



South Carolina Planning Education Advisory Committee (SCPEAC)

November 9, 2023

NOTICE OF DECISION

Title of Program: 2023 Planning and Zoning Update

Organization: City of North Augusta

The following action has been taken by the SCPEAC on this application:

RECEIVED BY THE COMMITTEE Date: September 22, 2023

REVIEWED BY THE COMMITTEE Date: _____

ACCEPTED WITHOUT OBJECTION Date: September 30, 2023

- a) X ACCREDITED for: 180 min. CE credits: 3.0
- b) _____ DENIED ACCREDITATION
- c) _____ RETURNED for more information

If accredited:

- a) Authorized Course No.: 2023-06
- b) Date of accreditation: September 30, 2023

Certification Signature, MASC Administrative Representative: L.P. Floyd

Certification Signature, SCPEAC Representative: Stephanie Monroe Tilsen

**For further information, contact Urica Floyd at 803-354-4754
or the committee at SCPEAC@masc.sc.**

APPLICATION FOR ACCREDITATION OF A CONTINUING EDUCATION PROGRAM

NOTE: This certification form, together with the required information referenced therein, shall be submitted to the Committee. If no objections are raised by a member of the SCPEAC within 10 business days of receipt, the continuing education program shall be considered accepted. If an objection is raised, a teleconference meeting shall be scheduled with appropriate public notice, as soon as reasonably possible, to review the application.

Applications are due no later than 30 days prior to the first scheduled presentation of a program or class. The Committee will consider extenuating circumstances where the 30 day deadline cannot be met.

1. Name and address of organization providing or sponsoring the orientation program:

- a. Organization Name: _____
- b. Address: _____
- c. City: _____ State: _____ Zip Code: _____
- d. Telephone: _____ Email: _____

2. Contact Information:

- a. Name of Contact Person: _____
- b. Title: _____
- c. Telephone: _____ Email: _____

3. Information on program:

- a. Title of Program: _____
- b. Date(s) & Location(s): _____
- c. Brief description of the program and its content: _____

4. Method of presentation: _____

5. Description of materials to be distributed: _____

6. When are materials distributed (before or at the time of the program): _____

7. Instruction time: Indicate the total number of minutes of instruction time: _____

NOTE: Breaks, meals, and introduction should not be counted. A reasonable period of Q & A should be included and counted.

8. Method of Advertisement (describe how you plan to notify local officials of program): _____

9. Required attachments:

- a. Brochure, if available
- b. Course Presenter(s) and credentials (include brief resumes and qualifications)
- c. Copies of all handouts and course materials
- d. Evaluation Form and method of evaluation (each program must be evaluated)

10. Certification. By submitting this application, the applicant agrees to:

- a. Allow in-person observation, without charge, of the Program by the SCPEAC Committee members. Any food, travel, or lodging costs will be the responsibility of the Committee member(s).
- b. The applicant acknowledges that its approval for this Program may be withdrawn for violations of the regulations or failure to comply with the agreements and representations contained herein and as may be required by the SCPEAC.

11. Application and program materials shall be submitted:

- a. Electronically to each of the Committee members emails as listed on the website (<https://www.scstatehouse.gov/SCPEAC/members.htm>).



