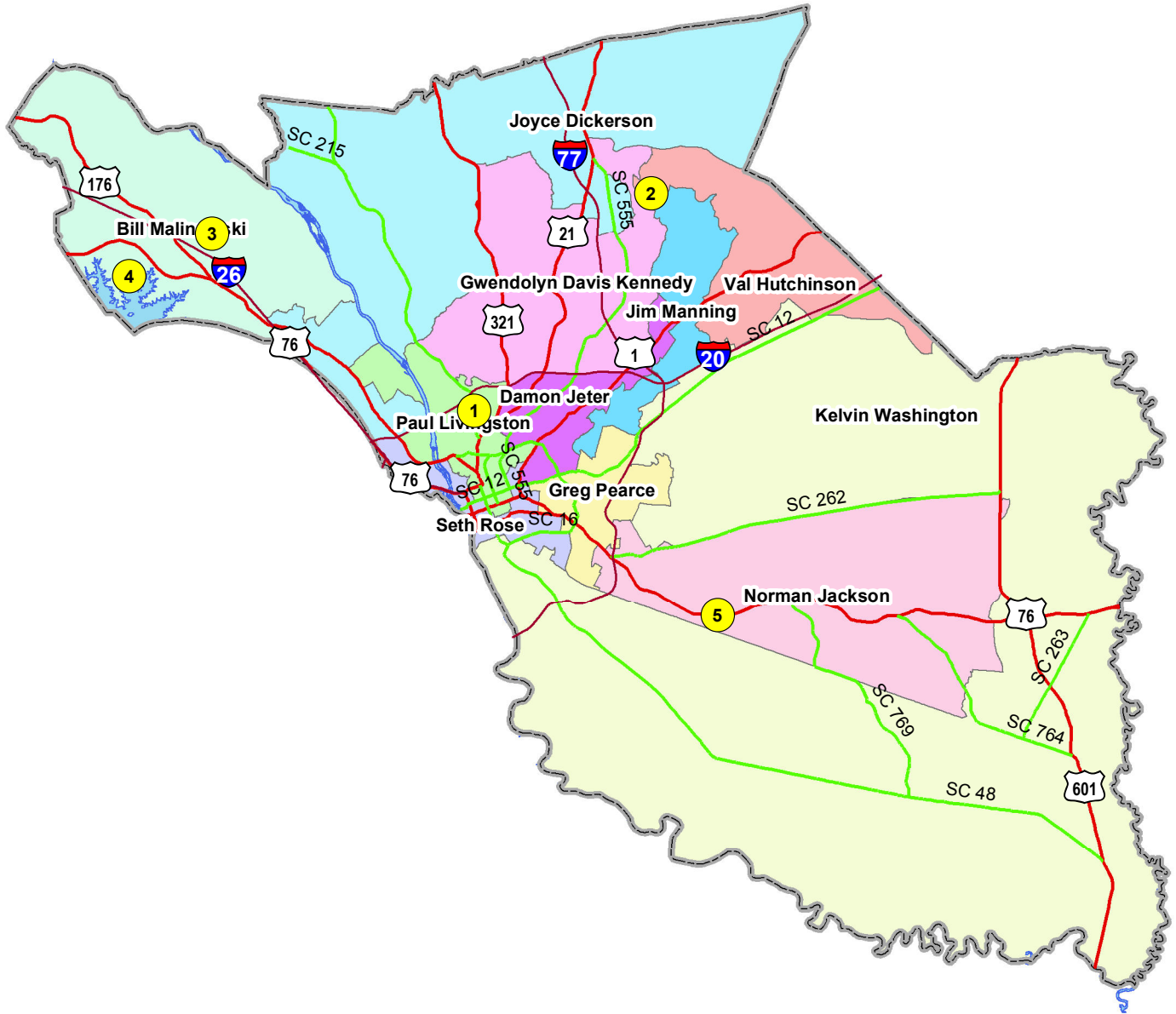


RICHLAND COUNTY COUNCIL
ZONING PUBLIC HEARING



APRIL 24, 2012

RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING APRIL 24, 2012



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 12-04 MA	Richland County	09309-03-07(p)/08(p)/09(p)/10(p)	5225, 5229, 5235 & 5239 Ridgeway St.	Livingston
2. 12-09 MA	Longcreek Associates, LLC	20300-02-48, 20401-01-03 (P) & 20401-03-01	Longcreek Plantation	Hutchinson/ Manning
3. 12-14 MA	Marion Bouknight & Lee Blythe	03500-04-08	Old Tamah Rd. & Shady Grove Rd.	Malinowski
4. 12-16 MA	Michael Reynolds	01415-02-15	1236 Richard Franklin Rd.	Malinowski
5. 12-17 MA	Richland County	21800-01-09	Garners Ferry Rd.	Jackson



RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING

**Tuesday, April 24, 2012
7:00 P.M.
2020 Hampton Street
2nd Floor, Council Chambers
Columbia, South Carolina**

STAFF: Tracy Hegler, AICP.....Planning Director
Geonard Price.....Deputy Planning Director/Zoning Administrator
Amelia R. Linder, Esq..... Attorney
Holland Jay Leger, AICP..... Planning Services Manager

CALL TO ORDER.....Honorable Kelvin E. Washington, Sr.
Chairman of Richland County Council

ADDITIONS / DELETIONS TO THE AGENDA

OPEN PUBLIC HEARING

MAP AMENDMENTS

1. Case #12-04 MA
Richland County
GC to RM-MD (.64 acres)
5225, 5229, 5235 & 5239 Ridgeway St.
TMS# 09309-03-07(p)/08(p)/09(p)/10(p) **[FIRST READING]**
Planning Commission Denied 6-0
Page 1

2. Case #12-09 MA
Longcreek Associates, LLC
John Thomas
RU/RS-LD/PDD to PDD (140 acres)
Longcreek Plantation
TMS# 20300-02-48, 20401-01-03(p), & 20401-03-01**[FIRST READING]**
Planning Commission Denied 8-0
Page 11

3. Case #12-14 MA
Marion Bouknight
Lee Blythe
RU to RS-MD (29.61 acres)
Old Tamah Rd. & Shady Grove Rd.
TMS# 03500-04-08(p)/24(p) **[FIRST READING]**
Planning Commission Approved 9-0
Page 23

4. Case #12-16 MA
Michael Reynolds
RU to RS-LD (1.99 acres)
1236 Richard Franklin Rd.
TMS# 01415-02-15 **[FIRST READING]**
Planning Commission Approved 8-0
Page 31

5. Case #12-17 MA
Richland County
City of Columbia
RU to GC (.086 acres)
Garners Ferry Rd.
TMS# 21800-01-09 **[FIRST READING]**
Planning Commission Approved 9-0
Page 39

TEXT AMENDMENTS

1. AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-179, PEDESTRIAN, BICYCLE, AND TRANSIT AMENITIES; SUBSECTION (A), SIDEWALKS AND OTHER PEDESTRIAN AMENITIES; PARAGRAPH (4), EXEMPTIONS; SO AS TO ADD THE PUBLIC WORKS DEPARTMENT AS AN ENTITY THAT CAN DENY SIDEWALKS WITHIN THEIR RIGHT-OF-WAY.
[FIRST READING] Planning Commission Approve 9-0
Page 55

2. AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-177, LIGHTING STANDARDS; SUBSECTION (B), STANDARDS; PARAGRAPH (1), REQUIREMENTS FOR ALL ZONING CATEGORIES AND APPLICATIONS; SUBPARAGRAPH H.; SO AS TO ALLOW BLACK POLES.
[FIRST READING] Planning Commission Approved 9-0
Page 57

3. AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-99, M-1 LIGHT INDUSTRIAL DISTRICT; SUBSECTION (C), DEVELOPMENT STANDARDS; PARAGRAPH (7), PARKING/LOADING STANDARDS; SO AS TO ALLOW PARKING WITHIN THE REQUIRED SETBACKS. **[FIRST READING]**
Planning Commission Approved 9-0
Page 59

4. AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SECTION 26-151, PERMITTED USES WITH SPECIAL REQUIREMENTS; SUBSECTION (C), STANDARDS; PARAGRAPH (68), SWIMMING POOLS; SO AS TO DELETE REFERENCE TO THE REQUIREMENT OF A FENCE AS THIS REQUIREMENT IS ALREADY ADDRESSED UNDER THE INTERNATIONAL BUILDING CODE.

[FIRST READING] Planning Commission Approved 9-0
Page 61

OTHER BUSINESS

1. AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON THE USE OF THE GREEN CODE STANDARDS, WHICH ARE FOUND AT SECTION 26-186 OF THE RICHLAND COUNTY CODE OF ORDINANCES.

[SECOND READING]
Page 63

ADJOURNMENT



**Richland County
Planning & Development Services Department**

Map Amendment Staff Report

PC MEETING DATE: March 5, 2012
RC PROJECT: 12-04 MA
APPLICANT: Richland County Council
PROPERTY OWNER: James E & Geneva S. Pugh, Jessie Bookhart, Timely Properties LLC, Celia Martin Boykin

LOCATION: 5225, 5229, 5235 and 5239 Ridgeway Street

TAX MAP NUMBER: 09309-03-07fdk, 08fdk, 09fdk and 10fdk
ACREAGE: .64 acres (total)
EXISTING ZONING: GC
PROPOSED ZONING: RM-MD

PC SIGN POSTING: February 17, 2012

Staff Recommendation

Approval

Background /Zoning History

The current zoning, General Commercial District (GC), reflects the original zoning as adopted September 7, 1977. The parcels contain two hundred and ninety one (291) feet of frontage along Monticello Road and three hundred and twenty one (321) feet of frontage along Ridgeway Street. The southern parcel contains fifty (50) feet of frontage along Lewis Street.

Otherwise, the following zoning activity has taken place in the general vicinity:

- A special exception for the construction of a community center and daycare facility in a Residential Multifamily Medium Density District (RM-MD) was approved for parcels R09310-07-03, 04, 05, 12, and 13 under 03-46SE (February 5, 2003) located north of the subject parcels along Ridgeway Street.
- Northeast of the subject parcels along Ridgeway Street parcels 09310-05-17, 18, 19, 21, and 22 were rezoned from Residential Multifamily Medium Density District (RM-MD) to Office and Institutional District (OI) in May 2011 (Ordinance No. 020-11HR).
- North of the subject parcel is a General Commercial District (GC) parcel, 09309-03-02A, which was rezoned from RG-1 in April of 2004 under case number 93-050M (Ordinance No. 028-94HR).

Summary

The RM-MD District is intended to permit a full range of low to medium density multi-family housing types, along with single-family detached and zero lot line housing units. Non-residential development that is normally required to provide for the basic elements of a balanced and attractive residential area is also permitted. The district is intended to provide a transitional area between high density areas and to permit medium density multi-family development in areas where existing conditions make higher density development inappropriate.

No minimum lot area, except as determined by DHEC. Maximum density standard: no more than eight dwelling units per acre.

- The gross density for this site is approximately: 5 dwelling units
- The net density for this site is approximately: 3 dwelling units

Direction	Existing Zoning	Use
<u>North:</u>	GC/RM-MD	Garage and body shop/Residential
<u>South:</u>	GC	Residential
<u>East:</u>	RM-MD	Residential
<u>West:</u>	GC/GC	Vacant structure/Residential

Plans & Policies

The 2009 Richland County Comprehensive Plan “Future Land Use Map” designates this area as **Urban** in the **Beltway Planning Area**.

Beltway Area

Objective: Residential areas should contain eight or more dwelling units per acre and are encouraged to contain a mix of residential, commercial, and civic land uses.

Compliance: The proposed zoning district would permit eight dwelling units per acre and would therefore be in compliance with the recommendations of the Comprehensive Plan.

Ridgewood Community Revitalization Master Plan

The subject parcels are part of the Ridgewood Community Revitalization Master Plan completed in August 2004 by the Community Development Department. The Ridgewood Community Revitalization Master Plan analyzed the existing conditions and identified measures to help improve the community. These recommendations include seeking alternative funding sources, increasing home ownership, adding community signage, and installing additional street lighting.

Traffic Impact

The 2010 SCDOT traffic count (Station # 247) located north of the subject parcel on Monticello Road identifies 11,500 Average Daily Trips (ADT's). Monticello Road is classified as a four lane undivided Principal Arterial, maintained by SCDOT with a design capacity of 29,200 ADT's. Monticello Road is currently operating at Level of Service (LOS) “A”.

There are no planned or programmed improvements for this section of Monticello Road.

Conclusion

The rezoning request contains two (2) brick and two (2) clapboard, wooden-sided residential structures, two (2) of which are derelict or abandoned. The subject properties are relatively flat, are elevated ten-to-fifteen (10-15) feet above the Monticello Road frontage. The surrounding area is characterized by residential parcels and commercial uses. The four (4) subject parcels combined add up to a total of .64 acres. The subject parcels are split in zoning between General Commercial District (GC) and Residential Multi-family Medium Density District (RM-MD). The western portion of the parcels are zoned General Commercial District (GC) and the eastern portion are zoned Residential Multi-family Medium Density District (RM-MD). The split zoning prevents potential redevelopment of the parcels because of the required setbacks between the zoning districts. The relative size and configuration of the parcels limits the placement of any new structures.

