

North Augusta



South Carolina's Riverfront

MINUTES OF MAY 6, 2019

Robert A. Pettit, Mayor

James M. Adams, Jr., Councilmember

J. Robert Brooks, Councilmember

Pat C. Carpenter, Councilmember

Fletcher L. Dickert, Councilmember

Kenneth J. McDowell, Councilmember

David W. McGhee, Councilmember

ORDER OF BUSINESS

REGULAR MEETING

The regular meeting the City Council of the City of North Augusta of May 6, 2019, having been duly publicized, was called to order by Mayor Pettit at 7:02 p.m. and adjourned at 7:59 p.m. Per Section 30-4-80(e) notice of the meeting by email was sent out to the current maintained "Agenda Mailout" list consisting of news media outlets and individuals or companies requesting notification. Notice of the meeting was also posted on the outside doors of the Municipal Center, the main bulletin board of the Municipal Center located on the first floor, and the City of North Augusta website.

Mayor Pettit rendered the invocation and the Pledge of Allegiance.

Members present were Mayor Pettit and Councilmembers Adams, Brooks, Carpenter, Dickert, McDowell, and McGhee.

Also in attendance were B. Todd Glover, City Administrator; Kelly F. Zier, City Attorney; Cammie T. Hayes, Director of Finance; Richard L. Meyer, Director of Parks, Recreation, &

Tourism; John C. Thomas, Director of Public Safety; Thomas C. Zeaser, Director of Engineering and Public Works; James E. Sutton, Director of Public Services; Lillian E. (Libby) Hodges, Director of Planning and Development; J. D. McCauley, Manager of Human Resources; and Sharon Lamar, City Clerk. Members of the public and media were also present.

The minutes of the regular meeting and study session of April 15, 2019 were approved by general consent.

ITEM 5. ELECTION: 2019 Municipal Election – Certification of Official Results, Municipal Election Commission

On motion by Councilmember McDowell, second by Councilmember Adams, Council received certification of the official results of the 2019 Municipal Election with a unanimous vote.

Please see **ATTACHMENT #5** for the letter of certification.

Mayor Pettit expressed thanks and appreciation to Dr. Younginer, Jr., Mr. Ben Watson, and Mr. Verlon McDowell for their service in handling the election. He also thanked City IT department employee, Kevin Whaley, for the fine job that he did putting together the projection of the results at the Community Center and on the City web site.

ITEM 6. CITY COUNCIL:

A. Recognition of Retiring Councilmember Kenneth J. “Ken” McDowell

Mayor Pettit recognized Councilmember McDowell for over twenty years of service to the City of North Augusta. He was presented with an engraved plaque to honor his dedication. Mr. McDowell expressed his gratitude to the City and his family.

B. Recognition of Retiring Councilmember James M. “Jimmy” Adams

Mayor Pettit acknowledged Councilmember Adams with words of appreciation for more than seventeen years of commitment to the City of North Augusta. He was presented with an engraved plaque to honor his dedication. Mr. Adams reminisced about his years on City Council and thanked the City.

C. Oath of Office - Councilmembers J. Robert Brooks, Eric H. Presnell, and Kevin W. Toole, Administered by Judge Thomas Murphy

Municipal Judge Thomas Murphy administered the Oath of Office to Councilmembers J. Robert Brooks, Eric H. Presnell, and Kevin W. Toole, who will each serve a term ending May 2023.

ITEM 7. CITY COUNCIL: Mayor Pro Tempore - Election by Council

In accordance with Section 2-31 of the North Augusta City Code and on motion by Councilmember Carpenter, second by Councilmember Presnell, Councilmember David McGhee was nominated for the office of Mayor Pro Tempore; on motion by Councilmember Toole, second by Councilmember Brooks, Councilmember Fletcher Dickert was nominated for the office of Mayor Pro Tempore.

Voting for the nomination of Councilmember McGhee were Councilmember Presnell, Councilmember Carpenter, Councilmember McGhee, and Mayor Pettit.

Voting for the nomination of Councilmember Dickert were Councilmembers Toole, Dickert, and Brooks.

Councilmember McGhee will serve as Mayor Pro Tempore for a term of two years.

ITEM 8. PLANNING & DEVELOPMENT: Planning Commission Recommendation and Project Staff Report: RZT 19-001 Public Use Text Amendment, Receipt by Council

With a motion by Councilmember Brooks, second by Councilmember Carpenter, Council agreed with no dissenting votes to receive the Planning Commission Recommendation and Project Staff Report: RZT 19-001 Public Use Text Amendment. Council will consider and discuss this information at a study session to be scheduled for a later date.

See **ATTACHMENT #8** for a copy of the recommendation and report.

ITEM 9. PLANNING & DEVELOPMENT: Ordinance No. 2019-02 – To Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ± 9.58 Acres of Land Owned by Greenstone Properties, and Located West of Georgia Avenue between the North Augusta Greenway and the Savannah River, Aiken County Tax Parcels #007-18-05-002, 007-18-05-004, 007-14-19-001, 007-14-19-005, 007-14-19-007, 007-17-02-005, 007-17-02-008, 007-18-06-001, 007-17-02-006, 007-17-02-004, and 007-13-42-003, from PD, Planned Development, to D, Downtown.

Ordinance, First Reading

On motion by Councilmember Carpenter, second by Councilmember Brooks, Council passed an ordinance on first reading to amend the zoning map of the City of North Augusta, South Carolina by rezoning ± 9.58 acres of land owned by Greenstone Properties, and located west of Georgia Avenue between the North Augusta Greenway and the Savannah River, Aiken County Tax Parcels #007-18-05-002, 007-18-05-004, 007-14-19-001, 007-14-19-005, 007-14-19-007, 007-17-02-

005, 007-17-02-008, 007-18-06-001, 007-17-02-006, 007-17-02-004, and 007-13-42-003, from PD, Planned Development, to D, Downtown.

All Councilmembers voted in favor of the ordinance except Councilmember Toole, who recused himself from the vote due to a professional relationship with Greenstone Properties.

Libby Hodges, Director of Planning and Development, explained to Council the background for recommended change.

See **ATTACHMENT #9** for Councilmember Toole's Recusal Statement.

The ordinance text is as follows:

ORDINANCE NO. 2019-02
TO AMEND THE ZONING MAP OF THE CITY OF NORTH AUGUSTA,
SOUTH CAROLINA BY REZONING ± 9.58 ACRES OF LAND OWNED BY
GREENSTONE PROPERTIES, AND LOCATED WEST OF GEORGIA AVENUE BETWEEN
THE NORTH AUGUSTA GREENEWAY AND THE SAVANNAH RIVER, AIKEN COUNTY
TAX PARCELS #007-18-05-002, 007-18-05-004, 007-14-19-001, 007-14-19-005, 007-14-19-
007, 007-17-02-005, 007-17-02-008, 007-18-06-001, 007-17-02-006, 007-17-02-004. and 007
13-42-003, FROM PD, PLANNED DEVELOPMENT, TO D, DOWNTOWN.

WHEREAS, on December 17, 2007, by Ordinance 2007-22, the North Augusta City Council adopted the North Augusta Development Code and a citywide Zoning Map which is consistent with the City's North Augusta 2017 Comprehensive Plan; and

WHEREAS, pursuant to Section 5.3, North Augusta Development Code, the North Augusta Planning Commission may recommend amendments to the Zoning Map, provided such amendments are consistent with the City's North Augusta 2017 Comprehensive Plan; and

WHEREAS, the North Augusta Planning Commission, following an April 18, 2019, public hearing, reviewed and considered a request by Greenstone, LLC, to amend the Official Zoning Map of North Augusta from Planned Development (PD) to Downtown, Mixed Use (D). The Planning Commission report has been provided to City Council.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

- I. The property owned by the owned by Greenstone Properties, and located west of Georgia Avenue between the North Augusta Greenway and the Savannah River, Aiken County Tax Parcels #007-18-05-002, 007-18-05-004, 007-14-19-001, 007-14-19-005, 007-14-19-007, 007-17-02-005, 007-17-02-008, 007-18-06-001, 007-17-02-006, 007-17-02-004. and 007-13-42-003, from PD, Planned Development to D, Downtown.

- II. Said property being officially rezoned to the classification D, Downtown zoning, more specifically in accordance with the map attached hereto as Exhibit "A," the official Zoning Map of the City of North Augusta is to be so amended.
- III. All ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- IV. This Ordinance shall become effective immediately upon its adoption on third and final reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 2019.

First Reading _____

Robert A. Pettit, Mayor

Second Reading _____

Third and Final Reading _____

ATTEST:

Sharon Lamar, City Clerk

Ordinance, Second Reading

On motion by Councilmember Dickert, second by Councilmember McGhee, Council approved an ordinance on second reading to amend the zoning map of the City of North Augusta, South Carolina by rezoning ± 9.58 acres of land owned by Greenstone Properties, and located west of Georgia Avenue between the North Augusta Greenway and the Savannah River, Aiken County Tax Parcels #007-18-05-002, 007-18-05-004, 007-14-19-001, 007-14-19-005, 007-14-19-007, 007-17-02-005, 007-17-02-008, 007-18-06-001, 007-17-02-006, 007-17-02-004, and 007-13-42-003, from PD, Planned Development, to D, Downtown.

