

MINUTES OF



RICHLAND COUNTY COUNCIL'S SPECIAL CALLED MEETING TUESDAY, OCTOBER 5, 2004 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	Bernice G. Scott
Vice-Chair	Joan B. Brady
Member	Susan Brill
Member	Paul Livingston
Member	Joseph McEachern
Member	Anthony G. Mizzell
Member	L. Gregory Pearce, Jr.
Member	Kit Smith
Member	Thelma M. Tillis
Member	James Tuten

Absent: Doris M. Corley

ALSO PRESENT: Milton Pope, Michael Criss, Michielle Cannon-Finch, Tony McDonald, Anna Almeida, Kendall Johnson, Geo Price, Carl Gosline, Amelia Linder, Lynn Keating, Skip Limbaker, Stephany Snowden, Marsheika Martin

CALL TO ORDER

The meeting was called to order at approximately 4:12 p.m.

INVOCATION

The Invocation was given by the Honorable Jim Tuten.

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

Ms. Tillis moved, seconded by Mr. McEachern, to adopt the agenda as published. The vote in favor was unanimous.

PRESENTATION – On behalf of the Appearance Commission, Mr. Ken Corley requested for Council to approve the standards.

LAND DEVELOPMENT CODE

Mr. Livingston moved, seconded by Mr. Mizzell, **to leave the M-1 section as is for now and then revisit it after Council has worked off of the recommendations of the Planning Commission.** The vote in favor was unanimous.

Definition of “Animal unit” – amend to strike the word “broiler” in front of chicken

Ms. Smith moved, seconded by Mr. Pearce, to approve this amendment. The vote in favor was unanimous.

Definition of “Improvement”

Ms. Smith moved, seconded by Ms. Brill, to table this amendment and leave the definition in the Code until it can be decided whether or not it does any good or any harm. The vote was in favor.

Incorporate vested rights language (h.3858) and define when vesting occurs

Mr. Pearce moved to defer this item.

Mr. Pearce withdrew his motion for further discussions.

Mr. Pearce moved, seconded by Ms. Tillis, to defer the amendment until appropriate language is developed, possibly October 19th. The vote in favor was unanimous.

Major subdivision sketch plan review, approval validity – change so that the sketch plan expires after 2 years rather than 180 days

Ms. Smith moved to have the sketch plan review approval last for 180 days and preliminary plan review for two years as currently drafted in the code. Mr. Mizzell seconded the motion for discussion.

A discussion took place.

Mr. McEachern made a substitute motion, seconded by Ms. Smith, for the sketch plan review approval for 12 months and one extension for 12 months. The vote in favor was unanimous.

Delete amendment regarding County’s assertion not to use power of eminent domain to condemn land in the Conservation Overlay District only; instead, rewrite to restrict the use of eminent domain condemnation for public pedestrian trail/greenways in ALL zoning districts (Section 26-179 would need to be amended)

Ms. Smith moved, seconded by Mr. Mizzell, to table the amendment. The vote in favor was unanimous.

Change minimum elevation requirements in floodplains from 3 feet to 2 feet to be consistent with current regulations. (Sections (d)(2)a., b., d.1. & 2., and j. would need to be amended)

Mr. Livingston moved, seconded by Mr. Mizzell, to accept the Planning Commission's recommendation of approval.

Ms. Scott and Mr. Pearce requested information that shows a relationship between the flood insurance rates and FEMA standards.

The vote was in favor of the motion.

Amend Section 26-184(b)(1) to make it clear that there is no minimum amount of land required for open space; but if there IS open space, it must be reserved for the use of all the people of the development

Ms. Smith moved that 5% of the land has to be useable, making wetlands accessible such as bike trail, park, recreational land (for every 100 acres of houses, 5 acres would be recreational).

Mr. Livingston moved, seconded by Mr. Mizzell, to defer this item until Ms. Smith's recommendation is drafted.

Mr. Livingston withdrew his motion for further discussion.

Mr. Livingston moved to defer the amendment to the next meeting. The vote in favor was unanimous.

Delete amendment providing a 15-foot setback for wet ponds.

Ms. Smith moved, seconded by Mr. Mizzell, to table the Planning Commission's recommendation of approval. The vote in favor was unanimous.

Provide that the effective date of the ordinance is at least 9 months AFTER the adoption date

Mr. McEachern moved that the effective date of the ordinance is at least **6 months** after the adoption date.

Ms. Smith moved, seconded by Ms. Tillis, to defer this amendment until Third Reading but accept 6 months as a base and 9 months as the outside. The vote was in favor.

Definition of minor versus major subdivision

Mr. Pearce moved, seconded by Mr. McEachern, to approve the amendment. The vote in favor was unanimous.

Allow for Variances through preliminary subdivision plan state instead of stopping at the Sketch Plan Stage

Ms. Smith offered an amendment, seconded by Ms. Brill, delete the language that prohibits variances at preliminary site plan after preliminary site plan review but that provides for amending the sketch plan to provide for more variances.

Ms. Smith stated she would draft an amendment and bring it before Council.

Mr. Livingston moved, seconded by Mr. McEachern, to defer this item to the next meeting. The vote in favor was unanimous.

Create Revitalization

Ms. Smith moved, seconded by Mr. Pearce, to table this amendment until the Planning Commission can make another proposal. The vote in favor was unanimous.

ADJOURNMENT – The meeting adjourned at approximately 5:00 p.m.

Bernice G. Scott, Chair

Joan B. Brady, Vice-Chair

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The minutes were transcribed by Marsheika G. Martin