

**AGENDA**  
**OF THE SIMPSONVILLE CITY**  
***BUSINESS MEETING***  
**December 13, 2022**  
**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**- November 8, 2022
5. **CITIZEN COMMENTS**
6. **BUSINESS**
  - A. 2nd Reading of Ordinance #2022-05, Flood Damage Prevention Ordinance.....Planning Director Jason Knudsen
  - B. 2nd Reading of Ordinance #2022-07, Redistricting Ordinance.....Planning Director Jason Knudsen
  - C. 2nd Reading of Z-2022-04 Proposed rezoning to property located at 210 & 216 NE Main St.... ..Planner Jon Derby
  - D. 2nd Reading of Z-2022-05 Proposed rezoning to property located at 3129 N. Industrial..... Planner Jon Derby
  - E. 1<sup>st</sup> Reading of Z-2023-01 Proposed rezoning of property on W. Georgia.....Planner Jon Derby
  - F. Commissions & Board Appointments – Planning Commission & Board of Zoning Appeals.....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.**

## **FLOOD DAMAGE PREVENTION ORDINANCE**

**TITLE: AN ORDINANCE TO AMEND THE EXISTING SIMPSONVILLE FLOOD DAMAGE PREVENTION ORDINANCE, CHAPTER 22, FLOODS OF THE CODE OF ORDINANCES BY ADOPTING THE SOUTH CAROLINA MODEL FLOOD DAMAGE PREVENTION ORDINANCE; AND VARIOUS PROVISIONS RELATING THERETO**

**WHEREAS**, the City has a current Flood Damage Prevention Ordinance found in Chapter 22 of the Code of Ordinances; and

**WHEREAS**, the State has recommended and encouraged municipalities to adopt the 2021 model ordinance version of the Flood Damage Ordinance; and

**WHEREAS**, the City Council, at the recommendation of the Planning Staff, believes that the City should adopt the model ordinance, it being in the best interests of the City to do so;

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

Section 1. Chapter 22, Floods, of the Code of Ordinances of the City of Simpsonville is hereby amended to read as set forth in the model Flood Prevention Ordinance attached hereto as Exhibit A and incorporated herein by reference is hereby adopted as Chapter 22, Floods, of the Code of Ordinances.

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 provisions 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. Suspension of Conflicting Ordinances, Rules, Orders or Resolutions. All ordinances, rules, orders, resolutions and parts thereof in conflict herewith are, to the extent of such conflict, hereby suspended for the duration of this ordinance.

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 as stated in Section 3 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 be effective immediately upon passage.

**DONE in meeting duly assembled this \_\_\_\_\_ day of \_\_\_\_\_ 2022.**

SIGNATURE OF MAYOR:

\_\_\_\_\_  
Paul D. Shewmaker

ATTEST:

APPROVED AS TO FORM:

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

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

FIRST READING: November 8<sup>th</sup>, 2022

SECOND READING: December 13<sup>th</sup>, 2022

## REDISTRICTING ORDINANCE

### AN ORDINANCE TO REDISTRIBUTE THE SIX (6) SINGLE MEMBER ELECTION DISTRICTS FOR THE ELECTION OF CITY COUNCIL MEMBERS BASED UPON THE 2020 DECENNIAL CENSUS.

**WHEREAS**, by Ordinance adopted by the City of Simpsonville on November 18, 2002, the six (6) single member districts of City Council were redistricted in accordance with S.C. Code Ann. § 5-15-50 and the boundaries of said districts were realigned. The results of the United States Census of 2020 have been made available to the City for the purposes of redistricting; and

**WHEREAS**, an independent study of the 2020 Census data by the Revenue and Fiscal Affairs Office of the South Carolina Budget and Control Board, has developed benchmark statistics, copy attached, which indicates that there is a need to revise the boundaries of the six (6) single-member districts; and

**WHEREAS**, a public hearing was held on the proposed redistricting plan on October 25, 2022.

**NOW, THEREFORE, BE IT ORDAINED** as follows:

1. **Districts.** The six (6) single member election districts for the election of City Council are hereby redistricted as depicted on the map of the City and documentation attached to this Ordinance and incorporated herein by reference as if fully set forth. The pertinent demographic data in reference to the proposed districts is also attached to this Ordinance and incorporated herein by reference as if fully set forth.
2. **Elections.** The Greenville County Board of Voter Registration and Elections and its Director are authorized and directed to do all things necessary or required by law to prepare for and conduct the elections for City Council in accordance with this Ordinance.
3. **Severability.** Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.
4. **Effective Date.** This ordinance shall be effective immediately upon passage.

**DONE in meeting duly assembled this \_\_\_\_\_ day of \_\_\_\_\_ 2022.**

SIGNATURE OF MAYOR:

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

ATTEST:

APPROVED AS TO FORM:

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

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

First Reading: November 8, 2022  
Second Reading: December 13, 2022

**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:

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Paul Shewmaker

ATTEST:

APPROVED AS TO FORM:

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Ashley Clark  
City Clerk

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Daniel Hughes  
City Attorney

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