All Councilmembers voted in favor of the ordinance except Councilmember Toole, who recused himself from the vote due to a professional relationship with Greenstone Properties. His recusal statement is Attachment #9.

Please see the ordinance text above.

ITEM 10. PARKS, RECREATION, & TOURISM: Ordinance No 2019-03 – To Exercise an Option to Purchase Property Formerly Known as North Augusta Country Club and to Convey Title to Property owned by the City in Exchange for Said Property, Ordinance, First Reading

On motion by Councilmember Brooks, second by Councilmember Carpenter, Council passed an ordinance on first reading to exercise an option to purchase property formerly known as North Augusta Country Club and to convey title to property owned by the City in exchange for said property. City Administrator, Todd Glover, explained that after purchase this property would be used for a future park and that this land is under a Conservation Easement which governs usage.

Citizen comments were made by:
Bill Jackson, 444 Crossroads Drive, North Augusta, SC 29841

Councilmember Dickert made comments in support of the option.

Councilmembers Dickert and Toole requested that the second reading of this ordinance be delayed until the next Council meeting.

The ordinance text is as follows:

ORDINANCE NO. 2019-03
AN ORDINANCE TO EXERCISE AN OPTION TO PURCHASE PROPERTY
FORMERLY KNOWN AS NORTH AUGUSTA COUNTRY CLUB AND TO
CONVEY TITLE TO PROPERTY OWNED BY THE CITY IN EXCHANGE
FOR SAID PROPERTY.

WHEREAS, in approximately the year 2000, Mayor and City Council determined that additional recreational space was required to meet the needs of the increase in geographical size, as well as population of the City; and,

WHEREAS, for a considerable period of time the matter was studied to include attempts to expand Riverview Park; and,

WHEREAS, it was ultimately determined that there was not viable ability to expand Riverview Park to provide for the increased needs and that it would be appropriate to attempt to provide recreational opportunities located in a different area of the City; and,

WHEREAS, for a number of years the City considered several different parcels of property to meet this need and ultimately determined that the best opportunity, at that time, involved property located in Edgefield County, adjacent to Murrah Road and Five Notch Road; and

WHEREAS, from 2006 to 2009 the City acquired approximately 181.01± acres of property in that area with the intention of ultimately developing a recreational facility at said site; and,

WHEREAS, the general consensus of Mayor and City Council was that the location was not ideal but appeared to be the best site available; and,

WHEREAS, since the time of acquiring the Murrah Road/Five Notch Road property, an additional site of a size that would meet the needs of the City has become available; and,

WHEREAS, the North Augusta Country Club property consisting of approximately 147.98± acres has been offered to the City, by the current owner, in exchange for the City deeding to the Seller the Edgefield County property acquired previously; and,

WHEREAS, Mayor and City Council have determined that the North Augusta Country Club Property is in a much better geographical location to address the recreational needs of the community and that the exchange of the properties is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof, that:

1. The City Administrator is authorized to exercise the Option that has been obtained from DWT Properties, LLC providing for an exchange of properties as outlined above.
2. That following the exercise of the Option, the City Administrator is authorized to move forward with such actions as necessary to closeout this transaction, to include executing a deed conveying the 181.01± acres of property, owned by the City, to DWT Properties, LLC. in exchange for the City receiving a deed to 147.98± acres consisting of the majority of the property formally known as North Augusta Country Club.

This Ordinance shall become effective immediately upon its adoption on the third and final reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 2019.

First Reading: _____

Second Reading: _____

Third Reading: _____

ROBERT A. PETTIT, MAYOR

ATTEST:

SHARON LAMAR, CITY CLERK

ITEM 11. CITIZENS COMMENTS/RECOGNITION OF VISITORS:

- A. Citizen Comments: Please see the attached Speaker Forms completed for the May 6, 2019 Council meeting.

Elizabeth Jones, 1 Hammond Place Court, North Augusta, SC 29841
Bill Jackson, 444 Crossroads Drive, North Augusta, SC 29841
Allen D. LaFavor, III, 125 Butler Avenue, North Augusta, SC 29841

- B. Council Comments:

Mayor Pettit reminded Council and those in attendance that a banquet for the State Championship North Augusta Girls Basketball Team will be Tuesday, May 14 in the Palmetto Terrace. Tickets are \$15 and the banquet starts at 7:00 p.m. Coach Geno Auriemma, head coach of the University of Connecticut Ladies basketball team will be the featured speaker. Mr. Auriemma has won 11 NCAA Championships at UCONN.

The Mayor thanked those who attended and participated in the National Day of Prayer Breakfast. He considers it to have been a success. In addition to the Mayor, there were three Councilmembers in attendance. No City business was discussed.

Councilmember McGhee shared his observations of the recent Municipal General Election. He suggested that Council investigate the process to change City elections to non-partisan. Mayor Pettit asked City Attorney, Kelly Zier, to research the matter and report his findings to Council.


There being no further business, Council adjourned at 7:59 p.m.

APPROVED THIS 20 DAY OF
MAY, 2019.



Robert A. Pettit, Mayor

Respectfully submitted,



Sharon Lamar
City Clerk

#1

SPEAKER FORM

NAME:

BILL JACKSON

ADDRESS:

444 CROSSROADS DR

N. AUGUSTA, SC 29841

TELEPHONE:

404-538-3336

PLEASE PROVIDE A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.

(For example: I support the resolution because ...)

THIS FORM WILL BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.

COUNCIL MEETING DATE:

MAY 6, 2019

AGENDA ITEM/TOPIC:

N. A. COUNTRY CLUB

SUMMARY

PRESERVATION OF RAIL BED

THRU NORTHVIEW PROPERTY

#2

SPEAKER FORM

NAME:

Elizabeth Jones

ADDRESS:

1 Hammond Place Court

North Augusta SC 29844

TELEPHONE:

803 270 6801

PLEASE PROVIDE A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.

(For example: I support the resolution because ...)

THIS FORM WILL BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.

COUNCIL MEETING DATE:

5/6/19

AGENDA ITEM/TOPIC:

Senior Center

SUMMARY

Please see attached written comments

#3

SPEAKER FORM

NAME: BILL JACKSON
 ADDRESS: 444 CROSSROADS DR
N. AUGUSTA, SC 29841
 TELEPHONE: 404-538-3336

PLEASE PROVIDE A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.

(For example: I support the resolution because ...)

THIS FORM WILL BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.

COUNCIL MEETING DATE: MAY 6, 2019
 AGENDA ITEM/TOPIC: CITIZEN COMMENTS
 SUMMARY BICYCLE RACKS AT SRP PARK

#4

SPEAKER FORM

NAME: Allen D. LaFavor III
 ADDRESS: 125 Butler Ave.
North Augusta, SC 29841
 TELEPHONE: 706-951-8850

PLEASE PROVIDE A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.

(For example: I support the resolution because ...)

THIS FORM WILL BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.

COUNCIL MEETING DATE: MAY 6, 2019
 AGENDA ITEM/TOPIC: 8, 9, 10
 SUMMARY Complete Back up Material 3
Parking 3 Municipal Lot for Meeting -
IT - Microphone Did Not Work

- Thank You For Your Consideration

- To: Mayor Bob Pettit
 - City Council Members: Kevin Tool, Bob Brooks, Pat Carpenter,
 - Fletcher Dickert, David McGhee, Eric Presnell
 - 4/15/19 (Updated 5/6/19)

- From: The North Augusta Citizens Advocacy Committee for Senior Citizens
 - Elizabeth Jones, Facilitator
 - 1 Hammond Place Court
 - North Augusta, South Carolina 29841
 - 803 270-6801
 - ej.shilohcommunitycenter@gmail.com

- - Request for use of a Meeting Room for the Ad Hoc Committee to meet weekly to plan.

- Re: Creation of a North Augusta Council on Aging to facilitate senior services, resources and a quality senior center in North Augusta – 21 Members. The group will be charged with the creation of a 501 c 3 (private non profit) that will provide services for senior citizens. The non -profit oversight will ensure that the community is totally engaged in all aspects of the creation and sustainability of the senior center. The non- profit status will assist with acquiring grants, donations and support from our faith community.

- Ad hoc Committee will consist of:
 - - One elected official from city council
 - - One staff person from City Parks and Recreation
 - - One state elected official or representative
 - - Four community members with medical/gerontology experience
 - - Two senior providers from the community
 - - 1 Attorney
 - - 1 Pharmacy
 - - 1 Physician (can be retired)
 - - 2 Faith based members
 - - 7 Community at-large

- Good evening to Mayor Pettit and North Augusta City Council. I come before you this evening to advocate for the use of an under-used facility in North Augusta (the community center at 495 Brookside Avenue) and request on behalf of senior citizens that this facility be used as a dedicated senior center to serve older adults in North Augusta. What we are requesting will require careful planning, financial support from the City and partnerships from the community. The commission will serve as an advocacy group to identify aging issues and resources in North Augusta. We are requesting Council form an adhoc planning committee formed of citizens and Parks and Recreation staff. This group would identify resources needed and develop a timeline/implementation plan for the senior center.

- This is the 3rd time I have come before you as an advocate for senior services in North Augusta. It is my understanding that we do have some senior services in place. What we are asking for encompasses much more – services that accommodate senior citizens from 60+ and older, from the very active to the frail elderly. I started a conversation on social media and 38 North Augustans have stepped up to assist with forming and serving as volunteers, as advocates and serving on this Council.

