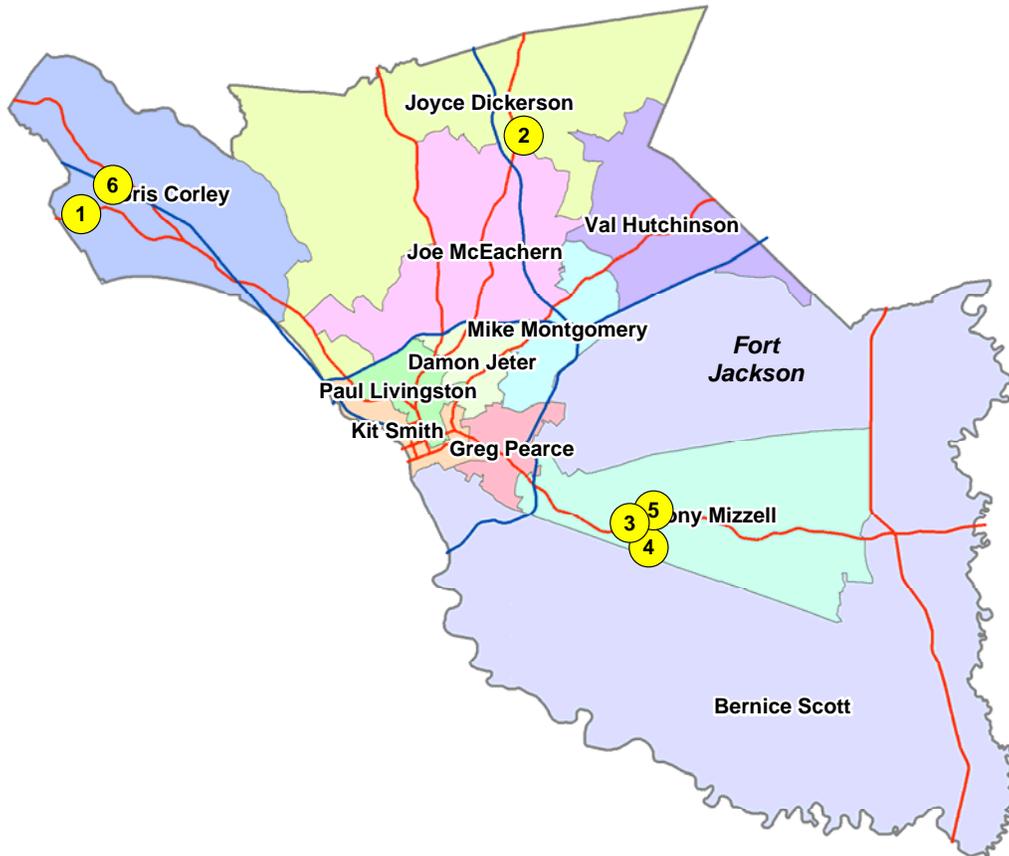


RICHLAND COUNTY
PLANNING COMMISSION



OCTOBER 3, 2005

RICHLAND COUNTY PLANNING COMMISSION OCTOBER 3, 2005



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 05-69 MA	Joe Clark	01500-02-15 & 01506-01-05/06/07	Dutch Fork Road & Three Dog Road	Corley
2. 05-86 MA	Seamon Hunter	15000-05-06	Farrow Road south of Wilson Blvd.	Dickerson
3. 05-87 MA	Cliff Kinder	21800-01-05	Rabbit Run Road	Mizzell
4. 05-88 MA	Cliff Kinder	21800-01-03/14 & 21900-09-08	Rabbit Run Road to Garners Ferry	Mizzell
5. 05-89 MA	Cliff Kinder	21800-01-04 & 21900-09-17	Rabbit Run Road to Garners Ferry	Mizzell
6. 05-90 MA	Bill Flowers	01600-06-01 & 02600-09-01/04/08	Broad River Road	Corley



RICHLAND COUNTY PLANNING COMMISSION

Monday, October 3, 2005

Agenda

1:00 PM

**2020 Hampton Street
2nd Floor, Council Chambers**

STAFF: Donny Phipps.....Interim Planning Director
Michael Criss, AICP.....Planning Services Manager
Anna Almeida.....Development Services Manager
Amelia R. Linder, Esq.....Assistant County Attorney
Carl Gosline, AICP.....Senior Comprehensive Planner
William Simon, CFM.....Land Development Planner I

I. PUBLIC MEETING CALL TO ORDER Howard VanDine, Chairperson

II. PUBLIC NOTICE ANNOUNCEMENT

III. PRESENTATION OF MINUTES FOR APPROVAL

Consideration of the September 1, 2005 minutes.

IV. AGENDA AMENDMENTS

V. OLD BUSINESS

VI. NEW BUSINESS - ZONING MAP AMENDMENTS

CASE # 05-69 MA		Page
APPLICANT	Joe Clark	(1)
REQUESTED AMENDMENT	RU to PDD (26.7 acres)	
PURPOSE	Residential & Commercial	
TAX MAP SHEET NUMBER (S)	01500-02-15 & 01506-01-05/06/07	
LOCATION	Dutch Fork Road & Three Dog Road	

CASE # 05-86 MA		Page
APPLICANT	Seamon Hunter	(17)
REQUESTED AMENDMENT	RU to GC (2.5 acres)	
PURPOSE	Future Investment	
TAX MAP SHEET NUMBER (S)	15000-05-06	
LOCATION	Farrow Rd. south of Wilson Blvd.	

CASE # 05-87 MA		Page
APPLICANT	Cliff Kinder [Deschamps Tract]	(27)
REQUESTED AMENDMENT	RU to RS-MD (41.6 acres)	
PURPOSE	Single Family Residences	
TAX MAP SHEET NUMBER (S)	21800-01-05	
LOCATION	Rabbit Run Road	

CASE # 05-88 MA		Page
APPLICANT	Cliff Kinder [Farm at McCords Ferry]	(37)
REQUESTED AMENDMENT	PDD to PDD (Amended) (89.2 acres)	
PURPOSE	Revise Master Plan Access Point Locations	
TAX MAP SHEET NUMBER (S)	21800-01-03/14 & 21900-09-08	
LOCATION	Rabbit Run Road to Garners Ferry Road	

CASE # 05-89 MA		Page
APPLICANT	Cliff Kinder [Barnstormers]	(43)
REQUESTED AMENDMENT	PDD to PDD (Amended) (36.4 acres)	
PURPOSE	Revise Master Plan Access Point Locations	
TAX MAP SHEET NUMBER (S)	21800-01-04 & 21900-09-17	
LOCATION	Rabbit Run Road to Garners Ferry Road	

CASE # 05-90 MA		Page
APPLICANT	Bill Flowers	(49)
REQUESTED AMENDMENT	RU/M-1 to RM-MD (143.5 acres)	
PURPOSE	Single Family & Multi-Family Residences	
TAX MAP SHEET NUMBER (S)	01600-06-01 & 02600-09-01/04/08	
LOCATION	Broad River Road across from Waterfall S/D	

VII. NEW BUSINESS – TEXT AMENDMENTS

VIII. ROAD NAME APPROVALS.....(Page 63)

IX. COUNTY COUNCIL ACTIONS REPORT

X. OTHER BUSINESS

- a. Permitted Wholesale Trade land uses in the General Commercial District.....
.....**(Page 67)**
- b. Development Review Team report of actions
(None)
- c. Discussion regarding Commission Review of Major Subdivisions, Minor
Subdivisions, and Major Land Developments.
.....**(To be distributed separately)**

XI. PLANNING DIRECTOR'S REPORT

XII. ADJOURNMENT

**RICHLAND COUNTY PLANNING &
DEVELOPMENT SERVICES DEPARTMENT
PLANNING COMMISSION MAP AMENDMENT STAFF REPORT**

October 3, 2005

RC Project # 05-69 MA REVISED	Applicant: Indigo Hill, LLC - Joe Clark
General Location: Dutch Fork Road (Hwy. 76) @ Three Dog Road	
Tax Map Number: 01500-02-15 & 01506-01-05/06/07	Subject Area: 27 ac MOL
Current Parcel Zoning: RU	Proposed Parcel Zoning: PDD
Proposed Use: Mixed use - commercial & single family residential (3.2 DU/gross acre)	PC Sign Posting Date: July 6, 2005 Second Sign Posted September 22, 2005

SECTION I ANALYSIS

Chapter 26-52 (e) of the Richland County Code of Ordinances states “...All proposed amendments shall be submitted to the planning commission for study and recommendation...”

The Planning Commission shall study such proposals to determine:

- a) The need and justification for the changes.
- b) The effect of the change, if any, on the property and on surrounding properties.
- c) The amount of land in the general area having the same classification as that requested.
- d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance (*the Land Development Code*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

Compatibility With Existing Development in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Undeveloped woodlands and single family residences on estate size lots
Adjacent North	RU	Bethel Cemetery, non-conforming commercial businesses, and single family residences on estate size lots
Adjacent East	PUD-1R	Foxport Single Family Subdivision (3.0 DU/acre & 158 maximum DU's)
Adjacent South	RS-LD	Cedar Cove Subdivision (Non-conforming lot sizes)
Adjacent West	RU	Undeveloped woodlands & single family residence on estate size lot

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table above summarizes this comparison.

The site abuts the existing Cedar Cove single-family residential subdivision to the south zoned RS-LD with non-conforming lot sizes for the district. The Foxport PUD-1R (case 03-36 MA) consists of a maximum of 158 dwelling units with a density of 3.0 DU/acre. The parcels to the north of the site along Dutch Fork Road consist of the Bethel Cemetery and various non-conforming businesses on RU zoned parcels and single family residences on estate size lots. The proposed Amendment is compatible with the existing land uses.

Proposed Traffic Management Plan (TMP) Evaluation

Section 26-22 of the County Code defines a traffic management plan as “...an evaluation of the effect of traffic generated by a development on the operation and safety of the adjacent public roads. Such analysis shall include an identification of traffic impact mitigation measures needed to improve safety, operation, and flow of vehicular and pedestrian movement into and out of the development...” The Department interprets this definition to mean that an applicant must calculate the amount of traffic to be generated by the subject project according to the criteria in the latest Edition Traffic Generation Manual published by the Institute of Traffic Engineers.

Furthermore, the Department interprets provision to mean that an applicant must provide an objective written evaluation/analysis of how the traffic generated will effect the operation and safety of the adjacent public road using text and diagrams as may be appropriate. There must be a clear identification of the specific measures the applicant will provide to mitigate the effects of the traffic generated by the subject project on the adjacent roadway. The TMP must also include an analysis of the estimated pedestrian movements in and out of the site as well as any applicant provided facilities.

The proposed **TMP** does not meet the Department’s interpretation of the minimum requirements described above. The **TMP**, or **Plan**, does not depict the amount of traffic generated by the residential or commercial development.

The **Plan** also does not take into account the off-site traffic impacts of the projects or the various routes to and from the project. The Department does concur that SCDOT count station #145 is operating at a current traffic volume of approximately 16,000 daily trips. The **Traffic Management Plan** omitted the count station number (#145) and the location of the count station (Dutch Fork Road east of Bickley Road). The Department has calculated the estimated traffic generation in the discussion below.

The **Traffic Management Plan** did not mention or take into account the alternate routes to Broad River Road and Interstate 26. Rauch Metz Road and Bickley Road provide access to Broad River Road and I-26 from the site without passing through count station #145 in Ballentine.

Department Traffic Impact Analysis

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because V/C ratios are used for road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Dutch Fork Road (Hwy. 76)
Functional Classification Of This Roadway	Two lane undivided collector at site & five Lane undivided collector at station #145
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	19,600
Estimated Traffic Generated By The Proposed Project	808*
Current Volume At The Nearest Count Station #145 Located @ Dutch Fork Road east of Bickley Road in Ballentine	16,000
Estimated Traffic Count With the Proposed Project	17,808*
Volume-To-Capacity Ratio With The Proposed Project	0.90*

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use. In this case, the estimated traffic is calculated by multiplying the generation rate for a single family residence found on page 9 of the Addendum To The Long Range Major Street Plan for Richland County times maximum number of dwelling units. The calculation is as follows; $9.5 \text{ ADT/DU} \times 85 \text{ DU} = 808 \text{ total trips}$.

The current traffic counts were received from SCDOT on May 24, 2005 and represent the Annual Average Daily Trips in 2004 i.e. **they are already more than one year old**.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

It should be noted that SCDOT count station near Bickley Road is located approximately 3 miles to the southeast of the site. The assumption is made that all trips will be heading south toward Ballentine and passing this count station.

The estimated traffic count does not take into account the general commercial area because without a more specific idea of the intended use, it is not possible to estimate the traffic that could be generated by the use of the site for general commercial uses. For example, the TGM has factors for retail commercial use ranging from 4.8 trips per 1000 sq. ft for unspecified general commercial to 688 trips 1000 sq. ft for a drive-in restaurant to 1855 trips per 1000 sq. ft. GLA for a convenience store with gas pumps.

The residential portion of the project will not increase the LOS C design capacity of Dutch Fork Road at count station #145, however, with the general commercial portion and the various proposed development along Dutch Fork Road, the LOS C design capacity of Dutch Fork Road in this area will soon be exceeded. This assumption is based on all traffic proceeding to Ballentine without alternate routes such as Rauch Metz and Bickley Road.

Relationship To Comprehensive Plan

The Department recommends evaluation of the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The Map designates the subject area as Residential Low Density in the Developing Urban Area area. The residential portion of the proposed project **is not consistent** with the Map designation because the density exceeds the maximum established in the Plan. **The commercial portion of the proposed project is not consistent with the Map designation.**

In addition to reviewing the consistency with the Proposed Land Use Map, the Department recommends reviewing the Comprehensive Plan's development policies to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 29 and 36 respectively, are discussed below:

Objective – Promote a variety of residential densities for the development of affordable, quality housing while blending with the character of the surrounding area.

The residential portion of the project is characteristic of the overall densities of the surrounding developments. The proposed Amendment consists of 3.2 gross DU/acre, Foxport has a density of 3.0 gross DU/acre and Cedar Cove is at least 3.6 DU/acre. The proposed Amendment **implements** this Objective.

Objective – Encourage industrial and commercial uses in selected, concentrated locations where access is appropriate for the use.

This commercial area is located at the intersection of Three Dog Road and Dutch Fork Road which provides adequate access for ingress and egress to the public. There is a traffic light at this intersection that provides some measure of operational safety. The commercial area would be convenient for the residents of the proposed development, existing Cedar Cove, and the Foxport subdivision under construction. The proposed Amendment **implements** this Objective.

Principle – Mixed residential densities are appropriate within the Developing Urban Area and should conform to the Proposed Land Use Map. Compatible zoning classifications by density are recommended as follows:

A. Low (1.3 dwellings/acre to 3 dwellings/acre): RU, RR, RS-LD, and PDD.

The proposed density is 3.2 DU/gross acre, i.e., greater than the maximum Low Density designation in the Plan. Although the proposed density is greater than the maximum designated in the Plan, it is compatible to the densities of the adjacent subdivisions. The proposed Amendment **does not implement** this Principle.

Principle – In general, commercial and office activities should be confined to, or expanded at, existing clusters and/or proposed locations as identified on the Proposed Land Use Map.

The Plan designates the Ballentine area as the principal commercial hub for the Developing Urban Area portion of the Northwest Subarea Plan. The Ballentine area is approximately two miles east of the subject site. The proposed project **does not implement** this Principle.

There are four or five commercial non-conforming uses west of the subject site along the south side of Dutch Fork Road. The Department believes that some very limited neighborhood type commercial activity is appropriate for Dutch Fork Rd/Three Dog Road intersection. The Department further believes that the Northwest Subarea Plan Proposed Land Use Map must be amended, via the formal ordinance adoption process, to designate the southwest corner of Dutch Fork Road and Three Dog Road for low intensity commercial development.

Other Relevant Issues

The proposed Master Plan shows one access point to the commercial site from Dutch Fork Road and one commercial site access point to Three Dog Road. The Master Plan also depicts an additional access point for the residential area from Three Dog Road. There are internal access points between the commercial and residential portions of the project.

The applicant submitted portions of the PDD for a rezoning from RU to RS-2 and C-3 (3.47 acres) along Dutch Fork Road. The Department recommended denial for both proposals (05-50 MA & 05-51 MA).

This request was scheduled for consideration by the Planning Commission on March 7, 2005. The applicant withdrew the individual zoning request at the March 7, 2005 Planning Commission meeting. The Department was not opposed to the concept of a mixed commercial residential project, but suggested that PDD zoning would be more conducive to promoting interconnectivity between the uses and would allow for more design flexibility.

The applicant submitted a PDD request for consideration at the August 1, 2005 Commission meeting. At the August meeting, one of the property owners of the proposed project withdrew his authorization for the applicant to act in his behalf to rezone his portion of the project. The Commission granted the withdrawal request

The Commission's action **reduced the acreage** involved in the project from 47 acres to 27 acres MOL. Therefore, a new PDD Master Plan had to be prepared and the text modified to reflect the reduced amount of area in the request.

The Department has repeatedly stated its position that PDD projects must clearly establish the limits and types of residential and non-residential land uses. The applicant's PDD document does limit the number of dwelling units to 85 single family detached units.

The PPD document does limit the **amount** of commercial area to 7.5 acres, **but does not limit the type** of commercial activity anticipated in the project. Approximately 50,000 sq. ft. of commercial activity could be established on the commercial portion of the site. It is critical to limit the type of commercial activity because there is a vast difference in the traffic generated by different commercial activities.

There is also a vast difference in the type of commercial activity that is appropriate for the subject site in terms of compatibility with the adjacent residential development. The Department believes that simply regurgitating the permitted use matrix is not sufficient and that the specific type of commercial activity must be clearly identified PRIOR to scheduling this project for the County Council public hearing.

The applicant has met with the adjacent property owners on more than one occasion. One of the results of these meetings is that the applicant has agreed to execute a 15-foot wide perpetual landscape buffer easement along the south side of the project.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-69 MA **be changed** from RU to PDD.

Findings of Fact:

1. The proposed Amendment **is compatible** with the adjacent existing land uses.
2. Although the Department believes the Traffic Management Plan, as submitted, is inadequate, the requirements for an acceptable TMP have not been clearly established.
3. The Department's traffic impact analysis shows that the LOS C traffic capacity of Dutch Fork Road (Hwy. 76) at this location will not be exceeded.
4. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the Northwest Subarea Plan.
5. The proposed Zoning Map Amendment **is consistent** with the cited Objectives of the Northwest Subarea Plan discussed herein.
6. The proposed Zoning Map Amendment **is not consistent** with the Principles & Recommendations of the Northwest Subarea Plan discussed herein
7. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

PDD Conditions

- a) The Planning Commission recommends approval of the Master Plan (dated July 29, 2005) prepared for Indigo Hill, LLC, except as otherwise amended herein, required by Section 26.59 of the Richland County Land Development Code, which is on file in the Richland County Planning & Development Services Department (hereinafter referred to as "PDSD") and is incorporated herein by reference; and
- b) The site development shall be limited to 85 single family detached dwelling units and 7.5 acres of commercial space as depicted in (Attachment B), which is attached hereto; and
- c) The applicant shall transmit a phasing plan, if applicable, to the Department prior to reviewing any construction plans; and
- d) Unless otherwise provided herein, all development shall conform to all relevant land development regulations in effect at the time a permit application is received by the Planning and Development Service Dept. (PDSD); and
- e) Approval of Attachment B shall constitute approval of the Sketch Plan for subdivision purposes; and is hereby approved for such purposes; and

- f) Proposed changes to the approved Master Plan described below are termed major changes and shall be subject to the requirements of Section 26-59 (j) of the Richland County Land Development Code, i.e., a review and recommendation by the Planning Commission and a new ordinance by the Richland County Council; and
 - 1) Changes in the location of land uses; or
 - 2) Increase in the gross density or intensity; or
 - 3) Changes in the pattern or amount of traffic flow
- g) The Planning Commission is hereby authorized to make minor amendments to the Master Plan, or as otherwise allowed by Section 26-59 (j) (2) of the Land Development Code; and
- h) The PDS is hereby authorized to make minor adjustments in the phasing schedule or similar projects construction activities; and
- i) No land development permits, or building permits, shall be issued until the project complies with the requirements of Section 26-59 (h)(1-5) of the Richland County Land Development Code; and
- j) All internal streets shall be publicly owned and maintained by Richland County; and shall be subject to the relevant Guidelines described above; and
- k) Access to the subject site shall be limited to two intersections on Three Dog Road and one on Dutch Fork Road; and
- l) The developer shall pay the costs associated with construction of any necessary acceleration or deceleration lanes or turn lanes that may be required by the SCDOT; and
- m) The applicant shall construct a landscaped berm, fence, wall, or some combination thereof, to ensure that no residences in the project will have direct access onto Three Dog Road; and
- n) All proposed stormwater management facilities must be located outside all buffer areas; and
- o) The applicant shall execute a 15-foot wide perpetual landscape buffer easement along the south side of the project prior to site clearance activity; and
- p) **Other conditions resulting from the Commission consideration ???;** and
- q) The applicant has provided a draft description of proposed procedures of any homeowners association or other group maintenance or group ownership features for the Department's and inclusion in the project records; and
- r) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest; and
- s) All the conditions described herein shall apply to the applicant, the developer and/or their successors in interest.

SECTION III PLANNING COMMISSION ACTION
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Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

At their meeting of October 3, 2005, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-69 MA at the next available opportunity.