WETMORE
LAW FIRM



CITY OF NORTH AUGUSTA

NOVEMBER 29, 2022

Tonight's Agenda

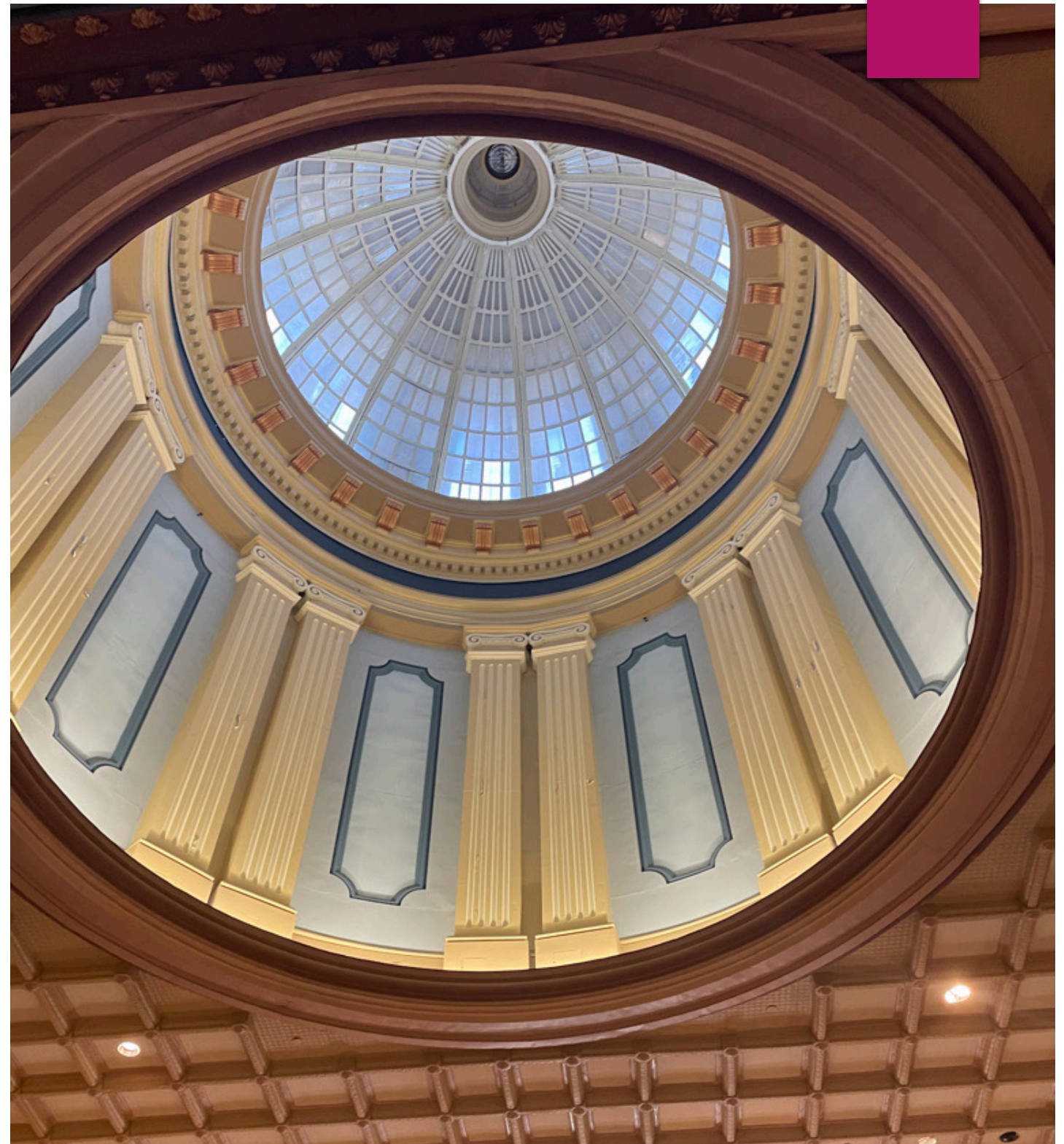


- ▶ Legal Framework:
 - ▶ State Law & Duties of Boards & Commissions
 - ▶ Constitutional Limitations
 - ▶ Recent Court Cases
- ▶ Ethics Review
- ▶ Hot Topics:
 - ▶ Impact Fees
 - ▶ Short-Term Rentals

State Law

All Local Planning/Zoning Authority Governed by State Statute: South Carolina Local Government Comprehensive Planning Enabling Act of 1994

- ▶ Planning Commission: 6-29-340
 - ▶ Comprehensive Plan 6-29-500
 - ▶ Zoning Ordinance: 6-29-700
- ▶ Board of Zoning Appeals 6-29-800
- ▶ Land Development Regulations: 6-29-1110
- ▶ Education Requirements: 6-29-1300
- ▶ Vested Rights: 6-29-1500



Purpose of Zoning:

SC Code
6-29- 710

(A) Zoning ordinances must be for the general purposes of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare. To these ends, zoning ordinances must be made with reasonable consideration of the following purposes, where applicable:

- (1) to provide for adequate light, air, and open space;
- (2) to prevent the overcrowding of land, to avoid undue concentration of population, and to lessen congestion in the streets;
- (3) to facilitate the creation of a convenient, attractive, and harmonious community;
- (4) to protect and preserve scenic, historic, or ecologically sensitive areas;
- (5) to regulate the density and distribution of populations and the uses of buildings, structures and land for trade, industry, residence, recreation, agriculture, forestry, conservation, airports and approaches thereto, water supply, sanitation, protection against floods, public activities, and other purposes;
- (6) to facilitate the adequate provision or availability of transportation, police and fire protection, water, sewage, schools, parks, and other recreational facilities, affordable housing, disaster evacuation, and other public services and requirements. "Other public requirements" which the local governing body intends to address by a particular ordinance or action must be specified in the preamble or some other part of the ordinance or action;
- (7) to secure safety from fire, flood, and other dangers; and
- (8) to further the public welfare in any other regard specified by a local governing body.

Zoning Tools from State Law

► (1) "cluster development" or the grouping of residential, commercial, or industrial uses within a subdivision or development site, permitting a reduction in the otherwise applicable lot size, while preserving substantial open space on the remainder of the parcel;

(2) "floating zone" or a zone which is described in the text of a zoning ordinance but is unmapped. A property owner may petition for the zone to be applied to a particular parcel meeting the minimum zoning district area requirements of the zoning ordinance through legislative action;

(3) "performance zoning" or zoning which specifies a minimum requirement or maximum limit on the effects of a land use rather than, or in addition to, specifying the use itself, simultaneously assuring compatibility with surrounding development and increasing a developer's flexibility;

(4) "planned development district" or a development project comprised of housing of different types and densities and of compatible commercial uses, or shopping centers, office parks, and mixed-use developments. A planned development district is established by rezoning prior to development and is characterized by a unified site design for a mixed use development;

(5) "overlay zone" or a zone which imposes a set of requirements or relaxes a set of requirements imposed by the underlying zoning district when there is a special public interest in a particular geographic area that does not coincide with the underlying zone boundaries;

(6) "conditional uses" or zoning ordinance provisions that impose conditions, restrictions, or limitations on a permitted use that are in addition to the restrictions applicable to all land in the zoning district. The conditions, restrictions, or limitations must be set forth in the text of the zoning ordinance; and

(7) "priority investment zone" in which the governing authority adopts market-based incentives or relaxes or eliminates nonessential housing regulatory requirements, as these terms are defined in this chapter, to encourage private development in the priority investment zone. The governing authority also may provide that traditional neighborhood design and affordable housing, as these terms are defined in this chapter, must be permitted within the priority investment zone.

Spectrum of Allowable Uses

1

By Right: Owner could design within existing uses and dimension guidelines, apply for permit, City can't deny (office in commercial)

2

Conditional Use: Zoning ordinance sets out list of criteria for a particular use (lighting, hours of operation, etc); if applicant meets, staff gives approval (vets office in commercial)

3

Special Exception: Heightened community interest: Public Hearing before BZA (kennel in commercial)



PUD Notes SC Supreme Court (Sinkler v Chas. Co.)

- ▶ Proper PUD must include a mix of uses.
- ▶ Innovative, diversified and unified design

Planning Commission

Duties under SC Code 6-29-340 Recommending Body for:

- Comprehensive Plan: 10 elements including new resilience!
- Zoning Ordinance & Amendments
- Enacting maps, plans, reports, and recommendations

Duties under SC Code 6-29-1110 Land Development Regulations Decisions and Appeals

- Subdivision and Land Development Regulations
- Hears appeals of Staff Decisions re Plats and Subdivisions
- Thereafter, appeals of Planning Commission Decisions are Filed in Circuit Court



Planning Commission, Additional Reviews (Ord. 18.3.7)

- ▶ Additional Reviews under local ordinance
 - ▶ Street naming
 - ▶ Street Abandonment
 - ▶ Annexation review & recommendation

Planning Commission: Subdivision



SC Code 6-29-1150: 60 day time limit, but may be extended by mutual agreement; failure to act constitutes approval



