



## **RICHLAND COUNTY COUNCIL REGULAR SESSION AGENDA**

**OCTOBER 20, 2009  
6:00 PM**

**CALL TO ORDER**

**HONORABLE PAUL LIVINGSTON, CHAIR**

**INVOCATION**

**HONORABLE KIT SMITH**

**PLEDGE OF ALLEGIANCE**

**HONORABLE KIT SMITH**

### **Presentations**

1. • SC Forestry Commission Check Presentation

### **Citizen's Input**

2. Must Pertain to Items Not on the Agenda

### **Approval Of Minutes**

3. Regular Session: October 6, 2009 [**PAGES 9-23**]

### **Adoption Of The Agenda**

### **Report Of The Attorney For Executive Session Items**

4. • Township Property Purchase  
• Whitaker Container Update/West Pro Analysis  
• Columbia Renaissance Redevelopment Update

### **Report Of The County Administrator**

5. • Screaming Eagle Substation: Cost Overruns  
• Development Roundtable [**PAGES 26-65**]  
• Lobbyist Contract Award

### **Report Of The Clerk Of Council**

6. • EdVenture's Great Friend to Kids Awards Dinner, November 5th, 6:15 p.m. -

- Reception; 7:00 p.m. - Dinner, Columbia Marriott
- Urban League Equal Opportunity Day Dinner, November 5th, Seawells

## **Report Of The Chairman**

### **Open/Close Public Hearings**

7. An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, In General; Section 21-10, Street Name Signs; Subsection (A); so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated*
8. An Ordinance Authorizing a quit-claim deed to Edward H. Pitts, Jr. and EHP Development, LLC for five parcels of land totaling Five Thousand Three Hundred Sixteen (5,316) square feet located along Hastings Alley and Hamrick Street, Richland County, South Carolina, and being portions of TMS # 11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, and 11203-03-27
9. An Ordinance Authorizing a quit-claim deed to Smallwood Village Phase III Homeowner's Association, Inc. for a certain parcel of land totaling .76 Acres located along White Branch Circle, Richland County, South Carolina, known as TMS # 22710-08-30
10. An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$90,157 of General Fund Undesignated Fund Balance to the Court Administration Budget, Magistrates Budget and Central Services Budget
11. An Ordinance Amending the Fiscal Year 2009-2010 Hospitality Tax Fund Annual Budget Amendment to appropriate \$100,000 of Hospitality Tax Fund Designated Fund Balance for the next steps in the design-development phase of the Regional Sports Complex
12. An Ordinance Amending the Richland County Code of Ordinances; Chapter 25, Vehicles for Hire; Article II, Towing and Wrecker Services; Section 25-20, Wrecker and Storage Charges, so as to increase the fees charged for towing and wrecker services
13. An Ordinance Amending the Fiscal Year 2009-2010 Title IV-D Sheriff's Fund Budget to appropriate \$10,000 of additional revenue due to revised revenue projections
14. An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$81,000 of General Fund Undesignated Fund Balance to the Election Commission Budget for the mandated purpose of replacing batteries in electronic voting machines
15. Deed of Water and Sewer Lines (Bookert Heights, Ridgewood, BRRWWTP)

### **Approval Of Consent Items**

16. 09-12MA  
Robert Giles  
Jonathan Giles  
RM-HD to NC (0.32 Acres)  
11203-01-02  
Corner of Olympia Ave. and Bluff Rd. [**THIRD READING**] [**PAGE 77**]

17. An Ordinance Amending Section 26-181 regarding road signs/traffic control devices; so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated* [**THIRD READING**] [**PAGES 79-80**]
18. An Ordinance to Define and Permit "Bus Shelters & Benches" in all Zoning Districts, with special requirements [**THIRD READING**] [**PAGES 82-131**]
19. An Ordinance Amending Section V, Zoning Districts and District Standards; and Article VI, Supplemental Use Standards; so as to provide for a parks and recreation district [**THIRD READING**] [**PAGES 133-140**]
20. Section 26-180, Signs; so as to create a new section that would allow digital display devices under certain conditions [**THIRD READING**][**PAGES 142-145**]
21. An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, In General; Section 21-10, Street Name Signs; Subsection (A); so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated* [**SECOND READING**] [**PAGES 147-150**]
22. An Ordinance Authorizing a quit-claim deed to EHP Development, LLC for five parcels of land totaling Five Thousand Three Hundred Sixteen (5316) square feet located along Hasings Alley and Hamrick Street, Richland County, South Carolina, and being portions of TMS # 11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, and 11203-03-27 [**SECOND READING**][**PAGES 152-155**]
23. An Ordinance Authorizing a quit-claim deed to Smallwood Village Phase III Homeowner's Association, Inc. for a certain parcel of land totaling .76 Acres located along White Branch Circle, Richland County, South Carolina, known as TMS # 22710-08-30 [**SECOND READING**] [**PAGE 157**]
24. An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$90,157 of General Fund Undesignated Fund Balance to the Court Administration Budget, Magistrates Budget and Central Services Budget [**SECOND READING**] [**PAGES 159-160**]
25. An Ordinance Amending the Fiscal Year 2009-2010 Hospitality Tax Fund Annual Budget Amendment to appropriate \$100,000 of Hospitality Tax Fund Designated Fund Balance for the next steps in the design-development phase of the Regional Sports Complex [**SECOND READING**] [**PAGES 162-163**]
26. An Ordinance Amending the Richland County Code of Ordinances; Chapter 25, Vehicles for Hire; Article II, Towing and Wrecker Services; Section 25-20, Wrecker and Storage Charges, so as to increase the fees charged for towing and wrecker services [**SECOND READING**] [**PAGES 165-166**]
27. An Ordinance Amending the Fiscal Year 2009-2010 Title IV-D Sheriff's Fund Budget to appropriate \$10,000 of additional revenue due to revised revenue projections [**SECOND READING**] [**PAGES 168-169**]

28. An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$81,000 of General Fund Undesignated Fund Balance to the Election Commission Budget for the mandated purpose of replacing batteries in electronic voting machines [**SECOND READING**] [**PAGES 171-172**]
29. Deed of Water and Sewer Lines (Bookert Heights, Ridgewood, BRRWWTP) [**SECOND READING**] [**PAGES 174-190**]

### **Second Reading Items**

30. An Ordinance Amending the Fiscal Year 2009-2010 Road Maintenance Fund Annual Budget to appropriate \$40,000 of Undesignated Fund Balance for the revised transportation study [**SECOND READING**] [**PAGES 192-194**]

### **Report Of Rules And Appointments Committee**

#### **1. Notification Of Vacancies**

31. Lexington/Richland Alcohol and Drug Abuse Council-2 [Paul Bouknight\*, Roosevelt Garrick, Jr.\*]
32. Richland Memorial Hospital Board-3 [Bill Bradshaw\*, Jerry Odom\*, Ann Pringle Washington]

#### **2. Notification Of Appointments**

33. Business Service Center Appeals Board-1 [Pierre E. Brunache] [**PAGES 198-201**]
34. Midlands Workforce Board-1 [Randy Cherry, RC Research Manager] [**PAGE 203**]

#### **3. Rule Changes**

35. Motion for presentations to be held on the third Tuesdays of the month.

#### **4. Discussion From Rules And Appointments Committee**

36. Draft of countywide letterhead to be used by all departments
37. Any Executive Session item involving an attorney hired outside the normal scope of a regular contract by Richland County will be taken up first so that attorney is not waiting for other matters and receiving unnecessary compensation

### **Other Items**

38. Lobbyist Contract Award [**PAGE 206**]
39. Screaming Eagle Substation - Cost Overruns
40. An Ordinance Amending the Fiscal Year 2009-2010 Conservation Commission Fund Budget to appropriate \$23,000 of reserved fund balance for the Wetlands Mitigation Assessment [**PAGES 209-210**]

## **Citizen's Input**

41. For Items on the Agenda Not Requiring a Public Hearing

## **Executive Session**

## **Motion Period**

## **Adjournment**



# Richland County Council Request of Action

**Subject**

- SC Forestry Commission Check Presentation

# Richland County Council Request of Action

**Subject**

Must Pertain to Items Not on the Agenda

# Richland County Council Request of Action

**Subject**

Regular Session: October 6, 2009 [**PAGES 9-23**]



# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, OCTOBER 6, 2009 6:00 p.m.

*In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.*

---

### MEMBERS PRESENT:

Chair	Paul Livingston
Vice Chair	Damon Jeter
Member	Gwendolyn Davis Kennedy
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	Jim Manning
Member	L. Gregory Pearce, Jr.
Member	Kit Smith
Member	Kelvin Washington

**OTHERS PRESENT** – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Sara Salley, Randy Cherry, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Daniel Driggers, David Hoops, Joseph Kocy, Rodolfo Callwood, Geo Price, Brenda Carter, Betty Etheredge, Josh Houston, Donny Phipps, John Hixson, Bill Peters, Becky Knotts, Kevin Etheridge, Andy Metts, Paul Brawley, James Hayes, Dale Welch, Kyle Holsclaw, Trenia Bowers, Monique Walters, Michelle Onley

### CALL TO ORDER

The meeting was called to order at approximately 6:08 p.m.

### INVOCATION

The Invocation was given by the Honorable Kelvin E. Washington, Sr.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Kelvin E. Washington, Sr.

**POINT OF PERSONAL PRIVILEGE** – Ms. Dickerson recognized that the Richland District II School Board members in the audience.

### CITIZENS' INPUT

No one signed up to speak.

### APPROVAL OF MINUTES

**Regular Session: September 15, 2009** – Mr. Manning moved, seconded by Ms. Dickerson, to approve the minutes as amended. The vote in favor was unanimous.

**Zoning Public Hearing: September 22, 2009** – Mr. Pearce moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.

### ADOPTION OF AGENDA

Mr. Pope stated that Item #14 was not properly before Council and therefore, needed to be deleted and that the ordinance for Item #39 was amended. The amended ordinance was e-mailed to Council prior to the meeting.

The amended agenda was adopted unanimously.

### REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **Lower Richland Sewer Extension Update**
- b. **Columbia Venture vs. Richland County**
- c. **Whitaker Container**
- d. **Personnel Matter**

### REPORT OF THE COUNTY ADMINISTRATOR

**New Employees Introduction** – Mr. Pope introduced Ms. Sara Salley, Grants Manger, and Mr. Randy Cherry, Research Manager to Council.

**Benedict College Update** – Mr. Pope stated that Benedict has complied with all of the County requirements.

**Township Property Purchase** – Mr. Pope stated that Administration is in continuing discussion with the property owner. A full report regarding the possible purchase, as discussed in Executive Session, will be given at the October 20<sup>th</sup> Council meeting.

**Whitaker Container Update** – This item was taken up during Executive Session.

**Columbia Renaissance Redevelopment Update** – Mr. Pope stated that information from the City of Columbia was forwarded out to Council last week. Further direction for staff will be requested at the October 20<sup>th</sup> Council meeting.

**Presentation of FY10 Budget Books** – Mr. Pope recognized the Budget Department staff for their hard work on the budget book and the budget books were provided to Council.

**Convention Authority Request** – Mr. Ric Luber made a brief presentation.

**Bond Rating Information** – Mr. Pope stated that the County's bond rating has been upgraded to AA+.

**Township Naming Rights/Renovations** – This item was an action item.

**Carolina Clear Resolution** – Mr. Pope stated that in an endeavor to protect the area watersheds and water quality, Vice Chair Damon Jeter, Councilman Pearce and Councilman Manning, along with the mayors of Forest Acres and Arcadia Lakes, joined with Clemson University's Carolina Clear to sign a joint proclamation at Forest Acres City Hall.

**Personnel Matter** – This item was taken up during Executive Session.

#### REPORT OF THE CLERK OF COUNCIL

**SCANA Corporation Salute to Elected Officials Oyster Roast & Barbeque** – Ms. Finch reminded Council of the SCANA Corporation's Salute to Elected Officials on October 7<sup>th</sup> at 6:30-9:00 p.m.

**Council Retreat** – Ms. Finch stated that a location has not been selected; therefore, she contacted Parklane Adult Activity Center. They are holding the dates of January 14-15 and January 21-22. Mr. Livingston requested that Council members to contact Ms. Finch by Friday, October 9<sup>th</sup> with their preference.

**Councilwomen Dickerson and Kennedy's Appointments to NFWL Positions** – Ms. Finch stated that Ms. Dickerson and Ms. Kennedy have been tapped for leadership positions with the National Foundation for Women Legislators. Ms. Dickerson will be the Director of Region 3 and Ms. Kennedy will be the State Director of South Carolina.

**Urban League Equal Opportunity Day Dinner** – Ms. Finch stated that the Urban League Equal Opportunity Day Dinner will be held November 5<sup>th</sup> at Seawells.

## REPORT OF THE CHAIRMAN

**CMRTA Board—Council Appointments** – Mr. Livingston appointed Ms. Dickerson, Ms. Hutchinson and Ms. Smith to represent Richland County on the CMRTA Board.

## PUBLIC HEARING ITEM

Mr. Livingston opened the floor to the following public hearing:

- **A Budget Amendment to adjust the budgets for Richland County School District 1 and Richland County School District 2 to the amount which will be yielded by an assessment of the millage cap pursuant to Act 388 – No one signed up to speak.**

The public hearing was closed.

Mr. Washington moved, seconded by Ms. Kennedy, to allow Mr. Elliott to speak regarding the Farmers' Market. The motion failed.

## APPROVAL OF CONSENT ITEM

- **Project South [SECOND READING]**
- **Regional Sports Complex MCIP [SECOND READING]**
- **09-12MA, Robert Giles, Jonathon Giles, RM-HD to NC (0.32 Acres), 11203-01-02, Corner of Olympia Ave. and Bluff Rd. [SECOND READING]**
- **An Ordinance Amending Section 26-181 regarding road signs/traffic control devices; so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated* [SECOND READING]**
- **An Ordinance to Define and Permit "Bus Shelters & Benches" in all Zoning Districts, with special requirements [SECOND READING]**
- **An Ordinance Amending Section V, Zoning Districts and District Standards; and Article VI, Supplemental Use Standards; so as to provide for a parks and recreation district [SECOND READING]**
- **SC Building Code Modification**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, in general; Section 21-10, Street Name Signs; Subsection (A); so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated* [FIRST READING]**
- **An Ordinance Authorizing a quit-claim deed to Edward H. Pitts, Jr. and EHP Development, LLC for five parcels of land totaling Five Thousand Three Hundred Sixteen (5,316) square feet located along Hastings Alley and Hamrick Street, Richland County, South Carolina, and being portions of TMS# 11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, and 11203-03-27 [FIRST READING]**

- **Neighborhood Matching Grant Awards**
- **Roll Cart Contract Award**
- **Increase in Sidewalk Reimbursement**

Ms. Hutchinson moved, seconded by Mr. Pearce, to approve the consent item. The vote in favor was unanimous.

**POINT OF PERSONAL PRIVILEGE** – Mr. Livingston recognized that Representative Jimmy Bales was in the audience.

### THIRD READING

**A Budget Amendment to adjust the budgets for Richland County School District 1 and Richland County School District 2 to the amount which will be yielded by an assessment of the millage cap pursuant to Act 388** – Mr. Manning moved, seconded by Ms. Dickerson, to set the millage for Richland School District II operations be set at 250.3 mills and to amend the budget to reflect that the funding for Richland School District II be \$120,011,732.86 with the following proviso attached: that the 250.3 mill assessment yield collections less than that amount, Richland School District II's budget shall automatically be cut to the amount of the tax collections received and should the 250.3 mill assessment yield collections greater than that amount, Richland School District II's budget shall automatically be increased to the amount of the tax collections received. Carryover funds from FY08-09 are included in this budget number. A discussion took place.

Mr. Brawley stated that he calculated the millage for School District II at 244.7 mills and the millage will yield \$116,998,456. The dollar amount for School District I will be \$181,038,955. A discussion took place. The motion was in favor.

Mr. Jackson moved, seconded by Ms. Kennedy, to reconsider the motion. The motion passed.

Ms. Smith moved, seconded by Mr. Manning, to set the millage for Richland School District II operations be set at 250.3 mills and to amend the budget to reflect that the funding for Richland School District II be \$120,011,732.86 with the following proviso attached: that the 250.3 mill assessment yield collections less than that amount, Richland School District II's budget shall automatically be cut to the amount of the tax collections received and should the 250.3 mill assessment yield collections greater than that amount, Richland School District II's budget shall automatically be increased to the amount of the tax collections received. Carryover funds from FY08-09 are included in this budget number. It is further moved, that an Attorney General's opinion be obtained on the governing body being the one to set the millage rate and to adjust the cap based on the calculations used to adjust the budget.

Ms. Smith moved, seconded by Ms. Hutchinson, to allow a representative from School District II to speak. The motion failed.

Ms. Smith moved, seconded by Mr. Manning, to recess for five minutes. The vote was in favor.

*[Council recessed at 7:25 p.m. and reconvened at 7:31 p.m.]*

<b><u>For</u></b>	<b><u>Against</u></b>
Pearce	Malinowski
Hutchinson	Jackson
Jeter	Kennedy
Livingston	Washington
Dickerson	
Manning	
Smith	

The vote was in favor.

**An Ordinance Amending Section 26-180, Signs, so as to allow legal nonconforming off premises signs in Commercial, Manufacturing, and Industrial Zoning Districts to be replaced by surface area digital signs** – Mr. Manning moved, seconded by Ms. Dickerson, to approve this item with the amendments proposed by the billboard panel. A discussion took place.

Mr. Livingston proposed the following amendments: (1) the 300 feet rule apply to hospitals and nursing homes; and (2) to limit the number of digital billboards to no more than 1/3 of what's in the County now, regardless of the current rules.

<b><u>For</u></b>	<b><u>Against</u></b>
Jackson	Pearce
Jeter	Malinowski
Livingston	Hutchinson
Dickerson	Smith
Manning	
Kennedy	
Washington	

The vote was in favor.

Mr. Jackson moved, seconded by Ms. Dickerson, to reconsider.

<u>For</u>	<u>Against</u>
Pearce	Jackson
Malinowski	Jeter
Hutchinson	Livingston
Smith	Dickerson
	Manning
	Kennedy
	Washington

The motion for reconsideration failed.

**FY2009-2010 Millage Ordinance** – Mr. Manning moved, seconded by Ms. Dickerson, to approve this item as amended. The vote was in favor.

Ms. Dickerson moved, seconded by Ms. Kennedy, to reconsider. The motion for reconsideration failed.

## SECOND READING

**Section 26-180, Signs; so as to create a new section that would allow off-premise directional kiosks under certain conditions** – Mr. Jeter moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

<u>For</u>	<u>Against</u>
Pearce	Malinowski
Jackson	Hutchinson
Jeter	Manning
Livingston	Kennedy
Dickerson	Washington
	Smith

The motion failed.

Ms. Smith moved, seconded by Ms. Hutchinson, to reconsider. The motion to reconsider failed.

**Section 26-180, Signs; so as to create a new section that would allow digital display devices under certain conditions** – Mr. Jeter moved, seconded Mr. Manning, to approve this item. A discussion took place.

The vote in favor was unanimous.

## FIRST READING

**An Ordinance Authorizing a quit-claim deed to Smallwood Village Phase III Homeowner's Association, Inc. for a certain parcel of land totaling .76 Acres located along White Branch Circle, Richland County, South Carolina, known as TMS# 22710-08-30** – Mr. Jeter moved, seconded by Mr. Washington, to approve this item pending verification of the TMS#. The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$90,157 of General Fund Undesignated Fund Balance to the Court Administration Budget, Magistrate Budget and Central Services Budget** – Mr. Jeter moved, seconded by Mr. Pearce, to approve this item. The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2009-2010 Hospitality Tax Fund Annual Budget Amendment to appropriate \$100,000 of Hospitality Tax Fund Designated Fund Balance for the next steps in the design-development phase of the Regional Sports Complex** – Mr. Malinowski moved, seconded Ms. Dickerson, to approve this item. The vote in favor was unanimous.

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 25, Vehicles for Hire; Article II, Towing and Wrecker Services; Section 25-20, Wrecker and Storage Charges, so as to increase the fees charged for towing and wrecker services** – Ms. Smith moved, seconded by Ms. Dickerson, to approve this item. The approve this item. The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2009-2010 Title IV-D Sheriff's Fund Budget to appropriate \$10,000 of additional revenue due to revised revenue projections** – Ms. Dickerson moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$81,000 of General Fund Undesignated Fund Balance to the Elections Commission Budget for the mandated purpose of replacing batteries in electronic voting machines** – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

## REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE

**Conservation Easement: Neal** – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve this item as amended. The vote in favor was unanimous.

**Wetlands Mitigation Banking** – Mr. Washington moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.



**Deed of Water and Sewer Lines (Bookert Heights, Ridgewood, BRRWWTP)** – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

#### **REPORT OF ADMINISTRATION AND FINANCE COMMITTEE**

**Blythewood Intergovernmental Agreements** – Ms. Smith moved, seconded by Ms. Kennedy, to approve this item as amended. The vote in favor was unanimous.

**Purchase of Menzi Muck Walking Excavator** – Mr. Jeter moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote in favor was unanimous.

**Lobby Display for Hamilton-Owens Airport** – Mr. Malinowski moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

**Multi Modal Conference Support** – Ms. Dickerson moved, seconded by Ms. Kennedy, to approve this item. A discussion took place.

The vote in favor was unanimous.

**Phone Tree Messaging Software Purchase** – Kyle Holsclaw gave a brief overview of the system.

Mr. Pearce moved, seconded by Mr. Malinowski, to send this item back to committee. A discussion took place.

Ms. Smith made a substitute motion, seconded by Mr. Washington, to test the software in Mr. Washington's district and report back to us. A discussion took place.

Mr. Jeter made a second substitute motion, seconded by Ms. Dickerson, to send this item back to committee and initiate a pilot program and bring back recommendations. A discussion took place.

The vote in favor was unanimous.

**To Negotiate the purchase of 1400 Atlas (Boozer Lumber Site) property for the purpose of maintaining a local Farmers' Market** – Mr. Washington moved, seconded by Ms. Dickerson, to defer this item until he gets more specificity. The vote was in favor.

Mr. Pope stated that his office had received an additional proposal for a local Farmers' Market site.

Mr. Washington moved, seconded by Mr. Pearce, to reconsider the motion. The vote was in favor of reconsideration.

Mr. Washington moved, seconded by Ms. Dickson, to refer this item back to the A&F Committee in order to look at the options for the Atlas Road property to find out which one would be the most advantageous to the County or any other innovative solution. The vote was in favor.

## REPORT OF RULES AND APPOINTMENTS COMMITTEE

### I. NOTIFICATION OF VACANCIES

- a. **Board of Zoning Appeals—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous
- b. **Employee Grievance Committee—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous
- c. **Planning Commission—2** – Mr. Malinowski stated that the committee recommended advertising for these vacancies. The vote in favor was unanimous

### II. NOTIFICATION OF APPOINTMENTS

- a. **Building Codes Board—3** – Mr. Malinowski stated that the committee recommended reappointing Ms. Isabel Berry, Mr. Michael Lowman and Mr. Greg Mackie. The vote in favor was unanimous.
- b. **Central Midlands RTA—2** – Mr. Malinowski stated that the committee recommended appointing Mr. William J. Leidinger and Mr. Robert G. Liming. A discussion took place.

Ms. Smith moved, seconded by Mr. Malinowski, to defer this item. The motion failed.

Mr. Jeter made a motion to re-advertise.

The motion died for lack of a second.

Ms. Smith moved, seconded by Mr. Pearce, to defer this item until after Executive Session. The vote in favor was unanimous.

<u>For</u>	<u>Against</u>
Pearce	Jackson
Malinowski	Hutchinson
Jeter	Dickerson
Livingston	Kennedy
Manning	Washington
Smith	

Mr. Manning moved, seconded by Ms. Kennedy, to go into Executive Session. The motion failed.

Mr. Malinowski moved, seconded by Ms. Hutchinson, to appoint Mr. William Leidinger and Mr. Robert G. Liming. The vote in favor was unanimous.

- c. **Employee Grievance Committee—2** – Mr. Malinowski stated that the committee recommended appointing Ms. Sonia Fells and the other position be re-advertised. The vote in favor was unanimous.
- d. **Internal Audit Committee—2** – Mr. Malinowski stated that the committee recommended re-advertising for these vacancies. The vote in favor was unanimous.

### III. RULE CHANGES

- a. **Motion for presentations to be held on the third Tuesdays of the month** – This item was held in committee.

### IV. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **Draft of countywide letterhead to be used by all county departments** – This item was held in committee.
- b. **Any Executive Session item involving an attorney hired outside the normal scope of a regular contract by Richland County will be taken up first so that attorney is not waiting for other matters and receiving unnecessary compensation** – This item was held in committee.

### OTHER ITEMS

**Billboard Panel Recommendations** – Mr. Pope stated that on October 5<sup>th</sup> the Billboard Panel met at the Capital Senior Center from approximately 5-8 p.m. This group included representative from the outdoor advertising industry, Greater Columbia Chamber of Commerce, Richland County Council of Neighborhoods, and the Conservation and Appearance Commissions. The meeting was mediated by two professionally trained

mediators, Anne Bowers and Xane Skinner of the Community Mediation Center. The mediators essentially explained the process and served as neutral coordinators for the meeting.

Ms. Xane Skinner gave a brief overview of the panels recommendations:

The conservation/neighborhood/appearance recommendations:

- a. restrictive distance from residential uses
- b. define zoning districts where they would be allowed excluding neighborhood commercial and rural commercial; and
- c. define zoning districts where they would be allowed excluding neighborhood commercial and rural commercial, and restrict from residential and restrict from official county revitalization districts

Industry recommendations:

- a. digital billboards shall not be within 300 feet of any historic district as defined by the national historic registry
- b. sign must be erected within one year of issuance of permit
- c. section 2(a) to be revised to read, a permit to replace legal nonconforming off-premise sign display surface area with equal or less digital surface area
- d. section 2(e) language should be should be added to reflect that new metal sign support must be no higher than existing sign.

**Lobbyist Contract Award** – Mr. Jackson moved, seconded by Mr. Malinowski, to defer this item. The vote was in favor.

### **Report of the Airport Commission**

- a. **MOU with USC** – Mr. Jeter moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

**Township Naming Rights** – Mr. Jeter moved, seconded by Mr. Pearce, to accept the recommendation of the Administration. The vote in favor was unanimous.

**Township Renovations** – Mr. Jackson moved, seconded by Ms. Dickerson, to add the projects back in. The vote in favor was unanimous.

### **Report of the Joint County/City Transportation Ad Hoc Committee**

- a. **National Multi Modal Conference Support** -- Ms. Dickerson moved, seconded by Ms. Hutchinson, to approve \$5,000 from Hospitality Tax Fund. The vote in favor was unanimous.

- b. **Budget Amendment: Revision of Transportation Study** – Ms. Dickerson moved, seconded Ms. Kennedy, to give First Reading by title only. A discussion took place.

The vote was in favor.

- c. **Transportation Sales Tax Recommendations**

- 1. **Project(s)**
- 2. **Amount**
- 3. **Timeline**

The committee recommended approving the three areas of: transit, greenway/bike/pedestrian and roadway; the ½ penny or penny options up to, and including, the maximum 25 years for the Transportation Sales Tax. The vote was in favor.

**CITIZENS' INPUT**

No one signed up to speak.

**EXECUTIVE SESSION ITEMS**

=====  
**Council went into Executive Session at approximately 10:09 p.m. and came out at approximately 11:54.m.**  
=====

- a. **Lower Richland Sewer Extension Update** – No action was taken.
- b. **Columbia Venture vs. Richland County** – No action was taken.
- c. **Whitaker Container** – No action was taken.
- d. **Personnel Matter** – No action was taken.

**MOTION PERIOD**

**Sewer Extension Work Session** – This item was deferred to the October 20<sup>th</sup> Council meeting.

**Smoking Ban Work Session** – This item was deferred to the October 20<sup>th</sup> Council meeting.

**Economic Development Strategic Plan Work Session** – This item was deferred to the October 20<sup>th</sup> Council meeting.

**Comprehensive Plan Work Session** – This item was deferred to the October 20<sup>th</sup> Council meeting.

**Council directs staff to investigate and report the findings on what it would take for qualified fire engine drivers to be able to drive an EMS ambulance in an emergency situation. (NOTE: This motion is not in any way addressing providing EMS services in the back of the vehicle, it is narrowly focused on driving the vehicle.) [WASHINGTON, MANNING & MALINOWSKI]** – This item was referred to the D&S Committee.

**Move to direct the Administrator to bring back recommendations for additional cost overruns for Region 7 Sheriff's substation on Screaming Eagle Road [HUTCHINSON]** – This item is to be placed under the County Administrator's Report on the October 20<sup>th</sup> Council agenda.

**To Rename the Cedar Creek Bridge to include honoring of Deputy John Mark Dial [DICKERSON]** – This item was referred to D&S Committee.

**To authorize Richland County Staff: (1) to begin immediately negotiations and draft purchase/sale agreement with landowners with regard to the County's purchase of wetlands and adjacent uplands in Lower Richland County in and around Carolina Bay ("Hopkins Mistletoe Bay") and nearby Cabin Branch on condition that the acquired property be maintained in its open natural state, in perpetuity, for use as wetlands mitigation bank and light recreation park for environmental, educational and recreational purposes; and (2) to consummate purchase of said property no later than December 15, 2009 [WASHINGTON]**  
– This item was referred to the A&F Committee.

## ADJOURNMENT

The meeting adjourned at approximately 12:03 p.m.

\_\_\_\_\_  
Paul Livingston, Chair

\_\_\_\_\_  
Damon Jeter, Vice-Chair

\_\_\_\_\_  
Gwendolyn Davis Kennedy

\_\_\_\_\_  
Joyce Dickerson

\_\_\_\_\_  
Valerie Hutchinson

\_\_\_\_\_  
Norman Jackson

\_\_\_\_\_  
Bill Malinowski

\_\_\_\_\_  
Jim Manning

\_\_\_\_\_  
L. Gregory Pearce, Jr.

