

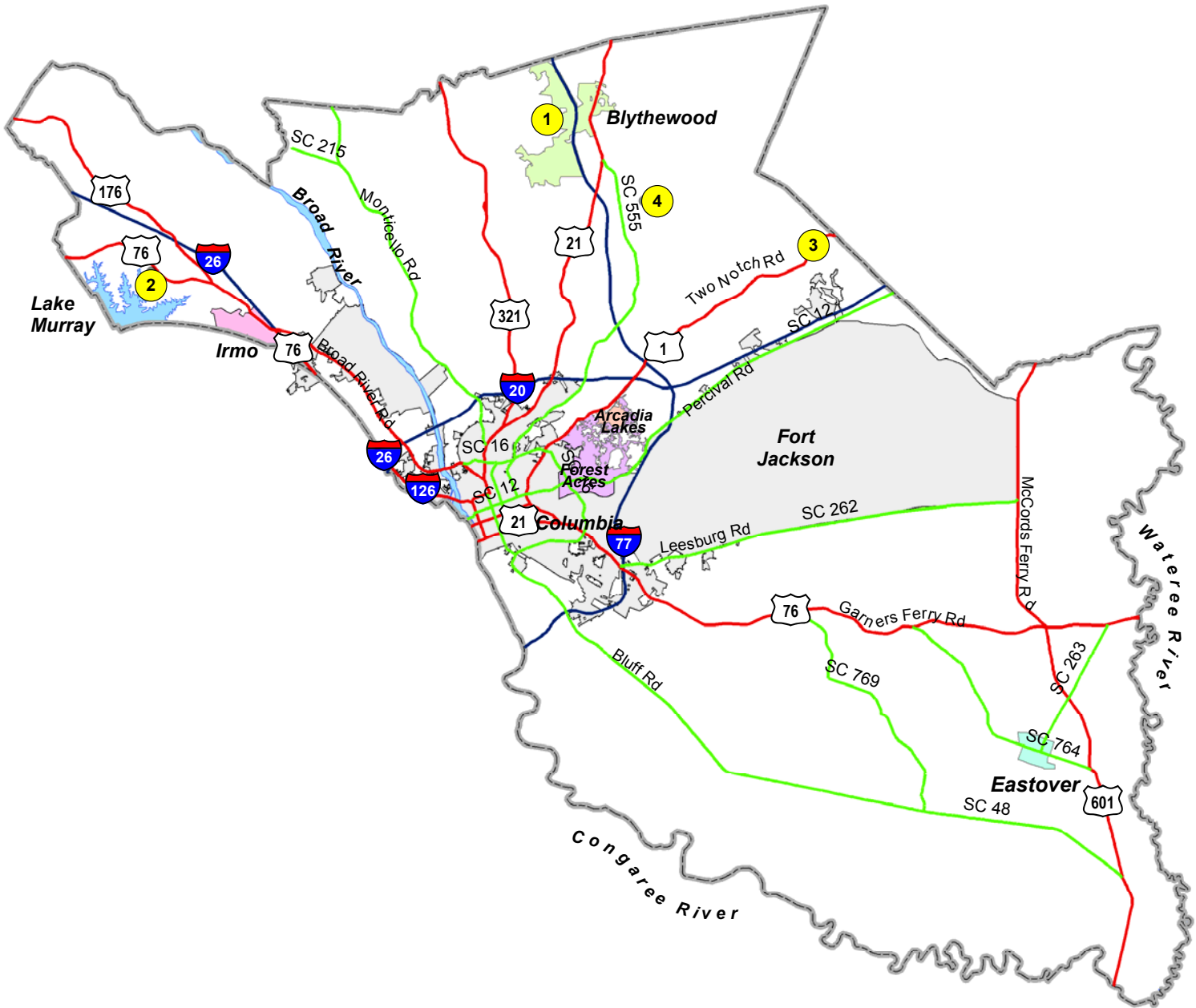
**RICHLAND COUNTY  
PLANNING COMMISSION**



**JUNE 7, 2004**



# RICHLAND COUNTY PLANNING COMMISSION JUNE 7, 2004



CASE NO.	APPLICANT	TMS NO.	ADDRESS	DISTRICT
1. 04-55 MA	MCA Architecture	12600-03-01/02 (p)	Blythewood Rd. & Valley Rd.	Tuten
2. 04-56 MA	Agnew Lake Service	02408-03-16	301 Shadowood Road	Corley
3. 04-57 MA	Brokers Realty	29004-02-01/02	Corner of Two Notch & Vallenga Road	McEachern
4. 04-58 MA	Thom Walker	17613-02-08	Longtown Rd. West behind the Tennis Center	Brill





**RICHLAND COUNTY PLANNING COMMISSION**

**Monday, June 7, 2004**

**Agenda**

**1:00 PM**

**STAFF:** Michael P. Criss, AICP ..... Planning Director  
Anna Almeida ..... Land Development Administrator  
Carl D. Gosline, AICP ..... Subdivision Administrator

**I. PUBLIC MEETING CALL TO ORDER** Gene Green, Chairperson

**II. PRESENTATION OF MINUTES FOR APPROVAL**

Consideration of the May 3, 2004 minutes

**III. AGENDA AMENDMENTS (limited to matters NOT covered by the FOIA)**

**IV. OLD BUSINESS**

SD-04-205 – Dutch Oaks S/D – Old Tamah Rd & Shady Grove Rd – 09  
Deferred from May 3, 2004 meeting

Reconsideration of 04-41 MA - Mungo Co. Zoning Amendment from 19  
RU to PUD-1R Broad River Rd & Freshly Mill Rd – Referred from  
May 18, 2004 County Council meeting

**V. NEW BUSINESS - SUBDIVISION REVIEW**

<b>PROJECT #</b>	<b>NAME</b>	<b>LOCATION</b>	<b>UNITS</b>	<b>Page</b>
SD-04-261	3600 Broad River Road (Minor S/D)	Broad River Rd & St Andrews Terr. TMS # 06110-03-02	3	23
SD-04-271	John Davis (Minor S/D)	Rucker Road near Lake Murray TMS # 01312-03-08/09	4	33
SD-04-272	Berkeley Ph. 6,7 & 8	Lake Carolina TMS # 23200-01-02	90	43

PROJECT #	NAME	LOCATION	UNITS	Page
SD-04-204	Watersong Ph. 1 & 2	Chapman Road near Broad River TMS # -3700-02-07 (p)	18	53
SD-04-181	Woodcreek Farms Parcel D3, Ph. 1 & 2	Woodcreek Farms TMS # 28900-03-07	52	63
SD-04-167	Palmetto Place Ph. 4 thru 7	West Side of Rhame Road North of Clemson Road	162	73

## VI. NEW BUSINESS - ZONING MAP AMENDMENTS

(MAP NO.) CASE	(1) 04-55 MA	Page
APPLICANT	MCA Architecture	85
REQUESTED AMENDMENT	RU to M-1 (19.2 acres)	
PURPOSE	Office & Heavy Equip. Maintenance Yard	
TAX MAP SHEET NUMBER (S)	12600-03-01/02 (p)	
LOCATION	Blythewood Rd & Valley Rd	

(MAP NO.) CASE	(2) 04-56 MA	Page
APPLICANT	Agnew Lake Service	95
REQUESTED AMENDMENT	Minor PDD Amendment (2.2 acres)	
PURPOSE	Expansion of Existing Business	
TAX MAP SHEET NUMBER (S)	02408-03-16	
LOCATION	301 Shadowood Road	

(MAP NO.) CASE	(3) 04-57 MA	Page
APPLICANT	Brokers Realty	105
REQUESTED AMENDMENT	C-3 to M-1 (3.5 acres)	
PURPOSE	Body Shop	
TAX MAP SHEET NUMBER (S)	29004-02-01/02	
LOCATION	Corner of Two Notch and Vallenga Road	

(MAP NO.) CASE	(4) 04-58 MA	Page
APPLICANT	Thom Walker	115
REQUESTED AMENDMENT	D-1 to RG-2 (21 acres)	
PURPOSE	Residential Subdivision	
TAX MAP SHEET NUMBER (S)	17613-02-08 (p)	
LOCATION	Longtown West Rd Behind the Tennis Center	

**VII. ROAD NAME APPROVALS**

- a. New Road Name Approvals 125

**VIII. OTHER BUSINESS**

- a) Discussion Regarding Proposed Amendments To The  
Commission's Rules of Procedure 129

**IX. ADJOURNMENT**



**RICHLAND COUNTY PLANNING &  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING COMMISSION SUBDIVISION STAFF REPORT**

June 7, 2004

<b>Applicant:</b> Willow Ridge, LLC		<b>Preliminary Subdivision Plans For:</b> Dutch Oaks (FNA Willow Ridge)
<b>RC Project # :</b> SD-04-205		
<b>General Location:</b> Shady Grove Road at Old Tamah Road		
<b>Tax Map Number:</b> 03400-01-04/14		<b>Current Zoning:</b> RS-1
<b>Subject Area:</b> 37 acres	<b>Number of Parcels:</b> 76	<b>Gross Density:</b> 2.1 DU/acre
<b>Sewer Service Provider:</b> Richland Co. Utilities		<b>Water Service Provider:</b> City of Columbia

**SECTION I – ANALYSIS**

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "...no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized...until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan..." Compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "... not involve the construction, or opening, of new streets, water or sewer facilities, storm drainage systems, or improvement to existing streets..." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

**Traffic Impact Discussion**

**In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume.** This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Shady Grove Road	
Functional Classification Of This Roadway	* Two lane undivided collector	
<b>Level-Of-Service C Design Capacity (V/C = 1.00)</b>	<b>8600</b>	
Estimated Traffic Generated By The Proposed Project	722	
Current Volume At The Nearest Count Station #573 Located @ Dutch Fork HS	1850	
Estimated Traffic Count <b>With</b> the Proposed Project	2572	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>0.30</b>	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

\* Not formally classified but functions as a collector

The proposed project will not result in the LOS C being exceeded at SCDOT count station 573.

**Fire Service Impacts**

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 3 mile radius of a fire station.

**School Impacts**

Based on information provided by the District 2 School Board office \*, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	15
Middle School @ 0.13 students per single family DU	10
High School @ 0.12 Students per single family DU	9

\* All Districts assumed to have the same generation rate – rounded to nearest whole number

**Existing Site Conditions**

When the subject site was zoned RS-1 in November 2003, the site was heavily wooded. The site included numerous hardwood trees in excess of 92 inches in circumference. When the site inspection for the subdivision application was conducted on April 7, 2004, virtually every tree on the site had been completely removed.

**Compatibility with the Surrounding Area**

The subject site is adjacent to the Walnut Grove S/D. The proposed project is compatible with the adjacent development.

**Discussion of Applicable Comprehensive Plan Issues**

In order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8]

The Northwest Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Medium/Low Density Residential on this Map.

The **proposed subdivision is not consistent** with the Proposed Land Use Map because it is a low density residential (1.3 to 3.0 DU/acre) project located in an area designated for medium/low density residential (3.0 to 5.0 DU/acre) development. The state law requires projects to be consistent with the provisions of the Comprehensive Plan, including the Map.

The RS-1 zoning, roughly equivalent to 3.7 DU/acre, is consistent the Northwest Subarea Plan Proposed Land Use Map. However, **the project is proposed for development at a low density (2.1 DU/acre) that is not consistent with the Map**.

The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 29 and 36 respectively, are discussed below:

Objective – Promote new development in areas with adequate infrastructure

The proposed project will be served by public water and sewer facilities. There is available traffic capacity in the adjacent road network. The proposed project implements this Objective.

Principle – Residential development should be limited to individual dwellings on individual lots.

The proposed project is a single family detached residential subdivision. This project implements this Principle.

**Other Pertinent Factors**

- a) As of May 14, 2004, the Public Works Dept. had not approved the stormwater management plans.
- b) On March 29, 2004, the Flood Hazard Manager stated “...**The flood elevation statement was disapproved**. A flood discharge elevation study is required on the creek and the pond... “(Sketch Plan comments provided to the applicant on March 15, 2004 required flood elevation approval )
- c) The County Fire Marshal commented that “ This site plan is approved as ordered. As a result of the number of lots exceeding 30, two separate and approved fire apparatus access roads shall be required. Where two access roads are required, they shall be placed a distance apart equal to not less than one half the length of the maximum overall diagonal dimension of the property served. When a fire hydrant is located on a fire apparatus road, the width shall be 26 ft. The minimum turning radius for a cul-de-sac shall not be less than 45 ft...” (Sketch Plan comments provided to the applicant on March 15, 2004)
- d) As of May 14, 2004, the Columbia had not approved the water line construction plans.
- e) As of May 14, 2004, the RUC had not approved the sewer line construction plans.
- f) As of May 14, 2004, DHEC had not issued a sewer line construction permit.
- g) As of May 14, 2004, DHEC had not issued a water line construction permit.

The applicant must present a phasing plan for the whole project prior to approval of any plats for recording. The phasing is necessary to allow adequate notice to schedule the public infrastructure facilities needed to support the project.



**The preliminary plans submitted by the applicant failed to comply with the Fire Marshal's Sketch Plan comments** (See above discussion) that the subdivisions streets must have a minimum of 26 feet of paving and have a secondary access point. The plans also failed to comply with the Fire Marshal's comments for a minimum radius of 45 feet of paving in the cul-de-sacs. The plans show a 40-foot paving radius.

The applicant conducted clearing activities without a Land Disturbance Permit from the Planning & Development Services Department (PDSD). The applicant paid a \$ 1085 fine at a hearing before the Magistrate on May 7, 2004.

## **SECTION II – STAFF RECOMMENDATION**

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends **conditional approval** of the preliminary subdivision plans for a 76 unit single family detached subdivision, known as Dutch Oaks (Project # SD-04-205). **The subdivision plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

### **Findings of Fact**

- 1) The flood elevation statement submitted with the application material was **disapproved**.
- 2) The preliminary plans **do not comply** with the Fire Marshal's road paving and access comments identified in the Sketch Plan comments.
- 3) The traffic generated by the proposed subdivision, by itself, will not result in the adjacent portion of Old Tamah Road operating below a LOS C capacity.
- 4) The proposed subdivision is compatible with existing development in the area
- 5) The proposed project **is not consistent** with the Northwest Subarea Plan Map land use designation.
- 6) The proposed project implements the relevant Objectives and Recommendations of the Northwest Subarea Plan.

### **Specific Conditions**

- a) The plat must establish the setbacks, either graphically or by notation, for each lot; **and**
- b) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
- c) The Department of Public Works must approve the stormwater management plans; **and**
- d) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- e) The County Fire Marshal must approve the subdivision plans; **and**
- f) The City of Columbia must approve the water line construction plans; **and**
- g) The Richland County Utilities Dept. must approve the sewer line construction plans; **and**
- h) DHEC must issue the sewer line construction permits; **and**
- i) DHEC must issue the water line construction permits; **and**
- j) The developer shall install a fence, wall, landscape berm, or combination thereof, to prohibit direct access to Shady Grove Road from lots 2 and 76; **and**
- k) RCU customers must present proof of payment of the sewer connection fees prior to getting a building permit; **and**

- l) **No building permits shall be issued until all of the conditions cited above are met; and**
- m) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
- n) Any further division of the phases identified in the lot layout plan shall require Planning Commission approval prior to recording; **and**
- o) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents; **and**
- p) Plats shall not be approved for recording until the Department receives the RCU approval of the sewer line easement documents; **and**
- q) The Department of Public Works must approve the road and stormwater facilities bond documents prior to a bonded plat being approved for recording; **and**
- r) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- s) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds; **(2)** RCU approves the sewer line easement deeds; **AND (3)** the County accepts the roads and stormwater facilities for maintenance.

**SECTION III – COMMISSION RECONSIDERATION & APPEAL**

**Reconsideration**

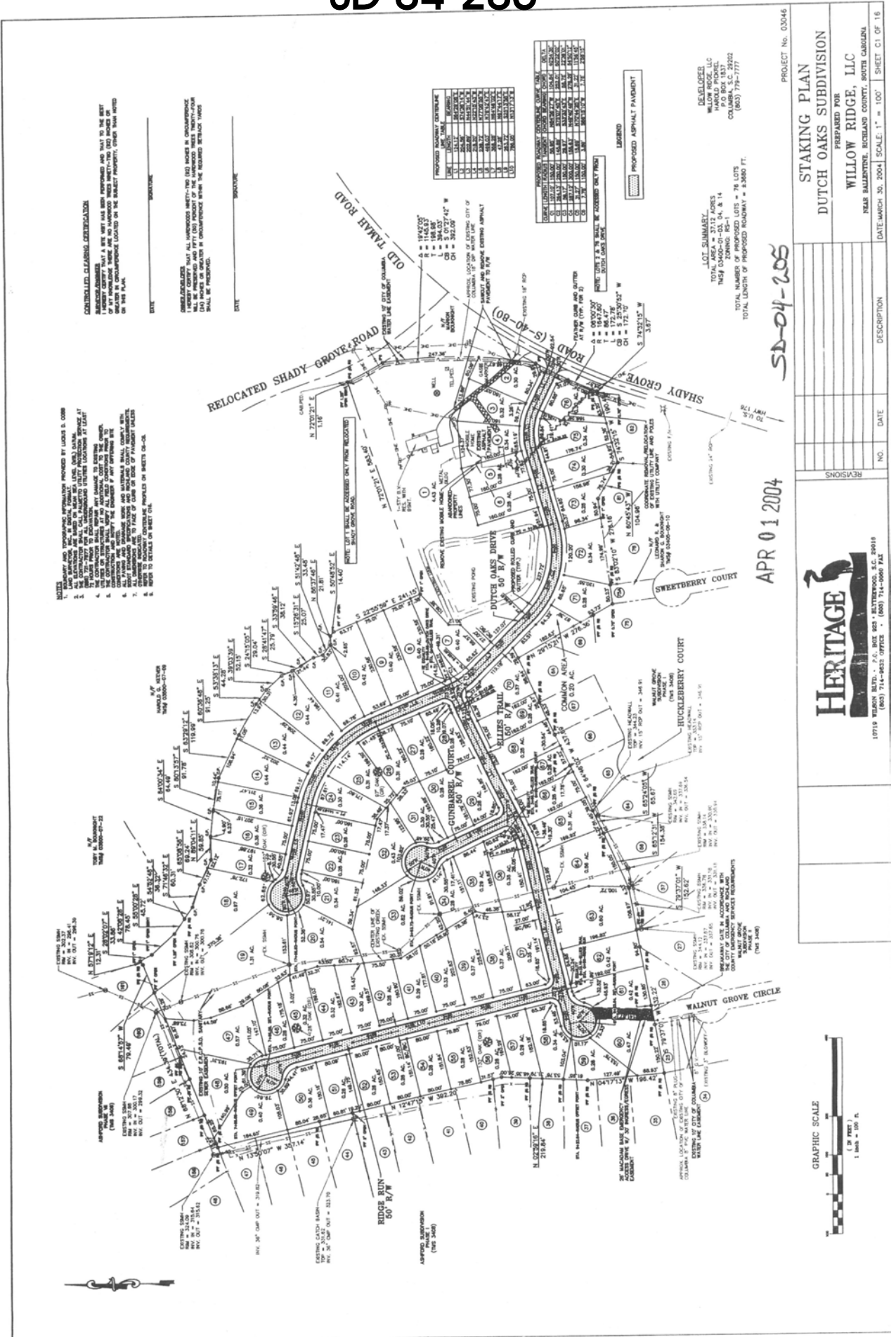
Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

**Appeal**

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.

# Attachment A SD 04-205



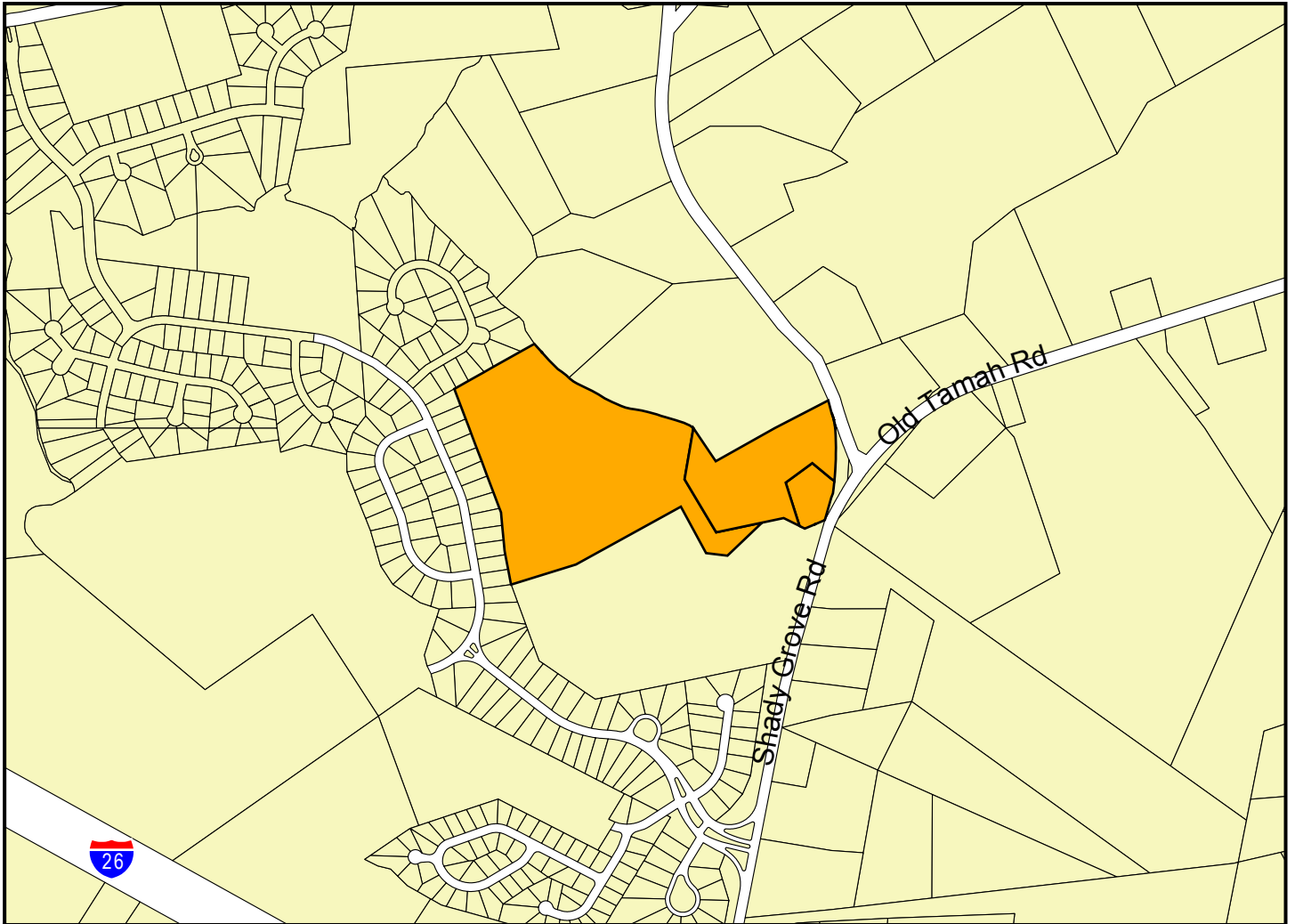


**SD 04-205**  
**DUTCH OAKS**  
TMS 03400-01-03/04/14





# SD 04-205 DUTCH OAKS




Looking at the back of Walnut Grove S/D



Looking towards the pond



**RICHLAND COUNTY, SOUTH CAROLINA  
PLANNING & DEVELOPMENT SERVICES DEPARTMENT  
Development Services Division Memo**

**TO:** Planning Commission Members; Other Interested Parties  
**FROM:** Carl D. Gosline, AICP, Subdivision Administrator   
**DATE:** May 26, 2004  
**RE:** Spring Hill PUD – 04-41 MA

**BACKGROUND**

The proposed 241-acre residential PUD project was reviewed by the Planning Commission at the March 1, 2004 meeting. The Department recommended denial for the following reasons:

1. It was not compatible with the rural character of the surrounding development
2. The project would result in the LOS C of Broad River Road being exceeded at this location.
3. The proposed project is not consistent with the Northwest Subarea Plan Proposed Land Use Map.
4. The proposed project is not consistent with the Objectives and Principles in the Northwest Subarea Plan.
5. The Department believes the proposed project is premature for this area at this point in time.

The Planning Commission disagreed with the Department and recommended approval based on the following findings of fact;

- 1) The construction of 640 units in this area is acceptable because it is a PUD development.
- 2) There is available traffic capacity in Broad River Road.
- 3) The City of Columbia is in the process of constructing a water transmission line from the Chapin area down Broad River Road to the Peak interchange area.
- 4) The Richland County Utilities Dept. has programmed construction of a sewer transmission line to serve the area.

The County Council conducted a public hearing on March 23, 2004 and Second and Third Readings of the PUD ordinance in April and May 2004. During these meetings, the applicant made some concession regarding the proposed project. The concessions were as follows:

- a) The maximum number of residences was reduced to 490.
- b) The applicant agreed to construct the necessary turn lanes in Broad River Road.
- c) The amount of open space was increased, principally by increasing the buffer area width on the exterior of the project.

At the Third Reading of the PUD ordinance on May 18, 2004, the County Council referred the matter back to the Planning Commission for further consideration because they determined a significant change in the project had occurred. There is a provision of the Planning Act that seems to suggest that the Planning Commission must have an opportunity to review a project when changes are made to a proposed development during the governing body's deliberations.

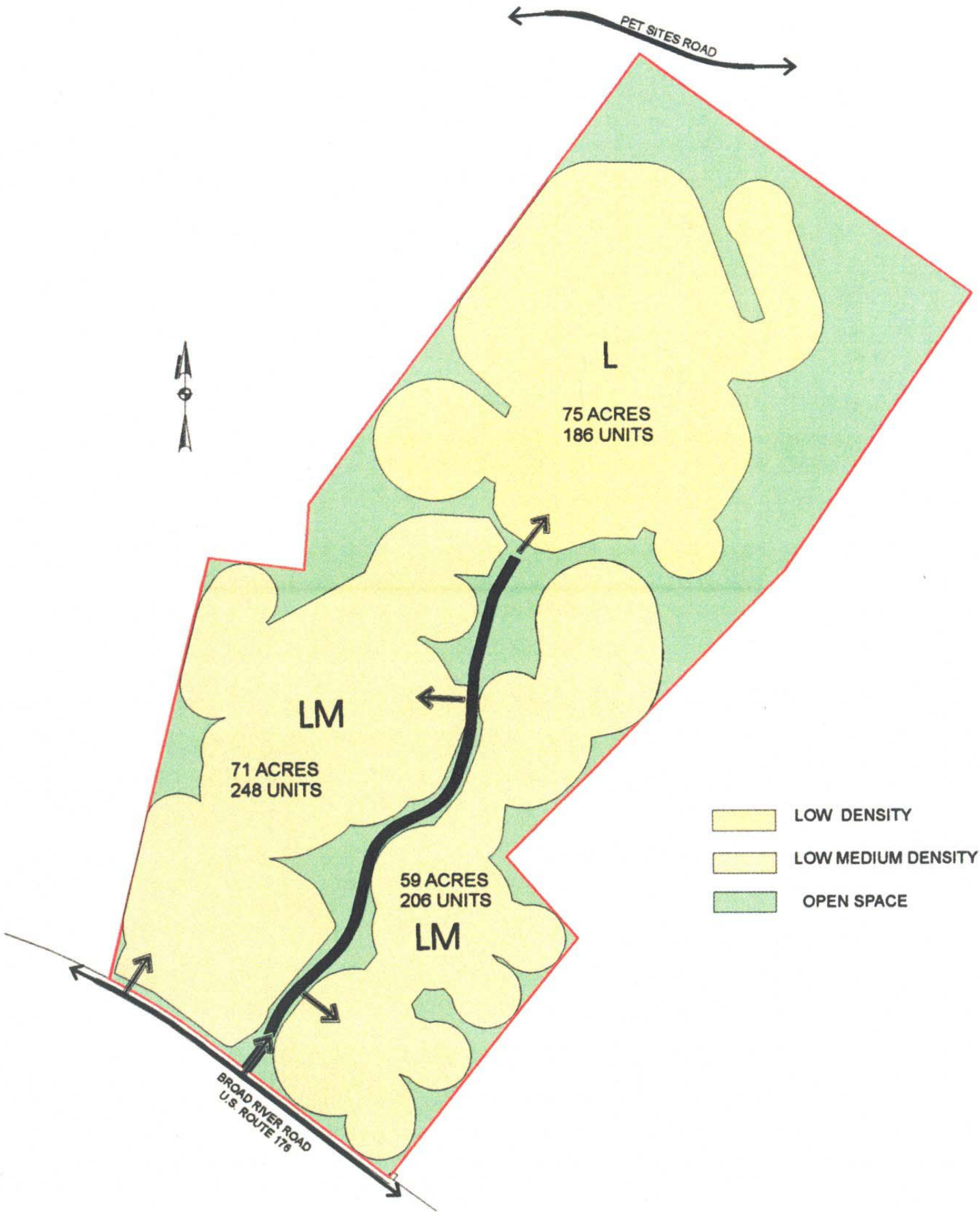
In summary, the County Council has asked the Commission to make another recommendation regarding the revised project. A copy of the proposed project Concept Plan is attached for your review. The Concept Plan has not been revised to indicate a total of 490 dwelling units rather than 640 units in the original proposal. Upon passage of the PUD ordinance the Concept Plan will be revised to be consistent with the agreed 490 units.

