

RICHLAND COUNTY PLANNING COMMISSION
November 7, 2022

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

7
8 Called to order:

9 CHAIRMAN BRANHAM: Okay everyone, we're gonna call this meeting to order.

10 This is the meeting of the Richland County Planning Commission. Today is Monday,
11 November 7, 2022. My name is Jason Branham and we wanna welcome you all here.
12 We'll do our best to talk through the Agenda as we work our way through, a fair amount
13 of items on today's Agenda. To start off if we could go ahead and just take a roll call.

14 MR. PRICE: Okay. Alright roll call for the November 7, 2022 Planning
15 Commission. Branham?

16 CHAIRMAN BRANHAM: Here.

17 MR. PRICE: Dennis?

18 MR. DENNIS: Here.

19 MR. PRICE: Yonke?

20 MR. YONKE: Here.

21 MR. PRICE: Johnson?

22 MR. JOHNSON: Here.

23 MR. PRICE: Frierson?

24 MS. FRIERSON: [No response heard]

25 MR. PRICE: Metts?

26 MR. METTS: Here.

27 MR. PRICE: Durant?

1 MR. DURANT: Here.

2 MR. PRICE: Taylor?

3 MR. TAYLOR: Here.

4 MR. PRICE: Siercks?

5 MR. SIERCKS: Here.

6 CHAIRMAN BRANHAM: Alright, thank you. And Staff, if you would please
7 confirm the following: In accordance with the Freedom of Information Act a copy of the
8 Agenda was sent to the news media, persons requesting notification, and was posted
9 on the bulletin board located in the lobby of the County Administration building, is that
10 correct?

11 MR. PRICE: That is correct.

12 CHAIRMAN BRANHAM: Thank you. Ladies and gentlemen, as a reminder the
13 Planning Commission makes recommendations to County Council as to whether to
14 approve or deny zoning map amendments. County Council will conduct its own public
15 hearing and take official votes to approve or deny map amendment requests on a future
16 date to be published by the County. Council typically holds zoning public hearings on
17 the fourth Tuesday of the month. Please check the County's website for updated
18 agendas, dates and times. We'll talk more about the other business on the Agenda
19 later. Please take note of the following guidelines for today's meetings. If you would turn
20 off or silence any cell phones. Audience members may come and go as needed, please
21 do so quietly. Applicants are allowed up to two minutes to make statements. Citizens
22 signed up to speak are allowed up to two minutes each. Redundant comments should
23 be minimized. Only address remarks to the Commission and do not expect the

1 Commission to respond to questions from the speakers in a back and forth style; that is
2 not the purpose of this meeting. Please, no audience or speaker exchanges. No
3 audience demonstrations or other disruptions to the meeting are permitted nor are
4 comments from anyone other than the speaker at the podium. Please remember the
5 meeting is being recorded, please speak into the microphone and give your name and
6 address. Abusive language is inappropriate and will not be tolerated. Please don't voice
7 displeasure or frustration at the recommendation of the Planning Commission while the
8 business is still being conducted. If you have any questions or concerns you may
9 contact the Richland County Planning Department Staff. Alright, that was Item 2., and
10 now to Item 3., Additions/Deletions to the Agenda. Are there any motions?

11 MR. JOHNSON: Mr. Chairman?

12 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

13 MR. JOHNSON: Has the Chair given any additional consideration to my request
14 of the motion that I presented at the work session?

15 CHAIRMAN BRANHAM: If you would review kind of what you're referencing? I
16 think that would be helpful for everybody.

17 MR. JOHNSON: Would it help if Staff read it back into the Record?

18 CHAIRMAN BRANHAM: Sure. Are you referring to the email that you sent to the
19 Commission earlier today?

20 MR. JOHNSON: No, sir. My motion that I made in our work session.

21 CHAIRMAN BRANHAM: Do you have that, or Staff do you have that?

22 MR. PRICE: I don't have the verbatim language.

1 CHAIRMAN BRANHAM: So there was a question raised by Mr. Johnson, he had
2 referenced the fact that he had made a request related to additional public input or
3 expanding the scope of public input in the Land Development Code recommendations
4 process, is that more or less accurate, Mr. Johnson?

5 MR. JOHNSON: Correct, I asked for that to be added as an Agenda item for
6 discussion.

7 CHAIRMAN BRANHAM: Okay. Alright. And that was during a work session,
8 right?

9 MR. JOHNSON: That is correct.

10 CHAIRMAN BRANHAM: Okay.

11 MR. JOHNSON: The expectation was that it would be on today's Agenda.

12 CHAIRMAN BRANHAM: Alright. I believe the, you know, the motion as I recall is
13 something that, you know, we were not going to be doing during the work session, that
14 would be done in advance of a regular meeting.

15 MR. JOHNSON: Correct. So my expectation was, I raised it during the work
16 session asking it being placed on the next meeting agenda was my intent. And it's not
17 on the Agenda.

18 CHAIRMAN BRANHAM: Mr. Dennis, I believe you had an opportunity to review
19 the proceedings from the video, is that right?

20 MR. DENNIS: Yes, I did. So on our work session of 17 October 2022, we had
21 talked about more public input before we move forward. And then Mr. Jenson said once
22 we submit an approval to County Council then we would engage the public again before
23 County Council takes up the issue. Staff gave this several ways; they have

1 communicated across the County with the public, they went to communities,
2 Councilmembers put it out to their districts, Staff members have received emails and
3 calls from citizens and shared that with us prior to the meetings for about a year and a
4 half. And then you said you were going to put something in writing and then that was the
5 end of it. Did you submit anything in writing to Staff?

6 MR. JOHNSON: And then after that the Planning Director, did you continue
7 watching the rest of the clip where he said, "Was that in fact a motion, Mr. Johnson?" I
8 said, "Yes."

9 MR. DENNIS: But we cannot take motions during that, that's why at the end of
10 the video Chair Branham said, "If any of the motions want to be made from what we
11 talked about today, please submit them."

12 MR. JOHNSON: Consider this my –

13 CHAIRMAN BRANHAM: Mr. Johnson.

14 MR. JOHNSON: - consider this my request. I think that given the issues
15 surrounding public participation and the requests for being heard, that simply educating
16 the public after we have made recommendations and after Council has acted is different
17 from having information provided about the text amendments that we're making and
18 having a public input process. And, because I articulated to Mr. Jenson in real time
19 standing there at the microphone that that was a concern and he said, in my opinion he
20 articulated that he would give at least some consideration and that my expectation was
21 we would at least have a conversation about it. Now my expectation was not for it to be
22 summarily dismissed. As a member of this Commission I think it was least due the

1 opportunity to have a fair hearing, because members of the public have concerns about
2 public engagement.

3 CHAIRMAN BRANHAM: Right. And you know, we held the work session for the
4 purpose and kind of at your request as to that topic generally, the public engagement.
5 Staff reviewed the, you know, lengths that it'd been going to for the public engagement.
6 But at its crux if the intent is sort of to, you know, move for a deferral or a delay of the
7 final votes, you know, that's something that certainly would still be proper to have –

8 MR. JOHNSON: The intent is to, at section 3 of the Agenda, Additions and
9 Deletions to the Agenda, is a request to add the conversation on public input.

10 CHAIRMAN BRANHAM: And I don't think that we can do that based on my
11 understanding of the FOI statute.

12 MR. JOHNSON: That we cannot add items to the Agenda.

13 CHAIRMAN BRANHAM: If it's to be a binding vote, absent an emergency, we
14 can't add it with less than 24 hours' notice.

15 MR. JOHNSON: And the discussion of it? You have, you and the Vice Chair
16 have raised issues that you have discussed and then brought back for a subsequent
17 vote. You both have done that on a regular occasion in my limited three months on this
18 panel.

19 CHAIRMAN BRANHAM: I'm not clear on the comparison there.

20 MR. JOHNSON: I'm asking for the opportunity to have it added as a discussion
21 item on the Agenda.

22 CHAIRMAN BRANHAM: I think that's something that we could discuss more
23 when we get to Item 5., the Re-mapping Restart and Text Amendment Proposal

1 Process Update. I know Staff was aware of your concerns and hopefully they can be
2 prepared to speak to that.

3 MR. JOHNSON: I've made my point, you had no intention of doing so.

4 MR. DENNIS: Point of order?

5 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

6 MR. DENNIS: Yes, looking over the FOI and what I, my limited knowledge of it
7 cause I'm definitely not a FOI expert, but additions and deletions to the agenda is, we
8 can add things but I do not think we can take votes on whatever we add. But we can
9 add things for discussion if I'm not wrong.

10 MR. JOHNSON: Mr. Chairman, Vice Chairman, which is what I asked.

11 CHAIRMAN BRANHAM: Okay, thank you. Does Staff have any insights on, you
12 know, we wanna insure that we comply with FOI requirements.

13 MR. PRICE: Just kinda based on I think our last issue dealing with FOI I believe
14 as Mr. Dennis and as Mr. Johnson stated, that is correct, you can't take action on an
15 item but you can have it for discussion.

16 CHAIRMAN BRANHAM: Okay. So I mean, again we could take a vote to add it if
17 there is a second and, you know, potentially we could add it again to Agenda Item
18 number 5. And that would be for discussion. So Mr. Johnson, if you could do your best
19 to just restate, or state your motion.

20 MR. JOHNSON: Mr. Chairman, consider it withdrawn.

21 CHAIRMAN BRANHAM: Okay. Alright. Any other motions for additions or
22 deletions to the Agenda?

1 MR. PRICE: Yes, Mr. Chair. I'll state this in case, you know, people sitting around
2 for it, but Case 7.b.1. which is Case 22-005 MA, has been deferred.

3 CHAIRMAN BRANHAM: Okay, duly noted, thank you. And Mr. Dennis, can you
4 make a motion as to the Consent –

5 MR. DENNIS: First we gotta move to the –

6 CHAIRMAN BRANHAM: Yeah, to the Minutes? Okay. Alright, Item No. 4. is the
7 Approval of Minutes from Prior Meetings. Staff's worked hard lately to get us, try to work
8 to get us caught up and we've got, you know, some holes in time over the last two and a
9 half years that we're trying to fill in, and Item no. 4. sets forth the Minutes which were
10 prepared and provided as part of the packet to the Planning Commission in advance of
11 this meeting. I will note that Item 4.g. references a date, June 11th, 2022 whereas the
12 correct date is July 11, 2022. And the Minutes also referenced that that was a Zoom
13 meeting and Mr. Dennis, I believe you reviewed and reminded me that that was not.

14 MR. DENNIS: Mr. Chair, yes. So Item 4.g., July 11th, 2022, that is actually not
15 June, it should be July 2022. It is not a Zoom meeting per the header so that would
16 need to be changed. And we can make a motion on that. And then also once we get
17 down to it we can, because we'll have to do motions on all of them. Actually the April 4,
18 2022 we do not need to take a vote on that one because that was actually passed at our
19 last meeting, 3 October 2022.

20 CHAIRMAN BRANHAM: Mr. Price, does that reflect your review?

21 MR. PRICE: That's correct and I apologize for the error on e. I think we were just
22 adding so many we just wanted to make sure that that was covered just in case.

23 CHAIRMAN BRANHAM: Okay. We'll take each one, one at a time.

1 MR. PRICE: Mr. Chair?

2 CHAIRMAN BRANHAM: Yes, Mr. Price.

3 MR. PRICE: This discussion comes up periodically with the, not only just with the
4 Planning Commission but it also comes up with other boards and commissions, you
5 know, we've had discussion with our Legal Department and I kinda hate speaking just
6 for them, we probably should've asked one of them to come in to speak on this issue,
7 but it's simply you didn't have to be at the meeting to actually give approval for the
8 Minutes. You know, again one of the scenarios that we were looking at, if just for some
9 reason, you know, everybody pretty much that was at a meeting was off the Planning
10 Commission that would say we could never approve those minutes for that meeting. So
11 what you're really approving is really the content of the minutes, not necessarily, you
12 didn't have to necessarily be here in order to approve those.

13 CHAIRMAN BRANHAM: Okay. Alright, so let's take these one at a time and if
14 there's any requests to modify the minutes if we could just voice those as we get to
15 them. So number 4.a. is for June 1st, 2020.

16 MR. DENNIS: Mr. Chair?

17 CHAIRMAN BRANHAM: Mr. Dennis.

18 MR. DENNIS: I make a motion to approve the Minutes for the 1 June 2022 for
19 approval.

20 MR. YONKE: Second.

21 CHAIRMAN BRANHAM: Alright, moved and seconded. Any discussion?

22 MR. DURANT: Just a question, Mr. Chair.

23 CHAIRMAN BRANHAM: Yes, Mr. Durant.

1 MR. DURANT: Am I to understand the Planning Director's comment that the new
2 members that started this past summer, July, are now able to vote on the Minutes even
3 though they weren't present?

4 CHAIRMAN BRANHAM: Is that the gist of what you said, Mr. Price?

5 MR. PRICE: Yes. Yes.

6 CHAIRMAN BRANHAM: Okay.

7 MR. DURANT: Thank you.

8 CHAIRMAN BRANHAM: Alright, if you'd take the vote, please Staff.

9 MR. PRICE: Those in favor, Branham?

10 CHAIRMAN BRANHAM: Aye.

11 MR. PRICE: Dennis?

12 MR. DENNIS: Aye.

13 MR. PRICE: Yonke?

14 MR. YONKE: Aye.

15 MR. PRICE: Johnson?

16 MR. JOHNSON: Abstain.

17 MR. PRICE: Frierson? Not here, sorry. Metts?

18 MR. METTS: Aye.

19 MR. PRICE: Durant?

20 MR. DURANT: Abstain.

21 MR. PRICE: Taylor?

22 MR. TAYLOR: Aye.

23 MR. PRICE: Siercks?

1 MR. SIERCKS: Aye.

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

4 MR. PRICE: Okay, motion passes.

5 CHAIRMAN BRANHAM: Alright, next set of Minutes is Item 4.b., December 7th,
6 2020. And I will request modification on line 13 there is a question mark as to the
7 speaker and that should say Branham said "Good afternoon". And on line 26 there's a
8 question mark as to the speaker and that was Commissioner Carlisle saying, "Hey, can
9 you hear me now?" And on line 2 on page 2 there's another question mark and that was
10 Commissioner Carlisle saying, "Okay good, I just had to de-mute." Any other requests
11 for changes there or discussion? If not, Staff would you please take the vote?

12 MR. DENNIS: Mr. Chair?

13 CHAIRMAN BRANHAM: Mr. Dennis?

14 MR. DENNIS: No motion was made.

15 CHAIRMAN BRANHAM: Okay, would you like to make one?

16 MR. DENNIS: Well you got the changes so would you make the motion?

17 CHAIRMAN BRANHAM: The motion is to adopt the December 7th, 2020 Minutes
18 with the modifications I requested. Is there a second?

19 MR. DENNIS: Second.

20 CHAIRMAN BRANHAM: Thank you. Take the vote, please.

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

22 CHAIRMAN BRANHAM: Aye.

23 MR. PRICE: Dennis?

1 MR. DENNIS: Aye.

2 MR. PRICE: Yonke?

3 MR. YONKE: Aye.

4 MR. PRICE: Johnson?

5 MR. JOHNSON: Abstain.

6 MR. PRICE: Metts?

7 MR. METTS: Aye.

8 MR. PRICE: Durant?

9 MR. DURANT: Abstain.

10 MR. PRICE: Taylor?

11 MR. TAYLOR: Aye.

12 MR. PRICE: Siercks?

13 MR. SIERCKS: Aye.

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

16 MR. PRICE: Motion passes.

17 CHAIRMAN BRANHAM: Alright. On to 4.c., June 14th, 2021. Are there any
18 requests for changes on that transcript? Hearing none I'll move for approval of the June
19 14th, 2021 Minutes.

20 MR. DENNIS: So moved.

21 MR. METTS: Second.

22 CHAIRMAN BRANHAM: Alright, moved and seconded. Mr. Price, would you take
23 the vote?

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

2 CHAIRMAN BRANHAM: Aye.

3 MR. PRICE: Dennis?

4 MR. DENNIS: Aye.

5 MR. PRICE: Yonke?

6 MR. YONKE: Aye.

7 MR. PRICE: Johnson?

8 MR. JOHNSON: Abstain.

9 MR. PRICE: Metts?

10 MR. METTS: Aye.

11 MR. PRICE: Durant?

12 MR. DURANT: Abstain.

13 MR. PRICE: Taylor?

14 MR. TAYLOR: Aye.

15 MR. PRICE: Siercks?

16 MR. SIERCKS: Aye.

17 *[Approved: Branham, Dennis, Yonke, Metts, Taylor, Siercks; Abstained: Johnson,*

18 *Durant; Absent: Frierson]*

19 MR. PRICE: Motion passes.

20 CHAIRMAN BRANHAM: Okay, thank you. Next is Item 4.d., which is the Minutes
21 from October 4th, 2021. I do want to request there that in the heading that it reflect that I,
22 Jason Branham, was absent at that meeting. Any other requests for changes? If not the
23 Chair will entertain a motion.

1 MR. DENNIS: Mr. Chair?

2 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

3 MR. DENNIS: I make a motion to approve the October 4th, 2021, the 4.d. Minute
4 approval with the changes that you recommended.

5 CHAIRMAN BRANHAM: Is there a second?

6 MR. YONKE: Second.

7 CHAIRMAN BRANHAM: Mr. Yonke has seconded. Mr. Price, please take the
8 vote.

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

10 CHAIRMAN BRANHAM: Abstain.

11 MR. PRICE: Dennis?

12 MR. DENNIS: Aye.

13 MR. PRICE: Yonke?

14 MR. YONKE: Aye.

15 MR. PRICE: Johnson?

16 MR. JOHNSON: Abstain.

17 MR. PRICE: Metts?

18 MR. METTS: Aye.

19 MR. PRICE: Durant?

20 MR. DURANT: Abstain.

21 MR. PRICE: Taylor?

22 MR. TAYLOR: Aye.

23 MR. PRICE: Siercks?

1 MR. SIERCKS: Aye.

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

4 MR. PRICE: Alright, the motion passes.

5 MR. DENNIS: Mr. Chair?

6 CHAIRMAN BRANHAM: Mr. Dennis.

7 MR. DENNIS: Yes, on 4.e., I recommend to have that removed as we've already
8 voted on those and they are already posted online for the – and we voted on those on 3
9 October 2022, our last meeting.

10 CHAIRMAN BRANHAM: Okay, and that's your motion, I'll second that motion to
11 delete Item 4.3. from today's Agenda due to the Minutes for the meeting on that date
12 already having been approved by the Commission. Mr. Price, will you take the vote?

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

14 CHAIRMAN BRANHAM: Aye.

15 MR. PRICE: Dennis?

16 MR. DENNIS: Aye.

17 MR. PRICE: Yonke?

18 MR. YONKE: Aye.

19 MR. PRICE: Johnson?

20 MR. JOHNSON: Abstain.

21 MR. PRICE: Metts?

22 MR. METTS: Aye.

23 MR. PRICE: Durant?

1 MR. DURANT: Abstain.

2 MR. PRICE: Taylor?

3 MR. TAYLOR: Aye.

4 MR. PRICE: Siercks?

5 MR. SIERCKS: Aye.

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

8 MR. PRICE: Alright, motion passes.

9 CHAIRMAN BRANHAM: Alright, thank you. Next up is Item 4.f., a work session
10 on June 6th, 2022. Any requests for changes to what was presented in the packet?

11 Alright, being no requests the Chair will entertain a motion.

12 MR. DENNIS: Mr. Chair?

13 CHAIRMAN BRANHAM: Mr. Dennis.

14 MR. DENNIS: I make a motion to approve the 4.f. June 6th, 2022 Minutes for
15 approval.

16 MR. YONKE: Second.

17 CHAIRMAN BRANHAM: Alright, moved and seconded.

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

19 CHAIRMAN BRANHAM: Aye.

20 MR. PRICE: Dennis?

21 MR. DENNIS: Aye.

22 MR. PRICE: Yonke?

23 MR. YONKE: Aye.

1 MR. PRICE: Johnson?

2 MR. JOHNSON: Abstain.

3 MR. PRICE: Metts?

4 MR. METTS: Aye.

5 MR. PRICE: Durant?

6 MR. DURANT: Abstain.

7 MR. PRICE: Taylor?

8 MR. TAYLOR: Aye.

9 MR. PRICE: Siercks?

10 MR. SIERCKS: Aye.

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

13 MR. PRICE: That motion passes.

14 CHAIRMAN BRANHAM: Alright, so again as to Item 4.g., the Agenda item
15 should be updated to reflect the date July 11th, 2022, the draft Minutes as provided to
16 the Commission in the packet for this meeting has the correct date at the top. Again it
17 does reflect that it was a Zoom meeting so Mr. Dennis, from my understanding that's
18 your motion to delete the reference to Zoom at the top.

19 MR. DENNIS: Mr. Chair, yes, I'll make that motion. I move to have Item 4.g.
20 Minutes changed from July 11th, 2022 on the Agenda, or changed from June 11, 2022
21 to July 11, 2022, and in the actual packet itself for the Minutes take out Zoom Meeting
22 for approval.

