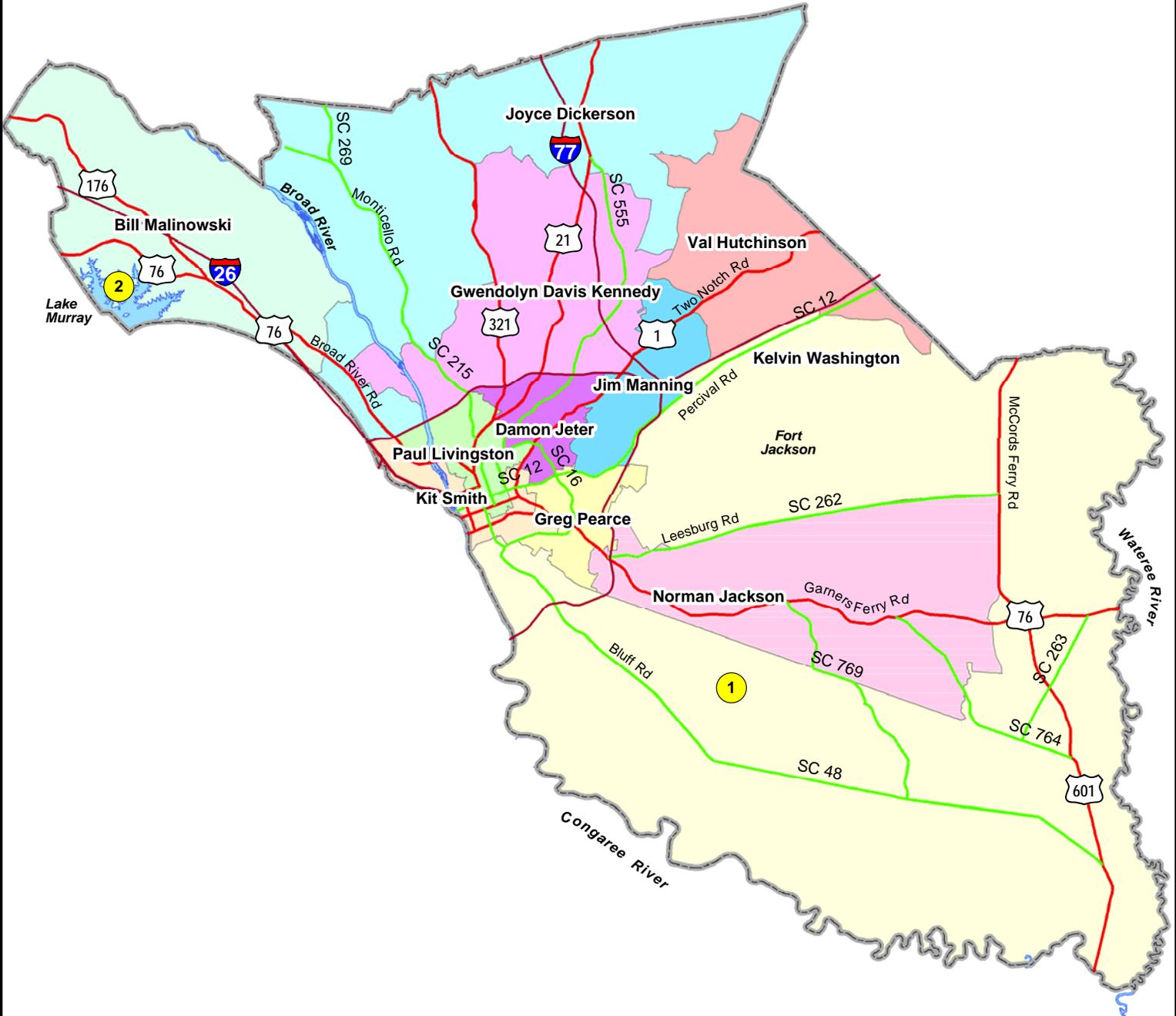


RICHLAND COUNTY
PLANNING COMMISSION



DECEMBER 2, 2010

RICHLAND COUNTY PLANNING COMMISSION DECEMBER 2, 2010



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 10-33 MA	Odum Enterprises	21613-01-02	5771 Lower Richland Blvd.	Washington
2. 10-34 MA	Dennis & Nancy Hunniford	01409-03-16	Haven Circle	Malinowski

