



## **REGULAR MEETING AGENDA**

**Landrum City Council**

**September 27, 2022**

**5:30 P. M.**

### **I. Continued Business:**

1. Award Rail and History Museum Sidewalk and Platform Improvements Contract

**Adjournment**

## **Work Session Agenda**

**Landrum City Council**

**September 27, 2022**

**5:40 P.M.**

1. Discussion of Proposed Zoning Code Revisions (EXCEPT Residential R-1, R-2, and R-3 Zoning Districts)

**Executive Session regarding Outstanding Litigation & Personnel Matters**

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To: Landrum Mayor & City Council

From: Rich Caplan, City Administrator

**Re: Rail and History Museum Sidewalk and Platform Improvements Contract**

The City received three qualified bids on Wednesday, September 7, 2022, for the proposed exterior improvements to the Landrum Rail & History Museum. The bidders were:

- H Construction, Spartanburg
- Cely Construction, Spartanburg
- Dunbar Construction, Spartanburg.

Cely Construction was the apparent low bidder.

However, all three bids were in excess of the budgeted amount submitted. As a result, the city's architect, John Walters AIA is conducting a value engineering process with the low bidder to reduce the scope and cost of these improvements. Mayor Bob Briggs and Councilmember Billy Inman have reviewed the plans and reduced the size of the platform, the length of the sidewalk, the materials of the platform and the electrical work from the original design and bid package. These changes maintain the integrity of the entryway, emergency exit and handicap accessibility.

The City is anticipating a reduced price from these changes. However, the adjusted price will not be available until sometime after the September 27, 2022 city council meeting while Cely Construction revises their bid. The City anticipated and budgeted for a price in the vicinity of \$120,000.

**Therefore, it is recommended that the City Council authorize the City Administrator to execute a contract with Cely Construction in an amount NOT TO EXCEED \$140,000.**

John Walters and I are striving to have this amount lower. In the event that Cely Construction cannot meet this maximum amount, the city will rebid this portion of the museum project.

**September 22, 2022**

To: Mayor Landrum City Council

From: Zoning Administrator

Re: **Major Planning Commission Changes Approved on June 23, 2022 (EXCEPT RESIDENTIAL)**

The following changes were recommended by the Planning Commission at the workshop held on June 23, 2022 and approved after the Planning Commission public hearing on Tuesday, August 16, 2022. Since that time, an additional new definition for "Public Hearing" has been added as a result of the Planning Commission training workshop conducted by the Appalachian Council of Governments on September 21, 2022. This new definition for public hearing is added and is consistent with the Landrum Municipal Code regarding "public comment" (Municipal Code Section 2.212)

A summary of the most substantial changes are listed below.

<b>Section</b>	<b>Change</b>
Definitions: NEW	Add: <b>Infill development</b> means land development that occurs within designated areas based on local land use, watershed and/or utility plans where the surrounding area is single family residentially developed, and where the site or area is either vacant or has previously been used for another purpose.
Definitions: NEW	Add: <b>Public Hearing:</b> Any citizen of the city or owner of a business in the city or applicant for a rezoning matter shall be entitled to address the Planning Commission or City Council at a public hearing to discuss the matter advertised for the public hearing.
Definitions "Comprehensive Plan"	The Comprehensive Plan shall include meaning the Envision Landrum Plan 2017
5.2.25.6.6 General Industrial	Renamed RLI (Research/Limited Industrial District) to GI –
Code Enforcement 5.2.24.4.02,4.	Add: "as long as the railroad line is in use for railroad purposes"
5.26.25.6.01 2. Conditional uses	Add 5) "subject to review and approval by the Planning Commission"
Bed & Breakfast	Delete reference to "cannot be built in the future"
Bed & Breakfast 5.2.25.6.05.4	Change to "no guest can stay more than 14 days"
5.2.25.6.4.3 Permitted Uses	<ul style="list-style-type: none"> <li>• Change wording from secretarial to "administrative"</li> <li>• Add "restaurants/eating establishments"</li> <li>• Add: "parking lot, garages and self- storage units allowed as conditional uses"</li> </ul>
C-2 5.2.25.6.05 6ft Planting strips	Add "except for E. Rutherford Street from N. Trade Avenue to Church Street"

