

Town of Pine Ridge

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April 30, 2019

PLANNING COMMISSION SPECIAL MEETING AGENDA

6:30 P.M. - Call to Order

Freedom of Information Act Compliance

Old Business

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

New Business

No New Business

ADJOURN

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PLANNING COMMISSION MEETING – 6:30 P.M.

CALL TO ORDER

Chairman Kerr called the Planning Commission meeting to order at 6:30 P.M. with Vice-Chair Merchant, Commission Members 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.

Old Business

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

Chairman Kerr stated that the last meeting ended with several questions which needed more research. Since there has been no updates to the subdivision ordinance since 1985, some things have arisen over the years needing clarification and updates. The Subdivision Ordinance has now moved to Article 10 under Land Development with the Zoning Ordinance. Central Midlands through Mr. John Newman has assisting with guidance but the Planning Commission will make the decision as to what will be recommended to Town Council. The Planning Commission's goal is to take some of the issues that has happened in the past and make sure this ordinance is clear so that those issues do not follow us into the future. The concern of redundancy was raised between the Town and the County. The ordinance has been simplified in areas where full engineering drawings were not needed and the approval process has been changed to reflect the Planning Commission's involvement in land development since they are responsible for upholding the Comprehensive Plan.

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.

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Chairman Kerr began again at **Article 10, Division 1, Section 1003: Terms & Definitions**, stating that these are the standard terms for driveway, easement, lot and lot of record.

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.

Chairman Kerr stated that Section **1003.2 Exemptions**, provided exemptions from the definition in **Section 1003.1**. Mr. Newman added that if it meets the definition of subdivision that it is subject to regulation. However, if it meets the definition of the exemptions, it will not be subject to regulation. Commission Member Jowers asked about a potential issue that was brought up at the last meeting concerning the subdivision of land for family members. Mr. Newman stated that the Planning Commission was presented with a family exemption in **Section 1004.1**, that also incorporated Lexington County Planning Commission Access Policy, which addressed flag lots, easements and driveways.

1004 Creation of Lots was reviewed by the Commission.

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

Discussion occurred with those in attendance regarding flag lots and easements.

The revisions proposed were read aloud by Chairman Kerr with additions underlined and deletions with a line through them:

1004.1 Flag Lots and Lots Accessed by Easements

A flag lot is a lot with a dedicated access to a public road provided to the bulk of the lot by means of a narrow corridor. Except as provided herein, flag lots and lots accessed by access easements are not allowed for new lots created after the effective date of this Ordinance and flag lot subdivisions shall not be allowed. The Planning Commission

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may allow the creation of a flag lot or access easement under the following conditions:

- A. to permit full use of a lot of record (existing lot) created and existing prior to the adoption of this Ordinance that does not meet the minimum 50-foot street frontage requirements.
- B. To allow access to a division of land by gift conveyed by deed from one (1) member to another member of the same immediate family i.e. (husband, wife, mother, father, children, grandchildren, brothers, sisters). Land so divided may not be further transferred by sale or gift to any party other than a member of the same immediate family for a period of eighteen (18) months from the date the plat is approved for recording and shall be so notated on the plat. The Planning Official may waive the eighteen (18) month waiting period if the property owner can establish legitimate and compelling cause. The eighteen (18) month waiting period shall also be waived in the event of a judicial foreclosure.

When meeting the above, as determined by the Planning Commission, flag lots may be created and access easements may be permitted in accordance with the following development standards:

- 1) The other lot of record (lot providing access) meets all zoning requirements specified for the respective zone in which it is located, both before and after the subdivision, to create the access easement or flag lot.
- 2) The “flag” section of an existing flag lot, or an existing lot accessed by the access easement, shall meet or exceed the requirements, other than the minimum street frontage specified for the respective zone. The area of the access driveway of the flag lot or access easement shall not be included in computing minimum lot area requirements. Title to the access driveway must be conveyed by general warranty deed in the same manner as the title to the “flag” portion of the lot; or in the case of an easement, recorded with the deeds to the accessed lot and the lot providing access.
- ~~3) The driveway section of the flag lot or access easement shall be not less than 30 feet wide. However, the required street frontage of the flag lot drive shall not be less than County or State encroachment permit requirements to install driveways. Flag lot access driveways shall be separated from other driveways by the required fifty-foot minimum lot width measured from the front property line unless shared driveways are provided.~~

Driveway and access easement standards shall comply with the provisions of the Lexington County Planning Commission Access Policy.

