



CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
229 MAIN STREET, CONWAY, SC 29526
MONDAY, NOVEMBER 20, 2023 - 4:00 PM

PLEASE SILENCE ALL ELECTRONIC DEVICES

I. CALL TO ORDER

II. INVOCATION/PLEDGE OF ALLEGIANCE – Rev. Robert Bannon, Kingston Presbyterian

III. APPROVAL OF AGENDA

IV. CONSENT AGENDA

- A. Final reading of Ordinance #2023-11-20 (A) to amend Title 7, Chapter 4, Article H, Busking (Street Performers), of the Code of Ordinances, City of Conway.
- B. Final reading of Ordinance #ZA2023-11-20 (C) to annex approximately 0.66 acres of property located at 3420 Cates Bay Highway (PIN 369-11-03-0072), and rezone from the Horry County Residential, no mobile homes allowed (SF20) district to the City of Conway Low/Medium-Density Residential (R-1) district.
- C. Final reading of Ordinance #ZA2023-11-20 (D) to annex approximately 0.51 acres of property located at 443 Dunn Shortcut Road (PIN 337-07-01-0002), and rezone from the Horry County Commercial Forest Agriculture (CFA) district to the City of Conway Low/Medium-Density Residential (R-1) district.
- D. Final reading of Ordinance #ZA2023-11-20 (E) to annex approximately 0.49 acres of property located at 447 Dunn Shortcut Road (PIN 337-07-01-0003), and rezone from the Horry County Commercial Forest Agriculture (CFA) district to the City of Conway Low/Medium-Density Residential (R-1) district.
- E. Approval of Purchase of Vehicle Extrication Tool (Budgeted)
- F. Approval of November 6, 2023 Council Meeting Minutes

V. PUBLIC INPUT

VI. SPECIAL PRESENTATION

- A. Presentation of a Resolution Recognizing Horry County Schools for Receiving the Purple Star Designation from the South Carolina Department of Education

“I pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of my city.”

- B. Recognition of 2022 C.P. Quattlebaum Design Awards Recipients
- C. Presentation of Employee of the Month for November 2023 – Public Works
- D. Discussion of a request to annex approximately 8.7 acres of property located at 2325 Hwy 501 East (PIN 383-11-01-0004), and request to rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district. (Hucks)
- E. Discussion of a request to rezone approximately 1.84 acres of property located near the intersection of Medlen Parkway and Oak Street (PIN 338-02-01-0038) from the Neighborhood Commercial (NC) district to the Medium-Density Residential (R-2) district. (Hucks)

VII. FIRST READING

- A. First Reading of Ordinance #2023-12-04 (A) amending *Title 6 – Health and Sanitation, Chapter 3- Garbage and Waste Disposal*, of the City of Conway Municipal Code to update fees, amend refuse receptacle and service requirements. (Jenerette)
- B. First Reading of Ordinance #ZA2023-12-04 (B) to annex approximately 0.49 acres of property located at 2518 Cultra Road (PIN 325-15-02-0003), and request to rezone from the Horry County Residential, no mobile homes allowed (SF20) to the City of Conway Low/Medium-Density Residential (R-1) district. (Hucks)

VIII. CONSIDERATION

- A. Consideration of approval of name for a new single-family development, located on E. Country Club Dr. – “Snowhill Plantation.” (Hucks)
- B. Consideration of a request for waiver of sidewalk requirements for a proposed restaurant, “Freddy’s”, to be located off of East Highway 501 (PIN 400-04-02-0004). (Hucks)
- C. Consideration of a request for waiver of sidewalk requirements for a proposed restaurant, “Popeyes Chicken”, to be located off of East Highway 501 (PIN 400-04-02-0005). (Hucks)
- D. Consideration of Acceptance of Bid for Replacing the Sherwood Sewer Lift Station (Friday)
- E. Consideration of a Special Event – Under the Lights 5K - December 6, 2023 (Smith)
- F. Consideration of 2024 City Council Meeting Schedule (Emrick)

IX. CITY ADMINISTRATOR’S REPORT

X. COUNCIL INPUT

“I pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of my city.”

XI. BREAK

XII. WORKSHOP

Discussion of the Warden Station Planned Development and Development Agreement

XIII. EXECUTIVE SESSION

- 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 Property near Crabtree Swamp. [pursuant to SC Code §30-4-70 (A) (2)].
- C. Discussion of Potential Legal Matters Related to the Underground Wiring Project [pursuant to SC Code §30-4-70 (A) (2)].

XIV. RECONVENE FROM EXECUTIVE SESSION

XV. POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

XVI. ADJOURNMENT

Any citizen of the municipality may make an appearance before City Council concerning any municipal matter with the exception of personnel matters. Persons desiring to speak must notify the City Clerk prior to the beginning of the meeting. However, if you are speaking regarding a public hearing item, then you would do so during that time on the agenda. Please address Council from the podium stating your name, address, and the subject you would like to discuss. The public may also access the meeting at www.cityofconway.com under the "Latest Events" tab on the home page. If you are unable to attend and would like to voice your concerns or comments regarding a request, please call the City Hall at 843-248-1760 or email ashelley@cityofconway.com, to be received prior to 12:00 noon on November 20, 2023. To assure proper recording of public comments left on the City's voicemail, callers are urged to clearly pronounce their names and addresses, preferably providing spelling for both.

"I pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of my city."

DATE: NOVEMBER 20, 2023
ITEM: IV.A.

ISSUE:

Final reading of ordinance 2023-11-20 (A) to amend Title 7, Chapter 4, Article H, Busking (Street Performers), of the Code of Ordinances, City of Conway

BACKGROUND:

In 2018, City Council established guidelines for busking within the City limits of Conway. Buskers are street performers who provide entertainment for passersby, often while passively collecting money of their service.

At the time, Council established a permit requirement which remains in effect. The permit has proven to be a barrier to buskers and City staff believes it is an unreasonable barrier. Buskers are often not running a business for which they would expect a more formal process. Also, some buskers may be transient and expect to be able to set up and perform upon arrival in a downtown, since busking is common in active downtowns in the United States. Busking is also common among younger people who are unfamiliar with such processes.

Staff reviewed multiple options including dropping the fee for the permit and eliminating the permit altogether.

RECOMMENDATION:

The Mayor's Youth Advisory Council reviewed this proposal at their October 2023 meeting. By a vote of 9-0, they voted in favor of eliminating the permit requirement entirely.

Staff recommend likewise.

City Council approved first reading of Ordinance #2023-11-20 (A) at the November 6, 2023 Council meeting.

ORDINANCE #2023-11-20 (A)

AMENDING TITLE 7, CHAPTER 4, ARTICLE H, BUSKING (STREET PERFORMERS), OF THE CODE OF ORDINANCES, CITY OF CONWAY

WHEREAS, the City of Conway City Council has the authority to amend its rules and regulations at any time it deems proper and necessary; and

WHEREAS, in 2018, the City of Conway established rules relative to street performances in Title 7, Chapter 4, Article H of the Code of Ordinances; and

WHEREAS, the City has recognized that the current rules set certain unreasonable barriers to those wishing to perform within the city limits; Now, therefore be it

ORDAINED, that Title 7, Chapter 4, Article H, Buskers (Street Performers), is hereby amended after adoption as attached hereto.

EFFECTIVE DATE: This ordinance shall become effective upon final reading approval.

RATIFIED BY CITY COUNCIL, duly assembled, this _____ day of _____, 2023.

Barbara Jo Blain-Bellamy, Mayor

Justin D. Jordan, Mayor Pro Tem

K. Autry Benton Jr., Council Member

Amanda Butler, Council Member

William M. Goldfinch IV, Council Member

Beth Helms, Council Member

Larry A. White, Council Member

ATTEST: Alicia Shelley, City Clerk

First Reading: _____

Final Reading: _____

- ARTICLE H - Buskers (Street Performers)
- Sec. 7-4-120 - Definitions.

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

"Busker" is a person who performs in public areas, accepts donations from the public, and has obtained a permit pursuant to this article.

"Perform" includes, but is not limited to, the following activities: acting, singing, playing musical instruments, pantomime, juggling, magic, dancing, reading, puppetry, sidewalk art (working with non-permanent, water-soluble media, i.e., chalk, pastels, or watercolors directly on the pavement), and reciting. Perform shall not include the production of or the offer of items for sale at the location of the performance, but buskers may offer items in exchange for donations.

~~"Public areas" means public sidewalks and parks.~~

(Ord. No. 2018-04-02(C), 4/2/18)

- ~~Sec. 7-4-121—Prohibition.~~

~~It shall be unlawful for any person to give any kind of performance or entertainment without first obtaining a permit from the City of Conway Business License Office.~~

~~(Ord. No. 2018-04-02(C), 4/2/18)~~

- ~~Sec. 7-4-122—Permit.~~

~~(a)~~

~~A permit shall be issued by the City of Conway Business License Office in exchange for a completed application and a fee of \$15.00. Said fee may be amended from time to time by ordinance.~~

~~(b)~~

~~A completed application for a permit, and the permit itself, shall contain the applicant's name, residence address and telephone number and shall be signed by the applicant.~~

~~(e)~~

~~A permit shall be valid for a period of one (1) year beginning with the date on which it is issued.~~

~~(d)~~

~~A permit shall be nontransferable and shall contain the permit number of the applicant and the date on which the permit is issued. One (1) permit may be issued for a group performance up to a maximum of three (3) group members. Larger groups may require a special permit.~~

~~(e)~~

~~No permit shall be issued to any person who has had a permit suspended or revoked within the last 12 months prior to the current application for a permit.~~

~~(f)~~

~~Upon issuing a permit, the City of Conway shall also give the performer a copy of the rules and regulations for itinerant performers and a copy of this section.~~

(Ord. No. 2018-04-02(C), 4/2/18)

- Sec. 7-4-~~123~~**121** - Program requirements.

(a)

~~Performances may take place at the following locations (see map): Kingston Park, the vacant city property at the corner of Laurel and 2nd Avenue (former city police department site), the Garden Walk between Scarborough Alley and 3rd Avenue, the large section of the Riverwalk in front of the Lower River Warehouse, the stage at Riverfront Park, and the Robert Mills Garden.~~**Busking shall be permitted outdoors on public property when in compliance with the requirement of this section and on private property with express consent of the property owner. Buskers may not perform on public property during times that such property is properly closed to the public.**

(b)

~~A busker shall clearly display his city issued permit while performing and shall allow inspection of the permit by any City of Conway police officer.~~

(c)

Buskers shall not block roadways, sidewalks, crosswalks, driveways, stairways, curb cuts, or handicapped access ramps nor block access to buildings, parks, public, conveyances, businesses, crosswalks, traffic control poles containing pedestrian crosswalk button(s), or be within 20 feet of a fire hydrant or within five (5) feet of any fire alarm or other emergency communication device, including public telephones, either by the busker's location or by the

location of any crowd that the busker may draw. **Busking shall not be allowed within 200 feet of the entrance to any polling place on election days, school, daycare, or church.**

(d)

Buskers may perform in designated areas during an event that has been authorized by the city with the permission of the sponsor of such event.

(e)

Buskers shall not perform before the hour of 9:00 a.m. nor after the hour of 10:00 p.m.

(f)

The conduct and behavior of buskers shall comply at all times and in all respects with the city's existing noise ordinance.

(g)

Buskers shall not obstruct nor cause to be obstructed pedestrian or vehicular traffic including, but not limited to, sidewalks, doorways or other access areas. If a sidewalk entertainer attracts a crowd sufficient to obstruct the public way, a police officer may disperse the portion of the crowd that is creating the obstruction.

(h)

Buskers shall provide the minimum pedestrian passageway on the sidewalk as required by the Americans with Disabilities Act, which is currently five (5) feet.

(i)

Buskers or a group of buskers shall not perform closer than 50 feet from ~~a sidewalk entertainer located within an approved encroachment area~~, another busker or group of buskers.

(j)

Buskers shall remove all props and other items used for a performance from the public area during breaks and immediately after the performance ends. Trash and other debris shall be removed from the area of the performance by the busker immediately after the performance ends.

(k)

A busker may passively request contributions of money at a performance, provided that no sign requesting contributions shall exceed 12 inches by 18 inches. Contributions may be received in any receptacle, such as an open musical instrument case, box or hat.

(l)

Buskers shall not use pyrotechnics, fireworks, knives, animals, fire, projectiles or any other prop, device or material which might cause harm to or endanger pedestrians.

(m)

Buskers shall not consume nor be under the influence of alcoholic beverages or other controlled or intoxicating substances while performing.

(n)

A busker or group of buskers complying with the requirements of this section shall not be deemed to be in violation of any other city regulation or ordinance applicable to street performers.

(o)

Buskers shall not violate the prohibitions on disturbing, annoying, and unnecessary noise as set forth in Section 9-2-21.

(p)

Buskers shall not use a megaphone during a performance unless the performance is in conjunction with a city-approved festival or event. Devices such as amplifiers for musical instruments shall be permitted provided their use is in compliance with the city's noise ordinance.

(q)

Buskers shall not perform in a manner that could be considered dangerous and/or inappropriate and shall not be dressed or conduct themselves in a manner that is likely to cause alarm, distress or offense to members of the public.

(r)

Buskers shall not perform for more than 90 minutes in any one location

(Ord. No. 2018-04-02(C), 4/2/18)

- Sec. 7-4-124~~122~~122 - Exclusion of public areas.

During periods of construction on the streets, sidewalks and other infrastructure, the city administrator may, from time to time, temporarily prohibit performances from areas where there are issues of public safety, and the city administrator or his designee may, in his discretion, issue notices of exclusion from areas as the construction requires.

(Ord. No. 2018-04-02(C), 4/2/18)

- Sec. 7-4-~~125~~**123** - Penalties.

~~A permit may be suspended or revoked if a performer is found to have knowingly provided false information on the application or has violated the rules and regulations or any federal, state or local law or ordinance related to this permit.~~ **Any person found in violation of this section may be required by police to end any performance and leave the area. Repeated violations may be considered violations of public nuisance, noise, littering, disorderly conduct, or other laws and ordinances.**

(Ord. No. 2018-04-02(C), 4/2/18)

- Sec. 7-4-~~126~~**124** - Severability.

The provisions of this section are severable, and if any part of this section should be held invalid by a court of competent jurisdiction, such invalidity shall not affect the remainder of the section and the remainder of the section shall remain in full force and effect.

(Ord. No. 2018-04-02(C), 4/2/18)

DATE: NOVEMBER 20, 2023
ITEM: IV.B.

ISSUE:

Final Reading of Ordinance #ZA2023-11-20 (C), to annex approximately 0.66 acres located at 3420 Cates Bay Hwy (PIN 369-11-03-0072), and rezone from the Horry County Residential, no mobile homes allowed (SF20) district to the City of Conway Low/Medium-Density Residential (R-1) district.

BACKGROUND:

The annexation application was submitted by the property owner, Shirley Smith, as a requirement for a name change in the city utility services. According to Horry County Register of Deed's website, the deed was transferred into the applicant's name in 2020; however, until recently, the property was listed in both Ms. Smith's and her sister's name. The utilities had been in her sister's name only and she has recently passed.

This property is adjacent to the New Castle subdivision, which is also located off of Cates Bay Hwy. A restrictive covenant was recorded on October 13, 2023.

CITY OF CONWAY COMPREHENSIVE PLAN:

The Future Land Use Map of the *Comprehensive Plan* identifies this property as Low/Medium Density Residential (R-1).

The intent of the R-1 District is to provide for the preservation and expansion of areas for low to medium density, detached single-family residential development in the City of Conway. The district shall present a relatively spacious character, promote quiet, livable neighborhoods, and prohibit uses that are incompatible with the residential nature of the surrounding area.

CITY COUNCIL:

City Council approved First Reading of the ordinance at their November 6th meeting.

STAFF RECOMMENDATION:

Approve **Final reading of Ordinance #ZA2023-11-20 (C)**.

ORDINANCE #ZA2023-11-20 (C)

AN ORDINANCE TO ANNEX APPROXIMATELY 0.66 ACRES OF PROPERTY LOCATED AT 3420 CATES BAY HWY (PIN 369-11-03-0072), AND REQUEST TO REZONE FROM THE HORRY COUNTY RESIDENTIAL, NO MOBILE HOMES ALLOWED (SF20) DISTRICT TO THE CITY OF CONWAY LOW/MEDIUM DENSITY RESIDENTIAL DISTRICT (R-1) DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:

SECTION 1. FINDINGS:

A petition has been submitted to the City Council of the City of Conway to annex approximately 0.66 acres of property described herein and represented on a map. The City Council of the City of Conway has determined that the annexation of this area into the City of Conway will be to the advantage of the municipality.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

ALL AND SINGULAR, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 0.66 acres of property located 3420 Cates Bay Hwy (PIN 369-11-03-0072), and request to rezone from the Horry County Residential, no mobile homes allowed (SF20) district, to the City of Conway Low/Medium-Density Residential (R-1) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property.
For a more specific description of said property, see attached map.

SECTION 2. APPLICATION OF ZONING ORDINANCE:

The property is admitted as City of Conway Low/Medium Density Residential District (R-1) area under the zoning laws of the municipality.

SECTION 3. EFFECTIVE DATE:

The annexation is effective as of the date of the final reading of this Ordinance.

AND BE IT FURTHER ORDAINED that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

RATIFIED BY CITY COUNCIL, duly assembled, this _____ day of _____, 2023.

Barbara Jo Blain-Bellamy, Mayor

Justin D. Jordan, Mayor Pro Tem

K. Autry Benton Jr., Council Member

Amanda Butler, Council Member

William M. Goldfinch IV, Council Member

Beth Helms, Council Member

Larry A. White, Council Member

ATTEST: Alicia Shelley, City Clerk

First Reading: _____

Final Reading: _____

Legend

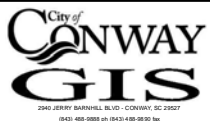
▭ PARCELS

PIN #: 369-11-03-0072

CADBURY CT

CATES BAY HWY

DIRTY BRANCH RD



Disclaimer: This map is a graphic representation only. It is NOT a survey. All efforts have been made to ensure its accuracy. However, the City of Conway disclaims all responsibility & liability for the use of this map.

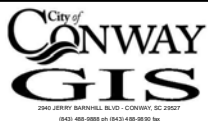
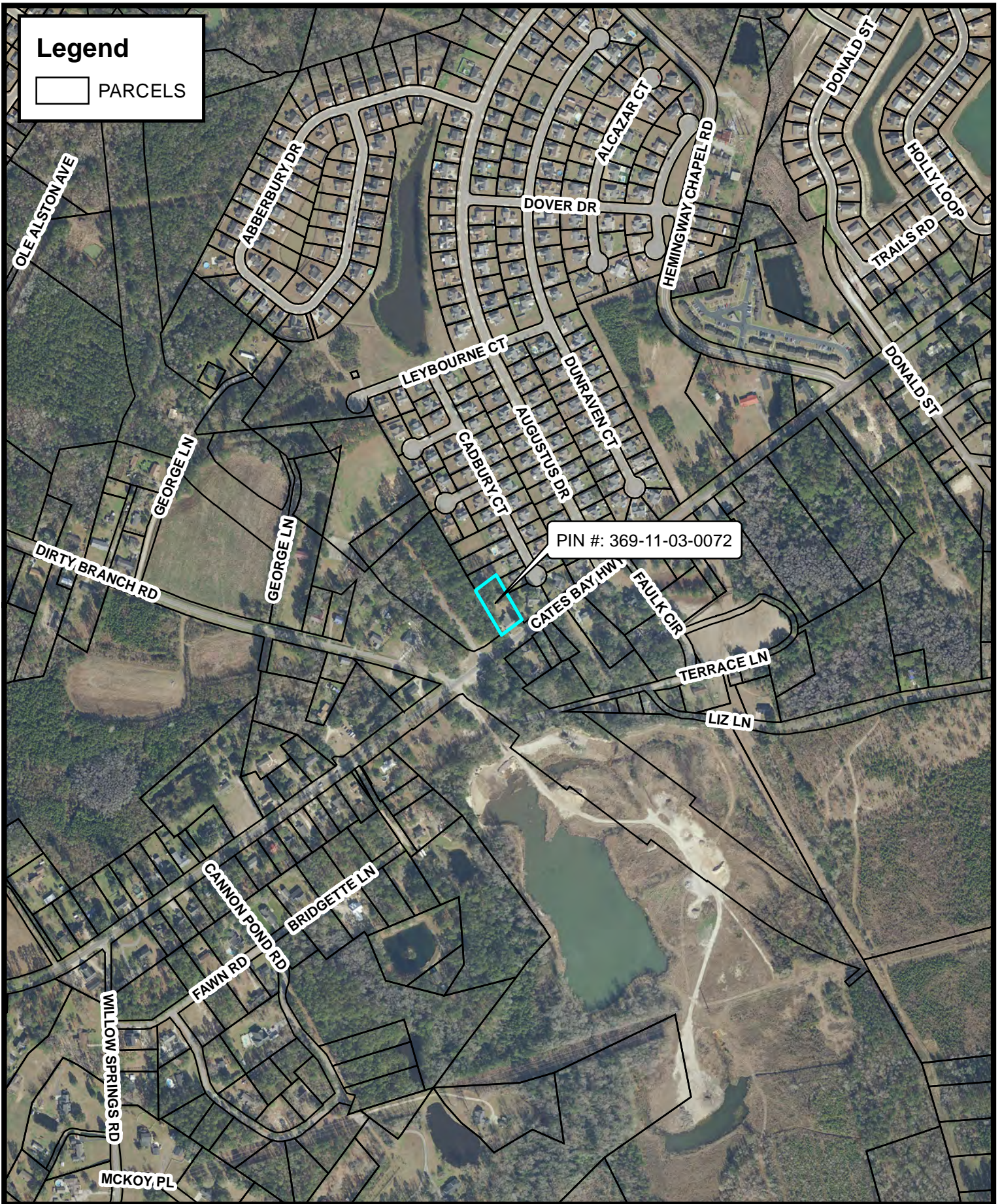


PIN #: 369-11-03-0072
TMS #: 136-00-03-155
3420 CATES BAY HWY
(P23-0296)



Legend

▭ PARCELS



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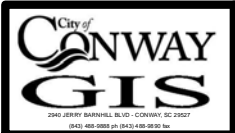
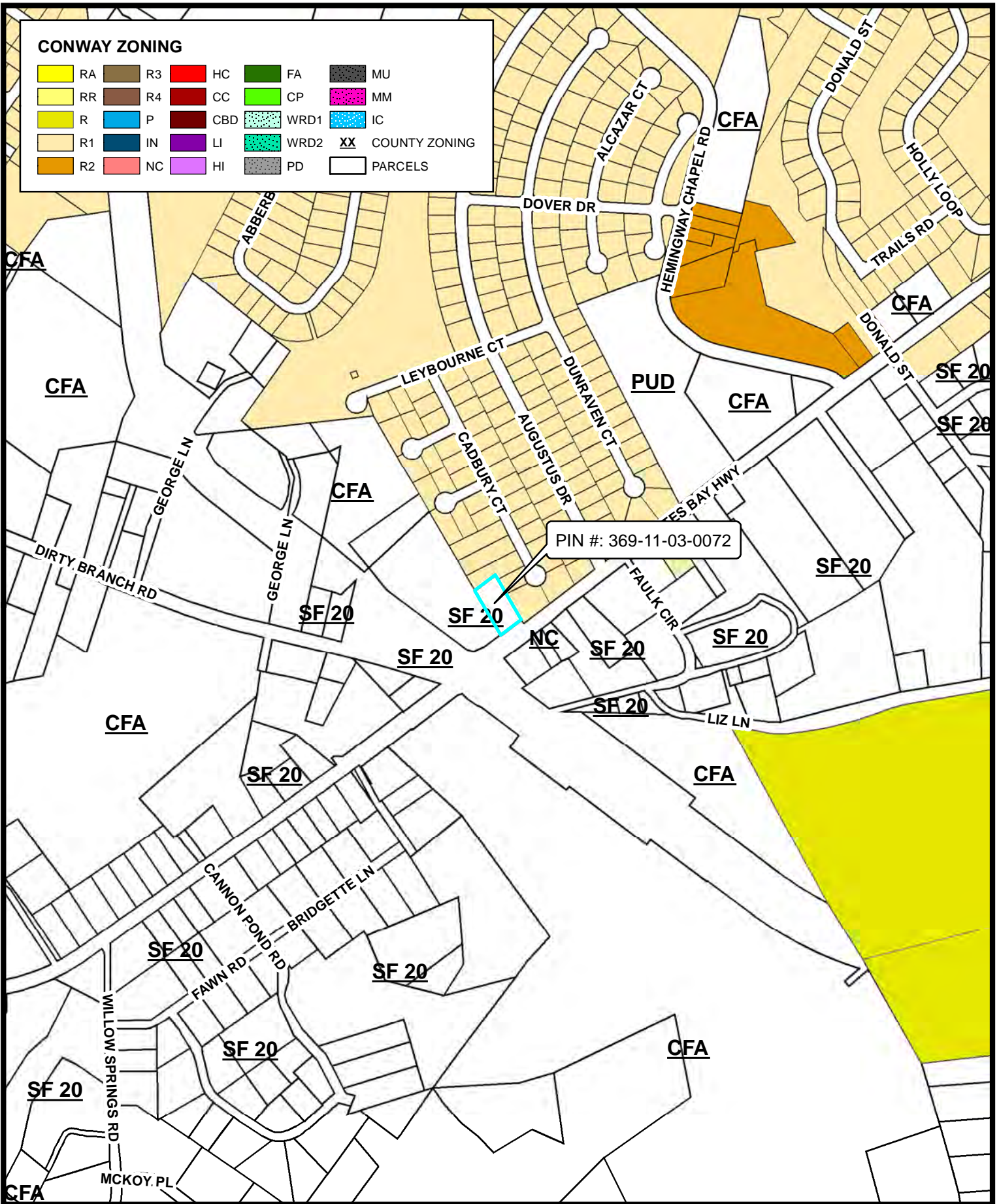


PIN #: 369-11-03-0072
TMS #: 136-00-03-155
3420 CATES BAY HWY
(P23-0296)



CONWAY ZONING

RA	R3	HC	FA	MU
RR	R4	CC	CP	MM
R	P	CBD	WRD1	IC
R1	IN	LI	WRD2	XX COUNTY ZONING
R2	NC	HI	PD	PARCELS
















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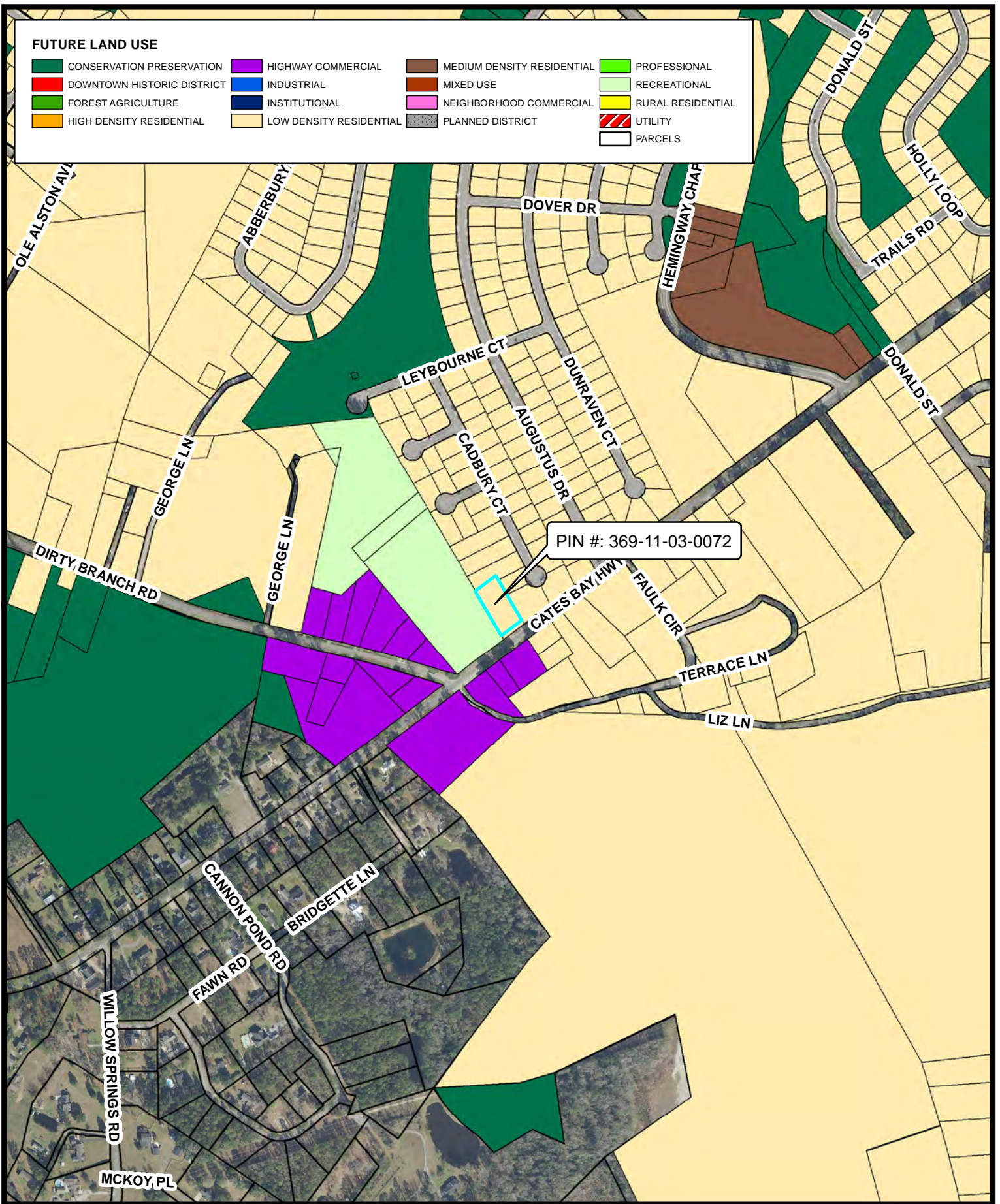


PIN #: 369-11-03-0072
 TMS #: 136-00-03-155
 3420 CATES BAY HWY
 (P23-0296)



FUTURE LAND USE

- | | | | |
|---|---|--|--|
|  CONSERVATION PRESERVATION |  HIGHWAY COMMERCIAL |  MEDIUM DENSITY RESIDENTIAL |  PROFESSIONAL |
|  DOWNTOWN HISTORIC DISTRICT |  INDUSTRIAL |  MIXED USE |  RECREATIONAL |
|  FOREST AGRICULTURE |  INSTITUTIONAL |  NEIGHBORHOOD COMMERCIAL |  RURAL RESIDENTIAL |
|  HIGH DENSITY RESIDENTIAL |  LOW DENSITY RESIDENTIAL |  PLANNED DISTRICT |  UTILITY |
| | | |  PARCELS |








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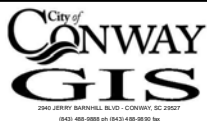
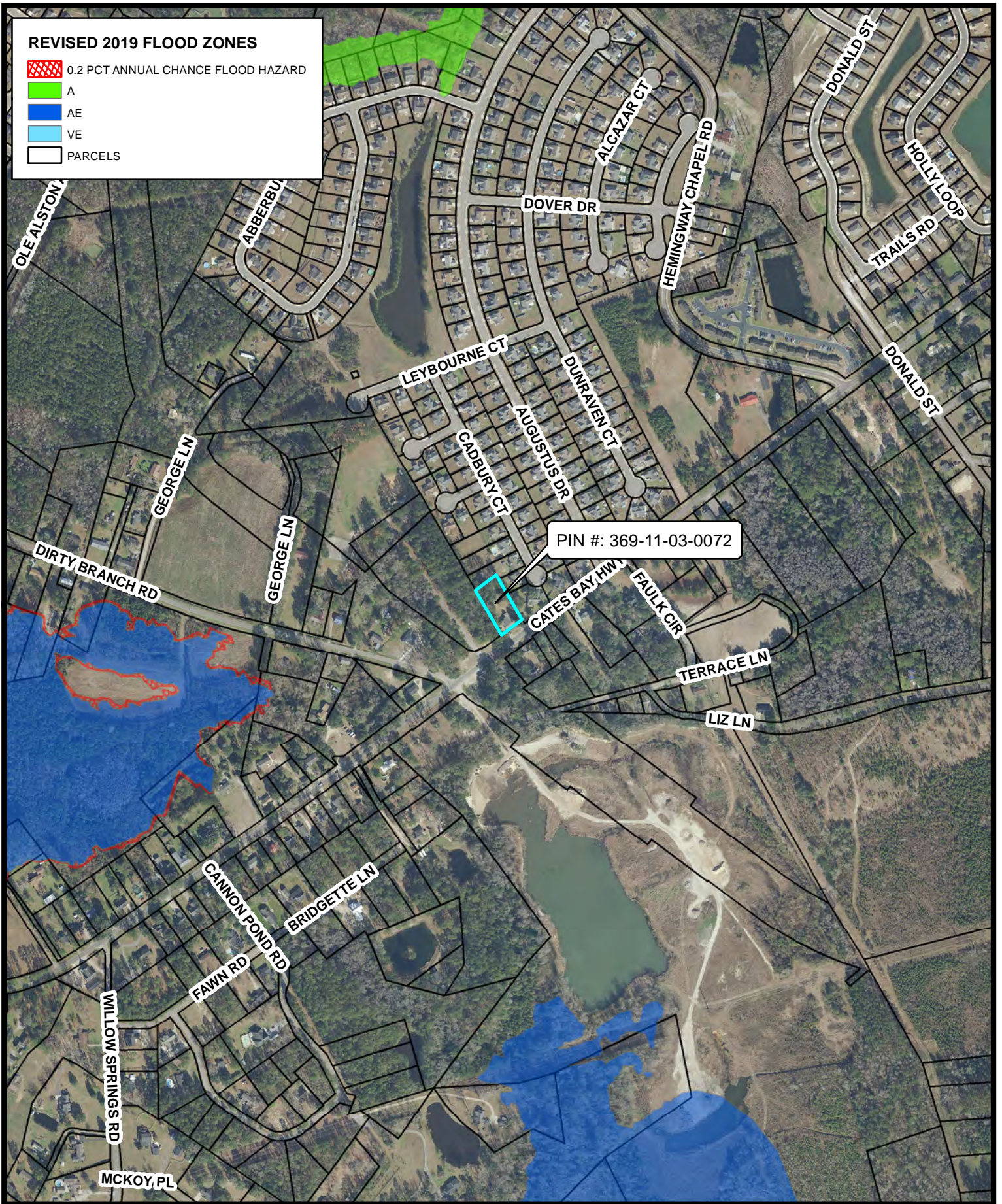


PIN #: 369-11-03-0072
 TMS #: 136-00-03-155
 3420 CATES BAY HWY
 (P23-0296)



REVISED 2019 FLOOD ZONES

-  0.2 PCT ANNUAL CHANCE FLOOD HAZARD
-  A
-  AE
-  VE
-  PARCELS



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PIN #: 369-11-03-0072
TMS #: 136-00-03-155
3420 CATES BAY HWY
(P23-0296)





STATE OF SOUTH CAROLINA)

) RESTRICTIVE COVENANT

COUNTY OF HORRY)

Shirley J. Smith
Shirley J. Smith

KNOW ALL ME BY THESE PRESENTS, that, (I, we) (Grantor) seek permission to connect to the Water and/or Sewer System of the City Of Conway. The property/parcel is situated outside the corporate limits of the City Of Conway. The property/parcel is identified in the records of the Assessor of Horry County as Parcel Identification Number (PIN) 369-11-03-0072 and is physically located at 3420 Cates Bay Hwy Conway, SC 29527. The above referenced property was conveyed by deed to the Grantor and recorded in the Office of the Register of Mesne Conveyance for Horry County, South Carolina in Deed Book 4360 at Page 3402.

