

**AGENDA**  
**OF THE SIMPSONVILLE CITY COUNCIL**  
***BUSINESS MEETING***  
**January 10, 2023**  
**6:30pm**  
**Council Chambers – City Hall**

1. **CALL TO ORDER**.....Mayor Shewmaker
2. **ROLL CALL**.....City Clerk, Ashley Clark
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF MINUTES**- December 13, 2022
5. **CITIZEN COMMENTS**
6. **BUSINESS**
  - A. 2nd Reading of Z-2023-01 Proposed rezoning of property on W. Georgia.....Planner Jon Derby
  - B. 2<sup>nd</sup> Reading of AXZ-2022-04 Proposed annexation of properties located at Fowler Rd & Hunter Rd.  
Settlement ID Phase II.....Planner Jon Derby
7. **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.**

**ORDINANCE NO. AXZ-2022-04**

**AN ORDINANCE TO ADOPT A PETITION FOR ANNEXATION OF TAX MAP # 0560.03-01-031.01, 0560.03-01-031.00, 0560.03-01-031.04, 0560.03-01-015.01, 0560.03-01-031.02, & PORTION OF TAX MAP# 0560.04-01-005.06 BY THE SETTLEMENT LLC, INTO THE CITY OF SIMPSONVILLE, SOUTH CAROLINA**

**WHEREAS**, the South Carolina Code of Laws of 1976, as amended, Chapter 23 Title 5 provides for the process for municipalities to annex and rezone property; and

**WHEREAS**, the City of Simpsonville has enacted a Zoning Ordinance which governs amendments to the Official Zoning Map; and

**WHEREAS**, the hereinafter described property was advertised on August 3, 2022, and the City of Simpsonville Planning Commission held a public hearing on September 6, 2022.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA, THAT:**

1. **ANNEXATION:** The attached Petition for Annexation and Rezoning into the City pursuant to South Carolina Code of Laws Section 5-3-150, wherein the property owner has signed a petition requesting annexation into the City of Simpsonville requesting the annexation of land depicted in the deeds contained in Book 1893 on Page 613, Book 0878 & on Page 575, Book 1659 & on Page 1919, Book 1891 & on Page 681, Book 2476 & on Page 1761, and being a portion of the property now or formerly Deed Book 2636 & on Page 5670 depicted in exhibit "A" and designated as 0.837 acres of portion of TAX map# 0560.04-01-005.06 described more particularly below to wit:

COMMENCING at an iron pin located 860.28' south of the intersection of Howard Drive (S 23-160) and Fowler Road (S 23-161) and turning along a common line with The Settlement LLC (DB 2570-4005) N 85-21-37 W for 403.09' to an iron pin being the point of beginning; thence S 0-39-46 W for 279.08' to an iron pin; thence S 83-03-17 W for 126.11' to a crimp top; thence N 0-39-46 E for 304.47' to an open top; thence S 85-21-37 E for 125.30' to an iron pin being the point of beginning. Said tract to be combined and made part of TMS# 0560030103109 as depicted in Exhibit "A" & "B", attached hereby declared to be annexed into the City of Simpsonville.

2. **ZONING CLASSIFICATION:** The Official Zoning Map of the City of Simpsonville is hereby amended to assign these properties as depicted in Exhibit "A" & "B", the zoning classification of I-D, Innovative Development District.

3. **FUTURE LAND USE MAP DESIGNATION:** The Future Land Use Map of the City of Simpsonville is hereby amended to assign all property depicted in Exhibit "A" & "B", the future land use map designation of High - Intensity Neighborhood.

4. **PROVISION SEVERAGE:** It is hereby declared to be the intention of the governing authority of this municipality that the sections, subsections, paragraphs, sentences, clauses and phrases are severable, and if any phrase, clause, sentence, paragraph, subsection, or

section of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court or competent jurisdiction, such invalidity or unconstitutionality shall not effect any of the remaining portions of this Ordinance so held to be invalid.

**5. ORDINANCE SUPERSEDES PREVIOUS INCONSISTENT LEGISLATION:** All Ordinances or parts of Ordinances inconsistent herewith, which may have heretofore been passed by the Simpsonville City Council, are hereby repealed.

**6. DISTRICT ASSIGNMENT:** The within described property shall be assigned to City Council Ward One (1).

**7. FLOOD RATE INSURANCE MAPS:** In accordance with the provisions of 44 CFR §64.4, in the event that the newly annexed area was previously located in a community participating in the NFIP Program, pending formal adoption of the amendment to its flood plain management regulations, the City hereby certifies that within the newly annexed area the flood plain management requirements previously applicable in the area remain in force. In the event that the newly annexed area was previously located in a community not participating in the NFIP Program, upon annexation, and pending formal adoption of the amendments to its flood plain management regulations, the City certifies that it shall enforce within the newly annexed area, existing flood insurance policies which shall remain in effect until their date of expiration may be renewed, and new policies may be issued.

This Ordinance shall be effective upon second and final reading by the City Council.

