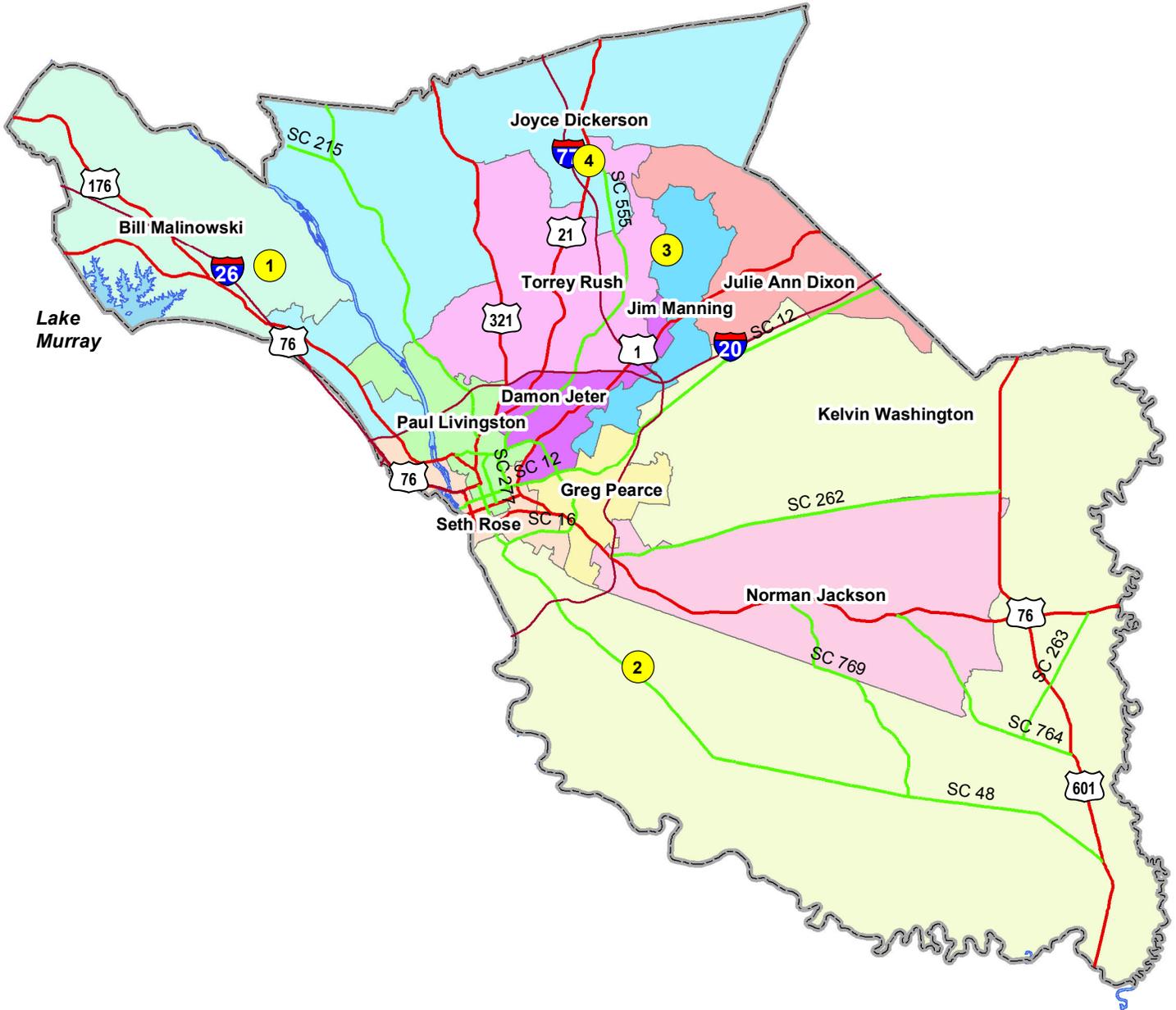


RICHLAND COUNTY COUNCIL
ZONING PUBLIC HEARING



JULY 23, 2013

RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING JULY 23, 2013



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 13-17 MA	Steven Mungo/ Gerald Steele	04200-04-07 & 08	1842 Kennerly Road	Malinowski
2. 13-18 MA	Larry Brazell	18900-02-06	Bluff Road	Washington
3. 13-17 MA	Will Holmes	20200-01-30	2312 Clemson Road	Manning
4. 13-25 MA	Mukesh Thakkar	15000-02-09	10447 Wilson Blvd	Dickerson



RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING

**Tuesday, July 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

1. Case # 13-17 MA
Steven Mungo/Gerald Steele
RU to RS-LD (58.7 acres)
1842 Kennerly Rd.
TMS# 04200-04-07 & 08 [**FIRST READING**]
Planning Commission Approved 5-2
Page 1

2. Case # 13-18 MA
Larry Brazell
RU to LI (147.83 acres)
Bluff Rd.
TMS# 18900-02-06 [**FIRST READING**]
Planning Commission Approved 6-1
Page 9

3. Case # 13-19 MA
Will Holmes
RS-MD to OI (15.26 acres)
2312 Clemson Rd.
TMS# 20200-01-30 [**FIRST READING**]
Planning Commission Approved 7-0
Page 21

4. Case # 13-25 MA
Mukesh Thakkar
RU to RC (1.76 acres)
10447 & 10453 Wilson Blvd.
TMS# 15000-02-09 [**FIRST READING**]
Planning Commission Approved 8-0
Page 31

TEXT AMENDMENTS

1. AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; DEVELOPMENT WITH OPEN SPACE DESIGN STANDARDS

[SECOND PUBLIC HEARING] [SECOND READING]

Planning Commission Approved 7-0

Page 41

ADJOURNMENT



**Richland County
Planning & Development Services Department**

Map Amendment Staff Report

PC MEETING DATE: June 3, 2013
RC PROJECT: 13-17 MA
APPLICANT: Stewart Mungo/Gerald Steele

LOCATION: 1842 Kennerly Road

TAX MAP NUMBER: 04200-04-07 & 08
ACREAGE: 58.7
EXISTING ZONING: RU
PROPOSED ZONING: RS-LD

PC SIGN POSTING: May 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 Residential Single Family Low Density District (RS-LD) parcels located north of the site were rezoned under ordinance number 038-94HR (case number 94-010MA). The subdivision, Belfair, located west of the site was rezoned to RS-LD District under ordinance number 042-97HR (case number 97-017MA). The subdivision, Ascot, located east of the site was rezoned to RS-LD District under ordinance number 059-96HR (case number 96-038MA). The RS-LD District parcels located south of the subject parcels were rezoned under ordinance number 030-94HR (case number 94-002MA).

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: 211 dwelling units
- The net density for this site is approximately: 147 dwelling units

Direction	Existing Zoning	Use
<u>North:</u>	RU	Ascot Estates Residential Subdivision
<u>South:</u>	RS-LD	Undeveloped
<u>East:</u>	RS-LD	Ascot Circle Residential Subdivision
<u>West:</u>	RU/RS-LD	River Springs Elementary/Belfair Residential Subdivision

Discussion

Parcel/Area Characteristics

The subject parcels are mostly wooded and contain a single family residence on each site, along with what appears to be an old home site. Otherwise, the property has no sidewalks or streetlights. The surrounding area is characterized by scattered larger lot rural residential parcels, undeveloped wooded tracts, low-density developed subdivisions (e.g. Belfair, Belfair Oaks and Ascot) and institutional uses (River Springs Elementary School and Oak Pointe Elementary).

Public Services

The subject parcel is within the boundaries of Lexington/Richland School District Five. River Springs Elementary School is located west of the subject parcels on Kennerly Road. Oak Pointe Elementary School is located .6 miles northeast of the subject parcels on Kennerly 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 sites; however it is located internal to the elementary school's roads. The Dutch Fork/Ballentine fire station (station number 20) is located on Broad River Road, approximately 2.2 miles west of the subject parcels.

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 # 493) located west of the subject parcels on Coogler Road identifies 2,300 Average Daily Trips (ADT's). Coogler Road is classified as a two lane undivided Collector, maintained by SCDOT with a design capacity of 8,600 ADT's. Coogler Road is currently operating at Level of Service (LOS) "A".

The 2011 SCDOT traffic count (Station # 457) located south of the subject parcels on Kennerly Road between Broad River Road and its intersection with Hollingshed Road identifies 15,800 Average Daily Trips (ADT's). In this vicinity Kennerly Road is classified as a two lane undivided Collector, maintained by SCDOT with a design capacity of 8,600 ADT's. Kennerly Road is currently operating at Level of Service (LOS) "F". However, it should be noted that the traffic count station is located 1.9 miles south of the subject parcels and may reflect the traffic impacts associated with vehicle trips closer to Broad River Road where all of the traffic must converge.

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

Conclusion

Given the fact that most of the surrounding subdivisions are zoned RS-LD, and developed as such, along with the other residential developments in the vicinity, staff is of the opinion that the proposed rezoning is in character with existing development and is compatible with the adjacent uses and zoning districts. Staff believes the proposed request is in compliance with the Comprehensive Plan recommendations for Suburban development.

Based upon this rationale, staff recommends **Approval** of this map amendment.

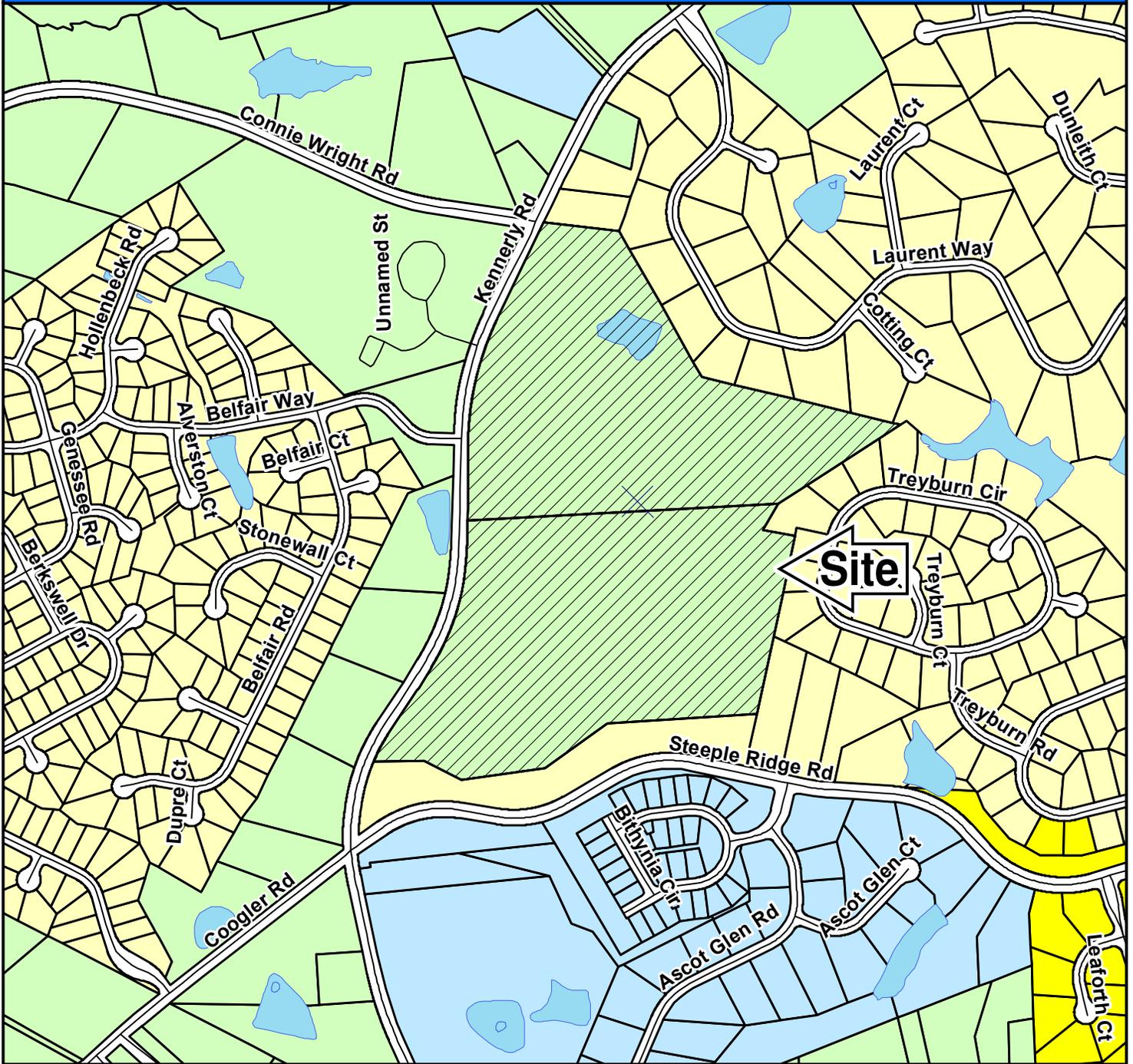
Zoning Public Hearing Date

June 25, 2013

Planning Commission Action

At their meeting of **June 3, 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 # 13-17 MA**.