The subject parcels are part of the Ridgewood Community Revitalization Master Plan completed in August 2004 by the Community Development Department. The Ridgewood Community Revitalization Master Plan was divided into five sub-groups: Ridgewood Neighborhood Residential Areas, Neighborhood Retail Corridor, Business Corridor, Neighborhood Gateway and Ridgewood Community Park. The residential areas are comprised of all areas of residential population in the general vicinity of Knightner Road, Ridgedale Street, Ridgewood Avenue and Woodbrier Street. The subject parcels are identified as residential areas on the land use map within the master plan. Planning along with the Community Development staff reviewed the master plan and determined the rezoning request is consistent with the Ridgewood Community Master Plan.

The subject parcels are located within the boundaries of School District One. Eau Claire High School is located one thousand five hundred and sixty three feet (1,563) south of the subject parcels. The Eau Claire fire station (number 13) is located .83 miles south of the subject parcel on North Main Street. Two fire hydrants are located along Ridgeway Street and there is one located north of the subject properties on the east side of Monticello Road. The proposed map amendment would not negatively impact public services or traffic. Water and sewer is provided by the City of Columbia.

This application is the result of a "Request of Action" (ROA) and motion approved by County Council on February 7, 2012 proposing pro-active zoning in this area in an effort to assist with the revitalization efforts underway by the Community Development Department. Consequently, based upon the recommendation of the Comprehensive Plan, the Ridgewood Master Plan along with the existing zoning and land uses in the vicinity, planning staff can support the request and recommends **Approval** of this map amendment.

Zoning Public Hearing Date

March 27, 2012

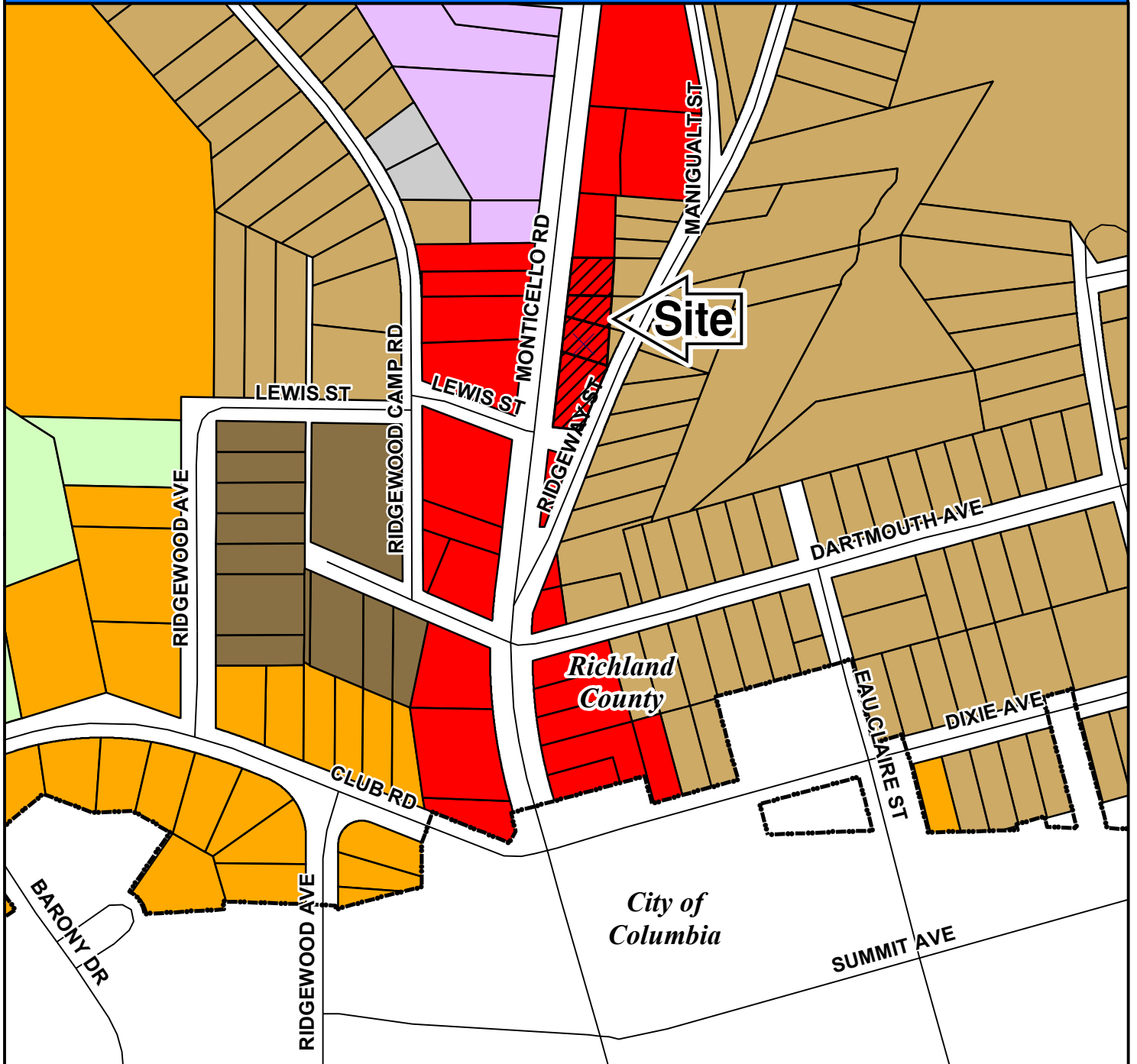
Planning Commission Action

At their meeting of **March 5, 2012** the Richland County Planning Commission **disagreed** with the PSDS recommendation for the following reasons:

- Staff did not show benefits to the neighborhood by rezoning.
- Constraint of the property will still exist.
- The surrounding area is primarily commercial.

The Planning Commission recommends the County Council **deny the proposed Amendment** for **RC Project # 12-04**.

Case 12-04 MA GC to RM-MD

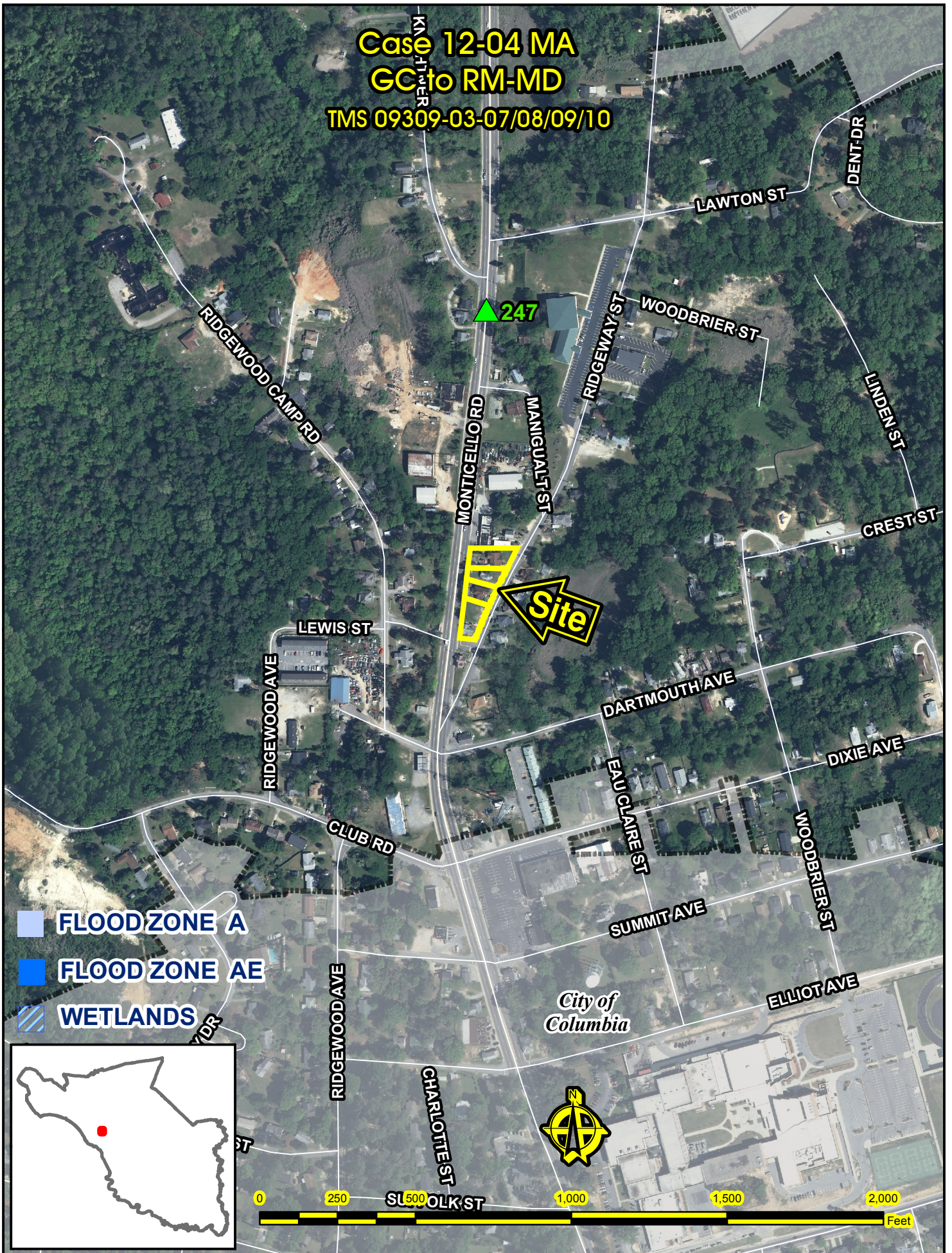


ZONING CLASSIFICATIONS

RR	RS-E	MH	NC	LI	TROS
C-1	RS-LD	RM-MD	GC	HI	Subject Property
C-3	RS-MD	RM-HD	RC	PDD	
RG-2	RS-HD	OI	M-1	RU	



Case 12-04 MA
GC to RM-MD
TMS 09309-03-07/08/09/10



CASE 12-04 MA

From GC to RM-MD

TMS# 09309-03-07, 08, 09, 10

Ridgeway Street



The zoning change from GC (General Commercial) to RM-HD (Residential Multi-Family High Density) would permit the introduction of the following uses which were not allowed previously in the original zoning

USE TYPES	RM-MD
Accessory Dwellings	P
Single-Family, Detached	P
Single-Family, Zero Lot Line, Parallel	SR
Two-Family	P
Group Homes (9 or Less)	SR
Orphanages	SE

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR A PORTION OF EACH OF THE REAL PROPERTIES DESCRIBED AS TMS # 09309-03-07, 09309-03-08, 09309-03-09, and 09309-03-10 FROM GC (GENERAL COMMERCIAL DISTRICT) TO RM-MD (RESIDENTIAL, MULTI-FAMILY – MEDIUM DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as a portion of TMS # 09309-03-07, a portion of 09309-03-08, a portion of 09309-03-09, and a portion of 09309-03-10 from GC (General Commercial District) zoning to RM-MD (Residential, Multi-Family – Medium Density District) zoning, (all as described in Exhibit A, which is attached hereto).

Section II. Severability. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

By: _____
Kelvin E. Washington, Sr., Chair

Attest this _____ day of _____, 2012.

Michelle M. Onley
Clerk of Council

First Public Hearing: March 27, 2012
Second Public Hearing: April 24, 2012 (tentative)
First Reading: April 24, 2012 (tentative)
Second Reading:
Third Reading:

Exhibit A

GC to RM-MD TMS 09309-03-07

TMS 09309-03-08

GC to RM-MD

TMS 09309-03-09

GC to RM-MD

TMS 09309-03-10

GC to RM-MD



Richland County Planning & Development Services Department

Map Amendment Staff Report

PC MEETING DATE: April 2, 2012
RC PROJECT: 12-09 MA
APPLICANT: John R. Thomas
PROPERTY OWNER: Longcreek Associates, LLC

LOCATION: Long Creek Plantation

TAX MAP NUMBER: 20300-02-48, 20401-01-03(P), 20401-03-01
ACREAGE: 140 acres
EXISTING ZONING: RU, RS-LD and PDD
PROPOSED ZONING: PDD

PC SIGN POSTING: March 6, 2012

Staff Recommendation

Approval

Background /Zoning History

The current zoning, Rural District (RU), reflects the original zoning as adopted September 7, 1977.

The current zoning, Planned Development District (PDD) was changed from the original zoning of Rural District (RU).

The current zoning, Residential Single-Family Low Density District (RS-LD) reflects the zoning as approved under 94-008MA (Ordinance number 037-94HR) on May 24th, 1994.

The parcels contain one thousand six hundred and sixty nine (1669) feet of frontage along the southern portion of Longtown Road East and two thousand and thirty one (2031) feet of frontage along the northern portion of Longtown Road East. The parcel also contains seven hundred and thirty six (736) feet of frontage along Longtown Road.

The northern parcels also have access to two separate termini along Club Colony Circle.

Summary

The PDD District is intended to allow flexibility in development that will result in improved design, character, and quality of new mixed-use developments, and that will preserve natural and scenic features of open spaces. Planned Development Districts must involve innovation in site planning for residential, commercial, institutional, and/or industrial developments within the district. Such developments must be in accordance with the Comprehensive Plan for the county, and in doing so, may provide for variations from the regulations of the County's zoning districts concerning use, setbacks, lot size, density, bulk, and other such requirements.

Direction	Existing Zoning	Use
<u>North:</u>	TROS	Windermere Golf Course and Lake Columbia
<u>South:</u>	GC, RU, PDD	Undeveloped, Residential, Undeveloped
<u>East:</u>	RU, PDD	Residential, Undeveloped
<u>West:</u>	RU, RS-LD, TROS	Residential, Windermere Golf Course and

Plans & Policies

The 2009 Richland County Comprehensive Plan “Future Land Use Map” designates this area as **Suburban** in the **North West Planning Area**.