- 4) Flag lots created under this Section may not be further subdivided.

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Mr. Newman stated the Lexington County Planning Commission Access Policy also requires a road maintenance agreement.

Discussion occurred with those in attendance about **Section 1004.1** and the Lexington County Planning Commission Access Policy.

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. Mrs. Miller stated that an example of this would be Estates at Indigo, where the County required a portion of Oakhill Road to be paved as it would be used as an entrance to the subdivision.

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

Division 2: Land Development submittal requirements and approval process was reviewed by the Commission.

1008 Land Development Application Types

- 1) Applications will be assigned to one (1) of the following five categories, as determined by the Planning Official, and processed accordingly:
 - a. Exempt Subdivision (exempted from the definition of subdivision) (Section 1003.2)
 - b. Minor Subdivisions (Section 1010)
 - c. Major Subdivision (Section 1011)
 - d. Group Development (Section 1012)
 - e. Mixed-Use Planned Development (MPD) (Section 1013)
 - i. Conservation Design MPD (Section 1014)

Chairman Kerr stated that further details including a description of these categories can be found in other sections. For purposes of minutes, they are included in parenthesis above.

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Chairman Kerr read aloud:

1008.1 Town of Pine Ridge Review by Type

- 1) The Planning Official shall review, and stamp for recording, plats for subdivisions meeting the exemption requirement, Minor Subdivisions, and plats of re-surveys of previously recorded lots.
- 2) The Planning Commission shall review and approve Major Subdivisions, Group Developments, and Planned Development District (MPD) applications.
- 3) Town Councils shall give final approval of MPD projects in its role in the zoning map amendment (re-zoning) process.

Chairman Kerr stated that based on the previous change where the Planning Commission will now be responsible for the majority of reviews, under 1) the minor subdivisions will be removed from review from the Planning Official to 2) review under the Planning Commission.

Mrs. Miller added that the Planning Commission is responsible for reviewing and developing the Comprehensive Plan. This will give the Commission more knowledge of what actually is going on in town and the Plan will reflect more urgent needs of current and future residents. Chairman Kerr believes taking on this added responsibility will be a benefit to the Commission as there were numerous months where no items were on the agenda for them to meet.

1008.2 Pre-application Conference was reviewed by the Commission. Mr. Newman added that this is not a requirement but an option.

Chairman Kerr read aloud and stated this Section refers back to **Section 1003.2:**

1009 Submittal Requirements and Approval Processes for Exempt Subdivisions and Re-Survey Plats

- 1) The Planning Official shall determine that the proposed subdivision qualifies for and meets the requirements of an exempt subdivision, or the Planning Official shall make a determination that the submitted plat is a re-survey of a previously recorded plat.

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Chairman Kerr read aloud:

1010 Submittal Requirements and Approval Processes for Minor Subdivisions

1010.1 Definition of a Minor Subdivision

- 1) A Minor Subdivision is a subdivision that involves the creation of five or fewer lots on an existing street meeting the requirements of this Ordinance.

1010.2 Minor Subdivision Submittal Requirements

Applicants requesting approval of a Minor Subdivision shall submit to the Planning Official a Minor Subdivision Plan. The Minor Subdivision Plan shall comply with the zoning district regulations, regulations for the subdivision of land and creation of lots, and the development standards of this Ordinance, and shall include:

Chairman Kerr stated that there is some duplication with the County. However, the duplication is to ensure that the town requirement portion has been met. In addition, he had a question on **Section 1010.2 (3)c(ii)**, that will be addressed later on.

- 3) **Planned Improvements**

- c. Other site improvements. Site improvements shall address all applicable land development standards of this Ordinance to include:
 - ii. Phased clearing plans

Chairman Kerr stated that there are some minor changes in **Section 1010.3** where “The Planning Commission” shall replace “The Planning Official”, which will match **Section 1011.3**.

