

# **RICHLAND COUNTY**

## **DEVELOPMENT AND SERVICES COMMITTEE**

### **AGENDA**



**TUESDAY FEBRUARY 25, 2025**

**5:00 PM**

**COUNCIL CHAMBERS**

# Richland County Council 2024-2025



Jessica Mackley  
District 9  
Chair



Tish Dozier Alleyne  
District 8



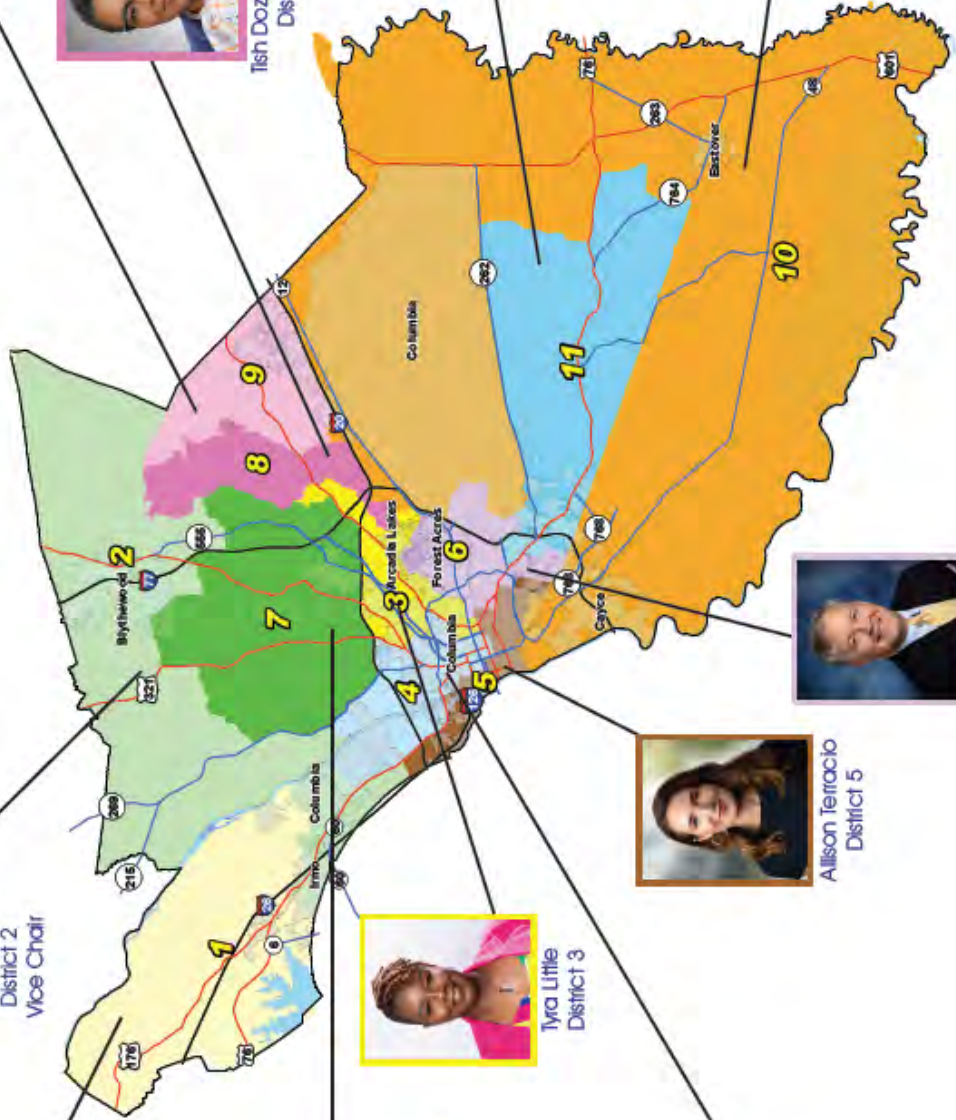
Chakisse Newton  
District 11



Cheryl D. English  
District 10



Derrek Pugh  
District 2  
Vice Chair



Jason Branham  
District 1



Gretchen D. Barron  
District 7



Iyra Little  
District 3



Allison Terracio  
District 5



Paul Livingston  
District 4



Don Weaver  
District 6



**Richland County  
Development and Services Committee**

**AGENDA**

February 25, 2025 - 5:00 PM  
2020 Hampton Street, Columbia, SC 29204

<b>The Honorable Jason Branham</b>	<b>The Honorable Allison Terracio</b>	<b>The Honorable Gretchen Barron</b>	<b>The Honorable Cheryl English</b>	<b>The Honorable Chakisse Newton</b>
<b>County Council District 1</b>	<b>County Council District 5</b>	<b>County Council District 7</b>	<b>County Council District 10</b>	<b>County Council District 11</b>

1. **CALL TO ORDER** The Honorable Chakisse Newton
  - a. Roll Call
  
2. **ELECTION OF CHAIR** The Honorable Chakisse Newton
  
3. **APPROVAL OF MINUTES**
  - a. December 17, 2024 **[PAGES 6-8]**
  
4. **ADOPTION OF AGENDA**
  
5. **ITEMS FOR DISCUSSION/ACTION**
  - a. Direct the Administrator to research and present to Council current laws and benefits of enacting impact fees in Richland County. The purpose is to help reduce the tax burden on residents by not having to pay the complete cost of development in Richland County." [MALINOWSKI/NEWTON, PUGH, and BARRON, January 3, 2023] **[PAGES 9-39]**
  
6. **ITEMS FOR INFORMATION**
  - a. I move to direct the Administrator to draft a moratorium ordinance and bring it back to Council **[PAGE 40]**
  
7. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED**
  - a. I move that County Council direct the County Administrator to research and provide to Council (1) ways to secure title to subdivision roads that were

developed but never had ownership transferred to the County and (2) to recommend changes to county ordinances and/or protocols to better assure that future development of subdivision roads includes conveyance of title to the county (unless there is an understanding between the developer and the County that the subdivision roads will intentionally remain privately owned and maintained). [BRANHAM, ENGLISH, and NEWTON (July 2, 2024)] [PAGE 41]

- b. I move to direct the County Administrator to commission an analysis of the County’s residential development permitting processes and standards related to noise, flooding, air pollution, and other environmental impacts, in order to ensure that the County has adopted and is following the most current industry best practices to reduce negative environmental impacts. This may include recommendations for improving and enhancing the County’s Land Development Code, Land Development Design Manual, Comprehensive Plan, Zoning Map, and related documents. [NEWTON, PUGH, BARRON, and TERRACIO - September 10, 2024] [PAGES 42-43]
- c. I move that the county consider developing a Neighborhood Master Plan that establishes policies and goals related to preservation and development in the Ballentine community with the goal to preserve and promote the desired character of the community while also conserving and protecting the waters and watershed of Lake Murray. [BRANHAM - November 19, 2024] [PAGES 44-64]

## 8. ADJOURNMENT



Special Accommodations and Interpreter Services Citizens may be present during any of the County’s meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or

services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.



Richland County  
Development and Services Committee  
**MINUTES**  
December 17, 2024 – 5:00 PM  
Council Chambers  
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Jason Branham, Allison Terracio, Gretchen Barron, and Cheryl English

NOT PRESENT: Chakisse Newton

OTHERS PRESENT: Angela Weathersby, Anette Kirylo, Jackie Hancock, Aric Jensen, Michael Maloney, Michelle Onley, Kenny Bowen, Stacey Hamm, Leonardo Brown, Ashiya Myers, Synithia Williams, Kyle Holsclaw, Peter Cevallos, John Thompson, Lori Thomas, and Patrick Wright

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

2. **APPROVAL OF MINUTES**

a. **November 21, 2024** – Ms. Barron moved to approve the minutes as distributed, seconded by Ms. English.

In Favor: Branham, Terracio, Barron, and English

Not Present: Newton

The vote in favor was unanimous.

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

In Favor: Branham, Terracio, Barron, and English

Not Present: Newton

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

a. **Department of Public Works – Airport – S Pickens Townhome Development Easement** – Mr. Peter Cevallos, Airport Manager, stated the item before the committee is an avigation easement, which protects the airspace above the townhomes. The easement also recognizes the right of the aircraft to cause noise, vibrations, fumes, dust deposits, fuel particles, interference with sleep or communication, and any other effects associated with the normal operation of the airport. The developer offered the easement to hold harmless the County and the airport.

Ms. Terracio noted the townhomes are located within the City of Columbia. She inquired if the developer had contacted any of the neighborhood groups.

Mr. Cevallos indicated he did not know if the developer had contacted them.

Mr. Branham stated the key is the height restriction of 35 ft.

Mr. Cevallos responded there is a minimum threshold height of 35 ft. The buildings are two stories, and the easement protects the airspace above them.

Mr. Branham asked who the enforcing entity would be.

Mr. Cevallos replied the airport will be and he would monitor it. The easement will have to be filed with the Register of Deeds as part of their permitting process.

Mr. Branham moved to forward to Council a recommendation to approve an avigation easement for a housing development at 480 S. Pickens Street, seconded by Ms. English.

In Favor: Branham, Terracio, Barron, and English

Not Present: Newton

The vote in favor was unanimous.

- b. I move that the Administrator explore the possibility and present a draft ordinance to place a moratorium on demolition and new construction in the Olympia area of Richland County [TERRACIO and ENGLISH, September 17, 2024] – Ms. Terracio noted that Items 4(b) and 4(c) are “sister” items, and Item 4(c) encompasses Item 4(b).

Ms. Terracio moved to rescind Item 4(b), seconded by Ms. Barron.

In Favor: Branham, Terracio, Barron, and English

Not Present: Newton

The vote in favor was unanimous.

- c. For the purpose of preserving the historical character of the Olympia neighborhood, I move to within 12 months to create a neighborhood character overlay in tandem with an update to the neighborhood plan for the Olympia neighborhood. During this time a moratorium on new construction, rezoning, demolition, and substantial rehabilitation (50% or more of lot area, building square footage, change in use) will be in place [TERRACIO and ENGLISH – October 15, 2024] – Ms. Terracio clarified the language of the motion as follows: instead of a “moratorium” that there be a pause on new construction, demolition, and substantial rehabilitation (50% or more of lot area, building square footage, change in use). She noted the Olympia neighborhood is almost fully developed. The number of empty lots is few, if any. This is not an attempt to prevent development but rather to keep historical homes from being demolished or significantly modified without review.

Ms. English inquired about the parameters of the area affected.

Ms. Terracio indicated that a “Mill Village Plan” was conducted with the City of Columbia, and we would utilize its parameters.

Mr. Branham made a friendly amendment that the pause would end upon adopting the overlay and neighborhood plan.

Ms. Terracio accepted the friendly amendment.

Ms. Terracio moved to forward a recommendation to Council to create a neighborhood character overlay in tandem with an update to the neighborhood plan for the Olympia neighborhood utilizing the parameters of the “Mill Village Plan” conducted with the City of Columbia. During this time, there will be a pause on new construction, rezoning, demolition, and substantial rehabilitation (50% or more of lot area, building square footage, change in use) will be in place. The pause will end upon adopting the overlay and neighborhood plan, seconded by Ms. Barron.

In Favor: Terracio, Barron, and English

Opposed: Branham

Not Present: Newton

The vote in favor was approved.

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

- a. Direct the Administrator to research and present to Council current laws and benefits of enacting impact fees in Richland County. The purpose is to help reduce the tax burden on residents by not having to pay the complete cost of development in Richland County. [MALINOWSKI/NEWTON, BARRON, and PUGH, January 3, 2023] – Mr. Branham indicated he wanted to receive more information about the revenue generated by non-residential development.

No action was taken.

- b. I move that County Council direct the County Administrator to research and provide to Council (1) ways to secure title to subdivision roads that were developed but never had ownership transferred to the County and (2) to recommend changes to county ordinances and/or protocols to better assure that future development of subdivision roads includes conveyance of title to the county (unless there is an understanding between the developer and the County that the subdivision roads will intentionally remain privately owned and maintained.) [BRANHAM, ENGLISH, and NEWTON, July 2, 2024] – No action was taken.

- c. I move to direct the County Administrator to commission an analysis of the County’s residential development permitting processes and standards related to noise, flooding, air pollution, and other environmental impacts, in order to ensure that the County has adopted and is following the most current industry best practices to reduce negative environmental impacts. This may include recommendations for improving and enhancing the County’s Land Development Code, Land Development Design Manual, Comprehensive Plan, Zoning Map, and related documents. [NEWTON, PUGH, BARRON, and TERRACIO, September 10, 2024] – No action was taken.

d. I move that the county consider developing a Neighborhood Master Plan that establishes policies and goals related to preservation and development in the Ballentine community with the goal to preserve and promote the desired character of the community while also conserving and protecting the waters and watershed of Lake Murray [BRANHAM – November 19, 2024] – No action was taken.

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

In Favor: Branham, Terracio, Barron, and English

Not Present: Newton

The vote in favor was unanimous.

The meeting adjourned at approximately 5:18 PM.



**RICHLAND COUNTY  
ADMINISTRATION**

2020 Hampton Street, Suite 4069  
Columbia, SC 29204  
803-576-2050



**Agenda Briefing**

<b>Prepared by:</b>	Aric Jensen, AICP	<b>Title:</b>	Assistant County Administrator
<b>Department:</b>	Administration	<b>Division:</b>	
<b>Date Prepared:</b>	January 7, 2025	<b>Meeting Date:</b>	February 25, 2025
<b>Legal Review</b>	Patrick Wright via email	<b>Date:</b>	January 29, 2025
<b>Budget Review</b>	Maddison Wilkerson via email	<b>Date:</b>	January 29, 2025
<b>Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	January 30, 2025
<b>Approved for consideration:</b>	County Administrator	Leonardo Brown, MBA, CPM	
<b>Meeting/Committee</b>	Development & Services		
<b>Subject</b>	Direct the Administrator to research and present to Council current laws and benefits of enacting impact fees in Richland County. The purpose is to help reduce the tax burden on residents by not having to pay the complete cost of development in Richland County.		

**RECOMMENDED/REQUESTED ACTION:**

Staff recommends advancing this item to Council for further action with guidance as deemed appropriate.

Request for Council Reconsideration:  Yes

**FIDUCIARY:**

Are funds allocated in the department’s current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If not, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

The feasibility report was budgeted and paid for in FY24. There are no funds allocated in the current FY25 Budget to prepare an impact fee ordinance as contemplated in the feasibility report. A full impact fee study is estimated to cost between \$125,000 and \$150,000.

If the Committee recommends that Council pursue a full impact fee study and ordinance, a budget amendment is required or the item will have to be included in the FY26 budget. Staff recommends including this expenditure in the FY26 Budget.

*Applicable fund, cost center, and spend category:*

**OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:**

Not applicable.

**COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:**

There are no legal concerns regarding this matter.

**REGULATORY COMPLIANCE:**

South Carolina Code of laws - Title 6 - Chapter 31 - South Carolina Local Government Development Agreement Act.

