR. CROOKS: Yeah, no. Yeah, that's probably why. It's shall not such, yeah, it's
14 shall note such, excuse me.

15 CHAIRMAN BRANHAM: I don't intend to shut down conversation right now
16 either. So I'm happy to just hear [inaudible].

17 MR. DENNIS: I read this and I had, you know, I asked my few questions. But as
18 we started talking a little bit more about it, now I want to reread it in a little more detail
19 and kinda look at a different, a few different things, I think. While I think this is good and
20 would be great to just go as it is, I think there's a lot of open ended things that we might
21 need to look at and just ensure that this is what we need to do in going in the right
22 direction. That's kinda where I am with it. I just, I'm not one that just likes to say, yeah
23 that's great, but at the same time it is a pretty good job from where we started with. Just

1 would like a little more time to sit down and really look at it with another ordinance. I
2 didn't get a change to reference everything [inaudible].

3 MR. GILCHRIST: Yeah, we really appreciate what you guys have done. I echo
4 Mr. Dennis' comment.

5 MR. YONKE: Quick question for Staff, I'm sure who's been very thorough. Just
6 out of curiosity, do we have any peer counties to Richland County that we look at and
7 see what they're doing, if we're going in the right direction?

8 MR. CROOKS: We have not looked at any other counties but we can do that. We
9 can see a little, take a look at Greenville, take a look at Charleston, see what they do,
10 some of the other ones. But I think this is where a lotta times it gets tricky in terms of
11 when you look outside of the state it'd probably be a little different. So we want to make
12 sure we stay for sure inside of what some of those other counties are doing.

13 CHAIRMAN BRANHAM: Okay. Any discussion [inaudible] commentary?
14 Anything else on that item, Mr. Crooks? Alright, next agenda item is Item VI, the
15 Chairman's Report and I'd like to take this opportunity to bring up again, just a request
16 that we get together and have a workshop, kind of continuing education. We had some
17 preliminary discussion with Staff about it [inaudible] it was recommended that we have it
18 after the March 7th, [inaudible], which seems like a good idea to me. A couple of dates
19 that were put out there potentially would be April 1st or April 8th. [Inaudible] do it
20 [inaudible] set up something like that.

21 MR. CROOKS: Yeah, it's upper Richland, it's the one next to Linrick Golf Course.

22 CHAIRMAN BRAHAM: Okay, do we have any immediate feedback or conflicts or
23 anything like that from the Commissioners for -

1 MR. GILCHRIST: Mr. Chairman, just a point of note April 8th starts spring break
2 for lots of kids in the county so a lot of folk might be out of town during that time.

3 MR. DENNIS: If I'm not mistaken, I think Richland One starts a little bit after that
4 too, so from the 8th to the 21st I'm thinking is kinda, I'm good, I'm not going anywhere.
5 Kids probably will but I'm not.

6 CHAIRMAN BRANHAM: April Fool's day, April 1st was a possibility. First look,
7 please fill free to reach back out and let us know if you know if you gotta a conflict there
8 but if we could, could we try to target April 1st, Staff, for a Planning Commission
9 workshop?

10 MR. PRICE: April?

11 CHAIRMAN BRANHAM: 1st.

12 MR. PRICE: You mean that, right?

13 CHAIRMAN BRANHAM: Say that again?

14 MR. PRICE: You mean that, right?

15 CHAIRMAN BRANHAM: Do I mean it?

16 MR. PRICE: April 1st, right, you mean that day?

17 CHAIRMAN BRANHAM: Yeah, it's - does that feel quick?

18 MR. PRICE: No.

19 CHAIRMAN BRANHAM: On February 7th? Okay.

20 MR. CROOKS: Just we probably won't be able to promise the content that's
21 provided.

22 CHAIRMAN BRANHAM: Alright, yeah, wait till the meeting that's when the April
23 Fools' jokes really kick in. Alright, please email if you have suggestions for speakers

1 and if you have any now we'll be happy to hear those. There's been talk about
2 [inaudible] professor that could help us understand the authority that the Planning
3 Commission has [inaudible], possibly an economist that could talk to us about the
4 housing market. An environmental advocate [inaudible], someone to speak to us about
5 water and sewer, or someone with [inaudible] thoughts on that?

6 MR. DENNIS: I like that list. Also, could we see if somebody at DOT would talk
7 us? Cause that always seems to be one of the big issues. You know, they give us a
8 report or they tell us what it is and it's, you know, everybody says well we got way too
9 many cars. So I just kind of want to see how they come up with those numbers.

10 CHAIRMAN BRANHAM: Yeah.

11 [Inaudible]

12 CHAIRMAN BRANHAM: Is there any way that Staff can [inaudible] there is a
13 requirement for continuing education certification. [inaudible]. Staff, are you guys able to
14 speak to that at all? I know that there's a form and we located that form and I wanted to
15 hand it to the Commission [inaudible].

16 MR. CROOKS: What we can also do is we can send out the links for some of
17 those so where you can find - cause I'm not sure who would qualify as exempt and who
18 wouldn't. I know a handful of you who do, so you know, those of you who haven't would
19 need to fill out those exemption forms that you meet the requirements for the
20 exemptions, etc. But SCAC, Tommy may be pulling it up now, but they're going to have
21 some of the orientation training and we can send that out, but there's a whole list on the
22 Ethics Commission's website in regards to, I think it's the Ethics Commission, you know,
23 Planning Advisory, the group that's in charge of us, let's put it that way, at the state

1 level, they've got a slew of list of what you can do in terms of being, what you can do for
2 those educational requirements, how you can get them, how you can achieve them.
3 And I'll send that out to everybody so that way everybody has that list and then y'all can
4 kind of like go through it from there, because some of you, you know, for some of your
5 other affiliations, y'all may already be attaining some of those things. So depending on,
6 you know, what that is and how that works you may be already getting some of those,
7 some of those items as part of, you know, your professional life and everything else. But
8 a lot of the stuff that they have on there would be items and trainings that are generally
9 free and most of them are and so there are things like the management association,
10 counties, NACO, variety of different places that you can look to for some of those
11 different things. But I know we try to send them out as we come across some of them
12 but there's a lot of things that even if ongoing there's a lot of recorded things that you
13 can go back and utilize as well if you haven't already participated in those previously.
14 But we'll be sure to send some of that information out as well as the specific form for
15 this so we can make sure that everybody's doing what they need to.

16 CHAIRMAN BRANHAM: [Inaudible]

17 MR: PRICE: Mr. Chair?

18 CHAIRMAN BRANHAM: Yes? Oh, I'm sorry. Just recommend that we get those
19 certifications done we'll do what we can to provide content [inaudible]. Anything else
20 from the Commission on that? Now for the Planning Director's Report. [Inaudible]

21 MR. PRICE: Before we go into item A of the remapping, it's come to our attention
22 that Council chambers will not be available on March the 7th. Some renovations that are
23 gonna take place and it's going to take probably that whole week. So right now we're

1 kind of looking at changing that date. It's not normally that we get bumped for a whole
2 week, it's been a while since that actually happened. But we're probably looking at
3 trying to come up with a substitute date for your next Planning Commission meeting. So
4 we could either do it the week before, which would be between March the 1st to the 4th,
5 yeah March the 1st through the 4th or maybe even the week after, which would be
6 somewhere between the 14th to the 18th.

7 [Inaudible]

8 CHAIRMAN BRANHAM: There's no alternative locations?

9 MR. PRICE: We've look at that. One of the things that - yeah, we've looked at a
10 couple of locations, we're gonna check on those and try and get back to you, hopefully
11 this week. We try to keep it centrally located, you know, downtown, but we also have to
12 observe whichever facility we use, what their regulations are, especially as it pertains to,
13 you know, with COVID and separation. So we have to take that into consideration. So I
14 guess where we are now is we'll be spending, this just really came to our attention, like
15 you know, kind of today, so what we'll do is, if you'll allow us to do a little research over
16 the next day or two and then we'll try to get back to the Planning Commission. I guess
17 my only concern is if we cannot find a suitable location because you know, we, I think
18 during this time, and Brian will elaborate on that shortly, we're kind of starting to expect
19 larger crowds to come out, especially as we get into the remapping so we want to make
20 sure that we can accommodate that, so.

