

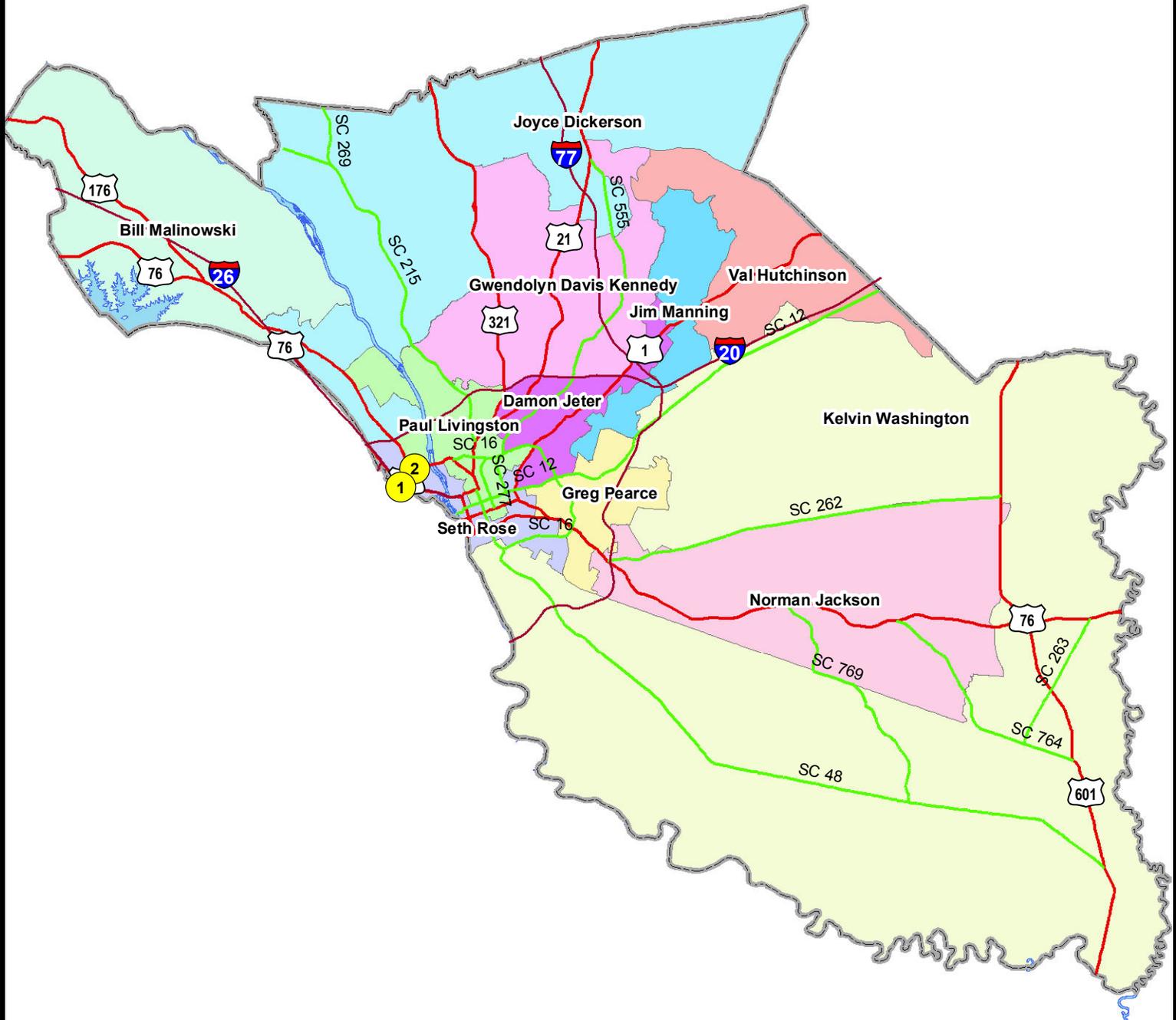
RICHLAND COUNTY COUNCIL  
ZONING PUBLIC HEARING



DECEMBER 18, 2012



# RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING DECEMBER 18, 2012



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 12-36 MA	Brian South	07306-04-16/19/20 & 07305-05-03/04	Brevard St. & Jefferson Allen Dr.	Rose
2. 12-37 MA	Brian South	07306-04-05	Saluda River Rd.	Rose





# RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING

**Tuesday, December 18, 2012  
7:00 P.M.  
2020 Hampton Street  
2<sup>nd</sup> Floor, Council Chambers  
Columbia, South Carolina**

## **STAFF:**

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

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

## **ADDITIONS / DELETIONS TO THE AGENDA**

## **OPEN PUBLIC HEARING**

## **MAP AMENDMENTS**

1. Case # 12-36 MA  
Brian South  
RS-LD to RS-MD (2.38 acres)  
Brevard St. & Jefferson Allen Dr.  
TMS# 07306-04-16/19/20 & 07305-05-03/04[**FIRST READING**]  
Planning Commission Approval 5-1  
Page 1
2. Case # 12-37 MA  
Brian South  
RS-LD/RS-MD to OI (.831 acres)  
Saluda River Rd.  
TMS# 07306-04-05 & 01(p) [**FIRST READING**]  
Planning Commission Denial 7-0  
Page 9

## **TEXT AMENDMENTS**

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE X, SUBDIVISION REGULATIONS; SECTION 26-224, CERTAIN SUBDIVISIONS EXEMPT FROM ROAD STANDARDS; SO AS TO DELETE THE REQUIREMENT OF COUNTY REVIEW FEES. [**SECOND READING**]  
Planning Commission Denial 7-0  
Page 21

## **OTHER BUSINESS**

## **ADJOURNMENT**





## Richland County Planning & Development Services Department

### Map Amendment Staff Report

**PC MEETING DATE:** December 3, 2012  
**RC PROJECT:** 12-36MA  
**APPLICANT:** Brian South

**LOCATION:** Brevard Street & Jefferson Allen Drive

**TAX MAP NUMBER:** 07306-04-16, 19, 20 & 07305-05-03, & 04  
**ACREAGE:** 2.38 acres  
**EXISTING ZONING:** RS-LD  
**PROPOSED ZONING:** RS-MD

**PC SIGN POSTING:** November 16, 2012

#### Staff Recommendation

Approval

#### Background /Zoning History

The current zoning, Residential Single Family Low Density District (RD-LD) reflects the original zoning as adopted September 7, 1977.

