

**Kershaw County Planning Commission**  
**Minutes – Regular Session**  
**April 10, 2008, 5:30 p.m.**  
**County Council Chambers**

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

**I. Call to Order**

Chairman Lewis Shaw called the meeting to order at 5:33 p.m.

**II. Public Comment Period**

There were no comments from the public.

**III. Public Hearing on Rezoning Request of Tommy Grainger**

Chairman Lewis Shaw opened the public hearing. John Newman told the group that the surrounding area is commercial and industrial, the adjacent property and property to the south are zoned General Development, and the Future Land Use Map has designated this property as Economic Development. The request is in conformance with all the comparable sections of the Comprehensive Plan, and Staff recommends approval. The applicant, Tommy Grainger, was present, but did not wish to speak. No one else spoke during the public hearing. The Chairman then closed the public hearing.

**IV. Discussion and Recommendation on Tommy Grainger Rezoning Request**

After a brief discussion, Dan Matthews motioned that the Planning Commission recommend to County Council the change in classification of approximately 1.45 acres located at 1692 Whiting Way from MRD-1 rural to GD general development zoning. The motion was seconded by Richard Simmons. Lewis Shaw, David Brown, Charles Cottingham, Dan Matthews, and Richard Simmons voted in favor.

**V. Approval of Minutes**

Dan Matthews motioned that the minutes of the March 13, 2008 regular meeting be approved. Charles Cottingham seconded and Lewis Shaw, David Brown, Charles Cottingham, Dan Matthews, and Richard Simmons voted in favor.

**VI. Capital Improvement Program: Discussion and Action of Revision to CIP**

John Newman told the group that in drafting the Capital Improvement Program as a whole, the guiding legislation was the 1996 Planning Enabling Act which says the Planning Commission shall make recommendations to plan ongoing projects and have an annual priority list. There is also the Impact Development Fee Act covering sewer tap fees which has its own set of requirements for a Capital Improvement Plan. The sewer report was done by the engineering consultants and utility staff to conform to the Impact Development Fee Act. The County already has tap fees, but if they ever need to be raised, the County would have to go through this particular process in order to do so. Once the sewer report was completed, the legal staff reviewed the document and recommended that two paragraphs on the first page be inserted. The

only changes, other than the correction of a few typographical errors, are the insertion of the language by the attorneys and a few strikethroughs on the first page.

Lewis Shaw pointed out that the legal staff had made the recommendation to insert this text after the last Planning Commission meeting when the CIP was approved. Since the legal staff initially recommended that the sewer engineers craft the section to conform to the Development Impact Fee Ordinance, the text they suggested should be added to the CIP. The paragraph is a clarification that was done to comply with the Development Impact Fee Act. The CIP document in and of itself does not constitute a recommendation for a tap fee. Mr. Shaw gave an update on the CIP process to date, stating that the Planning Commission had approved and sent the CIP to County Council who has done first reading. At this meeting, the Planning Commission is recommending that Council amend the CIP document to include the language inserted by the legal staff.

Dan Matthews made the motion to recommend to County Council that they amend this section of the Community Improvement Program to include the language added by the legal staff. Charles Cottingham seconded, and Lewis Shaw, David Brown, Charles Cottingham, Dan Matthews, and Richard Simmons voted in favor.

Chairman Shaw made it clear that the Home Builder's Association would have an opportunity to express their views relating to the CIP. Rebecca Best of the Home Builder's Association was present at the meeting. She said she would review the documents and get in touch with John Newman if they wanted to meet.

## **VII. Discussion on Adequate Public Facilities Policy per the Comprehensive Plan**

John Newman explained that an Adequate Public Facilities Ordinance (APFO), or concurrency, is one of the Key Recommendations of the Comprehensive Plan. Policies such as this have been mentioned in the Comprehensive Plan since 1996. While some jurisdictions use APFOs to stop development, the real intent is to insure that services such as schools, law enforcement, public works, fire services, etc. are not negatively impacted by development that they cannot adequately support and service. At this point it would be premature to implement such an ordinance. It would, however, be wise to establish some general policies for situations where a major commercial or residential development comes into play. The Chairman asked members of the Commission to start formulating suggestions.

Lewis Shaw added that it would be helpful to meet with the local water providers to see if there could be some type of mechanism that they might agree to so that their planning could be factored into the County's overall planning process. He will set up a meeting so he and John Newman can meet with the Lugoff-Elgin Water Authority, the City of Camden, Cassatt Water, and others to see if there is a willingness to communicate plans so that all can be on the same page and possibly mesh plans.

Lewis Shaw said capacity of the new sewer plant will already be committed as soon as it is built. He feels it is very important that the County approve and update to the five year sewer plan. Capacity in the Wateree River is right at its limits. DHEC is working on a Total Maximum Daily Load for phosphorus. Every time they have done that, it has caused the dischargers to

have to better treat their discharges. If the County has a five year plan in place, it will place it in a favorable position to ask DHEC for a reservation of capacity for the future.

### **VIII. Dates in May for Conducting Continuing Education Requirement Session**

John Newman told the group that continuing education training will be May 15 at the Government Center beginning at 5:15 pm.

### **IX. Staff Report on County Council Actions Concerning Planning & Zoning Commission**

John Newman reported the following County Council actions at their March 25 and April 8, 2008 meetings:

#### March 25, 2008 County Council meeting

- Council held a Public Hearing and Third Reading on an Ordinance to amend the Kershaw County Zoning Ordinance, Article 5, Sign Regulations, Table 6 and Table 7, to permit message board signs in institutional uses and to add a definition of message board in the Zoning Ordinance Definition Section. No one spoke at the Public Hearing, and Council approved third reading 7-0.
- First Reading on the Five Year Capital Improvement Program was approved 6-1.
- First Reading on the Josh Broome rezoning request to rezone 3.9 acres on Highway 1, South in Elgin from R-15 to B-2 was approved 7-0.

#### April 8, 2008 County Council meeting

- Second Reading on the Five Year Capital Improvement Program: Council voted 7-0 to defer second reading pending Planning Commission's review and recommendations to revisions to the CIP.
- Second Reading on the Josh Broome rezoning request to rezone 3.9 acres on Highway 1, South in Elgin from R-15 to B-2 was approved 7-0.
- John Newman also noted that Council has committed \$50-thousand per year to match a potential PRT grant should it be awarded for the proposed equine park.

### **X. Other Items**

There were no other items.

### **XI. Adjournment**

Richard Simmons motioned to adjourn. David Brown seconded, and all voted in favor. The meeting adjourned at 6:13 p.m.

Respectfully submitted,

Carolyn B. Hammond  
Secretary