



MEMBERS OF LANCASTER COUNTY PLANNING COMMISSION

JASON CAVALIER, DISTRICT 1
T. YOKIMA CURETON, DISTRICT 2
LYNETTE HINSON, DISTRICT 3
JUDIANNA TINKLENBERG, DISTRICT 4
CHAIR: MICHELLE RICHARDS, DISTRICT 5
SHEILA HINSON, DISTRICT 6
FRANCES LIU, DISTRICT 7
SECRETARY: MARA MATA

**MINUTES OF THE LANCASTER COUNTY PLANNING COMMISSION
WORKSHOP MEETING**

**January 8, 2026 5:00 P.M.
MINUTES**

Chairman Richards called the meeting to order at 5:02 p.m.

1. Roll Call:

Commissioners Present:

Jason Cavalier, Dist. 1 (Arrived Late)
T. Yokima Cureton, District 2
Lynette Hinson, District 3

Judianna Tinklenberg, Dist. 4
Michelle Richards, Dist. 5
Sheila Hinson, Dist. 6
Frances Liu, Dist. 7

Staff Present:

April Williams, Planning Director
Matthew Blaszyk, Planner
Jennifer Bryan, Planning Technician

Corey Barnes, Planner
Kirsten Willis, Planner
Admin. Assistant: Mara Mata

The following press were notified of the meeting by email in accordance with the Freedom of Information Act: The Lancaster News, Kershaw News Era, The Rock Hill Herald, The Fort Mill Times, Cable News 2, Channel 9, and the local Government Channel.

Y. Cureton motions to approve Agenda with an amendment to remove Item 2b; 2nd by S. Hinson.

Vote: 5:1 **Motion approved.** J. Tinklenberg opposed.

2. New Business

a. SD-2024-1350 Riverside Single Family aka Riverside Manor

Application by Coulston Development on behalf of owners B & C Land Farming LLC for a Preliminary Plat for 251.42 acres at and surrounding 4602 Riverside Road (TM 0028-00-038.00) for a single-family residential development of 133 lots (a/k/a Riverside Single-Family)

Staff Presentation: Matthew Blaszyk

Discussion:

- Staff Recommendation

b. RZ-2025-2810 EMS Facility

Application by Greg Bass on behalf of Lancaster County for a rezoning of 1.745 acres located at 9070 Van Wyck Rd (TM 0022-00-007.02) from Medium Density Residential (MDR) to Institutional (INS) District, in order to construct a new EMS Station.

Staff Presentation: Kirsten Willis

Discussion:

- Location

3. Other:

a. April Williams and the Commissioners discussed the Regular January 20th Meeting items.

b. Continuing Education with John DeLoach

Commissioner Cavalier arrives at 5:11 PM.

4. Adjourn

Y. Cureton motioned to adjourn, 2nd by J. Cavalier.

Meeting was adjourned at **6:17 PM**

A SIMPLE GUIDE FOR PLANNING COMMISSION REVIEW OF DEVELOPMENT APPLICATIONS

Substantive due process in land use law prevents arbitrary government actions, requiring that zoning and land use regulations serve a legitimate public purpose (health, safety, welfare) and are rationally related to that goal, not "arbitrary or capricious". *Euclid v. Ambler Realty*, 272 U.S. 365 (1926). Substantive due process prohibits a local government from denying land use permits arbitrarily - meaning without a basis in law or the record. *Cine SK8 Inc., v. Town of Henrietta*, 507 F.3d. 778 (2007)

1. Determinations of compliance with the land development ordinance

- a. Who is tasked with the initial review and approval/denial/modification of an application/plat
 - i. **Staff** – staff reviews, negotiates, and approves or rejects the application based upon any applicable sections of the land development ordinance.
 1. If the applicant disagrees with all or part of the decision, they may appeal to the Planning Commission
 - ii. **Planning Commission**- Development ordinance may authorize the Commission to make the initial decision. Otherwise, the Commission acts as an appellate body.

1. If Commission is the initial decision maker

- a. Do the land uses in the application meet the requirements provided in the Development Ordinance
- b. If not, what specific sections of the ordinance does the application not meet the requirements.
- c. What requirements do the Commission have the authority, in the ordinance, to impose modifications or conditions on the application?
- d. Commission must provide a written decision to the applicant – applicant has the right to appeal to the SC Circuit Court if they do not agree.

2. If the Commission is an appellant body

- a. The Commission has to determine if the initial staff decision contained errors in applying the requirements of the development ordinance.
 - i. If no, then the Commission should uphold the staff decision and allow the applicant to proceed based on that decision.
 - ii. If yes, the Commission should determine the approval, denial or conditions imposed based upon the evidence presented by all parties in interest at a quasi-judicial hearing.

2. The Planning Commission Must provide Applicants with Written Decisions.

Regardless of the Commission's role – The Commission must provide the applicant with a written decision and specifically include any conditions or modifications imposed. Any condition or modification should be supported with reference to applicable sections of the Development Ordinance

- S.C. Code Section 6-29-1150(b) : A record of all actions on all land development plans and subdivision plats with the grounds for approval or disapproval and any conditions attached to the action must be maintained as a public record. In addition, the developer must be notified in writing of the actions taken.



Planning Commission Authority

Planning Commission Workshop

Lancaster County, SC

January 8, 2026

Local Leaders Statewide Strength

Freedom of Information Act

Meeting Minutes

What are Minutes – Why are they required

- Required of all public bodies by SC Code Section 30-4-90 and available for public inspection (30-4-30)
- An official record of attendance, matters considered and votes taken
- It's not a court-style transcript
 - Public bodies need the free ability to openly discuss issues



Substance of Official Minutes

- At a minimum official minutes must include
 - Date, time and location of the meeting
 - Presence or absence of members and presence of a quorum,
 - Substance of matters officially proposed, discussed & action taken
 - Result of any votes taken
 - 30-4-90 allows members to request specific information be added*
 - Must reference/reflect specific issue on the agenda



Authority of Quasi-Judicial Bodies

- The 5th Amendment restricts regulation of private land use to that reasonably necessary to protect public health, safety and welfare
- Authority to review applications or appeals must be established within the county's land use ordinances
- Actions of the Board/Commission must conform to the applicable land use ordinance
 - By-Right (permitted) vs. Conditional/discretionary use



Board/Commission Authority

What can the Commission do?

- Approve
- Deny
- Approve with conditions imposed**
- Any action by the Board/Commission must be based on the scope of discretion the Commission is granted within the applicable ordinance

** must be authorized by statute/ordinance/regulation



Common Ethical Issues for Commission Members

- Separate your personal opinions from professional responsibilities
- Pitfalls of Social Media
 - Personal vs. Official pages
 - Personal comments on pending or anticipated matters before the body
 - Appealable issue of bias
 - Potential for liability



Questions?

John DeLoache

A large black rectangular box redacting contact information, likely a phone number and email address, located below the name John DeLoache.

www.SCcounties.org

