

**RICHLAND COUNTY COUNCIL
REGULAR SESSION
COUNCIL CHAMBERS
MARCH 7, 2006
6:00 P.M.**

**CALL TO ORDER Honorable Anthony G. Mizzell,
Chairman**

INVOCATION Honorable Michael Montgomery

**PLEDGE OF ALLEGIANCE
 Honorable Michael Montgomery**

**PRESENTATIONS: Ms. Becky Bailey
Chairwoman
Conservation Commission**

**Ms. Sandra Hackley,
Early Childhood Development
Midlands Technical College**

ADOPTION OF AGENDA

CITIZEN'S INPUT

APPROVAL OF MINUTES

Regular Session: February 21, 2006 [Pages 7-12]

**REPORT OF THE COUNTY ATTORNEY FOR
EXECUTIVE SESSION ITEMS**

REPORT OF THE COUNTY ADMINISTRATOR

- a. Detention Center Medical Contract**
- b. Personnel Matter**
- c. Audit Presentation**
- d. Innovista Update**
- e. Budget Process**

REPORT OF THE CLERK OF COUNCIL

- a. **County/City Joint Meeting Date**
Monday, March 20, 2006
Clarion Hotel
8:00am – 10:00 am
- b. **South Carolina Economic Developers' School**
Charleston, South Carolina
May 18-19, 2006
- c. **Richland Memorial Hospital Board Reception**
Wednesday, April 5th at 6:00 p.m.
Palmetto Club in the Meekin Room

REPORT OF THE CHAIRMAN

- a. **Detention Center Task Force Meeting**

OPEN/CLOSE PUBLIC HEARING ITEMS

- 1.a.

APPROVAL OF CONSENT ITEMS

- 1.a., 1.b., 2.a., 2.b., 2.c., 2.d., 2.e., 2.f., 2.g., 5.a., 6.b., 6.c.,
6.d.1., 6.d.2., 6.d.3., 6.e., 6.f., 6.h.,**

1. THIRD READING ITEMS

- a. **Approval of an Ordinance amending the
Fiscal Year 2005-2006 Hospitality Tax Budget
to add two hundred fifty thousand dollars
(\$250,000.00) for Township operations
[PUBLIC HEARING] [CONSENT]
[Pages 13-14]**
- b. **05-114MA
Joe Clark
RU to RS-MD
Single Family Detached Subdivision
01506-01-06**

**SW Quad of Three Dog Road & Dutch Fork
Road [CONSENT] [Pages 15-17]**

2. SECOND READING ITEMS

- a. 05-105MA
Robert Fuller
RS-MD to NC
Develop Small Office Park
20200-01-18(p)
Across from Killian Elementary School
[CONSENT] [Pages 18-20]**
- b. 05-116MA
Preston Young
RU to RM-HD (43 acres)
Residential Subdivision
14500-02-08/25
Southwest Quadrant of Powell Road
Hardscrabble Road
[CONSENT] [Pages 21-23]**
- c. 05-118MA
Don Lovett
PDD to GC (0.09 acres)
General Commercial
17414-01-17(p)
Adjacent to Killian Green S/D
[CONSENT] [Pages 24-26]**
- d. 05-121MA
William Higgins
M-1 to GC (17 acres)
General Commercial
04910-01-09 & 04913-01-01/03/05
Northeast Quadrant of Fernandina Road
& Piney Woods Road
[CONSENT] [Pages 27-29]**

- e. **An Ordinance amending the Richland County Code of Ordinances; Chapter 26, Zoning; Article VI, Supplemental Use Standards; Paragraphs (8), (9), And (10); So as to amend The required conditions for day cares (Adult Day Cares, Family Day Cares, and Group Day Cares) regarding parking [CONSENT] [Pages 30-32]**
- f. **An Ordinance amending the Richland County Code of Ordinance; Chapter 26, Zoning; Article V, Zoning Districts and District Standards; Section 26-96, GC General Commercial Districts; Subsection ©, development standards, Paragraph (5) height standards; so as to amend the maximum height of structures in the GC District from thirty-five (35) feet to forty-five feet. [CONSENT] [Page 33]**
- g. **An Ordinance amending the Richland County Code of Ordinances, chapter 26, zoning; article IV, Amendments and Procedures; section 26-52, amendments; subsection (H), withdrawal or reconsideration of proposed amendments; paragraph (1), withdrawal; so as to amend the time in which an applicant may withdraw an amendment application [CONSENT] [Page 34-35]**

3. ITEM FROM COUNCIL MTG. HELD 02/21/06

- a. **Detention Center Medical Contract**

4. ITEM FROM COUNCIL MTG. HELD 02/07/06

- a. **Sale of Property: 1610 Marion Street**
- b. **Township Auditorium: Acquisition of Property**

5. REPORT OF DEVELOPMENT AND SERVICE COMMITTEE

- a. Sanitary Sewer Extension Agreement
Spring Hill Subdivision [CONSENT]
[Page 36]**

6. REPORT OF ADMINISTRATION AND FINANCE COMMITTEE [Pages 37-38]

- a. Funding Request: Wood and Partners,
Task 2, Entertainment/Recreation
Complex**
- b. Adoption of Internal Audit Project List and
Consideration of Project Funding for FY 06
[CONSENT]**
- c. Public Works Purchase Request: Purchase
of One (1) Tractor/Mower [CONSENT]**
- d. Sheriff Grants**
- 1. Approval of Four Grants – No
personnel costs or financial match
required [CONSENT]**
 - 2. Approval of Two Grants – No personnel
costs, \$7,488 matching funds required
[CONSENT]**
 - 3. Approval of Grant for One AFIS Work
Station and Two Live Scan Devices
and Printers - \$47,000 match required
[CONSENT]**
- e. Approval of Qualified GIS Contractor List
[CONSENT]**

- f. Acquisition of Land to the North of the Richland County C&D Landfill [CONSENT]**
- g. Exemptions to Road Maintenance Fee [Page 39-40]**
- h. A budget amendment to increase funding to non-department special contracts account for Local Option Sales Tax software[CONSENT] [Pages 41-42]**
- i. Allocation of \$10,000 in Unallocated HTAX Funds to City-Center Partnership for International Downtown Association Spring Conference Sponsorship [Pages 43-44]**

7. REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

- a. KPR Holdings, L.P. Transfer to Tyson Prepared Foods, Inc. [Pages 45-46]**
- b. Sale of Property: Richland Northeast Industrial Park**
 - 1) Brazzell Family, LLC [Page 47]**
 - 2) Miller Valentine Partners, Ltd., II [Page 48]**

8. CITIZEN'S INPUT

9. MOTION PERIOD

10. ADJOURNMENT

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, FEBRUARY 21, 2006 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	Anthony G. Mizzell
Vice Chair	L. Gregory Pearce, Jr.
Member	Valerie Hutchinson
Member	Joseph McEachern
Member	Mike Montgomery
Member	Bernice G. Scott
Member	Damon Jeter
Member	Kit Smith
Member	Paul Livingston
Member	Joyce Dickerson
Absent	Doris Corley

OTHERS PRESENT – Michielle Cannon-Finch, Tony McDonald, Joe Cronin, Roxanne Matthews, Larry Smith, Brad Farrar, Amelia Linder, Donny Phipps, Michael Criss, Geo Price, Chief Harrell, Rodolfo Callwood, Monique Walters, Daniel Driggers, Stephany Snowden, Audrey Shifflett

CALL TO ORDER

The meeting was called to order at approximately 6:00 p.m.

INVOCATION

The Invocation was given by the Honorable Joyce Dickerson

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Joyce Dickerson

PRESENTATION

Mr. Marvin Bryant, Founder, Parents of Murdered Children (P.O.M.C.)—Mr. McEachern and Ms. Dickerson presented Mr. Marvin Bryant with a resolution for his support of Parents of Murdered Children.

Ms. Becky Bailey, Chair, Richland County Conservation Commission—Ms. Bailey was unable to attend.

ADOPTION OF AGENDA

Ms. Hutchinson moved, seconded by Ms. Dickerson, to move the Executive Session items after the last Citizen's Input and approve the agenda as amended. The vote in favor was unanimous.

CITIZEN'S INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: February 7, 2006 – Ms. Finch noted that on page 9 under Arthurtown Construction Contract it should read: "and award the contract to Kirven Construction". Mr. Livingston moved, seconded by Mr. Pearce, to approve the minutes as amended. The vote in favor was unanimous.

REPORT OF THE COUNTY ADMINISTRATOR

Joint County/City Meeting Update—Mr. McDonald stated that Mr. Pope had sent an e-mail regarding his interpretation of the joint county/city meeting that was held. Mr. Pope would like confirmation from Council that his interpretation was correct.

REPORT OF THE CLERK OF COUNCIL

Education Summit—Clarion Hotel, February 22, 2006, 12:00 noon-1:30 p.m.—Ms. Finch wanted to remind Council of the Education Summit at the Clarion Hotel.

REPORT OF THE CHAIRMAN

No report was given at this time.

PUBLIC HEARING ITEMS

- **Approval of an Ordinance Establishing a Temporary Moratorium on Approval of Floodplain Management Permits for Development or Construction Within a Portion of the Congaree River Flood Plain**—No one signed up to speak.

APPROVAL OF CONSENT ITEMS

Mr. Pearce moved, seconded by Ms. Dickerson, to approve the following consent items:

- **05-103MA, Stan Mack, RU to GC (1.6 acres), General Commercial, 03300-03-16, Broad River Road near Dutch Fork Road [Third Reading]**
- **05-108MA, Gregg Douglas, RU to PDD (67 acres), Single Family Detached Subdivision, 14800-04-25/32/34/14/15/31/13, South Side of Marthan Road [Third Reading]**
- **05-109MA, Mamie Hudson & Mary Jacobs, GC to RS-E, Construct a Single Family Residence, 17500-02-14, Farrow Road north of Clemson Road [Third Reading]**
- **05-111MA, Nick Leventis, RU to PDD, Construct a Mixed Use Development, 21900-06-14, NE Quad of Lower Richland Blvd./Rabbit Run [Third Reading]**
- **Approval of an Ordinance Amending the Fiscal Year 2005-2006 Hospitality Tax Budget to Add Two Hundred Fifty Thousand Dollars (\$250,000.00) for Township Operations [Second Reading]**

The vote in favor was unanimous.

THIRD READING ITEMS

Approval of an Ordinance Establishing a Temporary Moratorium on Approval of Floodplain Management Permits for Development or Construction Within a Portion of the Congaree River Flood Plain—Mr. McEachern moved, seconded by Mr. Montgomery, to approve this item. The vote was in favor.

Establishment of a Bond Review Committee—A discussion took place.

Mr. Jeter moved, seconded by Ms. Scott, to amend the membership terms and have the County Auditor and County Treasurer serve ex officio as voting members of the committee. The vote in favor was unanimous.

SECOND READING ITEM

05-114MA, Joe Clark, RU to RS-MD, Single Family Detached Subdivision, 01506-01-06, SW Quad of Three Dog Rd. & Dutch Fork Rd. – Mr. McEachern moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. Notification of Vacancies on Boards, Commissions and Committees

Employee Grievance Committee-1 – Mr. McEachern stated the committee recommended for staff to advertise the vacancy. The vote in favor was unanimous.

II. Notification of Appointments to Boards, Commissions and Committees

Accommodations Tax Committee-3 – Mr. McEachern stated that there were two applicants at this time. Committee's recommendation was to appoint the two applicants and keep the other position open until filled.

Employee Grievance Committee-1—Mr. McEachern stated that there is one vacancy and three applicants.

Mr. Montgomery, Mr. Pearce, and Ms. Hutchinson voted in favor of Mr. Anthony S. Christiano.

Mr. McEachern, Mr. Jeter, Mr. Mizzell, Mr. Livingston, Ms. Scott and Ms. Dickerson voted in favor of Ms. Betty A. Etheredge.

Ms. Smith voted in favor of Ms. Deborah Jordan.

Ms. Betty A. Etheredge was appointed.

Midlands Workforce Development Board-3—Mr. McEachern requested that Council approve the committee's recommendation. The vote in favor was unanimous.

