



Richland County Council
Regular Session
MINUTES
September 17, 2024 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Jesica Mackey, Chair; Derrek Pugh, Vice-Chair; Jason Branham, Derrek Pugh, Paul Livingston, Allison Terracio, Don Weaver, Gretchen Barron, Overture Walker, Cheryl English, and Chakisse Newton

OTHERS PRESENT: Leonardo Brown, Anette Kirylo, Stacey Hamm, Susan O’Cain, Patrick Wright, Judy Carter, Jackie Hancock, Jennifer Wladischkin, Lori Thomas, Thomas Gilbert, Ashiya Myers, Aric Jensen, Crayman Harvey, Kyle Holsclaw, Michael Maloney, John Thompson, Tamar Black, Phillip Harris, Kenny Bowen, Synithia Williams, Sandra Haynes, and Ashley Fullerton

1. **CALL TO ORDER** – Chairwoman Jesica Mackey called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The Invocation was led by The Honorable Gretchen Barron.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Gretchen Barron.
4. **PRESENTATION OF RESOLUTIONS**
 - a. **A Resolution declaring September as “South Carolina State Guard Month” in Richland County** – Mr. Livingston moved to adopt a resolution declaring September as “South Carolina State Guard Month,” seconded by Ms. Barron.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

Ms. Susan O’Cain, Director of Communications and Public Information, read the resolution into the record.
5. **APPROVAL OF MINUTES**
 - a. **Special Called Meeting: September 10, 2024** – Ms. English moved to approve the minutes as distributed, seconded by Ms. Newton.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.
6. **ADOPTION OF AGENDA**

Ms. Newton moved to adopt the agenda as published, with the removal of Item 16(a): “An Ordinance Authorizing quit claim deed to Mary Alice Butler Walker, Aretha B. Pigford, and Isaac B. Bulter’s heirs and assigns for a parcel of land located in Richland County, known as Butler Road, over which the County may have a prescriptive easement,” seconded by Ms. McBride.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION (Pursuant to SC Code 30-4-70)** – County Attorney Patrick Wright noted the following item was eligible for Executive Session:
- a. Alvin S. Glenn Detention Center Update [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)]
 - b. Tourism Development Fee [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)]
 - c. Personnel Matter – Grievance Reviews and Recommendations [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(1)]
 - d. Property Inquiry – NE/S Lykes Ln., TMS # R06400-01-01 [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)]
 - e. Property Inquiry – 1070 Caughman Rd. N, TMS # R06500-01-01 [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)]
8. **CITIZENS' INPUT**
- a. For Items on the Agenda Not Requiring a Public Hearing
 1. Bill Ellen, 1101 Lincoln Street, Columbia, SC 29201 – Convention Center
9. **CITIZENS' INPUT**
- a. Must Pertain to Richland County Matters Not on the Agenda (Items for which a public hearing is required or a public hearing has been scheduled cannot be addressed at this time)
 1. Christa Williams, 2205 Main Street, Columbia, SC 29205 – Richland County Neighborhood Council
 2. Anna Herron, 21 Oak Lake Court, Blythewood, SC 29016 – Accommodations and Hospitality Tax
10. **REPORT OF THE COUNTY ADMINISTRATOR**
- a. Updates for Consideration:
 1. *General Updates*
 - a. *Employee Climate Survey* – Mr. Leonardo Brown, County Administrator, encouraged employees to participate in the survey. The survey is open until October 4, 2024.
 - b. *Comprehensive Plan*—Mr. Brown indicated that the Community Planning & Development staff will have an introductory meeting with the consultant on Monday, September 23rd. The discussion will include citizen outreach, which will involve forming an advisory committee and identifying key stakeholders to interview. He requested Council members to provide feedback on individuals in the community who they would like to be a part of the advisory committee.

The plan will be completed in three phases:

 - Phase 1 – Discovery
 - Phase 2 – Land Use and Review
 - Phase 3 – Direction, Documentation, and Action Plan
11. **REPORT OF THE CLERK OF COUNCIL**
- a. Transportation Penny Town Halls – The Clerk of Council, Anette Kirylo, noted that several town hall meetings have been scheduled to keep the community informed. The meetings are as follows:
 - a. District 11 Town Hall – September 19, 2024, 6:00-7:00 PM, Garners Ferry Adult Activity Center
 - b. District 10 Town Hall – September 23, 2024, 6:00-7:30 PM, Bluff Road Park
 - c. Districts 2 and 7 Town Hall – September 26, 6:00-7:30 PM, Doko Manor
 - d. Transportation Penny Referendum Public Hearing – October 15, 3:30 PM, Council Chambers
 - e. District 1 Town Hall – October 21, 6:00-7:30 PM, Friarsgate Park
 - f. Districts 8 and 9 Town Hall – October 23, 6:00-7:30 PM, R2i2 Conference Center
12. **REPORT OF THE CHAIR** – No report was given.
13. **OPEN/CLOSE PUBLIC HEARINGS**
- a. An Ordinance Authorizing easement to Dominion Energy South Carolina, Inc. for the installation, operation, and maintenance of DESC facilities at 1403 Jim Hamilton Boulevard; Richland County TMS #13702-01-30(p) – No one signed up to speak.
14. **APPROVAL OF CONSENT ITEMS**
- a. An Ordinance Authorizing easement to Dominion Energy South Carolina, Inc. for the installation, operation, and maintenance of DESC facilities at 1403 Jim Hamilton Boulevard; Richland County TMS #13702-01-30(p) [THIRD READING] {Ordinance #033-24HR} – Mr. Livingston moved to approve this item, seconded by Mr. Weaver.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

Ms. English moved to reconsider this item, seconded by Ms. Terracio.

