

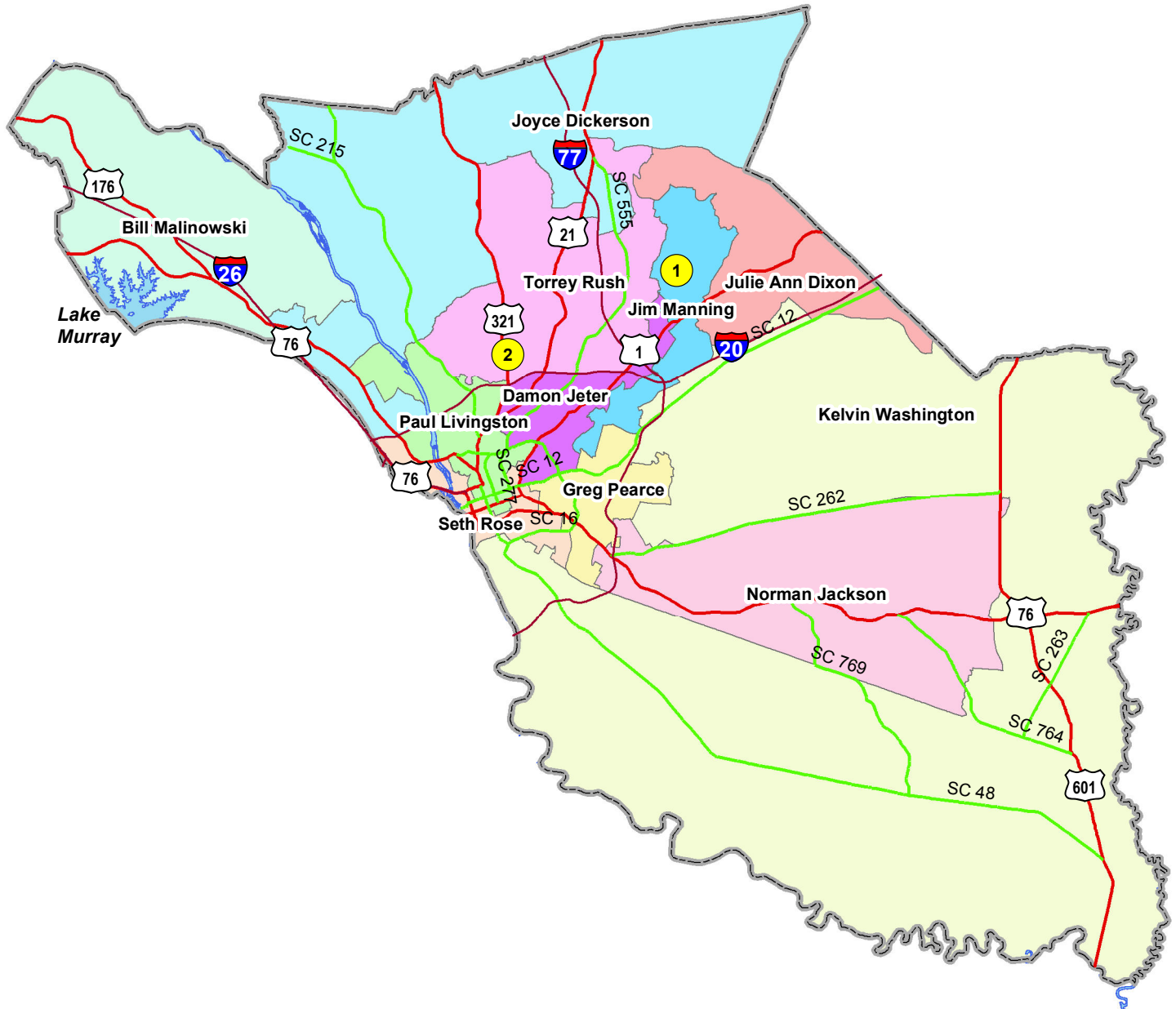
RICHLAND COUNTY  
PLANNING COMMISSION



JULY 10, 2013



# RICHLAND COUNTY PLANNING COMMISSION JULY 10, 2013



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 13-24 MA	Charles Marshall, Jr.	19907-06-01 & 08	9875 Windsor Lake Blvd	Manning
2. 13-25 MA	Mukesh Thakkar	15000-02-09	10447 & 10453 Wilson Blv	Rush





**RICHLAND COUNTY PLANNING COMMISSION**

**Wednesday, July 10, 2013**

**Agenda**

**1:00 PM**

**2020 Hampton Street  
2<sup>nd</sup> Floor, Council Chambers**

**STAFF** Tracy Hegler, AICP.....Planning Director  
Geonard Price.....Deputy Planning Director/Zoning Administrator  
Amelia R. Linder, Esq. .... Attorney  
Holland Jay Leger, AICP..... Planning Services Manager

**PUBLIC MEETING CALL TO ORDER** .....Patrick Palmer, Chairman

**PUBLIC NOTICE ANNOUNCEMENT**

**PRESENTATION OF MINUTES FOR APPROVAL**

June 2013 Minutes

**ADOPTION OF THE AGENDA**

**ROAD NAMES [ACTION]**

**SUBDIVISION REVIEW [ACTION]**

SP 13-40

The Apartment Community @ Lake Carolina

**MAP AMENDMENTS [ACTION]**

1. Case # 13-24 MA  
Charles Marshall Jr.  
RS-LD to OI (4.23 acres)  
9875 Windsor Lake Blvd.  
TMS# 19907-06-01 & 08  
Page 1
2. Case # 13-25 MA  
Mukesh Thakkar  
RU to RC (1.76 acres)  
10447 & 10453 Wilson Blvd.  
TMS# 15000-02-09  
Page 9

## **TEXT AMENDMENTS [ACTION]**

1. AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE II, RULES OF CONSTRUCTION/DEFINITIONS; SECTION 26-21, RULES OF CONSTRUCTION INFORMATION; SUBSECTION (B), GENERAL RULES OF CONSTRUCTION; PARAGRAPH (9), CONTIGUOUS.

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## **ACTION ITEMS**

Lexington Richland School District 5

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## **DIRECTOR'S REPORT OF ACTION**

1. Zoning Public Hearing Report
2. Development Review Team Report

## **ADJOURNMENT**



# **Planning & Development Services Department**

2020 Hampton Street, 1<sup>st</sup> Floor • Columbia, South Carolina 29204-1002  
 Post Office Box 192 • Columbia, South Carolina 29202-0192

**TO:** Planning Commission Members; Interested Parties

**FROM:** Betty A. Etheredge, GISP GIS Technician II

**DATE:** June 25, 2013

**SUBJECT:** Street Name(s) Approval Request

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

The proposed street/road/subdivision name(s) listed below has/ have been reviewed and meet(s) the Enhanced 9-1-1 emergency road/subdivision naming requirements.

**Action Requested**

The Planning Department recommends the Commission give **final** approval of the road name(s) listed below. **Unless specifically stated, the street name suffix (es) is/ are added after receipt of the subdivision lot layout.**

PROPOSED NAME(S)	APPLICANT	LOCATION	PROPERTY TMS#	COUNCIL DISTRICT
1. Avalon Springs 2. Glenwood Springs 3. Berkeley Springs 4. Ramsay Springs 5. Jordan Springs 6. Palm Springs 7. Mercey Springs 8. Silver Springs 9. Bagby Springs 10. McCredie Springs 11. Meadow Springs	Mungo Homes	Spring Park Subdivision (f/k/a Brookhaven Ph. 13)	R17500-03-60	Torrey Rush (7)

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**Richland County  
Planning & Development Services Department**

Map Amendment Staff Report

**PC MEETING DATE:** July 10, 2013  
**RC PROJECT:** 13-24 MA  
**APPLICANT:** Charles Marshal Jr.

**LOCATION:** Windsor Lake Boulevard

**TAX MAP NUMBER:** 19907-06-01 & 08  
**ACREAGE:** 4.23 acres  
**EXISTING ZONING:** RS-LD  
**PROPOSED ZONING:** OI

**PC SIGN POSTING:** June 12, 2013

**Staff Recommendation**

**Disapproval**

**Background**

**Zoning History**

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

**Zoning History General Area**

The RS-LD District parcel north of the subject parcels with frontage along North Chelsea Road was approved for a special exception to allow a real estate office under case number 89-00SE.

**Zoning District Summary**

The Office and Institutional District (OI) is intended to accommodate office, institutional, and certain types of residential uses in an area whose characteristics are neither general commercial nor exclusively residential in nature. Certain related structures and uses required to serve the needs of the area are permitted outright or are permitted as special exceptions subject to restrictions and requirements.

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

— The gross density for this site is approximately: 67 dwelling units

Direction	Existing Zoning	Use
<u>North:</u>	RS-LD	Residence
<u>South:</u>	RS-LD	Residence
<u>East:</u>	RS-LD	Residence
<u>West:</u>	GC	Spring Valley Commons Commercial Strip Shopping Center and Residence

**Discussion**

**Parcel/Area Characteristics**

The parcel contains six hundred and twenty six (626) feet of frontage along Windsor Lake Boulevard and a former HOA club house structure, a pool and tennis courts. There is access to the site from Windsor Lake Boulevard and the perimeter is surrounded by a chain link fence. Windsor Lake Boulevard is a two lane local, residential collector road with sidewalks along the south side. The immediate area is primarily characterized by residential uses with the commercial uses west of the site along Two Notch Road. It should be noted that the commercial uses are separated from the subject parcels by a rail road track and Two Notch Road. North, east and south of the subject parcels is a fully-developed, well-established, single family residential subdivision. Located north and east of the subject parcels is The Briarwood subdivision and located south of the subject parcels is the Windsor Estates subdivision.

**Public Services**

The subject parcels are within the boundaries of School District Two. Windsor Elementary School is .12 miles south east of the subject parcels on Dunbarton Drive. E.L. Wright Middle School is .49 miles south of the subject parcels on Windsor Lake Boulevard. Water is provided by the City of Columbia and sewer is provided by East Richland County Public Service District. There is a fire hydrant located east of the properties on Windsor Lake Boulevard. The Jackson Creek fire station (station number 32) is located on Two Notch Road, approximately .2 miles north of the subject parcel.

**Plans & Policies**

The 2009 Richland County Comprehensive Plan “Future Land Use Map” designates this area as **Suburban** in the **North East Planning Area**.

Objective: Commercial/Office activities should be located at traffic junctions or areas where existing commercial and office uses are located. These uses should not encroach on established residential areas.

Non-Compliance: Although the subject property is located near the intersection of Windsor Lake Boulevard and Two Notch Road, the site is separated from the intersection by the railroad right-of-way. The proposed zoning is not in compliance with the recommended objective for suburban commercial/office activities in the Comprehensive Plan. The site is not located near existing office uses and would encroach upon the established residential subdivisions.

### **Traffic Impact**

The 2012 SCDOT traffic count (Station # 115) located north of the subject parcels on Two Notch Road identifies 35,600 Average Daily Trips (ADT's). Two Notch Road is classified as a five lane undivided Minor Arterial, maintained by SCDOT with a design capacity of 33,600 ADT's. Two Notch Road is currently operating at Level of Service (LOS) "D".

The 2012 SCDOT traffic count (Station # 425) located south of the subject parcels on Windsor Lake Boulevard identifies 4,500 Average Daily Trips (ADT's). Windsor Lake Boulevard is classified as a two lane undivided Collector, maintained by SCDOT with a design capacity of 8,600 ADT's. Windsor Lake Boulevard is currently operating at Level of Service (LOS) "B" in this location.

There are no planned or programmed improvements for this section of Two Notch Road.

### **Conclusion**

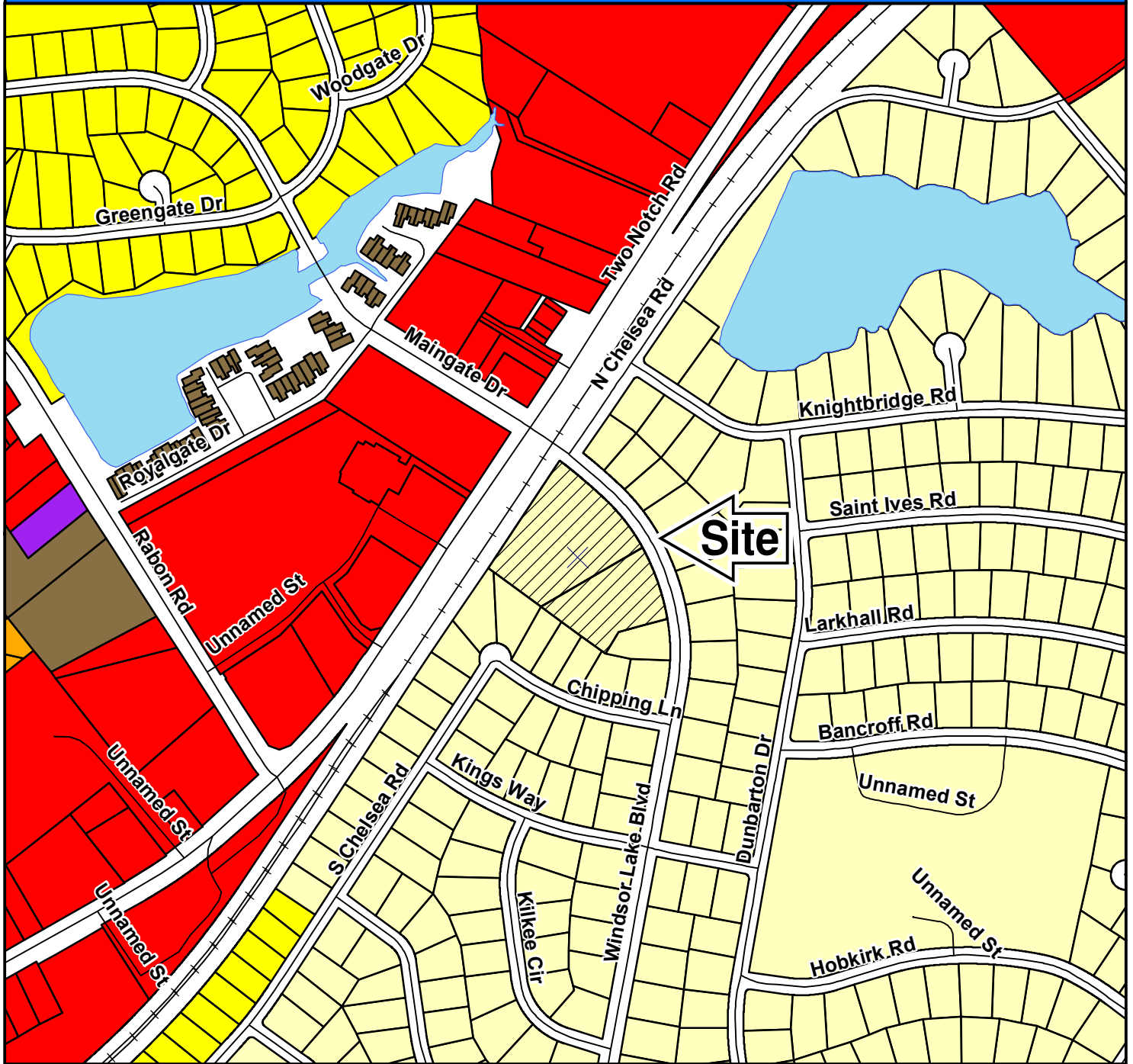
The proposed request is not in compliance with the recommendations of the Comprehensive Plan as it is situated in the vicinity of other residential uses, and is buffered from the commercial uses along Two Notch Road. The proposed zoning would encroach upon two established residential subdivisions (Briarwood and Windsor Estates). The requested zoning is not in character or compatible with the zoning or existing uses of the adjacent parcels and developments.

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

### **Zoning Public Hearing Date**

**July 23, 2013**

# Case 13-24 MA RS-LD to OI



## ZONING CLASSIFICATIONS

	CC-1		C-1		RS-E		MH		NC		LI		TROS
	CC-2		C-3		RS-LD		RM-MD		GC		HI		Subject Property
	CC-3		RG-2		RS-MD		RM-HD		RC		PDD		
	CC-4		RR		RS-HD		OI		M-1		RU		



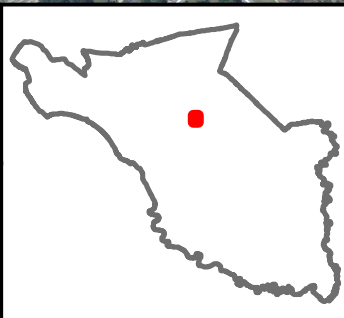


**Case 13-24 MA  
RS-LD to OI  
TMS 19907-06-01 & 08**

**115**

**Site**

-  **FLOOD ZONE A**
-  **FLOOD ZONE AE**
-  **WETLANDS**





# CASE 13-24 MA

## From RS-LD to OI

TMS# 19907-06-01 & 08

Windsor Lake Blvd



<b>USE TYPES</b>	<b>OI</b>
Continued Care Retirement Communities	SR
Dormitories	SE
Multi-Family, Not Otherwise Listed	P
Single-Family, Zero Lot Line, Common	SR
Fraternity and Sorority Houses	P
Group Homes (10 or More)	SE
Rooming and Boarding Houses	SE
Special Congregate Facilities	SE
Bowling Centers	
Clubs or Lodges (Ord No.054-08HR; 9-16-08)	P
Dance Studios and Schools	P
Martial Arts Instructional Schools	P
Physical Fitness Centers	P
Ambulance Services, Transport	P
Auditoriums, Coliseums, Stadiums	P
Cemeteries, Mausoleums (Ord. 069-10HR)	SR
Colleges and Universities	P
Community Food Services	P
Courts	P
Day Care Centers, Adult (Ord. 008-09HR; 2-17-09)	SR
Day Care, Child, Licensed Center (Ord. 008-09HR; 2-17-09)	SR
Government Offices	P
Hospitals	P
Individual and Family Services, Not Otherwise Listed	P

Museums and Galleries	P
Nursing and Convalescent Homes	P
Orphanages	P
Post Offices	P
Schools, Administrative Facilities	P
Schools, Business, Computer and Management Training	P
Schools, Fine Arts Instruction	P
Schools, Junior Colleges	P
Schools, Technical and Trade (Except Truck Driving)	P
Zoos and Botanical Gardens	SE
Accounting, Tax Preparation, Bookkeeping, and Payroll Services	P
Advertising, Public Relations, and Related Agencies	P
Automatic Teller Machines	P
Automobile Parking (Commercial)	P
Banks, Finance, and Insurance Offices	P
Barber Shops, Beauty Salons, and Related Services	P
Bed and Breakfast Homes/Inns (Ord. 020-10HR; 5-4-10)	SR
Computer Systems Design and Related Services	P
Clothing Alterations/Repairs; Footwear Repairs	P
Construction, Building, General Contracting, without Outside Storage	P
Construction, Special Trades, without Outside Storage	P
Employment Services	P
Engineering, Architectural, and Related Services	P
Funeral Homes and Services	P
Kennels	SR
Laundry and Dry Cleaning Services, Non- Coin Operated	P

Legal Services (Law Offices, Etc.)	P
Management, Scientific, and Technical Consulting Services	P
Massage Therapists	P
Medical/Health Care Offices	P
Medical, Dental, or Related Laboratories	P
Office Administrative and Support Services, Not Otherwise Listed	P
Packaging and Labeling Services	P
Pet Care Services (Excluding Veterinary Offices and Kennels)	P
Photocopying and Duplicating Services	P
Photofinishing Laboratories	P
Photography Studios	P
Picture Framing Shops	P
Professional, Scientific, and Technical Services, Not Otherwise Listed	P
Real Estate and Leasing Offices	P
Research and Development Services	SR
Travel Agencies (without Tour Buses or Other Vehicles)	P
Watch and Jewelry Repair Shops	P
Weight Reducing Centers	P
Antique Stores (See Also Used Merchandise Shops and Pawn Shops)	P
Art Dealers	P
Bars and Other Drinking Places	SE
Book, Periodical, and Music Stores	P
Caterers, No On Site Consumption	P
Convenience Stores (with Gasoline Pumps)	P
Convenience Stores (without Gasoline Pumps)	P

Drugstores, Pharmacies, with Drive-Thru	P
Drugstores, Pharmacies, without Drive- Thru	P
Office Supplies and Stationery Stores	P
Optical Goods Stores	P
Restaurants, Cafeterias	P
Restaurants, Full Service (Dine-In Only)	P
Restaurants, Limited Service (Delivery, Carry Out)	P
Restaurants, Snack and Nonalcoholic Beverage Stores	P
Courier Services, Substations	P
Radio and Television Broadcasting Facilities (Except Towers)	P
Radio, Television, and Other Similar Transmitting Towers	SE
Utility Company Offices	P
Buildings, High Rise, 4 or 5 Stories	SR
Buildings, High Rise, 6 or More Stories	SE



**Richland County  
Planning & Development Services Department**

Map Amendment Staff Report

**PC MEETING DATE:** July 10, 2013  
**RC PROJECT:** 13-25 MA  
**APPLICANT:** Mukesh Thakkar

**LOCATION:** 10447 & 10453 Wilson Boulevard

**TAX MAP NUMBER:** 15000-02-09  
**ACREAGE:** 1.76 acres  
**EXISTING ZONING:** RU  
**PROPOSED ZONING:** RC

**PC SIGN POSTING:** June 12, 2013

**Staff Recommendation**

**Disapproval**

**Background**

**Zoning History**

The original zoning as adopted September 7, 1977 was Rural District (RU).

**Zoning History General Area**

The General Commercial District (GC) parcel south of the subject parcel, located in the Town of Blythewood, was approved under Ordinance No. 023-05HR (case number 05-47MA). The General Commercial District (GC) parcel north of the subject parcel at the intersection of Farrow Road and Wilson Boulevard, located in the Town of Blythewood, was approved under Ordinance No. 029-05HR (case number 05-42MA). The General Commercial District (GC) parcel east of the subject parcel located along Farrow Road, located in the Town of Blythewood, was approved under Ordinance No. 004-06HR (case number 05-086MA).

**Zoning District Summary**

The Rural Commercial District (RC) recognizes the need to provide for areas within Richland County where residents of the more isolated agricultural and rural residential districts and residents located beyond the limits of service of the municipalities can receive convenience merchandising and services. It is intended to be a flexible district allowing a mixture of uses in order to accommodate commercial and service activities oriented primarily to serving the needs of persons who live in nearby areas. The RC District is proposed to be within or adjacent to residential neighborhoods where large commercial uses are inappropriate, but where small neighborhood oriented businesses are useful and desired. This district is further designed to be located at or near intersections of arterial and/or major collector roads so as to prevent the spreading of commercial uses down the major corridors or into the surrounding countryside.

Minimum lot area/maximum density: Minimum lot area requirement: 22,000 square feet or as required by DHEC. Maximum density: there is no maximum density standard.

Direction	Existing Zoning	Use
<b><u>North:</u></b>	RU/RU	Residences/Manufactured Housing/Vacant non-residential structure
<b><u>South:</u></b>	RU/RU	Undeveloped/Residence
<b><u>East:</u></b>	RU (Town of Blythewood)	Single-Family Residence (Town of Blythewood)/Manufactured Housing
<b><u>West:</u></b>	RU	Modular homes

**Discussion**

**Parcel/Area Characteristics**

The parcel contains one hundred and eighty two (182) feet of frontage along Wilson Boulevard and a convenience store with canopy and pumps, a vacant minor automobile repair shop and a residence. Wilson Boulevard is a two lane local collector road without sidewalks. The immediate area is primarily characterized by large lots and residential uses. The surrounding parcels are zoned RU District.

**Public Services**

The subject parcels are within the boundaries of School District Two. Westwood High School is 1.2 miles south west of the subject parcel on Turkey Farm Road. Water and sewer would be provided by the City of Columbia. There are no fire hydrants located along this section of Wilson Boulevard. The Blythewood fire station (station number 26) is located on Main Street in Blythewood, approximately 2.2 miles north of the subject parcel.

**Plans & Policies**

The 2009 Richland County Comprehensive Plan “**Future Land Use Map**” designates this area as **Suburban** in the **North East Planning Area**.

**Objective:** Commercial/Office activities should be located at traffic junctions or areas where existing commercial and office uses are located. These uses should not encroach on established residential areas.

**Non-Compliance:** The proposed zoning is not in compliance with the recommended objective for suburban commercial/office activities in the Comprehensive Plan. The site is not located near existing commercial uses nor is it located at a traffic junction.

**Traffic Impact**

The 2012 SCDOT traffic count (Station # 137) located north of the subject parcel on Wilson Boulevard identifies 9,300 Average Daily Trips (ADT’s). Wilson Boulevard is classified as a two lane undivided Collector, maintained by SCDOT with a design capacity of 8,600 ADT’s. Wilson Boulevard is currently operating at Level of Service (LOS) “D”.

A 3.7 mile section of Wilson Boulevard from the I-77 interchange to Blythewood Road has been identified for widening from two lanes to five lanes. The project is 37th on the Columbia Area Long Range Transportation Plan (COATS) 2035 Prioritized Project List and funding has not been identified at this time.

### **Conclusion**

Commercial uses along Wilson Boulevard are more appropriate at major intersections where turning movements and ingress/egress can be more effectively managed. Commercial zoning can diminish the character of an area by increasing traffic congestion and is contrary to the intent of the RC District, which is to prevent the spread of commercial uses down the major corridors or into the surrounding countryside. Additionally, in this case the site is not at an intersection and the proposed rezoning may tend to contribute to the random and scattered, sprawling, un-concentrated effects of strip commercial uses characteristic of highly developed areas. The proposed request is not in compliance with the Comprehensive Plan as there are no commercial uses or intersections in the vicinity.

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

### **Zoning Public Hearing Date**

**July 23, 2013**

# Case 13-25 MA RU to RC

*Town of  
Blythewood*


























N Davis Ln

Farrow Rd

Wilson Blvd  
**Site**

Scott Ridge Ln

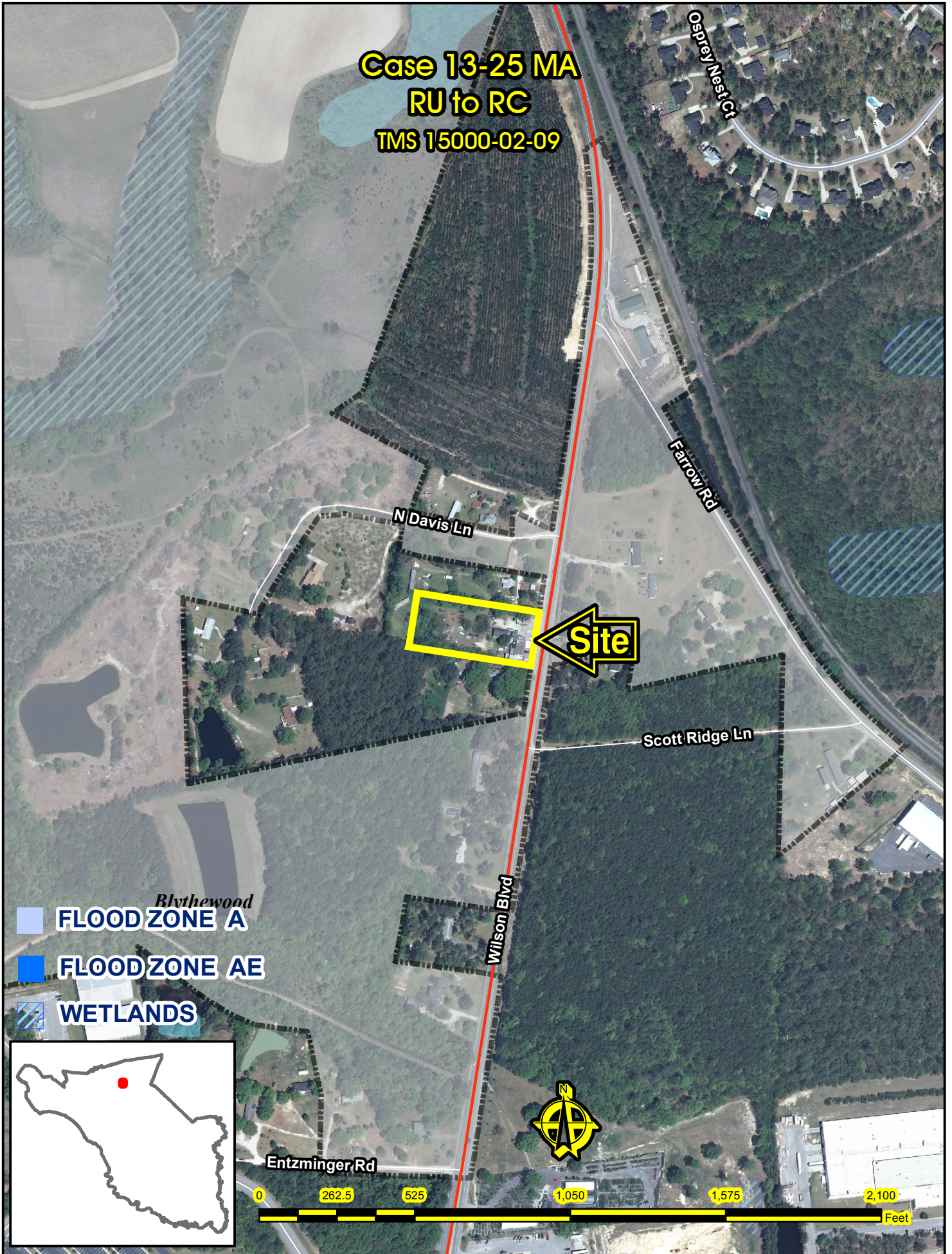
## ZONING CLASSIFICATIONS

 CC-1	 C-1	 RS-E	 MH	 NC	 LI	 TROS
 CC-2	 C-3	 RS-LD	 RM-MD	 GC	 HI	 Subject Property
 CC-3	 RG-2	 RS-MD	 RM-HD	 RC	 PDD	
 CC-4	 RR	 RS-HD	 OI	 M-1	 RU	





**Case 13-25 MA**  
**RU to RC**  
**TMS 15000-02-09**





# CASE 13-25 MA

## From RU to RC

TMS# 15000-02-09

10447 & 10453 Wilson Blvd



USE TYPES	RC
Group Homes (10 or More)	SE
Rooming and Boarding Houses	SE
Amusement Arcades	P
Dance Studios and Schools	P
Golf Courses, Miniature	P
Golf Driving Ranges (Freestanding)	SR
Martial Arts Instructional Schools	P
Physical Fitness Centers	P
Ambulance Services, Transport	P
Colleges and Universities	P
Community Food Services	P
Courts	P
Government Offices	P
Hospitals	P
Individual and Family Services, Not Otherwise Listed	P
Museums and Galleries	P
Post Offices	P
Schools, Administrative Facilities	P
Schools, Business, Computer and Management Training	P
Schools, Fine Arts Instruction	P
Schools, Junior Colleges	P
Schools, Technical and Trade (Except Truck Driving)	P
Automatic Teller Machines	P
Automobile Parking (Commercial)	P

Automobile Towing, Not Including Storage	P
Banks, Finance, and Insurance Offices	SR
Car and Light Truck Washes (See also Truck Washes)	SR
Clothing Alterations/Repairs; Footwear Repairs	P
Construction, Building, General Contracting, without Outside Storage	P
Construction, Special Trades, without Outside Storage	P
Employment Services	P
Engineering, Architectural, and Related Services	P
Exterminating and Pest Control Services	P
Funeral Homes and Services	P
Furniture Repair Shops and Upholstery	P
Hotels and Motels	P
Janitorial Services	P
Laundromats, Coin Operated	P
Laundry and Dry Cleaning Services, Non- Coin Operated	P
Legal Services (Law Offices, Etc.)	P
Locksmith Shops	P
Management, Scientific, and Technical Consulting Services	P
Massage Therapists	P
Medical/Health Care Offices	P

Medical, Dental, or Related Laboratories	P
Office Administrative and Support Services, Not Otherwise Listed	P
Packaging and Labeling Services	P
Pet Care Services (Excluding Veterinary Offices and Kennels)	SR
Photocopying and Duplicating Services	P
Photofinishing Laboratories	P
Photography Studios	P
Picture Framing Shops	P
Professional, Scientific, and Technical Services, Not Otherwise Listed	P
Real Estate and Leasing Offices	P
Rental Centers, without Outside Storage	P
Repair and Maintenance Services, Appliance and Electronics	SR
Repair and Maintenance Services, Automobile, Minor	P
Repair and Maintenance Services, Personal and Household Goods	P
Repair and Maintenance Services, Television, Radio, or Other Consumer Electronics	P
Septic Tank Services	P
Tanning Salons	P
Taxidermists	P
Theaters, Motion Picture, Other Than Drive-Ins	P
Theaters, Motion Picture, Drive-Ins	SE
Travel Agencies (without Tour Buses or Other Vehicles)	P

Traveler Accommodations, Not Otherwise Listed	P
Watch and Jewelry Repair Shops	P
Weight Reducing Centers	P
Art Dealers	P
Arts and Crafts Supply Stores	P
Auction Houses	P
Automotive Parts and Accessories Stores	P
Bakeries, Retail	P
Bars and Other Drinking Places	SR
Bicycle Sales and Repair	P
Book, Periodical, and Music Stores	P
Building Supply Sales with Outside Storage	P
Building Supply Sales without Outside Storage	P
Camera and Photographic Sales and Service	P
Candle Shops	P
Candy Stores (Confectionery, Nuts, Etc.)	P
Caterers, No On Site Consumption	P
Clothing, Shoe, and Accessories Stores	P
Coin, Stamp, or Similar Collectibles Shops	P
Computer and Software Stores	P
Convenience Stores (with Gasoline Pumps)	P
Convenience Stores (without Gasoline Pumps)	P
Cosmetics, Beauty Supplies, and Perfume Stores	P

Department, Variety or General Merchandise Stores	P
Drugstores, Pharmacies, with Drive-Thru	P
Drugstores, Pharmacies, without Drive-Thru	P
Fabric and Piece Goods Stores	P
Flea Markets, Indoor	P
Flea Markets, Outdoor	P
Floor Covering Stores	P
Florists	P
Food Service Contractors	P
Food Stores, Specialty, Not Otherwise Listed	P
Formal Wear and Costume Rental	P
Fruit and Vegetable Markets	P
Furniture and Home Furnishings	P
Garden Centers, Farm Supplies, or Retail Nurseries	P
Gift, Novelty, Souvenir, or Card Shops	P
Grocery/Food Stores (Not Including Convenience Stores)	P
Hardware Stores	P
Health and Personal Care Stores, Not Otherwise Listed	P
Hobby, Toy, and Game Stores	P
Home Centers	
Home Furnishing Stores, Not Otherwise Listed	P
Jewelry, Luggage, and Leather Goods (May Include Repair)	P

Liquor Stores	P
Meat Markets	P
Miscellaneous Retail Sales – Where Not Listed Elsewhere, and Where All Sales and Services are Conducted within an Enclosed Building	P
Motor Vehicle Sales – Car and Truck – New and Used	P
Motorcycle Dealers, New and Used	P
Musical Instrument and Supplies Stores (May Include Instrument Repair)	P
News Dealers and Newsstands	P
Office Supplies and Stationery Stores	P
Optical Goods Stores	P
Outdoor Power Equipment Stores	P
Paint, Wallpaper, and Window Treatment Sales	P
Pet and Pet Supplies Stores	P
Record, Video Tape, and Disc Stores	P
Restaurants, Cafeterias	P
Restaurants, Full Service (Dine-In Only)	P
Restaurants, Limited Service (Delivery, Carry Out)	P
Restaurants, Limited Service (Drive-Thru)	P
Restaurants, Snack and Nonalcoholic Beverage Stores	P
Service Stations, Gasoline	P
Sporting Goods Stores	P
Television, Radio or Electronic Sales	P

Tire Sales	P
Tobacco Stores	P
Used Merchandise Stores	P
Video Tape and Disc Rental	P
Bus Facilities, Interurban	P
Bus Facilities, Urban	P
Courier Services, Substations	P
Scenic and Sightseeing Transportation	P
Taxi Service Terminals	P
Utility Company Offices	P
Warehouses (General Storage, Enclosed, Not Including Storage of Any Hazardous Materials or Waste as Determined by Any Agency of the Federal, State or Local Government)	SR
Warehouses, Self-Storage	SR
Warehouses, Self-Storage	SR

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-13HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE II, RULES OF CONSTRUCTION/DEFINITIONS; SECTION 26-21, RULES OF CONSTRUCTION INFORMATION; SUBSECTION (B), GENERAL RULES OF CONSTRUCTION; PARAGRAPH (9), CONTIGUOUS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-21, Rules of Construction; Subsection (b), General Rules of Construction; Paragraph (9); is hereby amended to read as follows:

- (9) *Contiguous.* The word “contiguous”, as applied to lots or districts, shall be interpreted as meaning ~~“having a common boundary of ten (10) or more feet in length”~~;
- a. Touching along a common boundary for at least 15 feet.
- b. The contiguity of land areas shall not be affected by existence between them of a road (other than a principal or minor arterial road) or alley; a public or private right-of-way; a public or private transportation or utility right-of-way; a river, creek, stream, or other natural or artificial waterway; provided, however, the contiguity of land areas shall be assumed to be disrupted by the existence of a freeway, expressway, principal arterial road, and/or minor arterial road.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2013.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Kelvin E. Washington, Sr., Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2012

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Michelle Onley  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: July 23, 2013 (tentative)  
First Reading: July 23, 2013 (tentative)  
Second Reading:  
Third Reading:





**Richland County  
Planning & Development Services Department**

**Staff Report**

**PC MEETING DATE:** July 10, 2013  
**RC PROJECT:** New Middle School  
**APPLICANT:** Lexington/Richland School District 5

**LOCATION:** Broad River Road

**TAX MAP NUMBER:** 01700-07-15  
**ACREAGE:** 120.24  
**EXISTING ZONING:** RU

**Staff Opinion**

Site does comply with the Comprehensive Plan.

**Background**

**Comprehensive Planning Enabling Legislation**

The information below identifies and explains the rationale behind the current necessity for Planning Commission review and comment regarding public buildings, such as schools in this case.

**SECTION 6-29-540.** Review of proposals following adoption of plan; projects in conflict with plan; exemption for utilities.

When the local planning commission has recommended and local governing authority or authorities have adopted the related comprehensive plan element set forth in this chapter, no new street, structure, utility, square, park, or other public way, grounds, or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized in the political jurisdiction of the governing authority or authorities establishing the planning commission until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan of the community. In the event the planning commission finds the proposal to be in conflict with the comprehensive plan, the commission shall transmit its findings and the particulars of the nonconformity to the entity proposing the facility. If the entity proposing the facility determines to go forward with the project which conflicts with the comprehensive plan, the governing or policy making body of the entity shall publicly state its intention to proceed and the reasons for the action. A copy of this finding must be sent to the local governing body, the local planning commission, and published as a public notice in a newspaper of general circulation in the community at least thirty days prior to awarding a contract or beginning construction. Telephone, sewer and gas utilities, or electric suppliers, utilities and providers, whether publicly or privately owned, whose plans have been approved by the local governing body or a state or federal regulatory agency, or electric suppliers, utilities and providers who are acting in accordance with a legislatively delegated right pursuant to Chapter 27 or 31 of Title 58 or Chapter 49 of Title 33 are exempt from this provision. These utilities must submit construction information to the appropriate local planning commission.

## Zoning History

The current zoning, Rural District (RU), reflects the original zoning as adopted September 7, 1977.

Schools are allowed in the Rural District with Special Requirements.

The 120.24 acre parcel contains frontage on Broad River Road and Mount Vernon Church Road. Multiple functions exist and are planned for the site. Currently, there are two separate projects by Lexington/Richland School District 5 on the property. One development, the Career for Advanced Technical Studies (CATE Center) is on the parcel at the corner of Mt. Vernon and Broad River Road. The CATE Center was recently constructed. The other development (currently under construction) is the New High School #4 which is west of the CATE Center. The proposed new Middle School being presented is west of the New High School #4.

Since 2002, there have been five (5) zoning amendments for residential subdivisions/developments in the general area of the subject parcel. All five of the amendments are noncompliant according to the Imagine Richland 2020 Comprehensive Plan (the previous Comprehensive Plan). An aerial of the five amendments and their proximity to the site is included.

The five amendments are:

1. 94-041 MA (Ordinance number 083-94HR)  
Location – 1.7 miles southeast of the subject parcel  
Zoning- Residential Single-Family Low Density District (RS-LD) Acreage – 167.57; Dwelling Units - 121  
Project Name & Number- Rolling Creek SD-02-143; Status – Developed
2. 97-026 MA (Ordinance number 053-97HR)  
Location – 1.3 miles southeast of the subject parcel  
Zoning- Residential Single-Family Low Density District (RS-LD) Acreage – 122; Dwelling Units - 116  
Project Name & Number- Courtyards at Rolling Creek SD-04-258; Status – Developed
3. 02-013 MA (Ordinance number 065-01HR)  
Location – 1.01 miles southeast of the subject parcel  
Zoning- Planned Development District (PDD) Acreage – 62.22; Dwelling Units-190  
Project Name & Number- Waterfall SD-02-142; Status - Developed
4. 04-041 MA (Ordinance number 022-04HR)  
Location – North of the subject parcel  
Zoning- Planned Development District (PDD)  
Acreage – 241.03; Dwelling Units - 490  
Status - Undeveloped
5. 06-06 MA (Ordinance number 058-06HR) Westcott  
Location – .93 miles southeast of the subject parcel  
Zoning- Residential Single-Family Medium Density District (RS-MD)  
Acreage - 73; Dwelling Units - 175  
Project Name & Number- Westcott SD-06-29; Status – Under development

To comply with SECTION 6-29-540, on October 3, 2011 the Planning Commission reviewed the New High School #4 which is located on the same parcel presented for consideration for the new middle school. The staff report regarding the New High School #4 expressed why, at that time, the location was not in compliance with the Comprehensive Plan. Minutes from that meeting are included in your packet. Some of the concerns and rationales presented on October 3, 2011 are highlighted and/or addressed in this report. One concern presented by a representative of the school district was that the 2009 Comprehensive Plan maps list Broad River Road “at the site as an arterial road”. Unfortunately, the maps that are part of the Comprehensive Plan incorrectly label the road as an arterial. Richland County cannot assign a classification to a roadway which is contrary to what the SC Department of Transportation (SCDOT) has classified. SCDOT has the portion of roadway at the site classified as a Major Collector. The reason stated by the Planning Commissioners to approve the location was the belief that Broad River Road near the site is an arterial road and a definition can support it. However, SCDOT still classifies the area of Broad River Road as a Major Collector. Two of the Functional Classification maps prepared by SCDOT are included for your review. The second map has been enlarged to illustrate the specific area for your convenience.

**Zoning District Summary**

Direction	Existing Zoning	Use
<b><u>North:</u></b>	PDD/RU/RU	Residential Subdivision/Electric Substation/Residence
<b><u>South:</u></b>	RU	Residence
<b><u>East:</u></b>	RU	Residence
<b><u>West:</u></b>	RU	Residence

**Discussion**

**Parcel/Area Characteristics**

As previously noted, the staff report in October 2011 stated the proposed location for the new high school was not in compliance with the Comprehensive Plan. Since that time, there have been several changes that alter the character of the area: 1. road improvements, 2. construction of the CATE Center and High School #4, and 3. new residential development. The current land use section of the Comprehensive Plan (which was adopted in 2009) designates the area as Rural. However, due to the recent residential construction and school construction the area southeast of the proposed middle school location has changed to more suburban. Northwest of the proposed middle school has retained the rural character.

Additionally, traffic improvements have been made at the site. A major traffic junction is now at the intersection of Broad River Road and Mt. Vernon Church Road/Freshly Mill Road. Turning lanes and a traffic signal have been placed at the vehicular access points to the site off of Broad River Road.

**Public Services**

Water service will be provided by the City of Columbia. Sewer service will be provided by Richland County. There are at least two fire hydrants located on the parcel off of Mount Vernon Church Road near the CATE Center. The Dutch Fork Spring Hill fire station number 21 is located .56 miles northwest of the subject parcel.

## Plans & Policies

The 2009 Richland County Comprehensive Plan “**Future Land Use Map**” designates this area as **Rural** in the **North West Planning Area**.

Objective: Institutional uses such as schools, libraries, government facilities, police and fire stations should be located on arterial roads and/or major traffic junctions to better serve the community. Public facilities such as schools, libraries, and recreation centers should be located to reinforce neighborhoods and communities.

Compliance: As previously stated, the objective of the Comprehensive Plan recommends schools be located on arterial roads or at major traffic junctions, and located to reinforce neighborhoods and communities. The school site is located in an area currently designated as Rural. However, given the map amendments noted previously as well as permitted residential development and improved intersection at Broad River Road and Mt. Vernon Church Road/Freshly Mill Road, the middle school’s proposed site complies with the Comprehensive Plan because the school is consistent with the evolving suburban character of the area.

### **Traffic Impact**

The 2010 SCDOT traffic count (Station # 178) located east of the subject parcel on Broad River Road identifies 6,500 Average Daily Trips (ADT’s). Broad River Road is classified as a two lane undivided Collector, maintained by SCDOT with a design capacity of 8,600 ADT’s. Broad River Road is currently operating at Level of Service (LOS) “C”.

Given the rationale identified above, the staff is of the opinion that the proposed site location is in compliance with the Comprehensive Plan. According to the Comprehensive Plan, schools should be located on an arterial road or at a major traffic junction to better serve the community and should be located to reinforce neighborhoods and communities. A traffic junction now exists by the CATE Center, new residential development has been constructed and more is approved near the site.

## Conclusion

The proposed request is in compliance with the Comprehensive Plan.

**Proposed New Middle School location**



**Facing west of the proposed new middle school**



**Facing east of the proposed middle school location entrance**







**North of the subject proposed middle school location**

**06/24/2013**



**Facing west on Mt. Vernon Church Road (the CATE Center)**

**06/24/2013**



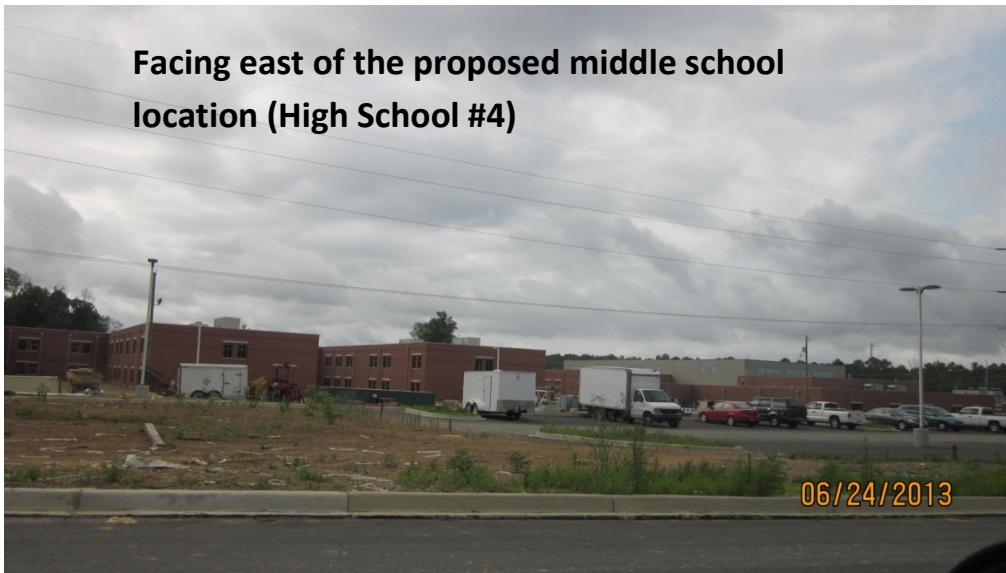
**Facing south at intersection of Freshly Mill Road/Mt. Vernon Church Road and Broad River Road**

**06/24/2013**

**Facing south at intersection of Canterfield Road and Broad River Road (new High School #4)**

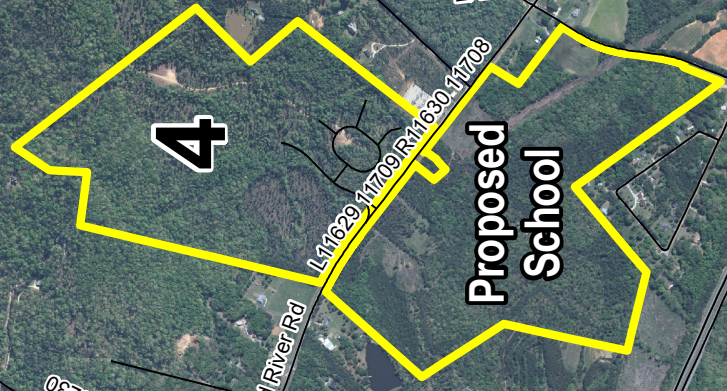


**Facing east of the proposed middle school location (High School #4)**

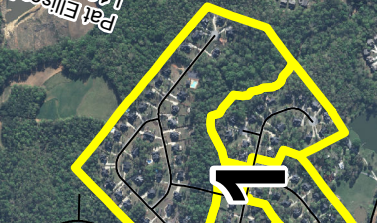




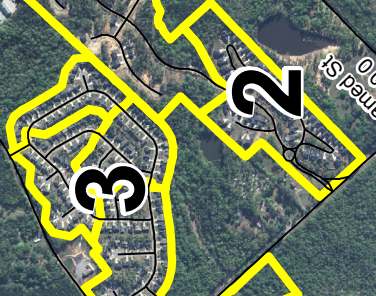
# New Middle School



**Proposed School**

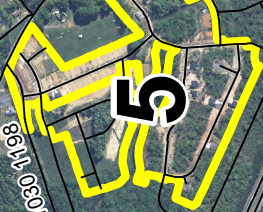


**1**

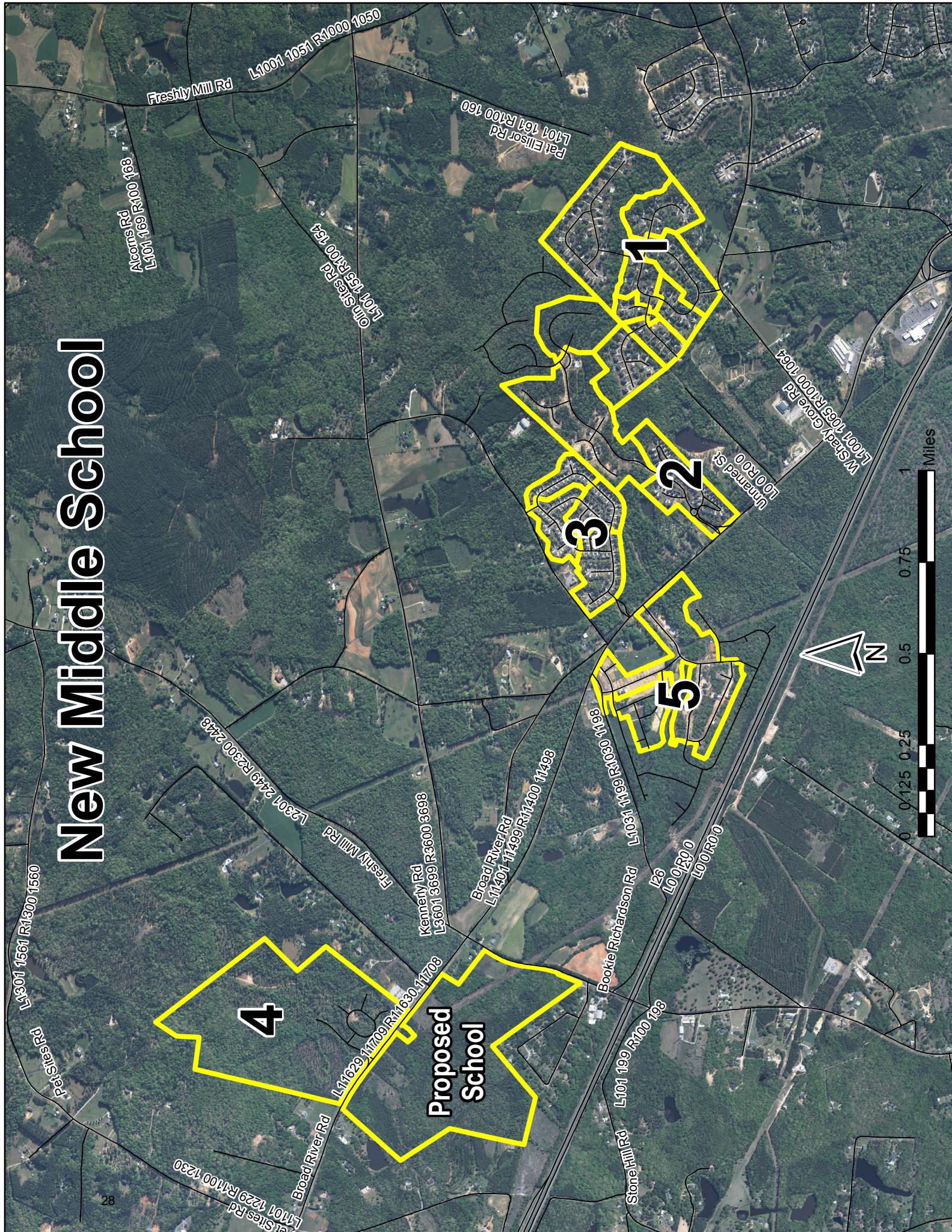


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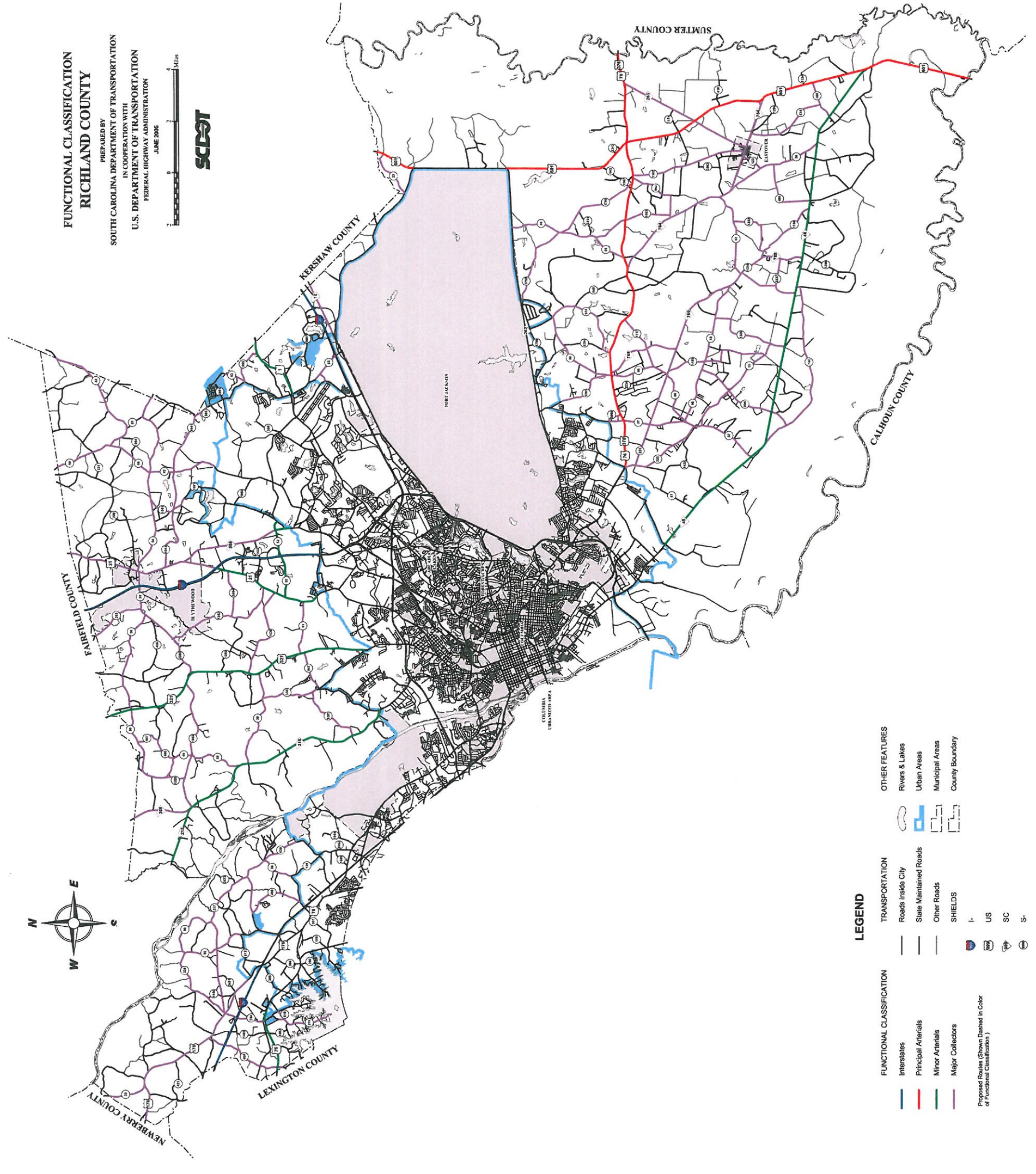
**5**





**FUNCTIONAL CLASSIFICATION  
RICHLAND COUNTY**

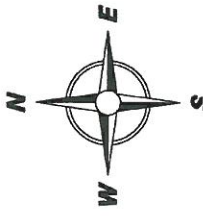
PREPARED BY  
SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION  
IN COOPERATION WITH  
U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION  
JUNE 2006



**LEGEND**

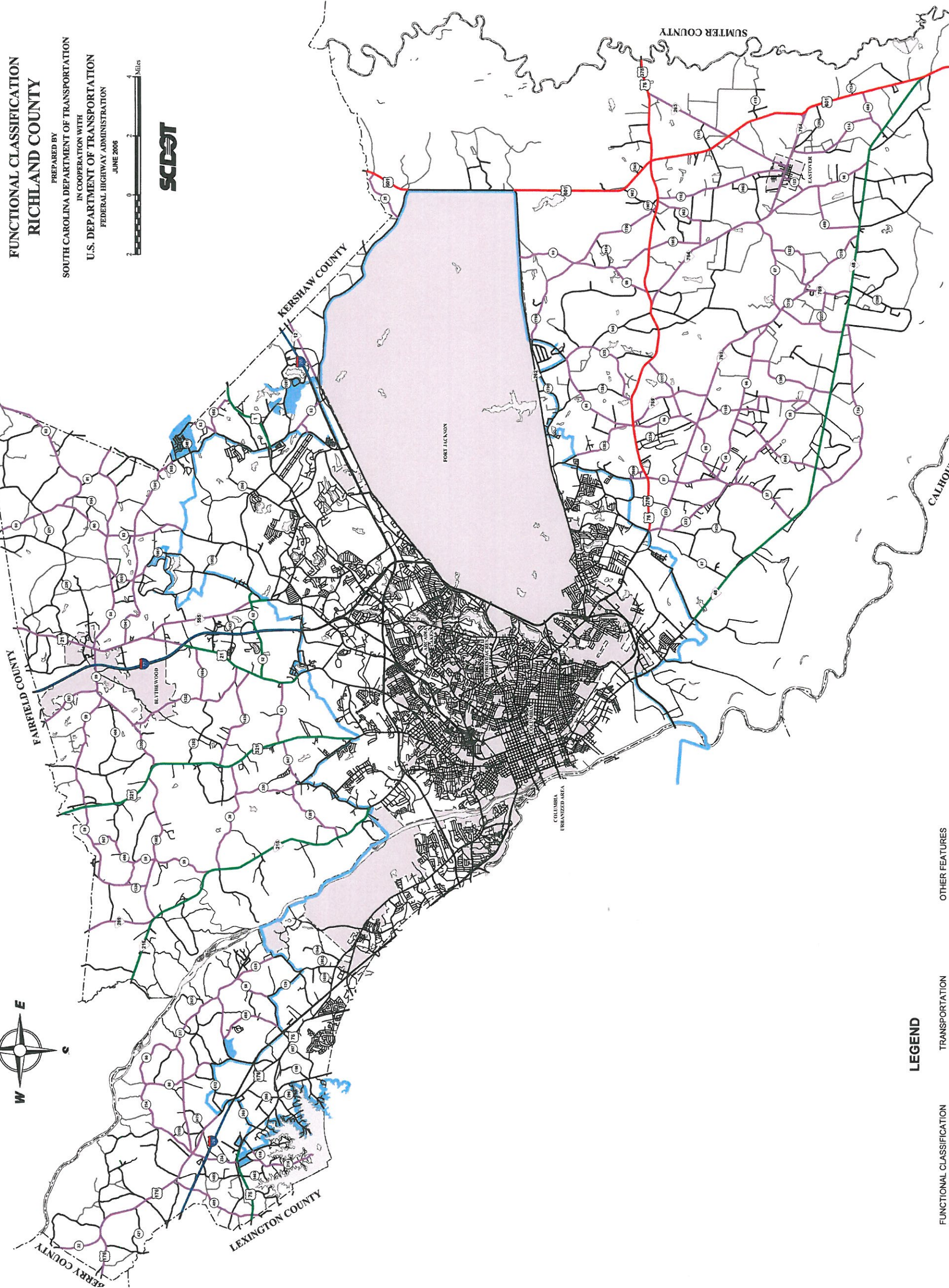
- |  |                        |                       |
|--|------------------------|-----------------------|
| <b>FUNCTIONAL CLASSIFICATION</b>                                     | <b>TRANSPORTATION</b>  | <b>OTHER FEATURES</b> |
| Interstates  | Roads Inside City      | Rivers & Lakes        |
| Principal Arterials  | State Maintained Roads | Urban Areas           |
| Minor Arterials  | Other Roads            | Municipal Areas       |
| Major Collectors   | <b>SHIELDS</b>         | County Boundary       |
| Proposed Routes (Shown Dashed in Color of Functional Classification) | I                      |                       |
|  | US                     |                       |
|  | SC                     |                       |
|  | S-                     |                       |





# FUNCTIONAL CLASSIFICATION RICHLAND COUNTY

PREPARED BY  
SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION  
IN COOPERATION WITH  
U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION  
JUNE 2008



## LEGEND

FUNCTIONAL CLASSIFICATION

TRANSPORTATION

OTHER FEATURES



1 CHAIRMAN PALMER: Alright, Other Business. Lexington/Richland School  
2 District Five.

3 **TEXT AMENDMENT NO. 1:**

4 MS. LINDER: Mr. Chairman, the next issue that you're now dealing with before  
5 you, pursuant to State Statute where it requires that public entities such as schools  
6 come to you to determine whether or not that entity is in compliance with the  
7 comprehensive plan. I believe you have the Staff Report in front of you, the Staff  
8 Report I think speaks for itself. The Staff recommends that or it's in their opinion it does  
9 not meet the comprehensive plan. I believe you might have, I don't know if another  
10 Staff person wants to go further into that, but otherwise I think that maybe the school  
11 district has some thoughts that they want to share with you.

12 CHAIRMAN PALMER: Okay, do we have some representatives from the school  
13 district?

14 MR. HALLIGAN: Yes.

15 CHAIRMAN PALMER: Okay.

16 **TESTIMONY OF BIC HALLIGAN:**

17 MR. HALLIGAN: I am Bic Halligan, a lawyer with the firm of Childs & Halligan;  
18 I'm here with my partner, Keith Powell. We also have with us Bill Flowers who is the  
19 civil engineer for the project out on US Highway 176, and Paul Miscotti who's with  
20 Southern Management who's the construction manager. Neither Dr. Heffner who is in  
21 the hospital with knee replacement surgery nor Carl Fulmer who is the acting  
22 superintendent while he's there could be here today. The district is building a new high  
23 school and a new career and technology center out on United States Highway 176. The

1 purchase, we filed a memorandum Friday, I hope it was in your packages, we have  
2 extra copies here if anyone would like it. But the district put this land together; it's a two  
3 county district about half the land area is in Richland County and about half in Lexington  
4 County. It began putting this land together in 2004. Most of it was acquired between  
5 2004 - 2007. The Bond Referendum was passed, I think in 2008. The design then  
6 began. The first meeting with the county was in May of 2010. The application with the  
7 County was filed, and this is the application to comply with your zoning and land  
8 development regulations. The application was filed June 27, 2010. The DRT approved  
9 it September 9, 2010, in other words, more than a year ago. All of the other approvals  
10 had to then come together; all the DHEC stuff, the State Department of Education,  
11 Office of School Facilities, Department of Transportation, Army Corps, all that stuff has  
12 to come together to begin construction. It started in mid May, the actual construction,  
13 and it's now underway. The Staff Report, and we're dealing now, and we realize that  
14 the County Council has requested that you review this, the Staff Report says that it does  
15 not comply – now this location is 120 acres, almost half a mile on United State  
16 Highway 176, about a quarter of mile on Mount Vernon Church Road. It says it does not  
17 comply with the 2009 comprehensive plan because it is not on an arterial road. So,  
18 their position is that US Highway 176 at this site is not an arterial road. The definition of  
19 arterial road is in the Code and it says, "arterial – a freeway, expressway or a road or  
20 highway that is used or intended to be used for moving either heavy vehicular traffic  
21 volumes or high-speed traffic or both on which average daily traffic exceeds 4,000  
22 vehicles or more. So, you've got – okay freeway, expressway, road or highway, used or  
23 intended to be used for moving either heavy traffic or high speed traffic, so certainly all

1 of those, and on which daily traffic exceeds 4,000. Now I don't know whether it says  
2 intended to be over 4,000 but since 2006, the Department of Transportation, and they  
3 have a station just down the road, it's always been over 4,000 – it's 6,800 in 2010, so  
4 6,800 per day in 2010. And we cited in our paper every year it's been over that every  
5 year since 2006, which is shown on the Department of Transportation website. In  
6 connection with getting your zoning and the land development permits, the district  
7 conducted its own traffic study. And it's a calculated number, Mr. Flowers can talk  
8 about this, but at the site it's a calculated number of vehicles of 6,760. That's by  
9 multiplying by 10 the peak hour traffic. The Staff Report cites that the DOT traffic count  
10 at 6,500 in 2010, that's a little lower than the webpage, and says the design capacity is  
11 8,600. If you look at the 2009 comprehensive plan as I did, page by page, there are 15  
12 maps in there that identify roads as arterial or not. Every map has Highway 176 at the  
13 site as an arterial road, nothing's ever indicated inconsistently with that. So, we say that  
14 the plan says, and it meets all your definitions, that US Highway 176 is an arterial road,  
15 and we find it pretty hard to conceive of how it could not be. Once again, we found that,  
16 you know, the Council's asked you to review it; our position is that completely meets  
17 and is within compliance with your 2009 comprehensive plan. We also have a view  
18 though on the ordinance which we'll be glad to talk about either now or when you get to  
19 that. We do not view the ordinance the same way that the Staff views it. And I'd be  
20 glad to talk about that now, or wait until you actually get to the ordinance.

21 CHAIRMAN PALMER: We'll wait until we get to the ordinance.



1 MR. HALLIGAN: Okay. I think that's everything we have on this point, so unless  
2 you have some questions, I think Mr. Flowers is here and he's got more on the traffic  
3 study.

4 CHAIRMAN PALMER: I have a question per something you brought up. Mr.  
5 Price, do we have those maps?

6 MR. PRICE: [Inaudible].

7 MR. DELAGE: Thomas Delage. The – basically what the map is, is the SCDOT  
8 functional classifications. It's what we use to define the roads. Those classifications  
9 are based upon the road and the character, essentially the designated use for those  
10 roads by SCDOT and the Federal Highway Administration. And essentially the US  
11 Highway 176, Broad River Road is defined in a couple of difference places; one portion  
12 is an arterial going out near the end where you see kind of the blue line, that's the end  
13 of what they consider the urbanized area, everything from that point forward, which is  
14 leading up to the school site is defined by them as a collector road.

15 MR. VAN DINE: Where is the site?

16 CHAIRMAN PALMER: Which intersection on 176 on here?

17 MR. DELAGE: It should be – down a little bit more. The Freshly – West Shady  
18 Grove is where 612 is, if you more northeast along where it's purple, and it comes to an  
19 intersection about three roads, that's where the site is and it's on the southeast, or  
20 southwest corner, excuse me.

21 MR. VAN DINE: What's the black, what's the purple, what's the – I mean? What  
22 does that mean?

1 MR. DELAGE: Those are the different road designations. It should be the purple  
2 is considered a major collector, the – and I don't remember the other colors off the top  
3 of my head, but it does minor arterial, major arterial are some of the other classifications  
4 as well. So the red is a principle arterial, the green is a minor arterial.

5 CHAIRMAN PALMER: And the purple is collector?

6 MR. DELAGE: Yes, sir.

7 MR. VAN DINE: The interstate doesn't fit within an arterial or what is that?

8 MR. DELAGE: They just have them defined as – let's see, yeah, just interstate.

9 MS. CAIRNS: Oh, interstates.

10 MR. DELAGE: Sorry.

11 MR. VAN DINE: I don't know.

12 MR. FLOWERS: Excuse me, I would submit to you that the same is true of the  
13 interstate that beyond that point where the blue line, the interstate is not classified as a  
14 arterial either cause the black definition stops at that blue line, so I don't think that's a  
15 good definition there. This is a 2006 map with the DOT by the way.

16 MS. LINDER: Mr. Chairman, we need a name and address, please.

17 **TESTIMONY OF BILL FLOWERS:**

18 MR. FLOWER: I'm sorry; my name is Bill Flowers with Civil Engineering of  
19 Columbia. And I have a – and I really don't have a copy of it, we have a copy of the  
20 Traffic Impact and Access Study that was submitted to the Staff and accepted an  
21 approved by the Staff, and on the first page of that study it identifies the road as an  
22 arterial road. And it goes on to support that with his data. I spoke with the traffic  
23 engineer that produced this and he said that in his mind, there's no doubt that this

1 section of this road is an arterial. And if you go to the Richland County website and look  
2 at the website, it currently identifies it as an arterial road on every map that we looked at  
3 in the Richland County system. And just, I would have to go back to the intent of the  
4 road when it was constructed too, this is a US Federal Highway that's 212 miles long  
5 connecting communities all the way along the route and the intent clearly was to move  
6 high volumes of transportation from one community to another, which clearly is an  
7 arterial road. I don't think there's any doubt that that's what this is.

8 MR. MANNING: Mr. Flowers?

9 MR. FLOWERS: Yes, sir.

10 MR. MANNING: Did you represent the school district before the DRT?

11 MR. FLOWERS: I did.

12 MR. MANNING: And did you have discussions about what kind of roads you  
13 were going [inaudible]?

14 MR. FLOWERS: There was no discussion regarding the arterial nature of the  
15 road.

16 MR. MANNING: But the traffic report was presented as -

17 MR. FLOWERS: The traffic report was presented at that time, yes.

18 MR. MANNING: And it identified is as an arterial?

19 MR. FLOWERS: That's correct.

20 MR. MANNING: Okay.

21 CHAIRMAN PALMER: Any other questions for the -

22 MR. HALLIGAN: Can I respond to one point?

1 CHAIRMAN PALMER: Sure, then we have some other folks signed up to speak  
2 as well.

3 MR. HALLIGAN: Okay – now your comprehensive plan just says arterial road. It  
4 doesn't go beyond that, it just says arterial road. And I read you the definition that's in  
5 your Code. Now, you have three definitions of arterial. You have arterial, and that's  
6 what I read, then you have arterial road minor and arterial road principal. Road minor  
7 and road principal refer to the DOT functional classification. Not the word arterial. So  
8 when you apply this definition of 4,000 vehicles, etc. to your comprehensive plan with  
9 the facts, this high school satisfies the plan. So, thank you.

10 CHAIRMAN PALMER: Thank you. Any other questions? Mike Sloan?

11 **TESTIMONY OF MIKE SLOAN:**

12 MR. SLOAN: How you doing? I'm Mike Sloan, I live at 1430 Wunder Drive in  
13 Chapin, South Carolina. And looking at this and our response to this, and as they said  
14 earlier, Uniquely urban, Uniquely Rural. The comprehensive growth plan drew a line in  
15 2009, Michael Criss when he were a part of the association; he drew a line showed the  
16 rural aspect vs. the urban. And what I want this group to consider and now I support on  
17 what you on what you're doing with schools coming forth with it, is the schools in  
18 essence when you put them in an area which this is rural, you're creating sprawl bomb,  
19 it's now doubt about it. This particular area out in northwest, we have had an increasing  
20 problem with traffic congestion and so forth and all this comes from haphazard zoning. I  
21 call it hodge-podge zoning, leapfrogging if you like to look at it in that term. And when  
22 you do this, and you make this decision, the impact is devastating on a community  
23 that's not set up for that. Is this school within your comprehensive growth plan? I don't



1 think so, simply by the term of rural. It's a rural area, go back and look at your maps.  
2 You'll see that they leapfrogged and by leapfrogging, what you're getting into is you just,  
3 you're not comply with your plan, and when you don't comply with your plan, the end  
4 result is catastrophic. I mean, we just don't, we can't handle the congestion, the crowd  
5 is 176 arterial, is two lanes arterial, I don't know, you tell me? But go look at it yourself.  
6 We're against this, we're against by type of zoning that would leapfrog this and we ask  
7 that when you look at things like this in the future as well as now, consider the rural part,  
8 cause we're leaving that out folks, we're missing the whole point, we want to grab little  
9 terms and try and stick them to make us justified to be in a rural area, that's what we're  
10 doing here. Justification, to be where we know we're not supposed to be and that's  
11 what I want you to look at when you make your decisions. Don't play on words, use  
12 common sense. The growth plan is common sense and it shows that. And this is a  
13 rural area anyway you term it. Thank you.

14 MR. VAN DINE: Mr. Chairman, really quickly if I can – this Body is not going to  
15 be looking at whether this is rezoned or not rezoned. We don't have any issue at this  
16 point in time with dealing with zoning, it's already zoned, it's already forwarded, we have  
17 to look at whether or not this is, fits within the comprehensive plan based upon the  
18 Staff's conclusions that it's not on an arterial road. So whether or not we site it or don't  
19 site it is not relevant to our discussion here, and for anybody else who's coming up if  
20 they want to talk about any of the other things, I would ask that they please limit  
21 themselves to dealing with the arterial issue because we don't have any say in anything  
22 else. And more importantly, we can't stop it ourselves one way or the other. We simply



1 can make a recommendation for which there are certain things that have to take place  
2 afterwards.

3 MS. LINDER: Mr. Chairman? This map, for this Other Business, this really not  
4 intended to open it up to the public, we have a position whether or not it's compatible  
5 with the plan. Staff has an opinion, the school district and in my opinion, those are the  
6 only two representatives that should be addressing the board regarding this issue.

7 CHAIRMAN PALMER: You're correct.

8 MS. LINDER: When you come to the Text Amendment, of course, then you can  
9 take input from the public.

10 CHAIRMAN PALMER: Correct.

11 MS. LINDER: But it is my recommendation to not allow public input on this  
12 because that's not the point of this discussion.

13 CHAIRMAN PALMER: You're correct. I looked at the wrong sheet but we do  
14 have the option to open any issue up to public input.

15 MS. LINDER: If you have questions of expert witnesses –

16 CHAIRMAN PALMER: Right, okay.

17 MS. LINDER: But this is not are you for the school or against the school, that's  
18 not the issue.

19 CHAIRMAN PALMER: Definitely so, and we should have handled [inaudible].

20 MR. VAN DINE: Yeah.

21 MR. TUTTLE: Mr. Chairman, if I may.

22 CHAIRMAN PALMER: Absolutely.

1 MR. TUTTLE: I'd like to, and I guess we're not sending anything forward we're  
2 just ruling on whether or not we believe the school is compatible with the  
3 comprehensive plan?

4 MS. LINDER: That is correct.

5 MR. TUTTLE: And I would like to make a motion that the school is compatible  
6 with the comprehensive plan and justification for that would be that I do believe this  
7 particular section of US 176, i.e. Broad River Road, is an arterial road and can be  
8 defined – you can find a definition to support that.

9 MR. BROWN: Second.

10 CHAIRMAN PALMER: We have a motion and a second any other discussion?

11 All those in favor of the motion, please signify by raising your hand? None opposed.

12 *[Approved: Cairns, Westbrook, McDaniel, Tuttle, Palmer, Van Dine, Manning, Brown;*  
13 *Absent: Gilchrist]*

14 CHAIRMAN PALMER: Alright.

15 MR. VAN DINE: Mr. Chairman, could I ask real quickly?

16 CHAIRMAN PALMER: Absolutely.

17 MR. VAN DINE: In, Mr. Halligan, in your brief you raised an issue about whether  
18 or not the specific Body here even had a right to look at this issue. And I think that just  
19 for future references, state code actually requires us to look at issue relating to the  
20 school and the citing of the code, of the school itself and as a result of that, I don't want  
21 anybody to leave here with the impression that this Body will not be looking at school  
22 siting in the future, that is part of our responsibility and part of our requirements to do  
23 so. While I certainly think that we ought to be looking at it prior to this far down this

**RICHLAND COUNTY GOVERNMENT**



**Planning and Development Services Department**

**PLANNING DIRECTOR'S REPORT OF COUNCIL ACTIONS  
ZONING PUBLIC HEARING**

**May 28, 2013**

**7:00 PM**

**Call to Order:** Honorable Kelvin E. Washington, Sr., Chair

**Additions/Deletions to the Agenda:** None.

**Map Amendments:**

**Case # 12-19 MA, Myung Chan Kim, NC to GC (1.93 acres), TMS# 20281-01-45, 2201 Clemson Rd.:** A motion was made to defer the public hearing and the taking of any action on this map amendment ordinance until the June 25, 2013 Zoning Public Hearing. The motion was approved unanimously. **ACTION: PLANNING**

**Case # 13-10 MA, Kim Roberts, GC to LI (2 acres), TMS # 22601-01-11 & 22601-01-03(p), Percival Rd.:** The public hearing was opened, and two people spoke in favor of the map amendment ordinance and one spoke against it. The public hearing was closed. Council denied the rezoning request. **ACTION: PLANNING**

**Case # 13-11 MA, Larry Umberger, RU to RS-LD (30.39 acres), TMS # 03400-02-38, Shady Grove Rd.:** The public hearing was opened, and no one spoke. The public hearing was closed. Council unanimously denied the rezoning request. **ACTION: PLANNING**

**Case # 13-12 MA, Wayne Huggins, RU to OI (1.79 acres), TMS# 24700-11-07, 9711 Garners Ferry Rd.:** The public hearing was opened, and no one spoke. The public hearing was closed. Council unanimously gave first reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL**

**Case # 13-13 MA, John Loveless, RU to RC (5.0 acres), TMS# 31600-02-20, Screaming Eagle Rd.:** The public hearing was opened, and no one spoke. The public hearing was closed. Council unanimously denied the rezoning request. **ACTION: PLANNING**

**Case # 13-14 MA, Boyce Haigler, HI to GC (1.03 acres), TMS# 11206-04-05, 1051 Market Street:** The public hearing was opened, and the applicant spoke in favor of the rezoning request. The public hearing was closed. Council unanimously gave first reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL**

**Case # 12-15 MA, Gary Morris, M-1 to HI (33.5 acres), TMS# 17600-01-17, 1091 Carolina Pines Dr.:** The public hearing was opened, and no one spoke. The public hearing was closed. Council unanimously gave first reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL**

**Case # 12-16 MA, Ryan Slattery/Killian's Crossing, PDD to PDD (3.0 acres), TMS# 17400-02-12/13/16, Farrow Rd. & Killian Rd.:** The public hearing was opened, and no one spoke. The public hearing was closed. Council unanimously gave first reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL**

**Text Amendments:**

**An Ordinance amending Sec. 26-186, Green Code Standards; so as to replace them with Open Space Standards.** The public hearing was opened – three people spoke in favor of the text amendment and two people spoke against it. The public hearing was closed. Council gave first reading approval to the text amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL**

**An Ordinance amending Sec. 26-52, Amendments; Subsection (b), Initiation of Proposals; Paragraph (2), Zoning Map Amendments; Subparagraph b, Minimum Area for Zoning Map Amendment Application; so as to allow LI (Light Industrial) District zoning contiguous to an existing industrial district for a parcel with less than two (2) acres.** The public hearing was opened, and no one spoke. The public hearing was closed. Council unanimously gave first reading approval to the text amendment ordinance, and gave direction to staff to propose a better way to define “contiguous”. **ACTION: PLANNING, CLERK OF COUNCIL**

**An Ordinance amending Chapter 26; so as to delete specific uses in the OI District.** The public hearing was opened, and no one spoke. The public hearing was closed. Council unanimously gave first reading approval to the text amendment ordinance, with the amendment that multi-family uses also not be allowed in the OI District. **ACTION: PLANNING, CLERK OF COUNCIL**

**Other Business:** None.

**Adjournment:** Council adjourned at 7:29 p.m.



**RICHLAND COUNTY GOVERNMENT**



**Planning and Development Services Department**

**PLANNING DIRECTOR'S REPORT OF COUNCIL ACTIONS  
ZONING PUBLIC HEARING**

**June 25, 2013**

**7:00 PM**

**Call to Order:** Honorable Kelvin E. Washington, Sr., Chair

**Additions/Deletions to the Agenda:** Ms. Tracy Hegler stated that Case # 13-17 MA had been administratively deferred.

**Map Amendments:**

**Case # 12-19 MA, Myung Chan Kim, NC to GC (1.93 acres), TMS# 20281-01-45, 2201 Clemson Rd.:** A motion was made and unanimously approved to defer the public hearing and any action on this item until the September Zoning Public Hearing. **ACTION: PLANNING**

**Case # 13-08 MA, Otis Smith, RS-HD to GC (1.72 acres), TMS # 11808-02-03, 7100 Fairfield Rd.:** The public hearing was opened, and one person spoke in favor of the map amendment. The public hearing was closed. Council unanimously denied the rezoning request. **ACTION: PLANNING**

**Case # 13-17 MA, Steven Mungo/Gerald Steele, RU to RS-LD (58.7 acres), TMS # 04200-04-07 & 08, 1842 Kennerly Rd.:** Administratively deferred. **ACTION: PLANNING**

**Case # 13-18 MA, Larry Brazell, RU to LI (147.83 acres), TMS # 18900-02-06, Bluff Rd.:** A motion was made and approved to defer the public hearing and any action on this item until the July Zoning Public Hearing. **ACTION: PLANNING**

**Case # 13-19 MA, Will Holmes, RS-MD to OI (15.26 acres), TMS # 20200-01-30, 2312 Clemson Rd.:** A motion was made and unanimously approved to defer the public hearing and any action on this item until the July Zoning Public Hearing. **ACTION: PLANNING**

**Case # 13-20 MA, John Champoux, RU to RS-LD (6.75 acres), TMS # 20500-06-18/21 & 20500-04-21, Knollside Dr.:** The public hearing was opened, and one person spoke in favor of the map amendment. The public hearing was closed. Council unanimously approved the rezoning request. **ACTION: PLANNING, CLERK OF COUNCIL**

**Case # 13-22 MA, Terry Harris, RU to RC (12.79 acres), TMS # 32400-02-25, 7950 Bluff Rd.:** The public hearing was opened, and the applicant spoke in favor of the map amendment. The public hearing was closed. Council unanimously approved the rezoning request. [ACTION: PLANNING, CLERK OF COUNCIL](#)

**Text Amendments:** None.

**Other Business:** None.

**Adjournment:** Council adjourned at 7:11 p.m.

**RICHLAND COUNTY GOVERNMENT**



**Planning and Development Services Department**

**PLANNING DIRECTOR'S REPORT OF DEVELOPMENT REVIEW TEAM (DRT) ACTIONS  
MAJOR SUBDIVISION AND MAJOR LAND DEVELOPMENT REVIEW**

**May 30, 2013**

**1:00 PM**

**New Major Subdivisions:**

**Case # SD-13-05, Longtown Road East Lots 1-3, TMS# 20500-04-16, Sketch plan was approved by the Development Review Team.**

**Case # SD-13-06, Longcove Estates, TMS# 20500-04-16, Sketch plan was denied by the Development Review Team.**

**Case # SD-06-01, Portrait Hill, TMS# 01700-04-12 & 01700-04-56, Sketch plan was approved by the Development Review Team.**



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