\_\_\_\_\_  
Kit Smith

\_\_\_\_\_  
Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley

# Richland County Council Request of Action

## **Subject**

- Township Property Purchase
- Whitaker Container Update/West Pro Analysis
- Columbia Renaissance Redevelopment Update



# Richland County Council Request of Action

## **Subject**

- Screaming Eagle Substation: Cost Overruns
- Development Roundtable **[PAGES 26-65]**
- Lobbyist Contract Award



## RECOMMENDED DEVELOPMENT PRINCIPLES

for Richland County, South Carolina  
Consensus of the Site Planning Roundtable

FUNDED IN PART BY:  
Richland County, SC  
U.S. Army Corps of Engineers, Charleston District

Developed in Coordination with:  
Center for Watershed Protection, Inc.  
Home Builders Association of Greater Columbia  
Richland County, SC

October 2009

Item# 5

## Acknowledgements

The Richland County Site Planning Roundtable would not have been possible without the time and effort extended by the Roundtable members, the resources provided by the County and the generous support of:

- Richland County, SC
- U.S. Army Corps of Engineers, Charleston District

We would also like to thank the individuals who served as subcommittee spokespersons:

- Anna Almeida: Natural Resource Management Subcommittee
- Bob Guild: Lot Development Subcommittee
- Darren Holcombe: Residential Streets and Parking Lots Subcommittee
- David Tuttle and Steve Corboy: Stormwater Management Subcommittee

Team members included Julie Schneider, Kelly Collins, Laurel Woodworth, Paul Sturm, and David Hirschman from the Center for Watershed Protection.

Copies of this document are available from the Richland County Bureau of Resource Management (<http://www.richland-online.com>) or the Center for Watershed Protection ([www.cwp.org](http://www.cwp.org)).



## Letter of Introduction

Just under a year ago, a partnership of the Richland County Government and the Center for Watershed Protection initiated a process known as a Site Planning Roundtable to systematically examine Richland County’s local codes and ordinances with an eye toward promoting more environmentally-sensitive and economically viable development. This process is a collaborative initiative designed to pull together local government agencies, the development community, engineering and planning firms, and environmental and conservation groups to come to consensus on changes to ensure clean drinking water, lakes, rivers and streams.

Throughout the past year, participants have reviewed current development practices involving four major categories: 1) Residential Streets and Parking Lots, 2) Lot Development, 3) Natural Resource Management, and 4) Stormwater Management. From this review, participants prepared this consensus document, which contains a variety of recommendations and action items. These actions will require follow-through from partners to see that the recommendations of the consensus document are implemented to successfully improve protection of Richland County’s natural resources and quality of life.

The consensus process positions the County to further enhance quality of life, economic growth, and protection of vital resources. On behalf of the roundtable participants, we are pleased to convey this document to the citizens of Richland County and to seek their support in the implementation of these recommendations.

Very truly yours,

Hye Yeong Kwon  
*Executive Director*  
Center for Watershed Protection, Inc.

J. Milton Pope  
*Richland County Administrator*



TABLE OF CONTENTS

# Table of Contents

- Purpose..... 1**
- Introduction and Background ..... 1**
- Why Richland County? ..... 2**
- The Richland County Site Planning Roundtable Process ..... 3**
- Membership Statement of Support ..... 5**
- Recommended Development Principles..... 6**
  - Residential Streets and Parking Lots Recommendations ..... 6**
    - Principle 1. Street Widths ..... 6
    - Principle 2. Street Length..... 7
    - Principle 3. Right-of-Way Width ..... 7
    - Principle 4. Cul-de-Sacs ..... 8
    - Principle 6. Parking Ratios ..... 9
    - Principle 7. Shared Parking ..... 11
    - Principle 8. Parking Lots ..... 11
    - Principle 9. Structured Parking ..... 12
  - Lot Development Recommendations ..... 13**
    - Principle 11. Open Space Design ..... 13
    - Principle 12. Setbacks and Frontages ..... 15
    - Principle 13. Sidewalks ..... 16
    - Principle 14. Driveways..... 17
    - Principle 15. Open Space Management ..... 17
  - Natural Resource Management Recommendations ..... 20**
    - Principle 17. Stream Buffer Systems..... 20
    - Principle 19. Clearing and Grading ..... 22
    - Principle 20. Tree Conservation..... 22
    - Principle 21. Land Conservation Incentives ..... 25
    - New Principle. Natural Resource Protection Inventory ..... 27
  - Stormwater Management Recommendations ..... 27**
    - Principle 5. Vegetated Open Channels..... 27
    - Principle 10. Parking Lot Runoff ..... 28
    - Principle 16. Rooftop Runoff..... 29
    - Principle 22. Stormwater Outfalls..... 29
- Implementation Overview and Plan ..... 31**
- References ..... 32**
- About the Partners ..... 33**





## Purpose

This document presents specific recommendations for fostering more environmentally-sensitive site development in Richland County. These recommendations were crafted by a diverse cross-section of local developers, local government, homebuilders, environmental, and other community professionals that participated in the Richland County Site Planning Roundtable.

## Introduction and Background

Recent projections indicate that the developed area in the US will increase by 22 million hectares from 2003 – 2030 with the greatest increase projected to occur in the Southeast and South Central regions of the US (White et al., 2009). Development has historically led to degradation in water quality and biological integrity (NRCS, 2001). The impacts of urbanization on the water quality, biology and physical conditions of aquatic systems are well documented (CWP, 2003). As such, local codes and ordinances that enable the reduced impact of development on local water resources are critical to future sustainability.

Protecting water resources and the character of the local landscape, while allowing growth and promoting redevelopment, requires local governments, developers and site

designers to fundamentally change current development practices. Deciding where to allow or encourage development and protect natural resources is a difficult issue that jurisdictions have to balance. While effective zoning and comprehensive planning are critical to protecting natural resources, communities also have to explore measures to minimize the impact of impervious cover, maintain natural hydrology, and preserve contiguous open space on sites where development is to occur.

Toward this end, the Center for Watershed Protection, in concert with Richland County, convened a local Site Planning Roundtable in Richland County.

The Site Planning Roundtable process in Richland County was modeled after the National Site Planning Roundtable (CWP, 1998a), the 22 Better Site Design Principles (CWP, 1998b) and four basic objectives:

1. Reduce overall site impervious cover
2. Preserve and enhance existing natural resources
3. Integrate stormwater management
4. Retain a marketable product

The Better Site Design Principles act as benchmarks upon which more specific code and ordinance recommendations were adapted for Richland County. The benefits of applying these Better Site Design Principles are summarized Table 1 on the following page.



**Table 1. Benefits of Applying the Better Site Design Principles**

**Developers:**

- Provides flexibility in design options
- Allows for more sensible locations for stormwater facilities
- Facilitates compliance with wetland and other regulations
- Allows for reduced development costs

**Local Government:**

- Improves quality of life for residents
- Facilitates compliance with wetland and other regulations
- Assists with compliance of NPDES Phase I permit, TMDL requirements, etc.
- Increases local property tax revenues due to higher home values

**Homeowners:**

- Increases property values
- Creates more pedestrian-friendly neighborhoods
- Provides open space for recreation
- Results in a more attractive landscape
- Reduces car speed on residential streets
- Promotes neighborhood designs that provide a sense of community

**Environment:**

- Protects sensitive forests, wetlands, and wildlife habitats
- Protects the quality of local streams and lakes
- Generates reduced loads of stormwater pollutants
- Helps reduce soil erosion during construction

## Why Richland County?

The purpose of the Richland County Site Planning Roundtable was to adapt the principles developed at the national level for local application and to identify local codes and ordinances that act as barriers to the Better Site Design Principles through a consensus building process. The Richland County roundtable was initiated for several reasons:

- According to the draft County Comprehensive Plan, the County is experiencing rapid growth and is projected to increase its resident population by 40.1% by 2035, an increase of 130,793 people (Richland County, 2008).
- Current development code updates include a proposed stormwater ordinance and revisions to the Stormwater Manual.
- Richland County is blessed with an abundance of natural resources including a predominance of forests, wetlands, and several major water bodies (Broad, Saluda, Congaree, and Wateree Rivers). In addition, the Broad River and Lake Murray serve as the drinking water supply.
- The County is working to improve polluted streams and prevent future degradation of natural resources from future development. According to South Carolina Department of Health and Environmental Control (SC DHEC, 2008) water bodies in the County are polluted with high levels of nutrients, sediment and bacteria.
- County officials expressed an interest and were willing to commit staff and resources to the process.

## The Richland County Site Planning Roundtable Process

The Richland County Site Planning Roundtable participants convened many times over an 8-month period to become familiar with the Better Site Design Principles, review existing codes and ordinances, and reach group consensus on a final set of recommendations. The Roundtable consisted of over 34 dedicated participants representing a wide range of professional backgrounds and experience related to local development and environmental issues. The process included the following steps:

### Detailed Codes Analysis: January – February 2009

A codes analysis was completed based on results from the Richland County Codes and Ordinances Worksheet (COW), an in-depth review of existing codes, ordinances, policies and regulations, and interviews conducted with developers, engineers and County staff. The COW asks a series of questions organized around the Better Site Design Principles which are based scored on national benchmarks for Better Site Design. This analysis, completed by the Roundtable facilitators, provided a concise summary of the regulatory barriers to implementing Better Site Design in the County and served as the foundation for subcommittee discussions. More than 10 documents were reviewed as part of the codes analysis, with a primary focus on the following County documents:

- Draft Richland County Comprehensive Plan
- Proposed Amendments to Chapter 26: Land Development Regulations
- Chapter 26: Land Development Regulations
- Stormwater Management Plan and 2007 Annual Report
- Stormwater Drainage Design Standards Manual
- Stormwater Best Management Practices and Stormwater Pollution Control Policies and Procedures Manual

### Kick-off Meeting: March 2009



Roundtable Participants at Kickoff Meeting

Approximately 34 participants from Richland County participated in the meeting. Almost every major stakeholder group was represented including the development community, local government, and environmental groups. The kickoff meeting familiarized participants to the Better Site Design principles, the Roundtable process, and presented the results of the codes analysis.

### Oak Terrace Preserve Field Trip: May 2009



Roundtable Participants at Oak Terrace Preserve

Roundtable participants traveled to North Charleston, SC to visit the Oak Terrace Preserve Development. The development provided examples of tree preservation, reduced street pavement, and innovative stormwater management through vegetated swales, pervious pavement and bioretention.





INTRODUCTION



Roundtable participants discuss recommendations at Cooks Mountain

**Subcommittee Meetings and Consensus Building: March 2009 – July 2009**

The full Roundtable was divided into four subcommittees with participants representing a diversity of interests and expertise. Each subcommittee was responsible for reaching consensus on a subset of the Better Site Design Principles:

- Lot Development
- Natural Resource Management
- Residential Streets and Parking Lots
- Stormwater Management

Each subcommittee met multiple times between March 2009 and July 2009. The full Roundtable membership met again in July 2009 to present the recommendations from each subcommittee.

**Consensus on Final Recommendations: September 2009**

The Roundtable came to consensus on the full set of recommendations and met again in September to discuss an implementation plan.

# Membership Statement of Support

This document of Recommended Development Principles and associated recommendations for implementation was crafted in conjunction with the diverse cross-section of development, local government, environmental, and other community professionals who participated in the Richland County Site Planning Roundtable.

Members of the Roundtable provided the technical experience needed to craft and refine the recommended

development principles for Richland County. These recommendations reflect our professional and personal experience with land development and do not necessarily carry the endorsement of the organizations and agencies represented by their members. Endorsement implies support of the principles and recommendations as a package and does not necessarily imply an equal level of support among individual recommendations by all Roundtable members.

The members of the Richland County Site Planning Roundtable endorse the recommended development principles presented in the document: Recommended Development Principles for Richland County, South Carolina.

**Anna Almeida**  
Richland County  
Planning Department

**Jessica Artz**  
Gills Creek Watershed Association

**Gary Atkinson**  
Richland County Conservation  
Commission

**Colton Bowles**  
U.S. Army Corps of Engineers

**Doug Bridges**  
Coldwell Banker United Realtors

**Allison Busch**  
Richland County Department of  
Public Works

**Hugh Caldwell**  
Richland County Soil and Water  
Conservation District

**Steve Corboy**  
SB Communities, LLC

**Mr. Stacy Culbreath**  
Richland County Department of  
Public Works

**George Delk**  
Delk Homes, Inc.

**Bill Dixon**  
Mungo Homes, Inc.

**Shane Dixon**  
Richland County Department  
of Planning

**Bill Flowers**  
Mungo Homes, Inc.

**Liz Gilland**  
SC Forestry Commission

**John Grego**  
Friends of Congaree Swamp

**Bob Guild**  
Sierra Club

**Hope Hasty**  
Richland County Planning  
Department

**David Hoops**  
Richland County Department  
of Public Works

**Darren Holcombe**  
Cox and Dinkins, LLC

**Cindy Kestner**  
Richland County Department  
of Public Works

**Joe Kocy**  
Richland County Planning  
Department

**Carol Kososki**  
Richland County Conservation  
Commission

**Amanda Ley**  
SC DHEC

**Amelia Linder**  
Richland County Planning  
Department

**Tom Margle**  
HVP 3, LLC

**Yancey McLeod**  
Yancey Environmental Solutions

**Tom Patton**  
South Carolina Forestry Commission

**William Simon**  
Richland County Department of  
Public Works

**Miranda Spivey**  
Richland County Emergency Services

**Ms. Tracy Swartout**  
Congaree National Park

**David Tuttle**  
Lake Carolina Development, Inc.

**Srinivas Valavala**  
Richland County Department of  
Public Works

**Jim Walters**  
South Carolina Forestry Commission

**Jim Wilson**  
Richland County Conservation Commission



MEMBERSHIP STATEMENT OF SUPPORT



RESIDENTIAL STREETS AND PARKING LOTS

## Recommended Development Principles

### Recommended by the Richland County Site Planning Roundtable

#### Residential Streets and Parking Lots Recommendations

##### PRINCIPLE #1. STREET WIDTHS

Design Residential Streets for the minimum required pavement width needed to support travel lanes; on-street parking; and emergency, maintenance, and service vehicle access. These widths should be based on traffic volume.

##### RECOMMENDATION

The roundtable supports this principle and makes the following recommendations:

- Allow engineers/designers to design roads that drain to one side to allow the more efficient use of bioswales for the treatment of stormwater.
- Further examine rural road standards for reduced driving width and road material alternatives.
- Richland County has a good set of existing road standards and it would be difficult to narrow these further due to emergency vehicle requirements and frequency of on-street parking. The existing parking standards with recommended changes are shown in Table 2.



Narrow Residential Road

**Table 2. Recommendations to existing County parking standards § 26-181**

Road Classification	Minimum Pavement Width (ft.)	Average Daily Trips (ADT)
Rural	22	
Minor Residential	21	20-40 homes
Local Residential	25 24	<2000 ADT
Green Codes	24, with rolled curbs 17ft for park roads	

##### RATIONALE

Residential streets are often unnecessarily wide and represent the largest component of impervious cover in a subdivision. Narrower street widths not only reduce impervious cover, but also promote lower vehicular speeds, increased safety and can reduce construction and maintenance costs (CWP, 1998b). There were existing concerns with the current street widths in Richland County and potential conflicts with emergency vehicles in suburban areas. In rural areas, reductions or exceptions to the rural road standard would allow the reduction of impervious cover and maintain the rural nature of many areas in Richland County.



**PRINCIPLE #2. STREET LENGTH**

Reduce total length of residential streets by examining alternative street layouts to determine the best option for increasing the number of homes per unit length.

**RECOMMENDATION**

The roundtable supports this principle and makes the following recommendations:

- Encourage efforts to reduce total street length that causes excessive impervious cover including so called “knuckles” that need to be added to streets with cul-de-sac roads greater than 800 feet in length.
- Encourage the use of loop lanes that reduce impervious cover.
- The subcommittee feels that street lengths are addressed by open space design provisions being addressed by other subcommittees.

**RATIONALE**

Reducing impervious cover associated with roads is a key consideration in reducing the impacts of development to natural resources. Identifying and addressing codes such as “knuckles” that unnecessarily increase impervious cover is important to minimizing the impacts and costs of new development on streams and waterways in Richland County.

**PRINCIPLE #3. RIGHT-OF-WAY WIDTH**

Wherever possible, residential streets right-of-way widths should reflect the minimum required to accommodate the travel-way, sidewalk, and vegetated open channels. Utilities and storm drains should be located within the pavement section of the right-of-way wherever feasible.

**RECOMMENDATION**

The roundtable supports this principle and makes the following recommendations:

- The subcommittee discussed the importance of placing utilities under the pavement section and met with City of Columbia to discuss that option. City staff agreed that it was acceptable to place water and sewer utilities under paved sections of the pavement.
- In rural areas, encourage a reduction in right-of-way widths allowed to further preserve and protect the rural nature of those areas of Richland County.
- Reduce right-of-way widths as recommended in Table 3.

**Table 3. Right-of-Way Width Recommendations**

Road Classification	Existing Minimum Right-of-Way Width (feet)	Recommended Minimum Right-of-Way Width (feet)
Rural	66	45
Minor Residential	50	40
Local Residential	50	40



RESIDENTIAL STREETS AND PARKING LOTS



**RATIONALE**

A wide right-of-way has several impacts that include greater area clearing during road construction that may result in a greater loss of existing trees. Second, a wide right-of-way consumes land that may be better used for housing lots, making it more difficult to achieve a more compact site design (CWP, 2998b). In Richland County, right-of-way widths could not be reduced without the ability to place utilities, particularly water and sewer, under the road surface.

**PRINCIPLE #4. CUL-DE-SACS**

Minimize the number of residential street cul-de-sacs and incorporate landscaped areas to reduce their impervious cover. The radius of cul-de-sacs should be the minimum required to accommodate emergency and maintenance vehicles. Alternative turnarounds should be considered.

**RECOMMENDATION**

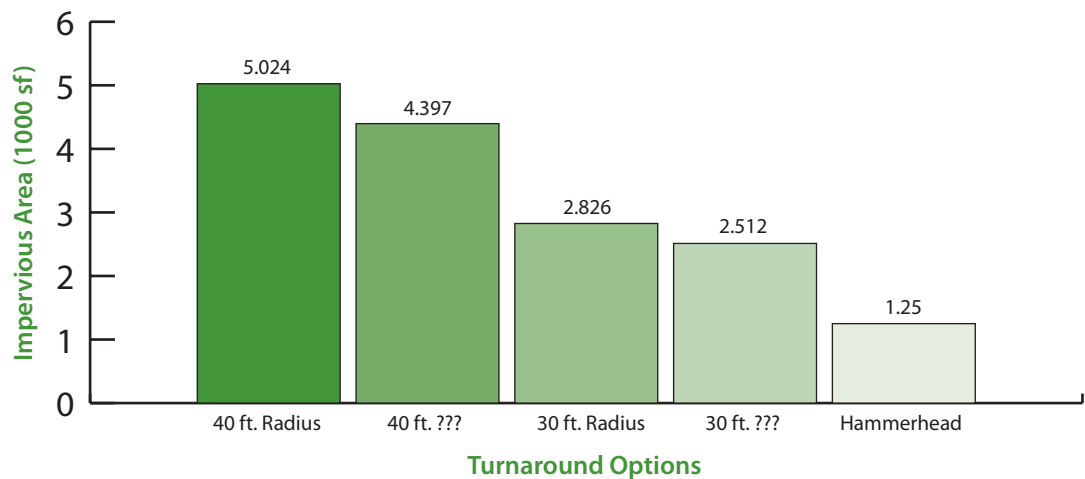
The roundtable supports this principle and makes the following recommendations:

- Develop standards for a one-way, 16 foot loop lane that could be used in residential subdivisions to minimize impervious cover. These should be created in consultation with the fire department and garbage collection companies to ensure that the radius set can easily pass fire trucks.
- Increase the required length of streets that terminate in a cul-de-sac from 800 feet to 1200 feet, so that “knuckles” are not added which unnecessarily adds impervious surface and increases costs to development.
- Increase the use of T-shaped turnarounds especially in low density residential applications and provide design criteria.



A cul-de-sac with a landscaped island

**Figure 1. Impervious Cover Created by Various Turnaround Options (Schueler, 1995).**



Note: Hammerheads are also known as T-turnarounds.



**RATIONALE**

The use of one way loop roads and T-shaped turnarounds could have the benefit of reducing both impervious cover and infrastructure costs of new development. A T-shaped turnaround generates approximately 75% less impervious cover than a 40 foot radius circular turnaround (CWP, 1998b). Many cul-de-sacs only serve several homes and do not warrant the large amount of impervious cover expended. Requiring the creation of “knuckles” unnecessarily creates excess impervious cover.

**PRINCIPLE #6. PARKING RATIOS**

The required parking ratio governing a particular land use or activity should be enforced as both a maximum and a minimum in order to curb excess parking space construction. Existing parking ratios should be reviewed for conformance taking into account local and national experience to see if lower ratios are warranted and feasible.

**RECOMMENDATION**

The roundtable supports this principle and makes the following recommendations:

- Require the use of permeable material for parking above the maximum levels. Use incentives and/or tax credits to encourage use of permeable materials for parking stalls.
- Add incentives for incorporating water quality treatment practices including permeable material and bioretention. Incentives for commercial areas may include increasing building height restrictions.
- In higher density residential areas consider allowing pocket parking stalls where permeable pavement material is encouraged to address additional expected demand based on demographics.
- Require one bike rack for every 50 parking spaces in commercial settings. Larger racks would be acceptable for larger lots but racks should also take into consideration the distribution of need at the site (e.g. multiple buildings and entrances).
- Develop a Richland County Water Quality Grant Pilot Program that would help provide funding for the development of parking lots with the minimum parking standards that incorporates water quality treatment.
- The subcommittee felt that some parking requirements were too high and made suggested revisions to the existing County parking standards. Water quality treatment must be provided when parking spaces are between the Mid-point and maximum requirements. The County should continue to evaluate other parking requirements to reduce the impacts of excessive parking. The recommended changes are provided in Table 4. Table 5 provides example conventional parking requirements as compared to average parking demand.



Parking lot with excess parking spaces.



RESIDENTIAL STREETS AND PARKING LOTS

**Table 4. Recommended parking requirement revisions to §26-173. Off-Street Parking standards**

TYPE OF LAND USE	PARKING SPACES REQUIRED		
	Minimum	*(Mid-point to maximum must incorporate water quality treatment)	
		Mid-point	Maximum**
Restaurants	One (1) Per Four (4) Seats Plus Two (2) Per Three (3) Employees on Shift of Greatest Employment	One (1) Per Three (3) Seats Plus Four (4) Per Six (6) Employees on Shift of Greatest Employment	One (1) Per Two (2) Seats Plus One (1) Per Employee on Shift of Greatest Employment
Retail Sales of Bulk Items Which Require Large Amounts of Floor Space for the Number of Items Offered for Sale (i.e., Appliances, Furniture, etc.)	One (1) Per <del>400</del> 600 GFA	One (1) Per 500 GFA (2 per 1000 feet)	One (1) Per <del>300</del> 400 GFA (2.5 per 1000 feet)
Shopping Centers - Mixed Use	One (1) Per <del>250</del> 375 GFA 2.67 per 1000 feet	One (1) per 312.5 GFA 3.2 per 1000 feet	One (1) Per <del>150</del> 250 GFA 4 per 1000 feet
Medical and Dental Offices	One (1) Per <del>250</del> 375 GFA 2.67 per 1000 feet	One (1) per 312.5 GFA 3.2 per 1000 feet	One (1) Per <del>200</del> 250 GFA 4 per 1000 feet
Offices, Not Listed Elsewhere	One (1) Per <del>300</del> 450 GFA 2.22 per 1000 feet	One (1) per 375 GFA 2.67 per 1000 feet	One (1) Per <del>125</del> 300 GFA 3.3 per 1000 feet

*\* Water quality features include the use of 50% of parking stalls in permeable parking materials or 5-10% of the parking lot area must be used for a water quality feature such as bioretention or other low impact development practice*

*\*\*Above the maximum must provide grassed or turf pavers area for parking and bioretention islands or other low impact development practices*

**Table 5. Example Parking Requirements as Compared to Actual Demand (CWP, 1998b)**

Land Use	Parking Requirement		Actual Average Parking Demand
	Parking Ratio	Typical Range	
Single family homes	2 spaces per dwelling unit (d.u.)	1.5 - 2.5	1.11 spaces per d.u.
Shopping center	5 spaces per 1000 ft <sup>2</sup> GFA <sup>1</sup>	4.0 - 6.5	3.97 per 1000 ft <sup>2</sup> GFA
Convenience store	3.3 spaces per 1000 ft <sup>2</sup> GFA	2.0 - 10.0	--
Industrial	1 space per 1000 ft <sup>2</sup> GFA	0.5 - 2.0	1.48 per 1000 ft <sup>2</sup> GFA
Medical/dental office	5.7 spaces per 1000 ft <sup>2</sup> GFA	4.5 - 10.0	4.11 per 1000 ft <sup>2</sup> GFA

<sup>1</sup>Abbreviated GFA and refers to the gross floor area of a building, without storage and utility spaces

**RATIONALE**

Communities often determine minimum parking ratios by either; adopting and modifying the requirements of neighboring communities or by using the Institute of Transportation Engineers informational publication. In many cases, parking ratios result in far more spaces than are actually required because ratios are typically set as minimums not maximums (CWP, 1998b). The existing minimum and maximum parking standards are too high when compared to actual parking demand (table x). Parking spaces above actual demand should be provided in permeable materials to reduce the water quality impact of excess parking. All parking standards should be evaluated to curb excess parking spaces and excessive impervious cover.



**PRINCIPLE #7. SHARED PARKING**

Parking Codes should be revised to lower parking requirements where mass transit is available or enforceable, shared parking arrangements are made.

**RECOMMENDATION**

The roundtable supports this principle and makes the following recommendations:

- Incorporate a shared model parking agreement into the Richland County Codes for easier adoption.

**RATIONALE**

Shared parking is a strategy that reduces the number of parking spaces needed by allowing adjacent land uses to share parking lots. Shared parking arrangements are sometimes made in Richland County but a model shared parking agreement may help increase their use in the County.

**PRINCIPLE #8. PARKING LOTS**

Reduce the overall imperviousness associated with parking lots by providing compact car spaces, minimizing stall dimensions, incorporating efficient parking lanes, and using pervious materials in spill-over parking areas.

**RECOMMENDATION**

The roundtable supports this principle and makes the following recommendations:

- Allow the use of compact parking spaces in up to 25% of the required parking spaces.
- Set dimensions of compact parking spaces to 8 feet x 16 feet or similar commonly agreed upon standard.

**RATIONALE**

Parking lots are the largest component of impervious cover in most commercial and industrial zones, but conventional design practices do little to reduce the paved area in parking lots. The development codes should allow developers the flexibility to use a certain percentage of compact spaces in parking lots, helping to reduce impervious area (CWP, 1998b).





### PRINCIPLE #9. STRUCTURED PARKING

Provide meaningful incentives to encourage structured and shared parking to make it more economically viable.

#### *RECOMMENDATION*

The roundtable supports this principle and makes the following recommendations:

- Allow increases in building height restrictions when structured parking is provided.
- Allow an increased number of parking spaces beyond the maximum with structured parking to increase its use when large commercial stores wish to exceed the parking maximums.
- Consider other allowances for structured parking such as additional small compact parking spaces.

#### *RATIONALE*

The type of parking facility constructed in a given area is a reflection of the cost of land and construction expenses. In suburban and rural areas where land is relatively inexpensive, surface parking costs much less than a parking garage (CWP, 1998b). The economics of structured parking is likely not cost effective in Richland County without incentives. Increasing allowable heights in commercial and industrial facilities may provide cost neutral incentives that increase the use of structured parking.



# Lot Development Recommendations

LOT DEVELOPMENT

## PRINCIPLE #11. OPEN SPACE DESIGN

Advocate open space development that incorporates smaller lot sizes to minimize total impervious area, reduce total construction costs, conserve natural areas, provide community recreational space, and promote watershed protection..

### RECOMMENDATION

The roundtable supports this principle and makes the following recommendations:

- The purpose of the Open Space Ordinance §26-184(a)(1) should be refined to read as follows: Purpose: The common open space and park standards contained herein are established to provide an option for the reservation of open space in residential and commercial development in Richland County. Preservation of open space and parks in developing areas serves a variety of purposes, including meeting the recreational needs of residents, conserving natural areas, reducing stormwater runoff, improving water quality, enhancing air quality, and protecting important cultural sites.
- Categories of open space lands should be established to encourage greater protection of important natural resources. Add Table 6 to §26-184 (b) of the Richland County Land Development Code.

**Table 6. Open Space Categories**

Primary Open Space	
<ul style="list-style-type: none"> <li>• 100 year floodplain</li> <li>• Wetlands</li> <li>• Riparian Buffers</li> <li>• RTE habitats, as identified by federal and state listings</li> <li>• Steep-slopes (&gt;40%)</li> <li>• Open space corridors of 66 foot width or greater</li> </ul>	Notes: Primary open space lands are strongly encouraged to be included within a protected open space area
Secondary Open Space	
<ul style="list-style-type: none"> <li>• Forestlands of at least 1 contiguous acre</li> <li>• Unique natural features</li> <li>• Specimen trees (as identified in the tree protection ordinance Sec. 26-176(j)(1))</li> <li>• Prime agricultural lands and other lands of at least 1 contiguous acre</li> <li>• Steep-slopes (&gt;25%)</li> <li>• Archeological sites, historical sites and features eligible for or listed in the National Register of Historic Places</li> <li>• Cemeteries and burial grounds</li> <li>• Scenic viewsheds</li> <li>• Open space corridors of 25 foot width or greater</li> </ul>	Notes: Secondary open space lands are encouraged to be incorporated into a protected open space area to the maximum extent feasible.
Recreational Open Space	
<ul style="list-style-type: none"> <li>• Recreational areas (pools, playgrounds, athletic courts and fields, and associated parking lots and structures)</li> <li>• Lawn/turf associated with public recreational activities</li> <li>• Bathrooms, parking lots or other recreational areas associated with greenways and trail systems</li> <li>• Utility right-of-way</li> <li>• pervious driveway areas</li> </ul>	Notes: For Protected Open Spaces in excess of 10 acres, recreational lands should consist of no more than 20% of the total open space area
Restored Open Space	
<ul style="list-style-type: none"> <li>• Brownfield reclamation, as contracted by the Brownfield component of the SCDHEC Voluntary Cleanup Program</li> <li>• The removal of impervious cover and restoration of pervious areas during redevelopment</li> </ul>	Notes: Restored areas must be approved by Richland County staff as part of the Development Review process

13

Item# 5



- The following lands should be listed as unacceptable land for open space (§26-184(b)(3)):
  - o Residential building lots and commercial building lots
  - o Occupied land
  - o Narrow Areas less than 25 feet in width
  - o Land with hazardous materials. If land is reclaimed, it can be counted as restored open space
- In order to encourage the conservation and creation of open space, and to meet the purposes of the open space ordinance, different categories of open space should receive variable credit counting toward the total site open space. The following information should be incorporated into §26-184(b) of the Richland County Land Development Code

Recreational open space areas will receive 50% credit toward the effective site open space. Restored open space areas will receive 200% credit toward the effective site open space. Primary open space land will receive 125% credit and Secondary open space land areas will receive 100% credit toward the effective site open space.