We understand and agree that as a condition of service and connection of the Water and/or Sewer System to the above referenced property, we will petition, when requested by the City Of Conway (by Group or Individual method) for annexation to the City Of Conway under Section 5-3-150 of the Code of Laws for the State of South Carolina. We further understand that it may be necessary to execute a petition for annexation on more than one occasion; however, the final acceptance of the said petition rests upon an affirmation vote of a majority of the governing body of the City of Conway.

It is understood and agreed upon that this covenant shall be legally binding upon (myself/us) as the Grantor(s), and our heirs and successors. Any violation of, or refusal to sign, said petition shall result in either legal recourse for nonperformance by the City, and/or termination of water and/or sewer services provided to the premises.

It is further understood and agreeable that the City may inspect and approve the owner's water and/or sewer system prior to connection to insure compliance with the City and State regulations. An inspection fee, if applicable, may be imposed for such inspection in accordance with the guidelines and policies set forth by the City of Conway.

All rights, powers, and privileges hereby granted to the City of Conway as grantee shall convey to its heirs, successors and assigns, and shall be binding upon the heirs, successors, administrators, executors and assigns of the Grantor. Grantor acknowledges that the conditions of this agreement and this agreement itself is a restriction and covenant of the title of the above reference property and binding upon the grantors, heirs, successors, and assigns. Furthermore, it is mutually agreeable that upon any dividing, separation, or split of the above referenced property, this agreement shall remain binding upon the successors and heirs of such division, and that this covenant shall remain binding upon the successors and heirs of such division, and that this covenant shall remain a restriction and covenant on the title of the parcel resultant of such division.

Deed BK: 4733 PG: 1958 Doctype: 082
10/13/2023 at 10:12:48 AM, 1 OF 2

Marion D. Foxworth III
HORRY COUNTY, SC REGISTRAR OF DEEDS



IN WITNESS THEREOF, the undersigned Grantor has hereto set his hand and Seal this

10-13-23 day of October

SIGNED, SEALED AND DELIVERED by:
Grantor in the presence of:

Alean Hye
Witness

Shirley J. Smith
Grantor Name

ABessant
Witness or Notary

STATE OF SOUTH CAROLINA)

)

PROBATE

COUNTY OF HORRY)

PERSONALLY appeared before me the undersigned witness, and made oath that he/she saw the within named Grantor(s) sign, seal and as his/her act and deed, deliver the within written Agreement and Covenant; and that he/she with the other witness named above witnessed the execution thereof.

Alean Hye

Witness

SWORN TO BEFORE ME THIS 13
DAY OF October, 2023

ABessant

NOTARY PUBLIC FOR SOUTH CAROLINA (signature)

Anne Bessant

NOTARY PUBLIC FOR SOUTH CAROLINA (printed)

My commission expires: 04/08/2032

Section 26-1-120 (E) (4): A witness is not a party to or a beneficiary of the transaction, signed the record as a subscribing witness.



PETITION FOR ANNEXATION

Staff Use Only
Received: _____
BS&A #: _____

City of Conway Planning
Department 196 Laurel Street, 29526

Phone: (843) 488-9888
Conway, South Carolina

www.cityofconway.com

Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

PETITION FOR ANNEXATION

TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: _____

PIN: 309 11 03 0072 ACREAGE: 0.66

PROPERTY ADDRESS: 3420 Cates Bay Hwy

PROPERTY OWNER MAILING ADDRESS: _____

PROPERTY OWNER TELEPHONE NUMBER: 843 276 8996

PROPERTY OWNER EMAIL: NONE

APPLICANT: Shirley J. Smith

APPLICANT'S EMAIL: NONE

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES NO

IF NOT: PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

* SHIRLEY J. SMITH * Shirley J. Smith * DATE: 10-13-2023
(Print) (Signature)

(Print) (Signature) DATE: _____



PETITION FOR ANNEXATION

Staff Use Only
Received: _____
BS&A #: _____

Is there a structure on the lot: Yes Structure Type: House

Current Use: _____

Are there any wetlands on the property?

CIRCLE: YES NO

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES NO

If yes, please explain and provide a copy of covenant and/or restriction.

Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES NO

If yes, please describe.

Are there any building permits in progress or pending for this property?

CIRCLE: YES NO

If yes, please provide permit number and jurisdiction.

FEES ARE DUE AT SUBMITTAL.

RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250

PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT

planning@cityofconway.com



Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only

Received: _____
BS&A #: _____

City of Conway Planning Department
196 Laurel Street, 29526

Phone: (843) 488-9888
Conway, South Carolina

www.cityofconway.com

Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 3420 Cates Bay Hwy FEE PAID () YES () NO

AREA OF SUBJECT PROPERTY (ACREAGE): 0.66 PIN: 309 11 03 0072

CURRENT ZONING CLASSIFICATION: SF 20

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: R-1

REQUESTED ZONING CLASSIFICATION: R-1

NAME OF PROPERTY OWNER(S):

SHIRLEY J. SMITH PHONE # 843 276 8996

PHONE # _____

MAILING ADDRESS OF PROPERTY OWNER(S):

3420 KATES BAY HWY
CONWAY SC 29527

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

Shirley J. Smith
PROPERTY OWNER'S SIGNATURE(S)

10-13-2023
DATE

PROPERTY OWNER'S SIGNATURE(S)

DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

DATE: NOVEMBER 20, 2023
ITEM: IV.C.

ISSUE:

Final Reading of Ordinance #ZA2023-11-20 (D), to annex approximately 0.51 acres located at 443 Dunn Shortcut Rd (PIN 337-07-01-0002), and rezone from the Horry County Commercial Forest Agriculture (CFA) district to the City of Conway Low/Medium-Density Residential (R-1) district.

BACKGROUND:

The annexation application was submitted by the applicant as a requirement to connect to city utility services. According to Horry County Land Records, the property was transferred ownership on September 20, 2023. The property is near the Woodcreek subdivision that is also located off of Dunn Shortcut Road. A restrictive covenant was recorded for this property October 16, 2023.

There have been several other parcels in this area that have been annexed throughout the years.

CITY OF CONWAY COMPREHENSIVE PLAN:

The Future Land Use Map of the *Comprehensive Plan* identifies this property as Low/Medium Density Residential (R-1).

The intent of the R-1 District is to provide for the preservation and expansion of areas for low to medium density, detached single-family residential development in the City of Conway. The district shall present a relatively spacious character, promote quiet, livable neighborhoods, and prohibit uses that are incompatible with the residential nature of the surrounding area.

CITY COUNCIL:

City Council approved First Reading of the ordinance at their November 6th meeting.

STAFF RECOMMENDATION:

Approve **Final reading of Ordinance #ZA2023-11-20 (D)**.

ORDINANCE #ZA2023-11-20 (D)

AN ORDINANCE TO ANNEX APPROXIMATELY 0.51 ACRES OF PROPERTY LOCATED AT 443 DUNN SHORTCUT ROAD (PIN 337-07-01-0002) AND REQUEST TO REZONE FROM THE HORRY COMMERCIAL FOREST AGRICULTURE (CFA) DISTRICT TO THE CITY OF CONWAY LOW/MEDIUM DENSITY RESIDENTIAL DISTRICT (R-1) DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:

SECTION 1. FINDINGS:

A petition has been submitted to the City Council of the City of Conway to annex approximately 0.51 acres of property described herein and represented on a map.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

ALL AND SINGULAR, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 0.51 acres of property located at 443 Dunn Shortcut Rd (PIN 337-07-01-0002), and rezone from the Horry County Commercial Forest Agriculture (CFA) district, to the City of Conway Low/Medium-Density Residential (R-1) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property.

For a more specific description of said property, see attached map.

SECTION 2. APPLICATION OF ZONING ORDINANCE:

The property is admitted as City of Conway Low/Medium Density Residential District (R-1) area under the zoning laws of the municipality.

SECTION 3. EFFECTIVE DATE:

The annexation is effective as of the date of the final reading of this Ordinance.

AND BE IT FURTHER ORDAINED that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

RATIFIED BY CITY COUNCIL, duly assembled, this _____ day of _____, 2023.

Barbara Jo Blain-Bellamy, Mayor

Justin D. Jordan, Mayor Pro Tem

K. Autry Benton Jr., Council Member

Amanda Butler, Council Member

William M. Goldfinch IV, Council Member

Beth Helms, Council Member

Larry A. White, Council Member

ATTEST: Alicia Shelley, City Clerk

First Reading: _____

Final Reading: _____

Legend

▭ PARCELS



PIN #: 337-07-01-0002

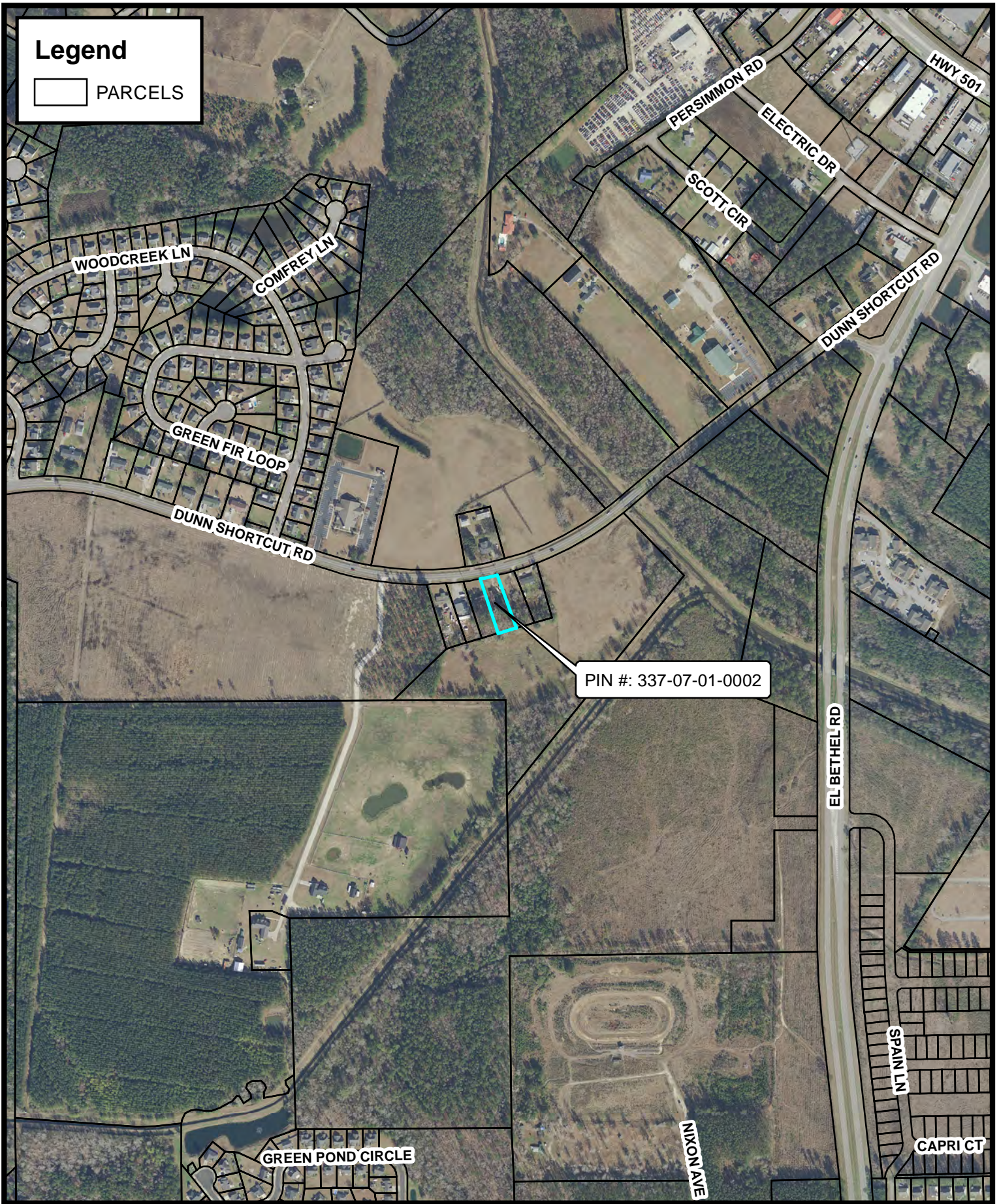


Disclaimer: This map is a graphic representation only. It is NOT a survey. All efforts have been made to ensure its accuracy. However, the City of Conway disclaims all responsibility & liability for the use of this map.



PIN #: 337-07-01-0002
TMS #: 122-00-05-148
LOT 4 DUNN SHORTCUT RD
(P23-0300)





Legend

▭ PARCELS

PIN #: 337-07-01-0002




















Disclaimer: This map is a graphic representation only. It is NOT a survey. All efforts have been made to ensure its accuracy. However, the City of Conway disclaims all responsibility & liability for the use of this map.

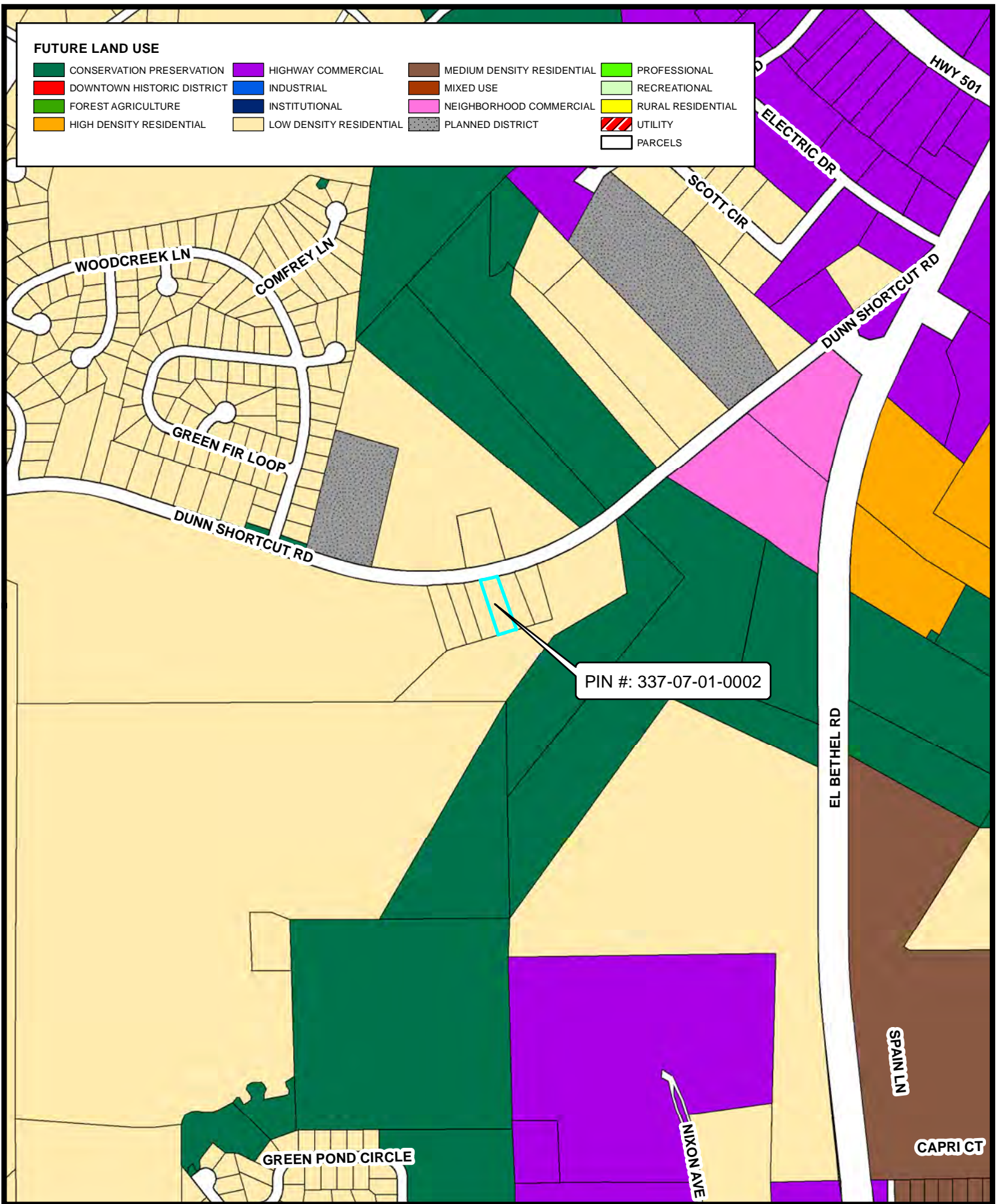


PIN #: 337-07-01-0002
 TMS #: 122-00-05-148
 LOT 4 DUNN SHORTCUT RD
 (P23-0300)



FUTURE LAND USE






- | | | | |
|--|---|--|--|
|  CONSERVATION PRESERVATION |  HIGHWAY COMMERCIAL |  MEDIUM DENSITY RESIDENTIAL |  PROFESSIONAL |
|  DOWNTOWN HISTORIC DISTRICT |  INDUSTRIAL |  MIXED USE |  RECREATIONAL |
|  FOREST AGRICULTURE |  INSTITUTIONAL |  NEIGHBORHOOD COMMERCIAL |  RURAL RESIDENTIAL |
|  HIGH DENSITY RESIDENTIAL |  LOW DENSITY RESIDENTIAL |  PLANNED DISTRICT |  UTILITY |
| | | |  PARCELS |

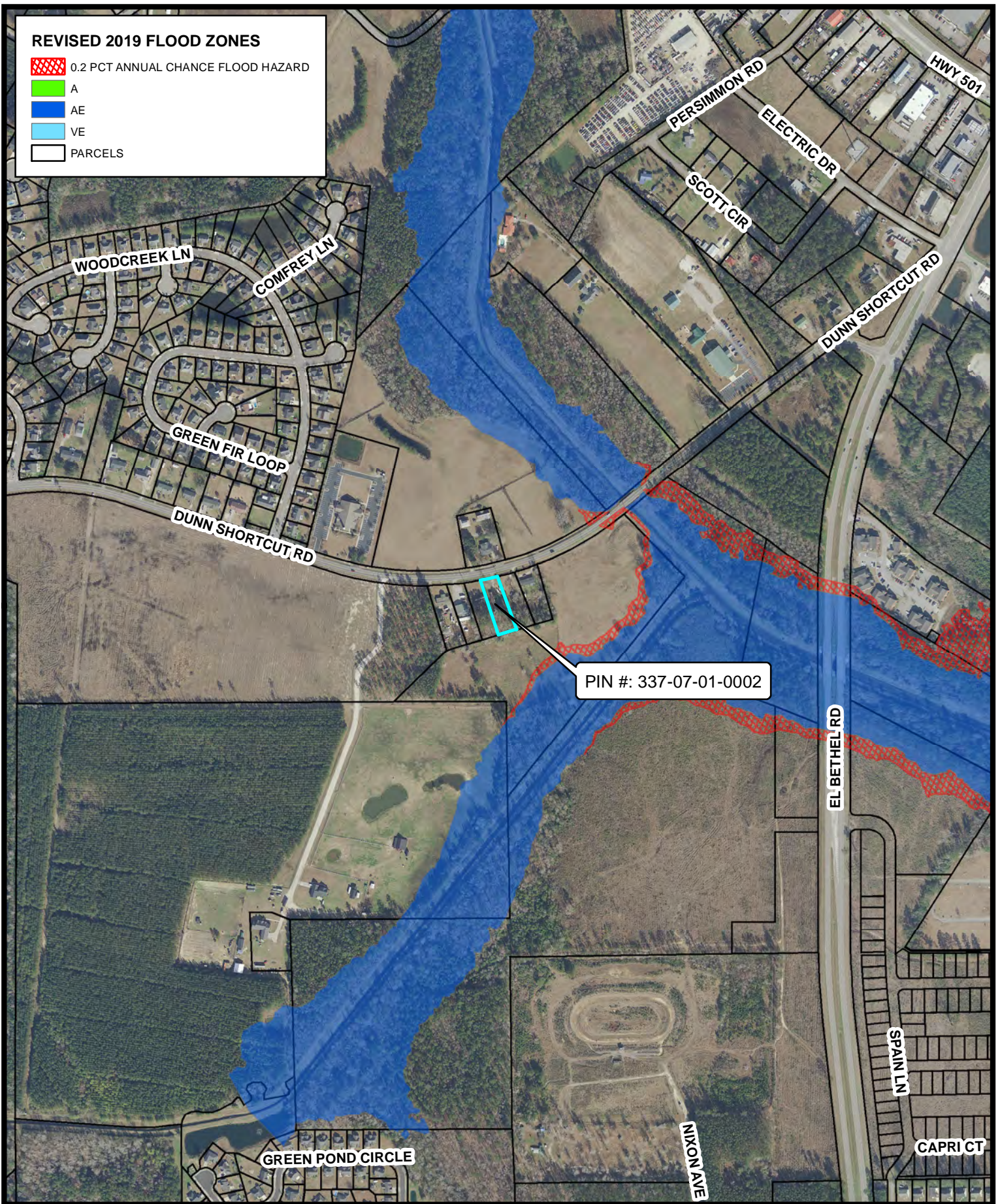


PIN #: 337-07-01-0002

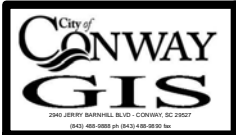


REVISED 2019 FLOOD ZONES

-  0.2 PCT ANNUAL CHANCE FLOOD HAZARD
-  A
-  AE
-  VE
-  PARCELS



PIN #: 337-07-01-0002



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PIN #: 337-07-01-0002
TMS #: 122-00-05-148
LOT 4 DUNN SHORTCUT RD
(P23-0300)





IN WITNESS THEREOF, the undersigned Grantor has hereto set his hand and Seal this

13th day of Oct

SIGNED, SEALED AND DELIVERED by:
Grantor in the presence of:

Joshua Powers
Witness 1

Rigoberto O'Loneli Jr,
Grantor Name

Anabel Perez
Witness or Notary

Witness: Jacques White
2 [Signature]

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

PROBATE

PERSONALLY appeared before me the undersigned witness, and made oath that he/she saw the within named Grantor(s) sign, seal and as his/her act and deed, deliver the within written Agreement and Covenant; and that he/she with the other witness named above witnessed the execution thereof.

Witness

SWORN TO BEFORE ME THIS 13th
DAY OF October, 2023

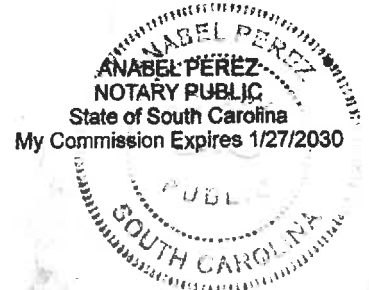
[Signature]

NOTARY PUBLIC FOR SOUTH CAROLINA (signature)

Anabel Perez

NOTARY PUBLIC FOR SOUTH CAROLINA (printed)

My commission expires: 1/27/2023



Section 26-1-120 (E) (4): A witness is not a party to or a beneficiary of the transaction, signed the record as a subscribing witness.

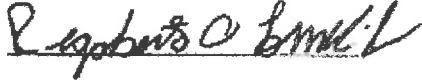
TO WHOM IT MAY CONCERN

MARCH 9TH 2023

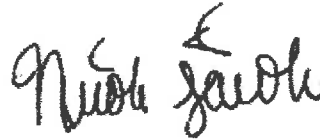
I RIGOBERTO O LOMELI JR GIVE JESHUA POWERS PERMISSION TO GET ANY PERMITS NEEDED FOR A NEW BUILD WE ARE DOING IN MY BEHALF. HE ALSO HAS ALL RIGHTS TO FILL OUT ANY OTHER APPLICATIONS HE MAY NEED.

IF YOU HAVE ANY QUESTIONS FEEL FREE TO CALL

RIGOBERTO O LOMELI JR



843-200-4138



NICOLE JACOB
Notary Public - State of South Carolina
My Commission Expires
08/27/2031



PETITION FOR ANNEXATION

Staff Use Only
Received: _____
BS&A #: _____

City of Conway Planning
Department 196 Laurel Street, 29526

Phone: (843) 488-9888
Conway, South Carolina

www.cityofconway.com

Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department
- Provide digital copy of deed and survey/plat with these forms

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

PETITION FOR ANNEXATION

TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: Dunn short cut road
33707010002
 PIN: _____ ACREAGE: 0.5
 PROPERTY ADDRESS: Dunn Short Cut road
 PROPERTY OWNER MAILING ADDRESS: 127 AP Thompson Rd Longs, SC 28568
843-200-4138
 PROPERTY OWNER TELEPHONE NUMBER: _____
 PROPERTY OWNER EMAIL: Lome1imasonry@sccoast.net
 APPLICANT: Jeshua Powers
 APPLICANT'S EMAIL: jp@powers2build.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES NO

IF NOT: PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)
 Jeshua Powers _____ DATE: 10/13/2023
 (Print) (Signature) _____ DATE: _____
 _____ DATE: _____
 (Print) (Signature) _____



PETITION FOR ANNEXATION

Staff Use Only
Received: _____
BS&A #: _____

Is there a structure on the lot: NO Structure Type: _____

Current Use: _____

Are there any wetlands on the property?

CIRCLE: YES NO

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES NO

If yes, please explain and provide a copy of covenant and/or restriction.

Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES NO

If yes, please describe.

Are there any building permits in progress or pending for this property?

CIRCLE: YES NO

If yes, please provide permit number and jurisdiction.

FEES ARE DUE AT SUBMITTAL.

RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250

PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT

planning@cityofconway.com



Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only
Received: _____
BS&A #: _____

City of Conway Planning Department
196 Laurel Street, 29526

Phone: (843) 488-9888
Conway, South Carolina

www.cityofconway.com

Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: Dunn short cut road FEE PAID () YES NO

AREA OF SUBJECT PROPERTY (ACREAGE): 0.5 PIN: 33707010002

CURRENT ZONING CLASSIFICATION: CFA
Residential

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: _____

REQUESTED ZONING CLASSIFICATION: Same

NAME OF PROPERTY OWNER(S):
Rigoberto O Lomeli Jr. 843-200-4138 PHONE # _____
PHONE # _____

MAILING ADDRESS OF PROPERTY OWNER(S):
127 AP Thompson Rd Longs, SC 29568

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

J.P. 10/13/2023
PROPERTY OWNER'S SIGNATURE(S) DATE

PROPERTY OWNER'S SIGNATURE(S) DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

DATE: NOVEMBER 20, 2023
ITEM: IV.D.

ISSUE:

Final Reading of Ordinance #ZA2023-11-20 (E), to annex approximately 0.49 acres located at 447 Dunn Shortcut Rd (PIN 337-07-01-0003), and rezone from the Horry County Commercial Forest Agriculture (CFA) district to the City of Conway Low/Medium-Density Residential (R-1) district.

BACKGROUND:

The annexation application was submitted by the applicant as a requirement to connect to city utility services. According to Horry County Land Records, the property was transferred ownership on September 20, 2023. The property is near the Woodcreek subdivision that is also located off of Dunn Shortcut Road. A restrictive covenant was recorded for this property October 16, 2023.

