

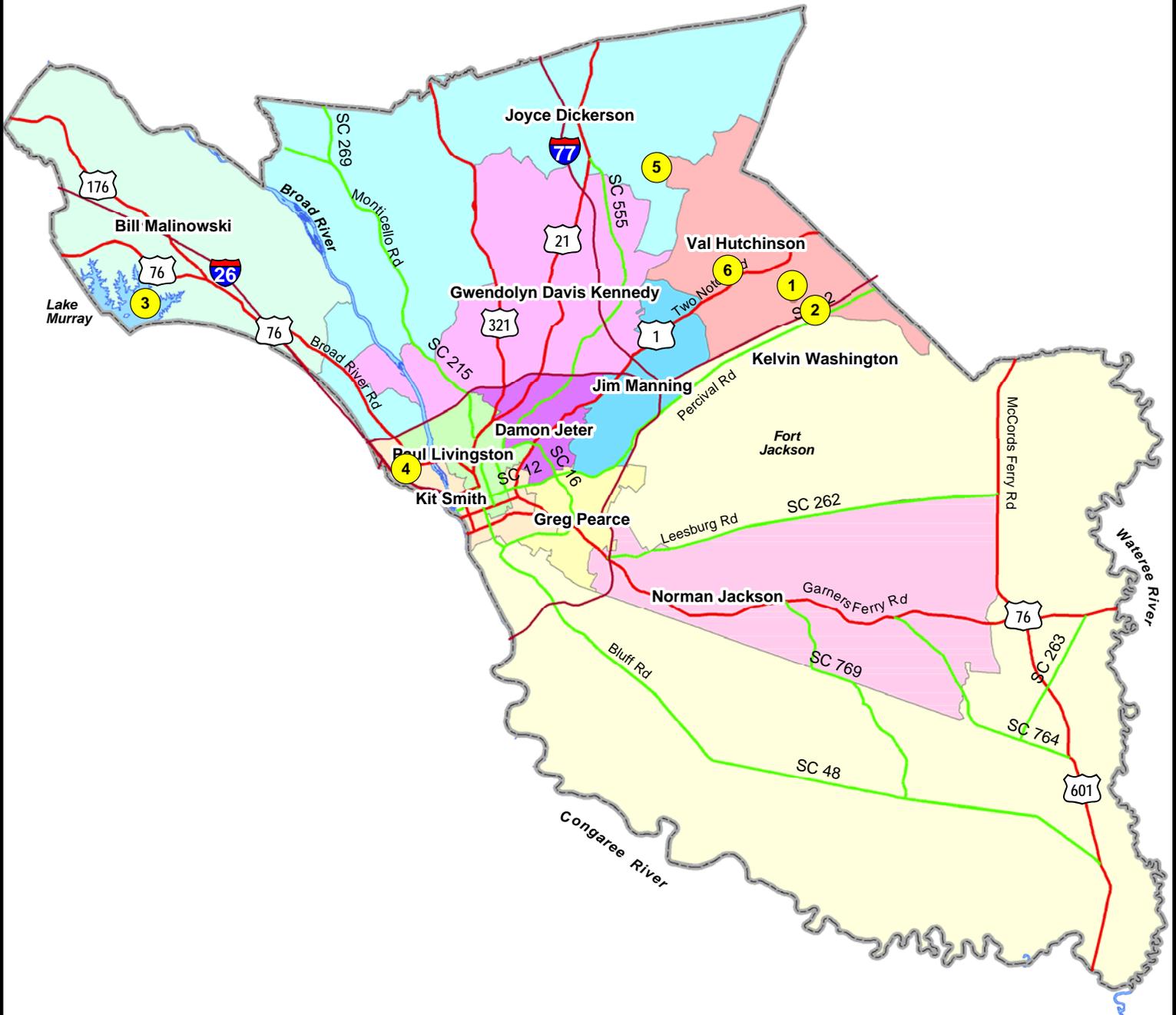
RICHLAND COUNTY  
PLANNING COMMISSION



NOVEMBER 1, 2010



# RICHLAND COUNTY PLANNING COMMISSION NOVEMBER 1, 2010



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 10-27 MA	Woodcreek Development Partnership	28800-01-10	Spears Creek Church Rd.	Hutchinson
2. 10-28 MA	Woodcreek Development Partnership	28800-01-09 & 25800-03-28	Spears Creek Church Rd.	Hutchinson
3. 10-29 MA	George Bradley	02307-01-07	Leitner Point Rd.	Malinowski
4. 10-30 MA	South Company	07306-05-17 & 18	Colonial Life Blvd.	Smith
5. 10-31 MA	Fairways Development, LLC	20500-06-17/18/19/20	Longcreek Plantation	Dickerson
6. 10-32 MA	Village at Sandhills	22900-02-09	Village at Sandhills	Hutchinson



**RICHLAND COUNTY PLANNING COMMISSION**

**Monday, November 1, 2010**

**Agenda**

**1:00 PM**

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

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

**PUBLIC MEETING CALL TO ORDER** ..... Pat Palmer, Chairman

**PUBLIC NOTICE ANNOUNCEMENT**

**PRESENTATION OF MINUTES FOR APPROVAL**

a. October 2010 minutes

**ROAD NAME APPROVALS**

**AGENDA AMENDMENTS**

**MAP AMENDMENTS**

1. Case #10-27 MA  
Woodcreek Development Partnership  
John Cooper  
PDD to PDD (8 acres)  
Spears Creek Church Rd.  
TMS # 28800-01-10  
Page 1
2. Case #10-28 MA  
Woodcreek Development Partnership  
John Cooper  
PDD to PDD (49 acres)  
Spears Creek Church Rd.  
TMS # 28800-01-09 & 25800-03-28  
Page 9
3. Case #10-29 MA  
George L. Bradley, Jr.  
Charles E. Crosby  
RR to RS-E (4.28 acres)  
Leitner Point Rd.  
TMS # 02307-01-07  
Page 17

4. Case #10-30 MA  
Cynthia South  
Harold H. Snuggs  
RS-LD to RS-MD (2.68 acres)  
Colonial Life Blvd.  
TMS # 07306-05-17 & 18  
Page 23
5. Case #10-31 MA  
Fairways Development, LLC  
RU to RS-LD (4.7 acres)  
Longcreek Plantation  
TMS # 20500-06-17/19/20, 20500-06-22(p)  
20500-04-17(p)  
Page 29
6. Case #10-32 MA  
Village at Sandhills  
Charles Kahn  
C-1 to C-3 (0.38 acres)  
C-3 to C-1 (0.38 acres)  
Fashion Drive  
TMS # 22900-02-09 (p)  
Page 35

#### **ADOPTION OF MASTER PLANS**

A RESOLUTION TO RECOMMEND THAT RICHLAND COUNTY COUNCIL ENACT AN ORDINANCE AMENDING THE "2009 RICHLAND COUNTY COMPREHENSIVE PLAN", BY INCORPORATING THE "BROAD RIVER ROAD CORRIDOR AND COMMUNITY MASTER PLAN" INTO THE PLAN.  
Page 41

#### **TEXT AMENDMENTS**

1. AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE X, SUBDIVISION REGULATIONS; SO AS TO ADD A NEW SECTION THAT PERMITS THE SUBDIVISION OF PROPERTY TO HEIRS OF A DECEASED PROPERTY OWNER.  
Page 45

2. AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE III, ADMINISTRATION; SECTION 26-34, DEVELOPMENT REVIEW TEAM; SUBSECTION (A), ESTABLISHED/DUTIES; PARAGRAPH (4), OTHER; SO AS TO EMPOWER THE DEVELOPMENT REVIEW TEAM TO IMPOSE STANDARDS ABOVE THE MINIMUM WHEN IT IS DEEMED NECESSARY DUE TO SENSITIVE ENVIRONMENTAL AND/OR TOPOGRAPHIC CONDITIONS.

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## **OTHER BUSINESS**

AIRPORT BRIEFING

## **ADJOURNMENT**





# Planning & Development Services Department

2020 Hampton Street, 1<sup>st</sup> Floor • Columbia, South Carolina 29204-1002  
Post Office Box 192 • Columbia, South Carolina 29202-0192

**TO:** Planning Commission Members; Interested Parties  
**FROM:** Alfreda W. Tindal, E9-1-1 Addressing Coordinator Specialist  
**DATE:** October 21, 2010  
**SUBJECT:** Street Name(s) Approval

Pursuant Section 6-29-1200 (A), SC Code of Laws requires the Planning Commission to approve street names. Specifically, states "...A local planning commission created under the provisions of this chapter shall, by proper certificate, approve and authorize the name of a street or road laid out within the territory over which the commission has jurisdiction..."

The proposed street/road/subdivision name(s) listed below has/ have been reviewed and meet(s) the Enhanced 9-1-1 emergency road/subdivision naming requirements.

### Action Requested

The Addressing Coordinator Specialist recommends the Commission give **final** approval of the road name(s) listed below. **Unless specifically stated, the street name suffix (es) is/ are added after receipt of the subdivision lot layout.**

PROPOSED NAME(S)	PETITIONER/ INITIATOR	LOCATION	PROPERTY OWNERS/ LOT(S)	COUNCIL DISTRICT
1. Woodpoint Drive	William Cooper, WCC Engineering	Woodcreek Farms-The Pointe, off Spears Creek Church Road	Woodcreek Dev, LLC	Val Hutchinson (9)
2. Halliebug	Patrick T Palmer, IAP Company, LLC	Off Killian Road	N/A	Gwendolyn Kennedy (7)
3. South Partridge Circle	Property Owners & RC County Addressing Office	Off Quail Creek Dr	(117)	Norman Jackson (11)





**Richland County  
Planning & Development Services Department**

Map Amendment Staff Report

**PC MEETING DATE:** November 1, 2010  
**RC PROJECT:** 10-27 MA  
**APPLICANT:** John Cooper  
**PROPERTY OWNER:** Woodcreek Development Partnership

**LOCATION:** Spears Creek Church Road

**TAX MAP NUMBER:** 28800-01-10 (P)  
**ACREAGE:** 8 acres  
**EXISTING ZONING:** PDD  
**PROPOSED ZONING:** PDD

**PC SIGN POSTING:** October 15, 2010

**Staff Recommendation**

Approval

**Background /Zoning History**

In February of 1992, the Planned Unit Development District (PUD) was approved under 91-040MA (Ordinance No. 2178-92HR).

In July of 1996, the Planned Unit Development District (PUD) was amended to classify the internal roads and to establish right-of-way and pavement widths for internal roads under 96-018MA (Ordinance No. 029-96HR).

In December of 1996, the Planned Unit Development District (PUD) was amended to revise internal road classifications under 96-055MA.

The parcels contain three hundred and four (304) feet of frontage along Spears Creek Church Road and four hundred and thirty eight (438) feet of frontage along Woodcreek Ridge Drive.

<b>Direction</b>	<b>Existing Zoning</b>	<b>Use</b>
<b><u>North:</u></b>	PUD/PUD	Undeveloped/ City of Columbia Residences
<b><u>South:</u></b>	RS-1,RS-1	Undeveloped, City of Columbia Fire Department
<b><u>East:</u></b>	PUD	Verizon Wireless Call Center
<b><u>West:</u></b>	PUD	Undeveloped

## Plans & Policies

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

### Suburban Area

Objective: “Commercial/Office activities should be located along arterial roads, traffic junctions, or areas where existing commercial and office uses are located.”

Compliance: The subject parcel is located along Spears Creek Church Road which is a two lane undivided arterial road.

## Traffic Impact

The 2009 SCDOT traffic count (Station # 451), north west of the subject parcel on Spears Creek Church Road shows 9,800 Average Daily Trips (ADT's). Spears Creek Church Road is classified as a two lane undivided minor arterial, maintained by SCDOT with a design capacity of 10,800 ADT's. The Road is currently operating at Level of Service (LOS) “C”.

According to the most recent Traffic Impact Assessment (TIA), it is estimated that the Verizon Wireless call center will add an additional 1870 AADT's to the roadway. A TIA for Woodcreek Farms will be completed in January 2011 and will include recommendations to mitigate traffic. Driveway separation requirements could limit the curb cuts along Spears Creek Church Road and will be determined when site plans are submitted.

There are no planned or programmed improvements to Spears Creek Church Road at least until after 2022. Widening Spears Creek Church Road from two (2) to five (5) lanes is currently number 38 on the Cost Constrained Priority List in the 2035 Long Range Transportation Plan (LRTP). Funding has only been identified for the first 18 projects on the LRTP.

## Conclusion

The proposed rezoning would complement the surrounding land uses. The proposed change to the Planned Development District (PDD) will exchange four (4) acres of RG-1 General Residential with frontage along Spears Creek Church Road with four (4) acres of a C-1 Office and Institutional with frontage along Woodcreek Ridge Drive. The exchange would locate the proposed C-1 Office and Institutional land uses along Spears Creek Church Road and make it contiguous to an existing C-1 Office and Institutional land use. The same exchange would locate an RG-1 General Residential internally to the PDD along Woodcreek Ridge Drive and make it contiguous to an existing RG-1 land use parcel. The proposed map amendment will provide an alternative to external traffic utilizing internal roads within the Planned Development District (PDD) to access the current location of the C-1 Office and Institutional land use designation on Woodcreek Ridge Drive.

Upon completion of the map amendment and through the subsequent recordation of the plat reflecting the proposed map amendment, the identified parcel property lines will be abandoned to create a unified C-1 Office and Institutional land use designation parcel along Spears Creek Church Road and a unified RG-1 General Residential land use designation parcel along Woodcreek Ridge Drive. The abandoned lines will create one eight (8) acre C-1 Office and Institutional land use parcel along Spears Creek Church Road and an eight (8) acre RG-1 land use parcel along Woodcreek Ridge Drive. The Woodcreek Farms master plan will combine the identified D7-1A and D7-1B into one parcel referenced as D7-1. The proposed C-1 Office and Institutional land use designation along Spears Creek Church Road will combine the identified

D7-2A and D7-2B parcels into one parcel referenced as D7-2. The proposed amendments would not modify the density, land uses, or any development standards outlined in the existing PUD.

