

1                                   **RICHLAND COUNTY PLANNING COMMISSION MEETING**  
2                                   **December 7, 2009**  
3

4    *[Present: Elizabeth Mattos-Ward, Patrick Palmer, Wes Furgess, Heather Cairns, Kathleen*  
5    *McDaniel, David Tuttle, Stephen Gilchrist, Deas Manning, Olin Westbrook; Absent:*  
6    *Christopher Anderson]*  
7

8                    Called to order: 1:03 pm

9                    VICE-CHAIRMAN PALMER: Is everybody ready? Alright, we'll call the December  
10 7<sup>th</sup> meeting of the Planning Commission to order. Let me read this into the Record: "In  
11 accordance with the Freedom of Information Act, a copy of the Agenda was sent to radio and TV  
12 stations, newspapers, persons requesting notification and posted on the bulletin board located in  
13 the lobby of the County Administration Building." We have sign-up sheets, was everybody, has  
14 everybody signed up that wants to speak on an issue? Okay, great. The November Minutes, has  
15 everybody had a chance to read those? Okay, alright. I want to take a quick moment and  
16 recognize our two new Members, Mr. Westbrook and Ms. McDaniel, thanks for coming on and  
17 helping us and we appreciate y'all's time. It will be interesting to, to see how a new dynamic  
18 works out, so that will be good, we appreciate it. Any motions on the November Minutes?

19                    MR. FURGESS: I move that we accept the November Minutes.

20                    MS. MATTOS-WARD: I second.

21                    VICE-CHAIRMAN PALMER: We have a motion and a second, all those in favor,  
22 please signify by raising your hand?

23    *[Approved: Mattos-Ward, Palmer, Furgess, Cairns, McDaniel, Tuttle, Gilchrist, Manning,*  
24    *Westbrook; Absent: Anderson]*

25                    VICE-CHAIRMAN PALMER: Road name approvals? So we've moved those to the  
26 front now? We don't have any road names do we?

1 MS. ALMEIDA: Yeah, there are new road names.

2 VICE-CHAIRMAN PALMER: There are road names? Right. Alright, Agenda  
3 Amendments?

4 MS. ALMEIDA: There are none.

5 VICE-CHAIRMAN PALMER: One thing I'd like to put on the Agenda, at the end under  
6 Other Business is to put on there nominations for next year for the positions for Chair, Vice-  
7 Chair and Secretary. We've got to take those up for next year.

8 MS. ALMEDIA: They're on the January Agenda.

9 VICE-CHAIRMAN PALMER: Well, we'll make nominations this month and vote the  
10 first thing in January. So I'll make that motion to amend the Agenda.

11 MR. TUTTLE: Second.

12 VICE-CHAIRMAN PALMER: We have a motion and a second, all those in favor,  
13 please signify by raising your hand?

14 *[Approved: Mattos-Ward, Palmer, Furgess, Cairns, McDaniel, Tuttle, Gilchrist, Manning,*  
15 *Westbrook; Absent: Anderson]*

16 VICE-CHAIRMAN PALMER: Map Amendments, Case 09-19 MA.

17 **CASE 09-19 MA:**

18 MS. ALMEIDA: Yes, Mr. Chairman. the applicant is Bill Hock from Hock  
19 Development Company. The site is at the intersection of Alpine Road and Old Percival Road.  
20 the zoning on the property is a two-part zoning; it's zoned commercial and [inaudible] residential  
21 multi-family, high density. The total acreage is - thank you, shown on your Staff Report, the  
22 proposed zoning request is general commercial. This general commercial and residential multi-  
23 family, high density reflects the original zoning as adopted in September of '77. The parcel

1 contains approximately 230.44' of frontage along Alpine Road, 272.53' of frontage on Old  
2 Percival Road, as you can see from the first slide. I will direct you to page two under Traffic  
3 Impact, the Traffic Count Station 498, located northwest of Alpine Road has a daily, average  
4 daily traffic of 12,200. It is classified a two-lane undivided collector road. Alpine Road is  
5 currently functioning over the design capacity at a Level of Service F, but Staff does not that a  
6 more in-depth traffic analysis will need to take place once the parcel is, is developed. The  
7 proposed zoning would compliment the existing general commercial in the area, which is located  
8 southwest and east of the subject parcel. Each of the four corners, at the intersection of Alpine  
9 and Old Percival Road are zoned general commercial as you can see. The parcel currently has a  
10 split zoning, the original part was a 3.21 acre tract, before it was subdivided, that was approved  
11 by the Planning, the Planning Commission back in '02. The size of the residential multi-family  
12 portion of the parcel is .15 acres. We feel it would be difficult under that amount of acreage to  
13 have anything put on that site considering half is general commercial and the other half would be  
14 RM-HD. We have contacted, because the subject parcel is located 3,000' from the military  
15 buffer zone of Fort Jackson, we are required by South Carolina law to notify the, the base, which  
16 we have and there is a letter in your packet identifying that on page five, so we've met that  
17 requirement. We feel the general commercial zoning will not create a negative impact on Fort  
18 Jackson, so therefore we do think this use is compatible with the surrounding area, and Staff  
19 recommends approval.

20 VICE-CHAIRMAN PALMER: Any questions for Staff?

21 MS. CAIRNS: It is accurate, that [inaudible] are .15?

22 MS. ALMEIDA: That is correct.

23 MS. CAIRNS: Okay.

1 VICE-CHAIRMAN PALMER: Anna, do we have a site acreage requirement?

2 MS. ALMEIDA: We have a site acreage requirement 2.0, but if there is the like zoning  
3 adjacent to the parcel, the subject parcel, you can rezone it.

4 VICE-CHAIRMAN PALMER: Okay. Any other questions for Staff? I saw some folks  
5 come in, is the applicant here?

6 MR. HOCK: Yes.

7 VICE-CHAIRMAN PALMER: Okay, if you could, how do y'all want to work this?  
8 With the -

9 MS. SWORD: If they could just take the stand and speak loudly.

10 VICE-CHAIRMAN PALMER: Just kind of stand in the middle of the room and -

11 **TESTIMONY OF CHARLES HOCK:**

12 MR. HOCK: Sure. Sorry I ran into some traffic on the way in, I apologize for my  
13 tardiness.

14 VICE-CHAIRMAN PALMER: If you could - I'm sorry, if you could give your name  
15 and address?

16 MR. HOCK: My name is Charles Hock and I am at 2326 Williams Street in Augusta,  
17 Georgia.

18 VICE-CHAIRMAN PALMER: And we try to limit comments to three minutes if we  
19 can.

20 MR. HOCK: Okay, great. We're gonna be building a, an office and warehouse for C.C.  
21 Dixon, they're an HVAC Wholesaler and we were looking to rezone this part of the acreage just  
22 to loosen up the, I guess the, the, the, I guess the site plan for the building and we were looking  
23 to, to get the, the smaller piece that's multi-family rezoned to the general commercial, so that

1 would just, I guess make it a, a better development for us and, and we would certainly appreciate  
2 any, you all allowing us to rezone the property.

3 VICE-CHAIRMAN PALMER: Are there any questions for Mr. Hock? Thank you.

4 MR. HOCK: Thank you.

5 VICE-CHAIRMAN PALMER: There's nobody else signed up to speak.

6 MR. MANNING: Mr. Chairman, given the fact that there are no people here to speak  
7 against the project and Staff has recommended approval, with it being a small parcel, I make a  
8 motion we send this forward with recommendation of approval.

9 MR. FURGESS: I second.

10 VICE-CHAIRMAN PALMER: I have a motion and a second, any other discussion? All  
11 those in favor please signify by raising your hand? There's none opposed.

12 *[Approved: Mattos-Ward, Palmer, Furgess, Cairns, McDaniel, Tuttle, Gilchrist, Manning,*  
13 *Westbrook; Absent: Anderson]*

14 VICE-CHAIRMAN PALMER: We are a recommending Body to County Council, they  
15 will be meeting, when it is?

16 MS. ALMEIDA: January 22<sup>nd</sup>, excuse me January -

17 VICE-CHAIRMAN PALMER: January the -

18 MS. LINDER: December 22<sup>nd</sup>.

19 VICE-CHAIRMAN PALMER: December the 22<sup>nd</sup>, and they will be in Council  
20 Chambers downstairs and that's what at 7:00 o'clock?

21 MS. ALMEIDA: Yes.

22 VICE-CHAIRMAN PALMER: Seven o'clock, so I recommend that you be here for that.  
23 Alright, appreciate it, thanks guys.

1 MR. HOCK: Thank you, sir.

2 VICE-CHAIRMAN PALMER: That concludes our Map Amendments and we'll move  
3 along to the Text Amendments. Number one is the ordinance to create a Form Based  
4 Neighborhood District.

5 MS. RUTHERFORD: Hello, I'll sit in the middle. Okay, welcome to the third  
6 installation of Form Based Neighborhood Code. At last month's October Meeting we discussed  
7 the idea of Form Based Neighborhood Code being used to implement the Crane Creek Master  
8 Plans and the Trenholm Acres/Newcastle Master Plans. At last month's meeting there were  
9 several recommendations made from Planning Commission, two of which is, were to include  
10 two new districts, the Activity Center Mixed-Use District 2 and 3. The next slide? For the new  
11 Planning Commissioners, Form Based Code is a method of regulating development to achieve a  
12 specific form. This Code will be really focusing on building facades and the public realm, how  
13 the mass of those buildings and the relation to one another really impact a community. It's used  
14 and will be used to achieve the community vision of those Master Plans. Next slide? Okay,  
15 Richland County's Form Based Neighborhood Code is a hybrid code, it's not a true Form Based  
16 Code, you will see some new urbanism practices, smart growth concepts and smart code models  
17 that are used across the country, basically to improve the image of communities, to create  
18 walkable communities with dense mixed-use. It's used as an implementation tool with the  
19 Master Plan and this will be used as a mandatory rezone for those two Master Plans we just  
20 mentioned. Next slide? I know this is, is pretty cumbersome, but we have several districts, your  
21 green residential 1, your neighborhood mixed-use 1, activity center mixed-use 1, 2 and 3, and  
22 your industrial. The Code was, was made that way to expand upon several districts, so as we  
23 move forward in applying this Code to other planning areas, we have the opportunity to create a

1 green residential 2, 3 and so on, a neighborhood mixed-use 2, 3, and industrial 2, 3. It's just this,  
2 the way we devise it gives us lots of opportunity to expand the districts. Okay? We have taken a  
3 look at our Crane Creek planning area and have offered up some, a proposed map for rezone of  
4 the properties to include the activity center 2 and 3, 2 being your orange areas and 3 being your  
5 purple areas. We really took a, a look at the uses that were already there and the opportunities  
6 for redevelopment. Next slide? Next, the next slide? Okay, exactly, the same thing with  
7 Trenholm Acres/Newcastle, looking at what was existing and what future redevelopment could  
8 potentially look like. Okay? Form Based Code again provides design guidelines based upon  
9 building types, we're looking to encourage shared use parking in this district, creating block  
10 formations of neighborhoods that resemble traditional neighborhood development, mixing  
11 housing choices and creating mixed-use developments with increased density. Okay, next slide?  
12 Next slide? Oh again, our activity 2 and 3 have been added to this table and as you will see will,  
13 we're still allowing the townhouse/single family detached dwelling, your civic institutional, your  
14 loft dwelling units, live/work, commercial and mixed-used spaces with the addition of those two  
15 uses, use areas. Okay? Our parking standards are allowing for reduced impervious parking and  
16 encouraging pervious shared parking in all of the districts. Next slide? We're looking to have  
17 better street access, inter-connected network of streets and blocks within all of the areas,  
18 residential and commercial. Your single-family attached, maximum density is six dwelling units  
19 per acre, with a bonus of nine. Next slide? Your live/work units again, base density six dwelling  
20 units per acre, with a bonus of nine. Next slide? Your loft dwelling units, maximum density is  
21 eight dwelling units per acre, with a bonus of 12. Okay, and your commercial and services areas,  
22 allowing for 25,000 square feet in your activity center mixed-use 1, 75,000 in activity center  
23 mixed-use 2, and 125,000 square feet in activity center mixed-use 3. And in your mixed-use

1 building, again the front yard setback 24'. Next slide? Okay, your civic institutional uses, and  
2 again these are all building, building types that will be in the areas, a front yard setback of 24'.  
3 Next slide? And sign regulations, really wanting, what we're hearing from the communities is  
4 that they want to be able to control the types of signs and have a better looking sign, so what  
5 we're requiring is a sign plan for all of the new development coming in. Next slide? Again  
6 right, right now we're going to apply Form Based Neighborhood Code to the Crane Creek and  
7 the Trenholm Acres/Newcastle Planning Areas. Okay, and are there any questions? I do want to  
8 point out that several changes were made from our last meeting, the addition of those two  
9 planning areas, the activity center mixed-use 2 and 3, the width of the townhouse has been  
10 changed from 24' to 18', activity center mixed-use was seventy-five - activity center mixed-use  
11 2 is at 7,500 square feet as suggested and activity center mixed-use 3 is 125,000 square feet.  
12 We've taken a look at the, the table of uses as well for both of those areas, so that's something  
13 new that's added to the documents since you've seen it last. We've cleaned up the language  
14 when it comes to connectivity for the streets and block system, making it more, if we could turn  
15 to, let me see -

16 MR. FURGESS: Page eight?

17 MS. RUTHERFORD: Page eight, if you have a, have one of the newer documents, just  
18 really cleaning up the language for street connectivity and mid-block connections. And I want to  
19 say that was all of the changes that were suggested by the Planning Commission.

20 MS. MCDANIEL: Was that the new version?

21 MS. RUTHERFORD: You all should have received that in your packets.

22 MS. MCDANIEL: I have a version that was amended November 16<sup>th</sup>?

23 MS. RUTHERFORD: That's the one I'm reading from.



1 MS. MCDANIEL: Okay, thank you.

2 MR. TUTTLE: Ms. Rutherford, I do have a question. As it relates to signage in the  
3 signage plan, would the signage plan that's approved here have to comply with the regular  
4 Richland County Sign Ordinance or, or does this take precedent over what, I mean, can you  
5 approve something in your plan that's not compliant with the standard plan?

6 MS. RUTHERFORD: I think what we've taken a look at is that this sign plan is specific  
7 for these areas, so if, if development is coming into this area this is the sign plan we're gonna  
8 have to adhere to.

9 MR. TUTTLE: Okay.

10 MR. MANNING: Could, could you clarify or explain the bonuses and the residentials,  
11 from six to nine or sixteen or?

12 MS. RUTHERFORD: Yes, right. Your bonuses are given for increased open space, so  
13 the way, the way you receive your bonuses is increasing your open space and that is talked about  
14 towards the back of the document, when you start looking at your open space provisions, how to  
15 get, how to get that bonus. So if a bonus is going to be given, the most you're gonna get in a GR  
16 1 I want to say is from six, well depending on the, depending on a single-family mixed, single-  
17 family from six dwelling units to nine, you're gonna have to comply with your open space  
18 provisions in order to get that bonus.

19 MR. MANNING: So you would have to increase the open space from what to what to  
20 get from six to -

21 MS. RUTHERFORD: Let's turn to that, your bonuses on page, if you all want to turn  
22 with me, your bonuses are on page 36, increasing, giving multi-use trails, you get one dwelling  
23 unit or a 1,000 square feet of commercial space per 100 yards of trail. You get additional four

1 dwelling units or 5,000 square feet of commercial space for dedicated lands. So one dwelling  
2 unit per each acre of dedicated open space that exceeds 10% of the gross acreage of tract that is  
3 not primary conservation area. So if you donate land that is not considered primary conservation  
4 area, over the, over 10% of what's already required for that district, that's how you're gonna get  
5 your additional dwelling units, up to three additional.

6 MR. MANNING: Okay.

7 MS. RUTHERFORD: Okay? Any more questions?

8 MR. MANNING: I've, I've got one other one.

9 MS. RUTHERFORD: Yes, sir.

10 MR. MANNING: You said this Code was being applied only to Newcastle and Crane  
11 Creek?

12 MS. RUTHERFORD: Correct.

13 MR. MANNING: And we won't see this Code in the southeast or any of the other  
14 neighborhoods?

15 MS. RUTHERFORD: I cannot promise you that.

16 MR. MANNING: Well, I was hoping you would.

17 MS. RUTHERFORD: Okay. The way the Code was written it can be applied to other  
18 areas, the intent was to apply it to future Master Planning areas. We're in the process, if you all  
19 received your little green postcard when you came in, we're in the process of two new Master  
20 Planning areas, so this document can be applied to other areas and expanded upon. At this time,  
21 we have not looked at southeast as this being a tool to apply to the southeast, however, I won't  
22 say it's out of, out of the question.

1 MR. MANNING: Well, you know, certainly we wouldn't want to reinvent the wheel  
2 totally in all of this, but each one of these communities is unique.

3 MS. RUTHERFORD: Right.

4 MR. MANNING: Trenholm is totally different than Crane Creek.

5 MS. RUTHERFORD: Correct.

6 MR. MANNING: And the, just the compatibility of designs and styles in one  
7 neighborhood doesn't necessarily fit in another and so, you know, I think to be driven from the  
8 community as opposed to just a [inaudible] Code.

9 MS. RUTHERFORD: I understand, and that's what we're trying to do, by being able to  
10 expand upon the districts, we can include other types of residential areas, other types of  
11 neighborhood mixed-use, other types of activities center mixed-use to where it can be applied to  
12 other areas. This Code is not design specific, we're not telling you what type of siding you need  
13 to use, how large your windows need to be or what type of, or pitch of roof. It's not an  
14 architectural design document, so I think it's general enough that it can be applied to other areas.  
15 What we did see, since we're talking about southeast specifically, there were opportunities for a  
16 neighborhood mixed-use, residential mixing residential and potentially an activity center mixed-  
17 use, so I, I won't promise you, we have not looked at it specifically at this time, but it's, this is a  
18 tool that we're hoping to be able to use in other areas of the county. The process that we went  
19 through, as we will with other communities that come forward, is to present it to them, actually  
20 work with the communities to decide on where these kinds of buildings or uses would be best in  
21 their community. We would not go about this exercise and just present it to the community,  
22 having told them where we think all those uses should be. So we'll go through, we'll go through  
23 a process with them, but we're hoping to be able to use this in other areas of the county.

1 MS. ALMEIDA: One thing we don't want to do is create, you know, a form that's very  
2 specific to an area because it becomes very difficult to enforce. So, the Form Based can be  
3 broadened to encompass different nuances in different areas of the County's Master Plans, for  
4 instance if there's a specific, something that's very specific to southeast, we can incorporate it  
5 into this, but we don't want to change the document that significantly so that Staff would  
6 actually have to have an ordinance specific to the southeast or specific, I mean, it would be very  
7 difficult.

8 MR. MANNING: Aren't you're gonna have to have an ordinance specific to the  
9 southeast anyway?

10 MS. ALMEIDA: I, I mean, in the standards, the standards, they, they would be very  
11 difficult to enforce from a Staff perspective. So this form would be used, but we would plug in  
12 different things for the southeast that would obviously be more geared toward the southeast.

13 MS. MCDANIEL: But wouldn't anything that you plug in be applicable to all of the  
14 districts that the Form Based Code would apply to?

15 MS. RUTHERFORD: It could be, but what we're proposing for the maps in front of you  
16 are the uses that we're proposing for that area, so that's how it gets specific, so.

17 MS. ALMEIDA: There could be specific areas that could be plugged in just for the  
18 southeast, so it would have, we're just trying to put a framework together so we can apply it from  
19 Master Plan to Master Plan, not to have Form Based in some Master Plans and some other type  
20 of, you know, standards, it, it would just, our Land Use Code would be humongous as it, you  
21 know, it would just be very, very difficult from an enforcement and a design standard, even for  
22 the design professionals it would be very difficult.

23 MS. MCDANIEL: And where is the ordinance applying this to Crane Creek in general?

1 MS. RUTHERFORD: This is the, this is the text, the ordinance is generated by, Amelia  
2 you could probably answer that better, this is the text, the ordinance would be written separately  
3 and then we would have a map amendment that will follow to actually apply it to the map, to  
4 actually go in and rezone those properties.

5 MS. CAIRNS: Well yes, so today's request is simply the adoption of this? Not  
6 necessarily the application of it -

7 MS. RUTHERFORD: Exactly, we're, we're trying to -

8 MS. MCDANIEL: This is just for our information?

9 MS. RUTHERFORD: - right, we're trying to adopt the text and then we will present the  
10 map amendment to you in the following months.

11 MS. MCDANIEL: Okay.

12 MS. RUTHERFORD: Okay.

13 MS. CAIRNS: And I, I'm just looking back through, I know one of the issues that came  
14 up last time, I guess I get to sort of be the parking guru, but I still am completely baffled as to  
15 how we don't have minimum parking requirements, but yet we have a way to satisfy minimums  
16 or shared. I just think that the ordinance lends itself a mess at that point, so I'm just going -

17 MS. MCDANIEL: I agree completely and I noticed on the slide that you showed for 26-  
18 112, the slide you showed had maximum replaced with minimum I think? I may have read that  
19 wrong, if we could go back to that slide?

20 MS. RUTHERFORD: Um-hum (affirmative), we did, we have taken -

21 MS. MCDANIEL: Is there a correction that you've made to fix that?

22 MS. RUTHERFORD: No, that's, you saw it correctly. The way we, you saw it, you saw  
23 it right. What we've taken away is the minimum parking and made it a maximum parking and

1 based upon, based upon the square footage of all of the buildings, a maximum parking for  
2 impervious surface, that being your concrete, and your maximum for your pervious and what we  
3 hoped we've done is allowed for opportunities for shared parking to be created on your pervious  
4 surfaces.

5 MS. CAIRNS: But I still don't understand how one would be required to do shared  
6 parking if one is required to not have any minimum?

7 MS. RUTHERFORD: Because your maximum, because we've changed your maximum.  
8 No one's gonna build to the minimum, they're, they're gonna build to the max. I think -

9 MS. CAIRNS: Well, so if everybody builds to the maximum -

10 MS. RUTHERFORD: But the maximum is low.

11 MS. CAIRNS: Right, but I mean, if, if the requirement is I'm building a building and I  
12 can have up to 10 spots, but I want more than 15, the fact that I broker some deal with my next  
13 door neighbor to where we're gonna share spots, I don't understand how county gets involved in  
14 the fact that if I show you 10, y'all sign off on my parking? Because I've satisfied the minimum,  
15 which was zero and I haven't exceeded the maximum, so is the shared the idea that I could  
16 exceed my maximum by showing that my neighbor's gonna be using some of my parking? Or is  
17 it, I mean, I've just never quite -

18 MS. RUTHERFORD: Okay, if your maximum for your parking on impervious surface is  
19 10, you're allowed potentially an additional five spaces on pervious, so you're gonna have to, if  
20 you want additional spaces, you're now, your next five spaces will have to be on pervious  
21 surface.

22 MS. CAIRNS: Okay, but, so, but I mean, let's say I stayed within the maximum and  
23 everybody stays within the maximum, where does the shared parking? Because again -

1 MS. RUTHERFORD: Where is it triggered?

2 MS. CAIRNES: - in the Code it still talks about reducing the number of parkings  
3 required, well there's none required, there's lots desired but there's none required.

4 MS. RUTHERFORD: Okay.

5 MS. MCDANIEL: And I think that that, are there not minimums in other parts of the  
6 Code?

7 MS. CAIRNS: This will, this will, it will be either part of the Code or the other.

8 MS. MCDANIEL: Or the other, okay.

9 MS. CAIRNS: They're not, they're not contemporaneous.

10 MS. RUTHERFORD: Right, this is the new parking standards for the areas that this will  
11 be applied to. Good question and I don't know how to answer that, I think the intent was when  
12 we looked at a new standard for, let's say this, our, our current Land Development Code is not as  
13 expounded on shared parking as this one is. This actually gives you a way to equate your shared  
14 parking.

15 MS. CAIRNS: Well I mean, I mean, I, I understand that our old Code had minimums  
16 and so therefore if somebody couldn't satisfy the minimum, they could, they could seek their  
17 neighbors as a means to satisfy minimums with shared, but under this new one there is no  
18 minimum and I kind of feel a little bit broken because I -

19 MS. RUTHERFORD: Well there is no minimum.

20 MS. CAIRNS: Well, right, so how would I ever be required to show shared?

21 MS. ALMEIDA: Well, but you would be hard pressed to tell me that a, that a, any sort of  
22 a development wouldn't want any parking, I mean -

1 MS. CAIRNS: I understand, but I mean, if, but I can come in with a development plan  
2 under this Ordinance and show no parking spots and, and county couldn't tell me I was deficient.  
3 I mean, my banker might, but county can't.