The total effective site open space can be calculated as follows:

Primary Open Space	(125%) x (Primary Open Space Area)	= OS <sub>P</sub>
Secondary Open Space (OS <sub>S</sub> )	(100%) x (Secondary Open Space Area)	= OS <sub>S</sub>
Recreational Open Space (OS <sub>REC</sub> )	(50%) x (Recreational Open Space Area)	= OS <sub>SREC</sub>
Restored Open Space (OS <sub>RES</sub> )	(200%) x (Restored Open Space Area)	= OS <sub>RES</sub>

**Total Effective Site Open Space =  $\Sigma$  (OS<sub>SP</sub> + OS<sub>S</sub> + OS<sub>REC</sub> + OS<sub>RES</sub>)**

- Density incentives should be used to preserve open space. Modify the design flexibility for additional open space reservation §26-184(c) to allow design flexibility standards in the form of density bonuses rather than reductions in lot dimensional standards.

Recommended Design Flexibility Standards:

- 16-30% effective site open space – 5% density bonus
- 30% effective site open space – 10% bonus density (from Green Code)
- 40% effective site open space – 20% bonus density (from Green Code)
- 50% effective site open space – 30% bonus density (from Green Code)

Density bonuses can be applied on a pro-rata basis for effective site open space amounts greater than 30% falling between the benchmarks.

- For commercial sites, the open space density incentives should allow more building square footage. In these cases, the building height restrictions should be relaxed to allow the extra square feet can be installed vertically.

**RATIONALE**

Preservation of open space areas in both residential and commercial developments can increase protection of natural resources and improve water quality, as well as provide recreational opportunities in a community. Different categories of open space land were identified based on their potential to meet various open space goals. It was agreed that open space preservation should not be required for all development; rather, incentives should be developed to encourage the protection of high value natural resources and large areas of contiguous open space. The 66 foot corridor width identified for primary open space areas was based on the standard corridor width used in forestry practices. Corridors less than 25 feet in width were seen as inadequate to provide wildlife habitat connection between open space tracts.

Rather than using development incentives based on site dimensional standards, it was recommended that incentives be provided in the form of density bonuses. This idea builds upon recommendations for Principle 12. The recommendations for Principle 11 address actions that would encourage further open space preservation in the County.



**PRINCIPLE #12. REDUCE SETBACKS AND FRONTAGES**

Relax side yard setbacks and allow narrower frontages to reduce total road length in the community and overall site imperviousness. Relax front setback requirements to minimize driveway lengths and reduce overall lot imperviousness.

**RECOMMENDATION**

The roundtable supports this principle and makes the following recommendations:



Development with relaxed setbacks

- Zoning should be based on units per acre, and not minimum lot dimensions or housing type for all residential and commercial zoning districts. Minimum lot width and minimum lot area should be removed from residential zoning requirements.
- Allow density flexibility for all residential and commercial zoning districts by-right. Allow for flexibility to design the appropriate number of lots to achieve the zoning density without rezoning. If a site design is such that density bonuses are awarded, density should be assigned to the site regardless of the zoning district requirement.
- Minimum residential rear setbacks for all zoning classifications should be changed to a 5 foot building separation distance for not fire-resistant rated walls (in compliance with the 2008 International Residential Code, Section R302 Exterior Wall Location).
- Minimum side setbacks for all zoning classifications should be changed to a 5 foot building separation distance for not fire-resistant rated walls.
- If no front driveway is present, front setbacks for all zoning classifications should be a minimum of 5 feet from the road ROW.
- If a front driveway is present, front setbacks for all zoning classifications should be a minimum of 20 feet from the back of the curb or roadway edge on lots with no sidewalk. If a sidewalk is present, front setbacks should be a minimum of 18' from the back of the sidewalk.

Minimum lot areas and minimum lot widths for all zoning districts should be removed from the code and replaced with the density requirement in Table 7.

**Table 7. Zoning Density Requirements**

Zoning District		Units per Acre
Rural	RU	1.3
Rural Residential	RR	1.3
Residential Single-family Estate	RS-E	2
Residential Single-family Low Density	RS-LD	4
Residential Single-family Medium Density	RS-MD	5
Residential Single-family High Density	RS-HD	9
Manufactured Home Residential	MH	6
Residential Multi-family Medium Density	RM-MD	8
Residential Multi-family High Density	RM-HD	16



**RATIONALE**

Moving from specific lot dimensional requirements to site zoning density based on units per acre will allow for greater site development flexibility and encourage a wider range of house sizes/price points on a given lot. The existing dimensional zoning restrictions are such that site density bonuses often can not be fully awarded for open space developments. Allowing density flexibility by-right will encourage cluster development and the preservation of more open space. The recommended setbacks were set to be a minimum without impeding sidewalk traffic, nor violating the fire separation distances as defined by the 2006 International Residential Code, Section R302 Exterior Wall Location.

**PRINCIPLE #13. SIDEWALKS**

Promote more flexible design standards for residential subdivision sidewalks. Where practical, consider locating sidewalks on only one side of the street and providing common walkways linking pedestrian areas.

**RECOMMENDATION**

The roundtable supports this principle and makes the following recommendations:

- §26-179 of the Richland County Land Development Code should encourage the placement of sidewalks on the low side of the road, so that they can be designed to drain to pervious areas.
- The code should encourage the use of pervious materials for sidewalks, and also encourage the use of internal, functional trail systems as alternatives to standard sidewalk layouts.
- There should be no sidewalk requirement for minor subdivisions (minor subdivisions are those with less than 50 lots and no new created roads).
- The minimum width requirement for roadside sidewalks should be kept at 4 feet (already in code). The maximum cross slope should be 50:1 (2%), which is ADA compliant.
- The minimum pathway width for internal trails or paths should be 8 feet. The use of pervious materials is encouraged.
- If a trail network is designed to be functionally superior or equivalent to a standard sidewalk plan, then it can be used as a viable alternative. Functionality should be assessed based on connectivity, rather than linear feet. The Development Review Team (DRT) should consider waiving strict sidewalk requirements on a case by case basis, particularly if connectivity is improved by alternative systems.
- Alternative sidewalk materials, trail networks, or standard sidewalks must be shown on site plans and discussed during the DRT review. The DRT can approve alternative sidewalk layouts provided that functional connectivity is provided. Approval will not be dependent on linear foot equivalence to standard sidewalk layouts.

**RATIONALE**

Sidewalk layouts should be designed with connectivity and pedestrian safety in mind. When alternative internal sidewalks provide enhanced connectivity, they should be approved and encouraged as an alternative to standard roadway sidewalks. This concept should be discussed during the Development Review Team meeting.



**PRINCIPLE #14. DRIVEWAYS**

Reduce overall lot imperviousness by promoting alternative driveway surfaces and shared driveways that connect two or more houses.

**RECOMMENDATION**

The roundtable supports this principle and makes the following recommendations:

- Modify §26-175 of the Richland County Land Development Code to encourage the use of alternative driveway designs and materials.
- The code should permit and encourage the use of pervious materials, two-track and shared driveway designs.
- Shared driveways should be encouraged for flag lots that have a minimum 50' wide road frontage. This frontage requirement should allow for an adequate turning radius and sufficient lot visibility.
- To provide an additional lot incentive, allow pervious portions of driveways to be counted as recreational open space.

**RATIONALE**

Studies show that 20% of the impervious cover in residential subdivisions can consist of driveways (Schueler, 1995). Allowing the use of alternative driveway materials and designs can encourage less impervious surface and reduced stormwater runoff from a site. The County needs to carefully define and design shared driveways.

**PRINCIPLE #15. OPEN SPACE MANAGEMENT**

Clearly specify how community open space will be managed and designate a sustainable legal entity responsible for managing both natural and recreational open space.

**RECOMMENDATION**

The roundtable supports this principle and makes the following recommendations:

- Add definitions for eligible and ineligible uses for open space credits. Insert Table 8 into §26-184 of the Richland County Land Development Code.



Residential nature trail



**Table 8. Eligible and Ineligible Uses for Open Space**

Use	Primary Open Space	Other Open Space <sup>1</sup>
Conservation of natural, archeological, or historic uses	Allowable	Allowable
Meadows, woodlands, wildlife corridors, game preserves, or similar conservation-oriented areas	Allowable	Allowable
Passive recreational activities	Allowable	Allowable
Unpaved trails or trails constructed of porous paving materials	Allowable	Allowable
Paved trails and pervious parking lots associated with greenway systems	Allowable	Allowable
Silviculture, provided a Forest Management Plan is submitted and all applicable best management practices are used to minimize environmental impacts	Allowable	Allowable
Mitigation banks	Allowable	Allowable
Agriculture, horticulture, or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts	<b>Unallowable</b>	Allowable
Active recreational activities, such as athletic fields, recreational courts	<b>Unallowable</b>	Allowable
Swimming pools	<b>Unallowable</b>	Allowable
Golf Courses, provided they have a deed to remain permanently undeveloped, natural water features on the course have undisturbed buffers, and they are in compliance with the Pesticide, Herbicide and Fertilizer Control Program	<b>Unallowable</b>	Allowable
Stormwater Management Facilities	<b>Unallowable</b>	Allowable

<sup>1</sup>includes secondary, recreational, and restored open space



- The following should be listed as “Prohibited Uses of Open Space”:
  - Roads, parking lots, structures, and other impervious cover not associated with recreational facilities
  - Residential lawns
  - Agricultural and forestry activities not conducted according to accepted best management practices
- Lawns and natural areas on commercial sites can be credited as Open Space. Lawns mowed and managed are credited as Recreational Open Space at 50% credit, and may be used for overflow, temporary parking. Areas on commercial sites left as landscaped areas or natural are credited as Secondary Open Space at 100% credit.
- Add the following provision to §26-184 to encourage consolidation of large tracts of open space: In order to qualify for an open space site density bonus, at least 50% of the total open space area shall be in a contiguous tract. This contiguous open space tract shall adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space. Open space areas connected by narrow strips of land (less than 25’ in width) shall not be counted as contiguous.
- Open space areas must be platted on subdivision and individual lot plans.
- Posted signage is required for all primary and secondary open space lands.
- As the County successfully creates Open Space, it should manage and maintain this space effectively. The County should inspect open space, and also provide education, outreach, and assistance to landowners and developers. The County should work toward increasing and preserving green space in Richland County, and also maintaining a high quality of that green space.
- It is recommended that the County conduct annual open space inspections of open space lands to ensure effective implementation of the open space maintenance plan and preservation of the open space character. The inspection should focus on both land preservation and residential safety, and enforce against actions such as development encroachment, illegal dumping, lack of signage, and threats to residential safety. Any violations in the open space shall result in a fine to the HOA.

### **RATIONALE**

In order to ensure the preservation of open space lands that meet the goal of the open space ordinance, prohibited uses for open space were established. Further, eligible and ineligible uses for open space areas were developed in order to protect areas with high natural resource value (Primary Open Space Areas). By platting open space and posting signage, open space lands can be more easily identified and better maintained and inspected. The committee discussed how the County, with the goal of open space preservation in mind, should take on the responsibility to inspect and enforce provisions on primary and secondary open space lands in the County.





## Natural Resource Management Recommendations

### PRINCIPLE #17. STREAM BUFFER SYSTEMS

Create a variable width, naturally vegetated buffer system along all perennial streams that also encompasses critical environmental features such as the 100-year floodplain, steep slopes and freshwater wetlands.

#### RECOMMENDATION

The roundtable supports this principle and makes the following recommendations:

Section 26-187 (2) of proposed regulations. *Applicability*

- Water quality buffers are required along all perennial and intermittent streams, waterways, shorelines and wetlands as identified on a 7.5 USGS quadrangle map, USACE, or as determined by the Department of Public Works determined by an USACE jurisdictional determination to be submitted from the developer and approved by the Department of Public works.
- As part of permit checklist, require owner submit an existing aerial photo



Forested stream buffer

Section 26-187 (2) (b) Exemptions

- (6) Single-family parcels of land that are Existing individual lots two (2) acres or less *that are not part of a new subdivision development*
  - These sites must meet the buffer requirements stated in the individual permit
  - This exemption applies only to existing lots, and does not apply to any lots that are part of a new subdivision
- Must create a buffer piece of the individual permit that requires buffers on individual homes. This piece can be drafted to be site specific and state that existing buffer requirements are met to the maximum extent practicable.
- A 50 foot buffer is required from a jurisdictional line. Buffer averaging is allowed using the Lexington County, SC formula with a maximum buffer credit of 100 feet towards the buffer averaging formula. When using buffer averaging, a minimum of 25 foot buffer can be implemented for no more than x% of the stream length. Under certain circumstances the buffer will be increased. The County has discretion to require an increase or decrease in buffer width based on the defined criteria in Chapter 26.
- Allow the reduction of the buffer to 25' where all on-site stormwater runoff is captured and routed through a permanent water quality basin, and there is no sheet flow discharging into the buffer. This is intended to apply in limited situations such as small commercial developments.
- Stream buffer should be increased in these situations:
  1. Streams on 303d list or TMDL: would use the most current list from SC DHEC



2. Outstanding National Resource Waters (ONRW) list from SC DHEC website
  3. Steep slopes: use standards from proposed stream buffer regulations (g) (1) and (2) (p. 36)
    - (g) (1) *If there are fifteen percent (15%) to twenty-four percent (24%) slopes which are within the required buffer area, the buffer width must be adjusted to include additional ten (10) feet.*
    - (g) (2). *If there are twenty-five percent (25%) or greater slopes which are within the required buffer area width, the buffer width must be adjusted to include additional twenty-five (25) feet.*
- Stream buffer should be decreased in these situations:
    1. Stormwater management water quality controls exceed the existing county requirements.
  - Need to ensure that hotspot land uses are required to meet stormwater water quality controls. On p. 11 of proposed stormwater regulations (g) Level II SWPPP Requirements add to the 1st sentence, "...if it is part of multiple construction in a subdivision development and has an SIC code that corresponds to land uses that produce a higher level of pollutants." Goal is to ensure that hotspot land uses are required to meet stormwater water quality controls. The County should provide a list of specific SIC codes that should meet these requirements. An example list of Industry Type and SIC codes to include are provided below:
    - Auto Repair: 0742,0752
    - Gasoline Stations: 5541
    - Nurseries and garden centers: 5261
    - Convenience Stores: 5399
    - Car dealers: 5511-5599
    - Note: Need to take a more quantitative look at this list of SIC codes)

## RATIONALE

The subcommittee felt that the practice of obtaining a wetland jurisdictional determination, while currently a common practice, should be codified to ensure future wetland protection. In addition, allowing the U.S. ACOE to verify the location of intermittent and perennial streams ensures greater protection of streams that may not be on latest USGS quadrangle maps.

Forested stream buffers are critical to healthy functioning streams that create habitat for fish and aquatic insects and process and filter potential contaminants (Mayer et al., 2005; Wenger, 1999). The subcommittee discussed a reasonable stream buffer recommendation that provided flexibility for increased or decreased width under individual circumstances.

The exemption of single family parcels less than 2 acres is very broad as written and can be applied to almost all types of development. The exemption arose because of undeveloped land parcels around Lake Murray. Stream buffers in these instances should be required on single family parcels that are not part of a larger subdivision but addressed through the individual lot site design permitting process.

Hotspot land uses (i.e. gas stations, auto repair facilities, etc.) that generate higher levels of pollutants should be required to provide stormwater treatment.



**PRINCIPLE #19. CLEARING AND GRADING**

Clearing and grading of forests and native vegetation at a site should be limited to the minimum amount needed to build lots, allow access, and provide fire protection. A fixed portion of any community open space should be managed as protected green space in a consolidated manner.

**RECOMMENDATION**

The roundtable supports this principle and makes the following recommendations:

- Show the intent of the drainage pattern for each individual lot on the construction document in order to get a land disturbance permit.
- Require a performance bond for erosion and sediment control (ESC) for Type II SWPPP and commercial development. This would be a legal mechanism to better ensure that ESC is properly put in place and the site is stabilized.
- Require phased clearing for development that would reduce mass clearing and grading and large areas of exposed soils.
- Develop a list of site characteristics that would require more stringent ESC regulations. Adopt more stringent ESC regulations for sites with steep slopes, highly erodible soils and adjacent to an impaired water body.
- Adopt Section IV 26-64 of the proposed Stormwater ordinance regulations.
- Educate county staff, developers and builders on the importance of ESC.
- Stormwater Management and Sediment and Erosion Control Plan Review Checklist should be referenced in the Stormwater Drainage Design Manual

**RATIONALE**

Minimizing clearing and grading has the potential to maintain more forest canopy on lots and further reduce stormwater runoff and disturbance of native soils. Research has demonstrated that undisturbed native soils had higher infiltration rates than soils that had been cleared during development (Pitt *et al.*, 1999).

A problem of abandoned development sites and mass clearing was identified in the County. Recommendations were made to ensure that the erosion and sediment control program’s goal to ensure ecological integrity and water quality are met.

**PRINCIPLE #20. TREE CONSERVATION**

Conserve trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native plants. Wherever practical, manage community open space, street rights-of-way, parking lot islands, and other landscaped areas to promote natural vegetation.

**RECOMMENDATION**

The roundtable supports this principle and makes the following recommendations:

Recommendations to Sec. 26-176 Landscaping Standards

**Definitions:**

*Revise definition* **Grand Trees:** Any healthy tree structurally sound tree, twenty-nine (29) twenty-four (24) inches or greater in diameter at breast height. Trees documented as structurally unsound by an ISA Certified Arborist or a Registered or Certified Forester is not protected.



*New definition* **Critical Root Zone.** An area on the ground and adjacent to a protected tree that encompasses a distance of one (1') foot of space for every one (1) inch of the tree DBH measured outward from the base of the tree in all directions.

*New definition* **Diameter at Breast-Height.** (DBH) The standard measure of tree diameter for trees existing on a site. The tree trunk is measured at a height of four and one-half (4.5) feet above the ground. If a tree splits into multiple trunks below 4.5 feet, measure the trunk at its most narrow point beneath the split.

*New definition* **Mature Tree.** Any tree which has attained the maximum capability of growth, flowering and reproducing.



Trees protected during development

*New definition* **Replacement Tree.** A new tree planted on a site after development. The minimum planting size of large maturing trees shall not be less than three (3") inches caliper, medium maturing trees shall not be less than two and one half (2 1/2") inches caliper, and small maturing trees not less than two (2") inches caliper.

*New definition* **Forestry activity.** Includes, but is not limited to, timber harvest, site preparation, controlled burning, tree planting, applications of fertilizers, herbicides, and pesticides, weed control, animal damage control, fire control, insect and disease control, forest road construction, and any other generally accepted forestry practices.

*New definition* **Tree.** A usually tall, woody plant, distinguished from a shrub by having comparatively greater size and longevity and, characteristically, defined as:

- (1) Large Tree - Single trunk whose canopy dimensions have the potential to reach at least 45 feet tall and 25 feet wide at maturity (City of Forest Acres, SC Chapter 21 Zoning Ordinance Appendix D).
- (2) Medium Maturing - Single trunk whose canopy dimensions have the potential to reach at least 25 feet tall and 20 feet wide at maturity (City of Forest Acres, SC Chapter 21 Zoning Ordinance Appendix D).
- (3) Small Maturing - Single trunk or multi-stem whose canopy dimensions have the potential to reach at least 15 feet tall and 15 feet wide at maturity (City of Forest Acres, SC Chapter 21 Zoning Ordinance Appendix D).

**Tree Protection and/or Planting Plan.**

A plan that identifies the critical root zone where significant trees are to be protected and preserved and replacement trees planted on a property to meet minimum requirements, as well as methods of tree protection to be undertaken on the site and other pertinent information.

Add language (d) (1) "...Trees to be planted shall meet or exceed minimum industry standards as described in ANSI Z60.1 (2004) – American Standards for Nursery Stock. Planting shall be done according to specifications developed from the most recent edition of the Best Management Practices for Tree Planting published by the International Society of Arboriculture (www.isa-arbor.com)."

- (g) Vehicular surface area landscaping.
- (3) a. "...inside medians that are five (5) eight (8) feet or greater in width;..."



(3) b. “Vehicular parking areas are to be planted with one (1) large maturing shade tree for every 20 8 parking spaces. Each planting area shall contain at least one (1) large maturing shade tree.

(3) c. “No vehicular parking space shall be located farther than 50 forty (40) feet from the tree trunk of a shade tree in a planting area with one (1) tree.”

Add language (3) f. “Trees and plants planted in parking lot islands that function as stormwater quality treatment BMPs must be native trees and plants that can tolerate wet and dry conditions.

Add language

(3) d. “...planted trees should be a minimum of 2 inch caliper to maximum 3 inch caliper.

(3) e.1. “...the minimum median width shall be 8 seven (7) feet.”

(j) Protection of existing trees during development.

Add language (3) j. “...In addition, no grading or other land-disturbing activity can occur on a site with existing trees until protective barriers are installed by the developer. This includes the critical root zone of the tree marked with fencing in the field and located on the construction plans. A description of protective barriers to be installed around all trees to be protected is required as set forth in the Tree Protection Construction Standards, from the City of Forest Acres, SC Chapter 21 Zoning Ordinance Appendix A.

(j)(2) Tree Replacement Plan

A tree replacement plan shall be submitted and approved before any protected trees are removed. Protected trees that have been approved for removal shall be replaced at a ratio of 3:1, with trees at a minimum of 2-inch caliper Add language: and a maximum 3 inch caliper.”

Add language: If a site is not able to accommodate this replacement ratio then an in-lieu fee proportional to the deficit can be paid into a tree fund that the county can then use for water quality projects.

Add language: “A tree maintenance plan must be developed to ensure the survival of the planted trees.” Tree species should be selected using a recommended tree planting list (This list should be developed by using the City of Forest Acres, SC Chapter 21 Zoning Ordinance Appendix D as a baseline).

(j)(4). Tree Protection Plan.

A qualified professional must perform a tree survey and develop a tree protection plan that identifies the trees to be protected on site.

Add language: It shall identify the location, dbh, and genus of all protected trees. The critical root zone for all significant trees proposed to be preserved shall be shown on the tree survey. A grading plan showing the number and location of significant trees that will be removed along with a statement as to why the trees could not be saved. A preliminary plan for marking all trees to be retained and a description of protective barriers to be installed around all trees to be retained. A Tree Protection Plan must be submitted with tree protection practices specified as described in the most recent edition of ANSI A-300 (part 5) Construction Management and Best Management Practices for Tree Protection published by the International Society of Arboriculture.



**RATIONALE**

The subcommittee identified the importance of tree protection including stormwater treatment, shading, and community beautification. The subcommittee expanded the existing landscaping requirements to discourage clear cutting of trees on a development site and encourage protection of grand trees on site. Tree replacement and planting in landscaping areas should be done with smaller trees as they have a better chance of long term survival.

**PRINCIPLE #21. LAND CONSERVATION INCENTIVES**

Incentives and flexibility in the form of density compensation, buffer averaging, property tax reduction, stormwater credits, and by-right open space development should be encouraged to promote conservation of stream buffers, forests, meadows, and other areas of environmental value. In addition, off-site mitigation consistent with locally adopted watershed plans should be encouraged.

**RECOMMENDATION**

The roundtable supports this principle and makes the following recommendations:

- Use Transfer of Development Rights as an incentive to encourage protection of natural resources while still being able to get the same number of lots on a site.
- County should partner with developers to design and build an example model green development. The model should make the case for how protecting green space can be economically beneficial.
- County should dedicate resources to purchase green space.
- County should develop a natural resource inventory followed by a natural resource protection plan. The Crane Creek watershed management plan should be used as a model.
- County should encourage the use of mitigation banks.

**RATIONALE**

The County Conservation Commission is developing a greenway plan that will identify areas of contiguous open space with high wildlife habitat that should be protected. Currently, conservation easements on these lands are obtained voluntarily by private landowners. Dedicating funds to the purchase of green space is in the public interest and helps to offset the cost to developers. In addition, the County could show their commitment to greener development and improved water quality by sponsoring a green development and dedicating funds towards land conservation.

**NEW PRINCIPLE. NATURAL RESOURCE PROTECTION INVENTORY**

**RECOMMENDATION**

The roundtable supports this principle and makes the following recommendations:

- A Natural Resource Inventory is required for all new development before a sketch plan is accepted by the County. The information required should be included in the planning department plan review checklist. The natural resources inventory would be a separate engineering design sheet listing the location of the natural resources. The natural resource inventory should be conducted using the steps in Table 9.
- Before a site plan is submitted the developer has the option of conducting a natural resources field visit with the County. The natural resource assessment would be conducted by a qualified professional.
- Chapter 26 should clearly provide the Development Review Team (DRT) with the authority to require more or less protections based on the code and natural resource inventory.



**Table 9. The Process for Conducting a Natural Resource Inventory**

1. County conducts a desktop analysis using existing county GIS data: locate wetlands (use NWI maps), floodplains, steep slopes, water bodies, etc. This provides a preliminary analysis of what is on the site and includes a jurisdictional determination and tree protection plan.
2. Developer would hire consultants to conduct full field site inventory based on what was identified during desktop analysis.
3. Optional: County and Developer conduct a natural resources field visit
4. The County can field review the assessment as needed.
5. This natural resources inventory would then go before the DRT process

- Features that should be identified during the Natural Resource Inventory include a close approximation of the primary and secondary open space categories for open space design. These are identified in Table 10.

**Table 10. List of features included in the Natural Resources Inventory**

• 100 year floodplain
• Wetlands (including isolated wetlands)
• Riparian Buffers
• RTE species/habitats, as identified by federal and state listings
• Cemeteries and burial grounds
• Open space corridors of 25 foot width or greater
• Forestlands
• Unique natural features
• Specimen trees (as identified in the tree protection ordinance Sec. 26-176(j)(1))
• Prime agricultural lands
• Steep-slopes (>25%)
• Archeological sites, historical sites and features eligible for or listed in the National Register of Historic Places
• Scenic viewsheds

**RATIONALE**

The County has an abundance of wetlands and forests that make up the unique rural character of the county. In order to properly protect natural resources during development, a site-specific analysis should be conducted. This principle was developed to help ensure that the proper protection of natural resources is balanced with a marketable product. Natural resources need to be integrated in the front end of the development review process before time and money is spent on designing the development site.

# Stormwater Management Recommendations

## PRINCIPLE #5. PARKING LOT RUNOFF

Where density, topography, soils, and slope permit, vegetated open channels should be used in the street right-of-way to convey and treat stormwater runoff.

### RECOMMENDATION

The roundtable supports this principle and makes the following recommendations.

- Chapter 26, Section 26-181(b)(1)a of the Richland County Code should be revised to read: “Roads without curb and gutter shall have a minimum right-of-way of sixty-six (66) feet, although curb and gutters shall be installed on all paved roads unless the county engineer determines that another system is acceptable. Vegetated open channels may be used as an alternative to curb and gutters when design and site conditions meet specifications of the Storm Drainage Design Standards and BMP manuals.”
- Richland County should define the term “vegetated open channels” in Chapter 26 of the County Code. “Vegetated open channels” is a term that encompasses several stormwater practices already described in the County’s Storm Drainage Design Standards manual and Best Management Practices Manual, such as “vegetated swale,” “enhanced swale,” “dry swale,” and “wet swale.” This should be made clear in the County Code “vegetated open channels” definition.
- During its current revision of the Storm Drainage Design Standards manual, Richland County should use up-to-date research to define appropriate site conditions and designs for vegetated open channels and other stormwater management BMPs.
- Richland County should take steps to educate citizens and builders about proper procedures for connecting new driveways and culverts into existing vegetated open channels without altering the flow of stormwater runoff and functionality of the stormwater treatment area.
- In order to minimize street right-of-way widths, Richland County should look for opportunities to bury utility lines under street pavement when vegetated open channels exist in the right-of-way. Alternatively, utilities may be buried below vegetated open channels if utility maintenance can occur without disturbing the function of the open channel system.
- Richland County Public Works may encourage developers, who are seeking to use vegetated swales, to super-elevate one side of street section to avoid the need for swales on both side of the street. This enables easier right-of-way maintenance, especially for underground utilities.



Vegetated open channel along residential street





**RATIONALE**

Streets generate higher stormwater pollutant loads than any other source area within residential developments (Bannerman et al., 1993, Steuer et al., 1997). Vegetated open channels, such as dry swales and wet swales, can serve to control and convey street runoff, while also reducing pollutants from runoff and allowing water to infiltrate into the ground to recharge groundwater supplies. Therefore, these stormwater management features serve as an effective alternative to traditional curb and gutter systems along streets and parking lots. The Richland County Code currently requires the use of curb and gutters on all new paved roads unless provided with an exception by the county engineer. Therefore, language should be added to the Code that specifically encourages the use of vegetated open channels.

**PRINCIPLE #10. PARKING LOT RUNOFF**

Wherever possible, provide stormwater treatment for parking lot runoff using bioretention areas, filter strips, and/or other practices that can be integrated into required landscaping areas and traffic islands.

**RECOMMENDATION**

The roundtable supports this principle and makes the following recommendations.

- Richland County should add language to the appropriate section of the proposed stormwater ordinance and the existing landscaping standards in Chapter 26 of the County Code stating that landscaped areas (e.g., buffer yards, medians) may be used for placement of stormwater management BMPs.
- During its current revision of the Storm Drainage Design Standards manual, Richland County should remove Section 4.7.12. This “Not Recommended” section, which discourages the use of permeable pavement, infiltration basins, and media filter inserts, is not necessary and is contradictory to the section of the County Code which encourages the use of permeable pavement and infiltration BMPs.
- In the near future, Richland County should conduct public information sessions for engineers and developers to describe “newer” on-site stormwater management options available.
- Richland County should consider waiving plan review / permit fees (or other financial incentives) for the first few development projects that submit plans using innovative stormwater management and other Better Site Design practices.



Parking lot runoff treated by bioretention

**RATIONALE**

Parking lots generate high volumes of stormwater runoff and high levels of runoff contamination from pollutants deposited on the lot surface. Landscaped areas, which are usually required for new parking lots, can provide opportunities for capturing and treating this runoff from parking lots and other impervious areas. Many of the newer and “greener” stormwater management practices, such as bioretention facilities, permeable pavements, and swales, have not been frequently used in Richland County. The recommendations are intended to provide flexibility for the use of these stormwater management practices.



