



MINUTES

LANDRUM CITY COUNCIL MEETING

Tuesday, October 11, 2022
6:30 p.m.

NOTE:

- All interested citizens were invited to watch the City Council meeting live streamed on the City of Landrum Facebook page.
- 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, the City website, and the City Facebook page. The media was duly notified.

Mayor Robert B. Briggs called the meeting to order at 6:34 p.m. in the Landrum City Hall Council Chambers.

Members Present: Mayor Robert B. Briggs, Council Members: Johnny Carruth, Billy Inman, Joyce Whiteside and Tammy Cox.

Members Absent: Council Member Daniel Prince and Shannon Dotson

The Invocation was given by Council Member Joyce Whiteside, followed by the Pledge of Allegiance.

Approval of Minutes

Minutes of the September 13, 2022, meetings, were accepted as written.

The Financial Statements

The financial statement for the month of September 2022 were accepted as written

PRESENTATION

Swearing in of new Chief of Police Jason Coffin

NEW BUSINESS

1. Public Hearing on Revised Zoning Code (Public comments were limited to no more than 3 minutes per speaker)
The Regular meeting was closed.

PUBLIC HEARING

A public Hearing was held for the 1st reading of Ordinance No. 2022-08, an ordinance revising certain sections (the section pertaining to commercial zoning) of the Zoning Code.

PUBLIC COMMENTS

Judy Henderson – Landrum City Resident, her comments were submitted and will be attached to these minutes.

Kim Sherwood – Non-resident, her comments were submitted and will be attached to these minutes.

Susan Fiala – Non-resident. Addressed council, she wanted the council to reconsidered certain sections of the zoning code, no comments submitted.

Bill Bisinger – Non-resident. Addressed council, with comments not related to the commercial zoning ordinance, no comments submitted.

PUBLIC HEARING CLOSED at 6:55pm.

REGULAR MEETING REOPENED.

New Business resumed.

2. First Reading of Ordinance No. 2022-08 Revising certain sections of the Zoning Code

Mayor Robert Briggs calls for a motion on the first reading. Council Member Billy Inman makes the motion. Council Member Joyce Whiteside 2nd the motion. All voted yes. The motion carried to approve the first reading of Ordinance No. 2022-08 revising certain sections of the Zoning Code pertaining to commercial zoning. See proposed revisions memo attached to these minutes.

3. Adoption of Revised FY2022-2023 Budget for the American Relief Plan Funds (COVID)

Mayor Robert Briggs calls for a motion to adopt the revised FY22/23 budget for the American Relief Plan funds. Council Member Billy Inman makes the motion to approve. Council Member Tammy Cox 2nd the motion. All voted yes. The motion carried.

City Administrator Rich Caplan explained that the main reason for the revision was to adjust salaries and bonuses for essential workers. The American Relief Plan lists essential workers compensation and bonuses as a qualified use.

OLD BUSINESS

None

PUBLIC COMMENT

Susan Tomkins – Executive Director Operation Hope gave a presentation to the Mayor and Council on upcoming mobile medical services that will be coming to Landrum to service the residents. The first mobile medical clinic will be at 209 W. Rutherford St. on October 21 from 5 to 7. There will also be 2 other dates scheduled for future mobile medical services. Judy Henderson – Landrum City Resident. Her comments are attached to these minutes.

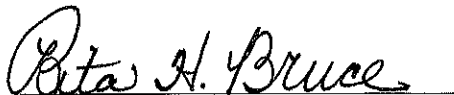
Reports

City Administrator. City Administrator Rich Caplan presented his report to council, his report is attached to these minutes.

Police Department. Chief Jason Coffin presented council with his monthly report. A copy of this report may be requested by calling the City Clerk's office at (864)457-3000.

Mayor Robert Briggs calls for a motion to adjourn the regular meeting. Council Member Shannon Dotson makes the motion. Council Member Tammy Cox second the motion. All voted yes. The motion carried.

Meeting adjourned at 7:19 p.m.



Rita H. Bruce, ABL
City Clerk / Treasurer

Approval Date: November 8, 2022

October 11, 2022

City Administrator Monthly Report

Dollar General Architectural Design Review

- The Architectural Design Review Board met on Wednesday, September 28 and approved the site plan, landscaping and signage for the new Dollar General. They modified the building signage and added landscaping from what the developer proposed.
- The Board also voted to initiate a new annual architectural design awards for the projects in the city. Merry-Beth Noble suggested two annual awards beginning in 2021. She recommended one award be for new construction and one for renovation/expansion or rehabilitation of an existing building. There was consensus among the Board that this was an excellent way to recognize quality development, give recognition to the owners and promote better development in the future.
- The City Council could make these awards at a regular city council meeting and will provide the plaques to the winners. The Board stated that they would select the winners for 2022 at their first meeting in 2023.
- N. Randolph Sidewalk Project is well underway, most curbs are in and sidewalks are being poured.
- Rebidding Museum Platform – Cely Construction revised bid was over the amount approved last meeting by the city council. John Walters is refining the bid specs and the city will rebid this in November with bids due prior to the City Council December meeting.