4 MS. ALMEIDA: Right.

5 MS. CAIRNS: But I mean, but, but, so this is, this is like a back door way to, to show -

6 MS. ALMEIDA: Minimize impervious surface.

7 MS. CAIRNS: Well yeah, but it, but even, but I mean, the pervious/impervious I get that,  
8 but is, is this something, I mean, I just, I don't understand how if I have satisfied my parking by  
9 putting in something towards the maximum -

10 MS. ALMEIDA: Right.

11 MS. CAIRNS: - why does the county care about some shared parking arrangement?

12 MS. ALMEIDA: Well because somebody might want to exceed that maximum.

13 MS. CAIRNS: Well then -

14 MS. ALMEIDA: Your next door neighbor might want to exceed that maximum.

15 MS. CAIRNS: But that would be a private agreement, where does the county get  
16 involved?

17 MS. ALMEIDA: Well, when your next door neighbor comes in and wants to exceed that  
18 maximum then we would look at the adjacent -

19 MS. CAIRNS: But that would be a private agreement between the two property owners.

20 MS. ALMEIDA: As long as they would adhere to this Ordinance.

21 MS. RUTHERFORD: Right, to what, to, how to write that agreement. Before it was a  
22 handshake, now we have, now we're saying that -



1 MS. CAIRNS: I still, I still just have problems with it because it starts out by saying, you  
2 know, if the number of parkings, it says at least 10% more than the minimum and we don't have  
3 minimums, I still, I mean -

4 MS. RUTHERFORD: Okay.

5 MS. CAIRNS: I mean, I'll drop this course eventually -

6 MS. ALMEIDA: That's a, that's a point.

7 MS. CAIRNS: - but I just -

8 VICE-CHAIRMAN PALMER: No, I understand what you're saying.

9 [Inaudible discussion]

10 VICE-CHAIRMAN PALMER: Yeah, because as far as the county goes if I build a  
11 building I can build it with no parking spots.

12 MS. CAIRNS: Right.

13 VICE-CHAIRMAN PALMER: And if for some reason I want more and there's a  
14 parking, there's another business next to me, you know -

15 MS. CAIRNS: That's a private agreement.

16 VICE-CHAIRMAN PALMER: - K&J Fashion and they've got their own parking lot, I  
17 can certainly go to them and say, hey do you mind if my customers park in your parking lot, you  
18 know, because we share hours? And he can say either yes or no, or it's up to me to figure out  
19 how to get my customers in my space.

20 MS. CAIRNS: Right.

21 VICE-CHAIRMAN PALMER: It's not, and the county is doing nothing to impose rules  
22 of any sort.

1 MS. CAIRNS: I mean, that's my whole, yeah, well think about there's a church that you  
2 know, they've got a big old parking lot and you know they only use it on Sundays and you're  
3 planning to build a commercial building next door -

4 MS. ALMEIDA: Correct.

5 MS. CAIRNS: - the county is saying to me building the commercial building I have no  
6 parking requirement, so I'm able to broker a completely private deal with the church and I just  
7 don't see where the county gets involved in that, because you haven't set me any requirements.

8 MS. RUTHERFORD: Because we did not tell you you had to build a minimum.

9 MS. CAIRNS: Um-um (affirmative), because there's no minimum.

10 [Inaudible discussion]

11 MR. PRICE: I mean, following along with Heather we need to address this part before -

12 MS. CAIRNS: I mean, unless we're gonna make, I mean, if we're going to make  
13 minimums or if we're going to make this some way to exceed maximums, like if you, if, if the  
14 point is, is that maybe I've got a lot that for some reason I could actually put additional parking  
15 which will serve neighbors who therefore don't have to, and so it's a way that I can put in more  
16 than maximum because I can show you that I'm letting my neighboring parcels use it -

17 MS. ALMEIDA: But our problem is not the minimum.

18 MS. RUTHERFORD: Right.

19 MS. ALMEIDA: It's usually the maximum.

20 MS. CAIRNS: I do, I get the, I mean, I get that, but I just don't see how the county can  
21 get involved in these private agreements if the trigger is you don't have your minimum when  
22 there is no minimum.

23 MS. ALMEIDA: Right, agreed.

1 MS. CAIRNS: So I mean -

2 VICE-CHAIRMAN PALMER: Do you -

3 MS. CAIRNS: I understand that the county is basically trying to minimize the giant  
4 parking lots, but if it's, you know, if the developer knows for his marketing he needs more than  
5 the maximum and he's gonna have to broker private agreements, I don't know how the county  
6 gets involved in that.

7 VICE-CHAIRMAN PALMER: Okay, so I think that's got to come to them. Geo, we've  
8 got to address this I guess?

9 MR. PRICE: Yeah, I think we do need to address the part regarding the minimum.

10 VICE-CHAIRMAN PALMER: Okay.

11 MR. PRICE: Because more than likely, just kind of listening to the conversation, we  
12 really need to establish what we expect you to have, that you at least need to have a few.

13 VICE-CHAIRMAN PALMER: Okay.

14 MR. PRICE: Because the Code does address - the written agreement isn't just a private  
15 agreement, [inaudible] agreement to share parking, it's not just a private agreement between  
16 property owners, it is something that [inaudible] into a legal document with, with the county.

17 MS. CAIRNS: Well, but -

18 MS. ALMEIDA: Currently.

19 MR. PRICE: Not in this Code.

20 MS. RUTHERFORD: No, they don't.

21 MS. CAIRNS: But I mean, but again if the, if the requirement to engage the county is  
22 triggered on the inability to meet the minimum, then, then I think the county needs to recognize  
23 that's about the only time they're gonna be able to do it. Because what, what it sounds like what

1 you're wanting is, is knowing that the people are gonna want to exceed the maximum and that's  
2 where [inaudible] to be shared, this Code doesn't, I don't, you know, I think you, I mean, I know  
3 I'm going beyond what I should be offering as a Council Member, but I just think you got major  
4 problems with this and I don't think you're accomplishing what you want. So I think I should  
5 stop, but I think you've got major issues with this shared parking issue.

6 MS. RUTHERFORD: What's your suggestion on how to fix it?

7 MS. CAIRNS: To talk to legal counsel. Seriously, I mean, I think it's, I think that  
8 there's, there's, this is legally problematic and I just don't think that -

9 MS. ALMEIDA: Is there any other part of the Code?

10 MR. MANNING: I, I guess my question is from a practical standpoint, rural commercial  
11 [inaudible] has a minimum right now of what?

12 MS. ALMEIDA: That depends on the use.

13 MR. PRICE: Yeah, park, parking is based on the use, not the zoning.

14 MR. MANNING: Okay, well, I'd kind of like to see it side-by-side. I want to make sure  
15 that what we're doing, I, I understand that we're going to limit the size, but I want to make sure  
16 that we're not doing in such a way that it makes it ineffective for the right kind of use to come in  
17 there. You know, we had this discussion last week, last month about the size limitations of  
18 commercial uses, i.e., a grocery store say Crane Creek and, you know, basically having the  
19 commercial out there on the interchange and everybody was going to have to drive around to the,  
20 to the interchange to shop for the most part. We discussed the need to put in some neighborhood  
21 commercial and some nodes inside the community would, would eliminate that need. I want to  
22 make sure that those market conditions are met in order to get those kind of uses inside  
23 [inaudible], inside, I don't know that I can define that the way it's drawn now.

1 MS. RUTHERFORD: Well the, the parking is tied to the gross leasable space, the gross  
2 leasable area, so as the use gets bigger, so the, so do the parking allowances.

3 VICE-CHAIRMAN PALMER: And that's – go ahead, Deas, I'm sorry.

4 MR. MANNING: No, you go ahead.

5 VICE-CHAIRMAN PALMER: That's, that's contrary to what we now in that we, now  
6 we, we tie it to a, a use, at the construction of the building?

7 MS. ALMEIDA: We've always tied parking to use.

8 MS. CAIRNS: The difference is min versus max.

9 VICE-CHAIRMAN PALMER: But they're, they're tying it into the square footage here?

10 MS. ALMEIDA: Right.

11 MS. CAIRNS: But it was tied to square footage before -

12 MS. RUTHERFORD: It has been.

13 MS. CAIRNS: It was a minimum number of spots required based on the square footage.  
14 Because the other thing I'm concerned about is, is, you know, the area is being, my experience,  
15 which is albeit very small, but in terms of the amount of parking spaces per office space, I find  
16 these numbers from my experience in that too small. And if there's no on-street parking, that's a  
17 huge handicap, so I don't know if we need something on here that if you're in a spot with no on-  
18 street parking, you know, I mean, I just know here you've got four and half spaces per 1,000  
19 square foot maximum -

20 MS. RUTHERFORD: We're allowing on-street parking, it counts -

21 MS. CAIRNS: Yeah, but there are places in the county where there isn't on-street  
22 parking because of the nature of the street. It's not that you don't want it, and I mean, and it's  
23 not gonna happen, I mean I don't think -

1 MS. ALMEIDA: Well I think when we start looking at these neighborhoods that we're  
2 applying this Form Based Code we, we will take that into consideration.

3 MS. RUTHERFORD: Correct.

4 MS. ALMEIDA: The Form Based Code isn't, obviously we're not going to be stamping  
5 this across the countryside, so, you know, it's, it's all delving into density, walkability, that's  
6 what we're promoting.

7 MS. CAIRNS: Sure.

8 MS. ALMEIDA: So, you know, we are taking these older neighborhoods, encouraging  
9 that, encouraging you to park the car and walk through a village-type area, so, we're trying not to  
10 start focusing site by site because obviously then our sites are gonna have to get much larger and  
11 that's the problem we're into now. So we want to get that footprint trunk and get these people  
12 out of the car and walking the areas, so we would look at the areas that we would be applying  
13 this to.

14 MS. CAIRNS: I gotcha.

15 MR. TUTTLE: But, but would -

16 MS. RUTHERFORD: And it's reduced for a reason, we want to encourage you to share  
17 your parking, encourage you to walk or bike.

18 MS. CAIRNS: Fair enough.

19 MR. TUTTLE: Typically in these Form Based Codes the, the shared parking relates to a,  
20 a reduction in the minimum requirement, not maximum, i.e., if I was required 20 spaces for my  
21 business and I shared a parking lot with someone who had a business that had a different cycle,  
22 then i.e., I might be could get mine down to 22 if I could prove that I could borrow eight from a,  
23 a church. Therefore you have -

1 MS. ALMEIDA: Right.

2 MR. TUTTLE: - X parking spaces that are shared, it really relates to a reduction in the  
3 minimum, it doesn't have anything to do with the maximum.

4 MS. ALMEIDA: Well that's why we're going to visit the discrepancy of the minimum.

5 MR. TUTTLE: Right, I mean the, the whole purpose is to make the parking lot smaller  
6 and businesses that have different hours will be able to share the spaces is this kind of  
7 philosophy, right?

8 MS. RUTHERFORD: So if we were to change the minimum space for impervious, the  
9 maximum space for impervious to minimum and your maximum stay the same, do you think that  
10 would be something that would clear up this language? Because that's essentially how we, how  
11 we kind of looked at it, the methodology was to reduce the, what was initially a minimum  
12 number and make that maximum allowable. And again, as your, as your square footage of your  
13 of your use gets bigger, as your square footage of your use gets bigger, so does your parking  
14 allowances, but what we were trying to do was incorporate your pervious parking as well.

15 MR. TUTTLE: But do we address maximums anywhere else in the, in the Code?

16 MS. ALMEIDA: In this Code?

17 MR. TUTTLE: I mean in the regular, regular Code.

18 MS. ALMEIDA: Yeah, in our, in our existing Code we have minimums and maximums.

19 MS. RUTHERFORD: Right.

20 MS. ALMEIDA: We're gonna have to look at and run these numbers on, on these -

21 MR. TUTTLE: See, like, like the chart right there for instance, normally the single-  
22 family detached would have the requirement of two?

23 MS. ALMEIDA: Right, minimums and maximums, you have to stay within that range.

1 MR. TUTTLE: But here we would only have -

2 MS. ALMEIDA: The maximum.

3 MR. TUTTLE: One?

4 MS. RUTHERFORD: One or nine.

5 MR. MANNING: So in that -

6 MS. CAIRNS: I mean, it sounds like what you're trying to have is that if it, if a  
7 particular property owner wants more than the maximum, they can do it only by working with  
8 neighbors? Or they just -

9 MR. MANNING: That's the current.

10 MS. CAIRNS: - as opposed to just asking for a variance I guess.

11 MS. ALMEIDA: Right.

12 VICE-CHAIRMAN PALMER: Is the Board of Zoning Appeals an option here?

13 MS. ALMEIDA: We try to limit taking these issues to the Board of Zoning Appeals only  
14 because we want to encourage people to use this type of Form Code, making it an ease of  
15 applying it and, and utilizing it. So to throw in something like that and if it is problematic it, you  
16 know, it would discourage someone from, from wanting to utilize this, so -

17 MR. TUTTLE: But back to Heather's point as, as we, as we solve this -

18 MS. ALMEIDA: Right.

19 MR. TUTTLE: - and we go to, if I have a pizzeria and I want to share with a church,  
20 okay? What is, we need to understand what the county is gonna require, are they gonna require a  
21 long-term lease on those adjacent parking spaces?

22 MS. ALMEIDA: Well currently we do.

23 MR. TUTTLE: Okay, well I, I just wanted to make sure there's some mechanism.



1 MS. ALMEIDA: Yeah, because -

2 MS. CAIRNS: But that's to meet minimum?

3 MS. ALMEIDA: Right.

4 MS. CAIRNS: I mean, that's the whole problem, we don't have minimums now.

5 MR. MANNING: And that wouldn't be done by deed covenant? It would be done by a  
6 long-term lease? I mean, you build a building and go through the process based on the use and  
7 the size of the building and all of a sudden the lease terminates and the building's still there?

8 MR. TUTTLE: Yeah I mean, it's, it's a, it's a double-edged sword because if, if you  
9 attach a lease to a building, to take 50 spaces from the church and the tenant goes away and now  
10 there's a new use that doesn't require as many spaces, are we gonna require that, that owner to  
11 continue to -

12 MS. ALMEIDA: Right.

13 MR. TUTTLE: - to lease those spaces? I mean I -

14 MS. ALMEIDA: Geo, is, is, is that your understanding about the existing arrangement?

15 MR. PRICE: I think I missed part of what he was saying, but under the shared parking,  
16 you're right. If there was a, you know, two uses, let's say one is a commercial establishment and  
17 the other one is a church and they have this shared parking agreement and, you know, they have  
18 a written document, legal document and the church decides that they're going to relocate and that  
19 church becomes something else, we would then have to look at the number of parking spaces  
20 required for that church. And then there would be some cases that the original business would  
21 have to then come in and provide to us the necessary parking that they're losing from the church,  
22 you know, going -

23 MS. ALMEIDA: So they would be non-conforming, they would be in non-compliance.

1 MR. PRICE: So, I mean, you know, literally we could eliminate a use if we couldn't  
2 somehow accommodate the parking spaces.

3 MS. ALMEIDA: We would have to go back and look at those numbers. Is there  
4 anything else in the, in the document that [inaudible]?

5 MR. MANNING: I, I guess one thing I, I would like to say, going back to the, could we  
6 go back to the map on Crane Creek?

7 MS. RUTHERFORD: Um-hum (affirmative).

8 MR. MANNING: And if you could point out the neighborhood commercials?

9 MS. RUTHERFORD: The yellow.

10 MR. MANNING: And it's the yellow?

11 MS. RUTHERFORD: Um-hum (affirmative).

12 MR. MANNING: So we've got neighborhood commercial on one end and commercial  
13 on the other end, which means you're gonna have to get out on the road in a car and go from the,  
14 the property in the rear of the planned area out to 321 and 20?

15 MS. RUTHERFORD: This area is so vast, there's really -

16 MR. MANNING: The area in here is gonna have to get back out on the road to get to  
17 this commercial in there.

18 MS. RUTHERFORD: Definitely, there's a, there's a, a lack of connectivity unless they  
19 take Blue Ridge.

20 MR. MANNING: Right.

21 MS. RUTHERFORD: Blue Ridge Terrace through the center of this entire area and  
22 come back out to Monticello.

23 MR. MANNING: That's, the main part of, through the neighborhood?

1 MS. RUTHERFORD: Uh-huh (affirmative), they can take that corridor.

2 MR. MANNING: Well it seems to me that we ought to have somewhere in that corridor,  
3 some neighborhood commercial that -

4 MS. RUTHERFORD: There is -

5 MR. MANNING: - that would keep the residents from having to come all the way out  
6 here to, to the other -

7 MS. RUTHERFORD: Okay.

8 MR. MANNING: I think.

9 MS. RUTHERFORD: Well this -

10 MR. MANNING: But the, the, I don't know if the neighborhood -

11 MS. RUTHERFORD: Uh-huh (affirmative), do you have a pointer over here?

12 MR. MANNING: - desires that or not -

13 ? : There is a piece of the neighborhood -

14 MS. RUTHERFORD: - neighborhood commercial.

15 ? : - at the top?

16 MR. MANNING: That?

17 MS. CAIRNS: No, over to the left -

18 MS. RUTHERFORD: No, right there.

19 MS. CAIRNS: Moving up a little bit.

20 MR. MANNING: That? To the right there?

21 MS. RUTHERFORD: Yeah, that entire corner.

22 MR. MANNING: That one?

23 MS. RUTHERFORD: No, it's about seven parcels.

1 MR. MANNING: Oh.

2 MS. RUTHERFORD: Let me get you a map Deas.

3 MR. MANNING: Is there any acreage in the interior, well, what is that right there -

4 MS. RUTHERFORD: That's all residential.

5 MR. MANNING: Okay.

6 VICE-CHAIRMAN PALMER: But we're not being asked to pass the map today are we?

7 MS. RUTHERFORD: No, we're not, but all of this right here, in working with these  
8 property owners, they want neighborhood commercial right in here, so this is right on Blue  
9 Ridge Terrace -

10 MR. MANNING: Um-hum (affirmative).

11 MS. RUTHERFORD: So there is [inaudible] commercial tie-in [inaudible] together  
12 before you get, before you go, go through [inaudible] area.

13 MR. MANNING: What would this area in here be?

14 MS. RUTHERFORD: All of that's residential, this is one parcel, this school actually sits  
15 right here. This is, I want to say catalyst number 7 where a park, a community park would be  
16 attached to the school area. So because this is one whole parcel we couldn't cut that parcel up,  
17 you know, recommend [inaudible] on the map. This piece has already been taken out and I want  
18 to say a representative from the church is here, this is all church property and they [inaudible].  
19 And these parcels you saw before you started seeing the Master Plan itself, these also were  
20 neighborhood commercial, anticipating this plan in the past.

21 MR. MANNING: Well there are a lot of large parcels in there.

22 MS. RUTHERFORD: Yeah.

23 MR. MANNING: [Inaudible] reasonable, as a part of, I guess this plan can be modified?

1 MS. RUTHERFORD: Um-hum (affirmative).

2 MR. MANNING: Just as any other zoning classification?

3 MS. RUTHERFORD: Yes.

4 MR. MANNING: So there's no stringent requirement to come back and, and ask for a  
5 rezoning on something that's no -

6 MS. RUTHERFORD: No, not for, not for the, the zonings that's being proposed. If a  
7 property owner is saying, oh I think I like activity center mixed-use 2 for my property versus the  
8 GR1, you know, depending still what those, those uses are, they are, are able to come in and get  
9 some of those rezones.

10 MR. MANNING: How, how large of an area is this?

11 MS. RUTHERFORD: Over 3,000 square feet I want to say, 3,000. This one, this one  
12 was one of the larger planning areas, it's pretty big.

13 MR. MANNING: Three thousand acres?

14 MS. RUTHERFORD: Not three thousand, three thousand acres, yes, sorry, three  
15 thousand acres, it's pretty big.

16 MR. MANNING: Well in -

17 MS. RUTHERFORD: Large parcels of land as well.

18 MR. MANNING: - a lot of large parcels, you could have redevelopment possibilities  
19 well beyond what we see right here with road relocations or improvements on, or other cars  
20 being brought in and I think that, I think the plan needs some, some mixed-use in the center of it  
21 somehow or another to keep everybody from having to ride through the neighborhood from one  
22 end of the other.

23 MS. ALMEIDA: Well you, you will need to -

1 MR. MANNING: I know you're dealing with -

2 MS. ALMEIDA: - with many of these kinds of plans, this is the catalyst that drives the  
3 change. If it really moves in that direction you would see a change years from now of, with  
4 more density or, or more commercial, this is just the beginning and that's what we're hoping for,  
5 this to be the catalyst.

6 MS. RUTHERFORD: And what we were trying to do was stay in a line with what was  
7 the existing zoning, the center of this entire planning area is all residential, okay? Little, very  
8 little opportunity right through, down Blue Ridge Terrace, within the property owners that were,  
9 you know, participating in this process, and what you're seeing is that neighborhood commercial  
10 right there in the corner, is property owners taking the proactive step to go ahead and rezone.

11 VICE-CHAIRMAN PALMER: I have a couple of questions, Tia, if I could?

12 MS. RUTHERFORD: Um-hum (affirmative).

13 VICE-CHAIRMAN PALMER: The, Decker Boulevard, Woodfield Park area, I'm just  
14 wondering what, what the need to put that in here on page four is, as part of this? Because this,  
15 this Form Based Code doesn't apply to Decker Boulevard.

16 MS. RUTHERFORD: That page talks about other planning areas that have, that are,  
17 other zoning areas. This, this is just listing your other districts.

18 VICE-CHAIRMAN PALMER: Okay.

19 MS. RUTHERFORD: The other Master Plan districts.

20 VICE-CHAIRMAN PALMER: Because it says for the purpose of this chapter the  
21 following neighborhood of Master Plan districts and Master Plan overlay districts are established  
22 in a zoning, a zoning jurisdiction of Richland County, so I was just -

1 MS. RUTHERFORD: This is the chapter of our Land Development Code that talks  
2 about these overlays.

3 VICE-CHAIRMAN PALMER: Okay.

4 MS. RUTHERFORD: So this is an additional chapter.

5 VICE-CHAIRMAN PALMER: Okay, and it, so the Form Based Code would not apply  
6 to Decker Boulevard?

7 MS. RUTHERFORD: No.

8 VICE-CHAIRMAN PALMER: And how would it ever apply? Would you have, you  
9 have to come in and, and I guess the next step would be for Trenholm Acres to come in and say,  
10 and this Form Based Code now applies to Trenholm Acres and then each one would have to  
11 come in individually?

12 MS. RUTHERFORD: It would be the, in order to apply the text, we'd have to do a map  
13 amendment to have the rezones reflect the new text.

14 VICE-CHAIRMAN PALMER: Okay.

15 MS. RUTHERFORD: So that would be the next step, is the map amendment.

16 VICE-CHAIRMAN PALMER: Why, why wasn't Trenholm Acres and, and all the other  
17 different areas put in here along with Decker?

18 MS. RUTHERFORD: Because this Form Based, Decker, the corridor redevelopment  
19 overlay is its own overlay. The Decker/Woodfield Park neighborhood redevelopment district is  
20 an overlay.

21 VICE-CHAIRMAN PALMER: It's got its own?

22 MS. RUTHERFORD: That's what it's named.

23 VICE-CHAIRMAN PALMER: Okay.

1 MS. RUTHERFORD: And it's applied to that area specifically.

2 VICE-CHAIRMAN PALMER: Okay.

3 MS. RUTHERFORD: And the Form Based Neighborhood Code is now a new district, so  
4 those are two other zoning districts or overlays that you're seeing.

5 VICE-CHAIRMAN PALMER: Okay, alright.

6 MS. RUTHERFORD: Okay.

7 VICE-CHAIRMAN PALMER: On page five it talks about, under C-1 it says 51% or  
8 more of the base value? It talks about all, all major renovations, which is 51% or more of the  
9 base value to existing property or infill development shall conform to the regulation of this  
10 chapter. What's number, first of all what's the base value? Does that include land? Or is that  
11 just the value of the building?

