



AGENDA
PLANNING COMMISSION MEETING
MONDAY, FEBRUARY 24, 2020
CITY HALL - CONFERENCE ROOM
202 KELLEY STREET
7:00 P.M.

- I. Call to Order
- II. Invocation
- III. Approval of Meeting Minutes from the Tuesday, November 19, 2019 meeting
- IV. Adoption of the Agenda
- V. Updates and Items for Discussion and Approval
 - A. Review the proposal regarding Non-Depository Personal Credit Institutions (Pay-Day Loan and/or Title Loan Establishments restricting the number of non-depository personal credit institutions in a central business district (CBD) and Highway Business (H-B) – Administrator Stephany Snowden
 - B. Review the proposal and site plans from Eastern Engineering for the Charles Street project – Fire Chief Randy Driggers
 - C. Review the proposal for the closing of Elm Street and Morning Glory - Fire Chief Randy Driggers

Adjournment



MINUTES
PLANNING COMMISSION MEETING
TUESDAY, NOVEMBER 19, 2019
JUDICIAL CENTER - COURTROOM
202 KELLEY STREET
7:00 P.M.

Members

C.B. Askins Jr	Warren Carter
Rick Melton	Frank Burgess
Rosalind McFadden	A. Russ Martin
Curtis Adams (arrived at 7:10 p.m.)	

Staff

Fire Chief Randy Driggers	Teresa K. Benjamin
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Call to Order

Commissioner Chair C.B. Askins Jr opened the meeting at 6:55 p.m.

Adoption of the Agenda – Approved as presented

A motion to approve the Tuesday, November 19, 2019 meeting agenda: Rick Melton;
Seconded: Warren Carter; Motion Carried: All Ayes.

Approval of the Monday, October 14, 2019 Meeting Minutes – Approved as Revised

A motion to approve the Monday, October 14, 2019 Planning Commission Meeting Minutes changing the verbiage from the Monday, October 14, 2019 Regular City Council to the Monday, October 14, 2019 Planning Commission Meeting; Commissioner A. Russ Martin;
Second: Rick Melton; Motion Carried: All Ayes.

Plans Review and Items for Discussion and Approval:

A proposal for the property located at the corner of North Church Street and Charles Street Tax Map# 80015-09-001 applicant Retha B. Brown – Proposal Defeated due to a lack of a motion.

The City of Lake City
Located at 202 Kelley Street
Handicap Accessible facility

Discussion: Fire Chief Driggers explained the intent of this proposal submitted by Ms. Retha Brown to re-zone this location for the purpose of building affordable housing. Commission Chair C.B. Askins questioned, what type of affordable housing? Chief Driggers stated these homes would be constructed using a specialized glue. Eastern Engineering submitted plans to split the parcel into three sections (blocks) as shown on the diagram; to construct affordable housing. To do this, this area will need to be re-zoned R3 (High Density Residential); because of the way it is situated it abuts up to an R2 or R3. It could be either a R2 or R3 zone. These homes will be new state of the art manufacturing process and they are still in the experimental process, but if approved, these homes would be built using the standards as a manufactured home. Chief Driggers stated that we have to look at considering other ways to bring affordable housing to our community. We have a Comprehensive Plan that is designed to be a guide to take us from where we are to where we need to be moving forward. The way the information and request were presented to the Commissioners, there was not enough information or site plans for this location so they can fully understand what is being asked of this board. Commissioner Carter asked if these structures be considered small houses? Fire Chief Driggers responded no and it is part of the proposal to place a model of what they want to put in this area on display. Commissioner Martin asked would these be 3-bedrooms homes? Chief Driggers stated yes can be built to whatever standard they want to; these homes would be built like regular stick-built homes using a specialized glue. Commissioner Chair Askins stated that it meets all the criteria to be re-zoned. The proposal presented is to re-zone this area. Commissioner Burgess stated that the additional homes could add to our tax base, would it not? Mr. Burgess stated that we need to give it a chance. Commissioner Melton was addiment that he would not vote to change the zoning in this area because it already looks bad. It is his opinion, that this would not add to this area, if anything it would add to what is already wrong there. Mr. Melton also stated that he feels that some projects (like the one on Main Street) that came before the Planning Commissions have not been monitored and contractors are doing things that was not approved by the Board. There are other locations in the City to place affordable housing. Commissioner Warren agreed with Commissioner Melton because there is limited housing in this area. Fire Chief Driggers stated that anything was approved by the Planning Commission Board; he and his department ensures that they are monitoring these projects and hold them to the letter of what was approved before he will receive a CO.

A motion to approve the proposal for the property located at the corner of North Church Street and Charles Street Tax# 80015-09-001 applicant Retha B. Brown to re-zone this property to R3 (High Density Residential): Motion Defeated due to the lack of a motion; A motion to leave the zone as it is currently and will not re-zone this property: Commissioner Rick Melton; Second: Warren Carter;

Motion Carried: 4 Ayes – Commissioner C.B. Askins Jr, Commissioner Warren Carter, Commissioner Rick Melton and Commissioner Curtis Adams; 3 Nays needed more information: Commissioner Rosalind McFadden, Commissioner A. Russ Martin and Commissioner Frank Burgess.

Adjournment – 7:25 p.m.

A motion to adjourn: A. Russ Martin; Seconded: Rick Melton A. Russ Martin;
Motion Carried: All Ayes.

Signature: _____

Date: ___ / ___ / ___

ORDINANCE NO. 2019. ____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE FOR THE CITY OF LAKE CITY, SOUTH CAROLINA TO DESIGNATE NON-DEPOSITORY PERSONAL CREDIT INSTITUTIONS AS A LAND USE ACTIVITY; TO ESTABLISH CERTAIN REGULATIONS PERTAINING TO NON-DEPOSITORY PERSONAL CREDIT INSTITUTIONS; AND OTHER MATTERS RELATED THERETO.

WHEREAS, the City Council for the City of Lake City, South Carolina (the “City Council”), the governing body of the City of Lake City, South Carolina (the “City”), for the purpose of promoting the health, safety, morals, and general welfare of the community, lessening congestion in the streets, securing safety from fire; providing adequate light and air; preventing the overcrowding of land; avoiding undue concentration of population; and facilitating the adequate provision of transportation, water, sewerage, schools, parks, and other public improvements, and in accordance with a plan, adopted an official Zoning Ordinance (the “Zoning Ordinance”); and

WHEREAS, the City Council finds and determines as a fact that municipalities across the United States and within the State of South Carolina have enacted regulations governing the placement and development of Non-depository personal credit institutions; and

WHEREAS, the City Council finds and determines as a fact that it best promotes the interest of the citizens and property holders of the City to establish regulations governing establishments that offer payday and/or title loans to the public.

NOW, THEREFORE, BE IT ORDAINED by the City Council for the City of Lake City, South Carolina, now met and in assembly sitting, and by authority of the same that:

ARTICLE I

AMENDMENT OF THE ZONING ORDINANCE

Section 1. Article I, Section 38-3 of the Zoning Ordinance shall be amended to include Non-depository personal credit institutions as a land use activity with the following definition: “*Non-depository person credit institution* means a payday loan and/or title loan establishment.”

Section 2. Non-depository personal credit institutions are allowed in Zoning District CBD (Central Business), Zoning District H-B (Highway Business), Zoning District OIA (Office-Institutional Apartment), and Zoning District L-I (Light Industrial) and are subject to the following conditions:

- A. No Non-depository personal credit institution shall be located upon a lot that is within 1,000 feet of a lot upon which a Non-depository personal credit institution already exists.

B. Zoning Ordinance regulations governing Non-depository personal credit institutions shall not be varied by any provisions of a Zoning District PUD (Planned Unit Development) and shall not be varied except by subsequent action of City Council.

Section 3. District Regulations in Article V and Article VI of the Zoning Ordinance shall be amended to include the conditions set forth in Article I, Section 2 of this Ordinance.

Section 4. Article VIII, Section 38-246 of the Zoning Ordinance shall be amended to add the following as item (3): The Zoning Board of Adjustment shall not grant a variance to Zoning Ordinance regulations governing Non-depository personal credit institutions.

ARTICLE II

ENACTMENT

Section 1. The provisions of this Ordinance shall become effective upon its adoption.

DONE AND ENACTED IN COUNCIL ASSEMBLED, this ___ day of _____, 20__.

THE CITY COUNCIL OF THE CITY
OF LAKE CITY, SOUTH CAROLINA,

Mayor, City of Lake City, South Carolina

(SEAL)

ATTEST:

Clerk, City of Lake City, South Carolina

First Reading:
Second Reading:

December __, 2019
January __, 2020

Proposed Ordinance and recommended changes:

- A. Attached is an Ordinance as you've requested relative to payday lenders, in effect, what this Ordinance accomplishes is amending the zoning ordinance of the City, which is already on the books, to include "Non-depository personal credit institutions" as a land use activity. As a result, the City can then regulate that activity under the zoning guidelines. In our review of the districts, the "Non-depository personal credit institutions" will be allowed only in the following districts:
- Zoning District CBD (Central Business)
 - Zoning District H-B (Highway Business)
 - Zoning District OIA (Office-Institutional Apartment)
 - Zoning District L-I (Light Industrial).
- B. You'll note here there is no provision in any residential district, as you desired. Should there be other zones in which you'd like these businesses to operate, just let me know and we can add. I've included the 1,000 feet as you've requested as well. This will be the best mechanism by which to limit a large number of these establishments all building up on one another.
- C. Finally, you'll note language in the Ordinance which restricts any variances. Because the City has a Board of Zoning Appeals and Board of Adjustment, I've drafted somewhat broader language that only allows variances essentially by the Council, and neither of these Boards may grant variances. The remaining language essentially cleans up peripheral matters.
- D. The City would like to limit them to within 3,000 feet of an existing non-depository personal credit institution.

Proposed Ordinance

Non- depository personal credit institutions (payday loan and or title loan establishments) are permitted in the Central Business District (CBD) Highway Business (H-B), Office-Institutional Apartment(OIA), and Light Industrial (L-I) zoning districts subject to the following conditions:

1. No non-depository personal credit institution (payday loan and or/title loan establishment) shall be located upon a lot that is within 3,000 feet of a lot upon which a non-depository personal credit institution (pay day loan and/or title loan establishment already exists).
2. The Board of Zoning appeals shall not grant a variance from the provision(s) of this section, and the provision of this section shall not be varied by any provisions of a planned unit development.