

RICHLAND COUNTY
PLANNING COMMISSION



JANUARY 5, 2009

RICHLAND COUNTY PLANNING COMMISSION

Monday, January 5, 2009
Agenda
1:00 PM
2020 Hampton Street
2nd Floor, Council Chambers

STAFF Joseph Kocy, AICP Planning Director
Anna Almeida, AICP Deputy Planning Director
Jennie Sherry-Linder Land Development Administrator
Amelia R. Linder, Esq. Attorney

I. PUBLIC MEETING CALL TO ORDER Deas Manning, Chairman

II. ELECTION OF OFFICERS

II. PUBLIC NOTICE ANNOUNCEMENT

III. PRESENTATION OF MINUTES FOR APPROVAL

a. December Minutes

IV. AGENDA AMENDMENTS

V. NEW BUSINESS

a. Approval of 2009 Calendar

VI. SUBDIVISION REVIEW

SD-05-231		
Project Name:	Pinnacle Ridge @ Lake Carolina	Page
TAX MAP SHEET NUMBER	23200-01-20,08,51	3

VII. TEXT AMENDMENTS

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; SO AS TO PERMIT "DAY CARE, ADULT, HOME OCCUPATION (6 OR LESS)"; "DAY CARE CENTERS, ADULT"; "DAY CARE, CHILD, FAMILY DAY CARE, HOME OCCUPATION (6 OR LESS)"; AND "DAY CARE CENTERS, CHILD, LICENSED CENTERS"; IN VARIOUS ZONING DISTRICTS WITH SPECIAL REQUIREMENTS. Page 9

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-171, GENERAL; SO AS PROTECT BUFFERS, COMMON AREAS, OPEN SPACE, RECREATION AREAS, AND PLANTED AND/OR VEGETATIVE AREAS ON ALL APPROVED PLANS. Page 17

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 AMEND SUBSECTION (E), PROHIBITED SIGNS, AND TO CREATE A NEW SUBSECTION FOR THE PURPOSE OF ENFORCEMENT. Page 21

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; SO AS TO DELETE SECTION 26-184, PARKS AND OPEN SPACE, AND TO PROVIDE FOR THE USE OF THE GREEN CODE'S FLEXIBILITY IN THE VARIOUS ZONING DISTRICTS. Page 25

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-186, GREEN CODE STANDARDS; SUBSECTION (H), DEVELOPMENT STANDARDS; PARAGRAPH (1); SO AS TO REDUCE THE MINIMUM REQUIRED SUBDIVISION SIZE TO TWO ACRES. Page 37

VIII. COMPREHENSIVE PLAN

Approval of the Richland County Comprehensive plan for Smart Growth.....Page 39

IX. ROAD NAME APPROVALS..... Page 41

X. ADJOURNMENT



2009 Calendar for Planning Meetings

Planning Commission <small>(usually meets 1st Monday of month at 1:00 p.m.)</small>	Board of Zoning Appeals <small>(usually meets 1st Wednesday of month at 1:00 p.m.)</small>	Zoning Public Hearing <small>(usually meets 4th Tuesday of month at 7:00 p.m.)</small>	Building Codes Board of Adjustment <small>(usually meets 2nd Thursday of month at 1:30 p.m.)</small>
January 5	January 7	January 27	January 15
February 2	February 4	February 24	February 12
March 2	March 4	March 24	March 12
April 6	April 1	April 28	April 9
May 4	May 6	May 26	May 14
June 1	June 3	June 23	June 11
July 2	July 1	July 28	July 9
August 3	August 5	*	August 13
September 3	September 2	September 22	September 10
October 5	October 7	October 27	October 8
November 2	November 4	November 24	November 12
December 7	December 9	December 22	December 10

All dates and times are subject to change.

*County Council traditionally does not meet in August.

For all questions concerning meeting dates and times please contact Suzie Haynes in the Richland County Development Services Division at 576-2176 or suziehaynes@richlandonline.com.



Richland County Planning & Development Services Department Subdivision Staff Report

PC MEETING DATE: January 5, 2009
RC PROJECT: SD-05-231
APPLICANT: Pinnacle Ridge at Lake Carolina
LOCATION: Lake Carolina Drive

TAX MAP NUMBER: 23200-01-08, 20 & 51
ACREAGE: 31.0
EXISTING ZONING: PUD-2
NUMBER OF LOTS: 130

WATER PROVIDER: City of Columbia
SEWER PROVIDER: Palmetto Utilities

Staff Recommendation

Conditional Approval

Background

Pinnacle Ridge at Lake Carolina consists of 130 residential single family lots subject to the provisions of the Lake Carolina Planned Unit Development (PUD) and the development agreement. There are three proposed access points; two on Lake Carolina Drive and one on Lake Carolina Boulevard.

The total approved density for the Lake Carolina PUD is (7,177) residential units to date (3,259) residential units have been developed and an additional (1,315) residential units planned.

A development agreement is part of the Lake Carolina PUD and requires that all major subdivisions be brought before the Planning Commission.