RICHLAND COUNTY PLANNING COMMISSION

Monday, December 2, 2010

Agenda

1:00 PM

***2020 Hampton Street
2nd 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

ROAD NAME APPROVALS

AGENDA AMENDMENTS

MAP AMENDMENTS

1. Case #10-33 MA
Odom Enterprise
Steven Odom
RU to LI (2.33 acres)
5771 Lower Richland Blvd.
TMS # 21613-01-02
Page 1

2. Case #10-34 MA
Dennis & Nancy Hunniford
Dennis Hunniford
RU to RS-LD (.76 acres)
Haven Circle
TMS # 01409-03-16
Page 7

TEXT AMENDMENTS

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 13

OTHER BUSINESS

ADJOURNMENT



Richland County Planning & Development Services Department

Map Amendment Staff Report

PC MEETING DATE: December 2, 2010
RC PROJECT: 10-33 MA
APPLICANT: Steve Odom
PROPERTY OWNER: Odom Enterprises

LOCATION: 5771 Lower Richland Blvd

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

PC SIGN POSTING: November 10, 2010

Staff Recommendation

Approval

Background /Zoning History

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

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

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

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

Summary

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

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

Plans & Policies

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

Rural Area

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

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

Traffic Impact

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

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

Conclusion

The proposed map amendment is compatible with the Comprehensive Plan.

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

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

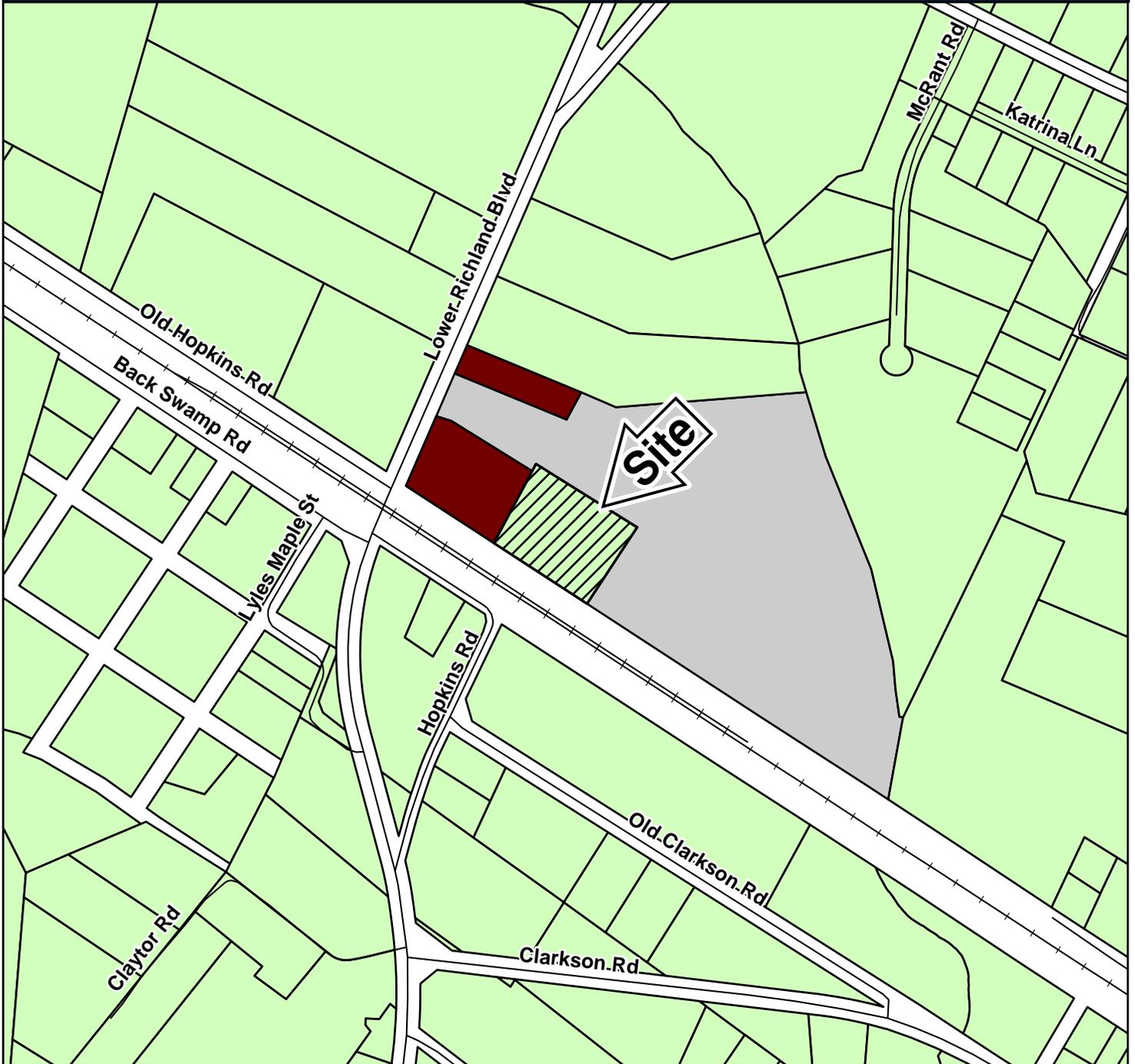
The Hopkins fire station (station number 23) is located on Clarkson Road 1.92 miles southeast of the subject parcel. The proposed map amendment would not negatively impact public services or traffic. Water is provided by a private well and sewer is handled by septic tank.

