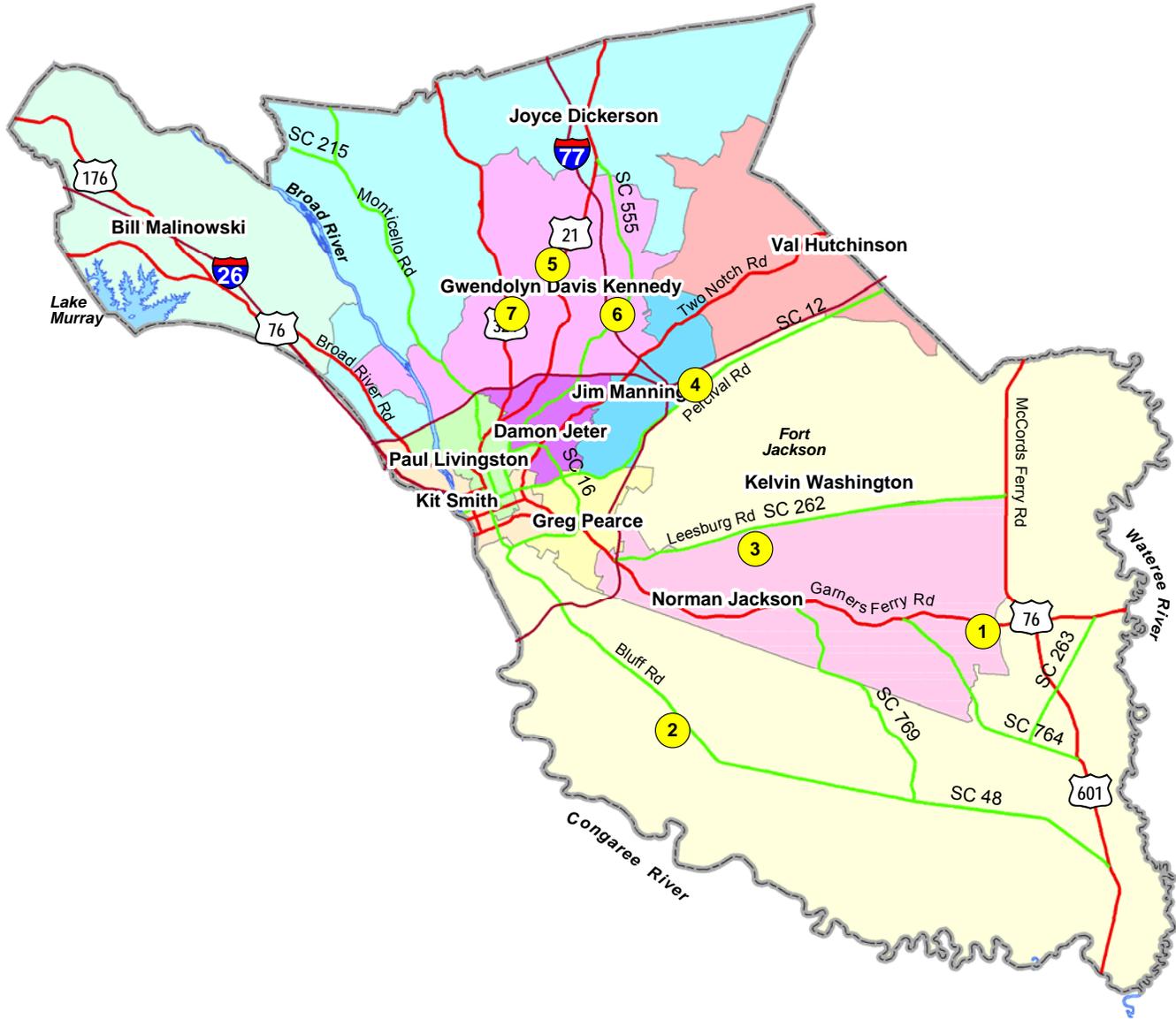


RICHLAND COUNTY COUNCIL
ZONING PUBLIC HEARING



OCTOBER 27, 2009

RICHLAND COUNTY PLANNING COMMISSION OCTOBER 5, 2009



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 09-11 MA	ANY Associates, Inc.	35206-02-06 & 35200-09-56	Corner of Garners Ferry Rd. & Pond Dr.	Jackson
2. 09-13 MA	Westinghouse	18600-01-01 (p)	5801 Bluff Rd.	Washington
3. 09-14 MA	Joe Jackson	24903-05-02	1520 Lower Richland Blvd.	Jackson
4. 09-15 MA	Larry M. Spivey	19716-02-20 (p)	Alpine Rd. & Old Percival Rd.	Washington
5. 09-16 MA	Pallav R. Desai	14700-03-33	9401 Wilson Blvd.	Kennedy
6. 09-17 MA	FSD, LLC	17200-03-23	206 Business Park Blvd.	Kennedy
7. 09-18 MA	A.L. Company, LLC	12000-03-02 & 03	Wessinger Rd. & Fairfield Rd.	Kennedy



RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING

Tuesday, October 27, 2009

7:00 P.M.

**2020 Hampton Street
2nd Floor, Council Chambers
Columbia, South Carolina**

STAFF: Joseph Kocy, AICP Planning Director
Anna Almeida, AICP Deputy Planning Director
Amelia R. Linder, Esq.Attorney

CALL TO ORDER.....Honorable Paul Livingston
Chairman of Richland County Council

ADDITIONS / DELETIONS TO THE AGENDA

OPEN PUBLIC HEARING

MAP AMENDMENTS

1. Case # 09-11 MA
ANY Associates, Inc.
Abdalla Yaghy
RU to RC (4.19 acres)
TMS # 35206-02-06 & 35200-09-56
Corner of Garners Ferry Rd. & Pond Dr. **[FIRST READING]**
Planning Commission **DENIED** 8-1
Page 1

2. Case # 09-13 MA
Westinghouse
Brian Pasco
RU to HI (44.98 acres)
TMS # 18600-01-01 (p)
5801 Bluff Rd. **[FIRST READING]**
Planning Commission **DENIED** 9-0
Page 11

3. Case # 09-14 MA
Joe Jackson
Prayer & Faith Temple
RS-HD to RU (2.85 acres)
TMS # 24903-05-02
1520 Lower Richland Blvd. **[FIRST READING]**
Planning Commission **APPROVED** 8-1
Page 19

4. CASE # 09-15 MA
Larry M. Spivey
Majors Management / Tracy Billings
RU to GC (.341 acres)
TMS # 19716-02-20 (p)
Alpine Rd. & Old Percival Rd. **[FIRST READING]**
Planning Commission **APPROVED** 8-0
Page 29

5. Case # 09-16 MA
Pallav R. Desai
RU to NC (.76 acres)
TMS # 14700-03-33
9401 Wilson Blvd. **[FIRST READING]**
Planning Commission **DENIED** 8-1
Page 41

6. Case # 09-17 MA
FSD, LLC
Fred Babae
HI to GC (2 acres)
TMS # 17200-03-23
206 Business Park Blvd. **[FIRST READING]**
Planning Commission **APPROVED** 9-0
Page 51

NO PUBLIC HEARING

TEXT AMENDMENTS

7. Section 26-88, RS-LD Residential, Single-Family – Low Density District; and Section 26-89, RS-MD Residential, Single-Family – Medium Density District; and Section 26-90, RS-HD Residential, Single-Family – High Density District; so as to increase side setback requirements to five (5) feet for any one side **[FIRST READING]** [Public Hearing held on 9-22-09]
Planning Commission **APPROVED** 7-0
Page **61**

ADJOURNMENT



Richland County Planning & Development Services Department

MAP AMENDMENT STAFF REPORT

PC MEETING DATE: September 3, 2009
RC PROJECT: 09-11 MA
APPLICANT: Abdalla Yaghy
PROPERTY OWNER: Abdalla Yaghy

LOCATION: Garners Ferry Rd and Pond Drive

TAX MAP NUMBER: 35206-02-06 & 35200-09-56
ACREAGE: 4.19 Acres
EXISTING ZONING: Rural (RU)
PROPOSED ZONING: Rural Commercial (RC)

PC SIGN POSTING: August 19, 2009

Staff Recommendation

Denial

Background /Zoning History

The current zoning, Rural (RU), reflects the original zoning as adopted September 7, 1977. The parcel contains approximately 500 feet of frontage on Garners Ferry Rd.

Minimum lot area/maximum density: Minimum lot area requirement: 22,000 square feet or as required by DHEC. Maximum density: there is no maximum density standard.

Summary

The Rural Commercial District (RC) recognizes the need to provide for areas within Richland County where residents of the more isolated agricultural and rural residential districts and residents located beyond the limits of service of the municipalities can receive convenience merchandising and services. It is intended to be a flexible district allowing a mixture of uses in order to accommodate commercial and service activities oriented primarily to serving the needs of persons who live in nearby areas. The RC District is proposed to be within or adjacent to residential neighborhoods where large commercial uses are inappropriate, but where the small neighborhood oriented business are useful and desired. This district is further designed to be located at or near intersections of arterial and/or major collector roads so as to prevent the spreading of commercial uses down the major corridors or into the surrounding countryside.

Existing Zoning		
North:	RU	Garners Ferry Rd, undeveloped
South:	RU/RU	SCDOT Substation/ Residential
East:	RU	Church
West:	MH	Residential mobile home

Plans & Policies

The Imagine Richland 2020 Comprehensive Plan “Lower Richland Land Use Map” designates this area as Rural in the Rural and Open Space District Area.

Objective: “Types and sites of employment and services shall be located to complement residential areas; minimize adverse effects of noise, pollution, glare and traffic on residential areas.”

Compliance: The site is located near a mobile home development and would complement this existing residential area.

Principle: “Limited general highway commercial uses which principally rely on through traffic for customers may be located along major highways provided: The site is adjacent to existing commercially zoned land, or located at least one-quarter mile from the next commercial uses of similar scale”.

Non-Compliance: The proposed rural commercial zoning is not contiguous to existing commercially zoned land and is less than a quarter mile from an existing Planned Development District (PDD) zoned for commercial use.

Traffic Impact

Garners Ferry Rd (US 76/378) is a four lane divided principal arterial roadway with a Level-of-service “C” and a design capacity of 33,600 trips per day. Since the 2008 SCDOT traffic counts at Station 173, approximately 3 miles west of the site was 16,000 trips per day, Garners Ferry Road adjacent to the subject site has a Level-of-service “A”.

The 4.2 acre site is limited to 20,000 sq. ft. gross floor area of structures. Even if the 20,000 sq. ft. of gross floor area was utilized by the most intensive traffic generating land use, the Level of Service on Garners Ferry Rd would be well below the design capacity of the Road.

Compliance with Pending Comprehensive Plan - Land Use Element 2009

The pending Land Use Element designates this area as Low Density Suburban, indicating that commercial/office activities should be located at major traffic junctions where existing commercial and office uses are located and not encroach or penetrate established residential areas. Small scale agricultural related commercial uses, located on-site with residences, are appropriate provided adequate buffering/setbacks area available and the commercial use is in character with the area.

The property is surrounded by undeveloped rural and rural residential lots with no existing commercial or office uses in the area. The parcel does however contain access to a major arterial or highway. Water and sewer is not currently available to the site.

The proposed Amendment **does not comply** with the Pending 2009 Comprehensive Plan.

Conclusion

The proposed rezoning request from Rural District (RU) to Rural Commercial District (RC) would not be compatible with the existing surrounding uses or zoning. The intent of the RC

Extending the Hi zoning district offers adequate room within the property for future expansions to occur without eliminating the undisturbed buffering along the perimeter of the property.

The proposed rezoning request **is** compatible with the surrounding land uses. Planning Staff recommends **Approval** of this map amendment.

Planning Commission Recommendation

The applicant did not justify the need for the entire 44.98 acres to be rezoned.

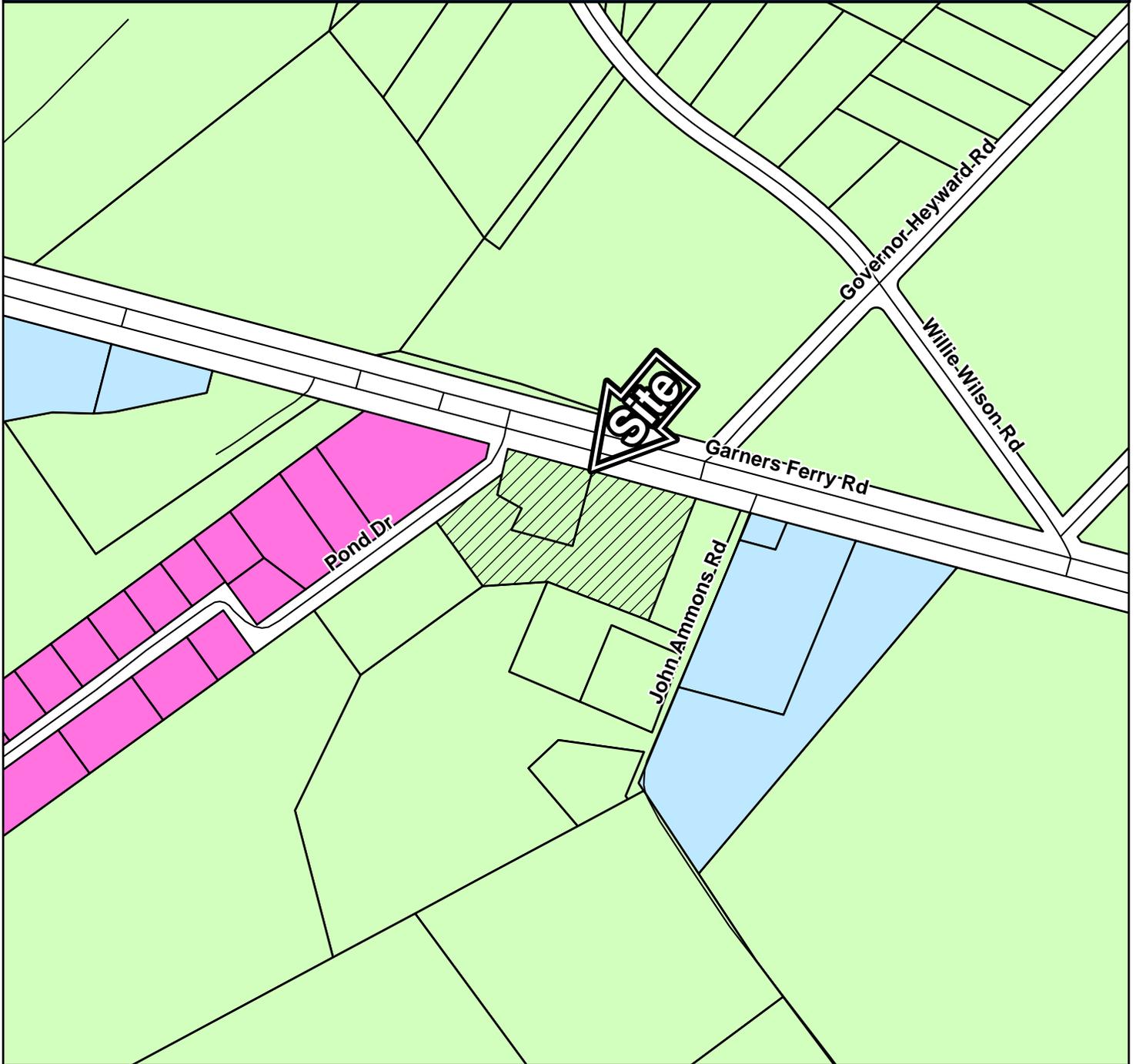
Zoning Public Hearing Date

October 27, 2009

Planning Commission Action

At their meeting of **October 5, 2009** the Richland County Planning Commission **disagreed** with the PDSD recommendation and, based on the findings of facts above, recommends the County Council initiate the ordinance consideration process to **deny** the proposed Amendment for **RC Project # 09-13 MA** at the next available opportunity.