- Case for support: According to the National Council on Aging, a quality senior center should be a vibrant, action-packed combination of local fitness center, job and volunteering headquarters, transportation hub and tasty dining locale.

- 16.1 % of our population is age 65+. Most people who use senior centers are ages 50 and over. Approximately 70% of senior center participants are women. Three-quarters visit their senior centers one to three times per week and spend an average of 3.3 hours per visit. Research shows that compared with their peers, senior center participants have higher levels of health, social interaction and life satisfaction.

- **Proposed Facility**

- North Augusta Community Center – 495 Brookside Avenue

- **Proposed Funding Sources**

- City of North Augusta
- Aiken Area Council on Aging
- Fee for Services (minimal)
- Grants

- **Initial Resources Needed**

- Facility – identified
- Part-time Senior Activities Coordinator
- Supplies and Equipment

- **Proposed Partnerships**

- Churches
- Aiken Area Council on Aging
- Civic Groups
- High School Students/College Students
- Volunteers
- Girl Scouts/Boy Scouts/Youth Groups
- Grant Writer/Grant Administrator
- Pharmacies

- **Proposed Services/Sessions/Workshops**

- Safety at home and away
- Scams via telephone, social media, emails
- Banking Safety
- Medication Management
- Board games, trivia, line dance, cards, book clubs, arts and crafts
- Professional services: sessions on long-term care, Medicare, fraud prevention, power of attorney
- Live music, drumming, writers groups
- Computer, technology sessions
- Sessions /Opportunities to interact with companion animals
- Trips and special events
- Lifelong learning opportunities
- Evidence Based Programs such as A Matter of Balance – reduce fear of falling; Chronic Disease Self Management – helps people with conditions like diabetes, heart disease, and arthritis learn how to reduce their symptoms, eat well and communicate with their doctors.
- Blood Pressure and Glucose Checks

▪ **The North Augusta Citizens Advocacy Committee for Senior Citizens**

1. Annette Lint
2. Margaret Freyermuth
3. Kevin Hunt
4. Teresa Huling
5. Carolyn Willis Williams
6. Laura Norton
7. Stephen Enns
8. Ulah Batchelor
9. Rach Ann Harris
10. Melba Miner
11. Bruce Milheim
12. Lindsey Nicole Steele
13. Christine Ross Christine Ross
14. Martha Rush Martha Rush
15. Terry Jenkins
16. Lisa Gail Lisa Gayle Sistare-Harkins
17. Martha Rush Martha Rush Suell
18. Terri Turner
19. Bruce Milheim
20. Linda Moody Perry
21. Delisa Hamilton-Currie
22. Emma Hiott Ellis
23. Randy Bradberry
24. Angie Creswell Carlton
25. Mary Baird Davis
26. Pam Hayes Jenkins
27. Becky Kiser
28. Blackwood Imani
29. Fred Ilardi
30. Loy Butler
31. Lori Smith
32. Alice Twiggs Vantrease
33. Galen Galan Kilgore Potter
34. Loren Fields
35. Rebecca Ansley Ward
36. Raven Nobles Acosta
37. Anita Stephens Fields
- 38. Elizabeth Jones



ATTACHMENT #5

Municipal Election Commission
P. O. Box 6400
North Augusta, SC 29861-6400

May 2, 2019

The Honorable Robert A. Pettit, Mayor
City of North Augusta
P. O. Box 6400
North Augusta, South Carolina 29861

Dear Mayor Pettit and Council:

The following have been certified by the Municipal Election Commission as having been duly elected to a new term on City Council in the General Election conducted April 30, 2019:

Bob Brooks
Eric Presnell
Kevin W. Toole

Our congratulations to the successful candidates. A copy of the vote tabulation by precincts is attached for your information.

Sincerely,

John M. Younginer, Jr., Chairman

Verlon McDowell

Ben Watson

encl

2019 City of North Augusta City Council Election

Date: April 30, 2019

<u>Precinct Name</u>	<u>Stetson Corbitt</u>	<u>Elizabeth Jones</u>	<u>Dave Leverett</u>	<u>Bob Brooks</u>	<u>Eric Presnell</u>	<u>Kevin W Toole</u>	<u>VoteTotals</u>
CarolinaHeights10	4	4	3	16	17	14	58
NorthAugusta25	89	83	83	54	68	66	443
NorthAugusta26	20	19	18	16	16	18	107
NorthAugusta80	71	67	73	37	56	55	359
NorthAugusta28	67	63	83	95	101	113	522
NorthAugusta29	80	82	74	140	154	158	688
NorthAugusta55	84	76	81	73	89	96	499
NorthAugusta67	63	59	62	84	88	111	467
Belvedere9	7	14	8	9	12	11	61
Belvedere62	4	3	3	8	5	9	32
NorthAugusta54	25	33	27	13	15	22	135
Belvedere44	2	2	2	4	4	4	18
MistyLake45	0	0	0	2	4	2	8
AscaugaLake63	0	0	0	0	0	0	0
AscaugaLake84	2	3	1	3	2	4	15
FoxCreek58	38	32	33	64	53	69	289
NorthAugusta68	42	42	42	69	70	83	348
FoxCreek73	51	54	53	39	36	41	274
Merriwether1	16	14	14	2	5	6	57
NorthAugusta27	101	97	105	195	196	216	910
AikenCountyAbsentee	26	28	29	18	19	20	140
Total	792	775	794	941	1010	1118	

Department of Planning and Development

Memorandum # 19-006

To: B. Todd Glover, City Administrator

From: Libby Hodges, Planning and Development Director

Subject: Application RZT 19-001 – North Augusta Development Code Text Amendment – A request by the City of North Augusta to amend Section 3.6.4.5.2 entitled “Development Standards” and 3.8.1.1 of the North Augusta Development Code to revise requirements for P, Public Use District related to corridor overlay standards in Article 3, Zoning Districts, of the North Augusta Development Code.

Date: April 29, 2019

Planning Commission Recommendation

On April 18, 2019, after a duly advertised and convened public hearing, the Planning Commission considered a motion to recommend that the City Council approve Application RZT 19-001 to amend Section 3.6.4.5.2 entitled “Development Standards” and 3.8.1.1 entitled “Applicability” of the North Augusta Development Code to revise requirements for P, Public Use District related to corridor overlay standards in Article 3, Zoning Districts, of the North Augusta Development Code. **The motion was lost on a 4-2 vote and no recommendation will be presented to City Council.**

A draft ordinance approving the text amendment is attached and a digital copy has been forwarded to the City Clerk. Please schedule the ordinance for consideration by City Council at the next available meeting.

HISTORY AND EXPLANATION

The current North Augusta Development Code was adopted by City Council on December 17, 2007 and became effective January 1, 2008. Overlay Districts were introduced in this code.

The 1996 North Augusta Zoning Development Standards Ordinance (ZDSO) allowed for municipal facilities and certain other public service uses to be established without regard to districts provided the use met the dimensional requirements of the district, except height. All municipal developments were required to have the approval of City Council.

Resolution No. 2019-11 instructed the City Administrator to apply for the text change as described herein.

P&D Memo 19-00x
Application RZT 19-001
April 29, 2019
Page 2 of 2

PUBLIC NOTICE

A public notice of the text amendment request and scheduled date of the Planning Commission public hearing was published in The North Augusta Star on April 3, 2019. The public hearing notice was published on the City's website www.northaugusta.net on April 3, 2019.

PROPOSED AMENDMENTS

The proposed revisions to the Development Code have been modified to show changes as follows:

Underlined Text: text that has been modified or added to the Code.

~~Strike Through Text~~: text that will be removed.

§ 3.6.4.5.2 Development Standards – Uses within the P, Public Use District, are not subject to the dimensional standards of §3.5. However, such uses are subject to the landscaping standards of Article 10, and the parking standards of Article 12. ~~If the use is within a corridor overlay district, the standards of §3.8 apply.~~

and

§ 3.8.1.1 This section applies to any lot or parcel within the following Corridor Overlay Districts that are designated on the Official Zoning Map, with the exception of those lots or parcels zoned P.

Attachments:

Staff Report
Resolution
Public Notice

Department of Planning and Development



Project Staff Report

RZT19-001 Public Use Text Amendment

Prepared by: Libby Hodges

Meeting Date: April 18, 2019

SECTION 1: PROJECT SUMMARY

Project Name	Public Use Text Amendment
Applicant	City of North Augusta
Proposed Text Amendment	Amendment of Sections 3.6.4.5.2 and 3.8.1.1 of the North Augusta Development Code to revise requirements for P, Public Use District related to corridor overlay standards.

SECTION 2: GENERAL DESCRIPTION

On March 18, 2019, City Council adopted Resolution 2019-11 directing the City Administrator to file an application requesting text amendments of the North Augusta Development Code related to Article 3.6.4.5.2, Development Standards and 3.8.1.1 Applicability/Corridor Overlay Districts as they relate to "P – Public Use" zoned properties..

"P – Public Use" zoning is described as the following in the North Augusta Development Code: The purpose of the Public Use zoning district is to provide suitable locations for land and structures in the city of North Augusta used exclusively by the city of North Augusta, Aiken County, the State of South Carolina, the United States, or other governmental jurisdictions and their instrumentalities; and as such shall be used in accordance with such regulations as may be prescribed by the government or instrumentality thereof using the property.

