

**CALHOUN COUNTY BOARD OF COUNTY COMMISSIONERS  
PLANNING COMMISSION MEETING  
JUNE 12, 2018**

**PRESENT AND ACTING:**

**DANNY RAY WISE, CHAIRMAN  
GENE BAILEY, VICE-CHAIRMAN  
DARRELL MCDUGALD  
JERAL HALL**

**MATT FUQUA, ATTORNEY  
CARLA A. HAND, CLERK OF COURT AND COUNTY COMPTROLLER  
SARAH WILLIAMS, CLERK ADMINISTRATIVE ASSISTANT**

The meeting was called to order by Chairman Wise at 5:00 p.m., CT.

Mr. Frank Snowden, County Planner, gave an overview of the items discussed at previous Planning Commission meetings regarding the proposed Comprehensive Plan amendment. Mr. Snowden stated the proposed Comprehensive Plan Amendment would include changing the current density requirement of one (1) unit per twenty (20) acres in wetlands and floodplains. Mr. Snowden stated in some places in the current Comprehensive Plan wetlands and floodplains have the same restrictions, and with the amendment, there would be a separation of the two (2) in order to deal with each separately. Attorney Fuqua stated this would give the County more flexibility, and the County would still be required to comply with the flood Ordinance. Mr. Snowden stated he inserted Objective 6A to the Future Land Use Element to address the floodplain and the County Ordinance. Mr. Snowden stated there are some items in the Ordinance that the County may want to change in the future, and he has debated on using the wording "compliant with Title 44 Code of Federal Regulations", which is FEMA's policy for development in floodplain areas.

Mr. Snowden discussed the proposed changes to the land use districts and densities, and stated he has inserted that no development shall be allowed in or within fifty (50) feet of wetlands, and all development would be compliant with Title 44 Code of Federal Regulations and compliant with the flood Ordinance. Commissioner Bailey asked how the Comprehensive Plan affects subdivisions and municipalities. Mr. Snowden stated municipalities have their own Comprehensive Plan. There was further discussion about density in subdivisions. Mr. Snowden stated in the amendment the underlying land use density would be used and there would be no special density requirements for parcels in or containing floodplains. Mr. Snowden stated there was some discussion at a previous meeting about prohibiting residential development in floodplains, and there was issue with this statement. Commissioner Bailey stated he would rather not have this statement, and rather just comply with Title 44 Code of Federal Regulations and the Floodplain Ordinance. There was further discussion about the Comprehensive Plan and Floodplain Ordinance.

Mr. Snowden stated there has been consensus to delete Policy 4.1 in the Infrastructure Element, but there has not been a determination regarding Policy 4.2. Mr. Snowden stated Policy 4.2 prohibits the creation of new lots or parcels of land, which do not have enough upland (areas not in wetlands or floodplains) area to accommodate proposed development. Mr. Snowden stated the Board could decide to strike Policy 4.2 completely, or find a way to reword the policy so individuals would be able to divide

and sell their land, even if it is completely in the wetlands or floodplains. Mr. Snowden stated it is his thought to strike Policy 4.2 completely. There was further discussion about Policy 4.2. Commissioner Bailey stated he has an issue with the policy because as it stands, it prohibits landowners from being able to divide and sell their property. Attorney Fuqua suggested rewording Policy 4.2 to read, "Prohibit the creation of new lots or parcels of land for residential or commercial development which do not have enough upland areas not in wetlands or floodplains to accommodate proposed development". Attorney Fuqua stated with this language if someone wanted to divide their land in the wetland or floodplain to sell for hunting or farming, and not development, they would be able to do this. There was Board consensus to include this language into the proposed amendment.

Mr. Snowden stated in the Conservation Element, Objective 3 Policy 3.2, it has been decided to strike through the current statement and add the statement that development within the floodplain would comply with Title 44 Code of Federal Regulations and the Floodplain Ordinance. Mr. Snowden stated in a previous meeting it has been decided to strike Policy 3.3. Mr. Snowden stated he does not believe issues that are addressed in the Floodplain Ordinance should be addressed in the Comprehensive Plan. There was further discussion about the Comprehensive Plan and Floodplain Ordinance.

Mr. Snowden discussed the cover letter necessary for supporting the Comprehensive Plan amendment. Mr. Snowden stated it was discussed at a previous meeting that the word "control" rather than "prohibit" should be used when discussing residential development in wetland areas. There was further discussion about the cover letter. Mr. Snowden stated the County and the State Floodplain Management Office is aware there are floodplain management violations, and it is critical that the County emphasizes the fact the County would be abiding by their Floodplain Ordinance on floodplain development. Attorney Fuqua asked how often the County knows that a parcel has been sold or divided. Mr. Snowden stated no one wants to inquire if an individual has been to the County Planner when they have a parcel they want to divide or sell. Mr. Snowden stated the Clerk of Court Office is not able to deny the recording of any deed that is brought into the office. Mr. Snowden stated there is no way to completely police the division and sell of land. There was further discussion about the division and sell of land and floodplain maps.

Mr. Snowden stated the next step would be to have a Public Hearing for transmittal of the proposed Comprehensive Plan amendment, and proposed holding the hearing prior to the next Board meeting. Ms. Chelsea Snowden stated there would not be enough time for advertisement to hold the hearing by the next meeting. Mr. Snowden stated the Public Hearing could be held prior to the July 10<sup>th</sup> Board meeting. Mr. Griffin asked if this amendment would be voted on and approved at the transmittal hearing. Attorney Fuqua stated only the transmittal of the amendment would be voted on, and then at a subsequent meeting the Board would vote on the adoption of the amendment. Mr. Snowden stated the State agencies the proposed amendment would be sent to would have thirty (30) days to review and comment on the package. Mr. Snowden stated after the thirty (30) days, the adoption of the amendment would be advertised and then the Board could vote on adopting the amendment.

There being no further discussion, the meeting adjourned at 5:47 p.m., CT.



  
DANNY RAY WISE, CHAIRMAN

ATTEST:

  
CARLA A. HAND, CLERK