

RICHLAND COUNTY COUNCIL
ZONING PUBLIC HEARING



JUNE 28, 2011



RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING

**Tuesday, June 28, 2011
7:00 P.M.
2020 Hampton Street
2nd Floor, Council Chambers
Columbia, South Carolina**

STAFF:

Anna Fonseca, AICP Planning Director
Amelia R. Linder, Esq. Attorney

CALL TO ORDERHonorable Paul Livingston
Chairman of Richland County Council

ADDITIONS / DELETIONS TO THE AGENDA

OPEN PUBLIC HEARING

MAP AMENDMENTS

1. Case #11-06 MA
Pallay R. Desai
RU to NC (.76 acres)
9401 Wilson Blvd.
TMS# 14700-03-33
[FIRST READING]
Planning Commission – Approved 7-0
Page 1
2. Case #11-07 MA
Richland County
TROS to RS-LD (12.49 acres).
Longcreek Plantation
TMS # 20406-02-01 (p)
[FIRST READING]
Planning Commission – Approved 7-0
Page 9

TEXT AMENDMENTS.

1. AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SECTION 26-151, PERMITTED USES WITH SPECIAL REQUIREMENTS; SUBSECTION (C), STANDARDS; SO AS TO DELETE CERTAIN SETBACK REQUIREMENTS FOR BARS AND OTHER DRINKING PLACES
[SECOND READING]
Planning Commission – Approved 7-0
Page 17

PRESENTATION

TishlerBise, Chris Cullinain- Effects of Road Impact Fees on the Price of Affordable Housing

OTHER BUSINESS

ADJOURNMENT



**Richland County
Planning & Development Services Department**

Map Amendment Staff Report

PC MEETING DATE: June 6, 2011
RC PROJECT: 11-06 MA
APPLICANT: Pallav Desai
PROPERTY OWNER: Pallav Desai

LOCATION: 9401 Wilson Boulevard

TAX MAP NUMBER: 14700-03-33
ACREAGE: 0.76
EXISTING ZONING: RU
PROPOSED ZONING: NC

PC SIGN POSTING: May 19, 2011

Staff Recommendation

Approval

Background /Zoning History

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

The parcel contains three hundred and thirty two (332) feet of frontage on Wilson Boulevard.

Summary

The Neighborhood Commercial District (NC) is intended to accommodate commercial and service uses oriented primarily to serving the needs of persons who live or work in nearby areas. This district is designed to be located within or adjacent to residential neighborhoods where large commercial uses are inappropriate, but where small neighborhood oriented business are useful and desired.

New structures in the Neighborhood Commercial District (NC) shall have a building footprint of not more than 6,000 square feet. The gross floor area of new structures shall not exceed 12,000 square feet. Existing structures shall not be expanded to exceed a footprint or gross floor area of 12,000 square feet.

Minimum lot area: no minimum lot area requirement except as required by DHEC. Maximum density: no more than eight (8) units per acre.

- The gross density for this site is approximately: 6 dwelling units
- The net density for this site is approximately: 4 dwelling units

Direction	Existing Zoning	Use
<u>North:</u>	RU	Manufactured home development
<u>South:</u>	RU	Manufactured home development
<u>East:</u>	RU	Single family residence
<u>West:</u>	RU	Manufactured home development

Plans & Policies

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

Northeast 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 subject parcel contains existing non conforming commercial uses. The existing commercial use is permitted outright under the proposed zoning.

Traffic Impact

The 2010 SCDOT traffic count (Station # 135) located south of the subject parcel on Wilson Boulevard identifies 8,000 Average Daily Trips (ADT’s). Wilson Boulevard is classified as a two lane undivided Minor Arterial, maintained by SCDOT with a design capacity of 10,800 ADT’s. Wilson Boulevard is currently operating at Level of Service (LOS) “B”.

Conclusion

The location of the subject parcel meets the intent of the Neighborhood Commercial District (NC) and is located adjacent to a residential neighborhood where large commercial uses are inappropriate, however small neighborhood oriented business are useful and desired. A large rural subdivision, Heritage Hills, is located eighteen hundred (1800) feet north of the site. Palmetto Palms, a manufactured home development containing over 175 manufactured homes is contiguous to the west of the site.

