

Kershaw County Planning and Zoning Commission
Minutes - Special Called Meeting
August 27, 2009, 5:30 p.m.
County Council Chambers, 515 Walnut Street
Camden, SC 29020

Members Present: Lewis Shaw, David Brown, Charles Cottingham, George Gibson, Dan Matthews, and Richard Simmons

Members Absent: Karen Eckford

Staff Present: Carolyn Hammond and John Newman

Call to Order

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

Clay Young introduced Robert Moody of the Catawba Regional Council of Governments who has been contracted by Administration to update the CIP. Mr. Moody told the Commission that he felt they were an integral part of the Capital Improvement Program process and that State law provides for that. He said he would be doing the behind the scenes work with Staff and would be getting the projects outlined and sources of funding identified. This CIP, he told the group, would be expanded to a ten-year plan and would be in line with the Priority Investment Element of the Comprehensive Plan. He said that after all of the information was compiled, the Commission will look at the projects to make sure they are in line with the Comprehensive Plan and are projects that will realize their vision for Kershaw County. Lewis Shaw thanked Mr. Moody and pointed out that while the Commission does not want to get bogged down in the minute financial details, they would like to be, and should be, included in the big picture.

Public Comment Period

Baynard Boykin stated that from an agricultural standpoint, Kershaw County is different because it has an extremely wide variety of soils. Because of this, he wants to make sure the Commission understands that one size does not fit all when it comes to determining buffer widths.

Peggy Ogburn asked the Planning Commission to reconsider requiring 100-foot buffers on perennial streams. She stated that 100-foot buffers protect the drinking water supply better than 50-foot buffers. Her considerations include streams that are already impaired, the endangered status of the Wateree River, pollutants in Lake Wateree that flow into the watershed, and North Carolina's interbasin transfer request. A 100-foot buffer, she stressed, would show that the County values its water and would send a message to State officials and Supreme Court justices that Kershaw County believes there is something it can do to help retain water quality and quantity.

Craig Davis asked the Commission to consider and include citizen enforcement in the ZLDR. He stated that the ability to have vigilant and knowledgeable people who can help enforce the Ordinance would give a significant amount of enhancement to its usefulness and its goal.

Sarah Williams asked the Commission to leave the initially proposed 50 and 100-foot buffers in place. She proposed that smaller buffers be allowed on lots where 50 or 100-foot buffers would

make the lots unusable. She closed by asking to Commission to keep in mind that without clean water and air, nothing else matters.

Jim McLeod voiced his opinion that weekend-only directional signs limit the ability of realtors to market their properties. Instead of restricting the signs to weekends, he proposed the signs be displayed no more than 48 hours prior to an event, with removal no more than six hours after the event. He does not see the need to charge a fee for such signs. In addition to open houses, he added that directional signs are needed at subdivision entrances. In reference to the Lake Wateree Overlay District septic tank inspections, he told the Commission that inoperable septic systems are going to be found and they will be expensive for residents to ameliorate.

Art Graham said he agrees with the other speakers in reference to the display of directional signs, and added that he does not support fees for any signs, especially signs for real estate agents.

Approval of Minutes

George Gibson motioned that the minutes of the August 13, 2009 regular meeting be approved as amended to correct a typo. Richard Simmons seconded, and all voted in favor.

Draft Zoning and Land Development Regulations

Water Quality Buffers

John Newman reviewed the latest proposed water quality buffer changes. In addition to those recommended at the previous Planning Commission meeting, the following amendments were added:

- The words, *field verified*, were added to sentences when relating to the location of perennial and intermittent streams identified on the USGS topographic maps.
- The following sentence was added under the Application for Exception and County Engineer Determination sections: *Under no circumstances shall an exception be allowed that will result in a reduction of more than forty (40) percent of the required buffer width.*
- The language under Approval Procedures for Permitted Activity will be changed to read as follows: Except as permitted under general exceptions provisions of this Article, no shoreline stabilization, tree removal, or land disturbance activity of any kind, including those permitted under the ~~permitted~~ *exceptions requiring a permit* provisions shall be conducted in the buffer without a written permit for such activity issued by the Kershaw County Planning and Zoning Department.

After the Commission gave preliminary approval to the water quality buffer provisions, Mr. Shaw thanked everyone for their input into the buffers, adding that it was a struggle to come to a resolution of what was appropriate. Despite the fact that everybody cannot be satisfied, he said he felt the instituted buffers will be protective of Kershaw County's water quality.

Off-Premise Weekend Directional Signs

After a discussion, it was decided that off-premise directional signs will not be limited to the weekend, but will instead be permitted any day of the week as long as they are displayed for a time period of no more than 48 hours. Such signs will be charged an annual fee to be set by County Council. John Newman will amend the language to reflect the changes

Planning and Zoning Commission Vote on ZLDR Final Draft Recommendations to County Council

Prior to the final vote on the ZLDR, Craig Davis stated that he had not heard any mention of the provisions he had proposed, and was wondering what the status of that might be. Mr. Shaw replied that he had been sent an e-mail relating to his proposal, and that the Commission had discussed it three or four meetings earlier. While they appreciated the obvious amount of work Mr. Davis had done, the Commission did not think his Federal level model fit, or was desirable to attempt to implement at the county level. He agreed that Mr. Davis's proposed provisions could be helpful in certain circumstances, but because of the way the County was set up, the Commission agreed it was not feasible to try to place that type of provision in the document. Mr. Davis asked what the Commission's concerns were, and Mr. Shaw offered to speak with him after the meeting, adding that he could appear before County Council with his proposal.

The Chairman called for a motion to approve the draft Unified Zoning and Land Development Regulations. The motion was made by Dan Matthews, seconded by Richard Simmons, and approved unanimously. The Chairman voiced his appreciation for the work everyone had put into the document, adding that it will be a great step forward for Kershaw County by giving it tools to manage growth that will surely come in the future.

Chairman's Transmittal Letter and County Council ZLDR Work Session

Lewis Shaw told the group that he had prepared a transmittal letter to Steve Kelly asking County Council to accept the ZLDR for their consideration. The letter also asked that the rescheduling of the work session on the document be reconsidered.

Staff Report on County Council Actions

John Newman reported that County Council had unanimously approved first and second readings on the Kershaw County Equine Center's request to rezone property on Cleveland School Road from MRD-1 to GD. Council unanimously approved first reading of the Tyner, Catoe, and Watts rezoning request for 929, 933, 939, and 947 Highway 1 North from RD-1 to RD-2.

Adjournment

The meeting adjourned at 6:55 p.m.

Respectfully submitted,

Carolyn B. Hammond

Carolyn B. Hammond
Secretary