



CITY OF WALHALLA PLANNING COMMISSION

Kelvin Bryant, Chair
Jessie Bunning

Mary Duff, Vice Chair
William Tatum

Monday, December 9, 2024
Planning Commission Meeting
5:30 PM
105 W South Broad Street
Walhalla, South Carolina 29691

AGENDA

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes
 - a. October 14, 2024
4. Public Hearings
5. Old Business
6. New Business
 - a. Revisit Draft Chicken Ordinance
7. Public Comments, Non-Agenda Items
8. Other Business
9. Adjournment

City of Walhalla Planning Commission
Thursday, October 14, 2024 • 5:30 PM
Council Chambers • City Hall
Walhalla, South Carolina
Minutes

In accordance with the South Carolina Freedom of Information Act, Section 30-4-10 et seq., South Carolina Code, 1976, the media was duly notified of the date, time, and place of the meeting.

Planning Commission Members Present: Kelvin Bryant, Jessie Bunning, Mary Duff and William Tatum

Members Absent: None

Staff Present: Celia Myers

Call to Order: Chairman Bryant called the meeting to order at 5:30 PM, with a quorum present to conduct the meeting and welcomed all present to the meeting.

Approval of Agenda: Chairman Bryant called for any changes to the agenda. Hearing none, Mrs. Bunning moved to approve the agenda; Mr. Tatum seconded. The agenda was unanimously approved.

Approval of Minutes: Chairman Bryant called for any changes to the September 19, 2024 minutes. Mrs. Bunning moved to approve the minutes; Mr. Tatum seconded. The minutes were approved.

Public Hearing: None

New Business: Review of Population Demographics

Mrs. Myers asked if there were any additional thoughts or comments to the Population Demographics discussion from the September meeting. None were heard. Commissioners stated their agreement with previous recommendations.

Economic Development

The Commissioners reviewed desired economic development opportunities for the next five to ten years. Comments included higher-end restaurants, an outdoor/sporting goods store, a grocery store, etc. Mrs. Myers noted that previous discussions indicated a desire to increase per capita income. She suggested targeting industries, employment opportunities with higher wages. The Commissioners agreed that a variety economic opportunities would be beneficial to the City.

Hearing no further comments, Chairman Bryant adjourned the meeting at 6:10 PM, with a motion by Mrs. Bunning and a second by Mr. Tatum.

Respectfully Submitted,

Celia Boyd Myers, AICP
City Administrator

ORDINANCE 1990-12

WHEREAS, the City of Walhalla has reviewed the mandates of ORDINANCE 1976-14 and has determined that modifications should be made to same,

BE IT NOW ORDAINED THAT ORDINANCE 1976-14 be admended as follows AN ORDINANCE RELATING TO LIVESTOCK AND FOWL

SECTION I. LIVESTOCK AND FOWL

It shall be unlawful for any person, firm or corporation to keep or maintain any horses, mules, cows, sheep, goats, hogs, pigs, shoats, swine, or other livestock or any chickens, turkeys, or other barnyard fowl within the City of Walhalla other than provided for below:

- A. One horse or cow per acre may be kept within the Cane Creek Basin described as the 100 year flood plain and as shown on the FEMA map and further described in the City of Walhalla Zoning Ordinance.
- B. On parcels or lots greater than two (2) acres in size, chickens, horses and cows may be maintained. The animals must be kept on the property.

SECTION II VIOLATION DECLARED A NUISANCE

The keeping of such livestock and fowl other than prescribed above is hereby declared to be a nuisance, and the Chief of Police of the City of Walhalla is hereby authorized and directed to abate such nuisance.

SECTION III RIDING OF HORSES ON SIDEWALKS and CERTAIN STREETS

It is hereby declared that the riding of horses on sidewalks within the City of Walhalla is prohibited.

And, furthermore, the riding of horses on Main Street, North Catherine Street (from Main Street to Cane Creek), South and North Church Street, College Street, and North and South Broad Streets may be permitted upon approval of the City Planning and Zoning Administrator. Horses on these specific streets may be permitted for parades, weddings, festivals, or other occassions; however, prior to the event, the coordinator of the event must provide an acceptable safety and clean up program, ensuring the health, safety, and welfare of the community as it relates to the horses.

SECTION IV PENALTY

Any person, firm or corporation keeping or maintaining such livestock or fowl within the City of Walhalla shall be punished by fine or imprisonment within the discretion of the Municipal Judge of the City of Walhalla, and each day that such person, firm or corporation shall keep or maintain such livestock in violation of the above section shall constitute a separate and distinct offense.

SECTION V SEPARABILITY

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION VI REPEAL OF CONFLICTING ORDINANCES

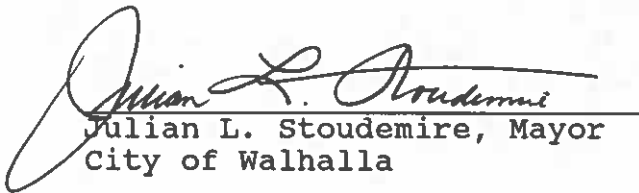
Ordinances and parts of Ordinances in conflict herewith are repealed to the extent necessary to give this Ordinance full force and effect.

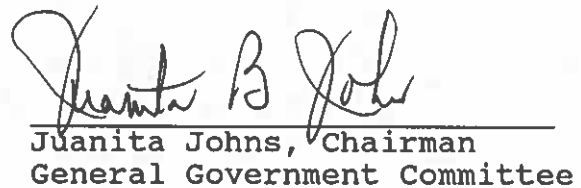
SECTION VIII EFFECTIVE DATE

This Ordinance shall take effect after the date of its adoption by the City Council of the City of Walhalla. All livestock and fowl shall be removed from the City limits within two (2) years of the adoption of this ordinance except as provided in Section I A and B.

DONE, ORDERED, AND ADOPTED this 16th day of October, 1990,
A.D.

ATTEST:


Julian L. Stoudemire, Mayor
City of Walhalla


Juanita Johns, Chairman
General Government Committee

First Reading - September 18, 1990

Second Reading - October 16, 1990

PROPOSED AMENDMENT TO ORDINANCE 1990-12

AN ORDINANCE RELATING TO LIVESTOCK AND FOWL

SUBJECT: PENALTIES

SECTION IV. PENALTY IS AMENDED TO READ:

Any person, firm or corporation in violation of these provisions shall be punished by fine or imprisonment within the discretion of the Municipal Judge of the City of Walhalla, and each day that such person, firm or corporation is in violation of the above section shall constitute a separate and distinct offense.

1st Reading: October 23, 1990

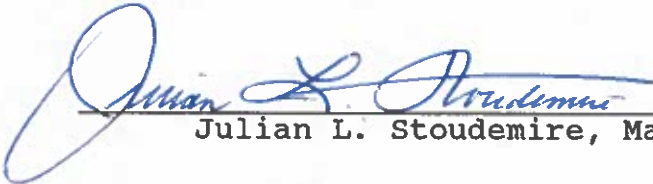
Motion: Tally Grant

Second: James Medlin

2nd Reading:

Motion: *Tally Grant*

Second: *J.B. Holden*



Julian L. Stoudemire, Mayor

ATTEST:



Vickie L. Satterfield, Clerk/Treas.

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE)

ORDINANCE 2023-X

CITY OF WALHALLA)

AN ORDINANCE TO AMEND THE CITY OF WALHALLA CODE OF ORDINANCES, TO ALLOW FOR THE CONDITIONAL RAISING AND KEEPING OF CHICKENS WITHIN RESIDENTIAL DISTRICTS OF THE CITY LIMITS

Whereas, there has been interest within City limits in urban farming relating to the keeping of backyard chickens; and

Whereas, fostering sustainable efforts and green, environmentally friendly living within the City of Walhalla is important to quality of life of our citizens; and

Whereas, domesticated hens may be used for companionship, educational purposes, and non-commercial production of eggs in support of sustainable green living, and

Whereas, providing appropriate guidelines for backyard chickens that ensure the safety of the animals, maintain sanitary conditions of the property and protect the animals' welfare, and enforceable codes to maintain the quality of the owner's property and to prevent any impairment on the enjoyment of surrounding properties, are imperative for compliance with this ordinance; and

Whereas, outlining specific guidelines and regulations will provide a clear understanding to those interested in backyard chickens, as well as, to ensure a safe and clean environment in neighborhoods where permitted.

Now Therefore: it is ordained and enacted that: by the Mayor and Council members of the City of Walhalla, in Council assembled, that the Animal ordinance, shall be amended as follows:

Livestock and Fowl

Restrictions.

It shall be unlawful for any person, firm or corporation to keep or maintain any horses, mules, cows, sheep, goats, hogs, pigs, shoats, swine or other livestock or any chickens, turkeys or other barnyard fowl within the City of Walhalla other than as provided for below:

- ~~A. One horse or cow per acre may be kept within the Cane Creek Basin, described as the 100-year floodplain and as shown on the FEMA map and further described in the City of Walhalla Zoning Ordinance (see Chapter 230, Part 1).~~
- ~~B. On parcels or lots greater than two acres in size, chickens, horses and cows may be maintained. The animals must be kept on the property.~~

- (A) A single parcel or lot which is two acres or greater, in a single-family residential zone, may have one horse or head of cattle for each two acres unless the County Extension Service Livestock Agent certifies that the land uses will support additional animals. Such certificate shall be presented to the Zoning Administrator. Any such conditional use is subject to an annual review.

(B) Except as otherwise provided, it shall be unlawful for any person within residential districts of the city limits to keep, or allow or permit the keeping of, or possession of any chicken, poultry, pea fowl, guineas, ducks, geese, or other fowl, except as provided and specified in this section.

a. The following shall be accepted and exempt from the provisions above.

- i. No more than four (4) domesticated female chickens (hens) shall be kept, maintained, or raised on minimum one (1) acre lots with single-family dwellings only. No roosters whatsoever shall be allowed. The following are additional requirements regarding the maintenance of domesticated female chickens.
- ii. Hens shall be confined at all times within a coop or chicken run, which is fully enclosed and made of suitable, washable material, except when under the personal supervision of an owner or custodian. Fenced enclosures and chicken coops must be properly ventilated, clean, dry, and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.
- iii. A coop shall not exceed 120 square feet in area or six (6) feet in height. There shall be a minimum six square feet of run space per hen. Coops must be completely enclosed and constructed in a uniform manner of a sturdy material that provides protection from potential predators and the elements, and properly ventilated. Runs must be constructed of a fencing material that prevents potential predators from getting in, and hens from escaping.
- iv. Runs and coops must be well drained so that there is no accumulation of chicken excrement, and shall be cleaned on a regular basis with all droppings and excretion disposed of in a manner so as not to attract flies or varmints, unless otherwise disposed of in accordance with any federal, state, or health regulation.
- v. Chickens, coops, runs, or other structures for housing chickens shall only be located or permitted between the rear of the principal structure and the rear lot line of the premises; must be screened from the side and rear lot lines by shrubbery or a privacy fence at least five (5) feet tall, if within sight of neighboring properties; and shall not be located within fifteen (15) feet of any property line and fifty (50) feet of the nearest neighboring residence or commercial building.
- vi. No person shall slaughter any chickens within City limits. It shall be unlawful to raise chickens for commercial purposes within the city limits.
- vii. No person shall keep chickens on premises within the city without first receiving an approved permit (renewable annually) on June 30 of each year, along with an initial and annual compliance inspection, and payment of the registration fee, as set by the City Council.
- viii. A permit to keep hens may be suspended, revoked, or not issued by the city where there is a risk to public health or safety, or for any violation of, or failure to comply with, any provision of other applicable ordinances or laws, including local subdivision covenants.

- ix. Every person keeping, maintaining, or raising chickens and/or fowls within the corporate limits of the city prior to or on the effective date of this section shall conform to and be in full compliance with the regulations of this section within ninety (90) days after its passage.
- x. Any person violating any provision of this section shall be deemed guilty of an offense and shall be subject to a fine of up to five hundred dollars (\$500) or imprisonment for not more than thirty (30) days upon conviction. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent penalties and costs provided herein.

SEVERABILITY.

In the event that any section, subsection, sentence, clause or phrase of this article shall be declared or adjudged invalid or unconstitutional, such adjunction shall in no manner affect the other sections, sentences, clauses, or phrases of this article, which shall remain in full force and effect, as if the section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally part thereof.

AND IS DONE AND RATIFIED in Council Duly assembled this _____ Day of _____ 2023.

 Danny Edwards, Mayor

(seal)

ATTEST:

 Timothy B. Burton, City Administrator

Introduced By: _____

First Reading: _____

Public Hearing,
 Second Reading
 And Adoption: _____