There have been several other parcels in this area that have been annexed throughout the years.

CITY OF CONWAY COMPREHENSIVE PLAN:

The Future Land Use Map of the *Comprehensive Plan* identifies this property as Low/Medium Density Residential (R-1).

The intent of the R-1 District is to provide for the preservation and expansion of areas for low to medium density, detached single-family residential development in the City of Conway. The district shall present a relatively spacious character, promote quiet, livable neighborhoods, and prohibit uses that are incompatible with the residential nature of the surrounding area.

CITY COUNCIL:

City Council approved First Reading of the ordinance at their November 6th meeting.

STAFF RECOMMENDATION:

Approve **Final reading of Ordinance #ZA2023-11-20 (E)**.

ORDINANCE # ZA2023-11-20 (E)

AN ORDINANCE TO ANNEX APPROXIMATELY 0.49 ACRES OF PROPERTY LOCATED AT 447 DUNN SHORTCUT ROAD (PIN 337-07-01-0003) AND REQUEST TO REZONE FROM THE HORRY COMMERCIAL FOREST AGRICULTURE (CFA) DISTRICT TO THE CITY OF CONWAY LOW/MEDIUM DENSITY RESIDENTIAL DISTRICT (R-1) DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:

SECTION 1. FINDINGS:

A petition has been submitted to the City Council of the City of Conway to annex approximately 0.49 acres of property described herein and represented on a map.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

ALL AND SINGULAR, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 0.49 acres of property located at 447 Dunn Shortcut Rd (PIN 337-07-01-0003), and rezone from the Horry County Commercial Forest Agriculture (CFA) district, to the City of Conway Low/Medium-Density Residential (R-1) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property.

For a more specific description of said property, see attached map.

SECTION 2. APPLICATION OF ZONING ORDINANCE:

The property is admitted as City of Conway Low/Medium Density Residential District (R-1) area under the zoning laws of the municipality.

SECTION 3. EFFECTIVE DATE:

The annexation is effective as of the date of the final reading of this Ordinance.

AND BE IT FURTHER ORDAINED that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

RATIFIED BY CITY COUNCIL, duly assembled, this _____ day of _____, 2023.

Barbara Jo Blain-Bellamy, Mayor

Justin D. Jordan, Mayor Pro Tem

K. Autry Benton Jr., Council Member

Amanda Butler, Council Member

William M. Goldfinch IV, Council Member

Beth Helms, Council Member

Larry A. White, Council Member

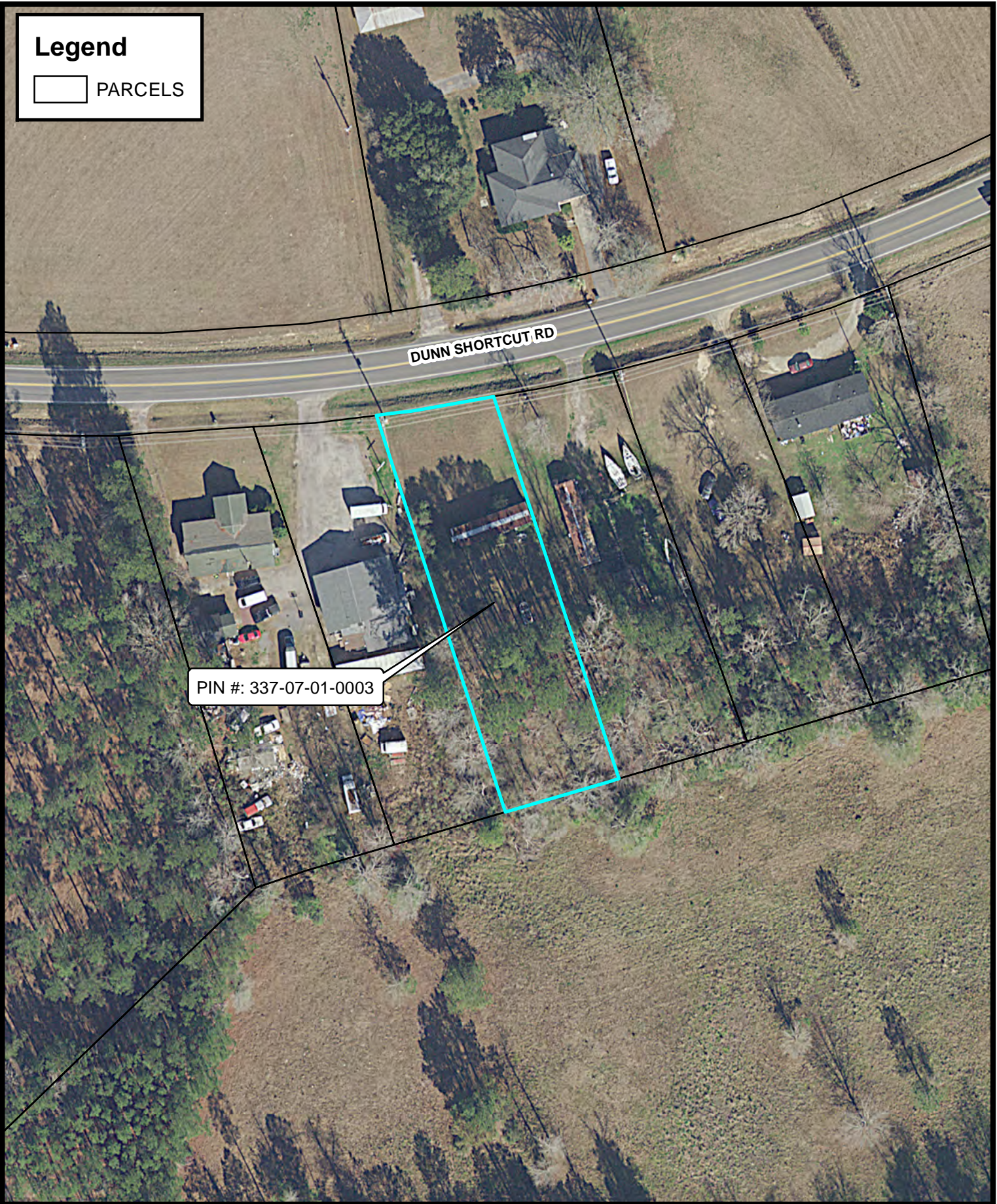
ATTEST: Alicia Shelley, City Clerk

First Reading: _____

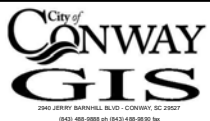
Final Reading: _____

Legend

 PARCELS



PIN #: 337-07-01-0003



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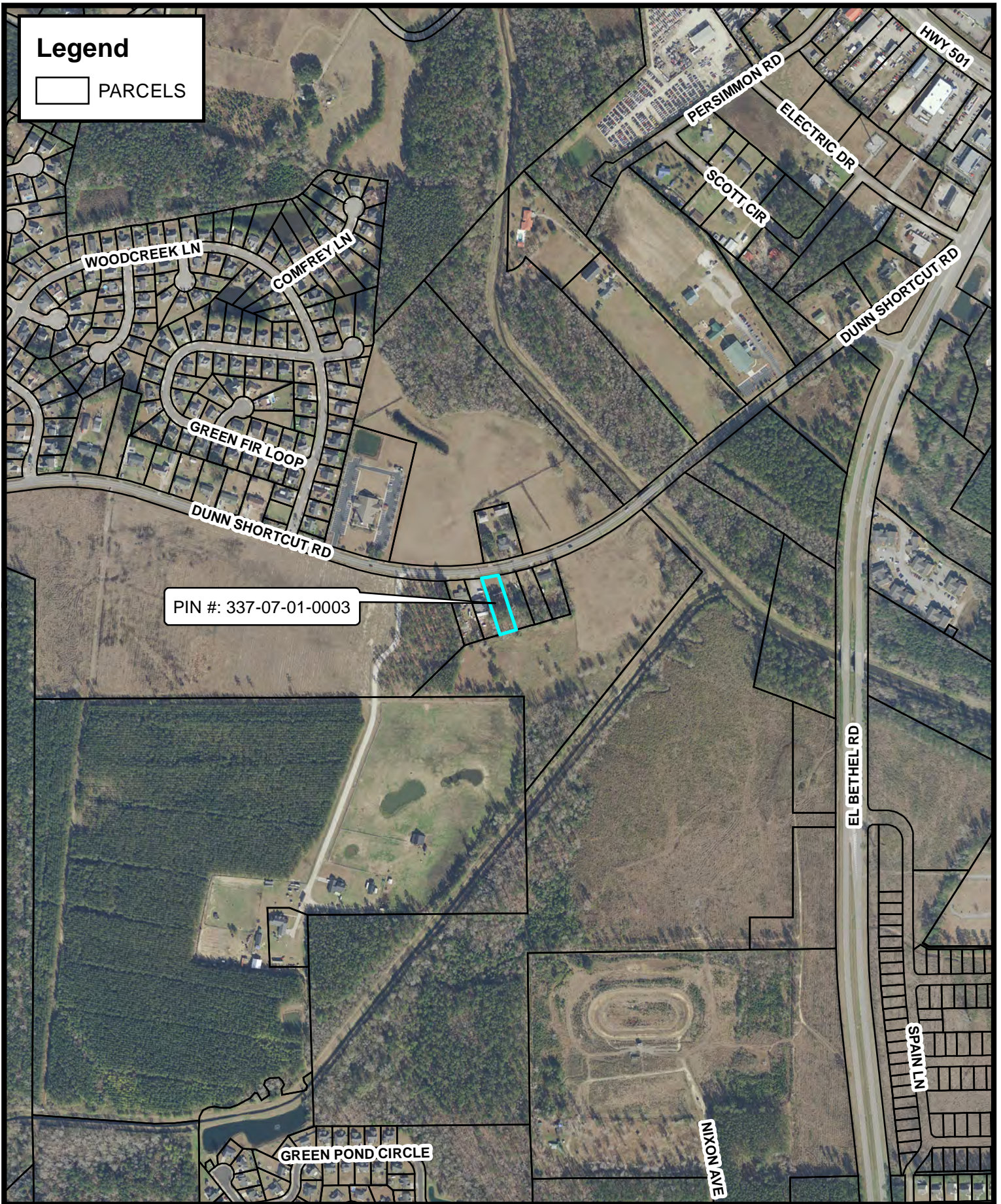


PIN #: 337-07-01-0003
TMS #: 122-00-05-147
LOT 3 DUNN SHORTCUT RD
(P23-0299)

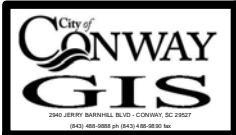


Legend

▭ PARCELS



PIN #: 337-07-01-0003

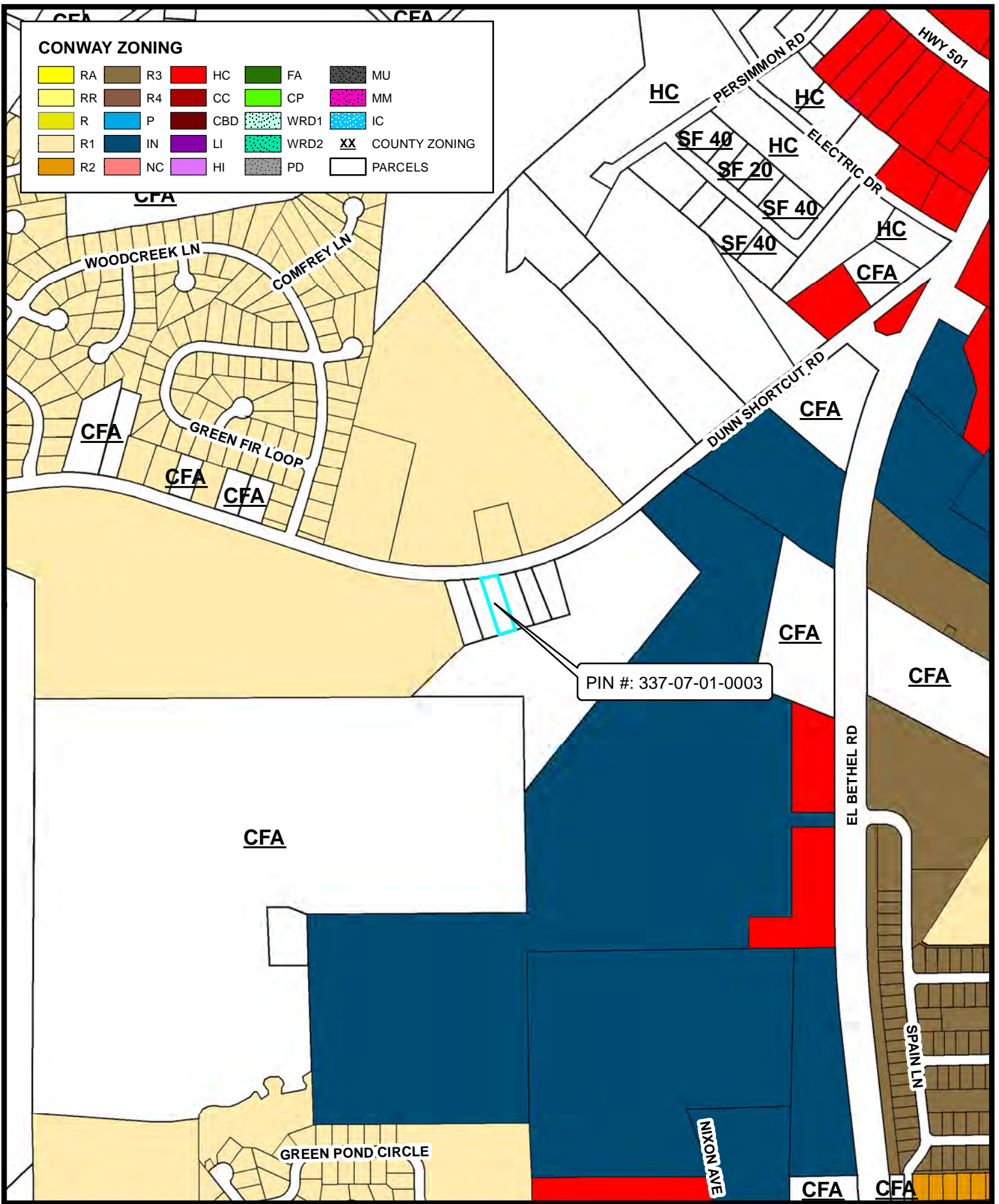


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PIN #: 337-07-01-0003
TMS #: 122-00-05-147
LOT 3 DUNN SHORTCUT RD
(P23-0299)

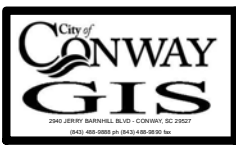




CONWAY ZONING

RA	R3	HC	FA	MU
RR	R4	CC	CP	MM
R	P	CBD	WRD1	IC
R1	IN	LI	WRD2	XX COUNTY ZONING
R2	NC	HI	PD	PARCELS

PIN #: 337-07-01-0003

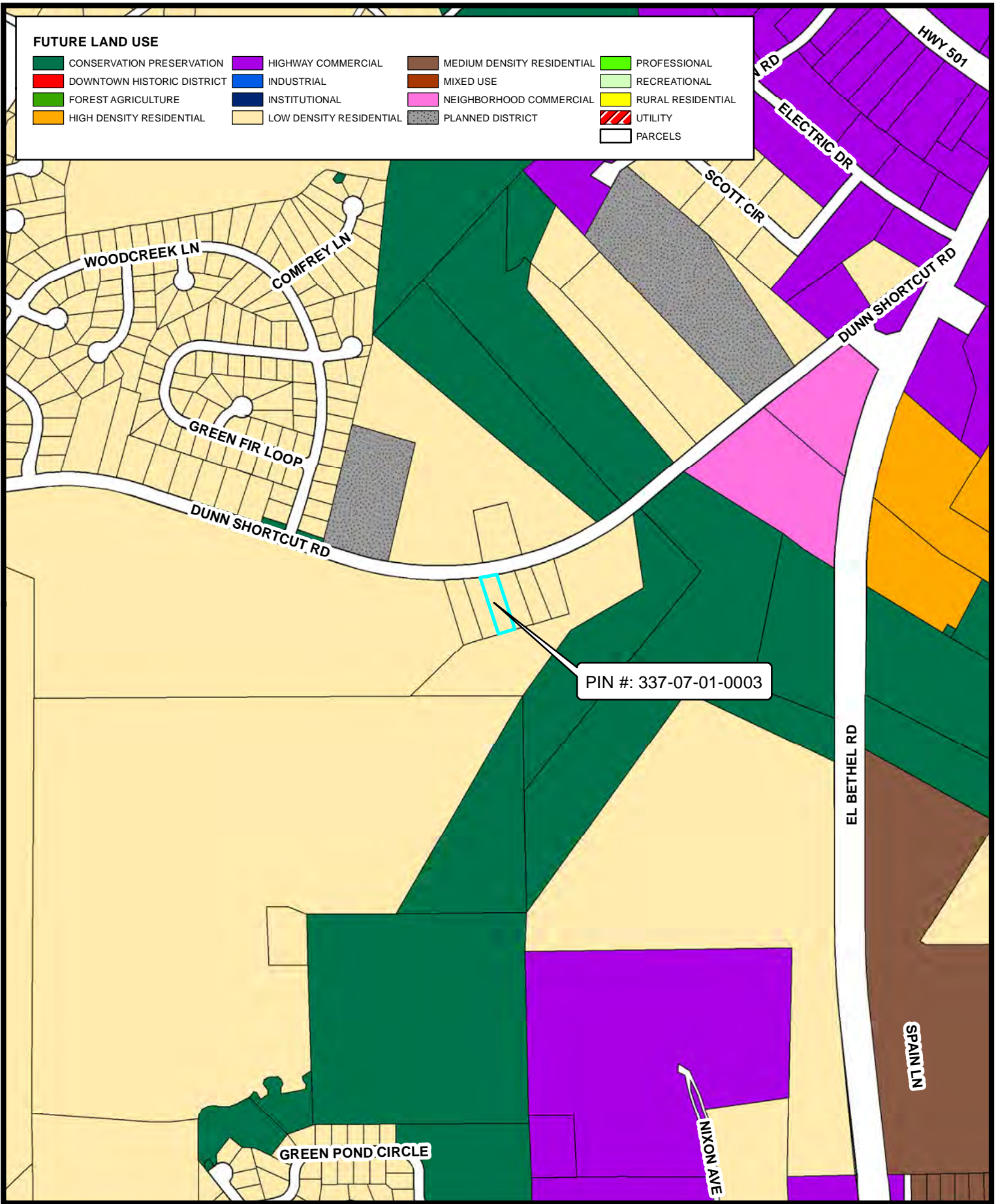


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PIN #: 337-07-01-0003
 TMS #: 122-00-05-147
 LOT 3 DUNN SHORTCUT RD
 (P23-0299)





PIN #: 337-07-01-0003








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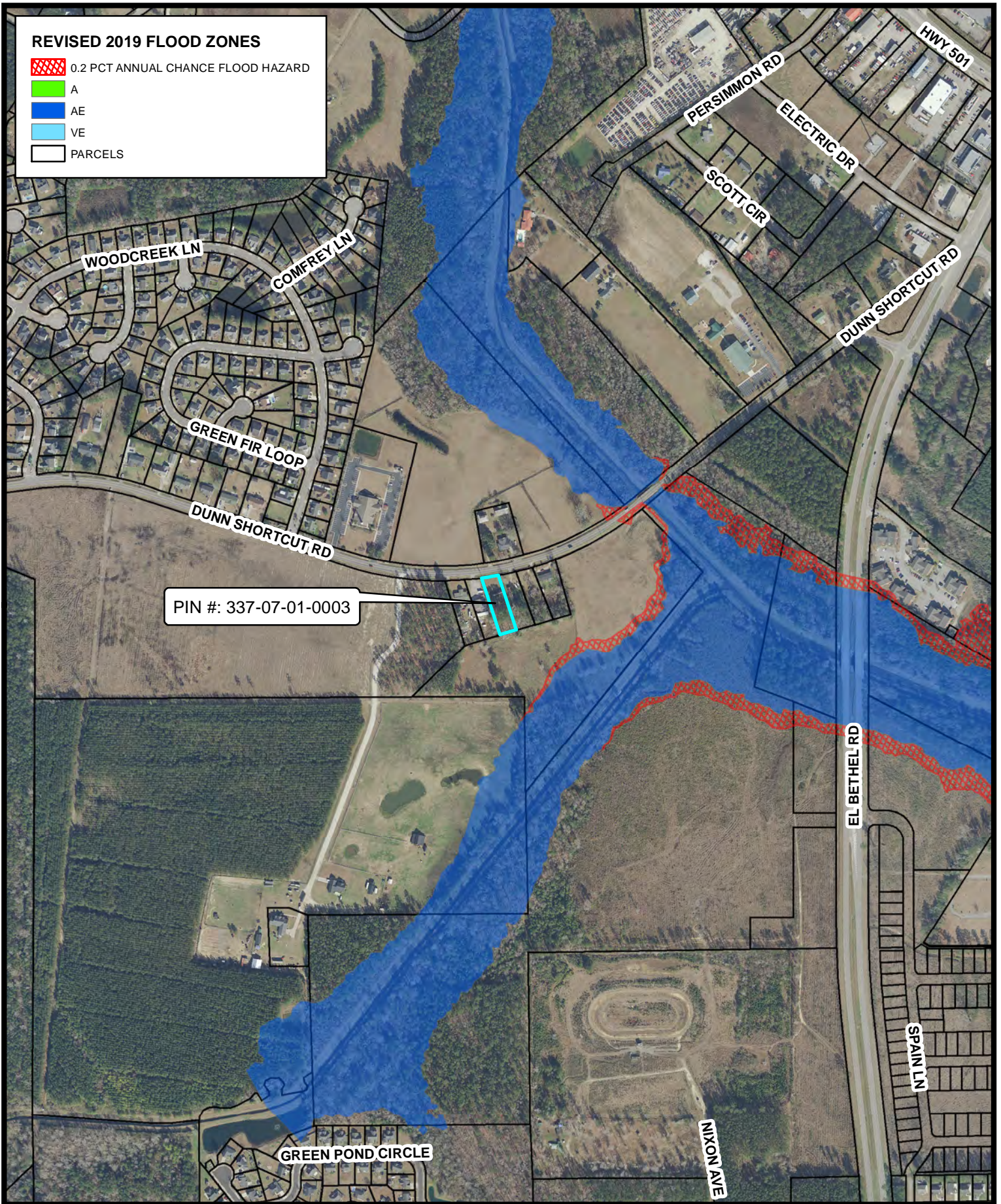


PIN #: 337-07-01-0003
 TMS #: 122-00-05-147
 LOT 3 DUNN SHORTCUT RD
 (P23-0299)

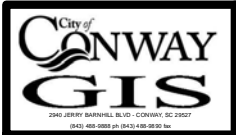


REVISED 2019 FLOOD ZONES

-  0.2 PCT ANNUAL CHANCE FLOOD HAZARD
-  A
-  AE
-  VE
-  PARCELS



PIN #: 337-07-01-0003



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PIN #: 337-07-01-0003
TMS #: 122-00-05-147
LOT 3 DUNN SHORTCUT RD
(P23-0299)





IN WITNESS THEREOF, the undersigned Grantor has hereto set his hand and Seal this

13th day of Oct.

SIGNED, SEALED AND DELIVERED by:
Grantor in the presence of:

Jeshua Powers

Witness 1

Anabel Perez

Witness or Notary

Rigoberto O'Loneli Jr.

Grantor Name

Witness: Jacquess White
2 [Signature]

STATE OF SOUTH CAROLINA)

)

PROBATE

COUNTY OF HORRY)

PERSONALLY appeared before me the undersigned witness, and made oath that he/she saw the within named Grantor(s) sign, seal and as his/her act and deed, deliver the within written Agreement and Covenant; and that he/she with the other witness named above witnessed the execution thereof.

Witness

SWORN TO BEFORE ME THIS 13th
DAY OF October, 2023

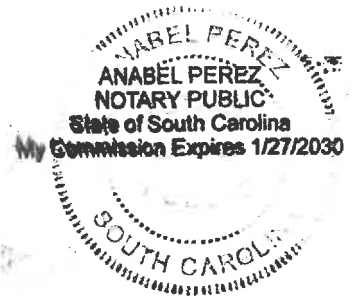
[Signature]

NOTARY PUBLIC FOR SOUTH CAROLINA (signature)

Anabel Perez

NOTARY PUBLIC FOR SOUTH CAROLINA (printed)

My commission expires: 1/27/2030



Section 26-1-120 (E) (4): A witness is not a party to or a beneficiary of the transaction, signed the record as a subscribing witness.

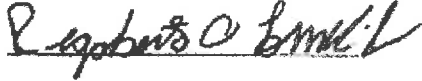
TO WHOM IT MAY CONCERN

MARCH 9TH 2023

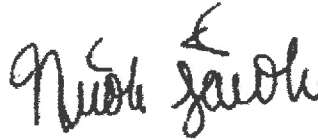
I RIGOBERTO O LOMELI JR GIVE JESHUA POWERS PERMISSION TO GET ANY PERMITS NEEDED FOR A NEW BUILD WE ARE DOING IN MY BEHALF. HE ALSO HAS ALL RIGHTS TO FILL OUT ANY OTHER APPLICATIONS HE MAY NEED.

IF YOU HAVE ANY QUESTIONS FEEL FREE TO CALL

RIGOBERTO O LOMELI JR



843-200-4138



NICOLE JACOB
Notary Public - State of South Carolina
My Commission Expires
08/27/2031



PETITION FOR ANNEXATION

Staff Use Only
Received: _____
BS&A #: _____

City of Conway Planning
Department 196 Laurel Street, 29526

Phone: (843) 488-9888
Conway, South Carolina

www.cityofconway.com

Instructions:

- Fill out all 3 pages
- Submit signed forms to City of Conway Planning Department

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

PETITION FOR ANNEXATION

TO THE HONORABLE MAYOR AND CITY COUNCIL OF CONWAY

WHEREAS, § 5-3-150 (3) of the Code of Laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation; and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation; and

WHEREAS, the area requesting annexation is described as follows, to wit:

NOW, THEREFORE, the undersigned petition the City Council of Conway to annex the below described area into the municipal limits of the City of Conway.

PROPERTY LOCATION/SUBDIVISION: Dunn Short Cut Road

PIN: 33707010003 ACREAGE: 0.5

PROPERTY ADDRESS: N/A Dunn Short Cut Rd

PROPERTY OWNER MAILING ADDRESS: 127 A P Thompson Road Longs, SC 29568

PROPERTY OWNER TELEPHONE NUMBER: 843 - 200 - 4138

PROPERTY OWNER EMAIL: lucemelmasonry@sccost.net

APPLICANT: Jeshva Powers

APPLICANT'S EMAIL: JP@powers2build.com

IS THE APPLICANT THE PROPERTY OWNER? CIRCLE: YES NO

IF NOT: PLEASE INCLUDE A LETTER OF AGENCY OR POWER OF ATTORNEY FROM THE OWNER ADDING RESPONSIBILITY TO THE APPLICANT.

PROPERTY OWNERS (Attach additional sheets if necessary)

Jeshva Powers
(Print)

[Signature]
(Signature)

DATE: 10-13-23

(Print)

(Signature)

DATE: _____



PETITION FOR ANNEXATION

Staff Use Only
Received: _____
BS&A #: _____

Is there a structure on the lot: N/a Structure Type: _____

Current Use: Vacant Land

Are there any wetlands on the property?

CIRCLE: YES NO

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES NO

If yes, please explain and provide a copy of covenant and/or restriction.

Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES NO

If yes, please describe.

Are there any building permits in progress or pending for this property?

CIRCLE: YES NO

If yes, please provide permit number and jurisdiction.

FEES ARE DUE AT SUBMITTAL.

RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250

PLEASE SUBMIT TO THE PLANNING DIRECTOR AT THE CITY OF CONWAY.

planning@cityofconway.com



Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only
Received: _____
BS&A #: _____

City of Conway Planning Department
196 Laurel Street, 29526

Phone: (843) 488-9888
Conway, South Carolina

www.cityofconway.com

Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: Dunn Street (A Road) FEE PAID () YES (X) NO

AREA OF SUBJECT PROPERTY (ACREAGE): 0.5 PIN: 33707010003

CURRENT ZONING CLASSIFICATION: CFA

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: Residential

REQUESTED ZONING CLASSIFICATION: CFA

NAME OF PROPERTY OWNER(S):

Rigoberto O'Loneli Jr. PHONE # 843-200-4138

PHONE # _____

MAILING ADDRESS OF PROPERTY OWNER(S):

127 A P Thompson Rd Longs SC 29568

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

[Signature] 10-13-23
PROPERTY OWNER'S SIGNATURE(S) DATE

PROPERTY OWNER'S SIGNATURE(S) DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

DATE: NOVEMBER 20, 2023
ITEM: IV.E.

ISSUE

Replacement of vehicle extrication tool (budgeted item).

BACKGROUND

We have identified the need to replace an outdated vehicle extrication tool set. This replacement set would replace the set purchased in 2009, which we have deemed to be obsolete and inoperable. To maintain interoperability throughout the City, we continue to use the Genesis Extrication Tool Set. This product is only available through Safe Industries, therefore this purchase is sole source.

The total price from Safe Industries is \$35,218.80. This is over budget by \$218.80 but the difference can be offset in another line in the budget.

RECOMMENDATION:

Approve the purchase in the amount of **\$35,218.80**.



Quote

Safe Industries

Safe Industries
 5031 Highway 153
 Easley SC 29642
 United States
 (864) 845-7175

Date	Quote #
10/19/2023	EST23568

Bill To
Jason Perzan Conway Fire Department PO Box 1075 Conway SC 29528 United States

Ship To
Conway Fire Department 1600 9th Ave Conway SC 29526 United States

Expires	Sales Rep	Terms	Shipping Method
11/18/2023	Jonathan Moore	Net 30	

Quantity	Units	Item	Description	Comments	Price	Extended
1		ART.593.509	Genesis - MACH III MINI SIMO HONDA 5.5 W/OSC		7,775.00	7,775.00
1		Equipment	Genesis- SC198 Smooth Cut Blades w/ OSC Couplings- #ART.109.945.9		8,095.00	8,095.00
1		Equipment	Genesis- S49 Spreader w/ OSC Couplings- #ART.108.980.0		8,925.00	8,925.00
1		ART.593.140	Genesis - 15-30 MINI TELESCOPIC RAM w/ OSC Couplings		5,345.00	5,345.00
1		ART30OSC-B	Genesis - 30' EXTENSION HOSE, OSC COUPLERS, BLUE		1,235.00	1,235.00
1		ART30OSC-R	Genesis - 30' EXTENSION HOSE, OSC COUPLERS, RED		1,235.00	1,235.00
1		Freight	Due to continued disruptions in the global supply chain, fuel surcharges, and fluctuating freight/shipping charges, we will no longer be able to estimate nor include any shipping charges on a quote. Shipping charges will be finalized on the Invoice. As always, we will continue to provide the best product pricing as possible but this volatile market has necessitated a change in our day to day operations. We hope you understand and continue to put your trust in Safe Industries.		0.00	0.00
					Subtotal	32,610.00
					Tax Total	2,608.80
					Total	\$35,218.80

Please note quoted prices are subject to change after expiration date. Quoted prices expire 30 days from issue date.

Please be advised that if paying by credit card, a 3% credit card processing fee will be added to the invoice subtotal.