21 MR. TAYLOR: If this is isolated, can we not just do a Zoom call again or is that
22 not an option?

1 MR. PRICE: I think one of the concerns, even when we did the Zoom is the
2 ability for people to participate in the meeting. And you know, now we have people
3 coming in to speak and observe, it's kind of hard to kind of go back and also to kind of
4 allow people to be able to sign in, speak, during those meetings.

5 CHAIRMAN BRANHAM: Tentatively then can we check on availability for March
6 14th [inaudible]?

7 MR. PRICE: Whichever date, you know again, it could be, you know, we'll have
8 to look at those either the 14th or maybe even, you know again, I think we're looking at
9 March maybe the 3rd, that's a Thursday. That's not ideal but it would be the first
10 Thursday because that's typically kind of our fall back on these days like when we have
11 Labor Day, we typically do the 1st Thursday of the month.

12 CHAIRMAN BRANHAM: Okay, any additional feedback for Staff on March 3rd or
13 March 14th? Okay.

14 MR. PRICE: So it's just really up, you know, whatever day, you know, if y'all
15 could establish at least a tentative date and still allow us to see if we can find a facility to
16 allow us to continue with the 7th?

17 CHAIRMAN BRANHAM: Sure [inaudible].

18 MR. PRICE: Okay.

19 CHAIRMAN BRANHAM: [Inaudible] talk about the remapping?

20 MR. CROOKS: Yeah, yeah, yeah. So, so we wanted to, so now that the map is
21 out and available and has been released, we wanted to just kind of do a big overview of
22 the zoning map itself. So we'll probably run through this relatively quickly. I know we're
23 near the end of the Agenda, we've been here for a little bit. It's a lot of, it's going to be a

1 fair about of information but basically the maps itself are gonna be available on the
2 County websites so there's a couple of PDFs. We're also in the process of finalizing a
3 map viewer, so similar to the GIS that most people are familiar with on Chrome - let me
4 exit out of that - be something similar in terms of how it functions but you'll be able to
5 zoom in on a parcel, see what it is, get some information about it versus always having
6 to call Staff, attend one of the meetings or you know, trying to pick out where exactly is
7 my house on this PDF. So it will be a little bit easier information-wise for folks to process
8 and digest all that information for their property. But like I said we just really wanted to
9 do a kind of big overview today with Commission since we will at this time be bringing it
10 to you at your next Planning Commission meeting. So this will be, I believe we have it
11 listed as map amendment 2201 at the moment so we're looking at this being the
12 primary one that we're gonna be dealing with that the next meeting. I don't believe we
13 have any others, right? This is the only, this will be the only one that we're going to have
14 on the agenda as far as were aware at the moment.

15 MR. DENNIS: Aren't there a few more public sessions?

16 MR. CROOKS: Yes, yes. We'll talk about those kind of at the end, but we're still
17 in the thick of the drop in meetings with these so just to kind of give you quick outline of
18 - and we'll run through these pretty quick. You do have a copy so that way, you know,
19 after today you can go back kind of look at them and if you got any questions about
20 anything on here later on, you know, shoot us an email, give us a call, what have you,
21 with any questions that we don't get to today. So just again to kind of go through this,
22 you know, ultimately what our process was, how we're establishing the map, take a look
23 at the old map, take a look at the new map as a whole and then we're going to go

1 through and talk about some of the districts individually. Probably gonna fly through
2 some of those where we can and then talk about a little bit some of those next steps. So
3 ultimately the process. So obviously the text was only one piece of the story, so we
4 have the text, gives us the what, now we're going to go with where does that actually go
5 through. So a lot of our engagement meetings that we had in the fall and summer of last
6 year we were using the analogy of the text is we're picking out paint. So we decided that
7 we're gonna be repainting the entire interior of our house and so what the text is, is
8 going through and deciding what colors we need based on all of our furniture cause
9 we're not getting new furniture, that's not gonna happen, but we can paint our walls. So
10 that was what the text is was going through and picking out what colors we needed to
11 have for our house. And then now we're at the process of deciding which wall gets
12 painted what color and how that works, and so now we're working on the second coat of
13 that so with the paints on the wall, we're still waiting on it to dry so that's kind of where
14 we're at. So that's the analogy that we've really kina been trying to utilize, we think it
15 helps really break down a lot of what this for the folks that really aren't on the know end
16 of how zoning really plays out. So we've adopted the text now, it was adopted back in
17 November. And so the text itself sets out the section and the requirements for the
18 zoning map itself. So that's directly referenced in the text itself and then ultimately we
19 use that map probably most often and mostly what people think about when they think
20 about zoning. So ultimately the map is going to show us where all of our regulations are
21 gonna fall. And mostly we consider this to be what the public mostly cares about is
22 gonna be the map itself versus usually what the rules are, because the map is going to
23 show you how this directly impacts you versus this abstract regulation that I may or may

1 not necessarily know what to do with. It's also gonna tell you well okay this is what the
2 regulation actually is now and it's, that the regulation that my property is for. So it's
3 something that I think the folks and the public with those meetings, they have a lot more
4 interest in, because then we can also reference things back to the text about, well
5 here's how this is changing or here how this isn't, or here's ultimately what this means
6 for you versus trying to tell them about, you know, these big ideas as it relates to the
7 text or some of those changes. So ultimately our process, we took an iterative process
8 using various principles, so we looked at eight different principles that we then used to
9 establish rules. So we looked at things like maintaining equivalent districts, so this
10 would be things like their direct translation so if we have an area that generally isn't
11 growing, isn't changing, it's pretty much developed out and it's something like RSHD
12 okay, well what's the most equivalent district to it, R4 okay; so generally looking at that
13 more so than anything else as it relates to some of these other principals. But then
14 we've also got things like applying policy specific districts, implementing the plan of
15 Richland County and insuring consistency with the future land use map. So that's where
16 we kind of seeing things getting up zoned, getting down zoned, things like that as it
17 relates to thinking about this process. And one of the things that we ultimately wanted to
18 do with this, thinking about some of these bubbles over here, was reducing non-
19 conformities so trying to bring things into conformity as possible, and in terms of where
20 things become a non-conformity under the new code, trying to be very targeted where
21 that happens. And then ultimately kind of big picture principles, creating livable
22 communities and providing a cohesive map, where a lot of times whereas our map is
23 very fractured and we wanted to try and get away from that where everything's a little bit

1 more consistent, a little bit less fractured in terms of how it exists. So using these eight
2 different principles we were able to establish various rules and so each of those rules
3 played out as the iterative process went. So we used five different iterations, very time
4 intensive so we've really been working on this map back in early '20, excuse me, late
5 2019 I think was when we started it, and then as we got further and further into the
6 drafts with the text and with the maps, it was ultimately one of those things where we're
7 very reliant upon the text because as things are changing with it, that impacted the way
8 that we were looking at the map. So as densities changed, as usage changed, that had
9 bearing on how we could go about looking at the text, excuse me, looking at the map
10 itself because if we know that there's not a want, desire or anything that's saying that
11 this area should be, you know, 12 dwelling units per acre and one of these zonings
12 districts jump from eight to 12, well that has impact and bearing on how that area would
13 ultimately be recommended. So it's very time intensive, relying upon the text and then
14 ultimately each one of these iterations had specific rules that were developed utilizing
15 these principals. So for instance -

16 MS. FRIERSON: [Inaudible]

17 MR. CROOKS: Future land use map. The future land use map.

18 MS. FRIERSON: Okay, thank you.

19 MR. CROOKS: So each iteration utilized different rules but also each iteration
20 built upon itself. So iteration two based upon the rules that we're using in iteration one.
21 The rules for iteration three built upon the rules of iteration two, etc., etc., until we got to
22 what is the final map, which is what's been presented to the public, what we're talking
23 about today. So wanted to just give you a picture of what the current zoning map