The parcels contain three hundred and fifty nine (359) feet of frontage along Jefferson Allen Drive and two hundred and sixty three (263) feet of frontage along Brevard Street.

There are four tax map parcels (07306-04-05, 21, 24 & 07306-05-15) northeast of the subject properties that were rezoned to Residential Single-Family Medium Density District (RS-MD) under Ordinance Number 063-10HR (case number 10-23MA). Additionally, two parcels located northwest were rezoned to Residential Single-Family Medium Density District (RS-MD) under Ordinance Number 079-10HR (case number 10-30MA).

#### Summary

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

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

- The gross density for this site is approximately: 12 dwelling units
- The net density for this site is approximately: 8 dwelling units

Direction	Existing Zoning	Use
<b><u>North:</u></b>	RS-MD	Undeveloped
<b><u>South:</u></b>	RS-LD	Single-family
<b><u>East:</u></b>	RS-MD	Undeveloped
<b><u>West:</u></b>	RS-LD	Single-family and Manufactured Homes

<b>Plans &amp; Policies</b>
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The 2009 Richland County Comprehensive Plan “Future Land Use Map” designates this area as a **Priority Investment Area** in the **Beltway Planning Area**.

**Priority Investment Area**

Objective: “Residential housing should be varied at moderate to high densities (4-16 dwelling units per acre). Residential developments are encouraged to contain a deliberate mix of residential, commercial, and civic uses and should include affordable housing. Single family developments may be encroached by Multifamily or Planned Development Districts (PDD) to act as a buffer from higher intensity uses. Multifamily developments are appropriate when completing a block face or in conjunction with a PDD.”

Compliance: The proposed rezoning is in compliance with the Comprehensive Plan recommendation for residential densities as well as the surrounding residential zoning.

**Broad River Corridor & Community Study**

*Future Land Use and Development Concept Plan*

The parcels are located in the Greystone Boulevard Commercial District. The Greystone Boulevard Commercial District recommends:

- Consolidation of large scale big-box stores and auto-dealerships into an interconnected mix of residential, neighborhood-oriented commercial, civic and regional commercial establishments.
- Revise Future Land Use and Zoning to remove obstacles that discourage mixed-use development and big-box development.
- Establish maximum and minimum parking requirements for all commercial uses.
- Prohibit surface parking between sidewalks and retail storefronts.
- Minimize driveway access points along roadways.

The subject parcels are further identified as a transition Mixed-Use District. Under the Land Use and Development section it recommends that

“Neighborhood Residential districts generally occupy areas adjacent to the Transition Mixed-Use District and change character based on proximity to established single-family residential neighborhoods. As implementation of the Master Plan proceeds, some increase in residential density is anticipated within Neighborhood Residential Districts that are located adjacent to Redevelopment Nodes.”

## Traffic Impact

The 2011 SCDOT traffic count (Station # 183), west of the subject parcel on Broad River Road identifies 25,900 Average Daily Trips (ADT's). Broad River Road is classified as a five lane undivided Principal Arterial, maintained by SCDOT with a design capacity of 33,600 ADT's. Broad River Road is currently operating at a Level of Service (LOS) "C".

The 2011 SCDOT traffic count (Station # 299), east of the subject parcel on Greystone Boulevard identifies 15,600 Average Daily Trips (ADT's). Greystone Boulevard is classified as a four lane undivided Minor Arterial, maintained by SCDOT with a design capacity of 24,800 ADT's. Greystone Boulevard is currently operating at a Level of Service (LOS) "B".

There are no planned or programmed improvements for Greystone Boulevard or this section of Broad River Road. The River Drive Bridge is undergoing construction to bring it up to current safety standards.

## Conclusion

The existing parcels are undeveloped, contain a total of 2.38 acres and are heavily wooded. Both Brevard Street and Jefferson Allen Drive are narrow, unimproved, ditch-to-ditch constructed, gravel roads without sidewalks or streetlights. As previously stated, the parcels north and northeast were rezoned from RS-LD to RS-MD. Contiguous to the south are a number of RS-LD zoned properties with some of the parcels containing single family residences. The sites represent an opportunity for infill development in an area with existing services and infrastructure. The proposed zoning would be compatible with the surrounding districts and would also be in compliance with the recommendations of the Broad River Road Corridor Neighborhood Master Plan.

The subject parcels are part of the Richland One School District and are within fourteen hundred (1400) feet of H.B. Rhame Jr. Elementary and Saint Andrews Middle School; the elementary and middle schools are located on the same parcel.

The Saint Andrews fire station (station number 6) is located on Briargate Circle roughly 1.4 miles northwest of the subject parcels. There is a fire hydrant located northeast of the subject parcel on Betsy Drive near the intersection of Brevard Street and Saluda River Road. The proposed rezoning would not negatively impact public services or traffic. Water and sewer would be provided by the City of Columbia.

Planning Staff recommends **Approval** of this map amendment.

