

Town of Pine Ridge

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April 23, 2019

PLANNING COMMISSION MEETING

6:30 P.M. - Call to Order

Freedom of Information Act Compliance

Approval of Minutes

1. March 26, 2019 - Regular scheduled meeting

Old Business

1. Review & Recommendation to Town Council of the Zoning & Land Development Ordinance

New Business

No New Business

ADJOURN

APPROVED 5/28/2019

TOWN OF PINE RIDGE
Planning Commission Minutes
April 23, 2019

PLANNING COMMISSION MEETING – 6:32 P.M.

CALL TO ORDER

Chairman Kerr called the Planning Commission meeting to order at 6:32 P.M. with Commission Member Jowers, Jackson and Shealy present.

Staff present: Zoning Administrator, Viki Miller

Freedom of Information Act Compliance

Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act.

Approval of Minutes

1. March 26, 2019 – Regular scheduled meeting

A motion to approve the minutes of March 26, 2019, was made by Commission Member Jowers. Commission Member Jackson seconded the motion, which was unanimously approved.

Old Business

1. Review & Recommendation to Town Council of the Zoning & Land Development Ordinance

Chairman Kerr stated that the Planning Commission is an advisory board to Town Council. The Planning Commission has been given the task of reviewing and giving Council a recommendation on the Zoning & Land Development Ordinance. Town Council will hold a public hearing once they receive the revision. Typically, there is not a public comment time as there is in a regular Town Council meeting. However, if anyone had any comment or concern that he would allow them to speak. The Planning Commission completed up to Article 5 at the March meeting and will be working on Article 6-14.

TOWN OF PINE RIDGE
Planning Commission Minutes
April 23, 2019

Chairman Kerr stated in order to complete the review in a timely manner, only the changes will be highlighted. If any members of the Committee have a question on other items, please bring them to the table.

Commission Members began reviewing the Zoning & Land Development Ordinance. Several residents and members of the public participated with their questions and concerns during the meeting.

Chairman Kerr went over the following:

Article 6 – Supplemental Regulations, Conditional Uses & Special Exceptions:

- 600 – Sexually oriented businesses. No changes.
- 601 – Communication tower & antenna. No changes. Chairman Kerr had a question regarding the 5G towers. Mrs. Miller stated that small cell wireless will be addressed in an upcoming ordinance for Town Council as they are now installing these on electrical and light poles within the public rights-of-way. Per the FCC the town cannot disallow it but can have a say as to the preferred locations.
- 602 – Changed to Reserved. Cluster Development moved to Article 10
- 604 – Manufactured homes. Definitions updated to match Article 2: Definitions.
- 606 – Changed to Reserved. Child Daycare center removed as this is addressed as a Conditional Use. The additional regulations were not needed as the daycare must meet DSS requirements.
- 613 – Bike & Pedestrian access changed to Reserved. This has been addressed in Article 10.

Article 7 – Landscape Requirements:

- First paragraph, fourth line from the bottom “PUDs”, should be changed to MPD – Mixed Use Planned Development.
- Table 3-Bufferyard Requirements – No changes.

Discussion occurred with those in attendance regarding Table 3-Bufferyard Requirements, when two options were available, how would it be determined which one to use if the adjoining property was undeveloped. Mr. John Newman, who assisted Mrs. Miller with the updates, on behalf of Central Midlands, arrived at this point. Mr. Newman stated that a footnote can be added where two options are given and the adjoining property is undeveloped, the least restrictive shall apply.

TOWN OF PINE RIDGE
Planning Commission Minutes
April 23, 2019

Chairman Kerr went over the following:

Article 9 – Signs:

- Section 900 Purpose – No changes.
- Section 901 Definitions - Changeable copy sign definition updated.
- Section 902 Existing Signs – No changes.
- Section 903 Prohibited signs - (25) Electronic Message Board removed as it has been added to Section 906.5 & 906.6 for institutional use per previously approved Zoning Board of Appeals guidelines.
- Section 904 Permissible Signs – No changes.
- Section 905 General Sign Standards – No changes.
- Section 906 Special Sign Standards – No changes, except: Section 906.4 was duplicated. 906.4 should be Canopy Signs and 906.5 should be Message Boards for Institutional Use
- Section 906.5 (marked as 906.4) Message Boards for Institutional Use definition added per previously approved Zoning Board of Appeals guidelines.
- Section 906.6 Changeable Copy Signs – added per previously approved Zoning Board of Appeals guidelines.
- Section 907 Administration – No changes.
- Section 908 Enforcement – No changes.
- Section 909 Appeals & Variances – Section 909.3 Variance removed

Discussion occurred with those in attendance about Section 905.1.