EST23568



November 13th, 2023

To whom it may concern:

This letter has been written to confirm that *SAFE INDUSTRIES* is the Sole Source Provider/Single Supplier of *Genesis Rescue Systems* equipment in the state of South Carolina.

The aforementioned coverage area, is the specific sales and service territory for *SAFE INDUSTRIES*, under agreement with *Howell Rescue*, a Master Distributor of Genesis Rescue Systems and covering the Mid-Atlantic and New England states and territory.

If additional information is needed or desired; please contact me at 724-350-7233 or at Anthony@howellrescue.com

Sincerely,

Anthony G. Fleming
Factory Representative
Genesis Rescue Systems



CITY OF CONWAY
CITY COUNCIL MEETING
CONWAY CITY HALL
229 MAIN STREET, CONWAY
MONDAY, NOVEMBER 6, 2023 - 4:00 P.M.

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

STAFF: Adam Emrick, City Administrator; Mary Catherine Hyman, Deputy City Administrator; John Rogers, Deputy City Administrator; June Wood, Public Information Officer; Jeff Leveille, Technology Services Director; Allison Williams, Finance Director; Timmy Williams, Hospitality & Beautification Director; 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; Ted Dudley, Public Utilities Deputy Director; Jessica Hucks, Planning and Development Director; Le Hendrick, Fire Chief; Ashley Smith, Recreation Director; Robert Cooper, Construction Services Director; Dale Long, Police Chief; Rosanne Dates, Grants Supervisor; James Friday, Public Utilities Director; David Crotts, Director of Procurement/Assistant Finance Director and Alicia Shelley, City Clerk.

OTHERS: There were approximately 15 others in attendance.

CALL TO ORDER: Mayor Blain-Bellamy called the meeting to order. Mike Roberts, Saint Anne's Episcopal Church 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.

APPROVAL OF AGENDA: **Motion:** Butler made a motion, seconded by Benton, to approve the November 6, 2023 meeting agenda. **Vote:** Unanimous. Motion carried.

CONSENT AGENDA:

- A. Final Reading of Ordinance #ZA2023-11-06 (B), amending Article 11 – Signage, of the City of Conway Unified Development Ordinance (UDO), regarding Sign Standards in Residential and Non-Residential Zoning District, as well as requirements for Electronic Message Centers (EMC's) / Light Emitting Diodes (LED) signs with digital/animated display.**
- B. Final Reading of Ordinance #ZA2023-11-06 (C), amending Article 5 – Specific Use Regulations, of the City of Conway Unified Development Ordinance (UDO), regarding the requirements for religious institutions.**
- C. Final Reading of Ordinance #ZA2023-11-06 (D), amending Article 7 – Streets and Circulation, Article 10 – Subdivision and Land Development, and Article 12 – Nonconformities, of the City of Conway Unified Development Ordinance (UDO), regarding the requirements for installation of sidewalks.**

D. Resolution accepting dedication of roadways & drainage system in the Kingston Bay, Phase 1, subdivision (Revolutionary Way; Black Lake Way; Riverboat Way; Medlen Parkway).

E. Special Event – Conway Christmas Parade – December 9, 2023

F. Approval of October 16, 2023 Council Meeting Minutes

APPROVAL OF CONSENT AGENDA: Motion: Jordan made a motion, seconded by Helms to approve the November 6, 2023 consent agenda. **Vote:** Unanimous. Motion carried.

PUBLIC INPUT:

- Tommy Moore updated Council on the underground wiring project as to how it has affected his business and asked Council to pay him for what was damaged during the project.

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

FIRST READING

A. First reading of ordinance 2023-11-20 (A) to amend Title 7, Chapter 4, Article H, Busking (Street Performers), of the Code of Ordinances, City of Conway – Rogers said that 5 years ago the City established rules and a permitting process for buskers where they would pay \$10 to get a license to do so in the City of Conway. Busking is common among young people who are not familiar with such processes and some are transient, whom just show up and expect to be able to set up and perform for that day, and then move on. Staff has found over this time that it is limiting, so staff went back and reviewed the Ordinance as written; considered options including dropping the permit fee or eliminating the permit altogether. The Mayor’s Youth Advisory Council reviewed this proposal and recommended unanimous approval in favor of eliminating the permit requirement entirely.

Goldfinch asked if there was another Ordinance in place if the busking needed to be controlled for any reason. Rogers said that the remainder of the ordinance would stay in place and then stated some of those requirements. Rogers then said that we do have other ordinances that control noise, nuisances, etc.

White suggested that people pick up a signed form from the Police that says where they will be busking, so that Police are aware. Rogers said that the Downtown Police office is not open around the clock.

Blain-Bellamy supports this amendment especially for the impromptu person but is concerned with offensiveness of the delivery of the performance. Rogers said that the way the ordinance is written now it says the permit would be taken away and now it says the police would ask them to leave.

Motion: Blain-Bellamy made a motion, seconded by Goldfinch, to approve first reading of Ordinance #ZA2023-11-20 (A). **Vote:** Unanimous. Motion carried.

- B. First reading of Ordinance ZA2023-11-20 (B) to annex approx. 0.2 acres of property located at 120 John Doctor Road (PIN 339-12-01-0002), and rezone from the Horry County Residential, no mobile homes allowed (SF20) district to the City of Conway Low/Medium-Density Residential (R-1) district.** Hucks said that this request is being sought to reconnect city utility services. The property owner has not changed. The account was closed for over a 3-month period and was deemed as a new service, which triggered the requirement to request annexation as a condition to reconnect utility services. Restrictive covenants have been in place since 1987. There are several mobile homes across the street, all on one parcel, located within the city limits that is considered legal nonconforming and is zoned R1. Due to this property being within the City's utility service area and being contiguous to city limits, staff cannot find any reason to recommend against this request. There is a manufactured home located on the property and if annexed into the city would become a legal nonconforming structure and subject to City ordinance regarding nonconformities.

Blain-Bellamy asked if this property would be subject to the requirements if destroyed or not used for 6 months, that it would be required then to come into conformity. Hucks explained that the city would allow replacement with certain conditions that she then read aloud.

Goldfinch said that some time ago there was a discussion that John Doctor Road was a boundary for city limits and asked if the applicant wanted to be annexed into the city. Hucks said that the owner did what was required to get utility service.

Benton asked if the owner asked not to be annexed. Hucks said that they have not expressed one way or the other.

Helms asked about sanitation on John Doctor Road. Hucks said that they already go down this road occasionally to the fire training facility.

Motion: Goldfinch made a motion, seconded by Blain-Bellamy, to deny annexation and first reading of Ordinance #ZA2023-11-20 (B). **Vote:** Unanimous. Motion carried.

- C. First reading of Ordinance ZA2023-11-20 (C) to annex approx. 0.66 acres of property located at 3420 Cates Bay Highway (PIN 369-11-03-0072), and rezone from the Horry County Residential, no mobile homes allowed (SF20) district to the City of Conway Low/Medium-Density Residential (R-1) district.** Hucks said that this request was submitted as a requirement for city utility service as a result of a name change on the account. This property is adjacent to the New Castle subdivision and restrictive covenants have been recorded. The future land use map identifies this property as R1. Hucks said that staff does recommend approval of this annexation.

Motion: Jordan made a motion, seconded by White, to approve first reading of Ordinance #ZA2023-11-20 (C). **Vote:** Unanimous. Motion carried.

- D. First reading of Ordinance ZA2023-11-20 (D) to annex approx. 0.51 acres of property located at 443 Dunn Shortcut Road (PIN 337-07-01-0002), and rezone from the Horry County Commercial Forest Agriculture (CFA) district to the City of Conway Low/Medium-Density Residential (R-1) district.** Hucks stated that this request and the next one is the same property owner and the parcels are adjacent.

Blain-Bellamy said that this item and item VI.E. would be combined.

Hucks went on to say that ownership was transferred in September of this year and the applicant requested annexation as a requirement to connect to city utility services. The property owners propose to construct a single-family home. Hucks said that staff rode by the parcel and both mobile homes have been removed. The future land use map identifies the property as R1. Hucks said that staff recommended approval.

Motion: Benton made a motion, seconded by Butler, to approve first reading of Ordinance #ZA2023-11-20 (D) and Ordinance #ZA2023-11-20 (E). **Vote:** Unanimous. Motion carried.

- E. First reading of Ordinance ZA2023-11-20 (E) to annex approx. 0.49 acres of property located at 447 Dunn Shortcut Road (PIN 337-07-01-0003), and rezone from the Horry County Commercial Forest Agriculture (CFA) district to the City of Conway Low/Medium-Density Residential (R-1) district.** See previous motion.

CONSIDERATION:

- A. *Previously Deferred* – Consideration of a request for waiver of sidewalk requirements for the Fresh Seafood Market, located at 1620 Fourth Ave (formerly Coastal Ice Company).** Hucks said that this request was originally considered at the August 21 Council meeting as the applicant was seeking a waiver from the requirement to install sidewalks where they do not currently exist along the side of the property also called Church Street. The site is considered legal nonconforming due to the location of the existing structures. The Fourth Avenue side has existing sidewalks. Under the current Ordinance the applicant may request to pay a fee in lieu as recommended by the Technical Review Committee. At the August 21 meeting, Council expressed their desire to consider reducing the burden of sidewalk installation requirements on businesses which may be nonconforming sites. Staff amended the Ordinance and it was on the consent agenda at today's meeting for final reading. The amendment still requires that a sidewalk waiver be applied for however if the City's Technical Review Committee recommends that a waiver be granted, Council can consider a reduction or eliminate the fee in lieu amount entirely. The fee in lieu for this property was for 365.57 linear feet which totals \$9,354.94. Using these calculations, if the request were to be received today rather than before the increase took effect, the fee in lieu amount would be \$10,878.68.

There was some discussion regarding the existing building, the dangerous intersection, possibility of a safety barrier being put up, road improvement project, ROW and the plat.

Motion: Goldfinch made a motion, seconded by Benton, to approve the waiver of sidewalk requirements and waive the sidewalk fee. **Vote:** Benton, Helms, Blain-Bellamy, Goldfinch, Jordan, Butler voted yes. White voted no. Motion carried with a 6-1 vote.

- B. Consideration to Accept Funding for the 2024 PARD Grant** – Smith stated that the City applied for a grant requesting funds to hire a consultant to complete a comprehensive plan for the Conway Sports & Recreation Complex. The City received the grant and was approved \$11,932.0 for the PARD project. With an estimated plan cost of approximately \$50,000, the \$11,932.00 could be supplemented with \$10,000 from Recreation Professional and Contract Services, leaving a balance of approximately \$28,068. Although not currently budgeted, hospitality funds could be used to fund this balance.

Motion: Goldfinch made a motion, seconded by Helms, to accept the funding for the 2024 PARD Grant and use Hospitality funds for the balance. **Vote:** Unanimous. Motion carried.

- C. Consideration of Naming the Downtown Operations Center** – Long stated what a privilege and honor it was to have Odell Cochran for 38 years of service to the community. Long went on to inform Council of his impact and influence on others, and also his career with the Conway Police Department. Long requested that Council name the satellite office on Main Street to recognize his accomplishments in the City of Conway to the Lt. Odell Cochran Downtown Operations Center.

Motion: Blain-Bellamy made a motion, seconded by White, to approve the naming of the Police satellite office on 223 Main Street to the Lt. Odell Cochran Downtown Operations Center. **Vote:** Unanimous. Motion carried.

CITY ADMINISTRATOR’S REPORT:

Emrick informed Council of the following:

- Emrick stated that while the discussion was happening about the sidewalk on Church Street, Harrelson sent an email to SCDOT asking them to look at pedestrian safety improvements in light of the sidewalk waiver.
- In addition to the Riverwalk Expansion that is underway, we are also beginning some significant repairs to the Riverwalk stage area and repainting the railings throughout the Riverwalk.
- Couple of things to add to all of your calendars:
 - A dedication ceremony for Chestnut Bay will take place on Freeman Drive at 11 am on November 15. This event will be the official kickoff of the grant and lead to the construction of the bay and improved connectivity of Crabtree Swamp.
 - Arbor Day will be celebrated on November 16th at 11 am in Scarborough Alley.
- The calendar for December looks like the calendar for October, overwhelming and full of some amazing events and activities. Emrick mentioned two of those items, the first of which is actually in November.
 - The Christmas Tree Lighting will be November 30th in the same location as last year. Main Street will be closed and we will utilize two stages. We are changing

things just a little. For the last few years, we have had an overwhelming number of children perform in the ceremony, from Elementary School aged kids through High School. This has been fantastic, but also unmanageable. Last year, we certainly exceeded the capacity of our stage and we had a lot of little kids that could not get to their classmates or teachers and it did not work well. So, we are going to have the High School students perform at the Tree Lighting and a short while later, have the younger children perform at the stage in Riverfront Park. This will allow the traffic from Main Street to clear and to allow for a more controlled atmosphere for the little kids... and to expand the tree lighting activities to a new part of the City and longer into the evening.

- The City Staff Christmas Party will be at the Sports and Fitness Center again this year on December 5th at 6pm. We had a lot of really good feedback from last year so we are bringing back a lot of last year's setup and activities with only a few tweaks to make it even better.
- Last week, staff had the opportunity to present at the South Carolina Chapter of the American Planning Association meeting with Irene Dumas-Tyson, our consultant on the last Downtown Master Plan. Irene came up with the idea and asked us to co-present. The title of the presentation was, "So you want to be a Hallmark Town." It was very fun and we had great response from the professional planners that attended.
- On Saturday, a new local Latino radio station, El Gallo, 98.9 FM, partnered with our Parks and Recreation Department to host the first ever Day of the Dead Festival in Collins Park. There was a huge crowd and Emrick thanked everyone who made it possible. June plated a quick clip of the festival.
- The next meeting of the Youth Council is this Thursday at Conway High School. This will be the first meeting chaired by the Junior Mayor, Racheal Hernandez. Emrick asked her to stand.
- Wednesday evening will mark the next meeting of the Whittemore Task Force. The first meeting focused just on a background of the site and introductions of the committee members. The meeting Wednesday will focus on current needs and a review of some projects requested by the Task Force.
- This is a reminder that City offices will be closed on Friday to celebrate Veteran's Day.
- Emrick congratulated all of the Conway High School teams that made it to the state playoffs this season, girls' and boys' volleyball, girls golf, girls' tennis, boys' football and congratulations to Anthony Carrol for being named the Region Athletic Director of the Year.
- Staff has two items for Workshop tonight, neither of which will take that long. I think I can safely say, we all have a very busy stressful day tomorrow so we'd like to just do them in this room after Council input if that is okay.

COUNCIL INPUT:

Benton said that he is excited about doing a Master Plan for the Recreation Department. Benton said that he has had several ask about putting signage up as you pull around to where the sidewalk is to drop off, as far as cars parking there to just drop off. Benton asked if Council could put an

action item on the next Council meeting agenda to address Norman's Cleaners in hopes to get a resolution to his issue. Benton also said that he heard the City has some money in the reserve from the first phase of that project. Benton feels that the City needs to bring closure to that project. Lastly, Benton said that he is very excited to be naming the operations center after Odell Cochran as he knew him personally and doesn't think anyone finer has walked the streets of Conway. Benton said Cochran is well deserving and a great man.

Helms gave kudos to Brandon and his staff for helping Lake Waccamaw. Helms thanked all the Veterans that have and are serving. Helms recognized staff, managers and department heads, for getting up at 4 a.m. for the Halloween swap.

White asked for a 4 way stop at Hill Street and Sixth Avenue. White congratulated and thanked city staff with the 98.9 event as this is a great first step for inclusiveness.

Goldfinch said that Timmy Williams is his hero. Goldfinch said as the saying goes, See Something, Say Something, and Timmy did that this past Saturday as he was coming into town for the Golf Cart Parade and the CCU Homecoming, which was a treat. Goldfinch stated that Timmy recognized that 2 people were trying to steal his pumpkin from in front of his office on Fourth Avenue and he acted accordingly. Goldfinch reminded all of the community to See Something, Say Something.

Jordan followed Goldfinch and said that the parade was incredible, crowd was amazing and he received positive feedback. Jordan said that he drove by Collins Park Saturday night and the event was packed with a great turnout. Jordan said that yesterday was open house Downtown and he has heard from a number of businesses having record days during those 3 hours, which Jordan says was impressive to see the large number of people downtown. Jordan encouraged everyone to get out and vote tomorrow as our local election effects our lives, in Jordan's opinion, on a much larger scale than a lot of national elections.

Butler said that she was extremely impressed with the Day of the Dead Celebration and thanked staff for making it possible. Butler stated that the City should continue to be inclusive to all of the citizens in Conway to make sure that every culture is acknowledged and making sure that everyone feels like Conway is a great place to live. Butler said that she has had a few people concerned with the scooters with the speed on the sidewalks and the location of where they are being left, and not picked up at night. Butler thinks the scooters are a great idea but that Council does need to pay attention and be vigilant on how it is affecting pedestrians and ones walking around.

Goldfinch then told Chief Long that he is seeing younger ones, 14-year old's, without license driving golf carts around town. Goldfinch does not want to see something happen and someone hurt.

Blain-Bellamy piggy backed on Butler with the scooters saying that she loves them as well but also has concerns with the location of where they are being left. Blain-Bellamy also piggybacked on the Day of the Dead Celebration and said that as we come to know better, we are required to do better as that expansion of who we are continues to grow everyday and we want to embrace all of the facets of our community. Blain-Bellamy encouraged all to exercise their right to vote. Blain-Bellamy said that as of Friday at 5 p.m. that 1,032 people had already voted, which was incredible.

WORKSHOP:

Discussion Amending Title 6 – Health and Sanitation, Chapter 3- Garbage and Waste Disposal, of the City of Conway Municipal Code to update fees and amend refuse receptacle requirements. Jenerette informed Council that this discussion was to amend Title 6, Health and Sanitation, Chapter 3, Garbage and Disposal. Jenerette said that he is excited as Sanitation’s new trucks would be arriving. Jenerette said that the one-armed bandit style truck would arrive in December and it requires some housekeeping of the City Ordinance regarding the pickup of trash. Jenerette then said that the trash can has to be clear of light poles, mail boxes, and vehicles as the truck has an arm that goes out anywhere from 5-10,’ picks it up above the truck and dumps it. Jenerette said that the recycle bins are also not compatible to the trucks, and staff has been switching those out since 2018 with the 65-gallon carts. Jenerette said that the City needs to discontinue the recycle bins and move forward with the 65-gallon carts to make more compatible with the new trucks.

There was some discussion regarding the percentage of households that would need to switch to the carts, grants received by the City for the carts, cost to the residents for the carts, pickup of bulk items, financing the cost of the carts for the residents for up to 6 months, cost of the carts to the City, and the procedure for returning the green bins.

Jenerette stated that both the ERF’s would also be added into the City Ordinance and all of the customers within those areas would use the ERF.

Emrick added that at Budget Retreat, Council agreed to anyone that uses the ERF would get a 10% discount. Emrick said that Sanitation is also looking at the grease traps that are outside the businesses and will have a centralized grease trap container at the new ERF. Emrick added that there is a cost benefit to businesses to sale their oil and they will lose that by having a centralized location, so they will be offered a discount if they use the grease trap container.

ADJOURNMENT: Motion: Jordan made a motion, seconded by White to adjourn the meeting.
Vote: Unanimous. Motion carried.

APPROVAL OF MINUTES: Minutes approved by City Council this _____day of _____, 2023.

Alicia Shelley, City Clerk

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
CITY OF CONWAY)

R E S O L U T I O N

**RESOLUTION RECOGNIZING HORRY COUNTY SCHOOLS FOR
RECEIVING THE PURPLE STAR DESIGNATION FROM THE
SOUTH CAROLINA DEPARTMENT OF EDUCATION**

WHEREAS, Active-duty service members and their families require assistance when transitioning from one community to another community; and,

WHEREAS, Horry County Schools received the Purple Star designation, which is awarded by the South Carolina Department of Education to schools that meet the needs of military members, veterans, and their families; and,

WHEREAS, Horry County Schools is the 12th school district in the state to receive the Purple Star Designation; and,

WHEREAS, South Carolina Purple Star schools adhere to the Military Interstate Children’s Compact Commission guidelines, which address specific educational transition concerns unique to military-connected children; and,

WHEREAS, Under the Compact, each school connects educational achievement from previous schools so military-connected students receive the help they need to stay on track for academic success.

THEREFORE, BE IT RESOLVED, that Conway City Council wishes to recognize Horry County Schools for achieving the Purple Star designation, and the Council encourages all citizens and businesses to join Horry County Schools in supporting our veterans, military members, and their families as they transition into our community.

ADOPTED BY CITY COUNCIL, duly assembled, this 20th day of November, 2023.

Barbara Jo Blain-Bellamy, Mayor

Justin D. Jordan, Mayor Pro Tem

K. Autry Benton Jr., Council Member

Amanda Butler, Council Member

William M. Goldfinch IV, Council Member

Beth Helms, Council Member

Larry A. White, Council Member

ATTEST: Alicia Shelley, City Clerk

DATE: NOVEMBER 20, 2023
ITEM: VI.B.

ISSUE:

Recognition of the 2022 C.P. Quattlebaum Design Awards recipients.

BACKGROUND:

On May 24, 1999, City Council passed Ordinance #99-05-24 (A) establishing the C.P. Quattlebaum Annual Design Awards. This ordinance empowered the Community Appearance Board to select recipients of this award.

The following is a list of the recipients of the 2022 Quattlebaum awards:

Outstanding restoration of a non-residential building:

Honey Hair Studio – 315 Kingston Street

Outstanding restoration of a residential building:

601 Burroughs Street – Peter S. Andrew (owner)

Outstanding NEW construction of a residential building:

4301 Bradford Drive – Tracy M. Thomas (owner); Benchmark Construction (contractor)

Outstanding landscaping effort:

893 Kingston Drive – Justin & Amanda Roof (owners); Hardwick’s Landscaping (contractor)

Outstanding contribution to quality development, restoration, landscape or design by an organization or individual:

B&B Theaters – 220 Rivertown Blvd

RECOMMENDATION:

Recognize the recipients of the 2022 C.P. Quattlebaum Design Awards.

*The recipient for the category – **Outstanding NEW construction of a non-residential building** – will be recognized at the December 4th City Council meeting.*

Outstanding restoration of a non-residential building:

Honey Hair Studio – 315 Kingston Street



Outstanding restoration of a residential building:

601 Burroughs Street



Outstanding NEW construction of a residential building:

4301 Bradford Drive



Outstanding contribution to quality development, restoration, landscape or design by an organization or individual:

B&B Theaters – 220 Rivertown Blvd

Renovations included new exterior lighting, signage, interior seating upgrades, theater improvements, concessions upgrade and a kitchen expansion.



DATE: NOVEMBER 20, 2023
ITEM: V.I.C.

Employee of the Month for November 2023 – Public Works

DATE: NOVEMBER 20, 2023

ITEM: VI.D.

ISSUE:

Discussion of a request by G3 Engineering, agent for owner, to annex approximately 9.24 acres of property located at 2325 Hwy 501 East (PIN 383-11-01-0004), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district.

BACKGROUND:

On November 2nd, the applicant submitted an annexation and rezoning application for the subject property, located at 2325 Hwy 501 East. The property is currently in Horry County's jurisdiction, zoned Highway Commercial (HC). The property is currently being use for an automobile dealership. Until the applicant submitted the annexation application, there had not been restrictive covenants on file for this property; however, there are now recorded restrictive covenants on file, as of November 3, 2023.

The applicant is being required to request annexation from the Public Utilities Dept., as they need to tap into the City's water main to set a fire hydrant, and this is considered an extension of service. The plans have been in review at Horry County Code Enforcement for several months, as this issue of requiring annexation has been ongoing during the county's review process.

The site has undergone several site improvements over the past decade, including additions, sign installations or replacements, and stormwater as a result of new structures. In 2016, they were issued a permit from Horry County for an addition valued at \$1.7 million.

Per *Section 3.2.10* of the UDO, the intent of the (City of Conway) Highway Commercial (HC) district is to *provide compatible locations to serve the automobile-oriented commercial activities in harmony with major highway developments, reduce traffic congestions and to enhance the aesthetic atmosphere of the City.*

Surrounding Uses / Zoning Districts:

The two properties that are located on each side of the subject property are zoned City of Conway Highway Commercial (HC).

CITY OF CONWAY COMPREHENSIVE PLAN:

The future land use map of the *Comprehensive Plan* also identifies the subject property as Highway Commercial (HC).

NEXT STEPS AND DATES/ESTIMATES:

November 27, 2023 Planning Commission to hold the required public hearing and provide a recommendation to City Council.

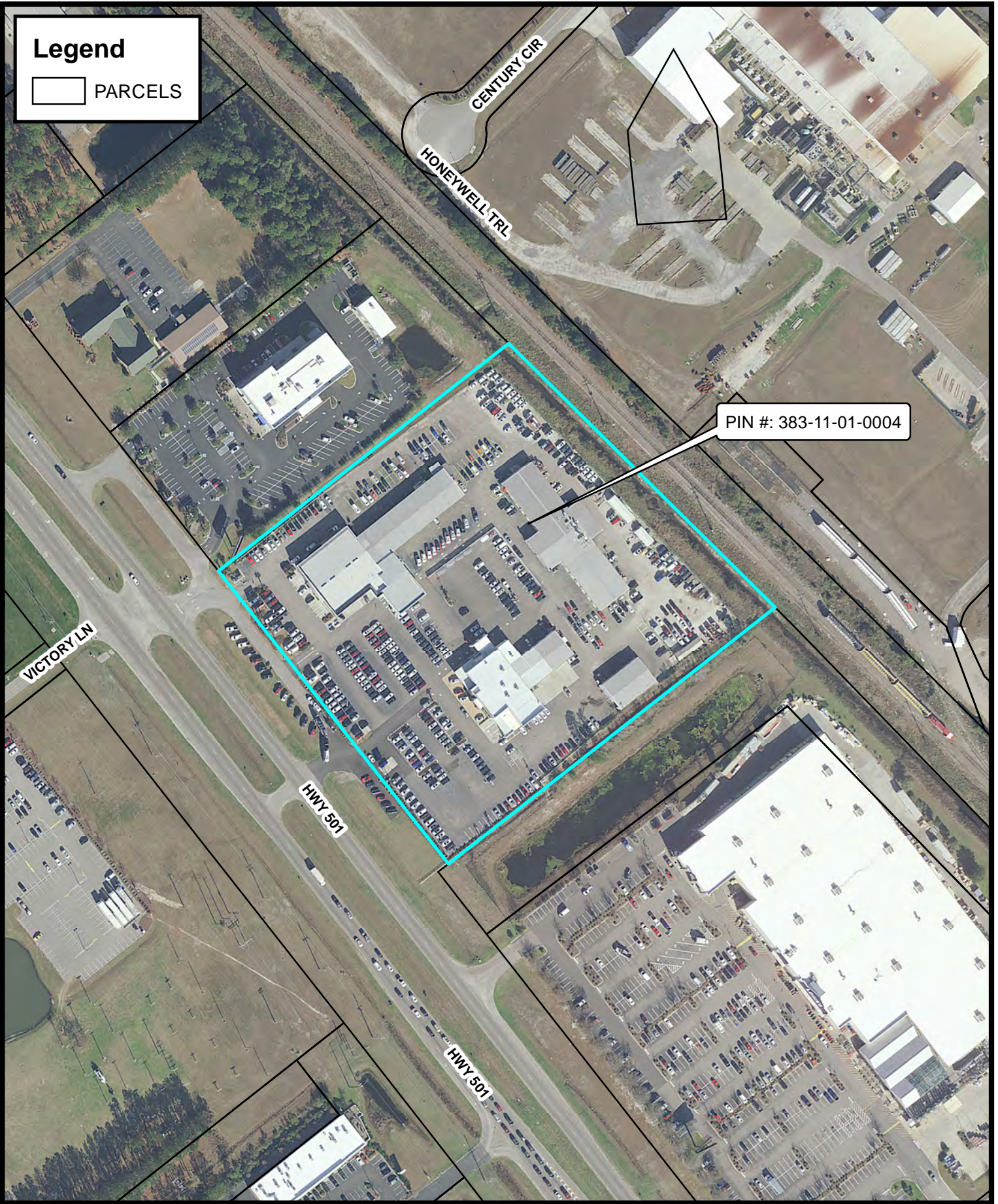
January 2023 Request to be considered for First Reading by City Council. *Exact date yet to be determined.*

ATTACHMENTS:

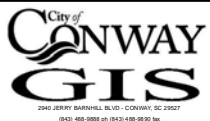
Application; GIS Maps

Legend

▭ PARCELS



PIN #: 383-11-01-0004



Disclaimer: This map is a graphic representation only. It is NOT a survey. All efforts have been made to ensure its accuracy. However, the City of Conway disclaims all responsibility & liability for the use of this map.



PIN #: 383-11-01-0004
TMS #: 151-00-03-002
2325 HWY 501 E
(P23-0317)

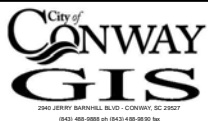


Legend

PARCELS



PIN #: 383-11-01-0004

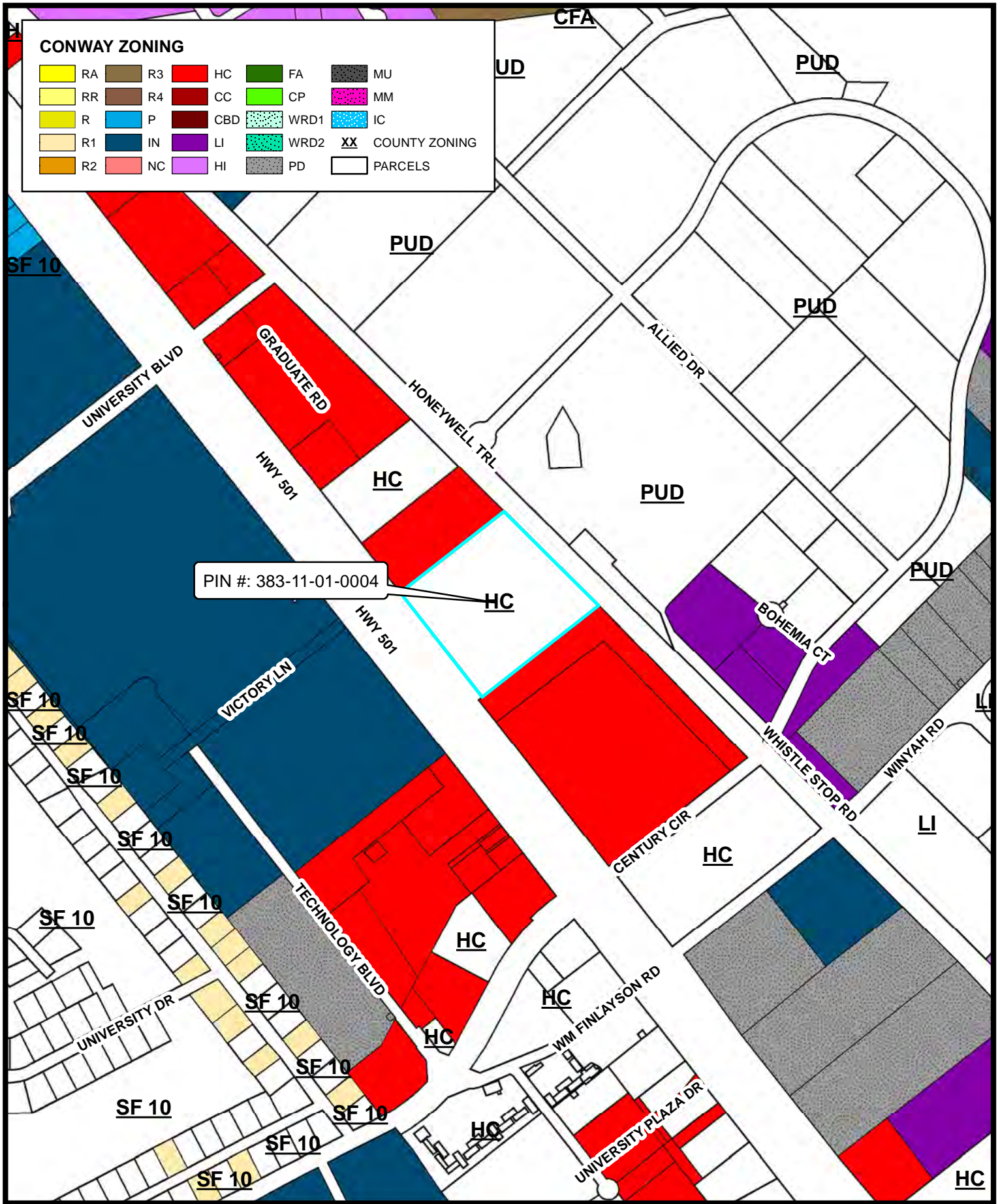


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PIN #: 383-11-01-0004
TMS #: 151-00-03-002
2325 HWY 501 E
(P23-0317)

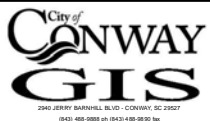




CONWAY ZONING

RA	R3	HC	FA	MU
RR	R4	CC	CP	MM
R	P	CBD	WRD1	IC
R1	IN	LI	WRD2	XX COUNTY ZONING
R2	NC	HI	PD	PARCELS

PIN #: 383-11-01-0004




















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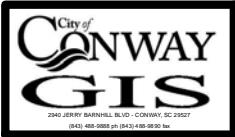
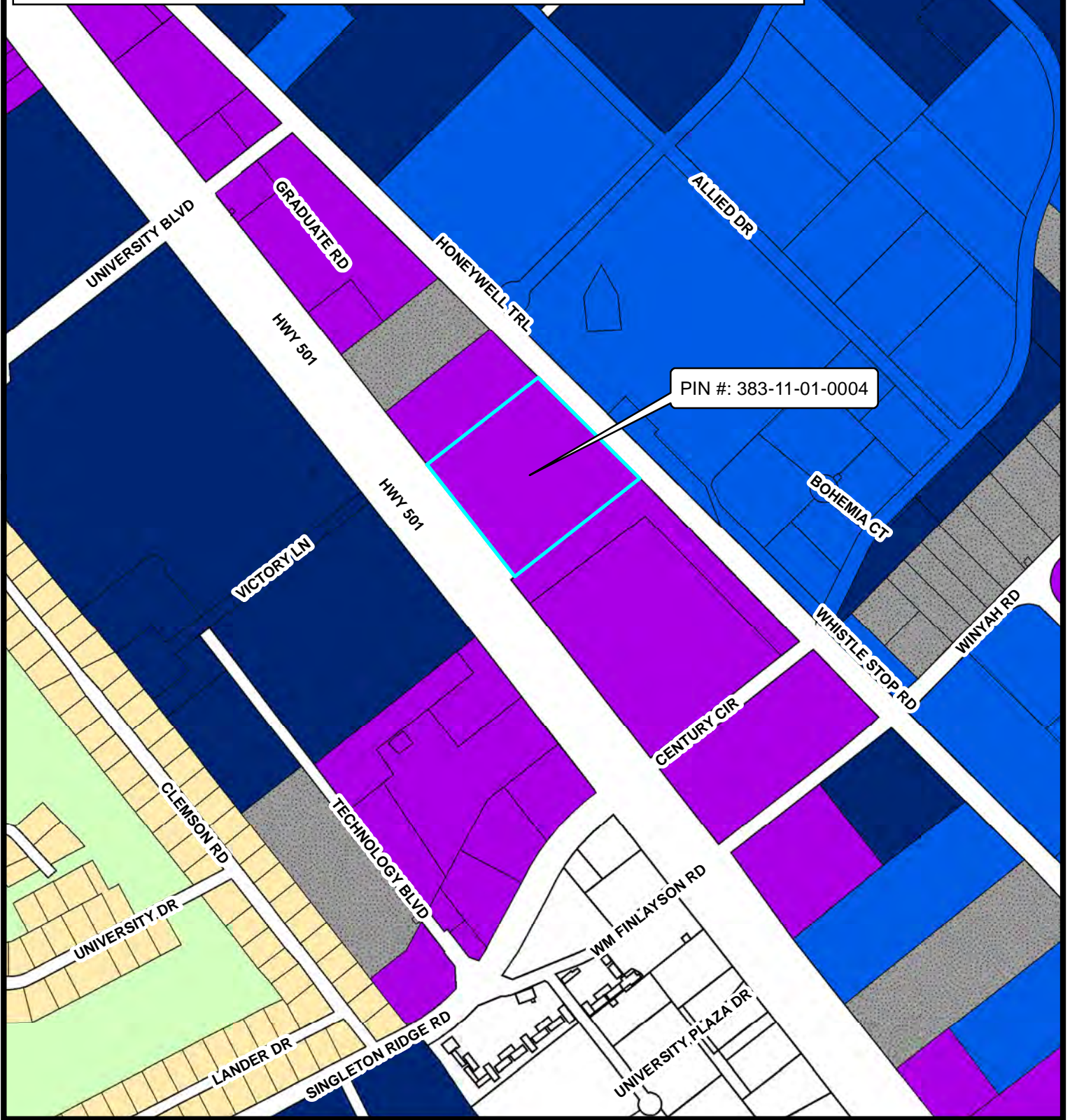


PIN #: 383-11-01-0004
 TMS #: 151-00-03-002
 2325 HWY 501 E
 (P23-0317)



FUTURE LAND USE

- | | | | |
|---|---|--|--|
|  CONSERVATION PRESERVATION |  HIGHWAY COMMERCIAL |  MEDIUM DENSITY RESIDENTIAL |  PROFESSIONAL |
|  DOWNTOWN HISTORIC DISTRICT |  INDUSTRIAL |  MIXED USE |  RECREATIONAL |
|  FOREST AGRICULTURE |  INSTITUTIONAL |  NEIGHBORHOOD COMMERCIAL |  RURAL RESIDENTIAL |
|  HIGH DENSITY RESIDENTIAL |  LOW DENSITY RESIDENTIAL |  PLANNED DISTRICT |  UTILITY |
| | | |  PARCELS |








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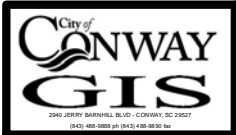


PIN #: 383-11-01-0004
 TMS #: 151-00-03-002
 2325 HWY 501 E
 (P23-0317)



REVISED 2019 FLOOD ZONES

-  0.2 PCT ANNUAL CHANCE FLOOD HAZARD
-  A
-  AE
-  VE
-  PARCELS

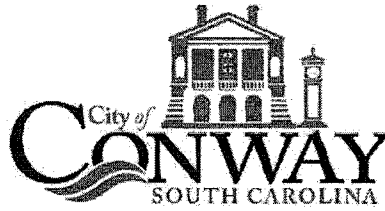


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PIN #: 383-11-01-0004
TMS #: 151-00-03-002
2325 HWY 501 E
(P23-0317)





IN WITNESS THEREOF, the undersigned Grantor has hereto set his hand and Seal this

3rd day of Nov, 2023

SIGNED, SEALED AND DELIVERED by:
Grantor in the presence of:

Sandra Ellis

Witness

C. Jordan Hadwin

Grantor Name

[Signature]

Witness or Notary

STATE OF SOUTH CAROLINA)

)

PROBATE

COUNTY OF HORRY)

PERSONALLY appeared before me the undersigned witness, and made oath that he/she saw the within named Grantor(s) sign, seal and as his/her act and deed, deliver the within written Agreement and Covenant; and that he/she with the other witness named above witnessed the execution thereof.

Sandra Ellis

Witness

SWORN TO BEFORE ME THIS 3rd
DAY OF November, 2023

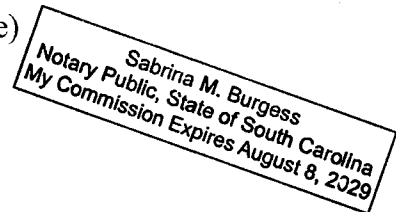
[Signature]

NOTARY PUBLIC FOR SOUTH CAROLINA (signature)

Sabrina M Burgess

NOTARY PUBLIC FOR SOUTH CAROLINA (printed)

My commission expires: 08/08/2029



Section 26-1-120 (E) (4): A witness is not a party to or a beneficiary of the transaction, signed the record as a subscribing witness.

**HORRY COUNTY REGISTER OF DEEDS
TRANSMITTAL SHEET**

**TO BE FILED WITH EACH INSTRUMENT PRESENTED ELECTRONICALLY FOR RECORDING.
HORRY COUNTY REGISTER OF DEEDS, 1301 SECOND AVENUE POST OFFICE BOX 470 , CONWAY ,
SOUTH CAROLINA 29526**

DOCUMENT TYPE OF INSTRUMENT BEING FILED: Restrictions

DATE OF INSTRUMENT: .

DOCUMENT SHALL BE RETURNED TO:

NAME: g3 Engineering and Surveying

ADDRESS:

24 Commerce Dr

Pawleys Island, SC 29585-6011

TELEPHONE: (843) 742-7738

FAX: (843) 742-7738

E-MAIL ADDRESS: mkramer@g3engineering.org

Related Document

(s):

PURCHASE PRICE / MORTGAGE AMOUNT: \$.

BRIEF PROPERTY DESCRIPTION: Hadwin White (23004) - City of Conway Restrictive Covenants

TAX MAP NUMBER (TMS #) 3831101004 / PIN NUMBER: ,

GRANTOR / MORTGAGOR / OBLIGOR / MARKER (FROM WHO):

FULL BUSINESS NAME

1. **HADWIN WHITE PROPERTIES, LLC**

GRANTEE / MORTGAGEE / OBLIGEE (TO WHO):

FULL BUSINESS NAME

1. **CITY OF CONWAY**



PETITION FOR ANNEXATION

Staff Use Only
Received: _____
BS&A #: _____

Is there a structure on the lot: Yes (8) Structure Type: Masonry and Steel buildings

Current Use: Automobile Dealership, and Automobile Repair and Body shop

Are there any wetlands on the property?

CIRCLE: YES NO

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES NO

If yes, please explain and provide a copy of covenant and/or restriction.

Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES NO

If yes, please describe.

Are there any building permits in progress or pending for this property?

CIRCLE: YES NO

If yes, please provide permit number and jurisdiction.

FEES ARE DUE AT SUBMITTAL.

RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250

PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT

planning@cityofconway.com



Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only
Received: _____
BS&A #: _____

City of Conway Planning Department
196 Laurel Street, 29526

Phone: (843) 488-9888
Conway, South Carolina

www.cityofconway.com

Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

PHYSICAL ADDRESS OF PROPERTY: 2325 Hwy 501 East FEE PAID () YES () NO

AREA OF SUBJECT PROPERTY (ACREAGE): 8.7 PIN: 383-11-01-0004

CURRENT ZONING CLASSIFICATION: Horry County - Highway Commercial

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: HC-Gateway Corridor

REQUESTED ZONING CLASSIFICATION: HC - Highway Commercial

NAME OF PROPERTY OWNER(S):

Hadwin-White Properties, LLC

PHONE # 843-347-4633

PHONE # _____

MAILING ADDRESS OF PROPERTY OWNER(S):

P.O. Box 1045, Conway, SC 29528

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

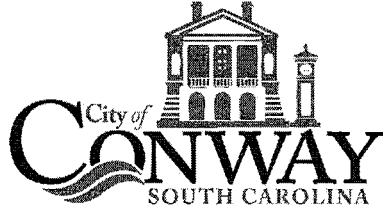
C. Jordan Hadwin
PROPERTY OWNER'S SIGNATURE(S)

11-2-23
DATE

PROPERTY OWNER'S SIGNATURE(S)

DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.



PLANNING DEPARTMENT

196 LAUREL STREET
CONWAY, SOUTH CAROLINA 29526
843-488-9888
WWW.CITYOFCONWAY.COM

DESIGNATION OF AGENT

(If the Property Owner Wishes To Appoint an Agent to Represent Him or Herself)

Agents Name: G3 Engineering & Surveying, LLC (Bruce Robinson)
Address: 24 Commerce Drive, Pawleys Island, SC 29585
Telephone: 843-237-1001 Email: permit@g3engineering.org

I hereby appoint the person(s) listed above as agent to act on my behalf for the purpose of filing such application for a variance/rezoning request as he/she shall deem necessary and proper.

C. Jordan Hadwin
PROPERTY OWNER(S) NAME (PRINT)

C. Jordan Hadwin
PROPERTY OWNER SIGNATURE

11-6-23
DATE

DATE: NOVEMBER 20, 2023

ITEM: VI.E.

ISSUE:

Discussion of a request by Michael Green Builders, Inc. to rezone approximately 1.84 acres of property located at/near the intersection of Oak Street and Medlen Parkway (PIN 338-02-01-0038 from the City of Conway Neighborhood Commercial (NC) district to the City of Conway Medium-Density Residential (R-2) district.

BACKGROUND:

The applicant submitted a rezoning application for the subject property, located on Medlen Parkway, at the intersection with Oak Street. The property is currently zoned Neighborhood Commercial (NC), and is currently vacant. The application to rezone does not specify the proposed use of the property; however, anything permitted in the R-2 district would be permitted if the rezoning request is granted if the proposed use can comply with the requirements/conditions for such use.

Neighborhood Commercial (NC) (*current zoning*)

Per *Section 3.2.9* of the UDO, the intent of the Neighborhood Commercial (NC) district is to provide small-scale retail and service uses for nearby residential areas. Dimensional requirements and design standards of the NC district are intended to promote compatibility to surrounding residential areas and accommodate pedestrian use and access. Strip commercial development, designed primarily to accommodate vehicular access and parking, and development that is insensitive or incompatible with the scale and character of the surrounding residential areas, is discouraged in this district.

Medium-Density Residential (R-2) (*proposed zoning*)

Per *Section 3.2.4* of the UDO, the intent of the R-2 District is to provide areas for medium density attached, detached, semi-attached and multi-family residential development in the City of Conway, and to prohibit uses that would substantially interfere with the development or continuation of residential structures in the District.

Surrounding Uses / Zoning:

The subject property abuts property that is currently vacant, but has been previously identified as future phases of the Elmhurst subdivision (phases 5, 6). Also abutting the subject property is the existing North Oaks Apartments development, which fronts on Oak Street. Both of these properties are zoned R-2.

On the other side of Medlen Parkway is the Midtown Village subdivision and the newer Midtown Oaks subdivision; both of which are zoned R-3 (high-density residential). On the other side of Oak Street is the Kingston Bay subdivision, zoned R-2.

CITY OF CONWAY COMPREHENSIVE PLAN:

The future land use map of the *Comprehensive Plan* identifies the subject property as *Conservation Preservation (CP)*, **likely due to the fact that almost, if not all, of the parcel is within the AE flood zone,**

which will require that any structure(s) constructed on the property be elevated to the established base flood elevation (BFE) per the latest FIRM maps.

Per *Section 3.2.15* of the UDO, the intent of the CP District is to provide needed open space for general outdoor and indoor recreational uses, and to protect environmentally sensitive areas and flood prone areas from the encroachment of any residential, commercial, industrial, or other uses capable of adversely affecting the relatively undeveloped character of the district.

NEXT STEPS AND DATES/ESTIMATES:

November 27, 2023 Planning Commission to hold the required public hearing on the request and make a recommendation to City Council.

January 2, 2024 Request to be considered for First Reading by City Council.

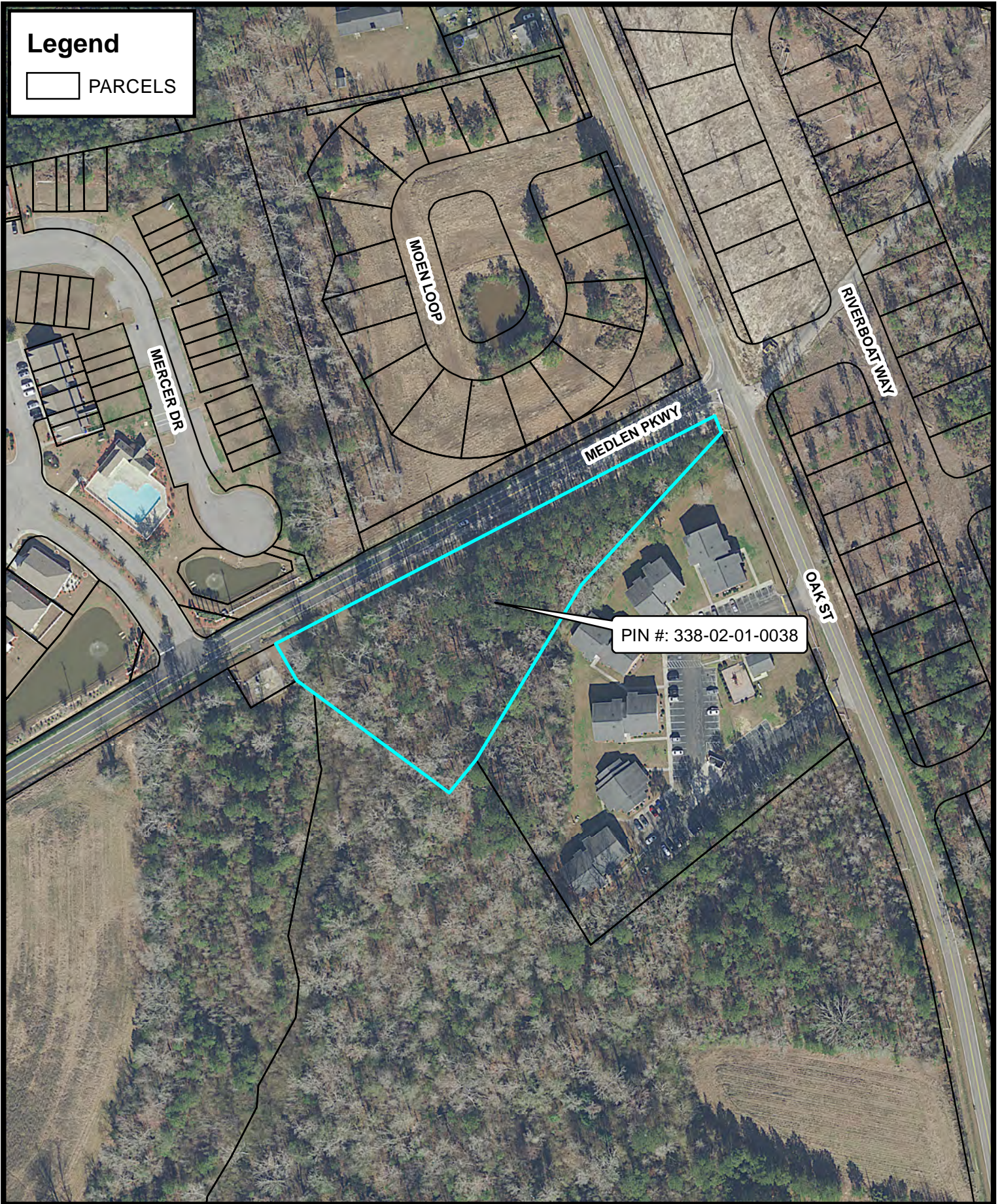
ATTACHMENTS:

Application;

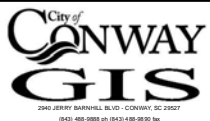
GIS Maps;

Legend

▭ PARCELS



PIN #: 338-02-01-0038



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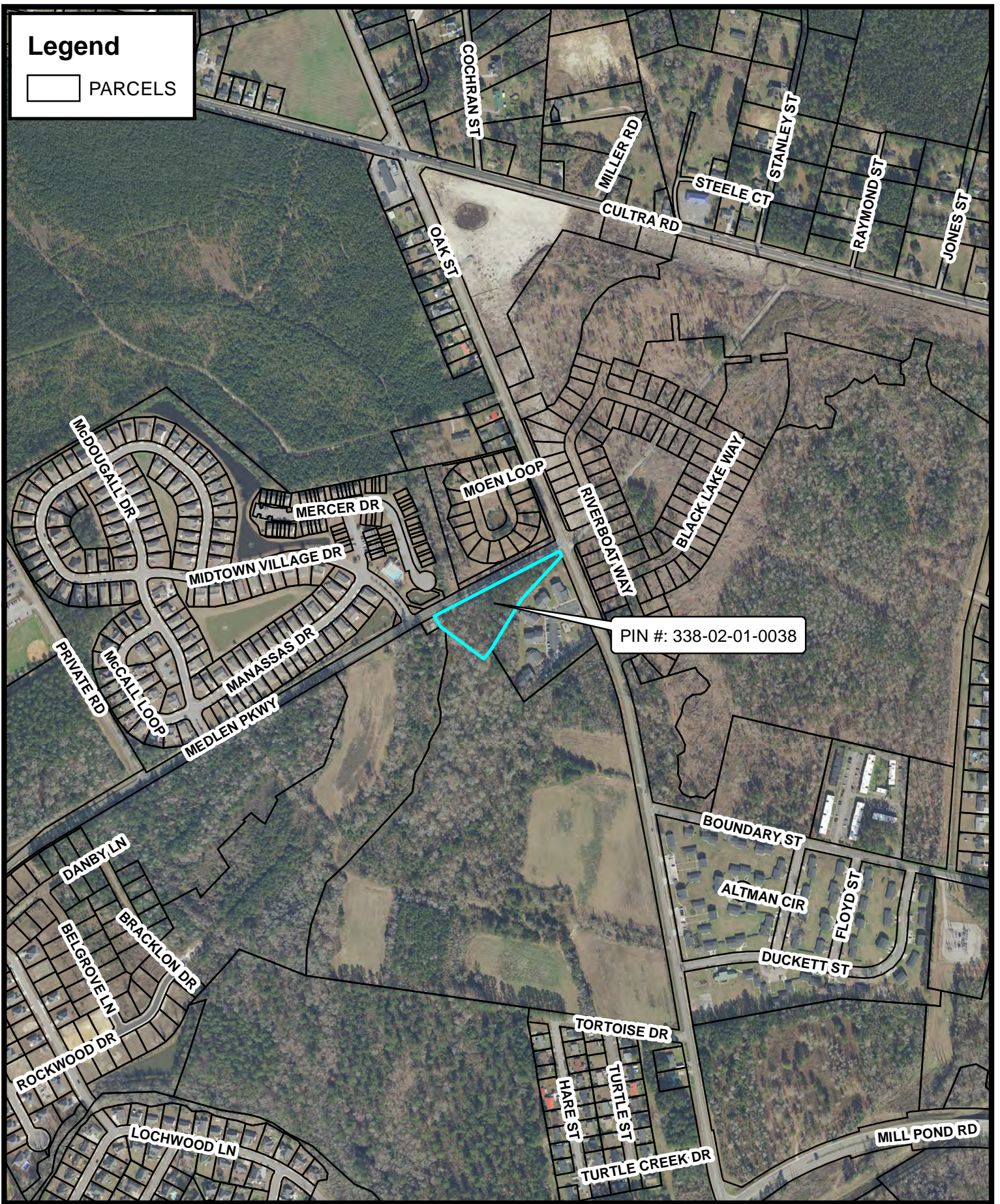


PIN #: 338-02-01-0038
TMS #: 122-00-04-071
MEDLIN PARKWAY
(P23-0307)

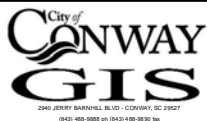


Legend

▭ PARCELS



PIN #: 338-02-01-0038

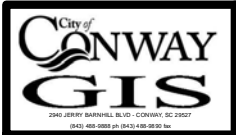
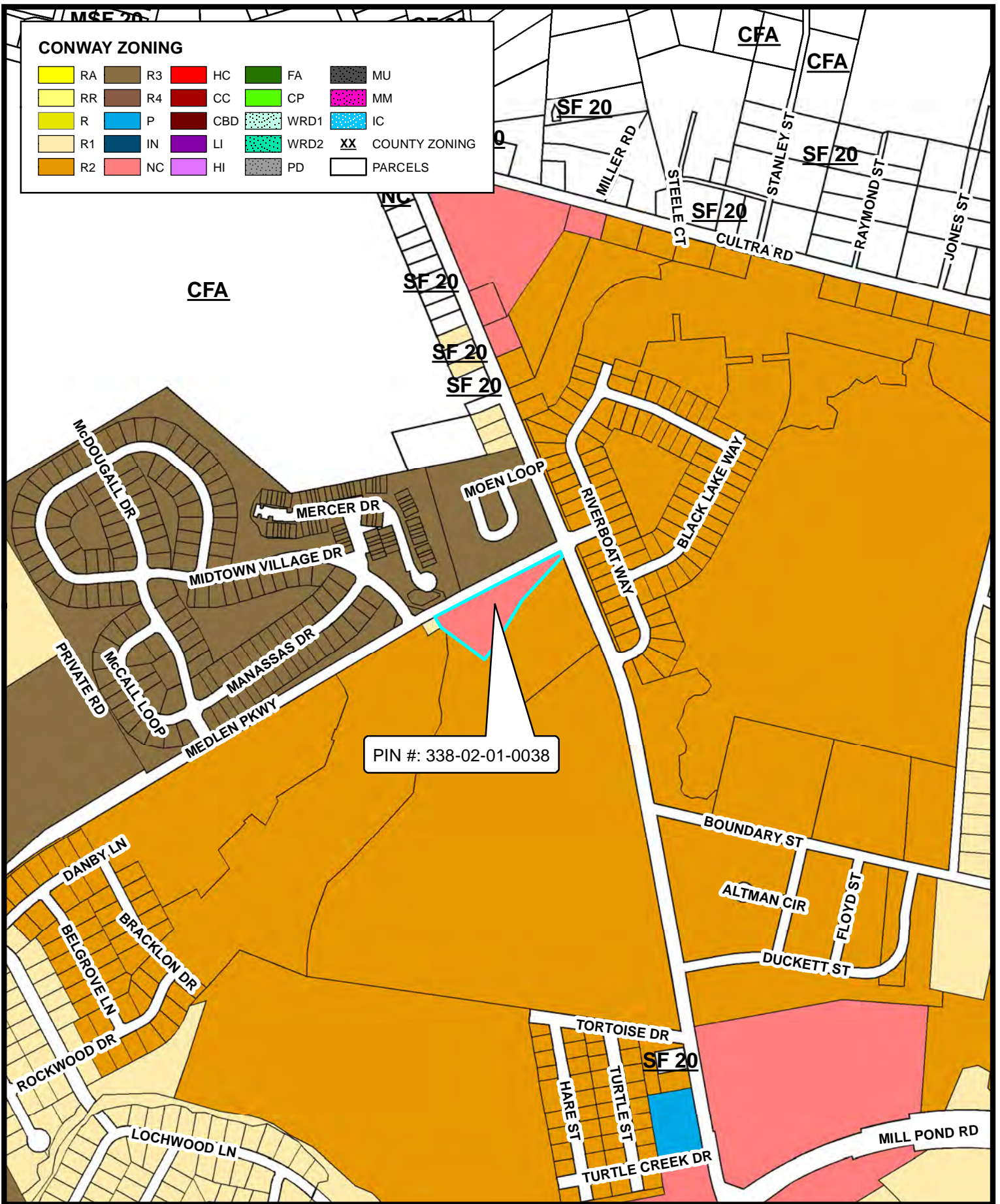


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PIN #: 338-02-01-0038
TMS #: 122-00-04-071
MEDLIN PARKWAY
(P23-0307)





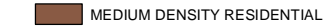



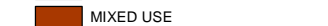



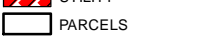
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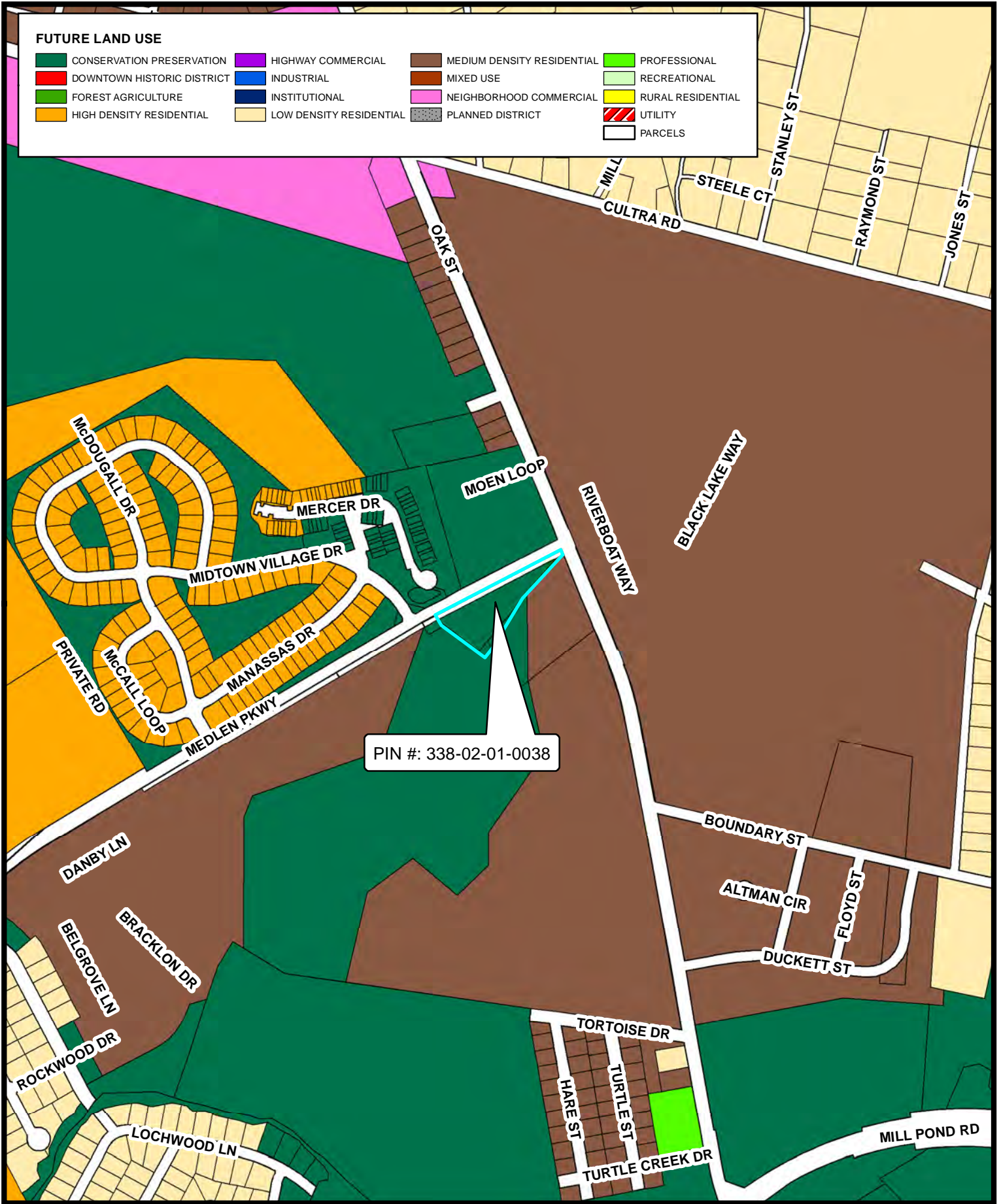


PIN #: 338-02-01-0038
 TMS #: 122-00-04-071
 MEDLIN PARKWAY
 (P23-0307)

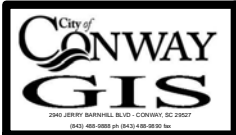


FUTURE LAND USE

	CONSERVATION PRESERVATION		HIGHWAY COMMERCIAL		MEDIUM DENSITY RESIDENTIAL		PROFESSIONAL
	DOWNTOWN HISTORIC DISTRICT		INDUSTRIAL		MIXED USE		RECREATIONAL
	FOREST AGRICULTURE		INSTITUTIONAL		NEIGHBORHOOD COMMERCIAL		RURAL RESIDENTIAL
	HIGH DENSITY RESIDENTIAL		LOW DENSITY RESIDENTIAL		PLANNED DISTRICT		UTILITY
							PARCELS



PIN #: 338-02-01-0038








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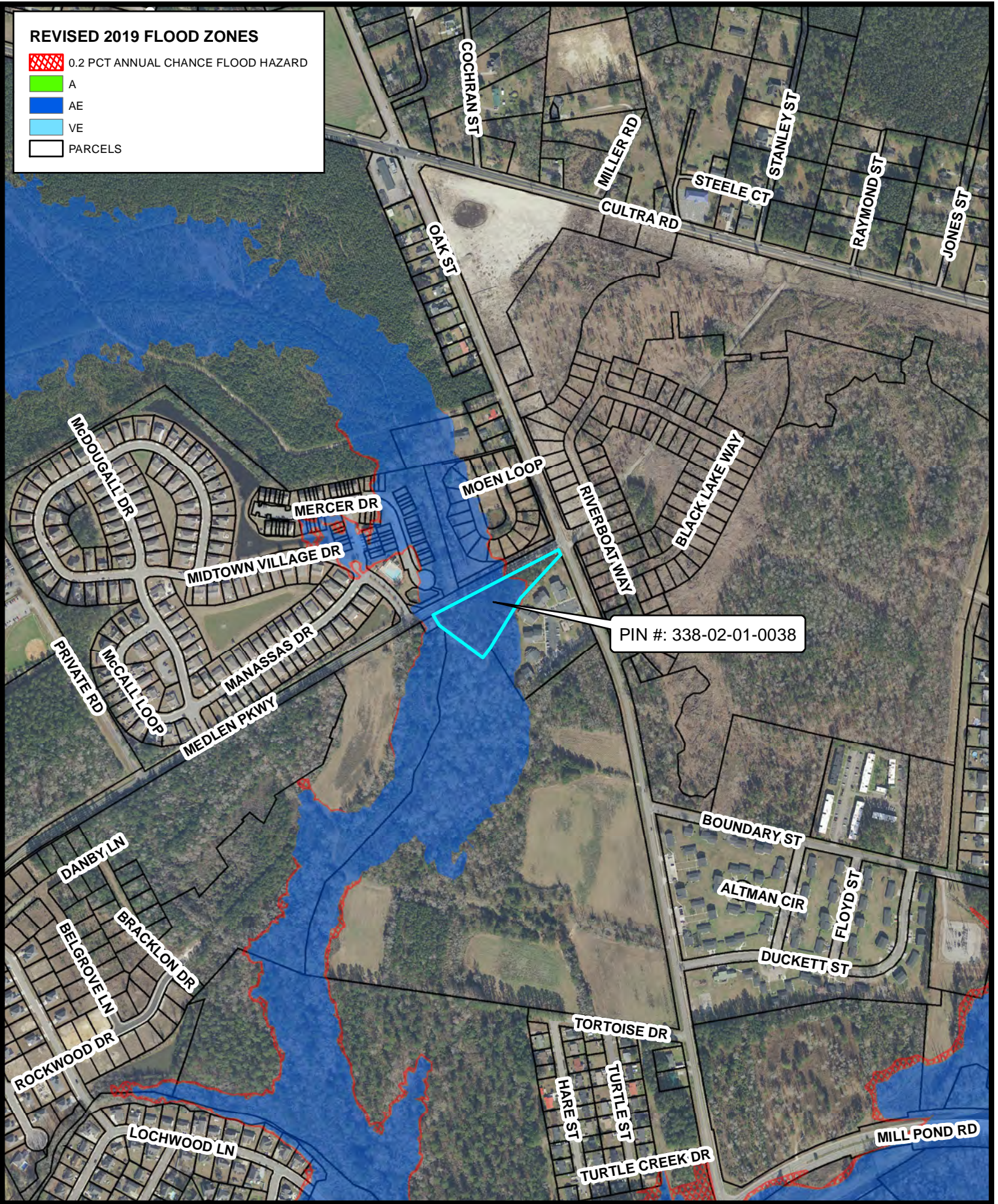


PIN #: 338-02-01-0038
 TMS #: 122-00-04-071
 MEDLIN PARKWAY
 (P23-0307)

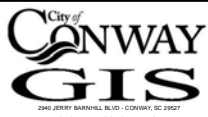


REVISED 2019 FLOOD ZONES

-  0.2 PCT ANNUAL CHANCE FLOOD HAZARD
-  A
-  AE
-  VE
-  PARCELS



PIN #: 338-02-01-0038



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PIN #: 338-02-01-0038
 TMS #: 122-00-04-071
 MEDLIN PARKWAY
 (P23-0307)





Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only
Received: _____
BS&A #: _____

City of Conway Planning Department
196 Laurel Street, 29526

Phone: (843) 488-9888
Conway, South Carolina

www.cityofconway.com

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PHYSICAL ADDRESS OF PROPERTY: TBD Medlin Parkway FEE PAID YES NO

AREA OF SUBJECT PROPERTY (ACREAGE): 1.84 acres PIN: 33802010038

CURRENT ZONING CLASSIFICATION: NC

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: Forest Agriculture

REQUESTED ZONING CLASSIFICATION: R2

NAME OF PROPERTY OWNER(S):

Michael A. Green Builders, Inc.

PHONE # 843-222-3681

PHONE # _____

MAILING ADDRESS OF PROPERTY OWNER(S):

2200 Woodstork Drive Conway, SC 29526

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

[Signature]

PROPERTY OWNER'S SIGNATURE(S)

12/19/23

DATE

PROPERTY OWNER'S SIGNATURE(S)

DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

CHRIS SANSBURY
CHRIS SANSBURYRE@gmail.com
843-254-1320

Future
land
use
amendment

DATE: NOVEMBER 20, 2023
ITEM: VII.A.

ISSUE:

First Reading of Ordinance #2023-12-04 (A) Amending *Title 6 – Health and Sanitation, Chapter 3- Garbage and Waste Disposal*, of the City of Conway Municipal Code to update fees, amend refuse receptacle and service requirements.

BACKGROUND:

The new automated garbage truck will arrive in December 2023. The other 4 automated trucks are scheduled to arrive in April 2024. This “one-armed bandit” style truck only requires one person to operate the truck. The mechanical arm grasps the roll carts around its middle, hoisting it above the truck and dumping the waste / recyclables into the hopper. The Mechanical arm can easily lift roll carts weighing more than 150 pounds.

The 18-gallon recycle bins have been used since 1997 by the Solid Waste Department. However, the bins are not compatible with the new trucks. With this, the bins need to be taken out of service with a proposed effective date of July 1, 2024 and replaced with roll carts. Additionally, the bins create more work for City staff, and cause a mess in rainy and windy conditions.

Many bins have already been replaced with roll carts. The recycle program in the City increased so much in recent years that grants were received from SCDHEC and Horry County Solid Waste Authority to replace bins with roll carts. Since 2018, the City has replaced over 2,000 recycling bins with roll carts. The new cart system requires customers to use a reasonable amount of care for collection day, including:

- The roll cart / recycling cart should be separated from object like vehicles, light pole, flowers bed and mail boxes by at least 4 feet
- The carts should be no more than 2 to 4 feet from the curb
- The metal bar on the front of the carts should face the street, and the lids should be closed

Additionally, the ordinance needed updates to include ERF (Environment Refuse Facility) requirements. Proposed amendments include: Solid Waste Director authority to require ERF use for certain properties, a discount for ERF use, and an additional discount for ERF grease trap use.

RECOMMENDATION:

Approve First Reading of **Ordinance #2023-12-04 (A)**.

ORDINANCE #2023-12-04 (A)

AMENDING TITLE 6 - HEALTH AND SANITATION, CHAPTER 3- GARBAGE AND WASTE DISPOSAL, OF THE CITY OF CONWAY MUNICIPAL CODE TO AMEND TITLE 6- HEALTH AND SANITATION, CHAPTER 3- GARBAGE AND WASTE DISPOSAL TO UPDATE FEES AND AMEND REFUSE RECEPTACLE AND SERVICE REQUIREMENTS

WHEREAS, the City is moving to new automated garbage trucks that are not compatible with recycle bins; and

WHEREAS, the bins create more work for City staff, and cause a mess in rainy and windy conditions; and

WHEREAS, bins need to be replaced with roll carts; and

WHEREAS, sanitation fees were amended in the recent budget, and the changes to the ordinance reflect those updates; and

WHEREAS, City Council has determined it is in the best interest of the City and its citizens to update fees and amend refuse receptacle requirements: Therefore, be it

ORDAINED, by Conway City Council, in council duly assembled, that the City of Conway Municipal Code shall be amended after adoption as attached hereto.

EFFECTIVE DATE: This ordinance shall become effective upon final reading approval.

DONE AND RATIFIED BY CITY COUNCIL duly assembled this _____ day of _____, 2023.

Barbara Jo Blain-Bellamy, Mayor

Justin D. Jordan, Mayor Pro Tem

K. Autry Benton Jr., Council Member

Amanda Butler, Council Member

William M. Goldfinch IV, Council Member

Beth Helms, Council Member

Larry A. White, Council Member

ATTEST: Alicia Shelley, City Clerk

First Reading: _____

Final Reading: _____

CHAPTER 3 Garbage and Waste Disposal

Sec. 6-3-1 General.

It shall be unlawful for any person to cause or allow unsightly litter, foul or offensive odors or potentially dangerous materials to remain on or emanate from any property under his control, or to discard, or abandon, or cause the same on any public or private property within the corporate limits of the city.

Sec. 6-3-2 Definitions.

For the purpose of this chapter, the following terms, phrases, words and their derivatives shall have the meanings given therein. When not inconsistent with the context, words used in the present tense include the future tense, words used in the plural include the singular and words in the singular include the plural. The word "shall" is always mandatory and not merely discretionary. The following definitions shall apply in the interpretation, administration and enforcement of this chapter:

- (1) Building materials shall mean any material such as lumber, brick, block, stone, plaster, concrete, asphalt, roofing shingles, gutters and other substances accumulated as the result of repairs or additions to existing buildings or structures, construction of new buildings or structures or the demolition of existing buildings or structures.
- (2) Bulk containers shall mean a metal container of not less than two (2) cubic yards capacity and not larger than eight (8) cubic yards capacity, constructed so as to be watertight but with drain plugs at the lowest point of the container to facilitate the drainage of any liquids that might accumulate in the container or from cleaning the container. Bulk containers shall have plastic lids which open from the top. Bulk containers shall be designed so that they can be emptied mechanically by specially designed trucks operated by the city or its authorized agent.
- (3) Business trash shall mean any waste accumulation of dust, paper, cardboard, excelsior, rags or other accumulations other than garbage or household trash which are usually attendant to the operation of stores, offices and similar businesses.
- (4) City shall mean the City of Conway, South Carolina, or its authorized representative.
- (5) Commercial establishment shall mean any retail, wholesale, motel, hotel, institutional, religious, governmental or other nonresidential establishment which may generate garbage, business trash or other refuse.
- (6) Garbage shall mean the waste produced by the handling, processing, preparation, cooking and consumption of animal or vegetable products used for human consumption. This definition shall include any other matter that is also subject to decomposition, decay putrefaction or the generation of noxious or offensive gases or odors or which before, during and after decay may serve as feeding or breeding material for animals or flies or other insects.
- (7) Hazardous refuse shall mean materials including, but not limited to, gasoline, engine or lubricating oils or grease, poisons, acids, caustics, harmful or dangerous chemicals,

infected materials, offal, fecal matter, explosives, highly flammable materials and parts of the human anatomy including pathological specimens.

- (8) Household trash shall mean waste accumulation of paper, sweepings, dust, rags, bottles, cans or other waste material of any kind, other than garbage, which is attendant to residential housekeeping.
- (9) Industrial waste shall mean all waste, including solids, semi-solids, sludge and liquids created or generated by factories, processing plants or other manufacturing enterprises.
- (10) Litter shall mean garbage, refuse, waste materials or any other discarded, used or unconsumed substance which is not handled as specified herein.
- (11) Loading and unloading area shall mean any space or area used by any moving vehicle for the purpose of receiving, shipping and transporting goods, wares, commodities and persons.
- (12) Multiple residential unit shall mean any duplex, apartment, group of apartments or condominiums used for dwelling places for more than one (1) family.
- (13) Parking lot shall mean any area, paved or unpaved, the principal function of which is the parking of six (6) or more motor vehicles. This definition excludes those parking spaces on public streets.
- (14) Person shall mean any individual, firm, company, corporation or association.
- (15) ~~Recycling bins shall be constructed of green plastic, city approved size, which is designated to store recyclables until scheduled day of service.~~ **Environmental Refuse Facility (ERF) shall mean an enclosed solid waste collection area constructed by the City for public use.**
- (16) Recyclable materials shall be newspaper, glass, aluminum, tin cans and plastic drink bottles.
- (17) Refuse shall mean solid waste accumulations consisting of garbage, household trash, yard trash and business trash as defined herein.
- (18) Refuse receptacles.
 - a. ~~Polyethylene plastic bags shall weigh no more than 25 pounds when full and may be used only where dogs, rodents and other animals are not a cause of litter. Plastic bags are permitted only for occasional cart overflow or for the purpose of a liner in rollout carts. Any other use of plastic bags is subject to the approval of the city administrator.~~
 - b. Cardboard boxes, cartons or crates may be used only to contain other cardboard boxes, cartons or crates and must be properly secured by tying or taping. Said cardboard boxes shall not exceed a dimension of five (5) feet by six (6) feet by three (3) feet and shall have a volume of at least eight (8) cubic feet. Such boxes have a one-time use and shall be collected along with the refuse contained in them.
 - c. Mobile rollout containers **and recycling carts** shall be plastic containers of substantial construction having a capacity of not less than **82 65** gallons nor more

than **100 95** gallons. The rollout container shall have a hinged lid. Mobile rollout containers shall be designed so that they can be emptied mechanically by specially designed lift devices attached to the trucks operated by the city or its authorized representative.

- (19) Single residential unit shall mean any dwelling place occupied by one (1) family.
- (20) Tree and shrubbery trimmings shall mean waste accumulation of tree branches, tree limbs, bushes, shrubbery, cuttings or clippings usually created as refuse in the trimming of trees, shrubs or bushes. "Tree and shrubbery trimmings" does not include parts of trees, stumps or other materials resulting from the removal of trees or shrubs by homeowner and/or contractor.
- (21) Yard trash shall mean grass clippings, leaves, twigs or the combination of these that are usually associated with yard or lawn maintenance activity. Exceptions shall be only as provided in this chapter.

Sec. 6-3-3 Administration and enforcement.

- (a) The administration of the provisions of this chapter shall be the duty and responsibility of the city administrator or his appointed designee.
- (b) There are hereby established, uniform service charges and penalties for complete sanitation services. The city council may modify, amend or add to the rate structure.
- (c) The service charges and penalties as determined by council shall be on file in the city clerk's office and are incorporated herein by reference.
- (d) Service charges for complete sanitation service shall be applied monthly to every single or multiple residential unit and every commercial establishment located within the city. The service is available to all units and establishments within the city; therefore, the appropriate service charge will be applied whether or not the required refuse receptacles are utilized by the unit or establishment.
- (e) Only the city or its authorized representative is permitted to collect garbage, household trash, recyclables, etc., within the city.

Sec. 6-3-4 Refuse containers; size, type, etc.

- (a) Each single family residence shall maintain a garbage roll-out cart **and recycle cart** purchased from the city. No other garbage or **recycle** receptacles will be emptied by city sanitation staff.
- (b) Bulk containers as specified in section 6-3-2(2) are subject to approval of the city administrator or his designated representative. Distributors of bulk containers in the city shall contact the city to secure approval of their bulk container before distribution within the city. All bulk containers distributed after the adoption date of the ordinance codified in this chapter will be required to have a plastic lid which opens from the top. Any existing container now within the city and being serviced will be required to have a plastic lid installed at such time as the container receives any major repairs, i.e., new bottom or is replaced by another container. The intent of this section is to allow all present bulk container users time to plan for the addition of container lids.

- (c) ~~Recycle bins are available from the City of Conway. These bins are free of charge to single family residences. No other recycle bins will be emptied by city sanitation staff.~~

Sec. 6-3-5 Refuse/recycling receptacles to be safe.

All refuse/recycling receptacles as required herein shall be of safe construction and design and shall be maintained in a good, serviceable and sanitary condition by the user at all times. Any refuse/recycling receptacles which do not conform to the provisions of this chapter, or which have ragged or sharp edges or other defects likely to hamper or injure the person collecting the contents thereof or the public generally, shall be promptly replaced upon notice to the user. If said refuse/recycling receptacle(s), after due notice, has not been replaced, the city shall have the authority to remove said refuse/recycling receptacle as refuse and discontinue collection service of unserviceable/unsafe refuse/recycling receptacles.

(Ord. No. 92-10-12(A), 10/12/92)

Sec. 6-3-6 Preparation of refuse for collection in mobile containers and recycling bins carts.

- (a) Garbage and recyclable collection begins at 7:00 a.m. Mobile containers and recycling bins carts which are not out when the truck passes will not be collected until the next regularly scheduled pickup date. Mobile containers and/or recycling bins carts should be removed from the curb the day they are serviced by 7:00 p.m. Lids must be closed and latched when in use. The property owner or occupant shall be responsible for such removal.
- (b) All refuse shall be placed in approved mobile containers and/or recycling bins carts, or placed next to said containers in throw-away receptacles or tied in bundles not exceeding 50 pounds. Bundled cardboard and bundled limbs shall not exceed four (4) feet in length. All receptacles placed at the curb next to the approved mobile containers and/or recycling bins carts shall be picked up and discarded. No stumps logs or other materials or tree limbs resulting from the removal of trees shall be hauled by the city or its authorized contractor.
- (c) Yard trash shall be neatly piled at the curbside. All yard trash shall be separated, i.e., leaves, limbs, appliances, metals and furniture, and placed at the curbside as provided herein.
- (d) Large bulky items, such as stoves, refrigerators, water heaters, sofas, box springs, large tree limbs weighing over 50 pounds, etc., shall be picked up with equipment designed for large bulk items. This service applies to residential customers only and does not include building materials, roofing, soil, rock, concrete, tree stumps, etc.
- (e) The city administrator shall determine that area considered to be the curb as it relates to refuse collection pickup points.
- (f) The roll cart / recycling cart should be separated from object like vehicles, light pole, flowers bed and mail boxes by at least 4 feet.**
- (g) The carts should be no more than 2 to 4 feet from the curb.**
- (h) The metal bar on the front of the carts should face the street, and the lids should be closed.**

Sec. 6-3-7 Availability and extent of service.

- (a) Mobile containers and/or recycling bins carts shall be serviced one (1) time a week. (Twice a week service for carts and recycling bins carts will be provided only in extreme cases where rollout carts will not accommodate refuse and space constraints do not allow a bulk container.) Back door service is available, subject to the approval of the city administrator who may request a doctor's certificate for those persons who are unable to roll their mobile container or carry their recycling bin cart to the curb.
- (b) All persons, firms or corporations who generate more refuse than can be serviced by mobile containers and recycling bins carts one (1) time a week and desiring service by the city shall no longer receive mobile container/recycling bin cart service, but shall be required to furnish a bulk container of the type approved by the city, provided that such container shall not be serviced more than once per day. (Note: twice a week exception in paragraph (a) above refers to mobile containers and/or recycling bins carts) Containers shall follow as closely as possible to the following schedule:
 - (1) Residential area: One (1) mobile container/recycling bin cart per home.
 - (2) Apartment complex: One (1) to four (4) units, one (1) mobile container/recycling bin cart per apartment.
 - (3) Apartment complex: Five (5) units and above, bulk containers(s) in sufficient size and number as specified and approved by the city.
- (c) **Required ERF service areas are at the discretion of the Solid Waste Director. Customers within a required ERF service area shall receive a 10% discounted monthly sanitation fee. Restaurants within a ERF service area shall also use the City grease trap, and receive a further discount of 5%.**
- (ed) The city administrator is authorized to determine when a bulk container is unserviceable and may discontinue service for same.

Sec. 6-3-8 Storing of refuse/recyclables and trash.

All accumulations of refuse and trash shall be stored or placed for collection in accordance with the following provisions:

- (1) Public streets . No refuse, trash, yard trash, leaves, trees and shrubbery trimmings, refuse receptacle/recycling bin cart or bulk container shall be placed within the vehicular travelway or gutters of any street with the exception of one (1) roll-off container for construction debris upon approval of the city administrator. The city administrator is authorized to approve requests for up to one (1) roll-off container per job site within the historic and downtown business districts as he or she deems necessary. Requests for more than one (1) roll-off container would require city council action. Yard debris (leaves, grass clippings, shrubbery trimmings) are not to be containerized;

- (2) Public sidewalks . Refuse, trash, yard trash, leaves or tree and shrubbery trimmings contained in approved refuse receptacles and/or recycling bins carts may be placed on the sidewalk on the day of collection as long as they do not unreasonably interfere with pedestrian traffic;
- (3) Public alleys . Refuse contained in approved refuse receptacles may be placed in a public alley on the day of collection so long as it does not unreasonably interfere with vehicular or pedestrian traffic;
- (4) Blockage of storm drains . No person shall place any refuse, trash, refuse receptacle and/or recycling bin cart on, upon, or over any storm drain opening or close thereto as to be drawn by the elements into the same. No person shall place any refuse, trash, refuse receptacle and/or recycling bin cart or container in a gutter, thereby causing blockage of stormwater flows or possible blockage of storm drainage system if carried by the elements into the same. No person shall blow leaves, trash, and/or other debris in the direction of a storm drain.
- (5) Unauthorized accumulations . Any unauthorized accumulation of refuse or trash on any lot, property, premise, public street, sidewalk, alley or other public or private place is prohibited. Failure of the owner or occupant, after notice of violation, to remove and correct any such unauthorized accumulation of refuse or trash shall be deemed a violation of this chapter;
- (6) Junk . It shall be a violation of this chapter for any person to place or store outside any building or dwelling, except as provided herein, any dilapidated furniture, appliances, vehicles, machinery, equipment, building materials or any other item which is either in a wholly or partially rusted, wrecked, junked, dismantled or inoperative condition and which is not completely enclosed within a building or dwelling. This shall not apply to authorized junk dealers or authorized establishments engaged in the business of repairing, rebuilding, reconditioning or salvage, who are required to provide a six (6) foot screened enclosure;
- (7) Appliances . It shall be unlawful and a violation of this chapter for any person to leave outside any building or dwelling, in a place accessible to children, any appliance, refrigerator or other container of any kind which has an airtight door or cover with a snaplock or latch without first removing the lock or latch, door or cover from the appliance, refrigerator or container;
- (8) Multi-family residential . At townhouses, condominiums, apartments, etc., where it is deemed impractical to move mobile containers to back yards, a screened area will be required. The location and design must be approved by the city administrator or his designated representative.
 - a. Multi-family residential units and complexes shall be required to pay the same monthly service charges as the city council may set from time to time for single-family units. The monthly service fee will be included on the utility billing for multi-family units, which have an individual water meter and a separate utility account. Multi-family complexes which are served by a master meter, with an account for which a management company or property association is responsible, will be billed monthly based on the total number of units in the complex;

- (9) It shall be unlawful and a violation of this chapter for any person to store or place refuse, yard trash, leaves, tree and shrubbery trimmings, a refuse receptacle, recycling ~~bin~~ **cart** or bulk container on or abutting at the front of property of another person; or to store or place refuse, yard trash, leaves, tree and shrubbery trimmings in a refuse receptacle, recycling ~~bin~~ **cart** or bulk container of another person or to relocate refuse, yard trash, leaves, tree and shrubbery trimmings or recyclable items from the home or area where generated to another home or area for pickup.

Sec. 6-3-9 Reserved.

Sec. 6-3-10 Interfering with collection practices.

No person or persons shall interfere or otherwise deter the normal refuse/recycling collection process by tampering with refuse/recycling containers or their contents unless by permission of the city administrator or his/her representative; nor shall any person place any hazardous refuse in any collection receptacle.

Sec. 6-3-11 Scattering of refuse and littering prohibited.

- (a) It shall be a violation of this chapter for any person to: (i) scatter refuse or litter any public or private street, area or place; (ii) cast, throw, place, sweep or deposit anywhere within the city any refuse or trash in such a manner that it may be carried or deposited by the elements upon or in any street, sidewalk, alley, storm drain or other public place or into any occupied or unoccupied premises within the city; or (iii) throw or deposit any refuse, trash or debris in any stream or body of water.
- (b) It shall be a violation of this chapter for any vehicle transporting loose materials within the city to transport the same without suitable covers.

Sec. 6-3-12 Responsibility to place refuse/recyclables for collection.

It shall be the responsibility of each householder or storekeeper to place their refuse and/or recyclables for collection at the proposed time and in the proper manner as provided for in this chapter.

Sec. 6-3-13 Collectors to exercise reasonable care.

Collectors of garbage and recyclables shall exercise reasonable care in the handling of mobile containers and/or recycling ~~bins~~ **carts** and shall not willfully break, deface or injure same.

Sec. 6-3-14 Dumping garbage, etc., on open lots prohibited.

No garbage, refuse, abandoned junk or other offensive material shall be dumped, thrown or allowed to remain on any lot or space within the city limits.

Sec. 6-3-15 Reserved.

Editor's note(s)—Ord. No. 2009-05-11(A), adopted May 11 2009, repealed § 6-3-15, which pertained to replacement of mobile containers and/or recycling bins **cars** and derived from Ord. No. 92-10-12(A), 10/12/92.

Sec. 6-3-16 Commercial establishments.

- (a) Storage of refuse receptacles . All commercial establishments shall store their refuse receptacles or containers as specified herein so as to eliminate the dispersal of such refuse by the elements and the resulting unsightly litter in and about their establishments. Approved methods of containerization include mobile refuse receptacles, recycling bins **cars** and bulk containers. The number and type of containers necessary for each commercial establishment shall be as required to maintain clean, neat and sanitary premises. Spillage and overflow shall be immediately cleaned up by the establishment when and as it occurs.
- (b) Screening of garbage containers . All exterior garbage or rubbish containers shall be screened on all but one (1) side by an opaque wall or fence, landscaping, berm, or other suitable opaque enclosure. The average height of the enclosure shall not be required to exceed eight (8) feet in height.
- (c) All dumpsters must be placed on a dumpster pad, with a minimum thickness of eight (8) inches reinforced concrete . The minimum size for a standard single dumpster pad shall be 10 feet long and 12 feet wide. The minimum size for a standard double dumpster pad (defined as a pad for two (2) refuse containers) shall be 10 feet long and 22 feet wide. The minimum size for a standard triple dumpster pad (defined as a pad for three (3) refuse containers) shall be 10 feet long and 32 feet wide. (Please refer to City of Conway standard dumpster pad specifications, available at the city public works department and the city planning and zoning department). Adjacent buildings, if at least one (1) foot taller than the dumpster, may be considered as fulfilling the screening requirement for the side adjacent to the dumpster. The access opening for removal of the dumpster must be a minimum of 12 feet wide.
- (d) The installation of a barrier curb is required to protect the screening . The barrier curb shall be of sufficient strength and durability to contain the dumpster receptacle in the proper area, and must be constructed of steel pipe filled with concrete. A minimum of 18 inches should be allowed between the barrier and the side of the dumpster. All added, replaced, and/or moved dumpsters shall be required to meet the above-listed specifications.

Sec. 6-3-17 Loading and unloading areas.

All loading and unloading areas shall, at the discretion of the city administrator, be provided with refuse receptacles or containers for loose papers, debris, packaging materials and other business trash. The number and type of such containers necessary for each area shall be as required to maintain clean, neat and litter-free premises and as directed by the city administrator.

Sec. 6-3-18 Points of collection.

On the day of collection, unless otherwise provided by this chapter, it shall be the responsibility of the owner or occupant to place refuse receptacles and/or recycling bins-carts at the curbside or at the edge of the vehicular travelway as specified in section 6-3-8(1), (2) and (3) herein. No refuse receptacles, recycling bins-carts or containers, unless otherwise provided in this chapter, shall be stored in front of a building or dwelling except on the day of collection.

Sec. 6-3-19 Collection practices.

- (a) Residential. Garbage and household trash accumulated at residences shall be collected at curbside at the edge of the vehicular travelway on a schedule determined by the city or its authorized representative. It shall be a violation of this chapter to transport refuse, yard debris or recyclables from the source of generation to another location for pickup. Such collections shall be limited to approved mobile receptacles, recycling bins-carts or containers as defined herein. Oversize household trash, yard trash and tree or shrubbery trimmings shall be collected on a schedule determined by the city or its authorized representative at curbside as specified herein.
- (b) Commercial establishments. Service to commercial establishments shall be on a schedule determined by the city administrator or his authorized representative. Such collection shall be limited to a maximum of four (4) mobile refuse receptacles. The city administrator shall have the authority to require the use of bulk containerization when this maximum is exceeded. Such bulk containerization shall be of the type and size specified by the city administrator or his designated representative.
- (c) Bulk containers. Any person or establishment that furnishes and maintains a bulk container suitable for handling by city equipment will be serviced by the city or its authorized agent as stated herein, provided that said container shall be of sufficient size as specified and approved by the city administrator for collection. All bulk containers approved for service by the city shall have plastic lids opening on the top. Said lids shall be kept closed at all times that the bulk container is not being filled or emptied. Bulk containers shall at all times be maintained in a safe, serviceable and sanitary condition as directed by the city administrator. Notice shall be given by the city administrator and/or his designee of any bulk container not meeting the requirements of this chapter. If within 15 days the unit is not in compliance, city service of this unit may be suspended. Bulk containers shall at all times be kept in a place easily and safely accessible to sanitation service equipment even during periods of inclement weather such as snow and ice. Every person who shall engage in the leasing, renting or supplying of other than absolute sale, bulk containers to persons to whom the chapter applies shall operate and maintain facilities and equipment for servicing, cleaning, while maintaining such units in a safe, serviceable and sanitary condition as required by this chapter. Persons or establishments utilizing bulk containers shall be responsible for preparing said containers for servicing. No service shall be given those persons or establishments permitting objects, obstructions or vehicles to hinder in any way the servicing of the container. The immediate cleaning up of spilled refuse in the area of the container shall be the responsibility of the property owner(s) or occupant(s) utilizing the container unless spillage is the result of the service provider. If the service provider is responsible for spillage, the provider will clean up spilled refuse. Service shall be

discontinued to persons or establishments failing to locate or maintain containers in accordance with the requirements of this chapter. The city shall not afford both mobile refuse receptacle service and bulk container service to the same persons or establishments. In those cases that the city administrator and/or his designee directs the change from mobile refuse receptacles to bulk containerization, compliance shall be within 30 days or service may be discontinued. Any cause for discontinuation of service shall also constitute a violation of this chapter.

- (d) Rollout containers . Acceptable roll-out containers from which city staff will collect garbage are those provided by and purchasable from the city finance department. City staff will not collect garbage from any other garbage container.

Local office. Any person or establishment that engages in selling, furnishing, renting or maintaining rollout containers for handling by city equipment shall operate and maintain a local office and facilities and equipment for servicing, storing repairing said containers in order to maintain such units in a safe, serviceable and sanitary condition.

- (e) Hazardous refuse . No hazardous refuse, as defined herein, shall be placed in any receptacle, container or unit used for refuse collection by the city.
- (f) Dead animals . Owners of dead animals shall be responsible for their removal and disposal.
- (g) Building materials . The city shall not be responsible for the collection, handling or disposal of building materials, as defined herein, that originate from private property preliminary to, during or subsequent to the construction of new buildings or from the renovation or demolition of existing structures. Such materials or refuse shall be collected and disposed of by the property owner or the person doing the work. If such material or refuse has not been removed and disposed of by the property owner or the person doing the work, the city shall not issue a certificate of occupancy, even though other requirements for such certificate have been met. The certificate of occupancy shall be issued only when this requirement, as well as any other requirements, have been met.

Cross Reference : Removal and/or burial of dead animals, Sec. 6-1-3.

Sec. 6-3-20 Reserved.

Sec. 6-3-21 Special service.

Hardship cases such as age, disability or infirmity when confirmed by the city administrator may be afforded the special service of refuse receptacle and/or recycling ~~bin~~ **cart** carryout and carryback upon application as stated in section 6-3-7(a).

Sec. 6-3-22 Special refuse or disposal problems.

- (a) Contagious disease refuse . The removal of clothing and bedding from places where highly infectious diseases have prevailed shall be performed under the supervision and direction of the Horry County Health Department. Such refuse shall not be placed in containers for city collection and disposal.

- (b) Hypodermic instruments . No person shall discard any hypodermic needle or any instrument or device for making hypodermic injections, syringe or lancet with household solid waste or recyclable materials.
- (c) Ashes . Ashes that are to be collected by the city shall have been wetted and shall be cool to the touch prior to collection. Ashes shall be placed in approved containers defined herein. Refuse receptacles containing ashes shall not weigh more than 50 pounds.
- (d) Cardboard boxes and cartons . Prior to being deposited as refuse for collection in approved receptacles or containers as defined herein, all cardboard boxes, cartons or crates shall be completely collapsed and securely bundled. Each bundle shall not weigh more than 50 pounds.
- (e) Rubber tires . The city shall not collect tires.
- (f) Liquids . Garbage or trash that is mixed with water or other liquids shall be drained before being placed in refuse receptacles or refuse containers.

Sec. 6-3-23 Refuse collection and hauling in general.

All collectors or refuse haulers or handlers operating within the city shall use a watertight vehicle provided with a tightly fitting cover so operated as to prevent offensive odors escaping therefrom and refuse from being dropped, blown or spilled. These vehicles shall also be kept in good repair and shall be cleaned as often as necessary to prevent the body of the vehicle from becoming a breeding place for insects or a source of foul or offensive odors.

Sec. 6-3-24 Responsibility of owners and agents.

The owners or agents, tenants or leasers, jointly and separately, of all residential units and commercial establishments shall be responsible for compliance with this chapter.

Sec. 6-3-25 Maintenance of property.

Sidewalks, alleys and rights-of-way . All owners or occupants, jointly and separately, of property shall maintain their property in a clean and litter-free manner, including adjacent sidewalks, grass strips, one-half (1/2) of alley, curbs, gutters and rights-of-way to the edge of the surface of the vehicular travelway of any public street.

Sec. 6-3-26 Notice of violation or nonconformity.

Any notice of violation of this chapter or nonconformity with this chapter shall be in writing, except for violations or nonconformance with section 6-3-8(9) which do not require written notice. When written notices are required under this chapter, the written notice of the violation shall be delivered to the violator or in lieu of hand delivery shall be sent to the violator via certified mail. Copies of all notices of violation of this chapter shall be kept and maintained by the solid waste coordinator for a period of one (1) year or until the violation is corrected, whichever is greater. Any violation of section 6-3-8(9) may result in a summons without the need for previous verbal or written notice.

Sec. 6-3-27 Violations.

Any person violating any provision or requirement of any section or subsection of this chapter after notice of violation has been issued to him or any person willfully failing, refusing or neglecting to comply with any such provision or requirement (except violation or nonconformance of section 6-3-8(9)) shall, in addition to any other remedy, be charged with a misdemeanor with applicable penalties, with each additional day of violation being a distinct and separate offense.

Provided, however, that for any violation of section 6-3-8(9) there shall be a minimum fine of not less than \$50 plus court costs or imprisonment not to exceed 30 days. A possible penalty of \$200 plus court costs or imprisonment not to exceed 30 days may be assessed for each offense of section 6-3-8(9), with each and every day of violation being a distinct and separate offense.

Sec. 6-3-28 Sanitation fees. Refer to fee schedule in City’s annual budget.

~~This section is designed to establish and set rates to the above entitled section. These rates will amend Ordinance 2009-05-11(A) and add this section to the City of Conway Code of Laws.~~

~~**Residential/commercial — Refuse and recycling collection and disposal rates. \$19 per month per residential/commercial unit with one (1) roll-out cart, recycling available with service once each week.**~~

~~Commercial or residential customer who utilize more than one (1) cart will be charged as follows: \$11 per month for each additional cart up to and including eight (8) carts, with service once each week.~~

~~Commercial or residential customers requiring second pick-up each week will be charged \$15 per month for the first cart requiring second pick-up and commercial customers with multiple carts requiring a second pick-up each week will be charged \$11 per month for the second cart requiring a second pick-up each week.~~

~~**Bulk container (dumpster) collection and disposal rate. Approximately \$2.90 per cubic yard times container size equals each pick-up charge. The monthly container collection fee is computed by multiplying the pick-up charge times the number of pick-ups per week times 52 (weeks) divided by 12 (months). The minimum monthly charge will be \$25 per month, with no maximum.**~~

Number of Pick-ups Per Week

Size of Container	1	2	3	4	5	6
2 cubic yard	\$25	\$50	\$75	\$100	\$125	\$150
4 cubic yard	\$50	\$100	\$150	\$200	\$250	\$300
6 cubic yard	\$75	\$150	\$225	\$300	\$375	\$450
8 cubic yard	\$100	\$200	\$300	\$400	\$500	\$600

~~**Compactor rate. Approximately \$7.20 per cubic yard. (This rate is based on four (4) to one (1) compaction rates [four (4) times \$1.80] based on manufacturer's specification). The monthly compactor collection and disposal rate is computed by multiplying pick-up charge times the number of pick-ups per week times 52 (weeks) divided by 12 (months). The minimum monthly compactor charge will be \$62 per month, with no maximum.**~~

Number of Pick-ups Per Week

Size of Compactor	1	2	3	4	5	6
2 cubic yards	\$62	\$124	\$186	\$248	\$310	\$372
4 cubic yards	\$124	\$248	\$372	\$496	\$620	\$744
6 cubic yards	\$186	\$372	\$558	\$744	\$930	\$1,116
8 cubic yards	\$248	\$496	\$744	\$992	\$1,240	\$1,488

Roll-off container rate. \$103.00 per round trip plus landfill fees. The roll-off container will be weighed at the landfill and accurate fees will be added to the \$113.00 round trip hauling fee. Compactors that require rotating will be charged an additional \$15 for a total of \$119.00 per round trip. These charges will be reported monthly to the finance department by the solid waste superintendent or city designee. There will not be any monthly minimum as this service will be on a scheduled or call basis.

Examples of monthly charges for roll-off services and disposal based on per round trip plus weight are as follows:

One (1) open top container picked-up three (3) times per month:

~~\$103.00 per trip times 3 round trips = \$309.00 . \$309.00 plus 3 average landfill fees of \$45.00 (\$45.00 × 3 = \$135.00) = \$444.00 for the monthly charge.~~

One (1) compactor (requiring rotating) picked-up three (3) times per month:

~~\$119.00 per trip times 3 round trips = \$357.00 . \$357.00 plus 3 average landfill fees of \$260.00 (\$260.00 × 3 = \$780.00) = \$1,137.00 for the monthly charge.~~

Commercial recycling rate. Commercial recycling is handled by the Horry County Solid Waste Authority and all rates are based on its standards.

Rates for multi-family residential units and complexes. Owners or occupants of multi-family residential units and complexes shall be required to pay the same monthly service charges as the city council may set from time to time for single-family units. The monthly service fee will be included on the utility billing for multi-family units, which have an individual water meter and a separate utility account. Multi-family complexes which are served by a master meter, with an account for which a management company or property association is responsible, will be billed monthly based on the total number of units in the complex.

DATE: NOVEMBER 20, 2023
ITEM: VII.B.

ISSUE:

First Reading of Ordinance #ZA2023-12-04 (B), to annex approximately 0.49 acres located at 2518 Cultra Rd (PIN 325-15-02-0003), and rezone from the Horry County Residential, no mobile homes allowed (SF20) district to the City of Conway Low/Medium-Density Residential (R-1) district.

BACKGROUND:

The annexation application was submitted as a requirement for a name change in the city utility services, due to the property being heir's property (*considered a new account*). This property is within the city's water and sewer utility service area.

This property is across the road from a new development, Kingston Bay, currently being constructed. There have been a few other properties on this side of Cultra Rd over the past few years that have been required to request annexation since the Kingston Bay property was annexed. In those instances, Council chose not to annex the properties. The closest properties on this side of Cultra Rd between Oak Street and Main Street that are currently within the city limits are those within or directly adjacent to the Ivy Glen subdivision. The property contains a single-family detached structure.

A restrictive covenant was recorded on October 26, 2023.

CITY OF CONWAY COMPREHENSIVE PLAN:

The Future Land Use Map of the *Comprehensive Plan* identifies this property as Low/Medium Density Residential (R-1).

The intent of the R-1 District is to provide for the preservation and expansion of areas for low to medium density, detached single-family residential development in the City of Conway. The district shall present a relatively spacious character, promote quiet, livable neighborhoods, and prohibit uses that are incompatible with the residential nature of the surrounding area.

STAFF RECOMMENDATION:

In an effort to be consistent with previous decisions to not annex properties on this side of Cultra Rd, staff recommends against annexation of the subject property, and **disapproval of Ordinance #ZA2023-12-04 (B)**.

ORDINANCE #ZA2023-12-04 (B)

AN ORDINANCE TO ANNEX APPROXIMATELY 0.49 ACRES OF PROPERTY LOCATED AT 2518 CULTRA ROAD (PIN 325-15-02-0003), AND REQUEST TO REZONE FROM THE HORRY COUNTY RESIDENTIAL, NO MOBILE HOMES ALLOWED (SF20) DISTRICT TO THE CITY OF CONWAY LOW/MEDIUM DENSITY RESIDENTIAL DISTRICT (R-1) DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY:

SECTION 1. FINDINGS:

A petition has been submitted to the City Council of the City of Conway to annex approximately 0.49 acres of property described herein and represented on a map. The City Council of the City of Conway has determined that the annexation of this area into the City of Conway will be to the advantage of the municipality.

The area proposed for annexation is adjacent to the present City limits. The petition for annexation of land and declared zoning is hereby accepted by the governing body of the municipality of Conway, and made a part of the City of Conway, South Carolina, to wit:

ALL AND SINGULAR, those certain parcels, lots, or tracts of land in Conway Township, County and State aforesaid, containing approximately 0.49 acres of property located 2518 Cultra Rd (PIN 325-15-02-0003), and request to rezone from the Horry County Residential, no mobile homes allowed (SF20) district, to the City of Conway Low/Medium-Density Residential (R-1) district.

This annexation includes all waterways, roads, and rights-of-way adjacent to the property.
For a more specific description of said property, see attached map.

SECTION 2. APPLICATION OF ZONING ORDINANCE:

The property is admitted as City of Conway Low/Medium Density Residential District (R-1) area under the zoning laws of the municipality.

SECTION 3. EFFECTIVE DATE:

The annexation is effective as of the date of the final reading of this Ordinance.

AND BE IT FURTHER ORDAINED that such changes shall be made on the Official Zoning Map. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

RATIFIED BY CITY COUNCIL, duly assembled, this _____ day of _____, 2023.

Barbara Jo Blain-Bellamy, Mayor

Justin D. Jordan, Mayor Pro Tem

K. Autry Benton Jr., Council Member

Amanda Butler, Council Member

William M. Goldfinch IV, Council Member

Beth Helms, Council Member

Larry A. White, Council Member

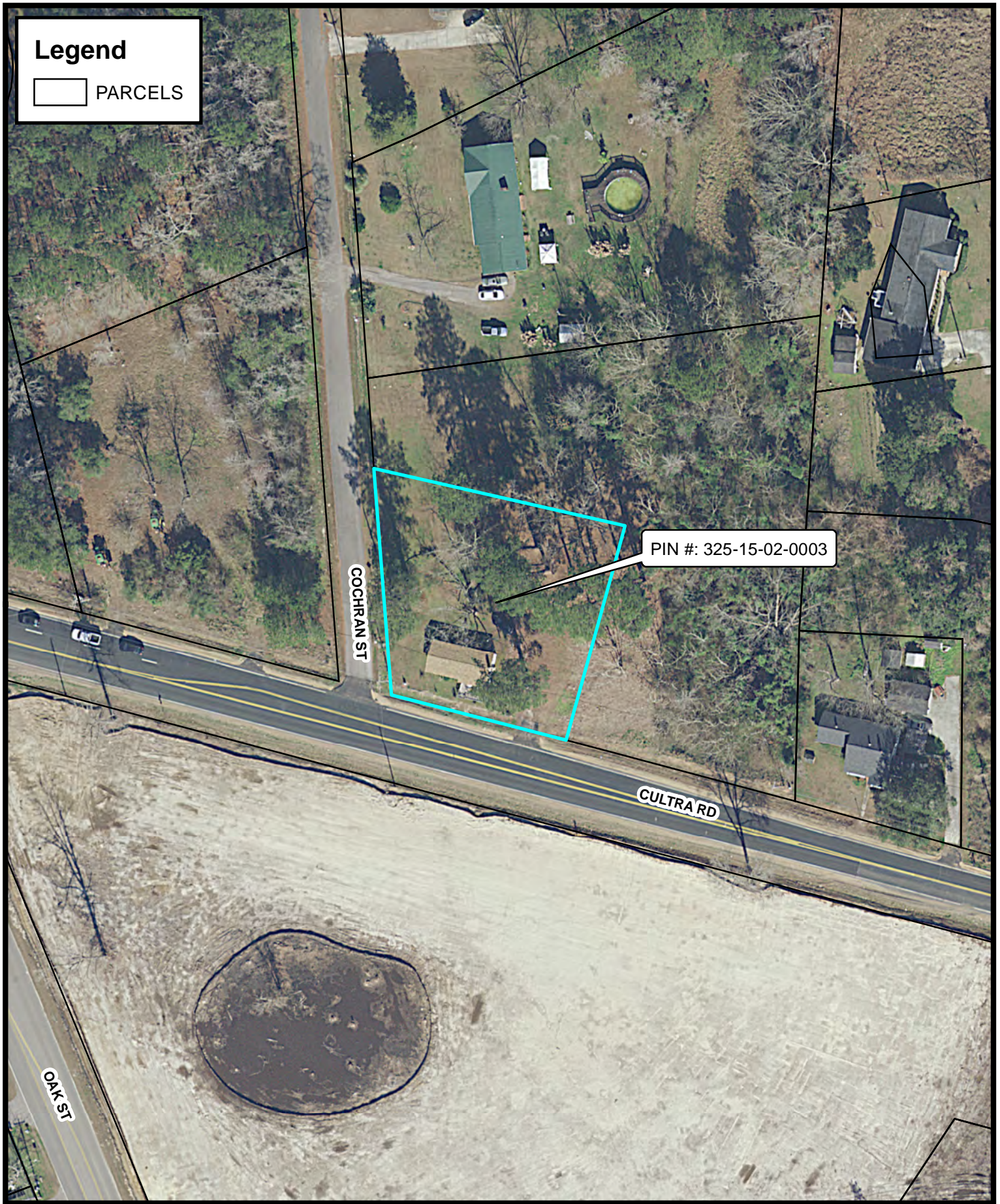
ATTEST: Alicia Shelley, City Clerk

First Reading: _____

Final Reading: _____

Legend

▭ PARCELS



PIN #: 325-15-02-0003

COCHRAN ST

CULTRA RD

OAK ST



Disclaimer: This map is a graphic representation only. It is NOT a survey. All efforts have been made to ensure its accuracy. However, the City of Conway disclaims all responsibility & liability for the use of this map.

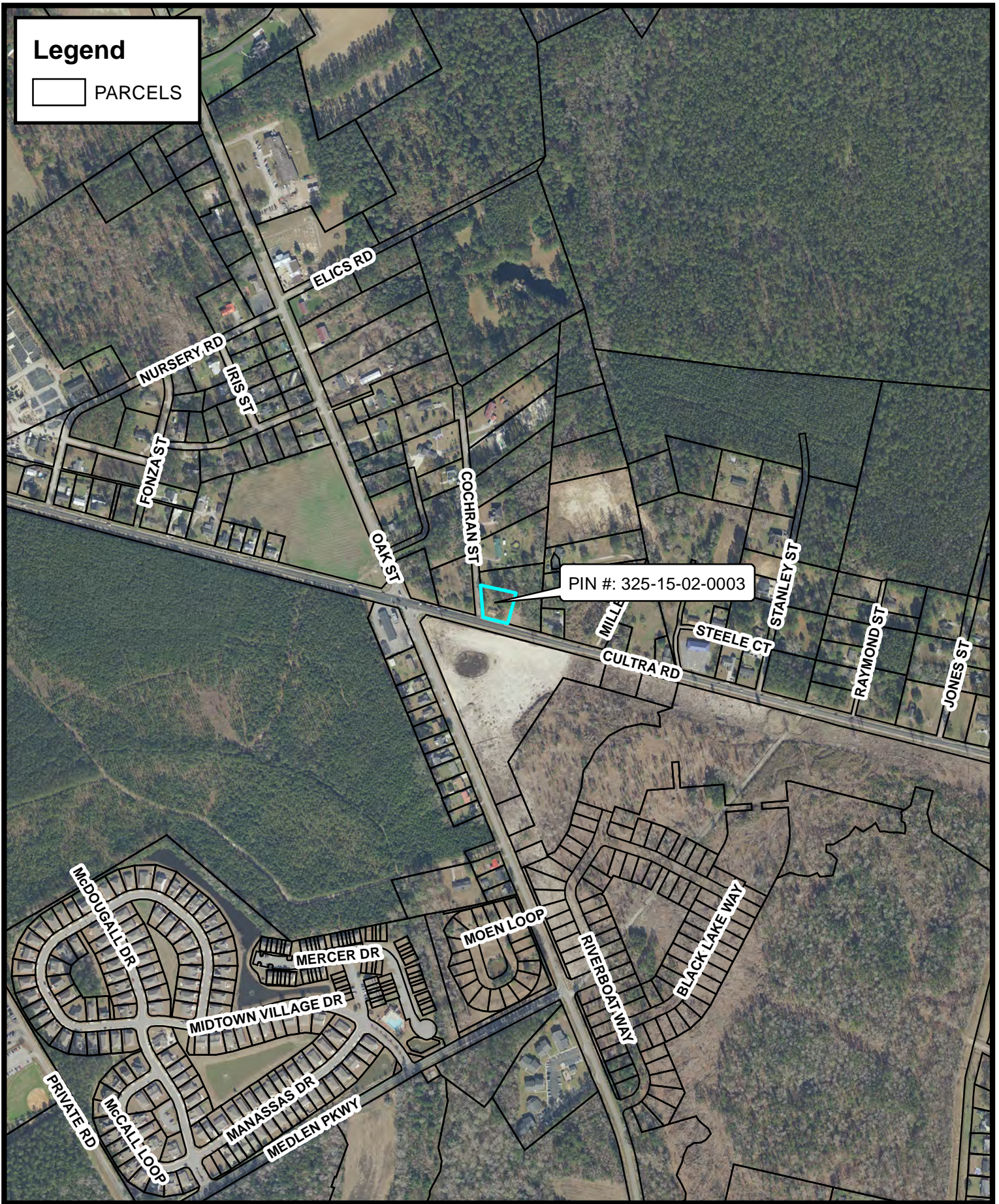


PIN #: 325-15-02-0003
TMS #: 123-01-01-070
2518 CULTRA RD

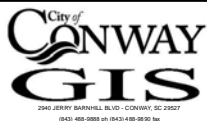


Legend

▭ PARCELS



PIN #: 325-15-02-0003

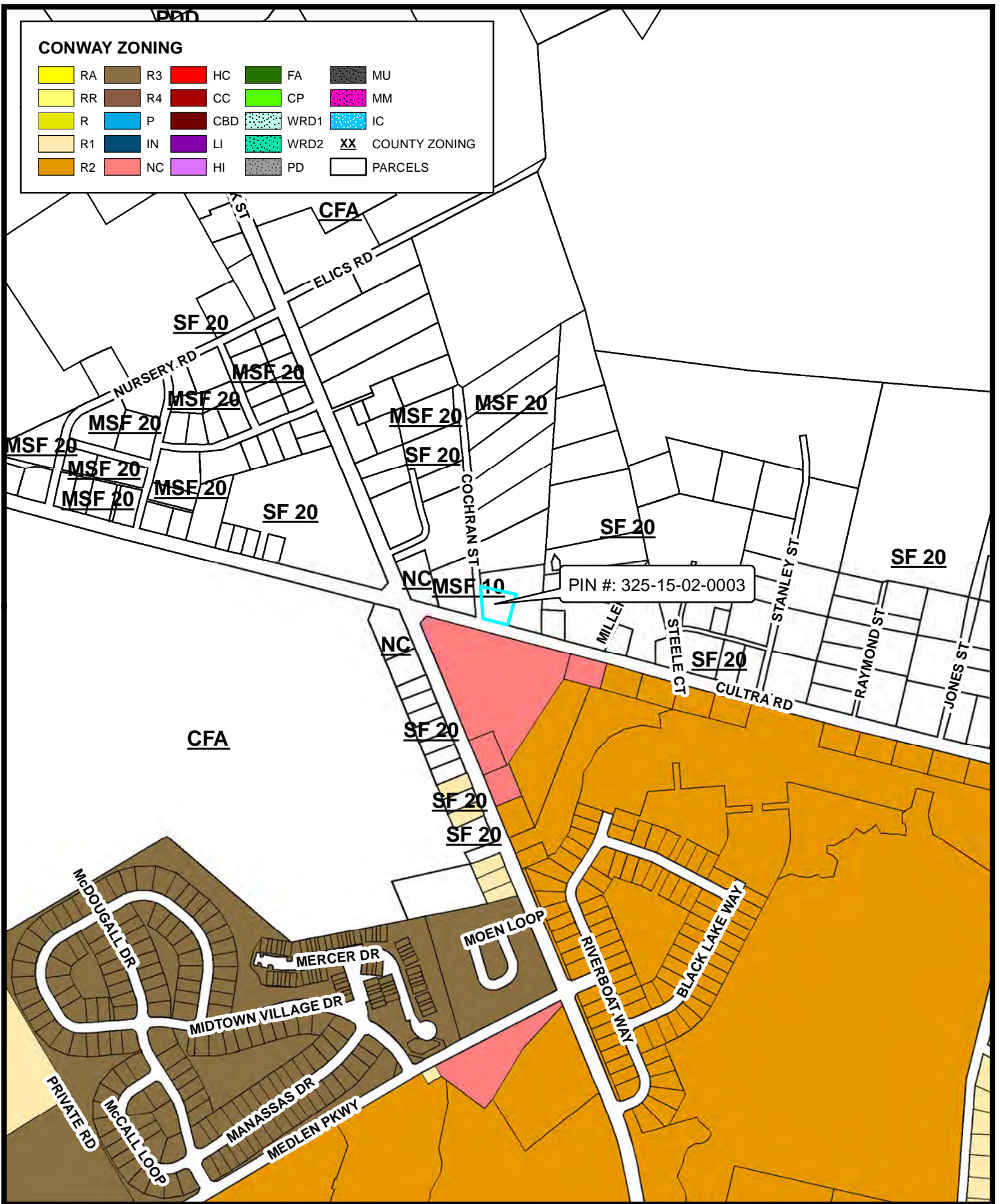


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PIN #: 325-15-02-0003
TMS #: 123-01-01-070
2518 CULTRA RD










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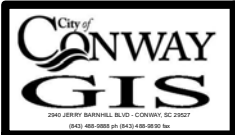
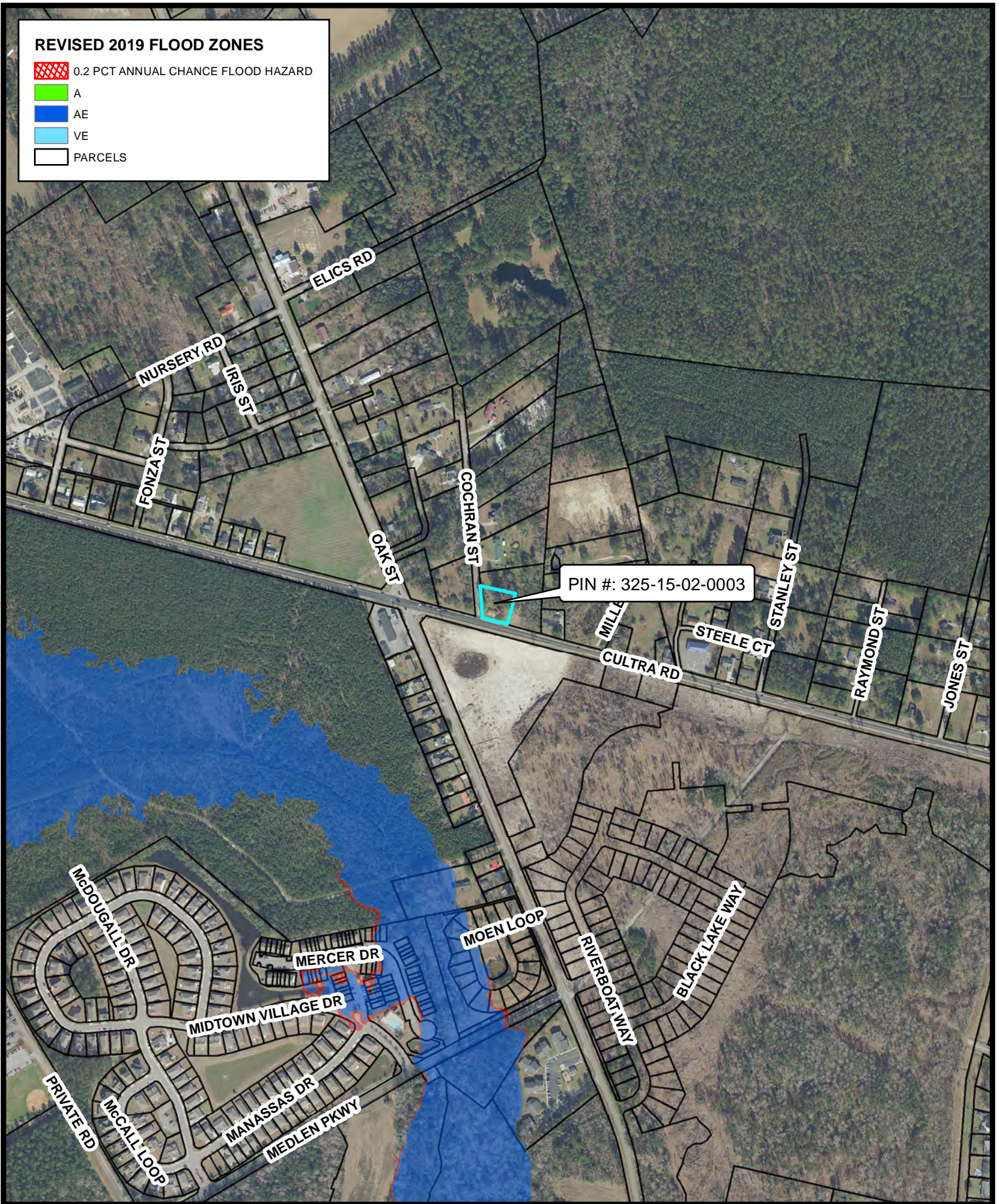


PIN #: 325-15-02-0003
 TMS #: 123-01-01-070
 2518 CULTRA RD



REVISED 2019 FLOOD ZONES

-  0.2 PCT ANNUAL CHANCE FLOOD HAZARD
-  A
-  AE
-  VE
-  PARCELS




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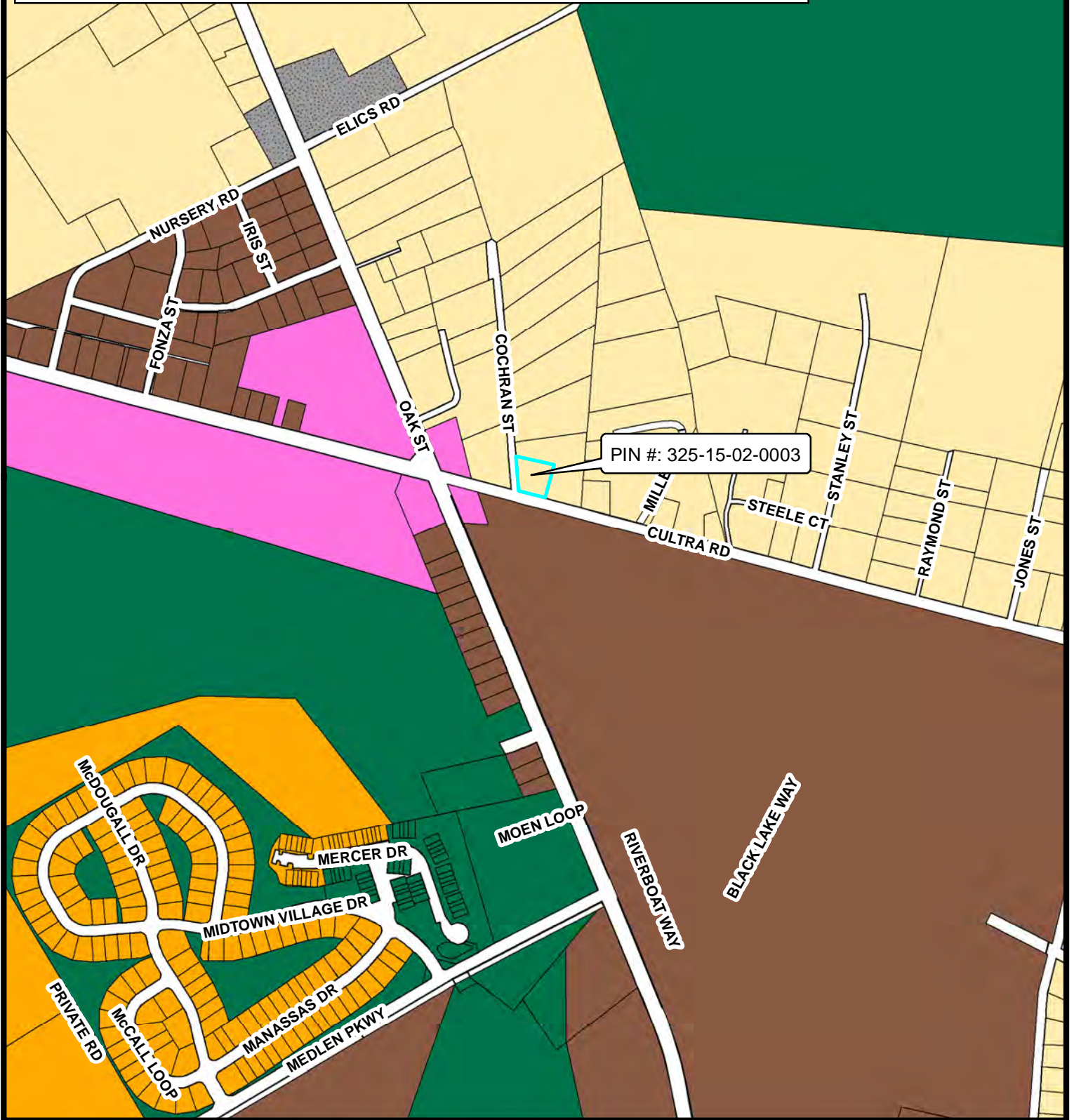


PIN #: 325-15-02-0003
TMS #: 123-01-01-070
2518 CULTRA RD



FUTURE LAND USE

- | | | | |
|---|---|--|--|
|  CONSERVATION PRESERVATION |  HIGHWAY COMMERCIAL |  MEDIUM DENSITY RESIDENTIAL |  PROFESSIONAL |
|  DOWNTOWN HISTORIC DISTRICT |  INDUSTRIAL |  MIXED USE |  RECREATIONAL |
|  FOREST AGRICULTURE |  INSTITUTIONAL |  NEIGHBORHOOD COMMERCIAL |  RURAL RESIDENTIAL |
|  HIGH DENSITY RESIDENTIAL |  LOW DENSITY RESIDENTIAL |  PLANNED DISTRICT |  UTILITY |
| | | |  PARCELS |



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PIN #: 325-15-02-0003
 TMS #: 123-01-01-070
 2518 CULTRA RD





Personal Representative for Daisy Stanley

STATE OF SOUTH CAROLINA)
)
) RESTRICTIVE COVENANT
)
COUNTY OF HORRY)

KNOW ALL ME BY THESE PRESENTS, that, (I, we) Darryl Stanley
(Grantor) seek permission to connect to the Water and/or Sewer System of the City Of Conway. The property/parcel is situated outside the corporate limits of the City Of Conway. The property/parcel is identified in the records of the Assessor of Horry County as Parcel Identification Number (PIN) 32515 02 0003 and is physically located at 2518 Cultra Road Conway SC 29526
The above referenced property was conveyed by deed to the Grantor and recorded in the Office of the Register of Mesne Conveyance for Horry County, South Carolina in Deed Book 1014 at Page 395.