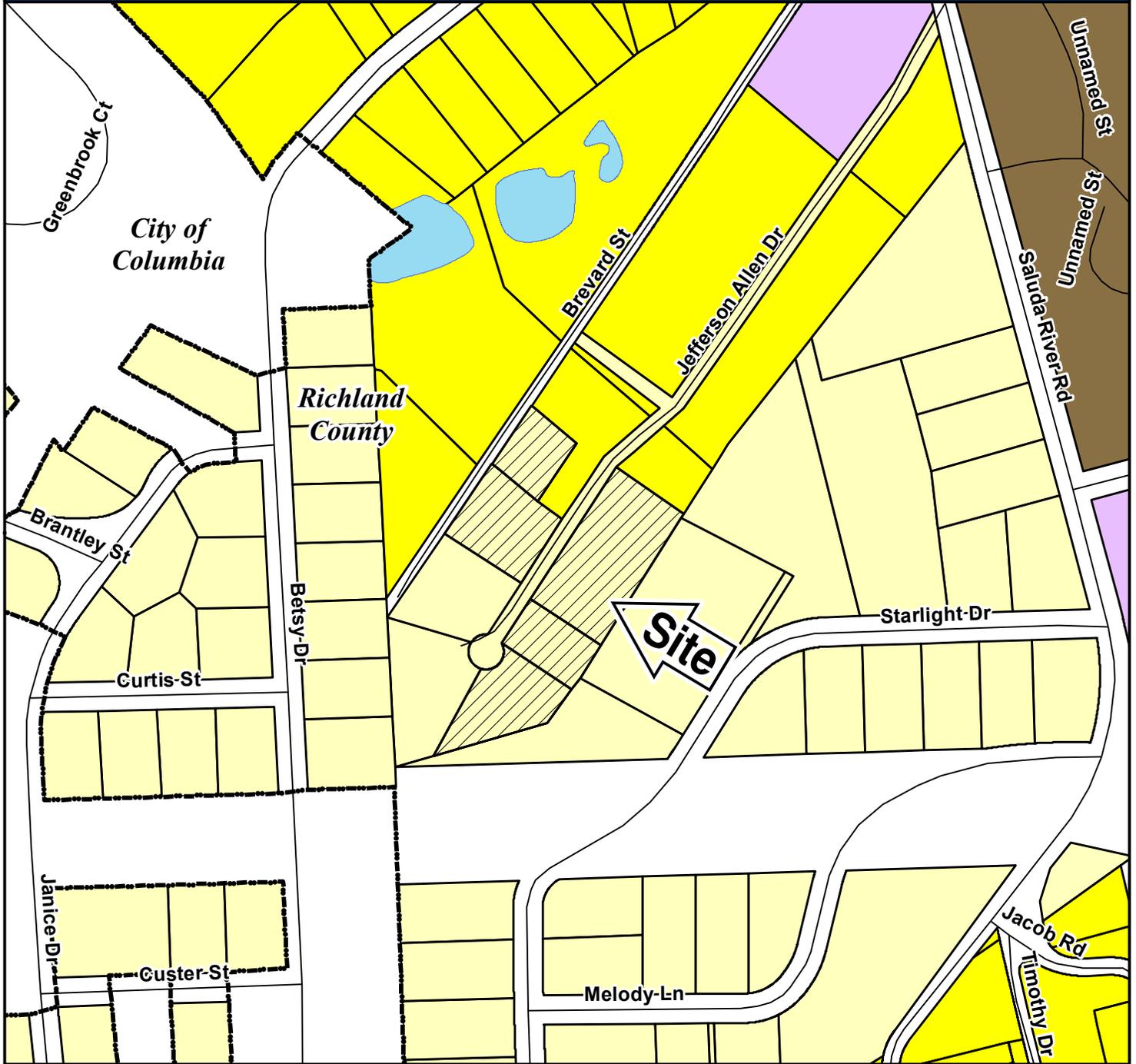
## Zoning Public Hearing Date

**December 18, 2012**

## Planning Commission Action

At their meeting of **December 3, 2012** the Richland County Planning Commission **agreed** with the PDSD recommendation and recommends the County Council **approve the proposed Amendment** for **RC Project # 12-36 MA**.

