

Overview of the Local Government Comprehensive Planning Enabling Act and the Local Planning Process

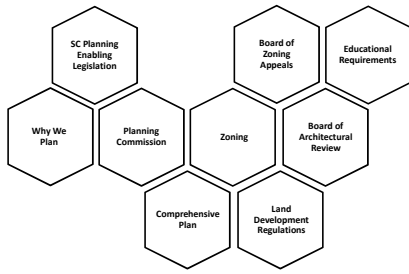
20 Years of Quality Planning in South Carolina

By the end of the session...

- You will be able to:
 - Understand the components of the local planning process in South Carolina
 - Understand the differences between each of the components
 - Understand the relationships between each of the various components of the local planning process
 - Understand how you fit into this process

Today's Agenda

- What is Planning
- Why We Plan
- What the SC Planning Enabling Act Is
- Planning Commission
- Board of Zoning Appeals
- Board of Architectural Review
- Comprehensive Plan
- Zoning
- Land Development Regulations
- Educational Requirements for Planners
- Additional Considerations for Appointed Officials



WHAT IS PLANNING?

Financial Planning Event Planning

Strategic Planning

Retirement Planning City Planning

Business Planning

Career Planning

WHAT IS PLANNING?

What is Planning?

“The term *planning* is used to describe activities conducted to prepare and organize for the future.”

Comprehensive Planning Guide for Local Governments

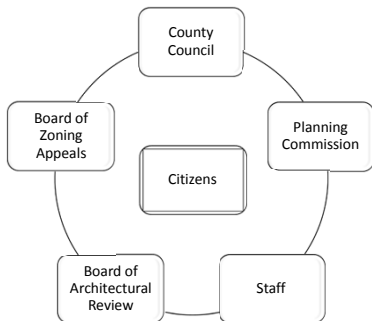
Questions We Plan For

- What do we want our community to look like in 2030?
- Are adequate water, sewer and transportation systems in place to accommodate a new 100 lot subdivision?
- How much commercial space is necessary for an increase of 10,000 people?
- What will our transportation needs be if gas prices rise to \$5.00 per gallon?
- If this proposal is implemented, how will it impact the character of the neighborhood?

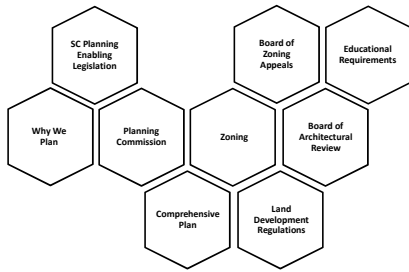
Who plans?

- We all do
- All are a part of the process and have a role to play





**The Local Planning Framework
Who is involved?**



SC PLANNING ENABLING LEGISLATION

The SC Planning Enabling Act

- References:
 - *SC Local Government Comprehensive Planning Enabling Act of 1994*
 - *Title 6, Chapter 29 of the South Carolina Code of Laws*
 - *The Planning Act*
 - *The '94 Act*
- Code Reference: *SC Code Sections 6-29-310 through 6-29-1640*
www.scstatehouse.gov/code/statemast.php or
 Google 'sc code of laws'



Why is the Act Important?

- Establishes a framework for how local governments in South Carolina plan
- Provides consistency for local government actions between jurisdictions for the ease of use of the public
- Establishes a relationship between development proposals and local concerns and needs
- Planning is not a federally mandated action; it is a local function

Layout of the Planning Act

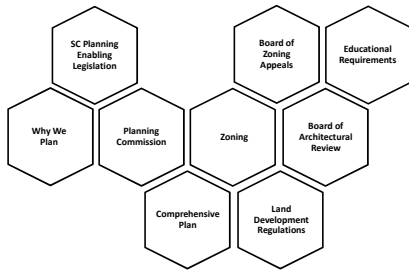
- Article 1. Creation of Local Planning Commission
- Article 3. Local Planning – The Comprehensive Planning Process
- Article 5. Local Planning – Zoning
- Article 7. Local Planning – Land Development Regulation
- Article 9. Educational Requirements for Local Government Planning or Zoning Officials or Employees
- Article 11. Vested Rights
- Article 13. Federal Defense Facilities Utilization Integrity Protection

Pre-1994 Planning in SC

- SC first established enabling legislation for counties in 1942; cities in 1924
- Local planning enabling legislation for cities, counties and regions were found in various sections throughout SC Code
- Different sections created in different eras – 1924, 1942, 1967, 1971
- Cities, counties, regions and some specific counties had different legislative language
- Over time, changes were made by amendment rather than coherent integration which resulted in a 'layered patchwork' of legislation

Role of County & City Councils

- Establish the Planning Commission, Board of Zoning Appeals and Board of Architectural Review and appoints members
- Provide funding for staff needs
- Provide guidance for specific needs of the community
- Review and adopt a Comprehensive Plan, development ordinances and programs
- May hold public hearings on such things as ordinance adoption and individual ordinance text or zoning map amendments
- Code Reference: *SC Code of Laws Title 4, Chapter 29*



Article 1 -

THE PLANNING COMMISSION

Article 1 – Planning Commission

- Function § 6-29-340
 - *“... to undertake a continuing planning program for the physical, social, and economic growth, development, and redevelopment of the area within its jurisdiction.”*
 - *“The plans and programs must be designed to promote public health, safety, morals, convenience, prosperity, or the general welfare as well as the efficiency and economy of its area of jurisdiction.”*
 - *“Specific planning elements must be based upon careful and comprehensive surveys and studies of existing conditions and probable future development and include recommended means of implementation.”*

Article 1 – Planning Commission

- Function § 6-29-340
 - *“The local planning commission may make, publish, and distribute maps, plans, and reports and recommendations relating to the plans and programs and the development of its area of jurisdiction to public officials and agencies, public utility companies, civic, educational, professional and other organizations and citizens.”*
 - *“...promote the planning of its political jurisdiction.”*

Article 1 – Planning Commission

- Types of Planning Commissions § 6-29-330
 - Municipal Planning Commission
 - County Planning Commission
 - Joint Planning Commission

Commission	Primary Geography	Other Areas
Municipal	Within corporate limits	Extraterritorial jurisdiction in the unincorporated areas adjacent to corporate limits*
County	Within unincorporated area or portions of	In municipalities as designated
Joint	As agreed upon and stated in ordinance	County, cities and towns

Article 1 – Planning Commission

- Is created by and individual members appointed by Council
- Prepares and reviews plans, studies and planning-related activities
- Reviews, updates and recommends a comprehensive plan
- Prepares, reviews and recommends zoning ordinance and landscape regulations
- Prepares, reviews and recommends land development regulations
- Makes recommendations on planning, zoning and land development matters
- May grant land development appeals
- May hold public hearings on zoning amendments if authorized by Council

Article 1 – Planning Commission

- No Planning Commission member may hold an elected office in the municipality or county from which they are appointed.
- Members are considered and appointed based on their “professional expertise, knowledge of the community and concern for the future welfare of the total community and its citizens”.
- The Commission shall adopt rules of organizational procedure and shall keep a public record of its resolutions, findings, and determinations.