12 MS. RUTHERFORD: Good question. I don't have an answer for that, I think this is  
13 standard language that applies -

14 MS. ALMEIDA: [Inaudible]

15 MS. RUTHERFORD: - for base value?

16 MS. ALMEIDA: [Inaudible]

17 MS. RUTHERFORD: Okay, and infill, so you have a piece of undeveloped property  
18 within a developed area such as Crane Creek, you're now having to, any new development  
19 basically into this area is gonna have to apply to this, to this Code.

20 VICE-CHAIRMAN PALMER: Okay, because that, the whole term infill development  
21 seems kind of arbitrary I mean, what's, what's infill development?

22 MS. RUTHERFORD: Infill is you're building brand new in an established community,  
23 for instance, there's opportunity at the back of Lincolnshire on some of their roads to do



1 additional housing. I think we would consider that infill development because there's an  
2 existing, an established neighborhood that's been there for 30+ years.

3 VICE-CHAIRMAN PALMER: I think that just needs to be defined because that's a, I  
4 mean, when we're talking about Code, we need, you know, terms that people understand and not  
5 kind of stuff that's -

6 MS. CAIRNES: I think it might, and I think it's possible, but it's unnecessary because it  
7 starts out by saying that a development within these neighborhood shall conform to these  
8 standards and that the renovations is the, you know, because of course you get grandfathered in -

9 VICE-CHAIRMAN PALMER: Right.

10 MS. CAIRNES: - if you're not conforming and the renovation is triggering, I think your  
11 question about what is base value does need to be addressed.

12 VICE-CHAIRMAN PALMER: Right.

13 MS. CAIRNS: But, I think that the infill development -

14 VICE-CHAIRMAN PALMER: It just needs to be straightened out.

15 MS. CAIRNS: - is unnecessary because -

16 VICE-CHAIRMAN PALMER: Yeah, yeah.

17 MS. CAIRNS: - it's developing, I mean, the first sentence says, development shall be -

18 MS. ALMEIDA: Well could put a definition.

19 MS. CAIRNS: Yeah, I mean, I just don't know what that -

20 MS. ALMEIDA: So define?

21 MS. CAIRNS: - but I think the whole question of base, I mean, my guess would be that  
22 it would be the value of the building, because that's what's grandfathered, not the dirt.

23 MS. ALMEIDA: Well we can get a definition for both.

1 VICE-CHAIRMAN PALMER: Okay.

2 MR. PRICE: And we usually use what the tax assessor, the tax assessor assesses the  
3 property.

4 MS. CAIRNS: But is it the overall value or just the value of the building?

5 MR. TUTTLE: No, it's the value of the land as well.

6 MS. RUTHERFORD: Um-hum (affirmative), overall value.

7 MS. CAIRNS: You just need to make it clear that's all.

8 VICE-CHAIRMAN PALMER: No, because when we, when we do renovations it's 50%  
9 of the value of the building, I know that from experience. They don't do that -

10 MS. ALMEIDA: But that's, that's commercial.

11 MS. RUTHERFORD: Commercial.

12 MR. MANNING: But it should be the value of the building, just take the land out, so  
13 you -

14 MS. CAIRNS: Whatever it is, it just needs to be defined and then we can discuss whether  
15 it's the right way to do it or not.

16 VICE-CHAIRMAN PALMER: Right, right.

17 MS. ALMEIDA: Anything else?

18 VICE-CHAIRMAN PALMER: Yes. Under C, on page five?

19 MS. RUTHERFORD: Um-hum (affirmative).

20 VICE-CHAIRMAN PALMER: The ACMU sub-district permits higher density mixed-  
21 use buildings and does it have to be a mixed-use building? Or, or can it be, ACMU can be any  
22 kind of building I guess?

23 MS. RUTHERFORD: The building types allowed in ACMU are defined on page seven.

1 VICE-CHAIRMAN PALMER: But it doesn't have to be a mixed-use building?

2 MS. RUTHERFORD: You could have your, you have your commercial office space  
3 building.

4 VICE-CHAIRMAN PALMER: Uh-huh (affirmative).

5 MS. RUTHERFORD: You have your live/work unit, your loft dwelling, your civic  
6 institutional.

7 VICE-CHAIRMAN PALMER: And these same buildings are allowed in all the districts?

8 MS. RUTHERFORD: All of the districts that are defined.

9 VICE-CHAIRMAN PALMER: Except for green residential?

10 MS. RUTHERFORD: Exactly.

11 VICE-CHAIRMAN PALMER: And we don't have a regular residential? Everything's  
12 going to be green in the Form Based Code, right?

13 MS. RUTHERFORD: It's single-family, it's called green residential, but it's single-  
14 family detached dwelling, it's single-family. The name of the district is green residential.

15 VICE-CHAIRMAN PALMER: Okay. Under, on page six, on, under F, the I-1 section,  
16 it says that it accommodates the expansion of existing industrial areas, it doesn't talk about any  
17 kind of new existing, of any new areas, it just says existing?

18 MS. RUTHERFORD: The intent was to allow for the industrial that's existing, but the  
19 communities were very adamant about limiting expansion of industrial in this area.

20 VICE-CHAIRMAN PALMER: But if this is going to be Form Based for more than one  
21 district, we need to allow, we don't need one district, one community to force what all the other  
22 districts are, are doing.

1 MS. RUTHERFORD: Right, so it gives us opportunities to expand on an industrial 2 or  
2 an industrial 3, but the intent for I-1 was to limit the expansion of those industrial uses.

3 MS. CAIRNS: Well, and isn't it also that we're still gonna maintain our existing  
4 industrial zoning?

5 MS. RUTHERFORD: Yes.

6 MS. CAIRNS: So that areas that are industrial that aren't interfacing with residential will  
7 probably just keep what they've got?

8 MS. RUTHERFORD: Yes.

9 VICE-CHAIRMAN PALMER: But it doesn't allow for any new industrial?

10 MS. CAIRNS: Right, but this -

11 VICE-CHAIRMAN PALMER: It won't allow anybody to come in and rezone anything  
12 industrial?

13 MS. CAIRNS: Right, but that's because these are sort of neighborhood based areas, I  
14 mean, that's the whole thing is the, the whole, the plan is not to use Form Based Neighborhood  
15 Districts countywide, but in areas that are neighborhood in character to start getting this kind of a  
16 Form Based zoning in there. But areas that are industrial and not residential neighborhood are  
17 gonna keep their existing zoning [inaudible].

18 VICE-CHAIRMAN PALMER: We're got 3,000 acres here, I'm sure there is -

19 MS. CAIRNS: Well there's a lot more than three thousand acres in a county.

20 VICE-CHAIRMAN PALMER: I understand, but what are the other districts that we  
21 have so far? They're all, they've all been, they've all been identified.

22 MS. CAIRNS: But what -

23 MS. RUTHERFORD: What other districts?

1 MS. CAIRNS: - they're mostly developed areas that don't have -

2 VICE-CHAIRMAN PALMER: Yeah, they're other Master Plan areas.

3 MS. RUTHERFORD: Well right now we're only gonna apply this to two, that's Crane  
4 Creek and Trenholm Acres/Newcastle, two planning areas.

5 VICE-CHAIRMAN PALMER: And there's no, there's no, I'm, I'm just pointing out  
6 that there's, under this current Code there's no way to expand, there's no way to get, for  
7 someone to come in and ask for industrial land under this current Code, as it's proposed?

8 MR. TUTTLE: Well if I own a parcel in the ACMU1, I could come before the Planning  
9 Commission and ask for that parcel to be rezoned to the I-1, correct?

10 VICE-CHAIRMAN PALMER: No.

11 MS. ALMEIDA: You could.

12 MS. RUTHERFORD: You could. It's a, it's a use within the Form Based, but we, we've  
13 given so much flexibility with the ACMU1 that you're having all kinds of uses in this area. That  
14 may, that may be better suited than, you know, that actual area.

15 MR. TUTTLE: Well for, for instance it may be that one of the, the parcels that borders  
16 the ACMU they want to expand their plan and come in and encroach and take a half an acre or  
17 something. There certainly would be a mechanism to do that, correct?

18 MS. RUTHERFORD: Yes.

19 VICE-CHAIRMAN PALMER: If it's an adjacent parcel, but not if somebody wanted to  
20 come in to a parcel that's not adjacent to - if a brand new business wanted to come in and say,  
21 you know, I want this area right here to be, it's around the railroad track or whatever, I want it to  
22 be my industrial area, they can't even ask for it?

23 MS. ALMEIDA: They could ask.

1 VICE-CHAIRMAN PALMER: Well no that, this says it, this is only for the expansion  
2 of existing industrial areas?

3 MS. ALMEIDA: Well, right, in these two Master Plan areas.

4 VICE-CHAIRMAN PALMER: In these, well that's what, that's what I'm saying, they  
5 can't come in and ask -

6 MS. ALMEIDA: But if, if there is another Master Plan area somewhere else that Form  
7 Based would be used, we could then analyze that and see if it, in fact, makes sense and if it did,  
8 expand upon the uses.

9 MR. TUTTE: But back to his question, is there any other area within this map that could  
10 become I-1 if the property owner wanted to come before a, a body and ask for that, is that  
11 possible?

12 MS. ALMEIDA: No, according to the wording, that's -

13 MR. MANNING: Well, that was, that was my point a minute ago, there are places that  
14 might be suitable for rural commercial, or neighborhood commercial as this plan develops and I  
15 was asking can we modify this plan later and the answer was yes.

16 MS. RUTHERFORD: Yes, I -

17 MR. MANNING: The same thing though would apply, you can't say, you can't do it in  
18 an industrial setting, but you can do it in a neighborhood commercial setting?

19 MS. ALMEIDA: Yes, the other areas, activity center mixed-use 2, 1, does not have the  
20 wording that the industrial 1 has.

21 VICE-CHAIRMAN PALMER: Okay, can we just hold on for a second, our, we need to  
22 change out - alright, we got it.

1 MS. ALMEIDA: So, so the industrial 1 does have the language where it only allows the  
2 existing industrial areas, but the other activity areas, mixed-use 1, 2, or 2, 3 neighborhood mixed-  
3 use 1, does not have that, that wording in there that would not allow for a rezoning request.

4 VICE-CHAIRMAN PALMER: I'm just, I was just of the opinion that we're trying to do  
5 something here that, that has the ability to go across all the different mixed-use areas that we're  
6 trying to put in place and I can see personally that being an issue with the expansion of industrial  
7 possibly in the county, in, in any of these areas where it may be necessary.

8 MS. ALMEIDA: Well in those areas, once we get to them, if that is something from a  
9 planning perspective that we can see should be expanded upon, that industrial use, we could  
10 expand upon this sub-district.

11 VICE-PRESIDENT PALMER: Yeah, we can always change stuff in the future, I just  
12 think it's something that needs to be changed now.

13 MR. MANNING: I, I think what you do, the way it's written is, it's gonna be a complete  
14 prohibition.

15 VICE-PRESIDENT PALMER: That's right.

16 MR. MANNING: And, and I don't know that that's a good thing, I don't know that it's a  
17 bad thing, I'm not, I'm not saying the communities desire to limit industrial growth in the  
18 neighborhoods is a good thing or a bad thing, but 10 years down the road somebody may say hey  
19 this is a good clean industry, it's gonna bring some jobs to this neighborhood, would it be a good  
20 thing? And then at that point it's gonna be Staff saying, no you can't do that.

21 VICE-CHAIRMAN PALMER: Yes.

22 MR. MANNING: I mean, it's written so that you can't -

23 VICE-CHAIRMAN PALMER: Yeah, well if the neighborhood wants to -

1 [Inaudible discussion]

2 MR. TUTTLE: I'm sorry. Or you'll force that business somewhere else where this  
3 community could have benefited from having that business there.

4 MR. MANNING: I, I think you got to, you've got to go through the rezoning process  
5 anyway.

6 VICE-CHAIRMAN PALMER: Where the community has the option to come out and  
7 either support or go against the rezoning of any parcel.

8 MS. CAIRNS: Well and I think the other thing is, I mean, so much of our zoning is  
9 based on industry being this concept of these dark, dirty, bad neighborhood things and so, I  
10 mean, whether our Code is addressing clean industries that somehow categorize themselves as  
11 industry even though nobody would have a problem with them in their neighborhood, I don't, I  
12 mean, we can't anticipate every problem and I think that's something that we probably, all of us  
13 in the planning world are gonna be dealing with is things that for whatever reason end up being  
14 classified as industry but don't have the traits that cause us to want to push them to the sides in  
15 the past. You know, so I, I think that, I think what we have here is just sort of, you know,  
16 industrial looking at sort of the old industrial stuff, you know, I think that's what we've got is  
17 neighborhoods saying we don't want more industrial, but I think what we're all, what they're  
18 talking about probably is the industry that's -

19 MS. RUTHERFORD: Not community -

20 MS. CAIRNS: - [inaudible]

21 MS. RUTHERFORD: Exactly, community friendly.

22 MR. MANNING: Right.

23 MS. CAIRNS: Not the friendly industry, we haven't figured out how to define that.



1 MS. RUTHERFORD: Exactly, we just call it industrial.

2 MS. ALMEIDA: And let's not forget that, you know, rezonings can be initiated by  
3 County Council and by other means, this is just addressing an applicant who on their own  
4 volition wants to go and come before and have it rezoned, that would be, it, it wouldn't have that  
5 ability under the industrial, you're right, but -

6 VICE-CHAIRMAN PALMER: The Council would have to change the Code before  
7 they're able to rezone, the Council can't just rezone stuff -

8 MS. ALMEIDA: We're talking about initiating a rezoning.

9 VICE-CHAIRMAN PALMER: Yeah.

10 MS. ALMEIDA: You're, you're addressing the initiation of a rezoning on item F stating  
11 that a new industrial use under that sub-district could not request a rezoning.

12 VICE-CHAIRMAN PALMER: Neither could Council, Council couldn't either, Council  
13 couldn't say we want that to be -

14 MS. ALMEIDA: Council could initiate a rezoning.

15 MS. CAIRNS: Yes.

16 VICE-CHAIRMAN PALMER: Against the current, against Code?

17 MS. ALMEIDA: No we could -

18 VICE-CHAIRMAN PALMER: They could break Code?

19 MS. ALMEIDA: They could initiate.

20 MS. CAIRNS: They can initiate a -

21 MS. ALMEIDA: Well what's, the, the request, the initiation of it.

22 MR. TUTTLE: Why wouldn't we want to give the industrial landowner the same rights  
23 and privileges as the ACMU?

1 MS. ALMEIDA: Well because the area is being analyzed and researched and through  
2 public comment this is the Master Plan that's come up with.

3 VICE-CHAIRMAN PALMER: I can understand there being no more I-1 in, in Crane  
4 Creek, I can understand that, but as far as tying the hands of future developments and saying no  
5 one can come in and get it rezoned that I just don't agree with that.

6 MS. CAIRNS: Well I think that you're, I think you're expanding this current request to  
7 adopt some Code, you know, I mean, one is we could end up with an I-2 that would allow land in  
8 a neighborhood area to become zoning and we're still gonna have our industrial zoning in other  
9 parts of the county. So I mean, the fact that as this Code currently sits it doesn't allow within  
10 these specific neighborhoods a request to an industrial zone that doesn't currently exist does not  
11 mean, therefore, nowhere, no, can an industry be rezoned, because that's, that's just too broad of,  
12 of a [inaudible].

13 MR. MANNING: I think, going back to what, Anna, you were saying a minute ago,  
14 Council initiating zoning, I think we need to limit politics in zoning, I think that just adds fuel to  
15 the fire to do that, so I, I prefer to have it where we could ask for the rezoning and then turn it  
16 down if the neighborhood comes out against it, you know, I just think we, we're polarizing the  
17 community by asking the Council to initiate it, so.

18 VICE-CHAIRMAN PALMER: Well what you're, what you're not allowing then is, is  
19 the, any land in any other area except for that's currently zoned industrial, you, you can't have  
20 any, and it's going to the permitted uses, utility company offices because they're not allowed in  
21 any other district except for the I-1. So that means that any utility companies can't have any  
22 offices except for what's currently zoned. Truck transportation facilities, taxi service terminals,  
23 mediation services, rail transportation, radio, television or other similar transmitting towers, so

1 no cell phone towers, so all those people are get upset about their cell service. Broadcasting  
2 facilities, power generation, natural gas plants or other similar products, courier services, charter  
3 bus industry, bus facilities -

4 MS. CAIRNS: Those are not neighborhood type facilities as a rule.

5 MS. ALMEIDA: For these two Master Planned areas, what was analyzed fit both the  
6 community's requests and the data that was collected and implemented.

7 VICE-CHAIRMAN PALMER: And, and, and then I don't have a -

8 MS. ALMEIDA: And there are areas that that would not apply, that it might not  
9 absolutely.

10 VICE-CHAIRMAN PALMER: Well I don't have, I don't have a problem with that  
11 whatsoever in these two areas, but what I'm looking forward to is this Code being -

12 MS. ALMEIDA: Absolutely.

13 VICE-CHAIRMAN PALMER: - used in other districts, just like we did with the ACMU  
14 1, 2, and 3. These areas did not want ACMU 2 or 3 because it was brought to us with just 1.

15 MS. ALMEIDA: Right.

16 VICE-CHAIRMAN PALMER: So, but we've gone ahead and expanded those because  
17 we knew that other areas in the future may want those in their zoning areas. I foresee the same  
18 thing with industrial, that currently we only allow, you know, these small types of industrial uses  
19 and we've taken a lot of industrial uses out of what's under the current matrix, we've taken a lot  
20 of commercial uses out. So, you know, what we're saying is that in the future planning districts  
21 that, that a lot of the industrial uses, you know, because we haven't just taken what's in the  
22 current code and plugged it in here. If you take a look and, and you compare the use matrix,  
23 there's quite a bit of things were taken out, so that's, that's, that's my only issue with it.

1 MS. ALMEIDA: Right, but in other future Master Plan areas there might be an industrial  
2 sub-district that would allow for a, a collaboration of industrial uses.

3 VICE-CHAIRMAN PALMER: Sure, sure, I understand if we're making the Code now,  
4 why not go ahead and put it in here now?

5 MS. ALMEIDA: Because we don't know what the future Master Plans might bring, I  
6 mean, it maybe, I mean, we're trying to do this as concise as possible.

7 MS. RUTHERFORD: Right, and we're, we're applying it to areas that, at last month we  
8 approved and adopted their Master Plans, these are the areas that are calling for it now. So until  
9 we get ready to apply it to another area that has some of those issues that we need to take a look  
10 at, we really need to get something in place for implementation purposes for the two Master Plan  
11 areas that it will be applied to.

12 VICE-CHAIRMAN PALMER: Well I see that, but, but I guess if we were going on just  
13 what the community wanted, you guys brought to us last month a plan that had no ACMU 2 or 3  
14 in it. However, this month you're bringing us back plans that have both of those in it, so those  
15 obviously aren't what the community wanted because they're in there now, but the community  
16 didn't have any input into that.

17 MS. RUTHERFORD: There were opportunities, we saw opportunities for the expansion  
18 of ACMU 2 and 3, for ACMU 2 and 3. Are you saying that there's areas right now that you  
19 want to see it at I-1? Or excuse me, I-2 or 3 applied to?

20 VICE-CHAIRMAN PALMER: I'd have to look at them and see. I, I just knew that in  
21 the future though that I would see those, I haven't taken a look at the Crane Creek area close  
22 enough to see if there's anything in there that we could take a look at. I know that, I see 2 and 3  
23 would definitely need to have some, some more uses put in them. I don't know if -

1 MS. CAIRNS: Well maybe, maybe not.

2 MS. ALMEIDA: Well when, when, when the Master Plans come to fruition and, I mean.  
3 from a Staff perspective that's when we felt we could sit down and analyze it and come up with  
4 those different districts. Right now it would be a stab in the dark.

5 VICE-CHAIRMAN PALMER: So you guys saw that there was a need for an ACMU 2  
6 and 3 areas?

7 MS. RUTHERFORD: And, and based upon the need for greater square footage for  
8 buildings, yes. And that's, that's what spurred that was that we wanted to, we wanted to create  
9 buildings that were more than 25,000 square feet. So the suggestion at that time was 75,000 and  
10 125,000 square feet.

11 VICE-CHAIRMAN PALMER: Right.

12 MS. RUTHERFORD: That's how those districts were brought forward.

13 VICE-CHAIRMAN PALMER: Okay, well I'll, I'll move, that's just an issue for me  
14 personally, I, I, I don't, I don't know how we're gonna handle this stuff and we'll just talk about  
15 how we're gonna handle this Code, whether we do it like we, we have every other Code and go  
16 through each issue and vote on the issues, or if we just try to take it all as one because, I mean,  
17 we, we can't move forward currently under the, current form because we have a problem with  
18 the parking issue, it's got to be brought back to us next month. So, we can't move forward on  
19 the whole thing as a whole, so I'll, I'll go down some issues that I have it, or, or it may be easier  
20 to address these in a work session between now and next month and, and I don't know, whatever  
21 the Commission thinks to do. But we've already got one issue that's gonna come back to us next  
22 month I know of, so I mean, I can continue to go down some issues and, and we can, we can do

1 that now. I know we want to hear from the public because they're here, but what does the  
2 Commission think? What's their desire?

3 MR. MANNING: I have no problem with a work session, I think we, we keep  
4 identifying things that need to be addressed and, you know, let's get it right the first time and  
5 don't come back. So I, you know, that's a -

6 MR. FURGESS: Just go down with the stuff that you had.

7 VICE-CHAIRMAN PALMER: Okay, I'll go down with the stuff so far and then we can  
8 see if we can address some stuff also.

9 MR. TUTTLE: Can I just beat one more thing to death, cause I'm, I'm still confused. If  
10 I want, if I pick a spot in 10 years from now that should be I-1 and this doesn't allow me to do  
11 that, do I have, what's my next resort? Can I go to BOZA? Can I go to the District, I mean, do I  
12 go to Federal Court? Where do I go?

13 VICE-CHAIRMAN PALMER: You've got to change this Code, we've got to get a  
14 County Councilmember or a Staff member to propose a change in the Ordinance and then they'll  
15 allow you to come in and ask for it.

16 MS. CAIRNS: But this isn't applying to the whole county -

17 MR. TUTTLE: No, but to [inaudible].

18 MS. RUTHERFORD: No, it's just in this area.

19 MS. CAIRNS: Right, but I mean, that's true with any zoning, you know, it's like -

20 MR. TUTTLE: No, it's not. In, in any other zoning I would have voted to come back  
21 before and ask for a rezoning. The way this, this Ordinance is written you don't have that ability.

22 MS. CAIRNS: Well you can ask to rezone, we have to stay within these classifications.

23 MR. TUTTLE: Correct.

1 MS. CAIRNS: So they have to, we're not saying -

2 MR. TUTTLE: [Inaudible]? Any of those businesses identified in I-1 can, can never be  
3 anywhere else in this overlay district.

4 MS. CAIRNS: I don't, but I mean, if you can ask for a rezoning to I-1.

5 MR. MANNING: You can't.

6 MR. TUTTLE: You can't, that's what it's saying, it [inaudible], you can -

7 MR. PRICE: Where are you seeing that?

8 MS. CAIRNS: Yeah, where are you seeing that, that's a, I mean, I know there's nothing  
9 on the -

10 VICE-CHAIRMAN PALMER: Page six, 6-F.

11 MR. PRICE: Six what?

12 VICE-CHAIRMAN PALMER: 6-F. If I want to come in here and put a cell tower on  
13 this parcel right here, I couldn't do it. Now I could do it if it was next to this parcel, if it was  
14 adjacent to it because I'm expanding an existing.

15 MS. CAIRNS: So do, do we just need to tweak I-1 that it doesn't say the expansion of  
16 existing?

17 VICE-CHAIRMAN PALMER: I think that would work.

18 MR. PRICE: I guess, I'm, is, is the word accommodate, is that the issue?

19 MS. CAIRNS: No, it's the expansion of existing, they want to be able to create, they  
20 want to make sure that they could go, you know, I mean, let's even use like that big yellow block  
21 at the top, which is a big chunk, if somebody wanted to come in and make that whole thing L-1  
22 and satisfy, you know, and stay within the existing uses, that it's, it's, it's arguable that the fact

1 that this is the expansion of existing industrial areas and since that is not adjacent to any existing  
2 industrial area, the argument could be made that it's not eligible for a request map amendment.

3 VICE-CHAIRMAN PALMER: And even with the request for a map amendment, you've  
4 still got to go through the rezoning process.

