

ORDINANCE NO. AXZ-2018-05

AN ORDINANCE TO ADOPT A PETITION FOR ANNEXATION OF A PORTION OF PROPERTY LOCATED ALONG FOWLER ROAD OWNED BY GRESSETTE LIMITED PARTNERSHIP 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 July 5, 2018, and the City of Simpsonville Planning Commission held a public hearing on August 7, 2018.

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 80 +/- acres of vacant land located at Fowler Road in Simpsonville South Carolina and Greenville County, South Carolina identified. The property is located between Fowler and Burdette Roads (the Middle Tract). The Middle Tract is a portion of Tax Map Number 0560.03-01-031.01 and being more particularly described in Exhibit A, a "Boundary Survey for Gressette Limited Partnership" signed and sealed on 11-18-14 by James R. Freeland, Freeland & Associates, and Exhibit "B", attached hereto, is hereby made a part of this Ordinance and approved and the property described therein is 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 Exhibits "A" and "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 Exhibits "A" and "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.

ORDINANCE NO.: AXZ-2018-05

Page 2

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.

8. **METROPOLITAN SEWER SUBDISTRICT:** It is the intent of City Council that the area described herein to be annexed is currently served by Metropolitan Sewer Subdistrict (hereinafter "Metropolitan"). At the time of the passage of this Ordinance, it is the intent of the City that Metropolitan shall continue to provide sewer service to the annexed area. Therefore, Greenville County shall continue to collect the millage currently assessed by Metropolitan on the annexed area and to remit the same directly to Metropolitan until notified otherwise by the City.

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

SIGNATURE OF MAYOR:

Janice S. Curtis

ATTEST:

APPROVED AS TO FORM:

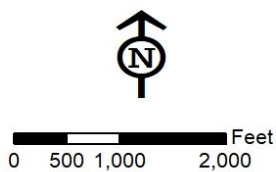
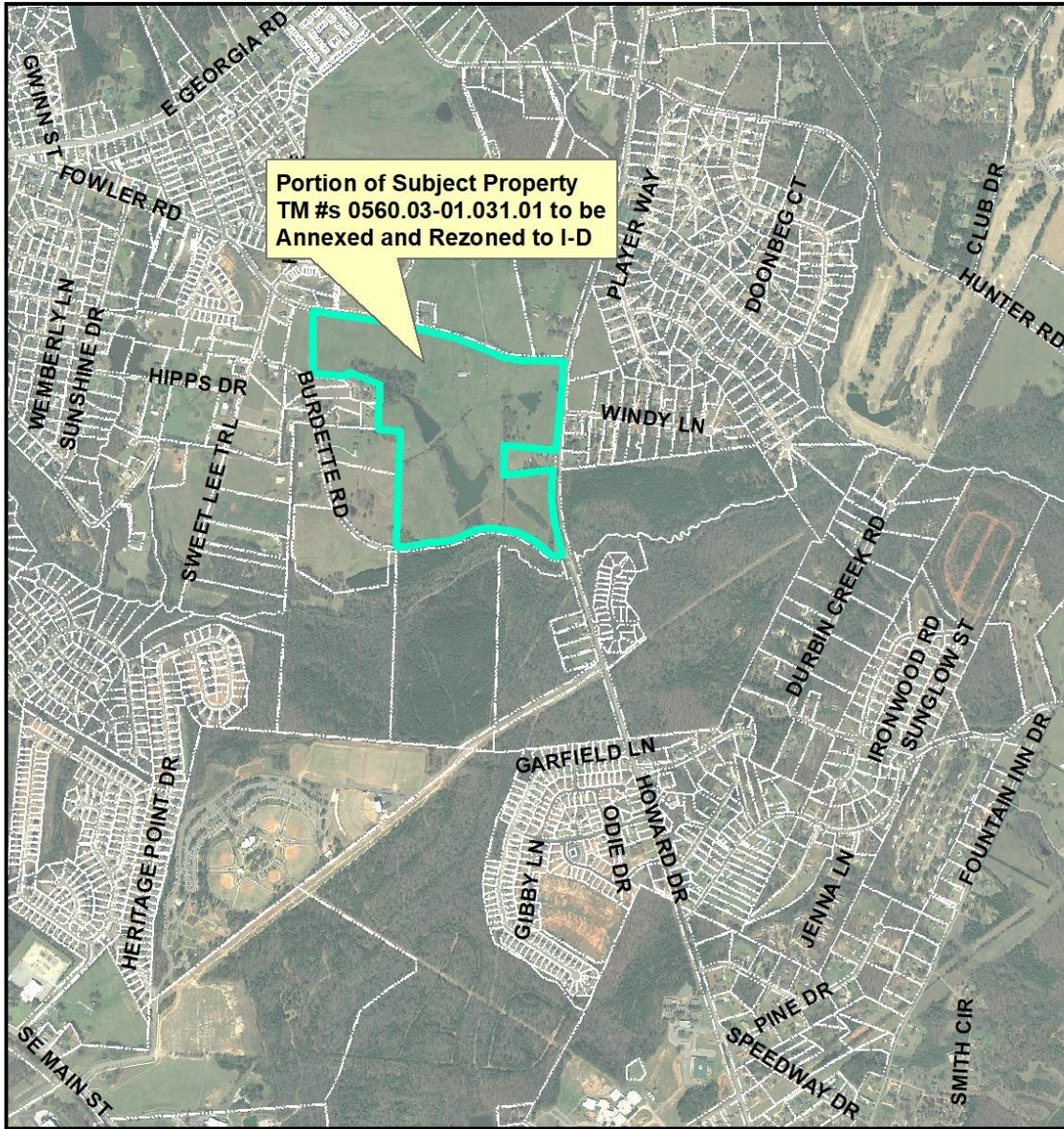
Phyllis Long
City Clerk

David W. Holmes
City Attorney

First Reading: October 9, 2018
Second Reading: July 23, 2019

EXHIBIT "B"

AXZ-2018-05 Property Located Along Fowler Road



Created on July 18, 2018

Reproduction of this map is prohibited without permission from the City of Simpsonville.

DISCLAIMER: The information contained herein is for reference purposes only. The City of Simpsonville makes no warranty, express or implied, nor any guarantee as to information provided herein. The City of Simpsonville explicitly disclaims all presentations and warranties. The City of Simpsonville assumes no liability for any errors, omissions, or inaccuracies in the information provided herein.