A General Commercial (GC) zoned parcel is located three hundred (300) feet southeast of the site along Wilson Boulevard. An assisted living facility is currently operating eight hundred (800) feet southeast of the subject parcel on Wilson Boulevard. The subject parcel contains an existing gas station and barber shop. Under the current Rural (RU) zoning district gas stations are not a permitted use. The existing use is considered nonconforming but is permitted outright under the Neighborhood Commercial District (NC). Under Sec.26-256. (3);

A nonconforming use of a structure may be enlarged or extended only into portions of the structure that existed at the time that the use became nonconforming. No structural alterations will be allowed to any structure containing a non conforming use....

The parcel is currently served by private water and septic sewer service. The parcel has a 10 inch City of Columbia water main easement running the length of the road frontage on Wilson Boulevard. There is a fire hydrant located on the subject parcel along Wilson Boulevard. The Killian fire station (number 27) is located 2.62 miles east of the subject parcel on Farrow Road. The proposed map amendment would not negatively impact public services or traffic.

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

Zoning Public Hearing Date

June 28, 2011

Planning Commission Action

At their meeting of **June 6, 2011** 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 # 11-06 MA** at the next available opportunity

Case 11-06 MA RU to NC

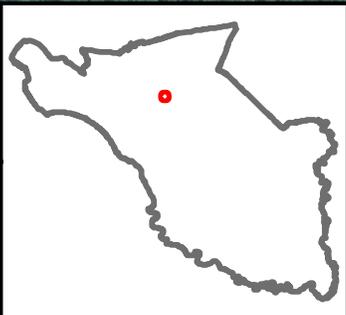
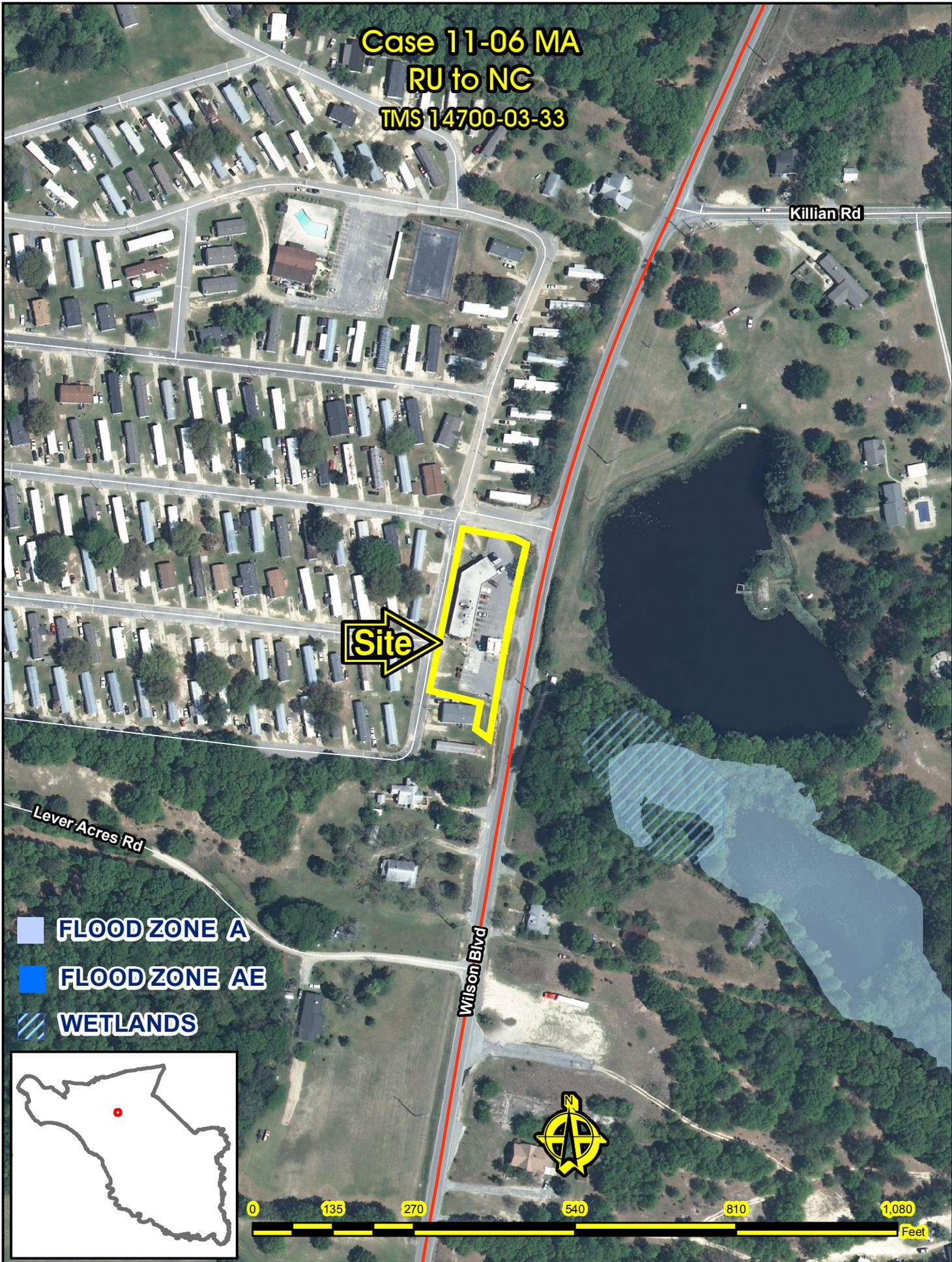