Opposed: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The motion for reconsideration failed.

15. **THIRD READING ITEMS**

- a. Case #24-01MA, Erik Norton, RT to MU1 (2.60 Acres), 1301 Three Dog Road & E/S Dutch Fork Road, TMS #R01507-02-03 & R01507-02-04 {District 1} {Ordinance #032-24HR} – Mr. Branham moved to approve this item, seconded by Ms. English.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

Mr. Branham moved to reconsider this item, seconded by Ms. English.

Opposed: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The motion for reconsideration failed.

16. **SECOND READING**

- a. An Ordinance Authorizing quit claim deed to Mary Alice Butler Walker, Aretha B. Pigford, and Isaac B. Butler's heirs and assigns for a parcel of land located in Richland County, known as Butler Road, over which the County may have a prescriptive easement – This item was removed from the agenda during the Adoption of the Agenda.

17. **REPORT OF THE RULES & APPOINTMENTS COMMITTEE**

- a. **NOTIFICATION OF APPOINTMENTS**

1. Board of Zoning Appeals – One (1) Vacancy – Ms. Barron stated the committee recommended re-advertising for the vacancy.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

2. Building Codes Board of Appeals – Seven (7) Vacancies (ONE applicant must be from the Architecture Industry, ONE applicant must be from the Gas Industry, ONE applicant must be from the Contracting Industry, ONE applicant must be from the Plumbing Industry, ONE applicant must be from the Electrical Industry, and TWO applicants must be from the Fire Industry as alternates) – Ms. Barron stated the committee recommended re-advertising for the vacancy.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

3. Community Relations Council – Four (4) Vacancies – Ms. Barron stated the committee recommended appointing Mr. Terence Rickenbacker, Ms. Ashley McCall, Mr. Anthony Stovall, and Ms. Amanda Rice.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

4. Employee Grievance Committee – One (1) Vacancy – Ms. Barron stated the committee recommended re-appointing Mr. Kyle Hughes.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

5. Midlands Workforce Development Board – One (1) Vacancy (Applicant must represent the Higher Education Industry) – Ms. Barron stated the committee recommended appointing Ms. Lauren Holland.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

6. Township Auditorium Board – One (1) Vacancy – Ms. Barron stated the committee recommended appointing Ms. Veronica Goodwin.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

18. **REPORT OF THE TRANSPORTATION AD HOC COMMITTEE**

- a. Award of Construction – Atlas Road Widening – Phase 1A – Mr. Walker stated the committee recommended awarding the construction contract to McClam & Associates, Inc. based on the bid received in the amount of \$7,944,720.50, to include a construction contingency of 15% for a total approved amount of \$9,136,428.58.

Mr. Weaver inquired if this was the contractor that appealed.

Mr Brown responded in the affirmative. He noted the appeal was denied, and the Office of Small Business Opportunity's determination was upheld in accordance with Chapter 2 of the County Code.

Mr. Weaver stated that part of the contractor's issue with the County was that he could not contact many of the subcontractors.

POINT OF ORDER – Ms. Newton indicated it would appear we are talking about a contractual matter.

Mr. Wright responded he believed this would be an issue that would be appropriate for Executive Session.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Barron, Walker, Mackey, English, and Newton

Opposed: Weaver

The vote was in favor.

Ms. Newton moved to reconsider this item, seconded by Ms. Barron.

Opposed: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The motion for reconsideration failed.

19. **OTHER ITEMS**

- a. FY25 – District 7 Hospitality Tax Allocations (Pink & Green Community Service Foundation - \$15,000) – Ms. Terracio moved to approve this item, seconded by Ms. Barron.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

Mr. Pugh moved to reconsider this item, seconded by Ms. Newton.

Opposed: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The motion for reconsideration failed.

20. **EXECUTIVE SESSION**

Mr. Walker moved to go into Executive Session, seconded by Ms. Barron.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

***Council went into Executive Session at approximately 6:38 PM
and came out at approximately 7:57 PM***

Mr. Livingston moved to come out of Executive Session, seconded by Ms. McBride.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

**Regular Council Meeting Minutes
September 17, 2024**

The vote in favor was unanimous.

Ms. Mackey indicated Council entered into Executive Session to receive legal advice. No action was taken in Executive Session.

- a. Alvin S. Glenn Detention Center Update [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)] – No action was taken.
- b. Tourism Development Fee [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)] – Mr. Weaver moved to authorize the Administrator to enter into negotiations, as discussed in Executive Session, seconded by Mr. Livingston.

In Favor: Branham, Pugh, Livingston, Weaver, Walker, Mackey, English, and Newton

Opposed: Terracio and Barron

Not Present: McBride

The vote was in favor.

- c. Personnel Matter – Grievance Reviews and Recommendations [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(1)] – No action was taken.
- d. Property Inquiry – NE/S Lykes Ln., TMS #R06400-01-01 [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)] – Mr. Branham moved to authorize the Administrator to proceed with obtaining an appraisal of the property, seconded by Ms. English.

In Favor: Branham, Pugh, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

Not Present: McBride

The vote in favor was unanimous.

