

July 17, 2023

CITY OF CONWAY
CITY COUNCIL MEETING
CONWAY CITY HALL
229 MAIN STREET, CONWAY
MONDAY, JULY 17, 2023 - 4:00 P.M.

PRESENT: Mayor Barbara Jo Blain-Bellamy, Mayor Pro Tem Justin Jordan, Autry Benton, Amanda Butler, Beth Helms, Larry White. **ABSENT:** William Goldfinch

STAFF: Adam Emrick, City Administrator; John Rogers, Deputy City Administrator; June Wood, Public Information Officer; Dale Long, Chief of Police; Jeff Leveille, Technology Services Director; Allison Williams, Finance Director; Timmy Williams, Hospitality & Beautification Director; Kayla Fleming, Associate Judge; Brandon Harrelson, Public Works Director; Reggie Jenerette, Solid Waste Director; Lynn Smith, Human Resource Director; Rock Rabon, Fleet Maintenance Director; Jasmine Waites Parker, City Attorney; James Friday, Public Utilities Director; Jessica Hucks, Planning and Development Director; Kym Wilkerson, Deputy Planning Director/Zoning Administrator; Katie Dennis, Planning Concierge; Le Hendrick, Fire Chief; Ashley Smith, Recreation Director; Rosanne Dates, Grants Supervisor; Robert Cooper, Construction Services Director; David Crotts, Assistance Finance Director; Maegean Hurley, Human Resource Generalist; and Alicia Shelley, City Clerk.

OTHERS: Judge Hyman, Hillary Howard, Harold Phillips and approximately 50 others. Sign in sheet is attached.

CALL TO ORDER: Mayor Blain-Bellamy called the meeting to order. Robert Bannon, Kingston Presbyterian gave the invocation and led the Pledge of Allegiance.

The requirements for posting notice of this meeting under South Carolina's Freedom of Information Act (FOIA) were met.

Blain-Bellamy read a note from Goldfinch stating that he is healthy, but apologized for not being at the meeting due to a prior family obligation. Goldfinch also welcomed and congratulated Benton.

ADMINISTRATION OF OATH OF OFFICE: Autry Benton was sworn into office by The Honorable Alex Hyman and was accompanied by his wife and family.

There was a brief recess for a welcome reception for Council Member Benton.

APPROVAL OF AGENDA: Motion: White made a motion, seconded by Blain-Bellamy, to approve the July 17, 2023 meeting agenda and requested to move up item VIII.A before Public Input. **Vote:** Unanimous. Motion carried.

CONSENT AGENDA:

- A. Final Reading of Ordinance #ZA2023-07-17 (B) amending Article 2 – Definitions, Article 4 – Use Tables, and Article 5 – Specific Use Regulations, of the City of Conway Unified Development Ordinance (UDO), regarding shooting ranges and armories.**

- B. Final Reading of Ordinance #ZA2023- 07-17 (C) to annex approximately 1.44 acres located at 2643 Long Ave Ext (PIN 324-16-03-0023) and rezone from Horry County Residential, no mobile homes allowed (SF20) to City of Conway Low/Medium Residential (R-1).**
- C. Final Reading of Ordinance #2023-07-17 (D) to amend Title 7, Chapter 4, Article F, Section 7-4-82.7 Towing and Storage Charges, of the Code of Ordinances, City of Conway.**
- D. Final Reading of Ordinance 2023-07-17 (E) to amend Title 8, Chapter 2, Section 8-2-3, Two-Hour Parking, of the Code of Ordinances, City of Conway.**
- E. Approval of a Resolution to Accept a Letter of Credit for Wild Wing Phase 5B**
- F. Approval of Bid for Replacement of Trucks in the Solid Waste Department (Budgeted)**
- G. Special Event – Rivertown Reindeer Run – December 2, 2023**
- H. Approval of a Resolution to Appoint Goldfinch to the Capital Project Sales Tax Act Commission**
- I. Approval of June 20, 2023 Council Meeting Minutes**

APPROVAL OF CONSENT AGENDA: Motion: Jordan made a motion, seconded by Blain-Bellamy to approve the July 17, 2023 consent agenda with the exception of moving Item VI.D down on the Agenda to Consideration. **Vote:** Unanimous. Motion carried.

