

RICHLAND COUNTY COUNCIL  
ZONING PUBLIC HEARING



May 24, 2011





**RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING**

**Tuesday, May 24, 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**

**TEXT AMENDMENT**

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES TO REQUIRE NEW SIDEWALKS TO BE ADA COMPLIANT AND TO ALLOW FOR EXEMPTIONS TO THE REQUIREMENT OF PROVIDING SIDEWALKS UNDER CERTAIN CONDITIONS. **[FIRST READING]**

Planning Commission Approved 7-0  
Page 1

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES TO CREATE A NEW SECTION THAT WOULD ALLOW OFF-PREMISE WEEKEND DIRECTIONAL SIGNS UNDER CERTAIN CONDITIONS. **[FIRST READING]**

Planning Commission Approved 7-0  
Page 5

**OTHER BUSINESS**

**ADJOURNMENT**



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 II, RULES OF CONSTRUCTION/DEFINITIONS; SECTION 26-22, DEFINITIONS; AND ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-179, PEDESTRIAN, BICYCLE, AND TRANSIT AMENITIES; SO AS TO REQUIRE NEW SIDEWALKS TO BE ADA COMPLIANT AND TO ALLOW FOR EXEMPTIONS TO THE REQUIREMENT OF PROVIDING SIDEWALKS 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 COUNTY COUNCIL FOR RICHLAND COUNTY:

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:

*Americans with Disabilities Act (ADA).* A federal law enacted in 1990 to protect the civil rights of individuals with physical or mental disabilities from intentional or unintentional discrimination in housing, employment, education, access to public services and telecommunications and to ensure that persons with disabilities have equal access to same.

*Planting strip.* A strip of land intended to be planted with trees, shrubs, or other vegetation to separate a sidewalk from adjacent curbs or the edge of interior street pavement.

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

*Local commercial road.* A road in a commercial area used primarily for access to abutting properties and to feed traffic to collector roads. This classification includes roads located parallel and adjacent to limited access roads or highways that provide access to abutting commercial properties and protection from through traffic.

*Local residential road.* A road in a residential area used primarily for access to abutting properties and to feed traffic to collector roads. This classification includes roads located parallel and adjacent to limited access roads or highways that provide access to abutting residential properties and protection from through traffic. Average daily traffic is less than two thousand (2,000) vehicles.

SECTION III. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-179, Pedestrian, Bicycle, and Transit Amenities; is hereby amended to read as follows:

**Sec. 26-179. Pedestrian, bicycle, and transit amenities.**

(a) *Sidewalks and other pedestrian amenities.*

- (1) ~~*Residential districts*~~ *Institutional developments and major residential subdivisions.* All ~~permitted~~ new institutional developments and major residential subdivisions are required to have sidewalks provided along one (1) side of all roads within and abutting the development, except controlled access facilities. The radius of a cul-de-sac shall be exempt from the installation of sidewalks. Sidewalks shall have a minimum width of ~~four (4)~~ five (5) feet along external roads abutting the development and a minimum width of ~~three (3)~~ four (4) feet along internal roads. A median at least three (3) feet wide, consisting of a grassed area or a planting strip, shall be provided to separate all sidewalks from adjacent curbs or the edge of interior street pavement. Sidewalks shall match the grade or elevation of adjacent sidewalks at the property lines. If there is no adjacent sidewalk, then the sidewalk should be six (6) inches above the adjacent edge of the pavement grade at the property line. Adjustments of the grades specified shall be at the judgment of the engineer of record and specifically approved by the County Engineer. All sidewalks shall be constructed to the specifications of the public works department and shall meet the minimum requirements of the Americans with Disabilities Act, which are referenced in the County Engineer's "Design Guidelines Road Standards". Sidewalks that will not be dedicated to the county along private roadways shall have a minimum width of three (3) feet along internal roads, and shall be exempt from ADA compliance if allowed by federal law. The engineer of record shall provide a statement on the plans that certifies that all sidewalks shall be in compliance with ADA standards.
- (2) *Commercial, office, industrial, and PDD districts.* ~~a. Sidewalks.~~ All new development within any commercial, office, industrial, or PDD district is required to provide sidewalks along all sides of abutting roads, except along controlled access facilities. Sidewalks shall have a minimum width of five (5) feet and shall be constructed to the specifications of the public works department. A median strip at least three (3) feet wide, consisting of a grassed area or a planting strip, shall be provided to separate all sidewalks from adjacent curbs or the edge of interior street pavement. The sidewalk shall be six (6) inches above the adjacent edge of the pavement grade at the property line. Adjustments of the grades specified shall be at the judgment of the engineer of record and specifically approved by the County Engineer. The engineer of record shall provide a statement on the

plans that certifies that all sidewalks shall be in compliance with ADA standards.