**MOTION OF ORIGIN:**

Direct the Administrator to research and present to Council current laws and benefits of enacting impact fees in Richland County. The purpose is to help reduce the tax burden on residents by not having to pay the complete cost of development in Richland County.

Council Member	Malinowski (Pugh; Newton)
Meeting	Regular Session
Date	January 3, 2023

**STRATEGIC & GENERATIVE DISCUSSION:**

On October 22, 2024, County Council held a work session involving a presentation and discussion on impact fees with Mr. Carson Bise from Tischler Bise. As an outcome thereof, Council directed the Administrator to further research the applicability of impact fees in Richland County and provide a report to the D&S Committee at a future date.

In South Carolina, local jurisdictions may operate an impact fee program to collect fees that offset the cost of infrastructure directly attributable to new development. The process to create an impact fee program and ordinance is significant and requires substantial expertise.

The attached feasibility report from Tischler Bise identifies seven different potential impact fee categories, and recommends that the Council consider six of them. The recommendations and a brief summary of each category are found on pages 2-3 of the feasibility report, and include: Sheriff, Fire, EMS, Solid Waste, Transportation, and Water and Sewer. The only category not recommended for further consideration at this time is Stormwater, as the consultant found that the County does not yet have a masterplan adequately defining future needs.

Staff recommends that the Committee conduct its discussion within the framework of anticipated growth and related capital infrastructure needs. In South Carolina, capital equipment and vehicles are defined as items valued at \$100,000 or more with a life span of at least 5 years. Fire trucks, ambulances, and similar equipment are potentially eligible costs within impact fee program. A copy of the South Carolina Impact Fee Act is found on page 16 of the feasibility report.

In addition to the Tischler Bise study, attached is a survey of impact fee scenarios based on the adopted impact fee ordinances of eleven local government jurisdictions in South Carolina. This analysis was generated internally to demonstrate the wide breadth of available options and foster discussion. The details of this survey and how this information could inform policy decisions will be provided in a presentation.

**ASSOCIATED STRATEGIC GOAL, OBJECTIVE, AND INITIATIVE:**

**Goal:** Plan for Growth through Inclusive and Equitable Infrastructure

**Goal:** Establish Operational Excellence

*Objective:* Address current and future resource needs

**ADDITIONAL COMMENTS FOR CONSIDERATION:**

Staff encourages the Committee & Council to consider and discuss future capital needs and to identify the impact fees which warrant further exploration and study.

**ATTACHMENTS:**

1. Tischler Bise Feasibility Study



# DEVELOPMENT IMPACT FEE FEASIBILITY STUDY

*Prepared for:*  
**Richland County, South Carolina**

May 20, 2024

*Prepared by:*



4701 Sangamore Road  
Suite S240  
Bethesda, Maryland 20816  
800.424.4318  
[www.tischlerbise.com](http://www.tischlerbise.com)

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## TABLE OF CONTENTS

<b>I. EXECUTIVE SUMMARY .....</b>	<b>1</b>
OVERVIEW OF IMPACT FEES .....	1
SUMMARY OF FINDINGS .....	1
RECOMMENDATIONS .....	2
<b>II. FIRM QUALIFICATIONS .....</b>	<b>4</b>
<b>III. OVERVIEW OF IMPACT FEES .....</b>	<b>5</b>
DEFINITION .....	5
LEGAL FRAMEWORK .....	5
REQUIRED FINDINGS .....	6
SOUTH CAROLINA DEVELOPMENT IMPACT FEE ACT .....	7
METHODOLOGIES AND CREDITS .....	8
<i>Cost Recovery (Past Improvements)</i> .....	9
<i>Incremental Expansion (Concurrent Improvements)</i> .....	9
<i>Plan-Based Fee (Future Improvements)</i> .....	9
<i>Credits</i> .....	9
<b>IV. GROWTH/REVENUE ISSUES .....</b>	<b>10</b>
BACKGROUND AND SETTING .....	10
DEVELOPMENT TRENDS .....	10
REVENUE/LEVEL OF SERVICE ISSUES .....	10
<b>V. IMPACT FEE FEASIBILITY ANALYSIS .....</b>	<b>12</b>
SHERIFF .....	12
FIRE .....	12
EMERGENCY MEDICAL SERVICES (EMS) .....	13
STORMWATER .....	13
SOLID WASTE .....	13
WATER AND SEWER .....	14
TRANSPORTATION .....	14
<b>VI. SOUTH CAROLINA DEVELOPMENT IMPACT FEE ACT .....</b>	<b>16</b>

## I. EXECUTIVE SUMMARY

Richland County is interested in examining the feasibility of implementing development impact fees as a way to deal with infrastructure needs resulting from new growth. The County hired TischlerBise, Inc., to evaluate the feasibility of implementing development impact fees as a way to finance these infrastructure needs. TischlerBise, a fiscal, economic, and planning consulting firm, is the national leader in infrastructure financing, specifically impact fees, having prepared over 1,100 impact fees nationally.

### OVERVIEW OF IMPACT FEES

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Development impact fees are one-time payments used to fund capital improvements necessitated by new growth. Development impact fees have been utilized by local governments in various forms for at least sixty years. Development impact fees are not without limitations and should not be regarded as the total solution for infrastructure financing needs. Rather, they should be considered one component of a comprehensive revenue portfolio to ensure adequate provision of public facilities and maintenance of current levels of service in a community. Any community considering development impact fees should note the following limitations:

- Development impact fees can only be used to finance capital infrastructure and cannot be used to finance ongoing operations and/or maintenance and rehabilitation costs; and
- Development impact fees cannot be deposited in the local government's General Fund. The funds must be accounted for separately in individual accounts and earmarked for the capital expenses for which they were collected; and
- Development impact fees cannot be used to correct existing infrastructure deficiencies unless there is a funding plan in place to correct the deficiency for all current residents and businesses in the community.

### SUMMARY OF FINDINGS

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A summary of findings from our evaluation is listed below:

- The County has seen steady and increasing development. From 2017 to 2022, there was an average of 1,761 new homes constructed in the County annually. The annual average in the unincorporated parts of the County was 1,038 units. This rate of growth is expected to continue.
- Conversations with County staff indicate that, like most communities across the country, Richland County is finding it harder and harder to keep pace with the rapid growth and fund County services and facilities at desirable levels. The demand on County services and facilities is likely to continue into the foreseeable future. Additionally, 68 percent of existing residents live in the unincorporated areas, placing a higher service burden than residents living in incorporated areas.

During interviews with County staff, it was indicated that there is a need for additional staff and capital facilities in order to maintain the current level of service as growth occurs in the County.

- Like many counties in South Carolina, Richland County's revenue structure lacks diversity. Taxes (property and other) fund approximately 64% of the County's General Fund operations. The next largest source for government operations are Charges for Service and Intergovernmental revenues. Unfortunately, the costs of energy, health, as well as construction materials have increased dramatically and are likely to exceed the rate of housing values in the future. As a result, the County will have to either raise existing rates, find new revenue sources, and/or face deterioration in levels of service and quality of life.

## RECOMMENDATIONS

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A summary of recommendations from our evaluation is listed below: It should be noted that the County does not provide Parks and Recreation or Library infrastructure. They are provided through independent Districts.

- **Sheriff:** The Richland County Sheriff's Department is one of the largest law enforcement agencies in the state. The Sheriff's Office has experienced an increasing number of calls for service. As the County grows, the volume of demand and types of call will be expanding, placing demand on existing facilities and creating need for new facilities. Conversations with staff indicate the County is currently making improvements to the Detention Center. We also understand the Sheriff's Office will most likely build additional substations to accommodate future development in the unincorporated County. Finally, conversations with staff indicate the County will likely build up to three additional Magistrate facilities throughout the County. Given this level of investment, TischlerBise **recommends that a Sheriff impact fee be prepared.**
- **Fire:** Richland County provides fire service to unincorporated County residents through the Columbia-Richland Fire Department, which was established through an Intergovernmental Agreement in 2012 and renewed again in 2018. Under this Agreement, the County is responsible for all existing County-owned and operated fire stations, while the City is responsible for City-owned and operated fire stations. Additional growth-related fire stations may be constructed by either the City or County at its own expense. The 2018 Agreement lays out the need to identify new locations for 3 to 5 new stations, and the current Capital Improvement Plan has several new pieces of apparatus. **To help support the provision Fire services throughout the unincorporated County, an impact fee that includes components for both station space and apparatus is recommended,** and has the potential to generate significant revenue. However, it would also most likely have the biggest impact on the County's operating budget, as fire suppression is provided through a combination of volunteer and paid positions. This impact fee would be assessed against both residential and nonresidential development.



- **EMS:** Richland County provides EMS protection to residents both in municipalities and in unincorporated areas. EMS is anticipating higher call volumes as the County grows and will need to expand both the floor area of its stations and its fleet. Additionally, the County has plans to construct a new Emergency Operations Center, at an estimated cost of \$28 million. Based on future needs, TischlerBise **recommends that an EMS impact fee be prepared.**
- **Stormwater:** Stormwater is perhaps the most difficult impact fee to implement because the majority of the stormwater infrastructure needs in most communities are a result of inadequate regulatory standards that existed 30-40 years ago. Therefore, a stormwater utility, or a dedicated property tax (as Richland County has) is usually a better solution. It is also recommended that any impact fee be based on a Stormwater master plan with hydrologic modeling by drainage basin. The County is currently developing such a Master Plan. We are hesitant to recommend an impact fee for stormwater until we have a chance to review the Master Plan's findings.
- **Solid Waste:** Richland County currently operates two drop-off centers and a recycling site. Conversations with County staff indicate the County is in the process of actively identifying and acquiring sites for future drop centers. The appropriate methodology will need to be determined to understand growth's share of capital projects, but **TischlerBise recommends that a Solid Waste impact fee be prepared to mitigate growth's capital impacts.**
- **Transportation:** There is little doubt that continued growth will generate an increase in vehicular and person trips on the County's transportation network. The County currently has a voter approved Transportation Penny Tax Program, which uses a 1 percent sales tax to provide transportation projects throughout the County. The County's Transportation Penny Tax Program opens up several opportunities as it relates to transportation infrastructure, especially if the program were to be renewed. If the County chose not to go to the voters to renew the Transportation Penny, the County would be without a dedicated transportation funding source and certainly would need a transportation impact fee to offset growth-related demands for infrastructure. **Therefore, TischlerBise recommends that a transportation impact fee be prepared.**
- **Water and Sewer:** Richland County residents are provided water and sewer service through several service providers. Richland County doesn't have an impact fee or similar system development/capacity charge for the water or sewer system. There is a connection charge, which covers the cost of piping inspections, etc. **TischlerBise recommends County consider an impact fee for its water and sewer systems.** Depending on the availability of excess capacity, the fee(s) could be developed using either a system buy-in approach or a plan-based approach.
- Lastly, the cost for an impact fee study can be included in the impact fee calculation, allowing the County to, over time, recover the cost which was necessitated by growth.

## II. FIRM QUALIFICATIONS

TischlerBise, Inc. is a fiscal, economic, and planning consulting firm that specializes in impact fees, fiscal impact analyses, and revenue strategies. Our firm has been providing consulting services to both the public and private sectors for over 45 years. In this time, TischlerBise has prepared over 1,000 impact fee studies – more than any other firm in the country. The table below demonstrates our firm’s experience conducting impact fee analyses in the State of South Carolina.

CLIENT	Roads/Transportation	Sewer	Water	Stormwater	Law Enforcement	Fire/EMS	Parks and Recreation	Trails/Open Space	Libraries	General Government	Schools
Aiken County	◆				◆	◆					
Anderson School District 1											◆
Beaufort County	◆						◆		◆		◆
Clemson		◆	◆			◆	◆				
Clinton		◆	◆		◆	◆	◆				
Clover School District											◆
Easley	◆				◆	◆	◆				
Fort Mill School District					◆	◆	◆				◆
Georgetown County	◆				◆	◆			◆		
Greer	◆										
Horry County					◆	◆	◆		◆		
Jasper County					◆	◆	◆				
Jasper County School District											◆
Lancaster County					◆	◆	◆				
Lancaster County School District											◆
Lexington County, SC					◆	◆					
Pageland		◆	◆		◆	◆	◆				
Summerville	◆					◆	◆			◆	
Tega Cay		◆			◆		◆				
Woodruff					◆	◆	◆				
York School District 1											◆
York County	◆					◆	◆			◆	

Our project manager for this assignment, Carson Bise, AICP, has thirty-three years of fiscal, economic, and planning experience and has conducted fiscal, economic and impact fee evaluations in over forty states. Mr. Bise is a leading national figure in the calculation of impact fees, having completed over 350 impact fee studies for the following categories: parks and recreation, open space, police, fire, schools, water, sewer, roads, municipal power, and general government facilities. Mr. Bise is a past Board of Director for the Growth and Infrastructure Finance Consortium and Chaired the American Planning Association’s Paying for Growth Task Force.

### III. OVERVIEW OF IMPACT FEES

#### DEFINITION

Development impact fees are one-time payments used to fund capital improvements necessitated by new growth. Development impact fees have been utilized by local governments in various forms for at least sixty years. Development impact fees are not without limitations and should not be regarded as the total solution for infrastructure financing needs. Rather, they should be considered one component of a comprehensive revenue portfolio to ensure adequate provision of public facilities and maintenance of current levels of service in a community. Any community considering impact fees should note the following limitations:

- Development impact fees can only be used to finance capital infrastructure and cannot be used to finance ongoing operations and/or maintenance and rehabilitation costs; and
- Development impact fees cannot be deposited in the local government's General Fund. The funds must be accounted for separately in individual accounts and earmarked for the capital expenses for which they were collected; and
- Development impact fees cannot be used to correct existing infrastructure deficiencies unless there is a funding plan in place to correct the deficiency for all current residents and businesses in the community.

#### LEGAL FRAMEWORK

**U. S. Constitution.** Like all land use regulations, development exactions, including impact fees, are subject to the Fifth Amendment prohibition on taking of private property for public use without just compensation. Both state and federal courts have recognized the imposition of impact fees on development as a legitimate form of land use regulation, provided the fees meet standards intended to protect against regulatory takings. To comply with the Fifth Amendment, development regulations must be shown to substantially advance a legitimate governmental interest. In the case of impact fees, that interest is in the protection of public health, safety, and welfare by ensuring that development is not detrimental to the quality of essential public services.

There is little federal case law specifically dealing with impact fees, although other rulings on other types of exactions (e.g., land dedication requirements) are relevant. In one of the most important exaction cases, the U. S. Supreme Court found that a government agency imposing exactions on development must demonstrate an "essential nexus" between the exaction and the interest being protected (See *Nollan v. California Coastal Commission*, 1987). In a more recent case (*Dolan v. County of Tigard, OR*, 1994), the Court ruled that an exaction also must be "roughly proportional" to the burden created by development. However, the *Dolan* decision appeared to set a higher standard of review for mandatory dedications of land than for monetary exactions such as impact fees.

