



# CITY OF WALHALLA PLANNING COMMISSION

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Chris Grant, Chair  
Jessie Bunning  
William Tatum

Kelvin Bryant, Vice Chair  
Regina Orr

**Monday, March 13, 2023**

Planning Commission Meeting

5:30 PM

206 North Church Street

Walhalla, South Carolina 29691

## AGENDA

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes - February 13, 2023
4. Public Hearings
  - a. Proposed Historical Ordinance to establish a local historic property designation and design review regulations
  - b. Proposed Amendment to the Animal Ordinance to allow for backyard chickens
  - c. Proposed Short-Term Rental Ordinance
  - d. Proposed Right-of-Way Annexation Ordinance
5. Public Comments, Non-Agenda Items
6. Other Business
  - a. Preliminary Subdivision - Josh Circle
  - b. Comprehensive Plan Focus Groups
7. Adjournment

**City of Walhalla Joint City Council-Planning Commission**  
**Tuesday, February 13, 2023 • 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:** Chris Grant, Kelvin Bryant, Jessie Bunning, Regina Orr, William Tatum

**Members Absent:** None

**Staff Present:** Brandon Burton and Celia Myers

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

**Approval of Agenda:** Chairman Grant called for any changes to the agenda. Hearing none, he called for a motion to approve the agenda. Mr. Tatum moved to approve the agenda; Ms. Bunning seconded. The agenda was unanimously approved.

**Approval of Minutes:** Chairman Grant called for any changes to the Planning Commission minutes of the January 17, 2022 joint meeting. Hearing none, Mr. Grant moved to approve the minutes; Ms. Bunning seconded. The Planning Commission's section the January 17<sup>th</sup> minutes were unanimously approved.

### **Ordinances**

#### Proposed Historic Preservation Ordinance

Celia Myers presented the revised draft of the proposed Historic Preservation Ordinance. Changes were highlighted from comments made at the January 17<sup>th</sup> joint Commission-Council meeting. Commissioners expressed satisfaction with the revised ordinance. Chairman Grant called for a motion, if there was no further discussion. Mr. Bryant moved to send the draft ordinance to Council with a recommendation of approval; Chairman Grant seconded. The motion to recommend the ordinance to Council was approved 5-0.

#### Proposed Backyard Chicken Ordinance

Mrs. Myers presented the proposed amendment to the Animal Ordinance. She added that Council had voted to send the issue of backyard chickens to the Planning Commission for their review and recommendation at the February 7<sup>th</sup> meeting. Discussion among the Commissioners ensued. Comments included noting a previous request for a pet pig, concerns about the noise and the risk of chickens running at-large. Staff clarified that the ordinance specifically prohibits swine, but that chickens and other fowl are permitted in the Animal Ordinance for properties over two acres, without any other regulations and not permitted in any zoning classification in the Zoning Ordinance. Administrator Burton requested that Commission consider and recommend an amendment bringing the two ordinances in line with one another. After further discussion, Chairman Grant moved to table the request until further information was gathered. One item requested was a map or listing of the number of lots that were over one acre within the City. Ms. Bunning seconded; and the motion to table the item until the March meeting was passed 5-0.

### Proposed Short-Term Rental Ordinance

Mrs. Myers presented the proposed short-term rental ordinance. She added that the City has received numerous requests for short-term rentals, both from the consumers and potential owners. Currently, there are no regulations to oversee this type of use. The Commission's discussion included how the regulations would be enforced, whether a fee should be imposed, whether they are subject to accommodations tax and ways to ensure short-term rental owners are not disincentivized through the regulations. Chairman Grant moved to table the proposal until March to allow Commissioners time to gather more information. Ms. Bunning seconded the motion; and the item was tabled 5-0.

### Proposed Right-of-Way Annexation Ordinance

Ms. Myers presented a draft ordinance that will be heard at the March meeting. She informed the Commission that SC DOT right-of-way that abuts City limits can be annexed into the City. The City sought the Secretary of Transportation's consent and received it by letter. This item will be presented before the Commission in March, along with an advertised public hearing. The introduction of the proposal was for informational purposes only. The Commission accepted this draft as information.

**Public Comments, Non-Agenda Items:** No comments were presented at this time.

### **Other Business**

#### Staff Report of Preliminary Subdivisions

Mrs. Myers provided a listing of approved preliminary subdivisions, totaling five (5) lots or less, from the month of January, as stated in the Municipal Code. This was received as information.

#### Comprehensive Plan Update

Mrs. Myers presented the tentative schedule for the upcoming Comprehensive Plan update process. She also presented a draft outline, including a Steering Committee and Focus Groups. It is requested that each Commissioner serve on a Focus Group due to the Commissioner's state responsibility to the drafting of the Comprehensive Plan. Ms. Bunning expressed interest in the Community Facilities and Services group; whereas Mr. Bryant expressed interest in the Housing and Transportation group. After brief discussion, it was recommended and decided that the Commission take time to review the provided material and provide their choices at the March meeting.

#### ACOG Training Schedule

Mrs. Myers presented the training schedule from ACOG. Commissioners were reminded that SC State Law mandates that all Planning Commissioners, Board of Zoning Appeals members and Planning Staff earn a minimum of six (6) orientation training hours within their first year and three (3) hours of continuing training every year after, unless they meet exemption qualifications. Mrs. Myers added that if anyone could not make one of the ACOG trainings, staff had the ability to offer some in-house trainings through certified providers. Several Commissioners expressed a desire for evening training due to other obligations.

Chairman Grant called for any other business. Hearing none, he adjourned the meeting at 6:21 pm after seconding Ms. Bunning motion.

Respectfully Submitted,

Celia Boyd Myers, AICP  
Community Development Manager

STATE OF SOUTH CAROLINA )

COUNTY OF OCONEE )

ORDINANCE 2023-X

CITY OF WALHALLA )

**AN ORDINANCE TO ESTABLISH LOCAL HISTORIC PROPERTY DESIGNATION PROGRAM AND DESIGN REVIEW**

**Whereas**, the City of Walhalla wishes to establish a program to preserve, promote and develop the City's historical resources; and

**Whereas**, such program would allow for the establishment of a local historic register and the designation of historic landmarks, sites and districts that represent archaeological, architectural, cultural and historic significance of the City's resources; and

**Whereas**, local historic registers are a foundational element of historic preservation programs, enabling communities to survey, recognize and preserve their unique history and culture by inventorying and listing these resources; and

**Whereas**, historic preservation programs can preserve community character, promote cultural, economic and general welfare of its citizens, strengthen local economics and improve a community's quality of life;

NOW THEREFORE: it is ordained and enacted that: by the Mayor and Council members of the City of Walhalla, in Council assembled, that the following ordinance, shall be as follows:

**SECTION 1. TITLE**

The title of this ordinance shall be the City of Walhalla Historic Preservation Ordinance.

**SECTION 2. PURPOSE**

The purpose of this ordinance is to promote the public health, safety and general welfare by providing for the for the identification, protection, enhancement, perpetuation and use of improvements, buildings and their settings, structures, objects, monuments, sites, places, and areas within the City of Walhalla that reflect special elements of the City's architectural, artistic, cultural, engineering, aesthetic, historical, social and other heritage to achieve the following objectives:

- (A) Safeguard the heritage of the City by encouraging the voluntary protection of historic resources, representing significant elements of its history;
- (B) Enhance the visual character of the City by encouraging and providing for the voluntary preservation of those buildings that reflect unique and established architectural traditions that contribute to the established neighborhoods of the City;
- (C) Foster public appreciation of and civic pride in the beauty of the City and the accomplishments of its past;
- (D) Strengthen the economy and improve property values of the City by protecting and enhancing the City's attraction to residents and visitors;
- (E) Promote the private and public use of historic resources for the education, prosperity and general welfare of the people;

- (F) Stabilize and improve property values within the City; and
- (G) Achieve historic preservation through the encouragement and promotion of voluntary additions to the City's Historic Register.

This ordinance is part of the zoning ordinance of City of Walhalla and is enacted pursuant to the South Carolina Code of Laws, Sections 6-29-710 and Section 6-29-870 et sequitur.

### **SECTION 3. DEFINITIONS**

*Additions.* An addition is an expansion of a building that increases the original size or footprint of the structure by constructing additional space.

*Alteration.* A change in the external architectural features of any historic structure or in the interior of any such structure if the interior feature is specifically included in the historic designation; a change in the landscape features of any historic site or place; or work having an adverse effect upon designated archaeological resources.