September 22, 2022

Special Exceptions Uses 5.2.25.6.4.11	Change from 10,000 square feet to "buildings over 15,000 square feet subject to approval by the Zoning Administrator"
C-2; 5.2.25.6.05.5 Prohibited Uses	Add "junk and salvage yards"
GI; 5.2.25.6.6.3 Conditional use within 70 feet of a residential area	Add "and subjected to hours as stated in the noise ordinance"
GI: 5.2.26.6.6.11 External storage	Add subject to approval by the Architectural Design Review Board
5-2-.26.7	Change from 120 feet to thirty (30) feet
Landscaping Section 5.2.26.8.05	Add "break up paving under C1 standards apply to site of 3 acres or more."
5-2-26.1 Required Off-Street Parking	<ul style="list-style-type: none"> <li>• Banks: reduce to 1 space per 280 square feet;</li> <li>• Business, commercial: reduce to 1 space per 190 sq. feet;</li> <li>• Add 1.5 spaces per senior housing dwelling unit plus at least one (1) visitor parking space for every five senior housing units.</li> <li>• Shopping centers: reduce to one space per 180 square feet</li> <li>• Eliminate discos;</li> </ul>
NEW: Fee in lieu of downtown parking	The construction of any new square footage to buildings located in Downtown Landrum where the site is does not have parking shall be required to pay a fee of \$1,000 for every per parking space required by this code and is not able to be provided on the site. Such parking fees shall be required to be utilized by the city to provide new public parking spaces elsewhere to serve Downtown.



**City of Landrum  
Planning Commission Meeting  
Tuesday, August 16, 2022, 5:30 p.m.**

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IN ACCORDANCE WITH THE SOUTH CAROLINA CODE OF LAWS, SECTION 30-4-80, THE TIME, DATE AND LOCATION OF THE MEETING WAS POSTED AT CITY HALL, ON THE CITY WEBSITE AND THE CITY FACEBOOK PAGE.

This Planning Commission meeting was called to order via at 5:31 by Chairman Bob Lowe.

In attendance were Commissioners Madelon Wallace, Bill Robinson, Carol Browning, Joshua Freel and Page Rogers. Zoning Administrator, Rich Caplan was also in attendance.

Zoning Administrator Caplan spoke first, summarizing the focus of the meeting which was the major changes in the proposed revised zoning code.

The public portion of the meeting was opened at 5:41 pm. The following people approached the podium:

- Judy Henderson
- Logan Schell
- Emma Schell
- Rembert Burgess

Everyone submitted their comments to the commission in writing except for Mr. Burgess. Kim Sherwood and Deborah Messmer, who were not in attendance, submitted their comments prior to the meeting via Email and Zoning Commissioner Caplan summarized them. All submitted comments are attached to these minutes.

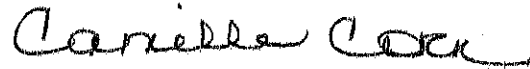
The public portion of the meeting was closed, and the Planning Commission meeting was called back to order at 5:53 pm.

After a brief discussion, with all members giving their input, the Planning Commission decided to review the Proposed Revised Zoning Code document once more and give their final input before the next Planning Commission meeting on August 30th.

The motion was made by Commissioner Bill Robinson at 6:26 to adjourn the meeting and second motion by Commissioner Carol Browning.

Approved 8.30.2022

Attest: Camille Corn, Assistant City Clerk

A handwritten signature in cursive script that reads "Camille Corn". The signature is written in black ink and is positioned below the typed name "Camille Corn, Assistant City Clerk".