Case 09-11 MA RU to RC



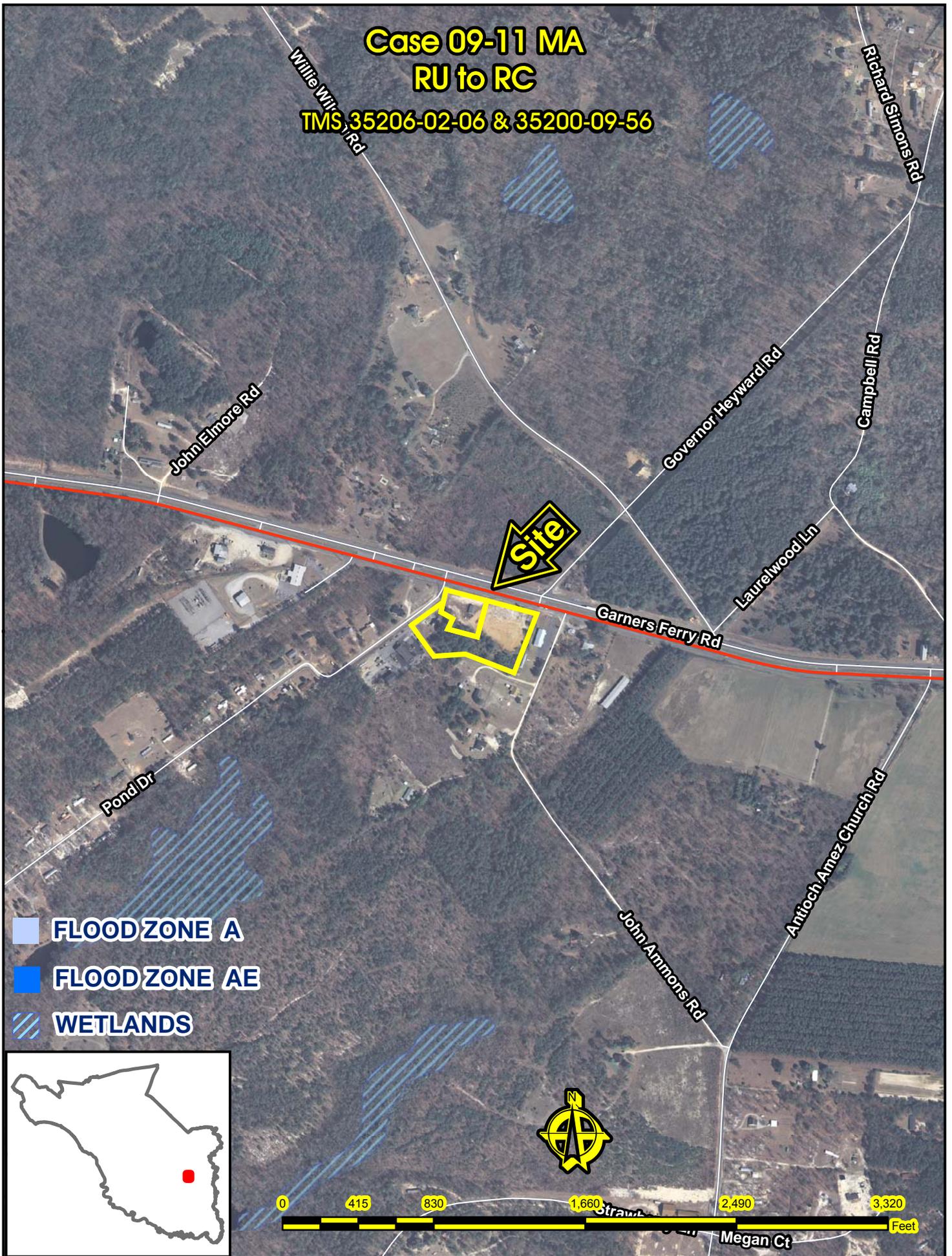
ZONING CLASSIFICATIONS

 RR	 RS-E	 MH	 NC	 HI
 C-1	 RS-LD	 RM-MD	 GC	 PDD
 C-3	 RS-MD	 RM-HD	 M-1	 RU
 RG-2	 RS-HD	 OI	 LI	 TROS

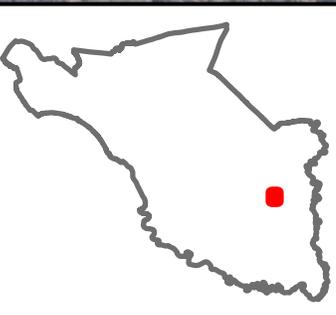
 N
 Subject Property

Case 09-11 MA RU to RC

TMS 35206-02-06 & 35200-09-56



-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS



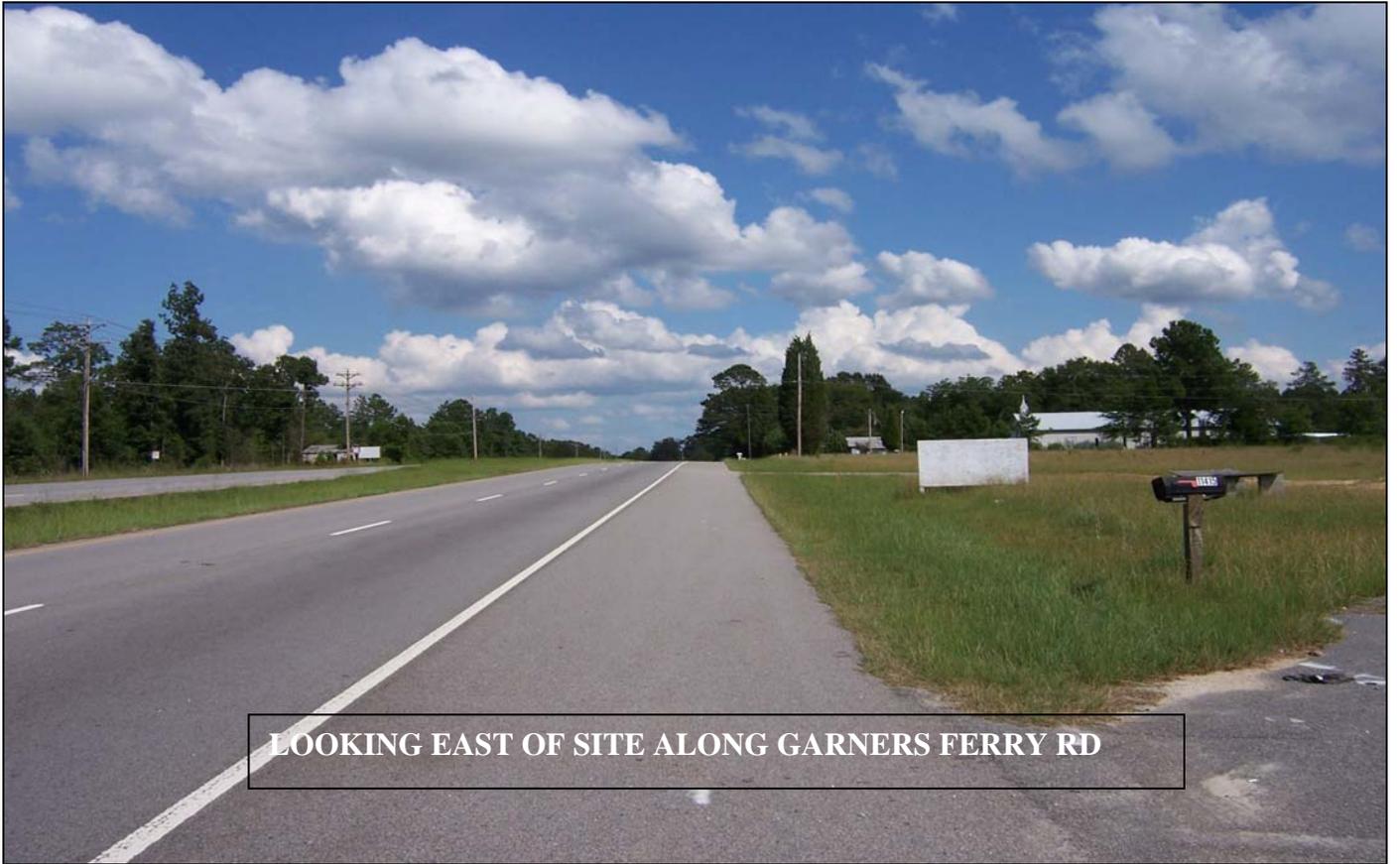
CASE 09-11MA

From RU to RC

TMS# R35206-02-06, R35200-09-56

Garners Ferry Rd and Pond Drive







LOOKING SOUTH ALONG POND DRIVE

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-09HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 35206-02-06 AND TMS # 35200-09-56 FROM RU (RURAL DISTRICTS) TO RC (RURAL COMMERCIAL DISTRICTS); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 35206-02-06 and TMS # 35200-09-56 from RU (Rural District) zoning to RC (Rural 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 effective from and after _____, 2009.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2009.

Michielle R. Cannon-Finch
Clerk of Council

Public Hearing: October 27, 2009 (tentative)
First Reading: October 27, 2009 (tentative)
Second Reading:
Third Reading:



Richland County Planning & Development Services Department

Map Amendment Staff Report

PC MEETING DATE: September 3, 2009
RC PROJECT: 09-13 MA
APPLICANT: Brian Pasco
PROPERTY OWNER: Westinghouse

LOCATION: Bluff Road

TAX MAP NUMBER: 18600-01-01 (P)
ACREAGE: 44.98 Acres
EXISTING ZONING: RU
PROPOSED ZONING: HI

PC SIGN POSTING: August 19, 2009

Staff Recommendation

Approval

Background /Zoning History

The current zoning, Heavy Industrial (HI), reflects the original zoning as adopted September 7, 1977. The parcel contains approximately 461 feet of frontage on Bluff Road.

Summary

The Heavy Industrial (HI) District is intended to primarily accommodate uses of a manufacturing and industrial nature, and secondly, uses that are functionally related thereto, such as distribution, storage, and processing. General commercial uses are allowed, but are considered incidental to the predominantly industrial nature of this district. No minimal lot area except as required by DHEC; and no maximum density standard. A permitted use of HI is resource extraction, which is not permitted in any other zoning district.

Existing Zoning

<u>North:</u>	RU	Undeveloped
<u>South:</u>	RU	Westinghouse
<u>East:</u>	HI	Westinghouse
<u>West:</u>	RU	Undeveloped

Plans & Policies

The Imagine Richland 2020 Comprehensive Plan “**Lower Richland Land Use Map**” designates this area as Heavy Industrial in the Rural and Open Space District Area.

Objective: “Promote development that confirms and incorporates the natural topography.”

Compliance: The expansion will not drastically alter the landscape.

Principal: “To ensure adequate buffering, areas considered for rezoning for industrial uses should conform to the following scale: Heavy industrial activities should have a minimum of 10 acres”.

Compliance: The subject property being considered for rezoning is 44.98 acres which exceeds the recommended minimum 10 acres.

Traffic Impact

The proposed 44.98 acre rezoning request from RU to HI will generate approximately 304 average daily trips on Bluff Road. The 2008 SCDOT traffic count at Station 241, which is very close to the Westinghouse facility, was 4400 average daily trips.

Bluff Road, in this area, is classified as a two lane undivided Minor Arterial road with a design capacity of 10,800 average daily trips. The additional trips generated by the proposed rezoning request will not change the current Level-of-service “A”.

Compliance with Pending Comprehensive Plan - Land Use Element 2009

The pending Land Use Element designates this area as Low Density Suburban, indicating that industrial activities should be compatible with the surrounding land uses. Additionally, industrial uses should not locate near residential or commercial uses without adequate space for buffering/setbacks. Proposed industrial uses should consider sites with adequate room for expansion, existing infrastructure, and access to major arterials and/or highways.

The property is surrounded by undeveloped rural parcels with the exception of the Heavy Industrial Zoning District (HI) to the south (Westinghouse). The parcel contains direct access to a major arterial, Bluff Road and contains adequate room for future expansion.

The proposed Amendment is **in compliance** with the Pending 2009 Comprehensive Plan.

Conclusion

The proposed rezoning to HI (heavy industrial) will be an extension of an existing zoning district to accommodate the expansion of Westinghouse, the 4th largest employer in the County with over 1,200 employees. The subject parcel is surrounded by a Rural (RU) zoned parcels which is undeveloped and owned by Westinghouse. The undeveloped forested parcel provides adequate buffering to surrounding parcels from adverse affects such as noise, glare, and internal traffic. Currently there are no residential developments or single family homes within the vicinity of the site. Bluff Road is a major arterial with access to I-77 and can accommodate the additional traffic that may be generated by this rezoning.

Extending the Hi zoning district offers adequate room within the property for future expansions to occur without eliminating the undisturbed buffering along the perimeter of the property.

The proposed rezoning request **is** compatible with the surrounding land uses. Planning Staff recommends **Approval** of this map amendment.

Planning Commission Recommendation

The applicant did not justify the need for the entire 44.98 acres to be rezoned.

