

**RICHLAND COUNTY COUNCIL  
REGULAR SESSION  
COUNCIL CHAMBERS  
JUNE 21, 2005  
6:00 P.M.**

**CALL TO ORDER      Honorable Anthony G. Mizzell,  
Chairman**

**INVOCATION          Honorable Bernice G. Scott**

**PLEDGE OF ALLEGIANCE  
Honorable Bernice G. Scott**

**ADOPTION OF AGENDA**

**CITIZEN'S INPUT**

**APPROVAL OF MINUTES - Regular Session: June 7, 2005  
[Pages 4- 12]**

**Special Called Meeting: June 8, 2005  
[Pages 13-18]**

**REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION  
ITEMS**

**REPORT OF THE COUNTY ADMINISTRATOR**

**REPORT OF THE CLERK OF COUNCIL**

**a.      NACo Conference/3<sup>rd</sup> Reading of Recreation Commission Bond  
Ordinance**

**APPROVAL OF PUBLIC HEARING ITEMS  
None**

## **APPROVAL OF CONSENT ITEMS**

**1.b.; 1.c.; 1.d.; 1.f.; 1.g.; 1.h.; 1.i.; 2.a.; 2.b.; 2.d.; 2.e.**

### **1. THIRD READING ITEMS**

- a. 05-52MA  
NKD, Inc. River Shoals  
TMS 04300-04-10 O'Sheal Road  
RU to PUD-1R [Pages 19-23]**
  
- b. 05-60MA  
Randy Mosteller  
RU to C-3  
Retail Commercial  
01511-01-01-04/05/06/08  
Dutch Fork Road near The Lowman Home  
[CONSENT] [Pages 24-26]**
  
- c. 05-61MA  
David Lucas  
D-1 to C-3  
General Commercial  
04003-02-16  
Broad River Road & Sease Road  
[CONSENT] [Pages 27-29]**
  
- d. 05-62MA  
Karen McMillan  
RS-3 to C-1  
Boarding House  
09311-06-05  
5752 Knightner Road near Monticello Road  
[CONSENT] [Pages 30-32]**

- e. **05-63MA**  
**Christina Middleton**  
**D-1 to RS-2**  
**Single Family Detached**  
**Subdivision**  
**22015-04-40/63**  
**Lower Richland Boulevard [Pages 33-35]**
  
- f. **05-64MA**  
**Carroll Investment Properties**  
**C-3 & D-1 to RG-2**  
**Construct multi-family development**  
**19100-04-20**  
**North Side Garner's Ferry Road at Mill Creek [CONSENT]**  
**[Pages 36-38]**
  
- g. **05-68MA**  
**RSL Simon, LLC**  
**Jeff Freeman**  
**PUD-2 to amended PUD-2**  
**MH to PUD-2**  
**Office Park**  
**23000-03-19**  
**Summit Terrace Court**  
**[CONSENT] [Page 39-43]**
  
- h. **05-70MA**  
**Village of Hope, CDC**  
**RG-2 to PUD-1R**  
**Mixed Residential densities and commercial**  
**09104-01/06/20**  
**McRae and Gibson Streets**  
**[CONSENT] [Pages 44-50]**
  
- i. **Land Development Code – Vested Rights**  
**[CONSENT] [Pages 51-62]**

## **2. SECOND READING ITEMS**

- a. **Planning and Development Services: Adoption of the 2003 Editions of the International Residential Code, International Fuel Gas Code, and International Property Maintenance Code [CONSENT] [Pages 63-65]**
  - b. **Ordinance repealing Deed in Richland Northeast Industrial Park [CONSENT] [Pages 66-67]**
  - c. **Utilities Ordinance Amendment [Pages 68-73]**
  - d. **Planning and Development Services: Organization Ordinance [CONSENT] [Pages 74-78]**
  - e. **Traffic Calming Standard Ordinance [CONSENT] [Pages 79-80]**
- 3. REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**
- a. **Ordinance authorizing amendment to the Master Multi-County Park Agreement to include International Paper, Inc. and R.C. McEntire, Inc. [Pages 81-82]**
- 4. CITIZEN'S INPUT**
- 5. EXECUTIVE SESSION ITEM**
- a. **Personnel Matter**
- 6. MOTION PERIOD**
- a. **Approval of Resolution – Rev. Onetha Chambers**
- 7. ADJOURNMENT**

## MINUTES OF



### RICHLAND COUNTY COUNCIL REGULAR SESSION MEETING TUESDAY, JUNE 7, 2005 6:00 p.m.

*In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.*

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#### MEMBERS PRESENT:

Chair	Anthony G. Mizzell
Vice Chair	L. Gregory Pearce, Jr.
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Paul Livingston
Member	Joseph McEachern
Member	Mike Montgomery
Member	Bernice G. Scott
Member	Kit Smith
Member	Doris M. Corley
Absent	Damon Jeter

**ALSO PRESENT:** Michielle Cannon-Finch, T. Cary McSwain, Larry Smith, Milton Pope, Tony McDonald, Ashley Bloom, Michael Criss, Edith Caudle, Monique Walters, Marsheika Martin, Chief Harrell, Joe Cronin, Chris Eversman

#### CALL TO ORDER

The meeting was called to order at approximately 6:04 p.m.

**INVOCATION** – The Invocation was given by the Honorable L. Gregory Pearce, Jr.

#### PLEDGE OF ALLEGIANCE

#### ADOPTION OF AGENDA

Ms. Michielle Cannon-Finch, Clerk of Council, stated item 2-f (05-68MA) rezoning request needs to be changed from MH to PUD-2.

Mr. Pearce requested adding a legal briefing to be discussed in Executive Session.

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Ms. Scott moved, seconded by Ms. Dickerson, to adopt the agenda as amended. The vote in favor was unanimous.

### PRESENTATIONS

**Ms. Mickey Koontz – CASA -Volunteer of the Year Award** – Ms. Koontz was honored for serving as Guardian for a total of 90 children in Richland County. Family, friends and staff from CASA were present to support Ms. Koontz.

On behalf of National CASA Association, Mr. Milton Pope, Assistant County Administrator, congratulated Ms. Koontz on receiving the Richland County CASA's Program Achievement Award. A \$1500 donation was made in Ms. Koontz's name to Richland County CASA.

Council was invited to attend reception which was being held on the 4<sup>th</sup> Floor immediately following the presentation.

**Richland 101 Graduation** – Citizens were given certificates for their participation in the semi-annual class on County issues.

**Dr. Mike McGee, Athletics Director of The University of South Carolina** – On behalf of Council, Mr. Mizzell and Ms. Hutchinson, presented Dr. McGee a resolution for his successful career as Athletic Director at USC.

### CITIZEN'S INPUT

No one signed up to speak at this time.

### APPROVAL OF MINUTES

**Regular Session: May 17, 2005** – Mr. Livingston moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

**Budget Public Hearing: May 19, 2005** – Mr. Pearce moved, seconded by Ms. Corley, to approve the minutes as submitted. The vote in favor was unanimous.

**Zoning Public Hearing: May 24, 2005** – Ms. Scott moved, seconded by Ms. Corley, to approve the minutes as submitted. The vote in favor was unanimous.

### REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSIVE ITEMS

Mr. Larry Smith, County Attorney, stated the Legal Briefing is the only item on the agenda to be discussed in Executive Session.

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## REPORT OF THE COUNTY ADMINISTRATOR

**Presentation from SCAC:** Mr. Robert S. Croom, Assistant Director of the Legal and Legislative Affairs at the SCAC, has requested a brief presentation regarding the legislative outcome for this year.

**City/County Subcommittee** – The subcommittee held a breakfast meeting at the Clarion Townhouse to discuss various city/county issues. The outcome was significant and positive.

**Budget Director's request** – Council was asked to get budget motions to the Budget Director's Office before Third Reading.

**USC MOU** – The MOU has been executed and delivered to the Budget and Control Board on Monday. The financial strategy was not available at this time.

## REPORT OF THE CLERK OF COUNCIL

**Community Relations Council's Annual Luncheon** – The luncheon is scheduled for Wednesday, June 15<sup>th</sup> from 12:30p until 2:30p at Seawell's. The following Council members said they could attend: McEachern, Livingston, Hutchinson, Mizzell, Dickerson and Scott.

**Utilities Work Session** - The work session is scheduled for Tuesday, June 14<sup>th</sup> from 5:00p until 7:00p.

**Council's Meeting Schedule for July** – Mr. Pearce moved, seconded by Mr. McEachern, to cancel the July 5<sup>th</sup> meeting and reschedule the first meeting in July for the 12<sup>th</sup>. The vote in favor was unanimous.

**Special Called Meeting Agenda** – Council was informed that the agendas for the June 8<sup>th</sup> Meeting are available and will be passed out at the end of the meeting.

**PSI-Private Investigator Item** - Council was informed that this consent item was inadvertently left off of the agenda.

Ms. Smith moved, seconded by Ms. Scott, to add the item to the agenda as item-3-f.3. The vote in favor was unanimous.

**FY 2005 Budget Amendment Request** – Council was informed that this item should be on the agenda for Third Reading and not Second Reading.

## OPEN/CLOSE PUBLIC HEARINGS

There were no items on the agenda for a public hearing.

### APPROVAL OF CONSENT ITEMS

Mr. Montgomery moved, seconded by Ms. Hutchinson, to approve the following items for the consent agenda:

- **Ordinance authorizing the funding of a site for a new Farmer's Market through the issuance of not to exceed \$5,000,000 Richland County [Third Reading]**
- **05-60MA, Randy Mosteller, RU to C-3, Retail Commercial, 01511-01-04/05/06/08, Dutch Fork Road near the Lowman Home [Second Reading]**
- **05-61MA, David Lucas, D-1 to C-3, General Commercial, 04003-02-16, Broad River Road & Sease Road [Second Reading]**
- **05-62MA, Karen McMillan, RS-3 to C-1, Board House, 09311-06-05, 5752 Kinghter Road near Monticello Road [Second Reading]**
- **05-64MA, Carroll Investment Properties, C-3 & D-1 to RG-2, Construct multi-family development, 19100-04-20, North Side Garner's Ferry Road at Mill Creek [Second Reading]**
- **05-68MA, RSL Simon, LLC, Jeff Freeman, PUD-2 to amended PUD-2, MH to PUD-2, Office Park, 23000-03-19, Summit Terrace Court [Second Reading]**
- **05-70MA, Village of Hope, CDC, RG-2 to PUD-1R, Mixed Residential densities & commercial, 09104-01/06/20, McRae and Gibson Streets [Second Reading]**
- **Land Development Code-Vested Rights [Second Reading]**
- **Planning and Development Services: Adoption of the 2003 Editions of the International Residential Code, International Fuel Gas Code, and International Property Maintenance Code**
- **Emergency Services-Purchase Orders for 2005-2006**
- **Emergency Services-Ballentine Fire Station Roof Installation**
- **Ordinance repealing Deed in Richland Northeast Industrial Park**
- **Information Technology: Countywide Microsoft Licensing**
- **U.S. Economic Development Administration Comprehensive Economic Development Strategy (CEDS)**
- **Private Investigator Business License Applications-Brooks Professional Investigative & Consultant Services (Israel Brooks)**
- **Private Investigator Business License Applications-Gordon Agencies, Inc. (James Gordon, Jr.)**
- **Private Investigator Business License Applications-PSI**
- **Planning and Development Services: Organization Ordinance**
- **Department of Public Works-Purchase of replacement clamshell truck**
- **Department of Public Works-2005 Roadway Resurfacing Project**
- **Department of Public Works-Traffic calming standard**
- **A Resolution to appoint and commission James W. Bouknight, Clarence E. Hudgins, Albert R. Little, and Stephanie P. Obley as**



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- **Code Enforcement Officers for the property, security, general welfare, and convenience of Richland County**

The vote in favor was unanimous.

### THIRD READING ITEM

**Fiscal Year 2005 Budget Amendment Request** – Ms. Smith stated this is an amendment to transfer funds from one division to another to bring the budget into conformity. She stated that Committee's recommendation was for approval on a divided vote. The vote in favor was unanimous.

### SECOND READING

**05-52MA, NKD, Inc., River Shoals, TMS 04300-04-10 O'Sheal Road, RU to PUD-1R**

Ms. Scott moved, seconded by Ms. Dickerson, to approve the rezoning request for Second Reading. The vote was in favor.

**05-63MA, Christina Middleton, D-1 to RS-2, Single Family Detached Subdivision, 22015-04-40/63, Lower Richland Boulevard**

Mr. Livingston moved, seconded by Mr. Pearce, to approve the rezoning request for Second Reading. The vote was in favor.

### REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

**Department of Public Works - Utilities Ordinance Amendment**

Ms. Smith stated the Committee recommended approval (on a divided vote) of an ordinance to establish the Department of Utilities as a separate department from Public Works.

Mr. McEachern offered an amendment to the main motion, seconded by Ms. Scott, to strike the section regarding the General Support Services from the ordinance.

Mr. McSwain stated a recommendation could be brought back to Council regarding the change in duties and the grading of it. He stated that could be presented within the ordinance.

After discussion, Ms. Scott moved, seconded by Mr. Jeter, to defer this item to the next meeting. The vote in favor was unanimous.

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## REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

### 1. Notification of Vacancies on Boards, Commissions and Committees

Mr. McEachern notified Council of the following vacancies:

- **Board of Assessment Control-1**
- **Central Midlands Council of Governments-2**
- **Community Relations Council-3**
- **East Richland Public Service Commission-1**
- **Employee Grievance Committee-1**
- **Library Board of Trustees-6**

### 2. Notification of Appointments to Boards, Commissions, and Committees

**Building Codes Board of Adjustments and Appeals-1** - Mr. McEachern stated there is one vacancy to this board with one application received. The committee recommended re-appointing Mr. Steve Nelson to the board. The vote in favor was unanimous.