5 MS. CAIRNS: Well that's -

6 [Inaudible discussion]

7 MR. PRICE: You, I mean, if you look at the word accommodate just as we look at other  
8 words within our, within the Land Development Code for, in the purpose districts, you know, we  
9 use a lot of words, "encourages", "is intended to". I mean, the question is, is if this was the I-1  
10 sub-district encourages the expansion of the existing industrial uses -

11 VICE-CHAIRMAN PALMER: Well that's completely opposite of what I think they're  
12 trying to do.

13 MR. PRICE: But you're still limited to what I-1 is.

14 VICE-CHAIRMAN PALMER: But if this only accommodates, this district it  
15 accommodates, that means it allows the expansion of existing industrial areas. It doesn't allow  
16 the expansion of new industrial areas.

17 MR. TUTTLE: It doesn't allow the creation -

18 VICE-CHAIRMAN PALMER: The creation to do industrial expansion.

19 MR. MANNING: And basically take -

20 MR. PRICE: I'm reading industrial uses not areas.

21 MS. MCDANIEL: It says that it would minimize the potential negative impacts of  
22 existing and future industrial uses. Does that not imply that future industrial uses would be  
23 allowed on other parcels?



1 VICE-CHAIRMAN PALMER: No.

2 MR. TUTTLE: I think it's on undeveloped parcels perhaps, I mean, I-1.

3 MS. CAIRNS: I mean maybe we just need to make, modify that so that it's, you know,  
4 because we do have the [inaudible] ask for, within this district if it were to be adopted and this  
5 Code were to be adopted that you'd have to ask for it as a rezoning. If you could just eliminate  
6 the ambiguity about, because I, I mean, I don't, I wouldn't give to you that this would bar  
7 someone from asking for a map amendment.

8 VICE-CHAIRMAN PALMER: Well that's clearly what the Staff's intention is because  
9 that's what they've been saying for the last 15 minutes.

10 MS. CAIRNS: I, I don't, intention, I would say when you read this paragraph I do not  
11 think it's automatically clear that this would bar a request to rezone a piece of land.

12 VICE-CHAIRMAN PALMER: Okay.

13 MS. CAIRNS: And maybe we just need to make it clear that just [inaudible] the rest -

14 VICE-CHAIRMAN PALMER: Yeah.

15 MS. CAIRNS: - you know, and that it would have to go through a map amendment just  
16 like anything else.

17 MR. MANNING: Heather, that, that's correct, but I mean, when, when I asked the  
18 question they said it was not allowed, so what would happen is somebody would come in and ask  
19 the question can I rezone my property for this new green technology and under the, their  
20 interpretation was no. And so I just want to clarify that, at least turn it down -

21 MS. CAIRNS: Right, right, I mean it -

22 VICE-CHAIRMAN PALMER: - I mean, without having to go to Council and create a  
23 new district.

1 MS. CAIRNS: Sure.

2 MS. RUTHERFORD: Well wouldn't that new green technology could be classified as  
3 ACMU 1, 2 and 3?

4 MR. MANNING: I have no idea, I wish -

5 MS. CAIRNS: I know that that's gonna be a big thing.

6 MR. MANNING: - I, I wish I, I was smart enough to tell you, but I'm not. But we've  
7 changed our Codes in the last five or six years since I've been here, the things that we all sat here  
8 and thought we were real smart over and it, and it's going the other way now – impervious,  
9 sidewalks, I mean, there's a lot of changes.

10 VICE-CHAIRMAN PALMER: Yeah, we went from the minimum parking lot, parking  
11 spaces to maximum.

12 MR. MANNING: Right, right, exactly.

13 MR. TUTTLE: What, I'm just curious from the philosophy, what, what's the down side  
14 of allowing creation of I-1s through the process in the future?

15 MS. RUTHERFORD: Betty, could you, could you go to Trenholm Acres Master Plan  
16 Map? She's doing it. In talking with the communities, both Crane Creek and Trenholm Acres  
17 were very adamant about the industrial that was surrounded by residential. If you look at the  
18 center of Trenholm Acres that is a, what came first the, the houses or this big industry in the  
19 middle of this neighborhood? And they were concerned that all the houses that are buffering this  
20 area would not be gobbled up by this industry and rezoned and now where you were a block  
21 away from me, you're now right now in my back yard. So that was one of the major concerns is  
22 that we wanted to still continue to allow this use, but to limit it's expansion, further encroaching  
23 into the residential areas, that was the conversation, yeah.

1 MR. MANNING: And I understand encroachment of a, a dirty industry, go back to the  
2 other one if we could?

3 VICE-CHAIRMAN PALMER: But, Tia, I think the language would allow that to  
4 happen if it says that it accommodates the expansion of existing industrial areas.

5 MS. RUTHERFORD: Right, but we didn't want to see much more because this, these  
6 were residential areas and it wasn't a good fit for some of that dirty industry.

7 MR. TUTTLE: Right, but to be fair, today they could expand across the street.

8 MR. MANNING: Right, right.

9 MR. TUTTLE: And in two years they could expand across that street because they're  
10 touching.

11 VICE-CHAIRMAN PALMER: But they still have to go through the, through the process  
12 and have the public vet, the, the process no matter what.

13 MS. CAIRNS: But we haven't changed that any which way.

14 MS. ALMEIDA: No.

15 MS. CAIRNS: I mean, as long as it's contiguous whether it's here or there, but I mean,  
16 the, the application today is the same as tomorrow.

17 MR. TUTTLE: But, but what, what if, what if that business, the one that we don't like  
18 right there wanted to pick up and move it somewhere else in the district? That the people might  
19 even think is better because it might allow those homeowners to be, you know, make it more  
20 residential around there. I mean, I just don't understand the, taking the one section and making it  
21 different than everything else as far as rights and so forth.

22 MR. MANNING: If you took that, that, I don't know anything about this property so it  
23 may not be suitable for anything other than residential, but that's commercial. Now what if, you

1 know, a high tech company came in here, Nano-Technology, a hydrogen fuel station right across  
2 from that and it was clean, they couldn't do it. I mean, maybe the neighborhood doesn't want it,  
3 I just want the op, the neighborhood to have the opportunity to say no, that's all.

4 VICE-CHAIRMAN PALMER: Well I think the, I think Deas that goes to a further point  
5 under, under yours, you've got to look at the available uses under I-1 -

6 MR. MANNING: Right.

7 VICE-CHAIRMAN PALMER: - and a lot of the uses that you're talking about are not  
8 allowed under I-1 because we really severely limited the uses that take place in this use matrix  
9 from what we would consider to be industrial uses, just aren't allowed anywhere in the districts.

10 MS. CAIRNS: Well part of that is because these are residential neighborhoods.

11 VICE-CHAIRMAN PALMER: Well some are.

12 MS. CAIRNS: You know, I mean, Crane Creek is big, but I mean, certainly, you know,  
13 but these residential neighborhoods and they're trying to stay residential neighborhoods and not -

14 VICE-CHAIRMAN PALMER: Yeah, but you say these are neighborhoods, like, I mean,  
15 I've seen in these neighborhoods I see a vast -

16 MS. CAIRNS: Right, Crane Creek is an -

17 VICE-CHAIRMAN PALMER: - acreages.

18 MS. CAIRNS: - interesting phenomenon, but we also have, you know, the, the public  
19 here from Crane Creek -

20 VICE-CHAIRMAN PALMER: Right.

21 MS. CAIRNS: - to, to offer what they've got to say and they've been through public  
22 vetting with all of this. But I mean, I think that the fact that there are industrial uses that are not

1 allowed in these areas is completely and totally appropriate because there's other parts of the  
2 county that are gonna accommodate the noxious industrial uses.

3 VICE-CHAIRMAN PALMER: I'm not saying that's not true. Are, are the current uses  
4 that are in here and operating are they, are their uses in the use matrix?

5 MS. RUTHERFORD: Yes.

6 MS. CAIRNS: Some and some not, right? Weren't like car dealerships not? Those  
7 aren't industrial, but I mean, weren't there some, some uses were going to be grandfathered upon  
8 the adoption of this map amendment?

9 MS. RUTHERFORD: Correct.

10 VICE-CHAIRMAN PALMER: So all the industrial uses that are currently operating  
11 under Crane Creek or Trenholm Acres, they can expand their businesses without any issue  
12 because they are allowed in the use matrix?

13 MS. CAIRNS: I'm sure the all word is the pause.

14 MS. RUTHERFORD: I think I, honestly Pat, Mr. Palmer, I think that's something that  
15 we would have to take a look at once we're faced with it. I don't know if we can just offer you a  
16 blanket yes or no, approval of whatever use is currently there, would they be allowed to expand,  
17 that's something we'd have to look at.

18 MS. CAIRNS: Well and also today we're not, we're not addressing a map amendment  
19 itself today.

20 MS. RUTHERFORD: Right, the map, the map itself can change, what we're trying to -

21 MS. CAIRNS: [inaudible] adoption of the Code?

22 MS. RUTHERFORD: Exactly, we're trying to use the language.

1 VICE-CHAIRMAN PALMER: [inaudible] which is these uses that are, are they not  
2 going to be allowed in these districts?

3 MS. CAIRNS: Well but the uses will get grandfathered in as long as they stay viable  
4 uses [inaudible].

5 VICE-CHAIRMAN PALMER: [inaudible] but it can't be expanded and that kind of  
6 stuff? And if it's vacant for 12 months it can't go back in.

7 MS. CAIRNS: Well it's probably not viable if it's been vacant for 12 months. And if the  
8 original, if the, if the user left and it stayed vacant for 12 months, it might be time for it to be  
9 reused anyway to a different use.

10 MR. PRICE: You know, I think we talked about this last time. There are some  
11 provisions in our Code that even though it was vacant for twelve months that, that use for the  
12 grand, the, the grandfathering or the non-conformity provision would still apply to that property.

13 MR. GILCHRIST: Mr. Chairman, are there people here to speak on behalf of the  
14 communities?

15 VICE-CHAIRMAN PALMER: There are, yeah, and if they'd like to, you know, we  
16 could open up and have the public speak and if they want to leave they can before we take any  
17 action. I mean that's, that's fine, I've just got some more things -

18 MS. ALMEIDA: And I, I would just -  
19 [Recording error - work session discussion]

20 VICE-CHAIRMAN PALMER: Now just so, just so you folks know we're not being  
21 asked to vote on anything today as it applies specifically to Crane Creek. This is only for  
22 language in our Code that will apply to 10 districts in the county, Crane Creek being one of those  
23 districts.

1 MS. CAIRNS: Ten districts? Where do you get 10?

2 VICE-CHAIRMAN PALMER: There are 10 Master Plan districts.

3 [Inaudible discussion]

4 VICE-CHAIRMAN PALMER: They're all identified, yeah, the boundaries are identified,  
5 yeah, but they haven't, but this, this Code will apply to all 10 of the districts.

6 [Inaudible discussion]

7 VICE-CHAIRMAN PALMER: Okay, we'll call the meeting back to order and is it  
8 Vanessa?

9 **TESTIMONY OF NICOLE RHONE:**

10 NICOLE RHONE: Nicole.

11 VICE-CHAIRMAN PALMER: Nicole? I got you right here, I appreciate it, thank you.

12 MS. RHONE: Nicole Rhone, 1311 Heyward Brockington Road, I am the President of  
13 Bookert Heights which sits in the Crane Creek Master Plan here and unfortunately I had hoped  
14 we would be able to move beyond where we were last month on this, but at any rate I wanted to  
15 specifically address the industrial area. The community as Tia said was very adamant about  
16 there not being any increased area now nor in the future of industrial for Crane Creek and I  
17 understand it as, as it relates to the addition of the ACMU 2 and 3 that that was to accommodate  
18 the other areas. But for Crane Creek that's, the industrial area as it sits, as it's shown on the map  
19 is how we would like to leave that. I also would like to say that I take off a couple of hours a  
20 month to come down here and see you guys, so I hope that we can get beyond where we were  
21 last month so that we can get this passed. I can bring out more people to say that this is what we  
22 want, but we spent two years with the Master Plan and it's, I think time for us to adopt the Form  
23 Based Neighborhood District Code. I understand that there are some issues there but one of the,

1 the parking issue came up last month and we're still discussing that and we can't move beyond it  
2 and after two years I would hope that we could move beyond where we, where we were and get  
3 the Form Based Neighborhood District Code amended and adopted so that we can proceed with  
4 our Master Plan as the community has worked very hard and put a lot of time to say this is what  
5 we want, it's our community and it's, it's a highly residential area, we don't want any more  
6 industrial as, as we have now. There, there are open spaces there for areas to come in and, and  
7 take part in that, there are some free spaces there or vacant buildings, and lots. So as it stands I  
8 would like to, for the Master Plan to move forward and the Form Based Code. Also for it to  
9 become mandatory, I think that was one of the things that we talked about whether it would be  
10 optional or mandatory and we would like it to be mandatory. Thank you for your time.

11 VICE-CHAIRMAN PALMER: Okay, thank you. Anyone else who wants to speak?

12 MS. CAIRNS: Yeah, we can ask, if she would like to, I think she would like to have us  
13 ask questions.

14 MS. RHONE: Do you want to ask questions?

15 MS. CAIRNS: I'm sorry, I'm sorry.

16 MS. MCDANIEL: I'm particularly interested in what your concerns are about the  
17 industrial, either extension or new areas of industry in your neighborhood?

18 MS. RHONE: Well when we talked, when we began the Master Plan process, it was  
19 about what we saw our community looking like in the future and knowing that we already have  
20 those areas existing, it's just not what we want to see in the future, we want to become a  
21 walkable, livable community and that's not part of what we want to see. And, and I, it's seven  
22 communities, neighborhoods within the Crane Creek area that came together and decided on  
23 that, so, so although I'm just representing Bookert Heights I think I speak for all of the other



1 communities that came together and put this together. It's just not what we wanted, we feel like  
2 on the I-20 corridor there, there's lots of industrial area there that's basically within our area and  
3 if they can't go there, then I think we feel like we don't want, they shouldn't be within our area,  
4 you know, within our neighborhoods.

5 VICE-CHAIRMAN PALMER: I have, I have a question.

6 MS. RHONE: Yes sir?

7 VICE-CHAIRMAN PALMER: And is it Ms. Round?

8 MS. RHONE: Rhone.

9 VICE-CHAIRMAN PALMER: Rhone, I'm sorry, Ms. Rhone, I just need to write it  
10 down.

11 MS. RHONE: Like phone, but Rhone, yes.

12 VICE-CHAIRMAN PALMER: Okay, have, have you taken a chance to look at the use  
13 matrix as to what's allowed in the industrial?

14 MS. RHONE: Absolutely.

15 VICE-CHAIRMAN PALMER: And there's only a few things that are allowed in  
16 industrial that aren't allowed in the ACMU 3 or the ACMU 2 or the ACMU 1, and none of the  
17 stuff that, well I wouldn't say none, but a vast majority of the things are going to be allowed in  
18 ACMU 2 and 3, when you take a look at the stuff that you would consider to be typically  
19 industrial. For example, chemical plants, those are going to be allowed to be expanded in the  
20 ACMU 2 and ACMU 3, just not industrial clay products, dairy products, chemical and concrete  
21 products, all these things that you would currently only consider to be done in industrial areas  
22 have been included in the use matrix for the ACMU 2 and 3, so those would be able to be  
23 expanded.

1 MS. RHONE: Okay, with the, the only ACMU 2 area that we know this, this property is  
2 owned by a church, so we feel very confident that they're going to adhere to what the neighbors  
3 would like and we don't see that any of those uses going there. And actually the ACMU 2 space  
4 here was a GR-1 and was changed so as to accommodate the last meeting, the, the uses you  
5 wanted changed -

6 VICE-CHAIRMAN PALMER: Right.

7 MS. RHONE: - in the last meeting, and we feel that, we're, we're okay with, with that,  
8 we don't think that's going to be a problem for us. The other areas of course, along Fairfield  
9 Road where the ACMU 2 and 3, that's more of an industrial area, so I feel like that would  
10 probably be more appropriate there.

11 VICE-CHAIRMAN PALMER: But what we're saying is, is that no one, John Smith, if  
12 this Code is passed as it is, John Smith can't come in and request another parcel that's green to  
13 become industrial.

14 MS. RHONE: I understand.

15 VICE-CHAIRMAN PALMER: However, they can request that they become ACMU 2  
16 and ACMU 3, which would then kick in those chemical uses and all that stuff that you guys I  
17 think are trying to get away from.

18 MR. PRICE: Chairman, I -

19 MS. RHONE: I, I don't think so.

20 MR. PRICE: - that, that's not accurate.

21 MS. RHONE: Yeah, I don't think that's -

22 MR. PRICE: If someone wanted to come in and there was a piece of property that was  
23 zoned whatever -

1 MS. RHONE: Green.

2 MR. PRICE: - yeah, green, I'm sorry, green, that's a good one and they wanted to rezone  
3 that to the industrial 1, they could do that by going through your, by going through a map  
4 amendment process.

5 VICE-CHAIRMAN PALMER: Well that's contrary to what -

6 MR. MANNING: That's not what we were told.

7 VICE-CHAIRMAN PALMER: - this is not what Anna and Tia just told us.

8 MR. PRICE: This is, yes, this is how they give you a list, there is nothing out, you know,  
9 I haven't seen anything in, you know, moreover for correction -

10 MS. ALMEIDA: It's not in the Crane - we're talking about if you are already in the  
11 ACMU 2 or other designated areas, but -

12 VICE-CHAIRMAN PALMER: Anna says you can't.

13 MS. ALMEIDA: What do you mean, Anna says you can't? The green area that is open  
14 [inaudible]

15 MS. RUTHERFORD: GR-1, green residential 1.

16 VICE-CHAIRMAN PALMER: GR-1.

17 MS. ALMEIDA: You can apply, but when the map amendment, when the Staff Report  
18 would be written, it wouldn't be a very favorable necessarily, a very favorable recommendation  
19 on -

20 VICE-CHAIRMAN PALMER: Okay, well we can just, I guess we can just clarify that  
21 by doing away, just changing the language under F and clarifying that, that it would allow for the  
22 expansion of existing as well as new sites, correct? I mean, that's what I'm hearing everybody  
23 say is that's -

1 MS. ALMEIDA: Promotes the expansion.

2 VICE-CHAIRMAN PALMER: It accommodates the expansion of existing industrial  
3 area as well as new sites or something to that affect.

4 MR. PRICE: Isn't that for future industrial? Future industrial uses, wouldn't that be  
5 new?

6 VICE-CHAIRMAN PALMER: Well no, future could be by existing.

7 [Inaudible discussion]

8 VICE-CHAIRMAN PALMER: Why do we even need to talk, why is that language  
9 different than what we have in, why, why can't we just put the sub-district permits the same  
10 thing as, why did we change the language for industrial if we weren't intending it for, to be  
11 different? In other words under the uses, we, under, under I-1 we said the sub-district  
12 accommodates the expansion of existing industrial areas. But under the same language under the  
13 other districts before that we use boiler plate cut and paste language, but for I-1 we changed it.

14 MS. CAIRNS: Well I mean, partly is we do have the community saying they don't want  
15 the expansion of I-1 within areas that have been recognized as residential areas.

16 VICE-CHAIRMAN PALMER: I'm getting, yeah, but I'm getting two different -

17 MS. CAIRNS: I know it, but I'm just saying -

18 VICE-CHAIRMAN PALMER: - different things, because Geo is saying -

19 MS. CAIRNS: - I agree, I agree 100% that we're getting two different issues, two  
20 different answers to the same question, but we do have the public here sort of supporting the first  
21 idea, which was -

22 VICE-CHAIRMAN PALMER: In Crane Creek.

23 MS. CAIRNS: - in these neighborhoods -

1 VICE-CHAIRMAN PALMER: In Crane Creek.

2 MS. CAIRNS: - there was, okay in Crane Creek -

3 VICE-CHAIRMAN PALMER: One of 10.

4 MS. CAIRNS: - there is a strong desire to not have any industrial uses new, if they're not  
5 there and part of it's because there are other parts of the county that are more prepared and better  
6 to handle industrial use than a residential neighborhood. And so -

7 VICE-CHAIRMAN PALMER: I, I wouldn't disagree, but that's one of 10 districts.

8 MS. CAIRNS: We're not talking about hypothetical districts that aren't yet being  
9 adopted on the plan.

10 VICE-CHAIRMAN PALMER: We're not even talking about adopting the Crane Creek  
11 district.

12 MS. CAIRNS: I know and so that's -

13 VICE-CHAIRMAN PALMER: So, so, but why would Crane Creek district then apply  
14 what happens to the Form Based Code, which is going to be applied over 10 complete districts?

15 MS. CAIRNS: Well, but as has been offered time and time again, this Form Based Code  
16 is a, is a beginning point that has within it the ability to add additional sub-sections.

17 VICE-CHAIRMAN PALMER: Which is why we're working on it now. I'm, I'm saying  
18 we need to add that sub-section now as opposed to waiting for the problem to occur, that's what  
19 we're working on now. If, if, if we just wanted to pass this and, and be reactive to issues that  
20 came up, then we could do that, but we shouldn't even have this discussion now, we should just  
21 pass it and then we should -

22 MS. CAIRNS: Well, this is, what the key is that what we've got right now though is that  
23 we are accommodating only the uses that we know right now we need and what you're asking

1 for is the creation of a use that, that nobody right now is saying is needed in terms of the public  
2 because some time out in the future it's possible that as we define these neighborhood based  
3 districts that nobody wants more industrial than is currently there. And it -

4 VICE-CHAIRMAN PALMER: Neither one -

5 MS. CAIRNS: - and that, that's appropriate, but at this point we started out saying we  
6 need a new kind of Code, we have these neighborhoods that need help because our current Code  
7 isn't helping them, we need some new Code. Here's some new Code, this Code addresses all of  
8 the issues that we currently are aware of for these neighborhoods, these neighborhoods don't  
9 want more industrial. It may be that when we get through all 10, none of them want new  
10 industrial because residential neighborhoods generally aren't going to want industrial. Now the  
11 green industrial that may come in the future, I think it's very possible that that's gonna be a new  
12 kind of industry and it may not even be classified as industry because the reason why we classify  
13 industry different is it's noxious uses, where a green industry I don't think is going to be  
14 classified as a noxious use.

15 VICE-CHAIRMAN PALMER: Well that -

16 MS. CAIRNS: And so, I mean, but you're, you know, I, I think that your desire to create  
17 something, there's no, you know, there's no need in these current plans, I know we're not  
18 adopting these map amendments right now, but what we're asking to do is adopt a Code that  
19 addresses the issues and I would say maybe what we need to tighten this up and make it clear  
20 that in these neighborhoods they do not want additional industrial areas. You know, these are  
21 areas that, that, that, you know, declining property values could encourage development to go in,  
22 which would destroy the residential base.

1 VICE-CHAIRMAN PALMER: If that was true though Ms. Cairns, then the ACMU 2  
2 and 3 wouldn't have been added, because they, the communities have said they don't want a  
3 125,000 square foot buildings, but we put those in because we know there's going to be a need  
4 for them in the future.

5 MS. CAIRNS: Well we made that adoption, we made that adjustment last time.

6 VICE-CHAIRMAN PALMER: Right, which is the same adjustment I'm arguing -

7 MS. CAIRNS: But the, but the adjustment we made last time -

8 VICE-CHAIRMAN PALMER: - it's the same -

9 MS. CAIRNS: It's a huge difference, you can't kid me, going from 25,000 to 75,000  
10 square foot retail is not the same as saying we're going to allow the expansion of industrial uses,  
11 including noxious industrial uses, that's not the same.

12 MR. TUTTLE: But why would you not want the Code to have flexibility? I don't  
13 understand why you -

14 MS. CAIRNS: These are neighborhoods -

15 MR. TUTTLE: - would -

16 MS. CAIRNS: - these are neighborhoods saying we don't want the expansion of  
17 industrials.

18 MR. TUTTLE: I understand that, but this, we're, we're not, you can throw the maps  
19 away for right now, we're not discussing specific map amendments in the two neighborhoods,  
20 we're looking at the overall Form Based Code.

21 MS. CAIRNS: Which seems to me -

22 MR. TUTTLE: So you would want to make it flexible enough to apply anywhere to any  
23 of the 10 districts, not just because we have, I mean, they might be exactly right here, I'm not

1 arguing what should or shouldn't be here, but what, what's before us today is the Code, it's not  
2 these map amendments.

3 MS. CAIRNS: Well, well, right, but I mean I, I don't think we need to add zoning  
4 districts in the complete abstract.