The Northeast fire station (City of Columbia fire station number 4) is located on Spears Creek Church Road and is directly south of the subject parcel. There is a fire hydrant located south of the parcel on Spears Creek Church Road. The proposed rezoning would not have a negative impact on public services or traffic. Water and sewer is provided by the City of Columbia.

The proposed Zoning Map Amendment **is compatible** with the surrounding land uses. Planning Staff recommends **Approval** of this map amendment.

### PROPOSED PUD CONDITIONS

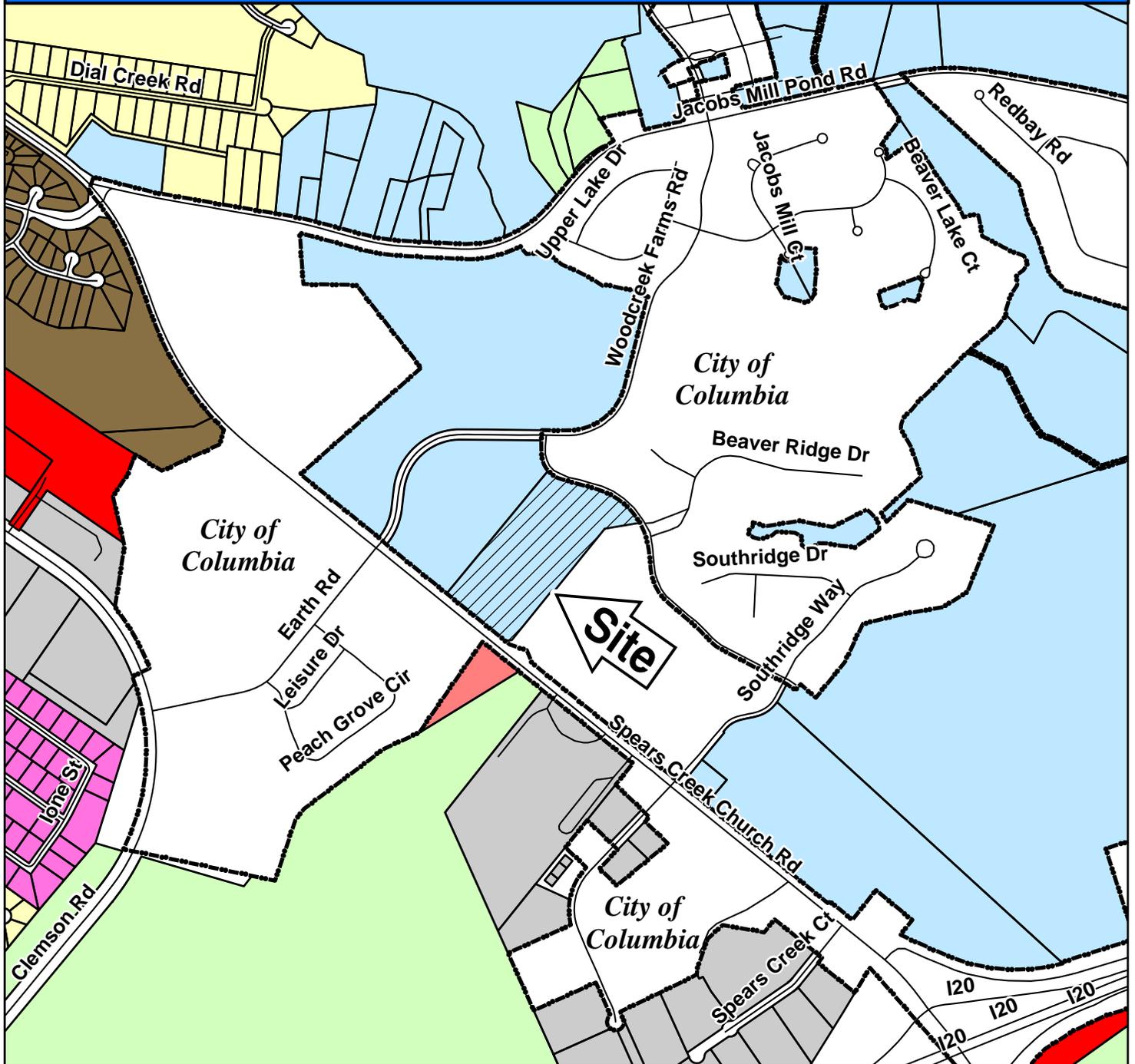
1. The applicant shall comply with the General Development Plan – Woodcreek Farms PUD (dated March 15, 1996 Ordinance No. 029-96 HR with revision dated April 19, 2010 Zoning Plat) prepared for Woodcreek Development Partnership by United Design Services, Inc., which was submitted to, and is on file in, the Richland County Planning & Development Services Department ;and
2. The site development, as referenced on Exhibit “A” (which is attached hereto), shall be limited to:
  - a. Residential                      1,255 acres (54% of gross area)
  - b. Commercial                      262.4 acres (11% of gross area)
  - c. Open Space                      795.6 acres (34% of gross area)
  - d. Industrial                      0                      0
3. The applicant shall comply with the approved Woodcreek Farms PUD District Descriptive Statement as found in Ordinance No. 029-96 HR Exhibit “A”; Exhibit “B” Existing & Proposed Road Classifications;
4. A traffic impact assessment shall be submitted at the time of major subdivision or major land development submission if warranted by the Planning and Development Services Department;
5. Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest;
6. All the conditions described herein shall apply to the applicant, the developer and/or their successors in interest;

### Zoning Public Hearing Date

**November 23, 2010**

# Case 10-27 MA

## PDD to Amended PDD

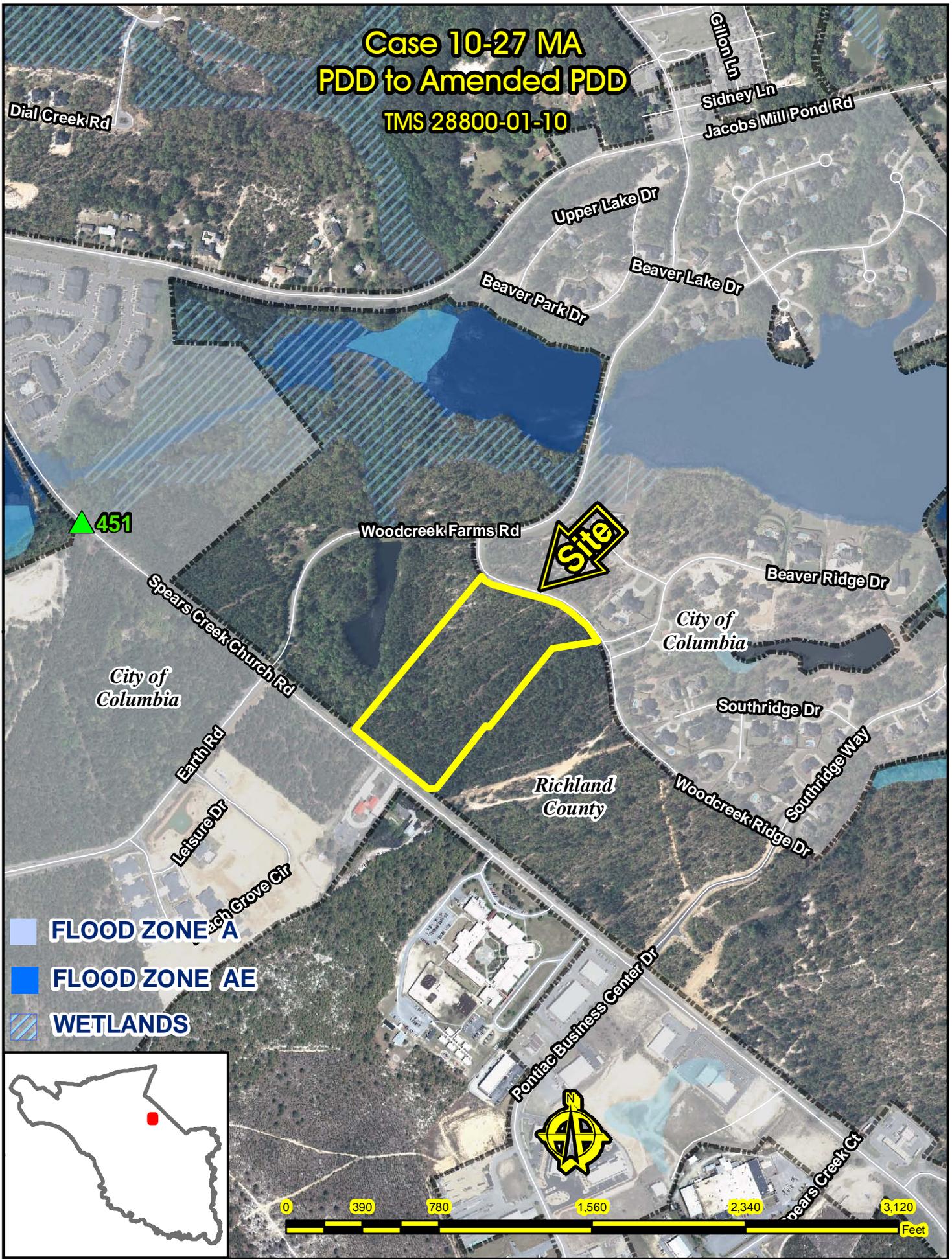


### ZONING CLASSIFICATIONS

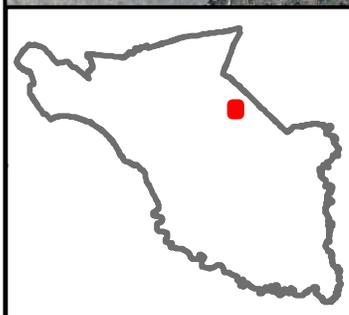
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 C-1	 RS-LD	 RM-MD	 GC	 PDD
 C-3	 RS-MD	 RM-HD	 M-1	 RU
 RG-2	 RS-HD	 OI	 LI	 TROS
				 Subject Property



**Case 10-27 MA**  
**PDD to Amended PDD**  
**TMS 28800-01-10**



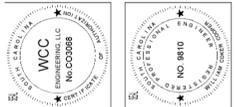
-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS





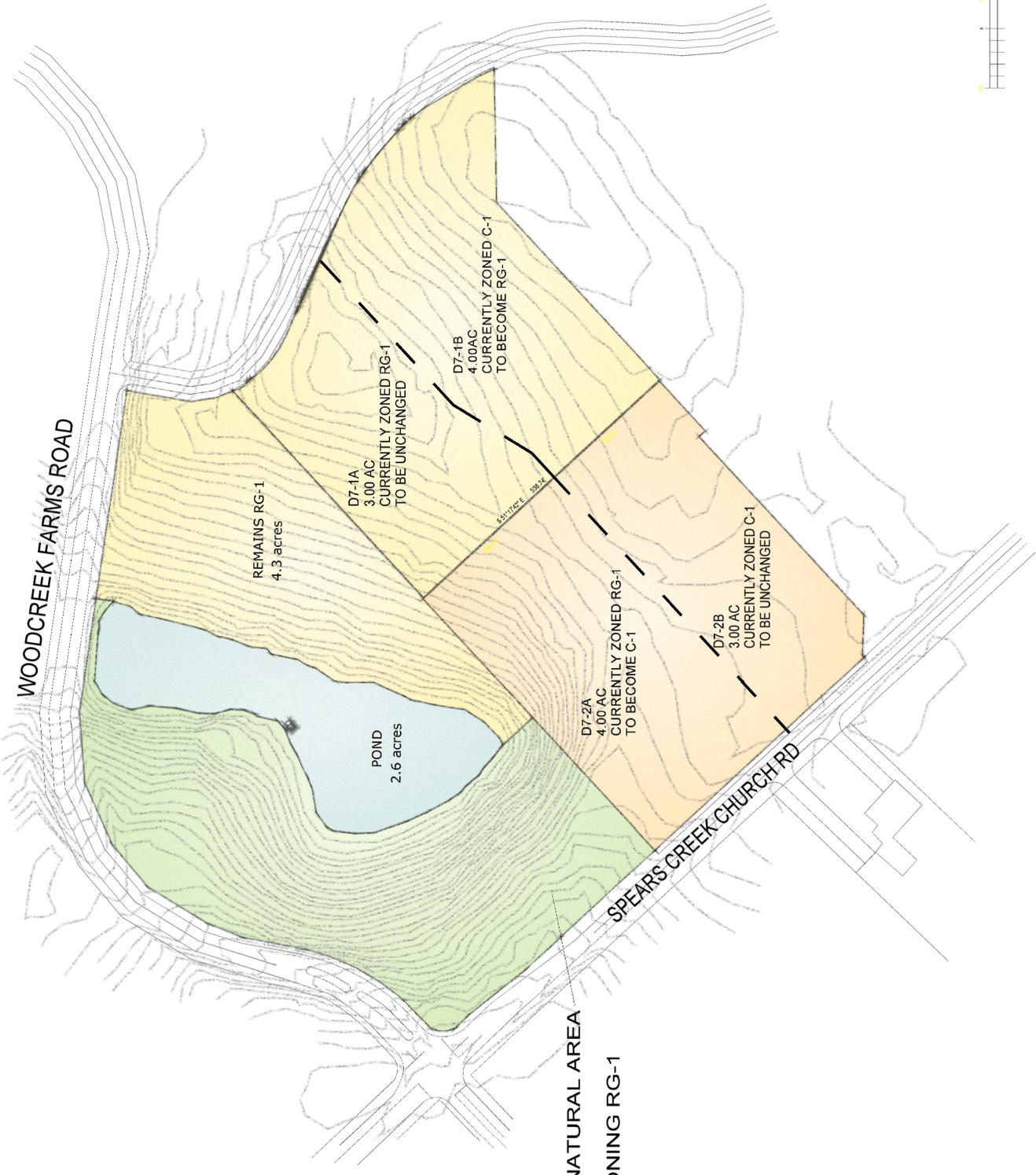
DATE	TIME	SCALE	PROJECT	DATE	PROJECT
		1"=100'	WOODCREEK FARMS		WOODCREEK FARMS
			D6 & D7		D6 & D7
			SKETCH		SKETCH

**WOODCREEK FARMS**  
D6 & D7  
SKETCH

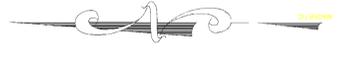


**WCC Engineering, LLC**  
1713-B Woodcreek Farms Road  
Eight, SC 29045  
(803) 699-7728  
FAX (803) 699-7731

**WOODCREEK FARMS DEVELOPMENT**  
Columbia South Carolina  
OWNER



**PROPOSED NATURAL AREA**  
**6.5 ACRES**  
**CURRENT ZONING RG-1**



# CASE 10-27 MA

## From PDD to PDD

TMS# 28800-01-10(P)

Spears Creek Church Rd





**Richland County  
Planning & Development Services Department**

Map Amendment Staff Report

**PC MEETING DATE:** November 1, 2010  
**RC PROJECT:** 10-28 MA  
**APPLICANT:** John Cooper  
**PROPERTY OWNER:** Woodcreek Development Partnership

**LOCATION:** Old National Highway, Woodcreek Farms Road

**TAX MAP NUMBER:** 25800-03-28, 28800-01-09  
**ACREAGE:** 49 acres  
**EXISTING ZONING:** PDD  
**PROPOSED ZONING:** PDD

**PC SIGN POSTING:** October 15, 2010

**Staff Recommendation**

Approval

**Background /Zoning History**

In February of 1992, the Planned Unit Development District (PUD) was approved under 91-040MA (Ordinance No. 2178-92HR).