## REQUIRED FINDINGS

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There are three reasonable relationship requirements for impact fees that are closely related to “rational nexus” or “reasonable relationship” requirements enunciated by a number of state courts. Although the term “dual rational nexus” is often used to characterize the standard by which courts evaluate the validity of development impact fees under the U. S. Constitution, we prefer a more rigorous formulation that recognizes three elements: “impact or need” “benefit,” and “proportionality.” The dual rational nexus test explicitly addresses only the first two, although proportionality is reasonably implied, and was specifically mentioned by the U.S. Supreme Court in the *Dolan* case.

The reasonable relationship language of the statute is considered less strict than the rational nexus standard used by many courts. We will use the nexus terminology in this feasibility report because it is more concise and descriptive. Individual elements of the nexus standard are discussed further in the following paragraphs.

**Demonstrating a Need.** All new development in a community creates additional demands on some, or all, public facilities provided by local government. If the supply of facilities is not increased to satisfy that additional demand, the quality, or availability of public services for the entire community will deteriorate. Impact fees may be used to recover the cost of development-related facilities, but only to the extent that the need for facilities is a consequence of development that is subject to the fees. The *Nollan* decision reinforced the principle that development exactions may be used only to mitigate conditions created by the developments upon which they are imposed. That principle clearly applies to impact fees. In this study, the impact of development on improvement needs is analyzed in terms of quantifiable relationships between various types of development and the demand for specific facilities, based on applicable level-of-service standards.

**Demonstrating a Benefit.** A sufficient benefit relationship requires that impact fee revenues be segregated from other funds and expended only on the facilities for which the fees were charged. Fees must be expended in a timely manner and the facilities funded by the fees must serve the development paying the fees. However, nothing in the U.S. Constitution or South Carolina law requires that facilities funded with impact fee revenues be available *exclusively* to development paying the fees. In other words, existing development may benefit from these improvements as well.

Procedures for the earmarking and expenditure of fee revenues are typically mandated by the State enabling act, as are procedures to ensure that the fees are expended expeditiously or refunded. All of these requirements are intended to ensure that developments benefit from the impact fees they are required to pay. Thus, an adequate showing of benefit must address procedural as well as substantive issues.

**Demonstrating Proportionality.** The requirement that exactions be proportional to the impacts of development was clearly stated by the U.S. Supreme Court in the *Dolan* case (although the relevance of that decision to impact fees has been debated) and is logically necessary to establish a proper nexus.

Proportionality is established through the procedures used to identify development-related facility costs, and in the methods used to calculate impact fees for various types of facilities and categories of development. The demand for facilities is measured in terms of relevant and measurable attributes of development. For example, the need for road improvements is measured by the number of vehicle trips generated by development.

## **SOUTH CAROLINA DEVELOPMENT IMPACT FEE ACT**

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The State of South Carolina grants the power for cities and counties to collect development impact fees on new development pursuant to the rules and regulations set forth in the South Carolina Development Impact Fee Act (Code of Laws of South Carolina, Section 6-1-910 et seq.). The process to create a local development impact fee system begins with a resolution by the County Council directing the Planning Commission to conduct an impact fee study and recommend a development impact fee ordinance for legislative action.

Generally, a governmental entity must have an adopted comprehensive plan to enact development impact fees; however, certain provisions in State law allow counties, cities, and towns that have not adopted a comprehensive plan to impose development impact fees. Those jurisdictions must prepare a capital improvement plan as well as prepare an impact fee study that substantially complies with Section 6-1-960(B) of the Code of Laws of South Carolina. The government entity is also responsible for preparing and publishing an annual report describing the amount of impact fees collected, appropriated, and spent during the preceding year. These updates must occur at least once every five years.

All counties, cities, and towns are also required to prepare a report that estimates the effect of development impact fees on the availability of affordable housing before imposing development impact fees on residential dwelling units. Based on the findings of the study, certain developments may be exempt from development impact fees when all or part of the project is determined to create affordable housing, and the exempt development's proportionate share of system improvements is funded through a revenue source other than impact fees. A housing affordability analysis in support of the development impact fee study is published as a separate report.

Eligible costs may include design, acquisition, engineering, and financing attributable to those improvements recommended in the local capital improvements plan that qualify for impact fee funding. Revenues collected by the county, city, or town may not be used for administrative or operating costs associated with imposing the impact fee. All revenues from development impact fees must be maintained in an interest-bearing account prior to expenditure on recommended improvements. Monies must be returned to the owner of record of the property for which the impact fee was collected if they are not spent within three years of the date they are scheduled to be encumbered in the local capital improvements plan. All refunds to private land owners must include the pro rata portion of interest earned while on deposit in the impact fee account.

Furthermore, communities are restricted to collecting and funding public facilities which fall within one of the following infrastructure categories:

- Water supply production, treatment, laboratory, engineering, administration, storage, and transmission facilities;
- Wastewater collection, treatment, laboratory, engineering, administration, and disposal facilities;
- Solid waste and recycling collection, treatment, and disposal facilities;
- Roads, streets, and bridges including, but not limited to, rights-of-way and traffic signals;
- Storm water transmission, retention, detention, treatment, and disposal facilities and flood control facilities;
- Public safety facilities, including law enforcement, fire, emergency medical and rescue, and street lighting facilities;
- Parks, libraries, and recreational facilities;
- Public education facilities for grades K-12 including, but not limited to, schools, offices, classrooms, parking areas, playgrounds, libraries, cafeterias, gymnasiums, health and music rooms, computer and science laboratories, and other facilities considered necessary for the proper public education of the state’s children;
- Capital equipment and vehicles, with an individual unit purchase price of not less than one hundred thousand dollars including, but not limited to, equipment and vehicles used in the delivery of public safety services, emergency preparedness services, collection and disposal of solid waste, and storm water management and control.

For reference, the South Carolina Development Impact Fee enabling legislation is provided at the end of this report in the appendix.

## **METHODOLOGIES AND CREDITS**

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There are three general methods for calculating development impact fees. The choice of a particular method depends primarily on the timing of infrastructure construction (past, concurrent, or future) and service characteristics of the facility type being addressed. Each method has advantages and disadvantages in a particular situation, and can be used simultaneously for different cost components.

Reduced to its simplest terms, the process of calculating development impact fees involves two main steps: (1) determining the cost of development-related capital improvements and (2) allocating those costs equitably to various types of development. In practice, though, the calculation of development impact fees can become quite complicated because of the many variables involved in defining the relationship between development and the need for facilities within the designated service area. The

following paragraphs discuss three basic methods for calculating development impact fees and how those methods can be applied.

### **Cost Recovery (Past Improvements)**

The rationale for recoupment, often called cost recovery, is that new development is paying for its share of the useful life and remaining capacity of facilities already built, or land already purchased, from which new growth will benefit. This methodology is often used for utility systems that must provide adequate capacity before new development can take place. This methodology is based on an existing level of service.

### **Incremental Expansion (Concurrent Improvements)**

The incremental expansion method documents current level-of-service (LOS) standards for each type of public facility, using both quantitative and qualitative measures. This approach ensures that there are no existing infrastructure deficiencies or surplus capacity in infrastructure. New development is only paying its proportionate share for growth-related infrastructure. Revenue will be used to expand or provide additional facilities, as needed, to accommodate new development. An incremental expansion cost method is best suited for public facilities that will be expanded in regular increments to keep pace with development.

### **Plan-Based Fee (Future Improvements)**

The plan-based method allocates costs for a specified set of improvements to a specified amount of development. Improvements are typically identified in a long-range facility plan and development potential is identified by a land use plan. There are two options for determining the cost per demand unit: (1) total cost of a public facility can be divided by total demand units (average cost), or (2) the growth-share of the public facility cost can be divided by the net increase in demand units over the planning timeframe (marginal cost).

### **Credits**

Regardless of the methodology, a consideration of “credits” is integral to the development of a legally defensible development impact fee methodology. There are two types of “credits” with specific characteristics, both of which should be addressed in development impact fee studies and ordinances.

- First, a revenue credit might be necessary if there is a double payment situation and other revenues are contributing to the capital costs of infrastructure to be funded by development impact fees. This type of credit is integrated into the development impact fee calculation, thus reducing the fee amount.
- Second, a site-specific credit or developer reimbursement might be necessary for dedication of land or construction of system improvements funded by development impact fees. This type of credit is addressed in the administration and implementation of the development impact fee program, typically through a development agreement.

## IV. GROWTH/REVENUE ISSUES

### BACKGROUND AND SETTING

Richland County is a growing County located in central part of South Carolina, and is part of the Columbia, SC Metropolitan Statistical Area. As of the 2020 census, its population was 416,147,[2] making it the second-most populous county in South Carolina, behind only Greenville County. The City of Columbia, with a population of 136,632 according to the 2020 census, is the center of population and employment within the County.

### DEVELOPMENT TRENDS

According to conversations with County staff, there is quite a bit of development occurring throughout the County. This is illustrated in the table below, which shows new residential construction from 2017 to 2022 in unincorporated Richland County, as well as municipalities. This data was provided by the Central Midlands Council of Governments. Over the six-year span from 2017 to 2022, there were almost 10,570 housing units constructed, with the majority (6,225) in the unincorporated County. On an average annual basis, this equates to 1,761 housing units annually throughout the County. From a Municipal perspective, the City of Columbia experienced an increase of over 3,600 units. This rate of housing unit growth is projected to continue into the future.

Area	2017	2018	2019	2020	2021	2022	Increase	Avg Annual
Arcadia Lakes	5	7	1	2	2	1	18	3
Blythwood	94	183	87	61	75	16	516	86
Columbia	383	462	430	548	817	986	3,626	604
Eastover	0	0	1	1	0	0	2	0
Forest Acres	13	20	39	15	7	12	106	18
Unincorporated County	952	907	1,023	1,025	1,322	996	6,225	1,038
Irmo	10	5	2	58	0	0	75	13
<b>Total</b>	<b>1,457</b>	<b>1,584</b>	<b>1,583</b>	<b>1,710</b>	<b>2,223</b>	<b>2,011</b>	<b>10,568</b>	<b>1,761</b>

Source: Central Midlands Council of Governments

### REVENUE/LEVEL OF SERVICE ISSUES

Conversations with County staff indicate that like most communities across the country, Richland County is finding it harder and harder to fund County services and facilities at desirable levels. As discussed previously, the demand on County services and facilities is likely to continue into the foreseeable future, especially if the commercial and residential pipeline projects reach their anticipated buildouts.

Like many counties in South Carolina, Richland County's revenue structure lacks diversity. Taxes (property and other) fund approximately 64% of the County's General Fund operations. The County's current budget includes \$88 million from the Local Option Sales Tax that is dedicated to transportation infrastructure. The County's next largest source for government operations are Charges for Service and Intergovernmental revenues, which comprise 10.6% and 9.7% of total General Fund revenue, respectively. As a strategic budget initiative, the County intends to evaluate its current fee schedules to align Richland



County with neighboring counties relative in size and demographics. However, any increases in rates will be de minimis in terms of increasing total revenue for General Fund operations. Unfortunately, not all Intergovernmental revenue are growth-related, so increases to this source will be de minimis as well. Unfortunately, the costs of energy, health, as well as construction materials have increased dramatically and are likely to exceed the rate of housing values in the future. As a result, the County will have to either raise existing rates, find new revenue sources, and/or face deterioration in levels of service and quality of life.

During interviews with County staff, it was indicated that there is a need for additional staff and capital facilities in order to maintain the current level of service as growth occurs in the County. As discussed previously, the County’s revenue structure lacks diversity and it is having a hard time meeting service level expectations from new and existing residents. This situation is likely to increase as service expectations of newer residents in the unincorporated County tend to be greater than existing residents since many of these new residents previously resided in more urban areas of the County.

To the extent the County can supplement its current revenue structure with impact fees there will be more money available to fund operating costs and deferred maintenance on existing capital facilities. To illustrate the amount of revenue an impact fee program could generate for the Richland County, the figure below lists hypothetical impact fee amounts, as well as hypothetical housing unit numbers. It is impractical to estimate an actual fee amount for the County based on the preliminary interviews held as part of this analysis. However, the table below illustrates revenue over a ten-year period with a fee per housing unit ranging from \$500 per unit to \$8,000 per unit, with total residential units ranging from 500 over the ten-year period to 2,000. *Added to these amounts would be the revenues paid by new nonresidential development.* The amount of revenue generated ranges from a low of \$250,000 to a high of \$16 million. This is a substantial amount of money, which would otherwise have to be paid out of other County revenue sources.

Impact Fee per Housing Unit	Total Revenue 500 Units over 10-Year Period	Total Revenue 1,000 Units over 10-Year Period	Total Revenue 2,000 Units over 10-Year Period
\$500	\$250,000	\$500,000	\$1,000,000
\$1,000	\$500,000	\$1,000,000	\$2,000,000
\$2,000	\$1,000,000	\$2,000,000	\$4,000,000
\$3,000	\$1,500,000	\$3,000,000	\$6,000,000
\$4,000	\$2,000,000	\$4,000,000	\$8,000,000
\$5,000	\$2,500,000	\$5,000,000	\$10,000,000
\$6,000	\$3,000,000	\$6,000,000	\$12,000,000
\$7,000	\$3,500,000	\$7,000,000	\$14,000,000
\$8,000	\$4,000,000	\$8,000,000	\$16,000,000

## V. IMPACT FEE FEASIBILITY ANALYSIS

The results of our onsite discussions with Richland County staff and representatives are discussed below. TischlerBise only met with the County departments that fall within the impact fee eligible infrastructure categories.

### SHERIFF

The Richland County Sheriff's Department employs more than 700 uniformed officers and 140 non-sworn personnel, making it one of the largest law enforcement agencies in the state. The Sheriff's Office has experienced an increasing number of calls for service. As the County grows, the volume of demand and type of call will be expanding, placing additional demand on existing facilities and creating need for new facilities.

The Sheriff conducts its law enforcement operations out of a main Headquarters facility. The Sheriff is also responsible for the County's Detention Center, the Regional E-911 Center, as well as the Magistrate's Office. Conversations with staff indicate the County is making currently making improvements to the Detention Center. If enough capacity is being added, and/or additional bed space will likely be constructed in the future, an impact fee may be feasible/desirable for this component of Public Safety infrastructure. We also understand the Sheriff's Office will most likely build additional substations to accommodate future development in the unincorporated County. Finally, conversations with staff indicate the County would like to build up to three additional Magistrate facilities throughout the County.

This level of potential investment in public safety infrastructure suggests that a Public Safety impact fee should be pursued. This impact fee would be assessed against both residential and nonresidential development. Further discussions would provide guidance as to whether the plan-based or incremental expansion approach would be best. Lastly, under South Carolina impact fee enabling legislation, impact fees cannot be used to fund capital expenses less than \$100,000. Under this limitation, public safety vehicles are not included in the impact fee calculations.