**PRINCIPLE #16. ROOFTOP RUNOFF**

Direct rooftop runoff to pervious areas such as yards, open channels, or vegetated areas and avoid routing rooftop runoff to the roadway and the stormwater conveyance system.

**RECOMMENDATION**

- The following provision should be added to Chapter 26, Section 26-202(c)(3)(g)1 (dealing with residential development) of the proposed stormwater ordinance: “Rooftop runoff may be directed to pervious areas, infiltration practices, rainwater harvesting systems, or other stormwater treatment features on the dwelling lot.”

**RATIONALE**

Directing rooftop runoff to porous areas such as lawns, forest, permeable pavement areas, rain gardens, dry wells, and rainwater harvesting systems contributes less runoff to the storm drain system. This is feasible on residential lots in Richland County. Homes that have gutters should be encouraged to direct their downspouts to areas that allow water to soak into the ground or to cisterns that allow homeowners to use their roof water for watering plants and other household uses.



Rooftop runoff captured by a rain barrel

**PRINCIPLE #22. STORMWATER OUTFALLS**

New and redeveloped stormwater outfalls should not discharge untreated stormwater into jurisdictional wetlands, aquifers, or other water bodies, or otherwise facilitate the degradation of these water resources

**RECOMMENDATION**

The roundtable supports this principle and makes the following recommendations.

- Richland County should add language to the appropriate section(s) of the proposed stormwater ordinance, stating that:
  - o Untreated stormwater runoff from developed areas shall not be directly discharged to wetlands, as wetland boundaries are defined at time of site plan approval;
  - o Any storm sewers and constructed/altered channels that discharge into a water quality buffer area shall be constructed in such a way as to dissipate the energy of flow and create even sheet flow into the buffer area.
- Richland County should consider financial relief measures for development and redevelopment projects in watersheds having more stringent stormwater management standards, in order to offset higher costs of stormwater management compliance in those watersheds.
- Richland County should consider making the Green Code applicable to land development types beyond residential areas, such as commercial, industrial, and mixed-use development.



**STORMWATER MANAGEMENT**

- Richland County should develop a meaningful incentive program that encourages the development community to go above and beyond minimum stormwater management standards and design criteria at development and redevelopment sites. Development plans designed using a significant number and variety of Better Site Design principles, including stormwater management practices that reduce and treat runoff on-site, should be offered financial incentives to do so. Table 11 provides example ideas for possible incentives include.

**Table 11. Example Incentives to Encourage use of Innovative Stormwater Management**

Incentive	Relates to these stormwater BMPs...
Reduced pavement and right-of-way width requirements	Vegetated open channels – along streets.
Flexibility in setback requirements	Vegetated open channels – along streets
Flexibility in shade tree or other landscaping requirements	Parking lot runoff BMPs
Flexibility in parking requirements (e.g., # of spaces, size of spaces)	Parking lot runoff BMPs
Tax credits for rainwater reuse	Rooftop runoff BMPs
Tax credits for vegetated roofs – “green roofs”	Rooftop runoff BMPs
Consider vegetated stormwater features as “open space”	Vegetated stormwater BMPs
Millage based on impervious cover (i.e., reduced IC = lower millage)	Reduced impervious cover (IC)
Reduced plan review or other application fees	Comprehensive use of Better Site Design Practices
Expedited review process	Combination of Better Site Design Practices
Count stormwater treatment volume of on-site BMPs towards site’s SW treatment volume compliance	All stormwater BMPs

**RATIONALE**

Wetlands are sensitive to impacts from stormwater runoff, especially fluctuations in water level. In order to minimize impacts to wetlands, untreated stormwater runoff from developed areas should not be directly discharged within wetland boundaries. It is also important to protect vegetated stream and wetland buffers from the erosive impacts of high volumes of water coming out of storm drain infrastructure.

The subcommittee discussed the clause in the proposed stormwater ordinance (Section 26-64(g)(3)(e)) that states that Richland County may develop more stringent stormwater design criteria for TMDL watersheds in order to meet water quality improvement goals. The costs associated with complying with stormwater management standards in those watersheds may be greater; therefore the County should consider ways to help developers offset these higher costs. The County should also give special consideration to not discourage redevelopment in those watersheds.

The subcommittee saw great benefit in providing developers in the County with incentives to use stormwater management practices that reduce runoff, increase infiltration, and provide good pollutant removal from runoff. The subcommittee felt that, in order to better protect its ground and surface water resources from the impacts of land development, the County should develop a comprehensive incentive program that will encourage environmentally- sensitive site designs that go above and beyond established minimum requirements.



## Implementation Overview and Plan

The Roundtable process is a monumental step towards the promotion of environmentally-sensitive development in Richland County through code, policy and regulatory updates. The Roundtable itself generated innovative ideas and fostered better communication and relationships amongst the County, environmental groups and the development community. The strength of the Roundtable process lies in the expertise and diversity of the membership who collaboratively crafted the recommendations provided in this document.

The recommendations must be incorporated and translated into the County's codes, policies and regulations in order for implementation of the Roundtable process to be realized. One of the desired ends of this process is to have development occur that incorporates the recommendations of the Roundtable.

The Implementation Plan includes the following next steps:

- Present Roundtable recommendations to the County Planning Commission and County Council.
- Develop a core team to move recommendations forward. This group should have equal representation from the County, development, and environmental community.
- A core team ("Implementation Team") should continue to work beyond the next couple of months to continue working on turning the Roundtable's recommendations into code, policy and regulatory changes.
- Steps should be taken in the next 2 -3 months to inform the public on the Roundtable process and recommendations.



## References

- Bannerman, R., D. Owens, R. Dodds and N. Hornewer. 1993. *Sources of Pollutants in Wisconsin Stormwater*. Water Science and Technology. 28(3-5): 241-259.
- Center for Watershed Protection (CWP). 2003. *Impacts of Impervious Cover on Aquatic Systems*. Center for Watershed Protection. Ellicott City, MD.
- Center for Watershed Protection (CWP). 1998a. *Consensus Agreement on Model Development Principles to Protect Our Streams, Lakes and Wetlands*. Center for Watershed Protection. Ellicott City, MD.
- Center for Watershed Protection (CWP). 1998b. *Better Site Design Handbook: A Handbook for Changing Development Rules in Your Community*. Center for Watershed Protection. Ellicott City, MD.
- Mayer, P.M.; S.K. Reynolds; M.D. McCutchen; and T.J. Canfield. 2005. *Riparian Buffer Width, Vegetative Cover, and Nitrogen Removal Effectiveness: A Review of Current Science and Regulations*. U.S. Environmental Protection Agency, Washington, D.C., EPA/600/R-05/118, 2005. Available at: [www.epa.gov/ada/download/reports/600R05118/600R05118.pdf](http://www.epa.gov/ada/download/reports/600R05118/600R05118.pdf)
- Natural Resource Conservation Service. 2001. *Natural Resources Inventory*. USDA. NRCS. January 2001.
- Pitt, R., J. Lantrip, R. Harrison, C. Henry, and D. Hue. 1999. *Infiltration through Disturbed Urban Soils and Compost-Amended Soil Effects on Runoff Quality and Quantity*. U.S. Environmental Protection Agency, Water Supply and Water Resources Division, National Risk Management Research Laboratory. EPA 600/R-00/016. Cincinnati, Ohio. 231 pp. 1999a.
- Richland County. 2008. Richland County Draft Comprehensive Plan. Richland County Planning Department. Columbia, SC.
- Schueler, T. 1995. *Site Planning for Urban Stream Protection*. Center for Watershed Protection. Ellicott City, MD. Prepared for the Metropolitan Washington Council of Governments. Washington D.C.
- South Carolina Department of Health and Environmental Control (SCDHEC). (2008). 303(d) & Total Maximum Daily Loads. SCDHEC Bureau of Water. <http://www.scdhec.net/environment/water/tmdl/index.htm#303d>
- Steuer, J., W. Selbig, N. Hornewer, and J. Prey. 1997. *Sources of Contamination in an Urban Basin in Marquette, Michigan and an Analysis of Concentrations, Loads, and Data Quality*. Water Resources Investigation Report No. 97-4242. U.S. Geological Survey. Madison, WI.
- Wenger, S. 1999. *A review of the scientific literature on riparian buffer width, extent and vegetation*. Office of Public Service and Outreach, Institute of Ecology, University of Georgia, Athens, Georgia. Revised Version. March 5, 1999. 59pp.
- White, E., A. Morzillo, and R. Alig. 2009. *Past and Projected Rural Land Conversion in the US at State, Regional and National Levels*. Landscape and Urban Planning. 89: 37-48.



ABOUT THE PARTNERS

33









**Center for Watershed Protection**  
8390 Main Street, 2nd Floor  
Ellicott City, MD 21043  
[www.cwp.org](http://www.cwp.org)



# Richland County Council Request of Action

## **Subject**

- EdVenture's Great Friend to Kids Awards Dinner, November 5th, 6:15 p.m. - Reception; 7:00 p.m. - Dinner, Columbia Marriott
- Urban League Equal Opportunity Day Dinner, November 5th, Seawells

# Richland County Council Request of Action

**Subject**

An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, In General; Section 21-10, Street Name Signs; Subsection (A); so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated*

# Richland County Council Request of Action

**Subject**

An Ordinance Authorizing a quit-claim deed to Edward H. Pitts, Jr. and EHP Development, LLC for five parcels of land totaling Five Thousand Three Hundred Sixteen (5,316) square feet located along Hastings Alley and Hamrick Street, Richland County, South Carolina, and being portions of TMS # 11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, and 11203-03-27

# Richland County Council Request of Action

**Subject**

An Ordinance Authorizing a quit-claim deed to Smallwood Village Phase III Homeowner's Association, Inc. for a certain parcel of land totaling .76 Acres located along White Branch Circle, Richland County, South Carolina, known as TMS # 22710-08-30

# Richland County Council Request of Action

**Subject**

An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$90,157 of General Fund Undesignated Fund Balance to the Court Administration Budget, Magistrates Budget and Central Services Budget

# Richland County Council Request of Action

**Subject**

An Ordinance Amending the Fiscal Year 2009-2010 Hospitality Tax Fund Annual Budget Amendment to appropriate \$100,000 of Hospitality Tax Fund Designated Fund Balance for the next steps in the design-development phase of the Regional Sports Complex

# Richland County Council Request of Action

**Subject**

An Ordinance Amending the Richland County Code of Ordinances; Chapter 25, Vehicles for Hire; Article II, Towing and Wrecker Services; Section 25-20, Wrecker and Storage Charges, so as to increase the fees charged for towing and wrecker services



# Richland County Council Request of Action

**Subject**

An Ordinance Amending the Fiscal Year 2009-2010 Title IV-D Sheriff's Fund Budget to appropriate \$10,000 of additional revenue due to revised revenue projections

# Richland County Council Request of Action

**Subject**

An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$81,000 of General Fund Undesignated Fund Balance to the Election Commission Budget for the mandated purpose of replacing batteries in electronic voting machines

# Richland County Council Request of Action

**Subject**

Deed of Water and Sewer Lines (Bookert Heights, Ridgewood, BRRWWTP)

# Richland County Council Request of Action

**Subject**

09-12MA  
Robert Giles  
Jonathan Giles  
RM-HD to NC (0.32 Acres)  
11203-01-02  
Corner of Olympia Ave. and Bluff Rd. **[THIRD READING] [PAGE 77]**

**Notes**

First Reading: September 22, 2009  
Second Reading: October 6, 2009  
Public Hearing: September 22, 2009  
Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

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 # 11203-01-02 FROM RM-HD (RESIDENTIAL, MULTI-FAMILY – HIGH DENSITY DISTRICT) TO NC (NEIGHBORHOOD 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 # 11203-01-02 from RM-HD (Residential, Multi-Family – High Density District) zoning to NC (Neighborhood Commercial District) zoning.

Section II. 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. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. This ordinance shall be effective from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: September 22, 2009 (tentative)  
First Reading: September 22, 2009 (tentative)  
Second Reading:  
Third Reading:

09-12 MA – corner of Olympia Ave and Bluff Road

# Richland County Council Request of Action

## **Subject**

An Ordinance Amending Section 26-181 regarding road signs/traffic control devices; so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated* **[THIRD READING] [PAGES 79-80]**

## **Notes**

First Reading: September 22, 2009  
Second Reading: October 6, 2009  
Public Hearing: September 22, 2009  
Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-181, ROAD STANDARDS; SUBSECTION (B), DESIGN STANDARDS FOR PUBLIC OR PRIVATE ROADS; PARAGRAPH (6), OTHER DESIGN STANDARDS; SUBPARAGRAPH K, ROAD SIGNS/TRAFFIC CONTROL DEVICES; SO AS TO CONFORM TO THE FEDERAL HIGHWAY ADMINISTRATION'S *MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES 2003 EDITION WITH REVISIONS 1 AND 2 INCORPORATED*.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-181, Road Standards; Subsection (b), Design Standards for Public or Private Roads; Paragraph (6), Other Design Standards; Subparagraph k., Road Signs/Traffic Control Devices; is hereby amended to read as follows:

k. *Road signs/traffic control devices.*

[1] Road signs, in conformance with the requirements of the *Federal Highway Administration's Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 incorporated* and with the addressing coordinating specialist, shall be located at all intersections in a manner approved by the county engineer. Any sign within a new development shall be installed by the developer at his/her own expense. Signs will be aluminum blanks on metal posts fabricated and mounted in a standard design established by the director of public works. Such signs shall have white reflective lettering a minimum of six (6) inches in height on a reflective background. Signs located on multi-lane roads with a speed limit of 40 mph or greater shall have lettering a minimum of eight (8) inches in height. A green background shall denote a public road and a blue background shall denote a private road.

[2] All traffic control devices required by the *Federal Highway Administration's Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 incorporated* *SC Manual on Uniform Traffic Control Devices for Roads and Highways* may shall be installed by the developer at his/her own the developer's expense. If the county purchases such devices on behalf of the developer, all costs shall be paid in full prior to approval of the final plat of a subdivision or a certificate of

~~zoning compliance for other developments.~~ All devices shall conform to the required size and reflectivity found in the *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 incorporated.*

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 \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: September 22, 2009 (tentative)  
Public Hearing: September 22, 2009 (tentative)  
Second Reading:  
Third Reading:



# Richland County Council Request of Action

**Subject**

An Ordinance to Define and Permit "Bus Shelters & Benches" in all Zoning Districts, with special requirements  
**[THIRD READING] [PAGES 82-131]**

**Notes**

First Reading: September 22, 2009  
Second Reading: October 6, 2009  
Public Hearing: September 22, 2009  
Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; SO AS TO DEFINE AND PERMIT “BUS SHELTERS” AND “BUS BENCHES” IN ALL ZONING DISTRICTS, WITH SPECIAL REQUIREMENTS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; is hereby amended to include in the appropriate alphabetical order, the following definitions:

*Bus bench.* A seating area at a designated bus stop designed for the convenience of bus passengers.

*Bus shelter.* A small roofed structure, having three (3) transparent walls, located at designated bus stops for the protection and convenience of passengers of public transportation systems.

SECTION II. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (b), Permitted Uses with Special Requirements Listed by Zoning District; is hereby amended to read as follows:

- (b) *Permitted uses with special requirements listed by zoning district.*
- (1) Accessory Dwellings - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, M-1)
  - (2) Amusement or Water Parks, Fairgrounds - (GC, M-1, LI)
  - (3) Animal Shelters - (GC, M-1, LI)
  - (4) Antennas - (All Districts)
  - (5) Athletic Fields - (TROS, NC, RC)
  - (6) Banks, Finance, and Insurance Offices – (NC, RC)
  - (7) Barber Shops, Beauty Salons, and Related Services - (RU, RM-MD, RM-HD)
  - (8) Bars and other Drinking Places - (RC, GC, M-1, LI)

- (9) Batting Cages - (GC, M-1, LI)
- (10) Bed and Breakfast Homes/Inns - (RR, RM-MD, RM-HD, RC)
- (11) Beer/Wine/Distilled Alcoholic Beverages – (GC)
- (12) Body Piercing Facilities – (GC)
- (13) Buildings, High-Rise, Four (4) or Five (5) Stories – (RM-HD, OI, GC)
- (14) Bus Shelters/Bus Benches - (All Districts)
- ~~(15)~~ Car and Light Truck Washes - (RC)
- ~~(16)~~ Cemeteries and Mausoleums - (OI, NC, RC, GC, M-1, LI, HI)
- ~~(17)~~ Continued Care Retirement Communities - (RM-MD, RM-HD, OI, RC, GC)
- ~~(18)~~ Construction, Building, General Contracting, with Outside Storage - (M-1, LI)
- ~~(19)~~ Construction, Building, Heavy, with Outside Storage - (M-1, LI)
- ~~(20)~~ Construction, Special Trades, with Outside Storage - (M-1, LI)
- ~~(21)~~ Country Clubs with Golf Courses - (TROS, RU, GC, M-1, LI)
- ~~(22)~~ Day Care, Adult, Home Occupation (5 or fewer) – (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, GC)
- ~~(23)~~ Day Care Centers, Adult - (RU, OI, NC, RC, GC, M-1)
- ~~(24)~~ Day Care, Child, Family Day Care, Home Occupation (5 or fewer) - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, GC)
- ~~(25)~~ Day Care Centers, Child, Licensed Centers - (RU, OI, NC, RC, GC, M-1)
- ~~(26)~~ Drugs and Druggists' Sundries – (GC)
- ~~(27)~~ Durable Goods, Not Otherwise Listed – (GC)
- ~~(28)~~ Dwellings, Manufactured Homes on Individual Lots - (RU, MH)
- ~~(29)~~ Dwellings, Manufactured Homes on Individual Lots - (RR, RS-E)

- (~~29~~30) Dwellings, Single Family, Zero Lot Line, Common and Parallel -  
(Common: RM-MD, RM-HD, OI, GC, M-1; Parallel: RS-E, RS-LD, RS-MD, RS-HD, RM-MD, RM-HD, OI, M-1)
- (~~30~~31) Electrical Goods – (GC)
- (~~31~~32) Fuel Oil Sales (Non-Automotive) - (M-1, HI)
- (~~32~~33) Furniture and Home Furnishings – (GC)
- (~~33~~34) Golf Courses - (TROS, GC, M-1, LI)
- (~~34~~35) Golf Driving Ranges (Freestanding) - (TROS, RC, GC, M-1, LI)
- (~~35~~36) Go-Cart, Motorcycle, and Similar Small Vehicle Tracks - (GC)
- (~~36~~37) Group Homes (9 or Less) - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (~~37~~38) Home Occupations - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)
- (~~38~~39) Kennels - (RU, OI, RC, GC, M-1, LI)
- (~~39~~40) Libraries – (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (~~40~~41) Lumber and Other Construction Materials – (GC)
- (~~41~~42) Machinery, Equipment and Supplies – (GC)
- (~~42~~43) Manufactured Home Sales – (GC, M-1)
- (~~43~~44) Manufactured Home Parks – (MH, M-1)
- (~~44~~45) Market Showrooms - (GC)
- (~~45~~46) Motor Vehicles, New Parts and Supplies – (GC)
- (~~46~~47) Motor Vehicles, Tires and Tubes – (GC)
- (~~47~~48) Nondurable Goods, Not Otherwise Listed – (GC)
- (~~48~~49) Paints and Varnishes – (GC)
- (~~49~~50) Pet Care Services – (NC, RC)

- (~~50~~51) Petroleum and Coal Products Manufacturing - (HI)
- (~~51~~52) Petroleum and Petroleum Products - (M-1, HI)
- (~~52~~53) Places of Worship – (RU, RR, RM-MD, RM-HD, RC)
- (~~53~~54) Plumbing and Heating Equipment and Supplies – (GC)
- (~~54~~55) Poultry Farms – (RU)
- (~~55~~56) Produce Stands – (RU)
- (~~56~~57) Public or Private Parks- (All Districts)
- (~~57~~58) Public Recreation Facilities- (All Districts)
- (~~58~~59) Radio, Television, and Other Similar Transmitting Towers – (M-1)
- (~~59~~60) Recreational Vehicle Parks and Recreation Camps – (RU)
- (~~60~~61) Rental Centers, With Outside Storage – (GC)
- (~~61~~62) Repair and Maintenance Service, Appliance and Electronics - (RC, GC, M-1, LI)
- (~~62~~63) Research and Development Services – (OI)
- (~~63~~64) Schools, Including Public and Private Schools, Having a Curriculum Similar to Those Given in Public Schools - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (~~64~~65) Sexually Oriented Businesses - (GC, HI)
- (~~65~~66) Sporting Firearms and Ammunition – (GC)
- (~~66~~67) Swim and Tennis Clubs – (TROS)
- (~~67~~68) Swimming Pools - (TROS, RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)
- (~~68~~69) Tobacco and Tobacco Products – (GC)
- (~~69~~70) Utility Substations - (All Districts)

- (~~7071~~) Veterinary Services (Non-Livestock, May Include Totally Enclosed Kennels Operated in Connection with Veterinary Services) - (OI, NC)
- (~~7172~~) 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) - (OI, NC, RC, GC)
- (~~7273~~) Warehouses (Self Storage) - (RC, GC, M-1, LI)
- (~~7374~~) Yard Sales - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)
- (~~7475~~) Zoos and Botanical Gardens – (GC, M-1)

SECTION III. 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; is hereby amended to read as follows:

- (c) *Standards.* The development standards listed herein are additional to other requirements of this chapter. These development standards are use-specific and apply to those uses designated with an “SR” in the Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions (Table 26-V-2, Section 26-141).
  - (1) *Accessory dwellings.*
    - a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density, M-1 Light Industrial.
    - b. Accessory dwellings shall be located only on lots containing one single-family detached structure. (However, other conforming accessory structures may also be located on the lot).
    - c. Only one accessory dwelling shall be permitted per single-family dwelling.
    - d. If the accessory dwelling is located within the same structure as the principal dwelling, the principal dwelling shall not be altered in any way so as to appear from a public or private road to be multi-family housing.
    - e. A manufactured home may not be used as an accessory dwelling.
    - f. The gross floor area of the accessory dwelling shall not exceed five hundred (500) square feet or contain more than one-fourth of the

heated floor area of the principal single-family dwelling, whichever is greater.

(2) *Amusement or waterparks, fairgrounds.*

- a. Use districts: General Commercial; M-1 and LI Light Industrial.
- b. The minimum lot size for an amusement park, waterpark, or fairground shall be five (5) acres.
- c. No principal building or structure shall be located within fifty (50) feet of any property line.
- d. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of the park activities.
- e. No amusement equipment, machinery, or mechanical device of any kind may be operated within two hundred (200) feet of any residentially zoned property.

(3) *Animal shelters.*

- a. Use districts: General Commercial; M-1 and LI Light Industrial.
- b. Any building (which is part of an animal shelter) housing animals shall be located a minimum of one hundred and fifty (150) feet from any residentially zoned or developed property.
- c. Fenced outdoor runs are allowed for use during the hours of 6:00 am to 10:00 p.m.; however, no animal may be kept in the run for boarding purposes, and pens for the animals must be located indoors. Feeding of animals must be conducted indoors and is prohibited in the runs.
- d. All animal refuse and food must be kept in airtight containers and disposed of on a regular basis. Animal wastes shall not be stored any closer than fifty (50) feet from any property line or surface water.

(4) *Antennas.*

- a. Use districts: All Districts.
- b. In residential districts, no antenna shall be permitted between the front of a principal structure and any adjacent public road. In the case of corner lots, no antenna shall be permitted between the side

of a principal structure and the road. No dish type antenna more than eighteen (18) inches in diameter shall be placed on the roof or other portion of a building so as to be visible from any adjacent property.

- c. In nonresidential districts, antennas may be placed at any location that is not visible from any adjacent public road. Antennas may be placed on top of a principal structure less than thirty (30) feet in height, provided that screening is provided with materials compatible with the principal structure at least equal in height to the antenna. Antennas may be placed on top of a flat roofed structure that exceeds thirty (30) feet in height. Antennas erected on any pitched roof structure, regardless of height of the structure, must be screened with materials compatible with the principal structure. The screening shall not be less than the height of the antenna. In these districts, dish type antennas measuring less than three (3) feet in diameter may be placed at any location on a principal structure, except for the building façade or any road oriented side wall.

(5) *Athletic fields.*

- a. Use districts: Traditional Recreation Open Space; Neighborhood Commercial; Rural Commercial.
- b. All athletic fields shall have primary access to collector or thoroughfare roads.
- c. Lights shall be positioned and shielded so as not to shine onto adjacent properties.
- d. Loud speaker systems shall not be operated before 8:00 a.m. or after 10:00 p.m.

(6) *Banks, finance, and insurance offices.*

- a. Use districts: Neighborhood Commercial; Rural Commercial.
- b. No drive-thru service permitted.

(7) *Barber shops, beauty salons, and related services.*

- a. Use districts: Rural; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.
- b. No more than four (4) workstations are permitted.



- c. Signage shall be limited to a single sign, not to exceed three (3) square feet and not containing internal lighting. Such signage shall be attached to the building.

(8) *Bars and other drinking places.*

- a. Use districts: Rural Commercial; General Commercial; M-1 and LI Light Industrial.
- b. Lots used for drinking places shall be located no closer than four hundred (400) feet from any other lot used as a drinking place, and shall be no closer than six hundred (600) feet to any lot which contains a school (public or private) or a place of worship.
- c. Bars and other drinking places shall provide adequate off-street parking at a rate of twelve (12) spaces for each one thousand (1,000) square feet of gross floor area.
- d. Parking areas related to the establishment of a bar or other drinking place shall be located no closer than thirty (30) feet to the property line of residentially zoned or used property.
- e. A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residentially zoned or used property.

(9) *Batting cages.*

- a. Use districts. General Commercial; M-1 and LI Light Industrial.
- b. No equipment, machinery, or mechanical device of any kind shall be operated within two hundred (200) feet of any residentially zoned property.
- c. Fencing, netting or other control measures shall be provided around the perimeter of the batting area to prevent balls from leaving the designated area.
- d. Lights shall be positioned and shielded so as not to shine onto adjacent properties.
- e. Loud speaker systems shall not be operated before 8:00 a.m. or after 10:00 p.m.

(10) *Bed and breakfast homes/inns.*

- a. Use districts: Rural Residential; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Rural Commercial.
- b. Bed and breakfast homes/inns shall be located a minimum of one thousand five hundred (1,500) feet from any other bed and breakfast home/inn
- c. The owner or manager of the home/inn shall reside on the property.
- d. The maximum number of guest rooms provided by the bed and breakfast home/inn shall be five (5).
- e. Activities and functions designed to accommodate the guests shall take place within the principal structure.
- f. Off-street parking for bed and breakfast homes/inns shall be provided as required in Section 26-173 of this chapter. Parking shall be provided on the same lot on which the bed and breakfast inn is located, at the rear of the lot, and screened (with vegetation) from adjacent properties and from the road.
- g. In the residential districts, signage shall be limited to a single sign, not to exceed three (3) square feet and not containing internal lighting. Such signage shall be attached to the building.
- h. Exterior lighting shall be residential in nature and shall not be directed toward adjacent properties.
- i. No meals may be served to anyone other than staff and guests registered at the inn.
- j. No exterior alterations, other than those necessary to ensure the safety and accessibility of the structure, shall be made to any building for the purpose of providing a bed and breakfast home/inn.

(11) *Beer/Wine/Distilled Alcoholic Beverages.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.

- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(12) *Body Piercing Facilities.*

- a. Use districts: General Commercial.
- b. The applicant must receive a license from the South Carolina Department of Health and Environmental Control (SCDHEC) to operate the facility.

(13) *Buildings, high-rise, four (4) or five (5) stories.*

- a. Use districts: Residential, Multi-Family, High Density; Office and Institutional; General Commercial.
- b. The minimum lot size to establish a high-rise building shall be one (1) acre.
- c. The minimum lot width to establish a high-rise building shall be one hundred and fifty (150) feet.
- d. A high-rise structure shall be set back a minimum of twenty-five (25) feet from all property lines.
- e. In the RM-HD District, the maximum lot coverage for a high-rise building shall be thirty-five percent (35%). In the GC and OI Districts, the maximum lot coverage for a high-rise building shall be forty-five percent (45%).
- f. Increase of allowable lot coverage:
  - 1. Additional lot coverage may be allowed on a foot for foot basis equal to the number of square feet provided on the structure above the first level in the form of landscaped roof gardens, solariums, recreational spaces and the like made available generally to tenants. In no case shall such an increase in coverage exceed an amount equal to ten

percent (10%) of the total lot area upon which the high-rise structure is located.

2. Parking lots or structures to accommodate required parking may be erected to cover not more than thirty percent (30%) of the total lot area in addition to the coverage listed in paragraph e. of this subsection.
- g. No portion of any high-rise building shall project through imaginary planes leaning inward over the lot from the exterior lot lines of the parcel at angles representing two (2) feet in height for each one (1) foot of horizontal distance from such lot line.
- h. 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.

(14) Bus shelters/bus benches.

- a. Use districts: All Districts.
- b. Any person wishing to erect and maintain a bus shelter or bus bench shall obtain a permit for each shelter from the Planning Department. Each permit for a bus shelter shall cost fifty (\$50.00) dollars and shall be valid for one (1) year. Each permit for a bus bench shall cost twenty-five (\$25.00) dollars and shall be valid for one (1) year. These permits may be renewed upon payment of the fifty (\$50.00) dollar renewal fee for a bus shelter or upon payment of the twenty-five (\$25.00) dollar renewal fee for a bus bench.
- c. A shelter or bench may only be located at a designated bus stop that is presently being served by a public transit authority, and only one (1) bus shelter shall be allowed per bus stop location.
- d. If the shelter or bench is proposed to be located within a SCDOT right-of-way, the location of the shelter must be approved by SCDOT prior to obtaining a permit from the Richland County Planning Department.
- e. Bus shelters must meet the following additional requirements:
  1. Design plans for the bus shelter shall be submitted for review and a building permit obtained. The bus shelter must be built to the current and future editions of the International Building Code for commercial structures, except that plumbing and mechanical elements are not required, and the bus shelter must be able to withstand sustained three (3) second wind gusts of up to 95 MPH. All

normal review and permit fees apply, along with normal inspections.

2. The shelter shall be designed so that it will present an attractive appearance and not detract from the adjacent surroundings. It shall be illuminated and provide protection from weather elements. The shelter design shall include the following:

[a] Each shelter shall consist of an aluminum or steel framework suitable for supporting transparent wall panels and opaque roof panels. The shelter must have a rear wall section, two (2) side panels, and a roof. The transparent wall section must be of tempered glass.