SPECIAL PRESENTATION:

- A. Presentation Honoring the Conway All Stars 12U Softball Team as the South Carolina State Champions –** Blain-Bellamy presented the 12U Softball Team and coaches with a Resolution honoring them as the South Carolina State Champions.

PUBLIC INPUT:

Cheryl Moore Adamson spoke on behalf of the Whittemore Racepath Historical Society and told about her recent visit to the Mary McLeod Bethune Learning Center and Art Gallery in Mayesville, SC. Adamson said that she would keep Council updated on ideas for the Whittemore Elementary and Whittemore Middle School sites.

Motion: Butler made a motion, seconded by White, to close public input. **Vote:** Unanimous. Motion carried.

SPECIAL PRESENTATION:

- B. Presentation of Proclamation Recognizing SGM Butler** – Blain-Bellamy presented a Proclamation celebrating and congratulating SGM Butler for 30 years in the US Army, and proclaiming July 18, 2023 as SGM KaJuan Butler Day in the City of Conway.
- C. Presentation of the Jane Mackey Food Drive Department Competition** – Smith and Mackey presented the Police Department with a runner up trophy and the Municipal Court as the winner of the annual Jane Mackey Food Drive Department competition.
- D. Presentation of Longevity Awards – June 2023 – 25 Years: James Ward, Public Works** – Ward was not present.
- E. Presentation of Employee of the Month for July 2023 – Public Service** – Smith presented Meagean Hurley, Human Resource Generalist as the Public Service Employee of the Month for July 2023.
- F. Presentation on Future Plans of Scarborough Alley and the Town Green** – Hyman stated that the recently completed 2022 Riverfront and Downtown Master Plan provided a conceptual re-design of the Town Green, and recommended a detailed study to reconfigure the parking lot and to make Scarborough more pedestrian while servicing surrounding businesses. The Plan also included the design of a new ERF and outdoor restrooms to serve the community. Scarborough Alley is no longer used as an alley, it is used as a road which causes conflict between pedestrians, vehicles, and loading/unloading the rear of businesses. Earlier this year, the issue was discussed during a City Council meeting, and staff recommended a plan to close or one-way the alley. As a “science experiment”, City Council directed staff to close the alley for a week to identify potential issues. Many of the business owners were in support of the closure. During this time, it was noted that the traffic cleared out within 15 minutes. At City Council budget retreat, City Council directed staff to move forward with a design for one-way. Since that time, staff has been working with Hanna Engineering to create a design that: reconfigures the parking lot, reduces the width of Scarborough by making it one-way flow only from Laurel Street to Main Street, adds sidewalks, adds parallel parking, adds landscaping, adds an ERF, adds public restrooms, redesigns the Town Green, including landscaping, seating, splash pad, and permanent Christmas tree, extends the Garden Walk by adding a delineated pathway along the east side of the Town Green with a speed table to connect the existing Garden Walk, and relocates Ike Long door for increased security.

Hyman said that CAB gave final approval last week on this plan and that staff hopes to receive engineering drawings next week and completion before the Holidays.

There was some discussion regarding parking spots and who specifically parks in this area.

PUBLIC HEARING AND FIRST READING

- A. Public Hearing and First Reading of Ordinance #2023-08-07 (A) to amend the City of Conway Municipal Code to implement a new Industrial Incentive, which aims to provide economic incentives to the development of industrial use businesses in the City of Conway.** Dennis informed Council that this incentive is a new Industrial Incentive that aims to provide economic incentives to industrial style businesses within

the City. The proposed incentives include: reimbursement of building permit fees, business license fees for 2 years, expedited review period of 15 days rather than 30, and a reduction in landscape requirements by 1 letter, unless abutting a residential zoning district. Dennis stated that the Myrtle Beach Regional Economic Development Corporation (MBREDC) has expressed the need for an incentive of this nature to draw these types of businesses and workforce opportunities to our City.