Suburban Area

Objective: Residential areas are encouraged to contain a mix of residential and civic land uses. Existing single family developments may be adjacent to multifamily or a PDD including a buffer from higher intensity uses. Residential developments should occur at medium densities of 4-8 dwelling units per acre.

Compliance: The proposed PDD would contain mixed uses with single family residential, live work units, commercial uses, and open space. The proposed density is less than the recommendation by the Comprehensive Plan. However the proposed density is similar to the surrounding zoning and dwelling units per acre.

Traffic Impact

The 2010 SCDOT traffic count (Station # 711) located north of the subject parcels on Longtown Road identifies 8,700 Average Daily Trips (ADT’s). Longtown Road is classified as a two lane undivided Collector, maintained by SCDOT with a design capacity of 8,600 ADT’s. Longtown Road is currently operating at Level of Service (LOS) “C”.

The subject project will generate approximately 4950 additional vehicle trips on the roadway network when the project is completed in 2017. Upon project completion, this portion of Longtown Road will operate at a Level of Service F.

The Traffic Impact Assessment (TIA) report analyzed the effects of the project on the Longtown Rd/Longtown Rd East intersection. The analysis shows that this intersection will operate LOS C in the AM peak hour and LOS D in the PM peak hour. In order to mitigate the project’s traffic effects on the subject intersection, the TIA suggestion installation of a roundabout rather than a traffic signal.

There are no planned or programmed improvements for this section of Longtown Road

Conclusion

The subject parcel is undeveloped, wooded and contains various types of terrain. There are some areas located around the shoreline of Lake Columbia that contain a significant slope. The surrounding area is characterized by residential and recreational uses. The northern parcels contain National Wetland Inventory (NWI) identified Wetlands. The northwest area contains two sites of wetlands characterized by woody vegetation that shed during the cold or dry season. Surface water is present for brief periods during growing season, but the water table usually lies

well below the surface for most of the growing season. Another piece of wetlands on the northern parcel is characterized by woody vegetation that shed during the cold or dry season. The soil is saturated to the surface for extended periods during the growing season, but surface water is seldom present. The northern RS-LD parcel contains identified Federal Emergency Management Agency (FEMA) floodplain. A portion of the parcel is located in an AE flood zone. An AE flood zone is an area subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. Base Flood Elevations (BFEs) are identified.

The parcel is contiguous to existing large-lot, suburban, well-established, residential development, Club Colony, and portions are contiguous to the Windermere Club golf course. The proposed PDD would allow for 425 units or a net density of 3 dwelling units per acre. There are four residential villages identified within the proposed PDD. These villages are named Gateway Village with 192 dwelling units, Longtown Village with 55 dwelling units, Bluff Village with 90 dwelling units, and Lakeside Village with 88 dwelling units. There is 60,000 square feet of commercial uses proposed within the Gateway Village.

The proposed PDD will include 25.3 acres of open space and is contiguous to another 40 acres of Windermere Club fairways. The maximum building height for any residential structure shall not exceed 35 feet and shall be measured from mean ground elevation to the midpoint of the roof. There is also a statement that the developer has the right to transfer commercial, office, or business square footage at 2,000 square feet for 1 additional dwelling unit up to 50% of the proposed 60,000 square feet of commercial and shall not exceed 5 acres. All development will abide by and meet all requirements of the "Green Code" as set forth in the Richland County Code 26-186.

Commercial, office, and business uses shall permit loft dwelling units, live-work units and other neighborhood commercial uses as defined in the Land Development Code Table 26 V-2 (dated January 17, 2012). Only the following neighborhood commercial uses will be permitted;

- 1) Common Area Recreation and Service Facilities
- 2) Dance Studios and Schools
- 3) Physical Fitness Centers
- 4) Swimming Pools
- 5) Nursing and Convalescent Homes
- 6) Places of Worship
- 7) Police Stations (Neighborhood)
- 8) Accounting, Tax Preparation, Bookkeeping and Payroll Services
- 9) Automatic Teller Machines
- 10) Banks, Finance and Insurance Services
- 11) Barber Shops, Beauty Salons and related services
- 12) Clothing Alterations/Repairs; Footwear Repairs
- 13) Computer Systems Design and related services
- 14) Engineering, Architectural and related services
- 15) Laundry and Dry Cleaning Services (non-coin operated)
- 16) Legal Services (Law Offices, etc.)
- 17) Management, Scientific and Technical Consulting Services
- 18) Medical/Health Care Offices
- 19) Medical, Dental or Related Laboratories
- 20) Office Administrative and Support Services (not otherwise listed)
- 21) Photocopying and Duplicating Services
- 22) Photography Studios
- 23) Real Estate and Leasing Offices
- 24) Travel Agencies (without tour buses or other vehicles)
- 25) Watch and Jewelry Repair Shops
- 26) Weight Reducing Centers
- 27) Art Dealers

- 28) Arts and Crafts Supply Stores
- 29) Bakeries (retail)
- 30) Book, Periodical and Music Stores
- 31) Camera and Photographic Sales and Service
- 32) Candle Shops
- 33) Candy Stores (Confectionary, Nuts, etc.)
- 34) Coin, Stamp or Similar Collectibles Stores
- 35) Computer and Software Stores
- 36) Musical Instrument and Supplies Stores (may include Instrument Repair)
- 37) News Dealers and Newsstands
- 38) Office Supplies and Stationary Stores
- 39) Optical Goods Stores
- 40) Restaurants and Cafeterias (Dine-in, Delivery, Carry-out)

The subject parcel is within the boundaries of School District Two. Sandlapper Elementary School is located southwest of the southern parcel. Ridgeview High School and Rice Creek Elementary is located .49 miles south east of the subject parcels.

Water service would be provided by the City of Columbia and sewer service would be provided by Palmetto Utilities and the City of Columbia. There are numerous fire hydrants located along Club Colony Circle with one at the intersection of Club Colony Circle and Club Colony Parkway. The Elders Pond fire station (station number 34) is located on Elders Pond Road, approximately 1.38 miles southeast of the subject parcels.

Based upon the residential uses and zoning classifications in the vicinity, the availability of water and sewer services, as well as the compatibility to the Comprehensive Plan recommendation for residential uses, staff is of the opinion that the proposed map amendment would not negatively impact public services and can support the rezoning request. Traffic would be negatively affected without the TIA's recommended improvements because of the current LOS on Longtown Road.

In summary, the staff is of the opinion that the proposed zoning map amendment is in compliance with the Comprehensive Plan and as such the planning staff recommends **Approval** of this map amendment.

Zoning Public Hearing Date

April 24, 2012

Planning Commission Recommendation

At their meeting of **April 2, 2012** the Richland County Planning Commission **disagreed** with the PDSR recommendation for the following reasons:

- The lack of clarity in the general development plan
- This would be establishing a zoning classification without the proper foundation and rules in place

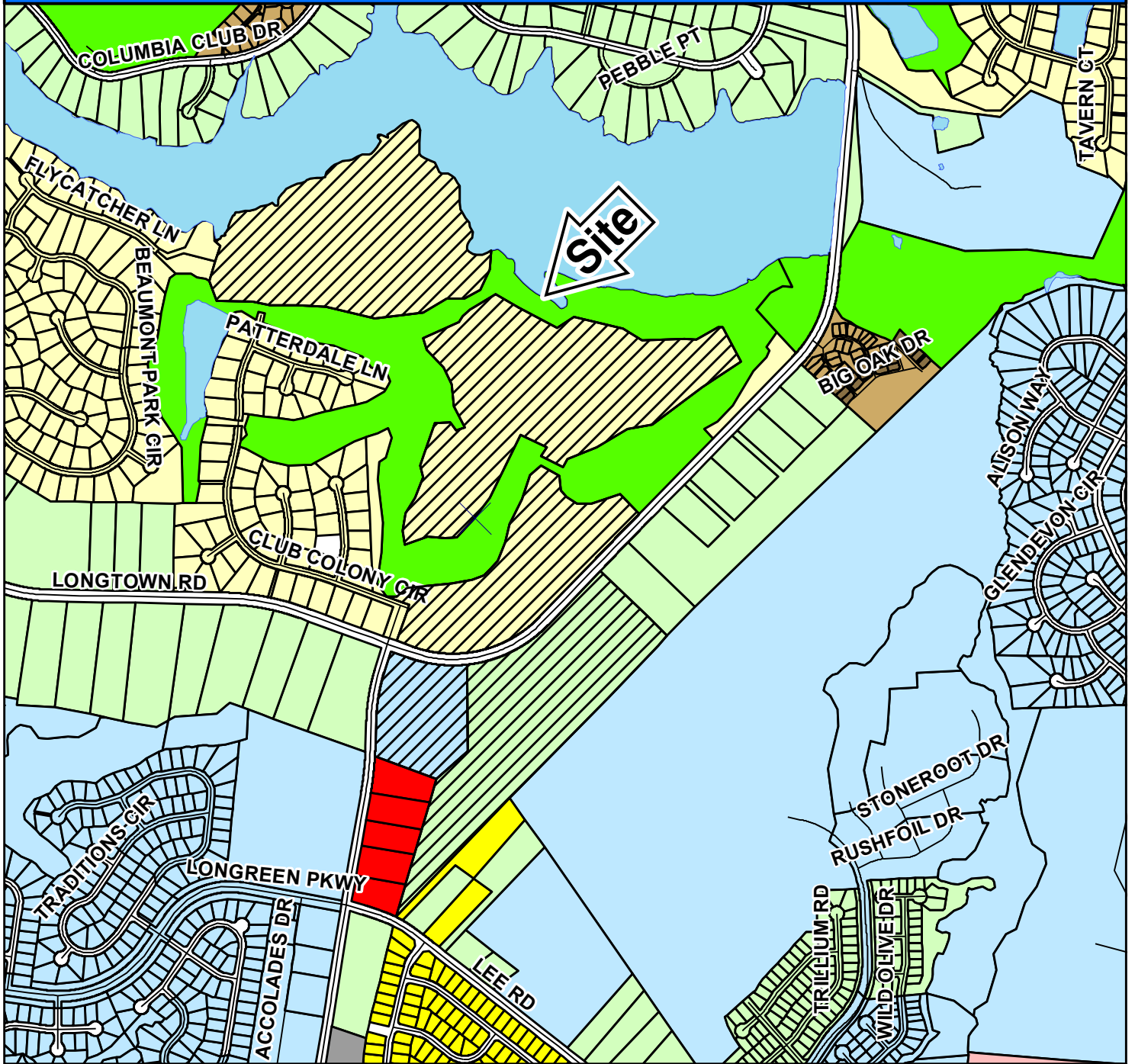
The Planning Commission recommends the County Council **deny the proposed Amendment for RC Project # 12-09.**

Points of discussion

1. The proposed Villages at LongCreek is not under the existing POA for LongCreek Plantation. The applicant states that the development "...will be brought under the LongCreek POA provided the authority invites and accepts the conditions and standards of The Villages at LongCreek POA."
2. The existing golf course is not a part of the subject parcels, nor shall it count in determining open/green space.
3. The proposed cluster housing will allow for "...fairly small lots near one another..." The cluster housing may not be in character with the existing development. As stated by the applicant "...Most of the existing development is standard conventional development".
4. A maximum of 60,000 square feet business/commercial use is proposed. The General Development Plan will allow for the transfer of business/commercial – to – residential units at a ratio of 2,000:1, with a maximum transfer of 50%. This establishes a minimum square footage of 30,000 square feet for business/commercial uses.
5. The Design Guidelines "...will require adherence to the community vision in architectural styling, material and colors." It is recommended that this be incorporated into the covenants for the PDD.
6. The ordinance shall state the access from Club Colony Circle into the development shall be an emergency access only.
7. The proposed roundabout may not be approved by SCDOT.
8. The conceptual master plan of the clubhouse is not a part of the rezoning request.
9. The general development plan states that the "...development will abide by and meet all requirements of the "Green Code" as set forth in Richland County Code 26-186."
 - If the all of the requirements of the Green Code are met, the provisions of the Green Code would supersede some of the proposed development standards of the PDD.
10. Lot Clearing and Development
 - The proposed provisions regarding clearing and tree removal, foundations, plan reviews and building construction shall be incorporated into the covenants for the PDD.
11. Landscape Standards
 - Standards pertaining to lawn areas and building facades shall be incorporated into the covenants for the PDD.

12. Various residential unit types are permitted in all Villages. Should development type limitations be placed on the various villages?
 - As stated in the general narrative, “Any use allowed in any single Village would be allowed in all except for the Business/Commercial use which is limited to the Gateway Village only.”
 - The Villages at Longcreek sketch plan depicts the residential villages as either, residential mixed or residential cluster.
13. Amendments to home occupations section of the general narrative.
 - The general narrative allows home occupations, except uses that “...result in objectionable noise or noxious fumes that may be detrimental to the neighborhood shall not be allowed.” This cannot be enforced by staff.
14. Identify specific widths for identified buffers, as depicted on the sheet titled “Buffers, Parks and Open Space Plan”.
15. Establish a minimum size for each identified “park” area.
16. Phasing plan.
 - The phasing plan is depicted, but is void of specific language related to implementation.
 - The start of the commercial development will be determined by market demand.