ZONING CLASSIFICATIONS

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



**Case 11-06 MA
RU to NC
TMS 14700-03-33**

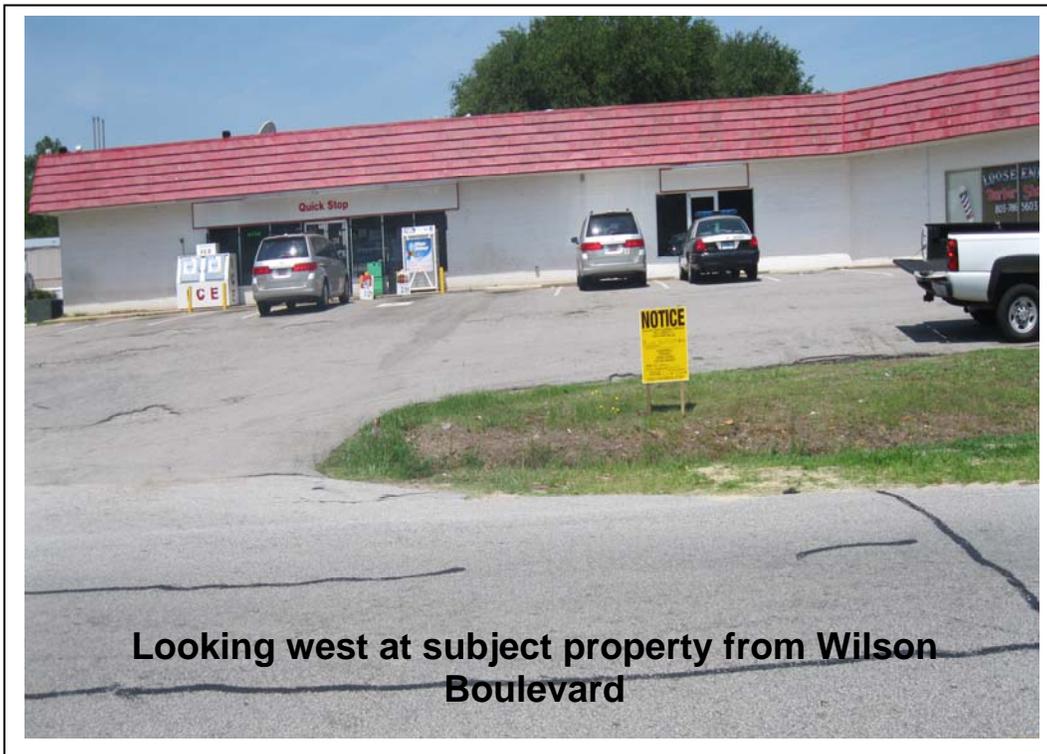


CASE 11-06 MA

From RU to NC

TMS# 14700-03-33

Wilson Boulevard



STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-11HR

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 # 14700-03-33 FROM RU (RURAL DISTRICT) TO NC (NEIGHBORHOOD 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 # 14700-03-33 from RU (Rural District) zoning to NC (Neighborhood 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 _____, 2011.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2011.

