

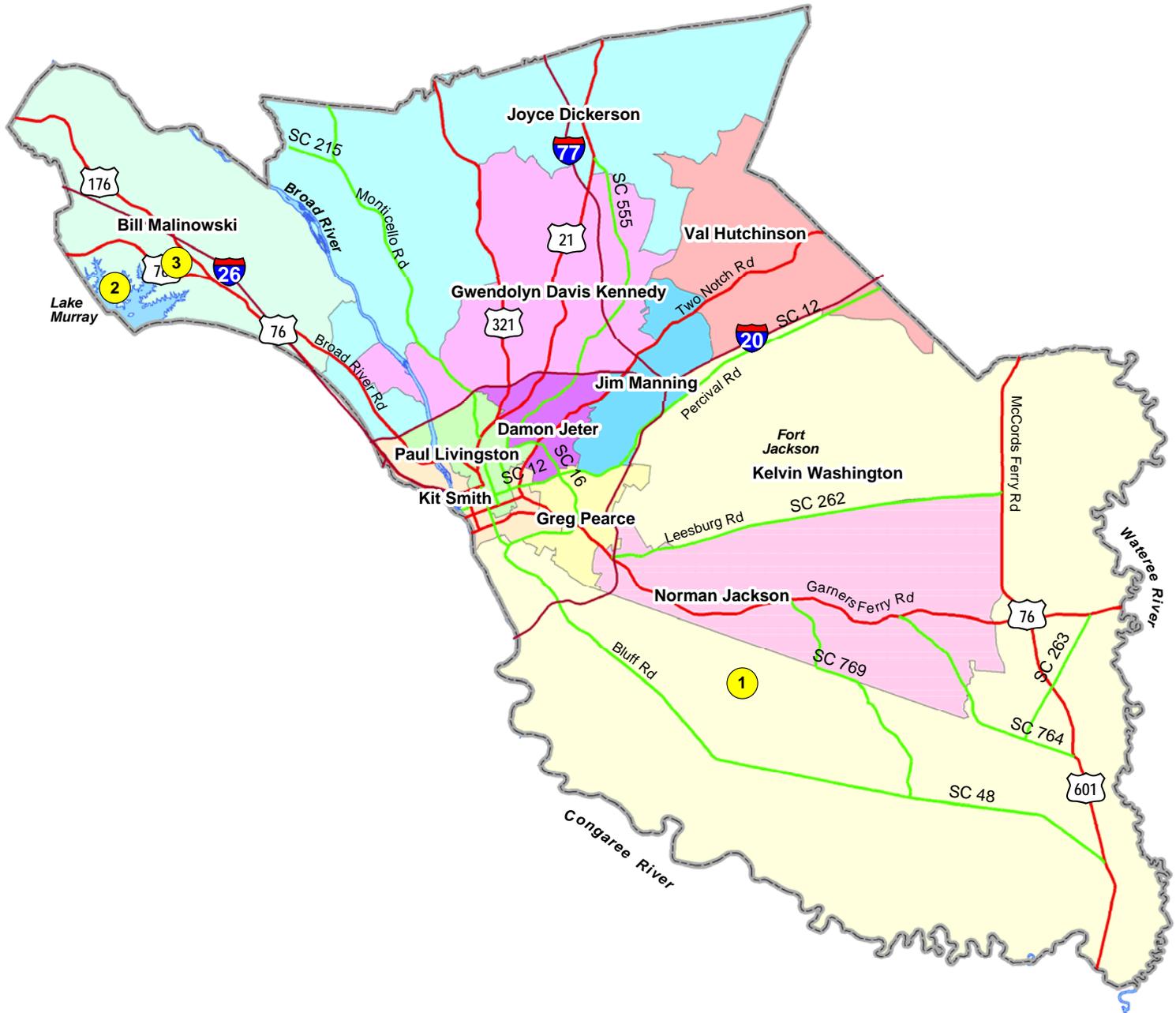
RICHLAND COUNTY COUNCIL  
ZONING PUBLIC HEARING



JANUARY 25, 2011



# RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING JANUARY 25, 2011



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 10-33 MA	Odom Enterprise	21613-01-02	5771 Lower Richland Blvd.	Washington
2. 10-34 MA	Dennis & Nancy Hunniford	01409-03-16	Haven Circle	Malinowski
3. 11-01 MA	Richland County School District 2	02416-01-05	Bickley Road	Malinowski





**RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING**

**Tuesday, January 25, 2011  
7:00 P.M.**

**2020 Hampton Street  
2<sup>nd</sup> Floor, Council Chambers  
Columbia, South Carolina**

**STAFF:**

Anna Almeida, AICP ..... Planning Director  
Amelia R. Linder, Esq. .... Attorney

**CALL TO ORDER**.....Honorable Paul Livingston  
Chairman of Richland County Council

**ADDITIONS / DELETIONS TO THE AGENDA**

**OPEN PUBLIC HEARING**

1. Case #10-33 MA  
Odom Enterprise  
Steven Odom  
RU to LI (2.33 acres)  
5771 Lower Richland Blvd.  
TMS # 21613-01-02 [**FIRST READING**]  
Planning Commission Approved 9-0  
Page
  
2. Case #10-34 MA  
Dennis & Nancy Hunniford  
Dennis Hunniford  
RU to RS-LD (.76 acres)  
Haven Circle  
TMS # 01409-03-16 [**FIRST READING**]  
Planning Commission Approved 7-2  
Page 1
  
3. Case #11-01 MA  
Carolina Child Care Properties, LLC  
Dennis Drew  
OI to GC (3.6 acres)  
Bickley Rd.  
TMS # 02416-01-05 [**FIRST READING**]  
Planning Commission Denied 7-2  
Page 7