Sandy Davis, President and CEO of the MBREDC spoke in favor of this incentive.

Motion: White made a motion, seconded by Helms, to close public input. **Vote:** Unanimous. Motion carried.

Benton asked if the incentive was available anywhere in Conway. Dennis said as long as the property is zoned properly and meets the requirements.

Motion: Jordan made a motion, seconded by Blain-Bellamy, to approve first reading of this ordinance. **Vote:** Unanimous. Motion carried.

Blain-Bellamy stated that Items IX.B – IX.F will be combined.

- B. Public Hearing and First Reading of Ordinance #2023-08-07 (B) to amend Title 1, Chapter 5, Article F of the Code of Ordinances, an incentive program which provides economic incentives for the development of family entertainment facilities in the City of Conway.** Dennis stated that the incentives, Agenda Items IX.B-IX.F, need to be updated to provide a more uniform structure and to amend the wording to provide better clarity to the applicants and staff. The proposed updates include: implementation of a reimbursement request form and new request time frame from May 1 – May 31, clarification on when the clock starts for each incentive on the issuance of a business license, allow the opportunity for reimbursements to be separate, clarification on who receives the reimbursement from the City, implement incentive agreement requirements for all incentives, allowance for the expedited review period to be granted upon council approval, and for Article I (Agenda Item IX.E.) to update the eligible zoning districts to exclude CBD, CC and WRD1 and 2 districts. This Article would keep the Highway 378/Wright Blvd and Hwy 701/Main Street/Fourth Avenue in place. These incentives could be stacked with existing incentives as well.

White asked if the businesses on Racepath were included in this program. Dennis said only if the property is zoned Highway Commercial and faces 378/Wright Blvd.

Motion: Blain-Bellamy made a motion, seconded by Helms, to close public input. **Vote:** Unanimous. Motion carried.

Benton recommended offering the incentives to all of Conway. Dennis said that all businesses can apply, except Article I as that incentive has a different eligibility requirement, so long as they are zoned properly and meet the requirements.

Emrick then gave the history of the Redevelopment Enhancement Incentive.

Motion: White made a motion, seconded by Butler, to approve first reading of Items IX.B-F. **Vote:** Unanimous. Motion carried.

- C. Public Hearing and First Reading of Ordinance #2023-08-07 (C) to amend Title 1, Chapter 5, Article G of the Code of Ordinances, an incentive program which provides economic incentives for the redevelopment of existing vacant commercial buildings 25,000 sq. ft. or greater in the City of Conway.**
- D. Public Hearing and First Reading of Ordinance #2023-08-07 (D) to amend Title 1, Chapter 5, Article H, of the Code of Ordinances, an incentive program which provides economic incentives to businesses occupying existing vacant buildings located in the Central Business District (CBD) in the City of Conway.**
- E. Public Hearing and First Reading of Ordinance #2023-08-07 (E) to amend Title 1, Chapter 5, Article I, of the Code of Ordinances, the Redevelopment Enhancement Incentive Program, which provides economic incentives to develop or expand commercial businesses in the City of Conway.**
- F. Public Hearing and First Reading of Ordinance #2023-08-07 (F) to amend Title 1, Chapter 5, Article J, of the Code of Ordinances, the Hotel / Short-term Rental Incentive Program, which provides economic incentives to develop hotels, motels, inns, and commercial short-term rentals in the City of Conway.**

FIRST READING:

- A. First Reading of Ordinance #2023-08-07 (G) to amend Title 1, Chapter 8, Section 1-8-3(a)(2) of the Code of Ordinances, Nonpartisan elections; procedure, to update the fees for municipal elections in the City of Conway.** Rogers stated that during the budget retreat, council conducted a review of various fees charged by the City. Included in that analysis was a review of filing fees for municipal elections. Those fees have not been changed in at least 12 years. Council proposed raising the filing fees for the office of Mayor from \$560 to \$700, and the fees for Council from \$325 to \$425. Both of these adjustments represent an increase slightly below the rate of inflation since the last ordinance update in 2011.