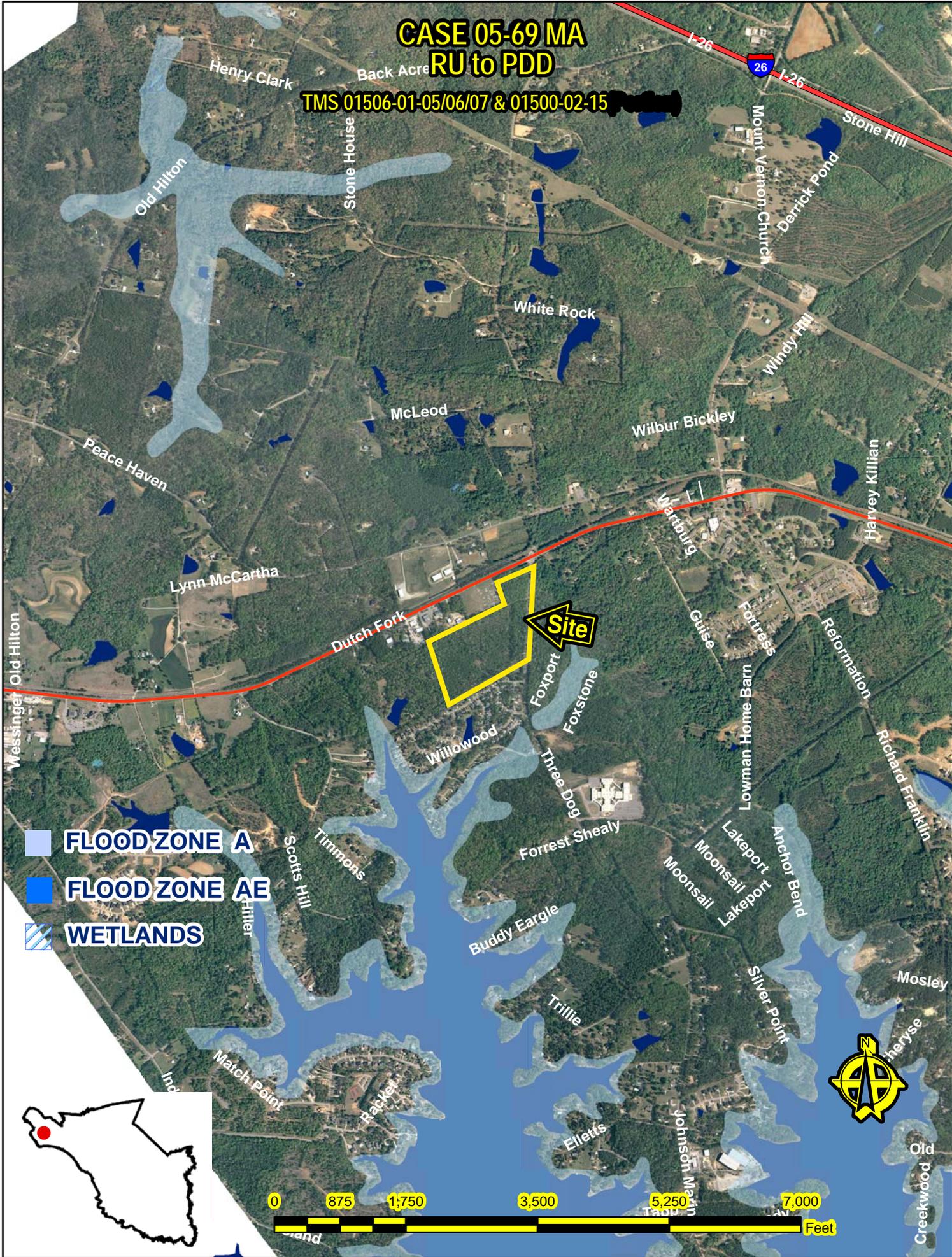
Commission Findings of Fact/Recommendations

(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-69 MA, the Planning Commission made the findings of fact summarized below:

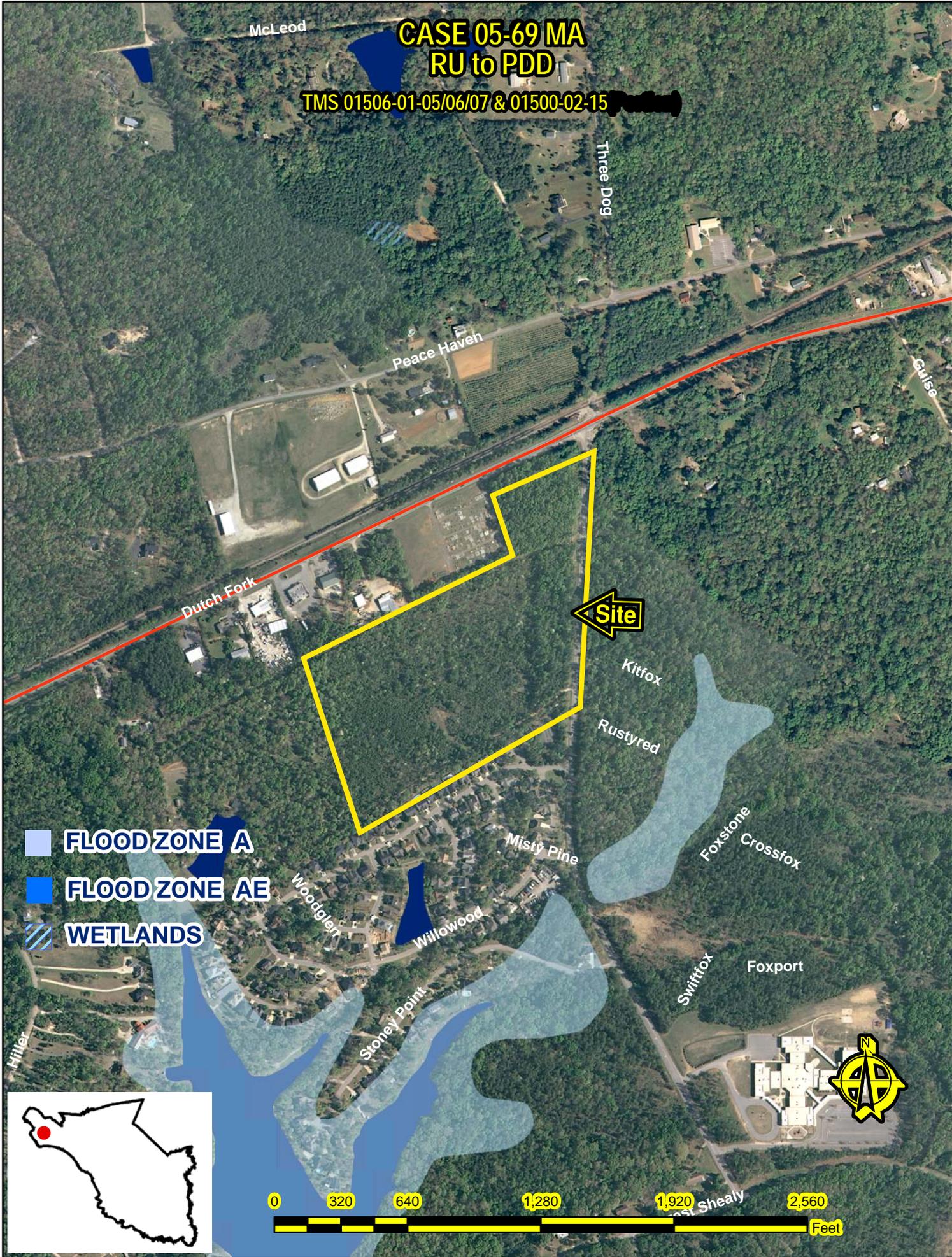
CASE 05-69 MA RU to PDD

TMS 01506-01-05/06/07 & 01500-02-15

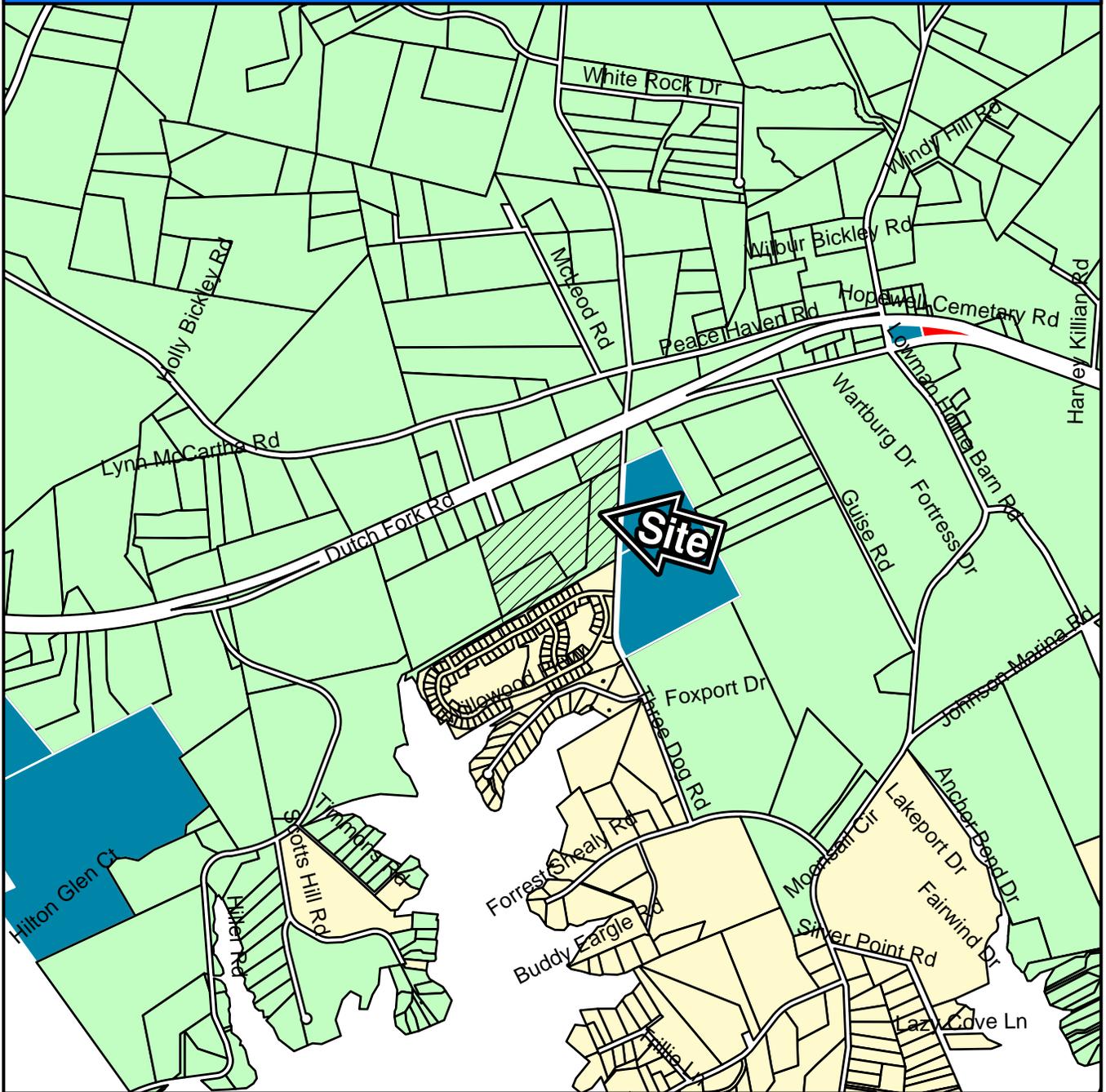


CASE 05-69 MA RU to PDD

TMS 01506-01-05/06/07 & 01500-02-15



CASE 05-69 MA RU to PDD



ZONING CLASSIFICATIONS

 MH	 OI	 GC	 RM-MD	 M-1
 RR	 RU	 RS-LD	 RM-HD	 HI
 SUBJECT	 NC	 RS-MD	 PDD	 MH
 MH	 RU	 RS-HD	 PDD	



CASE 05-69 MA

From RU to PDD

TMS# 01500-02-15 & 01506-01-05/06/07



Intersection of Hwy. 76 & Three Dog Road





Property Description

Richland County TMS 01500-02-15, 3.47 Acres at the intersection of US Highway 76 and Three Dog Road between Chapin and White Rock.

All that piece, parcel or lot of land, situate, lying and being in the County of Richland, State of South Carolina containing three and forty-seven hundredths (3.47) acres, more or less, at the intersection of US Highway 76 and Three Dog Road, as shown and noted as Parcel "A" on a plat made by William M. Brasington, RLS, dated May 17, 1993, and recorded in Plat Book 54, at Page 7516, in the office of the RMC for Richland County, which plat is incorporated by reference. This property being more particularly described as follows:

BEGIN AT A PIPE located on the Southwesterly r/w of U.S. Highway at the intersection of US Highway 76 and Three Dog Road thence continuing along the southern right of way at the intersection of US Highway 76 and Three Dog Road S58° 11'52"E for a distance of 51'.11", then continuing along the southwesterly right of way along Three Dog Road S01°04'03"W for a distance of 353.51' to a ½" rebar(N), thence S59°30'40"W for a distance of 208.90' to a ¼" pipe (o), continuing S61°53'00"W for a distance of 144.94' to a ½" rod (N); thence N19°04'08"W for a distance of 371.16' to a ½" rod (N), thence N62°32'14"E for a distance of 442.09' to a ½" rod (N), the point of beginning.

Also:

All the right, title and interest in that certain piece, parcel or tract of land situated, lying and being near White Rock, in the county of

Richland, State of South Carolina, being bounded, generally as follows; Northwest by lands now or formerly of Mrs. Bessie Addy of White Rock Cemetery and of George Eleaser Estate; East by the Western edge of the right of way of S. C. Road known as "Three Dog Road"; Southeast by lands now or formerly of Mrs. Pearl (Elmer) Derrick; All being the same premise conveyed to the grantor herein by deed from E.P.Shedd and Clara E. Shedd dated December 7, 1971 and recorded at the Office of the Clerk of Court for Richland County in Deed Book D-226 at Page 772.

**RICHLAND COUNTY PLANNING &
DEVELOPMENT SERVICES DEPARTMENT
PLANNING COMMISSION MAP AMENDMENT STAFF REPORT**

October 3, 2005

RC Project # 05-86 MA	Applicant: Seamon Hunter
General Location: West side of Farrow Rd, ¼ mile south of Wilson Blvd	
Tax Map Number: 15000-05-06	Subject Area: 2.5 ac MOL
Current Parcel Zoning: RU	Proposed Parcel Zoning: GC
Proposed Use: None identified	PC Sign Posting Date: September 7, 2005

SECTION I ANALYSIS

Chapter 26-52 (e) of the Richland County Code of Ordinances states “...All proposed amendments shall be submitted to the planning commission for study and recommendation...”

The Planning Commission shall study such proposals to determine:

- a) The need and justification for the changes.
- b) The effect of the change, if any, on the property and on surrounding properties.
- c) The amount of land in the general area having the same classification as that requested.
- d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this chapter (*the Land Development Code*) and the purposes of the comprehensive plan.

This staff report analyzes the proposed amendment based on the criteria above and identifies the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues are also presented. A zoning map, the appropriate graphics and other pertinent data are located at the end of this document.

Need For Map Change Justification Statement

“...for future development...”

Existing Zoning and Land Use in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Single family residence
Adjacent North	RU	Single family residences
Adjacent East	N/A	Farrow Road & Railroad
Adjacent South	M-1	Undeveloped woodlands
Adjacent West	RU	Single family residences

The adjacent land use is either single family residences or undeveloped woodlands. Almost any permitted use in the GC zoning district **will not be compatible** with the adjacent existing development.

Traffic Impact Analysis

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Farrow Road
Functional Classification Of This Roadway	Two lane undivided collector
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600
Estimated Traffic Generated By The Proposed Project	NP
Current Volume At The Nearest Count Station # 285 Located @ 3 miles south of the site	5100
Estimated Traffic Count With the Proposed Project	N/A
Volume-To-Capacity Ratio With The Proposed Project	N/A

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6th Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use.

The current traffic counts were received from SCDOT on May 24, 2005 and represent the Annual Average Daily Trips in 2004 i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

NP = Not possible to determine the generation rate from the TGM

Without a more specific idea of the intended use, it is not possible to estimate the traffic that could be generated by the use of the site for general commercial uses. For example, the TGM has factors for retail commercial use ranging from 4.8 trips per 1000 sq. ft for unspecified general commercial to 688 trips 1000 sq. ft for a drive-in restaurant to 1855 trips per 1000 sq. ft. GLA for a convenience store with gas pumps.

This portion of Farrow Road has very little traffic. Even the SCDOT count station 3 miles to the south, and closer to the more developed area of the County, only has a count of 5100 ADTs. It is very unlikely that enough commercial development could occur on a 2.5 acre site to result in the LOS C of Farrow Road being exceeded.

Relationship To Comprehensive Plan

The Department recommends evaluation of the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The I-77 Corridor Subarea Plan Proposed Land Use Map (Map) designates the subject area as Industrial/Technological/Commercial in the Developing Urban area. The proposed GC zoning is **consistent** with the Map designation.

In addition to reviewing the consistency with the Proposed Land Use Map, the Department recommends reviewing the Comprehensive Plan's development policies to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 31 and 39 respectively, are discussed below:

Objective – Establish commercial pockets or clusters as needed to serve the area

The applicant has not provided any reasons, nor demonstrated any need, to change the current zoning. There are approximately 30 acres currently zoned for general commercial development less than 1 mile to the south. The proposed Amendment **does not implement** this Objective.

Principle – In general, commercial ...activities should be confined to, or expanded at, existing clusters and/or locations as identified on the proposed Land Use Map...sites of major traffic junctions and cluster locations as opposed to strip development.

The subject site is ¼ mile south of Wilson Blvd. Farrow Road is very sparsely traveled in this area. The proposed Amendment does not implement this Principle.

Other Relevant Issues

One of the principal questions in analyzing a proposed zoned request is whether the request is appropriate on the subject site **at this point in time**. The proposed GC zoning **may** be appropriate for the subject site at some future date. The Department believes that it is premature to change the zoning on the subject site, particularly since there is an undeveloped 30 acre parcel(s) to the south that is zoned for general commercial development.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-86 MA **not be changed** from RU to GC

Findings of Fact:

1. The proposed Amendment **is not compatible** with the adjacent existing land uses.
2. It is very unlikely that enough commercial development could occur on a 2.5 acre site to result in the LOS C of Farrow Road being exceeded.
3. The proposed Amendment **is consistent** with Proposed Land Use Map designation in the I-77 Corridor Subarea Plan.
4. The proposed Zoning Map Amendment **is not consistent** with the Objectives and Recommendations of the I-77 Corridor Subarea Plan discussed herein.
5. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any of the RU permitted uses found in Section 26-141 of the County Code, i.e., the Table of Permitted Uses.

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

At their meeting of October 3, 2005, the Richland County Planning Commission **agreed (did not agree)** with the PDSD recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-86 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

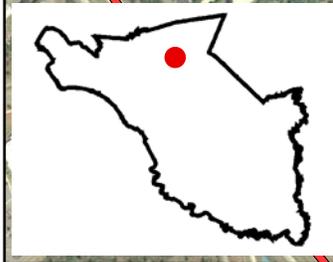
(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 05-86 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-86 MA
RU to GC
TMS 15000-05-06



- FLOOD ZONE A
- FLOOD ZONE AE
- WETLANDS



**CASE 05-86 MA
RU to GC**

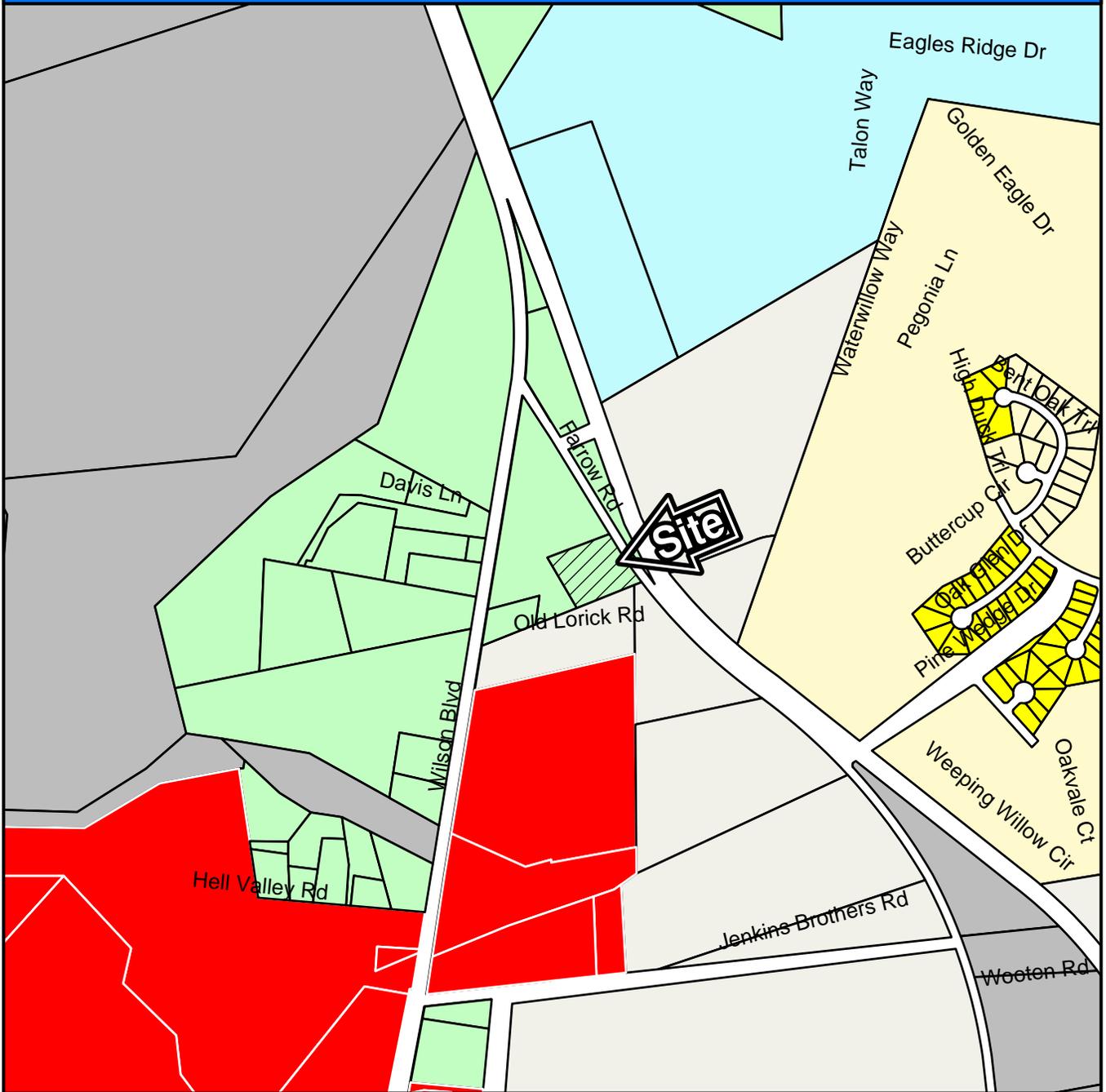
TMS 15000-05-06



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



CASE 05-86 MA RU to GC



ZONING CLASSIFICATIONS

 MH	 OI	 GC	 RM-MD	 M-1
 RR	 RU	 RS-LD	 RM-HD	 HI
 SUBJECT	 NC	 RS-MD	 PDD	 MH
 MH	 RU	 RS-HD	 PDD	



CASE 05-86 MA

From RU to GC

TMS# 15000-05-06 / West Side of Farrow Rd South of Wilson Blvd.