APPROVAL OF RESOLUTION APPOINTING A CODE ENFORCEMENT OFFICER

Irvin A. Branham—Ms. Hutchinson moved for approval, seconded by Mr. McEachern. A discussion took place. The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Project Unity—Mr. Livingston stated the committee recommended deferral of this item. The vote in favor was unanimous.

Project Chicago—Mr. Livingston stated the committee recommended deferral of this item. The vote in favor was unanimous.

Northpoint Industrial Park—No action was taken on this item.

Small Business Incentives—No action was taken on this item.

Kolorpro Proposal—No action was taken on this item.

APPLICATION FOR LOCATING A COMMUNITY RESIDENTIAL CARE FACILITY IN AN UNINCORPORATED AREA OF RICHLAND COUNTY

Karen (or) Ebony Thompson, 323 Nelson Road, Columbia, SC 29203—Mr. McEachern moved to table this item until staff can provide proper information, seconded by Ms. Hutchinson. The vote in favor was unanimous.

MEDICAL CONTRACT (ASGDC)

Mr. McDonald briefed Council on this item. A discussion took place. Mr. Livingston moved, seconded by Ms. Hutchinson, to have the County Administrator move forward with the negotiations and to have someone appointed to the committee with a mental health background. The vote in favor was unanimous.

CITIZEN'S INPUT

No one signed up to speak.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

Ms. Scott moved, seconded by Ms. Dickerson, to go into Executive Session. The vote in favor was unanimous.

=====
Council went into Executive Session at approximately 6:47 p.m. and came out at approximately 7:16 p.m.
=====

Mr. Pearce moved, seconded by Mr. Montgomery, to come out of Executive Session. The vote in favor was unanimous.

- a. **Pending Litigation: Solid Waste**—No action taken.
- b. **Pending Litigation: Detention Center**—No action taken.

MOTION PERIOD

Tax Bill—Mr. McEachern directed the County Attorney and County Treasurer to investigate the fee versus tax and bring back a report to the A&F Committee.

Farmer's Market—Mr. Jeter requested that staff provide an update on the firm assisting in the construction of the vendor's facilities and the federal funding that was to be secured through a consultant. This information can be brought back to the D&S Committee or full Council.

Resolution for Neighborhood Connections—Ms. Smith moved to adopt a resolution without reference for Neighborhood Connections. The vote in favor was unanimous.

International Downtown Improvement District Association—Mr. Mizzell moved to direct the County Administrator to use \$10,000 of unallocated Hospitality Tax money to sponsor this item. A discussion took place. The item was forwarded to the A&F Committee.

Front Yard Vehicle Parking and Unlicensed Cars—Ms. Hutchinson directed staff to review the ordinances on parking vehicles in front yards and on unlicensed cars. Ms. Hutchinson asked that staff bring back a recommendation to the D&S Committee. A discussion took place.

Satellite Dishes on Front Lawns—Ms. Dickerson forwarded this item to the D&S Committee.

Signage Ordinance—Ms. Hutchinson directed staff to review the signage ordinance and forward their recommendation to the D&S Committee. A discussion took place.

ADJOURNMENT

The meeting adjourned at approximately 7:34 p.m.

Anthony G. Mizzell, Chair

L. Gregory Pearce, Jr. Vice-Chair

Doris M. Corley

Joyce Dickerson

Valerie Hutchinson

Damon Jeter

Paul Livingston

Joseph McEachern

Mike Montgomery

Bernice G. Scott

Kit Smith

The minutes were transcribed by Michelle M. Onley

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-06HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 HOSPITALITY TAX BUDGET TO ADD TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) TO PROVIDE FUNDS FOR TOWNSHIP OPERATIONS.

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 Two Hundred Fifty Thousand Dollars (\$250,000.00) be appropriated to the FY 2005-2006 Hospitality Tax budget. Therefore, the Fiscal Year 2005-2006 Special Revenue Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2005 as amended:	\$ 4,100,000
Appropriation of Hospitality Tax unrestricted Fund Balance:	<u>250,000</u>
Total Hospitality Tax Revenue as Amended:	\$ 4,350,000

EXPENDITURES

Expenditures appropriated July 1, 2005 as amended:	\$ 4,100,000
Add to Township Operations for the repayment of a loan (Transfer to General Fund):	200,000
Add to Township Operations for operating expenditures:	<u>50,000</u>
Total Hospitality Tax Expenditures as Amended:	\$ 4,350,000

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 _____, 2006.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE ____ DAY

OF _____, 2006

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: February 7, 2006
Second Reading: February 21, 2006
Public Hearing: March 7, 2006 (tentative)
Third Reading: March 7, 2006 (tentative)

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-06HR**

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 01506-01-06) FROM RU (RURAL DISTRICT) TO RS-MD (RESIDENTIAL, SINGLE-FAMILY, MEDIUM DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

WHEREAS, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

WHEREAS, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

WHEREAS, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

WHEREAS, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

WHEREAS, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

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 Zoning Map of unincorporated Richland County is hereby amended to change the property (TMS # 01506-01-06) described in Exhibit A, which is attached hereto, from RU Rural District zoning to RS-MD Residential, Single-Family, Medium Density 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 _____, 2006.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2006.

Michielle R. Cannon-Finch
Clerk of Council

Public Hearing: January 24, 2006
First Reading: January 24, 2006
Second Reading: February 21, 2006
Third Reading: March 7, 2006 (tentative)

Exhibit A
Property Description

TMS # 01506-01-06

Beginning at a ½" rebar at the westerly r/w of Three Dog Road (S.C. HWY NO. 1043); thence S61°55'51"W for a distance of 1111.81' to an iron; thence S61°52'40"W for a distance of 93.01' to an iron; thence N09°08'43"W for a distance of 53.43' to a 3/8" pipe; thence N09°12'47"W for a distance of 793.95' to a 3/8" pipe; thence N63°29'36"E for a distance of 112.88' to a ½" pipe; thence N64°37'31"E for a distance of 119.88' to an iron; thence N64°42'50"E for a distance of 81.47' to an iron; thence N63°38'35"E for a distance of 213.98' to an iron; thence N66°27'53"E for a distance of 525.68 to a rebar; thence S05°28'06"W for a distance of 484.78'; thence S84°31'54"E for a distance of 304.29'; thence S05°28'06 for a distance of 202.29' to the point of beginning.