**Internal Audit Committee-1** - Mr. McEachern stated there is one vacancy to this board. The Committee recommended re-advertising for this position and requested for the advertisement to stay current until the position is filled in order to avoid reoccurring costs. The vote in favor was unanimous.

**Recreation Commission** – Mr. McEachern stated the committee recommended advertising all seven (7) positions for five-year appointments and set up a Work Session to discuss other legal issues. The vote in favor was unanimous.

Mr. McEachern stated a Work Session date can be scheduled during the Motion Period.

### 3. Item for Discussion

**Including Sponsors' Names on Resolutions** - Mr. McEachern stated the Committee recommended that if a Council Member makes a motion for a Resolution that their name be placed on the Resolution as the sponsor along with any other members who would like to sponsor the Resolution.

A discussion took place.

After a voice vote, the vote was as follows:

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In favor

Corley  
 Pearce  
 Scott

Oppose

Montgomery  
 McEachern  
 Mizzell  
 Smith  
 Livingston  
 Hutchinson  
 Dickerson

The motion failed.

Ms. Scott wanted the record to reflect that she received 86% of votes in her district and is well known.

**APPLICATION OF LOCATING A COMMUNITY RESIDENTIAL CARE FACILITY IN AN UNINCORPORATED AREA OF RICHLAND COUNTY**

**LaVerne M. Hickson  
 300 Charring Cross Road  
 Irmo, South Carolina 29063**

Ms. Corley moved, seconded by Ms. Scott, to approve the application. The vote in favor was unanimous.

**FIRST READING ITEMS**

**Recreation Commission Bond**

1. **Petition to approve \$26,000,000 Recreation Bonds** – Ms. Scott moved, seconded by Ms. Dickerson, to give First Reading by title only.

Mr. Montgomery made a substitute motion, seconded by Ms. Smith, to change the name of the item on the agenda and make it *Motion to approve Recreation Commission Bonds* and not include the amount in the matter.

After a voice vote, the vote was as follows:

In favor

Montgomery  
 Smith  
 Pearce  
 Hutchinson  
 Livingston

Oppose

McEachern  
 Corley  
 Mizzell  
 Dickerson  
 Scott

The motion failed.

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**2. Ordinance to give first reading approval to the issuance of Bonds**

Ms. Scott moved, seconded by Ms. Dickerson, to approve this item for First Reading. The vote was in favor.

**3. Resolution to establish a public hearing regarding the Recreation Bonds**

Ms. Scott moved, seconded by Ms. Dickerson, to approve the resolution. The vote in favor was unanimous.

**CITIZEN'S INPUT**

Ms. Leanne Johnson spoke regarding her involvement in local governments.

**EXECUTIVE SESSION**

**Legal Briefing regarding a potential claim**

Mr. Pearce moved, seconded by Ms. Corley, to go into Executive Session to receive a legal briefing. The vote in favor was unanimous.

=====  
**Council went into Executive Session at approximately 7:10 p.m. and came out at approximately 7:27 p.m.**  
=====

Mr. Pearce moved, seconded by Ms. Dickerson, to come out of Executive Session. The vote in favor was unanimous.

Mr. Mizzell stated this item was received for information.

**MOTION PERIOD**

**Comprehensive Land Use Plan** – Ms. Scott inquired about the status of the issue regarding family-owned property. She stated she had previously made a motion that if the property was family-owned, that a 60-ft wide road would not be required.

A discussion took place.

Mr. McSwain stated staff is currently working on the amendment.

The discussion continued.

Ms. Scott directed staff to bring the issue before Council when it is ready, preferably before July 1st.

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**Resolutions for Mayor of Blythewood and an Eagle Scout**

Ms. Dickerson moved, seconded by Ms. Scott, to create two (2) resolutions. The vote in favor was unanimous.

**Tracking System**

Mr. Montgomery moved, seconded by Ms. Scott, to ask the Clerk, a representative from Information Technology and the Rules and Appointments Committee to meet and discuss the idea of developing a tracking system for items that are raised in Council meetings in order to make sure items are followed up. The vote in favor was unanimous.

**Work Session for the Recreation Commission**

Mr. McEachern stated a date needed to be scheduled to hold discussions regarding the Recreation Commission.

This item will be discussed with other items at the Work Session scheduled for Tuesday, June 14<sup>th</sup> beginning at 5:00p.

**ADJOURNMENT** – The meeting adjourned at approximately 7:43 p.m.

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Anthony G. Mizzell, Chair

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L. Gregory Pearce, Jr. Vice-Chair

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Doris M. Corley

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Joyce Dickerson

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Valerie Hutchinson

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Damon Jeter

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Paul Livingston

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Joseph McEachern

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Mike Montgomery

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Bernice G. Scott

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Kit Smith

The minutes were transcribed by Marsheika G. Martin

## MINUTES OF



### RICHLAND COUNTY COUNCIL SPECIAL CALLED MEETING

JUNE 8, 2005

4:00 P.M.

*In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.*

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#### MEMBERS PRESENT:

Chair	Anthony G. Mizzell
Vice-Chair	L. Gregory Pearce, Jr.
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Damon Jeter
Member	Paul Livingston
Member	Joseph McEachern
Member	Mike Montgomery
Member	Bernice G. Scott
Member	Kit Smith
Member	Doris M. Corley

**OTHERS PRESENT:** T. Cary McSwain, Michelle Cannon-Finch, Daniel Driggers, Michelle Cannon-Finch, Milton Pope, Tony McDonald, Ashley Bloom, Chief Harrell, Angie McInchok, Jennifer Bennett, Joe Cronin, Marsheika Martin, Michael Criss, Carrie Neal

#### CALL TO ORDER

The meeting was called to order at approximately 4:05 P.M.

#### INVOCATION

The Invocation was given by the Honorable Joseph McEachern.

#### PLEDGE OF ALLEGIANCE

**ADOPTION OF AGENDA** – Mr. Pearce moved, seconded by Ms. Scott, to adopt the agenda as submitted. The vote in favor was unanimous.

#### CITIZEN'S INPUT

No one signed up to speak at this time.

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### **Recreation Commission**

Ms. Scott moved, seconded by Ms. Dickerson, to appropriate the designation of \$73,000 for after-school programs. The vote in favor was unanimous.

### **Project Pet**

Ms. Scott moved that if things do not proceed with the City/County negotiations regarding the Animal Care situation, the County Administration is directed to bring back a bond by September 1<sup>st</sup>. Ms. Dickerson seconded.

A discussion took place.

Mr. Mizzell stated the motion is not a budget amendment and does not affect the general fund budget. He stated this is only a proviso in the budget.

The motion passed.

### **Council Services Travel**

Ms. Smith stated this motion was an amount of money would be set aside and Council members' could apply on the same mileage rate as State Employees by submitting until the money is exhausted and no more funds available.

Ms. Smith stated this item needs to go to the Rules Committee for review after staff has drafted it.

### **Facilities & Grounds – Marion Street-provide lease agreement for facility and payment calculation**

No motion was made.

### **Adjust Workman's Compensation – budget amendment of \$200,937**

Mr. Montgomery moved to approve.

Mr. Pearce offered an amendment to the motion to approve and direct the County Administrator to come back with recommendations no later than January 1<sup>st</sup> on ways to adjust workman's compensation's spiraling costs. Mr. Montgomery accepted amendment. The vote in favor was unanimous.

### **Dentsville Magistrate - add Criminal Law Clerk Position (\$32,152)**

Mr. Montgomery moved, seconded by Ms. Scott, to approve to add a Criminal Law Clerk position. The vote in favor was unanimous.

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**Master in Equity – add one administrative assistant position (\$29,804)**

Mr. McEachern moved, seconded by Ms. Scott, to add a position of an Administrative Assistant. The vote in favor was unanimous.

**Outside Agency Funding – fund Cultural Council of Richland and Lexington Counties @ \$20,000 with funds to be identified by the Administrator within existing budget**

Ms. Smith moved to find \$20,000 out of existing funds and allocate to the Cultural Council of Richland and Lexington Counties. Mr. McEachern seconded.

Ms. Scott made a substitute motion, to give the Cultural Council \$50,000. Mr. Jeter seconded.

After a voice vote, the vote for the substitute motion was as follows:

<u>In favor</u>	<u>Oppose</u>
Corley	
Dickerson	
Scott	
Jeter	

The motion failed.

The vote for the main motion was unanimous.

**Victim's Assistance – Funding allocation for \$585,000**

Mr. Pearce moved, seconded by Ms. Scott, to approve the spread of the money.

A discussion took place.

A vote in favor of the motion was unanimous.

**Hospitality Tax - Woodrow Wilson House Roof (\$100,000)**

Mr. Pearce moved to borrow \$100,000 from the encumbered money from the hospitality tax fund that was set aside for promotion of the Farmer's Market contingent upon the Legal Department giving a clear sense that a bond would be issued for the property even though the County does not currently hold the deed and present to the administration staff person for review any work to be done on the roof in order for Council to know what is going on. Ms. Scott seconded.

Ms Smith recommended for the money to come from the un-encumbered fund balance of the hospitality tax. Mr. Pearce accepted the amendment.



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After discussion, Mr. Livingston offered an amendment for the language to reflect *up to \$135,000 from the un-encumbered fund balance of the hospitality tax* to be based on what it is and what is required once the exact cost is determined. Mr. Pearce accepted the amendment.

The vote in favor was unanimous.

### **Richland School District One**

Mr. Livingston moved, seconded by Ms. Scott, to approve the school district's budget at their full request.

A discussion took place.

Ms. Scott called for the question, seconded by Ms. Dickerson. The vote in favor was unanimous.

The vote in favor of the motion was unanimous.

### **Park & Recreation**

Ms. Scott moved to fully fund the Recreation Commission at \$8,627,478. Mr. Jeter seconded.

Mr. Livingston made a substitute motion to add to the Second Reading approval at 1 mill post reassessment for a total of \$7,880,000. Mr. Pearce seconded.

The vote for the substitute motion was as follows:

<u>In favor</u>	<u>Oppose</u>
McEachern	Montgomery
Mizzell	Corley
Livingston	Pearce
	Hutchinson
	Dickerson
	Scott
	Jeter

The motion failed.

The vote for the original motion was as follows:

<u>In favor</u>	<u>Oppose</u>
McEachern	Montgomery
Corley	Pearce
Mizzell	Livingston
Dickerson	Hutchinson
Scott	
Jeter	

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The motion passed.

### **Coroner's Office**

Mr. Jeter moved, seconded by Ms. Corley, to add one administrative assistant position (\$ 31,304).

Mr. Pearce made a substitute motion to provide the position and eliminate the request for a new automobile. Mr. Montgomery seconded.

A discussion took place.

Mr. Pearce withdrew his motion.

The vote was in favor of the main motion.

### **Odyssey Golf Tournament**

Ms. Dickerson moved to add \$5,000 to the Accommodation Tax, moving out the Odyssey Golf Tournament over to the Hospitality Tax and add \$5,000 for the Junior Diabetes Research Funds from the Discretionary Tax. Ms. Scott seconded.

After discussion, the vote was in favor.

### **Detention Center**

Mr. McEachern moved to reduce the proposal for expansion of the jail by \$120,000. Ms. Corley seconded.

The vote was in favor.

**Eliminate the Coroner's request for car** – Mr. Pearce moved, seconded by Mr. Montgomery, to eliminate the request for a car. The motion failed.

### **Building Permit-Fee Increase**

Ms. Hutchinson moved to include a fee increase for homes over 2500 sq ft to \$70.55. Ms. Scott seconded. The vote in favor was unanimous.

### **POINT OF PERSONAL PRIVILEGE**

Mr. Jeter recognized all elected officials in the audience.

Mr. Driggers reported on the changes in the pre-reassessment and post-reassessment numbers.

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**2005/2006 BUDGET ORDINANCE**

Ms. Scott moved, seconded by Ms. Corley, to approve the budget ordinance as amended. The vote was in favor. (Ms. Smith requested to be recorded in the minutes as "no".)

Council thanked staff for a job well done.

**CITIZEN'S INPUT** – No one signed up to speak at this time.

**MOTION PERIOD**

**Reconsideration of the 2005/2006 Budget Ordinance**

Mr. McSwain requested for Council to reconsider the motion on the budget in order for the Budget Director to finalize the budget and print out.

Ms. Scott moved, seconded by Mr. McEachern, to reconsider the budget. The vote in favor was unanimous.

Mr. McEachern moved, seconded by Ms. Scott, to adopt the budget as amended. The vote was in favor.

**ADJOURNMENT** – Mr. Pearce moved, seconded by Ms. Scott, to adjourn the meeting at approximately 5:16 p.m. The vote in favor was unanimous.

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Anthony G. Mizzell, Chair

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L. Gregory Pearce, Jr. Vice-Chair

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Doris M. Corley

\_\_\_\_\_  
Joyce Dickerson

\_\_\_\_\_  
Valerie Hutchinson

\_\_\_\_\_  
Damon Jeter

\_\_\_\_\_  
Paul Livingston

**STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-05HR**

**AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, AS DEFINED IN SECTION 26-31 OF THE RICHLAND COUNTY CODE OF ORDINANCES, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 04300-04-10) FROM RU (RURAL DISTRICT) TO PUD-1R; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation and similar activities and services; and

**WHEREAS**, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

**WHEREAS**, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

**WHEREAS**, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements of Title 6, Chapter 29, of the Code of Laws of South Carolina; and

**WHEREAS**, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

**WHEREAS**, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and with the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances;

**NOW, THEREFORE**, 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, Zoning; Article 3, Establishment of Districts and Zoning Maps; is hereby amended to change the property (TMS # 04300-04-10) described in Exhibit A, which is attached hereto, from RU Rural District zoning to PUD-1R zoning.

