



CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
229 MAIN STREET, CONWAY, SC 29526
MONDAY, JULY 17, 2023 - 4:00 PM

PLEASE SILENCE ALL ELECTRONIC DEVICES

I. CALL TO ORDER

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

III. ADMINISTRATION OF OATH OF OFFICE – Council Member Autry Benton

IV. BRIEF RECESS / WELCOME RECEPTION

V. APPROVAL OF AGENDA

VI. CONSENT AGENDA

- A. Final Reading of Ordinance #ZA2023-07-17 (B) amending Article 2 – Definitions, Article 4 – Use Tables, and Article 5 – Specific Use Regulations, of the City of Conway Unified Development Ordinance (UDO), regarding shooting ranges and armories.
- B. Final Reading of Ordinance #ZA2023- 07-17 (C) to annex approximately 1.44 acres located at 2643 Long Ave Ext (PIN 324-16-03-0023) and rezone from Horry County Residential, no mobile homes allowed (SF20) to City of Conway Low/Medium Residential (R-1).
- C. Final Reading of Ordinance #2023-07-17 (D) to amend Title 7, Chapter 4, Article F, Section 7-4-82.7 Towing and Storage Charges, of the Code of Ordinances, City of Conway.
- D. Final Reading of Ordinance 2023-07-17 (E) to amend Title 8, Chapter 2, Section 8-2-3, Two-Hour Parking, of the Code of Ordinances, City of Conway.
- E. Approval of a Resolution to Accept a Letter of Credit for Wild Wing Phase 5B
- F. Approval of Bid for Replacement of Trucks in the Solid Waste Department (Budgeted)
- G. Special Event – Rivertown Reindeer Run – December 2, 2023

“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.”

H. Approval of a Resolution to Appoint Goldfinch to the Capital Project Sales Tax Act Commission

I. Approval of June 20, 2023 Council Meeting Minutes

VII. PUBLIC INPUT

VIII. SPECIAL PRESENTATIONS

A. Resolution Honoring the Conway All Stars 12U Softball Team as the South Carolina State Champions

B. Presentation of Proclamation Recognizing SGM Butler

C. Presentation of the Jane Mackey Food Drive Department Competition

D. Presentation of Longevity Awards – June 2023 – 25 Years: James Ward, Public Works

E. Presentation of Employee of the Month for July 2023 – Public Service

F. Presentation on Future Plans of Scarborough Alley and the Town Green (Hyman)

IX. PUBLIC HEARING AND FIRST READING

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

B. Public Hearing and First Reading of Ordinance #2023-08-07 (B) to amend Title 1, Chapter 5, Article F of the Code of Ordinances, an incentive program which provides economic incentives for the development of family entertainment facilities in the City of Conway. (Dennis)

C. Public Hearing and First Reading of Ordinance #2023-08-07 (C) to amend Title 1, Chapter 5, Article G of the Code of Ordinances, an incentive program which provides economic incentives for the redevelopment of existing vacant commercial buildings 25,000 sq. ft. or greater in the City of Conway. (Dennis)

D. Public Hearing and First Reading of Ordinance #2023-08-07 (D) to amend Title 1, Chapter 5, Article H, of the Code of Ordinances, an incentive program which provides economic incentives to businesses occupying existing vacant buildings located in the Central Business District (CBD) in the City of Conway. (Dennis)

E. Public Hearing and First Reading of Ordinance #2023-08-07 (E) to amend Title 1, Chapter 5, Article I, of the Code of Ordinances, the Redevelopment Enhancement

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Incentive Program, which provides economic incentives to develop or expand commercial businesses in the City of Conway. (Dennis)

- F. Public Hearing and First Reading of Ordinance #2023-08-07 (F) to amend Title 1, Chapter 5, Article J, of the Code of Ordinances, the Hotel / Short-term Rental Incentive Program, which provides economic incentives to develop hotels, motels, inns, and commercial short-term rentals in the City of Conway. (Dennis)

X. FIRST READING

- A. First Reading of Ordinance #2023-08-07 (G) to amend Title 1, Chapter 8, Section 1-8-3(a)(2) of the Code of Ordinances, Nonpartisan elections; procedure, to update the fees for municipal elections in the City of Conway. (Rogers)
- B. First Reading of Ordinance #ZA2023-08-07 (H) to annex a 1.17-acre tract and 1.21-acre tract of property, totaling 2.38 acres, located at (and adjacent to) 588 Hwy 544 (parcel B-1: PIN 382-04-04-0001 and parcel B-2: PIN 382-05-01-0001), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Low-Density Residential (R) district. (Hucks)

XI. CONSIDERATION

- A. Consideration of approval of name for a new single-family development, located on Hwy 548 – “Colonial Farms”. (Hucks)
- B. Consideration of a Hotel and Short-Term Rental Incentive application for Cypress Inn Property, LLC, located on PIN 367-01-04-0042. (Dennis)

XII. CITY ADMINISTRATOR’S REPORT

XIII. COUNCIL INPUT

XIV. BREAK

XV. WORKSHOP

XVI. 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 Downtown Properties. [pursuant to SC Code §30-4-70 (A) (2)].
- C. Discussion of Contractual Negotiations Incident to the Potential Acquisition of a Parcel on Highway 378. [pursuant to SC Code §30-4-70 (A) (2)].

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D. Discussion Regarding a Potential Legal Matter. [pursuant to SC Code §30-4-70 (A) (2)].

XVII. RECONVENE FROM EXECUTIVE SESSION

XVIII. POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

XIX. 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 July 17, 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: JULY 17, 2023
ITEM: VI.A.

ISSUE:

Final Reading of Ordinance #ZA2023-07-17 (B) to amend *Article 2 – Definitions, Article 4 – Use Tables, and Article 5 – Specific Use Regulations*, of the City of Conway Unified Development Ordinance (UDO), regarding armories and shooting ranges in the HC, HI and LI zoning districts.

BACKGROUND:

Currently, there is no provision for the lawful permitting of shooting ranges within any zoning district in the City of Conway.

Property located at 3594 HWY 701 South is currently going through the annexation process (PIN 381-01-04-0022). This 2.45-acre parcel contains “The Gun Store”, a firearms retail sales business with an indoor shooting range facility. The property is currently zoned Horry County “Indoor Amusement Commercial” (AM1), which permits indoor shooting ranges. Upon annexing, the use on the subject parcel will become a “legal nonconforming” use. In addition to the UDO not defining or addressing shooting ranges, the property owner has expressed concerns that annexing will prohibit future expansion of his business, if he chooses. The site is large enough to consider expansion or addition of buildings to the property. Planning Commission recommended approval of annexation of this property (as HC) at their April 6th meeting. City Council deferred 1st reading of the annexation / rezoning request to give the applicant an opportunity to explore other options besides annexation into the City, due to their concerns with annexing. As a result of this property, staff began researching other cities and towns and how they defined and permitted such facilities, so that in the event this came about with other properties – either already containing such use, or vacant properties seeking to develop a shooting range, the City would have standards to address the use and that would include provisions to offer protections for adjacent properties.

With 41% of Americans currently having access to a firearm and potentially an additional 35% acquiring guns in the near future, The City of Conway recognizes the benefit of and potential demand for specialized facilities designed to both instruct and develop proficiency in the safe handling of firearms.

While indoor shooting facilities may be appropriate within industrial areas, except for those facilities solely for the training of law enforcement, the incorporated area does not seem to be a suitable setting for outdoor shooting ranges. This amendment proposes to allow indoor shooting ranges, with conditions in three (3) districts: Highway Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI).

In addition to providing provisions for the use of indoor shooting ranges, staff also proposes to define uses associated with shooting ranges and armories in *Article 2 – Definitions*, of the UDO.

APRIL 17, 2023 CITY COUNCIL:

Staff gave a special presentation of the proposed amendment to the UDO at the April 17, 2023 City Council meeting.

MAY 4 PC MEETING:

This amendment was deferred at the May 4th Planning Commission meeting due to questions from Planning Commission regarding design standards for indoor shooting ranges, and whether there were any that could be included in the amendment.

JUNE 1 PC MEETING:

Planning Commission considered the proposed amendment at their June 1st meeting. Staff included additional language to address design standards of shooting range facilities by including language that had also been included in several other cities and towns ordinances, specifically “*Design Standards. Structures containing such use shall be designed so that projectiles (bullets, shots, arrows, etc.) cannot penetrate walls, floor, or ceiling, and ricochets or back splatter cannot harm range users.*”

Additional language stating that “*facilities shall be designed, constructed, and operated in strict compliance with the National Rifle Association (NRA) standards*” had also been included in the revised ordinance; however, PC recommended removal of the addition due to the concerns that it would not be possible for staff to enforce such regulations when and if such facilities are constructed.

Planning Commission recommended approval of the proposed ordinance at their June 1st meeting.

CITY COUNCIL:

City Council approved First Reading of Ordinance #ZA2023-07-17 (B) at their June 20th meeting.

STAFF RECOMMENDATION:

Staff recommends approval of **Final Reading of Ordinance #ZA2023-07-17 (B).**

ORDINANCE # ZA2023-07-17 (B)

AMENDMENT TO ARTICLE 2 – DEFINITIONS, ARTICLE 4 – USE TABLES, AND ARTICLE 5 – SPECIFIC USE REGULATIONS, OF THE CITY OF CONWAY UNIFIED DEVELOPMENT ORDINANCE (UDO) REGARDING ARMORIES AND SHOOTING RANGES IN THE HIGHWAY COMMERCIAL (HC), HEAVY INDUSTRIAL (HI), AND LIGHT INDUSTRIAL (LI) ZONING DISTRICTS.

WHEREAS, Pursuant to Title 6, Chapter 29 of the Code of Laws of South Carolina 1976, as Amended known as the “South Carolina Local Government Comprehensive Planning Enabling Act of 1994” enabled the City of Conway to adopt the *Unified Development Ordinance (UDO)* of the City of Conway, South Carolina; and

WHEREAS, *Article 13, Section 13.1.7* of the *Unified Development Ordinance (UDO)* provides that the regulations, restrictions, and boundaries set forth in said Ordinance may from time be amended, supplemented, changed, or repealed in accordance with S.C. State Code §6-29-760; and

WHEREAS, currently, there are no provisions for the lawful permitting of shooting ranges within any zoning district in the City of Conway and there are also no definitions provided within the UDO relating to armories or shooting range facilities; and

WHEREAS, the City of Conway recognizes the benefit of and potential for specialized facilities designed to both and instruct and develop proficiency in the safe handling of firearms; and

WHEREAS, the proposed ordinance(s) seeks to promote safe and responsible firearm use in the City limits of Conway by establishing a shooting range as a conditional use in the HC, HI, and LI zoning districts, with regulations that promote the health, safety, and welfare of citizens; and

WHEREAS, following a review by the Planning Commission and the required public hearing, it has been determined that the *UDO* should be amended relative to armories and shooting ranges. Therefore, be it

ORDAINED, by Conway City Council, in council duly assembled, that the *UDO* be shall be amended as attached hereto; and be it further

ORDAINED, that all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

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 2 amendments

Section 2.2 Definitions

Armory: A building / structure where firearms and ammunition are stored, maintained, and/or repaired by and for the express use of law enforcement and/or the U.S. Armed Forces.

Shooting Ranges and Facilities: Commercial or public facilities designed and specifically designated for training, safe shooting practice and competition with firearms, whether open to the public, private membership, organizational training (i.e. law enforcement), or any combination thereof.

ARTICLE 4 amendments

Section 4.2 Use Tables

I. HIGHWAY COMMERCIAL	SPECIFIC USES	R	RA	RR	R1	R2	R3	R4	P	NC	HC	MU ²	CC	CBD	WRD ⁵	IN	LI	HI	FA	CP	Applicable Standards
Restricted Uses	Adult-Oriented Establishment																C	C			5.1.1
	Armory										P						C	C			5.1.18
	Bail Bonds Establishment																C	C			5.1.2
	Body Piercing Shop								C	C	C	C	C	C		C	C	C			5.1.24
	Drive-in Movie Theater										C										
	Flea Market										C										5.1.11
	Manufactured and Modular Home Sales																C	C			5.4.1, 5.1.18
	Mobile Vending	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	5.1.16
	Pawn Shop										P						C	C			5.1.18
	Portable Storage Unit	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	5.2.7
	Private Club										C						P				
	Mini Storage Unit (Mini Storage Warehouse)										C						C	C			5.1.18, 5.1.29
	Sporting Goods									P	P	C	P	P	P	P	P	P			
	Tattoo Parlor																C	C			5.1.24
	Veterinarian/Animal Clinic										C						C	C			5.1.18, 5.1.28
	Shooting Range (indoor)										C						C	C			5.1.35

ARTICLE 5 amendments

Section 5.1.35 Shooting Ranges

- A. Indoor shooting ranges shall be permitted in the HC, LI, and HI zoning districts as an accessory use to a retail establishment specializing in the sale of firearms. Shooting ranges shall not be permitted as a standalone use in any zoning district. The following conditions shall apply:
1. Structures containing indoor shooting facilities shall be located in the rear of the property, and shall not occupy storefronts.
 2. Parcels containing such use shall not be less than two acres in size, and shall meet a minimum lot depth of two-hundred (200) feet.
 3. Setback Requirements. Structures and/or portions of structures containing such use shall meet the minimum setbacks and apply only to the structure(s) which contain the indoor shooting range:
 - a. A minimum of 50-ft from all property lines;
 - b. A minimum of 100-ft from parcels containing existing residential structures and/or parcels zoned for a residential use.
 4. Noise Ordinance. Structures shall provide noise cancelling methods/materials so as not to violate the noise ordinance regulations (*City of Conway Code of Ordinances Sec. 9-1-21*)
 5. Design Standards. Structures containing such use shall be designed so that projectiles (bullets, shots, arrows, etc.) cannot penetrate walls, floor, or ceiling, and ricochets or back splatter cannot harm range users.
 6. Hours of Operation (applicable to facilities containing the shooting facility). The hours of operation shall be limited to 8 a.m. to 9 p.m. Hours of operation shall be posted in a conspicuous place.
 7. Landscaping. Additional landscaping, in addition to what is required in Article 9, may be required by the TRC to ensure proper screening and buffering is provided to adjacent properties.
 8. Curb cut access shall be prohibited on local, residential streets.
 9. Additional requirements and conditions:
 - a. Facilities shall be staffed by person(s) trained in the safe discharge of firearms, and must be present whenever the facility is open for range activities.
 - b. The sale of or consumption of alcohol shall be prohibited.
 - c. The provisions contained herein shall be conspicuously posted throughout the facility.
 - d. Violations of this ordinance shall constitute a misdemeanor offense and may result in a revocation of zoning approval and/or business license for the shooting range facility.
- B. Outdoor shooting ranges shall not be permitted in any zoning district except within parcels 15-acres or greater, and only as an accessory to police training facilities for the City of Conway.

DATE: JULY 17, 2023

ITEM: VI.B.

ISSUE:

Final Reading of Ordinance #ZA2023-07-17 (C), to annex approximately 1.44 acres located at 2643 Long Ave Ext (PIN 324-16-03-0023), and rezone from the Horry County Residential, no mobile homes (SF20) district to the City of Conway Low/Medium-Density Residential (R-1) district.

BACKGROUND:

The annexation application was submitted by Matthew Lanzer (applicant) as a requirement to connect to city utility services. According to Horry County Register of Deed's website, the deed was transferred into the applicant's names on May 25, 2023. The property contains a single-family home, and a restrictive covenant was recorded in August 12, 1993.

This property became contiguous to the Conway city limits in 2022, with the annexation of neighboring property at 2637 Long Ave Ext. Other properties on same side of Long Ave Ext have been previously annexed and zoned R-1. If the property is annexed into the City of Conway, the R-1 Zoning District requirements must be met on any future permitting processes.

This property, along with adjacent parcels, are either completely within or mostly within the AE Flood Zone.

CITY OF CONWAY COMPREHENSIVE PLAN:

The Future Land Use Map of the *Comprehensive Plan* identifies this parcel as Conservation Preservation. (due to the existence of the property being completely within the AE flood zone).

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.

STAFF RECOMMENDATION:

Approve **Final reading of Ordinance #ZA2023-07-17 (C)**.