# Case 12-36 MA RS-LD to RS-MD

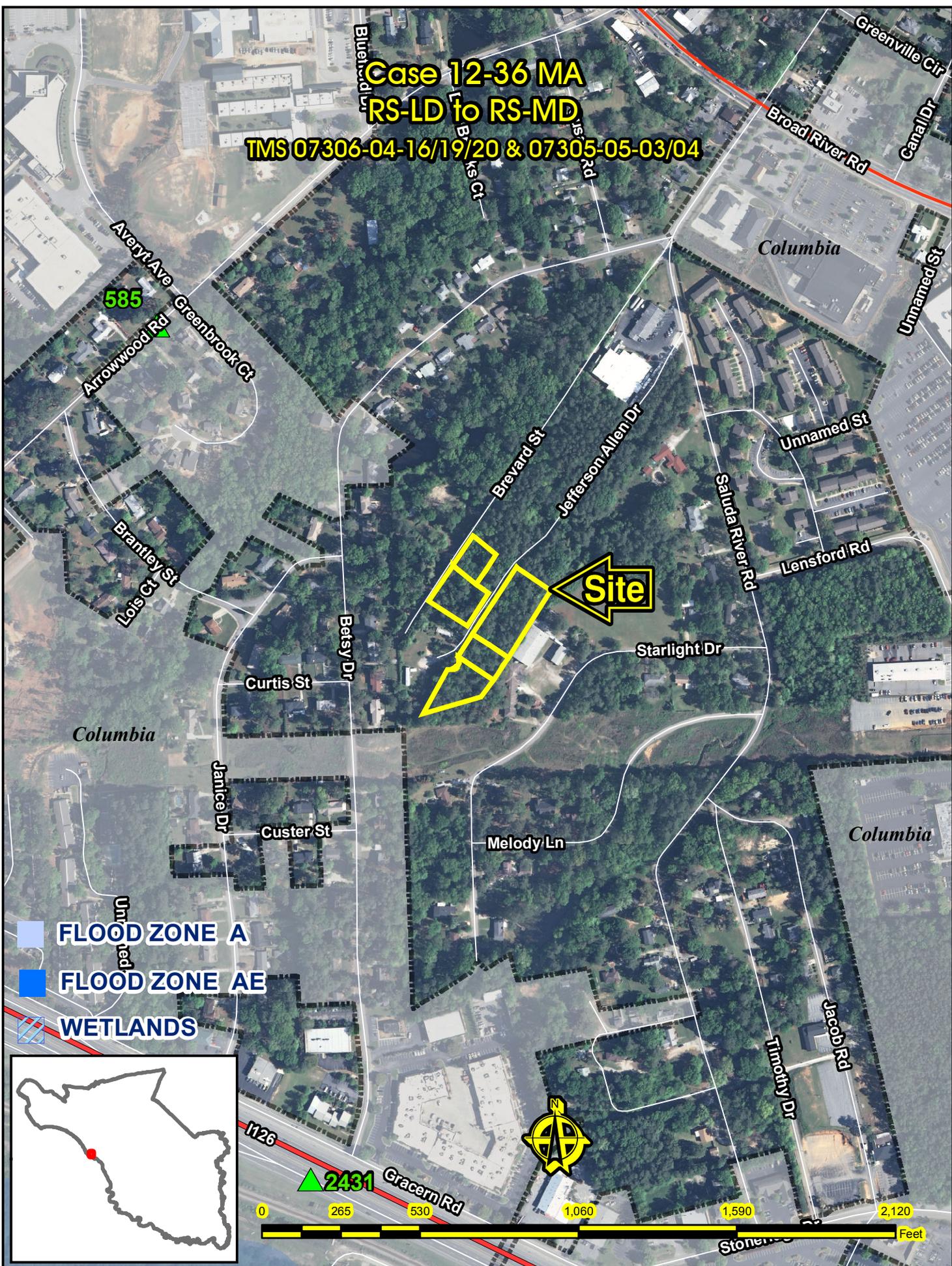


## ZONING CLASSIFICATIONS

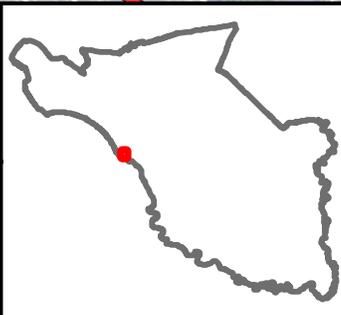
CC-1	C-1	RS-E	MH	NC	LI	TROS
CC-2	C-3	RS-LD	RM-MD	GC	HI	Subject Property
CC-3	RG-2	RS-MD	RM-HD	RC	PDD	
CC-4	RR	RS-HD	OI	M-1	RU	



**Case 12-36 MA  
RS-LD to RS-MD  
TMS 07306-04-16/19/20 & 07305-05-03/04**



- FLOOD ZONE A
- FLOOD ZONE AE
- WETLANDS



# CASE 12-36 MA

## From RS-LD to RS-MD

TMS# 07306-04-16,19,20 & 07305-05-03-04  
Brevard Street & Jefferson Allen Drive



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

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

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-13HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 07306-04-16/19/20 AND TMS # 07305-05-03/04 FROM RS-LD (RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT) TO RS-MD (RESIDENTIAL, SINGLE-FAMILY – MEDIUM DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 07306-04-16/19/20 and TMS # 07305-05-03/04 from RS-LD (Residential, Single-Family – Low Density District) zoning to RS-MD (Residential, Single-Family – Medium Density District) zoning.

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

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

Section IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2013.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Kelvin E. Washington, Sr., Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2013.

\_\_\_\_\_  
Michelle M. Onley  
Clerk of Council

Public Hearing: December 18, 2012 (tentative)  
First Reading: December 18, 2012 (tentative)  
Second Reading:  
Third Reading:



## Richland County Planning & Development Services Department

### Map Amendment Staff Report

**PC MEETING DATE:** December 3, 2012  
**RC PROJECT:** 12-37MA  
**APPLICANT:** Brian South

**LOCATION:** Saluda River Road

**TAX MAP NUMBER:** 07306-04-05, & 01(Portion of)  
**ACREAGE:** .831 acres  
**EXISTING ZONING:** RS-MD & RS-LD  
**PROPOSED ZONING:** OI

**PC SIGN POSTING:** November 16, 2012

#### Staff Recommendation

Disapproval

#### Background /Zoning History

The Residential Single Family Low Density District (RS-LD) reflects the original zoning as adopted September 7, 1977. Parcel 07306-04-01 (P) is part of a County maintained unpaved road (Jefferson Allen Drive) and remains in the ownership of the applicant.

The Residential Single Family Medium Density District (RS-MD) parcel (07306-04-05) was part of a four parcel rezoning from RS-LD to RS-MD under Ordinance Number 063-10HR (case number 10-23MA). Additionally two parcels located further to the southwest along Brevard Street were rezoned to RS-MD under Ordinance Number 079-10HR (case number 10-30MA).

The parcels contain one hundred and sixty seven (167) feet of frontage along Jefferson Allen Drive and two hundred and twenty eight (228) feet of frontage along Saluda River Road.

#### Summary

The Office and Institutional District (OI) is intended to accommodate office, institutional, and certain types of residential uses in an area whose characteristics are neither general commercial nor exclusively residential in nature. Certain related structures and uses required to serve the needs of the area are permitted outright or are permitted as special exceptions subject to restrictions and requirements.

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

- The gross density for this site is approximately: 13 dwelling units
- The net density for this site is approximately: 9 dwelling units

Direction	Existing Zoning	Use
<u>North:</u>	M-1	Warehouse
<u>South:</u>	RS-LD	Residential
<u>East:</u>	RM-HD	Multi-family
<u>West:</u>	RS-MD	Undeveloped

<b>Plans &amp; Policies</b>
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The 2009 Richland County Comprehensive Plan “**Future Land Use Map**” designates this area as a **Priority Investment Area** in the **Beltway Planning Area**.

**Priority Investment Area**

Objective: “Commercial/Office activities should be located along arterial roads, traffic junctions, or areas where existing commercial and office uses are located.”

Non-Compliance: Although the parcel is located south of an existing non-residential use, the parcel is not located along an arterial road or at a significant traffic junction. The proposed rezoning would encroach upon the existing residential development/zoning and uses in the area.

**Broad River Corridor & Community Study**

*Future Land Use and Development Concept Plan*

The parcels are located in the Greystone Boulevard Commercial District. The Greystone Boulevard Commercial District recommends:

- Consolidation of large scale big-box stores and auto-dealerships into an interconnected mix of residential, neighborhood-oriented commercial, civic and regional commercial establishments.
- Revise Future Land Use and Zoning to remove obstacles that discourage mixed-use development and big-box development.
- Establish maximum and minimum parking requirements for all commercial uses.
- Prohibit surface parking between sidewalks and retail storefronts.
- Minimize driveway access points along roadways.

The subject parcels are further identified as a transition Mixed-Use District. Under the Land Use and Development section it recommends that

“Neighborhood Residential districts generally occupy areas adjacent to the Transition Mixed-Use District and change character based on proximity to established single-family residential neighborhoods. As implementation of the Master Plan proceeds, some increase in residential density is anticipated within Neighborhood Residential Districts that are located adjacent to Redevelopment Nodes.”

## Traffic Impact

The 2011 SCDOT traffic count (Station # 183), west of the subject parcel on Broad River Road identifies 25,900 Average Daily Trips (ADT's). Broad River Road is classified as a five lane undivided Principal Arterial, maintained by SCDOT with a design capacity of 33,600 ADT's. Broad River Road is currently operating at a Level of Service (LOS) "C".

The 2011 SCDOT traffic count (Station # 299), east of the subject parcel on Greystone Boulevard identifies 15,600 Average Daily Trips (ADT's). Greystone Boulevard is classified as a four lane undivided Minor Arterial, maintained by SCDOT with a design capacity of 24,800 ADT's. Greystone Boulevard is currently operating at a Level of Service (LOS) "B".

There are no planned or programmed improvements for Greystone Boulevard or this section of Broad River Road. The River Drive Bridge is undergoing construction to bring it up to current safety standards.

## Conclusion

The subject property is wooded and undeveloped. Jefferson Allen Drive is a narrow, unimproved, ditch-to-ditch constructed, gravel residential service street without sidewalks or streetlights. A portion of Jefferson Allen Drive is part of the proposed rezoning. Saluda River Road serves as a paved minor collector and does not have sidewalks or streetlights. Saluda River Road serves as a cut-through street for traffic traveling from Broad River Road to Stoneridge Drive. Southwest of the subject parcels are a number of undeveloped parcels that were rezoned to RS-MD under case 10-23MA and case 10-30MA. South of the subject parcels is a RS-LD zoned parcel which contains an existing residence. East of the subject parcels is a Residential Multi Family High Density District (RM-HD) parcel containing an apartment complex (Copperfield Apartments). This subject parcels are located in an area with existing services and infrastructure.

The Office and Institutional District (OI) permits certain uses outright, such as residential, recreational, institutional, educational, civic, business and professional services, and retail trade and food services.

The subject parcels are part of the Richland One School District and are within eighteen hundred (1,600) feet of H.B. Rhame Jr. Elementary and Saint Andrews Middle School; the elementary and middle schools are located on the same parcel. The Saint Andrews fire station (station number 6) is located on Briargate Circle roughly 1.4 miles northwest of the subject parcels. There is a fire hydrant located northwest of the subject parcel on Betsy Drive near the intersection of Brevard Street and Saluda River Road. The proposed rezoning would not negatively impact public services or traffic. Water and sewer would be provided by the City of Columbia.

The property located to the north has been occupied by a non-residential warehousing business since the late 1960's, and is out of character. In addition, neither Saluda River Road nor Jefferson Allen Drive is designed to handle the type of traffic generated by the permitted uses in the proposed OI zoning. Although the subject parcel is located in a PIA, the subject parcels are not in compliance with the Comprehensive Plan's recommended objective for PIA's. The subject parcels are located near an existing business; however they are not located at a traffic junction or along an arterial road. Based upon the Broad River Corridor Plan's Future Land Use Plan recommendations for transitional medium-to-high density residential uses, the subject property would not be compatible.

For these reasons Planning Staff recommends **Disapproval** of this map amendment.

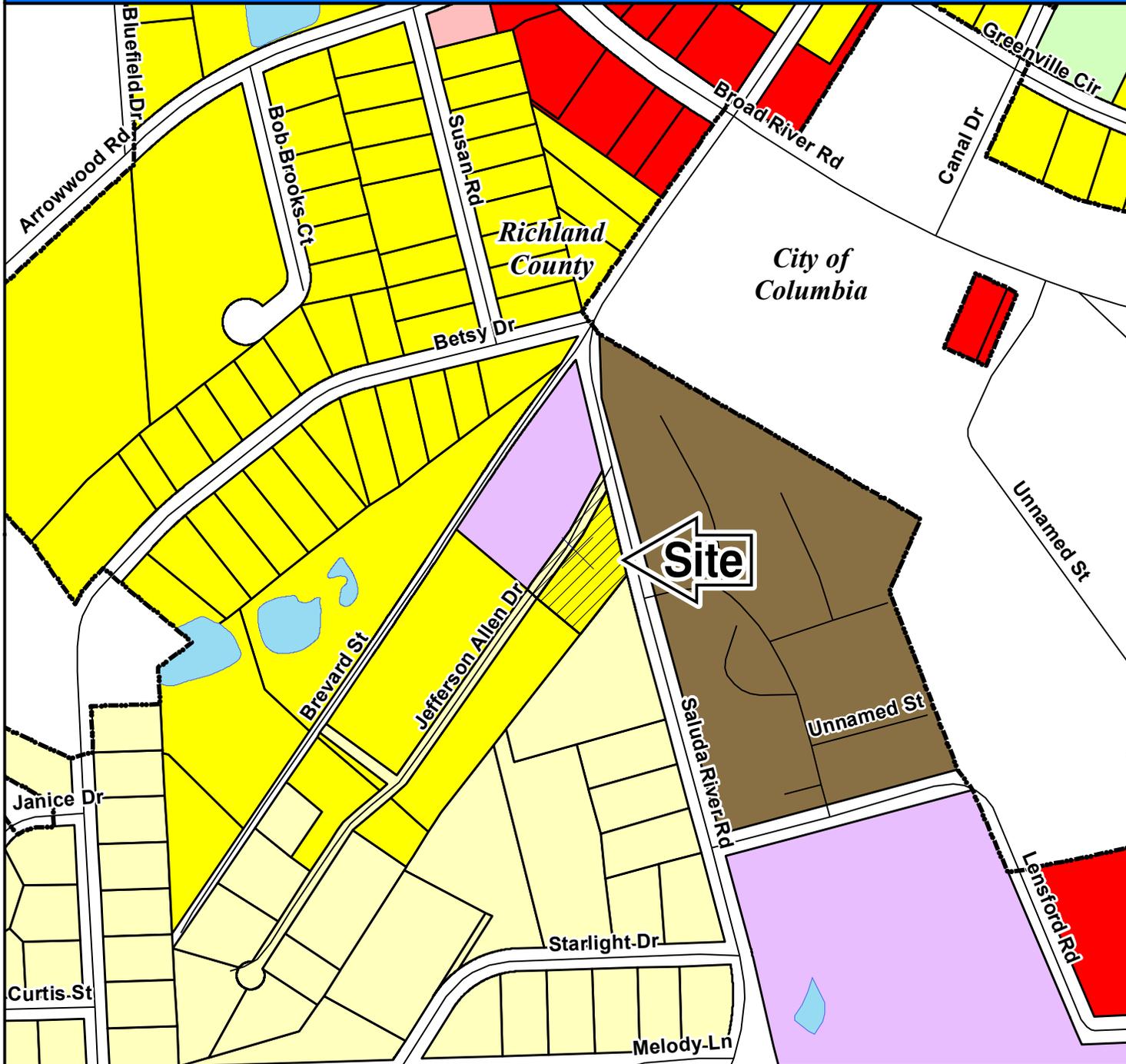
**Zoning Public Hearing Date**

**December 18, 2012**

**Planning Commission Action**

At their meeting of **December 3, 2012** the Richland County Planning Commission **agreed** with the PDSD recommendation and recommends the County Council **disapprove the proposed Amendment for RC Project # 12-37 MA.**

# Case 12-37 MA RS-LD/RS-MD to OI



## ZONING CLASSIFICATIONS

	CC-1		C-1		RS-E		MH		NC		LI		TROS
	CC-2		C-3		RS-LD		RM-MD		GC		HI		Subject Property
	CC-3		RG-2		RS-MD		RM-HD		RC		PDD		
	CC-4		RR		RS-HD		OI		M-1		RU		

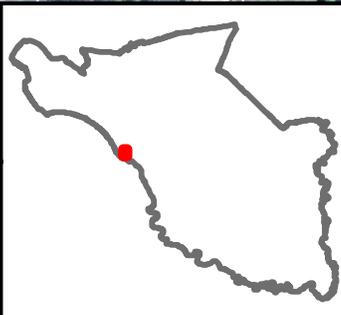


**Case 12-37 MA  
RS-LD to OI  
TMS 07306-04-05**

**183**

**Site**

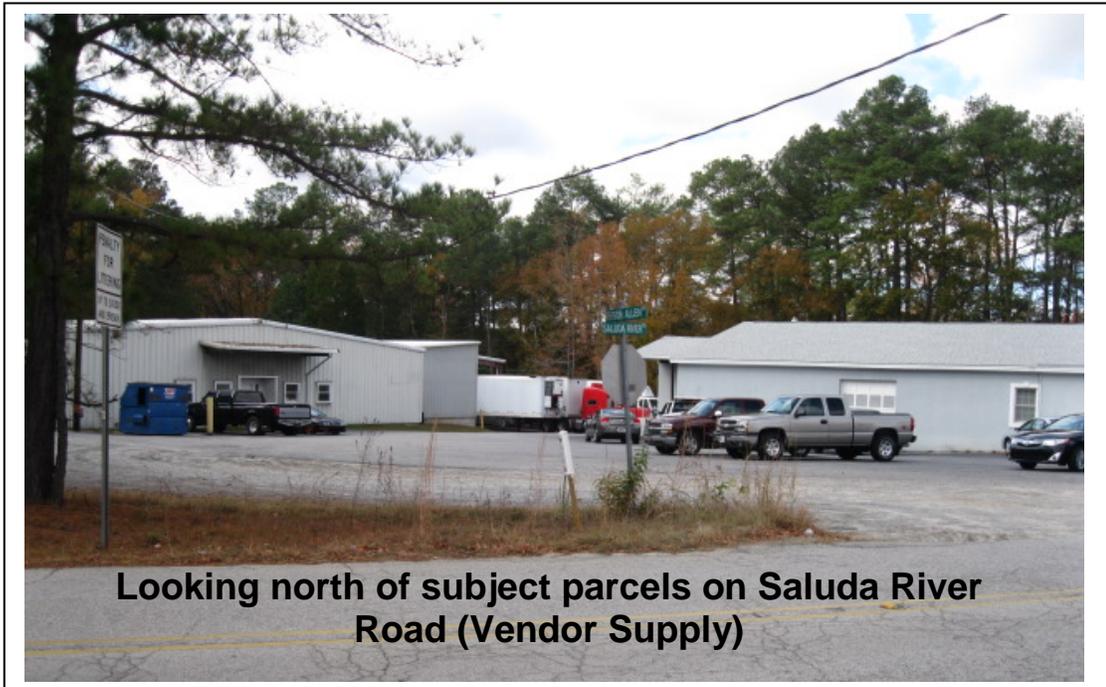
-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS



# CASE 12-37 MA

## From RS-LD/RS-MD to OI

TMS# 07306-04-05, 01(P) Jefferson Allen Drive & Saluda River Rd



The zoning change from RS-LD (Residential Low Density) to OI (Office/Institutional) would permit the introduction of the following uses which were not allowed previously in the original zoning

USE TYPES	OI
Continued Care Retirement Communities	SR
Dormitories	SE
Multi-Family, Not Otherwise Listed	P
Single-Family, Zero Lot Line, Common	SR
Fraternity and Sorority Houses	P
Group Homes (10 or More)	SE
Rooming and Boarding Houses	SE
Special Congregate Facilities	SE
Bowling Centers	
Clubs or Lodges (Ord No.054-08HR; 9-16-08)	P
Dance Studios and Schools	P
Martial Arts Instructional Schools	P
Physical Fitness Centers	P
Ambulance Services, Transport	P
Auditoriums, Coliseums, Stadiums	P
Cemeteries, Mausoleums (Ord. 069-10HR)	SR
Colleges and Universities	P
Community Food Services	P
Courts	P
Day Care Centers, Adult (Ord. 008-09HR; 2-17-09)	SR
Day Care, Child, Licensed Center (Ord. 008-09HR; 2-17-09)	SR
Government Offices	P
Hospitals	P
Individual and Family Services, Not Otherwise Listed	P

Museums and Galleries	P
Nursing and Convalescent Homes	P
Orphanages	P
Post Offices	P
Schools, Administrative Facilities	P
Schools, Business, Computer and Management Training	P
Schools, Fine Arts Instruction	P
Schools, Junior Colleges	P
Schools, Technical and Trade (Except Truck Driving)	P
Zoos and Botanical Gardens	SE
Accounting, Tax Preparation, Bookkeeping, and Payroll Services	P
Advertising, Public Relations, and Related Agencies	P
Automatic Teller Machines	P
Automobile Parking (Commercial)	P
Banks, Finance, and Insurance Offices	P
Barber Shops, Beauty Salons, and Related Services	P
Bed and Breakfast Homes/Inns (Ord. 020-10HR; 5-4-10)	SR
Computer Systems Design and Related Services	P
Clothing Alterations/Repairs; Footwear Repairs	P
Construction, Building, General Contracting, without Outside Storage	P
Construction, Special Trades, without Outside Storage	P
Employment Services	P
Engineering, Architectural, and Related Services	P
Funeral Homes and Services	P
Kennels	SR
Laundry and Dry Cleaning Services, Non- Coin Operated	P

[Type text]

Legal Services (Law Offices, Etc.)	P
Management, Scientific, and Technical Consulting Services	P
Massage Therapists	P
Medical/Health Care Offices	P
Medical, Dental, or Related Laboratories	P
Office Administrative and Support Services, Not Otherwise Listed	P
Packaging and Labeling Services	P
Pet Care Services (Excluding Veterinary Offices and Kennels)	P
Photocopying and Duplicating Services	P
Photofinishing Laboratories	P
Photography Studios	P
Picture Framing Shops	P
Professional, Scientific, and Technical Services, Not Otherwise Listed	P
Real Estate and Leasing Offices	P
Research and Development Services	SR
Travel Agencies (without Tour Buses or Other Vehicles)	P
Watch and Jewelry Repair Shops	P
Weight Reducing Centers	P
Antique Stores (See Also Used Merchandise Shops and Pawn Shops)	P
Art Dealers	P
Bars and Other Drinking Places	SE
Book, Periodical, and Music Stores	P
Caterers, No On Site Consumption	P
Convenience Stores (with Gasoline Pumps)	P
Convenience Stores (without Gasoline Pumps)	P

Drugstores, Pharmacies, with Drive-Thru	P
Drugstores, Pharmacies, without Drive- Thru	P
Office Supplies and Stationery Stores	P
Optical Goods Stores	P
Restaurants, Cafeterias	P
Restaurants, Full Service (Dine-In Only)	P
Restaurants, Limited Service (Delivery, Carry Out)	P
Restaurants, Snack and Nonalcoholic Beverage Stores	P
Courier Services, Substations	P
Radio and Television Broadcasting Facilities (Except Towers)	P
Radio, Television, and Other Similar Transmitting Towers	SE
Utility Company Offices	P
Buildings, High Rise, 4 or 5 Stories	SR
Buildings, High Rise, 6 or More Stories	SE

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-13HR

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 # 07306-04-05 FROM RS-MD (RESIDENTIAL, SINGLE-FAMILY – MEDIUM DENSITY DISTRICT) TO OI (OFFICE AND INSTITUTIONAL DISTRICT); AND TO CHANGE THE ZONING DESIGNATION FOR A PORTION OF THE REAL PROPERTY DESCRIBED AS TMS # 07306-04-01 FROM RS-LD (RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT) TO OI (OFFICE AND INSTITUTIONAL 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 # 07306-04-01 from RS-MD (Residential, Single-Family – Medium Density District) zoning to OI (Office and Institutional District) zoning, (as further described in Exhibit A, which is attached hereto).

Section II. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as a portion of TMS # 07306-04-01 from RS-LD (Residential, Single-Family – Low Density District) zoning to OI (Office and Institutional District) zoning, (as further described in Exhibit A, which is attached hereto).

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 effective from and after \_\_\_\_\_, 2013.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Kelvin E. Washington, Sr., Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2013.

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Michelle M. Onley  
Clerk of Council

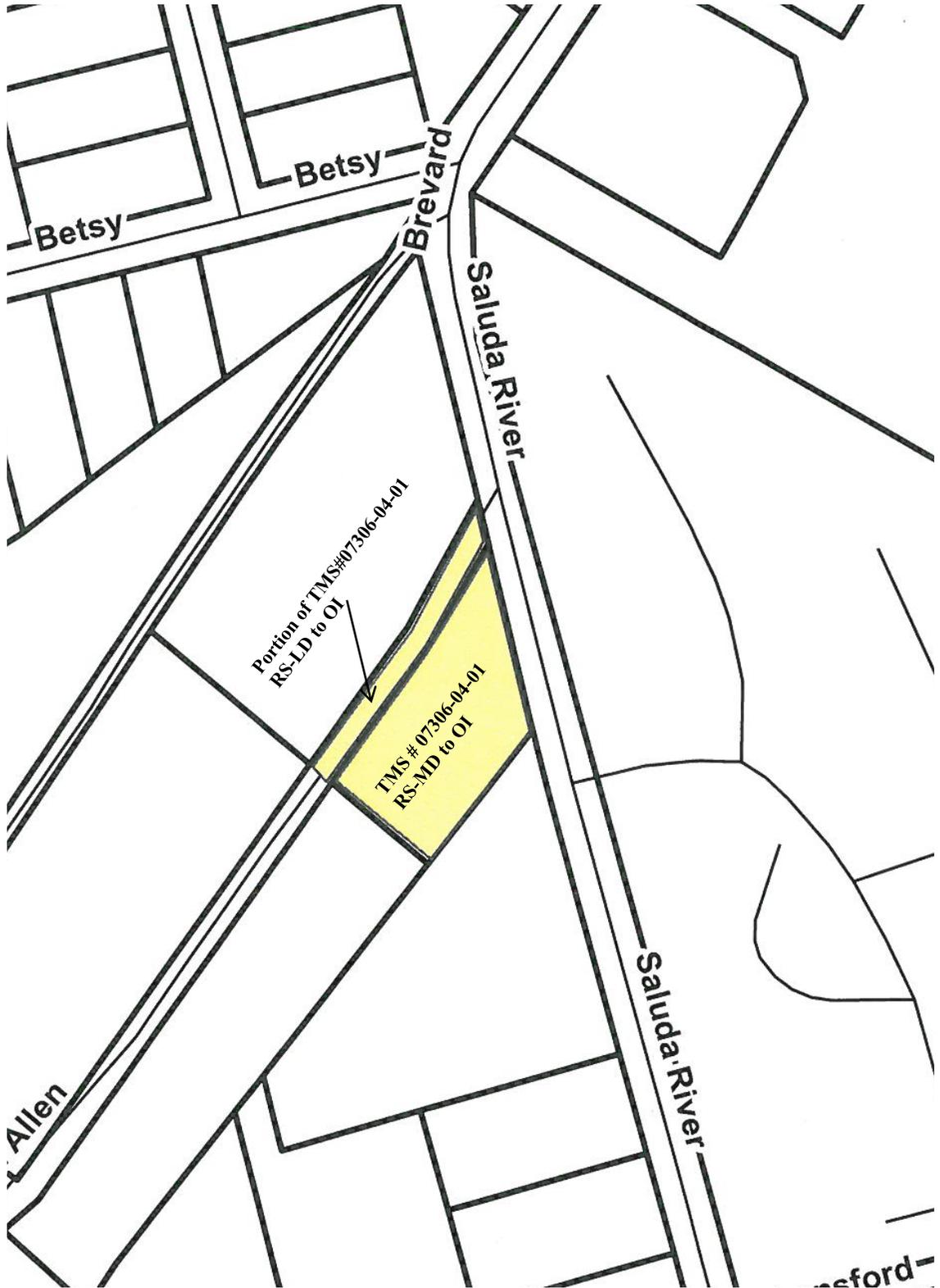
**RICHLAND COUNTY ATTORNEY'S OFFICE**

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

Public Hearing:       December 18, 2012 (tentative)  
First Reading:       December 18, 2012 (tentative)  
Second Reading:  
Third Reading:

Exhibit A



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-13HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE X, SUBDIVISION REGULATIONS; SECTION 26-224, CERTAIN SUBDIVISIONS EXEMPT FROM ROAD STANDARDS; SO AS TO DELETE THE REQUIREMENT OF COUNTY REVIEW FEES.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article X, Subdivision Regulations; Section 26-224, Certain Subdivisions Exempt From Road Standards; is hereby amended to read as follows:

**Sec. 26-224. Certain subdivisions exempt from road standards.**

The planning director, or his/her designee, may exempt subdivisions from the road construction requirements of Sec. 26-181 of this chapter only if the property is being transferred to the owners' immediate family members or is being transferred by will or intestate succession or forced division decreed by appropriate judicial authority. The subdivider must submit legal documentation satisfactory to the planning director, or his/her designee, in order to establish eligibility for this exemption. In addition, the subdivider must submit a "Hold Harmless Agreement" as to Richland County. This exemption shall apply only to initial division of property, not to subsequent sale or further subdivision by the heirs, devisees, or transferees. Plats of subdivisions so exempted shall show an ingress/egress easement providing access to all parcels, and shall contain the following information:

- (a) Names of owners of each parcel being created; and
- (b) Purpose of the subdivision; and
- (c) A note stating that "ROAD ACCESS NOT PROVIDED"; and
- (d) A note stating "THESE LOTS/PARCELS MAY NOT BE FURTHER SUBDIVIDED UNTIL ROAD ACCESS IS PROVIDED AND A REVISED PLAT IS APPROVED BY RICHLAND COUNTY".
- (e) Should the planning director, or his/her designee, exempt a proposed subdivision from the construction of the private roadway, the property shall also be exempt from delineation of jurisdictional and non-jurisdictional wetlands (for purposes of approving the plat for recordation

only; this section shall not supersede any state and/or federal requirement for construction in, around or through a jurisdictional wetland or flood zone). In the situation that a property owner requests exemption from road construction as outlined in this section, the property owner shall sign a statement that he/she understands that the proposed subdivision of land shall not be exempted from any other minimum standard set forth in this chapter, ~~including any and all review fees, minimum lot size, etc.;~~ provided, however, all Planning Department subdivision plan review fees shall be waived.

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 retroactively from and after November 15, 2011.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Kelvin E. Washington, Sr., Chair

Attest this the \_\_\_\_\_ day of \_\_\_\_\_, 2013

\_\_\_\_\_  
Michelle M. Onley  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: November 13, 2012  
Public Hearing: December 18, 2012 (tentative)  
Second Reading: December 18, 2012 (tentative)  
Third Reading:

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

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