**Section II. PUD Site Development Requirements.** The following site development requirements shall apply to the subject parcels:

- a) The Planning Commission approved the General Development Plan prepared for NKD, Inc. and Essex Homes Southeast, Inc., Columbia, South Carolina by The Hayter Firm, Pinehurst, North Carolina, except as otherwise amended herein, required by Section 26.70-15, 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 ~~172~~ 149 dwelling units; and
- c) The applicant shall provide a phasing plan to the PDSD prior to the department's review of any construction plans or site 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 PDSD; and
- e) Exhibit B, which is attached hereto, constitutes the applicant's Sketch Plan for subdivision purposes, and is hereby approved for such purposes; and
- f) The provisions of Sections 26-70.7, 26-70.8, 26-70.10, and 26-70.11 of the Richland County Code of Ordinances shall not apply to this project; and
- g) No Special Exceptions, as defined in Section 26-602 of the Richland County Code of Ordinances, or its relevant successor regulations, shall be permitted; and
- h) Pursuant to the requirements of Section 26-70.17 of the Richland County Code of Ordinances, the following changes shall require a review and recommendation by the Planning Commission and a new ordinance by the County Council:
  - 1) Any increase in the number of access points to the external road network;
  - 2) Any decrease in the amount of open space/common areas;
  - 3) Any increase in the gross project density (measured in DU/acre); and/or
  - 4) Any change in traffic flow; and
- i) The Planning Commission is hereby authorized to make minor amendments to Exhibit B or as otherwise allowed by Section 26-70.17 of the Richland County Code of Ordinances, or its relevant successor regulations; and
- j) The PDSD is authorized to make minor adjustments to the phasing schedule as may become necessary during the project's construction; and
- k) No site clearing activity shall begin until the Richland County Public Works Department issues a Grading Permit and the PDSD issues a Controlled Clearing letter; and
- l) All internal streets shall be publicly owned and maintained by Richland County, except as otherwise noted in the General Development Plan; and
- m) Access to the subject site shall be limited to one intersection on O'Sheal Road; and
- n) The applicant shall construct a landscaped berm, fence, wall, or some combination thereof, to ensure that no parcel in the project will have direct access onto O'Sheal Road or Harry Derrick Road; and
- o) The applicant has submitted a draft description of the proposed procedures of the homeowners association for the Department's inclusion in the project records; and
- p) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest.

**Section III.** 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 IV.** All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section V.** This ordinance shall be enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ 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: April 26, 2005; continued on May 3, 2005  
First Reading: May 3, 2005  
Second Reading: June 7, 2005  
Third Reading: June 21, 2005 (tentative)

## Exhibit A

### Legal Description

All that certain piece, parcel or tract of land, together with any improvements thereon, situate, lying and being near Columbia, in the county of Richland and the state of South Carolina, containing 94.804 acres and being described as follows. Beginning at an (N) ½" rebar on the eastern right-of-way of O'Sheal Road being 381.30 feet north of the right-of-way intersection of Harry Derrick Road (a 13' wide rock and gravel road) and running along the property of Harry J. and Doris W. Derrick N85°20'38"E for a distance of 635.49 feet to an (O) 5/8" iron pipe, thence turning and continuing along the property of Harry J. and Doris W. Derrick and Don S. and D. Sharlene Turner N85°10'25"E for a distance of 1331.05 feet to an (O) ¾" iron pipe, thence turning and continuing along the property of Don S. and D. Sharlene Turner and Jan D. Conley N84°55'07"E for a distance of 252.17 feet to an (O) 5/8" rebar, thence turning and running along the property of Jan D. Conley N85°00'33"E for a distance of 279.07 feet to an (O) 20" Oak Tree with hacks, thence turning and continuing along the property of Jan D. Conley N85°52'51"E for a distance of 495.74 feet to an (O) 18" Hickory Tree with hacks, thence turning and continuing along the property of Jan D. Conley N85°12'49"E for a distance of 1191.74 feet to an (O) 1" iron pipe (1' tall) on top of the bank of the Broad River, thence turning and running along the Broad River the following courses and distances, S62°34'31"E for a distance of 184.80 feet to an (N) ½" rebar, thence turning and continuing S68°14'31"E for a distance of 209.88 feet to an (N) ½" rebar, thence turning and continuing S67°24'31"E for a distance of 354.42 feet to an (N) ½" rebar, thence turning and continuing S59°04'31"E for a distance of 360.36 feet to an (N) ½" rebar, thence turning and running S41°49'31"E for a distance 56.10 feet to an (N) ½" rebar thence turning and continuing S55°51'22"E for a distance of 218.36 feet to an (O) 2" iron pipe thence turning and running along the property of J.R. Sikes & Kathy S. Sikes S83°42'53"W for a distance of 719.36 feet to an (O) 1" iron pipe thence turning and running along the property of John Mervyn Derrick & Judy Thigpen S83°28'57"W for a distance of 1626.03 feet to an (o) flat blade (3' tall), thence turning and running along the property of Ralph T. Scurry S84°20'00"W for a distance of 368.71 feet to an (O) 5/8" rebar thence turning and running along the property of Stephen M. & Kimberly R. Holland S84°20'22"W for a distance of 200.01 feet to an (O) 5/8" rebar, thence turning and running along the property of Otis L. & Linda J. Eddings S84°20'51"W for a distance of 173.98 feet to an (O) 5/8" rebar, thence turning and continuing along the property of Otis L. & Linda J. Eddings S84°18'47"W for a distance of 164.23 feet to an (O) 5/8" rebar, thence turning and running along the property of Stewart J. & Ann F. Oseman S84°21'46"W for a distance of 160.24 feet to an (O) 5/8" rebar, thence turning and running along the property of James A. & Gordon R. Hipp S84°21'30"W for a distance of 1042.34 feet to an (O) 1-1/4" iron pipe, thence turning and running along the property of Eva Bragg Wilbur S84°35'53"W for a distance of 222.84 feet to an (O) 1-1/4" iron pipe, thence turning and running along the property of Carolyn Derrick Kibler S84°30'32"W for a distance of 1208.88 feet to an (N) ½" rebar on the right-of-way of O'Sheal road, thence turning and continuing along the right-of-way of O'Sheal road along a curve to the left said curve having an radius of 510.47 feet, an arc length of 413.15 feet a chord distance of 401.96 feet, an delta angle of 46°22'20" and a chord bearing of N42°15'08"E to an (N) ½" rebar, thence continuing along the right-of-way of O'Sheal road N19°04'45"E for a distance of 583.72' to an (N) ½" rebar, thence continuing along the right-of-way of O'Sheal road along a curve to the left said curve having a radius of 149.79 feet,

an arc length of 63.03 feet a chord distance of 62.57 feet, an delta angle of 24°06'59" and a chord bearing of N08°25'44"E to an (N) ½" rebar, said rebar being the point of beginning. This act is 94.804 acres and is more particularly shown on a plat prepared for NKD, Inc. by Belter & Associates, Inc. dated: November 24, 2004 and revised: December 20, 2004



**STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-05HR**

**AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, AS DEFINED IN SECTION 26-31 OF THE RICHLAND COUNTY CODE OF ORDINANCES, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 01511-01-04/05/06/08) FROM RU (RURAL DISTRICT) TO C-3 (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

**WHEREAS**, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

**WHEREAS**, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

**WHEREAS**, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

**WHEREAS**, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

**WHEREAS**, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

**NOW, THEREFORE**, 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, Zoning; Article 3, Establishment of Districts and Zoning Maps; is hereby amended to change the property (TMS # 01511-01-04/05/06/08) described in Exhibit A, which is attached hereto, from RU Rural District zoning to C-3 General Commercial District zoning.

**Section II.** 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.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section IV.** This ordinance shall be enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ 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: May 24, 2005  
First Reading: May 24, 2005  
Second Reading: June 7, 2005  
Third Reading: June 21, 2005 (tentative)

## Exhibit A Property Description

### METES AND BOUNDS DESCRIPTION

Richland County TMS 01511-01-04 / 05 / 06 / 08 Totaling 2.95 Acres in White Rock

TMS 01511-01-04: Beginning at a 1" pipe on the northern ROW of US 76 463.86' from it's intersection with S 40-234 in White Rock, thence continuing along US 76 ROW S 77°14'23" W for 163.86' to a RR spike, thence N 17°24'13" W for 155.67' to a 3/4" rebar, thence N 69°29'15" E 110.82' to a 3/4" rebar, thence N 10°57'47" W 104.83' to a 5/8" rebar on CN & L RR ROW, thence N 77°08'51" E for 75.0' to a 5/8" rebar. Thence S10°20'22" E for 173.69' to a RR spike, thence continuing S 10°20'22" E for 101.56' to point of beginning.

TMS 01511-01-05: Beginning at a 3/4" rebar on the western ROW of S 40-234 in White Rock, thence with the ROW of S 40-234 at a bearing of S 07°50'32" E for 142.73' to a 5/8" rebar, thence S 77°05'32" W for 290.20' to a RR spike, thence N 10°20'22" W for 173.69' to a 3/4" rebar, thence along CN & L RR ROW along a curve, thence N 83°09'28" E, for 296.68', Delta = 9°15'58", Radius = 1836.52' and Arc = 297.01' to point of beginning.

TMS 01511-01-06: Beginning at a 5/8" rebar on the western ROW of S 40-234 in White Rock, thence along the ROW of S 40-234 for 101.50' to a RR spike at the intersection with US76, thence along US 76 ROW for 300' to a 1" pipe, thence N 10°20'22" W for 101.56' to a RR spike, thence N 77°05'32" E for 290.20' to point of beginning.

TMS 01511-01-08: Beginning at a point on the northern ROW of US 76, 463.86' from the intersection with the western ROW of S 40-234, thence along US 76 ROW for 106.0' to a RR spike in the pavement, thence N 09°58'00" W for 143.4' along the line of Hugh Vann's property to an iron pin, thence along CN & L RR property N 69°29'16" E for 89.7' to a 3/4" rebar, thence S 17°24'13" E for 155.67' to point of beginning.

**STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_-05HR**

**AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, AS DEFINED IN SECTION 26-31 OF THE RICHLAND COUNTY CODE OF ORDINANCES, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 04003-02-16) FROM D-1 (DEVELOPMENT DISTRICT) TO C-3 (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

**WHEREAS**, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

**WHEREAS**, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

**WHEREAS**, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

**WHEREAS**, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

**WHEREAS**, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

**NOW, THEREFORE**, 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, Zoning; Article 3, Establishment of Districts and Zoning Maps; is hereby amended to change the property (TMS # 04003-02-16) described in Exhibit A, which is attached hereto, from D-1 Development District zoning to C-3 General Commercial District zoning.

**Section II.** 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.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section IV.** This ordinance shall be enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ 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: May 24, 2005  
First Reading: May 24, 2005  
Second Reading: June 7, 2005  
Third Reading: June 21, 2005 (tentative)

**Exhibit A**  
**Property Description**

All that certain piece, parcel or lot of land lying and being in the County of Richland, State of South Carolina, being shown as Parcel R-1 containing .727 acres on a survey prepared for Bob Rocks, LLC by Dennis G. Johns dated November 17, 2004, revised January 11, 2005, recorded in the office of the Register of Deeds for Richland County in Book 1022 at Page 1158 and having the following metes and bounds:

Beginning at a corner in the Southeastern portion of the property bordering on Broad River Road the property runs S75° 22' 05"W for 145.03 feet, thence turning and running S75° 09' 30"W for 145.15 feet; thence turning and running N15° 48' 15"W for 79.35 feet; thence turning and running N63° 11' 40"E for 275.05 feet; thence turning and running S67° 00' 30"E for 24.21 feet; thence turning and running S16° 23' 30"E for 122.08 feet to the point of beginning. All measurements being a little more or less.

**STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-05HR**

**AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, AS DEFINED IN SECTION 26-31 OF THE RICHLAND COUNTY CODE OF ORDINANCES, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 09311-06-05) FROM RS-3 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO C-1 (OFFICE AND INSTITUTIONAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

**WHEREAS**, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

**WHEREAS**, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

**WHEREAS**, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

**WHEREAS**, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

**WHEREAS**, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

**NOW, THEREFORE**, 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, Zoning; Article 3, Establishment of Districts and Zoning Maps; is hereby amended to change the property (TMS # 09311-06-05) described in Exhibit A, which is attached hereto, from RS-3 Single-Family Residential District zoning to C-1 Office and Institutional District zoning.

**Section II.** 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.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section IV.** This ordinance shall be enforced after the date of an affirmative Third Reading.

**RICHLAND COUNTY COUNCIL**

By: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ 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: May 24, 2005  
First Reading: May 24, 2005  
Second Reading: June 7, 2005  
Third Reading: June 21, 2005 (tentative)



**Exhibit A**  
**Property Description**

Richland County TMS 09311-06-05 on Knightner Road:

All that certain place, parcel or lot of land situate, lying and being on the Southwestern side of an unnamed street just Northwest of Monticello Road, North of the Town of Eau Claire, in the County of Richland, State of South Carolina and being shown and designated as Lot 66 upon a plat of Laurel Park prepared by Jas. C. Covington, CE, July 18, 1946 and recorded in the Richland County Clerk of Court's Office in Plat Book L at page 88. Said Plat is incorporated herein by reference for a more complete and accurate description.

**STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-05HR**

**AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, AS DEFINED IN SECTION 26-31 OF THE RICHLAND COUNTY CODE OF ORDINANCES, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 22015-03-40/63) FROM D-1 (DEVELOPMENT DISTRICT) TO RS-2 (SINGLE-FAMILY RESIDENTIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

**WHEREAS**, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

**WHEREAS**, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

**WHEREAS**, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

**WHEREAS**, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

**WHEREAS**, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

**NOW, THEREFORE**, 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, Zoning; Article 3, Establishment of Districts and Zoning Maps; is hereby amended to change the property (TMS # 22015-03-40/63) described in Exhibit A, which is attached hereto, from D-1 Development District zoning to RS-2 Single-Family Residential District zoning.