Role of the Commission

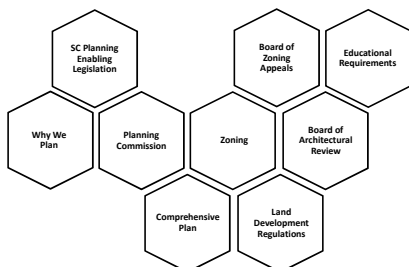
- Serve as a citizen advisory group to council on planning matters.
- Give advice and recommendations on the adoption of plans and related ordinances.
- Provide insight into the community's future needs.



Function and Duties

- The Planning Commission does not:
 - grant variances to the zoning ordinance
 - hear zoning variances
 - grant special exceptions
 - administer the zoning ordinance
 - make final decisions regarding zoning





Article 3 -

THE COMPREHENSIVE PLAN

Article 3 – Comprehensive Plan

- “The local planning commission shall develop and maintain a planning process which will result in the systematic preparation and continual re-evaluation and updating of those elements considered critical, necessary, and desirable to guide the development and redevelopment of its area of jurisdiction.”
 - Re-evaluation is defined as being reviewed by the Planning Commission as necessary but no less than once every five years
 - The comprehensive plan and all elements must be updated at least every ten years.
- Code Reference: *SC Code of Laws 6-29-510*

Comprehensive Plan Elements

- | | |
|------------------------|-------------------------|
| • Population | • Transportation |
| • Economic Development | • Priority Investment |
| • Natural Resources | • Optional |
| • Cultural Resources | • Energy |
| • Community Facilities | • Urban Design |
| • Housing | • Social Infrastructure |
| • Land Use | • Tourism |
| | • Coastal Zone |

Article 3 – Comprehensive Plan

- Comprehensive Plan Structure
 - Inventory of existing conditions
 - Statement of needs and goals
 - Implementation strategies with time frames
- Citizen participation encouraged
- The contents of each element may be developed in whatever detail or order set by the locality
- However, the Land Use element must be adopted before zoning ordinance and the Community Facilities element before land development regulations

Article 3 – Comprehensive Plan

The Greenwood City/County Comprehensive Plan

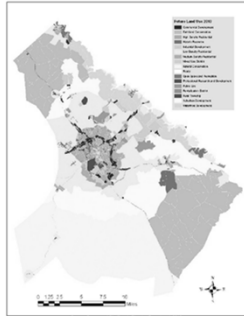
Goals, Objectives, and Strategies for Implementation	Responsible Agency	Time Frame for Completion
Goal 1: Economic Development		
Objective 1.1.1: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.2: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.3: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.4: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.5: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.6: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.7: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.8: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.9: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.10: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.11: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.12: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.13: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.14: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.15: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.16: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.17: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.18: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.19: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing
Objective 1.1.20: Attract and retain existing and new businesses in the County.	Greenwood City/County Planning Commission	Ongoing

The Economic Element

107

The Greenwood City/County Comprehensive Plan

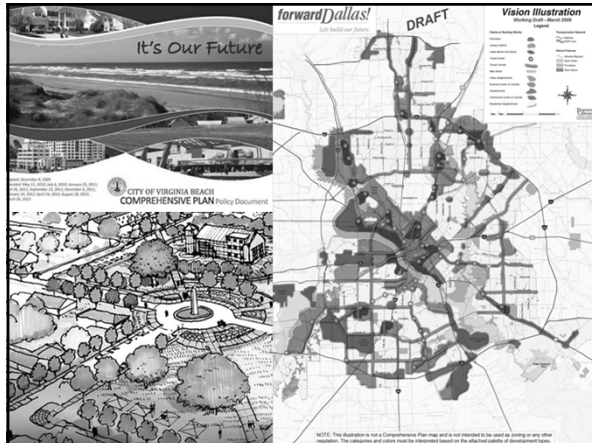
Figure 9-5: Greenwood County Future Land Use Map



Source: Greenwood County Planning Department, 2010

The Land Use Element

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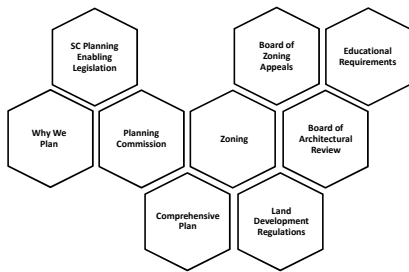


The Process

- Planning Commission directs staff to update the plan
- Planning Commission may use advisory committees to develop the elements of the plan
- Staff/Consultant/PC develops the draft plan
- PC reviews and makes a recommendation of the plan
- A public hearing is held
- County Council reviews and adopts the plan
- Staff and Planning Commission begins implementation of the plan

Implementation of the Plan

- No new street, structure, utility, square, park, or other public way, grounds, or open space or public buildings for any use may be constructed in the political jurisdiction until the proposed use has been submitted to the planning commission for review and comment as to the compatibility with the comprehensive plan. *Section 6-29-510 (E)*



Article 7 -

LAND DEVELOPMENT REGULATIONS

Land Development Regulations

- Contain rules and standards for the development of property – either the conversion of vacant land into lots and parcels for development purposes or redevelopment of properties
- Provides for the adequate service of public facilities (such as roads, utilities, open spaces, etc.), proper distribution of population and traffic, and protection from flood and hazards
- Does not regulate land use
- Planning Commission recommends standards for approval and County Council adopts
- Requires adoption of the Community Facilities, Housing and Priority Investment elements of the Comprehensive Plan

Intent of Development Standards

- The public health, safety, economy, good order, appearance, convenience, morals, and general welfare require the harmonious, orderly, and progressive development of land within the municipalities and counties of the State.
- Encourage economically sound and stable development of cities and counties
- Provide required streets, utilities and other facilities and services to new land developments
- Provide safe and convenient traffic access and circulation (vehicular and pedestrian)
- Provide open spaces and building sites for recreation, transportation, education and other public purposes
- Assure wise and timely development or redevelopment in harmony with the Comprehensive Plan

Development Regulations

- Harmonious development
- Coordination of streets
- Sizes of blocks and lots
- Dedication and reservation of land for streets, school sites and recreation areas
- Easements for utilities and other services
- Distribution of population and traffic create favorable health, safety, convenience, appearance, prosperity or general welfare
- Building sites used safely for building without danger from flood or other hazards
- Construction standards for streets
- Installation requirements for water, sewer, septic tanks, utility mains, and piping

S.C. Code 6-29-1130

Implementation of Regulations

- No subdivision plat or land development plan may be filed or recorded or building permit issued until it is approved in accordance with the land development standards

S.C. Code 6-29-1140

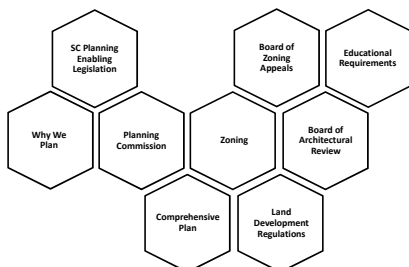


Subdivision Defined

- All divisions of a tract of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or building development
- All division of land involving a new street or change to existing streets
- Re-subdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law
- The alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law
- Combinations of lots of record (S.C. Code of Laws 6-29-1110)