## TEXT AMENDMENTS

4. AN ORDINANCE AMENDING CHAPTER 26; SO AS TO REQUIRE NOTIFICATION TO THE BUILDING INSPECTIONS DEPARTMENT AND TO THE EMERGENCY SERVICES DEPARTMENT WHENEVER PLANS ARE SUBMITTED THAT AFFECT THE “EMERGENCY PLANNING ZONE (EPZ)” OF THE V.C. SUMMER NUCLEAR PLANT, WHICH IS LOCATED IN FAIRFIELD COUNTY. **[FIRST READING]**  
Planning Commission Approved 9-0  
Page 17
5. AN ORDINANCE AMENDING CHAPTER 26; SO AS TO ESTABLISH THE MAXIMUM HEIGHT AND SQUARE FOOTAGE OF SIGNS FOR INSTITUITONAL USES IN THE RU RURAL DISTRICT. **[SECOND READING]**  
Planning Commission Approved 9-0  
Page 27
6. AN ORDINANCE AMENDING; CHAPTER 26, SO AS TO ESTABLISH THE MAXIMUM HEIGHT FOR ON-PREMISE SIGNS IN THE GC (GENERAL COMMERCIAL) DISTRICT. **[FIRST READING]**  
Planning Commission Approved 8-1  
Page 29
- 7a. AN ORDINANCE AMENDING; CHAPTER 26,; SO AS TO CREATE A NEW SECTION THAT WOULD ALLOW DIGITAL DISPLAY DEVICES UNDER CERTAIN CONDITIONS. **[FIRST READING]**  
Planning Commission Approved 8-1  
Page 31

OR

- 7b. AN ORDINANCE AMENDING; CHAPTER 26, SO AS TO PROHIBIT ELECTRONIC CHANGEABLE COPY, ELECTRONIC GRAPHIC DISPLAY, MULTI-VISION, AND VIDEO DISPLAY SIGNS. **[FIRST READING]**  
Planning Commission Denied 9-0  
Page 35

## OTHER BUSINESS

## ADJOURNMENT



## Richland County Planning & Development Services Department

### Map Amendment Staff Report

**PC MEETING DATE:** January 6, 2011  
**RC PROJECT:** 10-33 MA  
**APPLICANT:** Steve Odom  
**PROPERTY OWNER:** Odom Enterprises

**LOCATION:** 5771 Lower Richland Blvd

**TAX MAP NUMBER:** 21613-01-02  
**ACREAGE:** 2.33 acres  
**EXISTING ZONING:** RU  
**PROPOSED ZONING:** LI

**PC SIGN POSTING:** December 17, 2010

#### Staff Recommendation

#### Approval

#### Background /Zoning History

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

On October 1988, a map amendment request (88-044 MA) was submitted for rezoning from Rural District (RU) to M-1 Light Industrial District; the Planning Commission recommended approval and County Council approved the rezoning request on October 11, 1988. The rezoned M-1 Light Industrial District parcels include TMS# 21613-01-03 & 24.

On September 2006, a map amendment request (06-42MA) was submitted for rezoning from Rural District (RU) and M-1 Light Industrial District to Rural Commercial District (RC); the Planning Commission and County Council approved the rezoning on November 14, 2006. The rezoned Rural Commercial District (RC) parcels included TMS# 21614-01-24 & 25 (portion of) and TMS# 21613-01-01.

The parcel does not contain road frontage along Lower Richland Boulevard; however, is located with frontage along the railroad and is near the intersection of Old Hopkins Road and Lower Richland Blvd.

#### Summary

The Light Industrial (LI) District "is intended to accommodate wholesaling, distribution, storage, processing, light manufacturing, and general commercial uses. Such uses are usually controlled operations, relatively clean, quiet, and free of objectionable or hazardous elements, such as smoke, noise, odor or dust. In addition, such uses usually operate and/or have storage within open or enclosed structures; and generating no nuisances."

Direction	Existing Zoning	Use
<b><u>North:</u></b>	M-1	Industrial
<b><u>South:</u></b>	NA	Railroad track and easement
<b><u>East:</u></b>	M-1	Industrial
<b><u>West:</u></b>	RC	Undeveloped

**Plans & Policies**

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

**Rural Area**

Objective: “Industrial activities should be compatible with the surrounding land uses and should be considered on a case-by-case basis. Industrial uses should not locate near residential or commercial uses without adequate space for buffering/setbacks. Proposed industrial uses should consider sites with adequate room for expansion, existing infrastructure, and access to major arterials and/or highways.”

Compliance: The subject parcel is bordered to the north, east, and west by property that is owned by Manchester Farms. The property to the west is undeveloped, whereas the larger parcel to the north and east of the subject parcel is part of the existing quail processing plant. To the south of the parcel is a railroad track and right of way owned by the Norfolk Southern Railway Company. This rail line serves as a buffer for the parcels to the south of the track.

**Traffic Impact**

The 2009 SCDOT traffic count (Station # 405) located north of the subject parcel on Lower Richland Blvd identifies 2,400 Average Daily Trips (ADT’s). Lower Richland Blvd is classified as a two lane undivided Collector, maintained by SCDOT with a design capacity of 8,600 ADT’s. Lower Richland Blvd is currently operating at Level of Service (LOS) “A”.

There are no planned or programmed improvements for this section of Lower Richland Blvd.

**Conclusion**

The proposed map amendment is compatible with the Comprehensive Plan.

The subject parcel is surrounded to the west, north, and east by property that is part of the Manchester Farms quail processing plant. The 18.49 acre M-1 Light Industrial District parcel to the north and east of the subject parcel houses the quail processing plant. To the west of the subject parcel is a 1.95 acre parcel zoned Rural Commercial District (RC) and to the south of subject parcels are two parallel railroad tracks owned by Norfolk Southern Railway Company. According to Richland County Geographic Information System (GIS), the subject parcel is separated from the southern parcel of the railroad track by two hundred and two (202) feet. The two hundred and two (202) feet of separation includes railroad right of way and Hopkins Road. The railroad tracks, associated right of way and Hopkins Road acts as a buffer separating the parcels north and south of the tracks. The parcel located south of the rail road tracks contains an existing vacant building.