**ATTACHMENT A
CASE 05-86 MA**

PARCEL ONE

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, WITH ALL IMPROVEMENTS THEREON, LYING AND BEING IN THE COUNTY OF RICHLAND, STATE OF SOUTH CAROLINA, ABOUT FIFTEEN (15) MILES NORTH OF THE CITY OF COLUMBIA, BORDERING ON THE NEW WINNSBORO ROAD AND CONSISTING OF ONE (1) ACRE, MORE OR LESS, AND BEING MORE PARTICULARLY SHOWN ON A PLAT PREPARED FOR CARLOS W. BULLOCK AND H. CHERYL BULLOCK BY ROBERT E. COLLINGWOOD, JR., ON AUGUST 18, 1970, TO BE RECORDED, SAID TRACT OF LAND BEING BOUNDED AS FOLLOWS, TO-WIT: BEGINNING AT A MARKER ON S.C. HWY. NO. 555, APPROXIMATELY NINE HUNDRED FIFTY (950') FEET FROM U.S. HWY. NO. 21, AND CONTINUING N 84°E ALONG THE PROPERTY OF ANNIE S. FAUST FOR A DISTANCE OF THREE HUNDRED AND FOUR-TENTHS (300.4') FEET TO A MARKER; THENCE, TURNING AND RUNNING N 29°W ALONG THE PROPERTY OF ANNIE S. FAUST FOR A DISTANCE OF ONE HUNDRED FORTY-FIVE (145') FEET TO A MARKER; THENCE, TURNING AND RUNNING S 84°W ALONG THE PROPERTY OF ANNIE S. FAUST FOR A DISTANCE OF THREE HUNDRED AND FOUR-TENTHS (300.4') FEET TO THE RIGHT-OF-WAY OF S.C. HIGHWAY NO. 555; THENCE, TURNING AND RUNNING ALONG SAID RIGHT-OF-WAY S 29°E FOR A DISTANCE OF ONE HUNDRED FORTY-FIVE (145') FEET TO THE POINT OF BEGINNING, BE ALL MEASUREMENTS A LITTLE MORE OR LESS.

THIS PROPERTY IS A PORTION OF FIFTEEN (15) ACRES HERETOFORE CONVEYED TO ANNIE S. FAUST BY D.A. SWYGERT AND S.L. SWYGERT BY DEED DATED MAY 1, 1994, REVEALED FROM THE RECORDS OF THE CLERK OF COURT FOR RICHLAND COUNTY IN DEED BOOK FQ AT PAGE 203.

THIS BEING THE SAME PROPERTY HERETOFORE CONVEYED TO SEAMON H. HUNTER AND ELAINE W. HUNTER BY DEED OF CARLOS W. BULLOCK AND H. CHERYL BULLOCK DATED NOVEMBER 2, 1979, AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR RICHLAND COUNTY IN DEED BOOK 520, AT PAGE 717 ON NOVEMBER 2, 1979.

PARCELS TWO AND THREE

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, WITH ALL IMPROVEMENTS THEREON, SITUATE, LYING AND BEING IN THE COUNTY OF RICHLAND, STATE OF SOUTH CAROLINA, ABOUT FIFTEEN (15) MILES NORTH OF THE CITY OF COLUMBIA, BORDERING ON SOUTH CAROLINA HIGHWAY 555, BEING MORE PARTICULARLY SHOWN AS PARCEL "B" ON A PLAT PREPARED FOR SEAMON H. AND ELAINE W. HUNTER BY ASSOCIATED ENGINEERS & SURVEYORS, INC., ON FEBRUARY 16, 1981, RECORDED IN THE OFFICE OF THE RMC FOR RICHLAND COUNTY IN PLAT BOOK "Y" AT PAGE 9877, ON MARCH 9, 1981.

AND

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, WITH ALL IMPROVEMENTS THEREON, SITUATE, LYING AND BEING IN THE COUNTY OF RICHLAND, STATE OF SOUTH CAROLINA, ABOUT FIFTEEN (15) MILES NORTH OF THE CITY OF COLUMBIA, BORDERING ON SOUTH CAROLINA HIGHWAY 555, BEING MORE PARTICULARLY SHOWN AS PARCEL "C" ON A PLAT PREPARED FOR SEAMON H. AND ELAINE W. HUNTER BY ASSOCIATED ENGINEERS & SURVEYORS, INC., ON FEBRUARY 16, 1981, RECORDED IN THE OFFICE OF THE RMC FOR RICHLAND COUNTY IN PLAT BOOK "Y" AT PAGE 9877, ON MARCH 9, 1981.

THIS BEING THE IDENTICAL PROPERTY HERETOFORE CONVEYED TO SEAMON H. HUNTER AND ELAINE H. HUNTER BY DEED FROM ANNIE FAUST DATED MARCH 12, 1981, AND RECORDED IN THE OFFICE OF THE REGISTER OF DEED FOR RICHLAND COUNTY IN DEED BOOK 569, AT PAGE 604, ON MARCH 12, 1981.

TMS# 15000-05-06

**RICHLAND COUNTY PLANNING &
DEVELOPMENT SERVICES DEPARTMENT
PLANNING COMMISSION MAP AMENDMENT STAFF REPORT**

October 3, 2005

RC Project # 05-87 MA	Applicant: Clif Kinder
General Location: Rabbit Run Road	
Tax Map Number: 21800-01-05	Subject Area: 42 ac MOL
Current Parcel Zoning: RU	Proposed Parcel Zoning: RS-MD
Proposed Use: Single family residences	PC Sign Posting Date: September 7, 2005

SECTION I ANALYSIS

Chapter 26-52 (e) of the Richland County Code of Ordinances states “...All proposed amendments shall be submitted to the planning commission for study and recommendation...”

The Planning Commission shall study such proposals to determine:

- a) The need and justification for the changes.
- b) The effect of the change, if any, on the property and on surrounding properties.
- c) The amount of land in the general area having the same classification as that requested.
- d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this chapter (*the Land Development Code*) and the purposes of the comprehensive plan.

This staff report analyzes the proposed amendment based on the criteria above and identifies the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues are also presented. A zoning map, the appropriate graphics and other pertinent data are located at the end of this document.

Need For Map Change Justification Statement

To develop a single family residential subdivision

Existing Zoning and Land Use in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU	Undeveloped fields and woodlands
Adjacent North	RS-MD	Undeveloped woodlands
Adjacent East	RU	Open Field
Adjacent South	RU	East Richland Soccer Complex (to be developed)
Adjacent West	PDD	Barnstormers & The Farm PDD projects

The adjacent PPD projects are principally single-family detached residential developments. The Rosecliff, Myers Creek and Alexander Pointe subdivisions are under development in the area. The proposed Amendment is compatible with the adjacent development.

Department Traffic Impact Analysis

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Rabbit Run Road
Functional Classification Of This Roadway	Two lane undivided collector
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600
Estimated Traffic Generated By The Proposed Project	1311
Current Volume At The Nearest Count Station # Located @	Not Counted
Estimated Traffic Count With the Proposed Project	N/p
Volume-To-Capacity Ratio With The Proposed Project	N/p

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, The current traffic counts were received from SCDOT on May 24, 2005 and represent the Annual Average Daily Trips in 2004 i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

Since no traffic count information is available for this portion of Rabbit Run Road, there is no way to estimate the impact of an additional 1311 ADTs on the Road. However, the Myers Creek, Alexander Pointe and the two approved PDD subdivisions will generate a significant amount of traffic on Rabbit Run Road.

A Traffic Management Plan (TMP) shall be required during the subdivision review process. The TMP must be done in conformance with the criteria established by the Department.

Relationship To Comprehensive Plan

The Department recommends evaluation of the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The Lower Richland Subarea Plan Proposed Land Use Map (Map) designates the subject area as Residential in the Developing Urban area. The proposed RS-MD zoning **is consistent with the Map** designation.

In addition to reviewing the consistency with the Proposed Land Use Map, the Department recommends reviewing the Comprehensive Plan's development policies to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Lower Richland Subarea Plan, adopted in January 1992, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 33 and 40 respectively, are discussed below:

Objective – Vary residential densities and development according to the character of the area

The proposed Amendment could result in subdivision with a density of 3.3 DU/acre. The adjacent McCords Farm PDD has a density of 4.2 DU/acre and the adjacent Barnstormers PDD has a density of 5.1 DU/acre. The proposed Amendment implements this Objective.

Principle – Moderate to low level densities (max. of 9 DU/acre) are appropriate within the Developing Urban Area

See the discussion above. The proposed Amendment implements this Principle.

Other Relevant Issues

An examination of the available aerial photography for the site discloses the presence of a 100 year floodplain and/or wetland. The subdivision review process will require a 100-year flood elevation statement and possibly USCOE approval of a wetlands delineation.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-87 MA **be changed** from RU to RS-MD.

Findings of Fact:

1. The proposed Amendment **is compatible with** the adjacent existing land uses.
2. Since there is no traffic count information available for this portion of Rabbit Run Rd, there is no way to estimate the impact of an additional 1311 ADTs on the Road. However, a Traffic Management Plan (TMP) will be required during the subdivision review process.
3. The proposed Amendment **is consistent with** Proposed Land Use Map designation in the Lower Richland Subarea Plan.
4. The proposed Zoning Map Amendment **is consistent with** the Objectives and Recommendations of the Lower Richland Subarea Plan discussed herein.
5. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any of the permitted uses found in Section 26-141 of the County Code, i.e., the Table of Permitted Uses.

SECTION III PLANNING COMMISSION ACTION
--

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

At their meeting of October 3, 2005, the Richland County Planning Commission **agreed (did not agree)** with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-87 MA at the next available opportunity.

Commission Findings of Fact/Recommendations

(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

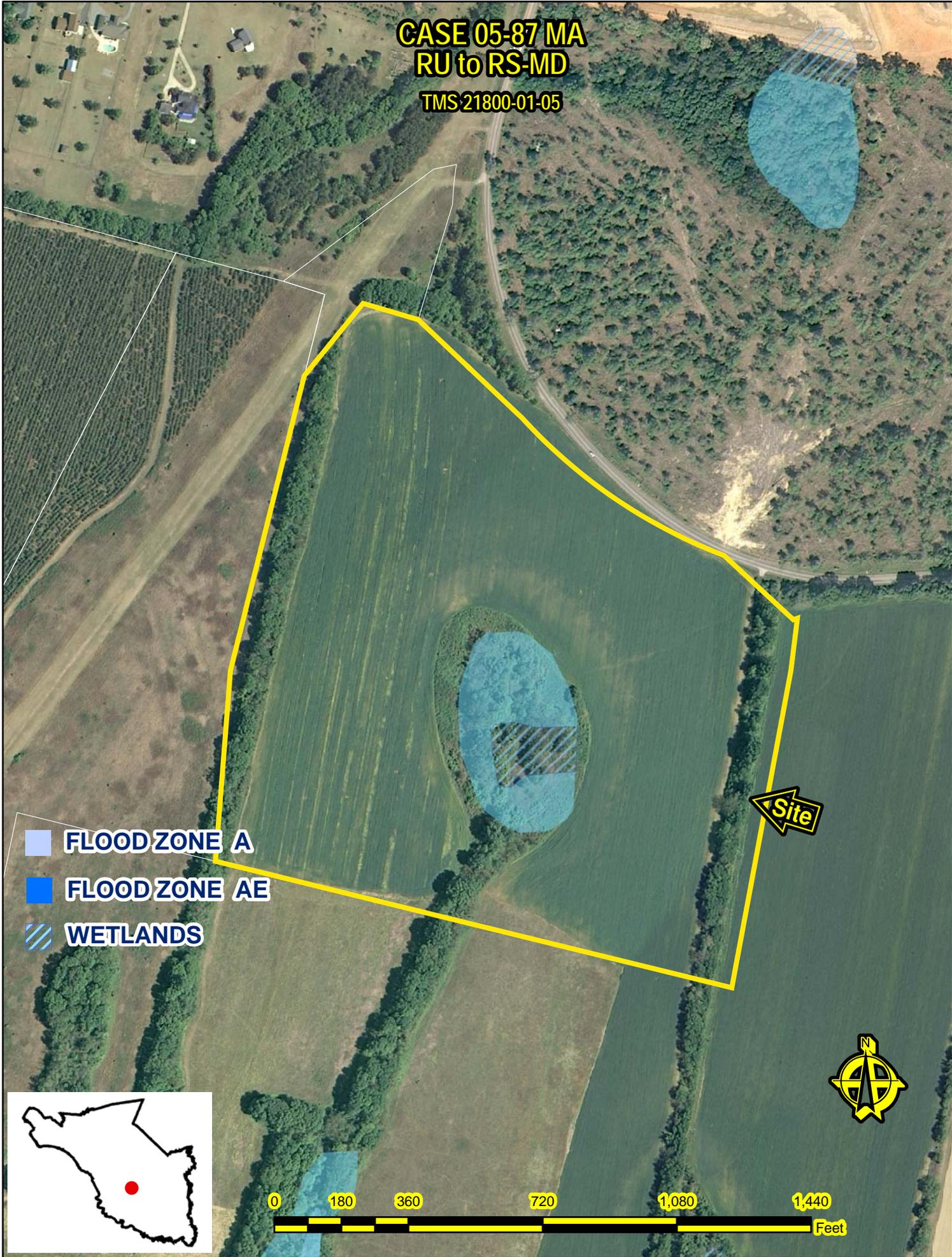
In consideration of the proposed Zoning Map Amendment # 05-87 MA, the Planning Commission made the findings of fact summarized below:

**CASE 05-87 MA
RU to RS-MD
TMS 21800-01-05**



**CASE 05-87 MA
RU to RS-MD**

TMS 21800-01-05

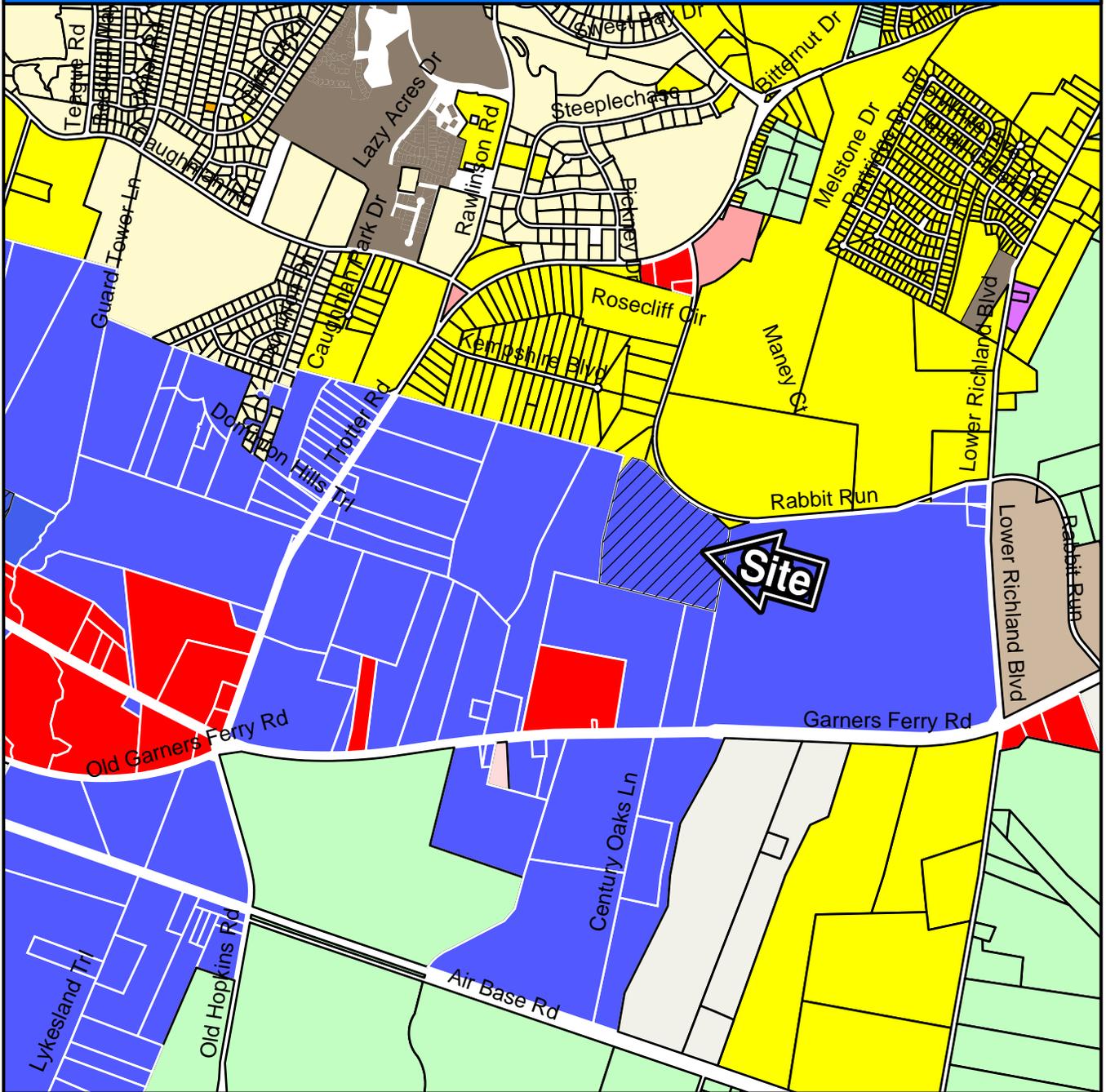


-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS

Site



CASE 05-87 MA RU to RS-MD



ZONING CLASSIFICATIONS

	MH		OI		GC		RM-MD		M-1
	RR		RU		RS-LD		RM-HD		HI
	SUBJECT		NC		RS-MD		PDD		MH
	MH		RU		RS-HD		PDD		



CASE 05-87 MA

From RU to RS-MD

TMS# 21800-01-05 / North side of Garners Ferry Rd @ Mill Creek



**ATTACHMENT A
CASE 05-87 MA**

Legal Description of TMS #21800-01-05

All those certain pieces, parcels, or tracts of land situate, lying and being approximately ten miles east of the City of Columbia, County of Richland, State of South Carolina, being approximately 40 acres in size and also being portions of Tracts 1 and No. 4, which contain 62 acres and 14 acres, more or less, respectively, which tracts are shown on a map of the J. T., Padgett Estate, prepared by D. T. Holt Surveyor, dated May 1952 to be recorded, with the 40 acre tract more fully described as follows:

Bounded on the West by lands now, or formerly, owned by Maurice Hall and Ken Motsinger measuring thereon for a distance of approximately 1400 feet, MOL; bounded on the North by lands now, or formerly, owned by East Wind Air Park measuring thereon for a distance of approximately 376 feet MOL and by lands now, or formerly owned by DDC Properties, Inc. and by Rabbit Run Lane measuring thereon for a distance of approximately 1400 feet MOL; bounded on the East by an unimproved County dirt Road (Garner's Ferry Point) measuring thereon for a distance of approximately 900 feet, MOL; bounded on the South by lands now, or formerly, owned by the Richland County Recreation Commission measuring thereon for a distance of approximately 1400 feet MOL.

**RICHLAND COUNTY, SOUTH CAROLINA
PLANNING & DEVELOPMENT SERVICES DEPARTMENT
Development Services Division Memo**

TO: Planning Commission Members; Interested Parties
FROM: Carl D. Gosline, AICP, Sr. Comprehensive Planner
DATE: September 22, 2005
RE: **05-88 MA – Proposed Amendment to Revise the Master Plan for the Farm at McCord’s Ferry PDD**

Background

On September 13, 2004, the Planning Commission recommended approval of an 89 acre Planned Development project known as The Farm at McCord’s Ferry (project # 05-06 MA). The project, located at Trotter Road and Garners Ferry Road, was limited to 376 dwelling units.

The Farm’s Master Plan includes one access point to Garners Ferry Road and one access point to Trotter Road. The County Council gave final approval for the proposed PDD amendment on October 28, 2004 (Ordinance # 062-04 HR).

On January 10, 2005, the Planning Commission recommended approval of another Planned Development project known as Barnstormers (project # 05-32 MA). This project, located between Rabbit Run Road and Garners Ferry Road adjacent to The Farm PDD on the east. This project includes 190 dwelling units on 37 acres.

