



Richland County Council
Zoning Public Hearing
September 29, 2021 – 7:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29201

COMMITTEE MEMBERS PRESENT: Paul Livingston, Chair; Yvonne McBride, Vice-chair, Bill Malinowski, Derrek Pugh, Allison Terracio, Gretchen Barron, Overture Walker, Jesica Mackey, Cheryl English and Chakisse Newton

OTHERS PRESENT: Michelle Onley, Geo Price, Dale Welch, Tina Davis, Tommy DeLage, Tamar Black, Brian Crooks, Aric Jensen and Justin Landy

II. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 7:00 PM.

III. **ADDITIONS/DELETIONS TO THE AGENDA** – There were no additions or deletions to the agenda.

IV. **ADOPTION OF AGENDA** – Ms. Terracio moved, seconded by Ms. Barron, to adopt the agenda as published.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

V. **MAP AMENDMENTS**

1. *Case # 21-022 MA*
Frank McMaster
RU to GC (8.76 Acres)
Barbara Drive
TMS# R17109-02-06 [FIRST READING]

Mr. Livingston opened the floor to the public hearing

The applicant, Frank McMaster, spoke in favor of the re-zoning.

The floor to the public hearing was closed.

Ms. Barron moved, seconded by Mr. Malinowski, to approve the re-zoning request.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

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2. *Case # 21-023 MA*
Norman Harvin
M-1 to GC (2.18 Acres)
3041 Bluff Road
TMS# R13507-01-07 [FIRST READING]

Mr. Livingston opened the floor to the public hearing

The applicant's attorney, Todd Rutherford, spoke in favor of the re-zoning request.

The floor to the public hearing was closed.

Ms. English moved, seconded by Ms. Newton, to defer the item until the October Zoning Public Hearing.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

3. *Case # 21-025 MA*
Matthew Condon
RU to RM-HD (5.94 Acres)
9569 & 9579 Farrow Road
TMS# R17400-09-05, 06 & 07 [FIRST READING]

Mr. Livingston opened the floor to the public hearing

The applicant, Matthew Condon, spoke in favor of the re-zoning request.

The floor to the public hearing was closed.

Ms. Barron moved, seconded by Mr. Malinowski, to approve the re-zoning request.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

4. *Case # 21-027 MA*
Chip Goforth
RU to RC (3.35 Acres)
7742 Bluff Road
TMS# R32403-02-04 & 05 [FIRST READING]

Mr. Livingston opened the floor to the public hearing

Mr. Ryan Bland spoken in favor of the re-zoning request.

The floor to the public hearing was closed.

Ms. English moved, seconded by Ms. Mackey, to approve the re-zoning request.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

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Not Present: J. Walker

The vote in favor was unanimous.

TEXT AMENDMENT

1. *County Council approval of the updated Land Development Manual which will update the County's standards for water quality, storm drainage design and road*

Mr. Livingston opened the floor to the public hearing

No one signed up to speak.

The floor to the public hearing was closed.

Mr. Malinowski inquired if the changes were notated in the document provided to Councilmembers.

Ms. Williams responded there was a short PowerPoint presentation accompanying the full document, which outlined the major changes to the water quality standards, the drainage design standards and the road design standards. The old manual was drafted approximately a decade ago, and there were many small changes.

Ms. Barron stated, for clarification, we are only approving the resolution tonight.

Ms. Terracio inquired if there will be other opportunities for small changes and updates.

Ms. Williams responded, if there any concerns, they would like to hear that. They have tried to address all of the new regulatory requirements from the stormwater permit to bring the road standards up to the State Asphalt Management.

Ms. Terracio stated this is for stormwater and roads, but what about land use.

Ms. Williams responded this is not related to zoning. This is only for drainage design, water quality design, and road design.

Mr. O. Walker moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

2. *An Ordinance to adopt a new Land Development Code which will regulate development of land and the types of uses permitted in the unincorporated areas of Richland County [FIRST READING]*

Mr. Livingston opened the floor to the public hearing

Mr. Kevin Steelman, Mr. Bill Flowers, Mr. Christopher Lawson, Ms. Vi Hendley, Sherry Jaco and Javar Juarez spoke regarding the proposed ordinance.

The floor to the public hearing was closed.

Ms. Terracio inquired if we will have another opportunity for the public to provide feedback.

Mr. Crooks responded, if Council desires to have a 2nd public hearing, it would need to occur prior to 3rd

Reading. Third Reading and the public hearing cannot occur at the same time.

Mr. Price stated, beginning October 1st, there will be a map amendment moratorium, which will prohibit persons from applying for any zoning district classification other than a district classification described and regulated in the Land Development Code adopted on October 19, 2021 until May 2, 2022. In order to incorporate some of the concerns expressed by Ms. Terracio, we would recommend changing 2nd Reading to October 19th and 3rd Reading to November 16th. The additional public hearing would occur at the October 19th meeting.

Ms. McBride moved, seconded by Mr. O. Walker, to approve the ordinance for 1st Reading, and hold the subsequent readings on October 19th and November 16th.

Mr. Malinowski inquired how the May 2, 2022 date was selected.

Mr. Crooks responded that is the proposed date we are expecting the culmination of the Code Re-Write.

Mr. Malinowski stated the problem he sees is, once the Land Development Code is adopted, within 90 days we send out notice to the property owners letting them know the County is changing the zoning. It seems we should notify them that it is being considered, get their input, and then move forward. He noted the moratorium is being put in effect prior to the adoption of the Land Development Code, which prohibits anyone from applying for anything other than the new classifications. The business community and the public still have questions that have not been addressed. He noted he had someone contact him to let him know they had tried to go to the links on the County website to view the document, but the links did not work correctly. The Land Development Code affects development in unincorporated Richland County. The way it is being done removes any semblance of transparency.

Mr. Malinowski made a substitute motion to defer the item until after the notification deadlines.

The substitute motion died for lack of a second.

Ms. Mackey noted staff did a lot of public meetings. She requested a report from those public meetings, in order to review the feedback.

Mr. Price stated the notifications are to notify the property owners it is the County's intent to re-zone your property. There will be community meetings to discuss the proposed re-zonings. He noted the overall participation at the previous community meetings were poorly attended. The exception was those community meetings initiated by specific Councilmembers. The document is not something the general public typically looks at. When we send out the notifications, and the citizens know what is happening with their property, and the surrounding area, their questions will be more targeted.

Ms. Newton inquired if the notification staff is referring to references the start of the re-zoning process. For example, if Council approved 1st Reading today, would staff immediately email every property owner and say their property is going to be re-zoned, or is the trigger when we move to the re-mapping process.

Mr. Price responded the notifications will occur after the adoption of the ordinance. Prior to that, staff will begin working on the maps. They will also be working with Councilmembers.

Ms. Newton stated, for clarification, the notifications are not generic, but specific to the property owner's property.

Mr. Barron stated, if we do robust PR for these events, we will probably get more citizens to the public meetings. She would like to have questions answered prior to us moving forward with a document. If we keep the ball moving, and then we get the answers to the questions, what happens when those questions are not answered in the manner we were hoping for? The approach seems kind of rigid. If we could be flexible in involving the community and citizens, especially as we are considering opening up for more community

engagement. People do not pay attention to items until it comes to their mailbox. We have to get their attention to let them know this impacts them.

Mr. Crooks stated a lot of the feedback from the community meetings was just general questions. They received questions about property maintenance, building codes, etc. One of their concerns is they did not want residential subdivisions being able to be built in RU. Explaining to them how the new zoning districts would help reduce some of that, in a different manner, was a lot of the conversation. There were questions about postings and signage for re-zonings. They heard concerns related to the rural district, in general, housing density, and parking in yards. He noted they do try to address the concerns raised, but sometimes the suggestions are two different ends of the spectrum, so they try to meet in the middle.

Mr. Pugh stated, once he realized there was not a “healthy” attendance, he reached out to the department to have the community meetings rescheduled. He noted we have fiduciary responsibility to make sure the citizens are fully aware of what is going on. He agrees we need to notify people in advance. We have to make sure we do a robust job of advertising these meetings, so people understand how important they are. Going forward, he would like to see us do a better job of getting these meeting notices out. Reaching out to the neighborhood associations is an excellent way to ensure the information is getting out.

Mr. Crooks noted they did reach out to the neighborhood/homeowner’s associations. The public meetings were included in PIO’s Weekly Review and Government and Community Services bi-weekly email blast.

Ms. Mackey stated a synopsis of community feedback provided to Councilmembers would be helpful in making a decision on the document. In addition, it will help her be able to go out into her district and speak with her constituents about the changes, and addressed the community’s feedback in the document.

Ms. Newton stated she would be in favor of an additional public hearing. She interpreted the Zoning Public Hearing different than a public hearing. She thought it was similar to what we do with the budget process. She understands the desire to move forward, but there are still textual changes she would like to see happen.

Ms. English inquired if this document is still open for changes.

Mr. Price responded in the affirmative. They are hoping, between readings, to have additional work sessions to answer questions Councilmembers may have.

Mr. Livingston inquired if we have a framework to present to the public.

Mr. Price responded this has been ongoing for many years. There were a number of community meetings. Every time there is a re-zoning, staff informs them about the Land Development Code Re-Write. Most of the time questions/concerns come back to their individual properties. He noted Council does not do this on a daily basis, so it is harder for them to ask specific questions. Once the text is approved, and the public is notified, it is going to allow them to come and raise concerns and/or ask questions.

Ms. McBride stated staff has given citizens more opportunities to comment on this initiative than any other initiative she knows of. You have to face fact that people do not come out to meetings.

Ms. Newton inquired if Ms. McBride’s intent was to have a 2nd public hearing.

Ms. McBride responded her intent was to get the information out, and if needed, to have a 2nd public hearing.

Ms. Mackey reiterated that she would like to receive a report of responses received from public meetings, emails and stakeholders, and to indicate if any of those items were addressed in the draft document.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey and English

Opposed: Malinowski and Newton

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Not Present: J. Walker

The vote was in favor.

VI. **ADJOURNMENT** - The meeting adjourned at approximately 8:17 PM.