



Richland County
Development & Service
September 28, 2021 –5:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29201

COMMITTEE MEMBERS PRESENT: Allison Terracio, Chair, Derrek Pugh, Cheryl English and Chakisse Newton

OTHERS PRESENT: Paul Livingston, Bill Malinowski, Yvonne McBride, Aric Jensen, Leonardo Brown, Lori Thomas, Angela Weathersby, Justin Landy, Brian Crooks, Michael Maloney, Chris Eversmann, John Thompson, Elizabeth McLean, Geo Price, Michael Zaprzalka, John Ansell, Michelle Onley and Tamar Black

1. **CALL TO ORDER** – Ms. Terracio called the meeting to order at approximately 5:00 PM.

2. **APPROVAL OF MINUTES**

a. Regular Session: July 27, 2021–Mr. Pugh moved, seconded by Ms. Newton, to approve the minutes as distributed.

In Favor: Pugh, Terracio, Barron, English and Newton

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. Barron moved, seconded by Ms. Newton, to approve the agenda as published.

In Favor: Pugh, Terracio, Barron, English and Newton

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

a. **Move to direct staff to evaluate current zoning laws that permit zoning designations for large residential developments to remain in perpetuity and present options to re-evaluate and/or rezone those properties if they are not developed within 7 years. Recommendations should include processes to ensure that zoning and the comprehensive plan remain consistent with the lived character of the community** – Mr. Brown stated staff did not have a recommendation.

Mr. Crooks stated staff recommended Council not take any action regarding this item. Council has the authority to amend the zoning maps as they see fit. In addition, with the ongoing code rewrite and update to the Comprehensive Plan, there will be regular updates and evaluations associated with zoning.

Ms. Newton noted the rewrite and Comprehensive Plan covered “the lived character of the community” part of her motion. She noted that seven (7) years was an arbitrary number. She inquired about tracts of land that were zoned in perpetuity that there be a process that triggers the re-evaluation of specific parcels.

Mr. Crooks inquired if the issue was more process related and how they went about looking at areas that may

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or may not be consistent.

Ms. Newton stated people can build on pre-zoned parcels without a review at any time. Her motion was trying to address this issue.

Mr. Crooks responded ultimately it is to determine if the current zoning is consistent with the Comprehensive Plan. If so, the zoning should still be appropriate because it is meeting desired development pattern and land use character. Per the evaluation, they have been going back and looking at land use decisions for the last five (5) years. They have not gone back further, but Council can request specific areas be reevaluated. He noted they could set up processes to look at previous map amendment decisions to ensure they are still consistent, but they would not know unless they were actively looking.

Ms. Newton stated she would be amendable to looking at what the process could be.

Mr. Crooks stated the principles they used for the mapping process was based on the Comprehensive Plan.

Ms. Barron inquired if there is a timeline when it comes to revising the Comprehensive Plan.

Mr. Crooks responded there is not a specific timeline. He stated they will have to do a full update in 2025, and will probably start the process in 2023, or not sooner. He noted they do have some ideas for interim updates, specifically to the future land map.

Ms. Barron inquired if they were piecing the document together as they lead up to the revision.

Mr. Crooks responded, in part, from the 2015 Comprehensive Plan, the major item implemented was the land development code rewrite. He stated having the new code in place was the fabric of what we are wanting to have with the overall plan.

Ms. Barron inquired about having a new land development code rewrite, and it not meshing well with the Comprehensive Plan and future development.

Mr. Crooks stated the code re-write started in mid-2016, but the rollout of the initial engagement started in 2017. He noted the code re-write was supposed to be a two-year process. The codes do not typically have large changes. There will probably not be a lot of difference from what we have in the current plan.

Ms. Newton inquired if the County has to do an update to the Comprehensive Plan every 5 years, and a significant revision every 10 years.

Mr. Crooks responded we do an evaluation, but an update, as a whole, is done every 10 years.

Ms. English inquired if there are legality arguments that challenge Council's authority.

Ms. McLean responded there is no legal argument.

Mr. Malinowski requested a definition for the word "blobby". He noted staff suggested adding a degree of change framework, and referenced the Memphis 3.0 Comprehensive Plan. He inquired if that is something that will be recommended as a part of the plan.

Mr. Crooks responded it is something staff will recommend as part of any future land use map updates.

Mr. Malinowski inquired if it could be implemented currently rather than waiting until 2025.

Mr. Crooks responded in the affirmative.

Ms. Newton moved, seconded by Ms. Barron, to hold this item in committee.