Public Comments 10.11.2022 Regarding Draft Rezoning Ordinance
Judy Henderson, citizen of Landrum

As always, thank you for the opportunity to share my opinions on the subject matter.

I am most concerned about the Residential Zoning. Density has been an extremely important issue since the Dodd Street Project. The Council has always expressed a concern about density. Lot size determines density.

The current zoning which I became familiar with when I was dealing with Dodd Street states on page 98: R-1 Single-Family Residential District, 20,000 Minimum Lot Areas. This was Section 5-2-25.5. Now R-1 is a different citation and says 10,000 square foot lot size. (I printed page 98 from the current zoning on the city website and have attached it to these comments.)

You're labeling R-1 as Single Family Residential District and R-2 as Two-Family (Duplex or Townhome) Residential District with the same 10,000 square foot requirement. This essentially says R-1 and R-2 are the same density, which is not good.

There definitely needs to be a square footage differential. A land owner can always ask for a different zoning if the current zoning doesn't meet their proposal for development.

The sentence in 5-2-25.6.02 describing the Two Family zoning doesn't even make sense. The beginning that says "This District is intended to foster, preserve and protect area of the community" is a good intro-- we should be doing this for every zoning starting with considering density in every situation. The rest of the sentence doesn't make sense.

At the time of Dodd, R-1 was two houses per acre, R-2 was four houses per acre and R-3 was eight houses per acre. These was and should still be the standard for residential.

There wasn't anything in the change document attached to the agenda that shows the change in R-1 from 20,000 sq feet to 10,000 square feet.

R-3 in the draft doesn't even have a lot size determination.

Rich has stated R-1 at some time changed to 10,000 square feet, but I found no documentation for that on the current city website.

Also there are other designations like R-1a, R-2a etc on the current website document that have not been noted on the changes provided with the agenda as having been removed from the zoning.

When you have a document on the city web page, that should be the starting point.

Another egregious change is insinuating that only people who live in Landrum or have a business in Landrum may speak at a public hearing.

Article 1, Section 1 of the SC Constitution states:

SECTION 1. Political power in people.

All political power is vested in and derived from the people only, therefore, they have the right at all times to modify their form of government. (1970 (56) 2684; 1971 (57) 315.)

SECTION 2. Religious freedom; freedom of speech; right of assembly and petition.

The General Assembly shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to petition the government or any department thereof for a redress of grievances. (1970 (56) 2684; 1971 (57) 315.)

There are 8,000 people with a Landrum address. Everything happening in Landrum affects them. I also found a document on the SC webpage that says a public hearing is for members of the public with an interest in the subject. Restricting comment at a public hearing is very dangerous and definitely an infringement on first amendment rights.

Is Landrum going to be a part of the current Cancel Culture? I certainly hope not.

The numbering of sections in the draft doesn't match the current zoning sections with the same or similar titles. There is a citation - 5.2.25.6.4.3 labeled Permitted Uses. That citation in the draft document says Prohibited Uses.

In the current zoning on the city website, I couldn't even find where they are deleting "Bed & Breakfast cannot be built in the future". There is no citation listed for that item and I skimmed the current and draft ordinance and didn't find that language. Need a citation.

5.2.25.6.05 regarding planting strips - can't see where they want to add that, no specific number under that citation.

There needs to be better editing so the sections from the current zoning are the same as the revised, even if changes have been made to those sections. Right now it appears to be a mess.

I also think the City Administrator is given too much decision making ability without any added notation for accountability by the City Council....especially related to the FRD (a new ordinance that needs time and detail to ensure it is followed accurately) and making decisions about square footage lots and building sizes.

There should be a Section in the zoning ordinance that says the City Council holds the City Administrator accountable for actions and decisions regarding zoning.

printed from City webpage 10/10/22

- a. Normally, all publicly owned rights-of-way for roads, streets, alleys, easements, or transit routes are classified in the least intense of adjacent zones. In order to define clearly the location of rights-of-way, the Zoning Map will not depict the zoning within existing rights-of-way.
- b. When the Comprehensive Plan recommends zoning that is different from that specified above for a publicly owned right-of-way for a road, street, alley, easement, or transit route, the Town Council may reclassify such right-of-way to the recommended zoning by the approval of a future land use map amendment application. The Zoning Map will depict the zoning within such rights-of-way.

