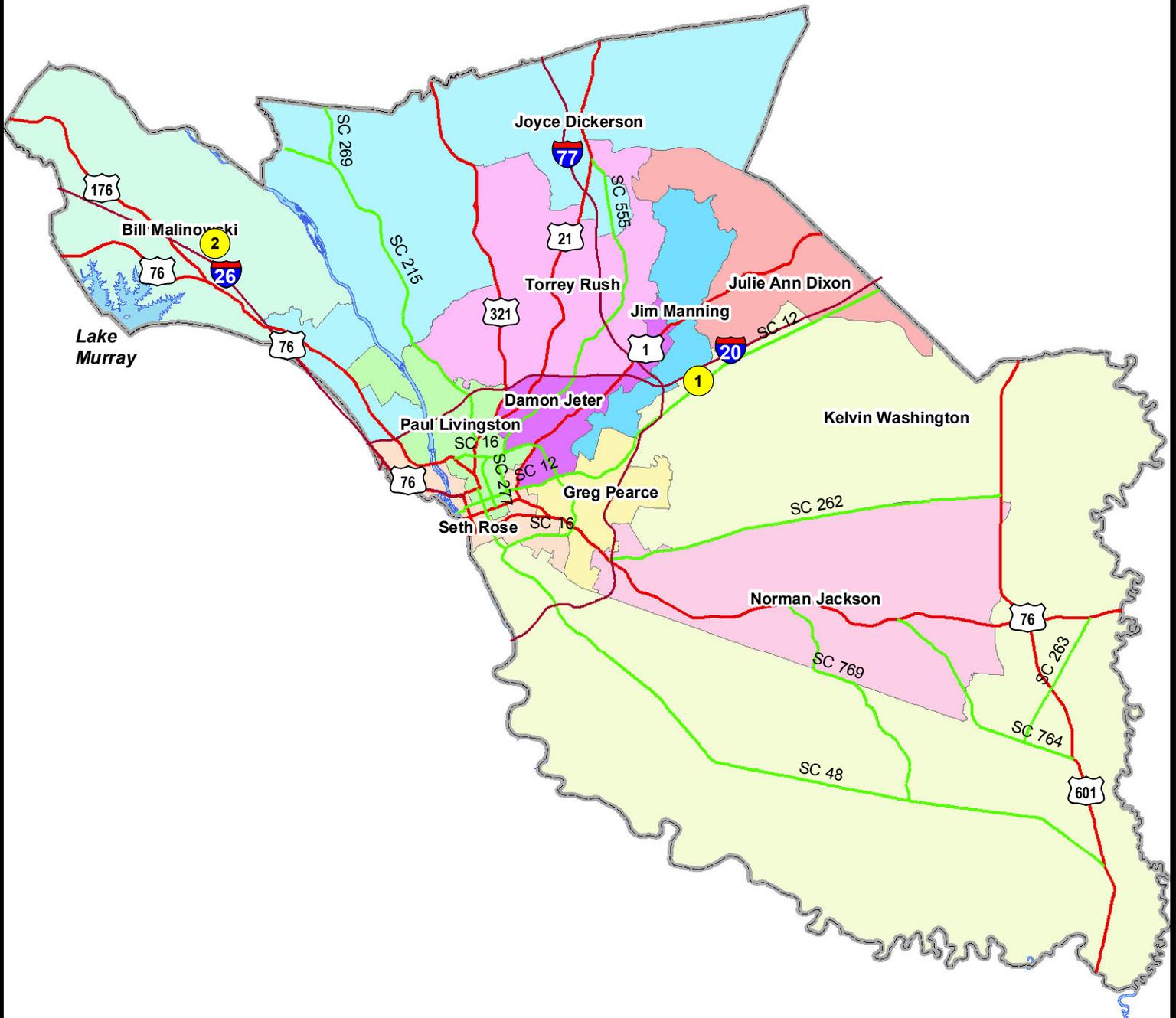


RICHLAND COUNTY COUNCIL
ZONING PUBLIC HEARING



APRIL 23, 2013

RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING APRIL 23, 2013



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 13-10 MA	Kim Robert	22601-01-11	Percival Rd.	Washington
2. 13-11 MA	Larry Umberger	03400-02-38	Shady Grove Rd.	Malinowski



RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING

**Tuesday, April 23, 2013
7:00 P.M.
2020 Hampton Street
2nd Floor, Council Chambers
Columbia, South Carolina**

STAFF:

Tracy Hegler, AICP.....Planning Director
Geonard Price.....Deputy Planning Director/Zoning Administrator
Amelia R. Linder, Esq..... Attorney
Holland Jay Leger, AICP..... Planning Services Manager

CALL TO ORDERHonorable Kelvin E. Washington, Sr.
Chairman of Richland County Council

ADDITIONS / DELETIONS TO THE AGENDA

OPEN PUBLIC HEARING

MAP AMENDMENTS

1. Case # 13-10 MA
Kim Roberts
GC to LI (2 acres)
Percival Rd.
TMS# 22601-01-11 & 03(p) [**FIRST READING**]
Planning Commission Denied 6-0
Page 1