This being the same property as more fully identified in a plat for Rice Creek Farms Partnership by William M. Brasington, Professional Land Surveyor No. 9312 of United Designs Services, Inc., dated November 28, 2005, to be recorded.

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-06HR**

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (A PORTION OF TMS # 20200-01-18) FROM RS-MD (RESIDENTIAL, SINGLE-FAMILY, MEDIUM DENSITY DISTRICT) TO NC (NEIGHBORHOOD COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

WHEREAS, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

WHEREAS, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

WHEREAS, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

WHEREAS, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

WHEREAS, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

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 Zoning Map of unincorporated Richland County is hereby amended to change the property (a portion of TMS # 20200-01-18) described in Exhibit A, which is attached hereto, from RS-MD (Residential, Single-Family, Medium 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 _____, 2006.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2006.

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: February 28, 2006
First Reading: February 28, 2006
Second Reading: March 7, 2006 (tentative)
Third Reading:

Exhibit A
Property Description

All that certain piece, parcel, or lot of land consisting of ten (10.0) acres, together with any and all improvements thereon, situate, lying and being in Richland County, South Carolina, on the North side of Clemson Road (S-40-52), being more particularly shown on that certain plat prepared for George McCutchen by B.P. Barber & Associates, Inc., dated June 20, 2005, and recorded in the Office of the Register of Deeds for Richland County in Record Book 01074, page 1218, being designated thereon as Parcel 1 of two parcels, and having metes and bounds, courses and distances as appear on said plat, to wit:

Beginning at an iron constituting the southwesternmost corner of the said Parcel 1, set on the northern right-of-way boundary of Clemson Road approximately 2,157 feet East of its intersection with Longtown Road, and from said iron running N23°26'12"E for 895.31 feet to an iron pipe; thence continuing on the same line a distance of 98.35 feet to an iron rebar; thence cornering and running S38°31'15"E for a distance of 577.84 feet to an iron rebar; thence cornering and running S28°05'31"W for 68.69 feet to an iron rebar; thence turning and running S17°32'18"W for 208.01 feet to an iron rebar; thence turning and running S23°13'10"W for 127.02 feet; thence turning and running S22°59'31"W for 269.24 feet to an iron rebar set on the northern right-of-way boundary for Clemson Road, constituting the southeasternmost corner of said Parcel 1; thence turning and running in a westerly direction along the said right-of-way boundary N71°58'20"W for 533.92 feet to the POINT OF BEGINNING, all measurements herein being a little more or less.

TMS No. 20200-01-18 (Portion)

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-06HR**

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 HEREIN (TMS # 14500-02-08/25) FROM RU (RURAL DISTRICTS) TO RM-H (RESIDENTIAL, MULTI-FAMILY, HIGH DENSITY DISTRICTS); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

WHEREAS, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

WHEREAS, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

WHEREAS, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

WHEREAS, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

WHEREAS, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

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 Zoning Map of unincorporated Richland County is hereby amended to change the properties (TMS # 14500-02-08/25) described in Exhibit A, which is attached hereto, from RU Rural District zoning to RM-HD Residential, Multi-Family, High Density 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 _____, 2006.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2006.

Michielle R. Cannon-Finch
Clerk of Council

Public Hearing: February 28, 2006
First Reading: February 28, 2006
Second Reading: March 7, 2006 (tentative)
Third Reading:

Exhibit A
Property Description

All that certain piece, parcel or tract of land, situate, lying and being in the County of Richland, State of South Carolina, containing 14.35 acres and shown and delineated on plat prepared for Dale Davis Mayimov dated June 30, 1992 and recorded in the Office of the ROD for Richland County in Plat Book 54 at Page 2113 and according to said plat having the following metes and bounds: Beginning at an iron on Hard Scrabble Road and running S5°19'26"W for a distance of 1,214.17 feet to an iron; then turning and running S73°2'01"W for a distance of 195.69 feet to an iron; then turning and running S84°2'34"W for a distance of 87.87 feet to an iron; then turning and running S84°18'51"W for a distance of 531.01 feet to an iron; then turning and running N14°48'05"W for a distance of 313.87 feet to an iron; then turning and running N83°58'40"W for a distance of 546.25 feet to an iron; then turning and running N05°19'26"W for a distance of 1,069.78 feet to an iron; then turning and running along Hard Scrabble Road S74°18'54"E for a distance of 365.70 feet to the point of beginning. AND

All that certain piece, parcel or tract of land, situate, lying and being in the County of Richland, State of South Carolina, shown as Tract A containing 28.54 acres on a plat prepared for Hunt-Taylor-Hardy Investments dated March 11,1985; according to said plat being bound as follows: Beginning at an iron on Hard Scrabble Road and running S83°59'4"W for a distance of 134.04 feet to an iron; then turning and running S4°34'34"E for a distance of 29.15 feet to an iron; then turning and running S79°36'56"W for a distance of 1,499.26 feet to an iron; then turning and running N5°53'24"E for a distance of 1,096.54 feet to an iron; then turning and running N84°06'16"W for a distance of 56 feet to an iron; then turning and running N5°51'18"E for a distance of 224.68 feet to an iron; then turning and running in a curved line with a chord bearing of N73°25'07"E with a chord a distance of 71.43 feet to an iron; then turning and running S05°51'52"W for a distance of 156.15 feet to an iron then turning and running N74°15'03"E for a distance of 617.18 feet to an iron; then turning and running S15°54'41"E for a distance of 706.67 feet to an iron; then turning and running N83°12'15"E for a distance of 531 feet to an iron; then turning and running S4°34'34"E for a distance of 338.79 feet to an iron; then turning and running N83°59'04"E for a distance of 31.69 feet to an iron; then turning and running in a curved line with a chord bearing of S04°12'15"E with a chord distance of 100.02 feet to the point of beginning. AND

All that certain piece, parcel or tract of land, situate, lying and being in the County of Richland, State of South Carolina, shown as Parcel B containing .09 acres on a plat prepared for Hunt-Taylor-Hardy Investments dated March 11,1985; according to said plat being bound as follows: Beginning at an iron on Hard Scrabble Road and running S83°59'04"W for a distance of 131.04 feet, then turning and running S4°34'34"E for a distance of 29.18 feet to an iron, then turning and running S83°58'20"W for a distance of 133.52 feet to an iron, then turning and running S10°2'15"E for a distance of 27.31 feet to an iron, then turning and running in a curved line with a chord bearing of S09°55'54"E for a chord distance of 1.88 feet to the point of beginning.