Appeal from staff decision to PC; all appeals of PC taken to Circuit Court 30 days after actual notice

Board of Zoning Appeals

City Ordinance: 18.4

- Five members (3 for quorum)
- Public notice: newspaper, mail, internet, and sign posting (per local ordinance)
- Meeting Order (Ord 5.1.4): Staff presentation & recommendation; applicant; public testimony; staff response; applicant response
- An appeal to the BZA stays all other legal proceedings unless Stay would cause imminent peril to life and property

Powers in State Law (6-29-800)
almost identical to City Ordinance
(Sec 18.45.4)



- ✿ Appeal of Zoning Administrator's Decision
- ✿ Variance Requests
- ✿ Special Exception Requests (Bed & Breakfast, Gas Stations, Scrap Metal)
- ✿ Board May Remand to Staff if Record is Insufficient

Board of Zoning Appeals

Variance Test

- ▶ City Ordinance 18.4.5.4.2 provides 5 Factors:
 - ▶ An unnecessary hardship exists
 - ▶ There are extraordinary and exceptional conditions pertaining to the particular piece of property
 - ▶ Such conditions do not apply to other properties in the vicinity; and
 - ▶ The application of the Ordinance on this particular piece of property would effectively prohibit or reasonably restrict utilization of the property. Relief, if granted, would not cause substantial detriment to adjacent property or the public good. Profitability is NOT a grounds for a variance.
- ▶ ... the character of the district will not be harmed. Harm may include “structures ...out of scale, excessive noise, light, traffic, or incompatible late night activity.”
- ▶ The board MAY attach conditions to address location, character, or features of the building

NEW Special Exception Test

- ▶ The Board of Zoning Appeals shall consider the following factors in determining whether a special exception should be granted:
 - ▶ Comply with all applicable regulations, conditions, and development standards
 - ▶ Appropriate size, shape, and character for the site; Location and character compatible with adjacent uses
 - ▶ No adverse impact to neighborhood or district uses or value of adjoining property
 - ▶ Also no adverse noise, light, glare, soke, odor, fumes, water pollution, obstruction, or nuisances
 - ▶ No adverse impact to any historical, cultural, natural, or scenic site feature
 - ▶ No adverse traffic or parking impacts; Consistent with existing pedestrian and vehicular circulation
 - ▶ Will further objectives of Comprehensive Plan
- ▶ The Board may prescribe appropriate conditions and safeguards to promote public health, safety, or welfare

Board of Zoning
Appeals
Orders/Decisions

Motions to Approve or
Disapprove Need Justification
Stated on the Record

Final Decisions / Orders Must
Include Findings of Facts and
Conclusions of Law (SC Code
6-29-800)

Appeals Must be Filed within
30 Days of the Mailing Date of
the Final Decisions (SC Code 6-
29-820)

Legal Limitations on Zoning Powers

Regulatory Takings: 5th Amendment
“private property [shall not] be taken for public use, without just compensation.”

- Complete “Takings” under Lucas
- Partial Regulatory “Takings” (Penn Central, etc): Owner’s investment-backed expectations vs. character of governmental action

Other Constitutional Limitations:

- Equal Protection: May not treat two similarly-situated properties or landowners differently
- Substantive Due Process: Arbitrary and capricious action
- Procedural Due Process: Fair procedures (typically back to state law and local ordinances)
- Spot Zoning: Invalid rezoning of one parcel within a zoning district
 - Zoning should be connected to the Town’s Comprehensive Plan & must treat similar parcels similarly

Legal Limitations Continued

- ✿ Statutory Challenges: Compliance with State law
 - ✿ If City's decision is successfully appealed/overturned, City is subject to paying the legal costs
- ✿ Vested Rights
 - ✿ State law 6-29-1560 (which applies in absence of local ordinance): Right to develop for 2 years after requested rezoning, variance, conditions, special exception, or other affirmative government approval
 - ✿ Then 5 mandatory renewals unless the applicable ordinance has changed

Proactive Planning is Best Legal Protection

- ✿ Equal Protection: May not treat two similarly-situated properties or landowners differently
- ✿ Substantive Due Process: Arbitrary and capricious action
- ✿ Procedural Due Process: Fair procedures (typically back to state law and local ordinances)
- ✿ Spot Zoning: Invalid rezoning of one parcel within a zoning district
 - ✿ Zoning should be connected to the Town's Comprehensive Plan & must treat similar parcels similarly

Proactive planning is your magic weapon!