Case 13-17 MA RU to RS-LD



ZONING CLASSIFICATIONS

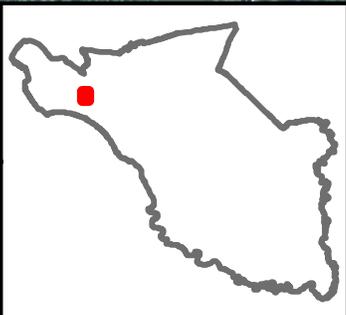
CC-1	C-1	RS-E	MH	NC	LI	TROS
CC-2	C-3	RS-LD	RM-MD	GC	HI	Subject Property
CC-3	RG-2	RS-MD	RM-HD	RC	PDD	
CC-4	RR	RS-HD	OI	M-1	RU	



**Case 13-17 MA
RU to RS-LD
TMS 04200-04-07 & 08**

Site

-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS



CASE 13-17 MA

From RU to RS-LD

TMS# 04200-04-07 & 08

1842 Kennerly Road



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 PROPERTIES DESCRIBED AS TMS # 04200-04-07 & TMS # 04200-04-08 FROM RU (RURAL DISTRICTS) TO RS-LD (RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICTS); 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 # 04200-04-07 and TMS # 04200-04-08 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
_____, 2011.

Michelle Onley
Clerk of Council

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



**Richland County
Planning & Development Services Department**

Map Amendment Staff Report

PC MEETING DATE: June 3, 2013
RC PROJECT: 13-18 MA
APPLICANT: Larry Brazell

LOCATION: Bluff Road

TAX MAP NUMBER: 18900-02-06
ACREAGE: 147.83 acres
EXISTING ZONING: RU
PROPOSED ZONING: LI

PC SIGN POSTING: May 15, 2013

Staff Recommendation

Approval

Background

Zoning History

The current zoning, Rural District (RU) reflects the original zoning as adopted September 7, 1977. There was a previous zoning request on the subject parcel for Light Industrial District (LI) (under case number 07-19MA. The case was withdrawn by the applicant at Zoning Public Hearing.

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>	RU/RU	Undeveloped/Residence
<u>South:</u>	RU/RU	Residence/Undeveloped
<u>East:</u>	RU/RU	Residence/Undeveloped
<u>West:</u>	RU	Undeveloped

Discussion

Parcel/Area Characteristics

The parcel has one thousand eight hundred and ninety three (1,893) feet of frontage along Bluff Road, which is a two-lane undivided minor arterial without sidewalks or streetlights. The subject parcel is undeveloped and is heavily wooded. The immediate area is primarily characterized by undeveloped, heavily wooded parcels, agricultural and residential uses. The Richland County Detention Center is located two thousand two hundred and forty (2,240) feet north west of the parcel and is zoned LI. There are also smaller M-1 zoned parcels south west of the Detention Center.

Public Services

The subject parcel is within the boundaries of School District One. Mill Creek Elementary School is located 2.57 miles north of the subject parcel on Songbird Drive. The Industrial Park fire station (number 3) is located 3.3 miles northwest of the subject parcel on The Boulevard, which is an internal road within the industrial park. There are no fire hydrants located along Bluff Road. The proposed map amendment would not negatively impact public services or traffic, although were the property to develop to its light industrial potential, there would most likely be an increase in truck traffic along Bluff Road. Water and sewer would be provided by the city of Columbia

Plans & Policies

The 2009 Richland County Comprehensive Plan "**Future Land Use Map**" designates this area as **Rural** in the **South East Planning Area**.

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

Compliance: The area has plenty of room for expansion and buffering, as most of the area remains undeveloped. Additionally, the site has access to Interstate 77 (3.6 miles to the west) from Bluff Road. There is existing infrastructure in place to serve industrial development.

Traffic Impact

The 2011 SCDOT traffic count (Station # 244) located west of the subject parcel on Bluff Road identifies 6,200 Average Daily Trips (ADT's). Bluff Road is classified as a two lane undivided minor arterial, maintained by SCDOT with a design capacity of 10,800 ADT's. Bluff Road is currently operating at Level of Service (LOS) "B".

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

Conclusion

The parcels north, east and south of the site are zoned RU. Residential uses on large parcels are scattered in the vicinity of the site. The RU zoned parcels north are undeveloped. The proposed request is in compliance with the Comprehensive Plan as the site has room for expansion and buffering and has access to infrastructure.

For these reasons, staff recommends **Approval** of this map amendment.

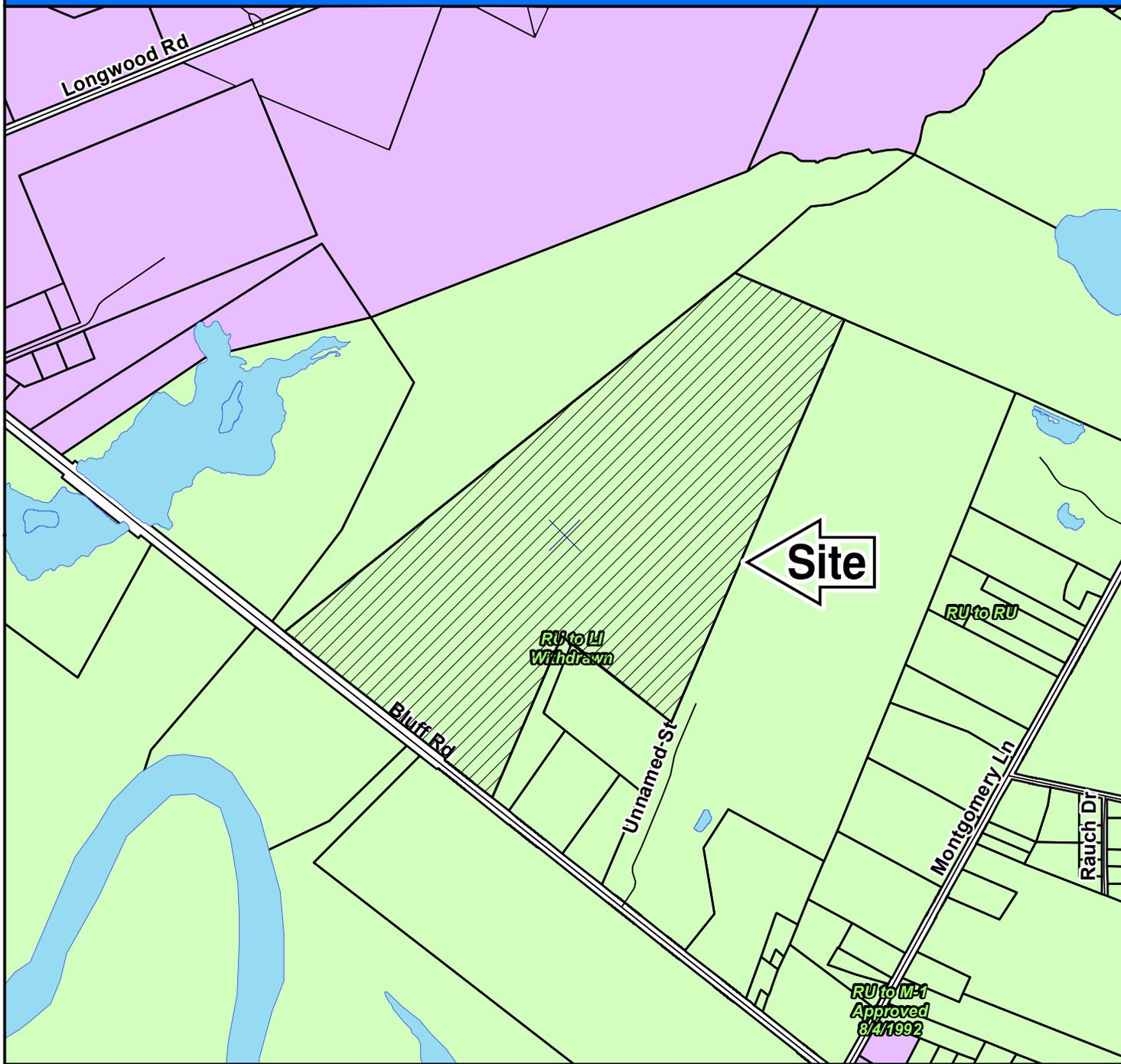
Zoning Public Hearing Date

June 25, 2013

Planning Commission Action

At their meeting of **June 3, 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 # 13-18 MA**.

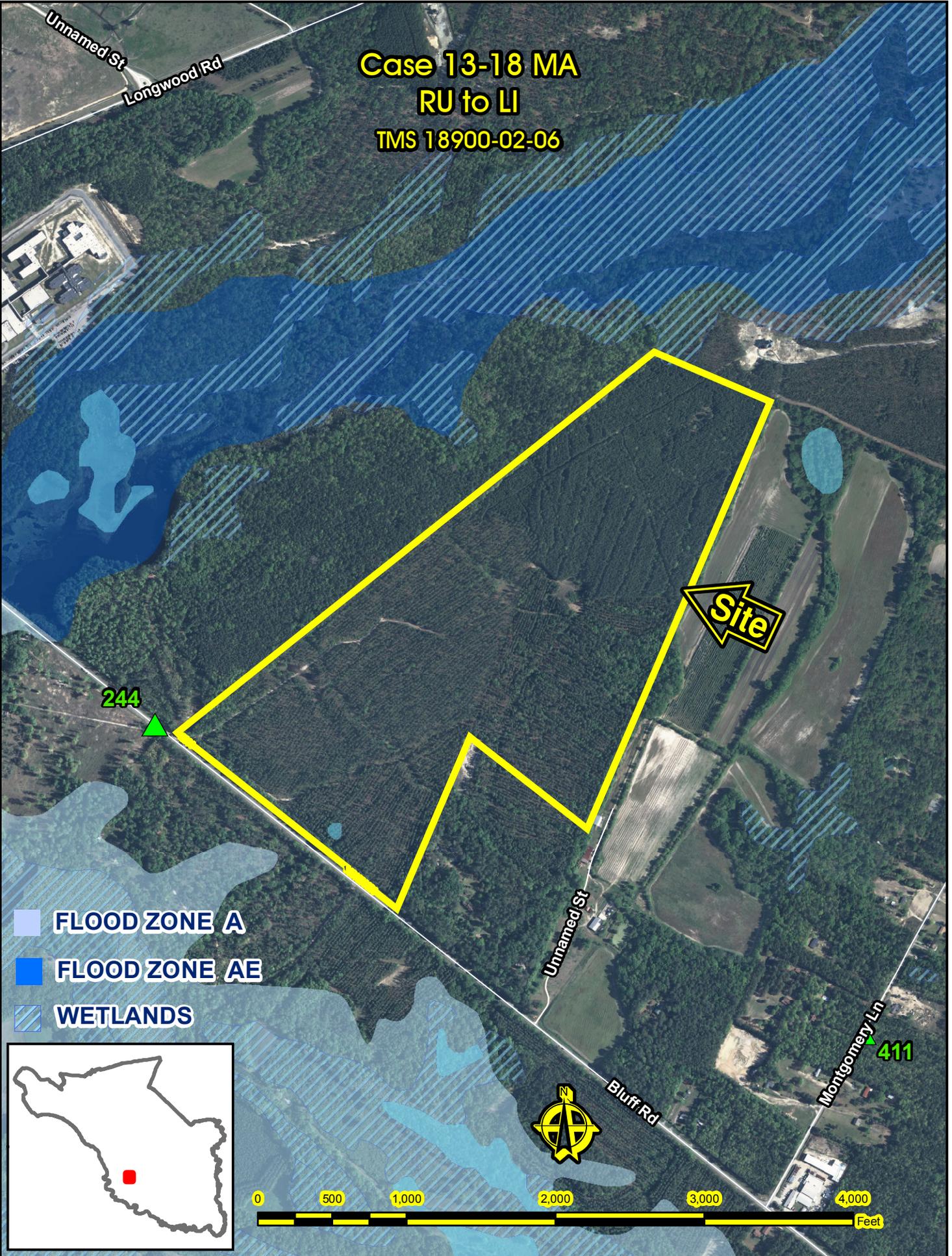
Case 13-18 MA RU to LI



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 13-18 MA
RU to LI
TMS 18900-02-06