*Character-Defining Features.* Overall shape of the building, its materials, craftsmanship, decorative details and features, as well as the various aspects of its site and environment; features that capture the historic character of the building.

*Certificate of Appropriateness.* Document issued by the Planning Commission, following a prescribed review procedure, certifying that the proposed actions by an applicant are found to be acceptable in terms of design criteria relating to the individual property or the historic district.

*Cultural Landscape.* Geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with an historic event, activity, or person or exhibiting other cultural or aesthetic values.

*Department.* The City of Walhalla Community Development Department.

*Director.* The City's Community Development Director or designee.

*Exterior architectural features.* The architectural style, general design and general arrangement of the exterior of a building, structure or object, including but not limited to the kind or texture of the building material and the type and style of all windows, doors, signs and other appurtenant architectural fixtures, features, details or elements relative to the foregoing.

*Historic District.* An area, designated by the city council, upon the recommendation of the Planning Commission and pursuant to the provisions of this ordinance.

*Historic Integrity.* The ability of a property to convey its significance. Historic properties either retain integrity (convey their significance) or they do not. Within the concept of integrity, the National Register criteria recognizes seven aspects or qualities that, in various combinations, define integrity. The seven aspects of integrity are location, design, setting, materials, workmanship, feeling and association.

*Historic Property.* Any place (including an archaeological site or the location of a significant historical event), building, structure, work of art, fixture or similar object that has been individually designated by City Council or designated as a contributing property within a historic district.

*Historic Register (Register).* The City's list of properties formally designated as historic resources after an application is filed by the property owner. The current list of designated properties will be kept on file at the Community Development office. Properties on the South Carolina and National Register are automatically eligible for the City's Historic Register.

**Historic Resource.** A property or structure that (1) is listed on the City's Historic Register, (2) is listed on the South Carolina Register of Historical Resources, (3) has been officially determined to be eligible for the South Carolina Register of Historical Resources by the State Historical Resource Commission, (4) is listed on the National Register of Historic Places, (5) has been officially determined to be eligible for the National Register of Historic Places by the National Park Service, or (6) the City is mandated by law to treat as a historic resource based on substantial evidence in light of the whole record. Generally, a resource shall be considered to be "historically significant" if the resource meets the criteria for listing on the SC Register of Historical Resources.

**Local Design Guidelines or Style Guide.** A set of guidelines that provide recommendations for treatments of various building systems, such as windows and roofs, as well as information specific to particular architectural styles. This document would provide preferred design examples and guidelines for the alteration of historic resources. Projects which are consistent with these guidelines will typically not create an adverse impact to an historic resource.

**Material Change in Appearance.** A change that will affect either the exterior architectural or environmental features of a historic property or any building, structure, site, object, or landscape feature within a historic district, such as:

- (1) A reconstruction or alteration of the size, shape or facade of a historic property, including relocation of any doors or windows or removal or alteration of any architectural features, details or elements;
- (2) Demolition or relocation of a historic structure;
- (3) Commencement of excavation for construction purposes;
- (4) A change in the location of advertising visible from the public right-of-way; or
- (5) The erection, alteration, restoration or removal of any buildings or other structure with a historic property or district, including walls, fences, steps and pavements, or other appurtenant features, except exterior paint alterations.

**Object.** An object is a material thing of functional, aesthetic, cultural, historical or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

**Site.** A site is the location of a significant event, a prehistoric or historical occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing structure.

**Structure.** A structure is a work made up of interdependent and interrelated parts in a definite pattern of organization. Constructed by man, it is often an engineering project large in scale.

**Substantial Hardship.** Hardship, caused by unusual and compelling circumstances, based on one or more of the following: (1) the property cannot reasonably be maintained in the manner dictated by the ordinance, (2) there are no other reasonable means of saving the property from deterioration, or collapse, or (3) the property is owned by a nonprofit organization, and it is not feasible financially or physically to achieve the charitable purposes of the organization while maintaining the property appropriately.

#### **SECTION 4. COMMISSION AUTHORIZATION.**

- (a) It is hereby established that the City's Planning Commission (Commission) shall have the responsibility to oversee the Historic Designation Program and design review duties.
- (b) *Planning Commission Powers.* The Planning Commission shall be authorized to:
  - (1) Prepare and maintain, or cause to have prepared and maintained, an inventory of all property within the City having the potential for designation as historic property;
  - (2) Review requests by property owners for historic designation and inclusion on the City's Historic Register;
  - (3) Recommend to the City Council specific districts, sites, buildings, structures, or objects to be designated by ordinance as historic properties or historic districts;
  - (4) Review applications for certificates of appropriateness, and grant or deny same in accordance with the provisions of this ordinance;
  - (5) Recommend to the City Council that the designation of any district, site, building, structure or object as a historic property or as a historic district be revoked or removed;
  - (6) Perform, or cause to have performed, historic preservation activities within the City; and
  - (7) Review and make comments to the State Board of Review concerning the nomination of properties within its jurisdiction to the South Carolina and National Register of Historic Places.
- (c) *Planning Commission's power to adopt standards:* The Commission shall develop, or cause to have developed, and adopt standards, design guidelines and criteria to perform its duties. The Commission shall have the flexibility to adopt design standards without amendment to this ordinance.

#### **SECTION 5. RECOMMENDATION AND DESIGNATION OF HISTORIC DISTRICTS AND PROPERTIES.**

- (a) *Historic Property Inventory:* Commission shall compile and collect information of historic resources within the city-limits of Walhalla.
- (b) *Historic Property Register:*
  - (1) Initial inclusion on the City's Historic Register shall be voluntary and require the approval of the property owner.
  - (2) The Commission shall, through the City Community Development Department, accept requests for historic designation and inclusion on the City's Historic Register.
  - (3) Prior to the Commission's recommendation of a historic district or historic property to the City Council for designation, the Commission shall compile a report for nomination consisting of:
    - a. A physical description;
    - b. A statement of the historical, cultural, architectural and/or aesthetic significance;
    - c. A map showing district boundaries and zoning classification of individual properties therein, or showing boundaries of individual historic properties; and
    - d. Representative photographs.

- (4) Properties or districts accepted for inclusion on the City's Historic Register are eligible to apply for a City plaque or marker, detailing its significance. Any fees associated with the plaques and/or markers shall be set by the City Council.
- (c) *Designation of a Historic District:*
- (1) A historic district is a geographically definable area, which contains buildings, structures, sites, objects, and landscape features or a combination thereof, which:
    - a. Has special character of special historic/aesthetic value or interest;
    - b. Represents one or more periods, styles, or types of architecture typical of one or more eras in the history of the City, County or State; and
    - c. Causes such area, by reason of such factors, to constitute a visibly perceptible section of the City.
  - (2) Boundaries of a historic district shall be included in the separate ordinances designating such districts and shall be shown on the official zoning map of the city.
- (d) *Designation of a historic property:* A historic property or landmark is a building, structure, site, or object; including the adjacent area necessary for the proper appreciation or use thereof, deemed worthy of preservation by reason of value to the City for one of the following reasons:
- (1) It has significant inherent character, interest, or value as part of the development or heritage of the community, state, or nation; or
  - (2) It is one of the few remaining examples of a past architectural style;
  - (3) It is a place or structure associated with an event or persons of historic or cultural significance to the community, state, or nation; or
  - (4) It is the site of natural or aesthetic interest that is continuing to contribute to the cultural or historical development and heritage of the community, state or nation.
  - (5) It is the work of a designer whose work has influenced significantly the development of the community, state or nation; or
  - (6) It contains elements of design, detail, materials, or craftsmanship which represent a significant innovation; or
  - (7) It is part of or related to a square or other distinctive element of community planning; or
  - (8) It represents an established and familiar visual feature of the neighborhood or community; or
  - (9) It has yielded, or may be likely to yield, information important in pre-history or history.
  - (10) Property is listed on the South Carolina Register of Historical Resources; eligible for the South Carolina Register of Historical Resources; listed on the National Register of Historic Places; or eligible for the National Register of Historic Places.
- (e) *Requirements for adopting an ordinance for the designation of historic districts and historic properties:*
- (1) Any ordinance designating any property or district as historic shall:
    - a. List each property in a proposed historic district or describe the proposed individual historic property;
    - b. Set forth the name(s) of the owner(s) of the designated property or properties;



- c. Require that a certificate of appropriateness be obtained from the Commission prior to any material change in appearance of the designated property; and
  - d. Require that the property or district be shown on the official zoning map of the city and be kept as a public record to provide notice of such designation.
- (2) The Planning Commission and/or City Council shall hold a public hearing on any proposed ordinance for the designation of any historic district or property, following the established public notice requirements of the City.
  - (3) The Planning Commission shall transmit its recommendation to City Council, following its public meeting.
  - (4) Following receipt of the Commission recommendation, the City Council may adopt the ordinance as proposed, may adopt the ordinance with any amendments they deem necessary, or reject the ordinance.