2. Case # 13-11 MA
Larry Umberger
RU to RS-LD (30.39acres)
Shady Grove Rd.
TMS# 03400-02-38 [**FIRST READING**]
Planning Commission Approved 5-1
Page 11

ADJOURNMENT



**Richland County
Planning & Development Services Department**

Map Amendment Staff Report

PC MEETING DATE: April 1, 2013
RC PROJECT: 13-10 MA
APPLICANT: Kim Roberts

LOCATION: Percival Road

TAX MAP NUMBER: 22601-01-11 & 03(Portion of)
ACREAGE: 1.26 & 1.00 for a combined total of 2.26 acres
EXISTING ZONING: GC
PROPOSED ZONING: LI

PC SIGN POSTING: March 15, 2013

Staff Recommendation

Disapproval

Background

Zoning History

The original zoning of the parcels as adopted September 7, 1977 was Residential Multi-Family Medium Density District (RG-2). The subject parcels were rezoned to General Commercial District (GC) under ordinance number 071-06HR (case 06-18MA).

Zoning District Summary

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

Direction	Existing Zoning	Use
<u>North:</u>	GC	Undeveloped
<u>South:</u>	RS-1	Fort Jackson (City of Columbia)
<u>East:</u>	GC	Undeveloped
<u>West:</u>	GC/RM-MD	Place of Worship/Residences

Discussion

Parcel/Area Characteristics

The parcel has one hundred and eighty nine (189) feet of frontage along Percival Road which is a two-lane undivided minor arterial without sidewalks or streetlights. The subject parcel contains a four bay metal sided commercial structure, gentle slopes, little vegetation and one access drive onto Percival Road. The immediate area is primarily characterized by undeveloped parcels, residential uses within the Jamaica Street and Patriot Park neighborhoods, a place of worship and several commercial uses to the west. Located south of the subject parcel is Fort Jackson.

In accordance with Chapter 29 of the South Carolina Local Government Comprehensive Planning Enabling Act, Article 13 Section 6-29 1630, any land use or zoning decision located within 3,000 feet of any military installation requires notification to the commander of the installation. The staff contacted Fort Jackson's Department of Public Works (DPW) Master Planning Division and was advised that the proposal will not adversely affect Fort operations.

Public Services

The subject parcel is within the boundaries of School District 2. Polo Road Elementary School is located .57 miles west of the subject parcels on Polo Road. The Jackson Creek fire station (number 32) is located 2.2 miles northwest of the subject parcels on Two Notch Road. There is a fire hydrant located along Jamaica Street eight hundred and four feet (804) southwest of the subject parcels. The proposed map amendment would not negatively impact public services or traffic. Water is provided by the City of Columbia and sewer service is provided by East Richland County PSD.

Plans & Policies

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

Objective: Industrial activities should be compatible with the surrounding land uses and should not locate near residential or commercial uses without adequate space for buffering/setbacks. Proposed industrial uses should consider sites with adequate room for expansion, existing infrastructure, and access to major arterials and/or highways. Sites will be considered during the rezoning process and periodically updated.

Non-Compliance: The LI District is not compatible with the surrounding land uses.

Traffic Impact

The 2011 SCDOT traffic count (Station # 215) located southwest of the subject parcels on Percival Road identifies 14,600 Average Daily Trips (ADT's). Percival Road is classified as a two lane undivided minor arterial, maintained by SCDOT with a design capacity of 10,800 ADT's. Percival Road is currently operating at Level of Service (LOS) “F”.

The 2011 SCDOT traffic count (Station # 216) located northeast of the subject parcels on Percival Road identifies 10,800 Average Daily Trips (ADT's). Percival Road is classified as a two lane undivided minor arterial, maintained by SCDOT with a design capacity of 10,800 ADT's. Percival Road is currently operating at Level of Service (LOS) “C”.

There are no planned or programmed improvements for this section of Percival Road.

Conclusion

The parcels north of Percival Road are zoned GC and north of those parcels are zoned RM-MD. The three neighboring RM-MD District parcels contain residential uses. A place of worship is located south west of the subject parcels. The proposed request is not in compliance with the Comprehensive Plan as there are residentially developed parcels nearby that could be negatively affected, and there is not adequate space for buffering/setbacks.

Staff recommends **Disapproval** of this map amendment.

