



Richland County Council  
Development and Services Committee Meeting  
**MINUTES**  
October 25, 2022 – 5:00 PM  
Council Chambers  
2020 Hampton Street, Columbia, SC 29204

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COUNCIL MEMBERS PRESENT: Derrek Pugh, Chair; Allison Terracio, Gretchen Barron, Cheryl English, and Chakisse Newton.

OTHERS PRESENT: Bill Malinowski, Shirani Fuller, Jennifer Wladischkin, Susan O’Cain, Chelsea Bennett, Michael Byrd, Anette Kirylo, Leonardo Brown, Michael Maloney, Angela Weathersby, Justin Landy, Kyle Holsclaw, Stacey Hamm, Dale Welch, Aric Jensen, Michael Zaprzalka, Dante Roberts and Patrick Wright

1. **CALL TO ORDER** – Chairman Derrek Pugh called the meeting to order at approximately 5:00 PM.

2. **APPROVAL OF MINUTES**

a. September 27, 2022 – Ms. Newton moved to approve the minutes as distributed, seconded by Ms. Barron.

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

The vote in favor was unanimous.

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

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

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

a. Community Planning & Development – Building Inspections – South Carolina Building Codes Council Mandated 2021 Code Cycle – Ms. Terracio moved, seconded by Ms. Barron to forward to Council with a recommendation to adopt the 2021 Building Codes, appendices, and modifications mandated by South Carolina Building Codes Council as the standard for all residential and commercial construction. In addition, to adopt the 2021 International Property Maintenance Code, which is a permissive code, and not mandated.

Mr. Michael Zaprzalka, Building Inspections Director, stated the State adopted and implements the mandated codes. The International Property Maintenance Code is prescriptive and covered by the State Code in Sec. 6-9-60. In other words, you do not have to use the permissive code because you may not have that code. If you do have the permissive code, you can use it instead of drafting an ordinance to cover the program.

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

The vote in favor was unanimous.

- b. Department of Public Works – Engineering Division – Comprehensive Transportation Improvement Plan (CTIP) budget and proposed projects for the Fiscal Year 2023 (FY23) – Ms. Barron moved, seconded by Ms. Terracio to forward to Council with a recommendation to approve the Comprehensive Transportation Improvement Plan (CTIP), the proposed budgets, and the proposed projects for FY23.

Ms. Newton noted on p. 155 the RDM Maintenance Area is divided into 3 areas: Ballentine, Eastover, and Northeast. She inquired if the whole county is divided into these 3 areas.

Ms. Shirani Fuller, County Engineer, responded those are the 3 areas by which the County’s Road Maintenance Department is divided. There is a section camp for each area, which assists with centralizing equipment and personnel.

Ms. Newton stated, for clarification, the priorities are based on the amount of County managed roads and/or County paved roads in each area. Then you allocate, proportionally, for each district based on the number of miles.

Ms. Fuller responded they use the pro rata, per the ordinance, to distribute the funding.

Ms. Newton inquired if there is an update on the Road Maintenance Fee.

Mr. Wright responded the State House did pass the bill, but a lawsuit has been filed.

Mr. Malinowski inquired why there are items regarding Transportation on both the D&S and A&F Committee agendas.

Ms. Fuller replied the D&S Committee is reviewing the CTIP Plan for the next fiscal year. The A&F Committee is looking at a specific project, which received a grant, and we are requesting to award a contract for said project.

Mr. Leonardo Brown, County Administrator, stated if it is determined by one or the other committee that it may be more appropriate to conjoin the items staff has no issue.

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

The vote in favor was unanimous.

## 5. **ITEMS FOR DISCUSSION**

- a. I move to direct the County Administrator to work with the County Attorney 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] – Mr. Pugh issued an apology to staff and the previous Committee Chair for an insensitive statement he made at the September committee meeting regarding this specific motion.

Mr. Aric Jensen, Assistant County Administrator, stated the ordinance before the committee has been prepared by the County Attorney’s Office. In his professional opinion, it enacts the policies and procedures the committee has requested. It sets forth a registration system of “absentee landlords”. “Absentee landlords” are owners that reside more than 50 miles from Richland County or the property. He noted 50 miles is a figure used by the Federal government in multiple agencies to distinguish between local and outside. One of the key

things within the ordinance is the fact any property owner would need to register their name and contact information if they do not reside at the property. He noted no fee will be associated with the registration. It will utilize existing County resources, so there will be minimal costs to implement the program. Staff is recommending changing the procurement of a business license for two (2) properties instead of the current three (3) properties.