Dewberry v. City of Chas (Ct Appeals 2021): Upheld City requirement that accessory uses be reviewed by the BZA & that applicant should have known it had to apply; and that the BZA ruling was not arbitrary & capricious where some evidence in the record supports ruling

Rutter v. City of Columbia ((S.C. App. 2021): Upheld City's Architectural Review "Due process does not require local architectural boards or other similar boards to adopt the procedures used in circuit court. We have watched the video of Rutter's board hearing. It is evident Rutter received 'notice, an opportunity to be heard in a meaningful way, and judicial review.'..."

Recent SC Caselaw

Dortch v. City of Cola (SC Ct App 2022): Court upheld 12 month discontinuation of nonconforming use; affirming applicant's burden to establish variance;

Bradley v. Hilton Head (SC Ct App 2022): Court upheld BZA's denial of vested rights as to height because the applicant's site plan only specified horizontal dimensions (setbacks, etc)

CCSD v. Charleston Co (SC Ct App 2021): Upheld County's denial of appeal because application was submitted more than 30 days after administrative decision



Recent SC Caselaw

Beachwalk Hotel v Town of Hilton Head (SC App 2023): Court upheld zoning administrator and BZA's decision because they hadn't "clearly erred" and decision wasn't "arbitrary and capricious" in using the 1987 master plan to calculate the density of a new welcome center in a PD.

Braden's Folly v. City of Folly Beach (SC 2023): Upheld City's merger ordinance with very detailed analysis of why it wasn't a Taking



Recent SC
Caselaw

Recent SC Caselaw

- ▶ Ani Creation (Rasta) v. City of Myrtle Beach BZA (SC 2023): Upheld City's overlay district (Ocean Blvd Entertainment) with purpose of fostering family tourism and identified vape shops as "repulsive" to families with negative aesthetics, property value impacts and gave businesses 3 months to change retail offerings
 - ▶ Consistent with Comp Plan's goal of family-friendly tourism; stated clear purpose in the ordinance; Kept records of complaints
 - ▶ Boundaries were not arbitrary and capricious: they are allowed to have a beginning and an end point
 - ▶ Exercise of police power: not A&C and reasonable relationship to lawful purpose; class rests on reasonable basis; all members of class treated equally
 - ▶ There were other locations for vape shops (reasonable time, place, and manner restriction)
 - ▶ Not a taking: still have economic impact and no quantified economic loss for Penn Central test

Freedom of Information Act (FOIA)

Meetings

- Pursuant to SC Code 30-4-60, agendas must be posted 24 hours prior to the meeting.
- A quorum of members may only conduct business at a properly-noticed meeting (no group emails or phone conferences)

Documents Are Public, Too

- Procedures for Providing FOIA Request Material -Pursuant to SC Code 30-4-30
- All documents relating to City business may be requested (subject to fees)
- Includes emails
- When emailing related to City business, recommend copying staff liaison so City has a record



"What conflict of interest?!
I work here in my spare time."

SC Ethics Act:
Don't Get Caught
Up In
Conflict &
Economic Interest

Conflict of Interest Definitions

25

(11)(a) **"Economic interest"** means an **interest distinct from that of the general public** in a purchase, sale, lease, contract, option, or other transaction or arrangement involving property or services in which a public official, public member, or public employee may gain an economic benefit of **fifty dollars** or more.

(b) This definition **does not prohibit** a public official, public member, or public employee from participating in, voting on, or influencing or attempting to influence an official decision if the only economic interest or **reasonably foreseeable benefit** that may accrue to the public official, public member, or public employee is incidental to the public official's, public member's, or public employee's position or which accrues to the public official, public member, or public employee **as a member of a profession, occupation, or large class to no greater extent than the economic interest or potential benefit could reasonably be foreseen to accrue to all other members of the profession, occupation, or large class.**

(15) **"Family member"** spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, or grandchild;

(4) **"Business with which he is associated"** means a business of which the **person or a member of his immediate family** is a director, an officer, owner, employee, a compensated agent, or holder of stock worth one hundred thousand dollars or more at fair market value and which constitutes five percent or more of the total outstanding stock of any class.