### FIRE

The Columbia-Richland Fire Department serves the City of Columbia, as well as a 660-square-mile area of Richland County. This joint City/County Department was created by Intergovernmental Agreement in 2012 and was renewed in 2018. The Agreement is to be reviewed and amended periodically. Under this Agreement, the County is responsible for all existing County-owned and operated fire stations, while the City is responsible for City-owned and operated fire stations. Additional growth-related fire stations may be constructed by either the City or County at its own expense.

As of the 2018 Agreement, Richland County owns and operates 21 stations with 64 pieces of apparatus. The 2018 Agreement lays out the need to identify new locations for 3 to 5 new stations. While the County's current Capital Improvement Plan (CIP) does not contain any future fire stations, it is clear that additional growth in the incorporated areas will necessitate the need for additional station construction

if current levels of service are to be maintained. The current CIP does identify several million dollars in new fire apparatus.

To help support the provision of Fire services throughout the unincorporated County, an impact fee that includes components for both station space and apparatus has the potential to generate significant revenue. It would also most likely have the biggest impact on the County's operating budget, as fire suppression is provided through a combination of volunteer and paid positions. This impact fee would be assessed against both residential and nonresidential development. The appropriate methodology would be determined during the fee study.

### **EMERGENCY MEDICAL SERVICES (EMS)**

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Emergency medical services (EMS) are provided by Richland County's award-winning EMS Department. The County's EMS Department responds to more than 74,000 calls each year, and serves both the unincorporated County and the municipalities. The County currently has 14 Emergency Medical stations across the County. Conversations with staff indicate that if the County continues to grow there may be additional stations needed. Regardless of whether new stations are constructed, there will surely be a need for additional ambulances. Additionally, the County has plans to construct a new Emergency Operations Center, at an estimated cost of \$28 million. TischlerBise recommends that an EMS impact fee be prepared. This impact fee would be assessed against both residential and nonresidential development. The appropriate methodology would be determined during the fee study.

### **STORMWATER**

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Stormwater is perhaps the most difficult impact fee to implement. One reason is that in the majority of communities TischlerBise work, most of the stormwater infrastructure needs are a result of inadequate regulatory standards that existed 30-40 years ago. New development is typically being required to retain/detain to a standard that shouldn't exacerbate existing problems. Therefore, a stormwater utility fee is usually a better solution. Or, as is the case in Richland County, a dedicated property tax. Additionally, stormwater impact fees are usually implemented by drainage basin in order to satisfy the "benefit" test for those paying the fee, with specific projects identified in a Stormwater Master Plan supported by hydrologic modeling to identify percentage of projects that are benefitting new growth. The County is currently developing a Stormwater Master Plan. We are hesitant to recommend an impact fee for stormwater until we have a chance to review the Master Plan's findings.

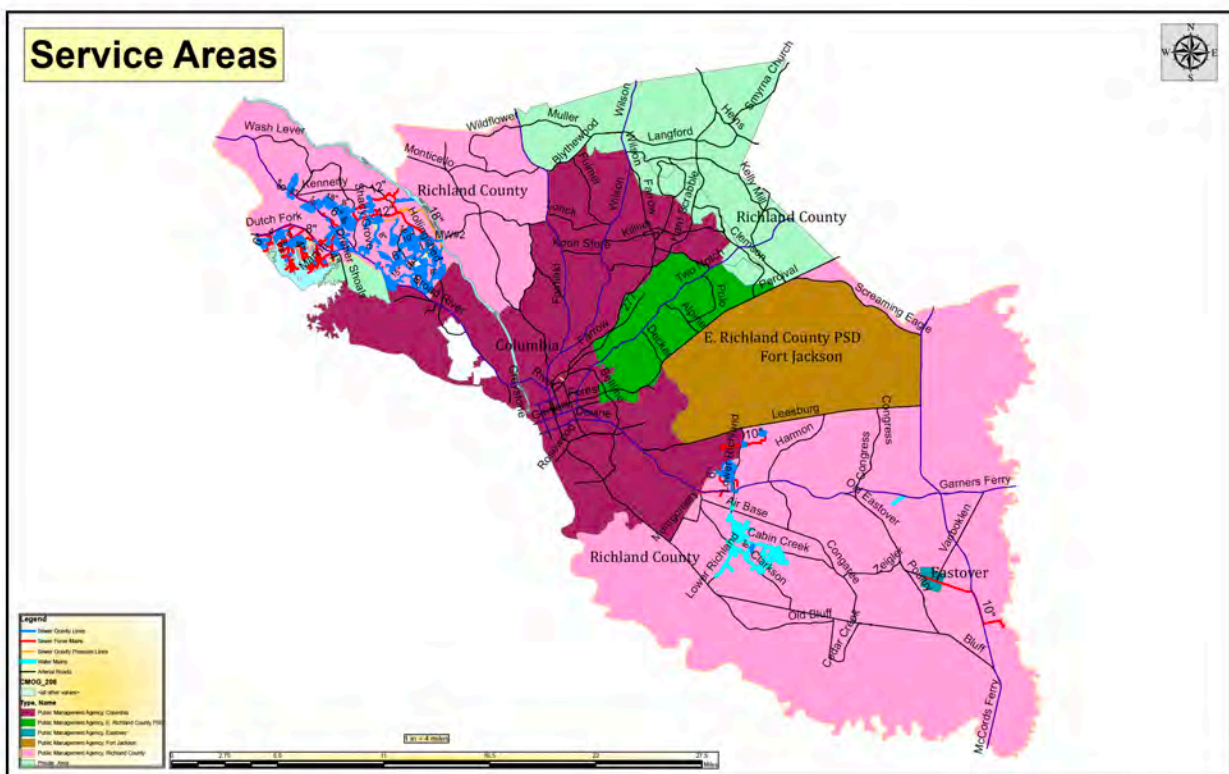
### **SOLID WASTE**

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Richland County provides solid waste and recycling service to residents and businesses. Current facilities include two drop-off centers and a recycling site. Conversations with County staff indicate the County is in the process of actively identifying and acquiring sites for future drop centers. Associated with future drop off sites will be the need for additional equipment and associated infrastructure. The appropriate methodology will need to be determined to understand growth's share of capital projects, but TischlerBise recommends that a Solid Waste impact fee be prepared to mitigate growth's capital impacts.

## WATER AND SEWER

Water and Sewer service is provided to Richland County residents through several service providers. This is illustrated in the map below, where the Richland County service area is shown in pink. Water service providers include Richland County, City of Columbia, Chapin Utilities, and Blue Granite Water Company. Sewer service providers include Richland County, City of Columbia, Chapin Utilities, Blue Granite Water Company, East Richland County Public Service District, Palmetto Utilities, and Synergy Utilities. Richland County doesn't have an impact fee or similar system development/capacity charge for the water system. There is a connection charge, which covers the cost of piping inspections, etc. For the sewer system, there is a connection fee of \$4,000 per residential equivalent unit (REU) for industrial connections. TischlerBise feels the County should consider an impact fee for its water and sewer systems. Depending on the availability of excess capacity, the fee(s) could be developed using either a system buy-in approach or a plan-based approach.



## TRANSPORTATION

In 2012, Richland County residents voted to approve a referendum for the Transportation Penny Tax Program, which uses a 1 percent sales tax to provide transportation projects throughout the County. The maximum revenue using the Penny program is \$1.07 billion, which will be collected for 22 years or until the maximum revenue is received, whichever comes first. It is forecasted that the maximum revenue will be accrued in late 2026.

The County's Transportation Penny Tax Program focuses on three areas. There is \$656 million budgeted for roadways, which includes widening and intersection improvements, dirt road paving and resurfacing and special projects. Bikeway, pedestrian improvements and greenways have a budgeted amount of \$80.8 million, and \$300 million is budgeted to improve mass transit.

The County's Transportation Penny Tax Program opens up several opportunities as it relates to transportation infrastructure, especially if the program were to be renewed. First, since many of the County's transportation projects alleviate existing problems while providing capacity for future growth, having a dedicated revenue source makes it much easier for the County to fund the non-growth share of necessary improvements. Second, the County could choose to dedicate sales tax to certain projects and identify impact fee specific projects. This would eliminate the need to include a sales tax credit in the fee methodology, as there would be no danger of "double payment" for the impact fee projects. If the County chose not to go to the voters to renew the Transportation Penny, the County would be without a dedicated transportation funding source and certainly would need a transportation impact fee to offset growth-related demands for infrastructure. Therefore, TischlerBise recommends that a transportation impact fee be prepared. This impact fee would be assessed against both residential and nonresidential development. The appropriate methodology would be determined during the fee study.

## VI. SOUTH CAROLINA DEVELOPMENT IMPACT FEE ACT

<https://www.scstatehouse.gov/code/title6.php>

March 22, 2019

CHAPTER 1  
General Provisions  
ARTICLE 9  
Development Impact Fees

**SECTION 6-1-910.** Short title.

This article may be cited as the “South Carolina Development Impact Fee Act”.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-920.** Definitions.

As used in this article:

(1) “Affordable housing” means housing affordable to families whose incomes do not exceed eighty percent of the median income for the service area or areas within the jurisdiction of the governmental entity.

(2) “Capital improvements” means improvements with a useful life of five years or more, by new construction or other action, which increase or increased the service capacity of a public facility.

(3) “Capital improvements plan” means a plan that identifies capital improvements for which development impact fees may be used as a funding source.

(4) “Connection charges” and “hookup charges” mean charges for the actual cost of connecting a property to a public water or public sewer system, limited to labor and materials involved in making pipe connections, installation of water meters, and other actual costs.

(5) “Developer” means an individual or corporation, partnership, or other entity undertaking development.

(6) “Development” means construction or installation of a new building or structure, or a change in use of a building or structure, any of which creates additional demand and need for public facilities. A building or structure shall include, but not be limited to, modular buildings and manufactured housing. “Development” does not include alterations made to existing single-family homes.

(7) “Development approval” means a document from a governmental entity which authorizes the commencement of a development.

(8) “Development impact fee” or “impact fee” means a payment of money imposed as a condition of development approval to pay a proportionate share of the cost of system improvements needed to serve the people utilizing the improvements. The term does not include:

(a) a charge or fee to pay the administrative, plan review, or inspection costs associated with permits required for development;

(b) connection or hookup charges;

(c) amounts collected from a developer in a transaction in which the governmental entity has incurred expenses in constructing capital improvements for the development if the owner or developer has agreed to be financially responsible for the construction or installation of the capital improvements;

(d) fees authorized by Article 3 of this chapter.

(9) “Development permit” means a permit issued for construction on or development of land when no subsequent building permit issued pursuant to Chapter 9 of Title 6 is required.

(10) “Fee payor” means the individual or legal entity that pays or is required to pay a development impact fee.

(11) “Governmental entity” means a county, as provided in Chapter 9, Title 4, and a municipality, as defined in Section 5-1-20.

(12) “Incidental benefits” are benefits which accrue to a property as a secondary result or as a minor consequence of the provision of public facilities to another property.

(13) “Land use assumptions” means a description of the service area and projections of land uses, densities, intensities, and population in the service area over at least a ten-year period.

(14) “Level of service” means a measure of the relationship between service capacity and service demand for public facilities.

(15) “Local planning commission” means the entity created pursuant to Article 1, Chapter 29, Title 6.

(16) “Project” means a particular development on an identified parcel of land.

(17) “Proportionate share” means that portion of the cost of system improvements determined pursuant to Section 6-1-990 which reasonably relates to the service demands and needs of the project.

(18) “Public facilities” means:

(a) water supply production, treatment, laboratory, engineering, administration, storage, and transmission facilities;

(b) wastewater collection, treatment, laboratory, engineering, administration, and disposal facilities;

(c) solid waste and recycling collection, treatment, and disposal facilities;

(d) roads, streets, and bridges including, but not limited to, rights-of-way and traffic signals;

(e) storm water transmission, retention, detention, treatment, and disposal facilities and flood control facilities;

(f) public safety facilities, including law enforcement, fire, emergency medical and rescue, and street lighting facilities;

(g) capital equipment and vehicles, with an individual unit purchase price of not less than one hundred thousand dollars including, but not limited to, equipment and vehicles used in the delivery of public safety services, emergency preparedness services, collection and disposal of solid waste, and storm water management and control;

(h) parks, libraries, and recreational facilities;

(i) public education facilities for grades K-12 including, but not limited to, schools, offices, classrooms, parking areas, playgrounds, libraries, cafeterias, gymnasiums, health and music rooms, computer and science laboratories, and other facilities considered necessary for the proper public education of the state’s children.

(19) “Service area” means, based on sound planning or engineering principles, or both, a defined geographic area in which specific public facilities provide service to development within the area defined.

Provided, however, that no provision in this article may be interpreted to alter, enlarge, or reduce the service area or boundaries of a political subdivision which is authorized or set by law.

(20) "Service unit" means a standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards for a particular category of capital improvements.

(21) "System improvements" means capital improvements to public facilities which are designed to provide service to a service area.

(22) "System improvement costs" means costs incurred for construction or reconstruction of system improvements, including design, acquisition, engineering, and other costs attributable to the improvements, and also including the costs of providing additional public facilities needed to serve new growth and development. System improvement costs do not include:

(a) construction, acquisition, or expansion of public facilities other than capital improvements identified in the capital improvements plan;

(b) repair, operation, or maintenance of existing or new capital improvements;

(c) upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards;

(d) upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;

(e) administrative and operating costs of the governmental entity; or

(f) principal payments and interest or other finance charges on bonds or other indebtedness except financial obligations issued by or on behalf of the governmental entity to finance capital improvements identified in the capital improvements plan.

HISTORY: 1999 Act No. 118, Section 1; 2016 Act No. 229 (H.4416), Section 2, eff June 3, 2016.

Effect of Amendment

2016 Act No. 229, Section 2, added (18)(i), relating to certain public education facilities.

**SECTION 6-1-930.** Developmental impact fee.

(A)(1) Only a governmental entity that has a comprehensive plan, as provided in Chapter 29 of this title, and which complies with the requirements of this article may impose a development impact fee. If a governmental entity has not adopted a comprehensive plan, but has adopted a capital improvements plan which substantially complies with the requirements of Section 6-1-960(B), then it may impose a development impact fee. A governmental entity may not impose an impact fee, regardless of how it is designated, except as provided in this article. However, a special purpose district or public service district which (a) provides fire protection services or recreation services, (b) was created by act of the General Assembly prior to 1973, and (c) had the power to impose development impact fees prior to the effective date of this section is not prohibited from imposing development impact fees.

(2) Before imposing a development impact fee on residential units, a governmental entity shall prepare a report which estimates the effect of recovering capital costs through impact fees on the availability of affordable housing within the political jurisdiction of the governmental entity.

(B)(1) An impact fee may be imposed and collected by the governmental entity only upon the passage of an ordinance approved by a positive majority, as defined in Article 3 of this chapter.