Roads

The proposed lots have frontage on Lake Carolina Boulevard and Lake Carolina Drive; sixty-six (66) foot right-of-way is provided and maintained by Richland County.

Traffic Impact

The traffic generated by the Lake Carolina development and mitigation has been addressed in the Development Agreement.

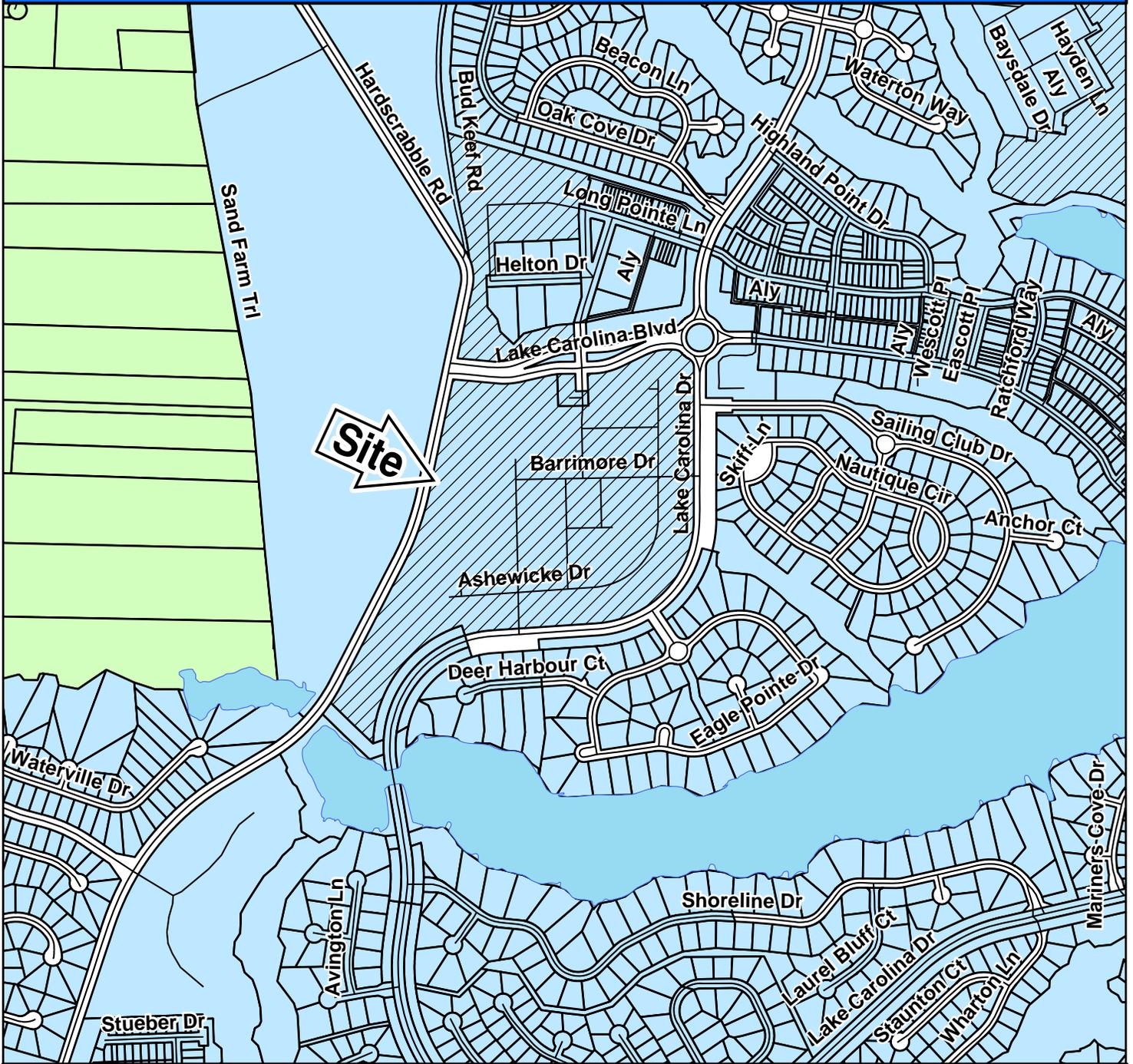
Conclusion

Pinnacle Ridge at Lake Carolina consists of 31 acres approved as a Planned Unit Development for Lake Carolina with a development agreement. The total acreage for the PUD is 1,846 acres.

Planning Staff recommends approval of the subdivision with the following conditions:

1. Approval from the Richland County Public Works department regarding stormwater management.
2. Approval from Richland County Flood Coordinator.
3. Approval from E-911 Addressing.
4. Approval from the Richland County Fire Marshal.
5. Submission of a copy of approval from DHEC for the water and sewer line permits.
6. Submission of a controlled clearing plan for review and approval.
7. Approval from the City of Columbia for all water line easements.
8. Approval from Palmetto Utilities for all sewer line easements.
9. Adherence to the planned development and development agreement.