The intent of the Light Industrial District (LI) and any permitted potential uses is that they are usually controlled operations, clean, quiet, and free of objectionable or hazardous elements, such as smoke, noise, odor or dust. The plant is restricted from expanding to the south due to the railroad tracks and as such, it is the opinion of staff that the proposed zoning is appropriate in this location. The sizes of the parcels can provide buffering and any future expansion.

The Hopkins fire station (station number 23) is located on Clarkson Road 1.92 miles southeast of the subject parcel. The proposed map amendment would not negatively impact public services or traffic. Water is provided by a private well and sewer is handled by septic tank.

The proposed Zoning Map Amendment **is in compliance** with the Comprehensive Plan. Planning Staff recommends **Approval** of this map amendment.

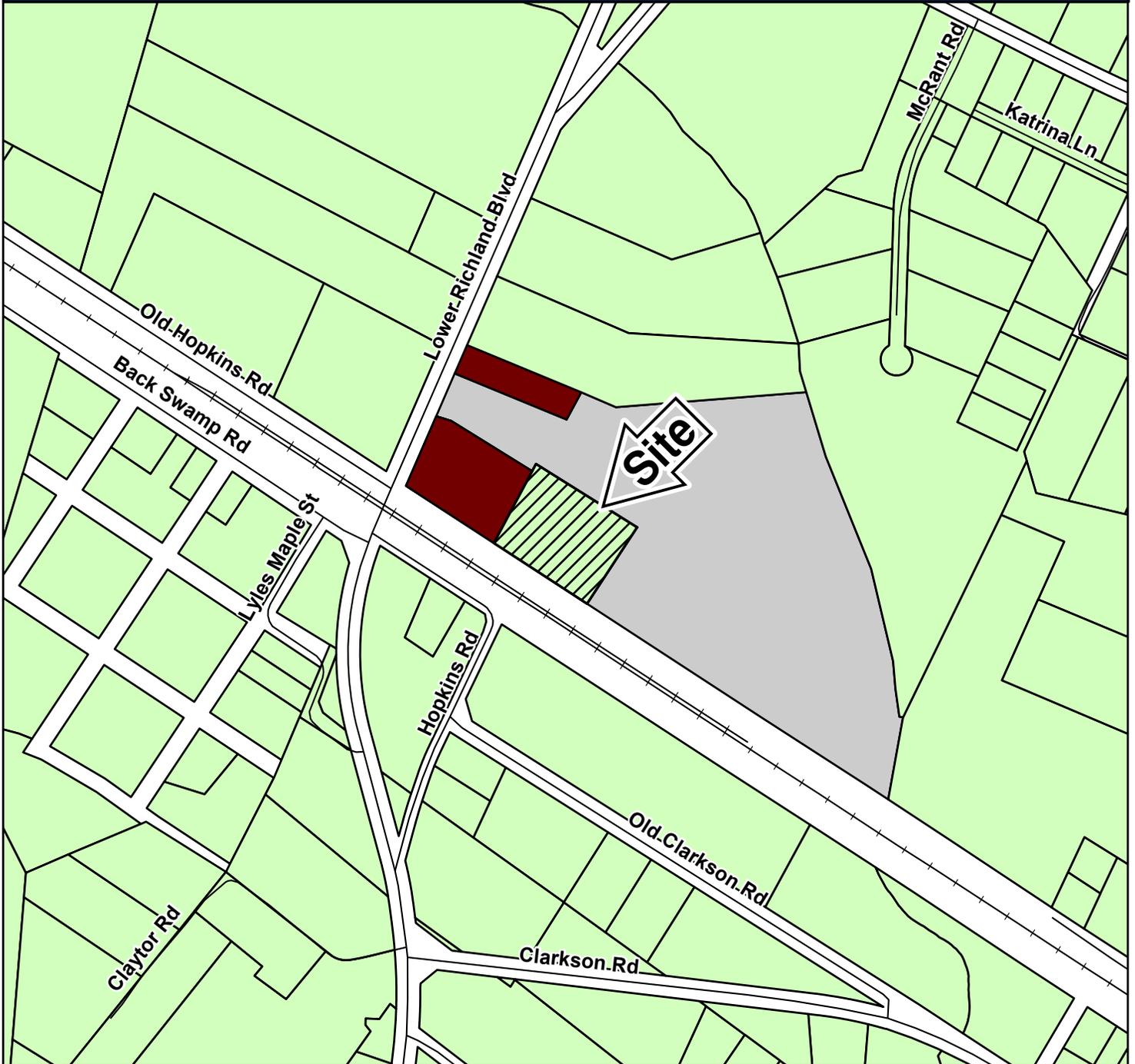
<b>Zoning Public Hearing Date</b>
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**January 25, 2011**

<b>Planning Commission Action</b>
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At their meeting of **January 6, 2011** the Richland County Planning Commission **agreed** with the PSDS recommendation and recommends the County Council initiate the ordinance consideration process to **approve the proposed Amendment** for **RC Project # 10-33 MA** at the next available opportunity.