(21) **"Individual with whom he is associated"** means an **individual with whom the person or a member of his immediate family mutually has an interest in any business** of which the person or a member of his immediate family is a director, officer, owner, employee, compensated agent, or holder of stock worth one hundred thousand dollars or more at fair market value and which constitutes five percent or more of the total outstanding stock of any class.

Conflicts of Interest

26

- ▶ **SECTION 8-13-700.** Use of official position or office for financial gain; disclosure of potential conflict of interest.

(A) No public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an **economic interest for himself, a family member, an individual with whom he is associated, or a business with which he is associated**. This prohibition does not extend to the incidental use of public materials, personnel, or equipment, subject to or available for a public official's, public member's, or public employee's use that does not result in additional public expense.

(B) No public official, public member, or public employee **may make, participate in making, or in any way attempt to use his office**, membership, or employment to influence a governmental decision in which **he, a family member, an individual with whom he is associated, or a business with which he is associated has an economic interest**. A public official, public member, or public employee who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a family member, an individual with whom he is associated, or a business with which he is associated shall [recuse him/herself].

Thing of Value for Influence

SECTION 8-13-705

(A) A **person may not, directly or indirectly, give, offer, or promise anything of value** to a public official, public member, or public employee with the intent to:

- (1) **influence the discharge** of a public official's, public member's, or public employee's official responsibilities;
- (2) influence a public official, public member, or public employee to commit, aid in committing, collude in, or allow **fraud** on a governmental entity; or
- (3) induce a public official, public member, or public employee **to perform or fail to perform an act** in violation of the public official's, public member's, or public employee's official responsibilities.

(B) A **public official**, public member, or public employee may not, directly or indirectly, knowingly ask, **demand**, exact, solicit, seek, accept, assign, receive, or **agree to receive** anything of value for himself **or for another person** in return for being:

- (1) influenced in the discharge of his official responsibilities;
- (2) influenced to commit, aid in committing, collude in, allow fraud, or make an opportunity for the commission of fraud on a governmental entity; or
- (3) induced to perform or fail to perform an act in violation of his official responsibilities.

Value Definitions

(1)(a) **"Anything of value"** or "thing of value" means: **Anything over \$10** (loan, gift, forgiveness of debt, car, real estate, or job)

- ▶ **Does not include** items offered to the general public on the same terms and conditions without regard to status as a public official or public employee;

(25) **"Public employee"** means a person employed by the State, a county, a municipality, or a political subdivision thereof.

(26) **"Public member"** means an individual appointed to a noncompensated part-time position on a board, commission, or council. A public member does not lose this status by receiving reimbursement of expenses or a per diem payment for services.

(27) **"Public official"** means an elected or appointed official of the State, a county, a municipality, or a political subdivision thereof, including candidates for the office.

Representation Before a Board

- ▶ **SECTION 8-13-740.**

(A)(1) A public official occupying statewide office, a member of his *immediate* family, an individual with whom he is associated, or a business with which he is associated may not knowingly represent another person before a governmental entity, except as otherwise required by law.

(5) A public official, public member, or public employee of a municipality may not knowingly represent a person before any agency, unit, or subunit of that municipality for which the public official, public member, or public employee has official responsibility except as required by law.