Motion: Jordan made a motion, seconded by Benton, to approve first reading of this ordinance. **Vote:** Unanimous. Motion carried.

- B. First Reading of Ordinance #ZA2023-08-07 (H) to annex a 1.17-acre tract and 1.21-acre tract of property, totaling 2.38 acres, located at (and adjacent to) 588 Hwy 544 (parcel B-1: PIN 382-04-04-0001 and parcel B-2: PIN 382-05-01-0001), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Low-Density Residential (R) district.** Hucks stated that this annexation application was made as a requirement to connect to city utilities. The applicant owns the adjacent property which abuts the student housing development, which is contiguous, thus making this parcel B-2 contiguous also. Section 4-1-12 (E) of the City's Code of Ordinances says, "Any person, firm, corporation, or subdivider requesting an extension of water and/or sewer connection for land outside the corporate limits of the city as a condition of service of water

and/or sewer shall be required to annex said land and all property of the owner contiguous to said land into the city.” There is an existing single-family structure on the property and it is zoned Horry County HC. The applicants are requesting to annex as R. The Future Land Use Map of the Comprehensive Plan identifies this property as HC. The requested zoning classification, R is neither consistent with the surrounding properties or the City’s Future Land Use Map, which classifies both parcels as HC. The R zoning classification is better suited for Parcel B-1, based on the current use of the property, as the HC district does not permit residential uses. If annexed into the city as HC, the existing home would become a legal nonconforming use and structure on the property, no expansion could occur, and would be subject to the requirements of Article 12 – Nonconformities, of the UDO. Hucks said that staff supports the zoning shown on the City’s Future Land Use Map of the Comprehensive Plan, which is designated as HC. If Council chooses to annex the property as HC, Planning Commission must hold a public hearing on the request and provide a recommendation to Council. Hucks said that staff does note that the applicant does not wish to annex into the City of Conway.

There was some discussion regarding options for annexing the parcel into the City as HC, annexing the parcel as R, and denying the annexation.

Motion: Blain-Bellamy made a motion, seconded by Benton, to deny annexation for this request.

Jordan asked for benefits of bringing the parcel in as HC. Hucks explained that the vacant parcel could be developed as HC and the parcel with the single-family home could remain in perpetuity, but not expand, and if the parcel ceased to be a single-family home, then HC development could occur. Hucks stated that if Council wishes to bring as HC, that would be staff’s recommendation and that it would then go to Planning Commission for a recommendation and come back to Council.

Amended Motion: Blain-Bellamy amended her motion, seconded by Benton to annex the property into the City as HC. **Vote:** Unanimous. Motion carried.

CONSIDERATION:

- A. Consideration of approval of name for a new single-family development, located on Hwy 548 – “Colonial Farms.”** Hucks said that the proposed development is currently being reviewed by the Technical Review Committee. The preliminary plans call for this development to consist of 131 single family homes and 97 town homes. The applicant has requested to name the proposed subdivision “Colonial Farms” upon approval. According to Section 10.3.18 of the City of Conway UDO, all subdivision names must be reviewed and adopted by Conway City Council.

Motion: White made a motion, seconded by Helms, to approve the naming of the subdivision, Colonial Farms. **Vote:** Unanimous. Motion carried.

- B. Consideration of a Hotel and Short-Term Rental Incentive application for Cypress Inn Property, LLC, located on PIN 367-01-04-0042.** Dennis stated that this request is for the property located beside the existing Cypress Inn and the applicant is seeking

July 17, 2023

approval of a Hotel/Short Term Rental Incentive for a period of 7 years for the proposed 22 room hotel. The applicant appeared before CAB for Conceptual review and will return to CAB on July 26. The applicants hope to receive Council approval to provide much needed accommodations in the downtown area.

Motion: White made a motion, seconded by Helms, to approve the Hotel and Short-Term Rental Incentive application for Cypress Inn. **Vote:** Unanimous. Motion carried

Moved from Consent Agenda - Final Reading of Ordinance 2023-07-17 (E) to amend Title 8, Chapter 2, Section 8-2-3, Two-Hour Parking, of the Code of Ordinances, City of Conway. Rogers stated that this is second reading to amend the two-hour parking code in the downtown business district.