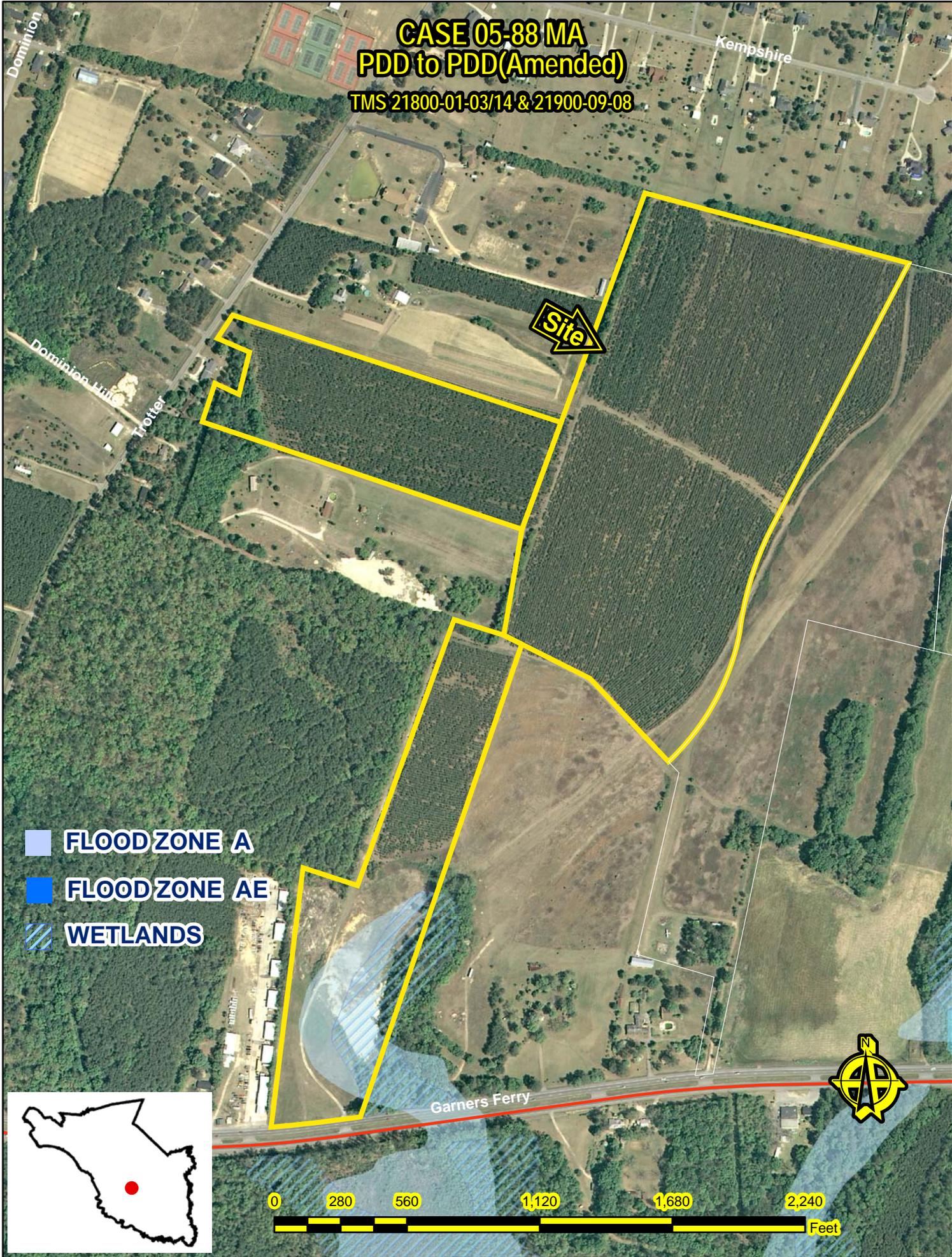
The Barnstormers Master Plan includes one access point on Rabbit Run Road, one access point on Garners Ferry Road and two internal access points to the Farm project. The County Council gave final approval for the Barnstormers PDD on April 14, 2005 (Ordinance # 016-05HR).

Section 26-59 (j) of the Land Development Code establishes the process to amend an approved Planned Development District (PDD) master Plan. Any changes in an approved project’s traffic flow, principally meaning changes in access points, require the formal zoning ordinance amendment process. Since the Farm PDD Master Plan does not show internal access points to the Barnstormers PDD, a major PDD amendment is required.

Summary or Recommendation

The Department recommends approval of the revised Farm PDD Master Plan to establish two internal connection points between the Farm PDD and the Barnstormers PDD, as depicted in the attached diagram.

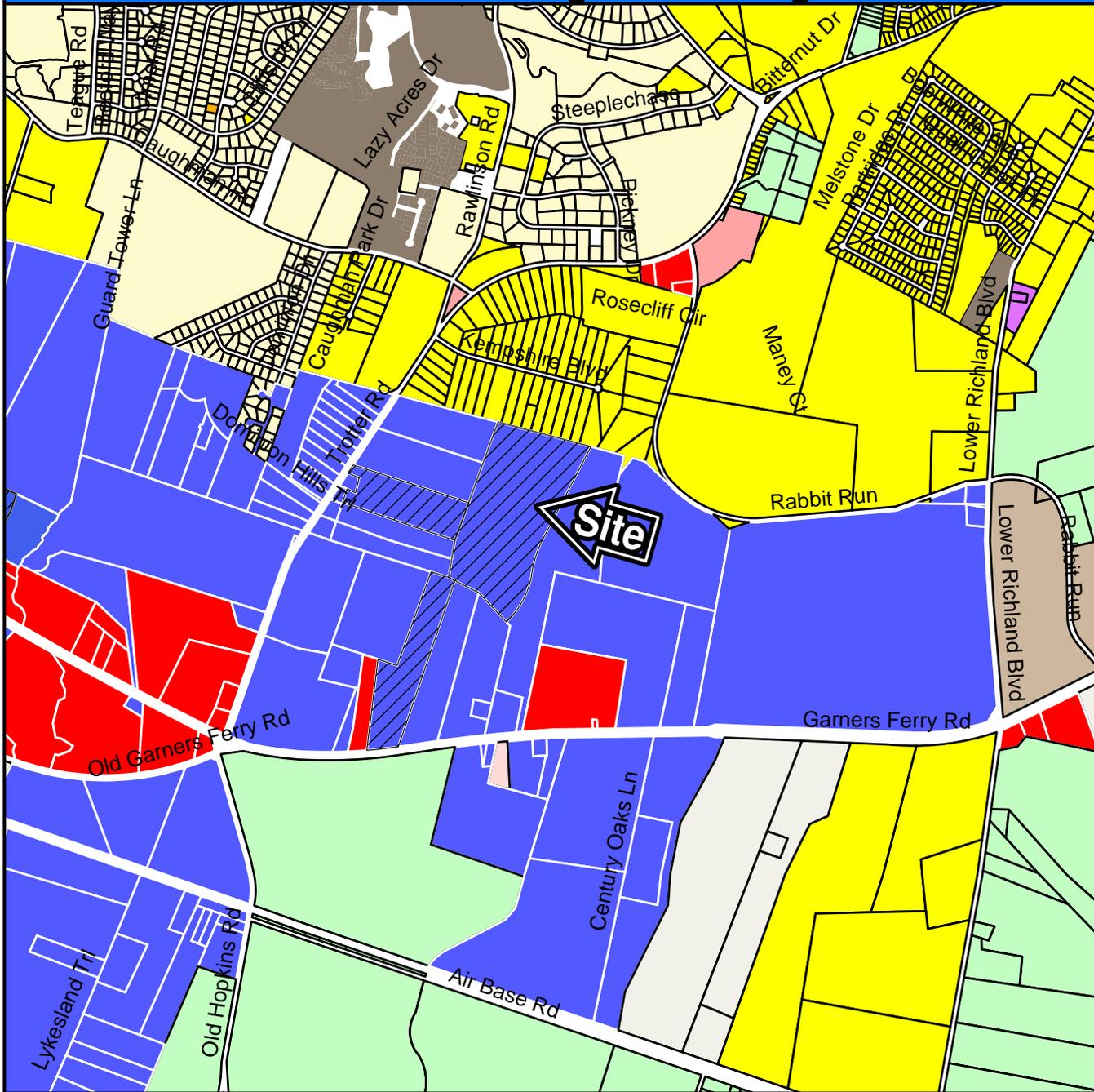
CASE 05-88 MA
PDD to PDD(Amended)
TMS 21800-01-03/14 & 21900-09-08



-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS



CASE 05-88 MA PDD to PDD(Amended)

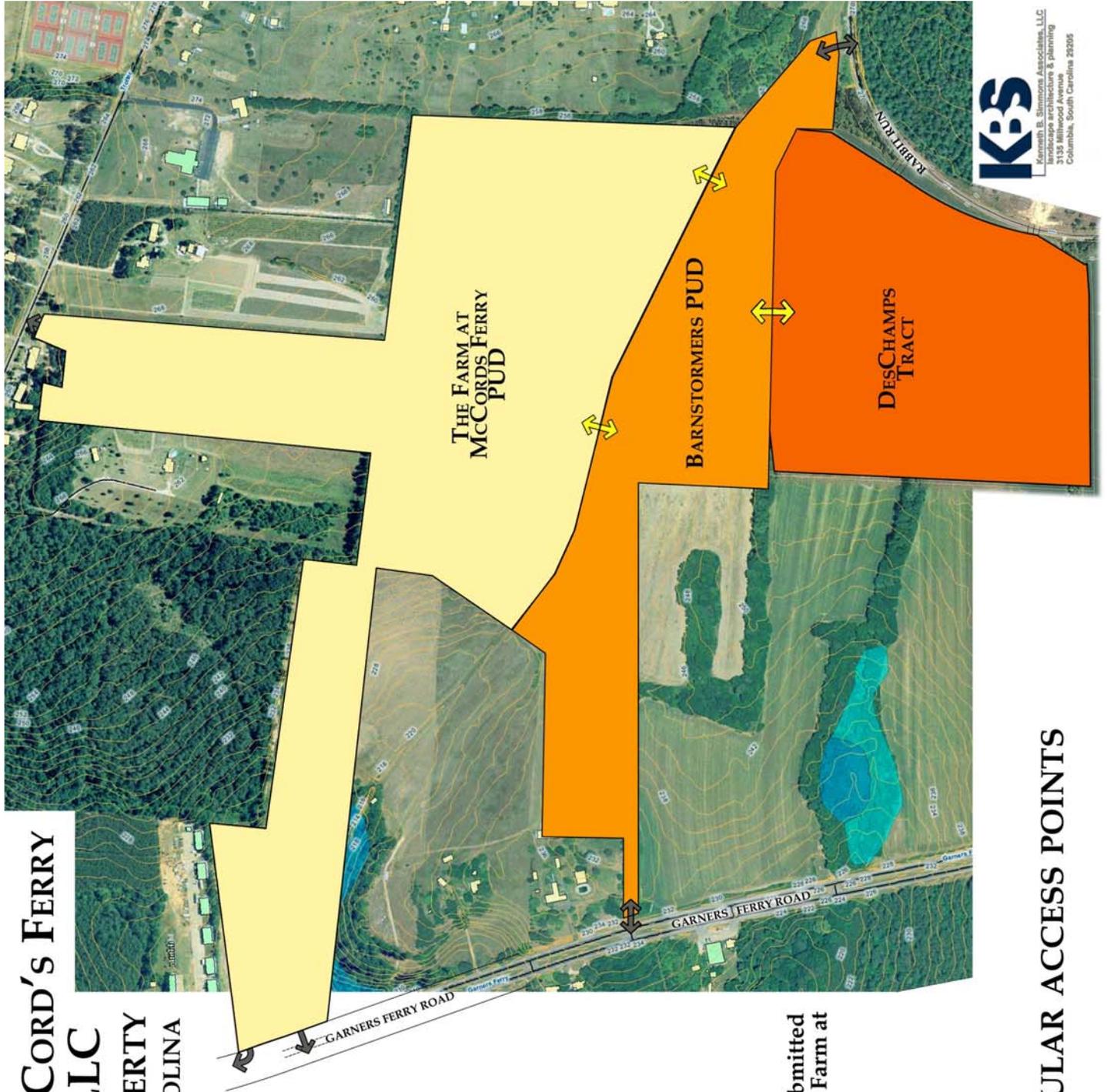


ZONING CLASSIFICATIONS

	MH		OI		GC		RM-MD		M-1
	RR		RU		RS-LD		RM-HD		HI
	SUBJECT		NC		RS-MD		PDD		MH
	MH		RU		RS-HD		PDD		



**THE FARM AT McCORD'S FERRY
 BARNSTORMERS, LLC
 DESCHAMPS PROPERTY
 COLUMBIA, SOUTH CAROLINA
 AUGUST 25, 2005**



NOTE:
 This plan amends previously submitted PUDs for Barnstormers and The Farm at McCord's Ferry.

↕ INTERNAL VEHICULAR ACCESS POINTS

**RICHLAND COUNTY, SOUTH CAROLINA
PLANNING & DEVELOPMENT SERVICES DEPARTMENT
Development Services Division Memo**

TO: Planning Commission Members; Interested Parties
FROM: Carl D. Gosline, AICP, Sr. Comprehensive Planner
DATE: September 22, 2005
RE: **05-89 MA – Proposed Amendment to Revise the Master Plan for the Barnstormers PDD**

Background

On January 10, 2005, the Planning Commission recommended approval of a Planned Development project known as Barnstormers (project # 05-32 MA). This project, located between Rabbit Run Road and Garners Ferry Road adjacent to The Farm PDD on the east. The project includes 190 dwelling units on 37 acres.

The Barnstormers Master Plan includes access points on Rabbit Run Road, Garners Ferry Road and two internal access points to the adjacent Farm PDD project. The County Council gave final approval for the Barnstormers PDD on April 14, 2005 (Ordinance # 016-05HR).

A proposed Zoning Map Amendment (project # 05-87 MA) to change the zoning to permit a single family detached subdivision, temporarily known as the Deschamps tract, on a 42 acre parcel adjacent to the Barnstormers PDD on the east will be considered by the Planning Commission at the October 3, 2005 meeting. The applicant wants to provide internal access between the Barnstormers PDD and the proposed Deschamps tract subdivision.

Section 26-59 (j) of the Land Development Code establishes the process to amend an approved Planned Development District (PDD) Master Plan. Any changes in an approved PDD project's traffic flow, usually meaning changes in access points, require the formal zoning ordinance amendment process. Since the Barnstormers PDD Master Plan does not include an internal access point to the proposed Deschamps tract project, a major PDD amendment is required.

Summary or Recommendation

The Department recommends approval of the revised Barnstormers PDD Master Plan to establish one internal connection point between the Barnstormers PDD and the proposed Deschamps Zoning Map Amendment project, as depicted in the attached diagram.

CASE 05-89 MA
PDD to PDD(Amended)
TMS 21800-01-04 & 21900-09-17



The Farms@McCords Ferry Road

DesChamps Tract

Site

- FLOOD ZONE A
- FLOOD ZONE AE
- WETLANDS



CASE 05-89 MA
PDD to PDD(Amended)
TMS 21800-01-04 & 21900-09-17

Rabbit

Site

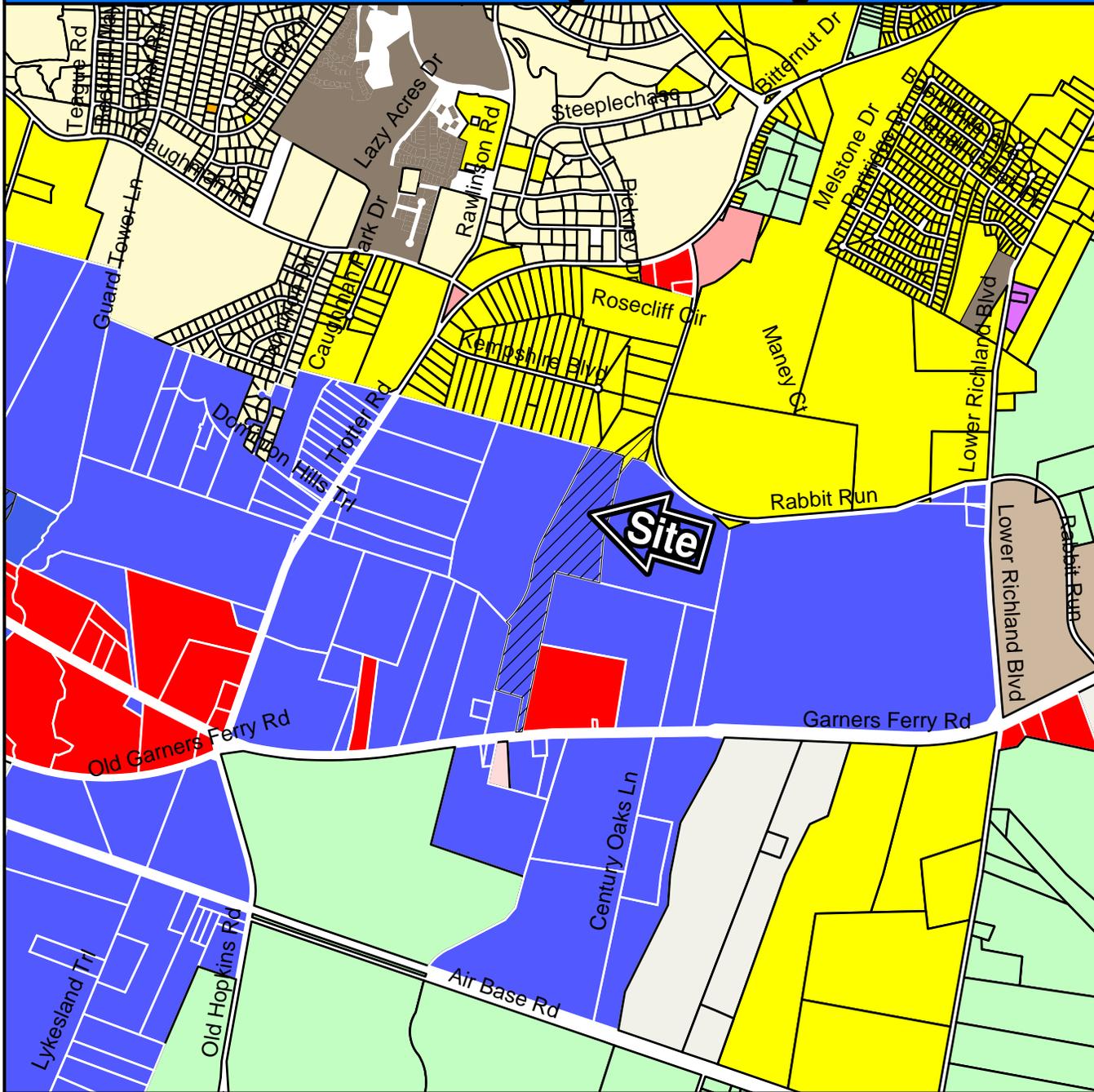
-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS



Garners Ferry



CASE 05-89 MA PDD to PDD(Amended)

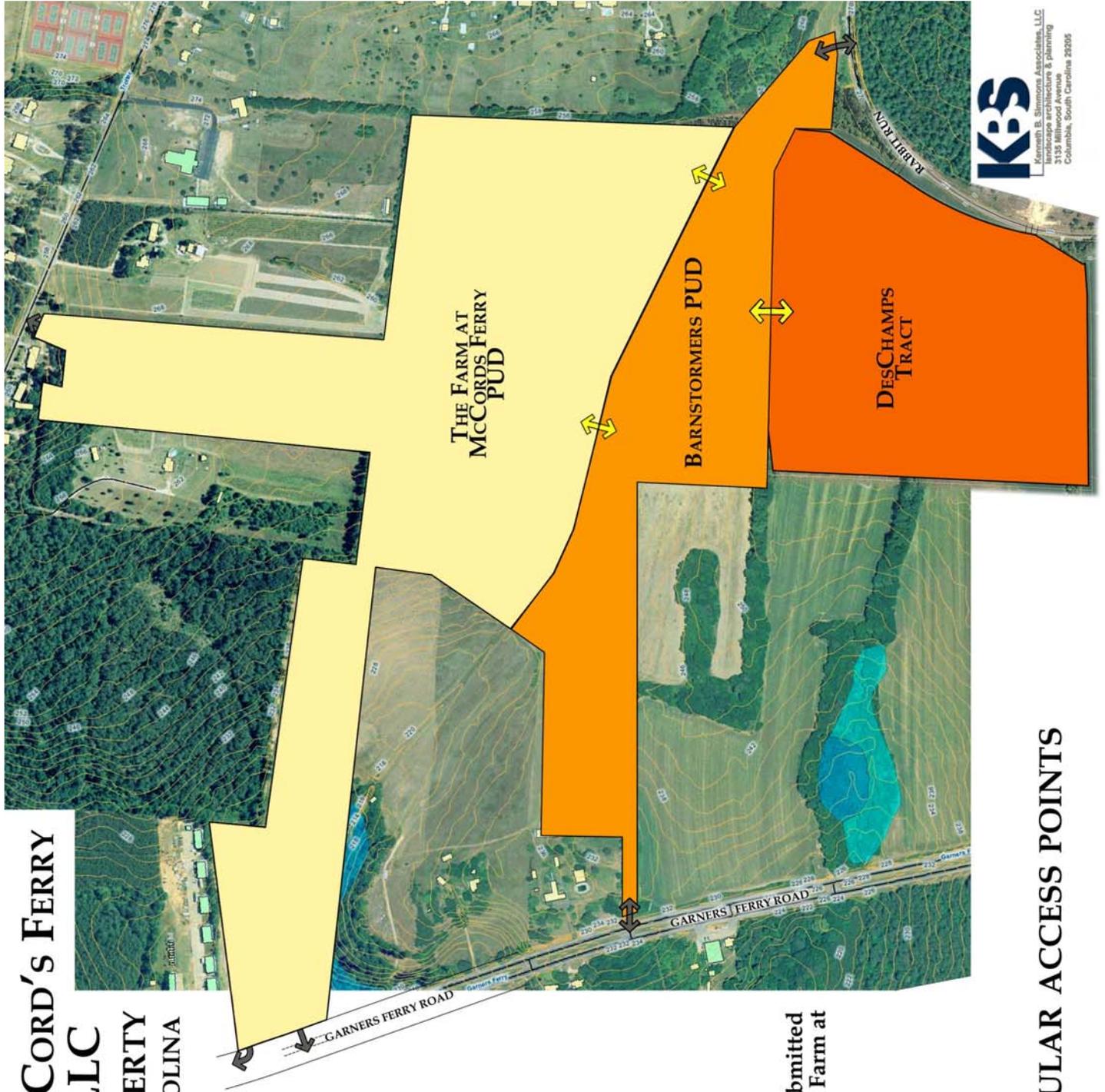


ZONING CLASSIFICATIONS

	MH		OI		GC		RM-MD		M-1
	RR		RU		RS-LD		RM-HD		HI
	SUBJECT		NC		RS-MD		PDD		MH
	MH		RU		RS-HD		PDD		



**THE FARM AT McCORD'S FERRY
 BARNSTORMERS, LLC
 DESCHAMPS PROPERTY
 COLUMBIA, SOUTH CAROLINA
 AUGUST 25, 2005**



KBS
 Kenneth B. Simmons Associates, LLC
 Planning, Architecture & Planning
 3135 Millwood Avenue
 Columbia, South Carolina 29205

NOTE:
 This plan amends previously submitted PUDs for Barnstormers and The Farm at McCord's Ferry.