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-06HR**

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (A PORTION OF TMS # 17414-01-17) FROM PDD (PLANNED DEVELOPMENT DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

WHEREAS, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

WHEREAS, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

WHEREAS, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

WHEREAS, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

WHEREAS, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

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 Zoning Map of unincorporated Richland County is hereby amended to change the property (a portion of TMS # 17414-01-17) described in Exhibit A, which is attached hereto, from PDD (Planned Development District) zoning to GC (General 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 _____, 2006.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2006.

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: February 28, 2006
First Reading: February 28, 2006
Second Reading: March 7, 2006 (tentative)
Third Reading:

Exhibit A
Property Description

Beginning at the intersection of the Eastern right-of-way of Longtown Road (S.C. Hwy. No. S-40-1051) and the Southern right-of-way of Clemson Road (S.C. Hwy. No. S-40-52) (to be abandoned) at a 3/4" Pinch top (o); thence running along the common line of Parcel No. 1 and Parcel No. 2 approximately 474.2 feet to a 3" Pipe (o), this being the POINT OF BEGINNING (P.O.B.); thence turning and running S 82°28'17" E along Parcel No. 5 for a distance of 78.41 feet to a 1/2" Rebar (o); thence turning and running S 42°52'33" W along the Remainder of TMS#17414-01-17, now or formerly Gentry Development for a distance of 116.80 feet to a 1/2" Rebar (o); thence turning and running N 01°02'24" E along Parcel No. 1 for a distance of 95.89 feet to a 3" Pipe (o), the POINT OF BEGINNING (P.O.B.).

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ___-06HR**

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 HEREIN (TMS # 04910-01-09 AND TMS # 04913-01-01/03/05) FROM M-1 (LIGHT MANUFACTURING DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

WHEREAS, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

WHEREAS, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

WHEREAS, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

WHEREAS, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

WHEREAS, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

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 Zoning Map of unincorporated Richland County is hereby amended to change the properties (TMS # 04910-01-09 and TMS # 04913-01-01/03/05) described in Exhibit A, which is attached hereto, from M-1 (Light Industrial District) zoning to GC (General 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 _____, 2006.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2006.

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: February 28, 2006
First Reading: February 28, 2006
Second Reading: March 7, 2006 (tentative)
Third Reading:

Exhibit A Property Description

Beginning at the intersection of the northern right-of-way margin of Piney Grove Road and the eastern right-of-way margin of N.E. Frontage Road at a $\frac{5}{8}$ " Rod (o), this being the POINT OF BEGINNING (P.O.B.); thence turning and running along the eastern right-of-way margin of N.E. Frontage Road for the following bearings and distances: N $21^{\circ}35'54''$ W for a distance of 252.06 feet to a $\frac{5}{8}$ " Rod (o); thence turning and running in a curved line of length 227.77 feet (curve of radius 485.74 feet, chord bearing of N $35^{\circ}03'37''$ W, chord distance of 225.69 feet) to a $\frac{5}{8}$ " Rod (o); thence turning and running N $61^{\circ}25'46''$ W for a distance of 87.75 feet to a $\frac{5}{8}$ " Rod (o); thence turning and running in a curved line of length 42.16 feet (curve of radius 473.74 feet, chord bearing of N $61^{\circ}24'19''$ W, chord distance of 42.15 feet) to a $\frac{1}{2}$ " Rebar (o); thence turning and running N $25^{\circ}25'28''$ W for a distance of 18.84 feet to a $\frac{5}{8}$ " Rod (o); thence turning and running in a curved line of length 97.74 feet (curve of radius 485.74 feet, chord bearing of N $71^{\circ}31'38''$ W, chord distance of 97.57 feet) to a $\frac{1}{2}$ " Rebar (n); thence turning and running N $26^{\circ}49'47''$ W along property now or formerly Maximillian, LLC for a distance of 513.60 feet to a $\frac{5}{8}$ " Rebar w Cap (o); thence turning and running S $66^{\circ}21'43''$ W along property now or formerly Maximillian, LLC for a distance of 429.54 feet to a $\frac{5}{8}$ " Rebar w/ cap (o) (Ref. Iron); thence turning and running S $66^{\circ}21'42''$ W along property now or formerly Maximillian, LLC for a distance of 4.81 feet to a Calc. Point in Ditch; thence turning and running N $26^{\circ}46'46''$ W along property of now or formerly Francis M. Burriss for a distance of 31.04 feet to a $\frac{5}{8}$ " Rod (o); thence turning and running N $66^{\circ}21'49''$ E along property of now or formerly James R. Jackson & Greta Davis for a distance of 517.73 feet to a Nail in $\frac{3}{4}$ " Pipe (o); thence turning and running N $66^{\circ}05'39''$ E along property of now or formerly Piney Woods Associates for a distance of 533.75 feet to a Bolt (o); thence turning and running S $22^{\circ}48'19''$ E along property of now or formerly Johnnie Mae Patterson for a distance of 267.47 feet to a $\frac{3}{4}$ " Pipe (o); thence turning and running N $66^{\circ}31'10''$ E along property of now or formerly Johnnie Mae Patterson for a distance of 62.83 feet to a 1" Pipe (o) along the western right-of-way margin of Piney Woods Road; thence turning and running along the western right-of-way margin of Piney Woods Road for the following bearings and distances: S $27^{\circ}11'51''$ E for a distance of 367.42 feet to a $1\frac{1}{4}$ " Pipe (o); thence turning and running S $24^{\circ}14'41''$ E for a distance of 171.90 feet to a $\frac{5}{8}$ " Rod (o); thence turning and running S $18^{\circ}25'15''$ E for a distance of 120.78 feet to a $\frac{5}{8}$ " Rod (o); thence turning and running S $24^{\circ}50'25''$ E for a distance of 347.31 feet to a $\frac{5}{8}$ " Rod (o); thence turning and running S $20^{\circ}28'46''$ W for a distance of 82.27 feet to a $\frac{1}{2}$ " Rebar (o) at the northern right-of-way margin of Piney Grove Road; thence turning and running along the northern right-of-way margin of Piney Grove Road for the following bearings and distances: S $89^{\circ}40'54''$ W for a distance of 100.16 feet to a $\frac{3}{4}$ " Pipe (o); thence turning and running S $87^{\circ}55'34''$ W for a distance of 106.58 feet to a Nail & Cap (o); thence turning and running S $80^{\circ}01'46''$ W for a distance of 180.23 feet to a $\frac{5}{8}$ " Rod (o); thence turning and running S $72^{\circ}43'45''$ W for a distance of 21.70 feet to a $1\frac{1}{4}$ " Pipe (o); thence turning and running S $70^{\circ}50'05''$ W for a distance of 33.52 feet to a $\frac{5}{8}$ " Rod (o); the POINT OF BEGINNING (P.O.B.).