2. Rezoning of Proposed Rights-of-Way Where Zoning Was Previously Withheld

Where, by action of the City Council in prior rezoning, private property was withheld from rezoning in order to provide for future construction, widening, realignment, and relocation of proposed public roads, streets, alleys, easements, or transit routes or facilities, the zoning of such private properties shall assume the zoning classification of the land of which they are a part; or, the least intense of adjacent zones if the land is not part of an adjacent parcel.

3. Air Rights and Subsurface Development within Public Rights-of-Way

Air rights development and subsurface rights development are permitted in publicly owned rights-of-way for roads, streets, alleys, easements, and transit routes if the development will not conflict with the recommendations and guidelines of the applicable action statements contained within the Comprehensive Plan.

§5-2-25.5 Zoning Districts

The City of Landrum is hereby subdivided into the following districts:

- R-1 Single-Family Residential District, 20,000 Minimum Lot Areas
- R-1a Single-Family Residential District, 10,000 Minimum Lot Areas
- R-2 Single and Two-Family Residential District, 10,000 Minimum Lot Areas
- R-2a Single-Family and Mobile Home District, 4 units per acre
- RS-3 Single Family Residential District, 12,000 Minimum Lot Areas
- R-3a Mobile Home Park District
- R-4 Mobile Home Subdivision District
- C-1 Central Business District
- C-2 Neighborhood Business District
- RLI Research/Limited Industrial District
- GI General Industrial District
- R-3 Low Density Multi Family District

Section 5-2-25.6 District Regulations

The following regulations pertain to the districts established by this ordinance.

§5-2-25.6.01 R-1 Single Family Residential District

This district is intended to foster, preserve and protect areas of the community in which the principal use of land is large lot, detached, single family dwellings and related support facilities.

- 1. Permitted Uses.

Comments at the City Council Public Hearing on October 11,2022

Regarding Proposed Revisions to the Landrum Zoning Code under Ordinance 2022-08

There is a date error in proposed **Ordinance 2022-8**. It states that the Landrum Planning Commission approved the land use and zoning changes listed in the document on August 30, 2022. The correct date is August 16, 2022.

Prior to their vote on August 16th, the Planning Commission held their own required public hearing on the matter. In a memo dated August 10, 2022, Mr. Caplan conveniently spelled out a summary of the proposed changes to the zoning ordinance under consideration.

Fast forward to tonight. The Council is now holding *their* required public hearing on what should be the very same zoning changes approved by the Planning Commission. However, a significant new amendment was snuck into the draft ordinance at the last minute by the Zoning Administrator. By doing so, **he denied the public the right to address it at the Planning Commission hearing, and he denied the Planning Commission the right to vote on it.**

This new amendment brazenly attempts to revise public hearing law by limiting comments to City residents, business owners or rezoning applicants. As Mr. Caplan told the Council at a work session on Sept. 27, “public discourse coming from social media and public hearings is an issue on folks’ dockets in government”. He claimed that the city attorney on board with is this limitation, and stated that “public hearings are really more focused on the subject at hand and the people who are most affected.”

I urge the City Council to ignore such tactics to stifle public participation from any staff member.

As well, I see no reason for the Zoning Administrator to be given sole authority to approve buildings over 15,000 sf in commercial zones. This represents well more than the usual 10% discretion he has in other zoning matters. At recent meetings most of the Planning Commission and Council seem to be on board with limiting commercial buildings to the 10,000 sf range. Delete the special exceptions

language change from 10,000 sf to “ buildings over 15,000 sf subject to approval by the Zoning Administrator.

K.Sherwood

TRYON NEWSMEDIA, LLC
PO BOX 947
COLUMBIANA, AL 35051
(423) 342-4189

Advertising Invoice

CITY OF LANDRUM
100 N SHAMROCK AVENUE
LANDRUM SC 29356

Acct #: 216938
Date: 9/19/2022
Ad #: 1513948
Sales Rep: Stacey Meadows

Notes:

DESCRIPTION	START	STOP	INSERTS	AMOUNT
HEARING	9/18/2022	9/18/2022	2	60.38

Ad Text

PUBLIC NOTICE
City of Landrum
CITY COUNCIL
PUBLIC HEARING
NOTICE
October 11, 2022,
at 6:30 P.M. in the Landrum
City Hall Council Chambers,
100 N. Shamrock Avenue
Amendments to and
Amending Sections of the City
of Landrum Land Use and
Zoning Code
Tryon Daily
Bulletin: Sept. 18,
2022
HEARING