- ▶ **UNLESS** the service on the board is **statutory**

<https://ethics.sc.gov/sites/ethics/files/Documents/Advisory%20Opinions/Advisory%20Opinion%20Topics/1992/AO92119N.NEW.pdf>

- ▶ Must recuse himself in writing
- ▶ May appear or member of firm may appear before board

Confidential Information



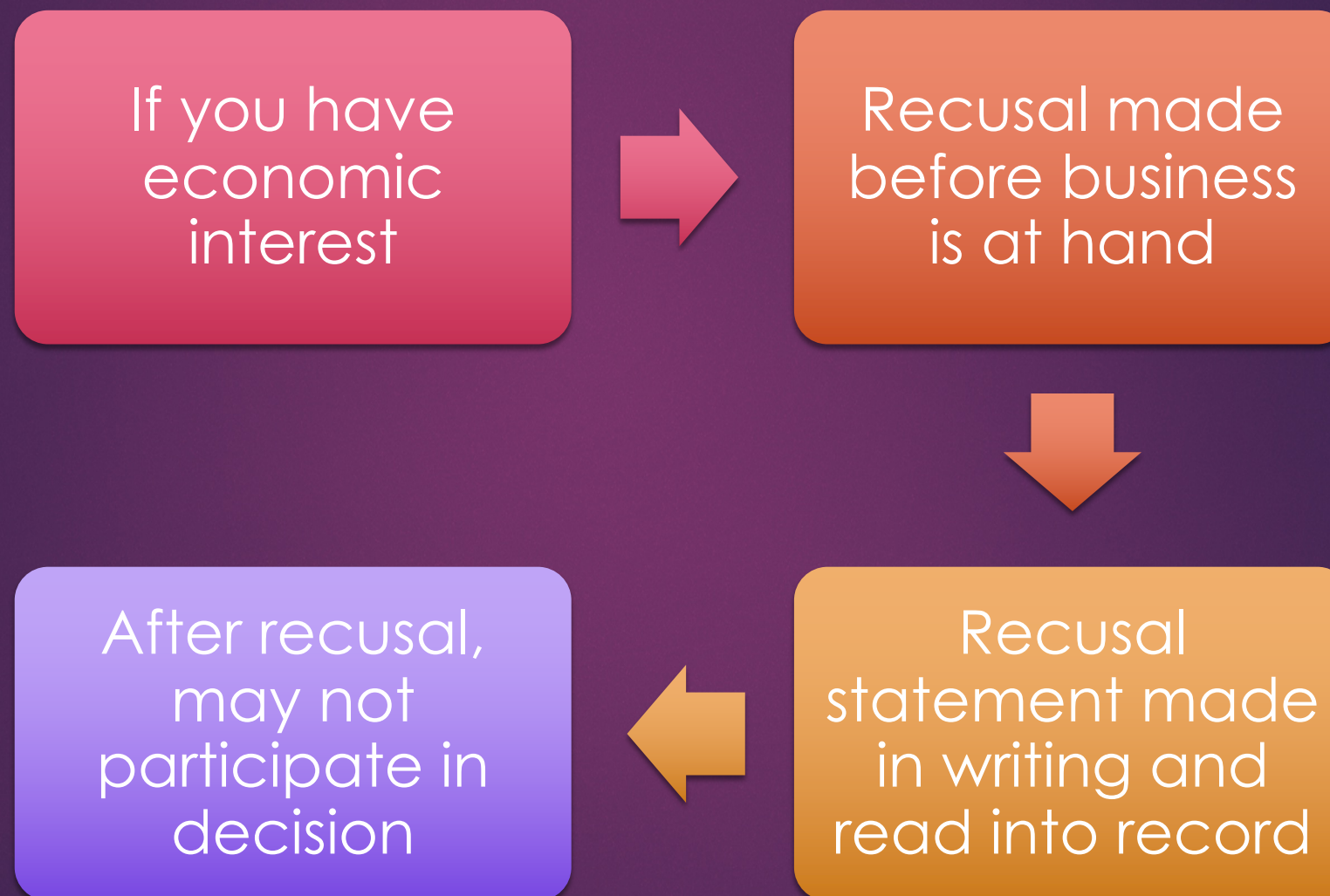
► **SECTION 8-13-725.**

(A) A public official, public member, or public employee may not **use or disclose confidential information** gained in the course of or by reason of his official responsibilities in a way that **would affect an economic interest held by him, a member of his immediate family**, an individual with whom he is associated, or a business with which he is associated. ("Immediate family": child, spouse, dependent on tax returns)

(B)(1) A public official, public member, or public employee **may not wilfully examine**, or aid and abet in the wilful examination of, a tax return of a taxpayer, a worker's compensation record, a record in connection with health or medical treatment, social services records, or other records of an individual in the possession of or within the access of a public department or agency **if the purpose of the examination is improper or unlawful.**

(2) A person convicted of violating this subsection must be fined not more than **five thousand dollars**, or **imprisoned not more than five years**, or both, and shall reimburse the costs of prosecution. Upon conviction, the person also must be discharged immediately from his public capacity as an official, member, or employee.