We understand and agree that as a condition of service and connection of the Water and/or Sewer System to the above referenced property, we will petition, when requested by the City Of Conway (by Group or Individual method) for annexation to the City Of Conway under Section 5-3-150 of the Code of Laws for the State of South Carolina. We further understand that it may be necessary to execute a petition for annexation on more than one occasion; however, the final acceptance of the said petition rests upon an affirmation vote of a majority of the governing body of the City of Conway.

It is understood and agreed upon that this covenant shall be legally binding upon (myself/us) as the Grantor(s), and our heirs and successors. Any violation of, or refusal to sign, said petition shall result in either legal recourse for nonperformance by the City, and/or termination of water and/or sewer services provided to the premises.

It is further understood and agreeable that the City may inspect and approve the owner's water and/or sewer system prior to connection to insure compliance with the City and State regulations. An inspection fee, if applicable, may be imposed for such inspection in accordance with the guidelines and policies set forth by the City of Conway.

All rights, powers, and privileges hereby granted to the City of Conway as grantee shall convey to its heirs, successors and assigns, and shall be binding upon the heirs, successors, administrators, executors and assigns of the Grantor. Grantor acknowledges that the conditions of this agreement and this agreement itself is a restriction and covenant of the title of the above reference property and binding upon the grantors, heirs, successors, and assigns. Furthermore, it is mutually agreeable that upon any dividing, separation, or split of the above referenced property, this agreement shall remain binding upon the successors and heirs of such division, and that this covenant shall remain binding upon the successors and heirs of such division, and that this covenant shall remain a restriction and covenant on the title of the parcel resultant of such division.

Deed BK: 4738 PG: 3372 Doctype: 082
10/26/2023 at 10:07:26 AM, 1 OF 4

Marion D. Foxworth III
HORRY COUNTY, SC REGISTRAR OF DEEDS



PETITION FOR ANNEXATION

Staff Use Only
Received: _____
BS&A #: _____

Is there a structure on the lot: Yes Structure Type: House

Current Use: _____

Are there any wetlands on the property?

CIRCLE: YES NO

If yes, please include valid wetland delineation letter from army corps of engineers.

Is the property restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted or proposed use of the land?

CIRCLE: YES NO

If yes, please explain and provide a copy of covenant and/or restriction.

Is the city a party to any deed restrictions or easements existing on the property?

CIRCLE: YES NO

If yes, please describe.

Are there any building permits in progress or pending for this property?

CIRCLE: YES NO

If yes, please provide permit number and jurisdiction.

FEES ARE DUE AT SUBMITTAL.

RI ZONING DISTRICT – NO FEE ALL OTHER ZONING DISTRICTS - \$ 250

PLEASE SUBMIT TO THE PLANNING & DEVELOPMENT DEPARTMENT

planning@cityofconway.com



Zoning Map Amendment Application

Incomplete applications will not be accepted.

Staff Use Only
Received: _____
BS&A #: _____

City of Conway Planning Department
196 Laurel Street, 29526

Phone: (843) 488-9888
Conway, South Carolina

www.cityofconway.com

Notice

All zoning map amendments shall follow the procedures set forth in Section 13.1.7 of the City of Conway Unified Development Ordinance. Amendments to the Official Zoning Map shall be initiated by members of City Council, the Planning Commission, the Planning Director, or owner(s) of the subject property. In order to partially defray the administrative cost of zoning map amendments, the applicant shall pay a filing fee to the City of Conway in the amount of \$250.00 at the time this application is submitted. Planned Development rezonings are \$2,500.00 and Planned Development Amendments are \$500.00, and due at the time of submission. A plat of the property to be rezoned may be required with this application.

2518 cultra rd

PHYSICAL ADDRESS OF PROPERTY: Conway S.C. FEE PAID () YES () NO

AREA OF SUBJECT PROPERTY (ACREAGE): 0.49 PIN: 32515020003

CURRENT ZONING CLASSIFICATION: SF 20

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: R1

REQUESTED ZONING CLASSIFICATION: R1

NAME OF PROPERTY OWNER(S):

Heirs of Daisy Stanley PHONE # _____

Demill Stanley PHONE # 643

MAILING ADDRESS OF PROPERTY OWNER(S):

2608 Cochran Street

Conway S.C 29526

I (we) the owner(s) do hereby certify that all information presented in this Zoning Map Amendment Application is correct.

[Signature] DATE: 1/25/23

PROPERTY OWNER'S SIGNATURE(S) DATE

THE APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE MEETING.

STATE OF SOUTH CAROLINA)
)
COUNTY OF: HORRY)
)
IN THE ESTATE OF:)
DAISY A. STANLEY,)
DECEASED)

IN THE PROBATE COURT
CERTIFICATE OF APPOINTMENT
CASE NUMBER 2022ES2600780

This is to certify that

Darryl Stanley


is/are the duly qualified

- PERSONAL REPRESENTATIVE
- SUCCESSOR PERSONAL REPRESENTATIVE
- SPECIAL ADMINISTRATOR

in the above matter and that this appointment, having been executed on the 24th day of March, 2022, is in full force and effect.

RESTRICTIONS: NONE.

Executed this 25th day of October, 2023.


Heather Johnson, Judicial Specialist

**Do not accept a copy of this certificate without
the raised seal of the Probate Court.**

DEATH CERTIFICATION

139-2022-004164
* DAISY A. STANLEY *
AKA: N/A

DECEDENT INFORMATION

DATE OF DEATH: JANUARY 23, 2022
PLACE OF DEATH TYPE: DECEDENT'S HOME
PLACE OF DEATH NAME AND ADDRESS: 2518 CULTRA ROAD, CONWAY, SC, 29526
CITY OF DEATH: CONWAY
MARITAL STATUS: WIDOWED (AND NOT REMARRIED)
SURVIVING SPOUSE: N/A
MOTHER NAME: CALLIE STEELE
FATHER NAME: FRANK BELLAMY
RESIDENCE: 2518 CULTRA ROAD, CONWAY, HORRY COUNTY, SC, 29526

TIME OF DEATH: 1903
SOCIAL SECURITY NUMBER: 130-22-7062
COUNTY OF DEATH: HORRY
DATE OF BIRTH: JUNE 06, 1915
AGE: 106 YEARS
PLACE OF BIRTH: SOUTH CAROLINA
SEX: FEMALE
ARMED FORCES: NO

INFORMANT INFORMATION

NAME: DARRYL STANLEY
MAILING ADDRESS: 2608 COCHRAN STREET, CONWAY, SC, 29526

RELATIONSHIP: SON

DISPOSITION/FUNERAL HOME INFORMATION

PLACE: GREATER ST. JAMES A.M.E. CHURCH CEMETERY, CONWAY, SC, 29527
FUNERAL HOME: OCEAN VIEW FUNERAL HOME OF HORRY COUNTY LLC
FUNERAL HOME ADDRESS: 1207 GRAINGER RD., CONWAY, SC, 29527
FUNERAL DIRECTOR NAME: ATU JARMAL WILLIAMS
EMBALMER: CHARLES D. THOMAS

METHOD: BURIAL

LICENSE NUMBER: FDE2478
LICENSE NUMBER: 3161

MEDICAL INFORMATION

CERTIFIER: MD. ROBERT L. PUGH JR
ADDRESS: 4111 MURRELLS INLET RD, MURRELLS INLET, SC, 29576
CAUSE OF DEATH - PART I: ALZHEIMER'S DISEASE

LICENSE NUMBER: 18446

MANNER OF DEATH: NATURAL

OTHER SIGNIFICANT CONDITIONS - PART II: NONE

CORONER CONTACTED?: YES
DATE OF INJURY: N/A
LOCATION OF INJURY: N/A
PLACE OF INJURY: N/A
HOW INJURY OCCURRED: N/A

AUTOPSY PERFORMED?: NO
AUTOPSY AVAILABLE?: N/A
TIME OF INJURY: N/A
INJURY AT WORK?: N/A

DATE FILED: JANUARY 26, 2022

DATE ISSUED: JANUARY 26, 2022

AMENDMENT HISTORY

N/A

SC10259078

This is a true certification of the facts on file in the Division of Vital Records, SC Department of Health and Environmental Control.

Edward D. Simmer, MD, MPH, DFAPA
Acting Director and State Registrar

Caleb N. Cox
Assistant State Registrar

This is watermarked paper. Do not accept without noting watermark. Hold to light to verify watermark.



DATE: NOVEMBER 20, 2023

ITEM: VIII.A.

ISSUE:

Approval of name for new subdivision located on East Country Club Drive, called “*Snow Hill Plantation*” (PIN 339-00-00-0023).


BACKGROUND:

The proposed development is currently being reviewed by the Technical Review Committee. The preliminary plans call for this development to consist of 95 Single Family homes. The applicant, G3 Engineering, requests to name the proposed subdivision “*Snow Hill Plantation*” upon plan approval (PIN 339-00-00-0023).

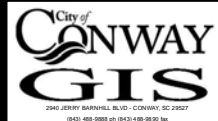
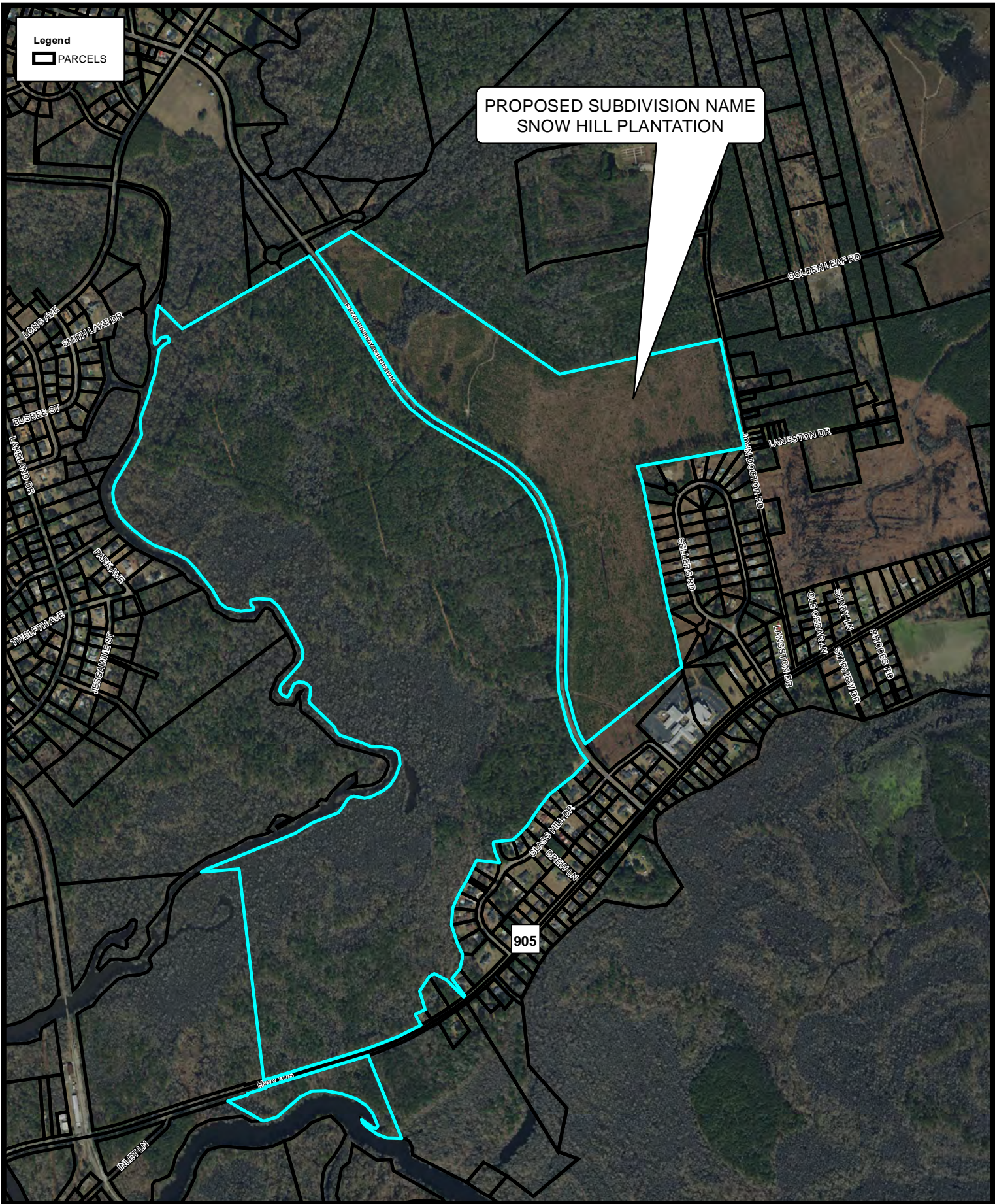
According to *Section 10.3.18* of the *City of Conway Unified Development Ordinance (UDO)*, “all subdivision names must be reviewed and adopted by Conway City Council.”

RECOMMENDATION:

Approve “*Snow Hill Plantation*” as the name of the proposed development as requested by the applicant.

Legend
 PARCELS

PROPOSED SUBDIVISION NAME
 SNOW HILL PLANTATION



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PROPOSED SUBDIVISION NAME
 SNOW HILL PLANTATION



DATE: NOVEMBER 20, 2023

ITEM: VIII.B.

ISSUE:

Request for waiver of sidewalk requirements for the proposed Freddy's Frozen Custard & Steakburgers to be located off of East Highway 501 (PIN 400-04-02-0004).

BACKGROUND:

Common Oak Engineering, agent, has requested a waiver of sidewalk requirements for the proposed Freddy's Frozen Custard & Steakburgers to be located off of East Highway 501.

Section 7.1.2 Complete Streets of the Unified Development Ordinance (UDO) requires sidewalks to be constructed along the frontage of all properties abutting arterial or local non-residential streets. These sidewalks are required to be a minimum of five (5) feet in width, and a minimum of four (4) inches in thickness. Under these regulations, a 122 linear foot sidewalk would be required along Highway 501. (*based on plat book 315-49*)

If a property owner or developer requests a waiver of the requirement to construct a sidewalk because there is no foreseeable connectivity, the waiver is presented to City Council for consideration. In accordance with this section of the UDO, the exemption of sidewalk requirements can be granted only by City Council. Should the waiver be granted, the property owner and/or developer will be required to contribute, in lieu of the sidewalk, an amount equal to the construction cost of the required sidewalk, including any required infrastructure improvements for the sidewalk. The payment is to be used by the City to build or complete pedestrian, bikeway, and/or pathway systems.



Using \$29.75 per linear foot for labor and construction, the estimate for a payment in lieu of sidewalk construction including the sidewalk, grading, and clearing, is **\$3,629.50**.

The Technical Review Committee reviewed the waiver request and recommends approval.

RECOMMENDATION:

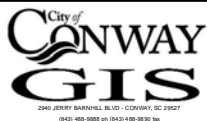
Discuss the request from Common Oak Engineering for a waiver of sidewalk requirements on East Highway 501 and advise staff if the fee in lieu of sidewalk construction in the amount of **\$3,629.50** is acceptable.

Legend

-  EXISTING SIDEWALKS
-  PARCELS



PIN#: 40004020004



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SIDEWALKS AROUND
PIN#: 40004020004





PLANNING & DEVELOPMENT

SIDEWALK WAIVER REQUEST

Address/ PIN:

2875 US 501 N, Conway, SC 29526 / Parcel # 1510003005 (SW Portion of the site ONLY)

Project:

Freddy's at 2875 US 501

Contact Name:

Morgan Hampton

Email Address/Telephone Number:

Morgan@CommonOakEngineering.com
(407) 446-3001

Roads / linear footage:

US Hwy 501 / 122 LF

Staff Use Only:

Date Received: _____ Council Meeting Date: _____

BS&A case #: _____

DATE: NOVEMBER 20, 2023

ITEM: VIII.C.

ISSUE:

Request for waiver of sidewalk requirements for the proposed Popeyes Louisiana Kitchen to be located off of East Highway 501 (PIN 400-04-02-0005).

BACKGROUND:

Common Oak Engineering, agent, has requested a waiver of sidewalk requirements for the proposed Popeyes Louisiana Kitchen to be located off of East Highway 501.

Section 7.1.2 Complete Streets of the Unified Development Ordinance (UDO) requires sidewalks to be constructed along the frontage of all properties abutting arterial or local non-residential streets. These sidewalks are required to be a minimum of five (5) feet in width, and a minimum of four (4) inches in thickness. Under these regulations, a 137 linear foot sidewalk would be required along Highway 501. (*based on plat book 315-49*)

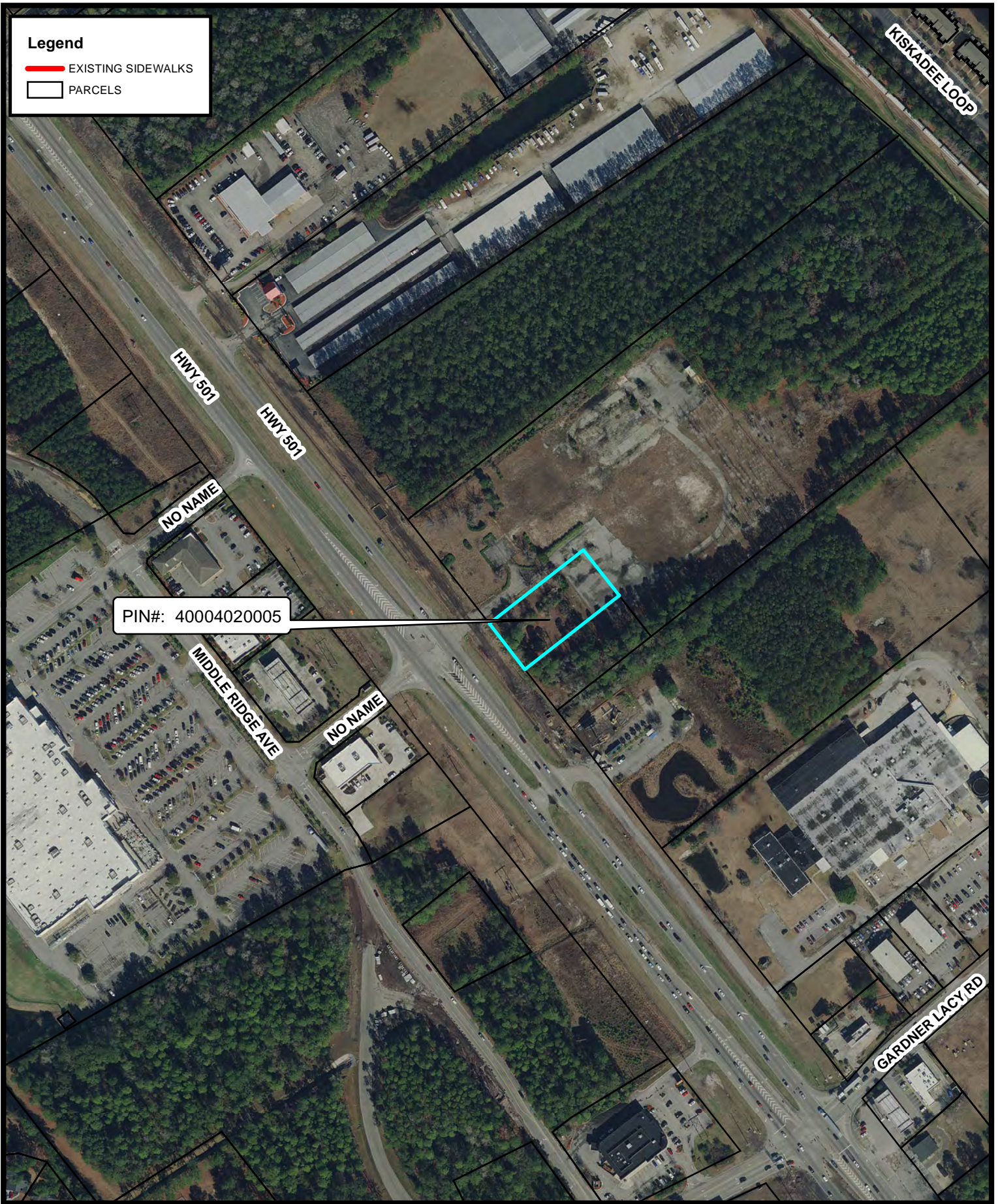
If a property owner or developer requests a waiver of the requirement to construct a sidewalk because there is no foreseeable connectivity, the waiver is presented to City Council for consideration. In accordance with this section of the UDO, the exemption of sidewalk requirements can be granted only by City Council. Should the waiver be granted, the property owner and/or developer will be required to contribute, in lieu of the sidewalk, an amount equal to the construction cost of the required sidewalk, including any required infrastructure improvements for the sidewalk. The payment is to be used by the City to build or complete pedestrian, bikeway, and/or pathway systems.

Using \$29.75 per linear foot for labor and construction, the estimate for a payment in lieu of sidewalk construction including the sidewalk, grading, and clearing, is **\$4,075.75**.

The Technical Review Committee reviewed the waiver request and recommends approval.

RECOMMENDATION:

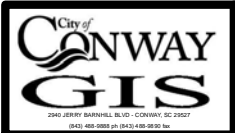
Discuss the request from Common Oak Engineering for a waiver of sidewalk requirements on East Highway 501 and advise staff if the fee in lieu of sidewalk construction in the amount of **\$4,075.75** is acceptable.



Legend

- EXISTING SIDEWALKS
- PARCELS

PIN#: 40004020005



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SIDEWALKS AROUND
PIN#: 40004020005





PLANNING & DEVELOPMENT

SIDEWALK WAIVER REQUEST

Address/ PIN:

2875 US 501 N, Conway, SC 29526 / Parcel # 1510003005 (SW Portion of the site ONLY)

Project:

Popeyes at 2875 US 501

Contact Name:

Morgan Hampton

Email Address/Telephone Number:

Morgan@CommonOakEngineering.com
(407) 446-3001

Roads / linear footage:

US Hwy 501 / 137 LF

Staff Use Only:

Date Received: _____ Council Meeting Date: _____

BS&A case #: _____

DATE: NOVEMBER 20, 2023

ITEM: VIII.D.

ISSUE

Acceptance of low bid for replacing the Sherwood Sewer Lift Stations

BACKGROUND

The Sherwood Drive Sewer Lift Station is a 73-year-old pump station and has been in operation long past its useful service life. The station will have to be totally replaced. There is room at the original pump station site for the new station to be built while the old station is still in operation, so there will not be a need to acquire more land.

\$1,000,000 was budgeted on the FY 23/24 budget. The project will span two budgets. The difference of \$394,000 will be requested from the Capital Project Fund (CPF) balance in the next budget year. The CPF is a restricted fund where money is set aside for system capital improvements.

The Purchasing Department requested bids and advertised on SCBO and the City Website. The City received four responses:

<u>Contractor</u>	<u>Address</u>	<u>Total</u>
Harper General Contractors	Greenville, SC	\$1,837,000
M.B. Kahn Construction	Columbia, SC	\$1,526,400
North American Construction	Florence, SC	\$2,191,046
R.H. Moore	Murrells Inlet, SC	\$1,394,000

RECOMMENDATION

Approval to accept the low bid from R.H. Moore for \$1,394,000.

**BID TABULATION
 SHERWOOD DRIVE PUMP STATION NO. 2
 CITY OF CONWAY
 SEPTEMBER 21, 2023
 2:00 PM**

CONTRACTOR	ADDENDA	BID BOND	LUMP SUM PRICE	SCADA ALLOWANCE	BUILDING PERMIT ALLOWANCE	TOTAL BID
Harper General Contractors 312 E. Coffee Street Greenville, SC 29601	X	X	\$1,792,000.00	\$25,000.00	\$20,000.00	\$1,837,000.00
M.B. Kahn Construction Co., Inc. 101 Flintlake Road Columbia, SC 29223	X	X	\$1,484,400.00	\$25,000.00	\$20,000.00	\$1,529,400.00
North American Construction Company 124 West McIver Road Florence, SC 29501	X	X	\$2,146,046.00	\$25,000.00	\$20,000.00	\$2,191,046.00
R.H. Moore Co., Inc. 10601 Hwy 707 Murrells Inlet, SC 29576	X	X	\$1,349,000.00	\$25,000.00	\$20,000.00	\$1,394,000.00

Jessie McDonnell

 Certified by:

26 September 2023

 Date



September 26, 2023

Mr. James Friday
City of Conway
PO Drawer 1075
Conway, SC 29528-1075

RE: Sherwood Drive Pump Station No. 2
Recommendation of Award
MBD Project No. 320015/400

Dear Mr. Friday:

Bids for the Sherwood Drive Pump Station No. 2 project were received on September 21, 2023 at the City of Conway Publix Works Complex and publicly read aloud.

At the time of the bid opening, four bids were received on the project ranging from a low bid of \$1,394,000 to a high bid of \$2,191,046. The low bid was submitted by R.H. Moore Co., Inc. of Murrells Inlet, South Carolina.

We have reviewed the bid submitted by R.H. Moore Co., Inc. and the scope of work for the project and feel that the low bid is reflective of the work involved for the construction of the Sherwood Drive Pump Station No. 2 project. We therefore recommend that the project be awarded to R.H. Moore Co., Inc. as the lowest responsive, responsible bidder for a total bid of \$1,394,000. A copy of the Certified Bid Tabulation is attached.

If you have any questions or if we can provide additional information, please contact this office.

Sincerely,

A handwritten signature in black ink that reads 'Jessica McGougan'.

Jessica McGougan, P.E.
Project Manager

DATE: NOVEMBER 20, 2023
ITEM: VIII.E.

ISSUE:

Route Adjustment - Special event request: Under the Lights 5K, Wednesday, December 6, 2023

BACKGROUND:

The 5th Annual Under the Lights 5k is planned for Wednesday, December 6, 2023 from 3:00 p.m. – 7:30 p.m. This 5K will take place during the Celebration of Lights. We anticipate approximately 300 participants. The race will also serve as advertisement for the Celebration of Lights.

Police and Fire Department personnel will provide assistance for this event. The Sports & Fitness Center will have volunteers available along the race route and for cleanup.

The Sports & Fitness Center has requested street closures during the event (see attached map of race route), and assistance with traffic control and standby medical assistance is also requested.

The race route will be closed for one hour (from 6-7 p.m.) for the runners/walkers to compete; however, local traffic will be allowed to utilize the streets when there is adequate spacing between race participants so that safety will not be jeopardized. Walkers, etc., will use the sidewalks and obey normal traffic regulations along the route. Standby medical assistance will be provided by on-duty Fire Department personnel.

RECOMMENDATION:

Approve the special event request for the 5k Under the Lights as presented.

Route Adjustment:

11/14/2023

The proposed changes to the 5k run route are as follows: Runners will begin the route at Marina Drive making their way around River Front Park down the river walk itself and ejet beside Bon Fire running through the parking lot taking a left on Kingston St. and another left onto Main Street and running Main Street over the bridge to Depot Road. At Depot Road they will turn around coming down the Main Street Bridge taking a right onto Kingston and another Right onto 2nd Avenue they will continue to run behind the Peanut Warehouse towards the water tower and make left onto Laurel Street continuing the straight away crossing Elm St heading toward Ash Pond Road. They circle at the guard shack loop back down Ash pond Road taking right on Elm St running the straight away finishing at Marina Dr. Please see a copy of the attached map, route is highlighted.

DATE: NOVEMBER 20, 2023
ITEM: VIII.F.

2024 Conway City Council Meeting Schedule
Meetings start at 4:00 p.m.

January

Council Meeting – Tuesday, January 2
Council Meeting – Tuesday, January 16
City Offices Closed – Monday, January 1 – New Year’s Day
City Offices Closed – Monday, January 15 – Martin Luther King Jr. Day

February

Council Meeting – Monday, February 5
Council Meeting – Monday, February 19
Horry County Schools Winter Break – February 19, 20

March

Budget Retreat – Thursday, February 29 and Friday, March 1
Council Meeting – Monday, March 18

April

Council Meeting – Monday, April 15
Horry County Schools Spring Break – April 1-5

May

Council Meeting – Monday, May 6
Council Meeting – Monday, May 20

June

Council Meeting – Monday, June 3
Council Meeting – Monday, June 17

July

Council Meeting - Monday, July 15

August

Council Meeting – Monday, August 5
Council Meeting – Monday, August 19

September

Council Meeting - Tuesday, September 3
Council Meeting – Monday, September 16
City Offices Closed – Monday, September 2 – Labor Day

October

Council Meeting – Monday, October 7
Council Meeting – Monday, October 21

November

Council Meeting – Monday, November 4
Council Meeting - Monday, November 18

December

Council Meeting – Monday, December 2

DATE: NOVEMBER 20, 2023
ITEM: XII.

Discussion of the Warden Station Planned Development and Development Agreement