1 generally looks like, so this is an approximation. So as you notice on there, there's a lot
2 of this bright green color, that is the RU or rural zoning district. That is one of the ones
3 that we will not see anymore. It has basically transformed, it because a big beautiful
4 butterfly but when it broke from its cocoon it became four different butterflies. So it's one
5 of these that we'll see a little bit differently, and this also been one of the things that's
6 we really tried to address with the new code as a whole as it relates to the RU zoning
7 district, cause as you can see and it may not necessarily be easy to, but we have some
8 of this bright green over here off of Broad River Road, we have some of the bright green
9 over here right on the out skirts of the City of Columbia, we have some other bright
10 green over here off of Farrow Road near Parklane. And then we also got where we
11 expect to find this nice bright green on the map that is RU, where it is these areas that
12 we generally consider to be rural, places that are going to be limited for development.
13 And so just kind of give you a big picture here, so this is what it looks like and then
14 these are our numbers. So these are generally, again, proximate estimations but in
15 terms of how and what the current map is, this is what it is by detail. So the big thing to
16 think about here is not necessarily so much the amount of parcels; that does have some
17 bearing with this but that's not probably as important as say the amount of acreage that
18 something is. So if you're looking at this, the largest district by acreage is going to be
19 the RU zoning district at around nearly 80%, okay. So 80 % of the County right now is
20 currently zoned RU. That's a lot. We're about 375,000 acres approximately, you know,
21 400 to 500 square miles of unincorporated area, so 80% of that is zoned RU. And that's,
22 like I said, that zoning district, that has been removed and is becoming something else.
23 What do we think the next closest, just talking about, without looking what does

1 everybody think the next closest zoning district is by acreage? What do we think? Do
2 we think it's RSMD, do we think it's PDD, what we got? Somebody throw something out
3 there.

4 CHAIRMAN BRANHAM: GC.

5 MR. CROOKS: GC. Okay, no. Not anywhere close. Any other guesses?

6 [Inaudible]: RSMD.

7 MR. CROOKS: RSMD. Close, but no cigar. Heavy industrial. Heavy Industrial is
8 the second largest district by acreage in the current map at 4% of the acreage of the
9 county, okay? Yeah, 4%. The next one behind that is going to be RSLD at about 3.5.
10 Then we go to planned development district at almost 3%. So when we think about how
11 that zoning map is set up, how it's structured in terms of area that is mapped, we go
12 from 80% and we do a significant drop off to 4%, 3%, 3%, and then it's kind of just less
13 then generally a whole percent point at that time; thinking about our commercial
14 districts, thinking about some of those others. So GC to Mr. Branham's point was
15 around 2% so it's still kind of up there in the scheme of things but it's not again as
16 probably as we generally think about it most the areas that's zoned is going to be this
17 district that – we tend not to think about too much. So just wanted to give you some of
18 those numbers and you'll have them in the booklet. But this is what the new zoning map
19 looks like. So one of the things I wanted to point out here was a little greater variation in
20 color, so still a good amount of green as you can tell but there's also a lot of variation
21 with some of these others. A lot more different shades of yellows. A lot more shades of
22 red throughout. But again the things that kind of stick out itself are again, those greens.
23 You can kind of tell where some of that heavy industrial is on here, so the main areas

1 that you would think about, McEntire, Union Camp, Westinghouse, Pineview, the
2 quarry, you know, the landfill, you know, those kind of stick out. But they're also
3 surrounded by this bright green so they're easy to pick out, too. You lose some of those
4 other districts that we're starting to look at a little bit more, some of the more residential
5 districts, how those might be shrinking, how those might be expanding. Same way with
6 some of the commercial, so whether that's the mixed used districts or the commercial
7 uses, excuse me, commercial districts. But this is what the map as it exists today right
8 now looks like. So this is subject to change, okay. So what you see here and the way
9 that those numbers are, those may not be the same when it comes next week when we
10 bring this before you. So we may make some adjustments based on different things that
11 we're hearing as part of these conversations, whether that's different concerns or
12 different things that are pointing out to us that we may just have missed. So in terms of
13 this process we're taking it's not perfect. There may have been some things that we
14 missed so, you know, say for instance a rezoning but it was a partial rezoning. So they
15 didn't rezone the whole property, they had it as a split zoning so based on the way that
16 we're doing this process we may not have caught that. So there's different things like
17 that where we know there was this desire or this want for something else but how does
18 it make sense in comparison to what we have, ultimately what Staff is recommending.
19 So where we can make some of those changes potentially, so this will be subject to
20 change. And again, you know, what Planning Commission ultimately recommends and
21 then ultimately what Council adopts as well. So thinking about those, thinking about that
22 map with these numbers; so again, so if you look at the, under the proposed zoning
23 district, the approximate acreage changes a little bit but it's still around the same

1 amount. And that can just be from just data errors between the two different files, but
2 also the dates that these were created and what was annexed, what wasn't annexed,
3 how things were coded, how things weren't coded, things like that. But again here if
4 you're thinking about some of those zoning districts, thinking about the RU at 80%,
5 okay. When we think about its replacements the AG, the HM and the RT and the R1,
6 they still roughly make up around 60 or so, 70 or so percent, so still makes up a good
7 chunk of the County but it's spread out a little bit in terms of what that context looks like,
8 how it's set up, how it's structured. But then you also look at some of the other districts
9 and you see that they've also gone up a little bit. So in terms of what the R2 equivalent
10 would have been, so thinking about somewhere between RSE and RSLD, that goes up
11 a little bit. Same way with things like the different mixed use difference, obviously those
12 are gonna have something on there because those didn't exist previously. So that's
13 where we probably subtract it from some district because this is something that's new
14 altogether. Same way with things like the employment district where it's kind of an
15 equivalent of the M1 but it's also, it's an entirely different thing then what that was. But
16 again looking at things like HI you're still looking at a similar amount of acreage but a lot
17 of these other districts in-between you see them in terms of the acreage increase a little
18 bit but some of them go down also a lot as well. And again those numbers are in the
19 booklet and so y'all have those as a reference for anything also. So what we're kind of
20 going to do here, and this is where we're probably going to go through this a little bit
21 quicker, but gonna be looking at each of the different zoning districts individually as they
22 relate to the various planning areas. So typically as we think about them the Northwest
23 is pretty much everything between the river and the County boundaries going out

1 towards Chapin North of I-20. The beltway itself is think about the loops of the
2 interstates so I-20, I-77, 126, everything that's kind of inside and below those, that's the
3 beltway. That's gonna have probably the smallest unincorporated areas out of all of
4 these so that's where when you see some of these districts on here they'll have a
5 significantly larger area, because we're looking at that district's percentage or total
6 parcels as it relates to that planning area specifically. So not, so this isn't, so the open
7 space isn't 1% of the entire County or wherever this, you know, however the math
8 works out here, so it's one, less than 1% of the entire Southeast is open space. Same
9 way with the Northcentral, it's 2% by acreage of the entire Northcentral. It's 7% of
10 Northwest and Northeast by acreage. So just to kind of give you an idea of where some
11 of these are and how some of these kind of play out and exist. The open space district
12 is gonna be one of those things that are, as you think about it, it's gonna be things like
13 open space, it's gonna be common areas within a development, it's gonna be parks, it's
14 gonna be things of that nature. But it's also gonna be things that aren't necessarily able
15 to be developed, so think in some ways ponds, flood plains, wetlands at times, so you
16 know, if you look on here the two that kind of stick out is gonna be Sesqui Centennial
17 Park and Lake Murray where those are individual parcels but Lake Murray you can't
18 build on, it's its own parcel, it's its own area so how do we map that? Do we make it
19 residential; do we make it commercial? No, we make it open space because based on
20 everything that we're utilizing in terms of this process it's what makes the most sense.