## **SECTION 6. APPLICATION FOR CERTIFICATE OF APPROPRIATENESS (COA).**

- (a) *Approval of material change in appearance in historic districts or involving historic properties:* After the designation by ordinance of a historic property or a historic district, no material change in the appearance of such historic property, or of a contributing or non-contributing building, structure, site or object within such historic district, shall be made or be permitted to be made by the owner or occupant thereof, unless or until the application for a certificate of appropriateness has been submitted to and approved by the Commission. A building permit shall not be issued without a certificate of appropriateness. A separate zoning permit shall not be required for work requiring a COA.
- (b) *Submission of supporting documentation to Commission:* An application for a certificate of appropriateness shall be accompanied by supporting documentation, such as drawings, plans, photographs, etc. as may be required by the Commission.
- (c) *Interior alterations:* In its review of applications for certificates of appropriateness, the Commission shall not consider interior arrangement or use having no effect on exterior architectural features.
- (d) *Technical advice:* The Commission shall have the power to seek technical advice from outside its members on any application.
- (e) *Public hearings on applications for certificates of appropriateness:* The Commission shall schedule and hold a public hearing at which the proposed certificate of appropriateness is discussed. Notice of the hearing shall be published in the newspaper of general circulation. The subject property shall be posted; and all adjacent property owners of the subject property shall be notified of the request and hearing.
- (f) *Commission Actions to Applications for Certificate of Appropriateness:*
  - (1) Commission action: The Commission may approve the certificate of appropriateness as proposed, approve the certificate of appropriateness with any modifications it deems necessary, or reject it.
    - a. The Commission shall approve the application and issue a certificate of appropriateness if it finds that the proposed material change(s) in the appearance would not have a substantial adverse effect on the aesthetic, historic, or architectural significance and value of the historic property or the historic district.

In making this determination, the Commission shall consider, in addition to any other pertinent factors, the following criteria for each of the following acts:

1. Reconstruction, alteration, new construction or renovation: The Commission shall issue certificates of appropriateness for the above proposed actions if those actions conform in design, scale, building materials, setbacks and site features, and to the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.
  2. Relocation: A decision by the Commission approving or denying a certificate of appropriateness for the relocation of a building, structure, or object shall be guided by:
    - i. Whether the present setting of the building contributes to its historic character and aesthetic interest.
    - ii. Whether there are definite plans for the area to be vacated and what the effect of those plans on the character of the surrounding area will be.
    - iii. Whether the building, structure or object can be moved without significant damage to its physical integrity.
    - iv. Whether the proposed relocation area is compatible with the historical and architectural character of the building, structure, site or object.
  3. Demolition: A decision by the Commission approving or denying a certificate of appropriateness for the demolition of buildings, structures, sites, or objects shall be guided by:
    - i. The historic, scenic or architectural/significance of the building, structure, site, or object.
    - ii. The importance of the building, structure, site, or object to the ambiance of a district.
    - iii. The difficulty or the impossibility of reproducing such a building, structure, site, or object because of its design, texture, material, detail, or unique location.
    - iv. Whether the building, structure, site, or object is one of the last remaining examples of its kind in the neighborhood or the city.
    - v. Whether there are definite plans for use of the property if the proposed demolition is carried out, and what the effect of those plans on the character of the surrounding area would be.
    - vi. Whether reasonable measures can be taken to save the building, structure, site, or object from collapse.
    - vii. Whether the building, structure, site, or object is capable of earning reasonable economic return on its value.
- (g) *Undue hardship*: When, by reason of unusual circumstances, the strict application of any provision of this article would result in the exceptional practical difficulty or undue economic hardship upon any owner of a specific property, the Board of Zoning Appeals shall have the power to vary or modify strict provisions, so as to relieve such difficulty or hardship: provided such variances, modifications, interpretations remain in harmony with the general purpose and intent of said provisions, so that the architectural or historical integrity, or character of the

property shall be conserved and substantial justice done. In granting variances, the Board of Zoning Appeals may impose such reasonable and additional stipulations and conditions as will, in its judgement, best fulfill the purpose of this article. An undue hardship shall not be a situation of the person's own making. The Planning Commission remains responsible for approving or denying the certificate of appropriateness, should a variance be requested of and approved by the Board of Zoning Appeals.

- (h) *Deadline for approval or rejection of application for certificate of appropriateness:* The Commission shall approve or reject an application for a certificate of appropriateness within 30 days after the scheduled public hearing. Failure of the Commission to act within said 30 days shall constitute approval.
- (i) *Denial of application for certificate of appropriateness:*
  - (1) In the event the Commission rejects an application, it shall state its reasons for doing so, and shall transmit a record of such actions and reasons, in writing, to the applicant. The Commission may suggest alternative courses of action it thinks proper if it disapproves of the application submitted. The applicant may make modifications to the plans and may resubmit the application at any time after doing so.
  - (2) In cases where the application covers a material change in the appearance of a structure which would require the issuance of a building permit, the rejection of the application for a certificate of appropriateness by the Commission shall be binding upon the building inspector or other administrative officer charged with issuing building permits and, in such a case, no building permit shall be issued.
- (j) *Requirement of conformance with certificate of appropriateness:* All work performed pursuant to an issued certificate of appropriateness shall conform to the requirements of such certificate. In the event work is performed not in accordance with such certificate, the City code enforcement staff or designee shall issue a cease-and-desist order and all work shall cease.
- (k) *Certificate of appropriateness void if construction not commenced:* A certificate of appropriateness shall become void if construction is not commenced within 12 months of date of issuance. A certificate of appropriateness shall be issued for a period of 12 months and is renewable for one 12-month extension with staff approval.
- (l) *Recording an application for certificate of appropriateness:* The Commission shall keep a public record of all applications for certificates of appropriateness, and of all the Commission's proceedings in connection with said application.
- (m) *Appeals:* Any person adversely affected by any determination made by Community Development staff in the enforcement or interpretation of this ordinance may appeal such determination to the Board of Zoning Appeals, within ten (10) calendar days of the written determination. Any person adversely affected by any determination made by the Planning Commission may appeal such determination to the Courts of South Carolina pursuant to the South Carolina Code of Laws, Section 6-29-900 et sequitur.

## **SECTION 7. MAINTENANCE OF HISTORIC PROPERTIES AND BUILDING AND ZONING CODE PROVISIONS.**

- (a) *Ordinary maintenance or repair:* Ordinary maintenance or repair of any exterior architectural or environmental feature in or on an historic property to correct deterioration, decay, or to sustain the existing form, and that does not involve a material change in design, material or

outer appearance thereof, does not require a certificate of appropriateness.

- (b) *Applicability of property maintenance code:* Property owners of historic properties or properties within historic districts shall be subject to the City’s adopted property maintenance code.
- (c) *Affirmation of existing building and zoning codes:* Nothing in this article shall be constructed as to exempt property owners from complying with existing city building and zoning codes, nor prevent any property owner from making any use of this property not prohibited by other statutes, ordinances or regulations.

**SECTION 8. PENALTY PROVISIONS,**

Violations of any provisions of this article shall be punished in the same manner as provided for punishment of violations of validly enacted ordinances of the city.