[b] At a minimum, each shelter must have a six (6) foot bench, a bus route and schedule holder, a trash receptacle, and be illuminated during hours of darkness. The shelter must be installed on and attached to a concrete foundation.

[c] Each bus shelter must be erected in accordance with ADA specifications and requirements. The permittee is responsible to meet the ADA standards and any complaints of nonconformance must be rectified by permittee at his/her expense within thirty (30) days of notification by the Planning department. Under this subsection, ADA compliance includes, but is not limited to, sidewalk on ramps, tactile warnings, and signage or directional arrows indicating handicap accessibility.

[d] Advertising on the shelter shall be limited to the outward side of the side wall panels, and may provide a lighting source contained within the panel cabinet. Only two (2) advertisements will be allowed per shelter, and each advertisement will be limited to a maximum poster dimension of 4' wide by 6' high.

[e] The general dimensions of a typical shelter will be at a minimum 9' long by 6' wide by 8' high.

3. The route number shall be displayed prominently on the bus shelter.

4. Each bus shelter shall make available printed bus schedules, and shall display a large regional map that includes the bus route.

5. Bus shelters shall be maintained in good repair and the person whose name is on the permit application shall be responsible for the cleaning, repairing or replacement of any part thereof, including advertising materials, sidewalks, walkways, curbs or foundations encompassed by the bus shelter. Such work as is necessary to relocate, alter or maintain the bus shelter will be done in such a manner that it will not in any way interfere with or endanger the safety of the general public in their use of the roads.

f. Bus benches must meet the following additional requirements:

1. The bench shall be designed so that it will present an attractive appearance and not detract from the adjacent surroundings.

2. Benches shall be constructed of durable material and shall be securely fastened to the ground.

3. Advertising on the bench shall be limited to the forward facing side of the back rest and shall not extend beyond the perimeters of the back rest.

~~(415)~~ *Car and light truck washes.*

- a. Use districts: Rural Commercial.
- b. Buildings shall not be less than seventy-five (75) feet from any interior side or rear property line that adjoins a residentially zoned or used property.
- c. The hours of operation shall be limited to the hours between 7:00 a.m. and 10:00 p.m.
- d. Adequate provisions shall be made for the safe and efficient disposal of waste products.

~~(416)~~ *Cemeteries and mausoleums.*

- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; M-1 and LI Light Industrial; Heavy Industrial.

- b. A minimum of three (3) contiguous acres shall be required to establish a cemetery or a mausoleum not located on the same tract of land as a place of worship.
- c. Primary access to the facility shall be from a collector or thoroughfare road.

~~(1617)~~ *Continued care retirement communities.*

- a. Use districts: Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office Institutional; Rural Commercial; General Commercial.
- b. The minimum lot size to establish a continued care retirement community shall be one (1) acre.
- c. No parking space or driveway shall be located closer than twenty (20) feet to any other residence not a part of the community.
- d. The front setback shall be the same as permitted in the respective district, but shall not be less than the lesser setback of any existing homes on adjacent lots. The side and rear setbacks shall be twenty (25) feet.
- e. All facilities shall be solely for the use of the residents and their guests.

~~(1718)~~ *Construction, building, general contracting, with outside storage.*

- a. Use districts: M-1 and LI Light Industrial.
- b. All outside storage shall be completely screened from adjacent roads and residentially zoned or used properties.

~~(1819)~~ *Construction, building, heavy, with outside storage.*

- a. Use districts: M-1 and LI Light Industrial.
- b. All outside storage shall be completely screened from adjacent roads and residentially zoned or used properties.

~~(1920)~~ *Construction, special trades, with outside storage.*

- a. Use districts: M-1 and LI Light Industrial.
- b. All outside storage shall be completely screened from adjacent roads and residentially zoned or used properties.

~~(2021)~~ *Country clubs with golf courses.*

- a. Use districts: TROS, Rural; General Commercial; M-1 and LI Light Industrial.
- b. There shall be a minimum fifty (50) foot setback between clubhouses, swimming pools, lighted tennis courts, or athletic fields and adjacent residentially zoned or used property.
- c. In the Rural District, club facilities may not be used between 12:00 midnight and 7:00 a.m., Sunday through Thursday and between 1:00 a.m. and 7:00 a.m. on Friday and Saturday nights.

~~(2122)~~ *Day care, adult, home occupation (five or fewer).*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family – Estate; Residential, Single-Family - Low Density; Residential, Single-Family – Medium Density; Residential, Single-Family – High Density; Manufactured Home; Residential, Multi-Family – Medium Density; Residential, Multi-Family – High Density; Office and Institutional; General Commercial.
- b. An adult day care, home occupation, with five (5) or fewer attendees must be operated in an occupied residence.
- c. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- d. All other state and federal regulations shall be met.

~~(2223)~~ *Day care centers, adult.*

- a. Use districts: Rural; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; M-1 Light Industrial.
- b. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.

~~(2324)~~ *Day care, child, family day care, home occupation (five or fewer).*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family – Estate; Residential, Single-Family – Low Density; Residential, Single-Family – Medium Density; Residential, Single-Family – High Density; Manufactured Home; Residential, Multi-Family – Medium Density; Residential, Multi-Family – High Density; Office and Institutional; General Commercial.



- b. A child family day care home occupation must be operated in an occupied residence.
- c. Any outdoor play area shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land otherwise unsuited for children's play space.
- d. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- e. All other state and federal regulations shall be met.

(2425) *Day care centers, child, licensed centers.*

- a. Use districts: Rural; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; M-1 Light Industrial.
- b. Any outdoor play area shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land otherwise unsuited for children's play space.
- c. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- d. All other state and federal regulations shall be met.

(2526) *Drugs and Druggists' Sundries.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.

- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(2627)~~ *Durable Goods, Not Otherwise Listed.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(2728)~~ *Dwellings, manufactured homes on individual lots.*

- a. Use districts: Rural, Manufactured Home Park.
- b. Manufactured homes must meet the standards set by the Federal Manufactured Housing Construction and Safety Standards Act of 1974 (which became effective June 15, 1976), as revised and in effect on the date the application is made for a land development permit.
- c. The tongue, axles, transporting lights, and removable towing apparatus must be removed subsequent to final placement.
- d. Manufactured home skirting or a continuous, permanent masonry foundation, unpierced except for openings required by the building code for ventilation, utilities and access, shall be installed under the manufactured home.

~~(2829)~~ *Dwellings, manufactured homes on individual lots.*

- a. Use districts: Rural Residential; Residential, Single-Family, Estate.

- b. Manufactured homes must meet the standards set by the Federal Manufactured Housing Construction and Safety Standards Act of 1974 (which became effective June 15, 1976), as revised and in effect on the date the application is made for a land development permit.
- c. The tongue, axles, transporting lights, and removable towing apparatus must be removed subsequent to final placement.
- d. The manufactured home shall be oriented so that the side containing the front entrance door shall be no more than twenty (20) degrees from parallel to the front property line, except on corner lots. The front of the manufactured home is that side which has an entrance door leading to a living room, foyer, or hall.
- e. The exterior siding shall consist predominately of vinyl or aluminum horizontal lap siding (that does not exceed the reflectivity of gloss white paint), wood, or hardboard, comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.
- f. A continuous, permanent masonry foundation, unpierced except for openings required by the building code for ventilation, utilities and access, shall be installed under the manufactured home. The foundation shall be excavated and shall be exposed no more than twelve (12) inches above grade.
- g. The pitch of the manufactured home's roof shall have a minimum vertical rise of three feet for each twelve feet of horizontal run (3:12) and the roof shall be finished with a type of roof that is commonly used in standard residential construction.
- h. The manufactured home shall have a length not exceeding four (4) times its width, excluding additions.
- i. There shall be a porch, at the main entrance to the manufactured home, which is a minimum of six (6) feet by six (6) feet in size.

*(2930) Dwellings, single family, zero lot line, common and parallel.*

- a. Use districts, Common: Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional; General Commercial.

Use districts: Parallel: Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-

Family, Medium Density; Residential, Single-Family, High Density; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional.

- b. The lot proposed for zero lot line development must be under the same ownership as the adjacent lot at the time of initial construction, or the owner of adjacent properties must record an agreement or deed restriction, in writing, consenting to the development of zero setback. The maintenance and drainage easement required in subsection e. below must be provided as part of this agreement and deed restriction.
- c. For common lot line dwellings, the dwelling unit shall be placed on one interior side property line with a zero setback, and the dwelling unit setback on the other interior side property line shall be a minimum of twelve (12) feet. Patios, pools, garden features, and other similar elements shall be permitted within the twelve (12) foot setback area; provided, however, no structure shall be placed within easements required by subsection e. below.
- d. The wall of a dwelling located on the lot line shall have no windows, doors, air conditioning units, or any other type of openings. An atrium or court shall be permitted on the zero lot line side when such court or atrium is enclosed by two (2) walls of the dwelling unit, and a solid wall of at least six (6) feet in height is provided on the zero lot line extending to the front and/or rear of the dwelling unit. Said wall shall be constructed of the same materials as exterior walls of the unit.
- e. A perpetual five (5) foot maintenance easement shall be provided on the lot adjacent to the zero lot line property, which shall be kept clear of structures. This easement shall be shown on the plat and incorporated into each deed transferring title to the property. Roof overhangs and footings may penetrate the easement on the adjacent lot a maximum of twenty-four (24) inches, but the roof shall be so designed that water runoff from the dwelling placed on the lot line is controlled by gutters or other approved methods.

~~(3031)~~ *Electrical Goods.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.

- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(3132)~~ *Fuel oil sales, non-automotive.*

- a. Use districts: M-1 Light Industrial; Heavy Industrial.
- b. Gravel or paved roadways shall be provided to all storage tanks.
- c. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
- d. Storage tanks protected by either an attached extinguishing system approved by the fire marshal, or an approved floating roof, shall not be located closer to an exterior property line than a distance of either the diameter or the height of the tank, whichever is greater. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred twenty (120) feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to one and one half (1½) times of either the diameter or the height of the tank, whichever is greater. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred seventy-five (175) feet. Storage tanks and loading facilities shall be located a minimum of five hundred (500) feet from any existing residence or residentially zoned property.
- e. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
- f. All other federal, state, and local laws shall be met.

~~(3233)~~ *Furniture and Home Furnishings.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(3334)~~ *Golf courses.*

- a. Use districts: Traditional Recreation Open Space; General Commercial; M-1 and LI Light Industrial.
- b. There shall be a minimum fifty (50) foot setback between clubhouses or other non-course facilities and adjacent residentially zoned or used property.

~~(3435)~~ *Golf driving ranges (freestanding).*

- a. Use districts: Traditional Recreation Open Space; Rural Commercial; General Commercial; M-1 and LI Light Industrial.
- b. Fencing, netting, or other control measures shall be provided around the perimeter of the driving area to prevent balls from leaving the property.
- c. No equipment, machinery, or mechanical device of any kind shall be operated within two hundred (200) feet of any residentially zoned or used property.
- d. Operations shall not begin before 9:00 a.m. nor continue after 10:00 p.m.

~~(3536)~~ *Go-cart, motorcycle, and similar small vehicle tracks.*

- a. Use districts: General Commercial.
- b. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of the track activities.
- c. No equipment, machinery, or mechanical device of any kind shall be operated within two hundred (200) feet of any residentially zoned or used property.
- d. Hours of operation shall be limited to 9:00 a.m. to 10:00 p.m.

~~(3637)~~ *Group homes (nine persons or less).*

- a. Use districts: 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.
- b. Location approval is subject to Section 6-29-770 of the South Carolina Code of Laws, as amended.

~~(3738)~~ *Home occupations.*

- a. Use districts: 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. Home occupations shall be conducted entirely within the principal dwelling or an accessory structure, if such accessory structure meets all setback requirements for a principal structure in the district in which it is located. Home occupations shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes, and shall not change the outward appearance of the structure.
- c. An area equal to not more than twenty-five percent (25%) of the floor area of the principal dwelling may be utilized for the home occupation. If the home occupation is housed in an accessory structure, the accessory structure can be no larger than twenty-five percent (25%) the gross floor area of the principal dwelling.

- d. Only persons residing on the premises may be employed by the home occupation.
- e. The home occupation shall not involve the retail sale of merchandise manufactured off the premises. No display of goods, products, services, merchandise, or any form of advertising shall be visible from outside the dwelling.
- f. No outside storage shall be allowed in connection with any home occupation.
- g. Instruction in music, dance, art or similar subjects shall be limited to four (4) students at a time.
- h. No traffic shall be generated by the home occupation in greater volumes than would normally be expected in a residential neighborhood, and any parking need generated by the home occupation shall be provided for off street and other than in the front yard.
- i. Signage for the home occupation shall be regulated in accordance with Section 26-180 of this chapter.

~~(3839)~~ *Kennels.*

- a. Use districts: Rural; Office and Institutional; Rural Commercial; General Commercial, M-1 and LI Light Industrial.
- b. Any building (which is part of a kennel) housing animals shall be located a minimum of one hundred and fifty (150) feet from any residentially zoned or used property.
- c. Fenced outdoor runs are allowed for use only during the hours of 6:00 a.m. to 10:00 p.m.; however, no animal may be kept in the run for boarding purposes, and pens for the animals must be located indoors. Feeding of animals must be conducted indoors and is prohibited in the runs.
- d. All animal refuse and food must be kept in airtight containers and disposed of on a regular basis. Animal wastes shall not be stored any closer than fifty (50) feet from any property line or surface waters.

~~(3940)~~ *Libraries.*



- a. Use districts: 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.
- b. No parking shall be allowed in the required front yard.

~~(4041)~~ *Lumber and Other Construction Materials.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(4142)~~ *Machinery, Equipment and Supplies.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.

- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~4243~~) *Manufactured home sales.*

- a. Use districts: General Commercial; M-1 Light Industrial.
- b. Sales and storage areas shall be screened from adjacent residentially zoned or used properties.

(~~4344~~) *Manufactured home parks.*

- a. Use districts: Manufactured Home; M-1 Light Industrial.
- b. All manufactured home park development plans must be approved by DHEC.
- c. Uses permitted within any manufactured home park shall be regulated in accordance with the underlying zoning district. See Article V. of this chapter. Unless otherwise, specified, all minimum development standards for the underlying zoning district apply.
- d. All manufactured home parks must provide water and sanitary sewer to each manufactured home site, subject to DHEC requirements. All manufactured homes within the site are required to connect to water, sanitary sewers, and electricity.
- e. The minimum area required for the development of a manufactured home park shall be five (5) acres.
- f. The maximum density of a manufactured home park shall not exceed six (6) units per acre.
- g. A minimum of seven thousand two hundred sixty (7,260) square feet is required for each manufactured home site within the manufactured home park development.
- h. A minimum width of sixty (60) feet is required for each manufactured home site within the manufactured home park development.
- i. All manufactured homes shall be set back from exterior road rights-of-way a minimum of thirty-five (35) feet, and shall be set

back a minimum of fifteen (15) feet from all other exterior property lines.

If the landscape and buffer yard standards require additional setbacks, the most restrictive shall apply. See Section 26-176 of this chapter.

- j. All manufactured homes shall be set back from interior road rights-of-way a minimum of fifteen (15) feet. Additionally, the following minimum spacing between manufactured home structures shall apply:
  - 1. Front to front: 35 feet.
  - 2. Front to side: 25 feet.
  - 3. Front to rear: 35 feet.
  - 4. Rear to rear: 25 feet.
  - 5. Rear to side: 25 feet.
  - 6. Side to side: 25 feet.
- k. Common area open space (meeting the requirements set forth in Sections 26-184(b)(2)&(3) of this chapter) shall be provided for each manufactured home park. A minimum of twenty percent (20%) of the total development area shall be reserved for open space. However, in no event shall the required open space within a manufactured home development be less than three hundred (300) square feet. In order to expand an existing manufactured home park development, the minimum open space requirements must be met.

(4445) *Market showrooms.*

- a. Use districts: General Commercial.
- b. Display areas shall exist within permanent buildings only.

(4546) *Motor Vehicles, New Parts and Supplies.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.

- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(4647) *Motor Vehicles, Tires and Tubes.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(4748) *Nondurable Goods, Not Otherwise Listed.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.

- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~4849~~) *Paints and Varnishes.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~4950~~) *Pet Care Services.*

- a. Use districts: Neighborhood Commercial, Rural Commercial.
- b. All pet care services shall be conducted inside an enclosed structure.

(~~5051~~) *Petroleum and coal products manufacturing.*

- a. Use districts: Heavy Industrial.
- b. Gravel or paved roadways shall be provided to all storage tanks.

- c. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
- d. Storage tanks protected by either an attached extinguishing system approved by the fire marshal, or an approved floating roof, shall not be located closer to an exterior property line than a distance of either the diameter or the height of the tank, whichever is greater. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred twenty (120) feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to one and one half (1½) times the greater dimension of either the diameter or the height of the tank. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred seventy-five (175) feet. Storage tanks and loading facilities shall be located a minimum of five hundred (500) feet from any existing residence or residentially zoned property.
- e. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
- f. All other federal, state, and local laws shall be met.

*(~~51~~52) Petroleum and petroleum products.*

- a. Use districts: Heavy Industrial; M-1 Light Industrial.
- b. Gravel or paved roadways shall be provided to all storage tanks.
- c. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
- d. Storage tanks protected by either an attached extinguishing system approved by the fire marshal, or an approved floating roof, shall not be located closer to an exterior property line than a distance of either the diameter or the height of the tank, whichever is greater. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred twenty (120) feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to one and one half (1½) times the greater dimension of either the diameter or the height of the tank. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred seventy-five (175) feet. Storage tanks and loading facilities shall be

located a minimum of five hundred (500) feet from any existing residence or residentially zoned property.

- e. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
- f. All other federal, state, and local laws shall be met.

~~(5253)~~ *Places of worship.*

- a. Use districts: Rural; Rural Residential; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Rural Commercial.
- b. Facilities for a place of worship located on a site of three (3) acres or more shall have primary access to the facility from a collector or thoroughfare road.
- c. No parking space or drive shall be located closer than twenty (20) feet to a residence not associated with the place of worship. No parking area may be located in the front setback.
- d. The front setback shall be the same as permitted in the respective district, but shall not be less than the lesser setback of any existing homes on adjacent lots. The side and rear setbacks shall be thirty (30) feet.

~~(5354)~~ *Plumbing and Heating Equipment and Supplies.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.

- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(5455)~~ *Poultry farms.*

- a. Use districts: Rural.
- b. Not more than one (1) animal unit shall be kept per six thousand (6,000) square feet of land.
- c. All areas containing poultry shall be located no closer than one hundred and fifty (150) feet from any abutting residentially zoned or used property.

~~(5556)~~ *Produce stands.*

- a. Use districts: Rural.
- b. Produce stands operating year-round must be located on the property on which the crops for sale are produced.
- c. Produce stands operating seasonally (i.e. for no more than six (6) months in any one calendar year) shall be located no closer than five (5) feet from a road right-of-way. Adequate off-street parking shall be provided.

~~(5657)~~ *Public or private parks.*

- a. Use districts: All Districts.
- b. Overflow parking shall be designated on the site plan and shall be kept available to handle all traffic from special events.
- c. All parks greater than ten (10) acres shall have primary access to a collector or thoroughfare road.

~~(5758)~~ *Public recreation facilities.*

- a. Use districts: All Districts.
- b. Overflow parking shall be designated on the site plan and shall be kept available to handle all traffic from special events.
- c. All recreation facilities greater than ten (10) acres shall have primary access to a collector or thoroughfare road.



- d. Lights shall be positioned and shielded so as not to shine onto adjacent properties.
- e. Loud speaker systems shall not be operated before 8:00 a.m. or after 10:00 p.m.

(~~5859~~) Radio, Television, and Other Similar Transmitting Towers.

- a. Use districts: M-1 Light Industrial.
- b. Communication towers shall have a maximum height of three hundred (300) feet. For towers on buildings, the maximum height shall be twenty (20) feet above the roofline of buildings forty (40) feet or four stories in height or less. For buildings greater than four stories or forty-one (41) feet in height, the maximum height of communication towers shall be forty feet above the roofline.
- c. The minimum setbacks for communication towers from certain uses shall be as follows:
  - 1. In no case shall a communication tower be located within fifty (50) feet of a residential zoning district or an inhabited residential dwelling.
  - 2. For towers in excess of fifty (50) feet, the setback shall increase one (1) foot for each foot of height of the tower as measured from the base of the tower. The maximum required separation being two hundred and fifty (250) feet.
- d. The proposed user must show proof of an attempt to collocate on existing communication towers, and must be willing to allow other users to collocate on the proposed tower in the future subject to engineering capabilities of the structure. Evidence of an attempt to collocate must show that alternative towers, buildings, or other structures are not available for use within the applicant's tower site search area that are structurally capable of supporting the intended antenna or meeting the applicant's necessary height criteria, or provide a location free of interference from other communication towers.
- e. Towers shall be illuminated as required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agencies. However, no nighttime strobe lighting shall be incorporated unless required by the Federal Communications Commission, the Federal Aviation Administration, or other regulatory agency.

- f. Each communication tower and associated buildings shall be enclosed within a fence at least seven (7) feet in height.
- g. Each communication tower site shall be landscaped in accordance with the requirements of Section 26-176 of this chapter.
- h. No signage may be attached to any portion of a communications tower. Signs for the purpose of identification, warning, emergency function or contact or other as required by applicable state or federal rule, law, or regulation may be placed as required by standard industry practice.
- i. A communications tower which is no longer used for communications purposes must be dismantled and removed within one hundred twenty (120) days of the date the tower is taken out of service.

*(5960) Recreational vehicle parks and recreation camps.*

- a. Use districts: Rural.
- b. Uses permitted within a recreational vehicle park and recreation camp shall include: recreational vehicle sites, camp sites, recreation facilities, common buildings and facilities (laundry, dining, etc.), and management offices (which may include living quarters for the operator or manager of the park/camp).
- c. A minimum of five (5) acres is required for a recreational vehicle park or recreation camp.
- d. For recreational vehicle parks, there shall be a minimum net space of six hundred ninety (690) square feet for each RV space. A distance of at least ten (10) feet shall be maintained between trailers and/or structures. Any accessory structures or attachments shall, for the purpose of this requirement, be considered a part of the trailer or recreational vehicle.
- e. For recreational vehicle parks, each travel trailer or recreational vehicle area shall be connected to an approved water supply system that provides an accessible, adequate, safe, and potable supply of water. An adequate and safe sewer system, approved by DHEC, shall be provided in all travel trailer/recreational vehicle parking areas.

- f. In recreational vehicle parks, neither any person nor any travel trailer/recreational vehicle shall occupy a trailer space or travel trailer parking space for a period in excess of thirty (30) days. A registry of all occupants, the space occupied, the time of arrival, and time of departure shall be maintained by the owner or operator of the travel trailer/recreational vehicle parking facility.
- g. Adequate off-street parking and maneuvering space shall be provided on site. The use of any public road, sidewalk, or right-of-way for the purpose of parking or maneuvering vehicles is prohibited.

~~(6061)~~ *Rental centers, with outside storage.*

- a. Use districts: General Commercial.
- b. All storage areas shall be screened from adjacent residentially zoned or used properties.
- c. Lighting shall be directed and shielded so as not to shine across to adjacent properties.

~~(6162)~~ *Repair and maintenance service, appliance and electronics.*

- a. Use districts: Rural Commercial; General Commercial; M-1 and LI Light Industrial.
- b. No outside storage of appliances, equipment, or parts shall be permitted.

~~(6263)~~ *Research and development services.*

- a. Use districts: Office and Institutional.
- b. Research using dangerous hazardous materials is prohibited.
- c. All research and development operations must be conducted indoors.

~~(6364)~~ *Schools, including public and private schools, having a curriculum similar to those given in public schools.*

- a. Use districts: 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.

- b. The minimum lot size for a school shall be two (2) acres.
- c. Parking and active recreation areas shall not be located within any required setback.
- d. Primary access shall be provided from a collector or a thoroughfare road.

(6465) *Sexually oriented businesses.*

- a. Use districts: General Commercial, Heavy Industrial.
- b. *Purpose and Findings:*
  - 1. The purpose of this subsection is to regulate sexually oriented businesses in order to promote the health, safety, morals, and general welfare of the citizens of Richland County, and to establish reasonable and uniform regulations to prevent or reduce to any extent the secondary effects of sexually oriented businesses within the County. The provisions of this subsection have neither the purpose nor effect of imposing a limitation or restriction on the content of or reasonable access to any communicative materials or expression. Similarly, it is neither the intent nor effect of these regulations to restrict or deny access by adults to sexually oriented materials or expression protected by the First Amendment of the United States Constitution, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this subsection to condone or legitimize the distribution or exhibition of obscenity.
  - 2. Based on evidence of the adverse secondary effects of sexually oriented businesses presented in hearings and reports made available to the Richland County Council, and on the findings, interpretations, and narrowing constructions incorporated in the cases of *City of Littleton v. Z.J. Gifts D-4, LLC*, 124 S. Ct. 2219 (2003); *City of Los Angeles v. Alameda Books, Inc.*, 535 U.S. 425 (2002); *Pap's A.M. v. City of Erie*, 529 U.S. 277 (2000); *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986); *Young v. American Mini Theatres*, 427 U.S. 50 (1976);

*Barnes v. Glen Theatre, Inc.*, 501 U.S. 560 (1991); *California v. LaRue*, 409 U.S. 109 (1972); *Chesapeake B & M, Inc. v. Harford County*, 58 F.3d 1005 (4<sup>th</sup> Cir. 1995); *Giovani Carandola, Ltd. v. Fox*, 470 F.3d 1074 (4<sup>th</sup> Cir. 2006); *Centaur v. Richland County*, 392 S.E.2d 165 (S.C. 1990); and other cases; and on reports of secondary effects occurring in and around sexually oriented businesses, including, but not limited to, Phoenix, Arizona (1979); Minneapolis, Minnesota (1980); Houston, Texas (1987); Indianapolis, Indiana (1984); Amarillo, Texas (1977); Garden Grove, California (1991); Los Angeles, California (1977); Whittier, California (1978); Austin, Texas (1986); Seattle, Washington (1989); Oklahoma City, Oklahoma (1986); El Paso, Texas (1986); New York City, New York (1994); Dallas, Texas (1997); Newport News, Virginia (1996); New York Times Square Study (1994); Phoenix, Arizona (1995-1998); Greensboro, North Carolina (2003); Toledo, Ohio (2002); Centralia, Washington (2004); and also from the reports of “Sexually Oriented Businesses: An Insider’s View,” by David Sherman, presented to the Michigan House Committee on Ethics and Constitutional Law, January 12, 2000; “Survey of Appraisers Fort Worth & Dallas, Effects of Land Uses on Surrounding Property Values, by Duncan Associates, September 2004; and the Report of the Attorney General’s Working Group on the Regulation of Sexually Oriented Businesses, (June 6, 1989, State of Minnesota), the Richland County Council finds:

- (a) Sexually oriented businesses, as a category of commercial uses, are associated with a wide variety of adverse secondary effects including, but not limited to, personal and property crimes, public safety risks, prostitution, potential spread of disease, lewdness, public indecency, illicit sexual activity, illicit drug use and drug trafficking, negative impacts on surrounding properties, litter, and sexual assault and exploitation.
- (b) Each of the foregoing negative secondary effects constitutes a harm which the County has a substantial government interest in preventing and/or abating in the future. This substantial government interest in preventing secondary effects, which is the County’s rationale for this ordinance, exists independent of any comparative analysis between sexually oriented and non-sexually oriented

businesses. Additionally, the County's interest in regulating sexually oriented businesses extends to future secondary effects that could occur in the County related to current sexually oriented businesses in the future as well as sexually oriented businesses that may locate in the County in the future. The County Council finds that the cases and secondary effects documentation relied on in this ordinance are reasonably believed to be relevant to said secondary effects.

c. *Classification.* Sexually oriented businesses are classified as follows:

1. Adult arcades;
2. Adult bookstores or adult video stores;
3. Adult cabarets;
4. Adult motels;
5. Adult motion picture theaters;
6. Sexual device shops; and
7. Sexual encounter centers.

d. *Location of Sexually Oriented Businesses:*

1. A sexually oriented business currently in operation or established subsequent to the enactment of this Ordinance shall comply with the provisions herein.
2. All sexually oriented businesses shall be located within a General Commercial or Heavy Industrial District.
3. A sexually oriented business shall not be located within one thousand (1,000) feet of any place of worship, a public or private elementary or secondary school, a child care center or kindergarten, orphanage, a boundary of any residential district, a boundary of a parcel designated and assessed as residential use by the Richland County Assessor's Office; or a public park.

4. A sexually oriented business shall not be located within one thousand (1,000) feet of another sexually oriented business.
  5. The operation, establishment, or maintenance of more than one (1) sexually oriented business is prohibited in the same building, structure, or portion thereof, or the increase of floor areas of any sexually oriented business in any building, structure, or portion thereof containing another sexually oriented business.
  6. For the purpose of this subparagraph d. 3., above, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a place of worship, or public or private elementary or secondary school, daycare facility, kindergarten, orphanage, a boundary of any residential district, a boundary of a parcel designated and assessed as residential use by the Richland County Assessor's Office, or a public park. Presence of a city or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this section.
  7. For the purpose of subparagraph d. 4. above, the distance between any two (2) sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects, from the nearest property line of the premises where a sexually oriented business is conducted to the nearest property line of another premises where a sexually oriented business is conducted.
- e. *Regulations pertaining to Sexually Oriented Businesses that offer Viewing Room(s).*

A person who operates or causes to be operated a sexually oriented business, other than an adult motel, which exhibits on the premises in a viewing room of less than one hundred fifty (150) square feet of floor space, adult media, or live entertainment characterized by emphasis on exposure or display of specified sexual activities or specified anatomical areas, shall comply with the following requirements:

1. A diagram of the premises showing a plan thereof specifying the location of one or more manager's stations

and the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted must be provided to the Zoning Administrator. A manager's station may not exceed thirty-two (32) square feet of floor area. A professionally prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram should be oriented to the north or to some designated street or object and should be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimensions of all areas of the interior of the premises to an accuracy of plus or minus six (6) inches.