SD 05-231 Pinnacle Ridge @ Lake Carolina



ZONING CLASSIFICATIONS

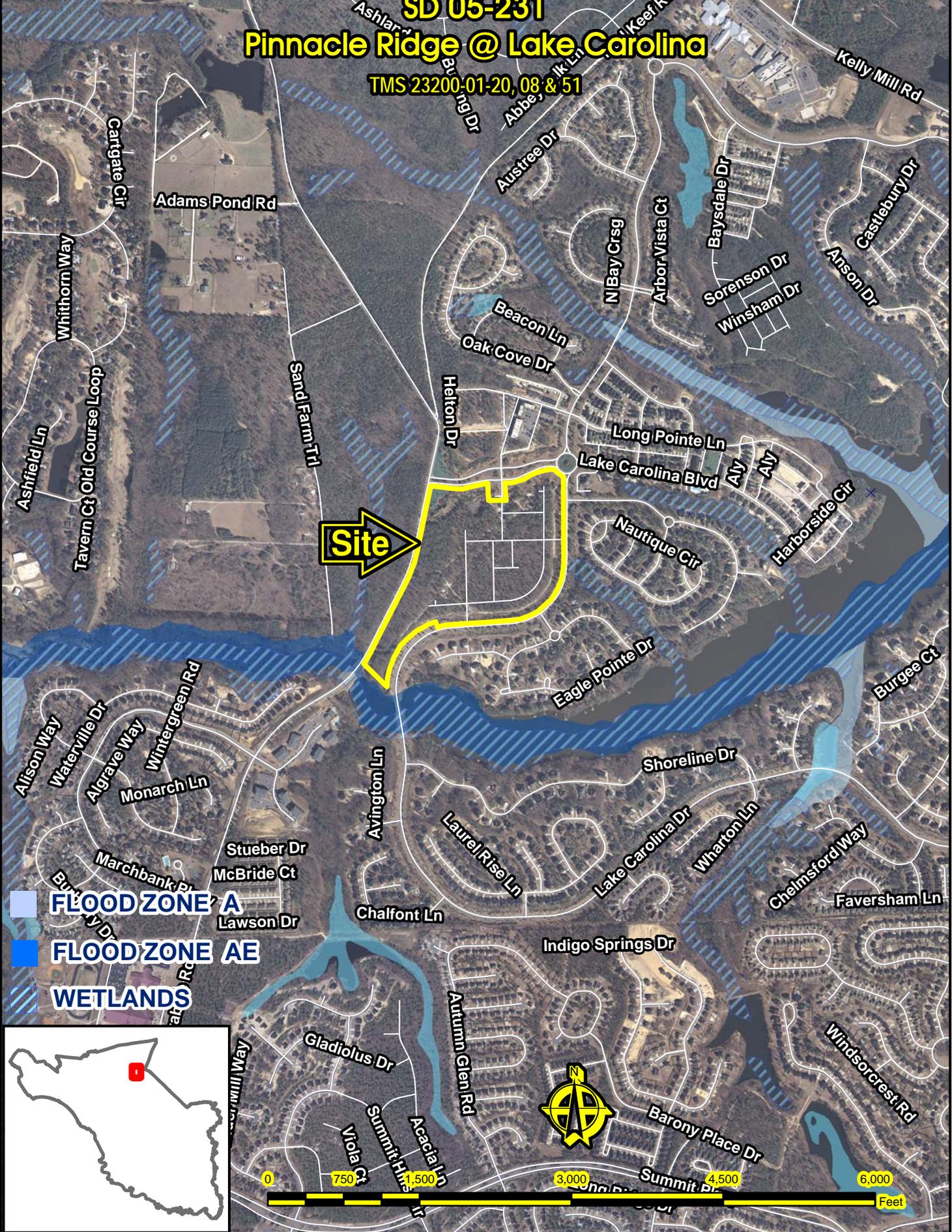
 RR	 RS-E	 MH	 NC	 HI
 C-1	 RS-LD	 RM-MD	 GC	 PDD
 C-3	 RS-MD	 RM-HD	 M-1	 RU
 RG-2	 RS-HD	 OI	 LI	 TROS



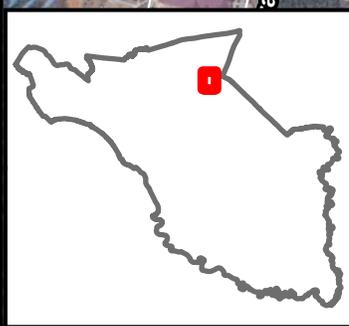
 Subject Property

SD 05-231
Pinnacle Ridge @ Lake Carolina
TMS 23200-01-20, 08 & 51

Site →



-  **FLOOD ZONE A**
-  **FLOOD ZONE AE**
-  **WETLANDS**



EXPLANATION OF AMENDMENT TO ADULT AND CHILD DAY CARES

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; SO AS TO PERMIT “DAY CARE, ADULT, HOME OCCUPATION (6 OR LESS)”; “DAY CARE CENTERS, ADULT”; “DAY CARE, CHILD, FAMILY DAY CARE, HOME OCCUPATION (6 OR LESS)”; AND “DAY CARE CENTERS, CHILD, LICENSED CENTERS”; IN VARIOUS ZONING DISTRICTS WITH SPECIAL REQUIREMENTS.