**SECTION 9. 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: \_\_\_\_\_

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:**

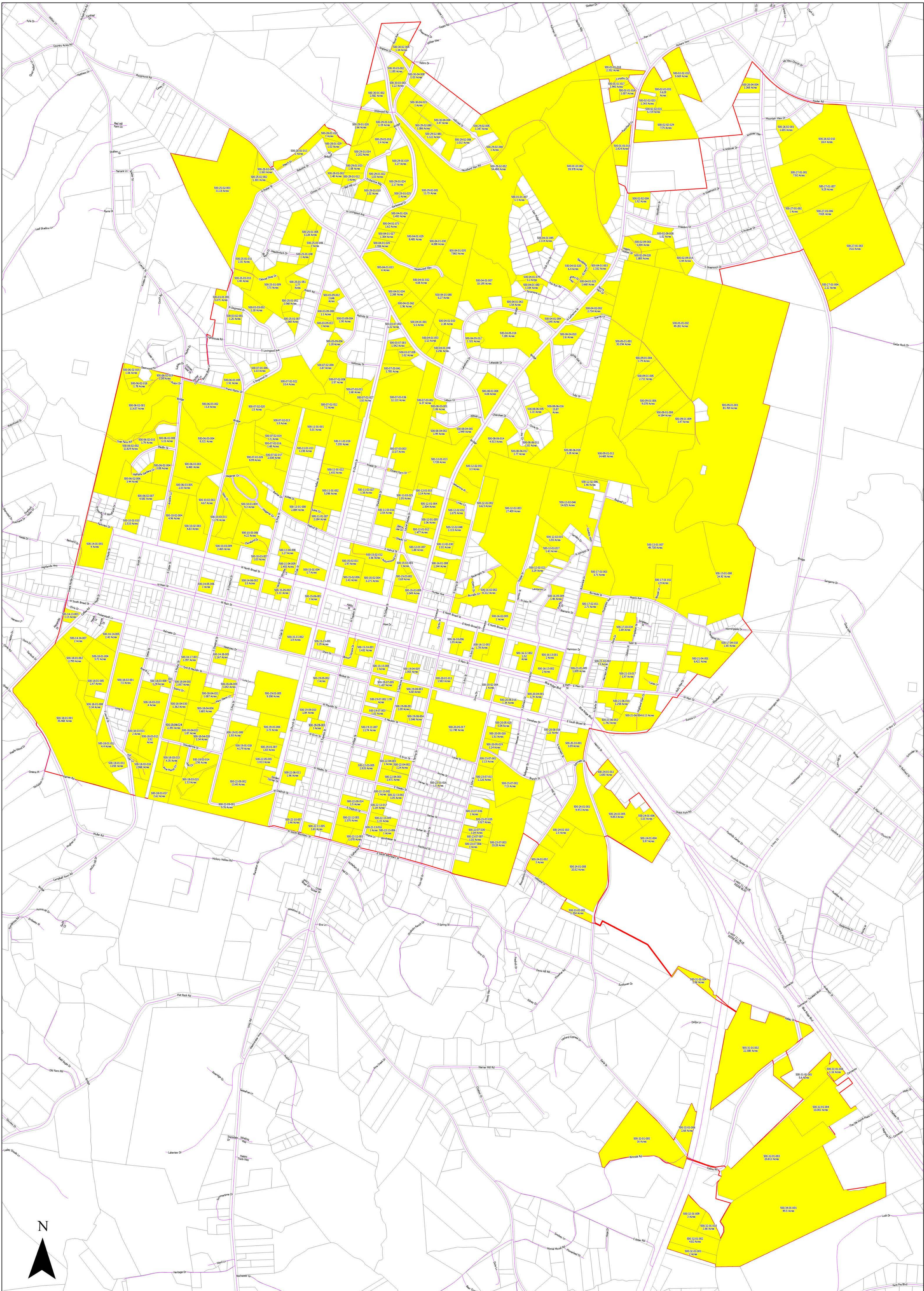
\_\_\_\_\_  
Timothy B. Burton, City Administrator

Introduced By: \_\_\_\_\_

First Reading: \_\_\_\_\_

Public Hearing,  
Second Reading  
And Adoption: \_\_\_\_\_






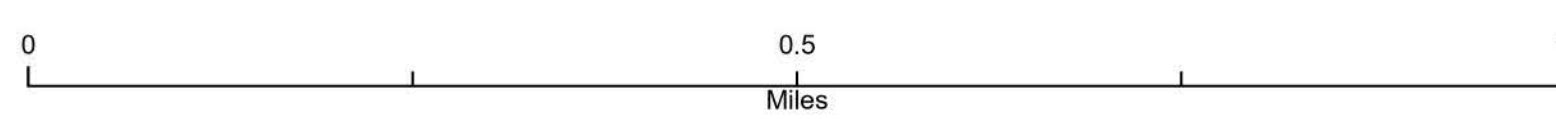


## Parcels 1 Acre or More within City of Walhalla Limits



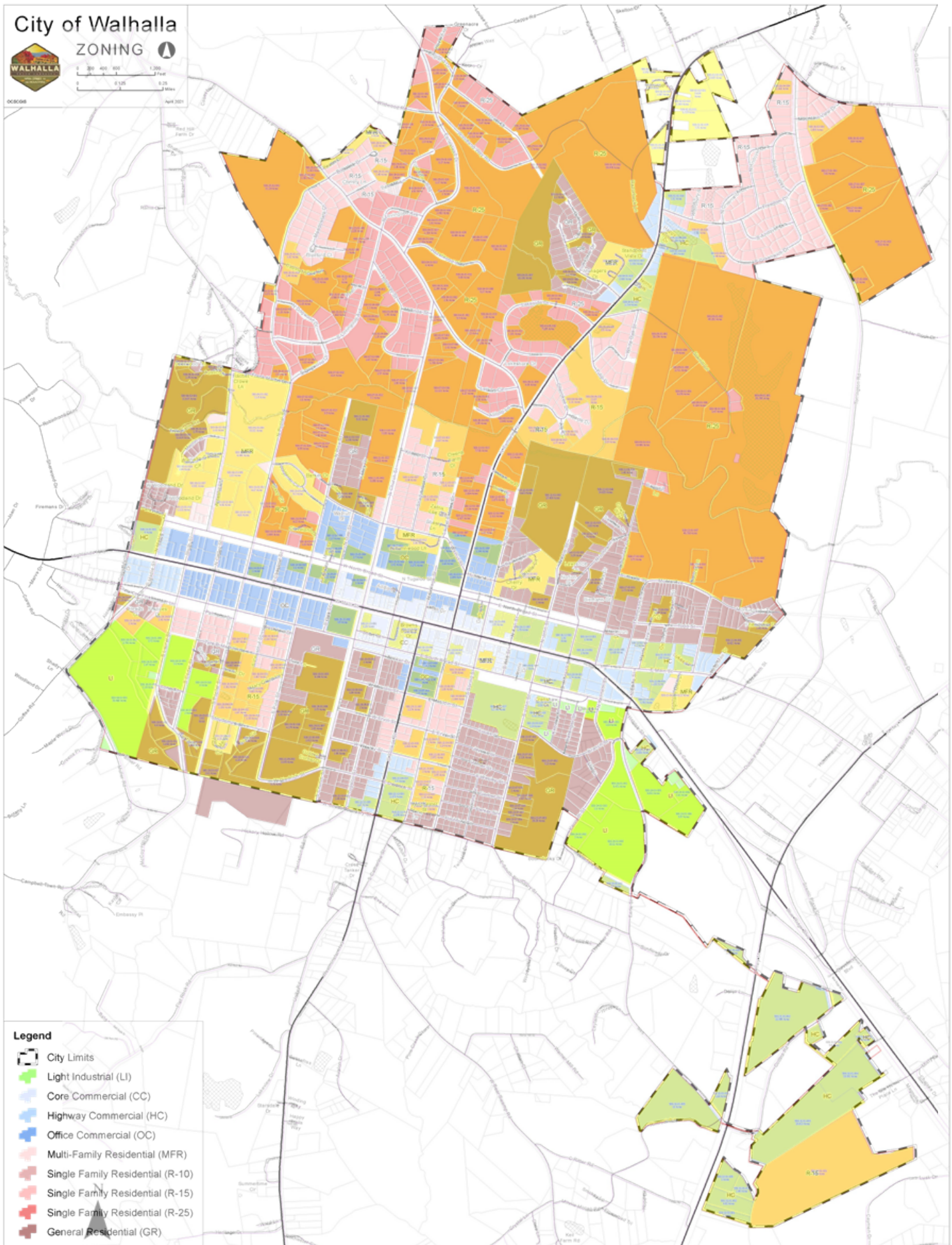
### Legend

-  Roads
-  Parcels 1 Acre or More
-  Walhalla Municipal Boundary
-  Parcels





# Parcels, 1 acre or more



STATE OF SOUTH CAROLINA )

COUNTY OF OCONEE )

ORDINANCE 2023-X

CITY OF WALHALLA )