21 Mr. Carlisle, you gotta question?

22 MR. CARLISLE: [Inaudible]

1 MR. CROOKS: In part, yeah this will be replacing the TROS district, yeah. So in
2 terms of a direct equivalency the OS is the equivalent district for the PR, parks and
3 recreation, and then the TROS, traditional recreational open space. So this would be
4 the thing that is most similar to that. So this would also fall to some of the golf courses
5 and things like that as well.

6 MR. CARLISLE: [Inaudible].

7 MR. CROOKS: Yeah, so in terms of how the TROS may have added protections,
8 they would be the same way as this with that protection. It's a zoning district, it's gonna
9 limit the amount of development, but that's not to say that I can't be rezoned to
10 something else. And then next we have the agricultural district so thinking about, you
11 know, again where this plays out. Most of it's gonna be in those areas that we typically
12 think about as being rural. But we've also, and it may not seem like it, have tried to be
13 very targeted in the way that this was mapped. So more so specific to things that we
14 could as best as possible be some of type working lands as best as we could, unless it
15 was something that was just very significant size in acreage, as best as we could tell
16 with some specifically agricultural uses that were going on, whether it was agricultural
17 research, for instance, this one that kind of sticks out in the Northeast, that's the
18 Clemson Extension. And then the Northwest where up in Spring Hill and then a lot in the
19 Southeast, you know, where we have working farms or we have flood plains and things
20 of that nature, where they may be having some of those agricultural activities. But we
21 also know it's gonna be, it's gonna be harder to develop that already. But it doesn't work
22 as much for open space because in terms of the uses that the AG has versus what the
23 open space has, AG's a little bit more permissive so in terms of things like cabins,

1 campgrounds, things of that nature, it opens up a lot more options for AG under what
2 OS would allow for. So thinking about the park and things like that, that's why you want
3 AG versus open space cause open space you're really not looking at any type of
4 development unless it's ancillary to that use; so think like a community recreation center
5 kind of thing, where that structure is incidental to that use versus, you know,
6 campgrounds are its own use with structures or the like. So having that just be AG
7 where it's mapped and how it can function and work versus something like open space,
8 so just kind of wanted to make that distinction there, why that, cause I know that was a
9 question that was previously asked by some folks in Conservation Commission and so
10 just wanted to make sure that, let you guys aware of that, too, why that versus, why AG
11 versus OS. And obviously all the different zoning districts have their own tradeoffs, have
12 their own pros and cons, and the AG as with all will have some of those also. The next
13 zoning district is the Homestead District so this is really intended more so for what we
14 think of as a rural residential, rural resident. So you're looking at pretty significant
15 acreage around three acre lots or so in terms of what that lot size equivalent would be
16 based on the density. And so you're seeing this again in more so what we traditionally
17 consider the rural areas, so again the far Northwest, the Northcentral, the far Northeast,
18 in terms of how we're looking at this, and then a lot of the Southeast also. So again in
19 terms of the percent of an acreage, this is probably actually more prevalently mapped
20 then the AG is just because the amount of parcels that fall under this as well as the
21 significant amount acreage that corresponds to it. You know, the AG as the benefit of
22 having have a 35 acre minimum, about seven acre lots, so you know, you're gonna
23 have less of that in terms of lots that go in it, but the overall acreage that's going to fall

1 under is going to be a lot more significant. So with the homestead, you know, it's a little
2 bit more pervasive in terms of how it's mapped versus the agricultural district, and so it's
3 something that we'll probably have a lot more of and probably be a little bit more
4 interested versus AG for some folks. And then next we have the RT residential
5 transition district, and again this is one of the replacements for the RU. And here, you
6 know, it's kind of serving as this between where you're kind of rural but you're not quite
7 rural either, so you're still on kind of this suburban edge but you still have some different
8 components that most people could consider to be rural so you're not necessarily part
9 of a developed subdivision as most people traditionally think about them but you're not
10 on, you know, teeny, tiny lots but you're not on estate size lots necessarily either. So
11 you're kind of looking at this range between about an acre to two acres, but the way that
12 you're developed is a little bit different. And so this would still have some of those kind
13 of carry over rural uses, so when you're thinking about more so agricultural components
14 and things that you could do with it, you'd still be able to have some of those uses but
15 this more so catered towards a residence specifically but still gives you some of that
16 flexibility just not as at a greater intense scale of how those uses would be able to be
17 conducted. And then next we have the R1 so residential one district, so this is kind of
18 the bottom end of that RU district in terms of the transformations where you would have
19 been able to get, you know, if you had a certain amount of acreage you could potentially
20 get, you know, what most people typically think about when they think of a residential
21 neighborhood, residential subdivision. So this is really kind of where a lot of that
22 functionality of the RU goes where in terms of density you're still at the minimum density
23 of what the RU allowed for, you're at 1.33 dwelling units per acre so the same density of

1 what the RU allowed for. And so as you're moving, you know, as this district plays out
2 it's probably not as prevalently mapped at this point just because of the way that it's set
3 up. A lot of what was RU either became probably more so RT, HMAG, or where it was
4 appropriate to up zone it, it became more so probably an R2 in a lot of cases. So this is
5 one of those where it's not quite mapped as prevalent but it is still probably one of those
6 whereas the new code comes into play it will probably see a few more request to this,
7 especially in the developing areas; so think Northwest, Northeast, Northcentral, some in
8 the Southeast because it'll bring you up to a higher density to what you currently have
9 for those that maybe are, you know, selling or getting ready to develop versus what
10 they, you know, if they took too long to get it in the pipeline now. So we'll probably see a
11 little more request to this, especially from things like HMRT where they're kind of on the
12 fringe of those developing areas. Any questions so far? Okay, alright residential two, so
13 in terms of kind of the broad spectrum of the residential districts, this is probably the
14 shorter side of mild. So if you're thinking about it on kind of on that flavor range where
15 one is kind of not spicy at all and then R6 is the spiciest, this is kind of within that middle
16 where you're starting to get a little bit more intense because this is the first district in
17 terms of land uses that would allow single family detached duplex, triplex, quadplex.
18 And so all of those would ultimately be dependent upon the overall acreage of that size
19 and so a lot of what we have mapped right now would still only be eligible for some of
20 that single family because a lot of it is what exist now. So where we had minimum lot
21 size previously now we've got the density standard so the density would dictate
22 obviously how many units that you could be able to achieve and that's gonna be your
23 density times your land area. So if you only have enough acreage to be able to develop

1 six units, well those six units you could do a couple of different ways; you know, you
2 could subdivide your lot do two triplexes, subdivide your lot do six single family
3 detached, subdivide your lot do three duplexes, subdivide your lot do a quadplex and a
4 duplex. You got a couple different options. You still have to meet the minimum
5 development standards under the general development standards as well as the density
6 and dimensional standards of the zoning district itself. So this is one of those things
7 where the new code adds a lot more flexibility and a lot more options not just for
8 housing but also for overall design within a development as well, and would still in terms
9 of, you know, one principal dwelling structure would still be one principal dwelling
10 structure per lot. So that is one thing that we'll probably look to make a little bit more
11 explicit immediately. I think that was one of the things that the consultant or whoever
12 looked at part of this was that requirement within the code cause we have gotten a
13 couple of questions about that. So that will probably be one of the things that will
14 actually comes back to y'all immediately. Next week is going to be an immediate text
15 amendment related to that as well as some clarifications for definitions to make things a
16 little bit more explicit on what the intent of it is because we can't argue necessarily intent
17 if someone brings it before us. So we want to go ahead and make it explicit within the
18 code versus having to be a little bit more up for interpretation. Mr. Dennis, you look like
19 you had a question?