What this ordinance will do:

It will allow **adult and child home occupation** uses with special requirements in all districts that allow residential uses, i.e. RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, and GC, however it will delete the use from the NC and RC districts.

In addition, with special requirements, it will allow **adult day care centers** in RU and M-1 districts, as well as in OI, NC, RC, and GC districts.

And, it will allow **child day care centers** in RU districts, as well as in OI, RC, GC, and M-1 districts, but it will delete the use from the LI district.

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 PERMIT “DAY CARE, ADULT, HOME OCCUPATION (6 OR LESS)”; “DAY CARE CENTERS, ADULT”; “DAY CARE, CHILD, FAMILY DAY CARE, HOME OCCUPATION (6 OR LESS)”; AND “DAY CARE CENTERS, CHILD, LICENSED CENTERS”; IN VARIOUS 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 VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (b), Permitted Uses with Special Requirements Listed by Zoning District; Paragraph (21), Day Care, Adult, Home Occupation (6 or Less); is hereby amended to read as follows:

- (21) Day Care, Adult, Home Occupation (6 or ~~less~~ fewer) – (~~RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD,~~ OI, ~~NC, RC,~~ GC)

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; Paragraph (22), Day Care Centers, Adult; is hereby amended to read as follows:

- (22) Day Care Centers, Adult - (~~RU,~~ OI, NC, RC, 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 (b), Permitted Uses with Special Requirements Listed by Zoning District; Paragraph (23), Day Care, Child, Family Day Care, Home Occupation (6 or less); is hereby amended to read as follows:

- (23) Day Care, Child, Family Day Care, Home Occupation (6 or ~~less~~ fewer) - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, ~~NC, RC,~~ GC)

SECTION IV. 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; Paragraph (24), Day Care Centers, Child, Licensed Centers; is hereby amended to read as follows:

(24) Day Care Centers, Child, Licensed Centers - (RU, OI, RC, GC, M-1, ~~LI~~)

SECTION V. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c), Standards; Paragraph (21), Day Care, Adult, Home Occupation (six or less); is hereby amended to read as follows:

(21) *Day care, adult, home occupation (six or less 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; ~~Neighborhood Commercial; Rural Commercial;~~ General Commercial.
- b. An adult day care, home occupation, with six (6) 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. Parking shall not be located in the front yard.~~

ed. All other state and federal regulations shall be met.

SECTION VI. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c), Standards; Paragraph (22), Day Care Centers, Adult; is hereby amended to read as follows:

(22) *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.

SECTION VII. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c), Standards; Paragraph (23), Day Care, Child, Family Day Care, Home Occupation (6 or less); is hereby amended to read as follows:

(23) *Day care, child, family day care, home occupation (six or less 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; ~~Neighborhood Commercial; Rural Commercial;~~ 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.

SECTION VIII. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c), Standards; Paragraph (24), Day Care Centers, Child, Licensed Centers; is hereby amended to read as follows:

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

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

SECTION IX. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-152, Special Exceptions; Subsection (c), Special exceptions listed by zoning district; Paragraph (9), Day Care, Adult, Home Occupation (6 or less); is hereby deleted in its entirety and all succeeding paragraphs shall be renumbered appropriately.

~~(9) Day Care, Adult, Home Occupation (6 or less) (RU, RR, RS E, RS LD, RS MD, RS HD, MH, RM MD, RM HD)~~

SECTION X. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-152, Special Exceptions; Subsection (d), Standards; Paragraph (9), Day Care, Adult, Home Occupation (6 or less); is hereby deleted in its entirety and all succeeding paragraphs shall be renumbered appropriately.

~~(9) Day care, adult, home occupation (six 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. An adult day care, home occupation, with six (6) 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.~~

SECTION XI. 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; “Other 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											P		P	P	P	P	
Animal Shelters											P			SR	SR	SR	
Auditoriums, Coliseums, Stadiums											P			P	P	P	
Cemeteries, Mausoleums											SR	SR	SR	SR	SR	SR	SR
Colleges and Universities											P		P	P			
Community Food Services											P	P	P	P	P	P	
Correctional Institutions		SE													P	SE	SE
Courts											P	P	P	P			
Day Care, Adult, Home Occupation (6 or Less Fewer)		SE SR	SR	SR	SR	SR											
Day Care Centers, Adult		SR									SR	SR	SR	SR	SR		
Day Care, Child, Family Day Care, Home Occupation (6 or Less Fewer)		SR	SR	SR	SR	SR											
Day Care Centers, Child, Licensed Centers		SR									SR	SR	SR	SR	SR	SR	
Fire Stations		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Government Offices											P	P	P	P	P	P	
Hospitals											P		P	P			
Individual and Family Services, Not Otherwise Listed											P	P	P	P	P		
Libraries		SR	P	P	P	P	P	P									
Museums and Galleries											P	P	P	P	P	P	

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

SECTION XIV. Effective Date. This ordinance shall be enforced from and after _____, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
_____, 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: January 27, 2009 (tentative)
First Reading: January 27, 2009 (tentative)
Second Reading:
Third Reading:

EXPLANATION OF BUFFER/OPEN SPACE REQUIREMENTS

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-171, GENERAL; SO AS PROTECT BUFFERS, COMMON AREAS, OPEN SPACE, RECREATION AREAS, AND PLANTED AND/OR VEGETATIVE AREAS ON ALL APPROVED PLANS.

