

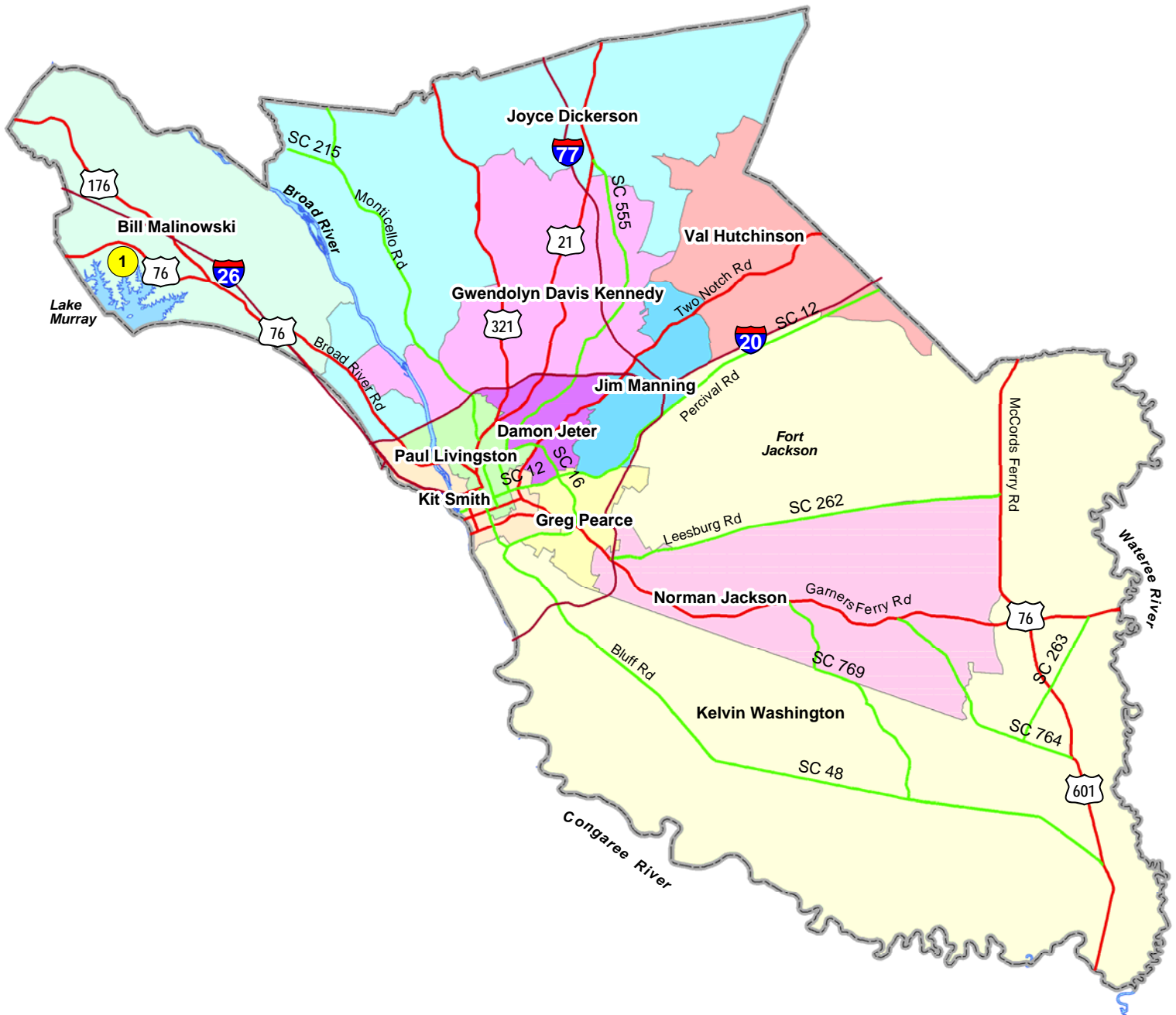
RICHLAND COUNTY  
PLANNING COMMISSION



FEBRUARY 2, 2009



# RICHLAND COUNTY PLANNING COMMISSION FEBRUARY 2, 2009



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 09-01 MA	Joe Pope/Eagles Rest	01513-01-01/02	Johnson Marina Rd.	Malinowski



**RICHLAND COUNTY PLANNING COMMISSION**

**Monday, February 2, 2009**

**Agenda**

**1:00 PM**

**2020 Hampton Street**

**2<sup>nd</sup> Floor, Council Chambers**

**STAFF** Joseph Kocy, AICP ..... Planning Director  
Anna Almeida, AICP ..... Deputy Planning Director  
Jennie Sherry-Linder ..... Land Development Administrator  
Amelia R. Linder, Esq. .... Attorney

**I. PUBLIC MEETING CALL TO ORDER** ..... Christopher Anderson, Chairman

**II. PUBLIC NOTICE ANNOUNCEMENT**

**III. PRESENTATION OF MINUTES FOR APPROVAL**

a. December & January Minutes

**IV. AGENDA AMENDMENTS**

**V. EXECUTIVE SESSION**

**VI. OTHER BUSINESS**

CASE # 09-01 MA	Joe Pope	Page
APPLICANT	Eagles Rest	1
REQUESTED AMENDMENT	Minor PDD amendment to the general development plan	
TAX MAP SHEET NUMBER (S)	01513-01-01/02	
LOCATION	Johnson Marina Rd.	

**VII. TEXT AMENDMENTS**

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-171, GENERAL; SO AS PROTECT BUFFERS, COMMON AREAS, OPEN SPACE, RECREATION AREAS, AND PLANTED AND/OR VEGETATIVE AREAS ON ALL APPROVED PLANS. Page 15

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-180, SIGNS; SO AS TO AMEND SUBSECTION (E), PROHIBITED SIGNS, AND TO CREATE A NEW SUBSECTION FOR THE PURPOSE OF ENFORCEMENT. Page 19