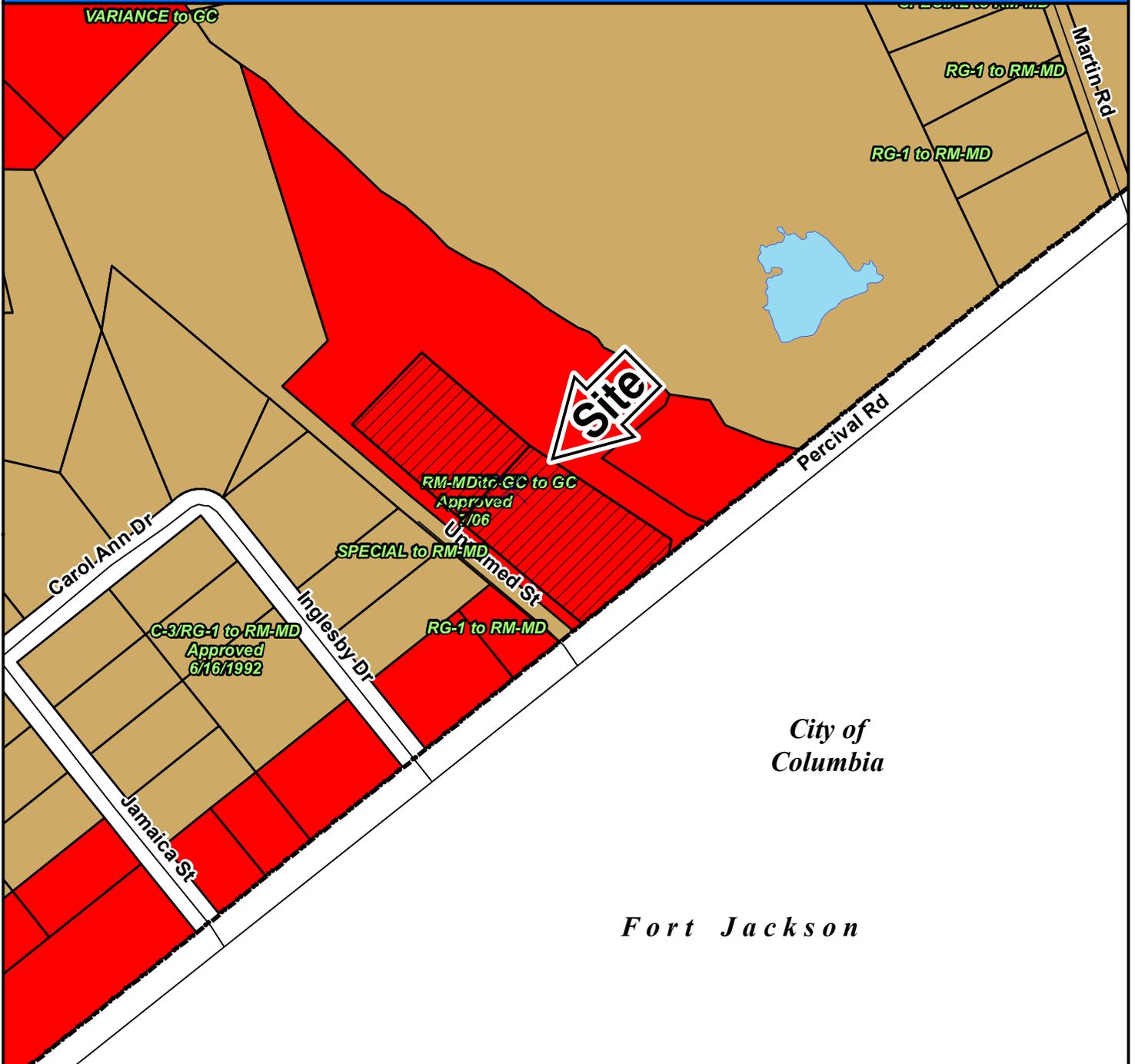
Zoning Public Hearing Date

April 23, 2013

Planning Commission Action

At their meeting of **April 1, 2013** the Richland County Planning Commission **agreed** with the PDSD recommendation and recommends the County Council **disapprove the proposed Amendment** for **RC Project # 13-10 MA**.