In Favor: Pugh, Terracio, Barron, English and Newton

The vote in a favor was unanimous.

- b. **Division of Solid Waste & Recycling – RC Code of Ordinances, Chapter 12 Re-Write** – Ms. Barron stated she would have liked a marked-up version of the previous ordinance to compare the changes.

Mr. Eversmann responded under normal circumstances it would have easily been accomplished with some strikeouts and underlines, but the old ordinance was so out of date it did not even mention a recycling program. He stated they wanted the committee to consider a comprehensive rewrite of the ordinance to address programs, updated terminologies, reflect and codify their best practices, structure and funding. He noted previously there was nothing written about the curbside collection program fee calculation. Staff would advocate that the new code would require yard waste to be bagged, boxed or bundled as it will increase the efficiency of the curbside collection program that could provide a meaningful cost savings.

Ms. Newton inquired if this item was time sensitive and if there were any dependencies tied up in the document.

Ms. Eversmann responded the biggest one was the yard waste being bagged, boxed or bundled as an alternative that was included in the RFP from the three (3) collection areas.

Mr. Brown stated they would like to have approval so they can go to Council within the next month.

Ms. Newton stated she was concerned about the bundling, public input and education. She noted currently people are having more trouble than ever to get their yard waste picked up, and adding more work for the citizens would be challenging.

Mr. Brown noted some of the contracts are not up until February, and the idea was not to wait until the last minute, so it would give Council time to review. In addition, the contractors said the bundling would increase their ability to collect yard waste. He stated there would have to be a period of education.

Ms. Newton requested there be a conversation and community input before they make a decision.

Mr. Malinowski noted there were previous discussion about bagging, boxing and bundling yard waste, but it was always voted down. Part of the problem was the type of requirement on bagging. The previous recommendation was biodegradable bags, which was an additional cost to the consumer that is already paying for a service. He inquired about the taxpayers being give two additional roll carts for yard waste, if they want them.

Mr. Eversmann responded they did not address the composition of the bags. Roll carts for yard waste would also increase the efficiency, but it would also involve a capital cost of several million dollars. He noted yard waste was less than a page of the recommended ordinance. If the issue of yard waste becomes too problematic, it would be easily removed.

Ms. McBride stated she has concerns about the additional costs to the constituents.

Ms. Barron stated staff did a great job with the document. She noted she would like the marketing efforts be similar to what was done with the recycling program. If they are going to do an ordinance rewrite, the marketing and education should mirror, or be greater than, what was done with the recycling program, so citizens will know what is happening and how it would impact their day-to-day life.

Mr. Eversmann stated the new ordinance would address some of the disconnect between their practices and contracts.

Ms. Terracio inquired if there would be a grace period before implementation.

Ms. Eversmann responded in the affirmative.

Ms. Terracio inquired if there could be a program to help provide at a reduced cost biodegradable bags.

Mr. Brown stated staff did not specify the types of bags because they did not want to put a threshold amount or requiring people to pay more money. He responded that was something to consider.

Ms. Barron moved, seconded by Ms. Newton, to hold this item in committee.

In Favor: Pugh, Terracio, Barron, English and Newton

The vote in favor was unanimous.

- c. **Division of Solid Waste & Recycling – Solid Waste Management Plan** – Mr. Ansell stated the SC Solid Waste Policy and Management Act requires DHEC to create a statewide Solid Waste Management Plan. DHEC in turn requires all the counties and municipalities to create a local plan. He noted the plan before the committee is Richland County’s local solid waste management plan that will satisfy the requirement of the policy. The plan is simply how solid waste is managed today, and some of things we need to be looking forward to in the next 5 – 10 years.

Mr. Malinowski inquired if this plan was a requirement by the State and if they followed what was dictated.

Mr. Ansell responded in the affirmative.

Ms. Newton moved, seconded by Ms. Barron, to forward to Council with a recommendation to approve the Solid Waste Management Plan.

In Favor: Pugh, Terracio, Barron, English and Newton

The vote in favor was unanimous.

5. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED**

- a. **I move to direct the County Attorney to work with the County Administrator to research and draft an absentee landlord ordinance. The ordinance should provide potential remedies for individuals who violate county ordinances and provide, via supplemental documentation, a comprehensive review of the legal impacts [potentially] associated with the adoption of such an ordinance. [NEWTON and DICKERSON]** –Ms. Terracio noted there was a meeting with staff about this motion last month and she looked forward to information from staff based on the internal meeting.

6. **ADJOURNMENT** – The meeting adjourned at approximately 5:54 PM.