23 CHAIRMAN BRANHAM: Is there a second?

1 MR. TAYLOR: Second.

2 CHAIRMAN BRANHAM: Alright, moved and seconded. Mr. Price, please take a
3 vote.

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

5 CHAIRMAN BRANHAM: Aye.

6 MR. PRICE: Dennis?

7 MR. DENNIS: Aye.

8 MR. PRICE: Yonke?

9 MR. YONKE: Abstain.

10 MR. PRICE: Johnson?

11 MR. JOHNSON: Aye.

12 MR. PRICE: Metts?

13 MR. METTS: Aye.

14 MR. PRICE: Durant?

15 MR. DURANT: Aye.

16 MR. PRICE: Taylor?

17 MR. TAYLOR: Aye.

18 MR. PRICE: Siercks?

19 MR. SIERCKS: Aye.

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

22 MR. PRICE: Alright, motion passes.

1 CHAIRMAN BRANHAM: Alright, thank you. Let's go ahead and move on to Item
2 5.

3 MR. DENNIS: Mr. Chair?

4 CHAIRMAN BRANHAM: Mr. Dennis.

5 MR. DENNIS: Before we move on can I have the floor for the Minutes?

6 CHAIRMAN BRANHAM: Okay.

7 MR. DENNIS: So we voted on six today. By my count we should have seven left
8 to get us caught up to our very last meeting that we just had last month. Our goal
9 forward is come February 2023 we'll be caught completely up with the Minutes.
10 Everything, by the end of the year everything will be posted that we've done this year,
11 minus the December meeting; that's our goal, because County Council Members have
12 said that's their goal, we've stated that's our goal. So our goal forward in the next year
13 will be every meeting we should be able to approve minutes from the last meeting and
14 get those updated to the public. And that's kinda where we're at with it right now, so we
15 got one meeting left and we got seven left to get approved.

16 CHAIRMAN BRANHAM: Thank you, Mr. Dennis. Does that more or less reflect
17 what your records indicate, Mr. Price?

18 MR. PRICE: I would need to go back and confirm that there were actually seven
19 that need to be approved. I believe in previous emails to the Chair and the Vice Chair
20 we've kinda stated the statuses on past minutes, so I'm not sure if we're gonna be able
21 to have those approved going back a number of years. But we should definitely have all
22 of our minutes approved from this year, except for December, and last year. And should
23 be also '20.

1 CHAIRMAN BRANHAM: Mr. Dennis, I know you've spent some time on this. Do
2 you have a list of the dates in front of you that you reflect are missing?

3 MR. DENNIS: Yes, I do. We've pretty much got everything caught up minus 3
4 May 2021, but as we've talked about there's no recording so I was gonna get with the
5 attorneys to figure out what we might need to do with that. I don't know if we gotta do a
6 memo for the record or something like that, going back to my federal days when I was in
7 the federal government, so I'm just gonna ask for an opinion from the lawyer. I'll contact
8 them offline and then I'll report to the Commission and Staff and the public and let them
9 know kinda what's going on with that. But as far as everything else, the meetings that
10 we approved today, that's put us in to 2022 so we are actually finishing up the 2022 and
11 we're good from 7 October 2019 all the way up to 1 April 2022, a work session, cause
12 we did do a special called, we did have those and those were done so we're getting
13 there based off conversations we've had.

14 CHAIRMAN BRANHAM: Alright, thank you.

15 MR. DENNIS: Or conversation I've had with Staff.

16 MR. PRICE: So is it your intent you're gonna get an outside attorney to give an
17 opinion?

18 MR. DENNIS: No, I'm just gonna ask our Legal Department.

19 MR. PRICE: Oh, our Legal Department, okay. I just wanted to make sure.

20 MR. DENNIS: No, I don't wanna spend any money for that, we got lawyers on
21 payroll, let's use them.

22 MR. PRICE: Okay. Thank you.

1 CHAIRMAN BRANHAM: Alright. Anything else on the subject of the Minutes from
2 prior meetings? Very good. Alright, let's move to Item number 5., which is Re-Mapping
3 Restart and Text Amendment Proposal Process Update. And I do wanna make sure
4 that anyone from the public who did access the Agenda for today's meeting, at least in
5 the version that I have, page 75, has a list of the proposed amendments and mapping
6 directives that the Planning Commission has provisionally approved. But generally
7 speaking one year ago in November of 2021, County Council voted to adopt a full
8 replacement of the County's pre-existing Land Development Code and along with the
9 new text the County Staff, Planning Staff drafted a proposed new zoning map which
10 proposes changes to existing zoning in the unincorporated parts of Richland County. In
11 conjunction with the proposed map County Staff mailed a notice to several thousand
12 property owners disclosing the proposed zoning changes. Receipt of the notices led to a
13 surge in public engagement. I would say that Members of the Planning Commission
14 were pleased when County Council voted to have the Commission restart the zoning
15 map drafting process. In conjunction therewith the Commission was also asked to make
16 recommendations for changes to the actual text of the newly adopted Code. Council
17 determined that the new Code would not go into effect until these two steps were
18 completed by the Planning Commission. The Planning Commission spent many hours
19 over many meetings receiving input from the public and we have debated and
20 discussed and taking these provisional votes on a new proposed zoning map and new
21 proposed amendments to the text. That's what I referenced as being on page 75 of the
22 version of the Agenda that I reviewed. Some of the themes and objectives that I've
23 found in the Planning Commission's recommendations would include advancing the

1 stated objectives found in the County's most recent Comprehensive Land Use Plan
2 which was adopted in 2015, reducing the impact and degree of change between the
3 current and the newly adopted versions of the Land Development Code in the following
4 ways: eliminating proposed introduction of two to four family dwellings into single family
5 neighborhoods, eliminating proposed introduction of mobile homes in stick-built
6 neighborhoods, and reducing the degree of change to permitted density in rural areas
7 so as to promote preservation of rural character and working farms, while also providing
8 reasonable opportunity for longstanding family-owned tracts of land to be divided
9 among heirs. Also seeking to preserve the system currently in place that keeps elected
10 officials, namely County Council, in charge of changes to zoning and permitted
11 densities. And our recommendations also, I believe, promote a simpler more
12 straightforward zoning and development scheme so that property owners and those
13 around them can have more reliable expectations for what zoning districts do and do
14 not allow. Again, finally the Commission worked with Staff to create a draft zoning map
15 that preserves much of the current zoning densities and permitted uses and further
16 preserves current and perspective property owners' expectations of permitted and
17 prohibited uses for the various zoning districts and solidifies expectations on how land
18 can be developed. And as the current map is constituted except as specifically
19 approved by the Commission, the proposed zoning map follows the zoning equivalency
20 chart which was adopted as part of the Land Development Code by County Council in
21 November 2021. That's just a general update and of course those are my words, not
22 anybody else's, so I take ownership of that and don't really seek to apply that to
23 anybody else. Let's see, number 6. is or Public Input Regarding LDC Re-Mapping

1 Process and Proposed LDC Text Amendments. Mr. Dennis, you have the list of
2 individuals who are signed up to speak on these topics.

3 MR. DENNIS: Yes sir, I do. So we will start off with Melinda Kelly.

4 CHAIRMAN BRANHAM: Just a reminder, if you would give your name and
5 address and you have two minutes.

6 **TESTIMONY OF MELINDA KELLY:**

7 MS. KELLY: Hi. My name is Melinda Kelly, I'm a land use lawyer with the Finkel
8 Law Firm, Columbia and Charleston. I first wanna say that I'm actually writing two
9 zoning ordinances for municipalities right now so I know what a tough job y'all have, and
10 it is really tough. But what I wanted to comment on just real briefly, I didn't know if you
11 wanted – we had two sign up lists; one for mapping, one for the text, so I can do both at
12 the same time or are you gonna go down one list and then the other?

13 MR. DENNIS: We're just gonna go down one list and then the other. Did you sign
14 up on both?

15 MS. KELLY: Yeah I did.

16 MR. DENNIS: Okay.

17 MS. KELLY: Okay. Let's see the first one would be the mapping?

18 MR. DENNIS: Yes, ma'am.

19 MS. KELLY: Okay. The only thing I would say about that is that before the
20 restart, the maps were available for us to pull up lot numbers by either parcel number or
21 address. And it's been real confusing trying to figure out what the proposed zoning is for
22 – I have one client with 12 properties. Some of them I can kinda tell because you have
23 major roads and I know the shapes of the lots, but it's a little difficult. And so that's kinda

1 all I wanted to say. For example 1721 Horseshoe has been a doctor's office for 40 years
2 and it was OI and so I can't really tell from the map and I've talked to someone on the
3 Staff and it sounded like it might be one of two zonings so I wasn't really sure if it's
4 gonna be INS or – so I don't know when we can find out what the proposed zoning is for
5 specific lots. My other comments had to do with the text so I'll come back. Thank you.

6 CHAIRMAN BRANHAM: Thank you.

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

8 CHAIRMAN BRANHAM: Mr. Price.

9 MR. PRICE: I'm not sure if there's any confusion regarding this. Alright, so we
10 actually had a sign in sheet for Items 10.a. and 10.b., because those are gonna be
11 action items so we had a sign in sheet for those, for the mapping and for the text. I
12 believe what you have before you right now under 5. is really kind of a catch-all for just
13 the whole process in which someone's speaking, so if somebody wants to speak
14 specifically to the mapping that you may take a vote on, that will, I think you can either
15 take that up now or later when we actually prepare for each individual vote. But right
16 now we're kind of on, you know, say a catch-all for the whole process of the mapping
17 rewrite, excuse me, the re-map and restarting text amendment.

18 CHAIRMAN BRANHAM: Okay. Yeah, we got everything on the Agenda and
19 then, you know, in the packet on the ledger that's online, so I mean, personally I'd be
20 happy to just go ahead and take the public input on both now, generally and specifically;
21 everything outside of that, you know, with the road names and the map amendments I
22 guess.

23 MR. PRICE: So will we be hearing public input later on or just now?

1 CHAIRMAN BRANHAM: Just now.

2 MR. PRICE: Okay. Remember you do have some items under Item 8. in which
3 y'all will be taking motions so they may potentially be speaking on something you
4 haven't even discussed at this point.

5 CHAIRMAN BRANHAM: Okay. Alright, next speaker.

6 MR. DENNIS: Alright, we have Renee Hiltner.

7 **TESTIMONY OF RENEE HILTNER:**

8 MS. HILTNER: My name is Renee Marie Olga Hiltner. I'm a property owner in
9 Stonington at 114 Roundtree Road in Blythewood, and obviously the letter from the
10 County that my property is adjacent to an area where there is a proposed amendment,
11 the zoning going from rural to medium density, multi-family housing types, which
12 indicates to me and I checked with, and I called Richland County saying that more than
13 likely it would be apartment building being built there. When I purchased my property in
14 2005 I saw that it was rural, I wanted to be living in a small area which is now very
15 peaceful and quiet. I imagine if apartment buildings are gonna be built there there's not
16 gonna be any peaceful and quiet area for me to live in anymore. Not only am I
17 concerned with that but also with that area, rural, supposed to be a natural drainage
18 area for storm water runoff. I'm concerned about that because there's already plenty of
19 ditches back there, and even then I still have runoff from, runoff water when there is a
20 sizeable, you know, storm which runs down my driveway. So if it is doing that now I can
21 imagine what it will be if it's built up back there. Another concern I have is the traffic on
22 Wilson Boulevard. Right now the traffic is pretty sizeable, it has increased tremendously
23 since we've had several developments built in the area right around my property, and I

1 understand there's gonna be many more developments being built there. Right now
2 getting out of Stonington it sometimes takes me five, 10 minutes to even get out of the
3 Stonington development. And according to what I search on the internet and whatever
4 you have available as information –

5 MR. DENNIS: Ms. Hiltner, you've reached your two minute mark. I do have one
6 question for you though. Were you gonna talk, were you supposed to talk about the
7 Land Development Code or were you talking about a specific piece of property next to
8 you? Over on Wilson Boulevard.

9 MS. HILTNER: I'm talking about 10013 Wilson Boulevard which is where it's
10 supposed to be built.

11 MR. DENNIS: Okay.

12 MS. HILTNER: And changed, the zoning changed from rural to –

13 MR. DENNIS: Okay. You had signed up for something else but if Council [sic]
14 Members could take her remarks and remember, that will be for Case No. 22-033 MA,
15 so that we can, when we get to that case we can remember her remarks for when we
16 talk about it. Alright, thank you very much ma'am.

17 MS. HILTNER: Thank you.

18 MR. DENNIS: Commissioner Taylor asked – no, she signed up on the one for the
19 LDC and she should've signed up for 033. Alright next we have Lisa Borden?

20 **TESTIMONY OF LISA BORDEN:**

21 MS. BORDEN: I'm Lisa Borden, I live at 115 Rideout Point Road, Irmo, South
22 Carolina 29063. Set timer for two minutes. The County Council directed the Planning
23 Commission to work with Adapt the 2021 Land Development Code and map. The

1 Planning Commission has worked very hard and listened to citizen and stakeholder
2 concerns to craft proposed changes to the 2021 Land Development Code. Now, for
3 §26-5.13, the Green Development Initiatives, most people think green means energy
4 efficiency but in this case green always means cha-ching, money for the developers'
5 pockets. Mr. Gary Dennis has recommended amendments to §26-5.13, the Green
6 Development Initiatives. If these changes are accepted, R2 for example, would have an
7 increase of 10% in density with setback changes. I assume every developer will use the
8 green initiatives so this is reality. Builders get tax credits for energy efficiency building.
9 The federal government rewards builders with tax credits as part of the Inflation
10 Reduction Act of 2022, which is extended to 2032. These tax reductions include \$1.80
11 per square foot for commercial buildings, \$2,500 per stick-built manufactured home, and
12 \$500 per unit for multi-family homes. The State of South Carolina has approximately 15
13 different programs that provide tax credits for energy efficiency building. Richland
14 County Council also gives tax credits for projects such as the just passed tax credits to
15 repurpose Richland Mall on Forest Drive. The City of Columbia has the Green Building
16 Initiative Program that provides financial and other incentives for energy efficiency
17 building. Ladies and gentlemen, that's a lotta green. So when you layer the multiple tax
18 credits and the increased density, the builders and developers should be very happy
19 with 10%. And I'm okay with the smaller proposed density bonus, thank you. And thank
20 you also to Commissioner Johnson for bringing up concerns about public input. I as a
21 citizen am very pleased with the public input that we've been able to have in the past
22 year and the openness and the transparency of this Commission. Thank you.

23 MR. DENNIS: Thank you.

1 CHAIRMAN BRANHAM: Let's please hold applause, please.

2 MR. DENNIS: And we have Melinda Kelly from the Finkel Law Firm.

3 **TESTIMONY OF LINDA KELLY:**

4 MS. KELLY: Thank you. Do I need to say my name again? Melinda Kelly, Finkel
5 Law Firm, 1201 Main Street in Columbia and 4000 Faber Place, Charleston. The
6 comments that I have about the text really have to do with one of the motions, Chairman
7 Branham's motion, and it would be number 2.iv., v., vi. And it's a general question and
8 observation that I'm a little curious about. There's a minimum and a maximum listed for
9 R1, R2 and R3, and it makes me wonder if anything over the maximum, so if there are
10 any existing lots that might be, say an acre or two acres or three acres and there's a
11 maximum of 40,000 square feet, 18,000 square feet or 9,000, if those lots would be
12 non-conforming or unable – I don't know, just kind of was a – the other ones didn't have
13 a maximum so that was my only question or comment, that it just seemed confusing or
14 it leaves open a question as what happens to the ones that are bigger existing now?
15 That's all I have. Thank you.

16 MR. DENNIS: Thank you. Richard Best?

17 **TESTIMONY OF RICHARD BEST:**

18 MR. BEST: Thank you for letting me speak. I have –

19 MR. DENNIS: Sir?

20 MR. BEST: Okay, I'm from Lexington County, I live at 139 Newmont Drive, am
21 currently in the middle of building a house on Marina Road in Ballentine. This whole
22 proposal, I've been a little bit inside and a lot of outside, and I've checked a little bit
23 online with what has been going on, but I think when you had this whole redevelopment

1 process, was taking place, whether there was really adequate motions to the public
2 through media advertisements or anything like that because I never got a letter and I
3 own property in Richland County. What this boils down to is anybody that's changed to
4 higher densities, now has a windfall profit because their property has gone up drastically
5 in value. Anybody that's got a smaller house next door, they look at their property as
6 being drastically reduced because they didn't wanna be living next to an apartment
7 complex or a large development like that where there's zero lot line maintenance maybe
8 on PUD homes or anything like that. And like I mentioned I don't believe, and I could be
9 wrong, there was nothing ever put in *The State* paper of this going on by the County.
10 The Green Development Incentives are pretty good but that covers just the green
11 incentives, and there's a lot of other things on the tax maps and all which I haven't
12 reviewed enough, they're hard to even guess on what is what and what's going on. I
13 know it's probably, I'm sure it's impossible as the lady had just spoken about a next
14 door on Wilson Boulevard, there's nobody in here or nobody in the County personally
15 went to every property and said, this should be zoned this or this has got a problem
16 here or anything like that. And I know this big a zoning process has taken place with
17 one thing, you can do a major development and getting everybody, all the property
18 maybe razed and the buildability, more apartments without anybody raising cane as in
19 there's, I think there are three or four here –

20 MR. DENNIS: Mr. Best, that's your time.

21 MR. BEST: Okay. There were three –

22 MR. DENNIS: Sir, that's your time. Thank you. Next we have John Greggo.

23 When you get to the podium remember to state your name and address, and I will let

1 the public know I've not been starting the time until you actually start talking. So I'm not
2 counting your time when you're telling us who you are.

3 **TESTIMONY OF JOHN GREGGO:**

4 MR. GREGGO: Hi, I'm John Greggo at 830 Old Woodlands Road and I am
5 Chair of the Richland County Conservation Commission. The Conservation Commission
6 has taken an active interest in the Land Development Code and zoning map revisions
7 since their inception having prepared letters to every draft and assessment of the Code
8 since the process started in 2018. Here we will discuss only a few points shared with
9 the Planning Commission in a July 2022 letter. We provided some comments on the
10 County's draft zoning map at our June 2021 letter. We did not fully join the debate at
11 first, largely because some of the zoning categories for which we actively advocated,
12 particularly AG and HM, appeared to be generously applied. Based on personal
13 observations and citizen feedback these categories were too often replaced by R1
14 partly in the anticipation of future growth potential. We support the amendments the
15 Commission has made in support of agricultural uses on HM. Note that the concept of
16 farm to table agricultural is referenced frequently in the Lower Richland Tourism Plan, a
17 concept well suited to HM and RT districts. We specifically advocated for AG zoning to
18 support and preserve prime farmland and large scale agricultural operations, protect
19 water quality and prevent sprawl. No changes have been proposed for the most
20 important feature of the AG zoning, the requirement for contiguous parcels of at least 35
21 acres. We are concerned that the original goal of the AG designation will be lost if
22 density is reduced. We continue to advocate for incentives that would help landowners
23 protect prime farmland and we support subdivision of AG parcels for family residents

1 provided the parcels are sufficiently large. We've consistently criticized the water
2 resources overlay district which enforces modest buffers along water boundaries. It
3 does appear to be a useful tool to provide some protection for non-jurisdictional waters,
4 however. We understand at the time that is currently applied only to the Gills Creek
5 Watershed and we support its use in all impaired watersheds to provide additional
6 protection to non-jurisdictional waters. Thank you.

7 CHAIRMAN BRANHAM: Thank you, sir.

8 MR. DENNIS: Next we have Mr. Suarz?

9 **TESTIMONY OF JAVAR JUAREZ:**

10 MR. JUAREZ: Praise the Lord. My name is Javar Juarez. I'm at 1924 Spotswood
11 Drive, Columbia 29210. I'm also the president of the Broad River Business Alliance here
12 in Columbia, South Carolina. The Broad District is currently designated as an M1
13 district. This industrial designation requires critical amendments to the Table of
14 Permitted Uses that protect the vitality, cultural significance and natural resources in
15 communities across the County. This industrial designation allows irresponsible entities
16 like large scale oil companies and gas stations, large scale warehouses and other large
17 industrial forces to enter our communities unannounced to avoid public dissent. If this is
18 not changed we may have no other option but to sue the County. It is an indictment on
19 the County that it allows the toxic chemicals and actions of large scale corporations to
20 set up shop in residential communities across unincorporated regions, putting
21 vulnerable populations including older adults and small children in harm's way. We have
22 struggled to adopt overlays that protect community's ability to organize in a fruitful way
23 that provides clear language of how to preserve the natural resources of our community

1 and its residents. This is why Article 3 is so incredibly important, but what will be
2 allowed? We have already submitted our first draft in 2021 and at that time we have had
3 five new gas stations in a three mile radius and two nasty nighty-night clubs. Two liquor
4 stores joining the six we already have and new strip mall construction filling up with
5 tobacco and vape shops. The current M1 designation allows a pathway for the
6 government and corporations and wayward business interests to obstruct our
7 community efforts to indemnify our community. We have asked for guidance in crafting
8 our own overlay as the Broad River Business Alliance has in fact submitted that first
9 draft. We believe this is the real reason why Richland County has not been largely
10 successful, this is the reason why growth is stunted in so many of the most crime ridden
11 centers across the County. It is the reason we have not seen more grassroots efforts to
12 grow small businesses, and we don't even have public land access to do so. So far the
13 Land Development Code is strangling us.

14 MR. DENNIS: Mr. Juarez? Your time's up. Thank you very much. Leslie Tweed?

15 **TESTIMONY OF LESLIE TWEED:**

16 MS. TWEED: My name is Leslie Tweed, 111 Saratoga Road, Irmo, South
17 Carolina 29063. About nine months ago when this really became public and the cards
18 came out in the mail and, you know, thousands of people of course signed petitions,
19 etc., and too many people actually took the wrong side, they wanted no development
20 whatsoever. And, but a lot of us, you know, in reality have dealt with the idea of, okay
21 progress is gonna happen, things are gonna get a little more dense, and we've been
22 very happy with work with the Council and the Commission itself because we've given
23 the input and we've given very specific input. We've read and studied these documents,

1 you know, over and over again about all the details of, you know, the R1s, R2s, R3s,
2 cause that's most of the communities we all live in. And I wanna commend the Council
3 for taking this up as a motion and thank Mr. Jason Branham for bringing this, and we
4 really hope that the rest of the Council will adopt, especially these motions under
5 number 8. for a. and number 2., that we need these density standards. This is hugely
6 important to allow communities to continue to exist a lot like they are but it still provides
7 for the growth and increase in density, but at a moderate, livable level and that's what
8 we're asking for, not the moon and the stars, just something to help preserve our
9 communities. And I don't know that anything will be said about item 10. that that's up for
10 discussion but the change of text was the other thing that we were extremely involved in
11 to help, again, preserve communities as they should be. Thank you, gentlemen.