# Case 10-33 MA RU to LI



## ZONING CLASSIFICATIONS

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

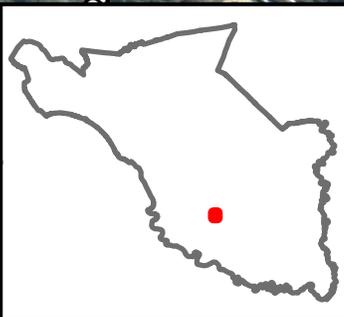


**Case 10-33 MA  
RU to LI  
TMS 21613-01-02**

**▲ 405**

**Site**

-  **FLOODZONE A**
-  **FLOODZONE AE**
-  **WETLANDS**

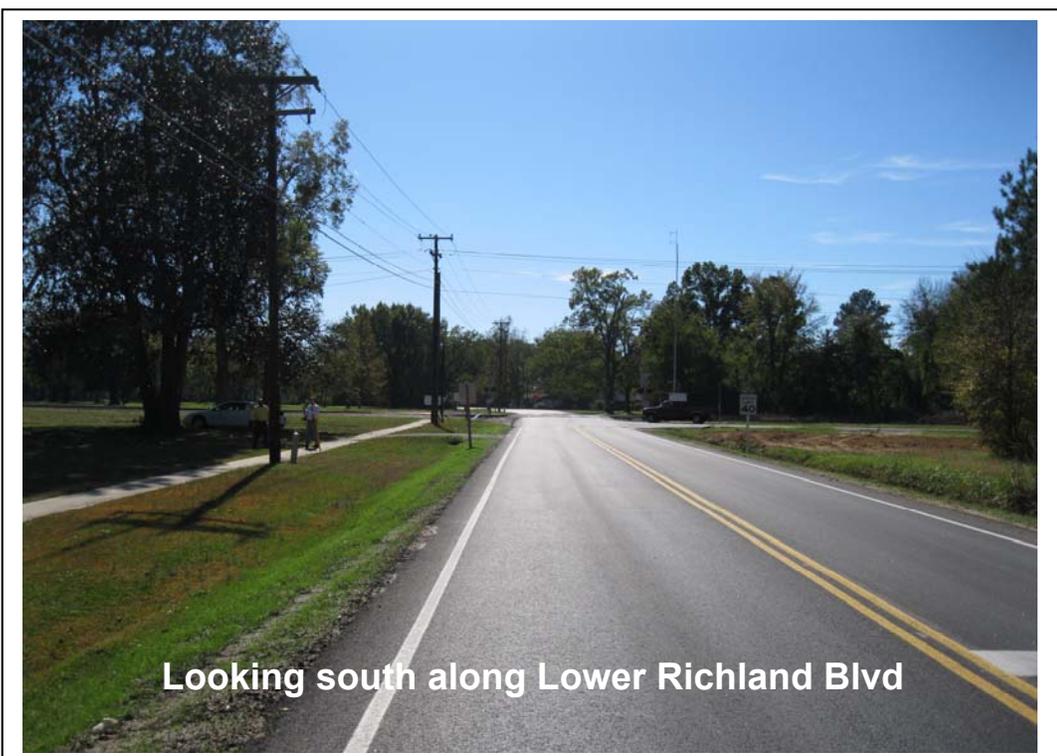
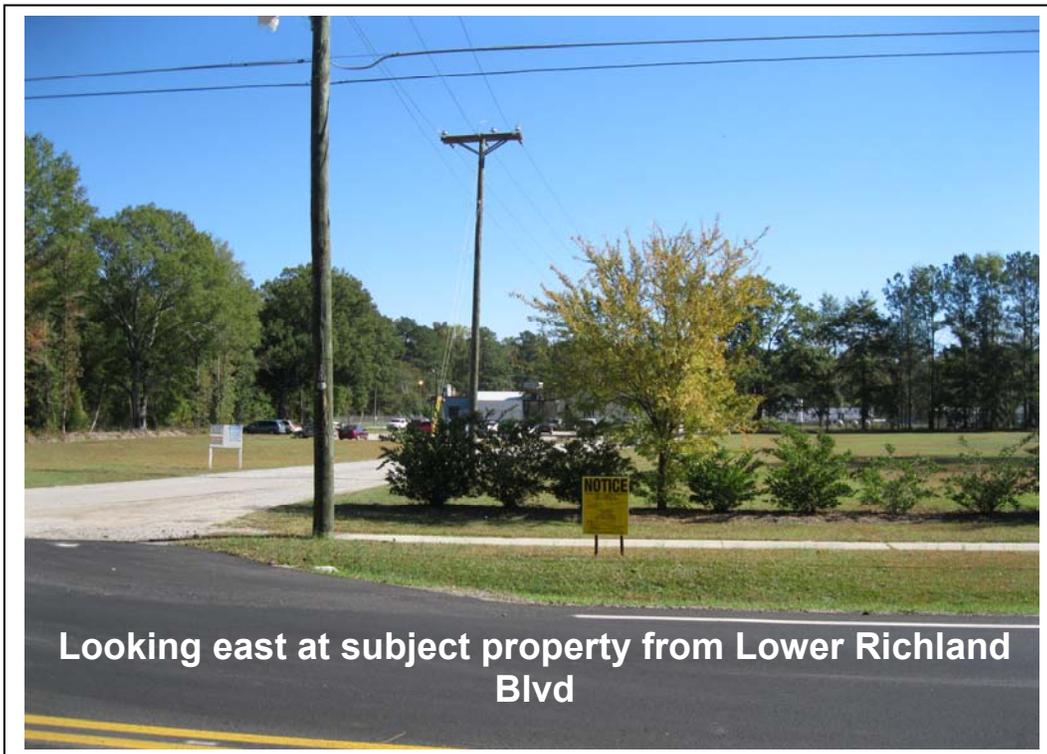


# CASE 10-33 MA

## From RU to LI

TMS# 21613-01-02

Lower Richland Blvd



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-11HR

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 # 21613-01-02 FROM RU (RURAL DISTRICT) TO LI (LIGHT INDUSTRIAL 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 # 21613-01-02 from RU (Rural Density District) to LI (Light Industrial 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. 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 \_\_\_\_\_, 2011.

RICHLAND COUNTY COUNCIL

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

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2011.

