

Kershaw County Planning and Zoning Commission
Minutes - Regular Session
August 12, 2010, 5:30 p.m.
County Council Chambers, 515 Walnut Street
Camden, SC 29020

Members in Attendance: Lewis Shaw, David Brown, Charles Cottingham, Karen Eckford, George Gibson, Dan Matthews, and Richard Simmons
Staff in Attendance: Carolyn Hammond and John Newman

Call to Order

Chairman, Lewis Shaw, called the meeting to order at 5:30 p.m.

Public Comment Period

There were no comments from the public.

Approval of Minutes

Karen Eckford motioned that the minutes of the July 8, 2010 regular meeting be approved. Charles Cottingham seconded, and all voted in favor.

Presentation on the Capital Improvement Program Process

Assistant County Administrator, Bill Molnar, told the group that he had been asked to talk with them about their thoughts on the CIP process and, considering the problems with the two previous non-Planning Commission produced CIPs, whether they would be interested in working with him to produce a CIP for 2011-2012. He stated he does not want to see the Commission's time, staff's time, or anybody else's time spent on a document that is of limited or no use. He said that what the Commission is asked to do by State law in developing the CIP and making recommendations has great weight and value, but if it is not produced and delivered in a format that is concise and direct, it is not useful to those who need to use the information contained in it.

Mr. Molnar's proposed first step will be to look at funding sources to see what is available and when it will be available. With adequate input from department heads and others, a list of projects will then be developed. This list will include projects necessary because of safety or obsolescence concerns, new laws, and/or mandates; projects listed in the Comprehensive Plan; and projects derived from studies, previous CIPs, and other recommendations. The list will not include small ticket items such as departmental vehicles. After the list is made and prioritized, tying it to the finances is very important as, especially because of the economy, it strengthens the document. Mr. Molnar proposed that work begin soon and the document be produced by late winter or early spring. He and staff will work together to establish a timeline for completion and present it to the Commission.

Members of the Commission expressed their encouragement and complete agreement with Mr. Molnar and his proposed process. Lewis Shaw stated the Planning Commission sees the development of the CIP as one of its premier functions and a real opportunity for the Commission to influence long term planning in the County. He agreed the focus needs to be narrowed to the proper places and not on such things as vehicles. He went on to say the Commission's real goal is to make sure the CIP lines up with the Comprehensive Plan. They are not interested in the County's operating budget, rather, they are interested in the County's long term planning budget. Mr. Shaw also stated that it is extremely important to have a CIP that would lend itself to support impact fees. John Newman reminded the Commission that in order

to have a legal CIP, it must be passed by ordinance. The 2008-2009 CIP is the county's only legal CIP because it is the only one that was passed by ordinance.

The Commission as a whole feels the County Council does not know what the CIP is, does not recognize its value, and therefore does not utilize it as a tool in their thought process for long term planning. As part of the current CIP process, the Commission said they hope Council can be convinced of its value. Various methods of enlightening Council were discussed.

Text Amendment to ZLDR Section 3:2.3-2, Existing Nonconforming Uses, Buildings, and Structures

The Commission reviewed an amendment proposed by Councilman Sammie Tucker seeking to establish a hardship provision relating to the re-establishment of a nonconforming use. The Commission agreed that such a provision would be appropriate, but expressed concern regarding the criteria for a hardship. They felt it would be difficult to develop a list of qualifying criteria to demonstrate hardship that would be comprehensive enough to cover every circumstance, but felt qualifying criteria would be necessary if a hardship determination were to be made administratively. Several options were considered and the Commission determined that exceptional hardship would be the criteria. After much discussion, the Commission concluded that the decision would best be made by the Board of Zoning Appeals. Richard Simmons motioned, Karen Eckford seconded, and all voted in favor to send the following to County Council:

- E A nonconforming use or building shall not be re-established, reoccupied, or replaced after discontinuance of the use or structure for a period of 365 days except as provided for in section F below.
- F. Non-conforming manufactured housing may be re-occupied or replaced in accordance with section D above after discontinuance of use, damage, or destruction for a period of up to 1,095 days (three years) if the owner-occupant can demonstrate exceptional hardship to the Board of Zoning Appeals. Fees for such petition to the Board of Zoning Appeals shall be waived.

Staff Report on County Council Actions at their July 27, 2010 Meeting

John Newman reported the following:

- First reading on bingo parlor ordinance – Motion to approve by Councilman Elliott died for lack of a second
- First Reading on setting fees on sign permits and registration – passed unanimously
- First reading on staff recommended amendments to the ZLDR – passed unanimously

Planning Official Continuing Education Training

Dates for continuing education training were scheduled for 5:15 p.m. on September 7, 2010 and October 19, 2010 in Council Chambers at the Government Center.

Adjournment

The meeting adjourned at 6:30 p.m.

Respectfully submitted,

Carolyn B. Hammond

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Secretary