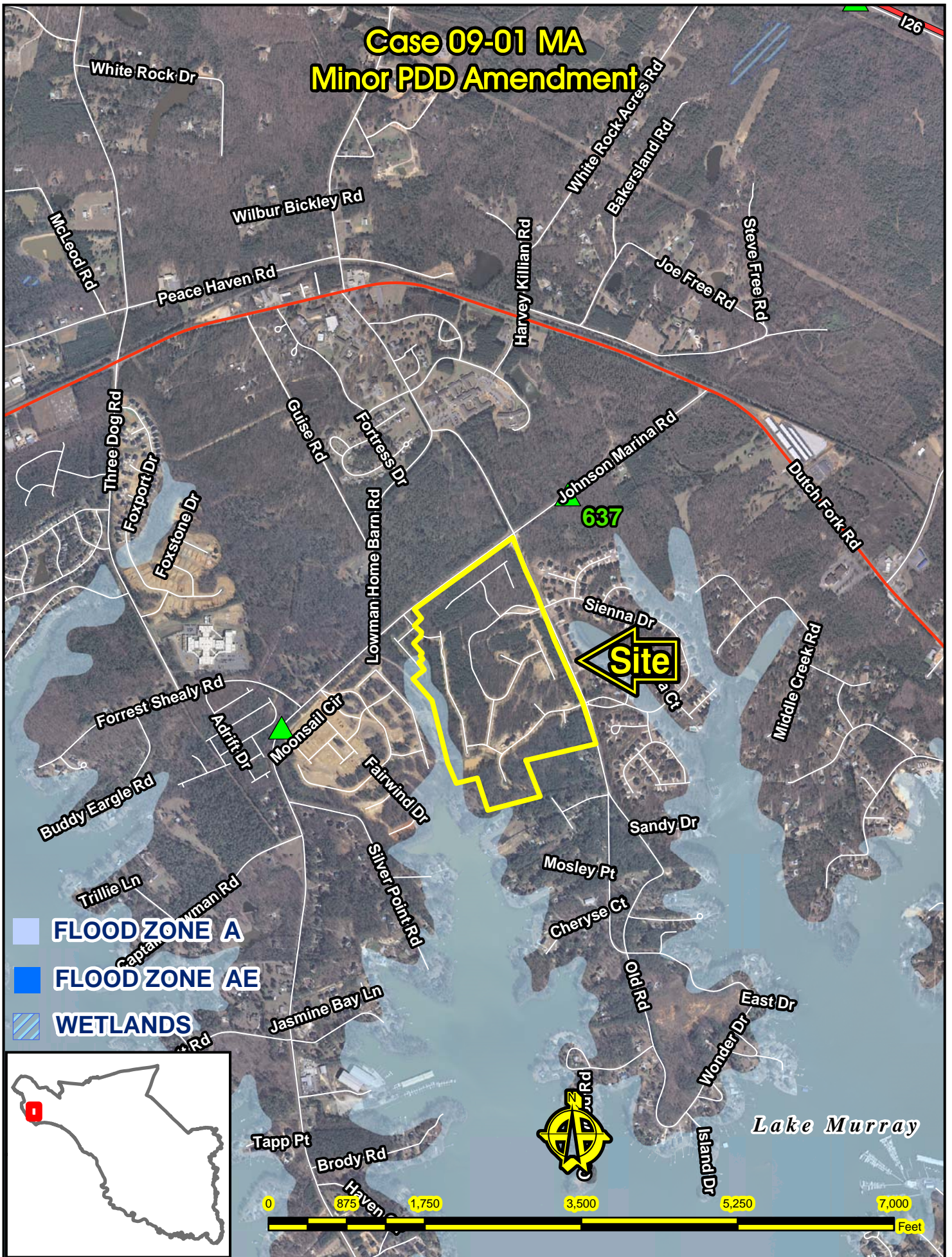
AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; SO AS TO DELETE SECTION 26-184, PARKS AND OPEN SPACE, AND TO PROVIDE FOR THE USE OF THE GREEN CODE'S FLEXIBILITY IN THE VARIOUS ZONING DISTRICTS.

Page 23

**VIII. ROAD NAME APPROVALS..... Page 35**

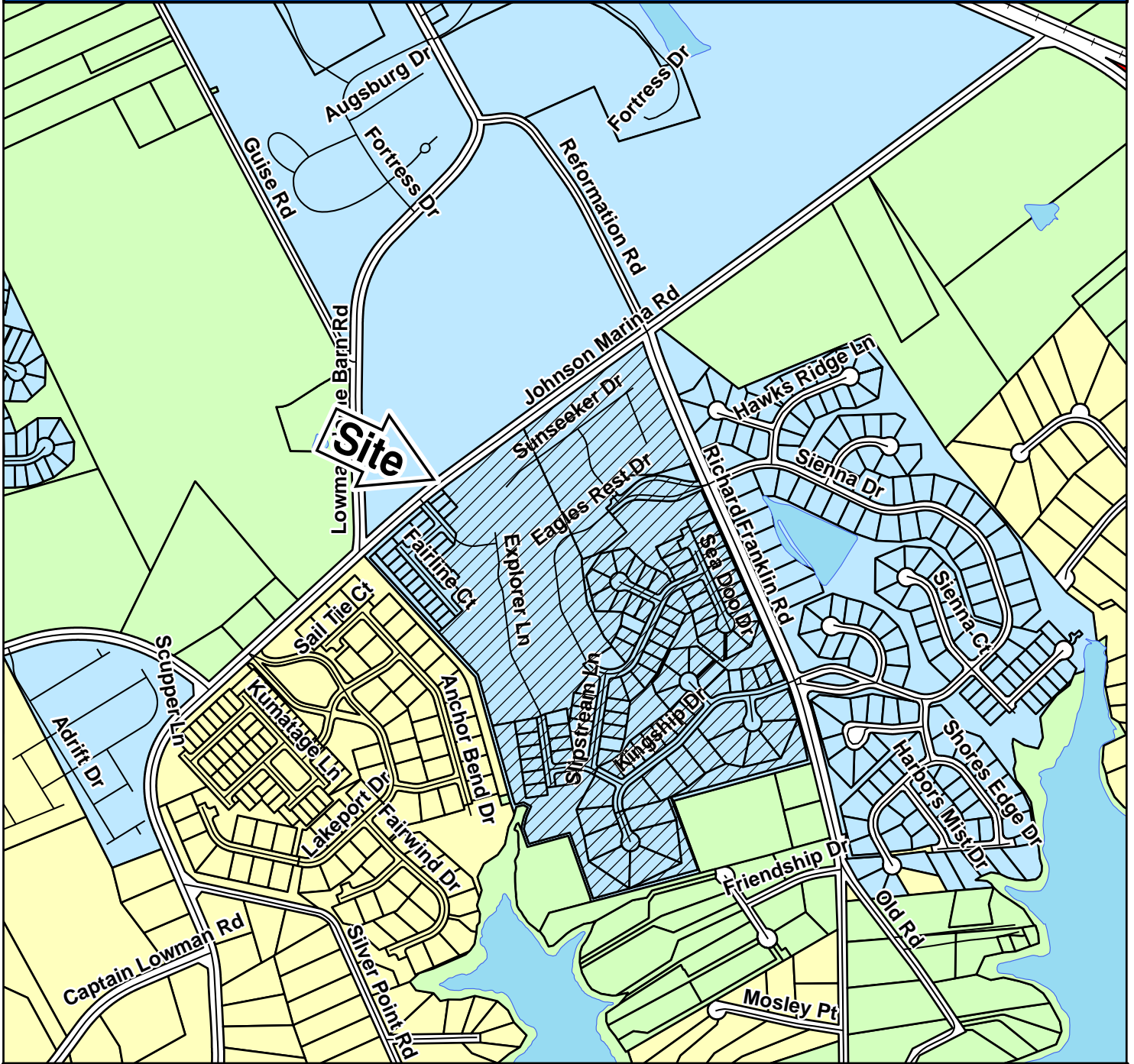
**IX. ADJOURNMENT**

# Case 09-01 MA Minor PDD Amendment

















# Case 09-01 MA


## Minor PDD Amendment




### 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



# Memo

To: Planning Commissioners  
From: Anna Almeida, Deputy Planning Director  
CC: Joseph Kocy, Planning Director  
Date: 1/27/2009  
Re: Eagles Rest PDD amendment

---

The Eagles Rest "The Village" PDD is being brought before you for a minor amendment to correct supporting documentation which was originally submitted by the applicant but never modified to reflect the changes outlined in Ordinance No. 076-04HR (05-08MA).