Case 13-10 MA GC to LI

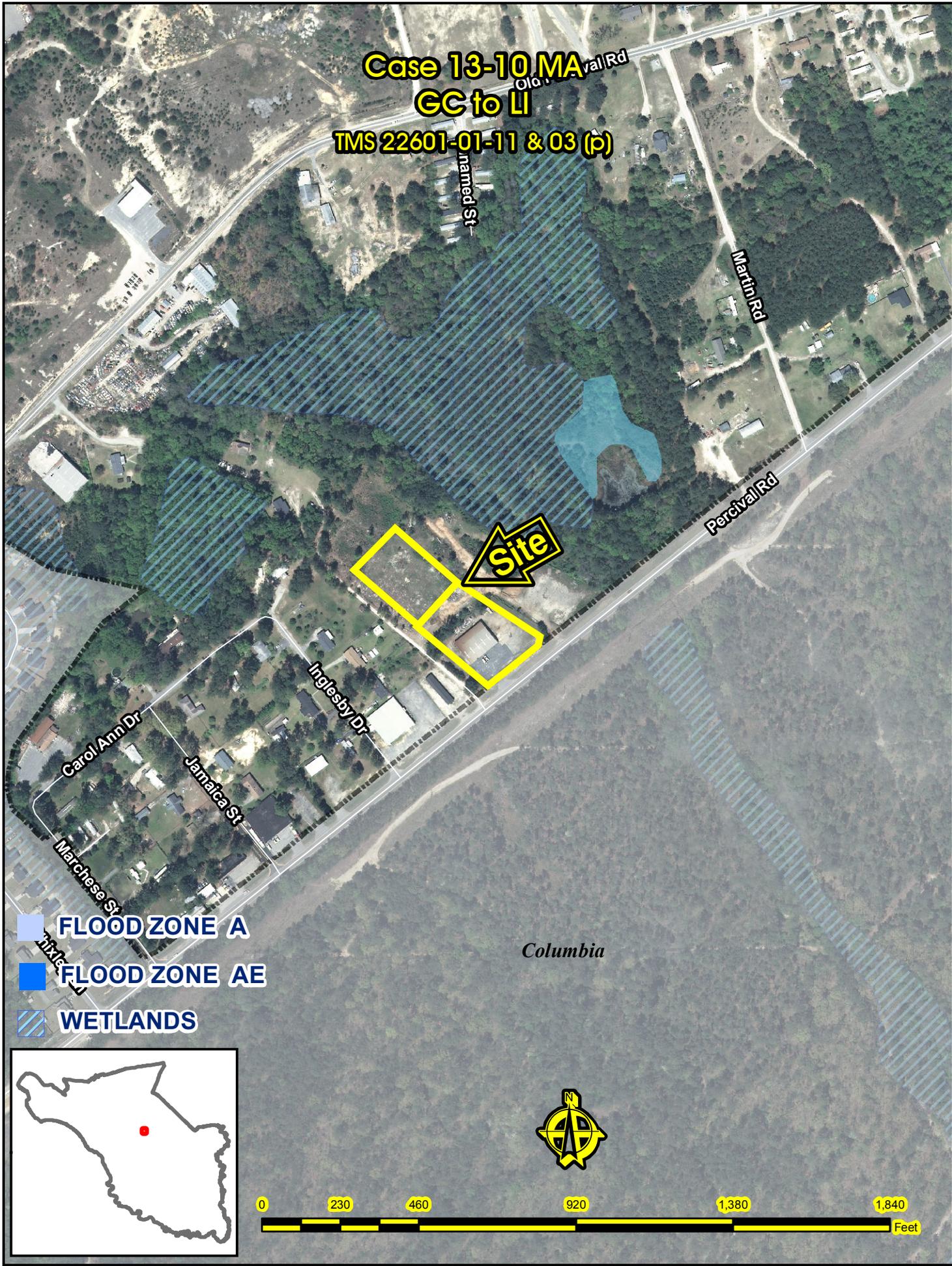


ZONING CLASSIFICATIONS

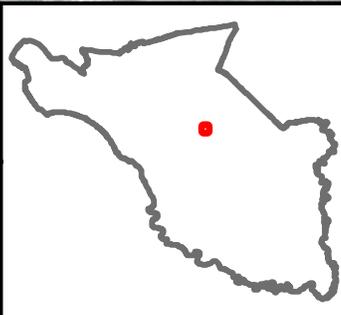
CC-1	C-1	RS-E	MH	NC	LI	TROS
CC-2	C-3	RS-LD	RM-MD	GC	HI	Subject Property
CC-3	RG-2	RS-MD	RM-HD	RC	PDD	
CC-4	RR	RS-HD	OI	M-1	RU	



Case 13-10 MA
GC to LI
TMS 22601-01-11 & 03 (p)



-  **FLOOD ZONE A**
-  **FLOOD ZONE AE**
-  **WETLANDS**



Columbia



CASE 13-10 MA

From GC to LI

TMS# 202601-01-11

Percival Rd



The zoning change from GC (General Commercial) to LI (Light Industrial) would permit the introduction of the following uses which were not allowed previously in the original zoning

USE TYPES	LI
Crop Production Support Services	P
Forestry Support Services	P
Correctional Institutions	SE
Automobile Towing, Including Storage Services	P
Construction, Building, General Contracting, with Outside Storage	SR
Construction, Heavy, with Outside Storage	SR
Construction, Heavy, without Outside Storage	P
Construction, Special Trades, with Outside Storage	SR
Repair and Maintenance Services, Automobile, Major	P
Repair and Maintenance Services, Boat and Commercial Trucks, Small	P
Repair and Maintenance Services, Commercial and Industrial Equipment	P
Vending Machine Operators	P
Chemicals and Allied Products	P
Farm Products, Raw Materials	P
Farm Supplies	P
Metal and Minerals	P
Motor Vehicles	P
Motor Vehicles, Used Parts and Supplies	P
Scrap and Recyclable Materials	SE
Timber and Timber Products	P

Airports or Air Transportation Facilities and Support Facilities	P
Courier Services, Central Facility	P
Materials Recovery Facilities (Recycling)	P
Water Treatment Plants, Non-Governmental, Public	P
Apparel	P
Beverage, Soft Drink and Water	P
Borrow Pits	SE
Dairy Products	P
Dolls, Toys, and Games	P
Fabricated Metal Products	SE
Food Manufacturing, Not Otherwise Listed	P
Furniture and Related Products	P
Glass and Glass Products	SE
Jewelry and Silverware	P
Leather and Allied Products (No Tanning)	P
Machinery	SE
Manufacturing, Not Otherwise Listed	SE
Office Supplies (Not Paper)	P
Paper Products (No Coating and Laminating)	P
Soap, Cleaning Compounds, and Toilet Preparations	P
Sporting and Athletic Goods	P
Textile Product Mills	SE
Transportation Equipment	SE
Wood Products, Excluding Chip Mills	P

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-13HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 22601-01-11 AND A PORTION OF TMS # 22601-01-03 FROM GC (GENERAL COMMERCIAL DISTRICT) TO LI (LIGHT INDUSTRIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 22601-01-11 and a portion of TMS # 22601-01-03 from GC (General Commercial District) zoning to LI (Light Industrial District) zoning; as further shown on Exhibit A, which is attached hereto and incorporated herein.

Section II. Severability. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2013.

RICHLAND COUNTY COUNCIL

By: _____
Kelvin E. Washington, Sr., Chair

Attest this _____ day of
_____, 2013.

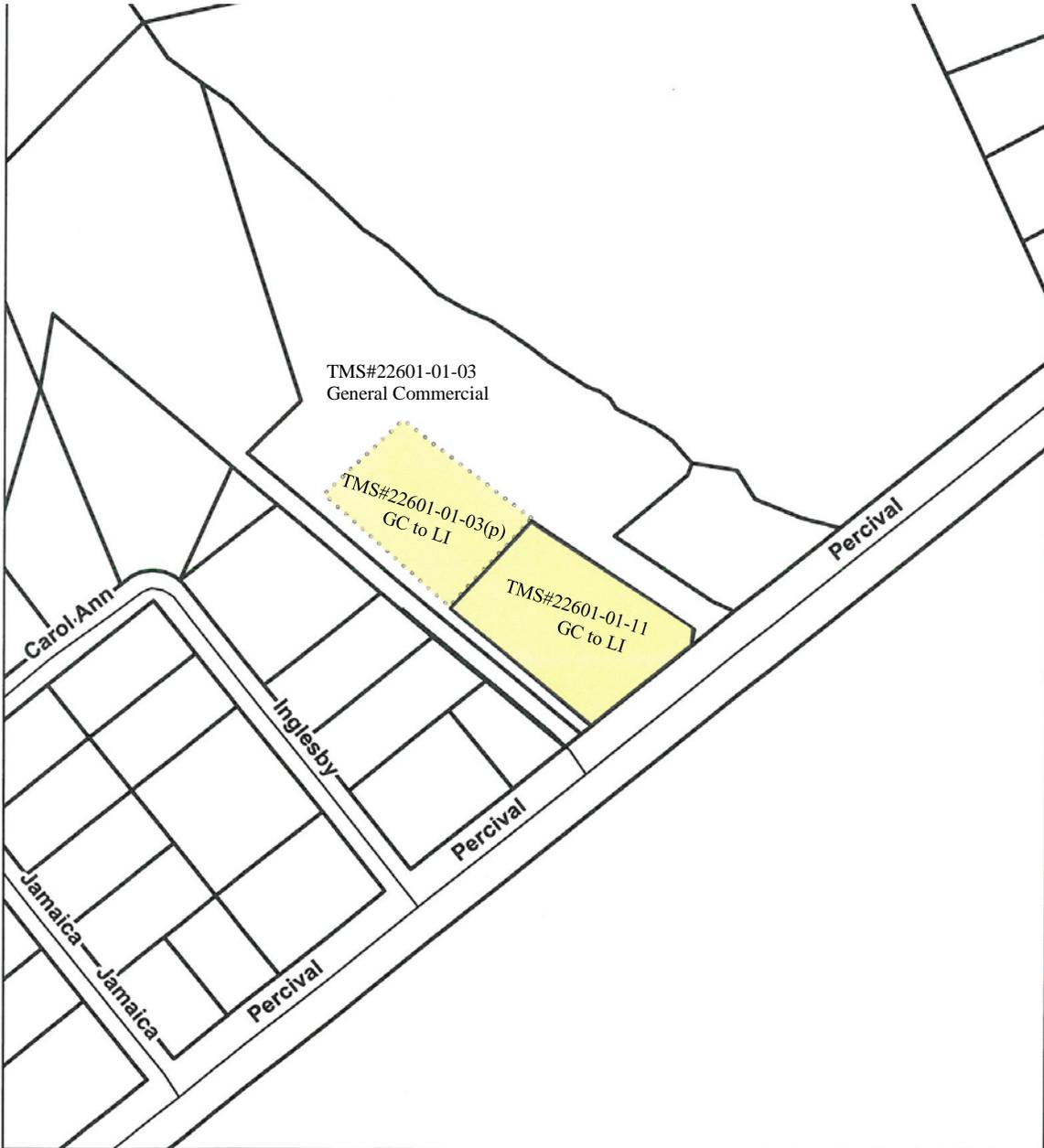
Michelle M. Onley
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: April 23, 2013 (tentative)
First Reading: April 23, 2013 (tentative)
Second Reading:
Third Reading:

Exhibit A





Richland County Planning & Development Services Department

Map Amendment Staff Report

PC MEETING DATE: April 1, 2013
RC PROJECT: 13-11 MA
APPLICANT: Larry Umberger

LOCATION: Shady Grove Road

TAX MAP NUMBER: 03400-02-38
ACREAGE: 30.39
EXISTING ZONING: RU
PROPOSED ZONING: RS-LD

PC SIGN POSTING: March 15, 2013

Staff Recommendation

Approval

Background

Zoning History

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

Zoning History General Area

The subdivision, Ashford, located southwest of the site was rezoned to Residential Single Family Low Density District (RS-LD) under ordinance number 1979-90HR (case number 90-008MA). The subdivision, Walnut Grove, located west of the site was rezoned to Residential Single Family Low Density District (RS-LD) under ordinance number 014-95HR (case number 94-057MA). The subdivision, Dutch Oaks, located west of the site was rezoned to Residential Single Family Low Density District (RS-LD) under ordinance number 059-03HR (case number 04-06MA). The subdivision, Kingston Ridge Subdivision, located northeast of the site along Old Tamah Road was rezoned to Residential Single Family Medium Density District (RS-MD) under ordinance number 117-06HR (case number 06-58MA). Map amendment case number 12-14MA was a proposed request to rezone roughly 30 acres adjacent to the Kingston Village Subdivision to RS-MD. On the same property, map amendment case number 12-29MA was an additional request to rezone the property to RS-LD. Both requests were denied.

Zoning District Summary

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

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

- The gross density for this site is approximately: 109 dwelling units
- The net density for this site is approximately: 76 dwelling units

Direction	Existing Zoning	Use
<u>North:</u>	RU/RS-MD	Undeveloped/Residential subdivision (Ridgecreek)
<u>South:</u>	RU	Residences
<u>East:</u>	RU	Undeveloped
<u>West:</u>	RS-LD/RU	Residential subdivision (Walnut Grove)/Residences

Discussion

Parcel/Area Characteristics

The subject parcel is mostly wooded and contains a single family residence. Otherwise, the property has mild slopes, no sidewalks or streetlights and one access driveway into the site. The surrounding area is characterized by scattered larger lot residential parcels, agricultural uses, low-density developed subdivisions (i.e. Walnut Grove, Dutch Oaks, Misty Glen Ashford), as well as medium-density developed subdivisions (i.e. Ridge Creek and Kingston Village). Additionally, the institutional uses Dutch Fork Middle and Dutch Fork High School are located to the northeast. The abutting RU District zoned parcels that contain residences as well as some rural undeveloped parcels.

Public Services

The subject parcel is within the boundaries of Lexington/Richland School District Five. Dutch Fork Middle School and Dutch Fork High School is located .6 miles to the northeast of the subject parcel on Old Tamah Road. Water service would be provided by the City of Columbia and sewer service would be provided by Richland County. There is a fire hydrant located west of the site along Shady Grove Road. The Dutch Fork/Ballentine fire station (station number 20) is located on Broad River Road, approximately 1.1 miles south of the subject parcel.

Plans & Policies

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

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

Compliance: The RS-LD zoning district permits a minimum 12,000 square foot lots or 3.6 dwelling units per acre, which is closer to the recommended density of the Comprehensive Plan than allowed under the current RU District. Consequently, staff is of the opinion that the rezoning complies with the Comprehensive Plan’s recommended density.

Traffic Impact

The 2011 SCDOT traffic count (Station # 573) located northeast of the subject parcel on Old Tamah Road identifies 2,800 Average Daily Trips (ADT's). Old Tamah Road is classified as a two lane undivided Collector, maintained by SCDOT with a design capacity of 8,600 ADT's. Old Tamah Road is currently operating at Level of Service (LOS) "A".

There are no planned or programmed improvements for this section of Shady Grove Road or Old Tamah Road.

Conclusion

The residential subdivision north of the site is zoned RS-MD. Similarly, located to the west of the site are several residential subdivisions zoned RS-LD. The requested zoning is compatible with the adjacent uses and zonings. The proposed request is in compliance with the Comprehensive Plan. The road is currently operating below the designed capacity (LOS A) and should prove to be capable of supporting an increase in traffic.

Staff recommends **Approval** of this map amendment.