Case 12-09 MA RU/RS-LD/PDD to PDD



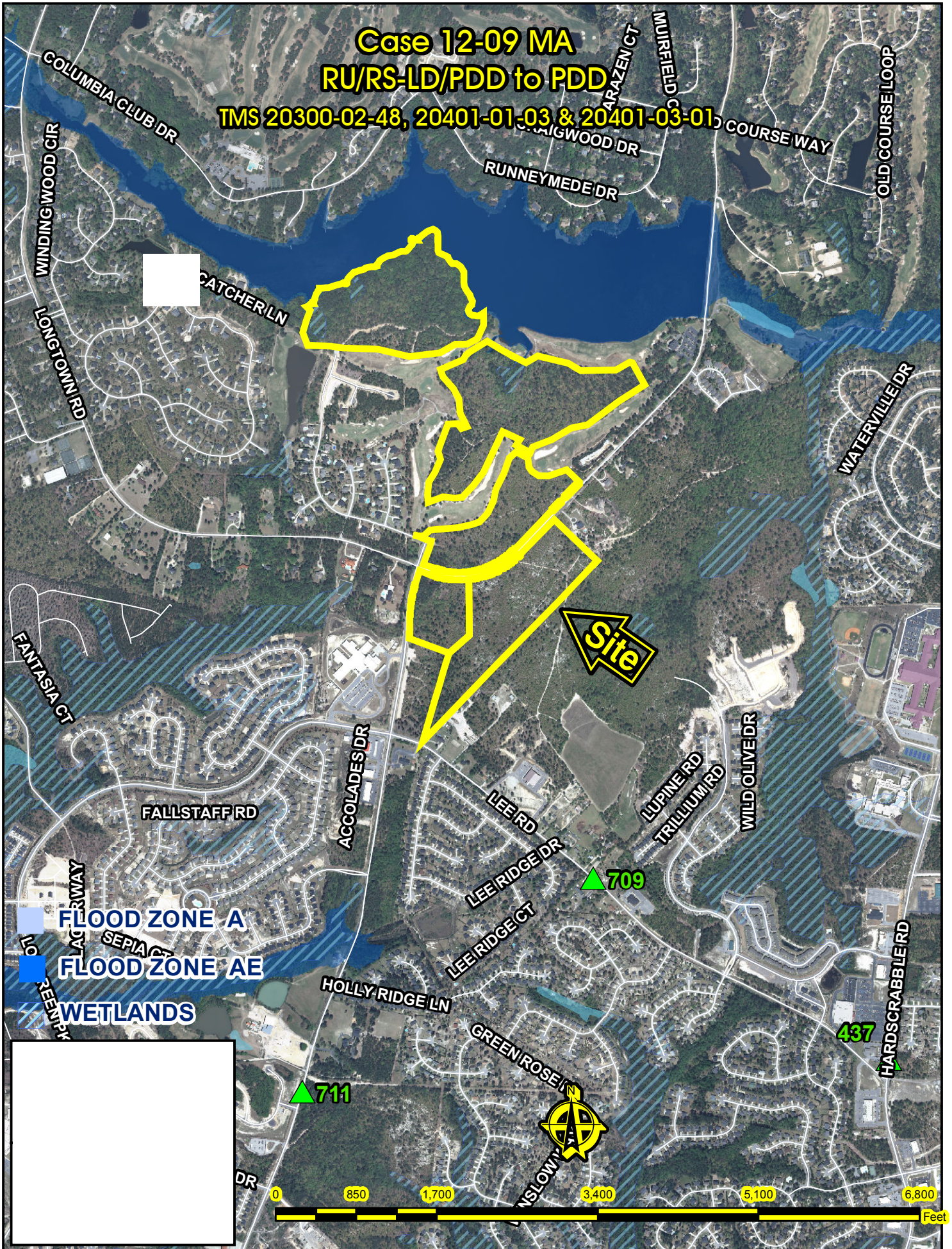
ZONING CLASSIFICATIONS

RR	RS-E	MH	NC	LI	TROS
C-1	RS-LD	RM-MD	GC	HI	Subject Property
C-3	RS-MD	RM-HD	RC	PDD	
RG-2	RS-HD	OI	M-1	RU	



**Case 12-09 MA
RU/RS-LD/PDD to PDD**

TMS 20300-02-48, 20401-01-03 & 20401-03-01



Proposed Villages at Longcreek Project Traffic Impacts Summary

Longtown Rd East and Longtown Rd are classified as two lane undivided collector state roads (TLUC). A TLUC has an engineering design capacity of 8600 vehicles per day. This is the volume of traffic at which the roadway functions most efficiently and is commonly known as a Level-Of-Service (LOS) C.

The nearest SCDOT traffic count station to the subject project is located on Longtown Rd about half way between the Longreen Parkway intersection and the Clemson Rd intersection. The 2010 traffic counts at this station measured 8000 vehicle trips per day, approximately at LOS C.

A Traffic Impact Assessment (TIA) report for the proposed project has been prepared. The TIA estimates that when the subject project is built out in 2017, an additional 4950 vehicle trips per day will be added to Longtown Rd East and Longtown Rd, north of the Longreen Parkway intersection. The additional traffic generated by the subject project will result in a LOS F condition, i.e., very congested, stop and go traffic movement, at the count station.

One of the functions of a TIA is to identify various possible measures to mitigate the traffic impacts of a proposed project. The first level of possible mitigation is to determine whether there are any SCDOT programmed (within 5 years), or planned (5 years plus), improvements to either of the subject Roads. There are no programmed, or planned, improvements to either Road.

The TIA determined that the current four way stop intersection of Longtown Rd East and Longtown Rd, while experiencing a significant increase in volume, will operate at acceptable levels in both the AM and PM peak hours when the project is completed. An analysis of the effects of installation of a roundabout, instead of a conventional traffic signal, to mitigate the effects of the additional traffic generated by the subject project determined a roundabout has very significant traffic flow and safety advantages.

The efficiency of intersections is measured by the amount of time it takes for each vehicle to go through it. The subject intersection is currently a four way stop configuration. Every vehicle that enters the intersection must stop before proceeding through the intersection. As the traffic volume increases, the unmitigated delay time increases and the rate of accidents increases.

Properly designed roundabouts reduce the delay time to virtually nothing, especially in the AM and PM peak hours. Furthermore, since all the traffic is moving in the same direction through the roundabout, there are far less conflicting traffic movements, i.e., turning movements across the flow of traffic. A typical four way intersection has 32 points of traffic conflict.

Roundabouts have been thoroughly documented to result in a 40 to 60% reduction in total crashes and 30 to 90% in injury crashes. Studies in Australia have found that roundabouts have virtually eliminated fatalities and serious injury crashes at intersections.

The installation of a roundabout at the subject intersection is a very simple and innovative way to not only mitigate, but actually improve, the intersection's current operation as well as its operation after the project's completion. Installation of a NB right-turn lane in Longtown Rd at the intersection would even more greatly improve the intersection's operation.

Prepared by RC Planning & Development Services Department - February 1, 2012

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-12HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS CERTAIN PORTIONS OF TMS # 20401-01-03 FROM RS-LD (RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT) TO PDD (PLANNED DEVELOPMENT DISTRICT); AND TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 20401-03-01 FROM RU (RURAL DISTRICT) TO PDD (PLANNED DEVELOPMENT DISTRICT); AND TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 20300-02-48 FROM PDD (PLANNED DEVELOPMENT DISTRICT) TO AN AMENDED PDD (PLANNED DEVELOPMENT DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change certain portions of the real property described as TMS # 20401-01-03 from RS-LD (Residential, Single-Family – Low Density District) zoning to PDD (Planned Development District) zoning (as shown on Exhibit A, which is attached hereto).

Section II. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 20401-03-01 from RU (Rural District) zoning to PDD (Planned Development District) zoning (as described on Exhibit A, which is attached hereto).

Section III. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 20300-02-48 from PDD (Planned Development District) zoning to an amended PDD (Planned Development District) zoning (as described on Exhibit A, which is attached hereto).

Section IV. PDD Site Development Requirements. The following site development requirements shall apply to the subject parcels zoned to the PDD District:

- a) The applicant shall comply with the Master Plan (entitled, “Application For Zoning Map Amendment For The Villages At Longcreek”, dated January 3, 2012, and further revised on February 8, 2012 and on March 9, 2012) prepared for Longcreek Associates, LLC by Sustainable Design Consultants, Inc., which is on file in the Richland County Planning & Development Services Department (hereinafter PDSD), and is incorporated herein by reference, except as otherwise amended herein; and
- b) Unless otherwise provided herein, all development shall conform to all current relevant land development regulations; and

- c) The development shall be subject to Section 26-59(h) of the Richland County Land Development Code; and
- d) Proposed changes to the Master Plan shall be subject to the requirements of Section 26-59(j)(1) of the Richland County Land Development Code; and
- e) If applicable, prior to approval of the preliminary subdivision plans, the applicant shall submit to the PDSD written evidence of:
 - a. The U.S. Army Corps of Engineers' approval of the wetlands delineation and/or encroachment permit, and
 - b. FEMA's approval of the 100 year flood elevation statement; and
- f) All site development requirements described above shall apply to the applicant, the developer, and/or their successors in interest; and

Section V. Severability. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section VI. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section VII. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

By: _____
 Kelvin E. Washington, Sr., Chair

Attest this _____ day of
 _____, 2012.

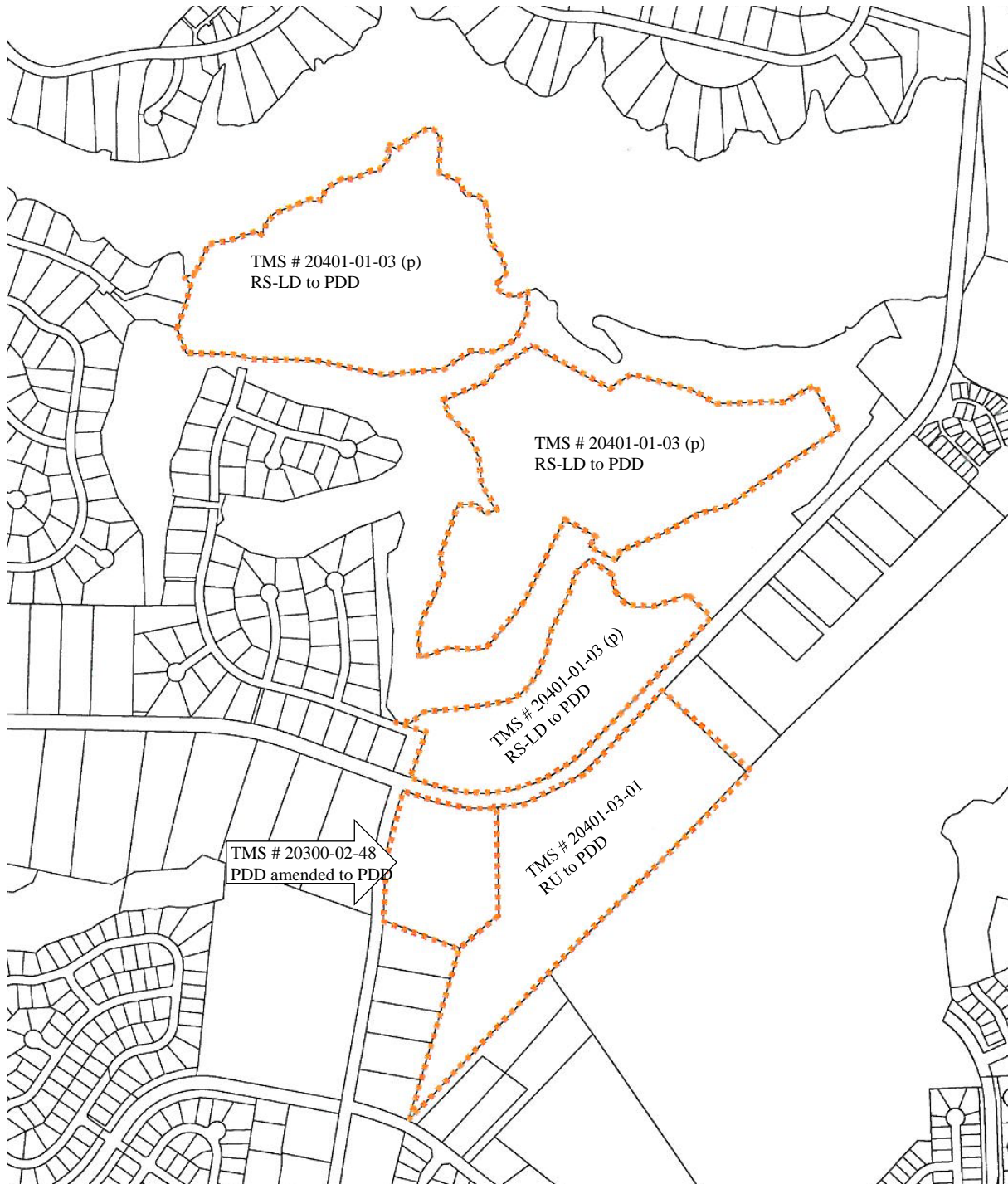
 Michelle M. Onley
 Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

 Approved As To LEGAL Form Only.
 No Opinion Rendered As To Content.

Public Hearing: April 24, 2012 (tentative)
 First Reading: April 24, 2012 (tentative)
 Second Reading:
 Third Reading:

Exhibit A





**Richland County
Planning & Development Services Department**

Map Amendment Staff Report

PC MEETING DATE: April 2, 2012
RC PROJECT: 12-14 MA
APPLICANT: Lee Blythe
PROPERTY OWNER: Marion Bouknight

LOCATION: Old Tamah Road

TAX MAP NUMBER: 03500-04-08 Portion of and 24 Portion of
ACREAGE: 29.61 acres
EXISTING ZONING: RU
PROPOSED ZONING: RS-MD

PC SIGN POSTING: March 08, 2012

Staff Recommendation

Approval

Background /Zoning History

The current zoning, Rural District (RU), reflects the original zoning as adopted September 7, 1977.