What this ordinance will do:

This ordinance will amend Section 26-171 (under “General Development, Site, and Performance Standards) by adding 3 additional provisions:

- Buffers along the parameter of a project shall not be disturbed and existing trees and shrubs shall be preserved.
- Common areas, open space, recreation areas, and planted and/or vegetative areas shall be preserved as such and shall not change to another use unless plans are submitted to and approved by the Development Review Team.
- Prior to the installation of utility lines and related appurtenances, plans shall be submitted to the planning department and a land disturbance permit issued pursuant to the requirements of Sections 26-53 and 26-64 (a).

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 26-171, GENERAL; SO AS PROTECT BUFFERS, COMMON AREAS, OPEN SPACE, RECREATION AREAS, AND PLANTED AND/OR VEGETATIVE AREAS ON ALL APPROVED PLANS.

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 26-171, General; is hereby amended to read as follows:

Sec. 26-171. General.

(a) Purpose. This article sets forth standards for land development in the unincorporated areas of Richland County, South Carolina, concerning a variety of different development issues. These standards are designed to ensure the compatibility of development within the county and to implement the policies found in the county's comprehensive plan. The applicability of the standards set forth in this article may vary based on the use, location, and zoning district (as set forth in this chapter). The criteria set forth in this article, as with all other requirements, must be satisfied before an application for development will be approved.

(b) Buffers. All required and/or approved buffers along the parameter of a project shall not be disturbed, and existing trees and shrubs shall be preserved.

(c) Common areas and open space. All required and/or approved common areas, open space, recreation areas, and planted and/or vegetative areas shall be preserved as such and shall not change to another use unless plans are submitted to and approved by the Development Review Team.

(d) Utilities. Prior to the installation of utility lines and related appurtenances, plans shall be submitted to the planning department and a land disturbance permit issued pursuant to the requirements of Sections 26-53 and 26-64 (a).

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 _____, 2008.

RICHLAND COUNTY COUNCIL

BY: _____
_____, 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: January 27, 2009 (tentative)
First Reading: January 27, 2009 (tentative)
Second Reading:
Third Reading:

EXPLANATION OF SIGN ENFORCEMENT ORDINANCE

Title:

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 AMEND SUBSECTION (E), PROHIBITED SIGNS, AND TO CREATE A NEW SUBSECTION FOR THE PURPOSE OF ENFORCEMENT.

What this ordinance will do:

This ordinance will amend Section 26-180 (e), Prohibited Signs; by adding “signs posted on public property” as another sign that is prohibited in unincorporated Richland County.

In addition, a new section was added to address enforcement issues:

- Signs posted on **public property** will be subject to removal without notice.
- For prohibited signs on **private property**, the owner of the sign and the record owner of the property on which the sign is located will be notified in writing and given an opportunity to cure the violation. If the violator fails to take the corrective action, a summons will be issued.

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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 AMEND SUBSECTION (E), PROHIBITED SIGNS, AND TO CREATE A NEW SUBSECTION FOR THE PURPOSE OF ENFORCEMENT.

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 26-180, Signs; Subsection (e), Prohibited Signs; 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.
 - (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 by the property owner within thirty (30) days of becoming an abandoned sign or sign structure.

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- (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 road, driveway, or a required door, window, fire escape, or other required exitway.
- (9) *Signs located in the right-of-way.*
- (10) *Inflatable signs or balloons.*
- (11) *Signs posted on public property.* Public property includes the tree lawn areas between detached sidewalks and streets, roadway median strips, parkways, bridges, alleys, utility poles and boxes, as well as street signs and sign poles.

SECTION II. 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 by the creation of a new subsection, to read as follows:

- (p) *Enforcement.* Notwithstanding the enforcement provisions of Section 26-273, signs found in violation of this Section shall be subject to the following procedures:
 - (1) *Signs on public property subject to removal without notice.* County employees shall have the authority to remove without notice to the owners thereof, signs placed within any street or highway right-of-way; signs attached to trees, fence posts, telephones and utility poles, or other natural features; abandoned signs; signs placed on public property; and signs erected without permit. The person(s) responsible for causing the unlawful sign to be on any public property may be held responsible for the cost of removal. The persons liable shall include, but are not limited to, any individual or business whose advertisement, message or information appears on or is contained in any sign or notice unlawfully placed on public property.
 - (2) *Prohibited signs on private property.* When an authorized county official finds a prohibited sign located on private property, the county employee shall notify the owner of the sign and the record owner of the property on which the sign is located. Such notice of violation shall be in writing and sent by certified or registered mail or delivered by personal service. The notice of violation shall include an opportunity to cure the violation within a prescribed period of time. If the violator fails to take prompt corrective action in the prescribed time, then the county may pursue the penalties and remedies set forth in Section 26-272.