Land Development Regulations

- Approval Procedure
 - Sketch plans
 - Preliminary plans
 - Final plans
 - Naming and renaming of streets
- Review by staff and Planning Commission
- Appeals to Planning Commission, Circuit Court and/or pre-litigation mediation



Article 5 -

ZONING

The Zoning Connection

- **Zoning** ensures that development fits in with existing and future needs of the community, while providing for the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare. *S.C. Code 6-29-710*
- When the Council has adopted the land use element of the comprehensive plan, the Council may adopt a zoning ordinance to help implement the comprehensive plan. *S.C. Code 6-29-720*
- Zoning is a police power granted under the Constitution and originally provided to SC Counties through Home Rule
- The regulations must be in accordance with the comprehensive plan for the jurisdiction

Purposes of a Zoning Ordinance

- Provide for adequate light, air and open space
- Prevent land overcrowding, avoid undue concentration of population and lessen street congestion
- Help create a convenient, attractive and harmonious community
- Protect and preserve scenic, historic, or ecologically sensitive areas
- Regulate population density and distribution
- Regulate building, structure and land uses
- Help provide adequate transportation, police and fire protection, water, sewage, schools, recreational facilities, affordable housing, disaster evacuation, and other public services
- Secure safety from fire, flood, and other dangers
- Further the public welfare in any way specified by Council

Zoning – the Sum of Two Parts

Zoning Text

Chapter 1: Zoning District Regulations Adopted August 15, 2014

ARTICLE 1. RESIDENTIAL DISTRICT REGULATIONS

Residential zoning districts are designed to provide for the residential occupancy of land, and to regulate the use of land in these districts. The following zoning districts are established:

DISTRICT	DISTRICT NAME
R-1	Single-Family Detached
R-2	Single-Family Detached
R-3	Single-Family Detached
R-4	Single-Family Detached
R-5	Single-Family Detached
R-6	Single-Family Detached
R-7	Single-Family Detached
R-8	Single-Family Detached
R-9	Single-Family Detached
R-10	Single-Family Detached
R-11	Single-Family Detached
R-12	Single-Family Detached
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R-96	Single-Family Detached
R-97	Single-Family Detached
R-98	Single-Family Detached
R-99	Single-Family Detached
R-100	Single-Family Detached

The provisions of this Article apply to all residential districts. All permitted uses, conditional uses, and accessory uses are permitted in all residential districts. The following zoning districts are established:

1.1.1. Regulations Applied to All Residential Districts.

The following sections of the zoning ordinance apply to all residential districts:

1.1.1.1. Use Permitted in All Residential Districts.

Single-Family Detached

1.1.1.2. Conditional Uses Permitted in All Residential Districts.

The following uses are permitted in all residential districts, provided the following conditions are met:

A. Conditional Use Permitted in All Residential Districts.

Single-Family Detached

The City of Florence Draft Ordinance 2014

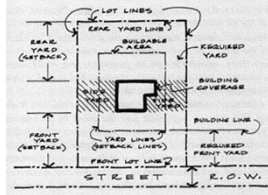
Zoning Map



Zoning Process

- Zoning Standards Established
 - Uses
 - Height, Bulk and Placement of Structures
 - Signs
 - Parking
 - Landscaping
 - Buffering
- Zoning Districts Established
 - R-1, AG2, GC

Property is Developed and Improved Based on These Standards



Source: Moskowitz, Harvey S. and Carl G. Lindbloom. *The New Illustrated Book of Development Definitions*. New Brunswick, NJ: Center of Urban Policy Research, Rutgers University, 1993.

Process for Zoning Amendment

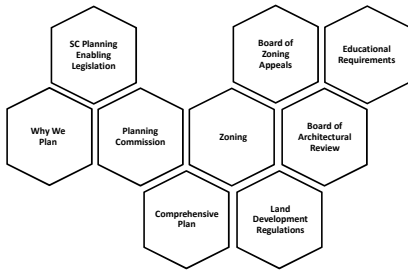
- Zoning is based on Procedural Due Process and Compliance with the Comprehensive Plan
- Map or Text Amendment
 - Public Hearing – at least 15 days notice in newspaper
 - Notice posted on or adjacent to property affected
 - Planning Commission provides review and recommendation
 - Forwarded to County Council for review and final action
- *Section 6-29-760*

Zoning Amendment Criteria

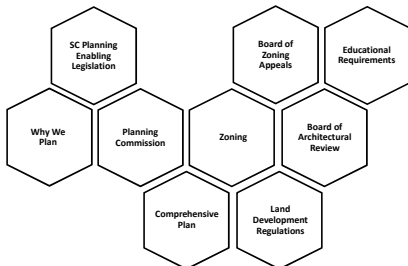
- When considering a proposed amendment, the Planning Commission should consider the following factors:
 - The Relationship of the request to the current Land Use Plan
 - Whether the request violates or supports the current Land Use Plan
 - Whether the uses permitted by the proposed change would be appropriate in the area concerned
 - Whether adequate schools, roads, and other public facilities exist or can be provided to serve the needs of the development likely to occur as a result of the change
 - Whether the proposed change is in accord with any existing or proposed plans for providing public water or sewer
 - The amount of vacant land currently classified for similar development in the vicinity and elsewhere, and any special circumstances which may make a substantial part of such vacant land unavailable for development

Comp Plan versus Zoning Map

- Does the Comprehensive Plan's Future Land Use Map and the Zoning Map need to conform?
 - Yes
 - But, should become more similar over time



10 Minute Break



Article 5 -

BOARD OF ZONING APPEALS

Board of Zoning Appeals (BZA)

- Created by and members appointed by Council
- No member shall hold any other public office or position in the county
- Serves as the appeals board for the enforcement of the zoning ordinance
- Is a quasi-judicial body
 - Renders decisions based upon evidence and interpretation of the zoning ordinance
- If there is a Joint Planning Commission, a Joint Board of Zoning Appeals may be created

Board of Zoning Appeals (BZA)

- The only body that can grant variances to the zoning ordinance
- Responsibilities:
 - Hears appeals from decisions and actions of the zoning administrator; interprets the language of the zoning ordinance; reviews allegation of error by the zoning administrator
 - Permits uses by special exception after holding a public hearing
 - Grants variances from the zoning ordinance where the strict application of the standards would cause an unnecessary hardship

Zoning Variance Criteria

- The BZA may grant a variance for an unnecessary hardship if it makes and explains in writing these findings:
 - There are extraordinary and exceptional conditions on the property
 - These conditions do not generally apply to other property in the vicinity
 - Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the use of the property
- The granting of a variance will not be of substantial detriment to adjacent property or to the public good, or harm the character of the district

Zoning Variance Procedures

- Public notice provided by publication in a newspaper at least 15 days prior
- Notice to parties in interest
- Variances and special exceptions require conspicuous notice posted on or adjacent to the affected property
- May administer oaths and subpoena witnesses
- Minutes of proceedings with votes of each member

Other Zoning Variance Issues

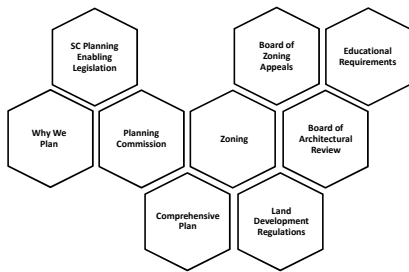
- The BZA may:
 - In granting a variance, the board may attach conditions to it; the conditions may address the location, character, or other features of a proposed building, structure, or use "to protect established property values in the surrounding area or to promote the public health, safety, or general welfare." Section 6-29-800 (B)
 - The BZA may request additional information or testimony
 - The BZA may interpret the standards of the zoning ordinance
- The BZA may not:
 - The BZA may not grant variances to particular land uses
 - The BZA may not change the zoning district boundaries or the zoning map
 - The fact that property may be used more profitably if a variance is granted is not grounds for a variance

Board Procedures

- Each side presents evidence in the case
- An agent or attorney may appear for the applicant
- Findings of Fact and Conclusions of Law prepared following decision of the Board – document and record
- There is no provision for appeal to the local governing body; County Council does not hear appeals

Appeals to Circuit Court

- Decisions made by the BZA may be appealed to the State judicial system, beginning with the circuit court
 - appealed by aggrieved party
 - appealed by local jurisdiction
 - other
- Appeals can go as far as the Supreme Court
- Pre-litigation mediation may be requested



Article 5 -

BOARD OF ARCHITECTURAL REVIEW

Board of Architectural Review

- Established by County Council; members appointed by County Council
- Addresses Changes in Appearance and Historic Properties in unique areas and historic and architecturally valuable districts
- Membership may be restricted to "those professionally qualified persons" as the local government desires
 - Architect
 - Historian
 - Contractor
 - Realtor
- No members may hold any other public office or position in the county



Board of Architectural Review

- Operates through the Zoning Ordinance and the standards contained within
 - Overlay districts – historic and/or design review
 - Local nomination process for historic properties
 - Makes recommendations on legislation
 - Makes recommendations on districts
- Powers as defined within the zoning ordinance
 - Review of site plan proposals
 - Review of building permit applications
 - Review of demolition permit applications
- Functions like the BZA and sometimes like the Planning Commission

Board of Architectural Review



Judicial

Hears appeals of decision of the zoning administrator



Reviews plans for development (design review)



Legislative

Makes recommendations on changes to zoning ordinance and zoning map



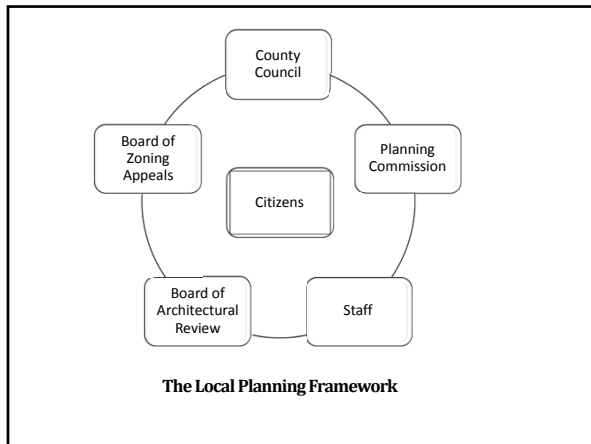
Planning Commission review



County Council review and approval

Board of Architectural Review

- BAR hears administrative appeals of the decision of the zoning administrator and requests for variance of the standards reviewed by the BAR
- May administer oaths and subpoena testimony from witnesses
- Appeals of the Board's decision are made to Circuit Court; records maintained on individual voting history
- Decisions of the BAR may be appealed to Circuit Court and pre-litigation mediation is allowed



Role of Planning Staff

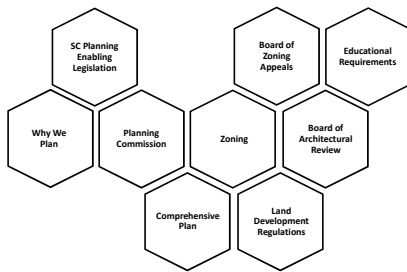
- Technical advisors to Planning Commission, Board of Zoning Appeals and Board of Architectural Review
- Employed by local government, contracted, or shared with other agencies
- Usually deal with short range planning studies, long range plans, and day-to-day land use and development regulations
- Typically the first contact the public makes in the planning process

Role of Citizens

- Advocates for the community
- Typically the most impacted by your decision
- Their thoughts and opinions are invaluable
- Listen to the viewpoints of everyone not just the loudest or the most vocal group
- Put yourself in their shoes while looking at the big picture
- Identify ways to encourage more citizen involvement in your local planning process

Final Thoughts

- Don't be afraid to ask questions to staff or the public
- Ask for more information if it would help you make an informed decision
- If you recognize an issue in your community, ask how your board or commission can assist in the matter
- Meet together with council, boards and commissions to have a look-in on the program
- Request training on a specific topic of interest to your community
- **Be unbiased, objective and balanced**



Article 9 -

EDUCATIONAL REQUIREMENTS

Education Requirements

- Educational training for Planning and Zoning Officials
 - Planning Commission
 - Board of Zoning Appeals
 - Board of Architectural Review
 - staff members
- Officials must receive six hours of approved training in the first 365 days after appointment or employment and three hours each year thereafter
- A break in service does not require an additional six-hour orientation training

Education Requirements

- Established SC Planning Education Advisory Committee (SCPEAC)
 - South Carolina Association of Counties (SCAC)
 - Municipal Association of South Carolina (MASC)
 - South Carolina Chapter of the American Planning Association
 - Clemson University
 - University of South Carolina
- SCPEAC reviews and approved orientation and continuing education programs and determines individual exemptions based on their educational requirements

Exemptions

- Certification by the American Institute of Certified Planners (AICP or FAICP)
- A masters or doctorate degree in planning (or planning related) from accredited university
- A license to practice law in SC
- Does not require County Council members to receive training
- Section 6-29-1350

Conditions

- For viewing recorded education programs:
 - All training must be in a classroom setting
 - A qualified facilitator must be present
 - Qualifications to be a coordinator
 - SCAC uses a pop up window to remind everyone of these items
- Sample form to be completed, signed and filed with Clerk to Council by December 31 of each year and the records must be kept for up to 3 calendar years

What if I don't get trained?

- Consequence to the appointed member
 - Removal from office
 - Suspension or dismissal from employment
- Consequence to the local government
 - One less member; one less for a quorum
- Consequence to the community
 - A contentious issue with a 6-5 vote may be in jeopardy

SCAC website provides:

- An FAQ fact sheet
- Certification and model attendance forms
- The SC Statute
- SCAC's training programs (live streaming)
- SCPEAC link
- www.sccounties.org

SCPEAC

- List of all approved sponsors
- What does the SCPEAC do?
- How do I apply for training?
- www.scstatehouse.gov/scpeac

If you have questions...

- County employees and officials may contact

SC Association of Counties
1-800-922-6081
sccounties.org
scac@scac.sc



**South Carolina
Association of Counties**

Additional Considerations

John K. DeLoache, SCAC Staff

"Building Stronger Counties for Tomorrow"

Additional Considerations

- Private Restrictive Covenants
 - SC Code § 6-29-1145: Agency must inquire about restrictive covenants on the land.
 - On application, submitted materials or third party notification
 - Agency doesn't have to investigate on their own
 - If there is a restrictive covenant, you can't issue the permit
 - Does not include building permits or restrictions on type of structures that can be built on the land

Additional Considerations

- SC Local Government Development Agreement Act: SC Code § 6-31-10 et seq.
 - Allows Counties/Municipalities to enter into development agreements – approved by governing body
 - Becomes a contract with a contractor to guarantee approved development of land (survives subsequent changes in regulations)
 - LOC/Bond Requirements

Additional Considerations

- SC Vested Rights Act: SC Code § 6-29-1510
 - Protects land from changes in law/regulations once the development process begins
- Federal Defense Facilities Utilization Integrity Protection Act: SC Code § 6-29-1610
 - Provides for a comprehensive process of development of land adjoining/including military facilities

SECTION 6-29-1145. Determining existence of restrictive covenant; effect.

(A) In an application for a permit, the local planning agency must inquire in the application or by written instructions to an applicant whether the tract or parcel of land is restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity.

(B) If a local planning agency has actual notice of a restrictive covenant on a tract or parcel of land that is contrary to, conflicts with, or prohibits the permitted activity:

(1) in the application for the permit;

(2) from materials or information submitted by the person or persons requesting the permit; or

(3) from any other source including, but not limited to, other property holders, the local planning agency must not issue the permit unless the local planning agency receives confirmation from the applicant that the restrictive covenant has been released for the tract or parcel of land by action of the appropriate authority or property holders or by court order.

(C) As used in this section:

(1) "actual notice" is not constructive notice of documents filed in local offices concerning the property, and does not require the local planning agency to conduct searches in any records offices for filed restrictive covenants;

(2) "permit" does not mean an authorization to build or place a structure on a tract or parcel of land; and

(3) "restrictive covenant" does not mean a restriction concerning a type of structure that may be built or placed on a tract or parcel of land.

HISTORY: 2007 Act No. 45, Section 3, eff June 4, 2007, applicable to applications for permits filed on and after July 1, 2007; 2007 Act No. 113, Section 2, eff June 27, 2007.

CHAPTER 31.

SOUTH CAROLINA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT

SECTION 6-31-10. Short title; legislative findings and intent; authorization for development agreements; provisions are supplemental to those extant.

(A) This chapter may be cited as the "South Carolina Local Government Development Agreement Act".

(B)(1) The General Assembly finds: The lack of certainty in the approval of development can result in a waste of economic and land resources, can discourage sound capital improvement planning and financing, can cause the cost of housing and development to escalate, and can discourage commitment to comprehensive planning.

(2) Assurance to a developer that upon receipt of its development permits it may proceed in accordance with existing laws and policies, subject to the conditions of a development agreement, strengthens the public planning process, encourages sound capital improvement planning and financing, assists in assuring there are adequate capital facilities for the development, encourages private participation in comprehensive planning, reduces the economic costs of development, allows for the orderly planning of public facilities and services, and allows for the equitable allocation of the cost of public services.

(3) Because the development approval process involves the expenditure of considerable sums of money, predictability encourages the maximum efficient utilization of resources at the least economic cost to the public.

(4) Public benefits derived from development agreements may include, but are not limited to, affordable housing, design standards, and on and off-site infrastructure and other improvements. These public benefits may be negotiated in return for the vesting of development rights for a specific period.

(5) Land planning and development involve review and action by multiple governmental agencies. The use of development agreements may facilitate the cooperation and coordination of the requirements and needs of the various governmental agencies having jurisdiction over land development.

(6) Development agreements will encourage the vesting of property rights by protecting such rights from the effect of subsequently enacted local legislation or from the effects of changing policies and procedures of local government agencies which may conflict with any term or provision of the development agreement or in any way hinder, restrict, or prevent the development of the project. Development agreements will provide a reasonable certainty as to the lawful requirements that must be met in protecting vested property rights, while maintaining the authority and duty of government to enforce laws and regulations which promote the public safety, health, and general welfare of the citizens of our State.

(C) It is the intent of the General Assembly to encourage a stronger commitment to comprehensive and capital facilities planning, ensure the provision of adequate public facilities for development, encourage the efficient use of resources, and reduce the economic cost of development.

(D) This intent is effected by authorizing the appropriate local governments and agencies to enter into development agreements with developers, subject to the procedures and requirements of this chapter.

(E) This chapter must be regarded as supplemental and additional to the powers conferred upon local governments and other government agencies by other laws and must not be regarded as in derogation of any powers existing on the effective date of this chapter.

HISTORY: 1993 Act No. 150, Section 1.

SECTION 6-31-20. Definitions.

As used in this chapter:

(1) "Comprehensive plan" means the master plan adopted pursuant to Sections 6-7-510, et seq., 5-23-490, et seq., or 4-27-600 and the official map adopted pursuant to Section 6-7-1210, et seq.

(2) "Developer" means a person, including a governmental agency or redevelopment authority created pursuant to the provisions of the Military Facilities Redevelopment Law, who intends to undertake any development and who has a legal or equitable interest in the property to be developed.

(3) "Development" means the planning for or carrying out of a building activity or mining operation, the making of a material change in the use or appearance of any structure or property, or the dividing of land into three or more parcels. "Development", as designated in a law or development permit, includes the planning for and all other activity customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the planning for or the act of developing or to the result of development. Reference to a specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. Reference to particular operations is not intended to limit the generality of this item.

(4) "Development permit" includes a building permit, zoning permit, subdivision approval, rezoning certification, special exception, variance, or any other official action of local government having the effect of permitting the development of property.

(5) "Governing body" means the county council of a county, the city council of a municipality, the governing body of a consolidated political subdivision, or any other chief governing body of a unit of local government, however designated.

(6) "Land development regulations" means ordinances and regulations enacted by the appropriate governing body for the regulation of any aspect of development and includes a local government zoning, rezoning, subdivision, building construction, or sign regulations or any other regulations controlling the development of property.

(7) "Laws" means all ordinances, resolutions, regulations, comprehensive plans, land development regulations, policies and rules adopted by a local government affecting the development of property and includes laws governing permitted uses of the property, governing density, and governing design, improvement, and construction standards and specifications, except as provided in Section 6-31-140 (A).

(8) "Property" means all real property subject to land use regulation by a local government and includes the earth, water, and air, above, below, or on the surface, and includes any improvements or structures customarily regarded as a part of real property.

(9) "Local government" means any county, municipality, special district, or governmental entity of the State, county, municipality, or region established pursuant to law which exercises regulatory authority over, and grants development permits for land development or which provides public facilities.

(10) "Local planning commission" means any planning commission established pursuant to Sections 4-27-510, 5-23-410, or 6-7-320.

(11) "Person" means an individual, corporation, business or land trust, estate, trust, partnership, association, two or more persons having a joint or common interest, state agency, or any legal entity.

(12) "Public facilities" means major capital improvements, including, but not limited to, transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreational, and health systems and facilities.

HISTORY: 1993 Act No. 150, Section 1; 1994 Act No. 462, Section 3.

SECTION 6-31-30. Local governments authorized to enter into development agreements; approval of county or municipal governing body required.

A local government may establish procedures and requirements, as provided in this chapter, to consider and enter into development agreements with developers. A development agreement must be approved by the governing body of a county or municipality by the adoption of an ordinance.

HISTORY: 1993 Act No. 150, Section 1.

SECTION 6-31-40. Developed property must contain certain number of acres of highland; permissible durations of agreements for differing amounts of highland content.

A local government may enter into a development agreement with a developer for the development of property as provided in this chapter provided the property contains twenty-five acres or more of highland. Development agreements involving property containing no more than two hundred fifty acres of highland shall be for a term not to exceed five years. Development agreements involving property containing one thousand acres or less of highland but more than two hundred fifty acres of highland shall be for a term not to exceed ten years. Development agreements involving property containing two thousand acres or less of highland but more than one thousand acres of highland shall be for a term not to exceed twenty years. Development agreements involving property containing more than two thousand acres and development agreements with a developer which is a redevelopment authority created pursuant to the provisions of the Military Facilities Redevelopment Law, regardless of the number of acres of property involved, may be for such term as the local government and the developer shall elect.

HISTORY: 1993 Act No. 150, Section 1; 1994 Act No. 462, Section 4.

SECTION 6-31-50. Public hearings; notice and publication.

(A) Before entering into a development agreement, a local government shall conduct at least two public hearings. At the option of the governing body, the public hearing may be held by the local planning commission.

(B)(1) Notice of intent to consider a development agreement must be advertised in a newspaper of general circulation in the county where the local government is located. If more than one hearing is to be held, the day, time, and place at which the second public hearing will be held must be announced at the first public hearing.

(2) The notice must specify the location of the property subject to the development agreement, the development uses proposed on the property, and must specify a place where a copy of the proposed development agreement can be obtained.

(C) In the event that the development agreement provides that the local government shall provide certain public facilities, the development agreement shall provide that the delivery date of such public facilities will be tied to defined completion percentages or other defined performance standards to be met by the developer.

HISTORY: 1993 Act No. 150, Section 1.

SECTION 6-31-60. What development agreement must provide; what it may provide; major modification requires public notice and hearing.

(A) A development agreement must include:

(1) a legal description of the property subject to the agreement and the names of its legal and equitable property owners;

(2) the duration of the agreement. However, the parties are not precluded from extending the termination date by mutual agreement or from entering into subsequent development agreements;

(3) the development uses permitted on the property, including population densities and building intensities and height;

(4) a description of public facilities that will service the development, including who provides the facilities, the date any new public facilities, if needed, will be constructed, and a schedule to assure public facilities are available concurrent with the impacts of the development;

(5) a description, where appropriate, of any reservation or dedication of land for public purposes and any provisions to protect environmentally sensitive property as may be required or permitted pursuant to laws in effect at the time of entering into the development agreement;

(6) a description of all local development permits approved or needed to be approved for the development of the property together with a statement indicating that the failure of the agreement to address a particular permit, condition, term, or restriction does not relieve the developer of the necessity of complying with the law governing the permitting requirements, conditions, terms, or restrictions;

(7) a finding that the development permitted or proposed is consistent with the local government's comprehensive plan and land development regulations;

(8) a description of any conditions, terms, restrictions, or other requirements determined to be necessary by the local government for the public health, safety, or welfare of its citizens; and

(9) a description, where appropriate, of any provisions for the preservation and restoration of historic structures.

(B) A development agreement may provide that the entire development or any phase of it be commenced or completed within a specified period of time. The development agreement must provide a development schedule including commencement dates and interim completion dates at no greater than five year intervals; provided, however, the failure to meet a commencement or completion date shall not, in and of itself, constitute a material breach of the development agreement pursuant to Section 6-31-90, but must be judged based upon the totality of the circumstances. The development agreement may include other defined performance standards to be met by the developer. If the developer requests a modification in the dates as set forth in the agreement and is able to demonstrate and establish that there is good cause to modify those dates, those dates must be modified by the local government. A major modification of the agreement may occur only after public notice and a public hearing by the local government.

(C) If more than one local government is made party to an agreement, the agreement must specify which local government is responsible for the overall administration of the development agreement.

(D) The development agreement also may cover any other matter not inconsistent with this chapter not prohibited by law.

HISTORY: 1993 Act No. 150, Section 1.

SECTION 6-31-70. Agreement and development must be consistent with local government comprehensive plan and land development regulations.

A development agreement and authorized development must be consistent with the local government's comprehensive plan and land development regulations.

HISTORY: 1993 Act No. 150, Section 1.

SECTION 6-31-80. Law in effect at time of agreement governs development; exceptions.

(A) Subject to the provisions of Section 6-31-140 and unless otherwise provided by the development agreement, the laws applicable to development of the property subject to a development agreement, are those in force at the time of execution of the agreement.

(B) Subject to the provisions of Section 6-31-140, a local government may apply subsequently adopted laws to a development that is subject to a development agreement only if the local government has held a public hearing and determined:

(1) the laws are not in conflict with the laws governing the development agreement and do not prevent the development set forth in the development agreement;

(2) they are essential to the public health, safety, or welfare and the laws expressly state that they apply to a development that is subject to a development agreement;

- (3) the laws are specifically anticipated and provided for in the development agreement;
 - (4) the local government demonstrates that substantial changes have occurred in pertinent conditions existing at the time of approval of the development agreement which changes, if not addressed by the local government, would pose a serious threat to the public health, safety, or welfare; or
 - (5) the development agreement is based on substantially and materially inaccurate information supplied by the developer.
- (C) This section does not abrogate any rights preserved by Section 6-31-140 herein or that may vest pursuant to common law or otherwise in the absence of a development agreement.

HISTORY: 1993 Act No. 150, Section 1.

SECTION 6-31-90. Periodic review to assess compliance with agreement; material breach by developer; notice of breach; cure of breach or modification or termination of agreement.

(A) Procedures established pursuant to Section 6-31-40 must include a provision for requiring periodic review by the zoning administrator, or, if the local government has no zoning administrator, by an appropriate officer of the local government, at least every twelve months, at which time the developer must be required to demonstrate good faith compliance with the terms of the development agreement.

(B) If, as a result of a periodic review, the local government finds and determines that the developer has committed a material breach of the terms or conditions of the agreement, the local government shall serve notice in writing, within a reasonable time after the periodic review, upon the developer setting forth with reasonable particularity the nature of the breach and the evidence supporting the finding and determination, and providing the developer a reasonable time in which to cure the material breach.

(C) If the developer fails to cure the material breach within the time given, then the local government unilaterally may terminate or modify the development agreement; provided, that the local government has first given the developer the opportunity:

- (1) to rebut the finding and determination; or
- (2) to consent to amend the development agreement to meet the concerns of the local government with respect to the findings and determinations.

HISTORY: 1993 Act No. 150, Section 1.

SECTION 6-31-100. Amendment or cancellation of development agreement by mutual consent of parties or successors in interest.

A development agreement may be amended or canceled by mutual consent of the parties to the agreement or by their successors in interest.

HISTORY: 1993 Act No. 150, Section 1.

SECTION 6-31-110. Validity and duration of agreement entered into prior to incorporation or annexation of affected area; subsequent modification or suspension by municipality.

(A) Except as otherwise provided in Section 6-31-130 and subject to the provisions of Section 6-31-140, if a newly-incorporated municipality or newly-annexed area comprises territory that was formerly unincorporated, any development agreement entered into by a local government before the effective date of the incorporation or annexation remains valid for the duration of the agreement, or eight years from the effective date of the incorporation or annexation, whichever is earlier. The parties to the development agreement and the municipality may agree that the development agreement remains valid for more than eight years; provided, that the longer period may not exceed fifteen years from the effective date of the incorporation or annexation. The parties to the development agreement and the

municipality have the same rights and obligations with respect to each other regarding matters addressed in the development agreement as if the property had remained in the unincorporated territory of the county.

(B) After incorporation or annexation the municipality may modify or suspend the provisions of the development agreement if the municipality determines that the failure of the municipality to do so would place the residents of the territory subject to the development agreement, or the residents of the municipality, or both, in a condition dangerous to their health or safety, or both.

(C) This section applies to any development agreement which meets all of the following:

(1) the application for the development agreement is submitted to the local government operating within the unincorporated territory before the date that the first signature was affixed to the petition for incorporation or annexation or the adoption of an annexation resolution pursuant to Chapter 1 or 3 of Title 5; and

(2) the local government operating within the unincorporated territory enters into the development agreement with the developer before the date of the election on the question of incorporation or annexation, or, in the case of an annexation without an election before the date that the municipality orders the annexation.

HISTORY: 1993 Act No. 150, Section 1.

SECTION 6-31-120. Developer to record agreement within fourteen days; burdens and benefits inure to successors in interest.

Within fourteen days after a local government enters into a development agreement, the developer shall record the agreement with the register of mesne conveyance or clerk of court in the county where the property is located. The burdens of the development agreement are binding upon, and the benefits of the agreement shall inure to, all successors in interest to the parties to the agreement.

HISTORY: 1993 Act No. 150, Section 1.

SECTION 6-31-130. Agreement to be modified or suspended to comply with later-enacted state or federal laws or regulations.

In the event state or federal laws or regulations, enacted after a development agreement has been entered into, prevent or preclude compliance with one or more provisions of the development agreement, the provisions of the agreement must be modified or suspended as may be necessary to comply with the state or federal laws or regulations.

HISTORY: 1993 Act No. 150, Section 1.

SECTION 6-31-140. Rights, duties, and privileges of gas and electricity suppliers, and of municipalities with respect to providing same, not affected; no extraterritorial powers.

(A) The provisions of this act are not intended nor may they be construed in any way to alter or amend in any way the rights, duties, and privileges of suppliers of electricity or natural gas or of municipalities with reference to the provision of electricity or gas service, including, but not limited to, the generation, transmission, distribution, or provision of electricity at wholesale, retail or in any other capacity.

(B) This chapter is not intended to grant to local governments or agencies any authority over property lying beyond their corporate limits.

HISTORY: 1993 Act No. 150, Section 1.

SECTION 6-31-145. Applicability to local government of constitutional and statutory procedures for approval of debt.

In the event that any of the obligations of the local government in the development agreement constitute debt, the local government shall comply at the time of the obligation to incur such debt becomes enforceable against the local government with any applicable constitutional and statutory procedures for the approval of this debt.

HISTORY: 1993 Act No. 150, Section 1.

SECTION 6-31-150. Invalidity of all or part of Section 6-31-140 invalidates chapter.

If Section 6-31-140 or any provision therein or the application of any provision therein is held invalid, the invalidity applies to this chapter in its entirety, to any and all provisions of the chapter, and the application of this chapter or any provision of this chapter, and to this end the provisions of Section 6-31-140 of this chapter are not severable.

HISTORY: 1993 Act No. 150, Section 1.

SECTION 6-31-160. Agreement may not contravene or supersede building, housing, electrical, plumbing, or gas code; compliance with such code if subsequently enacted.

Notwithstanding any other provision of law, a development agreement adopted pursuant to this chapter must comply with any building, housing, electrical, plumbing, and gas codes subsequently adopted by the governing body of a municipality or county as authorized by Chapter 9 of Title 6. Such development agreement may not include provisions which supersede or contravene the requirements of any building, housing, electrical, plumbing, and gas codes adopted by the governing body of a municipality or county.

HISTORY: 1993 Act No. 150, Section 1.

Parliamentary Procedure for Commissions: Planning, Zoning Appeals, Architectural Review

PRESENTED BY HELEN T. MCFADDEN, J.D.
PRP (NATIONAL ASSOCIATION OF
PARLIAMENTARIANS)

THREE TYPES OF MEETINGS YOU MAY HAVE


1. REGULAR MEETING FOR GENERAL BUSINESS, A SPECIAL MEETING IS A TYPE OF REGULAR MEETING
2. PUBLIC HEARING
3. CONTESTED HEARING

Meeting Basics

Constitution
Statutes
Ordinance
Rules: Court
Parliamentary

Statutes:
Freedom of
Information Act
Ethics Act

REGULAR MEETING



REGULAR MEETING

Regular meetings are those set at the beginning of each year pursuant to the Freedom of Information Act. Section 30-4-80 (a)

Special, called, and emergency meetings are other types of meetings which may be set at other times. These are expressly permitted by the Freedom of Information Act. Section 30-4-80 (a) (d) (e)

BEFORE THE MEETING

- Preparation
- Question (if not quasi-judicial)
- If quasi-judicial
- Other members
- Think

- Read the material
- Staff, public, parties
- Staff, Prior decisions
- Not as a group

DURING THE MEETING

Attend to the presentations

Don't watch your phone more than the speaker

- RESULT
- One motion at the time
 - Main motion
 - Amend
 - Substitute
 - Refer
 - Continue or Defer
 - (Postpone definitely)

- Motions
- GRANT THE REQUEST
- DENY THE REQUEST
- GRANT CONDITIONALLY

These are the meetings which accomplish your regular business in the absence of a need for a public hearing or a contesting hearing. You make decisions on any matter which has been properly placed before your Board or Commission. This requires a proper motion and the opportunity for discussion, amendment, approval and rejection.

WORK HORSE MOTIONS: amend, refer, approve conditionally, approve, recommend approval

WORK HORSE MOTIONS

These are the subsidiary motions, listed in order of precedence.