- e. Property Inquiry – 1070 Caughman Rd. N, TMS #R06500-01-01 [Pursuant to SC Code of Laws, Sec. 30-4-70(a)(2)] – No action was taken.

21. **MOTION PERIOD**

- a. I move that the Administrator explore the possibility and present a draft ordinance to place a moratorium on demolition and new construction in the Olympia area of Richland County [TERRACIO] – The Chair referred this motion to the Development and Services Committee.

20. **ADJOURNMENT** – Mr. Walker moved to adjourn the meeting, seconded by Ms. Terracio.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

The meeting adjourned at approximately 8:00 PM.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. 033-24HR

AN ORDINANCE AUTHORIZING EASEMENT TO DOMINION ENERGY SOUTH CAROLINA, INC. FOR THE INSTALLATION, OPERATION, AND MAINTENANCE OF DESC FACILITIES AT 1403 JIM HAMILTON BOULEVARD; RICHLAND COUNTY TMS #13702-01-30(P).

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant an easement for the installation, operation, and maintenance of DESC facilities to DOMINION ENERGY SOUTH CAROLINA, INC., located at 1403 Jim Hamilton Boulevard; a portion of Richland County TMS #13702-01-30, as specifically described in the Easement, which is attached hereto and incorporated herein.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after September 17, 2024.

RICHLAND COUNTY COUNCIL

By: _____
Jessica Mackey, Chair

Attest this 17th day of

September, 2024.

Anette Kirylo
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: August 27, 2024
Second Reading: September 10, 2024
Public Hearing: September 17, 2024
Third Reading: September 17, 2024

Easement # 905615

INDENTURE, made this _____ day of _____, 2024 by and between **RICHLAND COUNTY**, of the State of South Carolina, hereinafter called "Grantor" (whether singular or plural), and the **DOMINION ENERGY SOUTH CAROLINA, INC.**, a South Carolina corporation, having its principal office in Cayce, South Carolina, hereinafter called "Grantee".

WITNESSETH:

That, in consideration of the sum of One Dollar (\$1.00) received from Grantee, Grantor, being the owner of land situate in the County of **Richland**, State of South Carolina, hereby grants and conveys to Grantee, its successors and assigns, the right to construct, extend, replace, relocate, perpetually maintain and operate an overhead or underground electric line or lines consisting of any or all of the following: poles, conductors, lightning protective wires, municipal, public or private communication lines, cables, conduits, pad mounted transformers, guys, push braces and other accessory apparatus and equipment deemed by Grantee to be necessary or desirable, upon, over, across, through and under land described as follows: a tract or lot of land containing **62.89** acres, more or less, and being the same lands conveyed to Grantor, dated or recorded **1/1/1962**, and filed in the Register of Deeds office for **Richland** County in Deed book **330** at Page **131**.

The property is located at **1403 Jim Hamilton Blvd., Richland County, SC.**

The right of way granted herein is for the installation, operation and maintenance of **DESC** facilities. These facilities are more fully shown on Exhibit "A" attached hereto, which is by reference only made a part hereof. Thee actual final Right of Way to be determined by the final location of the facilities as installed in accordance with the easement.

TMS: **R13702-01-30**

Together with the right from time to time to install on said line such additional lines, apparatus and equipment as Grantee may deem necessary or desirable and the right to remove said line or any part thereof.

Together also with the right (but not the obligation) from time to time to trim, cut or remove trees, underbrush and other obstructions that are within, over, under or through a strip of land ("Easement Space") extending Fifteen (15) feet on each side of any pole lines and Five (5) feet on each side of any underground wires and within, over, under or through a section of land extending Twelve (12) feet from the door side(s) of any pad mounted transformers, elbow cabinets, switchgears or other devices as they are installed; provided, however, any damage to the property of Grantor (other than that caused by trimming, cutting or removing) caused by Grantee in maintaining or repairing said lines, shall be borne by Grantee; provided further, however, that Grantors agree for themselves, their successors and assigns, not to build or allow any structure to be placed on the premises in such a manner that any part thereof will exist within the applicable above specified Easement Space, and in case such structure is built, then Grantor, or such successors and assigns as may be in possession and control of the premises at the time, will promptly remove the same upon demand of Grantee herein. Grantor further agrees to maintain minimum ground coverage of thirty six (36) inches and maximum ground coverage of fifty four (54) inches over all underground primary electric lines.

Together also with the right of entry upon said lands of Grantor for all of the purposes aforesaid.

The words "Grantor" and "Grantee" shall include their heirs, executors, administrators, successors and assigns, as the case may be.

IN WITNESS WHEREOF, Grantor has caused this indenture to be duly executed the day and year first above written.

WITNESS:

RICHLAND COUNTY

1st Witness

2nd Witness

By: _____(SEAL)

Print: _____

Title: _____

Easement # 905615

ACKNOWLEDGMENT

STATE OF SOUTH CAROLINA

COUNTY OF **RICHLAND**

The foregoing instrument was acknowledged before me, the undersigned Notary, and I do hereby certify that the within named, _____, for **RICHLAND COUNTY**, personally appeared before me this day and that the above named acknowledged the due execution of the foregoing instrument.

Sworn to before me this _____ day of _____, 2024

Signature of Notary Public State of SC

My commission expires: _____

Print Name of Notary Public

**RIGHT OF WAY GRANT TO
DOMINION ENERGY SOUTH CAROLINA, INC.**

Line: **Owens Field Ball Park - Bathroom**

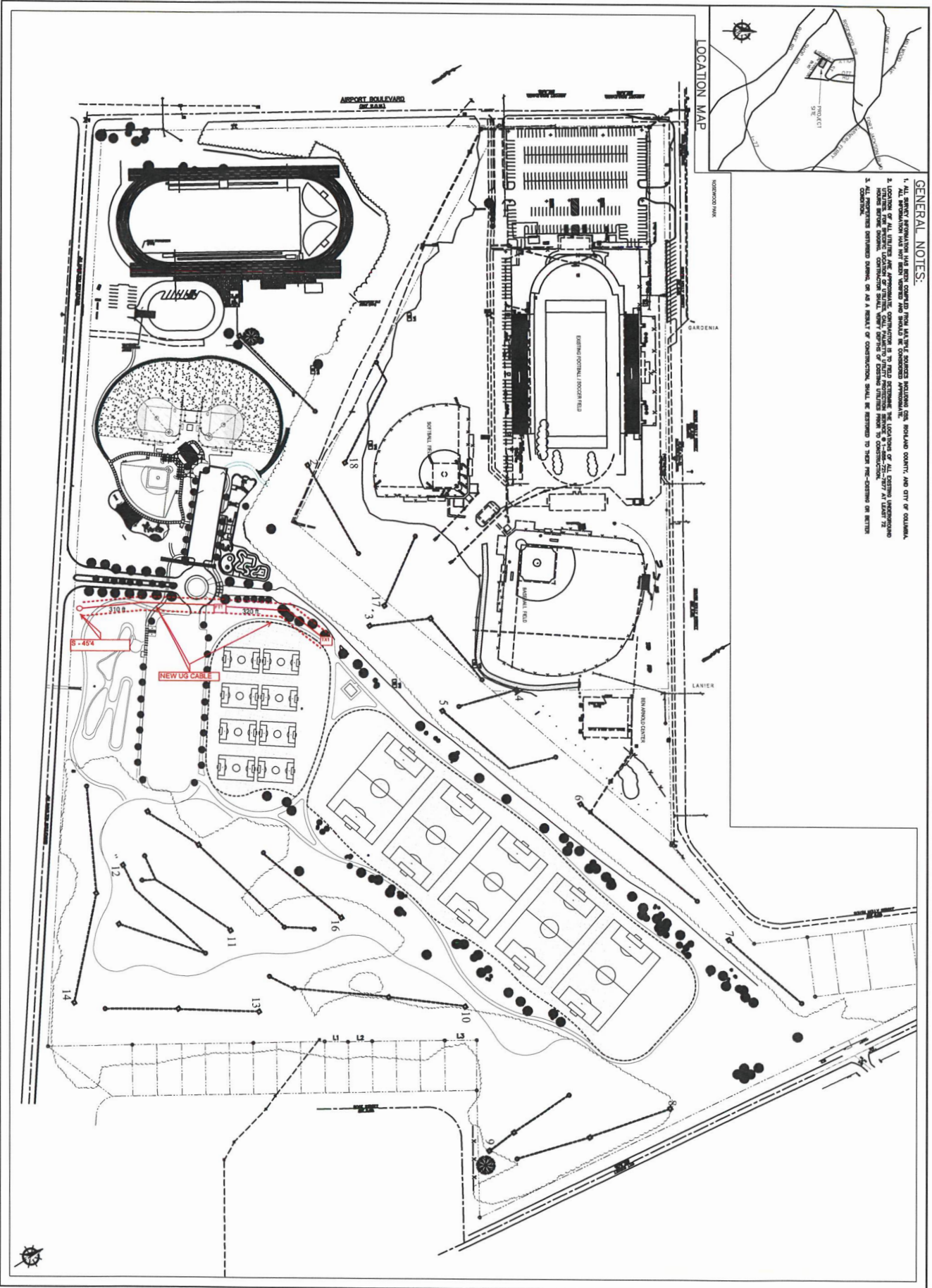
County: **RICHLAND**

R/W File Number: **27333**

Grantor(s): **RICHLAND COUNTY**

Return to: DESC

EXHIBIT "A"



- GENERAL NOTES:**
1. ALL SURVEY INFORMATION HAS BEEN OBTAINED FROM MULTIPLE SOURCES INCLUDING GSN, HAWAII COUNTY, AND CITY OF EOLIHA.
 2. ALL INFORMATION HAS NOT BEEN VERIFIED AND SHOULD BE CONSIDERED APPROXIMATE.
 3. THE CLIENT HAS BEEN ADVISED OF THE LIMITATIONS OF THIS SURVEY AND THE ACCURACY OF THE INFORMATION PROVIDED HEREON.
 4. THE CLIENT HAS BEEN ADVISED THAT ANY INFORMATION NOT SHOWN ON THIS PLAN IS NOT SHOWN FOR THE PURPOSE OF THIS PLAN.
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DRAWING INFORMATION DESIGNED BY: X DRAWN BY: X SCALE: 1"=100' DATE: X SHEET NO.: X	SHEET TITLE: OVERALL SITE PLAN	PROJECT TITLE: OWENS FIELD PARK RENOVATIONS (SOCCER FIELDS)	<table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>INITIALS</th> <th>REVISION</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	DATE	INITIALS	REVISION	DESCRIPTION																																														Ordinance #033-24HR Page 4 of 4
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STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. 032-24HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # R01507-02-03 AND R01507-02-04 FROM RESIDENTIAL TRANSITION DISTRICT (RT) TO NEIGHBORHOOD MIXED USE DISTRICT (MU1); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # R01507-02-03 and R01507-02-04 from Residential Transition District (RT) to Neighborhood Mixed Use District (MU1).