(2) The amount of the development impact fee must be based on actual improvement costs or reasonable estimates of the costs, supported by sound engineering studies.

(3) An ordinance authorizing the imposition of a development impact fee must:

(a) establish a procedure for timely processing of applications for determinations by the governmental entity of development impact fees applicable to all property subject to impact fees and for the timely processing of applications for individual assessment of development impact fees, credits, or reimbursements allowed or paid under this article;

(b) include a description of acceptable levels of service for system improvements; and

(c) provide for the termination of the impact fee.

(C) A governmental entity shall prepare and publish an annual report describing the amount of all impact fees collected, appropriated, or spent during the preceding year by category of public facility and service area.

(D) Payment of an impact fee may result in an incidental benefit to property owners or developers within the service area other than the fee payor, except that an impact fee that results in benefits to property owners or developers within the service area, other than the fee payor, in an amount which is greater than incidental benefits is prohibited.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-940.** Amount of impact fee.

A governmental entity imposing an impact fee must provide in the impact fee ordinance the amount of impact fee due for each unit of development in a project for which an individual building permit or certificate of occupancy is issued. The governmental entity is bound by the amount of impact fee specified in the ordinance and may not charge higher or additional impact fees for the same purpose unless the number of service units increases or the scope of the development changes and the amount of additional impact fees is limited to the amount attributable to the additional service units or change in scope of the development. The impact fee ordinance must:

(1) include an explanation of the calculation of the impact fee, including an explanation of the factors considered pursuant to this article;

(2) specify the system improvements for which the impact fee is intended to be used;

(3) inform the developer that he may pay a project's proportionate share of system improvement costs by payment of impact fees according to the fee schedule as full and complete payment of the developer's proportionate share of system improvements costs;

(4) inform the fee payor that:

(a) he may negotiate and contract for facilities or services with the governmental entity in lieu of the development impact fee as defined in Section 6-1-1050;

(b) he has the right of appeal, as provided in Section 6-1-1030;

(c) the impact fee must be paid no earlier than the time of issuance of the building permit or issuance of a development permit if no building permit is required.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-950.** Procedure for adoption of ordinance imposing impact fees.

(A) The governing body of a governmental entity begins the process for adoption of an ordinance imposing an impact fee by enacting a resolution directing the local planning commission to conduct the

studies and to recommend an impact fee ordinance, developed in accordance with the requirements of this article. Under no circumstances may the governing body of a governmental entity impose an impact fee for any public facility which has been paid for entirely by the developer.

(B) Upon receipt of the resolution enacted pursuant to subsection (A), the local planning commission shall develop, within the time designated in the resolution, and make recommendations to the governmental entity for a capital improvements plan and impact fees by service unit. The local planning commission shall prepare and adopt its recommendations in the same manner and using the same procedures as those used for developing recommendations for a comprehensive plan as provided in Article 3, Chapter 29, Title 6, except as otherwise provided in this article. The commission shall review and update the capital improvements plan and impact fees in the same manner and on the same review cycle as the governmental entity's comprehensive plan or elements of it.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-960.** Recommended capital improvements plan; notice; contents of plan.

(A) The local planning commission shall recommend to the governmental entity a capital improvements plan which may be adopted by the governmental entity by ordinance. The recommendations of the commission are not binding on the governmental entity, which may amend or alter the plan. After reasonable public notice, a public hearing must be held before final action to adopt the ordinance approving the capital improvements plan. The notice must be published not less than thirty days before the time of the hearing in at least one newspaper of general circulation in the county. The notice must advise the public of the time and place of the hearing, that a copy of the capital improvements plan is available for public inspection in the offices of the governmental entity, and that members of the public will be given an opportunity to be heard.

(B) The capital improvements plan must contain:

(1) a general description of all existing public facilities, and their existing deficiencies, within the service area or areas of the governmental entity, a reasonable estimate of all costs, and a plan to develop the funding resources, including existing sources of revenues, related to curing the existing deficiencies including, but not limited to, the upgrading, updating, improving, expanding, or replacing of these facilities to meet existing needs and usage;

(2) an analysis of the total capacity, the level of current usage, and commitments for usage of capacity of existing public facilities, which must be prepared by a qualified professional using generally accepted principles and professional standards;

(3) a description of the land use assumptions;

(4) a definitive table establishing the specific service unit for each category of system improvements and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, agricultural, and industrial, as appropriate;

(5) a description of all system improvements and their costs necessitated by and attributable to new development in the service area, based on the approved land use assumptions, to provide a level of service not to exceed the level of service currently existing in the community or service area, unless a different or higher level of service is required by law, court order, or safety consideration;

(6) the total number of service units necessitated by and attributable to new development within the service area based on the land use assumptions and calculated in accordance with generally accepted engineering or planning criteria;

(7) the projected demand for system improvements required by new service units projected over a reasonable period of time not to exceed twenty years;

(8) identification of all sources and levels of funding available to the governmental entity for the financing of the system improvements; and

(9) a schedule setting forth estimated dates for commencing and completing construction of all improvements identified in the capital improvements plan.

(C) Changes in the capital improvements plan must be approved in the same manner as approval of the original plan.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-970.** Exemptions from impact fees.

The following structures or activities are exempt from impact fees:

(1) rebuilding the same amount of floor space of a structure that was destroyed by fire or other catastrophe;

(2) remodeling or repairing a structure that does not result in an increase in the number of service units;

(3) replacing a residential unit, including a manufactured home, with another residential unit on the same lot, if the number of service units does not increase;

(4) placing a construction trailer or office on a lot during the period of construction on the lot;

(5) constructing an addition on a residential structure which does not increase the number of service units;

(6) adding uses that are typically accessory to residential uses, such as a tennis court or a clubhouse, unless it is demonstrated clearly that the use creates a significant impact on the system's capacity;

(7) all or part of a particular development project if:

(a) the project is determined to create affordable housing; and

(b) the exempt development's proportionate share of system improvements is funded through a revenue source other than development impact fees;

(8) constructing a new elementary, middle, or secondary school; and

(9) constructing a new volunteer fire department.

HISTORY: 1999 Act No. 118, Section 1; 2016 Act No. 229 (H.4416), Section 1, eff June 3, 2016.

Effect of Amendment

2016 Act No. 229, Section 1, added (8) and (9), relating to certain schools and volunteer fire departments.

**SECTION 6-1-980.** Calculation of impact fees.

(A) The impact fee for each service unit may not exceed the amount determined by dividing the costs of the capital improvements by the total number of projected service units that potentially could use the capital improvement. If the number of new service units projected over a reasonable period of time is less than the total number of new service units shown by the approved land use assumptions at full development of the service area, the maximum impact fee for each service unit must be calculated by dividing the costs of the part of the capital improvements necessitated by and attributable to the projected new service units by the total projected new service units.

(B) An impact fee must be calculated in accordance with generally accepted accounting principles.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-990.** Maximum impact fee; proportionate share of costs of improvements to serve new development.

(A) The impact fee imposed upon a fee payor may not exceed a proportionate share of the costs incurred by the governmental entity in providing system improvements to serve the new development. The proportionate share is the cost attributable to the development after the governmental entity reduces the amount to be imposed by the following factors:

(1) appropriate credit, offset, or contribution of money, dedication of land, or construction of system improvements; and

(2) all other sources of funding the system improvements including funds obtained from economic development incentives or grants secured which are not required to be repaid.

(B) In determining the proportionate share of the cost of system improvements to be paid, the governmental entity imposing the impact fee must consider the:

(1) cost of existing system improvements resulting from new development within the service area or areas;

(2) means by which existing system improvements have been financed;

(3) extent to which the new development contributes to the cost of system improvements;

(4) extent to which the new development is required to contribute to the cost of existing system improvements in the future;

(5) extent to which the new development is required to provide system improvements, without charge to other properties within the service area or areas;

(6) time and price differentials inherent in a fair comparison of fees paid at different times; and

(7) availability of other sources of funding system improvements including, but not limited to, user charges, general tax levies, intergovernmental transfers, and special taxation.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1000.** Fair compensation or reimbursement of developers for costs, dedication of land or oversize facilities.

A developer required to pay a development impact fee may not be required to pay more than his proportionate share of the costs of the project, including the payment of money or contribution or dedication of land, or to oversize his facilities for use of others outside of the project without fair compensation or reimbursement.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1010.** Accounting; expenditures.

(A) Revenues from all development impact fees must be maintained in one or more interest-bearing accounts. Accounting records must be maintained for each category of system improvements and the service area in which the fees are collected. Interest earned on development impact fees must be considered funds of the account on which it is earned, and must be subject to all restrictions placed on the use of impact fees pursuant to the provisions of this article.

(B) Expenditures of development impact fees must be made only for the category of system improvements and within or for the benefit of the service area for which the impact fee was imposed as

shown by the capital improvements plan and as authorized in this article. Impact fees may not be used for:

- (1) a purpose other than system improvement costs to create additional improvements to serve new growth;
- (2) a category of system improvements other than that for which they were collected; or
- (3) the benefit of service areas other than the area for which they were imposed.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1020.** Refunds of impact fees.

(A) An impact fee must be refunded to the owner of record of property on which a development impact fee has been paid if:

- (1) the impact fees have not been expended within three years of the date they were scheduled to be expended on a first-in, first-out basis; or
- (2) a building permit or permit for installation of a manufactured home is denied.

(B) When the right to a refund exists, the governmental entity shall send a refund to the owner of record within ninety days after it is determined by the entity that a refund is due.

(C) A refund must include the pro rata portion of interest earned while on deposit in the impact fee account.

(D) A person entitled to a refund has standing to sue for a refund pursuant to this article if there has not been a timely payment of a refund pursuant to subsection (B) of this section.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1030.** Appeals.

(A) A governmental entity which adopts a development impact fee ordinance shall provide for administrative appeals by the developer or fee payor.

(B) A fee payor may pay a development impact fee under protest. A fee payor making the payment is not estopped from exercising the right of appeal provided in this article, nor is the fee payor estopped from receiving a refund of an amount considered to have been illegally collected. Instead of making a payment of an impact fee under protest, a fee payor, at his option, may post a bond or submit an irrevocable letter of credit for the amount of impact fees due, pending the outcome of an appeal.

(C) A governmental entity which adopts a development impact fee ordinance shall provide for mediation by a qualified independent party, upon voluntary agreement by both the fee payor and the governmental entity, to address a disagreement related to the impact fee for proposed development. Participation in mediation does not preclude the fee payor from pursuing other remedies provided for in this section or otherwise available by law.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1040.** Collection of development impact fees.

A governmental entity may provide in a development impact fee ordinance the method for collection of development impact fees including, but not limited to:

- (1) additions to the fee for reasonable interest and penalties for nonpayment or late payment;
- (2) withholding of the certificate of occupancy, or building permit if no certificate of occupancy is required, until the development impact fee is paid;
- (3) withholding of utility services until the development impact fee is paid; and

(4) imposing liens for failure to pay timely a development impact fee.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1050.** Permissible agreements for payments or construction or installation of improvements by fee payors and developers; credits and reimbursements.

A fee payor and developer may enter into an agreement with a governmental entity, including an agreement entered into pursuant to the South Carolina Local Government Development Agreement Act, providing for payments instead of impact fees for facilities or services. That agreement may provide for the construction or installation of system improvements by the fee payor or developer and for credits or reimbursements for costs incurred by a fee payor or developer including interproject transfers of credits or reimbursement for project improvements which are used or shared by more than one development project. An impact fee may not be imposed on a fee payor or developer who has entered into an agreement as described in this section.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1060.** Article shall not affect existing laws.

(A) The provisions of this article do not repeal existing laws authorizing a governmental entity to impose fees or require contributions or property dedications for capital improvements. A development impact fee adopted in accordance with existing laws before the enactment of this article is not affected until termination of the development impact fee. A subsequent change or reenactment of the development impact fee must comply with the provisions of this article. Requirements for developers to pay in whole or in part for system improvements may be imposed by governmental entities only by way of impact fees imposed pursuant to the ordinance.

(B) Notwithstanding another provision of this article, property for which a valid building permit or certificate of occupancy has been issued or construction has commenced before the effective date of a development impact fee ordinance is not subject to additional development impact fees.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1070.** Shared funding among units of government; agreements.

(A) If the proposed system improvements include the improvement of public facilities under the jurisdiction of another unit of government including, but not limited to, a special purpose district that does not provide water and wastewater utilities, a school district, and a public service district, an agreement between the governmental entity and other unit of government must specify the reasonable share of funding by each unit. The governmental entity authorized to impose impact fees may not assume more than its reasonable share of funding joint improvements, nor may another unit of government which is not authorized to impose impact fees do so unless the expenditure is pursuant to an agreement under Section 6-1-1050 of this section.

(B) A governmental entity may enter into an agreement with another unit of government including, but not limited to, a special purpose district that does not provide water and wastewater utilities, a school district, and a public service district, that has the responsibility of providing the service for which an impact fee may be imposed. The determination of the amount of the impact fee for the contracting governmental entity must be made in the same manner and is subject to the same procedures and limitations as provided in this article. The agreement must provide for the collection of the impact fee by the governmental entity and for the expenditure of the impact fee by another unit of government including,

but not limited to, a special purpose district that does not provide water and wastewater utilities, a school district, and a public services district unless otherwise provided by contract.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1080.** Exemptions; water or wastewater utilities.

The provisions of this chapter do not apply to a development impact fee for water or wastewater utilities, or both, imposed by a city, county, commissioners of public works, special purpose district, or nonprofit corporation organized pursuant to Chapter 35 or 36 of Title 33, except that in order to impose a development impact fee for water or wastewater utilities, or both, the city, county, commissioners of public works, special purpose district or nonprofit corporation organized pursuant to Chapter 35 or 36 of Title 33 must:

- (1) have a capital improvements plan before imposition of the development impact fee; and
- (2) prepare a report to be made public before imposition of the development impact fee, which shall include, but not be limited to, an explanation of the basis, use, calculation, and method of collection of the development impact fee; and
- (3) enact the fee in accordance with the requirements of Article 3 of this chapter.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1090.** Annexations by municipalities.

A county development impact fee ordinance imposed in an area which is annexed by a municipality is not affected by this article until the development impact fee terminates, unless the municipality assumes any liability which is to be paid with the impact fee revenue.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-2000.** Taxation or revenue authority by political subdivisions.

This article shall not create, grant, or confer any new or additional taxing or revenue raising authority to a political subdivision which was not specifically granted to that entity by a previous act of the General Assembly.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-2010.** Compliance with public notice or public hearing requirements.

Compliance with any requirement for public notice or public hearing in this article is considered to be in compliance with any other public notice or public hearing requirement otherwise applicable including, but not limited to, the provisions of Chapter 4, Title 30, and Article 3 of this chapter.

HISTORY: 1999 Act No. 118, Section 1.