# PUBLIC COMMENT SIGN IN

COMMENTS ARE LIMITED TO 3 MINUTES.

Meeting Date: AUGUST 16, 2022

Please sign in, take a seat, YOUR NAME WILL BE CALLED DURING PUBLIC COMMENTS  
 PLANNING COMMISSION PUBLIC HEARING - ZONING ORDINANCE

NAME	COMMENT TOPIC	CONTACT INFO IF YOU WANT TO BE CONTACTED
1. Judy Henderson	zoning	
2. Logan Schell	zoning	
3. Emma Schell		
4. Rembert Burgess		
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Zoning Public Hearing  
Comments/Judy Henderson  
08.16.2022

I have two broad comments concerning zoning and then some specifics regarding particular sections.

First, for several years now I have been asking "What is the purpose of a public hearing?" and I do not get an answer from anyone. I think it is imperative for the people of Landrum to believe they are THE most important part of any equation related to the City, especially regarding zoning and development.

Page 17, 18 of the new draft zoning ordinance says that consideration is given to staff recommendations and Planning Commission recommendations. There is nothing about consideration of public opinion obtained during a public hearing. It MUST be included that consideration be given to the public comments from a public hearing – if not, why have a public hearing?

My second broad concern is Accountability. I read most of the 125 pages of the new draft zoning and I couldn't find anything about accountability. I have also said many times that the zoning ordinance procedure success is only as good as it is followed. Therefore, there should be something on Page 55 under Section 5-2-23 "City Council Duties and Responsibilities" which states "the City Council should be the body of accountability to insure the proper administration of the zoning ordinance."

Please consider adding both of these recommendations to the draft zoning ordinance.

Page 56 Section 5-2-23.4.01 Planning Commission criteria. I am concerned this is not being followed as I am not sure a majority of the members reside in the city limits. The City Council duties should be followed to ensure the Commission follows the criteria in the zoning ordinance.

Page 58 #9 says a zoning applicant "may" appear at the Public Hearing. The requirement that they MUST appear should be retained. This is important for the people of Landrum to hear from the developer at a public hearing.

Page 91 Section 5-2-25.5 Zoning Districts – R-1 does not designate a square footage lot size. I believe R-1 has been one single family home per acre. This should continue to be specified. One acre is 43,560 square feet.

I believe there are criteria for R-1 for infill, but not open land.

R-3 seems to have been eliminated. Why?



Page 95 Section 5-2-25.6.02 is about R-2 and states two family Duplex/Residential District. R-2 was four single family homes per acre. This should be reinstated in R-2 and not have R-2 just for duplexes.

Page 100 Section 5-2-25.6.4 C-1 Examples Delete "self-storage" units. Landrum has more than a sufficient amount of self-storage units. We don't need to encourage hoarding. I just lost my husband and he is gone but all his "stuff" is still here. When I look around I wonder why we need to accumulate so much "stuff"!!

## Camille Corn

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**From:** Emma Sobczak Schell <sobczakschellee@gmail.com>  
**Sent:** Thursday, August 18, 2022 12:43 PM  
**To:** Camille Corn  
**Subject:** Comments for the Minutes

Hey Camille,

It was nice to meet you last evening and attend the Planning Commission Public Hearing. Here are our comments for the record:

1) John Logan Schell: When, as a community member, providing feedback on such a document as the revised Zoning Ordinance of the city of Landrum, it would help if the reasoning/motivation behind the revisions was made apparent. There were some revised sections of the Zoning Ordinance that simply said "revised"; however, it didn't identify why. Knowing the reason for such revision would contribute to the public's understanding of such revisions and avoid speculation and/guessing on their part.

2) Emma Sobczak Schell: The importance of the revised Zoning Ordinance for this community is apparent. As a librarian, therefore, I suggest that we make this document (and its proposed revisions) as accessible as possible for the people of Landrum by collaborating with the Spartanburg County Public Library Landrum branch to print out copies and have them available for viewing at the library. This would enable those individuals who are not as tech savvy or don't have the technology means for whatever reason to still view the document; the public library is also central to this community as a place of learning. Anna Pilston, Branch Librarian, has said that she would be amenable to providing the documents if that was so suggested/desired. Thank you for your time.