SC Ethics Act: Don't Get Caught Up In Conflict & Economic Interest



Impact Fees

► “Development Impact Fee” or “Impact Fee means a payment of money imposed as a condition of development approval to pay a proportionate share of the cost of system improvements needed to serve the people utilizing the improvements”

► § 6-1-920

Impact Fees



Comprehensive Plan (Complete)



Resolution by City Council directing Planning commission to conduct the study and recommend the fee



Planning Commission develops Capital Improvement Plan (same procedure as comprehensive plan update) – becomes a part of Comp Plan update and re-write cycle



Report that estimates the impact of fee on affordable housing



No modifications unless: the number of service units increases or the scope of the development changes; amount of additional impact fees is limited to the amount attributable to the additional service units or change in scope of the development

Impact Fee: Capital Improvement Plan

- ▶ General description of existing public facilities, deficiencies
- ▶ Analysis of total capacity, level of current usage, and commitments of existing facilities (prepared by qualified professional)
- ▶ Description of Land Use Assumptions
- ▶ Table establishing the specific service unit for each category of system improvements and equivalency conversion (residential – commercial – agricultural, etc)
- ▶ Description of improvements and costs necessitated by new development and level of service not exceeding current level
 - ▶ Projected demand for improvements over time (>20 years)
- ▶ Estimate of costs to cure the deficiencies: upgrade, improvement, expand, or replace facilities
 - ▶ Plan to develop the funding resources (include existing revenues)
- ▶ Schedule for estimated dates for commencing and completing construction of all improvements in plan

Impact Fee: Ordinance

- ▶ Ordinance approved by positive majority (majority of the members of the entire governing body, whether present or not - less unfilled vacancies)
 - ▶ Explanation of the calculation of the fee and factors considered
 - ▶ Specify the system improvements for which fee is used
 - ▶ Inform developer that he may pay a proportionate share and that he may negotiate and contract for facilities or services in lieu of the impact fee, that he has a right to appeal, and that the fee must be paid no earlier than the time of the issuance of the building permit or development permit
 - ▶ Procedure for timely processing applications
 - ▶ Description of acceptable levels of service for system improvements
 - ▶ Provide for termination of the fee

Accounting of expenditures

- ▶ Revenues maintained in segregated interest-bearing accounts
- ▶ Records maintained for each category of improvements
- ▶ Expenditures only for the category of improvement for which fee imposed and in the service area for which they were imposed
- ▶ Fees refunded if not spent within 3 years of date scheduled in CIP

Impact Fees, Summary

- ▶ Upheld in Home Builders v State: Upholding York County impact fees:
 - ▶ Capital Improvement Plan
 - ▶ Report on Capital Costs, including impact on affordable housing
 - ▶ Fee cannot exceed proportionate share of costs for the facility necessitated by the new development
 - ▶ Use the fees within 3 years of the date scheduled in the CIP
- ▶ Pick 1-2 Categories of improvements
- ▶ Don't be afraid to negotiate on the fee and err on the side of caution



Short-Term Rentals: Spectrum of Regulations

Requirements for
obtaining a license
(parking,
occupancy, limits on
advertising events)

Strike system for
violations (noise,
trash, parking,
occupancy, events)

Owner must be on
site during rental
period


Only primary
residents may rent

Restrict by zoning
district/overlay

Cap or limit
City-wide

Pre-Emption?

- ▶ State House bill H 3253:
Municipalities lose all 6% funding if they restrict any 6% properties
- ▶ In committee, lead sponsor introduced an amendment that would allow regulations, but not zoning restrictions or assessment restrictions
- ▶ Amendment would also direct online platforms to enter voluntary collections agreements with local governments



“Democracy is the art and science of running the circus from the monkey cage”

–H. L. Mencken



Any
Questions?