Planning Commission discussed the definition of “obscured” in Section 906.6 (8)

Article 10 – Land Development:

Chairman Kerr stated that this section was new, as the last revision had been done in 1985.

1001 Coordination of this Article with the Lexington County Land Development Manual & Subdivision Ordinance. Chairman Kerr read aloud the last sentence, “The minimum standards for site grading, soil protection, and land development are intended to protect and promote the general welfare of all citizens by accomplishing these goals, which includes nine goals”.

TOWN OF PINE RIDGE
Planning Commission Minutes
April 23, 2019

Mr. Newman stated this came directly out of Lexington County's Land Development Manual.

Chairman Kerr read aloud:

The Lexington County Subdivision Ordinance provides for the procedures of reviewing and approval of the engineering plans (Preliminary Plat, Bonded Plat, and Final Plat) and general subdivision requirements concerning

- 1) Right-of-ways
- 2) Flood and drainage requirements
- 3) Roads
- 4) Lots
- 5) Naming of Subdivisions
- 6) Improvements
- 7) Variances

The intent of this Article is to provide specific Town of Pine Ridge land development standards, and to provide the submission, review, and approval process by the Town of Pine Ridge for land development projects within incorporated Pine Ridge. The submission requirements are designed to provide the Town with the information and data necessary to determine that a proposed land development project complies with the Town's zoning and land development requirements of this Ordinance.

Chairman Kerr liked the inclusion of "If both Pine Ridge Land Development and the Lexington County LDM and Subdivision regulations are applicable to a specific land development activity, both shall apply".

Chairman Kerr read aloud:

1002 Interpretations and Conflicts

The provisions of this Ordinance shall be held to be minimum requirements. Where the conditions imposed by any provision of this Ordinance are either more restrictive or less restrictive than any other applicable Federal, State, Lexington County, or Town of Pine Ridge statute, the more restrictive statute, imposing higher standards or requirements, shall govern.

Discussion occurred with those in attendance regarding redundancies with the County.

TOWN OF PINE RIDGE
Planning Commission Minutes
April 23, 2019

Mr. Newman advised that the Town is not requiring engineering drawings, DHEC or stormwater documents. The regulations only require proof of meeting zoning ordinance requirements and the additional standards required by the Town.

Chairman Kerr stated that it goes back to the statement located in Section 1001, where it states “The submission requirements are designed to provide the Town with the information and data necessary to determine that a proposed land development project complies with the Town’s zoning and land development requirements of this Ordinance”.

Discussion occurred with those in attendance regarding redundancies, having Stakeholder’s meeting and the overall revision of Article 10.

Chairman Kerr stated that the Planning Commission is making sure that the ordinances are relevant to the needs of Pine Ridge.

Planning Commission continued review of Division 1 – Regulations for the subdivision of land and the creation of lots.

1003 Terms & Definitions was reviewed by the Commission.

Chairman Kerr read aloud:

1003.1 Definition of Subdivision, SC Code of Laws 6-29-110

According to SC Code of Laws 6-29-1110, the term *subdivision* means all divisions of a tract or parcel of land into two or more lots, building sites or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, and includes all division of land involving a new street or change in existing streets, and includes re-subdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or, the alteration of any street or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combinations of lots of record.

1003.2 Exemptions (Under SC Code of Laws 6-29-110)

The following are exempt from the definition of a subdivision and, as such, are not governed by the regulations for subdivisions of this Ordinance; however, exempt subdivisions are subject to applicable zoning district regulations. These exceptions are included within this definition only to require that the Planning Official be informed and have a record of the exempt subdivisions:

- 1) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this Ordinance and other applicable regulations.

TOWN OF PINE RIDGE
Planning Commission Minutes
April 23, 2019

- 2) The division of land into parcels of five acres or more where no new street is involved (refer to the definition of street). Plats of these exceptions must be received as information by the Planning Official, which shall indicate that fact on the plats.
- 3) The combination or recombination of entire lots of record where no new street or change in existing streets (refer to the definition of street) is involved.