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**Camille Corn**

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**From:** Kim Sherwood <reachsherwood@gmail.com>  
**Sent:** Tuesday, August 16, 2022 8:06 AM  
**To:** Planning; Rich Caplan  
**Cc:** Bob Briggs; Shannon Dotson; Tammy Wells Cox; Joyce Whiteside; Daniel Prince; Billy Inman; John Carruth  
**Attachments:** Zoning Ordinance Hearing comments.docx

Kindly acknowledge receipt of this email.

Dear Chairman Lowe,

**I WILL BE UNABLE TO ATTEND THE HEARING IN PERSON. I REQUEST THAT YOU AS CHAIRMAN READ MY ATTACHED COMMENTS AT THE HEARING. HOPEFULLY THE MEETING WILL BE RECORDED FOR THE BENEFIT OF ALL.**

Attached please find my comments on the proposed amended zoning ordinance rewrite. I realize that revising the document already in existence presented many challenges. There are some areas that are very unclear and impossible to follow. The list of zoning categories appears incomplete. There is no paper approval trail for R-1 zoning to be anything but 20,000 sf minimum lots except for infill lots. Increasing the density of R-3 and adding storage units to C-1 downtown zoning are bad ideas.

I would be happy to speak with you or anyone else about these concerns in person or by phone.

Kindly confirm your receipt of this email.

Sincerely,

Kim Sherwood  
[kmsherwood@comcast.net](mailto:kmsherwood@comcast.net)  
#978-430-3786

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Kim Sherwood – Comments for the August 16, 2022 Planning Commission Public Hearing Regarding the Proposed Revised Landrum Zoning Code

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**Section 5-2-23.4.01, P.56 - Qualifications of Planning Board Members**

The City is already violating requirements under the existing Code. Weakening the Code will not result in a better Commission to serve the City. Perhaps people should be ***elected*** to the Planning Commission not appointed. This is done in many places. It could result in a Commission that better represents the views of the residents, as evidenced in for example the Envision Landrum document.

My specific concerns are:

#1.) The 7<sup>th</sup> seat has been vacant for years. It must be filled.

#2.) A majority of the 6 current members do not live in the City. One current member may have already served more than the 12 consecutive year maximum term allowed.

The proposed change in the document allowing members whose terms have expired to stay on until a replacement is found should be deleted. See above as the reason.

Open seats should be addressed timely to keep a full Commission of 7 duly appointed and properly serving members at all times.

#3.) City Council should continue to fill vacancies in 45 days not 90 days.

**Section 5.2-23-4.02 p. 58 - Proceedings**

#3.) Monthly meetings of the Planning Commission should remain a requirement, not quarterly. Planning is time consuming hard work. There is always going to be something to work on. It is best to have more time to deliberate for better decision making.

#9.) Applicants or their Representatives should continue to be required to attend public hearings. This is a very common requirement for good reason. Often there are questions or clarifications that need to be addressed and their absence could hinder the process.

**Section 5.2-25.5 p 92- Zoning Districts**

Here is where I get very confused. Either 5 or 6 zoning districts are being eliminated from the list. RS-3 exists in the current zoning ordinance posted online but does not show up in the proposed ordinance. And R-3 is missing from the list completely even though the details on this zoning class ( with proposed changes) are shown later on.

**A clear and accurate table is extremely important. PLEASE correct this.**

The **R-1** Single Family Residential category in the list has no minimum lot size indicated. I assume then that it is still 20,000 sf minimum as stated in the current ordinance posted online. Later in the narrative three different minimum lot sizes are shown for lots as small as 6000 sf. Please confirm that these tables apply ONLY to infill lots in established neighborhoods. At the Planning Commission meeting on June 23, 2022, I recall that there were varying opinions on whether minimum size for infill lots should be 10,000 sf or could be 8000 sf.