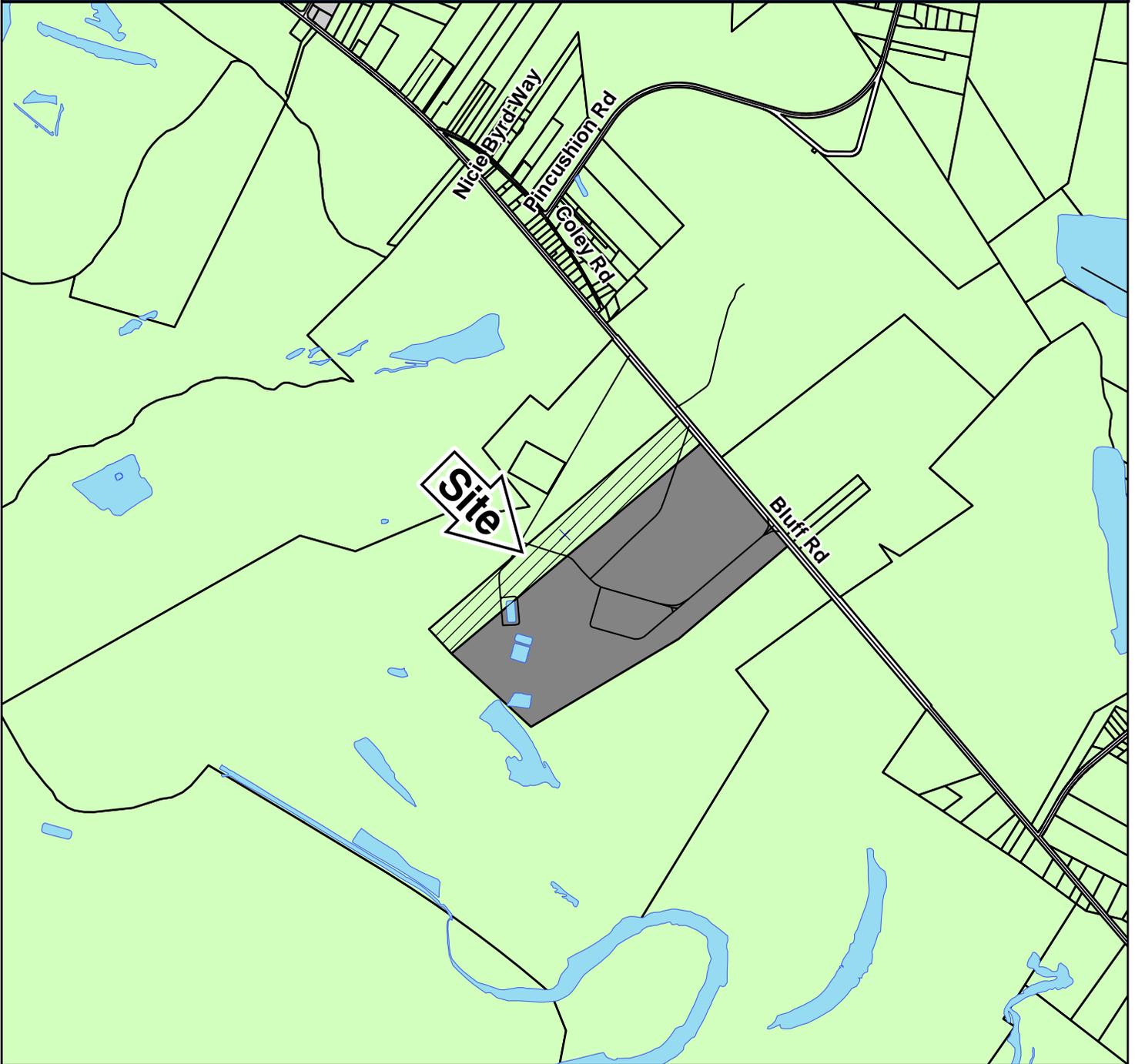
Zoning Public Hearing Date

October 27, 2009

Planning Commission Action

At their meeting of **October 5, 2009** the Richland County Planning Commission **disagreed** with the PDSD recommendation and, based on the findings of facts above, recommends the County Council initiate the ordinance consideration process to **deny** the proposed Amendment for **RC Project # 09-13 MA** at the next available opportunity.

Case 09-13 MA RU to HI



ZONING CLASSIFICATIONS

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

**Case 09-13 MA
RU to HI
TMS 18600-01-01 (p)**

▲ 411

▲ 757
Pincushion Rd

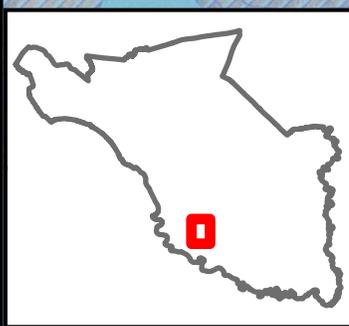
Coley Rd

Bluff Rd

Site

▲ 241

-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS

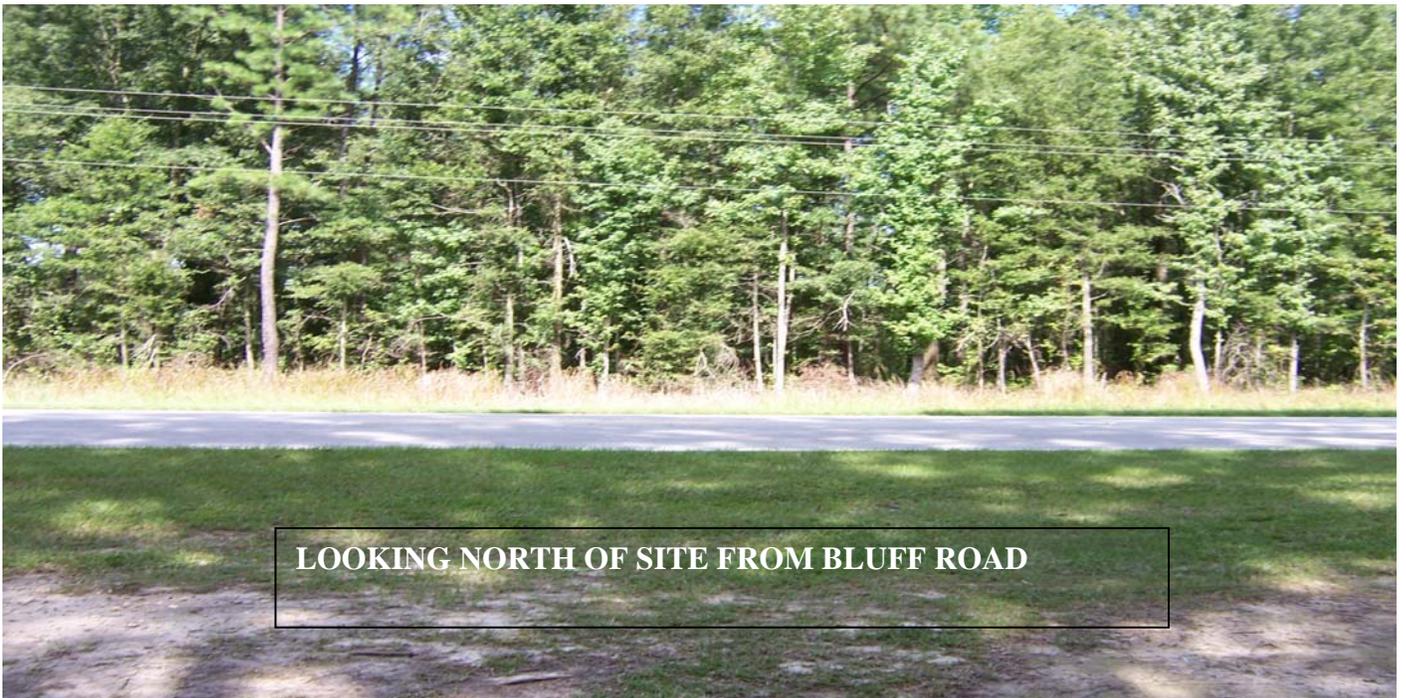


CASE 09-13MA

From RU to HI

TMS# R18600-01-01(P)

Bluff Rd





STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-09HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS A PORTION OF TMS # 18600-01-01 FROM RU (RURAL DISTRICT) TO HI (HEAVY INDUSTRIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as a portion of TMS # 18600-01-01 (described in Exhibit A, which is attached hereto), from RU (Rural District) zoning to HI (Heavy Industrial 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 effective from and after _____, 2009.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2009.

Michielle R. Cannon-Finch
Clerk of Council

Public Hearing: October 27, 2009 (tentative)
First Reading: October 27, 2009 (tentative)
Second Reading:
Third Reading:



Richland County Planning & Development Services Department

Map Amendment Staff Report

PC MEETING DATE: October 5, 2009
RC PROJECT: 09-14 MA
APPLICANT: Joe Jackson
PROPERTY OWNER: Joe Jackson

LOCATION: Lower Richland Blvd

TAX MAP NUMBER: 24903-05-02
ACREAGE: 2.85 Acres
EXISTING ZONING: RS-HD
PROPOSED ZONING: RU

PC SIGN POSTING: September 18, 2009

Staff Recommendation

Approval

Background /Zoning History

The current zoning, Residential Single Family High Density (RS-HD), reflects the original zoning as adopted September 7, 1977. The parcel contains approximately 187.09 feet of frontage on Lower Richland Boulevard and 199.13 feet of frontage on Padgett Rd.

Summary

The Rural District (RU) is intended to provide areas for low intensity agricultural uses and very-low density single-family, detached residential home construction. RU zoning is intended to provide for the preservation of open space, farmland and rural areas, and to protect and encourage the integrity of existing rural communities.

Existing Zoning

<u>North:</u>	MH	Manufactured Homes
<u>South:</u>	MH/RM-HD	Manufactured Homes/ Residences
<u>East:</u>	RS-HD	Residential
<u>West:</u>	MH	Manufactured Homes

Plans & Policies

The Imagine Richland 2020 Comprehensive Plan “**Lower Richland Land Use Map**” designates this area as Residential in the Rural in the Developing Urban District.

Objective: “Promote development that conforms and incorporates the natural topography of the land.”

Compliance: The existing structure will not be modified. The church is rezoning to allow for ancillary uses permitted under the Rural District (RU)

Principal: “Small religious and cultural facilities with membership approximating 150 are compatible with residential neighborhoods provided that cemeteries and mausoleums are not permitted as accessory activities”.

Compliance: The existing church does not contain a cemetery or mausoleum.

Traffic Impact

Both Padgett and Lower Richland Blvd are classified as two lane undivided collector roads. The 2008 SCDOT traffic count at Station # 507 on Padgett Rd was 3000 ADT's. The 2008 SCDOT traffic count at Station # 481 on Lower Richland Blvd was 2100 ADT's. Both roads are currently operating at a level-of-service “B”

The traffic generated by places of worship is based on either the number of square feet in the principal structure or the number of seats in the sanctuary. The existing 1600 sq. ft. sanctuary generates about 60 vehicle trips on Sunday. The proposed 3000 sq. ft. recreation/community center will generate about 42 vehicle trips on Sunday.

Compliance with Pending Comprehensive Plan - Land Use Element 2009

The pending Land Use Element designates this area as Suburban, ***Suburban Land Use***. Throughout the suburban areas infill development should be a focus in residential, commercial and industrial areas, complementing and connecting the existing sprawl pattern. Existing housing should be maintained and rehabilitated with traffic calmed on residential streets. Public facilities such as schools, libraries, and recreation centers should be located reinforcing community centers

The existing residentially zoned property is surrounded by existing Mobile Home (MH) zoned parcels and Residential Multifamily High Density (RM-HD) parcels located to the east. The parcels located to the east of the site are zoned Residential Single Family High Density (RS-HD). Located roughly 509 feet south of the site is Rural (RU) zoned property along Lower Richland Boulevard. This portion of Lower Richland is located near the Suburban and Low Density Suburban transition line. Rural zoned properties and uses are appropriate for the transition area.

The proposed Amendment is **in compliance** with the Pending 2009 Comprehensive Plan.

Conclusion

The property is currently utilized by an existing church. The Residential Single Family High Density (RS-HD) does not allow ancillary uses for churches as permitted under the Rural District (RU); and does not permit places of worship out right. The church is currently under a Special Exception. The Special Exceptions required for this property is as follows;

Facilities for a place of worship located on a site of three (3) acres or more shall have primary access to the facility from a collector or thoroughfare road.

No parking space or drive shall be located closer than twenty (20) feet to a residence not associated with the place of worship. No parking area may be located in the front setback.

The front setback shall be the same as permitted in the respective district, but shall not be less than the lesser setback of any existing homes on adjacent lots. The side and rear setbacks shall be thirty (30) feet.

Rezoning the subject parcel to RU would allow the church to be permitted outright and would eliminate the need to appear before the Board of Zoning Appeals for modifications to the church building. The site is roughly 1.95 miles from the closest fire station located south of the subject property on Lower Richland Boulevard. There are fire hydrants along both Padgett Road and Lower Richland, and the property is currently on a septic system.

The proposed rezoning request **is** compatible with the surrounding land uses. Planning Staff recommends **Approval** of this map amendment.

Zoning Public Hearing Date

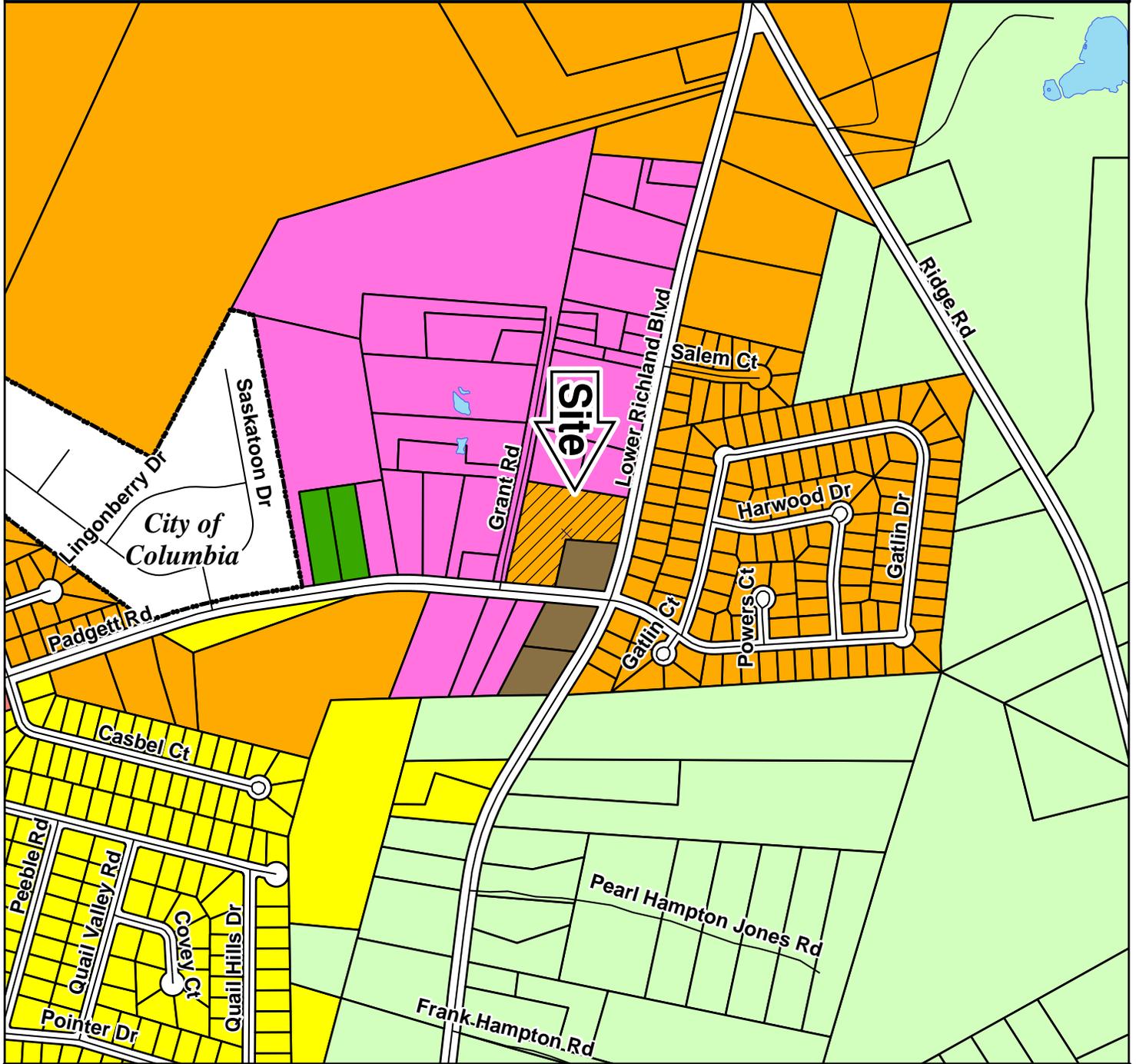
October 27, 2009

Planning Commission Action

At their meeting of **October 5, 2009** the Richland County Planning Commission **agreed** with the PSDS recommendation and recommends the County Council initiate the ordinance consideration process to **approve** the proposed amendment for **RC Project # 09-14 MA** at the next available opportunity.