In July of 1996, the Planned Unit Development District (PUD) was amended to classify the internal roads and to establish right-of-way and pavement widths for internal roads under 96-018MA (Ordinance No. 029-96HR).

In December of 1996, the Planned Unit Development District (PUD) was amended to revise internal road classifications under 96-055MA.

The parcel currently with the C-1 Office and Institutional land use designation contains frontage along Old National Highway and frontage along Woodcreek Farms Rd.

Direction	Existing Zoning	Use
<b><u>North:</u></b>	RS-LD/PUD	Residences(Greenhill Parish)/undeveloped
<b><u>South:</u></b>	PUD	Undeveloped
<b><u>East:</u></b>	PUD	Residences
<b><u>West:</u></b>	RS-LD	Residences (Greenhill Parish)

## Plans & Policies

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

### Suburban Area

Objective: “Residential areas are encouraged to contain a mix of residential and civic land uses. Residential developments should occur at medium densities of 4-8 dwelling units per acre.”

Compliance: The proposed RG-1 land use allows for a maximum of 8 dwelling units per acre and is compatible with the Future Land Use Map.

## Traffic Impact

The 2009 SCDOT traffic count (Station # 451), west of the subject parcels on Spears Creek Church Road shows 9,800 Average Daily Trips (ADT's). Spears Creek Church Road is classified as a two lane undivided minor arterial, maintained by SCDOT with a design capacity of 10,800 ADT's. Spears Creek Church Road is currently operating at Level of Service (LOS) “C”.

The 2009 SCDOT traffic count (Station # 120), northwest of the subject parcels on Two Notch Road shows 16,900 Average Daily Trips (ADT's). Two Notch Road is classified as a five lane principal arterial, maintained by SCDOT with a design capacity of 33,600 ADT's. Two Notch Road is currently operating at Level of Service (LOS) “B”.

According to the most recent Traffic Impact Assessment (TIA) it is estimated that the Verizon Wireless call center will add an additional 1870 AADT's to the roadway. A TIA for Woodcreek Farms will be completed in January 2011 and will include recommendations to mitigate traffic. The (PDD) parcel north of the subject parcel with frontage on Old National Highway has been designated as a future school site for School District Two. A TIA has been submitted by School District Two and has identified improvements to Old National Highway including turn lane improvements and resurfacing Old National Highway from the school parcel north to Two Notch Road.

There are no planned or programmed improvements to Spears Creek Church Road until after 2022. Widening Spears Creek Church Road from two (2) to five (5) lanes is currently #38 on the cost constrained list of the Long Range Transportation Plan (LRTP). Funding has been identified for the first 18 projects on the LRTP.

## Conclusion

The proposed rezoning would be compatible with the surrounding land uses. The proposed change to the Planned Development District (PDD) will swap twenty four and a half (24.5) acres of C-1 Office and Institutional land uses without road frontage with twenty four and a half (24.5) acres of a RG-1 General Residential land uses with frontage along Old National Highway and Woodcreek Farms Road. The swap would locate the proposed RG-1 General Residential land uses along Old National Highway and Woodcreek Farms Road. The same exchange would also locate a C-1 Office and Institutional land uses internally to the PDD north of the Woodcreek Farms Apartments parcel. The proposed RG-1 General Residential land uses would be contiguous to the Greenhill Parish Subdivision. The proposed C-1 Office and Institutional land uses would be contiguous to another C-1 Office and Institutional land uses east of the proposed land use swap. South of the proposed Office and Institutional is a C-3 Commercial land use;

the proposed C-1 Office and Institutional land use would act as a transition between the C-3 Commercial land uses and the PDD identified wetlands preservation area.

The Northeast fire station (City of Columbia fire station number 4) is located on Spears Creek Church Road and is directly south of the subject parcel. There is a fire hydrant located south of the southern parcel on Spears Creek Church Road and one south of the northern parcel on Woodcreek Farms Road. The proposed RG-1 land use parcel is within 1.2 miles of Pontiac Elementary School.

The proposed map amendments would not adversely affect the density, land uses, or any development standards outlined in the existing PDD. The proposed rezoning would not have a negative impact on public services or traffic. Water and sewer is provided by the City of Columbia.

The proposed Zoning Map Amendment **is compatible** with the surrounding land uses. Planning Staff recommends **Approval** of this map amendment.

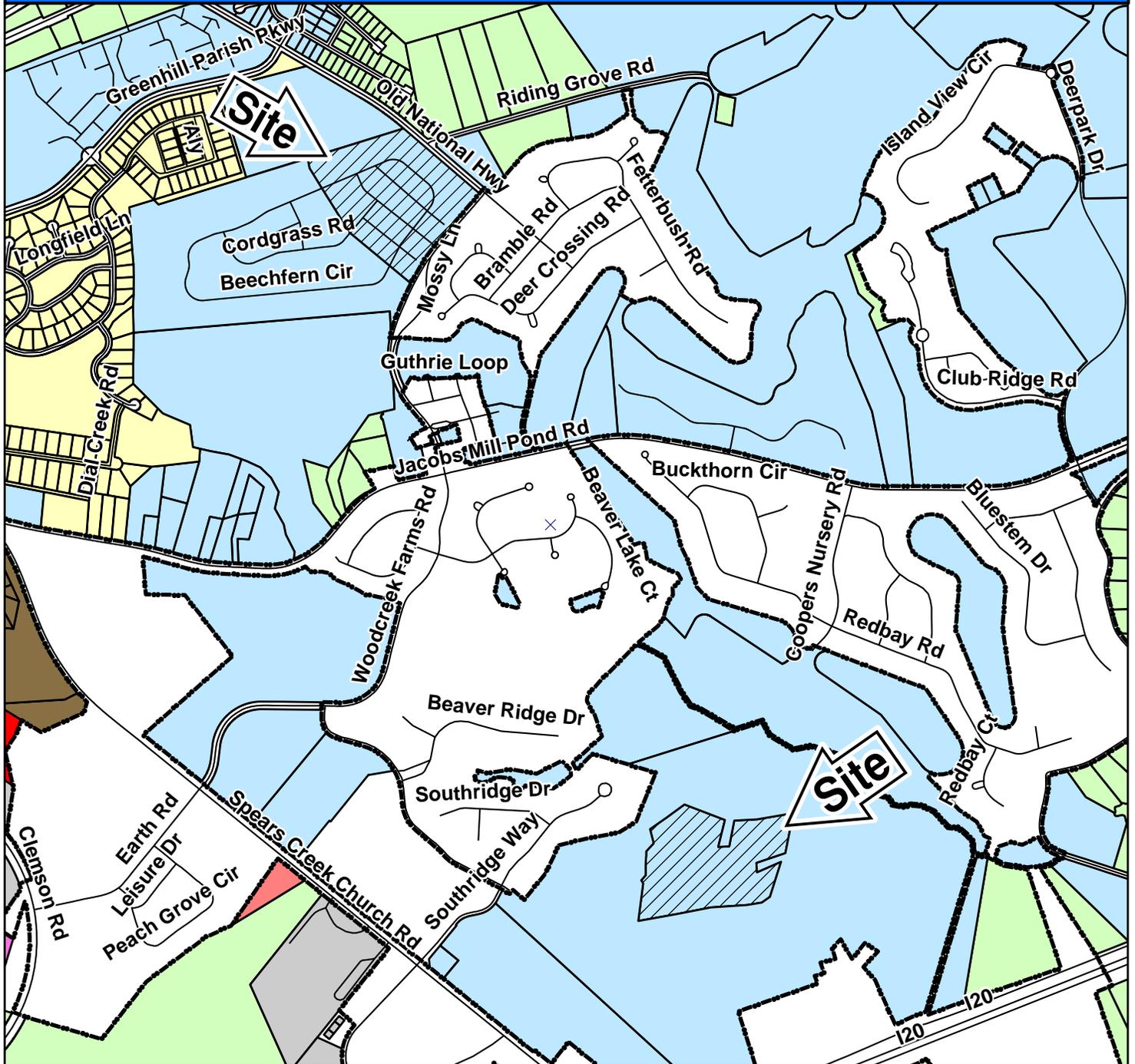
### PROPOSED PDD CONDITIONS

1. The applicant shall comply with the General Development Plan – Woodcreek Farms PUD (dated March 15, 1996 Ordinance No. 029-96 HR with revision dated April 19, 2010 Zoning Plat) prepared for Woodcreek Development Partnership by United Design Services, Inc., which was submitted to, and is on file in, the Richland County Planning & Development Services Department; and
2. The site development, as referenced on Exhibit “A” (which is attached hereto), shall be limited to:
  - a. Residential                      1,255 acres (54% of gross area)
  - b. Commercial                      262.4 acres (11% of gross area)
  - c. Open Space                      795.6 acres (34% of gross area)
  - d. Industrial                      0                      0
3. The applicant shall comply with the approved Woodcreek Farms PDD District Descriptive Statement as found in Ordinance No. 029-96 HR Exhibit “A”; Exhibit “B” Existing & Proposed Road Classifications;
4. A traffic impact assessment shall be submitted at the time of major subdivision or major land development submission if required by the Planning and Development Services Department;
5. Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest;
6. All the conditions described herein shall apply to the applicant, the developer and/or their successors in interest;