ORDINANCE #ZA2023-07-17 (C)

**AN ORDINANCE TO ANNEX APPROXIMATELY 1.44 ACRES OF PROPERTY
LOCATED AT 2643 LONG AVE EXT (PIN 324-16-03-0023) 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 1.44 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 1.44 acres of property located at 2643 Long Ave Ext (324-16-03-0023), and request to rezone from the Horry County Residential, no mobile homes (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: _____

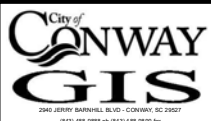
Final Reading: _____

Legend

 PARCELS



PIN #: 324-16-03-0023

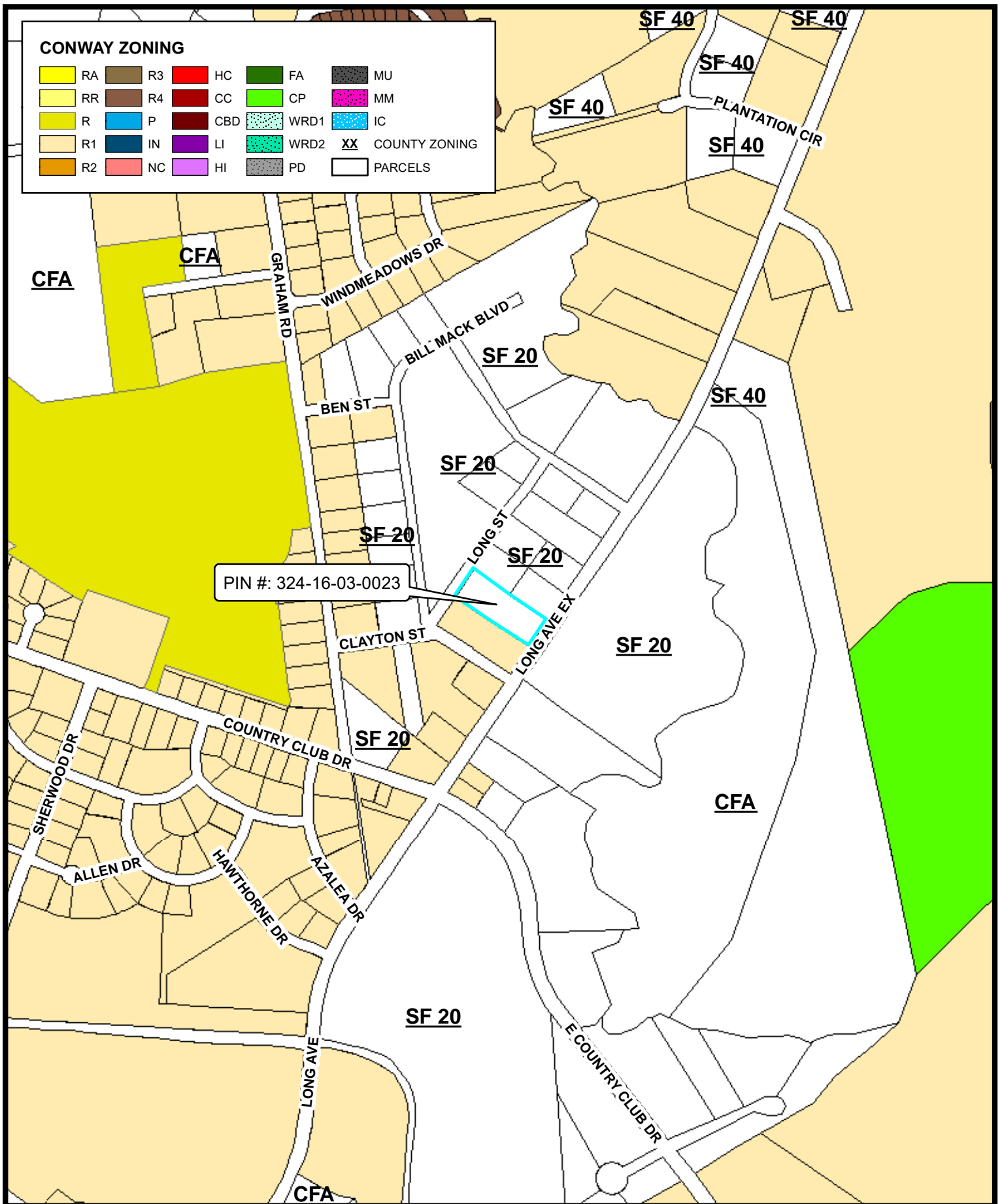


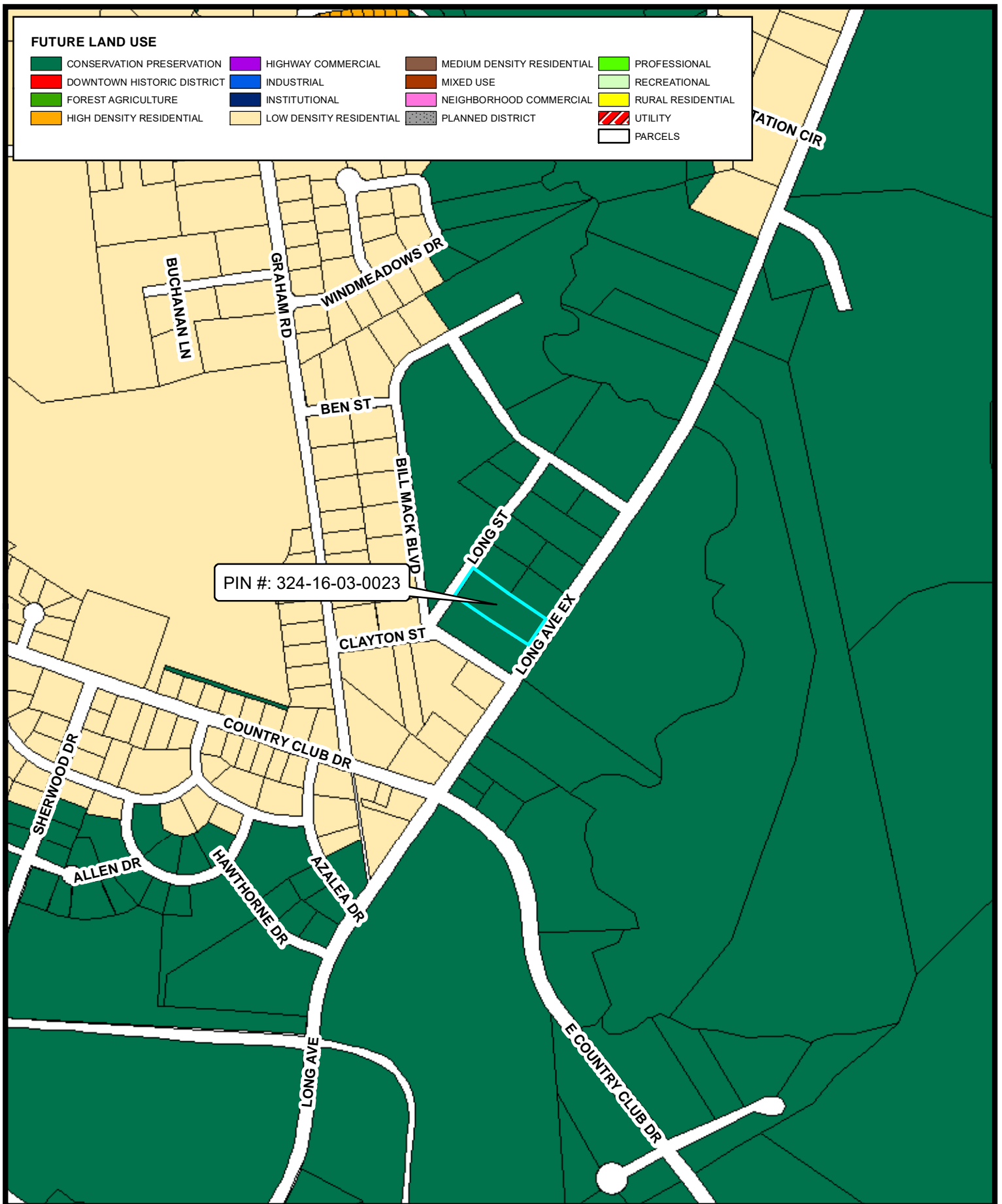
Disclaimer: This map is a graphic representation only. It is NOT a survey. All efforts have been made to ensure its accuracy. However, the City of Conway disclaims all responsibility & liability for the use of this map.








PIN #: 324-16-03-0023
TMS #: 123-00-02-064
2643 LONG AVE EXT
(P23-0179)

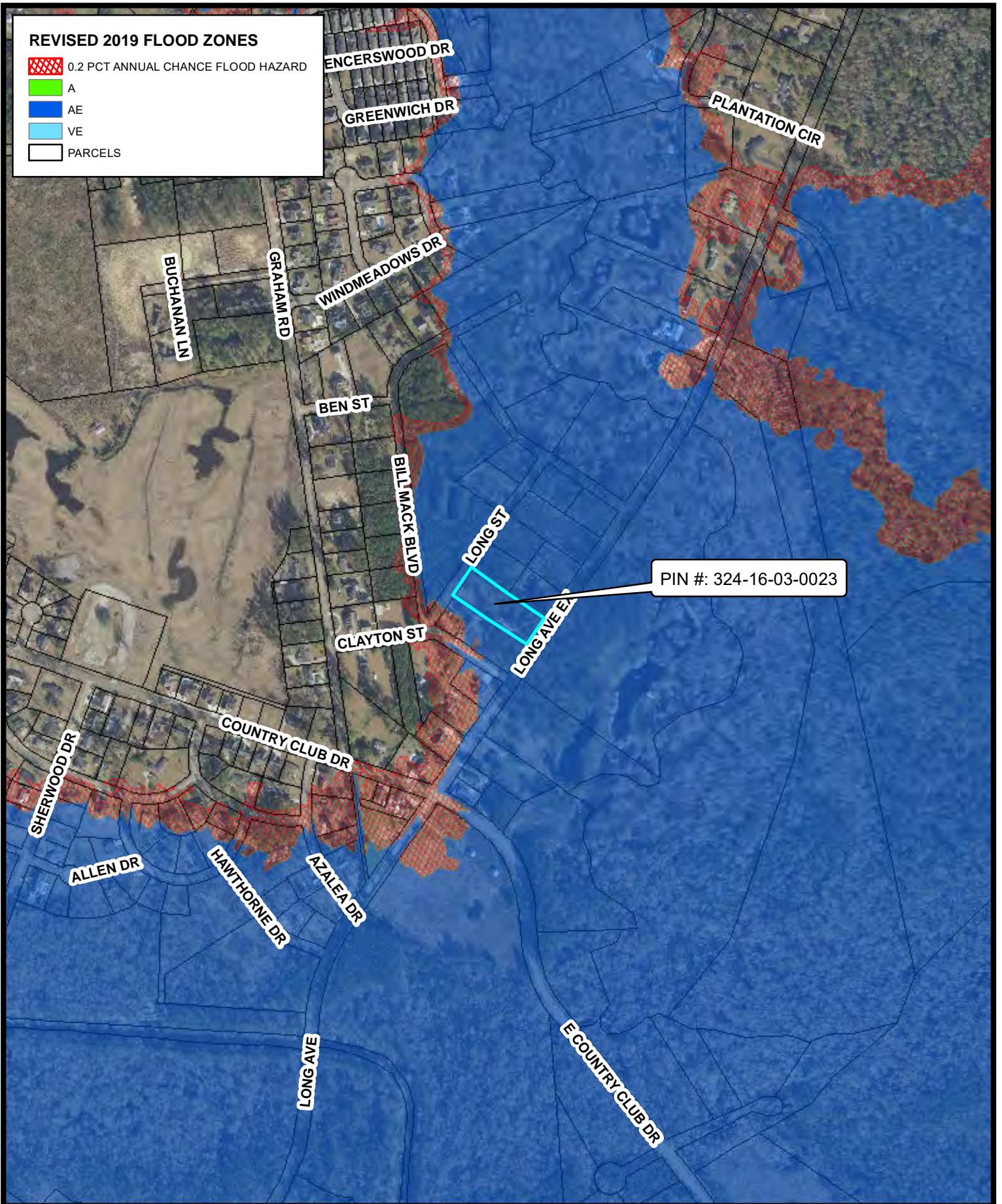






REVISED 2019 FLOOD ZONES

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





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: 2643 Lowb Ave Extension (WM Subdv - Lots 62/43)

PIN: 32A-16-03-0023 ACREAGE: 1.4 acrs

PROPERTY ADDRESS: 2643 Lowb Ave Extension

PROPERTY OWNER MAILING ADDRESS: 6930 Antonio Lane - Myrtle Beach SC 29588

PROPERTY OWNER TELEPHONE NUMBER: 843-650-1995

PROPERTY OWNER EMAIL: MM5850@aol.com

APPLICANT: Matthew Lanza

APPLICANT'S EMAIL: mm5850@aol.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)

Matthew Lanza
(Print)

Matthew Lanza
(Signature)

DATE: 06/05/23

(Print)

(Signature)

DATE: _____



PETITION FOR ANNEXATION

Staff Use Only

Received: _____
BS&A #: _____

Is there a structure on the lot: yes Structure Type: Single Family Home

Current Use: Occupied

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: 2643 Long Ave Ext FEE PAID () YES () NO

AREA OF SUBJECT PROPERTY (ACREAGE): 1.4 Acres PIN: _____

CURRENT ZONING CLASSIFICATION: SF-20

COMPREHENSIVE PLAN 2035 FUTURE LAND USE: CP

REQUESTED ZONING CLASSIFICATION: R1

NAME OF PROPERTY OWNER(S):

Matthew Langer PHONE # 843-650-1995

PHONE # _____

MAILING ADDRESS OF PROPERTY OWNER(S):

6930 Antonio Lane Myrtle Beach SC. 29588

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

Matthew Langer 06/05/23
PROPERTY OWNER'S SIGNATURE(S) DATE

PROPERTY OWNER'S SIGNATURE(S) DATE

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

DATE: JULY 17, 2023
ITEM: VI.C.

ISSUE:

Final Reading of Ordinance #2023-07-17 (D) to amend Title 7, Chapter 4, Article F, Section 7-4-82.7 Towing and Storage Charges, of the Code of Ordinances, City of Conway

BACKGROUND:

We routinely call for tow services listed on the City of Conway rotation log to accomplish law enforcement purposes, further investigations, or remove wrecked, disabled, or uninsured vehicles from the roadway. When we call them for legitimate law enforcement needs, we follow Section 7-4-82.7 guidelines for “Towing and Storage Charges.” There has been no adjustment or updates to our code since April 1, 2019.

DATA

Tow service providers maintain a City of Conway business license, physical address in the City of Conway, and provide a valuable service to assist law enforcement day or night, regardless of conditions. Associated costs have risen, and other governmental agencies allow a slightly higher fee structure.

Copies of tow fee schedules for the State of SC and Horry County are attached.

RECOMMENDATION

Amend our ordinance to increase our fees to mirror those in use by Horry County and the State of SC.

ORDINANCE #2023-07-17 (D)

AMENDING TITLE 7, CHAPTER 4, ARTICLE F, SECTION 7-4-82.7, TOWING AND STORAGE CHARGES, 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, City Council has determined it in the best interests of the citizens and of the City of Conway to amend the Code of Ordinances by deleting Title 7, Chapter 4, Article F, Section 7-4-82.7, Towing and Storage Charges, and placing in its stead a revised Title 7, Chapter 4, Article F, Section 7-4-82.7: Therefore, be it

ORDAINED, that Title 7, Chapter 4, Article F, Section 7-4-82.7, Towing and Storage Charges, is hereby amended to read as follows:

RATIFIED BY CITY COUNCIL, duly assembled, this 17 day of July, 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: June 20, 2023

Final Reading: July 17, 2023

Sec. 7-4-82.7 - Towing and storage charges. Operator's fee for towing services rendered shall not exceed the following listed maximums:

TABLE INSET:

Wrecked vehicles (Class A)	\$160 \$251
Disabled vehicles	\$160
Traffic offenses/stolen vehicles/abandoned/junked vehicles	\$160
Righting turned over vehicles (extra)	\$35
All tows between 5:00 pm and 7:00 am (extra)	\$25
Heavy duty wrecker (Class B)	\$175 per hour \$339
Winching a vehicle from over an embankment, i.e., winching necessitated by cause only	\$65 \$100 per hour plus approved expenses
Arrival-no tow	No charge (wrecker shall return to top of rotation list)
Storage (per day, after first 24 hours)	\$25 \$40 per day
Special Ops (Class C)	\$511 per hour

These rates are the maximum allowed under this article. This does not preclude charges of lesser amounts. All rates approved by the city shall be posted in a conspicuous place at the business location of the wrecker company and a copy maintained in the wrecker at all times. Each vehicle owner shall be provided with an invoice or receipt, upon payment, itemizing all towing and storage charges. The city shall not be responsible for any towing or storage charges under any circumstances.

NOTE: All wrecker companies participating in the rotation program agree to abide by the above list of charges for all services rendered in response to the police calls for their tow services.



HORRY COUNTY POLICE DEPARTMENT

Dedicated to Providing Comprehensive, Quality Law Enforcement

Joseph R Hill

Chief of Police

2560 North Main Street, Suite 7 – Conway, SC 29526 –Tel: 843-915-5350 Fax: 843-248-1886

Hello,

Please see the table below for tow rate increases. Feel free to contact me, Sgt. Lynn Baker, with questions or concerns. My contact information is also listed below.