**Section II.** 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.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section IV.** This ordinance shall be enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ 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: May 24, 2005  
First Reading: May 24, 2005  
Second Reading: June 7, 2005  
Third Reading: June 21, 2005 (tentative)

## Exhibit A Property Description

### TMS Number 22015-03-63:

All that certain piece, parcel or lot of land, with the improvements thereon, situate, lying and being near the Town of Hopkins, County of Richland, State of South Carolina, the same being on the Western side of Lower Richland Boulevard, containing 1.10 Acres, more or less, and being shown on that plat prepared for James Melvin Mitchell and Geneva F. Mitchell, by Cox & Dinkins, Inc., dated March 28, 1990, and recorded in the RMC Office for Richland County in Plat Book 53 at page 154; reference being made to said plat for a more complete description.

This being the same property conveyed to the Grantor herein by Deed of Master in Equity for Richland County, dated February 20, 2001, and recorded in the RMC Office for Richland County in Book B-R-490 at page 60.

### TMS Number 22015-03-40:

BEING about fifteen (15) miles southeast of the City of Columbia, in the County of Richland, in the State of South Carolina, on Highway Number Thirty-Seven (37), said Highway being a highway connecting United States Highway Number Seventy-Six (76) and the Leesburg Road. Said tract of land being located on the northwestern side of said Highway Number Thirty-Seven (37) and having the following metes and bounds, to wit: Beginning at an iron peg about two and 1/10 miles northeast of said Highway Number Seventy-Six (76) on said South Carolina Road Number Thirty-Seven (37) and running back therefrom northward eighty-five degrees, fifteen minutes West in a straight line for the distance of three hundred and fifty-three (353) feet to an iron peg; thence turning and running northward fourteen degrees, forty-five minutes East for a distance of two hundred and fifty-two and 3/10 (252.3) feet to an iron peg; thence turning and running southward eighty-eight degrees fifty-five minutes East for a distance of four hundred and eighteen and 3/10 (418.3) feet to an iron peg; thence turning and running in a southwesterly direction along right of way of said Highway Number Thirty-Seven for a distance of two hundred and ninety-two and 5/10 (292.5) feet to the point of Beginning. Said property being bounded as follows, to-wit: Bounded on the South by lands now or formerly of Adam Hampton; on the West by lands now or formerly of Joseph Hampton; on the North by lands now or formerly of Lee D. Hampton, and on the East by said South Carolina Road Number Thirty-Seven (37), whereon it fronts for a distance of two hundred and ninety-two and 5/10 (292.5) feet. LESS and EXCEPT: 1.10 acres conveyed to James Melvin Mitchell and Geneva F. Mitchell by Cox and Dinkins, Inc. dated March 28, 1990 and recorded in Book 53; Page 154 in the Office of the Clerk of Courts for Richland County.

This being the same property conveyed to James Mitchell individually and as Trustee of the Arlee Mitchell Testamentary Trust by Deed of Distribution dated April 18, 2002 and recorded April 19, 2002 in the Clerk of Court's Office for Richland County in Deed Book 652 at Page 1362.

**STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-05HR**

**AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, AS DEFINED IN SECTION 26-31 OF THE RICHLAND COUNTY CODE OF ORDINANCES, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 19100-04-20) FROM C-3 (GENERAL COMMERCIAL DISTRICT) AND D-1 (DEVELOPMENT DISTRICT) TO RG-2 (GENERAL RESIDENTIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation, and similar activities and services; and

**WHEREAS**, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

**WHEREAS**, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

**WHEREAS**, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements Title 6, Chapter 29, of the Code of Laws of South Carolina; and

**WHEREAS**, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

**WHEREAS**, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances.

**NOW, THEREFORE**, 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, Zoning; Article 3, Establishment of Districts and Zoning Maps; is hereby amended to change the property (TMS # 19100-04-20) described in Exhibit A, which is attached hereto, from C-3 General Commercial

District zoning and D-1 Development District zoning to RG-2 General Residential District zoning.

**Section II.** 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.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section IV.** This ordinance shall be enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ 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: May 24, 2005  
First Reading: May 24, 2005  
Second Reading: June 7, 2005  
Third Reading: June 21, 2005 (tentative)

**Exhibit A**  
**Property Description**

All that certain piece, parcel or lot of land with improvements thereon, situate, lying and being in the State of South Carolina, County of Richland, near the City of Columbia, said parcel being shown on a plat entitled, "Boundary Survey" for C.I.P. Construction by B. P. Barber & Associates, Inc. (BPB File No. 32,795-B75), said plat having the following metes & bounds to wit:

Beginning at a pinched top pipe on the Northern right-of-way of Garners Ferry Road (US Hwy 76 & 378), being 1145'+/- from the intersection of Universal Drive and Garners Ferry Road, thence turning and proceeding along the properties of Marion Jr. & Harriet Burnside/Burnrich Partnership the following courses and distances: in a direction of N<sup>0</sup>49'00"E for a distance of 1210.50' to a 1" pipe, thence in a direction of N27<sup>0</sup>23'00"E for a distance of 98.90' to a 1-1/4" pipe, thence in a direction of S72<sup>0</sup>15'00"E for a distance of 543.42' to a 5/8" rebar; thence turning and proceeding along the property of Robert H. Burnside in a direction of S29<sup>0</sup>43'33"W for a distance of 884.20' to a 5/8" rebar; thence turning and proceeding along the property of Monte A. Lemmon in a direction of N57<sup>0</sup>45'00"W for a distance of 120.00' to a 1" pipe; thence turning and proceeding along the property of R. Kirk Woodlief, Jr. the following courses and distances: in a direction of N57<sup>0</sup>45'00"W for a distance of 85.25' to a 5/8" rebar, and then in a direction of S29<sup>0</sup>42'00"W for a distance of 510.91' to a 1-1/4" pipe; thence turning and proceeding along the Northern right-of-way of Garners Ferry Road in a direction of N57<sup>0</sup>45'00"W for a distance of 723.00' to a pinched top pipe, this being the point of beginning. Said parcel contains 19.000 acres (827,640 square feet).

**STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-05HR**

**AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, AS DEFINED IN SECTION 26-31 OF THE RICHLAND COUNTY CODE OF ORDINANCES, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 23000-03-19) FROM PUD-2 (PLANNED UNIT DEVELOPMENT-2 DISTRICT) TO AN AMENDED PUD-2 (PLANNED UNIT DEVELOPMENT-2 DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation and similar activities and services; and

**WHEREAS**, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

**WHEREAS**, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

**WHEREAS**, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements of Title 6, Chapter 29, of the Code of Laws of South Carolina; and

**WHEREAS**, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

**WHEREAS**, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and with the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances;

**NOW, THEREFORE**, 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, Zoning; Article 3, Establishment of Districts and Zoning Maps; is hereby amended to change the property (TMS # 23000-03-19) described in Exhibit A, which is attached hereto, from PUD-2 Planned Unit



Development-2 District zoning to an amended PUD-2 Planned Unit Development-2 District zoning.

**Section II. PUD Site Development Requirements.** The following site development requirements shall apply to the subject parcels:

- a) The Planning Commission approved the applicant's General Development Plan, except as otherwise amended herein, required by Section 26.70-15, which is on file in the Richland County Planning & Development Services Department (hereinafter referred to as "PDS") and is incorporated herein by reference; and
- b) The site development consists of 2.99 acres; and
- c) The applicant shall provide a phasing plan to the PDS prior to the department's review of any construction plans or site 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 PDS; and
- e) The provisions of Sections 26-70.7, 26-70.8, 26-70.10, and 26-70.11 of the Richland County Code of Ordinances shall not apply to this project; and
- f) The site's permitted land uses shall be limited to the following:
  - 1) General offices,
  - 2) Medical, dental, and related medical offices and services,
  - 3) Nursing homes, assisted care facilities, long-term facilities,
  - 4) Day nurseries/kindergartens, subject to Section 26-84 of the Richland County Code of Ordinances, or its relevant successor regulations,
  - 5) Parallel zero lot line dwelling units and developments, subject to the provisions of Section 26-90 of the Richland County Code of Ordinances, or its relevant successor regulations, with density not to exceed 9 units per acre,
  - 6) Common zero lot line dwelling units and developments, subject to the provisions of Section 26-90 of the Richland County Code of Ordinances, or its relevant successor regulations, with density not to exceed 9 units per acre, and
  - 7) Cluster housing development containing only single-family detached dwellings, subject to the provisions of Section 26-87 of the Richland County Code of Ordinances, or its relevant successor regulations; provided, however, that modular building units shall not be permitted, and
  - 8) Rehabilitation centers with lot area of at least 10,000 square feet, and
  - 9) Accessory uses to the permitted uses and structures of subsection (f), above; and
- g) No Special Exceptions shall be permitted under Section 26-602 of the Richland County Code of Ordinances, or its relevant successor regulations; and
- h) Pursuant to the requirements of Section 26-70.17 of the Richland County Code of Ordinances, the following changes shall require a review and recommendation by the Planning Commission and a new ordinance by the County Council:
  - 1) Any increase in the number of access points to the external road network;
  - 2) Any decrease in the amount of open space/common areas;
  - 3) Any increase in the gross project density (measured in DU/acre); and/or
  - 4) Any change in traffic flow; and

- i) The Planning Commission is hereby authorized to make minor amendments to the site plan, which is attached hereto as Exhibit B, or as otherwise allowed by Section 26-70.17 of the Richland County Code of Ordinances, or its relevant successor regulations; and
- j) The PDSB is authorized to make minor adjustments to the phasing schedule as may become necessary during the project's construction; and
- k) No site clearing activity shall begin until the Richland County Public Works Department issues a Grading Permit and the PDSB issues a Controlled Clearing letter; and
- l) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest.

**Section III.** 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 IV.** All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section V.** This ordinance shall be enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ 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: May 24, 2005  
First Reading: May 24, 2005  
Second Reading: June 7, 2005  
Third Reading: June 21, 2005 (tentative)

**Exhibit A**  
**Legal Description**

Beginning at a ½" rebar (o), located on the southern r/w of Summit Terrace road, 769' west of the intersection of Summit Parkway and Summit Terrace, near the City of Columbia; thence continuing along the southern right-of-way of Summit Terrace along the arc of a curve to the right having a radius of 434.00', a length of 233.69', a delta angle of 30°51'06", a chord of 230.88' and a chord bearing of S79°27'01"E to a ½" rebar (o), thence continuing along the southern right-of-way of Summit Terrace along the arc of a curve to the left having a radius of 566.00', a chord of 118.42' and a chord bearing of S70°01'45"E to a ½" rebar (o), thence turning and running along property of now or formerly The Havens S25°00'01"W for a distance of 74.22' to a ½" rebar (o), thence continuing along property of now or formerly Columbia/Summit/RSL/Haven, LLC S07°23'37"W for a distance of 282.10' to a ½" rebar (o), thence turning and running along property of now or formerly Richland County School District Two N87°27'43"W for a distance of 323.94' to a ½" rebar (o), thence turning and running along property of now or formerly Westbrook Summit, LLC N07°16'21"E for a distance of 418.77' to a ½" rebar (o), the point of beginning.



**STATE OF SOUTH CAROLINA  
COUNTY COUNCIL OF RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-05HR**

**AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, AS DEFINED IN SECTION 26-31 OF THE RICHLAND COUNTY CODE OF ORDINANCES, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED HEREIN (TMS # 09104-01-06/20) FROM RG-2 (GENERAL RESIDENTIAL DISTRICT) TO PUD-1R (RESIDENTIAL PLANNED UNIT DEVELOPMENT-1 DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Richland County broad authority to provide a variety of services and functions within its jurisdiction, including, but not limited to, land use planning and land development regulation and similar activities and services; and

**WHEREAS**, Title 6, Chapter 29, of the Code of Laws of South Carolina provides the statutory enabling authority for Richland County to engage in planning and regulation of development within its jurisdiction; and

**WHEREAS**, Section 6-29-720 of the Code of Laws of South Carolina requires the County to adopt the Land Use Element of its Comprehensive Plan in conformance with the requirements therein as a prerequisite to continuing implementation of its zoning authority; and

**WHEREAS**, the County Council adopted a Comprehensive Plan on May 3, 1999, in conformance with the requirements of Title 6, Chapter 29, of the Code of Laws of South Carolina; and

**WHEREAS**, Section 6-29-760 of the Code of Laws of South Carolina provides the statutory authority and process to amend the Zoning Ordinance, codified as Chapter 26 of the Richland County Code of Ordinances; and

**WHEREAS**, this Ordinance complies with the requirements of Section 6-29-760 of the Code of Laws of South Carolina and with the ordinance adoption process proscribed in Section 2-28 of the Richland County Code of Ordinances;

**NOW, THEREFORE**, 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, Zoning; Article 3, Establishment of Districts and Zoning Maps; is hereby amended to change the property (TMS # 09104-01-06/20) described in Exhibit A, which is attached hereto, from RG-2 General Residential District zoning to PUD-1R Residential Planned Unit Development-1 District zoning.