12 MR. DENNIS: Thank you very much, sir. Richard Knoll? From Hopkins, South
13 Carolina? Alright moving on, McKenzie Wagener?

14 **TESTIMONY OF MCKENZIE WAGENER:**

15 MS. WAGENER: Good evening, my name is McKenzie Wagener, I'm the
16 Director of Governmental Affairs for the Building Industry Association that's located at
17 625 Taylor Street, Columbia. Despite all of the personal issues that many local
18 residents may have, it is still no secret that there is a housing crisis among us. This is
19 true on a national, state and local level. Not only is there a housing shortage but for
20 those homes and dwellings that are available, the cost is so high that it is difficult for so
21 many local residents who currently live here to attain safe and permanent housing. As I
22 look at today's Agenda there are a vast number of changes being made and I ask that
23 as you review and recommend all these Land Development Code changes in your

1 considerations that an overarching theme be safe and attainable housing. Richland
2 County is located at the heart of the State and includes our beloved capitol and it is
3 critical that we pave the way for responsible growth. To achieve responsible growth
4 here in Richland County I ask that we only make amendments to the Code that allow
5 housing to be in the future and currently attainable. There are many ways to achieve
6 responsible growth here in Richland while maintaining the local character that we all
7 know and love, and I do believe that despite my opinion being different from many that I
8 speak for all when I say that we wanna make sure that those that currently live here can
9 continue doing so for a very long time and that their kids and their grandkids too can
10 enjoy their roots and be able to not only afford homes but merely attain homes of their
11 own and stay here in Richland County. Thank you.

12 MR. DENNIS: Thank you. Mr. Chair?

13 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

14 MR. DENNIS: That was all I had for our LDC and re-mapping, on both signup
15 sheets.

16 CHAIRMAN BRANHAM: Anybody else here in the room that wanted to speak on
17 this topic? Yes sir, why don't you come on down and just give us your name and
18 address, please.

19 **TESTIMONY OF WHITNER SLAGSVOL:**

20 MR. SLAGSVOL: Howdy, I'm Whitner Slagsvol, I live on 532 Harmon Road out in
21 Hopkins. I appreciate you guys taking time to participate in this process. I would like you
22 to be, as y'all are looking at these redevelopments that are going on, some of you've
23 been to Lower Richland, it's getting destroyed with the development. It's willy-nilly, our

1 representative said, oh we're gonna make it like Hilton Head, controlled growth. It's not
2 controlled growth. One of the developments on my property line, they went right through
3 the wetlands, right through, and they blamed it on the loggers. Please be mindful of two
4 things; one, wetlands and watersheds, you know, if you look at the County there are
5 definite watersheds, we live on Cedar Creek, and all these developments that are just
6 laying down are putting pollutants – if you go look at Cedar Creek upstream you'll see
7 oil, you'll see trash. The more density you put in there, the more humans, the more
8 garbage. The second thing is the noise. Please be aware that when these developers
9 come in here and talk about their grand plans to make it livable and great, they, the one
10 on my property line, they clear cut it, there's not a tree left. The noise level has gone
11 through the roof and now the, I believe there's a talk about stopping fireworks or at least
12 controlling them. People are out there shooting guns at all hours of the night, it's getting
13 super loud. I've lived there 30 years. Be mindful of the watershed please and be mindful
14 of the noise factor when you're dealing with developers. Thank you so much.

15 CHAIRMAN BRANHAM: Thank you. Anyone else who wanted to speak on these
16 topics and hasn't had a chance yet. Alright. Okay, thank you for your input.

17 AUDIENCE MEMBER: Can I speak?

18 CHAIRMAN BRANHAM: Sure.

19 **TESTIMONY OF MIKEN BLACKWELL:**

20 MS. BLACKWELL: Thank you. We learned of some changes or developments
21 late so I didn't get a chance to sign up so thank you for listening. I am Miken Blackwell, I
22 live at 4600 Old Leesburg Road in Hopkins. And I just wanna say after listening to
23 everyone it's pretty much clear that everyone is interested in keeping green space and

1 not having all these developments going up which there, in my backyard the same
2 development that Mr. Whitslof [sic] is talking about, sorry if I butchered your name, is
3 going up in my backyard and it is crazy to have 300 homes built that close together. If
4 these developers were building quality homes as opposed to these pre-fab homes that
5 are going up, and they're going up on watersheds where it floods and these homes are
6 on the ground, it is, it needs to stop and it needs to be more thought out before it
7 continues. Thank you. And I agree with all the other people that, and it seems like the
8 majority is in agreement with that. It needs to be more thought out.

9 MR. DENNIS: Thank you.

10 CHAIRMAN BRANHAM: Okay. Going once, twice. Sold. No one left for public
11 input on the general Land Development Code and Re-Mapping. Alright. We'll conclude
12 the public input portion as to those topics. Next we're on to Item number 7., Consent
13 Agenda, and if I could just highlight for a brief moment, I do know that 7.a., we do have
14 Approval of Road Names listed on this Agenda. This is literally just that, approving a
15 name to be assigned to a road that is proposed and it has no impact whatsoever on
16 zoning or the development of the property or anything along those lines. So with that
17 being said I know we have a note that Item 7.b. is deferred so we would wanna just
18 strike that from the Agenda altogether and then – 7.b.1., thank you. Case 22-005 MA.

19 MR. DENNIS: Mr. Chair?

20 CHAIRMAN BRANHAM: Mr. Dennis.

21 MR. DENNIS: I got a motion for the Consent Agenda.

22 CHAIRMAN BRANHAM: Okay.

1 MR. DENNIS: I move to – for the Consent Agenda my motion is to remove Case
2 No. 1 cause it's deferred for no discussion, also remove Case No. 22-033 MA, Case No.
3 22-034 MA and 22-035 MA for discussion.

4 CHAIRMAN BRANHAM: So the motion is to remove those items so that there will
5 be discussion by the Commission today. Is there a second to that motion?

6 MR. DURANT: Second.

7 CHAIRMAN BRANHAM: Okay. So moved and seconded. Mr. Price, whenever
8 you're ready to take the vote.

9 MR. PRICE: Alright, so the motion is for Road Names to be on the Consent
10 Agenda and the other items are being removed from the Consent Agenda for
11 discussion.

12 MR. DENNIS: Correct.

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

14 CHAIRMAN BRANHAM: Aye.

15 MR. PRICE: Dennis?

16 MR. DENNIS: Aye.

17 MR. PRICE: Yonke?

18 MR. YONKE: Aye.

19 MR. PRICE: Johnson?

20 MR. JOHNSON: Aye.

21 MR. PRICE: Metts?

22 MR. METTS: Aye.

23 MR. PRICE: Durant?

1 MR. DURANT: Aye.

2 MR. PRICE: Taylor?

3 MR. TAYLOR: Aye.

4 MR. PRICE: Siercks?

5 MR. SIERCKS: Aye.

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

8 MR. PRICE: Alright, that motion passes.

9 CHAIRMAN BRANHAM: Okay, thank you. So we will –

10 MR. DENNIS: Mr. Chair?

11 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

12 MR. DENNIS: Never mind, never mind. I remember we're one short so my votes
13 were always coming up one short when I was counting.

14 CHAIRMAN BRANHAM: Alright. So we're on Item, or Case No. 22-033 MA.
15 Staff, whenever you're ready we'll have you present that case.

16 **CASE NO. 22-033 MA:**

17 MR. PRICE: Alright, yes sir, thank you. Again our first item is Case 22-033 MA.
18 The Applicant is Hyconic Holdings, LLC, the location is at 10013 Wilson Boulevard. The
19 Applicant is requesting to rezone approximately close to 50 acres from rural to RM-MD
20 which is residential multi-family medium density. Staff's recommendation for this request
21 is for disapproval. This property is located within the neighborhood low density
22 designation of the Comprehensive Plan and as such that area, excuse me, that area
23 recommends low density traditional neighborhood development and open space

1 developments that preserve open spaces and natural features. As this particular
2 request would not meet those objectives due to the density that is proposes, Staff
3 recommends disapproval.

4 CHAIRMAN BRANHAM: Alright, thank you. Any preliminary questions for Staff
5 before we hear from the Applicant or anyone else here to speak? Mr. Dennis, is there
6 anyone signed up to speak on this?

7 MR. DENNIS: Yes. Nobody up here's got anything, right? Alright, we have Dawn
8 Bodenhammer.

9 **TESTIMONY OF DAWN BODENHAMMER:**

10 MS. BODENHAMMER: I am the Applicant, I'm one of six children that inherited
11 the property from our parents who bought it in 1961, and we are –

12 MR. DENNIS: Ma'am? Before you start could you just state your name and your
13 address real quick for us for the Record?

14 MS. BODENHAMMER: Okay. I am Dawn Beatty Bodenhammer and the address
15 – do you want my living address where I live?

16 MR. DENNIS: Yes, ma'am.

17 MS. BODENHAMMER: Okay, I live in North Carolina, I'm at 100 Starling Lane,
18 Laurenburg, North Carolina. But I lived in the district for 20 years, my children went to
19 Spring Valley. Okay? This property was put under contract in May and at the time our
20 family received a card like other people expressing the fact that our rural property would
21 be becoming an R3 property. And as you look at R3 it seems to indicate a density of as
22 many of six dwellings per acre. So with that in mind the developer said, I don't need that
23 many, I'll do it. In the Agenda there is a map there, it says that this – so let's go back –

1 we thought that we would soon have this new planning in place and we would be under
2 six per acre. And we're caught between a rock and a hard place because we're having
3 to go with the current zoning which says, you know, there's multi residential things that
4 says up to eight units per acre. In the Agenda the map is wrong, it says it could have
5 799 units, that's incorrect, we're just short of 50 acres so you can have just short of 400
6 units. But this is going to be an upscale – it's not an apartment, it's an upscale
7 townhouse development with 188 units. My father had always planning to develop it, he
8 was a, he owned Century 21 Paul Beatty Realty out in the Irmo area for years. He
9 wanted to make certain it's a good product there for his neighbors because he was, this
10 is the principal at Blythewood, I went to Blythewood grades one through four. We know
11 our neighbors out there and I am delighted because this plan has more green space
12 than my father would've left. There are over 26 acres that are scheduled to remain
13 green and wooded. There are 25' buffer zones between our property and the neighbors
14 to the south that we've known for many, many years. That makes me happy because as
15 a neighbor I just wanna know how, what am I gonna see, do I have green space, is it
16 wooded; this is going to be 188 lovely townhomes, walking trails, dog paths, upscale,
17 really fine.

18 MR. DENNIS: Ma'am? Your two minutes is up, thank you.

19 MS. BODENHAMMER: You're welcome.

20 MR. DENNIS: Next we have Landon. I'll let you say it for the Record.

21 **TESTIMONY OF LANDON SAHAGEN:**

22 MR. SAHAGEN: Perfect. My name is Landon Sahagen.

23 CHAIRMAN BRANHAM: Just one moment, sir.

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

2 CHAIRMAN BRANHAM: Mr. Price, go ahead.

3 MR. PRICE: Yeah, just glad that the Applicant pointed this out, but on page 9 of
4 your Agenda she's correct, that was the incorrect total number of dwelling units that this
5 zoning would create. It's not 799, it's actually 399.

6 CHAIRMAN BRANHAM: Okay thanks, anything else for now?

7 MR. PRICE: No, sir.

8 CHAIRMAN BRANHAM: Alright sir, thank you.

9 MR. SAHAGEN: My purpose here today, do I need to say my address again?

10 MR. DENNIS: Yes, sir. State your name and address.

11 MR. SAHAGEN: Landon Sahagen, 4 Otterbrook Court, Columbia, South
12 Carolina. My purpose here today is to stand in opposition of the rezoning at Case 33.
13 We understand that development is required for a growing population. We also know
14 that conditions must be set before and not after rezoning is approved. After seeking out
15 my neighbors to gain an understanding of where their heads were at on the rezoning, I
16 learned the development of this land would be much more than I originally thought. The
17 bottom line is the development will create an environmental hazard to surrounding
18 properties. After extensive research and speaking with my neighbors I learned that the
19 entire property is one long tributary which channels hundreds of acres worth of
20 watershed to marshy wetlands and natural ponds. Although preserving the wildlife and
21 landscape is hugely important to us, it is secondary to the environmental impact this
22 development will have on every piece of property that surrounds it. When creeks and
23 branches are replaced with concrete and asphalt you create a watershed problem, and

1 the watershed problem this development will create is much worse than the aesthetic
2 harm it will bring. As stated the property contains the main tributaries that channels
3 watershed to the wetlands. It is important to note that every other piece of property that
4 connects to it also channels water into the tributaries. Simply put a developer will not
5 only have to deal with a polluted watershed that their development creates but he'll also
6 have to deal with the natural watershed our properties create. Regardless of what
7 mitigation measures are put in place it will still impact our land by preventing natural
8 runoff causing it to back up or completely block the water from going where it needs to
9 go in the time of a flood. In closing I want to highlight that I am bringing the future
10 environmental hazards to light now. I also propose to this committee that any developer
11 who seeks to develop this land be required to employ a third party to conduct a
12 thorough environmental study, even if the rezoning is approved.

13 MR. DENNIS: Sir? Yeah, okay. I was gonna say your time's up. Next we have Jo
14 Stover? From Blythewood?

15 MS. STORER: I'm gonna pass and let my husband speak. He's next.

16 MR. DENNIS: Okay.

17 MR. YONKE: Mr. Chair?

18 CHAIRMAN BRANHAM: Yes, Mr. Yonke?

19 MR. YONKE: Before our next speaker can I ask Mr. DeLage to turn on the
20 wetlands layer for the map?

21 **TESTIMONY OF HAROLD STOVER:**

22 MR. STOVER: I'm Harold Stover. I live at 1078 Keithwood Lane. I've lived there
23 51 years. My property borders this property that we're discussing today and we already

1 have three different housing developments right there in our area and the traffic is
2 getting about outta hand because 21 is just a two-lane highway. And Martha Ann Road
3 when you come out Keithwood Lane onto 21, Martha Ann Road runs right across 555
4 and the traffic is really heavy there now without adding another 188 homes right there at
5 that intersection. And not only that the noise and all that is just, it's getting outta hand
6 there and to put 188 more dwellings right next to all that land there and right in that
7 corner is going to be a devastation to that area I believe. And I just, I trust that the right
8 thing will be done in fixing that area so we don't have any more problems, okay? Thank
9 you.

10 MR. DENNIS: Thank you very much, sir. Next we have Thomas Robertson?

11 **TESTIMONY OF THOMAS ROBERTSON:**

12 MR. ROBERTSON: My name is Thomas Robertson, although most everybody
13 but the tax man knows me as Pat Robertson. I live at 117 Deerwalk, Blythewood, South
14 Carolina 29016. I live at the end of Deerwalk, been there for 40 years. My house is the
15 only house on Deerwalk. I've raised two boys there, now I'm raising two grandchildren
16 there. My wife and I raise beagles and we compete in field trials around the Carolinas
17 and Georgia. We have about 20 beagles in our kennels right now. They seldom bark
18 unless disturbed. You put 188 residences right next door to them and there'll be a lotta
19 disturbance. Let's see. We also do some target practicing as do our neighbors and we
20 do some hunting on the property. Staff pointed out the neighborhood land is ideally
21 suited for low density traditional neighborhood development and open spaces
22 development that provides open spaces and natural areas. I would like to thank the
23 Planning Commission and Staff for recommending disapproval of this proposed

1 property at 10013 Wilson Boulevard. I appreciate their efforts, respect their expertise in
2 reaching this decision because this development would be a real, real bad idea. Thank
3 you very much.

4 MR. DENNIS: Thank you very much, sir. Next we have Robin Yon.

5 **TESTIMONY OF ROBIN YON:**

6 MR. YON: My name is Robin Yon, I live at 1031 Keithwood Lane. I'm here today
7 to oppose the rezoning of the 50 acres at 10013 Wilson Boulevard as this would have a
8 direct impact to my family's land. My family owns neighboring land, has owned
9 neighboring land for 50 years where we run a small cattle operation. A large housing
10 development in the neighboring land would disrupt everything my family has worked to
11 build over the years. This development would also affect everyone in Blythewood as this
12 would cause more traffic on our already overcrowded roads and bring more kids to our
13 overcrowded schools. Blythewood does not have the infrastructure to handle the rapid
14 development that is taking place.

15 MR. DENNIS: Thank you, sir. Next we have Robert Crossland.

16 **TESTIMONY OF ROBERT CROSSLAND:**

17 MR. CROSSLAND: Sir, I bought my place in –

18 MR. DENNIS: Sir? Could you just tell us your name and your address before you
19 start?

20 MR. CROSSLAND: My name is Robert Crossland. I live at 9953 Wilson
21 Boulevard, Blythewood.

22 MR. DENNIS: Good to go.

23 MR. CROSSLAND: I'm hard of hearing so, okay?

1 MR. DENNIS: You're good, you can go ahead and start. Trust me, I feel you with
2 the hard of hearing.

3 MR. CROSSLAND: I bought my place in 1955, I was 21 years old. And I've been
4 there, what's that, 68 years. And when I moved out there it was quiet, it was country and
5 we don't need 188 townhouses. My property joins the Beatty property on the south side
6 and I'm sure when they develop that it's gonna be, most of the trees are gonna be
7 removed and we need the trees. I got a lotta live oaks I planted 60 years ago, maybe
8 about the size of a pencil. Right now it takes two men to reach around them, we need
9 trees. We don't need the 188 townhouses. I love that place, that's the first place I've
10 ever owned and I'm 89 years old right now and I would hate to look out my window and
11 just see a bunch of townhouses. Don't develop that, please. Thank you.

12 MR. DENNIS: Thank you very much, sir. Next we have Jeanette Robinson.

13 **TESTIMONY OF JANET ROBINSON:**

14 MS. ROBINSON: So I'm Janet Robinson, 1170 Hollis Pond Road. I'm fourth
15 generation, I own my land and I am passionate about environmental impact, and there's
16 a few points I wanna bring to light. October 4, 2015, I don't know where you were but
17 my husband and I were walking outside to see if we had two pond dams. Our neighbor
18 had called and upstream development detention ponds had breached. It was bad.
19 Richland County took a hit that day and Richland County had their eyes opened as to
20 what overbuilding a watershed looks like. It was devastating, not only to Gills Creek but
21 to Hawkins Branch watershed as well. So where you're looking up there my house is at
22 the end and our ponds are at the end of that watershed. From Wilson Boulevard to
23 Hawkins Branch is 100' drop, the topography is not pretty when it comes to runoff, it all

1 comes to our ponds. We can't even fish in our ponds anymore, we can't eat fish out of
2 our ponds anymore because we've got three developments that currently sit on this
3 watershed that has devastated the water quality. When you have fish that float to the
4 top of your pond and they're white because they're oxygen deprived because over 3400
5 cubic yards have been allowed to leave development property and enter our property, it
6 has been devastating to our family. We've had no help to get it cleaned out and here we
7 go again. The acreage below this certain piece of property is also held in a conservation
8 easement by Palmetto Conservation Federation and I did reach out to Mary Rowe to
9 see if she would come, she was tied up today. There is potential impact to a
10 conservation easement. I think we have a duty to protect that. The watershed is already
11 fragile, I think to overdevelop again, to put this type of density on this already fragile
12 watershed would be a huge mistake. We have already sustained loss of enjoyment and
13 use of our property because of development and, you know, this is just another example
14 of what could occur because we have been forced to handle runoff from three
15 developments. Our ponds were built in the '50s, they weren't built as detention ponds
16 but they have been used as such so I'm against this.

17 MR. DENNIS: Thank you. Next we have Rhett Kelly.

18 **TESTIMONY OF RHETT KELLY:**

19 MR. KELLY: Hello, Rhett Kelly, 117 Kaminer Mill Court, Lexington, South
20 Carolina. I do have two family members that live off of [inaudible] Road and I am a
21 Spring Valley graduate. I'm here voting for this map amendment. The 50 acres here if
22 y'all have seen the plan before you speak, yes it is, we're asking for 188 townhomes,
23 however, we are utilizing less than half of the acreage, of the 50 acres to put these on,

1 these townhomes on. They will be, as the young lady spoke, there is a need for
2 affordable housing, me being a real estate agent it is very hard for first time home
3 buyers, second time home buyers to afford a home. Today's interest rates, you know,
4 the way the economy is as we all know, we're voting on that tomorrow, that it is very,
5 very tough for a family to buy a new home, purchase a new home anywhere in the
6 central business district of Columbia, Lexington, Richland County which is where
7 everybody would like to be because of the quality of the schools, the quality of life and
8 denying those folks the affordability of a home buying townhomes is a way to do that.
9 So we're asking for 188 townhomes on this piece. If you had seen the utilization of the
10 land, the land plan and the site plan I think you'd look at it a little differently. We're not
11 clear cutting, we're not slashing and burning, we're strategically placing these homes
12 and the roads in this piece of dirt and leaving the back of this land undisturbed, not
13 disturbing the already flood zone that Ms. Robinson lives in, that will not be disturbed
14 any more than it has already. Thank you.

15 MR. DENNIS: Thank you very much, sir. Doreen Bolling.

16 **TESTIMONY OF DOREEN BOLLING:**

17 MS. BOLLING: Hello, my name is Doreen Bolling. I live at 9933 Wilson
18 Boulevard. I mostly just wanna reiterate what all of the other folks on my end
19 disapproving of this development. I do understand the need for more housing, and a
20 new complex, community could go elsewhere. This would take away from a lot of
21 neighbors that have been there most of their lives if not their whole lives. The already,
22 as somebody pointed out the infrastructure, the road can't handle more traffic. I mean,
23 you nearly take your life into your own hands pulling in and out of your driveway.