CASE 13-18 MA

From RU to LI

TMS# 18900-02-06

Bluff Road



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

USE TYPES	LI
Recreational Uses	
Amusement or Water Parks, Fairgrounds	SR
Batting Cages	SR
Golf Courses	SR
Golf Courses, Miniature	P
Golf Driving Ranges (Freestanding)	SR
Physical Fitness Centers	P
Shooting Ranges, Indoor	P
Institutional, Educational and Civic Uses	
Ambulance Services, Transport	P
Animal Shelters	SR
Auditoriums, Coliseums, Stadiums	P
Community Food Services	P
Government Offices	P
Post Offices	P
Postal Service Processing & Distribution	P
Schools, Administrative Facilities	P
Schools, Business, Computer and Management Training	P
Schools, Fine Arts Instruction	P
Schools, Junior Colleges	P
Schools, Technical and Trade (Except Truck Driving)	P
Schools, Truck Driving	P
Business, Professional and Personal Services	
Accounting, Tax Preparation, Bookkeeping, and Payroll Services	P

Automatic Teller Machines	P
Automobile Parking (Commercial)	P
Automobile Rental or Leasing	P
Automobile Towing, Not Including Storage	P
Automobile Towing, Including Storage Services	P
Banks, Finance, and Insurance Offices	P
Building Maintenance Services, Not Otherwise Listed	P
Car and Light Truck Washes (See also Truck Washes)	P
Carpet and Upholstery Cleaning Services	P
Computer Systems Design and Related Services	P
Construction, Building, General Contracting, with Outside Storage	SR
Construction, Building, General Contracting, without Outside Storage	P
Construction, Heavy, with Outside Storage	SR
Construction, Heavy, without Outside Storage	P
Construction, Special Trades, with Outside Storage	SR
Construction, Special Trades, without Outside Storage	P
Employment Services	P
Engineering, Architectural, and Related Services	P
Exterminating and Pest Control Services	P
Funeral Homes and Services	P

Furniture Repair Shops and Upholstery	P
Hotels and Motels	P
Janitorial Services	P
Laundromats, Coin Operated	P
Laundry and Dry Cleaning Services, Non-Coin Operated	P
Linen and Uniform Supply	P
Management, Scientific, and Technical Consulting Services	P
Medical, Dental, or Related Laboratories	P
Motion Picture Production/Sound Recording	P
Office Administrative and Support Services, Not Otherwise Listed	P
Packaging and Labeling Services	P
Pet Care Services (Excluding Veterinary Offices and Kennels)	P
Photocopying and Duplicating Services	P
Photofinishing Laboratories	P
Professional, Scientific, and Technical Services, Not Otherwise Listed	P
Publishing Industries	P
Rental Centers, with Outside Storage	P
Rental Centers, without Outside Storage	P
Repair and Maintenance Services, Appliance and Electronics	SR
Repair and Maintenance Services, Automobile, Major	P
Repair and Maintenance Services, Automobile, Minor	P
Repair and Maintenance Services, Boat and Commercial Trucks, Small	P
Repair and Maintenance Services, Commercial and Industrial Equipment	P

Repair and Maintenance Services, Home and Garden Equipment	P
Repair and Maintenance Services, Personal and Household Goods	P
Repair and Maintenance Services, Television, Radio, or Other Consumer Electronics	P
Research and Development Services	P
Security and Related Services	P
Taxidermists	P
Theaters, Motion Picture, Other Than Drive-Ins	P
Theaters, Motion Picture, Drive-Ins	SE
Truck (Medium and Heavy) Washes	P
Vending Machine Operators	P
Veterinary Services (Non-Livestock, May Include Totally Enclosed Kennels Operated in Connection with Veterinary Services)	P
Auction Houses	P
Automotive Parts and Accessories Stores	P
Bakeries, Retail	P
Bars and Other Drinking Places	SR
Bicycle Sales and Repair	P
Building Supply Sales with Outside Storage	P
Building Supply Sales without Outside Storage	P
Caterers, No On Site Consumption	P
Convenience Stores (with Gasoline Pumps)	P
Convenience Stores (without Gasoline Pumps)	P

Direct Selling Establishments, Not Otherwise Listed	P
Drugstores, Pharmacies, with Drive-Thru	P
Drugstores, Pharmacies, without Drive-Thru	P
Electronic Shopping and Mail Order Houses	P
Flea Markets, Indoor	P
Flea Markets, Outdoor	P
Fruit and Vegetable Markets	P
Restaurants, Cafeterias	P
Restaurants, Full Service (Dine-In Only)	P
Restaurants, Limited Service (Delivery, Carry Out)	P
Restaurants, Limited Service (Drive- Thru)	P
Restaurants, Snack and Nonalcoholic Beverage Stores	P
Service Stations, Gasoline	P
Truck Stops	P
Apparel, Piece Goods, and Notions	P
Beer/Wine/Distilled Alcoholic Beverages	P
Books, Periodicals, and Newspapers	P
Chemicals and Allied Products	P
Drugs and Druggists' Sundries	P
Durable Goods, Not Otherwise Listed	P
Electrical Goods	P
Farm Products, Raw Materials	P
Farm Supplies	P
Flowers, Nursery Stock, and Florist Supplies	P
Furniture and Home Furnishings	P

Groceries and Related Products	P
Hardware	P
Jewelry, Watches, Precious Stones	P
Machinery, Equipment and Supplies	P
Market Showrooms (Furniture, Apparel, Etc.)	P
Metal and Minerals	P
Motor Vehicles	P
Motor Vehicles, New Parts and Supplies	P
Motor Vehicles, Tires and Tubes	P
Motor Vehicles, Used Parts and Supplies	P
Nondurable Goods, Not Otherwise Listed	P
Paints and Varnishes	P
Paper and Paper Products	P
Plumbing & Heating Equipment and Supplies	P
Professional and Commercial Equipment and Supplies	P
Scrap and Recyclable Materials	SE
Sporting and Recreational Goods and Supplies (Except Sporting Firearms and Ammunition)	P
Sporting Firearms and Ammunition	P
Timber and Timber Products	P
Tobacco and Tobacco Products	P
Toys and Hobby Goods and Supplies	P
Transportation, Information, Warehousing, Waste Management, and Utilities	
Airports or Air Transportation Facilities and Support Facilities	P
Bus Facilities, Interurban	P
Bus Facilities, Urban	P
Charter Bus Industry	P

Courier Services, Central Facility	P
Courier Services, Substations	P
Limousine Services	P
Materials Recovery Facilities (Recycling)	P
Radio and Television Broadcasting Facilities (Except Towers)	P
Scenic and Sightseeing Transportation	P
Taxi Service Terminals	P
Truck Transportation Facilities	P
Utility Company Offices	P
Utility Service Facilities (No Outside Storage)	P
Warehouses (General Storage, Enclosed, Not Including Storage of Any Hazardous Materials or Waste as Determined by Any Agency of the Federal, State or Local Government)	P
Warehouses, Self-Storage	SR
Warehouses, Self-Storage	SR
Water Treatment Plants, Non-Governmental, Public	P
<u>Manufacturing, Mining, and Industrial Uses</u>	
Apparel	P
Bakeries, Manufacturing	P
Beverage, Soft Drink and Water	P
Computer, Appliance, and Electronic Products	P
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
Medical Equipment and Supplies	P
Office Supplies (Not Paper)	P
Paper Products (No Coating and Laminating)	P
Printing and Publishing	P
Signs	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 PROPERTY DESCRIBED AS TMS # 18900-02-06 FROM RU (RURAL 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 property described as TMS # 18900-02-06 from RU (Rural District) zoning to LI (Light Industrial 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: July 23, 2013 (tentative)
First Reading: July 23, 2013 (tentative)
Second Reading:
Third Reading:



**Richland County
Planning & Development Services Department**

Map Amendment Staff Report

PC MEETING DATE: June 3, 2013
RC PROJECT: 13-19 MA
APPLICANT: Will Holmes

LOCATION: 2312 Clemson Rd

TAX MAP NUMBER: 20200-01-30
ACREAGE: 15.26 acres
EXISTING ZONING: RS-MD
PROPOSED ZONING: OI

PC SIGN POSTING: May 15, 2013

Staff Recommendation

Approval

Background

Zoning History

The original zoning as adopted September 7, 1977 was Residential Single-family Medium Density District (RS-2). With the adoption of the 2005 Land Development Code the RS-2 District was designated Residential Single-Family Medium Density District (RS-MD).

Zoning History General Area

The Neighborhood Commercial District (NC) parcel east of the subject site was approved under Ordinance No. 008-12HR (case number 12-03MA). The Neighborhood Commercial District (NC) parcels further east of the subject site were approved under Ordinance No. 073-07HR (case number 07-31MA). The Planned Development District (PDD) southwest of the subject site was approved under Ordinance No. 060-03HR (case number 04-07MA)

Zoning District Summary

The Office and Institutional District (OI) is intended to accommodate office, institutional, and certain types of residential uses in an area whose characteristics are neither general commercial nor exclusively residential in nature. Certain related structures and uses required to serve the needs of the area are permitted outright or are permitted as special exceptions subject to restrictions and requirements.

No minimum lot area, except as determined by DHEC. The maximum allowed density for residential uses is sixteen (16) dwelling units per acre.

- The gross density for this site is approximately: 244 dwelling units
- The net density for this site is approximately: 244 dwelling units

Direction	Existing Zoning	Use
<u>North:</u>	RS-MD/ RU	Residences (Winslow Subdivision)/Undeveloped
<u>South:</u>	RU/PDD	Abundant Life Church/Medical Office (Palmetto Family Medicine)
<u>East:</u>	RS-MD	Residence
<u>West:</u>	RS-MD	Undeveloped

Discussion

Parcel/Area Characteristics

The parcel contains four hundred and twenty six (426) feet of frontage along Clemson Road, is heavily wooded with little slope and contains a single family residential structure in the center of the site. Clemson Road is a five lane undivided Minor Arterial with sidewalks. The immediate area is primarily characterized by residential, commercial, Institutional and office uses. West of the subject parcel is a fully-developed, single family residential subdivision. East of the subject parcel is a residential use. South of the subject parcel are residences, a church and a medical office. The parcel north of the site is undeveloped.

Public Services

The subject parcels are within the boundaries of School District Two. Killian Elementary School is .35 miles west of the subject parcel on Clemson Road. Water and sewer service would be provided by the City of Columbia. There is one fire hydrant located south of the property on Clemson Road. The Elders Pond fire station (station number 34) is located on Elders Pond Drive, approximately .84 miles northeast of the subject parcel.

Plans & Policies

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

Objective: Commercial/Office activities should be located at traffic junctions or areas where existing commercial and office uses are located. These uses should not encroach on established residential areas.

Compliance: The proposed zoning is in compliance with the recommended objective for suburban commercial/office activities in the Comprehensive Plan. The site is located near existing office uses to the south and east and would not encroach upon the established residential subdivision or uses to the west. Staff believes that the floodplain and creek on the western boundary provide sufficient buffering and separation of uses.

Traffic Impact

The 2011 SCDOT traffic count (Station # 440) located east of the subject parcel on Clemson Road identifies 25,300 Average Daily Trips (ADT’s). Clemson Road is classified as a five lane undivided Minor Arterial, maintained by SCDOT with a design capacity of 24,800 ADT’s. Clemson Road is currently operating at Level of Service (LOS) “D”.

The 2011 SCDOT traffic count (Station # 442) located west of the subject parcel on Clemson Road identifies 20,300 Average Daily Trips (ADT's). Clemson Road is classified as a five lane undivided Minor Arterial, maintained by SCDOT with a design capacity of 24,800 ADT's. Clemson Road is currently operating at Level of Service (LOS) "C" in this location.