**AN ORDINANCE TO AMEND THE ZONING CHAPTER OF THE MUNICIPAL CODE OF THE CITY OF WALHALLA, SOUTH CAROLINA TO PROVIDE FOR SHORT-TERM RENTALS, ESTABLISHING REGULATIONS FOR SUCH USE, AND OTHER MATTERS RELATING THERETO**

**Whereas**, the City of Walhalla has seen as increase in demand for short-term rentals within City limits; and

**Whereas**, the City wishes to establish regulations to provide for privately owned residential property to be used as vacation homes or other short-term rentals;

**Whereas**, the City desires to minimize the adverse effects of short-term rental uses on surrounding residential properties and neighborhoods, and to preserve the character, integrity and stability of residential neighborhoods, in which short-term rental properties are located; and

**Whereas**, under SC Code Ann. § 5-7-30 (Supp. 2021), the City Council is authorized to adopt ordinances on any subject which appears to it necessary and proper for the security, general welfare and convenience of the municipality or for preserving health, peace, order and good government in it; and

**Whereas**, the City Council has determined that the regulations set out in this Ordinance are in the best interest of the public health, safety, and welfare of the citizens of the City of Walhalla

**NOW THEREFORE**: it is ordained and enacted that: by the Mayor and Council members of the City of Walhalla, in Council assembled, that the following ordinance, shall be as follows:

*Subsection (6) of Conditional uses. The following uses shall be permitted in any R-25 Zoning District, subject to the conditions of this Part 1:*

Short-term rental units that meet the following requirements:

- a. Detached single-family dwellings and accessory dwellings may be rented. Manufactured homes are not eligible for short-term rental.
- b. A maximum of six (6) bedrooms shall be allowed with no more than two (2) adults in each room. The maximum number of any rental party (adults and children) shall not exceed twelve (12) people.
- c. Rooms shall be rented for a maximum of fourteen (14) consecutive days.
- d. Rental homes should reflect and blend in with the character of the neighborhood.

- e. Owners shall apply for and receive a Short-Term Rental Permit from the City of Walhalla, prior to operating as a short-term rental unit.
  - a. Short-Term Rental Permits shall be valid from January 1 to December 31 of any calendar year and shall only be valid for the calendar year during which the Short-Term Rental Permit is issued, irrespective of the date on which the Short-Term Rental Permit is issued. Applications may be submitted for forthcoming calendar year beginning November 1.
  - b. A Short-Term Rental Permit must be obtained for each short-term rental property that is offered for short-term rental.
  - c. Short-Term Rental Permits are non-transferrable and are only valid for the short-term rental property described in the Short-Term Rental Permit.
  - d. It is the duty of the Owner to notify the City of Walhalla of any changes to the contact information of the Owner and any Short-Term Rental Agent employed or engaged by the Owner for each Short-Term Rental Permit issued to the Owner.
  - e. The application fee for the Short-Term Rental Permit shall be set each year by the City Council in the annual Budget Ordinance.
  - f. The application for a Short-Term Rental Permit shall be made on a form published by the City of Walhalla and must be delivered with the application fee and following documentation:
    - i. A site plan showing compliance with the requirements of this Chapter;
    - ii. A copy of the rental agreement with rental rules. The rental agreement shall specify the following:
      - 1. The minimum and maximum stay.
      - 2. The maximum number of guests. For primary house rentals, the total number of allowed guests (adults and children) is twelve (12). For accessory dwelling rentals, the total number of guests is limited to four (4).
      - 3. The maximum number of vehicles permitted at the unit--which shall be based on the number of bedrooms and the design of the driveway. For primary house rentals, the number of vehicles is limited to 1 per bedroom, maximum of six (6). For accessory dwelling rentals, the maximum number of vehicles is limited to two (2).
      - 4. Where guests are to park. The agreement shall specify that guests are to park on-site and not in the street.
      - 5. That the City's noise ordinance applies and quiet hours are between 10:00 PM and 7:00 AM.
      - 6. Prohibit large gatherings, such as weddings and reunions unless specifically approved by the City.

7. Pets, if permitted, are not to be left outside unattended and must abide by the regulations set forth in the Animal Chapter of the City Code.
  8. Rental rules, including use of the sanitation roll-carts, and emergency contact information including the police non-emergency number, shall be posted in a conspicuous location in the unit.
- iii. A copy of the property management plan:
    1. The property management plan shall identify a Short-Term Rental Agent. Where the property owner does not live on the premises, the Short-Term Rental Agent must be available to appear on the premises to respond a complaint within thirty (30) minutes of being notified by the Zoning Administrator or other City official. Where the property owner lives on the premises, a back-up Short-Term Rental Agent must be identified unless the owner certifies the unit will not be rented when the owner is out of town. The Zoning Administrator shall be notified when management of the unit changes. Failure to comply with the approved property management plan shall result in the revocation of the zoning permit.
    2. A copy of the fire alarm monitoring contract, if applicable.
- g. Review of an application for a Short-Term Rental Permit shall be conducted by the Zoning Administrator, and the Short-Term Rental Permit shall be granted unless the Owner fails to meet the conditions and requirements of this Chapter, or otherwise fails to demonstrate:
    - i. Compliance with this Chapter; or
    - ii. There are no outstanding citations for any activities occurring at or connected with the Short-Term Rental Property; or
    - iii. Compliance with any other City Ordinance or any relevant state or federal law regarding activities at the Short-Term Rental Property.

Any false statements or inaccurate or untrue information in the application are grounds for revocation or suspension of the Short-Term Rental Permit and/or imposition of penalties, including denial of future applications.
  - h. Short-Term Rental Permits shall not be issued prior to a scheduled inspection with the Fire Marshal and approval obtained.
  - i. Every person or business entity which:
    - i. Acts as a Short-Term Rental Agent, and
    - ii. Submits an application for Short Term Rental Permit on behalf of any Owner, must submit a complete application that includes all the information required in the form of the application and which has been signed by the Owner.



- f. Licenses, Permits, Payment of Fees and Taxes Fees Required.
  - a. No Owner may offer any Short-Term Rental Property for Short-Term Rental without initially and on a continuing basis:
    - i. Obtaining a valid and current Short-Term Rental Permit from the City of Walhalla, South Carolina; and
    - ii. Obtaining a valid and current business license for Short-Term Rental of property from the City of Walhalla, South Carolina; and
    - iii. Paying all applicable fees and taxes associated with any application for a Short-Term Rental Permit or business license, and all sales or other similar taxes in connection with any Short-Term Rental, paying all ad valorem taxes for any Short-Term Rental Property.
  - g. Regulations for Short-Term Rentals and Short-Term Rental Properties.
    - a. General Regulations: During any lease of any Short-Term Rental Property, the Owner, or the Short-Term Rental Agent:
      - i. Shall be available during any Short-Term Rental Period to respond to a complaint or other matter related to the operation or behavior of any Short-Term Lessee of the Short-Term Rental Property; and
      - ii. Shall be available by telephone at all times during the Short-Term Rental Period and capable of being physically present at the Short-Term Rental Property, or taking other responsive action, within thirty (30) minutes of notification of a complaint or other matter related to the Short-Term Rental Property; and
      - iii. Shall prominently display in the Short-Term Rental unit contact information for the Owner or Short-Term Rental Agent responsible for responding to complaints; and
      - iv. Shall maintain fully operable and building and fire code compliant smoke and carbon monoxide detectors in the Short-Term Rental Property, as required by law; and
      - v. Shall maintain at least one (1), or such other number as is required by any applicable building, fire or other applicable code, fully operable and charged fire extinguisher; and
      - vi. Shall maintain unobstructed escape routes from the Short-Term Rental Property in the event of fire; and
      - vii. Shall notify all prospective Short-Term Lessees in writing of the existence of any swimming pool or hot tub at the Short-Term Rental Property and any safety equipment related to the swimming pool or hot tub prior to making any agreement for any Short-Term Rental.
    - b. Trash Regulations: During any lease of any Short-Term Rental Property, the Owner, or the Short-Term Rental Agent:
      - i. Shall maintain a designated trash storage area for use of Short-Term Lessees at the Short-Term Rental Property.
      - ii. The designated trash storage area shall be fenced or screened so that trash

containers are not seen from public streets and neighboring property, except during designated pick-up times; and