SIGNATURE OF MAYOR:

\_\_\_\_\_  
Paul Shewmaker

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Ashley Clark  
City Clerk

\_\_\_\_\_  
Daniel Hughes  
City Attorney

First Reading:       October 11, 2022  
Second Reading:     January 10, 2023

**ORDINANCE NO. Z-2023-01**

**AN ORDINANCE TO AMEND THE ZONING MAP  
OF THE CITY OF SIMPSONVILLE, SOUTH  
CAROLINA OF LAND AT TAX MAP# 0306.00-01-  
008.00 OWNED BY HUCKS PROPERTIES LLC**

**WHEREAS**, the South Carolina Code of Laws of 1976, as amended, Chapter 23 Title 5 provides for the process for municipalities to rezone property; and

**WHEREAS**, the City of Simpsonville has enacted a Zoning Ordinance which governs amendments to the Official Zoning Map; and

**WHEREAS**, the hereinafter described property was advertised on November 16, 2022, and the City of Simpsonville Planning Commission held a public hearing on December 6, 2022.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMPSONVILLE THAT:**

1. **ZONING CLASSIFICATION:** The Official Zoning Map of the City of Simpsonville is hereby amended to assign Tax Map # 0303.00-01-008.00 depicted in the deed contained in Book 2669 on Page 3348 of the official records of Greenville County Register of Deeds and as depicted in Exhibit "A", attached hereto, the zoning classification of B-G, Business General District.

2. **PROVISION SEVERAGE:** It is hereby declared to be the intention of the governing authority of this municipality that the sections, subsections, paragraphs, sentences, clauses and phrases are severable, and if any phrase, clause, sentence, paragraph, subsection, or section of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court or competent jurisdiction, such invalidity or unconstitutionality shall not effect any of the remaining portions of this Ordinance so held to be invalid.

3. **ORDINANCE SUPERSEDES PREVIOUS INCONSISTENT LEGISLATION:** All Ordinances or parts of Ordinances inconsistent herewith, which may have heretofore been passed by the Simpsonville City Council, are hereby repealed.

(SIGNATURE PAGE FOLLOWS)

**ORDINANCE NO.: Z-2023-01**

**Page 2**

This Ordinance shall be effective upon second and final reading by the City Council.

SIGNATURE OF MAYOR:

---

Paul Shewmaker

ATTEST:

APPROVED AS TO FORM:

---

Ashley Clark  
City Clerk

---

Daniel Hughes  
City Attorney

First Reading:        December 13, 2022  
Second Reading:     January 10, 2023

**Minutes of the  
Simpsonville City Council  
Business Meeting  
December 13, 2022  
6:30 p.m.  
Council Chambers – City Hall**

**CALL TO ORDER** – Mayor Shewmaker

**CITY COUNCIL:**

Ward 1 Matthew Gooch  
Ward 2 Aaron Rupe  
Ward 3 Jennifer Hulehan  
Ward 4 Sherry Roche  
Ward 5 Ken Cummings  
Ward 6 Lou Hutchings

**COUNCIL PRESENT** – All members present

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES** - The minutes for November 08, 2022, were approved as written.

**PUBLIC HEARING-** Citizen comments were made concerning closure of Hunter St by: Andy Holden, 305 Oxner Rd; MJ Gallman, 307 Oxner Rd; Leigh Ann Fricle, 122 Chessington Ln; Sandra Wilson, 113 S Pliney Cir; Noreen Smith, 109 S. Pliney Cir; Chad O’Rear, 334 Jonesville Rd; Barry Cross, 202 Chessington Ln; Lowell Duncan, 6 Chesstington Ln; Dakota Bruce, 237 Perry Ave.

**BUSINESS**

- 1. 2nd Reading of Ordinance #2022-05, Flood Damage Prevention Ordinance**  
Motion by Councilmember Hutchings, with a 2<sup>nd</sup> by Councilmember Gooch to approve 2nd Reading of Ordinance #2022-05, Flood Damage Prevention Ordinance. Motion carried. Y-7 N-0
- 2. 2nd Reading of Ordinance #2022-07, Redistricting Ordinance**  
Motion by Councilmember Roche, with a 2<sup>nd</sup> by Councilmember Hutchings to approve 2nd Reading of Ordinance #2022-07, Redistricting Ordinance. Motion carried. Y-7 N-0
- 3. 2nd Reading of Z-2022-04 Proposed rezoning to property located at 210 & 216 NE Main St**  
Motion by Councilmember Gooch with a 2<sup>nd</sup> by Councilmember Hutchings to approve 2nd Reading of Z-2022-04 Proposed rezoning to property located at 210 & 216 NE Main St. Motion carried. Y-7 N-0
- 4. 2nd Reading of Z-2022-05 Proposed rezoning to property located at 3129 N. Industrial**  
Motion by Councilmember Cummings with a 2<sup>nd</sup> by Councilmember Rupe to approve 2nd Reading of Z-2022-05 Proposed rezoning to property located at 3129 N. Industrial. Motion carried. Y-6 N-1. Councilmember Roche voted nay.
- 5. 1<sup>st</sup> Reading of Z-2023-01 Proposed rezoning of property on W. Georgia**  
Motion by Councilmember Roche with a 2<sup>nd</sup> by Councilmember Hulehan to approve. 1<sup>st</sup> Reading of Z-2023-01 Proposed rezoning of property on W. Georgia. Motion carried. Y-7 N-0
- 6. Commissions & Board Appointments**  
Howard Lentz and Jermaine Smith were appointed to the Board and Zoning Appeals. Loren Duwel and Jordan Johnson were appointed to the Planning Commission. All votes were taken by secret ballot.

**ADJOURN** – Adjourned without objection at 8:30pm.