Case 09-14 MA

RS-HD to RU



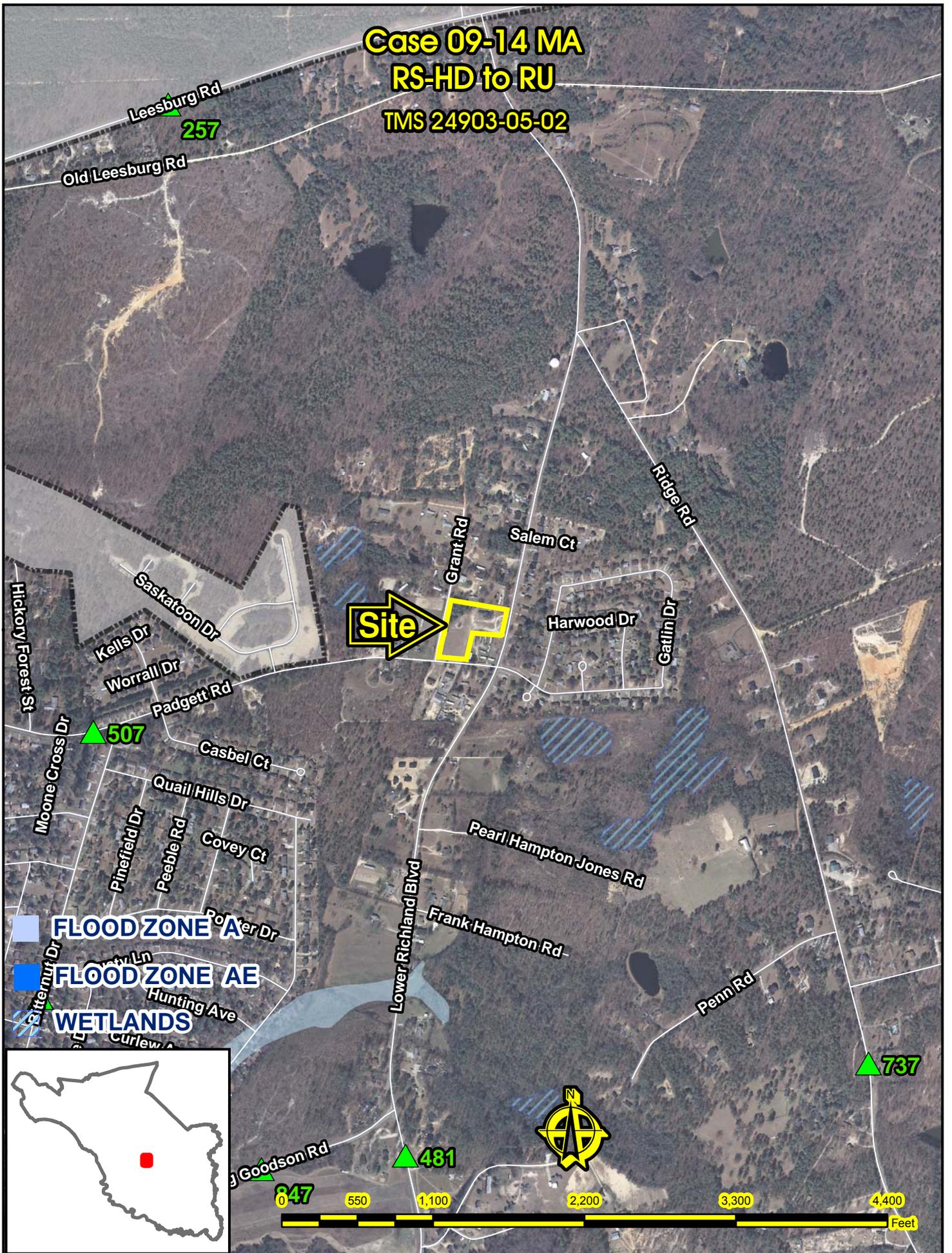
ZONING CLASSIFICATIONS

 RR	 RS-E	 MH	 NC	 HI
 C-1	 RS-LD	 RM-MD	 GC	 PDD
 C-3	 RS-MD	 RM-HD	 M-1	 RU
 RG-2	 RS-HD	 OI	 LI	 TROS

 Subject Property



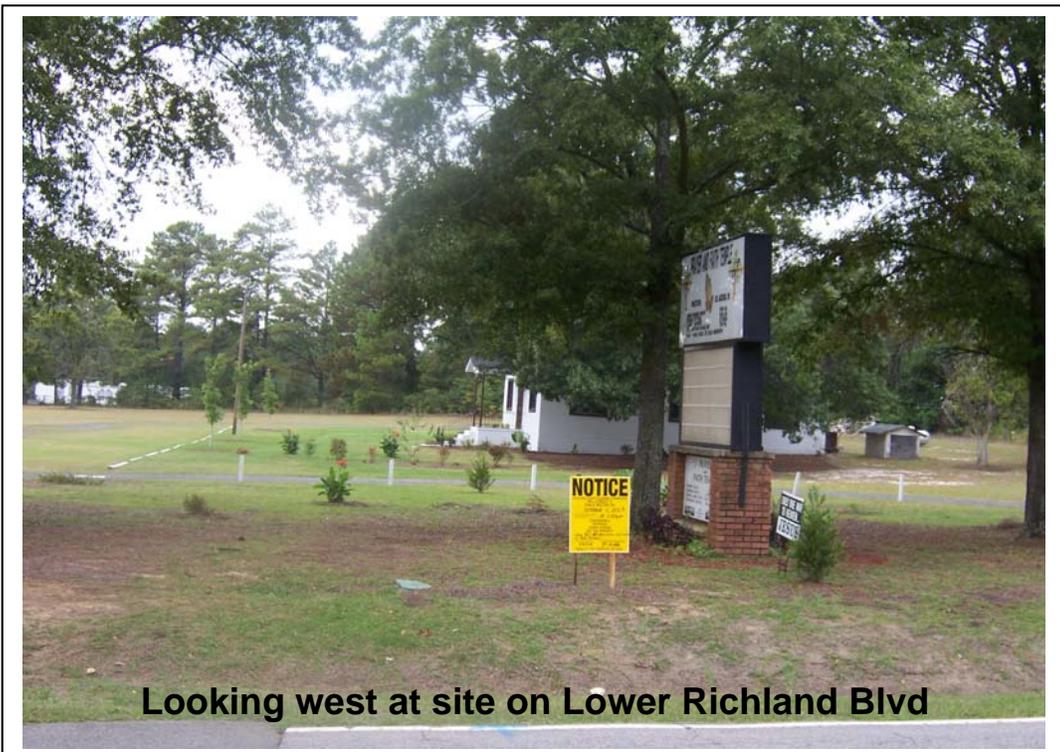
**Case 09-14 MA
RS-HD to RU
TMS 24903-05-02**



CASE 09-14 MA

From RS-HD to RU

TMS# 24903-05-02 Lower Richland Blvd & Padgett Rd









**Looking at modular home property on corner of
Padgett Road and Lower Richland Blvd**

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-09HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 24903-05-02 FROM RS-HD (RESIDENTIAL, SINGLE-FAMILY – HIGH DENSITY DISTRICT) TO RU (RURAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 24903-05-02 from RS-HD (Residential, Single-Family – High Density District) to RU (Rural 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 effective from and after _____, 2009.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2009.

Michielle R. Cannon-Finch
Clerk of Council

Public Hearing: October 27, 2009 (tentative)
First Reading: October 27, 2009 (tentative)
Second Reading:
Third Reading:



Richland County Planning & Development Services Department

Map Amendment Staff Report

PC MEETING DATE: October 5, 2009
RC PROJECT: 09-15 MA
APPLICANT: Tracey Billings
PROPERTY OWNER: Larry M. and Joan S. Spivey

LOCATION: Alpine Road

TAX MAP NUMBER: 19716-02-20 (p)
ACREAGE: 0.341
EXISTING ZONING: RU
PROPOSED ZONING: GC

PC SIGN POSTING: September 18, 2009

Staff Recommendation

Approval

Background /Zoning History

The current zoning, Rural District (RU), reflects the original zoning as adopted September 7, 1977. The parcel contains approximately 99.58 feet of frontage along Alpine Road.

Summary

The General Commercial District (GC) is intended to accommodate a variety of commercial and nonresidential uses characterized primarily by retail, office, and service establishments and oriented primarily toward major traffic arteries or areas of predominantly commercial usage and characteristics.

No minimum lot area, except as required by DHEC. The maximum allowed density for residential uses is sixteen (16) dwelling units per acre.

Existing Zoning		
<u>North:</u>	GC	Undeveloped
<u>South:</u>	GC	Undeveloped
<u>East:</u>	RU	Manufactured Homes
<u>West:</u>	GC	Undeveloped parcel

Plans & Policies

The Imagine Richland 2020 Comprehensive Plan “Northeast Area Land Use Map” designates this area as High Density Residential in the Established Urban District.

Objective: “Foster new development in areas with adequate infrastructure.”

Compliance: The subject parcel has existing water and sewer connections with existing road frontage.

Principal: “Sites that don’t encroach or penetrate established residential areas”.

Non-Compliance: The site will be adjacent to an existing manufactured home park.

Traffic Impact

The 2008 SCDOT traffic count at Station # 498, is northwest of the site on Alpine Road, was 12,200 average daily trips (ADT’s). Alpine Road is classified as a two lane undivided collector road with a design capacity of 8,600 average daily trips (ADT’s). Alpine Road is currently functioning over the designed roadway capacity and operating below a Level of Service (LOS) “C”. A more in depth traffic analysis will take place when site plans are submitted.

Compliance with Pending Comprehensive Plan - Land Use Element 2009

The pending Land Use Element designates this area as Suburban, **Suburban Land Use**. Throughout the suburban areas infill development should be a focus in residential, commercial and industrial areas, complementing and connecting the existing sprawl pattern. Existing housing should be maintained and rehabilitated with traffic calmed on residential streets. Public facilities such as schools, libraries, and recreation centers should be located reinforcing community centers

Commercial/office activities should be located at traffic junctions or areas where existing commercial and office uses are located. These uses should not encroach on established residential areas.

The subject parcel will be an extension of an existing General Commercial District (GC) located at the intersection of Alpine Road and Old Percival Road. The subject parcel is an example of infill development in the suburban area. The Comprehensive Plan recognizes the need to focus on available parcels that have existing infrastructure in place and not sprawling out into areas where infrastructure is non existent.

The proposed Amendment is **in compliance** with the Pending 2009 Comprehensive Plan.

Conclusion

The proposed zoning would compliment the existing General Commercial District (GC) to the west and is contiguous to the subject parcel. There is a number of existing undeveloped General Commercial (GC) zoned parcels within the area. The existing intersection of Alpine Road and Old Percival Road contains General Commercial (GC) parcels at each of the four (4) intersection’s corners. The subject parcel contains an existing vacant house; water and sewer service is available on site and provided by the City of Columbia.

The subject parcel is located within the proposed 3,000 foot Military Buffer Zone around Fort Jackson. Under Chapter 29 of the South Carolina Local Government Comprehensive Planning Enabling Act, Article 13 SECTION 6-29 1630. The commander of the federal military installation will be notified of any of the following:

proposed land use or zoning decision involving land that is located within a federal military installation overlay zone, or if there is no such overlay zone, within three thousand feet of any federal military installation.....Upon receipt of the written recommendation specified in subsection (A) (1) make the written recommendations a part of the public record..... If the base commander does not submit a recommendation pursuant to subsection (A)(1) by the date of the public hearing, there is a presumption that the land use plan or zoning proposal does not have any adverse effect relative to the matters specified in subsection (C).

We mailed the information to Brigadier General Bradley W. May, the commanding officer of Fort Jackson. To date the County has not received any response. In accordance with Chapter 29 of the South Carolina Local Government Comprehensive Planning Enabling Act, Article 13 SECTION 6-29 1630 the presumption is that the proposed rezoning will not have an adverse affect on Fort Jackson.

The proposed General Commercial (GC) zoning will not create a negative impact on Fort Jackson, and would not permit uses that produce smoke, dust, nor allow high rise buildings without meeting the special requirements outlined in the Land Development Code. While in some instances off base electronic broadcasting equipment can affect equipment on base the proximity of residential to the subject parcel will prevent its placement on site. Radio, television, and telecommunication towers are allowed under special exceptions in Sec. 26-152 (22). The special exceptions section states that transmitting towers:

Shall no be located within fifty (50) feet of a residential zoning district or an inhabited residential dwelling. Or for towers in excess of fifty (50) feet, the setback shall increase one (1) foot for each foot of height of the tower as measured from the base of the tower. The maximum required separation being two hundred fifty (250) feet. (D) The proposed user must show proof of an attempt to collocate on existing communication towers, and must be willing to allow other users to collocate on the proposed tower in the future subject to engineering capabilities of the structure. (E) Towers shall be illuminated as required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agencies.

The proposed rezoning request **is** compatible with the surrounding land uses. Planning Staff recommends **Approval** of this map amendment.

Zoning Public Hearing Date

October 27, 2009

Planning Commission Action

At their meeting of **October 5, 2009** the Richland County Planning Commission **agreed** with the PSDS recommendation and recommends the County Council initiate the ordinance consideration process to **approve** the proposed amendment for **RC Project # 09-15 MA** at the next available opportunity



DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES
Post Office Box 192 • 2020 Hampton Street • Columbia, S.C. 29202
Zoning & Land Development: (803) 576-2180 • Zoning Fax: (803) 576-2182

September 9, 2009

Fort Jackson Commanding General
Attn: Brigadier General Bradley W. May
4325 Jackson Boulevard
Fort Jackson, South Carolina 29207

RE: Rezoning within the Military Buffer
Location: 187 feet southeast from Intersection of Alpine Rd and Old Percival Rd along Alpine Rd.
TMS#: 19716-02-20

Dear Brigadier General May,

The above referenced Zoning Map Amendment entitled "**Majors Management 09-15MA**" dated **8/24/09**, has been submitted for staff review in accordance with Articles III, IV, V, and VI of the Richland County Land Development Code.

This letter is being issued with the understanding that Fort Jackson/McCrary Training Center wishes to be notified of any proposed land use or zoning decision involving land located within 3,000 feet of any military installation, Clear Zone, or Accident Potential Zone I and II. By notifying the base commander we hope to ensure consistent notification and cooperation between both parties for rezoning activities in Richland County.