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

SECTION V. Effective Date. This ordinance shall be enforced from and after _____, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
_____, 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:
First Reading:
Second Reading:
Third Reading:

EXPLANATION OF PARK AND OPEN SPACE DELETION AND USE OF GREEN
CODE REQUIREMENTS

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; SO AS TO DELETE SECTION 26-184, PARKS AND OPEN SPACE, AND TO PROVIDE FOR THE USE OF THE GREEN CODE'S FLEXIBILITY IN THE VARIOUS ZONING DISTRICTS.

What this ordinance will do:

Section 26-184, "Parks and Open Space", has been deleted in its entirety. However, some of the provisions were added to the requirements of a PDD District, as well as a TC district.

In addition, the "Recreation/open space standards" of the RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, and RM-HD districts were amended to reflect the option of using the Green Code's standards (instead of the standards set forth in Section 26-184).

The "Recreation/open space standards" of the OI, NC, RC, GC, M-1, LI, and HI districts were amended to read "None."

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 DELETE SECTION 26-184, PARKS AND OPEN SPACE, AND TO PROVIDE FOR THE USE OF THE GREEN CODE'S FLEXIBILITY IN THE VARIOUS ZONING DISTRICTS.

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 26-184, Parks and Open Space; is hereby amended to read as follows:

Sec. 26-184. Parks and open space Reserved.

~~(a) — Purpose and applicability.~~

~~(1) — Purpose. The common open space and park standards contained herein are established to provide an option for the reservation of open space in residential 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, reducing stormwater runoff, and enhancing air quality.~~

~~(2) — Applicability. The parks and open space options contained in this section shall apply to minor and major residential land developments and to minor and major residential subdivisions.~~

~~(b) — General parks and open space requirements.~~

~~(1) — Minimum amount of park land or open space to be reserved. Developers wishing to use the design flexibility standards of subsection (c) below, must reserve at least ten percent (10%) of the total project area as park land or open space. In addition, at least 50% of the reserved park areas or open space shall be usable, i.e. made accessible for pedestrian and/or aquatic use, or consists of land that could otherwise be developed and does not slope more than 33°.~~

~~(2) — Acceptable land for park land or open space reservation. Land reserved to meet the requirements of this section shall be subject to the following standards:~~

~~a. — Water features. Bodies of water, such as ponds, lakes, streams, wetlands, and flood plains, may be used to fulfill the open space requirement.~~

- b. ~~Land burdened with easements.~~ Land that is burdened with easements may be used, provided that the easements do not interfere with the use of the land for open space and recreation purposes and do not permit future development.
 - e. ~~Minimum required yards.~~ Minimum required yards may provide up to fifty percent (50%) of the required open space.
- (3) ~~Unacceptable land for park or open space reservation.~~ The following types of land are unacceptable for park or open space reservation:
- a. ~~Occupied land.~~ Land occupied by roads, drives, parking areas, or structures, other than those related to recreational structures or parks.
 - b. ~~Land with hazardous materials.~~ Land containing or contaminated by hazardous materials.
 - e. ~~Narrow areas.~~ Land with a minimum width of less than ten (10) feet, unless specifically approved by the planning department.
- (e) ~~Design flexibility for additional open space reservation.~~ It is the intent of this subsection to encourage variety and flexibility in design and development of residential areas and to provide a means of preserving larger areas of open space. This development design relaxes conventional zoning and/or subdivision standards to permit modifications in lot size and shape by concentrating single family dwellings in specific areas of an overall tract, leaving more open space in which to preserve natural features, such as woodlands and streams, and in so doing, to provide for the active or passive use of such lands as recreational space for the residents of these developments. Depending on the zoning district in which the development is located, housing may be detached or attached if building code standards are met. This flexibility in design shall be available to any major residential development or major subdivision in which ten percent (10%) of the project area is reserved for open space. This flexibility shall take the form of reductions in the dimensional standards (lot area, minimum lot width, and setback) for the applicable zoning district. Reductions shall be as follows:
- (1) ~~Open space of more than ten percent (10%) but less than fifteen percent (15%).~~ If the total open space provided, in meeting the standards listed in (b)(2) and (b)(3) above, is more than ten percent (10%) and less than fifteen percent (15%) of the total project area, each dimensional requirement may be reduced ten percent (10%).
 - (2) ~~Open space of fifteen percent (15%) or more, but less than twenty percent (20%).~~ If the total open space provided, in meeting the standards listed in (b)(2) and (b)(3) above, is fifteen percent (15%) or more, but less than twenty percent (20%) of the total project area, each dimensional requirement may be reduced by fifteen percent (15%).

~~(3) — Open space of twenty percent (20%) or more, but less than twenty five percent (25%). If the total open space provided, meeting the standards listed in (b)(2) and (b)(3) above, is twenty percent (20%) or more, but less than twenty five percent (25%) of the total project area, each dimensional requirement may be reduced by twenty percent (20%).~~

~~(4) — Open space of twenty five percent (25%) or more. If the total open space provided, meeting the standards listed in (b)(2) and (b)(3) above, is twenty five percent (25%) or more of the total project area, the zoning district dimensional requirements may be waived. The then newly established minimum lot size, lot coverage, and setback requirements must be approved by the planning staff and development review team.~~

~~(d) — Maintenance. Arrangements for the perpetual maintenance of open space that meet these requirements must be approved by the planning department. Any conveyance to a homeowner's association shall be subject to appropriately recorded and filed restrictive covenants and easements. The covenants and easements shall prohibit future development of the open space for other than open space and recreation purposes and shall provide for continued maintenance of the open space and recreation facilities. Failure to maintain the area designated for open space shall constitute a violation of this chapter.~~

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-85, RU Rural District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

(10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards for parks and open space in of Section 26-184 ~~26-186~~ of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION III. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-86, RR Rural Residential District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

(10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards for parks and open space in of Section 26-184 ~~26-186~~ of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION IV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-87, RS-E Residential, Single-Family – Estate

District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards ~~for parks and open space in of~~ Section ~~26-184~~ 26-186 of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION V. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-88, RS-LD Residential, Single-Family – Low Density District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards ~~for parks and open space in of~~ Section ~~26-184~~ 26-186 of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION VI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-89, RS-MD Residential, Single-Family – Medium Density District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards ~~for parks and open space in of~~ Section ~~26-184~~ 26-186 of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION VII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-90, RS-HD Residential, Single-Family – High Density District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards ~~for parks and open space in of~~ Section ~~26-184~~ 26-186 of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION VIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-91, MH Manufactured Home Residential

District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards for parks and open space in of Section ~~26-184~~ 26-186 of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION IX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-92, RM-MD Residential, Multi-Family – Medium Density District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards for parks and open space in of Section ~~26-184~~ 26-186 of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION X. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-93, RM-HD Residential, Multi-Family – High Density District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards for parks and open space in of Section ~~26-184~~ 26-186 of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION XI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-94, OI Office and Institutional District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* None. ~~Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter. Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION XII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-95, NC Neighborhood Commercial District;

Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards: None. ~~Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter.~~*

SECTION XIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-96, RC Rural Commercial District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards: None. ~~Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter.~~*

SECTION XIV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-97, GC General Commercial District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards: None. ~~Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter. Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(c)).~~*

SECTION XV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-98, M-1 Light Industrial District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards: None. ~~Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter.~~*

SECTION XVI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-99, LI Light Industrial District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards: None. ~~Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter.~~*

SECTION XVII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-100, HI Heavy Industrial District; Subsection

(c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* ~~None. Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter.~~

SECTION XVIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-101, PDD Planned Development District; Subsection (d), Development Standards; Paragraph (8), Recreation/open Space Standards; is hereby amended to read as follows:

- (8) *Recreation/open space standards:* ~~Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter, and as required by the planning commission and county council during the review and approval of the PDD District.~~

a. Purpose. The common open space and park standards contained herein are established to provide for the reservation of open space in planned development districts. Preservation of open space and parks in developing areas serves a variety of purposes, including meeting the recreational needs of residents, reducing stormwater runoff, and enhancing air quality.

b. Minimum amount of park land or open space to be reserved. Developers must reserve at least ten percent (10%) of the total project area as park land or open space, which shall be usable, i.e. common areas made accessible for pedestrian and/or aquatic use.

c. Acceptable land for park land or open space reservation. Land reserved to meet the requirements of this paragraph shall be subject to the following standards:

1. Water features. Bodies of water, such as ponds, lakes, streams, wetlands, and flood plains, may be used to fulfill the open space requirement.

2. Land burdened with easements. Land that is burdened with easements may be used, provided that the easements do not interfere with the use of the land for open space and recreation purposes and do not permit future development.

d. Unacceptable land for park or open space reservation. The following types of land are unacceptable for park or open space reservation:

1. Occupied land. Land occupied by roads, drives, parking areas, or structures, other than those related to recreational structures or parks.
 2. Land with hazardous materials. Land containing or contaminated by hazardous materials.
 3. Narrow areas. Land with a minimum width of less than twenty-five (25) feet, unless specifically approved by the planning department.
- e. Maintenance. Arrangements for the perpetual maintenance of open space that meet these requirements must be approved by the planning department. Any conveyance to a homeowner's association shall be subject to appropriately recorded and filed restrictive covenants and easements. The covenants and easements shall prohibit future development of the open space for other than open space and recreation purposes and shall provide for continued maintenance of the open space and recreation facilities. Failure to maintain the area designated for open space shall constitute a violation of this chapter.

SECTION XIX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-102, TC Town and Country District; Subsection (d), Development Standards; Paragraph (9), Recreation/open Space Standards; is hereby amended to read as follows:

- (9) ~~Recreation/open space standards:—Open space shall be provided in accordance with the standards for parks and open space in Section 26-184 of this chapter, and as required by the planning commission and county council during the review and approval of the TC District. (See also requirements at Section 26-101(d)(4) above).~~

a. Purpose. The common open space and park standards contained herein are established to provide for the reservation of open space in Town and Country Development districts. Preservation of open space and parks in developing areas serves a variety of purposes, including meeting the recreational needs of residents, reducing stormwater runoff, and enhancing air quality.

b. Minimum amount of park land or open space to be reserved. Developers must reserve at least ten percent (10%) of the total project area as park land or open space, which shall be usable, i.e. common areas made accessible for pedestrian and/or aquatic use.

c. Acceptable land for park land or open space reservation. Land reserved to meet the requirements of this paragraph shall be subject to the following standards:

1. Water features. Bodies of water, such as ponds, lakes, streams, wetlands, and flood plains, may be used to fulfill the open space requirement.
 2. Land burdened with easements. Land that is burdened with easements may be used, provided that the easements do not interfere with the use of the land for open space and recreation purposes and do not permit future development.
- d. Unacceptable land for park or open space reservation. The following types of land are unacceptable for park or open space reservation:
1. Occupied land. Land occupied by roads, drives, parking areas, or structures, other than those related to recreational structures or parks.
 2. Land with hazardous materials. Land containing or contaminated by hazardous materials.
 3. Narrow areas. Land with a minimum width of less than twenty-five (25) feet, unless specifically approved by the planning department.
- e. Maintenance. Arrangements for the perpetual maintenance of open space that meet these requirements must be approved by the planning department. Any conveyance to a homeowner's association shall be subject to appropriately recorded and filed restrictive covenants and easements. The covenants and easements shall prohibit future development of the open space for other than open space and recreation purposes and shall provide for continued maintenance of the open space and recreation facilities. Failure to maintain the area designated for open space shall constitute a violation of this chapter.

SECTION XX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-186, Green Code Standards; Subsection (b), Applicability; is hereby amended to read as follows:

(b) Applicability/Establishment. The owner of property within an RU, ~~RR~~, RS-E, RS-LD, RS-MD, ~~or RS-HD~~, MH, RM-MD, or RM-HD zoning district may apply the development standards found within this section, in lieu of the development standards set forth for the applicable zoning district, subject to meeting the requirements of this section.

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

SECTION XXIII. Effective Date. This ordinance shall be enforced from and after _____, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
_____, 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: January 27, 2009 (tentative)
First Reading: January 27, 2009 (tentative)
Second Reading:
Third Reading:

EXPLANATION OF AMENDMENT TO GREEN CODE (SECTION 26-186)

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-186, GREEN CODE STANDARDS; SUBSECTION (H), DEVELOPMENT STANDARDS; PARAGRAPH (1); SO AS TO REDUCE THE MINIMUM REQUIRED SUBDIVISION SIZE TO TWO ACRES.

What this ordinance will do:

Subdivisions which want to use the Green Code's flexibility will only need to meet a minimum acreage requirement of 2 acres instead of 10 acres.

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 26-186, GREEN CODE STANDARDS; SUBSECTION (H), DEVELOPMENT STANDARDS; PARAGRAPH (1); SO AS TO REDUCE THE MINIMUM REQUIRED SUBDIVISION SIZE TO TWO ACRES.

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 26-186, Green Code Standards; Subsection (h), Development requirements; Paragraph (1); is hereby amended to read as follows:

- (1) Minimum Subdivision Size: ~~4~~ 2 contiguous acres.

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: _____
_____, Chair

ATTEST THIS THE ____ DAY

OF _____, 2009

Michielle R. Cannon-Finch
Clerk of Council

Public Hearing: January 27, 2009 (tentative)
First Reading: January 27, 2009 (tentative)
Second Reading:
Third Reading:

**RICHLAND COUNTY, SOUTH CAROLINA
PLANNING & DEVELOPMENT SERVICES DEPARTMENT**

TO: Planning Commission Members: Interested Parties
FROM: Alfreda W. Tindal, E9-1-1 Addressing Coordinator
DATE: December 17, 2008

Pursuant Section 6-29-1200 (A), SC Code of Laws requires the Planning Commission to approve street names. Specifically, states "...A local planning commission created under the provisions of this chapter shall, by proper certificate, approve and authorize the name of a street or road laid out within the territory over which the commission has jurisdiction..."

The proposed street/road/subdivision names listed below have been given preliminary approval as related to the Emergency 9-1-1 system requirements. **The proposed subdivision/commercial names are included for your information only.**

Action Requested

The Addressing Office recommends the Commission give **final** approval of the street/road names listed below. **Unless specifically stated, the street name suffixes are added after receipt of the subdivision lot layout.**

APP'D SUBDIVISION NAMES	GENERAL LOCATION
Kaiser Business Park	Killian Rd & I77, Blythewood
Polo Place	Two Notch & Polo Roads, Northeast

PROPOSED STREET NAMES	GENERAL LOCATION
Kaiser Park Road	Killian Rd & I77, Blythewood
Lucy Lane	Longtown Crossing, Blythewood
Hannah	Killian Rd & I77, Blythewood
Polo Place Lane	Two Notch & Polo Roads, Northeast
Nico Lane	Two Notch & Polo Roads, Northeast