- MAIN MOTION-MAJORITY
- POSTPONE INDEFINITELY-MAJORITY
- AMEND-MAJORITY
- AMEND THE AMENDMENT-MAJORITY
- REFER-MAJORITY
- POSTPONE TO A CERTAIN TIME-MAJORITY OR if used to make an item a special order for a specific time, 2/3
- LIMIT OR EXTEND DEBATE-2/3
- CALL FOR THE PREVIOUS QUESTION (CLOSE DEBATE)-2/3
- LAY ON THE TABLE-MAJORITY

Other Regular Business

1. Adopt or recommend a budget for the next year
2. Personnel decisions
3. Time and place of next meeting
4. Contractual agreements
5. Adopt or amend minutes
6. Adopt or recommend changes to the codes being enforced

- EXECUTIVE SESSIONS
- Section 30-4-70
- 1. Receipt of legal advice
- 2. Receipt of information relative to an industrial prospect
- 3. Personnel matters

USUAL FINAL MOTIONS

1. Refer—usually this will mean to refer the matter back to your staff for further work with the applicant
2. Approve conditionally—usually this will mean to give approval, but for the approval to be contingent on specific subsequent action—such a permit from DHEC or the submission of a permit for the chosen contractor
3. Approve—the project has met all conditions and is approved
4. Denied—the project is deficient in multiple areas and needs to be reworked extensively
5. Recommend approval to Council

PUBLIC HEARING



RECORDS OF PUBLIC HEARING

Public hearings, whether held as a result of statutory requirements or prudence, should have the following:

- 1) An agenda
- 2) A list of persons present, signed by the persons
- 3) Proof of publication in compliance with statutory requirements
- 4) Minutes and/or taped recording of the hearing
- 5) Copies of any written materials provided by the public or provided to the public
- 6) Motion for adjournment and time of adjournment

PUBLIC HEARING


This is the opportunity for the public to speak directly to you about a specific proposal or issue. For many changes it is required that specific members of the public receive notice of a meeting, or hearing, and be given the opportunity to object to or to offer support to the change under consideration.



AT THE PUBLIC HEARING: Listen, Question

- A public hearing is a special example of a meeting. It, like special or called meetings, should have an agenda, a call to order and an adjournment. Regular parliamentary practice does not have a substantial body of rules regarding public hearings because no business is transacted in a public hearing. During the public hearing the BOARD OR COMMISSION DOES NOT TRANSACT BUSINESS. The members can LATER make motions at a meeting of the Board or Commission based on the information from the public hearing BUT motions should not be made and carried at the public hearing.







NO BUSINESS IN PUBLIC HEARING

During the public hearing you are receiving information. No action should be taken except to be attentive to the information and the public.

- NO BUSINESS




BE PREPARED!



1. Is the room big enough?
2. Is the room the correct temperature for the number of people?
3. Do you have copies for all attendees?
4. Do you have an area for the press?
5. Do you have security for the unruly?
6. Are you prepared to take the heat from the public?
7. Have you considered how to permit both sides to speak, assuming that there are two or more sides to this issue?
8. Do you control the sound system?

During the Meeting



1. Stick to your plan for the meeting
2. Use of ceremony and procedure at the beginning reminds the participants of the forum and the seriousness of the forum
3. Remind the crowd that you are present to hear from them and will deliberate later
4. Humor and misdirection are the time-honored ways to cool off a situation
5. Don't lose your cool
6. Resort to force, only if necessary

EMPTY OR FULL?

Adequate notice under FOIA


Quorum

A purpose for the meeting

Leadership

Results from the meeting

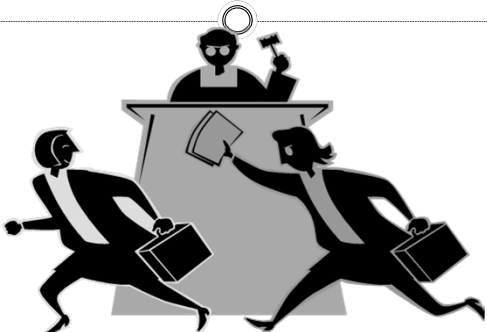
Which?



RESULT: GRANT OF THE APPLICATION

- The preferred result, from the applicant's viewpoint, is for the permission sought to be granted as requested without amendment or conditions. The applicant gets the permission by way of an official notice, prepared by staff, signed by the appropriate appointed or elected official and delivered to the applicant in a timely fashion.

CONTESTED HEARINGS





CONTESTED HEARING

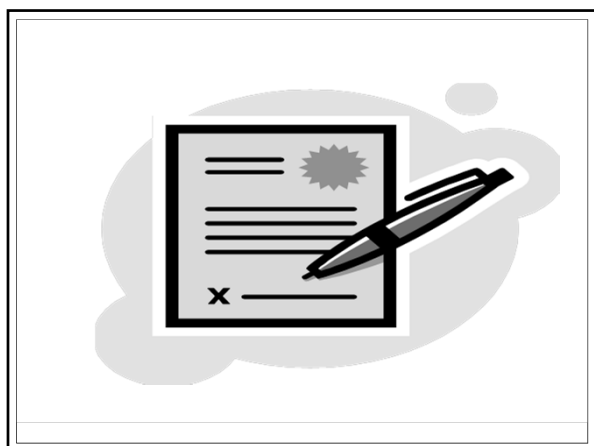
1. Adequate notice under FOIA and specific notice as required by the statute or ordinance
2. Quorum, parties, witnesses, evidence
3. Contested means decision required
4. Leadership—control, fairness, rulings in accord with the rules of evidence
5. Results from the meeting are an order—you must deliberate in public before reaching the conclusion
6. Your motion at the end should at a minimum state a result, you can ask staff or a participant to write the order for your review and consideration
7. To get to a sustainable order you must have conducted the meeting in a fair manner, in accord with law and procedure, and rendered a ruling which comports with the applicable law and facts

LEADERSHIP FAIRNESS RESULTS

This is the most difficult task for a public body, to listen and judge by the rules. You must rely on staff and specifically attorneys to get this right. You are working under rules from court and rules from parliamentary procedures.

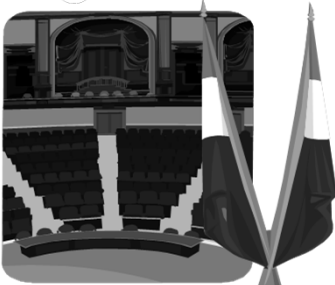


Proponent is first and last.
Commission goes last.
There are no questions after Commission.
No interruption after Commission begins to deliberate.




You are the Government

SC Ethics Act:
Recusal—This is required when you have an economic interest. It is done before you start the applicable business. It is done with a written statement setting forth the economic interest or other basis for conflict which is read into the minutes. Then you leave.

An illustration of a legislative chamber, possibly the South Carolina House of Representatives, featuring a large flag and a speaker's podium. The chamber is filled with rows of seats.

ENJOY THE HONOR OF SERVICE
It is hard. It doesn't pay what its worth.
But it is our government.
If good people don't run it, some one else will.

An illustration of a group of people, including men and women, sitting around a large conference table in a formal meeting room. There are American flags and large windows in the background.