### Zoning Public Hearing Date

**November 23, 2010**

# Case 10-28 MA PDD to Amended PDD

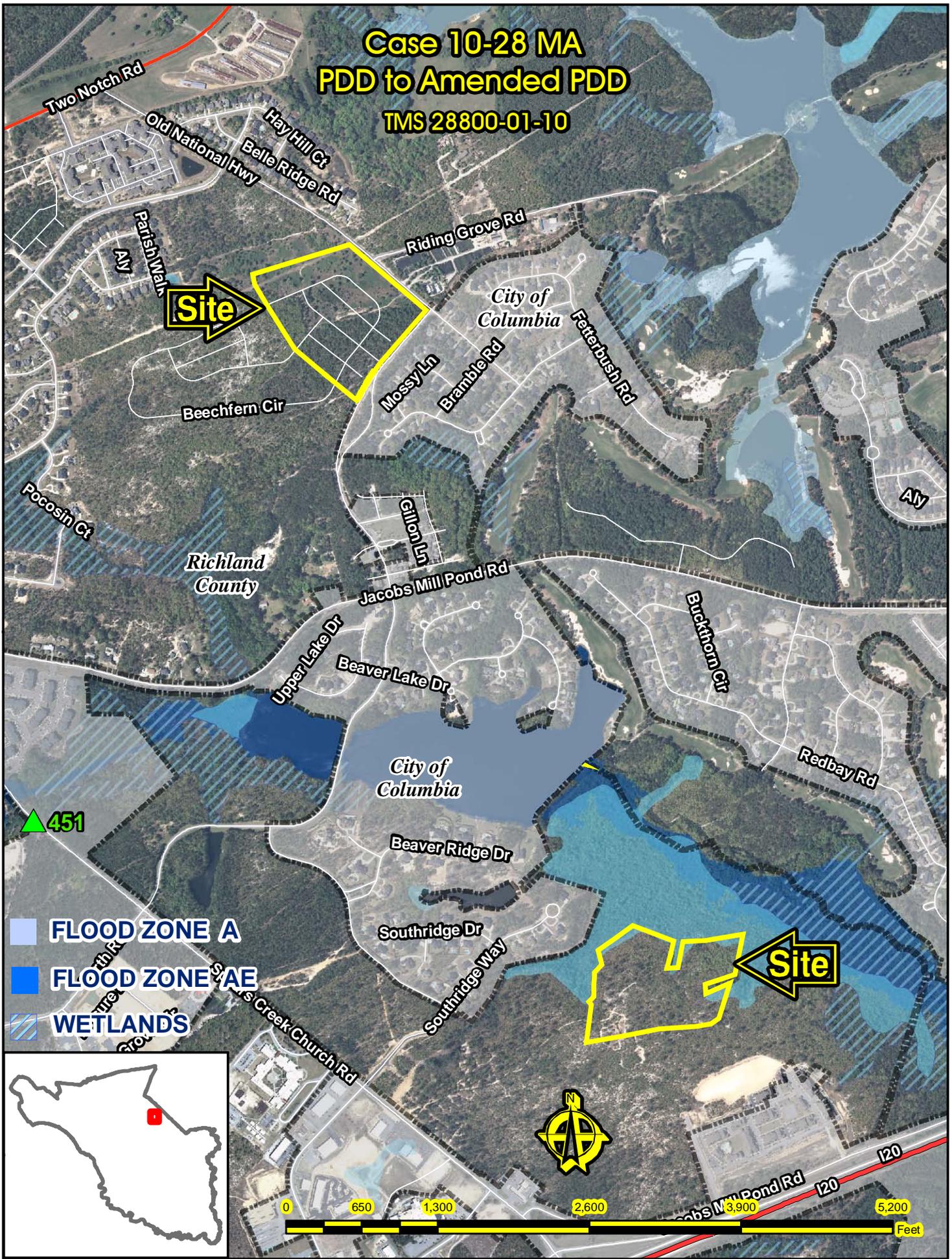


## ZONING CLASSIFICATIONS

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	

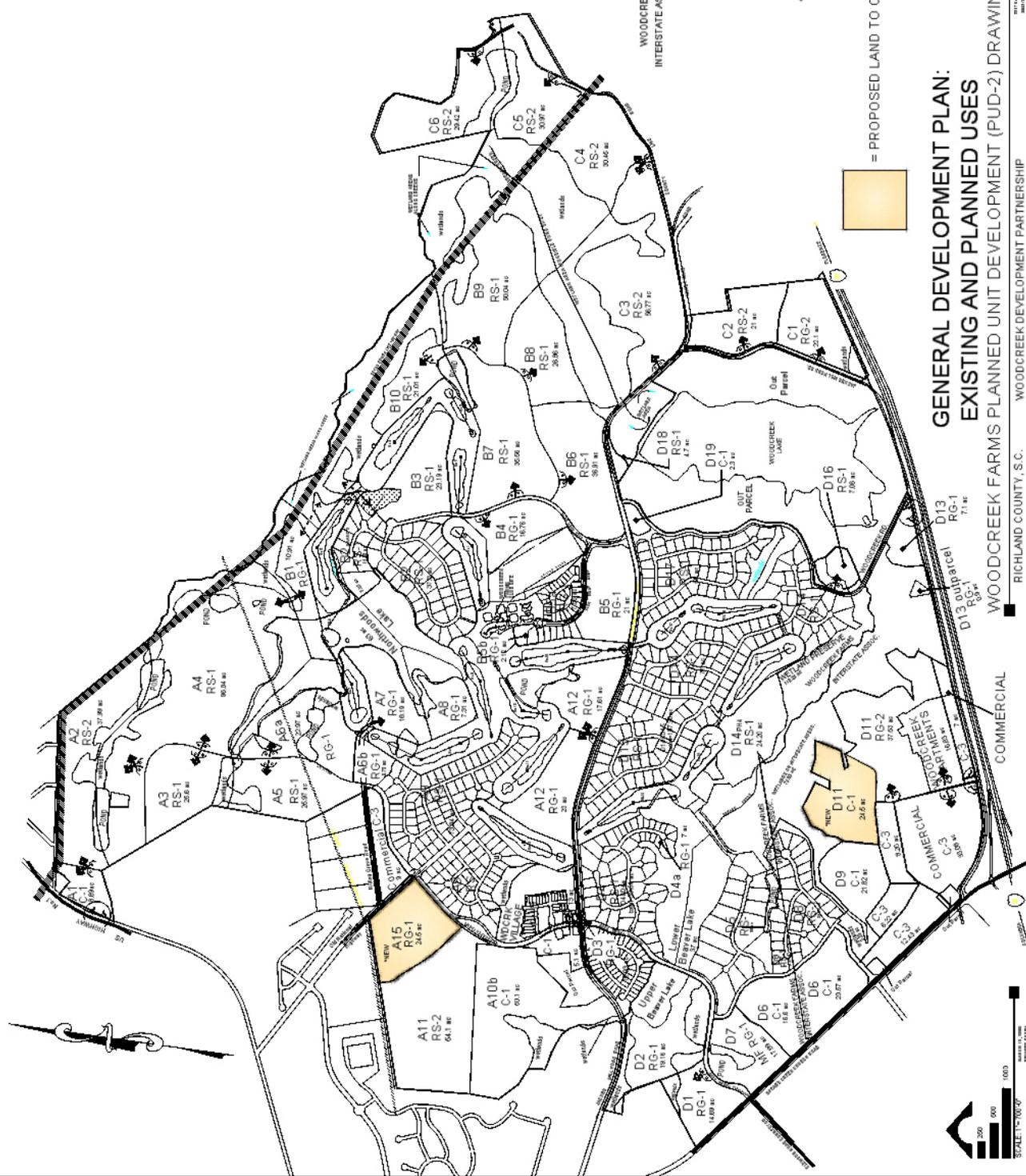


**Case 10-28 MA**  
**PDD to Amended PDD**  
**TMS 28800-01-10**



**WOODCREEK FARMS  
+ INTERSTATE ASSOCIATES  
LAND ALREADY DEVELOPED**

PARCEL ID	ZONING	DEVELOPED LAND	AMOUNT IN LAKES/ PONDS	AMOUNT IN WETLANDS	TOTAL LAND
A0	RS-1	74.48 AC			74.48 AC
A1	C-3	16.83 AC			16.83 AC
A2	RS-1	37.90 AC			37.90 AC
A3	RS-1	25.6 AC			25.6 AC
A4	RS-1	96.84 AC			96.84 AC
A5	RS-1	25.97 AC			25.97 AC
A6	RS-1	18.19 AC			18.19 AC
A7	RG-1	10.91 AC			10.91 AC
A8	RG-1	7.31 AC			7.31 AC
A9	RS-1	73.84 AC			73.84 AC
A10	C-1	50.1 AC			50.1 AC
A11	RS-2	54.1 AC			54.1 AC
A12	RG-1	17.61 AC			17.61 AC
A13	RG-1	2.3 AC			2.3 AC
A14	RG-1	2.3 AC			2.3 AC
A15	RG-1	24.5 AC			24.5 AC
A16	RG-1	14.69 AC			14.69 AC
A17	RG-1	15.93 AC			15.93 AC
A18	RG-1	37.53 AC			37.53 AC
A19	RG-1	24.5 AC			24.5 AC
A20	RG-1	20.57 AC			20.57 AC
A21	RG-1	16.6 AC			16.6 AC
A22	RG-1	17.89 AC			17.89 AC
A23	RG-1	14.69 AC			14.69 AC
A24	RG-1	27.4 AC			27.4 AC
A25	RG-1	18.9 AC			18.9 AC
A26	RG-1	15.9 AC			15.9 AC
A27	RG-1	23.43 AC			23.43 AC
A28	RG-1	6.22 AC			6.22 AC
A29	RG-1	8.20 AC			8.20 AC
A30	RG-1	12.43 AC			12.43 AC
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**SITE TOTAL (INCLUDING WETLANDS, PONDS, LAKE):**  
 DEVELOPED AREAS = 636.16 ACRES  
 WOODCREEK FARMS UNDEVELOPED AREAS = 1,297.11 ACRES  
 INTERSTATE ASSOCIATES UNDEVELOPED AREAS = 180.19 ACRES  
 GOLF COURSE AREA = 214.29 ACRES  
 WETLAND PRESERVE = 110.25 ACRES  
**TOTAL = 2,338 ACRES**

\*ALL ACRES AND AREAS AREA APPROXIMATE ONLY.  
 BOUNDARIES HAVE NOT BEEN CONFIRMED BY SURVEY.

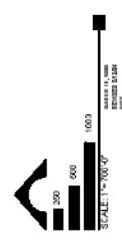
[Yellow Box] = PROPOSED LAND TO CHANGE ZONING AS SHOWN ON PLAN

**GENERAL DEVELOPMENT PLAN:  
 EXISTING AND PLANNED USES**

WOODCREEK FARMS PLANNED UNIT DEVELOPMENT (PUD-2) DRAWING

2338 AC

RICHLAND COUNTY, S.C. WOODCREEK DEVELOPMENT PARTNERSHIP



# CASE 10-28 MA

## From PDD to PDD

TMS# 25800-03-28, 28800-01-09 Old National Hwy, Woodcreek Farms Rd





## Richland County Planning & Development Services Department

### Map Amendment Staff Report

**PC MEETING DATE:** November 1, 2010  
**RC PROJECT:** 10-29 MA  
**APPLICANT:** George L. Bradley, JR  
**PROPERTY OWNER:** Charles E. Crosby

**LOCATION:** Leitner Point Road

**TAX MAP NUMBER:** 02037-01-07  
**ACREAGE:** 4.28 acres  
**EXISTING ZONING:** RR  
**PROPOSED ZONING:** RS-E

**PC SIGN POSTING:** October 15, 2010

#### Staff Recommendation

Denial

#### Background /Zoning History

The current zoning, Rural Residential District (RR) reflects the zoning as adopted January 9, 2007. Prior to the January 9, 2007 rezoning the property was zoned Residential Single-Family Low Density District (RS-LD).

On September 2006, a map amendment request (06-50 MA) was submitted to the Planning Commission and January 9, 2007 County Council approved the rezoning request from Residential Single-Family Low Density District (RS-LD) to Rural Residential District (RR).

The parcel has access through a private drive onto Leitner Point Road. Leitner Point Road is a privately maintained Road.

#### Summary

The Residential Single Family Estate District (RS-E) is intended to be used for single-family detached dwelling units on large "estate" lots. The requirements for this district are designed to provide for a low to medium density rural setting for residential development in areas that separate more urban communities from the truly rural portions of the County.

Minimum lot area: 20,000 square feet, or as determined by DHEC, but in no case shall it be less than 20,000 square feet. Maximum density standard: no more than on (1) principal dwelling unit may be placed on a lot, except for permitted accessory dwellings.

- The gross density for this site is approximately: 9 dwelling units
- The net density for this site is approximately: 6 dwelling units

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

## 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 areas are encouraged to contain a mix of residential and civic land uses. Existing single family developments may be adjacent to multifamily or a PDD including a buffer from higher intensity uses. Residential developments should occur at medium densities of 4-8 dwelling units per acre.”

**Non-Compliance:** The rezoning does not comply with the Comprehensive Plans recommended density. The Residential Single-Family Estate District (RS-E) permits 20,000 sq ft minimum lots which equates to 2.2 dwelling units per acre.

## Traffic Impact

The 2009 SCDOT traffic count (Station # 485) located northeast of the subject parcel on Marina Road identifies 1,600 Average Daily Trips (ADT's). Marina Road is classified as a two lane undivided Collector, maintained by SCDOT with a design capacity of 8,600 ADT's. Marina Road is currently operating at Level of Service (LOS) “A”.

There are no planned or programmed improvements for Marina Road or Leitner Point Road.

## Conclusion

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

The subject parcel is bound by Lake Murray on the east, south, and west. The previous map amendment (06-50 MA) rezoned the subject property from Residential Single-Family Low Density District (RS-LD) to Rural Residential District (RR). The previous rezoning request was approved for the property to be utilized as a Bed and Breakfast which is permitted in the Rural Residential District (RR) with special requirements. The previous zoning change increase the permitted minimum lot size while increasing the required setbacks. The Rural Residential Single-Family Estate District (RS-E) would decrease the required setbacks and will decrease the minimum lot size compared to the Rural Residential District (RR). The current Rural Residential District (RR) allows for a front setback of forty (40) feet, a rear setback of fifty (50) feet, and a side setback of twenty (20) feet. The Residential Single-Family Estate District (RS-E) allows for a front setback of thirty five (35) feet, a rear setback of thirty (30) feet, and a side setback of ten (10) feet. The Rural Residential District (RR) permits 33,000 sq ft lots with a minimum lot width of 120 feet. The Residential Single-Family Estate District (RS-E) permits 20,000 sq ft lots with a minimum lot width of 100 feet.

The surrounding parcels along Leitner Point Road are zoned Residential Single-Family Low Density District (RS-LD) with lot sizes ranging from .28 acres to 5.20 acres along Leitner Point Road. A permit for the construction of a residence onsite has been issued by the Building department under permit number 1003550.

The Dutch Fork/Ballentine fire station (Columbia fire station number 20) is located on Broad River Road 2.4 miles east of the subject parcel. There is a fire hydrant located north of the parcel on Marina Road.