The parcel contains five hundred and thirty six (536) feet of frontage along Old Tamah Road.

Summary

The Residential Single Family Medium Density District (RS-MD) is intended as a single family, detached residential district of medium densities, and the requirements for this district are designed to maintain a suitable environment for single family living.

Minimum lot area is 8,500 square feet, or as determined by DHEC. The maximum density standard: no more than one principal dwelling unit may be placed on a lot except for permitted accessory dwellings.

- The gross density for this site is approximately: 151 dwelling units
- The net density for this site is approximately: 105 dwelling units

Direction	Existing Zoning	Use
<u>North:</u>	RU	Undeveloped
<u>South:</u>	RU	Residence
<u>East:</u>	RS-MD	Residential Subdivision (Kingston Village)
<u>West:</u>	RU	Residence

Plans & Policies

The 2009 Richland County Comprehensive Plan “Future Land Use Map” designates this area as **Suburban** in the **North West Planning Area**.

Suburban Area

Objective: “Residential areas are encouraged to contain a mix of residential and civic land uses. Existing single family developments may be adjacent to multifamily or a PDD including a buffer from higher intensity uses. Residential developments should occur at medium densities of 4-8 dwelling units per acre.”

Compliance: The proposed zoning would allow a development density similar to the surrounding area and would otherwise meet the recommended density identified in the Comprehensive Plan.

Traffic Impact

The 2010 SCDOT traffic count (Station # 573) located east of the subject parcel on Old Tamah Road identifies 2,800 Average Daily Trips (ADT's). Old Tamah Road is classified as a two lane undivided Collector, maintained by SCDOT with a design capacity of 8,600 ADT's. Old Tamah Road is currently operating at Level of Service (LOS) “A”.

There are no planned or programmed improvements for this section of Old Tamah Road.

Conclusion

The subject parcel is mostly wooded and undeveloped. The property has mild slopes, no sidewalks and contains a rudimentary concrete drive leading to the interior. The surrounding area is characterized by scattered larger lot residential parcels, agricultural uses, medium-density developed subdivisions, such as Ridgecreek and Kingston Village, as well as institutional uses, such as Dutch Fork Middle and Dutch Fork High School. West, north, and south of the subject parcel are a number of Rural District (RU) zoned parcels that contain residential uses. There is also a Residential Single-family Medium Density District (RS-MD) zoned subdivision (Kingston Village, case number 06-58MA Ordinance No. 117-06HR) with less than fifty lots, east of the subject parcel on Old Tamah Road.

The subject parcel is within the boundaries of Lexington/Richland School District Five. Dutch Fork Middle School is .4 miles to the east of the subject parcel on Old Tamah Road. Water service would be provided by the City of Columbia and sewer service would be provided by Richland County. There is a fire hydrant located on site along Old Tamah Road. The Dutch Fork/Ballentine fire station (station number 20) is located on Broad River Road, approximately 1.6 miles south of the subject parcel.

Based upon the residential zoning and land use in the vicinity, as well as the compatibility to the Comprehensive Plan recommendation for residential uses, staff can support the rezoning request.

As the proposed zoning map amendment is in compliance with the Comprehensive Plan the planning staff recommends **Approval** of this map amendment.

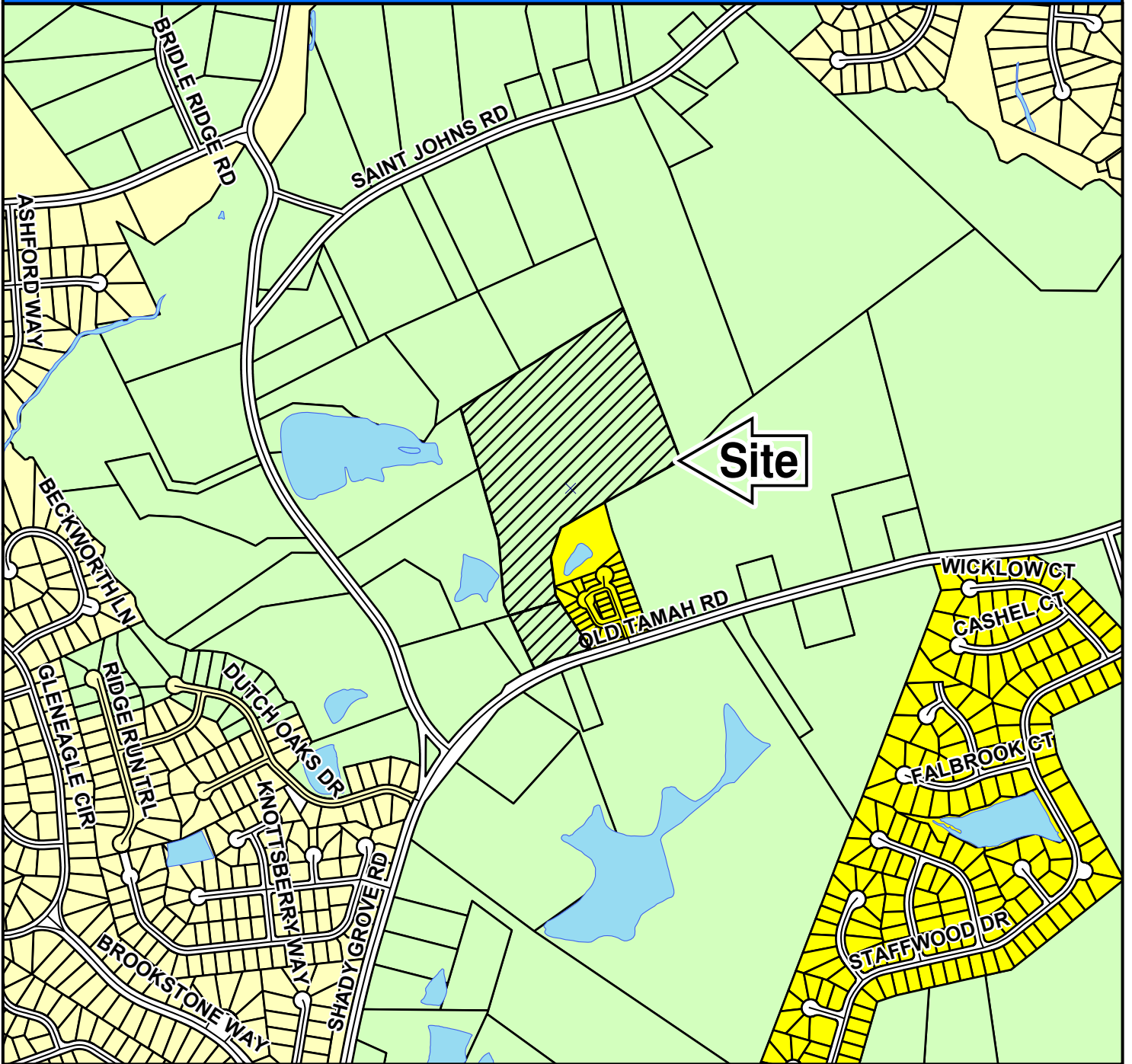
Zoning Public Hearing Date

April 24, 2012























Planning Commission Action

At their meeting of **April 2, 2012** the Richland County Planning Commission **agreed** with the PSDS recommendation and recommends the County Council initiate the ordinance consideration process to **approve the proposed Amendment** for **RC Project # 12-14 MA**.

Case 12-14 MA RU to RS-MD

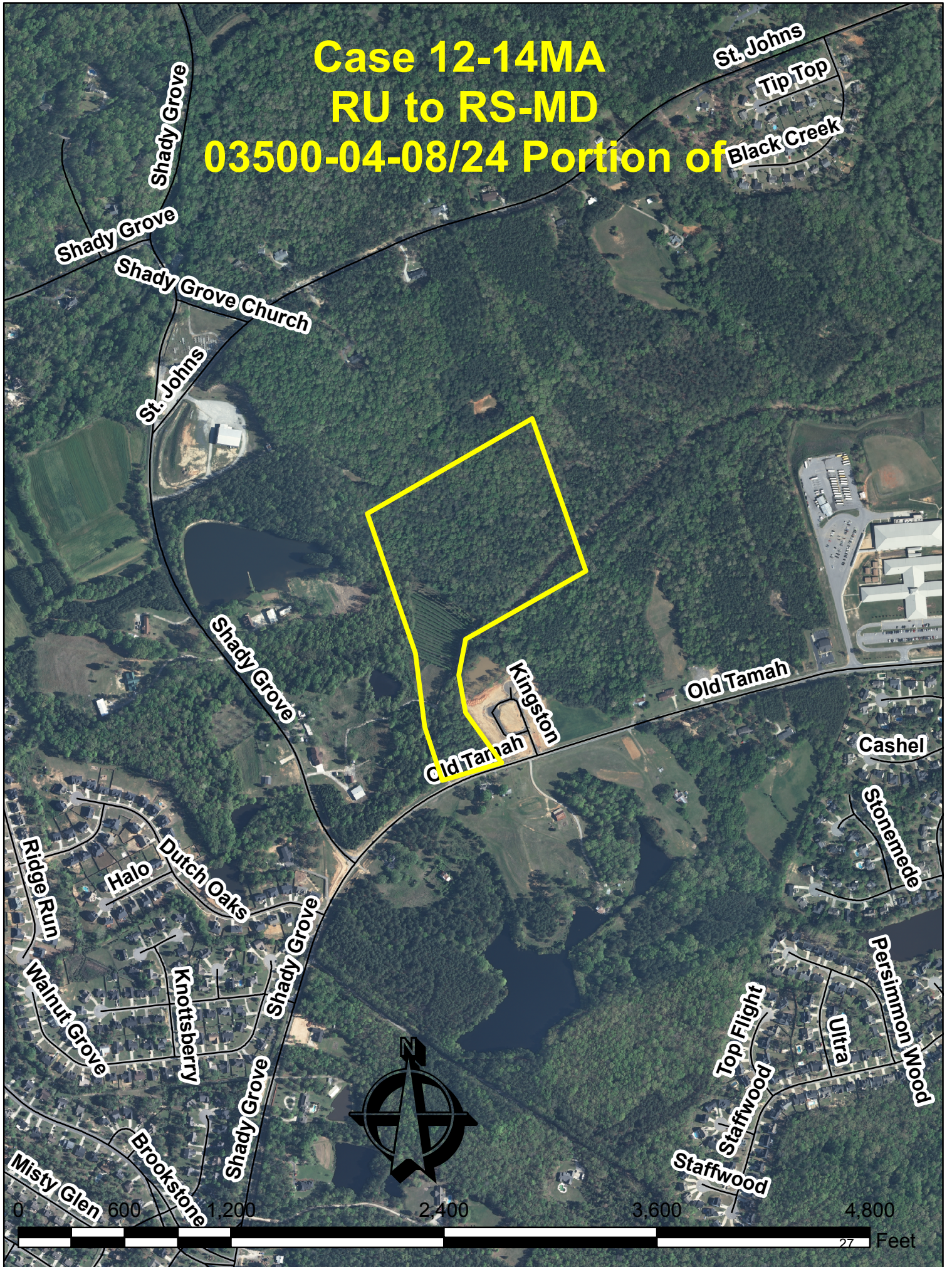


ZONING CLASSIFICATIONS

 RR	 RS-E	 MH	 NC	 LI	 TROS
 C-1	 RS-LD	 RM-MD	 GC	 HI	 Subject Property
 C-3	 RS-MD	 RM-HD	 RC	 PDD	
 RG-2	 RS-HD	 OI	 M-1	 RU	



**Case 12-14MA
RU to RS-MD
03500-04-08/24 Portion of**



St. Johns

Tip Top

Black Creek

Shady Grove

Shady Grove

Shady Grove Church

St. Johns

Shady Grove

Kingston

Old Tamah

Old Tamah

Cashel

Stonemede

Ridge Run

Halo

Dutch Oaks

Walnut Grove

Knottsberry

Shady Grove

Persimmon Wood

Top Flight

Ultra

Staffwood

Staffwood

Misty Glen

Brookstone



The zoning change from RU (Rural) to RS-MD (Residential Medium Density) would permit the introduction of the following uses which were not allowed previously in the original zoning

USE TYPES	RS-MD
Single-Family, Zero Lot Line, Common	SE
Single-Family, Zero Lot Line, Parallel	SR

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS A PORTION OF TMS # 03500-04-08 AND A PORTION OF TMS # 03500-04-24 FROM RU (RURAL DISTRICT) TO RS-MD (RESIDENTIAL, SINGLE-FAMILY – MEDIUM DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the zoning designations for the real properties described as a portion of TMS # 03500-04-08 and a portion of TMS # 03500-04-24 from RU (Rural District) zoning to RS-MD (Residential, Single-Family – Medium Density District) zoning; as further described in Exhibit A, which is attached hereto.