↕ INTERNAL VEHICULAR ACCESS POINTS

**RICHLAND COUNTY PLANNING &
DEVELOPMENT SERVICES DEPARTMENT
PLANNING COMMISSION MAP AMENDMENT STAFF REPORT**

October 3, 2005

RC Project # 05-90 MA	Applicant: Bill Flowers Civil Engineering of Columbia
General Location: South side of Broad River Rd, 1 mile north of I-26	
Tax Map Number: 01600-06-01& 02600-09-01/04/08	Subject Area: 144 acres MOL
Current Parcel Zoning: RU & M-1	Proposed Parcel Zoning: RM-MD
Proposed Use: Single & multi-family residences	PC Sign Posting Date: September 7, 2005

SECTION I ANALYSIS

Chapter 26-52 (e) of the Richland County Code of Ordinances states “...All proposed amendments shall be submitted to the planning commission for study and recommendation...”

The Planning Commission shall study such proposals to determine:

- a) The need and justification for the changes.
- b) The effect of the change, if any, on the property and on surrounding properties.
- c) The amount of land in the general area having the same classification as that requested.
- d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this chapter (*the Land Development Code*) and the purposes of the comprehensive plan.

This staff report analyzes the proposed amendment based on the criteria above and identifies the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Principles of the Comprehensive Plan and other relevant issues are also presented. A zoning map, the appropriate graphics and other pertinent data are located at the end of this document.

Need For Map Change Justification Statement

To create a community of single family and multi-family residences via the parks and open space subdivision standards process

Existing Zoning and Land Use in the Area

	Existing Zoning	Existing Land Use
Subject Parcel	RU & M-1	Undeveloped woodlands
Adjacent North	RU	Single family residences and undeveloped woodlands
Adjacent East	PUD, RS-LD & RU	Waterfall and Courtyards at Rolling Creek S/Ds
Adjacent South	M-1	Undeveloped woodlands
Adjacent West	RU	I-26 and undeveloped woodlands

The single family portion of the proposed project, located along Broad River and Bookie Richardson Roads, is compatible with the residential development in the area. The multi-family development portion of the project will be located in the interior of the site and along I-26.

Traffic Impact Analysis

In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume. This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C ratio increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2009. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Broad River Road
Functional Classification Of This Roadway	Two lane undivided collector
Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)	8600
Estimated Traffic Generated By The Proposed Project	*** 5682
Current Volume At The Nearest Count Station # 178 Located @ near the proposed site	5100
Estimated Traffic Count With the Proposed Project	10,762
Volume-To-Capacity Ratio With The Proposed Project	1.25

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, as described below.

The current traffic counts were received from SCDOT on May 24, 2005 and represent the Annual Average Daily Trips in 2004 i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

*** Traffic Generation Calculations

The proposed site includes 144 acres MOL. Developers usually expect about 35 % of a site to be used for infrastructure. Therefore, approximately 94 acres of the gross site acreage is developable for residential use.

The RM-MD zoning district allows a maximum of 8 DU/acre, or a possible total of 752 dwelling units, including the 35 % deduction for infrastructure needs. Single-family detached dwelling units generate 9.5 ADTs per unit. Multi-family dwelling units generate 6.6 ADTs per unit.

Assuming the project builds out with one-third of site as single family detached residences and two-thirds as multi-family residences, the site will generate a total of 5682 ADTs when completely occupied. Any variation from the assumed development mix will change the amount of traffic generated by the project.

Therefore, the proposed project will result in this portion of Broad River Road having an E Level-Of-Service when only this project is completed. In fact, almost any reasonable project development will result in the LOS C being exceeded.

Relationship To Comprehensive Plan

The Department recommends evaluation of the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles/Recommendations of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8] The County Council amended all the Proposed Land Use Maps by Subarea on May 3, 1999 as part of the Comprehensive Plan adoption process.

The Northwest Subarea Plan Proposed Land Use Map designates the subject area as industrial and residential within the Developing Urban area. The proposed RM-MD zoning **is consistent with** the Map designation.

In addition to reviewing the consistency with the Proposed Land Use Map, the Department recommends reviewing the Comprehensive Plan's development policies to determine if the proposed amendment furthers the Objectives and Recommendations Principles of the Comprehensive Plan as found in the Subarea Plans. The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject Zoning Map Amendment. The relevant Objectives and Principles/Recommendations, found on pages 29 and 36 respectively, are discussed below:

Objective – Promote new development in areas with adequate infrastructure

Public water and sewer service available to the site. The proposed Amendment implements this Objective.

Objective – Promote a variety of residential densities for the development of affordable, quality housing while blending with the character of the surrounding area

The proposed project will include mixture of residential densities. The site's close proximity to a major interstate interchange is appropriate for higher density residential development. The proposed Amendment implements this objective

Principle – Established low density residential neighborhoods should be protected against penetration or encroachment from higher or more intensive development

The applicant has indicated that the single family development portion of the site will be located adjacent to Bookie Richardson Road and at least a portion of Broad River Road. The proposed Amendment implements this Principle.

Other Relevant Issues

The applicant is **advised**, but not required as part of the conventional zoning process, to ensure the subdivision layout does not include any direct access to Bookie Richardson Road. The applicant is also advised that since the project will be a major subdivision, a traffic management plan is required as part of the subdivision review process.

A preliminary examination of the aerial photography of the site indicates that a portion of the creek traversing the site includes a 100-year floodplain area. The subdivision plans will be required to protect this area in an appropriate manner.

SECTION II STAFF RECOMMENDATION

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 05-90 MA **be changed** from RU & M-1 to RM-MD

Findings of Fact:

1. The proposed Amendment **is compatible with** the adjacent existing land uses.
2. The Traffic Impact Discussion shows that the LOS C traffic capacity of Broad River Road at this location **will be exceeded**.
3. The proposed Amendment **is consistent with** Proposed Land Use Map designation in the Northwest Subarea Plan.
4. The proposed Zoning Map Amendment **is consistent with** the Objectives and Recommendations of the Northwest Subarea Plan discussed herein.
5. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any of the RU and M-1 permitted uses found in Section 26-141 of the County Code, i.e., the Table of Permitted Uses.

SECTION III PLANNING COMMISSION ACTION

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

At their meeting of October 3, 2005, the Richland County Planning Commission **agreed (did not agree)** with the PSDS recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 05-90 MA at the next available opportunity.

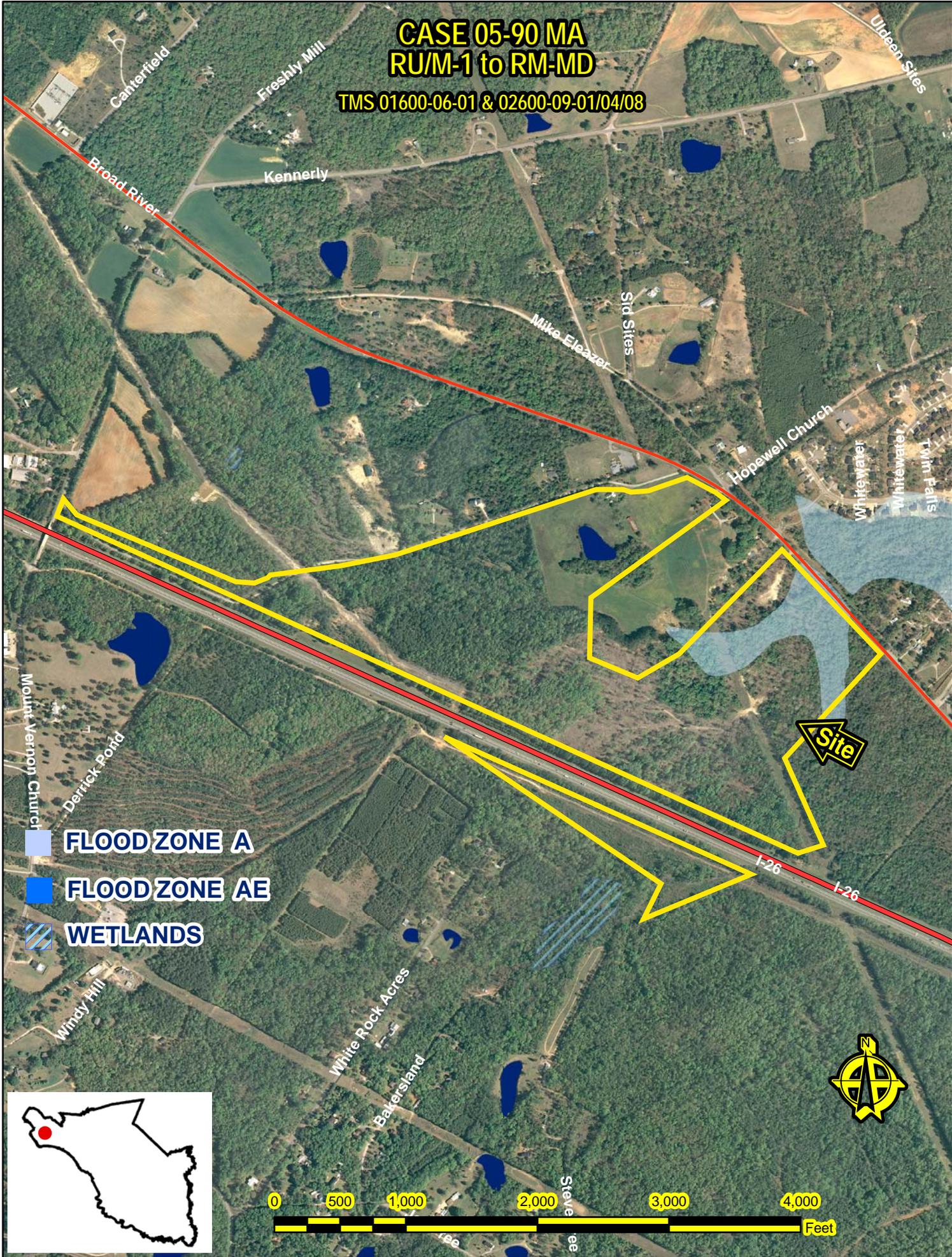
Commission Findings of Fact/Recommendations

(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

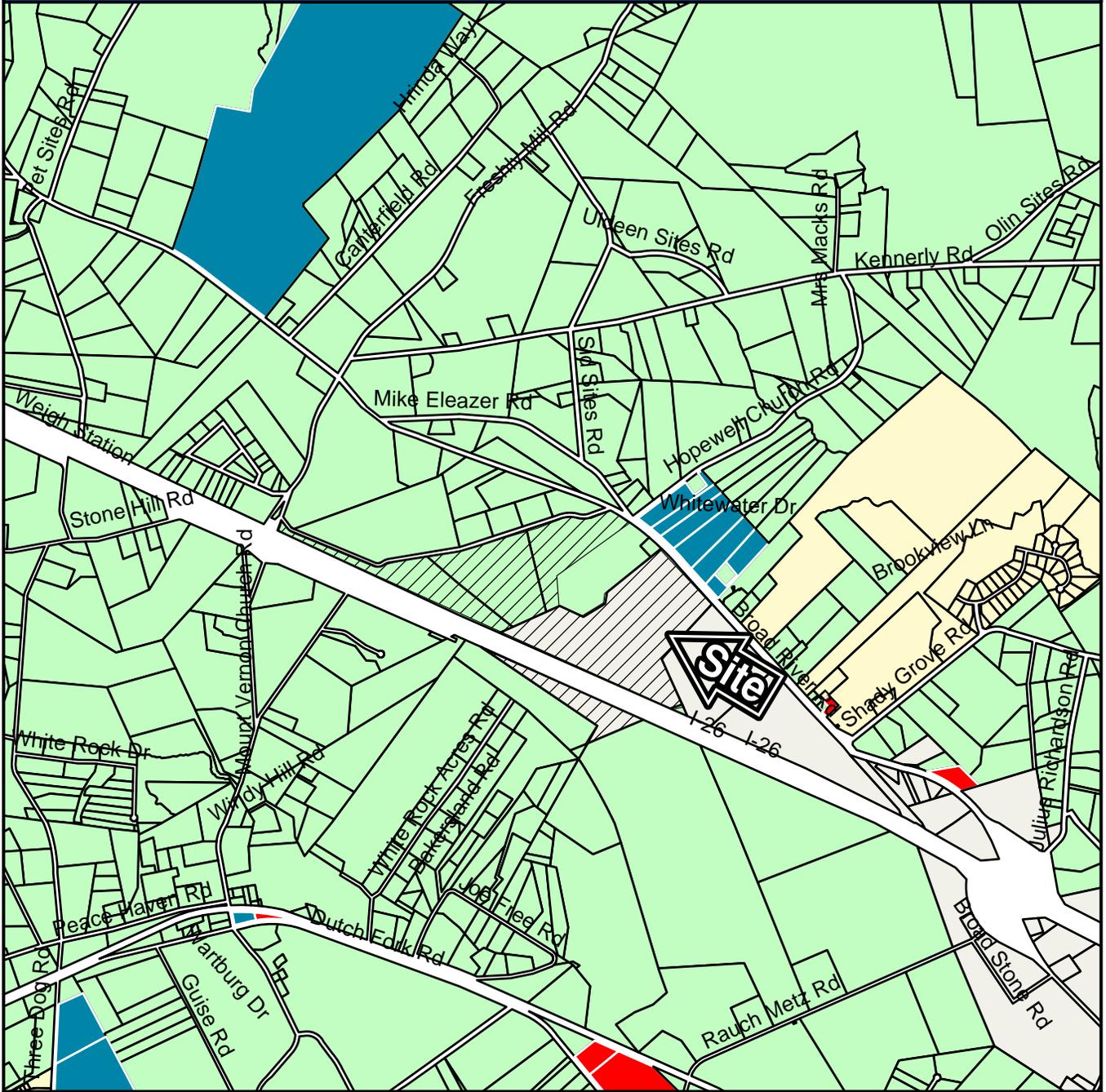
In consideration of the proposed Zoning Map Amendment # 05-90 MA, the Planning Commission made the findings of fact summarized below:

CASE 05-90 MA RU/M-1 to RM-MD

TMS 01600-06-01 & 02600-09-01/04/08



CASE 05-90 MA RU/M-1 to RM-MD



ZONING CLASSIFICATIONS

 MH	 OI	 GC	 RM-MD	 M-1
 RR	 RU	 RS-LD	 RM-HD	 HI
 SUBJECT	 NC	 RS-MD	 PDD	 MH
 MH	 RU	 RS-HD	 PDD	



CASE 05-90 MA

From RU/M-1 to RM-MD

TMS# 01600-06-01 & 02600-09-01/04/08



North side of Garners Ferry Rd @ Mill Creek



**ATTACHMENT A
CASE 05-90 MA**

Property Description for Richland County TMS 01600-06-01

Beginning at a point at the intersection of the Northern right-of-way of Interstate 26 and the centerline of Bookie Richardson Road, said point being where the dirt portion of the road turns North away from Interstate 26, running Northeast along the centerline of Bookie Richardson Road for a distance of 570' ± to a point;

Thence turning and leaving the road, S50°-53'E for a distance of 1310' ± to an iron, said line being bounded on the North by lands N/F Derrick;

Thence turning and running back to the right-of-way of Interstate 26, S64°-53'W for a distance of 20.89'± to an iron, said line being bounded on the south by lands of N/F Shealy Estate;

Thence turning and running West along the Northern right-of-way of Interstate 26, N69°-25'W for a distance of 521.14'± to a Concrete R/W Monument;

Thence continuing along said right-of-way, N69°-15'W for a distance of 695.40'± to a point;

Thence continuing along said right-of-way, N69°-46'W for a distance of 380'± to a point in the centerline of Bookie Richardson Road, said point being the point of beginning.

Property contains 9.45± acres with property description taken from Compiled Plat prepared for Joan S. Geiger by Michael C. Hammack dated 3/15/94 and recorded in Richland County R.O.D. at Book 55, Page 3585.

Property Description for Richland County TMS 02600-09-01

Commencing at a point on the Northern right-of-way of Interstate 26, said point being the Southern most corner on the property shown as TMS 01600-06-01 and N/F Robert L. Geiger, Jr., running N64°-57'-03"E for a distance of 20.70' to an iron, said iron being the Point of Beginning;

Thence from the Point of Beginning, running N50°-53'-00"W for a distance of 1325.21' to an old iron, said line being bounded on the South by lands N/F Robert L. Geiger, Jr.;

Thence along same line, N50°-53'-00"W for a distance of 28.22' to a point in the centerline of Bookie Richardson Road;

Thence turning and continuing Northeast along the centerline of Bookie Richardson Road, N68°-03'-34"E for a distance of 145.88' to a point;

Thence continuing along the centerline of Bookie Richardson Road, N83°-56'-37"E for a distance of 301.86' to an iron;

Thence continuing along the centerline of Bookie Richardson Road, N67°-36'-37"E for a distance of 90.00' to a point;

Thence continuing along the centerline of Bookie Richardson Road, N70°-45'-18"E for a distance of 118.02' to a point;

Thence continuing along the centerline of Bookie Richardson Road, N67°-58'-19"E for a distance of 112.36' to a point;

Thence continuing along the centerline of Bookie Richardson Road, N66°-49'-34"E for a distance of 224.20' to a point;

Thence continuing along the centerline of Bookie Richardson Road, N67°-28'-24"E for a distance of 710.39' to a point;

Thence turning South and running away from Bookie Richardson Road, S17°-12'-22"E for a distance of 25.15' to an iron, said line being bounded on the east by lands of Eva Amick Richardson & Julia R. Faust;

Thence continuing along same line, S17°-12'-22"E for a distance of 223.25' to an iron, said line being bounded on the east by lands of N/F Eva Amick Richardson & Julia R. Faust;

Thence continuing along same line, S16°-46'-00"E for a distance of 192.35' to an iron;

Thence continuing along same line, S15°-08'-45"E for a distance of 236.83' to an iron;

Thence continuing along same line, S17°-30'-51"E for a distance of 168.41' to an iron;

Thence continuing along same line, S16°-52'-47"E for a distance of 110.18' to an iron;

Thence continuing along same line, S15°-18'-08"E for a distance of 106.01' to an iron;

Thence turning and running in a Westerly direction, S64°-52'-48"W for a distance of 936.59 to an iron, said iron being the Point of Beginning and said line being bounded on the south by lands of N/F Claire Towers Associates.

Said property containing ±32.59 Acres with property description taken from plat of Property Survey for Julie D. Allen & Martha D. Monts by Lucius D. Cobb, Sr. dated March 31, 20004.

Property Description for Richland County TMS 02600-09-08

Commencing at a point on the Northern right-of-way of Broad River Road (US 176) and in the fork of Mike Eleazer and Broad River and running S00°-54'-18"W for a distance of 95.95' to an iron on the Southern right-of-way of Broad River Road (US 176), said iron being the Point of Beginning;

Thence from the Point of Beginning turning and leaving the road, S53°-13'-15" for a distance of 1075.05' to an iron, said line being bounded on the East by lands of N/F Robert D. & Catherine R. Faust;

Thence turning and running S02°-30'-10"W for a distance of 398.88' to an iron, said line being bounded on the East by lands of N/F Robert D. & Catherine R. Faust;

Thence turning and running S68°-48'-59"W for a distance of 341.64' to an iron, said line being bounded on the South by lands of N/F Claire Towers Associates;

Thence turning and running N12°-38'-13"W for a distance of 1061.63' to a spike in the centerline of Bookie Richardson Road and the center of an 18" culvert, said line being bounded on the West by lands of N/F Julie D. Allen & Martha D. Monts;

Thence turning and running N71°-29'-16"E for a distance of 1089.23' to an iron on the Southern right-of-way of Broad River Road (US 176), said line being bounded by lands of N/F Hendrix and lands N/F SIKH Religious Society;

Thence turning and running along the Southern right-of-way of Broad River Road (US 176) on a curve with a chord bearing of S61°-22'-20"E and a chord distance of 451.83' to an iron, said iron being the Point of Beginning.

Property contains ±20.28 acres with property description taken from Plat of Boundary Survey and Subdivision of Property of The Estate of Eva A, Richardson dated October 21, 1992 and updated August 1, 2003 by Richard C. Yongue an recorded in Richland County R. O. D. in Book 838-1383

Property Description for Richland County TMS 02600-09-04

Beginning at an iron on the Southern right-of-way of Broad River Road (US 176) ±3.5 miles Northwest of the Intersection with US Highway 76, turning and running away from the road S53-05'W for a distance of 1059' to a rock, said line being bounded on the South by lands of N/F E. T. Rauch;

Thence turning and running S25°-45'E for a distance of 1075.5 to an iron, said line being bounded on the East by lands of N/F E. T. Rauch;

Thence turning and running S65°-33'W for a distance of 1570.7' to an iron, said line being bounded on the South by lands of N/F The Lowman Home;

Thence turning and running N17°-55'E for a distance of 87.4' to an iron, said line being bounded on the West by lands of N/F Burley Metz;

Thence turning and running N36°-38'E for a distance of 384.5' to a pine, said line being bounded on the West by lands of N/F Lucy Dell Hallman;

Thence turning and running along the centerline of a ditch N57°-33'W for a distance of 1825.7' to an iron at the head of the ditch with the ditch being the line, said line being bounded on the South by lands of N/F Lucy Dell Hallman;

Thence turning and continuing N50°-58'W for a distance of 402.6' to an iron, said line being bounded on the South by lands of N/F Lucy Dell Hallman;

Thence turning and continuing N42°-56'W for a distance of 137.8' to an iron, said line being bounded on the West by lands of N/F C. B. Graham;

Thence turning and running N68°-15'E for a distance of 1274.4' to an iron, said line being bounded on the North by lands of N/F Mrs. Martha Derrick;

Thence turning and continuing N68°-48'E for a distance of 340.0' to an iron, said line being bounded on the North by lands of N/F Richardson;

Thence turning and running S55°-17'E for a distance of 324.9' to an iron, said line being bounded on the North by lands of N/F Richardson;

Thence turning and running N67°-50'E for a distance of 387.0' to an iron, said line being bounded on the North by lands of N/F Richardson;

Thence turning and running N57°-17'E for a distance of 103.2' to an iron, said line being bounded on the North by lands of N/F Richardson;

Thence turning and running N47°-17'E for a distance of 321.4' to an iron, said line being bounded on the North by lands of N/F Richardson;

Thence turning and running N50°-17'E for a distance of 407.2' to an iron, said line being bounded on the North by lands of N/F Richardson;

Thence turning and running N45-39'E for a distance of 193.7' to an iron on the right-of-way of broad River Road (US 176), said line being bounded on the North by lands of N/F Richardson;

Thence turning and running Southeast along the Southern most right-of-way with the curve for a distance of 98.0' to a point;

Thence continuing along the Southern most right-of-way of Broad River Road S42°-02'E for a distance of 440.7' to an iron;

Thence turning and continuing along the Southern most right-of-way of Broad River Road S47°-58'W for a distance of 22.5' to an iron;

Thence turning and continuing along the Southern most right-of-way of Broad River Road S42°-02'W for a distance of 451.3' to an iron, said iron being the point of beginning.