Description	Normal Hours	After Hours	Additional Charge
Light-medium Wrecker	251	251	
Heavy Wrecker	339	339	
No-Tow (arrival Only)	25	25	
No tow (attached)		125	½ of applicable rate
Tow Exceeding one hour (rotation program only)			\$75.00 per each additional hour
Storage (per day) (after first 12 hours)			\$40
Vehicles over 26,000 lbs. GVW			\$2.00 per foot, rounded to up to next foot

Thank you,

Pfc. Lynn Baker | Regulatory
Horry County Government
Horry County Police Department
Vice President -SCGIA
2560 Main Street, Suite 7
843-915-8056 office
843-503-4600 cell
lbaker@horrycountysc.gov



South Carolina Department of Public Safety

S.C. Highway Patrol

2023 Wrecker Rotation Fee Schedule

In accordance with Section 38-600 of the South Carolina Code of State Regulations, the Department of Public Safety publishes a yearly Fee Schedule outlining the maximum allowable fees for each class of wrecker on the SCHP Wrecker Rotation List. The reasonableness of fees on the Fee Schedule is determined by the Highway Patrol on a comparative basis. The fees permitted for calendar year 2023 are listed below:

2023 MAXIMUM ALLOWABLE FEES FOR ROTATION LIST CALLS

Rates / Fees		
Class A Wrecker		
Standard Towing Charge	*Special Operations	Storage
\$ 251.00 Flat Fee	\$ 150.00 Per Hour	\$ 40.00 Per Day
<i>*Special Operations are billed at half the hourly rate in ½ hour increments.</i>		
Class B Wrecker		
Standard Towing Charge	*Special Operations	Storage
\$ 352.00 Flat Fee	\$ 240.00 Per Hour	\$ 50.00 Per Day
<i>*Special Operations are billed at half the hourly rate in ½ hour increments.</i>		
Class C Wrecker		
*Standard Towing Charge	Special Operations	Storage
\$ 511.00 Per Hour	**See below	\$ 66.00 Per Day
<i>*Standard Towing is billed at half the hourly rate in ½ hour increments.</i>		
<i>**Although no Special Operations fee is set for Class C tows, a wrecker service may recover the actual cost of rented/subcontracted equipment or labor necessary to accomplish the job. Proof of these actual costs in the form of an itemized invoice or receipt from each third party providing such equipment or labor must accompany the tow bill.</i>		

Class C services only. Rates for all equipment usage should include the cost of an operator, operating expenses, and the cost to transport the equipment to and from the scene. Fees for service, labor, or equipment not listed below may not be assessed.		
Description of Service, Labor or Equipment	Rate / Fee	
Additional Wrecker	\$ 509.00	Per hour
Dump Truck, Dump Trailer or Drop Dumpster	\$ 287.00	Per hour
Rotator/Crane or equivalent	\$ 718.00	Per hour
Truck Tractor with Box Trailer or equivalent	\$ 331.00	Per hour
Truck Tractor with Flat Trailer or equivalent	\$ 332.00	Per hour
Truck Tractor with Landoll/Lowboy/Tilt Trailer or equivalent	\$ 380.00	Per hour
Skid Steer or equivalent	\$ 271.00	Per hour
Forklift or equivalent	\$ 272.00	Per hour
Backhoe or equivalent	\$ 305.00	Per hour
Service Truck (includes all tools and equipment on board)	\$ 202.00	Per hour
Tower Light System	\$ 175.00	Per hour
Complete Air Bag Unit	\$ 864.00	Per hour
Additional Labor (General)	\$ 102.00	Per person/per hour
Additional Labor (Specialized)	\$ 141.00	Per person/per hour

DATE: JULY 17, 2023
ITEM: V.I.D.

ISSUE:

Final reading of ordinance 2023-07-17 (E) to amend Title 8, Chapter 2, Section 8-2-3, Two-Hour Parking, of the Code of Ordinances, City of Conway

BACKGROUND:

City Council recently considered proposals for parking meters in the downtown area. A decision on meters was tabled indefinitely. Council directed staff to explore other methods for parking controls downtown with a focus on enforcement.

Upon review of the current ordinances, staff discovered that two-hour parking regulations are applied irregularly. This is likely due to fewer areas of concern for parking during a time when the downtown saw less traffic. The current ordinance is outdated. Staff propose applying two-hour parking to the entire downtown area where street parking is common and adjacent to businesses that depend on turning over those parking spaces.

Time limited parking is critical to assuring that valuable parking is available to visitors to our downtown businesses at all times of the day. Applying the two-hour parking zones downtown will increase both vehicle and foot traffic to our downtown and allow police to more easily enforce parking rules.

RECOMMENDATION:

Amend Section 8-2-3, to declare downtown street parking as limited to two hours.

ORDINANCE #2023-07-17 (E)

**AMENDING TITLE 8, CHAPTER 2, SECTION 8-2-3 , TWO-HOUR PARKING, 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, City Council has determined it in the best interests of the citizens and of the City of Conway to amend the Code of Ordinances by deleting Title 8, Chapter 2, Section 8-2-3, Two-hour parking, and placing in its stead a revised Title 8, Chapter 2, Section 8-2-3: Therefore, be it

ORDAINED, that Title 8, Chapter 2, Section 3, Two-hour parking, is hereby amended to read as follows:

RATIFIED BY CITY COUNCIL, duly assembled, this 17 day of July, 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: June 20, 2023

Final Reading: July 17, 2023

Sec. 8-2-3 - Two-hour parking.

The purpose of the two-hour parking zones is to provide customers of downtown businesses adequate parking. By providing the designated time limits on downtown parking in the business district, those who patronize downtown businesses will be assured of adequate parking for such purpose.

(a)

Designated areas. The following areas shall be designated two-hour parking, where street parking is provided:

Kingston Street

Main Street from Kingston Street to Fifth Avenue

Laurel Street from Elm Street to Fourth Avenue

Elm Street from Marina Drive to Fourth Avenue

Beaty Street from Second Avenue to Fourth Avenue

Second Avenue from Kingston Street to Beaty Street

Third Avenue from Kingston Street to Beaty Street

Fourth Avenue from Kingston Street to Beaty Street

Fifth Avenue from Kingston Street to Main Street

(b)

Hours of enforcement. The enforcement of the two-hour parking zone by the Conway Police Department shall be daily from 8:00 am until 6:00 pm.

(c)

Violations.

(1)

It shall be unlawful for any owner or operator of any vehicle to allow, permit, or cause such vehicle to be parked in any parking space within any two-hour parking zone, as established by the city, for a period of time in excess of two hours; and each two-hour violation shall constitute a separate offense. This shall also apply to those parking spaces within the two-hour parking zone designated for handicapped persons.

(2)

It shall be unlawful for any owner, driver, or other person to intentionally violate the intention of this section of the code by moving a previously parked car from one parking space within a designated two-hour parking zone to another so designated parking space, so as to avoid enforcement action by a police officer or parking control officer of the city.



DATE: JULY 17, 2023

ITEM: VI.E.

ISSUE:

Resolution authorizing D.R. Horton Inc. to secure a Letter of Credit (LOC) guaranteeing the installation of the remaining infrastructure in the Wild Wing Plantation, Phase 5B, subdivision.

BACKGROUND:

In May of this year, the Technical Review Committee approved the preliminary plans for Phase 5B of Wild Wing Plantation, located within the Wild Wing Planned Development. Phase 5B will contain 45 single-family lots. The remaining infrastructure requirements (not yet installed) for this phase of Wild Wing Plantation includes: water & sewer improvements, roadway improvements, sidewalks, ADA ramps/matts, and street trees.

Per *Section 10.6.1* of the UDO, in lieu of requiring the completion, installation, and inspection of all or any part of the required improvements described in the regulations prior to final plat approval, the City of Conway shall accept a financial guarantee whereby the applicant shall agree to complete all required improvements. A financial surety in the form of cash, cashier's check, or irrevocable letter of credit will be required by Conway City Council if these requirements cannot be provided prior to the recording of the final plat. This cost estimate has been provided by the engineer and has been approved by the Technical Review Committee. The Letter of Credit is required to equal 125% of the cost of construction. *The Developer will receive final plat approval and obtain the Letter of Credit in the approved amount only upon passing inspection that all non-secured improvements have been installed.*

<u>Wild Wing Plantation, Phase 5B – Remaining Infrastructure – Cost Estimates</u>	
Water & Sewer improvements	\$425,854.00
Roadway improvements	\$93,823.00
Sidewalks & ADA ramps/matts	\$141,988.55
Street Trees	\$67,500.00
Other (engineering / survey costs, grassing)	\$56,750.00
Subtotal	\$785,915.55
+ 25%	\$196,478.89
Total Costs	\$982,394.44

RECOMMENDATION:

Staff recommends approving the resolution in order to accept the letter of credit in the amount of **\$982,394.44** by D.R. Horton Inc. to financially guarantee the installation of the remaining infrastructure requirements in Phase 5B of Wild Wing Plantation.

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

RESOLUTION

**ACCEPTING THE LETTER OF CREDIT FROM D.R. HORTON INC. TO ALLOW FOR
THE SURETY OF INFRASTRUCTURE IN THE WILD WING PLANTATION SUBDIVISION
(PHASE 5B).**

WHEREAS, D.R. Horton Inc. is required to install infrastructure within the City Limits of Conway by the City of Conway’s Unified Development Ordinance (UDO); and

WHEREAS, D.R. Horton Inc. will request approval to convey his / her / their right, title, and all interest related to the new roads and infrastructure once installed and approved by the City of Conway; and

WHEREAS, Conway City Council has determined it would be in the best interest of Conway and its citizens to accept the Letter of Credit for the new infrastructure;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Conway, South Carolina to accept the Letter of Credit from D.R. Horton Inc.

IN WITNESS WHEREOF, this Resolution is hereby adopted and made a part of the City Records 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

DDC Engineers
Bolton & Menk, Inc.
 1298 Professional Drive
 Myrtle Beach, SC 29577
 (843) 692-3200

OPINION OF PROBABLE COST

Sheet 1 of 2

PROJECT: Wild Wing Phase 5B
 LOCATION: Wood Stork Drive
 OWNER: DR Horton
 ESTIMATOR: T. Mastin
 DDC PROJECT NO: 21041E

DATE PREPARED 6-Jul-23

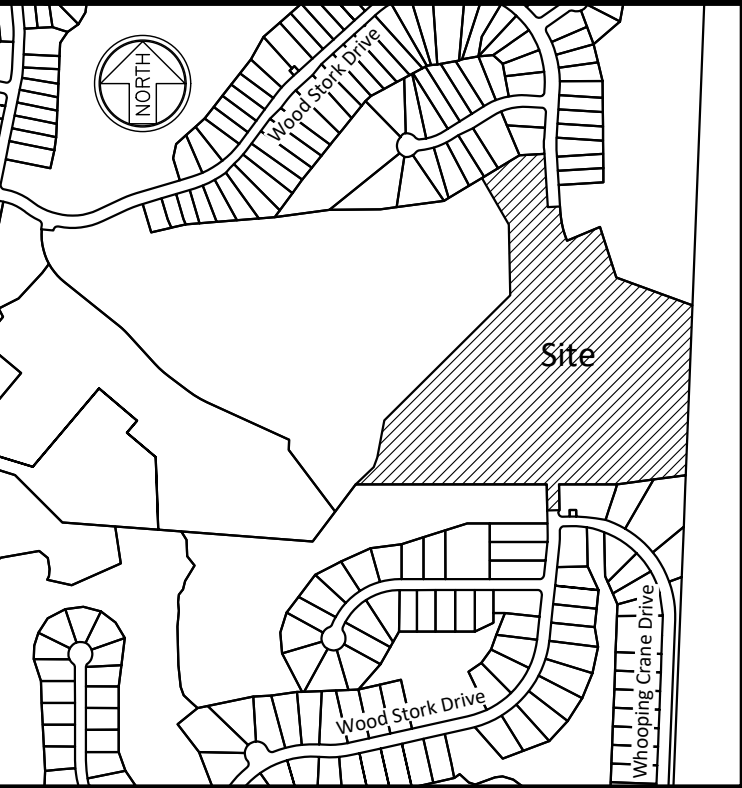
BASIS FOR ESTIMATE

☐ CODE A (No design completed)
☐ CODE A (No design completed)
☐ CODE C (Final Design)
☒ OTHER: Contract Costs

DESCRIPTION	QUANTITY		COST (\$)	
	NUMBER OF UNITS	UNIT MEASURE	PER UNIT	TOTAL COST
Erosion Control (0%)	0.00	LS	\$ 47,365.00	\$ -
8" SDR-35 (0-6) (100%)	414.00	LF	\$ 40.00	\$ 16,560.00
8" SDR-35 (6-8) (100%)	766.00	LF	\$ 50.00	\$ 38,300.00
8" SDR-35 (8-10) (100%)	463.00	LF	\$ 60.00	\$ 27,780.00
8" DR-18 (12-14) (100%)	641.00	LF	\$ 84.00	\$ 53,844.00
MANHOLE (0-6) (100%)	5.00	EA	\$ 2,250.00	\$ 11,250.00
MANHOLE (6-8) (100%)	2.00	EA	\$ 2,650.00	\$ 5,300.00
MANHOLE (8-10) (100%)	1.00	EA	\$ 3,050.00	\$ 3,050.00
MANHOLE (10-12) (100%)	1.00	EA	\$ 3,650.00	\$ 3,650.00
MANHOLE (12-14) (100%)	2.00	EA	\$ 4,250.00	\$ 8,500.00
Single Sewer Service (100%)	15.00	EA	\$ 950.00	\$ 14,250.00
Double Sewer Service (100%)	15.00	EA	\$ 1,250.00	\$ 18,750.00
10" WATERLINE (100%)	1,550.00	LF	\$ 52.00	\$ 80,600.00
6" WATERLINE (100%)	1,120.00	LF	\$ 28.50	\$ 31,920.00
10" Gate Valve (100%)	4.00	EA	\$ 5,400.00	\$ 21,600.00
6" Gate Valve (100%)	2.00	EA	\$ 2,450.00	\$ 4,900.00
10" x 6" Tee (100%)	2.00	EA	\$ 1,650.00	\$ 3,300.00
Waterline Bends (100%)	4.00	EA	\$ 425.00	\$ 1,700.00
Waterline Restraints (100%)	26.00	EA	\$ 225.00	\$ 5,850.00
Waterline By-Pass (100%)	1.00	EA	\$ 4,850.00	\$ 4,850.00
Single Water Service (100%)	11.00	EA	\$ 1,050.00	\$ 11,550.00
Double Water Service (100%)	17.00	EA	\$ 1,350.00	\$ 22,950.00
Fire Hydrant Assembly (100%)	4.00	EA	\$ 8,850.00	\$ 35,400.00
15" RCP (0%)	735.00	LF	\$ 38.00	\$ -
Curb Inlet (0%)	16.00	EA	\$ 3,450.00	\$ -
Flared End Section (0%)	8.00	EA	\$ 1,050.00	\$ -
6" Under-Drain (0%)	5,344.00	LF	\$ 16.00	\$ -
Sub Grade (0%)	3,600.00	CY	\$ 15.00	\$ -
8" GABC (0%)	9,042.00	SY	\$ 19.50	\$ -
Curb and Gutter (0%)	5,344.00	LF	\$ 14.50	\$ -

				Sheet 2 of 2
1.5" Asphalt Binder (0%)	7,844.00	SY	\$ 10.25	\$ -
1.5" Asphalt Surface (100%)	7,844.00	SY	\$ 10.75	\$ 84,323.00
Signage and Pavement Markings (100%)	1.00	LS	\$ 9,500.00	\$ 9,500.00
5' Sidewalk (100%)	5,335.00	LF	\$ 25.13	\$ 134,068.55
Handicap Ramps (100%)	12.00	EA	\$ 660.00	\$ 7,920.00
Engineering Cost (As Built, Final Certs) (100%)	1.00	LS	\$ 5,000.00	\$ 5,000.00
Grassing (100%)	15.00	AC	\$ 3,450.00	\$ 51,750.00
Street Trees (100%)	90.00	EA	\$ 750.00	\$ 67,500.00
Subtotal				\$ 785,915.55
Additional 25%				\$ 196,478.89
				\$ -
TOTAL OPINION OF PROBABLE COST:				\$982,394.44





Certificate of Ownership and Dedication

I (We) hereby certify that I am (We are) the owner(s) of the property shown and described hereon and that I (We) hereby adopt this plan of subdivision with my (our) free consent, establish minimum building lines and dedicate all streets, alleys, walks, parks and other sites to public or private uses as noted.

