

DATE: 12/6/22 FILE NO: DATE562

TO: Cherokee County Council

SUBJECT: Minutes of PH & Regular Meeting, 12/5/22

There was a Public Hearing & Regular Meeting of County Council Monday, 12/5/22, 5:25 PM in Council Chambers. Chairman Spencer presided with Steve Bratton leading in prayer. All council members were present along with Admin. Bratton, Asst. Admin. Bishop, Attorney Joe Mathis and Master Clerk Doris Pearson. The news media was informed by agenda and it was posted in accordance with the SCFOIA. There were 2 news media present along with 8 visitors.

Councilman Tracy McDaniel made the motion to adopt the agenda of the Public Hearing & Regular Meeting of Monday, 12/5/22 as received and posted in accordance with the SCFOIA. David Smith seconded and council voted in favor.

Councilman Lyman Dawkins made the motion to approved the minutes of the Regular Meeting of 11/21/22 as received. Mike Fowlkes seconded and council voted in favor.

Councilman Tracy McDaniel made the motion to pay the claims for Cherokee County in the amount of \$383,154.99. Mike Fowlkes seconded and council voted in favor.

Chairman Tim Spencer opened the public hearing on Ordinance No. 2022-26 to amend the Agreement for Development for Joint County Industrial Park by & between Spartanburg & Cherokee Counties, SC, so as to include additional property in Spartanburg County as part of the Joint County Industrial Park, and other matters relating thereto. (Arrowrock III Old Sparty, LLC; Trip Building 1 USICV, LLC; Rockefeller Acquisitions, LLC; NP BGO Spartanburg Commerce Center, LLC; Howell Road Duncan, LLC; Celanese, Ltd.; Takeuchi Mfg. (U.S.), Ltd; Maga Energy Storage Systems USA, LLC; Bird Dog Development – Casual Drive, LLC; Pods Carolina Realty, LLC; COI Park 290-615, LLC; COI Park 290-217, LLC; Greenridge South Carolina, LLC). No one was present to speak and the public hearing was closed.

Councilman Lyman Dawkins made the motion to adopt the 3rd Reading of Ordinance No. 2022-26 to amend the Agreement for Development for Joint County Industrial Park by & between Spartanburg & Cherokee Counties, SC, so as to include additional property in Spartanburg County as part of the Joint County Industrial Park, and other matters relating thereto. (Arrowrock III Old Sparty, LLC; Trip Building 1 USICV, LLC; Rockefeller Acquisitions, LLC; NP BGO Spartanburg Commerce Center, LLC; Howell Road Duncan, LLC; Celanese, Ltd.; Takeuchi Mfg. (U.S.), Ltd; Magna Energy Storage Systems USA, LLC, Bird Dog Development – Casual Drive, LLC; Pods Carolina Realty, LLC; COI Park 290-615, LLC; COI Park 290-217, LLC Greenridge South Carolina, LLC.) David Smith seconded and council voted in favor.

Chairman Spencer presented the 1st Reading of Ordinance No. 2022-27 to amend & update certain parts of the Cherokee County Code of Ordinance Chapter 13 Land Development Regulations. Administrator Steve Bratton stated that this ordinance is being brought before council as a recommendation from the Citizen Planning Commission. This document we are handing out is a red line document which shows what we are suggesting to change from what is currently in our code. **Page 2,**

Section 13-24 changes throughout the document the word mobile to manufactured home parks; **Page 3, Sec. 13-53 Minimum lot frontage.** This is a significant change addressing the minimum lot frontage; currently it is fifty feet and we are changing that to 75 feet; we also took out another section that stated that one lot on the road cannot have less than 50', etc. Any lot for residential development in the county has to have 75 foot of right-of-way. **Page 4, addresses flag lots.** We allow the flag portion to only be 25' and DOT has a problem with that so we changed this at their request to 50'; we deleted the part about access driveways; we deleted **(g)** regarding access drive. **We added Section 13-56 Major Subdivisions.** In this ordinance we define what a subdivision is, a minor subdivision and a major subdivision. A major subdivision is property with 10 or more lots; and requires a creation of additional roads. Major subdivisions must have sidewalks on at least one side of all interior roads; and if more than 25 houses shall have two entrances. Just because we approve a plaque does not mean that DOT will give you access to put a driveway on their road so we are trying to stop that and create only one access point off of a state road into a subdivision. The developer will need to spend more money to put in a road. **Page 8** – within a subdivision, you have to put in curb & gutter; we struck out roads & drives with swale/ditch and added patio & townhomes subdivision will also require curb & gutter. **Page 10** – we asked Scott Griffith & Kevin Thornton to update our roads & structure standards and be sure that what we are requesting is going to be operable on local & connector roads and they recommended going from an 8" crusher run stone to a 6" crusher run base but adding a 2" binder with tack coat and topping that with 2" surface. **Page 16 – Section 13-87 Lot Development** – this moves the primary structure from the front property line from 20' to 35' on local roads; collector roads we are moving back from 35' to 45'; and lots abutting arterial/primary road to 55' back from the property line. **Sec. 13-88(a)** Construction standards – we now have the Southern Standard Building Code and we want to adopt the SC versions of the International Building Codes. **(b)** – we added manufactured homes shall be underpinned and a solid masonry or vinyl type skirting shall be installed before permanent power & final inspection are given. **Sec. 13-89 Recreational vehicle electrical service** – this section was added. Example – a person can purchase a \$50,000 camper and set it up on property, get a title from DMV but never put a tag on it; the county doesn't get to collect taxes on that. We know that there are numerous campers on property that have been there for a long time and they have never built there home; this also brings property value issues. Tim Spencer asked what if I want to build a new home on my property and; therefore, I purchase a camper to put out there and live in it until my house is completed to protect it while being built from people stealing materials, etc., this is saying I can't do that now? Steve replied that's right. After a lot of discussion, Steve replied he would research the temporary & permanent power and bring it back to council. **Page 17 Sec. 13-122 Multifamily housing** – those changes reflect what we have already talked about for single residence. **Sec. 13-123 Manufactured home parks** – **(a)** change parcel size from 3 to 10 acres; **(b)** we recommend you go to 2 manufactured housing units per acre. **(c)** set back lines 35', 45' & 55' for single family residence. Quay Little asked does the City allow Manufactured Parks? Steve replied he does not know but he will find out and report back. **Page 20 – Sec-126 Townhomes & patio homes** – these are very small lots with very small houses; **(j)** we removed the wording not required to and added: however, the development shall include a minimum of one acre of open space per 30 lots. **Page 28 (8)** added this section **(a-d)** traffic study will be required for subdivisions exceeding 25 lots. This will fall on the developers to apply. Example:

Potter Road, this road is a 90 degree turn and the property located at it will be developed with a subdivision; they have 17 houses lined on this street and that frees up about 40 acres behind which will be used for housing as well. What we are proposing will state that those 17 houses would not be allowed to have driveways going into our road; they will need a one major road to lead to our county road. That subdivision will need an interior road and the houses would face that road for access to the main road. This county road cannot handle this traffic once this development is completed. We will not approve driveways coming out on that 90-degree curve. **Page 35 – Sec. 13-109 Citizen Planning Commission Decision Expiration** – added this section that any approvals they do expire in one year if construction permits are not issued. **Page 36 Sec. 13-321 – Manufactured housing subdivision** – changed definition. Mike Fowlkes asked have you defined if a mobile home park is a business or residential? Steve replied I look at it as a business; we require them to have dumpsters provided by an outside company. It is not addressed here but we can address it under manufactured housing. **Page 37** change in roads. We deleted some sentences and primary roads and added with arterial/primary road. **Page 38** – deleted subdivision section and added the definition of a subdivision, major subdivision & minor subdivision. We've had an issue of developers carving up lots on large portion of land, so we don't allow them to do that anymore, if it is more than 10 houses, we are requiring them to present a master plat up front; we added the minor subdivision definition here as well. This is a major swing for our county but a big need for us to get quality subdivisions. **[Councilman Quay Little made the motion to adopt the 1st Reading of Ordinance No. 2022-27 to amend & update certain parts of the Cherokee County Code of Ordinance Chapter 13 Land Development Regulations. David Smith seconded and council voted in favor.]**

Chairman Spencer presented the 1st Reading of Ordinance No. 2022-28 to amend & update certain parts of the Cherokee County Code of Ordinance Chapter 15 Article V Campgrounds & Recreational Vehicle Parks. Admin. Bratton went over the changes beginning on **Page 3 – Item (f)** to adopt the current edition of the SC version of the International Fire Code; **(g)** changed verbiage to include protection water supplies per the current adopted edition of the SC version of the International Fire Code; **(m)** adopted the state standard; **Page 4 – (s)** added that all vehicle tags shall be affixed to the unit; **Page 6 Sec. 15-85 (b)** added paragraph regarding approval of an RV park. Chair Spencer asked who is going to go out and check to see if the tag is on the unit; and who will be responsible to pay the penalty? Steve replied our guys will check and it will be on the owner of the park to make sure they have a tag or he will be the one penalized. **Councilman David Smith made the motion to adopt the 1st Reading of Ordinance No. 2022-28 to amend and update certain parts of the Cherokee County Code of Ordinance Chapter 15 Article V Campgrounds and Recreational Vehicle Parks. Lyman Dawkins seconded and council voted in favor.**

PWC Chair Tracy McDaniel reported that the Public Works Committee met today at 4 PM and discussed Bid 2023-07 Cherokee County Animal Shelter. Two bids were received and Sossamon Construction was low bid but above our expected price so council asked Administration to work with Architect Jared Sand & Sossamon Construction to look at some cost saving measures. They came up with a list very rapidly in a week; so, the committee asked them to go back and take a hard look at cost saving measures for the facility to make it very functional for that purpose and being cost effective for the citizens of Cherokee County. **[PWC Chair McDaniel made the motion coming from the committee to approve**

Administration to sign a Notice of Intent with Sossamon Construction for their low bid for Bid 2023-07 Cherokee Co. Animal Shelter. Mike Fowlkes seconded. Quay Little abstained from voting. Motion carried.] They will come back to council at our meeting of 1/17/23.

PWC Chair Tracy McDaniel also reported that the committee discussed the Recycling Center. We are having further deterioration of the roof above the bailer and we need to move quickly and try to relocate the Recycling Center out to the former Broad River Electric Co-op building. Administration has been out there looking at the possibility of relocation to house our Recycling Center out there. They will bring something back to us at a later date.

Admin. Steve Bratton opened the Bid 2023-08 Cherokee County Comprehensive Land Use Plan & Unified Development Ordinance to include Implementation of Zoning. One bid was received from Benchmark, Charlotte, NC for a total of \$242,725. Budget for this was set at \$250,000. Administration will review this bid and report back to council.

Admin. Steve Bratton opened the Bid 2023-09 Flooring at the Law Enforcement Center. Three bids were received: **1)** Go to Guys Flooring, LLC., Sumter, SC - \$34,790; **2)** Furnish My Place, LLC, Salisbury, NC - \$43,200; **and 3)** JMT Commercial Flooring, Inc., Greenville, SC - \$34,495. Budget amount for this project was set at \$26,000. Administration will review these bids and report back to council.

Admin. Steve Bratton reported that the 2nd Annual Christmas Tree Lighting was a big success. A large crowd attended and enjoyed the lighting of the tree, Christmas Caroling, Christmas Story, Blacksburg High School Band, hot chocolate, bounces, train rides and pictures taken with Santa & Mrs. Clause, etc. and big hit was the snow machine. Thank you, council for allowing us to offer this to the citizens of Cherokee Co.

Admin. Steve Bratton announced that he will not be present at the next Regular Meeting of County Council on Monday, 12/19/22 but Asst. Admin. Merv Bishop will be here. Councilman Quay Little stated he will not be present as well.

As there was no other business to come before council at this time, Chairman Spencer adjourned the meeting at 6:37 PM.

APPROVED: 12/19/22

Respectfully submitted,

BY ITS CHAIR: Tim Spencer

Doris F. Pearson, Master Clerk to Council