20 MR. DENNIS: So I just, what we got online when you were talking about the
21 standards and density has any of that changed yet? So all that's gonna be the same?
22 So I'm looking at this putting everything -

1 MR. CROOKS: Yeah, yes. Yes. What you, the code that you're looking at, the
2 ones that's on the website, that -

3 MR. DENNIS: We're not changing.

4 MR. CROOKS: That was what it was.

5 MR. DENNIS: Okay.

6 MR. CROOKS: Council didn't make any changes from what y'all recommended
7 so what was adopted was what was last presented to y'all.

8 MR. DENNIS: Just want to make sure because a lot of information.

9 MR. CROOKS: Yeah, so R2 would be, it's a three dwelling units per acre in
10 terms of density.

11 MR. DENNIS: I just want to make sure that's right so when I'm going through.

12 MR. CROOKS: Gotcha, yeah. So the RT, like I said, it's gonna be kind of the
13 starting to get on the more intense end but it's still where you think about kind of your
14 standard suburban district. This is the way that I would be thinking about is, you know,
15 in terms of the low density future land use map area medium density future land use
16 map area and then kind of the lowest intensity for the high-density future land use area.
17 So just to kind of give you an idea, you kinda top out on the intensity for maybe the rural
18 small lot depending on where it was, but in terms of LD and the MD future land use map
19 areas, this is kind of, this is something that we would probably recommend every time,
20 depending on, thinking about the way that we make recommendations now. And then
21 the R3, so we're looking at six dwelling units per acre with this but this is kind of just if
22 you're thinking about a residential district this is what most people would be thinking
23 about so six dwelling units per acre with this. A lot of what we have here is things that in

1 the way it's mapped are gonna be something that's already developed areas, there're
2 already existing lots, single family detached dwellings. So these are going to be a lot of
3 areas that you're not really gonna see a whole lotta change. There will be some areas
4 though that they may be up zoned a little bit and a lot of that's going to be based on
5 what the recommendations of the future land use map is, what the recommendations of
6 the different plans and whatnot are so there will be some areas that see a little bit up
7 zoning in relation to this but a lot of what is R3 is gonna be places that it's kind of what
8 they either have to be based on lot sizes or it's something where it's going to be the
9 exact same thing that they already have. And this is again generally the same land uses
10 as the R2 so this is still another one of those that would have that variety of dwelling
11 types but still no multi-family, no townhomes in the R3. R4, we're looking at nine
12 dwelling units per acre and this is something similar again where it was mapped in the
13 R3, some locations get up zoned but those are again gonna be kind of policy specific
14 based on the plans and whatnot or because of their lot sizes, where they kind of have to
15 be. This is gonna be kind of the starting to get on the more intense land use size wise
16 so this would be the first district that would allow for townhomes, still not multi-family as
17 we traditionally think about it. So not apartments, condos, things that are all part of the
18 contiguous site, so this is still where as you're doing whatnot would still be kind of
19 individual lots with those principal structures, but the first that would allow for
20 townhomes as part of it. So again, kind of, this is again kind of starting to top on the little
21 bit more of the spicey end but still, you know, still pretty bearable, thinking about it and
22 kind of using that analogy.

23 CHAIRMAN BRANHAM: Mr. Crooks, real quick. [Inaudible]

1 MR. CROOKS: I'm trying to go over this as quick as I can.

2 MS. FRIERSON: I have another meeting.

3 [Inaudible]

4 MS. FRIERSON: May I ask about how much longer this particular part because I
5 have two other meetings actually.

6 MR. CROOKS: So, there's a couple more slides on this but again it's pretty much
7 going to be numbers and then just kind of give a run through of kind of how we look at it.
8 But if Council, excuse me, the Commission wants to move on, we can move to kind of
9 the next section of this. You'll have the information here and then we can, you know, I
10 can kind of wrap it up pretty quick here. So again, going through those individually and
11 then, you know, kind of where we're going after this, you know, what's going on, how
12 we're doing that.

13 MS. FRIERSON: I respectfully request that we do continue to hear your report
14 cause it's excellent, quite detailed, but could we possibly hear the remainder of if at the
15 next meeting?

16 CHAIRMAN BRANHAM: [Inaudible] We have a motion and a second?

17 MR. CROOKS: Mr. Chair, if I could, this is really the last slide of any substance.
18 And I think in terms of the presentation y'all have everything. Most of the information
19 that's needed is there. And I would just in terms of next meeting would not want to
20 necessarily add anything that could potentially delay the map amendment process. So
21 in terms of having people sit and wait or the like or we do this after we vote, I would just
22 maybe recommend that, you know, we just conclude the presentation. Everyone has it,
23 they can look at it and if you have any questions reach out to us.

1 CHAIRMAN BRANHAM: [Inaudible] action today?

2 MR. CROOKS: No, no there's no action today, just for your information, so.

3 CHAIRMAN BRANHAM: Alright, so with that do you want to withdraw your
4 motion?

5 MR. FRIERSON: I don't think it was a motion, I was just making a respectful
6 request, cause I've got a 6 o'clock, I got a 7 o'clock meeting.

7 CHAIRMAN BRANHAM: You did a second.

8 MS. FRIERSON: I didn't make it as a motion.

9 CHAIRMAN BRANHAM: Okay, alright. The non-motion is withdrawn. Alright,
10 thank you so much Mr. Crooks. We have all these slides, right? You handed us all these
11 slides.

12 MR. CROOKS: That's what in the handout that was provided.

13 CHAIRMAN BRANHAM: Okay, and I just want to thank y'all again for everything
14 you're doing. I know you have a very intense schedule and you've been just chasing all
15 over the County, educating and sharing with the residents, so thank you for that. I know
16 it's been a lot of evenings away from your families and I hope and trust that the people
17 that have cared enough to show up have been informed and [inaudible]. [Inaudible] and
18 we'll go ahead and move on our item eight where we said we would talk about the
19 election of officers in December. And what I could do is try to review briefly how that, a
20 timeline of all that. I know that Ms. Frierson wasn't here and I think Mr. Metts, you were
21 not here either, were you?

22 MR. METTS: I was not.

23 CHAIRMAN BRANHAM: Okay, alright, so.

1 MR. GILCHRIST: I don't think.

2 CHAIRMAN BRANHAM: Mr. Taylor was here, okay. And Mr. Grady was here as I
3 recall there was seven of us, so.

4 MR. GILCHRIST: Okay.

5 CHAIRMAN BRANHAM: Yeah, let me just lay out best I can the timeline as I
6 recall from relevant information, and anybody that was here can help correct me if I'm
7 off, but kind of around the end of 2020 and the beginning of 2021 there was heavy
8 discussion about the election of officers, and that was primarily prompted by the fact
9 that Commissioner Cairns' and Commissioner Gilchrist's terms were gonna be ending in
10 that year and they were maxed out. [Inaudible] conversation was part of that about, you
11 know, trying to make a smooth transition as best we could. Nothing happened at that
12 time as far as change goes, as far as when the officers were voted for, you know, who,
13 or when they took office, so Cairns and Gilchrist remained there as our officers up till
14 September '21, 2021. [Inaudible] Cairns resigned and the rules were amended because
15 of that. We wanted to make sure there was explicit authority for the Commission to be
16 able to conduct a special election to replace an officer who left kind of mid-year, not
17 aligned in timed with the timing of the elections per the rules. [Inaudible] September we
18 voted to amend the rules of procedure an election occurred. Commissioner Frierson
19 was elected Vice Chair. Mr. Gilchrist, Commissioner Gilchrist [inaudible]. Then in
20 December 2021, which was our last meeting before today, the Agenda item was there.
21 Election of Officers that was on the Agenda that was circulating prior to the meeting. At
22 the meeting there was discussion. There was a motion to amend the rules to conduct a
23 December officer vote on a regular occurring basis thereafter. A part of the discussion

1 being that that would allow an extra month because usually January was taken off for
2 the Holidays for any new officers to get acclimated [inaudible] seven of us present. No,
3 Commissioner Metts, no Commissioner Frierson. As I remember it in the nominations
4 for chair no one was nominated other than myself and it was a unanimous vote.
5 [Inaudible] nominations for Vice Chair, there was a nomination for Commissioner
6 Dennis and there a nomination for Commissioner Frierson. As I remember it the first
7 vote was on Commissioner Frierson, she received two votes. I know at least there was
8 a nomination and then like a second of that nomination so I knew there was two people
9 initially that [inaudible]. [Inaudible] that's what led us to where we are today. And there's
10 certainly no effort here to hoodwink anybody, we want to be here for transparency as far
11 as the process, and I'm sorry for those that were not here that feel [inaudible] the fact
12 that they were [inaudible]. [Inaudible] our interpersonal rapport I feel is developing
13 further because we're now [inaudible]. Anyway that's just the information on the how the
14 election transpired and [inaudible].

