

**City of Camden
Planning Commission
April 17, 2012**

Minutes

The City of Camden Planning Commission met for a regular meeting on Tuesday, April 17, 2012 at 6:00 PM in the City Council Chambers at City Hall. Commission members present were Mr. Bill Ligon, Chairman; Mr. Jim Burns, Mr. Byron Johnson, Mr. Brandon Moore, Ms. Joanna Craig, Mr. Charles Wood and Mr. Shawn Putnam, Secretary. Commission member Mr. Johnny Deal was absent. Also present were Mr. John Burns and Ms. Cheryl Matheny.

Mr. Ligon entertained a motion to accept the minutes from the March 20, 2012 meeting. Mr. Wood moved to accept the minutes, and Mr. Moore seconded the motion, which was approved unanimously.

Recommendation for annexation and interim zoning – 119 Welsh Street, 221 Welsh Street, 222 Welsh Street, 229 Welsh Street, and 234 Welsh Street

Mr. Putnam provided a map showing the properties proposed for annexation. All of the properties are located in the Sunnyhill neighborhood. Mr. Putnam noted that all of the properties in this area are zoned R-15.

Mr. Wood moved to open the public hearing, and Mr. Moore seconded the motion. The motion passed unanimously. No one spoke during the hearing. Mr. Wood moved to close the public hearing and Mr. Moore seconded the motion. The motion was approved unanimously.

Mr. Burns made a motion to recommend to City Council to annex all five properties with an interim zoning classification of R-15. Mr. Moore seconded the motion, which was approved unanimously.

Presentation on Zoning Ordinance Update

Ms. Matheny reviewed the discussion and points agreed upon from the March meeting, which focused on buffers, setbacks and open spaces. Commission members agreed on the points presented and the direction to move forward.

Ms. Matheny explained what nonconforming uses and structures are and reviewed the current requirements on nonconformities. Mr. Burns noted that there are very few nonconforming uses in the city but there are numerous nonconforming structures. Ms. Matheny asked for clarification on the section that states a nonconforming use may be continued if the change does not affect the operation of the nonconforming use. Mr. John Burns explained that this check is done during the application process for an occupancy permit. Ms. Craig asked if this

meant it was the same type of business but a different tenant then it could continue. Mr. Burns indicated that was correct unless it had been longer than 365 days between uses.

Ms. Matheny examined the requirement that allows a nonconforming use to replace an existing nonconforming use if it will have a less adverse impact than the current use. Ms. Matheny and Mr. Putnam noted that this is a very subjective requirement. Mr. Ligon and Ms. Craig noted and other commission members agreed that they would prefer to have nonconforming uses change to conforming uses. Mr. John Burns commented that he thought the requirement could be removed from the ordinance.

Ms. Matheny reviewed the requirement relating to maintenance and commented that “normal maintenance” needs to be defined. Commission members agreed.

Ms. Matheny reviewed the requirement stating that the Zoning Administrator can approved enlarging a nonconforming use up to 10%, and any increase above that is reviewed by the Board of Zoning Appeals. Mr. Burns stated that this is used rarely but he though it should be kept.

Ms. Matheny evaluated the requirement relating to a nonconforming use not being reestablished if it is abandoned for 365 days. She noted that Ms. Carol Rhea commented that 365 days is a long period of time. Mr. Burns commented that it is used rarely but has had the intended effect of preventing nonconforming uses from being reestablished. Ms. Matheny asked if the time limit could be shortened. Mr. John Burns noted that he was concerned about making it shorter and negatively impacting property values. Ms. Matheny asked about the rationale of the exemption for uses allowed in the OI and B-3 zoning districts. Mr. John Burns stated that the idea was to limit this to businesses that were primarily open from 8 am to 5 pm. He also noted that he thought the B-3 part of this could be removed. Ms. Matheny asked if the exemption could be removed and be handled through the uses listed in the table of uses. Commission members agreed that was a good idea.

Ms. Matheny reviewed the section regarding nonconforming buildings. After a discussion Commission members and Mr. John Burns agreed that this requirement could be deleted. Commission members also agreed that the requirements for nonconforming uses and nonconforming structures need to be separated to remove confusion in the ordinance. Commission members had a discussion on enlarging nonconforming uses. Mr. John Burns said that it has not been much of a problem and that parking requirements would help control this.