**RECOMMENDATION**

The Department recommends denial for the same reasons stated above. Simply reducing the number of units to 490 does not alter the Department's previously stated that this project is premature in this place at this point in time.



Attachment B – Concept Plan  
**CASE 04-41 MA**





**RICHLAND COUNTY PLANNING &  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING COMMISSION SUBDIVISION STAFF REPORT**

June 7, 2004

<b>Applicant:</b> Greg Ross		<b>Minor Subdivision Plans For:</b>	
<b>RC Project # :</b> SD-04-261		3600 Broad River Road Minor S/D (commercial)	
<b>General Location:</b> NE Corner of Broad River Rd & St Andrews Terrace			
<b>Tax Map Number:</b> 06110-03-02		<b>Current Zoning:</b> M-1	
<b>Subject Area:</b> 4.0 acres	<b>Number of Parcels:</b> 3	<b>Gross Density:</b> NAp	
<b>Sewer Service Provider:</b> City of Columbia		<b>Water Service Provider:</b> City of Columbia	

**SECTION I – ANALYSIS**

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "...no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized...until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan..." Compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "... not involve the construction, or opening, of new streets, water or sewer facilities, storm drainage systems, or improvement to existing streets..." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

**Traffic Impact Discussion**

**In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume.** This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Broad River Road	
Functional Classification Of This Roadway	Five Lane Undivided Principal Arterial	
<b>Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)</b>	<b>33,600</b>	
Estimated Traffic Generated By The Proposed Project	NP	
Current Volume At The Nearest Count Station # 181 Located @	43,500	
Estimated Traffic Count <b>With</b> the Proposed Project	NP	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>1.29</b>	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

NP = Not possible to determine the generation rate from the TGM (use not specific enough)

Broad River Road is operating at an E Level-Of-Service. The proposed project will not generate significant additional traffic.

**Fire Service Impacts**

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 1 mile radius of a fire station.

**School Impacts**

Based on information provided by the District 2 School Board office \*, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	NAP
Middle School @ 0.13 students per single family DU	NAP
High School @ 0.12 Students per single family DU	NAP

\* All Districts assumed to have the same generation rate – rounded to nearest whole number

**Existing Site Conditions**

The site is currently undeveloped woodlands. A portion of the site is currently being developed with a Family Dollar store.

**Compatibility with the Surrounding Area**

The subject is adjacent to commercial development on the south and west. The project is compatible with the adjacent development.

**Discussion of Applicable Comprehensive Plan Issues**

In order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8]

The Northwest Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Commercial on this Map. The proposed project is consistent with this land use designation.

The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 29 and 34 respectively, are discussed below:

Objective – Encourage industrial and commercial uses in selected, concentrated locations where access is appropriate for the use

The site is in an existing commercial area. The proposed project implements this Objective.

Principle – In general, commercial and office activities should be confined to existing zoned areas and/or proposed locations where the following applies:

1. Areas identified on the Proposed Land Use Map; and
2. Sites that do not encroach or penetrate established residential areas

1. The site is designated for commercial development on the Proposed Land Use Map.
2. The site does not into an established residential area.

This project implements this Principle.

### **Other Pertinent Factors**

- 1) As of May 14, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of May 14, 2004, the flood elevation statement had not been approved.
- 3) As of May 14, 2004, the County Fire Marshal had not provided comments.

## **SECTION II – STAFF RECOMMENDATION**

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends conditional approval of the minor subdivision plans for a 3 parcel commercial subdivision, known as 3600 Broad River Road Minor S/D (Project # SD-04-261). **The subdivision plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

### **Findings of Fact**

1. Broad River Road is operating at an E Level-Of-Service. The proposed project will not generate significant additional traffic
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the Northwest Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northwest Subarea Plan.

### **Specific Conditions**

- a) The Planning Dept. must issue a Land Disturbance Permit **PRIOR to any land clearing activity being initiated; and**
- b) The Department of Public Works must approve the stormwater management plans; **and**
- c) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- d) The project must comply with all applicable city, county and state regulations; **and**

- e) Richland County Utilities (RCU) customers must present proof of payment of the sewer connection fees prior to getting a building permit; **and**
- f) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents, if applicable; **and**
- g) Plats shall not be approved for recording until the Department receives the RCU approval of the sewer line easement documents, if applicable; **and**
- h) A Certificate of Occupancy shall **not** be issued for any structure in this project until the Department receives a copy of the DHEC Permit To Operate the Water system, if applicable and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- i) A Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** the RCU approves of the sewer line easement deeds, if applicable; **and**
- j) Chapter 22-70 (c) of the County Code prohibits the County from issuing a Building Permit for the subject structures until the Department receives a copy of the **recorded Final Plat**.

**SECTION III – COMMISSION RECONSIDERATION & APPEAL**

**Reconsideration**

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

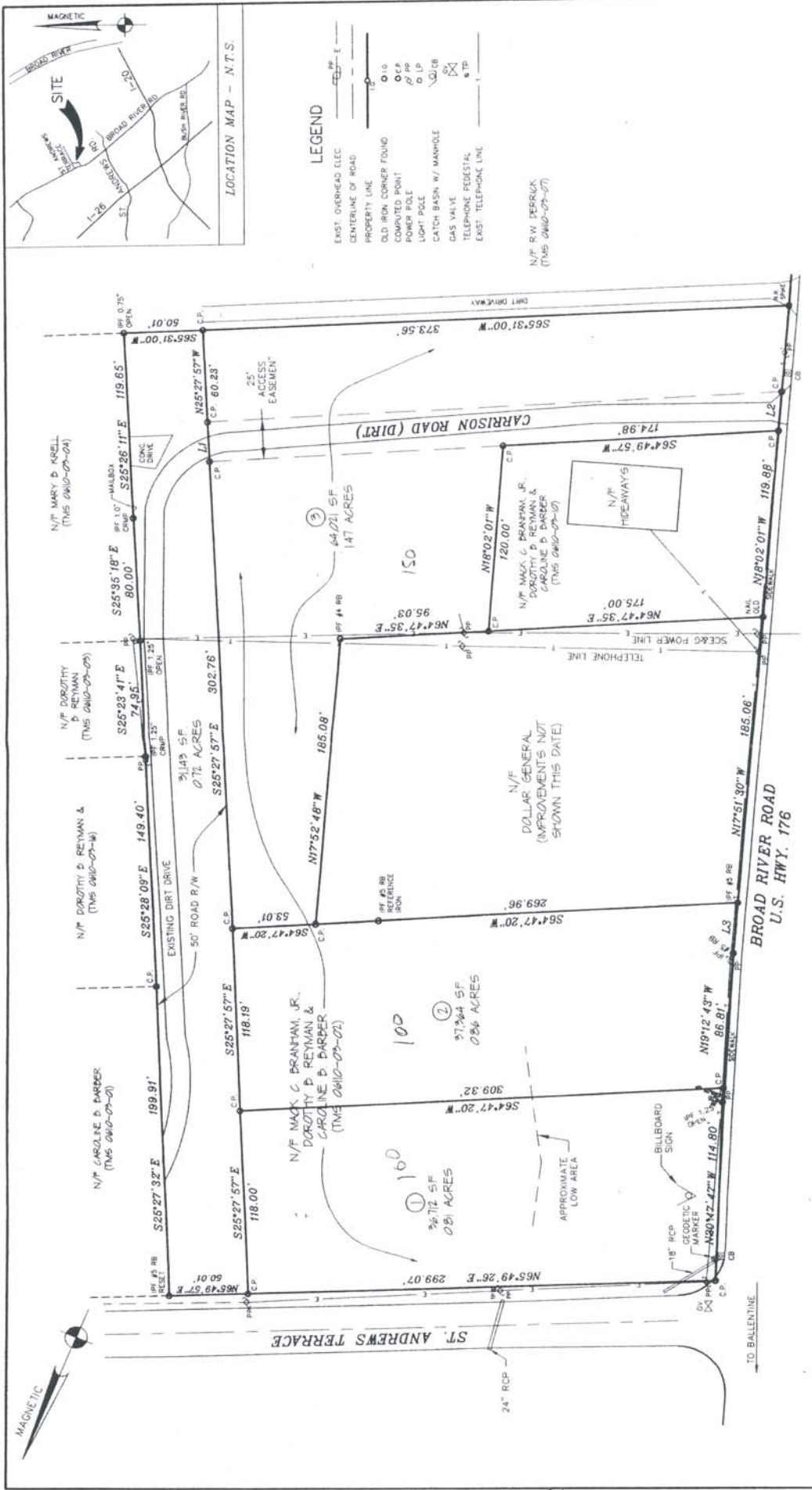
**Appeal**

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.





# Attachment A SD 04-261



PROPOSED SUBDIVISION PLAT PREPARED FOR

## MACK C. BRANHAM

IN RICHLAND COUNTY, NEAR COLUMBIA, SOUTH CAROLINA

SCALE: 1" = 40'  
DATE: FEBRUARY 19, 2004

SD-04-261

APR 20 2004

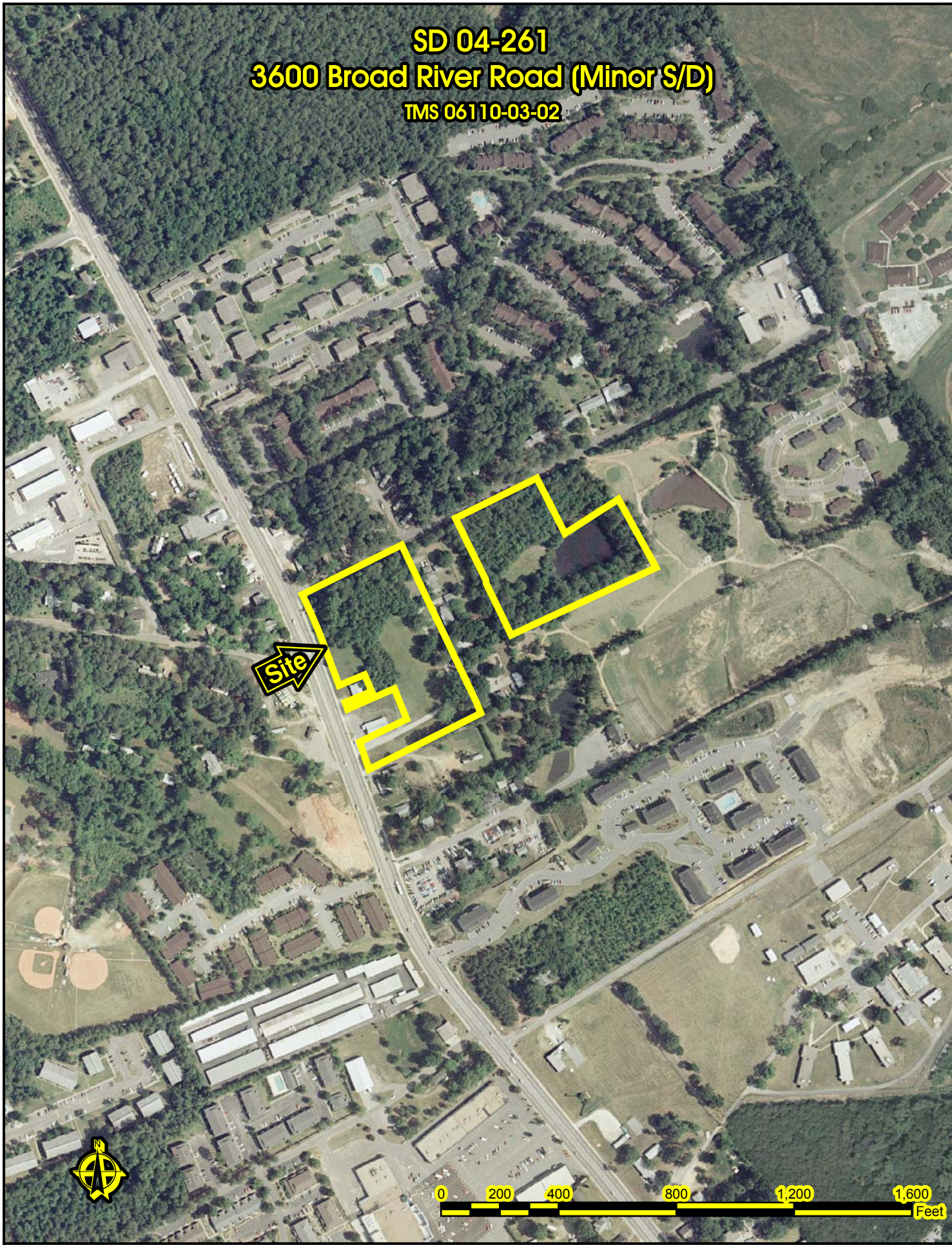
LUCIUS D. COBB, SR.  
REGISTERED LAND SURVEYOR NO. 6039  
110 FRETOWER ROAD  
INNO, S.C. 29663  
(803) 781-6880



GRAPHIC SCALE  
1 inch = 40 ft.

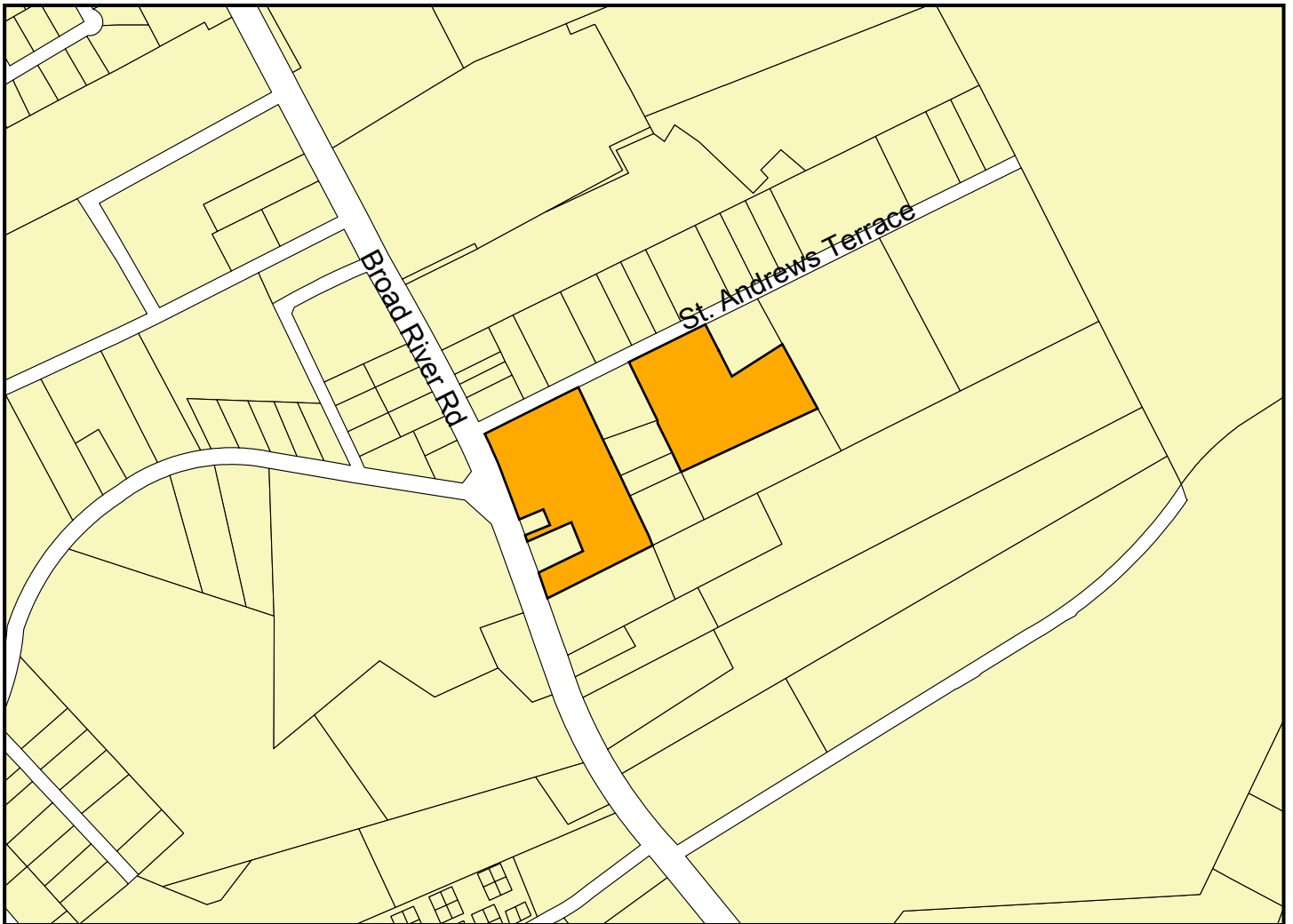


**SD 04-261**  
**3600 Broad River Road (Minor S/D)**  
**TMS 06110-03-02**





**SD 04-261 3600 BROAD RIVER RD. (Minor S/D)**



Looking at site from across Broad River Rd.



**RICHLAND COUNTY PLANNING &  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING COMMISSION SUBDIVISION STAFF REPORT**

June 7, 2004

<b>Applicant:</b> John Davis		<b>Minor Subdivision Plans For:</b>	
<b>RC Project # :</b> SD-04-271		John Davis Minor S/D	
<b>General Location:</b> Johnson Marina Road & Rucker Rd			
<b>Tax Map Number:</b> 01312-03-08/09		<b>Current Zoning:</b> RS-1	
<b>Subject Area:</b> 2.5 acres	<b>Number of Parcels:</b> 4	<b>Gross Density:</b> 1.6 DU/acre	
<b>Sewer Service Provider:</b> RCU		<b>Water Service Provider:</b> Well	

**SECTION I – ANALYSIS**

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "...no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized...until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan..." Compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "... not involve the construction, or opening, of new streets, water or sewer facilities, storm drainage systems, or improvement to existing streets...." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

**Traffic Impact Discussion**

**In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume.** This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Johnson Marina Road	
Functional Classification Of This Roadway	Two Lane Undivided Collector	
<b>Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)</b>	<b>8600</b>	
Estimated Traffic Generated By The Proposed Project	38	
Current Volume At The Nearest Count Station # Located @	Not Counted	
Estimated Traffic Count <b>With</b> the Proposed Project	NAp	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>NAp</b>	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

The estimated project traffic is calculated by multiplying the number of residences times 9.5 trips per day

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed project will not result in the LOS C of Johnson Marina Rd being exceeded at this location.

**Fire Service Impacts**

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 2 mile radius of a fire station.

**School Impacts**

Based on information provided by the District 2 School Board office \*, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	NAP
Middle School @ 0.13 students per single family DU	NAP
High School @ 0.12 Students per single family DU	NAP

\* All Districts assumed to have the same generation rate – rounded to nearest whole number

**Existing Site Conditions**

The site contains some large hardwood trees and is fairly level. The site is served by the Richland County Utilities Dept. system.

**Compatibility with the Surrounding Area**

The surrounding area is developed with single family detached residences. The proposed project is compatible with the adjacent development.

**Discussion of Applicable Comprehensive Plan Issues**

In order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8]

The Northwest Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Low Density Residential on this Map. **The proposed project is consistent with this land use designation.**

The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 29 and 36 respectively, are discussed below:

Objective – In areas with environmentally sensitive lands of limited infrastructure, low density development is encouraged

The proposed project is a low-density subdivision that is similar to the adjacent development. The proposed project implements this Objective.

Principle – Residential development should be limited to individual dwellings on individual lots

The site will be divided into 4 single family parcels. This project implements this Principle.

### **Other Pertinent Factors**

- 1) As of May 14, 2004, the flood elevation statement had not been approved.

## **SECTION II – STAFF RECOMMENDATION**

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends conditional approval of the minor subdivision plans for a 4 unit single family detached subdivision, known as John Davis minor S/D (Project # SD-04-271). **The subdivision plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

### **Findings of Fact**

1. The traffic generated by the proposed subdivision will not result in the adjacent portion of Johnson Marina Road operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.
3. The project is consistent with the Northwest Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northwest Subarea Plan.

### **Specific Conditions**

- a) The Planning Dept. must issue a Land Disturbance Permit **PRIOR to any land clearing activity being initiated; and**
- b) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- c) The project must comply with all applicable city, county and state regulations; **and**
- d) Richland County Utilities (RCU) customers must present proof of payment of the sewer connection fees prior to getting a building permit, if applicable; **and**
- e) Plats shall not be approved for recording until the Department receives the RCU approval of the sewer line easement documents, if applicable; **and**
- f) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- g) A Plat can not be approved by the Department until RCU approval of the sewer line easement deeds, if applicable, is received by the Dept; **and**
- h) Chapter 22-70 (c) of the County Code prohibits the County from issuing a Building Permit for the subject structures until the Department receives a copy of the **recorded Final Plat**.



### SECTION III – COMMISSION RECONSIDERATION & APPEAL

#### **Reconsideration**

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

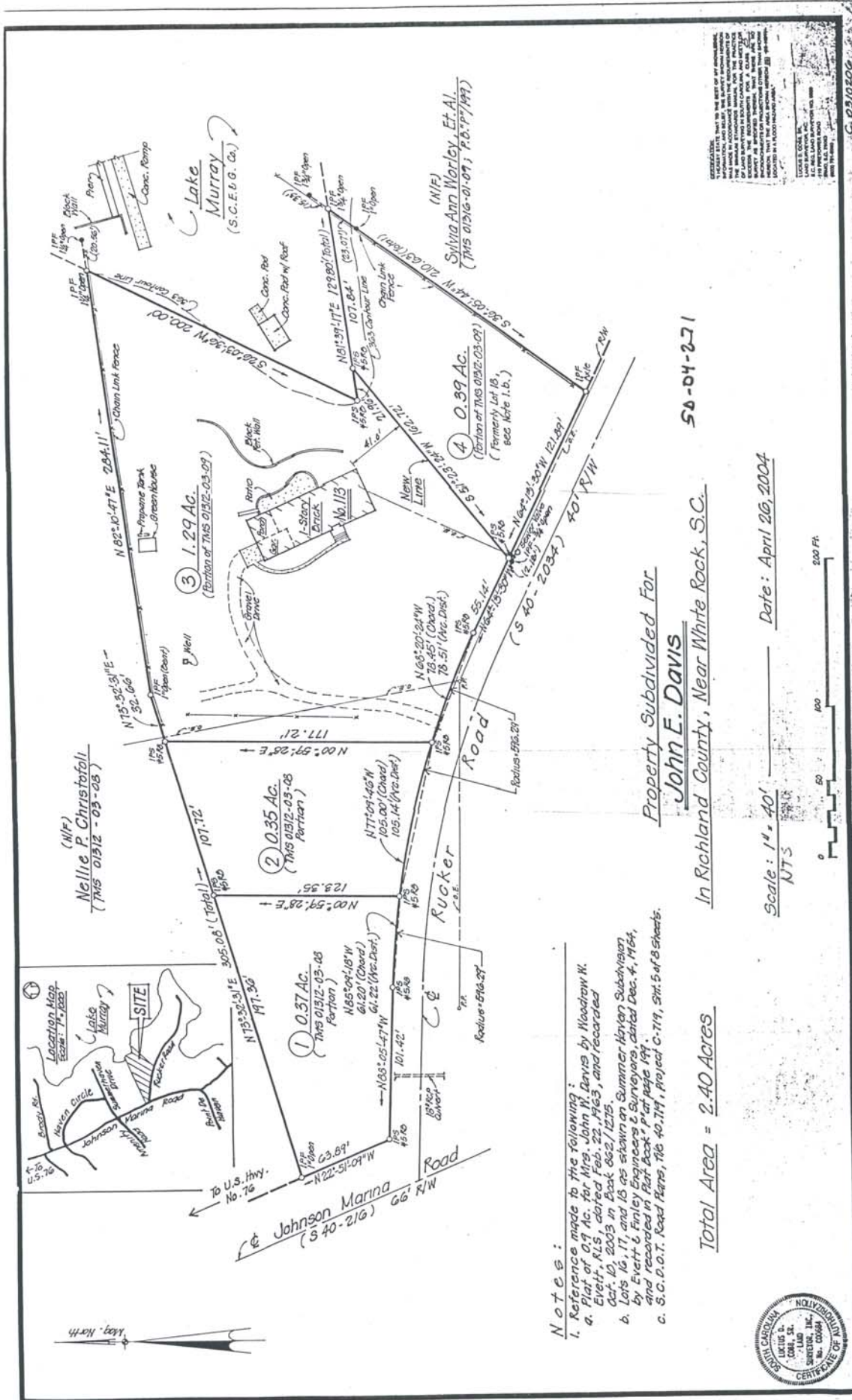
- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

#### **Appeal**

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.



# Attachment A SD 04-271



VERIFICATION STATE: THAT THE BEST OF MY ABILITY AND KNOWLEDGE I HAVE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONSTITUTION AND LAWS OF SOUTH CAROLINA AND WITHIN THE LIMITS OF MY PROFESSIONAL SKILLS AND ABILITY TO VERIFY THE ACCURACY OF THE INFORMATION AND DATA FURNISHED TO ME BY THE CLIENT AND THAT THE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SAME.

JOHN E. DAVIS, P.E.  
S.C. REG. LAND SURVEYOR NO. 888  
MAIL BOX 1218  
COLUMBIA, SOUTH CAROLINA 29202

C. 03/10/06





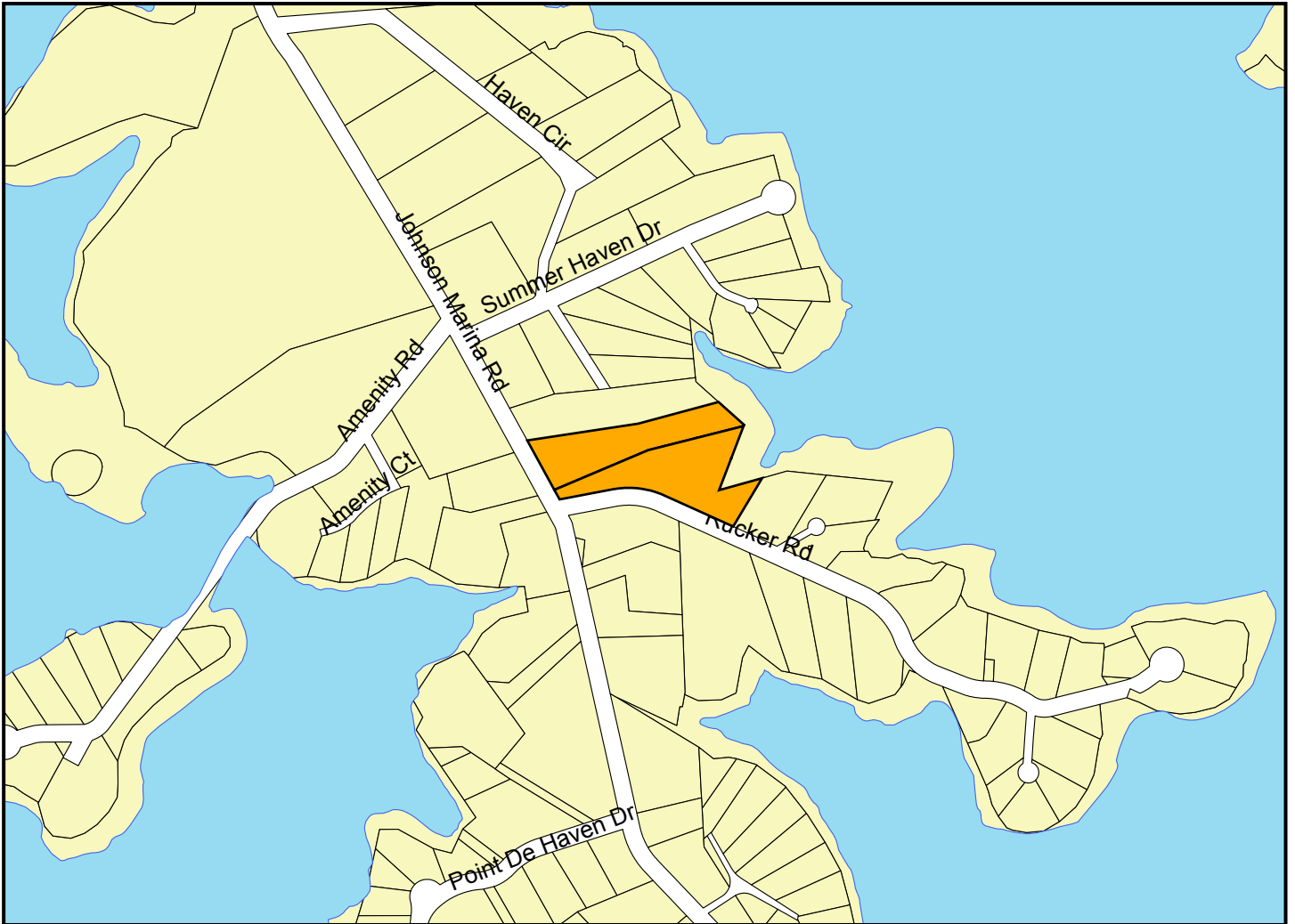
**SD 04-271**  
**John Davis (Minor S/D)**  
**TMS 01312-03-08/09**

**Site**





**SD 04-271 JOHN DAVIS (Minor S/D)**



Looking at site from Rucker Rd.



**RICHLAND COUNTY PLANNING &  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING COMMISSION SUBDIVISION STAFF REPORT**

June 7, 2004

<b>Applicant:</b> US Group, Inc.		<b>Preliminary Subdivision Plans For:</b> Berkeley, Phase 6, 7 & 8	
<b>RC Project # :</b> SD-04-272			
<b>General Location:</b> North Central Portion of Lake Carolina Development			
<b>Tax Map Number:</b> 23200-01-02		<b>Current Zoning:</b> PUD-2	
<b>Subject Area:</b> 23.1 acres	<b>Number of Parcels:</b> 90	<b>Gross Density:</b> 3.9 DU/acre	
<b>Sewer Service Provider:</b> Palmetto Utilities		<b>Water Service Provider:</b> City of Columbia	

**SECTION I – ANALYSIS**

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "...no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized...until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan..." Compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "... not involve the construction, or opening, of new streets, water or sewer facilities, storm drainage systems, or improvement to existing streets..." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

**Traffic Impact Discussion**

**In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume.** This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Hardscrabble Road	
Functional Classification Of This Roadway	Two lane undivided collector	
<b>Level-Of-Service C Design Capacity (V/C = 1.00)</b>	<b>8600</b>	
Estimated Traffic Generated By The Proposed Project	855	
Current Volume At The Nearest Count Station # 437 Located @ Lee Road	9500	
Estimated Traffic Count <b>With</b> the Proposed Project	10355	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>1.20</b>	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

The estimated project traffic is calculated by multiplying the number of residences times 9.5 trips per day

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity



The proposed project will result in the LOS C being exceeded at SCDOT count station 437. In addition, the Department estimates that upon buildout of the subdivisions already approved in the area, there will be in excess of 21,000 trips on this portion of Hardscrabble Road. The V/C ratio, without the subject project, will exceed 2.26, or far above the LOS F level.

Furthermore, the County rezoned a 20-acre adjacent to the subject site on the west to permit up to 200,000 sq. ft. of general commercial development in 2002. This commercial project alone will generate more than 12,000 additional trips on Hardscrabble Road between Summit Parkway and Lee Road. **In summary, upon buildout of the subject subdivision and the subdivisions approved to date, the Department estimates at SCDOT count station # 437 there will be more than 32,000 daily vehicle trips on a road designed for 8600.**

**Fire Service Impacts**

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 2 mile radius of a fire station.

**School Impacts**

Based on information provided by the District 2 School Board office \*, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	18
Middle School @ 0.13 students per single family DU	12
High School @ 0.12 Students per single family DU	11

\* All Districts assumed to have the same generation rate – rounded to nearest whole number

**Existing Site Conditions**

The sit is thickly wooded and slopes downward toward Lake Carolina. Public water and sewer service is available to the site.

**Compatibility with the Surrounding Area**

The proposed project is a continuation of the Berkeley S/D in the Lake Carolina project. The project is compatible with the adjacent development.

**Discussion of Applicable Comprehensive Plan Issues**

In order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8]

The Northeast Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Development on this Map. The proposed project is consistent with this land use designation.

The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 30 and 35 respectively, are discussed below:

Objective –Promote a variety of residential densities for the development of affordable, quality housing while blending with the character of the surrounding area

The proposed project will have a density of 3.9 DU/acre. Other portions of the Lake Carolina project have a variety of densities. The proposed project implements this Objective.

Principle -None Applicable

### **Other Pertinent Factors**

- 1) As of May 14, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of May 14, 2004, the flood elevation statement had not been approved.
- 3) As of May 14, 2004, the County Fire Marshal had not provided comments.
- 4) As of May 14, 2004, the City of Columbia had not approved the water line construction plans.
- 5) As of May 14, 2004, DHEC had not issued a sewer line construction permit.
- 6) As of May 14, 2004, DHEC had not issued a water line construction permit.
- 7) As of May 14, 2004, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

Transportation Recommendation - To the extent possible, rezoning decisions should be made with consideration of the Long Range Major Street Plan so that improvements are concurrent with new development

There are no road capacity improvements scheduled to this portion of Hardscrabble Road for at least the next five fiscal years. Since Hardscrabble Road is projected to exceed the LOS "F" capacity in this area when the already approved projects build out, **the proposed project is not consistent with this Recommendation.**

Transportation Recommendation - Where a request for a change in land use will reduce traffic movements below a "C" level-of-service, additional highway improvements should be made to mitigate the effects.

The applicant has not proposed any measures to mitigate the traffic effects of this project. The current CMGOG Transportation Improvement Program, i.e., the fiscal year beginning July 1, 2002 through June 30, 2007, **does not have any road capacity improvements programmed for Hardscrabble Road. Furthermore, there are currently no funding sources available for any road capacity improvements in Richland County in the rest of this decade**

## SECTION II – STAFF RECOMMENDATION

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 90 unit single family detached subdivision, known as Berkeley, Phase 6, 7 & 8 (Project # SD-04-272). **The subdivision plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

### **Findings of Fact**

1. **Upon buildout of the subject subdivision and the subdivisions approved to date, the Department estimates at SCDOT count station # 437 there will be more than 32,000 daily vehicle trips on a road designed for 8600**
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the Northeast Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northeast Subarea Plan.

### **Specific Conditions**

- a) The Planning Dept. must issue a Land Disturbance Permit **PRIOR to any land clearing activity being initiated; and**
- b) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
- c) The Department of Public Works must approve the stormwater management plans; **and**
- d) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- e) The project must comply with all applicable city, county and state regulations; **and**
- f) The City of Columbia must approve the water line construction plans; **and**
- g) DHEC must issue the sewer line construction permits; **and**
- h) DHEC must issue the water line construction permits; **and**
- i) **No building permits shall be issued until all of the conditions cited above are met; and**
- j) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
- k) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents; **and**
- l) The Department of Public Works must approve the road and stormwater facilities bond documents prior to a bonded plat being approved for recording; **and**
- m) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- n) A Final Plat can not be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** the County accepts the roads and stormwater facilities for maintenance.

### SECTION III – COMMISSION RECONSIDERATION & APPEAL

#### **Reconsideration**

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

#### **Appeal**

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.





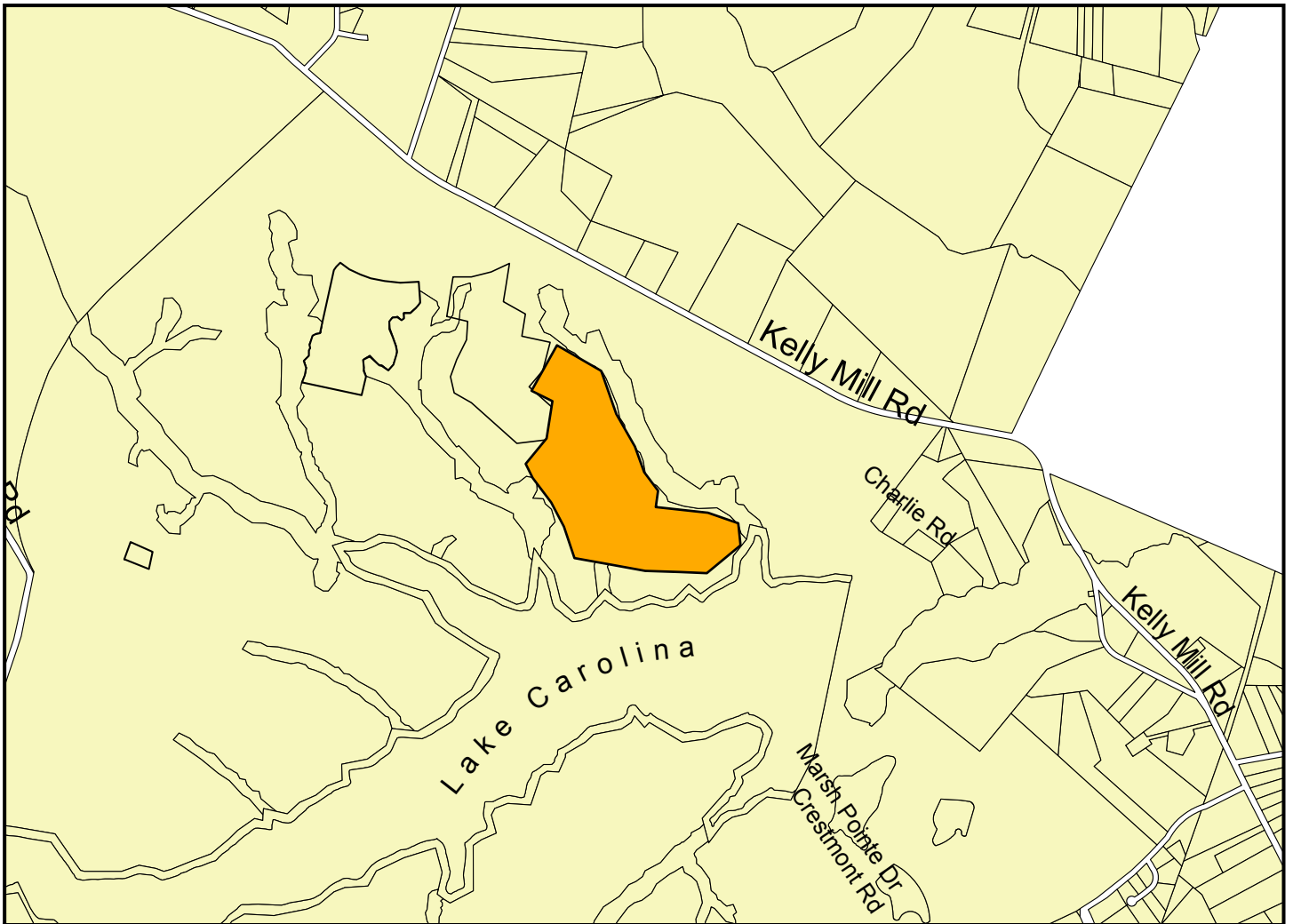
**SD 04-272**  
**Berkeley, Phases 6, 7 & 8**  
**TMS 23200-01-02**

**Site**





**SD 04-272 BERKELEY, PHASES 6, 7 & 8**



Looking at site from Berkeley Ridge Dr.





**RICHLAND COUNTY PLANNING &  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING COMMISSION SUBDIVISION STAFF REPORT**

June 7, 2004

<b>Applicant:</b> Carroll Dailey		<b>Preliminary Subdivision Plans For:</b>	
<b>RC Project # :</b> SD-04-204		Watersong	
<b>General Location:</b> Between John Chapman Road and the Broad River			
<b>Tax Map Number:</b> 03700-02-07		<b>Current Zoning:</b> RU	
<b>Subject Area:</b> 104 acres	<b>Number of Parcels:</b> 18	<b>Minimum Lot Size:</b> 5.0 acres	
<b>Sewer Service Provider:</b> Septic Tanks		<b>Water Service Provider:</b> Wells	

**SECTION I – ANALYSIS**

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "...no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized...until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan..." Compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "... not involve the construction, or opening, of new streets, water or sewer facilities, storm drainage systems, or improvement to existing streets...." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

**Traffic Impact Discussion**

**In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume.** This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	John Chapman Road	
Functional Classification Of This Roadway	Not Classified	
<b>Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)</b>	<b>NAp</b>	
Estimated Traffic Generated By The Proposed Project	171	
Current Volume At The Nearest Count Station # Located @	Not Counted	
Estimated Traffic Count <b>With</b> the Proposed Project	NAp	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>NAp</b>	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

The estimated project traffic is calculated by multiplying the number of residences times 9.5 trips per day

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed project will not result in the LOS C being exceeded on John Chapman Road.

**Fire Service Impacts**

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 4 mile radius of a fire station.

**School Impacts**

Based on information provided by the District 2 School Board office \*, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	4
Middle School @ 0.13 students per single family DU	2
High School @ 0.12 Students per single family DU	1

\* All Districts assumed to have the same generation rate – rounded to nearest whole number

**Existing Site Conditions**

The site is spectacular in its topography and vegetation. There are numerous gullies leading to the Broad River that create home sites with great vistas. Hardwood trees dominate the vegetation.

**Compatibility with the Surrounding Area**

The subdivision will have 18 home sites each of which have a minimum area of 5 acres. The project is compatible with the rural character of the area.

**Discussion of Applicable Comprehensive Plan Issues**

In order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8]

The Northwest Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Rural Undeveloped on this Map. The proposed project is consistent with this land use designation.

The Northwest Subarea Plan, adopted in September 1993, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 29 and 38 respectively, are discussed below:

**Objective – In areas of environmentally sensitive lands of limited infrastructure, low density development is encouraged**

The subdivision will have 18 lots, each one of which has a minimum lot area of 5 acres. The proposed project implements this Objective.

Principle – The development is planned in a manner that is in keeping with the character of the surrounding area

The proposed 5-acre minimum lot size is similar to the large area residential parcels in the surrounding area. This project implements this Principle.

**Other Pertinent Factors**

- 1) As of May 14, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of May 14, 2004, the flood elevation statement had not been approved.
- 3) As of May 14, 2004, the County Fire Marshal had not provided comments.
- 4) As of May 14, 2004, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

**SECTION II – STAFF RECOMMENDATION**

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends conditional approval of the preliminary subdivision plans for a 18 unit single family detached subdivision, known as Watersong (Project # SD-04-204). **The subdivision plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

**Findings of Fact**

1. The traffic generated by the proposed subdivision will not result in the adjacent portion of John Chapman Road operating below a LOS C capacity.
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the Northwest Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northwest Subarea Plan.

**Specific Conditions**

- a) The Planning Dept. must issue a Land Disturbance Permit **PRIOR to any land clearing activity being initiated; and**
- b) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
- c) The Department of Public Works must approve the stormwater management plans; **and**
- d) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- e) The project must comply with all applicable city, county and state regulations; **and**
- f) **No building permits shall be issued until all of the conditions cited above are met; and**
- g) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
- h) Any further division of the phases identified in the lot layout plan shall require Planning Commission approval prior to recording; **and**

- i) The Department of Public Works must approve the road and stormwater facilities bond documents prior to a bonded plat being approved for recording; **and**
- j) A Final Plat cannot be approved by the Department until the County accepts the roads and stormwater facilities for maintenance.

**SECTION III – COMMISSION RECONSIDERATION & APPEAL**

**Reconsideration**

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

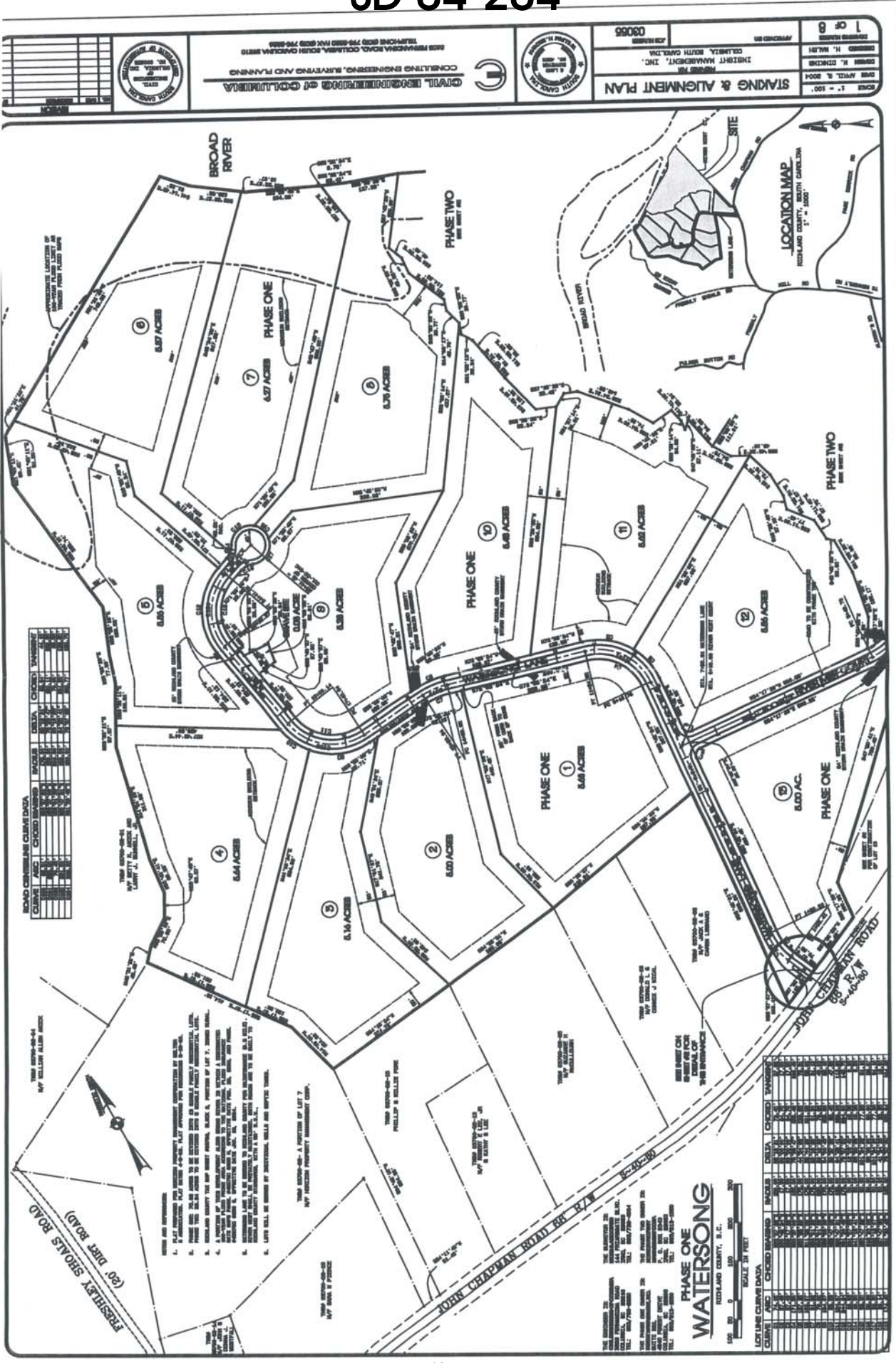
**Appeal**

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.





# Attachment A SD 04-204



	<b>CIVIL ENGINEERS OF SOUTH CAROLINA</b> CONSULTING ENGINEERS, SURVEYING AND PLANNING 1005 PINEHURST ROAD, COLUMBIA, SOUTH CAROLINA 29204 TEL: 803/733-1111 FAX: 803/733-1112		<b>STAKING &amp; ALIGNMENT PLAN</b> PROJECT NO. 03065 PREPARED BY: INGHAM MANAGEMENT, INC. COLLETTA, SOUTH CAROLINA DATE: APRIL 8, 2004 SCALE: 1" = 100'
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**ROAD CURBLINE CHANGES**

CURVE	CHORD	CHORD BEARING	ANGLE	CHORD	TANGENT
1	100.00	S 89° 58' 04" W	90.00	100.00	100.00
2	100.00	S 89° 58' 04" W	90.00	100.00	100.00
3	100.00	S 89° 58' 04" W	90.00	100.00	100.00
4	100.00	S 89° 58' 04" W	90.00	100.00	100.00
5	100.00	S 89° 58' 04" W	90.00	100.00	100.00
6	100.00	S 89° 58' 04" W	90.00	100.00	100.00
7	100.00	S 89° 58' 04" W	90.00	100.00	100.00
8	100.00	S 89° 58' 04" W	90.00	100.00	100.00
9	100.00	S 89° 58' 04" W	90.00	100.00	100.00
10	100.00	S 89° 58' 04" W	90.00	100.00	100.00
11	100.00	S 89° 58' 04" W	90.00	100.00	100.00
12	100.00	S 89° 58' 04" W	90.00	100.00	100.00

- NOTES AND EXPLANATIONS:**
1. ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.
  2. THE BOUNDARY OF THIS PROPERTY IS SHOWN BY THE DOTTED LINE.
  3. THE BOUNDARY OF THE ADJACENT PROPERTY IS SHOWN BY THE DASHED LINE.
  4. THE BOUNDARY OF THE ADJACENT PROPERTY IS SHOWN BY THE SOLID LINE.
  5. THE BOUNDARY OF THE ADJACENT PROPERTY IS SHOWN BY THE DOTTED LINE.
  6. THE BOUNDARY OF THE ADJACENT PROPERTY IS SHOWN BY THE DASHED LINE.
  7. THE BOUNDARY OF THE ADJACENT PROPERTY IS SHOWN BY THE SOLID LINE.
  8. THE BOUNDARY OF THE ADJACENT PROPERTY IS SHOWN BY THE DOTTED LINE.
  9. THE BOUNDARY OF THE ADJACENT PROPERTY IS SHOWN BY THE DASHED LINE.
  10. THE BOUNDARY OF THE ADJACENT PROPERTY IS SHOWN BY THE SOLID LINE.
  11. THE BOUNDARY OF THE ADJACENT PROPERTY IS SHOWN BY THE DOTTED LINE.
  12. THE BOUNDARY OF THE ADJACENT PROPERTY IS SHOWN BY THE DASHED LINE.

**PHASE ONE**  
**WATERSONG**  
 ROCKLAND COUNTY, S.C.

SCALE: 1" = 100'

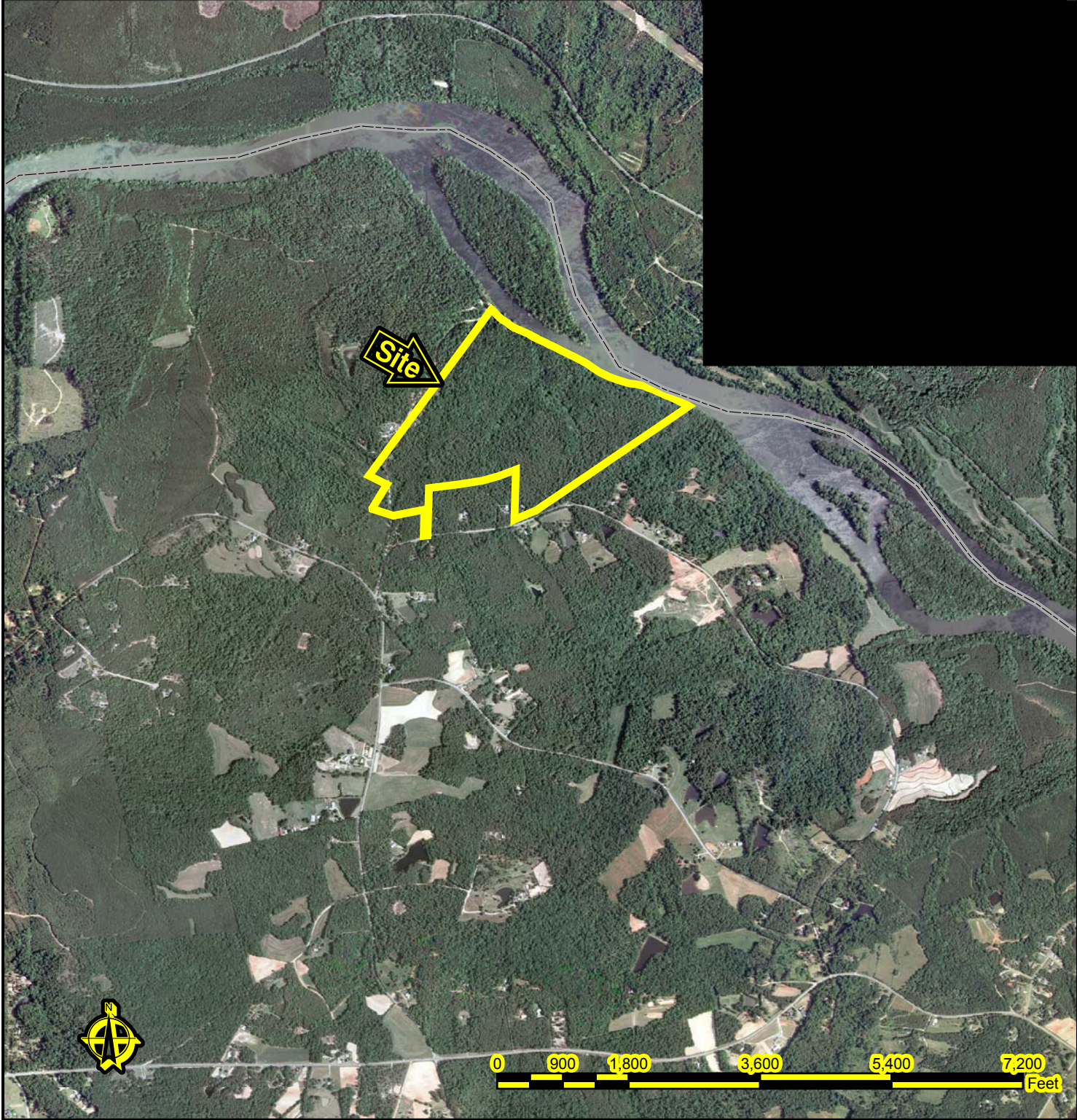
LOT LINE CURBLINE DATA

CURVE	CHORD	CHORD BEARING	ANGLE	CHORD	TANGENT
1	100.00	S 89° 58' 04" W	90.00	100.00	100.00
2	100.00	S 89° 58' 04" W	90.00	100.00	100.00
3	100.00	S 89° 58' 04" W	90.00	100.00	100.00
4	100.00	S 89° 58' 04" W	90.00	100.00	100.00
5	100.00	S 89° 58' 04" W	90.00	100.00	100.00
6	100.00	S 89° 58' 04" W	90.00	100.00	100.00
7	100.00	S 89° 58' 04" W	90.00	100.00	100.00
8	100.00	S 89° 58' 04" W	90.00	100.00	100.00
9	100.00	S 89° 58' 04" W	90.00	100.00	100.00
10	100.00	S 89° 58' 04" W	90.00	100.00	100.00
11	100.00	S 89° 58' 04" W	90.00	100.00	100.00
12	100.00	S 89° 58' 04" W	90.00	100.00	100.00



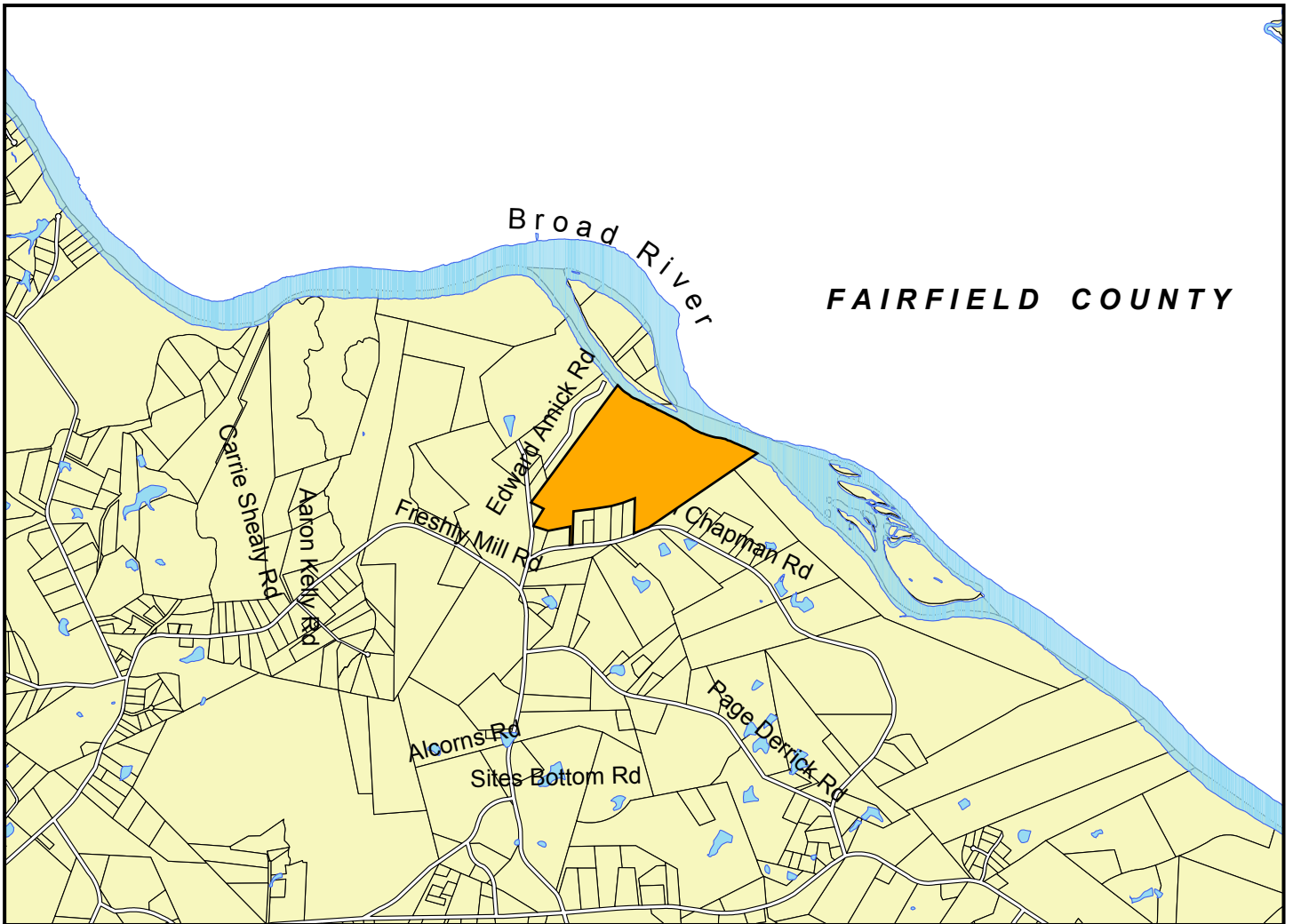


**SD 04-204**  
**Watersong, Phases 1 & 2**  
TMS 03700-02-07 (p)





# SD 04-204 WATERSONG, PHASES 1 & 2



Looking towards Broad River from interior of site

Looking north on John Chapman Rd from site

**RICHLAND COUNTY PLANNING &  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING COMMISSION SUBDIVISION STAFF REPORT**

June 7, 2004

<b>Applicant:</b> Edwin Cooper		<b>Preliminary Subdivision Plans For:</b> Woodcreek Farms, Parcel D3, Phase 1 & 2	
<b>RC Project # :</b> SD-04-181			
<b>General Location:</b> Woodcreek Farms Rd & Jacobs Mill Pond Road			
<b>Tax Map Number:</b> 28900-03-07		<b>Current Zoning:</b> PUD	
<b>Subject Area:</b> 17 acres	<b>Number of Parcels:</b> 53	<b>Gross Density:</b> 2.79 DU/acre	
<b>Sewer Service Provider:</b> Palmetto Utilities		<b>Water Service Provider:</b> City of Columbia	

**SECTION I – ANALYSIS**

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "...no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized...until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan..." Compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "... not involve the construction, or opening, of new streets, water or sewer facilities, storm drainage systems, or improvement to existing streets..." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

**Traffic Impact Discussion**

**In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume.** This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Spears Creek Church Raod	
Functional Classification Of This Roadway	Two lane undivided collector	
<b>Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)</b>	<b>8600</b>	
Estimated Traffic Generated By The Proposed Project	504	
Current Volume At The Nearest Count Station # 451 Located @ Spears Creek	6100	
Estimated Traffic Count <b>With</b> the Proposed Project	6604	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>0.77</b>	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

The estimated project traffic is calculated by multiplying the number of residences times 9.5 trips per day)

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity



The proposed project, by itself, will not result in the LOS C being exceeded at SCDOT count station 451. However, **the Department estimates that upon buildout of the approved subdivisions in the area, the traffic on Spears Creek Church Road will far exceed the minimum LOS F level.**

**Fire Service Impacts**

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 2 mile radius of a fire station.

**School Impacts**

Based on information provided by the District 2 School Board office \*, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	11
Middle School @ 0.13 students per single family DU	7
High School @ 0.12 Students per single family DU	6

\* All Districts assumed to have the same generation rate – rounded to nearest whole number

**Existing Site Conditions**

The site is sparsely wooded with pine trees. It slopes downward (south) toward Beaver Lake.

**Compatibility with the Surrounding Area**

The proposed project is consistent with the PUD Master Plan for the site. The project is compatible with the adjacent development.

**Discussion of Applicable Comprehensive Plan Issues**

In order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8]

The Northeast Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Medium Density Residential on this Map. **The proposed project is not consistent with this land use designation.**

The proposed subdivision is not consistent with the Proposed Land Use Map because it is a low density (2.8 DU/acre) residential project located in an area designated for medium density (5 to 9 DU/acre) development. The state law requires projects to be consistent with the provisions of the Comprehensive Plan, including the Map.

The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 30 and 35 respectively, are discussed below:

Objective – Minimize incompatibility between existing and proposed land uses

The subject project is situated between two main access roads to the Woodcreek Farms development and the village center area. The proposed project implements this Objective.

Principle –Where single family development occurs adjacent to higher intensity uses, multi-family development, at a compatible density, may be used as a buffer

The subject project is located across the street from single-family residences on big lots and adjacent to Beaver Lake. This project implements this Principle.

**Other Pertinent Factors**

- 1) As of May 14, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) As of May 14, 2004, the flood elevation statement had not been approved.
- 3) As of May 14, 2004, the County Fire Marshal had not provided comments.
- 4) As of May 14, 2004, the City of Columbia had not approved the water line construction plans.
- 5) As of May 14, 2004, DHEC had not issued a sewer line construction permit.
- 6) As of May 14, 2004, DHEC had not issued a water line construction permit.
- 7) As of May 14, 2004, the E-911 Coordinator had not certified Planning Commission approval of the proposed street names.

**SECTION II – STAFF RECOMMENDATION**

Based on the findings of fact summarized below, the Planning and Development Services Department (PDS) recommends conditional approval of the preliminary subdivision plans for a 53 unit single family detached subdivision, known as Woodcreek Farms, Parcel D3, Phase 1 & 2 (Project # SD-04-181). **The subdivision plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

**Findings of Fact**

1. The proposed project, by itself, will not result in the LOS C being exceeded at SCDOT count station 451. However, **the Department estimates that upon buildout of the approved subdivisions in the area, the traffic on Spears Creek Church Road will far exceed the minimum LOS F level.**
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project **is not consistent** with the Northeast Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northeast Subarea Plan.

### **Specific Conditions**

- a) The Planning Dept. must issue a Land Disturbance Permit **PRIOR to any land clearing activity being initiated; and**
- b) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**
- c) The Department of Public Works must approve the stormwater management plans; **and**
- d) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- e) The project must comply with all applicable city, county and state regulations; **and**
- f) The City of Columbia must approve the water line construction plans; **and**
- g) DHEC must issue the sewer line construction permits; **and**
- h) DHEC must issue the water line construction permits; **and**
- i) The developer shall install a fence, wall, landscape berm, or combination thereof, to prohibit direct access to Jacobs Mill Pond Road and Woodcreek Farms Road from lots 1 through 21 and 30 through 35; **and**
- j) **No building permits shall be issued until all of the conditions cited above are met; and**
- k) Any further division of the phases identified in the lot layout plan shall require Planning Commission approval prior to recording; **and**
- l) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents; **and**
- m) The Department of Public Works must approve the road and stormwater facilities bond documents prior to a bonded plat being approved for recording; **and**
- n) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- o) A Final Plat cannot be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** the County accepts the roads and stormwater facilities for maintenance.

## **SECTION III – COMMISSION RECONSIDERATION & APPEAL**

### **Reconsideration**

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

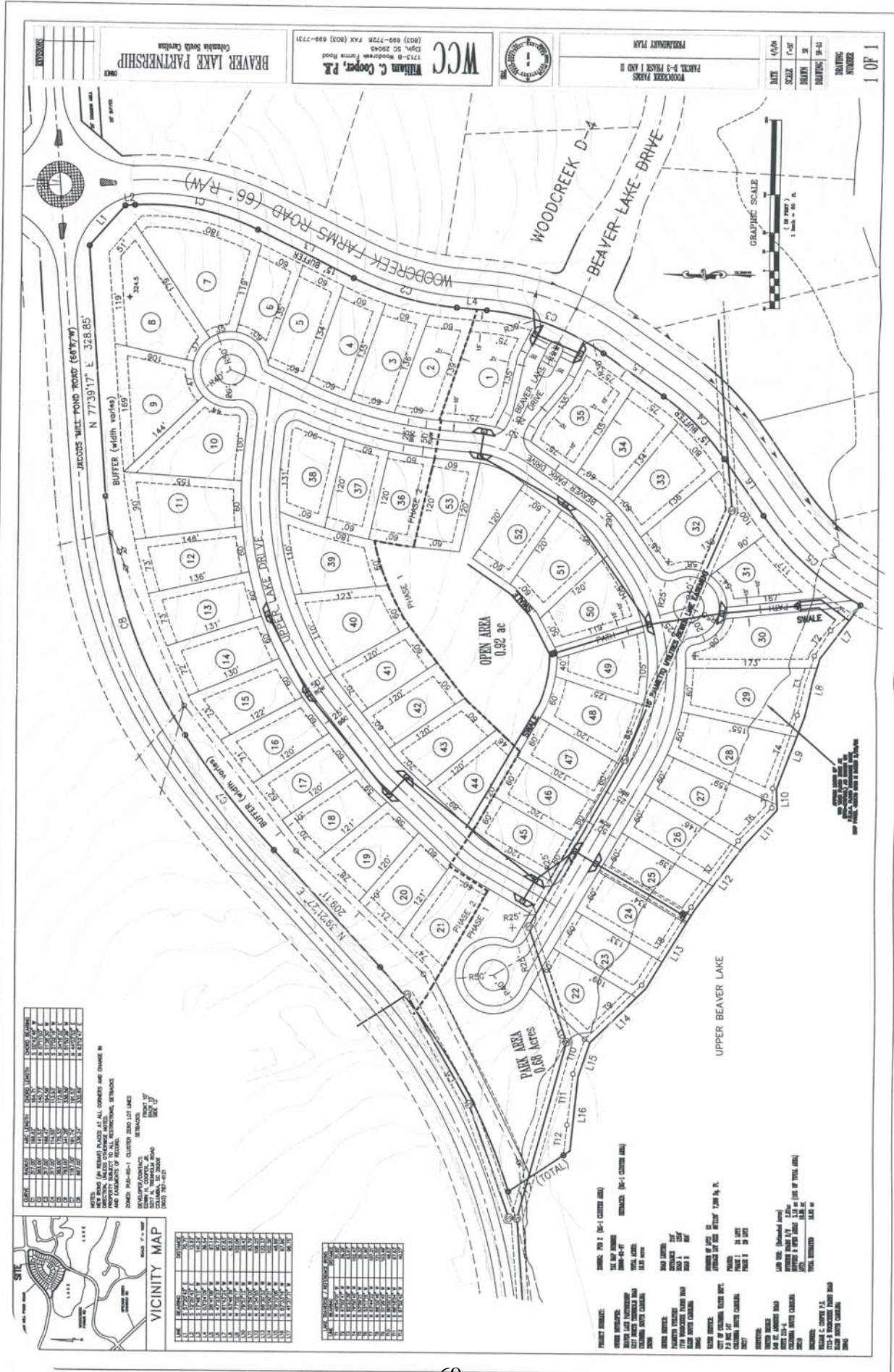
- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

### **Appeal**

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.



# Attachment A SD 04-181



LOT	AREA (SQ. FT.)	AREA (SQ. YD.)	AREA (AC.)
1	1,200	27.68	0.28
2	1,200	27.68	0.28
3	1,200	27.68	0.28
4	1,200	27.68	0.28
5	1,200	27.68	0.28
6	1,200	27.68	0.28
7	1,200	27.68	0.28
8	1,200	27.68	0.28
9	1,200	27.68	0.28
10	1,200	27.68	0.28
11	1,200	27.68	0.28
12	1,200	27.68	0.28
13	1,200	27.68	0.28
14	1,200	27.68	0.28
15	1,200	27.68	0.28
16	1,200	27.68	0.28
17	1,200	27.68	0.28
18	1,200	27.68	0.28
19	1,200	27.68	0.28
20	1,200	27.68	0.28
21	1,200	27.68	0.28
22	1,200	27.68	0.28
23	1,200	27.68	0.28
24	1,200	27.68	0.28
25	1,200	27.68	0.28
26	1,200	27.68	0.28
27	1,200	27.68	0.28
28	1,200	27.68	0.28
29	1,200	27.68	0.28
30	1,200	27.68	0.28
31	1,200	27.68	0.28
32	1,200	27.68	0.28
33	1,200	27.68	0.28
34	1,200	27.68	0.28
35	1,200	27.68	0.28
36	1,200	27.68	0.28
37	1,200	27.68	0.28
38	1,200	27.68	0.28
39	1,200	27.68	0.28
40	1,200	27.68	0.28
41	1,200	27.68	0.28
42	1,200	27.68	0.28
43	1,200	27.68	0.28
44	1,200	27.68	0.28
45	1,200	27.68	0.28
46	1,200	27.68	0.28
47	1,200	27.68	0.28
48	1,200	27.68	0.28
49	1,200	27.68	0.28
50	1,200	27.68	0.28
51	1,200	27.68	0.28
52	1,200	27.68	0.28
53	1,200	27.68	0.28
<b>TOTAL</b>	<b>63,600</b>	<b>1457.14</b>	<b>15.60</b>

**VICINITY MAP**

LOT	AREA (SQ. FT.)	AREA (SQ. YD.)	AREA (AC.)
1	1,200	27.68	0.28
2	1,200	27.68	0.28
3	1,200	27.68	0.28
4	1,200	27.68	0.28
5	1,200	27.68	0.28
6	1,200	27.68	0.28
7	1,200	27.68	0.28
8	1,200	27.68	0.28
9	1,200	27.68	0.28
10	1,200	27.68	0.28
11	1,200	27.68	0.28
12	1,200	27.68	0.28
13	1,200	27.68	0.28
14	1,200	27.68	0.28
15	1,200	27.68	0.28
16	1,200	27.68	0.28
17	1,200	27.68	0.28
18	1,200	27.68	0.28
19	1,200	27.68	0.28
20	1,200	27.68	0.28
21	1,200	27.68	0.28
22	1,200	27.68	0.28
23	1,200	27.68	0.28
24	1,200	27.68	0.28
25	1,200	27.68	0.28
26	1,200	27.68	0.28
27	1,200	27.68	0.28
28	1,200	27.68	0.28
29	1,200	27.68	0.28
30	1,200	27.68	0.28
31	1,200	27.68	0.28
32	1,200	27.68	0.28
33	1,200	27.68	0.28
34	1,200	27.68	0.28
35	1,200	27.68	0.28
36	1,200	27.68	0.28
37	1,200	27.68	0.28
38	1,200	27.68	0.28
39	1,200	27.68	0.28
40	1,200	27.68	0.28
41	1,200	27.68	0.28
42	1,200	27.68	0.28
43	1,200	27.68	0.28
44	1,200	27.68	0.28
45	1,200	27.68	0.28
46	1,200	27.68	0.28
47	1,200	27.68	0.28
48	1,200	27.68	0.28
49	1,200	27.68	0.28
50	1,200	27.68	0.28
51	1,200	27.68	0.28
52	1,200	27.68	0.28
53	1,200	27.68	0.28
<b>TOTAL</b>	<b>63,600</b>	<b>1457.14</b>	<b>15.60</b>

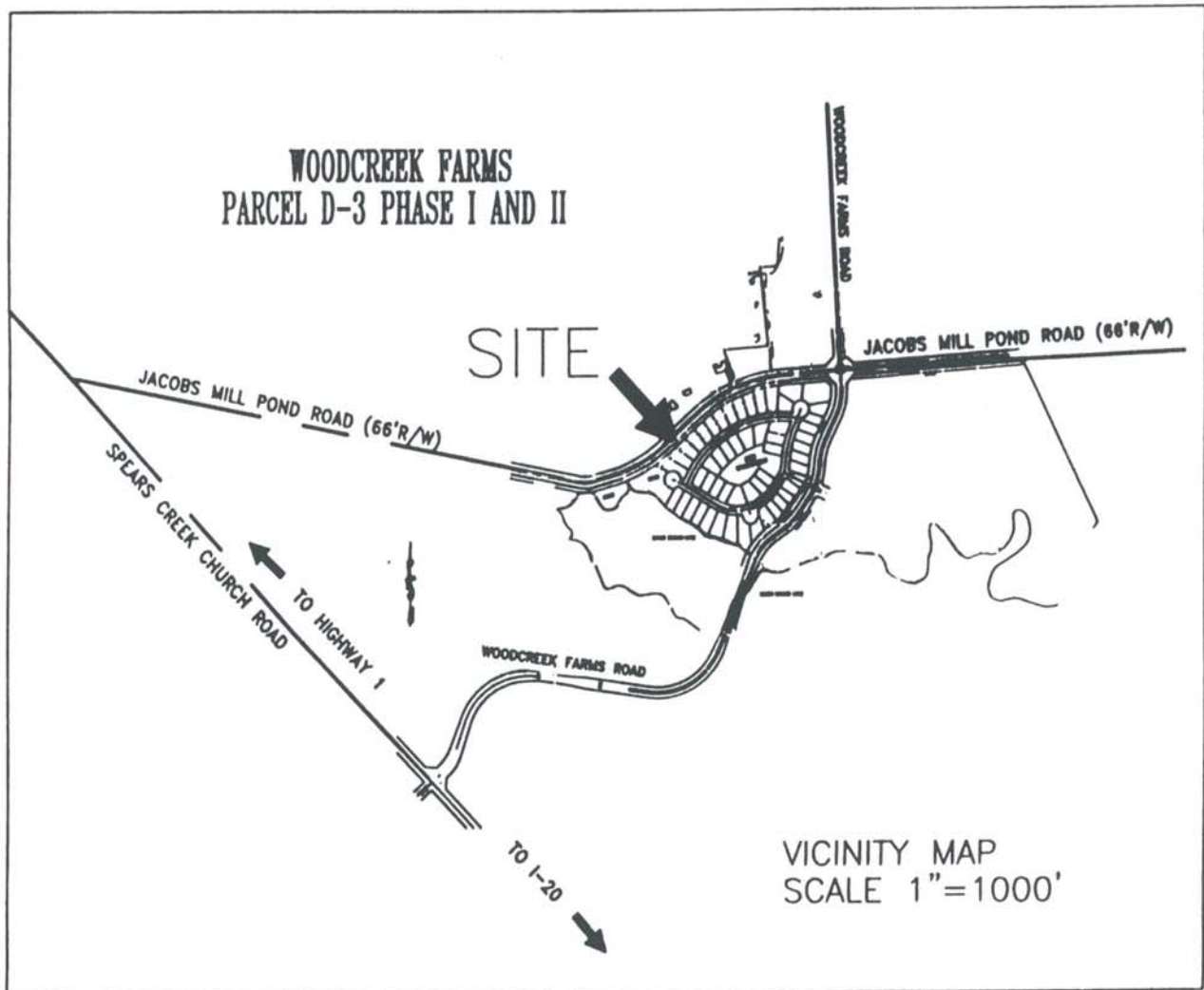
LOT	AREA (SQ. FT.)	AREA (SQ. YD.)	AREA (AC.)
1	1,200	27.68	0.28
2	1,200	27.68	0.28
3	1,200	27.68	0.28
4	1,200	27.68	0.28
5	1,200	27.68	0.28
6	1,200	27.68	0.28
7	1,200	27.68	0.28
8	1,200	27.68	0.28
9	1,200	27.68	0.28
10	1,200	27.68	0.28
11	1,200	27.68	0.28
12	1,200	27.68	0.28
13	1,200	27.68	0.28
14	1,200	27.68	0.28
15	1,200	27.68	0.28
16	1,200	27.68	0.28
17	1,200	27.68	0.28
18	1,200	27.68	0.28
19	1,200	27.68	0.28
20	1,200	27.68	0.28
21	1,200	27.68	0.28
22	1,200	27.68	0.28
23	1,200	27.68	0.28
24	1,200	27.68	0.28
25	1,200	27.68	0.28
26	1,200	27.68	0.28
27	1,200	27.68	0.28
28	1,200	27.68	0.28
29	1,200	27.68	0.28
30	1,200	27.68	0.28
31	1,200	27.68	0.28
32	1,200	27.68	0.28
33	1,200	27.68	0.28
34	1,200	27.68	0.28
35	1,200	27.68	0.28
36	1,200	27.68	0.28
37	1,200	27.68	0.28
38	1,200	27.68	0.28
39	1,200	27.68	0.28
40	1,200	27.68	0.28
41	1,200	27.68	0.28
42	1,200	27.68	0.28
43	1,200	27.68	0.28
44	1,200	27.68	0.28
45	1,200	27.68	0.28
46	1,200	27.68	0.28
47	1,200	27.68	0.28
48	1,200	27.68	0.28
49	1,200	27.68	0.28
50	1,200	27.68	0.28
51	1,200	27.68	0.28
52	1,200	27.68	0.28
53	1,200	27.68	0.28
<b>TOTAL</b>	<b>63,600</b>	<b>1457.14</b>	<b>15.60</b>

**PROPERTY SUMMARY:**  
 TOTAL AREA: 63,600 SQ. FT. (1.46 AC.)  
 TOTAL AREA: 1,457.14 SQ. YD.  
 TOTAL AREA: 15.60 AC.

**PHASE 1:** 21 LOTS (0.32 AC.)  
**PHASE 2:** 32 LOTS (0.68 AC.)

**PHASE 1 TOTAL:** 21 LOTS (0.32 AC.)  
**PHASE 2 TOTAL:** 32 LOTS (0.68 AC.)  
**TOTAL:** 53 LOTS (1.00 AC.)

**NOTES:**  
 1. ALL LOTS ARE TO BE DEVELOPED WITH A MINIMUM OF 10% OPEN SPACE.  
 2. ALL LOTS ARE TO BE DEVELOPED WITH A MINIMUM OF 10% OPEN SPACE.  
 3. ALL LOTS ARE TO BE DEVELOPED WITH A MINIMUM OF 10% OPEN SPACE.



**PROJECT SUMMARY:**

**OWNER DEVELOPER:**  
 BEAVER LAKE PARTNERSHIP  
 5217 NORTH TRENHOLM ROAD  
 COLUMBIA SOUTH CAROLINA  
 29206

**SEWER SERVICE:**  
 PALMETTO UTILITIES  
 1710 WOODCREEK FARMS ROAD  
 ELGIN SOUTH CAROLINA  
 29045

**WATER SERVICE:**  
 CITY OF COLUMBIA WATER DEPT.  
 P.O BOX 147  
 COLUMBIA SOUTH CAROLINA  
 29217

**ZONING:** PUD

**TAX MAP NUMBER**  
 28900-03-07

**TOTAL ACRES:**  
 18.0± Acres

**ROAD LENGTHS:**  
 ENTRANCE 210'  
 BEAVER PARK DRIVE 1258'  
 UPPER LAKE DRIVE 850'

**NUMBER OF LOTS** 53  
**AVERAGE LOT SIZE** 60'X120' 7,200 Sq. Ft.

**PHASES:**  
 PHASE I 24 LOTS  
 PHASE II 29 LOTS

**SETBACKS:**  
 FRONT 25'  
 REAR 20'  
 SIDE 10'

**SURVEYOR:**

UNITED DESIGN  
 540 ST. ANDREWS ROAD  
 SUITE 215-A  
 COLUMBIA SOUTH CAROLINA  
 29210

**ENGINEER:**

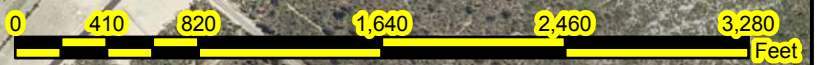
WILLIAM C. COOPER P.E.  
 1713-B WOODCREEK FARMS ROAD  
 ELGIN SOUTH CAROLINA  
 29045

**LAND USE: (Estimated Acres)**  
 INTERIOR ROADS R/W 2.83 ac  
 PARK 1.04 ac  
 OPEN AREA 1.12 ac  
 BUFFERS 1.70 ac  
 LOTS: 11.31 ac  
**TOTAL ESTIMATED 18.0 ac**



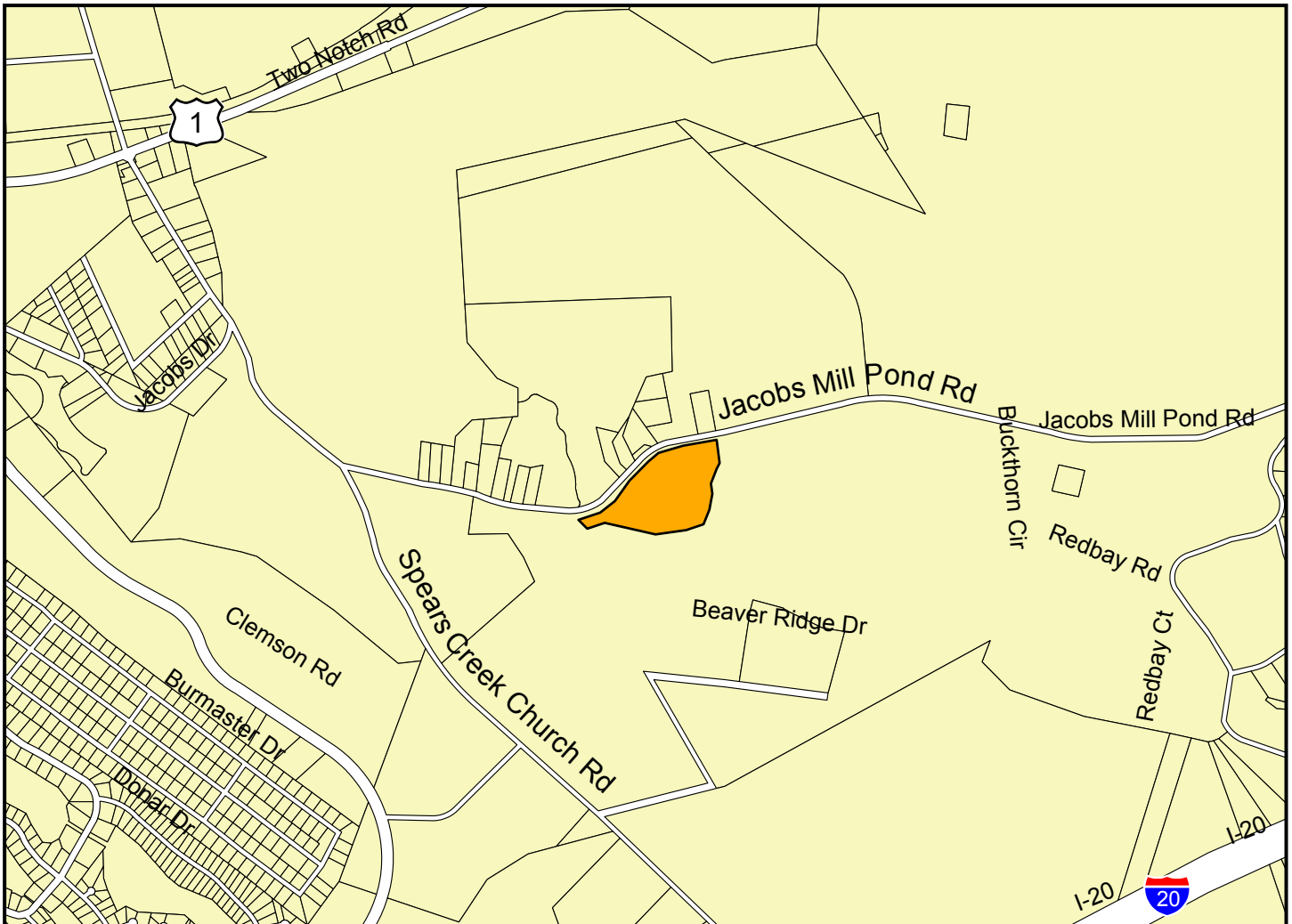
**SD 04-181**  
**Woodcreek Farms, Parcel D3, Phases 1 & 2**  
**TMS 28900-03-07**

**Site**





# SD 04-181 WOODCREEK FARMS, Parcel D3, Ph. 1 & 2



Looking at site from Woodcreek Farms Rd.

Looking at the village center from the site

**RICHLAND COUNTY PLANNING &  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING COMMISSION SUBDIVISION STAFF REPORT**

June 7, 2004

<b>Applicant:</b> Nick Leventis		<b>Preliminary Subdivision Plans For:</b> Palmetto Place, Phases 4 thru 7	
<b>RC Project # :</b> SD-04-167			
<b>General Location:</b> North End of Lansdowne Blvd. adjacent to The Summit			
<b>Tax Map Number:</b> 23100-01-03		<b>Current Zoning:</b> RS-2	
<b>Subject Area:</b> 65 acres	<b>Number of Parcels:</b> 162	<b>Gross Density:</b> 2.5 DU/acre	
<b>Sewer Service Provider:</b> Palmetto Utilities		<b>Water Service Provider:</b> City of Columbia	

**SECTION I – ANALYSIS**

The Planning Commission's involvement in the subdivision process is mandated by state law and the County Code. More specifically, Section 6-29-540, SC Code of Laws states that after adoption of the Comprehensive Plan "...no new street, structure, utility, square, park or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized...until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan..." Compatibility is determined by analyzing the Proposed Land Use Maps, Objectives and Recommendations of the existing Subarea Plans and the Goals and Principles in Chapter IV of the Imagine Richland 2020 Comprehensive Plan.

Chapter 22-10 of the Richland County Code currently requires the Planning Commission to approve preliminary plans, final plats and minor subdivisions. Chapter 22-10 (b) defines a minor subdivision is one that does "... not involve the construction, or opening, of new streets, water or sewer facilities, storm drainage systems, or improvement to existing streets..." Chapter 22-76 requires Planning Commission approval of private driveway subdivisions, i.e., a property division for a maximum of 7 lots for immediate family members. Pursuant to Section 6-29-1150, SC Code of Laws, the Planning Commission is the final authority in subdivision matters.

In order to provide the Planning Commission with enough information to ensure compliance with these laws, the staff report will:

- Analyze the impact of the proposed project on the adjacent county or state roads
- Describe the existing conditions of the subject site
- Analyze the land use compatibility of the proposed project with the surrounding area
- Identify the project's relationship to the relevant principles of the Comprehensive Plan

**Traffic Impact Discussion**

**In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume.** This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these levels-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Project Gets Its Principal Access From	Clemson Rd via Rhame Rd & Lansdowne Blvd	
Functional Classification Of This Roadway	Two lane undivided collector	
<b>Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)</b>	<b>24800</b>	
Estimated Traffic Generated By The Proposed Project	1539	
Current Volume At The Nearest Count Station # 441 Located @	14300	
Estimated Traffic Count <b>With</b> the Proposed Project	15839	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>0.64</b>	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rate presented on pages 9 of the Addendum To The Long Range Major Street Plan for Richland County, adopted by the County in October 1993.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

The estimated project traffic is calculated by multiplying the number of residences times 9.5 trips per day

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed project, by itself, will not result in the LOS C being exceeded at SCDOT count station 441. However, **the Department estimates that upon buildout of the approved subdivisions in the area, the traffic on Clemson Road will far exceed the minimum LOS F level.**

### **Fire Service Impacts**

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 2 mile radius of a fire station.

### **School Impacts**

Based on information provided by the District 2 School Board office \*, the Department estimates the proposed subdivision will generate the additional school age children described below:

Elementary School @ 0.20 students per single family DU	32
Middle School @ 0.13 students per single family DU	21
High School @ 0.12 Students per single family DU	20

\* All Districts assumed to have the same generation rate – rounded to nearest whole number

### **Existing Site Conditions**

The subject is sparsely wooded with pine trees and some small hardwoods. The site generally slopes downward (southeast) toward Legion Lake

### **Compatibility with the Surrounding Area**

The subject project is a continuation of the Palmetto Place subdivision, a single family detached residential project. The project is compatible with the adjacent land uses.

### **Discussion of Applicable Comprehensive Plan Issues**

In order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed subdivision based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8]

The Northeast Subarea Plan Proposed Land Use Map was amended on May 3, 1999 as part of the Plan adoption process. The subject site is designated as Development on this Map. **The proposed project is consistent with this land use designation.**

The Northeast Subarea Plan, adopted in March 1995, contains policy guidance that is relevant to the subject subdivision. The relevant Objectives and Principles, found on pages 30 and 35 respectively, are discussed below:

Objective – Foster new development in areas with adequate infrastructure

The proposed project completes the Palmetto Place project by developing the last vacant parcel between the existing Palmetto Place/Legion Lakes and Summit developments. The proposed project implements this Objective.

Principle – None Applicable

**Other Pertinent Factors**

- 1) As of May 14, 2004, the Public Works Dept. had not approved the stormwater management plans.
- 2) The Flood Hazard Coordinator commented that the 100-year flood elevation must be determined for the existing water bodies.
- 3) As of May 14, 2004, the County Fire Marshal had not provided comments.
- 4) As of May 14, 2004, the City of Columbia had not approved the water line construction plans.
- 5) As of May 14, 2004, DHEC had not issued a sewer line construction permit.
- 6) As of May 14, 2004, DHEC had not issued a water line construction permit.
- 7) The E-911 Coordinator commented that the name Lansdowne Blvd must be changed to Legion Drive on all future plats.

**SECTION II – STAFF RECOMMENDATION**

Based on the findings of fact summarized below, the Planning and Development Services Department (PDSD) recommends conditional approval of the preliminary subdivision plans for a 162 unit single family detached subdivision, known as Palmetto Place, Phase 4 through 7 (Project # SD-04-167). **The subdivision plans are not officially approved until there is substantial compliance with all relevant requirements of the Richland County Code of Ordinances and the Specific Conditions identified below:**

**Findings of Fact**

1. The proposed project, by itself, will not result in the LOS C being exceeded at SCDOT count station 441. However, **the Department estimates that upon buildout of the approved subdivisions in the area, the traffic on Clemson Road will far exceed the minimum LOS F level.**
2. The proposed subdivision is compatible with existing development in the area.
3. The proposed project is consistent with the Northeast Subarea Plan Map land use designation.
4. The proposed project implements the relevant Objectives and Recommendations of the Northeast Subarea Plan.

**Specific Conditions**

- a) The Planning Dept. must issue a Land Disturbance Permit **PRIOR to any land clearing activity being initiated; and**
- b) The E-911 Coordinator must certify the street names have been approved by the Planning Commission prior to assigning street addresses for building permits; **and**

- c) The Department of Public Works must approve the stormwater management plans; **and**
- d) The Floodplain Mgmt. Specialist must approve the flood elevation statement prior to building permits being issued; **and**
- e) The project must comply with all applicable city, county and state regulations; **and**
- f) The City of Columbia must approve the water line construction plans; **and**
- g) DHEC must issue the sewer line construction permits; **and**
- h) DHEC must issue the water line construction permits; **and**
- i) **No building permits shall be issued until all of the conditions cited above are met; and**
- j) Plats shall only be recorded by the complete phases identified in the preliminary plan; **and**
- k) Any further division of the phases identified in the lot layout plan shall require Planning Commission approval prior to recording; **and**
- l) Plats shall not be approved for recording until the Department receives the City of Columbia approval the water line easement documents; **and**
- m) The Department of Public Works must approve the road and stormwater facilities bond documents prior to a bonded plat being approved for recording; **and**
- n) A Certificate of Occupancy shall **not** be issued for any residence in this project until the Department receives a copy of the DHEC Permit To Operate the Water system and/or the DHEC Permit To Operate the Sewer system, if applicable, by phase; **and**
- o) A Final Plat cannot be approved by the Department until **(1)** the City of Columbia approves the water line easement deeds **AND (2)** the County accepts the roads and stormwater facilities for maintenance.

**SECTION III – COMMISSION RECONSIDERATION & APPEAL**

**Reconsideration**

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision **provided** such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

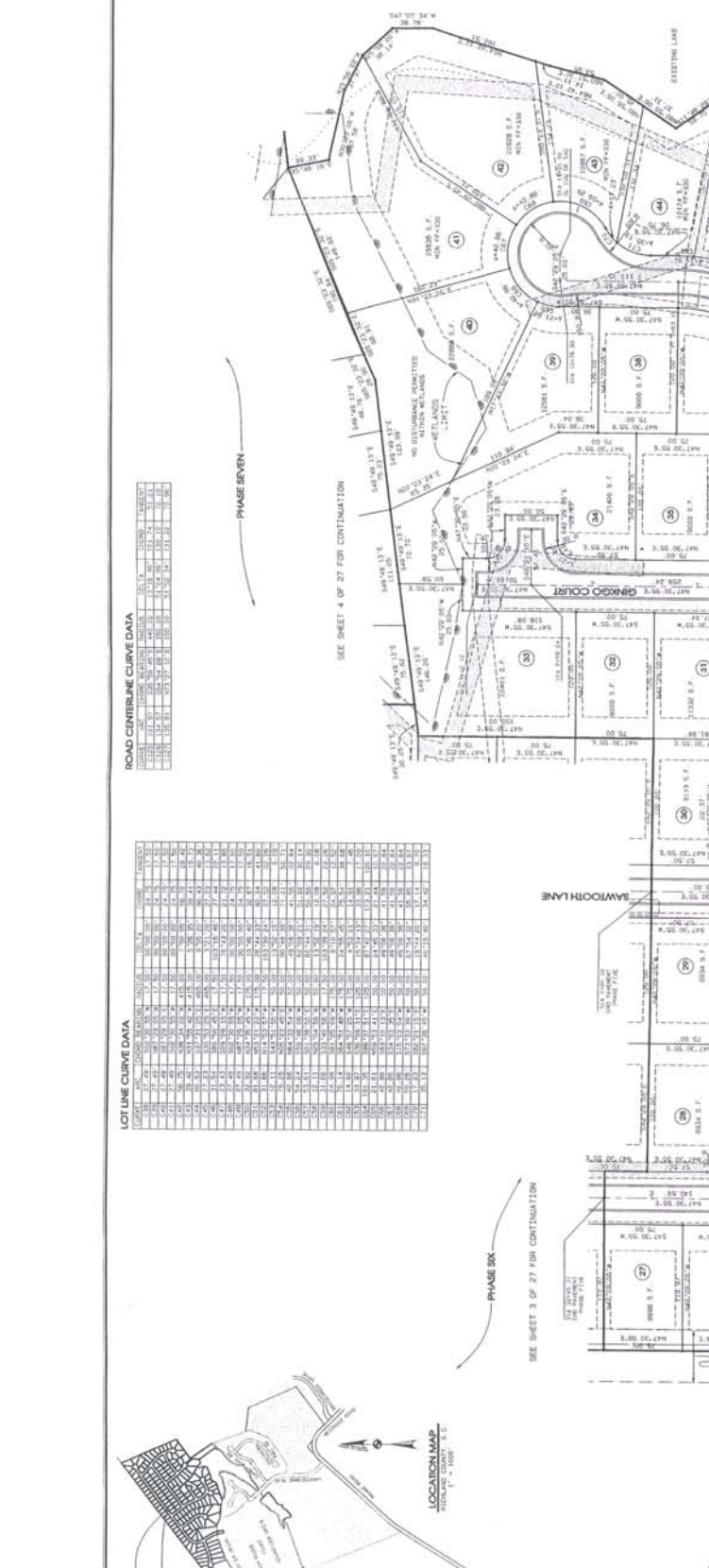
**Appeal**

Article V of the Planning Commission's Rules of Procedure provides that upon completion of the Commission's final action on any matter, the only way to appeal a Commission's decision is to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.









**ROAD CENTERLINE CURVE DATA**

STATION	PC	PVI	PT	CURVE LENGTH	DELTA	TANGENT	CHORD	CHORD BEARING
100+00	100+00	100+00	100+00	0.00	0.00	0.00	0.00	0.00
100+10	100+10	100+10	100+10	0.00	0.00	0.00	0.00	0.00
100+20	100+20	100+20	100+20	0.00	0.00	0.00	0.00	0.00
100+30	100+30	100+30	100+30	0.00	0.00	0.00	0.00	0.00
100+40	100+40	100+40	100+40	0.00	0.00	0.00	0.00	0.00
100+50	100+50	100+50	100+50	0.00	0.00	0.00	0.00	0.00
100+60	100+60	100+60	100+60	0.00	0.00	0.00	0.00	0.00
100+70	100+70	100+70	100+70	0.00	0.00	0.00	0.00	0.00
100+80	100+80	100+80	100+80	0.00	0.00	0.00	0.00	0.00
100+90	100+90	100+90	100+90	0.00	0.00	0.00	0.00	0.00

**LOT LINE CURVE DATA**

STATION	PC	PVI	PT	CURVE LENGTH	DELTA	TANGENT	CHORD	CHORD BEARING
100+00	100+00	100+00	100+00	0.00	0.00	0.00	0.00	0.00
100+10	100+10	100+10	100+10	0.00	0.00	0.00	0.00	0.00
100+20	100+20	100+20	100+20	0.00	0.00	0.00	0.00	0.00
100+30	100+30	100+30	100+30	0.00	0.00	0.00	0.00	0.00
100+40	100+40	100+40	100+40	0.00	0.00	0.00	0.00	0.00
100+50	100+50	100+50	100+50	0.00	0.00	0.00	0.00	0.00
100+60	100+60	100+60	100+60	0.00	0.00	0.00	0.00	0.00
100+70	100+70	100+70	100+70	0.00	0.00	0.00	0.00	0.00
100+80	100+80	100+80	100+80	0.00	0.00	0.00	0.00	0.00
100+90	100+90	100+90	100+90	0.00	0.00	0.00	0.00	0.00

**PHASE SEVEN**  
SEE SHEET 4 OF 27 FOR CONTINUATION

**PHASE SIX**  
SEE SHEET 3 OF 27 FOR CONTINUATION

**PHASE FOUR**  
SEE SHEET 1 OF 27 FOR CONTINUATION

**LOCATION MAP**



**NOTES & REFERENCES:**

1. PLAN PREPARED FOR LUDWIG REALTHY BY BELLEVUE & ASSOCIATES, INC., PROFESSIONAL.
2. LAND SURVEY: PLAT DATED APRIL 1, 2002.
3. FOR ALL LOTS TO BE DEVELOPED INTO SINGLE FAMILY LOTS.
4. PHASE FOUR ADJUSTS TO PREVIOUS LOTS.
5. PHASE FIVE TO BE ADJUSTED TO PHASE FOUR.
6. PHASE SIX TO BE ADJUSTED TO PHASE FIVE.
7. PHASE SEVEN TO BE ADJUSTED TO PHASE SIX.
8. RICHLAND COUNTY TAX MAP SHEET # 23200, BLOCK 1, LOT 3.
9. EXISTING ELEVATIONS: 102.5.
10. A PORTION OF THE SUBJECT PROPERTY IS LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA, AS SHOWN ON THE FLOOD HAZARD MAP DATED JANUARY 15, 1994, AS SHOWN.
11. ALL ROADS WITHIN THIS SUBDIVISION ARE 50' R.O.M. UNLESS STATED OTHERWISE.
12. FOR ADDITIONAL STAKING INFORMATION, CONTACT THE ENGINEER TO OBTAIN A COMPLETE LIST.
13. RETAINING WALLS PROVIDED BY OWNER.
14. EXISTING UTILITIES, SLOPES, AND ELEVATIONS AS SHOWN.
15. SEE MARKED LOT 30 CONTINGENT ON PHASE 4.
16. SEE MARKED LOT 30.

**PHASE FIVE PALMETTO PLACE**  
RICHLAND COUNTY, SOUTH CAROLINA

**ESSENTIAL PLANS**  
DATE SUBMITTED: MARCH 2004  
PHASE TWO UNDER CONSTRUCTION

**SUBMITTAL PLANS**  
DATE SUBMITTED: APRIL 2004  
PHASE FOUR

**SD-04-167**

**APR 02 2004**

THE ENGINEER'S OFFICE IS  
**CIVIL ENGINEERING OF COLUMBIA**  
1017 SOUTH CAROLINA AVENUE, SUITE 202  
COLUMBIA, SC 29201  
TEL: (803) 798-1800  
TEL: (803) 798-2820

SCALE: 1" = 50'  
SCALE: IN FEET



**LOT LINE CURVE DATA**

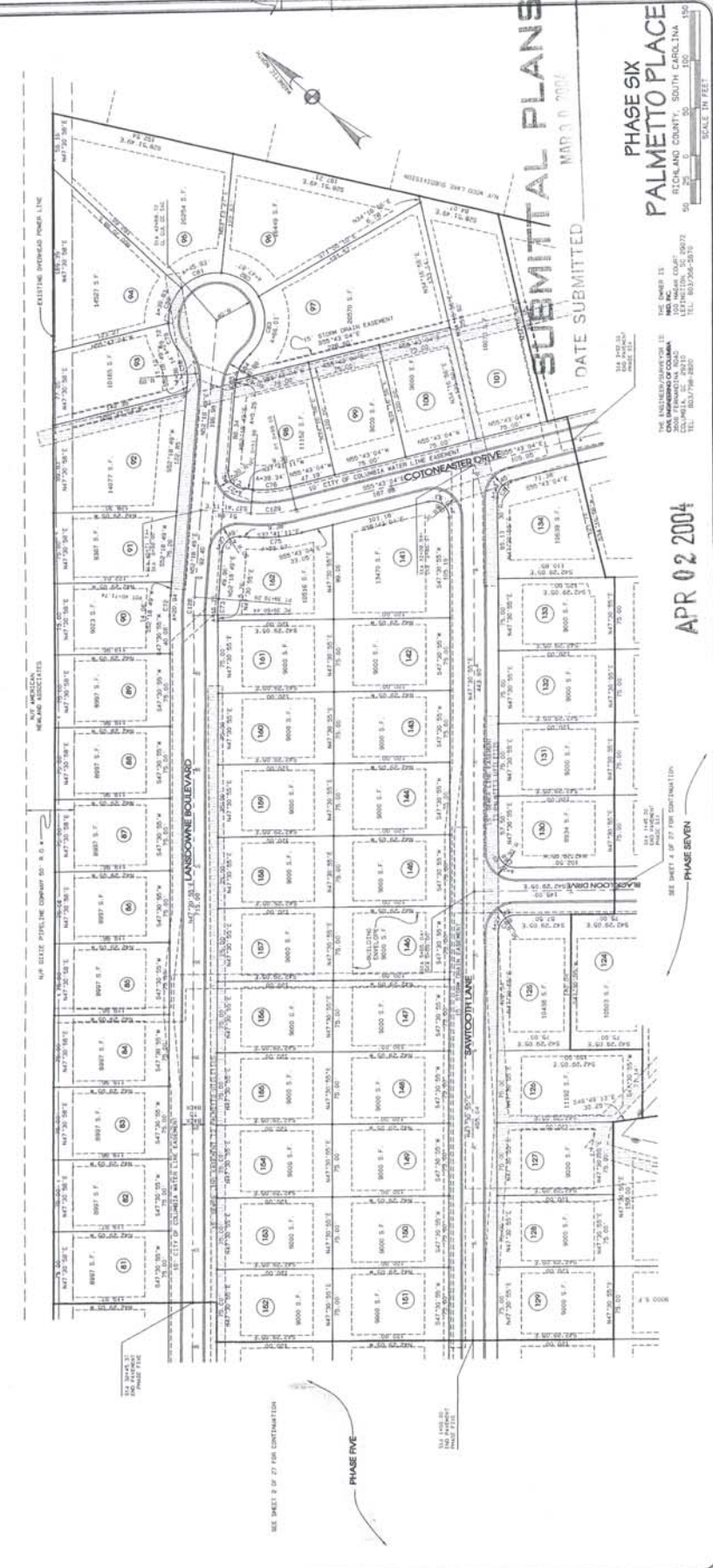
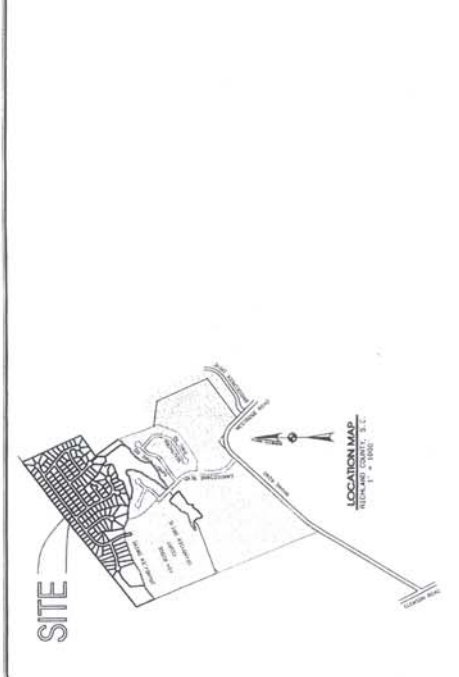
STATION	ARC LENGTH	CHORD BEARING	CHORD LENGTH	CHORD BEARING
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1+10.00	10.00	S 89.10° E	10.00	S 89.10° E
1+20.00	10.00	S 89.10° E	10.00	S 89.10° E
1+30.00	10.00	S 89.10° E	10.00	S 89.10° E
1+40.00	10.00	S 89.10° E	10.00	S 89.10° E
1+50.00	10.00	S 89.10° E	10.00	S 89.10° E
1+60.00	10.00	S 89.10° E	10.00	S 89.10° E
1+70.00	10.00	S 89.10° E	10.00	S 89.10° E
1+80.00	10.00	S 89.10° E	10.00	S 89.10° E
1+90.00	10.00	S 89.10° E	10.00	S 89.10° E
2+00.00	10.00	S 89.10° E	10.00	S 89.10° E
2+10.00	10.00	S 89.10° E	10.00	S 89.10° E
2+20.00	10.00	S 89.10° E	10.00	S 89.10° E
2+30.00	10.00	S 89.10° E	10.00	S 89.10° E
2+40.00	10.00	S 89.10° E	10.00	S 89.10° E
2+50.00	10.00	S 89.10° E	10.00	S 89.10° E
2+60.00	10.00	S 89.10° E	10.00	S 89.10° E
2+70.00	10.00	S 89.10° E	10.00	S 89.10° E
2+80.00	10.00	S 89.10° E	10.00	S 89.10° E
2+90.00	10.00	S 89.10° E	10.00	S 89.10° E
3+00.00	10.00	S 89.10° E	10.00	S 89.10° E
3+10.00	10.00	S 89.10° E	10.00	S 89.10° E
3+20.00	10.00	S 89.10° E	10.00	S 89.10° E
3+30.00	10.00	S 89.10° E	10.00	S 89.10° E
3+40.00	10.00	S 89.10° E	10.00	S 89.10° E
3+50.00	10.00	S 89.10° E	10.00	S 89.10° E
3+60.00	10.00	S 89.10° E	10.00	S 89.10° E
3+70.00	10.00	S 89.10° E	10.00	S 89.10° E
3+80.00	10.00	S 89.10° E	10.00	S 89.10° E
3+90.00	10.00	S 89.10° E	10.00	S 89.10° E
4+00.00	10.00	S 89.10° E	10.00	S 89.10° E

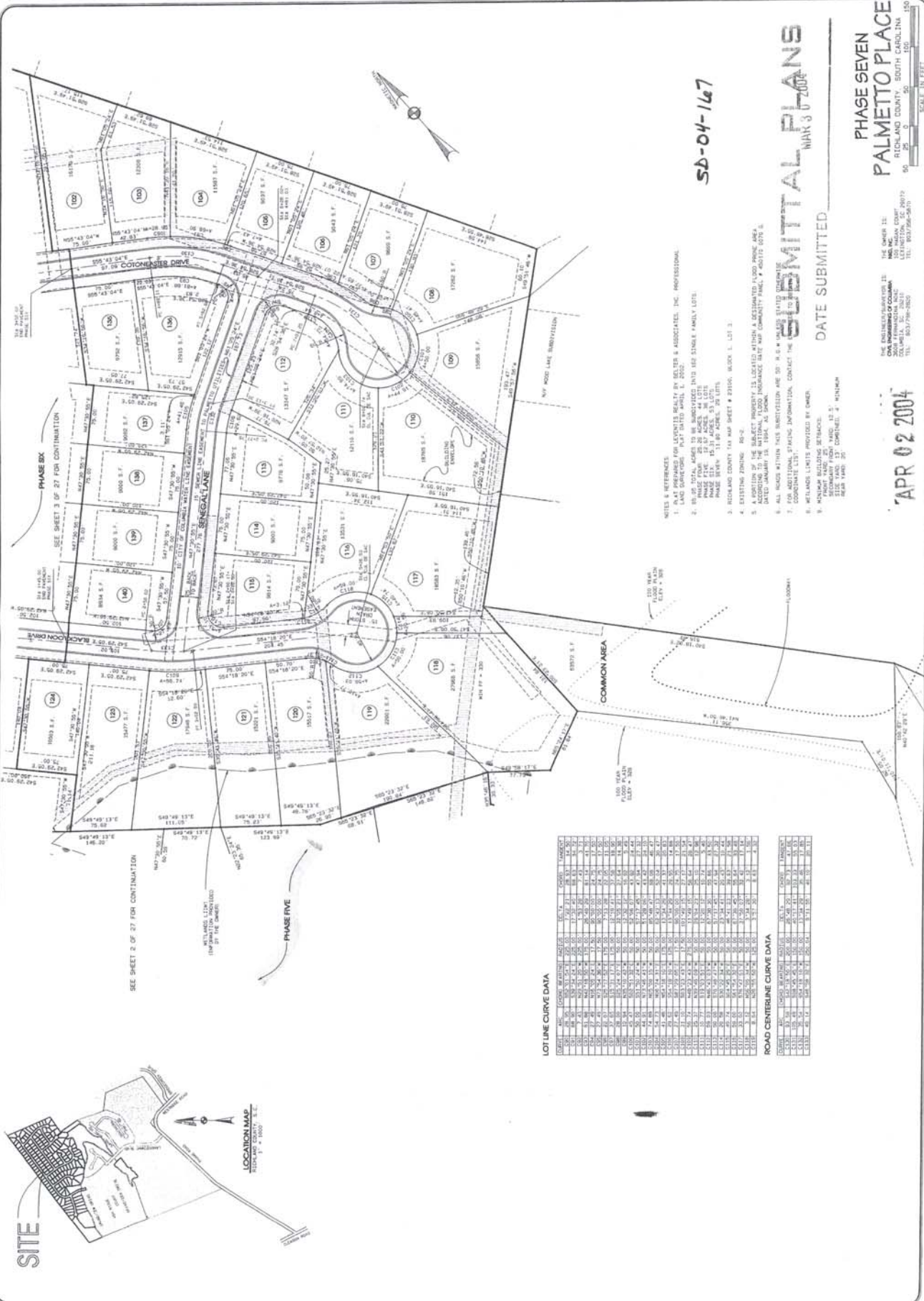
**ROAD CENTERLINE CURVE DATA**

STATION	CHORD BEARING	CHORD LENGTH	CHORD BEARING
1+00.00	S 89.10° E	10.00	S 89.10° E
1+10.00	S 89.10° E	10.00	S 89.10° E
1+20.00	S 89.10° E	10.00	S 89.10° E
1+30.00	S 89.10° E	10.00	S 89.10° E
1+40.00	S 89.10° E	10.00	S 89.10° E
1+50.00	S 89.10° E	10.00	S 89.10° E
1+60.00	S 89.10° E	10.00	S 89.10° E
1+70.00	S 89.10° E	10.00	S 89.10° E
1+80.00	S 89.10° E	10.00	S 89.10° E
1+90.00	S 89.10° E	10.00	S 89.10° E
2+00.00	S 89.10° E	10.00	S 89.10° E
2+10.00	S 89.10° E	10.00	S 89.10° E
2+20.00	S 89.10° E	10.00	S 89.10° E
2+30.00	S 89.10° E	10.00	S 89.10° E
2+40.00	S 89.10° E	10.00	S 89.10° E
2+50.00	S 89.10° E	10.00	S 89.10° E
2+60.00	S 89.10° E	10.00	S 89.10° E
2+70.00	S 89.10° E	10.00	S 89.10° E
2+80.00	S 89.10° E	10.00	S 89.10° E
2+90.00	S 89.10° E	10.00	S 89.10° E
3+00.00	S 89.10° E	10.00	S 89.10° E
3+10.00	S 89.10° E	10.00	S 89.10° E
3+20.00	S 89.10° E	10.00	S 89.10° E
3+30.00	S 89.10° E	10.00	S 89.10° E
3+40.00	S 89.10° E	10.00	S 89.10° E
3+50.00	S 89.10° E	10.00	S 89.10° E
3+60.00	S 89.10° E	10.00	S 89.10° E
3+70.00	S 89.10° E	10.00	S 89.10° E
3+80.00	S 89.10° E	10.00	S 89.10° E
3+90.00	S 89.10° E	10.00	S 89.10° E
4+00.00	S 89.10° E	10.00	S 89.10° E

**NOTES & REFERENCES:**

1. PLAN PREPARED FOR LOTTERIES BEAULT BY WALTER & ASSOCIATES, INC., PROFESSIONAL LAND SURVEYOR, PLAN DATED APRIL 1, 2002.
2. EXISTING TOTAL AREAS TO BE SUBDIVIDED INTO THE SINGLE FAMILY LOTS.
3. REICHLAND COUNTY TAX MAP SHEET # 23360, BLOCK 1, LOT 3.
4. EXISTING ZONING: RP-2.
5. A PORTION OF THE SUBJECT PROPERTY IS LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA, AS SHOWN ON THE FLOOD HAZARD MAP OF REICHLAND COUNTY, SOUTH CAROLINA, DATED JANUARY 18, 2004. ALL WORK SHALL BE IN ACCORDANCE WITH THE FLOOD HAZARD MAP.
6. ALL WORK WITHIN THIS SUBDIVISION ARE TO BE IN ACCORDANCE WITH THE FLOOD HAZARD MAP.
7. FOR ADDITIONAL STAKING INFORMATION, CONTACT THE ENGINEER TO OBTAIN A COMPLETE LIST.
8. RETAINED LIMITS PROVIDED BY OWNER.
9. WITHIN THE LIMITS OF THE SUBJECT PROPERTY, THERE ARE NO OTHER EASEMENTS, ENCUMBRANCES, OR INTERESTS OF ANY KIND.
10. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO OTHER EASEMENTS, ENCUMBRANCES, OR INTERESTS OF ANY KIND.





SD-04-167

**SUBMITTAL PLANS**  
 MARK 3 ZONE  
 DATE SUBMITTED

PHASE SEVEN  
**PALMETTO PLACE**  
 RICHLAND COUNTY, SOUTH CAROLINA

- NOTES & REFERENCES:
1. LAND SURVEYOR'S PLAN BY W. WELLS & ASSOCIATES, INC. PROFESSIONAL SURVEYOR, LICENSE NO. 11078, DATED 08/11/03.
  2. 10.00 TOTAL ACRES TO BE SUBDIVIDED INTO 168 SINGLE FAMILY LOTS.
  3. RICHLAND COUNTY 1st MAP SHEET # 2310K, WORK L. 1.01.3.
  4. EXISTING ZONING: R-2.
  5. A PORTION OF THE SUBJECT PROPERTY IS LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA, AS SHOWN ON THE NATIONAL FLOOD INSURANCE RATE MAP COMMUNITY PANEL # 45011C 0075. A FLOOD HAZARD STUDY WILL BE CONDUCTED.
  6. ALL LOTS WITHIN THIS SUBDIVISION ARE 31' x 8' x 4' MINIMUM SETBACKS.
  7. COORDINATE ELEVATIONS: 100' MEAN SEA LEVEL.
  8. METERS BUILDING SETBACKS.
  9. MINIMUM FRONT YARD SETBACK: 12.5'.
  10. MINIMUM SIDE YARD SETBACK: 5'.
  11. MINIMUM REAR YARD SETBACK: 5'.

THE DESIGNER'S OFFICE IS:  
 CIVIL ENGINEERING OF COLUMBIA  
 2608 FERMANOVA ROAD  
 COLUMBIA, SOUTH CAROLINA 29210  
 TEL: 803/799-2828

APR 02 2004

**LOT LINE CURVE DATA**

LOT NO.	START STATION	END STATION	CHORD BEARING	CHORD DIST.	ARC DIST.	ARC CENTER	ARC RADIUS	ARC ANGLE
100	100+00.00	100+00.00						
101	101+00.00	101+00.00						
102	102+00.00	102+00.00						
103	103+00.00	103+00.00						
104	104+00.00	104+00.00						
105	105+00.00	105+00.00						
106	106+00.00	106+00.00						
107	107+00.00	107+00.00						
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121	121+00.00	121+00.00						
122	122+00.00	122+00.00						
123	123+00.00	123+00.00						
124	124+00.00	124+00.00						
125	125+00.00	125+00.00						
126	126+00.00	126+00.00						

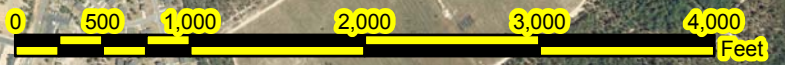
**ROAD CENTRELINE CURVE DATA**

STATION	PC	PVI	PT	CHORD BEARING	CHORD DIST.	ARC DIST.	ARC CENTER	ARC RADIUS	ARC ANGLE
100+00.00	100+00.00	100+00.00	100+00.00						
101+00.00	101+00.00	101+00.00	101+00.00						
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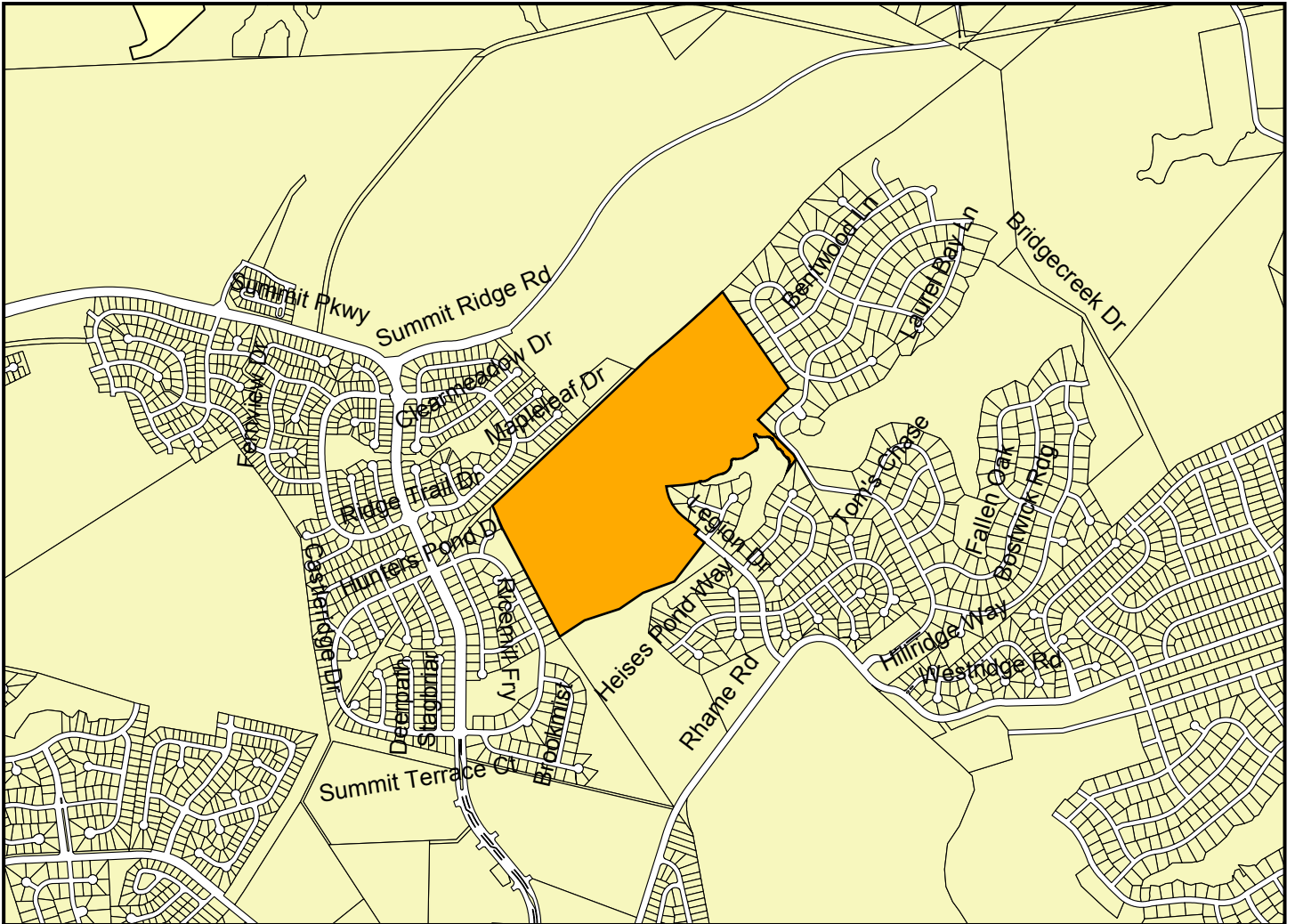
**SD 04-167**  
**Palmetto Place, Phases 4-7**  
**TMS 23100-01-03**

**Site**





# SD 04-167 PALMETTO PLACE, Phases 4 - 7



Looking at site from Grandview Cir.



Looking at existing development from Grandview Cir.

**RICHLAND COUNTY PLANNING &  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING COMMISSION MAP AMENDMENT STAFF REPORT**

June 7, 2004

<b>RC Project # 04-55 MA</b>	<b>Applicant:</b> MCA Architecture
<b>General Location:</b> 617 Blythewood Road in Blythewood	
<b>Tax Map Number:</b> 12600-03-01 & 12600-03-02 (p)	<b>Subject Area:</b> 19.17 ac MOL
<b>Current Parcel Zoning:</b> RU	<b>Proposed Parcel Zoning:</b> M-1
<b>Proposed Use:</b> Administration office, operations center, and warehouse	<b>PC Sign Posting Date:</b> May 17, 2004

**SECTION I ANALYSIS**

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. Specifically, the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments (*to the Zoning Ordinance*) shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

- a) The need and justification for the changes.
- b) The effect of the change, if any, on the property and on surrounding properties.
- c) The amount of land in the general area having the same classification as that requested.
- d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance (*the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Policies of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. **Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning.**

**Applicant’s Factual Justification For Proposed Change**

For the establishment of an administration office, operations center and warehouse for Fairfield Electric.

**Compatibility With Existing Development in the Area**

	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>Subject Parcel</b>	RU	Vacant single family residence with accessory structures and vacant land
<b>Adjacent North</b>	RU	Estate size single family residences and undeveloped land
<b>Adjacent East</b>	Blythewood (D-1)	Undeveloped land and pond
<b>Adjacent South</b>	RU	Agricultural land
<b>Adjacent West</b>	RU	Agricultural land and woodlands

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

<p><b><u>RU Zoning Designation Intent</u></b>                      Intended to protect and encourage agricultural endeavors; promote wise use of prime agricultural and forest communities; protect and encourage the integrity of existing rural communities; protect valuable natural and cultural resources; and maintain open space and scenic areas contiguous to development areas</p>	<p><b><u>Proposed M-1 Zoning Designation Intent</u></b>                      Intended to accommodate wholesaling, distribution, storage, processing, light manufacturing, and general commercial or agricultural uses.</p>
<p><b><u>Existing RU Zoning Permitted Uses</u></b>                      All farm type enterprises                      Public buildings and utilities                      Orphanages, nursing homes and the like                      Places of worship                      Educational facilities                      One &amp; Two family dwellings</p>	<p><b><u>Proposed M-1 Zoning Permitted Uses</u></b>                      Wholesaling, warehousing, storage, supply and distribution                      Truck terminals, freight terminals, and passenger terminals                      Light manufacturing and processing                      Outdoor storage lots and yards                      Service and Repair Establishments</p>

The land uses above represent a summary of the permitted uses in Chapter 26-61 and Chapter 26-68, respectively of the County Code. Some Special Exception uses are also possible.

The site is completely surrounded by agricultural land, estate sized single family residences and undeveloped woodlands. The site is not compatible with the character of the existing area.

**Traffic Impact Discussion**

**In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume.** This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Blythewood Road	
Functional Classification Of This Roadway	Two lane undivided collector	
<b>Level-Of-Service <u>C</u> Design Capacity (V/C = 1.00)</b>	<b>8600</b>	
Estimated Traffic Generated By The Proposed Project	473	
Current Volume At The Nearest Count Station #490 Located @ on Blythewood Road	6100	
Estimated Traffic Count <b>With</b> the Proposed Project	6573	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>0.76</b>	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6<sup>th</sup> Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old**.

The estimated project traffic is calculated by multiplying the generation rate for a Utilities business found on page 261 of the TGM times acreage of the use.



The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed project would not cause the LOS C design capacity of Blythewood Road in this vicinity to be exceeded.

### **Fire Service Impacts**

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 3 mile radius of a fire station.

### **Relationship To Comprehensive Plan**

In order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8]

Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." The Department interprets this provision to mean **if either the existing, or proposed zoning, is not consistent with the land use designation on the Map, the Map should be amended** through the statutory comprehensive plan amendment process.

The Proposed Land Use Element Map (Map) of the North Central Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates the subject area as Rural & Open Space. The proposed Zoning Map Amendment is not consistent with this land use designation.

The **proposed M-1 zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be RU to be consistent with the Rural & Open Space land use designation.

The North Central Subarea Plan, adopted in November 1992, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 26 and 32 respectively, are discussed below:

Objective – Provide areas with commercial and industrial facilities that are related to each other in an efficient manner, served by adequate infrastructure and readily accessible to the public, **while restricted to locations adjacent to existing sites**

The subject site is surrounded by rural type development in all directions. There are several hundreds of acres already zoned M-1 in the I-77 corridor in which the applicant could locate the subject facility. The proposed Amendment **does not implement** this Objective.

Recommendations – No industrial uses are recommended within the Rural and Open Space area  
The M-1 zoning district allows a wide variety of light industrial and distribution type facilities. The subject site is in rural area of the County that is planned to stay rural for the foreseeable future. The proposed Amendment **does not implement** this Principle.

### **Other Relevant Issues**

The subject site is adjacent to the area included in the I-77 Corridor Subarea Plan. This Subarea contains a substantial area of land designated for industrial, technological and commercial uses. Most of the same area is already vacant M-1 zoned land. There is no reason to rezone a parcel of rural land for industrial use when there is already so much vacant M-1 zoned land nearby.

## **SECTION II STAFF RECOMMENDATION**

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 04-55 MA **not be changed** from RU to M-1.

### **Findings of Fact:**

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is not compatible** with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Blythewood Road at this location **will not** be exceeded.
4. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the North Central Subarea Plan.
5. The proposed Zoning Map Amendment **is not consistent** with the Objectives and Principles of the North Central Subarea Plan discussed herein.
6. In order to comply with the requirements of Section 6-29-540, SC Code of Laws, the Proposed Land Use Map for this portion of the North Central Subarea Plan should be amended, via the formal land use ordinance adoption process, to change the land use designation for the subject site to a residential zoned district.
7. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

<b>SECTION III      PLANNING COMMISSION ACTION</b>
--

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

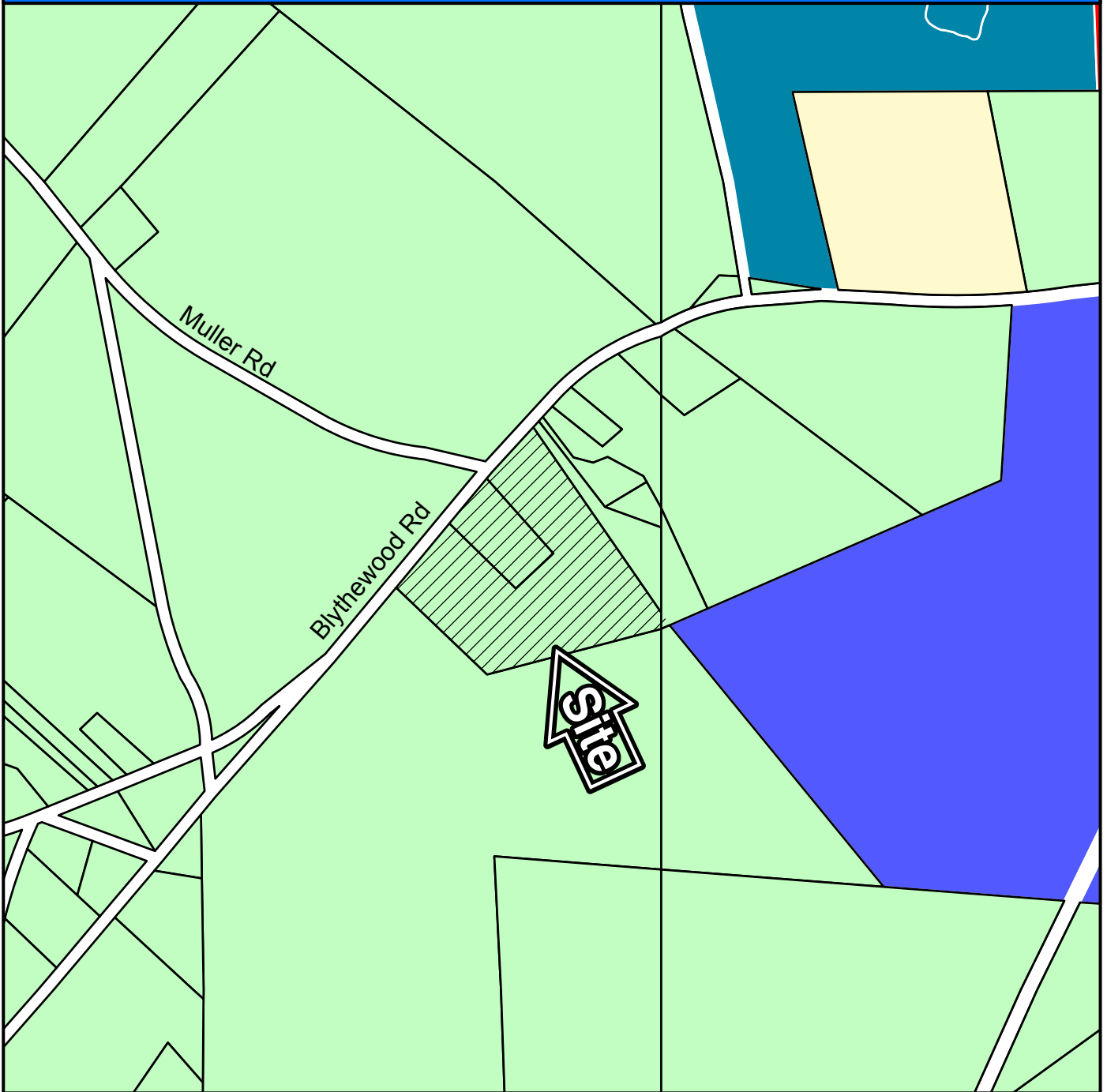
At their meeting of June 7, 2004, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-55 MA at the next available opportunity.

**Commission Findings of Fact/Recommendations**

(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 04-55 MA, the Planning Commission made the findings of fact summarized below:

# CASE 04-55 MA FROM RU to M-1



## ZONING CLASSIFICATIONS

	C-1		D-1		MH-1		PDD		RG-2		RS-2	 N	
	C-2		M-1		MH-2		PUD		RR		RS-3		
	C-3		M-2		MH-3		RG-1		RS-1		RU		
												SUBJECT	



**CASE 04-55 MA**  
**RU to M-1**  
**TMS 12600-03-01/02 (p)**

**Site**





# CASE 04-55 MA FROM RU to M-1

TMS# 12600-03-01/02 (p)

Blythewood Rd. & Valley Rd.



Looking at site from Muller Road



Looking towards Blythewood along Blythewood Rd.

Attachment A  
**Case 04-55 MA**

All that parcel of land in the aggregate containing 19.17 acres, more or less and described as follows:

Beginning at a point on the north corner adjoining Blythewood Road, and extending south  $43^{\circ}$  east a distance of 1130 feet to a point, thence turning and extending south  $7^{\circ}$  west a distance of 995 feet to a point, thence turning and extending north  $47^{\circ}$  west a distance of 657 feet to a point, thence turning and extending along Blythewood Road north  $42^{\circ}$  east a distance of 406 feet, north  $42^{\circ}$  east a distance of 241 feet, north  $42^{\circ}$  east a distance of 325 feet to the point of beginning. All bearings and distances being approximate.

The above property is comprised of Tax Map parcel number 12600-03-01 and a portion of Tax Map parcel number 12600-03-02.

A sketch plan dated April 26, 2004 by Robert H. Lackey Surveying, Inc. is attached as part of this Exhibit.

**RICHLAND COUNTY PLANNING &  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING COMMISSION MAP AMENDMENT STAFF REPORT**

June 7, 2004

<b>RC Project # 04-56 MA</b>	<b>Applicant:</b> Agnew Lake Service
<b>General Location:</b> 301 Shadowood Drive in Ballentine	
<b>Tax Map Number:</b> 02408-03-16	<b>Subject Area:</b> 2.18 ac MOL
<b>Current Parcel Zoning:</b> PDD	<b>Proposal:</b> Minor PDD Amendment
<b>Proposed Use:</b> Continuation of Existing Boat Service Business	<b>PC Sign Posting Date:</b> May 6, 2004

**SECTION I BACKGROUND**

The subject parcel was approved for rezoning from RS-1 to PDD on December 4, 1990 via Zoning Map Amendment case number 90-039 MA. The Planning Commission recommended approval of the project on October 1, 1990. Prior to the rezoning request, the subject parcel was the Agnew Lake Service, apparently “grandfathered” as a non-conforming use. It consisted of an existing marina operation of 3,500 square feet of office, boat storage, and a repair/rental facility. The applicant applied for a Zoning Map Amendment due to growth of the business and a need for expansion. The proposal consisted of various office, storage, repair buildings, and parking with a total square footage of approximately 5,472 square feet. One of the approved buildings was a 48’ x 74’ shop building.

On November 3, 2003, the main storage/fabrication facility at Agnew Lake Service burned down. The applicant subsequently submitted site plans for a proposed 60’ x 60’ maintenance building for review by the Planning and Development Services Department. A legal description of the subject property is found in Attachment A to this document.

During the review process, the Department determined that the subject parcel was a PDD and the applicant was not able to increase the size of any buildings or make any variations from the approved PDD without the approval of the Planning Commission for a minor PDD amendment. After comparing the site plan depicting the current conditions with the approved PDD site plan, the Department determined that there is 1,960 square feet more of structures than allowed by the PDD plan.



The Department informed the applicant that the variation from the approved plan and increase in square footage would require a minor PDD amendment to be heard by the Planning Commission. The applicant met with staff to discuss the issue and what is required for a proper PDD amendment and site plan review submission. A site plan (Attachment B) depicting the existing conditions and the proposed 60' x 60' maintenance building is attached for your review.

The site plan shows all the buildings currently on the site and the location of the proposed new building. With the exception of one shed, all the structures shown in red were built without building permits. All of the structures were not part of the approved PDD plan, except for a 48" by 74" building that burned down.

The site is currently well buffered from Shadowood Drive and adjacent parcels by an existing berm consisting of heavy vegetation and trees and an eight foot wood stockade fence for most of the rear property line. Access is limited to one point from Shadowood Drive.

The applicant is requesting a Minor PDD Amendment to approve the locations of all the existing buildings as well as replacing the burned down maintenance building. The modified site plan would limit the development of the site to a total of 7762 sq. ft of structures.

## **SECTION II STAFF RECOMMENDATION**

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDS) recommends the Minor PDD Amendment for the parcel included in Project # 04-56 MA **not be changed** based on the Findings of Facts below:

### **Findings of Fact:**

1. The PDD plan limited the development of the site to 5472 sq. ft of structures.
2. The applicant constructed structures that exceeded the approved PDD plan limits.
3. All of the buildings, except one 1500 sq. ft. shed, were constructed without building permits and in violation of the approved PDD plan.
4. The site is well buffered from the adjacent residential areas with landscaping and fencing.

## **SECTION IV PLANNING COMMISSION ACTION**

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

At their meeting of June 7, 2004, the Richland County Planning Commission agreed (did not agree) with the PDSD recommendation.

**Commission Findings of Fact/Recommendations**

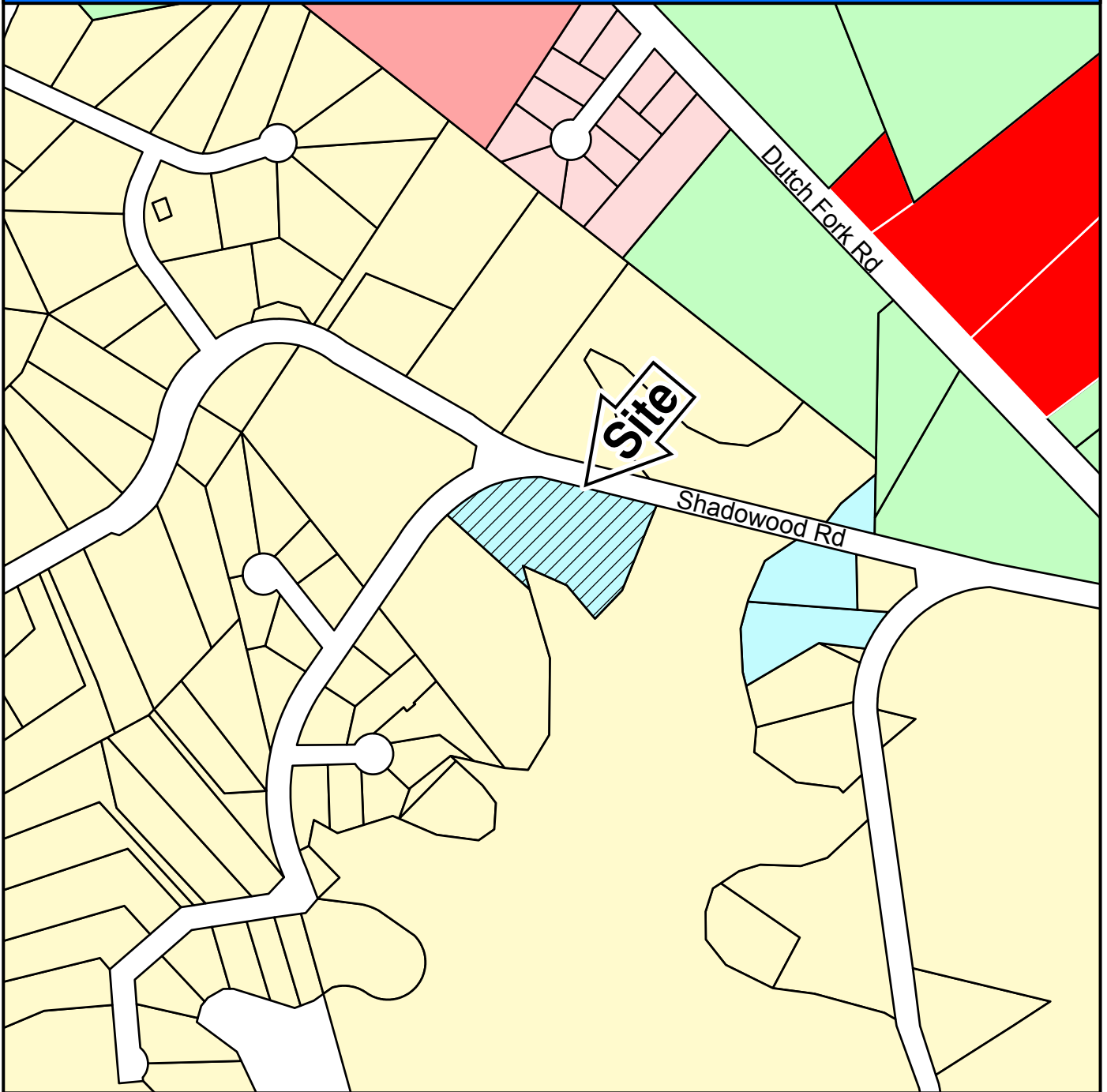
(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 04-56 MA, the Planning Commission made the findings of fact summarized below:



# CASE 04-56 MA

## Minor PDD Amendment



### ZONING CLASSIFICATIONS

	C-1		D-1		MH-1		PDD		RG-2		RS-2	 N
	C-2		M-1		MH-2		PUD		RR		RS-3	
	C-3		M-2		MH-3		RG-1		RS-1		RU	
											SUBJECT	



**CASE 04-56 MA**  
**Minor PDD Amendment**  
**TMS 02408-03-16**

**Site**





Attachment A  
**Case 04-56 MA**

**We Request a minor Amendment to our PDD zoning for the Following parcel:**

All that certain, piece, parcel or tract of land, together with any improvements thereon, situate, lying and being in the Dutch Fork Section of the County of Richland and State of South Carolina, containing 2.18 Acres and being described as follows:

Commencing at a point adjacent to Lake Murray Project Boundary Line on the Western Boundary line of said property on plat here in referred to; and running North Forty Nine degrees Forty Nine minutes West for a distance of 245.92 feet, to a point adjacent county road S40-1680 which point is marked by iron stake; thence turning and running North Seventy Seven degrees Thirty One minutes East for a distance of 303.05 feet, to a point, marked by iron stake, adjacent same county road; thence turning and running South Seventy Five degrees Fifty One minutes East, for a distance of 227.35 feet to a point marked by iron stake, adjacent said county road and Lake Murray Project Boundary Line; thence turning and running South Thirty One degrees Twenty Three minutes West for a distance of 63.78 feet, to a point adjacent Lake Murray Project Boundary Line; thence turning and running South Twenty degrees Twenty minutes West for a distance of 84.70 feet to a point adjacent Lake Murray Project Boundary Line; thence turning and running South Twenty Three degrees Twenty Eight Minutes West for a distance of 79.20 feet to a point adjacent of Lake Murray Project Boundary Line; thence turning and running South Forty degrees Fifty two minutes West for a distance of 93.90 feet to a point adjacent of Lake Murray Project Boundary Line; thence turning and running North Forty degrees Twenty Eight minutes West for a distance of 110.10' to a point adjacent Lake Murray Project Boundary Line; thence turning and running North Sixty Five degrees Eleven minutes West for a distance of 118.30 feet to a point adjacent Lake Murray Project Boundary Line; thence turning and running South Thirteen degrees Fifty two minutes East for a distance of 25.13 feet to the point of beginning, all of which more fully appear by reference to a certain plat of said property prepared for John Adam Meetze Estate, dated May 31, 1994, by Glenn Associates Land Surveying which plat is recorded in the office of the clerk of court for Richland County in Plat book Y page 9311.

# CASE 04-56 MA

## Minor PDD Amendment

TMS# 02408-03-16

301 Shadowood Road



# Attachment B Case 04-56 MA

PROJECT No. 04005

## SITE AND LANDSCAPING PLAN

PREPARED FOR  
**AGNEW LAKE SERVICES**  
NEAR BALLANTINE, IRVING COUNTY, BUTTE CALIFORNIA

DATE: APRIL 28, 2004 | SCALE: 1" = 30' | SHEET C1 OF 1

- NOTES:**
1. MATERIALS SHOWN ON THIS PLAN ARE SUBJECT TO THE APPROVED PDD PLAN.
  2. ALL MATERIALS SHALL BE SUBMITTED TO THE COUNTY ENGINEER FOR APPROVAL.
  3. ALL MATERIALS SHALL BE SUBMITTED TO THE COUNTY ENGINEER FOR APPROVAL.
  4. ALL MATERIALS SHALL BE SUBMITTED TO THE COUNTY ENGINEER FOR APPROVAL.
  5. ALL MATERIALS SHALL BE SUBMITTED TO THE COUNTY ENGINEER FOR APPROVAL.
  6. ALL MATERIALS SHALL BE SUBMITTED TO THE COUNTY ENGINEER FOR APPROVAL.
  7. ALL MATERIALS SHALL BE SUBMITTED TO THE COUNTY ENGINEER FOR APPROVAL.
  8. ALL MATERIALS SHALL BE SUBMITTED TO THE COUNTY ENGINEER FOR APPROVAL.
  9. ALL MATERIALS SHALL BE SUBMITTED TO THE COUNTY ENGINEER FOR APPROVAL.
  10. ALL MATERIALS SHALL BE SUBMITTED TO THE COUNTY ENGINEER FOR APPROVAL.

- LANDSCAPING NOTES:**
1. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROVED PDD PLAN.
  2. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROVED PDD PLAN.
  3. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROVED PDD PLAN.
  4. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROVED PDD PLAN.
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  8. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROVED PDD PLAN.
  9. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROVED PDD PLAN.
  10. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROVED PDD PLAN.

SYMBOL	PLANT SCHEDULE	NAME	SIZE (INCH)	SPACING	
●	A	6 EA.	WILLOW OAK	2-1/2' CAL.	AS SHOWN

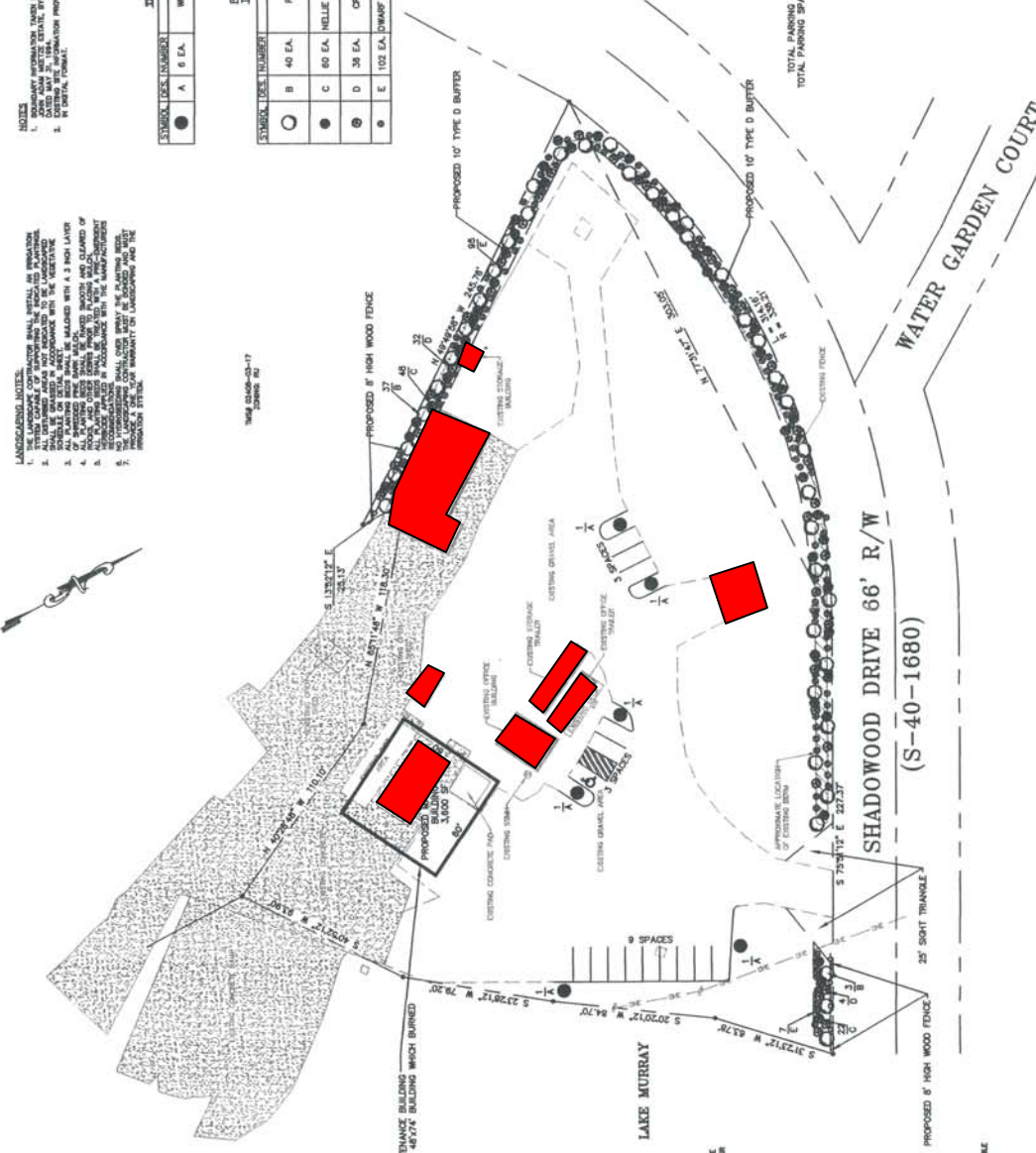
SYMBOL	PLANT SCHEDULE	NAME	SIZE (INCH)	SPACING	
○	B	40 EA.	RED MAPLE	2' CAL.	AS SHOWN
●	C	60 EA.	NELIE STEVENS HOLLY	1' CAL.	AS SHOWN
○	D	38 EA.	ORANGE NUTTLE (NANA-3125)	1' CAL.	AS SHOWN
●	E	102 EA.	DWARF BURFORD HOLLY	3' INT.	AS SHOWN

**PARKING SUMMARY**

TOTAL PARKING SPACES (TOTAL) = 457 SPACES @ 1 SPACE/100 SF  
 TOTAL PARKING SPACES (TOTAL) = 457 SPACES @ 1 SPACE/100 SF  
 TOTAL SPACES (TOTAL) = 457 SPACES @ 1 SPACE/100 SF  
 TOTAL SPACES (TOTAL) = 457 SPACES @ 1 SPACE/100 SF

**LOT SUMMARY**

AREA = 2.18 ACRES  
 THE 0.0000-0.1000 ACRES



**LEGEND:**

STRUCTURES BUILT NOT IN ACCORDANCE TO THE APPROVED PDD PLAN

VICINITY MAP  
SCALE: 1" = 1,000 FEET

**NOTE:**  
ALL PARKING LOTS TO BE LOCATED IN EXISTING GRAVEL AREAS, NO LAND DISTURBANCE REQUIRED FOR PARKING LOTS.

**CONTROLLED CLEARING OPERATIONS:**  
ALL CLEARING OPERATIONS SHALL BE PERFORMED AND THAT TO THE BEST OF MY KNOWLEDGE THERE ARE NO HAZARDOUS MATERIALS OR OTHER OBSTACLES TO BE REMOVED OR DELETED IN CONNECTION WITH THE PROJECT.

**CONTRACTOR'S OBLIGATION:**  
THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES TO REMAIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES TO REMAIN.

**LANDSCAPE-OWNER AGREEMENT:**  
THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES TO REMAIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES TO REMAIN.

**LANDSCAPE OPERATIONS:**  
ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROVED PDD PLAN. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROVED PDD PLAN.



10718 WILSON RD., P.O. BOX 668 - BALLANTINE, CA 95916  
 (916) 714-9888 OFFICE - (916) 714-9888 FAX

REVISIONS

NO.	DATE	DESCRIPTION





**RICHLAND COUNTY PLANNING &  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING COMMISSION MAP AMENDMENT STAFF REPORT**

June 7, 2004

<b>RC Project # 04-57 MA</b>	<b>Applicant:</b> Brokers Realty
<b>General Location:</b> Southwest corner of Two Notch Road & Vallenga Road	
<b>Tax Map Number:</b> 29004-02-01/02	<b>Subject Area:</b> 3.34 ac MOL
<b>Current Parcel Zoning:</b> C-3	<b>Proposed Parcel Zoning:</b> M-1
<b>Proposed Use:</b> Body shop	<b>PC Sign Posting Date:</b> May 6, 2004

**SECTION I ANALYSIS**

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. Specifically, the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments (*to the Zoning Ordinance*) shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

- a) The need and justification for the changes.
- b) The effect of the change, if any, on the property and on surrounding properties.
- c) The amount of land in the general area having the same classification as that requested.
- d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance (*the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Policies of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. **Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning.**

**Applicant’s Factual Justification For Proposed Change**

For the establishment of a body shop on lot 1

**Compatibility With Existing Development in the Area**

	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>Subject Parcel</b>	C-3	Mostly cleared vacant land
<b>Adjacent North</b>	RU	Undeveloped/vacant land and trailer park
<b>Adjacent East</b>	RU	Abandoned mobile home/shed, undeveloped woodlands and single family residences across Vallenga Road
<b>Adjacent South</b>	RU	Undeveloped/vacant land
<b>Adjacent West</b>	RU	Two vacant commercial buildings

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

<b><u>Existing C-3 Zoning Designation Intent</u></b> Intended to accommodate a wide variety of general commercial and nonresidential uses characterized by retail, office, and service establishments and oriented primarily to major traffic arteries	<b><u>Proposed M-1 Zoning Designation Intent</u></b> Intended to accommodate wholesaling, distribution, storage, processing, light manufacturing, and general commercial or agricultural uses
<b><u>Existing C-3 Zoning Permitted Uses</u></b> Retail, service, repair, & personal services Offices, studios, & financial institutions Eating and drinking establishments Wholesale/Distribution uses < 8000 sq. ft. Private clubs, lodges and the like Automobile service stations Places of worship Enclosed recycle collections & transfer uses	<b><u>Proposed M-1 Zoning Permitted Uses</u></b> Wholesaling, warehousing, storage, supply, and distribution Light manufacturing and processing Outdoor storage lots and yards Service and repair establishments Truck terminals, freight terminals, and passenger terminals Parking lots and parking garages

The land uses above represent a summary of the permitted uses in Chapter 26-67 and Chapter 26-68, respectively of the County Code. Some Special Exception uses are also possible.

The site is surrounded by undeveloped woodlands or vacant property to the north and south. Single family residences are located to the east across Vallenga Road with a trailer park to the northeast of the site across Vallenga Road. Two vacant commercial/industrial buildings and undeveloped land are located to the west across Two Notch Road. The proposed Amendment is not compatible with the adjacent residential area.

**Traffic Impact Discussion**

**In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume.** This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Two Notch Road (Hwy. 1)	
Functional Classification Of This Roadway	Two lane undivided collector	
<b>Level-Of-Service C Design Capacity (V/C = 1.00)</b>	<b>8600</b>	
Estimated Traffic Generated By The Proposed Project	118	
Current Volume At The Nearest Count Station #119 Located @east of site on Two Notch Road	9100	
Estimated Traffic Count <b>With</b> the Proposed Project	9218	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>1.1</b>	

Notes:

- The estimated traffic generated by the proposed project does not take into account any additional development on lot two or the remainder of lot one.
- The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.
- The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6<sup>th</sup> Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use.
- The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**
- The estimated project traffic is calculated by multiplying the generation rate for an Automobile Care Center business (page 1432 of the TGM) times an average square footage of the use.



The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity.

### **Fire Service Impacts**

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 4 mile radius of a fire station.

### **Relationship To Comprehensive Plan**

In order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8]

It is the Department's position that state statutes require proposed Zoning Map Amendments to be consistent with the land use designation on the Northeast Subarea Plan's Proposed Land Use Map (Map). Specifically, Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." Therefore, it is the Department's interpretation that **if either the existing, or proposed zoning, is not consistent with the land use designation on the Map, the Map should be amended** through the statutory comprehensive plan amendment process in order to ensure compliance with Section 6-29-720 (B), SC Code of Laws.

The Proposed Land Use Element Map (Map) of the Northeast Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates the subject area as Medium Density Residential in an Established Urban Area. It is the Department's position that the proposed Zoning Map Amendment **is not consistent** with this land use designation.

The **existing C-3 zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be RS-2, RS-3 or RG-1 to be consistent with the Medium Density Residential land use designation.

The **proposed M-1 zoning is NOT consistent** with the Map designation as required by state statutes. The zoning should be RS-2, RS-3 or RG-1 to be consistent with the Medium Density Residential land use designation.

The Northeast Subarea Plan, adopted in March 1995, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 30 and 36 respectively, are discussed below:

Objective – Types and sites of employment and service activities should be located to complement neighborhoods and minimize adverse effects of noise, pollution, glare and traffic on residential areas.

The majority of development surrounding the site consists of residential development. The proposed use and light industrial zoning would not complement the character of the existing residential neighborhood. The proposed Amendment **does not implement** this Objective.

Principle – In general, industrial activities should be confined to areas identified on the map.

The subject site is designated Medium Density Residential on the Map. The proposed Amendment **does not implement** this Principle.

### **Other Relevant Issues**

The subject site, as well as lot number five and Tax Map parcels 29003-01-02/03/04/06 were rezoned from RU to C-3 via Zoning Map Amendment case number 93-043 MA in 1993. The two subject lots have yet to be developed.

Currently, two commercial buildings exist directly across Two Notch Road. One is a vacant welding shop and the other is a vacant metal commercial building. These two businesses are located in a RU zoning district and were allowed by a Special Exception in 1997 via case 97-013 SE. Both buildings are vacant and currently for rent.

The fact that the proposed subject lots have remained undeveloped for more than 10 years after rezoning suggests that there is little, if any, need for even the existing C-3 zoning on the subject site, let alone the proposed industrial zoning. The applicant could establish a body shop in the parcels across Two Notch Road from the subject site without the need to rezone the site to M-1.

## **SECTION II STAFF RECOMMENDATION**

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 04-57 MA **not be changed** from C-3 to M-1.

### **Findings of Fact:**

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment **is not compatible** with the adjacent existing land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Two Notch Road at this location is currently being exceeded.
4. The proposed Amendment **is not consistent** with Proposed Land Use Map designation in the Northeast Subarea Plan.
5. The proposed Zoning Map Amendment **is not consistent** with the Objectives and Principles of the Northeast Subarea Plan discussed herein.
6. In order to comply with the requirements of Section 6-29-540, SC Code of Laws, the Proposed Land Use Map for this portion of the Northeast Subarea Plan should be amended, via the formal land use ordinance adoption process, to change the land use designation for the subject site to a residential zoned district.

7. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

<b>SECTION III PLANNING COMMISSION ACTION</b>
---

Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

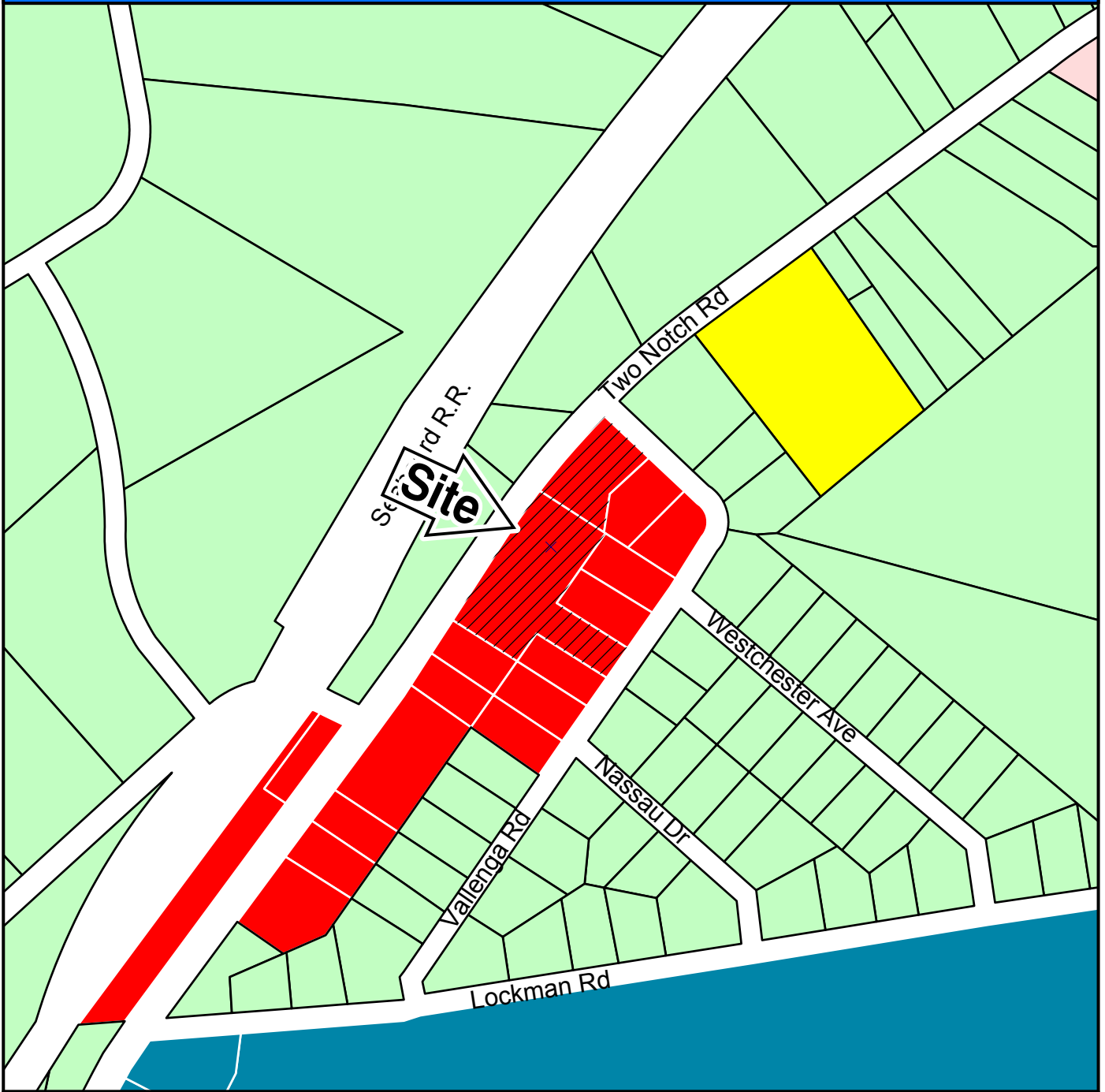
At their meeting of June 7, 2004, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-57 MA at the next available opportunity.

**Commission Findings of Fact/Recommendations**




















(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 04-57 MA, the Planning Commission made the findings of fact summarized below:

# CASE 04-57 MA C-3 to M-1



## ZONING CLASSIFICATIONS

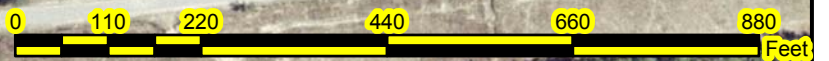
 C-1	 D-1	 MH-1	 PDD	 RG-2	 RS-2
 C-2	 M-1	 MH-2	 PUD	 RR	 RS-3
 C-3	 M-2	 MH-3	 RG-1	 RS-1	 RU
					 SUBJECT





**CASE 04-57 MA**  
**C-3 to M-1**  
**TMS 29004-02-01/02**

**Site**





# CASE 04-57 MA FROM C-3 to M-1

TMS# 29004-02-01/02 Corner of Two Notch & Vallenga Rds.



Exhibit A  
**Case 04-57 MA**

**Legal Description of Property to be rezoned in Casa Loma Estates**

We request a zoning of M-1 for the following parcels:

ALL THAT CERTAIN PIECE, PARCEL OR LOT of land, together with improvements thereon, if any, situate, lying and being located in the County of Richland, State of South Carolina, being shown and delineated as Lots 1, 30, 31, 32, 33 of Block A Casa Lorna on a Plat of Casa Loma Subdivision, recorded in the office of the RMC for Richland County in Plat Book 12, page 57. Aforesaid plat is specifically incorporated herein and reference is made thereto for a more complete and accurate description of the metes, bounds, courses and distances of the property concerned herein. Be all measurements a little more or less.

This being a portion of the same property conveyed unto the Grantor herein by Deed from Jimmie D. Roberts and Clara M. Roberts dated April 26, 1996 and recorded July 31, 1996 in the Office of the RMC for Richland County in Deed Book D1330 at Page 160.

**RICHLAND COUNTY PLANNING &  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING COMMISSION MAP AMENDMENT STAFF REPORT**

June 7, 2004

<b>RC Project # 04-58 MA</b>	<b>Applicant:</b> Landev Investments
<b>General Location:</b> Longtown Road West beside and behind Plantation Tennis & Swim Club	
<b>Tax Map Number:</b> 17613-02-08 (p)	<b>Subject Area:</b> 21.57 ac MOL
<b>Current Parcel Zoning:</b> D-1	<b>Proposed Parcel Zoning:</b> RG-2
<b>Proposed Use:</b> Multi-family residential	<b>PC Sign Posting Date:</b> May 17, 2004

**SECTION I ANALYSIS**

Section 6-29-540, SC Code of Laws requires the Planning Commission to analyze "...the location, character and extent..." of a proposed amendment. Specifically, the Planning Commission must "...review and comment as to the compatibility of the proposal with the comprehensive plan..."

In addition, Chapter 26-402 of the Richland County Code of Ordinances states "...All proposed amendments (*to the Zoning Ordinance*) shall be submitted to the planning commission for study and recommendation..." The Planning Commission shall study such proposals to determine:

- a) The need and justification for the changes.
- b) The effect of the change, if any, on the property and on surrounding properties.
- c) The amount of land in the general area having the same classification as that requested.
- d) The relationship of the proposed amendments to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance (*the Zoning Ordinance*) and the comprehensive plan

This staff report analyzes the proposed amendment based on the criteria above and identifies of the estimated impact of the proposed project on transportation facilities and services. The appropriate Proposed Land Use Map, Goals, Objectives and Recommendations/Policies of the Comprehensive Plan and other relevant issues will also be presented. A zoning map, the appropriate graphics and other pertinent data are found at the end of this document.

The existing zoning is presumed to be an accurate reflection of the County's desired development for the area and the subject site. **Therefore, the burden of proof is on the applicant to provide facts justifying the need to change the existing zoning.**



**Applicant’s Factual Justification For Proposed Change**

For the establishment of multi-family residential dwelling units

**Compatibility With Existing Development in the Area**

	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>Subject Parcel</b>	D-1	Undeveloped woodlands
<b>Adjacent North</b>	D-1	Plantation Tennis & Swim Club
<b>Adjacent East</b>	D-1	Estate size single family residences
<b>Adjacent South</b>	PUD	Longtown Estates (Mungo Development) Proposed single family residences
<b>Adjacent West</b>	PUD	Longtown Estates (Mungo Development) Proposed single family residences

Part of the determination regarding the compatibility of the proposed project with the surrounding area is a comparison of the existing permitted uses with the uses permitted under the proposed zoning district. The table below summarizes this comparison.

<p><b><u>D-1 Zoning Designation Intent</u></b>                      Intended to provide for large tracts of land located primarily on the fringe of urban growth where the predominant character of urban development has not yet been fully established, but where the current characteristics of use are predominantly residential, agricultural, or semi-developed, with scattered related uses.</p>	<p><b><u>Proposed RG-2 Zoning Designation Intent</u></b>                      Intended as medium and high density residential areas permitting progressively higher population densities, characterized by single family detached, two family detached, multiple family structures, garden-type apartments, and high rise apartments</p>
<p><b><u>Existing D-1 Zoning Permitted Uses</u></b>                      Agriculture, horticulture, animal husbandry, forestry                      Single family detached dwellings                      Parks, playgrounds, playfields                      Places of worship                      Elementary schools and high schools</p>	<p><b><u>Proposed RG-2 Zoning Permitted Uses</u></b>                      Single family detached dwellings                      Two family detached dwellings                      Multiple family dwellings                      Cluster housing developments                      Parallel zero lot line dwelling units                      Common zero lot line dwelling units</p>

The land uses above represent a summary of the permitted uses in Chapter 26-62 and Chapter 26-64, respectively of the County Code. Some Special Exception uses are also possible.

The site is bounded by proposed single family residences to the west and south and existing estate size single family residences to the east. The Plantation Tennis and Swim Club is located to the north. The site is not compatible with the existing and proposed land uses.

**Traffic Impact Discussion**

**In the absence of a traffic study prepared in conformance with recognized standards of professional practice, the analysis below provides a reasonable estimate of the proposed project’s impact on the identified roadway’s traffic volume.** This analysis uses the volume-to-capacity (V/C) ratio system because the long-range transportation planning process uses V/C ratios to determine road improvement priorities.

Traffic engineers design roads to meet a V/C ratio of 1.0, or the actual volume of traffic on the road equals the volume of traffic for which the road was designed. **As traffic increases on a roadway, the V/C increases and the level-of-service decreases.** Level-of-service is expressed as LOS C, D, E, or F. The V/C ratios for these level-of-service are shown below:

LOS C = V/C ratio of 1.00, or less	LOS D = V/C ratio of 1.01 to 1.15
LOS E = V/C ratio of 1.16 to 1.34	LOS F = V/C ratio of 1.35, or greater

The estimate of the proposed project’s effect on the traffic conditions of the roadway from which it gets its access is calculated below. The current fiscal reality is that completion of Clemson Road to I-77 is the only Richland County capacity improvement project funded through June 2007. Furthermore, only roadways with V/C ratios of 1.35, or greater, are likely to be funded for improvement in the CMCOG Long Range Improvement Plan.

Proposed Project Gets Its Principal Access From	Longtown Road via Longtown West Rd.	
Functional Classification Of This Roadway	Two lane undivided collector	
<b>Level-Of-Service C Design Capacity (V/C = 1.00)</b>	<b>8600</b>	
Estimated Traffic Generated By The Proposed Project	1604	
Current Volume At The Nearest Count Station # 178 Located @ southeast of site on Longtown Road	4000	
Estimated Traffic Count <b>With</b> the Proposed Project	5604	
Volume-To-Capacity Ratio <b>With</b> The Proposed Project	<b>0.65</b>	

Notes:

The functional classification of the roadway is taken from the Richland County Long Range Major Street Plan, adopted in October 1993 as part of the regional traffic planning process.

The estimated project traffic is determined by applying the traffic generation rates presented on pages 9 through 11 of the Addendum To The Long Range Major Street Plan for Richland County, October 1993, or the 6<sup>th</sup> Edition of the Institute of Traffic Engineers Traffic Generation Manual (TGM), whichever is most appropriate for the requested use.

The current traffic counts were received from SCDOT on May 23, 2003 and represent the Annual Average Daily Trips in 2002, i.e. **they are already more than one year old.**

The estimated project traffic is calculated by multiplying the generation rate for a Low Rise Apartment found on page 9 of the Addendum To The Long Range Major Street Plan for Richland County times the number of allowable units based on total acreage minus 35% for infrastructure. This does not take into account the possibility of additional units due to multi-level buildings.

The volume-to-capacity ratio with the proposed project is the current traffic count plus the estimated traffic generated divided by the LOS C design capacity

The proposed project would not result in the LOS C design capacity of Longtown Road being exceeded. However, it does not take into account the recently approved development directly to the north on Longtown West that is estimated to generate approximately 3943 daily trips or the traffic impact as residents begin to occupy the 2000+ unit Villages at Longtown Development. Including the aforementioned project (not including the “Villages”), the LOS C design capacity of Longtown Road **will be increased** to a LOS D design capacity with a volume to capacity ratio of **1.11**.

### **Fire Service Impacts**

The information provided below is strictly based on the estimated aerial distance, **not road miles**, from the nearest fire station. Without data that is not currently available, it is not possible to determine an estimated response time. The proposed project is located within a 3 mile radius of a fire station.

### **Relationship To Comprehensive Plan**

In order to comply with the requirements of Chapter 6-29-540, SC Code of Laws, it is necessary to evaluate the proposed zoning amendment based on the guidance provided in the Imagine Richland 2020 Comprehensive Plan, (Ordinance # 013-99HR, adopted May 3, 1999 and codified as Section 20-21 of the Richland County Code of Ordinances) hereinafter referred to as the Plan. Specifically, the Plan states "...It adopts by reference and carries forth the Future Land Use Maps and Principles of the existing Richland County Subarea Plans as an interim, transitional Plan, subject to future evaluation for consistency with the long-range vision..." [Plan, pg. 4-8]

Section 6-29-710, SC Code of Laws states "...The regulations (*i.e., zoning and other land development regulations*) must be made in accordance with the comprehensive plan for the jurisdiction and be made with a view to promoting the purposes set forth in this chapter..." The Department interprets this provision to mean that **if either the existing, or proposed zoning, is not consistent with the land use designation on the Map, the Map should be amended** through the statutory comprehensive plan amendment process.

The Proposed Land Use Element Map (Map) of the I-77 Corridor Subarea Plan was amended on May 3, 1999 as part of the Plan adoption process. The Map designates most of the subject area as High Density Residential in a Developing Urban District. The proposed Zoning Map Amendment **is consistent** with the High Density Residential land use designation.

The existing D-1 zoning is NOT consistent with the Map designation as required by state statutes. The zoning should be RS-2, RS-3, RG-1, RG-2, PUD or PDD to be consistent with the High Density land use designation.

The I-77 Corridor Subarea Plan, adopted in April 1994, contains policy guidance for evaluating proposed development projects, such as the subject Zoning Map Amendment. The relevant Objectives and Principles, found on pages 31 and 39 respectively, are discussed below:

Objective – Attract quality residential development in the area by restricting uses which would compromise the area’s residential qualities.

The site is surrounded by proposed single family residences and existing estate size single family residences. The proposed multi-family project would be located adjacent to the existing and proposed single family dwellings. The proposed Amendment **does not implement** this Objective.

Principle – Mixed residential densities are appropriate within the Developing Urban Area and should conform to the Proposed Land Use Map. Compatible zoning classifications by density are recommended as follows:

A. High Density (9 dwellings/acre or greater) : RS-3, RG-1, RG-2, PUD-1, PUD-2 & PDD.

The proposed multi family development will consist of a minimum of 243 units, approximately 15 DU/acre. The site is approximately split between designations of High and Medium Density Residential. The proposed Amendment **does not implement** the portion of the Principle regarding Medium Density Residential. The proposed Amendment **does implement** the portion of the Principle regarding High Density Residential.

### **Other Relevant Issues**

None

## **SECTION II STAFF RECOMMENDATION**

Based on the findings of fact described above and summarized below, the Planning and Development Services Department (PDSD) recommends the Official Zoning Map designation for the parcels included in Project # 04-58 MA **not be changed** from D-1 to RG-2.

### **Findings of Fact:**

1. The applicant has not provided sufficient factual information to justify a need to change the existing zoning map designation on the subject parcel.
2. The proposed Amendment is **not compatible** with the adjacent existing and proposed land uses.
3. The traffic analysis shows that the LOS C traffic capacity of Longtown Road at this location **will not be exceeded at this time.**
4. The proposed Amendment **is consistent with the Proposed Land Use Map** designation in the I-77 Corridor Subarea Plan.
5. The proposed Zoning Map Amendment **is not consistent** with the Objectives of the I-77 Corridor Subarea Plan discussed herein.



6. The proposed Zoning Map Amendment **is not consistent** with the portion of the Principle of the I-77 Corridor Subarea Plan discussed herein.
7. In order to comply with the requirements of Section 6-29-540, SC Code of Laws, the Proposed Land Use Map for this portion of the I-77 Corridor Subarea Plan should be amended, via the formal land use ordinance adoption process, to change the land use designation for the subject site to a High Density Residential zoned district.
8. If the proposed Zoning Map Amendment fails, the subject property may continue to be used by any existing permitted uses identified on page 2 of this Report.

<b>SECTION III PLANNING COMMISSION ACTION</b>
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Pursuant to Article IV of the Planning Commission Rules of Procedure, the applicant, the Department, or a Commission member voting on the prevailing side of a decision, may request reconsideration of a Commission's decision provided such written request is received by the Department within 14 days of the Commission's action **and** the Commission finds that:

- (a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; **or**
- (b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to State or County regulations; **or**
- (c) A clerical or map error is such that it may affect the result of the Commission's action.

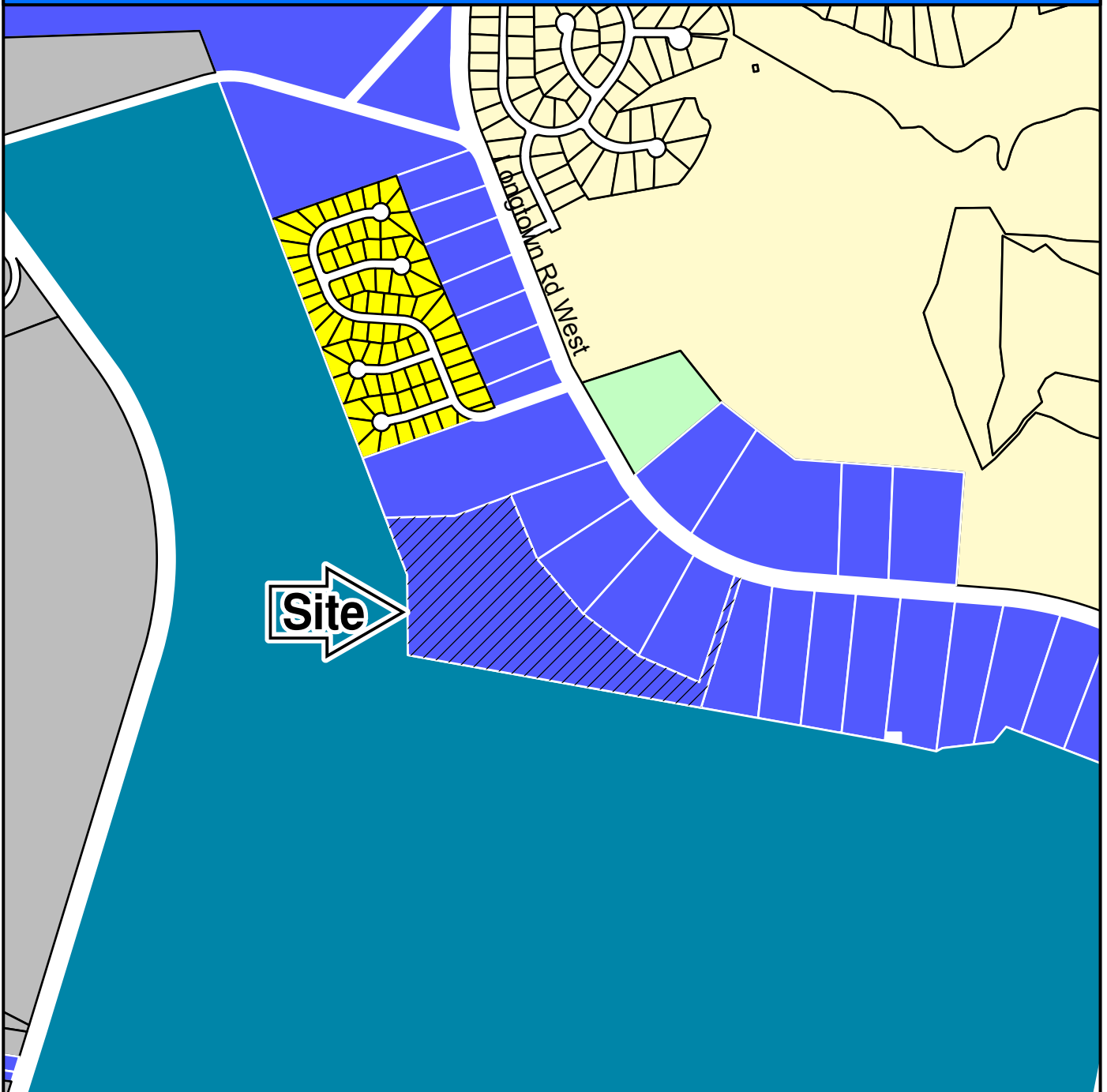
At their meeting of June 7, 2004, the Richland County Planning Commission agreed (did not agree) with the PDSO recommendation and, based on the findings of fact summarized above, recommends the County Council initiate the ordinance consideration process (deny the proposed Amendment) for RC Project # 04-58 MA at the next available opportunity.

**Commission Findings of Fact/Recommendations**




















(If the Planning Commission does not agree with the Department's recommendation and/or findings of fact, the reasons for the decision must be clearly stated for the public record.)

In consideration of the proposed Zoning Map Amendment # 04-58 MA, the Planning Commission made the findings of fact summarized below:

# CASE 04-58 MA D-1 to RG-2



## ZONING CLASSIFICATIONS

 C-1	 D-1	 MH-1	 PDD	 RG-2	 RS-2
 C-2	 M-1	 MH-2	 PUD	 RR	 RS-3
 C-3	 M-2	 MH-3	 RG-1	 RS-1	 RU
					 SUBJECT





**CASE 04-58 MA**  
**D-1 to RG-2**  
**TMS 17613-02-08 (p)**

**Site** →





# CASE 04-58 MA FROM D-1 to RG-2

TMS# 17613-02-08 (p) Longtown Rd. West Behind the Tennis Center



Looking at site from Tennis Center swimming pool



Looking at site from Longtown Rd. West




Exhibit A  
**Case 04-58 MA**

**Legal Description of The Racket Club at Long Creek**

We request a zoning of RG- 2 for the following parcel:

“All that certain piece, parcel or tract of land, together with any improvements thereon, situate lying and being in the Long Creek subdivision of the County of Richland and State of South Carolina containing 21.457 acres and being described as follows: Commencing on a pin located at the right of way of the southern boundary of Longtown Road West, a state road, and running in a southerly direction for a distance of approximately 550 feet, as shown on a sketch as herein referred to and thence running in a westerly direction for a distance of 369.35 feet, thence turning in a more northwesterly direction and running for a distance of approximately 384.21 feet, thence turning and running again in a more northwesterly direction for a distance of approximately 371.84 feet, thence turning and running in a more north westerly direction for a distance of 390.45 feet, thence turning in a westerly direction for a distance of 301.41 feet, and then turning in a more northwesterly direction for a distance of 331.65 feet to the property line of Brickyard-Longtown, LLC, thence turning in a southerly direction for a distance of 712.61 feet along the Brickyard-Longtown, LLC, boundary line, thence turning in a easterly direction for a distance of 978.68 feet, thence turning in a northerly direction for a distance of 685.56 feet to the southern boundary of Longtown Rd. West and thence turning in a westerly direction for a distance of 50 feet along the Longtown Road West southern right of way line to the point of beginning. This being the same tract of land shaded and referenced on a sketch plan provided by American Engineering Consultants, Inc., and dated 5/3/04. Said sketch is attached hereto.”

**RICHLAND COUNTY, SOUTH CAROLINA  
PLANNING & DEVELOPMENT SERVICES DEPARTMENT  
Development Services Division Memo**

**TO:** Planning Commission Members  
**FROM:** Carl D. Gosline, AICP, Land Development Administrator   
**DATE:** May 25, 2004  
**RE:** Subdivision and Street Name Approval

**Background**

Section 6-29-1200 (A), SC Code of Laws requires the Planning Commission to approve street names. Specifically, the statute 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 attached list of proposed street/road names has been certified by Alfreda Tindal, Richland County E-911 Addressing Coordinator, as being in compliance with the E-911 system requirements. A list of proposed subdivision names is included for your information.

**Action Requested**


The Department recommends the Commission approve the attached street/road name list. The subdivision names are for information only. No Commission action is necessary.

<b>PROPOSED STREET NAMES</b>	<b>GENERAL LOCATION</b>
Cubbing Court	Foxport S/D – Three Dog Road
Rustyred Court	Foxport S/D – Three Dog Road
Redbush Court	Foxport S/D – Three Dog Road
Foxstone Drive	Foxport S/D – Three Dog Road
Foxstone Lane	Foxport S/D – Three Dog Road
Wild Indigo Drive	Sassafras S/D - Lee Rd & Hardscrabble Rd
Crossvine Court	Sassafras S/D - Lee Rd & Hardscrabble Rd
Ironweed Court	Sassafras S/D - Lee Rd & Hardscrabble Rd
Dulaney Blvd	Berkeley S/D – Lake Carolina
Dulaney Bend	Berkeley S/D – Lake Carolina
Dulaney Place	Berkeley S/D – Lake Carolina
Colby Collins Lane	Teague Park S/D – Teague Road
Barton Creek Court	Clemson Road Office park

<b>PROPOSED STREET NAMES</b>	<b>GENERAL LOCATION</b>
Kellwood Drive	Berkeley S/D – Lake Carolina
Zachary Lane	North Melton Road – Blythewood area

<b>APP'D SUBDIVISION NAMES</b>	<b>GENERAL LOCATION</b>
Deer Creek S/D	Future S/D for Gene Todd

**RICHLAND COUNTY, SOUTH CAROLINA  
PLANNING & DEVELOPMENT SERVICES DEPARTMENT  
Land Development Division Memo**

**TO:** Planning Commission Members; Interested Parties  
**FROM:** Carl D. Gosline, AICP, Subdivision Administrator   
**DATE:** May 25, 2004  
**RE:** Proposed Changes in the Planning Commission's Rules of Procedure

The Department proposes the changes to the Rules of Procedure described herein. Changes to the current language are shown in ~~striketrough~~ format. The proposed new language is shown in underline and shading format.

The Department believes changes are necessary to clarify the provisions regarding the process to withdraw, or defer, Commission consideration of a project. Changes are necessary to clarify the Zoning Administrator's authority and responsibilities to be in compliance with state law and practice and the Zoning Ordinance.

Another major concern of the Department is to have a more direct link between the Department's enforcement responsibilities for various portions of the County Code and the appropriate development permit approval processes. Many communities have established the practice of not considering zoning or subdivision applications if there are existing County Code violations on the subject site.

The rationale for this policy is to stop the practice "forgiveness is cheaper than compliance". Reasonable time delays prior to Commission consideration of a project can be a very effective enforcement tool.





**RICHLAND COUNTY, SOUTH CAROLINA**  
**PLANNING COMMISSION RULES OF PROCEDURE**

**ARTICLE I – ORGANIZATION**

Section 1 – Membership

The Commission shall consist of nine members appointed by the County Council for staggered four-year terms. The County Council may remove a member prior to expiration of his/her term for cause.

Section 2 – Officers

The officers of the Commission shall be a Chairman, Vice-Chairman and Secretary elected for one-year terms at the first meeting of the Commission each calendar year.

Section 3 - Chairman

The Chairman shall be a voting member of the Commission and shall:

- a) Call meetings of the Commission; and
- b) Preside at meetings and hearings; and
- c) Act as spokesperson for the Commission; and
- d) Sign documents for the Commission; and
- e) Perform other duties as determined by the Commission and state or County law.

Section 4 – Vice-Chairman

The Vice-Chairman shall exercise the duties of the Chairman in the absence, disability or disqualification of the Chairman. In the absence of the Chairman and Vice-Chairman, an acting Chairman shall be appointed by the members present.

Section 5 - Secretary

The Secretary shall coordinate with the Department to ensure that:

- a) Adequate public notice of the meetings is provided; and
- b) Proper public record of the meetings is made; and
- c) Minutes of the meetings are produced in a timely manner; and
- d) Other such duties as may be periodically requested by the Commission are completed.

### Section 6 – Removal of Officers

Commission officers may be removed for cause from office prior to the expiration of their term by majority vote of the Commission membership.

## **ARTICLE II – FUNCTIONS, DUTIES AND POWERS**

### Section 1 – Authority

The Planning Commission shall have the general powers, duties and responsibilities as proscribed by Section 6-29, et seq., SC Code of Laws.

### Section 2 – Functions, Duties and Power

The function of the Planning Commission is to undertake a continuing planning program for the physical, social, and economic growth, development and redevelopment of the unincorporated area of the County. The Commission shall have the powers and duties generally proscribed by state law, including but not be limited to, the following:

- a) Prepare and periodically revise the plans and programs for the development and redevelopment of the unincorporated portion of the County; and
- b) Recommend for adoption by the County Council the measures and techniques to implement the plans for development and/or redevelopment, including but not limited to, zoning regulations, subdivision regulations, other types of land development regulations, landscape regulations, an official road/highway map and/or a capital improvement program; and
- c) Complete a review and prepare recommendations for any modifications to the Comprehensive Plan for County Council consideration no later than February 2004 and no later than every five years thereafter; and
- d) Review and recommend any modifications that may be necessary to any regulations concerning the development of land within the unincorporated area to the County Council; and
- e) Review and recommend approval, or denial, of any request for change to the County's Official Zoning Map for County Council consideration; and
- f) Review and approve, modify or deny certain subdivision projects as proscribed by the County Code of Ordinances; and
- g) Consider appeals of Department decisions regarding plats and certain other matters delegated to it by the County Code of Ordinances; and
- h) Consider any matters referred to it by the County Council within such time period as may be specified by the Council.

### Section 3 – Application Processes

In addition to the specific application processes proscribed by state, or County law, the Planning Commission shall require the following:

- a) Applicants shall demonstrate that they have had, or been afforded the opportunity to have, a pre-application conference with the appropriate Department staff prior to submitting an application; and
- b) All Zoning Map amendment ~~and subdivision application~~ packages shall, at a minimum include a metes and bounds legal description and, if necessary to clearly identify the subject site or portion thereof, a recent plat of the subject property with the area to be considered clearly marked and delineated; and
- c) All documents to be reviewed by the Planning Commission and the Department shall be signed and sealed by the appropriate professional SC licensed person; and
- d) Incomplete applications shall not be processed by the Department, or scheduled for Commission consideration, until all the required documents, exhibits, etc are submitted, the proper forms completely filled out and the relevant non-refundable fees paid.
- e) When existing violations of the County Code are present on a subject site, the Planning Commission may, at a regularly scheduled meeting, delay consideration of the subject project for up to 90 days.

### Section 4 – Application Deadlines

Only complete application packages received by prior to the first day of the month shall be scheduled for the following month's Commission meeting.

### Section 5 – Ex Parte Communication

Since some matters considered by the Commission are quasi-judicial, the Commission members should avoid discussing agenda items with anyone outside of its public meeting.

## **ARTICLE III – MEETINGS**

### Section 1 – Time and Place

An annual schedule of regular meetings shall be adopted, published and posted at the Department Richland County Planning and Development Services in December of each year. Special meetings may be called by the Chairman with no less than 7 days notice, posted and transmitted to all members and local news media. Meetings shall be held at the time and place stated in the notices, unless a room conflict occurs, and shall be open to the public. If a room conflict occurs, the new place of the meeting will be clearly identified for interested parties.



## Section 2 – Agenda

No items may be added to the agenda ~~after 14 days prior to the meeting~~ after the agenda has been advertised, except the Commission may add only those items not governed by the Freedom of Information Act to the agenda upon a majority vote of the quorum present. A tie vote fails.

## Section 3 – Quorum

A majority of the members of the Commission shall constitute a quorum. A quorum shall be present before any business requiring a vote, other than rescheduling the meeting, is conducted.

## Section 4 – Rules of Order

Robert's Rules of Order shall govern the conduct of meetings, except as otherwise provided by these Rules of Procedure.

## Section 5 – Voting

- a) A member must be present to vote.
- b) Each member shall vote on every motion, unless ~~disqualified~~ recused as described below.
- c) All actions requiring a vote by the Commission shall require a majority vote, but no less than four votes of the quorum present, to pass and shall be done in public view.
- d) A tie vote shall mean the motion fails.

## Section 6 – Conflict of Interest

Pursuant to the requirements of Section 8-13-700, SC Code of Laws, each member who is required to take an action, or make a decision, that affects an economic interest of herself/himself, a member of his/her immediate family, an individual with whom he/she is associated, or a business with which she/he is associated shall:

- a) Complete the form provided by the Legal Department for this purpose describing the matter requiring action, or decisions, and the nature of the potential conflict of interest with respect to the subject action or decision; and
- b) She/he shall furnish a copy of the statement to the Commission Chairman, who shall:
  1. Require that the member be excused from any votes, deliberations and other actions on the matter on which the potential conflict of interest exists; and
  2. Cause the disqualification statement and the reasons for it to be printed in the minutes.

### Section 7 - Freedom of Information Act

The Commission, and the Department, are public bodies as defined by Section 30-4-20(a) SC Code of Laws (Freedom of Information Act) and shall conform to the requirements of thereof.

### Section 8 – Meeting Notification Procedures

The following procedures shall be followed regarding the notification of the Commission's meetings

- a) A written agenda shall be furnished by the Department to each member of the Commission, the applicant and the news media. The agenda shall be posted on the County's website and at the entrance to the County Council chambers at least 7 days prior to each regular or special meeting.
- b) The Department shall attempt to notify the applicant of the hearing date for consideration of his/her application, however applicants shall be responsible for remaining informed regarding the Commission's scheduled consideration of their project.
- c) All sites proposed for Commission consideration of Zoning Map Amendments shall be posted no less than ten days prior to the meeting with a sign in a conspicuous place on the nearest public road that, at a minimum, identifies the date, time and place of the meeting at which the matter will be considered.

### Section 9 – Staff Reports

The Department shall provide a written staff report and recommendation to the Commission for each matter on the meeting agenda not less than 7 days prior to the meeting at which the matter will be considered. Each applicant shall also receive a copy of the staff report for his/her agenda item prior to the Commission meeting.

### Section 10 – Procedure

The following procedure shall be employed during the Commission meeting:

- a) The Department staff shall summarize the written staff report and recommendation; and
- b) The applicant, and other such persons as the Chairman may recognize, will be provided an opportunity to make any statements regarding the subject agenda item; and
- c) Pursuant to the requirements of Section 6-29-760 (B) of the SC Code of Laws, if an applicant for a zoning map amendment is allowed to speak, and/or present written testimony, a minimum of 10 days notice and the opportunity to speak shall be provided to any interested party; and
- d) The Chairman shall have the right to limit discussion on any agenda item, except that reasonable opportunity should be provided to all wishing to speak and that redundant comments should be minimized; and

- e) Upon completion of (d) above, the Chairman shall close the public discussion and open the discussion among the Commission members; and
- f) When the Commission discussion has concluded, the Chairman, or a Commission member, may call the question and the vote shall be taken in public.

### Section 11 – Executive Sessions

Subject to the requirements described below, the Commission may choose to go into an executive session, i.e., a private meeting off the public record:

- a) Pursuant to the requirements of Section 30-4-70 (2) SC, Code of Laws, any such executive session shall be limited to:
  1. Receipt of legal advice where the legal advice relates to a pending, threatened or potential claim or other matters covered by the attorney-client privilege; or
  2. Discussion of the Commission's position regarding adversarial situations involving a claim against the Commission; or
  3. Discussion of negotiations incident to proposed contractual arrangements.
- b) Before going into executive session, the Commission shall vote to go into session in public and if the vote is positive, the Chairman shall announce the specific purpose of the executive session.
- c) No action shall be taken in executive session except to adjourn and return to public session.
- d) Commission members shall not commit to any course of action nor poll the members regarding a proposed action.

### Section 12 - Attendance

Pursuant to the requirements of Chapter 2-238 of the Richland County Code of Ordinances, if a Commission member misses 5 out of 12 meetings, he/she shall automatically lose membership on the Commission and the position shall be declared vacant. In such an event, the Chairman shall notify the County Council Chairman in writing. The County Council may waive enforcement of this provision in the case of illness, death of a family member, court appearance, or other similar circumstances beyond the control of the appointee.

### Section 13 – Withdrawal and Deferral

~~An applicant may terminate Department, or Commission, action regarding an application for a project in one of the following ways:~~

- a) An applicant may withdraw consideration of an application by notifying the Zoning Administrator ~~Department~~ in writing any time no later than 14 days prior to the Commission's action on the subject project. The parcel containing a withdrawn project shall not be eligible for further consideration by the Commission for 90 days and shall be subject to the regulations and new application fees in place at the time the new application is filed.

- b) If an applicant wishes to withdraw consideration of any Planning Commission recommendation to the County Council, the applicant must notify the Zoning Administrator in writing within 7 days after the Commission's action or the matter will be scheduled for County Council action at its next available meeting. The parcel containing a withdrawn project shall not be eligible for further consideration by the Commission for 90 days and shall be subject to the regulations and new application fees in place at the time the new application is filed.
- c) The Zoning Administrator may withdraw Commission consideration of an application when it is found that the parcel, or structures thereon, have one, or more, violations of the portions of the County Code administered by the Department.

#### Section 14 – Deferral

- a) An applicant may request the Commission defer (table) action regarding a project either by a personal appearance at a Commission meeting, or in writing to the Zoning Administrator Department prior to the scheduled Commission consideration of the project.
- b) ~~The Commission may, in its sole discretion, grant the request for deferral for specific time period. If the Commission grants a deferral, it must do so to a specific date that meets the agenda deadline requirements described above.~~
- c) At the end of the Commission specified time period, the Commission may, ~~in its sole discretion~~, take action regarding the project with, or without, the applicant's consent.
- d) Two consecutive deferrals by the Commission, or the Zoning Administrator, or a combination thereof, will constitute a withdrawal and will be subject to the withdrawal requirements described above.
- e) The Zoning Administrator shall defer Commission consideration of an application when it is determined that:
  1. The application contains false statements; or
  2. The application contains inaccurate documentation; or
  3. The application is incomplete; or
  4. The applicant is unable to attend the subject meeting.

#### Section 15 – Minutes

- a) Pursuant to the requirements of Sections 6-29-360 and 6-29-1150 (B) of the SC Code of Laws, the Department shall keep a record of all matters considered by the Commission as a public record in accordance with the relevant requirements of state law.
- b) The Department shall record all meetings of the Commission on audio-tape that shall be preserved, at a minimum, until Commission final action is taken on all matters presented and any relevant reconsideration and/or appeal period has elapsed.
- c) The Department shall prepare minutes of each meeting for approval by the Commission at the next regular meeting.



- d) The Department shall not be responsible for preparation of verbatim minutes, or transcripts. Any person wishing to ensure a verbatim record of a Commission action shall do so at his/her own arrangements and expense.

## **ARTICLE IV – RECONSIDERATION OF COMMISSION ACTIONS**

### **Section 1 – Requirements**

The applicant, the Department, or a Commission member voting on the prevailing side of a decision, may only request reconsideration of a Commission decision for which the Commission has final authority to act, provided such written request is received by the Zoning Administrator ~~Department~~ within ~~14~~ 7 days of the Commission’s action and the Commission finds that:

- a) The Department made a significant mistake or omission in the facts presented when the subject matter was initially considered; or
- b) Notice of the meeting at which the subject agenda item was considered was improper pursuant to state or County regulations; or
- c) A significant clerical or map error is such that it may affect the result of the Commission’s action.

### **Section 2 - Process**

- a) Upon receipt of the written request for reconsideration, the Department shall schedule the request for the next available Commission meeting.
- b) If the Commission determines the requirements of Section 1 have been met, the matter will be scheduled for action at the next available Commission meeting.
- c) The reconsideration matter shall conform to the relevant requirements of Article III.
- d) If the Commission determines that the requirements of Section 1 have not been met, the original decision shall be the Commission’s final action in the matter.

## **ARTICLE V - APPEALS OF DEPARTMENT DECISIONS**

### **Section 1 – Process**

A party in interest may appeal a Department decision regarding any matter regulated by Chapter 22 of the Richland County Code of Ordinances to the Commission in the following manner:

- a) A written request to appeal a Department decision must be received within 30 days of written notice of the decision in order to be scheduled for Commission consideration; and
- b) Upon receipt of the appeal request within the time limit described above, the matter will be scheduled for the next available meeting of the Commission.; and
- c) The request shall, at a minimum, include a discussion of the matter being appealed, the remedy being sought and any relevant documents, maps, etc, the appellant may wish to submit in support of the appeal; and

- d) The Department shall prepare a staff report regarding such request and otherwise conform to the processes described in Article II and III above; and
- e) The Commission's decision regarding the appellant's request shall be considered the final County action in the matter.

#### Section 2 – Circuit Court

Upon completion of the Commission's final action on any matter, Section 6-29-1150 (C) of the SC Code of Laws allows a party in interest to appeal a Commission's decision to the Circuit Court. An appeal, in the manner and form established by the Court, must be filed within 30 days of receipt of the written notice of the Planning Commission's action.

### **ARTICLE VI – RULES ADOPTION & AMENDMENT**

#### Section 1 – Adoption

These Rules were adopted by a vote of a majority of the members of the Richland County Planning Commission at a regular public meeting on ~~February 4, 2002~~ ????, 2004 and are effective immediately.

#### Section 2 – Amendment

These Rules may only be amended at a regular meeting of the Commission by a majority vote of the members of the Commission.