Motion: Jordan made a motion, seconded by Helms, to approve final reading of this ordinance, amending it to remove Saturday, Sunday and Federal Holidays:

There was some discussion regarding enforcement methods and the transition period.

The Motion was then amended to **Motion:** Jordan made a motion, seconded by Helms, to approve final reading of this ordinance, amending it to remove Saturday, Sunday and Federal Holidays and directed staff to continue today's method of enforcement and strictly enforce when the technology and signs are in place. **Vote:** Unanimous. Motion carried.

CITY ADMINISTRATOR'S REPORT:

Emrick informed Council of the following:

- MASC Annual Meeting is July 26-29
- As of July 1, the City's Fire Department is classified as a BLS Rapid Responder, non-transport agency. This is due to the majority of the department being certified at the EMT level. Congratulations to Chief Hendrick for this accomplishment. Chief Hendrick asked that the credit go to Captain Perzan and his staff for their hard work and determination.
- The Fire Training Facility will have a ribbon cutting for the new facility on August 22 at 9 a.m. and a more formal invitation will be sent out soon.
- The Hospitality and Beautification Department worked last week at 2 a.m. to remove the trees and clean out the center medians on 501 Bypass. They will plant wildflowers in the median to allow them to grow more naturally and still be pretty.
- The Hospitality and Beautification Department also planted wildflowers at the Whittemore site to reduce some of the maintenance burden, improve the appearance and add pollinators for the late summer/fall season.
- This morning, Conway was designated as the very first Trail Town in South Carolina. While this designation is incredibly welcomed, Emrick said he feels it is a bit premature. The City does have a few amazing trails, the Riverwalk, the Crabtree Greenway, the trails at Waccamaw River Park, and the City has a fantastic plan that is being implemented. But, has a lot of work to do to earn this title. Fortunately, the City has some trails on the near horizon that will certainly put the City in a position to have earned this recognition.

- The Cop on Top Fundraiser for the Special Olympics is July 27 and 28 from 7 a.m. until 9 p.m. on day one and until 10 p.m. on day two. This annual fundraiser is a partnership of the City of Conway Police and the Special Olympics.
- Tonight, there are a few workshop items but first we have department head reports from Jessica Hucks and David Crotts in Procurement.
- The 12U Softball team was the same teams that won the 10U championships as well.

Planning and Development Department – Hucks stated that so far 2023 has proven to be a very busy yet productive year for the Planning and Development team, which consists of 9 people, with 6 people dedicated to Planning & Zoning, 2 GIS Staff who assist multiple departments within the City, and the Arborist, who handles all protected tree removal permits and is involved with several city beautification projects. Some of the numbers in this report are up to June 2023. When the next department report is provided, later this year, staff will include June’s numbers in the report.

Staff has or is currently working on the following:

- **Text amendments:** 20 in progress; 4 that have been passed by council
- **Annexations:** 27 annexations processed.
- **Rezoning requests:** 7 requests for rezoning; and 11 requests for annexation and rezoning were submitted and considered by Planning Commission.
- **Planning Commission:** has considered 46 items
- **CAB:** reviewed 48 requests.
- **BZA:** considered 19 requests for variances or appeals.
- **Accessory structure permits** (zoning reviews for pools, fences, sheds, etc.) 235
- **Single-family residential zoning reviews:** 104
- **Business License reviews** (zoning approval): 108
- **Zoning Violations** (letters, phone calls, site visits): 80
- **Zoning Verification letters:** 7
- **Illegal signs removed:** 443
- **Mobile Vending permits** (*i.e.* food trucks, franchise agreements): 16
- **GIS:** Created close to 1,000 maps, Calculated stormwater fees for 33 businesses, 412 new address points given since January, 1,281 new, updated or upgraded water meters (added to GIS) since January, and Updated GIS layers to reflect restrictive covenants for an additional 64 properties.
- **Minor platting actions:** 53
- **Onsite inspections** (related to plan review/ CO): 78
- **Commercial plan submittals** (including resubmittals): 65
- **Residential development plan submittals:** 28
- In April, GIS staff updated a Conway Growth map which provides data related to residential development in the city limits of Conway at various stages, including preliminary plan review, final plat review, anticipated submittals, and developments under construction. These numbers include: **4,287 Single-family lots and 1,340 multifamily / 1,758 townhomes** - These numbers could change significantly depending on market conditions and whether or not many of the projects under review continue with the review process.

July 17, 2023

Helms stated that she watched the Planning Commission meeting, and appreciates staff for their hard work.

Procurement Department - Crotts stated that currently, the Procurement Department consists of two employees who handle the majority of the purchasing for the City. Vehicles have been the biggest challenge so far. The vehicle shortage is expected to persist until 2025. The Department recently ordered five garbage/recycle trucks for the Solid Waste Department. The wait time is 18 months on these vehicles.

COUNCIL INPUT:

Benton thanked everyone that prepared anything to make tonight special. Benton said that he was honored to have Judge Hyman back in Chambers, what a great man to follow and he always says Conway does the most with the least. Benton sees that and agrees. Benton then told his fellow Council members what he could learn from each of them. Benton thanked staff for being superstars and told of some interactions with some staff members along the way. Benton said that he looked forward to working with staff and the City. Benton stated that he was elected by the citizens to lead and give direction, and he is not here on a special agenda or financial gain, but is here to serve Conway. Benton said he desires to work hard and wants to be a person to be known that came to sit at this table every meeting with his own thoughts, no agenda, and to do what is right for Conway. Benton went on to say that he is excited and is looking forward to serving the city.

Helms asked that we revisit the scooters as she thinks they are a great idea but has gotten calls about them not being put back where they are supposed to go. Helms said that she was asked if the City could get a dog reader/chip so that the Police may be able to get the dog back to their owner. Animal Control Officer Brown told Council that Horry County has chip readers and he would inquire about purchasing one from them or getting one of the City's own. Helms said that the Ask the Administrator is great and that answers a lot of questions that doesn't come to Council. Helms said that Tonka Hemingway would be the Gamecock representation at the SEC meeting today and that is a big deal.

White asked how many dogs can a person have in their yard. Emrick said there is not a set number. White told a story of a resident that had 6 dogs in their yard, one got loose and charged at him. White would like to address the issue regarding the number of dogs one can have as the neighbors are scared one will get loose. White thanked staff for the planting of the wild flowers on Highway 501.

Jordan said he never pictured White as an Olympic sprinter and thanked Helms for congratulating a Gamecock. Jordan followed up on Emrick's statement about the girl's softball and said that was a remarkable feat and Conway High School needs to be prepared to keep these girls together. Jordan welcomed and congratulated Benton.

Butler received another concern regarding Racepath Avenue and would like staff to look back at the traffic and speed on this road.

Blain-Bellamy piggy backed on Helms regarding the scooters and wants them to succeed, but she is also getting complaints about them being left all over town. Also, Blain-Bellamy wants us to

July 17, 2023

keep our eyes open to not put our citizens in harms way if there isn't enough room between them and the scooters. Blain-Bellamy said that this past week it was announced of the agreement between Conway Parks and Recreation and the Conway Medical Center to bring healthcare offerings to our community. CMC's clinic for rehabilitation services for physical therapy will be available at the Sports and Fitness Center with construction beginning in September and she is excited to see two of the city's strongest wellness partners continue their great work to benefit the residents. Blain-Bellamy also followed up on what Emrick spoke of and that is the designation of the City of Conway as the inaugural Trail Town and said that at the Chamber this morning there were lots of guests. Blain-Bellamy congratulated Benton and said that she was very happy that he has joined Council and she thinks that they will continue to be a fantastic group. Blain-Bellamy said that she knows Benton loves Conway and she thinks that is the biggest eligibility requirement.

Blain-Bellamy called for a brief break.