D. R. Horton, Inc.	
Title/Owner/Representative	Title/Owner/Representative
Signature	Signature
Date	Date

Vicinity Map - Not to Scale

Notes

- This document represents a subdivision plat of an existing parcel of record.
- This property is subject to all easements and restrictions of record.
- Parcel Identification No.: 384-00-00-0412
- No title search performed by this office.
- Total number of lots is 45 for a single family subdivision and project will consist of site built homes.
- All roads, drainage and easements labeled public in this development are intended and required to be public and are to be dedicated to the City of Conway.
- This property is located in flood zone "X" as shown on Flood Insurance Rate Map numbers 45051C0 565K dated 12/16/2021.
- Bearings based on the South Carolina Nad 83 State Plane Coordinate System and all distances shown are horizontal ground distances, not grid distances.
- Property owner/Developer of record: D. R. Horton, Inc.
4049 Belle Terre Boulevard
Myrtle Beach, SC 29579
- All lakes, ponds, berms, common areas and open spaces are to be owned and maintained by the Home Owners Association.
- Gross density of project: 1.45 units / acre
- All activities, including activities by individual lot owners, will be carried out in accordance with the approved stormwater management and sediment control plan for the subdivision.
- All drainage easements are to be cleared and remain free and clear of all obstructions and structures.
- Last property transfer: Deed Book 4488, Page 1940.
- Minimum finished building pad elevation is to be 18" above the back of curb or centerline of road.
- Total linear footage of right-of-way centerline: 2,498.9 ± lf
- Iron pins (5/8" rebar) set all corners unless otherwise noted.
- This survey is valid only if a print of the same has the original signature and embossed seal of the surveyor.
- All side lot swales are to remain free and clear of structures and obstructions and maintained by the lot owners.
- All areas calculated for lots, open spaces and amenity areas are inclusive of any wetlands, wetland fills and wetland buffers if applicable.
- Minimum lot size: 6,360 sf - 0.15 ac.
- HOA documents for restrictive covenants and easements for the development shown hereon were recorded in Deed Book ____, Page ____ on this ____th day of ____, 20__ in the office of the Register of Deeds for Horry County.
- All areas on this plat shown as open space shall remain as such in perpetuity.
- A 10' non-exclusive perpetual utility easement shall extend along the front of all lots within the development, parallel to the road right-of-way.
- No protected or landmark trees as defined in Section 3-4-8 of the Tree Preservation Ordinance shall be removed without the the written approval of the city arborist and the issuance of a tree removal permit by the City of Conway.
- All public and/or private drainage easements are centered on lot lines unless otherwise noted.
- The lake maintenance easements provided hereon shall be measured 12 feet from the top of bank or from the normal water elevation when the side slopes are 5:1 or flatter when measured from normal water level, the lake maintenance easement will cover all areas of the pond bank, from the normal water level to the top bank.
- All non-required sidewalks shall be maintained by the HOA/POA and shall not be the responsibility of the City of Conway.
- The maintenance and/or replacement of required street trees within the public rights-of-way dedicated hereon, shall be the responsibility of the HOA.
- Wetland areas shown hereon are as delineated by the U. S. Army Corps of Engineers, SAC 2019-01102 dated January 24, 2022.

Surveyors Certification

It is hereby certified that this plat is true and correct to the accuracy required in Division IV, Section 20-35(C), "Degree of Accuracy"

I hereby state that to the best of my professional knowledge, information and belief, the survey shown herein was made in accordance with the requirements of the "Standards of Practice Manual for Surveying in South Carolina" and meets or exceeds the requirements of a Class "A" survey as specified therein.

James E. Hayes, Jr. SCPLS No. 13527 Date

Easements

All lots shall have a general utility and drainage easement as follows unless shown otherwise:

Front Yard = 10'

Side Yard = 0'

Rear Yard = 10'

Matchline

Matchline

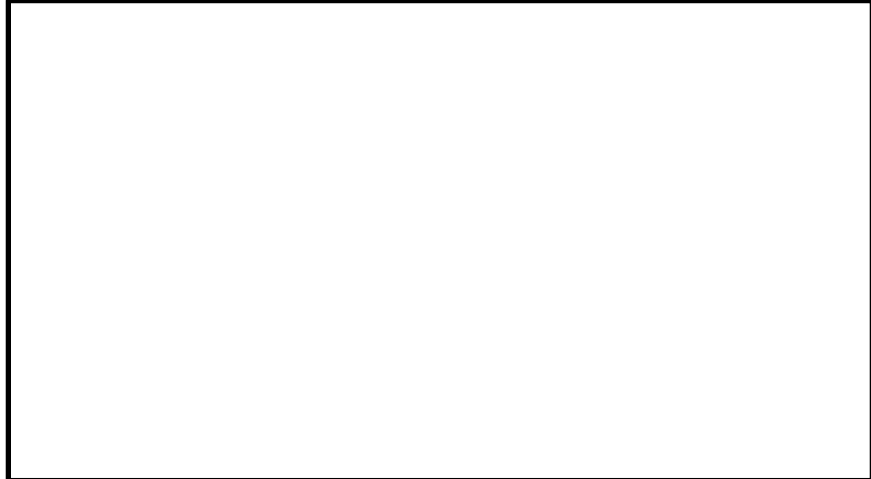
Sheet 2

Sheet 1



NAD 83 (2011)
State Plane

Approval of Recordation For City of Conway Use Only:



Linear Footage of Street Centerlines

Wood Stork Drive 1,471.3 ± lf
Beechfield Court 367.6 ± lf
Brick Point Drive 660.0 ± lf

Area Summary

Total Area of Phase 29.24 acres
Right-of-Way Area 3.33 acres
Open Space Area 17.07 acres
(inclusive of any pond and / or wetland areas)
Lot Area 8.84 acres
Total Number of Lots 45
Gross Density 1.54 units / acre
Net Density 1.77 units / acre

Certificate of Required Improvements

I hereby certify to the best of my knowledge and belief all required improvements have been installed in the acceptable manner and according to the specifications established in the City of Conway Unified Development Ordinance.

Engineer's Signature

_____, 2023

Certificate of Approval for Public Water

We, the City of Conway, certify that the water supply system(s) are installed or proposed for installation, fully meet our requirements.

City of Conway	
Company	Name (Representative)
	_____, 2023
Signature	Date

Certificate of Approval for Public Sewer Systems

We, Grand Strand Water & Sewer Authority, certify that the sewer disposal system(s) are installed or proposed for installation, fully meet our requirements.

Grand Strand Water & Sewer Authority	
Company	Name (Representative)
	_____, 2023
Signature	Date

Curve Table					
Curve	Radius	Length	Tangent	Bearing	Chord
C1	412.00'	136.91'	69.09'	S 15°02'58" E	136.28'
C2	480.58'	140.89'	70.93'	N 07°05'28" E	140.40'
C3	20.00'	28.89'	17.62'	N 26°02'35" W	26.44'
C4	75.22'	63.80'	33.96'	S 88°16'49" W	61.90'
C5	434.58'	72.81'	36.49'	S 18°32'07" W	72.72'
C6	225.00'	102.59'	52.20'	S 77°00'47" W	101.71'
C7	25.00'	22.39'	12.01'	S 64°25'00" W	21.65'
C8	55.00'	46.19'	24.55'	S 62°48'53" W	44.84'
C9	55.00'	86.31'	54.92'	N 48°10'20" W	77.72'
C10	55.00'	45.79'	24.31'	N 20°37'58" E	44.48'
C11	55.00'	41.07'	21.54'	N 65°52'21" E	40.12'
C12	55.00'	51.96'	28.10'	S 65°49'18" E	50.05'
C13	25.00'	15.51'	8.01'	S 56°22'54" E	15.26'
C14	25.00'	6.88'	3.46'	S 82°02'26" E	6.86'
C15	175.00'	16.71'	8.36'	N 87°20'27" E	16.70'
C16	175.00'	63.09'	31.89'	N 74°16'42" E	62.75'
C17	125.00'	15.66'	7.84'	N 67°32'20" E	15.65'
C18	125.00'	86.49'	45.06'	S 89°03'02" E	84.78'
C19	20.00'	30.52'	19.12'	N 67°03'12" E	27.64'
C20	272.00'	26.16'	13.09'	N 20°34'47" E	26.15'
C21	272.00'	76.91'	38.71'	N 09°43'27" E	76.65'
C22	272.00'	88.17'	44.47'	N 07°39'43" W	87.78'
C23	272.00'	49.17'	24.65'	N 22°07'37" W	49.10'
C24	468.00'	194.21'	98.52'	N 15°25'03" W	192.82'
C25	412.00'	34.06'	17.04'	S 24°56'15" E	34.05'
C26	328.00'	29.28'	14.65'	S 24°44'54" E	29.27'
C27	328.00'	117.76'	59.52'	S 11°54'21" E	117.13'
C28	20.00'	28.30'	17.10'	S 42°09'17" E	26.00'
C29	275.00'	50.66'	25.40'	S 87°57'58" E	50.58'
C30	25.00'	22.39'	12.01'	N 61°05'53" E	21.65'
C31	55.00'	5.22'	2.61'	N 38°09'37" E	5.22'
C32	55.00'	81.13'	49.98'	N 83°08'30" E	73.97'
C33	55.00'	54.66'	29.83'	S 26°07'33" E	52.44'
C34	55.00'	54.66'	29.83'	S 30°49'06" W	52.44'
C35	55.00'	75.63'	45.16'	N 81°19'03" W	69.81'
C36	25.00'	22.39'	12.01'	N 67°35'03" W	21.65'
C37	325.00'	11.24'	5.62'	S 87°44'51" W	11.24'
C38	325.00'	48.63'	24.36'	N 86°58'32" W	48.58'
C39	20.00'	18.00'	10.00'	S 55°04'30" W	17.72'
C40	328.00'	57.77'	28.96'	S 18°17'23" W	57.69'
C41	434.58'	43.56'	21.80'	S 01°45'07" W	43.54'
C42	434.58'	69.12'	34.63'	S 09°10'47" W	69.04'
C43	359.31'	51.79'	25.94'	N 19°03'18" E	51.74'
C44	359.31'	55.16'	27.64'	N 10°31'40" E	55.11'

Line Table		
Line	Bearing	Distance
L1	S 88°52'50" W	56.00'
L2	N 20°08'56" E	46.68'
L3	N 86°28'14" E	56.00'
L4	S 03°31'46" E	23.75'
L5	N 01°07'10" W	32.22'
L6	N 03°31'46" W	23.75'
L7	N 86°45'25" E	19.95'
L8	N 86°45'25" E	30.19'
L9	S 86°45'25" W	8.34'
L10	S 86°45'25" W	41.79'
L11	S 01°07'10" E	33.29'
L12	S 09°55'38" W	35.43'
L13	S 06°37'59" E	35.26'
L14	S 06°32'42" E	13.64'
L15	S 85°38'51" E	20.85'
L16	N 18°44'25" E	19.88'
L17	S 02°20'46" W	22.94'
L18	S 15°53'56" W	13.67'
L19	S 43°05'59" W	26.51'
L20	S 16°04'30" W	19.98'
L21	S 52°38'52" W	38.57'
L22	S 08°46'31" W	8.29'
L23	S 66°39'54" E	84.47'
L24	S 66°39'54" E	35.53'
L25	S 69°15'13" W	17.71'
L26	S 64°27'57" W	44.81'
L27	S 88°31'37" W	22.29'
L28	N 67°20'03" E	35.26'
L29	N 67°20'03" E	37.25'
L30	S 72°30'02" E	19.54'
L31	S 72°30'02" E	26.19'
L32	S 54°39'34" E	30.34'
L33	N 33°27'41" W	28.57'
L34	N 29°39'29" W	37.14'
L35	N 43°46'47" E	13.75'
L36	N 20°27'55" E	26.69'

1	6/26/2023	address City of Conway comments	Clardy	By
No.	Date	Description	Revision	
Prof. No.	21041E	Date: 4/11/2023	Scale: 1" = 50'	
Design:	TSK	Draft: Clardy	Check: JEH	
Field Book:				

Wild Wing Plantation - Phase 5B
City of Conway, Horry County, South Carolina

Final Plat

Prepared For:

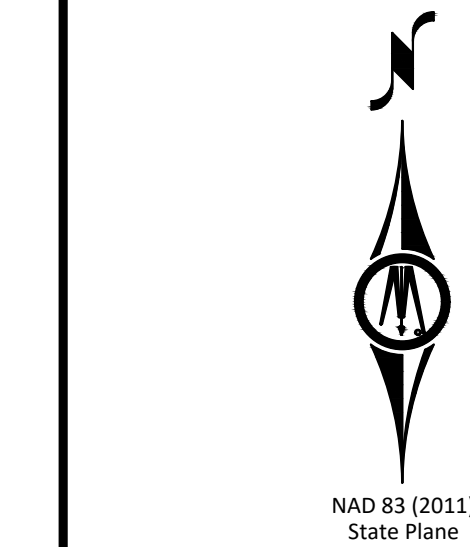
D. R. Horton, Inc.
4049 Belle Terre Boulevard
Myrtle Beach, SC 29579

File No.: 21041E-PH 5B

Sheet No.: 1 of 2

J:\plans\2021\1041E - Wild Wing\1041E - PH 5B - P.dwg, 6/29/2023 10:14:13 AM, ARCH Full bleed D (24.00 x 36.00 inches)

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n/f
D. R. Horton, Inc.
remainder of PIN: 384-00-00-0412
D.B. 4488, Pg. 1940
P.B. 265, Pg. 310
(38.57 ac. remain)

n/f
D. R. Horton, Inc.
portion of PIN: 384-00-00-0412
D.B. 4488, Pg. 1940
P.B. 265, Pg. 310

Open Space #3
537,734.58 sf
12.34 ac.

Pond Area
424,823.90 sf
9.75 ac.

12' private
lake maintenance
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82
10,651.92 sf
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DATE: JULY 17, 2023

ITEM: VI.F.

ISSUE:

Accept the low bids for the replacement of (1) front loader truck, (1) recycle truck and (3) side loader garbage trucks for the Solid Waste Department.

BACKGROUND:

Funds in the amount of \$2,000,000 were included in FY 2023-24 budget for the replacement of 5 trucks. Bids were received on June 11, 2023 and June 30, 2023 from the following vendors:

Three Garbage Loaders

Florence Truck Center (G-S Products)	\$ 1,062,523.38
--------------------------------------	-----------------

One Recycle Truck

Florence Mack (G-S Products)	\$ 342,650.46
------------------------------	---------------

One Front Loader Truck

Florence Truck Center (Mammoth)	<u>\$ 393,134.70</u>
---------------------------------	----------------------

TOTAL	\$ 1,798,308.54.
--------------	-------------------------

RECOMMENDATION:

Accept the low bids for the three side loader trucks, recycle truck and front loader truck.

DATE: JULY 17, 2023
ITEM: VI.G.

ISSUE:

Special event request: Rivertown Reindeer Run, December 2, 2023 – Conway Rotary Club

BACKGROUND:

Shannon Jordan, of the Conway Rotary Club has submitted a special event permit application for the annual Rivertown Reindeer Run planned for Saturday, December 2, 2023 from 7 a.m. to 11 a.m. This is a 5K family-friendly race and children's fun run. They anticipate approximately 200-300 participants. The race is a fundraiser for the Conway Rotary Club.

Police Department and Fire Department personnel will provide assistance for this event. The City of Conway has always helped with this event, and the cost of services provided can be absorbed through its operating budget. The Rotary Club will have volunteers available to help City personnel along the race route and for cleanup. In addition to the restroom facilities at the marina park, they will have two porta-johns near the tennis court parking lot.

The applicant has requested road blockades and to permission to erect multiple tents in different locations during the event (see attached map of race route). Also requested is assistance with traffic control, standby medical assistance, use of three roll-out carts, and use of City parking by event participants.

The City will notify all residents along the race route in order to provide information about the event using hangers for trash receptacles. The race route will be closed for one hour for the runners 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 Rivertown Reindeer Run as presented.

RECEIVED
7/7/2023



For Office Use Only
Permit Application

- ☐ Approved
- ☐ Disapproved
- ☐ Charges required in the amount of _____

Signature Date

SPECIAL EVENT PERMIT APPLICATION

According to the Code of Ordinances of the City of Conway, it is unlawful for any person to hold, manage, conduct, aid, participate in, form, start or carry on any parade or public meeting or assembly or picketing, in or upon any public street, park or other public grounds in the city unless and until a permit to conduct such meeting, assembly, parade or picketing has been obtained. A special event application is also required for events held on private property within the city that may expect a large crowd, impact on the neighborhood and/or city services, or require other permits such as zoning, signage, etc. Charges may apply to each application. The City of Conway, at its discretion, may choose to waive any fees and charges for special events held by bonafide, non-profit organizations.

APPLICATION FOR PERMIT MUST BE FILED NOT LESS THAN
30 DAYS IN ADVANCE OF THE PROPOSED ACTIVITY.

Name of the event: Rivertown Reindeer Run

Name of permit holder: Shannon Jordan, Conway Rotary Club

Address of permit holder: PO Box 14

City: Conway State: SC Zip: 29528

Telephone number of permit holder: 843-488-5530 Cell 843-997-7373

Are you conducting the activity on behalf of an organization? ☒ Yes ☐ No

Is your organization a non-profit 501(c)(3) organization? ☐ Yes ☒ No

Name of organization: Conway Rotary Club

Address of organization: PO Box 14, Conway, SC 29528

Telephone number of organization: 843-997-7373

What is the purpose of the activity? Fundraising activity for the Conway Rotary Club

What is the proposed date(s) of the activity? December 2, 2023

What are the proposed times of the activity? 7am-11am

What are the plans for the event? 5k family friendly run and 1 mile fun run/walk

What is the location or route of the activity? (Please attach any necessary route maps.)
5k race route, 1 mile up to Palmetto Chevrolet and back

If you are conducting a parade, please attach a map showing the route with the portion of the street(s) and/or sidewalk(s) to be utilized clearly marked.