1 Nothing's been done about that. Adding more residents in that already overcrowded
2 section will cause a burden to the people that have chosen to live rural and bought
3 those homes as such, rurally, like ourselves who wish to remain rural. Don't mind the
4 neighbors that are there now, but adding to it, you know, nobody like I said on our end
5 wants to see that any further. This part of the area is not ready for that many more
6 homes. And like I said I just wanted to reiterate that and I disapprove of it as well.

7 MR. DENNIS: Thank you. Next we have William Treadway.

8 **TESTIMONY OF WILLIAM TREADWAY:**

9 MR. TREADWAY: Good afternoon gentlemen, thank you for the opportunity. My
10 name is William Treadway. I live at 9933 Wilson Boulevard, Blythewood. And if I would
11 also ask, like Landon had mentioned, if you would check the watershed you'll notice the
12 box at the bottom that says watershed you'll see a lot of the area turned green. In fact
13 that the entire property, 188 developments is impacting the watershed. Now I stand in
14 opposition to this for many reasons, environmental reasons, traffic, noise, density. I
15 moved here seven years ago from really rural West Virginia and I can tell you firsthand
16 what people that don't even live in your community, don't even live in your state, spend
17 a little bit of money, develop the havoc, then leaves. You know, I dealt with coal mines
18 growing up my entire life. People that don't even live there, it's easy to say it's 188 when
19 you're not living beside them. Now I just ask – and not only that with the increase in
20 density, traffic, just give you an example, Minneapolis, Minnesota in 2018 went from
21 rural, single family dwellings to all medium density and in three years their aggravated
22 assault crimes went up 63%. We wanna keep our family, our environment and our
23 property safe. And I thank you for this opportunity to speak out against it, and Mr.

1 Johnson, I please ask that you continue to get people involved. Thank you, sir. Thank
2 you, gentlemen.

3 MR. DENNIS: Thank you. Chair?

4 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

5 MR. DENNIS: That was all we had signed up for Case No. 22-033 MA.

6 CHAIRMAN BRANHAM: Mr. Price, was there one more person that wanted to
7 speak on behalf of the Applicant?

8 MR. PRICE: Yes sir, I believe it was stated he came in after the signup sheets
9 were taken in.

10 CHAIRMAN BRANHAM: Come on down sir.

11 **TESTIMONY OF KEVIN WILLIAMS:**

12 MR. WILLIAMS: Good evening everyone, my name's Kevin Williams. I'm
13 representing CDM&R Engineering, 1130 Parade Ground Court, Clover, South Carolina.
14 I'm here basically to represent the technical aspect of the project. You know, listening to
15 the residences that had issues with the development of the project I can say that a lotta
16 land planning went into a site plan that was developed for this site which I have in my
17 possession. You know, speaking with Tommy DeLage I do understand that the site plan
18 cannot be used as an instrument in the rezoning, but I must emphasize that the amount
19 of area that we are occupying with this 188 units is only 15.7 acres. There's
20 approximately 34.6 acres of open space untouched. The main development, and I have
21 a copy of this plan, I don't know if I can distribute that but I have a copy for each one if
22 you wanna take a look while I'm speaking.

1 CHAIRMAN BRANHAM: No, please just continue with your comments. Thank
2 you.

3 MR. WILLIAMS: Well I will say that the project occupies many, the southeast
4 corner of the property on the south side of the streams that run through the property.
5 And I also need to emphasize that the Bell Grade development has actually stubbed
6 sewer to this property. It's my understanding after analyzing the as-builts that that was
7 purposely done. There is an existing 15' easement at the end of Bell Grade Drive which
8 obviously was there for this property to tap into. And one of the reasons why we've
9 taken the time to land plan this is to make sure that we are occupying just enough
10 space to get the units that we need. Although the, you know, we will have the ability to
11 develop more units, the site just doesn't, it's not conducive to it. There's a lot of, we're
12 preserving a lot of space. And with that said I'm just open to any technical questions you
13 may have on the site plan or our intentions.

14 CHAIRMAN BRANHAM: Any questions for this gentleman?

15 MR. JOHNSON: Mr. Chairman, I have a question.

16 CHAIRMAN BRANHAM: Mr. Johnson?

17 MR. JOHNSON: Well, I have a question for Staff but if Staff is not able to, I'm
18 suspecting that the speaker might be able to address it. So I'm gonna direct my
19 question to Staff first, if they can't then – the adjoining property, both the triangular piece
20 to the south as well as the larger portion where the watershed shows coming in, all of
21 that as well as the subdivision development immediately adjacent to the north and to the
22 east is all PD, so just looking at the map I cannot make a comparable designation as to

1 how that compares to what they're requesting. Can you give me some comparables of
2 the level of density for what is shown as it relates to what is requested? Mr. Price?

3 MR. PRICE: Okay, yes sir. You're correct, a majority of the developments in this
4 area are zoned PD or formerly the PUD, planned unit developments. I can't give you the
5 exact density of each one of these developments but kind of based on what we were
6 originally proposing, and I kinda hate to go back to our original mapping for Richland
7 County but we believe that we were gonna designate this area or proposed to have this
8 area designated as R3, and that was based upon it being, which is about six units per
9 acre, and that was based on it being more in character with how the area was
10 developed. So kind of looking at how the subdivisions that are in this area and looking
11 at the densities of those, based on our Comprehensive Plan that we currently have I
12 think you could argue that they are not in compliance with our Comprehensive Plan due
13 to the densities. However, what was originally proposed by Staff as part of our re-
14 mapping for the 2021 Land Development Code, we were proposing that this area be R3
15 which would be more in line with what's actually out there.

16 MR. JOHNSON: So in rough numbers, roughly two units an acre over.

17 MR. PRICE: I'm sorry, what was that sir?

18 MR. JOHNSON: In rough numbers, roughly two units an acre then if the intended
19 potential amendment would've gone for R3, which would allow for six units an acre, that
20 they're asking for roughly eight units an acre.

21 MR. PRICE: Yeah, based on I guess going strictly by what our Comprehensive
22 Plan states we still would have recommended disapproval for really anything probably
23 under RS-LD, any density, RS-LD, RSE, RU, we may have recommended approval for

1 it, but anything with an R, anything higher than that from a density standpoint we
2 would've recommended disapproval.

3 MR. JOHNSON: Maybe I misunderstood. You and the Applicant, cause I thought
4 that the notice that went out showed an intent to go to R, to six units.

5 MR. PRICE: Correct. And that, the notice that went out stated that our
6 recommendation was for R3, which would've been six units. Again, that was based on
7 how the area has developed. I was speaking right now how we look at it from a, our
8 Comprehensive Plan.

9 MR. JOHNSON: I understand.

10 MR. PRICE: But yes, so the notice that we sent out was for R3 which would've
11 been six units per acre. And again, that's just how the, looking at the surrounding
12 properties and the densities of those areas, that's what our recommendation was based
13 on.

14 MR. WILLIAMS: May I say something?

15 CHAIRMAN BRANHAM: Yes sir, go ahead. You're gonna respond to Mr.
16 Johnson?

17 MR. WILLIAMS: Oh no, you're questioning the density it sounds, I'm just
18 listening. I mean, if you do the math the density that we're proposing is 3.7 units to the
19 acre. If you take the full 50 acres and divide it by our unit count we're not asking for six
20 units to the acre.

21 MR. JOHNSON: The challenge for the Commission is that the entitlement that
22 you are requesting allows for higher than that. Your actual plan is lower than that, but
23 we aren't allowed to take that into consideration. And so for me as one Member, if it was

1 at R3 or six units equivalent I could support that based upon the surrounding density.
2 But at R8 as Mr. Price is saying, now that's higher than what's the surrounding – which
3 is why my first question started off with what's the surrounding governing density. Now
4 as a practical matter you have a site plan that is less than that –

5 MR. WILLIAMS: Yes.

6 MR. JOHNSON: - and I appreciate that but legally we can't take that into
7 consideration.

8 MR. WILLIAMS: And that's understood. So the best way I can relay it is we
9 cannot feasibly build more than what we're showing. And as a result we're creating
10 more open space and trails and that sort so we can utilize that area, you know, similar
11 to – I forgot, one of the residents had talked about keeping open space.

12 MR. JOHNSON: But is there not a lesser request that would achieve the same
13 objective?

14 MR. WILLIAMS: Well we talked to Staff about potentially changing our zoning
15 district to a PDD. Now it's my understanding that PDD would require more specific
16 submission, you know, architecture, amenities, you know, things of that sort, but we
17 kept this date cause we wanted to get in front of the Commission to present our case so
18 we decided to move forward. And that's why I'm here to let you know that, listen we're
19 not gonna propose any more than what we have. Now if there was a mechanism for us
20 to solidify that with Commission today we'd be for it.

21 CHAIRMAN BRANHAM: Anything else for this gentleman? Alright, thank you sir.

22 MR. PRICE: Mr. Chair?

23 CHAIRMAN BRANHAM: Yes, Mr. Price.

1 MR. PRICE: I want to elaborate on Mr. Johnson's question. One of the things we
2 look at, it's not necessarily always a request based on zoning. In the case such as the
3 Applicant's requesting it's about use, so any of our lesser zoning, excuse me, our lower
4 density zoning designations would not permit the use that they desire. So this was
5 probably the least intrusive of all of the zoning designations which would allow what
6 they were proposing to do.

7 CHAIRMAN BRANHAM: Thank you. Alright, anyone else? Anyone else to speak
8 – maybe you already spoke?

9 AUDIENCE MEMBER: I have a question about utilities.

10 CHAIRMAN BRANHAM: No, I'm sorry. You had your opportunity, so I'm sorry we
11 just have to treat everybody –

12 AUDIENCE MEMBER: That's okay.

13 CHAIRMAN BRANHAM: Alright, so we'll go ahead and move into any additional
14 questions for Staff or any discussion on the case?

15 MR. JOHNSON: One final question, please Mr. Chairman.

16 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

17 MR. JOHNSON: Mr. Price, I understand the distinction as it relates to the zoning
18 versus the use, but is it because it's townhouse, is that what the trigger is, why a lower
19 density would not –

20 MR. PRICE: Yes, sir. So our, the single family designations do not allow
21 townhomes so they would fall into the RM designations which will either be RM-MD or
22 RM-HD. So one of those zoning designations would have to be used in order to develop
23 the property with townhomes.

1 CHAIRMAN BRANHAM: Okay. Anything else or also, you know, any other
2 motions?

3 MR. DENNIS: Mr. Chair?

4 CHAIRMAN BRANHAM: Mr. Dennis.

5 MR. DENNIS: Yeah, when I look at this, you know, the Comprehensive Plan
6 does call for the lower density neighborhood. That increased density goes against the
7 Comp Plan thus that would alter the buffer area that we have around these other PDDs
8 and the actual rural areas that are around there. If we went for it, you know, that would
9 not help preserve the character of the area laid out in the Comp Plan and that's one of
10 the measures that we use is the Comp Plan. And we also look at things around there,
11 but for me looking at it I can't support it because I know they're asking to build a low
12 number compared to basically 400, but if they do develop that and then they sell it off
13 and somebody else gets that land the open space, I'm saying they would but in three
14 years down the road they do, then that land could also be developed even more. So,
15 like I really have to look at it and follow the Comprehensive Plan on this one. So with
16 that speaking I would move to send this case to County Council for disapproval.

17 CHAIRMAN BRANHAM: Alright, is there a second?

18 ? : Second.

19 CHAIRMAN BRANHAM: Moved and seconded that we send this case 22-033
20 MA to County Council with a recommendation of disapproval. If there's no further
21 discussion we'll have Staff take the vote.

22 MR. PRICE: Okay. Again the motion is for disapproval. Those in favor of the
23 motion, Branham?

1 CHAIRMAN BRANHAM: Aye.

2 MR. PRICE: Dennis?

3 MR. DENNIS: Aye.

4 MR. PRICE: Yonke?

5 MR. YONKE: Aye.

6 MR. PRICE: Johnson?

7 MR. JOHNSON: Aye.

8 MR. PRICE: Metts?

9 MR. METTS: Aye.

10 MR. PRICE: Durant?

11 MR. DURANT: Aye.

12 MR. PRICE: Taylor?

13 MR. TAYLOR: Aye.

14 MR. PRICE: Siercks?

15 MR. SIERCKS: Aye.

16 *[Approved to deny: Branham, Dennis, Yonke, Johnson, Metts, Durant, Taylor, Siercks;*

17 *Absent: Frierson]*

18 MR. PRICE: Alright, that motion passes.

19 CHAIRMAN BRANHAM: Alright. So again, we're a recommending Body and then

20 County Council will conduct a binding vote at a later date.

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

22 CHAIRMAN BRANHAM: Yes, Mr. Price.

1 MR. PRICE: Just kind of – well for this particular case, and I believe also for
2 Case 22-035 MA, the Council Representative for this area, Councilwoman Gretchen
3 Barron, will be holding a streamed town hall meeting on Monday, November the 14th
4 from 5:00 pm to 6:30 pm. Our website will be updated. This will allow the public a
5 chance to probably have a little more detailed discussions regarding what is going to go
6 there with the Councilperson, and probably which they have here, and they can also get
7 some additional questions answered. Looking at our web page it hasn't been updated
8 yet with that information, however, if anyone calls 803.766.5678, they will instruct them
9 on how they can participate in the meeting on the 14th.

10 CHAIRMAN BRANHAM: Alright, thanks for that information. So that's as to the
11 properties on Wilson Boulevard and Clemson Road.

12 MR. PRICE: Yes.

13 CHAIRMAN BRANHAM: Thank you.

14 MR. JOHNSON: Mr. Chairman?

15 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

16 MR. JOHNSON: I do think just for the Record the Vice Chair, to follow up on the
17 Vice Chair's point as it relates between the Comp Plan and the surrounding area which
18 is why I zeroed in on with the level of density that there is still a path forward but just not
19 as couched.

20 CHAIRMAN BRANHAM: Okay. Thank you. Alright, next case is 22-034 MA.
21 Staff, whenever you're ready if you'd present that case for us.

22 **CASE NO. 22-034 MA:**

1 MR. PRICE: Alright, the next item is Case 22-034 MA. The Applicant is Larry
2 Rumph, the location is 8442 Old Percival Road. The Applicant is requesting to rezone a
3 tad bit more than two acres from OI which is office and institutional to RC which is rural
4 commercial. Staff recommends disapproval of this request. Again, our
5 recommendations are based on whether the proposed use is in compliance with the
6 Comprehensive Plan and in this particular case we feel it is not in compliance with the
7 objectives outlined in the Comprehensive Plan. According to the Plan commercial
8 development or nonresidential development may be considered for location along main
9 road corridors and within a contextually appropriate distance from the intersection of a
10 primary arterial. The subject property is adjacent to commercially zoned and developed
11 parcels and is located along a main road corridor, but it's not near the intersection of a
12 primary arterial. In addition the intent of the rural commercial designation is to serve
13 isolated areas of the County. This area around the subject location is not an isolated
14 agricultural or rural residential district, nor are the residents located beyond limits of
15 service of the municipalities. For those reasons Staff recommends disapproval.

16 CHAIRMAN BRANHAM: Thank you. Preliminary questions or comments for Staff
17 before we call the first speaker? Alright, Mr. Dennis.

18 MR. DENNIS: Alright, we have Mr. Larry Rumph. Remember sir to state your
19 name, address.

20 **TESTIMONY OF LARRY RUMPH:**

21 MR. RUMPH: My name is Larry Rumph, I reside at 8436 Old Percival Road.
22 Okay, on the property it was originally a business office for a trailer park. The trailer park
23 is all gone, it pretty much renders the office useless. It's a very small office to start with.

1 Of course, I was requesting to change it from OI to RC, okay my thing is I know that on
2 the property it's sparse with many woods and I own all the adjoining property, right, and
3 I don't have a farm quite obviously. The business wouldn't bring much traffic to the area
4 in terms of, you know, I own a business now, the same type of business, a car lot, which
5 basically two to three employees, you know, 15, 20 cars. In terms of noise and traffic, of
6 course with a business that small, one there's plenty of trees and wood lines and there
7 is a brick wall located in-between the trailer park stuff that's next door as well. But if
8 that's a problem I'll put up a wooden fence in addition. If you see on the map a big part
9 of the area is already M1 which is much higher than the zoning that I'm requesting. I
10 think in terms of, I took the lesser evil by going with the RU, I mean RC versus the M1, it
11 brings much less traffic. If M1s can be allowed in the area or M1, why wouldn't RC? I
12 mean, it's much smaller and much less traffic. If we're saying it's okay for all the M1s to
13 be there, why wouldn't something that small be okay? And another thing I said that
14 homes are being built in the area along that road but once again I'm looking at how
15 many M1 areas already there or next to, I mean, adjoining to the residential properties.
16 They are much worse than what I'm requesting. And finally, like I say, being that the
17 community is growing, like I say plenty of houses there, we're talking about a small car
18 lot with that many houses –

19 MR. DENNIS: Sir, your two minutes is up.

20 MR. RUMPH: Well thank you very much.

21 MR. DENNIS: Thank you.

22 CHAIRMAN BRANHAM: Anyone else scheduled to speak?

23 MR. DENNIS: We have no one else scheduled to speak for this case number.

1 CHAIRMAN BRANHAM: Okay. Anyone else in the chamber wanted to speak on
2 this case? Alright, thank you. Commissioners, any questions for Staff or discussion or
3 motions on this case?

4 MR. DENNIS: Mr. Chair?

5 CHAIRMAN BRANHAM: Yes, Mr. Dennis?

6 MR. DENNIS: Could Staff zoom out a little bit so I can see the M1 parcels? It's
7 just at the end of Gray Fox Boulevard and then the one off of Old Percival? Pull out a
8 little bit more? Perfect, thank you.

9 MR. JOHNSON: What's the use immediately to the east?

10 CHAIRMAN BRANHAM: That's Mr. Johnson.

11 MR. PRICE: The manufactured home park. I believe that's the –

12 MR. JOHNSON: Is that a conforming use?

13 MR. PRICE: No, sir. It's nonconforming due to the zoning. Manufactured home
14 parks are required to be in an MH or manufactured housing zoning designation and this
15 one is in a residential, multi-family, I believe, is it medium density? Medium density
16 designation.

17 MR. JOHNSON: Would that zoning be considered higher or lower than what he's
18 requesting?

19 MR. PRICE: Lower.

20 MR. JOHNSON: This would be lower for the –

21 MR. PRICE: Yeah, that zoning designation because it's residential, it's still
22 residential, and his request is commercial so it would be deemed to be lower. Even
23 though the uses are totally different within each of those zoning designations.

1 MR. DENNIS: Mr. Chair?

2 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

3 MR. DENNIS: I gotta question for Staff. I left my binder at home so what's the
4 actual purpose of rural commercial? Do we have that available?

5 MR. PRICE: Yes, sir. It's actually in your packet on page 17 if you have that.

6 MR. DENNIS: Thank you. Normally I look all that up in my actual big binder that I
7 got with all the stuff in it. I didn't think about looking back over. For rural commercial
8 could a car lot be on there?

9 MR. PRICE: Yes, sir.

10 MR. DENNIS: Okay.

11 MR. PRICE: So for – y'all know how I feel about talking about a specific use, but

12 –

13 MR. DENNIS: I know, but I just wanna know if it was permitted.

14 MR. PRICE: Right, but just, rural commercial is the lowest intensity based
15 zoning, commercial zoning designation that would allow a car lot. So it would be rural
16 commercial, then you go up to general commercial, then you get into the light industrial
17 zoning designations.

18 MR. JOHNSON: Did I misunderstand? I thought he was currently operating.

19 CHAIRMAN BRANHAM: Mr. Johnson speaking.

20 MR. PRICE: No, sir. I mean, he can clarify but not on this site, I don't believe he's
21 operating as a –

22 MR. RUMPH: No, I apologize. Yes, I currently own one in the City of Columbia
23 the last 11 years, but another thing I'd like to point out the property to the left or the west

1 of this property of the car lot that I'm requesting, I own all those properties. The property
2 adjacent to, adjoined to me are M1, so if my property is next door to the M1, which
3 before I come down the line just make them all M1? Would that help the situation?

4 CHAIRMAN BRANHAM: Thank you, Mr. Rumph.

5 MR. DENNIS: Mr. Chair?

6 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

7 MR. DENNIS: Yeah, I mean, I looked at it earlier when we got our packets and I
8 looked at the Comprehensive Plan how it calls for medium density neighborhood that
9 would be more consistent with the surrounding parcels directly to the left, right and
10 behind the parcel that's zoned that. And then you know, I asked Staff about the purpose
11 of the RC district and one of the things that stuck out to me is RC's to serve isolated
12 areas of the County. I mean, it's not, off of Old Percival it's not really that isolated, I
13 mean, I can't see going forward with it in my eyes, that parcel cause it would just be out
14 of characteristics. It would just be one parcel in the middle of other parcels. So with that
15 being said, I mean, I got a motion but does anybody else have anything that might
16 change my mind? I don't know, just asking before I make my motion. Alright, Chair I
17 make a motion to send Case No. 22-034 MA to County Council for disapproval.

18 CHAIRMAN BRANHAM: Is there a second?

19 MR. TAYLOR(?): Second.

20 CHAIRMAN BRANHAM: Alright, moved and seconded that we send Case 22-
21 034 MA to County Council with a recommendation for disapproval. If there's no further
22 discussion, Mr. Price if you would take the vote.