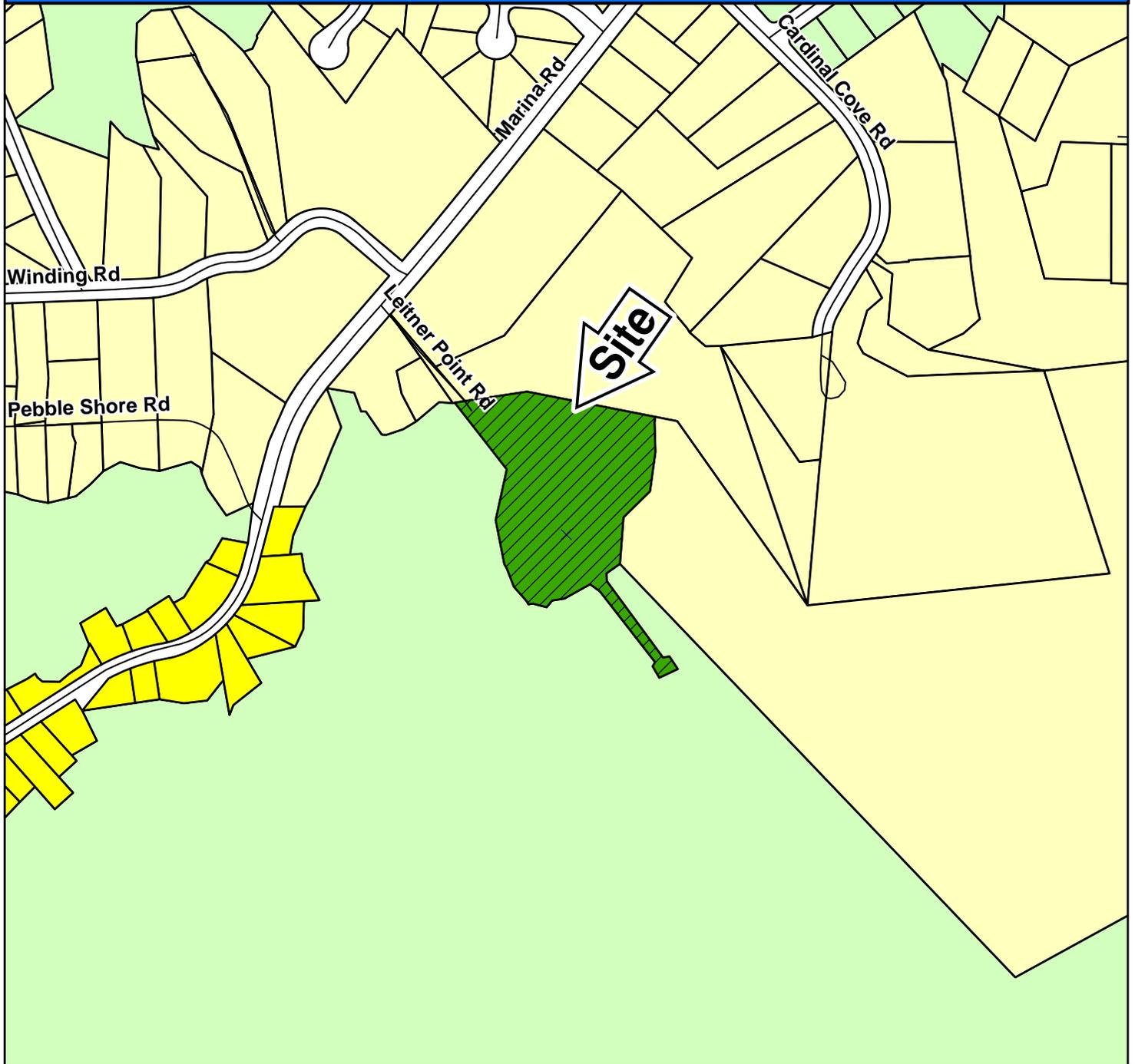
The proposed map amendment would not negatively impact public services or traffic. Water is provided by the City of Columbia and sewer is provided by Richland County.

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

<b>Zoning Public Hearing Date</b>
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**November 23, 2010**

# Case 10-29 MA RR to RS-E

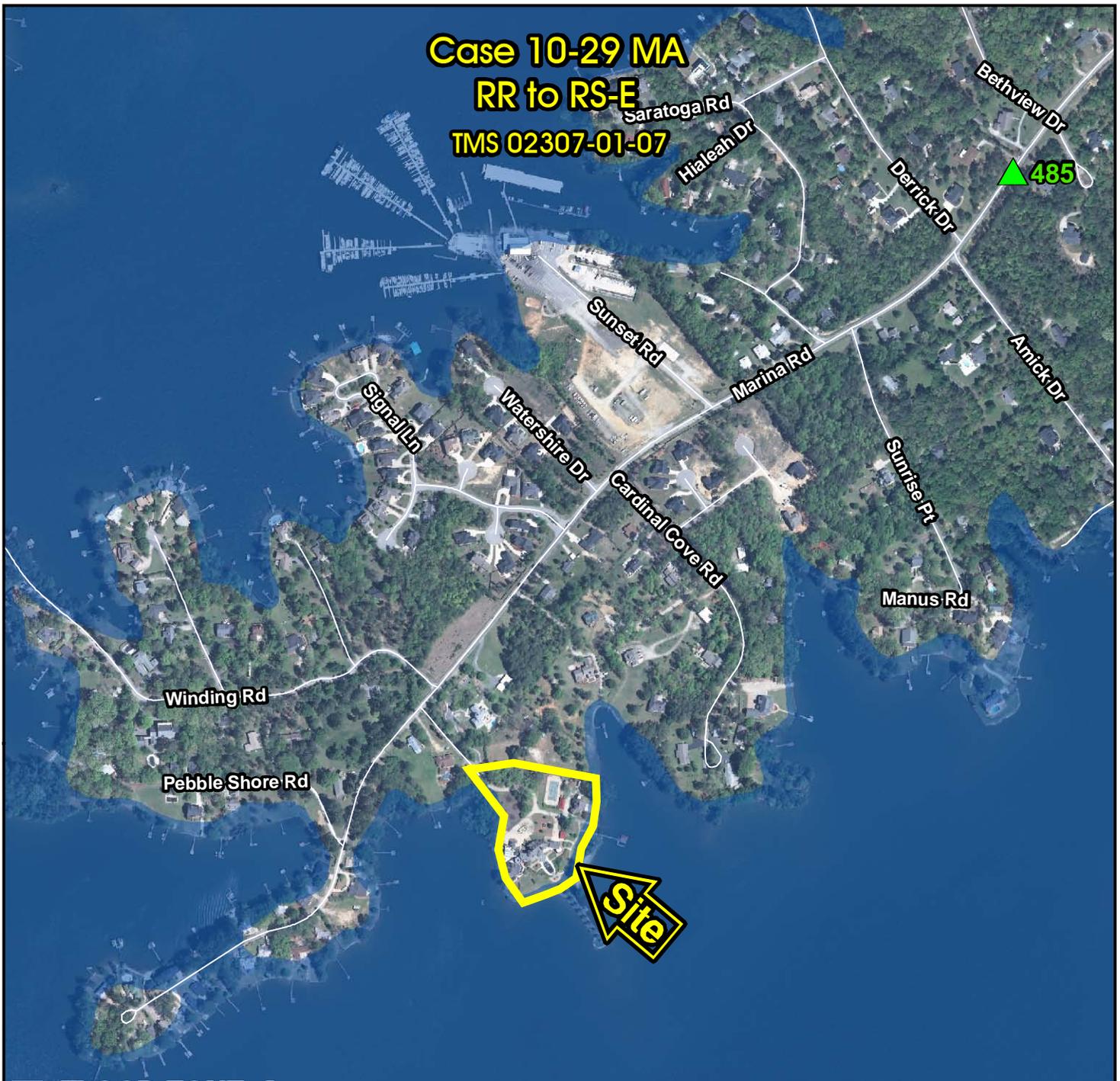


## ZONING CLASSIFICATIONS

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	

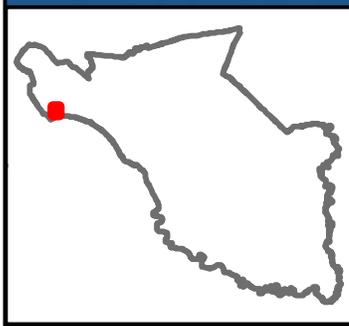


**Case 10-29 MA  
RR to RS-E  
TMS 02307-01-07**



-  FLOODZONE A
-  FLOODZONE AE
-  WETLANDS

*Lake Murray*

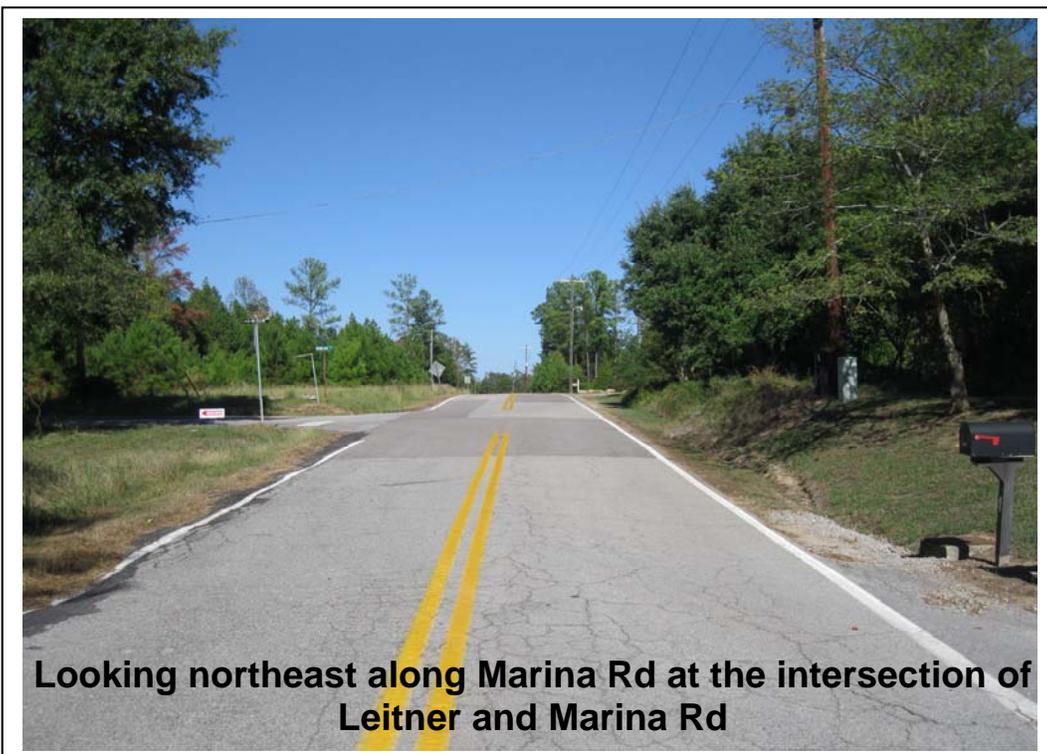
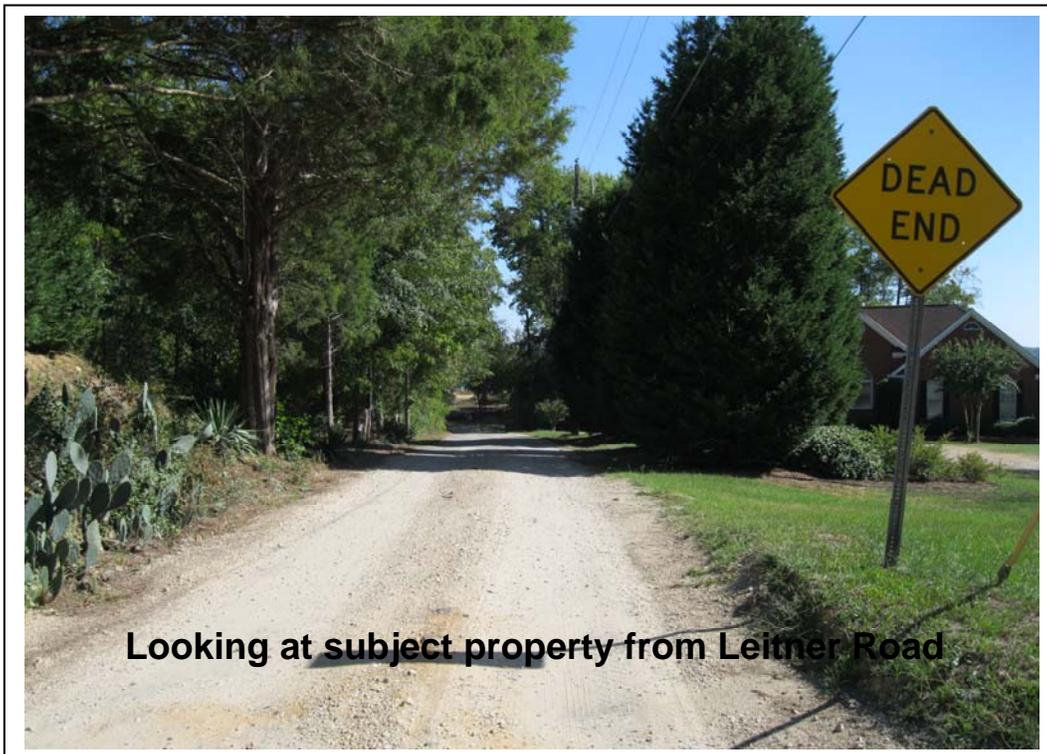


# CASE 10-29 MA

## From RR to RS-E

TMS# 02037-01-07

Leitner Rd





**Richland County  
Planning & Development Services Department**

Map Amendment Staff Report

**PC MEETING DATE:** November 1, 2010  
**RC PROJECT:** 10-30 MA  
**APPLICANT:** Cynthia South  
**PROPERTY OWNER:** Harold H. Snuggs

**LOCATION:** Brevard Street

**TAX MAP NUMBER:** 07306-05-17,18  
**ACREAGE:** 2.68 acres  
**EXISTING ZONING:** RS-LD  
**PROPOSED ZONING:** RS-MD

**PC SIGN POSTING:** October 15, 2010

**Staff Recommendation**

**Approval**

**Background /Zoning History**

The current zoning, Residential Single Family Low Density District (RD-LD) reflects the original zoning as adopted September 7, 1977.

The parcels contain five hundred and thirty (530) feet of frontage along Brevard Street.

There are four tax map parcels (07306-04-05, 21, 24 & 07306-05-15) to the east of the subject properties that are under consideration for rezoning case 10-23MA. County Council approved the request at third reading on October 19, 2010.

**Summary**

The Residential Single Family Medium Density District (RS-MD) is intended as a single family, detached residential district of medium densities, and the requirements for this district are designed to maintain a suitable environment for single family living.