Section II. Severability. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

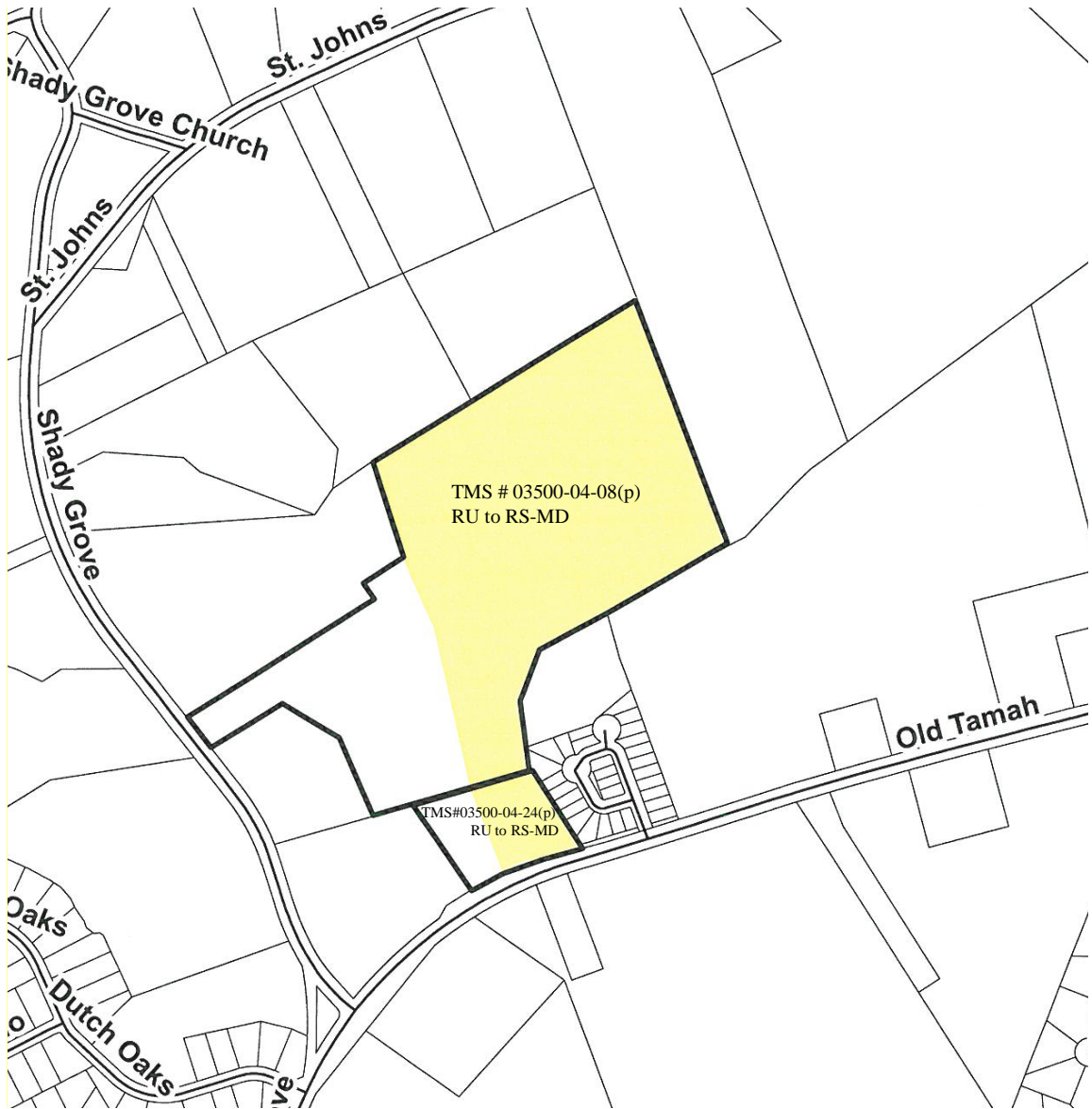
By: _____
Kelvin E. Washington, Sr., Chair

Attest this _____ day of _____, 2012.

Michelle M. Onley
Clerk of Council

Public Hearing: April 24, 2012 (tentative)
First Reading: April 24, 2012 (tentative)
Second Reading:
Third Reading:

Exhibit A





Richland County Planning & Development Services Department

Map Amendment Staff Report

PC MEETING DATE: April 2, 2012
RC PROJECT: 12-16 MA
APPLICANT: Michael J. Reynolds
PROPERTY OWNER: Michael and Carrie Reynolds

LOCATION: 1236 Richard Franklin Road

TAX MAP NUMBER: 01415-02-15
ACREAGE: 1.99 acres
EXISTING ZONING: RU
PROPOSED ZONING: RS-LD

PC SIGN POSTING: March 8, 2012

Staff Recommendation

Disapproval

Background /Zoning History

The current zoning, Rural District (RU) reflects the original zoning as adopted September 7, 1977.

A variance was requested for the subject property under 12-01V. The Board of Zoning Appeals denied the request.

A Map Amendment was proposed for the subject property under 12-13MA. The proposed zoning change was from RU to RS-E. The Planning Commission voted to approve the case and Council is scheduled to hear the case at the March 27th Zoning Public Hearing.

The parcels contain one hundred and sixty one (161) feet of frontage along Richard Franklin Road.

Summary

The Residential Single Family Low Density District (RS-LD) “is intended as a single family, detached residential district, and the requirements for this district are designed to maintain a suitable environment for single family living. Non-single family development normally required to provide the basic elements of a balanced and attractive residential area is also permitted.”

Minimum lot area is 12,000 square feet, or as determined by DHEC, but in no case shall it be less than 12,000 square feet. The maximum density standard: no more than one principal dwelling unit may be placed on a lot except for permitted accessory dwellings.

- The gross density for this site is approximately: 7 dwelling units
- The net density for this site is approximately: 5 dwelling units

Direction	Existing Zoning	Use
<u>North:</u>	RU	Residence
<u>South:</u>	RU	Residence
<u>East:</u>	RS-LD	Undeveloped
<u>West:</u>	NA	Lake Murray

Plans & Policies

The 2009 Richland County Comprehensive Plan “Future Land Use Map” designates this area as **Suburban** in the **North West Planning Area**.

Suburban Area

Objective: “Residential areas are encouraged to contain a mix of residential and civic land uses. Existing single family developments may be adjacent to multifamily or a PDD including a buffer from higher intensity uses. Residential developments should occur at medium densities of 4-8 dwelling units per acre.”

Compliance: The rezoning complies with the Comprehensive Plan’s recommended density. Residential Single Family Low Density District (RS-LD) permits a minimum 12,000 square foot lots or 3.6 dwelling units per acre which is closer to the recommended density of the Comprehensive Plan.

Traffic Impact

The 2010 SCDOT traffic count (Station # 637) located northwest of the subject parcel on Johnson Marina Road identifies 4,200 Average Daily Trips (ADT’s). Johnson Marina Road is classified as a two lane undivided Collector, maintained by SCDOT with a design capacity of 8,600 ADT’s. Johnson Marina Road is currently operating at Level of Service (LOS) “A”.

There are no planned or programmed improvements for Johnson Marina Road.

Conclusion

The subject parcels are somewhat wooded with an existing metal-paneled storage garage on site, a fifth-wheel trailer, and a gentle to moderate slope toward the lake. The subject parcel is bound by Lake Murray to the west. North and south the parcels are zoned Rural (RU) and contain residences. East of the subject property is an undeveloped Residential Single-Family Low Density (RS-LD) zoned parcel. The existing Rural District (RU) permits minimum 33,000 square foot lots at 1.3 dwelling units per acre; whereas the Residential Single-Family Low Density (RS-LD) permits a minimum 12,000 square foot lots at 3.6 dwelling units per acre. The recommended density identified in the Suburban Area in the North West Planning Area is 4-8 dwelling units per acre.

The subject parcels are .79 miles southeast of Lake Murray Elementary School and are part of Lexington/Richland School District Five. Water is provided by the City of Columbia and sewer is provided by Richland County. The Dutch Fork/Ballentine fire station (number# 20) is located on Broad River Road 2.77 miles northeast of the subject parcel. There are no fire hydrants located

in the immediate area. The proposed map amendment would not negatively impact public services or traffic.

Although the RS-LD District would come closer to meeting the recommended intent of the Comprehensive Plan for 4-8 dwelling units per acre, staff is of the opinion that the proposed district would begin to establish a development pattern in this vicinity which would be out of character with the existing rural zoning and the established land development pattern of the existing subdivision. For this reason, the staff believes that the proposed rezoning would be inconsistent with zoning on nearby properties and cannot support the request.

Based upon this rationale and the fact that the proposed zoning map amendment **is not in compliance** with the Comprehensive Plan, planning staff recommends **Disapproval** of this map amendment.

Zoning Public Hearing Date

April 24, 2012

Planning Commission Recommendation

At their meeting of **April 2, 2012** the Richland County Planning Commission **disagreed** with the PDSD recommendation for the following reasons:

- the property across the street has similar zoning
- Spot zoning should not be an issue in this case

The Planning Commission recommends the County Council **deny the proposed Amendment** for **RC Project # 12-16**.

Case 12-16 MA RU to RS-LD

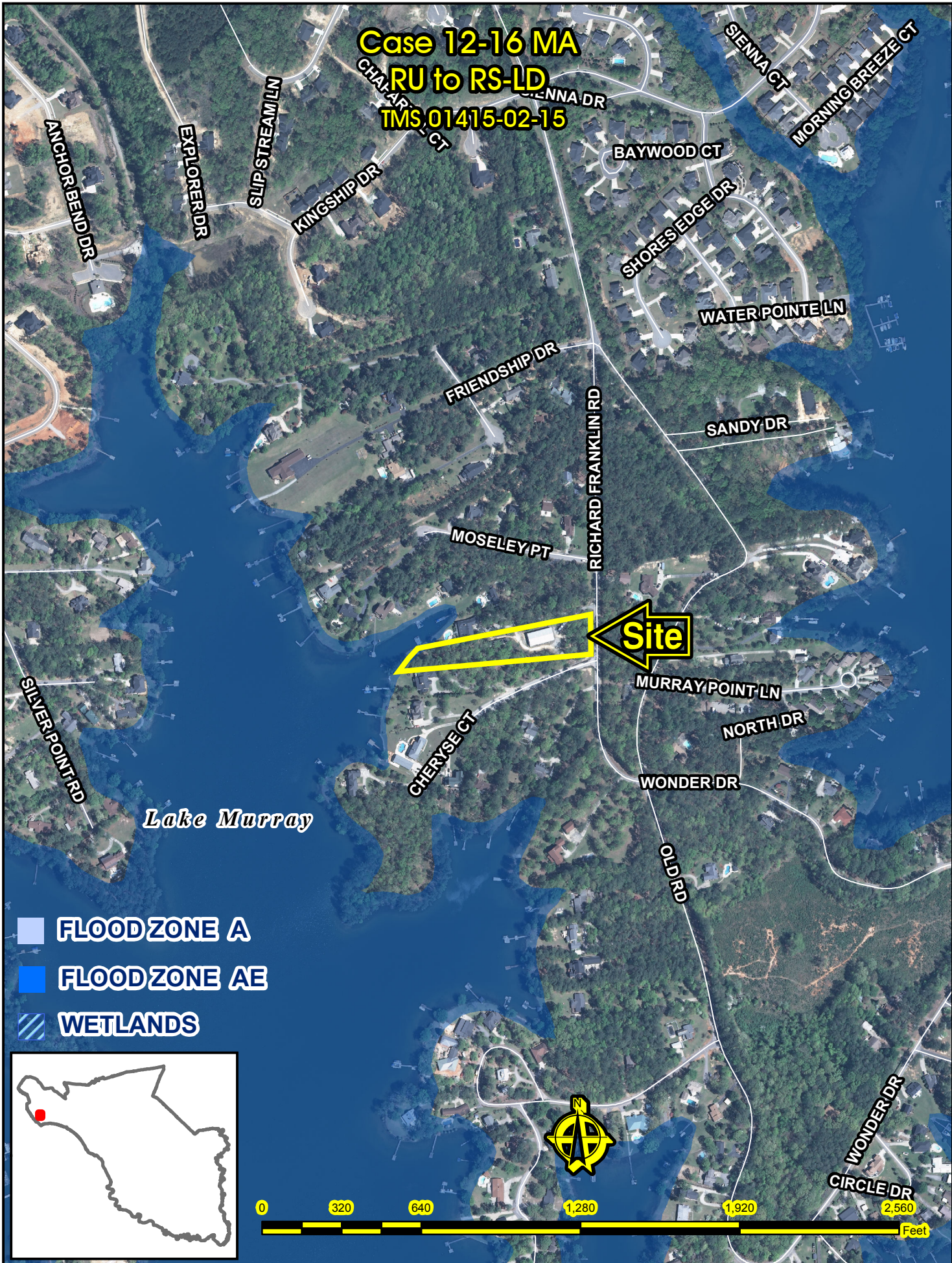


ZONING CLASSIFICATIONS

RR	RS-E	MH	NC	LI	TROS
C-1	RS-LD	RM-MD	GC	HI	Subject Property
C-3	RS-MD	RM-HD	RC	PDD	
RG-2	RS-HD	OI	M-1	RU	



**Case 12-16 MA
RU to RS-LD
TMS 01415-02-15**



The zoning change from RU (Rural) to RS-MD (Residential Medium Density) would permit the introduction of the following uses which were not allowed previously in the original zoning

USE TYPES	RS-LD
Single-Family, Zero Lot Line, Parallel	SR

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN AS TMS # 01415-02-15 FROM RU (RURAL DISTRICT) TO RS-LD (RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as a TMS # 01415-02-15 from RU (Rural District) zoning to RS-LD (Residential, Single-Family – Low Density District) zoning.

Section II. Severability. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

By: _____
Kelvin E. Washington, Sr., Chair

Attest this _____ day of
_____, 2012.