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

1 CHAIRMAN BRANHAM: Aye.

2 MR. PRICE: Dennis?

3 MR. DENNIS: Aye.

4 MR. PRICE: Yonke?

5 MR. YONKE: Aye.

6 MR. PRICE: Johnson?

7 MR. JOHNSON: Aye.

8 MR. PRICE: Frierson? Sorry. Metts?

9 MR. METTS: Aye.

10 MR. PRICE: Durant?

11 MR. DURANT: Aye.

12 MR. PRICE: Taylor?

13 MR. TAYLOR: Aye.

14 MR. PRICE: Siercks?

15 MR. SIERCKS: Aye.

16 *[Approved to deny: Branham, Dennis, Yonke, Johnson, Metts, Durant, Taylor, Siercks;*

17 *Absent: Frierson]*

18 MR. PRICE: Alright, that motion passes.

19 CHAIRMAN BRANHAM: Okay again, we're a recommending Body so the case
20 will now move up to County Council for their consideration. Mr. Price, did you have a –

21 MR. PRICE: I was gonna say that zoning public hearing will be on the 17th of
22 November, not the traditional fourth Tuesday but it will be – due to the holidays it will be
23 on the 17th of November at 7:00 pm here in chambers.

1 CHAIRMAN BRANHAM: Thank you. So our final case today is 22-035 MA and
2 whenever Staff is ready if you'd present that case, please.

3 **CASE NO. 22-035 MA:**

4 MR. PRICE: Alright. Our next case is Case 22-035 MA. The Applicant is
5 Samantha Kozlowski. The location is 2630 Clemson Road. The Applicant is requesting
6 to rezone 3.99 acres from RS-MD which is residential single-family medium density to
7 GC which is general commercial. Staff recommends disapproval of this request. Again
8 we feel that it wouldn't be consistent with the basic objectives outlined in the
9 Comprehensive Plan for this area is designated for a community activity center. The GC
10 district should be located at the heart of the activity center while less intensive
11 commercial districts are appropriate as the zoning transitions away from the
12 intersection. So looking at this the request can be viewed as being incompatible with the
13 smaller scale commercial and institutional uses along this portion of Clemson Road and
14 again as a result the request would introduce a zoning designation and use types which
15 are not consistent with the institutional character of the immediate area. So again Staff
16 recommends disapproval.

17 CHAIRMAN BRANHAM: Alright, thank you. And Mr. Dennis, is there anyone
18 signed up to speak on this?

19 MR. DENNIS: Yes sir, we have the Applicant here, Samantha Kozlowski, I'm not
20 even gonna butcher it. I'm sorry. And I just wanna say this, everybody that's out there,
21 I'm sorry for butchering your names but too many years in the federal government I've
22 seen way too many names spelled the same, so I just kinda give up on it.

23 **TESTIMONY OF SAMANTHA KOZLOWSKI:**

1 MS. KOZLOWSKI: Not a problem. It's Samantha Kozlowski, 1695 Twelve Mile
2 Road, Berkeley, Michigan 48072. The property as you know is currently zoned RS-MD
3 and we are looking to rezone to GC for the purpose of constructing a new daycare
4 facility and coffee shop. Just kind of looking at the existing zoning for what's here, we
5 did notice that this property is currently adjacent to some other GC zoning. There's
6 some GC zoning located to the west of our existing parcel as well as to the southwest.
7 Directly adjacent to the east of our parcel there's office industrial, so I know obviously
8 the use is not considered with the rezone or the map amendment but we do feel that the
9 GC zoning for the purpose that we're looking for is a compatible use with surrounding
10 residential homes and other GC uses such as drive-thrus, a credit union, a church,
11 some other religious gathering assembly areas, and we, in our preliminary
12 conversations with Richland County they had advised us that it may be appropriate to
13 rezone to a future land designation of MU 3, however, that use does not exist right now
14 so we were recommended to go ahead and submit an application for GC as a way to
15 kind of move forward with our project. That was our understanding, but again any
16 guidance or anything that you guys can provide we're more than happy to comply with.
17 But we do think that this use would be a great compatible use for some of the existing
18 uses and are currently within this neighborhood. Thank you.

19 MR. TAYLOR: Mr. Chair?

20 CHAIRMAN BRANHAM: Yes, Mr. Taylor.

21 MR. TAYLOR: Did I hear correctly, she said a, Richland County, somebody at
22 the County recommended [inaudible] designation?

1 MR. PRICE: No, I think what was stated was during initial talks it was
2 recommended for one of the proposed zoning designations under our 2021 Land
3 Development Code, but of course that is not in play at this time so she had to request
4 one that's in our current Land Development Code, the 2005 version.

5 MR. TAYLOR: Mr. Chair?

6 CHAIRMAN BRANHAM: Yes, Mr. Taylor.

7 MR. TAYLOR: Maybe I misunderstood, was that not the M3 or the one that's not
8 there yet, is that what you're saying?

9 MR. PRICE: Yes, sir. The, I think it was MU3.

10 MR. TAYLOR: MU3?

11 MR. PRICE: Yes, that is –

12 MR. TAYLOR: Yeah, I understood that part but then I thought she said for the
13 purposes of the application to go ahead and apply for GC.

14 MR. PRICE: She can clarify.

15 MS. KOZLOWSKI: Sorry for the confusion. That's correct, our application is to
16 rezone to GC.

17 MR. TAYLOR: And you said that was recommended by?

18 MS. KOZLOWSKI: That was what we had discussed with the Planning
19 Department prior to submitting the application. Thank you.

20 MR. PRICE: Mr. Chair?

21 CHAIRMAN BRANHAM: Yes, Mr. Price.

22 MR. PRICE: Maybe I can help clarify something while the Applicant's here. Again
23 you know how I feel about speaking on a specific use but one of the distinctions

1 between, let's say a neighborhood commercial which probably would've been supported
2 rezoning request and the GC is for a lot of, is really drive-thrus allowed on commercial
3 uses. So the neighborhood commercial does not allow for drive-thrus and maybe the
4 Applicant can speak more on this, but if there was gonna be, let's say a coffee shop and
5 it was gonna have a drive-thru, that would not be permitted under the neighborhood
6 commercial but would be permitted under the general commercial. The other use, the
7 daycare would be allowed in all of our commercial zoning designations.

8 CHAIRMAN BRANHAM: Thank you, I think that's helpful. Okay Commissioners,
9 any discussion or motions?

10 MR. DENNIS: Yeah, Mr. Chair?

11 CHAIRMAN BRANHAM: Mr. Dennis.

12 MR. DENNIS: Yeah, so I actually looked at this one, rode out there like I do them
13 all, and you know, going GC to me doesn't fit cause I mean, while the Comprehensive
14 Plan shows the parcel and the community activity center, the parcel is actually towards
15 the outer edge and that shows for lesser type of commercial. And it is surrounded by
16 RS-MD parcels to the left and then across the street is a school, it's RU. There is an OI
17 right next to that parcel that's currently showing nothing but it's just zoned that way. But
18 the way I look at it you do have some neighborhoods almost directly across the street
19 off Killian Green Drive and then you got the, I can't remember what it was, Winslow and
20 I forgot the other name basically to the right. And then you do have the commercial area
21 right next, past the church. But I think sticking a GC next to a church, across from a
22 school and then next to housing developments, I don't think that's a good plan and I

1 don't think it fits the, that area of the Comprehensive Plan. So I wouldn't be for this.

2 Does anybody else have anything?

3 MR. JOHNSON: Vice Chair? I hear you –

4 CHAIRMAN BRANHAM: Mr. Johnson.

5 MR. JOHNSON: My question to you would be is, I mean, it's hard to argue she's
6 touching GC and they're two parcels away from GC, I mean, you got a doggone
7 Walgreens you can walk to it right – considerations on both sides.

8 MR. DENNIS: I see what you're, I understand it 100% what you're saying. It's
9 just, you know, I drive past Clemson Road and Longtown a lot and the further you get
10 away from Longtown, I mean, that's just that further major artery, just trying to follow
11 what we got placed in front of us. And I, I don't know. I don't know of a way forward.

12 CHAIRMAN BRANHAM: If there's no further discussion the Chair would entertain
13 a motion.

14 MR. JOHNSON: Mr. Chairman, I mean –

15 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

16 MR. JOHNSON: Does any other Commissioners have opinions to weigh in on it?

17 CHAIRMAN BRANHAM: I would simply say, you know, definitely understand
18 both perspectives that have been shared between Mr. Dennis and Mr. Johnson, and
19 also just within the context of the Planning Department's recommendation. To me I do
20 see that, the juxtaposition as it relates to that intersection and then, you know, moving
21 away and needing, in my opinion based on how I understand the Comprehensive Plan
22 to see the density, the intensity of the uses decreasing relatively quickly and it does sort
23 of feel like you got the church and then the school and then you're coming up quick on

1 the neighborhoods, that you would wanna see the intensity decreasing through that
2 zone.

3 MR. DENNIS: Mr. Chair?

4 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

5 MR. DENNIS: Can Staff zoom out a little bit?

6 MR. JOHNSON: Will you click on the zoning for me, please?

7 MR. YONKE: Mr. Chair?

8 CHAIRMAN BRANHAM: Yes, Mr. Yonke.

9 MR. YONKE: Does the Staff have any more information of the PDD next to it?

10 MR. PRICE: Are you referring to the one across the street?

11 MR. YONKE: The yellow parcel to the right of it. [Inaudible] Oh, OI.

12 MR. PRICE: Yes, sir.

13 MR. YONKE: Okay.

14 MR. PRICE: With a secondary zoning designation neighborhood commercial.

15 MR. YONKE: My comment would be I don't really see a problem with this in this
16 area. Looking at the future land use map it is inside of the [inaudible] there, it does kind
17 of go outward more dense development along Longtown and Clemson Road. I see it fits
18 the character of Clemson Road in this area.

19 MR. JOHNSON: Can you repeat that please, I didn't hear you.

20 MR. YONKE: I feel like it fits the character of this area. I would be comfortable
21 making a motion to approve.

22 CHAIRMAN BRANHAM: Okay, we've got a motion to send Case 22-035 MA to
23 County Council with a recommendation of approval. Is there a second?

1 MR. METTS: Second.

2 CHAIRMAN BRANHAM: It's been seconded. Okay, moved and seconded and
3 Mr. Price if you would take the vote. Mr. Dennis, you're recognized.

4 MR. DENNIS: Let's not forget when we make that motion we gotta kinda give
5 County Council why we made that motion going against Staff. Sorry.

6 MR. YONKE: I make my motion – Mr. Yonke here – making a motion of approval
7 against the Staff's recommendation due to the future land use map and how it's a
8 community center, activity center and I feel like it fits the character of the area. That is
9 commercial.

10 CHAIRMAN BRANHAM: Thank you, Mr. Yonke. Mr. Price, whenever you're
11 ready.

12 MR. YONKE: [Inaudible] the second?

13 MR. METTS: Yes.

14 MR. YONKE: Thank you.

15 CHAIRMAN BRANHAM: Affirmed the second.

16 MR. PRICE: That was by Mr. Metts. Okay, we have a motion for approval of
17 Case 22-035 MA, those in favor, Branham?

18 CHAIRMAN BRANHAM: No(?).

19 MR. PRICE: Dennis?

20 MR. DENNIS: Yes.

21 MR. PRICE: Yonke?

22 MR. YONKE: Aye.

23 MR. PRICE: Johnson?

1 MR. JOHNSON: Aye.

2 MR. PRICE: Metts?

3 MR. METTS: Aye.

4 MR. PRICE: Durant?

5 MR. DURANT: Aye.

6 MR. PRICE: Taylor?

7 MR. TAYLOR: Aye.

8 MR. PRICE: Siercks?

9 MR. SIERCKS: Aye.

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

11 *Branham(?); Absent: Frierson]*

12 MR. PRICE: Motion passes.

13 MR. DENNIS: Mr. Chair?

14 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

15 MR. DENNIS: Yeah, I was just gonna say this, you know, when I talked earlier I
16 said I was not going to support this, but Mr. Johnson and Mr. Yonke kinda changed my
17 mind on it, so thank you for y'all's input.

18 CHAIRMAN BRANHAM: The changing of your mind is duly noted. Alright, very
19 good and again we're a recommending Body so the case will now move to County
20 Council for a binding vote. November 17th, was that right Mr. Price, the Zoning Public
21 Hearing?

22 MR. PRICE: That is correct.

1 CHAIRMAN BRANHAM: Alright, thanks. Okay, so that's the end of those cases,
2 that was Agenda Item 7., now we move to Agenda Item 8, Motion Items for Discussion.
3 This, there's a motion, multi-part motion I guess from Mr. Dennis and then there's I
4 guess what you might call two different motions, one multi-part and a second motion
5 that I asked to be on the Agenda as well. So Mr. Dennis, I know we talked some about
6 green development incentives the last couple of meetings but if you would like to
7 present your motion that would be great.

8 MR. DENNIS: Yes, so I'll just, I'll make the motion and then we'll have
9 discussion, is that appropriate?

10 CHAIRMAN BRANHAM: Sure.

11 MR. DENNIS: Alright. So I move that under §26-5.13 the Green Development
12 Initiatives, motion to delete the (c)(1) a. 1. from residential structures, an additional story
13 or 15 feet from that Green Incentive.

14 CHAIRMAN BRANHAM: Do you wanna go ahead and read them all?

15 MR. DENNIS: Yeah, I mean, I can do it all. And then we can discuss each one of
16 them as we go down. I also make a motion to change §26-5.13 (c) (1) b. maximum
17 allowable residential density from 25% to 10% in the R2, R3, R4, R5, R6, MU1, MU2,
18 MU3 and GC. I make the motion for, to change §26-5.13 (c) (1) b. residential density in
19 AG, HM, RT and R1 from 30% to 15%. Motion to change Table 26-5.13(e) Energy
20 Conservation "Schedule Use A Central air conditioners that are SEER 17 and above.
21 Motion to change Table 26-5.13(e) Schedule B Use of vegetation for vegetated
22 structures to shade HVAC Units for non-residential structures. Motion to delete Table
23 26-5.13(e) the Alternative Energy Schedule A Pre-wire a minimum of 75% of residential

1 dwelling units in the development for solar panels. I also move to delete 26-5.13(e)
2 Alternative Energy Schedule B Pre-wire a minimum of 50% of residential dwelling units
3 in the development for solar panels. Motion to change Table 26-5.13(e) Transportation
4 Schedule A Provide minimum of four electric vehicle (EV) level 3 charging stations that
5 are made available in a parking structure of off-street parking lot to those using the
6 building. Also motion to change Table 26-5.13(e) Transportation Schedule A Provide
7 minimum of four electrical vehicle (EV) level 2 charging stations that are made available
8 in a parking structure of off-street parking lot to those using the building.

9 CHAIRMAN BRANHAM: Alright, so you wanna add any color commentary to
10 kind of try to plain language summarize what these motions do?

11 MR. DENNIS: Okay. Alright, so on my motions that first one I just did not, for the
12 residential structures, given a green incentive to add an extra story or, what was it, for
13 residential structures to add a story I think that would change the outlook kinda of the
14 County, therefore to me it's just not in the best interest of the citizens or the landscape.
15 That's kinda where I was at with that one. Do you want me to give them all or do we
16 want to give mine and then – I'll just give them all and then we can get a second or we
17 can down vote whatever one we want to. And then for the decrease in density bonus
18 from 30 to 15% I think that would help match efforts to decrease the density that many
19 citizens in the County want. Once again there's no correlation with increase in density
20 lowering prices to build a home. And there's been studies of that and I know I've talked
21 about it in the past. Also the decrease in density bonus from 30 to 15% in the AG, HM,
22 RT, that also mirrors my comments above. I did put in there in the AG, HM, RT and R1
23 zoning the purpose of those zones are to, are supposed to have less dense to provide a

1 balance of harmony of the zones, it kinda gets you, you know, from your country style
2 all the way to when you do get into the denser zones. And that's where I was at with
3 that one. Now the, I know Mr. Smith and I had talked and unfortunately he's gonna have
4 a lot to do cause him and I, I got something for him. The motion for the HVAC, I know
5 we talked about Energy Star and the State of South Carolina was going to 15% so a
6 SEER rating of 15% actually doesn't do that very much and that means the state
7 standard's gonna be 15%. So let's not ask for the state standard, instead of basing that
8 Green Incentive on that just Energy Star, why not go up to a SEER rating, a SEER
9 rating of 17% or above for better energy consumption. At 15, at a SEER rating of 15 you
10 save about 13% on your energy, but at a 17 SEER rating it jumps up to over 20 and
11 when you get to 18, 19, it really jumps up there. And unfortunately I forgot to email my
12 slide in that I had the SEER ratings, but there are plenty on Google if somebody wanted
13 to pull one up; that would help me out a lot. So you know, when you're saving 20% a
14 year on savings that does help the environment with a better energy efficiency. Then
15 when we got down to the shielding of HVAC, so I spoke with a bunch of HVAC people,
16 they said in residential those units are so small that it really doesn't help, and because
17 of the amount of air, when houses are built closer together the amount of air that they
18 suck in has some issues when you put things around them, and it can cause the coils to
19 get dirty and actually decrease the unit life and it actually keeps them from cooling
20 correctly because of the hundreds of thousands of cubic feet moved during operation.
21 But the way I worded that was so that on commercial units the way they're built their
22 standards, they have structures normally built around them and forced shade. So some
23 commercial structures actually don't shade theirs at all but some do. So that's why I

1 wanted to leave it to give up [inaudible] to the commercial guys if they wanted to shade
2 it, because those units are actually designed a little bit different to pull air a different way
3 and up through just because of the size of them. The size of it actually does help
4 because it's a lot bigger. The solar companies, so when I was looking into this –

5 ? : [Inaudible]

6 MR. DENNIS: For which one?

7 ? : [Inaudible]

8 MR. DENNIS: Okay, so for the next one will be vi. the solar panels, so for the
9 solar panels I actually like the pre-wire and I thought it would be a good thing until I
10 started to talking to solar companies. And when I talked to Sun Run I noticed a
11 discrepancy when I asked them, hey if I have a house that's pre-wired can you guys
12 install solar panels and they said, nope we would have to take everything out and do it
13 ourselves for liability reasons. So then I started calling a few others and they said the
14 same thing. So then I called an independent electrician, he goes, well I wouldn't do it
15 because I would also want to look at it and do it myself and get everything up, because
16 he said different solar panels are gonna have power requirements, different wiring, so it
17 depends on what type of panels. So when I was looking at that, only to pre-wire I don't
18 agree with it. But if builders wanted to put solar panels on then, I mean, that could be
19 another motion probably. Then I would be for it. They just said it was liability reasons
20 and so when I got down to vii., that's why I also wanted to take it away from that cause,
21 I mean, if we sit there and we put all this money into it but the consumer can't use it,
22 then we're not actually doing anything, any good for anybody. So that's kinda why I
23 brought those two up. And then viii., the chargers, so South Carolina has one of the

1 lowest ratings for energy chargers in the nation. With the all EV push from companies to
2 invest in this State here in the Midlands there are not many chargers either. This is
3 cause for many people not to transition to EV vehicles. When researching the types of
4 charges used at commercial areas we have the opportunity to help increase the needs
5 that are wanted and needed by the EV community. Since passage of the Inflation
6 Reduction Act in August it is estimated that in seven years we'll have 52% of cars will
7 be EV and require charging. So I looked at this way, let us lead the way in EV charging
8 here in South Carolina. A level 3 charger is considered the, ranked the fastest charging.
9 That's at a rate of 3 to 20 miles of range per minute in charging. So this is more along
10 the lines when you look up super charging so I think that would help out with
11 commercial industry when they go to do stuff like that. And then the ix., you know, each
12 one has its own thing so once again that was the whole thing, but same thing as up top,
13 but a level 2 charger is the most common charger not in the home. That's a charge rate
14 of 18 to 20 miles an hour and this is more in lines with charging you find at shopping
15 centers that give you the extra miles when you need it doing things around our country,
16 or not our country our county. So that's kinda how I looked at those motions and that's
17 kinda why I brought them up. I just, this is hard when you look at green stuff and, you
18 know, Mr. Smith he gave me a good PowerPoint that he presented to the public and
19 when we talk about green, this is just the simple green stuff, there's so much more this
20 County could be doing that's not even part of Planning that we could institute here. But
21 that's a whole different ballgame and that's gonna have to be tabled at another time
22 cause it wouldn't go in a Land Development Code but it'd actually fit very well in our
23 Comprehensive Plan to a certain extent. So from there I think that's why I made those

1 motions, so I mean, I'm happy and appealed to take it, whether they pass or not but
2 that's just the way I was looking when I went through and started researching
3 everything. You know, I'd research a little bit and then after we talked about it at that
4 October work session I went home and got on the computer and just started going and
5 started calling companies and figuring everything out and that's where I'm at.

6 CHAIRMAN BRANHAM: Alright, thank you Mr. Dennis. I know we've talked
7 about this some and meetings and then, you know, one on one and I feel like I
8 understand, you know, where you're going with things and it does leave intact some
9 incentives particularly related to density bonuses, though it does basically cut those in
10 half from the current 2021 Land Development Code. Additionally, I just found that
11 additional amount of height between one story or 15 feet [inaudible]. So I'm not sure if
12 that's something that the community would desire but it does leave some incentives in
13 place and it does I think cause people that are looking for those incentives to need to
14 stretch themselves in order to attain eligibility, so. I would second the motion and take
15 any other discussion on these motions at this time.

16 MR. DENNIS: Mr. Chair?

17 CHAIRMAN BRANHAM: Mr. Dennis.

18 MR. DENNIS: I know you seconded it but I really would like, if anybody has any
19 one of them that they don't want or do not think should be on there and wanna talk
20 about it, please by all means. I mean, I sent these motions cause I think it's the best
21 thing forward but, I mean, I do wanna hear something whether it's for or against. I
22 mean, y'all change my mind.

23 MR. YONKE: Mr. Chair?

1 CHAIRMAN BRANHAM: Mr. Yonke.

2 MR. YONKE: Mr. Dennis, I just wanna say thank you for doing all this research.
3 I've looked through our packet, trying to figure out these pages, [inaudible] redlined for
4 what's going to be removed and I'm liking what I'm seeing, so thanks again for doing all
5 that.

6 MR. DENNIS: Mr. Chair.

7 CHAIRMAN BRANHAM: Mr. Dennis.

8 MR. DENNIS: There is one thing I wanted noted. On page 36 the use of
9 vegetation or vegetated structures to shade, that HVAC unit SEERS 17 or above for
10 residential units or the SEERS 17 or above, that should've actually been on page 35
11 and replaced the energy central air conditioners Energy Star qualified. As my motion
12 read. And then the non, for non-residential units that's supposed to stay the same, it's
13 just the SEERS 17 should've been moved over to schedule A under air conditionings,
14 for the other Commissioners on page 35. So basically it takes out the Energy Star and
15 makes it SEERS 17. And like I said these motions are what it is, I mean, we don't have
16 to go to 17 but the State standard's about to be 15 so I'll take anything I can get.

17 CHAIRMAN BRANHAM: Staff, did you follow that? Okay, yes.

18 MR. PRICE: Yes, sir. I did see that and my apologies. I did see that when we
19 were doing the, putting the Agenda together and I meant to make that change, but
20 thank you for bringing that to us.

21 MR. DENNIS: It's all good.

22 MR. DURANT: Mr. Chair, question for Mr. Dennis.

23 CHAIRMAN BRANHAM: Yes, Mr. Durant.

1 MR. DENNIS: Yes, sir.

2 MR. DURANT: I just wanna say the driving force behind these motions that
3 you're making is that you're feeling after reading the incentives for contractors is that we
4 were giving them credit for things they should've been doing, they are doing already and
5 you wanted to make this a real incentive plan for them. Is that, am I correct, my
6 understanding correct?

7 MR. DENNIS: I wanted to make it a real incentive plan for citizens. I wanted to go
8 above and beyond kinda like some of the standard stuff. I really wanted to go more into
9 it and that's kinda why, you know, when I look at them the 15' thing, to me that was just,
10 that's not really an incentive, that was more along the lines of the way the houses are
11 built now and kinda the look of it and based off what we've heard that characteristic and
12 neighborhoods, but when we got down into the density and things like that, or not
13 density but when we got down to the HVAC units that SEERS 17, that brings a savings
14 to the consumer. That vegetation b., that stuff would actually help for commercial units
15 and give those commercial units something that they could get some more bonuses on.
16 So I wanted to try to bring as much as I could to the table. You know, at first I wanted to
17 strike the whole thing but then I really started looking through it and I was like, hey
18 there's actually some good points in here and, but I think these are the, some of these
19 are the heavy hitters, especially the pre-wire to me is the heavy hitter, the EV charging
20 to me is the heavy hitter as far as passing savings, and not just savings but helping the
21 Mother Earth out in the future, because I mean, if we can't utilize the pre-wire then
22 there's no reason to give an incentive there because you're gonna have to spend
23 money to do it and then they don't get it. But the EV charging, that definitely helps out,

1 the HVAC thing for those big commercial units, that does help out, SEERS 17, that
2 helps out. And then overall when we look at smaller densities, that can help out also for
3 green incentives and helping Mother Earth now. I mean, I would be more than happy to
4 hear from other people.

5 CHAIRMAN BRANHAM: The issue with the solar panels was that you contacted,
6 you said Sun Run solar panel company and they indicated that they would not utilize
7 any pre-wiring that came with a residential dwelling unit where they were installing solar
8 panels, they would run their own?

9 MR. DENNIS: Correct. I talked to Kevin on a recorded line.

10 CHAIRMAN BRANHAM: Gotcha.

11 MR. TAYLOR: You said electricians as well, correct?

12 MR. DENNIS: Yep. And the big thing was they said because solar panels, there's
13 so many different types and they said each type requires different types of wires and
14 different control panels, so basically you would just be running a wire because you don't
15 know what control panel it'd be. If you put in a control panel that Sun Run would use,
16 Vivent uses a different control panel, so if you started doing that, even if you did it they
17 still wouldn't do it for liability reasons is what they were saying. So I was like, then why
18 even have it in there at all if it can't even be utilized by the citizens.

19 MR. PRICE: Yes, sir, and along the lines of what you were stating I think Mr.
20 Smith –

21 MR. SMITH: So the presentation I gave back at Riverbanks Zoo was about the
22 sustainability and resiliency. Part of that we invited Dominion Energy to come out and
23 speak on solar panels. And some of the things that they brought to light to us during that

1 was some people go out and they have these solar panels, or people come out to their
2 homes and they say, hey we wanna [inaudible] solar panels on your house. What the
3 consumer doesn't know is a lot of these companies exist overnight and then they're
4 gone. So now they're left with systems that aren't compatible with Dominion Energy.
5 Dominion Energy has now informed us and advised citizens if you're going to do solar
6 panels, you need to consult them first about what you're going to install and make sure
7 it's compatible with their system.

8 CHAIRMAN BRANHAM: Thank you.

9 MR. DENNIS: I'm gonna say, I mean, I have run into this with solar panels, that
10 whole thing with Dominion Energy it has hurt some things in real estate because certain
11 people can't get them because it's the wrong type of system. So when they go to swap
12 over they're like, no it's not compatible. We got a long way to go in South Carolina.

13 MR. DURANT: Mr. Chair?

14 CHAIRMAN BRANHAM: Anybody else? Yes, Mr. Durant.

15 MR. DURANT: One more question for Mr. Dennis. Following up on your
16 statement there about we got a long way to go in South Carolina, with respect to the
17 electric vehicle charging stations, I don't get the impression that South Carolina is
18 leading the nation in use of electric vehicles so having that as an incentive [inaudible]
19 may put it there but is it just gonna be something sitting there not being used because of
20 the use of electric vehicles is so low in the State?

21 MR. DENNIS: There are certain areas in Charleston, definitely Myrtle Beach that
22 get it used. I've seen it up in the Upstate, too. I think, talking to people that haven't went
23 to EV because of lack of chargers. I'll even say this, I looked at getting an EV for us, but

1 because we drive down to Florida I can't get it because I can't, the direct route to
2 Destin, we can't charge. We actually have to go a couple of hours out of the way to
3 charge. But with us not using, I mean, 1.3 or 4 billion dollars, BMW just announced an
4 EV push up in Greenville in the Upstate, and there's stuff coming down to the Midlands,
5 and if I'm not mistaken we're gonna have some type of battery thing that was identified
6 by the Governor and bipartisanship, all kinds of stuff from the State House that's coming
7 into the Midlands and going down. Like there's gonna be, these EV companies are
8 investing a lot in South Carolina because we already have the infrastructure for BMW, I
9 forgot that other company that builds cars here but, you know, they're looking to start
10 building their full EV range here in South Carolina. And you know, the federal
11 government in 10 years is wanting to go mostly all EV, so that's kinda why I was
12 pushing it to try to get ahead of the ballgame to get them out there.

13 MR. DURANT: Well I applaud the research you've done and obviously you know
14 what you're talking about and you looked at a lotta stuff. Thank you.

15 MR. DENNIS: Thank you, yeah it's taken a lot of reading. I'm actually smarter on
16 EVs than I've ever been in my entire life. And I was totally against them at one time and
17 now I'm kinda leaning towards them after my –

18 CHAIRMAN BRANHAM: Mr. Smith.

19 MR. SMITH: It's actually something not as far-fetched as you might seem.
20 Washington has actually put in a mandate that all new cars have to be sold electrical
21 only by the year 2035.

22 CHAIRMAN BRANHAM: Alright, lots of good discussion. Anything else on this
23 before we take a vote? Alright, Mr. Price whenever you're ready.

1 MR. PRICE: Are you voting on this as a group or individually?

2 MR. DENNIS: Since I made them, I mean, I think the best thing to do would just
3 be go down and just take a vote individually.

4 CHAIRMAN BRANHAM: Hang on a second. I just wanna hear from the
5 Commission, is there any objection to us voting on this as a group? Okay. Let's just vote
6 on it as a group, please.

7 MR. PRICE: We have a motion –

8 CHAIRMAN BRANHAM: The motion, this is Mr. Dennis' motion and I seconded it
9 and this is 8. a. 1., I through IX.

10 MR. PRICE: Okay. Alright, those in favor of the motion – I'm sorry, so this
11 essentially is for the an agreement to place on the ledger.

12 MR. DENNIS: Correct.

13 MR. PRICE: Okay. Alright, those in favor for motion to place these items on the
14 ledger, Branham?

15 CHAIRMAN BRANHAM: Aye.

16 MR. PRICE: Dennis?

17 MR. DENNIS: Aye.

18 MR. PRICE: Yonke?

19 MR. YONKE: Aye.

20 MR. PRICE: Johnson?

21 MR. JOHNSON: Aye.

22 MR. PRICE: Metts?

23 MR. METTS: Aye.

1 MR. PRICE: Durant?

2 MR. DURANT: Aye.

3 MR. PRICE: Taylor?

4 MR. TAYLOR: Aye.

5 MR. PRICE: Siercks?

6 MR. SIERCKS: Aye.

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

9 MR. PRICE: Motion passes.

10 CHAIRMAN BRANHAM: Alright, thank you. And that is added to the ledger.

11 Alright, 8. a. 2. is my motion.

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

13 CHAIRMAN BRANHAM: Mr. Price.

14 MR. PRICE: Alright, before I guess you get started with it I'm speaking
15 specifically now for items 2. i. to vi. Looking at those, Staff had a lot of discussion and
16 we were looking at this, and I guess my initial thought is that your motions aren't
17 necessary at this point. On the 3rd of October Planning Commission meeting you made
18 a motion to delete subsection 26-3.1.f.5., which provides for the complete elimination of
19 massive reductions on minimum lot width requirements in instances involving cluster
20 development and any other provisions for cluster development of single family
21 dwellings. So if we actually have removed cluster housing or cluster development as an
22 option then there's no other provision in our Code that would allow for the reduction of
23 lot sizes so every lot would have to meet the minimum lot area for each district.

1 CHAIRMAN BRANHAM: But wouldn't, how do you calculate the minimum lot
2 area for each district?

3 MR. PRICE: Oh I mean, it's pretty simple, whatever that density is divided by,
4 you know, [inaudible] 560. So I believe in RS2 with three units per acre would come out
5 to 14,520 square feet per unit.

6 CHAIRMAN BRANHAM: Okay. I, yeah I'd like to just go ahead and have this
7 motion heard and talk through it. If you're right then, you know, maybe we wouldn't need
8 it and maybe you are, I just for my own peace of mind and just to talk out my objectives
9 and intentions I wanna just go ahead and lay this out. And I know we talked about this a
10 little bit together with Mr. Jenson and Mr. Jenson was good enough to give me some
11 suggestions as far as how to structure these things just based on his experience with
12 some other jurisdictions. He's not here tonight, is he?

13 MR. PRICE: Yes, he's over there.

14 CHAIRMAN BRANHAM: Oh okay, there he is. Yeah. So anyway, yeah if y'all
15 would just hear me out. I think it's in our best interest to just be specific and leave no
16 doubt and leave nothing to interpretation as best as that's possible. So the motion here
17 that Mr. Price just referenced, numbers 2. i. through vi., these are not intended to
18 change the density that's already established at all as to these zoning districts. So it's
19 really just meant to moderate potential for wild variation in lot size and it also
20 affirmatively states and establishes an average lot size and minimums and maximums
21 or just minimums in some cases. But that just makes it easier for people to understand
22 and rely on. We've done a lotta talk about density based zoning and numbers of
23 dwelling units per acre and I know that's just very frustrating for a lotta residents and

1 citizens to understand, so this motion is intended to state affirmatively in square feet
2 and also in acres what the gross average lot size would be for the districts. And then for
3 the most common residential districts that are R1 through R3, there would be a
4 maximum variation of 25% on the lot size on the high end and on the low end. Again, it
5 still allows for flexibility but just trying to avoid wild variation within developments when it
6 comes to lot size. I didn't request a maximum lot size as to AG, HM and RT because
7 those are the legacy rural properties within the unincorporated County and we're trying
8 to encourage agricultural activity on those properties so I don't wanna cap the maximum
9 size of any farming operation that's operating, you know, lawfully. But that's where I'm
10 coming from with that, I think it's gonna be so much easier for citizens to look in the
11 development code and see, okay this is gonna be the average lot size and it's gonna be
12 at most this small and at most this large within those common residential districts. So
13 anyway, again not affecting the density at all, just trying to create some moderation in
14 the variation that could result in lot sizes. Does that make sense? Does anybody have
15 any, is there comments about it? Alright.

16 MR. YONKE: Mr. Chair, I'll comment.

17 CHAIRMAN BRANHAM: Yes, Mr. Yonke.

18 MR. YONKE: Just commenting off of our packet, again pages, starting on 39, I
19 like how it's listed out this way, I feel like a citizen could see a, if we add number vi and
20 vii to each district to be able to see the size. It kinda spells it out.

21 CHAIRMAN BRANHAM: Right, just two new line items added to the table that's
22 supposed to exist for ease of reading and understanding I think. And thank you for Staff

1 for preparing that draft as well. Alright, is there a second or is there any other comments
2 or discussion?

3 MR. TAYLOR: Second.

4 CHAIRMAN BRANHAM: Alright, so right now just wanted to deal with those
5 items 8. a. 2. i. through vi. And [inaudible] vii. after this vote. Alright, any other debate or
6 discussion before Staff takes the vote? Hearing none, Mr. Price?

7 MR. PRICE: Alright, those in favor of the motions to add to the ledger for 8. a. 2.
8 i. through vi., those in favor, Branham?

9 CHAIRMAN BRANHAM: Aye.

10 MR. PRICE: Dennis?

11 MR. DENNIS: Aye.

12 MR. PRICE: Yonke?

13 MR. YONKE: Aye.

14 MR. PRICE: Johnson?

15 MR. JOHNSON: [Inaudible]

16 MR. PRICE: Metts?

17 MR. METTS: Aye.

18 MR. PRICE: Durant?

19 MR. DURANT: Aye.

20 MR. PRICE: Taylor?

21 MR. TAYLOR: Aye.

22 MR. PRICE: Siercks?

23 MR. SIERCKS: Aye.

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

3 MR. PRICE: Alright, that motion passes.

4 CHAIRMAN BRANHAM: Okay, thank you. So Mr. Dennis.

5 MR. DENNIS: So I just wanna be, we're gonna actually put those on that table
6 like was listed in our packet, right? So that –

7 CHAIRMAN BRANHAM: They're part of the ledger, is that what you're –

8 MR. DENNIS: Right. Well I mean, if we go through with it and it goes to County
9 Council what I'm talking about on page 39, like that's actually, and like page 41, where
10 they had vi. and vii. in the red, the gross average lot size, it's gonna be broke down so
11 that, you know, they understand it cause they're not, you know, the public out there is
12 seeing .33 density but then it'd be broke down so they can easily understand it a little bit
13 more.

14 CHAIRMAN BRANHAM: Yeah. And I don't mean to undercut Mr. Price's
15 comment, earlier comments at all but just really like those two line items just for
16 structure and clarity to each zoning district within the Code. Alright, so I wanted to just
17 address the 8. a. 2. vii. and item 8. b. together, we have had some good discussion as
18 of late about the current, the properties currently zoned M1 and the fact that there's not
19 a very apples to apples equivalent in the, between the current Code and the 2021 Code.
20 And just looking at some of the permitted uses tables you do see some material
21 differences between M1 and the closest equivalent which is OI or the MP, and we also
22 were able to see that there are several hundred properties that fall into that category of
23 needing to be rezoned if M1 ceases to exist. And so just looking at those two realities,

1 the fact that there's not a great apples to apples equivalent and the fact that there are
2 several hundred properties that would potentially be rezoned which would be very
3 difficult for the Commission to wrap, you know, kinda fully conceptualize and consider.
4 My recommendation because of that is to leave the M1 zoning district in place and have
5 it carry into the 2021 Land Development Code and to have those properties that are
6 currently zoned M1 to be zoned M1 [inaudible]. Any questions or discussion?

7 MR. DENNIS: Mr. Chair?

8 CHAIRMAN BRANHAM: Mr. Dennis.

9 MR. DENNIS: So doing that it would go, we'd put M1 back in, would that allow
10 other people to zone into M1 from something else?

11 CHAIRMAN BRANHAM: Yeah, I mean, as far as my motion is concerned it's not
12 necessarily intended to, like phase out or just be a transition thing. I think with the OI
13 and the EMP, I'm not suggesting that we eliminate them, those would continue to exist
14 and if someone who is currently zoned M1 wanted to seek an OI or a EMP zoning they
15 would have the opportunity to do that and then have the Planning Commission and the
16 County Council review that on a case by case basis to give it the full diligence that that
17 kinda review would deserve.

18 MR. PRICE: Mr. Chair, you [inaudible] OI?

19 CHAIRMAN BRANHAM: I am.

20 MR. PRICE: You mean as we go forward in OI? I was just looking at the –

21 CHAIRMAN BRANHAM: OI exists in the new, in the 2021 Code, doesn't it?

22 MR. PRICE: No, it doesn't.

23 CHAIRMAN BRANHAM: I'm sorry, it's EMP or what was the other one?

1 MR. PRICE: As we proposed the zoning designations that the M1 would fall
2 under, just depending on their location within the County, the character of the area and
3 so on, would go from, anywhere from a GC to either EMP, it could also be institutional,
4 again in some cases, but we also will have a light industrial zoning designation.

5 CHAIRMAN BRANHAM: Yeah, so I think that's what it was is the INS or the
6 EMP, I think that's what was on the equivalency chart, right? Mr. Dennis, did you have
7 that?

8 MR. DENNIS: I got so much stuff in here.

9 CHAIRMAN BRANHAM: Alright, regardless the motion is to have M1 continue as
10 a zoning district and for properties currently zoned M1 to continue on zoned M1.

11 MR. DENNIS: Mr. Chair?

12 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

13 MR. DENNIS: Yeah, M1, light industrial, it actually has nothing across. It was just
14 stuck in-between EMP and INS.

15 MR. PRICE: I'm sorry Mr. Dennis, what was that?

16 MR. DENNIS: The, on the equivalency table the Chair asked where was M1 at
17 and I said M1 was in the former zoning district in that equivalency table when you go
18 over to the new zoning district it was just stuck, there was a space in-between EMP and
19 INS and I remember that's what we talked about, it was kinda the sandwich in-between.

20 MR. PRICE: Correct.

21 CHAIRMAN BRANHAM: Alright, so any discussion?

22 MR. PRICE: We did have it going to mostly the new zoning designation that was
23 most equivalent, it was also the EMP, yes.

1 CHAIRMAN BRANHAM: Yeah. I just know there's some material differences
2 between the permitted uses tables between current M1 and future EMP, so.

3 MR. PRICE: Right. And that was the main reason why if you remember at the
4 last meeting Staff actually went through and we, our recommendation was to, this was
5 the only zoning designation that we recommended using our proposed re-mapping
6 because those areas were actually really studied to look at the existing character of
7 those areas and also to bring that M1 more, the zoning designation to probably the
8 more appropriate zoning designation for that area. I think, you know, if you've seen
9 them on the cases, a couple of the cases that you had I think the questions come up,
10 how did that M1 get there. So what we were trying to do is just make those more in line
11 with not only the Comprehensive Plan but also with the character of those areas.

12 CHAIRMAN BRANHAM: Yeah, I just feel like each one of those deserves, you
13 know, a diligent review and I don't feel comfortable putting my name on, like a mass
14 rezoning in the, you know, in the several hundreds of tracts and so that would be my
15 proposal for a path forward that would allow us to, allow anyone who wants to apply that
16 has M1 property for something else they could do that and be considered on a case by
17 case basis. Anybody got any discussion or comments?

18 MR. METTS: Mr. Chair?

19 CHAIRMAN BRANHAM: Yes, Mr. Metts.

20 MR. METTS: Yeah, I agree with your assessment. I think the way forward would
21 be most appropriate is for people to come in and say what they think their property
22 should be or for somebody to come and rezone and come before all of us individually is
23 probably the best way to handle that. So your motion is out there?

1 CHAIRMAN BRANHAM: Yes.

2 MR. METTS: I'm gonna second the motion.

3 CHAIRMAN BRANHAM: Alright, thank you.

4 MR. YONKE: I have a question for Staff.

5 CHAIRMAN BRANHAM: Yes, Mr. Yonke.

6 MR. YONKE: The way M1 works in the '05 Code it exists but we can't zone to it,
7 we can't recommend people to do it, cause I feel like a couple months ago I've asked
8 the same question.

9 MR. PRICE: Yeah, you know, going back when we did the 2005 Code our
10 intention was to eliminate the M1 zoning designation and make the parcels, you know,
11 give them a zoning designation that was most appropriate based on their location,
12 character of the area. So probably they're gonna go GC or LI. Again, a lot of, you know,
13 push back because the M1 does kinda give you a little bit of both, it gives you the best
14 of both worlds, either GC or light industrial. And so it was decided to go ahead and allow
15 that zoning to remain, but to not allow anybody to rezone to it I guess until we decided
16 to take it up again, which is what we're doing now.

17 CHAIRMAN BRANHAM: Yeah, I mean, one of the material differences to me is,
18 you know, when you look at GC, and I believe EMP as well, you have this permitted use
19 multi-family, you know, apartment complex type thing; that's very different from M1
20 properties that, you know, might be otherwise in some sort of industrial corridor. So
21 again, it's just an example of the changes between the permitted use tables of those
22 districts and why I'm so reluctant to just, you know, vote in favor of a mass rezoning.

23 MR. YONKE: Mr. Chair.

1 CHAIRMAN BRANHAM: Yes, Mr. Yonke.

2 MR. YONKE: So if we approve this do we open up M1 again to the new Code
3 where people can zone in, request it?

4 CHAIRMAN BRANHAM: I would not be opposed to that. Alright, thank you Mr.
5 Yonke. Any other questions or comments or discussion? Alright, hearing nothing else,
6 Mr. Price if you would take the vote.