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-06HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, ZONING; ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SECTION 26-152, SPECIAL EXCEPTIONS; SUBSECTION (D), STANDARDS; PARAGRAPHS (8), (9), AND (10); SO AS TO AMEND THE REQUIRED CONDITIONS FOR DAY CARES (ADULT DAY CARES, FAMILY DAY CARES, AND GROUP DAY CARES) REGARDING PARKING.

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, Zoning; Article VI, Supplemental Use Standards; Section 26-152, Special Exceptions; Subsection (D), Standards; Paragraphs (8), (9), and (10) are hereby amended to read as follows:

- (8) *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. ~~Parking shall not be located in the front yard.~~
 - e. d. All other state and federal regulations shall be met.

- (9) *Day Care, Child, Family Day Care, Home Occupation (5 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. A child group 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. Parking shall not be located in the front yard.~~

f. e. All other state and federal regulations shall be met.

(10) *Day Care, Child, Group Day Care, Home Occupation (6 to 12).*

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. A child group 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. Parking shall not be located in the required front yard.~~

f. e. All other state and federal regulations shall be met.

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 _____, 2006.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE ____ DAY

OF _____, 2006

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: February 28, 2006
First Reading: February 28, 2006
Second Reading: March 7, 2006 (tentative)
Third Reading:

AMENDED DRAFT

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-06HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, ZONING; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-96, GC GENERAL COMMERCIAL DISTRICTS; SUBSECTION (C), DEVELOPMENT STANDARDS; PARAGRAPH (5), HEIGHT STANDARDS; SO AS TO AMEND THE MAXIMUM HEIGHT OF STRUCTURES IN THE GC DISTRICT FROM THIRTY-FIVE (35) FEET TO FORTY-FIVE (45) FEET.

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, Zoning; Article V, Zoning Districts and District Standards; Section 26-96, GC General Commercial Districts; Subsection 26-96(c)(5) is hereby amended to read as follows:

- (5) *Height standards:* The maximum height of structures in the GC District shall be forty-five feet (three (3) stories or less) ~~or thirty-five feet, whichever is taller.~~ However, high rise structures may be permitted as a permitted use subject to special requirements (4-5 stories) or a special exception (6 or more stories), as set forth in Section 26-151(c)(11) and Section 26-152(d)(4) of this chapter.

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 _____, 2006.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE _____ DAY

OF _____, 2006

Michielle R. Cannon-Finch
Clerk of Council

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-06HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, ZONING; ARTICLE IV, AMENDMENTS AND PROCEDURES; SECTION 26-52, AMENDMENTS; SUBSECTION (H), WITHDRAWAL OR RECONSIDERATION OF PROPOSED AMENDMENTS; PARAGRAPH (1), WITHDRAWAL; SO AS TO AMEND THE TIME IN WHICH AN APPLICANT MAY WITHDRAW AN AMENDMENT APPLICATION.

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, Zoning; Article IV, Amendments and Procedures; Section 26-52, Amendments; Subsection 26-52(h)(1) is hereby amended to read as follows:

- (1) *Withdrawal.* An applicant may only withdraw an amendment application (which has been submitted to the Richland County Council with planning commission recommendation) ~~prior to publication of the agenda~~ not less than fifteen (15) days prior to the scheduled County Council Zoning Public Hearing. ~~Once the agenda has been published, an application cannot be withdrawn without the approval of county council. Less than 15 days before the Zoning Public Hearing, the applicant may only request a withdrawal by appearing before County Council at the scheduled zoning public hearing.~~ A withdrawal shall be considered a termination of the application. Resubmission shall be processed as a new application and all applicable fees will be assessed.

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 _____, 2006.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE ____ DAY

OF _____, 2006

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: February 28, 2006
First Reading: February 28, 2006
Second Reading: March 7, 2006 (tentative)
Third Reading:

RICHLAND COUNTY COUNCIL DEVELOPMENT AND SERVICES COMMITTEE

Doris Corley
District 1

Joyce Dickerson
District 2

Damon Jeter, Chair
District 3

Greg Pearce
District 6

Bernice G. Scott
District 10

*Tuesday, February 28, 2006
5:00 PM*

Recommendations

ITEMS FOR ACTION

- Consent** **A. Sanitary Sewer Extension Agreement for the Spring Hill Subdivision** – The committee recommended that Council approve the Sanitary Sewer Extension Agreement for the extension of sewer service to the Spring Hill Subdivision. The vote in favor was unanimous.

Staffed by Joe Cronin

RICHLAND COUNTY COUNCIL ADMINISTRATION AND FINANCE COMMITTEE

Kit Smith, Chair Mike Montgomery Paul Livingston Joseph McEachern Valerie Hutchinson
District 5 District 8 District 4 District 7 District 9

*Tuesday, February 28, 2006
6:00 PM*

Recommendations

ITEMS FOR ACTION

A. Funding Request: Wood + Partners, Task 2, Entertainment/Recreation Complex – The committee forwarded this item to the full Council without recommendation. The committee also agreed to hold a work session regarding this item prior to the next Council meeting.

Consent B. Adoption of Internal Audit Project List and Consideration of Project Funding – The committee recommended that Council approve an amended Internal Audit List and priority ranking. (The Finance Department audit was moved to the end of the list.) The committee also recommended that funding be addressed in the 2006-07 budget. The vote in favor of the motion was unanimous.

