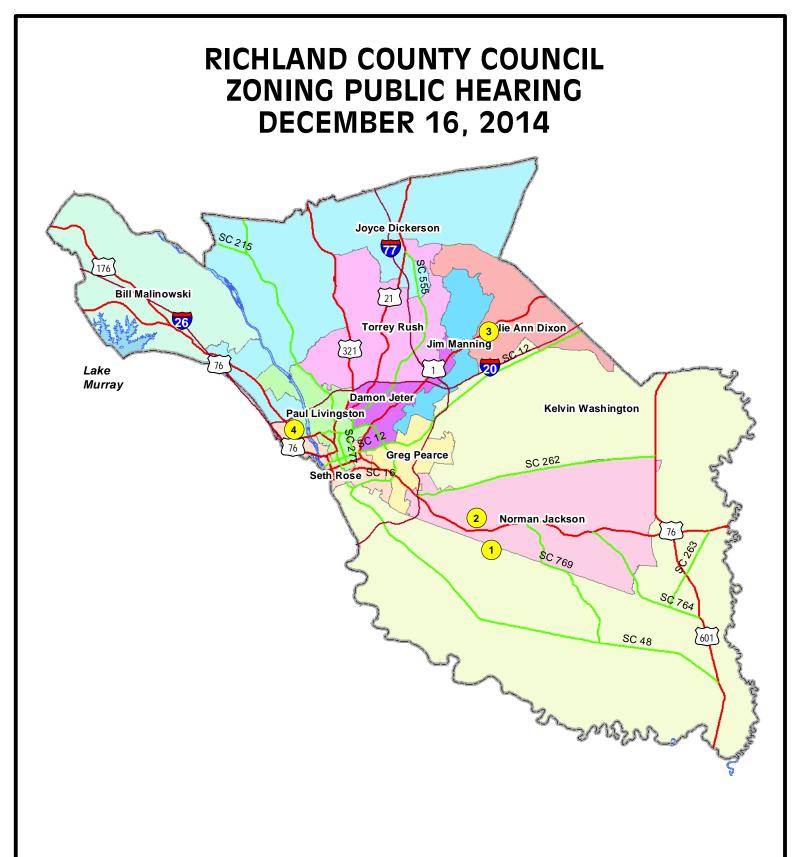
RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING



DECEMBER 16, 2014



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 14-27 MA	Daryl Barnes	21710-01-01	5430 Lower Richland Blvd.	Washington
2. 14-37 MA	Ken Simmons	21800-01-03/14, 21900-09-08	Trotter Rd.	Jackson
3. 14-38 MA	George Goff	22909-04-01 & 22905-06-10	1117 & 1105 Sparkleberry Ln. Ext.	Dixon
4. 14-39 MA	Tobias Ward	07308-05-08/02/03	1335 Elm Abode Terrace	Livingston



Tuesday, December 16, 2014 7:00 P.M. 2020 Hampton Street 2nd Floor, Council Chambers Columbia, South Carolina

STAFF:

ADDITIONS / DELETIONS TO THE AGENDA

ADOPTION OF THE AGENDA

OPEN PUBLIC HEARING

MAP AMENDMENTS [ACTION]

- Case # 14-27MA
 Daryl Barnes
 RS-LD to NC (.57 acres)
 5430 Lower Richland Blvd.
 TMS# 21710-01-01[FIRST READING]
 PDSD Denied
 Planning Commission Denied 6-0
 Page 1
- Case # 14-37 MA Ken Simmons PDD to PDD (89.2.acres) Trotter Rd. TMS# 21800-01-03/14, 21900-09-08 [FIRST READING] PDSD - Approved Planning Commission Approved 5-0 Page 13
- 3. Case # 14-38 MA George Goff HI to GC (15.39 acres) 1117 & 1105 Sparkleberry Lane Ext. TMS# 22909-04-01 & 22905-06-10 [FIRST READING] PDSD - Approved Planning Commission Approved 6-0 Page 23

4. Case # 14-39 MA Tobias Ward RS-LD to PDD (3.92 acres) 1335 Elm Abode Terr. TMS# 07308-05-02/03/08 [FIRST READING] PDSD - Denied Planning Commission Approved 6-0 Page 35

TEXT AMENDMENTS [ACTION]

 AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-173, OFF-STREET PARKING STANDARDS; SUBSECTION (F), PARKING OF RECREATIONAL VEHICLES, BOATS, AND TRAVEL TRAILERS; SO AS TO ADD UTILITY TRAILERS.
 [FIRST READING] Planning Commission Approved 6-0 Page 47

COMPREHENSIVE PLAN [ACTION]

 AN ORDINANCE UPDATING THE 2009 COMPREHENSIVE PLAN THROUGH THE ADOPTION OF A NEW PLAN FOR THE COUNTY OF RICHLAND, PURSUANT TO THE STATE OF SOUTH CAROLINA COMPREHENSIVE PLANNING ENABLING ACT OF 1994.
 [FIRST READING] Planning Commission Approved 7-0 Page 49

ADJOURNMENT



Richland County Planning & Development Services Department

Map Amendment Staff Report

PC MEETING DATE: RC PROJECT: APPLICANT:

October 6, 2014 14-27 MA Daryl Barnes

LOCATION:

5430 Lower Richland Blvd R21710-01-01

TAX MAP NUMBER: ACREAGE: EXISTING ZONING: PROPOSED ZONING:

R21710-01-01 .57 RS-LD NC

PC SIGN POSTING:

September 15, 2014

Staff Recommendation

Disapproval

Background

Zoning History

The original zoning as adopted September 7, 1977 was RS-1 District which became the Residential Single-Family Low Density (RS-LD) District with the Land Development Code change in 2005.

Zoning District Summary

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

There is no minimum lot area except as determined by DHEC. The maximum density standard: no more than eight dwelling units per acre.

Direction	Existing Zoning	Use
North:	RU	Undeveloped
South:	RS-LD	Residence
East:	RU	Agricultural
West:	RU	Agricultural

Discussion

Parcel/Area Characteristics

The parcel has one hundred and fifteen (115) feet of frontage along Lower Richland Boulevard. The site contains a commercial structure and accessory structure, little slope, no sidewalks or streetlights along Lower Richland Boulevard. The immediate area is primarily characterized by residential and agricultural uses. South/southwest of the subject parcel is a residential subdivision Allbene Park. The parcels within Allbene Park are zoned RS-LD District. North of the subject parcel is an agriculturally used parcel and a smaller undeveloped RU parcel.

Public Services

The subject parcel is within the boundaries of School District One. Hopkins Elementary School is located 1.1 miles south of the subject parcel. Lower Richland High School is located 1.2 miles north of the subject parcel. There are no fire hydrants along this section of Lower Richland Boulevard. The Lower Richland fire station (station number 22) is located on Lower Richland Boulevard, approximately 1.6 miles north of the subject parcel. The proposed map amendment would not negatively impact public services or traffic. Water would be provided by well and sewer would be provided by septic.

Plans & Policies

The <u>2009 Richland County Comprehensive Plan</u> **"Future Land Use Map**" designates this area as **Rural** in the **South East Planning Area**.

Rural Area

<u>Objective</u>: "Commercial/Office activities should be located at major traffic junctions where existing commercial and office uses are located and not encroach or penetrate established residential areas. Small scale agricultural related commercial uses, located on-site with residences, are appropriate provided adequate buffering/setbacks are available and the commercial use is in character with the area."

<u>Non-Compliance</u>: The subject parcel is not located at a major traffic junction or where existing commercial and office uses are located. Rezoning the site would encroach upon the well-established, adjacent residential neighborhood.

Lower Richland Neighborhood Master Plan

Rural Residential Area

Lower Richland offers an alternative to the urban and suburban areas of Columbia and Richland County. Balancing the desire to protect this way of life with development pressures is one of the objectives of this plan. Existing constraints (i.e., limited water and sewer service, environmental constraints) will limit the amount of development that will occur in this area over the next twenty years. However, any new development that does occur should be compatible to existing residential and respectful of existing agricultural operations and historic properties.

Current rural zoning allows for one residential unit per 33,000 square feet in the Rural Residential Area of Lower Richland. Future growth should respect this standard. In addition, where appropriate, developers should preserve critical natural or historic resources through context sensitive development methods such as conservation subdivisions. In addition, in order to preserve the rural feel of the area, significant hardwood trees, naturally vegetated areas, and wetlands, particularly Carolina Bays, should be preserved.

Traffic Characteristics

The 2013 SCDOT traffic count (Station #405) located south of the subject parcel on Lower Richland Boulevard, identifies 1950 Average Daily Trips (ADT's). This segment of Lower Richland Boulevard is classified as a two lane undivided major collector, maintained by SCDOT with a design capacity of 8,600 ADT's. Lower Richland Boulevard is currently operating at Level of Service (LOS) "A".

There are no planned improvements for this section of Lower Richland Boulevard, either through SCDOT or the County Penny Tax program.

Conclusion

The Rural future land use designation recommends commercial at major traffic junctions. Staff is of the opinion that approval of the proposed district could contribute to the random and scattered, sprawling, un-concentrated effects of commercial uses in the rural area. In addition approval of the rezoning request would not be in character with the existing, surrounding, agricultural and residential development pattern and zoning districts for the area.

Staff also believes that the proposed rezoning would not be consistent with the intentions of the Comprehensive Plan or the Lower Richland Neighborhood Master Plan.

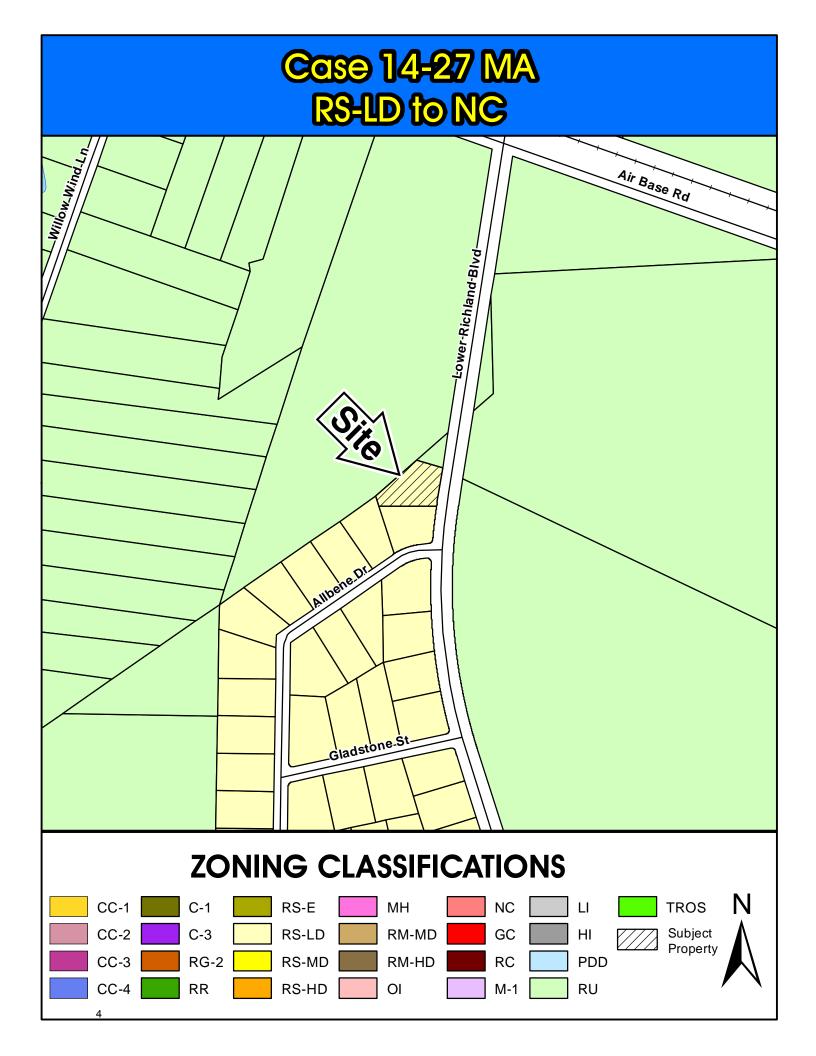
For these reasons, staff recommends **Disapproval** of this map amendment.

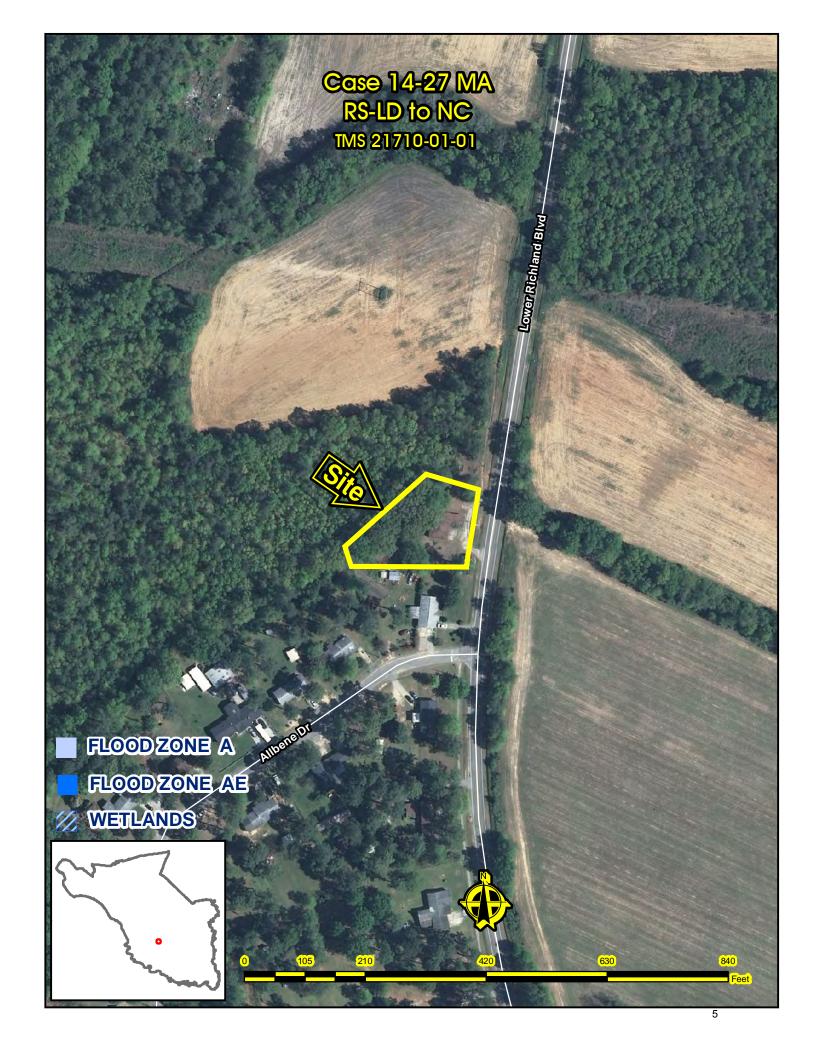
Zoning Public Hearing Date

October 28, 2014,

Planning Commission Action

At their meeting of **October 6, 2014** the Richland County Planning Commission **agreed** with the PDSD recommendation and recommends the County Council **deny the proposed Amendment** for **RC Project # 14-27 MA**.





CASE 14-27 MA From RS-LD to NC

TMS# R21710-01-01

5430 Lower Richland Blvd





(Neighborhood Commercial) would permit the introduction of the following uses which were not allowed previously in the original The zoning change from RS-LD (Residential –Low Density) to NC zoning

Group Homes (10 or More)	SE
Rooming and Boarding Houses	SE
Amusement Arcades	Ρ
Athletic Fields	SR
Clubs or Lodges (Ord No.054-08HR;	Р
9-10-08) Press 64:41-2 2:24 6-4-21-	٢
Dance Studios and Schools	പ
Martial Arts Instructional Schools	Ъ
Physical Fitness Centers	Ρ
Cemeteries, Mausoleums (Ord. 069- 10HR)	SR
Community Food Services	Р
Courts	Р
Day Care Centers, Adult (Ord. 008-	SR
09HR; 2-17-09)	
Day Care, Child, Licensed Center (Ord. 008-09HR: 2-17-09)	SR
Government Offices	Р
Individual and Family Services, Not	Р
Otherwise Listed	
Libraries	Р
Museums and Galleries	Ρ
Nursing and Convalescent Homes	Ρ
Orphanages	Р
Places of Worship	Ъ

Schools, Administrative Facilities	Р
Schools, Business, Computer and Management Training	പ
Schools, Fine Arts Instruction	ط
Schools, Junior Colleges	٩
Schools, Including Public and Private,	٩
Having a Curriculum Similar to	
	ú
Schools, lechnical and Irade (Except	പ
Accounting Tay Drobaration	۵
	-
bookeeping, and Payroll Services	
Advertising, Public Relations, and	٩
Related Agencies	
Automatic Teller Machines	٩
Automobile Parking (Commercial)	٩
Banks, Finance, and Insurance Offices	SR
Barber Shops, Beauty Salons, and	Р
Related Services	
Bed and Breakfast Homes/Inns (Ord.	SR
020-10HR; 5-4-10)	
Computer Systems Design and	٩
Related Services	
Clothing Alterations/Repairs; Footwear	Р
Repairs	

Construction, Building, General Contracting, without Outside Storage Construction, Special Trades, without Outside Storage Employment Services Engineering, Architectural, and Related Services Funeral Homes and Services Laundromats, Coin Operated	
Construction, Special Trades, without Construction, Special Trades, without Outside Storage Employment Services Engineering, Architectural, and Related Services Funeral Homes and Services Laundromats, Coin Operated	
Construction, Special Trades, without Outside Storage Employment Services Engineering, Architectural, and Related Services Funeral Homes and Services Laundromats, Coin Operated Laundry and Dry Cleaning Services.	
Employment Services Engineering, Architectural, and Related Services Funeral Homes and Services Laundromats, Coin Operated Laundry and Dry Cleaning Services.	
Engineering, Architectural, and Related Services Funeral Homes and Services Laundromats, Coin Operated Laundry and Dry Cleaning Services.	a a a a
Funeral Homes and Services Laundromats, Coin Operated Laundry and Dry Cleaning Services.	
Funeral Homes and Services Laundromats, Coin Operated Laundry and Dry Cleaning Services.	
Laundromats, Coin Operated Laundry and Dry Cleaning Services.	<u> </u>
Laundry and Dry Cleaning Services.	۵
Non- Coin Operated	
Legal Services (Law Offices, Etc.)	Р
Locksmith Shops	٩
Management, Scientific, and Technical	<u>д</u>
Consulting Services	
Massage Therapists	٩
Medical/Health Care Offices	٩
Medical, Dental, or Related	٩
Laboratories	
Office Administrative and Support	٩
Services, Not Otherwise Listed	
Packaging and Labeling Services	Р
Pet Care Services (Excluding	SR
Veterinary Offices and Kennels)	
Photocopying and Duplicating Services	SP
Photofinishing Laboratories	Р
Photography Studios	Р
Picture Framing Shops	٩

Professional, Scientific, and Technical Services. Not Otherwise Listed	ط
Real Estate and Leasing Offices	Р
Repair and Maintenance Services,	Р
	ſ
Repair and Maintenance Services,	д_
Television, Radio, or Other Consumer	
Electronics	
Tanning Salons	Ъ
Theaters, Motion Picture, Other Than	SE
Drive-Ins	
Travel Agencies (without Tour Buses	Р
or Other Vehicles)	
Veterinary Services (Non-Livestock,	SR
May Include Totally Enclosed Kennels	
Operated in Connection with Veterinary	
Services)	
Watch and Jewelry Repair Shops	Р
Weight Reducing Centers	Р
Antique Stores (See Also Used	Р
Merchandise Shops and Pawn Shops)	
Art Dealers	Р
Arts and Crafts Supply Stores	Р
Bakeries, Retail	Р
Bars and Other Drinking Places	SE
Bicycle Sales and Repair	Р
Book, Periodical, and Music Stores	Р
Camera and Photographic Sales and	٩
Service	

Candle Shops	ط
Candy Stores (Confectionery, Nuts, Etc.)	Р
Caterers, No On Site Consumption	Ρ
Clothing, Shoe, and Accessories	Р
Coin Stamp or Similar Collectibles	٥
Shops	_
Computer and Software Stores	Ρ
Convenience Stores (with Gasoline	Р
Pumps)	
Convenience Stores (without Gasoline	Р
Pumps)	
Cosmetics, Beauty Supplies, and	Ρ
Perfume Stores	
Department, Variety or General	Р
Merchandise Stores	
Drugstores, Pharmacies, without	Р
Drive- Thru	
Fabric and Piece Goods Stores	Ρ
Florists	Ρ
Food Service Contractors	Ρ
Food Stores, Specialty, Not Otherwise	Р
	4
Formal Wear and Costume Rental	Р
Fruit and Vegetable Markets	Ъ
Garden Centers, Farm Supplies, or Retail Nurseries	Ρ

Gift, Novelty, Souvenir, or Card Shops	Ъ
Grocery/Food Stores (Not Including Convenience Stores)	٩
Hardware Stores	Ъ
Health and Personal Care Stores, Not Otherwise Listed	ط
Hobby, Toy, and Game Stores	Ъ
Home Centers	
Home Furnishing Stores, Not Otherwise Listed	٩
Jewelry, Luggage, and Leather Goods (May Include Repair)	٩
Liquor Stores	Р
Meat Markets	Р
Miscellaneous Retail Sales – Where	Ъ
Not Listed Elsewhere, and where All Sales and Services are Conducted within an Enclosed Building	
Musical Instrument and Supplies Stores (May Include Instrument Repair)	ط
News Dealers and Newsstands	Р
Office Supplies and Stationery Stores	Р
Optical Goods Stores	Р
Paint, Wallpaper, and Window Treatment Sales	Ч.
Pet and Pet Supplies Stores	Ρ

Record, Video Tape, and Disc Stores	Р
Restaurants, Cafeterias	Ъ
Restaurants, Full Service (Dine-In Only)	ط
Restaurants, Limited Service (Delivery Carry Out)	٩
Restaurants, Snack and Nonalcoholic	Ч
Beverage Stores	
Sporting Goods Stores	Р
Tobacco Stores	Р
Used Merchandise Stores	Ъ
Video Tape and Disc Rental	Р
Radio, Television, and Other Similar	SE
Transmitting Towers	
Utility Company Offices	Р
Warehouses (General Storage,	SR
Enclosed, Not Including Storage of	
Any Hazardous Materials or Waste as	
Determined by Any Agency of the	
Federal, State or Local Government)	

STATE OF SOUTH CAROLINA COUNTY COUNCIL OF RICHLAND COUNTY ORDINANCE NO. ___-15HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 21710-01-01 FROM RS-LD (RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT) TO NC (NEIGHBORHOOD COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

<u>Section I</u>. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 21710-01-01 from RS-LD (Residential, Single-Family – Low Density District) zoning to NC (Neighborhood Commercial District) zoning.

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

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

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2015.

RICHLAND COUNTY COUNCIL

By:

Norman Jackson, Chair

Attest this _____ day of

_____, 2015.

S. Monique McDaniels Clerk of Council

Public Hearing:October 28, 20142nd Public Hearing:December 16, 2014 (tentative)First Reading:December 16, 2014 (tentative)Second Reading:Third Reading:



LOCATION:

Richland County Planning & Development Services Department

Map Amendment Staff Report

PC MEETING DATE: RC PROJECT: APPLICANT: December 1, 2014 14-37 MA Ken Simmons Trotter Rd and Garners Ferry Rd

TAX MAP NUMBER: ACREAGE: EXISTING ZONING: PROPOSED ZONING: R21800-01-03, 14, and R21900-09-08 89.2 acres PDD PDD

PC SIGN POSTING:

November 14, 2014

Staff Recommendation

Approval

Background

Zoning History

The original zoning of the parcel as adopted September 7, 1977 was Rural District (RU). The subject parcel was rezoned to Planned Development District (PDD) in 2005 under Ordinance Number 016-05HR (case number 05-32MA).

Zoning History for the General Area

A parcel southeast of the site was rezoned from RU to General Commercial (GC) District under ordinance number 058-12HR (case number 12-27MA).

A parcel adjacent east of the site was rezoned from RU to Planned Development (PDD) District under ordinance number 016-05HR (case number 05-89MA).

A parcel east of the site adjacent to the Garners Ferry Sports Complex was rezoned from RU to General Commercial (GC) District under ordinance number 019-02HR (case number 02-42MA).

A parcel west of the site was rezoned from RU to General Commercial (GC) District under ordinance number 051-04HR (case number 04-60MA).

A parcel southeast of the site was rezoned from RU to Office and Institutional (OI) District under ordinance number 061-03HR (case number 04-09MA).

A parcel east of the site was rezoned from RU to Planned Development (PDD) District under ordinance number 057-07HR (case number 07-28MA).

Zoning District Summary

The Planned Development (PDD) District is intended to allow flexibility in development that will result in improved design, character, and quality of new mixed-use developments, and that will preserve natural and scenic features of open spaces. Planned Development Districts must involve innovation in site planning for residential, commercial, institutional, and/or industrial developments within the district. Such developments must be in accordance with the comprehensive plan for the county, and in doing so, may provide for variations from the regulations of the county's zoning districts concerning use, setbacks, lot size, density, bulk, and other such requirements.

Direction	Existing Zoning	Use
North:	RS-MD and RU	Single-family residences
South:	RU	Undeveloped
East:	PDD/RU	Undeveloped/undeveloped
West:	GC/RU	Commercial use/undeveloped/residential

Discussion

Parcel/Area Characteristics

The PDD parcels have frontage along Garners Ferry Road and Trotter Road. The site is undeveloped, with gentle slopes, some wooded areas and some cleared for agriculture, no sidewalks or streetlights along Garners Ferry Road and Trotter Road.

The overall PDD identifies 89.2 total acres with a current residential yield as 376 units at 4.39 dwelling units per acre (du/ac). The rezoning proposes 78.7 acres of residential and 351 total allowable dwelling units. The proposed PDD will increase the commercial acreage from 1.7 acres to 5.7 acres. The proposed changes would decrease the residential yield from 376 units to 351 units. Though the total number of residential units will decrease, the total dwelling units per acre will increase from 4.39du/ac to 4.45 du/ac.

Proposed PDD Amendments				
Land Use	Existing Acreage	Proposed Acreage	Acreage Change	
Open Space	7.7	3.7	-4	
Single Family Residential65.978.7+ 12.8				
Multi-Family Residential9.10-9.1				
Commercial Development1.75.7+4				
Road R-O-W 5.3 1.1 -4.2				

Public Services

Water would be provided by the City of Columbia and sewer would be provided by Richland County. There is a fire hydrant located along Garners Ferry Road. The Lower Richland fire station (station number 22) is located on Lower Richland Boulevard, approximately .8 miles east of the subject parcel.

Plans & Policies

The <u>2009 Richland County Comprehensive Plan "Future Land Use Map"</u> designates the area as **Suburban** in the **Southeast Planning Area**.

<u>Objective</u>: "Residential areas are encouraged to contain a mix of residential and civic land uses. Existing single family developments may be adjacent to multifamily or a PDD including a buffer from higher intensity uses. Residential developments should occur at medium densities of 4-8 dwelling units per acre."

<u>Compliance</u>: The proposed PDD would allow for 4.45 dwelling units per acre which meets the objective of 4-8 dwelling units per acre

Southeast Richland Neighborhood Master Plan (SERN)

The subject parcel is located just west of the SERN boundary and outside of the area designated for the Plan. The recommendations and guidelines outlined in the SERN would not be applicable to the subject parcel at this time.

Lower Richland Master Plan (LRMP)

The subject parcel would be part of the LRMP area, and is identified as the "Suburban Transition Area." The Suburban Transition Area is categorized by the presence of existing infrastructure, and its proximity to Fort Jackson and to Columbia's suburban footprint. Furthermore, the LRMP supports the Southeast Richland Neighborhood Master Plan (SERN)'s recommendation that development in this area should be a concentrated mix of uses that offer commercial, retail and residential spaces. This Plan suggests guided development that provides small-scale pockets of commercial uses connected to multi-family and single-family housings by sidewalks, plazas and other pedestrian-friendly walkways.

Traffic Characteristics

The 2013 SCDOT traffic count (Station # 170) located adjacent to the subject parcel on Garners Ferry Road identifies 24,200 Average Daily Trips (ADT's). Garners Ferry Road is classified as a four lane divided principal arterial, maintained by SCDOT with a design capacity of 33,600 ADT's. This segment of Garners Ferry Road is currently operating at Level of Service (LOS) "B".

There are no planned or programmed improvements for this section of Garners Ferry Road, either through SCDOT or the County Penny Sales Tax program.

Conclusion

The parcels north and west of the site contain residential uses. The parcels located north are zoned Residential Single-family Medium Density (RS-MD) and are mostly developed residentially. The southernmost portion of the proposed PDD is adjacent to a GC parcel with established commercial uses. The proposed request is in compliance with the Comprehensive Plan, as it provides a mix of uses, open space and a density between the ranges of 4–8 units per acre. In addition it is in compliance with the LRMP.

Approval of the rezoning request would not be out of character with the existing, surrounding, development pattern and zoning districts for the area. Staff believes that the proposed rezoning would be consistent with the intentions of the Comprehensive Plan.

For these reasons, staff recommends **Approval** of this map amendment.

Zoning Public Hearing Date

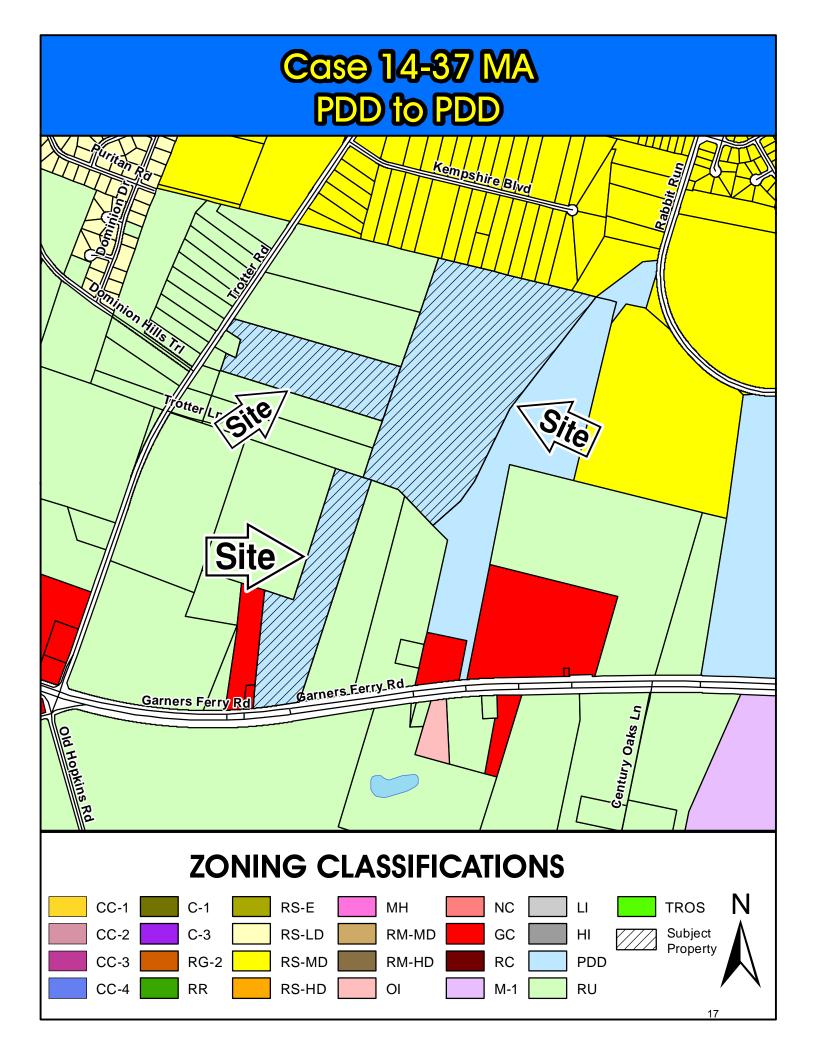
December 16, 2014.

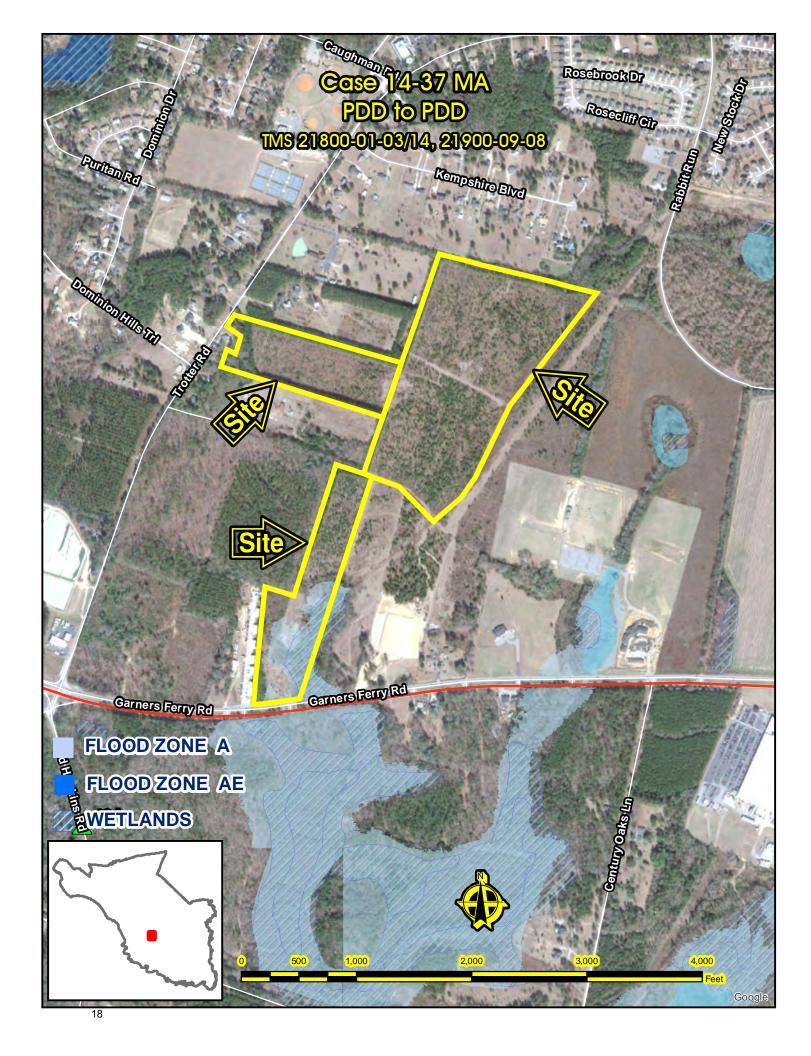
Proposed PDD Conditions

- a) The Farms on McCords Ferry dated 10-17-14 shall adhere to the Richland County Land Development Code as amended through 7-15-14.
- b) Proposed changes to the approved <u>Master Plan</u> shall be subject to the requirements of Section 26-59 (j) of the Richland County Land Development Code.
- c) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest.
- d) All the conditions described herein shall apply to the applicant, the developer and/or their successors in interest.
- e) In the amended Commercial Land Use District Parcel A as designated by the Amendment Dated 10/17/14 THE FARM on McCord's Ferry PUD 1-R, there shall be no more than five point seven (5.7) total acres dedicated to commercial uses.
- f) In the amended Residential Land Use District Parcel B as designated by the Amendment Dated 10/17/14 THE FARM on McCord's Ferry PUD 1-R, there shall be no more than thirty five point four (35.4) total acres dedicated to single-family uses with a maximum of 195 units.
- g) In the amended Residential Land Use District Parcel C as designated by the Amendment Dated 10/17/14 THE FARM on McCord's Ferry PUD 1-R, there shall be no more than forty three point three (43.3) total acres dedicated to single-family uses with a maximum of 156 units.

Planning Commission Action

At their meeting of **December 1, 2014** the Richland County Planning Commission **agreed** with the PDSD recommendation and recommends the County Council initiate the ordinance consideration process to **approve the proposed Amendment** for **RC Project # 14-37 MA**.





CASE 14-37 MA From PDD to PDDD

TMS# R21800-01-03/14, R21900-09-08 Trotter Rd & Garners Ferry Rd



STATE OF SOUTH CAROLINA COUNTY COUNCIL OF RICHLAND COUNTY ORDINANCE NO. ___-15HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE LAND USES WITHIN THE PDD (PLANNED DEVELOPMENT DISTRICT) ZONING DISTRICT FOR THE REAL PROPERTIES DESCRIBED AS TMS # 21800-01-03, # 21800-01-14, AND # 21900-09-08; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

<u>Section I</u>. The Zoning Map of unincorporated Richland County is hereby amended to change the land uses within the PDD (Planned Development District) zoning districts for TMS # 21800-01-03, 21800-01-14, and 21900-09-08, as described herein.

<u>Section II.</u> <u>PDD</u> <u>Site Development Requirements</u>. The following site development requirements shall apply to the subject parcels:

- a) "The Farms on McCords Ferry", dated 10-17-14, shall adhere to the Richland County Land Development Code, as amended through 7-15-14.
- b) Proposed changes to the approved <u>Master Plan</u> are deemed major changes and shall be subject to the requirements of Section 26-59 (j) of the Richland County Land Development Code.
- c) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest.
- d) All the conditions described herein, including those shown on Exhibit A (which is attached hereto), shall apply to the applicant, the developer and/or their successors in interest.
- e) In the amended Commercial Land Use District, Parcel A, as designated by the Amendment dated October 17, 2014, THE FARM on McCord's Ferry PUD 1-R, there shall be no more than 5.7 total acres dedicated to commercial uses.
- f) In the amended Residential Land Use District, Parcel B, as designated by the Amendment dated October 17, 2014, THE FARM on McCord's Ferry PUD 1-R, there shall be no more than 35.4 total acres dedicated to single-family uses with a maximum of 195 units.
- g) In the amended Residential Land Use District, Parcel C, as designated by the Amendment dated October 17, 2014, THE FARM on McCord's Ferry PUD 1-R, there shall be no more than 43.3 total acres dedicated to single-family uses with a maximum of 156 units.

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

<u>Section IV</u>. <u>Conflicting Ordinances Repealed</u>. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section V. Effective Date. This ordinance shall be effective from and after _____, 2015.

RICHLAND COUNTY COUNCIL

By: _____

Norman Jackson, Chair

Attest this _____ day of

_____, 2015.

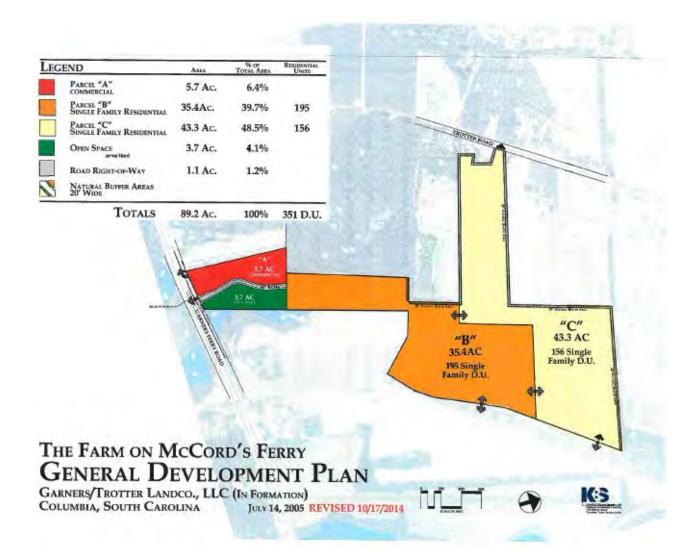
S. Monique McDaniels Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: First Reading: Second Reading: Third Reading: December 16, 2014 (tentative) December 16, 2014 (tentative)







Richland County Planning & Development Services Department

Map Amendment Staff Report

PC MEETING DATE:	December 1, 2014
RC PROJECT:	14-38 MA
APPLICANT:	George Goff
LOCATION:	1105 & 1117 Sparkleberry Lane Extension
TAX MAP NUMBER:	R22909-04-01 & R22905-06-10
ACREAGE:	15.39
EXISTING ZONING:	HI
PROPOSED ZONING:	GC
PC SIGN POSTING:	November 14, 2014

Staff Recommendation

Approval

Background

Zoning History

The original zoning as adopted September 7, 1977 was Heavy Industrial District (M-2). With the adoption of the 2005 Land Development Code the M-2 District was designated Heavy Industrial District (HI).

Zoning District Summary

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

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

Based upon a gross density calculation, the maximum number of units for this site is approximately: 246 dwelling units.

Direction	Existing Zoning	Use
North:	M-1/M-1	Retail Uses/ Place of Worship
South:	M-1/M-1	Restaurants/Retail Uses
East:	HI	Manufacturing (Metso Industries)
West:	HI/HI	Major Auto Repair/ HVAC Services

Parcel/Area Characteristics

The parcels only have frontage along Sparkleberry Lane Extension. The largest parcel contains a vacant warehouse structure and an undeveloped lot currently utilized for parking, little vegetation and very little slope. There are sidewalks along the road frontage, but no streetlights along this section of Sparkleberry Lane Extension. The immediate and surrounding areas are primarily characterized by commercial and industrial uses. The surrounding parcels are zoned Light Industrial (M-1) District, Heavy Industrial District (HI) and GC District. Along the southernmost boundary of the property is a railroad track with associated right of way.

The County's Economic Development Director was contacted regarding this application and indicated that GC would be more suitable at this location.

Public Services

The subject parcels are within the boundaries of School District Two. Spring Valley High School is .19 miles south west of the subject parcels on Sparkleberry Lane. Water would be provided by the City of Columbia and sewer would be provided by East Richland County Public Service District. There is a fire hydrant west of the subject parcels on Mill Field Road. The Sandhill fire station (station number 21) is located on Sparkleberry Lane, approximately .55 miles south of the subject parcels.

Plans & Policies

The <u>2009 Richland County Comprehensive Plan</u> **"Future Land Use Map"** designates this area as **Priority Investment Area** in the **North East Planning Area**.

Priority Investment Area

<u>Objective</u>: "Commercial/Office activities should be located along arterial roads, traffic junctions, or areas where existing commercial and office uses are located."

<u>Compliance</u>: The proposed zoning is located near existing commercial uses.

Proposed 2014 Comprehensive Plan

The draft 2014 Richland County Comprehensive Plan, "PUTTING THE PIECES IN PLACE", designates this area as *Mixed-Use Corridor*.

The proposed change would also comply with the proposed draft 2014 Richland County Comprehensive Plan recommendations. Although the 2014 draft Comprehensive Plan has not been adopted, staff feels it is important to consider the draft plan's recommendations where they may impact current decisions, given the amount of public input and long-range visioning that has recently occurred.

Traffic Characteristics

The 2013 SCDOT traffic count (Station # 117) located southwest of the subject parcel on Two Notch Road identifies 30,800 Average Daily Trips (ADT's). Two Notch Road is classified as a five lane undivided principal arterial, maintained by SCDOT with a design capacity of 33,600 ADT's. This segment of Two Notch Road is currently operating at Level of Service (LOS) "C".

There is no traffic count station on Sparkleberry Lane Extension; however, 2013 SCDOT traffic count (Station #447) located on Sparkleberry Lane south of Two Notch Road identifies 11,700 Average Daily Trips (ADT's). Sparkleberry Lane is classified as a two lane undivided collector, maintained by SCDOT with a design capacity of 8,600 ADT's. This segment of Sparkleberry Lane is currently operating at Level of Service (LOS) "F".

There are no planned improvements for Two Notch Road or Sparkleberry Lane in this area, either through SCDOT or the County Penny Tax program.

Conclusion

Approval of the rezoning request would be consistent with the character of the existing, surrounding, commercial development pattern and zoning districts for the area.

Staff believes that the proposed rezoning would be consistent with the recommended intent of the Comprehensive Plan for commercial as outlined in the Suburban Priority Investment Area Land Use designation.

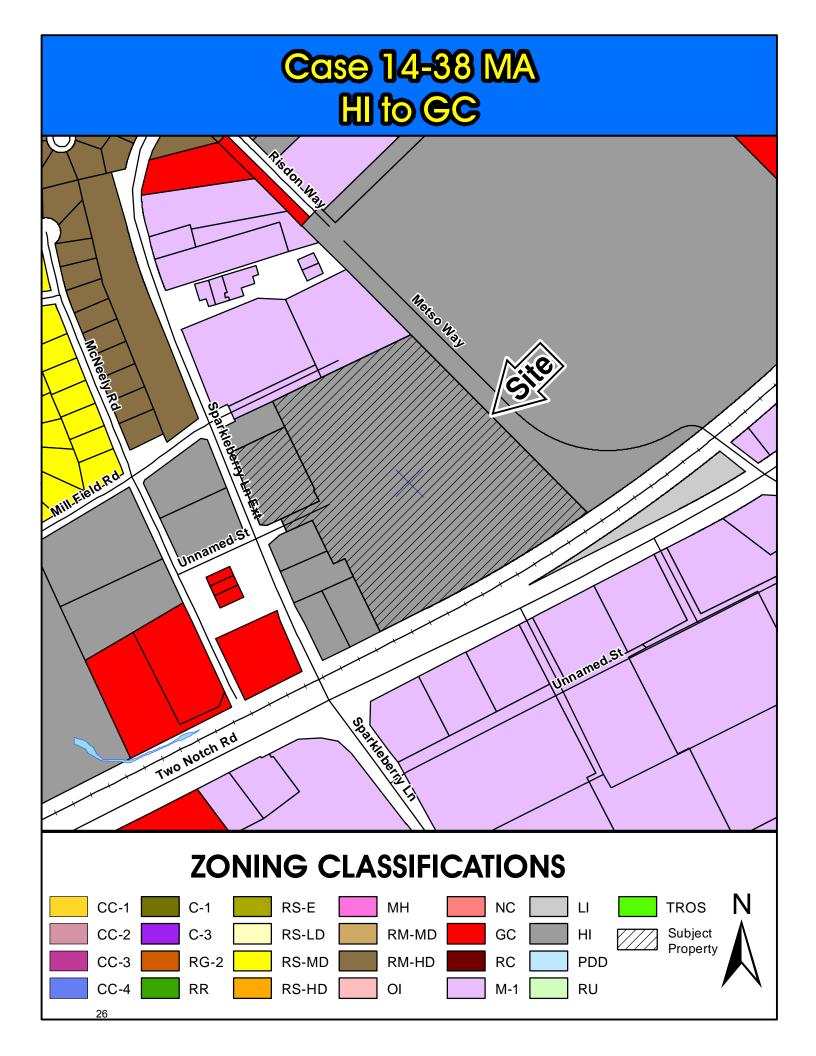
For these reasons, staff recommends Approval of this map amendment.

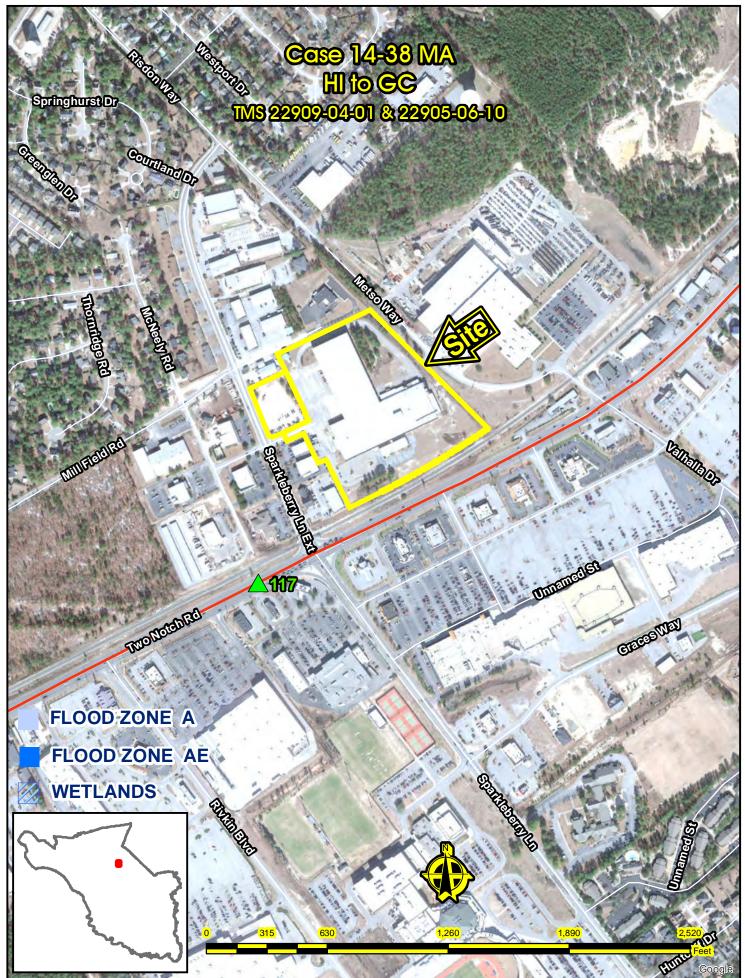
Zoning Public Hearing Date

December 16, 2014,

Planning Commission Action

At their meeting of **December 1, 2014** the Richland County Planning Commission **agreed** with the PDSD recommendation and recommends the County Council initiate the ordinance consideration process to **approve the proposed Amendment** for **RC Project # 14-38 MA**.





CASE 14-38 MA From HI to GC

R22909-04-01 & R22905-06-10 1105 & 1117 Sparkleberry Lane Ext





Commercial) would permit the introduction of the following The zoning change from HI (Heavy Industrial) to GC (General uses which were not allowed previously in the original zoning

USE IYPES	GC
Common Area Recreation and Service	Ь
racilities	
Continued Care Retirement	SR
Communities	
Dormitories	SE
Multi-Family, Not Otherwise Listed	Р
Single-Family, Zero Lot Line,	SR
Common	
Fraternity and Sorority Houses	d
Group Homes (10 or More)	SE
Rooming and Boarding Houses	d
Special Congregate Facilities	SE
Home Occupations	SR
Swimming Pools	SR
Yard Sales	SR
Amusement or Water Parks,	SR
Fairgrounds	
Amusement Arcades	Ρ
Athletic Fields	Ρ
Batting Cages	SR
Billiard Parlors	Ρ
Bowling Centers	Ρ
Clubs or Lodges (Ord No.054-08HR;	Ь
9-16-08)	

Country Clubs with Golf Courses	SR
Dance Studios and Schools	Р
Golf Courses	SR
Golf Courses, Miniature	Р
Golf Driving Ranges (Freestanding)	SR
Marinas and Boat Ramps	Ь
Martial Arts Instructional Schools	Р
Physical Fitness Centers	Р
Skating Rinks	Р
Swim and Tennis Clubs	Р
Swimming Pools	SR
Ambulance Services, Transport	Р
Animal Shelters	SR
Auditoriums, Coliseums, Stadiums	Р
Colleges and Universities	Р
Community Food Services	Р
Courts	Р
Day Care, Adult, Home Occupation (5	SR
U Fewer) (Ord. 008-09HR; 2-17-09)	
Day Care Centers, Adult (Ord. 008-	SR
09HR; 2-17-09)	
Day Care, Child, Family Day Care,	SR
Home Occupation (5 or Fewer) (Ord	
No. 054-08HR; 9-16-08; (Ord. 008-	
09HR; 2-17-09)	
Day Care, Child, Licensed Center	SR
(Ord. 008-09HR; 2-17-09)	

Bed and Breakfast Homes/Inns (Ord.	SR
020-10HR; 5-4-10)	
Body Piercing Facilities	SR
Clothing Alterations/Repairs; Footwear Repairs	Ч
Employment Services	٩
Engineering, Architectural, and	Ъ
Related	
Exterminating and Pest Control	٩
Services	
Funeral Homes and Services	٩
Hotels and Motels	д.
Kennels	SR
Landscape and Horticultural Services	Р
Laundromats, Coin Operated	Р
Legal Services (Law Offices, Etc.)	Р
Locksmith Shops	Ч
Management, Scientific, and Technical	٩
Consulting Services	
Massage Therapists	۵
Medical/Health Care Offices	٩
Medical, Dental, or Related	٩
Laboratories	
Motion Picture Production/Sound	പ
Recording	
Office Administrative and Support	٩
Office Administrative and Support	

Government Offices	٩
Hospitals	٩
Individual and Family Services, Not Otherwise Listed	٩
Libraries	٩
Museums and Galleries	Р
Nursing and Convalescent Homes	Р
Postal Service Processing &	٩
Schools, Administrative Facilities	٩
Schools, Business, Computer and	٩
Management Training	
Schools, Fine Arts Instruction	Р
Schools, Junior Colleges	Р
Schools, Including Public and Private,	Р
Having a Curriculum Similar to	
Those Given in Public Schools)	
Schools, Technical and Trade (Except	٩
Iruck Driving)	Ĺ
Loos and Botanical Gardens	SR
Accounting, Tax Preparation,	٩
Bookeeping, and Payroll Services	
Advertising, Public Relations, and	д
Related Agencies	
Banks, Finance, and Insurance Offices	Ч
Barber Shops, Beauty Salons, and	٩
Keidled Sei Vices	

Otherwise Listed	
Veterinary Services (Non-Livestock, Mav Include Totally Enclosed Kennels	٩
Operated in Connection with	
Watch and Jewelry Repair Shops	٩
Weight Reducing Centers	Ъ
Antique Stores (See Also Used	Ъ
Merchandise Shops and Pawn Shops)	
Appliance Stores	Ρ
Art Dealers	Р
Arts and Crafts Supply Stores	Ρ
Auction Houses	Р
Automotive Parts and Accessories	Р
Stores	
Bakeries, Retail	Ρ
Bars and Other Drinking Places	SR
Bicycle Sales and Repair	Ρ
Boat and RV Dealers, New and Used	Ρ
Book, Periodical, and Music Stores	Ρ
Camera and Photographic Sales and	Ъ
Service	
Candle Shops	Ρ
Candy Stores (Confectionery, Nuts, Etc.)	Ч.
Caterers, No On Site Consumption	Р
Clothing, Shoe, and Accessories	Ч
210153	

Services, Not Otherwise Listed	
Pet Care Services (Excluding	Р
Veterinary	
Offices and Kennels)	
Photography Studios	Ρ
Picture Framing Shops	Р
Professional, Scientific, and Technical	Р
Services, Not Otherwise Listed	
Real Estate and Leasing Offices	Ρ
Repair and Maintenance Services,	Р
Home and Garden Equipment	
Repair and Maintenance Services,	Р
Personal and Household Goods	
Repair and Maintenance Services,	Р
Television, Radio, or Other Consumer	
Electronics	
Security and Related Services	Ъ
Tanning Salons	Р
Tattoo Facilities (Ord 010-07HR; 2-20-	Р
07) and (Ord No. 054-08HR; 9-16-08)	
Taxidermists	Ρ
Theaters, Live Performances	Ρ
Theaters, Motion Picture, Other Than	Р
Drive-Ins	
Theaters, Motion Picture, Drive-Ins	SE
Travel Agencies (without Tour Buses	Ъ
or Other Vehicles)	
Traveler Accommodations, Not	Ъ

Grocery/Food Stores (Not Including	٩
Convenience Stores) Hardware Stores	ط
Health and Personal Care Stores, Not Otherwise Listed	ط
Hobby, Toy, and Game Stores	Ч
Home Centers	Ъ
Home Furnishing Stores, Not Otherwise Listed	ط
Jewelry, Luggage, and Leather Goods (May Include Repair)	٩
Liquor Stores	Р
Manufactured Home Sales	SR
Meat Markets	Р
Miscellaneous Retail Sales – Where Not Listed Elsewhere, and Where All	٩
Sales and Services are Conducted within an Enclosed Building	
Motor Vehicle Sales – Car and Truck – New and Used	Ч
Motorcycle Dealers, New and Used	Р
Musical Instrument and Supplies Stores (May Include Instrument	ط
Kepair)	c
News Dealers and Newsstands	ጉ
Office Supplies and Stationery Stores	٩

ShopsShopsComputer and Software StoresPComputer and Software StoresPCosmetics, Beauty Supplies, andPPerfume StoresPDepartment, Variety or GeneralPMerchandise StoresPDirect Selling Establishments, NotPDirect Selling Establishments, NotPDrugstores, Pharmacies, withoutPDrugstores, DrudoorPFlea Markets, IndoorPFlea Markets, IndoorPFloor Covering StoresPFloor Covering StoresPFloor Covering StoresPFloor Covers, Specialty, Not OtherwiseP

Optical Goods Stores	Ч
Outdoor Power Equipment Stores	Р
Paint, Wallpaper, and Window Treatment Sales	Ч
Pawnshops	Р
Pet and Pet Supplies Stores	Р
Record, Video Tape, and Disc Stores	Р
Restaurants, Cafeterias	Р
Restaurants, Full Service (Dine-In Only)	Р
Restaurants, Limited Service (Delivery, Carry Out)	Ъ
Restaurants, Limited Service (Drive- Thru)	ط
Restaurants, Snack and Nonalcoholic Beverage Stores	Ч
Service Stations, Gasoline	Р
Sporting Goods Stores	Р
Television, Radio or Electronic Sales	Р
Tire Sales	Ρ
Tobacco Stores	Ρ
Used Merchandise Stores	Ρ
Video Tape and Disc Rental	Ρ
Warehouse Clubs and Superstores	Ρ
Paper and Paper Products	Ρ
Buildings, High Rise, 4 or 5 Stories	SR
Buildings, High Rise, 6 or More Stories	SE

STATE OF SOUTH CAROLINA COUNTY COUNCIL OF RICHLAND COUNTY ORDINANCE NO. ___-15HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 22909-04-01 AND # 22905-06-10 FROM HI (HEAVY INDUSRTAL DISTRICT) TO GC (GENERAL COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

<u>Section I.</u> The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 22909-04-01 and 22905-06-10 from HI (Heavy Industrial District) zoning to GC (General Commercial District) zoning.

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

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

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2015.

RICHLAND COUNTY COUNCIL

By: _____

Norman Jackson, Chair

Attest this _____ day of

_____, 2015.

S. Monique McDaniels Clerk of Council

Public Hearing: First Reading: Second Reading: Third Reading: December 16, 2014 (tentative) December 16, 2014 (tentative)



Richland County Planning & Development Services Department

Map Amendment Staff Report

PC MEETING DATE: RC PROJECT: APPLICANT:

December 1, 2014 14-39 MA Toby Ward

LOCATION:

1335 Elm Abode Terrace

TAX MAP NUMBER: ACREAGE: EXISTING ZONING: PROPOSED ZONING: R07308-05-\$8#\$' #08 3.92 RS-LD PDD

PC SIGN POSTING:

November 14, 2014

Staff Recommendation

Disapproval

Background

Zoning History

The original zoning as adopted September 7, 1977 was Residential Single-family Low Density District (RS-1). With the adoption of the 2005 Land Development Code the RS-1 District was designated Residential Single-Family Low Density District (RS-LD).

Zoning District Summary

The Planned Development (PDD) District is intended to allow flexibility in development that will result in improved design, character, and quality of new mixed-use developments, and that will preserve natural and scenic features of open spaces. Planned Development Districts must involve innovation in site planning for residential, commercial, institutional, and/or industrial developments within the district. Such developments must be in accordance with the comprehensive plan for the county, and in doing so, may provide for variations from the regulations of the county's zoning districts concerning use, setbacks, lot size, density, bulk, and other such requirements.

Direction	Existing Zoning	Use
North:	RS-LD/RS-LD	Undeveloped/Residence
South:	GC	Church
East:	RS-LD/RS-LD	Residence/Residence
West:	RS-LD/GC	Residence /Law Office

Discussion

Parcel/Area Characteristics

The site is located at 1335 Elm Abode Terrace. The parcel has three hundred and fifty seven (357) feet of frontage along Elm Abode Terrace and three hundred and forty (340) feet of frontage along Thor Drive. The parcel has a little slope and scattered residential vegetation. The parcel contains a large two story residence. Both Elm Abode Terrace and Thor Drive are two lane collector roads, without sidewalks or streetlamps along this section. The immediate area is primarily characterized by residential uses with the institutional use (church) south of the site and a law office located to the west. Otherwise, parcels north and east of the subject parcel are zoned as single family residential properties and utilized as such.

The Planned Development District proposes the following lot requirements:

Minimum Area- 3.92 Acres (No subdivision without Planning Commission approval) *Minimum front setback-* not specified per development plan *Minimum rear setback-* not specified per development plan *Minimum rear setback-* not specified per development plan *Maximum Height-* no structure may be erected that is higher than the Elm Abode mansion.

The allowed uses defined in the proposed PDD are:

- 1. <u>Residential use</u> The property shall be used as a residence for a single family and any other uses permitted in an "RS-LD Residential, Single-Family Low Density District".
- 2. <u>Home occupation</u> The property may be used for commercial business activity conducted entirely within the dwelling or an accessory building which is incidental and secondary to the use of the dwelling purposes and which does not change the character thereof, and in connection with which there is no outside display or storage. Such home occupation shall not employ more than two (2) persons who are not members of the family.
- 3. <u>Event</u> The property may be used as a commercial event venue which shall be defined as any use of the property by a gathering of people for a specific planned purpose for which a fee is charged for the use of the property. Any use of the site by more than 50 guests, whether for payment or not, shall be an event. There may be only 10 weekday events during any calendar month, and there may be only 10 weeknight (after 6 pm) events per month; there may be only 4 weekend day events per month, and there may be only 2 weekend night (after 6 pm) events per month. Any event shall conclude by 12 a.m.
- 4. <u>Vacation rental</u> The property may be used for vacation rental which shall be defined as renting the property for a fee to one or more persons who shall occupy all or part of the property for a specific interval of time not to exceed one month. Vacation rentals shall be limited to 3 per month, and no event may take place during a vacation rental, except weddings, bridal showers, and certain retreats accompanied by overnight stays.
- 5. <u>Bed & Breakfast</u> The property may be used as a Bed and Breakfast which shall be defined as renting individual bedrooms in Elm Abode Mansion for a fee which may include the provision of a breakfast to guests staying at Elm Abode Mansion. The maximum number of guest rooms shall be limited to the number of bedrooms in the Elm Abode mansion as of October 28, 2014.

The PDD also proposes the following noise regulations: ³⁶

The current Richland County noise ordinance Section 18-3 "Noise" applicable to residential uses shall apply to the site and all uses on the site. Also, the following restrictions shall apply:

- 1. All music shall be inside, except for soft music associated with outdoor activities such as a wedding ceremony;
- 2. All music shall be turned down by 11 pm;
- 3. No subwoofers shall be used on the site; and No music shall be located so as to project outside.

Public Services

The subject parcel is within the boundaries of School District One. H.B. Rhame Elementary School and Saint Andrews Middle School are located .2 miles to the southwest of the subject parcel.

The Saint Andrews fire station (number 6) is located .9 miles northwest of the subject parcel on Briargate Circle. There are no fire hydrants located along Elm Abode Terrace or Thor Drive. Water and sewer service would be provided by the City of Columbia.

Plans & Policies

The <u>2009 Richland County Comprehensive Plan</u> **"Future Land Use Map"** designates this area as **Priority Investment Area** in the **Beltway Planning Area**.

<u>Objective</u>: Commercial/Office activities should be located along arterial roads, traffic junctions, or areas where existing commercial and office uses are located.

<u>Compliance</u>: The proposed zoning is located near existing commercial uses.

Traffic Characteristics

No traffic count stations are located on Elm Abode Terrace. The closest count stations are on Broad River Road and Bush River Road. The 2012 SCDOT traffic count (Station # 183) located south of the subject parcel on Broad River Road identifies 26,500 Average Daily Trips (ADT's). Broad River Road is classified as a five lane undivided Principal Arterial, maintained by SCDOT with a design capacity of 33,600 ADT's. Broad River Road is currently operating at Level of Service (LOS) "C".

The 2012 SCDOT traffic count (Station # 469) located west of the subject parcel on Bush River Road identifies 31,300 Average Daily Trips (ADT's). Bush River Road is classified as a five lane undivided Minor Arterial, maintained by SCDOT with a design capacity of 24,800 ADT's. Bush River Road is currently operating at Level of Service (LOS) "E".

Currently, construction is underway to rebuild the River Drive Bridge, crossing the Broad River, along with the east and west approaches to the bridge and associated improvement to all intersections within that construction zone. Otherwise, there are no planned or programmed improvements for this area, either from SCDOT or as part of the County's Transportation Penny Program.

Conclusion

The proposed request is in compliance with the recommendations of the Comprehensive Plan, as it is located near commercial and office uses however, the PDD contains language that staff

has deemed unenforceable by Richland County as it pertains to number and frequency of events and types of events specifically;

1. Event

- a. Any use of the site by more than 50 guests, whether for payment or not, shall be an event.
- b. There may be only 10 weekday events during any calendar month.
- c. There may be only 10 weeknight (after 6 pm) events per month.
- d. There may be only 4 weekend day events per month.
- e. There may be only 2 weekend night (after 6 pm) events per month.
- f. Any event shall conclude by 12 a.m.

2. Vacation rental

- a. Vacation rentals shall be limited to 3 per month
- b. No event may take place during a vacation rental, except weddings, bridal showers, and certain retreats accompanied by overnight stays.

3. Bed & Breakfast

a. The maximum number of guest rooms shall be limited to the number of bedrooms in the Elm Abode mansion as of October 28, 2014 (which have not been established in the PDD).

In addition, noise regulations outside of the purview of Section 18-3 are subjective specifically;

1. <u>Noise</u>

- a. All music shall be inside, except for soft music associated with outdoor activities such as a wedding ceremony;
- b. All music shall be turned down by 11 pm.
- c. No subwoofers shall be used on the site.
- d. No music shall be located so as to project outside.

Also under the RS-LD zoning district any uses should be clearly established as per Section 26-102 (C) does not require uses in a PDD to be established by Special Exception or by Special Requirements as the safeguards and conditions normally imposed upon special exception uses will substantially be met by the site plan and development controls of the proposed planned development.

Staff also has identified that additional signage regulation outside of Section 26-181 would be difficult to enforce specifically;

1. Signage

a. No sign may be lit unless an event is planned that day.

Staff has also noted that the required 10% open space designation has not been clearly identified on the master plan nor have general details as outlined by the PDD Development Checklist been provided such as;

- 1. Boundary of the subject property, identified by a heavy line; including a legal description, total acreage and location map.
- 2. A statement which identifies the relationship of the proposed PDD to the general character of the area and the uses to be included in the proposed PPD. A breakdown of specific densities proposed for the PDD shall be included.

- 3. Separate location map (to scale) showing the boundary lines of adjacent land and existing zoning of the area proposed to be developed as well as the adjacent land.
- 4. Calculate the acreage, square footage, type, and mix of land uses, including the total number of residential units, residential densities, and non-residential intensities within each development area or the total number, type and mix of land uses for the entire PDD Master Plan.
- 5. A map depicting existing natural features of the site, including the existing tree canopy, topography (with contour intervals no greater than 2 foot intervals), and streams, ponds, or other wetland areas(as defined by the National Wetlands Inventory map).
- 6. Identify the location of proposed open space and tree-save areas.
- 7. A site analysis and Inventory shall be submitted that addresses the following:
 - a. Adjacent Land uses;
 - b. Surface water and drainage;
 - c. Natural vegetation;
 - d. Site contours;
 - e. Existing public facilities;
 - f. Adequacy of existing utilities;
 - g. Soil types and regional geology
- 8. Identify the general location of all public facility sites, parks, fire, police, EMS, storm water, and schools.
- 9. Include an inset map at a scale of not less than one inch to one mile, showing the property in relation to surrounding roads, subdivisions or major landmarks.
- 10. Include a north arrow.
- 11. Identify guarantees and arrangements for the perpetual maintenance of open space that meet the following requirements and must be approved by the planning department. Any conveyance to a homeowner's association shall be subject to appropriately recorded and filed restrictive covenants and easements. The covenants and easements shall prohibit future development of the open space for other than open space and recreation purposes and shall provide for continued maintenance of the open space and recreation facilities.
- 12. Please list any community meeting(s) pertaining to the project. Please provide, times, locations, and dates.

While the requested zoning would provide a transition between the established residential subdivisions to the east and the nonresidential uses along the commercial corridor of Broad River Road to the west, the development district regulations outlined in the proposed PDD would be problematic in regards to enforcement and compliance.

For these reasons, staff recommends **Disapproval** of this map amendment.

Zoning Public Hearing Date

December 16, 2014.

Proposed PDD Conditions

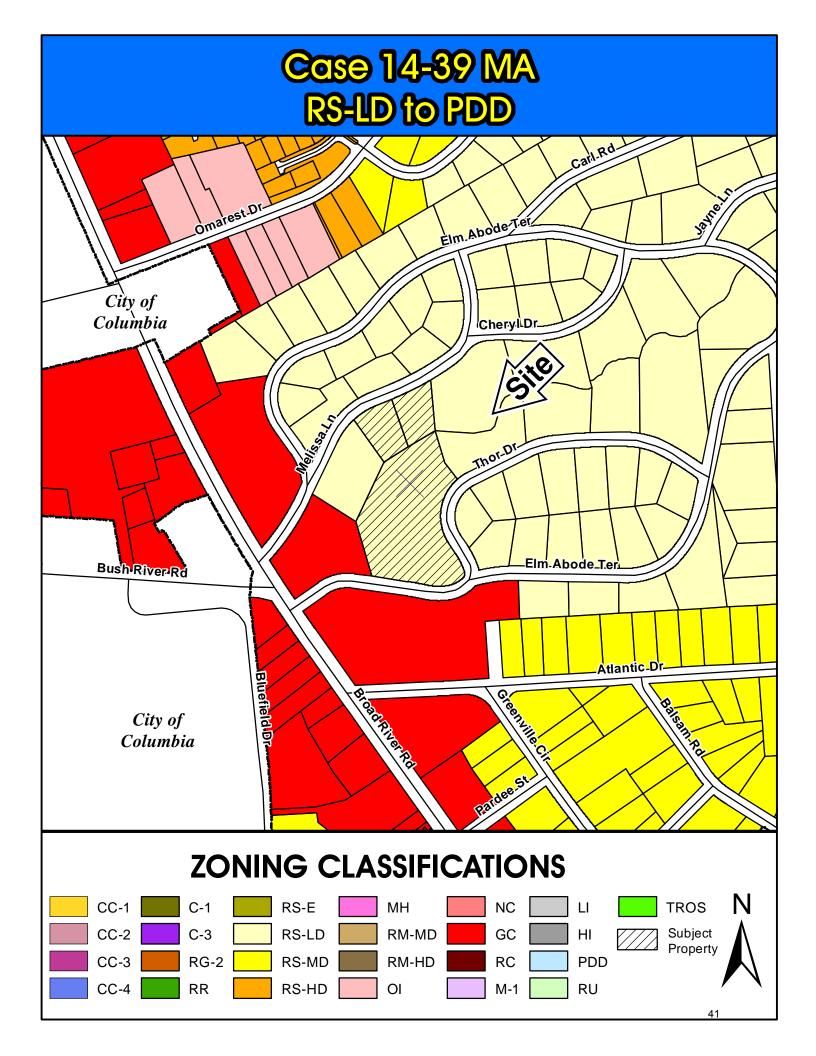
*Note- If the PDD is approved the following conditions are strongly recommended.

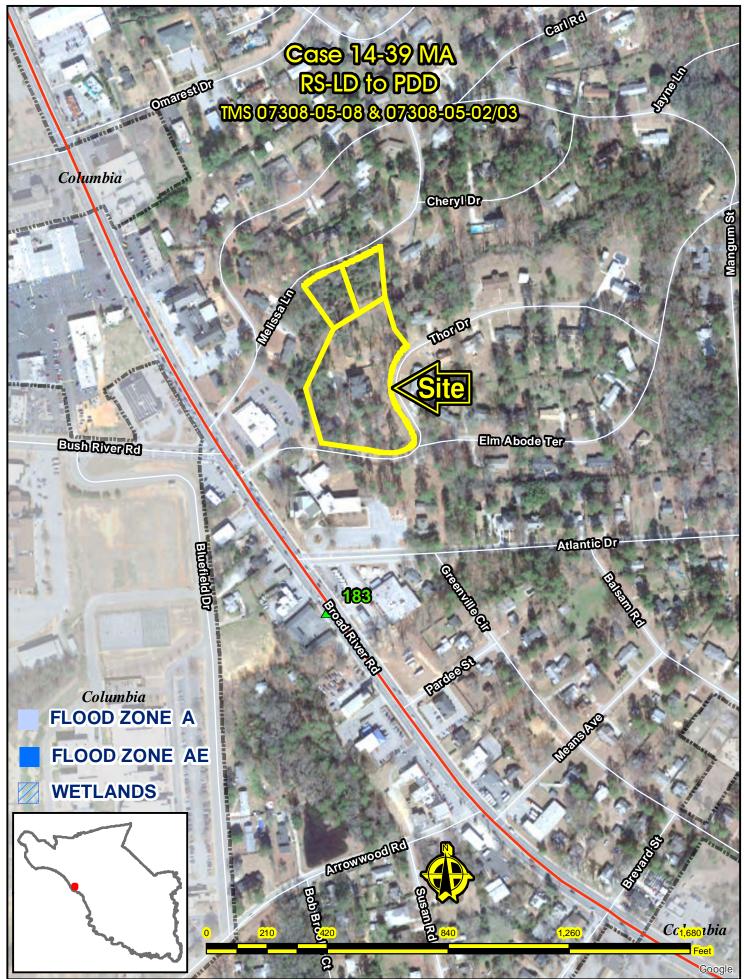
- a) The Elm Abode Mansion/Aiken Residence (Elm Abode Mansion PDD) dated October 27, 2014 and revised November 19th, 2014 shall adhere to the Richland County Land Development Code as amended through 7-15-14.
- b) Proposed changes to the approved Master Plan shall be subject to the requirements of Section 26-59 (j) of the Richland County Land Development Code.

- c) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest.
- d) Removal of development district regulations that would be difficult for the County to enforce.
- e) All the conditions described herein shall apply to the applicant, the developer and/or their successors in interest.
- f) No further subdivision of parcels R07308-05-02, R07308-05-03 and R07308-05-08 will be permitted as outlined in The Elm Abode Mansion/Aiken Residence (Elm Abode Mansion PDD) dated October 27, 2014 and revised November 19th, 2014.

Planning Commission Action

The Richland County Planning Commission, at its December 1, 2014 meeting, recommended the **<u>approval</u>** of the proposed amendment for RC Project #14-39 MA (The Elm Adobe Mansion PDD) by County Council, subject to the removal of the items identified as unenforceable under the heading of "Conclusion" and the adoption of the standards under the heading "Proposed PDD Conditions" of the PDSD staff report.





CASE 14-39 MA From RS-LD to PDD

TMS# R07308-05-02, 03 & 08

1335 Elm Abode Terrace





STATE OF SOUTH CAROLINA COUNTY COUNCIL OF RICHLAND COUNTY ORDINANCE NO. ___-15HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTIES DESCRIBED AS TMS # 07308-05-08, TMS # 07308-05-02, AND TMS # 07308-05-03 FROM RS-LD (RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT) TO PDD (PLANNED DEVELOPMENT DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

<u>Section I</u>. The Zoning Map of unincorporated Richland County is hereby amended to change the real properties described as TMS # 07308-05-08, 07308-05-02, and 07308-05-03 from RS-LD (Residential, Single-Family – Low Density District) zoning to PDD (Planned Development District) zoning.

<u>Section II</u>. <u>PDD Site Development Requirements</u>. The following site development requirements shall apply to the subject parcels:

- a) The applicant shall comply with the standards set forth in the Master Plan entitled, "Elm Abode Mansion/Aiken Residence, Richland County Planned Development District Ordinance (Elm Abode Mansion PDD)" (dated October 27, 2014, revised November 19, 2014) and as further amended on December 16, 2014 by the Richland County Council, which is on file in the Richland County Planning & Development Services Department; and is incorporated herein by reference.
- b) The applicant shall comply with the site plan as shown on Exhibit A, which is attached hereto and incorporated herein.
- c) Proposed changes to the approved Master Plan shall be subject to the requirements of Section 26-59 (j) of the Richland County Land Development Code.
- d) Richland County shall not be responsible for the enforcement of any deed restrictions imposed by the applicant, the developer, or their successors in interest.
- e) All the conditions described herein shall apply to the applicant, the developer and/or their successors in interest.
- f) No further subdivision of parcels of parcels R07308-05-02, R07308-05-03 and R07308-05-08 will be permitted.

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

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

Section V. Effective Date. This ordinance shall be effective from and after , 2015 .

RICHLAND COUNTY COUNCIL

By: ______ Norman Jackson, Chair

Attest this _____ day of

_____, 2015.

S. Monique McDaniels Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: First Reading: Second Reading: Third Reading:

December 16, 2014 (tentative) December 16, 2014 (tentative)

Exhibit A



STATE OF SOUTH CAROLINA COUNTY COUNCIL FOR RICHLAND COUNTY ORDINANCE NO. ____15HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-173, OFF-STREET PARKING STANDARDS; SUBSECTION (F), PARKING OF RECREATIONAL VEHICLES, BOATS, AND TRAVEL TRAILERS; SO AS TO ADD UTILITY TRAILERS.

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

<u>SECTION I</u>. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-173, Off-Street Parking Standards; Subsection (f), Parking of Recreational Vehicles, Boats, and Travel Trailers; is hereby amended to read as follows:

- (f) *Parking of recreational vehicles, boats, and travel<u>and utility</u> trailers.*
 - (1) *Travel or camping vehicles*: Not more than one (1) travel or camping vehicle, per family living on the premises, shall be permitted to be parked on a lot in any residential zone. The vehicle shall not be parked in the required front or side yard nor shall any such vehicle be parked or stored in front of the principal structure on a residentially zoned lot. The vehicle shall not be occupied temporarily or permanently while it is parked or stored, except in an authorized recreational vehicle park.
 - (2) *Boats, or travel<u>or utility</u> trailers*: No boat, or travel<u>or utility</u> trailer, shall be stored in any required front or side yard of any residentially zoned property nor shall any boat, or travel<u>or utility</u> trailer, be stored or parked in front of a principal structure on a residentially zoned lot.

<u>SECTION II.</u> <u>Severability</u>. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2015.

RICHLAND COUNTY COUNCIL

BY:___

Norman Jackson, Chair

ATTEST THIS THE _____ DAY

OF_____, 2015

Michelle Onley Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: First Reading: Second Reading: Third Reading: December 16, 2014 (tentative) December 16, 2014 (tentative)

_

STATE OF SOUTH CAROLINA COUNTY COUNCIL FOR RICHLAND COUNTY ORDINANCE NO. ____15HR

AN ORDINANCE UPDATING THE 2009 COMPREHENSIVE PLAN THROUGH THE ADOPTION OF A NEW PLAN FOR THE COUNTY OF RICHLAND, PURSUANT TO THE STATE OF SOUTH CAROLINA COMPREHENSIVE PLANNING ENABLING ACT OF 1994.

WHEREAS, the 1994 State of South Carolina Comprehensive Planning Enabling Act (Section 6-29-310, et seq., of the Code of Laws of South Carolina 1976, as amended) requires the development and adoption of a local Comprehensive Plan designed to promote public health, safety, morals, convenience, prosperity, or the general welfare as well as the efficiency and economy of the County; and

WHEREAS, on May 3, 1999, Richland County Council adopted the "Imagine Richland 2020 Comprehensive Plan" pursuant to S.C. Code Section 6-29- 310, et al. (Ordinance No. 013-99HR); and

WHEREAS, the Imagine Richland 2020 Comprehensive Plan was amended on December 20, 2005 by the incorporation of the "Southeast Richland Neighborhood Master Plan" (dated November 3, 2005) into the Lower Richland Area Plan (Ordinance No. 104–05HR); and

WHEREAS, the Imagine Richland 2020 Comprehensive Plan was amended on October 3, 2006 by the incorporation of the "Broad River Neighborhoods Master Plan", dated July 6, 2006, into the I-20 Interbeltway Subarea Plan (Ordinance No. 094-06HR); and

WHEREAS, the Imagine Richland 2020 Comprehensive Plan was amended on June 19, 2007 by the incorporation of "The Renaissance Plan for the Decker Boulevard/Woodfield Park Area" (dated March 12, 2007) into the I-20 Corridor Sub-area Plan (Ordinance No. 055-07HR); and

WHEREAS, the Imagine Richland 2020 Comprehensive Plan was amended on February 17, 2009 by the incorporation of "The Candlewood Neighborhood Master Plan" (dated December 1, 2008) into the Northeast Area Plan (Ordinance No. 007-09HR); and

WHEREAS, on December 15, 2009, Richland County Council adopted the "2009 Comprehensive Plan" pursuant to S.C. Code Section 6-29-310, et al., with the above referenced Neighborhood Master Plans included in such Plan (Ordinance No. 076-09HR); and

WHEREAS, the 2009 Comprehensive Plan was amended on January 19, 2010 by the incorporation of the "Trenholm Acres/Newcastle Neighborhood Master Plan", dated July 2008 (Ordinance No. 003-10HR); and by the incorporation of the "Crane Creek Neighborhood Master Plan", dated May 2009 (Ordinance No. 004-10HR); and

WHEREAS, the 2009 Comprehensive Plan was amended on December 14, 2010 by the incorporation of the "Broad River Road Corridor and Community Master Plan", dated August 2010 (Ordinance No. 081-10HR); and

WHEREAS, the 2009 Comprehensive Plan was amended on March 18, 2014 by the incorporation of the "Spring Hill Strategic Community Master Plan", dated December 2013 (Ordinance No. 008-14HR); and by the incorporation of the "Lower Richland Strategic Community Master Plan", dated December 2013 (Ordinance No. 009-14HR); and

WHEREAS, the Comprehensive Plan must be comprised of certain defined elements, including, but not limited to: (1) a population element, (2) an economic development element, (3) a natural resources element, (4) a cultural resources element, (5) a community facilities element, (6) a housing element, (7) a land use element, (8) a transportation element, and (9) a priority investment element; and

WHEREAS, pursuant to Section 6-29-510 (E), the comprehensive plan, including all elements of it, must be updated at least every ten years; and

WHEREAS, Richland County's Planning and Development Services Department hired a qualified and reputable consultant to assist with the updating process, and took numerous steps to engage the public in this process, including: holding fifteen (15) community meetings, holding several meetings with identified stakeholders, having Home Builders Association (HBA) involvement and participation, reaching out to smaller municipalities, receiving feedback and direction from County Council members and Planning Commission members, and coordination with the City of Columbia, all of which occurred over a one year time frame; and

WHEREAS, the Richland County Planning Commission has recommended to County Council the adoption of an updated plan, said plan being dated December 1, 2014, and entitled "PLAN RICHLAND COUNTY"; and

WHEREAS, it appears to County Council that the Comprehensive Plan is comprised of all required elements, is proper in all other material respects, and that the adoption of the Plan is in the best interest of the County;

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, be it enacted by the County Council for Richland County as follows:

<u>SECTION I.</u> Pursuant to Section 6-29-530 of the Code of Laws of South Carolina 1976, as amended, Richland County Council does hereby adopt, approve, and ratify the December 1, 2014 Comprehensive Plan entitled "PLAN RICHLAND COUNTY", which is on file in the Planning and Development Services Department.

<u>SECTION II</u>. The "Southeast Richland Neighborhood Master Plan" (dated November 3, 2005), and the "Broad River Neighborhoods Master Plan" (dated July 6, 2006), and "The Renaissance Plan for the Decker Boulevard/Woodfield Park Area" (dated March 12, 2007), and the

"Candlewood Neighborhood Master Plan" (dated December 1, 2008), and the "Trenholm Acres/Newcastle Neighborhood Master Plan" (dated July 2008), and the "Crane Creek Neighborhood Master Plan" (dated May 2009), and the "Broad River Road Corridor and Community Master Plan" (dated August 2010), and the "Spring Hill Strategic Community Master Plan" (dated December 2013), and the "Lower Richland Strategic Community Master Plan" (dated December 2013) are all incorporated into the aforementioned "PLAN RICHLAND COUNTY" Comprehensive Plan and shall remain in full force and effect.

<u>SECTION III</u>. <u>Severability</u>. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

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

SECTION V. Effective Date. This ordinance shall be enforced from and after _____, 2015.

RICHLAND COUNTY COUNCIL

BY:___

Norman Jackson, Chair

ATTEST THIS THE _____ DAY

OF_____, 2015.

S. Monique McDaniels Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: First Reading: Second Reading: Third Reading: December 16, 2014 (tentative) December 16, 2014 (tentative)

		1		1	1					
Does not go back to PC	X	×	x	×				x		X
Goes back to PC and starts over					X	X				
Goes back to PC and is reviewed							Х		Х	
COUNTY COUNCIL ACTION AT THE ZONING PUBLIC HEARING	APPROVE	APPROVE	DENY	DENY	Zoning District X to Zoning District Z	Zoning District X to Zoning District Z	Zoning District X to PDD with less restrictions	Zoning District X to PDD with more restrictions	Zoning District X to PDD with less restrictions	Zoning District X to PDD with more restrictions
PLANNING COMMISSION RECOMMENDATION	APPROVE	DENY	APPROVE	DENY	APPROVE	DENY	APPROVE	APPROVE	DENY	DENY
PLANNING COMMISSION	Zoning District X to Zoning District Y	Zoning District X to PDD								

PROCEDURES FOR SENDING REZONING MATTERS "BACK" TO THE PLANNING COMMISSION

Case #	Address	Staff Rec.	PC Rec.	CC Decision	From	To
13-36 MA	1204 Hopewell Church Rd.	Approved	Approved	Denied	RU	RS-LD
13-37 MA	6405 Monticello Rd.	Denied	Approved	Withdrawn	RS-MD	GC
14-01 MA	425 Summit Terrace Ct.	Approved	Approved	Approved	PDD	PDD
14-02 MA	10356 Broad River Rd.	Approved	Approved	Approved	RU	GC
14-03 MA	Cabin Creek Rd.	Denied	Approved	Approved	RU	OI
14-04 MA	1-77 & Hwy. 21	Approved	Approved	Approved	RU	LI
14-05 MA	Sloan Rd.	Approved	Approved	Approved	RU	RS-LD
14-06 MA	6405 Monticello Rd.	Denied	Approved	Approved	RS-MD	NC
14-07 MA	Two Notch Rd. & Brickyard Rd.	Approved	Approved	Approved	GC	LI
14-09 MA	Jacobs Mill Pond Rd.	Approved	Approved	Approved	PDD	PDD
14-10 MA	1530 Dutch Fork Rd.	Approved	Approved	Approved	RU	GC
14-11 MA	1408 Peace Haven Rd.	Denied	Denied	Denied	RU	RC
14-12 MA	1115 Wessinger Rd.	Approved	Denied	Denied	M-1	RM-MD
14-13 MA	1335 Elm-Abode Terr.	Denied	Approved	Withdrawn	RS-LD	O
14-14 MA	5433 Farrow Rd.	Withdrawn				
14-15 MA	5501 Farrow Rd.	Withdrawn				
14-16 MA	115 Congaree Run	Approved	Approved	Approved	RU	GC
14-18 MA	22 Bluff Rd.	Denied	Denied	Denied	M-1	GC
14-20 MA	Gate Rd. & Wise Rd.	Approved	Approved	Approved	RU	RS-MD
14-21 MA	Killian Rd. & Hwy. 21	Approved	Approved	Approved	RU	RC
14-22 MA	510 Dartmouth Ave. & 515 Club Rd.	Denied	Approved	Approved	RM-HD/RS-HD	GC
14-23 MA	2803 Padgett Rd.	Denied	Approved	Approved	MH	O
14-24 MA	1170 Olympia Ave.	Approved	Approved	Approved	RM-HD	NC
14-25 MA	10461 Wilson Blvd.	Approved	Approved	Approved	RU	RC
14-26 MA	10203 Two Notch Rd.	Approved	Approved	Approved	M-1	GC
14-27 MA	5430 Lower Richland Blvd.	Denied	Denied	Deferred	RS-LD	NC
14-28 MA	3533 Broad River Rd.	Denied	Approved	Approved	RM-HD/GC	GC
14-29 MA	Clemson Rd.	Denied	Approved	Denied	RU	GC
14-30 MA	8505 Garners Ferry Rd.	Approved	Approved	Approved	RU	GC
14-31 MA	Greenhill Parkway	Approved	Approved	Approved	PDD	PDD
14-32 MA	1224 Broad River Rd.	Denied	Denied	Denied	RS-MD	O
14-33 MA	Old Tamah Rd.	Denied	Denied	Denied	RU	RS-LD

2014 Staff, PC County Council Decisions

2014 Staff, PC County Council Decisions

14-34 MA	14-34 MA Old Leesburg Rd.	Denied	Denied	Denied	RU	ΗМ
14-35 MA	North Springs Rd.	Approved	Denied	Deferred	RS-MD	NC
14-36 MA	14-36 MA 7640 Monticello Rd.	Adm. Deferred Withdrawn	Withdrawn	Withdrawn	GC	RS-LD
14-37 MA Trotter Rd.	Trotter Rd.	Approved	Approved		PDD	PDD
14-38 MA	14-38 MA 1117 & 1115 Sparkleberry Lane Ext.	Approved	Approved		Н	GC
14-39 MA	14-39 MA 1335 Elm-Abode Terr.	Denied	Approved		RS-LD	PDD
14-40 MA	14-40 MA 908 North Brickyard Rd.	Denied	Deferred		RS-LD	OI



Richland County Government 2020 Hampton Street Columbia, SC 29204 Phone (803) 576-2180 Fax (803) 576-2182