Ms. Matheny examined the section on nonconforming signs. Mr. Burns said the current requirements have been pretty effective in getting rid of nonconforming signs. Ms. Matheny noted that she would like to move the requirements from the section on signs to the nonconforming use section. She also commented that some communities use time limits to make signs become conforming, although this can be difficult to keep track of in a community with a small staff. Mr. Moore stated he did not want a time limit.

Ms. Matheny asked Mr. John Burns about the section on nonconforming mobile homes and nonconforming manufactured homes. Mr. Burns stated that mobile homes could not be replaced with another mobile home, but manufactured homes may be replaced in a manufactured home park. Mr. Wood asked if there were any manufactured home parks, and Mr. Putnam answered no but that there could be some in the future as property is annexed into the city.

Ms. Matheny reviewed the section on nonconforming signs. Mr. Burns explained the criteria used to require signs to come into compliance. He also stated these requirements have been very successful in reducing the number of nonconforming signs.

Ms. Matheny summarized the key points discussed at the meeting:

- Move nonconforming sign section to general nonconformities section.
- Cite effective date rather than “at the time of adoption of this chapter” in all instances.
- Separate nonconforming uses from nonconforming buildings and structures.
- Remove clause that allows nonconforming uses to change to less adverse/compatible uses.
- Explore the setting of limits on percentage expansion of nonresidential, nonconforming uses.
- Remove section 157.119(B)(7).
- Review 365 day time limit for reestablishment/reoccupation or replacement after discontinuation or abandonment of a nonconforming use and change exemption of uses to a listing of appropriate/acceptable uses rather than a citation of those uses allowed in OI and B-3 districts.
- Explore ways to provide additional incentives or requirements, when possible, for nonconformities to become conforming.

The Commission moved into a discussion of administration and enforcement procedures. Ms. Matheny reviewed the current administrative and enforcement processes in the ordinance. Commission members agreed that the Urban Forester needs to be included into the zoning review process, particularly related to tree conservation and landscaping requirements.

Mr. Putnam explained that ordinance language was being drafted for a Board of Architectural Review. This language will be included in the zoning ordinance to comply with the SC Planning Enabling Act and Certified Local Government requirements. The Board would have the same responsibilities as the current Historic Landmarks Commission. A public hearing will be scheduled at the next meeting and the language will be sent to Commission members well in advance of the meeting. Ms. Matheny indicated that once the board was created, additional duties involving review of overlay districts and infill projects could be considered. Typical criteria reviewed by a BAR include site layout, building design, exterior colors and landscaping. The BAR would review many of the subjective requirements now being reviewed by the Zoning Administrator, and objective standards would be reviewed at staff level.

Ms. Matheny reviewed the key points relating to enforcement and administration:

- All references to Building Official will be changed to Zoning Administrator per SC Planning Enabling Act. The Building Official will continue to act as Zoning Administrator.
- City Planner will continue to staff Planning Commission and Board of Zoning Appeals, and will staff the new Board of Architectural Review. He also receives and processes all zoning amendments and variance requests.
- The City Arborist will be included in the zoning review process including:
 - Review of landscaping plans and tree inventories.
 - Follow up to insure compliance with plant maintenance requirements.
 - Maintain and update lists of preferred plants and citations of best practices for plant installation and maintenance.
- A zoning amendment incorporating the Historic Landmarks regulations and establishing the Board of Architectural Review is underway and is planned for public hearing at the next PC meeting.
- We will incorporate additional duties for the BAR in the ZO update including:
 - Assisting in evaluating compatibility in appropriate situations such as infill.
 - Review for any standard that is subjective.
 - Design review in overlay districts and the Downtown.
- We will incorporate review at the staff level where standards are quantifiable whenever possible and appropriate.

Ms. Matheny stated that the next workshop will cover land use and zoning districts, review of the new use table, and review of conditional uses and special exceptions.

There being no further business, Ms. Craig made a motion to adjourn, and Mr. Moore seconded the motion. The motion was approved unanimously and the meeting was adjourned.

Shawn Putnam
Secretary

Bill Ligon
Chairman