~~b. *Pedestrian walkways.* Pedestrian walkways must be provided in all parking areas for new developments. It is encouraged that walkways also be provided to adjacent developments.~~

(3) *Access to schools, greenways, parks, and open space areas from residential developments.* In major residential land developments or subdivisions, access ways shall be provided by the developer to public schools, greenways, parks, and open space areas abutting the residential development and to open space or parks provided as part of a development. Such access shall be provided in conformance with the following:

a. *Where required.*

1. Accessways are required when cul-de-sac roads back up to public schools, greenways, parks, or open space areas.
2. Accessways are required where lots within the development back up to public schools, greenways, parks, and open space areas.

b. *Standards.*

1. *Access.* Access to adjacent public schools, greenways, parks, or open space areas, may be accomplished by direct access from a road, direct access from a cul-de-sac, or a designated access between lots.
2. *Width.* Accessways shall be a minimum of fifteen (15) feet in width.
3. *ADA compliant.* Walkways located within an access way shall meet the minimum requirements of the Americans with Disabilities Act.

(4) *Exemptions.* If the South Carolina Department of Transportation (SCDOT) denies sidewalks within their right-of-way due to the lack of connectivity, a written determination letter must be received by the Planning Department prior to the approval of preliminary plans or major land development. Any unusual existing site conditions that would create a safety hazard should also be identified by the engineer of record during the preliminary plan submittal. The County Engineer, in conjunction with the

Planning Director, will make a final determination of exemption from the sidewalk requirement.

- (b) *Bicycle facilities.* Bicycle parking shall be required for all uses requiring over fifty (50) automobile parking spaces. A minimum of five (5) bicycle parking spaces is required. Bicycle parking facilities shall be standard bicycle racks or other secured lockable facilities.
- (c) *Transit facilities.* Any major multi-family land development or major subdivision, and any major commercial, industrial, or office land development (when located along a public transportation transit route) must provide for a transit stop.

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

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

SECTION VI. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2011.

RICHLAND COUNTY COUNCIL

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

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

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

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: May 24, 2011 (tentative)  
First Reading: May 24, 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 OFF-PREMISE WEEKEND DIRECTIONAL SIGNS UNDER CERTAIN CONDITIONS.

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

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

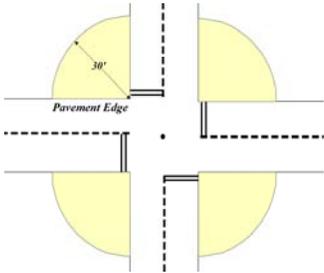
*Sign, off-premises weekend directional.* An off-premise sign not greater than twenty-four (24) inches by twenty-four (24) inches in total size and placed only on the weekend, the purpose of which is limited exclusively to the identification of a use or occupancy located elsewhere and which tells the location of or route to such use or occupancy.

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 (b), General Standards; Paragraph (2), Standards Applicable to All Permitted Signs; Subparagraph a, Location; is hereby amended to read as follows:

- a. *Location.* Signs shall be located outside of the road right-of-way, behind sidewalk areas, outside of the sight visibility triangle, and no closer than five (5) feet to the front property line; provided, however, off-premises weekend directional signs may be located in a county road right-of-way.

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

- (q) *Off-premises weekend directional signs.*
  - (1) Off-premises weekend directional signs are permitted in all zoning districts, with the following restrictions:
    - a. A permit and identification sticker must be obtained from the Planning Department for each sign proposed to be erected; and a permit fee/sticker fee of five (\$5.00) dollars per sign, must be paid. Each permit shall be valid for one (1) year from the date of issuance.

1. The identification sticker must be affixed to the face of the sign, and will identify the permit number and the date of permit expiration.
2. Permits shall only be issued to and held in the name of the:
  - [a] Sign company erecting the sign;
  - [b] Business owner associated with or identified on the sign; or
  - [c] Real estate broker or agent.
- b. The sign area shall not exceed twenty-four (24) inches by twenty-four (24) inches.
- c. A sign shall include no more than three (3) lines of text and a business or company logo, and must include a directional arrow symbol.
- d. Sign height shall not exceed three (3) feet above adjacent grade.
- e. Signs may be placed along county roads in the right-of-way or on private property; provided, however, signs shall not obstruct visibility at any intersection location, nor shall the sign be erected within thirty (30) feet of an intersection (see example at right), nor shall more than two (2) signs per permit holder be allowed at an intersection.
 
- f. Prior to placing a sign on private property, written consent must be obtained from the property owner(s).
- g. No sign shall be erected on or abutting a road owned and maintained by the state of South Carolina unless specifically allowed by the South Carolina Department of Transportation.
- h. Signs shall be placed at least three (3) feet from the edge of the road pavement.
- i. Signs shall be placed no closer than one-quarter (1/4) of a mile (i.e. 1,320 feet) to another sign giving directions to the same location, unless the sign is placed near an intersection to show that a left or right turn is needed.

- j. No sign permitted in this subsection shall be erected more than one (1) mile from: 1) the site for which directions are being provided or 2) the nearest SCDOT classified collector or arterial road.
- k. Signs shall not be erected before 5:00 p.m. on Friday evening and shall be completely removed by 11:59 p.m. on Sunday.
- l. If a sign is damaged or faded, the permit holder may bring in the damaged sign (with permit) and obtain a replacement sticker at no additional cost.

- (2) Violations. Signs found in violation of these provisions shall be subject to immediate removal and disposal. In addition, a permit holder who commits an offense may be subject to the penalty provisions of Section 26-272.

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

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

SECTION VI. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2011.

RICHLAND COUNTY COUNCIL

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

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

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

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

Public Hearing: May 24, 2011 (tentative)  
First Reading: May 24, 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