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

Public Hearing:        January 25, 2010 (tentative)  
First Reading:        January 25, 2010 (tentative)  
Second Reading:  
Third Reading:





**Richland County  
Planning & Development Services Department**

Map Amendment Staff Report

**PC MEETING DATE:** January 6, 2011  
**RC PROJECT:** 10-34 MA  
**APPLICANT:** Dennis Hunniford  
**PROPERTY OWNER:** Dennis & Nancy Hunniford

**LOCATION:** Haven Circle

**TAX MAP NUMBER:** 01409-03-16  
**ACREAGE:** 0.76 acres  
**EXISTING ZONING:** RU  
**PROPOSED ZONING:** RS-LD

**PC SIGN POSTING:** December 17, 2010

**Staff Recommendation**

**Denial**

**Background /Zoning History**

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

The parcels contain one hundred and twenty eight (128) feet of frontage along Haven Circle.

**Summary**

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

Minimum lot area is 12,000 square feet, or as determined by DHEC, but in no case shall it be less than 12,000 sq ft. 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: 2 dwelling units
- The net density for this site is approximately: 1dwelling unit

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

## Plans & Policies

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

### Suburban Area

Objective: “Residential developments should occur at medium densities of 4-8 dwelling units per acre.”

Non-Compliance: The rezoning does not comply with the Comprehensive Plan’s recommended density. The Residential Single-family Low Density District (RS-LD) permits minimum 12,000 square foot lots or 3.6 dwelling units per acre.

## Traffic Impact

The 2009 SCDOT traffic count (Station # 559) located northwest of the subject parcel on Johnson Marina Road identifies 1,750 Average Daily Trips (ADT’s). Johnson Marina Road is classified as a two lane undivided Collector, maintained by SCDOT with a design capacity of 8,600 ADT’s. Johnson Marina Road is currently operating at Level of Service (LOS) “A”.

There are no planned or programmed improvements for Johnson Marina Road or Haven Circle. Haven Circle is an unpaved, county maintained road.

## Conclusion

The proposed map amendment is not compatible with the Comprehensive Plan.

The subject parcel is wooded and undeveloped. The subject parcel is bound by Lake Murray to the east and the surrounding parcels are single family residential. To the north and south the parcels are zoned Rural (RU). West of the subject site the parcels are zoned Residential Single-Family Low Density (RS-LD). The existing Rural District (RU) permits minimum 33,000 square foot lots at 1.6 dwelling units per acre; whereas the Residential Single-Family Low Density District (RS-LD) permits minimum 12,000 square foot lots at 3.6 dwelling units per acre. The recommended density identified in the Suburban Area in the Northwest Planning Area is 4-8 dwelling units per acre. The subject parcel is 1.15 miles southeast of Lake Murray Elementary School and is part of Lexington/Richland School District Five.

The Dutch Fork/Ballentine fire station (number# 20) is located on Broad River Road 3.35 miles northeast of the subject parcel. There is a fire hydrant located 0.24 miles northwest of the parcel on Tap Road west of Johnson Marina Road. The proposed map amendment would not negatively impact public services or traffic. Water is provided by the City of Columbia and sewer is provided by Richland County.

The proposed Zoning Map Amendment **is not compliance** with the Comprehensive Plan. Planning Staff recommends **Denial** of this map amendment.

## Zoning Public Hearing Date

**January 25, 2011**

## Planning Commission Recommendation

The proposed map amendment is compatible with the existing zoning across the street.

## Planning Commission Action

At their meeting of **January 6, 2011** the Richland County Planning Commission **disagreed** with the Planning & Development Services Department recommendation and, based on the findings of facts above, recommends the County Council initiate the ordinance consideration process to **approve** the proposed Amendment for **RC Project # 10-34 MA** at the next available opportunity.

# Case 10-34 MA RU to RS-LD



## ZONING CLASSIFICATIONS

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



**Case 10-34 MA  
RU to RS-LD  
TMS 01409-03-16**

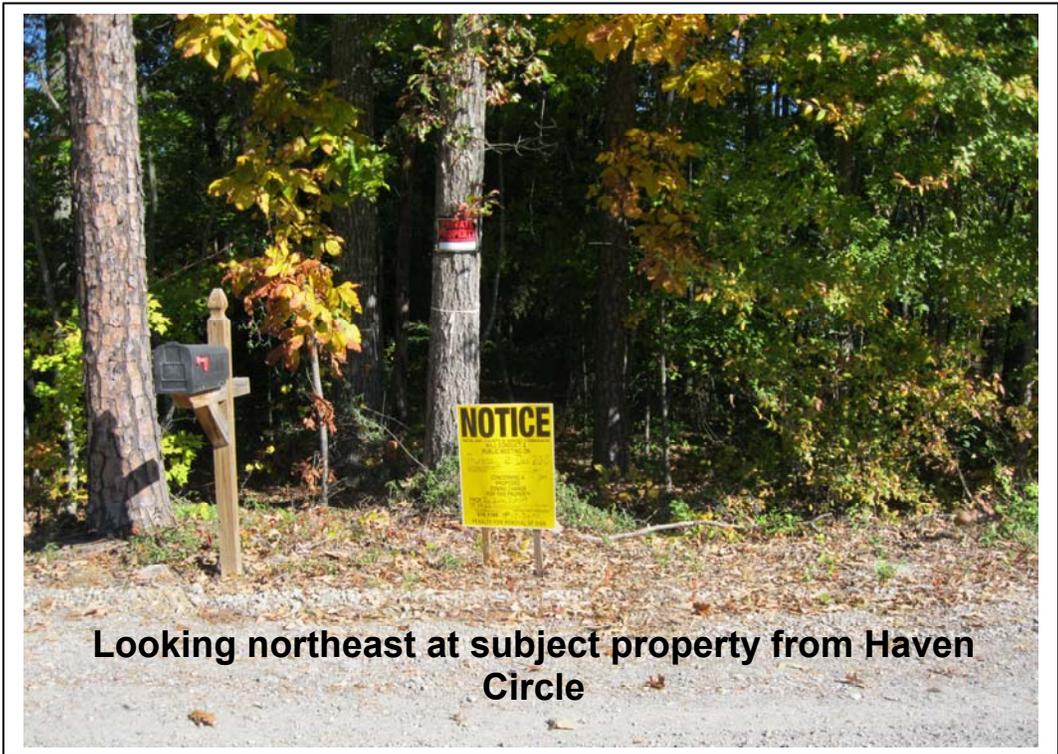


# CASE 10-34 MA

## From RU to RS-LD

TMS# 01409-03-16

Haven Circle



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-11HR

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 # 01409-03-16 FROM RU (RURAL DISTRICT) TO RS-LD (RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 01409-03-16 from RU (Rural District) zoning to RS-LD (Residential, Single-Family – Low Density District) zoning.

