

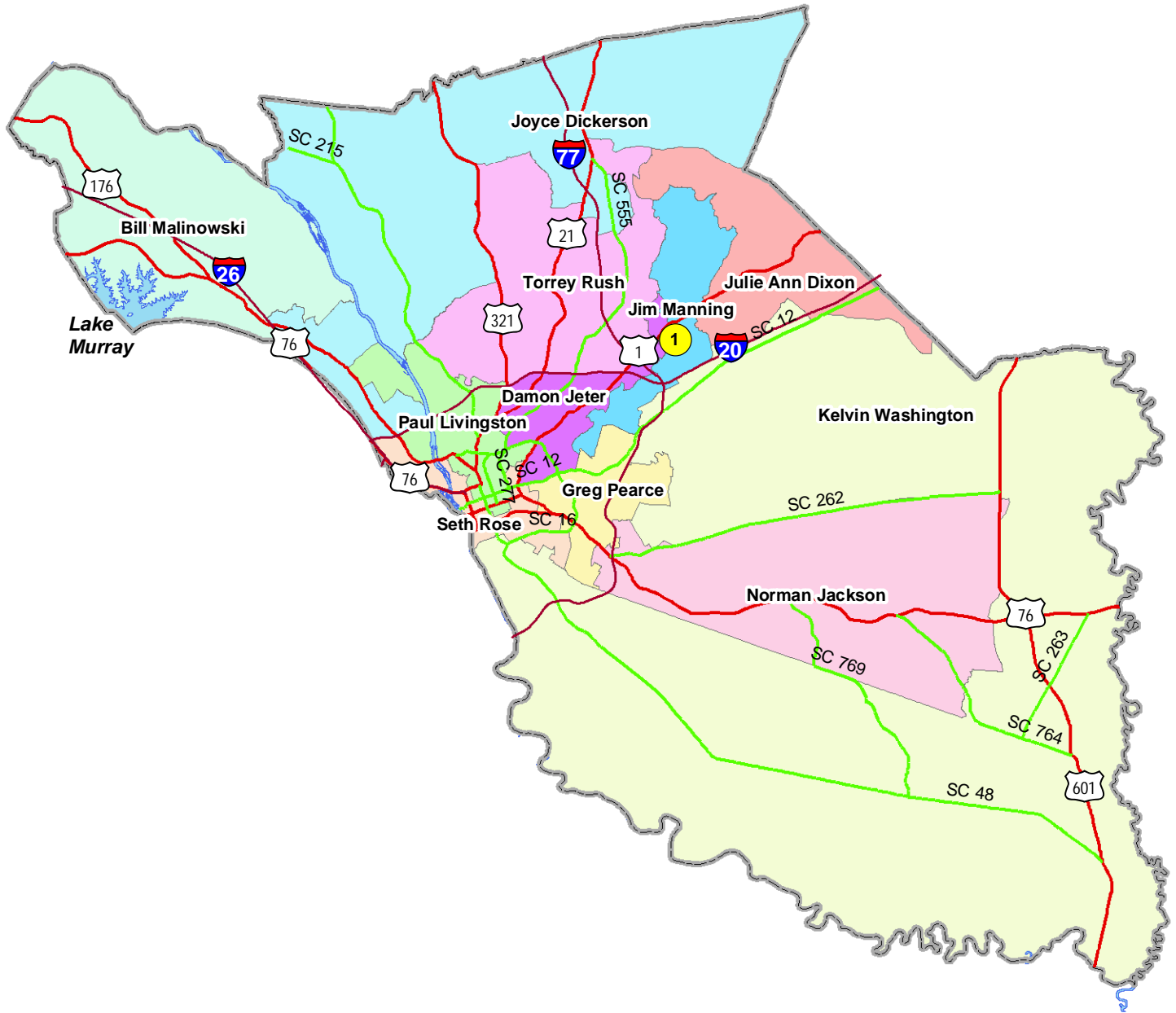
RICHLAND COUNTY COUNCIL  
ZONING PUBLIC HEARING



NOVEMBER 26, 2013



*RICHLAND COUNTY COUNCIL  
ZONING PUBLIC HEARING  
NOVEMBER 26, 2013*



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 13-35 MA	Charles Marshall, Jr.	19907-06-01 & 08	9875 Windsor Lake Blvd.	Manning





**RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING**

**Tuesday, November 26, 2013**

**7:00 P.M.**

**2020 Hampton Street  
2<sup>nd</sup> Floor, Council Chambers  
Columbia, South Carolina**

**STAFF:**

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

**CALL TO ORDER** .....Honorable Kelvin E. Washington, Sr.  
Chairman of Richland County Council

**ADDITIONS / DELETIONS TO THE AGENDA**

**OPEN PUBLIC HEARING**

**MAP AMENDMENTS [ACTION]**

1. Case # 13-35 MA  
Charles Marshall Jr.  
RS-LD to TROS (4.23 acres)  
9875 Windsor Lake Blvd.  
TMS# 19907-06-01 & 08 [**FIRST READING**]  
Planning Commission Approved 7-0  
Page 1

**TEXT AMENDMENTS [ACTION]**

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-151, PERMITTED USES WITH SPECIAL REQUIREMENTS; SUBSECTION (C), STANDARDS; PARAGRAPH (8), BARS AND OTHER DRINKING PLACES; SO AS TO REMOVE THE DISTANCE REQUIREMENT BETWEEN BARS AND PLACES OF WORSHIP IN THE GC, M-1, AND LI ZONING DISTRICTS.  
[**SECOND READING**] Planning Commission Approved 7-0  
Page 9

**ADJOURNMENT**





## Richland County Planning & Development Services Department

### Map Amendment Staff Report

**PC MEETING DATE:** November 4, 2013  
**RC PROJECT:** 13-35 MA  
**APPLICANT:** Charles Marshal Jr.

**LOCATION:** Windsor Lake Boulevard

**TAX MAP NUMBER:** 19907-06-01 & 08  
**ACREAGE:** 4.23 acres  
**EXISTING ZONING:** RS-LD  
**PROPOSED ZONING:** TROS

**PC SIGN POSTING:** October 11, 2013

#### Staff Recommendation

Approval

#### Background

##### Zoning History

The original zoning as adopted September 7, 1977 was Residential Single-family Low Density District (RS-1). With the adoption of the 2005 Land Development Code the RS-1 District was designated Residential Single-Family Low Density District (RS-LD).

##### Zoning History General Area

The RS-LD District parcel north of the subject parcels with frontage along North Chelsea Road was approved for a special exception to allow a real estate office under case number 89-00SE. Otherwise, the subject property was part of a previous rezoning request (Case 13-24MA) to Office and Institutional District (OI). The rezoning was denied at the September 24<sup>th</sup>, 2013 Zoning Public Hearing.

##### Zoning District Summary

The purpose of the Traditional Recreation Open Space District (TROS) is to ensure the preservation of conservation, recreation, and/or open space; and to lessen the diminution of property values from the loss of open space commonly provided for in a community; and to provide opportunities for improved public and/or private recreation activities; and to provide for a community-wide network of open space, buffer zones, and recreation spaces.

No minimum lot area, except as determined by DHEC.

Direction	Existing Zoning	Use
<u>North:</u>	RS-LD	Residence
<u>South:</u>	RS-LD	Residence
<u>East:</u>	RS-LD	Residence
<u>West:</u>	GC	Spring Valley Commons Commercial Strip Shopping Center/Residence

**Discussion**

**Parcel/Area Characteristics**

The parcel contains six hundred and twenty six (626) feet of frontage along Windsor Lake Boulevard and is occupied by the former HOA club house structure, a pool and tennis courts. There is access to the site from Windsor Lake Boulevard and the perimeter is surrounded by a chain link fence. Windsor Lake Boulevard is a two lane local, residential collector road with sidewalks along the south side. The immediate area is primarily characterized by residential uses with the commercial uses west of the site along Two Notch Road. It should be noted that the commercial uses are separated from the subject parcels by a rail road track and Two Notch Road. North, east and south of the subject parcels is a fully-developed, well-established, single family residential subdivision. Located north and east of the subject parcels is The Briarwood subdivision and located south of the subject parcels is the Windsor Estates subdivision.

**Public Services**

The subject parcels are within the boundaries of School District Two. Windsor Elementary School is .12 miles south east of the subject parcels on Dunbarton Drive. E.L. Wright Middle School is .49 miles south of the subject parcels on Windsor Lake Boulevard. Water is provided by the City of Columbia and sewer is provided by East Richland County Public Service District. There is a fire hydrant located east of the properties on Windsor Lake Boulevard. The Jackson Creek fire station (station number 32) is located on Two Notch Road, approximately .2 miles north of the subject parcel.

**Plans & Policies**

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

Objective: Recreational uses are best located in areas adjacent to or within residential developments with provisions for connectivity to the surrounding area. Large recreational facilities (spectator sports) should be located in areas with adequate space for parking and related facilities with access to arterials and/or highways. The National Recreation and Park Association (NRPA) recommends 6.25 to 10.5 acres of parks and open space per 1,000 people.

Compliance: The subject property is located within an existing established residential subdivision and has the potential to provide connectivity to the surrounding area. As such, staff believes that the proposed zoning on the site would be in compliance with the recommended objective for suburban recreational activities in the Comprehensive Plan.



### **Traffic Impact**

The 2012 SCDOT traffic count (Station # 115) located north of the subject parcels on Two Notch Road identifies 35,600 Average Daily Trips (ADT's). Two Notch Road is classified as a five lane undivided Minor Arterial, maintained by SCDOT with a design capacity of 33,600 ADT's. Two Notch Road is currently operating at Level of Service (LOS) "D".

The 2012 SCDOT traffic count (Station # 425) located south of the subject parcels on Windsor Lake Boulevard identifies 4,500 Average Daily Trips (ADT's). Windsor Lake Boulevard is classified as a two lane undivided Collector, maintained by SCDOT with a design capacity of 8,600 ADT's. Windsor Lake Boulevard is currently operating at Level of Service (LOS) "B" in this location.

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

### **Conclusion**

Given the location of the site, at the entrance and periphery of the subdivision, also located along the railroad right-of-way, staff does not anticipate much redevelopment opportunity for single family residential use. Additionally, were the site to be utilized for public and/or private recreation activities, staff is of the opinion that the site would meet the intent of the TROS District by ensuring the preservation of conservation, recreation, and/or open space. The proposed request is in compliance with the recommendations of the Comprehensive Plan as it is located in an area with adequate space for parking and related facilities with nearby access to arterials and/or highways, while also situated internal to the existing Briarwood subdivision. The subject parcels are buffered from the commercial uses along Two Notch Road by the railroad right-of-way.

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

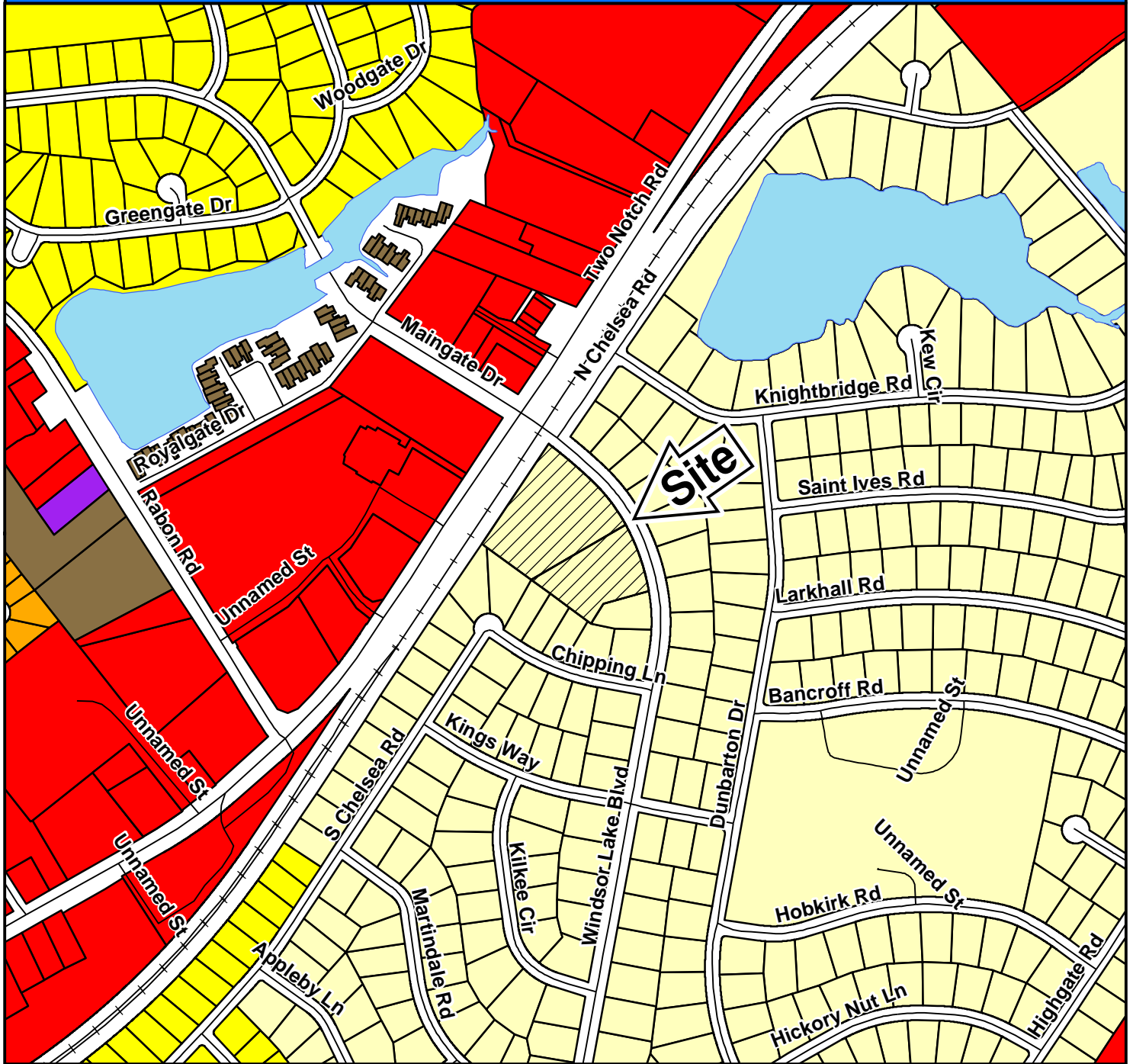
### **Zoning Public Hearing Date**

**November 26, 2013**

### **Planning Commission Action**

At their meeting of **November 4, 2013** the Richland County Planning Commission **agreed** with the PDSR recommendation and recommends the County Council initiate the ordinance consideration process to **approve the proposed Amendment** for **RC Project # 13-35 MA**.