We would request that under Chapter 29 of the South Carolina Local Government Comprehensive Planning Enabling Act, Article 13 SECTION 6-29 1630, that the commander of the federal military installation submit a written recommendation to be made part of the public record. If no written recommendation is received, Richland County staff will presume the proposed re-zoning does not adversely affect the military installation.

The Planning Commission meeting to address this map amendment will be held on **October 6** at 1:00pm. Additionally, County Council will hear this matter at the Zoning Public Hearing, scheduled for **October 27** at 7:00pm. Both meetings will be held in Council Chambers located on the 2nd floor of the Richland County Administration Building located at 2020 Hampton Street.

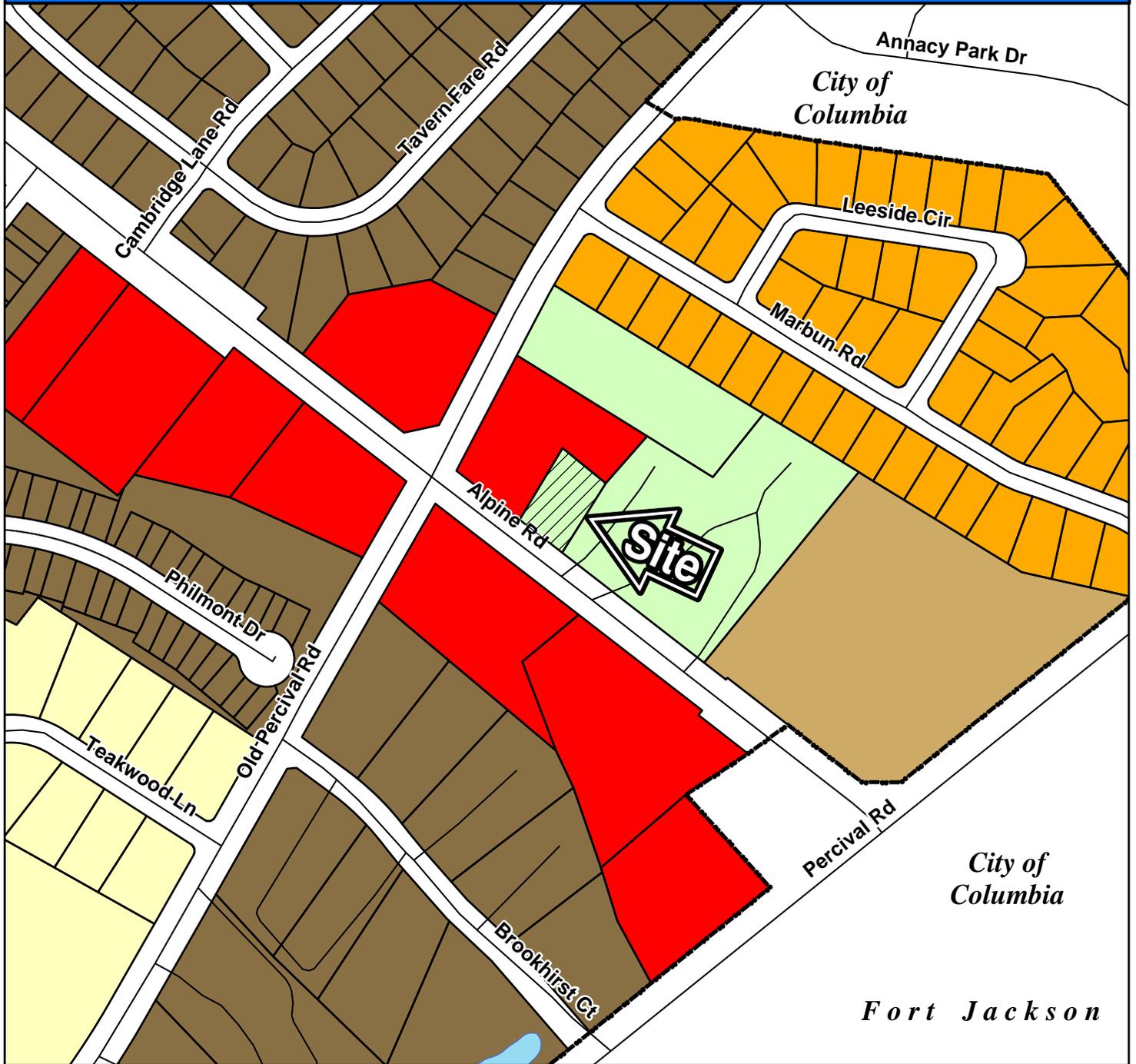
Attached for your records is the initial staff recommendation, which includes compatibility with the Richland County Comprehensive Plan, potential traffic impact, and compatibility with surrounding land uses. If you have any further questions or concerns please contact me at 576-2172 or delaget@rcgov.us or contact Julie Wilkie at 576-2162 or wilkiej@rcgov.us.

Sincerely,

Thomas DeLage
Comprehensive Planner

Cc: Joseph Kocy, Planning Director
Julie M. Wilkie, Comprehensive Planning Manager

Case 09-15 MA RU to GC



ZONING CLASSIFICATIONS

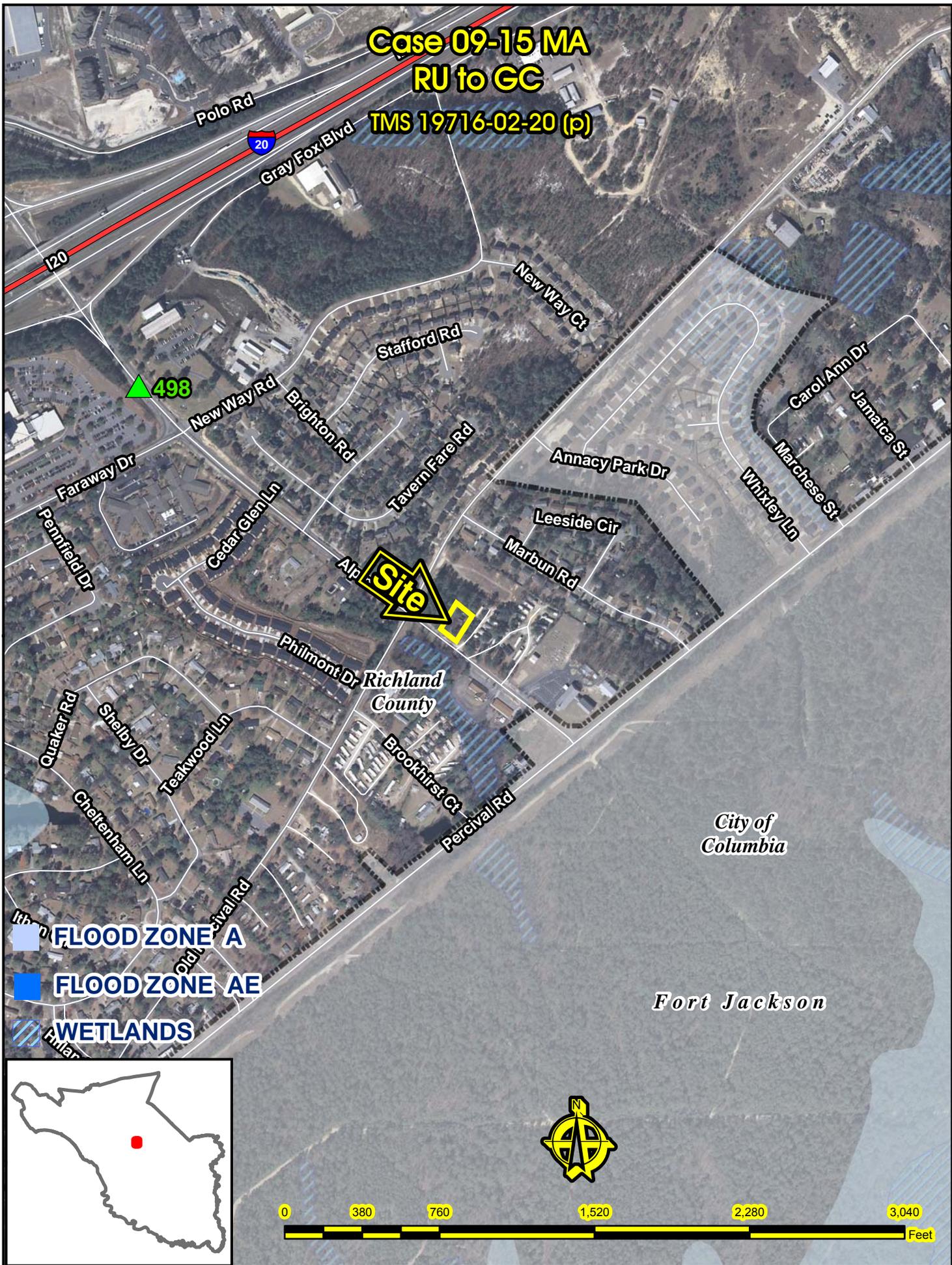
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 C-1	 RS-LD	 RM-MD	 GC	 PDD
 C-3	 RS-MD	 RM-HD	 M-1	 RU
 RG-2	 RS-HD	 OI	 LI	 TROS

 Subject Property



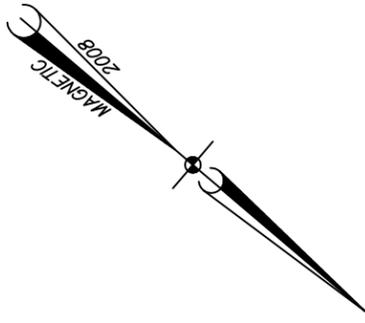
**Case 09-15 MA
RU to GC**

TMS 19716-02-20 (p)

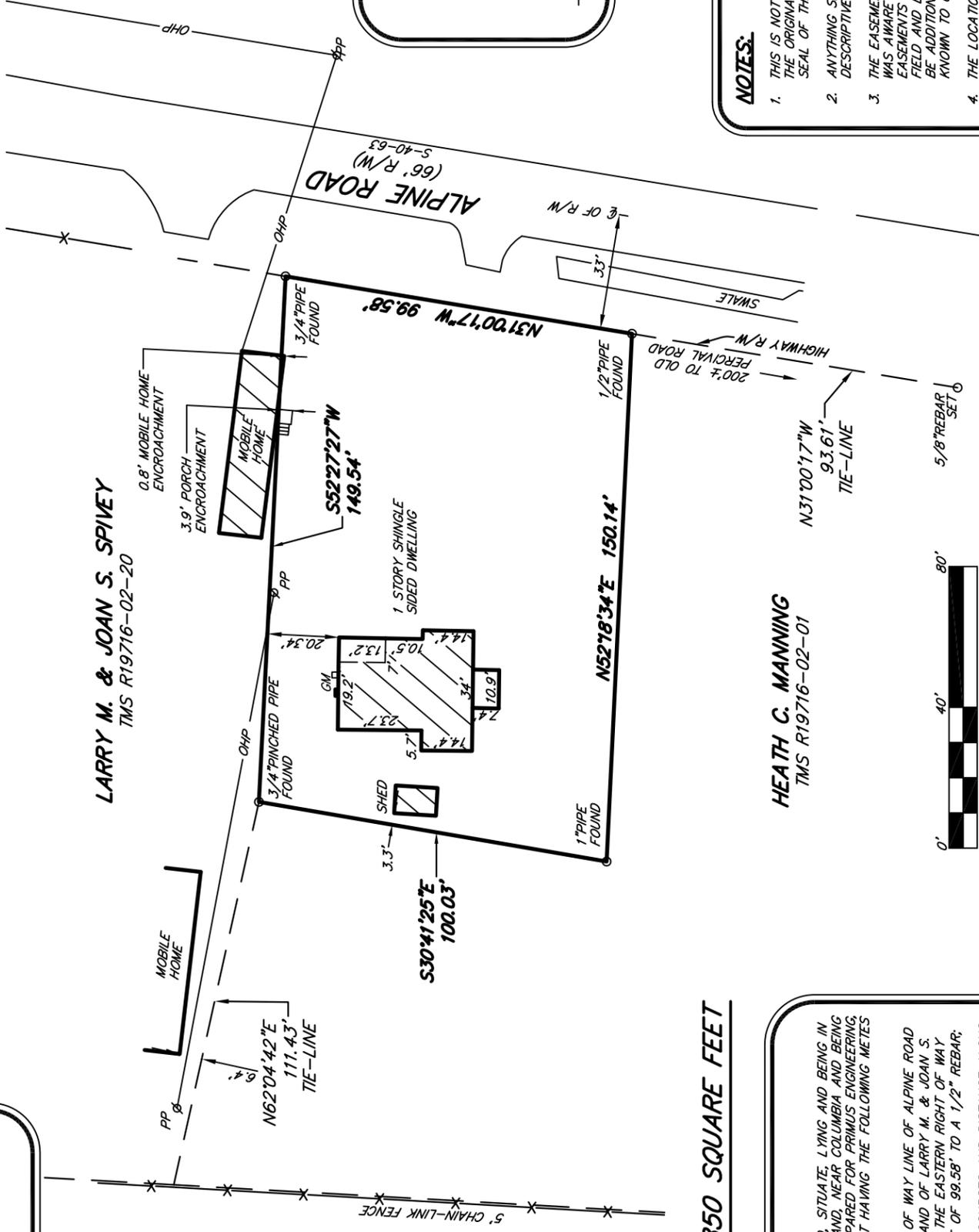


COPYRIGHT NOTICE

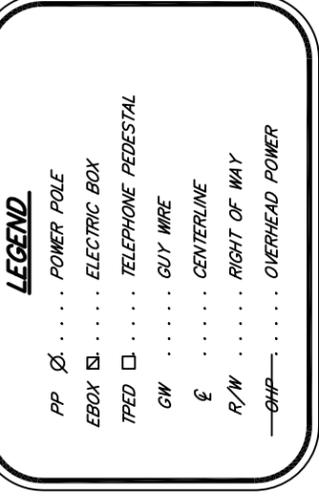
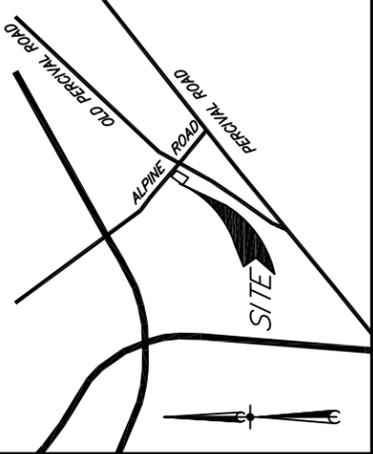
THIS DRAWING IS THE PROPERTY OF BP BARBER AND IS NOT TO BE REPRODUCED OR COPIED IN WHOLE OR IN PART. IT IS ONLY TO BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND IS NOT TO BE USED ON ANY OTHER PROJECT.