Consent C. Public Works Purchase Request: Purchase of One (1) Tractor/Mower – The committee recommended that Council approve the purchase of one tractor/mower in the amount of \$109,836.44. Funds are currently available in the Roads and Drainage Division budget. The vote in favor of the motion was unanimous.

D. Sheriff Grants

Consent 1. Approval of Four Grants (No personnel costs of financial match required) – The committee recommended that Council approve the following four grants: Sober or Slammer Mini-Grant, Law Enforcement Network Mini-Grant, 2003 Part II Buffer Zone Protection Plan, and 2005 Buffer Zone Protection Plan. No match was required. The vote in favor of the motion was unanimous.

Consent 2. Approval of Two Grants (No personnel costs, \$7,488 match) – The committee recommended that Council approve the following two grants: JABG (Community Crime Prevention Grant) and VOCA Reverted Funds (Victims of Violent Crimes Direct Services Grant.) Matching amounts of \$1,428 and \$6,060, respectively, are required and are included in the budget. The vote in favor of the motion was unanimous.

- Consent** **3. Approval of Grant for One AFIS Work Station and Two Live Scan Devices and Printers (\$47,000 match required)** – The committee recommended that Council approve the grant for one AFIS work station and two live scan devices and printers. A match of \$47,000 is required. The vote in favor of the motion was unanimous.
- Consent** **E. Approval of Qualified GIS Contractor List** – The committee recommended that Council approve the additions to the qualified list for GIS service providers. The vote in favor of the motion was unanimous.
- Consent** **F. Acquisition of Land to the North of the Richland County C&D Landfill** – The committee recommended that Council authorize the County Administrator to negotiate the purchase of 56.84 acres of property north of the current County Landfill site. The vote in favor of the motion was unanimous.
- G. Exemptions to the Road Maintenance Fee** – The committee recommended that Council give first reading to an ordinance that would exempt Disabled Veterans from the county’s \$15.00 road maintenance fee, effective July 1, 2006.
- Consent** **H. Budget Amendment Transferring \$143,100 from the Fund Balance to General Fund to Reimburse for the Purchase of Local Option Sales Tax Software** – The committee recommended that Council give first reading approval to an ordinance transferring \$143,100 from the Fund balance to the General Fund to reimburse for the purchase of Local Option Sales Tax software. The committee also recommended that municipalities within the county should be requested to contribute their share on a pro-rata basis. The vote in favor of the motion was unanimous.
- I. Allocation of \$10,000 in Unallocated HTAX Funds to City-Center Partnership for International Downtown Association Spring Conference Sponsorship** – The committee forwarded this item to the full Council with the recommendation not to approve the request.

Staffed by Joe Cronin

AMENDED DRAFT

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-06HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 ANNUAL BUDGET (ORDINANCE NUMBER 053-05HR), SECTION 4, SO AS TO PROVIDE CERTAIN EXEMPTIONS TO THE ROAD MAINTENANCE FEE, WHICH HAS BEEN INCLUDED ON MOTOR VEHICLE TAX NOTICES SINCE JANUARY 2002 PURSUANT TO ORDINANCE NUMBER 043-01HR.

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 Fiscal Year 2005-2006 Annual Budget (Ordinance Number 053-05HR), Section 4, is hereby amended to read as follows:

SECTION 4. A road maintenance fee of \$15.00 on each motorized vehicle licensed in Richland County shall be included on motor vehicle tax notices beginning in January 2002; provided, however, veterans who are totally and permanently disabled are exempt from having to pay such fee beginning July 1, 2006. The proceeds from the road maintenance fee will go into the County Road Maintenance Fund and shall be used specifically for the maintenance and improvement of the County road system. Any interest earned on these funds shall accrue to this account. Any contracted attorney's fees incurred, as a result of litigation involving the road maintenance fee shall reduce the interest accrual. All other fees previously approved by the County Council, either through budget ordinances or ordinances apart from the budget, will remain in effect unless and until the County Council votes to amend those fees.

As used in this section, "veterans who are totally and permanently disabled" means a person who is:

1. A wartime disabled veteran who is entitled to compensation for the loss, or loss of use of one or both legs or arms, or the permanent impairment of vision in both eyes to a degree as to constitute virtual blindness and is also entitled to a special monthly statutory award by reason thereof, or
2. Any South Carolina veteran classified as totally and permanently disabled due to service-connected disabilities as determined from medical records on file with the Veterans Administration

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.

AMENDED DRAFT

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2006.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE _____ DAY

OF _____, 2006

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: March 7, 2006 (tentative)
Second Reading:
Public Hearing:
Third Reading:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-06HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 GENERAL FUND ANNUAL BUDGET TO ADD ONE HUNDRED FORTY THREE THOUSAND ONE HUNDRED DOLLARS (\$143,100.00) TO INCREASE FUNDING TO THE NON-DEPARTMENTAL SPECIAL CONTRACTS ACCOUNT FOR THE LOCAL OPTION SALES TAX SOFTWARE.

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 Forty Three Thousand One Hundred Dollars (\$143,100.00) be appropriated to the FY 2005-2006 Non-Departmental budget. Therefore, the Fiscal Year 2005-2006 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2005 as amended:	\$107,250,788
Appropriation of Revenue from LOST:	<u>143,100</u>
Total General Fund Revenue as Amended:	\$107,393,888

EXPENDITURES

Expenditures appropriated July 1, 2005 as amended:	\$107,250,788
Add to Non-Departmental Special Contracts budget:	<u>143,100</u>
Total General Fund Expenditures as Amended:	\$107,393,888

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 _____, 2006.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE ____ DAY