WORKSHOP:

Public Works

Grass Cutting on Highway 701 – Harrelson informed Council that the Public Works Department receives a vast amount of complaints pertaining to overgrown shrubbery, trees, grass on sidewalks, and non-maintained grass strips between the sidewalk. Majority of the complaints received are along 701 S/N, US 378, and US 501. These routes are all owned and maintained by SCDOT. Unfortunately, SCDOT only cuts grass twice a season thus leaving overgrown shrubs, trees, and sidewalks unattended to. Public Works does respond to all complaints and currently takes care of any line of sight or safety issues as quickly as possible while also notifying the local SCDOT office. Emails and telephone work orders have been sent to SCDOT, but due to their policy these areas are not maintained as they should be. Public Works does not have the ability to maintain rights-of-way along 501 and 378 with the exception of the occasional safety issue due the vast size of the ROW. 701 N/S does not require as much maintenance.

Benton recommended inviting delegation to a City workshop.

After much discussion it was determined that the City does not have the resources to cut as they are not our roads and staff would continue to do as done in the past by taking care of any sight or safety issues.

Council also discussed the Main Street Bridge and the Highway 501 Bridge at Lake Busbee, both SCDOT bridges that are in the City that need repair or replacement but are not on SCDOT's list of projects. After much discussion, Council will draft a letter and present to the League of Cities in hopes of their support.

Planning and Development

Hucks stated that at budget retreat earlier this year, staff presented several amendments that were proposed, including a clean-up or rewrite of several articles of the City's Unified Development Ordinance. Article 10 of the UDO includes the City's land development regulations, which includes items such as plan approval levels, and submittal requirements, subdivision design

standards, parks and open space requirements, requirements for wastewater pump facilities, financial guarantee requirements, road design standards, and conservation subdivision design standards....to name just a few.

Hucks presented the following items to Council:

- **Letter of credit approval authority** - Currently, council must approve the acceptance of a letter of credit for any remaining infrastructure within a development. Staff already reviews the estimate for a letter of credit from the engineer, and the cost listed within the estimate is reviewed and approved from all appropriate departments. There are times when the approval of a final plat can be held up for several weeks waiting for the item to be placed on a council agenda. Staff proposes to revise Section 10.6.2 – Duration of Financial Guarantees, to state that TRC would approve the initial duration, and TRC may also review and renew them for an additional year. After that, Planning Commission is required to approval a renewal.
- **Parks & Open Space requirements** - This amendment would address guidelines from the National Recreation and Park Association to determine the need for new parks in the city. Some of the options presented included allowing developments that are more than 2 miles from publicly owned parks to provide adequate area adjacent to the development to be deeded to the city (once park improvements are installed), with conditions and with council’s approval; and Amending the amount of the open space fee-in-lieu amounts to add an additional 25% fee to the assessed fee-in-lieu amounts for developments that are seeking the fee-in-lieu option or that are required to pay the fee-in-lieu (where less than 1 acre is required) to account for rising costs associated with park equipment and property acquisitions.
- **Wastewater pump station requirements (Sec. 10.3.17 of the UDO)** – The lot size requirements for pump stations is now 50-ft; however, the UDO still says the required lot size is 25-ft. Staff also feels it is necessary to specify that the requirements are applicable to City pump station facilities, as GSWSA may have different standards that developments shall adhere to.
- **Conservation Subdivision ordinance. Section 10.4.1 of the UDO** - Provides the standards for conservation subdivision designs. The first time this ordinance was put into practice and came to fruition was with the approval of the Collins Jollie Conservation Subdivision, earlier this year, which as you may recall, required a development agreement. Several tracts within the Collins Jollie conservation subdivision are currently under review, and during the review process, staff noticed there are a few inconsistencies that need to be addressed, not only for the Collins Jollie C.S., but also for future ones that staff will review. Conservation subdivisions are permitted by right in the CP, RR, RA, R, R1, and R2 zoning districts. The uses allowed under a conservation subdivision design include single-family detached, single-family attached – which would be considered townhomes, and conservation areas. To use as an example, the Collins Jollie development has 9 individual tracts to be developed. Currently being developed is Tracts A and D. There has been interest in development of Tract G, which is the proposed single-family “attached” parcel. The entire development – all tracts – are zoned R-1. R-1 only allows single-family “detached” development. The conservation subdivision allows single-family attached or detached. It is staff’s interpretation that even though property can be developed as a conservation subdivision, the underlying zoning district should take precedent. Rather than

requiring this tract within the conservation subdivision to be rezoned, staff prefers to amend the UDO to add an exception to the R-1 district that where properties are intended to be developed as a conservation subdivision, single-family attached dwellings may be permitted and would be subject to the dimensional standards for the R-2 district for single-family attached dwellings.