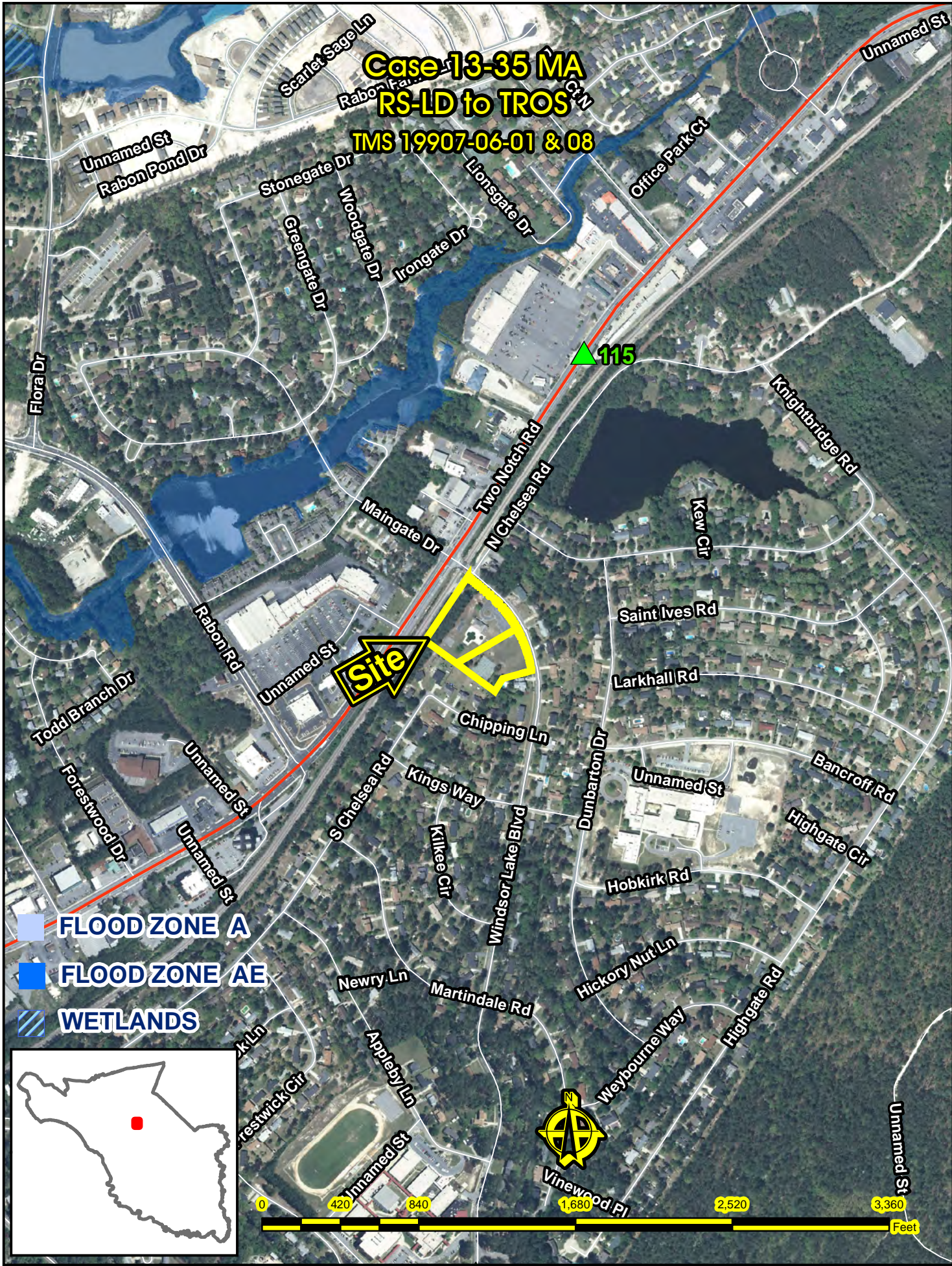
# Case 13-35 MA RS-LD to TROS



## ZONING CLASSIFICATIONS

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

**Case 13-35 MA  
RS-LD to TROS  
TMS 19907-06-01 & 08**



# CASE 13-24 MA

## From RS-LD to TROS

TMS# 19907-06-01 & 08

Windsor Lake Blvd



Looking at structure on subject parcels



Looking north of subject parcels 06/11/2013

The zoning change from RS-LD (Residential Low Density) to TROS (Traditional Recreational Open Space) would permit the introduction of the following uses which were not allowed previously in the original zoning

<b>USE TYPES</b>	<b>TROS</b>
Athletic Fields	SR
Country Clubs with Golf Courses	SR
Dance Studios and Schools	
Golf Courses	SR
Golf Driving Ranges (Freestanding)	SR
Riding Stables	P
Swim and Tennis Clubs	SR

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

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 19907-06-01 AND TMS # 19907-06-08 FROM RS-LD (RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT) TO TROS (TRADITIONAL RECREATION OPEN SPACE DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 19907-06-01 and TMS # 19907-06-08 from RS-LD (Residential, Single-Family – Low Density District) zoning to TROS (Traditional Recreational Open Space District) zoning.

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

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

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

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Kelvin E. Washington, Sr., Chair

Attest this \_\_\_\_\_ day of  
\_\_\_\_\_, 2013.

\_\_\_\_\_  
Michelle Onley  
Clerk of Council

Public Hearing: November 26, 2013 (tentative)  
First Reading: November 26, 2013 (tentative)  
Second Reading:  
Third Reading:

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-151, PERMITTED USES WITH SPECIAL REQUIREMENTS; SUBSECTION (C), STANDARDS; PARAGRAPH (8), BARS AND OTHER DRINKING PLACES; SO AS TO REMOVE THE DISTANCE REQUIREMENT BETWEEN BARS AND PLACES OF WORSHIP IN THE GC, M-1, AND LI ZONING DISTRICTS.

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

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

(8) *Bars and other drinking places.*

a. Use districts: Rural Commercial.

1. 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.
2. 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.
3. 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.
4. A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residentially zoned or used property.

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

1. 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.~~

2. 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.
3. 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.
4. A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residentially zoned or used property.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2013.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Kelvin E. Washington, Jr., Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2013

\_\_\_\_\_  
Michelle Onley  
Interim Clerk of Council

First Reading:           October 1, 2013  
Public Hearing:           November 26, 2013 (tentative)  
Second Reading:        November 26, 2013 (tentative)  
Third Reading:



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

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



**Richland County Government**  
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