Minimum lot area is 8,500 square feet, or as determined by DHEC. 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: 13 dwelling units
- The net density for this site is approximately: 9 dwelling units

Direction	Existing Zoning	Use
<u>North:</u>	RS-MD	Residences
<u>South:</u>	RS-LD	Residences
<u>East:</u>	RS-LD	Residences
<u>West:</u>	RS-LD	Residences

**Plans & Policies**

The 2009 Richland County Comprehensive Plan “**Future Land Use Map**” designates this area as a **Priority Investment Area** in the **Beltway Planning Area**.

**Priority Investment Area**

Objective: “Residential housing should be varied at moderate to high densities (4-16 dwelling units per acre).”

Compliance: The Residential Single-Family Medium Density District (RS-MD) would permit 5.1 dwelling units per acre in accordance with the plan. The medium density district would be compatible with the Residential Single-Family Medium Density District (RS-MD) to the north of the subject parcels. The surrounding Residential Single-Family Low Density District (RS-LD) to the south of the subject parcels permit 3.6 dwelling units per acre. The Residential Single-Family Low Density District (RS-LD) permits residential dwelling units at a lower density than what is recommended in the Comprehensive Plan.

**Traffic Impact**

The 2009 SCDOT traffic count (Station # 183), west of the subject parcel on Broad River Road identifies 26,000 Average Daily Trips (ADT’s). Broad River Road is classified as a five lane undivided Principal Arterial, maintained by SCDOT with a design capacity of 33,600 ADT’s. Broad River Road is currently operating at a Level of Service (LOS) “C”.

The 2009 SCDOT traffic count (Station # 299), east of the subject parcel on Greystone Boulevard identifies 15,800 Average Daily Trips (ADT’s). Greystone Boulevard is classified as a four lane undivided Minor Arterial, maintained by SCDOT with a design capacity of 24,800 ADT’s. Greystone Boulevard is currently operating at a Level of Service (LOS) “B”.

There are no planned or programmed improvements for Greystone Boulevard or this section of Broad River Road. The River Drive Bridge is undergoing construction to bring it up to current safety standards.

**Conclusion**

The proposed rezoning would be compatible with the surrounding land uses.

The subject parcels are part of the Broad River Corridor and Community Study area. The draft document (see pg. 70) recommends, policy number one (1) to “*promote new and diverse housing stock.*” The proposed Residential Single Family Medium Density District (RS-MD) would create additional new homes and diversify the existing housing stock; and new development will act as a catalyst for redevelopment opportunities within the immediate study area.

The existing parcels are vacant; northeast of the subject parcels is a vacant parcel that is currently being considered for a rezoning to Residential Single-Family Medium Density District (RS-MD) under case 10-23MA. Contiguous to the north are a number of Residential Single Family Medium Density District (RS-MD) zoned parcels; and to the west and south are Residential Single Family Low Density District (RS-LD) zoned properties with some of the parcels containing single family residences. This site represents an opportunity for infill development in an area with existing services and infrastructure.

The subject parcels are part of the Richland One school district and are within eighteen hundred (1800) feet of H.B. Rhame Jr. Elementary and Saint Andrews Middle School; the elementary and middle schools are located on the same parcel.

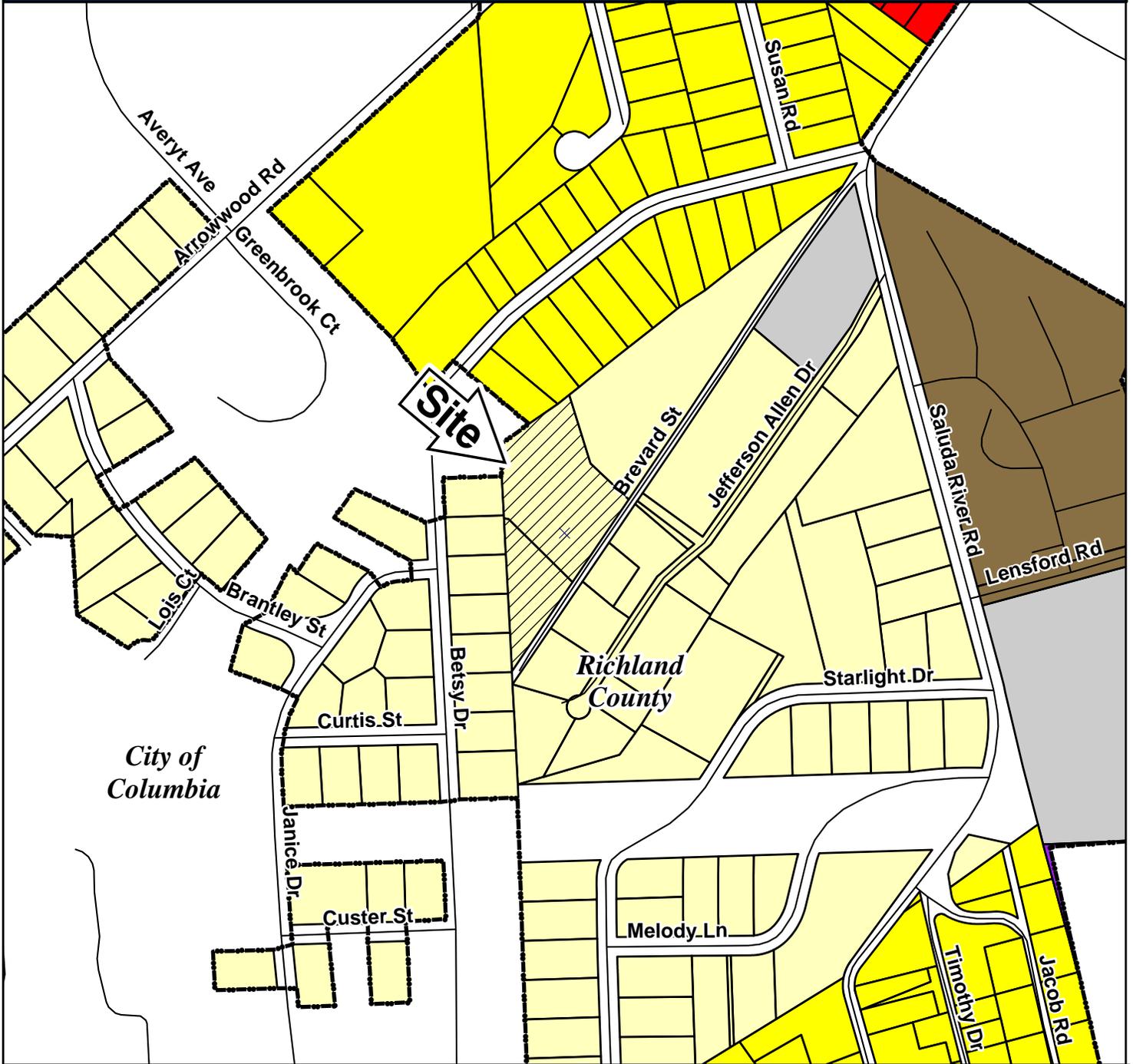
The Saint Andrews fire station (station number 6) is located on Briargate Circle roughly 1.4 miles northwest of the subject parcels. There is a fire hydrant located northeast of the subject parcel on Betsy Drive near the intersection of Brevard Street and Saluda River Road. The proposed rezoning would not negatively impact public services or traffic. Water and sewer would be provided by the City of Columbia.

The proposed Zoning Map Amendment **is compatible** with the surrounding land uses. Planning Staff recommends **Approval** of this map amendment.

<b>Zoning Public Hearing Date</b>
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**November 23, 2010**

# Case 10-30 MA RS-LD to RS-MD

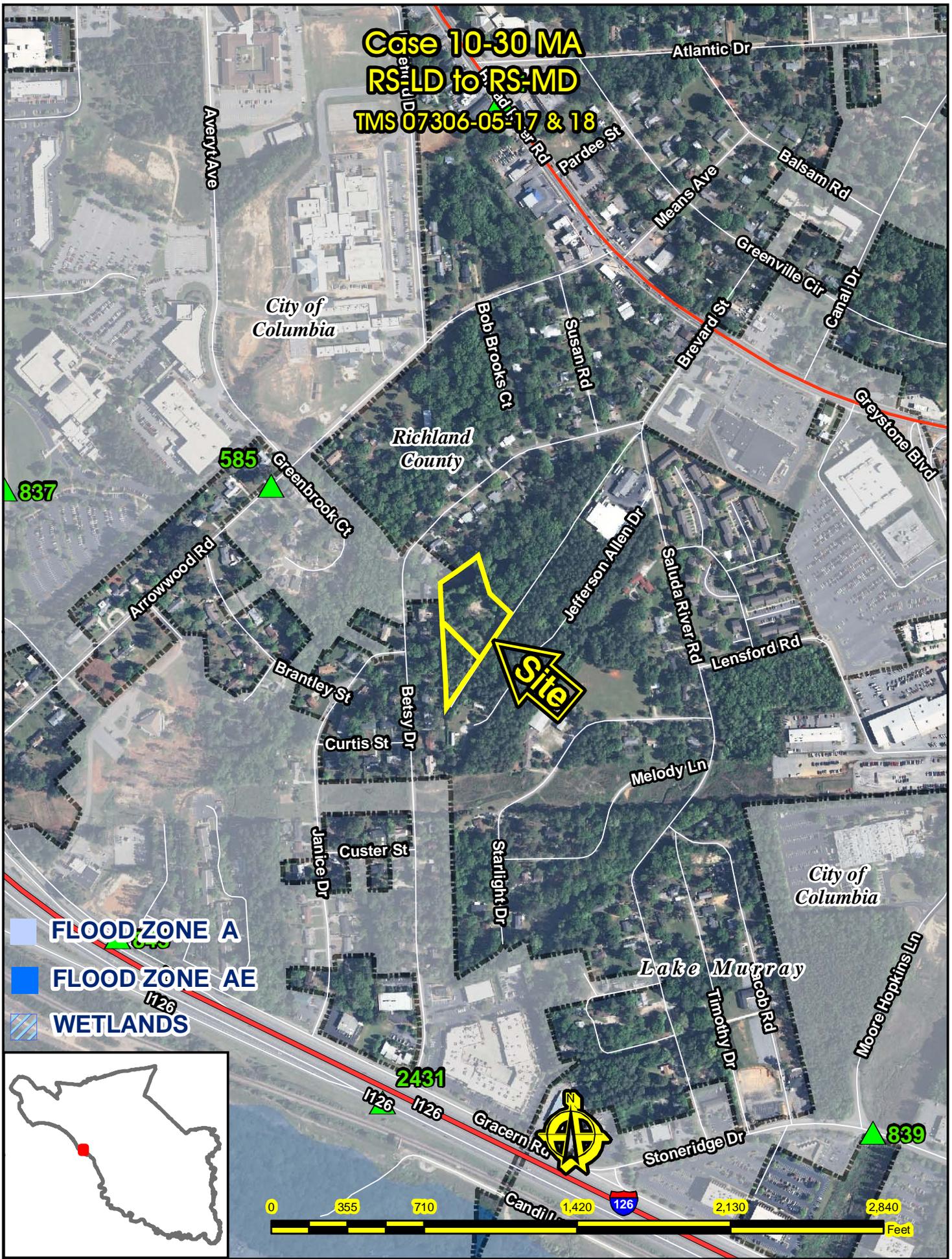


## ZONING CLASSIFICATIONS

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 10-30 MA**  
**RS-LD to RS-MD**  
**TMS 07306-05-17 & 18**



# CASE 10-30 MA

## From RS-LD to RS-MD

TMS# 07306-05-17, 18

Brevard Street





**Richland County  
Planning & Development Services Department**

Map Amendment Staff Report

**PC MEETING DATE:** November 1, 2010  
**RC PROJECT:** 10-31 MA  
**APPLICANT:** Fairways Development, LLC  
**PROPERTY OWNER:** Fairways Development, LLC

**LOCATION:** Fox Hill Drive

**TAX MAP NUMBER:** 20500-06-17,19,20, 20500-06-22(P), 20500-04-17(P)  
**ACREAGE:** 4.7 acres  
**EXISTING ZONING:** RU  
**PROPOSED ZONING:** RS-LD

**PC SIGN POSTING:** October 15, 2010

**Staff Recommendation**

**Denial**

**Background /Zoning History**

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

**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: 17 dwelling units
- The net density for this site is approximately: 11 dwelling units

<b>Direction</b>	<b>Existing Zoning</b>	<b>Use</b>
<b><u>North:</u></b>	RS-LD	Residence
<b><u>South:</u></b>	RU/TROS	Undeveloped/ Golf Course (Columbia Country Club)
<b><u>East:</u></b>	RS-LD	Undeveloped
<b><u>West:</u></b>	TROS	Golf Course (Columbia Country Club)

## Plans & Policies

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

### Suburban Area

Objective: “Residential areas are encouraged to contain a mix of residential and civic land uses. Existing single family developments may be adjacent to multifamily or a PDD including a buffer from higher intensity uses. 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 sq ft lots or 3.6 dwelling units per acre.

## Traffic Impact

The 2009 SCDOT traffic count (Station # 713), northwest of the subject parcel on Longtown Road identifies 2,500 Average Daily Trips (ADT’s). Longtown Road is classified as a two lane undivided collector, maintained by SCDOT with a design capacity of 8,600 ADT’s. Longtown Road is currently operating at a Level of Service (LOS) “A”.

There are no planned or programmed improvements for Longtown Road.

## Conclusion

The proposed map amendment would be compatible with the surrounding land uses but is not compatible with the Comprehensive Plan’s recommended density for the suburban area. The parcel to the west and south of the subject parcels is zoned Traditional Recreation Open Space District (TROS) and is part of the Columbia County Club Golf Course. The parcel to the east is zoned Residential Single-Family Low Density District (RS-LD) and is undeveloped. North of the subject parcels are a number of Residential Single-Family Low Density District (RS-LD) parcels that contain single family residences. The residences to the north and east of the subject parcels are part of the Longcreek Plantation subdivision (Fox Meadows).