**Section II. PUD Site Development Requirements.** The following site development requirements shall apply to the subject parcels:

- a) The Planning Commission approved the General Development Plan prepared for Village of Hope by Companion Associates, Inc., Charleston, South Carolina, dated March 31, 2005, except as otherwise amended herein, required by Section 26.70-15, 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 130 apartment units, 38 townhouse units, 38 senior citizen units, 20 single-family units, and a maximum of 6,000 square feet of neighborhood retail space, all as depicted in the site plan that is attached hereto as Exhibit B; and
- c) If applicable, the applicant shall provide a phasing plan to the PDSD prior to the department’s review of any construction plans or site 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 PDSD; and
- e) Exhibit B constitutes the applicant’s Sketch Plan for subdivision purposes, and is hereby approved for such purposes; and
- f) The provisions of Sections 26-70.7, 26-70.8, 26-70.10, and 26-70.11 of the Richland County Code of Ordinances shall not apply to this project; and
- g) No Special Exceptions shall be permitted under Section 26-602 of the Richland County Code of Ordinances, or its relevant successor regulations; and
- h) Pursuant to the requirements of Section 26-70.17 of the Richland County Code of Ordinances, the following changes shall require a review and recommendation by the Planning Commission and a new ordinance by the County Council:
  - 1) Any increase in the number of access points to the external road network;
  - 2) Any decrease in the amount of open space/common areas;
  - 3) Any increase in the gross project density (measured in DU/acre); and/or
  - 4) Any change in traffic flow; and
- i) The Planning Commission is hereby authorized to make minor amendments to Exhibit B or as otherwise allowed by Section 26-70.17 of the Richland County Code of Ordinances, or its relevant successor regulations; and
- j) The PDSD is authorized to make minor adjustments to the phasing schedule as may become necessary during the project’s construction; and
- k) All internal streets shall be publicly owned and maintained by Richland County.

**Section III.** 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 IV.** All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section V.** This ordinance shall be enforced after the date of an affirmative Third Reading.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ 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: May 24, 2005  
First Reading: May 24, 2005  
Second Reading: June 7, 2005  
Third Reading: June 21, 2005 (tentative)

## Exhibit A Property Description

### Tax Map Sheet Number 09104-01-06:

All that certain piece or parcel of land with improvements lying in the County of Richland, located approximately 0.5 miles northwest of Columbia, State of South Carolina; containing 6.76 acres and shown as Block "S" on a plat prepared for Village of Hope Community Development Corporation by American Engineering Consultants, Inc., dated November 13, 2003. The said parcel having the following metes and bounds: beginning at a point shown as an "X" in the concrete at the northeast corner of the intersection of McRae Street (S40-329) and McQueen Street then running along the eastern right-of-way of McQueen Street (a fifty feet right-of-way street) N 13°40'17" W for a distance of two hundred, sixty-seven and twenty-nine hundredths (267.29') feet to an "X" in the concrete; then running around a curve with the chord of N 42°27'51" W and a length of one hundred, forty-four and forty-nine hundredths (144.49') feet, and a radius of one hundred and fifty (150.00') feet to an iron; then turning and running N 71°15'25" W for a distance of two-hundred, seventy-seven and seventy-six hundredths (277.76') feet to an iron; then running around a curve with the chord bearing of N 88°05'15" W with a length of one hundred, forty-four and seventy-seven hundredths (144.77') feet, and a radius of two hundred and fifty (250.00') feet to an iron; then turning and being bounded on the west by other lands of Village of Hope Community Development Corporation, running N 09°36'00" W for a distance of two-hundred, twelve and zero hundredths (212.00') feet to an iron; then turning and being bounded on the north by Riverview Terrace Subdivision, Lot 20 running N 37°11'59" E for a distance of fifty-seven and sixty-three hundredths (57.63) feet to an iron; then being bounded on the north by Lots 19, 18, and 17 running N 36°52'16" E for a distance of one hundred, eighty-three and eighty-three hundredths (183.83') feet to an iron; then being bounded on the east by Lot 15 running S 43°37'15" E for a distance of sixty-two and seventy-nine hundredths (62.79') feet to an iron; then being bounded on the east by Lot 14 running S 43°37'15" E for a distance of forty-one and fifty-six hundredths (41.56') feet to an iron; then continuing along Lot 14 running S 57°32'04" E for a distance of twenty-nine and thirty-seven hundredths (29.37') feet to an iron; then being bounded on the east by Lot 13 running S 57°26'03" E for a distance of seventy and four hundredths (70.04') feet to an iron; then being bounded on the east by Lot 12 running S 57°28'01" E for a distance of seventy and one hundredths (70.01') feet to an iron; then being bounded on the east by Lot 11 running S 57°28'03" E for a distance of sixty-nine and ninety-one hundredths (69.91') feet to an iron; then being bounded on the east by Lots 10 and 9 running S 57°31'14" E for a distance of one hundred, sixty and ten hundredths (160.10') feet to an iron; then being bounded on the east by Lots 8 and 7 running S 57°28'20" E for a distance of one hundred, twenty-four and eighty-eight hundredths (124.88') feet to an iron; then being bounded on the east by Lot 6 running S 57°23'31" E for a distance of seventy-five and four hundredths (75.04') feet to an iron; then being bounded on the east by Lot 5 running S 57°20'39" E for a distance of eighty-one and eighteen hundredths (81.18') feet to an iron; then turning and being bounded on the east by Lot 4 running S 23°47'04" E for a distance of fifty-four and sixty-four hundredths (54.64') feet to an iron; then being bounded on the east by Lot 3 running S 23°43'25" E for a distance of eighty-five and two hundredths (85.02') feet to an iron; then being bounded on the east by Lot 2 running S 23°43'26" E for a distance of eighty-four and ninety-seven hundredths (84.97')



feet to an iron; then being bounded on the east by Lot 1 running S 23°45'47" E for a distance of eighty-five and two hundredths (85.02') feet to an iron; then turning and running along the northern right-of-way of McRae Street S 66°13'18" W for a distance of three hundred, forty and sixty-one hundredths (340.61') feet to an "X" in the concrete, which is the beginning point.

**Tax Map Sheet Number 9104-01-20:**

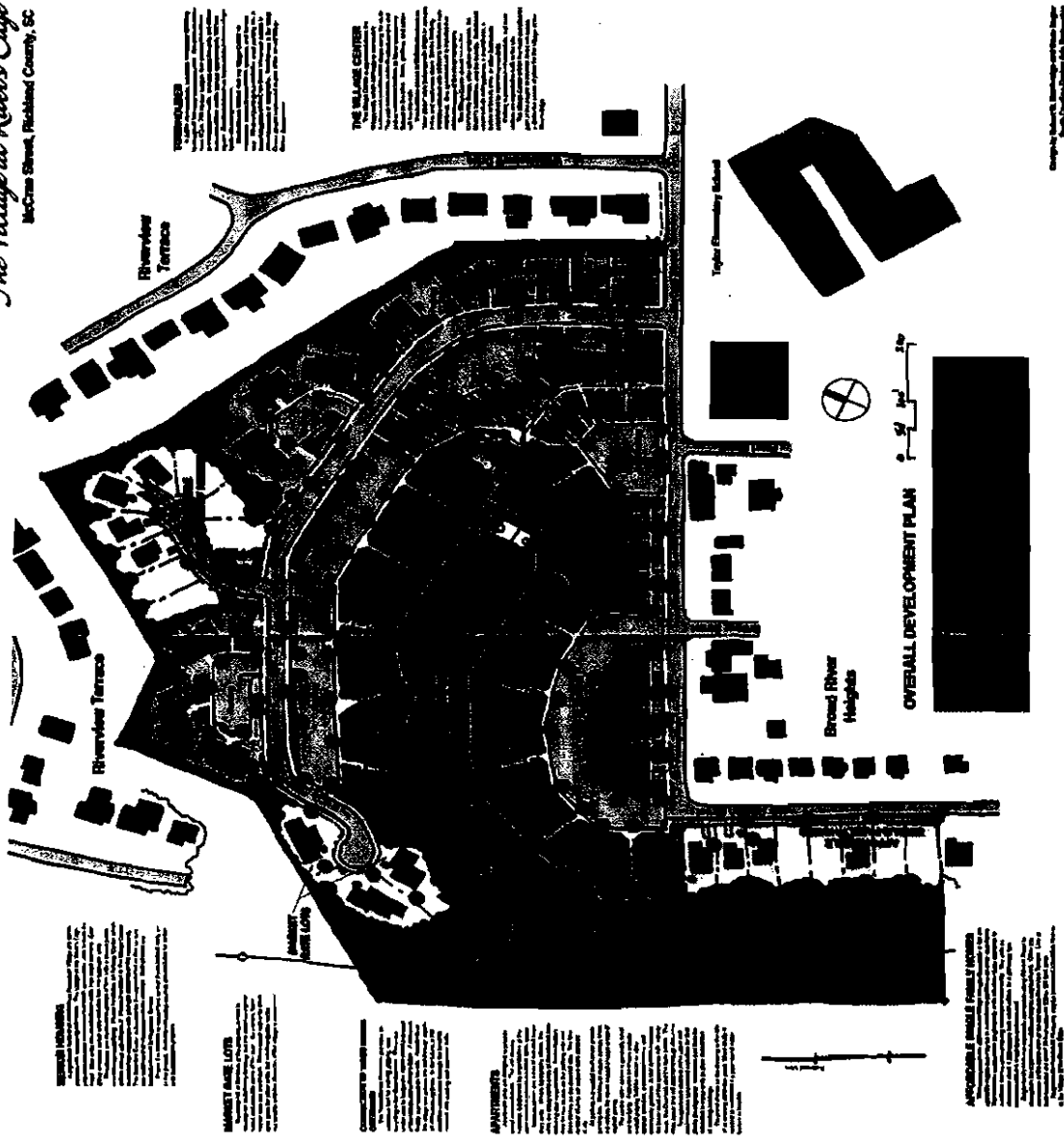
All that certain piece or parcel of land with improvements lying in the County of Richland, located approximately 0.5 miles northwest of Columbia, State of South Carolina; containing 9.28 acres and shown as Block "W" on a plat prepared for Village of Hope Community Development Corporation by American Engineering Consultants, Inc., dated November 13, 2003. The said parcel having the following metes and bounds: beginning at a point shown as an IN (iron new) at the northwest corner of the intersection of McRae Street (S40-329) and McQueen Street then running along the northern right-of-way of McRae Street (a fifty feet right-of-way street) S 66°13'18" W for a distance of six hundred, forty-eight and sixty hundredths (648.60') feet to an iron; then turning and running along the western right-of-way of McRae Street S 23°57'18" E for a distance of four hundred, thirty and zero hundredths (430.00') feet to an iron; then turning and being bounded on the south by Roosevelt Village, Lot 8 running S 65°44'52" W for a distance of one hundred, fifty-seven and seventy-one hundredths (157.71') feet to an iron; then turning and being bounded on the west by other lands of Village of Hope Community Development Corporation running N 24°08'08" W for a distance of six hundred, fifty-four and zero hundredths (654.00') feet to an iron: then turning and being bounded on the north by other lands of Village of Hope Community Development Corporation running along the centerline of an existing creek N 55°05'38" E for a distance of fifty-five and five hundredths (55.05') feet to a point; then running N 03°54'30" W for a distance of thirty and eighty-four hundredths (30.84') feet to a point; then running N 21°58'36" E for a distance of twenty and eight hundredths (20.08') feet to a point; then running N 09°36'59" E for a distance of forty-six and four hundredths (46.04') feet to a point; then running N 63°28'52" E for a distance of sixty-four and thirty-five hundredths (64.35') feet to a point; then running N 31°06'50" E for a distance of fifty and zero hundredths (50.00') feet to a point; then running N 42°25'12" E for a distance of seventy-six and forty-nine hundredths (76.49') feet to a point; then running N 84°44'59" E for a distance of one hundred, seventy-two and two hundredths (172.02') feet to an iron; then turning and being bounded on the west by other lands of Village of Hope Community Development Corporation running N 09°36'00" W for a distance of two hundred, eighty-seven and seventy-three hundredths (287.73') feet to an iron; then turning and being bounded on the north by the southern right-of-way of McQueen Street running around a curve with a chord of S 88°45'18" E and a length of one hundred, twenty and twenty-seven hundredths (127.20') feet, and a radius of two hundred (200.00') feet to an iron; then running S 71°15'25" E for a distance of two hundred, seventy-seven and seventy-six hundredths (277.76') feet to an iron; then running around a curve with a chord of S 42°27'51" E and a length of ninety-six and thirty-three hundredths (96.33') feet, and a radius of one hundred (100.00') feet to an iron; then running S 13°40'17" E for a distance of two hundred, seventy-six and twenty hundredths (276.20') feet to an iron that is the beginning point.

Said property is subject to a fifteen (15') feet City of Columbia Sewer Easement centered on the existing sewerage line running across the property and shown on the above-referenced plat.

# Exhibit B Site Plan

*The Village at River's Edge*  
McRae Street, Richland County, SC

An Affordable Residential Community for Richland County



# DRAFT

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 IV, AMENDMENTS AND PROCEDURES; SECTION 26-53, LAND DEVELOPMENT PERMITS; SO AS TO CLARIFY THE VESTED RIGHTS THAT LANDOWNERS HAVE IN THEIR PROPERTY.

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 1. Article IV (Amendments and Procedures), Section 26-53 (Land Development Permits), of Ordinance No. 074-05HR, which was adopted by the Richland County Council on November 9, 2004, is hereby amended to read as follows:

**Sec. 26-53. Land development permits.**

- (a) *General.* No building or other structure shall be erected, moved, added to, or structurally altered without a land development permit being issued by the county. In addition to building or structural change, a land development permit shall also be required for expansions of existing uses as well as for a change of use. A land development permit shall not be issued by the planning department except in conformity with the provisions of this chapter, unless the planning department receives a written order from the Richland County Board of Zoning Appeals in the form of an interpretation involving error (Section 26-58) or a special exception (Section 26-56) or variance (Section 26-57). If the permit is denied, reasons for the denial shall be stated.
- (b) *Processes.* There are three types of land development permit processes: land development compliance review, minor land development review, and major land development review. The type of process to be applied to a particular development application depends on the nature of the development proposed.
  - (1) *Land development compliance review.*
    - a. *Applicability.* Construction of detached single-family dwelling units and two-family dwellings on individual lots of record are subject only to land development compliance review in order to obtain a land development permit. In addition, changes of use not involving new construction are subject only to land development compliance review in order to obtain a land development permit.
    - b. *Pre-application procedure.* No pre-application conference is required prior to applying for a land development permit subject to

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land development compliance review. Applicants are encouraged to call or visit the planning department prior to requesting a land development permit to determine what information is required for the application.