2. The diagram shall be sworn to be true and correct by the applicant.
3. No alteration in the configuration or location of a manager's station may be made without the prior approval of the zoning administrator.
4. It is the duty of the owner(s) and operator(s) of the premises to ensure that at least one (1) employee is on duty and situated in each manager's station at all times that any patron is present inside the premises.
5. The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the premises to which any patron is permitted access for any purpose, excluding restrooms. Restrooms may not contain video reproduction equipment. If the premises has two (2) or more manager's stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose from at least one (1) of the manager's stations. The view required in this subparagraph must be by direct line of sight from the manager's station.
6. It shall be the duty of the owner(s) and operator(s), and it shall also be the duty of any agents and employees present in the premises, to ensure that the view area specified in subparagraph (5) above remains unobstructed by any doors, walls, merchandise, display racks, or other materials at all times and to ensure that no patron is permitted access to



any area of the premises that has been designated as an area in which patrons will not be permitted in the diagram submitted pursuant to subparagraph (1) above.

7. No viewing room may be occupied by more than one (1) patron or customer at any time.
  8. The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illuminations of not less than one (1) foot-candle as measured at the floor level.
  9. It shall be the duty of the owner(s) and operator(s), and it shall also be the duty of any agents and employees present in the premises, to ensure that the illuminations described above, is maintained at all times that any patron is present in the premises.
  10. No owner or operator shall allow openings of any kind to exist between viewing rooms.
  11. The operator or owner shall, during each business day, regularly inspect the walls between the viewing booths to determine if any openings or holes exist.
  12. The owner or operator shall cause all floor coverings in viewing booths to be nonporous, easily cleanable surfaces with no rugs or carpets.
  13. The owner or operator shall cause all wall surfaces and ceiling surfaces in viewing booths to be constructed of, or permanently covered by, nonporous, easily cleanable material.
- f. *Regulations pertaining to adult cabarets and sexual encounter centers.* It shall be a violation of this chapter for an employee, independent contractor, or person under a similar arrangement with any owner, operator, manager, agent, shareholder of an adult cabaret or sexual encounter center, while located within an adult cabaret or sexual encounter center, to appear in a manner that does not conform to the definition of semi-nude.
- g. *Exemptions.* The following activities or businesses are exempt from the requirements of section 26-151(c)(64):

1. A business or organization in which a person serves as a model for a drawing, painting, sketching, sculpture or other similar art studio class operated:
  - (a) By a university or college or other institution of higher education; or
  - (b) By a non-profit arts organization, such as a museum, gallery, artist association or arts cooperative.
2. A professional or community theater, or a theater affiliated with an institution of higher education, that produces works of dramatic arts in which actors or actresses occasionally appear on stage in a state of semi-nudity, nudity, or in any state of undress as part of his or her dramatic role.

h. *Administrative Decision-making Process; Appeals.*

1. Under no circumstances shall staff review and decision-making of an application of a sexually oriented business for a permitted use with special requirements, including determination of completeness, extend beyond fifteen business (15) days from the date of receipt of an application. In the event that a County official is required to take an act or do a thing pursuant to section 26-55 of the Richland County Code of Ordinances and any other section referenced therein, and fails to take such an act or do such a thing within the time prescribed, such failure shall not prevent the exercise of constitutional rights of an applicant. If the County fails to inform an applicant, by any reasonable means, of a decision by the County by the close of business on the fifteenth (15) business day from receipt of application, the application shall be deemed granted and the applicant allowed to commence or continue operation the day after the deadline for action has passed.
2. Under no circumstances shall an appeal of an administrative decision pursuant to section 26-58 of the Richland County Code of Ordinances concerning an application by a sexually oriented business for a permitted use with special requirements exceed a time period of seventy-five (75) business days from the date of receipt of an appeal to the Board of Zoning Appeals. In the event that a County official, including the Board of Zoning Appeals, is required to take an act or do a thing pursuant to section

26-58 of the Richland County Code of Ordinances and any other section referenced therein, and fails to take such an act or do such a thing within the time prescribed, such failure shall not prevent the exercise of constitutional rights of an applicant. If the County fails to inform an applicant, by any reasonable means, of a decision by the Board of Zoning Appeals by the close of business on the sixtieth (60<sup>th</sup>) business day from receipt of an appeal, the application shall be deemed granted and the applicant allowed to commence or continue operation the day after the deadline for action has passed.

- i. Amortization; Conforming Use.
  - 1. Any sexually oriented business in operation before the effective date of this ordinance that does not comply with the location restrictions found in subsection (d) above is permitted to continue its operation for a period not to exceed three years from the effective date of this ordinance. During this period of non-compliance, such continued operation shall not be increased, enlarged, extended, or altered.
  - 2. A sexually oriented business lawfully operating as a conforming use is not rendered a nonconforming use by the subsequent location, of a place of worship, a public or private elementary or secondary school, a child care facility or kindergarten, orphanage, a boundary of any residential district, a boundary of a parcel designated and assessed as residential use by the Richland County Assessor's Office, or a public park within one thousand (1,000) feet of the sexually oriented business.

*(6566) Sporting Firearms and Ammunition.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.

- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(6667)~~ *Swim and Tennis Clubs.*

- a. Use Districts. Traditional Recreation Open Space.
- b. There shall be a minimum fifty (50) foot setback between clubhouses, swimming pools, lighted tennis courts, or athletic fields and adjacent residentially zoned or used property.
- c. Lights shall be positioned so as not to shine onto adjacent properties.

~~(6768)~~ *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.
- c. 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.
- d. Pools shall be located so as to comply with the minimum setback requirements for accessory buildings.

~~(6869)~~ *Tobacco and Tobacco Products.*

- a. Use districts: General Commercial.

- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(6970) *Utility substations.*

- a. Use districts: All Districts.
- b. All buildings shall observe accessory building setbacks. Transformer stations shall observe the principal building setback regulations.
- c. Equipment that produces noise or sound in excess of seventy (70) decibels shall be located no closer than one hundred (100) feet to the nearest residence.
- d. Transformer stations shall be screened from adjacent properties and from roads with a vegetative screen that, at a minimum, meets the standards listed in Section 26-176(h).

(7071) *Veterinary services (non-livestock, may include a totally enclosed kennel operated in connection with veterinary services).*

- a. Use districts: Office and Institutional; Neighborhood Commercial.
- b. Veterinary services shall not include provisions for kennels or boarding of animals not undergoing treatment.
- c. All buildings used in the operation shall be soundproofed and air-conditioned.
- d. Outside activity shall be limited to six (6) hours per day or fewer.

- e. Where the lot is adjacent to a residential zoning district or residential use, a side yard of not less than ten (10) feet shall be maintained.
- f. All animal refuse and food must be kept in airtight containers and disposed of on a regular basis.

~~(7172)~~ *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).*

- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. Warehouses (enclosed, general storage, non-hazardous) are allowed in the various districts listed above as follows:
  - 1. In the Office and Institutional and the Neighborhood Commercial districts, warehousing is permitted as an accessory use not involving over two thousand (2,000) square feet of floor area.
  - 2. In the Rural Commercial and the General Commercial districts, warehousing is permitted as an accessory use not involving over twelve thousand (12,000) square feet of gross floor area.

~~(7273)~~ *Warehouses (self-storage).*

- a. Use districts: Rural Commercial, General Commercial, M-1 and LI Light Industrial.
- b. Any side of the building providing doorways to storage areas shall be set back from the property line not less than an additional twenty-five (25) feet of the required setback.
- c. Off-street parking shall be as follows:
  - 1. One space for each ten (10) storage cubicles. This parking requirement may be satisfied with parking lanes as established below.
  - 2. Two parking spaces for any manager's quarters.

3. In addition to subsection 1. above, one (1) space for every fifty (50) storage cubicles, to be located adjacent to the project office for the use of prospective clients.
- d. On-site driveway widths shall be required as follows:
    1. All one-way driveways shall provide for one ten (10) feet parking lane and one fifteen (15) feet travel lane. Traffic direction and parking shall be designated by signage or painting.
    2. All two-way driveways shall provide for one ten (10) feet parking lane and two twelve (12) feet travel lanes.
    3. The parking lanes may be eliminated when the driveway does not directly serve any storage cubicles.
  - e. Retail and wholesale uses, and the storage of hazardous materials, shall be prohibited in self storage warehouses. Notice of such prohibition shall be given to customers by a conspicuous sign posted at the entrance to the property, or by provisions in the lease agreement, or both.
  - f. Any outside storage area for vehicles, trailers, campers, boats, or the like shall be separate from any structures and located to one side or to the rear of the development. Spaces shall be located a minimum of twenty-five (25) feet from any adjacent property line, and in no case shall these spaces be counted towards meeting the parking requirements of this subsection c. above.
  - g. All lights shall be shielded so as to direct light onto the uses established, and away from adjacent property; but lighting may be of sufficient intensity to discourage vandalism and theft.

~~(7374)~~ *Yard Sales.*

- a. Use districts: 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. Yard sales shall be limited to two (2) occurrences within a twelve (12) month period.

- c. Each occurrence shall be no longer than two (2) days and only during the daylight hours.

(7475) *Zoos and Botanical Gardens.*

- a. Use districts: General Commercial; M-1 Light Industrial.
- b. There shall be a minimum one hundred (100) foot setback between all activities associated with the use and any adjacent residential property.
- c. All zoos and botanical gardens shall have primary access to collector or thoroughfare roads.

SECTION III. The Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; “Institutional, Educational and Civic Uses” of Table 26-V-2.; is hereby amended to read as follows:

(ORDINANCE CONTINUES ON NEXT PAGE)



USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
<u>Institutional, Educational and Civic Uses</u>																	
Ambulance Services, Emergency		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Ambulance Services, Transport																	
Animal Shelters																	
Auditoriums, Coliseums, Stadiums																	
<u>Bus Shelters/Bus Benches</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>
Cemeteries, Mausoleums																	
Colleges and Universities																	
Community Food Services																	
Correctional Institutions		SE														SE	SE
Courts																	
Day Care, Adult, Home Occupation (5 or Fewer)		SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Day Care Centers, Adult		SR															
Day Care, Child, Family Day Care, Home Occupation (5 or Fewer)		SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Day Care, Child, Licensed Center		SR															
Fire Stations																	
Government Offices		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Hospitals																	
Individual and Family Services, Not Otherwise Listed																	
Libraries		SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Museums and Galleries																	
Nursing and Convalescent Homes		SE	SE														
Orphanages		SE	SE														
Places of Worship		SR	SR	SE	SE	SE	SE	SE	SR	SR	P	P	SR	P	P	P	P
Police Stations, Neighborhood		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Post Offices																	
Postal Service Processing & Distribution																	
Schools, Administrative Facilities																	
Schools, Business, Computer and Management Training																	
Schools, Fine Arts Instruction																	
Schools, Junior Colleges																	

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
Schools, Including Public and Private, Having a Curriculum Similar to Those Given in Public Schools)		SR	SR	SR	SR	SR	SR	SR	SR	SR	P	P	P	P	SE		
Schools, Technical and Trade (Except Truck Driving)											P	P	P	P	P	P	
Schools, Truck Driving														P	P	P	P
Zoos and Botanical Gardens	SE										SE		SE	SR	SR		

SECTION IV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General development, Site, and Performance Standards; Section 26-180, Signs; Subsection (e), Prohibited Signs; Paragraph (9), Signs Located in the Right-of-Way; is hereby amended to read as follows:

- (9) *Signs located in the right-of-way.* All signs located in the right-of-way, unless specifically allowed elsewhere in this chapter.

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 enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2009

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: September 22, 2009 (tentative)  
First Reading: September 22, 2009 (tentative)  
Second Reading:  
Third Reading:

# Richland County Council Request of Action

**Subject**

An Ordinance Amending Section V, Zoning Districts and District Standards; and Article VI, Supplemental Use Standards; so as to provide for a parks and recreation district **[THIRD READING] [PAGES 133-140]**

**Notes**

First Reading: September 22, 2009  
Second Reading: October 6, 2009  
Public Hearing: September 22, 2009  
Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE II, RULES OF CONSTRUCTION/DEFINITIONS; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; AND ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SO AS TO PROVIDE FOR A PARKS AND RECREATION DISTRICT.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-83, Establishment of Zoning Districts; Subsection (b), General Use Districts; is hereby amended to read as follows:

- (b) *General use districts.* General use districts are those in which a variety of uses are permitted. For the purpose of this chapter, the zoning jurisdiction of Richland County, South Carolina, is hereby divided into the following general use zoning districts:

<u>PR</u>	<u>Parks and Recreation District</u>
TROS	Traditional Recreation Open Space District
RU	Rural District
RR	Rural Residential District
RS-E	Residential, Single-Family – Estate District
RS-LD	Residential, Single-Family - Low Density District
RS-MD	Residential, Single-Family - Medium Density District
RS-HD	Residential, Single-Family - High Density District
MH	Manufactured Home District
RM-MD	Residential, Multi-Family - Medium Density District
RM-HD	Residential, Multi-Family - High Density District
OI	Office and Institutional District
NC	Neighborhood Commercial District
RC	Rural Commercial District
GC	General Commercial District
M-1	Light Industrial District
LI	Light Industrial District
HI	Heavy Industrial District

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-84. TROS Traditional Recreation Open Space District” is hereby amended to read as follows:

**Sec. 26-8485. TROS Traditional Recreation Open Space District.**

SECTION III. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-85. RU Rural District” is hereby amended to read as follows:

**Sec. 26-~~85~~86. RU Rural District.**

SECTION IV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-86. RR Rural Residential District” is hereby amended to read as follows:

**Sec. 26-~~86~~87. RR Rural Residential District.**

SECTION V. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-87. RS-E Residential, Single-Family Estate District” is hereby amended to read as follows:

**Sec. 26-~~87~~88. RS-E Residential, Single-Family Estate District.**

SECTION VI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-88. RS-LD Residential, Single-Family Low Density District” is hereby amended to read as follows:

**Sec. 26-~~88~~89. RS-LD Residential, Single-Family Low Density District.**

SECTION VII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-89. RS-MD Residential, Single-Family Medium Density District” is hereby amended to read as follows:

**Sec. 26-~~89~~90. RS-MD Residential, Single-Family Medium Density District.**

SECTION VIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-90. RS-HD Residential, Single-Family High Density District” is hereby amended to read as follows:

**Sec. 26-~~90~~91. RS-HD Residential, Single-Family High Density District.**

SECTION IX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-91. MH Manufactured Home Residential District” is hereby amended to read as follows:

**Sec. 26-~~91~~92. MH Manufactured Home Residential District.**

SECTION X. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-92. RM-MD Residential, Multi-Family Medium Density District” is hereby amended to read as follows:

**Sec. 26-~~92~~93. RM-MD Residential, Multi-Family Medium Density District.**

SECTION XI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-93. RM-HD Residential, Multi-Family High Density District” is hereby amended to read as follows:

**Sec. 26-9394. RM-HD Residential, Multi-Family High Density District.**

SECTION XII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-94. OI Office and Institutional District” is hereby amended to read as follows:

**Sec. 26-9495. OI Office and Institutional District.**

SECTION XIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-95. NC Neighborhood Commercial District” is hereby amended to read as follows:

**Sec. 26-9596. NC Neighborhood Commercial District.**

SECTION XIV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-96. RC Rural Commercial District” is hereby amended to read as follows:

**Sec. 26-9697. RC Rural Commercial District.**

SECTION XV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-97. GC General Commercial District” is hereby amended to read as follows:

**Sec. 26-9798. GC General Commercial District.**

SECTION XVI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-98. M-1 Light Industrial District” is hereby amended to read as follows:

**Sec. 26-9899. M-1 Light Industrial District.**

SECTION XVII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-99. LI Light Industrial District” is hereby amended to read as follows:

**Sec. 26-99100. LI Light Industrial District.**

SECTION XVIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-100. HI Heavy Industrial District” is hereby amended to read as follows:

**Sec. 26-~~100~~101. HI Heavy Industrial District.**

SECTION XIX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-101. PDD Planned Development District” is hereby amended to read as follows:

**Sec. 26-~~101~~102. PDD Planned Development District.**

SECTION XX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-102. TC Town and Country District” is hereby amended to read as follows:

**Sec. 26-~~102~~103. TC Town and Country District.**

SECTION XXI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-103. AP Airport Height Restrictive Overlay District” is hereby amended to read as follows:

**Sec. 26-~~103~~104. AP Airport Height Restrictive Overlay District.**

SECTION XXII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-104. C Conservation Overlay District” is hereby amended to read as follows:

**Sec. 26-~~104~~105. C Conservation Overlay District.**

SECTION XXIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-105. FP Floodplain Overlay District” is hereby amended to read as follows:

**Sec. 26-~~105~~106. FP Floodplain Overlay District.**

SECTION XXIV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-106. RD Redevelopment Overlay District” is hereby amended to read as follows:

**Sec. 26-~~106~~107. RD Redevelopment Overlay District.**

SECTION XXV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-107. CRD Corridor Redevelopment Overlay District” is hereby amended to read as follows:



**Sec. 26-107108. CRD Corridor Redevelopment Overlay District. Reserved.**

SECTION XXVI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-108. Reserved.” is hereby amended to read as follows:

**Sec. 26-108109. Reserved. CRD Corridor Redevelopment Overlay District.**

SECTION XXVII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-109. DBWP Decker Boulevard/Woodfield Park Neighborhood Redevelopment Overlay District.” is hereby amended to read as follows:

**Sec. 26-109110. DBWP Decker Boulevard/Woodfield Park Neighborhood Redevelopment Overlay District.**

SECTION XXVIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Sections 26-110 – 26-130. Reserved.” is hereby amended to read as follows:

**Secs. 26-110111 – 26-130. Reserved.**

SECTION XXIX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; is hereby amended by the creation of a new section, to read as follows:

**Sec. 26-84. PR Parks and Recreation District.**

- (a) Purpose. In order to ensure the preservation of substantial green areas devoted to passive and/or active recreational uses.
- (b) Permitted uses. The following passive and/or active recreational uses are permitted within the “PR” Parks and Recreation zoning classification:
  - (1) Golf courses, driving ranges, and appurtenances.
  - (2) Indoor and/or outdoor recreational courts and appurtenances, including, but not limited to, those devoted to tennis, volleyball, basketball, or bocce.
  - (3) Recreational fields and appurtenances, including, but not limited to, those devoted to football, soccer, baseball, or lacrosse, and to include sports lighting systems.
  - (3) Clubhouses, gyms, fitness centers, and meeting rooms.
  - (4) Community meeting and security sub station space, including Sheriff Department satellite locations.

- (5) Recreational, health, and educational classes.
  - (4) Swimming, wading, splash pools, and appurtenances.
  - (5) Picnic areas, trails, tracks, amphitheaters, and appurtenances.
  - (6) Playgrounds.
  - (7) Museums and historic displays.
  - (8) Any other recreational or community service use substantially similar to those specifically listed above.
  - (9) A State Park and all facilities associated with the operation and maintenance of the park to provide public recreation.
- (c) Accessory uses. The following accessory uses are permitted in association with the “permitted uses” listed above:
- (1) Pavilions.
  - (2) Restroom facilities.
  - (3) Parking areas.
  - (4) Bleachers and other seating areas intended for public viewing of recreational activities.
  - (5) Concession stands, press boxes, dugouts, and associated athletic facility support structures.
  - (6) Batting cages, and athletic field and security fencing.
  - (7) Administrative and park operation offices and storage buildings.
  - (8) Any other accessory use substantially similar to those specifically listed above.
- (d) Development standards. See also Article V., Section 26-131. Table of Area, Yard, and Height Requirements.
- (1) Minimum lot area/maximum density: Minimum lot area: no minimum lot area except as required by DHEC. Maximum density standard: no maximum density standard.

- (2) Minimum lot width: None.
- (3) Structure size standards: None.
- (4) Setback standards: The following minimum setbacks shall be required for principal uses in the PR District:
- a. Front: 25 feet.
  - b. Side: 20 feet.
  - c. Rear: 20 feet.
- The minimum side and rear setback requirement for accessory buildings/structures, such as club houses, rest room and locker facilities, snack bars, and parking areas, in the PR District is ten (10) feet.
- The landscape and bufferyard standards of Section 26-176 may require setback distances; if so, the most restrictive requirements shall apply.
- (5) Height standards: The maximum height of structures in the PR District shall be 45 feet.
- (6) Landscaping/bufferyard standards: Landscaping and bufferyards shall be provided in accordance with Section 26-176 of this chapter; provided, however, there shall be no landscaping requirements for “golf courses” and “golf course with country clubs”.
- (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.
- (8) Sidewalk and pedestrian amenities: Sidewalks and other pedestrian amenities shall be provided as required by Section 26-179 of this chapter; provided, however, there shall be no sidewalk or pedestrian amenities required for “golf courses” and “golf course with country clubs”.
- (9) Signs: Signs shall be regulated by the requirements of Section 26-180 of this chapter.
- (10) Recreation/open space standards: None.
- (11) Design and operation standards: None.

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

SECTION XXXII. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_ DAY  
OF \_\_\_\_\_, 2009

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

# Richland County Council Request of Action

**Subject**

Section 26-180, Signs; so as to create a new section that would allow digital display devices under certain conditions  
**[THIRD READING][PAGES 142-145]**

**Notes**

First Reading: September 22, 2009  
Second Reading: October 6, 2009  
Public Hearing: September 22, 2009  
Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-180, SIGNS; SO AS TO CREATE A NEW SECTION THAT WOULD ALLOW DIGITAL DISPLAY DEVICES UNDER CERTAIN CONDITIONS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; is hereby amended to include in the appropriate alphabetical order, the following definition:

*Sign, electronic changeable copy.* A sign or portion thereof that displays electronic, non-pictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays.

*Sign, electronic graphic display.* A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.

*Sign, multi-vision.* Any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.

*Sign, video display.* A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames that give the illusion of motion, including, but not limited to, the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General development, Site, and Performance Standards; Section 26-180, Signs; Subsection (e); is hereby amended to read as follows:

- (e) *Prohibited signs.* The following signs are prohibited in the unincorporated areas of Richland County:
- (1) *Off-premises signs.* All off-premises signs, unless specifically allowed elsewhere in this chapter.
  - (2) *Roof signs.* Roof signs; provided, however, that signs on the surfaces of a mansard roof or on parapets shall not be prohibited if the signs do not extend above the mansard roof or parapet to which they are attached.
  - (3) *Animated/flushing signs and signs of illusion.* Signs displaying blinking, flashing, or intermittent lights, or animation, moving parts, or signs giving the illusion of movement, unless specifically allowed elsewhere in this chapter.
  - (4) *Signs resembling traffic signals.* Signs that approximate official highway signs, warning signs, or regulatory devices.
  - (5) *Signs on roadside appurtenances.* Signs attached to or painted on utility poles, trees, parking meters, bridges, overpasses, rocks, other signs, benches, refuse containers, etc., unless specifically allowed elsewhere in this chapter.
  - (6) *Abandoned signs and sign structures.* Signs that advertise an activity or business that is no longer conducted on the property on which the sign is located. Such signs or sign structures must be removed within thirty (30) days of becoming an abandoned sign or sign structure.
  - (7) *Pennants, streamers, balloons, etc.* Signs containing or consisting of pennants, ribbons, streamers, balloons, or spinners.
  - (8) *Signs obstructing access.* Signs that obstruct free ingress or egress from a driveway, or a required door, window, fire escape, or other required exitway.
  - (9) *Signs located in the right-of-way.* All signs located in the right-of-way, unless specifically allowed elsewhere in this chapter.
  - (10) *Inflatable signs or balloons.*
  - (11) *Electronic graphic display signs.*
  - (12) *Multi-vision signs.*
  - (13) *Video display signs.*

SECTION III. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General development, Site, and Performance Standards; Section 26-180, Signs; is hereby amended to create a new subsection to read as follows:

(p) *Electronic changeable copy signs.* Electronic changeable on-premise copy signs are permitted in all zoning districts.

(1) Time and temperature displays are allowed, but must not exceed twenty (20) square feet of the sign face.

(2) All other changeable copy signs shall only be permitted with the following restrictions:

a. Such signs shall remain static at all times – scrolling and/or movement of any kind is prohibited.

b. The electronic area shall not exceed forty percent (40%) of the allowed/permitted sign face, but in no case shall it exceed a maximum of forty (40) square feet.

c. The message must not change more than once every six (6) seconds.

d. Illumination should be no greater than 7,500 nits during daylight hours and no greater than 500 nits during evening hours.

e. Signs shall not display flashing lights.

f. Audio speakers or any form of pyrotechnics are prohibited in association with an electronic changeable copy sign.

g. The bottom of the sign shall be at least ten (10) feet from the ground in those zoning districts that allow such height; otherwise the electronic changeable portion of the sign shall be limited to the upper twenty-five percent (25%) of the sign face.

h. The leading edge of the sign must be a minimum distance of one hundred (100) feet from an abutting residential district boundary.

i. Signs shall only be used or displayed between the hours of 6:00 a.m and 11:00 p.m. or during the hours that the business remains open to the public, whichever is greater.

j. Digital signs shall not be permitted inside the boundaries of any Historic District as defined by the National Historic Register, nor shall they be permitted inside the boundaries of any Neighborhood Master Plan Overlay District.

k. Subparagraphs b., g. and h. do not apply to any digital sign that is legally in existence as of *October 20, 2009*.



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

SECTION VI. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2009, and shall automatically expire on January 3, 2010.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_ DAY  
OF \_\_\_\_\_, 2009

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: September 22, 2009  
First Reading: September 22, 2009  
Second Reading: October 6, 2009 (tentative)  
Third Reading:

# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, In General; Section 21-10, Street Name Signs; Subsection (A); so as to conform to the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated*  
**[SECOND READING] [PAGES 147-150]**

## **Notes**

9/22/09 - The committee unanimously recommended 1st reading approval of an ordinance amendment regarding Sec. 21-10(a) of Ch. 21 (Roads, Highways and Bridges) so as to be in conformance with the Federal Highway Administration's *Manual of Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated*, and to require land developers to conform to the federal regulations.

First Reading: October 6, 2009

Second Reading:

Public Hearing:

Third Reading:

## Richland County Council Request of Action

Subject: Amending Section 21-10 (a) regarding street name signs.

### A. Purpose

To amend Section 21-10 (a) of Chapter 21 (Roads, Highways and Bridges) so as to be in conformance with the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 incorporated*, and to require land developers to conform to the federal regulations.

### B. Background/Discussion

The *Manual on Uniform Traffic Control Devices*, or MUTCD defines the standards used by road managers nationwide to install and maintain traffic control devices on all streets and highways. The MUTCD is published by the Federal Highway Administration (FHWA) under 23 Code of Federal Regulations (CFR), Part 655, Subpart F. The *MUTCD 2003 Edition with Revisions 1 and 2 incorporated* is the most current edition and is the official FHWA publication. These regulations affect the reflectivity and size of signs and mandates that the condition and reflectivity will be managed by local governing bodies. A management program must be in effect by January 2012, traffic control signs must be in conformance by January 2015, and street name signs must be in conformance by January 2018. Per the County's Land Development Regulations (Chapter 26 of the Richland County Code of Ordinances), it is the responsibility of land developers to install all signs within a new development.

### C. Financial Impact

By requiring developers to conform to the *MUTCD 2003 Edition with Revisions 1 and 2 incorporated* now, it will avoid the cost of updating and replacing signs later in order to meet the federal deadlines.

### D. Alternatives

1. To approve the amendment to Section 21-10 (a) (attached) of the Richland Council Code of Ordinances, which will result in signs more easily observed by motorists, thereby improving traffic safety.
2. To deny the amendment to Section 21-10 (a) (attached) of the Richland Council Code of Ordinances will result in continued use of signs not in conformance with the MUTCD, which could leave the County in a liable position relative to traffic accidents on public roads.

### E. Recommendation

It is recommended that County Council amend Section 21-10 (a) to be in conformance with the *MUTCD 2003 Edition with Revisions 1 and 2 incorporated*, published by the Federal Highway Administration.

Recommended by: David Hoops

Department: Public Works

Date: 8/12/09

Item# 21

Attachment number 1  
Page 1 of 4

## F. Approvals

### Finance

Reviewed by: Daniel Driggers  
✓ Recommend Council approval  
Comments regarding recommendation:

Date: 9/09/09  
 Recommend Council denial

### Legal

Reviewed by: Larry Smith  
✓ Recommend Council approval  
Comments regarding recommendation:

Date: 9-9-09  
 Recommend Council denial

### Administration

Reviewed by: Sparty Hammett  
✓ Recommend Council approval  
Comments regarding recommendation:

Date: 9/09/09  
 Recommend Council denial

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 21, ROADS, HIGHWAYS AND BRIDGES; ARTICLE I, IN GENERAL; SECTION 21-10, STREET NAME SIGNS; SUBSECTION (A); SO AS TO CONFORM TO THE FEDERAL HIGHWAY ADMINISTRATION'S *MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES 2003 EDITION WITH REVISIONS 1 AND 2 INCORPORATED*.

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

SECTION I. The Richland County Code of Ordinances, Chapter 21, Roads, Highways and Bridges; Article I, In General; Section 21-10, Street Name Signs; Subsection (a); is hereby amended to read as follows:

(a) Any sign within a new development shall be installed by the developer at his/her own expense. ~~The department of public works shall erect and maintain street name signs on all public streets within the jurisdiction and authority of the county.~~ Signs will be metal aluminum blanks on metal posts fabricated and mounted in a standard design established by the ~~director of public works~~ County Engineer. They will have white reflective lettering a minimum of ~~four (4)~~ six (6) inches high in height on a reflective background. Signs located on multi-lane roads with a speed limit of 40 mph or greater shall have lettering a minimum of eight (8) inches in height. A green background will denote a public road and a blue background will denote a private road. Street name signs shall conform to the Federal Highway Administration's Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 incorporated. The department of public works shall maintain street name signs on all public streets within the jurisdiction and authority of the county.

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 \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2009.

---

***Michielle R. Cannon-Finch***

Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

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

# Richland County Council Request of Action

## **Subject**

An Ordinance Authorizing a quit-claim deed to EHP Development, LLC for five parcels of land totaling Five Thousand Three Hundred Sixteen (5316) square feet located along Hasings Alley and Hamrick Street, Richland County, South Carolina, and being portions of TMS # 11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, and 11203-03-27  
**[SECOND READING][PAGES 152-155]**

## **Notes**

9/22/09 - The committee unanimously recommended that council give 1st reading approval to the quit claim.

First Reading: October 6, 2009

Second Reading:

Public Hearing:

Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

AN ORDINANCE AUTHORIZING A QUIT-CLAIM DEED TO EHP DEVELOPMENT, LLC FOR FIVE PARCELS OF LAND TOTALING FIVE THOUSAND THREE HUNDRED SIXTEEN (5316) SQUARE FEET LOCATED ALONG HASTINGS ALLEY AND HAMRICK STREET, RICHLAND COUNTY, SOUTH CAROLINA, AND BEING PORTIONS OF TMS # 11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, AND 11203-03-27.