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

Conclusion

Staff believes the proposed request is in compliance with the Comprehensive Plan as it is situated in the vicinity other office and commercial uses, has adequate transportation access and is buffered from the residential subdivision to the north and west. Staff's opinion that the requested zoning is in character and remains compatible with the zoning or existing uses of the adjacent parcels and developments and would be an appropriate change at this time.

For these reasons, the staff recommends **Approval** of this map amendment.

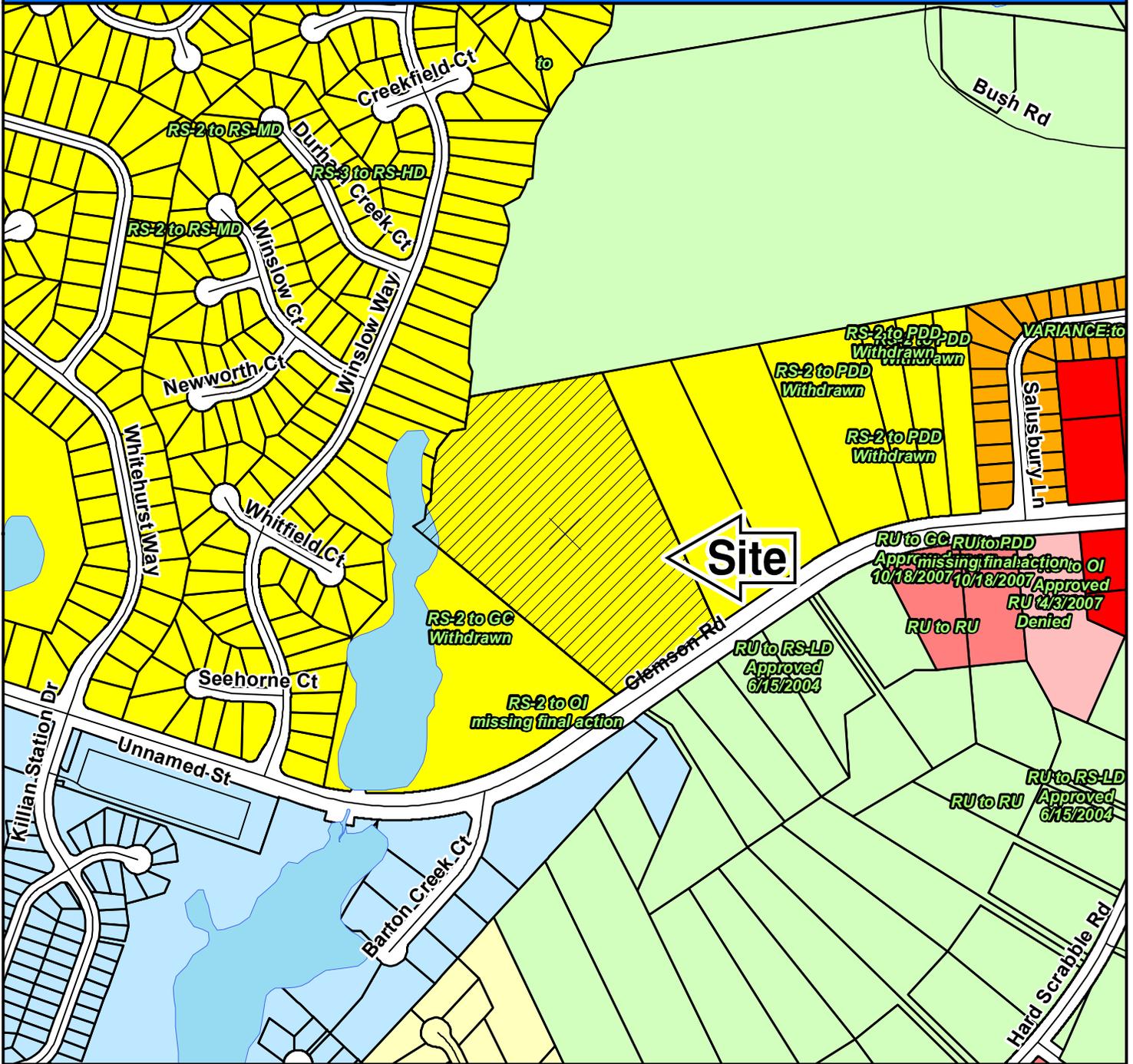
Zoning Public Hearing Date

June 25, 2013

Planning Commission Action

At their meeting of **June 3, 2013** the Richland County Planning Commission **agreed** with the PDSO recommendation and recommends the County Council initiate the ordinance consideration process to **approve the proposed Amendment** for **RC Project # 13-19 MA**.

Case 13-19 MA RS-MD to OI



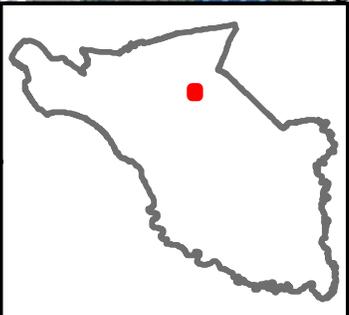
ZONING CLASSIFICATIONS

	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 13-19 MA
RS-MD to OI
TMS 20200-01-30**



FLOOD ZONE A
FLOOD ZONE AE
WETLANDS

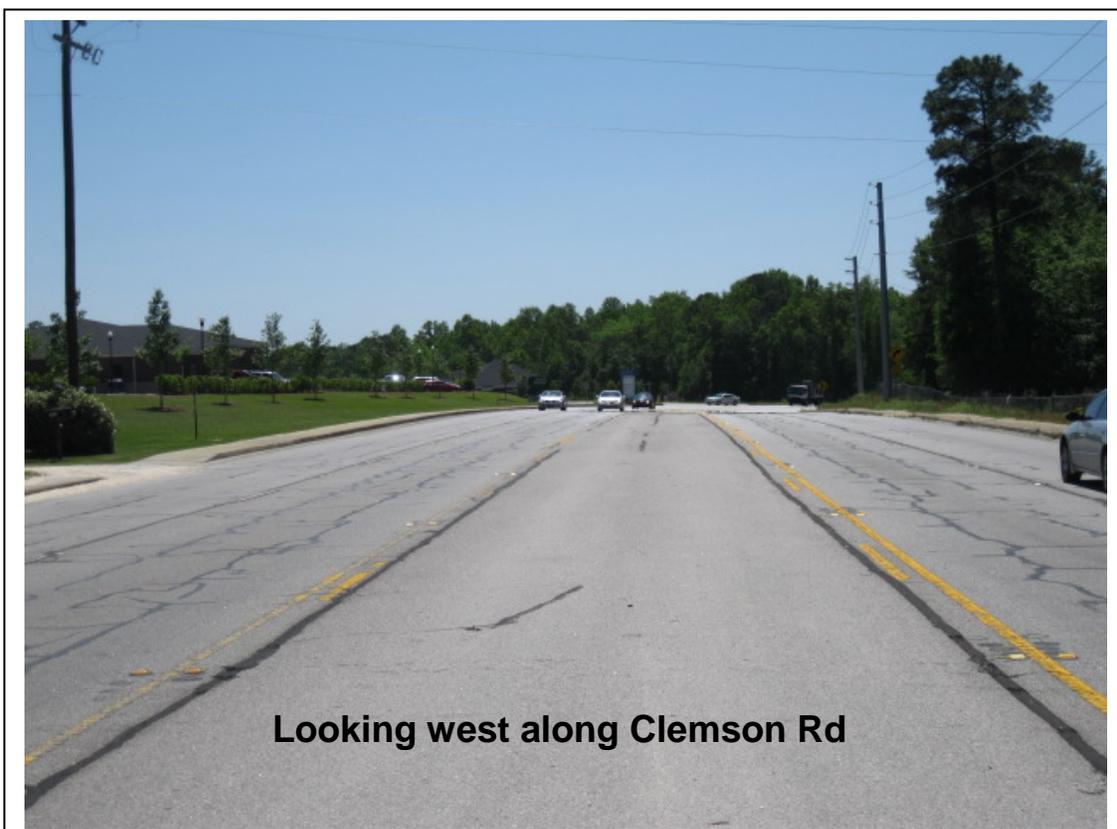


CASE 13-19 MA

From RS-MD to OI

TMS# 20200-01-30

2312 Clemson Road



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

USE TYPES	OI
Continued Care Retirement Communities	SR
Dormitories	SE
Multi-Family, Not Otherwise Listed	P
Fraternity and Sorority Houses	P
Group Homes (10 or More)	SE
Rooming and Boarding Houses	SE
Special Congregate Facilities	SE
Clubs or Lodges (Ord. No.054-08HR; 9-16-08)	P
Dance Studios and Schools	P
Martial Arts Instructional Schools	P
Physical Fitness Centers	P
Ambulance Services, Transport	P
Animal Shelters	
Auditoriums, Coliseums, Stadiums	P
Cemeteries, Mausoleums (Ord. 069-10HR)	SR
Colleges and Universities	P
Community Food Services	P
Correctional Institutions	
Courts	P
Day Care Centers, Adult (Ord. 008-09HR; 2-17-09)	SR
Day Care, Child, Licensed Center (Ord. 008-09HR; 2-17-09)	SR
Government Offices	P

Hospitals	P
Individual and Family Services, Not Otherwise Listed	P
Museums and Galleries	P
Nursing and Convalescent Homes	P
Orphanages	P
Post Offices	P
Postal Service Processing & Distribution	
Schools, Administrative Facilities	P
Schools, Business, Computer and Management Training	P
Schools, Fine Arts Instruction	P
Schools, Junior Colleges	P
Schools, Technical and Trade (Except Truck Driving)	P
Zoos and Botanical Gardens	SE
Accounting, Tax Preparation, Bookkeeping, and Payroll Services	P
Advertising, Public Relations, and Related Agencies	P
Automatic Teller Machines	P
Automobile Parking (Commercial)	P
Banks, Finance, and Insurance Offices	P
Barber Shops, Beauty Salons, and Related Services	P
Bed and Breakfast Homes/Inns (Ord. 020-	SR

10HR; 5-4-10)	
Computer Systems Design and Related Services	P
Clothing Alterations/Repairs; Footwear Repairs	P
Construction, Special Trades, without Outside Storage	P
Employment Services	P
Engineering, Architectural, and Related Services	P
Funeral Homes and Services	P
Kennels	SR
Landscape and Horticultural Services	
Laundromats, Coin Operated	
Laundry and Dry Cleaning Services, Non-Coin Operated	P
Legal Services (Law Offices, Etc.)	P
Management, Scientific, and Technical Consulting Services	P
Massage Therapists	P
Medical/Health Care Offices	P
Medical, Dental, or Related Laboratories	P
Office Administrative and Support Services, Not Otherwise Listed	P
Packaging and Labeling Services	P
Pet Care Services (Excluding Veterinary Offices and Kennels)	P
Photocopying and Duplicating Services	P
Photofinishing Laboratories	P
Photography Studios	P

Picture Framing Shops	P
Professional, Scientific, and Technical Services, Not Otherwise Listed	P
Real Estate and Leasing Offices	P
Research and Development Services	SR
Veterinary Services (Non-Livestock, May Include Totally Enclosed Kennels Operated in Connection with Veterinary Services)	SR
Watch and Jewelry Repair Shops	P
Weight Reducing Centers	P
Antique Stores (See Also Used Merchandise Shops and Pawn Shops)	P
Art Dealers	P
Bars and Other Drinking Places	SE
Book, Periodical, and Music Stores	P
Caterers, No On Site Consumption	P
Convenience Stores (with Gasoline Pumps)	P
Convenience Stores (without Gasoline Pumps)	P
Drugstores, Pharmacies, with Drive-Thru	P
Drugstores, Pharmacies, without Drive-Thru	P
Office Supplies and Stationery Stores	P
Optical Goods Stores	P
Outdoor Power Equipment Stores	
Restaurants, Cafeterias	P
Restaurants, Full Service (Dine-In Only)	P
Restaurants, Limited Service (Delivery Carry Out)	P

Restaurants, Snack and Nonalcoholic Beverage Stores	P
Courier Services, Substations	P
Radio and Television Broadcasting Facilities (Except Towers)	P
Radio, Television, and Other Similar Transmitting Towers	SE
Utility Company Offices	P
Warehouses (General Storage, Enclosed, Not Including Storage of Any Hazardous Materials or Waste as Determined by Any Agency of the Federal, State or Local Government)	SR
Buildings, High Rise, 4 or 5 Stories	SR
Buildings, High Rise, 6 or More Stories	SE

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 # 20200-01-30 FROM RS-MD (RESIDENTIAL, SINGLE-FAMILY – MEDIUM DENSITY DISTRICT) TO OI (OFFICE AND INSTITUTIONAL 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 # 20200-01-30 from RS-MD (Residential, Single-Family – Medium Density District) zoning to OI (Office and Institutional 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 Onley
Clerk of Council

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



**Richland County
Planning & Development Services Department**

Map Amendment Staff Report

PC MEETING DATE: July 10, 2013
RC PROJECT: 13-25 MA
APPLICANT: Mukesh Thakkar

LOCATION: 10447 & 10453 Wilson Boulevard

TAX MAP NUMBER: 15000-02-09
ACREAGE: 1.76 acres
EXISTING ZONING: RU
PROPOSED ZONING: RC

PC SIGN POSTING: June 12, 2013

Staff Recommendation

Disapproval

Background

Zoning History

The original zoning as adopted September 7, 1977 was Rural District (RU).