- **Amend the design options section of the Conservation Subdivision ordinance, which includes requirements for single neighborhood designs as well as multiple neighborhood designs** - While single neighborhood designs would be better able to comply with the open space management and requirements for permanent protection of the open space and conservation areas – being that only one neighborhood is included, in instances where there are multiple neighborhoods, all owned and/or developed by different entities, staff recognizes that not all neighborhoods that are within the overall conservation subdivision will propose to utilize the same instrument of permanent protection. There are 3 different options that may be utilized, and in order to ensure that development of one tract is not prevented until the instrument of permanent protection is in place across all tracts – keeping in mind that ownership is different, and may not be developed at the same time – staff would like to include the ability for different options where the different ownerships / neighborhoods occur.
- **Height limit in the Waccamaw Riverfront District (WRD)** - This was proposed in 2021 in conjunction with the height limit amendment in the Central Business District, which was ultimately amended from 45’ to 60’. Staff proposed at that time to amend the height limit in WRD, but at that time, council chose to move forward with amending the height in CBD only. WRD currently has a height limit of 35’. Staff has been approached by a few property owners in the WRD district who have shown interest in growing the riverfront; one of which is the Cypress Inn. The owners are proposing to construct a new building that will exceed the 35-ft height limit. Due to the presence of flood zones along the riverfront, the height limit could potentially take away from the height limitations with the building height used to meet elevation and flood proofing requirements, taking away usable space of the building. Staff proposes to increase the height limit in the WRD districts from 35’ to 50’. If council is amenable to moving forward with an amendment, the amendment will need to be advertised, and a recommendation will be required from Planning Commission and review from CAB.

After some discussion, Council recommended increasing the height in the WRD districts to 60.’

EXECUTIVE SESSION: Motion: White made a motion, seconded by Jordan to enter into Executive Session for the following: A. Consideration of Appointments to Boards, Commissions and Committees [pursuant to SC Code §30-4-70(A) (1)]; B. Discussion of Contractual Negotiations Incident to the Potential Acquisition of Downtown Properties. [pursuant to SC Code §30-4-70 (A) (2)]; C. Discussion of Contractual Negotiations Incident to the Potential Acquisition of a Parcel on Highway 378. [pursuant to SC Code §30-4-70 (A) (2)]; and D. Discussion Regarding a Potential Legal Matter. [pursuant to SC Code §30-4-70 (A) (2)]. **Vote:** Unanimous. Motion carried.

RECONVENE FROM EXECUTIVE SESSION: Motion: White made a motion, seconded by Jordan to leave Executive Session. **Vote:** Unanimous. Motion carried.

July 17, 2023

POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION: **Motion:** Blain-Bellamy made a motion, seconded by Butler authorizing the Administrator to make an offer on the rail line. **Vote:** Unanimous. Motion carried.

Motion: Blain-Bellamy made a motion, seconded by Jordan directing the City Administrator to send a letter to the Horry County School District regarding the possible acquisition of Whittemore Middle School. **Vote:** Unanimous. Motion carried.

Motion: Blain-Bellamy made a motion, seconded by White to approve the appointment of George Ulrich to the Community Appearance Board to fill the unexpired term of Autry Benton ending December 31, 2024. **Vote:** Unanimous. Motion carried.

ADJOURNMENT: **Motion:** Blain-Bellamy made a motion, seconded by Jordan to adjourn the meeting. **Vote:** Unanimous. Motion carried.

APPROVAL OF MINUTES: Minutes approved by City Council this 7 day of August, 2023.

Alicia Shelley
Alicia Shelley, City Clerk

Amended