

MINUTES

TOWN OF LEXINGTON PLANNING COMMISSION MEETING March 20, 2019

The Planning Commission held a meeting on March 20, 2019, at 8:00 AM in the Council Chambers at Town Hall, 111 Maiden Lane, Lexington, South Carolina. The meeting was attended by: Chairman Keith Frost, Vice-Chairman Frank Berry, Commissioners John Bartlett, Roscoe Caughman, Jamie Fite, Jarett Harrelson, Sammy Hendrix and Jeannie Michaels. Commissioner Brian Amick was absent (excused).

Others in attendance were: Councilmembers Ron Williams and Steve Baker, Town Administrator Britt Poole, Director of Planning, Building and Technology John Hanson, Town Attorney Brad Cunningham, Chief Building Inspector Charly Thomas, Parks and Sanitation Director Dan Walker, Transportation Director Randy Edwards, Town Engineer Rosemarie Nuzzo, Digital Media Coordinator Darrell Pritchard, IT Specialist Alan Parker and Assistant Municipal Clerk Karen Hanner. One citizen was in attendance. No one was present from the news media.

CALL TO ORDER & INVOCATION: Chairman Frost welcomed everyone to the meeting. He announced that the meeting is being broadcast on the Town's information cable channel 1301 and the video would be replayed several times during the week. Commission members and Staff then introduced themselves. Vice Chairman Berry gave an invocation and Chairman Frost led in the Pledge of Allegiance.

Chairman Frost called the meeting to order at 8:03 AM.

DELETIONS TO THE AGENDA: None.

APPROVAL OF MINUTES: A motion was made by Commissioner Harrelson and seconded by Vice-Chairman Berry to approve the Minutes from the Planning Commission Meeting on February 20, 2019 as submitted. There was no further discussion. The motion was unanimous in favor.

OLD BUSINESS: None

NEW BUSINESS:

- 1. Discussion and Consideration of Council Resolution R2019-1 Directing the Planning Commission to Make a Recommendation for a Town Development Impact Fee - *Action Requested: Approval of a Motion Directing Staff to Prepare the Required Planning Documents Needed to Adopt an Impact Fee***
Planning, Building and Technology Director John Hanson reported Town Council recently adopted a Resolution directing the Planning Commission to begin preparing the

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required studies and the ordinance needed for the Town to implement a Development Impact Fee. Staff has prepared a short presentation on Impact Fees (attached). At the conclusion of the presentation, the Commission will be asked to formally begin the process by directing staff to prepare the plans needed to support a development impact fee ordinance.

Mr. Hanson quoted the City of Mount Pleasant: “Impact fees represent financial payments from a developer to a local government that fund their proportionate share of certain off-site capital improvements needed to accommodate future growth”. The legality for collecting development impact fees is expressed in the South Carolina Development Impact Fee Act. He continued to define what impact fees are. They pass construction costs onto new development rather than existing development. The legality for collecting impact fees is the Town’s authority to collect fees, the rational nexus test, and they must be non-discriminatory. There is growing interest in the use of development impact fees in the state of South Carolina.

Mr. Hanson stated they are most appropriate in areas with rapid growth and with significant land available for development. There may be a situation where state and federal funding is unable to meet future needs such as traffic. He added historical annual construction cost increases and resistance to increased property taxes.

He noted impact fees may be used for design and engineering, Right of Way acquisition, construction, utility relocation and project financing but not maintenance, administrative costs or operating costs. The primary issue is traffic and the next slide shows the list of LTIP Projects. Mr. Hanson said it was important to make the point that a percentage of the impact fees may be, based on the study being done, used to fund some of these projects but it is only one source of some of the revenue that might be able to help with these.

Mr. Hanson reported all revenues must be maintained in an interest bearing account and must be spent within three years of the scheduled date of construction. The Town must do an annual monitoring report with a comprehensive review and update every five years. Any new project or fee change requires an update to the study. The process involves preparing an Impact Fee Justification Report which he stated should be preliminarily ready in time for the May Planning Commission meeting. There will be a Capital Improvement Plan along with a Housing Affordability Study which determines how the impact fee will affect affordability in the area. That is followed by the development of an impact fee ordinance. The Feasibility Study will look at initial appropriateness of the impact fee, Supporting Documents are prepared and Public Hearings will be held.

He showed the next slide which identified other communities in the state which are considering or have adopted impact fees. Some of them have been implemented for a while and some of them are being updated.

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Mr. Hanson said the Impact Fee Study Report is a report that documents existing conditions, anticipates future year needs (2030), their implementation costs and recommends maximum allowable impact fees by category. Some of the categories include Municipal Facilities and Services, Parks and Recreation and Transportation (Roads). He added there is the potential of a discounted rate which applies to the maximum allowable impact fee to provide a reasonable fee.

The Capital Improvements Plan includes the capital improvement project description, start and completion dates for those projects, revenue and expenditure summaries and funding sources.

The Affordable Housing Study estimates the effect of imposing new or updated development impact fees on affordable housing in the local jurisdiction.

Mr. Hanson described the Development Impact Fee Ordinance which enacts the rules and requirements formally adopted by Town Council for establishing a development impact fee system. It includes supporting documentation, some service zones, credits and reimbursements, the appeal process and how refunds are done.

He noted the presentation is a quick overview of what they will be working through with support and approval of the Planning Commission to move forward with the process.

Chairman Frost noted most of the discussion was about housing and residential development and asked if impact fees would be on any development. Mr. Hanson confirmed there would be impact fees on any development with different formulas for the fee on residential or commercial.

Vice Chairman Berry made a motion to approve as stated. Commissioner Harrelson seconded the motion. There was no further discussion. The vote was unanimous in favor.

OTHER BUSINESS: Vice Chairman Berry noted the Traffic Committee did not meet in March.

Councilmember Williams thanked the Commissioners for their service and announced there is a lot going on in Lexington. He stated on March 29, Movies in the Park at the Icehouse Amphitheater will show the movie Peter Rabbit at 8 PM. On Friday, April 5 at 6 PM the Tartan Day Celtic Commotion will be held. The Lexington Live free concerts will begin on Thursday evenings at 6 PM starting April 11 with the Embers, April 18 has Whiskey Run, April 25 is Finesse, May 2 will have the Tams, May 9 will be Tokyo Joe and May 23 will be the Root Doctors. On Friday April 12 at 6 PM Noah Guthrie will be in concert and on April 13 from 4 to 9 PM will be BBQ and Blues. Kids Day of Lexington is April 27 from 10 AM to 2 PM. Saturday May 11 will be the Lexington Wine Walk and Friday May 17 at 6 PM will be the Sister Hazel concert. He asked everyone to keep an eye on the Icehouse Amphitheater Facebook page for an announcement about the Farmers Market.

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Commissioner Hendrix asked about the plans to construct a new school. Mr. Poole confirmed the site is in the Town's service area. He noted the property described in the meeting Tuesday night is not currently in the Town but it is contiguous with the Town and they expect that the property would be annexed. Commissioner Hendrix asked if the school would be doing upgrades to the roads. Mr. Poole stated that would not be done through the Town but school projects are done through the state engineers office and SCDOT will require a traffic study and will make improvements dictated by that study. The Town is not very involved in that process.

ADJOURNMENT: There being no further business, Chairman Frost stated that without objection the Planning Commission meeting would adjourn at 8:16 AM.

Respectfully Submitted,

Karen Hanner
Assistant Municipal Clerk

APPROVED:

Keith Frost
Chairman

FOIA COMPLIANCE – Public notification of this meeting was published, posted and mailed in compliance with the Freedom of Information Act and the Town of Lexington requirement