Zoning History General Area

The General Commercial District (GC) parcel south of the subject parcel, located in the Town of Blythewood, was approved under Ordinance No. 023-05HR (case number 05-47MA). The General Commercial District (GC) parcel north of the subject parcel at the intersection of Farrow Road and Wilson Boulevard, located in the Town of Blythewood, was approved under Ordinance No. 029-05HR (case number 05-42MA). The General Commercial District (GC) parcel east of the subject parcel located along Farrow Road, located in the Town of Blythewood, was approved under Ordinance No. 004-06HR (case number 05-086MA).

Zoning District Summary

The Rural Commercial District (RC) recognizes the need to provide for areas within Richland County where residents of the more isolated agricultural and rural residential districts and residents located beyond the limits of service of the municipalities can receive convenience merchandising and services. It is intended to be a flexible district allowing a mixture of uses in order to accommodate commercial and service activities oriented primarily to serving the needs of persons who live in nearby areas. The RC District is proposed to be within or adjacent to residential neighborhoods where large commercial uses are inappropriate, but where small neighborhood oriented businesses are useful and desired. This district is further designed to be located at or near intersections of arterial and/or major collector roads so as to prevent the spreading of commercial uses down the major corridors or into the surrounding countryside.

Minimum lot area/maximum density: Minimum lot area requirement: 22,000 square feet or as required by DHEC. Maximum density: there is no maximum density standard.

Direction	Existing Zoning	Use
<u>North:</u>	RU/RU	Residences/Manufactured Housing/Vacant non-residential structure
<u>South:</u>	RU/RU	Undeveloped/Residence
<u>East:</u>	RU (Town of Blythewood)	Single-Family Residence (Town of Blythewood)/Manufactured Housing
<u>West:</u>	RU	Modular homes

Discussion

Parcel/Area Characteristics

The parcel contains one hundred and eighty two (182) feet of frontage along Wilson Boulevard and a convenience store with canopy and pumps, a vacant minor automobile repair shop and a residence. Wilson Boulevard is a two lane local collector road without sidewalks. The immediate area is primarily characterized by large lots and residential uses. The surrounding parcels are zoned RU District.

Public Services

The subject parcels are within the boundaries of School District Two. Westwood High School is 1.2 miles south west of the subject parcel on Turkey Farm Road. Water and sewer would be provided by the City of Columbia. There are no fire hydrants located along this section of Wilson Boulevard. The Blythewood fire station (station number 26) is located on Main Street in Blythewood, approximately 2.2 miles north of the subject parcel.

Plans & Policies

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

Objective: Commercial/Office activities should be located at traffic junctions or areas where existing commercial and office uses are located. These uses should not encroach on established residential areas.

Non-Compliance: The proposed zoning is not in compliance with the recommended objective for suburban commercial/office activities in the Comprehensive Plan. The site is not located near existing commercial uses nor is it located at a traffic junction.

Traffic Impact

The 2012 SCDOT traffic count (Station # 137) located north of the subject parcel on Wilson Boulevard identifies 9,300 Average Daily Trips (ADT’s). Wilson Boulevard is classified as a two lane undivided Collector, maintained by SCDOT with a design capacity of 8,600 ADT’s. Wilson Boulevard is currently operating at Level of Service (LOS) “D”.

A 3.7 mile section of Wilson Boulevard from the I-77 interchange to Blythewood Road has been identified for widening from two lanes to five lanes. The project is 37th on the Columbia Area Long Range Transportation Plan (COATS) 2035 Prioritized Project List and funding has not been identified at this time.

Conclusion

Commercial uses along Wilson Boulevard are more appropriate at major intersections where turning movements and ingress/egress can be more effectively managed. Commercial zoning can diminish the character of an area by increasing traffic congestion and is contrary to the intent of the RC District, which is to prevent the spread of commercial uses down the major corridors or into the surrounding countryside. Additionally, in this case the site is not at an intersection and the proposed rezoning may tend to contribute to the random and scattered, sprawling, un-concentrated effects of strip commercial uses characteristic of highly developed areas. The proposed request is not in compliance with the Comprehensive Plan as there are no commercial uses or intersections in the vicinity.

For these reasons, staff recommends **Disapproval** of this map amendment.

Zoning Public Hearing Date

July 23, 2013

Planning Commission Action

At their meeting of **July 10, 2013** the Richland County Planning Commission **disagreed** with the PSDS recommendation for the following reasons:

- This could be an area of potential change
- This area is well suited for a commercial site
- It is located near a major intersection

The PC recommends the County Council **approve the proposed Amendment** for **RC Project # 13-25**.

Case 13-25 MA RU to RC

*Town of
Blythewood*

N Davis Ln

Farrow Rd

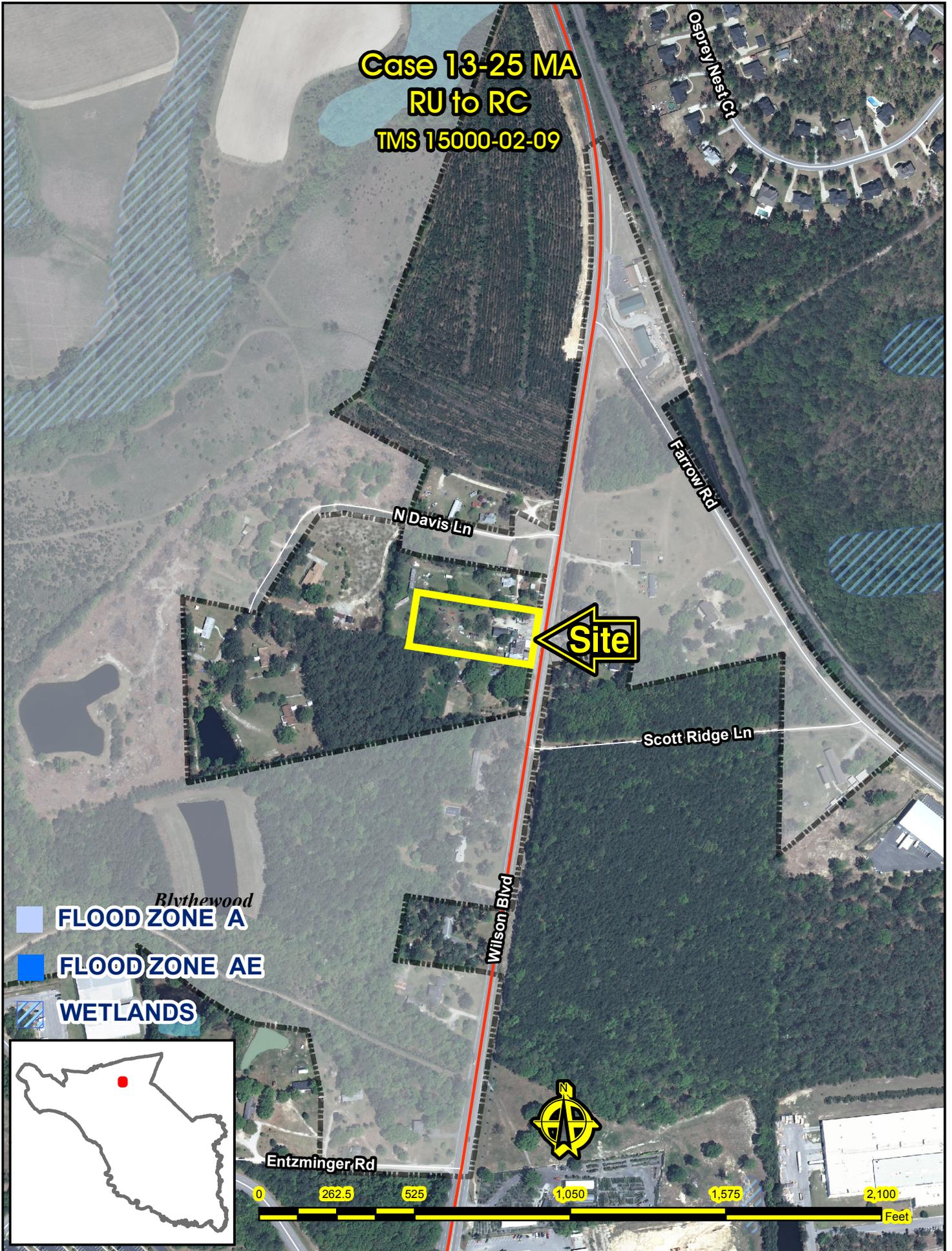
Wilson Blvd
Site

Scott Ridge Ln

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 13-25 MA
RU to RC
TMS 15000-02-09



CASE 13-25 MA

From RU to RC

TMS# 15000-02-09

10447 & 10453 Wilson Blvd



The zoning change from RU (Rural) to RC (Rural Commercial) would permit the introduction of the following uses which were not allowed previously in the original zoning

USE TYPES	RC
Group Homes (10 or More)	SE
Rooming and Boarding Houses	SE
Amusement Arcades	P
Dance Studios and Schools	P
Golf Courses, Miniature	P
Golf Driving Ranges (Freestanding)	SR
Martial Arts Instructional Schools	P
Physical Fitness Centers	P
Ambulance Services, Transport	P
Colleges and Universities	P
Community Food Services	P
Courts	P
Government Offices	P
Hospitals	P
Individual and Family Services, Not Otherwise Listed	P
Museums and Galleries	P
Post Offices	P
Schools, Administrative Facilities	P
Schools, Business, Computer and Management Training	P
Schools, Fine Arts Instruction	P
Schools, Junior Colleges	P
Schools, Technical and Trade (Except Truck Driving)	P
Automatic Teller Machines	P
Automobile Parking (Commercial)	P

Automobile Towing, Not Including Storage	P
Banks, Finance, and Insurance Offices	SR
Car and Light Truck Washes (See also Truck Washes)	SR
Clothing Alterations/Repairs; Footwear Repairs	P
Construction, Building, General Contracting, without Outside Storage	P
Construction, Special Trades, without Outside Storage	P
Employment Services	P
Engineering, Architectural, and Related Services	P
Exterminating and Pest Control Services	P
Funeral Homes and Services	P
Furniture Repair Shops and Upholstery	P
Hotels and Motels	P
Janitorial Services	P
Laundromats, Coin Operated	P
Laundry and Dry Cleaning Services, Non-Coin Operated	P
Legal Services (Law Offices, Etc.)	P
Locksmith Shops	P
Management, Scientific, and Technical Consulting Services	P
Massage Therapists	P
Medical/Health Care Offices	P

Medical, Dental, or Related Laboratories	P
Office Administrative and Support Services, Not Otherwise Listed	P
Packaging and Labeling Services	P
Pet Care Services (Excluding Veterinary Offices and Kennels)	SR
Photocopying and Duplicating Services	P
Photofinishing Laboratories	P
Photography Studios	P
Picture Framing Shops	P
Professional, Scientific, and Technical Services, Not Otherwise Listed	P
Real Estate and Leasing Offices	P
Rental Centers, without Outside Storage	P
Repair and Maintenance Services, Appliance and Electronics	SR
Repair and Maintenance Services, Automobile, Minor	P
Repair and Maintenance Services, Personal and Household Goods	P
Repair and Maintenance Services, Television, Radio, or Other Consumer Electronics	P
Septic Tank Services	P
Tanning Salons	P
Taxidermists	P
Theaters, Motion Picture, Other Than Drive-Ins	P
Theaters, Motion Picture, Drive-Ins	SE
Travel Agencies (without Tour Buses or Other Vehicles)	P