LARRY M. & JOAN S. SPIVEY
TMS R19716-02-20



LOCATION MAP SCALE: 1" = 2,000'



LAND DESCRIPTION

ALL THAT CERTAIN PIECE PARCEL OR LOT OF LAND, SITUATE LYING AND BEING IN THE STATE OF SOUTH CAROLINA, COUNTY OF RICHLAND, NEAR COLUMBIA AND BEING SHOWN ON A PLAT TITLED, BOUNDARY SURVEY PREPARED FOR PRIMUS ENGINEERING, DATED MARCH 23, 2009, BY BP BARBER, SAID PLAT HAVING THE FOLLOWING METES AND BOUNDS TO WIT:

BEGINNING AT A 3/4" PIPE IN THE EASTERN RIGHT OF WAY LINE OF ALPINE ROAD (S-40-63) AT THE NORTHWEST INTERSECTION OF LAND OF LARRY M. & JOAN S. SPIVEY (TMS R19716-02-20) AND RUNNING ALONG THE EASTERN RIGHT OF WAY LINE OF ALPINE ROAD N31°00'17"W FOR A DISTANCE OF 99.58' TO A 1/2" REBAR; THENCE TURNING AND PROCEEDING THE FOLLOWING COURSES AND DISTANCE ALONG PROPERTY OF HEATH C. MANNING- IN A DIRECTION OF N52°18'34"E FOR A DISTANCE OF 150.14' TO A 1" PIPE AND THEN S30°41'25"E FOR A DISTANCE OF 100.03' TO A 3/4" PINCHED PIPE;

THENCE TURNING AND PROCEEDING ALONG PROPERTY OF LARRY M. & JOAN S. SPIVEY- IN A DIRECTION OF S52°27'27"W FOR A DISTANCE OF 149.54' TO A 3/4" PIPE, THIS BEING THE POINT OF BEGINNING. THIS PARCEL CONTAINS 0.341 ACRE OF 14,850 SQUARE FEET.

FLOOD NOTE

I HAVE EXAMINED THE FLOOD INSURANCE RATE MAP FOR RICHLAND COUNTY, SOUTH CAROLINA, COMMUNITY PANEL NUMBER 45079C0115G, PANEL 115 OF 275, DATED JANUARY 19, 1994, AND HEREBY STATE BY GRAPHIC PLOTTING ONLY THAT THIS PROPERTY IS NOT LOCATED IN THE 100 YEAR FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

AREA=0.341 ACRE OR 14,850 SQUARE FEET

REFERENCE IS MADE TO THE FOLLOWING:

1. PLAT OF PROPERTY OF J. PHIL COLEMAN, BY WILLIAM WINGFIELD, R.S., DATED NOVEMBER 24, 1953. RECORDED IN PLAT BOOK 5 PAGE 21.
2. LOT SURVEYED FOR D.M. DENNIS BY DEWEY H. CAMPBELL JR., DATED MARCH 12, 1966. RECORDED IN PLAT BOOK X PAGE 4.
3. PLAT PREPARED FOR LARRY M. SPIVEY, BY COX AND DINKINS, INC., DATED OCTOBER 24, 2001. RECORDED IN PLAT BOOK RB587 PAGE 2725.
4. SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, DOCKET #40.407, SHEET 7.
5. SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, DOCKET #40.507, SHEET 8.
6. RICHLAND COUNTY TAX ASSESSORS MAP NUMBER R19716-02-20.

NOTES:

1. THIS IS NOT A VALID, TRUE COPY OF THIS DOCUMENT UNLESS IT BEARS THE ORIGINAL SIGNATURE, SIGNATURE DATE, AND THE RAISED, EMBOSSED SEAL OF THE REGISTERED PROFESSIONAL LAND SURVEYOR NOTED HEREON.
2. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.
3. THE EASEMENTS SHOWN HEREON ARE ALL THOSE OF WHICH THE SURVEYOR WAS AWARE AS OF THE DATE OF THIS SURVEY. THE LOCATIONS OF THOSE EASEMENTS SHOWN HEREON ARE BASED ON EVIDENCE APPARENT IN THE FIELD AND DOCUMENTS WHICH HAVE BEEN PROVIDED TO US. THERE MAY BE ADDITIONAL EASEMENTS WHICH AFFECT THIS PROPERTY BUT WERE NOT KNOWN TO US.
4. THE LOCATION OF ALL UTILITIES SHOWN HEREON ARE APPROXIMATE AND MUST BE VERIFIED BY OPERATING AUTHORITIES PRIOR TO CONSTRUCTION.
5. ALL PROPERTY CORNER SIZES ARE MEASURED TO THE OUTSIDE DIMENSION.

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

JACK H. LOCKLAIR, JR., S.C.P.S. NO. 12842
BP BARBER
101 RESEARCH DRIVE COLUMBIA, S.C. 29203
TELEPHONE: (803) 254-4400

NO.	DESCRIPTION	DATE	BY
1.	DESIGNED BY	4-6-09	SBM
2.	CHANGED BOUNDARY SHEET SIZE	8-24-09	SBM

REVISION

APPROVALS

PROJECT ENG. _____

DESIGNED BY _____

DRAWN BY _____

CHECKED BY _____

APPROVED BY _____

SEAL

STATE OF SOUTH CAROLINA

ENGINEERING

BP BARBER & ASSOCIATES, INC. No. 00020

Engineering • Experience • Excellence

COLUMBIA • GREENVILLE • CHARLESTON

FLORENCE • CHARLOTTE • SAVANNAH

BP Barber

BOUNDARY SURVEY

DATE: MARCH 24, 2009

SCALE: 1" = 40'

SHEET TITLE

MAJORS MANAGEMENT, LLC

PROJECT

DWG. NAME: 08466-2.dwg

FILE NO. 35,063-018

SHEET 1 OF 1

DATE: 2/26/11

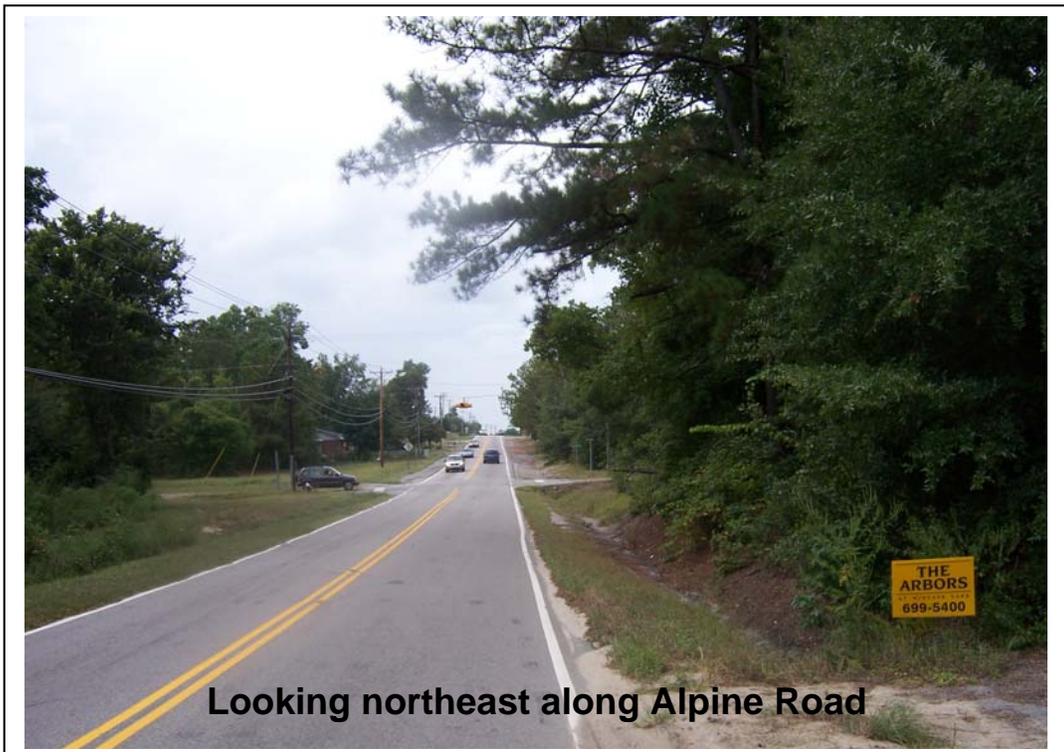
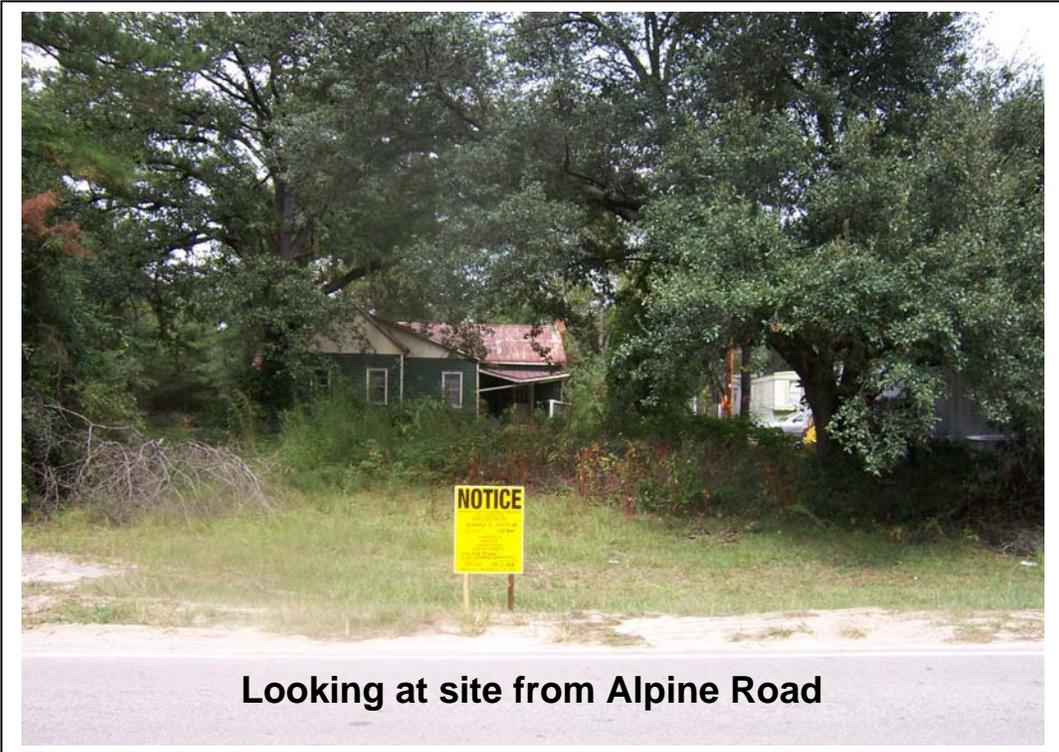
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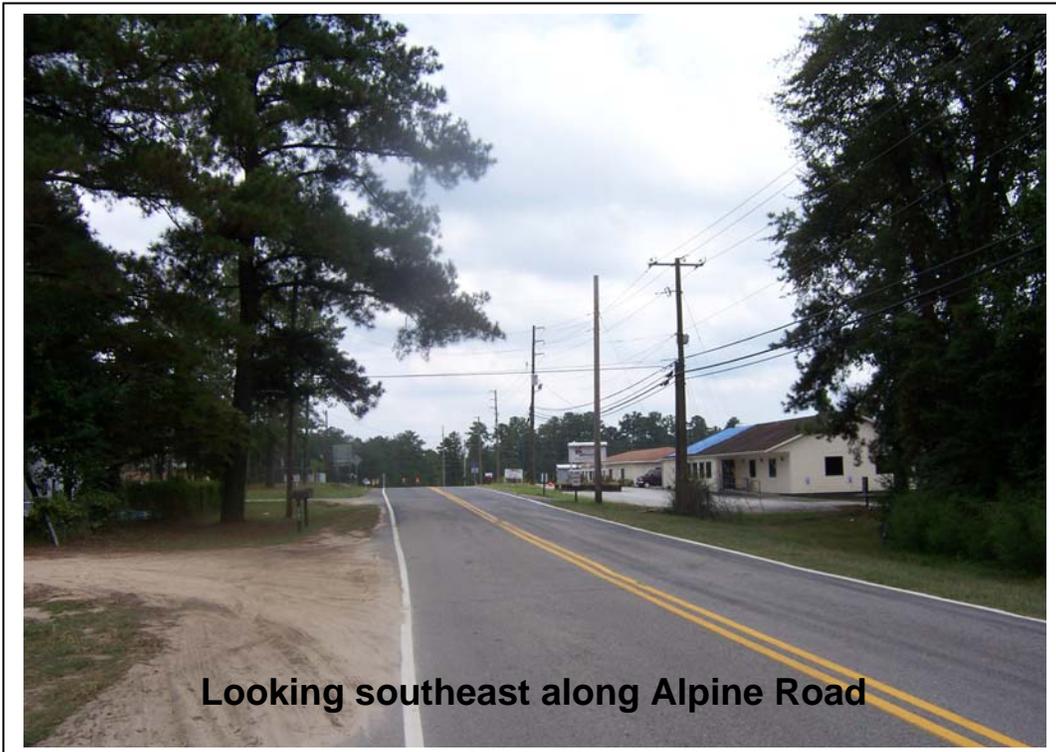
CASE 09-15 MA

From RU to GC

TMS# 19716-02-20

Alpine Road & Old Percival

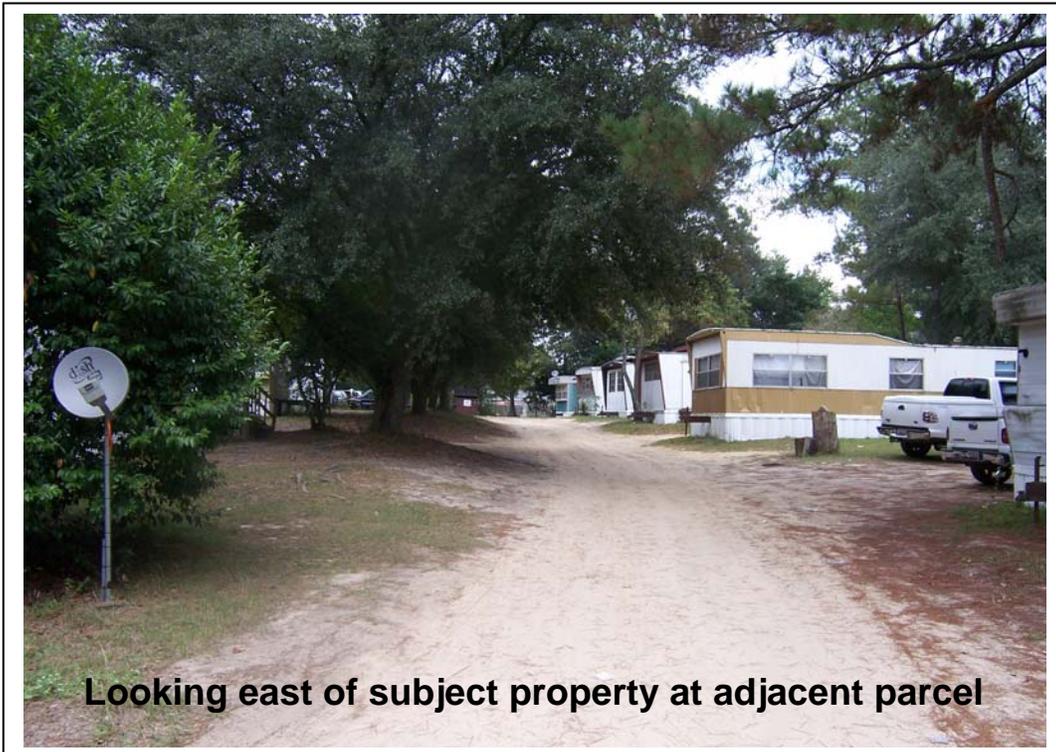




Looking southeast along Alpine Road



Looking south of site on Alpine Road



Looking east of subject property at adjacent parcel

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-09HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS A PORTION OF TMS # 19716-02-20 FROM RU (RURAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as a portion of TMS # 19716-02-20 (described in Exhibit A, which is attached hereto), from RU (Rural District) zoning to GC (General Commercial District) zoning.

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

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

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2009.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2009.

Michielle R. Cannon-Finch
Clerk of Council

Public Hearing: October 27, 2009 (tentative)
First Reading: October 27, 2009 (tentative)
Second Reading:
Third Reading:



Richland County Planning & Development Services Department

Map Amendment Staff Report

PC MEETING DATE: October 5, 2009
RC PROJECT: 09-16 MA
APPLICANT: Pallav Desai
PROPERTY OWNER: Pallav Desai

LOCATION: 9401 Wilson Boulevard

TAX MAP NUMBER: 14700-03-33
ACREAGE: 0.76
EXISTING ZONING: RU
PROPOSED ZONING: NC

PC SIGN POSTING: September 18, 2009

Staff Recommendation

Approval

Background /Zoning History

The current zoning, Rural District (RU), reflects the original zoning as adopted September 7, 1977. The parcel contains approximately 332.16 feet of frontage on Wilson Boulevard.

Summary

The Neighborhood Commercial District (NC) is intended to accommodate commercial and service uses oriented primarily to serving the needs of persons who live or work in nearby areas. This district is designed to be located within or adjacent to residential neighborhoods where large commercial uses are inappropriate, but where small neighborhood oriented business are useful and desired.

Minimum lot area: no minimum lot area requirement except as required by DHEC. Maximum density: no more than eight (8) units per acre.

Existing Zoning		
<u>North:</u>	RU	Manufactured home park
<u>South:</u>	RU	Manufactured home
<u>East:</u>	RU	Single family residence
<u>West:</u>	RU	Manufactured home park

Plans & Policies

The Imagine Richland 2020 Comprehensive Plan “I-77 Corridor Land Use Map” designates this area as High Density Residential in the Developing Urban District.

Objective: “Establish Commercial pockets or cluster as needed to serve the area.”

Compliance: The proposed Neighborhood Commercial District (NC) would create a compatible commercial district near an established residential area.

Principal: “sites that don’t encroach or penetrate established residential areas”.

Non-Compliance: The property is contiguous to an existing established residential area. However the size of the site and location meets the intent of the Neighborhood Commercial District (NC) as it is located adjacent to a residential neighborhood where large commercial uses are inappropriate, but where small neighborhood oriented business are useful and desired.

Traffic Impact

The 2008 SCDOT traffic count Station#135, is northwest of the site on Wilson Boulevard, and 7,400 average daily trips (ADT’s). Wilson Boulevard at that roadway segment is classified as a two lane undivided collector road with a design capacity of 8,600 average daily trips (ADT’s). Wilson Boulevard is currently functioning at design roadway capacity and operating at a Level of Service (LOS) C. A more in depth traffic analysis will take place when site plans are submitted.

Compliance with Pending Comprehensive Plan - Land Use Element 2009

The pending Land Use Element designates this area as Suburban, ***Suburban Land Use*** Throughout the suburban areas infill development should be a focus in residential, commercial and industrial areas, complementing and connecting the existing sprawl pattern. Existing housing should be maintained and rehabilitated with traffic calmed on residential streets. Public facilities such as schools, libraries, and recreation centers should be located reinforcing community centers.

Commercial/office activities should be located at traffic junctions or areas where existing commercial and office uses are located. These uses should not encroach on established residential areas. The parcel contains existing commercial uses.

The proposed Amendment is **in compliance** with the Pending 2009 Comprehensive Plan.

Conclusion

The location of the subject parcel meets the intent of the Neighborhood Commercial District (NC) and is located adjacent to a residential neighborhood where large commercial uses are inappropriate, however small neighborhood oriented business are useful and desired. A large rural subdivision, Heritage Hills, is located eighteen hundred (1800) feet north of the site; Palmetto Palms, a manufactured home development containing over 175 manufactured homes is located west of the site.

A General Commercial (GC) zoned parcel is located three hundred (300) feet southeast of the site along Wilson Boulevard has water and sewer service which is provided by the City of

Columbia and an assisted living facility currently operating eight hundred (800) feet south east of the subject parcel on Wilson Boulevard.

There is an existing gas station and barber shop on the subject parcel. The rezoning will allow for a non conforming use to be brought into compliance with the Land development code. Under the current Rural (RU) zoning district gas stations are not a permitted use. Under Sec.26-256. (3);

A nonconforming use of a structure may be enlarged or extended only into portions of the structure that existed at the time that the use became nonconforming. No structural alterations will be allowed to any structure containing a non conforming use....

The parcel is currently served by private water and septic. The parcel has a 10 inch City of Columbia water main easement running the length of the parcels road frontage on Wilson Boulevard. The parcel has direct access on site to a fire hydrant located in the right of way along Wilson Boulevard.

The proposed rezoning request **is** compatible with the surrounding land uses. Planning Staff recommends **Approval** of this map amendment.

Planning Commission Recommendation

The site will generate a lot of additional traffic along Wilson Boulevard and currently there a lot of safety and security issues.

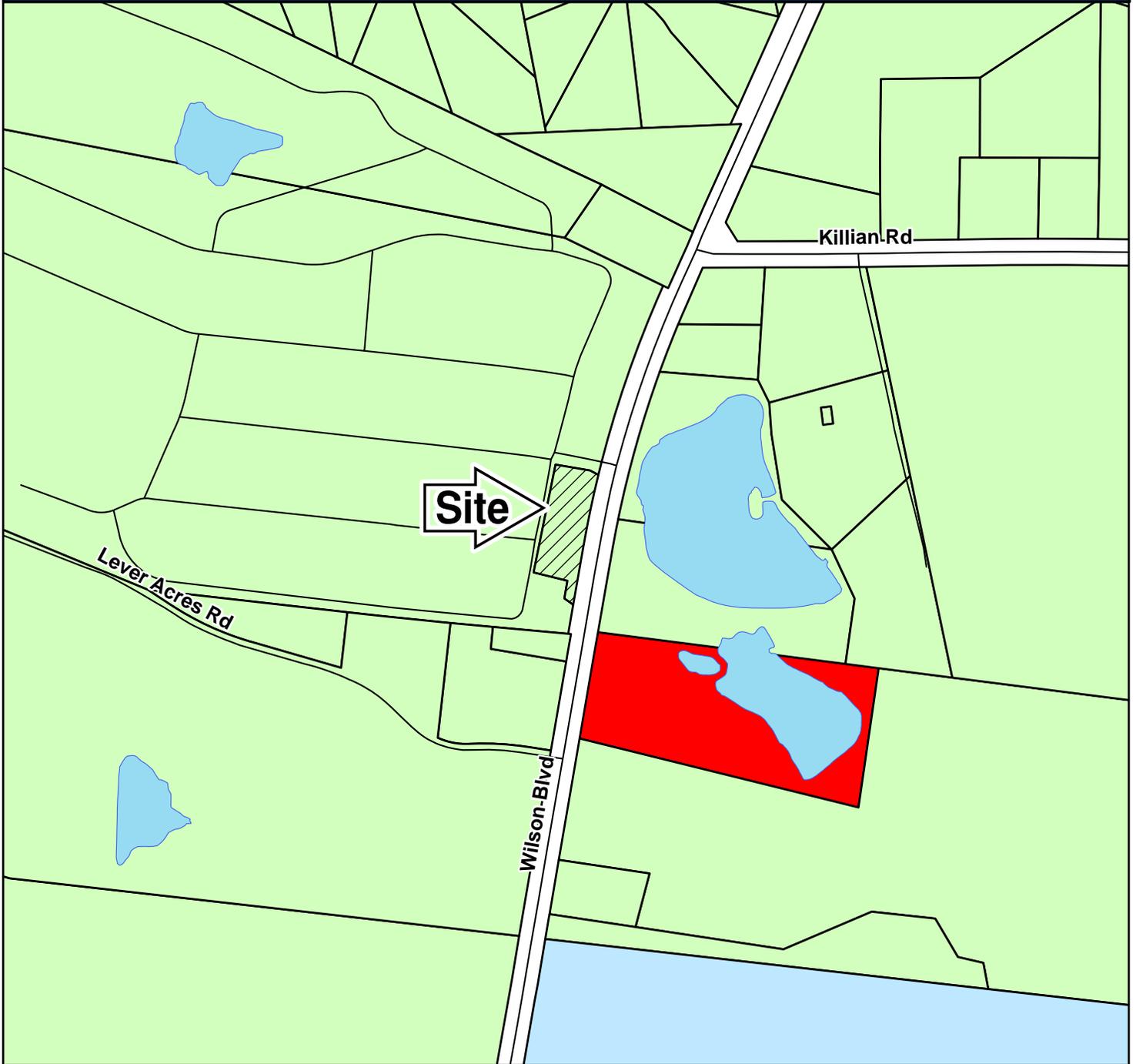
Zoning Public Hearing Date

October 27, 2009

Planning Commission Action

At their meeting of **October 5, 2009** the Richland County Planning Commission **disagreed** with the PDSD recommendation and, based on the findings of facts above, recommends the County Council initiate the ordinance consideration process to **deny** the proposed Amendment for **RC Project # 09-16 MA** at the next available opportunity.

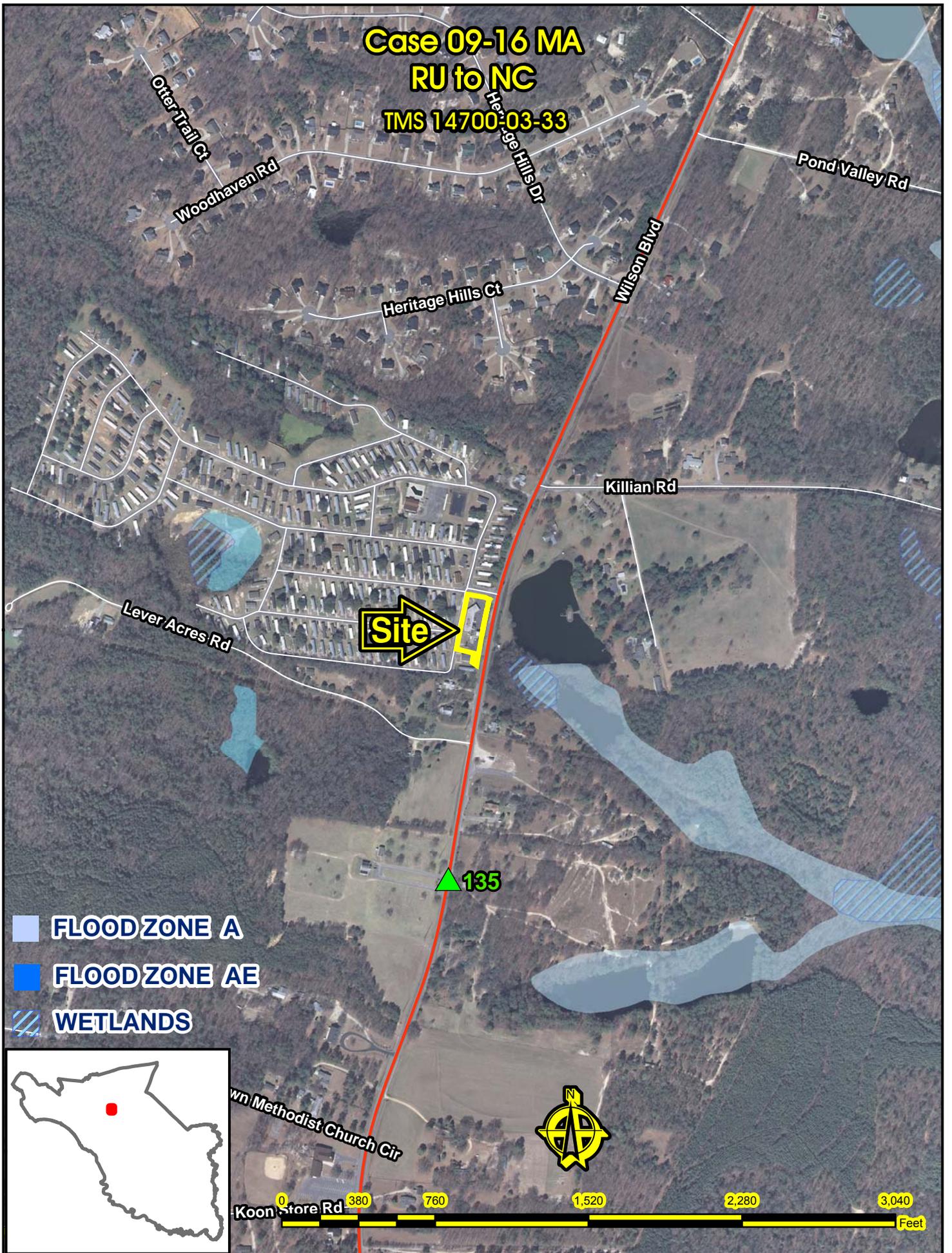
Case 09-16 MA RU to NC



ZONING CLASSIFICATIONS

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

**Case 09-16 MA
RU to NC
TMS 14700-03-33**



CASE 09-16 MA

From RU to NC

TMS# 14700-03-33

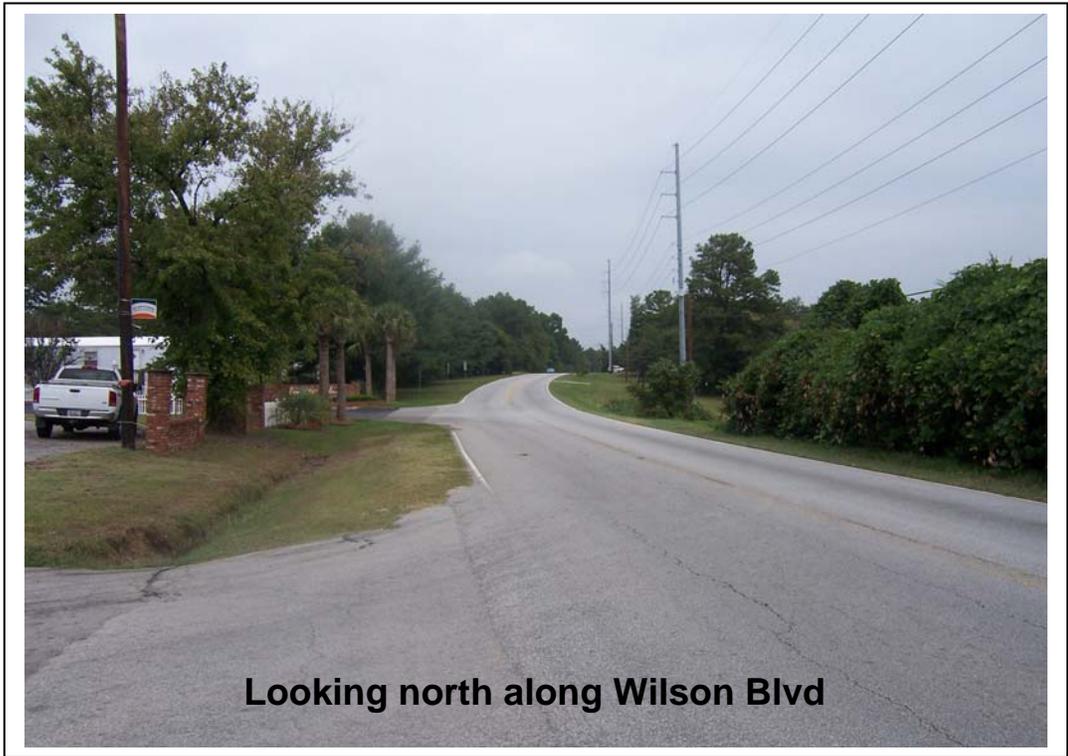
Wilson Boulevard



Looking at site from Wilson Blvd



Looking south of site on Wilson Blvd





Looking south of subject parcel

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-09HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 14700-03-33 FROM RU (RURAL DISTRICT) TO NC (NEIGHBORHOOD COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 14700-03-33 from RU (Rural District) zoning to NC (Neighborhood 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 effective from and after _____, 2009.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2009.