- iii. The Owner shall prominently display instructions for managing trash disposal, including designated pick-up times and, if applicable, relevant property owner association requirements in the Short-Term Rental Property.
  - iv. The Owner shall ensure any outdoor trash containers remain secured to avoid spills and pests.
  - v. The Owner shall ensure that trash containers are not placed curbside more than twenty-four (24) hours prior to scheduled pick-up times and will be removed no more than twenty-four (24) hours after pick-up.
- c. Parking Regulations. During any lease of any Short-Term Rental Property:
- i. Parking: Parking shall be provided on-site and located to the side or rear of the dwelling. On-site parking shall be clearly delineated with an improved surface such as pavement, gravel, or another method approved by the zoning administrator. Parking areas must include a space at least nine (9) feet by eighteen (18) feet for each vehicle allowed to be parked on the premises and improved with an impermeable or semi-impermeable surface. Areas for parking must comply with all applicable requirements of Sections 330-1.31 through 330-1.38.
  - ii. The Owner must notify all prospective Short-Term Lessees in writing of the maximum number of vehicles permitted at the Short-Term Rental Property prior to making any agreement for any Short-Term Rental.
  - iii. The Owner must ensure that no vehicles associated with the Short-Term Lessee will park off-site, including in adjacent rights-of-way, during the Short-Term Rental Lease.
- d. Miscellaneous Regulations: During any Short-Term Rental Lease of any Short-Term Rental Property:
- i. A maximum of six bedrooms shall be allowed with no more than two adults in each room. The maximum number of any rental party (adults and children) shall not exceed twelve (12) people.
  - ii. Short-Term Rental Properties must be properly maintained and regularly inspected by the Owner or Short-Term Rental Agent to ensure continued compliance with this Chapter and all other applicable zoning, building, health and life-safety code requirements.
  - iii. Rental homes should reflect and blend in with the character of the neighborhood.
  - iv. No on-site signs shall be permitted.
  - v. For properties located in a neighborhood with a property owners' association, written confirmation from the association president that short-term rentals are permitted in the neighborhood is required. The facility shall comply with all business license, revenue collection, and health laws of the City of Walhalla, Oconee County and the state of South Carolina.
- e. In addition to the requirements of this Chapter, any Short-Term Rental Property must also comply with all other statutes, ordinances, regulations or private covenants

applicable to the Short- Term Rental Property. Nothing in this Section is intended to authorize waiver of or limitations on compliance with any such requirements.

- h. Violations. It shall be a violation of this Chapter to:
  - a. Lease any Short-Term Rental Property for a Short-Term Rental without complying with the requirements of this Chapter.
  - b. Advertise any residential property for a Short-Term Rental without first complying with the requirements of this Chapter.
  - c. Fail to comply with any requirement of this Chapter.
- i. Suspension or Revocation of Short-Term Rental Permit.
  - a. When the City determines:
    - i. A Short-Term Rental Permit has been mistakenly or improperly issued or issued contrary to law; or,
    - ii. An Owner has breached any condition upon which the Short- Term Rental Permit was issued; or,
    - iii. An Owner has obtained a Short-Term Rental Permit through any fraud, misrepresentation, a false or misleading statement, or evasion or suppression of a material fact in the Short-Term Rental Permit application; or,
    - iv. An Owner is delinquent in the payment to the municipality of any tax or fee; or,
    - v. The operation of a Short-Term Rental Property has been declared a nuisance; or,
    - vi. More than two convictions for violations of the Municipal Code of the City of Walhalla, South Carolina, arising from any activities at, or connected with, a Short-Term Rental Property occur within any twelve (12) month period.

Then the City may give written notice to the Owner that the Short-Term Rental Permit is suspended and may be revoked, pending a single hearing before City Council for the purpose of determining whether the suspension should be upheld and whether the Short-Term Rental Permit should be revoked.

- b. When the City determines units are operating without approval of the City, the short-term rental application fee shall be double the stated fee or \$1,000, whichever is higher. If the property owner chooses not to submit a short-term rental application within 60 days of being notified by the City of being in violation of the ordinance, a short-term rental application shall not be approved for a period of 2 years.
- c. The written notice of suspension and proposed revocation shall state the time and place at which the hearing before City Council is to be held and shall contain a brief statement of the reasons for the suspension and proposed revocation and a copy of the applicable provisions of this Chapter. The written notice shall be delivered to the Owner or Short-Term Rental Agent by certified mail, return receipt requested, addressed to the Owner or Short-Term Rental Agent at the address for the Owner or Short-Term Rental Agent shown on the application for the Short-Term Rental Permit. The written notice will be deemed to have been delivered on the date that the certified mail return receipt is signed for by, or on behalf of, the Owner or Short-Term Rental Agent.

- d. The hearing before City Council on the suspension and proposed revocation of any Short-Term Rental Permit shall be held by City Council within thirty (30) days after delivery of the written notice described in this Section. The hearing shall be held upon written notice at a regular or special meeting of City Council. The hearing may be continued to another date by agreement of all parties. At the hearing, all parties shall have the right to be represented by counsel, to present testimony and evidence, and to cross-examine witnesses. Following the hearing, City Council by majority vote of its members present, shall render a written decision setting out its findings of fact and conclusions. The written decision shall constitute the final decision of City Council. The written decision shall be delivered to the Owner unless a different person and method of delivery is requested by the Owner at the hearing.
- e. The written decision of City Council may be appealed in the same manner as appeals are made from the decisions of other administrative bodies of the City of Walhalla, South Carolina. An appeal, in and of itself, does not stay the effect of City Council's decision
- j. Severability. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.
- k. Effective Date. This Ordinance shall be effective on its adoption by the City Council for the City of Walhalla, South Carolina, but the enforcement of the regulations set out in this Ordinance shall begin on January 1, 2024.

l.

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: \_\_\_\_\_



STATE OF SOUTH CAROLINA )

COUNTY OF OCONEE )

ORDINANCE 2023-X

CITY OF WALHALLA )

**AN ORDINANCE TO ANNEX TEN AREAS OF RIGHT-OF-WAY ABUTTING THE CITY OF WALHALLA INCLUDING COFFEE ROAD (S-36) AND MULLER ROAD (S-97); PLAYGROUND ROAD (S-59); PICKENS HIGHWAY (SC 183); FOWLER ROAD (S-131); EARLE STREET (S-734); CHEROKEE FOOTHILLS TRAIL (SC-11); KENNETH STREET (S-735); EAST SOUTH BOUNDARY STREET AND WEST SOUTH BOUNDARY STREET (S-267); BLUE RIDGE BOULEVARD (SC 28); AND TORRINGTON RD (S-324)**

**Whereas**, City Council of the City of Walhalla has received consent from the South Carolina Department of Transportation’s (SCDOT) Secretary of Transportation to annex right-of-way, pursuant to SC Code Annotated Section 5-3-110, which provides for “annexation of right-of-way area of a street lying beyond but abutting on corporate limits, not exceeding the width thereof” and;

**Whereas**, the property sought to be annexed is contiguous to the present City limits;

**Whereas**, the City of Walhalla Planning Commission reviewed the request after a public hearing on March 13, 2023 and recommended City Council approve the annexation;

**Whereas**, the City Council has determined that annexation of these areas into the City is in the best interest of the public health, safety, and welfare of the citizens of the City of Walhalla

**NOW THEREFORE:** it is ordained and enacted that: by the Mayor and Council members of the City of Walhalla, in Council assembled, that the following ordinance, shall be as follows:

The abutting right-of-way that is the subject of this annexation is depicted in Exhibit A and described as follows:

- Area 1: Coffee Road (S-36) and Muller Road (S-97);
- Area 2: Playground Road (S-59);
- Area 3: Pickens Highway, aka North Catherine Street (SC 183);
- Area 4: Fowler Road (S-131);
- Area 5: Earle Street (S-734);
- Area 6; Cherokee Foothills Trail (SC 11);
- Area 7: Kenneth Street (S-735);
- Area 8: East South Boundary Street and West South Boundary Street (S-267);
- Area 9: Blue Ridge Boulevard (SC 28); and
- Area 10: Torrington Road (S-324)

This annexation of right-of-way will not alter existing zoning classifications of abutting properties.  
This ordinance becomes effective upon its approval by City Council at second and final reading.

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: \_\_\_\_\_

Area 1: Coffee Road (S-36) and Muller Road (S-97) in red.



Area 2: Playground Road (S-59) in red.





Area 3: Pickens Highway, aka North Catherine Street (SC 183) in red.



