



RICHLAND COUNTY COUNCIL

DEVELOPMENT AND SERVICES COMMITTEE

Gwendolyn Kennedy	Damon Jeter	Norman Jackson, Chair	Jim Manning	Bill Malinowski
District 7	District 3	District 11	District 8	District 1

**JANUARY 26, 2010
5:00 PM**

2020 Hampton Street, Columbia, South Carolina

CALL TO ORDER

APPROVAL OF MINUTES

1. Regular Session: December 22, 2009 [pages 4-6]

ADOPTION OF AGENDA

ITEMS FOR ACTION

2. A Resolution to Recognize, Endorse, and Support the RC Neighborhood Council [pages 8-11]
3. Funding for Alternative Paving [page 13]
4. Property Owners should not be required to obtain permits for Cosmetic or Maintenance purposes

including replacing roofs, etc. [pages 15-19]

5. Review all Engineering and Architectural Drawing Requirements to make sure there is no unnecessary charge or expense to citizens [pages 21-22]

ITEMS FOR DISCUSSION / INFORMATION

6. Contractual Matter: Offer to Purchase/Lease County Property (Executive Session) [page 23]

ADJOURNMENT



Richland County Council Request of Action

Subject

Regular Session: December 22, 2009 [pages 4-6]

Reviews

**Richland County Council
Development and Services Committee
December 22, 2009
5:00 PM**



In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.

Members Present:

Chair: Norman Jackson
Member: Damon Jeter
Member: Gwendolyn Davis Kennedy
Member: Bill Malinowski
Member: Jim Manning

Others Present: Paul Livingston, L. Gregory Pearce, Jr., Kelvin Washington, Joyce Dickerson, Kit Smith, Michielle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Larry Smith, Amelia Linder, Dale Welch, Tamara King, Erica Hink, Tiaa Rutherford, David Hoops, Brian Cook, Srinivas Valavala, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 5:02 p.m.

APPROVAL OF MINUTES

November 24, 2009 (Regular Session) – Ms. Kennedy moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Malinowski moved, seconded by Ms. Kennedy, to adopt the agenda as distributed. The vote in favor was unanimous.

ITEMS FOR ACTION

A Resolution to recognize, endorse, and support the “Richland County Neighborhood Council – Mr. Malinowski moved, seconded by Ms. Kennedy, to defer this item to the January Committee meeting. The vote in favor was unanimous.

Approval for Additional Services for County's On-Call Proactive Maintenance Contractor (Public Works) – A discussion took place.

Ms. Kennedy moved, seconded by Mr. Malinowski, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

Farmers' Market: Pineview Property Follow-up – Mr. Malinowski moved, seconded by Ms. Kennedy, to forward this item to Council with a recommendation for approval and to direct staff to obtain cost figures and sketches regarding this property. The vote in favor was unanimous.

Funding for Alternative Paving – This item was retained in committee.

Implementation of the Renaissance Plan (Decker Blvd.) – Mr. Manning moved, seconded by Mr. Malinowski, to direct staff to do the following with regard to the Planning Department's Memorandum to Richland County D&S Committee dated December 10, 2009: (1) Three intersections along the Decker corridor are currently being considered for gateway signage: Percival, Two Notch and Trenholm Road Extension. Staff has acquired estimates for gateway enhancements and determined this is a feasible project for NIP to fund. However, installation of the entrance signs on Decker Boulevard requires agreements between Richland County, landowners and SCDOT. Staff is directed to continue investigating the best approach to move this project forward and proceed on the results of said investigation; (2) Staff is directed to use the SC Retail Facilities Revitalization Act as an economic incentive for redevelopment. (3) The Department negotiated with a property owner to collaborate on a landscaped bio-retention rain garden for their commercial site on Decker Boulevard. The landscaping will enhance the aesthetics of Decker while capturing and cleaning stormwater before water reaches Jackson Creek. Staff is currently working on the legal issues with this proposal: easements and approval of adjacent properties, liability and maintenance agreements. Due to the nature of this project, Neighborhood Improvement Program (NIP) recommends the using a design-build process to implement this project. Staff is directed to move forward. (4) Direct staff to prepare an RFP, hire an engineering consultant and prepare construction plans for engineered plans for future street design, specifically streetscaping, plans for future sidewalks and midblock crossings, pedestrian refuge islands for the Decker Boulevard corridor as the engineered plans would enhance the feasibility of grant funding to implement roadway improvements and for inclusion in Long Range Transportation Plans. (5) Staff is directed to have the NIP explore the option of developing a local Community Development Corporation and report back the findings. (6) Council directs staff to continue perusing the development of a joint use park/green space on school district owned land across from Richland Northeast High School in conjunction with the Richland County Recreation Commission. (7) Staff is directed to have the NIP continue investigating possibilities for commercial demolition of unsafe structures along the Decker corridor and report back the findings. A discussion took place.

Mr. Malinowski requested that the following amendment: that fiscal impact and costs associated with this plan be reviewed and reported back to Council.

The vote in favor was unanimous.

Ordinance Amendments Regarding Commercial Enforcement of Unlicensed Vehicles and Weeds and Rank Vegetation (Overgrown Lots) – Mr. Manning moved, seconded by Mr. Malinowski, to forward this item to Council with a recommendation for approval and to amend Item (e) to make the owner of the vehicle responsible. The vote in favor was unanimous.

Quit Claim, Hunter's Road – Mr. Jeter moved, seconded by Mr. Malinowski, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

Quit Claim: Pilgrim Road at Bruce Street and Ashbury Street – Mr. Jeter moved, seconded by Mr. Malinowski, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

OTHER ITEMS

Contractual Matter: Offer to Purchase/Lease County Property [Executive Session Item] – This item was retained in committee.

ADJOURNMENT

The meeting adjourned at approximately 5:53 p.m.

Submitted by,

Norman Jackson, Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

A Resolution to Recognize, Endorse, and Support the RC Neighborhood Council [pages 8-11]

Reviews

Richland County Council Request for Action

Subject: A Resolution to recognize, endorse, and support the “Richland County Neighborhood Council”

A. Purpose

County Council is requested to consider a Resolution that would recognize, endorse, and support the Richland County Neighborhood Council as a non-partisan body that offers membership to all neighborhoods in the County for the purpose of educating residents, exchanging information, and actively addressing matters of the greater community.

B. Background / Discussion

On November 3, 2009, a motion was made and County Council forwarded a directive to staff to “draft and present to Council a proposal to create a Richland County Neighborhood Council sanctioned and supported by the County”. Upon further clarification from the Honorable Jim Manning, staff understood the intent of the motion was to recognize the RCNC as an official component of Richland County government without setting it up as a Committee or Board through ordinance where Council would appoint members. Therefore, a Resolution was drafted to accomplish this purpose, which is now attached for Council’s consideration.

C. Financial Impact

None.

D. Alternatives

1. Approve the Resolution.
2. Approve an amended Resolution.
3. Do not approve a Resolution

E. Recommendation

This request is at Council’s discretion.

Recommended by: Councilman Manning

Date: November 3, 2009

F. Approvals

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by Daniel Driggers:

Date: 11/13/09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation. This request is at Council's discretion

Planning

Reviewed by: Director of Planning

Date: 11/16/09

X Recommend Council approval

Recommend Council denial

Comments regarding recommendation: The RCNC can be an effective forum for citizens to address neighborhood concerns.

Legal

Reviewed by: Larry Smith

Date: 11/16/09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation. This request is at Council's discretion.

Administration

Reviewed by: Sparty Hammett

Date: 11/16/09

X Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Paul Livingston, Chair
Richland County Council

ATTEST this ____ day of December, 2009

Michielle R. Cannon-Finch
Clerk of Council

Richland County Council Request of Action

Subject

Funding for Alternative Paving [page 13]

Reviews

Information regarding **Funding of Alternative Paving with \$2 Million from the Road Maintenance Fee and \$1 Million from the CTC Bond** will be distributed during the Development and Services Committee meeting on January 26, 2010.

Richland County Council Request of Action

Subject

Property Owners should not be required to obtain permits for Cosmetic or Maintenance purposes including replacing roofs, etc. [pages 15-19]

Reviews

Richland County Council Request for Action

Subject: Eliminating the requirement of obtaining a building permit for roofing, siding, and replacement of window & exterior doors.

A. Purpose

County Council is requested to consider an Ordinance that would delete the requirement of obtaining a building permit for cosmetic or maintenance purposes.

B. Background / Discussion

On December 15, 2009, a motion was made by the Honorable Norman Jackson, as follows:

“I move that property owners should not be required to obtain permits for cosmetic or maintenance purposes, including replacing roofs, siding, windows, doors, painting, etc.”

The motion further stated, “The IRC was not specific and because it is not a structural problem, permits should not be required.”

County Council forwarded this motion to the January D&S Committee for consideration and recommendation.

A copy of the proposed ordinance is attached for Council’s consideration.

C. Financial Impact

Loss of revenue for non-permitted work.

D. Alternatives

1. Approve the ordinance eliminating building permits for cosmetic or maintenance purposes, including replacing roofs, sidings, windows, doors, painting, etc.
2. Do not approve the ordinance and continue with current requirements for no permit as allowed by the code for maintenance except where provided for building protection and life safety.

E. Recommendation

This request is at Council’s discretion.

Recommended by: Honorable Norman Jackson

Date: December 15, 2009

F. Approvals

Finance

Reviewed by Daniel Driggers:

Date: 1/14/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision at council's discretion. Based on section c there would be a loss of revenue but no amount is stated. Therefore I would recommend that a financial impact be developed based on prior year activity prior to finalizing a decision.

Building and Inspections

Reviewed by: Donny Phipps

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

A list for exempt work that does not require a permit is already provided by the 2006 IRC, International Residential Code for maintenance items. Per this list, roofing, siding, windows or doors are not excluded from code compliance or inspection. These are a part of the code for protection of the structure's thermal envelope as well as protecting the framing and sheathing which are integral parts of the structure. Their proper installation is critical. Windows and doors are important components of the life, safety requirements of the Residential Building Codes. They are also vital in achieving compliance to the International Energy Conservation Code adopted by South Carolina. We are required by the State to inspect for compliance. To remove these items from permitting could cause a problem of customer service and protection, not only from the codes, but the department not being able to help the homeowner when contractors that are not licensed or qualified with Richland County or the State to perform the work we would not be able to hold them responsible. The requirement for permits, allows us to take action when one does not pull permits and/or when work is not performed in compliance with building codes. The requirements for installation to manufacture specifications are then left to that of the homeowner and that the work is in compliance with residential building codes. The IRC code has several chapters dedicated to roofing and siding installation. Windows and doors are covered under egress requirements for life safety and energy code requirements.

Richland County Department of Building Codes and Inspections is required to enforce code items for construction for the protection of property and life. Removing this requirement puts that responsibility back on the homeowner. Please keep the permitting process as it is to help protect the consumer.

Summarized below are the cosmetic, maintenance and etc. work that is exempt from permit requirements in the 2006 IRC or inspection, and to expand on this list is not needed.

- One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
- Fences not over 6 feet high.
- Retaining walls that are not over 4 feet in height.
- Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
- Sidewalks and driveways.
- Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- Prefabricated swimming pools that are less than 24 inches deep.
- Swings and other playground equipment.
- Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.

- Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
- Portable heating, cooking or clothes drying appliances.
- Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.
- Portable heating appliances.
- Portable ventilation appliances.
- Portable cooling units.
- Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
- Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- Portable evaporative coolers.
- Self-contained refrigeration systems containing 10 pounds or less of refrigerant or that are actuated by motors of 1 horsepower or less.
- Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.
- The stopping of leaks in drains, water, soil, waste or vent pipe.
- The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets.
- Ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.
- The installation, alteration or repair of generation, transmission, distribution, metering or other related equipment that is under the ownership and control of public service agencies by established right.

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Council discretion

Administration

Reviewed by: Tony McDonald

Date: 1/20/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: The existing list of exemptions from building permits is quite extensive, as is indicated above. It is recommended that this list not be expanded at this time due to the reasons clearly outlined by the County's Building Official.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-10HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS; ARTICLE II, ADMINISTRATION; DIVISION 3, PERMITS, INSPECTION AND CERTIFICATE OF APPROVAL; SECTION 6-43, PERMITS REQUIRED/EXCEPTION; SO AS TO NOT REQUIRE PERMITS FOR COSMETIC OR MAINTENANCE PURPOSES AS LISTED BY THE 2006 INTERNATIONAL RESIDENTIAL CODE.

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

SECTION I. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 3, Permits, Inspection and Certificate of Approval; Section 6-43; Permits Required/Exception; Subsection (a); is hereby amended to read as follows:

(a) No person shall construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure, or installation of electrical, gas, or plumbing equipment or other apparatus regulated by this chapter without first obtaining from the building official a separate permit for each such building, structure, or installation. One (1) copy of the required permit shall be forwarded to the county assessor within ten (10) days after issuance. A building, structure, or installation may contain one or more units. Provided, however, no permit shall be required for cosmetic or maintenance purposes as listed by the 2006 International Residential Code, including, but not limited to, replacing roofs, sidings, windows, and doors.

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 _____, 2010.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2010

Michelle R. Cannon-Finch
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:

Richland County Council Request of Action

Subject

Review all Engineering and Architectural Drawing Requirements to make sure there is no unnecessary charge or expense to citizens [pages 21-22]

Reviews

DRAFT

MEMO

To: Development and Services Committee
Of Richland County Council

Fr: David R. Hoops PE
Director of Public Works

Cc: Sparty Hammett
Assistant Administrator

Re: Unnecessary planning and permitting requirements

Date: January 19, 2010

Public works staff has reviewed our present regulations and policies for plan reviews and permit applications. The following are areas that we believe offer opportunities to reduce expense to the applicants:

1. Notice of Intent (NOI) – The Engineering Department requires a DHEC Notice of Intent application for all projects conducting land-disturbance activities. This form is required for all projects one acre or more; however, the Engineering Department requires the form for liability purposes (Engineering should not have to scale the disturbed acres) and around 75% of the NOI(s) less than an acre are submitted by a licensed Engineer. **Opportunity: The Engineering Department can specify that the NOI for projects less than an acre can be prepared by the property Owner or Engineer.**
2. Inspection Fee (\$350.00) – This fee is tied to inspections. The fee is the same for small and large projects. **Opportunity: This fee should be associated with the scope of the project because inspections (with respect to intensity and type) can be measured based on the submittal.**
3. Digital Submission – Digital Submission are required at all stages of Development; to include Sketch Plan, Bonded Plat, Final Plat per ordinance. **Opportunity: Digital submissions should be submitted at the Preliminary Stage and**

ultimately the As-built stage (the As-built stage is the most important).

4. Floodplain Development (\$50.00) – A fee is required for a floodplain review. A fee is charged for all activity for parcels (or portion) that encroach in a flood zone [A] or [AE].
Opportunity: The fee could possibly be tied to actual structures or building activity in a floodplain as opposed to the lots encroaching in the floodplain.

Richland County Council Request of Action

Subject

Contractual Matter: Offer to Purchase/Lease County Property (Executive Session) [page 23]

Reviews