SECTION 3: PLANNING COMMISSION CONSIDERATION

The Planning Commission is being asked to review the request for a text amendment based on the following provisions of the North Augusta Development Code:

5.1.4.6 Legislative and Advisory Hearings – The purpose of a legislative public hearing is to provide the public an opportunity to be heard consistent with the adoption procedures provided by statute. Unlike quasi-judicial hearings, a legislative proceeding does not require due process

protections such as the right of the parties to offer evidence, cross-examination, sworn testimony; or written findings of fact. Like quasi-judicial hearings, legislative hearings are public hearings preceded by notice to interested parties. Public hearings are required for legislative review hearings such as amendments to a comprehensive plan, amendments to this Chapter including the zoning provisions of this Chapter and the Official Zoning Map, and applications for a Planned Development. The order of the proceedings for a legislative hearing shall be as set forth in §5.1.4.5.b. Testimony may be presented by any member of the public, but need not be submitted under oath or affirmation. The Planning Commission and Board of Zoning Appeals may establish a time limit for testimony.

5.3.2 Applicability

This section applies to any application for an amendment to the text of this Chapter or for an amendment to the Official Zoning Map. An amendment to the Official Zoning Map which reclassifies property from one zoning district to another is known as a “rezoning.” A change to the text of this Chapter is referred to as a “text amendment”.

5.3.3 Initiation

This Chapter, including the Official Zoning Map and any supporting map(s), may be amended from time to time by the City Council, but no amendment shall become effective unless it shall have been proposed by or shall have first been submitted to the Planning Commission for review and recommendation. Any communication purporting to be an application for a change shall be regarded as mere notice to seek relief until it is made in the form required. Upon receipt of any communication, the interested parties shall be supplied with the proper application form(s) by the Director.

(5.3.3.1 Rezoning, does not apply, removed for brevity)

5.3.3.2 Text Amendment – Any person, property owner, board, commission, department or the City Council may apply for a change in zoning ordinance text. A proceeding for approval of a text amendment may be initiated by filing an application with the Department. The application shall be signed by the applicant and shall include the language of the proposed amendment to the text of this Chapter and the justification for the proposed change. Before any application is accepted by the Department, it is recommended that the applicant meet with a representative of the Department. The purpose of the pre-application meeting is to discuss the procedures and requirements for a text amendment request. During the conference, the Department will identify the submittal requirements.

5.3.4 Completeness Review

Within fifteen (15) working days after receipt of an application, the Department shall complete a review of the application, determine if the application is complete pursuant to this section, and inform the applicant of the status of the completeness of the application. If the Department determines the application is not complete, the applicant shall be advised of the reasons for the incomplete application, the additional information required and the schedule to complete the application process.

5.3.5 Decision

5.3.5.1 The Director shall transmit the application to the Planning Commission for consideration at the next regularly scheduled monthly meeting following receipt of a complete application, provided that the complete application is submitted at least thirty (30) calendar days prior to said meeting. Notice of the public hearing shall be provided as set forth in §5.1.3. The Planning Commission shall approve or deny the zoning amendment in accordance with the procedures for a legislative hearing as set forth in §5.1.4.6.

5.3.5.2 At least ten (10) days' notice and opportunity to comment must be given to the public if the applicant is allowed to present oral or written comments pursuant to S.C. Code §6-29-760.

5.3.5.3 The Planning Commission shall submit its recommendation to the City Council within thirty (30) calendar days, or other period required by law, after the initial hearing date (see S.C. Code §6-29-760(A)). A majority vote is required for the Planning Commission to approve, approve with conditions, if applicable, or deny a rezoning or text amendment application. A recommendation of approval with conditions of a rezoning may be submitted only if a conditional use permit is requested pursuant to §5.5.

5.3.5.4 The City Council shall consider the recommendation of the Planning Commission on each proposed rezoning and text amendment within thirty (30) days of receipt of the Planning Commission report. The City Council is not bound by the recommendation in making a final decision and may call for additional information and/or public hearing(s).

5.3.5.5 No challenge to the adequacy of notice or challenge to the validity of a rezoning or text amendment, whether enacted before or after the effective date of this section, may be made sixty (60) days after the decision of the City Council if there has been substantial compliance with the notice requirements of this section, with established procedures of the City Council and the Planning Commission and with S.C. Code §6-29.

5.3.6 Approval Criteria

Whenever the public necessity, safety or general welfare justifies such action, the Planning Commission may recommend amendments to the text of this Chapter or changes to zoning district boundaries. The Planning Commission shall consider all of the factors specified in this section, at a minimum, in reviewing an application for a rezoning. **The Planning Commission shall consider the factors specified in §5.3.3.2 in reviewing an application for a text amendment.**

In summary, the Planning Commission is being asked to review the proposed text changes and provide a recommendation of approval or denial, which will be forwarded to the City Council. Section 5.3.3.2 does not appear to provide additional standards for analysis to address in this staff report. The justification for the change and items needed to determine completeness are addressed in the resolution requesting the text change, a copy of which is supplied in the attachments.

SECTION 4: PUBLIC NOTICE

A public notice of the text amendment request and scheduled date of the Planning Commission public hearing was published in *The North Augusta Star* on April 3, 2019. The public hearing notice was published on the City's website www.northaugusta.net on April 3, 2019.

SECTION 5: HISTORY

The current North Augusta Development Code was adopted by City Council on December 17, 2007 and became effective January 1, 2008. Overlay Districts were introduced in this code.

The 1996 North Augusta Zoning Development Standards Ordinance (ZDSO) allowed for municipal facilities and certain other public service uses to be established without regard to districts provided the use met the dimensional requirements of the district, except height. All municipal developments were required to have the approval of City Council.

SECTION 6: SUMMARY OF CHANGES AND PROPOSED AMENDMENTS

The proposed revisions to the Development Code have been modified to show changes as follows:

Underlined Text: text that has been modified or added to the Code.

~~Strike Through Text~~: text that will be removed.

3.6.4.5.2 Development Standards – Uses within the P, Public Use District, are not subject to the dimensional standards of §3.5. However, such uses are subject to the landscaping standards of Article 10, and the parking standards of Article 12. ~~If the use is within a corridor overlay district, the standards of §3.8 apply.~~

and

3.8.1.1 This section applies to any lot or parcel within the following Corridor Overlay Districts that are designated on the Official Zoning Map, with the exception of those lots or parcels zoned P.

SECTION 7: ATTACHMENTS

1. Copy of Resolution 2019-011
2. NADC Section 3.6.4, un-edited
3. NADC Section 3.8.1.1, un-edited
4. DRAFT revisions to NADC Section 3.6.4 and 3.8.1.1.
5. 1996 Zoning Development Standards Ordinance, Section J
6. Public Notice

RESOLUTION NO. 2019-11
A RESOLUTION DIRECTING THE CITY ADMINISTRATOR TO FILE AN
APPLICATION REQUESTING TEXT AMENDMENTS OF THE NORTH AUGUSTA
DEVELOPMENT CODE. SUCH TEXT AMENDMENTS RELATED TO ARTICLE
3.6.4.5.2 DEVELOPMENT STANDARDS AND 3.8.1.1 APPLICABILITY/CORRIDOR
OVERLAY DISTRICTS

WHEREAS, the Mayor and City Council have been reviewing and considering elements of the current Development Code as they relate to utilization of property by the City; and

WHEREAS, the current Development Code made public property subject to certain restrictions on development, that did not appear in previous codes; and

WHEREAS, the Mayor and City Council have determined that some changes to the existing Development Code are appropriate and in the best interest of the City and that changes to the Development Code should be pursued.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof, that the City Administrator is authorized as follows:

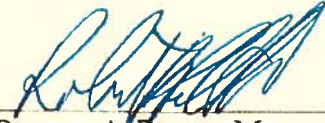
1. Mayor and City Council direct the City Administrator to file the appropriate application with the Department of Planning and Development requesting the following text amendments to the North Augusta Development Code:
 - a. 3.6.4.5.2 - Such section would be deleted in its present form and amended to read as follows:

Development Standards - Uses within the P, Public Use District, are not subject to the dimensional standards of §3.5 and §3.8. However, such uses are subject to the landscaping standards of Article 10, and the parking standards of Article 12.
 - b. 3.8.1.1 - Such section would be deleted in its present form and amended to read as follows:

This section applies to any lot or parcel within the following Corridor Overlay Districts that are designated on the Official Zoning Map, with the exception of those lots or parcels zoned P.
2. The City Administrator is further authorized to execute any documents necessary to make this application as well as submit any documents or information as required to allow the request to proceed.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS 18 DAY OF MARCH, 2019.

SIGNED BY:



ROBERT A. PETTIT, MAYOR

ATTESTED BY:



SHARON LAMAR, CITY CLERK

ARTICLE 3 – ZONING DISTRICTS

3.6.2 CR, Critical Areas District

3.6.2.1 Purpose – The purpose of this district is to preserve and/or control development within known and identifiable areas of the city that exhibit the following characteristics:

- a. Wetlands, water courses, and lands reserved or maintained for stormwater management;
- b. Lands that serve as natural wildlife refuge areas;
- c. Environmentally sensitive lands and lands possessing great natural or historical resources;
- d. Lands that are reserved for open space or future parks and recreational areas; and
- e. Passive park and recreational lands.

3.6.2.2 Mapped Critical Areas – Lands exhibiting these characteristics shall be mapped as CR on the Official Zoning Map.

3.6.2.3 Permitted Uses – Development shall be limited to uses listed in Table 3-2, Use Matrix.

3.6.2.4 Dimensional Standards – Dimensional standards shall be the same as those applicable to an R-14 District.

3.6.3 TND, Traditional Neighborhood Development District

3.6.3.1 Purpose – The purpose of this district is to provide for concentrated mixed residential, retail, service and office uses. This district does not regulate land uses but, instead, permits any use to be established subject to design standards established in Article 2, Use Patterns, for a TND. Urban design standards are required to be supplied by the applicant or developer prior to approval in order maintain a neighborhood commercial scale and to promote pedestrian activity. Pedestrian circulation and common parking areas are required.

3.6.3.2 Location Criteria – A TND District may be designated for areas:
With an existing mix of retail, office, service, and residential uses located within a radius of one-quarter ($\frac{1}{4}$) of a mile, or
On a tract or parcel for which a TND Use Pattern is proposed.

3.6.3.3 Use Regulations – The Use Matrix does not apply to a TND District provided, however, that no building permit shall be issued unless the requested use conforms to a preliminary subdivision development plan approved pursuant to a rezoning to a TND District. A TND development that complies with the TND Use Pattern regulations in Article 2, Use Patterns, may be permitted in a TND District as of right.

3.6.3.4 Development Standards – See Article 2, Use Patterns, for TND regulations.

3.6.4 P, Public Use District

3.6.4.1 Purpose – The purpose of this district is to provide suitable locations for land and structures in the city of North Augusta used exclusively by the city of North Augusta, Aiken County, the State of South Carolina, the United States, or other

ARTICLE 3 – ZONING DISTRICTS

governmental jurisdictions and their instrumentalities; and as such shall be used in accordance with such regulations as may be prescribed by the government or instrumentality thereof using the property. This district is also applicable to land owned by public utilities and public service providers of water, sewer, electricity, natural gas, telephone, cable and internet and improved or utilized for the delivery of the public service (power generating or transforming stations, transmission and distribution lines and facilities, switching stations, etc.). Property owned by public utilities and utilized primarily for office, customer service or retail sales is not appropriate for the Public Use district. If Public Use zoned property is sold to a private individual or individuals, such property shall be rezoned to a classification that is compatible with the surrounding area. (Rev. 12-1-08; Ord. 2008-18)

3.6.4.2 Applicability – A P, Public Use District, designation may be applied to a use located on property used or reserved for a civic or public institutional purpose or for a major public facility, regardless of ownership of the land on which the use is located. A P, Public Use District designation may not be applied to government-owned property that is leased to a nongovernmental agency for a use other than a governmental service or for a use that supports a primary civic or public institutional use.

3.6.4.3 Permitted Uses – The uses listed in Table 3-7 are permitted in the P, Public Use District, subject to the issuance of a conditional use permit as required by Article 5, Approval Procedures. Public lands that are reserved or designated for environmental protection, open space or other natural state should be zoned in the CR, Critical Areas District, rather than the P, Public Use District.

3.6.4.4 Procedures – A site plan is required for uses permitted in the P, Public Use District, to the extent required by law. The site plan may be submitted concurrent with an application for rezoning. However, the Planning Commission and City Council may attach additional conditions to the approval of the district subject to a development agreement. In lieu of the application's submittal requirements specified in Article 5, Approval Procedures, the applicant for rezoning to a P, Public Use District, shall address each of the review criteria of this section in their application materials.

3.6.4.5 Standards and Review Criteria

3.6.4.5.1 Review Criteria for Rezoning – In reviewing an application for a proposed P, Public Use District, the Planning Commission and City Council shall consider the following:

- a. **Inter-jurisdictional Analysis** – A review to determine the extent to which an inter-jurisdictional approach may be appropriate, including consideration of possible alternative sites for the facility in other jurisdictions and an analysis of the extent to which the proposed facility is of a citywide, countywide, regional or state-wide nature, and whether uniformity among jurisdictions should be considered.
- b. **Financial Analysis** – A review to determine if a negative financial impact upon the City of North Augusta can be reduced or avoided by intergovernmental agreement.
- c. **Special Purpose Districts** – When the public facility is being proposed by a special purpose district including a school district, the city should consider the facility in the context of the district's overall plan and the extent to which the plan and facility are consistent with the Comprehensive Plan.

ARTICLE 3 – ZONING DISTRICTS

- d. Measures to Facilitate Siting – The factors that make a particular facility difficult to site should be considered when a facility is proposed, and measures should be taken to facilitate siting of the facility in light of those factors including, but not limited to:
1. The availability of land;
 2. Access to the transportation network;
 3. Compatibility with neighboring uses; and
 4. The impact on the physical environment.

3.6.4.5.2 Development Standards – Uses within the P, Public Use District, are not subject to the dimensional standards of §3.5. However, such uses are subject to the landscaping standards of Article 10, and the parking standards of Article 12. If the use is within a corridor overlay district, the standards of §3.8 apply.

TABLE 3-7 USES PERMITTED IN THE P, PUBLIC USE DISTRICT

	A	B	C	D
	Permitted Uses	LBCS Function Code	LBCS Structure Code	NAICS Code
1.	Fire, sheriff, and emergency services	6400-6430	4500-4530	922120
2.	Government offices or other governmental civic uses or facilities such as courts and city halls	6200 - 6221		92
3.	Libraries	4242	4300	519120
4.	Museums, galleries			712110
5.	Maintenance of government buildings and grounds, including equipment storage	2450		561210
6.	Open space, park or active recreational uses operated on a non-commercial basis		5500	712190
7.	Post office	6310		491
8.	Recreation centers	5380	3200	713940
9.	Schools, academic, continuance, alternative, adult, colleges and universities, and technical, trade, and other specialty schools	6124-6140	4220	6113
10.	Public utility storage and service yards	2450		2211 2212 2213
11.	Sewage treatment plant, pump stations, or lift stations	4340	6300-6314 6350-6356	22132
12.	Solid waste collection centers, solid waste transfer stations, recyclable materials, yard waste and similar items	4343		562111 562119

ARTICLE 3 – ZONING DISTRICTS

	A	B	C	D
	Permitted Uses	LBCS Function Code	LBCS Structure Code	NAICS Code
13.	Water supply facilities including pump stations, dams, levees, culverts, water tanks, wells, treatment plants, reservoirs, and other irrigation facilities		6200-6290	221310
14.	Service providers of water, sewer, electricity, natural gas, telephone, cable and internet and improved or utilized for the delivery of the public service (power generating or transforming stations, transmission and distribution lines and facilities, switching stations, etc.)	4300	6000	221 517

3.6.5 R-MH, Manufactured Housing and Mobile Home District

3.6.5.1 Purpose – The purpose of this district is to provide housing alternatives in the way of manufactured housing or mobile home subdivisions, and to insure quality development of such projects consistent with the city’s prevailing residential characteristics. This district shall function as a "floating zone" wherein the district is described and set forth in the text below but shall be unmapped. A property owner may petition for the zone to be applied to a particular parcel meeting the minimum zoning district area requirements of this Chapter through legislative action of the City Council.

Comment: Manufactured Homes are factory-built homes that comply with the National Manufactured Housing Construction and Safety Standards, known as the "HUD Code." Mobile Homes are factory built homes that do not conform to the HUD Code or the local building code, typically because they were manufactured prior to adoption of the HUD Code in 1976. Modular Homes are factory-built homes that comply with the local building code rather than the HUD Code. See the detailed definitions of these terms in Appendix A. Standard Manufactured Homes are permitted only in the R-MH Zoning District.

3.6.5.2 Manufactured housing or mobile home parks in the R-MH, Manufactured Home Residential District, shall conform to the following standards in addition to those set forth in Articles 4 through 16:

3.6.5.2.1 The following uses are permitted within an R-MH, Manufactured Home Residential District:

- a. Manufactured homes.
- b. Mobile homes within parks or subdivisions.
- c. Any use permitted within an R-7 district.

3.6.5.3 No more than one (1) dwelling unit shall occupy one (1) lot.

ARTICLE 3 – ZONING DISTRICTS

3.6.5.4 Manufactured homes and mobile homes shall have their wheels and tongue removed upon arrival to the site and may not be occupied until the wheels and tongue have been removed.

3.6.5.5 Manufactured units or mobile homes shall be placed on a permanent foundation with all utilities (underground) already in place for each dwelling unit. The perimeter of the units shall be screened with permanent landscaping or fencing material consistent with the standards for building landscaping in Article 10, Landscaping. The units shall be anchored to the site in a manner approved by the city to protect against accidental movement.

3.6.5.6 Parking spaces shall be paved, properly marked, and lighted.

3.6.5.7 Concrete curbs shall be installed at the end of all "head-in" parking spaces.

3.6.5.8 All roadways shall have a minimum travel width of twenty (20) feet exclusive of parking.

3.6.5.9 A minimum of ten percent (10%) of the park site gross acreage shall be reserved and developed for recreational purposes. No recreation area shall be smaller than one-half (½) acre.

3.6.5.10 Accessory uses shall be limited to park offices, laundromats, meeting halls or activity centers, recreation facilities and maintenance buildings. Lots occupied by individual units may include one (1) accessory structure provided it is located behind the front elevation of the principal structure on the lot and a setback of three (3) feet is maintained on the side and rear.