List any streets which may need to be closed, including specific dates and times of closing and re-opening:

Typical street closure for 5k race

What is the approximate number of participants? 200-300

What is the approximate number of vendors? 0 vendors, a few sponsor tents

BUSINESS LICENSE REQUIREMENTS: *Any vendors at this event who do not have 501(c)(3) nonprofit status are required to purchase a business license.*

Will there be any vehicles, water craft, equipment or animals used for the event? ☒ Yes ☐ No
If yes, please explain: Race proctor equipment, sound equipment, golf cart

Are you requesting any road blockades? (charges may apply) ☒ Yes ☐ No
If yes, please attach a map showing the locations of any road blockades.

Are you requesting any police assistance? (charges may apply) ☒ Yes ☐ No

Are you requesting to set up tents or temporary structures? (charges may apply) ☒ Yes ☐ No
If yes, please attach a drawing showing the locations and sizes of all auxiliary structures.

Are you requesting any fire/medical standby assistance? (charges may apply) ☐ Yes ☒ No

Will supplementary utility services such as power and water be used in addition to what is available in the area? If yes, describe in detail the specific utilities and location. Any additional utilities must be provided by the applicant. ☐ Yes ☒ No

Have you requested or obtained a permit from any other jurisdiction (city or county) within which the activity shall commence, terminate or occur in part? ☐ Yes ☒ No

How do you plan to remove garbage? We are requesting 3 trash carts from the City of Conway
2 at the marina and 1 at 12th and Elm for the water station

Will existing restroom facilities be adequate? ☐ Yes ☒ No

If not, describe plans to augment available sanitary facilities: In addition to being able to have access to the restroom facilities at Marina Park, we will provide 2 porta johns in marina parking lot

Please include any additional information that may be useful: Conway Rotary Club will have volunteers available for assisting the City of Conway man the street closures along the race route and for clean up

Does any of the following apply to the proposed activity: _____ Fireworks Display ☒ _____ Other (live band, band, loudspeakers, sound amplifiers, etc.). Please specify: Loud speakers for music and race announcements

ALCOHOL SALES AT SPECIAL EVENT: *Procedures and logistics for serving alcoholic beverages must be submitted with the special event permit application. These should include but are not limited to location, hours of operation, locations with site diagram and security procedures. Consideration will also be given as to whether alcohol sales would create potentially dangerous situations due to the nature of the event. Permission to serve or consume alcohol may be granted by the city as part of the special event permit; however, such service must comply with all South Carolina Alcohol Beverage Control Commission regulations and the City of Conway Special Events Alcohol Control Policy. The City reserves the right to revoke the permit or require the applicant to discontinue alcohol sales whenever the consumption of alcohol by participants becomes excessive or when, over a period of time, participants regularly demonstrate obnoxious, loud, or other inappropriate behavior following events.*

Will alcoholic beverages be served?

☐ Yes ☒ No

Will alcoholic beverages be sold? *If yes, SC ABC permit required.*

☐ Yes ☐ No

Hard alcohol (liquor) may not be present, possessed, consumed and/or served at any permitted special event. Section 7-2-2 (b) (1) states "The sale of alcohol within the designated area of a special event is limited to beer and wine." Beer and/or wine must be served in opaque paper, plastic or Styrofoam cups.

VENDORS: Please list any vendors, including applicant, for whom you are requesting permission to sell alcohol and the proposed locations for sales.

RESTAURANTS: Please list any restaurants for which you are requesting permission to sell alcohol for public consumption during the special event.

Times for alcohol to be served: From _____ To _____

Event map must show requested designated special event area for alcohol sales/public consumption.

The following does not apply to restaurants:

Have you applied for a South Carolina temporary ABC Permit? ☐ Yes ☐ No

Name of insurance company providing general liability with liquor liability insurance for the event naming the City of Conway as additional insured (a copy of the Certificate of Insurance must be provided): _____

ACKNOWLEDGMENT: *I acknowledge that I have read and do fully understand the Special Event Alcohol Control Policy attached to this application and agree to comply with the guidelines.*

Applicant's Signature:  Date: 7/6/23



SPECIAL EVENTS

ALCOHOL CONTROL POLICY

All event organizers and restaurants are required to be familiar with and follow the guidelines when participating in special events where alcoholic beverages will be permitted. It is understood that responsibility for fully meeting these requirements during an event rests with the event organization and/or restaurant serving alcohol within a designated special event area.

1. Hard alcohol (liquor) may not be present, possessed, consumed and/or served at any permitted special event. *Section 7-2-2 (b) (1) states "The sale of alcohol within the designated area of a special event is limited to beer and wine."*
2. Public consumption of alcohol as authorized by the special event permit shall not begin before the designated event start time. There shall be no open containers of alcohol allowed in the event area before this designated time. The event organizers and all participating restaurants must discontinue alcohol distribution for public consumption within the event area at a minimum of 30 minutes prior to the end of the event. All alcohol must be cleared from the event site at the end of the event.
3. At no other time may alcohol be present, possessed, served, and consumed in the public area. The event organizer is responsible for informing participating restaurants of the event hours for compliance and to make certain that no one leaves restaurant premises with alcohol except during the time of the special event.
4. It is a violation to permit or knowingly allow a person under 21 years of age to purchase or possess or consume liquor, beer or wine. The seller of beer or wine must clearly display signs stating that the purchase or possession of beer or wine by a person under the age of 21 is unlawful.
5. Signs informing participants that alcohol beverages are prohibited on City streets and sidewalks beyond the boundaries of the designated special event area will be posted by the City.
6. No alcohol may be in served in glass containers, cans or bottles; only opaque plastic, paper, or Styrofoam containers will be allowed.
7. It is a violation to sell liquor, beer or wine to an intoxicated person. Any person in an intoxicated condition, even if of legal age, must be denied alcohol.
8. The event organizer shall supply identification wristbands to the vendors and/or participating restaurants at any special event that includes the sale/public consumption of alcoholic beverages. Anyone 21 years of age or older wishing to consume alcohol on public property must be wearing the colored wristband assigned to the special event in order to be served alcohol.

If your event is to be held on property not owned by the sponsoring organization, the property owner must complete the following:

PROPERTY OWNER PERMISSION LETTER

I (we), being the property owner of _____ (address),
give permission for _____ to hold a special event on
my/our property.

INSURANCE REQUIREMENTS FOR SPECIAL EVENTS HELD ON CITY PROPERTY

The event must maintain general liability insurance and, if beer and wine is to be served, liquor liability insurance for the event for which the permit has been obtained. The City of Conway shall be named as an additional insured on the policy with respect to claims arising from the use of property owned or operated by the city and the issuing of the permit by the city. The applicant shall submit a Certificate of Insurance verifying the following minimum coverage and specifically identifying the City of Conway as an additional insured. **Your permit will not be issued if the Certificate of Insurance has not been received prior to event.** The City of Conway must be listed as the "Certificate Holder" on the Certificate of Insurance.

Each Occurrence	1,000,000
Personal Injury	1,000,000
General Aggregate	2,000,000

.....

.....

.....

Shannon Jordan

843-997-7373

7/6/23

Special events permits are granted in accordance with the City of Conway Code of Ordinances and in no way imply assumption of liability by the City of Conway. Your organization is fully responsible for complying with all applicable laws and safety procedures. A permit does not authorize you to enter upon private property or to, in any way, hinder or obstruct pedestrian or vehicular traffic. The City of Conway reserves the right to modify the conditions of this permit or to cancel it entirely if it is deemed appropriate.

Please return completed permit application to:

City of Conway Planning Department
Attn: Special Event Permits
P.O. Drawer 1075
Conway, SC 29528-1075

[FOR OFFICE USE ONLY]

Special Event: Rivertown Reindeer Run Date(s) December 8 2023

Sponsoring Organization: Conway Rotary Club

Application completed by: Shannon Jordan Contact No.: 843 488-5530 Date: July 1 2023

☒ Recommend approval ☐ Recommend disapproval

Police Department

Fees or charges associated with this event:

Special Conditions/Comments:

See attached

7/1/2023

Date

Police Officers

\$40.00/hour per officer

☒ Recommend approval ☐ Recommend disapproval

Fire Department

Fees or charges associated with this event:

Special Conditions/Comments:

See attached

7/1/2023

Date

Fire Inspector/Fire-Rescue Officers

\$40.00/hour per officer

☐ Recommend approval ☐ Recommend disapproval

Public Works Department

Fees or charges associated with this event:

Special Conditions/Comments:

Date

Residential & Non Residential Street Closure

Barricades

\$20.00 each

Public Works Employee

\$25.00/hour per employee

<input type="checkbox"/> Recommend approval	<input type="checkbox"/> Recommend disapproval
<div style="display: flex; justify-content: space-between;"> <div>Parks & Rec. Department</div> <div>Date</div> </div>	
Fees or charges associated with this event: _____	
Special Conditions/Comments: _____	

Parks & Rec. Employee	\$25.00/hour per employee

<input checked="" type="checkbox"/> Recommend approval	<input type="checkbox"/> Recommend disapproval
<div style="display: flex; justify-content: space-between;"> <div>Planning Department</div> <div>7/7/2023 Date</div> </div>	
Special Conditions/Comments: _____	
see attached	

<input type="checkbox"/> License(s) obtained for _____ vendor(s)	<input checked="" type="checkbox"/> License(s) not required
Has general liability and liquor liability insurance (if applicable) listing the City of Conway as additional insured been secured? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<div style="display: flex; justify-content: space-between;"> <div>Business License Department</div> <div>7/7/2023 Date</div> </div>	
Special Conditions/Comments: _____	
see attached	

RELEASE AND INDEMNIFICATION AGREEMENT
City of Conway

THIS IS A RELEASE OF LIABILITY AND INDEMNIFICATION AGREEMENT. THE SPECIAL EVENTS HOLDER MUST READ CAREFULLY BEFORE SIGNING.

In consideration for being permitted to engage in the following special event on City of Conway property:

Riverdale Penland Run

Special Event Holder hereby acknowledges, represents, and agrees as follows:

- A. We understand that activities associated with the above-described special event are or may be dangerous and do or may involve risks of injury, loss, or damage to us and/or to third parties. We further acknowledge that such risks may include but are not limited to bodily injury, personal injury, sickness, disease, death, and property loss or damage, arising from the following circumstances, among others:

SHJ (Special Event Holder initial here)

- B. If required by this paragraph, we agree to require each participant in our special event to execute a release and indemnification agreement for ourselves and for City of Conway on a form approved by the City of Conway.

SHJ (Special Event Holder initial here)

- C. We agree to procure, keep in force, and pay for special event insurance coverage, from an insurer acceptable to the City of Conway, for the duration of the above referenced event.

SHJ (Special Event Holder initial here)

- D. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we hereby expressly assume all such risks of injury, loss, or damage to us or to any related third party, arising out of or in any way related to the above-described activities, whether or not caused by the act, omission, negligence, or other fault of the City of Conway, its officers, its employees, or by any other cause.

SHJ (Special Event Holder initial here)

- E. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we further hereby exempt, release, and discharge the City of Conway, its officers, and its employees, from any and all claims, demands, and actions for such injury, loss, or damage to us or to any third party, arising out of or in any way related to the above-described activities, whether or not caused by the act, omission, negligence, or other fault of the City of Conway, its officers, its employees, or by any other cause.

SHJ (Special Event Holder initial here)

F. We further agree to defend, indemnify and hold harmless the City of Conway, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, court costs, and attorneys' fees, including those arising from any third party claim asserted against the City of Conway, its officers, employees, insurers, or self-insurance pool, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any way related to the above-described activities, whether or not caused by our act, omission, negligence, or other fault, or by the act, omission, negligence, or other fault of the City of Conway, its officers, its employees, or by any other cause.

SHJ (Special Event Holder initial here)

G. By signing this **RELEASE AND INDEMNIFICATION AGREEMENT**, we hereby acknowledge and agree that said agreement extends to all acts, omissions, negligence, or other fault of the City of Conway, its officers, and/or its employees, and that said agreement is intended to be as broad and inclusive as is permitted by the laws of the State of South Carolina. If any portion hereof is held invalid, it is further agreed that the balance shall, notwithstanding, continue in full legal force and effect.

SHJ (Special Event Holder initial here)

H. We understand and agree that this **RELEASE AND INDEMNIFICATION AGREEMENT** shall be governed by the laws of the State of South Carolina, and that jurisdiction and venue for any suit or cause of action under this agreement shall lie in the courts.

SHJ (Special Event Holder initial here)

I. This **RELEASE AND INDEMNIFICATION AGREEMENT** shall be effective as of the date or dates of the applicable Special Event, shall continue in full force until our responsibilities hereunder are fully discharged, and shall be binding upon us, our successors, representatives, heirs, executors, assigns, and transferees.

SHJ (Special Event Holder initial here)

IN WITNESS THEREOF, this **RELEASE AND INDEMNIFICATION AGREEMENT** is executed by the Special Event Holder, acting by and through the undersigned, who represents that he or she is properly authorized to bind the Special Event Holder hereto.

PRINTED NAME OF SPECIAL EVENT PERMIT HOLDER:

Conway Rotary Club

PRINTED NAME AND TITLE OF PERSON SIGNING ON BEHALF OF SPECIAL EVENTS HOLDER:

NAME: Shannon Jordan TITLE: 5k Coordinator

SIGNATURE:  DATE: 7/6/23

FACILITY USE AGREEMENT AND RELEASE/INDEMNIFICATION
City of Conway

- A. In consideration for being permitted to use the facilities of the City of Conway, Conway Rotary Club
(hereinafter "Applicant") agrees to indemnify and hold harmless, City of Conway its officers, employees, insurers, and SCMIT/SCMIRF Insurance Programs, from and against all liability, claims, and demands, which are incurred, made, or brought by any person or entity, on account of damage, loss, or injury, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the use of the facilities, whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the part of the City of Conway, its officers, or its employees, or from any other cause whatsoever.
- B. By signing below, Applicant agrees that, in the event of any damage, loss, or injury to the facilities or to any property or equipment therein, the City of Conway may require reimbursement for the full amount of such damage, loss, or injury and all costs associated therewith upon billing by City of Conway.
- C. In addition, in consideration for being permitting to use the facilities, Applicant, on behalf of itself, and its officers, employees, members, and invitees, hereby expressly exempts and releases the City of Conway, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, or death, that Applicant may incur as a result of such use, whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the part of the City of Conway, its officers, or its employees, or from any other cause whatsoever.

Shannon Jordan/Conway Rotary Club

NAME OF PERSON/ORGANIZATION



SIGNATURE OF PERSON/ORGANIZATION REPRESENTATIVE

7/6/23

DATE



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 2850 Golf Road Rolling Meadows IL 60008	CONTACT NAME: Toni Hanes	FAX (A/C, No): 630-285-4062	
	PHONE (A/C, No, Ext): 1-833-3ROTARY	E-MAIL ADDRESS: rotary@ajg.com	
INSURED All Active US Rotary Clubs & Districts ATTN: Risk Management Dept. 1560 Sherman Ave. Evanston, IL 60201-3698	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Westchester Surplus Lines Insurance Company		10172
	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		
INSURER F :			

COVERAGES**CERTIFICATE NUMBER:** 899307648**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		G73578917 002	7/1/2023	7/1/2024	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			G73578917 002	7/1/2023	7/1/2024	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A	NOT APPLICABLE			PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Certificate Holder is included as an additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER**CANCELLATION**

City of Conway 229 Main Street Conway, SC 29526	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	---

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Natasha Sherman

From: Phillip L. Hendrick, Jr.
Sent: Friday, July 7, 2023 9:33 AM
To: Natasha Sherman
Subject: RE: Rivertown Reindeer Run

Fire is good. Medical coverage will be provided by on-duty fire crews.

From: Natasha Sherman <nsherman@cityofconway.com>
Sent: Friday, July 7, 2023 9:31 AM
To: Adam Emrick <aemrick@cityofconway.com>; Alicia Shelley <ashelley@cityofconway.com>; Anne Bessant <abessant@cityofconway.com>; Brandon Harrelson <bharrelson@cityofconway.com>; Braxton Fleming <bffleming@cityofconway.com>; Business License <businesslicense@cityofconway.com>; Dale Long <dlong@cityofconway.com>; Jessica Hucks <jhucks@cityofconway.com>; John Rogers <jrogers@cityofconway.com>; June Wood <jwood@cityofconway.com>; Katie Dennis <kdennis@cityofconway.com>; Mary Catherine Hyman <mhyman@cityofconway.com>; Phillip L. Hendrick, Jr. <phendrick@cityofconway.com>; Reggie Jenerette <rjenerette@cityofconway.com>; Steven Pearce <spearce@cityofconway.com>; Tammy Carter <tcarter@cityofconway.com>; Timmy Williams <twilliam@cityofconway.com>; Tyres Nesmith <tnesmith@cityofconway.com>
Subject: Rivertown Reindeer Run

Please review for approval and email me back.

Natasha Sherman
Executive Assistant
City of Conway

From: cityhallprinter@cityofconway.com <cityhallprinter@cityofconway.com>
Sent: Friday, July 7, 2023 10:28 AM
To: Natasha Sherman <nsherman@cityofconway.com>
Subject: Message from KM_C450i

Natasha Sherman

From: Business License
Sent: Friday, July 7, 2023 9:43 AM
To: Natasha Sherman
Subject: RE: Rivertown Reindeer Run

Good with business license

From: Natasha Sherman
Sent: Friday, July 7, 2023 9:31 AM
To: Adam Emrick <aemrick@cityofconway.com>; Alicia Shelley <ashelley@cityofconway.com>; Anne Bessant <abessant@cityofconway.com>; Brandon Harrelson <bharrelson@cityofconway.com>; Braxton Fleming <bffleming@cityofconway.com>; Business License <businesslicense@cityofconway.com>; Dale Long <dlong@cityofconway.com>; Jessica Hucks <jhucks@cityofconway.com>; John Rogers <jrogers@cityofconway.com>; June Wood <jwood@cityofconway.com>; Katie Dennis <kdennis@cityofconway.com>; Mary Catherine Hyman <mhyman@cityofconway.com>; Phillip L. Hendrick, Jr. <phendrick@cityofconway.com>; Reggie Jenerette <rjenerette@cityofconway.com>; Steven Pearce <spearce@cityofconway.com>; Tammy Carter <tcarter@cityofconway.com>; Timmy Williams <twilliam@cityofconway.com>; Tyres Nesmith <tnesmith@cityofconway.com>
Subject: Rivertown Reindeer Run

Please review for approval and email me back.

Natasha Sherman
Executive Assistant
City of Conway

From: cityhallprinter@cityofconway.com <cityhallprinter@cityofconway.com>
Sent: Friday, July 7, 2023 10:28 AM
To: Natasha Sherman <nsherman@cityofconway.com>
Subject: Message from KM_C450i

Natasha Sherman

From: Dale Long
Sent: Friday, July 7, 2023 9:51 AM
To: Natasha Sherman
Subject: RE: Rivertown Reindeer Run

OK for PD

From: Natasha Sherman <nsherman@cityofconway.com>
Sent: Friday, July 7, 2023 9:31 AM
To: Adam Emrick <aemrick@cityofconway.com>; Alicia Shelley <ashelley@cityofconway.com>; Anne Bessant <abessant@cityofconway.com>; Brandon Harrelson <bharrelson@cityofconway.com>; Braxton Fleming <bffleming@cityofconway.com>; Business License <businesslicense@cityofconway.com>; Dale Long <dlong@cityofconway.com>; Jessica Hucks <jhucks@cityofconway.com>; John Rogers <jrogers@cityofconway.com>; June Wood <jwood@cityofconway.com>; Katie Dennis <kdennis@cityofconway.com>; Mary Catherine Hyman <mhyman@cityofconway.com>; Phillip L. Hendrick, Jr. <phendrick@cityofconway.com>; Reggie Jenerette <rjenerette@cityofconway.com>; Steven Pearce <spearce@cityofconway.com>; Tammy Carter <tcarter@cityofconway.com>; Timmy Williams <twilliam@cityofconway.com>; Tyres Nesmith <tnesmith@cityofconway.com>
Subject: Rivertown Reindeer Run

Please review for approval and email me back.

Natasha Sherman
Executive Assistant
City of Conway

From: cityhallprinter@cityofconway.com <cityhallprinter@cityofconway.com>
Sent: Friday, July 7, 2023 10:28 AM
To: Natasha Sherman <nsherman@cityofconway.com>
Subject: Message from KM_C450i

Natasha Sherman

From: Katie Dennis
Sent: Friday, July 7, 2023 9:56 AM
To: Natasha Sherman
Subject: RE: Rivertown Reindeer Run

Ok with planning

Katie Dennis, MSCM, CFM
Planning Concierge
City of Conway Planning & Development
196 Laurel Street Conway, SC 29526
Office: (843) 488-7852 Cell: (843) 421-2337



From: Natasha Sherman <nsherman@cityofconway.com>
Sent: Friday, July 7, 2023 9:31 AM
To: Adam Emrick <aemrick@cityofconway.com>; Alicia Shelley <ashelley@cityofconway.com>; Anne Bessant <abessant@cityofconway.com>; Brandon Harrelson <bharrelson@cityofconway.com>; Braxton Fleming <bffleming@cityofconway.com>; Business License <businesslicense@cityofconway.com>; Dale Long <dlong@cityofconway.com>; Jessica Hucks <jhucks@cityofconway.com>; John Rogers <jrogers@cityofconway.com>; June Wood <jwood@cityofconway.com>; Katie Dennis <kdennis@cityofconway.com>; Mary Catherine Hyman <mhyman@cityofconway.com>; Phillip L. Hendrick, Jr. <phendrick@cityofconway.com>; Reggie Jenerette <rjenerette@cityofconway.com>; Steven Pearce <spearce@cityofconway.com>; Tammy Carter <tcarter@cityofconway.com>; Timmy Williams <twilliam@cityofconway.com>; Tyres Nesmith <tnesmith@cityofconway.com>
Subject: Rivertown Reindeer Run

Please review for approval and email me back.

Natasha Sherman
Executive Assistant
City of Conway

From: cityhallprinter@cityofconway.com <cityhallprinter@cityofconway.com>
Sent: Friday, July 7, 2023 10:28 AM
To: Natasha Sherman <nsherman@cityofconway.com>
Subject: Message from KM_C450i

STATE OF SOUTH CAROLINA
COUNTY OF HORRY
CITY OF CONWAY

)
)
)

R E S O L U T I O N

RESOLUTION TO APPOINT WILLIAM GOLDFINCH IV TO REPRESENT
THE CITY OF CONWAY ON THE RIDE IV SALES TAX COMMISSION

WHEREAS,

Horry County has collected and invested nearly \$1 billion for road improvements through the RIDE I, RIDE II, and RIDE III capital improvement sales taxes; and,

WHEREAS,

Planning is well underway for RIDE IV, which will generate an estimated \$887 million for additional road construction and improvement projects, once voters approve the additional one-cent capital projects sales tax in 2024; and

WHEREAS,

The RIDE IV Advisory Committee, through considerable deliberation and effort, developed a list of recommended transportation projects, including several which are of interest to Conway and will directly benefit city residents and visitors and improve our local transportation network; and,

WHEREAS,

The City of Conway has one recommended appointment to the RIDE IV Sales Tax Commission, which will approve the list of construction projects to be built with RIDE IV capital project sales tax proceeds; and,

WHEREAS,

William Goldfinch IV has agreed to serve as the city’s appointee to the RIDE IV Sales Tax Commission.

THEREFORE,

BE IT RESOLVED that the Conway City Council hereby endorses the recommendations of the RIDE IV Advisory Committee and the Conway City Council hereby recommends William Goldfinch IV as Conway’s appointment to the RIDE IV Sales Tax Commission and requests that he be appointed to serve in that capacity.

RATIFIED BY CITY COUNCIL, duly assembled, this 17th day of July, 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: _____

CITY OF CONWAY
CITY COUNCIL MEETING
BUILDING & PLANNING DEPARTMENT
196 LAUREL STREET, CONWAY
TUESDAY, JUNE 20, 2023 - 4:00 P.M.

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

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

OTHERS: Approximately 200 others. Sign in sheet is attached.

CALL TO ORDER: Mayor Blain-Bellamy called the meeting to order. Rev. Wallace Evans Jr, A Father's Place 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:** White made a motion, seconded by Jordan, to approve the June 20, 2023 meeting agenda. **Vote:** Unanimous. Motion carried.

CONSENT AGENDA:

- A. Final Reading of Ordinance #ZA2023-06-05 (C), amending Article 11 – Signage, of the City of Conway Unified Development Ordinance (UDO), regarding Electronic Message Centers (EMC's) and Light-Emitting Diodes (LED's) with digital and/or animated display.**
- B. Final Reading of Ordinance #ZA2023-06-20 (A) to annex approximately 0.21 acres of property located at 602 Lesia Lane (PIN 382-05-04-0119), and request to rezone from the Horry County Residential, including mobile homes (MSF6) district to the City of Conway Low/Medium-Density Residential (R-1) district.**
- C. Final Reading of Ordinance #ZA2023-06-20 (B) to annex approximately 0.48 acres of property located at 108 Erskine Drive (PIN 382-13-04-0017), and request to rezone from the Horry County Residential, no mobile homes allowed (SF10) district to the City of Conway Low/Medium-Density Residential (R-1) district.**
- D. Special Event – Under the Lights 5K – December 6, 2023**

E. Resolution Accepting Dedication of Roadways & Drainage System in the Woodside Crossing, Phase 1 Subdivision (Woodside Drive, Lightwood Drive, Stump Drive, Royal Oak Drive, Yellowbirch Drive)

F. Approval of the Purchase of Fire Engines and Equipment (Budgeted)

G. Approval of Marketing and Sponsorship Agreement with Van Wagner Sports & Entertainment, LLC (Budgeted)

H. Approval of June 5, 2023 Council Meeting Minutes

APPROVAL OF CONSENT AGENDA: **Motion:** Butler made a motion, seconded by Jordan to approve the June 20, 2023 consent agenda. **Vote:** Unanimous. Motion carried.

PUBLIC INPUT:

The following spoke against the Pride Month Proclamation:

Randall Jones
Rev. Dr. Billy Carroll
Brandon Singleton
David Stephens

The following spoke in support of the Pride Month Proclamation:

Mike Roberts
Daved Kinard
Terry Livingston
Raymond Dobell

Motion: Blain-Bellamy made a motion, seconded by White, to close public input regarding the Pride Month Proclamation. **Vote:** Unanimous. Motion carried.

William Hutson spoke and asked Council to pass a resolution regarding traditional family values.

Mary Owens spoke to Council regarding respect and love for all.

SPECIAL PRESENTATION:

A. Presentation of Employee of the Month for June 2023 – Hendrick presented the Public Safety Employee of the Month to Patrick O’Leary.

B. Presentation of Hero Awards – Mayor Blain-Bellamy presented Hero Awards to Detective Manemeit, Detective Watford, and Shelley for their efforts in helping to save an individual’s life.

- C. Presentation of National HVAC Tech Day Proclamation** – Mayor Blain-Bellamy presented a Proclamation hereby proclaiming June 22, 2023 as National HVAC Tech Day.
- D. Discussion of a request to annex approximately 7.27 acres located at on Highway 501 near the Horry County Schools Transportation office (addresses of some parcels include 2201 Church Street, 2197 Church Street, and 2199 Church Street - PIN's 338-09-02-0007, -0008, -0009, -0010, -0011, and -0014), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district.** Hucks informed Council that this property is currently in Horry County's jurisdiction, zoned Highway Commercial, and that the applicant is seeking to annex the properties into the City limits to facilitate development of commercial/retail establishments. Staff has reviewed one conceptual plan of the proposed layout and sent comments back to the applicant last month. The properties are surrounded by property in the City limits, already zoned Highway Commercial. The high school, located on the other side of the Horry County Schools Transportation office, is zoned Institutional. Property behind these parcels is zoned Conservation Preservation; likely due to the proximity of the Crabtree Swamp in relation to these parcels. The Planning Commission will hold a public hearing on July 13, 2023.
- E. Discussion of proposal to rezone approximately 15.61 acres of property located at 300 Bellamy Ave (PIN 383-00-00-0381) from City of Conway Institutional (IN) to High Density Residential (R-3).** Hucks informed Council that the applicants submitted a rezoning application for the property located on Bellamy Lane, that is currently zoned Institutional. The property was annexed into the City limits in 2017 as Institutional in order to facilitate the development of student housing. Per Article 4 of the UDO student housing is identified as an accessory use to a college or university. Some of the student housing developments along Highway 544 are zoned Institutional as well for this reason. Staff has come to interpret this use as only being permitted in conjunction with a principal use on the same property in which the student housing is proposed to be constructed. Construction of the Bellamy Student Housing development began in 2018, and the units were issued a certificate of occupancy in the same year. The applicants have not specified a reason for the rezoning, other than that the proposed buyer is concerned with the residential use of the property under the current zoning, as they intend to rent entire units to families, rather than to lease individual bedrooms to college students. However, the zoning of the property does not dictate "who" the units can be leased to. Evidence suggests that since the buildings were completed, the units have been leased to anyone who qualifies, not just college students. The future land use map of the Comprehensive Plan also identifies the property as being High Density Residential (R3). Planning Commission will hold a public hearing on July 13, 2023.

FIRST READING:

- A. (Previously deferred) First Reading of Ordinance #ZA2023-05-01 (C) to annex approximately 2.45 acres of property located at 3594 Hwy 701 South (PIN 381-01-04-0022), and request to rezone from Horry County Indoor Amusement Commercial (AM1) to City of Conway Highway Commercial (HC).** Hucks stated that there are existing restrictive covenants on record for this property, and annexation is now required. This property became contiguous once the adjacent parcel, 3550 Highway 701 South,

Bucks Township Storage, was annexed. The subject property has a retail gun store and indoor shooting range on the property. The applicant has expressed concerns with annexing into the city limits, as the city's UDO does not currently address shooting ranges, regardless of indoor or outdoor. The main concern would be the inability of the applicant to expand once annexed, as the UDO does not permit nonconforming uses or structures to expand. A text amendment which addresses indoor shooting ranges has been drafted and recommended for adoption by Planning Commission.

Hucks said that first reading of Ordinance #ZA2023-05-01 (C) was originally proposed at the April 17, 2023 Council meeting. The applicant's agent, Shep Guyton, spoke in regards to the request, stating that the property owner was concerned with being annexed into the City as a legal nonconforming use, and doing so may prohibit any future expansion of their business. Mr. Guyton stated that they were in the process of submitting a plat to Horry County for review that would still provide a direct connection between property already within the City limits and property currently seeking annexation without having to annex the subject property at 3594 Hwy 701 S. Council deferred First Reading of Ordinance #ZA2023-05-01 (C) at their April 17, 2023 meeting to allow the property owner to have their plats reviewed, approved, and recorded at Horry County.

Hucks further stated that on June 9th, the applicant's agent, Shep Guyton, forwarded a combination plat that was approved by Horry County, which shows a portion of the rear of The Gun Store property being combined with PIN 380-00-00-0003 (White Oak Forest LLC). While county land records have not yet been updated, the recording of the plat with the associated deed work will finalize the property line realignment between the Gun Store and the adjoining property owned by White Oak Forest LLC, and contiguity between the White Oak Forest LLC parcel and property within the city limits (Bucks Township Storage) is achieved by way of this platting action.

Hucks said that because the property is contiguous to property that has been annexed into the City, and receives City water, staff continues to recommend approval of this ordinance.

There was some discussion regarding the future expansion of the business and the proposed text amendment regarding shooting ranges and armories, and how it would affect this annexation.

Motion: Helms made a motion, seconded by Jordan, to deny first reading of this ordinance.

Vote: Helms, White, Jordan and Butler voted yes, with Blain-Bellamy voting no. Motion carried 4-1 to deny first reading of this request.

- B. First Reading of Ordinance #ZA2023-07-17 (A) amending Articles 4 – Use Tables and Article 5 – Specific Use Regulations, of the City of Conway Unified Development Ordinance (UDO), regarding the keeping of chickens in residential zoning districts.** Marquez Carter, Planning Intern presented this request to Council regarding the keeping of chickens in the residential zoning district. Section 5.2.5 of the UDO sets forth the regulations governing the non-commercial keeping of livestock or fowl. This section makes keeping chickens illegal throughout most of the City, allowing it only in RA, FA, and IN zoning districts. The keeping of chickens was added as an

allowed use in IN in 2017. At this time, Conway High School had asked that chickens be allowed for the furtherance of their agricultural programming. The original 2017 amendment also proposed allowing chickens in low-density residential zoning districts in addition to IN, but at that time, Council chose to move forward with the IN amendment only. Since then, there has been a movement in the area to allow the keeping of urban chickens, and Conway is no different. Through the years, the City has required families to get rid of their chickens, and each time it was a difficult thing for families who treated them like pets. Additionally, with the recent rising cost of eggs, more citizens are considering raising chickens. The proposed amendment to the UDO would allow chickens to be kept in RR, R, R-1, and now, R-2 zoning districts (with PC's recommendation), without allowing the other types of fowl and livestock. This would accommodate most of the areas that are known to keep chickens and hopefully address community concerns. No more than 5 6 chickens could be kept on RR, R, R-1 or R-2 zoned property, and all chickens must be cooped and penned to keep them from freely roaming. No roosters are permitted and all areas must be kept in a clean and healthy condition.