7 MR. PRICE: Alright, those in favor moving Item 8. a. 2. vii. to the ledger for
8 approval –

9 CHAIRMAN BRANHAM: And let's add the 8. b. 1. –

10 MR. PRICE: Excuse me, b. 1., I apologize, yes.

11 CHAIRMAN BRANHAM: Both.

12 MR. PRICE: You wanna do both?

13 CHAIRMAN BRANHAM: Yes.

14 MR. PRICE: Alright, so that would be 8. a. 2. vii. and 8. b. 1., move those to the
15 ledger. Those in favor, Branham?

16 CHAIRMAN BRANHAM: Aye.

17 MR. PRICE: Dennis?

18 MR. DENNIS: Aye.

19 MR. PRICE: Yonke?

20 MR. YONKE: Aye.

21 MR. PRICE: Johnson?

22 MR. JOHNSON: Aye.

23 MR. PRICE: Metts?

1 MR. METTS: Aye.

2 MR. PRICE: Durant?

3 MR. DURANT: Aye.

4 MR. PRICE: Taylor?

5 MR. TAYLOR: Aye.

6 MR. PRICE: Siercks?

7 MR. SIERCKS: Aye.

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

10 MR. PRICE: Alright, that motion passes.

11 CHAIRMAN BRANHAM: Okay, thank you. Alright, anything before we move on
12 to Item 9. on the Agenda? Okay. This is labeled 9. c. 1., and this is a motion from
13 Councilwoman Newton and we've reviewed and discussed this motion before. I do note
14 under i. that review of Staff's recommendation to take action on this motion during the
15 update of the Comprehensive Plan which I believe is, you know, being tentatively
16 discussed as happening sometime next year, 2023, is that right Mr. Price?

17 MR. PRICE: [Inaudible] I think '24. Yeah, so the new Comp Plan is in 2025 but
18 we'll probably start initiation of that in '24.

19 CHAIRMAN BRANHAM: Okay. So that's Staff's recommendation. And the
20 motion was to direct Staff to evaluate current zoning laws and permitted zoning
21 designations for large residential developments to remain in perpetuity and present
22 options to re-evaluate and/or rezone those properties if they are not developed within
23 seven years. So do we need to take any action on this, Mr. Price?

1 MR. PRICE: If you would agree that we will take this up during the review of the
2 Comprehensive Plan then that's when we will place that item before Planning
3 Commission and then we wouldn't have to keep placing it on this Agenda.

4 CHAIRMAN BRANHAM: Okay. I'm happy to hear from the Commission but I'm
5 also happy to make a motion to agree with Staff's recommendation.

6 MR. DENNIS: Mr. Chair?

7 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

8 MR. DENNIS: So with this motion we would also receive legal counsel on this,
9 correct? This motion would allow for legal counsel to evaluate those current zoning laws
10 to ensure that whatever we decide we have some legal counsel on.

11 MR. PRICE: Sure. I think we could ask legal to give their input anytime that we
12 feel it's necessary.

13 MR. DENNIS: Because when I read it, you know, it says move to direct Staff to
14 evaluate current zoning laws that permit zoning designations for large residential
15 developments, I don't wanna put you guys like I would be trying to look up law, I think
16 we need to leave that to some other people.

17 MR. PRICE: Okay.

18 CHAIRMAN BRANHAM: Alright, so I made the motion that we support Staff's
19 recommendation. Is there a second?

20 MR. YONKE: Second.

21 CHAIRMAN BRANHAM: Okay, seconded by Mr. Yonke, thank you. Any other
22 discussion before we take a vote on that? Okay, Mr. Price whenever you're ready.

1 MR. PRICE: Alright, those in favor of the motion to support Staff's
2 recommendation to take action on this item, the motion made by Councilwoman Newton
3 and for the Council to take action on this motion during the update of the
4 Comprehensive Plan, Branham?

5 CHAIRMAN BRANHAM: Aye.

6 MR. PRICE: Dennis?

7 MR. DENNIS: Aye.

8 MR. PRICE: Yonke?

9 MR. YONKE: Aye.

10 MR. PRICE: Johnson?

11 MR. JOHNSON: Aye.

12 MR. PRICE: Metts?

13 MR. METTS: Aye.

14 MR. PRICE: Durant?

15 MR. DURANT: Aye.

16 MR. PRICE: Taylor?

17 MR. TAYLOR: Aye.

18 MR. PRICE: Siercks?

19 MR. SIERCKS: Aye.

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

22 MR. PRICE: Okay, thank you and this will come about when we begin the update
23 of the Comprehensive Plan.

1 CHAIRMAN BRANHAM: Okay, thank you. We do take Ms. Newton's seriously
2 and we hope that you will remember to bring it up at that time. Okay, anything else
3 before we move on to Item 10 on the Agenda? Okay. Alright, so we've got a proposal
4 that we finalize our ledger of recommendations as well as a complete proposed initial
5 zoning map and send those to County Council with a recommendation that they adopt
6 those proposed text amendments as well as the official zoning map that we have
7 drafted. So we have within our packet on page 75 a list of the running ledger as it was
8 constituted prior to today's meeting. We have taken some votes to add additional items
9 to that ledger and those are incorporated in our discussion and any vote that might
10 happen. Again, I just really appreciate everyone's diligence over all these years and
11 months, depending on how long you've been with us on the Commission in working
12 through these things, hopefully to achieve some of the objectives that I described earlier
13 and in particular being responsive to a lot of the public input that we received throughout
14 this year. So let's just take these I guess one at a time. Motion on 10. a. 1. i. is to submit
15 the draft official zoning map that we review with County Council with a recommendation
16 of adoption along with the recommended text amendments. And then a note that unless
17 otherwise specifically voted on by the Council [sic] the recommended zoning map does
18 and should strictly follow the translation table included in the text of the 2021 Land
19 Development Code. Mr. Price.

20 MR. PRICE: [Inaudible]

21 CHAIRMAN BRANHAM: Okay. Well, that's why I have that caveat there about
22 unless specifically voted on by the Commission.

23 MR. PRICE: So it would be the translation table along with your –

1 AUDIENCE MEMBER: Microphone, please?

2 MR. PRICE: I'm sorry, thank you. So that would be the translation table along
3 with the recent motions that we'll incorporate into the ledger regarding the M1 zoning
4 designation.

5 CHAIRMAN BRANHAM: That's right. It's just meant to show that the baseline
6 was the translation table and then to acknowledge that we have added
7 recommendations to modify, so with some variations from that.

8 MR. PRICE: So if we go to amend the Land Development Code '21, the M1, the
9 former zoning district of M1 would become the new zoning district of M1 also.

10 CHAIRMAN BRANHAM: Yes.

11 MR. PRICE: Okay.

12 CHAIRMAN BRANHAM: Alright, so this is a vote as to the map and then we'll
13 take a second vote as to the ledger of text amendments. Unless somebody's got a
14 preference to do it the other direction.

15 MR. DENNIS: Mr. Chair?

16 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

17 MR. DENNIS: I think we should do the text amendments first because it's the text
18 amendments that, it was the map that changed all these text amendments. I think the
19 text amendments should go first and then we can do the re-mapping.

20 CHAIRMAN BRANHAM: Alright, then any objection to taking a vote on the text
21 amendments first?

22 MR. DENNIS: Yes, those text amendments would put the M1 into, you know
23 what I'm saying, that translation of M1 over –

1 CHAIRMAN BRANHAM: Yeah.

2 MR. DENNIS: - which would then therefore set the map.

3 CHAIRMAN BRANHAM: Okay. We'll just switch the order and let's take up the
4 2021 Land Development Code, the text amendments which is 10. b. 1. i., Motion to
5 send our full ledger as approved by majority vote today to County Council with a
6 recommendation that the 2021 Land Development Code text be amended accordingly
7 and to be so amended prior to implementation.

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

9 CHAIRMAN BRANHAM: Yes, Mr. Price.

10 MR. PRICE: Again, I understand we previously discussed this but looking at the,
11 I guess the proposals regarding the zoning designations to establish a minimum and
12 maximum within each of these zoning designations, I think as I stated before that if you
13 decide to keep, remove the cluster development there would not be a minimum, I mean,
14 you wouldn't need a maximum. And also the minimum that you have recommended or
15 made a motion to would, they would not be achievable because you would not be able
16 to reduce the minimum lot area for that designation.

17 CHAIRMAN BRANHAM: Minimum lot size that we approved with our vote would
18 not be achievable?

19 MR. PRICE: No, sir. So say for example, I'll use the R2 zoning designation where
20 the density is three units per acre so that will come out to each lot being required to be
21 14,520 square feet. Minimum lot width 50, that's already what we have. There's no
22 provision in our Code that would allow the reduction of that lot size because we
23 removed the cluster which was, that was intended to go along with our open space set

1 aside so they would kinda work in tandem where you would have to reserve certain
2 acreage of your land, 25% on any major or minor development and in turn you could
3 then apply the cluster which would allow you to do a reduction of the lot size as to
4 hopefully help you achieve that. But without the cluster in there, once that provision's
5 been removed there's nothing within our Code that would allow you to reduce those lot
6 sizes. So the minimum and maximum lot sizes of let's say for the R2 11,000 minimum,
7 18,000 maximum, I guess you could keep the maximum but they would never be able to
8 get to the minimum.

9 CHAIRMAN BRANHAM: Well we're trying to just ensure again, you know, some
10 level of harmonious development. If somebody can't reach the minimum development
11 because some other standard won't allow them to I think that's fine. It doesn't make the
12 minimum invalid in my opinion. We do still have green incentives that we've proposed
13 that allow for density bonuses and frankly I'm just, I'm still not sure that the
14 interpretation of, you know, straight up density based zoning is not gonna allow for
15 greater variations unless we have kind of floors and ceilings, especially when it comes
16 to those common residential areas. So you know, I'd like to see that go on through just
17 as it is and, you know, if County Council wants to modify it later we can, they can take
18 that up.

19 MR. JOHNSON: Mr. Chairman, could you repeat what you said about if
20 someone's not able to comply with the minimum density standard? Please repeat that.

21 CHAIRMAN BRANHAM: Yeah, the indication was that the minimum lot size that
22 was set forth in my motion was not achievable within one of the example residential

1 zoning districts given because of the baseline density per acre, units per acre that is set
2 forth. And what I was calling attention to is the fact that you have –

3 MR. JOHNSON: That's not problematic?

4 CHAIRMAN BRANHAM: I'm sorry, what?

5 MR. JOHNSON: And that's not problematic, Mr. Chairman?

6 CHAIRMAN BRANHAM: Well that's what I'm saying is you still have green
7 development density bonuses which I don't think were factored into the conversation
8 and, you know, just because – if there's some restriction that's in place that causes you
9 not to be able to reach the floor of, you know, a potential bandwidth, I don't think that
10 makes the floor invalid. And you know, we're also looking at a situation where we're
11 offering up a cluster of recommendations to County Council, they're the ones that are
12 gonna have the final say so, you know, they may take or leave some of the provisions
13 and recommendations that we've made and having that floor and that ceiling in place,
14 again further helps encourage moderation and less extreme variation in lot sizes within
15 individual developments.

16 MR. JOHNSON: So we're gonna pass something that we know is not achievable.

17 CHAIRMAN BRANHAM: I don't know that we know it's not achievable. I mean,
18 with the green incentive density bonus –

19 MR. JOHNSON: As of right, as of right it's not achievable. You're saying with
20 some incentives that it could be achievable, but as of right we're gonna pass something
21 that we know at the time of passage is not achievable?

22 CHAIRMAN BRANHAM: Well, the incentives, if you qualify for them, you do have
23 them by right and again, what we, we have made some recommendations that

1 moderate some of the levels of the incentives but, you know, County Council might take
2 or leave those things, so.

3 MR. PRICE: Just for clarity, the green – cause we've had this discussion and
4 again I wanna make sure – the green incentives, even with the reductions proposed by
5 Vice Chair Dennis, again density gives you how many units you're allowed to place on
6 the site. It did not address lot area. So you know, you may tell someone you can put
7 more units on the property but they still have to meet the minimum lot standards for that
8 designation.

9 CHAIRMAN BRANHAM: Well, the only controls on minimum lot standards
10 without the controls that were included in my motion as I recall are setbacks, are like
11 minimum lot widths.

12 MR. PRICE: Setbacks don't really affect it, so may I use the current Land
13 Development Code that we have. So our current Land Development Code allows you to
14 reduce lot sizes in return for giving a certain percentage of your land, either the
15 constrained or the unconstrained. And once you reach a certain threshold you're now
16 able to reduce your lot sizes to whichever you desire but you're still allowed within that
17 same density. And once you reach a certain threshold you also would allow density
18 bonus so that allows you a few more units on the property. If we took that section out of
19 our Land Development Code then every development would have to meet the minimum
20 lot area for that district. The only provision allows them to reduce those lot sizes is the
21 open space provision under the 2005 Land Development Code. So I turn around with
22 what's the 2021 Land Development Code, the only provision that allows them to reduce
23 their lot sizes is the cluster housing and if we're taking that out then – you know, if you

1 say the minimum is 11,000 no one can get to 11,000 in the R2 designation because
2 there's not a provision in place to allow them to do it.

3 CHAIRMAN BRANHAM: Yeah, I could be wrong but under the current Land
4 Development Code there does exist minimum lot sizes. They are set forth in the
5 baseline zoning. You only get to convert to density based zoning if you decide you're
6 gonna utilize the open space development provision.

7 MR. PRICE: The open space set aside is a requirement for all major and minor
8 land developments. So unless you're coming in here to, let's say cut your lot in two, you
9 know, brother/sister wanna cut it in two, each one of you have it, that is an
10 administrative subdivision that is allowed. If you're going to do a development that
11 would fall under a minor or major you're required one, to do the open space set aside so
12 you will automatically lose 25% of the area that you're gonna develop because our
13 Code says you must preserve 25% of it. And then you can develop it based on the
14 motion to remove cluster under that zoning under the minimum lot acreage for that area.
15 So again I'll go back to, give you an example, we have 100 acre tract, you come in to do
16 a major you, automatically you're going to lose 25 acres of that because the open space
17 set aside. Now each lot that you develop within that R2 zoning designation must be
18 14,520 square feet. That's required. You know, 50' minimum width but each lot must be
19 14,520. So you will have to try to fit that on your remaining 75 acres. With the cluster
20 development provision you were able to reduce those lot sizes to, really to whichever
21 you wanted to and that was prior to your motion to now establish a minimum forward.
22 So if we aren't going to allow a minimum, excuse me, a reduction, then there's really no

1 need saying there's a minimum because the minimum is whatever that district
2 designation says it is.

3 CHAIRMAN BRANHAM: I mean, the reason we're switching to density based
4 zoning is for flexibility.

5 MR. PRICE: That was the intent. That was removed when it was, when the
6 Planning Commission took out cluster housing, cluster development, density base was
7 gone.

8 CHAIRMAN BRANHAM: I don't think it was. I don't think it was.

9 MR. JOHNSON: I recognize, Mr. Chairman.

10 CHAIRMAN BRANHAM: Mr. Johnson.

11 MR. JOHNSON: Yes sir, thank you. I recognize that your goal is to get this
12 approved at all costs but there are unintended consequences that we need to think out.
13 And this is what I would call an unintended consequence that needs to be thought out
14 and not just ramrodded without additional information. So I mean, there's no way I
15 would've been silent if I'd realized that that was a consequence of our vote, I would've
16 said something. So there's no way in good conscious to do that and move forward with
17 new facts that impact how this is gonna be dealt with and to just throw it to County
18 Council and say, County Council figure it out. We are a recommending Body as you
19 have said and it is our fiduciary duty to do so prudently. So let's understand what we're
20 doing and not, we can't guess, Mr. Chairman. We need to know and understand what
21 we're doing. Now the Vice Chair has brought something forth two and three times to
22 make sure it was well vetted and understood, and he did his due diligence. And we
23 approved it.

1 CHAIRMAN BRANHAM: Yeah. We've had this discussion. I've had it, we've had
2 discussions about looking to create harmonious development and so that lot sizes don't
3 have extreme differentiation. Part of that conversation also was with Assistant County
4 Administrator Jenson who's over there, like I said the recommendation for the way this
5 was structured came from conversations with him and, you know, apparently there's a
6 difference in understanding of what the Code says.

7 MR. JOHNSON: Mr. Chairman, it's not fair to bring Mr. Jenson in it when you're
8 gonna be a future boss. That's not even fair to do right now.

9 CHAIRMAN BRANHAM: Mr. Johnson, just please let me finish.

10 MR. JOHNSON: What I'm trying to say.

11 MR. DENNIS: Point of order.

12 CHAIRMAN BRANHAM: Yes.

13 MR. DENNIS: Point of order. Simple discussion, no accusations, elections
14 doesn't happen tomorrow and things can happen. So let's –

15 MR. JOHNSON: Not an accusation, I'm just simply saying that we, we are trying
16 to talk through something. And we are, we're just discussing it, there's nothing here. But
17 what I'm saying is that Staff has brought up unintended consequences and I'm just
18 asking us to breathe long enough to digest what that means because that's new
19 information that would've changed my position on it.

20 CHAIRMAN BRANHAM: Okay.

21 MR. JOHNSON: And I'm only one body, I'm 1/10th, 1/9th of the Body so all I'm
22 just saying that while you continue to advance it without let's talking about what that
23 actually means and digesting it.

1 CHAIRMAN BRANHAM: Yeah, and you know, this is my motion which is again
2 why, you know, I'm kinda advocating on behalf of it and talking through the background
3 of the development of the motion and the reason why it's drafted as it is. And you know,
4 we're here as a democratic body, we're gonna take a majority vote here. You know,
5 maybe we have a different understanding as to how we're reading and interpreting it,
6 you know, if Staff is right, you know, wonderful but the motion is meant to be in a way
7 something of an insurance policy and a further expression of intention to look for
8 moderation and to avoid extreme variation in lot sizes, so.

9 MR. YONKE: Mr. Chair?

10 CHAIRMAN BRANHAM: Yes, Mr. Yonke.

11 MR. YONKE: Would it be okay if we heard from Mr. Jenson as a third party? I
12 believe he was brought in to act as a third party upon the restart. Would he mind
13 commenting?

14 CHAIRMAN BRANHAM: Mr. Jenson.

15 MR. JENSON: I've been sitting a long time. Thank you Mr. Chair, may I be
16 recognized?

17 CHAIRMAN BRANHAM: Yes, sir.

18 MR. JENSON: Thank you. So I think it would be most accurate to say that the
19 Chair requested that I draft standards based on something that he wanted to achieve
20 and so I did. I can't say that I recommended those standards. Another thing that the
21 Chair and I spoke about is there are other ways to accomplish this also. If it's the
22 Commission's desire to discuss those then I think you should make a motion to do that.

1 If you like what is presented tonight then you should make a motion to move that
2 forward to Council. If that is clear.

3 MR. JOHNSON: Thank you, Mr. Jenson. I think procedurally there's a motion on
4 the floor so that motion would have to be defeated before another motion could be
5 brought forward. And unless, was the Chair's motion seconded?

6 CHAIRMAN BRANHAM: I don't think it's been seconded.

7 MR. DURANT: What was, excuse me, Mr. Chair?

8 CHAIRMAN BRANHAM: Yes, Mr. Durant.

9 MR. DURANT: What is the motion that's on the floor?

10 CHAIRMAN BRANHAM: The motion –

11 MR. DURANT: What I have listed in our Agenda here?

12 CHAIRMAN BRANHAM: We are actually on the vote to, on the Land
13 Development Code the text and to send the full ledger as approved. And then Mr. Price
14 again raised the topic that we'd already voted on. So that's where we are, we're on that
15 motion to send the full ledger with a recommendation that the Land Development Code
16 text be amended accordingly and to be so amended prior to implementation.

17 MR. DENNIS: Mr. Chair?

18 MR. JOHNSON: Mr. Chairman?

19 CHAIRMAN BRANHAM: Yes, Mr. Johnson.

20 MR. JOHNSON: Mr. Yonke's advice of Mr. Jenson, can Mr. Jenson expound on
21 what some of those other options are?

22 CHAIRMAN BRANHAM: Sure. Mr. Jenson.

1 MR. JENSON: Thank you, Mr. Chair. So another option would be to retain the
2 cluster provisions but instead of allowing 100% of them to be modified you could simply
3 limit to a fraction. So for example let's just say that in your clustering coordinates it said
4 that you can reduce your lots to x or y or by x percentage or by y percentage and so
5 forth, you could put a modifier in there that said up to 50% of the lots can be reduced to
6 that size. And that particular standard would create greater variety within the
7 subdivision. So for example, we're gonna use some simple math here, if you have 100
8 acres and you say, you do x, y, z, you get your lot size down 50% in terms of width, in
9 terms of size and so forth, you're gonna end up with substantial homogeneity in that
10 subdivision because they're gonna effectively, the typical mass homebuilder builds one
11 floor plan or maybe two floor plans, sometimes three but typically not more than that
12 because there's savings, there's – whether it's the subs on the ground, whether it's the
13 lender, whether it's the person providing the package of building materials the less
14 options, the cheaper and the easier it is to do it. It's assembly line manufacturing. So
15 one of the things that cities do is they will frequently say, you have to have variation
16 within your subdivision, you have to have more than one home plan, you have to maybe
17 mix up your exteriors. Some cities will say you have to have a variety of lot sizes. So
18 again it depends on what you're trying to achieve. If your goal is to achieve diversity and
19 mix you're probably better off just saying keeping your cluster ordinance and mandating
20 some kind of a mix of lot sizes within it by using percentages saying only half of them
21 can be reduced in size, half have to be the minimum size or something in-between.
22 Again that creates diversity within your subdivision. If not you will probably end up with
23 one home size, whether it's all big lots or all small lots, you'll probably end up with

1 homogeneity unless you in your Code somewhere require diversity of product and lot
2 size.

3 CHAIRMAN BRANHAM: Mr. Jenson you potentially incorporate an average lot
4 size or you just go with the percentages and say, you know, some can be as low as this,
5 others can be as high as something else or how does that go?