5 MR. TUTTLE: Well that's not, I'm not saying we do or don't, I'm just saying you need  
6 to have the, the right to, to, to add future I-1 in amendments.

7 VICE-CHAIRMAN PALMER: The noxious uses are allowed under ACMU 2 and 3, the  
8 chemical plants and all that kind of stuff, so then, so by adding those 2 and 3, those have already  
9 been added back in for the expansion of them.

10 MS. CAIRNS: Well that I, I mean I'm, I'm not gonna vouch for the validity of that or  
11 not, but I'm mean -

12 VICE-CHAIRMAN PALMER: Well it's right here in the use makers, it's in the Code, as  
13 of what's, what's -

14 MS. CAIRNS: I'm not, I'm not saying it's right or wrong, I'm just not, you know, going  
15 to speak to that.

16 MR. WESTBROOK: Mr. Chairman?

17 VICE-CHAIRMAN PALMER: Yes, sir.

18 MR. WESTBROOK: I have a comment to make. I don't believe we're going to be able  
19 to please everybody, but I think we certainly should consider the neighbors and if this is what the  
20 neighbors are looking at, I think we should consider this.

21 VICE-CHAIRMAN PALMER: I agree Mr. Westbrook, and, and the issue is that, what  
22 we're voting on, this language does not apply simply to what this neighborhood desires, it's



1 going to apply to nine different neighborhoods, other neighborhoods that are, that have not come  
2 in here.

3 MR. WESTBROOK: I see some head shaking.

4 MR. MANNING: Well that's not what I'm hearing.

5 MS. RUTHERFORD: That's not, that's not true.

6 MR. MANNING: No, that's not true.

7 MR. WESTBROOK: We were discussing the Crane Creek Master Plan -

8 MS. RUTHERFORD: And at, at this time Mr. Palmer and Mr. Westbrook we are  
9 looking to apply the Form Based Neighborhood Code to two planning areas, that's all we have  
10 before us is the two, that's all we've heard from.

11 MR. GILCHRIST: I know but -

12 MS. RUTHERFORD: We have written, the other eight have not come up, Broad River  
13 neighborhoods at this point doesn't need a Form Based Code, Southeast is still kind of up in the  
14 air with their opportunities for a Code, Decker Boulevard has been taken care of with two  
15 different overlays and now we're at Crane Creek, Candlewood didn't need because, a Code  
16 because they're all residential anyway, there's no opportunity for a redevelopment there, and  
17 now we're at Crane Creek and Trenholm Acres/Newcastle and at this time we're only looking at  
18 Code language for those two areas. There are opportunities to expand this document, we've not  
19 said we're going to take it and apply it anywhere else but these two communities. There's  
20 opportunity to expand it and yes we would like to use it other places, when we get to that point  
21 you'll see it with expanded districts. We may come up with a totally different residential area  
22 that will be applied to future planning areas, not just, you know, just applied at that time. But

1 we've not come to a point where we have to create additional industrial districts because we've  
2 not come across those issues.

3 MR. GILCHRIST: And, and when that occurs it, it will come back before this  
4 Commission and it will -

5 MS. RUTHERFORD: It'll, we'll bring that, that new language =

6 MR. GILCHRIST: - and we'll have a chance to determine that?

7 MS. RUTHERFORD: Exactly, yes sir, we'll bring that new language to you to be  
8 considered for adoption into the Form Based Code.

9 MR. TUTTLE: But to be fair, if, if, if you're a private citizen and you own a piece of  
10 property and you wanted it to become I-1, you have no mechanism to request that, it would have  
11 to go through Council to come back?

12 MS. ALMEIDA: No, you, you do.

13 MR. TUTTLE: How?

14 MS. ALMEIDA: You do, you would request the rezoning, but the, the maps, let's say  
15 it's in this area, is, is the Master Plan, Staff would evaluate how it's zoned and our  
16 recommendation would be based on that.

17 MR. TUTTLE: Okay, so the question, the question that was posed an hour ago that said  
18 you cannot rezone -

19 MS. ALMEIDA: Right, because of the wording.

20 MR. TUTTLE: - any other parcel to be I-1, is that, I mean I, if, the answer to that  
21 question is key to, to the conversation.

1 MS. LINDER: We need to backtrack a little bit. A person can apply for any of the sub-  
2 district classifications, you can apply for it, Staff will make a recommendation and then  
3 ultimately it will be a Council decision.

4 MR. MANNING: Well that's, that takes the Planning Commission clearly out of its  
5 function and role.

6 MS. LINDER: No, no -

7 MS. RUTHERFORD: Yeah, but you'll still hear map amendments.

8 MS. LINDER: Staff makes a recommendation -

9 MR. MANNING: You know, I don't think it's right for that rezoning to go to Council to  
10 create a special -

11 MR. PRICE: It's the same process, the same process.

12 MS. LINDER: The same process.

13 MR. MANNING: Well that is not what was explained to us a little while ago, it was  
14 basically that the Staff would look at it, if it said that it, it was not allowed, that was it. And the  
15 only way that it was going to happen was that if it went to Council and somebody initiated -

16 MS. ALMEIDA: Because we were reading the wording, well it's -

17 [Inaudible discussion]

18 MS. LINDER: Well, if, if an applicant wants to be rezoned to an I, they submit a request,  
19 Staff makes a recommendation, it's scheduled for a Planning Commission meeting, you evaluate  
20 it and you make your recommendations should it be changed to an I or should it not. Then it  
21 goes to a zoning public hearing and Council will decide.

22 [Inaudible discussion]

1 MS. MCDANIEL: Well the miscommunication was that Staff said they could make the  
2 request but Staff was going to deny it.

3 MR. MANNING: Right.

4 MS. MCDANIEL: So, from a practical matter it probably would not happen even though  
5 the process is the same -

6 MR. MANNING: And I think that every land owner, including all of you all, have the  
7 right to be heard before this Commission and the Council and, and receive a no recommendation  
8 just like anybody else. So I, I'm not saying that I'm recommending an industrial use in your  
9 neighborhood, but I'm not wanting to deny the person the right to do, ask for it.

10 VICE-CHAIRMAN PALMER: Right.

11 MS. ALMEIDA: And, and I believe it was Mr. Palmer's interpretation of that M-1  
12 expressing that because if it was not existing it could not, correct? He threw me off there.

13 VICE-CHAIRMAN PALMER: Was that not, Ms. Rutherford, is that not what, what the  
14 interpretation was?

15 MS. RUTHERFORD: I don't recall, I'll be honest with you. I don't recall, I don't recall,  
16 I, I refuse to go there. No, but I don't think we, we've not changed the process. You're, you're  
17 standing by yourself with this.

18 VICE-CHAIRMAN PALMER: But here's the, here's the reason that, and, and if there  
19 was not a different intent then the language should not have changed between D, E and F.

20 MS. CAIRNS: Okay, how about if F is amended to say the I-1 sub-districts permits,  
21 instead of accommodates and then strike the expansion of existing, so it would simply say the I-1  
22 sub-district permits industrial uses and minimizes blah, blah, blah, blah and so on?

23 VICE-CHAIRMAN PALMER: Agreed.

1 MS. CAIRNS: And that way it tracts the other ones.

2 VICE-CHAIRMAN PALMER: Right.

3 MS. RUTHERFORD: So we're removing accommodates and put permits.

4 MS. CAIRNS: Yeah, you can swap, like basically delete accommodates expansion of  
5 existing, put in the word permits, and then change the word areas to uses after the first industrial  
6 word.

7 VICE-CHAIRMAN PALMER: Basically mimic what was in the previous -

8 MS. CAIRNS: Correct.

9 VICE-CHAIRMAN PALMER: - previous one.

10 MS. CAIRNS: Correct.

11 VICE-CHAIRMAN PALMER: Now here, here comes the procedural question, I mean,  
12 it, when we're going to change these, do you as a Commission want to take these up each  
13 individually and vote on them? Or, or what does -

14 MS. CAIRNS: No, I think this, I mean, I think that, that we've had a couple of  
15 opportunities to bring forward issues -

16 VICE-CHAIRMAN PALMER: And this one that everybody's -

17 MS. CAIRNS: - and I think it's time to adopt or not adopt it, except for I do have issues  
18 with the whole parking, I think that's kind of a mess. I don't know whether we can move  
19 forward with the shared parking.

20 MR. TUTTLE: Mr. Chairman, I don't know, did, did we decide to have a work session  
21 or not? I was under the impression that if we have work session and talk about this.

22 VICE-CHAIRMAN PALMER: I think we should have a work session.

1 MS. CAIRNS: Can you offer to me what's gonna happen in a work session that hasn't  
2 been able to be accommodated here?

3 VICE-CHAIRMAN PALMER: Well I still have, I still have quite a few things to go  
4 through as well.

5 **TESTIMONY OF MATTIE DAVIS:**

6 MATTIE DAVIS: May I make a public plea?

7 VICE-CHAIRMAN PALMER: Yes ma'am.

8 MS. DAVIS: It appears that -

9 VICE-CHAIRMAN PALMER: If you could give us your name and address for the  
10 Record.

11 MS. DAVIS: I'm Mattie Davis and I live on Heyward Brockington Road and I'm aware  
12 of the businesses, especially those on Fairfield Road [inaudible] and so forth. I think that what  
13 we're asking for in this proposal is that no expansion of existing businesses in those areas, those  
14 that are there. Now if they have to expand, get larger, so forth, they have to move out. We're  
15 also asking that no additional businesses be permitted there because of what kind of businesses  
16 they are. Okay?

17 VICE-CHAIRMAN PALMER: Okay.

18 MS. DAVIS: So let your wording in your proposal reflect those desires please. And I  
19 know you, you're contradicting each other right here now as to what the word meanings are, but  
20 whenever you decide what they mean, make sure it reflects what we want. Okay? Thank you.

21 MS. CAIRNS: I, I just think, I just sort of offer, offer back in terms of, of our role and  
22 the role of zoning is that it, it would be very problematic to deny a property owner the right to  
23 request something. And so while, while you come to us saying we don't want any more of this,

1 if, I think it would be problematic if we tried to draft a Code that would say it's just not allowed  
2 anymore period. What we can do is have a plan, you know, that Staff has put together saying  
3 this is what the plan is, but, but an individual property owner will have the opportunity to come  
4 to the Planning Commission and, you know, the whole process and say, you know, I know the  
5 neighborhood doesn't want this but I have the constitutional right to request it and we're gonna  
6 say yeah you do.

7 MS. RHONE: Right, we understand.

8 MS. CAIRNS: Okay, so that's why the Code is going to allow the request, but whether it  
9 gets granted or not, keep a lot of your Monday afternoons free and you'll be fine.

10 MS. LINDER: Mr. Chairman?

11 VICE-CHAIRMAN PALMER: Yes, ma'am.

12 MS. LINDER: I, I believe if we take out the shared parking standards that would address  
13 Ms. Cairns' concerns and we just don't have the shared parking in here and that way we have the  
14 maximum; for residential you only can have one space if it's impervious, you can two if it's  
15 pervious.

16 MS. CAIRNS: Or three total of you have one and two? Right, I mean it's, one's allowed  
17 to add up the columns.

18 MS. RUTHERFORD: Um-hum (affirmative), right, you can -

19 MS. CAIRNS: You can one pervious and two impervious -

20 MS. RUTHERFORD: Exactly.

21 MR. TUTTLE: I'm, I'm still confused. So we're gonna change the standard for a single  
22 family residential to only require one parking space?

23 MS. RUTHERFORD: One pervious.

1 MS. LINDER: There's no minimum.

2 MS. RUTHERFORD: There's no minimum.

3 MS. LINDER: It can't have more than one for pervious, two for impervious, three total.

4 MS. CAIRNS: Right, so just strike out the shared.

5 MS. LINDER: As a maximum.

6 MR. TUTTLE: As a matter of practicality, that's impossible.

7 MR. MANNING: How do we, how do we accommodate that? Where are they gonna  
8 park on the street? What if there's no off-street parking?

9 MS. RUTHERFORD: We're allowing off-street, off-street parking.

10 MR. MANNING: Heyward Brockington, off-street parking?

11 MS. RUTHERFORD: Where it is conducive, where a CDOT allows, we're allowing off-  
12 street parking, but we're saying that for your residential the maximum amount of spaces per unit  
13 is one for pervious surface and two for, excuse me one for impervious and two for pervious, so  
14 you get three spaces on just two different kinds of surfaces.

15 MR. TUTTLE: But what you're saying you get, but, but if a developer came and he  
16 didn't want, he wanted to maximize the land use and put more units there, normally now you're  
17 gonna, one of your limitations is parking. So if we're reducing the amount of parking I think  
18 we're gonna create a huge parking problem.

19 VICE-CHAIRMAN PALMER: Absolutely.

20 MR. MANNING: You're gonna have to go to the street.

21 MR. TUTTLE: I mean, I just don't understand how it would work.

22 VICE-CHAIRMAN PALMER: And if somebody has two children and two adults,  
23 you're telling them they can't have a car for each child? I mean -



1 MS. CAIRNS: Well, on the residential how does cars and a garage, if you've got cars  
2 inside your garage, those parking spots don't, do they count?

3 VICE-CHAIRMAN PALMER: They count.

4 MS. CAIRNS: Well that means you can only have a one-car garage? Because you're  
5 going to have an impervious surface under a garage.

6 VICE-CHAIRMAN PALMER: Yeah.

7 MS. CAIRNS: That may need a little tweaking.

8 VICE-CHAIRMAN PALMER: And if, if, and I have a problem that if you're not  
9 allowed to go above your maximums with no Board of Zoning Appeals appeal to anybody and  
10 the Code is rigid and it's, and it doesn't allow you for shared parking, which would be kind of a  
11 relief, if you could find it. And it doesn't allow you to go to -

12 MS. CAIRNS: They'll go to BOZA, that's not going to be a right taken from you.

13 VICE-CHAIRMAN PALMER: They were saying earlier that you can't go to BOZA.

14 MS. CAIRNS: I think what they were saying is that they're trying not to create a probe  
15 that everyone goes to BOZA on, but I mean, certainly again, if the law allows you can go to  
16 BOZA for a modification.

17 MR. PRICE: And one of the things that the Board has looked at, on, on cases that go to  
18 the Board is if there's a reason why you can't do it, [inaudible] minimum requirements of the  
19 Code as opposed to offering an alternative plan or saying well how about if I do this and that's  
20 what we're starting to get into, get more of. Now there's, if you're showing I cannot do this  
21 because of some topography issues or some conditions of the property I cannot meet this  
22 requirement -

23 VICE-CHAIRMAN PALMER: Right.

1 MR. PRICE: - that's when you go to the Board. And you say well -

2 MR. TUTTLE: Was the goal to, to have the minimum number of spaces be impervious  
3 and then anything above the minimum would have to be pervious?

4 MS. RUTHERFORD: Yes.

5 MR. TUTTLE: That's the goal, right?

6 MS. RUTHERFORD: Yes.

7 MR. TUTTLE: Okay.

8 MS. CAIRNS: But and also just to -

9 MR. TUTTLE: I, I get that where it's just the chart and the way it's worded, it's hard to  
10 get there from there.

11 MS. RUTHERFORD: But by, but maxing out what your pervious surface parking was  
12 and anything additional was on it.

13 MR. TUTTLE: Right and that kind of fits with the whole new urban thing?

14 MS. RUTHERFORD: Right, um-hum (affirmative).

15 MR. TUTTLE: I get that.

16 MS. RUTHERFORD: And versus us just out right saying we don't want any imperious  
17 parking, it's all pervious surface now. Maybe that would have been an easier way to go.

18 VICE-CHAIRMAN PALMER: Alright, so we know, we know we have issues with  
19 parking for the work session and what I can do is, I can, I can outline these and I'll email them,  
20 my, my issues to every Member prior to the work session as well as Staff and then to Tia and any  
21 issues that anybody else has on any of them -

22 MS. ALMEIDA: Send them all to Tia.

23 MS. RUTHERFORD: Send them to me.

1 VICE-CHAIRMAN PALMER: Send them all to Tia?

2 MS. RUTHERFORD: Yes.

3 VICE-CHAIRMAN PALMER: And, are you gonna, are, are we going to plan to address  
4 these, I guess, are you gonna respond back on these? Or are we just going to address them in a  
5 work session or what do you think?

6 MS. RUTHERFORD: I, I, I want to be able to see what your issues are, so we can have a  
7 document work through and present some options to you when we get to the work session, so  
8 we're not scrambling.

9 VICE-CHAIRMAN PALMER: Right.

10 MS. RUTHERFORD: We'll have some opportunity to research.

11 VICE-CHAIRMAN PALMER: Okay, so I guess if everybody's okay, we can just, we'll  
12 schedule a work session and try to tackle this Form Based Code during the work session. Does  
13 everybody got, anybody got any ideas for dates?

14 [Inaudible discussion]

15 VICE-CHAIRMAN PALMER: Talk to Mr. Scrooge over there.

16 MS. RUTHERFORD: No, I won't be here.

17 VICE-CHAIRMAN PALMER: Are Mondays good for people? Or -

18 MS. RUTHERFORD: Next Monday it sounds like to me. Next Monday?

19 MS. LINDER: What time?

20 MS. MCDANIEL: It depends on how many questions you have. If you've got thirty  
21 questions and they take more than four days [inaudible].

22 VICE-CHAIRMAN PALMER: Would the 21<sup>st</sup> give enough time maybe? If we can have  
23 all our questions and comments in by -

1 MS. RUTHERFORD: The 14<sup>th</sup>.

2 VICE-CHAIRMAN PALMER: By the 14<sup>th</sup>, give a week to get them all answered, is that  
3 enough? Yes or no, maybe, wait a while?

4 MR. WESTBROOK: What time would you want to meet on the 21<sup>st</sup>?

5 MS. CAIRNS: 2:00 o'clock, 3:00 o'clock.

6 MR. MANNING: You know, let's kill the day, let's make it late enough to, you know,  
7 so we will wind it up here.

8 MS. CAIRNS: 3:00 o'clock? Is 3:00 o'clock okay for everyone?

9 MR. WESTBROOK: It's great for me, but I have a high priority in the morning, I bowl.

10 VICE-CHAIRMAN PALMER: Okay, let's just do a, let's just do it at 3:00 o'clock, but  
11 let's be prepared that if it goes past 5:00, it goes past 5:00, it's just, we're just gonna get to it that  
12 day.

13 MS. ALMEIDA: 3:00 o'clock on what?

14 MS. RUTHERFORD: The 21<sup>st</sup>.

15 MS. CAIRNS: December 21.

16 MS. RUTHERFORD: Well I yoga after 5:00, so it's -

17 VICE-CHAIRMAN PALMER: Well you can do that here.

18 MS. RUTHERFORD: So it's drop dead after 5:00 o'clock.

19 VICE-CHAIRMAN PALMER: You can do that while you're answering questions,  
20 right?

21 MS. RUTHERFORD: No, you get, you get extended to 5:15.

22 MS. MCDANIEL: What was the date?

23 MS. RUTHERFORD: The 21<sup>st</sup>.

1 VICE-CHAIRMAN PALMER: Well let's move this back to 2:00 o'clock then.

2 MS. LINDER: On the 21<sup>st</sup>?

3 VICE-CHAIRMAN PALMER: On the 21<sup>st</sup>.

4 MS. CAIRNS: Yoga, we got taken out by yoga.

5 MS. RUTHERFORD: Yes.

6 VICE-CHAIRMAN PALMER: What you've got to be there at 5:15?

7 MS. RUTHERFORD: Yes, it's ya'lls fault that I'm in yoga.

8 UNKNOWN FEMALE: Now we're talking.

9 MS. RUTHERFORD: So, I need to make sure I'm there.

10 MS. ALMEIDA: But if everybody could email their concerns that would really, really  
11 help.

12 MS. RUTHERFORD: It would.

13 MR. MANNING: Alright, so 2:15 or 2:30, is that right?

14 VICE-CHAIRMAN PALMER: What time?

15 MR. MANNING: 2:30?

16 MS. CAIRNS: That sounds good.

17 VICE-CHAIRMAN PALMER: I mean, I'll go first and I can, I mean, I can be here by  
18 myself I guess.

19 MS. CAIRNS: No, just send them out, I think that would help a lot if these get sent out  
20 ahead of time, what, we, you know, and ask everyone to try to review them before they get here  
21 and whatnot and we'll just, I think we can be pretty precise on our time.

22 VICE-CHAIRMAN PALMER: Right.

23 MR. PRICE: Send them in by when?

1 MS. RUTHERFORD: The 14<sup>th</sup>, drop dead.

2 [Inaudible discussion]

3 VICE-CHAIRMAN PALMER: 2:30.

4 MR. WESTBROOK: Are we going to 2:30 now?

5 MS. ALMEIDA: Well if, if we could get all the comments by the 14<sup>th</sup>?

6 MS. RUTHERFORD: I'll give y'all until 5:00 p.m. on Monday the 14<sup>th</sup>, anything after  
7 5:00 gets discarded.

8 MS. CAIRNS: I think it doesn't really matter as long as it's on your desk by Tuesday  
9 morning, because I doubt you're gonna be working on it Monday afternoon after 5:00.

10 MS. RUTHERFORD: I have a time, date stamped in my outlook.

11 MS. CAIRNS: I don't care, it's a -

12 MS. ALMEIDA: I think it should be at 9:00 a.m. Tuesday morning.

13 MS. RUTHERFORD: 9:00 a.m. Tuesday morning.

14 VICE-CHAIRMAN PALMER: Is that going to be here?

15 MS. ALMEIDA: We'll, we'll send out a - for the 21<sup>st</sup> of December.

16 VICE-CHAIRMAN PALMER: Alright the 21<sup>st</sup> of December.

17 MS. ALMEIDA: Is it 2:30 or is it 2:00 o'clock?

18 MS. RUTHERFORD: 2:30.

19 VICE-CHAIRMAN PALMER: 2:30. Okay, so do I have a motion to, to move the text  
20 amendment for an Ordinance and the Form Based Code to the next month's Agenda?

21 MS. MATTOS-WARD: I'll make a motion.

22 VICE-CHAIRMAN PALMER: Is there a second?

23 MR. TUTTLE: I second.

1 VICE-CHAIRMAN PALMER: All those in favor, please signify by raising your hand?

2 *[Approved: Mattos-Ward, Palmer, Furgess, Cairns, McDaniel, Tuttle, Gilchrist, Manning,*  
3 *Westbrook; Absent: Anderson]*

4 VICE-CHAIRMAN PALMER: Alright, the next item, item 2, Anna?

5 MS. ALMEIDA: Let me find my page -

6 MR. PRICE: Eleven.

7 MS. ALMEIDA: Page 11.

8 VICE-CHAIRMAN PALMER: Luminaries are getting an exemption?

9 MS. ALMEIDA: Yes, these are, we've, what we've been having is a sports complex,  
10 these fields, we were, our current Code requires full cut-off and what's happening is the way  
11 these fields are designed, the lights cannot be full cut-off, they are, they are angled so that light,  
12 light shines at a 90° angle. In order to comply with our Ordinance, it can only shine downwards,  
13 so all [inaudible] the games are the problems, so this Ordinance would address that in allowing  
14 them to position the lights so that they contain the light within the boundaries of their parcel with  
15 that, they can shine up and out.

16 MR. MANNING: Can, can you clarify what is full cut-off?

17 MS. ALMEIDA: They have a top and then it shields it down, it, it's like a hat -

18 MR. MANNING: Right.

19 MS. ALMEIDA: - that completely comes down and the light spills directly down to it, to  
20 a circular area.

21 MR. MANNING: Right, and that's typically used in businesses and parking lots, etc.

22 MS. ALMEIDA: Absolutely, but for athletic fields obviously that's not gonna do it, they  
23 want it shining outwards towards the field. And this allows that to happen, [inaudible].

1 MR. MANNING: And this is for existing, I mean, is this?

2 MS. ALMEIDA: For everyone.

3 MR. MANNING: I mean, or just the new ones coming in, I mean -

4 MS. ALMEIDA: Well if the existing want to expand, some of them have gone to the  
5 Board of Zoning Appeals, is that correct?

6 MR. PRICE: No, not yet.

7 MS. ALMEIDA: Not yet. We've had a lot of recreational athletic fields come on board  
8 through the Rec Commission and that's been a really concern, a big concern of theirs.

9 VICE-CHAIRMAN PALMER: Well, any other questions for Anna?

10 MR. MANNING: I guess the big concern is, is it intrusive to the neighborhood? I mean,  
11 does it create a problem for the people living around it?