October 4, 2004 the Planning Commission recommended approval of four types of lot densities, a total of 279 dwelling and 13.9 acres of parks, open space and buffers.

Four (4) types of densities:

- Medium Density (Patio Homes) – 12.2 acres (62 lots)
- RS-2 Medium Density – 18.3 acres (94 lots)
- RS-1 Low Density – 28.7 acres (104 lots)
- Estate Lots – 13.9 acres (19 lots)
- 13.9 acres of parks, open space and buffers.

On October 24, 2004 County Council approved the PDD with the following modifications:

The site development shall be limited to 220 dwelling units as depicted in the Site Layout, attached hereto as Exhibit B;

Exhibit B identifies three (3) types of densities:

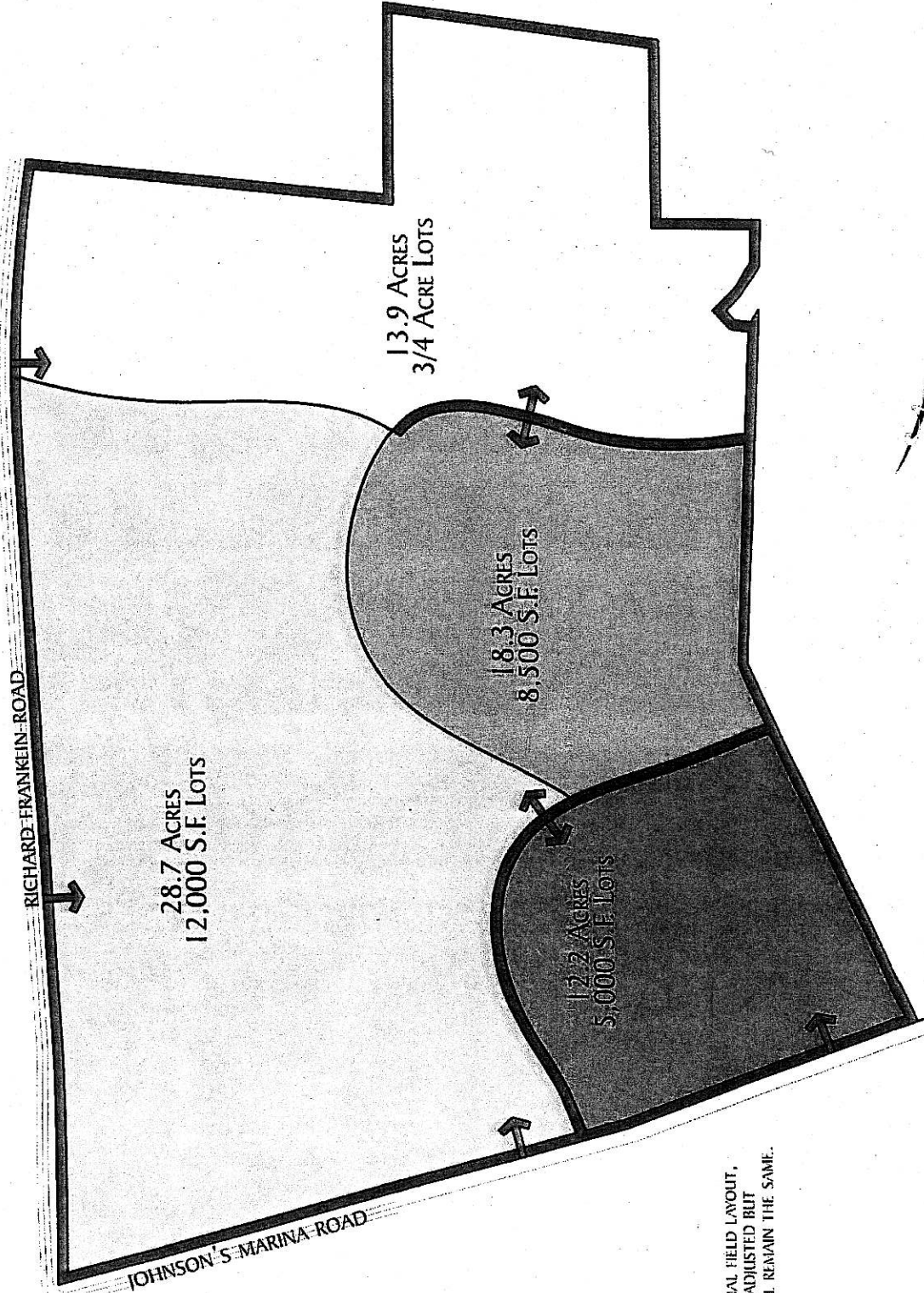
- Medium Density (Patio Homes) - 8.93 acres
- Low Density - 63.82 acres
- Estate Lots - 15.73 acres
  
- 25% common area

The revised document entitled "Eagles Rest Planned Development (PUD 1-R) dated November 6, 2008 identifies the following:

- Estates Lots - 16.1 acres (16 units)
- Traditional – 59.5 acres (150 units)
- Patio Homes – 12.8 acres (54 units)
- 27% Common Area

The total number of units have remained the same.

Attachment B  
**CASE 05-08 MA**



**THE VILLAGE**  
**GENERAL DEVELOPMENT PLAN**  
 SHUMAKER HOMES, INC. July 30, 2004

NOTE: BASED ON FINAL FIELD LAYOUT,  
 LINES MAY BE ADJUSTED BUT  
 ACRESAGES WILL REMAIN THE SAME.