- c. *Plan submittal.*
  - 1. *Filing of application.* An application for a land development permit subject to land development compliance review may be filed by the owner of the property or by an authorized agent. The application for a land development permit shall be filed with the planning department on a form provided by the department.
  - 2. *Fees.* A permit fee, as established by the Richland County Council, shall be submitted with the application.
- d. *Staff review.* The planning department shall review the application and determine if it is complete. If the application is incomplete, the planning department shall notify the applicant of the deficiencies. Provided the application is complete, the planning department, for projects not involving some other form of review, shall approve, approve conditionally, or deny the approval of the application within ten (10) days of receipt. Failure to act on those applications not involving some other form of review within ten (10) days shall result in the reimbursement of any application fee submitted to the county. Failure to act within sixty (60) days, unless extended by mutual agreement, shall be considered to constitute approval. In most situations, land development compliance review and the issuance of a land development permit can be handled at the time of application submittal. A record of all actions will be maintained as a public record and the applicant must be notified in writing of any actions taken.
- e. *Public notification.* No public notification is required for land development permit issuance subject to land development compliance review.
- f. *Formal review.* No formal review is required for land development permit issuance subject to land development compliance review.
- g. *Variances.* Requests for variances, unless otherwise specified, shall be heard by the board of zoning appeals under the procedures set forth in Section 26-57 of this chapter.

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- h. *Appeals.* Appeals of the decisions of the planning department regarding land development permit applications, which must be filed within thirty (30) days after actual notice of the decision, shall be heard by the planning commission under the procedures set forth at Section 26-58 of this chapter. Such appeals shall encompass all issues for appeal. An appeal from the decision of the planning commission by a person who may have a substantial interest in the decision must be taken to the circuit court within thirty (30) days after actual notice of the decision. In the alternative, also within thirty (30) days, a property owner whose land is the subject of a decision by the planning commission may appeal by filing a notice of appeal with the circuit court accompanied by a request for pre-litigation mediation in accordance with Section 6-29-1150 and Section 6-29-1155 of the South Carolina Code of Laws.
- ~~i. *Permit validity.* Upon the issuance of a land development permit, the applicant shall have nine (9) months from the date of issuance to begin work as described on the permit. Failure to begin work within this time shall render the permit void. The planning department may grant an extension of this time period of up to an additional six (6) months upon submittal by the applicant of sufficient justification for the extension. The land development permit shall remain valid so long as a valid building permit and/or business license exists for the project. Any change from the approved plans that has not been reviewed and approved shall render the permit invalid.~~
- i. *Permit validity.* In accordance with Section 6-29-1510, et seq. of the South Carolina Code of Laws 1976, as amended, upon the issuance of a land development permit, the applicant shall have a vested right for two (2) years from the date of issuance to undertake and complete the corresponding development of property under the terms and conditions of the approved site specific development plan. Failure to complete work within this time shall render the permit void. However, the applicant may apply to the planning department for a one (1) year extension of this time period no later than 30 days and no earlier than 60 days prior to the expiration of the permit. The request for an extension must be approved unless otherwise prohibited by an intervening amendment to this chapter, such amendment having become effective prior to the expiration of the permit. Likewise, and in the same manner, the applicant may apply for four (4) more one (1) year extensions. Any change from the approved site specific development plan that has not first been reviewed and approved by

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the planning department shall render the land development permit invalid.

(2) *Minor land development review.*

- a. *Applicability.* Minor land developments are those developments (exclusive of residential or commercial subdivisions) that do not meet the standards for applicability for “land development compliance review” or “major land development” review. If a phased project would reach the thresholds for a major land development within a five (5) year period, then the project shall be treated as a major land development, regardless of the size of the individual phases. To be considered a minor land development, the subdividing of property or the dedication of land to the county for open space or other public purposes shall not be part of the development. Minor land developments are subject to the review process outlined in subparagraphs b. through f. below in order to obtain a land development permit.
- b. *Pre-application procedure.* No pre-application conference is required prior to applying for a land development permit subject to minor land development review. Applicants are encouraged to call or visit the planning department prior to requesting a land development permit to determine what information is required for the application.
- c. *Plan submittal.*
  1. *Filing of application.* An application for a land development permit subject to minor land development review may be filed by the owner of the property or by an authorized agent. The application for a land development permit shall be filed with the planning department on a form provided by the department and shall be accompanied by plans drawn to scale of the development. The application and plans shall include all information requested by the department.
  2. *Fees.* A permit fee, as established by the Richland County Council, shall be submitted with the application.
- d. *Staff review.* The planning department shall review the application and determine if it is complete. If the application is incomplete, the planning department shall notify the applicant of the deficiencies within thirty (30) days of the most recent submission date. Provided the application is complete, the following shall occur.

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1. *Planning staff review.* Plans for development requiring minor land development review shall be reviewed by the planning department for compliance with the requirements of this chapter.
2. *Development review team.* As needed, plans for development requiring minor land development review shall be reviewed by members of the county's development review team for compliance with the requirements of this chapter and other applicable county codes. No formal team review shall be required.

The planning department shall approve, approve conditionally, or deny the approval of the application within sixty (60) days of receipt. Failure to act on an application with sixty (60) days shall be considered to constitute approval. A record of all actions will be maintained as a public record and the applicant must be notified of any actions taken.

- e. *Public notification.* No public notification is required for land development permit issuance subject to minor land development review.
- f. *Formal review.* No formal review is required for land development permit issuance subject to minor land development review.
- g. *Variations.* Requests for variations, unless otherwise specified, shall be heard by the board of zoning appeals under the procedures set forth in Section 26-57 of this chapter. However, requests for variations from the requirements set forth in Article IX. shall be heard by the planning commission.
- h. *Appeals.* Appeals of the decisions of the planning department regarding land development permit applications (subject to minor land development review), which must be filed within thirty (30) days after actual notice of the decision, shall be heard by the planning commission under the procedures set forth in Section 26-58 of this chapter. Such appeals shall encompass all issues for appeal. An appeal of the decision of the planning commission by a person who may have a substantial interest in the decision must be taken to the circuit court within thirty (30) days after actual notice of the decision. In the alternative, also within thirty (30) days, a property owner whose land is the subject of a decision by the planning commission may appeal by filing a notice of appeal with



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the circuit court, accompanied by a request for pre-litigation mediation in accordance with Section 6-29-1150 and Section 6-29-1155 of the South Carolina Code of Laws.

~~i. *Permit validity.* Upon the issuance of a land development permit, the applicant shall have nine (9) months from the date of issuance to begin work as described on the permit. Failure to begin work within this time shall render the permit void. The planning department may grant an extension of this time period of up to an additional six (6) months upon submittal by the applicant of sufficient justification for the extension. The land development permit shall remain valid so long as a valid building permit and/or business license exists for the project. Any change from the approved plans that has not been reviewed and approved shall render the permit invalid.~~

i. *Permit validity.* In accordance with Section 6-29-1510, et seq. of the South Carolina Code of Laws 1976, as amended, upon the issuance of a land development permit, the applicant shall have a vested right for two (2) years from the date of issuance to undertake and complete the corresponding development of property under the terms and conditions of the approved site specific development plan. Failure to complete work within this time shall render the permit void. However, the applicant may apply to the planning department for a one (1) year extension of this time period no later than 30 days and no earlier than 60 days prior to the expiration of the permit. The request for an extension must be approved unless otherwise prohibited by an intervening amendment to this chapter, such amendment having become effective prior to the expiration of the permit. Likewise, and in the same manner, the applicant may apply for four (4) more one (1) year extensions. Any change from the approved site specific development plan that has not first been reviewed and approved by the planning department shall render the land development permit invalid.

(3) *Major land development review.*

- a. *Applicability.* Major land developments are those developments, exclusive of residential or commercial subdivisions, which:
1. Involve one hundred thousand (100,000) or more square feet of nonresidential floor space;

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2. Involve one hundred and fifty (150) or more multi-family residential dwelling units, lots or manufactured home spaces in a manufactured home district; and/or
3. Involve the dedication of land to the county for open space or other public purposes.

Due to the size of these projects, a more formal review process is required. This review process is established to ensure the safety of the public and to assure that adequate services and facilities can be provided for these developments and to assure that they do not negatively impact the area in which they are proposed to be located or the county as a whole.

- b. *Pre-application procedure.* All applicants for a land development permit that is subject to major plan development approval are required to schedule a pre-application conference with the planning director prior to the preparation of development plans. This conference allows the applicant and planning staff an opportunity to discuss the review process, the requirements for completing the review schedule, contact persons for services and permits, and information regarding site plan requirements. The staff can also determine if any special reviews will be required. It is also highly recommended that the developer, as appropriate, meet with representatives of the neighborhood in which the proposed project is located. This meeting, which can be held at the pre-application stage, will allow the developer an opportunity to explain the proposed project and to be informed of the concerns of the neighborhood.
- c. *Plan submittal.*
  1. *Filing of application.* Applications for land development permits subject to major land development review may be filed by the owner of the property or an authorized agent. The application shall be filed with the planning department on a form provide by the department and shall be accompanied by the required number of site plans. The application and plans shall include all information requested by the department. The schedule for submittal of applications in order to have them reviewed at established technical review team and planning commission meetings shall be maintained in the planning department.
  2. *Preparation of plans.* Site plans for developments requiring major land development review shall be prepared

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by a registered architect, engineer, landscape architect, or licensed surveyor. Plans shall include a traffic management plan.

3. *Fees.* A permit fee, as established by the Richland County Council, shall be submitted with the application.
- d. *Staff review.* The planning department shall review the application and determine if it is complete. If the application is incomplete, the planning department shall notify the applicant of the deficiencies within thirty (30) days of the most recent submission date. Provided the application is complete, the following shall occur:
1. *Planning staff review.* Plans for development requiring major land development review shall be reviewed by the planning department for compliance with the requirements of this chapter.
  2. *Development review team.* The planning department shall present site plans for developments requiring major land development review to the development review team. Within thirty (30) days of receipt of a site plan from the planning department, the development review team shall review the site plans for compliance with existing federal, state and local laws and regulations, as well as for compatibility with the county's comprehensive plan. The development review team shall take one of the following three (3) actions on the application within fifteen (15) days of reviewing the site plan.
    - [a] *Approval by development review team.* If the site plan is approved by the development review team, the planning department shall notify the applicant and transmit the site plan to the planning commission for their information.
    - [b] *Conditional approval by development review team.* If the site plan receives conditional approval, the applicant shall revise the plan based upon the conditions of the approval and resubmit it. The revised plan shall be reviewed by the planning department and if it meets all of the review team conditions, the site plan shall be transmitted to the Richland County Planning Commission for their information. Conditional approval may also be appealed to the Richland County Planning

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Commission, subject to the procedures for a public hearing set forth in subsections e. and f. below.

- [c] *Denial by development review team.* If the site plan is denied, the reasons for denial shall be provided to the applicant. The site plan may be revised to address the reasons for denial and resubmitted in accordance with the provisions of this chapter. The denial may also be appealed to the Richland County Planning Commission, subject to the procedures for a public hearing set forth in subsections e. and f. below and the payment of any fees established by the Richland County Council.

Appeals must be filed within fifteen (15) days of the date the decision is received by the applicant for a land development permit.

- e. *Public notification.* No public notification is required for land development permit issuance subject to major land development review where a report of approval is being made by the development review team. However, when an appeal is made to the planning commission, notice of said appeal shall be published in a newspaper of general circulation in the county fifteen (15) days in advance of the hearing. Such notice shall contain the date, time, and place of the public hearing, and the nature and character of the proposed action. The notice shall also inform the public where information may be examined and when and how written comment may be submitted on the proposed matter.
- f. *Formal review.*
1. *Public hearing or report before planning commission.* Following receipt of a report or appeal on a proposed major land development plan, the matter shall be scheduled for report or hearing by the Richland County Planning Commission. The planning commission shall consider this request at the next available meeting. There shall be no public hearing held in conjunction with a report on a development project approved by the development review team. In these cases, the commission shall receive a report on the decision of the development review team for their information. In case of an appeal, the planning commission shall conduct a public hearing on said appeal. Failure by the planning commission to act within sixty (60) days of the original complete submittal (minus any time taken for

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making changes as set forth by the development review team) shall constitute approval, unless this time period is extended by mutual agreement.

2. *Decision by planning commission.* Where an appeal has been made to them on a major land development, the Richland County Planning Commission, after conducting the public hearing, may: deny approval, table the application pending submittal of additional information, or approve the application for a land development permit. The decision on the land development permit application shall be by a majority vote of the commission as set forth in the bylaws of the commission.
- g. *Variations.* Requests for variations, unless otherwise specified, shall be heard by the board of zoning appeals under the procedures set forth in Section 26-57 of this chapter.
  - h. *Appeals.* Appeals of the decisions of the planning commission by a person who may have a substantial interest in the decision must be taken to the circuit court within thirty (30) days after actual notice of the decision and must encompass all issues for appeal. In the alternative, also within thirty (30) days, a property owner whose land is the subject of a decision by the planning commission may appeal by filing a notice of appeal with the circuit court accompanied by a request for pre-litigation mediation in accordance with Section 6-29-1150 and Section 6-29-1155 of the South Carolina Code of Laws.
  - ~~i. *Permit validity.* Upon the issuance of a land development permit, the applicant shall have nine (9) months from the date of issuance to begin work as described on the permit. Failure to begin work within this time shall render the permit void. The planning department may grant an extension of this time period of up to an additional six (6) months upon submittal by the applicant of sufficient justification for the extension. The land development permit shall remain valid so long as a valid building permit and/or business license exists for the project. Any change in the approved plans that has not been reviewed and approved shall render the permit invalid.~~
  - i. *Permit validity.* In accordance with Section 6-29-1510, et seq. of the South Carolina Code of Laws 1976, as amended, upon the issuance of a land development permit, the applicant shall have a vested right for two (2) years from the date of issuance to undertake and complete the corresponding development of

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property under the terms and conditions of the approved site specific development plan. Failure to complete work within this time shall render the permit void. However, the applicant may apply to the planning department for a one (1) year extension of this time period no later than 30 days and no earlier than 60 days prior to the expiration of the permit. The request for an extension must be approved unless otherwise prohibited by an intervening amendment to this chapter, such amendment having become effective prior to the expiration of the permit. Likewise, and in the same manner, the applicant may apply for four (4) more one (1) year extensions. Any change from the approved site specific development plan that has not first been reviewed and approved by the planning department shall render the land development permit invalid.