OF _____, 2006

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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Misc.			
Pre-Conference Mailing	\$1,489		Includes printing/mailing of Save-The-Date Cards and mailing of sponsorship letters
Tote Bags	\$4,000		
Transportation	\$7,000		This is an estimate
Other (IDA Ad Free Times \$450)	\$5,000		This is an estimate
Intern Assistance (Rachael Meehan - USC)	\$1,260	\$1,260	
Gifts for Bags	\$3,000	\$1,000	Pens
Subtotal	\$21,749		
Entertainment (Festival tickets, choir, band, movie)			
Three Rivers Festival Tickets @ \$30 per person-250 attendees	\$7,500		
Blue Grass Band	\$600	\$600	
Movie	\$3,586		
Steel Drum Player	\$250		
SCSU Choir	\$600		
Subtotal	\$12,536		
Receptions			
Saturday - Vista Studios/Gallery 80808			
Flowers/Decorations	\$2,000		This is an estimate
Food, Bar Service, Rental	\$7,000		This is an estimate
Misc.	\$2,000		This is an estimate
Sunday - Columbia Museum of Art			
Rental	\$2,100	\$2,100	
Food, Bar	\$4,350		
Flowers	\$1,000		
Misc.	\$2,000		
Monday - Williams Brice Stadium - The Zone			
Rental			IDA Expense
Food			IDA Expense
Misc			IDA Expense
Subtotal	\$20,450	\$4,960	
Grand Total	\$54,735		
**Please note that this spreadsheet does NOT contain the \$10,000 requested from Richland County.			

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-06HR

AN ORDINANCE CONSENTING TO AN ASSIGNMENT TO TYSON PREPARED FOODS, INC., OF ALL RIGHTS AND OBLIGATIONS OF KPR HOLDINGS, L.P. UNDER A LEASE AGREEMENT AND AN INDUCEMENT AND MILLAGE RATE AGREEMENT WITH RICHLAND COUNTY.

WHEREAS, Richland County, South Carolina (the "County") previously entered into a fee-in-lieu of taxes arrangement under Title 4, Chapter 12, Code of Laws of South Carolina 1976, as amended (the "Act") with IBP, inc., now known as Tyson Fresh Meats, Inc. ("IBP"), in connection with which IBP transferred title to certain real and personal property to the County and the County and IBP entered into a November 12, 1996 Inducement and Millage Rate Agreement (the "Inducement Agreement") and a December 15, 1996 Lease Agreement (the "Lease") concerning land, buildings, machinery, apparatus, equipment, office facilities and furnishings then owned or thereafter acquired to be used for the purpose of various food processing and related activities to be conducted by IBP and/or its affiliates in the County at the site identified in the Lease (the "Facilities");

WHEREAS, with the approval of the County pursuant to a Resolution of the County Council dated September 1, 1998, IBP transferred the Inducement Agreement and the Lease Agreement to KPR Holdings, L.P., a Delaware limited partnership (the "Company");

WHEREAS, the Company is one member of a family of affiliated companies;

WHEREAS, as a result of a reorganization of the operations of the Company the assets of the Facility, the Lease Agreement and the Inducement Agreement have been or will be transferred to Tyson Prepared Foods, Inc. ("TPF"), a Delaware corporation which is a Company affiliate;

WHEREAS, Section 4-12-30(M)(4) of the Act requires that the Company obtain consent, ratification and/or approval of the County in connection with a transfer and assignment of its rights and obligations under the Lease and the Inducement Agreement;

WHEREAS, the County has already manifested its consent, to the maximum extent allowed by applicable law, to such a transfer and assignment pursuant to existing provisions of the Lease and the Inducement Agreement;

WHEREAS, the County now wishes to consent to, ratify and approve such transfers and assignments to TPF as described above;

NOW, THEREFORE, BE IT ORDAINED by Richland County, South Carolina, as follows:

Section 1. The County, pursuant to Section 4-12-30(M)(4) of the Act, hereby expressly consents to, ratifies and approves the transfers and assignments as described above by the Company to TPF, including all the Company's rights and obligations under the Lease and the Inducement Agreement effective as of the effective date of such assignments and transfers by the Company, which agreements shall remain in full force and effect.

Section 2. Each of the Chair of County Council and the County Administrator be and each is hereby authorized and directed, in the name and on behalf of the County, to execute a document evidencing the County's consent to the assignment of the Company's interests in the Lease and the

Inducement Agreement, said document to be in substantially the form presented to this County Council together with such changes or amendments thereto and related documents as may be approved by the County Attorney as not materially affecting the rights or obligations of the County thereunder, and the Clerk to County Council is hereby authorized and directed to affix thereto the seal of the County and to attest the same; and the County Administrator is hereby further authorized and directed to deliver said consent document and any authorized amendments and related documents to the Company and TPF.

Section 3. This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

Section 4. The provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 5. All orders, resolutions, and parts thereof in conflict herewith are to the extent of such conflict hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

Done in meeting duly assembled this ___ day of _____, 2006.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

ATTEST THIS THE ____ DAY
OF _____, 2006

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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No Opinion Rendered As To Content

First Reading: March 7, 2006 (tentative)
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Third Reading: _____, 2006

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-06HR

AN ORDINANCE AUTHORIZING DEED TO MILLER VALENTINE PARTNERS, LTD., II, FOR CERTAIN PARCELS OF LAND KNOWN AS LOTS 2 AND 18 (APPROXIMATELY 6.11 ACRES TOTAL) IN THE RICHLAND NORTHEAST INDUSTRIAL PARK, A PORTION OF RICHLAND COUNTY TMS # 25800-04-01.

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 MILLER VALENTINE PARTNERS, LTD., II, for certain real property, as specifically described in the attached Deed, Lots 2 and 18 (approximately 6.11 acres) in the Richland Northeast Industrial Park, a portion of Richland County TMS # 25800-04-01, 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 _____, 2006.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2006.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-06HR

AN ORDINANCE AUTHORIZING DEED TO BRAZELL FAMILY, LLC, FOR A CERTAIN PARCEL OF LAND KNOWN AS LOT 6 (APPROXIMATELY 5.057 ACRES TOTAL) IN THE RICHLAND NORTHEAST INDUSTRIAL PARK, A PORTION OF RICHLAND COUNTY TMS # 25800-04-01.

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 BRAZELL FAMILY, LLC, for certain real property, as specifically described in the attached Deed, Lot 6 (approximately 5.057 acres) in the Richland Northeast Industrial Park, a portion of Richland County TMS # 25800-04-01, 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 _____, 2006.

RICHLAND COUNTY COUNCIL

By: _____
Anthony G. Mizzell, Chair

Attest this _____ day of
_____, 2006.

Michielle R. Cannon-Finch
Clerk of Council

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