LEGEND	AREA	% of AREA	# of UNITS
□ Estate Lots	13.9 Acres	16%	19
□ RS-1 Low Density (12,000 SF)	28.7 Acres	33%	104
□ RS-2 Medium Density (8,500 SF)	18.3 Acres	21%	94
■ Medium Density Patio Homes (5,000 SF)	12.2 Acres	14%	62
■ Parks, Open Space, and Buffer	13.9 Acres	16%	
<b>TOTALS</b>	<b>87.0 Acres</b>	<b>100%</b>	<b>279</b>

STATE OF SOUTH CAROLINA  
 COUNTY COUNCIL OF RICHLAND COUNTY  
 ORDINANCE NO. 076-04HR

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 # 01513-01-01/02) FROM RU (RURAL) AND RS-1 (SINGLE-FAMILY RESIDENTIAL) 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 # 01513-01-01/02) described in Exhibit A, which is attached hereto, from RU Rural zoning and RS-1 Single-Family Residential 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 dated July 30, 2004, except as otherwise amended herein, required by Section 26-70-15, which is on file in the Richland County Planning & Development Services Department (herein after referred to as "PDSD") and is incorporated herein by reference; and
- b) The site development shall be limited to 220 dwelling units as depicted in the Site Layout, attached hereto as Exhibit B; and
- c) A phasing plan must be approved by the PDSD prior to accepting any construction plans for review; 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) The Site Layout (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, 26-70.11, and 26-70.12 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; and/or
  - 3) Any increase in the gross project density (measured in DU/acre or square footage/acre).
- i) The Planning Commission is hereby authorized to make minor amendments to the Site Layout (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) No site clearing activity may begin until the Richland County Public Works Department issues a Grading Permit and the PDSO issues a Controlled Clearing letter; and
- k) Access to the subject site shall be limited to two intersections on Johnson Marina road and two intersections on Richard Franklin Road; and
- l) The developer shall construct a landscaped berm, fence, wall, or some combination of same, to ensure that no parcel in the project will have direct access onto Johnson Marina Road or Richard Franklin Road; and
- m) The developer shall be required to construct any necessary turn lanes for the project on both Johnson Marina Road and Richard Franklin Road, subject to obtaining all required state and/or county approvals; and
- n) All internal streets shall be publicly owned and maintained by Richland County; and
- o) The applicant shall submit a draft description of proposed procedures of any homeowners association or other group maintenance or group ownership features 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.

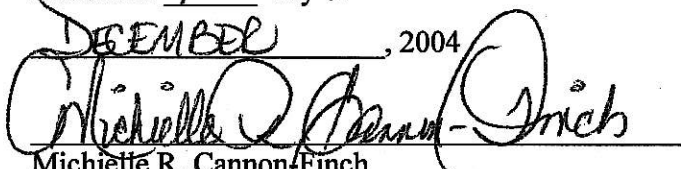
BOOK 019 PAGE 365

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

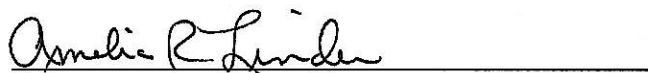
RICHLAND COUNTY COUNCIL

BY:   
Bernice G. Scott, Chair

Attest this 7<sup>TH</sup> day of

DECEMBER, 2004  
  
Michelle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE



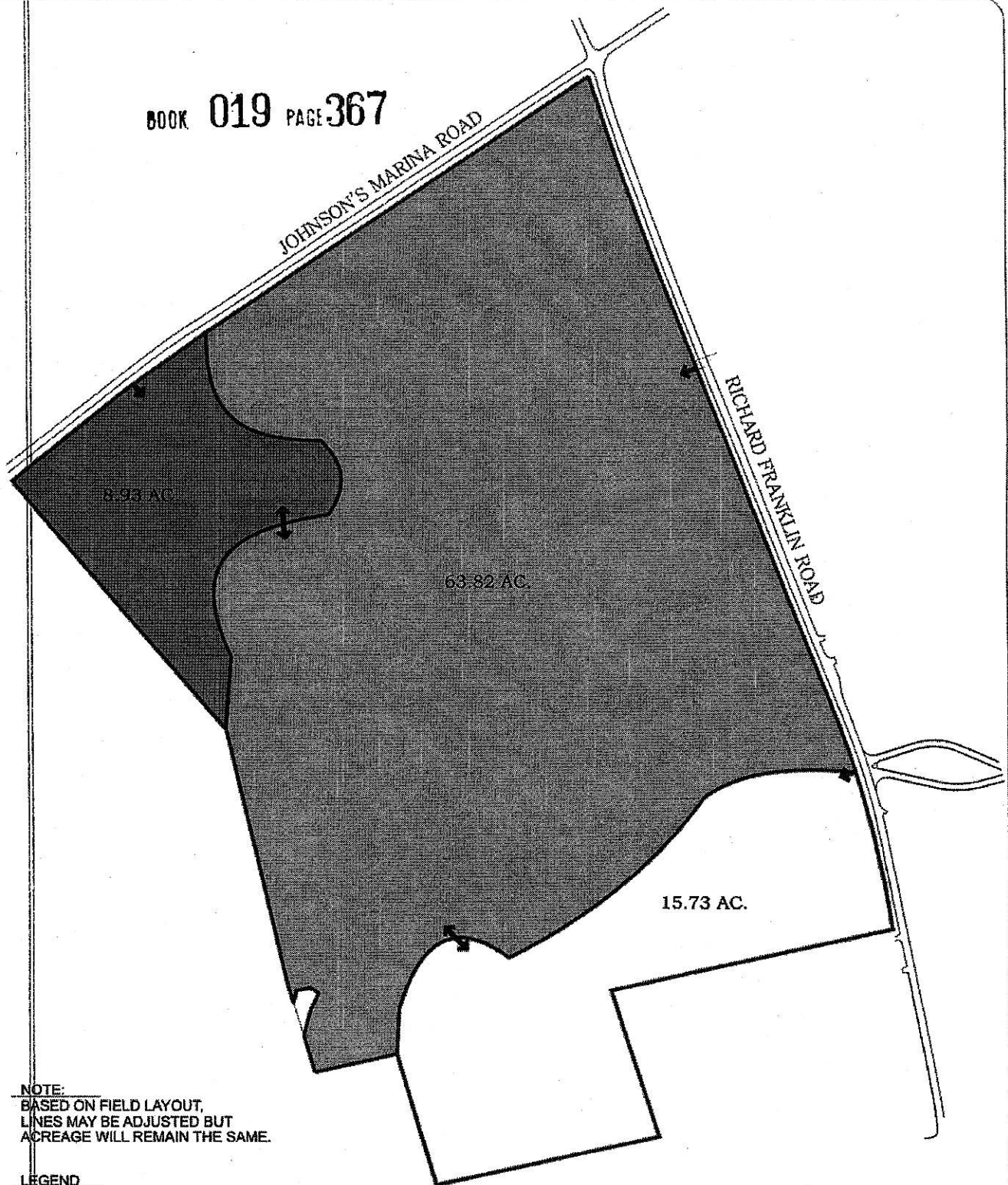
Approved As To LEGAL Form Only  
No Opinion Rendered As To Content

Public Hearing: October 26, 2004  
First Reading: October 26, 2004  
Second Reading: October 28, 2004  
Third Reading: November 16, 2004

05-08MA Richard Franklin Road




Exhibit B  
Site Layout

BOOK 019 PAGE 367



NOTE:  
BASED ON FIELD LAYOUT,  
LINES MAY BE ADJUSTED BUT  
ACREAGE WILL REMAIN THE SAME.

LEGEND

-  MEDIUM DENSITY PATIO HOMES
-  LOW DENSITY
-  ESTATE LOTS

TOTAL LAND AREA= 88.49 ACRES  
COMMON AREA SHOWN= 25%+-

**EAGLES REST, FORMERLY "THE VILLAGE"  
GENERAL DEVELOPMENT PLAN**

SHUMAKER HOMES, INC. OCT 13, 2004

BY: CIVIL ENGINEERING OF COLUMBIA

Site Layout, continued

BOOK 019 PAGE 368



**NOTE:**  
THIS LAYOUT IS CONCEPTUAL AND  
SUBJECT TO CHANGE.

**LEGEND**

■ CONCEPTUAL COMMON AREA

TOTAL LAND AREA= 88.49 ACRES  
COMMON AREA SHOWN= 25%+-

**EAGLES REST, FORMERLY "THE VILLAGE"**

**CONCEPTUAL LOTTING PLAN**

SHUMAKER HOMES, INC. OCT 13, 2004

BY: CIVIL ENGINEERING OF COLUMBIA

**B-1**

# **Eagles Rest**

**(Formerly The Village)**

## **Planned Development (PUD 1-R)**

**November 6, 2008**

**Submitted By :**

**Eagles Rest, LLC**

**c/o Joe Pope**

**5847 Shakespeare Road  
Columbia, SC 29223**

The following is the listed requirements and responses pertaining to the Richland County Code for rezoning from D-1 to Planned Unit Development PUD – 1R Section 26-70.16 as found in the Richland County Code Book.

***26-70.16 General Development Plan Requirements.***

***(a) The major planning assumptions and objectives of the proposed development;***

Eagle's Rest is a proposed 88.5 acre multi-phased, multiple neighborhood, residential community located on Johnson Marina Road in the Ballentine portion of Richland County. This planned community will include three distinct neighborhoods with lot sizes ranging from estate lots of approximately .6 acre to patio lots approximately 5,000 square foot. The lot sizes do not equate to desirability or price as this mixed size community evolved from market studies, neighborhood meetings and the surrounding neighbor's desires.

There is existing and/or proposed (currently zoned) residential communities across Richard Franklin Road and adjoining this tract on Johnson Marina Road. Water and sewer are available and adjacent to this parcel.

The design and intent of this PUD request is to accomplish three (3) goals:

1. Be compatible with the neighborhood and neighbors.
2. Complement recent zoning within the immediate area.
3. Meet the market demand for various lot and house sizes.

Eagle's Rest will truly be that as there will be three (3) neighborhoods allowing and encouraging diversity in life style. Each neighborhood, although separate, will have connectivity. Two of the three neighborhoods will have a neighborhood park of approximately .9 to 2.5 acres.

In addition to the parks, buffers will be included in the open space. These buffers will separate neighborhoods and provide a non-disturbed area along all roads and all adjoining property lines. Buffers will be a minimum of 15 feet with a 30 foot buffer along Richard Franklyn and Johnson Marina Roads.



By providing various size lots, the densities can remain reasonable while meeting the needs of the neighborhood and the market. Those desiring large lots with plenty of room to work or play outside can choose from the approximate .6 acre lots. For those not interested in yard work empty nesters, or those who would just rather be on the golf course or lake can choose from the approximate 5,000 square foot patio lots or the approximately 8,000 square foot lots.

The diversity in lot sizes also allows for a more flexible infrastructure and design while maximizing the appreciation of the unique physical features of this site. The PUD will also allow the developer to make modifications to the number and size of lots per neighborhood as long as the total number of lots does not exceed 220.

**(b) The range of percentages of the total land area intended to be devoted to residential uses, , , open space uses, social and community uses, and major streets and roads;**

Estate lots (Approximately .6 Acre)	18%
Traditional (Approximately 8,000 – 15, 000 sq. ft. lot)	68%
Patio Homes (Approximately 5,000 sq. ft. lot)	14%
Parks, open spaces and buffers of overall development	27%

The percentages include common areas.

**(c) The intended overall maximum density of population of the development, expressed in terms of the average number of dwelling units per acre within the planned development district;**

Estate lots (Approximately .6 Acre)	16 Units	16.1 AC
Traditional (Approximately 8,000 –15, 000 sq. ft. lot)	150 Units	59.5 AC
Patio Homes (Approximately 5,000 sq. ft. lot)	54 Units	12.8 AC

**(d) Legal description of the proposed development boundaries;**

See Appendix A

**(e) Total number of acres in the development area;**

88.5 Acres

**(f) Tentative number of units of various types;**

Estate Lots (Approximately .6 Acre)	16 Units
Traditional (Approximately 8,000- 15,000 sq. ft. lot)	150 Units
Patio Homes (Approximately 5,000 sq. ft. lot)	54 Units

**(g) Description of open space and community facilities and adequacy thereof to serve anticipated demand;**

Community open space which will be controlled and monitored by the Homeowners Association will include active recreation such as swimming as well as previously mentioned individual neighborhood parks. Sidewalks will be required on both sides of the roads inside the community. The total acreage shall be 4.8 acres of parks and 4.39 acres of buffers. The Common Areas and Buffer Zones will be owned and maintained by the Home Owners Association in perpetuity.

**(h) The approximate timing of development phasing;**

Larger regional and national economic conditions and the conditions of the Columbia Real Estate Market will influence development timing, but the applicant expects that the entire development will be complete and built out by year 2012.

- (i) ***Description of the proposed procedures of any homeowners association or other group maintenance or group ownership features which may be included; and***

A draft of proposed HOA Conditions, Covenants & Restrictions (CCR's), controlling uses of the residential and commercial portions of the property are included herein as Appendix C. Also included is a draft of the proposed By-laws for that same HOA.

- (j) ***Design standard, administrative procedures, and other such information or descriptions as may be deemed reasonably appropriate for planning commission review.***

Standards and procedures affecting the HOA are outlined in item (i) above.



## EXPLANATION OF BUFFER/OPEN SPACE REQUIREMENTS

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-171, GENERAL; SO AS PROTECT BUFFERS, COMMON AREAS, OPEN SPACE, RECREATION AREAS, AND PLANTED AND/OR VEGETATIVE AREAS ON ALL APPROVED PLANS.

What this ordinance will do:

This ordinance will amend Section 26-171 (under “General Development, Site, and Performance Standards”) by adding 3 additional provisions:

- Buffers along the parameter of a project shall not be disturbed and existing trees and shrubs shall be preserved.
- Common areas, open space, recreation areas, and planted and/or vegetative areas shall be preserved as such and shall not change to another use unless plans are submitted to and approved by the Development Review Team.

### **NOTE:**

**Previously**, subsection (d) read as follows:

(d) *Utilities*. Prior to the installation of utility lines and related appurtenances, plans shall be submitted to the planning department and a land disturbance permit issued pursuant to the requirements of Sections 26-53 and 26-64 (a).

This subsection has **now** been amended to read as follows:

(d) *Utilities*. Prior to the installation of utility lines and related appurtenances, **unless within the approved limits of clearing and noted on approved plans,** the utility provider shall submit plans to the planning department and a land disturbance permit **and land development permit** issued pursuant to the requirements of Sections 26-53, **26-54** and 26-64 (a).