Area 4: Fowler Road (S-131) in red.





Area 5: Earle Street (S-734) in red.



Area 6: Cherokee Foothills Trail (SC 11) in red.





Area 7: Kenneth Street (S-735) in red.



Area 8: East South Boundary Street and West South Boundary Street (S-267) in red.





Area 9: Blue Ridge Boulevard (SC 28) in red.



Area 10: Torrington Road (S-324) in red.



**Walhalla Planning Commission**  
**Preliminary Subdivision - Staff Report**  
**March 13, 2023**

Preliminary Subdivision Name: NA

Intended Development: Residential, Single-Family

Applicant: Cliff Powell

Location: Josh Circle

Zoning: General Residential (GR)

Surrounding Land Use: North: Residential, Single-Family  
South: Government, Oconee County School District  
East: Government, Oconee County Government  
West: Residential, Multi-Family

Tax Map Number: 500-18-03-014

Existing Access Road: Josh Circle (Private Road, P-520) off Stoudemire Street (State Rd, S-288)

Number of Acres: 2.95

Number of Lots: Total of 10 lots  
Phase I - 5  
Phase II - 5

Water Supplier: City of Walhalla

Sewer Supplier: City of Walhalla

Traffic Impact Analysis: The full proposal is expected to generate 100 new trips per day. Phase I is expected to generate 50 new trips per day.

Evaluation: The applicant is requesting a subdivision of up to 10 lots over two phases on a 2.95 acre parcel along Josh Circle, off Stoudemire Street.

The proposal is that each single-family residential home be a stand-alone development. No HOA or POA is planned.

There is currently access to sewer off Josh Circle and water off Stoudemire Street. Phase I can currently be developed,

accessing both sewer and water. A water extension will be required before development of Phase II.

The developer intends to build-out Phase I, prior to extending the water line down Josh Circle for Phase II.

Staff Recommendation:

Approval of Phase I, with the following conditions.

1. Developer must submit detailed preliminary plat prior to applying for and obtaining a zoning permit.
2. Developer must obtain all necessary permits prior to proceeding with development;

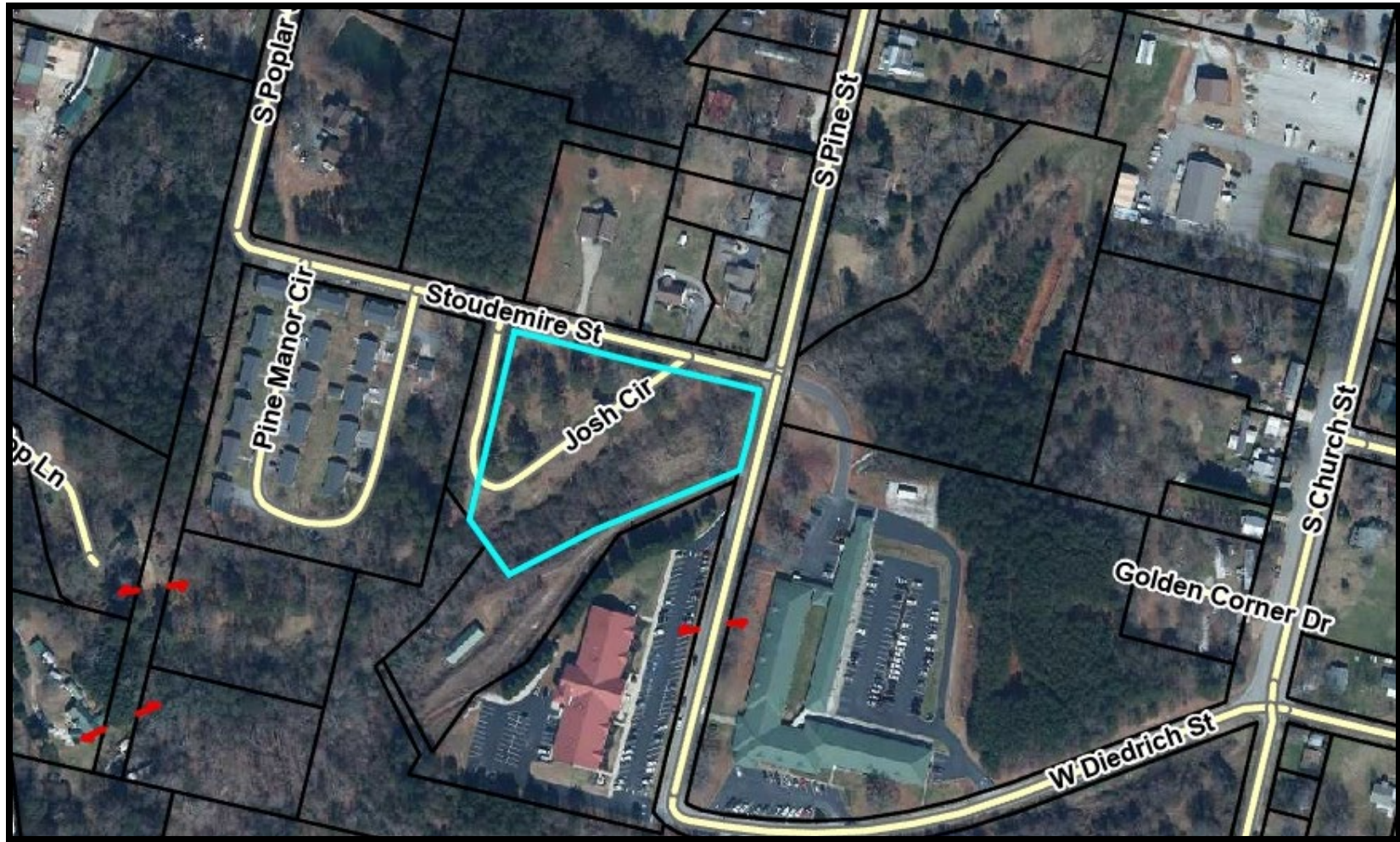
Approval of Phase II, with the following condition,

1. Developer must submit detailed preliminary plat of proposed Phase II lots;
2. Developer must extend the water line along Josh Circle to serve Phase II prior to applying for and obtaining a zoning permit.
3. Developer must obtain all necessary permits prior to proceeding with development.

Applicant has twelve (12) months to submit a final plat that will be reviewed by staff and Planning Commission for final approval.



# AERIAL MAP



## Preliminary Subdivision

**Location:** Josh Circle

**TMS:** 500-19-05-001

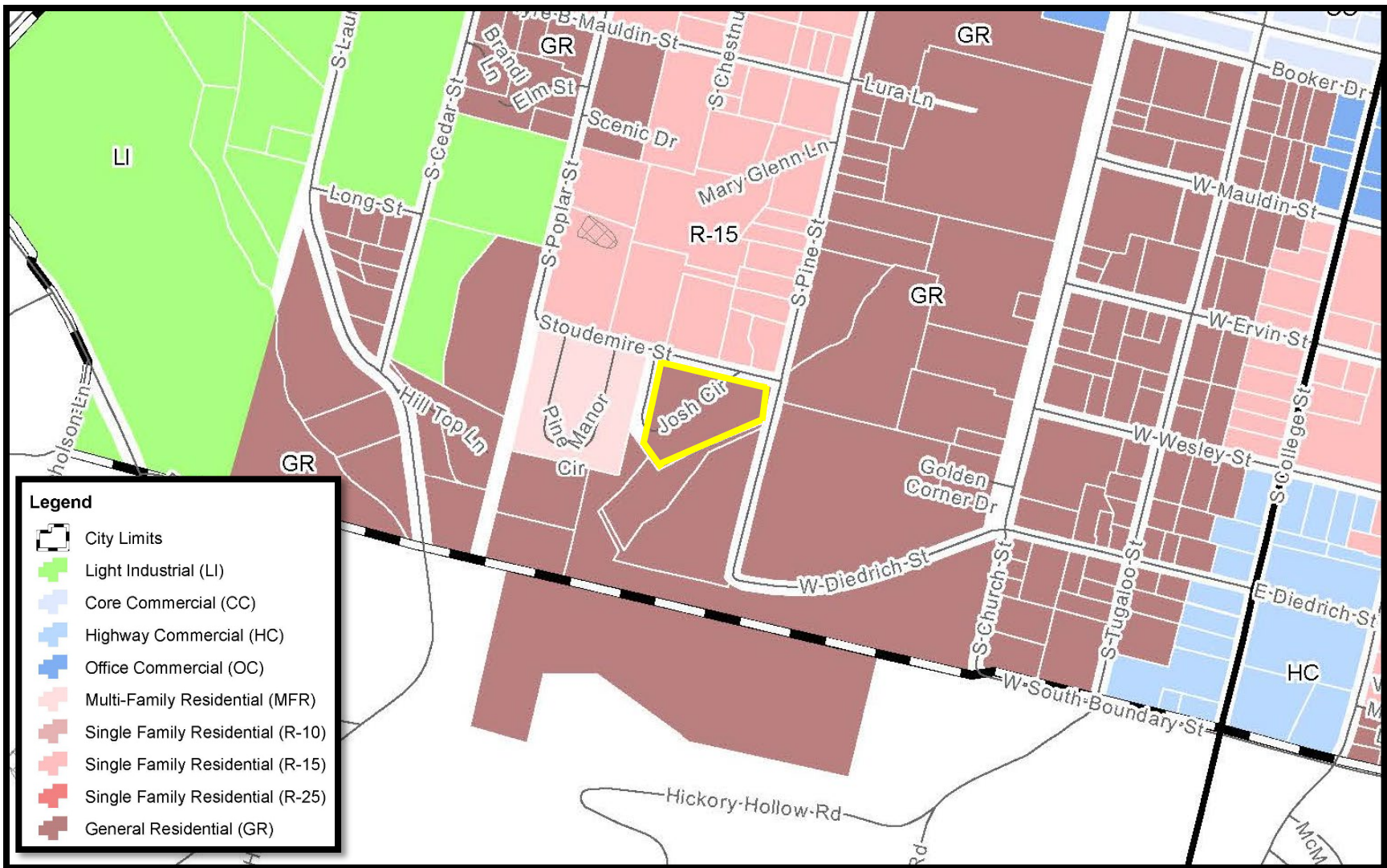
**Zoning:** General Residential (GR)