15 MS. FRIERSON: Excuse me, and I'll be as civil as I possibly can, but there's
16 several inaccuracies with what you stated. Earlier when I was most adamant in my tone,
17 and I do not apologize, a statement was made about it coming up three months later,
18 and let me be clear for everyone here, on December the 6th when this action took place,
19 I was not here for a very pertinent reason, you know, COVID of course is still an issue. I
20 was coughing and sneezing, I did not want to expose anyone to anything. I did not have
21 COVID but I had surgery scheduled on December 8th. So I informed Mr. Gilchrist that I
22 would not be here. Well, this is what was confusing to me and it's still confusing, that
23 was in December, and you just mentioned that's when a vote was taken. In January,

1 correct me if I'm wrong, any of you, we did not meet. In February, this meeting of
2 course, we are meeting, so that would be the three months. I was looking at this
3 document called Richland County South Carolina Planning Commission Rules of
4 Procedure. Now, you are indeed accurate that Mr. Gilchrist's term I think is expiring but I
5 don't think it has yet, but you can correct me if I'm wrong. And you are correct that Mrs.
6 Cairns did resign. She was our Vice Chair. However, when we had her resignation, was
7 that in September '21?

8 CHAIR BRANHAM: That's when the rule was amended so that's how I got
9 [inaudible].

10 MS. FRIERSON: Okay, is, what month, can someone, and I'm not trying to be
11 facetious, in what month was I elected as Vice Chair? Cause we don't have the Minutes
12 before and I know it was not 12 months ago, but I just wanted to be, you know, accurate
13 and I do go by rules and procedures.

14 MR. PRICE: The September 9th meeting.

15 MS. FRIERSON: Okay, well then, you all help me with this. I see and I received
16 this particular document wherein amendments are indicated in red, and that's fine. But
17 prior to receiving that today I went by the rules and procedures that we had in place and
18 if you look at section two under Officers it states: The officers of the Commission shall
19 be a chairman, vice chairman and secretary, elected for a one year term at the
20 December meeting of the Commission each year. And then it says amended and it
21 gives the date 6 December, 2021. Prior to that amendment can any of you produce or
22 read verbatim for me the date or the time wherein we were to elect officers? Prior to it
23 being amended on December the 6th 2021.

1 MR. PRICE: Are you referring to the previous ruling before that?

2 MS. FRIERSON: Well, not the ruling, the document Mr. Price wherein it states
3 when we as a Commission are to, or were to have had elections?

4 MR. PRICE: Yeah, it states here - this is prior to the December 6th amendment -
5 it says, The officers of the Commission shall be a chairman, vice chairman, secretary,
6 elected for one-year terms at the first meeting of the Commission each calendar year.

7 MS. FRIERSON: That's correct. Read that last part again. Elected when? Cause
8 it didn't give a month? Elected when?

9 MR. PRICE: At the first meeting of the Commission each calendar year.

10 MS. FRIERSON: Okay, and so the first meeting of the calendar year, first
11 meeting, would not have been in January cause we did not meet. It would have been in
12 February. But it also indicates the term of office and even with this amendment the term
13 of office is for what period? Still under section two, Officers.

14 MR. PRICE: It says one year terms.

15 MS. FRIERSON: Okay, so would someone please explain to me why when I was
16 elected, and I think you said in September, my term would be up? Cause we just had an
17 election in that time, in that September period. Please explain that to me?

18 CHAIRMAN BRANHAM: Because it's a new calendar year.

19 MS. FRIERSON: No, no, that's not what it says. It doesn't say that.

20 MR. DENNIS: Chairman?

21 CHAIRMAN BRANHAM: Yeah, Mr. Dennis?

22 MR. DENNIS: Yes, according to our old thing it said, you know, each calendar
23 year. So when you're elected to a office in the way this reads, it says you will be elected

1 for year but at the, each term of the year. When you were elected in September that
2 was a special election to fill a vacancy. So it wouldn't have been a normal election, it
3 was a special election, which I was not here for because I actually had kidney stones at
4 that time. And I think I was nominated for then, so I didn't, I don't know what went out
5 during that meeting cause I was not here. So what we had talked about in 2020, I'm
6 pretty sure what it was, this had came up; looking at having our elections done in
7 December, giving a turnover time so that new officers could enhance their self, talk with
8 Staff and try to figure out their new way forward, because what had happened was
9 when Ms. Cairns stepped down that put us in that special election. And we didn't want
10 that to happen again cause at the time it could have been any moment that Mr. Gilchrist
11 was not with us.

12 MS. FRIERSON: You are incorrect.

13 MR. DENNIS: So we have been talking about changing that. So in December we
14 talked about changing it, and then we actually held an election and changed it. It was
15 brought up that maybe we should wait, and then I said, if I'm not mistaken, I said, every
16 time we have a meeting somebody is not here or somebody might not be here and if we
17 keep pushing it off because we don't have a full Commission but we have a full quorum
18 then we can have problems in not getting things done. So looking forward to the
19 Commission that's why we did that. So every December would have an election that
20 would give the turnover time and for somebody new to get in there and their training,
21 whatever they needed to do done so when we come into that first calendar meeting
22 we're ready to rock and roll and move with things. So that's why we did it.

23 MR. GILCHRIST: Chairman, if I may?

1 MS. FRIERSON: Excuse me?

2 MR. GILCHRIST: I'm sorry, Ms. Frierson.

3 MS. FRIERSON: Mr. Gilchrist I think was speaking.

4 MR. GILCHRIST: Mr. Chairman, may I?

5 CHAIRMAN BRANHAM: Yeah, go ahead.

6 MR. GILCHRIST: So I want to ask to this the Staff for some clarification. How
7 many times in the past have we amended the rules when there's been a, has there
8 been those occasions in the past where we've amended the rules [inaudible] the
9 Planning Commission for purposed of elections?

10 MR. PRICE: I can't really think of one. I really can't think of one at this time.

11 MR. GILCHRIST: I guess where, Mr. Chairman where I just, to, I hear Ms.
12 Frierson's concern and I certainly understand how we, I was Chairman at the time, so I
13 know how we kind of went through that process. But one question that I would have and
14 I thought about this earlier when Ms. Frierson was sharing her concern about how the
15 election was handled, did we get legal counsel, legal opinions about amending our
16 rules? Did anybody know that?

17 MR. PRICE: No, we didn't and mainly because -

18 MR. GILCHRIST: County Attorney or no one was -

19 MR. PRICE: No, mainly because these are your rules. And from previous
20 discussions regarding the Planning Commission from talking to our legal for other
21 reasons, it has been told that these are your rules and so, you know, you're charged
22 with enforcing them and in some cases even waiving them.

23 MR. GILCHRIST: Okay.

1 CHAIRMAN BRANHAM: So [inaudible] Ms. Frierson.

2 MS. FRIERSON: Thank you, I appreciate it. Mr. Dennis and Mr. Branham, how
3 should I say this, you two men are relatively new on Planning Commission and it's not
4 for me to question motives or anything but I wanted to bring something to your attention.
5 When Ms. Cairns served as Vice Chair she in effect let us know ahead of time that she
6 would be resigning, I remember she mentioned her practice was picking up. And so
7 indeed it was necessary to elect to someone. I understand that. But when Mr. Branham
8 gave a summary of what happened in December what he failed to include was what
9 happened when I was elected. I nominated Mr. Gilchrist and I think he got unanimous
10 vote of the Commission, and then I didn't know this would occur, but Mr. Gilchrist
11 nominated me for Vice Chair and I received every vote from the Commission except for
12 Mr. Branham who nominated you. Now that's not my point, my point is simply this, we
13 as a Commission look mighty bad if it appears that what we do is we change our rules
14 every time things don't go our way. Now, let's common sense this out.