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

Zoning Public Hearing Date

December 21, 2010

Case 10-33 MA RU to LI



ZONING CLASSIFICATIONS

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

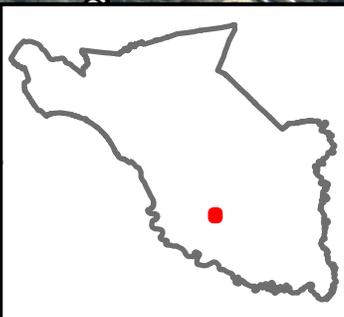


**Case 10-33 MA
RU to LI
TMS 21613-01-02**

405

Site

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

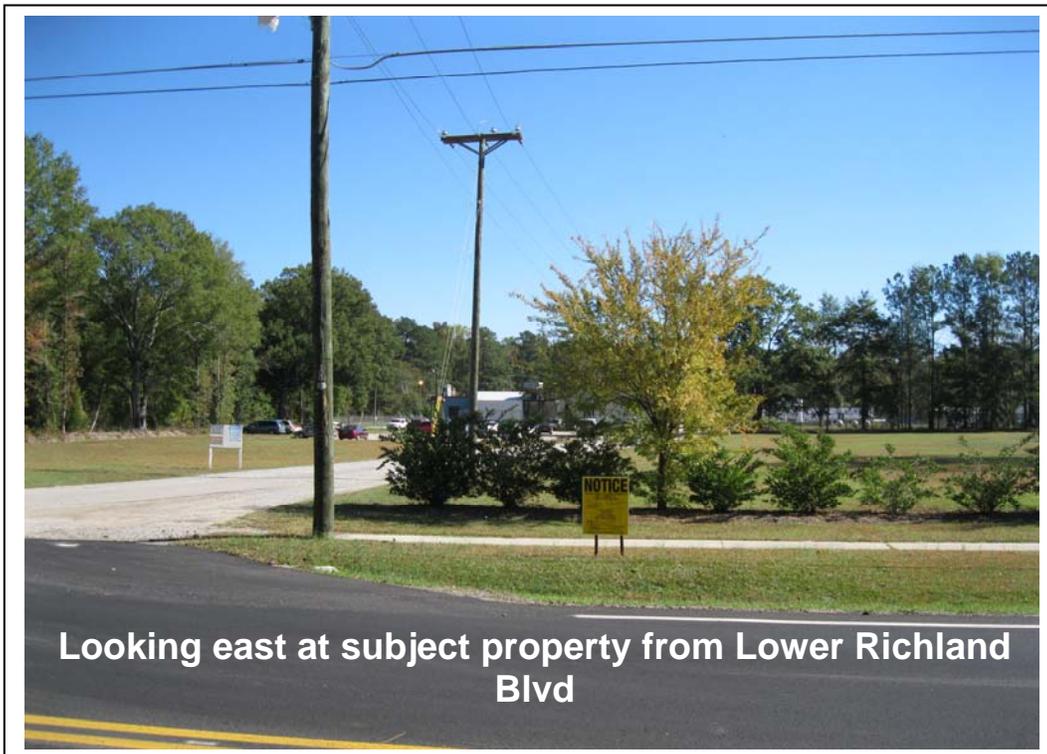


CASE 10-33 MA

From RU to LI

TMS# 21613-01-02

Lower Richland Blvd





**Richland County
Planning & Development Services Department**

Map Amendment Staff Report

PC MEETING DATE: December 2, 2010
RC PROJECT: 10-34 MA
APPLICANT: Dennis Hunniford
PROPERTY OWNER: Dennis & Nancy Hunniford

LOCATION: Haven Circle

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

PC SIGN POSTING: November 10, 2010

Staff Recommendation

Denial

Background /Zoning History

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

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

Summary

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

Minimum lot area is 12,000 square feet, or as determined by DHEC, but in no case shall it be less than 12,000 sq ft. The maximum density standard: no more than one principal dwelling unit may be placed on a lot except for permitted accessory dwellings.