Michelle M. Onley
Assistant Clerk of Council

Public Hearing: June 28, 2011 (tentative)
First Reading: June 28, 2011 (tentative)
Second Reading:
Third Reading:



**Richland County
Planning & Development Services Department**

Map Amendment Staff Report

PC MEETING DATE: June 6, 2011
RC PROJECT: 11-07 MA
APPLICANT: Richland County
PROPERTY OWNER: Fairways Development

LOCATION: Windermere Village Way

TAX MAP NUMBER: 20406-02-01 (Portion of)
ACREAGE: 12.49 acres
EXISTING ZONING: TROS
PROPOSED ZONING: RS-LD

PC SIGN POSTING: May 19, 2011

Staff Recommendation

Approval

Background /Zoning History

According to County records the current zoning of Traditional Recreation and Open Space District (TROS) reflects the zoning as adopted July 27, 2007 (Ordinance NO. 065-07-HR) amended from Residential Single Family Low Density District (RS-LD).

The parcel contains frontage on Windermere Village Way.

Summary

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

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

- The gross density for this site is approximately: 45 dwelling units
- The net density for this site is approximately: 31 dwelling units

Direction	Existing Zoning	Use
<u>North:</u>	RS-LD	Residential lots
<u>South:</u>	RS-LD	Residential lots
<u>East:</u>	TROS	Fairway number 5
<u>West:</u>	TROS/ RS-LD	Fairway number 7/ Residential lots

Plans & Policies

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

Northeast Area

Objective: Throughout the suburban areas infill development should be a focus in residential, commercial and industrial areas, complementing and connecting the existing sprawl pattern.

Compliance: The proposed Residential Single Family Low Density District (RS-LD) is in character with the surrounding area.

Traffic Impact

The 2010 SCDOT traffic count (Station # 711) located south of the subject parcel on Longtown Road identifies 8,700 Average Daily Trips (ADT's). Longtown Road is classified as a two lane undivided Collector, maintained by SCDOT with a design capacity of 10,800 ADT's. Longtown Road is currently operating at Level of Service (LOS) “C”.

Conclusion

In 2005 the Single Family Residential zoning of RS-1A was converted to Residential Single Family Low Density District (RS-LD). Under this zoning district conversion the lot size was changed from 10,000 square feet under the Single Family Residential zoning of RS-1A to 12,000 square feet under the Residential Single Family Low Density District (RS-LD). In 2007 Richland County proactively rezoned numerous golf courses to the Traditional Recreation and Open Space District (TROS) as adopted July 27, 2007 (Ordinance NO. 065-07-HR).

In the original land development plan the subject parcel was identified as developable lots. However, upon approval of the Traditional Recreation and Open Space District (TROS) ordinance the subject parcel had not yet been subdivided and remained part of the overall parent parcel. Under the Traditional Recreation and Open Space District (TROS) ordinance the parcel was rezoned with the parent track in error. In an effort to rectify the situation the Planning Director has initiated the subject parcel for rezoning. The parcel is contiguous to existing residential development, zoned Residential Single Family Low Density District (RS-LD) and the Windermere golf course. Approval of the proposed zoning would allow for infill development which had been the original intent of the overall development plan and is in character with the surrounding area. The parcel has access to existing infrastructure and services.

The subject property is located within one mile of Blythewood Middle School and within 1.4 miles of Round Top Elementary School. The Elders Pond fire station (station number 34) is located on Elders Pond Drive roughly 2.44 miles southeast of the subject parcel. There is a fire hydrants located on the northern side of Windermere Village Way near the end of the pavement. The proposed rezoning would not have a negative impact on public services or traffic. Water is provided by the City of Columbia and sewer is provided by Palmetto Utilities.