Carter said that at the May 4 Planning Commission meeting, members discussed several options with staff regarding the number of chickens that were proposed to be allowed with this amendment, and there was public input in favor of allowing city residents to have chickens with little to no restriction. PC asked staff to provide information from surrounding areas and how they regulated urban chickens. The proposed amendment was deferred to the June Planning Commission meeting.

Carter further stated that at the June 1 Planning Commission meeting, Planning Commission was provided a comparison table of how the proposed ordinance compares to other cities / towns. PC also recommended including the R-2 district as one of the districts that could have chickens, on the condition that the lot in which the chickens are kept contains a single-family residential structure as the principal use and not townhomes or multifamily. They were not in favor of requiring a minimum lot size. PC recommended approval of the amendment; however, PC member David Sligh, after the vote was held, stated that he misunderstood the motion and thought the motion included a minimum lot size of 20,000 sq. ft. be required across the board for all residential districts considered in the amendment, and wanted that noted for the record.

Carter said that staff is not in favor of the proposed text amendment, with the possible exception of permitting the keeping of chickens in the RR (Rural Residential) district, which requires a minimum lot size of 20,000 sq. ft. Staff is concerned the ordinance will become a major enforcement issue, from the requirement to seek permits for the chicken coops, to complaints being made about chickens roaming in neighbors' yards, the smells associated with chickens, noise issues, the number of chickens a neighbor has, *etc.*, and short of requiring a minimum lot size for any residential lot that is proposed to have chickens, staff does not recommend approval. If this amendment were to be adopted, it could make Conway one of the least restrictive towns/cities regarding the keeping of chickens with the exception of the cities/towns that do not allow it at all.

There was some discussion amongst Council regarding this amendment.

Motion: Blain-Bellamy made a motion, seconded by Butler, to deny first reading of this ordinance. **Vote:** Blain-Bellamy, Butler, and Helms voted yes, with Jordan and White voting no. Motion carried 3-2 to deny first reading of this request.

- C. First Reading of Ordinance #ZA2023-07-17 (B) amending Article 2 – Definitions, Article 4 – Use Tables, and Article 5 – Specific Use Regulations, of the City of Conway Unified Development Ordinance (UDO), regarding shooting ranges and armories.** Hucks stated that currently, there is no provision for the lawful permitting of shooting ranges within any zoning district in the City of Conway. Staff gave a special presentation of the proposed amendment to the UDO at the April 17, 2023 City Council meeting. This amendment was deferred at the May 4 Planning Commission meeting due to questions from the Planning Commission regarding design standards for indoor shooting ranges, and whether there were any that could be included in the amendment. Planning Commission considered the proposed amendment at their June 1 meeting. Staff included additional language to address design standards of shooting range facilities by including language that had also been included in several other cities and towns ordinances, specifically, Design Standards – Structures containing such use shall be designed so that projectiles (bullets, shorts, arrows, etc.) cannot penetrate walls, floor, or ceiling, and ricochets or back splatter cannot harm range users. Additional language stating that facilities shall be designed, constructed, and operated in strict compliance with the National Rifle Association (NRA) standards had also been included in the revised ordinance; however, PC recommended removal of the addition due to the concerns that it would not be possible for staff to enforce such regulations when and if such facilities are constructed. Hucks said that Planning Commission recommended approval of the proposed ordinance at their June 1 meeting. Staff also recommends approval.

There was a brief discussion amongst Council members.

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

- D. First Reading of Ordinance #ZA2023- 07-17 (C) to annex approximately 1.44 acres located at 2643 Long Ave Ext (PIN 324-16-03-0023) and rezone from Horry County Residential, no mobile homes allowed (SF20) to City of Conway Low/Medium Residential (R-1).** Hucks stated that this annexation request was submitted as a requirement to connect to city utility services. The property contains a single-family home and restrictive covenants have been recorded on the property. This property became contiguous to the Conway city limits in 2022, with the annexation of neighboring property at 2637 Long Avenue Ext. Other properties on the same side of Long Avenue Ext. have been previously annexed and zoned R1. If the property is annexed into the City, the R1 Zoning District requirements must be met on any future permitting process. This property, along with adjacent parcels, are either completely within or mostly within the AE Flood Zone. The Future Land Use Map of the Comprehensive Plan identifies this parcel as Conservation Preservation. Staff recommends approval of first reading of this annexation.

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

- E. First Reading of Ordinance #2023-07-17 (D) to amend Title 7, Chapter 4, Article F, Section 7-4-82.7 Towing and Storage Charges, of the Code of Ordinances, City of Conway.** Long informed Council that the City routinely calls for tow services listed on the City of Conway rotation log to accomplish law enforcement purposes, further investigations, or remove wrecked, disabled, or uninsured vehicles from the roadway. The Police Department follows Section 7-4-82.7 Towing and Storage Charges. There have been no adjustments or updates to the City code since April 1, 2019. Long stated that staff recommends approval of first reading of this ordinance to increase the City's fees to mirror those in use by Horry County and the State of South Carolina.

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

- F. First Reading of Ordinance 2023-07-17 (E) to amend Title 8, Chapter 2, Section 8-2-3, Two-Hour Parking, of the Code of Ordinances, City of Conway.** Rogers stated that City Council recently considered proposals for parking meters in the downtown area but that decision was tabled indefinitely. Council directed staff to explore other methods for parking controls downtown with a focus on enforcement. Upon review of the current ordinances, staff discovered that two-hour parking regulations are applied irregularly and the current ordinance is outdated. Staff proposed applying two-hour parking to the entire downtown area where street parking is common and adjacent to businesses that depend on turning over those parking spaces. Applying the two-hour parking zones downtown will increase both vehicle and foot traffic to our downtown and allow police to more easily enforce parking rules.

There was some discussion regarding the chalking of tires, parking lot parking vs. on street designated two-hour parking, hours of enforcement, violations and complaints.

Motion: Blain-Bellamy made a motion to approve first reading of this ordinance. Butler amended Blain-Bellamy's motion to change the hours of enforcement daily from 8:00 a.m. until 6:00 p.m. which was then seconded by Helms. **Vote:** Unanimous. Motion carried.

CONSIDERATION:

Emrick stated that for the record he had a potential conflict with the next issue.

Consideration of Awards of 2023-24 Economic Development Grants – Rogers presented the eight 2023-24 Economic Development Grant applications from six organizations, stating that the available funding totals \$150,000. The applications and staff recommendations were as follows:

Conway Chamber of Commerce

The Conway Chamber of Commerce is requesting funding for enhancement of Riverfest 2024. Funds will go toward entertainment enhancement, fireworks, and fencing. The majority of funds will go toward booking a band with name-recognition.

Amount requested:	\$42,662
Staff recommendation:	\$42,662

Conway Chamber of Commerce

The Conway Chamber of Commerce is requesting funding for enhancement of the 2023 Conway Christmas Parade which will transition to an evening event. Funds will go toward floats and prizes.

Amount requested:	\$16,175
Staff recommendation:	\$16,175

Conway Downtown Alive

Conway Downtown Alive is requesting funding for the After Dark Park, an evening illuminated attraction to take place on the Town Green for three days in January 2024. Funds will go toward Perfect Parties USA, marketing, staffing, and security.

Amount requested:	\$39,815
Staff recommendation:	\$39,815

Horry County First Steps

Horry County First Steps is requesting partial funding for Early Childhood Community Day in downtown Conway to be held April 2024. This event was funded by last year's grant and proved to be a very successful and well-attended event. Funds will go toward equipment rentals, advertising, and entertainment fees.

Amount requested:	\$7,000
Staff recommendation:	\$7,000

Horry County First Steps

Horry County First Steps is requesting partial funding for their Community Health Fair to be held January 2024. Funds will go toward advertising, printing, and presenter fees,

Amount requested:	\$3,000
Staff recommendation:	\$3,000

Theatre of the Republic

Theatre of the Republic is requesting funding for their 1st Annual Youth Performing Arts Festival to be held in September 2023. Funds will go toward equipment rentals, staffing, advertising, royalties, and music.

Amount requested:	\$52,950
Staff recommendation:	\$41,348

Love Our Cooking

Love Our Cooking is requesting funding for their food truck to travel throughout Horry County and dispense food to people in need. This activity is not an eligible economic development activity.

Amount requested:	\$150,000
Staff recommendation:	\$0

Conway Architectural Salvage and Heritage Project

Conway Architectural Salvage and Heritage Project is requesting funding for staff, lease and operational expenses to create a deconstruction service dedicated to preservation of Conway's historic structures. Staff has concerns regarding project eligibility and its sustainability. This application was not recommended for funding, but staff will reach out to applicant and discuss changes necessary for application in FY2024.

Amount requested:	\$150,000
Staff recommendation:	\$0

There was some discussion regarding the applications that were not eligible.

Motion: Blain-Bellamy made a motion, seconded by Helms, to approve staff's funding recommendations for the 2023-24 Economic Development Grants. **Vote:** Unanimous. Motion carried

CITY ADMINISTRATOR'S REPORT:

Emrick informed Council of the following:

- The City of Conway Police Department is about to start another round of their Citizen's Police Academy. If any of you have not done it and would like to, Chief Long has assured Emrick that a space will be made available for you. This next session will be from August 3 through September 14 from 6 p.m. – 8 p.m. each Thursday during that span.
- This Saturday is Riverfest! This year the stage and bands have moved to the Old Tennis Center lot and will have the honor of being the first to use our new city stage! The headliner is the band Cowboy Mouth out of New Orleans. Emrick attested that the band is pretty awesome.
- On June 29, the City's Recreation Department will hold the first free movie night of the season at the Terrace, showing Mulan Live.
- The Inaugural Conway Disc Golf Championships were held this last Saturday at Smith Jones Park and Sherwood Park. More than 60-disc golfers participated in this first-time event that is sure to happen again! The City's Recreation Department did a fantastic job on this event and Emrick especially wanted to thank Bone Beaupre and his folks for all of the volunteer work he has contributed to expand disc golf to our City.
- Mark your calendars for July 26-29 for the MASC Annual Meeting. There will be more details forthcoming shortly.
- As you all know, staff had Open House here at City Hall this afternoon. Emrick thanked the City crews who have worked so hard to restore this beautiful historic building and said that is someone is left out, he is sorry to whoever it is. Robert Cooper and his building team of Darrell, Tim, Dennis, Gavin, Jordy and so many of his other staff members. Timmy Williams and his team who muscled everything in and out of the building over and over again including some last-minute items about an hour ago. Wanda Lilly continues to shine. The landscaping around City Hall was one of those things that looked good until you really looked at it. Wanda with the help of our Hospitality and Beautification Department have created a botanical garden outside of this building. Jeff, Charlie and Marcus, you did what Emrick didn't think could be done, and made a 200-year-old building capable of modern technology. Emrick thanked his Admin team for their patience and faith and said that he made staff move all over the City and all Emrick promised was that staff would get rid of the smell. Emrick said that he set the bar too low, as City Hall is gorgeous and he is so happy to have his office here.

- There is no workshop this afternoon, but there is an Executive Session that will be held in the new conference room next door.

COUNCIL INPUT:

Butler commended Marquez Carter, Planning Intern on being a Clemson student and doing a great job today. Butler stated that she wanted to address some of the text messages and emails that she has received regarding the Pride Proclamation. Butler said that this was not an action item or input from the Council, but ultimately as the Mayor and Council, it is our responsibility and even if we don't believe like we believe, it is still Butler's obligation to represent all of the citizens in the City of Conway. Butler hopes that all of the residents feel safe and see Conway as a place to live, work and grow a family. Diversity is not a weakness and it makes us unique. The Proclamation was utilized to be inclusive to all of our citizens. Butler said that she wanted to speak as a licensed seminary trained member of clergy with a masters in divinity degree, and is having trouble conceptualizing this righteous indignation that has been before her. Butler said that her strong suit is that we love and her strong suit when she was running was diversity and inclusion, and that we represent and love all of Conway. Butler hopes that this is not an opportunity for a division and not be an opportunity for hatred but hopes it becomes an opportunity to engage in conversation with love and unity because we are one Conway and we are Conway strong.

Jordan followed Butler's sentiments with the Clemson student but stated that the shade of garnet looked good on him. Jordan asked for prayers for Goldfinch with his health. Jordan congratulated Autry Benton and Kendall Brown in the runoff next Tuesday and encouraged all citizens to get out and vote. Jordan stated that he is not even going to try to cover some of Butler's words but there has been a division in the community and it is a sad situation. Jordan said that we are one people and there should not be an us versus them or them versus us, as it is a divisive controversial issue. Jordan said that we are all adults and should be able to sit down and have conversations whether we agree or disagree. Council sits up here just as you seen tonight, just on chickens, we didn't agree, but have those conversations amongst ourselves and we work it out. After these meetings we go home to our families. Jordan said that some of the calls, emails and texts, even some of his family's conversations have been uncalled for. Jordan asked that our citizens, our community, county, state and country all act responsible. Jordan told Emrick and all of staff what a great job on City Hall.

White stated that this has been a long 2-3 weeks and he is glad it is trying to come to senses, whichever way you feel about this situation. White said that the Mayor has a job of trying to please everyone, as well as Council members and this can't be done for the most part. White does not believe that the Mayor just came out of the clear blue sky to do this Proclamation and there have been other Proclamations and will be more Proclamations from the Mayors seat, regardless of who the Mayor is, but to attack her personally, White does not think that was reasonable or even fair. White said that he hopes we come to our senses and know that we are all God's children, as he made us all, and we have to deal with life as it is. White said we can't judge people by what they do or not do, so he hopes everyone that is against the Proclamation or any Proclamation could have a sensible way of sharing feelings about this rather than attacking someone as that is not fair. White hopes that we all try to do better next time. White has asked about having a diversity group created here in Conway, but didn't ask for that reason. White said that everyone that comes to Conway has a reason for coming here and we should be willing to accept regardless of what the

reason may be. White is going to keep pushing to have a diversity group formed so that we can have these meetings and talk about these issues that are happening in Conway. White said that he prays for Conway.

Helms said that there isn't a whole lot to say after all that but that she echoes everyone, and that all of us on Council believe and love God, and we love other people. Helms said that the diversity that we have had over the last month has been huge and she thinks that we need to remember when we pray at night to love one another. Helms said that she carries the Conway Strong cup because she believes in Conway and ran for this Council seat and wants Conway to do right by its people.

Blain-Bellamy stated that City Hall has never been looked so good and been so efficient in having to be able to house so many people and the technology has grown with us in ways that we didn't think could. Blain-Bellamy thinks people are at their best when they are in surroundings when they are pleasant and don't smell like bats or whatever that was. Blain-Bellamy said that staff has talent and skills as all was done in house and saved tons of money as no one could have done a better job than our staff. Blain-Bellamy said she was so happy to attend the awards ceremony at The Fathers Place as that is something that is near and dear to her. Blain-Bellamy recognized Jordan as having received an award and congratulated him. Blain-Bellamy encouraged all City of Conway registered voters to go vote in next week's election.

Emrick said that he just received a text from Goldfinch and that he thanked everyone for asking about him as he has been admitted to Conway Medical Center and is awaiting test results.

WORKSHOP: There were no Workshop items.

EXECUTIVE SESSION: Motion: Jordan made a motion, seconded by White to enter into Executive Session for the following: A. Consideration of appointments to boards, commissions and committees [pursuant to SC Code §30-4-70(A) (1)]; B. Discussion regarding Contractual Negotiations Incident to Potential Development Agreement [pursuant to SC Code §30-4-70 (A) (2)]; C. Discussion regarding Contractual Negotiations Incident to Potential Transportation Related Agreement [pursuant to SC Code §30-4-70 (A) (2)]; and D. Discussion regarding Potential Acquisition of Property Along Crabtree Canal [pursuant to SC Code §30-4-70 (A) (2)]. **Vote:** Unanimous. Motion carried.

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

POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION: MOTION: Blain-Bellamy made a motion, seconded by White instructing the Administrator to proceed on the Mill Pond properties. **Vote:** Unanimous. Motion carried.

MOTION: Butler made a motion, seconded by Helms to approve the appointment of the following to the Water Quality and Drainage Commission for a 3-year term: Dr. Angela M. Even, Tim Kirby, Sudie D. Thomas, and Tyler Thomas. **Vote:** Unanimous. Motion carried.

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

June 20, 2023

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

Alicia Shelley, City Clerk

DATE: JULY 17, 2023
ITEM: VIII.A.

Resolution Honoring the Conway All Stars 12U Softball Team as the South Carolina State Champions

DATE: JULY 17, 2023
ITEM: VIII.B.

Proclamation Recognizing SGM Butler

DATE: JULY 17, 2023
ITEM: VIII.C.

Presentation of the Jane Mackey Food Drive Department Competition

DATE: JULY 17, 2023
ITEM: VIII.D.

Presentation of Longevity Awards – June 2023 – 25 Years: James Ward, Public Works

DATE: JULY 17, 2023
ITEM: VIII.E.