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

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

Section IV. Effective Date. This ordinance shall be effective from and after September 17, 2024.

RICHLAND COUNTY COUNCIL

By: _____
Jessica Mackey, Chair

Attest this 10th day of

September, 2024

Anette A. Kirylo
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: July 23, 2024
First Reading: July 23, 2024
Second Reading: August 27, 2024
Third Reading: September 17, 2024



**Richland County
Planning & Development Services Department**

Map Amendment Staff Report

PC MEETING DATE: June 3, 2024
RC PROJECT: 24-014 MA
APPLICANT: Erik Norton

LOCATION: 1301 Three Dog Road & Dutch Fork Road

TAX MAP NUMBER: R01507-02-03 & 04
ACREAGE: 2.6 acres (1.99 acres & .61 acres)
EXISTING ZONING: RT
PROPOSED ZONING: MU1

ZPH SIGN POSTING: July 8, 2024

Staff Recommendation

Disapproval

Background

Zoning History

The original zoning as adopted September 7, 1977 was Rural District (RU). With the adoption of 2021 Land Development Code, the property was mapped as Residential Transition (RT) District.

The subject was part of a previous zoning request for the Rural Commercial (RC) District under case number 23-025MA. The map amendment was denied by County Council

Zoning History for the General Area

The Neighborhood Mixed-Use District (MU-1) parcel southeast of the site was rezoned from Rural District (RU) under case number 20-019MA.

The Neighborhood Mixed-Use District (MU-1) parcel east (adjacent) of the site was rezoned from Rural District (RU) under case number 18-039MA.

The Neighborhood Mixed-Use District (MU-1) parcel east of the site was rezoned from Rural District (RU) under case number 18-007MA.

The GC parcel northeast of the site was rezoned from Rural District (RU) to General Commercial District (GC) under case number 07-046MA (Ordinance number 086-07HR).

The GC parcel west of the site was rezoned from RU to General Commercial District (GC) under case number 06-19MA (Ordinance number 062-06HR).

Zoning District Summary

The MU1: Neighborhood Mixed-Use District provides lands for moderate-intensity, neighborhood-scale commercial that supports the common day-to-day demands of the surrounding neighborhood for goods and services. This district allows a mix of commercial uses such as grocery stores, restaurants and bars, personal services, small-scale retail, and offices, as well as moderate-intensity multi-family residential development in close proximity to and with convenient access to shopping and employment within the district. District standards are intended to ensure uses, development intensities, and development forms supports development that:

- Is oriented toward and provides enhanced visual character on the major streets within the district;
- Provides safe and convenient vehicular, bicycle, and pedestrian access from surrounding neighborhoods; and
- Is well-integrated in terms of access and circulation, complementary uses, and compatible design.

Direction	Existing Zoning	Use
<u>North:</u>	N/A	Rail Road ROW
<u>South:</u>	PDD/PDD	Residence/ Undeveloped
<u>East:</u>	NC	Multi-tenant commercial development
<u>West:</u>	GC	Undeveloped

Discussion

Parcel/Area Characteristics

The parcels have frontage along Dutch Fork Road and Three Dog Road. Dutch Fork Road is a two-lane undivided minor arterial without sidewalks and streetlights along this section. Three Dog Road is a two-lane undivided minor arterial without sidewalks and streetlights along this section. The immediate area is primarily characterized by residential uses to the south and commercial zoning to the east and west. Located north of the site is railroad ROW.

Public Services

The subject parcels are within the boundaries of Lexington/Richland School District Five. Lake Murray Elementary School is located .48 miles south of the subject parcels on Three Dog Road. Records indicate that the parcel is in the City of Columbia's water service area and is in within Richland County's sewer service area. There is a fire hydrant located east of the site. The Dutch Fork/Ballentine fire station (station number 20) is located on Broad River Road, approximately 3.9 miles east of the subject parcels.

Being within a service area is not a guarantee that services are available to the parcel.

Plans & Policies

The 2015 Richland County Comprehensive Plan, ***"PUTTING THE PIECES IN PLACE"***, designates this area as ***Neighborhood (Low-Density)***.

Land Use and Design

Areas where low-density residential is the primary use. These areas serve as a transition between Rural and Neighborhood (Medium-Density) areas, and are opportunities for low-density traditional neighborhood development and open space developments that preserve open spaces and natural features. Commercial development should be located within nearby Neighborhood Activity Centers, and may be considered for location along main road corridors and within a contextually-appropriate distance from the intersection of a primary arterial. Places of worship and parks are appropriate institutional uses, but should be designed to mitigate impacts on surrounding neighborhoods. Industrial development with significant community impacts (i.e., noise, exhaust, odor, heavy truck traffic) is discouraged in these areas.