Michielle R. Cannon-Finch
Clerk of Council

Public Hearing: October 27, 2009 (tentative)
First Reading: October 27, 2009 (tentative)
Second Reading:
Third Reading:



Richland County Planning & Development Services Department

Map Amendment Staff Report

PC MEETING DATE: October 5, 2009
RC PROJECT: 09-17 MA
APPLICANT: Fred Z Babae
PROPERTY OWNER: Fred Z Babae

LOCATION: 206 Business Park Boulevard

TAX MAP NUMBER: 17200-03-23
ACREAGE: 2.0
EXISTING ZONING: HI
PROPOSED ZONING: GC

PC SIGN POSTING: September 18, 2009

Staff Recommendation

Approval

Background /Zoning History

The current zoning, Heavy Industrial (HI), reflects the original zoning as adopted September 7, 1977. The parcel contains approximately 202.66 feet of frontage on Business Park Boulevard.

RECENT MAP AMENDMENTS IN THIS AREA

On July 10, 2007, County Council approved (07-29MA), rezoning 9 parcels along Business Park Boulevard from Heavy Industrial (HI) to General Commercial (GC). An additional 6 parcels located immediately east of the existing business park along Farrow Road were also rezoned from Heavy Industrial (HI) to General Commercial (GC).

On May 1, 2007, County Council approved (06-54MA) and (06-55MA) rezoning parcels R17200-03-01 and R17200-03-24 from Heavy Industrial District (HI) to Residential Multifamily High Density District (RM-HD).

Summary

The General Commercial (GC) District is intended to accommodate a variety of commercial and nonresidential uses characterized primarily by retail, office, and service establishments and oriented primarily to major traffic arteries or extensive areas of predominantly commercial usage and characteristics.

No minimum lot area, except as required by DHEC. The maximum allowed density for residential uses is sixteen (16) dwelling units per acre.

- The gross density for this site is approximately: 32 dwelling units
- The net density for this site is approximately: 22 dwelling units

Existing Zoning		
North:	GC	Parking Lot
South:	HI	Ram Clutches
East:	HI	Vacant building
West:	GC	Brock Contract Services of SC

Plans & Policies

The Imagine Richland 2020 Comprehensive Plan “I-77 Corridor Land Use Map” designates this area as Industrial in the Established Urban District.

Objective: “Establish commercial pockets or clusters as needed to serve the area.”

Compliance: Most of the surrounding parcels are zoned General Commercial (GC) with a small pocket of Heavy Industrial (HI) remaining. The character and use of the surrounding area has changed since the Imagine Richland 2020 Comprehensive Plan map was written.

Principal: “In general, commercial and office activities should be confined to existing zoned areas and/or proposed locations where the following apply: sites that do not encroach or penetrate established residential areas”.

Compliance: There are no residential uses or residential zoning contiguous to the parcel.

Traffic Impact

Farrow Road is classified as a four lane divided minor arterial roadway with a LOS “C” engineering design capacity of 24,800 vehicles per day. Since the 2008 SCOT traffic count at Station # 281 was 28,400 trips per day, the portion of Farrow Road adjacent to the business park, in which the subject site is located, is operating at LOS “E”.

The Department assumes that commercial/light industrial development will result in 10,000 sq. ft. of buildable area per gross acre. Therefore, 20,000 sq. ft. of a wide variety of GC uses could generate a significant amount of additional traffic. A more precise analysis of the actual traffic impact will be conducted when a specific development permit request is filed.

Compliance with Pending Comprehensive Plan - Land Use Element 2009

The pending Land Use Element designates this area as Suburban, **Suburban Land Use** Throughout the suburban areas infill development should be a focus in residential, commercial and industrial areas, complementing and connecting the existing sprawl pattern.

Commercial/Office activities should be located at traffic junctions or areas where existing commercial and office uses are located. These uses should not encroach on established residential areas. The subject site contains an existing structure within an existing business park. The subject site would not encroach upon a residential area. The site is located roughly 3638 feet from the I-77 interchange on Farrow Road.

The proposed Amendment is **in compliance** with the Pending 2009 Comprehensive Plan.

Conclusion

The proposed rezoning to General Commercial District (GC) would allow for a wider variety of retail sales not allowed under the Heavy Industrial District (HI). The General Commercial District (GC) is a less intense use than Heavy Industrial District (HI). The Heavy Industrial District (HI) permits uses such as heavy construction with outside storage, materials recover facilities (recycling), and additional uses not allowed under the General Commercial District (GC). The proposed rezoning would allow for an existing unoccupied building to be utilized versus the development of an undeveloped parcel. On July 10, 2007 (07-29MA) was approved by County Council rezoning 15 nearby parcels to General Commercial District (GC).

Additionally, in recent years, the character of the area has changed from heavy manufacturing uses to light industrial and warehouse/office commercial uses, making General Commercial (GC) a more appropriate zoning for this area. Water and sewer is available and provided by the City of Columbia.

The proposed rezoning request is compatible with the surrounding land uses. Planning Staff recommends **Approval** of this map amendment.

Zoning Public Hearing Date

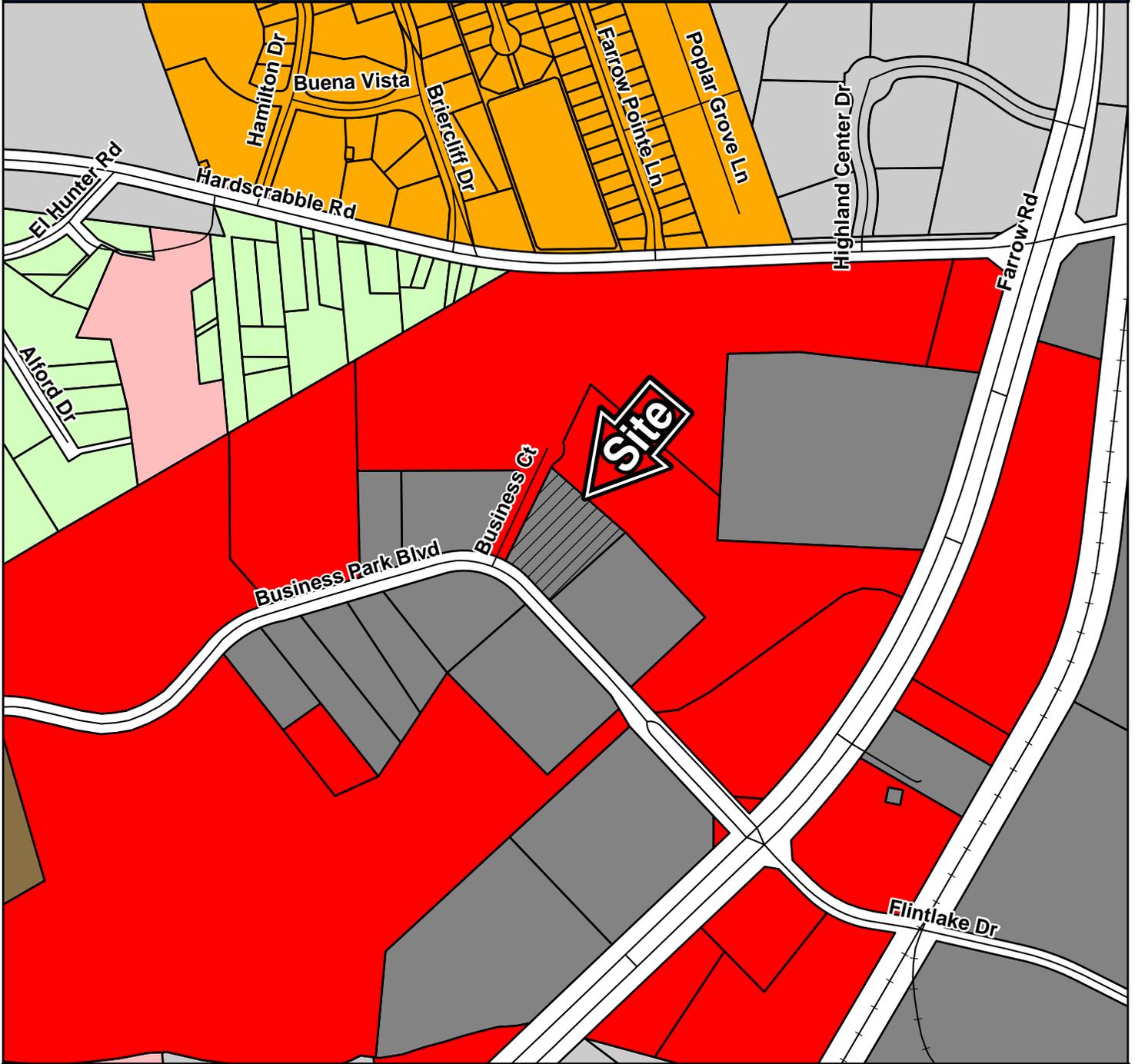
October 27, 2009

Planning Commission Action

At their meeting of **October 5, 2009** the Richland County Planning Commission **agreed** with the PSDS recommendation and recommends the County Council initiate the ordinance consideration process to **approve** the proposed amendment for **RC Project # 09-17 MA** at the next available opportunity.

Case 09-17 MA

HI to GC



ZONING CLASSIFICATIONS

 RR	 RS-E	 MH	 NC	 HI
 C-1	 RS-LD	 RM-MD	 GC	 PDD
 C-3	 RS-MD	 RM-HD	 M-1	 RU
 RG-2	 RS-HD	 OI	 LI	 TROS

 Subject Property



**Case 09-17 MA
HI to GC
TMS 17200-03-23**



CASE 09-17 MA

From HI to GC

TMS# 17200-03-23

206 Business Park Boulevard





Looking east along Business Park Blvd



Looking east of subject property



Looking southwest of subject property



Looking southeast of subject property

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-09HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 17200-03-23 FROM HI (HEAVY INDUSTRIAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 17200-03-23 from HI (Heavy Industrial District) zoning to GC (General Commercial District) zoning.

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

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

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2009.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2009.

Michielle R. Cannon-Finch
Clerk of Council

Public Hearing: October 27, 2009 (tentative)
First Reading: October 27, 2009 (tentative)
Second Reading:
Third Reading:

Staff Recommendation: Approval

Planning Commission Recommendation: Approval

EXPLANATION OF ORDINANCE INCREASING SIDE SETBACK REQUIREMENTS OF RS-LD, RS-MD, AND RS-HD DISTRICTS TO 5 FEET FOR ANY ONE SIDE

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-88, RS-LD RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT; AND SECTION 26-89, RS-MD RESIDENTIAL, SINGLE-FAMILY – MEDIUM DENSITY DISTRICT; AND SECTION 26-90, RS-HD RESIDENTIAL, SINGLE-FAMILY – HIGH DENSITY DISTRICT; SO AS TO INCREASE SIDE SETBACK REQUIREMENTS TO FIVE (5) FEET FOR ANY ONE SIDE.

What this ordinance will do:

The 2006 Edition of the International Residential Building Code has been amended to require dwelling structures which are less than five (5) feet from the abutting property line to be fire rated. In addition to being fire rated, the wall of the dwelling will be prohibited from having windows, doors, or any other type of opening. This ordinance will ensure that the setback requirements of the Richland County Land Development Code, regarding the side yard setbacks in the single-family zoned districts, correlate with those of the building code.

The requirements for side setbacks in the RS-LD district will be as follows:

16 feet total for side setbacks, with 5 feet minimum for any one side (subject to the requirements of the current building codes regarding fire rated construction).

The requirements for side setbacks in the RS-MD district will be as follows:

13 feet total for side setbacks, with 4 5 feet minimum for any one side (subject to the requirements of the current building codes regarding fire rated construction).

The requirements for side setbacks in the RS-HD district will be as follows:

12 feet total for side setbacks, with 4 5 feet minimum setback for any one side (subject to the requirements of the current building codes regarding fire rated construction).

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-88, RS-LD RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT; AND SECTION 26-89, RS-MD RESIDENTIAL, SINGLE-FAMILY – MEDIUM DENSITY DISTRICT; AND SECTION 26-90, RS-HD RESIDENTIAL, SINGLE-FAMILY – HIGH DENSITY DISTRICT; SO AS TO INCREASE SIDE SETBACK REQUIREMENTS TO FIVE (5) FEET FOR ANY ONE SIDE.

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 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-88, RS-LD Residential, Single-Family – Low Density District; Subsection (c), Development Standards; Paragraph (4), Setback Standards; Subparagraph b. is hereby amended to read as follows:

- b. Side: 16 feet total for side setbacks, with 5 feet minimum for any one side (subject to the requirements of the current building codes regarding fire rated construction).

SECTION II. The Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-89, RS-MD Residential, Single-Family – Medium Density District; Subsection (c), Development Standards; Paragraph (4), Setback Standards; Subparagraph b. is hereby amended to read as follows:

- b. Side: 13 feet total for side setbacks, with 4 5 feet minimum for any one side (subject to the requirements of the current building codes regarding fire rated construction).

SECTION III. The Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-90, RS-HD Residential, Single-Family – High Density District; Subsection (c), Development Standards; Paragraph (4), Setback Standards; Subparagraph b. is hereby amended to read as follows:

- b. Side: 12 feet total for side setbacks, with 4 5 feet minimum setback for any one side (subject to the requirements of the current building codes regarding fire rated construction).

SECTION IV. 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.

DRAFT

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

SECTION VI. This ordinance shall be effective from and after _____, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

Attest this the _____ day of
_____, 2009

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: September 22, 1009
First Reading: October 27, 2009 (tentative)
Second Reading:
Third Reading:

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

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