15 MR. DENNIS: Point of order?

16 MS. FRIERSON: No, I'm talking, sir.

17 MR. DENNIS: Point of order.

18 CHAIRMAN BRANHAM: Let me just take the point here.

19 MR. DENNIS: Point of order. I understand kind of what's been said that you're
20 hinting at.

21 MS. FRIERSON: I'm not hinting it, I state myself clearly.

22 MR. DENNIS: No, what you're saying is we're very new, and I kind of understand
23 that. However, what we did was we were trying to do something better for the

1 Commission in the future. And we had talked about it my first year here and we said this
2 would probably be the year that we did. So we moved forward with that. We actually
3 used the exact rules that we're supposed of *Robert's Rules of Order*. We did everything
4 correctly.

5 MS. FRIERSON: No, you did not.

6 MR. DENNIS: Ma'am, the rules are right here.

7 MS. FRIERSON: I have that one and the edition for dummies. I have both of
8 them.

9 CHAIRMAN BRANHAM: The point is well taken that the motion was properly
10 made, it was seconded, the vote took place, everyone present participated. The point is
11 well taken.

12 MS. FRIERSON: Point of order, both of you interrupted me and do not know
13 what I was hinting at; in fact I am an intelligent person with a degree in English and I
14 don't hint, I state myself clearly. Back to my point. When Mr. Gilchrist was elected it was
15 unanimous. When I was elected, I received all votes except for one. That's not even the
16 point. The point is any governing body that's official and we're advisory to County
17 Council would lose all creditability if what we do is every other month, we change our
18 rules. Another thing that was stated, and it was not true, when you have an agenda and,
19 for the one for December, and someone can help me out here, it was not on that
20 agenda that we would be having an election. Further, I have a copy of what was in
21 place before we received this amended one and it did not say December. But I'm not
22 going to argue all day; what I think would be appropriate, I know that we need to have
23 legal counsel to look over the proceedings of this Commission, not only from today but

1 for the last few months. Further we have a problem in that we do not have before us the
2 official Minutes of the meetings, I'll say September, October, November, December, but
3 the legal counsel for the County of Richland County can determine how many months
4 those Minutes would have to be looked at. But to avoid prolonging this discussion, it is
5 necessary that we have legal counsel review what we have done and if necessary, and
6 I think it is, we need to have an emergency meeting to request to have, I will request
7 that my concerns be brought to the attention of Richland County Council an emergency
8 session. And I will so do that, and I don't have to make a motion because I know what
9 we're doing is not only inappropriate, it has ramifications that are not very pleasant. And
10 to what you said about teamwork and cohesiveness, I certainly want that to occur but
11 any of you can recall that I called for orientation, workshops, retreats, etc., etc., and
12 each time I was kind of brushed aside, well we'll get to it. But do not worry, I don't need
13 a motion for this, it already came up, did you have legal counsel, the answer was no. I
14 will make a formal request before Richland County Council that this matter be
15 thoroughly investigated and that the Minutes that pertain to all of these proceedings be
16 reviewed by Richlands County's attorney, and this matter will be brought formally to the
17 attention of Richland County Council.

18 CHAIRMAN BRANHAM: [Inaudible] Ms. Frierson. I just wonder, you know, based
19 on the some of these statements and allegations, and again I actually do have a copy of
20 the December Agenda with me, if you'd like to take a look at it but it does have Election
21 of Officers.

22 MS. FRIERSON: I do not wish to take a look at anything you will present to me
23 right now. I've stated what I will do.

1 CHAIRMAN BRANHAM: Ms. Frierson, I have the floor, please, please.

2 MS. FRIERSON: I thought you were asking me a question; would I like to look at
3 it?

4 CHAIRMAN BRANHAM: No, no, this is just a point of information and
5 clarification. And, you know, there was definitely in my restatement of the events a
6 reference to the September election and the outcome of that election. So I would seek a
7 motion from the Commission but I wonder just based on some of the allegations made
8 here whether we want to request that we have legal counsel present at the next
9 Planning Commission meeting to discuss these [inaudible].

10 MR. GILCHRIST: Is that something - Mr. Chairman, excuse me, is that
11 something we need to ask Staff to work on or how should handle that?

12 CHAIRMAN BRANHAM: If the Commission desires it, I'm just saying we could
13 make a motion, a motion could be made along those lines. Otherwise, you know, I'm
14 100% in what we did in December when Mr. Gilchrist was presiding over the meeting as
15 the Chair.

16 MR. GILCHRIST: Yeah.

17 CHAIRMAN BRANHAM: So I just wanted to give that [inaudible] if anyone
18 wanted to make a motion; otherwise, I'm happy to entertain a motion to adjourn.

19 MR. GILCHRIST: Is it a motion or is it a request to Staff? I mean, if we want to
20 get the County Attorney involved can we just ask Staff to do that?

21 CHAIRMAN BRANHAM: It would be a motion to request Staff, but I want to know
22 what the will of the Commission is on this, because I've heard from Ms. Frierson, I've
23 heard Mr. Dennis and from yourself and from myself. But I want to know if that's truly

1 the will of the Commission. I don't know that the Commission as a majority is concerned
2 in the same way that Ms. Frierson is concerned.

3 MR. YONKE: Can I make a comment?

4 CHAIRMAN BRANHAM: Yes, Mr. Yonke.

5 MR. YONKE: Alright, just out outside of this, I'm looking at the County's website
6 for our Planning Commission and I see four of us are sitting in terms that ended in 2021.
7 I just want to be planning for our future and to have our leaders prepared. [Inaudible].
8 So I believe the thought process was to have leaders that had enough time to be trained
9 up to continue a full term. I also thought like September was an emergency special
10 election cause we had different proceedings, sorry, during COVID. Ms. Cairns said
11 during a Zoom call that she would be gone and then we were left without a Vice. Those
12 are my comments on it.

13 CHAIRMAN BRANHAM: Thank you.

14 MR. GILCHRIST: Well, and Mr. Chairman if I may. I just want to make one point
15 that I think is very important. So we made the amendment in September to appoint a
16 Vice Chairman. In, what is it, December when we said that the reason we decided to
17 amend the rules twice, which is why I went back and asked whether or not historically
18 do we just amend rules, because to Ms. Frierson's point we can't be a governing body
19 that just amends the rules whenever we feel like we want to amend the rules. That's
20 just, that just can't be something that we adopt a practice for. So, but the purpose of
21 why we pursued it in December was because the Staff indicated that to have a
22 smoother transition for the next chairman to have the opportunity to work with the
23 outgoing chairman, because that had not happened in the past, that this would be an

1 opportunity to do that. I was fine with that. But what we subsequently did was when we
2 changed the rules, then we took the vote also to vote for a Vice Chairman again and we
3 didn't vote for a secretary at all. So back to the point of suggesting whether or not we
4 need to have the County Attorney look at this is whether or not, you know, regardless of
5 what, we just wanna make sure that the process that we took was indeed appropriate
6 and that we're not being accused by County Council of amending our rules to do
7 something that we probably - so that's all, you know.

8 CHAIRMAN BRANHAM: Yeah, yeah.

9 MR. GILCHRIST: The appearance of that we just, you know, as a Commission
10 we want to make sure that Council recognizes that that's something that we're not
11 adopting a practice to do. Does that make sense, Mr. Chairman?