Michelle M. Onley
Clerk of Council

Public Hearing: April 24, 2012 (tentative)
First Reading: April 24, 2012 (tentative)
Second Reading:
Third Reading:



**Richland County
Planning & Development Services Department**

Map Amendment Staff Report

PC MEETING DATE: April 2, 2012
RC PROJECT: 12-17 MA
APPLICANT: Richland County
PROPERTY OWNER: City of Columbia

LOCATION: Garners Ferry Road

TAX MAP NUMBER: 21800-01-09
ACREAGE: .086 acres
EXISTING ZONING: RU
PROPOSED ZONING: GC

PC SIGN POSTING: March 14, 2012

Staff Recommendation

Approval

Background /Zoning History

The current zoning, Rural District (RU) reflects the original zoning as adopted September 7, 1977.

The parcels contain forty nine (49) feet of frontage along Garners Ferry Road.

Summary

The General Commercial (GC) District is intended to accommodate a variety of commercial and nonresidential uses characterized primarily by retail, office, and service establishments oriented primarily to major traffic arteries or extensive areas of predominantly commercial usage.

No minimum lot area, except as required by DHEC. The maximum allowed density for residential uses is sixteen (16) dwelling units per acre.

- The gross density for this site is approximately: 1 dwelling unit
- The net density for this site is approximately: 1 dwelling unit

Direction	Existing Zoning	Use
<u>North:</u>	GC	Vacant office
<u>South:</u>	RU	Undeveloped
<u>East:</u>	GC	Vacant office
<u>West:</u>	GC	Vacant office

Plans & Policies

The 2009 Richland County Comprehensive Plan “Future Land Use Map” designates this area as **Suburban** in the **South East Planning Area**.

Suburban Area

Objective: “Commercial/Office activities should be located at traffic junctions or areas where existing commercial and office uses are located. These uses should not encroach on established residential areas.”

Compliance: The proposed General Commercial District (GC) parcel will be surrounded by an existing commercial zoning and use.

Southeast Richland Neighborhood Master Plan

The subject parcel is identified as part of the Garners Ferry Scenic Boulevard on the conceptual development plan. The proposed rezoning is in compliance with the neighborhood master plan.

Traffic Impact

The 2010 SCDOT traffic count (Station # 171) located west of the subject parcel on Garners Ferry Road identifies 31,500 Average Daily Trips (ADT's). Garners Ferry Road is classified as a four lane divided Principal Arterial, maintained by SCDOT with a design capacity of 33,600 ADT's. Garners Ferry Road is currently operating at Level of Service (LOS) “C”.

There are no planned or programmed improvements for Garners Ferry Road.

Conclusion

The subject parcel contains an existing pump station for the City of Columbia and is fenced along the length of the property line. The subject parcel is bound by a parcel to the west, north, and east the parcels zoned General Commercial District (GC). South of the subject property is an undeveloped Rural District (RU) zoned parcel. The subject parcel is located .93 miles west of Lower Richland high School and is part of School District One. The GC District permits certain uses outright, such as residential, recreational, institutional, educational, civic, business and professional services, wholesale trade, transportation, information, warehousing, utilities, and retail trade and food services.

Water and sewer services would be provided by the City of Columbia. The Lower Richland fire station (number# 22) is located on Lower Richland Boulevard .96 miles northeast of the subject parcel. There is a fire hydrant located two hundred and forty four (244) feet east of the subject parcel on Garners Ferry Road. The proposed map amendment would not negatively impact public services or traffic.

Although the GC District would permit commercial uses staff is of the opinion that the proposed parcel size and current use as a pump station would restrict any additional development onsite. For this reason, the staff believes that the proposed rezoning would be consistent with zoning on nearby properties and can support the request.

Based upon this rationale and the fact that the proposed zoning map amendment **is in compliance** with the Comprehensive Plan, planning staff recommends **Approval** of this map amendment.

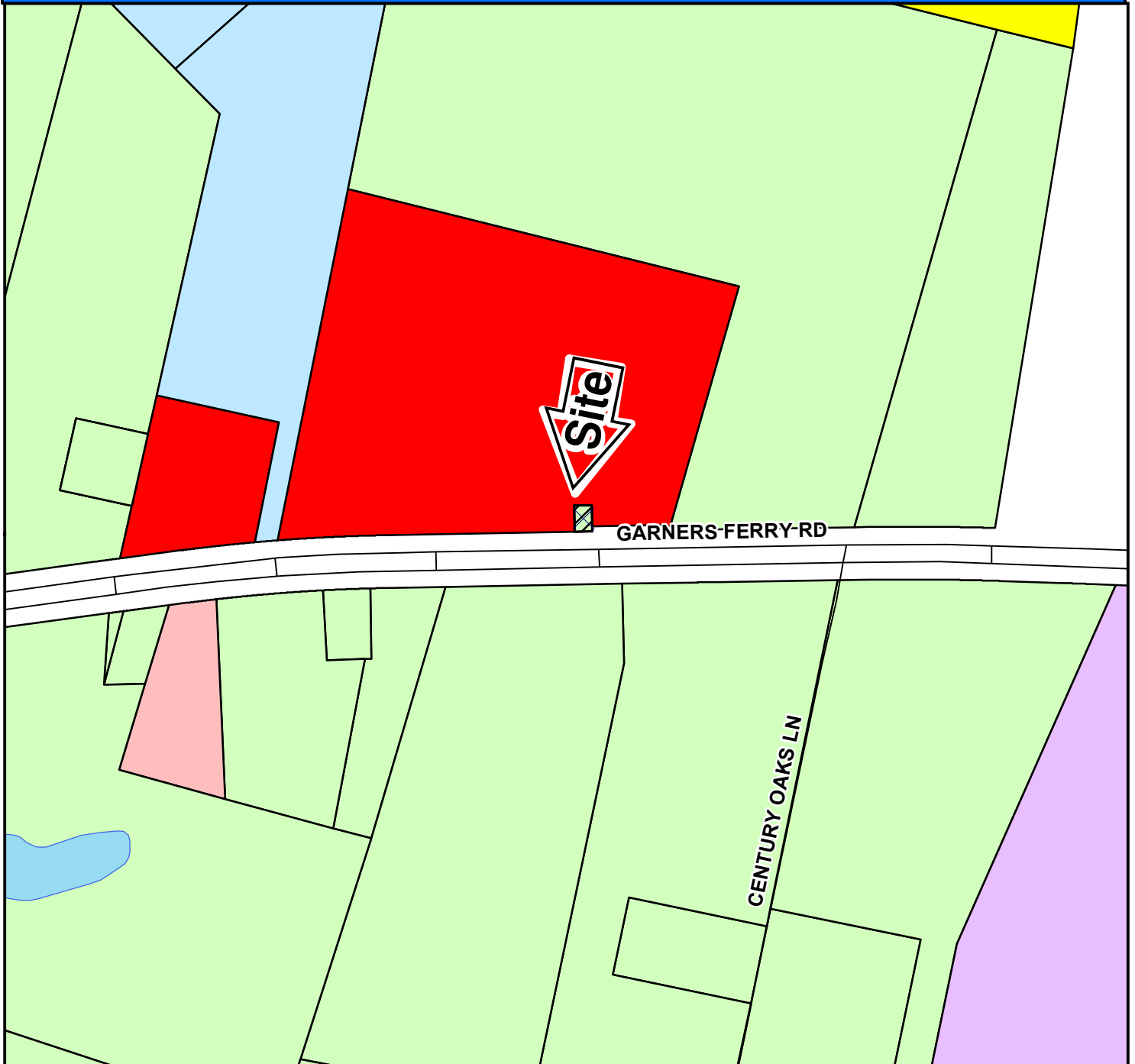
Zoning Public Hearing Date

April 24, 2012

Planning Commission Action

At their meeting of **April 2, 2012** the Richland County Planning Commission **agreed** with the PSDS recommendation and recommends the County Council initiate the ordinance consideration process to **approve the proposed Amendment** for **RC Project # 12-17 MA**.

Case 12-17 MA RU to GC



ZONING CLASSIFICATIONS

RR	RS-E	MH	NC	LI	TROS
C-1	RS-LD	RM-MD	GC	HI	Subject Property
C-3	RS-MD	RM-HD	RC	PDD	
RG-2	RS-HD	OI	M-1	RU	

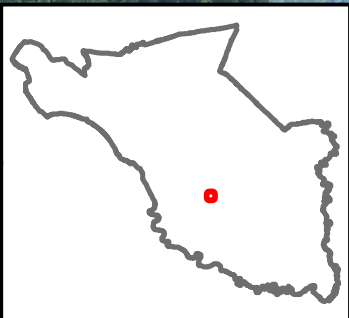
Case 12-17 MA
RU to GC
TMS 21800-01-09

Site

GARNERS FERRY RD

CENTURY OAKS LN

- FLOODZONE A
- FLOODZONE AE
- WETLANDS



CASE 12-17 MA

From RU to GC

TMS# 21800-01-09

Garners Ferry Road



The zoning change from RU (Rural) to GC (General Commercial) would permit the introduction of the following uses which were not allowed previously in the original zoning

USE TYPES	GC
Continued Care Retirement Communities	SR
Dormitories	SE
Multi-Family, Not Otherwise Listed	P
Single-Family, Zero Lot Line, Common	SR
Fraternity and Sorority Houses	P
Group Homes (10 or More)	SE
Rooming and Boarding Houses	P
Special Congregate Facilities	SE
Amusement or Water Parks, Fairgrounds	SR
Amusement Arcades	P
Batting Cages	SR
Billiard Parlors	P
Bowling Centers	P
Clubs or Lodges (Ord No.054-08HR; 9-16-08)	P
Dance Studios and Schools	P
Go-Cart, Motorcycle and Similar Small Vehicle Tracks	SR
Golf Courses	SR
Golf Courses, Miniature	P
Golf Driving Ranges (Freestanding)	SR
Marinas and Boat Ramps	P
Martial Arts Instructional Schools	P
Physical Fitness Centers	P
Shooting Ranges, Indoor	P
Skating Rinks	P
<u>Institutional, Educational and Civic Uses</u>	
Ambulance Services, Transport	P
Animal Shelters	SR
Auditoriums, Coliseums, Stadiums	P
Cemeteries, Mausoleums (Ord. 069-10HR)	SR
Colleges and Universities	P
Community Food Services	P

Courts	P
Day Care Centers, Adult (Ord. 008-09HR; 2-17-09)	SR
Day Care, Child, Licensed Center (Ord. 008-09HR; 2-17-09)	SR
Government Offices	P
Hospitals	P
Individual and Family Services, Not Otherwise Listed	P
Museums and Galleries	P
Nursing and Convalescent Homes	P
Post Offices	P
Postal Service Processing & Distribution	P
Schools, Administrative Facilities	P
Schools, Business, Computer and Management Training	P
Schools, Fine Arts Instruction	P
Schools, Junior Colleges	P
Schools, Technical and Trade (Except Truck Driving)	P
Schools, Truck Driving	P
Zoos and Botanical Gardens	SR
<u>Business, Professional and Personal Services</u>	
Accounting, Tax Preparation, Bookkeeping, and Payroll Services	P
Advertising, Public Relations, and Related Agencies	P
Automatic Teller Machines	P
Automobile Parking (Commercial)	P
Automobile Rental or Leasing	P
Automobile Towing, Not Including Storage	P
Banks, Finance, and Insurance Offices	P
Barber Shops, Beauty Salons, and Related Services	P
Bed and Breakfast Homes/Inns (Ord. 020-10HR; 5-4-10)	SR
Body Piercing Facilities	SR
Building Maintenance Services, Not Otherwise Listed	P
Car and Light Truck Washes (See also Truck Washes)	P

Carpet and Upholstery Cleaning Services	P
Computer Systems Design and Related Services	P
Clothing Alterations/Repairs; Footwear Repairs	P
Construction, Building, General Contracting, without Outside Storage	P
Construction, Special Trades, without Outside Storage	P
Employment Services	P
Engineering, Architectural, and Related Services	P
Exterminating and Pest Control Services	P
Funeral Homes and Services	P
Furniture Repair Shops and Upholstery	P
Hotels and Motels	P
Janitorial Services	P
Kennels	SR
Landscape and Horticultural Services	P
Laundromats, Coin Operated	P
Laundry and Dry Cleaning Services, Non-Coin Operated	P
Legal Services (Law Offices, Etc.)	P
Linen and Uniform Supply	P
Locksmith Shops	P
Management, Scientific, and Technical Consulting Services	P
Massage Therapists	P
Medical/Health Care Offices	P
Medical, Dental, or Related Laboratories	P
Motion Picture Production/Sound Recording	P
Office Administrative and Support Services, Not Otherwise Listed	P
Packaging and Labeling Services	P
Pet Care Services (Excluding Veterinary Offices and Kennels)	P
Photocopying and Duplicating Services	P
Photofinishing Laboratories	P
Photography Studios	P
Picture Framing Shops	P
Professional, Scientific, and Technical Services, Not Otherwise Listed	P

Publishing Industries	P
Real Estate and Leasing Offices	P
Rental Centers, with Outside Storage	SR
Rental Centers, without Outside Storage	P
Repair and Maintenance Services, Appliance and Electronics	SR
Repair and Maintenance Services, Automobile, Minor	P
Repair and Maintenance Services, Home and Garden Equipment	P
Repair and Maintenance Services, Personal and Household Goods	P
Repair and Maintenance Services, Television, Radio, or Other Consumer Electronics	P
Research and Development Services	P
Security and Related Services	P
Tanning Salons	P
Tattoo Facilities (Ord 010-07HR; 2-20- 07) and (Ord No. 054-08HR; 9-16-08)	P
Taxidermists	P
Theaters, Live Performances	P
Theaters, Motion Picture, Other Than Drive-Ins	P
Theaters, Motion Picture, Drive-Ins	SE
Travel Agencies (without Tour Buses or Other Vehicles)	P
Traveler Accommodations, Not Otherwise Listed	P
Truck (Medium and Heavy) Washes	P
Vending Machine Operators	
Veterinary Services (Non-Livestock, May Include Totally Enclosed Kennels Operated in Connection with Veterinary Services)	P
Watch and Jewelry Repair Shops	P
Weight Reducing Centers	P
<u>Retail Trade and Food Services</u>	
Antique Stores (See Also Used Merchandise Shops and Pawn Shops)	P
Appliance Stores	P
Art Dealers	P
Arts and Crafts Supply Stores	P
Auction Houses	P