3.6.5.11 Home occupations are permitted only within the dwelling units occupying each lot or dwelling site.

3.7 RESERVED

3.8 CORRIDOR OVERLAY DISTRICTS

3.8.1 Applicability

3.8.1.1 This section applies to any lot or parcel within the following Corridor Overlay Districts that are designated on the Official Zoning Map.

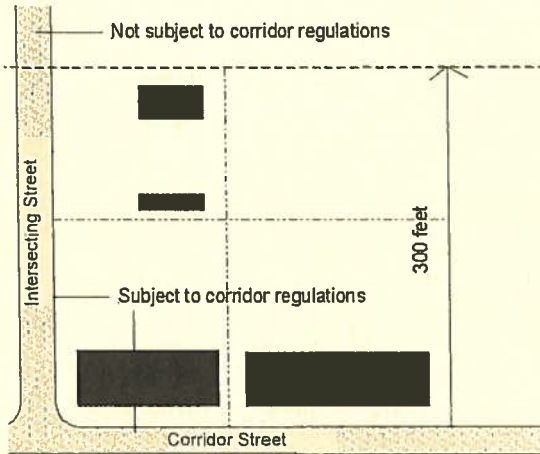
3.8.1.2 In the event that the definite boundaries of the district cannot be ascertained, Corridor Overlay Districts shall be deemed to encompass the depth of the lots fronting on both sides of the corridor street up to three hundred (300) feet and all property within three hundred (300) feet of the edge of the right of way which utilizes the corridor street for direct access, unless otherwise specified, along specific sections of the corridor streets designated in §3.8.2, Establishment of Corridor Overlay Districts.

3.8.1.3 The streets designated in §3.8.2, Table 3-8, Column B, are referred to as Corridor Streets (see Figure 3-1).

ARTICLE 3 – ZONING DISTRICTS

3.8.1.4 A street that intersects a designated Corridor Street is referred to as an Intersecting Street (see Figure 3-1).

FIGURE 3-1 CORRIDOR AND INTERSECTING STREETS



3.8.2 Establishment of Corridor Overlay Districts

The following overlay districts are hereby established:

TABLE 3-8 CORRIDOR DISTRICTS ESTABLISHED (Rev. 12-19-11; Ord. 2011-16)
(Rev. 6-20-16; Ord. 2016-14)

	A	B
	Overlay District	Corridor Streets Generally
1.	G, Georgia Avenue Overlay	1. Georgia Avenue north of the Greenway to Spring Grove Avenue
2.	HC, Highway Corridor Overlay	1. Martintown Road between US 1 and Bama Avenue 2. The commercially zoned and utilized property on the north side of Martintown Road between Hampton Avenue and River Bluff Drive 3. The south side of Martintown Road between West Avenue and River Bluff Drive 4. Martintown Road between Knobcone Avenue and the city limits 5. Knox Avenue/Edgefield Road (US 25) between Martintown Road and the city limits north of Walnut Lane 6. Jefferson Davis Highway (US 1) between Martintown Road and Atomic Road 7. Belvedere-Clearwater Road between Edgefield Road (US 25) and Old Sudlow Lake Road 8. The east side of Georgia Avenue between Marion Avenue and Knox Avenue/Edgefield Road (US 25) 9. The west side of Georgia Avenue between Hugh Street and Knox Avenue/Edgefield Road (US 25) 10. Five Notch Road Between Georgia Avenue and Walnut Lane

ARTICLE 3 – ZONING DISTRICTS

A		B	
Overlay District		Corridor Streets Generally	
3.	NP, Neighborhood Preservation Overlay	<ol style="list-style-type: none"> 1. West Avenue between Jackson Avenue and Martintown Road 2. Carolina Avenue between Jackson Avenue and Martintown Road 3. The south side of Martintown Road between Bama Avenue and West Avenue 4. The north side of Martintown Road between Bama Avenue and Hampton Avenue 5. The residentially zoned and utilized property on the north side of Martintown Road between Hampton Avenue and River Bluff Drive 6. Martintown Road between River Bluff Drive and Hammond Pond Road 7. The east side of Georgia Avenue between Jackson Avenue and Observatory Avenue 8. The east side of Georgia Avenue between Sidereal Avenue and Argyle Avenue 9. The west side of Georgia Avenue between Jackson Avenue and Hugh Street 10. Buena Vista Avenue from the alley located between Georgia Avenue and East Avenue to Brookside Drive 	
4.	LMK, Landmark Overlay	<ol style="list-style-type: none"> 1. Reserved. Not applicable until the city adopts historic preservation standards for any portion of the city. 	

3.8.3 District Purposes and Standards

The purposes, zoning standards, site design and access standards, and building form standards for each corridor district are described in §3.8.4 for the Georgia Avenue Overlay District, §3.8.5 for the Highway Corridor Overlay district and §3.8.6 for the Neighborhood Preservation Corridor Overlay District.

3.8.4 G, Georgia Avenue Overlay District

3.8.4.1 Purpose and Findings – The G, Georgia Avenue Overlay District, is designed for that portion of the D, Downtown Mixed Use District, that contains the heart of traditional commercial activity in North Augusta. This overlay is created with an emphasis on maintaining the integrity of the traditional storefront building facades to facilitate a mixture of uses, including residential, coordinating parking design and access, and encouraging greater pedestrian activity and use. (Rev. 6-20-16; Ord. 2016-14)

ARTICLE 3 – ZONING DISTRICTS**3.6.2 CR, Critical Areas District**

3.6.2.1 Purpose – The purpose of this district is to preserve and/or control development within known and identifiable areas of the city that exhibit the following characteristics:

- a. Wetlands, water courses, and lands reserved or maintained for stormwater management;
- b. Lands that serve as natural wildlife refuge areas;
- c. Environmentally sensitive lands and lands possessing great natural or historical resources;
- d. Lands that are reserved for open space or future parks and recreational areas; and
- e. Passive park and recreational lands.

3.6.2.2 Mapped Critical Areas – Lands exhibiting these characteristics shall be mapped as CR on the Official Zoning Map.

3.6.2.3 Permitted Uses – Development shall be limited to uses listed in Table 3-2, Use Matrix.

3.6.2.4 Dimensional Standards – Dimensional standards shall be the same as those applicable to an R-14 District.

3.6.3 TND, Traditional Neighborhood Development District

3.6.3.1 Purpose – The purpose of this district is to provide for concentrated mixed residential, retail, service and office uses. This district does not regulate land uses but, instead, permits any use to be established subject to design standards established in Article 2, Use Patterns, for a TND. Urban design standards are required to be supplied by the applicant or developer prior to approval in order maintain a neighborhood commercial scale and to promote pedestrian activity. Pedestrian circulation and common parking areas are required.

3.6.3.2 Location Criteria – A TND District may be designated for areas:
With an existing mix of retail, office, service, and residential uses located within a radius of one-quarter (¼) of a mile, or
On a tract or parcel for which a TND Use Pattern is proposed.

3.6.3.3 Use Regulations – The Use Matrix does not apply to a TND District provided, however, that no building permit shall be issued unless the requested use conforms to a preliminary subdivision development plan approved pursuant to a rezoning to a TND District. A TND development that complies with the TND Use Pattern regulations in Article 2, Use Patterns, may be permitted in a TND District as of right.

3.6.3.4 Development Standards – See Article 2, Use Patterns, for TND regulations.

3.6.4 P, Public Use District

3.6.4.1 Purpose – The purpose of this district is to provide suitable locations for land and structures in the city of North Augusta used exclusively by the city of North Augusta, Aiken County, the State of South Carolina, the United States, or other

ARTICLE 3 – ZONING DISTRICTS

governmental jurisdictions and their instrumentalities; and as such shall be used in accordance with such regulations as may be prescribed by the government or instrumentality thereof using the property. This district is also applicable to land owned by public utilities and public service providers of water, sewer, electricity, natural gas, telephone, cable and internet and improved or utilized for the delivery of the public service (power generating or transforming stations, transmission and distribution lines and facilities, switching stations, etc.). Property owned by public utilities and utilized primarily for office, customer service or retail sales is not appropriate for the Public Use district. If Public Use zoned property is sold to a private individual or individuals, such property shall be rezoned to a classification that is compatible with the surrounding area.

(Rev. 12-1-08; Ord. 2008-18)

3.6.4.2 Applicability – A P, Public Use District, designation may be applied to a use located on property used or reserved for a civic or public institutional purpose or for a major public facility, regardless of ownership of the land on which the use is located. A P, Public Use District designation may not be applied to government-owned property that is leased to a nongovernmental agency for a use other than a governmental service or for a use that supports a primary civic or public institutional use.

3.6.4.3 Permitted Uses – The uses listed in Table 3-7 are permitted in the P, Public Use District, subject to the issuance of a conditional use permit as required by Article 5, Approval Procedures. Public lands that are reserved or designated for environmental protection, open space or other natural state should be zoned in the CR, Critical Areas District, rather than the P, Public Use District.

3.6.4.4 Procedures – A site plan is required for uses permitted in the P, Public Use District, to the extent required by law. The site plan may be submitted concurrent with an application for rezoning. However, the Planning Commission and City Council may attach additional conditions to the approval of the district subject to a development agreement. In lieu of the application submittal requirements specified in Article 5, Approval Procedures, the applicant for rezoning to a P, Public Use District, shall address each of the review criteria of this section in their application materials.