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. For and in consideration of the sum of \$1.00, the County of Richland and its employees and agents are hereby authorized to grant a quit-claim deed for certain portions of land totaling five thousand three hundred sixteen (5316) square feet located along Hastings Alley and Hamrick Street, Richland County, South Carolina, and being a portion of TMS# 11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, AND 11203-03-27, to **EHP Development, LLC**, as specifically described in the attached quit claim deed, which is incorporated herein.

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

SECTION III. Conflicting Ordinances. 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 enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

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



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

QUIT CLAIM DEED

THIS QUIT-CLAIM DEED, executed this \_\_\_\_\_ day of \_\_\_\_\_, 2009 by Richland County, (hereinafter "Grantor"), to **EHP Development, LLC, 313 Lanham Springs Way, Lexington, SC 29072** (hereinafter "Grantee"). (Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, successors, assigns, legal representatives and corporations wherever the context so permits or requires).

WITNESSETH, that the said Grantor, for and in consideration of the sum of One Dollar (\$1.00), in hand paid by the grantee, the receipt of which is hereby acknowledge, does hereby remise, release, and quit-claim unto the Grantee, their heirs, successors, and assigns, forever, all their right, title, interest, claim and demand which Grantor has in and to the following described lot, piece, or parcel of land, situate, lying and being in the County of Richland, State of South Carolina, to wit:

See Attached "Exhibit A"

This being the same property which was previously deeded to Richland County by EHP Development, LLC, filed on September 2, 2005, in the Richland County ROD in deed book 1094 at page 1423.

Portion of TMS# 11203-03-02, 11203-03-16, 11203-03-17, 11203-03-23, 11203-03-27

Derivation: Deed Book 1094 at page 1423.

Grantee's Address: 313 Lanham Springs Way, Lexington, SC 29072

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the remises before mentioned unto the said Grantee, their heirs, successors and assigns forever so that neither the said Grantors nor their heirs successors, or assigns nor any other person or persons, claiming under their heirs, successors, or assigns, predecessors, or them, shall at any time hereafter, by any way or means, have claim or demand any right or title to the aforesaid premises or appurtenances, or any part of parcel thereof, forever.



## EXHIBIT "A"

**DESCRIPTION:** A portion of that tract identified on the Richland County Tax Map as TMS 11203-03-02 (also known as 1203 Hamrick Street) and lying within **10** feet left of the centerline of a newly aligned Hastings Alley and running from approximate survey station 3+45 to 5+30.

Total right of way to be obtained is 1863 square feet.

This being a portion of the property which was previously deeded to Richland County by EHP Development, LLC, filed on September 2, 2005, in the Richland County ROD in deed book 1094 at page 1423.

**ALSO:** A portion of that tract identified on the Richland County Tax Map as TMS 11203-03-16 (also known as 910 Hastings Alley) and lying within 10 feet right of the centerline of a newly aligned Hastings Alley and running from approximate survey station 1-i-54 to 2+74.

Total right of way to be obtained is 1203 square feet.

This being a portion of the property which was previously deeded to Richland County by EHP Development, LLC, filed on September 2, 2005, in the Richland County ROD in deed book 1094 at page 1423.

**ALSO:** A portion of that tract identified on the Richland County Tax Map as TMS 1 1203-03-17(also known as NX 908 Hastings Alley) and lying within 10 feet right of the centerline of a newly aligned Hastings Alley and running from approximate survey station 0+74 to 1+54. Total right of way to be obtained is 792 square feet.

This being a portion of the property which was previously deeded to Richland County by EHP Development, LLC, filed on September 2, 2005, in the Richland County ROD in deed book 1094 at page 1423.

**ALSO:** A portion of that tract identified on the Richland County Tax Map as TMS 11203-03-23 (also known as 907 Hastings Alley) and lying within 10 feet left of the centerline of a newly aligned Hastings Alley and running from approximate survey station 1+54th 2\*33.

Total right of way to be obtained is 782 square feet.

This being a portion of the property which was previously deeded to Richland County by EHP Development, LLC, filed on September 2, 2005, in the Richland County ROD in deed book 1094 at page 1423.

**ALSO:** A portion of that tract identified on the Richland County Tax Map as TMS 11203-03-27 (also known as NW/S Hastings alley) and lying within 10 feet left of the centerline of a newly aligned Hastings Alley and running from approximate survey station 2+94 to approximate survey station 3+53.

Total right of way to be obtained is 676 square feet.

This being a portion of the property which was previously deeded to Richland County by EHP Development, LLC, filed on September 2, 2005, in the Richland County ROD in deed book 1094 at page 1423.

# Richland County Council Request of Action

## **Subject**

An Ordinance Authorizing a quit-claim deed to Smallwood Village Phase III Homeowner's Association, Inc. for a certain parcel of land totaling .76 Acres located along White Branch Circle, Richland County, South Carolina, known as TMS # 22710-08-30 **[SECOND READING] [PAGE 157]**

## **Notes**

9/22/09 - The committee unanimously recommended that Council give 1st reading approval to the ordinance allowing the transfer of ownership of Smallwood Village Pond to the Board of Smallwood Village Phase III Homeowner's Association.

First Reading: October 6, 2009

Second Reading:

Public Hearing:

Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR

AN ORDINANCE AUTHORIZING A QUIT-CLAIM DEED TO SMALLWOOD VILLAGE PHASE III HOMEOWNER'S ASSOCIATION, INC. FOR A CERTAIN PARCEL OF LAND TOTALING .76 ACRES LOCATED ALONG WHITE BRANCH CIRCLE, RICHLAND COUNTY, SOUTH CAROLINA, KNOWN AS TMS # 22710-08-30.

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. For and in consideration of the sum of \$1.00, the County of Richland and its employees and agents are hereby authorized to grant a quit-claim deed for a certain parcel of land totaling .76 acres located along White Branch Circle, Richland County, South Carolina, known as TMS# 22710-08-30, to **Smallwood Village Phase III Homeowner's Association, Inc.**, as specifically described in the attached quit claim deed, which is incorporated herein.

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

SECTION III. Conflicting Ordinances. 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 enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

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

# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$90,157 of General Fund Undesignated Fund Balance to the Court Administration Budget, Magistrates Budget and Central Services Budget **[SECOND READING] [PAGES 159-160]**

## **Notes**

9/22/09 - The committee unanimously recommended that Council give 1st reading approval to a budget amendment to add an additional \$72,213 to Court Administration's FY10 budget; and additional \$10,644 to the Magistrate's FY10 budget; and an additional \$7,300 to the Central Services' FY10 budget for the purpose of complying with the Uniform Expungement of Criminal Records Act.

First Reading: October 6, 2009

Second Reading:

Public Hearing:

Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_-10HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2009-2010 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$90,157 OF GENERAL FUND UNDESIGNATED FUND BALANCE TO THE COURT ADMINISTRATION BUDGET, MAGISTRATES BUDGET, AND CENTRAL SERVICES BUDGET FOR ADDITIONAL COSTS ASSOCIATED WITH THE UNIFORM EXPUNGEMENT OF CRIMINAL RECORDS ACT.

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. That the amount of ninety thousand one hundred fifty seven dollars (\$90,157) be appropriated to the Fiscal Year 2009-2010 Court Administration, Magistrates, and Central Services budgets. Therefore, the Fiscal Year 2009-2010 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2009 as amended:	\$ 135,082,777
Appropriation of General Fund undesignated fund balance:	\$ <u>90,157</u>
Total General Fund Revenue as Amended:	\$ 135,172,934

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$ 135,082,777
Increase to Court Administration Budget:	\$ 72,213
Increase to Magistrates' Budget:	\$ 10,644
Increase to Central Services Budget:	\$ <u>7,300</u>
Total General Fund Expenditures as Amended:	\$ 135,172,934

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 enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2009

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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



# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Fiscal Year 2009-2010 Hospitality Tax Fund Annual Budget Amendment to appropriate \$100,000 of Hospitality Tax Fund Designated Fund Balance for the next steps in the design-development phase of the Regional Sports Complex **[SECOND READING] [PAGES 162-163]**

## **Notes**

9/22/09 - The committee unanimously recommended that Council give 1st reading approval to a budget amendment in the amount of \$100,000 for the next steps in the Design-Development Phase of the Regional Sports Complex.

First Reading: October 6, 2009  
Second Reading:  
Public Hearing:  
Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_-10HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2009-2010 HOSPITALITY TAX FUND ANNUAL BUDGET TO APPROPRIATE \$100,000 OF HOSPITALITY TAX FUND RESERVED FUND BALANCE FOR THE DESIGN-DEVELOPMENT PHASE OF A REGIONAL SPORTS COMPLEX.

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. That the amount of one hundred thousand (\$100,000) be appropriated to the Fiscal Year 2009-2010 Hospitality Tax Fund Budget for the design-development phase of a Regional Sports Complex. Therefore, the Fiscal Year 2009-2010 Hospitality Tax Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2009 as amended:	\$ 4,879,545
Appropriation of Hospitality Tax reserved fund balance	\$ <u>100,000</u>
Total Hospitality Fund Revenue as Amended:	\$ 4,979,545

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$ 4,879,545
Increase to Hospitality Tax:	\$ <u>100,000</u>
Total Hospitality Tax Fund Expenditures as Amended:	\$ 4,979,545

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 enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2009

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Richland County Code of Ordinances; Chapter 25, Vehicles for Hire; Article II, Towing and Wrecker Services; Section 25-20, Wrecker and Storage Charges, so as to increase the fees charged for towing and wrecker services **[SECOND READING] [PAGES 165-166]**

## **Notes**

9/22/09 - The committee unanimously recommended that Council give First Reading approval to the recommended amendments to Sec. 25-20, Wrecker and Storage charges.

First Reading: October 6, 2009  
Second Reading:  
Public Hearing:  
Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_\_-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 25, VEHICLES FOR HIRE; ARTICLE II, TOWING AND WRECKER SERVICES; SECTION 25-20, WRECKER AND STORAGE CHARGES, SO AS TO INCREASE THE FEES CHARGED FOR TOWING AND WRECKER SERVICES.

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 25, Vehicles for Hire; Article II, Towing and Wrecker Services; Section 25-20, Wrecker and storage charges; is hereby amended to read as follows:

**Section 25-20. Wrecker and storage charges.**

(a) A basic tow charge of ~~\$75~~ \$125 shall be made for the use of a wrecker (other than a large wrecker) called to tow a vehicle pursuant to the provisions of this article. An additional charge of ~~\$50~~ \$75 per hour shall be made if there are special circumstances (e.g. vehicle in water, vehicle in woods) or if special equipment (e.g. a dolly assembly) is required in order to appropriately move the vehicle. If the tow is being used for a collision, the charge will be \$150 and will not be combined with the basic tow fee. If a large wrecker is needed in order to move an 18-wheel vehicle, a tow charge of ~~\$150~~ \$250 shall be made, plus an additional charge of ~~\$150~~ \$200 per hour if there are special circumstances (e.g. overturned cab/trailer) or if special equipment is required. In instances where a vehicle is to be towed for parking violations or abandonment and the owner of the vehicle appears and makes claim to the vehicle before the vehicle is towed away, but after the wrecker is called, the vehicle shall be released to the owner upon immediate payment of ~~\$25~~ \$50 to the wrecker operator if a basic tow truck was called or upon payment of ~~\$50~~ \$85 to the wrecker if a large tow truck was called.

(b) Storage charges on stored or impounded vehicles shall be \$10 per day.

(c) No stored or impounded vehicle shall be released until proper evidence of ownership is exhibited and all towing and storage charges have been collected by the wrecker service as provided by law.

(d) All towing and storage charges shall be itemized on an invoice or receipt when charges are paid. No charges other than towing and storage will be made on any vehicle without prior written approval from the owner or his or her agent.

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 \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2009

---

Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

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

# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Fiscal Year 2009-2010 Title IV-D Sheriff's Fund Budget to appropriate \$10,000 of additional revenue due to revised revenue projections [**SECOND READING**] [**PAGES 168-169**]

## **Notes**

9/22/09 - The committee unanimously recommended Council give First Reading approval to a \$10,000 budget amendment for the FY10 budget for the Title IV funds based on updated revenue numbers.

First Reading: October 6, 2009

Second Reading:

Public Hearing:

Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_-10HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2009-2010 TITLE IV-D  
SHERIFF'S FUND BUDGET TO APPROPRIATE \$10,000 OF ADDITIONAL  
REVENUE DUE TO REVISED REVENUE PROJECTIONS.

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. That the amount of ten thousand (\$10,000) be appropriated to the Fiscal Year 2009-2010 Title IV-D Sheriff's Fund budget due to revised revenue projections. Therefore, the Fiscal Year 2009-2010 Title IV-D Sheriff's Fund Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2009 as amended:	\$	55,000
Appropriation of additional Title IV-D Sheriff's revenue:	\$	<u>10,000</u>
Total Title IV-D Sheriff's Fund Budget as amended:	\$	65,000

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$	55,000
Increase to Title IV-D Sheriff's Fund budget:	\$	<u>10,000</u>
Total Title IV-D Sheriff's Fund Expenditures:	\$	65,000

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 enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair



ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2009

---

Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

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

# Richland County Council Request of Action

## **Subject**

An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$81,000 of General Fund Undesignated Fund Balance to the Election Commission Budget for the mandated purpose of replacing batteries in electronic voting machines **[SECOND READING] [PAGES 171-172]**

## **Notes**

9/22/09 - The committee unanimously recommended that Council give First Reading approval to an \$81,000 budget amendment for the FY 10 budget for the Election Commission for the State Election Commission mandated purpose of replacing the motherboard batteries in the iVotronic electronic voting machines and the batteries in the PEB's (Personal Electronic Ballot cartridge that activates the machine for voting).

First Reading: October 6, 2009

Second Reading:

Public Hearing:

Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_-10HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2009-2010 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$81,000 OF GENERAL FUND UNDESIGNATED FUND BALANCE TO THE ELECTION COMMISSION BUDGET FOR THE PURPOSE OF REPLACING BATTERIES IN ELECTRONIC VOTING MACHINES.

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. That the amount of eighty one thousand dollars (\$81,000) be appropriated to the Fiscal Year 2009-2010 Election Commission budget. Therefore, the Fiscal Year 2009-2010 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2009 as amended:	\$ 135,001,777
Appropriation of General Fund undesignated fund balance:	\$ <u>81,000</u>
Total General Fund Revenue as Amended:	\$ 135,082,777

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$ 135,001,777
Increase to Election Commission Budget:	\$ <u>81,000</u>
Total General Fund Expenditures as Amended:	\$ 135,082,777

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 enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2009

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

# Richland County Council Request of Action

**Subject**

Deed of Water and Sewer Lines (Bookert Heights, Ridgewood, BRRWWTP) [**SECOND READING**] [**PAGES 174-190**]

**Notes**

9/22/09 - The committee unanimously forwarded the item to Council without a recommendation. Further, staff is to clarify the language in the deed(s) by the October 6, 2009 Council meeting.

First Reading: October 6, 2009

Second Reading:

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_\_-09HR

AN ORDINANCE AUTHORIZING DEED TO THE CITY OF COLUMBIA FOR SANITARY SEWER LINES TO SERVE THE BOOKER HEIGHTS COMMUNITY; RICHLAND COUNTY TMS #09503-01-08, 09504-03-04, 05, 06, 07, 11, 12, 16, 18, 19, 20, 31, 32, 09504-04-01, 02, 03, 04, 09508-03-01, 06, 07, 08, 09508-02-01, 09605-01-02, 05, 07, 08, 09, 12, 13, 14, 15, 16, 09605-02-01, 07, 08, 09, 10, 11, 12, 09600-01-38, 09600-01-53 & 67.

Pursuant to the authority 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 County of Richland and its employees and agents are hereby authorized to grant a deed to sanitary sewer lines to The City of Columbia, as specifically described in the attached Deed to Sanitary Sewer Lines for Booker Heights Community; Richland County TMS #09503-01-08, 09504-03-04, 05, 06, 07, 11, 12, 16, 18, 19, 20, 31, 32, 09504-04-01, 02, 03, 04, 09508-03-01, 06, 07, 08, 09508-02-01, 09605-01-02, 05, 07, 08, 09, 12, 13, 14, 15, 16, 09605-02-01, 07, 08, 09, 10, 11, 12, 09600-01-38, 09600-01-53 & 67; CF#295-19, which is attached hereto and incorporated herein.

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

SECTION III. Conflicting Ordinances. 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 enforced from and after \_\_\_\_\_.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

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

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_\_-09HR

AN ORDINANCE AUTHORIZING DEED TO THE CITY OF COLUMBIA  
FOR SANITARY SEWER LINES TO SERVE THE RIDGEWOOD  
COMMUNITY; RICHLAND COUNTY TMS #09309, 09310, 09310-01-21, 23,  
24, 25 & 26.

Pursuant to the authority 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 County of Richland and its employees and agents are hereby authorized to grant a deed to sanitary sewer lines to The City of Columbia, as specifically described in the attached Deed to Sanitary Sewer Lines for the Ridgewood Community; Richland County TMS #09309, 09310, 09310-01-21, 23, 24, 25 & 26; CF#294-07, which is attached hereto and incorporated herein.

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

SECTION III. Conflicting Ordinances. 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 enforced from and after \_\_\_\_\_.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

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

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_\_-09HR

AN ORDINANCE AUTHORIZING DEED TO THE CITY OF COLUMBIA  
FOR CERTAIN WATER LINES TO SERVE THE RIDGEWOOD  
COMMUNITY; RICHLAND COUNTY TMS #09313-13 & 09313-14 (P).

Pursuant to the authority 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 County of Richland and its employees and agents are hereby authorized to grant a deed to certain water lines to The City of Columbia, as specifically described in the attached Deed to Water Lines for Ridgewood Community Water Improvements; Richland County TMS #09313-13 & TMS#09313-14 (portion); CF#294-07, which is attached hereto and incorporated herein.

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

SECTION III. Conflicting Ordinances. 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 enforced from and after \_\_\_\_\_.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

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



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_\_-09HR

AN ORDINANCE AUTHORIZING DEED TO THE CITY OF COLUMBIA FOR CERTAIN WATER LINES TO SERVE THE BROAD RIVER WASTEWATER TREATMENT PLANT, PHASE 2; RICHLAND COUNTY TMS #05300-01-11 (P).

Pursuant to the authority 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 County of Richland and its employees and agents are hereby authorized to grant a deed to certain water lines to The City of Columbia, as specifically described in the attached Deed to Water Lines for Broad River Wastewater Treatment Plant, Phase 2; Richland County TMS #05300-01-11 (portion); CF#266-05, which is attached hereto and incorporated herein.

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

SECTION III. Conflicting Ordinances. 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 enforced from and after \_\_\_\_\_.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Paul Livingston, Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

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

**ATTORNEY CERTIFICATION**

I, \_\_\_\_\_, an attorney licensed to practice in the State of \_\_\_\_\_ do hereby certify that I supervised the execution of the attached Deed to Sanitary Sewer Lines for Booker Heights Community with Richland County as Grantor and the City of Columbia, as Grantee, this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_\_.

\_\_\_\_\_  
State Bar Number: \_\_\_\_\_

STATE OF SOUTH CAROLINA)  
RICHLAND COUNTY )

DEED TO SANITARY SEWER LINES FOR  
BOOKER HEIGHTS COMMUNITY; RICHLAND  
COUNTY TMS#09503-01-08, 09504-03-04, 05,  
06, 07, 11, 12, 16, 18, 19, 20, 31, 32, 09504-04-  
01, 02, 03, 04, 09508-03-01, 06, 07, 08, 09508-  
02-01, 09605-01-02, 05, 07, 08, 09, 12, 13, 14,  
15, 16, 09605-02-01, 07, 08, 09, 10, 11, 12,  
09600-01-38, 09600-01-53 & 67; CF#295-19

RICHLAND COUNTY

to

CITY OF COLUMBIA

FOR VALUE RECEIVED, Richland County (also hereinafter referred to as  
“Grantor”) of Columbia, South Carolina, does hereby bargain, sell, transfer and convey  
unto the City of Columbia (also hereinafter referred to as “Grantee”), its successors and  
assigns, all of Grantor’s rights, title and interests in and to the below described sanitary  
sewer lines, sanitary sewer force mains and sanitary sewer lift station:

All those 8” certain sanitary sewer lines and 4” sanitary sewer force mains,  
including manholes, manhole castings, service lines from main line to cleanouts, service  
lines to easement boundaries, sanitary sewer lift station (including wet well, control  
panels, and all equipment appurtenances, site improvements) and all components to  
complete the system.

All metes, courses, bounds and measured distances described herein are  
approximate. The precise metes, courses, bounds and measured distances are more  
particularly described and shown on City File #295-19 which is incorporated herein by  
specific reference thereto.

Sanitary Sewer Line A: An 8” sanitary sewer main beginning at a tie to an existing City of  
Columbia sanitary sewer main (CF#64-73) at an existing sanitary sewer manhole, located  
on the southeastern property line of TMS#09503-01-08, n/f Temple Zion Baptist Church,  
approximately twenty-five (25) feet northeast of the northwestern property corner of  
TMS#09507-01-16, n/f LaCroix Construction Company; thence extending therefrom in a  
northwesterly direction along said TMS#09503-01-08, for a distance of two hundred  
seventy-one (271) feet to manhole A1, located on said TMS#09503-01-08, approximately  
two hundred sixty-five (265) feet northwest of the northwestern property corner of said  
TMS#09507-01-16; thence turning and extending therefrom in a northeasterly direction  
crossing said TMS#09508-01-08 and Blue Ridge Terrace, for a distance of seven hundred  
nine (709) feet to manhole A3, located in the outer perimeter of the northeastern right-of-  
way of Blue Ridge Terrace, approximately six hundred seventeen (617) feet northeast of  
the northwestern property corner of TMS#09507-01-17, n/f Witherspoon; thence turning  
and extending therefrom in a northwesterly direction along the outer perimeter of the  
northeastern right-of-way of Blue Ridge Terrace and crossing Dakota Street, for a  
distance of one thousand two hundred thirty (1,230) feet to manhole A8, located in the  
outer perimeter of the northeastern right-of-way of Blue Ridge Terrace, approximately ten  
(10) feet northwest of the southernmost property corner of TMS#9504-04-01, n/f  
Duckworth; thence turning and extending therefrom in a northeasterly direction crossing  
TMS#09504-04-01, 02 (n/f Duckworth), 03 (n/f Moore & Gadson), 04 (n/f Shealy), 09508-  
03-06 (n/f Lewis), 07 (n/f Morris), 01 (n/f Morris), 09508-02-01 (n/f Robinson), 09605-02-  
07 (n/f Smith), 08 (n/f Dantzler & Davis), 09 (n/f Bookert), 10 (n/f Mitchell), 11 (n/f  
Livingston), 12 (n/f Glenn), and 01 (n/f Glenn), and crossing Porter Street, for a distance  
of one thousand six hundred eighty-three (1,683) feet to manhole A16, located in the outer  
perimeter of the southwestern right-of-way of Hattie Road, approximately ten (10) feet  
northwest of the eastern property corner of said TMS#09605-02-01; thence turning and

APPROVED BY

CITY OF COLUMBIA

LEGAL DEPT

Item# 29

Attachment number 5  
Page 2 of 5

extending therefrom in a northeasterly/more easterly direction crossing Hattie Road, for a distance of forty-two (42) feet to manhole A17, located in the outer perimeter of the northeastern right-of-way of Hattie Road, approximately nine (9) feet southwest of the western property corner of TMS#09605-01-09, n/f Wages; thence turning and extending therefrom in a generally northeasterly/more northerly direction crossing said TMS#09605-01-09, 08 (n/f Wages), 07 (n/f Wages), 12 (n/f Yeadon), 13 (n/f Pearson), 14 (n/f Pearson), 15 (n/f Hammond), 16 (n/f Way of Faith Tabernacle), 05 (n/f Outing), and 02 (n/f Washington), for a distance of nine hundred twenty-six (926) feet to manhole A24, located on said TMS#09605-01-02, approximately eighty-three (83) feet northeast of the eastern property corner of TMS#09605-01-16, n/f Way of Faith Tabernacle; thence terminating.

Sanitary Sewer Line B: An 8" sanitary sewer line beginning at manhole A7, located in the outer perimeter of the intersection of the northeastern right-of-way of Blue Ridge Terrace and the northwestern right-of-way of Dakota Street, approximately six (6) feet south of the southernmost property corner of TMS#09504-04-06, n/f Harris; thence turning and extending therefrom in a southwesterly direction crossing Blue Ridge Terrace and along the outer perimeter of the northwestern right-of-way of Dakota Street, for a distance of nine hundred fifty-nine (959) feet to manhole B2, located in the intersection of the outer perimeter of the northwestern right-of-way of Dakota Street and the northeastern right-of-way of Welland Street, approximately five (5) feet south of the southern property corner of TMS#09504-05-21, n/f Black; thence turning and extending therefrom in a northwesterly direction along the outer perimeter of the northeastern right-of-way of Welland Street, for a distance of four hundred (400) feet to manhole B3, located in the outer perimeter of the intersection of the northeastern right-of-way of Welland Street and the southeastern right-of-way of Heyward Brockington Road, approximately six (6) feet west of the westernmost property corner of TMS#09504-05-01, n/ f Black; thence turning and extending therefrom in a northeasterly direction along the outer perimeter of the southeastern right-of-way of Heyward Brockington Road, for a distance of six hundred seventeen (617) feet to manhole B5, located in the outer perimeter of the southeastern right-of-way of Heyward Brockington Road, approximately six (6) feet north of the northernmost property corner of TMS#09504-05-06, n/f Cooper; thence terminating.

Sanitary Sewer Line C: An 8" sanitary sewer line beginning at a wet well located on TMS#09600-01-67, n/f City of Columbia, approximately thirty-two (32) feet northwest of the southeastern property corner of said TMS#09600-01-67; thence extending therefrom in a southeasterly direction crossing said TMS#09600-01-67 and along the outer perimeter of the southwestern right-of-way of Welland Street, for a distance of five hundred seventy (570) feet to manhole C3, located in the outer perimeter of the southwestern right-of-way of Welland Street, approximately six (6) feet northeast of the easternmost property corner of TMS#09504-01-07, n/f Waldo & Hargrave; thence terminating.

Sanitary Sewer Force Main: A 4" sanitary sewer force main beginning at the aforesaid wet well on TMS#09600-01-67, n/f City of Columbia, approximately thirty-two (32) feet northwest of the southeastern property corner of said TMS#09600-01-67; thence extending therefrom in a southeasterly direction crossing said TMS#09600-01-67, along the outer perimeter of the southwestern right-of-way of Welland Street, and crossing Heyward Brockington Road, for a distance of one thousand six hundred five (1,605) feet to manhole B4 and tie to the aforescribed 8" sanitary sewer line (Line B), located in the outer perimeter of the southeastern right-of-way of Heyward Brockington Road, approximately thirty-seven (37) feet northeast of the northern property corner of TMS#09504-05-02, n/f Grady & Carrie; thence terminating.

Sanitary Sewer Line D: An 8" sanitary sewer line beginning at manhole C2, located in the outer perimeter of the southwestern right-of-way of Welland Street, approximately eighteen (18) feet southeast of TMS#09504-01-05, n/f Meeks; thence extending therefrom in a northeasterly direction crossing Welland Street and along the outer perimeter of the northwestern right-of-way of Redridge Terrace, for a distance of one thousand three hundred sixty-seven (1,367) feet to manhole D6, located in the outer perimeter of the intersection of the northwestern right-of-way of Redridge Terrace and the southwestern right-of-way of Porter Road, approximately seven (7) feet southeast of the southeastern

property corner of TMS#09504-02-12, n/f Goodwill; thence turning and extending therefrom in a northwesterly direction along the outer perimeter of the southwestern right-of-way of Porter Road, for a distance of one hundred fifty-two (152) feet to manhole D7, located along the southeastern property boundary of TMS#09600-01-53, n/f Boyles, approximately five (5) feet northeast of the northeastern property corner of said TMS# 09504-02-12; thence terminating.

Sanitary Sewer Line E: An 8" sanitary sewer line beginning at manhole D2 located in the outer perimeter of the northwestern right-of-way of Red Ridge Terrace, approximately thirty-one (31) feet southwest of the southeastern property corner of TMS#09504-02-04, n/f Kelly; thence extending therefrom in a southeasterly direction crossing Red Ridge Terrace and along TMS#09504-03-04, n/f Roberts, for a distance of one hundred thirty-nine (139) feet to manhole E1, located on said TMS#09504-03-04; thence turning and extending therefrom in an easterly direction crossing said TMS#09504-03-04, 05 (n/f Bates), 06 (n/f Jacobs), and 07 (n/f Johnson), for a distance of two hundred sixty-four (264) feet to manhole E2, located on TMS#09504-03-20 (n/f Green), approximately twenty-five (25) feet northeast of the southern property corner of said TMS#09504-03-07; thence turning and extending therefrom in a northeasterly/more easterly direction crossing said TMS#09504-03-20, 19 (n/f Kershaw), and 18 (n/f We Rent Pretty Houses, LLC), for a distance of two hundred sixty-three (263) feet to manhole E3, located on TMS#09504-03-31 (n/f Brown), approximately fifteen (15) feet southwest of the northern property corner of said TMS#09504-03-31; thence turning and extending therefrom in an easterly direction crossing TMS#09504-03-32 (n/f Culbreth), and 16 (n/f Goodwin), for a distance of one hundred twenty-three (123) feet to manhole E4, located along the northeastern property boundary of said TMS#09504-03-16; thence turning and extending therefrom in a northeasterly/more easterly direction crossing TMS#09504-03-11 (n/f Johnson), for a distance of one hundred twenty (120) feet to manhole E5, located on TMS#09504-03-12 (n/f Geter), approximately nine (9) feet northwest of the eastern property corner of said TMS#09504-03-11; thence terminating.

Sanitary Sewer Line F: An 8" sanitary sewer beginning at manhole A23 located on said TMS#09605-01-02, approximately ten (10) feet southeast of the northeastern property corner of said TMS#09605-01-16; thence extending therefrom in a northeasterly direction along said TMS#09605-01-02, for a distance of seventy-six (76) feet to manhole F1, located on said TMS#09605-01-02, approximately three (3) feet southwest of the northwestern property corner of TMS#09605-04-01, n/f Gridine; thence terminating.

Be all measurements a little more or less.