Total: \$60.38
Tax: \$0.00
Net: \$60.38
Paid: \$0.00

Total Due: \$60.38

Publisher's Certificate of Publication

STATE OF NORTH CAROLINA COUNTY OF POLK

Kevin Powell, being duly sworn, says:
That he is General Manager of the Tryon Daily Bulletin, a daily newspaper of general circulation, printed and published in Tryon, Polk County, North Carolina; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

09/18/22

That said newspaper was regularly issued and circulated on those dates.

The sum charged by the Newspaper for said publication does not exceed the lowest rate paid by commercial customers for an advertisement of similar size and frequency in the same newspaper in which the public notice appeared.

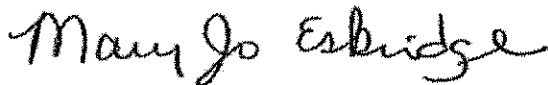
There are no agreements between the Tryon Daily Bulletin and the officer or attorney charged with the duty of placing the attached legal advertising notices whereby any advantage, gain or profit accrued to said officer or attorney.

SIGNED:

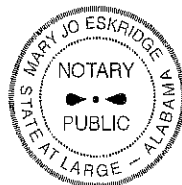


Kevin Powell, General Manager

Subscribed and sworn to before me this
18th Day of September, 2022



Mary Jo Eskridge, Notary Public
State of Alabama at Large
My commission expires 03-02-2026



Account # 216938
Ad # 1513948

CITY OF LANDRUM
100 N SHAMROCK AVENUE
LANDRUM SC 29356

PUBLIC NOTICE

City of Landrum CITY COUNCIL PUBLIC HEARING NOTICE

October 11, 2022, at 6:30 P.M.
in the Landrum City Hall Council Chambers, 100 N. Shamrock Avenue Amendments to and Amending Sections of the City of Landrum Land Use and Zoning Code

Tryon Daily Bulletin:
Sept. 18, 2022
HEARING

TRYON NEWSMEDIA, LLC
PO BOX 947
COLUMBIANA, AL 35051
(423) 342-4189

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LANDRUM SC 29356

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Ad #: 1513958
Sales Rep: Stacey Meadows

Notes:

DESCRIPTION	START	STOP	INSERTS	AMOUNT
HEARING	9/18/2022	9/18/2022	2	72.78

Ad Text

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CITY COUNCIL
PUBLIC HEARING
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October 11, 2022,
at 6:30 P.M. in the Landrum
City Hall Council Chambers,
100 N. Shamrock Avenue
The hearing is to consider rezoning
65.64 acres located on W.
Finger, W. Rutherford, W.
Jones Streets and S.
Randolph Avenue (1-07-08-
064.03) from C-2 to a Flexible
Review District consisting of
155 single family
homes.
Tryon Daily Bulletin:
Sept. 18, 2022
HEARING

Total: \$72.78
Tax: \$0.00
Net: \$72.78
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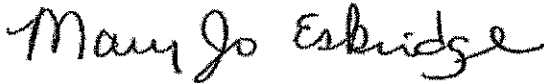
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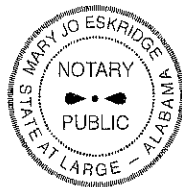


Kevin Powell, General Manager

Subscribed and sworn to before me this
18th Day of September, 2022



Mary Jo Eskridge, Notary Public
State of Alabama at Large
My commission expires 03-02-2026



Account # 216938
Ad # 1513958

CITY OF LANDRUM
100 N SHAMROCK AVENUE
LANDRUM SC 29356

October 11, 2022, at 6:30 P.M.
in the Landrum City Hall Council Chambers, 100 N. Shamrock Avenue The hearing is to consider rezoning 65.64 acres located on W. Finger, W. Rutherford, W. Jones Streets and S. Randolph Avenue (1-07-08-064.03) from C-2 to a Flexible Review District consisting of 155 single family homes.

Tryon Daily Bulletin:
Sept. 18, 2022
HEARING

City of Landrum

CITY COUNCIL PUBLIC HEARING NOTICE

October 11, 2022, at 6:30 P.M. in the Landrum City Hall Council Chambers,
100 N. Shamrock Avenue

Amendments to and Amending Sections of the City of Landrum Land Use and Zoning Code

City of Landrum

CITY COUNCIL PUBLIC HEARING NOTICE

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consisting of 155 single family homes.