12 MS. ALMEIDA: Geo, I believe the technology that they're using now, it's not that it  
13 will spill towards the edges, it is to cover more ground on the athletic field itself. But when we  
14 use the specific wording cut-off, full cut-off it is a specific light fixture and that light fixture is  
15 not conducive to sports athletic fields at all.

16 MR. PRICE: The other provisions of the Code would still apply, it's just that this one  
17 provision there about the cut-off just doesn't work, but the other provisions as far as spillage will  
18 apply.

19 VICE-CHAIRMAN PALMER: And are they still under a time, timeframe to cut those  
20 lights off and that kind of stuff?

21 MS. ALMEIDA: All the other portions of the Code remain intact.

22 VICE-CHAIRMAN PALMER: Would, I know from time to time we've had people  
23 come out and they can measure the light that's in the parking lots. Has that ever been thought



1 about using as a, as a standard around the perimeter of the property that it can't be a certain, I  
2 know they don't use candle power anymore, but it can't be a certain, a certain movement around  
3 the, around the edge of the property?

4 MS. ALMEIDA: To stay with, that's correct.

5 VICE-CHAIRMAN PALMER: Is that? So that is currently our standards?

6 MR. PRICE: They're all addressed in our Code, yes sir.

7 VICE-CHAIRMAN PALMER: Okay, well that should cover, we shouldn't even be  
8 concerned about where it points then should we?

9 MS. ALMEIDA: Well no, but unfortunately when the Code was put together we really  
10 didn't look at athletic fields -

11 VICE-CHAIRMAN PALMER: I mean, should it be that way for any property? If we, if  
12 we go around the edge of the property and it, and we've got to keep it, the light off the adjacent  
13 properties, I mean, should it really be a concern on, on any parcel whether -

14 MS. CAIRNS: Yes.

15 MR. PRICE: Yes.

16 VICE-CHAIRMAN PALMER: Why?

17 MS. CAIRNS: Because lighting at athletic fields is not the same as lighting in parking  
18 lots.

19 VICE-CHAIRMAN PALMER: I, I, I'm missing the point here, the, the point I guess is  
20 to not be intrusive on your neighbors, correct?

21 MS. ALMEIDA: It's within the property itself as well.

22 VICE-CHAIRMAN PALMER: What do you mean? I mean, is the point not to have  
23 light pollution into your neighbors? Isn't that the reason for this, so that it shines straight down?

1 MS. CAIRNS: Yeah, I would imagine that the general concept of having full cut-off  
2 lights is to control light.

3 VICE-CHAIRMAN PALMER: Right.

4 MS. CAIRNS: And athletic fields are a unique beast that you cannot light a field with  
5 cut-offs because you'd have to put the poles in the field.

6 VICE-CHAIRMAN PALMER: Yeah, I'm not concerned with -

7 MS. CAIRNS: And so, and so that's why we don't have a problem with the overall Code  
8 of lighting except for with athletic fields.

9 VICE-CHAIRMAN PALMER: But my question is this, the purpose of it, I mean, what's  
10 the purpose? I'm not concerned with how you get there, I'm concerned is the purpose being  
11 met? The purpose of our lighting control standards are so that the adjacent property owners  
12 don't have light pollution.

13 MS. CAIRNS: And so that you don't see lights from a great distance away, you know,  
14 like sometimes you can, I mean, that's one of the things about full cut-offs is that you, you aren't  
15 driving down a street seeing lights out in the distance even though you're in darkness. Now  
16 athletic fields are gonna be different, you're gonna see that there's a football field, even though  
17 you're driving down a dark road, you know, like when you're driving down, what is that, the one  
18 off of Veteran's and I can see -

19 VICE-CHAIRMAN PALMER: The only way to see -

20 MS. CAIRNS: - and I can see the fact that Hammond has their field lit up, I'm in  
21 darkness, okay, I'm not having spill over on, whatever that road is, it's not Veteran's.

22 VICE-CHAIRMAN PALMER: The only way to see light is for the light to penetrate the  
23 darkness, so there's luminaries -

1 MS. CAIRNES: But I can see it in the distance, I can see Hammond's lights in the  
2 distance, I can see that their athletic field is lit up. Okay? But I'm not, I'm not experiencing  
3 spill over where I am on my road, I'm in darkness.

4 VICE-CHAIRMAN PALMER: So you can't see a parking lot, then? For some,  
5 somehow the shield that goes up around it that, that doesn't allow the light?

6 MS. CAIRNS: Right.

7 MR. PRICE: A, a good example may be if you go down, I hate to use businesses, but if  
8 you go down 77 towards Charlotte, there's a big difference between what you see at the Wal-  
9 Mart and what you see at the Honda Dealership. You can see the Honda Dealership from a  
10 couple of miles away. They're almost using like a spot light to just, you know, look, everybody  
11 look what's, what's down there. Yet you could actually, if you didn't know that Wal-Mart was  
12 there, you would almost miss it because all the light is down, there's no pollution headed  
13 upwards.

14 MS. CAIRNS: And that's the goal, is to have the lights do what they need to on the  
15 property, but not be affecting the neighborhood any more than necessary, but athletic fields are  
16 just different.

17 MS. ALMEIDA: The light that's going up into the sky -

18 VICE-CHAIRMAN PALMER: So it's the light that's going up that's the issue, not the  
19 light that's going sideways that's the issue?

20 MS. ALMEIDA: Right, for athletic fields they have to take the top off in order to get it  
21 to go outwards.

22 VICE-CHAIRMAN PALMER: So then it has to be seen going outwards, right?

23 MS. ALMEIDA: It can't be a full cur-off.

1 VICE-CHAIRMAN PALMER: I'm just trying to get to the purpose, you know, if we  
2 solve the purpose, I mean, that's what we need to do.

3 MS. ALMEIDA: It's does.

4 MR. TUTTLE: I'd like to make a motion that we approve this, I'm not quite sure how to  
5 state it. What is it, do I just have the Ordinance number of what is it?

6 VICE-CHAIRMAN PALMER: Motion to approve text amendment number 2?

7 MS. CAIRNS: Second.

8 VICE-CHAIRMAN PALMER: And we have a second. Any other discussion? All those  
9 in favor, please signify by raising your hand?

10 *[Approved: Mattos-Ward, Palmer, Furgess, Cairns, McDaniel, Tuttle, Gilchrist, Manning,*  
11 *Westbrook; Absent: Anderson]*

12 VICE-CHAIRMAN PALMER: We've been unanimous all day today. Next amendment  
13 number 3 – road names.

14 MS. ALMEIDA: And it's [inaudible].

15 **TESTIMONY OF ALFREIDA TINDAL:**

16 MS. TINDAL: Good afternoon.

17 MS. ALMEIDA: Good afternoon.

18 MS. TINDAL: I'm Alfreida Tindal, Richland County E911 Addressing Coordinator and  
19 I hope y'all had a time, a chance to review the Ordinance and if you have any questions, I'm  
20 willing to answer them.

21 VICE-CHAIRMAN PALMER: I have a few if I could find my page here, here it is. So  
22 this is, is this becoming a, a guidance or an Ordinance I guess is the question? Or is there, is this  
23 the rules by which we name roads and addresses, I guess with it being a Manual then it is, right?

1 MS. TINDAL: Yes.

2 MS. LINDER: This is an Ordinance that adopts a Manual and so if the Manual gets  
3 changed it would be a one time vote by County Council.

4 VICE-CHAIRMAN PALMER: Not to come back in front of the Planning Commission?

5 MS. LINDER: It could come back here if that's your desire.

6 VICE-CHAIRMAN PALMER: Okay.

7 MS. TINDAL: And this Ordinance, what it does is that it is a, it combined the four  
8 different entities or Codes of Law that we are currently using, the state statute, National Number  
9 Emergency Association Numbering, South Carolina, AT&T Southeast Telephone Company,  
10 which is our vendor for 911 database, and also Richland County. So what we have done is taken  
11 the language from all of these and put them into this Manual to make it simplified, to simplify  
12 for the public, the developers and other agents because currently a lot of it is expressed orally,  
13 nothing is really in writing. So, in order to help me or the next person who takes this position,  
14 they'll have something to actually show you, this is what the Ordinance states, this is how we  
15 need to regulate the Ordinance. And of course, the course is for 911, the Enhanced 911 system,  
16 it is for the driving public, the developers or whomever, because periodically people come to the  
17 office and we'll say well according to that National Number Association, this is according to  
18 state statute, here what we can do is give them this Ordinance and it will stipulate exactly what's  
19 what and it - because addressing has changed. I've been with the county for 29 ½ years,  
20 addresses have changed in the last 20 more years. We were just addressing residential and  
21 commercial, now we address everything from traffic lights to entrances in subdivisions to  
22 telephone cabinets, so it's, it needs to be expressed, the interstate cameras, so something needs to  
23 be in written format to assist everyone and that's what this does.

1 VICE-CHAIRMAN PALMER: I have a couple questions if I could.

2 MS. TINDAL: Sure.

3 VICE-CHAIRMAN PALMER: Do we use, which standards do we use to classify? Do  
4 we use Central Midlands I guess? The arterial roads, I mean, how's, which, which version of  
5 arterial and that kind of stuff is published that we, that we decide to use?

6 MS. TINDAL: Well I'm not sure of the COGS, Central Midlands, what they're using,  
7 I'm sorry. What we, for 911 purposes, we have different definitions for terms and that's why it  
8 says for this particular Ordinance itself.

9 VICE-CHAIRMAN PALMER: Okay, we just haven't identified which, how, how we  
10 classify the roads in here?

11 MS. TINDAL: We haven't?

12 VICE-CHAIRMAN PALMER: I don't see it under definitions.

13 MS. TINDAL: Well which one are you referring to please?

14 VICE-CHAIRMAN PALMER: For example arterial roads, I mean, how, how do we  
15 classify an arterial road?

16 MS. BETTY: DOT.

17 VICE-CHAIRMAN PALMER: We, that's my question, which -

18 MS. BETTY: DOT standards.

19 MS. TINDAL: That's DOT standards, we use, yeah, DO, DOT.

20 VICE-CHAIRMAN PALMER: Okay, so as DOT classifies a road and if they change the  
21 road we go with that classification?

22 MS. TINDAL: If they change a road, we go with their classification?

23 VICE-CHAIRMAN PALMER: If it changes from arterial to collector?

1 MS. TINDAL: Yes.

2 VICE-CHAIRMAN PALMER: Okay, do you think we need to state in here somewhere  
3 that we use DOT standards on that issue or no?

4 MS. TINDAL: Well I don't think so because we're not using all their standards totally  
5 and I don't want it to be misled that we're only using their standards.

6 VICE-CHAIRMAN PALMER: Okay.

7 MS. TINDAL: Yes.

8 VICE-CHAIRMAN PALMER: Under Section 32-F, it talks about the reservation of a  
9 road name, it states that the road must be developed within three years?

10 MS. TINDAL: Yes, what we -

11 VICE-CHAIRMAN PALMER: Is that enough time for it actually to be developed or  
12 maybe to be under construction? I know that three years on the development of a road, as it  
13 becomes a fully functional road is kind of a quick timeframe especially if it's an extended road  
14 of some sort. I'm sure you guys have roads that, or have been under construction for three years  
15 and they're still continuing to be under construction.

16 MS. TINDAL: Well this said reserved names.

17 VICE-CHAIRMAN PALMER: Right.

18 MS. TINDAL: So the name, what we have now, I have people on the list reserved names  
19 since 1980 something.

20 VICE-CHAIRMAN PALMER: Right.

21 MS. TINDAL: So we don't want that to continue because we want to give you some  
22 timeframe -

23 VICE-CHAIRMAN PALMER: Yeah.

1 MS. TINDAL: - to make sure that this is being used at that time. If not, it goes back into  
2 the pot -

3 VICE-CHAIRMAN PALMER: Right, I agree with the concept.

4 MS. TINDAL: - for someone else to use, so I think that -

5 VICE-CHAIRMAN PALMER: I just don't think that three years for it to be completely  
6 developed is enough time.

7 MS. TINDAL: But it -

8 VICE-CHAIRMAN PALMER: But I think we could change it say under construction or,  
9 or something, for it to have already, you know, for it, it has, the purpose of this is so that people  
10 don't put names in the kitty and never use them.

11 MS. TINDAL: Right.

12 VICE-CHAIRMAN PALMER: If it's being constructed and people are living on it, and  
13 you've already identified it, but, but the way this reads is that it has already, must be developed,  
14 in a past tense, so it has to have already been developed. Deas?

15 MS. TINDAL: Road names reserved, but the plan must be developed, okay, I was  
16 looking at that.

17 MR. MANNING: Well [inaudible] -

18 MS. TINDAL: Go ahead.

19 MR. MANNING: PDDs that are, didn't we pass something that allowed them to be  
20 vested longer than -

21 VICE-CHAIRMAN PALMER: And you could get extensions?

22 MR. MANNING: - three years?

23 VICE-CHAIRMAN PALMER: And you get extensions?



1 MS. TINDAL: Well -

2 MR. PRICE: You know, you could use that forever then.

3 MR. MANNING: Okay, well -

4 MR. PRICE: It's, it's when you get to the actual site -

5 MR. MANNING: I guess on a PDD, would that apply? I mean, if you put a road name  
6 in and -

7 MS. TINDAL: Well yes and no.

8 MS. CAIRNS: Well, wait a minute, a PDD -

9 MR. MANNING: It doesn't matter to me, I just, you know -

10 MS. ALMEIDA: Wait a minute.

11 MS. ALMEIDA: [Inaudible] it would apply, it's not the zoning classification, it's the  
12 process, sketch, preliminary, final on the, that's, that all applies, that's all the same as a PDD,  
13 whether you're a PDD, or straight rezoning.

14 VICE-CHAIRMAN PALMER: But you have to have those road names on there to be  
15 approved?

16 MS. TINDAL: Well the road names are approved at sketch plan or the developer sends  
17 names in ahead of time. I have subdivision road names and street names that was in it for 10  
18 years based on the reserved list. It has not been developed, but those names are still there  
19 reserved.

20 MR. MANNING: Well we're running out of names.

21 MS. TINDAL: What it, what happens, yeah, what happens is that if the three year's time  
22 has expired, they have a right to say, I'm gonna send them a letter telling them your time has

1 expired, would you like to keep it in the, in the, in the kitty or not. So yes, so this is a longer  
2 time -

3 VICE-CHAIRMAN PALMER: Well that doesn't really get rid of the problem then does  
4 it? I mean, I'm sure -

5 MS. TINDAL: We really don't want that, how, we really was wanting them to become  
6 null and void to get rid of the problem.

7 VICE-CHAIRMAN PALMER: But then they can just simply reapply and get it again?

8 MS. TINDAL: Yeah, but most times developers, the way things are now a lot of  
9 developers don't even remember what they have reserved.

10 VICE-CHAIRMAN PALMER: There are some developers that aren't even in business  
11 anymore.

12 MS. TINDAL: Or if they aren't in business any longer -

13 MR. MANNING: A lot of them aren't checking their mail -

14 MS. TINDAL: Huh?

15 MR. MANNING: A lot of them aren't checking their mail.

16 MS. TINDAL: Well -

17 VICE-CHAIRMAN PALMER: I just, I think that for the person who's doing what  
18 they're supposed to be doing, I think that a three year construction time period for it to already  
19 be developed is too short.

20 MR. WESTBROOK: Well, I have a comment on that. I think we have to have a, a  
21 deadline and three years gives a deadline and what can you do after that? That's another thing,  
22 but there should be a stop.

1 VICE-CHAIRMAN PALMER: I agree there should be a stop, I just think that to build  
2 and construct a road, for example in Lake Carolina, there are roads that have been under  
3 construction for longer than three years. So -

4 MR. WESTBROOK: That may be the problem.

5 MS. TINDAL: They may be under construction, but the name is still reserved.

6 MR. TUTTLE: Well, well for instance, a, a project like Lake Carolina is a 15 to 20 year  
7 build out.

8 MS. TINDAL: Yes.

9 MR. TUTTLE: So you might get a road approved early on and you may not actually  
10 have developed that, but it might be integral to the development. For instance I would hate to  
11 have reserved Lake Carolina Boulevard and not be able to use that, I can't imagine somebody  
12 else would use it, but somebody down the road might use.

13 VICE-CHAIRMAN PALMER: But a competitor should could go in there and grab it  
14 and make you buy it.

15 MR. MANNING: I don't, I don't see where that would apply here -

16 MS. TINDAL: No, that's, that's -

17 MR. MANNING: - that's something -

18 MS. TINDAL: - that's duplicated.

19 MR. MANNING: - the address on the Carolina Boulevard then that road name is taken -

20 MS. TINDAL: Yes.

21 MR. MANNING: That's in use.

22 MS. TINDAL: Yeah, that's a, that's a duplication to use that name again.

1 MR. TUTTLE: Now I just used that, that's a bad example. Let's say this, let's say I've  
2 got neighborhood that's a, that's a five year build out neighborhood and it, the, the roads were all  
3 based around trees or flowers -

4 MS. TINDAL: Okay, I got your point, right.

5 MR. TUTTLE: - and all of a sudden half-way through my three years is up and the road  
6 names I had going forward are taken away and then I can't use Yellow Jasmine anymore and I  
7 can't use so and so. That, I, I don't disagree there needs to be a cut-off, I'm just not sure what it  
8 should be and when you're vested and so on and so forth, and three years may be the right  
9 number or maybe it needs to be five years or maybe you should get an appeal if you've, you  
10 know, if you've gotten a permit and you're under construction, then maybe you get another year  
11 or something, I don't know.

12 VICE-CHAIRMAN PALMER: I think that just simply if it's under construction then,  
13 then you're doing what you're supposed to be doing and it, and it stays, you don't lose it.  
14 However if it has not been, construction has not been started on it, then you would lose it, I mean  
15 I, you know, three years is fine. But the way this is written is that it's got to be developed and  
16 that's -

17 MS. TINDAL: Okay, well just -

18 VICE-CHAIRMAN PALMER: My other one was the -

19 MS. TINDAL: Well we'll look back at that one.

20 VICE-CHAIRMAN PALMER: - that in that same paragraph, the reserved road name  
21 approval process will not be rushed, applications should be submitted with ample time? If, if  
22 we're looking to make a Manual, we can't use ambiguous terms like ample time.

23 MS. TINDAL: Amelia?

1 MS. LINDER: Well a Manual is not, even though this is going to be enacted verbatim, I  
2 mean, because it's adopted the way it's being presented, I think it does give some discretion to  
3 the addressing coordinator, it's sort of a, a sidebar, you know, that the process is not going to be  
4 rushed, we're gonna take our time, you've got to get this, get it in on time.

5 MS. ALMEIDA: Let's look at that paragraph.

6 VICE-CHAIRMAN PALMER: I mean, if there's deadlines, there's deadlines and we  
7 just meet the deadlines.

8 MR. MANNING: How much time do you need Alfreida to, to check all the stuff out and  
9 put that timeframe in it because -

10 VICE-CHAIRMAN PALMER: Yeah.

11 MR. MANNING: - we like what you're doing and whoever comes in behind you might  
12 want to double that time.

13 VICE-CHAIRMAN PALMER: Yeah their, their ample time may be three months or  
14 something, you know.

15 MS. TINDAL: Okay, we'll look at that entire standard, we'll look at the entire  
16 paragraph.

17 VICE-CHAIRMAN PALMER: What's an example of I under the, the second bullet?  
18 Retain the current name for [inaudible] road and assigning a different name? What, what I don't  
19 want to see happen is that if we can address stuff like where on one side of Two Notch it's called  
20 Parklane, and on the other side it's called Decker. Is there anything in here to address that?

21 MS. TINDAL: Well -

22 VICE-CHAIRMAN PALMER: I thought this might have been the area where you were  
23 trying to address it.

1 MS. TINDAL: No, we do have an area, because it says that street names should come at  
2 a certain transition. Decker and Parklane, that is a major transition, so it could be renamed, it  
3 could have been, I mean, it could have two different names. This particular one here in I is  
4 retaining the current name for one end of the road and assign a different name to the other end. I  
5 think that's in Candlewood if I'm not mistaken. One of the developers came in and I think it's  
6 on Seaton Road, they did the outer, the perimeter, but in the middle there's no development, they  
7 don't know when they'll be able to develop. So we have a lot of emergencies and the developers  
8 or the emergency responders are going on one end of the road and then think that they can go all  
9 the way the road, but they can't, it's not a thoroughfare, they can't go through. So we want to  
10 prevent that from happening and that's what that is about, it's not having anything to do with you  
11 can't use one side of the road at a major transition to rename a road, to name the road. Although  
12 we are trying to say that if a road, the matter of the extension of the road like Two Notch and, I  
13 mean, Parklane and Decker, they would have the same name throughout.

14 VICE-CHAIRMAN PALMER: That's what I'm trying to get at.

15 MS. TINDAL: But that doesn't have anything to do with that one right there.

16 VICE-CHAIRMAN PALMER: Okay, is that maybe the next one where it talks about  
17 retaining the same name?

18 MS. TINDAL: Same name? Yes.

19 VICE-CHAIRMAN PALMER: HN, two digits? I was just wondering which one of  
20 those two was, it seems like in this area you're trying to address it?

21 MS. TINDAL: Well when the name's the same, when the name of the road that's  
22 connects two other roads but has a middle section, that is not, it's a middle section, there's no  
23 intersection -

1 VICE-CHAIRMAN PALMER: The middle section is closed, closed permanently?

2 MS. CAIRNS: Or never built.

3 MS. TINDAL: No, never been developed.

4 MS. CAIRNS: Imagine the loop road, where you built the two ends off of your existing  
5 road and they never built, they never finished the loop -

6 MR. TUTTLE: Never finished the center.

7 MS. CAIRNS: - I guess these two ends are called the same thing?

8 MS. TINDAL: Yes.

9 MS. CAIRNS: So responding 911, if you enter at the wrong end, you're dead meat.

10 MS. TINDAL: And we've had that problem and we're trying to address that, so we put  
11 up street signs to say, the arrow pointing here, put block ranges, so we put that in writing, you  
12 know, you can't, you need to develop the inside. I'm not sure how we -

13 MS. CAIRNS: Or give them separate names.

14 MS. TINDAL: Yeah, that's what I'm saying, we will do separate, that's what that states  
15 that we'll give them separate names or change the numbering on it.

16 VICE-CHAIRMAN PALMER: Right.

17 MS. TINDAL: Everything that's in I reflects that current name, the two connected to  
18 roads -

19 VICE-CHAIRMAN PALMER: Okay.

20 MS. TINDAL: - because if we say if they have two ends and don't have the center, then  
21 we may have to put this single digits, this double digits or two different names. All of that  
22 addresses number I.

1 VICE-CHAIRMAN PALMER: Can we, and I understand that currently it's our policy  
2 that if we come to a major intersection that it could be different on each side, if, can we put  
3 something in the policy that, that would not allow something like that? Because I, I just know  
4 that Decker and Parklane is a real issue when trying to tell people you go down Decker  
5 Boulevard when it crosses over Two Notch it changes it's name from, from then to Parklane and  
6 they're like what -

7 MS. CAIRNS: That's part of Columbia.

8 VICE-CHAIRMAN PALMER: Yeah, well I mean, just like Taylor Street -

9 MS. CAIRNS: That's the joy of moving here.

10 VICE-CHAIRMAN PALMER: - Taylor Street and Trenholm -

11 MR. FURGESS: Forest Drive.

12 VICE-CHAIRMAN PALMER: - and Forest Drive do the same thing.

13 MS. TINDAL: Yes, and I think -

14 VICE-CHAIRMAN PALMER: You see these are different municipalities so, I mean,  
15 you can kind of understand -

16 MS. CAIRNS: It's just part of, one of the regionalisms, though.

17 VICE-CHAIRMAN PALMER: I don't know, it's just something I think that if we could  
18 address it -

19 MS. TINDAL: But I think it's in here already that the road name would have the same  
20 name to its entirety, it's not just there. I think we -

21 VICE-CHAIRMAN PALMER: So the entirety would stop at Two Notch I guess?

22 MS. TINDAL: Well, no, well, the problem is that in Richland County because of the  
23 standard for so long, that's why we have the Forest Drive and Taylor Street -



1 VICE-CHAIRMAN PALMER: Yeah, but moving forward we can change that -

2 MS. TINDAL: We can change that and that's what we're trying to do.

3 VICE-CHAIRMAN PALMER: Right, I just want to see if it was in here.

4 MS. TINDAL: And I'm just saying that, that, it's in here, it's not, it's not there.

5 VICE-CHAIRMAN PALMER: Okay, alright.

6 MS. TINDAL: Yeah.

7 MS. CAIRNS: Or it would be a massive expense.

8 MS. TINDAL: Yeah.

9 VICE-CHAIRMAN PALMER: Or just in the future, no, it doesn't require -

10 MS. CAIRNS: To avoid doing it in the future, but not to rename these -

11 VICE-CHAIRMAN PALMER: That's what we were talking about -

12 MS. TINDAL: No, we weren't, no, no, we're not talking about renaming, my goodness.

13 VICE-CHAIRMAN PALMER: Oh, no, you'd never get those people to agree to all that,  
14 all the mailings and business addresses, no.

15 MS. CAIRNS: Oh, exactly, that's, that's a nightmare when you rename -

16 VICE-CHAIRMAN PALMER: Section 33(D) - names with the same theme, i.e.,  
17 flowers, states, and birds like Mr. Tuttle was talking about, are suggested for naming roads in an  
18 entire subdivision. I mean, does the Manual really want to suggest things or is it a place that we  
19 want to say this is the way things are? I mean, we could suggest things all day long, I just didn't  
20 know if you meant -

21 MS. TINDAL: Yeah, you know, we want to suggest, we don't want to make it  
22 mandatory, we want to -

23 MS. CAIRNS: You can't make it mandatory.

1 MS. TINDAL: - we can make it mandatory because, you know, like they'll run out of  
2 tree names, names for trees, and a lot of names are -

3 VICE-CHAIRMAN PALMER: Right, I'm just wondering if we should suggest things in  
4 a Manual or not, that's all I'm saying. I mean, yes or no, I mean I'm just sort of -

5 MS. TINDAL: I think it's, I think it's okay -

6 MS. LINDER: I'm comfortable with that.

7 VICE-CHAIRMAN PALMER: Okay. Under F it says road names shall be chosen that  
8 relate to the scale, location and history of a project area. I don't know how to do that or what  
9 that means?

10 MS. TINDAL: Well there are certain roads in certain areas, and I'm trying to make sure  
11 I say this, well word this correctly without any problems.

12 [Inaudible discussion]

13 VICE-CHAIRMAN PALMER: I mean, they can have, they can have changes to it as  
14 well, right.

15 MS. TINDAL: What?

16 VICE-CHAIRMAN PALMER: This.

17 MS. TINDAL: Yes and no, if you read the Ordinance. To answer that question, oh I'm  
18 sorry - okay, road names should be chosen that relates to the scale or location, history of project  
19 area. As I was telling Chris just now, Patrick I'm sorry, that we not only address for Richland  
20 County, but we also approve names for the City of Columbia and other municipalities and if  
21 you're in a historic district you want to use historical names *per se*, just things of that nature. In  
22 this year, for 29 years, people come up with some weird names they want to name an area, like  
23 some will call a road Alligator Road and you don't want to call it Alligator Road when you're in

1 an area where flowers or trees or things of that nature and then they'll want to call it Alligator  
2 Path, so we would say, okay, let's get something in writing that states it was related to the scale  
3 or the location of the area, because y'all would be surprised at the names that we get, and that's  
4 basically what it's there for.

5 VICE-CHAIRMAN PALMER: This basically gives, gives you final say over, you can,  
6 you can go back to this Section 33(F) on any road name and say it doesn't meet this, so I'm not  
7 approving it?

8 MS. TINDAL: Well, I don't usually just go right there and make sure, yeah, we can.

9 VICE-CHAIRMAN PALMER: But I'm just saying that this gives you the override?

10 MS. TINDAL: That gives us the override, yes.

11 VICE-CHAIRMAN PALMER: On your, on your [inaudible].

12 MR. MANNING: Poetry or pornography?

13 MS. TINDAL: That's true, now that's becoming the other name we try to avoid, vulgar  
14 names. [Laughter]

15 VICE-CHAIRMAN PALMER: I just didn't understand that one, okay. Names  
16 duplicating and surrounding jurisdictions, under C, which shares emergency dispatch services.

17 MS. TINDAL: Which one are you on?

18 VICE-CHAIRMAN PALMER: Under C.

19 MS. MATTOS-WARD: Page 5.

20 VICE-CHAIRMAN PALMER: Page 5.

21 MS. TINDAL: Okay.

22 VICE-CHAIRMAN PALMER: Is this the only areas, Lexington, Kershaw, Fairfield,  
23 Cayce?

1 MS. TINDAL: Is it that surrounds Richland County?

2 VICE-CHAIRMAN PALMER: I'm saying are these the areas of which this is going to  
3 apply? In other words where can, can someone who wants to have a name in Richland County,  
4 which counties do they need to go check in to see if those names have been used already before  
5 they submit it to you?

6 MS. TINDAL: What we do now currently, if it's in Lexington County, if it's something  
7 like on the border of Richland County or Lexington County, we contact each other to see, make  
8 sure the name's not duplicated there. According to 911 standards if a road name is in the same  
9 fire district as another community, you cannot use that name.

10 VICE-CHAIRMAN PALMER: Right.

11 MS. TINDAL: So these are the, right now because we address for, currently we address  
12 for the Town of Arcadia, Forest Acres, Town of Blythewood, Town of Eastover, Town of Irmo,  
13 so, and we're already addressing for those persons and those names, street names for that. So  
14 these other counties, what we'll do is contact them to see, you know, how we can work together  
15 to make sure the names are not duplicated.

16 MS. CAIRNS: So this is not an obligation of the applicant, but it's just sort of letting you  
17 know maybe we'll, maybe letting them know while you're kicking their names out?

18 MS. TINDAL: Right, that's what we do, this is something, a matter of information.

19 MS. CAIRNS: Yeah.

20 VICE-CHAIRMAN PALMER: Right, but, but when you're looking for road names you  
21 can typically call Richland County and say is this name taken or is this name taken?

22 MS. CAIRNS: Right.

1 VICE-CHAIRMAN PALMER: But instead there's gonna be a lot more other people,  
2 this just gives notice to people that hey there's -

3 MS. CAIRNS: Right.

4 VICE-CHAIRMAN PALMER: - I just wanted to know if we could list the names of the  
5 ones that we're going to be drawing from so that the developers could know which ones to  
6 check? That's all I'm saying.

7 MS. TINDAL: Well usually they, we tell them, nine times out of ten I usually send them  
8 an approval letter of all the street names and the way I have checked or we have checked to see  
9 to make sure those names are not in the surrounding areas in that same vicinity. We always, we  
10 contact them, also.

11 VICE-CHAIRMAN PALMER: Okay, I, I think a lot of my other questions will go to  
12 the, to, to, with what Ms. Linder said that she's okay with these being ambiguous terms and kind  
13 of wide o9pen to interpretation and stuff that's overused and all that stuff, which you can't really  
14 quantify this up to, [inaudible] coordinator, I think it, we'll handle a lot of my other concerns, so.

15 MS. TINDAL: Yeah, and just let me to that, is that the reason why we're saying that the  
16 address and coordinating, because with 911, with the enhanced 911 system that we have, and  
17 enhanced only means that when you pick up your telephone and you dial 911, if you don't say a  
18 word 911 will see your telephone, your street address and your name right there on the screen,  
19 that's for the enhanced 911. Because Southern, South, AT&T Southeast is the vendor for  
20 Richland County Enhanced 911 database for the dispatcher to dispatch up, there are certain  
21 guidelines that we have to follow from them that they won't accept. So, therefore, that's why  
22 you see the Ordinance and that's why I say it's combined different entities that, and agencies that  
23 we cannot use those terms or use the wording because it just, will not fit into the 911 database.

1 It's like I said, an example, like Avenues, we say A-V-E, 911 says you've got to use A-V, so it's  
2 a different thing. That's why I'm saying people don't understand there are so many different  
3 angles I have to make sure we coordinate to make sure it fits for the 911 database because that's  
4 what they dispatch off of.

5 VICE-CHAIRMAN PALMER: Are you, and, I guess my last question and, and you  
6 brought this up Ms. Tindal, is if this is going to be presented to the other municipalities, I guess it  
7 is, for adoption to their Code?

8 MS. TINDAL: Well I think I, I don't think they're going to do that, I think Amelia and I  
9 talked about it, some has already expressed that we, Richland County is the one that are  
10 addressing the area, so they are aware of that. The only other municipality that's not, the city,  
11 they are all, all the entities, all the municipalities send all their road names to our office for  
12 approval.

13 VICE-CHAIRMAN PALMER: Okay.

14 MS. TINDAL: And they said before you get any approval, even the City of Columbia,  
15 no matter what, they send it to me and I'll check our reserve list and what is in the, what we call  
16 the Master Street Address Guide to make sure that those names are not being used. And we'll  
17 send them an approval letter to send back to their planning department, saying they got approval  
18 based upon 911 regulations and their planning commission, I guess, they approved those names  
19 because mine is just based upon 911 regulations.

20 VICE-CHAIRMAN PALMER: Is this something that needs to be adopted by the  
21 Council or is this, can this just not be a internal document that she can, that, that the 911  
22 coordinator can change if there are, I mean, do they have to have Ordinance approval for this? I  
23 mean, it seems like 911 regulations would kind of -

1 MS. LINDER: Well right now we have several pages addressing addressing names and  
2 road names and we'd have to go in, if we just adopted this Manual, it would not override the  
3 Ordinance that's in place. What we have to do is repeal the Ordinance and put something else in  
4 its place. You know, what we're doing is we're, we're simplifying it and just saying  
5 everything's repealed and we're adopting by reference the Manual.

6 VICE-CHAIRMAN PALMER: And then the Manual, anytime any changes are made to  
7 the Manual, then it's got to go back in front of the Council again for it to be changed and that  
8 kind of stuff? Is there any mechanism we could put in here where it doesn't have to go back in  
9 front of the Council? I'm just trying to simplify it for, for the 911 coordinator, because she sees  
10 things that needs to be changed and when 911 changes their rules and -

11 MS. LINDER: I, I think if we're asking Council, I, I think we need Council approval on,  
12 on policies of, of the county.

13 VICE-CHAIRMAN PALMER: Okay, because we have, we have manuals and  
14 guidelines and stuff in other departments that, that aren't approved through Council and they're  
15 just internal documents that are their guidelines.

16 MS. TINDAL: I think that causes some problems because we had a lot of, I would tell  
17 developers and agents based upon whatever, they say, well where is the written documentation,  
18 the Council approved this so this helped us.

19 VICE-CHAIRMAN PALMER: Okay.

20 MS. TINDAL: The 911 office to say here's the documentation, the Ordinance has been  
21 approved by Council, here's the Manual. So you give us a written expressed document that says  
22 it has been approved, Planning Commission has seen it and the Richland County Council and it  
23 happens there, it's there. And I hope that we have, it's, I was working on this for the last five

1 years and we tried to put in there every question that, my most, the majority of the questions that  
2 would be somewhat cumbersome or not self-explanatory in there to help for the future person  
3 who takes this position and hopefully we have answered a lot of the future questions. But like I  
4 said, we have the right to go back and change them and we will.

5 MS. LINDER: And it also eliminates the problem that you may have, a new addressing  
6 coordinator that is very, possibly incompetent, possibly arbitrary, possibly this or possibly that  
7 and it could be very -

8 VICE-CHAIRMAN PALMER: Well that's why I was trying to get away from the  
9 arbitrary terms that are in the Manual. In, in my view the manuals shouldn't be arbitrary and left  
10 up to interpretation with words like overuse or, you know, sounds good, whatever the terms, I  
11 mean, that this document is littered with, you know, that are, but, I mean, if, if, you know, I'm,  
12 I'm just bringing up the question that should, you know, words like ample time, I understand that  
13 our current 911 coordinator is spot on with all of that, but if we're looking to make a manual to  
14 your point for future coordinators, I don't think, personally, I don't think manuals should be left  
15 up to interpretation. But I mean, if you're fine with that and everybody else is fine with it, I  
16 mean, I'm not gonna make an issue of it, I just think that the rules are supposed to be black and  
17 white.

18 MS. CAIRNS: What, what, the, the, I mean, one example that is very clear on, on this  
19 page five, number (J), we talked about names that are vulgar, you know, in the opinion of the  
20 addressing coordinator, I mean, does this document, like anybody who feels aggrieved by the  
21 decision of the addressing coordinator can automatically request a view by, was it BOZA that  
22 has the right to review? I mean, because I mean, somewhere, I mean, I think that, I mean, I don't  
23 think you can give somebody the absolute authority to decide this is vulgar and not give the



1 applicant a chance to ask for, but I thought when I was on BOZA there were times when like the  
2 decision of the Planning Director and the interpretation of a Code, if the person felt aggrieved by  
3 it, they could come to BOZA to ask for -

4 VICE-CHAIRMAN PALMER: Well that's for, that's for the Zoning Administrator.

5 MS. CAIRNS: Right, but I mean, do we have something similar with this, somebody  
6 who feels aggrieved by the decision of the addressing coordinator could request a review?

7 MS. TINDAL: It would only come back to the Planning Commission.

8 MS. CAIRNS: If, okay, I mean, if that -

9 MS. LINDER: You mean BOZA.

10 MS. TINDAL: BOZA.

11 MR. PRICE: [inaudible] before the Land Development Code.

12 MS. CAIRNS: But isn't addressing part of the Land Development Code?

13 MS. TINDAL: Yes.

14 MR. PRICE: This is the Land Development Code -

15 MS. CAIRNS: Yes, but when someone feels aggrieved by the decision -

16 MS. LINDER: [Inaudible] they could go to BOZA.

17 MS. CAIRNS: - they could go to BOZA, so just realize that there is a mechanism that if  
18 you feel that -

19 VICE-CHAIRMAN PALMER: Well we approve road names, so why wouldn't the  
20 appeal come to us?

21 MS. CAIRNS: No, it'd be the interpret, if the, if someone felt aggrieved by the  
22 interpretation of this Manual by the addressing coordinator, they do have a mechanism to go to  
23 BOZA and say, I feel that the addressing coordinator interpreting the Manual has come up with

1 the wrong answer, this is not approving road names, this is just, you know, if I've submitted a  
2 name that, that somebody comes up and says, well, let's say I tried to use my last name to name  
3 a road. And the address coordinator says you've got to kidding, nobody has a clue how to say  
4 that and I wanted to say you're wrong, I could go to BOZA and say here's the reasons why I feel  
5 the interpretation is wrong and ask BOZA to interpret that. Or, you know, something like that,  
6 but I mean, there's a mechanism.

7 VICE-CHAIRMAN PALMER: Are you, I, I just don't understand why it goes to BOZA  
8 when we're the approval process for this.

9 MS. CAIRNS: Because BOZA's the, BOZA's the Board that has the authority to review  
10 decisions of Staff if they're contrary to what the Code is, that's been the way it is, it's not  
11 approving road names, it's that if you feel that the, that the Staff person's interpretation of an  
12 Ordinance is inaccurate you can go to BOZA and ask for -

13 VICE-CHAIRMAN PALMER: Do we ever get road names that you don't approve Ms.  
14 Tindal?

15 MS. TINDAL: Yes.

16 VICE-CHAIRMAN PALMER: And we either approve them or don't approve them?

17 MS. TINDAL: You don't even get them.

18 VICE-CHAIRMAN PALMER: That's what I'm saying, you don't, you don't send ones  
19 to us that you do not approve?

20 MS. TINDAL: Right, we do not. But we -

21 VICE-CHAIRMAN PALMER: I'm sorry, go ahead. If this goes in as an Ordinance,  
22 then we would no longer review road names, is that correct?

23 MS. LINDER: No, we wouldn't -

1 MS. TINDAL: No, no, that's state law, state law, it's mandatory that the Planning  
2 Commission approve all, well, road names, that's state law.

3 VICE-CHAIRMAN PALMER: So why would we not get proposals and then it would be  
4 a, a recommendation of the 911, of the coordinator that this not be approved and for us to make  
5 the approval or not the approval?

6 MS. CAIRNS: [Inaudible] developer on a [inaudible] issue on a disapproved name.

7 MR. MANNING: You don't want that.

8 MS. TINDAL: Well, because if we do that -

9 VICE-CHAIRMAN PALMER: Well, I'm just wondering what the process, because we  
10 need, we may need to clean up the process so it doesn't happen. I don't, I, we don't, I don't  
11 particularly want road name approvals.

12 MS. CAIRNS: Well the state law requires it.

13 MS. TINDAL: Well state law requires it.

14 MR. MANNING: Well I mean, I'd much rather do it after the fact, after everything has  
15 been checked and done and approved and let Ms. Tindal go through her process and then we  
16 only see what comes out looking good.

17 MS. TINDAL: Now I'll be glad to send you all the street names, but I tried to make, you  
18 know, effective for you all, not to get all those street names that have been duplicated or doesn't  
19 really make sense.

20 VICE-CHAIRMAN PALMER: Okay.

21 MS. CAIRNS: You approved some doozers, I tell you.

22 MS. TINDAL. I tell you, yeah, haven't I? [Laughter]

1 VICE-CHAIRMAN PALMER: Well I don't have any other concerns if, if I haven't  
2 already belabored the issues. Any other concerns on the Manual? Do we have a motion on the  
3 Manual?

4 MR. MANNING: Mr. Chairman, I'd like to make a motion we approve the, the  
5 Ordinance as it is written.

6 VICE-CHAIRMAN PALMER: Are we gonna do anything about the three year time  
7 frame on developed roads?

8 MS. TINDAL: Let me look back at that.

9 MS. LINDER: Well what they could do is just change that it must be under construction  
10 within three years.

11 VICE-CHAIRMAN PALMER: That would work for me.

12 MR. MANNING: Mr. Chairman, I make a motion that we -

13 MR. PRICE: Well this is just a suggestion, we could tie the road names to the approved  
14 sketch plan and preliminary plans because, you know, after a certain period the developer has the  
15 opportunity to come in and extend it and I think it goes, he can extend it on, all the way up to  
16 eight or nine years.

17 VICE-CHAIRMAN PALMER: Yeah.

18 MR. PRICE: So anytime that the developer fails to come in and extend his, his sketch or  
19 preliminary plan and that voids, and that voids out that approval, the road name from then would  
20 be voided also.

21 VICE-CHAIRMAN PALMER: And once you, and once you've started on the project,  
22 you don't have to get a re-approval of the plans, the plan will stand as is, right? So that means  
23 the road name could stand as is?

1 MS. TINDAL: Yes.

2 MS. CAIRNS: So basically you can reserve the name without a sketch plan for three  
3 years?

4 MS. TINDAL: Right.

5 MS. CAIRNS: And then if you're getting near the end of the three years, you've got to  
6 do a sketch plan or you're gonna lose your name? But once you do the sketch plan, you can go  
7 for, it sounds like a long time?

8 MS. TINDAL: Yes.

9 MS. CAIRNS: Is that right?

10 MS. TINDAL: Because the name is already, it's already, there are subdivisions now that  
11 in this sketch plan states, it has been there for like seven years. Those names that -

12 MS. CAIRNS: And those aren't the ones giving your heartburn?

13 MS. TINDAL: No.

14 MS. CAIRNS: It's the ones that are just plain old reserved with nothing more?

15 MS. TINDAL: Well the ones that are giving me heartburn is that we don't want to keep  
16 them on the list for 20 years. We've got roads since 1988, we need to take them off the list.

17 MS. CAIRNS: But they're not part of a sketch plans, right?

18 MS. TINDAL: Yes, not per sketch plans, they're just road names that are out there for  
19 the developer to name. All road names are reserved based upon the name, the person who  
20 initiates the road name and the date.

21 MS. CAIRNS: So [inaudible] for probate, you could sell some of those I think?

22 MS. TINDAL: We'll go back and check.

1 VICE-CHAIRMAN PALMER: I'm just trying to get this, I'm just trying to get this  
2 right.

3 MS. TINDAL: Which one are you on? Number (F)?

4 VICE-CHAIRMAN PALMER: (F), because even if they're not under construction, to  
5 Geo's point, they may still be part of the sketch plan and if they approve the sketch plan they're  
6 assuming the road names are approved for a longer timeframe as well.

7 MS. CAIRNS: I mean, is it just that they can be reserved for up to three years until a  
8 sketch plan is approved or the road is built?

9 MS. TINDAL: Well the street names are on the sketch plans before they came, come to  
10 you all, sometimes and they have been approved prior to coming on, putting on sketch plans.

11 MR. MANNING: So someone can reserve a name without a sketch plan?

12 MS. TINDAL: Yes.

13 VICE-CHAIRMAN PALMER: Yeah, yeah, absolutely, so -

14 MS. TINDAL: We have a reserve list, as, as of now where the developer has not even  
15 made any kind of development, it's on the reserve list.

16 VICE-CHAIRMAN PALMER: So, so the name could be reserved, may be reserved for a  
17 subdivision, person or group as part of a sketch plan? Or if the road has, is under construction  
18 within three years of, of the road name being approved? So if it's part of the sketch plan, it  
19 continues to go along with that and if it's not part of the sketch plan it has to start being  
20 constructed within three years?

21 MS. CAIRNS: Yeah.

22 MR. TUTTLE: That's fine, but I think we're already invested with the sketch plan.

1 VICE-CHAIRMAN PALMER: But what if it's not part of the sketch plan? You don't  
2 have to have a sketch plan for all roads.

3 MS. TINDAL: That's true.

4 MR. TUTTLE: What -

5 MS. MCDANIEL: But adding in the required [inaudible] if they do have a sketch plan -

6 MS. CAIRNS: [Inaudible]

7 VICE-CHAIRMAN PALMER: Right.

8 MS. CAIRNS: [Inaudible] for a sketch plan.

9 VICE-CHAIRMAN PALMER: Right.

10 MS. MCDANIEL: It doesn't add anything to what you get under these rules?

11 VICE-CHAIRMAN PALMER: What do you mean? I'm, I'm okay.

12 MS. TINDAL: If you look up on page ten for the subdivision rulings, that's with  
13 subdivisions, these are just really general, for general road names, but if you look up under  
14 subdivisions under Article 5, 5.1, [inaudible].

15 MS. ALMEIDA: But why don't we make these changes and bring it back on the January  
16 Agenda?

17 MS. TINDAL: Okay, so we're just making changes on that (F)?

18 MS. ALMEIDA: We, we have several items that we need to make modifications to.

19 MS. TINDAL: No, that's all, really the only one, the (F).

20 MS. MCDANIEL: There's a [inaudible]

21 MS. TINDAL: Yeah, that's, that's still F.

22 MS. MCDANIEL: Alright, because I know you just, I'm sorry Mr. Chairman, is there  
23 maybe just a longer period of time that you would want them to be able to be reserved?

1 VICE-CHAIRMAN PALMER: Well the longest that you can reserve it for a, you can  
2 get what, it's three years on the initial subdivision and how many one year extensions? Two one  
3 years?

4 MR. PRICE: Let's see, they [inaudible] one year extensions.

5 MS. MCDANIEL: That's what? Three?

6 MR. TUTTLE: I think that's where the confusion is, those aren't reserved names, those  
7 are vested with, with the project. Reserved names are people just walking in off the street saying  
8 I want to reserve these 22 street names. They don't even have a subdivision associated with  
9 them and -

10 MS. CAIRNS: Yeah, but I mean that's not necessarily -

11 MR. TUTTLE: And she's saying that's all they did for three years and then they go  
12 away, but if you're vested in a subdivision, i.e., your sketch plan's been approved, then those,  
13 those are vested with the sketch plan, so if you renew the sketch plan you get to keep those  
14 names. If you don't, then the names will go back into the kitty.

15 VICE-CHAIRMAN PALMER: Okay, well that's fine as long as there's no confusion  
16 there.

17 MS. CAIRNS: That what sounds, that sounds sort of -

18 VICE-CHAIRMAN PALMER: For clarification.

19 MS. CAIRNS: Right, that's -

20 MR. MANNING: You're saying that somebody off the street can come in and say I want  
21 A, B and C?

22 MS. TINDAL: Um-hum (affirmative), yeah.

23 MR. MANNING: And don't, don't even have a subdivision?



1 MS. TINDAL: Right.

2 VICE-CHAIRMAN PALMER: Mungo does that all the time.

3 MR. MANNING: I think we ought to quit that.

4 MS. TINDAL: No, you can't do that because there are people, there are private roads  
5 and public roads that are not a part of a subdivision and if a person deems it necessary to name  
6 their road, they has a right to name their road, not just subdivisions, we're talking just general  
7 roads, secondary roads in rural areas, they have to name their roads as well.

8 MR. MANNING: But it ought, the name ought to be attached to something.

9 MS. TINDAL: It's attached to that particular road, and I'm just saying they may -

10 MR. MANNING: Okay.

11 MS. TINDAL: - I'm, usually the list that we have the reserve list, it's mostly for  
12 developments.

13 MR. MANNING: I'm, I'm a developing -

14 MS. TINDAL: Subdivisions and commercials.

15 MR. MANNING: I'm developing a piece of property, hadn't bought it, hadn't done a  
16 sketch plan, just a thought. I'm gonna come down to you and say I want 100 road names and  
17 you're gonna say okay?

18 MS. TINDAL: No, you come down with 100 road names -

19 MR. MANNING: Well 50.

20 MS. TINDAL: - no, for, for example, if you would come down, you see you would  
21 have, you're looking at a proposed, you want to name a road in the future, I may not even know  
22 the name of that, you're, you may not have the land to do the road but you want to reserve that

1 name just in case, you have the right to do that. There's nothing that tells us we cannot reserve,  
2 let you reserve that name.

3 VICE-CHAIRMAN PALMER: You probably ought to see the list of reserved stuff.

4 MR. MANNING: That's the biggest part of the problem.

5 VICE-CHAIRMAN PALMER: That is the problem, yeah.

6 MS. TINDAL: The biggest part of the problem is developers and not the rural areas.

7 MR. MANNING: Well, I, I know, so let's get rid of the developers who are not bringing  
8 property road names, I mean, attaching the name to the road, and don't let them reserve it.

9 MS. TINDAL: Well see, well see that's they're now grandfathered in.

10 MS. CAIRNS: No, but you can, I, I, I think -

11 MS. TINDAL: For future roads, yes.

12 MS. CAIRNS: - I think that people have the right to, I mean, just like you can reserve an  
13 LLC name, I mean, you can reserve the name of a road, but I think all you need is something that  
14 censures it out if you don't use it.

15 MR. MANNING: When you reserve an LLC, you don't have to incorporate it?

16 MS. CAIRNS: Correct, you can reserve it and then if you, you may never come to  
17 fruition, but you have the right, you have the absolute right to reserve the name for a company  
18 for up to a year.

19 MR. MANNING: Well that's a little bit different though than a -

20 MS. CAIRNS: No, it's not, it's still just the right to reserve a name.

21 MR. MANNING: We don't need to get into a -

22 VICE-CHAIRMAN PALMER: How much does it cost to reserve a road name?

23 MR. MANNING: - the number of street names we can, I mean I see -

1 MS. TINDAL: Free, I want to have it to have a cost, but I can't get it passed.

2 VICE-CHAIRMAN PALMER: So in other words you, you got a three year sunset that  
3 doesn't mean anything?

4 MS. TINDAL: Excuse me?

5 VICE-CHAIRMAN PALMER: You've got a three year sunset that doesn't mean  
6 anything? Once you send in the letter and it says Mr. Smith we're now taking your road name  
7 back, he writes you back and says okay, I'd like to reapply for it and you've got to give it back to  
8 him?

9 MS. TINDAL: In the, in the application that they have for that, it states that. They have  
10 to reapply, they could resubmit those names and say they want an extension.

11 VICE-CHAIRMAN PALMER: At no fee or no nothing?

12 MS. TINDAL: No fee, I've been trying to get fees for the longest, the only fee we have  
13 in here is the fee for renaming roads and that's just for the advertisement.

14 VICE-CHAIRMAN PALMER: Well I don't think we're solving our problem, unless,  
15 unless it's somebody who doesn't really want them and it's somebody who is no longer in  
16 business and has reserved the name and in that case the three year process is too short and it may  
17 need to go to a 10 year just to clear out the registry every, every ten years of stuff that's been on  
18 there for people that, you know, are no longer in business or don't really care about it anymore.  
19 Because if they care about it, they're gonna reapply for it and get it.

20 MS. TINDAL: That's true.

21 MS. CAIRNS: Well let's, I think starting with three years and see what happens. She  
22 says she's got names who have been on the list for 20 some years, well some of those are gonna

1 drop off of it pretty quick and the ones, you know, if somebody is still actively willing to  
2 reapply.

3 MS. TINDAL: Well, we strike names as they use them and put them on a subdivision,  
4 it's like Lake Carolina for example, they reserved names back 1990 something, or, and those  
5 names are on the list and as they use the name, we strike them from the list. So we know they're  
6 not gonna be used, but then there are others, the other major developer here in Columbia, they  
7 have, and they send us a list of names and they're there for future development and we keep  
8 them on that reserve list. But I don't think we can just automatically, all in writing this  
9 Ordinance, it's just for, these roads from this point on, they're gonna only be reserved for three  
10 years from this point on once the Ordinance is approved. Because all the other names have got  
11 to grandfathered in because we have to give them that opportunity to take off.

12 VICE-CHAIRMAN PALMER: Right, so they, they get three years starting now?

13 MS. TINDAL: Yes, once it is approved, yes. Because I thought I was basing it upon the  
14 Ordinance that we already had, that was in place with the subdivisions, the sketch plan and all  
15 that, the entire three years.

16 MS. CAIRNS: It sounds like a plan. See how that works, we'll come back in three  
17 years.

18 MS. TINDAL: I won't be here.

19 VICE-CHAIRMAN PALMER: I would just change that to under construction instead of  
20 being developed -

21 MS. TINDAL: Okay.

22 VICE-CHAIRMAN PALMER: - if, if -

23 MS. TINDAL: We'll look at it and see.

1 VICE-CHAIRMAN PALMER: - if Deas will amend his motion?

2 MR. MANNING: All we're doing is saying that it's -

3 MS. TINDAL: Under construction.

4 MR. MANNING: - got to be under construction within three years?

5 VICE-CHAIRMAN PALMER: And you need to keep the name.

6 MR. MANNING: I'd like to make a motion that we approve the -

7 MS. CAIRNS: Manuals?

8 MR. MANNING: - the Manual with that modification -

9 MR. FURGESS: Second.

10 MR. MANNING: - amending construction to three years.

11 VICE-CHAIRMAN PALMER: I have a motion and a second, any other discussion? All  
12 those in favor, please signify by raising your hand? There are none opposed.

13 *[Approved: Mattos-Ward, Palmer, Furgess, Cairns, McDaniel, Tuttle, Gilchrist, Manning,*  
14 *Westbrook; Absent: Anderson]*

15 MS. TINDAL: Alright, thank you.

16 VICE-CHAIRMAN PALMER: The Ordinance to allow subdivision of land off a cross-  
17 access uses?

18 MS. ALMEIDA: Yes, the, what this Ordinance will allow is we do have certain  
19 situations where we have a large shopping center that is off a main road. And a -

20 MR. MANNING: We have a large what?

21 MS. ALMEIDA: A large shopping center, let's say, a commercial shopping center and  
22 it's off a main road with driveways going into the dump, into the actual commercial parcel and

1 what we've been seeing now for either mortgage purposes, they are carving out sections, either  
2 selling it off to -

3 VICE-CHAIRMAN PALMER: Out parcels?

4 MS. ALMEIDA: Out, no, not, they're not subdivision lines, it's just one subdivision and  
5 they're creating a lot within that one subdivision. Imagine a box within a box and what happens  
6 is our Code currently states that for a subdivision you must have access from, from an existing  
7 road, private or public.

8 VICE-CHAIRMAN PALMER: So like if somebody wanted to put like a Taco Bell in a  
9 parking lot?

10 MS. ALMEIDA: Yes, they would have to create a flag lot, okay? And it, it's creating a  
11 lot of problems, so what we are trying to say is they don't actually have to have right-of-way  
12 access, they can actually have an easement to come out to that, to that main road. Our existing  
13 Code says the subdivision must have direct access, you cannot have an easement and this is  
14 creating a lot of problems for condos, for those kinds of developments. So we're hoping, well  
15 we've come up with this language that would allow the actual easement to be 27', because our  
16 current Code requires a right-of-way of 50'.

17 VICE-CHAIRMAN PALMER: And what's the standard, well not standard, but what's  
18 the smallest road allowed in the county these days, width wise?

19 MS. ALMEIDA: A 50' wide -

20 VICE-CHAIRMAN PALMER: Easement?

21 MS. ALMEIDA: Right-of-way, yeah.

22 MR. MANNING: Anna, would this apply to residential lots or [inaudible]?

23 MS. ALMEIDA: Geo, other than the condo -

1 MR. PRICE: Well it is strictly commercial.

2 MS. ALMEIDA: Commercial?

3 MS. CAIRNS: And condos. And condos are not -

4 MS. ALMEIDA: We, we really don't have problems with residential at all because you  
5 create roads through subdivisions.

6 MR. MANNING: But there have been plated properties from years ago that didn't have  
7 direct access on a public street and the ingress and -

8 MS. ALMEIDA: But that's how, it could be public or private.

9 MR. MANNING: So would an easement through somebody else's land suffice as ingress  
10 and egress without dedication?

11 MR. PRICE: You mean currently?

12 MR. MANNING: Fee simple?

13 MR. PRICE: You mean currently or with the, this Ordinance?

14 MR. MANNING: No, I mean, what I'm asking you, I think Anna said that this would  
15 not apply to residential houses, zoning classifications, but the same scene could exist in a  
16 residential where you've got lots of record that have no direct access to a street and under our  
17 current Code I think you have to go out and get a fee simple -

18 MR. PRICE: If, if you're a lot of record, we, we would want you to at least show us that  
19 you have access, legal access to the property.

20 MS. CAIRNS: Yeah, lots of record is a completely different issue on -

21 MR. MANNING: But, its landlocked and so, you know, it's a lot of record, it's  
22 landlocked and can you get an easement through the adjoining piece of property?

23 MR. PRICE: Yes.

1 MR. MANNING: To, to get your access, or do we have to get -

2 MR. PRICE: They, they can use an easement, into the [inaudible].

3 MR. MANNING: Alright, alright.

4 MR. PRICE: That's the only way to get to it.

5 MR. MANNING: Okay.

6 MS. ALMEIDA: But it has to come out to a public or private road.

7 MR. MANNING: Well I, I understand that, I just, the question was easement versus a  
8 dedicated right-of-way.

9 MS. ALMEIDA: No, we allow easements now for subdivisions.

10 MR. MANNING: Okay, okay, I was under the impression that we didn't.

11 MS. CAIRNS: Well for lots of record, I thought you were trying to stop easements.

12 MR. PRICE: You can create, you can create, you know, you can create a lot -

13 MR. MANNING: Right, I know you can -

14 MR. PRICE: - with an existing, we allow an easement to serve those.

15 MR. TUTTLE: Well now wait a minute now, but under Anna's example you are creating  
16 a lot and I don't know if there would be any differentiation in the Code between residential and  
17 commercial, I mean, that's not a, a subdivision is a subdivision. So, if this passed, you could  
18 create a residential parcel that was accessed through an easement rather than a dedicated road?

19 MS. CAIRNS: Well, except for, I think that's what on page 20 where it talks about  
20 access requirements, is it still saying residential subdivisions require direct access to a road?

21 MS. ALMEIDA: To a road, yeah.

22 MS. CAIRNS: And it's commercial and condos that can trigger this cross-easement.

23 MS. ALMEIDA: Cross-access.



1 MS. CAIRNS: Cross-access easement. So we're limiting where this new thing can be  
2 applied through that mechanism? But I, one thing I think that needs to change on this is this  
3 definition of condo, we do have, and I'm not gonna be able to rattle off the perfect language, but  
4 I mean, condos are created by statute under a Master Deed. I think that it needs to use, that a  
5 condominium is a thing created through that Master Deed process through the state Ordinance.  
6 I mean, I can't rattle it off smoothly, but there's no need for us -

7 MR. MANNING: Well it's got to have a [inaudible] need that -

8 MS. CAIRNS: Yeah, there you go, see there's all this beautiful magic language that I  
9 don't have it at the tip of my tongue.

10 MR. MANNING: But do you want to restrict it just to a condo or would a townhouse,  
11 which is fee simple, which could be the same building, the same structure, but would you, I  
12 mean -

13 MS. CAIRNS: And the same desire to have a shared parking area -

14 MR. MANNING: Right, exactly, exactly -

15 MS. CAIRNS: - without it being condo-ized? Yeah, that's true, I mean, I didn't, maybe  
16 we don't want to limit it, I mean, I don't think we want to redefine condominium, but at the same  
17 time -

18 MR. MANNING: And I think the, the use would be the same thing -

19 MS. CAIRNS: Do we want to address the issue of -

20 MR. MANNING: - it's the same, it's the same building, it's just a different -

21 MS. CAIRNS: Right, it's fee simple ownership of a footprint.

22 MR. MANNING: Right.

1 MS. CAIRNS: And then a condo, basically is a use of a, or a shared use of the parking  
2 areas.

3 MR. TUTTLE: Well but, but for instance, Anna, why would you restrict residential from  
4 using the same easement access?

5 MS. ALMEIDA: A single-family?

6 MR. TUTTLE: Yeah.

7 MS. CAIRNS: I'm just trying to get - 911 is a lot of it and the easements -

8 MR. TUTTLE: Well how would that, that wouldn't affect anything differently?

9 VICE-CHAIRMAN PALMER: No, it [inaudible] commercially as well as -

10 MR. PRICE: We, we have to have certain standards for roads, so when they, whether it  
11 be a private or a public road, there are certain standards that have to be met that are approved by  
12 the Public Works Department. I mean, if we just allow easements to be a way to subdivide a  
13 property, especially when you're looking at residential and there are no standards, now you're  
14 starting to get into, potentially a safety -

15 MR. TUTTLE: Well, but a, but an easement has to do with owner, ownership  
16 classification, it doesn't have anything to do with the road standards.

17 MR. PRICE: Well you're, you're asking could you sub-create a residential -

18 VICE-CHAIRMAN PALMER: Easement.

19 MR. TUTTLE: Easement, where I don't own the land, it could, it could be controlled -

20 MS. ALMEIDA: It could be a driveway, that's the problem.

21 MR. TUTTLE: It could be conforming, it could be a 50' right-of-way.

22 MS. ALMEIDA: A parking lot with a, with a travel [inaudible].

1 MS. CAIRNS: I think this isn't quite tight enough yet, I think you've got to figure out  
2 how to -

3 MR. TUTTLE: But, but, I mean, if you're gonna have a residential, if you're gonna have  
4 a road standard as part of it, the parking lot doesn't conform, so when they traverse parking lot to  
5 get to Taco Bell, it doesn't, it's not built to the county road standards.

6 MS. ALMEIDA: Right.

7 MR. TUTTLE: So I mean, we're saying different things.

8 MS. CAIRNS: I think this is, I think this is a bigger problem to solve as a problem, so I  
9 think it's good to avoid, allow a residential subdivision off easements, but at the same time this  
10 new breed of commercial being with the Taco Bell in the middle of the parking lot, you want to  
11 figure out how to accommodate that. Well that's how, Columbia Mall was done that way, it's on  
12 easements.

13 MR. PRICE: Right

14 MS. CAIRNS: I mean, it, you know, there's right across and through the courthouse, I  
15 mean, there are huge easements around Columbia Mall, so originally at least, I don't know if  
16 they still are that way. You probably know more about that than I would, but I just know  
17 historically some of that was created with easements to get back to Columbia Mall.

18 MR. MANNING: I, I think the intent is well intended, I just, I think the definition, we  
19 may need to look at that, or fee simple versus the condo and, and what I heard Geo say was that  
20 there are mechanisms to do the residential lot through easement ingress and ingress through an  
21 easement.

22 MR. PRICE: An existing, yes.

23 MR. MANNING: Existing.

1 MS. CAIRNS: Using lots of records, but no new subdivisions.

2 MR. MANNING: Yeah.

3 MS. CAIRNS: Except for those created by [inaudible].

4 MR. MANNING: Okay, but I guess we need to consider whether the intent should  
5 include single-family as well as multi-family.

6 VICE-CHAIRMAN PALMER: Is that in a motion?

7 MS. CAIRNS: The motion that we just continue this? I mean, I -

8 VICE-CHAIRMAN PALMER: To, to, to readdress the issues that have come up today  
9 and to readdress it in and, and if they could like bring it back on our Agenda in 30 days or at our  
10 next Planning Commission Meeting?

11 MS. CAIRNS: Yeah.

12 VICE-CHAIRMAN PALMER: Did I have one for that?

13 MR. MANNING: I make a motion that we defer any action on this until Staff comes  
14 back to us at our next monthly meeting and readdresses this.

15 MR. GILCHRIST: Second, Mr. Chairman.

16 VICE-CHAIRMAN PALMER: Got a second. Any other discussion? All those in favor,  
17 please, of deferring text amendment 4 to our next Planning Commission meeting, please raise  
18 your hand? There are none opposed.

19 *[Approved: Mattos-Ward, Palmer, Furgess, Cairns, McDaniel, Tuttle, Gilchrist, Manning,*  
20 *Westbrook; Absent: Anderson]*

21 MR. PRICE: Maybe we can take this up during a work session, I don't know.

22 VICE-CHAIRMAN PALMER: Well a work session, we won't, we won't take action.

23 [Inaudible discussion]

1 VICE-CHAIRMAN PALMER: No, we just, we had that one change in and that was all.  
2 Okay, does anybody, okay Council doesn't meet in August, but we still meet for other issues that  
3 may or may not come up. We'll probably have a light Agenda, but that will be fine.

4 MS. CAIRNS: We tend to, yeah, we tend to leave it on the calendar just in case for July.

5 VICE-CHAIRMAN PALMER: Just in case, yeah. Do we have a motion to approve the  
6 Calendar?

7 MR. TUTTLE: I make a motion to approve the 2010 Calendar as stated in our packet.

8 MR. GILCHRIST: I'll second.

9 MS. MCDANIEL: Hold up, I have a question, [inaudible] 4<sup>th</sup>, 2010 is a Thursday? So is  
10 that the day that we want?

11 MS. CAIRNS: No, it would be the -

12 VICE-CHAIRMAN PALMER: It's probably a Thursday football on that night.  
13 November the 4<sup>th</sup> is, was there a reason for that?

14 MR. FURGESS: Yeah, we always have it on Thursday. [Laughter]

15 MS. CAIRNS: In November, just the newbie didn't know that yet, so it would be the 1<sup>st</sup>  
16 or the 8<sup>th</sup>.

17 MS. MCDANIEL: Yeah, correct me.

18 MR. MANNING: We don't want to break tradition.

19 VICE-CHAIRMAN PALMER: Well we have a motion, do we have a second?

20 MS. CAIRNS: So what? Are we gonna adjust November to be a Monday? It could be.

21 VICE-CHAIRMAN PALMER: We could.

22 MS. CAIRNS: November 1<sup>st</sup>?

23 MS. MCDANIEL: I think it's a good idea to keep it consistent for the public and -

1 VICE-CHAIRMAN PALMER: So is that an amendment?

2 MS. CAIRNS: I hereby amend, make a motion to amend the Calendar to allow the  
3 November hearing to be held on November 1<sup>st</sup>, 2010.

4 MR. PRICE: Did we do September?

5 MS. CAIRNS: Was September not good either?

6 MR. PRICE: September 6<sup>th</sup> is Labor Day. I'm gonna go -

7 VICE-CHAIRMAN PALMER: Who's taking the rap for this one?

8 MS. ALMEIDA: Suzie Haynes.

9 VICE-CHAIRMAN PALMER: September the 6<sup>th</sup> is a, is Labor Day?

10 MS. CAIRNS: Yes.

11 VICE-CHAIRMAN PALMER: So then that needs to the next Monday?

12 MR. GILCHRIST: The next Monday, yeah.

13 MS. ALMEIDA: What is that, the 13<sup>th</sup>? Do we have enough time?

14 MR. PRICE: I know we, typically we either move it up to like that Thursday before or  
15 some other time because once we start getting into the following week, we're getting real close  
16 to the Zoning Public Hearing.

17 VICE-CHAIRMAN PALMER: Is there a time preference? Okay, so do we want to do it  
18 on the 9<sup>th</sup>?

19 MR. PRICE: The 2<sup>nd</sup> or the 9<sup>th</sup>.

20 VICE-CHAIRMAN PALMER: Alright, so we got, we got September the 9<sup>th</sup> as a change  
21 and we've got November the 1<sup>st</sup> as a change.

22 MR. FURGESS: Well now, what did they say about July?

1 VICE-CHAIRMAN PALMER: Do we want to go on July the 5<sup>th</sup>? Is anybody going out  
2 of town for the 4<sup>th</sup> maybe? I mean, it's pretty close, do you want to add a couple of days in  
3 there?

4 MR. GILCHRIST: I think we should, yeah.

5 VICE-CHAIRMAN PALMER: I think we should, too. Do that one on a Thursday?

6 MS. ALMEIDA: Sure, what's that date?

7 VICE-CHAIRMAN PALMER: Is that the 8<sup>th</sup>?

8 MS. CAIRNS: Yes, sir.

9 VICE-CHAIRMAN PALMER: July the 8<sup>th</sup> as well.

10 MS. ALMEIDA: Okay.

11 MR. PRICE: You said September the 9<sup>th</sup> or September the 2<sup>nd</sup>?

12 VICE-CHAIRMAN PALMER: 9<sup>th</sup>.

13 MR. PRICE: Not the 2<sup>nd</sup>.

14 VICE-CHAIRMAN PALMER: Would you, would you like the 2<sup>nd</sup> better?

15 MR. PRICE: It, the only reason why is because some, we would end up having to double  
16 post property and -

17 VICE-CHAIRMAN PALMER: Alright, the 2<sup>nd</sup> it is.

18 MR. PRICE: And then there's 15 days in between all of that.

19 VICE-CHAIRMAN PALMER: September the 2<sup>nd</sup>. Just tell us what date you'd like,  
20 Geo. So far our changes are July the 8<sup>th</sup>, September the 2<sup>nd</sup>, November the 1<sup>st</sup>. Do we still want  
21 to meet at 1:00 o'clock? Does anybody want to change that?

22 MS. CAIRNS: 1:00 p.m. is fine with me.

1 VICE-CHAIRMAN PALMER: Alright, so we've, we've changed to July the 8<sup>th</sup>,  
2 September the 2<sup>nd</sup> and November the 1<sup>st</sup>, all other dates to stay the same. Do we have a motion  
3 to that affect?

4 MR. TUTTLE: I make a motion that we approve the Calendar with those modifications  
5 as stated.

6 MR. GILCHRIST: I second.

7 VICE-CHAIRMAN PALMER: All those in favor of approving the Calendar as  
8 amended, please signify by raising your hand?

9 *[Approved: Mattos-Ward, Palmer, Furgess, Cairns, McDaniel, Tuttle, Gilchrist, Manning,*  
10 *Westbrook; Absent: Anderson]*

11 VICE-CHAIRMAN PALMER: And the last item is -

12 MS. CAIRNS: The nominations.

13 VICE-CHAIRMAN PALMER: - the nominations for next year's seats. The floor is  
14 open for nominations for next year.

15 MS. ALMEIDA: What are the -

16 VICE-CHAIRMAN PALMER: We have Secretary, Vice-Chair and Chair, and those,  
17 those responsibilities are outlined in the Planning Commission's Rules. Mr. Manning?

18 MR. MANNING: I'd like to nominate Mr. Gilchrist for Secretary, if he would so kindly  
19 serve.

20 VICE-CHAIRMAN PALMER: Mr. Gilchrist for Secretary.

21 MR. FURGESS: I'd like to nominate Pat as Chairman.

22 VICE-CHAIRMAN PALMER: Me for Chair. I'll, I'll nominate Deas for Vice-Chair  
23 because Wes you're, you won't be able to step up, will you?



1 FURGESS: Hum-um (negative).

2 VICE-CHAIRMAN PALMER: I'd like to nominate Deas for Vice-Chair.

3 MR. MANNING: Well where are you going?

4 VICE-CHAIRMAN PALMER: He may have an announcement coming in the future,  
5 Deas.

6 MR. MANNING: Uh-oh.

7 VICE-CHAIRMAN PALMER: Any others?

8 MR. FURGESS: I vote to close.

9 VICE-CHAIRMAN PALMER: Make a motion to adjourn?

10 MR. FURGESS: Yes.

11 MS. MATTOW-WARD: I second.

12 VICE-CHAIRMAN PALMER: Alright, meeting adjourned.

13

14

*[Meeting adjourned at 4:20 p.m.]*