Desired Development Pattern

Lower-density, single-family neighborhood developments are preferred. Open space developments that provide increased densities in trade for the protection of open spaces and recreational areas are also encouraged (see Desired Pattern for Rural areas for more information on open space developments). Residential developments that incorporate more open spaces and protection of natural areas through the use of natural stormwater management techniques, such as swales, are encouraged. Homes in neighborhoods can be supported by small-scale neighborhood commercial establishments located at primary arterial intersections, preferably within Neighborhood Commercial Activity Centers.

Traffic Characteristics

The 2023 SCDOT traffic count (Station #145) located east of the subject parcel on Dutch Fork Road identifies 28,200 Average Daily Trips (ADT's). Dutch Fork Road is classified as a two lane undivided minor arterial road, maintained by SCDOT with a design capacity of 10,800 ADT's. This portion of Dutch Fork Road is currently operating at Level of Service (LOS) "F".

The ADTs are the total volume of traffic passing a point on a roadway during a 24-hour period. ADT data is collected by SCDOT.

There are no planned or programmed improvements for this section of Dutch Road through the County Penny Sales Tax program.

Conclusion

The proposed rezoning would not be consistent with the objectives outlined in the Comprehensive Plan.

The Plan recommends commercial development within Neighborhood Activity Centers and within contextually-appropriate distances from the intersection of a primary arterial. The subject parcel is not located at a traffic junction and is not within a contextually-appropriate distance of an intersection or Neighborhood Activity Center. The Plan also discourages "strip commercial development or fragmented 'leapfrog' development patterns along corridors."

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

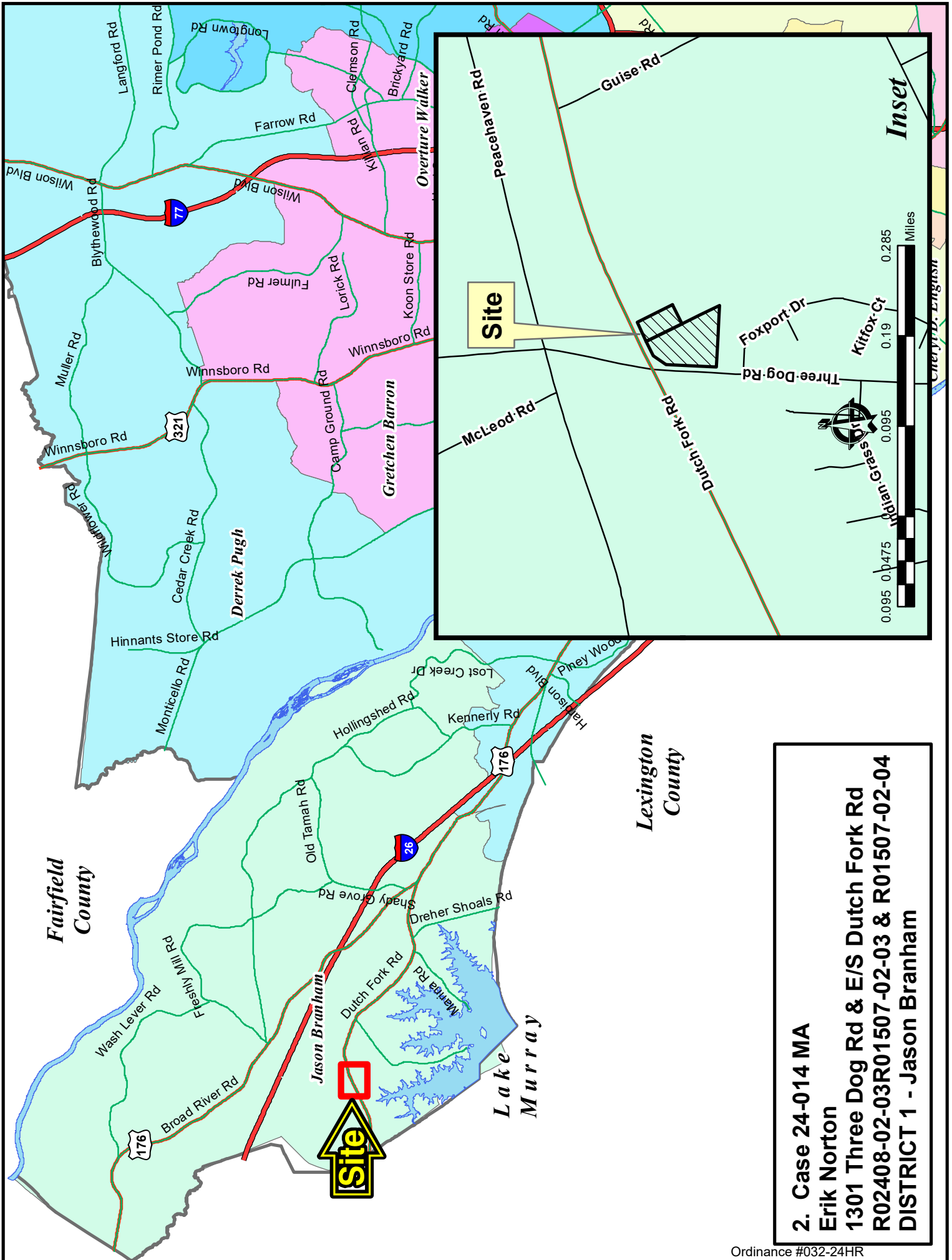
However, the reference of the Comprehensive Plan that the request should not result in "strip commercial" or "fragmented leapfrog" development may be negated due to the approvals of the previous map amendment approvals (see *Zoning History of the Area*).