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 VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-171, GENERAL; SO AS PROTECT BUFFERS, COMMON AREAS, OPEN SPACE, RECREATION AREAS, AND PLANTED AND/OR VEGETATIVE AREAS ON ALL APPROVED PLANS.

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, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-171, General; is hereby amended to read as follows:

**Sec. 26-171. General.**

(a) Purpose. This article sets forth standards for land development in the unincorporated areas of Richland County, South Carolina, concerning a variety of different development issues. These standards are designed to ensure the compatibility of development within the county and to implement the policies found in the county's comprehensive plan. The applicability of the standards set forth in this article may vary based on the use, location, and zoning district (as set forth in this chapter). The criteria set forth in this article, as with all other requirements, must be satisfied before an application for development will be approved.

(b) Buffers. All required and/or approved buffers, provided from existing vegetation and/or an approved landscape plan, for a project, shall not be disturbed, and trees and shrubs shall be preserved by the owner.

(c) Common areas and open space. All required and/or approved common areas, open space, recreation areas, and planted and/or vegetative areas shall be preserved as such and shall not change to another use unless plans are submitted to and approved by the Development Review Team.

(d) Utilities. Prior to the installation of utility lines and related appurtenances, unless within the approved limits of clearing and noted on approved plans, the utility provider shall submit plans to the planning department and a land disturbance permit and land development permit issued pursuant to the requirements of Sections 26-53, 26-54 and 26-64 (a).

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 \_\_\_\_\_, 2008.

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: February 24, 2009 (tentative)  
First Reading: February 24, 2009 (tentative)  
Second Reading:  
Third Reading:





## EXPLANATION OF SIGN ENFORCEMENT ORDINANCE

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-180, SIGNS; SO AS TO AMEND SUBSECTION (E), PROHIBITED SIGNS, AND TO CREATE A NEW SUBSECTION FOR THE PURPOSE OF ENFORCEMENT.

What this ordinance will do:

This ordinance will amend Section 26-180 (e), Prohibited Signs; by adding “signs posted on public property” as another sign that is prohibited in unincorporated Richland County.

In addition, a new section was added to address enforcement issues:

- Signs posted on **public property** will be subject to removal without notice.
- For prohibited signs on **private property**, the owner of the sign and the record owner of the property on which the sign is located will be notified in writing and given an opportunity to cure the violation. If the violator fails to take the corrective action, a summons will be issued.

# DRAFT

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 VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-180, SIGNS; SO AS TO AMEND SUBSECTION (E), PROHIBITED SIGNS, AND TO CREATE A NEW SUBSECTION FOR THE PURPOSE OF ENFORCEMENT.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General development, Site, and Performance Standards; Section 26-180, Signs; Subsection (e), Prohibited Signs; is hereby amended to read as follows:

- (e) *Prohibited signs.* The following signs are prohibited in the unincorporated areas of Richland County:
  - (1) *Off-premises signs.* All off-premises signs, unless specifically allowed elsewhere in this chapter.
  - (2) *Roof signs.* Roof signs; provided, however, that signs on the surfaces of a mansard roof or on parapets shall not be prohibited if the signs do not extend above the mansard roof or parapet to which they are attached.
  - (3) *Animated/flushing signs and signs of illusion.* Signs displaying blinking, flashing, or intermittent lights, or animation, moving parts, or signs giving the illusion of movement.
  - (4) *Signs resembling traffic signals.* Signs that approximate official highway signs, warning signs, or regulatory devices.
  - (5) *Signs on roadside appurtenances.* Signs attached to or painted on utility poles, trees, parking meters, bridges, overpasses, rocks, other signs, benches, refuse containers, etc., unless specifically allowed elsewhere in this chapter.
  - (6) *Abandoned signs and sign structures.* Signs that advertise an activity or business that is no longer conducted on the property on which the sign is located. Such signs or sign structures must be removed by the property owner within thirty (30) days of becoming an abandoned sign or sign structure.

# DRAFT

- (7) *Pennants, streamers, balloons, etc.* Signs containing or consisting of pennants, ribbons, streamers, balloons, or spinners.
- (8) *Signs obstructing access.* Signs that obstruct free ingress or egress from a road, driveway, or a required door, window, fire escape, or other required exitway.
- (9) *Signs located in the right-of-way.*
- (10) *Inflatable signs or balloons.*
- (11) *Signs posted on public property.* Public property includes the tree lawn areas between detached sidewalks and streets, roadway median strips, parkways, bridges, alleys, utility poles and boxes, as well as street signs and sign poles.

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General development, Site, and Performance Standards; Section 26-180, Signs; is hereby amended by the creation of a new subsection, to read as follows:

- (p) *Enforcement.* Notwithstanding the enforcement provisions of Section 26-273, signs found in violation of this Section shall be subject to the following procedures:
  - (1) *Signs on public property subject to removal without notice.* County employees shall have the authority to remove without notice to the owners thereof, signs placed within any street or highway right-of-way; signs attached to trees, fence posts, telephones and utility poles, or other natural features; abandoned signs; signs placed on public property; and signs erected without permit. The person(s) responsible for causing the unlawful sign to be on any public property may be held responsible for the cost of removal. The persons liable shall include, but are not limited to, any individual or business whose advertisement, message or information appears on or is contained in any sign or notice unlawfully placed on public property.
  - (2) *Prohibited signs on private property.* When an authorized county official finds a prohibited sign located on private property, the county employee shall notify the owner of the sign and the record owner of the property on which the sign is located. Such notice of violation shall be in writing and sent by certified or registered mail or delivered by personal service. The notice of violation shall include an opportunity to cure the violation within a prescribed period of time. If the violator fails to take prompt corrective action in the prescribed time, then the county may pursue the penalties and remedies set forth in Section 26-272.

# DRAFT

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 enforced 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: February 24, 2009 (tentative)  
First Reading: February 24, 2009 (tentative)  
Second Reading:  
Third Reading:

EXPLANATION OF PARK AND OPEN SPACE DELETION AND USE OF GREEN  
CODE REQUIREMENTS

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; SO AS TO DELETE SECTION 26-184, PARKS AND OPEN SPACE, AND TO PROVIDE FOR THE USE OF THE GREEN CODE'S FLEXIBILITY IN THE VARIOUS ZONING DISTRICTS.

What this ordinance will do:

Section 26-184, "Parks and Open Space", has been deleted in its entirety. However, some of the provisions were added to the requirements of a PDD District, as well as a TC district.

In addition, the "Recreation/open space standards" of the RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, and RM-HD districts were amended to reflect the option of using the Green Code's standards (instead of the standards set forth in Section 26-184).

The "Recreation/open space standards" of the OI, NC, RC, GC, M-1, LI, and HI districts were amended to read "None."

**NOTE:**

Previously, unacceptable land for park or open space reservation included "Narrow areas", which read as follows:

3. *Narrow areas.* Land with a width of less than twenty-five (25) feet, unless specifically approved by the planning department.

This language has been amended to read as follows:

3. *Narrow areas.* Land with a width of less than twenty-five (25) feet, **unless such land is a bicycle or walking trail at least ten (10) feet wide, or** unless specifically approved by the planning department.