This conveyance also includes an exclusive easement on all sanitary sewer lines and appurtenances heretofore described for the purpose of ingress, egress, operation and maintenance of said sanitary sewer lines. Also granted herein is an easement across all private roadways and driveways, common areas, and parking areas for access, ingress and egress for operation, maintenance and repair of all sanitary sewer lines for this development. The Grantor hereby agrees that no construction (including, but not limited to, buildings, paving, pipe lines or other utilities) will be allowed within the limits of this easement without prior approval of the City Engineer.

This conveyance also includes all sanitary sewer line easements shown on a set of record drawings prepared for Booker Heights Community Sanitary Sewer, near the City of Columbia, South Carolina, dated June 23, 2008, prepared for Richland County, by Jordan Jones & Goulding, William R. Westfall, S.C.P.E. #9259 and being on file in the office of the Department of Utilities and Engineering, City of Columbia, South Carolina under file reference #295-19.

These sanitary sewer lines are more clearly delineated on a set of record drawings prepared for Booker Heights Community Sanitary Sewer, near the City of Columbia, South Carolina, dated June 23, 2008, prepared for Richland County, by Jordan Jones & Goulding, William R. Westfall, S.C.P.E. #9259 and being on file in the office of the Department of Utilities and Engineering, City of Columbia, South Carolina under file reference #295-19.

PW

TO HAVE AND TO HOLD the aforesaid rights to the Grantee, its successors and assigns, as aforesaid, forever.

And the Grantor does hereby bind the Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the said premises unto the Grantee, its successors and assigns against the Grantor and Grantor's successors and assigns and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

And Grantor warrants that Grantor is the lawful owner of said property and has the right to convey same; and that the property is free and clear of any and all liens and encumbrances of whatsoever kind or nature, except those set forth hereinabove.

WITNESS the hand and seal of the Grantor by the undersigned this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

WITNESSES:

RICHLAND COUNTY

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_  
(Print Name)

Title: \_\_\_\_\_

STATE OF SOUTH CAROLINA)

ACKNOWLEDGMENT

COUNTY OF RICHLAND )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2009 by \_\_\_\_\_ of \_\_\_\_\_ on behalf of the within-named Grantor.  
(Name of Officer and Title) (City and State)

\_\_\_\_\_  
NOTARY PUBLIC FOR \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

**ATTORNEY CERTIFICATION**

I, \_\_\_\_\_, an attorney licensed to practice in the State of \_\_\_\_\_ do hereby certify that I supervised the execution of the attached Deed to Water Lines for Broad River Wastewater Treatment Plant from Richland County, Grantor, to the City of Columbia, Grantee, this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_.

\_\_\_\_\_  
State Bar or License Number \_\_\_\_\_

STATE OF SOUTH CAROLINA ) DEED TO WATER LINES FOR BROAD RIVER  
WASTEWATER TREATMENT PLANT;  
COUNTY OF RICHLAND ) RICHLAND COUNTY TMS# 05306-07-01 AND  
TMS#05300-01-11 (PORTION); CF#266-05

**RICHLAND COUNTY**

to

**CITY OF COLUMBIA**

FOR VALUE RECEIVED, RICHLAND COUNTY (also hereinafter referred to as "Grantor") of Columbia, South Carolina does hereby bargain, sell, transfer and convey unto the CITY OF COLUMBIA (also hereinafter referred to as "Grantee"), its successors and assigns, all of Grantor's rights, title and interests in and to the below described water lines:

All those certain water lines, the same being 6", 8" and 12" in diameter including valves, valve boxes, fire hydrants, meter boxes, service lines to easement boundaries, (including 6" DIP) lead lines to fire hydrants and all components to complete the system.

All metes, courses, bounds and measured distances described herein are approximate. The precise metes, courses, bounds and measured distances are more particularly described and shown on CF#266-05, which is incorporated herein by specific reference thereto.

An 8" water line beginning at an 8" tapping sleeve and tie to an existing 8" City of Columbia water line (CF#236-18D), located in the outer perimeter of the intersection of the eastern right-of-way of Tangleworth Road and the southwestern right-of-way of River Bottom Road, thirty-six and three hundredths (36.03) feet southwest of the northernmost/northwestern property corner of Richland County TMS#05306-07-01, n/f Williams; thence extending therefrom in a northerly direction along the outer perimeter of the intersection of the eastern right-of-way of Tangleworth Road and the southwestern right-of-way of River Bottom Road, for a distance of four (4) feet to a 45° bend located in the outer perimeter of the intersection of the eastern right-of-way of Tangleworth Road and the outer perimeter of the southwestern right-of-way of River Bottom Road, thirty-four and fifty-two hundredths (34.52) feet southwest of the northernmost/northwestern property corner of Richland County TMS#05306-07-01, n/f Williams; thence turning and extending therefrom in a northeasterly direction along the outer perimeter of the intersection of the eastern right-of-way of Tangleworth Road and the southwestern right-of-way of River Bottom Road, for a distance of ten (10) feet to an 8" x 12" increaser, located in the outer perimeter of the intersection of the eastern right-of-way of Tangleworth Road and the southwestern right-of-way of River Bottom Road, twenty-five and eighty-five hundredths (25.85) feet southwest of the northernmost/northwestern property corner of said TMS#05306-07-01; thence a **12" water line** continuing therefrom in a northeasterly direction along the outer perimeter of the intersection of the eastern right-of-way of Tangleworth Road and the southwestern right-of-way of River Bottom Road, for a distance of eleven (11) feet to a 45° bend located in the outer perimeter of the southwestern right-of-way of River Bottom Road, sixteen and eighty-nine hundredths (16.89) feet west of the northernmost/northwestern property corner of said TMS#05306-07-01; thence turning and extending therefrom in a southeasterly/more easterly direction along the outer perimeter of the southwestern right-of-way of River Bottom Road, for a distance of one hundred four (104) feet to a 45° bend, located in the outer perimeter of the southwestern right-of-way of River Bottom Road, four and sixty-four hundredths (4.64) feet northeast of the northeastern property corner of said TMS#05306-07-01; thence turning and extending therefrom in a southeasterly to southerly to southeasterly direction along Shady Wood Lane, for a distance of five hundred fifty-nine (559) feet to a 45° bend located in Shady

APPROVED BY  
CITY OF COLUMBIA Item# 29

 LEGAL DEPT.

Attachment number 6  
Page 2 of 4



Wood Lane, forty-three and ninety-three hundredths (43.93) feet northwest of the eastern property corner of Richland County TMS# 05306-07-10, n/f Hembree; thence turning and extending therefrom in a northeasterly direction crossing Shady Wood Lane, for a distance of forty-five (45) feet to a 45° bend located in Shady Wood Lane, thirty-seven and eleven hundredths (37.11) feet northeast of the eastern property corner of said TMS#05306-07-10; thence turning and extending therefrom in a southeasterly direction along Shady Wood Lane and crossing Richland County TMS#05300-01-11, n/f Richland County, for a distance of sixteen hundred thirty-seven (1637) feet to a 12" x 6" reducer, located on the subject property, one hundred sixteen and seven tenths (116.7) feet northwest of the northern building corner of "alkaline system building"; thence a 6" water line continuing therefrom in a southeasterly direction along the subject property, for a distance of fourteen (14) feet to a 6" x 6" tee located on the subject property, one hundred two and forty-six hundredths (102.46) feet northwest of the northern building corner of "alkaline system building"; thence turning and extending therefrom in a southwesterly direction along the subject property, for a distance of eleven (11) feet to a meter pit, located on the subject property, one hundred seven and sixteen hundredths (107.16) feet northwest of the northern building corner of "alkaline system building"; thence terminating.

Also, a 6" water line beginning at the aforesaid 6" x 6" tee located on the subject property, one hundred two and forty-six hundredths (102.46) feet northwest of the northern building corner of "alkaline system building"; thence extending therefrom in a northeasterly direction along the subject property, for a distance of ten (10) feet to a 6" plug, located on the subject property, ninety-eight and eighty-nine hundredths (98.89) feet northwest of the northern building corner of "alkaline system building"; thence terminating.


Be all measurements a little more or less.

This conveyance also includes an exclusive easement on all water lines and appurtenances heretofore described for the purpose of ingress, egress, operation and maintenance of said water lines. Also granted herein is a 10' exclusive water main easement from the main line to meter boxes for services off the water mains. Also granted herein is a non-exclusive easement for access, ingress and egress over all private roadways, common areas, and parking areas for operation, maintenance, and repair of all water lines for this development. The Grantor hereby agrees that no construction (including, but not limited to, buildings, paving, pipe lines or other utilities) will be allowed within the limits of this easement without prior approval of the City Engineer.

This conveyance also includes all water line easements shown on a set of record drawings for Broad River Wastewater Treatment Plant, in Richland County, near the City of Columbia, South Carolina, dated October 29, 2007 last revised April 30, 2008, prepared for Richland County, by Power Engineering Company, Inc., Gerald Allen Lee, S.C.P.E. #21629 and being on file in the Office of the Department of Utilities and Engineering, City of Columbia, South Carolina under file reference #266-05.

These water lines are more clearly delineated on a set of record drawings for Broad River Wastewater Treatment Plant, in Richland County, near the City of Columbia, South Carolina, dated October 29, 2007 last revised April 30, 2008, prepared for Richland County, by Power Engineering Company, Inc., Gerald Allen Lee, S.C.P.E. #21629 and being on file in the Office of the Department of Utilities and Engineering, City of Columbia, South Carolina under file reference #266-05.

DD

APPROVED BY  
CITY OF COLUMBIA  
LEGAL DEPT.  


TO HAVE AND TO HOLD the aforesaid rights to the Grantee, its successors and assigns, as aforesaid, forever.

And the Grantor does hereby bind the Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the said premises unto the Grantee, its successors and assigns against the Grantor and Grantor's successors and assigns and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

And Grantor warrants that Grantor is the lawful owner of said property and has the right to convey same; and that the property is free and clear of any and all liens and encumbrances of whatsoever kind or nature, except those set-forth hereinabove.

WITNESS the hand and seal of the Grantor by the undersigned this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

WITNESSES:

**RICHLAND COUNTY**

\_\_\_\_\_  
(1<sup>st</sup> witness signature)

By: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(2<sup>nd</sup> witness signature)

Title: \_\_\_\_\_  
(Print Title)

STATE OF SOUTH CAROLINA )

COUNTY OF RICHLAND )

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2009 by \_\_\_\_\_ of \_\_\_\_\_  
(Name of Officer and Title) (City and State)  
on behalf of the within-named Grantor.

\_\_\_\_\_  
NOTARY PUBLIC FOR THE STATE OF SOUTH CAROLINA

MY COMMISSION EXPIRES \_\_\_\_\_

**ATTORNEY CERTIFICATION**

I, \_\_\_\_\_, an attorney licensed to practice in the State of \_\_\_\_\_, do hereby certify that I supervised the execution of the attached Deed to Water Lines for Broad River Wastewater Treatment Plant, Phase 2 with Richland County as Grantor and the City of Columbia, as Grantee, this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_\_.

\_\_\_\_\_  
State Bar or License Number: \_\_\_\_\_

STATE OF SOUTH CAROLINA ) DEED TO WATER LINES FOR BROAD RIVER  
WASTEWATER TREATMENT PLANT, PHASE  
2; RICHLAND COUNTY TMS# 05300-01-11  
RICHLAND COUNTY ) (PORTION); CF#266-05

**RICHLAND COUNTY**

to

**CITY OF COLUMBIA**

FOR VALUE RECEIVED, RICHLAND COUNTY (also hereinafter referred to as "Grantor") of Columbia, South Carolina does hereby bargain, sell, transfer and convey unto the CITY OF COLUMBIA (also hereinafter referred to as "Grantee"), its successors and assigns, all of Grantor's rights, title and interests in and to the below described water lines:

All those certain water lines, the same being 6" in diameter including valves, valve boxes, fire hydrants, meter boxes, service lines to easement boundaries, (including 6" DIP) lead lines to fire hydrants and all components to complete the system.

All metes, courses, bounds and measured distances described herein are approximate. The precise metes, courses, bounds and measured distances are more particularly described and shown on CF#266-05, which is incorporated herein by specific reference thereto.

A 6" water line beginning at a tapping sleeve and tie to an existing 6" City of Columbia water line (CF#266-05), located on the subject property, ninety-eight and eighty-eight hundredths (98.88) feet northwest of the northern corner of "Alkaline System Building"; thence extending therefrom in a northeasterly direction along the subject property, for a distance of six (6) feet to a 45° bend located on the subject property, ninety-seven and forty-six hundredths (97.46) feet northwest of the northern corner of said "Alkaline System Building"; thence turning and extending therefrom in a generally easterly direction along the subject property for a distance one hundred seventy-three (173) feet to a 45° bend, located on the subject property one hundred twelve and six tenths (112.6) feet northeast of the northern corner of said "Alkaline System Building"; thence turning and extending therefrom in a southeasterly direction along the subject property, for a distance of four hundred thirty-four (434) feet to a 45° bend, located on the subject property, one hundred seventy-six and twelve hundredths (176.12) feet east of the eastern corner of "SBR Basin"; thence turning and extending therefrom in a southeasterly direction along the subject property, for a distance of eighty-six (86) feet to a 45° bend located on the subject property, two hundred nine and twenty-eight hundredths (209.28) feet southeast of the eastern corner of "SBR Basin"; thence turning and extending therefrom in a southwesterly direction along the subject property, for a distance of sixty (60) feet to a 45° bend, located on the subject property, two hundred ten and thirty-nine hundredths (210.39) feet southeast of the eastern corner of "SBR Basin"; thence turning and extending therefrom in a southwesterly direction along the subject property, for a distance of forty-five (45) feet to a fire hydrant assembly, located on the subject property, one hundred ninety-nine and twenty-seven hundredths (199.27) feet southeast of southern corner of "SBR Basin"; thence terminating.

Be all measurements a little more or less.

This conveyance also includes an exclusive easement on all water lines and appurtenances heretofore described for the purpose of ingress, egress, operation and maintenance of said water lines. Also granted herein is a 10' exclusive water main easement from the main line to meter boxes for services off the water mains. Also granted herein is a non-exclusive easement for access, ingress and egress over all private

APPROVED BY  
CITY OF COLUMBIA  
LEGAL DEPT. Item# 29

roadways, common areas, and parking areas for operation, maintenance, and repair of all water lines for this development. The Grantor hereby agrees that no construction (including, but not limited to, buildings, paving, pipe lines or other utilities) will be allowed within the limits of this easement without prior approval of the City Engineer.

This conveyance also includes all water line easements shown on a set of record drawings for Broad River Wastewater Treatment Plant, Phase 2, in Richland County, near the City of Columbia, South Carolina, dated January 30, 2009, last revised March 11, 2009, prepared for Richland County, by Power Engineering Company, Inc., Gerald Allen Lee, S.C.P.E. #21629 and being on file in the Office of the Department of Utilities and Engineering, City of Columbia, South Carolina under file reference #266-05.

These water lines are more clearly delineated on a set of record drawings for Broad River Wastewater Treatment Plant, Phase 2, in Richland County, near the City of Columbia, South Carolina, dated January 30, 2009, last revised March 11, 2009, prepared for Richland County, by Power Engineering Company, Inc., Gerald Allen Lee, S.C.P.E. #21629 and being on file in the Office of the Department of Utilities and Engineering, City of Columbia, South Carolina under file reference #266-05.

DD

**(REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)**

TO HAVE AND TO HOLD the aforesaid rights to the Grantee, its successors and assigns, as aforesaid, forever.

And the Grantor does hereby bind the Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the said premises unto the Grantee, its successors and assigns against the Grantor and Grantor's successors and assigns and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

And Grantor warrants that Grantor is the lawful owner of said property and has the right to convey same; and that the property is free and clear of any and all liens and encumbrances of whatsoever kind or nature, except those set-forth hereinabove.

WITNESS the hand and seal of the Grantor by the undersigned this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

WITNESSES:

**RICHLAND COUNTY**

\_\_\_\_\_  
(1<sup>st</sup> witness signature)

By: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(2<sup>nd</sup> witness signature)

Title: \_\_\_\_\_  
(Print Title)

STATE OF SOUTH CAROLINA )

COUNTY OF RICHLAND )

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2009 by \_\_\_\_\_ of \_\_\_\_\_  
(Name of Officer and Title) (City and State)  
on behalf of the within-named Grantor.

\_\_\_\_\_  
NOTARY PUBLIC FOR THE STATE OF SOUTH CAROLINA

MY COMMISSION EXPIRES \_\_\_\_\_

# Richland County Council Request of Action

**Subject**

An Ordinance Amending the Fiscal Year 2009-2010 Road Maintenance Fund Annual Budget to appropriate \$40,000 of Undesignated Fund Balance for the revised transportation study **[SECOND READING] [PAGES 192-194]**

**Notes**

First Reading: October 6, 2009

Second Reading:

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_-10HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2009-2010 ROAD MAINTENANCE FUND ANNUAL BUDGET TO APPROPRIATE \$40,000 OF UNDESIGNATED FUND BALANCE FOR THE REVISED TRANSPORTATION STUDY.

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. That the amount of forty thousand (\$40,000) be appropriated to the Fiscal Year 2009-2010 Road Maintenance Fund for the revised transportation study. Therefore, the Fiscal Year 2009-2010 Road Maintenance Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2009 as amended:	\$ 10,558,319
Appropriation of Road Maintenance undesignated fund balance:	<u>40,000</u>
Total Road Maintenance Fund Revenue as Amended:	\$ 10,598,319

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$ 10,558,319
Increase to Road Maintenance Fund budget:	<u>40,000</u>
Total Road Maintenance Fund Expenditures as Amended:	\$ 10,598,319

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 enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair



ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2009

---

Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

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

---

**Scope of Services  
Revised Project Cost and Revenue Forecast for  
Richland County Transportation Study**

In October 2006, the Richland County Council established by ordinance the Richland County Transportation Study Commission. By ordinance, the Commission's mission was to study the long range multimodal transportation needs of Richland County through the development of a Long Range Transportation Plan (LRTP). As part of this process, "Richland County Transportation Study" began in March, 2007 and was completed in May, 2008.

In October 2009, the Central Midlands Regional Transit Authority (CMRTA) began a Three Part Analysis and Planning Effort. This Comprehensive Study, scheduled for completion by February 2010, will result in a detailed analysis of the existing CMRTA system and a full complement of recommended improvements to improve efficiency, modernize the bus route network and identify the need for additional financial resources.

This Scope of Services (SOS) is to update project cost and revenue forecast information presented in the Richland County Transportation Study in light of current economic conditions. PB proposes the following steps in order to update the information provided in the 2007-2008 report:

- PB will review the original project cost and revenue forecasts as presented in the Richland County Transportation Study. This will include review of existing funding sources and also the study-recommended "local options transportation sales tax".
- PB will work with Richland County and SCDOT to obtain latest sales tax information and local construction cost information to update the cost and revenue estimates.
- PB will estimate revenue stream over a twenty-five (25) year period (2010 – 2035). PB will work with Richland County to develop a reasonable revenue forecast by developing a range of low-medium-high forecasts through sensitivity analysis of tax rates.
- PB will update and provide project cost information in 2009 Dollars. Project estimates will be developed for individual funding categories including roadway, transit, and greenways/ bike.
- PB will assist Richland County to develop project timelines to match revenue forecasts over the 25-year period.

**Work Schedule:**

Work will be completed within 60 work-days of receiving Notice to Proceed or by no later than February 2010 to coincide with completion of the CMRTA study.

**Budget:**

Lump sum cost to complete this SOS will not exceed forty thousand dollars (\$40,000.00). Any additional or out-of-scope work will require written authorization from Richland County. This includes a maximum of four meetings with Richland County but does not include any public meetings/ presentations.

**Work Deliverable:**

Technical Memorandum will document Revised Project Cost and Revenue Forecast for Richland County Transportation study.

# Richland County Council Request of Action

**Subject**

Lexington/Richland Alcohol and Drug Abuse Council-2 [Paul Bouknight\*, Roosevelt Garrick, Jr.\*]

# Richland County Council Request of Action

**Subject**

Richland Memorial Hospital Board-3 [Bill Bradshaw\*, Jerry Odom\*, Ann Pringle Washington]

# Richland County Council Request of Action

**Subject**

Business Service Center Appeals Board-1 [Pierre E. Brunache] [**PAGES 198-201**]



**APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION**

**Applicant must reside in Richland County.**

Name: Piere E. Brunache  
Home Address: 330 Bombing Range Road, Columbia, SC 29229  
Telephone: (home) 803-609-2090 (work) 803-217-8518  
Office Address: 111 Research Dr. Columbia, SC 29203  
Email Address: djPiere@sc.rv.com  
Educational Background: MA-HR Management, BA-HC Administration  
Professional Background (Must be one): CPA  Attorney  Business person   
Male  Female  Age: 18-25  26-50  Over 50   
Name of Committee in which interested: Business Service Center Appeals Board  
Reason for interest: I own Pro music and sound, as a practicing business person I want to offer my knowledge, skills + abilities.  
Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:  
(resume is also requested) Organizational, oral, written skills; Employee Training Design + implementation, Trainer, Many more Talents, Good business ethics.  
Presently serve on any County Board/Commission/Committee? NO  
Any other information you wish to give? Believe in hardwork and entrepreneurial spirit  
Recommended by Council Member(s), if any: \_\_\_\_\_  
Hours willing to commit each month: would like to know the standard first

**CONFLICT OF INTEREST POLICY**

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the board for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all boards shall be required to abstain from voting or influencing through discussion or debate or any other way, decisions of the board affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council, by majority vote of the council, shall elect.

### STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board? Yes  No

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
Applicant's Signature

10/30/08  
\_\_\_\_\_  
Date

For more information about the Business Service Center Appeals Board, please e-mail [bsc@rcgov.us](mailto:bsc@rcgov.us) or call 576-2287.

Applications are current for one year.

**Please return applications to:**  
**Richland County**  
**Clerk of Council's Office**  
**Post Office Box 192**  
**Columbia, SC 29202**

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

**Pierre E. Brunache**  
**P.O. Box 291274, Columbia, SC 29229**  
**Phone: 803-609-2090; Email address: djpierre@sc.rr.com**

#### **PROFESSIONAL EXPERIENCE SUMMARY**

- An experienced and established small business owner in Northeast Columbia
- Over 13 years of exempt-level multifaceted Human Resources Management experience in areas of staffing and recruitment, employee and labor relations, compensation and benefits, human resource development, and workforce planning and employment, risk management and total rewards
- Excellent oral, written, organizational and time management skills
- Proficient in Microsoft applications to include Word, Outlook, Excel, Access, PowerPoint; to include PeopleSoft 8, Business Objects XI Release 2

#### **EDUCATION**

- M.A., Human Resources Management – Webster University, St. Louis, MO., 10/13/2007
- B.A., Human Resources Administration – Saint Leo University, Saint Leo, FL., 09/01/2001
- A.A., Liberal Arts - Saint Leo University, Saint Leo, FL., 01-01-1999
- High School Diploma – Dr. Phillips High School, Orlando, FL., 06/02/1990

#### **RELEVANT SKILLS AND ACCOMPLISHMENTS**

Owner & Operator 2003 – present

Pro Music and Sound; Columbia, SC; [www.djpromusicandsound.com](http://www.djpromusicandsound.com)

- Successfully manage day-to-day operations of a Professional Disc Jockey Services Company
- Responsible for marketing, market research, customer service, advertising, targeting, packaging, pricing, and e-marketing

HR Generalist II Apr 2002 - present

SCANA/South Carolina Electric & Gas Company, Columbia, South Carolina

- Provide day-to-day human resources support and counsel to the SCE&G Fossil Hydro Business Unit covering many and most of the following areas: employee relations, recruiting, compensation, benefits, training, employee communications, safety and employment documentation
- Ensures consistent application of organizational policies and procedures in accordance with local, state, and federal laws
- Serves as liaison with internal departments/divisions and/or outside organizations
- Coordinate and administer employment - including the recruitment/selection/hiring process, classification and compensation, employee relations, disciplinary actions, dispute resolution, and other human resources functions

Senior Trainer Mar 2000-2002

United States Army, Fort Jackson, South Carolina

- Evaluated and conducted all training requirements of a 300 personnel student detachment division of administrative assistants in an institution of higher learning
- Conducted in-depth inquiries of the level of training and reported to top-management all training needs
- Assessed, developed, and facilitated department wide training solutions.
- Prepared reports on strength levels and statuses of all 300-student personnel of top chief executives in the organization
- Conducted frequent cross training sessions amongst staff members allowing knowledge to be equally shared and increasing section productivity
- Developed an employee orientation program resulting in highly motivated employees

**Item# 33**

Attachment number 1  
Page 3 of 4



Human Resources Manager

Sep 1997-Mar 2000

United States Army, Fort Lee, Virginia

- Restructured Human Resources Department to strategically meet the organizational goals of the unit as it relates to the overall goal of the Army
- Interpreted, advised and counseled top-level management on all human Resources policies concerning employee counseling, performance appraisals, employee advancement, compensation/finance, and employee rewards program, and accurate employee accountability
- Served in the capacity of principal advisor for senior-level management in all aspects of the Army's Equal Opportunity Program
- Recognized and assessed indicators of the Equal Opportunity climate, prepared reports of findings for management, and advised management on suitable actions. Specialized in the management of manpower resources
- Trained diverse groups of employees, managers and top executives concerning all equal opportunity issues to include discriminatory and nondiscriminatory employment practices and sexual harassment; and prepared reports of disparities

Assistant Human Resources Manager

Feb 1996-Sep 1997

United States Army, Camp Humphries, Korea

- Provided customer service while managing over 1,000 personnel records of entry, mid, and executive level professionals working in four different career fields and conducted job placement according to staffing needs
- Recruited, supervised, counseled, and mentored an eight-member team of highly qualified administrative/human Resources assistants to increase productivity in the human Resources department
- Revised and implemented new operating procedures of the personnel benefit programs to include the Servicemember's Group Life Insurance (SGLI) and the Veteran's Group Life Insurance (VGLI) programs

Administrative Assistant

Sep 1993-Feb 1996

United States Army, Fort Bragg, North Carolina

- Provided technical guidance on all administrative matters to include controlling, reviewing, routing and ensuring all staff actions were administratively correct. Maintained over 100 confidential employee files
- Provided counsel and advice to employees/supervisors and top-level management on all employee relations' matters
- Prepared, implemented and conducted Equal Opportunity training focusing on areas such as Sexual Harassment, Affirmative Actions and other EO related issues

### **Professional Memberships**

- Society for Human Resources Management; [www.shrm.org](http://www.shrm.org)
- Columbia Chapter of the Society of Human Resource Management; <http://columbiashrm.shrm.org>
- Columbia Bridal Associates; [www.columbiabride.com/](http://www.columbiabride.com/)

### **Community Services**

- Habitat for Humanity; The Columbia Junior Chamber of Commerce (Jaycees); Sistercare
- American Red Cross; Harvest Hope Food Bank; March of Dimes
- Juvenile Diabetes Research Foundation (JDRF)

### **Awards**

- Meritorious Service Medal; Army Accommodation Medal; Army Achievement Medal 05/19/1995;
- Delta Epsilon Sigma National Scholastic Honor Society

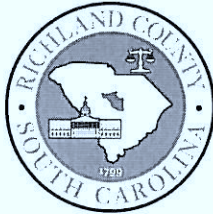
Item# 33

Attachment number 1  
Page 4 of 4

# Richland County Council Request of Action

**Subject**

Midlands Workforce Board-1 [Randy Cherry, RC Research Manager] **[PAGE 203]**



APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION

Name: Randy Cherry

Home Address: \_\_\_\_\_

Telephone: (home) 803-408-2971 (work) 803-576-2066

Office Address: 2020 Hampton Street, PO Box 192, Columbia, SC 29202

Educational Background: M.A. Public Policy

Professional Background: Researcher, Internal Auditor

Male  Female  Age: 18-25  26-50  Over 50

Name of Committee in which interested: Midlands Workforce Development Board

Reason for interest: Research Manager for Richland County.

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:

Presently serve on any County Board/Commission/Committee? No

Any other information you wish to give? No

Recommended by Council Member(s): \_\_\_\_\_

Hours willing to commit each month: \_\_\_\_\_

Randy Cherry  
Applicant's Signature

10-12-2009  
Date

# Richland County Council Request of Action

**Subject**

Motion for presentations to be held on the third Tuesdays of the month.

# Richland County Council Request of Action

**Subject**

Lobbyist Contract Award [**PAGE 206**]

**Professional Services Contract for Governmental Affairs / Political Representation**  
**Follow Up Information**

Six firms submitted proposals:

1. The Ferguson Group
2. Alcade & Fay
3. Michel Law Firm
4. Capitol Consultants
5. Nelson Mullins Riley & Scarborough
6. Tompkins & Kinard

Nelson Mullins Riley & Scarborough received the highest score from the five-member Evaluation Team, which was comprised of staff from various county departments, as well as a City staff member with extensive knowledge of governmental affairs.

As Nelson Mullins has been deemed the most advantageous, we are requesting Council approve staff to proceed with contractual negotiations and award with this firm.

# Richland County Council Request of Action

**Subject**

Screaming Eagle Substation - Cost Overruns

# Richland County Council Request of Action

**Subject**

An Ordinance Amending the Fiscal Year 2009-2010 Conservation Commission Fund Budget to appropriate \$23,000 of reserved fund balance for the Wetlands Mitigation Assessment **[PAGES 209-210]**

**Notes**

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



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_-10HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2009-2010  
CONSERVATION COMMISSION FUND BUDGET TO APPROPRIATE \$23,000  
OF RESERVED FUND BALANCE FOR THE WETLANDS MITIGATION  
ASSESSMENT.

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. That the amount of twenty three thousand (\$23,000) be appropriated to the Fiscal Year 2009-2010 Conservation Commission Fund budget for the Wetlands Mitigation Assessment. Therefore, the Fiscal Year 2009-2010 Conservation Commission Fund Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2009 as amended:	\$ 1,213,299
Appropriation of reserved fund balance:	<u>23,000</u>
Total Conservation Commission Fund Budget as amended:	\$ 1,236,299

EXPENDITURES

Expenditures appropriated July 1, 2009 as amended:	\$ 1,213,299
Increase to Conservation Commission Fund budget:	<u>23,000</u>
Total Conservation Commission Fund Expenditures:	\$ 1,236,299

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 enforced from and after \_\_\_\_\_, 2009.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

Item# 38

Attachment number 1  
Page 1 of 2

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2009

---

Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

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

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

# Richland County Council Request of Action

**Subject**

For Items on the Agenda Not Requiring a Public Hearing