Planning Commission Action

At their **June 3, 2024** meeting, the Richland County Planning Commission **disagreed** with the PDSD recommendation for the following reason:

- The requested zoning amendment would result in development that is contextually appropriate for the surrounding area.

The PC recommends the County Council approve the proposed amendment for RC Project # **24-014 MA**.



2. Case 24-014 MA
Erik Norton
1301 Three Dog Rd & E/S Dutch Fork Rd
R02408-02-03R01507-02-03 & R01507-02-04
DISTRICT 1 - Jason Branham

**CASE 24-014
RT to MU1**

TMS R01507-02-03 & R01507-02-04

Site



McLeod Rd

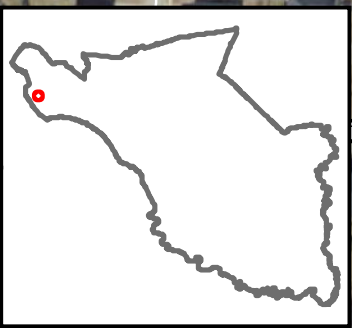
Peacehaven Rd

Dutch Fork Rd

Foxport Dr

SPECIAL FLOOD HAZARD AREA

WETLANDS



Bunchberry Ct

ian Grass Dr

Three Dog Rd

Kitfox Ct

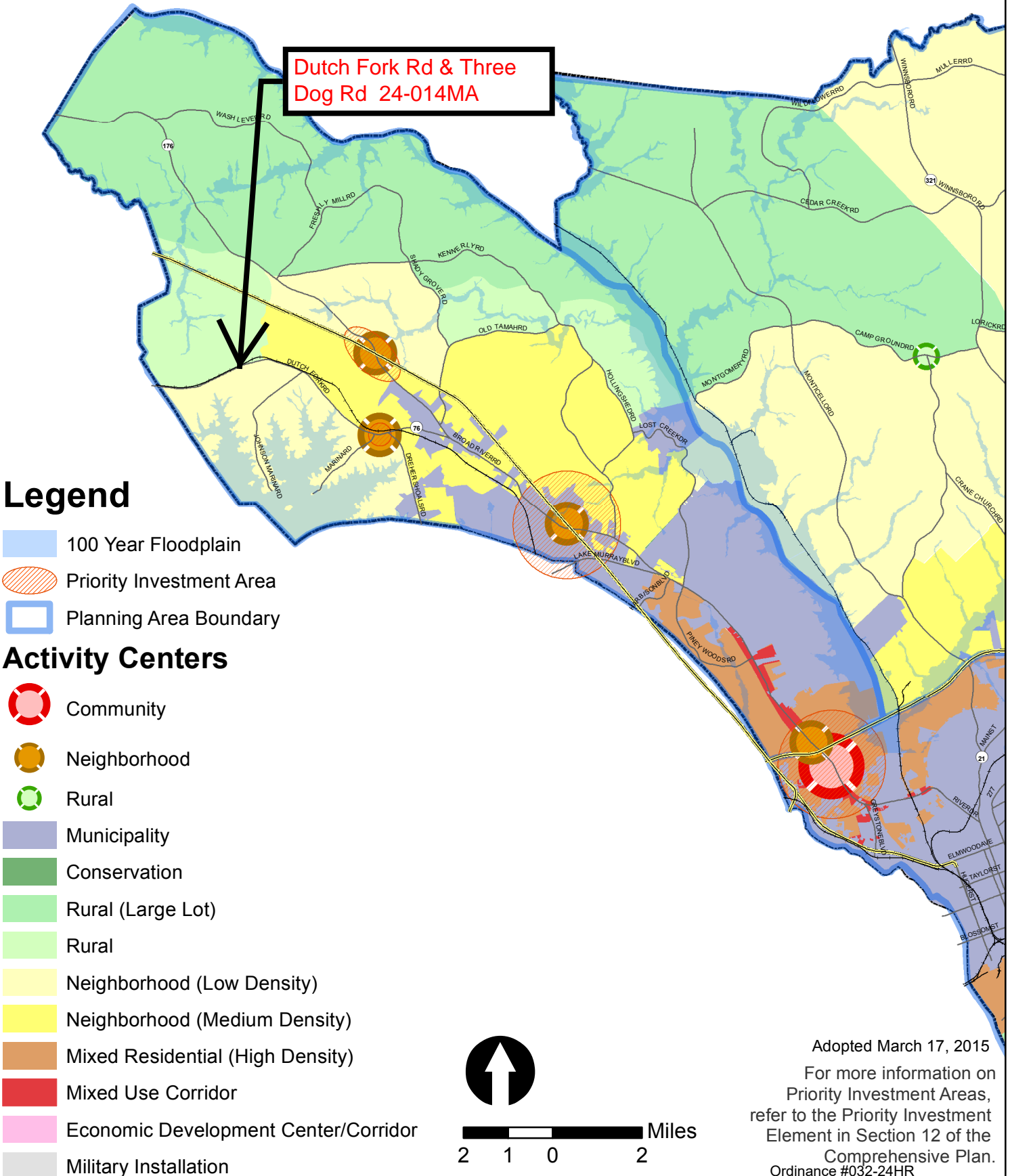


NORTHWEST PLANNING AREA

FUTURE LAND USE & PRIORITY INVESTMENT AREAS



Dutch Fork Rd & Three Dog Rd 24-014MA



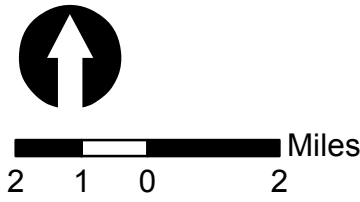
Legend

- 100 Year Floodplain
- Priority Investment Area
- Planning Area Boundary

Activity Centers

- Community
- Neighborhood
- Rural

- Municipality
- Conservation
- Rural (Large Lot)
- Rural
- Neighborhood (Low Density)
- Neighborhood (Medium Density)
- Mixed Residential (High Density)
- Mixed Use Corridor
- Economic Development Center/Corridor
- Military Installation