**Acreage:** 2.95

**Proposed Lots:** Total of 10 lots; Phase I, 5 lots; Phase II, 5 lots



# ZONING MAP



## Preliminary Subdivision

**Location:** Josh Circle

**TMS:** 500-19-05-001

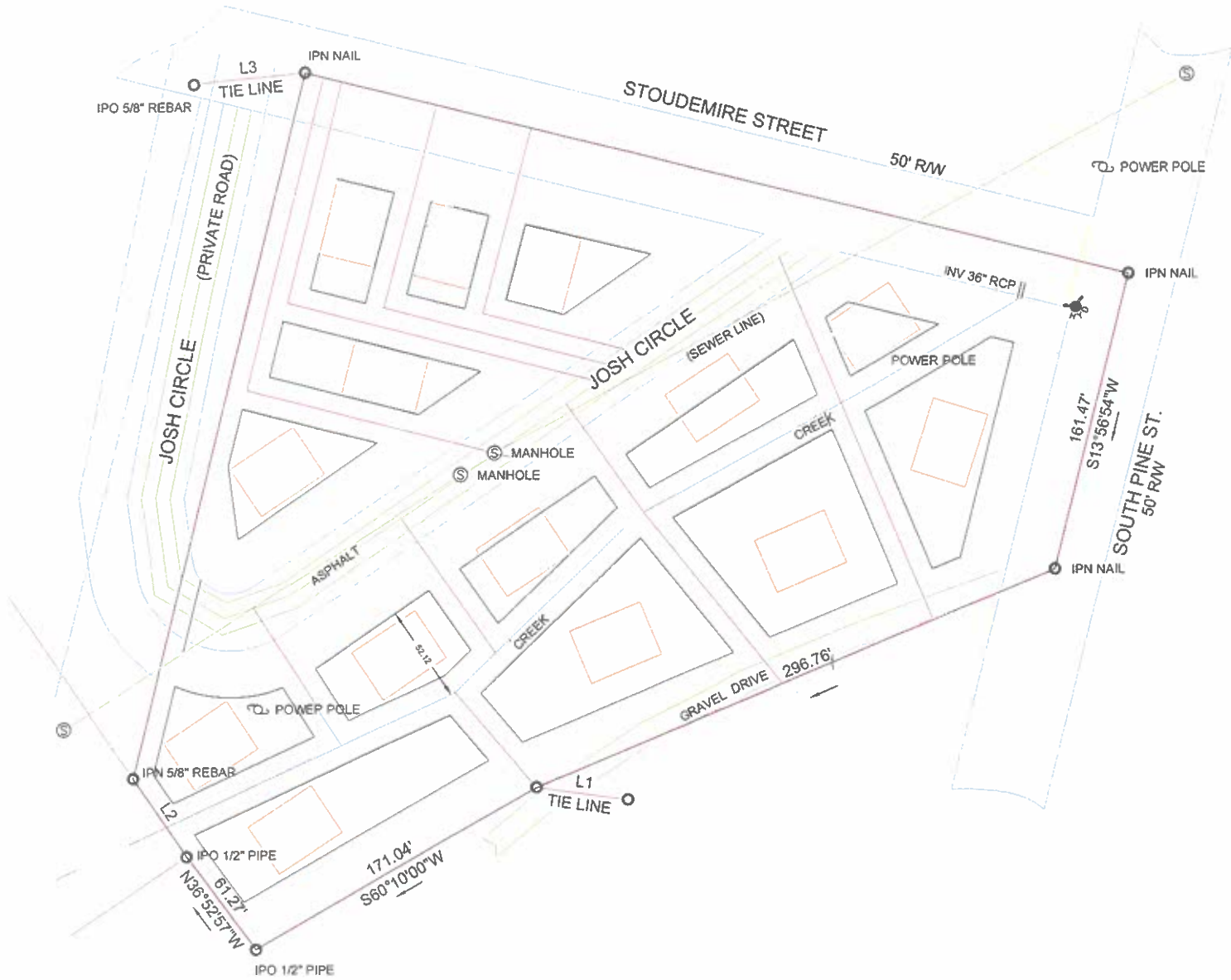
**Zoning:** General Residential (GR)

**Acreeage:** 2.95

**Proposed Lots:** Total of 10 lots; Phase I, 5 lots; Phase II, 5 lots



PROPOSAL A





## City of Walhalla Comprehensive Plan Update 2025-2045

### **Steering Committee** (Draft - to be determined by Mayor Edwards and Council)

Danny Edwards, Mayor  
Brandon Burton, Administrator  
Planning Commission Chair or Vice-Chair  
Main Street Walhalla Board Member  
Two (2) Citizens  
Celia Myers, AICP, Community Development

### **Focus Groups** (Draft - to be determined by Mayor Edwards and Council)

1. Population, Economic Development and Land Use
  - a. Keith Pace
  - b. MSW Staff (Catie Fisher)
  - c. Planning Commissioner
2. Natural Resources and Resiliency
  - a. David Underwood
  - b. Planning Commissioner
3. Community Facilities and Services
  - a. Grant Keehn
  - b. Danny Woodward
  - c. City Staff (Will Bates, Scott Parris, Tim Rice)
  - d. Planning Commissioner
4. Housing and Transportation
  - a. Sarai Melendez
  - b. Tyler Jordan
  - c. Planning Commissioner
5. Cultural/Historical Resources and Health & Active Living
  - a. Danny Woodward
  - b. City Staff (John Galbreath)
  - c. Planning Commissioner

### **Potential Partners** (to include on focus groups or coordinate with public engagement)

- |   |                                |
|---|--------------------------------|
| 1. Walhalla Performing Arts Center        | 13. Habitat for Humanity       |
| 2. Partners for Progress                  | 14. Food Council               |
| 3. Main Street Walhalla                   | 15. Oconee Cultivation         |
| 4. Walhalla Middle/School District        | 16. Humane Society             |
| 5. Oconee Chamber of Commerce             | 17. Museums (Oconee, Cherokee) |
| 6. Clemson Extension/4-H/Master Gardeners | 18. Oconee County              |
| 7. Clemson Rural Health                   | 19. Foothills Alliance         |
| 8. Oconee Conservation District           | 20. American Legion Post 124   |
| 9. Rotary Club                            | 21. Walhalla Library Branch    |
| 10. Lion's Club                           | 22. United Way                 |
| 11. Area Churches                         | 23. YMCA                       |
| 12. Ten at the Top                        | 24. State/Regional Agencies    |