What is the current minimum lot size for a non-infill, new subdivision development for property zoned R-1? According to the current zoning ordinance it is 20,000 sf. What is being proposed?

**R-2 is listed as Single Family and Two Family Residential.** However, Section §5-2-25.6.02 on page 95 calls it **Two Family Duplex Residential District.** **What is R-2?** Is 10,000 sf the minimum lot size for single family homes under R-2 or for two family homes?

**R-3** - Not even listed as a zoning category, the proposed ordinance shows a 25 % increase in the number of units allowed per acre. Instead of 8 units per acre, 10 apartment units per acre could be built, with still only a 20% open space requirement. Reduce the number of units per acres to 6.

**Section §5-2-25.6.4 C-1: Central Business District p.100**

This is the downtown zoning district. Delete self-storage units as a conditional use!! Inappropriate and unnecessary for a CBD!!

**Section §5-2-25.6.05 C-2: Neighborhood Business District- p.103**

The following uses shall be permitted in the C-2 Zoning District: a. Any use, together with the conditions attached thereto, permitted in the R-1 district.

The project under consideration for FRD zoning is currently zoned C-2. Please again clarify what number of residential units could be built under the statement above which appears in the proposed code..

Kim Sherwood

## Rich Caplan

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**From:** Deborah Messmer <deb.messmer@yahoo.com>  
**Sent:** Tuesday, August 16, 2022 2:31 PM  
**To:** Planning  
**Subject:** Planning Commission Public Hearing on Tuesday, August 16, 2022

Good afternoon --

My apologies for the late submission of this email re today's public hearing re the proposed City of Landrum Zoning Code revisions. It took a bit of time to find and correlate the information I wanted to review prior to sending this email.

I will be unable to attend the hearing in person and hope that you will be livestreaming the meeting. Please let me know if you will be and provide a link to where I can watch/participate if you will be doing this.

As one who regularly spends money in Landrum's lovely shops and restaurants and one who loves the Foothills, I lived in the Landrum zip code area for 9 years until moving to Columbus, NC. I have a strong interest in community based planning and development as well as in retaining the quaintness of our cities, towns and villages regionally. Therefore, let me pose questions and concerns that I would appreciate your addressing at today's hearing and going forward as the area grows.

1. The 2017 Comprehensive Plan has not yet been updated; I have not heard what had been the outcome of discussions about this in meetings that had been held in February. Can you provide information as to where 'we' are with this.
2. The planned Flexible Review District (FRD) seems to be being instituted in a manner that will allow planning/zoning to be managed in an arbitrary manner and dependant entirely upon the opinions of sitting commission members and zoning staff. This may be a misinterpretation; if so, please explain how the FRD is better/different than a typical zoning variance application process in which community members may participate.
3. While improvement in availability of local housing stock seems warranted, so does the limitation of density and the retention/expansion of green space that is accessible to residents and visitors. How will the application of the FRD concept manage to balance these things for the public good, including solving issues surrounding large residential and potential commercial business expansions that will affect infrastructure that is already overtaxed -- roadways, waste water, traffic patterns, pedestrian walkways and, of course, educational facilities.
4. Concerns relative to pre-negotiation by commission members and zoning officers with developers of large tracts of land without oversight nor involvement by the public have yet to be addressed, thus making it appear that developers' proposals are 'done deals' even when they appear to be blatantly contrary to the Comprehensive Plan.

I have additional concerns but these are the biggest. While improving the tax base is obviously helpful, the offset to developments that outpace our communities in their scope and scale without solving upfront the infrastructure issues and, thus, changing the character of this area are concerning. I appreciate this opportunity to put forward these issues for your response and will also appreciate hearing back.

Thank you.

Deborah Messmer

NCIDQ IIDA ASID SSGB NCRID

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