Adopted March 17, 2015
 For more information on Priority Investment Areas, refer to the Priority Investment Element in Section 12 of the Comprehensive Plan.
 Ordinance #032-24HR
 Page 8 of 10

Case #24-014 MA - Zoning Districts

Current Zoning District

Residential Transition (RT) District

Use Classification, Category, Type	RT
Agricultural	
Agriculture and Forestry	
Agriculture	P
Community garden	SR
Forestry	P
Agriculture and Forestry Related	
Agritourism	SR
Equestrian center	SR
Farm winery	SR
Produce stand	SR
Riding or boarding stable	P
Rural retreat	SE
Residential	
Household Living	
Dwelling, Single-family detached	P
Group home, Family	SR
Manufactured home	SR
Manufactured home park	SR
Group Living	
Children’s residential care home	SE
Continuing care community	SE
Group home, Large	SE
Rooming or boarding house	SR
Community Service	
Community recreation center	SR
Day care facility	SR
Library	SR
Membership organization facility	SE
Nursing care facility	SE
Place of worship	SR
Public recreation facility	SR
Public safety facility	P
Education	
Elementary, middle, or high school	SR
Funeral and Mortuary Services	
Cemetery	SR
Parks and Open Space	
Arboretum or botanical garden	SE
Park or greenway	SR
Transportation	
Transit stop	SR
Utilities and Communication	
Antenna	P
Communication tower	SE
Solar energy conversion system, Large scale	SR
Utility, minor	SR

Commercial	
Kennel	SR
Recreation/Entertainment	
Golf course	SR
Hunt club	P
Traveler Accommodations	
Bed and breakfast	SR
Campground	SR
Home-based lodging	SR
Industrial	
Extraction	
Borrow pit	SE

a. Permitted Uses

A “P” indicates that the use is allowed by right in the zoning district at the head of that column.

b. Special Requirements Uses

An “SR” indicates that the use is allowed in the zoning district at the head of that column only if the Zoning Administrator determines the use complies with the use-specific standards.

c. Special Exception Uses

An “SE” indicates that the use is allowed in the zoning district only if the Board of Zoning Appeals approves a special exception permit for the use.

Case #24-014 MA - Zoning Districts

Proposed Zoning District	
Neighborhood Mixed-Use (MU1) District	
Use Classification, Category, Type	MU1
Agricultural	
Agriculture and Forestry	
Community garden	SR
Agriculture and Forestry Related	
Produce stand	P
Residential	
Household Living	
Dwelling, Live-Work	SR
Dwelling, Multi-family	P
Group home, Family	SR
Group Living	
Children’s residential care home	P
Continuing care community	SR
Group home, Large	SE
Rooming or boarding house	SE
Community Service	
Community food services	P
Community recreation center	SR
Cultural facility	P
Day care facility	SR
Government office	P
Library	P
Membership organization facility	P
Nursing care facility	P
Place of worship	P
Public recreation facility	SR
Public safety facility	P
Short-term or transitional housing	SE
Education	
College or university	P
Elementary, middle, or high school	P
School, business or trade	SR
Funeral and Mortuary Services	
Cemetery	SR
Funeral home or mortuary	P
Parks and Open Space	
Arboretum or botanical garden	P
Park or greenway	SR
Transportation	
Transit stop	SR
Passenger terminal, surface transportation	SE
Utilities and Communication	
Antenna	P
Communication tower	SE
Utility, minor	SR

Commercial	
Kennel	SR
Pet grooming	SR
Veterinary hospital or clinic	SR
Commercial Services	
Artist studio	P
Auction house	
Bank, Retail	SR
Catering	P
Commercial services	P
Consumer goods repair	SR
Medical, dental, and health practitioner	P
Non-depository personal credit institution	SR
Office	SR
Personal services	P
Rental center	SR
Self-service storage facility	SR
Tattoo or body piercing facility	SR
Bar or other drinking place	SE
Restaurant	SR
Restaurant, Carry-out	P
Recreation/Entertainment	
Commercial recreation, Indoor	SR
Fitness or training center/studio	P
Smoking place	SR
Retail Sales	
Bakery	P
Consumer goods store	SR
Convenience store	P
Drugstore	SR
Farmers’ market	P
Garden center or retail nursery	P
Grocery/Food store	P
Pawnshop	P
Traveler Accommodations	
Bed and breakfast	SR
Vehicle Sales and Services	
Parking, Commercial	P
Vehicle fueling station	P
Freight Movement, Warehousing, and Wholesale Distribution	
Warehouse/Distribution facility	SR
Production of Goods	
Artisan goods production	SR

a. Permitted Uses
A “P” indicates that the use is allowed by right in the zoning district at the head of that column.

b. Special Requirements Uses
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