

RICHLAND COUNTY
DEVELOPMENT & SERVICES
COMMITTEE AGENDA



Tuesday, JULY 27, 2021

5:00 PM

COUNCIL CHAMBERS

The Honorable Allison Terracio, Chair

County Council District 5

The Honorable Derrek Pugh

County Council District 2

The Honorable Gretchen Barron

County Council District 7

The Honorable Cheryl English

County Council District 10

The Honorable Chakisse Newton

County Council District 11

RICHLAND COUNTY COUNCIL 2021



Bill Malinowski
District 1
2018-2022



Derrek Pugh
District 2
2020-2024



Yvonne McBride
District 3
2020-2024



Paul Livingston
District 4
2018-2022



Allison Terracio
District 5
2018-2022



Joe Walker III
District 6
2018-2022



Gretchen Barron
District 7
2020-2024



Overture Walker
District 8
2020-2024



Jessica Mackey
District 9
2020-2024



Cheryl English
District 10
2020-2024



Chakisse Newton
District 11
2018-2022





Richland County Development & Services Committee

July 27, 2021 - 5:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29201

1. **CALL TO ORDER** The Honorable Allison Terracio

2. **APPROVAL OF MINUTES** The Honorable Allison Terracio
 - a. Regular Session: June 22, 2021 [PAGES 6-10]

3. **ADOPTION OF AGENDA** The Honorable Allison Terracio

4. **ITEMS FOR ACTION** The Honorable Allison Terracio
 - a. Adoption of the Jim Hamilton - LB Owens Airport Runway Extension Justification Study [PAGES 11-45]

5. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED** The Honorable Allison Terracio
 - a. I move to direct the County Attorney to work with the County Administrator to research and draft an absentee landlord ordinance. The ordinance should provide potential remedies for individuals who violate county ordinances and provide, via supplemental documentation, a comprehensive review of the legal impacts [potentially] associated with the adoption of such an ordinance. [NEWTON and DICKERSON] [PAGES 46-63]

****Staff continues its efforts and have requested the review and feedback of Councilmembers Terracio and Newton.**

6. **ADJOURNMENT**



Special Accommodations and Interpreter Services Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.



Richland County
Development & Service
June 22, 2021 -5:00 PM
Zoom Meeting
2020 Hampton Street, Columbia, SC 29201

COMMITTEE MEMBERS PRESENT: Allison Terracio, Chair, Derrek Pugh, Gretchen Barron and Chakisse Newton

OTHERS PRESENT: Paul Livingston, Bill Malinowski, Tamar Black, Randy Pruitt, Ashiya Myers, Brian Crooks, Dale Welch, John Thompson, Elizabeth McLean, James Hayes, John Ansell, Leonardo Brown, Lori Thomas, Michael Maloney, Brittney Hoyle-Terry, Mike Zaprzalka, Ronaldo Myers, Sandra Haynes, Sara Scheirer, Stacey Hamm, Stephen Staley, Zachary Cavanaugh and Michael Byrd

1. **CALL TO ORDER** – Ms. Terracio called the meeting to order at approximately 5:02 PM.

2. **APPROVAL OF MINUTES**

a. **Regular Session: May 25, 2021** – Ms. Barron moved, seconded by Ms. Newton, to approve the minutes as distributed.

In Favor: Pugh, Terracio, Barron, and Newton

Not Present: English

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. Newton inquired about Items 4(a) and (b), and if we were going to have a broader conversation about recreation and recreation needs in Richland County.

Ms. Terracio responded, when we get to those items, we could make a motion to address Ms. Newton's concerns.

Mr. Pugh moved, seconded by Ms. Barron, to adopt the agenda as published.

In Favor: Pugh, Terracio, Barron, and Newton

Not Present: English

The vote in favor was unanimous.

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4. **ITEMS FOR ACTION**

- a. **Special Revenue Fund - Hospitality Tax: RC Volley ball Complex - new group seeking Council funding (\$ 3,950,000)** – Ms. Terracio inquired if items (a) and (b) could be discussed together.

Ms. Barron responded she would like to combine Items (a) and (b).

Ms. Newton stated there needs to be a broader conversation about recreation in Richland County, what our priorities, and what makes sense for a sports complex before we look at specific items that came from an outside agency. She recommended having a work session to discuss the criteria and public uses. She stated the Recreation Commission commissioned a third-party study to look at recreation across the County to identify gaps and opportunities. She would like to see a collaboration between the Recreation Commission and the County before any specific opportunities are discussed.

Ms. Barron noted she agrees with Ms. Newton about the need for recreation sports in Richland County to make it a destination site. She stated, instead of outsourcing, she would rather us collaborate and partner with the Recreation Commission to maximize this project.

Mr. Pugh moved, seconded by Ms. Barron, to instruct staff to move forward with their due diligence to determine what type of facility we need in Richland County, and to schedule with the Clerk's Office work session with stakeholders and those involved in the community to come together to decide the location and type of complex needed.

Ms. Newton recommended Council provide criteria and strategic input and have staff come back with options with how it works, the implications, etc. that will Council to give direction of what and where we would like to see things.

Ms. Newton made a substitute motion, seconded by Ms. Barron, to forward to Council with a recommendation to direct staff to organize a work session to discussion recreation league opportunities in Richland County, to include background information/criteria for Council to evaluate. Staff should collaborate with any groups necessary to gather information for said work sessions.

Ms. Mackey noted she did not hear any collaboration with the Recreation Commission, who is responsible for executing a lot of the recreation needs for the communities. She inquired if there was a desire for staff to collaborate with the Recreation Commission during their research.

Ms. Terracio responded she would hope the Recreation Commission, and any other pertinent entities, would be invited as stakeholders to these meetings.

Mr. Livingston stated he did not want Council to get too involved in making decisions about recreational needs in Richland County. He noted the Recreation Commission and its director's job is to provide recreational need to the County. He though we were primarily looking at destination sites in Richland County.

Ms. Newton stated here intent aligns with Mr. Livingston's concerns. Staff would not be precluded from collaborating with the Recreation Commission.

Ms. Terracio inquired if we could have a work session in July.

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Mr. Brown responded in the affirmative.

In Favor: Pugh, Terracio, Barron, English and Newton

The vote in favor was unanimous.

- b. **Special Revenue Fund - Hospitality Tax: SC Kings Foundation Nexx Level Sports Center - new group seeking Council funding (\$ 9,500,000)** – This item was taken up with Item (a).
- c. **I move to name June as Pride Month in Richland County [TERRACIO]** – Mr. Terracio moved, seconded by Mr. Pugh, to forward to Council with a recommendation to approve naming June as Pride Month in Richland County.

In Favor: Pugh, Terracio, Barron, English and Newton

The vote in favor was unanimous.

- d. **I move to authorize the County Attorney to take any and all necessary actions, including condemnation proceedings, to acquire ownership of the roadway parcels of Aiken Hunt Circle and Oak Brook Drive that are currently not in the County's road maintenance program. These parcels are located in the Wildewood Subdivision, and the current owner has been nonresponsive to prior requests by the Department of Public Works to acquire the roadway parcels. [MACKEY]** – Ms. Mackey stated these roads are not currently considered County-owned roads, and all the surrounding roads were taken over by the County. There have been several attempts by Public Works to contact the owner.

Ms. Newton noted there are many roads that need to be repaired in the County. She inquired how roads are added into the County's inventory and the effect it has on other roads on the list.

Mr. Maloney responded they intend to look at the roads once they are in the County system and not delay needed maintenance. He noted they have performed emergency maintenance due to large potholes that were a safety issue, but when it is time to do a mill and fill, they would look at these as any other road by looking at the condition index.

Ms. Newton noted, in the ordinance, it states, "First, distribute the funds based on the length within a district as compared to the entire County". She inquired if this meant all roads or paved roads.

Mr. Maloney responded it is referring to paved roads.

Ms. Newton stated she believes it creates inherent unfairness because the more paved roads you have the sooner you will get maintenance. She noted her district and District 10 have an overabundance of unpaved roads, which leads to the paved roads getting more traffic with lower maintenance because they do not have a lot paved roads.

Ms. Terracio inquired why the road was not acquired like the other roads.

Mr. Maloney responded he did not. This dates back 30 years, and could have been an oversight.

Ms. Terracio inquired about any liability issues for patching roads that are not County roads.

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Ms. McLean responded there is an ordinance that allowed the County to do it on a limited basis.

Mr. Pugh moved, seconded by Ms. English, to forward to Council with a recommendation to move forward on this item.

In Favor: Pugh, Terracio, Barron, English and Newton

The vote in favor was unanimous.

- e. **I move to evaluate affordable housing options to include the option of establishing an Affordable Housing Trust Fund for Richland County as a benefit to the public. Housing is considered to be “affordable” when 30% or less of one’s income is spent on housing and utilities. In Richland County, nearly half of renters pay more than a third of their income on rent and utilities [TERRACIO]** – Ms. Terracio moved, seconded by Mr. Pugh, to forward to Council with a recommendation for staff to schedule a work session to present a proposed ordinance, policies and potential funding mechanism for supporting affordable, attainable, accessible housing in Richland County. In addition, to consult with the Columbia Affordable Housing Task Force to glean the outcome of their meetings.

Ms. Newton made a friendly amendment to request staff present their recommendation on affordable housing to Council so we can provide additional guidance and priorities to determine how to move forward.

In Favor: Pugh, Terracio, Barron, English and Newton

The vote in favor was unanimous.

- f. **Amend the County's current ordinance, in order to allow lighting on Broad River Road [DICKERSON]** – Mr. Pugh moved, seconded by Ms. Barron, to table this item until we know if it will fit into the new Broad River Improvement Plan.

Ms. English noted she has many areas in her district in need of light, particularly dirt roads.

In Favor: Pugh, Terracio, Barron, English and Newton

The vote in favor was unanimous.

- g. **Adoption of the Solid Waste Management Plan** – Ms. English moved, seconded by Ms. Barron, to defer this item until the July Development and Services Committee meeting.

In Favor: Pugh, Terracio, Barron, English and Newton

The vote in favor was unanimous.

- h. **Municipal Solid Waste Management – Collections Contract** – Ms. Newton inquired if staff could discuss the parts that need to be forwarded to Council for action.

- i. Mr. Maloney stated there are parts that can be taken a la carte. There is a recommendation to adopt the Solid Waste Management Plan, and approval of the Chapter 12 rewrite, which staff is working on for a future committee meeting. He noted putting reasonable limits on yard waste, requiring

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yard waste to be picked up weekly, delegating and amending curbside collection contract terms from 5 years to 3 years, with two 1-year extensions. All these items were discussed at the recent work session.

Mr. Malinowski inquired if the items would come back through committee for a final review since there is nothing definitely decided at a work session.

Mr. Maloney responded they would like to use an RFP process for proposals. They would be reviewing where the costs hit and what we get from the contractors, based on the process. There is an estimate with each item, but if there is questions on a particular item they can address them.

Ms. Newton inquired about the time sensitivity of this item.

Mr. Maloney responded they would like to have the RFP out by August.

Ms. Newton moved, seconded by Ms. Terracio, to forward to Council without a recommendation.

In Favor: Pugh, Terracio, Barron and English

Opposed: Newton

The vote was in favor.

5. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED**

- a. **I move to direct the County Attorney to work with the County Administrator to research and draft an absentee landlord ordinance. The ordinance should provide potential remedies for individuals who violate county ordinances and provide, via supplemental documentation, a comprehensive review of the legal impacts [potentially] associated with the adoption of such an ordinance. [NEWTON and DICKERSON]** – No action was taken.

6. **ADJOURNMENT** – The meeting adjourned at approximately 6:01PM.



Agenda Briefing

Prepared by:	Christopher S. Eversmann, PE, AAE		Title:	Airport General Manager	
Department:	Public Works	Division:	Airport (CUB)		
Date Prepared:	July 12, 2021	Meeting Date:	July 27, 2021		
Legal Review	Elizabeth McLean via email		Date:	July 13, 2021	
Budget Review	James Hayes via email		Date:	July 13, 2021	
Finance Review	Stacey Hamm via email		Date:	July 13, 2021	
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM			
Committee	Development & Services				
Subject:	Adoption of the Jim Hamilton – LB Owens Airport Runway Extension Justification Study				

STAFF’S RECOMMENDED ACTION:

The Staff of the Jim Hamilton – LB Owens Airport (CUB) recommends that Richland County Council approve adoption of the final draft of the Airport Runway Extension Justification Study, prepared by WK Dickson, the Airport Planning and Engineering Consultant, of June 2021.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?		Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?		Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

The preparation of this study was locally funded. If subsequently approved by the staff of the Federal Aviation Administration (FAA), 90% of the cost will be reimbursed to Richland County through a future Airport Improvement Program (AIP) grant.

Approval by County Council and the Staff of the FAA will clear the way for other, future planning, land acquisition, design, and construction projects / phases associated with the extension of Runway 13 – 31. These projects will be funded (probably over the period of several years) through the AIP program which currently uses the funding formula of 90% - Federal / 5% - State / 5% - Local. A \$20M series of projects would require a Local cost match of \$1M.

Finally, even if (hopefully ‘when’) approved by the FAA, the execution of the several discreet projects necessary to ultimately realize the extended runway will be driven by the availability of future AIP Grant funding.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

This study was prepared in accordance with applicable FAA Advisory Circulars (ACs) pertaining to determination of Runway length, Fleet mix, and the AIP.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

The extension of the Airport’s Runway, designated 13 – 31, was recommended in the Airport’s Master Plan Update (MPU) and associated Airport Layout Plan (ALP) which was published in 2011. The Airport, which was first developed in 1930 and is the second-oldest public use airport in South Carolina, is largely “landlocked” with a railroad yard and a track spur to the south and east, residential development to the north, and commercial development to the west. The only way to increase the utility of the Airport is an extension of the runway length and the most practical location is the Runway 13 Approach (Commerce Drive) end.

An extension of the Runway would achieve two important goals:

- Increase the safety factor for aircraft using the runway in marginal weather (wet / slippery) conditions; and,
- Permit increased load (to include the fuel load and, thereby, the range) of aircraft using the runway in hot weather conditions.

An airport has an Airport Reference Code (ARC) assigned by the FAA based on its design aircraft and the approach speed. It is important to note that the Airport’s current ARC is B-II and, following the proposed runway expansion, it will remain a B-II. The extended runway will NOT usher in larger aircraft nor commercial air service; it will increase the utility and, thereby, the traffic and viability of the Airport.

Before the FAA will commit to funding a runway extension, a locally-funded justification study is required. The study process requires not only technical analysis of planning factors and the fleet mix of aircraft that use the Airport, but also outreach to the transient pilot community to solicit letters of support. A copy of the Study is included as Attachment ‘A’ to this Agenda Briefing (AB).

It is anticipated that in the course of review of this document at various staff levels of the FAA, there will be comments and questions generated. It is further anticipated that there will be edits to the final draft throughout this process. This process is already underway with a copy of this final draft provided to the planning staff of the Atlanta Airports District Office (ADO). We do not believe that such minor changes will change the thrust or recommendation contained therein.

ADDITIONAL COMMENTS FOR CONSIDERATION:

In their meeting on July 12, 2021, the Richland County Airport Commission voted to recommend to County Council the adoption of this Study prior to forwarding to the FAA for their formal consideration. A copy of the associated PowerPoint Brief is included as Attachment 'B' and is available for presentation to County Council.

ATTACHMENTS:

1. Runway Extension Justification Study, WK Dickson, June 2021
2. PowerPoint Brief

DRAFT



JUNE
2021



RUNWAY EXTENSION JUSTIFICATION STUDY

Jim Hamilton - LB Owens Airport
Columbia, SC



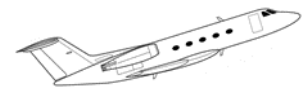


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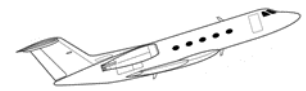
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- Appendix A - FAA Procedure & Rationale for Determining Recommended Runway Lengths
- Appendix B - Frequent Operators’ Letters of Support
- Appendix C - Fleet Mix per AC 150/5325-4B
- Appendix D - 2019 TFMSC Recorded Large Operators
- Appendix E - Runway Development Layout Concepts



Runway Extension Justification Study

The Jim Hamilton – LB Owens Airport (CUB) sees significant corporate jet traffic due to its proximity to downtown Columbia, South Carolina and reliever status for Columbia’s commercial airport, CAE. In addition to the abundance of business traffic, Columbia is home to the University of South Carolina. CUB is home to USC’s fleet of aircraft as well as a private maintenance facility (AMS Columbia) that frequently works on large aircraft. Customers of this facility as well as routine operators at the airfield are regularly expressing their desire for an extension of Runway 13/31. An extension of Runway 13/31 would achieve two important goals. First, and most importantly, the additional length would increase the safety factor for aircraft using the runway in marginal weather (wet/slippery) conditions. Second, it would permit an increased Maximum Takeoff Weight (MTOW) for aircraft using the runway in hot weather conditions, resulting in increased fuel capacity and, thereby, range. With the support of the Richland County Airport Commission, the ensuing Runway Extension Justification Study discusses these goals and has provided the following details in accordance with Advisory Circular (AC) 150/5325-4B *Runway Length Requirements for Airport Design*.

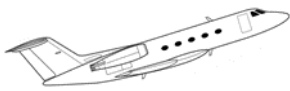
Although there is no definitive way to quantify operations at a non-towered facility like CUB, multiple methods were used to examine the type of traffic operating at the Jim Hamilton – LB Owens Airport. To determine the runway length needed to service the current aircraft utilizing the runway at CUB, data was collected from the following sources:

- Traffic Flow Management System Counts (TFMSC) from the FAA
- Automatic Dependent Surveillance-Broadcast (ADS-B) data from Richland County
- Partial fuel logs for the years 2016-2018
- Operational need letters from frequent large aircraft operators
- Knowledge and relationships of staff at CUB.

Federally funded projects, like a runway extension, require a Substantial Use Threshold be met. Critical Design Aircraft (individual airplane or a family grouping of airplanes) must have at least 500 or more annual itinerant operations at the airport (landings and takeoffs are considered separate operations). The Cessna Citation XLS (560XL) is the currently approved existing and ultimate critical aircraft per the latest Airport Layout Plan (ALP) Update (2011), and this report will prove CUB sees more than 500 annual itinerant operations by this family grouping needing beyond the 5,011 feet available for safe operation.

It should also be noted that Chapter 3, Section 306 (“General Aviation Airports”) of AC 150/5325-4B states:

“General aviation (GA) airports have witnessed an increase use of their primary runway by scheduled airline service [does not apply to CUB] and **privately owned business jets**. Over the years business jets have proved themselves to be a tremendous asset to corporations by satisfying their executive needs for flexibility in scheduling, speed, and privacy. In response to these types of needs, GA airports that receive regular usage by large airplanes over 12,500 pounds MTOW (Maximum Takeoff Weight), in addition to business jets, should provide a runway length comparable to non-GA airports. That is, the extension of an existing runway can be justified at an existing GA airport that has a need to accommodate heavier airplanes on a frequent basis.”



Jim Hamilton - LB Owens Airport

The Jim Hamilton - LB Owens Airport is an excellent example of the type of general aviation airport that Section 306 references. The airport has seen an increase in business jet traffic in recent years, and the following sections of this study will further demonstrate the need for a runway length greater than that provided currently at CUB.

Annual Operations

Due to the effects of COVID-19 on the aviation industry throughout 2020 and continuing into 2021, data from 2019 was used for this study. As shown in **Appendix D**, TFMSC recorded 887 operations in 2019 by aircraft specifically detailed in the fleet of AC 150/5325-4B. Although runway length requirements vary between the charts and conditions below, there is clear evidence numerous aircraft require greater than the 5,011' available. It should also be noted that TFMSC data only captures a portion of all flights, as all VFR and any IFR flights cancelled before landing are not accounted for. To put this in perspective, TFMSC recorded a total of 4,105 operations at CUB during 2019; however, both the FAA Terminal Area Forecast and the 5010-report list approximately 25,000 total annual operations at the airport. Additionally, FAA Order 5090.5 *Formulation of the National Plan of Integrated Airport Systems (NPIAS) and the Airports Capital Improvement Plan (ACIP)* provides guidance that busier general aviation airports may have 350 operations per based aircraft (OPBA). CUB can confidently be considered a busier general aviation airport, but the current count of 115 based aircraft and 25,000 annual operations leads to an OPBA of 217. This indicates that the airport has a ratio below the average of operations per based aircraft. Using the FAA guidance of 350 operations per based aircraft for a facility like CUB leads to approximately 40,000 annual operations. Therefore, considering the FAA TAF, 5010, and Order 5090.5, it can be assumed that significantly more than the TFMSC recorded 887 operations by large aircraft actually occurred at CUB during 2019.

Airport User Support Letters

Throughout the past year, operators were provided a user survey and letter template to collect data on aircraft needs at the Jim Hamilton - LB Owens Airport. This data was evaluated utilizing FAA AC 150/5325-4B to determine the runway length needed by the current aircraft models operating at CUB. The letters collected outlined each company's type of aircraft, runway length requirements, and frequency of operations at CUB. Copies of the relevant support letters and completed surveys can be found in **Appendix B**. While it is recognized that there may be a partial overlap between these counts and TFMSC counts, there is no definitive way to determine which operations were recorded via TFMSC.

As summarized below in **Table I**, most operators detailed significantly more operations than those recorded by TFMSC. TFMSC recorded no operations by any Hawkers 900s and Capital Air SC, LLC reported 120 annual operations. Regarding the Cessna Citation 560s, these are some of the most common aircraft flying in this region. Besides the specific 560s noted below, Automatic Dependent Surveillance-Broadcast (ADS-B) data collected by Richland County recorded 5 additional Citation 560 operators from September 12, 2020 through January 20, 2021 (approximately 4 months). It should be noted that those counts were during the COVID-19 pandemic, and additional operations would be expected during a typical year. TFMSC counts for all noted aircraft were shown for reference in the table below; however, operations by the same type of aircraft were not duplicated for total counts.

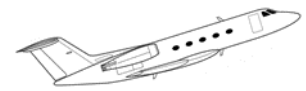


Table I: Supplemental Operations to TFMSC Data

Operator	Aircraft Make/Model	Approximate Annual Operations	2019 TFMSC Operations by Aircraft Model
Airstat, Inc.	Cessna Citation 560 (2)	96	52
Aircraft Maintenance Services, Inc.	Cessna Citation 560	48	52
Beemok Capital	Phenom 300 Falcon 900LX	50	46
Bins Corporation	Cessna Citation 501 Cessna Citation 550 Cessna Citation 560	240	394
Capital Air SC, LLC	Beechcraft Hawker 900XP	120	0
DLH Properties, Inc.	Learjet 60	24	18
E.M. Stivers, Inc.	Cessna Citation 550	192	245
Annual Operations by Above Aircraft		770	458*
Additional Large Aircraft Operations Recorded by TFMSC		N/A	<u>429</u>
Annual Operations by All Large Aircraft		<u>770</u>	887*

**Note: Operations by the same aircraft type duplicated above were not duplicated in total operations count.*

As shown above, frequent operators attested to approximately 770 annual operations at CUB by just 11 specific aircraft; however, TFMSC only recorded 458 operations by these aircraft models. It is reasonable to assume the TFMSC count included additional aircraft than the 11 referenced in the support letters. Furthermore, TFMSC recorded 429 operations by other aircraft models shown in **Appendix C**. The **770 operations** combined with TFMSC’s record of **429 additional operations** brings the total count to **1,199 operations in 2019 by aircraft requiring additional runway length per AC 150/5325-4B**.

To further support this justification, TFMSC data from 2011-2020 was analyzed. In **Figure I** below, a distinct positive trend in large aircraft operating at CUB over the last 10 years can be seen. Although the annual count dips for 2020, it can be assumed that this number would have surpassed 2019’s count without the effects of the COVID-19 pandemic. Supported by the South Carolina Airport System Plan and FAA Terminal Area Forecasts, this growth trend is expected to continue throughout a 20-year planning period. Additionally, per the *FAA Aerospace Forecast: Fiscal Years 2020-2040*, most of the increase in general aviation hours flown will occur in the business jet fleet (FAA 26), aligning with the anticipated increase in jet operations at CUB.

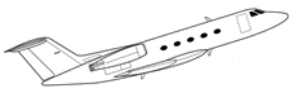
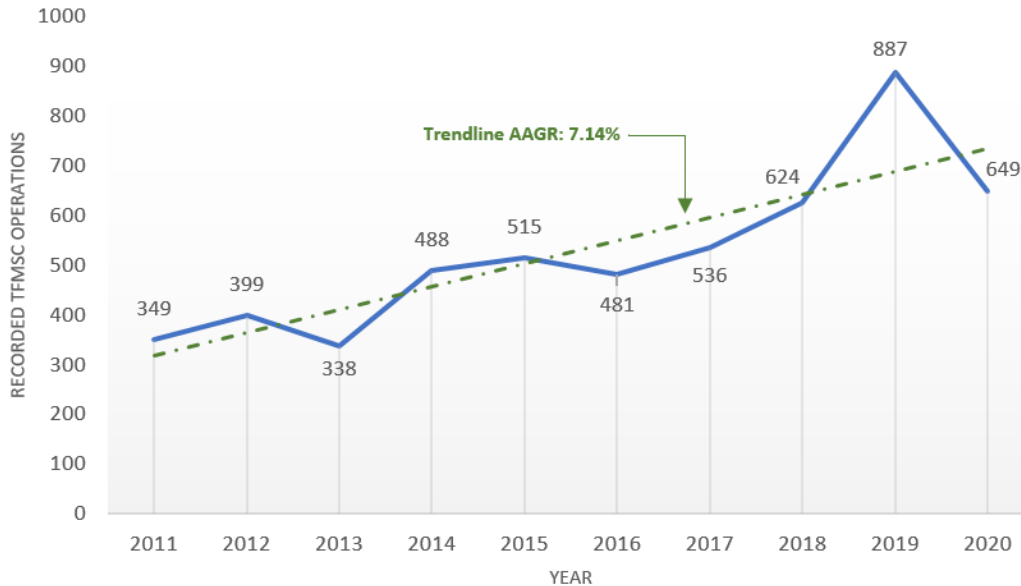


Figure I: Annual TFMSC Operations by Aircraft in AC 150/5325-4B

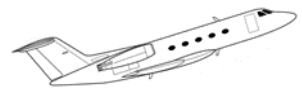


Runway Length Requirements

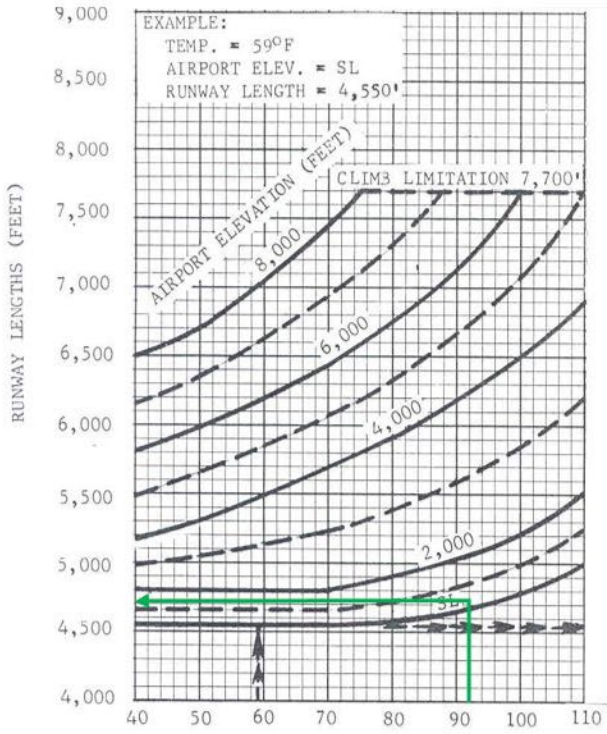
Advisory Circular 150/5325-4B Runway Length Requirements for Airport Design provides guidance for runway lengths at general aviation airports based on the mean daily maximum temperature of the hottest month at the airfield, the established elevation, and the type of aircraft operating there. In speaking with jet operators, many must reduce their weight to safely operate on the existing available runway length, especially during certain conditions; however, for travel efficiency and business operational requirements, it is typically the desire of these users to operate all operations at Maximum Takeoff Weight (MTOW) to maximize efficiency and reduce the need for unnecessary fueling stops.

Taken from an analysis outlined in the most recent Airport Layout Plan Update (2011) (**Appendix E**), a 780-foot extension with a partially displaced threshold is shown on Runway End 13. Per the Runway Length AC, the procedure to account for wet, slippery runway surface conditions for turbojet-powered aircraft is to increase the dry landing length requirement by 15 percent, but not more than 5,500', whichever is less. In the **75 Percent of Fleet at 60 Percent Useful Load** chart below, a runway length requirement of approximately 4,700' is established (please reference **Appendix C** for a complete list of aircraft that make up the fleet). Multiplying the wet conditions requirement by 1.15, the landing length requirement during wet conditions becomes 5,400'. The 2011 ALP Update outlined that in order to meet this 5,400' landing length goal, the existing 390' blast pad on Runway End 13 would be further extended by 390'. Although the entire extension would be useable for takeoff, approximately 231' of pavement would not be useable for landing due to a displaced threshold that would minimize extensive land acquisition. Please reference **Appendix E** for a visual representation of this preferred development. A summary of FAA procedure & rationale for determining recommended runway lengths as used in this study can be found in **Appendix A**.

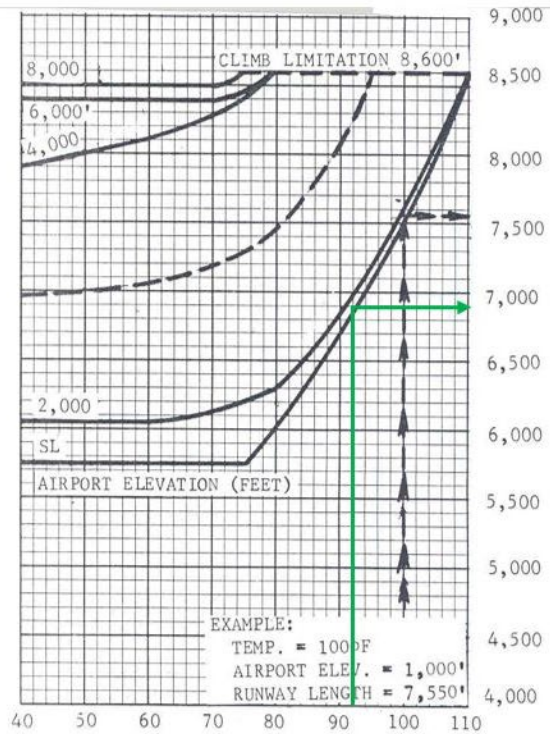
In the tables below, you will see CUB's conditions highlighted with blue arrows. It is evident that three scenarios result in conditions requiring length beyond the 5,011' available even during dry conditions. This includes approximately 5,600' for 100% of Fleet at 60% Useful Load, 6,900' for 75% of Fleet at 90% Useful Load, and 8,700' for 100% of Fleet at 90% Useful Load.



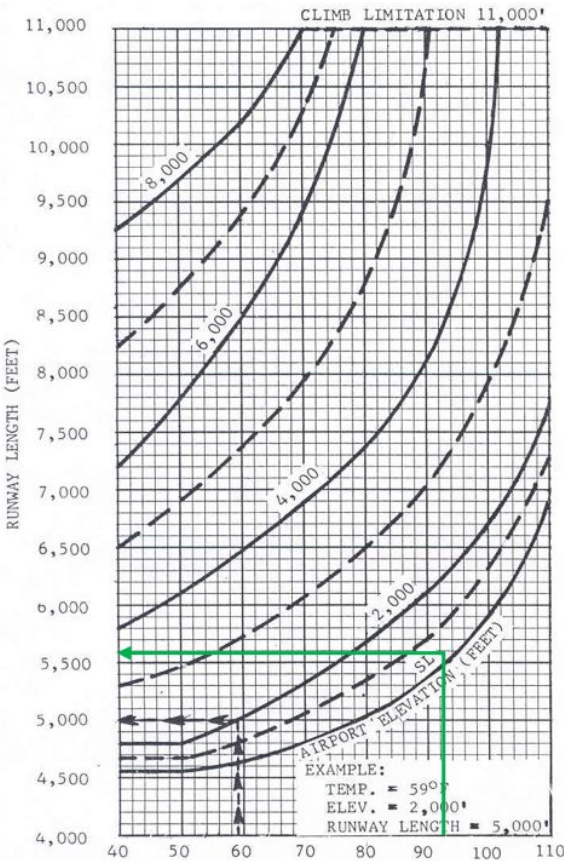
75 Percent of Fleet at 60 Percent Useful Load



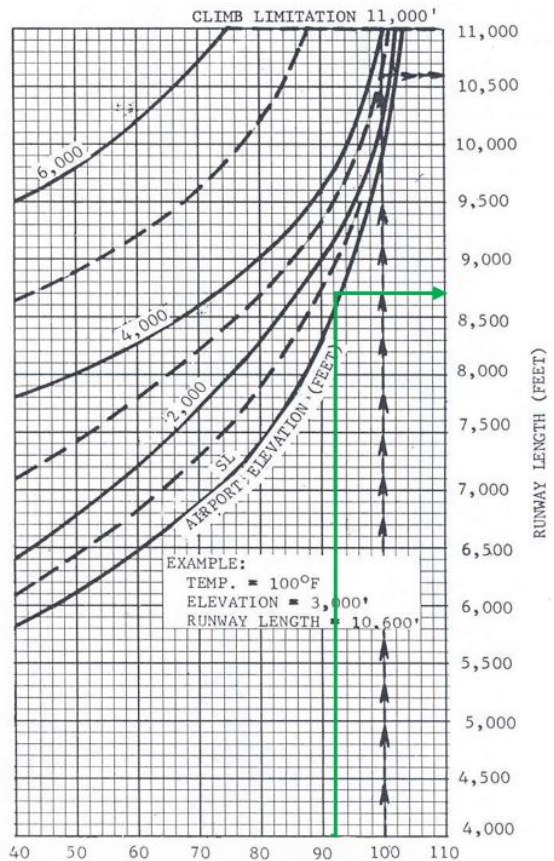
75 Percent of Fleet at 90 Percent Useful Load

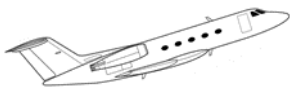


100 Percent of Fleet at 60 Percent Useful Load



100 Percent of Fleet at 90 Percent Useful Load



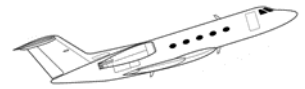


Jim Hamilton - LB Owens Airport

While this location and length are subject to further design, review, and approval, Richland County officials and the Airport Commission have examined both Runway Ends and concur with pursuing Runway 13 as the preferred alternative due to land use restrictions, property ownership, and the ability to meet Runway Safety Area (RSA) standards with the constraints of the adjacent railway. Two incidents have occurred involving aircraft approaching too short of Runway End 13. One incident involved an aircraft landing on top of an industrial building that currently exists within the RSA and the other involved an aircraft clipping overhead powerlines that also currently exist where the runway extension would occur. The Columbia Development Corporation is in support of a runway extension even with the necessary industrial relocations and will continue to promote the development to encourage community support.

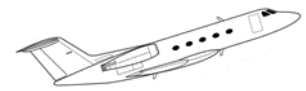
Conclusion

Based on the existing traffic and forecasted growth at CUB, it is evident that the current useable runway length at the Jim Hamilton-LB Owens Airport is not sufficient for the regular needs of its current operators. Traffic Flow Management System Counts (TFMSC) and supplemental data from jet operators prove the airport sees beyond the Substantial Use Threshold of 500 annual operations by aircraft requiring additional length for enhanced safety. A 780-foot extension, as shown on the ALP, aligns with the runway length required during wet conditions per the **75 Percent of Fleet at 60 Percent Useful Load** graphic above from AC 150/5325-4B. The remaining three scenarios, based on fleet mix and useful load, provide further support for an extension at CUB. An extension to **5,791' total useable runway length** would ensure the safe operation of all large aircraft currently utilizing CUB, including the existing and ultimate critical aircraft (Cessna Excel/XLS), by providing 5,400' of landing length in each direction. This scenario is the preferred alternative by airport stakeholders and would promote the airport's primary mission of providing "facilities for the safe and efficient use of general aviation aircraft in support of transportation needs and economic development of the Midlands area and the State of South Carolina." **Appendix A** contains of a summary of FAA procedure & rationale for determining recommended runway lengths as used in this study.



Appendix A

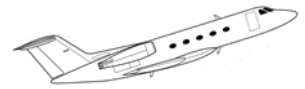
Summary of FAA Procedure & Rationale for Determining Recommended Runway Lengths



Summary of FAA Procedure & Rationale for Determining Recommended Runway Lengths

FAA Advisory Circular 150/5325-4B *Runway Length Requirements for Airport Design* outlines a five-step procedure for determining the recommended runway lengths for a given list of critical design airplanes:

1. Identify the list of critical design airplanes that will make regular use (i.e. at least 500 annual operations) of the proposed runway for an established planning period of at least 5 years.
 - a. TFMSC recorded a total of 4,105 operations at CUB during 2019; however, both the FAA Terminal Area Forecast and the 5010-report list approximately 25,000 total annual operations at the airport.
 - b. TFMSC recorded 887 operations in 2019 by large aircraft specifically detailed in the fleet of AC 150/5325-4B (**Appendix C**).
 - c. The Cessna Citation XLS (560XL) is the currently approved existing and ultimate critical aircraft per the latest Airport Layout Plan (ALP) Update (2011).
2. Identify the airplanes that will require the longest runway lengths at MTOW. This step determines the method for establishing the recommended runway length.
 - a. Table 3-1 and Table 3-2 (**Appendix C**) of AC 150/5325-4B were used to identify the aircraft requiring additional runway length.
 - b. Aircraft most influential to this report include the Cessna Citation 550, Cessna Citation 560, Hawker 900XP, and the Falcon 900LX.
3. Use Table 1-1 in the AC (“Airplane Weight Categorization for Runway Length Requirements”) and the airplanes identified in Step 2 to determine the method that will be used for establishing the recommended runway length.
 - a. Because many of the planes under evaluation may be found on Tables 3-1 and 3-2, Figure 3-1 of the design AC (“75 Percent of Fleet at 60 or 90 Percent Useful Load”) was used to determine the recommended runway length.
4. Select the recommended runway length among the various runway lengths generated by Step 3.
 - a. Based on the airfield elevation (193.4 AMSL) and the maximum mean daily maximum temperature of the hottest month of the year (92°F), and using the performance curve for 60 percent useful load provided in the design AC, the recommended runway length was determined to be 4,700 LF.
5. Apply any necessary adjustment to the obtained runway length, as may be directed by the AC, to obtain a final recommended runway length.
 - a. Wet and slippery runway adjustment.
 - i. The runway length for airplanes obtained from the “60 percent useful load” curves are increased by 15% or up to 5,500 LF, whichever is less.
 - ii. The performance curve yielded a recommended runway/landing length of $4,700' \times 1.15 = 5,400'$.
 - iii. Runway End 31 displaced threshold of $391' + 5,400' = 5,791'$ total adjustment for usable runway length.



Appendix B

Frequent Operators' Letters of Support



April 22, 2021

Mr. Christopher Eversmann
Airport General Manager
Jim Hamilton – LB Owens Airport (CUB)
1400 Jim Hamilton Blvd
Columbia, SC 29205

**Re: Aircraft Requirements for the Jim Hamilton – LB Owens Airport
Columbia, South Carolina**

Dear Mr. Eversmann,

The Jim Hamilton – LB Owens Airport (CUB) is an invaluable asset not only to Richland County, but to our organization. As such, I would like to take this opportunity to provide you our aircraft needs as an operator at the Jim Hamilton – LB Owens Airport.

We currently own multiple aircraft, including two Cessna Citation 560's that we operate at the Jim Hamilton – LB Owens Airport. These aircraft currently perform an average of 96 operations per year at CUB; however, these aircraft are weight limited due to the current runway length of 5,011 feet. It is our desire to operate each operation at maximum capacity in order to increase our organization's efficiency by not reducing our fuel load; however, we are not able to do this until a runway extension occurs. We appreciate any efforts you can make to accommodate our aircraft. Columbia's citizens and businesses would all benefit from improvements to the airport.

Thank you and please contact me to discuss our needs at the Jim Hamilton – LB Owens Airport.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Perry Barinowski", is written over the "Very truly yours," text.

Perry Barinowski
Chief Pilot
2278 Wortham Lane
Grovetown, Ga 30813
PH: 706.833.5033



April 22, 2021

Mr. Christopher Eversmann
Airport General Manager
Jim Hamilton – LB Owens Airport (CUB)
1400 Jim Hamilton Blvd
Columbia, SC 29205

**RE: Aircraft Requirements for the Jim Hamilton – LB Owens Airport
Columbia, South Carolina**

Dear Mr. Eversmann,

In addition to business and recreational operations at the Jim Hamilton – LB Owens Airport, I operate Aircraft Maintenance Services, Inc. out of Building E on the airfield. Due to the nature of my business, I observe operations by many different sizes of aircraft. Many operators that come in for maintenance require longer than the 5,011 feet of runway length available at CUB. I have had to turn down aircraft for maintenance due to take off distance here at CUB and the operators' desire to operate at maximum capacity. As part of providing the best available information in the Runway Extension Justification process, I have provided an estimate here of annual operations by these specific aircraft models that I either routinely observe or operations that would come to CUB with a longer runway:

- **Cessna Citation 560 – 48 operations per year**

This operator has expressed their desire for a runway extension at Jim Hamilton – LB Owens Airport. Please let me know of any questions at 803.708.7191. Thank you.

Sincerely,

Frank Schumpert
President
Aircraft Maintenance Services Inc.

cc: Joseph Barkevich – WK Dickson



March 26, 2021

Mr. Christopher Eversmann
Airport General Manager
Jim Hamilton – LB Owens Airport (CUB)
1400 Jim Hamilton Blvd
Columbia, SC 29205

**Re: Aircraft Requirements for the Jim Hamilton – LB Owens Airport
Columbia, South Carolina**

Dear Mr. Eversmann,

The Jim Hamilton – LB Owens Airport (CUB) is an invaluable asset not only to Richland County, but to our organization. As such, I would like to take this opportunity to provide you our aircraft needs as an operator at the Jim Hamilton – LB Owens Airport.

We currently own the following aircraft, including a Phenom 300 and a Falcon 900LX that we operate at the Jim Hamilton – LB Owens Airport. These aircraft currently perform an average of 50 operations per year at CUB; however, these aircraft are weight limited due to the current runway length of 5,011 feet. It is our desire to operate each operation at maximum capacity in order to increase our organization's efficiency by not reducing our fuel load; however, we are not able to do this until a runway extension occurs. We appreciate any efforts you can make to accommodate our aircraft. Columbia's citizens and businesses would all benefit from improvements to the airport.

Thank you and please contact me to discuss our needs at the Jim Hamilton – LB Owens Airport.

Very truly yours,

A handwritten signature in black ink, appearing to read "Charlie Frost", written in a cursive style.

Charlie Frost
Chief Pilot
803-312-1921



2614 Buford Highway
Atlanta, Georgia 30324
Voice: (404) 321-9456
Fax: (404) 321-9331

April 8, 2021

Mr. Christopher Eversmann
Airport General Manager
Jim Hamilton – LB Owens Airport (CUB)
1400 Jim Hamilton Blvd
Columbia, SC 29205

Re: Aircraft Requirements for the Jim Hamilton – LB Owens Airport
Columbia, South Carolina

Dear Mr. Eversmann,

The Jim Hamilton – LB Owens Airport (CUB) is an invaluable asset not only to Richland County, but to our organization. As such, I would like to take this opportunity to provide you our aircraft needs as an operator at the Jim Hamilton – LB Owens Airport.

We currently own multiple aircraft, including 3 Citations; a 501 (N999PW), a 550 (N456TX) and a 560 (N560GG) that we operate at the Jim Hamilton – LB Owens Airport. These aircraft currently perform an average of 20 operations per month at CUB; however, these aircraft are weight limited due to the current runway length of 5,011 feet. It is our desire to utilize each aircraft at its maximum operable capacity in order to increase our organization's efficiency by not reducing our fuel load; however, we are not able to do this until a runway extension occurs.

We appreciate any efforts you can make to accommodate our aircraft. Columbia's citizens and businesses would all benefit from improvements to the airport.

Thank you and please contact me to discuss our needs at the Jim Hamilton – LB Owens Airport.

Very truly yours,

Kris Kolba
Chief Pilot/Aircraft Manager
Bins Corp
kkolba@binscorp.net
813.363.9729

October 7, 2020

Mr. Christopher Eversmann
Airport General Manager
Jim Hamilton – LB Owens Airport (CUB)
1400 Jim Hamilton Blvd
Columbia, SC 29205

**Re: Aircraft Requirements for the Jim Hamilton – LB Owens Airport
Columbia, South Carolina**

Dear Mr. Eversmann,

The Jim Hamilton – LB Owens Airport (CUB) is an invaluable asset not only to Richland County, but to our organization. As such, I would like to take this opportunity to provide you our aircraft needs as an operator at the Jim Hamilton – LB Owens Airport.

We currently own a Beechcraft Hawker 900XP, based at the Greenville Downtown Airport, and this aircraft requires 6,000 feet of usable runway. This aircraft currently performs an average of 10 operations per month at CUB, and it is our desire to operate each operation at maximum capacity in order to increase our organization's efficiency. We appreciate any efforts you can make to accommodate our aircraft, but Columbia's citizens and businesses would all benefit from improvements to the Airport.

Thank you and please call me at 864.230.2539 to discuss our organization's needs at the Jim Hamilton – LB Owens Airport.

Very truly yours,

A handwritten signature in black ink, appearing to read "Chris Cashwell". The signature is fluid and cursive, with the first name "Chris" being more prominent than the last name "Cashwell".

Chris Cashwell
Pilot



December 9, 2020

Mr. Christopher Eversmann
Airport General Manager
Jim Hamilton = LB Owens Airport (CUB)
1400 Jim Hamilton Blvd
Columbia, SC 29205

**Re: Aircraft Requirements for the Jim Hamilton – LB Owens Airport
Columbia, South Carolina**

Dear Mr. Eversmann,

The Jim Hamilton = LB Owens Airport (CUB) is an invaluable asset not only to Richland County, but to our organization. As such, I would like to take this opportunity to provide you our aircraft needs as an operator at the Jim Hamilton = LB Owens Airport.

DLH Properties, Inc. currently owns multiple aircraft, including a Learjet 60 that we operate at the Jim Hamilton – LB Owens Airport. This aircraft currently performs an average of 2 operations per month at CUB; however, this aircraft is weight limited due to the current runway length of 5,011 feet. It is our desire to operate each operation at maximum capacity in order to increase our organization's efficiency by not reducing our fuel load; however, we are not able to do this until a runway extension occurs. We appreciate any efforts you can make to accommodate our aircraft. Columbia's citizens and businesses would all benefit from improvements to the airport.

Thank you and please contact me to discuss our needs at the Jim Hamilton = LB Owens Airport.

Very truly yours,

David Keck
Pilot
(607) 423-7737

E. M. Sivers Inc.

1034 S. BRENTWOOD BOULEVARD, SUITE 1300 • SAINT LOUIS, MO 63117

Phone: (314) 863-1711 • Fax: (314) 863-1787

April 29, 2021

Mr. Christopher Eversmann
Airport General Manager
Jim Hamilton – LB Owens Airport (CUB)
1400 Jim Hamilton Blvd
Columbia, SC 29205

**Re: Aircraft Requirements for the Jim Hamilton – LB Owens Airport
Columbia, South Carolina**

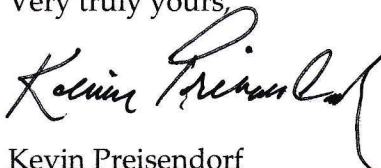
Dear Mr. Eversmann,

The Jim Hamilton – LB Owens Airport (CUB) is an invaluable asset not only to Richland County, but to our organization. As such, I would like to take this opportunity to provide you our aircraft needs as an operator at the Jim Hamilton – LB Owens Airport.

We currently own a Cessna CE 550-560 based at the Jim Hamilton – LB Owens Airport. This aircraft currently performs an average of 16 operations per month at CUB; however, the aircraft is weight limited due to the current runway length of 5,011 feet when considering weather and runway conditions. It is our desire to operate each operation at maximum capacity to increase our organization's efficiency by not reducing our fuel load. We appreciate any efforts you can make to accommodate my aircraft, but Columbia's citizens and businesses would all benefit from improvements to the airport.

Thank you and please contact me to discuss our organization's needs at the Jim Hamilton – LB Owens Airport.

Very truly yours,



Kevin Preisendorf
Chief Pilot

JIM HAMILTON - LB OWENS AIRPORT (CUB)
Columbia, SC

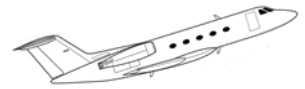
In order to provide documented justification for the runway extension development at the Jim Hamilton – LB Owens Airport, please complete this Aircraft Operation Survey Form in its entirety.

Your Name: Luke A Burchett Title: Chief Pilot
Company: Florida Jet Service Telephone Number: 585 469 4306
Address: 2665 NW 56th St
City, State, Zip Code: Ft Lauderdale, FL 33309
Aircraft Tail Number(s): (1) N317MM (2) _____ (3) _____
Aircraft Type(s): (1) C560 (2) _____ (3) _____
Primary Purpose of Flights: Charter
Home Airport (Based): WKX
Average Length of Trip (miles) (Stage Length): 500 - 2000 miles
Runway Length Required (@90°F & MTOW): (1) 7000 (2) _____ (3) _____
Number of Landings per Month at CUB: (1) Depends (2) _____ (3) _____



Signature: Luke A Burchett

Date: 5/26/21



Appendix C

Fleet Mix Per AC 150-5325-4B

Table 3-1. Airplanes that Make Up 75 Percent of the Fleet

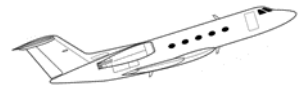
Manufacturer	Model
Aerospatiale	Sn-601 Corvette
Bae	125-700
Beech Jet	400A
Beech Jet	Premier I
Beech Jet	2000 Starship
Bombardier	Challenger 300
Cessna	500 Citation/501Citation Sp
Cessna	Citation I/II/III
Cessna	525A Citation II (CJ-2)
Cessna	550 Citation Bravo
Cessna	550 Citation II
Cessna	551 Citation II/Special
Cessna	552 Citation
Cessna	560 Citation Encore
Cessna	560/560 XL Citation Excel
Cessna	560 Citation V Ultra
Cessna	650 Citation VII
Cessna	680 Citation Sovereign

Manufacturer	Model
Dassault	Falcon 10
Dassault	Falcon 20
Dassault	Falcon 50/50 EX
Dassault	Falcon 900/900B
Israel Aircraft Industries (IAI)	Jet Commander 1121
IAI	Westwind 1123/1124
Learjet	20 Series
Learjet	31/31A/31A ER
Learjet	35/35A/36/36A
Learjet	40/45
Mitsubishi	Mu-300 Diamond
Raytheon	390 Premier
Raytheon Hawker	400/400 XP
Raytheon Hawker	600
Sabreliner	40/60
Sabreliner	75A
Sabreliner	80
Sabreliner	T-39

Table 3-2. Remaining 25 Percent of Airplanes that Make Up 100 Percent of Fleet

Manufacturer	Model
Bae	Corporate 800/1000
Bombardier	600 Challenger
Bombardier	601/601-3A/3ER Challenger
Bombardier	604 Challenger
Bombardier	BD-100 Continental
Cessna	S550 Citation S/II
Cessna	650 Citation III/IV
Cessna	750 Citation X
Dassault	Falcon 900C/900EX
Dassault	Falcon 2000/2000EX
Israel Aircraft Industries (IAI)	Astra 1125
IAI	Galaxy 1126
Learjet	45 XR
Learjet	55/55B/55C
Learjet	60
Raytheon/Hawker	Horizon
Raytheon/Hawker	800/800 XP
Raytheon/Hawker	1000
Sabreliner	65/75

Note: Airplanes in tables 3-1 and 3-2 combine to comprise 100% of the fleet.



Appendix D

2019 TFMSC Recorded Large Operators

Appendix C

TFMSC Report (Airport)

From 01/2019 To 12/2019 | Airport=CUB

#	Date	Airport	Physical	Aircraft	Airplane	Airplane	Taxiway	Departures	Arrivals	Total
###	Jan-19	CUB - Columbia	Jet	C501 - Cessna I/SP	B	I	0	1	1	2
###	Jan-19	CUB - Columbia	Jet	C525 - Cessna CitationJet/CJ1	B	I	1A	3	3	6
###	Jan-19	CUB - Columbia	Jet	C550 - Cessna Citation II/Bravo	B	II	0	15	15	30
###	Jan-19	CUB - Columbia	Jet	C650 - Cessna III/VI/VII	B	II	0	2	1	3
###	Jan-19	CUB - Columbia	Jet	C680 - Cessna Citation Sovereign	B	II	1B	2	2	4
###	Jan-19	CUB - Columbia	Jet	FA10 - Dassault Falcon/Mystère 10	B	I		1	1	2
###	Jan-19	CUB - Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	4	4	8
###	Jan-19	CUB - Columbia	Jet	C25A - Cessna Citation CJ2	B	I	1A	1	1	2
###	Jan-19	CUB - Columbia	Jet	C25B - Cessna Citation CJ3	B	II	2	3	2	5
###	Jan-19	CUB - Columbia	Jet	CL35 - Bombardier Challenger 300	C	II	1B	2	2	4
###	Jan-19	CUB - Columbia	Jet	LJ45 - Bombardier Learjet 45	C	I	0	1	1	2
###	Feb-19	CUB - Columbia	Jet	C680 - Cessna Citation Sovereign	B	II	1B	0	1	1
###	Feb-19	CUB - Columbia	Jet	C501 - Cessna I/SP	B	I	0	3	3	6
###	Feb-19	CUB - Columbia	Jet	C525 - Cessna CitationJet/CJ1	B	I	1A	1	1	2
###	Feb-19	CUB - Columbia	Jet	C550 - Cessna Citation II/Bravo	B	II	0	8	8	16
###	Feb-19	CUB - Columbia	Jet	C560 - Cessna Citation V/Ultra/Encore	B	II	0	3	4	7
###	Feb-19	CUB - Columbia	Jet	C56X - Cessna Excel/XLS	B	II	0	0	1	1
###	Feb-19	CUB - Columbia	Jet	C680 - Cessna Citation Sovereign	B	II	1B	3	2	5
###	Feb-19	CUB - Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	1	1	2
###	Feb-19	CUB - Columbia	Jet	LJ31 - Bombardier Learjet 31/A/B	C	I	0	1	1	2
###	Feb-19	CUB - Columbia	Jet	LJ60 - Bombardier Learjet 60	C	I	0	3	3	6
###	Feb-19	CUB - Columbia	Jet	C25B - Cessna Citation CJ3	B	II	2	2	2	4
###	Feb-19	CUB - Columbia	Jet	E55P - Embraer Phenom 300	B	II	0	1	1	2
###	Mar-19	CUB - Columbia	Jet	PRM1 - Raytheon Premier 1/390 Premier 1	B	I	0	1	0	1
###	Mar-19	CUB - Columbia	Jet	C550 - Cessna Citation II/Bravo	B	II	0	1	0	1
###	Mar-19	CUB - Columbia	Jet	C25B - Cessna Citation CJ3	B	II	2	1	0	1
###	Mar-19	CUB - Columbia	Jet	C560 - Cessna Citation V/Ultra/Encore	B	II	0	1	1	2
###	Mar-19	CUB - Columbia	Jet	C56X - Cessna Excel/XLS	B	II	0	2	2	4
###	Mar-19	CUB - Columbia	Jet	C680 - Cessna Citation Sovereign	B	II	1B	0	1	1
###	Mar-19	CUB - Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	2	2	4
###	Mar-19	CUB - Columbia	Jet	PRM1 - Raytheon Premier 1/390 Premier 1	B	I	0	0	1	1
###	Mar-19	CUB - Columbia	Jet	C501 - Cessna I/SP	B	I	0	6	6	12
###	Mar-19	CUB - Columbia	Jet	C525 - Cessna CitationJet/CJ1	B	I	1A	1	1	2
###	Mar-19	CUB - Columbia	Jet	C550 - Cessna Citation II/Bravo	B	II	0	8	10	18
###	Mar-19	CUB - Columbia	Jet	C560 - Cessna Citation V/Ultra/Encore	B	II	0	1	2	3
###	Mar-19	CUB - Columbia	Jet	C56X - Cessna Excel/XLS	B	II	0	1	1	2
###	Mar-19	CUB - Columbia	Jet	C680 - Cessna Citation Sovereign	B	II	1B	4	4	8
###	Mar-19	CUB - Columbia	Jet	FA20 - Dassault Falcon/Mystère 20	B	II		1	1	2
###	Mar-19	CUB - Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	2	2	4
###	Mar-19	CUB - Columbia	Jet	LJ31 - Bombardier Learjet 31/A/B	C	I	0	1	1	2
###	Mar-19	CUB - Columbia	Jet	C25A - Cessna Citation CJ2	B	I	1A	2	2	4
###	Mar-19	CUB - Columbia	Jet	C25B - Cessna Citation CJ3	B	II	2	3	4	7
###	Mar-19	CUB - Columbia	Jet	C25M - Cessna Citation M2	B	I	1A	1	1	2
###	Mar-19	CUB - Columbia	Jet	C56X - Cessna Excel/XLS	B	II	0	2	2	4
###	Mar-19	CUB - Columbia	Jet	E55P - Embraer Phenom 300	B	II	0	1	1	2
###	Apr-19	CUB - Columbia	Jet	C560 - Cessna Citation V/Ultra/Encore	B	II	0	1	1	2
###	Apr-19	CUB - Columbia	Jet	C680 - Cessna Citation Sovereign	B	II	1B	1	1	2
###	Apr-19	CUB - Columbia	Jet	C501 - Cessna I/SP	B	I	0	5	5	10
###	Apr-19	CUB - Columbia	Jet	C550 - Cessna Citation II/Bravo	B	II	0	10	9	19
###	Apr-19	CUB - Columbia	Jet	C560 - Cessna Citation V/Ultra/Encore	B	II	0	1	1	2
###	Apr-19	CUB - Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	5	5	10
###	Apr-19	CUB - Columbia	Jet	LJ31 - Bombardier Learjet 31/A/B	C	I	0	5	6	11
###	Apr-19	CUB - Columbia	Jet	LJ60 - Bombardier Learjet 60	C	I	0	1	1	2
###	Apr-19	CUB - Columbia	Jet	C25B - Cessna Citation CJ3	B	II	2	5	5	10
###	Apr-19	CUB - Columbia	Jet	LJ45 - Bombardier Learjet 45	C	I	0	2	2	4
###	Apr-19	CUB - Columbia	Jet	LJ75 - Learjet 75	C	II	0	2	2	4
###	Apr-19	CUB - Columbia	Jet	C680 - Cessna Citation Sovereign	B	II	1B	1	1	2
###	Apr-19	CUB - Columbia	Jet	C68A - Cessna Citation Latitude	B	II	1B	2	1	3
###	May-19	CUB - Columbia	Jet	C56X - Cessna Excel/XLS	B	II	0	1	1	2
###	May-19	CUB - Columbia	Jet	CL35 - Bombardier Challenger 300	C	II	1B	1	1	2
###	May-19	CUB - Columbia	Jet	LJ55 - Bombardier Learjet 55	C	I	0	0	1	1
###	May-19	CUB - Columbia	Jet	C501 - Cessna I/SP	B	I	0	3	3	6
###	May-19	CUB - Columbia	Jet	C525 - Cessna CitationJet/CJ1	B	I	1A	3	3	6
###	May-19	CUB - Columbia	Jet	C550 - Cessna Citation II/Bravo	B	II	0	9	9	18
###	May-19	CUB - Columbia	Jet	C560 - Cessna Citation V/Ultra/Encore	B	II	0	2	2	4
###	May-19	CUB - Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	1	1	2
###	May-19	CUB - Columbia	Jet	LJ31 - Bombardier Learjet 31/A/B	C	I	0	1	1	2
###	May-19	CUB - Columbia	Jet	PRM1 - Raytheon Premier 1/390 Premier 1	B	I	0	3	3	6
###	May-19	CUB - Columbia	Jet	C25B - Cessna Citation CJ3	B	II	2	4	4	8

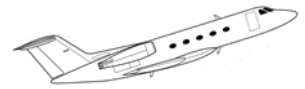
##	May-19	CUB - Columbia	Jet	C25M - Cessna Citation M2	B	I	1A	0	1	1
##	Jun-19	CUB - Columbia	Jet	F900 - Dassault Falcon 900	B	II	1B	1	1	2
##	Jun-19	CUB - Columbia	Jet	C501 - Cessna I/SP	B	I	0	5	5	10
##	Jun-19	CUB - Columbia	Jet	C525 - Cessna CitationJet/CJ1	B	I	1A	2	2	4
##	Jun-19	CUB - Columbia	Jet	C550 - Cessna Citation II/Bravo	B	II	0	11	11	22
##	Jun-19	CUB - Columbia	Jet	C55B - Cessna Citation Bravo	No Data	No Data	No Data	1	1	2
##	Jun-19	CUB - Columbia	Jet	C560 - Cessna Citation V/Ultra/Encore	B	II	0	3	4	7
##	Jun-19	CUB - Columbia	Jet	C56X - Cessna Excel/XLS	B	II	0	1	1	2
##	Jun-19	CUB - Columbia	Jet	C68A - Cessna Citation Latitude	B	II	1B	1	1	2
##	Jun-19	CUB - Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	10	10	20
##	Jun-19	CUB - Columbia	Jet	LJ31 - Bombardier Learjet 31/A/B	C	I	0	2	1	3
##	Jun-19	CUB - Columbia	Jet	C25B - Cessna Citation CJ3	B	II	2	2	3	5
##	Jun-19	CUB - Columbia	Jet	E55P - Embraer Phenom 300	B	II	0	1	1	2
##	Jun-19	CUB - Columbia	Jet	LJ45 - Bombardier Learjet 45	C	I	0	1	1	2
##	Jul-19	CUB - Columbia	Jet	C680 - Cessna Citation Sovereign	B	II	1B	2	0	2
##	Jul-19	CUB - Columbia	Jet	C501 - Cessna I/SP	B	I	0	5	4	9
##	Jul-19	CUB - Columbia	Jet	C550 - Cessna Citation II/Bravo	B	II	0	6	6	12
##	Jul-19	CUB - Columbia	Jet	C55B - Cessna Citation Bravo	No Data	No Data	No Data	1	1	2
##	Jul-19	CUB - Columbia	Jet	C560 - Cessna Citation V/Ultra/Encore	B	II	0	2	2	4
##	Jul-19	CUB - Columbia	Jet	C680 - Cessna Citation Sovereign	B	II	1B	3	5	8
##	Jul-19	CUB - Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	2	3	5
##	Jul-19	CUB - Columbia	Jet	C25B - Cessna Citation CJ3	B	II	2	2	3	5
##	Jul-19	CUB - Columbia	Jet	E55P - Embraer Phenom 300	B	II	0	2	2	4
##	Jul-19	CUB - Columbia	Jet	LJ75 - Learjet 75	C	II	0	0	1	1
##	Jul-19	CUB - Columbia	Jet	LJ60 - Bombardier Learjet 60	C	I	0	1	1	2
##	Jul-19	CUB - Columbia	Jet	E55P - Embraer Phenom 300	B	II	0	1	1	2
##	Aug-19	CUB - Columbia	Jet	C56X - Cessna Excel/XLS	B	II	0	1	1	2
##	Aug-19	CUB - Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	2	2	4
##	Aug-19	CUB - Columbia	Jet	C501 - Cessna I/SP	B	I	0	5	5	10
##	Aug-19	CUB - Columbia	Jet	C525 - Cessna CitationJet/CJ1	B	I	1A	0	1	1
##	Aug-19	CUB - Columbia	Jet	C550 - Cessna Citation II/Bravo	B	II	0	10	10	20
##	Aug-19	CUB - Columbia	Jet	C560 - Cessna Citation V/Ultra/Encore	B	II	0	1	1	2
##	Aug-19	CUB - Columbia	Jet	C56X - Cessna Excel/XLS	B	II	0	2	2	4
##	Aug-19	CUB - Columbia	Jet	C680 - Cessna Citation Sovereign	B	II	1B	2	2	4
##	Aug-19	CUB - Columbia	Jet	C750 - Cessna Citation X	B	II	0	1	1	2
##	Aug-19	CUB - Columbia	Jet	CL60 - Bombardier Challenger 600/601/604	C	II	0	2	2	4
##	Aug-19	CUB - Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	3	3	6
##	Aug-19	CUB - Columbia	Jet	LJ31 - Bombardier Learjet 31/A/B	C	I	0	1	1	2
##	Aug-19	CUB - Columbia	Jet	LJ60 - Bombardier Learjet 60	C	I	0	2	2	4
##	Aug-19	CUB - Columbia	Jet	PRM1 - Raytheon Premier 1/390 Premier 1	B	I	0	1	1	2
##	Aug-19	CUB - Columbia	Jet	C25B - Cessna Citation CJ3	B	II	2	2	1	3
##	Aug-19	CUB - Columbia	Jet	C25C - Cessna Citation CJ4	B	II	1B	1	1	2
##	Aug-19	CUB - Columbia	Jet	E55P - Embraer Phenom 300	B	II	0	8	8	16
##	Aug-19	CUB - Columbia	Jet	LJ75 - Learjet 75	C	II	0	1	0	1
##	Sep-19	CUB - Columbia	Jet	LJ75 - Learjet 75	C	II	0	2	0	2
##	Sep-19	CUB - Columbia	Jet	C56X - Cessna Excel/XLS	B	II	0	1	1	2
##	Sep-19	CUB - Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	1	1	2
##	Sep-19	CUB - Columbia	Jet	C25B - Cessna Citation CJ3	B	II	2	1	1	2
##	Sep-19	CUB - Columbia	Jet	C501 - Cessna I/SP	B	I	0	2	2	4
##	Sep-19	CUB - Columbia	Jet	C525 - Cessna CitationJet/CJ1	B	I	1A	0	1	1
##	Sep-19	CUB - Columbia	Jet	C550 - Cessna Citation II/Bravo	B	II	0	14	16	30
##	Sep-19	CUB - Columbia	Jet	C560 - Cessna Citation V/Ultra/Encore	B	II	0	3	3	6
##	Sep-19	CUB - Columbia	Jet	C56X - Cessna Excel/XLS	B	II	0	1	1	2
##	Sep-19	CUB - Columbia	Jet	CL35 - Bombardier Challenger 300	C	II	1B	1	1	2
##	Sep-19	CUB - Columbia	Jet	F900 - Dassault Falcon 900	B	II	1B	1	1	2
##	Sep-19	CUB - Columbia	Jet	FA50 - Dassault Falcon/Mystère 50	B	II	1B	1	1	2
##	Sep-19	CUB - Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	5	5	10
##	Sep-19	CUB - Columbia	Jet	LJ31 - Bombardier Learjet 31/A/B	C	I	0	1	1	2
##	Sep-19	CUB - Columbia	Jet	PRM1 - Raytheon Premier 1/390 Premier 1	B	I	0	1	2	3
##	Sep-19	CUB - Columbia	Jet	C25A - Cessna Citation CJ2	B	I	1A	2	2	4
##	Sep-19	CUB - Columbia	Jet	C25B - Cessna Citation CJ3	B	II	2	3	3	6
##	Sep-19	CUB - Columbia	Jet	C25M - Cessna Citation M2	B	I	1A	1	1	2
##	Sep-19	CUB - Columbia	Jet	E55P - Embraer Phenom 300	B	II	0	1	1	2
##	Sep-19	CUB - Columbia	Jet	LJ75 - Learjet 75	C	II	0	2	4	6
##	Sep-19	CUB - Columbia	Jet	CL30 - Bombardier (Canadair) Challenger 300	C	II	1B	1	1	2
##	Oct-19	CUB - Columbia	Jet	CL35 - Bombardier Challenger 300	C	II	1B	1	1	2
##	Oct-19	CUB - Columbia	Jet	C501 - Cessna I/SP	B	I	0	5	5	10
##	Oct-19	CUB - Columbia	Jet	C525 - Cessna CitationJet/CJ1	B	I	1A	0	2	2
##	Oct-19	CUB - Columbia	Jet	C550 - Cessna Citation II/Bravo	B	II	0	10	10	20
##	Oct-19	CUB - Columbia	Jet	C560 - Cessna Citation V/Ultra/Encore	B	II	0	2	2	4
##	Oct-19	CUB - Columbia	Jet	C680 - Cessna Citation Sovereign	B	II	1B	3	3	6
##	Oct-19	CUB - Columbia	Jet	F900 - Dassault Falcon 900	B	II	1B	1	1	2
##	Oct-19	CUB - Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	3	3	6
##	Oct-19	CUB - Columbia	Jet	LJ60 - Bombardier Learjet 60	C	I	0	1	1	2

##	Oct-19	CUB	Columbia	Jet	C25B - Cessna Citation CJ3	B	II	2	5	5	10
##	Oct-19	CUB	Columbia	Jet	C68A - Cessna Citation Latitude	B	II	1B	1	1	2
##	Oct-19	CUB	Columbia	Jet	CL60 - Bombardier Challenger 600/601/604	C	II	0	1	1	2
##	Nov-19	CUB	Columbia	Jet	GA5C - G-7 Gulfstream G500	No Data	No Data	No Data	1	0	1
##	Nov-19	CUB	Columbia	Jet	CL60 - Bombardier Challenger 600/601/604	C	II	0	1	1	2
##	Nov-19	CUB	Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	1	1	2
##	Nov-19	CUB	Columbia	Jet	LJ60 - Bombardier Learjet 60	C	I	0	1	1	2
##	Nov-19	CUB	Columbia	Jet	C501 - Cessna I/SP	B	I	0	5	5	10
##	Nov-19	CUB	Columbia	Jet	C525 - Cessna CitationJet/CJ1	B	I	1A	1	1	2
##	Nov-19	CUB	Columbia	Jet	C550 - Cessna Citation II/Bravo	B	II	0	12	11	23
##	Nov-19	CUB	Columbia	Jet	C55B - Cessna Citation Bravo	No Data	No Data	No Data	1	2	3
##	Nov-19	CUB	Columbia	Jet	C560 - Cessna Citation V/Ultra/Encore	B	II	0	2	3	5
##	Nov-19	CUB	Columbia	Jet	C680 - Cessna Citation Sovereign	B	II	1B	3	3	6
##	Nov-19	CUB	Columbia	Jet	F900 - Dassault Falcon 900	B	II	1B	1	1	2
##	Nov-19	CUB	Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	6	6	12
##	Nov-19	CUB	Columbia	Jet	PRM1 - Raytheon Premier 1/390 Premier 1	B	I	0	2	2	4
##	Nov-19	CUB	Columbia	Jet	C25B - Cessna Citation CJ3	B	II	2	1	1	2
##	Nov-19	CUB	Columbia	Jet	C25M - Cessna Citation M2	B	I	1A	2	2	4
##	Nov-19	CUB	Columbia	Jet	E55P - Embraer Phenom 300	B	II	0	3	3	6
##	Nov-19	CUB	Columbia	Jet	LJ75 - Learjet 75	C	II	0	2	2	4
##	Nov-19	CUB	Columbia	Jet	C68A - Cessna Citation Latitude	B	II	1B	2	2	4
##	Nov-19	CUB	Columbia	Jet	CL30 - Bombardier (Canadair) Challenger 300	C	II	1B	1	1	2
##	Dec-19	CUB	Columbia	Jet	C560 - Cessna Citation V/Ultra/Encore	B	II	0	0	1	1
##	Dec-19	CUB	Columbia	Jet	C56X - Cessna Excel/XLS	B	II	0	1	1	2
##	Dec-19	CUB	Columbia	Jet	H25B - BAe HS 125/700-800/Hawker 800	C	I	0	1	1	2
##	Dec-19	CUB	Columbia	Jet	C25B - Cessna Citation CJ3	B	II	2	1	1	2
##	Dec-19	CUB	Columbia	Jet	C501 - Cessna I/SP	B	I	0	4	4	8
##	Dec-19	CUB	Columbia	Jet	C550 - Cessna Citation II/Bravo	B	II	0	8	8	16
##	Dec-19	CUB	Columbia	Jet	C560 - Cessna Citation V/Ultra/Encore	B	II	0	1	2	3
##	Dec-19	CUB	Columbia	Jet	C680 - Cessna Citation Sovereign	B	II	1B	2	2	4
##	Dec-19	CUB	Columbia	Jet	CL30 - Bombardier (Canadair) Challenger 300	C	II	1B	1	1	2
##	Dec-19	CUB	Columbia	Jet	C25B - Cessna Citation CJ3	B	II	2	4	5	9
##	Dec-19	CUB	Columbia	Jet	C56X - Cessna Excel/XLS	B	II	0	1	1	2
##	Dec-19	CUB	Columbia	Jet	E55P - Embraer Phenom 300	B	II	0	1	1	2

Total Operations **887**

Report created on Tue Apr 20 10:49:10 EDT 2021

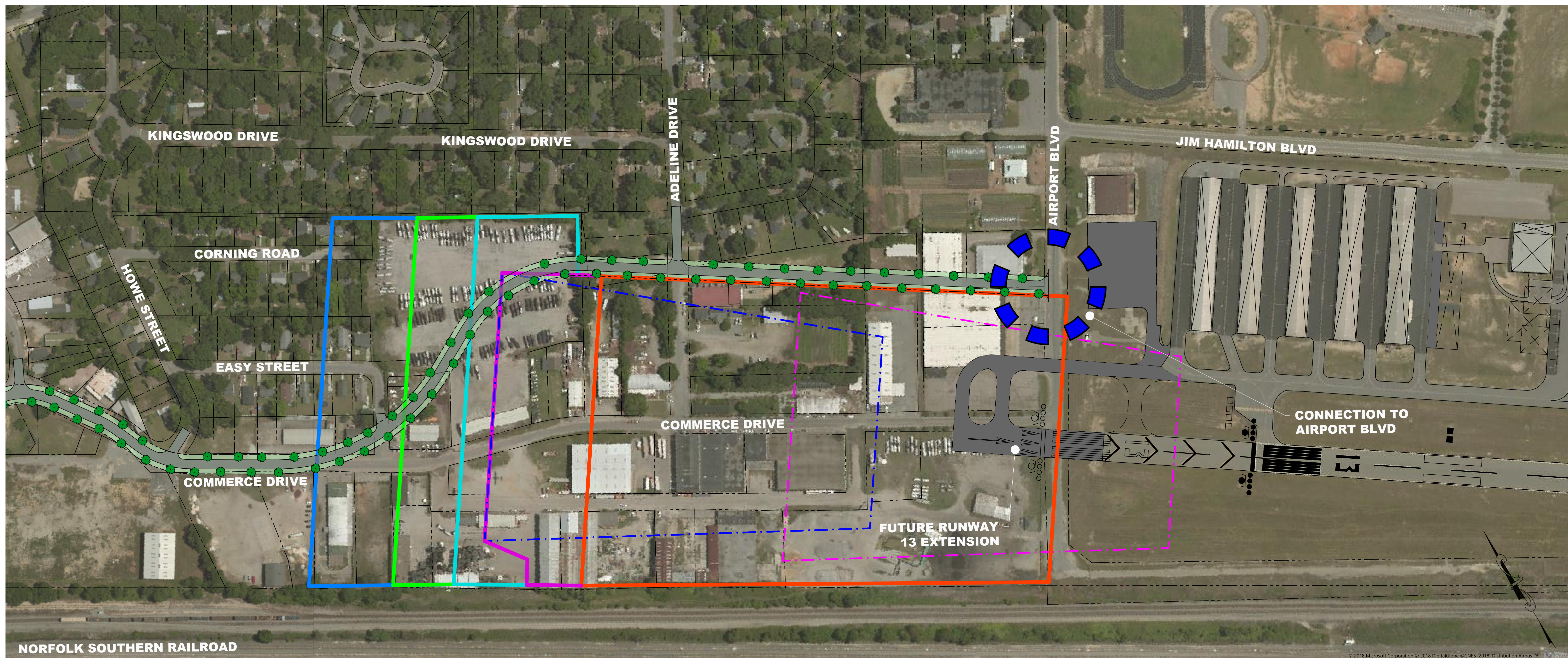
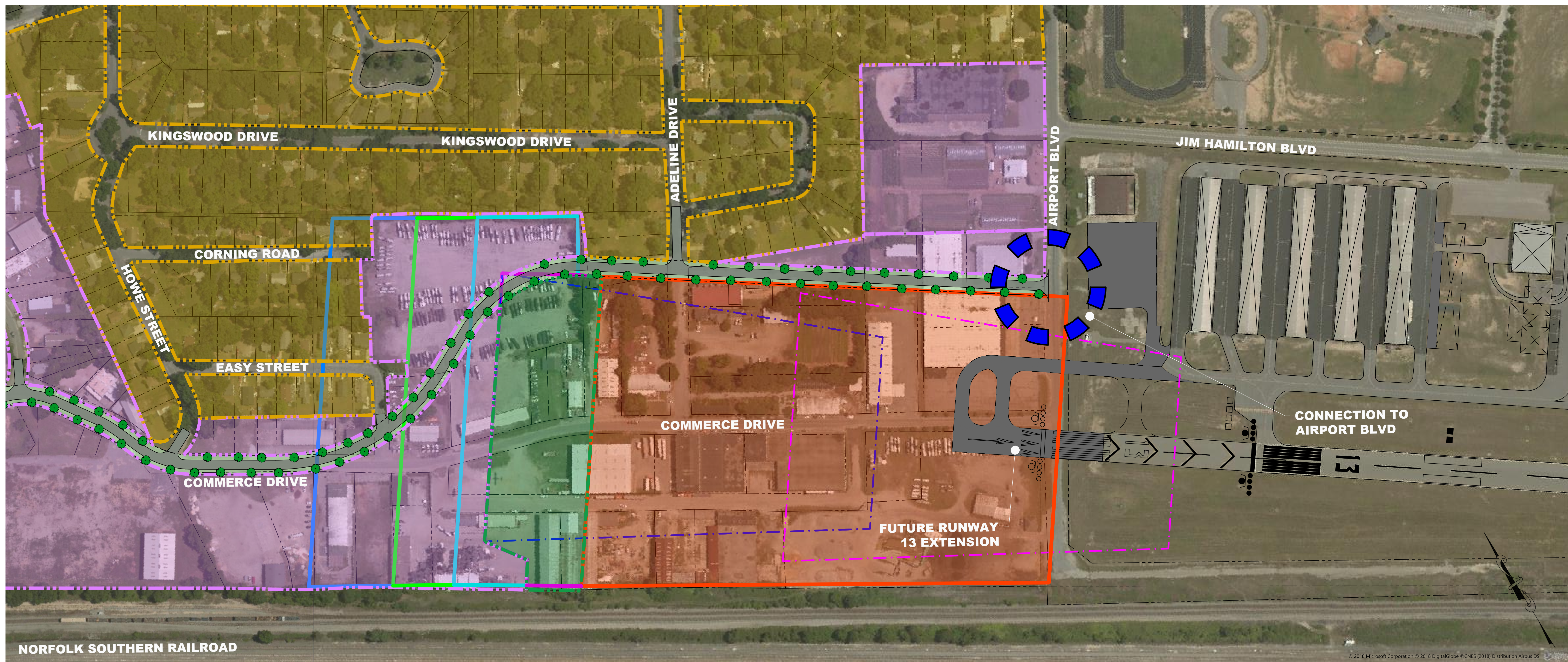
Sources: Traffic Flow Management System Counts (TFMSC), Aviation System Performance Metrics (ASPM)



Appendix E

CUB Airport Layout Plan Update (LPA 2011)

Conceptual Runway Extension Development (WKD 2018)



LEGEND

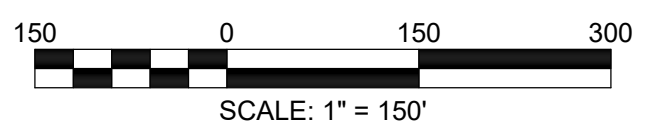
- EXISTING RUNWAY PROTECTION ZONE - - - - -
- ULTIMATE RUNWAY PROTECTION ZONE - - - - -
- NO ROAD / BUILDING ZONE ———
- ROADS ALLOWED / NO BUILDINGS ZONE ———
- BUILDINGS UP TO 20' TALL ———
- BUILDINGS UP TO 25' TALL ———
- BUILDINGS UP TO 30' TALL ———
- EC - EMPLOYMENT CAMPUS LAND USE - - - - -
- UCR-1 - URBAN CORE RESIDENTIAL SMALL LOT LAND USE - - - - -
- OPEN SPACE/PARKS/RECREATION LAND USE - - - - -
- FUTURE RUNWAY SAFETY AREA ———
- CORRIDOR ENTRYWAY WITH SIGNAGE (Circular arrow symbol)

NOTES:

- 1. FUTURE LAND USE REFERENCES THE PLAN COLUMBIA LAND USE PLAN, LATEST REVISION DECEMBER 5, 2017.

COMMERCE DRIVE MASTER PLAN PARCEL INFORMATION

Number	TMS	Market Value	Owner
TBD	TBD	TBD	TBD



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 1320 MAIN STREET
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PROFESSIONAL SEAL

REVISION RECORD	DESCRIPTION

PROJECT NAME:
COLUMBIA OWENS AND COMMERCE DRIVE MASTER PLAN UPDATE
 COLUMBIA, SOUTH CAROLINA
 CONCEPTUAL MASTER PLAN
 HOWE STREET TO AIRPORT BLVD
 DRAWING TITLE:

PROJ. MGR.:
 DESIGN BY:
 DRAWN BY:
 PROJ. DATE: 10/4/2016
 DRAWING NUMBER:
2 OF 2
 WKD PROJ. NO.:
 CLN01019.UN.CO



Runway Extension Justification Study Goal

- FAA requires airport to assemble data supporting need by operating aircraft following FAA guidelines (FAAAC 150/5325-4B *Runway Length Requirements for Airport Design*)
- FAA reviews and concurs or does not concur with request. May ask for more information.
- If concurrence is received, project process begins based on available AIP funding (90%).
- CUB is non-towered facility operations are not recorded and effort must be made to assemble, analyze, and present

Runway Extension Development Step Process

Pre-Development → Development



Data Available

- Traffic Flow Management System Counts (TFMSC) from the FAA
- Automatic Dependent Surveillance-Broadcast (ADS-B) data from Richland County
- Partial fuel logs for the years 2016-2018
- Operational need letters from frequent large aircraft operators
- Knowledge and relationships of staff at CUB



FAA's View of Justification

Chapter 3, Section 306 ("General Aviation Airports") of AC 150/5325-4B states:

"General aviation (GA) airports have witnessed an increase use of their primary runway by scheduled airline service [does not apply to CUB] and privately owned business jets. Over the years business jets have proved themselves to be a tremendous asset to corporations by satisfying their executive needs for flexibility in scheduling, speed, and privacy. In response to these types of needs, GA airports that receive regular usage by large airplanes over 12,500 pounds MTOW, in addition to business jets, should provide a runway length comparable to non-GA airports. That is, the extension of an existing runway can be justified at an existing GA airport that has a need to accommodate heavier airplanes on a frequent basis."

Runway Extension Justification Study Findings

Table 1: Supplemental Operations to TFMSC Data

Operator	Aircraft Make/Model	Approximate Annual Operations	2018 TFMSC Operations by Aircraft Model
Airstat, Inc.	Cessna Citation 560 (2)	96	52
Aircraft Maintenance Services, Inc.	Cessna Citation 550	48	53
Bennett Capital	Phenom 300 Falcon 500XL	50	46
Elvo Corporation	Cessna Citation 550 Cessna Citation 550	240	394
Capital Air SC, LLC	Beechcraft Hawker 900P	120	0
DJM Properties, Inc.	Leasejet 60	24	18
E.M. Shields, Inc.	Cessna Citation 550	192	245
Annual Operations by Above Aircraft		770	408*
Additional Large Aircraft Operations Recorded by TFMSC		N/A	422
Annual Operations by All Large Aircraft		770	830*

*Note: Operations by the same aircraft type duplicated above were not duplicated in total operations count.

Runway Extension Justification Study Findings

Table 1-1. Aircraft Over 70 Percent of the Fleet

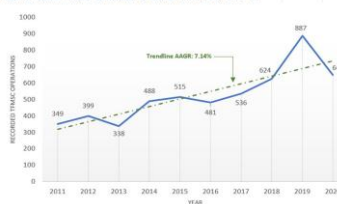
Manufacturer	Model	Manufacturer	Model
Boeing	737 MAX 8	Boeing	737 MAX 8
Boeing	737 MAX 8	Boeing	737 MAX 8
Boeing	737 MAX 8	Boeing	737 MAX 8
Boeing	737 MAX 8	Boeing	737 MAX 8
Boeing	737 MAX 8	Boeing	737 MAX 8
Boeing	737 MAX 8	Boeing	737 MAX 8
Boeing	737 MAX 8	Boeing	737 MAX 8
Boeing	737 MAX 8	Boeing	737 MAX 8
Boeing	737 MAX 8	Boeing	737 MAX 8
Boeing	737 MAX 8	Boeing	737 MAX 8

Table 1-2. Remaining 29 Percent of Aircraft (Not More Than 20 Percent of the Fleet)

Manufacturer	Model	Manufacturer	Model
Boeing	737 MAX 8	Boeing	737 MAX 8
Boeing	737 MAX 8	Boeing	737 MAX 8
Boeing	737 MAX 8	Boeing	737 MAX 8
Boeing	737 MAX 8	Boeing	737 MAX 8
Boeing	737 MAX 8	Boeing	737 MAX 8

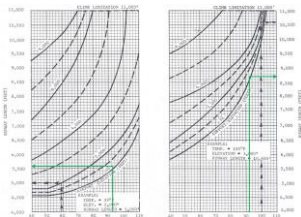
Runway Extension Justification Study Findings

Figure 1: Annual TFMS Operations by Aircraft in AC 150/5325-4B



Runway Extension Justification Study Findings

100% of Fleet @ 60% Useful Load



100% of Fleet @ 90% Useful Load

Runway Extension Justification Study Conclusions



- Substantial Use Threshold of 500 annual operations by aircraft requiring additional length met.
- A 780-foot extension, as shown on the ALP, aligns with the runway length required during wet conditions per the 75 Percent of Fleet at 60 Percent Useful Load chart.
- An extension to 5,791' total useable runway length (takeoff in each direction) would ensure the safe operation of all large aircraft currently utilizing CUB.
- Provides 5,400' of landing length available in each direction.

Runway/Taxiway Extension Concept



Layout concept of 5,791ft. usable runway length / 5,400 ft. landing length

Runway/Taxiway Separation MOS



B-II with not below $\frac{1}{4}$ mile visibility requires 240 ft. // CUB has 200 ft.

Key Points in Discussion with FAA

- FAA initial comments/questions:
 - Discussion of the MOS
 - Timing and addressing current pavement projects on CIP
 - Additional information on performance data of critical aircraft
 - The extended runway attracting larger aircraft leading to a change in Airport Classification from B-II to C-II





Item Pending Analysis

Prepared by:	Mike Zaprzalka		Title:	Interim Division Manager
Department:	CP&D	Division:	Building Inspections	
Date Prepared:	June 10, 2021		Meeting Date:	June 22, 2021
Approved for Consideration:	County Administrator	Leonardo Brown, MBA, CPM		
Committee:	Development & Services Committee			
Agenda Item/Council Motion:	I move to direct the County Attorney to work with the County Administrator to research and draft an absentee landlord ordinance. The ordinance should provide potential remedies for individuals who violate county ordinances and provide, via supplemental documentation, a comprehensive review of the legal impacts [potentially] associated with the adoption of such an ordinance. [NEWTON and DICKERSON]			

EXECUTIVE SUMMARY (NARRATIVE STATUS):

At the February 23, 2021, Council Members directed County Legal and Administration, whose representation was subsequently established by a workgroup comprised of staff from various County departments, to provide a comprehensive review of the potential legal impacts of adopting an ordinance that addresses owner/landlord standards for residential rental properties. At this meeting, Councilmember Newton felt the document presented was comprehensive, but did not capture the motion’s intent.

At the March 23, 2021, Development and Services Committee meeting, Legal presented the draft Ordinance Amendment of Chapter 16, Licenses and Miscellaneous Business Regulations to better capture the intent of the motion based on feedback from Councilmember Newton. Based on her clarification of the motion’s intent, the amendment will not include any emphasis on Building Code Inspections. Additionally, based on the feedback, Legal and the staff workgroup believe the intent of the motion is the property owner, the responsible local representative, landlord, and tenants shall be liable for Richland County Code violations within dwellings, dwelling units, rental units, or premises under their control or in which they are leasing.

Legal and the staff workgroup agree implementation of the amendment, as drafted, will require a significant level of recurring resources. These resources are in the form of planning, staffing, and operating and capital funds, primarily in the Business Service Center, before the ordinance amendment can be presented to Committee for review and forwarded to Council for adoption.

At the April 27, 2021 Committee meeting, the amendment was not discussed. The staff workgroup had begun to meet bi-weekly to review each section of the amendment and prepare an operational cost analysis to implement and execute such an ordinance amendment.

At the May 25, 2021 Committee meeting, based on Ms. Barron’s and Ms. Newton's desire to make the workgroups efforts a high priority, the workgroup now meets weekly to help facilitate the Committee's directive.

KEY ACCOMPLISHMENTS/MILESTONES:

- Talked with City of Columbia about their method of tracking of violations and point system used in the execution of their Rental Ordinance. Workgroup is identifying the barriers they faced in using a violation point system. Also reviewing the labor requirements to manually track the point system. The workgroup is evaluating the effectiveness and efficiency of the process.
- Met with West Columbia Building Official in reference to their implementation of their newly introduced Rental Ordinance to identify their unforeseen execution issues.
- Workgroup is looking at the Central Square Technologies System as the means for tracking violations in lieu of using a manual tracked point system. This system is used by multiple divisions in the county and can be tailored to track violations and fees associated with each stakeholder effected by the proposed amendment. Will be working with IT over the next few weeks to identify the capabilities of the system.

PENDING ACTIONS/DELIVERABLES AND ANTICIPATED COMPLETION DATES:

- Stakeholders are finalizing staffing, equipment, and training costs as it relates to the execution of the amendment; they have been given a suspense of June 30, 2021.
- Workgroups final amendment/ordinance scrub and execution recommendations to be presented to Legal tentatively by 1 July 2021.
- Legal review for enforcement concerns. Completion TBD based on staffing and workload
- 1st Draft Briefing Document to Administration tentatively July 9, 2021.
- Final Briefing Document to Administration tentatively July 16, 2021. Forwarded to Committee for review and questions to be addressed at the July 27, 2021 meeting.

Note: Completion dates are tentative for the overall General Information Briefing Document. Processes, procedures, and implementation timeline will be projected further out dependent upon the Committee's feedback at the July 27, 2021 meeting.

**RICHLAND COUNTY GOVERNMENT
COMMUNITY PLANNING & DEVELOPMENT
BUSINESS SERVICE CENTER**

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Staffing

The current Richland County Business Service Center personnel structure when fully staffed consist of two Revenue Analyst’s, two Revenue Inspectors, two Revenue Auditors, One Clerk Receptionist, and One Division Manager.

The Richland County Business Service Center would require eight additional Revenue Inspectors, four additional Revenue Analyst’s, and two administrative employees to ensure proper implementation of the Absentee Landlord Ordinance. This is due to the 20,139 potential residential rental properties located in unincorporated Richland County. These properties were identified by the Richland County Assessor’s office by using the search criteria of properties paying 6% property tax that indicates that those properties are not owner occupied.

Cost Category	Business Service Center Estimated Costs
Vehicles	\$174,510
Start-up Equipment (Desks, computers, chairs, etc...)	\$17,950
Operational	\$12,500
Labor Costs	\$473,240
Estimated Total Start-up Cost	\$678,200

**Budget may be subject to changes dependent on final draft of ordinance

Start-up Equipment

- Vehicles: Seven additional vehicles to add to the three Business Service Center currently has: \$24,930 (7)
- Inspectors (iPad) for every inspector : 8 Inspectors= 400/iPad=\$3,200
- Administrative employees: 2 desktop (\$1,000), desk/cubicle (\$1,500), and chair (\$150) for every administrative staff person: 2 administrative employee = \$4,150
- Revenue Analyst’s: 4 desktops (\$1,000), desk/cubicle (\$1,500), and chair (\$150) for every Analyst: 4 Revenue Analyst= \$10,600

Operational / Labor costs

- Office Supplies, PPE, field equipment, fuel etc. (\$1,000/employee/year)=12,500
- Fourteen employees (8 Inspectors, 4 Analysts, 2 administrative employees) =\$473,240



STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____-20HR

AN ORDINANCE CREATING RENTAL HOUSING REGULATIONS AND PERMITTING.

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

SECTION I. The Richland County Code of Ordinances, Chapter 16, Licenses and Miscellaneous Business Regulations; is hereby amended by the creation of a new Article, to read as follows:

ARTICLE VII. RENTAL HOUSING REGULATIONS

Sec. 16-71. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purposes of this Article, have the meanings shown in this section. Where terms are not defined, through the methods authorized by this section, such terms shall have ordinarily accepted meaning such as the context implies.

Citation means a charge or formal written accusation of violation of a municipal, state or federal law, regulation or ordinance.

Dwelling or dwelling unit means a building or portion thereof, designed for occupancy for residential purposes.

Landlord means any person who owns or controls a dwelling, dwelling unit, or rental unit and rents such unit, either personally or through a designated agent, to any person.

Occupant means a family or an individual unrelated by blood to a second degree of consanguinity, marriage, adoption, or guardianship to any other occupant of the dwelling unit. A family of related persons shall be counted as one occupant.

Offense means any violation of local, state, or federal statutes or ordinances which results in a forfeiture of bond, plea of guilty, no contest, acceptance into pre-trial intervention, alcohol education program or a determination of guilt by a court or a jury. For purposes of this article, all violations for which charges are made during one response by law enforcement officers which result in a forfeiture of bond, acceptance in to a pre-trial intervention program, alcohol education program, conviction, or a plea of guilty or no contest collectively shall be deemed one offense.

Owner means any person, firm or corporation having a legal or equitable title in the property, or recorded in the official records of the state, county or municipality as holding title.

Owner-occupied rental unit means a rental unit that is occupied in whole or in part by an individual whose name specifically appears on the deed for the property where the rental unit is located.

Commented [MZ1]: This is the same City of Columbia document we originally started with almost no changes. The same concerns are still present as addressed in the work groups original document submission.

This document places the operational burden on the Business Service Center and would create the same operational barriers outlined in the work groups original document.

Commented [MZ2R1]: Most of the Building Code verbiage has been removed

Person means any natural individual, firm, partnership, association, joint stock company, joint venture, public or Private Corporation or receiver, executor, personal representative, trust, trustee, conservator or other representative appointed by order of any court.

Premises mean a lot, plot or parcel of land, including the buildings or structures thereon, which also includes dwelling units, rental units and dwellings.

Professional Management Company means any company licensed by South Carolina Department of Labor, Licensing and Regulation as a real estate broker or property manager and holding the appropriate current Richland County Business License.

Rental unit means that portion of a dwelling for which payment or other consideration, including performance of general maintenance, payment of utilities or other fees, or similar in-kind services, is being made to an owner, agent, manager, or professional management company for the use and occupancy of that portion as a living facility. For purposes of this article, the term “rental unit” is limited to single-household dwellings, townhouses, and multi-unit structures used for residential purposes. Whenever the words rental unit are stated in this Article, they shall be construed as though they were followed by the words “or any part thereof”. Exceptions shall be the following:

- (1) Dwellings occupied for residency for over 120 days by employees of that organization which are owned by a firm, corporation, religious organization or another incorporated organization;
- (2) Dwellings occupied by individuals who are under a written contract to purchase the residence, if such contract has been properly recorded with the Richland County ROD; or
- (3) Dwellings owned and operated by the United States of America, the State of South Carolina, or any agency thereof, including the Housing Authority of the Richland County, or any institution of higher learning which operates housing for its faculty, staff, or students.

Responsible Local Representative means a person having his or her place of residence or business office within 45 miles of the rental property and designated by the property owner as the agent responsible for operating such property in compliance with the ordinances adopted by the County. For the purposes of this article, the term “agent” shall refer to the Responsible Local Representative.

Tenant means any individual who has the temporary use and occupation of real property owned by another person in subordination to that other person's title and with that other person's consent; for example, a person who rents or leases a dwelling, dwelling unit, or rental unit from a landlord.

Warning means a notice of non-compliance with any ordinance or statute referenced in Section 16-76, with or without an accompanying Order to abate the non-compliance.

Commented [MZ3]: This was Mr. Malinowski's original concern. Potentially an owner could live in the county but still be outside this limitation to their rental property.

Sec. 16-72. Rental permit required.

- (a) No owner, whether a person, firm or corporation, shall operate any dwelling or residential rental unit as defined in section 16-71 unless that owner holds a current rental permit issued by the Richland County Business Service Center for the residential rental unit named therein. Failure to obtain or properly renew such permit shall be a violation of this article.
- (b) Before a rental permit can be granted, the owner or landlord shall certify that the subject property complies with the minimum code. This minimum standard shall be determined by the County and available to all citizens upon request. If an owner or Responsible Local Representative is unsure if the property meets the minimum code, inspections by County staff are available upon request.
- (c) Properties that fail to pass an inspection as outlined in this article within 30 days shall correct all defects noted on the inspection report and schedule a subsequent inspection of property.
- (d) Permits are not transferable from any owner to another.
- (e) The permitting year shall be for twelve months following the issuance of the permit.
- (f) Renewals of permits after sixty (60) days of the expiration date will be assessed a late penalty fee of five percent of the unpaid fee per month.
- (g) Failure to renew the permit within 120 days following the expiration of the permit while the property is occupied as a rental unit, shall be considered a violation of this article.
- (h) Each individual property requires a separate permit.
- (i) Professional management companies in good standing are exempt from the annual permit fee but not the other requirements of this article.

Commented [MZ4]: The article is still dependent on owner self-certification / inspection of the property. Still do not think this is a best practice. This was addressed in the work group original submission.

Commented [MZ5]: The BSC has been named as the execution division throughout the document.

Commented [MZ6]: What system/form will used for all stakeholders (Sec 16-76) to be able to track/participate in the application process

Commented [MZ7]: Why are we providing an exception for management companies in good standing, but a property owner in good standing must continue to pay the annual permit fee.

Sec. 16-73. Application.

Applications for a permit to operate residential rental units and for renewal thereof shall be on a form provided by the Richland County Business Service Center. Such form shall set forth the owner's name, address, and telephone number, the residential rental unit address, the name of the person, firm, or corporation located within a 45-mile radius of Richland County responsible for the care and maintenance of the building and additional information as outlined on the application for rental housing. Multiple permits can be requested on one application when there are multiple units owned/managed by the same person or owner.

Commented [MZ8]: Verbiage is different as stated in Section 16-71 Definitions

Sec. 16-74. Issuance or refusal of rental permit.

Richland County shall issue a rental permit for rental housing to the applicant upon proof of the following:

- (1) The owner has either certified that the subject property complies with the minimum building code standards for residential properties, or if the owner is unsure, the subject property has passed a rental housing inspection ; and,
- (2) All permit fees, including any fees for violations, have been paid.

Commented [MZ9]: Addresses building codes, you still have the concern; Does your operation area (BSC) have the people certified and licensed to enforce building codes? This was addressed in the work group document.

Sec. 16-75. Property owner, responsible local representative, and occupant.

(a) A permit will not be issued or renewed to a person, firm, or corporation who does not either reside in nor have an office within a 45-mile radius of Richland County, unless a Responsible Local Representative is designated. The Responsible Local Representative may be a Professional Management Company. The Business Service Center shall, within fourteen (14) days, be notified in writing if there is a change of owner or Responsible Local Representative.

Commented [MZ10]: Inconsistent with below required distance limitation. Section 16-71 Definitions

(b) The property owner, the responsible local representative, landlord, and/or tenants shall be liable for Richland County Code violations within dwellings, dwelling units, rental units, or premises under their control or in which they are leasing.

Commented [MZ11]: I believe this item best defines Ms. Newton's motion intent.

(c) For the purposes of this article and any violations or warnings, the owner or Responsible Local Representative shall be responsible for the maintenance of the common areas of the dwelling and shall respond to service requests and emergency needs, including entry into units where an emergency appears to exist. Such person or persons shall be situated close enough to the dwelling as to be able to service tenant and emergency calls with reasonable dispatch, but in no event farther than 45 miles from the rental unit. The owner shall advise the tenants individually of the names, addresses, and telephone numbers of such owner and/or Responsible Local Representative.

Commented [MZ12]: How do we enforce this, who is licensed to verify the repairs, does the tenant call the BSC to notify them of needed repairs?

Commented [MZ13]: This is inconsistent with the other sections that allow 45 miles outside of Richland County.

Sec. 16-76. Violations, warnings and assignment of violations.

(a) For purposes of this section, violations shall include citations for any federal, state, or local ordinance.

(b) Violations; warnings; points. Violations shall mean rental units where there are citations, warnings, and/or adjudication of guilt, finding of guilt with adjudication withheld, waiver of right to contest the violation, or pleas of no contest (including, but not limited to, payment of fine) of the following County ordinances:

- (1) Vector control ordinances (Chapter 8);
- (2) Animal control ordinances (Chapter 4);
- (3) Garbage, trash, and refuse ordinances (Chapter 12)
- (4) Parking Ordinances (Chapter 17);
- (5) Zoning ordinances (Chapter 26)
- (6) Noise; Weeds and Rank Vegetation Ordinances (Chapter 18); or,
- (7) Offenses involving state criminal law which occur in the dwelling or rental unit or on the premises.

Commented [MZ14]: How does this ordinance amendment affect each of the stakeholders staffing and operational costs?

(c) Violations and warnings shall apply as points towards revocation of the rental permit for residential rental units as follows:

- (1) Single-household dwellings. Violations or warnings that occur anywhere on the premises shall apply to the permitted dwelling unit.
- (2) Multi-unit structures.

- a. Violations or non-compliances resulting in warnings that occur within an individual unit shall apply to that unit.
- b. Violations or non-compliance resulting in a warning occurring outside of the units shall be assigned to the unit responsible as determined by the investigating party for the offense.
- c. Violations or non-compliance resulting in a warning committed by the property owner and/or Responsible Local Representative shall be assigned to all units.

(d) In the event a violation or non-compliance resulting in a warning occurs at a unit regulated by this article, such violation shall be grounds for the accumulation of points as follows:

- a. First Offense - One point will be assessed for the first occurrence of a violation or non-compliance resulting in a warning.
- b. Second Offense - Two points will be assessed for a second occurrence of the same violation or non-compliance resulting in a warning, within the same permit year.
- c. Third Offense or Each Offense Thereafter - Five points will be assessed for a third occurrence and each occurrence thereafter of the same violation or non-compliance resulting in a warning within the same permit year.

(1) After points are assessed on a landlord permit for a unit, Business Service Center will send a written notice to the owner or agent. Each notice will specify which ordinance or ordinances have been violated and will state that further warnings or violations could lead to a revocation of the permit. Each notice will be sent by regular mail to the address of the owner or agent or responsible local representative, as identified on the permit application, as well as a copy of the warning mailed to the property address of the subject property.

(2) A fee of \$100 will be assessed per point for each point accumulated beyond three (3) points within any renewal year. Such fees shall be due upon renewal. Failure to pay any fees due shall result in a denial of the permit renewal.

(3) If a person is found not guilty, or the case against them for a violation is dismissed, then the point shall be removed from the permit as if it had not been assessed.

(4) If the non-compliance for which a warning has been issued has been abated with ten (10) calendar days from the date of the warning, then the point shall be removed from the permit as if it had not been assessed; provided, however, that any such warning shall still be considered in calculating how many offenses have occurred during a twelve (12) month period, pursuant to this section.

d. Serious Offense - Five points will be assessed for a Serious Offense, which shall mean any violation which falls under Section 16-76 (b)(7).

Sec.16-77. Revocation of permit.

(a) Accumulation of ten (10) or more points on a permit for a dwelling unit within any twelve (12) month period shall subject the owner to proceedings to revoke the permit.

Commented [MZ15]: Violation Point System was addressed in the work group original document. Having spoken with the two individuals from the city of Columbia, they do not feel it is a good system, and it is very labor intensive to keep up with.

(b) Upon the accumulation of ten (10) or more points or failure to comply with the requirements of this article, the following procedure shall be followed:

(1) The Business Service Center shall cause to be served written notice to show cause why the permit should not be revoked. Service shall be deemed complete if personally delivered upon the owner or agent by any officer authorized by law to serve process or a duly appointed law enforcement officer. The person serving process shall make proof of service within the time during which the person served must respond to the process. If service cannot be personally made within the County, then service may be made by notice posted on the property and mailed certified return receipt to the last known address of record.

Commented [MZ16]: What are the legal issues developed if an owner challenges the authority for the BSC staff interpret or enforce the building code? Addressed in the work group original document.

(2) The owner or agent shall have fifteen (15) days from the date of service to request a hearing to appeal the revocation of the permit. The request shall be sent to the Business Service Center by certified mail, return receipt requested. If such request is not timely made, the revocation shall take effect on the 21st day after the date of service to show cause.

(3) Upon request for a hearing, the Business Service Center shall schedule the appeal with the _____ within thirty (30) days.

(4) Once the hearing is scheduled, the property should be posted to announce the hearing date to the general public.

(5) In conducting the hearing, the _____ shall have the power to administer oaths, issue subpoenas, compel the production of books, paper, and other documents, and receive evidence. All parties shall have an opportunity to respond, to present evidence and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of facts and orders, to file exceptions to the _____'s recommended order, and to be represented by counsel or other designated representative. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The lack of actual knowledge of, acquiescence to, participation in, or responsibility for, a public nuisance at common law or a noxious use of private property on the part of the owner or agent shall not be a defense by such owner or agent.

(6) If the _____ finds that the accumulation of ten (10) or more points properly exist, then _____ shall order revocation of the permit.

(7) If the _____ finds evidence that any points have been assigned improperly, the _____ will dismiss the revocation action and recommend which points, if any, should be rescinded from the permit.

(8) The _____'s order shall consist of findings of fact, conclusions of law and recommended relief. The _____ or designee shall transmit the order to

Commented [MZ17]: Will these functions be either the BSC Manager or CP&D Director? Who is the best fit.

the County Administrator and the owner or agent. The owner or agent shall have fifteen (15) days from the date of the hearing officer's order to submit written exceptions to the order. The County Administrator shall review such order and any written exceptions by the owner and may set forth any deficiencies he/she finds with respect to the order. Said deficiencies shall be limited to determinations that the findings were not based upon competent, substantial evidence, or that the proceedings on which the findings were based did not comply with the essential requirements of law. In reviewing such recommended order, the County Administrator shall not have the power to receive or consider additional evidence and shall not have the power to reject or modify the findings of fact or conclusions of law contained in the recommended order. The County Administrator may remand the recommended order along with the delineated deficiencies back to the _____ for consideration of the deficiencies. The _____ shall address the deficiencies in an addendum to the order. The County Administrator shall then either: (a) adopt the order and addendum, if applicable, in its entirety; or (b) adopt the findings of fact and conclusions of law in the order and addendum, if applicable, and reject or modify the recommended relief. The action of the County Administrator shall be the final order of the County.

Commented [MZ18]: Not sure it is feasible to have the County Administrator as the appealing authority. Again this was addressed in the work groups original document submitted to the committee

(9) The County Administrator or designee shall provide notice of the final order within five (5) days of the date of the final order.

(10) If the permit is revoked under these procedures, the owner or agent shall have five (5) days from the date of the final order to commence recovering possession of the rental unit. If the tenants do not voluntarily agree to vacate the premises, the owner or agent shall diligently pursue the process of eviction to completion. The owner or agent shall provide copies of all documents provided to the tenants or filed with the court concerning the eviction process to the County Administrator or designee. If the owner collects any rent from the tenants following the revocation of the permit, fails to comply with these provisions, or fails to abide with the final order of the County, the County may seek criminal relief by citing the owner for violation of this article, or seek other available legal or equitable relief.

Commented [MZ19]: IS this the duty of the BSC manager.

(11) In addition to the above-described procedures, the County Attorney is authorized to file for injunctive relief to abate any public nuisance at common law or noxious use of private property pursuant to law.

(12) The final order of the County is subject to certiorari review in a court of competent Jurisdiction in Richland County, South Carolina.

Sec. 16-78. Effect of revocation.

Upon the commencement of revocation, no permit shall be granted nor any lease approved and no person, firm or corporation shall operate or rent/lease to another for residential occupancy any dwelling unit or rooming unit during such time that the rental housing permit for such unit is revoked; however any residential tenants under a lease in existence at the time of the commencement of revocation shall have all of the rights afforded to them under applicable state law.

If a permit is revoked pursuant to section 16-77, the property shall not be eligible for a rental housing permit for a period of six (6) months after full vacation of the unit.

Sec. 16-79. Defenses.

When tenants are guilty of offenses resulting in a revocation notice, the property owner may request a suspension of revocation proceedings by providing written evidence of the initiation of eviction proceedings against the culpable tenants. If the tenants are evicted, the property owner may request termination of the revocation proceedings. If revocation has been suspended but the tenants are not evicted, revocation proceedings will be reinstated by the County. A remediation plan, which addresses any future problems with the tenants, will also have the same effect as initiating eviction proceedings.

Sec. 16-80. Operating without a permit a public nuisance.

If a person operates as a landlord without a rental permit as set forth in this section, such shall constitute a public nuisance.

Sec. 16-81. Offenses as misdemeanors.

Any person violating any provision of this article shall be deemed guilty of a misdemeanor offense and shall be subject to the penalties outlined in section 1-8 of the Richland County Code of Ordinances. Each day of violation shall be considered a separate offense for purposes of citation only, and shall not be considered a separate offenses under section 16-76. Punishment for violation shall not relieve the offender of liability for delinquent taxes, penalties, and costs provided for this article.

Sec. 16-83. Denial of permit.

(a) The Business Service Center may deny issuance of any permits applied for under this section if it is determined either that the owner or agent has made material misrepresentations about the condition of his/her property or status of ownership, or that the occupancy of the property is in violation of the International Property Maintenance Code or County Ordinances or that the owner has otherwise violated a provision of this article.

(b) If the Business Service Center determines there is reasonable cause to believe that there are grounds to deny a permit applied for, it shall provide notice of the denial, including the grounds for the denial.

(c) Within fifteen (15) days of the date of the notice, the owner may request in writing to the Business Service Center a hearing on the denial. The Business Service Center shall schedule the hearing with the _____ to occur within fifteen (15) days after receiving the request for hearing and shall notify the owner at least five (5) days in advance of the time and location for the hearing. The hearing may be postponed if mutually agreed upon.

Commented [MZ20]: Is the BSC staff certified to enforce this code? Referencing or using this code as a standard implies staff will be conducting Code enforcement inspections.

(d) The hearing shall be conducted informally and adherence to the rules of evidence normally followed by the courts shall not be required. Any person may present testimony, documents or other evidence as deemed relevant by the County Administrator or designee. Any person may be represented by counsel.

(e) The _____ shall consider all evidence presented, and if the preponderance of the evidence supports the allegation of violation the permit shall be denied. If the preponderance of the evidence does not support the allegation of violation, the permit shall be issued. The decision of the _____ may be appealed by a writ of certiorari to a court of competent jurisdiction in Richland County o, South Carolina.

Commented [MZZ1]: Again, who is the best fit to hear/process hearings? BSC Manager or CP&D Director?

(f) The Business Service Center may waive the denial requirement as to any permit if it is determined that the owner has attempted in good faith to comply with this article. In determining asserted good faith as required for a waiver, the Business Service Center may consider, but not be limited to, the owner response to current violations and remedy of past violations.

(g) If a permit is denied under this section, the owner whose permit was denied shall not be issued another permit on the same dwelling unit for a period of six (6) months after the date of denial.

Sec. 16-84. Permit fee.

(a) The annual permit fee shall be \$25.00 for each permit, unless exempt from the fee as follows: (1) the applicant is a professional management company applying on behalf of an owner as a Responsible Local Party; or (2) the applicant is licensed by the Richland County through the Business License Office to conduct the business of being a Landlord.

Commented [MZZ2]: This fee cover operational costs, especially if staff/stakeholders are conducting inspections.

(b) Upon determination that a rental property owner has failed to obtain a rental housing permit, a permit fee penalty shall be assessed at \$400.00 for each year the unpermitted occupancy has occurred.

Commented [MZZ3]: Why is this less than max outlined in Section 1-8 General Penalties, \$500

(c) An inspection fee of \$50.00 shall be included in the permit fee for properties that request an inspection and fail to pass inspection after the second inspection. An additional \$50.00 fee will be assessed for each additional inspection.

Commented [MZZ4]: What are we inspecting?

(d) All required fees shall be paid before a rental permit is issued, including any past due fees, penalty fees, or fees assessed for work abated by the County (i.e. weeds and rank vegetation).

Sec. 16-85. Remediation plan.

Whenever points are assessed to a permit, the responsible party may establish a remediation plan with the County that outlines actions to be taken to remedy the violation of County Ordinances. The plan must be approved by the _____ and include a timeline for implementation. Once the remediation plan is approved, the points against the permit will be suspended during the term of the remediation. When the remediation is completed successfully as agreed the points assessed

Commented [MZZ5]: Is this the BSC Manager or CP&D Director

prior to remediation will be removed. If the permit holder fails to adhere to the remediation plan, the plan will be withdrawn by the County and the points will be reassessed.

Sec. 16-86. Existing rights unaffected.

Nothing contained in this section is intended to affect the rights and responsibilities of property owners or tenants under the law of the United States of America or the State of South Carolina as out lined by the South Carolina Landlord Tenant Act, the Americans with Disabilities Act, the Violence Against Women Act, the Fair Housing Act or any other provision of federal or state law regulating housing.

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

SECTION III. Conflicting Ordinances. 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 _____.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2020.

Michelle Onley
Interim Clerk of Council

RICHLAND COUNTY ATTORNEY’S OFFICE

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

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

ARTICLE VII. RENTAL HOUSING REGULATIONS

Sec. 16-71. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purposes of this Article, have the meanings shown in this section. Where terms are not defined, through the methods authorized by this section, such terms shall have ordinarily accepted meaning such as the context implies.

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Dwelling or dwelling unit means a building or portion thereof, designed for occupancy for residential purposes.

Landlord means any person who owns or controls a dwelling, dwelling unit, or rental unit and rents such unit, either personally or through a designated agent, to any person.

Occupant means a family or an individual unrelated by blood to a second degree of consanguinity, marriage, adoption, or guardianship to any other occupant of the dwelling unit. A family of related persons shall be counted as one occupant.

Offense means any violation of local, state, or federal statutes or ordinances which results in a forfeiture of bond, plea of guilty, no contest, acceptance into pre-trial intervention, alcohol education program or a determination of guilt by a court or a jury. For purposes of this article, all violations for which charges are made during one response by law enforcement officers which result in a forfeiture of bond, acceptance in to a pre-trial intervention program, alcohol education program, conviction, or a plea of guilty or no contest collectively shall be deemed one offense.

Owner means any person, firm or corporation having a legal or equitable title in the property, or recorded in the official records of the state, county or municipality as holding title.

Owner-occupied rental unit means a rental unit that is occupied in whole or in part by an individual whose name specifically appears on the deed for the property where the rental unit is located.

Person means any natural individual, firm, partnership, association, joint stock company, joint venture, public or Private Corporation or receiver, executor, personal representative, trust, trustee, conservator or other representative appointed by order of any court.

Premises mean a lot, plot or parcel of land, including the buildings or structures thereon, which also includes dwelling units, rental units and dwellings.

Professional Management Company means any company licensed by South Carolina Department of Labor, Licensing and Regulation as a real estate broker or property manager and holding the appropriate current Richland County Business License.

Rental unit means that portion of a dwelling for which payment or other consideration, including performance of general maintenance, payment of utilities or other fees, or similar in-kind services, is being made to an owner, agent, manager, or professional management company for the use and occupancy of that portion as a living facility. For purposes of this article, the term “rental unit” is limited to single-household dwellings, townhouses, and multi-unit structures used for residential purposes. Whenever the words rental unit are stated in this Article, they shall be construed as though they were followed by the words “or any part thereof”. Exceptions shall be the following:

- (1) Dwellings occupied for residency for over 120 days by employees of that organization which are owned by a firm, corporation, religious organization or another incorporated organization;
- (2) Dwellings occupied by individuals who are under a written contract to purchase the residence, if such contract has been properly recorded with the Richland County ROD; or
- (3) Dwellings owned and operated by the United States of America, the State of South Carolina, or any agency thereof, including the Housing Authority of the Richland County, or any institution of higher learning which operates housing for its faculty, staff, or students.

Responsible Local Representative means a person having his or her place of residence or business office ~~within 45 miles of the rental property, residing 45-mile radius and within Richland County and/or a contiguous County,~~ and designated by the property owner as the agent responsible for operating such property in compliance with the ordinances adopted by the County. For the purposes of this article, the term “agent” shall refer to the Responsible Local Representative.

Commented [MZ1]: Recommend to change the verbiage not to penalize landlords that live in the county but further than the 45-miles to their rentals.

Tenant means any individual who has the temporary use and occupation of real property owned by another person in subordination to that other person's title and with that other person's consent; for example, a person who rents or leases a dwelling, dwelling unit, or rental unit from a landlord.

Warning means a notice of non-compliance with any ordinance or statute referenced in Section 16-76, with or without an accompanying Order to abate the non-compliance.

Sec. 16-72. Rental permit required.

- (a) No owner, whether a person, firm or corporation, shall operate any dwelling or residential rental unit as defined in section 16-71 unless that owner holds a current rental permit issued by the Richland County Business Service Center for the residential rental unit named therein. Failure to obtain or properly renew such permit shall be a violation of this article.
- (b) Before a rental permit can be granted, the owner or landlord shall certify that the subject property ~~is free from violations and assed fees. eomplies with the minimum code. This minimum standard-The county divisions shall verify the owner or landlord certification. The Business Service Center, Animal Control, Code Enforcement and Waste Management will be the verifying divisions. shall be determined by the County and Their verification is available to all citizens upon request. If an owner or Responsible Local Representative is~~

Commented [MZ2]: Workgroup recommends a change in verbiage to remove the implications of a structure inspection is needed. The new verbiage keeps it within the authority of the listed stakeholders.

~~unsure if the property meets the minimum code, inspections by County staff are available upon request.~~

- (c) Properties that fail to pass an inspection as outlined in this article within 30 days shall correct all defects noted on the inspection report and schedule a subsequent inspection of property.
- (d) Permits are not transferable from any owner to another.
- (e) The permitting year shall be for twelve months following the issuance of the permit.
- (f) Renewals of permits after sixty (60) days of the expiration date will be assessed a late penalty fee of five percent of the unpaid fee per month.
- (g) Failure to renew the permit within 120 days following the expiration of the permit while the property is occupied as a rental unit, shall be considered a violation of this article.
- (h) Each individual property requires a separate permit.
- (i) Professional management companies in good standing are exempt from the annual permit fee but not the other requirements of this article.

Commented [MZ3]: Workgroup recommends this item should be taken out.

Sec. 16-73. Application.

Applications for a permit to operate residential rental units and for renewal thereof shall be on a form provided by the Richland County Business Service Center. Such form shall set forth the owner's name, address, and telephone number, the residential rental unit address, the name of the person, firm, or corporation located ~~within a 45-mile radius of Richland County~~ responsible for the care and maintenance of the building and additional information as outlined on the application for rental housing. Multiple permits can be requested on one application when there are multiple units owned/managed by the same person or owner.

Commented [MZ4]: Workgroup recommends to change verbiage to make it consistent throughout.

Sec. 16-74. Issuance or refusal of rental permit.

Richland County shall issue a rental permit for rental housing to the applicant upon proof of the following:

- (1) The owner has either certified that the subject property complies with the ~~minimum building code standards for residential properties, or if the owner is unsure, the subject property has passed a rental housing inspection guidelines outlined in this ordinance~~; and,
- (2) All permit fees, including any fees for violations ~~that have been mitigated~~, have been paid.

Commented [MZ5]: Workgroup recommends to change verbiage to remove reference to building codes.

Sec. 16-75. Property owner, responsible local representative, and occupant.

(a) A permit will not be issued or renewed to a person, firm, or corporation who does not either reside in nor have an office ~~within a 45 mile radius of Richland County~~, unless a Responsible Local Representative is designated. The Responsible Local Representative may be a Professional Management Company. The Business Service Center shall, within fourteen (14) days, be notified in writing if there is a change of owner or Responsible Local Representative.

Commented [MZ6]: Workgroup recommends to change verbiage to make the mileage consistent throughout.

(b) The property owner, the responsible local representative, landlord, and/or tenants shall be liable for Richland County Code violations within dwellings, dwelling units, rental units, or premises under their control or in which they are leasing.

(c) For the purposes of this article and any violations or warnings, the owner or Responsible Local Representative shall be responsible for the maintenance of the common areas of the dwelling and shall respond to service requests and emergency needs, including entry into units where an emergency appears to exist. Such person or persons shall be situated close enough to the dwelling as to be able to service tenant and emergency calls with reasonable dispatch, but in no event farther than 45 miles from the rental unit. The owner shall advise the tenants individually of the names, addresses, and telephone numbers of such owner and/or Responsible Local Representative.

Commented [MZ7]: How do we enforce this, who is licensed to verify the repairs, does the tenant call the BSC to notify them of needed repairs?

Commented [MZ8]: This is inconsistent with the other sections that allow 45 miles outside of Richland County.

Sec. 16-76. Violations, warnings and assignment of violations.

(a) For purposes of this section, violations shall include citations for any federal, state, or local ordinance.

(b) Violations; warnings; points. Violations shall mean rental units where there are citations, warnings, and/or adjudication of guilt, finding of guilt with adjudication withheld, waiver of right to contest the violation, or pleas of no contest (including, but not limited to, payment of fine) of the following County ordinances:

- (1) Vector control ordinances (Chapter 8);
- (2) Animal control ordinances (Chapter 5);
- (3) Garbage, trash, and refuse ordinances (Chapter 12)
- (4) Parking Ordinances (Chapter 17);
- (5) Zoning ordinances (Chapter 26)
- (6) Noise; Weeds and Rank Vegetation Ordinances (Chapter 18); or,
- (7) Offenses involving state criminal law which occur in the dwelling or rental unit or on the premises.

(c) Violations and warnings shall apply as points towards revocation of the rental permit for residential rental units as follows:

- (1) Single-household dwellings. Violations or warnings that occur anywhere on the premises shall apply to the permitted dwelling unit.
- (2) Multi-unit structures.
 - a. Violations or non-compliances resulting in warnings that occur within an individual unit shall apply to that unit.
 - b. Violations or non-compliance resulting in a warning occurring outside of the units shall be assigned to the unit responsible as determined by the investigating party for the offense.
 - c. Violations or non-compliance resulting in a warning committed by the property owner and/or Responsible Local Representative shall be assigned to all units.

(d) In the event a violation or non-compliance resulting in a warning occurs at a unit regulated by this article, such violation shall be grounds for the accumulation of points as follows:

- a. First Offense - One point will be assessed for the first occurrence of a violation or non-compliance resulting in a warning.
- b. Second Offense - Two points will be assessed for a second occurrence of the same violation or non-compliance resulting in a warning, within the same permit year.
- c. Third Offense or Each Offense Thereafter - Five points will be assessed for a third occurrence and each occurrence thereafter of the same violation or non-compliance resulting in a warning within the same permit year.

(1) After points are assessed on a landlord permit for a unit, Business Service Center will send a written notice to the owner or agent. Each notice will specify which ordinance or ordinances have been violated and will state that further warnings or violations could lead to a revocation of the permit. Each notice will be sent by regular mail to the address of the owner or agent or responsible local representative, as identified on the permit application, as well as a copy of the warning mailed to the property address of the subject property.

(2) A fee of \$100 will be assessed per point for each point accumulated beyond three (3) points within any renewal year. Such fees shall be due upon renewal. Failure to pay any fees due shall result in a denial of the permit renewal.

(3) If a person is found not guilty, or the case against them for a violation is dismissed, then the point shall be removed from the permit as if it had not been assessed.

(4) If the non-compliance for which a warning has been issued has been abated with ten (10) calendar days from the date of the warning, then the point shall be removed from the permit as if it had not been assessed; provided, however, that any such warning shall still be considered in calculating how many offenses have occurred during a twelve (12) month period, pursuant to this section.

- d. Serious Offense - Five points will be assessed for a Serious Offense, which shall mean any violation which falls under Section 16-76 (b)(7).

Commented [MZ9]: Workgroup recommends to change this section to allow the use of the Central Square Software for tracking violations and assessing fees. Stakeholders could add their fees for services rendered in addition to a violation fee.

Further direction from Ms. Newton on her thoughts removing a points system.

Workgroup must verify the system's capabilities.