12 CHAIRMAN BRANHAM: I mean, I don't feel the need to, like defend the fact that
13 we've amended like two rules in the last, I don't know how long. I'm thrilled for the
14 scrutiny when it comes to an amendment of the rules. The rules themselves are very
15 clear about what is required for an amendment and we met and far exceeded the votes
16 needed for that. Mr. Carlisle did you have something to say?

17 MR. CARLISLE: Well not really, except that [inaudible].

18 MS. FRIERSON: Absolutely. In fact, I raised on this question.

19 MR. CARLISLE: Yeah, but you just hold an election then you can't hold an
20 election. I mean, that's kinda the way it seems to be [inaudible].

21 MS. FRIERSON: Another point if I may.

22 CHAIRMAN BRANHAM: Ms. Frierson [inaudible].

1 MS. FRIERSON: Someone stated, and it makes sense in terms of verbalization,
2 that there be a smooth transition and that a new chair could definitely benefit from the
3 wisdom and experience of the outgoing chair. However, Mr. Gilchrist after you were no
4 longer chair how many times did you and the alleged new chair new meet to actually
5 perfect this transition or even have discussion about the transition? How many times
6 have the two of you met to take care of what allegedly was the purpose of that election?

7 MR. GILCHRIST: Well, obviously, you know, due to COVID and so many other
8 things that have been going on, the out coming, incoming chairman and I have not have
9 an opportunity to sit down yet and have discussion about that. But to your point, I mean,
10 I think this goes back to, you know, I think our earlier, before we started the meeting I
11 asked about the December Minutes because I think those Minutes would reflect the
12 discussion about exactly, you know, what our intent was, right, of actually deciding that
13 we would hold a meeting and, or amend the agenda. So I just want to defer if I may, Mr.
14 Chairman, back to Staff on whether or not you think it's appropriate. We used to have,
15 for those of you who have not been on the Planning Commission as long as Ms.
16 Frierson and I have, we used to have an attorney that used to come to our Planning
17 Commission meetings, is that right Mr. Price?

18 MR. PRICE: That's correct.

19 MR. GILCHRIST: And who would advise us about these kinds of things when we
20 had issues relative to some conflict about our rules or other situations. And so I don't
21 think this is too far out the realm of that. I think for purposes of just clarity and I think for
22 purposes of ensuring that we're following the rules, to Mr. Carlisle's point, I think it might
23 be worth just exploring that and seeing where we are Mr. Chairman.

1 CHAIRMAN BRANHAM: Yes, Ms. Frierson.

2 MS. FRIERSON: One more thing. I think it was Mr., is it Young?

3 MR. TAYLOR: Taylor.

4 MS. FRIERSON: Taylor, Mentioned something about when we have say, when
5 we desire to have a meeting and sometimes because of COVID we can't do it in a
6 normal way What about Zoom? If [inaudible] was that the new chair and the outgoing
7 chair dialoged for a smooth transition, I do understand the limitations of COVID but we
8 all know that there are other means to communicate and just two people could have
9 been done by phone, by Zoom, by numerous methods. So even though the alleged
10 current chair said he felt confident that whatever I guess you all have done would be
11 upheld or that's not exactly your words, I feel just as confident that it is most appropriate
12 to have not only legal counsel to look at what we have done, but that we, I know I'm
13 going to do it, I'll do it formally in writing, that we have County Council to be aware of
14 what we are doing. We are advisory, you know, when the people come before us they
15 expect for us to be fair and to act to with integrity. When I get the impression that some
16 of us have motives that are not quite appropriate, and I know that this is not a court of
17 law and I know we shouldn't talk about hearsay, but it has been brought to my attention
18 as to even why certain ones did certain things in terms of using this Body as a stepping
19 stone to something else. I don't know if it's true or not but believe me I will put
20 something in writing very, very soon, and I don't need a motion, and I'll have County
21 Council to make the determination as to if they want to look into it further, because
22 Beverly Diane Frierson is suspect of some of the things that we've done. And I try to
23 conduct myself with integrity and I'm not going to be right 100% of the time but I'm not

1 going to remain silent when I think that a grave injustice has been done, whether it has
2 to do with me or someone else.

3 CHAIRMAN BRANHAM: Okay. Thank you, Ms. Frierson.

4 MS. FRIERSON: You're quite welcome.

5 MR. GILCHRIST: Mr. Chairman, I just want to ask one other question. I think we
6 talked about this in our last meeting.

7 CHAIRMAN BRANHAM: Alright, we're gonna try and wrap this up.

8 MR. GILCHRIST: It was about the secretary of the Commission. I'm trying to
9 remember how we handled that, do y'all remember?

10 CHAIRMAN BRANHAM: Yes, yeah. Mr. Price referenced the fact that typically
11 it's the Staff that serves in the role of secretary and so we -

12 MR. GILCHRIST: But it's, okay, yeah, I was trying to remember. I know that
13 came up and I was trying to figure out how we handled that as a Commission.

14 CHAIRMAN BRANHAM: [Inaudible] alright, what was that? Yes, Mr. Dennis?

15 MR. DENNIS: I thought we handled that when we changed the rules for the
16 future that it would just be the president or chairman, vice chair, and I thought that we
17 [inaudible] for Staff. I can't remember off the top of my head.

18 MR. GILCHRIST: I can't remember either. Do you remember, Mr. Price?

19 CHAIRMAN BRANHAM: Mr. Price, do you have that?

20 MR. PRICE: At the December meeting when you voted for the chair and the vice
21 chair you deferred the secretary I believe if I'm correct, Jason Branham and was
22 seconded by Gary Dennis. It was deferred until February, essentially this meeting, for
23 you to make a determination about the secretary.

1 CHAIRMAN BRANHAM: Well, if we could I would like to just defer that on to the
2 next meeting [inaudible]. And yeah, I appreciate everybody's conversation. We're
3 striving for transparency here. You know, I feel like this is a very simple matter. It's a
4 very simple rule that was utilized and happy to answer any questions if the County
5 Legal Department has any. Mr. Price indicated he had already spoken with the County
6 Legal Department about this matter.

7 MR. PRICE: I just want to make sure I state this clearly. We've had discussions
8 previously on various matters with the Planning Commission, and what was told to me
9 by the County Attorney, and again this was years ago, was they are the rules of the
10 Planning Commission so it's up to the Planning Commission to make a determination
11 on whether they going to uphold their rules or they're going to suspend their rules. So
12 that's what was told to me, so it's very similar to what happened with both of the
13 elections that y'all just originally had in September and December. You have it in your
14 rules under section two I think as Ms. Frierson pointed out earlier and that is there. But
15 there is also another section in your code, I mean, under Rules of Procedure under
16 article six about amendments which allows you to amend your rules. So going back to
17 the conversation I've had with our legal attorney previously on a matter very similar to
18 what would happen that something that could potentially be a conflict with the rules or
19 violations of the rules, it is up to the Planning Commission to determine if you want to
20 uphold the rules or suspend the rules.

21 CHAIRMAN BRANHAM: Alright, thank you Mr. Price. Chair will entertain a
22 motion to adjourn.

23 MR. TAYLOR: So moved.

1 [Inaudible]

2 CHAIRMAN BRANHAM: Oh, I'm sorry, okay. And seconded? Alright, can we
3 take a vote, Mr. Price? Motion to adjourn?

4 MR. PRICE: Those in favor of adjournment, Mr. Branham?

5 CHAIRMAN BRANHAM: Aye.

6 MR. PRICE: Dennis?

7 MR. DENNIS: Aye.

8 MR. PRICE: Yonke?

9 MR. YONKE: Aye.

10 MR. PRICE: Carlisle?

11 MR. CARLISLE: Aye.

12 MR. PRICE: Frierson?

13 MRS. FRIERSON: Aye.

14 MR. PRICE: Metts?

15 MR. METTS: Aye.

16 MR. PRICE: Taylor?

17 MR. TAYLOR: Aye.

18 MR. PRICE: Gilchrist.

19 MR. GILCHRIST: Aye.

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

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

23 [END RECORDING]