- The gross density for this site is approximately: 2 dwelling units
- The net density for this site is approximately: 1dwelling unit

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

Plans & Policies

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

Suburban Area

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

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

Traffic Impact

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

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

Conclusion

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

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

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

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

Zoning Public Hearing Date

December 21, 2010

Case 10-34 MA RU to RS-LD



ZONING CLASSIFICATIONS

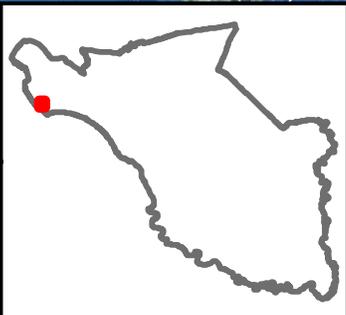
RR	RS-E	MH	NC	LI	TROS
C-1	RS-LD	RM-MD	GC	HI	Subject Property
C-3	RS-MD	RM-HD	RC	PDD	
RG-2	RS-HD	OI	M-1	RU	



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



-  FLOODZONE A
-  FLOODZONE AE
-  WETLANDS

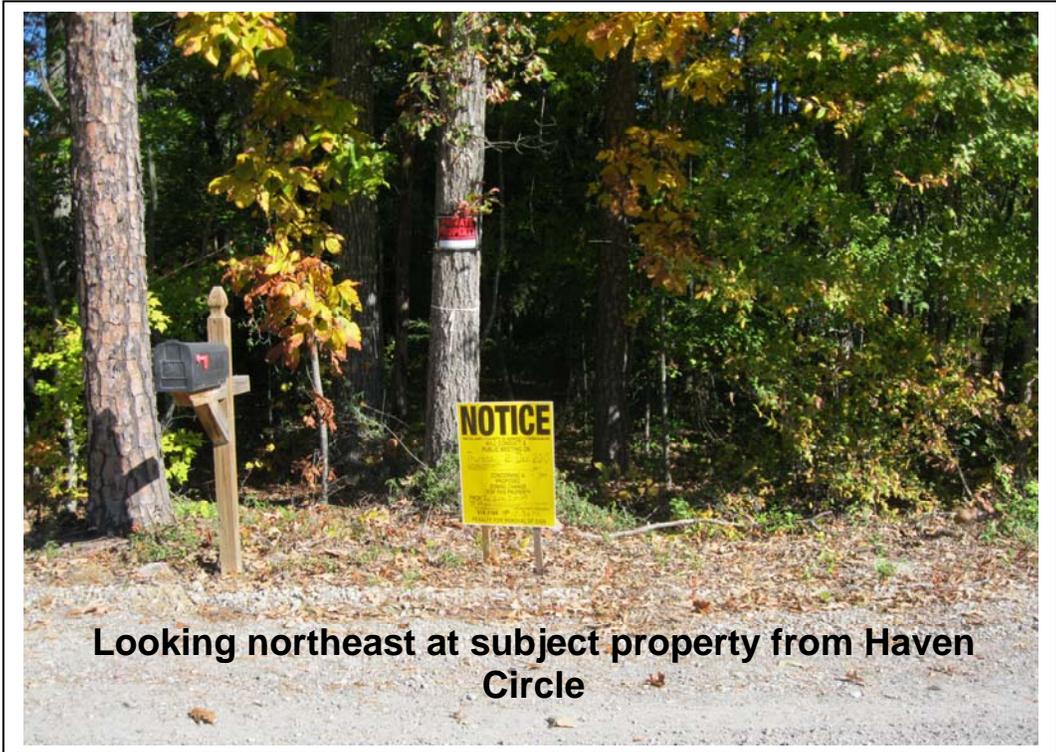


CASE 10-34 MA

From RU to RS-LD

TMS# 01409-03-16

Haven Circle



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 sold or 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:

