

Edgefield County
PLANNING COMMISSION
Work Session Minutes
County Council Chambers
August 10, 2023
5:04 PM

The Edgefield County Planning Commission Work Session was held on Thursday August 10th, 2023 at the Edgefield County Council Chambers at 225 Jeter Street in Edgefield at 5:04pm.

Notice of the time date and agenda of this meeting was provided to The Edgefield Advertiser, placed on the Message Board outside Council Chambers, and provided to others when requested. Any questions regarding the Planning Commission should be directed to the County's Planner April Morgan Amorgan@edgefieldcounty.sc.gov

Members present:

Fab Burt
Lisa Whitaker
Karleen Butler
Rhonda Nowicki
Sharon Hadden
Tracy Walsh
Daniel Baker

Members absent:

Staff present:

April Morgan
Dharma Williams
Hart Clark
Andrew Marine

County Council

members present:

Tiffani Ireland
Gerry Moody

Guest Speakers:

David Thompson,
Stuart Thompson

No votes held during work session.

I. Call to Order

Burt called the meeting to order at 5:04 pm.

Burt begins the Work Session by stating if okay with the other commissioners, he would prefer to begin the session with the New Business to best use their time.

II. Guest Speakers

Blue Sky Development LLC (David Thompson and Stuart Thompson)-
Land Development Application Parcel #125-00-00-067-0001 #125-00-
00-013-000, and #125-00-00-057-000

III. New Business

Burt begins to read the new business on the agenda: Land Development Application submitted by Blue Sky Development LLC (Parcel #125-00-00-067-000, #125-00-00-013-000, and #125-00-00-057-000). Burt invites the representees, David Thompson and Stuart

Thompson, to come up and present the development and answer any questions the commissioners may have. Burt then asks Morgan and Clark if they have any comments to begin the discussion.

Clark begins by putting images of the proposed subdivision on the screen. He explains that he has given each commissioner the opportunity to meet individually to discuss this subdivision so they should be familiar with what it is. He continues to explain that this Land Development Application is for a major subdivision with 126 Townhome Lots and 128 Single Family Lots with mixed price points ranging from roughly quarter acre lots to half acre lots, some of which being larger than half acre lots. He shows on the map which areas on either side of the development are not included in the development and points out the emergency easement for fire, EMS and police usage. He also points out the main entrance off of Stephens Road.

Burt asks if there are any questions from the commissioners.

Walsh states that she feels after looking at the design of the roads, all of the dead ends and cul-de-sacs do not seem to promote community. She explains if somebody were to live at one end of the loop of a cul-de-sac and wanted to visit a neighbor at the other, they would have to loop all the way out of the cul-de-sac and down to the other around rather than them just connecting. She continues that this also is seen at the townhomes in the U shape where the road has a dead end rather than connecting back to the main road. It feels to her as if the neighborhood is very "disconnected" and is not a "unified neighborhood." Walsh believes that at first glance this neighborhood looks to not be designed for quality of life but rather to fit more lots into the area.

Thompson (Stuart) explains that the subdivision was designed with intention of walking trails between roads and cul-de-sacs to create opportunities for those living there to make it a community.

Walsh explains that she thinks that the walking trail aspect is great, but does not like that people would have to travel back through the main road to get through the neighborhood.

Thompson (Stuart) expresses that safety against things such as theft and traffic was a major concern when designing this plan to have each road having a single entrance.

Burt explains that in Chapin he has been through a subdivision similar to the proposed subdivision and that he liked the layout with the retention pond. He expresses that in his opinion it is designed very well.

Thompson (David) explains that in the initial plans he had most of the neighborhood connected but it was revisited to create more greenspace. He continues to explain that there is a 30% green area which is roughly 25 acres as well as trails and open area large enough for parks. He continues to explain that except for a handful of lots found in the second to third cul-de-sac, there is 30 to 50 feet of green area between the property lines except this handful of properties there is only about 10 to 15 feet.

Burt asks to see the emergency easement, Clark points it out on the map. Thompson (David) explains that the entrance of the subdivision will be coming off of Stephens Road about 1,000 feet and it will remain much like it is other than being asphalt. Hart clarifies that it will be 1,351 feet off of Stephens Road. Thompson (David) continues to explain that the emergency exit will be included although he does not believe that it is a requirement, but due to the Mill Creek incident they will have it in place. Clark clarifies that according to fire code if you have more than 30 units you are required to have an emergency easement for fire, EMS, and police to get in. This does not have to be an open easement for residents to be able to use, there can be a gate with a lockbox with a code on it strictly for emergency services. This is so that if there is a fire and three fire trucks are blocking the front entrance and EMS gets a call for an emergency where somebody on another lot in the back has a heart attack, the ambulance still has to have a way to get back to the second emergency which is why there is the emergency easement as a secondary entrance if something were to be blocking the primary entrance. The distance between the back of the town homes and emergency easement is about 150 feet. It is also clarified that everything will be buffered with a 50-foot buffer between all neighboring properties.

Thompson (David) explains that the main road comes to an abrupt end on the plan because due to conversation with the property owner behind the proposed subdivision they may want access to their property through using that road as well.

Hadden asks if the emergency easement road will be paved. Thompson (David) replies that no it will not be paved, but rather stay dirt.

Nowicki asks if the roads are planned on being turned over to the county. Thompson (David) responds that the current plan is to turn the roads over to the County. He continues to explain that if the roads are not turned over to the County, then HOA fees have to be much higher, but to turn them over to the County there are many rules and regulations that have to be followed and met to get to the point where it can be turned over to the County. He clarifies that this would probably take three to four years because you have to sell about 75%

of the lots and post the bond for two more years and then it is turned over.

Nowicki asks for clarification as she was under impression that the emergency easement would be graveled. Thompson (David) assures that whatever material is use it will be made sure that it will be what is needed for the equipment that would need to pass on it. Clark clarifies the reason for not wanting to pave this easement is because if you put a paved road in people will want to use it causing traffic to go beside a home not in the subdivision. This is why it will be gated off to stop through traffic and left a gravel road to Stephens Road.

Walsh asks if the Thompsons have discussed with Clark about how they are not compliant with the comprehensive plan as far as density and if they could possibly modify their plan to meet the comprehensive plan. Thompson (Stuart) responds that there has been discussion but that they have done everything that they can do. Thompson (David) explains that to put in all sewer systems, storm water, roads, etc. as well as giving to the municipality that they are trying to keep the cost of overall building down. He explains that if they were to go 190 or so units, it would not happen to where the average person could afford a house. Walsh continues to explain that she understands that these lots are unzoned but that the comprehensive plan is our guidance and that she would prefer to see developments that comply with the comprehensive plan but continues to explain that is her opinion. Thompson (David) expresses that will be taken into consideration but that Blue Sky Development will probably not be changing the plan for the subdivision. He goes on to explain that in the past they have always complied with the comprehensive. He continues to tell that they are aware that not everybody can afford a 500,000 house and that they are trying to keep the home costs down for those who want to live in this County but cannot afford to. Walsh states that she has seen plenty of new construction starter homes on the same size lots that cost about \$250,000 to \$280,000. Thompson (David) explains yes, but if you were to increase the lot size then the price would go up as well.

Burt asks if the homes will run at \$175,000. Walsh tells him that will be the cost of the townhouses. Clark explains that he believes there will be three price points in this subdivision, the townhouses being the cheapest at \$175,00, the larger lots that will be in comparison to Annison Pointe, and the remainder of lots will be similar to Sweetwater Landing.

Nowicki explains that after speaking with Clark it seems like the numbers with the detached dwellings was suitable, but the numbers that raised the cards were the townhouses. She goes on to explain that if she understands correctly it was 30 acres with all of the townhouses. Clark explains that our ordinances requires townhouses

to be less than six units per acre and they are at about 4.8 on the houses and the overall development is at 2.5 units per acre. Nowicki questions if there is no way that the Thompson can come down off of the townhouse numbers.

Hadden ask if at this point there is a complete transportation study. Thompson (Stuart) responds not yet, but that they are working with that with the SCDOT currently. Hadden continues to ask if they have completed any type of school study. Thompson (Stuart) explains that the school is responsible to complete that study, not developers and that they are not aware if the schools have done one.

Walsh shares her concern with what the SCDOT will say about the curve on Stephens Road. Thompson (David) explains that it should not be a problem. He explains further that there has to be about 300 feet from the curve to the entrance at that curve being 35 MPH and the distance that they have provide is roughly 500 feet. Whitaker clarifies that Stephens Road is projected to being paved. Clark explains that as CTC director (having responsibility to approve funds for County Roads) he is aware that the state came in and had a plan to pave half of Stephens Road and the County will pay for the remainder of the road. However, because of the tremendous of influx of cash from the delegation in infrastructure the entire state is flooded with road construction work and the supply for things like cement is really tight and projects are starting to show up years in advance rather than months in advance so the funding to pave the road has been appropriated and assigned however we have not been given a final schedule from the SCDOT as to when it will be completed.

Walsh explains that even though the minimum distance from the curve is met, Stephens road in its entirety is very curvy and adding 1,500 more trips a day she would be interested to see what the SCDOT will say about that.

Clark explains that this preliminary process does not include all of the engineering as it would be tremendously expensive however before the are given a final approval to start construction everything has to be completed. The SCDOT approval has to be gotten, the DHEC approval has to be gotten, their environmental stuff has to be done etc. As commissioners on the planning commission you can show up and review those documents at any point, typically the final process does not come back to the planning commission unless in the engineering necessitates a serious change. For example, if they would have to completely redesign their entryway and put four lanes in or some other major change or event where their plan is significantly altered then before that final plat process which allows them to actually sell a lot they would have to come back. Usually this does not come back to the planning commission as it is the development getting

smaller rather than larger due to land not being buildable because of topography or wet land. This means typically since they are losing lots they do not return to us but you are always entitled to come and review all of their paperwork, once submitted to me it goes into their file and becomes public information. We are not the authority having jurisdiction for the SCDOT so if the SCDOT tells them that they have to do something, they simply have to do it or they will not get a curb cut to enter their property so if the SCDOT does give them an improvement list and they choose not to do it that is a project killer. Once the traffic study is complete the SCDOT may do a whole list upon conditions that must be met for their approval. DHEC also follows this same review process through a SWPPP review (Stormwater Pollution Prevention Plan) where they will check all of the environmental things and they will also give a list of changes that need to be made to meet their requirements and if they are not met that again will kill the project.

Nowicki explains that she asked Clark that in Edgefield do we have any other major subdivisions that have a mixed used elements and he answered no, so her thought is that this is being brought to the Planning Commission as a major subdivision when it should be presented as a PD. A PD allowed for mixed use, and this is mixed use. Thompson (David) explains that it is being presented as a major subdivision is because it is unzoned. Clark explains that because it is unzoned there is no use restriction on the property. Nowicki stated "I am kind of disappointed but it is my fault and I take it and own it," and explains that it is something that they now are going to work on fixing.

Burt confirms that no other commissioners have questions, and explains to the Thompsons that this will be voted upon during the meeting and dismisses them.

IV. Old Business

Burt begins by explaining that the commissioners have been discussing a lot on the priority items and changes in the compressive plan and ordinances.

Whitaker presents the following statement. "First, I want to state that in no shape way or form do I as a planning commissioner want to see Edgefield County change in its beauty and its charm. If you ask any other commissioner, they don't either. My comments arise from frustrations more than anything else. As a planning commissioner I've taken this position very seriously. I listen intently. I have read the comp plan over and over and over. I have watched hours of Council meetings and of planning meetings. I have spent the past two and a half weeks hyper focused on issues and solutions. There is too much focus on stopping something rather than there is on planning to

prevent something. Poor planning on your part does not constitute an emergency type of situation. If there is a knee-jerk reaction without hearing facts then nothing constructive can come from this. You cannot change the fact that the North Augusta area is growing and expanding. Here are a few facts: North Augusta has grown 39% since 2000. North Augusta is also growing moderately quickly. It is growing faster than 77% of similarly sized cities since 2000. I-20 first appeared between 1964 and 1967, then from then Georgia state line it was completed in 1967. So the linked growth is there to that point and none of this is news. During one of our meetings back in 2021-22 Roger stated that 75% to 80% of this County would remain unzoned. Only in suburban areas of the County you will find zoning. Also stating that because of some concerns that some property owners have, this area needs to be protected with zoning. Please note the word protected. During meetings I've heard residents speak about living on the Martintown Road Expressway stating that they wanted the rural setting, not to be in the big town. Also saying no one they've talked to wanted zoning. Upon looking at the area in which they live, it's a cul-de-sac with visible home around them, also a paved road. Possibly when you're buying property so close to an already developing area within less than a ten-minute drive to shopping, the term rural comes into question. When we purchased our property, when you turn off of the main road you see no one else from any direction we see no other property when driving down our dirt road there are no other houses around us. It takes 30 minutes for me to get to the grocery store or to buy necessities. I would say that's rural. Could that change? Yes, it could. But the infrastructure is not there right now but it could be. So, what brings us to this point? Stephens Road, an unzoned property. One of the planning commissioners stated during one meeting that she had been collecting signatures of people who were against zoning. No ones seen that letter but she stated she knows peopled don't want it. So, she went on to state that no amount of zoning would protect against the highest density development that there is and that is a PD. Planning Commission has worked on ordinances and upped the requirement to a limit of six houses per acre but that doesn't sound rural to her. She further states the reason no zoning will protect you against a PD is that it's a rezoning by going before the Planning Commission. Further statin the only thing that kind of protects you is the lack of water and sewer availability. That statement is false. If a developer has enough money, they can run the water lines and they can run the sewer lines. So, they on with the project. Doc (Clark) replied the PC (Planning Commission) can in fact stop a PD without cause. When someone's asking for a rezoning, there's no obligation of the Planning Commission or County Council to approve them so there is protection in place against a PD. So beating this dead horse is a moot point, we no longer need to go there but we do month after month. After further discussion on PD's and other areas, Doc (Clark) stated that the State Law has a section in it that allows the developer

to basically ignore your decision if the Comprehensive Plan is what you based your decisions on. So, there's a legal loophole and Doc (Clark) said yes there's a big gaping legal loophole. He said if you get the zoning correct and denied them based on the zoning then there is no loophole you can go into court with the zoning and show that the County's law says that a thing can't be done and it will be absolute as to where a Comprehensive Plan is no more than just an idea, a guideline. We have been told repeatedly by those in the County who know the laws and govern this commission the very thing the Comprehensive Plan is an idea but that zoning is law. So, we heard the facts again right there in 2021 and 2022. However, misconceptions and misleading information is constantly put out on social media with alerts and fear-mongering which then leads to conspiracy theories. Doc (Clark) is invaluable to the Planning Commission because he is a wealth of information on the laws that govern this County and the Building and Planning areas. He has no agenda except leading us through the legal processes which we must follow. None of us on planning are given a red cent to make any decision. However, to hear and read comments it sounds like we're being given money to let a development happen. During a work session on November 4th, 2021 Doc (Clark) stated zoning is what prevents someone who purchases or inherits the property next door to you from turning into just anything they want, like a tire plant or other things mention you don't want. The law does not care what you or your neighbors like personally. What the law cares about is when you're trying to take property rights away by restricting use. The property on Stephens Road was unzoned, thanks to that before mentioned list of names who wanted no zoning. Council men and women were pressed to not allow zoning there even after Doc (Clark) recommended strongly multiple times that it should be zoned RR at least. Therefore, the subdivision will more through with no problems. The developer has met all their legal requirements the Comprehensive Plan does not apply here and the developer is within his legal limits. Has this list of names yet to be seen ben more informed this would not be on the table. Had people listened to the warnings from Doc (Clark) things would be different instead of jumping on a bandwagon of misinformation. There is going to be growth and probably annexation. What can stop it? Maybe zoning. Maybe that would be applicable. So I would say that had the zoning been changed back in 2021 we wouldn't be stirring this pot again. Its as if everyone would be happier if wed put up gates with fences that said no, we want no one else here in Edgefield County. So much for that southern hospitality. We have got to accept the inevitable. Growth is going to happen, especially in that area. However, there are 325,078 acres in Edgefield County. 278,110 of them are rural agricultural or vacant. 7,008 of them are residential. I would say rural feel is pretty safe with those numbers. In closing on this item, our Comprehensive Plan goals are to promote the availability of a variety of housing types at all cost levels to meet the needs of the community,

to encourage new residential development that preserves neighborhoods identity and quality of life we are not doing our best for the County but consistently and constantly looking for angles to stop growth in certain inevitable areas targeted for the growth. We need to stop changing the categories and start changing the areas on the maps. Nowhere in the Comprehensive Plan did I read that we should be restricting seniors, from affordable housing with less than a quarter acre of land or that a young mother needing affordable housing but can't live in her home County because there's nothing here for her to live in. Not every voice is being heard and not every voice is speaking but the loudest voices aren't giving the whole picture. Begging people to come to a meeting after you were aware and know the facts when you know unzoned land is prime property for a developer. You also know that the development meets all requirements of the law which is what planning is supposed to do is follow the law . There is no requirement on subdivisions, therefore the Comprehensive Plan does not apply here and there was no need for the alert emails and scare tactic then once again to stop the inevitable. Thank you."

Burt explains that he believes that they as commissioners are getting some wrong concepts as they are not an enforcement panel but rather they are members to make decisions to do what is best for the County and for the people of the County. He continues to explain that we as a County are way off on affordable housing in the County. Clark clarifies that this is a state wide issue. Clark also explains that we simply in our Comprehensive Plan just have to make space for affordable housing and that we do not have to incentivize for it or build it but just make space where low income housing is allowed. He continues to explain that there has to be a place for each type of housing, so if somebody were to want to build an apartment complex there would be a place where that is allowed in Edgefield County. He explains that in law if you make something technically infeasible that is technically the same as making it illegal. Clark states that he believes that our Comprehensive Plan has a category that achieves everything but we have not looked at the map closely enough to identify where on the map those areas can go. He pulls up an image of the map to show Commissioners and explains that they really need to dig into the map and go around Edgefield and Johnston to focus on where we can allow this affordable housing and growth for the small towns. Some Commissioners have expressed a want to change some areas to rural agriculture and update the map.

Clark recommends to get a momentum going on changes so that they can begin to make them, for Commissioners to let him know what items marked as changes they are okay with and point out the ones that need to be discussed further. This way we can go ahead and get a vote on the items that the Commissioners are okay with, such as minor changes like census reports, and get it to County Council.

Nowicki recommends that the district representation from Johnston, Trenton, and Edgefield should reach out and talk about their opinions of where the flexible low-income housing should be allowed in those areas. Clark explains that the Commissioners vote does not just represent their district but rather the County as a whole and to keep that in mind and to share opinions on the map regardless of where they are. He explains that maps often take a while and citizens will like to get involved in the map changes but that the review process will take time before it gets out to the public.

Burt expressed his opinion is that our problem is that we jump the gun to fast. He explains that as he has been on the Planning Commission for 40 years he has had many opinion changes and although it can be tough to talk about, density is important to discuss. He explains that a young couple coming up now is struggling. He explains that through traveling around the State and through other Counties, he has realized that for young people buying a house, a car, and possibly having children it is tough and he believes that there does not need to be more burden put onto them and we have to make it affordable and flexible. He explains that he does not love the neighborhoods and would not like for some reason if somebody did it to the lot next to him, but states "Gotta deal with it, it's just life." Burt continues to explain how costs of infrastructure and wiring new homes has increased drastically. He continues that some regulations have even made it complicated for family to divide their family land. There are situations where land that somebody's parents left to them cannot be used as intended, and he claims that this needs to be taking into consideration. "It is an American Dream, but that is all that is. A dream. It is just a dream; it is not going to come true." Fab concludes that this is his opinion that the Commissioners need to work together to make a difference for others.

Clark states that he appreciates the participation and remarks made by Commissioners. He explains that whatever vision that the Comprehensive Plan is made to look like, you take the citizen comments and laws and concerns and into the Comprehensive Plan but just pass the laws required to give yourself the teeth to back it up. He explains that it does no good to plan for something and not put laws in place because if somebody goes against what you plan for, what is the enforcement agency going to do about it if they are not breaking any laws. He explains that you can plan for everything but plans do no good without any legal tools to enforce it.

Nowicki recalls a parcel of land that zoning was discussed on Indian Ridge that she would like to add to the agenda for September. Clark verifies he will add it.

Clark reminds the Commissioners that zoning can be as little as they want for it to be. He tells them that it is perfect legal to have a zoning district that only limits minimum lot sizes, and does not have any land use restrictions.

V. Adjourn

Burt put the work Session to Adjourn at 5:56 pm.

Respectfully Submitted:


April Morgan, Planner

Approved: September
14, 2023


Fab Burt-Chairman