Traveler Accommodations, Not Otherwise Listed	P
Watch and Jewelry Repair Shops	P
Weight Reducing Centers	P
Art Dealers	P
Arts and Crafts Supply Stores	P
Auction Houses	P
Automotive Parts and Accessories Stores	P
Bakeries, Retail	P
Bars and Other Drinking Places	SR
Bicycle Sales and Repair	P
Book, Periodical, and Music Stores	P
Building Supply Sales with Outside Storage	P
Building Supply Sales without Outside Storage	P
Camera and Photographic Sales and Service	P
Candle Shops	P
Candy Stores (Confectionery, Nuts, Etc.)	P
Caterers, No On Site Consumption	P
Clothing, Shoe, and Accessories Stores	P
Coin, Stamp, or Similar Collectibles Shops	P
Computer and Software Stores	P
Convenience Stores (with Gasoline Pumps)	P
Convenience Stores (without Gasoline Pumps)	P
Cosmetics, Beauty Supplies, and Perfume Stores	P

Department, Variety or General Merchandise Stores	P
Drugstores, Pharmacies, with Drive-Thru	P
Drugstores, Pharmacies, without Drive-Thru	P
Fabric and Piece Goods Stores	P
Flea Markets, Indoor	P
Flea Markets, Outdoor	P
Floor Covering Stores	P
Florists	P
Food Service Contractors	P
Food Stores, Specialty, Not Otherwise Listed	P
Formal Wear and Costume Rental	P
Fruit and Vegetable Markets	P
Furniture and Home Furnishings	P
Garden Centers, Farm Supplies, or Retail Nurseries	P
Gift, Novelty, Souvenir, or Card Shops	P
Grocery/Food Stores (Not Including Convenience Stores)	P
Hardware Stores	P
Health and Personal Care Stores, Not Otherwise Listed	P
Hobby, Toy, and Game Stores	P
Home Centers	
Home Furnishing Stores, Not Otherwise Listed	P
Jewelry, Luggage, and Leather Goods (May Include Repair)	P

Liquor Stores	P
Meat Markets	P
Miscellaneous Retail Sales – Where Not Listed Elsewhere, and Where All Sales and Services are Conducted within an Enclosed Building	P
Motor Vehicle Sales – Car and Truck – New and Used	P
Motorcycle Dealers, New and Used	P
Musical Instrument and Supplies Stores (May Include Instrument Repair)	P
News Dealers and Newsstands	P
Office Supplies and Stationery Stores	P
Optical Goods Stores	P
Outdoor Power Equipment Stores	P
Paint, Wallpaper, and Window Treatment Sales	P
Pet and Pet Supplies Stores	P
Record, Video Tape, and Disc Stores	P
Restaurants, Cafeterias	P
Restaurants, Full Service (Dine-In Only)	P
Restaurants, Limited Service (Delivery, Carry Out)	P
Restaurants, Limited Service (Drive-Thru)	P
Restaurants, Snack and Nonalcoholic Beverage Stores	P
Service Stations, Gasoline	P
Sporting Goods Stores	P
Television, Radio or Electronic Sales	P

Tire Sales	P
Tobacco Stores	P
Used Merchandise Stores	P
Video Tape and Disc Rental	P
Bus Facilities, Interurban	P
Bus Facilities, Urban	P
Courier Services, Substations	P
Scenic and Sightseeing Transportation	P
Taxi Service Terminals	P
Utility Company Offices	P
Warehouses (General Storage, Enclosed, Not Including Storage of Any Hazardous Materials or Waste as Determined by Any Agency of the Federal, State or Local Government)	SR
Warehouses, Self-Storage	SR
Warehouses, Self-Storage	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 # 15000-02-09 FROM RU (RURAL DISTRICT) TO RC (RURAL COMMERCIAL 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 # 15000-02-09 from RU (Rural District) zoning to RC (Rural Commercial 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 Onley
Clerk of Council

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

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE II, RULES OF CONSTRUCTION; DEFINITIONS; SECTION 26-22, DEFINITIONS; AND AMENDING ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-186, GREEN CODE STANDANDS; SO AS TO REPLACE THOSE STANDARDS WITH “DEVELOPMENT WITH OPEN SPACE DESIGN STANDARDS” AND AMENDING ARTICLE X, SUBDIVISION REGULATIONS; SECTION 26-222, GENERAL REQUIREMENTS; SUBSECTION (G), NATURAL RESOURCE INVENTORY; PARAGRAPH (1); SO AS TO DELETE THE REQUIREMENT OF A DESKTOP ANALYSIS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; is hereby amended to include in the appropriate alphabetical order, the following definitions:

Development with open space design. A development pattern that arranges the layout of buildings in a compact area of the site which reserves a portion of a site for open space preservation and is protected in perpetuity.

Erodible soils. Soils that can erode at excessive rates, such as Hydrologic Groups B and C.

Groupings of grand trees. Three or more grand trees with overlapping critical root zones. The area of protection includes each individual grand tree’s entire critical root zone.

Neighborhood Green. An open space available for unstructured recreation, its landscaping consists of grassy areas, trees and ~~approximately one-acre or less~~ surrounded by structures/dwellings within the boundaries of the development.

~~*Open Space.* An area that is designed for environmental, scenic, or recreational purposes. Open space may include, but is not limited to, lawns, walkways, active and passive recreation areas, playgrounds, swimming pools, wooded areas, and watercourses. Open space shall not be deemed to include driveways, parking lots, or other surfaces designed or intended for vehicular travel. Land areas that are not occupied by buildings, structures, impermeable areas, streets, alleys or required buffer transition and street protective yards.~~

Open Space Credit. The weighted amount of open space, determined by applying a multiplier to the actual area.

Preserve. Land set aside for protection and propagation.

Total Site Area. The entire area within the boundary of the parcel inclusive of all interior future open space areas and road/utility rights of way.

SECTION II. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-186, Green Code Standards; is hereby amended to read as follows:

Sec. 26-186. Development with Open Space Design Standards.

- (a) *Purpose.* The purpose of this section is to provide optional standards that will preserve land for conservation by permitting variation in lot sizes. Subdivision of land into varying lot sizes provides home buyers a choice of lot sizes according to their needs, while at the same time preserving open space, tree cover, scenic vistas, natural drainage ways, and natural topography. Such measures prevent soil erosion and flooding by allowing development to occur according to the nature of the terrain, provide larger open areas with greater utility for recreation and a “sense of community”, and encourage the development of more attractive and economical site design.

Incorporating open space into development has numerous environmental, conservation and community benefits, including the following:

- (1) Preserves green space.
- (2) Provides open space for recreation.
- (3) Reduces the impervious cover in a development. Impervious cover contributes to degradation of water resources by increasing the volume of surface runoff, degrading water quality by preventing infiltration into the soil surface.
- (4) Reduces stormwater pollutant loads to streams, receiving streams and other resources. Protects and enhances stream and other resources.
- (5) Reduces soil erosion and sediment delivery by reducing the amount of clearing and grading on the site while increasing overall infiltration.
- (6) Reduces the cost of stormwater management by minimizing the area contributing to runoff and reducing runoff volumes and stormwater contaminants.

- (7) Provides air quality benefits and reduces “heat island” impacts.
- (8) Reduces the capital and long-run maintenance costs of development.
- (9) Provides a wider range of feasible sites to locate stormwater best management practices (BMPs).
- (10) Reduces the cost and improves the efficiency of public services needed by the development.
- (11) Protects urban wildlife habitat, with a focus for corridors which provide important habitat linkages.
- (12) Creates a sense of community and pedestrian connectivity.

This optional section implements procedures to allow for development, while preserving the natural attributes of the land and providing open space. This section also encourages designing developments with open space design to maximize larger, contiguous unconstrained open space areas [see subsection (g) (2), below], especially areas adjacent to constrained open space areas [see subsection (g) (1), below], and minimize smaller, isolated areas to better achieve the benefits described in this subsection.

Conservation analysis shall take place to plan open space developments. Applicants must prepare a Natural Resource Inventory in accordance with Sec. 26-222(g).

- (b) *Applicability.* The owner, or his/her authorized agent, of property within an RU, RR, RS-E, RS-LD, RS-MD, RS-HD zoning district may apply the development standards found within this section, in lieu of the development standards set forth for the applicable zoning district, subject to meeting the requirements of this section.
- (c) *Application.* A property owner, or his/her authorized agent, desiring to use the development standards of this section must first submit an application to the Planning Department and must meet the following requirements:
 - (1) The minimum parcel size shall be two acres;
 - (2) The application shall be accompanied by a Natural Resource Inventory, as identified in Section 26-222(g), and a Concept Plan as required in this section;
 - (3) The property must utilize a public sanitary sewer and public water or IOU (Investor Owned Utility) regulated water or sewer system.

(d) *Concept Plan.* At time of the development application, a Concept Plan shall be submitted by the developer for review and approval in accordance with the requirements and procedures of this chapter. A Concept Plan shall consist of either a site plan or sketch plan, including the following information:

(1) Delineation and specifications of all open space areas and any “Neighborhood Green,” community garden, play areas or trail systems to be constructed. Information of open space areas should include size and type and be shown on the plan and listed in a tabular format (see example).

Constrained Open Space – 8.9 acres		Unconstrained Open Space – 15.7 acres	
Subtype	Acreage	Subtype	Acreage
Floodplain	3.6	Native Forest	10.5
Stream Buffer	2.4	Rock Outcroppings	2.2
Slopes greater than 25%	2.9	Neighborhood Greens	3

(2) A typical detail on the plan indicating building setback lines, street trees, sidewalks and street pavement and right-off-way width.

(e) *Review.* The use of these development standards in accordance with subsection (c) and (d) above shall follow the permitting procedures outlined in Sections 26-53 and 26-54.

(f) *Open Space Requirements.* Open space set aside is required in all open space developments and shall consist of any of the following categories of land:

(1) “Constrained Open Space” is land that shall be covered by the provisions for permanent protection, per subsection (h), below, and includes the following:

- a. Floodways and 100-year floodplains, in lieu of exceptions defined in Section 26-106,
- b. Jurisdictional lines and associated buffer zones per Section 26-187,

- c. Highly erodible soils on steep slopes of 25% or greater, including water quality buffers per Section 26-187(g), except minimal changes may be allowed for necessary access or impacts (wetlands, jurisdictional or non-jurisdictional) of less than a quarter (¼) acre,
- d. Federal and state listed rare, endangered or threatened species/habitats,
- e. Archeological features eligible for or listed in the national Register of Historic Places,
- f. Human cemeteries or burial grounds, and
- g. Open water, except where alterations enhance open space value, or as exempted in Section 26-187(b).

(2) “Unconstrained Open Space” is land other than constrained open space that includes important environmental, conservation, wildlife or historic areas and is acceptable to the County for conservation designation, and shall be covered by the provisions for permanent protection, per subsection (h), below. These include the following:

- a. Important historic sites, not currently determined eligible for or listed in the national Register of Historic Places,
- b. Existing healthy, mature forests of at least one (1) contiguous acre,
- c. Contiguous areas surrounding groupings of grand trees,
- d. Scenic view sheds of natural or historic features,
- e. Unique rock outcroppings,
- f. Prime agricultural soils or productive agricultural lands consisting of at least one (1) contiguous acre,
- g. Existing trails or wooded corridors that connect the tract to neighboring areas,
- h. Extension of the required water quality buffer,
- i. Headwater streams, and
- j. Restored pond; restorative or enhancing activities.

Also considered unconstrained open space are community gardens of a minimum quarter (1/4) acre, “Neighborhood Greens” and Low Impact Development (LID) storm water management facilities and practices, and these may be constructed and maintained in the open space area. However, “Neighborhood Greens” shall not exceed twenty percent (20%) of the total required open space area.

(3) “Restored Open Space” includes brownfield reclamation, as contracted by the Brownfield component of the SCDHEC Voluntary Cleanup Program; approved watershed or stream restoration consistent with Section 26-187; and the removal of impervious cover and restoration of pervious areas during redevelopment. Restored areas must be approved by Richland County staff as part of the Development Review process. Restored farm ponds shall be credited at one hundred percent (100%).