The parcels are internal to an existing subdivision. The Rural District (RU) permits minimum 33,000 sq ft lots whereas the Residential Single-Family Low Density District (RS-LD) permits minimum 12,000 sq ft lots at 3.6 dwelling units per acre. The subject parcels are part of the Richland Two school district and are within thirty three hundred (3300) feet of Blythewood Middle and within fifty five hundred (5500) feet of Round Top Elementary School.

The Elders Pond fire station (station number 34) located on Elders Pond Drive roughly 2.6 miles southeast of the subject parcel. There is a fire hydrant located east of the subject parcels on Fox Hill Drive near the intersection of Fox Hill Drive and Hilltopper Court.

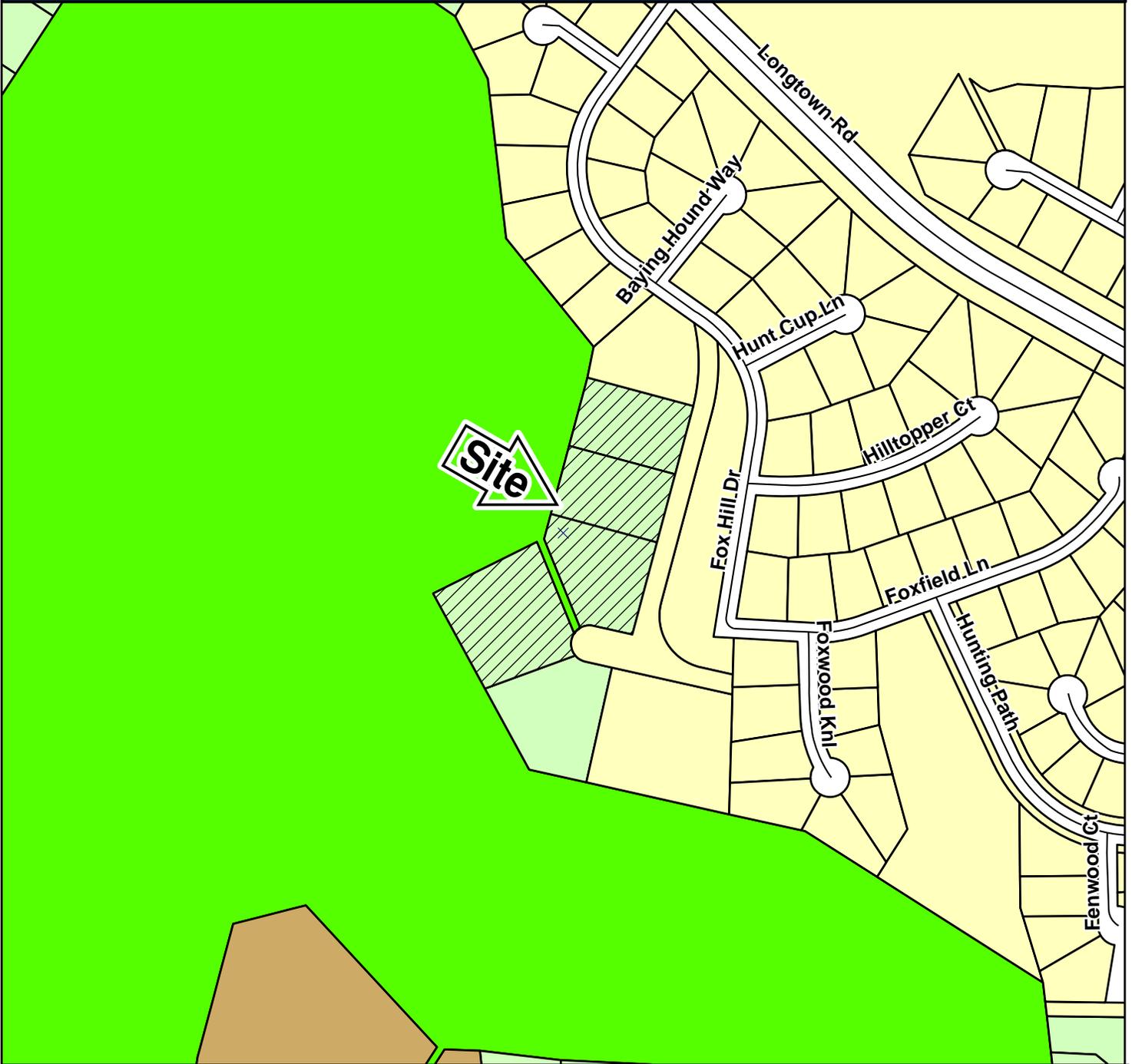
The proposed rezoning would not negatively impact public services or traffic. Water and sewer would be provided by the City of Columbia. Sewer could also potentially be serviced by septic systems. A call was made to Palmetto Utilities and their statement was that they do not service Longcreek Plantation.

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

**Zoning Public Hearing Date**

**November 23, 2010**

# Case 10-31 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 10-31 MA  
RU to RS-LD**

**TMS 20500-06-17/18/19/20**

Longtown Rd

▲ 713

Overlook Dr

Sly Fox Run

Baying Hound Way

Hunt Cup Ln

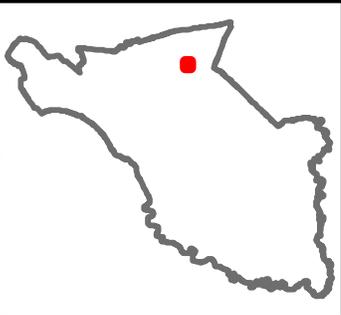
Fox Hill Dr

Hilltopper Ct

Foxfield Ln

Foxwood Knl

-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS



**Site**



# CASE 10-31 MA

## From RU to RS-LD

TMS# 20500-06-17, 19, 20, 20500-06-22(P), 20500-04-17(P) Farrow Rd





**Richland County  
Planning & Development Services Department**

**Map Amendment Staff Report**

**PC MEETING DATE:** November 1, 2010  
**RC PROJECT:** 10-32 MA  
**APPLICANT:** Charles Kahn  
**PROPERTY OWNER:** Village at Sandhill, LLC

**LOCATION:** Fashion Drive

**TAX MAP NUMBER:** 22900-02-09 (P)  
**ACREAGE:** 0.38 acres  
**EXISTING ZONING:** Lot 5A (C-1) & Lot 5B (C-3)  
**PROPOSED ZONING:** Lot 5A (C-3) & Lot 5B (C-1)

**PC SIGN POSTING:** October 15, 2010

**Staff Recommendation**

**Approval**

**Background /Zoning History**

In 2001, the "Village at Sandhill" was developed with a "master plan" development agreement signed in March 2001.

In March 2006, map amendments (06-08MA) and (06-11MA) were presented to the Planning Commission. Planning Commission recommended approval to swap 3.5 acres of C-3 and C-1 zoning. County Council approved the request on March 28, 2006.

In May 2008, map amendment (08-13MA) was presented to the Planning Commission. Planning Commission recommended approval to swap a total of 7.5 acres of RG-2 to C-3 (2.50 acres); C-3 to C-1 (2.50 acres); C-1 to RG-2 (2.50 acres). County Council approved the request on May 27, 2008.

In July of 2008, map amendment (08-22MA) was presented to the Planning Commission. Planning Commission recommended approval to swap a total of 0.25 acres of lot five (5) C-1 & lot seven (7) C-3 to lot five (5) C-3 & lot seven (7) C-1. County Council approved the request on September 16, 2008.

In March of 2010, map amendment (10-05MA) was presented to the Planning Commission. Planning Commission recommended approval to swap a total of 0.56 acres of lot five (5) C-1 & lot eight (8) C-3 to lot five (5) to C-3 & lot seven (7) to C-1. County Council approved the request on March 23, 2010.

Direction	Existing Zoning	Use
<b><u>North:</u></b>	C-3	Retail (JC Penny)
<b><u>South:</u></b>	C-3	Undeveloped
<b><u>East:</u></b>	C-3	Undeveloped
<b><u>West</u></b>	C-3	Undeveloped

**Plans & Policies**

The 2009 Richland County Comprehensive Plan “**Future Land Use Map**” designates this area as an **Urban Village/Priority Investment Area** in the **Northeast Planning Area**.

Objective: “Commercial/Office activities should be located at traffic junctions or in areas with existing commercial and office uses”.

Compliance: The proposed zoning is located in an area with existing commercial uses.

**Traffic Impact**

The 2009 SCDOT traffic count station (# 118) is located south east of the site on Two Notch Road. The Average Daily Traffic (ADT’s) is 19,800. Two Notch Road is classified as a five lane Undivided Principal Arterial road, maintained by SCDOT with a design capacity of 38,600 ADT’s. Two Notch Road is currently functioning below the designed roadway capacity and operating at a Level of Service (LOS) “B”.

The 2009 SCDOT traffic count station (# 441) is located north of the site on Clemson Road. The Average Daily Traffic (ADT’s) is 26,400. Clemson Road is classified as a five lane Undivided Minor Arterial road, maintained by SCDOT with a design capacity of 34,800 ADT’s. Clemson Road is currently functioning at the designed roadway capacity and operating at a Level of Service (LOS) “C”.

The site is located on several interior roads within the “Village at Sandhill”. The parcels are located near Forum Drive and Fashion Drive. Fashion Drive is a private road and Forum Drive is a county road.

**Conclusion**

The Village at Sandhill consists of approximately 298 acres of mixed-use, incorporating elements of residential, retail, recreational, office, institutional, and general commercial uses. The approval of the Village included a Development Agreement which has been extended for an additional five years. On March 20, 2001 an ordinance authorizing the adoption of the agreement was issued. The agreement stipulates the following:

- 173.86 acres of property zoned for general commercial uses pursuant to C-3 zoning district classifications; and
- 31.02 acres of property zoned for general residential uses pursuant to RG-2 zoning district classifications; and
- 95.22 acres of property zoned for office and institutional and residential uses pursuant to C-1 zoning district classifications.

The provisions in the agreement permit the substitution of residential uses for commercial uses and vice-versa within the C-1 and C3 tracts; transfer among dwelling units, retirement units, office/institutional, other commercial, dwelling units and retirement units, retail shops and stores, restaurants, outparcels, family entertainment and lodging uses in the C-3 tract. The substitutions must be swapped at an equivalent ratio; 700 square feet of residential or retirement units to any commercial use and/or 1: 1 square foot of net leasable area of commercial uses to any other type of commercial use.

The Sand Hill fire station (number 24) is located on Sparkleberry Lane and is 1.9 miles southwest of the subject parcel. There are multiple fire hydrants located along Forum Drive and Fashion Drive.

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 Palmetto Utilities.

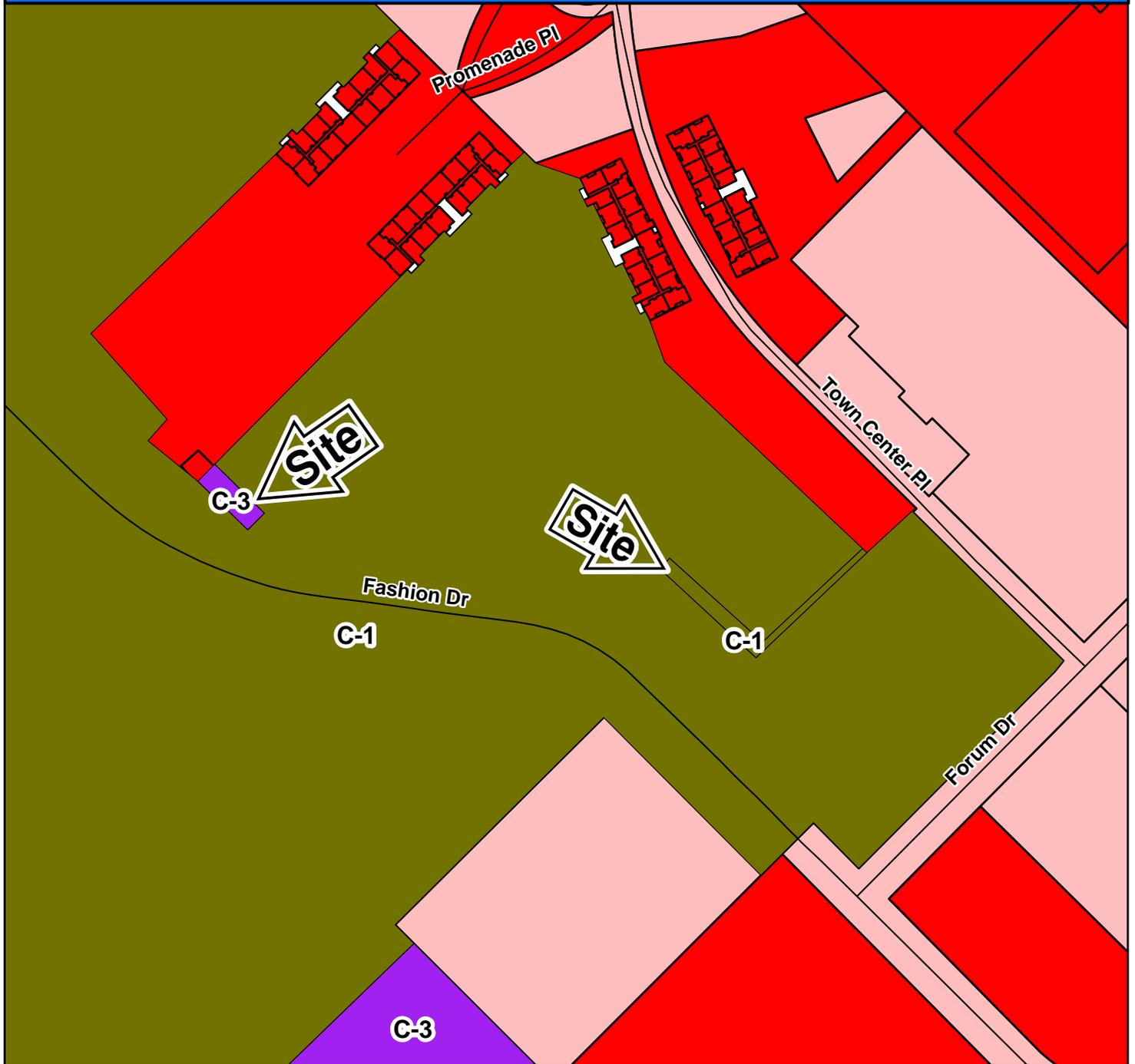
The map amendment involves two existing parcels within the Village at Sandhill, approximately 0.19 acres or 8,576 sq ft of C-1 Office and Institutional & 0.19 acres or 8,576 sq ft of C-3 General Commercial zoned property to be exchanged between the two parcels. The ratios adhere to the requirements of the development agreement. Staff recommends approval.

<b>Zoning Public Hearing Date</b>
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**November 23, 2010**

# Case 10-32 MA

## C-1 to C-3

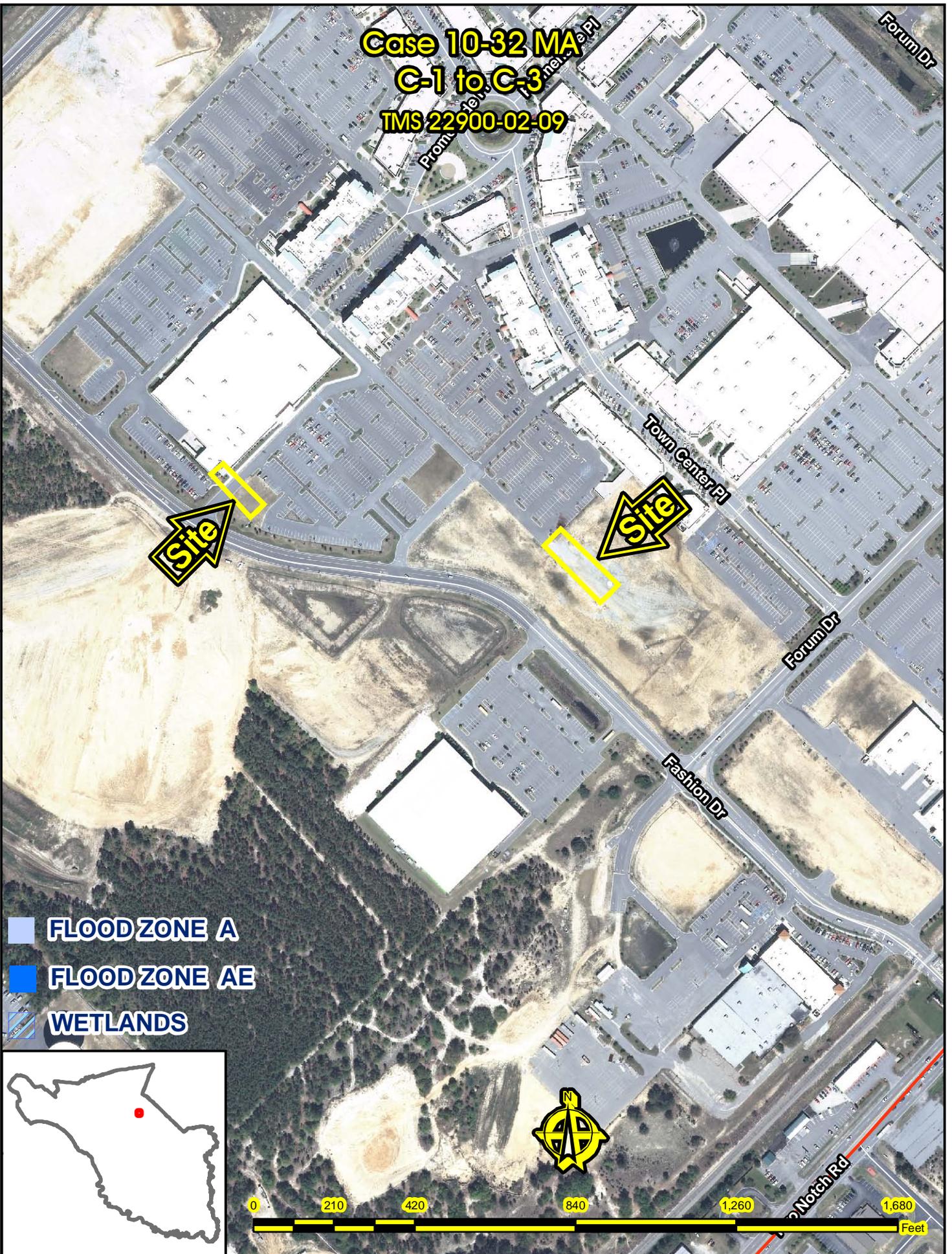


### ZONING CLASSIFICATIONS

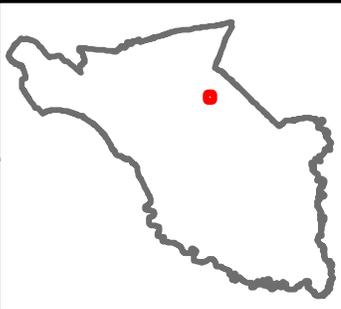
RR	RS-E	MH	NC	LI	TROS
C-1	RS-LD	RM-MD	GC	HI	Subject Property
C-3	RS-MD	RM-HD	RC	PDD	
RG-2	RS-HD	OI	M-1	RU	



**Case 10-32 MA**  
**C-1 to C-3**  
**TMS 22900-02-09**



- FLOOD ZONE A
- FLOOD ZONE AE
- WETLANDS



# CASE 10-32 MA

## From C-1, C-3 to C-3, C-1

TMS# 22900-02-09(P)

Fashion Drive



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-10HR

AN ORDINANCE AMENDING THE “2009 RICHLAND COUNTY COMPREHENSIVE PLAN”, ADOPTED ON DECEMBER 15, 2009, BY INCORPORATING THE “BROAD RIVER ROAD CORRIDOR AND COMMUNITY MASTER PLAN” INTO THE PLAN.

WHEREAS, on December 15, 2009, Richland County Council adopted the “2009 Richland County Comprehensive Plan” pursuant to S.C. Code Section 6-29-310, et al. (Ordinance No. 076-09HR); and

WHEREAS, Section 6-29-520 (B) of the South Carolina Code of Ordinances 1976, as amended (South Carolina Local Government Comprehensive Planning and Enabling Act of 1994, as amended), requires that recommendations for amendments to the Comprehensive Plan must be by Resolution of the Planning Commission; and

WHEREAS, the Richland County Planning Commission has unanimously approved a Resolution recommending that County Council adopt the “Broad River Road Corridor and Community Master Plan”, dated August 2010; and

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 County Council for Richland County as follows:

SECTION I. The “2009 Richland County Comprehensive Plan” is hereby amended by the incorporation of the “Broad River Road Corridor and Community Master Plan”, dated August 2010, and which is on file in the Planning and Development Services Department, into the Plan.

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 \_\_\_\_\_, 2010.

RICHLAND COUNTY COUNCIL

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

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

OF \_\_\_\_\_, 2010.

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Michelle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: November 23, 2010 (tentative)  
First Reading: November 23, 2010 (tentative)  
Second Reading:  
Third Reading:

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

A RESOLUTION OF THE  
RICHLAND COUNTY PLANNING COMMISSION

A RESOLUTION TO RECOMMEND THAT RICHLAND COUNTY COUNCIL ENACT AN ORDINANCE AMENDING THE “2009 RICHLAND COUNTY COMPREHENSIVE PLAN”, BY INCORPORATING THE “BROAD RIVER ROAD CORRIDOR AND COMMUNITY MASTER PLAN” INTO THE PLAN.

WHEREAS, Section 6-29-520 (b) of the South Carolina Code of Ordinances 1976, as amended (South Carolina Local Government Comprehensive Planning Enabling Act of 1994, as amended), requires that recommendations for amendments to the Comprehensive Plan must be by resolution of the Planning Commission; and

WHEREAS, the Richland County Planning Commission was appointed by County Council and is the duly authorized body to prepare a Comprehensive Plan that conforms to the 1994 Act, and to carry out a continuing planning program for the physical, social, and economic growth, development and redevelopment of Richland County; and

WHEREAS, the Richland County Planning Commission endorses the incorporation of the “Broad River Road Corridor and Community Master Plan” into the 2009 Richland County Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED that the Richland County Planning Commission does hereby recommend the “Broad River Road Corridor and Community Master Plan,” dated August 2010, to the Richland County Council for adoption and use as a guide for the orderly development of the Broad River Road area of the County and for the application of zoning and development regulations.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Patrick Palmer, Chair  
Richland County Planning Commission

Attested by:

\_\_\_\_\_  
Anna Almeida, Director  
Planning & Development Services Department



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-10HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE X, SUBDIVISION REGULATIONS; SO AS TO ADD A NEW SECTION THAT PERMITS THE SUBDIVISION OF PROPERTY TO HEIRS OF A DECEASED PROPERTY OWNER.

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 X, Subdivision Regulations; is hereby amended by the addition of a new section, to read as follows:

**Sec. 26-224. Division of real property to heirs of a decedent.**

- (a) *Purpose.* Real property held by a deceased person is frequently devised to other family members, and a probate estate is opened. Probate judges will oversee the division of all property of the deceased, including real property. However, probate judges sometimes see the heirs' difficulty in transferring real property of the deceased due to the county's land development regulations, especially as they apply to subdivisions and the need to construct paved roads and install sidewalks. The purpose of this section is to ease the burden of Richland County citizens and to reduce the expenses that heirs may be required to expend in settling the deceased's estate. It also provides a means for real property to be subdivided and transferred to heirs of deceased property owners.
- (b) *Applicability.* The provisions of this section shall apply to all zoning districts.
- (c) *Special requirements for private road subdivisions.*
  - (1) *Review.* Subdivision of heir property is subject to the minor subdivision review procedure found at Sec. 26-54(c)(2). All Planning Department subdivision plan review fees shall be waived; provided, however, all fees charged by DHEC (and collected by the Richland County Public Works Department) shall be paid by the applicant.
  - (2) *Roads.* Roads in subdivisions of heir property shall be exempt from the road paving requirements of Sec. 26-181 of this chapter, but shall not be exempt from any other road design requirement. Roads in subdivisions of heir property shall not be eligible or accepted for county maintenance, which is otherwise provided pursuant to Section 21-5 of the Richland County Code of Ordinances, until they meet the road construction

standards provided in Chapter 21 of the Richland County Code. The roadway shall have a minimum right-of-way width of sixty-six (66) feet and minimum twenty (20) foot wide passable surface, which meets the standards established and set forth by the county engineer. The subdivision documents shall include a conspicuous statement stating that improvements to the roadway without the approval of the county engineer are prohibited.

- (3) *Sidewalks.* Subdivisions of heir property shall be exempt from the sidewalk requirements of Sec. 26-179 of this chapter.
  - (4) *Size of lots.* Any and all lots created in a subdivision of heir property shall conform to the zoning district's requirements.
  - (5) *Number of dwelling units.* Only one (1) dwelling unit shall be permitted on each lot.
  - (6) *E-911 requirements.* The road, and each lot, shall conform to the county's E-911 system addressing and posting requirements.
- (d) *Legal documents required.* An applicant for a subdivision of heir property shall submit:
- (1) A copy of the certificate of appointment from the probate court.
  - (2) A copy of the probate court's order that divides the property amongst the heirs, if there is one.
  - (3) A copy of the will, if there is one.
  - (4) The necessary legal documents that:
    - a. Clearly provide permanent access to each lot.
    - b. State that the county shall not be responsible for either construction or routine (i.e. recurring) maintenance of the private road.
    - c. Clearly state that the parcels created by this process shall not be divided again, except in full compliance with all regulations in effect at the time.
  - (5) A "Hold Harmless Agreement" as to Richland County.

All legal documents shall be provided in a form acceptable to the county legal department.

**Secs. 26-225 – 26-250. Reserved.**

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 \_\_\_\_\_, 2010.

RICHLAND COUNTY COUNCIL

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

Attest this the \_\_\_\_\_ day of  
\_\_\_\_\_, 2010

\_\_\_\_\_  
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:           October 5, 2010  
Public Hearing:           November 23, 2010 (tentative)  
Second Reading:        November 23, 2010 (tentative)  
Third Reading:



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-10HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE III, ADMINISTRATION; SECTION 26-34, DEVELOPMENT REVIEW TEAM; SUBSECTION (A), ESTABLISHED/DUTIES; PARAGRAPH (4), OTHER; SO AS TO EMPOWER THE DEVELOPMENT REVIEW TEAM TO IMPOSE STANDARDS ABOVE THE MINIMUM WHEN IT IS DEEMED NECESSARY DUE TO SENSITIVE ENVIRONMENTAL AND/OR TOPOGRAPHIC CONDITIONS.

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 III, Administration; Section 26-34, Development Review Team; Subsection (a), Established/Duties; Paragraph (4), Other; is hereby amended to read as follows:

- (4) *Stricter standards.* The development review team may impose standards above the minimum required under this Chapter whenever it has been determined that sensitive environmental and/or topographical conditions would be adversely affected by the proposed development or whenever the intent of the regulations or the purpose of this Chapter, as identified in Section 26-2, would not be met.

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article III, Administration; Section 26-34, Development Review Team; Subsection (a), Established/Duties; is hereby amended so as to create a new paragraph, to read as follows:

- (5) *Other.* The development review team shall perform such additional powers and duties as may be set forth for the development review team of Richland County elsewhere in this chapter and other laws and regulations of the county.

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 \_\_\_\_\_, 2010.

RICHLAND COUNTY COUNCIL

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

ATTEST THIS THE \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2010.

\_\_\_\_\_  
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: November 23, 2010 (tentative)  
First Reading: November 23, 2010 (tentative)  
Second Reading:  
Third Reading:

