

AGENDA
OF THE SIMPSONVILLE CITY COUNCIL
COMMITTEE OF THE WHOLE
February 23, 2021
6:30pm
Go To Meeting

1. **CALL TO ORDER**.....Mayor Shewmaker
2. **ROLL CALL**.....City Clerk, Phyllis Long
3. **APPROVAL OF MINUTES** – January 26, 2021
4. **CITIZEN COMMENTS**
5. **STAFF REPORTS** – Department Heads will be available to answer any questions concerning the departmental monthly reports for Police, Fire, Recreation and Public Works
 - a. Monthly Financial Report Director Finance, Christine Furino
 - b. Community Relations Specialist Report.....Community Relations Specialist, Justin Campbell
 - c. Economic Development..... Planning & Economic Development Director, Jason Knudsen
 - d. City Administrator Report..... City Administrator, Dianna Gracely
6. **BUSINESS**
Items Anticipated to Come Before Council
 - a. TX-2021-01, Misc. Refinements to the City’s Zoning Ordinance.....Planning & Economic Development Director, Jason Knudsen
 - b. Ordinance #2021-01, Animal Control Amendment.....Councilmember Gooch
7. **EXECUTIVE SESSION**
For the discussion of the performance of an employee in the Administration Department. In coming out of Executive Session, council may vote on items discussed in Executive Session.
8. **ADJOURN**

PLEASE NOTE: This Agenda is accurate as of the Friday immediately preceding the Council meeting but is subject to change until twenty-four (24) hours prior to the meeting. Please contact the City Clerk the day of the meeting for the latest agenda information.

CITY OF SIMPSONVILLE, SOUTH CAROLINA

TITLE: ORDINANCE NO. TX-2021-01. AN ORDINANCE CONTAINING VARIOUS REFINEMENTS TO THE SIMPSONVILLE ZONING ORDINANCE.

BASIS FOR THE ORDINANCE: TITLE 6, CHAPTER 29, SOUTH CAROLINA CODE OF LAWS

ENACTING CLAUSE: NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA

CITATION OF ORDINANCE REPEALED: None

PROVISION OF ORDINANCE: See provision of ordinance below.

SECTION NUMBERS: See below.

EFFECTIVE DATE OF ORDINANCE: Upon final approval by Council after second reading and signing by the Mayor.

NAME OF PERSON REQUESTING INTRODUCTION OF ORDINANCE: Planning & Economic Development Director, Jason Knudsen.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA, AS FOLLOWS:

*NOTE: Language in section 1 of this ordinance that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language that is not ~~struck through~~ or underlined is not to be changed, and *** represents sections of the Zoning Ordinance that have been skipped and remain unchanged.*

SECTION 1. That the City of Simpsonville Zoning Ordinance is hereby amended as follows:

3.1 Uses by Districts

3.1.5 Table of Allowed Uses

	R-E	R-Lo	R-Mid	R-HI	R-OI	B-L	B-G	B-U	B-I
Commercial Sales and Services									
<u>Brewpub Beer/Wine</u>	=	=	=	=	=	=	C	C	=

Industry, Warehousing, and Transportation									
<u>Brewery</u>	=	=	=	=	=	=	C	=	C

3.2 Conditional and Special Exception Use Standards

3.2.4 Dwelling, Attached Single-Family

A. Standards

4. Driveways shall not occupy more than 50 percent of the front yard. The driveway of each dwelling unit shall at a minimum be separated by a 3-foot-wide grass or landscaped strip extending at least 75 percent of the length of the driveway.

At their discretion, the Planning Commission may allow for driveways to occupy more than 50 percent of the front yard, not to exceed 20 feet in width, where additional vegetation is provided as streetscaping between buildings and adjacent to the roadway. The level of which the vegetation enhances the public realm and overall community appeal, as well as provides shading and cooling effects will be among the factors used by the Planning Commission to determine a sufficient level of vegetation.

3.2.27 Service, Construction

A. Special Exception Review Criteria*

* Administrative offices for construction services shall be permitted by right within the R-OI, B-L, B-G, B-U Districts. The storage of materials and/or vehicles is prohibited.

3.2.41 Brewery

A. Standards

1. A brewery shall be located at least 300 feet from any religious institution, child day care, school, or playground.
2. A brewery shall be located at least 100 feet from any residential zoning district or residential property.
3. Any such facility shall comply with all applicable State laws, including Chapter 7 of the S.C. Code of Regulations.
4. Within the B-G District, a restaurant must be on-site and operated in conjunction with the brewery.

3.2.42 Brewpub Beer/Wine

A. Standards

1. A brewpub shall be located at least 300 feet from any religious institution, child day care, school, or playground.
2. A brewpub shall be located at least 100 feet from any residential zoning district or residential property.
3. Any such facility shall comply with all applicable State laws, including Chapter 7 of the S.C. Code of Regulations.

3.3 Accessory Use/Structure Standards

3.3.9 Outdoor Dining

E. Outdoor music shall comply with Chapter 10, Article II, Division 3 of the Simpsonville Code of Ordinances

4.2 Building Design

4.2.6 Building Finish Materials

Exterior building materials shall draw upon the neighborhood pattern of finish materials. Exterior finishes shall primarily be wood, masonry, stone, high quality architectural metal or a combination thereof. The use of pressed wood, composite siding, vinyl siding, sheet metal sheathing, plain concrete block, plain concrete, corrugated metal, and other similar materials shall be prohibited in the exterior finish of buildings where visible from any public right-of-way. However, low maintenance materials may be used in the trim work not to exceed ten percent of the building's exterior wall area. The use of architectural metal shall not exceed 50 percent of the façade.

6.2 Administrative and Decision-Making Bodies

6.2.5 Board of Zoning and Building Appeals

- B. Membership. The Board shall consist of seven members appointed by City Council. A majority of the membership shall constitute a quorum. The City Council may, at its discretion, appoint not more than two alternate members to serve on the Board in the absence, for any cause, of any regular members. Alternate members shall be appointed in the same manner as regular members. None of the members shall hold any other public office or position in the City. Members must be a resident of the city or own and operate a business in the city that holds a current city business license.

8.3 Interpretation of Measurements

8.3.3 Distance Between Establishments

Where this Ordinance requires a minimum separation between specific uses or establishments, such distances shall be measured along the shortest straight line from lot line to lot line of such establishments, unless otherwise indicated.

Distances associated with alcohol sales are as follows. With respect to a church or a school, the distance shall be measured from the nearest entrance of the place of business by following the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare to the nearest point of entrance to the grounds of the church or school, or any building in which religious services or school classes are held, whichever is the closer. The South Carolina Department of Revenue has determined that the grounds in use as part of the church or school is restricted to the grounds immediately surrounding the building or buildings which provide ingress or egress to such building or buildings and does not extend to the grounds surrounding the church which may be used for beautification, cemeteries, or any purpose other than such part of the land as is necessary to leave the public thoroughfare and to enter or leave such building or buildings. Only one entrance to the grounds of a church or school shall be considered, to wit: the entrance to the grounds nearest an entrance to the church or school building. Where no fence is involved, the nearest entrance to the grounds shall be in a straight line from the public thoroughfare to the nearest door. The nearest point of the grounds in use as part of a playground shall be limited to the grounds actually in use as a playground and the grounds

necessary for ingress or egress to such grounds from the public thoroughfare.

8.5 Defined Terms

Building

Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

Comment: This excludes shipping containers (modified or not) and portable storage pods.

8.6 Description of Uses of Land and Buildings

Accessory Structure

A structure detached from a principal building located on the same lot and customarily incidental and subordinate to the principal building or use.

Comment: The accessory structure must be on the same lot as the principal structure unless this Ordinance specifically permits it to be located on another lot

This category excludes shipping containers (modified or not) and portable storage pods.

Brewpub Beer/Wine

A tavern, public house, restaurant, or hotel which produces beer/wine for sale on the premises.

Brewery

A building housing operation for the manufacturing of beer/wine.

SIGNATURE OF MAYOR:

Paul Shewmaker

ATTEST:

APPROVED AS TO FORM:

Phyllis Long
City Clerk

David W. Holmes
City Attorney

FIRST READING: March 09, 2021
SECOND READING: April 13, 2021

ORDINANCE

AN ORDINANCE TO AMEND CHAPTER 6, ANIMALS, ARTICLE III, ANIMAL CONTROL, SECTION 6-84, NUISANCE ANIMALS BY REPEALING PARAGRAPH (A) LIMITATION ON NUMBER; AND TO MAKE OTHER PROVISIONS RELATED THERETO.

WHEREAS, The City of Simpsonville has adopted an animal control ordinance; and

WHEREAS, The City Council has reviewed Sec. 6-84(a) and believes that it is in the best interests of the citizens to repeal the limitation on the number of animals that may be kept.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA, AS FOLLOWS:

Section 1: That the Code of Ordinances, Chapter 6, Animals, Article III, Animal Control, Sec. 6-84, Nuisance Animals be amended by repealing Sec. 6-84(a), Limitation on Number. All remaining provisions of Sec. 6-84 shall remain unchanged.

Section 2. Authorization. The Mayor, the City Administrator, and the City Clerk, for and on behalf of the City, acting jointly or individually, are fully empowered and authorized to take such further action as may be reasonably necessary to effect the amendments authorized by this Ordinance in accordance with the conditions herein set forth.

Section 3. Severability. The provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 4. Repeal of Conflicting Ordinance. All ordinances, orders, resolutions and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

Section 5. Savings Clause. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed or amended as stated in Section 1 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. Effective Date of the Ordinance. This ordinance shall become effective upon final approval by Council after second reading and signing by the Mayor.

DONE in Regular Meeting duly assembled this _____ day of _____ 2021.

SIGNATURE OF MAYOR:

Paul D. Shewmaker

ATTEST:

Phyllis Long
City Clerk

APPROVED AS TO FORM:

David W. Holmes
City Attorney

FIRST READING: _____

SECOND READING: _____