(4) “Recreational Open Space” includes pervious recreational areas.

(g) *Open space design standards.*

(1) To use these standards, one of the following alternatives must be utilized, as appropriate for the applicable zoning district:

a. To utilize the density-based zoning and flexibility in lot size, in all allowable zoning districts per subsection (b), above, all constrained open space on a site must be set aside, plus a minimum of ten percent (10%) unconstrained open space, for a total actual acreage set aside of fifteen percent (15%). Open space set asides between fifteen percent (15%) and twenty-five percent (25%) are based on a 1:1 ratio open space area to actual area. Open space credits, as determined by the “Unconstrained Open Space Credit Calculations” table in Section 26-186 (h) (1) b. 2., cannot be utilized to meet the open space requirements under this alternative.

If the constrained open space meets the twenty-five percent (25%) minimum, then no additional unconstrained open space is required.

b. To utilize a density bonus over the base density, allowable only in RU, RR, RS-E and RS-LD, a minimum of twenty-five percent (25%) open space credits are required, which includes a minimum of ten percent (10%) unconstrained open space credits, calculated using the “Unconstrained Open Space Credit Calculations” table below. Constrained open space areas are based on a 1:1 ratio of open space area to actual acreage.

1. A five percent (5%) density bonus is awarded for twenty-five percent (25%) open space credits, under this alternative. Then, one

percent (1%) density bonus for every additional one percent (1%) of open space credits, up to a maximum density bonus of twenty percent (20%) for RU, RR and RS-E and fifteen percent (15%) for RS-LD zoning districts.

2. Open Space will be credited based upon the following:
 - i. Constrained open space shall be credited at one hundred percent (100%) of the land area.
 - ii. Restored open space shall be credited at two hundred percent (200%) of the land area; except where exceptions apply per subsection (f)(3), above.
 - iii. Recreational open space shall be credited at fifty percent (50%) of the land area.
 - iv. Unconstrained open space shall be credited based on the following table titled “Unconstrained Open Space Credit Calculations”.

“Unconstrained Open Space Credit Calculations”

Unconstrained Open Space Category	Credit Calculation with Multiplier
Natural Resource Factors	
Water Quality Buffer Extension (1)	Total Additional Buffer Area* 1.75
Water Quality Buffer Extension (303d listed water) (1)	Total Additional Buffer Area* 2.0
Upstream Headwater Protection (2)	Total Headwater Area* 2.0
Steep Slopes – Erosive Soils	
(Average $\geq 15\% \leq 20\%$)	
B Hydrologic Group	Total Steep Slope Area* 1.25
C Hydrologic Group	Total Steep Slope Area* 1.5
(Average $\geq 21\% \leq 25\%$)	
B Hydrologic Group	Total Steep Slope Area* 1.75
C Hydrologic Group	Total Steep Slope Area* 2.0
Native, Mixed Forests (0.5 acre minimum) (3)	
Clear Cut within last 2 years (Unmanaged)	Total Forest Area* 0.5
Clear Cut within last 2 years (Managed)	Total Forest Area* 0.75
Clear Cut within 2 to 10 years (Unmanaged)	Total Forest Area* 0.75
Clear Cut within 2 to 10 years (Managed)	Total Forest Area* 1.0
Clear Cut within 10 to 20 years (Unmanaged)	Total Forest Area* 1.25
Clear Cut within 10 to 20 years (Managed)	Total Forest Area* 1.5
Forest older than 20 years (Unmanaged)	Total Forest Area* 1.75
Forest older than 20 years (Managed)	Total Forest Area* 2.0

Pine, Monoculture Forests (0.5 acre minimum)	
Clear Cut within last 2 to 10 years (Unmanaged)	Total Forest Area* 0.5
Clear Cut within last 2 to 10 years (Managed)	Total Forest Area* 0.75
Clear Cut within last 10 to 20 years (Unmanaged)	Total Forest Area* 1.0
Clear Cut within last 10 to 20 years (Managed)	Total Forest Area* 1.25
Forest older than 20 years (Unmanaged)	Total Forest Area* 1.75
Forest older than 20 years (Managed)	Total Forest Area* 2.0
Protective Area of Groupings of Grand Trees (4)	Area* Percentage of All Grand Trees Protected* 1.75
Prime Agricultural Soils (0.5 acre minimum)	Total Prime Agricultural Soil Area* 1.5
Important Historic Sites/Structures not considered constrained	Total Historic Site Area* 1.5
Scenic Viewsheds (5)	Total Parcel Viewshed Area Protected* 1.0
Rock Outcrops	Total Rock Outcrop Area* 1.0
Pasture or Meadow (Unmanaged)	Total Area* 0.75
Pasture or Meadow (Managed)	Total Area* 1.25
Engineered Factors	
LID Practice (6)	
Green/Permeable Pavement (only in open space)	LID Practice Area* 1.5
Infiltration Bio-retention	LID Practice Area* 2.0
Neighborhood Greens	Neighborhood Green Area* 1.0
Trails	Trail Area* 1.25
Wet Stormwater Detention Ponds serving as an amenity (Managed)	Total Area* 0.5
Notes:	
(1) Not to exceed a total width of 300 feet, including the Constrained Water Quality Buffer. Must be within the stream watershed area.	
(2) Drainage area upstream of the jurisdictional line	
(3) Clear cut date based on best available data and estimated age of trees. To determine whether a forest, meadow, or pasture is managed, the applicant must provide proof to the Planning Department consistent with the Richland County Open Space Management Manual.	
(4) Cluster area = critical root zone; percent of all grand trees on the site.	
(5) Viewshed area = area on the parcel where the view is visible.	

- (2) Unconstrained open space areas may only be credited once per the calculations in this section. When an unconstrained open space area qualifies in two categories, it shall be credited as follows:
 - a. Where both categories have a factor of 1.0 or greater, the greater credit shall be applied.
 - b. If one of the two categories has a factor of less than 1.0, the lesser credit shall be applied.

- (3) The following activities or land uses may not be counted as a part of designated open space:
 - a. Existing rights-of-way and utility easements
 - b. Setbacks and lawns
 - c. Dry stormwater detention ponds

(h) *Open Space Management.*

- (1) *Open Space Areas.* To maintain, enhance and sustain the environmental, conservation, wildlife, recreational, historic, public and community values and benefits of open space areas, property owners or his/her authorized agents using the provisions of this Section must develop an Open Space Management Plan. The Plan shall include guidance on how to best manage open space areas in their current condition, increase conservation values through enhancement of existing conditions or establish processes to modify open spaces to other intended open space functions and resultant conservation values and benefits. The plan shall incorporate approved and current best management practices (BMPs) for all constrained and unconstrained open space areas as set forth in the Richland County Open Space Management Manual.

The Open Space Management Plan must be approved by the Planning Department prior to approval of the Final Plat.

- a. *Open Space Area Management and Maintenance.* Management of the open space area includes specific limitations on alteration of the natural conditions. The following practices and activities are restricted within open space areas, except with prior approval by the Planning Department:
 - 1. Clearing or grubbing of existing vegetation,
 - 2. Clear cutting of vegetation,
 - 3. Soil disturbance by grading, stripping, or other practices,
 - 4. Filling or dumping,
 - 5. Use, storage, or application of pesticides, herbicides, and fertilizers,
 - 6. Conversion of vegetation from native to exotic species, and

7. Motor vehicles are not permitted in open space areas unless during the installation of certain permitted utilities.
- b. The following structures, practices, and activities are permitted in open space areas, subject to prior approval from the County, and when specific design or maintenance features are adhered to:
 1. All activities within water quality buffers located within open space areas shall be consistent with Section 26-187.
 2. Pedestrian crossings, public or neighborhood bicycle or pedestrian access, passive recreational amenities, such as pervious-surface paths and minimum green infrastructure parking spaces, stream bank stabilization efforts and LID stormwater control practices.
 3. Utilities are allowed; however, utility easements shall not qualify as open space areas.

(2) *Open Space Area Plat Requirements.* All preliminary, bonded and final plats prepared for recording and all right-of way-plats (submitted under this Section) shall clearly:

- a. Delineate and label all open space areas,
- b. Provide a note to state: “There shall be no clearing, grading, disturbance or construction or construction runoff impacts to the open space areas except as allowed by the Public Works Department”,
- c. Provide a note to state: “All open space areas shown on the plat are subject to perpetual conservation easements which are contained in land records or covenants pertaining to the development”,
- d. Provide a note indicating ownership of the open space areas by the property owners association, and
- e. Show the location of all permanent open space boundary marker signs.
- f. All water quality buffer access easements shall be consistent with Section 26-187.

- (3) *Open Space Area Protection Requirements during Construction.* The following steps shall be taken during the site plan development and site construction process to protect existing open space areas:
- a. Open space areas must be clearly identified on all plan submittals and construction drawings and marked with the statement “Open Space Area. Do Not Disturb or Encroach”.
 - b. Open space areas cannot be encroached upon or disturbed at any time, unless in accordance with Section 26-187 (c), Section 26-187 (k) or without approval from the County.
 - c. Open space areas must be clearly marked with a warning barrier prior to any construction activities. The marking(s) shall be maintained until completion of all construction activities. All contractors and others working on the construction site must be made aware of the existence of the open space areas and the restrictions on disturbing these areas.
 - d. All open space areas must be left in the existing condition upon completion of construction activities. Should any activities during construction, including encroachment, cause damage or degradation to any of the open space areas, these areas must be restored based upon pre-existing conditions or to conditions acceptable through a Richland County-approved restoration plan.
 - e. If any trees are allowed to be removed, the tree location shall be shown and a note shall be provided stating that the tree must be hand cleared.
 - f. Where stormwater is concentrated into open space areas, best management practices must be placed to protect it, as approved by the County.
 - g. The open space areas shall be shown and labeled on the engineering plans, preliminary, bonded and final plat.
- (4) *Open Space Area Protection Requirements after Construction.* Open space areas must be protected in perpetuity by either of the following options and be in compliance with the Open Space Management Plan:
- a. Option 1. *Previous Granting to Qualified Organization or Entity.* Any proposed open space area found in this section and having previously been granted in a conservation easement running in perpetuity to a third party “qualified organization” recognized by Federal Treasury Regulation Section 1.170A-14(c)(1), or

successor provision, may qualify as open space area under this section with certain exceptions. The owner must submit a copy of the recorded easement, baseline assessment and annual monitoring inspections for the previous three years to the Planning Department for review. Based on a review of the information, the Department will determine if the proposed open space areas and permitted uses protected in the easement qualify under this section.

Potential exceptions include, but are not limited to, active timberlands or areas of the easement on which the conservation values have been damaged by poor cutting and harvesting practices (conflicting with current BMP's), encroachment by development, illegal dumping, above or below-ground utility easements, runoff and erosion, fires, storms, insect infestation or other damaging activity which has or continues to diminish the conservation value of the open space area. Failure of the monitoring organization to adequately enforce the provisions of the conservation easement shall be grounds for refusing to accept such easement into the program.

The Property Owner or Property Owners' Association (POA) shall be responsible for the continuous and perpetual protection, management, maintenance and annual monitoring of all open space areas.

- b. *Option 2. Easement Granted to Richland County.* Any proposed open space area found in this section may be granted in a conservation easement running in perpetuity to the Richland County Conservation Commission at the time of application for an Open Space development. The purpose of the granting to the Richland County Conservation Commission is to ensure the protection and proper management of the open space areas and has no impact or bearing on the acceptance of any open space areas or approval under this section by Richland County.

The property owner or POA (once deeded) agrees to pay a one-time stewardship fee, to be established by the Richland Conservation Commission, to cover the cost of annual monitoring, compliance and enforcement of the conservation easement.

The property owner or POA assumes the responsibility for the continuous and perpetual protection, management, and maintenance of all open space areas consistent with the guidance contained in the Richland County Open Space Management Manual.

- c. Option 3. *Conveyance to the Property Owners' Association.* If not utilizing Option 1 or 2 of this subsection, the property owner shall convey ownership in a deed all open space areas in fee-simple to the POA which shall be recorded and delivered prior to, or concurrent with, the recording of the Bonded Plat for the first phase of the subdivision. To meet the purposes of this section, the deed and covenants of the POA shall contain the following language:

“The conservation values and benefits of the areas conveyed by deed and shown on the Final Plat shall remain permanently protected and shall not be disturbed, or modified without prior approval from the Planning Department. The open space areas identified in this covenant are intended for public benefit, but for association members use, and it shall run in perpetuity.”