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

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

SECTION V. This ordinance shall be effective from and after July 1, 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: May 24, 2005  
First Reading: May 24, 2005  
Second Reading: June 7, 2005  
Third Reading: June 21, 2005 (tentative)

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS; SECTION 6-82(A) OF ARTICLE III, BUILDING CODES; SECTION 6-139 OF ARTICLE VII, MECHANICAL CODE; SECTION 6-153 OF ARTICLE VIII, PLUMBING CODE; SECTIONS 6-168 AND 6-169 OF ARTICLE IX, SWIMMING POOL CODE; SECTION 6-182 OF ARTICLE X, PROPERTY MAINTENANCE; SO AS TO ADOPT THE 2003 EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE (INCLUDING APPENDIX G), INTERNATIONAL FUEL GAS CODE, AND INTERNATIONAL PROPERTY MAINTENANCE CODE.

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

SECTION I. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Section 6-82(a) of Article III, Building Codes; is hereby amended to read as follows:

**Sec. 6-82. Adopted.**

(a) There is hereby adopted by the county council the 2003 International Residential Code, and all amendments thereto, as published by the International Code Council, Inc. The construction, alteration, repair, or demolition of every one- and two- family dwelling structure shall conform to the requirements of this Code.

SECTION II. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Section 6-96 of Article IV, Electrical Code; is hereby amended to read as follows:

**Sec. 6-96. Purpose.**

The purpose of this article is to provide for regulating the installation, alteration, and maintenance of all electrical installations that are not regulated by the 2003 International Residential Code.

SECTION III. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Section 6-125 of Article VI, Gas Code; is hereby amended to read as follows:

**Sec. 6-125. Purpose.**

The purpose of this Article is to provide for regulating the installation, alteration, and maintenance of all piping extending from the point of delivery of gas for use as a fuel and designated to convey or carry the same gas appliances, and regulating the installation and maintenance of appliances designated to use such gas as a fuel, in all buildings and structures that are not regulated by the 2003 edition of the International Residential Code.

SECTION IV. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Section 6-126 of Article VI, Gas Code; is hereby amended to read as follows:

**Sec. 6-126. Adopted.**

There is hereby adopted by the county council the 2003 edition of the International Fuel/Gas Code, and all amendments thereto, as published by the International Code Council, Inc. The



installation, workmanship, construction, maintenance, or repair of all gas work shall conform to the requirements of this Code.

SECTION V. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Section 6-139 of Article VII, Mechanical Code; is hereby amended to read as follows:

**Sec. 6-139. Purpose.**

The purpose of this Article is to provide for regulating the installation, alteration, and maintenance of all mechanical systems and other related appurtenances that are not regulated by the 2003 edition of the International Residential Code.

SECTION VI. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Section 6-153 of Article VIII, Plumbing Code; is hereby amended to read as follows:

**Sec. 6-153. Purpose.**

The purpose of this Article is to provide for regulating the installation, alteration, and maintenance of all plumbing and other related appurtenances that are not regulated by the 2003 edition of the International Residential Code.

SECTION VII. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Section 6-168 of Article IX, Swimming Pool Code; is hereby amended to read as follows:

**Sec. 6-168. Adopted.**

Appendix G of the 2003 edition of the International Residential Code and all amendments thereto, as published by the International Code Council, Inc. (regarding swimming pools, spas and hot tubs), is hereby adopted verbatim and incorporated by reference.

SECTION VIII. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Section 6-169 of Article IX, Swimming Pool Code; is hereby amended to read as follows:

**Sec. 6-169. Additional requirements.**

In addition to the requirements imposed by the 2003 edition of the International Building Code and by Appendix G of the 2003 edition of the International Residential Code, the following administrative requirements are hereby enacted:

- (1) A licensed swimming pool contractor shall be responsible for securing a permit from the County Building Official for the installation of an in-ground swimming pool.
- (2) In the event an approved wall, fence, or other substantial structure to completely enclose the proposed pool is not in existence at the time an application is made for the permit to install a pool, it shall be the responsibility of the property owner to have the enclosure installed prior to the final inspection and, further, to ensure that said structure remains in place as long as the swimming pool exists.

Sec. 6-170 to 6-181. Reserved.

SECTION IX. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Section 6-182 of Article X, Property Maintenance; is hereby amended to read as follows:

**Sec. 6-182. Adopted.**

The 2003 edition of the International Property Maintenance Code and all amendments thereto, as published by the International Code Council, Inc., is hereby adopted verbatim and incorporated by reference.

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

SECTION XII. Effective Date. This ordinance shall be effective from and after July 1, 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

First Reading:            June 7, 2005  
Second Reading:        June 21, 2005 (tentative)  
Public Hearing:  
Third Reading:

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

AN ORDINANCE REPEALING ORDINANCE NO. 003-05HR, WHICH AUTHORIZED A DEED TO MAX DENBERG FOR A CERTAIN PARCEL OF LAND KNOWN AS LOT 27 (APPROXIMATELY 2.699 ACRES) IN THE RICHLAND NORTHEAST INDUSTRIAL PARK.

WHEREAS, Richland County Council enacted Ordinance No. 003-05HR on January 18, 2005 for the purpose of granting a deed to Max Denberg for certain real property known as Lot 27 (approximately 2.699 acres) in the Richland Northeast Industrial Park, a portion of Richland County TMS # 25800-04-01; and

WHEREAS, a deed has not yet been executed that would convey Lot 27 to Max Denburg; and

WHEREAS, by mutual consent Richland County agrees not to sell and Max Denberg agrees not to purchase Lot 27 in the Richland Northeast Industrial Park;

NOW, THEREFORE, 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. Ordinance No. 003-05HR, an ordinance authorizing the granting of a deed to Max Denberg for a certain parcel of land known as Lot 27 (approximately 2.699 acres) in the Richland Northeast Industrial Park, a portion of Richland County TMS # 25800-04-01, is hereby repealed in its entirety.

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 \_\_\_\_\_, 2005.

RICHLAND COUNTY COUNCIL

By: \_\_\_\_\_  
Anthony G. Mizzell, Chair

Attest this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading:           June 7, 2005  
Second Reading:       June 21, 2005 (tentative)  
Public Hearing:  
Third reading:

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE V, COUNTY DEPARTMENTS; DIVISION 1. GENERAL, AND DIVISION 2. PUBLIC WORKS AND UTILITIES; SO THAT UTILITIES WILL BE A SEPARATE DEPARTMENT.

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

SECTION I. The Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; Division 1. General is hereby amended to read as follows:

DIVISION 1. UTILITIES

**Sec. 2-185. Creation; director.**

There is hereby created the department of utilities and the position of director of utilities. The director shall be appointed by the county administrator and his/her term of office shall be at the pleasure of the county administrator.

**Sec. 2-186. Qualifications of director; selection; compensation.**

The director of utilities shall possess education, training and experience that are satisfactory to the county administrator.

**Sec. 2-187. Responsibilities; powers; duties.**

The utilities department shall be responsible for enforcing all the provisions of Chapter 24, Utilities, and Chapter 24.5, Special Sewer Assessment Districts, of the Richland County Code of Ordinances.

**Sec. 2-188. Departmental divisions.**

The department of utilities shall be divided into the following functional divisions:

- (1) Administration division. This division shall coordinate all department-level administrative support, including personnel management, standardization, finance, budget, payroll, material management and procurement.
- (2) Engineering division. This division shall provide engineering services in support of County utility operations and infrastructure development, including the management and coordination of capital improvement projects funded by both public and private sources. Also develops and maintains the department mapping and geographic information system.

- (3) Maintenance division. This division shall manage, maintain, and improve all County utility systems, including facilities, grounds, water and sewer lines and associated apparatus.
- (4) Operations division. This division shall provide professional operation of County water and wastewater treatment facilities, laboratory facilities and shall administer provisions of the County's pre-treatment program.
- (5) Special project division. This division shall provide administrative functions relating to the design and construction of utility system improvements in various communities as determined by County Council. This division administers the safety and training programs for the department.

**Sec. 2-189 – 2-191. Reserved.**

**SECTION II.** The Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; Division 2. Public Works and Utilities is hereby amended to read as follows:

**DIVISION 2. PUBLIC WORKS**

**Sec. 2-192. Creation; director.**

There is hereby created the department of public works ~~and utilities~~ and the position of director of public works ~~and utilities~~. The director of public works ~~and utilities~~ shall be appointed by the county administrator and his/her term of office shall be at the pleasure of the county administrator.

**Sec. 2-193. Qualifications.**

The director of public works ~~and utilities~~ shall be a graduate of an accredited college or university with a major in civil engineering. The director shall possess a certified license as a professional civil engineer and shall have had at least five (5) years of previous experience as a public works director/engineer including supervisory, administrative and engineering experience. Such director shall possess training and/or experience in both public works and engineering which is satisfactory to the county administrator.

**Sec. 2-194. Responsibilities; powers; duties.**

The director of public works ~~and utilities~~ shall be responsible for the custody, security and maintenance of public works and physical properties of the County and shall be responsible to and under the supervision of the county administrator in the performance of his/her duties.

**Sec. 2-195. Staff; personnel.**

The staff and assistants of the director of public works ~~and utilities~~ shall be subject to the county personnel system and their compensation determined accordingly.

## Sec. 2-196. Departmental divisions.

The department of public works and utilities shall be divided under the director of public works and utilities into the following functional divisions:

- (1) Administration division. This division shall coordinate all department-level administrative support, including personnel management, safety, training, standardization, finance, budget, payroll, material management, procurement, and geographic information services (GIS).
- (12) Engineering division. The engineering division shall be the primary support unit for the physical activities and functions of the public works department. The engineering division shall be headed by an engineer. The division shall be responsible for construction inspection, subdivision review, right-of-way acquisition and negotiation, drainage inspection, street names, housing, drafting, surveying, road design where appropriate, and other general engineering activities. This division, which shall be headed by a registered professional engineer, shall provide engineering services in support of County operations and infrastructure development, including the management and coordination of capital improvement projects.
- (2) ~~Reserved.~~
- (3) ~~Utilities and services division.~~ The utilities management division shall be responsible for the administration and operation of the county's utilities systems; coordination with developers and private utility companies; administration of the county's solid waste collection, disposal and regulatory programs; monitoring and regulating the activities of private solid waste collection contractors; and administration and operation of the county's animal, litter and refuse control programs.
- (43) Facilities maintenance and grounds division. The facilities maintenance division shall be responsible for administration of the county's exterior building and grounds preventive maintenance program for all county owned/leased facilities utilized in support of county operations. This division shall manage, maintain, and improve all County real property, including facilities and grounds; and shall manage facility related capital improvement projects and coordinate utilities usage on behalf of the County.
- (54) Roads construction and drainage maintenance division. The road construction and maintenance division shall be responsible for road maintenance, county farm-to-market construction, and storm drainage. This division shall maintain and improve the County road maintenance network and drainage infrastructure.
- (65) Solid waste and recycling division. The solid waste division shall carry out the county's solid waste plan, a copy of which is attached hereto and incorporated herein. This division shall provide residential collection of municipal solid waste (MSW) and recyclable materials within the unincorporated County, provide limited construction & demolition (C&D) landfill services, manage the Solid Waste stream within the County, and promote cost-effective recycling.

- (6) Central garage division. This division shall provide fleet management and maintenance services, and manage fueling sites to support the County vehicle and equipment fleet.
- (7) Stormwater management division. This division shall provide stormwater management services in support of positive public drainage and "receiving water" quality.
- (8) General support division. This division shall effectively manage a labor pool of community service and inmate labor personnel in support of County operations.

**~~Sec. 2-197. Work performed for public agencies.~~**

~~The work performed by the department of public works and utilities for any public agency shall be done on a cost-plus basis with the costs to be charged against the budget of any such agency that is a political subdivision of the county. Public agencies which are not subdivisions of the county shall be billed for such costs. In no event shall work performed for public agencies interfere with normal maintenance work.~~

**Sec. 2-198~~7~~. Use of county equipment by private parties and during public emergencies.**

(a) *Use and operation of county equipment.* Only authorized employees of the county shall be allowed to use and operate equipment owned by the county. No such equipment may be used at any time on private property or for private purposes except for public emergencies as hereinafter defined and as duly authorized by the director of public works ~~and utilities~~ and/or the county administrator.

(b) *Public emergency.* A public emergency is hereby defined as a flood, earthquake, tornado, hurricane, commercial plane crash, passenger train wreck, vehicular wrecks involving five (5) or more vehicles and/or ten (10) or more persons, forest fires and other occurrences, natural or man-made, where the public health is threatened or the potential of extensive damage to private property exists and immediate, emergency steps are necessary to protect life and health and prevent substantial property loss.

(c) *Records.* In the event of such public emergency, the department of public works ~~and utilities~~ must, as soon thereafter as possible, make a record of the nature of the emergency, the property and/or owner involved, the operator of the equipment, the names of county employees utilized, the date(s) thereof, and the man-hours involved.

(d) *Reimbursement.* The director of public works ~~and utilities~~ and/or the county administrator may apply for reimbursement for the services rendered by county employees and equipment where the private party has insurance available for such services or where federal or state funds are available, such as disaster aid.

(e) *Violation.* The failure to comply with this section shall be grounds for suspension, removal or termination.