**Informational Agenda Briefing**

<b>Prepared by:</b>	Synithia Williams	<b>Title:</b>	Director
<b>Department:</b>	Community Planning & Development	<b>Division:</b>	
<b>Date Prepared:</b>	February 4, 2025	<b>Meeting Date:</b>	February 25, 2025
<b>Approved for consideration:</b>	Assistant County Administrator	Aric A Jensen, AICP	
<b>Meeting/Committee</b>	Development & Services		
<b>Subject:</b>	"I move to direct the Administrator to draft a moratorium ordinance and bring it back to Council." [Terracio, District 5; 04 February 2025]		

At the October 15, 2024 Council meeting, the following motion was made and assigned to the Development & Services committee:

"For the purpose of preserving the historical character of the Olympia neighborhood, I move to within 12 months create a neighborhood character overlay in tandem with an update to the neighborhood plan for the Olympia neighborhood. During this time a moratorium on new construction, rezoning, demolition, and substantial rehabilitation (50% or more of lot area, building square footage, change in use) will be in place."

At the February 04, 2025 Council meeting, the motion was modified as stated below:

"I move to direct the Administrator to draft a moratorium ordinance and bring it back to Council for review."

In January 2025, Community Planning and Development mailed out 400 flyers to citizens who own property within the proposed overlay district. The flyers provided information about the proposed overlay and the date and time of a public meeting concerning the proposal.

The Olympia Overlay District public meeting was held on Thursday, January 30, 2025 at 705 Whaley Street. Attendees received information about what an overlay district is, why the Olympia area qualifies for an overlay, and what the proposed regulations will and will not address. Residents were able to ask questions and provide feedback on the recommendations.

Staff will present the feedback from the public meeting at the March 2025 Planning Commission. If the Planning Commission recommends approval of the recommendations, the proposed overlay district will be presented during the Zoning Public Hearing in April 2025.

Staff has submitted a draft ordinance for a moratorium on new construction, rezoning, demolition and rehabilitation in the Olympia neighborhood to the County Attorney's Office for review.





**Informational Agenda Briefing**

<b>Prepared by:</b>	Synithia Williams	<b>Title:</b>	Director
<b>Department:</b>	Community Planning & Development	<b>Division:</b>	
<b>Date Prepared:</b>	February 18, 2025	<b>Meeting Date:</b>	February 24, 2025
<b>Approved for consideration:</b>	Assistant County Administrator	Aric A Jensen, AICP	
<b>Meeting/Committee</b>	Development & Services		
<b>Subject:</b>	"I move that County Council direct the County Administrator to research and provide to Council (1) ways to secure title to subdivision roads that were developed but never had ownership transferred to the County and (2) to recommend changes to county ordinances and/or protocols to better assure that future development of subdivision roads includes conveyance of title to the county (unless there is an understanding between the developer and the County that the subdivision roads will intentionally remain privately owned and maintained)."		

At the 02 July 2024 Council meeting, the following motion was made and assigned to the Development & Services committee:

I move that County Council direct the County Administrator to research and provide to Council (1) ways to secure title to subdivision roads that were developed but never had ownership transferred to the County and (2) to recommend changes to county ordinances and/or protocols to better assure that future development of subdivision roads includes conveyance of title to the county (unless there is an understanding between the developer and the County that the subdivision roads will intentionally remain privately owned and maintained). [Branham (District 1), English (District 10), Newton (District 11)]

Staff from Community Planning and Development, Public Works and the County Attorney’s Office met on October 28, 2024. The team discussed various ways to handle conveyance of the roads back to the County. The team agreed that the next steps should be:

- Finalize the list of roads that need to be conveyed to the County.
- Continue to research legal obligations of the owners of road parcels.
- Once list is complete: notify the owners of those roads of their responsibilities as the owner of a road and make the offer to transfer that responsibility to the County.
- Consider possible condemnation based on the number of roads.

The Department of Public Works is compiling the list of roads to be accepted. Once this is complete, the team will discuss options with the County Attorney's Office.



**Informational Agenda Briefing**

<b>Prepared by:</b>	Synithia Williams	<b>Title:</b>	Director
<b>Department:</b>	Community Planning & Development	<b>Division:</b>	
<b>Date Prepared:</b>	February 18, 2025	<b>Meeting Date:</b>	February 25, 2025
<b>Approved for consideration:</b>	Assistant County Administrator	Aric A Jensen, AICP	
<b>Meeting/Committee</b>	Development & Services		
<b>Subject:</b>	"I move to direct the County Administrator to commission an analysis of the County's residential development permitting processes and standards related to noise, flooding, air pollution, and other environmental impacts, in order to ensure that the County has adopted and is following the most current industry best practices to reduce negative environmental impacts. This may include recommendations for improving and enhancing the County's Land Development Code, Land Development Design Manual, Comprehensive Plan, Zoning Map, and related documents."		

At the September 10, 2024 Council meeting, the following motion was made and assigned to the Development & Services committee:

"I move to direct the County Administrator to commission an analysis of the County's residential development permitting processes and standards related to noise, flooding, air pollution, and other environmental impacts, in order to ensure that the County has adopted and is following the most current industry best practices to reduce negative environmental impacts. This may include recommendations for improving and enhancing the County's Land Development Code, Land Development Design Manual, Comprehensive Plan, Zoning Map, and related documents. [NEWTON, PUGH, and BARRON (September 10, 2024)]."

Richland County adopted the updated Land Development Manual (LDM) in 2022. The LDM incorporates practices to mitigate environmental stormwater impacts which are above industry standards. For example, the new design standards require a site to infiltrate the runoff from a majority of storm events, show that there is an 85% reduction in the annual total suspended solid loading, or demonstrate the post development pollution loading doesn't exceed pre-development pollutant loading. The LDM also incorporates water quality buffers to protect waterways during and after construction.

To qualify for the National Flood Insurance Program, a federally backed flood insurance program, the County has adopted and enforces a Floodplain Management Ordinance to regulate development in flood hazard areas, protect human life and health, minimize property damage, and encourage appropriate construction practices. The County's Floodplain Manager position is currently open, and the Floodplain Manager duties were added as additional duties to the County's Zoning Administrator. Having a full time Floodplain Manager who can oversee the Floodplain Management Program and make recommendations to further improve the County's ranking in the NFIP program could strengthen this program.

The new Land Development Code adopted in March 2023 included thorough vetting and input from the public and stakeholders. The new Code includes updated industry standards related to zoning and new

development but is not in perfect alignment with the 2015 Comprehensive Plan. The update of the Comprehensive Plan in 2025 will generate an updated future land use map which may require future revisions to the Land Development Code to meet the goals in the Comprehensive Plan.

One of the requirements of the Comprehensive Plan is a natural resources element. The Comprehensive Plan will include an inventory of existing conditions, a statement of needs and goals, and provide implementation strategies with time frames. The strategies for natural resource protection may result in recommendations to further improve the County's ordinances or policies.

The County does not issue air quality permits for business or industries. That is a service provided by the SC Department of Environmental Services. However, Section 10-3 of the Richland County Code of Ordinances: Open burning on the premises of undeveloped properties for the purpose of land clearing or right-of-way maintenance. Prevents open burning associated with land clearing or in the right-of-way during ground level ozone season (April 1 - October 30). Ground level ozone is a pollutant that forms when certain chemicals react in heat and sunlight. Ground level ozone can cause breathing problems for people with respiratory illness, children or the elderly. It is unclear if this ordinance is currently enforced, but enforcement of the ordinance can reduce air pollution related to burning associated with land clearing during construction.

County Ordinance 18-3 regulates noise; however, noise generated by any construction, demolition equipment, or mineral extractions is exempt from the regulation. If a complaint about noise from a construction site is received by Community Planning and Development staff, the Building Official will contact the contractor and notify them of the complaint, and, in some cases, if the work is being done in a neighborhood, the contractor will try to start work later in the day and end before it gets dark.

The above-mentioned strategies can be completed with internal staff, however, if a more in-depth review of all County ordinances and regulations is required, it is recommended that an outside consultant is solicited to do an environmental analysis of County Ordinances. This is not currently budgeted and could be considered for inclusion in the Fiscal Year 26 budget.

#### *Next Steps:*

- Utilizing the results of the County's Stormwater Annual Report, continue to monitor the benefits of the updated water quality standards.
- Proceed with hiring a full time Floodplain Manager to ensure proper implementation and enforcement of the Floodplain Management ordinances. Task the new Floodplain Manager with a goal of identifying ways to improve the County's rating in the National Flood Insurance Program.
- Complete the Comprehensive Plan update and make changes to the County's zoning and land development codes bases on the Plan's recommendations for future land use and natural resource protection.
- Enforce ordinance 10-3 to reduce air pollution associated with land clearing burning during construction.
- Consider budgeting to have an outside consultant provide an environmental assessment of all County ordinances.

The recommendation is to include any best practices identified during the update of the Comprehensive Plan in the next update of the Land Development Manual and Land Development Code.



**Informational Agenda Briefing**

<b>Prepared by:</b>	Synithia Williams	<b>Title:</b>	Director
<b>Department:</b>	Community Planning & Development	<b>Division:</b>	
<b>Date Prepared:</b>	January 28, 2025	<b>Meeting Date:</b>	February 25, 2025
<b>Approved for consideration:</b>	Assistant County Administrator	Aric A Jensen, AICP	
<b>Meeting/Committee</b>	Development & Services		
<b>Subject:</b>	"I move that the county consider developing a Neighborhood Master Plan that establishes policies and goals related to preservation and development in the Ballentine community with the goal to preserve and promote the desired character of the community while also conserving and protecting the waters and watershed of Lake Murray." [Branham, 19 November 2024]		

At the November 19, 2024 County Council meeting the following motion was made and assigned to the Development and Services Committee:

"I move that the county consider developing a Neighborhood Master Plan that establishes policies and goals related to preservation and development in the Ballentine community with the goal to preserve and promote the desired character of the community while also conserving and protecting the waters and watershed of Lake Murray."

The Neighborhood Improvement Program was established by County Council to coordinate and fund neighborhood master plans and improvement projects in Richland County. A neighborhood master plan is a detailed study of specific planning issues relating to a residential neighborhood and its commercial component. The first priority areas for neighborhood master plans was identified by County Council in 2005. Since then, a total of 11 neighborhood master plans have been created

In 2016, criteria for identifying the need for future neighborhood master plans was presented as a Council motion and later approved as an administrative policy (Attachment 1). The 2016 criteria include

- **Scale:** Neighborhood Master Plans should be limited to fit areas within a 1/4-mile radius from an identified central point
- **Substructure:** There should be an established network that will be responsible for aiding with the implementation of the plan
- **Cost benefit analysis:** Ensure as many citizens as possible have access to the resources offered by the Neighborhood Improvement Program.

Once adopted, a neighborhood master plan is incorporated by reference in the County's Comprehensive Plan. However, due to their age, many of the existing Neighborhood Master Plans do not align with the recommendations in the County's current Comprehensive Plan. This makes it challenging for staff, the Planning Commission, and Council to review proposals and make decisions. And perhaps more significantly, it does not convey a clear policy message to the citizens and property owners in those areas.

To develop a Neighborhood Master Plan for the Ballentine area, the Planning Commission and staff would need to agree upon the boundaries of the area to be studied. For the purposes of this discussion, attached is a map showing a ¼ mile radius from the center of a location generally referred to as the Ballentine area (Attachment 2). This limited boundary does not encompass the entire area that the interested group of citizens communicated to staff. On February 03, 2025, Assistant County Administrator Aric Jensen spoke with the Ballentine Community Association at their monthly meeting and shared the limitations of a Neighborhood Master Plan, and also communicated that staff understood their request and was exploring alternative ways to accomplish it.

One alternative is to modify the criteria for the development of a Neighborhood Master Plan so that it can address both micro and macro community issues. However, at some point, a neighborhood master plan could become so large that it would be indistinguishable from the Comprehensive Plan itself - this would be self-defeating.

Another alternative would be to create a County-wide policy of unincorporated planning areas. This may be necessary in the future regardless of the Ballentine discussion because future annexations by City of Columbia, Town of Irmo, and Town of Blythewood may result in large, non-contiguous unincorporated areas that have the appearance of defacto towns. The County Council will need a mechanism to plan for their orderly growth and development.

Nealon Planning, the consultant currently contracted to prepare the County's Comprehensive Plan update, has provided a draft proposal (Attachment 3) for the creation a new Neighborhood Master Plan process that integrates and complements the recommendations in the updated Comprehensive plan. The proposal would result in the creation of at least two new Neighborhood Master Plans in conjunction with the development of the Comprehensive Plan. The cost of the scope amendment would be \$115,868. There is currently no money budgeted for this scope amendment.

#### **ATTACHMENTS:**

1. Neighborhood Master Plan Criteria
2. Proposed Neighborhood Planning area for Ballentine based off current criteria
3. Nealon Planning's proposal



# RICHLAND COUNTY GOVERNMENT

Office of the County Administrator

## ADMINISTRATIVE POLICY 2016 - 5

**To** Richland County Department Directors  
**From** Gerald Seals, County Administrator  
**Date** December 16, 2016  
**Subject** Future Master Plan Criteria, Neighborhood Improvement Program

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The County's Neighborhood Improvement Program [NIP] was established by County Council in Fiscal year 2004 to draft and implement Neighborhood Master Plans and improvement projects in Richland County. On March 1, 2005, County Council approved the first 10 priority focal areas for Neighborhood Master Planning.

On March 1, 2016, the honorable Julie- Ann Dixon brought forth the following motion:

"I move that the Richland County Neighborhood Improvement Program develop a set of criteria for determining the necessity of future Neighborhood Master Plans in unincorporated Richland County and that staff begin their analysis with District 9 no later than the end of the calendar year [December 31, 2016]."

As NIP is, for the first time since its inception, in a phase of deliberate implementation, staff also recognizes a need to proactively prepare for the possibility of drafting future Neighborhood Master Plans. The establishment of a set of criteria for assessing the necessity of future Neighborhood Master Plans in unincorporated Richland County is essential to the progression of the program and the targeted, lucrative revitalization and/or conservation of areas of the County in accordance with the prescriptions of the 2015 Richland County Comprehensive Plan update.

Given that planning standards continue to evolve, these guidelines are subject to updates via NIP staff, and will be reissued to County staff accordingly. The purpose of this memorandum is to formally authorize and adopt these guidelines as an administrative policy of Richland County Government.



**RICHLAND COUNTY  
GOVERNMENT**  
Office of the County Administrator

Thank you for your continued dedication and service to the citizens of Richland County.

In the Spirit of Excellence,

A handwritten signature in blue ink, appearing to read "Gerald Seals".

Gerald Seals  
County Administrator



## Master Plan Qualification Criteria

Table of Contents	
<b>A.</b>	<b>Background</b>
<b>B.</b>	<b>Purpose</b>
<b>C.</b>	<b>Master Planning Goals</b>
<b>D.</b>	<b>Evaluation Criteria</b>
<b>E.</b>	<b>Cultural and Community Planning Principles</b>
<b>F.</b>	<b>Clarifying the Evaluation</b>

### A. Background

On March 1, 2016, the honorable Julie-Ann Dixon brought forth the following motion:

“I move that the Richland County Neighborhood Improvement Program develop a set of criteria for determining the necessity of future Neighborhood Master Plans in unincorporated Richland County and that staff begin their analysis with District 9 no later than the end of the calendar year [December 31, 2016].”

The Neighborhood Improvement Program was established by County Council in Fiscal Year 2004 to coordinate and fund Neighborhood Master Plans and improvement projects in Richland County. On March 1, 2005, County Council approved the first ten (10) priority focal areas for Neighborhood Master Planning, which were established at the onset of the program. There has since been no mechanism in place to assess the need for future planning efforts in unincorporated Richland County; thus Councilwoman Dixon’s motion.

The below table displays the completed master plans, along with the date each was adopted by County Council.

Master Planning Area	Date Adopted
Southeast Richland Neighborhoods	1/3/2006
Broad River Neighborhoods	10/19/2006
Decker Blvd / Woodfield Park	7/10/2007
Candlewood	3/12/2009
Crane Creek	1/19/2010
Trenholm Acres / Newcastle Neighborhoods	1/19/2010
Broad River Road Corridor and Community	12/14/2010
Lower Richland	3/18/2014
Spring Hill	3/18/2014
Mill District (Olympia)	<i>In progress</i>



## **B. Purpose**

As the Neighborhood Improvement Program is at the time of the drafting of this document, for the first time since its inception, in a phase of deliberate implementation, staff also recognizes a need to proactively prepare for the possibility of drafting future plans.

The establishment of a set of criteria for assessing the necessity of future Neighborhood Master Plans in unincorporated Richland County is, therefore, essential to the progression of the program and the targeted, lucrative revitalization and/or conservation of areas of unincorporated Richland County in accordance with the prescriptions of the recently updated Richland County Comprehensive Plan.

As such, County Council approved an ROA wherein it was requested that a set of criteria for determining the necessity of future Neighborhood Master Plans in unincorporated Richland County be established with the intent of ensuring that Neighborhood Redevelopment funding is appropriately allocated to areas of unincorporated Richland County that exhibit the greatest need and ability to benefit from master planning efforts.

## **C. Master Planning Goals**

Each Neighborhood Master Plan, while unique, may contain similar elements and should focus on common goals such as:

- Providing increased flexibility and, consequently, more creative and imaginative design than is generally possible under conventional zoning regulations and/or ordinances.
- Promoting and protecting neighborhood character to create place.
- Promoting a more economical and efficient use of land by providing for coordination of necessary infrastructure, site amenities and protection of open space and natural systems by way of looking forward and anticipating growth and development patterns.
- Promoting more economical and efficient use of land while providing opportunities for development that is compatible with the constraints of the land, critical areas, transportation systems, community needs and market conditions.
- Encouraging clustering and/or pairing of appropriate densities while allowing for variety in typologies and services to achieve a well-functioning, compact and efficient style of development suitable for the setting for which it is planned.
- Fostering a development pattern that results in the design and construction of an interconnected system of pedestrian and bicycle trails and facilities linking residential neighborhoods with open spaces, recreation areas, transportation corridors and retail and employment opportunities.
- Promoting compact growth patterns to more efficiently use developable land.
- Fostering the development of mixed-use areas that are properly oriented, scaled and designed to be compatible with surrounding land uses and restrictions.

## **D. Evaluation Criteria**

Neighborhood Improvement staff will initiate evaluations of potential master plan areas for fitness or ability to benefit from planning processes based on the following criteria:

### **a. Scale:**

A Neighborhood Master Plan should support the strategic long range vision set forth in the County Comprehensive Plan, being of a scale that allows a more in depth exploration of principles established therein.

Neighborhood Master Plans should, therefore, be limited to areas that fit within a ¼ mile radius from an identified central point or those that include a maximum of three [3] neighboring communities with easily recognizable or established boundaries. Because an essential task of the Neighborhood Master Plan is to offer place-specific implementation strategies, smaller scale planning areas are critical as they allow for a more thorough investigation of issues and more effective planning processes.

Neighborhoods that are smaller than ¼ mile or three [3] neighboring communities will be required to first implement the Neighborhood Master Plan Tool Kit developed by Neighborhood Improvement staff that guides communities through the establishment of their own mission, vision and master plan. NIP staff will support communities in this effort and monitor their progress. Should it be determined after a period of two [2] years of self-drafted plan implementation that a smaller community remains in need of further aid, an evaluation for the necessity of a full Neighborhood Master Plan may be conducted.

### **b. Substructure:**

The evaluation of substructure should determine that there exist, within the proposed planning area, the appropriate foundational elements on which to build that suggest a positive yield on the investment(s) of the planning process.

This criterion is a means by which to evaluate social capital, specifically. Neighborhood planning focuses on establishing neighborhood character, improving civic infrastructure and empowering communities for effective leadership. This means that the most successful neighborhood master plans are those championed by an active and engaged constituency.

As this is such a critical component in the success of a plan post adoption, it must also be considered a criterion for its completion. Prospective planning areas must have an established social network as an impetus for plan development to include (a) neighborhood organization(s), (an) active homeowners association(s), (a) community club or other organized group(s) of County citizens who will be responsible for remaining engaged and aiding in plan implementation post adoption.

**c. Cost Benefit**

The Neighborhood Improvement Program was created by County Council to draft and implement Neighborhood Master Plans in fiscal year 2004. Since its inception, not only has NIP drafted and begun implementation of ten [10] Neighborhood Master Plans but Richland County also continues to prosper and is now home to over 400,000 residents, all of whom the program is obligated to serve equally. As such, cost benefit analysis is a critical component of evaluation as it allows for proactive measures to be taken to ensure that as many citizens as possible have access to the resources offered by Neighborhood Improvement while operating within the program's allocated funding.

There are two aspects of cost benefit to be considered in the neighborhood master planning process and the assessment of whether or not it is feasible to plan a proposed area. The first is projected project cost or initial cost [Cost Benefit I]. The initial evaluation should not attempt to arrive at actual figures but instead should assign estimates of low, medium, high based on the types of interventions noted as needing to occur in a preliminary analysis of the area.

Any study area returning analyses showing excessive need, to be defined as six [6] or more projects with more than fifty percent [50%] receiving a high cost estimate should be deemed too costly to pursue unless alternate funding is identified prior to the plan being drafted.

Secondarily, the cost of maintaining systems [Cost Benefit M] in a state of good repair throughout the lifetime of the plan; to be defined as twenty [20] years, is an additional aspect of cost that must be considered when evaluating a prospective planning area.

Maintenance costs should also be estimated on a low, medium, high scale during preliminary analyses. Analyses showing excessive need, to be defined as four [4] or more systems with more than fifty percent [50%] receiving a high cost estimate should be deemed too costly to pursue unless alternate funding is identified prior to the plan being drafted.

	<b>GREEN</b>	<b>YELLOW</b>	<b>RED</b>
SCALE	study area = ¼ mile radius	study area > ¼ mile radius but < three [3] neighborhoods	Study area > ¼ mile radius and > three [3] neighborhoods
SUBSTRUCTURE	active, organized associations	identified residents interested in forming an organization/ association	no active association/ organization or interested residents identified
COST BENEFIT I	low need	moderate need	excessive need
COST BENEFIT M	low need	moderate need	excessive need

<b>Cost Benefit</b>	
Low	Less than \$100K
Medium	\$100K - \$250K
High	\$250K and up

## E. Cultural and Community Planning Principles

In addition to the aforementioned evaluation criteria and master plan goals, proposed master plans should also prove in initial analyses the capacity to effectively address a majority of the following principles:

- **Access:** Potential master plan study areas should be those whose services and facilities would be in locations that would optimize accessibility for all users and provide access which has a significant impact on the overall quality of life of all residents.
- **Equity:** Potential master plan study areas should be those that would benefit a diverse group of residents, workers and visitors via the planning process. In planning for the provision of community and cultural facilities, consideration should be given to cultural diversity and increased access to facilities that promote the aforementioned.
- **Collaboration:** The success of the planning process relies heavily on collaboration. Therefore, potential master plan areas should be those that exhibit the potential for active involvement of the community including social, cultural and commercial groups as well as other government and non-government agencies.
- **Safety:** Potential master plan study areas should be those that have moderate community safety issues that can be addressed via planning processes such as enhanced access management and infrastructure, neighborhood watch or other implementations capable of being remedied via the prescriptions of a Neighborhood Master Plan.
- **Innovation:** Potential master plan study areas should be those communities that are dynamic and exhibit a propensity for innovation and an ability to be adaptable to change. Communities most suitable for planning efforts are those that are flexible and provide opportunities for adapting systems and facilities to meet changing needs through the life cycle of their neighborhoods and allow for innovative approaches to management that promote opportunities for partnership and thereby welcome the planning process.

- **Sustainability:** Potential master plan study areas should be those whose amenities contribute to a diverse, support community and an efficient, healthy and livable system of neighborhoods. In order to meet commitments to ecological, social and economic sustainability, these communities should exhibit the ability to respond positively to the aforementioned cultural and community planning principles.
- **Amenity:** Neighborhood planning aims to be functional, people oriented, user friendly, welcoming and attractive to residents and businesses. Potential master plan study areas should be those who exhibit the same characteristics, or have the ability to be transformed in to areas that do, within the lifespan of a Neighborhood Master Plan, given the existing financial and staffing constraints.
- **Value Management:** Neighborhood planning is based on an approach that includes stakeholder participation, an integrated planning process and needs analysis; development and determination of options, evaluation and recommendations for implementation. Efficient and effective neighborhood planning is achieved through cost effective use of available resources to deliver the greatest possible value for monetary outcomes. In this context, cultural and community planning principles play a vital role in establishing a baseline for assessing which potential planning study areas should be priority. Monitoring and evaluation are continuous and ongoing processes that should be undertaken within the pre-established framework of the Neighborhood Improvement Program.

**F. Clarifying the Evaluation**

Evaluation of each prospective planning area should consider all aforementioned criteria, goals and principles to ensure a comprehensive analysis is performed. To move forward from the evaluation phase, the conclusion of all analyses must be a favorable evaluation. In order for a proposed master plan to receive a favorable evaluation, it must minimally receive a determination of “yellow” from staff. In order to obtain a determination of “yellow,” a master plan proposal may not receive a rating of “red” in more than one of the three evaluation criteria as to do so automatically makes it impossible to average the “yellow” determination needed to move forward favorably.

Below is an example of combinations of scoring that would move a proposal forward favorably.

- *Green; Green; Green*
- *Green; Yellow; Yellow*
- *Yellow; Yellow; Yellow*
- *Green; Yellow; Red*

	GREEN	YELLOW	RED
SCALE	study area = ¼ mile	study area > ¼ mile but < three [3] neighborhoods	study area > ¼ mile and > three [3] neighborhoods
SUBSTRUCTURE	active, organized associations	identified residents interested in forming an organization/ association	no active association/ organization or interested residents identified
COST BENEFIT I	low need	moderate need	excessive need
COST BENEFIT M	low need	moderate need	excessive need

**\*Note:** *Cost Benefit I should be combined with Cost Benefit M to arrive at a single Cost Benefit average as Cost Benefit, while having two parts, is counted once toward the evaluation.*

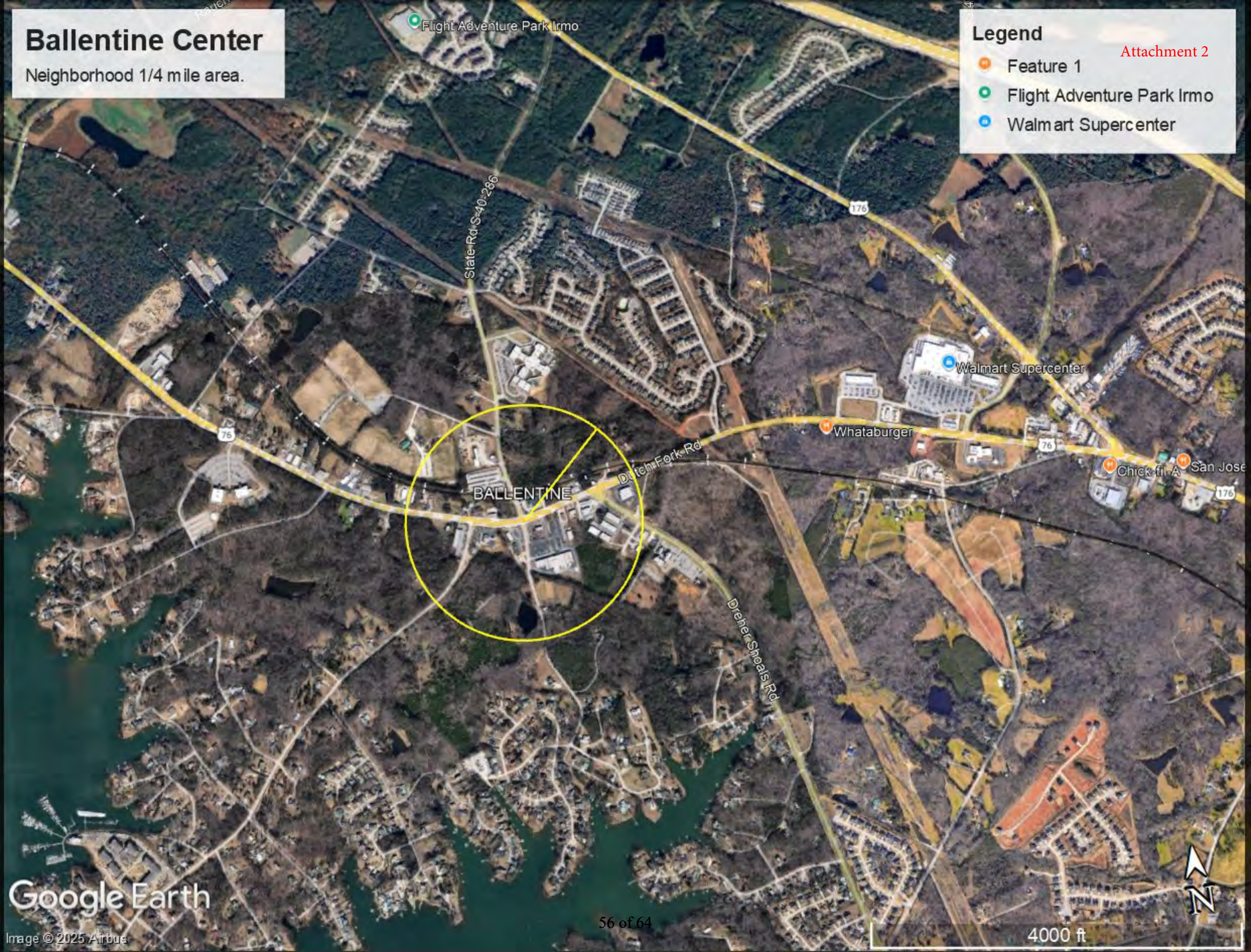
# Ballentine Center

Neighborhood 1/4 mile area.

## Legend

- Feature 1
- Flight Adventure Park Irmo
- Walmart Supercenter

Attachment 2



BALLENTINE

Walmart Supercenter

Whataburger

Chick-fil-A

San Jose





## Richland County Comprehensive Plan Update 2025

### Draft Proposal - Neighborhood Master Plan Process

January 28, 2025

#### INTRODUCTION

Almost 20 years ago, Richland County implemented neighborhood master planning (NMP) as part of the Neighborhood Improvement Program to “protect and revitalize established neighborhood communities.” Criteria for determining the need for a new or updated master plan and defining the study area for each have been established. To date, 11 such master plans have been prepared. (Note: The County currently has a patchwork of aging neighborhood plans with no clear system or cycle to regularly update them, and incomplete coverage of the various areas in the county. Nine of 11 are more than 10 years old.)

Interestingly, the relationship of these master plans to the Richland County Comprehensive Plan is not entirely clear, though the current comprehensive plan acknowledges the neighborhood master plans. Additionally, the implementation of each master plan appears to be disconnected from initiatives that flow from the recommendations of the County’s comprehensive plan, creating the potential for conflicting initiatives and competition for limited County and other resources.

A mechanism for tying these various efforts together to support a more cohesive whole is much needed. The **Reimagine Richland** Comprehensive Plan can and should provide a framework for any plans that are prepared for specific sub-areas of the county. Given this, the Nealon Planning team has considered the possibility of integrating neighborhood master planning into the comprehensive plan development process. Our proposal would help the County evolve its neighborhood master planning system and improve the approach to implementation.

The benefits of the approach proposed herein could include the following:

- Establish stronger ties between neighborhood plans and the comprehensive plan through the alignment of goals, objectives, and policies;
- Increase participation and support for the County’s comprehensive planning work from stakeholders throughout the county;
- Ensure more efficient and productive implementation efforts that serve the interests of each neighborhood, Council district, and the County as a whole;
- Maximize the impact of the resources allocated to implementation;
- Strengthen the relationship between neighborhood plan recommendations and the Priority Investment element of the comprehensive plan;

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- Provide for a more equitable and comprehensive approach to planning for the future of the county;
- Increase the relevancy of the neighborhood plans by adhering to an expeditious timeline, completing all such plans (or updates to the same) before the required five-year comprehensive plan review and the required 10-year comprehensive plan update; and
- Reduce the costs associated with sub-area plans by utilizing, not duplicating, the activities and products of the comprehensive planning process.

The following is a proposal for replacing or modifying the current NMP process. Generally, it suggests the creation of plans in accordance with a process that begins during or immediately following the comprehensive planning process. The goal is to have plans created (or updated) prior to the review of the County's comprehensive plan, which is a review that is supposed to be conducted five years after the comprehensive plan is adopted per the South Carolina Planning Act of 1994.

#### **OBJECTIVE**

Develop an updated and complete set of neighborhood plans that aligns with and supports the goals, objectives, and policies of the Richland County Comprehensive Plan, updated every ten years as required under the South Carolina Planning Act of 1994. The process will ensure each plan addresses unique needs of the neighborhood while supporting broader county interests.

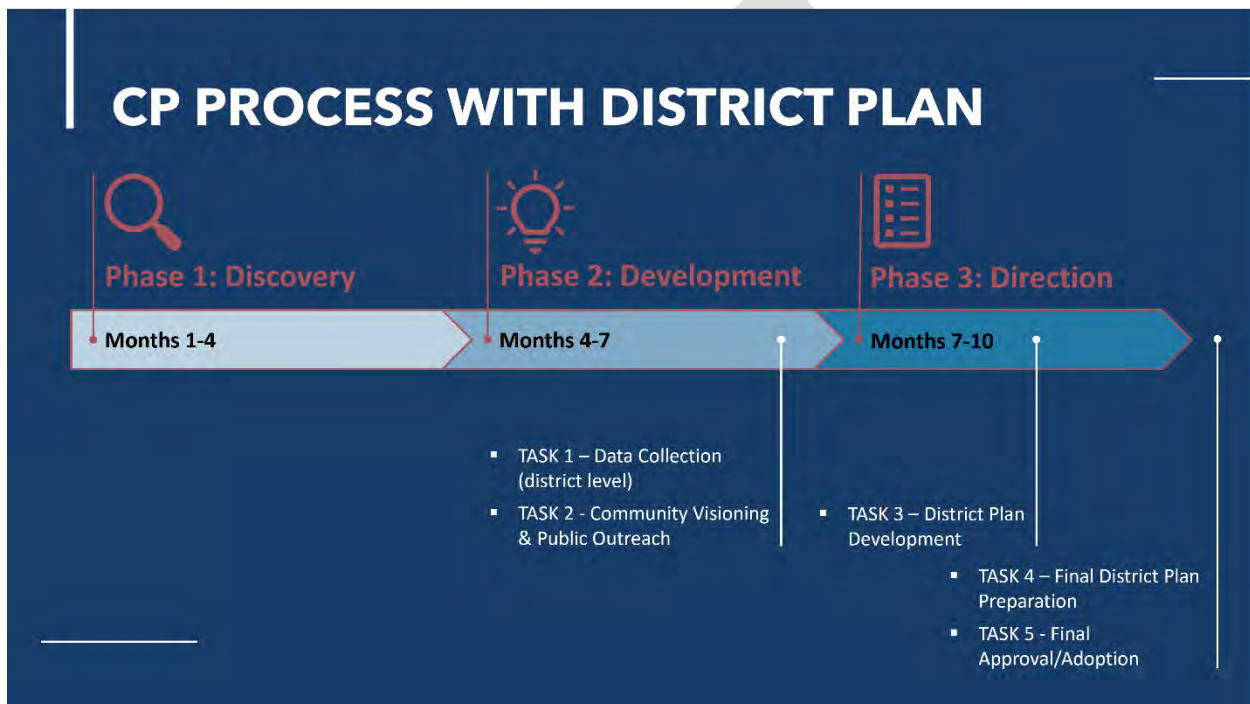
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## PROCESS

The intent is to conduct one or more neighborhood plan development processes concurrent with or subsequent to the update to the Richland County Comprehensive Plan. Ideally, the plan development process would be initiated *after* the early phases of the comprehensive planning process are complete.

*Conceptual Integration of the NMP (or Neighborhood Plan) into the Comprehensive Plan Process*



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## PROPOSED SCOPE OF WORK

*The following tasks are recommended to satisfy the desire for area-specific plans and supporting implementation strategies. The scope provided herein is based on two assumptions: (1) area-specific plans will be prepared to align with the new Comprehensive Plan currently under development (a.k.a. “Reimagine Richland”) by utilizing the products of the comprehensive planning tasks (refer to Contract RC-622-P-24), and (2) at least one area-specific plan will be initiated during the comprehensive planning process. The scope is written for one Neighborhood Plan, but can be duplicated for each additional Neighborhood Plan. Refer to the Cost Proposal for Neighborhood Plans to see efficiencies to be gained with the concurrent development of multiple neighborhood plans.*

### **Task 1 – Data Collection**

Data about the County has been collected and relevant findings based on the synthesis of such data will be reported in the Neighborhood Plan.

Services:

- To provide specific data about the participating neighborhoods, we will expand information already collected for the County (maps, tables, and charts) to present the following:
  - a. Demographics – Highlighted data points about the residents of the neighborhood. (Note: Data will reflect the general area, as the geographies of specific data sets will not necessarily align with neighborhood boundaries.)
  - b. Existing Land Use – Map of existing land use (based on County tax parcel data), cropped to the neighborhood boundaries.
  - c. Environmental Features – Map of environmental features (based on County GIS data), cropped to the neighborhood boundaries.

### **Task 2 – Community Visioning & Public Outreach**

Residents and other stakeholders of all 11 districts are expected to participate in the Comprehensive Plan public engagement activities. More neighborhood-focused activities are necessary to identify the most relevant issues and opportunities the neighborhood is facing, prioritize goals, and determine the most meaningful action steps to be employed in that neighborhood.

Services:

- Neighborhood Meetings –
  - a. Goals Meeting – We will host a up to three two-hour meeting in the neighborhood to gather additional input on the vision and goals for the future as they specifically apply to the neighborhood. **(Deliverables: One to three meetings in the participating neighborhood.)**
  - b. Land Use Workshop – We will host up to three two-hour meeting in the neighborhood to craft a separate land use plan map for the neighborhood. For this step, we will prepare

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a map, displaying the County’s proposed place types applied to the parcels within the neighborhood. The purpose of the meeting is to gather input on the neighborhood’s initial Future Land Use & Conservation Map. The meeting results will be used to refine the application of the place types. **(Deliverables: One to three meetings in the participating neighborhood.)**

- c. Action Plan Work Session– We will host a one and a half-hour virtual work session with representatives of the participating neighborhood to present the refined Future Land Use & Conservation Map and define a set of actions steps for the neighborhood to pursue. These steps will be a subset of the action steps defined for the County. **(Deliverables: One virtual work session for the participating neighborhood.)**

### **Task 3 – Neighborhood Plan Development**

In connection with the meeting topics addressed in Task 2, the participating neighborhood plan will have specific content (Future Land Use & Conservation Map and Action Plan) that represents local aspirations, policy directions, and implementation priorities (including proposed programs and projects).

Services:

- Goals – We will document the high-priority Goals for the participating neighborhood. **(Deliverables: Prioritization of Goals for the participating neighborhood based on input recorded, as the top three goals for each will be noted in the final Neighborhood Plan.)**
- Future Land Use & Conservation Map – Using the input gathered in the Land Use Workshop in Task 2, we will prepare a “vision” map for the participating neighborhood, displaying the County’s proposed place types applied to the parcels within the neighborhood. (Note: The meeting in Task 2 will be used to get input on the application of the place types. After the meeting, a refined map will be produced for the neighborhood.) Following review and comment period, the project team will produce a second and final map reflecting the changes, as directed by the district representatives and County staff. **(Deliverables: One PDF of the draft Future Land Use & Conservation map for the participating neighborhood.)**
- OPTIONAL ADDITION: Subarea Concepts – An examination of specific areas within a neighborhood through conceptual illustration and precedent imagery helps communicate the intent of the plan.
- Action Plan – We will prepare an action plan for the participating neighborhood based on the input received and formatted for inclusion in the final Neighborhood Plan. *[Note: In preparation for the work session, we will develop a short list of implementation measures for each neighborhood informed by the county-level action steps, particularly those that would enable/encourage coordination between the County departments and district representatives.] Neighborhood implementation projects will be included as appropriate in the Priority Investment Element of the Reimagine Richland Comprehensive Plan. (Deliverables: One set of proposed action steps for the participating neighborhood, formatted for inclusion in a final Neighborhood Plan.)*

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#### **Task 4 – Final Neighborhood Plan Preparation**

The final Neighborhood Plan will be formatted as a stand-alone document. The content developed in Task 3 will be done so with the intent of including it in a neighborhood plan that will also incorporate the details of the Comprehensive Plan elements by reference.

Services:

- Neighborhood Plan – The plan will be formatted, reviewed, and finalized as follows:
  - a. Staff Review Draft – County staff will review the document and provide feedback (one set of comments compiled by County staff). **(Deliverables: One PDF of the draft Neighborhood Plan.)**
  - b. Public Review (or Public Hearing) Draft – County staff will place the draft plan on the County’s website and solicit feedback from the community. **(Deliverables: One PDF of the draft Neighborhood Plan.)**
  - c. Public Meeting – A public meeting will be held in the neighborhood to present the draft plan and gather feedback in person. **(Deliverables: One meeting in the participating neighborhood.)**
  - d. Documentation of Public Input – Comments will be acknowledged along with recommendations for edits in presentations to the Planning Board and County Council (refer to Task 5). **(Deliverables: One PDF of the comments on and recommended edits to the Neighborhood Plan.)**
  - e. OPTIONAL: Planning Board and/or County Council Presentations – We will prepare and help make presentations to the two boards. An explicit effort to show how each neighborhood plan fits into the County as a whole would ensure thinking about each neighborhood in context. **(Deliverables: Up to two meetings with Planning Board and/or County Council to present the plan.)**
  - f. Final Plan Document – Following input from the Planning Board and County Council, we will incorporate edits and prepare the final Neighborhood Plan. **(Deliverables: One PDF of the final Neighborhood Plan.)**

#### **Task 5 – Plan Approval/Adoption**

The formal plan adoption process by the County will be separate for each neighborhood plan.

Services:

- Draft Presentations – We will assist the participating neighborhood in the creation of a brief (PowerPoint) presentation about the Neighborhood Plan. **(Deliverables: One preliminary draft of the PPT presentation for the neighborhood.)**
- Final Presentation and Virtual Meeting Attendance – With input on the draft presentation from the neighborhood, we will finalize the presentation. We will assist the participating district in delivering a brief (PowerPoint) presentation about the Neighborhood Plan, joining the meeting in person to assist County staff. **(Deliverables: One final draft of the PPT presentation for**

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**each neighborhood, which will be utilized in addressing the Planning Board and County Council.)**

- Resolution Drafting – We will assist County staff in drafting a resolution for the formal adoption of the Neighborhood Plan. **(Deliverables: One preliminary draft of the resolution for the neighborhood, which will be refined by County staff.)**

### **Coordination**

Virtual Meetings – We will participate in up to four one-hour coordination calls with County staff and/or the district representatives.

### **Optional Implementation Support**

As an option to help catalyze implementation, the consultant may provide planning-level cost estimation for individual implementation projects, project management training to staff, and/or assistance. Additionally, ongoing consultation on how to prepare a project charter, scope, schedule, and for each implementation project, as well as how to manage and fund a multi-project implementation portfolio could be included.



**COST PROPOSAL**

The scope of work provided will be completed as separate but interrelated tasks. The following is a breakdown of fees by task. Fees for tasks described as optional are not included in this proposal.

<b>TASK</b>	<b>FEE</b>
Task 1: Data Collection	\$8,600
Task 2: Community Visioning & Public Outreach	\$11,550
Task 3: Neighborhood Plan Development	\$58,200
Task 4: Final Neighborhood Plan Preparation	\$26,800
Task 5: Plan Approval/Adoption	\$3,200
Coordination	\$2,000
SUBTOTAL (not including optional tasks)	\$110,350
Expenses (assume 5% of labor)	\$5,518
<b>TOTAL</b>	<b>\$115,868</b>

Notes:

- 1. We anticipate efficiencies to be gained with the concurrent development of multiple neighborhood plans. Therefore, the fees noted above assume two or more plans will be developed simultaneously.*
- 2. The use of datasets acquired for the comprehensive plan process will be utilized.*
- 3. Expenses are based on an assumption that travel costs will be lower when trips are combined for multiple events.*

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