

# RICHLAND COUNTY COUNCIL

SOUTH CAROLINA

## ZONING PUBLIC HEARING

May 24, 2016  
7:00 PM  
County Council Chambers

*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*



### Committee Members Present

Torrey Rush, Chair  
Greg Pearce, Vice Chair  
Joyce Dickerson  
Julie-Ann Dixon  
Norman Jackson  
Bill Malinowski  
Jim Manning

### Others Present:

Warren Harley  
Kimberly Roberts  
Tracy Hegler  
Michelle Onley  
Tommy DeLage  
Geo Price  
Larry Smith

### CALL TO ORDER

Mr. Rush called the meeting to order at approximately 7:02 PM

### ADDITIONS/DELETIONS TO THE AGENDA

Ms. Hegler stated there were not additions/deletions to the agenda.

### ADOPTION OF THE AGENDA

Mr. Pearce moved, seconded by Ms. Dixon, to adopt the agenda as published. The vote in favor was unanimous.

### MAP AMENDMENTS

#### 16-13MA, George H. Reed, Jr., RS-MD to RU (3.21 Acres), 2127 Long Trail Dr., 24800-06-67 [FIRST READING]

Mr. Rush opened the floor to the public hearing.

The applicant did not speak at this time.

The floor to the public hearing was closed.

Mr. Jackson moved, seconded by Mr. Malinowski, to approve this item.

The vote in favor was unanimous.

#### 16-14MA, Harold Johnson, RM-HD to OI (2.13 Acres), 3800 Alberta St., 06105-01-15 [FIRST READING] – Ms. Dickerson moved, seconded by Ms. Dixon, to defer the public hearing, as well as, the item until the June Zoning Public Hearing. The vote in favor was unanimous.

#### 16-16MA, Wanda Morris, RU to GC (0.45 Acres), 413 Killian Rd., 17400-02-08 [FIRST READING]

Mr. Rush opened the floor to the public hearing.

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No one signed up to speak.

The floor to the public hearing was closed.

Mr. Rush moved, seconded by Ms. Dixon, to approve this item. The vote in favor was unanimous.

**16-17MA. Derrick J. Harris, Sr., RU to OI (1.83 Acres), 7708 Fairfield Rd., 12000-02-22 [FIRST READING]** -

Mr. Rush moved, seconded by Ms. Dixon, to defer the public hearing, as well as, the item until the June Zoning Public Hearing. The vote in favor was unanimous.

**TEXT AMENDMENTS**

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to clarify "Minimum Lot Area/Maximum Density" requirements in various zoning districts [FIRST READING]**

Mr. Rush opened the floor to the public hearing.

Mr. Samuel Brick and Mr. Bernie Randolph spoke in opposition of this item.

The floor to the public hearing was closed.

Ms. Dickerson moved for approval based on staff's recommendation.

The motion died for lack of a second.

Mr. Malinowski moved, seconded by Mr. Pearce, to deny this item and review the "Open Space Ordinance".

Mr. Pearce requested staff to explain the reason for the requested changes.

Mr. Price gave a brief overview of the conflicting language regarding the existing "minimum lot area/maximum density" requirements and the "Open Space Ordinance".

Mr. Jackson expressed concern with the "Open Space Ordinance" and the allowable lot sizes.

Mr. Malinowski stated the Ordinance Review Ad Hoc Committee has been discussing the "parking ordinance" for some time now because houses are built on top of each other and there is no room for parking.

The vote in favor was unanimous to deny this item and review the "Open Space Ordinance".

**An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; so as to amend the setback requirements for towers abutting residentially zoned parcels [SECOND READING]**

Mr. Rush opened the floor to the public hearing.

Mr. James LaPann chose to not speak at this time.

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The floor to the public hearing was closed.

Mr. Pearce moved, seconded by Ms. Dickerson, to approve this item.

Mr. Price stated staff proposed the following changes to the ordinance:

- ...shall have a minimum setback of one (1) foot for every one (1) foot of tower height or one hundred (100) percent of the tower's fall zone, plus a safety factor of ten (10) percent; ~~whichever is less~~
- Additionally, the owner of the tower shall agree in writing to indemnify and hold Richland County harmless from and against any liability arising out of damage to real or personal property or injury to any person or in any way connected with the construction of, erection of, and/or maintenance or collapse of...

The vote in favor was unanimous.

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to establish special requirements for restaurants**

Mr. Rush opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Mr. Price requested to remove the following language from the ordinance:

- (k) The use of metal detection wands, frisking, and identification checks on patrons is prohibited.

Ms. Dickerson moved, seconded by Ms. Dixon, to approve this item.

Mr. Malinowski expressed concern with the following language and requested that it be removed from the ordinance: "If such establishment advertises, a substantial portion of its advertising must be devoted to its food services."

Mr. Jackson stated if they are truly a restaurant they should not have a problem advertising for food services.

Mr. Manning, Ms. Dickerson and Mr. Jackson requested that the language outlined by Mr. Malinowski be better defined prior to Second Reading of this item.

Mr. Malinowski made a substitute motion, seconded by Mr. Pearce, to refer this item to the Ordinance Review Ad Hoc Committee. The vote in favor was unanimous.

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to amend the special requirements for bars and other drinking places [FIRST READING]**

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Mr. Rush opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Mr. Jackson moved, seconded by Ms. Dickerson, to approve this item.

Mr. Malinowski made a friendly amendment to remove the following language: "Lots used for drinking places shall be located no closer than four hundred (400) feet from any other lot used as a drinking place".

Mr. Jackson accepted the amendment.

The vote in favor was unanimous.

**ADJOURNMENT**

The meeting adjourned at approximately 7:49 PM.

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council