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

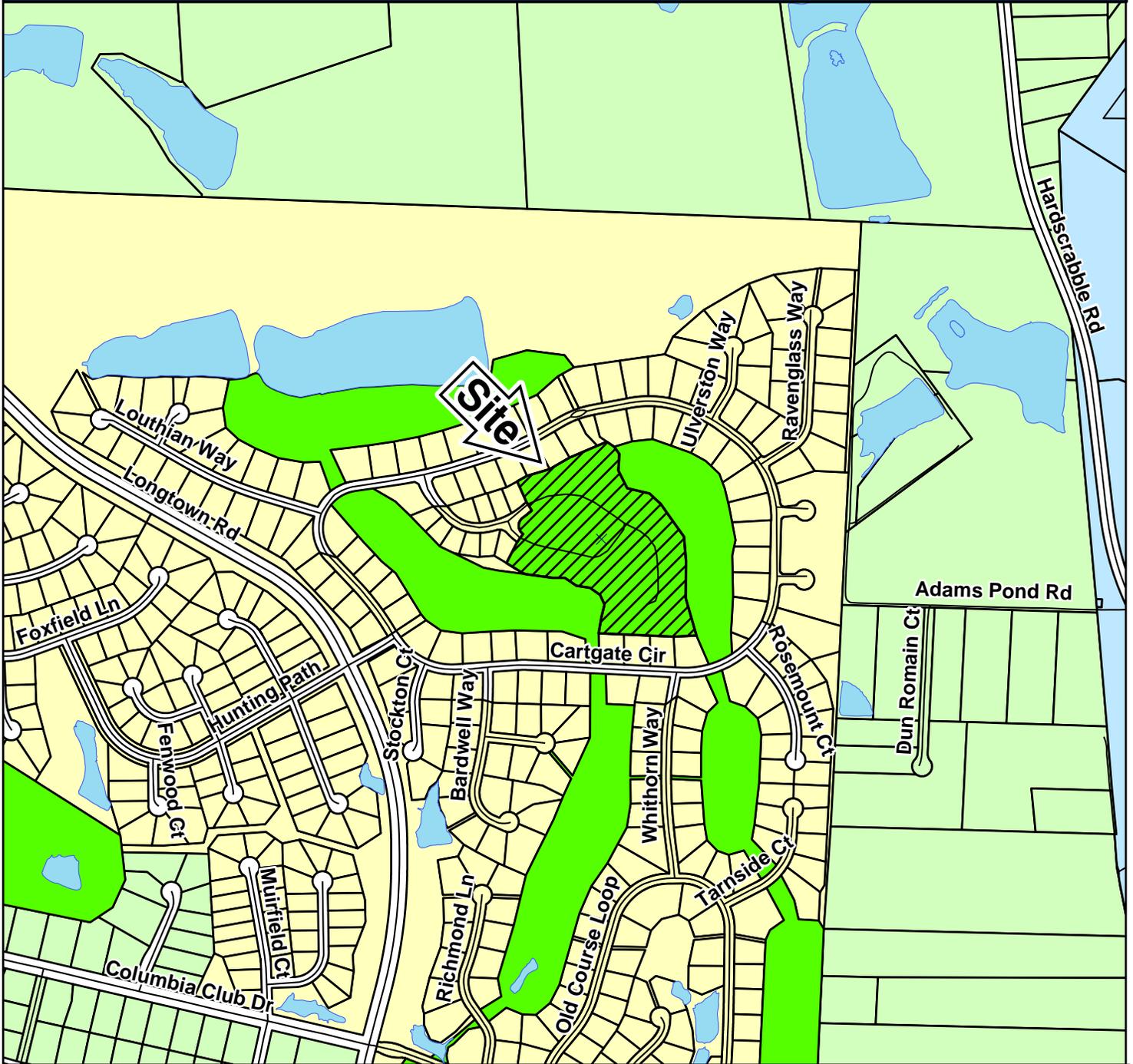
Zoning Public Hearing Date

June 28, 2011

Planning Commission Action

At their meeting of **June 6, 2011** the Richland County Planning Commission **agreed** with the PDSD recommendation and recommends the County Council initiate the ordinance consideration process to **approve the proposed Amendment** for **RC Project # 11-07 MA** at the next available opportunity