**Sec. 2-199. Disposal of dumps on private property.**

~~An easement shall be obtained from the land owner by the utilities and services division of the public works and utilities department prior to the burying of dump on the owner's land.~~

**Sec. 2-200. Towing.**

~~(a) The public works and utilities wrecker may be used for towing vehicles upon which the county has a tax lien when such towing is requested by the tax collector and/or treasurer for the county.~~

~~(b) No such vehicle shall be towed until levy has been made upon such vehicle by the tax collector for the county pursuant to lawful authority.~~

~~(c) Subsequent to the levy by the tax collector, as specified in (b), the department of public works and utilities may tow such vehicle; provided, however, that a work order or request for towing has been submitted by the office of the treasurer or tax collector, over the authorized signature of the responsible official in that office.~~

~~(d) The department of public works and utilities shall charge against the vehicle, and the treasurer and/or tax collector shall collect as a cost in any public sale of such vehicle or out of redemption of such vehicle, a reasonable wrecker fee which shall be established by the department of public works and utilities, and one dollar (\$1.00) per day charge for storage of such vehicle during the time it is stored on county property.~~

~~(e) For purposes of implementation of this section, the department of public works and utilities may establish a storage area, properly secured, at the county maintenance shop; provided, however, that, such storage area does not in any way interfere with the operation of the maintenance shop.~~

**Sec. 2-201-198. Burial of paupers and cremains.**

The public works and utilities department shall bury paupers at a site designated for that purpose when directed to do so by the county administrator. Further, cremains originating from medical schools may be buried within the county cemetery by appropriately authorized personnel of such schools. Medical schools wishing to enter into these arrangements shall provide a list of names of authorized personnel and shall execute appropriate releases and hold-harmless agreements prior to any burials.

**Secs. 2-202-199--2-204. Reserved.**

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

SECTION V. Effective Date. 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

First Reading:            June 21, 2005 (tentative)  
Second Reading:  
Public Hearing:  
Third Reading:

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE V, COUNTY DEPARTMENTS; DIVISION 4. PLANNING AND DEVELOPMENT SERVICES.

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

SECTION I. The Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; Division 4. Planning and Development Services; is hereby amended to read as follows:

DIVISION 4. PLANNING AND DEVELOPMENT SERVICES

**Sec. 2-216. Creation; director.**

There is hereby created the Planning and Development Services Department, and the position of Planning Director who shall be responsible to the county administrator to direct and coordinate the operations and activities of the department. The county administrator shall appoint the director and his/her term of office shall be at the pleasure of the county administrator.

**Sec. 2-217. Qualifications of director; selection; compensation.**

The Planning Director shall be a graduate of an accredited college or university, preferably with a degree in planning, engineering, architecture, or related field; or in lieu thereof, shall have had at least five (5) years of responsible, practical experience in urban planning and/or in a municipal or county regulatory agency. The director shall possess education, training, and experience related to planning and/or code enforcement that is satisfactory to the county administrator.

**Sec. 2-218. Responsibilities; powers; duties.**

The Planning Director shall direct and supervise all functions of the department, including the permitting and enforcement provisions of the county's zoning, land development, and building code regulations. The director shall adhere to the county's comprehensive plan and shall work closely with the county officials responsible for planning and code enforcement activities. The director shall be responsible for establishing liaisons and/or working relationships with all private and public agencies engaged in economic and/or industrial development. The director shall recommend amendments to the comprehensive plan and to the county's zoning, land development, and building code regulations, and shall present such recommendations to the Planning Commission and/or the County Council.

**Sec. 2-219. Staff; personnel.**

The staff and personnel assigned to the Planning Director shall be subject to the county personnel system and their compensation determined accordingly.

**Sec. 2-220. Departmental divisions.**

~~—The department of Planning and Development Services shall be divided into the following functional divisions and each such functional division shall have a division manager:~~

- ~~(1) *Zoning division.* The zoning division shall administer and enforce the provisions of ordinances relating to zoning permits and certificates of compliance. The division shall be responsible for administering applications for special exceptions, variances, appeals from administrative decisions and other actions before the board of zoning appeals. Additionally, the division will maintain the official copy of the county zoning map and other such records and official materials as may relate to the adoption, amendment, enforcement or administration of the applicable ordinances. The division manager will serve as the zoning administrator and perform such duties that properly relate to the zoning ordinance and other general zoning activities. This division shall be responsible for the enforcement of the county's zoning, subdivision, flood, and landscape ordinances.~~
- ~~(2) *Building inspections division.* The building inspections division shall be responsible for the administration of the county's building regulations. The division manager shall serve as the Chief Building Official. This division shall be responsible for enforcing building codes applicable to the construction, alteration, repair, use and occupancy, location, and maintenance of every building and structure, and for the installation of any appurtenances. This division shall be responsible for issuing licenses and permits as required by the codes and/or other regulatory provisions of the county government, and for manufactured home inspections. This division shall review drawings, specifications, and accompanying data when required for conformity to building codes and regulations.~~
- ~~(3) *Long and short range planning division.* The long and short range planning division shall be responsible for the review of subdivision applications and site plans for compliance with the comprehensive plan and land development regulations. The division shall be responsible for transportation planning in coordination with the Central Midlands Council of Governments (CMCOG) and shall recommend revisions to the comprehensive plan.~~
- ~~(4) *Technical services division.* The technical services division shall consist of geographic information systems, flood determination, and enhanced 9-1-1 coordination. The division shall be responsible for administering and enforcing the addressing and flood damage prevention regulations. The division shall be responsible for the collection and manipulations of tabular and geographic data for~~

~~the creation of a variety of maps and calculations, statistical and spatial analysis of relevant county data, flood determination, assignment of all street addressing, technical and graphic support for planning and development services operations.~~

**Sec. 2-~~220~~221. Uniform addressing system.**

(1) General provisions.

- (a) A uniform system of naming roads and numbering properties and principal buildings, called "Guidelines for Road Naming and Addressing in Richland County", will be maintained by the ~~technical services division of the~~ Planning and Development Services Department.
- (b) An address shall be available for all principal dwellings and buildings within the unincorporated area of Richland County. Addresses will be provided only on those roads that have been assigned a name in accordance with the guidelines set forth by the department ~~technical services division~~.
- (c) The department ~~technical services division~~, in conjunction with the requirements set forth in section 6-29-1200 of the Code of Laws of South Carolina 1976, as amended, will be responsible for naming all roads in the unincorporated areas of the County. New road names will not be allowed if they duplicate existing county road names, including road names within zip code areas that cross county boundaries into neighboring counties. Existing duplicate road names shall be changed as necessary to ensure efficiency of the emergency response system.

(2) Assignment of numbers.

- (a) The department ~~technical services division~~, in coordination with the county assessor's office, shall assign all numbers on the basis of one (1) number for each fifty (50) feet of frontage along the road. All buildings north of the east-west roads and east of north-south roads shall bear even numbers, and likewise, all buildings south of east-west roads and west of north-south roads shall bear odd numbers. All roads running more nearly north-south shall be numbered as north-south roads, and all roads running more nearly east-west shall be numbered as east-west roads.
- (b) No building shall be assigned more than one (1) number. If multiple buildings have frontage within one or more assigned forty-foot frontage areas so that sufficient numbers are not available to give each building a separate number designation, then all such buildings at that location will be assigned the same number and each one of such buildings will carry a sub-designation in addition to the assigned number.

- (3) Location of numbers. When each dwelling or building has been assigned its respective number or numbers, the owner, occupant, or agent shall be required to immediately attach the assigned number or numbers in accordance with the following provisions. The cost of the numbers shall be paid for by the property owner:
- (a) Residential numbers shall be not less than three (3) inches in height, and business numbers shall not be less than four (4) inches in height. Numbers shall be made of a durable and clearly visible material that is in a contrasting color to the building.
  - (b) The numbers shall be conspicuously placed immediately above, on, or at the side of the proper door of each building so that the number can be seen plainly from the road line. Whenever the building is more than fifty (50) feet from the road line, the numbers must be placed near the walk, driveway, or common entrance to the building, and upon a mailbox, gate post, fence, or other appropriate place so as to be easily read from the road line.
  - (c) The number or numbers assigned to each dwelling or building shall not exceed five (5) digits.
- (4) Administration.
- (a) Whenever any principal dwelling or building is erected or located in Richland County, it will be the duty of the owner or owners to obtain the correct address for the property as designated by the Planning and Development Services Department ~~technical services division~~, and to immediately attach the number or numbers to the building as provided by this Section. No building permit will be issued for any dwelling or building until the owner has obtained the official address from the ~~technical services~~ department.
  - (b) Final approval of any major structure erected, altered, repaired, or modified shall be withheld by the building inspections division until the address is posted on said structure as outlined in this Section.
  - (c) No correctly assigned address shall be changed unless necessary to the functionality of the addressing system.

(5) Penalties.

Violation of the provisions of this Section or failure to comply with any of its requirements shall constitute a misdemeanor. Nothing herein contained shall prevent Richland County from taking such other lawful action as is necessary to prevent or remedy any violation.

**Sec. 2-~~221~~ 222 – 2-226. Reserved.**

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 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

First Reading: June 7, 2005  
Second Reading: June 21, 2005 (tentative)  
Public Hearing:  
Third Reading:

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 21, ROADS, HIGHWAYS AND BRIDGES; ARTICLE I, IN GENERAL; SECTION 21-11, TRAFFIC ENGINEERING; BY THE DELETION OF SUBSECTION (D) IN ITS ENTIRETY; SO AS TO REMOVE THE PROHIBITION OF SPEED HUMPS ON COUNTY MAINTAINED HIGHWAYS, STREETS, OR ROADS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 21, Roads, Highways and Bridges; Article I, In general; Section 21-11, Traffic Engineering; by the deletion of subsection (d) in its entirety.

~~(d) Speed bumps, humps or tables are not recognized in the *South Carolina Manual on Uniform Traffic Control Devices* as devices for controlling speed and will, therefore, not be installed or permitted on County maintained highways, streets or roads.~~

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 \_\_\_\_\_, 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

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

First Reading:        June 7, 2005  
Second Reading:     June 21, 2005 (tentative)  
Public Hearing:  
Third Reading:

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

AUTHORIZING AN AMENDMENT TO THE MASTER AGREEMENT GOVERNING THE I-77 CORRIDOR REGIONAL INDUSTRIAL PARK BY AND BETWEEN RICHLAND COUNTY, SOUTH CAROLINA AND FAIRFIELD COUNTY, SOUTH CAROLINA, IN ORDER TO EXPAND THE BOUNDARIES OF THE PARK TO INCLUDE CERTAIN PROPERTIES OWNED BY INTERNATIONAL PAPER, INC. AND R.C. MCENTIRE, INC., AND OTHER MATTERS RELATED THERETO.

WHEREAS, Richland County, South Carolina ("Richland") and Fairfield County, South Carolina ("Fairfield") (collectively, "Counties"), as authorized under Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended ("Act"), have jointly developed the I-77 Corridor Regional Industrial Park ("Park"); and,

WHEREAS, in response to requests from companies seeking to invest in either Richland or Fairfield, the Counties have heretofore expanded the boundaries of the Park to include additional property, which inclusion has afforded the requesting companies additional tax benefits under South Carolina law; and

WHEREAS, the Counties have entered into separate agreements to reflect each new phase of expansion of the Park ("Phase Agreements"); and

WHEREAS, on April 15, 2003, the Counties entered into an agreement entitled "Master Agreement Governing the I-77 Corridor Regional Industrial Park" ("Master Agreement"), the provisions of which replaced all existing Phase Agreements and now govern the operation of the Park; and

WHEREAS, International Paper, Inc., its corporate affiliates and assigns (collectively, "IP"), has requested the Counties expand the boundaries of the Park to include its property located in Richland and described in the attached Exhibit A (hereafter, "IP Property"); and

WHEREAS, R.C. McEntire, Inc., its corporate affiliates and assigns (collectively "R.C."), has requested the Counties expand the boundaries of the Park to include its property located in Richland and described in the attached Exhibit B (hereafter, "R.C. Property"); and

WHEREAS, the Counties now desire to expand the boundaries to include the IP Property and R.C. Property.

NOW, THEREFORE, BE IT ORDAINED BY THE RICHLAND COUNTY COUNCIL AS FOLLOWS:

**Section 1. Expansion of Park Boundaries.** There is hereby authorized an expansion of the Park boundaries to include the IP Property and R.C. Property. The County Council Chair, or the Vice Chair in the event the Chair is absent, the County Administrator and the Clerk to the County Council are hereby authorized to execute such documents and take such further actions as may be necessary to complete the expansion of the Park boundaries. Pursuant to the terms of the Master Agreement, the expansion shall be complete upon the adoption of this Ordinance by the Richland County Council and a companion Ordinance by the Fairfield County Council.

**Section 2. Removal of Property from Park.** IP or R.C. may request that a portion of its Property be removed from the Park. In such case, the Counties hereby authorize removal of such portion of that Property upon receipt of a written request from IP or R.C., respectively. No further action by either the Richland County Council or the Fairfield County Council shall be required. The County Council Chair, or the Vice Chair in the event the Chair is absent, the County Administrator and the Clerk to the County Council are hereby authorized to execute such documents and take such further actions as may be necessary to complete removal of a portion of that Property from the Park. The public hearing requirement set forth in Section 1.03 of the Master Agreement is hereby waived.

**Section 3. Savings Clause.** If any portion of this Ordinance shall be deemed unlawful, unconstitutional or otherwise invalid, the validity and binding effect of the remaining portions shall not be affected thereby.

**Section 4. General Repealer.** Any prior Ordinance, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

**Section 5. Effectiveness.** This Ordinance shall be effective after third and final reading.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Anthony G. Mizzell, Chair

(SEAL)

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

OF \_\_\_\_\_, 2005

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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Approved As To LEGAL Form Only  
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First Reading:  
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Public Hearing:  
Third Reading: