

# *Town of Pine Ridge*

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**May 28, 2019**

## **PLANNING COMMISSION MEETING**

**6:30 P.M. - Call to Order**

**Freedom of Information Act Compliance**

**Approval of Minutes**

1. April 23, 2019 - Regular scheduled meeting
2. April 30, 2019 - Special called meeting
3. May 7, 2019 - Special called meeting

**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-Chairman Merchant and Commission Members Jowers, Shealy and Jackson 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. April 23, 2019 – Regular scheduled meeting

Vice-Chairman Merchant made a motion to approve the April 23, 2019, minutes as submitted. Commission Member Jowers seconded the motion, which was unanimously approved.

Chairman Kerr stated that the April 30<sup>th</sup> and May 7<sup>th</sup> minutes were not ready and will be presented at the next Planning Commission meeting.

2. April 30, 2019 – Special called meeting
3. May 7, 2019 – Special called meeting

**Old Business**

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

Commission Members began reviewing the proposed Zoning & Land Development Ordinance where they left off at the May 7<sup>th</sup> meeting. Chairman Kerr invited those in attendance to participate with their questions and concerns during the meeting.

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Chairman Kerr stated that the Planning Commission had asked Mrs. Miller to check with Lexington County about Section 1015 – Bonded Plat. At the last meeting, there was some concern that the proposed provisions on Bonded Plats were not compatible with Lexington County. Chairman Kerr read aloud the suggested changes by Lexington County.

The Commission and those in attendance discussed the changes suggested by Lexington County, which are:

**1015.1 Bonded Plat Policy**

It shall be the general policy of the Town of Pine Ridge that all improvements required by this Ordinance be completed prior to approval for recording of a Final Plat of a subdivision or development, or the effect of which creates lots of record that may be sold or transferred along with site improvements. However, recognizing that completion of all required improvements prior to obtaining Final Plat approval may not in some cases be feasible, practical, or financially possible, per SC Code of Law § 6-29-1180 Surety Bonds for Completion of Site Improvements, this Section provides a mechanism by which final approval may be granted, contingent upon certain required improvements being completed as and when specified by the Pine Ridge Town Council and upon the applicant providing financial guarantees for the completion of such other required improvements.

The Town shall have the right to refuse any of the optional financial guarantees and require construction and installation of all improvements by the developer or any person, entity, corporation, LLC, or association in partnership with the developer where:

- 1) Past performance of the developer has been unsatisfactory;
- 2) the selected option is unacceptable; or
- 3) for other reasons so stated.

**1015.2 Bond Improvement Guarantee Application Submittal Requirements**

- 1) The bond amount cost estimate shall be prepared by the engineer of record, signed and sealed.
- 2) Statement of Conditions prepared by the developer or his representative
- 3) Letter of Credit or Cash Bond drafted with a minimum three (3) year expiration period
- 4) Bonded Plat prepared by a SC Registered Professional Engineer, sealed and signed

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**1015.3 Bond Submittal Process**

- 1) The estimate shall be approved by the Town Council with assistance from Lexington County in determining if the estimate is sufficient and reasonable. The Town shall add twenty-five percent (25%) to the determined estimated cost.

**1015.4 Approval of Improvement Guarantee Bond**

All bond instruments involving the infrastructure improvements will be approved by the Town Council. Bond instruments will remain in place until the final plat for the development has been recorded with the Register of Deeds for Lexington County.

**1015.5 Phased Projects**

The Town Council reserves the right to require phased projects to be completed and recorded as a final plat prior to the issuance of an additional bond for a subsequent phase.

**1015.7 Reduction of Bond**

As completion is progressed and documented, the Town Council may allow one reduction in letters-of-credit or bonds. A reduction will not be allowed without a formal inspection by the County Engineer and/or his designated representative and a revised estimate approved by the Town Council that covers improvement costs. The reduction shall not be greater than twenty-five percent (24%) of the original bond amount.

Commission members discussed and agreed to change the 24% to 25%.

**1015.8 Extension of Bond**

If it appears to the developer that he may not complete construction of required improvements before expiration of his improvement guarantee, it shall be his obligation, at least twenty (20) days prior to the first regularly scheduled Town Council meeting held prior to the expiration period, to submit an extended guarantee request. Such extension, if approved, shall be for a period of six (6) months. A maximum of two (2) such extensions shall be allowed. However, the maximum time allowed for a bond shall be three (3) years, including extensions.

**1016 Development Agreements** – As the Planning Commission continued to review the document, a member of the public had a question regarding the minimum requirements in **Section 1016.1** as to the maximum term of a development agreement by the size of the project. Commission Members discussed with Mr. John Newman, who was hired by Central Midlands Council of Governments to assist the Town. The table is per SC Code of Law 6-31-10, the South Carolina Local Governmental Development Agreement Act. The Town is required to provide procedures for the adoption of Development

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Agreements. Chairman Kerr stated that **Section 1016.4: Planning Commission Public Hearing**, last paragraph should be Town Council instead of County Council.

**Division 3 – Land Development Standards**

Commission members continued to review each section. Additional discussion occurred with those in attendance on **Section 1018.2: Site Analysis**. Commission Members agreed to add “demonstrate and show compliance” to item one.

**1019.1(2) Identify all Protected Areas**

- 5) Trophy tree protection zones

**Trophy tree.** Those trees that are significant by their size and type and as such should be preserved wherever possible.

The Planning Commission had additional discussion with those in attendance who were unfamiliar with what a trophy tree was. Chairman Kerr read aloud the definition and that the SC Forestry Commission can assist in a determination. In addition, trophy trees are mentioned throughout the Lexington County Landscape and Open Space Ordinance but specifically Article 3.

A member of the public was concerned that **Section 1019.2 Site Clearing Predevelopment Phase** was cost prohibitive. Vice-Chairman Merchant asked if this was in accordance with Lexington County. Chairman Kerr stated that **Lexington County Landscape and Open Space Ordinance Section 3.7.3** states that there shall be no clear-cutting, timbering, or other removal of canopy trees, understory trees, or underbrush within a scenic corridor buffer without the submission of a clearing plan for approval by the Lexington County Landscape Administrator.

**1019.4 Building Phase** – Mr. Neman stated that this would only apply to a Major Subdivision and large Group Developments. Chairman Kerr added that Lexington County addresses the following in their Landscape and Open Space Ordinance:

Parking	Section 3
Buffers	Section 3.2.4
Screening	Section 3.2.5

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Commission Members reviewed the following sections with those in attendance:

- 1020 Forestry Activity and Land Development**
- 1021 Street Standards**
- 1022 Driveway Standards**
- 1023 Underground Wiring**
- 1024 Water Supply**
- 1025 Sanitary Sewer Facilities**
- 1026 Street Lighting**
- 1027 Surveys and Markings**
- 1028 Street (Road) and Subdivision Names**

Commission Vice-Chairman made a motion to recommend the Zoning & Land Development Ordinance to the Pine Ridge Town Council, as amended by the Pine Ridge Planning Commission. Commission Member Jowers seconded the motion, which was unanimously approved.

**New Business**

No New Business

**ADJOURN**

With no further business to discuss, Commission Member Jackson moved to adjourn, which was seconded by Commission Member Jowers. With the committee's unanimous approval, Chairman Kerr adjourned the meeting at 8:28 P.M.

Respectfully submitted,

Viki M. Miller, Zoning Administrator

**APPROVED:**

\_\_\_\_\_  
Chairman

Date: \_\_\_\_\_