Mr. Newman stated that the ordinance now contains the definition of a street. The absence of the definition was a common loophole that was used to create a driveway where a street should have been required on subdivisions more than twenty-five acres.

1004 Creation of Lots was reviewed by the Commission.

Discussion occurred with those in attendance regarding the minimum street frontage of 50 feet for all new lots.

1004.1 Flag Lots & Lots Accessed by Easements was reviewed by the Commission.

Discussion occurred with those in attendance regarding flag lots and easements. Commission members agreed that more information was needed and would re-visit this Section at the next meeting.

1005 Street Frontage Lots on Cul-de-Sacs and on Curbs less than 90 degrees was reviewed by the Commission.

1006 Subdivision of Parcels on Unimproved (Non-paved) County-Maintained Roads was reviewed by the Commission. Discussion occurred with those in attendance.

1007 Subdivision of Parcels on Pre-existing Private Roads was reviewed by the Commission. Discussion occurred with those in attendance.

Commission Members asked to be provided with the Lexington County Subdivision Ordinance, Lexington County Landscape Ordinance, Lexington County Road Policy and more information on family exemptions, before the next meeting.

Chairman Kerr stated that since Division 2: Land Development submittal requirements and approval process contains information that the Planning Commission will be reviewing again at the next meeting to skip to Article 11: Administration.

TOWN OF PINE RIDGE
Planning Commission Minutes
April 23, 2019

Article 11 – Administration:

Mr. Newman stated that this section is currently in the Zoning Ordinance.

1100 Planning Official title changed from Zoning Administrator

Chairman Kerr stated the following sentences were also added to this section:

The Planning Official is hereby charged with the administration of this Ordinance subject to the provisions of the South Carolina *Home Rule Act*. Planning Official means the Pine Ridge Town Administrator or other Town of Pine Ridge employee, consultant, or contractor designated by the Pine Ridge Town Administrator to administer assigned duties in the administration of this Ordinance.

1101 Zoning Permits – Chairman Kerr stated no changes occurred.

1102 Certificates of Zoning Compliance – Chairman Kerr stated no changes occurred.

1103 Violations – the following section was added:

b. Ordinance violations: Any person, firm, or corporation in violation of any provision of this Ordinance shall, upon conviction, be guilty of a misdemeanor and fined per the provisions of the Town Code. This shall not be construed to inhibit the Town from attempting to resolve violations prior to issuing an Ordinance Summons per the Town Code.

d. Applications for permits: Land development projects requiring approval from Lexington County and/or the Pine Ridge Planning Commission per Article 10 must receive approval from the respective body prior to issuance of a zoning permit. In such cases, the site plan requirements of Article 10 shall satisfy the plan requirements for a zoning permit.

Article 12 – Appeals:

Chairman Kerr stated that this section is currently in the Zoning Ordinance and has only has some minor changes.

1200 Board of Zoning Appeals

a. Board established: A Board of Zoning Appeals as previously established by ordinance is hereby continued, was added.

1201 Powers and Duties of Board of Zoning Appeals - Chairman Kerr stated no changes occurred.

1202 Special exceptions - Chairman Kerr stated no changes occurred.

TOWN OF PINE RIDGE
Planning Commission Minutes
April 23, 2019

1203 Appeal to Circuit Court - Chairman Kerr stated no changes occurred.

Article 13 – Planning Commission:

Chairman Kerr stated that Council previously created the Planning Commission but it was never inserted into the current Zoning Ordinance.

Article 14 – Amendment:

Mr. Newman stated that this section currently exists in the Zoning Ordinance.

1402 Amendment Procedure – changed to reflect the Planning Act requirement for a public notice is now 30 days. The notification for map amendments did not change.

1400 Initiation of Amendment - Chairman Kerr stated no changes occurred.

1401 Minimum district size – Chairman Kerr stated PD changed to MPD as PD is does not exist in the revision.

New Business

No New Business

ADJOURN

With no further business to discuss, Commission Member Jowers moved to adjourn, which was seconded by Commission Member Jackson. With the committee's unanimous approval, Chairman Kerr adjourned the meeting at 8:02 P.M.

Respectfully submitted,

Viki M. Miller, Zoning Administrator

APPROVED:

Chairman

Date: _____