Property contains ±81.42 total acres (67.38acres North of I-26 & 13.76 acres South of I-26) with property description taken from Plat of Property Surveyed for Adella Shealy by William Wingfield dated Feb. 20, 1958 and recorded in Richland County R.O.D. at R-187.

**RICHLAND COUNTY, SOUTH CAROLINA
PLANNING & DEVELOPMENT SERVICES DEPARTMENT
Development Services Division Memo**

TO: Planning Commission Members
FROM: Carl D. Gosline, AICP, Sr. Comprehensive Planner
DATE: September 19, 2005
RE: Subdivision and Street Name Approval

Background

Section 6-29-1200 (A), SC Code of Laws requires the Planning Commission to approve street names. Specifically, the statute states, "...A local planning commission created under the provisions of this chapter shall, by proper certificate, approve and authorize the name of a street or road laid out within the territory over which the commission has jurisdiction..."

The attached list of proposed street/road names has been certified by Alfreda Tindal, Richland County E-911 Addressing Coordinator, as being in compliance with the E-911 system requirements. A list of proposed subdivision names is included for your information.

Action Requested

The Department recommends the Commission approve the attached street/road name list. Unless specifically approved herein, the street name suffixes are added, according to the proper E-911 requirement, after receipt of the subdivision lot layout arrangement.

APPROVED SUBDIVISION NAMES	GENERAL LOCATION
Village Gardens S/D	Dreher Shoals Rd, Irmo
The Refuge @ Broad River	Burdell Fuller Road, Little Mountain
Twisted Oaks S/D	Hard Scrabble Road

PROPOSED STREET NAMES	SUBDIVISION
Acorn Ridge Ln	Twisted Oaks S/D
Alamance Ln	Future Unnamed S/D
Belcross Ln	Future Unnamed S/D
Bladen Ct	Future Unnamed S/D
Bonlee Lane	Future Unnamed S/D
Bowden Ct	Future Unnamed S/D

PROPOSED STREET NAMES	LOCATION
Colerain, Suffix undetermined	Future Unnamed S/D
Culloden Road	Twisted Oaks S/D
Dameron Ct	Future Unnamed S/D
Doe Run Ln	Twisted Oaks S/D
Duck Haven, Suffix undetermined	The Refuge
Duplin Rd	Future Unnamed S/D
Eagle Creek, Suffix undetermined	The Refuge
Ellis Derrick Ln	Private Drive off Broad River Rd
Flowery Branch Ct	Twisted Oaks S/D
Green Ash Court	Village Gardens S/D
Hallsboro Rd	Future Unnamed S/D
Harnett Ln	Future Unnamed S/D
Hazel Hill Ln	Twisted S/D
Hoke Ct	Future Unnamed S/D
Kings Oaks In	Twisted S/D
Landis Rd	Future Unnamed S/D
Maple Creek Circle	Village Gardens S/D
Oak Mosss Ct	Twisted Oaks S/D
Old Trap Ct	Future Unnamed S/D
Pitt, Suffix undetermined	Future Unnamed S/D
Rice Springs Ct	Twisted Oaks S/D
Riceboro Ln	Twisted Oaks S/D
Riverland Drive	Lake Murray Blvd & Partridge Drive
Rowan, Suffix undetermined	Future Unnamed S/D
Stedman Ln	Future Unnamed S/D
Turkey Hollow, Suffix undeter.	The Refuge
Twisted Oaks Ln	Twisted Oaks S/D
Tyrell Ln	Future Unnamed S/D

PROPOSED STREET NAMES	LOCATION
Village Gardens Drive	Village Gardens S/D
Wagram Ct	Future Unnamed S/D
Wake Lane	Future Unnamed S/D
Whitsett Ln	Future Unnamed S/D
Winfall Ct	Future Unnamed S/D
Yancy, Suffix undetermined	Future Unnamed S/D

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-05HR

AN ORDINANCE AMENDING ORDINANCE NO. 074-04HR (THE RICHLAND COUNTY LAND DEVELOPMENT CODE); ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-141, TABLE OF PERMITTED USES, PERMITTED USES WITH SPECIAL REQUIREMENTS, AND SPECIAL EXCEPTIONS; “WHOLESALE TRADE” OF TABLE 20-V-2.; AND ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SECTION 26-151, PERMITTED USES WITH SPECIAL REQUIREMENTS; SO AS TO PERMIT CERTAIN WHOLESALE USES WITH SPECIAL REQUIREMENTS IN THE GC GENERAL COMMERCIAL ZONING DISTRICT.

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. Article V (Zoning Districts and District Standards), Section 141 (Table of permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions), “Wholesale Trade” of Table 20-V-2. of Ordinance No. 074-05HR, which was adopted by the Richland County Council on November 9, 2004, is hereby amended to read as follows:

USE TYPES	RU	RR	SR-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
Wholesale Trade																
Apparel, Piece Goods, and Notions													P	P	P	P
Beer/Wine/Disilled Alcoholic Beverages													SR	P	P	P
Books, Periodicals, and Newspapers													P	P	P	P
Chemicals and Allied Products													P	P	P	P
Drugs and Druggists' Sundries													SR	P	P	P
Durable Goods, Not Otherwise Listed													SR	P	P	P
Electrical Goods													SR	P	P	P
Farm Products, Raw Materials														P	P	P
Farm Supplies														P	P	P
Flowers, Nursery Stock, and Florist Supplies												P	P	P	P	P
Furniture and Home Furnishings													SR	P	P	P
Groceries and Related Products													P	P	P	P
Hardware													P	P	P	P
Jewelry, Watches, Precious Stones													P	P	P	P
Lumber and Other Construction Materials													SR	P		P
Machinery, Equipment and Supplies													SR	P	P	P
Market Showrooms (Furniture, Apparel, Etc.)													SR	P	P	P
Metal and Minerals														P	P	P
Motor Vehicles														P	P	P
Motor Vehicles, New Parts and Supplies													SR	P	P	P
Motor Vehicles, Tires and Tubes													SR	P	P	P
Motor Vehicles, Used Parts and Supplies														P	P	P
Nondurable Goods, Not Otherwise Listed													SR	P	P	P

USE TYPES	RU	RR	SR-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
Paints and Varnishes													SR	P	P	P
Paper and Paper Products													P	P	P	P
Petroleum and Petroleum Products														SR		SR
Plumbing and Heating Equipment and Supplies													SR	P	P	P
Professional and Commercial Equipment and Supplies													P	P	P	P
Scrap and Recyclable Materials														SE	SE	SE
Sporting and Recreational Goods and Supplies (Except Sporting Firearms and Ammunition)													P	P	P	P
Sporting Firearms and Ammunition													SR	P	P	P
Timber and Timber Products														P	P	P
Tobacco and Tobacco Products													SR	P	P	P
Toys and Hobby Goods and Supplies													P	P	P	P

SECTION II. Article VI, Supplemental Use Standards; Section 151, Permitted Uses with Special Requirements; Subsection (b), Permitted Uses with Special Requirements Listed by Zoning District; of Ordinance No. 074-05HR, which was adopted by the Richland County Council on November 9, 2004, is hereby amended to read as follows:

(b) *Permitted uses with special requirements listed by zoning district.*

- (1) Accessory Dwellings - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, M-1)
- (2) Amusement or Water Parks, Fairgrounds - (GC, M-1, LI)
- (3) Animal Shelters - (GC, M-1, LI)
- (4) Antennas - (All Districts)
- (5) Athletic Fields - (NC, RC)
- (6) Banks, Finance, and Insurance Offices – (NC, RC)
- (7) Barber Shops, Beauty Salons, and Related Services - (RU, RM-MD, RM-HD)
- (8) Bars and other Drinking Places - (RC, GC, M-1, LI)
- (9) Batting Cages - (GC, M-1, LI)
- (10) Bed and Breakfast Homes/Inns - (RR, RM-MD, RM-HD, RC)
- (11) Beer/Wine/Distilled Alcoholic Beverages – (GC)
- (11 12) Buildings, High-Rise, Four (4) or Five (5) Stories – (RM-HD, GC)
- (12 13) Car and Light Truck Washes- (RC)
- (13 14) Cemeteries and Mausoleums - (OI, NC, RC, GC, M-1, LI, HI)
- (14 15) Clubs or Lodges – (RU)
- (15 16) Continued Care Retirement Communities - (RM-MD, RM-HD, OI, RC, GC)
- (16 17) Construction, Building, General Contracting, with Outside Storage - (M-1, LI)
- (17 18) Construction, Building, Heavy, with Outside Storage - (M-1, LI)

- (~~18~~ 19) Construction, Special Trades, with Outside Storage - (M-1, LI)
- (~~19~~ 20) Country Clubs with Golf Courses - (RU, GC, M-1, LI)
- (~~20~~ 21) Day Care, Adult, Home Occupation (6 or Less) – (OI, NC, RC, GC)
- (~~21~~ 22) Day Care Centers, Adult - (OI, NC, RC, GC)
- (~~22~~ 23) Day Care, Child, Family Day Care, Home Occupation (5 or less) - (OI, NC, RC, GC)
- (~~23~~ 24) Day Care, Child, Group Day Care, Home Occupation (6 to 12) – (OI, NC, RC, GC)
- (~~24~~ 25) Day Care Centers, Child, Licensed Centers - (OI, NC, RC, GC, M-1, LI)
- (26) Drugs and Druggists' Sundries – (GC)
- (27) Durable Goods, Not Otherwise Listed – (GC)
- (~~25~~ 28) Dwellings, Manufactured Homes on Individual Lots - (RU, MH)
- (~~26~~ 29) Dwellings, Manufactured Homes on Individual Lots - (RR, RS-E)
- (~~27~~ 30) Dwellings, Single Family, Zero Lot Line, Common and Parallel - (Common: RM-MD, RM-HD, OI, GC, M-1; Parallel: RS-E, RS-LD, RS-MD, RS-HD, RM-MD, RM-HD, OI, M-1)
- (31) Electrical Goods – (GC)
- (~~28~~ 32) Fuel Oil Sales (Non-Automotive) - (M-1, HI)
- (33) Furniture and Home Furnishings – (GC)
- (~~29~~ 34) Golf Courses - (GC, M-1, LI)
- (~~30~~ 35) Golf Driving Ranges (Freestanding) - (RC, GC, M-1, LI)
- (~~31~~ 36) Go-Cart, Motorcycle, and Similar Small Vehicle Tracks - (GC)
- (~~32~~ 37) Group Homes (9 or Less) - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (~~33~~ 38) Home Occupations - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)

- (~~34~~ 39) Kennels - (RU, OI, RC, GC, M-1, LI)
- (~~35~~ 40) Libraries – (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (41) Lumber and Other Construction Materials – (GC)
- (42) Machinery, Equipment and Supplies – (GC)
- (~~36~~ 43) Manufactured Home Sales – (GC, M-1)
- (~~37~~ 44) Manufactured Home Parks – (MH, M-1)
- (~~38~~ 45) Market Showrooms - (GC)
- (46) Motor Vehicles, New Parts and Supplies – (GC)
- (47) Motor Vehicles, Tires and Tubes – (GC)
- (48) Nondurable Goods, Not Otherwise Listed – (GC)
- (49) Paints and Varnishes – (GC)
- (~~39~~ 50) Pet Care Services – (NC, RC)
- (~~40~~ 51) Petroleum and Coal Products Manufacturing - (HI)
- (~~41~~ 52) Petroleum and Petroleum Products - (M-1, HI)
- (~~42~~ 53) Places of Worship – (RU, RR, RM-MD, RM-HD, RC)
- (54) Plumbing and Heating Equipment and Supplies – (GC)
- (~~43~~ 55) Poultry Farms – (RU)
- (~~44~~ 56) Produce Stands – (RU)
- (~~45~~ 57) Public or Private Parks- (All Districts)
- (~~46~~ 58) Public Recreation Facilities- (All Districts)
- (~~47~~ 59) Radio, Television, and Other Similar Transmitting Towers – (M-1)
- (~~48~~ 60) Recreational Vehicle Parks and Recreation Camps – (RU)
- (~~49~~ 61) Rental Centers, With Outside Storage – (GC)

~~(50 62)~~ Repair and Maintenance Service, Appliance and Electronics - (RC, GC, M-1, LI)

~~(51 63)~~ Research and Development Services – (OI)

~~(52 64)~~ Schools, Including Public and Private Schools, Having a Curriculum Similar to Those Given in Public Schools - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)

~~(53 65)~~ Sexually Oriented Businesses - (GC)

~~(66) Sporting Firearms and Ammunition – (GC)~~

~~(54 67)~~ Swimming Pools - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)

~~(68) Tobacco and Tobacco Products – (GC)~~

~~(55 69)~~ Utility Substations - (All Districts)

~~(56 70)~~ Veterinary Services (Non-Livestock, May Include Totally Enclosed Kennels Operated in Connection with Veterinary Services) - (OI, NC)

~~(57 71)~~ 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) - (OI, NC, RC, GC)

~~(58 72)~~ Warehouses (Self Storage) - (RC, GC, M-1, LI)

~~(59 73)~~ Yard Sales - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)

~~(60 74)~~ Zoos and Botanical Gardens – (GC, M-1)

SECTION III. Article VI, Supplemental Use Standards; Section 151, Permitted Uses with Special Requirements; Subsection (c), Standards; of Ordinance No. 074-05HR, which was adopted by the Richland County Council on November 9, 2004, is hereby amended to read as follows:

- (c) *Standards.* The development standards listed herein are additional to other requirements of this chapter. These development standards are use-specific and apply to those uses designated with an “SR” in the Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions (Table 26-V-2. Section 26-141).

(1) *Accessory dwellings.*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density, M-1 Light Industrial.
- b. Accessory dwellings shall be located only on lots containing one single-family detached structure. (However, other conforming accessory structures may also be located on the lot).
- c. Only one accessory dwelling shall be permitted per single-family dwelling.
- d. If the accessory dwelling is located within the same structure as the principal dwelling, the principal dwelling shall not be altered in any way so as to appear from a public or private road to be multi-family housing.
- e. A manufactured home may not be used as an accessory dwelling.
- f. The gross floor area of the accessory dwelling shall not exceed five hundred (500) square feet or contain more than one-fourth of the heated floor area of the principal single-family dwelling, whichever is greater.

(2) *Amusement or waterparks, fairgrounds.*

- a. Use districts: General Commercial; M-1 and LI Light Industrial.
- b. The minimum lot size for an amusement park, waterpark, or fairground shall be five (5) acres.
- c. No principal building or structure shall be located within fifty (50) feet of any property line.
- d. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of the park activities.
- e. No amusement equipment, machinery, or mechanical device of any kind may be operated within two hundred (200) feet of any residentially zoned property.

(3) *Animal shelters.*

- a. Use districts: General Commercial; M-1 and LI Light Industrial.

- b. Any building (which is part of an animal shelter) housing animals shall be located a minimum of one hundred and fifty (150) feet from any residentially zoned or developed property.
- c. Fenced outdoor runs are allowed for use during the hours of 6:00 am to 10:00 p.m.; however, no animal may be kept in the run for boarding purposes, and pens for the animals must be located indoors. Feeding of animals must be conducted indoors and is prohibited in the runs.
- d. All animal refuse and food must be kept in airtight containers and disposed of on a regular basis. Animal wastes shall not be stored any closer than fifty (50) feet from any property line or surface water.

(4) *Antennas.*

- a. Use districts: All Districts.
- b. In residential districts, no antenna shall be permitted between the front of a principal structure and any adjacent public road. In the case of corner lots, no antenna shall be permitted between the side of a principal structure and the road. No dish type antenna more than eighteen (18) inches in diameter shall be placed on the roof or other portion of a building so as to be visible from any adjacent property.
- c. In nonresidential districts, antennas may be placed at any location that is not visible from any adjacent public road. Antennas may be placed on top of a principal structure less than thirty (30) feet in height, provided that screening is provided with materials compatible with the principal structure at least equal in height to the antenna. Antennas may be placed on top of a flat roofed structure that exceeds thirty (30) feet in height. Antennas erected on any pitched roof structure, regardless of height of the structure, must be screened with materials compatible with the principal structure. The screening shall not be less than the height of the antenna. In these districts, dish type antennas measuring less than three (3) feet in diameter may be placed at any location on a principal structure, except for the building façade or any road oriented side wall.

(5) *Athletic fields.*

- a. Use districts: Neighborhood Commercial; Rural Commercial.

- b. All athletic fields shall have primary access to collector or thoroughfare roads.
- c. Lights shall be positioned and shielded so as not to shine onto adjacent properties.
- d. Loud speaker systems shall not be operated before 8:00 a.m. or after 10:00 p.m.

(6) *Banks, finance, and insurance offices.*

- a. Use districts: Neighborhood Commercial; Rural Commercial.
- b. No drive-thru service permitted.

(7) *Barber shops, beauty salons, and related services.*

- a. Use districts: Rural; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.
- b. No more than four (4) workstations are permitted.
- c. Signage shall be limited to a single sign, not to exceed three (3) square feet and not containing internal lighting. Such signage shall be attached to the building.

(8) *Bars and other drinking places.*

- a. Use districts: Rural Commercial; General Commercial; M-1 and LI Light Industrial.
- 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.
- c. Bars and other drinking places shall provide adequate off-street parking at a rate of twelve (12) spaces for each one thousand (1,000) square feet of gross floor area.
- d. Parking areas related to the establishment of a bar or other drinking place shall be located no closer than thirty (30) feet to the property line of residentially zoned or used property.

- e. A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residentially zoned or used property.

(9) *Batting cages.*

- a. Use districts. General Commercial; M-1 and LI Light Industrial.
- b. No equipment, machinery, or mechanical device of any kind shall be operated within two hundred (200) feet of any residentially zoned property.
- c. Fencing, netting or other control measures shall be provided around the perimeter of the batting area to prevent balls from leaving the designated area.
- d. Lights shall be positioned and shielded so as not to shine onto adjacent properties.
- e. Loud speaker systems shall not be operated before 8:00 a.m. or after 10:00 p.m.

(10) *Bed and breakfast homes/inns.*

- a. Use districts: Rural Residential; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Rural Commercial.
- b. Bed and breakfast homes/inns shall be located a minimum of one thousand five hundred (1,500) feet from any other bed and breakfast home/inn
- c. The owner or manager of the home/inn shall reside on the property.
- d. The maximum number of guest rooms provided by the bed and breakfast home/inn shall be five (5).
- e. Activities and functions designed to accommodate the guests shall take place within the principal structure.
- f. Off-street parking for bed and breakfast homes/inns shall be provided as required in Section 26-173 of this chapter. Parking shall be provided on the same lot on which the bed and breakfast inn is located, at the rear of the lot, and screened (with vegetation) from adjacent properties and from the road.

- g. In the residential districts, signage shall be limited to a single sign, not to exceed three (3) square feet and not containing internal lighting. Such signage shall be attached to the building.
- h. Exterior lighting shall be residential in nature and shall not be directed toward adjacent properties.
- i. No meals may be served to anyone other than staff and guests registered at the inn.
- j. No exterior alterations, other than those necessary to ensure the safety and accessibility of the structure, shall be made to any building for the purpose of providing a bed and breakfast home/inn.

(11) Beer/Wine/Distilled Alcoholic Beverages.

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 8,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall be directed and shielded so as not to shine onto adjacent properties.
- g. No parking space or drive shall be located closer than twenty (20) feet to a residence.
- h. There shall be a minimum landscaping buffer around the perimeter of the property of no less than fifteen (15) feet in width.

(11 12) Buildings, high-rise, four (4) or five (5) stories.

- a. Use districts: Residential, Multi-Family, High Density; Office and Institutional; General Commercial.
- b. The minimum lot size to establish a high-rise building shall be one (1) acre.

- c. The minimum lot width to establish a high-rise building shall be one hundred and fifty (150) feet.
- d. A high-rise structure shall be set back a minimum of twenty-five (25) feet from all property lines.
- e. In the RM-HD District, the maximum lot coverage for a high-rise building shall be thirty-five percent (35%). In the GC and OI Districts, the maximum lot coverage for a high-rise building shall be forty-five percent (45%).
- f. Increase of allowable lot coverage:
 - 1. Additional lot coverage may be allowed on a foot for foot basis equal to the number of square feet provided on the structure above the first level in the form of landscaped roof gardens, solariums, recreational spaces and the like made available generally to tenants. In no case shall such an increase in coverage exceed an amount equal to ten percent (10%) of the total lot area upon which the high-rise structure is located.
 - 2. Parking lots or structures to accommodate required parking may be erected to cover not more than thirty percent (30%) of the total lot area in addition to the coverage listed in paragraph e. of this subsection.
- g. No portion of any high-rise building shall project through imaginary planes leaning inward over the lot from the exterior lot lines of the parcel at angles representing two (2) feet in height for each one (1) foot of horizontal distance from such lot line.
- h. Parking and loading facilities shall be provided as required by Section 26-173 and Section 26-174 of this chapter. No parking lots shall be permitted within any required setback.

(12 13) *Car and light truck washes.*

- a. Use districts: Rural Commercial.
- b. Buildings shall not be less than seventy-five (75) feet from any interior side or rear property line that adjoins a residentially zoned or used property.
- c. The hours of operation shall be limited to the hours between 7:00 a.m. and 10:00 p.m.