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

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

Section IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2011.

RICHLAND COUNTY COUNCIL

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

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2011.

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

Public Hearing:        January 25, 2010 (tentative)  
First Reading:        January 25, 2010 (tentative)  
Second Reading:  
Third Reading:





## Richland County Planning & Development Services Department

### Map Amendment Staff Report

**PC MEETING DATE:** January 6, 2011  
**RC PROJECT:** 11-01 MA  
**APPLICANT:** Dennis Drew  
**PROPERTY OWNER:** Carolina Child Care Properties, LLC

**LOCATION:** Bickley Road

**TAX MAP NUMBER:** 02416-01-05  
**ACREAGE:** 3.59 acres  
**EXISTING ZONING:** OI  
**PROPOSED ZONING:** GC

**PC SIGN POSTING:** December 17, 2010

#### Staff Recommendation

**Denial**

#### Background /Zoning History

The current zoning, Office and Institutional District (OI) reflects the zoning as adopted June 6, 2006. Prior to the June 6, 2006 rezoning, the property was zoned Rural District (RU).

In April 2006, a map amendment request (06-13MA) was submitted to the Planning Commission. On June 6, 2006 County Council approved the rezoning request from Rural District (RU) to Office and Institutional District (OI) under Ordinance Number 046-06HR.

The parcels contain five hundred and sixty four (564) feet of frontage along Bickley Road.

#### Summary

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

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

- The gross density for this site is approximately: 57 dwelling units
- The net density for this site is approximately: 40 dwelling units

Direction	Existing Zoning	Use
<u>North:</u>	PDD	Insurance Agency
<u>South:</u>	RU	Undeveloped, Vegetated
<u>East:</u>	RU	Ballentine Elementary school
<u>West:</u>	RS-MD	Undeveloped/Vegetated

**Plans & Policies**

The 2009 Richland County Comprehensive Plan “Future Land Use Map” designates this area as a **Priority Investment Area** in the **Northwest 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: Bickley Road is classified as a collector road and the parcel is not located at a traffic junction.

**Traffic Impact**

The 2009 SCDOT traffic count (Station # 145) located southeast of the subject parcel on Dutch Fork Road identifies 18,450 Average Daily Trips (ADT’s). Dutch Fork Road is classified as a four lane undivided Minor Arterial, maintained by SCDOT with a design capacity of 21,600 ADT’s. Dutch Fork Road is currently operating at Level of Service (LOS) “C”.

There are no planned or programmed improvements for this section of Dutch Fork Road. However a 3.12 mile section of Dutch Fork Road west of the site from Three Dogs Road to Twin Gates Road is part of the 2035 COATS Cost Constrained Plan. The project is ranked 34<sup>th</sup> and funding has not been identified at this time.

**Conclusion**

The proposed map amendment is not compatible with the Comprehensive Plan.

The parcel north and west of the subject parcel was rezoned to Planned Development District (PDD) for an interior design business under case 02-40MA Ord. No. 014-02HR. The PDD includes TMS# 02416-01-04 and a portion of TMS#02416-01-01. The PDD is permitted to include an interior design studio and a small scale retail business in the main building. The secondary structure permits a storage facility while the proposed Phase two includes antique shops, community service structures (i.e. civic centers and libraries), gift shops, florists, and a small professional office building (i.e. architects, engineers, and dentist). Phase one of the PDD has been completed, although phase two has yet to be initiated. Otherwise, there is an existing insurance agency operating onsite.

There is a minimal amount of commercial use along Bickley Road at this time. Southeast of the subject property on Bickley Road is an undeveloped parcel with split zoning. The parcel totals 36.42 acres, with a 22.44 acre portion zoned General Commercial District (GC) and a 13.98 acre portion zoned Office Institutional District (OI) under Ord. No. 020-03HR (03-39MA). In 2008, the 14.18 tract west of the subject parcel was rezoned to Residential Single-Family Medium Density District (RS-MD) under Ord. No. 40-08HR (08-18MA). This site remains

vegetated and undeveloped. The Planned Development District (PDD) to the North of the subject parcel contains an existing office use while the southern portion of Bickley Road, north of the rail road, does not contain any retail uses. The subject parcel is not located along an arterial road or a traffic junction. The surrounding Rural District (RU) and Residential Single-Family Medium Density District (RS-MD) zoning is residential by permitted use.

The subject parcel is located to the west of Ballentine Elementary School, which is part of Lexington/Richland School District Five. The Dutch Fork/Ballentine fire station (number 20) is located on Broad River Road 1.2 miles southeast of the subject parcel. The proposed map amendment would not significantly impact public services or traffic. However, approval of this rezoning may set a precedent for additional similar rezoning requests, which may serve to the detriment of traffic circulation near the school and soccer park. Otherwise, water is provided by the City of Columbia and sewer is provided by Richland County.

The proposed Zoning Map Amendment **is not in compliance** with the Comprehensive Plan. Planning Staff recommends **Denial** of this map amendment.