The POA may establish criteria for public use of open space areas protected under this section. The POA assumes the responsibility for the continuous and perpetual protection, management, maintenance and annual monitoring of all open space areas consistent with the guidance contained in the Richland County Open Space Management Manual.

- d. Option 4. *Retention by the Property Owner.* If not utilizing the Options above in this subsection, the property owner shall retain ownership of all open space areas, which shall be recorded and delivered prior to, or concurrent with, the recording of the Bonded Plat for the first phase of the subdivision. To meet the purposes of this section, the deed shall contain the following language:

“The conservation values and benefits of the areas covered base by deed and shown on the Final Plat shall remain permanently protected and shall not be disturbed, or modified without prior approval from the Planning Department. The open space areas identified in this covenant are intended for public benefit, but for residents use, and it shall run in perpetuity.”

The property owner may establish criteria for public use of open space areas protected under this section. The property owner assumes the responsibility for the continuous and perpetual protection, management, maintenance and annual monitoring of all open space areas consistent with the guidance contained in the Richland County Open Space Management Manual.

- e. Regardless of which option above is utilized, conservation easements and/or open space areas are the property of the property owner or POA. If a POA is established to manage open space areas, the following criteria are recommended:
 - 1. Membership in the POA is mandatory and automatic for all property owners for the subdivision and their successors;
 - 2. The POA shall have lien authority to ensure the collection of dues from all members; and
 - 3. The POA is responsible for informing each property owner at the time of closing of the location of the open space areas and the requirement not to disturb or encroach upon these areas.
- f. Richland County retains an independent right of entry and enforcement under such conservation easements independent of the property owner or POA and such right of enforcement shall be included in all conservation easements granted under this section and contained in the covenants for the subdivision.

(5) *Open Space Baseline Surveys and Annual Monitoring.* To quantify the pre-construction condition and conservation values of the open space areas, the developer shall:

- a. Conduct a baseline survey by the applicant prior to any earth-moving, tree clearing, infrastructure installation or home construction. The baseline survey shall photo-document the condition of the open space areas prior to the above activities. Photos must be of adequate quality, number and distribution to adequately document all open space areas. Each photograph should be geocoded to indicate both the location and bearing of the photograph and each digital photographic file must be submitted electronically in a high-resolution digital format.
- b. Annual monitoring shall be conducted by the developer, POA or qualified entity and document the existing condition of the protected open space area. The annual monitoring shall photo-document the condition of the open space areas. Photos must be taken at the same location and bearing as the original baseline survey. Each photograph should be geocoded to indicate both the location and bearing of the photograph and each digital photographic file must be submitted electronically in a high-resolution digital format.

As an alternative, the POA can retain the services of a qualified entity (which could include Richland County) to perform the annual monitoring survey.

The annual monitoring should document any violations or changes that have taken place since the last monitoring report, such as:

1. Homeowner or POA encroachment,
 2. Removal of sand, gravel, loam, rock, etc,
 3. Trash accumulation, dumping, organic debris,
 4. Alteration of the open space,
 5. Storm damage, erosion, etc,
 6. Construction of roads, parking lots, utility lines, trails,
 7. Removal or planting of trees or other vegetation,
 8. Invasion of non-native species, and/or
 9. Current use of adjacent properties and whether there are any problems with encroachment and/or trespassing.
- c. All baseline surveys and annual monitoring documents shall be submitted to the Planning Department.
- (6) *Signage.* For subdivisions, final permanent open space area boundary marker signs are to designate open space areas prior to bonding of the subdivision and/or finalizing the subdivision with the intent to transfer property. Permanent boundary markers are required to ensure that property owners are aware of the buffer. The Planning Department has the authority to require the POA to replace boundary markers that have been removed or destroyed.

The following requirements shall apply to buffer boundary markers:

- a. Open space area boundary markers shall be located in such a manner as to accurately delineate the boundary. For commercial developments, markers shall be posted every one hundred (100) feet along the buffer boundary. For subdivisions where multiple lots are located along the boundary, a boundary marker must be located at the intersection of every other lot line and the boundary. The developer or POA may petition the Planning

Department for a lesser marker density as long as the markers are adequate to clearly mark the boundary.

- b. Open space area boundary markers shall include the statement “Open Space Area – Do Not Disturb or Encroach”.
- c. The markers should be mounted to a treated wood or metal signpost or on a non-grand tree, if not encroaching on the open space, between four (4) and six (6) feet above the ground surface. The post must extend below the ground surface at least twenty four (24) inches.
- d. The boundary markers must be at least eight by twelve inches (8”x12”) and have a white or yellow background with dark lettering.
- e. When water quality buffers are contained within an open space area, the Public Works Department may forgo boundary markers for the water quality buffer. This decision is at the discretion of the Public Works Director.
- f. In dark lettering, include a number for Ombudsman to call for encroachment or issues.

(7) *Open Space Area Restoration and Enhancement Plans.* Prior to reestablishing or planting the open space area, a restoration or enhancement plan must be submitted to and approved by the Planning Department. Buffer restoration and/or enhancement plans must include the following:

- a. A drawing or plan that shows the location of the open space area in relation to the existing or planned development; the disturbance limits for the planned buffer restoration; direction of flow of runoff from the area; erosion prevention and sediment control measures to be installed to protect the open space area; access to a water source for the purposes of irrigating vegetation; and other pertinent information. For large scale restoration and enhancement projects the plan(s) must be stamped by a registered landscape architect or engineer.
- b. A visual plan and a narrative describing the vegetation plan to restore or enhance the open space area: the area must be planted with native trees, grasses and shrubs. Suitable native plants can be chosen from plant species recommended and approved by the Planning Department.

c. The schedule for when plantings will occur and a two (2) year survival guarantee provided by the responsible party.

(8) *Penalty for noncompliance.* In the event that the party responsible for maintenance of the open space fails to maintain all or any portion of such area as enumerated, upon ninety (90) days' notice served to the owner, Richland County may assume responsibility for the maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of said corrective action and maintenance by Richland County may be charged to the owner or property owners' association.

(i) *Development Requirements.* Subdivisions shall meet the following requirements:

(1) Minimum Subdivision Size: Two (2) contiguous acres.

(2) The following densities will apply to the application of these standards, based on the applicable property zoning:

a. RU = 1.32

b. RR = 1.32

c. RS-E = 2.20

d. RS-LD = 3.63

e. RS-MD = 5.12

f. RS-HD = 8.7

(3) The total number of units allowed shall be determined by using the density of the zoning district and the following formula:

$$T = D * A * B$$

Where:

T = total units (dwelling units)

D = density (dwelling units/gross acre)

A = total site area (acres)

B = density bonus per Section 26-186(g) (percent)

(4) Lot Size: No minimum.

(5) Lot Width: No minimum.

- (6) Minimum Yard Areas (Setbacks):
- a. Front:
- For front loaded – 20 feet to garage, where the front porch can extend into setback no more than 10 feet.
- For Side or Rear loaded – 10 feet, inclusive of front porch.
- For secondary front – half (0.5) the front or 10 feet on the road intersecting the local residential road.
- b. Rear: 20 feet for front loaded lots (or 5 feet from rear garage on alley).
- c. Side: 5 feet.
- d. For a zero “lot line” parallel development:
- No side setbacks; front and rear setbacks are as stated in paragraphs (6) a. and (6) b., above.
- (7) Buffer Transition Yards: A twenty five foot (25’) minimum, vegetated buffer transition yard is required along any lot line that abuts an existing residential use.
- a. *Location:* As set forth in Sections 26-176(f)(2)(a) and (b). Residential yards (front, side or rear) shall not apply towards buffer transition yards.
- b. *Buffer yard credits:* All existing healthy, mature trees retained in buffer areas, can be credited toward meeting the buffer yard requirements, upon determination that adequate screening is provided. This may require a field visit and determination by the Planning Department.
- c. *Buffer yard reductions:* Reductions of the minimum transition buffer yard widths are not permitted.
- d. *Buffer material specifications:* As set forth in Section 26-176(f)(7).
- (8) Maximum Height: Three (3) stories above ground level. (For the purpose of this subparagraph, “ground level” shall mean: the average finished ground elevation at the base of a structure to the highest point of the roof of the structure; provided that spires, belfries, cupolas, chimneys,

antennas, water tanks, ventilators, elevator housing, mechanical equipment, or other such structures that are placed above roof level and are not intended for human occupancy, shall not be subject to height limitations).

- (9) Street trees shall be provided along all roads at intervals of thirty-five (35) feet and shall be 2½ inch caliper/10 feet in height at time of planting.
- (10) Proposed utilities shall be located underground.
- (11) Roads shall follow the provisions of Section 26-181.
- (12) Street Lighting - if street lighting is proposed, a pedestrian scale shall be utilized (maximum 12 feet in height).
- (13) Stormwater Controls: Low Impact Development (LID) techniques are the preferred stormwater Best Management Practice (BMPs) within open space developments. In order to use LID as open space credit, the applicant must assess the feasibility of LID practices as the exclusive stormwater BMPs or the use of LID techniques as part of an integrated stormwater management system incorporating traditional stormwater BMPs unless shown to not meet Richland County's stormwater standards, or pertinent State or Federal statutes or regulations. The applicant must submit data and design standards detailing the engineering and technical specifications on the use of LID techniques. Such data and design include:
 - a. An assessment of the existing pre and post development runoff and the feasibility of the existing onsite soils, or engineered soils, to handle LID techniques.
 - b. Stormwater controls shall meet Richland County's standards.
 - c. All stormwater systems, including LID, should be owned and maintained by the POA.

SECTION III. The Richland County Code of Ordinances; Chapter 26, Land Development; Article X, Subdivision Regulations; Section 26-222, General Requirements; Subsection (g), Natural Resource Inventory; is hereby amended to read as follows:

- (g) *Natural Resource Inventory.* All subdivisions require sketch plan submittals must include a natural resource inventory, ~~which must be~~ conducted by a qualified professional. ~~The Natural Resource Inventory shall consist of the following:~~

- ~~(1) A separate engineering design sheet listing the location of the natural resources. This would be determined as follows:~~

~~a. The County shall conduct a desktop analysis using existing county GIS data: locate wetlands (use National Wetlands Inventory maps), floodplains, steep slopes, water bodies, etc. This will provide a preliminary analysis of what is on the site and include a jurisdictional determination and tree protection plan. The Developer shall hire consultants to conduct a full field site inventory based on what was identified during the desktop analysis; or~~

~~b. The County and the Developer shall conduct a natural resources field visit.~~

~~c. The County may field review the inventory, as needed.~~

(21) The following list of features, if relevant, shall be included in the Natural Resources Inventory:

- a. 100 year floodplain;
- b. Riparian buffers;
- c. Cemeteries and burial grounds;
- d. Open space corridors of twenty-five (25) foot width or greater and all easements;
- e. Protected trees, as identified in Section 26-176(k)(1);
- f. Steep slopes of greater than twenty-five percent (25%);
- g. Wetlands, including isolated wetlands.
- h. Archeological sites, historical sites and features eligible for or listed in the National Register of Historic Places;
- i. Rare, threatened, or endangered species/habitats, as identified by federal and state listings;
- j. Scenic view sheds;
- k. Unique natural features;

- l. Forestlands; and
- m. Prime agricultural lands.

(32) ~~Once the submittal package is complete, including a Natural Resource Inventory, it shall be scheduled for review by the development review team.~~ The development review team shall have the authority to require protections based on the requirements of this Chapter and the results of the Natural Resource Inventory.

SECTION IV. 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 V. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI. Effective Date. This ordinance shall be enforced from and after _____, 2013.

RICHLAND COUNTY COUNCIL

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

ATTEST THIS THE ____ DAY
OF _____, 2013

Michelle M. Onley
Clerk of Council

Public Hearing: May 28, 2013
First Reading: May 28, 2013
Second Public Hearing: July 23, 2013 (tentative)
Second Reading: July 23, 2013 (tentative)
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



Richland County Government
2020 Hampton Street
Columbia, SC 29204

Phone (803) 576-2180
Fax (803) 576-2182