6 MR. JENSON: Yes, so yes so the range, the concept of a range is extremely
7 valid because again you want to, if your goal is to get diversity then you have to define
8 what diversity is. So you have to say, up to this big and up to this small and it has to be
9 somewhere, it has to be a mix of things in-between this range. If not you will get
10 extremes. And sometimes that's okay but sometimes it's not. And so again depending
11 on what you're trying to achieve you wanna have some set of standards that achieve
12 whatever that is. So again if you're looking for – I'm gonna give an example that the
13 Chair and I spoke about one day, if you look in this community in particular, where is the
14 most valuable property that's not on a lake or a river or something? It's pretty much in
15 the Forest Acres area. There are some areas of Forest Acres that have very high
16 property values. Well if you go and you drive through Forest Acres what are the
17 attributes of that neighborhood? One, very few cul de sacs, a lot of thru streets. Two, a
18 wide variety of lot sizes. Within the Forest Acres, you know, community there you will
19 find some very big lots, you will find some very small lots, you'll find some duplexes,
20 you'll find the odd four-plex, you'll find, you know, this mix of uses. And when you get
21 the large commercial builders you don't typically get that diversity. So if your goal is to
22 kind of recreate these ideal communities or the sections of your community that you
23 think are good, then you need to make sure your standards promote that.

1 CHAIRMAN BRANHAM: I think kinda what you described as far as like creating a
2 band being a legitimate objective that was certainly the objective of my motion. So.

3 MR. JOHNSON: Mr. Jenson, if there are unintended consequences you're
4 comfortable with that moving forward like that?

5 MR. JENSON: You know, in my role as your consultant on this project and not as
6 the director which is Mr. Price's role, I recommend an ordinance that promotes a
7 diversity of product or rather, you can say that or you can also say I don't think that
8 homogeneity in your subdivisions is a good thing. If that makes sense. How you achieve
9 that diversity, whether it's the way that your Chair has proposed or if it's through some
10 alternative method I think is very laudable and very desirable.

11 MR. JOHNSON: I agree with the goal. I'm just saying that if as written there are
12 barriers to development, that that's, you would still move forward with that as your
13 recommendation?

14 MR. JENSON: If I may, Mr. Chair, continue?

15 CHAIRMAN BRANHAM: Yes, Mr. Jenson.

16 MR. JENSON: Yes. The question is do, because we have so many changes,
17 redlines coming at one time and we, I personally have not had a chance to go back and
18 to rectify and confirm that there are no conflicts I can't answer that, because I can't
19 confirm, I can't say that the current, with all the changes that there won't be
20 opportunities to have lots smaller than the average, the gross average that, you know,
21 baseline 14,000 or whatever it is. We'd have to go back and, you know, and look at all
22 these changes and then go back and read the Code and say, yes that is what actually
23 happened or no there are ways to do that. Like I said, the very easiest way to do this is

1 just to keep your cluster and just say x percentage can be reduced in size and x have to
2 be, you know, maintain the minimum and you have to spread them out throughout the
3 subdivision, you can't just put in one pocket a whole cluster of tiny lots and then a whole
4 cluster of big lots, you have to somehow, you know, spread it out. That's the simplest
5 way to do it. I'm just saying that's –

6 MR. JOHNSON: Clearly, so Commissioners that's not what we're doing though.

7 CHAIRMAN BRANHAM: That's not what we're doing?

8 MR. JOHNSON: Correct. We've eliminated the cluster. And Mr. Jenson was
9 saying that –

10 CHAIRMAN BRANHAM: We've retained the density based zoning but we have
11 eliminated the cluster incentive provisions that existed previously.

12 MR. JOHNSON: Mr. Jenson was saying that in order to achieve that diversity to
13 leave the cluster and then make adjustments to it. But what we've done is to eliminate it.

14 CHAIRMAN BRANHAM: Well we've got, what we did was we, my
15 recommendation on my motion is to create a band where there can be variation; it's
16 25% up and it's 25% down.

17 MR. JOHNSON: Mr. Chairman, can we not accept Mr. Jenson's
18 recommendation?

19 CHAIRMAN BRANHAM: You might? You know, that would be up to the majority
20 vote.

21 MR. JOHNSON: I understand that. But you're the maker of the motion.

22 CHAIRMAN BRANHAM: Yes. Yes.

1 MR. JOHNSON: Are you willing to accept Mr. Jenson's statement as
2 incorporated into your motion?

3 CHAIRMAN BRANHAM: Talk me through how you would modify my motion to
4 incorporate that.

5 MR. JOHNSON: We've already taken the vote on the cluster. We'd have to
6 revote on that.

7 CHAIRMAN BRANHAM: We have taken the vote on the cluster. We've also
8 taken the vote on my motion, so yeah. You know, that's where we are right now. I
9 understand that there is potential for not all of the recommendations that we've made to
10 be accepted by County Council. I also understand that there is potential for other
11 amendments to be made that would create additional opportunities for density bonuses
12 and that's where, you know, I'm looking to have that band in place just to ensure that we
13 don't have extreme variation in lot size, so.

14 MR. YONKE: Mr. Chair?

15 CHAIRMAN BRANHAM: Yes, Mr. Yonke.

16 MR. YONKE: Just a comment in general. I feel like we're trying to make a motion
17 here to pass our ledger on to County Council. We've looked at this since May so six
18 months where they can look at line by line what they wanna put into the document and
19 what they wanna leave out. It's a continuing of a conversation. They'll probably hit us
20 back up with additional changes as they read through this. They have to read through
21 things three times, right? So we are continuing the process. County Council asked us to
22 restart, review this. We've looked at all of these, made motions for each one including
23 one earlier today. We're asked with 10. b. here to vote and approve to send this on to

1 Council. That's where I feel like we're at right now, to continue this conversation with
2 Council. It doesn't end right here, it's just we've studied this since May and this is what
3 we've come up with and we wanna move this along, continue, have more public input,
4 see what Council, if they agree with some of the line items here or if they don't like it. I
5 would like to make a motion to approve 10. b.

6 CHAIRMAN BRANHAM: Alright, we can just cap that as a second and then Mr.
7 Dennis, yes.

8 MR. DENNIS: In light of all this conversation I actually wanted to remove three
9 things from the ledger. [Inaudible] removing three things.

10 CHAIRMAN BRANHAM: What is that?

11 MR. DENNIS: I wanted to remove three of my own motions, some stuff that we
12 did a while back. And we did my motions before we've done the change of the RT and
13 HM lot sizes. So once we made those changes it actually changed how my motions
14 could affect the LDC. So I wanted to remove basically – here I'll read it. I want to
15 remove the as to farm supply and machine sales and service, line 9 on page 75 of our
16 packet from County Council consideration simply because of the changes made to the
17 HM lot size. This could pose a problem to proximity of people's property that does have
18 the smaller HM lots. Before it was a bigger HM lot, when we moved that down so people
19 would subdivide more, it's gonna make it smaller and if we're putting a farm supply unit,
20 I mean, those are meant to have big acreage. It just doesn't fit anymore. I also wanted
21 to remove to the as farm supply distribution hub on line 10 of that ledger on page 75 of
22 our packet from County Council consideration simply because the changes made to the
23 RT zoning land size. This could pose a problem to the proximity of people's property in

1 the smaller RT land size that allows for more subdivisions for generational wealth. And
2 since we addressed that generational wealth I think this is one thing we need to give up.
3 And then also I want to remove as to the veterinary services livestock, line 17 on page
4 75 of our packet from County Council consideration simply because the changes made
5 to the RT zoning land size, once I started looking at everything this could pose a
6 problem to the proximity of people in smaller RT land size that allows for subdivision for
7 generational wealth. And one of the veterinary services, one of the reasons why I
8 changed that because I knew it was going on the ledger and we had to fully vote was
9 one of the things that Mr. Johnson pointed out when we was taking that, that it could,
10 you know, be. And then also Siercks and Yonke asked the question and I was like, no
11 it'll be fine, but once we made that change to the RT it just, it doesn't fit anymore and I
12 really don't wanna put my name and I don't want y'all's name on that because we
13 changed those lot sizes for that generational wealth. That does not allow these three to
14 work out the way I had intended before we changed that zoning.

15 CHAIRMAN BRANHAM: Okay, so that would be – I could amend my motion to,
16 you know, send this full ledger except for those lines 9, 10 and 17 that you requested
17 from the ledger. Mr. Yonke, did you wanna second that or is there anybody wanna talk
18 about that?

19 MR. DURANT: Question.

20 CHAIRMAN BRANHAM: Yes, Mr. Durant.

21 MR. DURANT: Procedural question. You've got a motion that's been properly
22 seconded on the floor. Now you're looking to amend that.

23 CHAIRMAN BRANHAM: Yes. Yes, that's right.

1 MR. DURANT: And I'm just not, what's the proper way of doing that?

2 CHAIRMAN BRANHAM: I'm amending the motion then I'm asking for a second
3 on the amended motion.

4 [Inaudible]

5 MR. PRICE: I believe properly Mr. Dennis will make a substitute motion if you're
6 willing to accept, and if you will accept that you would incorporate it along with your
7 motion.

8 CHAIRMAN BRANHAM: Okay, that works too.

9 MR. DENNIS: Thank you for saving me from [inaudible].

10 CHAIRMAN BRANHAM: Alright, Mr. Yonke do you still wanna second that
11 substitute motion? Or I guess I'm seconding Mr. –

12 MR. PRICE: If you'll accept it.

13 CHAIRMAN BRANHAM: I will accept it.

14 MR. YONKE: Okay, are we following all procedures correctly here if we're going
15 to amend this full ledger motion? Like this is what was stated on the Agenda, I just
16 wanna make sure legally.

17 CHAIRMAN BRANHAM: Right. I mean, the motion is here to vote on the ledger
18 and I think, you know, you can substitute it for the purposes of amending, you know, the
19 existing motion, which is on the Agenda. Mr. Price, do you perceive any procedural
20 issue with that?

21 MR. PRICE: No, sir.

22 MR. DENNIS: Mr. Chair?

23 CHAIRMAN BRANHAM: Yes, Mr. Dennis?

1 MR. DENNIS: According to *Robert's Rules* on the table it looks like you can
2 amend a pending motion. It must be seconded and the amendment of the pending
3 motion is technically a subsidiary motion. So I think we did that correct. We had a
4 motion, made an amendment before the vote for a secondary motion and then the
5 secondary motion has to be seconded by the person that made the motion to accept,
6 which would be the Chair.

7 CHAIRMAN BRANHAM: Alright, yeah. So I would second that. Alright. So we've
8 got 9, 10 and 17 deleted and then of course we're incorporating the motions that we
9 voted to add to the ledger earlier. Any other discussion at this time? Alright, Mr. Price if
10 you would take the vote.

11 MR. PRICE: Alright, those in favor of approval of 10. a., excuse me, 10. b. i. of
12 the Agenda which would be to send the full ledger as approved by majority vote today to
13 County Council with a recommendation that the 2021 Land Development Code text be
14 amended accordingly and to be amended prior to implementation and that would
15 include the amendments made by, proposed by Vice Chair Dennis. Alright, those in
16 favor, Branham?

17 CHAIRMAN BRANHAM: Aye.

18 MR. PRICE: Dennis?

19 MR. DENNIS: Aye.

20 MR. PRICE: Yonke?

21 MR. YONKE: Aye.

22 MR. PRICE: Johnson?

23 MR. JOHNSON: No.

1 MR. PRICE: Metts?

2 MR. METTS: Aye.

3 MR. PRICE: Durant?

4 MR. DURANT: Aye.

5 MR. PRICE: Taylor?

6 MR. TAYLOR: No.

7 MR. PRICE: Siercks?

8 MR. SIERCKS: Aye.

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

11 MR. PRICE: Alright, that motion passes.

12 CHAIRMAN BRANHAM: Alright. And we'll now take up Item 10. a. which is the
13 official zoning map which has been drafted by Staff with the guidance from the
14 Commission and the motion is as stated in the Agenda and I believe I read that out loud
15 earlier in the meeting. Any discussion or a second on the motion?

16 MR. DURANT: Mr. Chair?

17 CHAIRMAN BRANHAM: Mr. Durant.

18 MR. DURANT: The motion says submit the draft official zoning map that we
19 reviewed today. What map did we review today?

20 CHAIRMAN BRANHAM: We have that, the map is in the packet.

21 MR. PRICE: Page 73.

22 CHAIRMAN BRANHAM: Thank you, Mr. Durant. So reference will be to the map
23 on page 73 in the packet.

1 MR. YONKE: Question, Chair?

2 CHAIRMAN BRANHAM: Yes, Mr. Yonke.

3 MR. YONKE: Do we need to amend this motion since we approved the M1
4 inclusion? Cause this map does not show M1 as M1.

5 MR. PRICE: Yes.

6 CHAIRMAN BRANHAM: We do say, you know, unless specifically voted on by
7 the Commission does and should strictly follow translation table, so I know we did vote
8 on it today. The map would need to be updated to incorporate the vote today.

9 MR. PRICE: Yes.

10 MR. DENNIS: Mr. Chair?

11 CHAIRMAN BRANHAM: Yes, Mr. Dennis.

12 MR. DENNIS: So basically this map, the only thing that would change would be
13 the M1s that were proposed, they're just gonna stay M1.

14 CHAIRMAN BRANHAM: Right.

15 MR. DENNIS: So, but everything else on this map is right minus the M1s.

16 CHAIRMAN BRANHAM: Yes.

17 MR. DENNIS: So we're just carrying the M1 legacy over into our new Code,
18 therefore this map will, the M1 parcels will become M1.

19 CHAIRMAN BRANHAM: Right. That is what we voted on today, so that –

20 MR. DENNIS: That's, technically the M1's the only change to the map.

21 CHAIRMAN BRANHAM: Yes.

22 MR. DENNIS: Okay.

1 CHAIRMAN BRANHAM: Alright. Thank you for the clarifications. So again that's
2 my motion, is there a second?

3 MR. DURANT: Second.

4 CHAIRMAN BRANHAM: Thank you, Mr. Durant. Alright, if no further discussion
5 can we have a vote, please Mr. Price?

6 MR. PRICE: Okay, we have a motion for approval of Item 10. a. i. which
7 establishes the official zoning map as stated, motion to submit the draft, official zoning
8 map that we've reviewed today to County Council with a recommendation of adoption
9 along with the recommended text amendments. Unless otherwise specifically voted on
10 by the Commission, the recommended map does and should strictly follow the
11 translation table included in the text of the 2021 Land Development Code and the only
12 change would be the creation of an M1 zoning designation and that the M1 designation
13 would stay as currently is. Alright?

14 CHAIRMAN BRANHAM: Yes, thank you.

15 MR. PRICE: Those in favor, Branham?

16 CHAIRMAN BRANHAM: Aye.

17 MR. PRICE: Dennis?

18 MR. DENNIS: Aye.

19 MR. PRICE: Yonke?

20 MR. YONKE: Aye.

21 MR. PRICE: Johnson?

22 MR. JOHNSON: Aye.

23 MR. PRICE: Metts?

1 MR. METTS: Aye.

2 MR. PRICE: Durant?

3 MR. DURANT: Aye.

4 MR. PRICE: Taylor?

5 MR. TAYLOR: Aye.

6 MR. PRICE: Siercks?

7 MR. SIERCKS: Aye.

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

10 MR. PRICE: Alright, that motion passes.

11 CHAIRMAN BRANHAM: Alright, thank you. Anything else before we move on to
12 the Chairman's Report? That's me, right? That's still me?

13 MR. PRICE: Yes.

14 CHAIRMAN BRANHAM: Alright. I just wanna take a moment to read a statement
15 I've prepared. I'm most grateful to the public who've made their voices heard throughout
16 this process. We as Commissioners are unpaid volunteer appointees tasked with
17 reviewing and making recommendations on a nearly 600 page document. Input from the
18 public aided us in understanding potential impacts of change and added [inaudible] to
19 spend more time getting our hands dirty in the process of reworking the Land
20 Development Code so that it better reflects the desires of the majority of the involved
21 citizens in Richland County. I believe that good government should sincerely factor in
22 the voices of interested citizens, especially when making decisions that so directly
23 impact them. We are a recommending and advisory group to County Council on matters

1 such as zoning and land development. We who sit on the Commission have given our
2 best efforts as we have entered into this process at different points along the way. We
3 worked to wrap our brains around the issues at hand and make recommendations we
4 believe are in the best interest of the County. And in the case of this Land Development
5 Code we remain keenly aware that cities and towns in our County have their own Land
6 Development Codes. While the County Codes do have an effect on our cities and
7 towns, the most direct impact is to properties in the unincorporated parts of the County.
8 This Commission is but one part of the process and we now respectfully send our
9 recommendations to County Council with faith in their desire to consider what we have
10 proposed. I'm confident that Council will work with County Staff to give the public
11 additional opportunities to discuss our recommendations with them prior to Council's
12 final votes on our recommendations. I encourage the public to continue to engage with
13 your district's representative on Council. This may be my last meeting serving on this
14 Commission for the time being. If it is I want to express what an honor it has been to
15 serve this County in this way. I love this County. I'm a lifelong resident. And I've been
16 humbled to have this opportunity to hopefully give back to my community for the last few
17 years. Thank you to the Staff who have helped facilitate the Commission's business and
18 thank you to my fellow Commissioners for your willingness to give of your time and
19 talents. Thank you for humoring me. That's all I have for the Chairman's Report and
20 Item 12. is the Planning Director's Report. Mr. Price.

21 MR. PRICE: Alright, you'll note in your package just giving you what the actions
22 of Council was regarding cases that you heard at the, in September and October. And
23 also we'll email each one of you the proposed calendar for 2023. As you know we did

1 amend our Rules to take up the adoption of the calendar for next year in December as
2 we will also take up the election of officers for 2023 at the end of the December
3 Planning Commission meeting next month.

4 CHAIRMAN BRANHAM: Okay, thank you.

5 MR. DENNIS: Mr. Chair?

6 CHAIRMAN BRANHAM: Mr. Dennis.

7 MR. DENNIS: I have a question for Staff. So we changed those Rules and in
8 December if Mr. Branham's not with us we will not have a Chair. And our Rules state
9 that if we have an open position at the next meeting we will vote to fill that position. So
10 in December we could possibly have a vote to fill that position from December to
11 February, correct? And then we would have the other vote –

12 MR. PRICE: It would be from December, it would be for just that meeting.

13 MR. DENNIS: Right. If something else, kinda like if we had a special called or
14 something like that –

15 MR. PRICE: Right.

16 MR. DENNIS: - it would come up until that February meeting and then the next –
17 we would still have another election that same day for the actual Chair and Vice Chair
18 for 2023. Correct?

19 MR. PRICE: So a couple of ways you could do this. You could from a simplicity
20 standpoint you could treat it as if, you know, the Chair is just not available for whatever
21 reason and you as the Vice Chair would assume that role for just that one meeting to
22 start it for the December meeting. You could just do it that way.

23 MR. DENNIS: Okay.

1 MR. PRICE: Or if you feel the need you could then say we need to have a
2 special election at the beginning of the December meeting to essentially establish a
3 Chair and Vice Chair and then at the end of the meeting you would have another
4 election to establish the Chair and Vice Chair for 2023.

5 MR. DENNIS: The only reason why I ask that cause, you know, we made that
6 rule so if we lost somebody in the middle of the year we wouldn't sit all year, so I was
7 just trying to figure out –

8 MR. PRICE: I see exactly where you're going, I think there's a difference, you
9 know, when somebody's gone for the year because we need to continue to carry out the
10 year, but I think being that we just have just one meeting for the rest of the year. I think
11 it just may serve just as well, just in my opinion, that you go ahead and assume the role
12 of Chair for that meeting and then we'll do the elections afterwards for next year.

13 MR. DENNIS: I want it to be known to all Commissioners come that December
14 election, granted I'll be sitting as Vice Chair and acting Chair, my term ends in
15 September. There's no guarantee that I could be back and I wholeheartedly said this I
16 don't know how many times, if I do not have a full term on here I do not want to serve in
17 any officer position because if I leave I would hate to leave with three or four months if
18 somebody else came on this Commission. I would not wanna be sitting in an officer's
19 spot. That's just my thing.

20 MR. YONKE: Mr. Chair? I wanna piggyback on that.

21 CHAIRMAN BRANHAM: Mr. Yonke.

1 MR. YONKE: I also will be up by September but I will be submitting my renewal. I
2 already have it filled out, don't know when it's too early to do it but I am happy to serve
3 and I wanna continue to serve in any role you guys will have me.

4 MR. PRICE: Mr. Dennis, I think you and I have kinda had this conversation, I
5 think it's just best that, you know, as a Planning Commission you'll likely [inaudible] best
6 candidates to carry you forward and then once we get into September if, you know,
7 when it's time to essentially renew to be back on the Commission that's really up to
8 Council. But I think going from February to September there are a lotta pressing things
9 that could come forward that is very important to have good guidance, so I think I would
10 not look at it as, well I may be off in September, but just rather who's the best candidate
11 that you as the Planning Commission feels going forward for 2023.

12 MR. DENNIS: The reason why I say that is a lotta time in government you see,
13 oh well the Vice Chair now moves up to the Chair or something like that because there's
14 traditions and people say that. And I just wanna make it perfectly clear I don't care
15 about those traditions that people do in government, I believe it should be the right
16 person for the job. So whoever you guys think is that's who I want to be submitted.

17 CHAIRMAN BRANHAM: Alright, thank you. Anything else from the Planning
18 Director?

19 MR. PRICE: No, sir.

20 CHAIRMAN BRANHAM: Alright, thank you. And Chair will entertain a motion to
21 adjourn.

22 MR. TAYLOR: So moved.

23 CHAIRMAN BRANHAM: Alright, moved. Seconded?

1 MR. YONKE: Second.

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

4 CHAIRMAN BRANHAM: Alright, we're adjourned.

5

6

Meeting Adjourned