Zoning Public Hearing Date

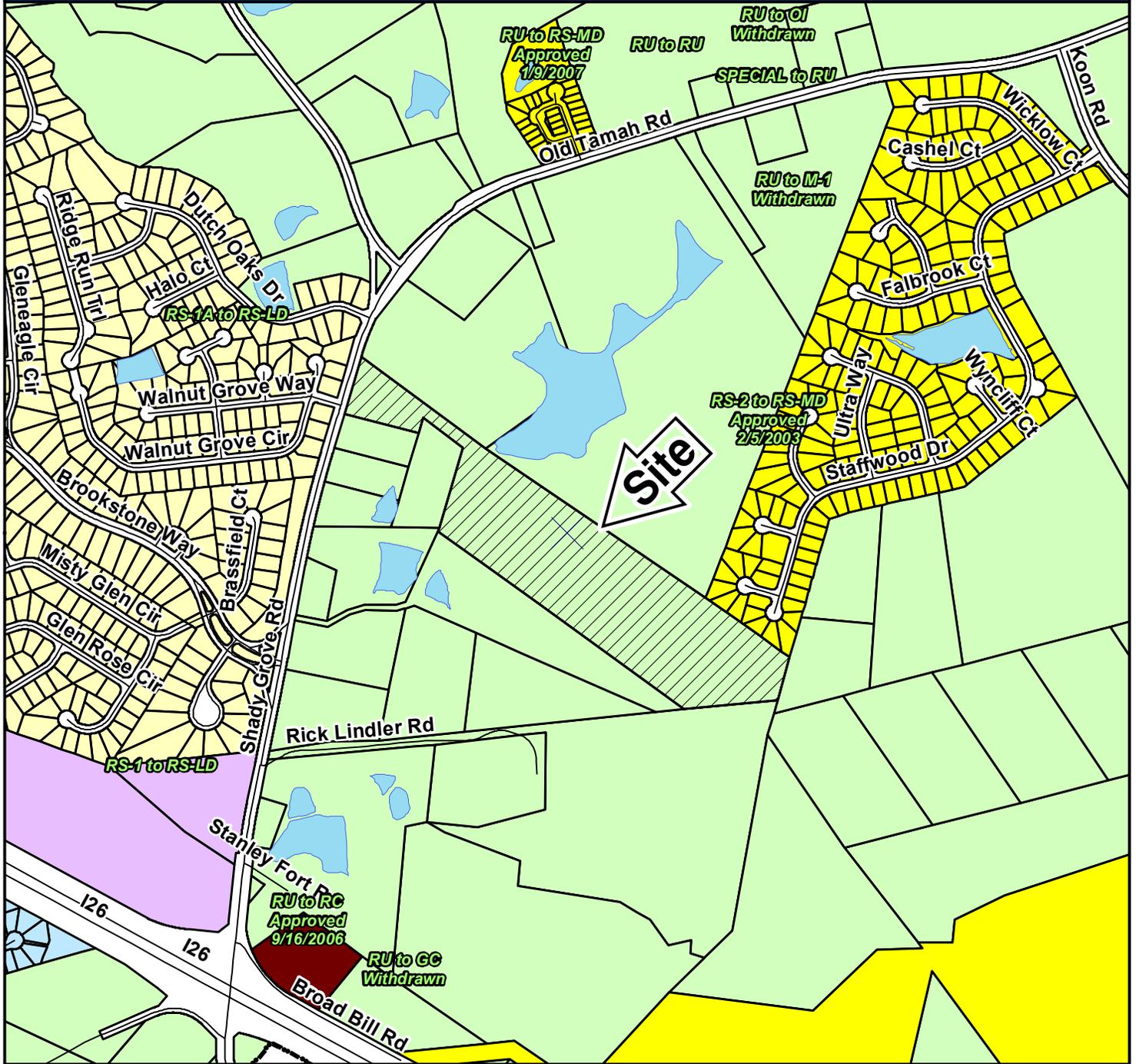
April 23, 2013

Planning Commission Action

At their meeting of **April 1, 2013** the Richland County Planning Commission **agreed** with the PSDS recommendation and recommends the County Council initiate the ordinance consideration process to **approve the proposed Amendment** for **RC Project # 13-11 MA**.