3.6.4.5 Standards and Review Criteria

3.6.4.5.1 Review Criteria for Rezoning – In reviewing an application for a proposed P, Public Use District, the Planning Commission and City Council shall consider the following:

- a. **Inter-jurisdictional Analysis** – A review to determine the extent to which an inter-jurisdictional approach may be appropriate, including consideration of possible alternative sites for the facility in other jurisdictions and an analysis of the extent to which the proposed facility is of a citywide, countywide, regional or state-wide nature, and whether uniformity among jurisdictions should be considered.
- b. **Financial Analysis** – A review to determine if a negative financial impact upon the City of North Augusta can be reduced or avoided by intergovernmental agreement.
- c. **Special Purpose Districts** – When the public facility is being proposed by a special purpose district including a school district, the city should consider the facility in the context of the district's overall plan and the extent to which the plan and facility are consistent with the Comprehensive Plan.

ARTICLE 3 – ZONING DISTRICTS

- d. Measures to Facilitate Siting – The factors that make a particular facility difficult to site should be considered when a facility is proposed, and measures should be taken to facilitate siting of the facility in light of those factors including, but not limited to:
1. The availability of land;
 2. Access to the transportation network;
 3. Compatibility with neighboring uses; and
 4. The impact on the physical environment.

3.6.4.5.2 Development Standards – Uses within the P, Public Use District, are not subject to the dimensional standards of §3.5. However, such uses are subject to the landscaping standards of Article 10, and the parking standards of Article 12.

TABLE 3-7 USES PERMITTED IN THE P, PUBLIC USE DISTRICT

	A	B	C	D
	Permitted Uses	LBCS Function Code	LBCS Structure Code	NAICS Code
1.	Fire, sheriff, and emergency services	6400-6430	4500-4530	922120
2.	Government offices or other governmental civic uses or facilities such as courts and city halls	6200 - 6221		92
3.	Libraries	4242	4300	519120
4.	Museums, galleries			712110
5.	Maintenance of government buildings and grounds, including equipment storage	2450		561210
6.	Open space, park or active recreational uses operated on a non-commercial basis		5500	712190
7.	Post office	6310		491
8.	Recreation centers	5380	3200	713940
9.	Schools, academic, continuance, alternative, adult, colleges and universities, and technical, trade, and other specialty schools	6124-6140	4220	6113
10.	Public utility storage and service yards	2450		2211 2212 2213
11.	Sewage treatment plant, pump stations, or lift stations	4340	6300-6314 6350-6356	22132
12.	Solid waste collection centers, solid waste transfer stations, recyclable materials, yard waste and similar items	4343		562111 562119

ARTICLE 3 – ZONING DISTRICTS

	A	B	C	D
	Permitted Uses	LBCS Function Code	LBCS Structure Code	NAICS Code
13.	Water supply facilities including pump stations, dams, levees, culverts, water tanks, wells, treatment plants, reservoirs, and other irrigation facilities		6200-6290	221310
14.	Service providers of water, sewer, electricity, natural gas, telephone, cable and internet and improved or utilized for the delivery of the public service (power generating or transforming stations, transmission and distribution lines and facilities, switching stations, etc.)	4300	6000	221 517

3.6.5 R-MH, Manufactured Housing and Mobile Home District

3.6.5.1 Purpose – The purpose of this district is to provide housing alternatives in the way of manufactured housing or mobile home subdivisions, and to insure quality development of such projects consistent with the city's prevailing residential characteristics. This district shall function as a "floating zone" wherein the district is described and set forth in the text below but shall be unmapped. A property owner may petition for the zone to be applied to a particular parcel meeting the minimum zoning district area requirements of this Chapter through legislative action of the City Council.

Comment: Manufactured Homes are factory-built homes that comply with the National Manufactured Housing Construction and Safety Standards, known as the "HUD Code." Mobile Homes are factory built homes that do not conform to the HUD Code or the local building code, typically because they were manufactured prior to adoption of the HUD Code in 1976. Modular Homes are factory-built homes that comply with the local building code rather than the HUD Code. See the detailed definitions of these terms in Appendix A. Standard Manufactured Homes are permitted only in the R-MH Zoning District.

3.6.5.2 Manufactured housing or mobile home parks in the R-MH, Manufactured Home Residential District, shall conform to the following standards in addition to those set forth in Articles 4 through 16:

3.6.5.2.1 The following uses are permitted within an R-MH, Manufactured Home Residential District:

- a. Manufactured homes.
- b. Mobile homes within parks or subdivisions.
- c. Any use permitted within an R-7 district.

3.6.5.3 No more than one (1) dwelling unit shall occupy one (1) lot.

ARTICLE 3 – ZONING DISTRICTS

3.6.5.4 Manufactured homes and mobile homes shall have their wheels and tongue removed upon arrival to the site and may not be occupied until the wheels and tongue have been removed.

3.6.5.5 Manufactured units or mobile homes shall be placed on a permanent foundation with all utilities (underground) already in place for each dwelling unit. The perimeter of the units shall be screened with permanent landscaping or fencing material consistent with the standards for building landscaping in Article 10, Landscaping. The units shall be anchored to the site in a manner approved by the city to protect against accidental movement.

3.6.5.6 Parking spaces shall be paved, properly marked, and lighted.

3.6.5.7 Concrete curbs shall be installed at the end of all "head-in" parking spaces.

3.6.5.8 All roadways shall have a minimum travel width of twenty (20) feet exclusive of parking.

3.6.5.9 A minimum of ten percent (10%) of the park site gross acreage shall be reserved and developed for recreational purposes. No recreation area shall be smaller than one-half (½) acre.

3.6.5.10 Accessory uses shall be limited to park offices, laundromats, meeting halls or activity centers, recreation facilities and maintenance buildings. Lots occupied by individual units may include one (1) accessory structure provided it is located behind the front elevation of the principal structure on the lot and a setback of three (3) feet is maintained on the side and rear.

3.6.5.11 Home occupations are permitted only within the dwelling units occupying each lot or dwelling site.

3.7 RESERVED

3.8 CORRIDOR OVERLAY DISTRICTS

3.8.1 Applicability

3.8.1.1 This section applies to any lot or parcel within the following Corridor Overlay Districts that are designated on the Official Zoning Map, with the exception of those lots or parcels zoned P.

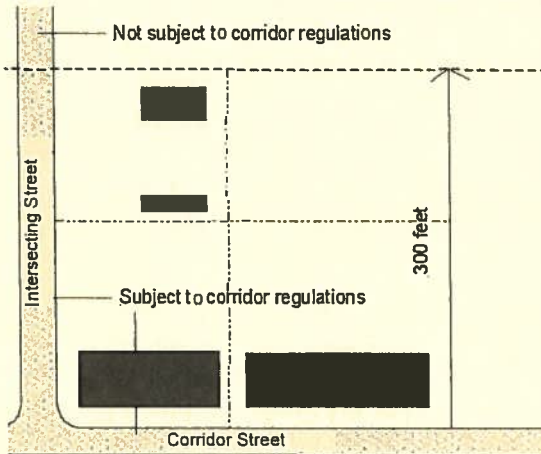
3.8.1.2 In the event that the definite boundaries of the district cannot be ascertained, Corridor Overlay Districts shall be deemed to encompass the depth of the lots fronting on both sides of the corridor street up to three hundred (300) feet and all property within three hundred (300) feet of the edge of the right of way which utilizes the corridor street for direct access, unless otherwise specified, along specific sections of the corridor streets designated in §3.8.2, Establishment of Corridor Overlay Districts.

3.8.1.3 The streets designated in §3.8.2, Table 3-8, Column B, are referred to as Corridor Streets (see Figure 3-1).

ARTICLE 3 – ZONING DISTRICTS

3.8.1.4 A street that intersects a designated Corridor Street is referred to as an Intersecting Street (see Figure 3-1).

FIGURE 3-1 CORRIDOR AND INTERSECTING STREETS



3.8.2 Establishment of Corridor Overlay Districts

The following overlay districts are hereby established:

TABLE 3-8 CORRIDOR DISTRICTS ESTABLISHED (Rev. 12-19-11; Ord. 2011-16)
(Rev. 6-20-16; Ord. 2016-14)

A		B
Overlay District		Corridor Streets Generally
1.	G, Georgia Avenue Overlay	1. Georgia Avenue north of the Greenway to Spring Grove Avenue
2.	HC, Highway Corridor Overlay	1. Martintown Road between US 1 and Bama Avenue 2. The commercially zoned and utilized property on the north side of Martintown Road between Hampton Avenue and River Bluff Drive 3. The south side of Martintown Road between West Avenue and River Bluff Drive 4. Martintown Road between Knobcone Avenue and the city limits 5. Knox Avenue/Edgefield Road (US 25) between Martintown Road and the city limits north of Walnut Lane 6. Jefferson Davis Highway (US 1) between Martintown Road and Atomic Road 7. Belvedere-Clearwater Road between Edgefield Road (US 25) and Old Sudlow Lake Road 8. The east side of Georgia Avenue between Marion Avenue and Knox Avenue/Edgefield Road (US 25) 9. The west side of Georgia Avenue between Hugh Street and Knox Avenue/Edgefield Road (US 25) 10. Five Notch Road Between Georgia Avenue and Walnut Lane

ARTICLE 3 – ZONING DISTRICTS

A		B	
Overlay District		Corridor Streets Generally	
3.	NP, Neighborhood Preservation Overlay	<ol style="list-style-type: none"> 1. West Avenue between Jackson Avenue and Martintown Road 2. Carolina Avenue between Jackson Avenue and Martintown Road 3. The south side of Martintown Road between Bama Avenue and West Avenue 4. The north side of Martintown Road between Bama Avenue and Hampton Avenue 5. The residentially zoned and utilized property on the north side of Martintown Road between Hampton Avenue and River Bluff Drive 6. Martintown Road between River Bluff Drive and Hammond Pond Road 7. The east side of Georgia Avenue between Jackson Avenue and Observatory Avenue 8. The east side of Georgia Avenue between Sidereal Avenue and Argyle Avenue 9. The west side of Georgia Avenue between Jackson Avenue and Hugh Street 10. Buena Vista Avenue from the alley located between Georgia Avenue and East Avenue to Brookside Drive 	
4.	LMK, Landmark Overlay	<ol style="list-style-type: none"> 1. Reserved. Not applicable until the city adopts historic preservation standards for any portion of the city. 	