- d. Adequate provisions shall be made for the safe and efficient disposal of waste products.

~~(13 14)~~ **(13 14)** *Cemeteries and mausoleums.*

- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; M-1 and LI Light Industrial; Heavy Industrial.
- b. A minimum of three (3) contiguous acres shall be required to establish a cemetery or a mausoleum not located on the same tract of land as a place of worship.
- c. Primary access to the facility shall be from a collector or thoroughfare road.

~~(14 15)~~ **(14 15)** *Clubs or lodges.*

- a. Use districts: Rural.
- b. A club or lodge may not be used after 12:00 midnight, Sunday through Thursday, and after 1:00 a.m. on Fridays and Saturdays.
- c. Sexually oriented businesses are not permitted in a club or lodge.

~~(15 16)~~ **(15 16)** *Continued care retirement communities.*

- a. Use districts: Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office Institutional; Rural Commercial; General Commercial.
- b. The minimum lot size to establish a continued care retirement community shall be one (1) acre.
- c. No parking space or driveway shall be located closer than twenty (20) feet to any other residence not a part of the community.
- d. The front setback shall be the same as permitted in the respective district, but shall not be less than the lesser setback of any existing homes on adjacent lots. The side and rear setbacks shall be twenty (25) feet.
- e. All facilities shall be solely for the use of the residents and their guests.

~~(16 17)~~ **(16 17)** *Construction, building, general contracting, with outside storage.*

- a. Use districts: M-1 and LI Light Industrial.

- b. All outside storage shall be completely screened from adjacent roads and residentially zoned or used properties.

~~(17 18)~~ *Construction, building, heavy, with outside storage.*

- a. Use districts: M-1 and LI Light Industrial.
- b. All outside storage shall be completely screened from adjacent roads and residentially zoned or used properties.

~~(18 19)~~ *Construction, special trades, with outside storage.*

- a. Use districts: M-1 and LI Light Industrial.
- b. All outside storage shall be completely screened from adjacent roads and residentially zoned or used properties.

~~(19 20)~~ *Country clubs with golf courses.*

- a. Use districts: Rural; General Commercial; M-1 and LI Light Industrial.
- b. There shall be a minimum fifty (50) foot setback between clubhouses, swimming pools, lighted tennis courts, or athletic fields and adjacent residentially zoned or used property.
- c. In the Rural District, club facilities may not be used between 12:00 midnight and 7:00 a.m., Sunday through Thursday and between 1:00 a.m. and 7:00 a.m. on Friday and Saturday nights.

~~(20 21)~~ *Day care, adult, home occupation (six or less).*

- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. An adult day care, home occupation, with six (6) or fewer attendees must be operated in an occupied residence.
- c. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- d. Parking shall not be located in the front yard.
- e. All other state and federal regulations shall be met.

~~(21 22)~~ *Day care centers, adult.*

- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.

- b. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.

(22 23) *Day care, child, family day care, home occupation (five or less).*

- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. Any outdoor play area shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land otherwise unsuited for children's play space.
- c. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- d. Parking shall not be located in the required front yard.
- e. All other state and federal regulations shall be met.

(23 24) *Day care, child, group day care, home occupation (6 to 12).*

- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. A child group day care home occupation, must be operated in an occupied residence.
- c. Any outdoor play area shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land otherwise unsuited for children's play space.
- d. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- e. Parking shall not be located in the required front yard.
- f. All other state and federal regulations shall be met.

(24 25) *Day care centers, child, licensed centers.*

- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; M-1 and LI Light Industrial.

- b. Any outdoor play area shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land otherwise unsuited for children's play space.
- c. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- d. All other state and federal regulations shall be met.

(26) *Drugs and Druggists' Sundries.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 8,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside *the building.*
- d. Materials, products, and/or equipment shall not be stored outside *the building.*
- e. Materials and/or products shall not be processed outside *the building.*
- f. Lighting shall be directed and shielded so as not to shine onto adjacent properties.
- g. No parking space or drive shall be located closer than twenty (20) feet to a residence.
- h. There shall be a minimum landscaping buffer *around the perimeter of the property* of no less than fifteen (15) feet *in width.*

(27) *Durable Goods, Not Otherwise Listed.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 8,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside *the building.*
- d. Materials, products, and/or equipment shall not be stored outside *the building.*

e. Materials and/or products shall not be processed outside the building.

f. Lighting shall be directed and shielded so as not to shine onto adjacent properties.

g. No parking space or drive shall be located closer than twenty (20) feet to a residence.

h. There shall be a minimum landscaping buffer around the perimeter of the property of no less than fifteen (15) feet in width.

(25 28) *Dwellings, manufactured homes on individual lots.*

- a. Use districts: Rural, Manufactured Home Park.
- b. Manufactured homes must meet the standards set by the Federal Manufactured Housing Construction and Safety Standards Act of 1974 (which became effective June 15, 1976), as revised and in effect on the date the application is made for a land development permit.
- c. The tongue, axles, transporting lights, and removable towing apparatus must be removed subsequent to final placement.
- d. Manufactured home skirting or a continuous, permanent masonry foundation, unpierced except for openings required by the building code for ventilation, utilities and access, shall be installed under the manufactured home.

(26 29) *Dwellings, manufactured homes on individual lots.*

- a. Use districts: Rural Residential; Residential, Single-Family, Estate.
- b. Manufactured homes must meet the standards set by the Federal Manufactured Housing Construction and Safety Standards Act of 1974 (which became effective June 15, 1976), as revised and in effect on the date the application is made for a land development permit.
- c. The tongue, axles, transporting lights, and removable towing apparatus must be removed subsequent to final placement.
- d. The manufactured home shall be oriented so that the side containing the front entrance door shall be no more than twenty (20) degrees from parallel to the front property line, except on

corner lots. The front of the manufactured home is that side which has an entrance door leading to a living room, foyer, or hall.

- e. The exterior siding shall consist predominately of vinyl or aluminum horizontal lap siding (that does not exceed the reflectivity of gloss white paint), wood, or hardboard, comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.
- f. A continuous, permanent masonry foundation, unpierced except for openings required by the building code for ventilation, utilities and access, shall be installed under the manufactured home. The foundation shall be excavated and shall be exposed no more than twelve (12) inches above grade.
- g. The pitch of the manufactured home's roof shall have a minimum vertical rise of three feet for each twelve feet of horizontal run (3:12) and the roof shall be finished with a type of roof that is commonly used in standard residential construction.
- h. The manufactured home shall have a length not exceeding four (4) times its width, excluding additions.
- i. There shall be a porch, at the main entrance to the manufactured home, which is a minimum of six (6) feet by six (6) feet in size.

(27 30) *Dwellings, single family, zero lot line, common and parallel..*

- a. Use districts, Common: Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional; General Commercial.

Use districts: Parallel: Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional.
- b. The lot proposed for zero lot line development must be under the same ownership as the adjacent lot at the time of initial construction, or the owner of adjacent properties must record an agreement or deed restriction, in writing, consenting to the development of zero setback. The maintenance and drainage easement required in subsection e. below must be provided as part of this agreement and deed restriction.

- c. For common lot line dwellings, the dwelling unit shall be placed on one interior side property line with a zero setback, and the dwelling unit setback on the other interior side property line shall be a minimum of twelve (12) feet. Patios, pools, garden features, and other similar elements shall be permitted within the twelve (12) foot setback area; provided, however, no structure shall be placed within easements required by subsection e. below.
- d. The wall of a dwelling located on the lot line shall have no windows, doors, air conditioning units, or any other type of openings. An atrium or court shall be permitted on the zero lot line side when such court or atrium is enclosed by two (2) walls of the dwelling unit, and a solid wall of at least six (6) feet in height is provided on the zero lot line extending to the front and/or rear of the dwelling unit. Said wall shall be constructed of the same materials as exterior walls of the unit.
- e. A perpetual five (5) foot maintenance easement shall be provided on the lot adjacent to the zero lot line property, which shall be kept clear of structures. This easement shall be shown on the plat and incorporated into each deed transferring title to the property. Roof overhangs and footings may penetrate the easement on the adjacent lot a maximum of twenty-four (24) inches, but the roof shall be so designed that water runoff from the dwelling placed on the lot line is controlled by gutters or other approved methods.

(31) Electrical Goods.

a. Use districts: General Commercial.

b. The aggregate gross floor area shall be limited to no more than 8,000 square feet per parcel or per building, whichever is more restrictive.

c. Materials and/or products shall not be displayed outside the building.

d. Materials, products, and/or equipment shall not be stored outside the building.

e. Materials and/or products shall not be processed outside the building.

f. Lighting shall be directed and shielded so as not to shine onto adjacent properties.

g. No parking space or drive shall be located closer than twenty (20) feet to a residence.

h. There shall be a minimum landscaping buffer around the perimeter of the property of no less than fifteen (15) feet in width.

(28 32) Fuel oil sales, non-automotive.

- a. Use districts: M-1 Light Industrial; Heavy Industrial.
- b. Gravel or paved roadways shall be provided to all storage tanks.
- c. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
- d. Storage tanks protected by either an attached extinguishing system approved by the fire marshal, or an approved floating roof, shall not be located closer to an exterior property line than a distance of either the diameter or the height of the tank, whichever is greater. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred twenty (120) feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to one and one half (1½) times of either the diameter or the height of the tank, whichever is greater. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred seventy-five (175) feet. Storage tanks and loading facilities shall be located a minimum of five hundred (500) feet from any existing residence or residentially zoned property.
- e. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
- f. All other federal, state, and local laws shall be met.

(33) Furniture and Home Furnishings.

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 8,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.

e. Materials and/or products shall not be processed outside the building.

f. Lighting shall be directed and shielded so as not to shine onto adjacent properties.

g. No parking space or drive shall be located closer than twenty (20) feet to a residence.

h. There shall be a minimum landscaping buffer around the perimeter of the property of no less than fifteen (15) feet in width.

(29 34) *Golf courses.*

- a. Use districts: General Commercial; M-1 and LI Light Industrial.
- b. There shall be a minimum fifty (50) foot setback between clubhouses or other non-course facilities and adjacent residentially zoned or used property.

(30 35) *Golf driving ranges (freestanding).*

- a. Use districts: Rural Commercial; General Commercial; M-1 and LI Light Industrial.
- b. Fencing, netting, or other control measures shall be provided around the perimeter of the driving area to prevent balls from leaving the property.
- c. No equipment, machinery, or mechanical device of any kind shall be operated within two hundred (200) feet of any residentially zoned or used property.
- d. Operations shall not begin before 9:00 a.m. nor continue after 10:00 p.m.

(31 36) *Go-cart, motorcycle, and similar small vehicle tracks.*

- a. Use districts: General Commercial.
- b. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of the track activities.
- c. No equipment, machinery, or mechanical device of any kind shall be operated within two hundred (200) feet of any residentially zoned or used property.

d. Hours of operation shall be limited to 9:00 a.m. to 10:00 p.m.

~~(32 37)~~ *Group homes (nine persons or less).*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density
- b. Location approval is subject to Section 6-29-770 of the South Carolina Code of Laws, as amended.

~~(33 38)~~ *Home occupations.*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. Home occupations shall be conducted entirely within the principal dwelling or an accessory structure, if such accessory structure meets all setback requirements for a principal structure in the district in which it is located. Home occupations shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes, and shall not change the outward appearance of the structure.
- c. An area equal to not more than twenty-five percent (25%) of the floor area of the principal dwelling may be utilized for the home occupation. If the home occupation is housed in an accessory structure, the accessory structure can be no larger than twenty-five percent (25%) the gross floor area of the principal dwelling.
- d. Only persons residing on the premises may be employed by the home occupation.
- e. The home occupation shall not involve the retail sale of merchandise manufactured off the premises. No display of goods, products, services, merchandise, or any form of advertising shall be visible from outside the dwelling.
- f. No outside storage shall be allowed in connection with any home occupation.

- g. Instruction in music, dance, art or similar subjects shall be limited to four (4) students at a time.
- h. No traffic shall be generated by the home occupation in greater volumes than would normally be expected in a residential neighborhood, and any parking need generated by the home occupation shall be provided for off street and other than in the front yard.
- i. Signage for the home occupation shall be regulated in accordance with Section 26-180 of this chapter.

(34 39) *Kennels.*

- a. Use districts: Rural; Office and Institutional; Rural Commercial; General Commercial, M-1 and LI Light Industrial.
- b. Any building (which is part of a kennel) housing animals shall be located a minimum of one hundred and fifty (150) feet from any residentially zoned or used property.
- c. Fenced outdoor runs are allowed for use only during the hours of 6:00 a.m. to 10:00 p.m.; however, no animal may be kept in the run for boarding purposes, and pens for the animals must be located indoors. Feeding of animals must be conducted indoors and is prohibited in the runs.
- d. All animal refuse and food must be kept in airtight containers and disposed of on a regular basis. Animal wastes shall not be stored any closer than fifty (50) feet from any property line or surface waters.

(35 40) *Libraries.*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.
- b. No parking shall be allowed in the required front yard.

(41) *Lumber and Other Construction Materials.*

- a. Use districts: General Commercial.

- b. The aggregate gross floor area shall be limited to no more than 8,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside *the building*.
- d. Materials, products, and/or equipment shall not be stored outside *the building*.
- e. Materials and/or products shall not be processed outside *the building*.
- f. Lighting shall be directed and shielded so as not to shine onto adjacent properties.
- g. No parking space or drive shall be located closer than twenty (20) feet to a residence.
- h. There shall be a minimum landscaping buffer *around the perimeter of the property* of no less than fifteen (15) feet *in width*.

(42) *Machinery, Equipment and Supplies.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 8,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside *the building*.
- d. Materials, products, and/or equipment shall not be stored outside *the building*.
- e. Materials and/or products shall not be processed outside *the building*.
- f. Lighting shall be directed and shielded so as not to shine onto adjacent properties.
- g. No parking space or drive shall be located closer than twenty (20) feet to a residence.
- h. There shall be a minimum landscaping buffer *around the perimeter of the property* of no less than fifteen (15) feet *in width*.

(~~36~~ 43) *Manufactured home sales.*

- a. Use districts: General Commercial; M-1 Light Industrial.
- b. Sales and storage areas shall be screened from adjacent residentially zoned or used properties.

(~~37~~ 44) *Manufactured home parks.*

- a. Use districts: Manufactured Home; M-1 Light Industrial.
- b. All manufactured home park development plans must be approved by DHEC.
- c. Uses permitted within any manufactured home park shall be regulated in accordance with the underlying zoning district. See Article V. of this chapter. Unless otherwise, specified, all minimum development standards for the underlying zoning district apply.
- d. All manufactured home parks must provide water and sanitary sewer to each manufactured home site, subject to DHEC requirements. All manufactured homes within the site are required to connect to water, sanitary sewers, and electricity.
- e. The minimum area required for the development of a manufactured home park shall be five (5) acres.
- f. The maximum density of a manufactured home park shall not exceed six (6) units per acre.
- g. A minimum of seven thousand two hundred sixty (7,260) square feet is required for each manufactured home site within the manufactured home park development.
- h. A minimum width of sixty (60) feet is required for each manufactured home site within the manufactured home park development.
- i. All manufactured homes shall be set back from exterior road rights-of-way a minimum of thirty-five (35) feet, and shall be set back a minimum of fifteen (15) feet from all other exterior property lines.

If the landscape and buffer yard standards require additional setbacks, the most restrictive shall apply. See Section 26-176 of this chapter.

- j. All manufactured homes shall be set back from interior road rights-of-way a minimum of fifteen (15) feet. Additionally, the following minimum spacing between manufactured home structures shall apply:
 - 1. Front to front: 35 feet.
 - 2. Front to side: 25 feet.
 - 3. Front to rear: 35 feet.
 - 4. Rear to rear: 25 feet.
 - 5. Rear to side: 25 feet.
 - 6. Side to side: 25 feet.
- k. Common area open space (meeting the requirements set forth in Sections 26-184(b)(2)&(3) of this chapter) shall be provided for each manufactured home park. A minimum of twenty percent (20%) of the total development area shall be reserved for open space. However, in no event shall the required open space within a manufactured home development be less than three hundred (300) square feet. In order to expand an existing manufactured home park development, the minimum open space requirements must be met.

(38 45) Market showrooms.

- a. Use districts: General Commercial.
- b. Display areas shall exist within permanent buildings only.

(46) Motor Vehicles, New Parts and Supplies.

- a. Use districts: General Commercial.**
- b. The aggregate gross floor area shall be limited to no more than 8,000 square feet per parcel or per building, whichever is more restrictive.**
- c. Materials and/or products shall not be displayed outside the building.**

- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall be directed and shielded so as not to shine onto adjacent properties.
- g. No parking space or drive shall be located closer than twenty (20) feet to a residence.
- h. There shall be a minimum landscaping buffer around the perimeter of the property of no less than fifteen (15) feet in width.

(47) Motor Vehicles, Tires and Tubes.

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 8,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall be directed and shielded so as not to shine onto adjacent properties.
- g. No parking space or drive shall be located closer than twenty (20) feet to a residence.
- h. There shall be a minimum landscaping buffer around the perimeter of the property of no less than fifteen (15) feet in width.

(48) Nondurable Goods, Not Otherwise Listed.

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 8,000 square feet per parcel or per building, whichever is more restrictive.

- c. Materials and/or products shall not be displayed outside *the building.*
- d. Materials, products, and/or equipment shall not be stored outside *the building.*
- e. Materials and/or products shall not be processed outside *the building.*
- f. Lighting shall be directed and shielded so as not to shine onto adjacent properties.
- g. No parking space or drive shall be located closer than twenty (20) feet to a residence.
- h. There shall be a minimum landscaping buffer *around the perimeter of the property* of no less than fifteen (15) feet *in width.*

(49) *Paintsand Varnishes.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 8,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside *the building.*
- d. Materials, products, and/or equipment shall not be stored outside *the building.*
- e. Materials and/or products shall not be processed outside *the building.*
- f. Lighting shall be directed and shielded so as not to shine onto adjacent properties.
- g. No parking space or drive shall be located closer than twenty (20) feet to a residence.
- h. There shall be a minimum landscaping buffer *around the perimeter of the property* of no less than fifteen (15) feet *in width.*

(39 50) *Pet Care Services.*

- a. Use districts: Neighborhood Commercial, Rural Commercial.

- b. All pet care services shall be conducted inside an enclosed structure.

~~(40~~ 51) *Petroleum and coal products manufacturing.*

- a. Use districts: Heavy Industrial.
- b. Gravel or paved roadways shall be provided to all storage tanks.
- c. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
- d. Storage tanks protected by either an attached extinguishing system approved by the fire marshal, or an approved floating roof, shall not be located closer to an exterior property line than a distance of either the diameter or the height of the tank, whichever is greater. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred twenty (120) feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to one and one half (1½) times the greater dimension of either the diameter or the height of the tank. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred seventy-five (175) feet. Storage tanks and loading facilities shall be located a minimum of five hundred (500) feet from any existing residence or residentially zoned property.
- e. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
- f. All other federal, state, and local laws shall be met.

~~(41~~ 52) *Petroleum and petroleum products.*

- a. Use districts: Heavy Industrial; M-1 Light Industrial.
- b. Gravel or paved roadways shall be provided to all storage tanks.
- c. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
- d. Storage tanks protected by either an attached extinguishing system approved by the fire marshal, or an approved floating roof, shall not be located closer to an exterior property line than a distance of either the diameter or the height of the tank, whichever is greater.

However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred twenty (120) feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to one and one half (1½) times the greater dimension of either the diameter or the height of the tank. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred seventy-five (175) feet. Storage tanks and loading facilities shall be located a minimum of five hundred (500) feet from any existing residence or residentially zoned property.

- e. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
- f. All other federal, state, and local laws shall be met.

(42 53) *Places of worship.*

- a. Use districts: Rural; Rural Residential; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Rural Commercial.
- b. Facilities for a place of worship located on a site of three (3) acres or more shall have primary access to the facility from a collector of thoroughfare road.
- c. No parking space or drive shall be located closer than twenty (20) feet to a residence not associated with the place of worship. No parking area may be located in the front setback.
- d. The front setback shall be the same as permitted in the respective district, but shall not be less than the lesser setback of any existing homes on adjacent lots. The side and rear setbacks shall be thirty (30) feet.

(54) *Plumbing and Heating Equipment and Supplies.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 8,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside *the building.*

- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall be directed and shielded so as not to shine onto adjacent properties.
- g. No parking space or drive shall be located closer than twenty (20) feet to a residence.
- h. There shall be a minimum landscaping buffer around the perimeter of the property of no less than fifteen (15) feet in width.

(43 55) *Poultry farms*

- a. Use districts: Rural.
- b. Not more than one (1) animal unit shall be kept per six thousand (6,000) square feet of land.
- c. All areas containing poultry shall be located no closer than one hundred and fifty (150) feet from any abutting residentially zoned or used property.

(44 56) *Produce stands.*

- a. Use districts: Rural.
- b. Produce stands operating year-round must be located on the property on which the crops for sale are produced.
- c. Produce stands operating seasonally (i.e. for no more than six (6) months in any one calendar year) shall be located no closer than five (5) feet from a road right-of-way. Adequate off-street parking shall be provided.

(45 57) *Public or private parks.*

- a. Use districts: All Districts.
- b. Overflow parking shall be designated on the site plan and shall be kept available to handle all traffic from special events.
- c. All parks greater than ten (10) acres shall have primary access to a collector or thoroughfare road.

(46 58) *Public recreation facilities.*

- a. Use districts: All Districts.
- b. Overflow parking shall be designated on the site plan and shall be kept available to handle all traffic from special events.
- c. All recreation facilities greater than ten (10) acres shall have primary access to a collector or thoroughfare road.
- d. Lights shall be positioned and shielded so as not to shine onto adjacent properties.
- e. Loud speaker systems shall not be operated before 8:00 a.m. or after 10:00 p.m.