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; SO AS TO DELETE SECTION 26-184, PARKS AND OPEN SPACE, AND TO PROVIDE FOR THE USE OF THE GREEN CODE'S FLEXIBILITY IN THE VARIOUS ZONING DISTRICTS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General development, Site, and Performance Standards; Section 26-184, Parks and Open Space; is hereby amended to read as follows:

**Sec. 26-184. ~~Parks and open space~~ Reserved.**

~~(a) — Purpose and applicability.~~

- ~~(1) — Purpose. The common open space and park standards contained herein are established to provide an option for the reservation of open space in residential development in Richland County. Preservation of open space and parks in developing areas serves a variety of purposes, including meeting the recreational needs of residents, reducing stormwater runoff, and enhancing air quality.~~
- ~~(2) — Applicability. The parks and open space options contained in this section shall apply to minor and major residential land developments and to minor and major residential subdivisions.~~

~~(b) — General parks and open space requirements.~~

- ~~(1) — Minimum amount of park land or open space to be reserved. Developers wishing to use the design flexibility standards of subsection (c) below, must reserve at least ten percent (10%) of the total project area as park land or open space. In addition, at least 50% of the reserved park areas or open space shall be usable, i.e. made accessible for pedestrian and/or aquatic use, or consists of land that could otherwise be developed and does not slope more than 33°.~~
- ~~(2) — Acceptable land for park land or open space reservation. Land reserved to meet the requirements of this section shall be subject to the following standards:~~

a. ~~Water features.~~ Bodies of water, such as ponds, lakes, streams, wetlands, and flood plains, may be used to fulfill the open space requirement.

b. ~~Land burdened with easements.~~ Land that is burdened with easements may be used, provided that the easements do not interfere with the use of the land for open space and recreation purposes and do not permit future development.

c. ~~Minimum required yards.~~ Minimum required yards may provide up to fifty percent (50%) of the required open space.

(3) ~~Unacceptable land for park or open space reservation.~~ The following types of land are unacceptable for park or open space reservation:

a. ~~Occupied land.~~ Land occupied by roads, drives, parking areas, or structures, other than those related to recreational structures or parks.

b. ~~Land with hazardous materials.~~ Land containing or contaminated by hazardous materials.

c. ~~Narrow areas.~~ Land with a minimum width of less than ten (10) feet, unless specifically approved by the planning department.

(c) ~~Design flexibility for additional open space reservation.~~ It is the intent of this subsection to encourage variety and flexibility in design and development of residential areas and to provide a means of preserving larger areas of open space. This development design relaxes conventional zoning and/or subdivision standards to permit modifications in lot size and shape by concentrating single-family dwellings in specific areas of an overall tract, leaving more open space in which to preserve natural features, such as woodlands and streams, and in so doing, to provide for the active or passive use of such lands as recreational space for the residents of these developments. Depending on the zoning district in which the development is located, housing may be detached or attached if building code standards are met. This flexibility in design shall be available to any major residential development or major subdivision in which ten percent (10%) of the project area is reserved for open space. This flexibility shall take the form of reductions in the dimensional standards (lot area, minimum lot width, and setback) for the applicable zoning district. Reductions shall be as follows:

(1) ~~Open space of more than ten percent (10%) but less than fifteen percent (15%).~~ If the total open space provided, in meeting the standards listed in (b)(2) and (b)(3) above, is more than ten percent (10%) and less than fifteen percent (15%) of the total project area, each dimensional requirement may be reduced ten percent (10%).

- ~~(2) — Open space of fifteen percent (15%) or more, but less than twenty percent (20%). If the total open space provided, in meeting the standards listed in (b)(2) and (b)(3) above, is fifteen percent (15%) or more, but less than twenty percent (20%) of the total project area, each dimensional requirement may be reduced by fifteen percent (15%).~~
- ~~(3) — Open space of twenty percent (20%) or more, but less than twenty five percent (25%). If the total open space provided, meeting the standards listed in (b)(2) and (b)(3) above, is twenty percent (20%) or more, but less than twenty five percent (25%) of the total project area, each dimensional requirement may be reduced by twenty percent (20%).~~
- ~~(4) — Open space of twenty five percent (25%) or more. If the total open space provided, meeting the standards listed in (b)(2) and (b)(3) above, is twenty five percent (25%) or more of the total project area, the zoning district dimensional requirements may be waived. The then newly established minimum lot size, lot coverage, and setback requirements must be approved by the planning staff and development review team.~~
- ~~(d) — Maintenance. Arrangements for the perpetual maintenance of open space that meet these requirements must be approved by the planning department. Any conveyance to a homeowner's association shall be subject to appropriately recorded and filed restrictive covenants and easements. The covenants and easements shall prohibit future development of the open space for other than open space and recreation purposes and shall provide for continued maintenance of the open space and recreation facilities. Failure to maintain the area designated for open space shall constitute a violation of this chapter.~~

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-85, RU Rural District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* Open space shall may be provided for new developments and expansions of existing developments in accordance with the Green Code standards for parks and open space in of Section 26-184 ~~26-186~~ of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(c)).~~

SECTION III. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-86, RR Rural Residential District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:



- (10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards for parks and open space in of Section 26-184 ~~26-186~~ of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(c)).~~

SECTION IV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-87, RS-E Residential, Single-Family – Estate District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards for parks and open space in of Section 26-184 ~~26-186~~ of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(c)).~~

SECTION V. 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 (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards for parks and open space in of Section 26-184 ~~26-186~~ of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(c)).~~

SECTION VI. 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 (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards for parks and open space in of Section 26-184 ~~26-186~~ of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(c)).~~

SECTION VII. 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 (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards for parks and open space in of Section 26-184 ~~26-186~~ of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION VIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-91, MH Manufactured Home Residential District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards for parks and open space in of Section 26-184 ~~26-186~~ of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION IX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-92, RM-MD Residential, Multi-Family – Medium Density District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards for parks and open space in of Section 26-184 ~~26-186~~ of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION X. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-93, RM-HD Residential, Multi-Family – High Density District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* Open space ~~shall~~ may be provided for new developments and expansions of existing developments in accordance with the Green Code standards for parks and open space in of Section 26-184 ~~26-186~~ of this chapter. ~~Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION XI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-94, OI Office and Institutional District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* None. ~~Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter. Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION XII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-95, NC Neighborhood Commercial District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* None. ~~Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter.~~

SECTION XIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-96, RC Rural Commercial District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* None. ~~Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter.~~

SECTION XIV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-97, GC General Commercial District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* None. ~~Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter. Design flexibility in the form of reductions in dimensional standards (lot area, minimum lot width, and setback) is available for open space reservation (see Section 26-184(e)).~~

SECTION XV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-98, M-1 Light Industrial District;

Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* None. ~~Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter.~~

SECTION XVI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-99, LI Light Industrial District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* None. ~~Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter.~~

SECTION XVII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-100, HI Heavy Industrial District; Subsection (c), Development Standards; Paragraph (10), Recreation/open Space Standards; is hereby amended to read as follows:

- (10) *Recreation/open space standards:* None. ~~Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter.~~

SECTION XVIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-101, PDD Planned Development District; Subsection (d), Development Standards; Paragraph (8), Recreation/open Space Standards; is hereby amended to read as follows:

- (8) *Recreation/open space standards:* ~~Open space shall be provided for new developments and expansions of existing developments in accordance with the standards for parks and open space in Section 26-184 of this chapter, and as required by the planning commission and county council during the review and approval of the PDD District.~~

- a. *Purpose.* The common open space and park standards contained herein are established to provide for the reservation of open space in planned development districts. Preservation of open space and parks in developing areas serves a variety of purposes, including meeting the recreational needs of residents, reducing stormwater runoff, and enhancing air quality.