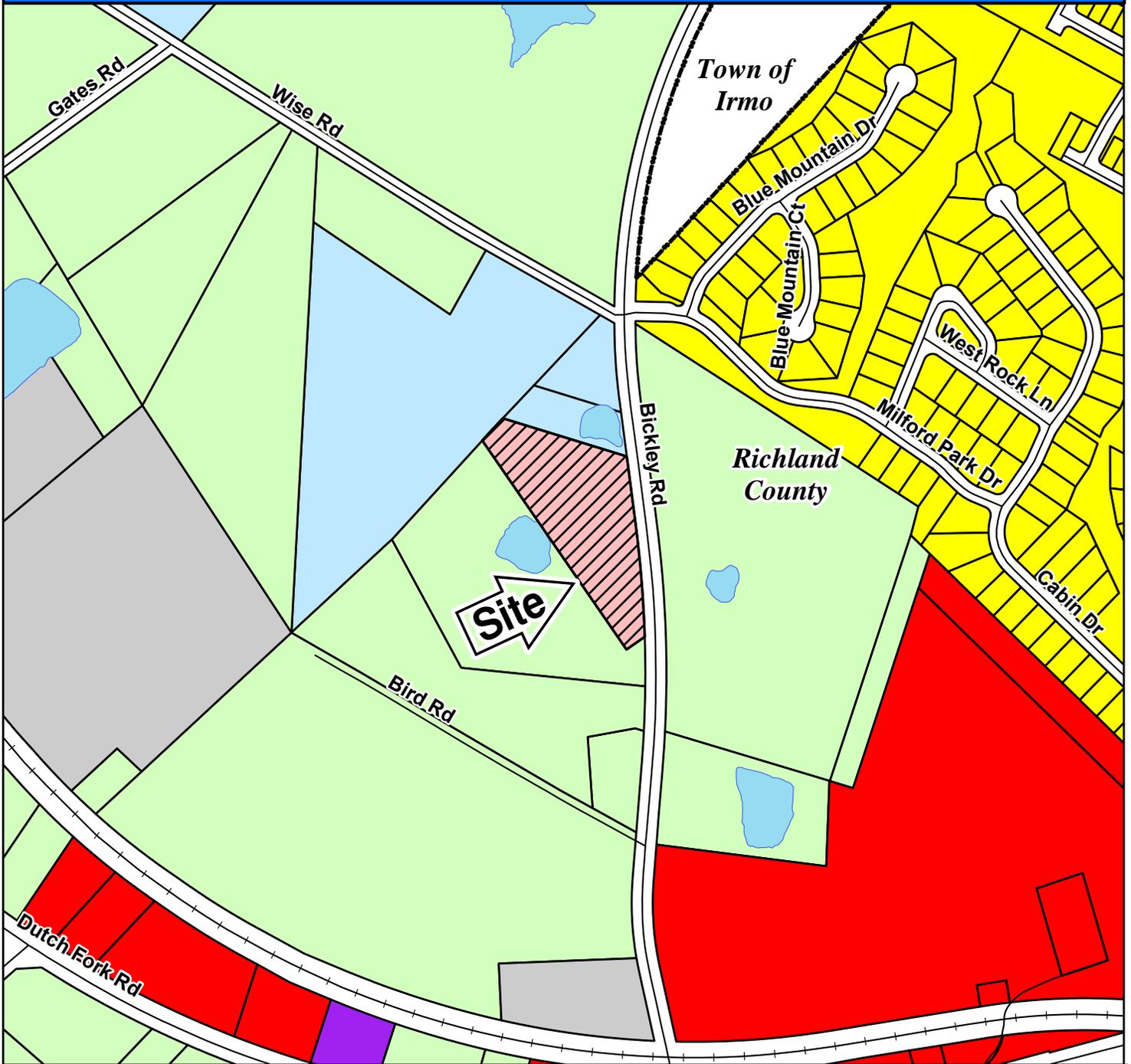
### Zoning Public Hearing Date

January 25, 2011

### Planning Commission Action

At their meeting of **January 6, 2011** the Richland County Planning Commission **agreed** with the PSDS recommendation and recommends the County Council initiate the ordinance consideration process to **deny the proposed Amendment** for **RC Project # 11-01 MA** at the next available opportunity.

# Case 11-01 MA OI to GC



## ZONING CLASSIFICATIONS

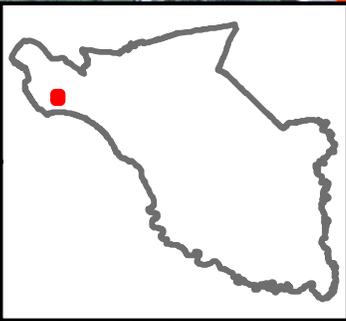
 RR	 RS-E	 MH	 NC	 LI	 TROS
 C-1	 RS-LD	 RM-MD	 GC	 HI	 Subject Property
 C-3	 RS-MD	 RM-HD	 RC	 PDD	
 RG-2	 RS-HD	 OI	 M-1	 RU	



**Case 11-01 MA**  
**OI to GC**  
**TMS 02416-01-05**



-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS



# CASE 11-01 MA

## From OI to GC

TMS# 02416-01-05

Bickley Road



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-11HR

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 # 02416-01-05 FROM OI (OFFICE AND INSTITUTIONAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 02416-01-05 from OI (Office and Institutional District) zoning to GC (General Commercial District) zoning.

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

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

Section IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2011.

RICHLAND COUNTY COUNCIL

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

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2011.

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

Public Hearing:        January 25, 2011 (tentative)  
First Reading:        January 25, 2011 (tentative)  
Second Reading:  
Third Reading:



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-11HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE IV, AMENDMENTS AND PROCEDURES; SECTION 26-53, LAND DEVELOPMENT PERMITS; SUBSECTION (A), GENERAL; SO AS TO REQUIRE NOTIFICATION TO THE BUILDING INSPECTIONS DEPARTMENT AND TO THE EMERGENCY SERVICES DEPARTMENT WHENEVER PLANS ARE SUBMITTED THAT AFFECT THE “EMERGENCY PLANNING ZONE (EPZ)” OF THE V.C. SUMMER NUCLEAR PLANT, WHICH IS LOCATED IN FAIRFIELD COUNTY.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-53, Land Development Permits; Subsection (a), General; is hereby amended to read as follows:

(a) *General.* No building or other structure shall be erected, moved, added to, or structurally altered without a land development permit being issued by the county. In addition to building or structural change, a land development permit shall also be required for expansions of existing uses as well as for a change of use. A land development permit shall not be issued by the planning department except in conformity with the provisions of this chapter, unless the planning department receives a written order from the Richland County Board of Zoning Appeals in the form of an interpretation involving error (Section 26-58) or a special exception (Section 26-56) or variance (Section 26-57). If the permit is denied, reasons for the denial shall be stated. The planning department shall notify the Building and Inspections Department and the Emergency Services Department whenever plans are submitted that affect the “Emergency Planning Zone” (EPZ) of the V.C. Summer Nuclear Plant (which is located in Fairfield County) that involves an entity that will employ or house more than one hundred (100) persons in a facility on a regular basis, as in those instances an evacuation plan must be first submitted to and approved by the Emergency Services Department prior to the issuance of any building permit or land development permit.

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 \_\_\_\_\_, 2011.

RICHLAND COUNTY COUNCIL

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

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

OF \_\_\_\_\_, 2011.

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

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing:        January 25, 2011 (tentative)  
First Reading:        January 25, 2011 (tentative)  
Second Reading:  
Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-11HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-180, SIGNS; SUBSECTION (G), ON-PREMISES SIGNS PERMITTED IN RURAL AND RESIDENTIAL DISTRICTS; SO AS TO ESTABLISH THE MAXIMUM HEIGHT AND SQUARE FOOTAGE OF SIGNS FOR INSTITUTIONAL USES IN THE RU RURAL DISTRICT.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site and Performance Standards; Section 26-180, Signs; Subsection (g), On-premises signs permitted in rural and residential districts; is hereby amended by the addition of a new paragraph, to read as follows:

(3) Signs for institutional uses. Signs relating to permitted institutional uses may be erected, subject to the following provisions:

a. Maximum size. Fifty (50) square feet of total surface area per side per road frontage.

b. Number. One (1) sign per road entrance. Two (2) signs permitted per road frontage if affixed to masonry, brick, or wood fences. Such signs shall be limited to twenty (20) square feet each.

c. Type. Freestanding or wall.

d. Height. Wall signs shall not project above the roofline. Freestanding signs shall not exceed fifteen (15) feet above the ground level.

e. Location. Vision clearances established in Section 26-181(c) of this chapter shall be observed.

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

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

SECTION V. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2011.

RICHLAND COUNTY COUNCIL

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

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

OF \_\_\_\_\_, 2011.

\_\_\_\_\_  
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: December 7, 2010  
Public Hearing: January 25, 2011 (tentative)  
Second Reading: January 25, 2011 (tentative)  
Third Reading: February 1, 2011 (tentative)

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-11HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE AND PERFORMANCE STANDARDS; SECTION 26-180, SIGNS; SUBSECTION (I), ON-PREMISES SIGNS PERMITTED IN THE GENERAL COMMERCIAL DISTRICT; PARAGRAPH (4), HEIGHT; SO AS TO ESTABLISH THE MAXIMUM HEIGHT FOR ON-PREMISE SIGNS IN THE GC (GENERAL COMMERCIAL) DISTRICT.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Section 26-180, Signs; Subsection (i), On-premises signs permitted in the General Commercial District; Paragraph (4), Height; is hereby amended to read as follows:

4. *Height.* No part of any freestanding sign or its supporting structure shall exceed ~~fifty (50)~~ thirty-five (35) feet in height. However, the maximum height for signs on lots located adjacent to the right-of-way for interstate interchanges is fifty (50) feet. No projecting sign may project more than twenty (20) feet above the highest portion of the roof of the structure to which it is attached.

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. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2011.

RICHLAND COUNTY COUNCIL

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

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

OF \_\_\_\_\_, 2011.

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

Public Hearing:        January 25, 2011 (tentative)  
First Reading:        January 25, 2011 (tentative)  
Second Reading:  
Third Reading:



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-11HR

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

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

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

*Sign, electronic changeable copy.* As used in this chapter, the following definitions apply to such signs:

- (a) *Sign, time and/or temperature.* A sign or portion thereof that displays electronic, non-pictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays. In addition, electronic changeable copy signs include:
- (b) *Sign, electronic graphic display.* A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.
- (c) *Sign, multi-vision.* Any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.

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

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

(r) Electronic changeable copy signs. Electronic changeable on-premise copy signs are permitted in all non-residential zoning districts.

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

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

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

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

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

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

e. Signs shall not display flashing lights.

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

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

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

i. Digital signs shall not be permitted inside the boundaries of any Historic District as defined by the National Historic Register.

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

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

SECTION V. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2011.

RICHLAND COUNTY COUNCIL

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

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

OF \_\_\_\_\_, 2011.

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

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: January 25, 2011 (tentative)  
First Reading: January 25, 2011 (tentative)  
Second Reading:  
Third Reading:



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-11HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-180, SIGNS; SO AS TO PROHIBIT ELECTRONIC CHANGEABLE COPY, ELECTRONIC GRAPHIC DISPLAY, MULTI-VISION, AND VIDEO DISPLAY SIGNS.

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

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

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

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

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

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

Video display signs include projected images or messages with these characteristics onto buildings or other objects.

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

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

- (11) *Signs posted on public property.* Public property includes rights-of way, the tree lawn areas between detached sidewalks and streets, roadway median strips, parkways, bridges, alleys, utility poles and boxes, as well as street signs and sign poles.
- (12) *Electronic graphic display signs.*
- (13) *Multi-vision signs.*
- (14) *Video display signs.*

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

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

SECTION V. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2011.

RICHLAND COUNTY COUNCIL

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

ATTEST THIS THE \_\_\_\_ DAY  
OF \_\_\_\_\_, 2011.

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

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: January 25, 2011 (tentative)  
First Reading: January 25, 2011 (tentative)  
Second Reading:  
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