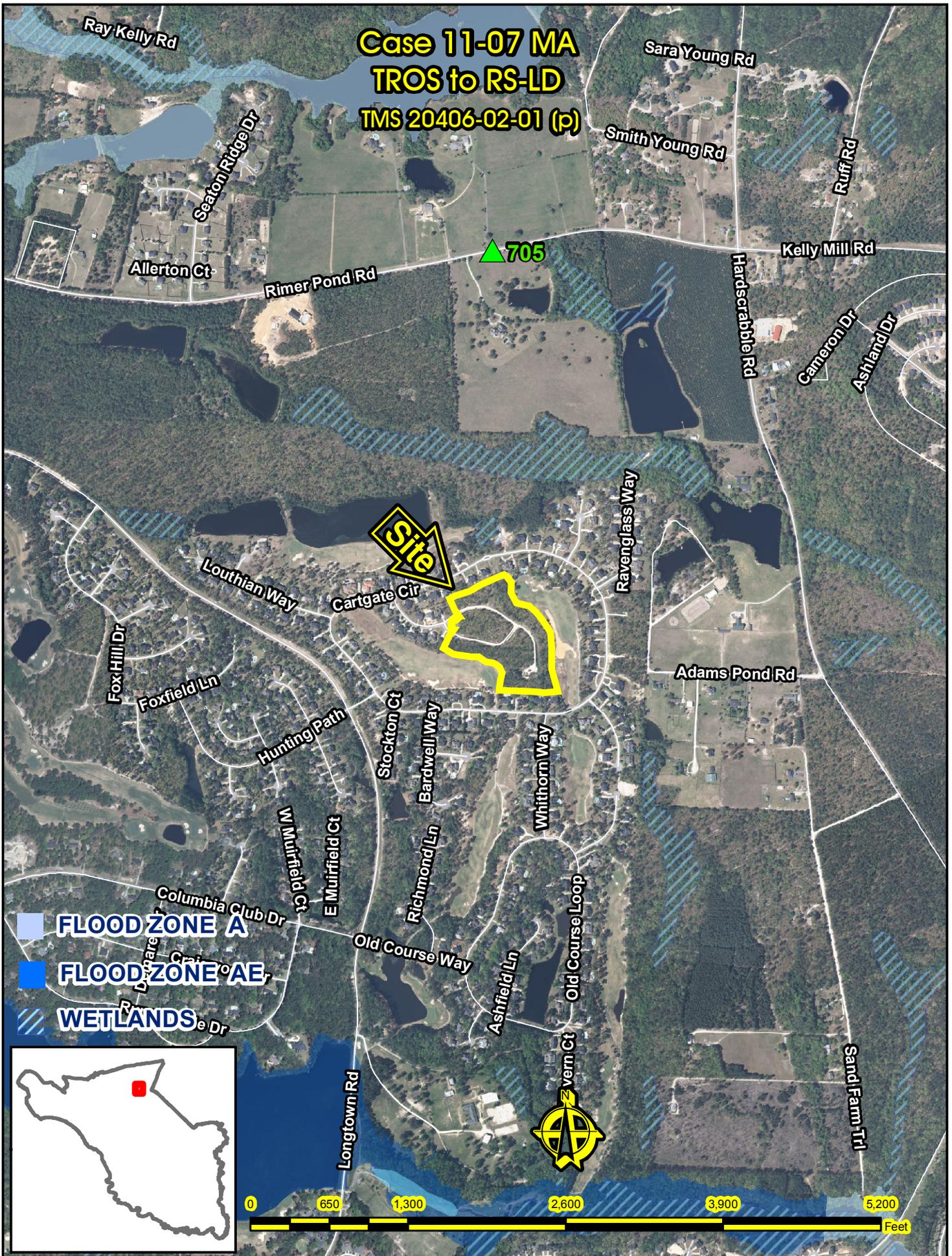
Case 11-07 MA TROS to RS-LD



ZONING CLASSIFICATIONS

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

**Case 11-07 MA
TROS to RS-LD
TMS 20406-02-01 (p)**



CASE 11-07 MA

From TROS to RS-LD

TMS# 20406-02-01(P)

Windermere Village Way



STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-11HR

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 A PORTION OF THE REAL PROPERTY DESCRIBED AS TMS # 20406-02-01 FROM TROS (TRADITIONAL RECREATION OPEN SPACE DISTRICT) TO RS-LD (RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as a portion of TMS # 20406-02-01 from TROS (Traditional Recreation Open Space District) zoning to RS-LD (Residential, Single-Family – Low Density District) zoning, (all as described in Exhibit A, which is attached hereto).

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 _____, 2011.

RICHLAND COUNTY COUNCIL

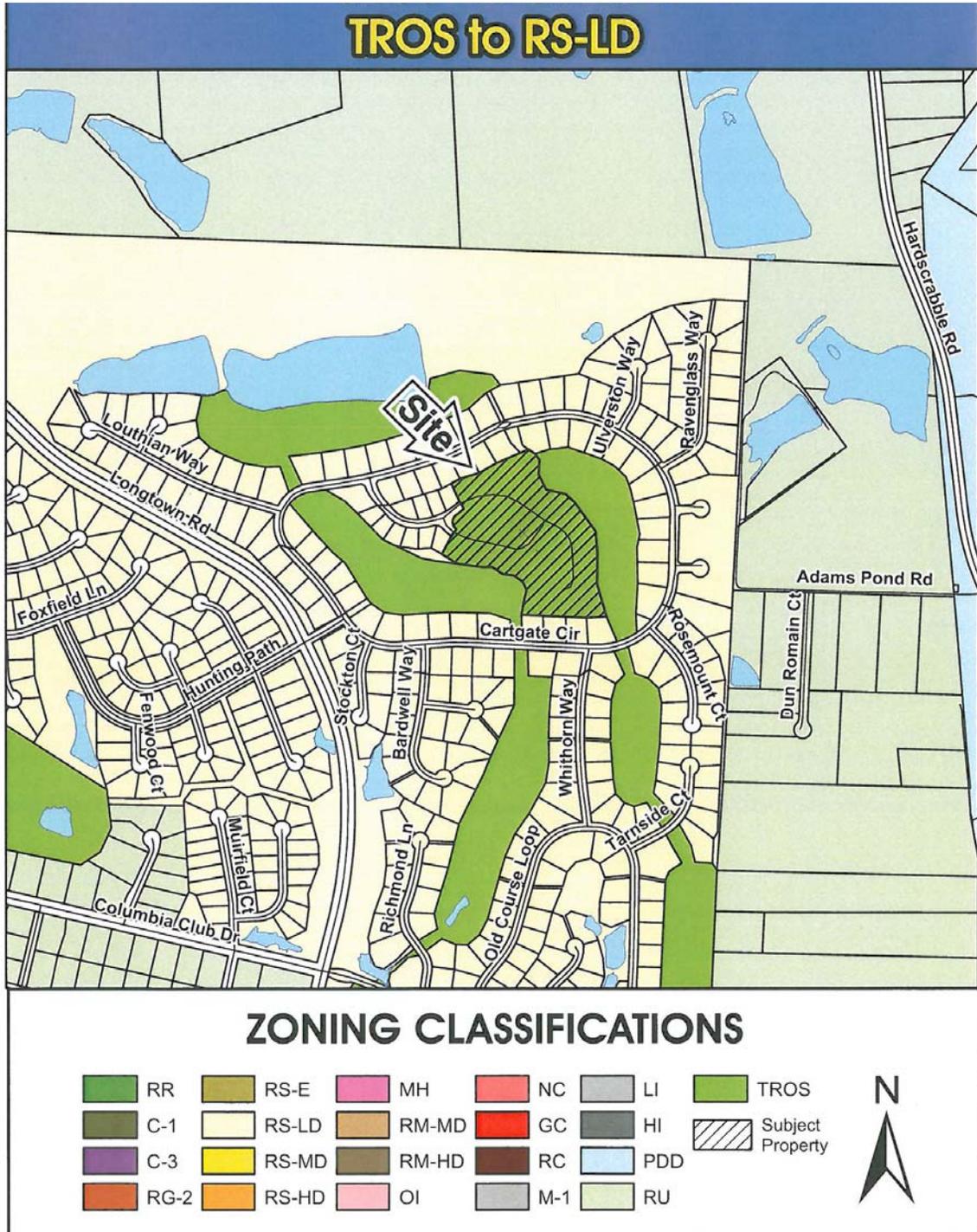
By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2011.

Michelle M. Onley
Assistant Clerk of Council

Public Hearing: June 28, 2011 (tentative)
First Reading: June 28, 2011 (tentative)
Second Reading:
Third Reading:

Exhibit A



STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-11HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SECTION 26-151, PERMITTED USES WITH SPECIAL REQUIREMENTS; SUBSECTION (C), STANDARDS; SO AS TO DELETE CERTAIN SETBACK REQUIREMENTS FOR BARS AND OTHER DRINKING PLACES.

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

SECTION I. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c), Standards; Paragraph (8), Bars and Other Drinking Places; Subparagraph b.; is hereby amended to read as follows:

- b. Lots used for drinking places shall be located no closer than ~~four hundred (400) feet from any other lot used as a drinking place, and shall be no closer than six hundred (600) feet~~ to any lot which contains a school (public or private) or a place of worship.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2011.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2011

Michelle M. Onley
Assistant Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading:	May 3, 2011
First Public Hearing:	June 7, 2011
Second Public Hearing:	June 28, 2011 (tentative)
Second Reading:	June 28, 2011 (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