(47 59) *Radio, Television, and Other Similar Transmitting Towers.*

- a. Use districts: M-1 Light Industrial.
- b. Communication towers shall have a maximum height of three hundred (300) feet. For towers on buildings, the maximum height shall be twenty (20) feet above the roofline of buildings forty (40) feet or four stories in height or less. For buildings greater than four stories or forty-one (41) feet in height, the maximum height of communication towers shall be forty feet above the roofline.
- c. The minimum setbacks for communication towers from certain uses shall be as follows:
 - 1. In no case shall a communication tower be located within fifty (50) feet of a residential zoning district or an inhabited residential dwelling.
 - 2. For towers in excess of fifty (50) feet, the setback shall increase one (1) foot for each foot of height of the tower as measured from the base of the tower. The maximum required separation being two hundred and fifty (250) feet.
- d. The proposed user must show proof of an attempt to collocate on existing communication towers, and must be willing to allow other users to collocate on the proposed tower in the future subject to engineering capabilities of the structure. Evidence of an attempt to collocate must show that alternative towers, buildings, or other structures are not available for use within the applicant's tower site

search area that are structurally capable of supporting the intended antenna or meeting the applicant's necessary height criteria, or provide a location free of interference from other communication towers.

- e. Towers shall be illuminated as required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agencies. However, no nighttime strobe lighting shall be incorporated unless required by the Federal Communications Commission, the Federal Aviation Administration, or other regulatory agency.
- f. Each communication tower and associated buildings shall be enclosed within a fence at least seven (7) feet in height.
- g. Each communication tower site shall be landscaped in accordance with the requirements of Section 26-176 of this chapter.
- h. No signage may be attached to any portion of a communications tower. Signs for the purpose of identification, warning, emergency function or contact or other as required by applicable state or federal rule, law, or regulation may be placed as required by standard industry practice.
- i. A communications tower which is no longer used for communications purposes must be dismantled and removed within one hundred twenty (120) days of the date the tower is taken out of service.

(48 60) *Recreational vehicle parks and recreation camps.*

- a. Use districts: Rural.
- b. Uses permitted within a recreational vehicle park and recreation camp shall include: recreational vehicle sites, camp sites, recreation facilities, common buildings and facilities (laundry, dining, etc.), and management offices (which may include living quarters for the operator or manager of the park/camp).
- c. A minimum of five (5) acres is required for a recreational vehicle park or recreation camp.
- d. For recreational vehicle parks, there shall be a minimum net space of six hundred ninety (690) square feet for each RV space. A distance of at least ten (10) feet shall be maintained between trailers and/or structures. Any accessory structures or attachments

shall, for the purpose of this requirement, be considered a part of the trailer or recreational vehicle.

- e. For recreational vehicle parks, each travel trailer or recreational vehicle area shall be connected to an approved water supply system that provides an accessible, adequate, safe, and potable supply of water. An adequate and safe sewer system, approved by DHEC, shall be provided in all travel trailer/recreational vehicle parking areas.
- f. In recreational vehicle parks, neither any person nor any travel trailer/recreational vehicle shall occupy a trailer space or travel trailer parking space for a period in excess of thirty (30) days. A registry of all occupants, the space occupied, the time of arrival, and time of departure shall be maintained by the owner or operator of the travel trailer/recreational vehicle parking facility.
- g. Adequate off-street parking and maneuvering space shall be provided on site. The use of any public road, sidewalk, or right-of-way for the purpose of parking or maneuvering vehicles is prohibited.

~~(49 61)~~ *Rental centers, with outside storage.*

- a. Use districts: General Commercial.
- b. All storage areas shall be screened from adjacent residentially zoned or used properties.
- c. Lighting shall be directed and shielded so as not to shine across to adjacent properties.

~~(50 62)~~ *Repair and maintenance service, appliance and electronics.*

- a. Use districts: Rural Commercial; General Commercial; M-1 and LI Light Industrial.
- b. No outside storage of appliances, equipment, or parts shall be permitted.

~~(51 63)~~ *Research and development services.*

- a. Use districts: Office and Institutional.
- b. Research using dangerous hazardous materials is prohibited.

- c. All research and development operations must be conducted indoors.

(~~52~~ 64) *Schools, including public and private schools, having a curriculum similar to those given in public schools.*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.
- b. The minimum lot size for a school shall be two (2) acres.
- c. Parking and active recreation areas shall not be located within any required setback.
- d. Primary access shall be provided from a collector or a thoroughfare road.

(~~53~~ 65) *Sexually oriented businesses.*

- a. Use districts: General Commercial.
- b. It is the purpose of this subsection to regulate sexually oriented businesses to promote the health, safety, morals, and general welfare of the citizens of Richland County. Furthermore, the purpose of these regulations is to establish reasonable and uniform regulations to prevent the continued deleterious location and concentration of sexually oriented businesses within the county. The provisions of this subsection have neither the purpose nor the effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent or effect of these regulations to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent or effect of this subsection to condone or legitimize the distribution of obscene material.
- c. *Classification.* Sexually oriented businesses are classified as follows:
 - 1. Adult arcades;
 - 2. Adult bookstores or adult video stores;

3. Adult cabarets;
4. Adult motels;
5. Adult motion picture theaters;
6. Adult theaters;
7. Escort agencies;
8. Nude model studios; and
9. Sexual encounter centers.

d. *Permit and/or license required:*

1. A person commits a misdemeanor if he or she operates a sexually oriented business without a valid permit and/or license, issued by the county for the particular type of business.
2. An application for a permit and/or license must be made on a form provided by the Richland County Planning Department. The application must be accompanied by a sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six (6) inches.
3. The applicant must be qualified according to the provisions of this section, and the premises must be inspected and found to be in compliance with the law by the health department, fire department, and building official. The health department, fire department, and building official shall complete their inspections and certify same to the zoning administrator within twenty-one (21) days of receipt of the application by said zoning administrator.
4. If a person who wishes to operate a sexually oriented business is an individual, he or she must sign the application for a permit and/or license as applicant. If a person who wishes to operate a sexually oriented business

is other than an individual, each individual who has a ten percent (10%) or greater interest in the business must sign the application for a permit and/or license as applicant. If a corporation is listed as owner of a sexually oriented business or as the entity that wishes to operate such a business, each individual having a ten percent (10%) or greater interest in the corporation must sign the application for a permit and/or license as applicant.

5. The fact that a person possesses other types of state or county permits and/or licenses does not exempt him or her from the requirement of obtaining a sexually oriented business permit and/or license.
- e. *Issuance of permit and/or license.* The zoning administrator shall approve the issuance of a permit and/or license to an applicant within thirty (30) days after receipt of an application unless he or she finds one or more of the following to be true:
1. An applicant is under eighteen (18) years of age.
 2. An applicant or applicant's spouse is overdue in his payment to the county of taxes, fees fines, or penalties assessed against him or imposed upon him in relation to a sexually oriented business.
 3. An applicant has failed to provide information reasonably necessary for issuance of the permit and/or license or has falsely answered a question or request for information on the applicant form.
 4. An applicant is residing with a person who has been denied a permit and/or license by the county to operate a sexually oriented business within the preceding twelve (12) months, or residing with a person whose license to operate a sexually oriented business has been revoked within the preceding twelve (12) months.
 5. The premises to be used for the sexually oriented business have not been approved by the health department, fire department, and the building official as being in compliance with applicable laws and ordinances.
 6. The permit and/or license fee required by this ordinance has not been paid.

7. An applicant of the proposed establishment is in violation of or is not in compliance with any of the provisions of this section.
 8. The permit and/or license, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date, and the address of the sexually oriented business. The permit and/or license shall be posted in a conspicuous place at or near the entrance to the sexually oriented business so that it may be easily read at any time.
- f. *Fees.* The annual fee for a sexually oriented business permit and/or license is five hundred (\$500.00) dollars.
- g. *Inspection.*
1. An applicant or permittee and/or licensee shall permit representatives of the sheriff's department, health department, fire department, planning department, or other county departments or agencies to inspect the premises of a sexually oriented business for the purpose of ensuring compliance with the law, at any time it is occupied or open for business.
 2. A person who operated a sexually oriented business, or his/her agent or employee, commits a misdemeanor if he or she refuses to permit such lawful inspection of the premises at any time it is occupied or open for business.
- h. *Expiration of permit and/or license.*
1. Each permit and/or license shall expire one year from the date of issuance and may be renewed only by making application as provided in subsection e. above. Application for renewal should be made at least thirty (30) days before the expiration date, and when made less than thirty (30) days before the expiration date, the expiration of the permit and/or license will not be affected.
 2. When the zoning administrator denies renewal of a license, the applicant shall not be issued a permit and/or license for one (1) year from the date of denial. If, subsequent to denial, the zoning administrator finds that the basis for denial of the renewal permit and/or license has been corrected or abated, the applicant may be granted a permit

and/or license, if at least ninety (90) days have elapsed since the date denial became final.

i. *Suspension.* The zoning administrator shall suspend a permit and/or license for a period not to exceed thirty (30) days if he or she determines that a permittee and/or licensee or an employee of a permittee and/or licensee has:

1. Violated or is not in compliance with any provision of this section;
2. Engaged in excessive use of alcoholic beverages while on the sexually oriented business premises;
3. Refused to allow an inspection of the sexually oriented business premises as authorized by this section; or
4. Knowingly permitted gambling by an person on the sexually oriented business premises.

j. *Revocation.*

1. The zoning administrator shall revoke a permit and/or license if a cause of suspension in subsection i. above occurs and the permit and/or license has been suspended within the preceding twelve (12) months.
2. The zoning administrator shall revoke a permit and/or license if he or she determines that:
 - (a) A permittee and/or licensee gave false or misleading information in the material submitted to the planning department during the application process;
 - (b) A permittee and/or licensee or an employee has knowingly allowed possession, use, or sale of controlled substances on the premises;
 - (c) A permittee or licensee or an employee has knowingly allowed prostitution on the premises;
 - (d) A permittee and/or licensee or an employee knowingly operated the sexually oriented business during a period of time when the permittee's and/or licensee's permit and/or license was suspended;

- (e) A permittee and/or licensee or an employee has knowingly allowed any act of sexual intercourse, sodomy, oral copulation, masturbation, or other sexual conduct to occur in or on the permitted and/or licensed premises;
 - (f) A permittee and/or licensee is delinquent in payment to the county or state for any taxes or fees past due
3. When the zoning administrator revokes a permit and/or license, the revocation shall continue for one (1) year, and the permittee and/or licensee shall not be issued a sexually oriented permit and/or license for one (1) year from the date revocation became effective. If, subsequent to revocation, the zoning administrator finds that the basis for the revocation has been corrected or abated, the applicant may be granted a permit and/or license if at least ninety (90) days have elapsed since the date the revocation became effective.
- k. *Transfer of permit and/or license.* A permittee and/or licensee shall not transfer his/her permit and/or license to another, nor shall a permittee and/or licensee operate a sexually oriented business under the authority of a permit and/or license, at any place other than the address designated in the application.
1. *Location of Sexually Oriented Businesses:*
- 1. A person commits a misdemeanor if he or she operates or causes to be operated a sexually oriented business outside of a designated GC General Commercial District. All sexually oriented businesses shall be located within a GC General Commercial District.
 - 2. A person commits a misdemeanor if he or she operates or causes to be operated a sexually oriented business within one thousand (1,000) feet of any place of worship, a public or private elementary or secondary school, a child daycare center or a pre-school, a boundary of any residential district, a public park adjacent to any residential district, or the property line of a lot devoted to residential use.
 - 3. A person commits a misdemeanor if he or she causes or permits the operation, establishment, substantial

enlargement, or transfer of ownership or control of a sexually oriented business within one thousand (1,000) feet of another sexually oriented business.

4. A person commits a misdemeanor if he or she causes or permits the operation, establishment, or maintenance of more than one (1) sexually oriented business in the same building, structure, or portion thereof, or the increase of floor areas of any sexually oriented business in any building, structure, or portion thereof containing another sexually oriented business.
5. For the purpose of this Section 26-151(c)(53), measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a place of worship or public or private elementary or secondary school, or to the nearest boundary of an affected public park, residential zoning district, or a residential lot.
6. For the purpose of subsection 3. above, the distance between any two (2) sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which the businesses are located.
7. Any sexually oriented business lawfully operating on August 1, 1987 that is in violation of subsections 1. through 6. above shall be deemed a nonconforming use. The nonconforming use will be permitted to continue for a period not to exceed two (2) years, unless sooner terminated for any reason or voluntarily discontinued for a period of thirty (30) days or more. Such nonconforming uses shall not be increased, enlarged, extended, or altered except that the use may be changed to a conforming use. If two (2) or more sexually oriented businesses are within one thousand (1,000) feet of one another and otherwise in a permissible location, the sexually oriented business which was first established and continually operating at a particular location is the conforming use and the later-established business(es) is nonconforming.
7. A sexually oriented business lawfully operating as a conforming use is not rendered a nonconforming use by the

location, subsequent to the grant or renewal of the sexually oriented business permit and/or license, of a place of worship, public or private elementary or secondary school, public park, residential district, or residential lot within one thousand (1,000) feet of the sexually oriented business. This provision applies only to the renewal of a valid permit and/or license, and does not apply when an application for a permit and/or license is submitted after a permit and/or license has expired or has been revoked.

m. *Additional regulations for adult motels.*

1. Evidence that a sleeping room in a hotel, motel, or a similar commercial establishment has been rented and vacated two (2) or more times in a period of time that is less than ten (10) hours creates a rebuttable presumption that the establishment is an adult motel as that term is defined in this chapter.
2. A person commits a misdemeanor, if, as the person in control of a sleeping room in a hotel, motel, or similar commercial establishment that does not have a sexually oriented permit and/or license, he/she rents or sub-rents a sleeping room to a person and, within ten (10) hours from the time the room is rented, he/she rents or sub-rents the same sleeping room again.
3. For purposes of subsection 2. above, the terms “rent” or “sub-rent” mean the act of permitting a room to be occupied for any form of consideration.

n. *Regulations pertaining to exhibition of sexually explicit films or videos.*

1. A person who operates or causes to be operated a sexually oriented business, other than an adult motel, which exhibits on the premises in a viewing room of less than one hundred fifty (150) square feet of floor space, a film, video cassette, or other video reproduction that depicts specified sexual activities or specified anatomical areas, shall comply with the following requirements:
 - (a) Upon application for a sexually oriented permit and/or license, the application shall be accompanied by a diagram of the premises showing a plan thereof specifying the location of one or more manager’s

stations and the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted. A manager's station may not exceed thirty-two (32) square feet of floor area. The diagram shall also designate the place at which the permit will be conspicuously posted, if granted. A professionally prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram should be oriented to the north or to some designated street or object and should be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimensions of all areas of the interior of the premises to an accuracy of plus or minus six (6) inches. The zoning administrator may waive the foregoing diagram for renewal applications if the applicant adopts a diagram that was previously submitted and certifies that the configuration of the premises has not been altered since it was prepared.

- (b) The application shall be sworn to be true and correct by the applicant.
- (c) No alteration in the configuration or location of a manager's station may be made without the prior approval of the zoning administrator.
- (d) It is the duty of the owner(s) and operator(s) of the premises to ensure that at least one (1) employee is on duty and situated in each manager's station at all times that any patron is present inside the premises.
- (e) The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the premises to which any patron is permitted access for any purpose, excluding restrooms. Restrooms may not contain video reproduction equipment. If the premises has two (2) or more manager's stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose from at least one (1) of the manager's

stations. The view required in this subsection must be by direct line of sight from the manager's station.

- (f) It shall be the duty of the owner(s) and operator(s), and it shall also be the duty of any agents and employees present in the premises, to ensure that the view area specified in subsection (e) above remains unobstructed by any doors, walls, merchandise, display racks or other materials at all times and to ensure that no patron is permitted access to any area of the premises that has been designated as an area in which patrons will not be permitted in the application filed pursuant to subsection (a) above.
- (g) No viewing room may be occupied by more than one (1) person at any time.
- (h) The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illuminations of not less than one (1) foot-candle as measured at the floor level.
- (i) It shall be the duty of the owner(s) and operator(s), and it shall also be the duty of any agents and employees present in the premises, to ensure that the illuminations described above, is maintained at all times that any patron is present in the premises.

2. A person having a duty under subsection (a) through (i) of subsection 1. above commits a misdemeanor if he or she knowingly fails to fulfill that duty.

o. *Exemptions.* It is a defense to prosecution under subsections (53)e. and (53)l. above that a person appearing in a state of nudity did so in a modeling class operated:

- 1. By a proprietary school licensed by the State of South Carolina; or by a college, junior college, or university supported entirely or partly by taxation; or
- 2. By a private college or university that maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or

3. In a structure:
 - (a) Which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and
 - (b) Where, in order to participate in a class a student must enroll at least three (3) days in advance of the class; and
 - (c) Where no more than one (1) nude model is present at any one (1) time.

(66) Sporting Firearms and Ammunition.

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 8,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside *the building*.
- d. Materials, products, and/or equipment shall not be stored outside *the building*.
- e. Materials and/or products shall not be processed outside *the building*.
- f. Lighting shall be directed and shielded so as not to shine onto adjacent properties.
- g. No parking space or drive shall be located closer than twenty (20) feet to a residence.
- h. There shall be a minimum landscaping buffer *around the perimeter of the property* of no less than fifteen (15) feet in width.

(54 67) Swimming pools.

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office

and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.

- b. Swimming pools shall be protected by a fence or equal enclosure, a minimum of four (4) feet in height, and equipped with a self-closing gate provided with hardware for permanent locking.
- c. No private residential swimming pool that is located in a residential district shall be operated as, or in conjunction with, a business, day care operation, bed and breakfast, or a home occupation.
- d. Pools shall be located so as to comply with the minimum setback requirements for accessory buildings.

(68) Tobacco and Tobacco Products.

a. Use districts: General Commercial.

b. The aggregate gross floor area shall be limited to no more than 8,000 square feet per parcel or per building, whichever is more restrictive.

c. Materials and/or products shall not be displayed outside the building.

d. Materials, products, and/or equipment shall not be stored outside the building.

e. Materials and/or products shall not be processed outside the building.

f. Lighting shall be directed and shielded so as not to shine onto adjacent properties.

g. No parking space or drive shall be located closer than twenty (20) feet to a residence.

h. There shall be a minimum landscaping buffer around the perimeter of the property of no less than fifteen (15) feet in width.

(55 69) Utility substations.

a. Use districts: All Districts.

b. All buildings shall observe accessory building setbacks. Transformer stations shall observe the principal building setback regulations.

- c. Equipment that produces noise or sound in excess of seventy (70) decibels shall be located no closer than one hundred (100) feet to the nearest residence.
- d. Transformer stations shall be screened from adjacent properties and from roads with a vegetative screen that, at a minimum, meets the standards listed in Section 26-176(h).

(56 70) *Veterinary services (non-livestock, may include a totally enclosed kennel operated in connection with veterinary services).*

- a. Use districts: Office and Institutional; Neighborhood Commercial.
- b. Veterinary services shall not include provisions for kennels or boarding of animals not undergoing treatment.
- c. All buildings used in the operation shall be soundproofed and air-conditioned.
- d. Outside activity shall be limited to six (6) hours per day or fewer.
- e. Where the lot is adjacent to a residential zoning district or residential use, a side yard of not less than ten (10) feet shall be maintained.
- f. All animal refuse and food must be kept in airtight containers and disposed of on a regular basis.

(57 71) *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).*

- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. Warehouses (enclosed, general storage, non-hazardous) are allowed in the various districts listed above as follows:
 - 1. In the Office and Institutional and the Neighborhood Commercial districts, warehousing is permitted as an accessory use not involving over two thousand (2,000) square feet of floor area.
 - 2. In the Rural Commercial and the General Commercial districts, warehousing is permitted as an accessory use not

involving over twelve thousand (12,000) square feet of gross floor area.

(58 72) *Warehouses (self-storage.)*

- a. Use districts: Rural Commercial, General Commercial, M-1 and LI Light Industrial.
- b. Fencing or walls shall be required around the perimeter of the development. The fence or wall shall be a minimum of six (6) feet in height.
- c. Any side of the building providing doorways to storage areas shall be set back from the property line not less than an additional twenty-five (25) feet of the required setback.
- d. Off-street parking shall be as follows:
 1. One space for each ten (10) storage cubicles. This parking requirement may be satisfied with parking lanes as established below.
 2. Two parking spaces for any manager's quarters.
 3. In addition to subsection 1. above, one (1) space for every fifty (50) storage cubicles, to be located adjacent to the project office for the use of prospective clients.
- e. On-site driveway widths shall be required as follows:
 1. All one-way driveways shall provide for one ten (10) feet parking lane and one fifteen (15) feet travel lane. Traffic direction and parking shall be designated by signage or painting.
 2. All two-way driveways shall provide for one ten (10) feet parking lane and two twelve (12) feet travel lanes.
 3. The parking lanes may be eliminated when the driveway does not directly serve any storage cubicles.
- f. Retail and wholesale uses, and the storage of hazardous materials, shall be prohibited in self storage warehouses. Notice of such prohibition shall be given to customers by a conspicuous sign posted at the entrance to the property, or by provisions in the lease agreement, or both.

- g. Any outside storage area for vehicles, trailers, campers, boats, or the like shall be separate from any structures and located to one side or to the rear of the development. Spaces shall be located a minimum of twenty-five (25) feet from any adjacent property line, and in no case shall these spaces be counted towards meeting the parking requirements of this subsection d. above.
- h. All lights shall be shielded so as to direct light onto the uses established, and away from adjacent property; but lighting may be of sufficient intensity to discourage vandalism and theft.

(59 73) *Yard Sales.*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. Yard sales shall be limited to two (2) occurrences within a twelve (12) month period.
- c. Each occurrence shall be no longer than two (2) days and only during the daylight hours.

(60 74) *Zoos and Botanical Gardens.*

- a. Use districts: General Commercial; M-1 Light Industrial.
- b. There shall be a minimum one hundred (100) foot setback between all activities associated with the use and any adjacent residential property.
- c. All zoos and botanical gardens shall have primary access to collector or thoroughfare roads.

SECTION IV. All remaining provisions of Ordinance No. 074-04HR shall remain in full force and effect.

SECTION V. 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 VI. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VII. This ordinance shall be effective from and after _____, 2005.

RICHLAND COUNTY COUNCIL

BY: _____
Anthony G. Mizzell, Chair

Attest this the _____ day of
_____, 2005

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: September 27, 2005 (tentative)
First Reading: September 27, 2005 (tentative)
Second Reading:
Third Reading:



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