Automotive Parts and Accessories Stores	P
Bakeries, Retail	P
Bars and Other Drinking Places	SR
Bicycle Sales and Repair	P
Boat and RV Dealers, New and Used	P
Book, Periodical, and Music Stores	P
Building Supply Sales with Outside Storage	P
Building Supply Sales without Outside Storage	P
Camera and Photographic Sales and Service	P
Candle Shops	P
Candy Stores (Confectionery, Nuts, Etc.)	P
Caterers, No On Site Consumption	P
Clothing, Shoe, and Accessories Stores	P
Coin, Stamp, or Similar Collectibles Shops	P
Computer and Software Stores	P
Convenience Stores (with Gasoline Pumps)	P
Convenience Stores (without Gasoline Pumps)	P
Cosmetics, Beauty Supplies, and Perfume Stores	P
Department, Variety or General Merchandise Stores	P
Direct Selling Establishments, Not Otherwise Listed	P
Drugstores, Pharmacies, with Drive-Thru	P
Drugstores, Pharmacies, without Drive-Thru	P
Electronic Shopping and Mail Order Houses	P
Fabric and Piece Goods Stores	P
Flea Markets, Indoor	P
Flea Markets, Outdoor	P
Floor Covering Stores	P
Florists	P
Food Service Contractors	P
Food Stores, Specialty, Not Otherwise Listed	P
Formal Wear and Costume Rental	P

Fruit and Vegetable Markets	P
Furniture and Home Furnishings	P
Garden Centers, Farm Supplies, or Retail Nurseries	P
Gift, Novelty, Souvenir, or Card Shops	P
Grocery/Food Stores (Not Including Convenience Stores)	P
Hardware Stores	P
Health and Personal Care Stores, Not Otherwise Listed	P
Hobby, Toy, and Game Stores	P
Home Centers	P
Home Furnishing Stores, Not Otherwise Listed	P
Jewelry, Luggage, and Leather Goods (May Include Repair)	P
Liquor Stores	P
Manufactured Home Sales	SR
Meat Markets	P
Miscellaneous Retail Sales – Where Not Listed Elsewhere, and Where All Sales and Services are Conducted within an Enclosed Building	P
Motor Vehicle Sales – Car and Truck – New and Used	P
Motorcycle Dealers, New and Used	P
Musical Instrument and Supplies Stores (May Include Instrument Repair)	P
News Dealers and Newsstands	P
Office Supplies and Stationery Stores	P
Optical Goods Stores	P
Outdoor Power Equipment Stores	P
Paint, Wallpaper, and Window Treatment Sales	P
Pawnshops	P
Pet and Pet Supplies Stores	P
Record, Video Tape, and Disc Stores	P
Restaurants, Cafeterias	P
Restaurants, Full Service (Dine-In Only)	P
Restaurants, Limited Service (Delivery, Carry Out)	P
Restaurants, Limited Service (Drive-	P

Thru)	
Restaurants, Snack and Nonalcoholic Beverage Stores	P
Service Stations, Gasoline	P
Sporting Goods Stores	P
Television, Radio or Electronic Sales	P
Tire Sales	P
Tobacco Stores	P
Truck Stops	P
Used Merchandise Stores	P
Video Tape and Disc Rental	P
Warehouse Clubs and Superstores	P
<u>Wholesale Trade</u>	
Apparel, Piece Goods, and Notions	P
Beer/Wine/Distilled Alcoholic Beverages	SR
Books, Periodicals, and Newspapers	P
Drugs and Druggists' Sundries	SR
Durable Goods, Not Otherwise Listed	SR
Electrical Goods	SR
Flowers, Nursery Stock, and Florist Supplies	P
Furniture and Home Furnishings	SR
Groceries and Related Products	P
Hardware	P
Jewelry, Watches, Precious Stones	P
Lumber and Other Construction Materials	SR
Machinery, Equipment and Supplies	SR
Market Showrooms (Furniture, Apparel, Etc.)	SR
Motor Vehicles, New Parts and Supplies	SR
Motor Vehicles, Tires and Tubes	SR
Nondurable Goods, Not Otherwise Listed	SR
Paints and Varnishes	SR
Paper and Paper Products	P
Plumbing & Heating Equipment and Supplies	SR
Professional and Commercial Equipment and Supplies	P
Sporting and Recreational Goods and Supplies (Except Sporting Firearms and	P

Ammunition)	
Sporting Firearms and Ammunition	SR
Tobacco and Tobacco Products	SR
Toys and Hobby Goods and Supplies	P
<u>Transportation, Information, Warehousing, Waste Management, and Utilities</u>	
Bus Facilities, Interurban	P
Bus Facilities, Urban	P
Charter Bus Industry	P
Courier Services, Substations	P
Limousine Services	P
Radio and Television Broadcasting Facilities (Except Towers)	P
Radio, Television, and Other Similar Transmitting Towers	SE
Scenic and Sightseeing Transportation	P
Taxi Service Terminals	P
Truck Transportation Facilities	
Utility Company Offices	P
Utility Service Facilities (No Outside Storage)	P
Warehouses (General Storage, Enclosed, Not Including Storage of Any Hazardous Materials or Waste as Determined by Any Agency of the Federal, State or Local Government)	SR
Warehouses, Self-Storage	SR
Warehouses, Self-Storage	SR
Bakeries, Manufacturing	P
Computer, Appliance, and Electronic Products	P
Medical Equipment and Supplies	P
Printing and Publishing	P
Signs	P
Sexually Oriented Businesses	SR
Buildings, High Rise, 4 or 5 Stories	SR
Buildings, High Rise, 6 or More Stories	SE

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 21800-01-09 FROM RU (RURAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 21800-01-09 from RU (Rural District) zoning to GC (General Commercial District) zoning.

Section II. Severability. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

By: _____
Kelvin E. Washington, Sr., Chair

Attest this _____ day of
_____, 2012.

Michelle M. Onley
Clerk of Council

Public Hearing: April 24, 2012 (tentative)
First Reading: April 24, 2012 (tentative)
Second Reading:
Third Reading:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-179, PEDESTRIAN, BICYCLE, AND TRANSIT AMENITIES; SUBSECTION (A), SIDEWALKS AND OTHER PEDESTRIAN AMENITIES; PARAGRAPH (4), EXEMPTIONS; SO AS TO ADD THE PUBLIC WORKS DEPARTMENT AS AN ENTITY THAT CAN DENY SIDEWALKS WITHIN THEIR RIGHT-OF-WAY.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-179, Pedestrian, Bicycle, and Transit Amenities; Subsection (a), Sidewalks and Other Pedestrian Amenities; Paragraph (4), Exemptions; is hereby amended to read as follows:

- (4) *Exemptions.* If the South Carolina Department of Transportation (SCDOT) or the Richland County Public Works Department denies sidewalks within their right-of-way due to the lack of connectivity, a written determination letter must be received by the Planning Department prior to the approval of preliminary plans or major land development. Any unusual existing site conditions that would create a safety hazard should also be identified by the engineer of record during the preliminary plan submittal. The County Engineer, in conjunction with the Planning Director, will make a final determination of exemption from the sidewalk requirement.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Public Hearing: April 24, 2012 (tentative)
First Reading: April 24, 2012 (tentative)
Second Reading:
Third Reading:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-177, LIGHTING STANDARDS; SUBSECTION (B), STANDARDS; PARAGRAPH (1), REQUIREMENTS FOR ALL ZONING CATEGORIES AND APPLICATIONS; SUBPARAGRAPH H.; SO AS TO ALLOW BLACK POLES.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-177, Lighting Standards; Subsection (b), Standards; Paragraph (1), Requirements for All Zoning Categories and Applications; Subparagraph h.; is hereby amended to read as follows:

- h. All poles must be silver, ~~or grey, or black, or a similar color. Black or brown poles are prohibited; provided, however, n~~New poles proposed to be located within an approved development that is at least seventy-five percent (75%) developed may be of the same color as the majority of the existing poles. ~~In addition, historic structures and/or historic sites may use traditional pole colors.~~

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE _____ DAY

OF _____, 2012

Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Public Hearing: April 24, 2012 (tentative)
First Reading: April 24, 2012 (tentative)
Second Reading:
Third Reading:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-99, M-1 LIGHT INDUSTRIAL DISTRICT; SUBSECTION (C), DEVELOPMENT STANDARDS; PARAGRAPH (7), PARKING/LOADING STANDARDS; SO AS TO ALLOW PARKING WITHIN THE REQUIRED SETBACKS.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-99, M-1 Light Industrial District; Subsection (c), Development Standards; Paragraph (7), Parking/Loading Standards; is hereby amended to read as follows:

- (7) *Parking/loading standards:* Parking and loading facilities shall be provided as required by Section 26-173 and Section 26-174 of this chapter. ~~No parking lots shall be permitted within any required setback.~~

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE ____ DAY

OF _____, 2012

Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Public Hearing: April 24, 2012 (tentative)
First Reading: April 24, 2012 (tentative)
Second Reading:
Third Reading:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SECTION 26-151, PERMITTED USES WITH SPECIAL REQUIREMENTS; SUBSECTION (C), STANDARDS; PARAGRAPH (68), SWIMMING POOLS; SO AS TO DELETE REFERENCE TO THE REQUIREMENT OF A FENCE AS THIS REQUIREMENT IS ALREADY ADDRESSED UNDER THE INTERNATIONAL BUILDING CODE.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c), Standards; Paragraph (68), Swimming Pools; is hereby amended to read as follows:

(68) *Swimming pools.*

- a. Use districts: Traditional Recreation Open Space; Neighborhood Mixed Use; Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- ~~b. Swimming pools shall be protected by a fence or equal enclosure, a minimum of four (4) feet in height, and equipped with a self-closing gate provided with hardware for permanent locking.~~
- ~~b.e.~~ No private residential swimming pool that is located in a residential district shall be operated as, or in conjunction with, a business, day care operation, bed and breakfast, or a home occupation.
- ~~c.d.~~ Pools shall be located so as to comply with the minimum setback requirements for accessory buildings.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE _____ DAY

OF _____, 2012

Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Public Hearing:
First Reading:
Second Reading:
Third Reading:

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-12HR**

AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON THE USE OF THE GREEN CODE STANDARDS, WHICH ARE FOUND AT SECTION 26-186 OF THE RICHLAND COUNTY CODE OF ORDINANCES.

WHEREAS, Richland County enacted Ordinance 035-08HR on June 17, 2008, which established “Green Code Standards” as Section 26-186 of the Richland County Code of Ordinances; and

WHEREAS, it has come to the attention of County Staff that Section 26-186 may contain inconsistencies and ambiguities therein; and

WHEREAS, County Planning Staff needs time to review and potentially amend Section 26-186 to eliminate any inconsistencies and to clarify any ambiguities; and

WHEREAS, it is appropriate that during such period of review by County Planning Staff that the *status quo* be maintained so that the perceived problems will not increase or grow more difficult to evaluate and resolve; and

WHEREAS, a moratorium will permit time to review Section 26-186 and draft any necessary amendments to Section 26-186 of the Richland County Code of Ordinances;

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF RICHLAND COUNTY THAT:

SECTION I. Richland County Council hereby declares a moratorium on the use of the Green Code Standards, which are found at Section 26-186 of the Richland County Code of Ordinances.

SECTION II. Severability. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Superseded. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are superseded during the time this Ordinance is effective.

SECTION IV. Effective Date. This Ordinance shall be effective immediately upon adoption by Richland County Council.

SECTION V. This Ordinance shall expire ninety (90) days following the date of adoption of this Ordinance, or until rescinded by Richland County Council, whichever is earlier.

RICHLAND COUNTY COUNCIL

BY: _____
Kelvin E. Washington, Sr., Chair

Attest this the _____ day of
_____, 2012

Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading: April 3, 2012
Public Hearing: April 24, 2012 (tentative)
Second Reading: April 24, 2012 (tentative)
Third Reading:

PROCEDURES FOR SENDING REZONING MATTERS ‘BACK’ TO THE PLANNING COMMISSION

PLANNING COMMISSION	PLANNING COMMISSION RECOMMENDATION	COUNTY COUNCIL ACTION AT THE ZONING PUBLIC HEARING	Goes back to PC and is reviewed	Goes back to PC and starts over	Does not go back to PC
Zoning District X to Zoning District Y	APPROVE	APPROVE			X
Zoning District X to Zoning District Y	DENY	APPROVE			X
Zoning District X to Zoning District Y	APPROVE	DENY			X
Zoning District X to Zoning District Y	DENY	DENY			X
Zoning District X to Zoning District Y	APPROVE	Zoning District X to Zoning District Z		X	
Zoning District X to Zoning District Y	DENY	Zoning District X to Zoning District Z		X	
Zoning District X to PDD	APPROVE	Zoning District X to PDD with less restrictions	X		
Zoning District X to PDD	APPROVE	Zoning District X to PDD with more restrictions			X
Zoning District X to PDD	DENY	Zoning District X to PDD with less restrictions	X		
Zoning District X to PDD	DENY	Zoning District X to PDD with more restrictions			X