1010.3 Minor Subdivision Approval Process

- a. The applicant shall submit to the Planning ~~Official~~ Commission the Minor Subdivision Plan drawn per the requirements stipulated in this Section.
- b. The Planning ~~Official~~ Commission shall review the Minor Subdivision Plan for completeness per the Minor Subdivision Plan submittal requirements of this Section.
- c. Within 10 working days of receipt of the Minor Subdivision Plan, The Planning ~~Official~~ Commission shall approve, approve conditionally, or disapprove the Minor Subdivision Plan. If the Minor Subdivision Plan is disapproved or approved conditionally, the reasons for such action shall be conveyed to the applicant. The reasons for disapproval shall refer specifically to those parts of the Comprehensive Plan, Ordinance, or regulation with which the Minor Subdivision Plan does not conform. If granting a conditional approval, the Planning ~~Official~~ Commission may require the applicant to resubmit the Minor Subdivision Plan with all recommended changes before approving said Minor Subdivision Plan.

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- Final determination shall be made Within 10 working days of receipt of the revised Minor Subdivision Plan.
- d. Once Planning ~~Official~~ Commission approval of the Minor Subdivision Plan is granted, the Planning ~~Official~~ Commission shall transmit the approved Minor Subdivision Plan to Lexington County for processing, which may include civil (engineering) plans and construction drawings per the County's engineering and land development standards and regulations. Civil Plans for Land Development Projects shall submit plans to Lexington County Engineering Stormwater Division for processing per County procedures currently in practice.
 - e. When Lexington County has approved the final plat, it shall be transmitted to the Planning ~~Official~~ Commission for final review and approval for recording.

Mrs. Miller had some concern as to the ability of the Planning Commission to meet the requirements of **Section 1010.3 (c)** within the ten-day deadline. Commission Member Jackson stated that since **Section 1010.3** was changed to match **Section 1011.3**, it should change to the twenty days. Mr. Newman stated the difference in time frames between minor and major was because the Planning Officials was originally approving the minor subdivisions. Chairman Kerr stated that since the Planning Commission only meets once a month, they would not be able to meet that ten-day deadline.

1011.1 Definition of a Major Subdivision

A Major Subdivision is any subdivision that is not exempt as a subdivision or does not qualify as a Minor Subdivision. Chairman Kerr added that this would be for six or more lots.

1011.2 Major Subdivision Submittal Requirements

Discussion occurred with those in attendance about **Section 1011.2(4). Land Development Standards**. The concern was that a developer would be spending a lot of money up front before the subdivision is approved. Mr. Newman stated that the Town is not requiring engineering or construction drawings, it only is to make sure the developer understands the requirements and complies. Chairman Kerr stated that it states the applicable land development standards must be "addressed" and made known to the Planning Commission.

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1011.3 Major Subdivision Approval Process was reviewed by the Commission. Discussion occurred with those in attendance.

1011.4 Major Subdivision Performance Guarantee was reviewed by the Commission.

Chairman Kerr read aloud:

1012.1 Group Development Defined

A Group Development is a development of a single tract of land or adjacent tracts of land under the same ownership or control. Group Developments include commercial, retail, industrial, institutional, multi-family residential, recreational camps, and manufactured home parks.

1012.2 Group Development Site Plans was reviewed by the Commission. Discussion occurred with those in attendance.

- 1) General Site Plan Information
 - j. The location and size of all proposed utilities and storm drainage easements.

Planning Commission agreed to remove “and size” in **Section 1012.2(1j)**.

- 5) Plans shall address all applicable land development design standards of this ordinance to include:
 - a. Site analysis
 - b. Phased clearing plans
 - c. Street standards
 - d. Driveway standards
 - e. Underground wiring
 - f. Non-motorized Access and Connectivity
 - g. Water and Sewer Connections
 - h. Street lighting
 - i. Other applicable development standards

Planning Commission agreed to add “and demonstrate compliance” to **Section 1012.2(5)** after the word address. Commission Member Jowers had a question on traffic study requirements. Mr. Newman stated that the County and SCDOT will conduct those.

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1012.3 Group Development Site Plan Approval Process was reviewed by the Commission.

1013 Mixed-Use Planned Developments (MPD). Chairman Kerr stated that this replaced the Planned Development District (PD) and has its own zoning standards. Discussion occurred with those in attendance.

1013.1 Development Standards for MPD was reviewed by the Commission.

Planning Commission Members agreed to hold a special meeting on Tuesday, May 7th at 6:30pm, in order to continue review.

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 7:55 P.M.

Respectfully submitted,

Viki M. Miller, Zoning Administrator

APPROVED:

Chairman

Date: _____