

— South Carolina —
SPRINGDALE

MINUTES

Springdale Planning Commission Regular Meeting and Public Hearing

Tuesday, August 17th, 2021 at 6:00 pm

The media and public were duly notified of the date, time, and place of this meeting.

Member(s) Present: Chair Vance Vollmer, Vice-Chair John Huffman, Members Hendrix, Driggers, and Cole.

Member(s) Absent: None.

Staff Present: Administrator Ashley Watkins, Municipal Clerk Leeann Eden

I. Call to Order

The meeting was called to order at 6:00 pm by Chair Vance Vollmer. Member Hendrix provided the invocation and Chair Vollmer led the Pledge of Allegiance.

II. Consent Agenda

- A. Approval of Agenda. The Commission, on motion of Member Hendrix, seconded by Member Cole, voted unanimously to approve the agenda.
- B. Approval of Minutes. The Commission, on motion of Vice-Chair Huffman, seconded by Member Hendrix, voted unanimously to amend the minutes from the June 15, 2021 Regular Meeting and Public Hearing as follows:

Item VII: C – Discussion and Recommendation of Zoning Ordinance Map Amendment Request for TMS# 005633-03-024, 3025 Platt Springs Road from C-1 General Commercial to R-3 Multi-Family Residential. The Commission, on motion of Member Huffman, seconded by Member Driggers, voted to recommend the Zoning Map Amendment Request on both properties, 3021 Platt Springs Road, and 3025 Platt Springs Road. Member Vollmer abstained from the vote. *Member Huffman stated that the proposed use complied with the Springdale development plan to expand affordable housing and would not conflict with contiguous land usage.*

Chair Vollmer requested that the amended minutes from the June 15, 2021 meeting be presented for approval at the September 21, 2021 meeting.

III. Open Public Hearing

Chair Vollmer opened the Public Hearing at 6:06 pm.

IV. Public Hearing

- A. Zoning Ordinance Map Amendment Request for 3014 Platt Springs Road, TMS# 005638-02-022 from R-1 Residential to C-1 General Commercial.

Administrator Watkins stated that the applicant was not present for the meeting but the intent of the applicant is to amend the zoning of the entire parcel to C-1 Commercial.

Resident Curtis Hooks of 2928 Hookdale Road expressed concerns of the property being split by Hookdale Road and how the rezoning could affect his adjoining property. Member Hendrix inquired about the options for rezoning the small parcel of land beyond Hookdale Road. Administrator Watkins stated that the Planning Commission could approve zoning from the right-of-way extending all the way to the property line or less. Member Hendrix stated that it was hard to express the intent of the property owner without their presence at the meeting. Vice-Chair Huffman explained the function of a Public Hearing in the process of considering a zoning map amendment request.

V. Public Comment

Resident Curtis Hooks of 2928 Hookdale Road provided public comment opposed to the zoning map amendment request. He expressed concerns of the property being split by Hookdale Road and how the rezoning could affect his adjoining property. Mr. Hooks also inquired about the number of signs required for advertising the Public Hearing.

Resident Earl Person of 2707 Morningdale Road, and Ann Person of 3018 Platt Springs Road provided public comments opposed to the zoning map amendment request. They expressed concerns of the setbacks required with the rezoning and how it could affect Ms. Person's adjoining property.

VI. Adjourn Public Hearing and Return to Regular Meeting

The Commission, on motion of Member Hendrix, seconded by Member Driggers, voted to adjourn the Public Hearing and return to the Regular Meeting at 6:30 pm.

VII. New Business

A. Discussion and Recommendation of a Zoning Ordinance Map Amendment Request for 3014 Platt Springs Road, TMS# 005638-02-022 from R-1 Residential to C-1 General Commercial. Vice-Chair Huffman stated that zoning should follow the Master Plan for the Town and asked Administrator Watkins what the Master Plan shows as the intended zoning. Administrator Watkins provided the Master Plan for review. Chair Vollmer stated that the Master Plan calls for the property to be zoned as C-1 General Commercial and that the Master Plan is just a recommendation. Member Cole agreed with Chair Vollmer. Member Cole stated that she is not a proponent of rezoning the property as commercial and that she would like to hear the opinions of the individuals who own parcels facing Platt Springs Road near the property in question. Chair Vollmer stated that it would be beneficial for the property owner to be present at the meeting to provide more information and answer questions concerning the zoning map amendment request. Vice-Chair Huffman recommended postponing discussion to the next meeting at which the applicant could be present so more information could be obtained. Member Cole stated that it is important to know what kind of information is needed from the applicant because the intended future use of the property is not a deciding factor. The Commission, on motion of Member Hendrix, seconded by Vice-Chair Huffman, voted unanimously to postpone discussion to the next meeting. Chair Vollmer requested an additional Public Hearing be scheduled for the next meeting and notices be mailed to adjoining property owners at least 10 days before the meeting to include properties to the side, rear and across the street.

VIII. Discussion

A. Amendments to the Springdale Zoning Ordinance – Section 4.2: Landscape Requirements. Chair Vollmer requested background information from Administrator

Ashley Watkins. Administrator Watkins stated that Council requested the Planning Commission to create a tree preservation ordinance with their input. Council expressed that they wanted the ordinance to apply to new developments and to not hinder home and property owners. She stated that she and Municipal Clerk Leeann Eden worked with Chair Vollmer on the document, mirroring some of the language in the County's Landscape Ordinance. She stated that while working on the document, it was discovered that Springdale's landscape requirements also needed changes. The tree preservation ordinance language was merged with updated landscape requirements to create Section 4.2 – Landscape Requirements. The Commission recommended the following amendments:

Section 4.2.2 Scope of Regulations: *Unless otherwise designated in this section, the regulations set forth herein ~~will~~ shall apply to any new residential development containing greater than 5 ~~home~~ platted lots and/or new residential subdivisions 2 acres or greater. In addition, these regulations will apply to new developments ~~in any Commercial, Industrial, Public, or Planned Development Districts within the Town with the exemption of the following development conditions/activities:~~ permitted in the Springdale Zoning Ordinance to include Commercial, Industrial, Public or Planned Development Districts within the Town with the exception of the following development conditions/activities:*

- A. Any public utility construction project *except for required buffer yard screening to separate a less intensive land use.*

4.2.13 Enforcement of Landscape Requirements

All required landscaping ~~materials~~ specified and approved in the landscaping plan shall be ~~in place~~ installed and inspected by the Zoning Administrator prior to the time of issuance of a final Certificate of Occupancy. In periods of adverse weather conditions, a temporary Certificate of Occupancy may be issued, subject to the posting of a cash escrow or irrevocable letter of credit in an amount equal to one and one half (1-1/2) times the estimated cost of the landscaping, with said estimated cost to be certified by a registered landscape architect. A contract letter or bill of sale from a landscape company or nursery for the required landscape materials would be accepted in lieu of a cash escrow or irrevocable letter of credit. The cash escrow or irrevocable letter of credit may be forfeited if the landscaping is not completed within eight (8) months after the issuance of the temporary Certificate of Occupancy. Forfeiture of any cash escrow or irrevocable letter of credit shall not relieve the owner of the responsibility to complete the required landscaping.

Vice-Chair Huffman commented that the enforcement of the landscape requirements would be another level of burden for an already understaffed municipality.

4.2.6 Clearcutting/Timber Harvesting

~~1. The removal of trees or vegetation shall be exempt on land lawfully used for Agricultural and forestry activities, including tree farms and approved forestry management practices; except, that if a site is substantially cleared of trees pursuant to legitimate agricultural or forestry activities, no development applications shall be accepted for 24 months.~~

Chair Vollmer provided language from the proposed Lexington County Landscape Ordinance to be placed in section 4.2.6.

Exemptions: Any forestry activity on forestland, that meets at least one of the following requirements as defined under Section 48-23-205 of the South Carolina Code of Laws, does not require a review by the Zoning Administrator.

- Taxed on the basis of its present use value as forestland;*
- Managed in accordance with a forest management plan;*
- Certified under the Sustainable Forestry Initiative, the Forest Stewardship Council, the American Forest Foundations Tree Farm System, or any other nationally recognized forest certification system;*
- Subject to a legally binding conservation easement under which the owner limits the right to develop or subdivide the land; or*
- Managed and harvested in accordance with the best management practices established by the State Commission of Forestry.*

For the purpose of this exemption, forestry activity includes, but is not limited to, timber harvesting; site preparation; controlled burning; tree planting; applications of fertilizers, herbicides, and pesticides; weed control; animal damage control; fire control; insect and disease control; forest road construction; and any other generally accepted forestry practices.

Upon completion of a timber harvest involving a clearcut, shelter wood cut, seed tree cut, or other timber harvest practice that removes approximately 80 percent or more of the existing trees, the Zoning Administrator shall deny permit requests on the parcel(s) of the timber harvest for regulated developments within this Ordinance for a period of 60 months following the completion of the timber harvest. However, if trees and buffers are protected during a timber harvest, as described in the clearcutting associated with development Section, development permitting and approvals may occur.

4.2.12 Bufferyards

When land is developed and the adjacent property contains an unlike land use, bufferyards shall be provided along all side and rear property lines to insulate adjacent properties from adverse impacts. No structure or parking lot shall be permitted within a required bufferyard; however, driveways and other passive activities may utilize these spaces. All shrubs used for bufferyards shall be evergreen

unless otherwise approved by the Planning & Zoning Department. Shrubs must be 18 inches in height at installation. See Table 2 for specific planting requirements.

All residential subdivisions shall provide a minimum 30 foot road corridor buffer interior to the development along existing external roadways.

Transitional buffers are required along adjoining properties external to the subdivision to be a minimum of 30 feet in width.

B. Review of By-Laws. The Commission recommended the following amendments to the Rules of Procedure for the Conduct of Public Hearings:

1. ~~The Chairman, subject to the Planning Commission Bylaws, shall decide all points of procedure unless otherwise directed by a majority of the Planning Commission Members in session at the time.~~ Requests for a point of order shall be approved or disapproved upon a majority of the members of the Commission.

*6. The Chairman shall call upon the applicant requesting the zoning **map or text** change. The applicant and/or any representative(s) shall have no more than fifteen (15) minutes to present the facts of the request. **Time shall be kept by staff. The Chairman can request additional two minute time slots at his discretion.***

*7. The Chairman shall then call upon the proponent(s) of the request, who shall have an equal amount of time, but not exceeding two (2) minutes, to state the facts of their support. **Time shall be kept by staff. The Chairman can request additional two minute time slots at his discretion.***

*8. The Chairman shall then call upon the opponent(s) of the request, who shall have an equal amount of time, but not exceeding two (2) minutes, to state the facts of their opposition. **Time shall be kept by staff. The Chairman can request additional two minute time slots at his discretion.***

*9. The Chairman shall call for a rebuttal from the applicant, who shall have no more than five (5) minutes to state the facts of their rebuttal. **Time shall be kept by staff. The Chairman can request additional two minute time slots at his discretion.***

*10. The Planning Commission members will be allowed ~~a chance~~ **an opportunity** to express questions, concerns or comments during the business portion of the agenda; not during the public hearing. **After a motion has been made to approve or deny the request members shall have the opportunity for further discussion of the motion.***

*11. The members of the Planning Commission shall consider the request and take action before the assembled public if there is a motion and a second to take action. If the Planning Commission desires to ~~delay~~ **postpone** a vote on a request and seek additional information or revisit the site, the Planning Commission shall vote by majority to take such action. If the Planning Commission ~~delays~~ **postpones** action, it shall notify the public and the press of the date of the postponed action, pursuant to the provisions of the Freedom of Information Act.*

Vice-Chair Huffman overviewed the following: The Chairman in addressing minutes of previous meetings shall ask members if there are any changes to the minutes as prepared

and distributed. If there is none, the chairman shall declare the minutes as approved as distributed.

Member Driggers asked if the time allotted for individuals to speak is standard. Chair Vollmer stated that the time was standard and asked for a caveat to be added to the timed items that states the Chairman can request additional two minute time slots at his discretion.

IX. Adjourn

The Commission, on motion of Chair Vollmer, seconded by Member Driggers, voted unanimously to adjourn at 7:20 pm.

Vance Vollmer, Chair

Attest:

Leeann Eden, Municipal Clerk