- b. *Minimum amount of park land or open space to be reserved.* Developers must reserve at least ten percent (10%) of the total project area as park land or open space, which shall be usable, i.e. common areas made accessible for pedestrian and/or aquatic use.
- c. *Acceptable land for park land or open space reservation:*
1. *Water features.* Bodies of water, such as ponds, lakes, streams, wetlands, and flood plains, may be used to fulfill the open space requirement.
  2. *Land burdened with easements.* Land that is burdened with easements may be used, provided that the easements do not interfere with the use of the land for open space and recreation purposes and do not permit future development.
- d. *Unacceptable land for park or open space reservation.* The following types of land are unacceptable for park or open space reservation:
1. *Occupied land.* Land occupied by roads, drives, parking areas, or structures, other than those related to recreational structures or parks.
  2. *Land with hazardous materials.* Land containing or contaminated by hazardous materials.
  3. *Narrow areas.* Land with a width of less than twenty-five (25) feet, unless such land is a bicycle or walking trail at least ten (10) feet wide, or unless specifically approved by the planning department.
- e. *Maintenance.* Arrangements for the perpetual maintenance of open space that meet these requirements must be approved by the planning department. Any conveyance to a homeowner's association shall be subject to appropriately recorded and filed restrictive covenants and easements. The covenants and easements shall prohibit future development of the open space for other than open space and recreation purposes and shall provide for continued maintenance of the open space and recreation facilities. Failure to maintain the area designated for open space shall constitute a violation of this chapter.

SECTION XIX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-102, TC Town and Country

District; Subsection (d), Development Standards; Paragraph (9), Recreation/open Space Standards; is hereby amended to read as follows:

(9) ~~Recreation/open space standards:— Open space shall be provided in accordance with the standards for parks and open space in Section 26-184 of this chapter, and as required by the planning commission and county council during the review and approval of the TC District. (See also requirements at Section 26-101(d)(4) above).~~

a. Purpose. The common open space and park standards contained herein are established to provide for the reservation of open space in Town and Country Development districts. Preservation of open space and parks in developing areas serves a variety of purposes, including meeting the recreational needs of residents, reducing stormwater runoff, and enhancing air quality.

b. Minimum amount of park land or open space to be reserved. Developers must reserve at least ten percent (10%) of the total project area as park land or open space, which shall be usable, i.e. common areas made accessible for pedestrian and/or aquatic use.

c. Acceptable land for park land or open space reservation:

1. Water features. Bodies of water, such as ponds, lakes, streams, wetlands, and flood plains, may be used to fulfill the open space requirement.

2. Land burdened with easements. Land that is burdened with easements may be used, provided that the easements do not interfere with the use of the land for open space and recreation purposes and do not permit future development.

d. Unacceptable land for park or open space reservation. The following types of land are unacceptable for park or open space reservation:

1. Occupied land. Land occupied by roads, drives, parking areas, or structures, other than those related to recreational structures or parks.

2. Land with hazardous materials. Land containing or contaminated by hazardous materials.

3. Narrow areas. Land with a width of less than twenty-five (25) feet, unless such land is a bicycle or walking trail at

least ten (10) feet wide, or unless specifically approved by the planning department.

e. Maintenance. Arrangements for the perpetual maintenance of open space that meet these requirements must be approved by the planning department. Any conveyance to a homeowner's association shall be subject to appropriately recorded and filed restrictive covenants and easements. The covenants and easements shall prohibit future development of the open space for other than open space and recreation purposes and shall provide for continued maintenance of the open space and recreation facilities. Failure to maintain the area designated for open space shall constitute a violation of this chapter.

SECTION XX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-186, Green Code Standards; Subsection (b), Applicability; is hereby amended to read as follows:

(b) *Applicability/Establishment.* The owner of property within an RU, RR, RS-E, RS-LD, RS-MD, ~~or RS-HD~~, MH, RM-MD, or RM-HD zoning district may apply the development standards found within this section, in lieu of the development standards set forth for the applicable zoning district, subject to meeting the requirements of this section.

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

SECTION XXIII. Effective Date. This ordinance shall be enforced 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

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

Public Hearing: February 24, 2009 (tentative)  
First Reading: February 24, 2009 (tentative)  
Second Reading:  
Third Reading:



**RICHLAND COUNTY, SOUTH CAROLINA  
PLANNING & DEVELOPMENT SERVICES DEPARTMENT**

**TO:** Planning Commission Members: Interested Parties  
**FROM:** Alfreda W. Tindal, E9-1-1 Addressing Coordinator  
**DATE:** January 23, 2009

**Pursuant Section 6-29-1200 (A), SC Code of Laws requires the Planning Commission to approve street names. Specifically, states "...A local planning commission created under the provisions of this chapter shall, by proper certificate, approve and authorize the name of a street or road laid out within the territory over which the commission has jurisdiction..."**

The proposed street/road/subdivision names listed below have been given preliminary approval as related to the Emergency 9-1-1 system requirements. **The proposed subdivision/commercial names are included for your information only.**

**Action Requested**

The Addressing Office recommends the Commission give **final** approval of the street/road names listed below. **Unless specifically stated, the street name suffixes are added after receipt of the subdivision lot layout.**

APP'D SUBDIVISION NAMES	GENERAL LOCATION
Sageland Place	Percival and East Boundary Roads, Northeast

PROPOSED STREET NAMES	GENERAL LOCATION
Sageland Place Circle	Percival and East Boundary Roads, Northeast
Bearyberry	Wodcreek Farms, Northeast
Beechfern	Wodcreek Farms, Northeast
Brushfield	Wodcreek Farms, Northeast
Cordgrass	Wodcreek Farms, Northeast
Opaca	Wodcreek Farms, Northeast
Rosinweed	Wodcreek Farms, Northeast
Vrushfield	Wodcreek Farms, Northeast

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 2020 Hampton Street, P. O. Box 192, Columbia, SC 29202 Ph. 803-576-2147 fax 803-576-2181  
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 (2).rtf01/26/09 page 1 of 1

***"Making the Safety of Richland County Citizens Our #1 Priority, One Address at a Time"***