Case 13-11 MA

RU to RS-LD

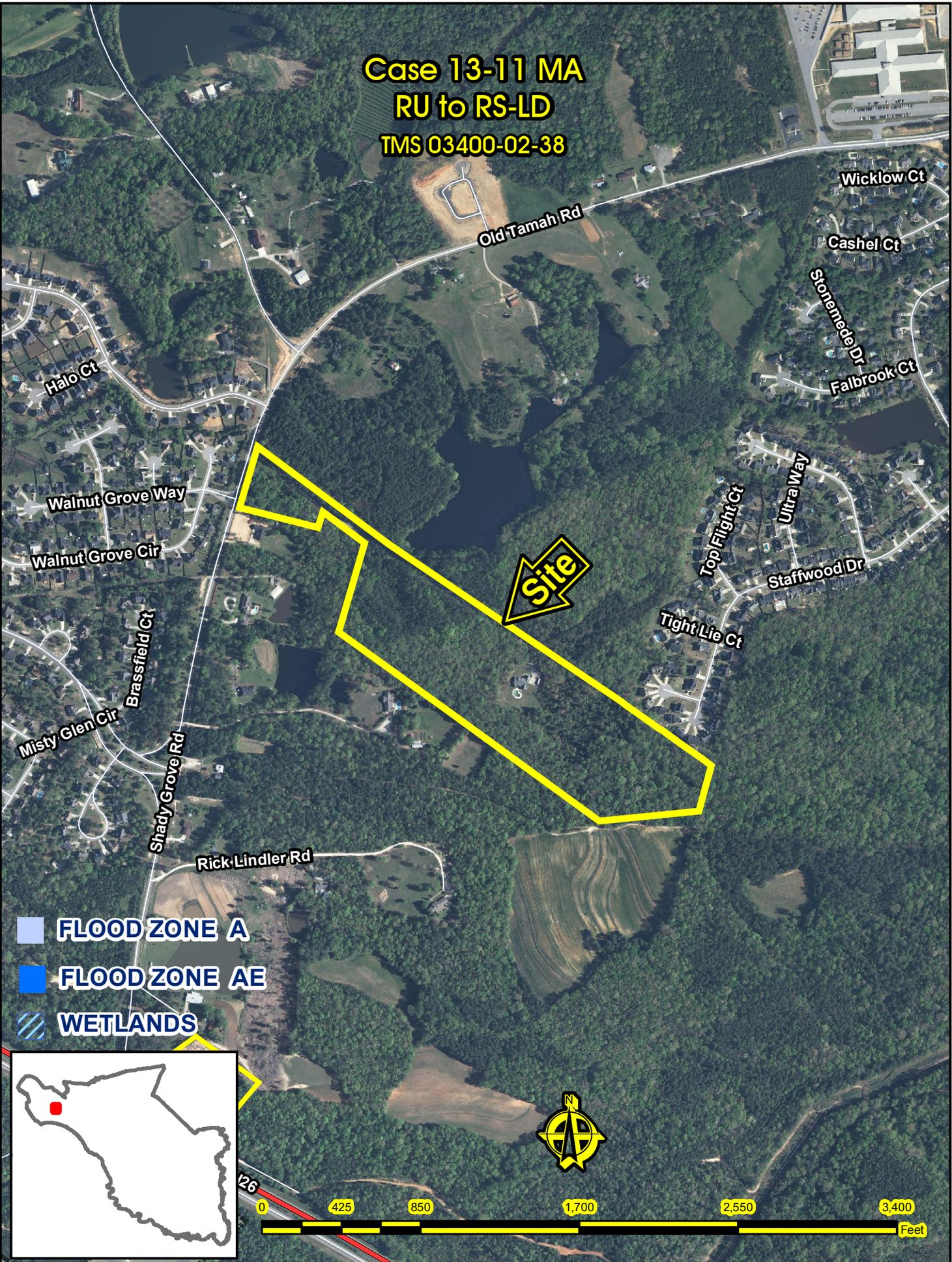


ZONING CLASSIFICATIONS

	CC-1		C-1		RS-E		MH		NC		LI		TROS
	CC-2		C-3		RS-LD		RM-MD		GC		HI		Subject Property
	CC-3		RG-2		RS-MD		RM-HD		RC		PDD		
	CC-4		RR		RS-HD		OI		M-1		RU		



**Case 13-11 MA
RU to RS-LD
TMS 03400-02-38**



CASE 13-11 MA

From RU to RS-LD

TMS# 03400-02-38

Shady Grove Rd



The zoning change from RU (Rural) to RS-MD (Residential Medium Density) would permit the introduction of the following uses which were not allowed previously in the original zoning

USE TYPES	RS-LD
Single-Family, Zero Lot Line, Parallel	SR

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-13HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 03400-02-38 FROM RU (RURAL DISTRICT) TO RS-LD (RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 03400-02-38 from RU (Rural District) zoning to RS-LD (Residential, Single-Family – Low Density District) zoning.

Section II. Severability. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2013.

RICHLAND COUNTY COUNCIL

By: _____
Kelvin E. Washington, Sr., Chair

Attest this _____ day of
_____, 2013.

Michelle M. Onley
Clerk of Council

Public Hearing: April 23, 2013 (tentative)
First Reading: April 23, 2013 (tentative)
Second Reading:
Third Reading:

PROCEDURES FOR SENDING REZONING MATTERS ‘BACK’ TO THE PLANNING COMMISSION

PLANNING COMMISSION	PLANNING COMMISSION RECOMMENDATION	COUNTY COUNCIL ACTION AT THE ZONING PUBLIC HEARING	Goes back to PC and is reviewed	Goes back to PC and starts over	Does not go back to PC
Zoning District X to Zoning District Y	APPROVE	APPROVE			X
Zoning District X to Zoning District Y	DENY	APPROVE			X
Zoning District X to Zoning District Y	APPROVE	DENY			X
Zoning District X to Zoning District Y	DENY	DENY			X
Zoning District X to Zoning District Y	APPROVE	Zoning District X to Zoning District Z		X	
Zoning District X to Zoning District Y	DENY	Zoning District X to Zoning District Z		X	
Zoning District X to PDD	APPROVE	Zoning District X to PDD with less restrictions	X		
Zoning District X to PDD	APPROVE	Zoning District X to PDD with more restrictions			X
Zoning District X to PDD	DENY	Zoning District X to PDD with less restrictions	X		
Zoning District X to PDD	DENY	Zoning District X to PDD with more restrictions			X



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