Ms. Barron stated we will depend on the landlord to provide us with information. She inquired if we have thought about how we will be able to capture information for individuals who may not have registered their property in the proper manner.

Mr. Jensen responded, as we go through the process, we are going to come across those sort of situations. They have a tentative plan for rolling this out by going through the business licenses. He noted we have a robust business license database. They have discussed reaching out to trade organizations, realtors, and property management associations to circulate the information. In addition, they will be utilizing the Assessor's data to try to rectify these situations.

Ms. Barron inquired if the recommendation is that we need to look at the number of properties a landlord has and loop the two together or deal with them separately.

Mr. Jensen replied the recommendation is to handle them jointly.

Mr. Patrick Wright, County Attorney, stated he recommended the business license and absentee landlord ordinance have the same standard.

Ms. Newton inquired, in addition to the ordinance, what are the other things we will need to do to make the ordinance effective.

Mr. Jensen stated he is not aware of any other steps that will need to be taken.

Ms. Terracio requested clarification on the following language:

*“Require that the owner of any non-owner-occupied residential property or unit provide and keep current within the County’s online database a mailing address, phone number, and email address for an authorized agent located within 50 miles of the property; Require a business license for any person or entity that owns 2 or more non-owner-occupied residential units for lease, OR require that any person or entity that owns 2 or more non-owner occupied residential units for lease contract with a professional property management firm that has a current Richland County business license and that pays equivalent licensing fees.”*

Mr. Jensen stated, for clarification, if the owner has more than 2 non-owner occupied residential units, they will be required to obtain a business license. The other issue is having someone (i.e. property management firm) within a 50-mile radius who can be contacted or served papers. There are three (3) scenarios:

1. The owner lives within the 50-mile radius and obtains a business license;
2. The owner lives outside of the 50-mile radius, obtains a business license, and contracts with a property management firm; or
3. The owner lives outside of the 50-mile radius and contracts with a property management firm that obtains the business license.

**6. ITEMS PENDING ANALYSIS: NO ACTION IS REQUIRED**

- a. Move to direct the County Administrator 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 [Newton - July 13, 2021 – Ms. Barron moved to refer this item to the Planning Commission, seconded by Ms. English.

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

The vote in favor was unanimous.

- b. I move to direct the Administrator to conduct a review of the rank weeds and vegetation ordinance and recommend any updates that would improve the effectiveness of the ordinance particularly as it relates to safety, enforcement, and blight reduction. [Newton - August 30, 2022] – Mr. Jensen stated, in general, weeds and vegetation ordinances are handled through quantitative measurements (height, location, etc.). It is his understanding, the issue that prompted the motion is related to trees and large growth. He noted that is a difficult issue to deal with. South Carolina’s climate encourages lush, green growth, so a practice of requiring a property owner to clear the vegetation within 10-ft. of their property line would be impractical. Staff is looking at creative ways to address the issues germane to our geographic area(s).
- c. Based on the below information no further action should be taken by the Planning Commission or Council related to the new Land Development Code (LDC) until the urban heat island map is completed. The expanding residential, commercial, and transportation infrastructure contributes to areas where temperatures are much warmer, and that could put people at risk of injury or death on hot days.

“This study will help demonstrate to local governments and others where we need to preserve undeveloped land and trees, plant additional trees or build other green infrastructure to reduce or prevent heat islands in Richland County,” (Quinton) Epps said. (Division Manager, Community Planning and Development Department)

The heat-mapping initiative aims to improve understanding of and guide action to reduce heat-health risks, encourage economic development and boost the area’s quality of life overall, therefore, before the council decides what zoning needs to be placed in specific areas without having that information would be a dereliction of our duties to the residents of the county. [Malinowski - August 30, 2022] – Mr. Wright noted the motion appears to direct the Planning Commission to do or not do something, which Council cannot do. He suggested amending the language of the motion as follows: “Based on the below information, the matter of urban heat mapping should be referred to the Planning Commission for consideration.”

Ms. Terracio moved to refer this item to the Planning Commission, seconded by Ms. Barron.

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

The vote in favor was unanimous.

- 7. **ADJOURNMENT** – Ms. Barron moved to adjourn the meeting, seconded by Ms. English.

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

The vote in favor was unanimous

The meeting adjourned at approximately 5:39 PM.