3.8.3 District Purposes and Standards

The purposes, zoning standards, site design and access standards, and building form standards for each corridor district are described in §3.8.4 for the Georgia Avenue Overlay District, §3.8.5 for the Highway Corridor Overlay district and §3.8.6 for the Neighborhood Preservation Corridor Overlay District.

3.8.4 G, Georgia Avenue Overlay District

3.8.4.1 Purpose and Findings – The G, Georgia Avenue Overlay District, is designed for that portion of the D, Downtown Mixed Use District, that contains the heart of traditional commercial activity in North Augusta. This overlay is created with an emphasis on maintaining the integrity of the traditional storefront building facades to facilitate a mixture of uses, including residential, coordinating parking design and access, and encouraging greater pedestrian activity and use. (Rev. 6-20-16; Ord. 2016-14)

SECTION J: CERTAIN PUBLIC SERVICE AND UNIQUE USES EXEMPT

- 4.j.1. **General:** Due to the unique nature of certain public service uses and the need to locate such uses in certain areas of the City, the following list of uses may be established without regard to districts, provided such uses meet all dimensional requirements of the district, except height. The Planning Commission shall be required to approve items a through c, and City Council shall approve item d, of the items listed below.
- a. Telephone exchange and repeater stations
 - b. Radio and TV Station Tower
 - c. Electrical Transmitters
 - d. Municipal facilities
 - e. Personal communications system towers, and cellular telephone towers as outlined in Section 4.k.
- 4.j.2. **Landscapes and Bufferyards:** All land uses cited in this section shall observe the landscaping and bufferyard requirements established in the Subdivision and Landscaping Chapter. See Illustrated Example of Bufferyard Design in Article Seven, Section D.
- 4.j.3. Mobile homes and manufactured structures may be permitted as temporary uses in any zoning district during construction of buildings or projects, provided that a permit for such use is first issued by the Zoning Administrator and that said use shall be removed within fifteen (15) days after completion of the project.

SECTION K: COMMUNICATIONS TOWER AND ANTENNA

- 4.k.1. **General:** These regulations will permit the placement of communications towers and antennae in locations which will allow telecommunications services to be rendered in conformity with the authority in the Federal Telecommunications Act of 1996 and the goals of the municipal comprehensive plan and zoning ordinance to serve and protect the public health, safety, convenience, order, appearance, prosperity, and general welfare.

City of
North Augusta, South Carolina
Planning Commission

PUBLIC HEARING NOTICE

The North Augusta Planning Commission will hold a public hearing at its regular monthly meeting beginning at 7:00 PM on April 18, 2019, in the Council Chambers, North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, to receive public input on the following applications:

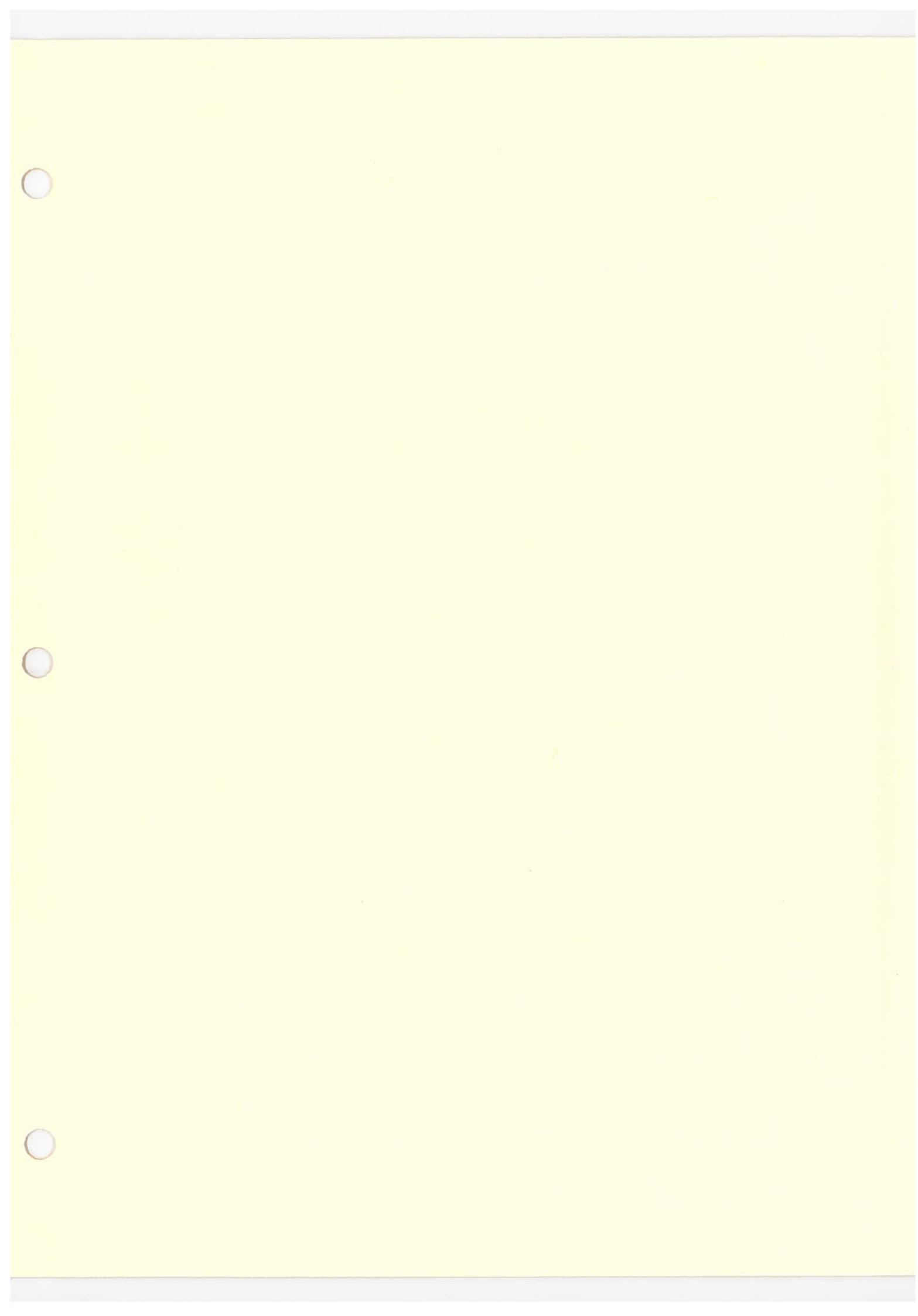
RZT 19-001 – A request by the City of North Augusta to amend Section 3.6.4.5.2, Development Standards within the P, Public Use Zoning District and Section 3.8.1.1, Applicability of the Corridor Overlay Districts to the P, Public Use Zoning District.

RZM 19-001 – A request by Greenstone Properties to rezone ± 9.58 acres of land located west of Georgia Avenue between the North Augusta Greenway and the Savannah River, Aiken County Tax Parcels: 007-18-05-002, 007-18-05-004, 007-14-19-001, 007-14-19-005, 007-14-19-007, 007-17-02-005, 007-17-02-008, 007-18-06-001, 007-17-02-006, 007-17-02-004, and 007-13-42-003 from PD, Planned Development to D, Downtown.

Copies of the proposed amendments to the North Augusta Development Code and a map and documents related to the rezoning application will be available in the Department of Planning and Development on the second floor of the North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, 803-441-4221. Citizens and property owners interested in expressing a view on any matter that is the subject of a public hearing are encouraged to attend.

CITIZEN ASSISTANCE:

Individuals needing special assistance or a sign interpreter to participate in the meeting are asked to please notify the Department of Planning and Development at 803-441-4221 at least 48 hours prior to the meeting.



ATTACHMENT #9

RECUSAL STATEMENT

Member Name: Kevin W Toole

Meeting Date: May 6, 2019

Agenda Item: Section _____ Number: Item 9

Topic: Planning + Development Zoning Amendment

The Ethics Act, SC Code §8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37.) A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.

Justification to Recuse:

Professionally employed by or under contract with principal

Owns or has vested interest in principal or property

Other: Professional relationship with
Greystone Properties.

Date: 5/6/2019

Kevin W Toole
Member

Approved by Parliamentarian: _____