Employee of the Month for July 2023 – Public Service

DATE: JULY 17, 2023
ITEM: VIII.F.

ISSUE:

Discussion of future plans for Scarborough Alley and the Town Green

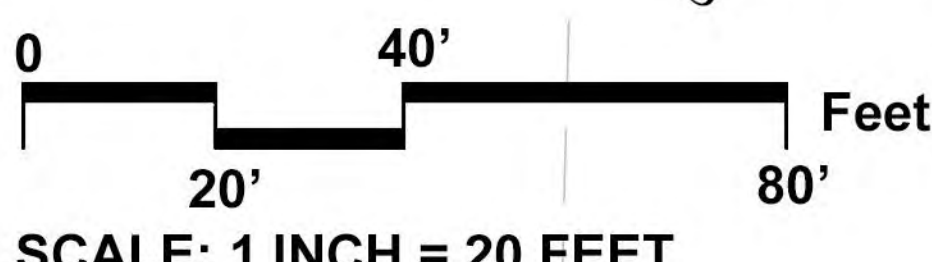
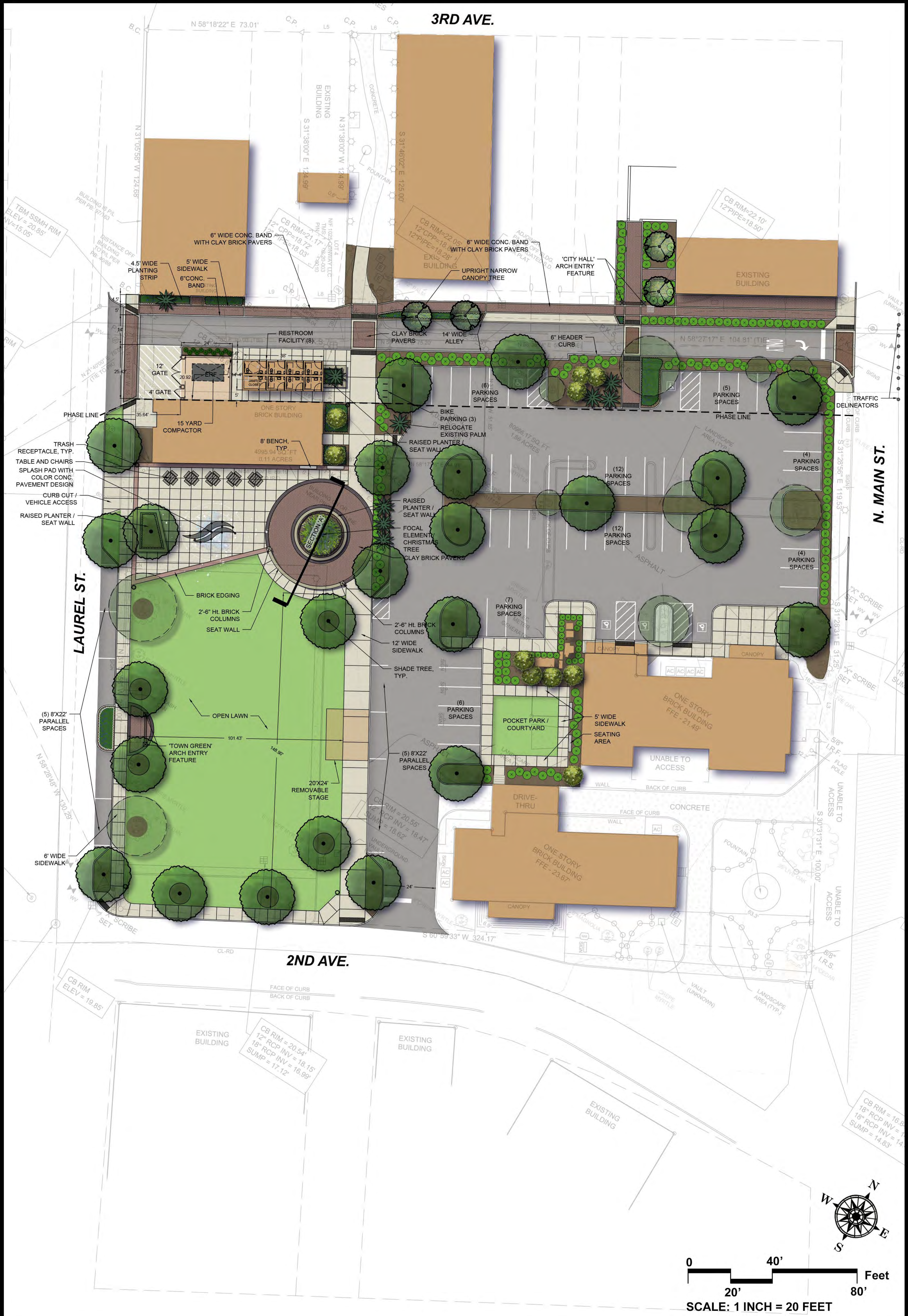
BACKGROUND:

The recently completed 2022 Riverfront and Downtown Master Plan provided a conceptual re-design of the Town Green, and recommended a detailed study to reconfigure the parking lot and to make Scarborough more pedestrian while servicing surrounding businesses. The Plan also included the design of a new ERF and outdoor restrooms to serve the community.

As has been discussed on previous occasions, Scarborough Alley is no longer used as an alley, it is used as a road which causes conflict between pedestrians, vehicles, and loading/unloading the rear of businesses. Earlier this year, the issue was discussed during City Council meeting, and staff recommended a plan to close or one-way the alley. As a “science experiment”, City Council directed staff to close the alley for a week to identify potential issues. Many of the business owners were in support of the closure. During this time, it was noted that the traffic cleared out within 15 minutes. At City Council budget retreat, City Council directed staff to move forward with a design for one-way. Since that time, staff has been working with Hanna Engineering to create a design that:

- reconfigures the parking lot
- reduces the width of Scarborough by making it one-way flow only from Laurel Street to Main Street
- adds sidewalks
- adds parallel parking
- adds landscaping
- adds an ERF
- adds public restrooms
- redesigns the Town Green, including landscaping, seating, splash pad, and permanent Christmas tree
- extends the Garden Walk by adding a delineated pathway along the east side of the Town Green with a speed table to connect the existing Garden Walk
- relocates Ike Long door for increased security





SCARBOROUGH ALLEY & TOWN GREEN IMPROVEMENTS

CONCEPTUAL MASTER PLAN

This site plan is conceptual in nature and subject to change without notice.

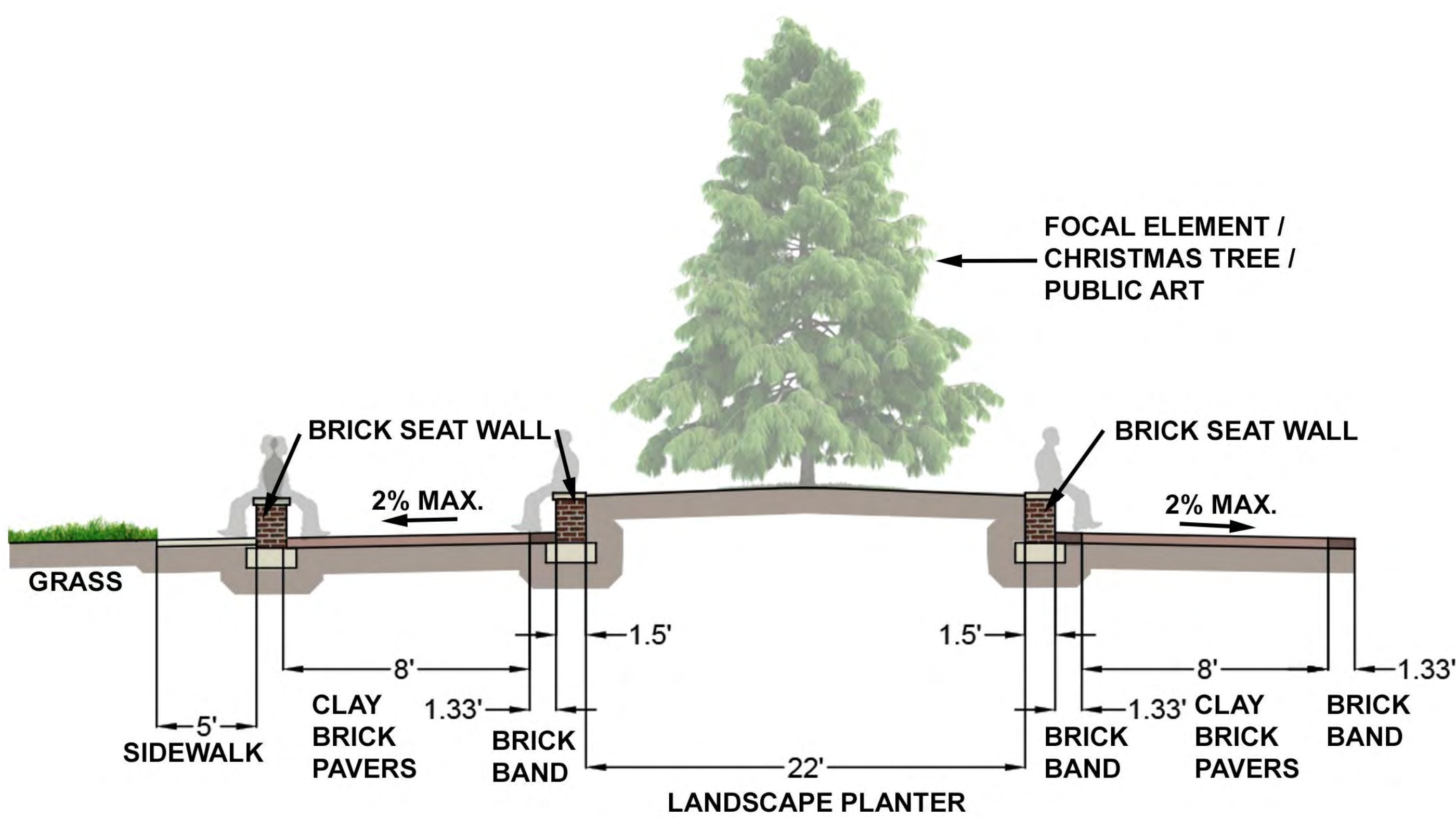




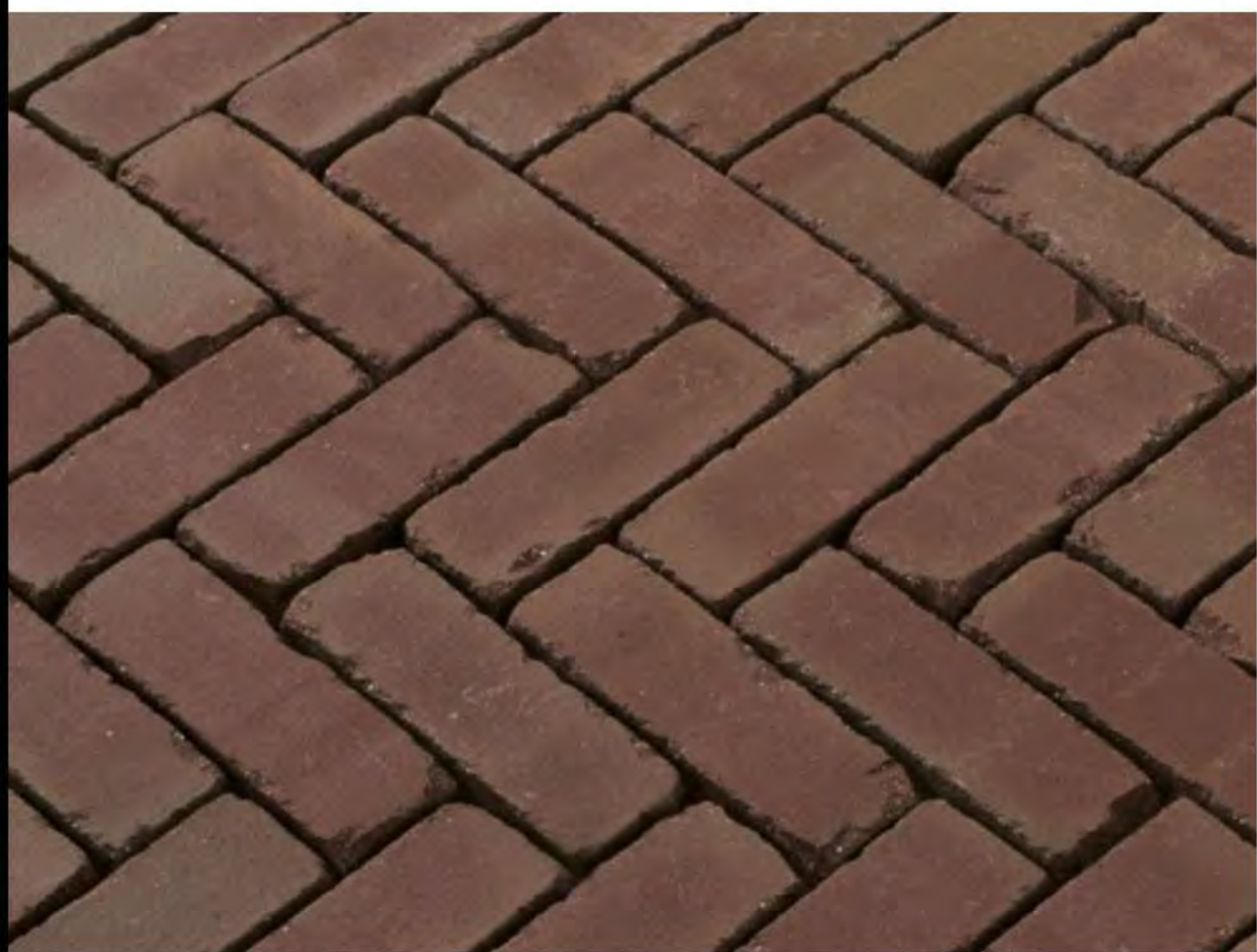
SCORED OR SAWN CONCRETE JOINT PATTERN



DIAGONAL SCORED OR SAWN CONC. JOINT PATTERN



SECTION 'A' (SIDEWALK OPTION)



CLAY BRICK PAVER
HERRINGBONE PATTERN EXAMPLE



CLAY BRICK PAVER
RUNNING BOND PATTERN WITH BANDING



CLAY BRICK PAVER BANDING EXAMPLE



EXAMPLE PHOTO OF ARCH ENTRY FEATURE

INFILL COLOR: FULL RANGE



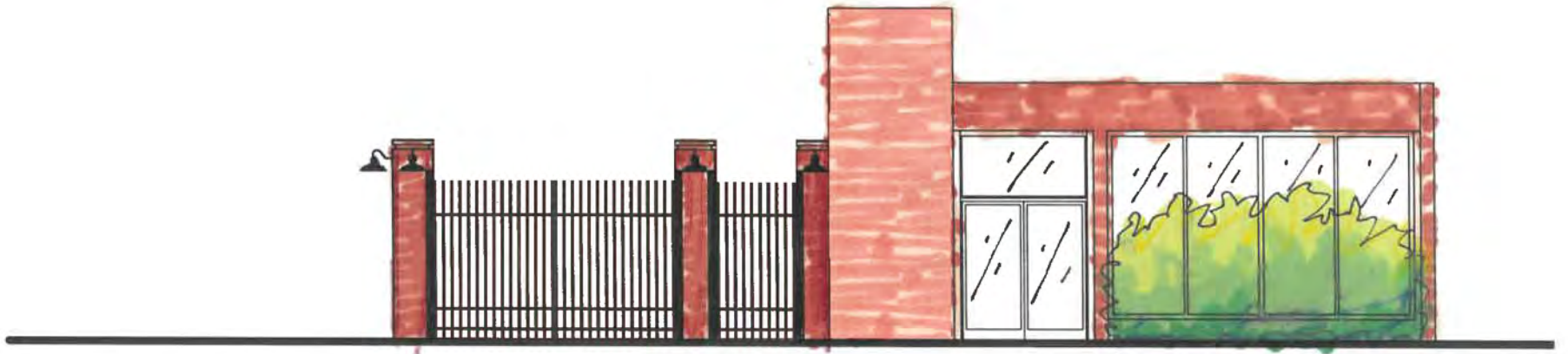
BANDING COLOR: COCOA FULL RANGE



Rumbled Pavers

Tumbled after firing to produce a look similar to an historic street paver that has been around for decades. Rumbled pavers are available in standard 4" x 8" by 2-1/4" thickness, as well as 2-3/4" thickness for heavy vehicular applications. Rumbled pavers are recommended for driveways and other vehicular applications.





1 WEST ELEVATION OF ENVIRONMENTAL REFUSE FACILITY (ERF) at SCARBOROUGH ALLEY
A201 1/8" = 1'-0"



2 NORTH ELEVATION OF ERF and PUBLIC RESTROOMS at SCARBOROUGH ALLEY
A201 1/8" = 1'-0"



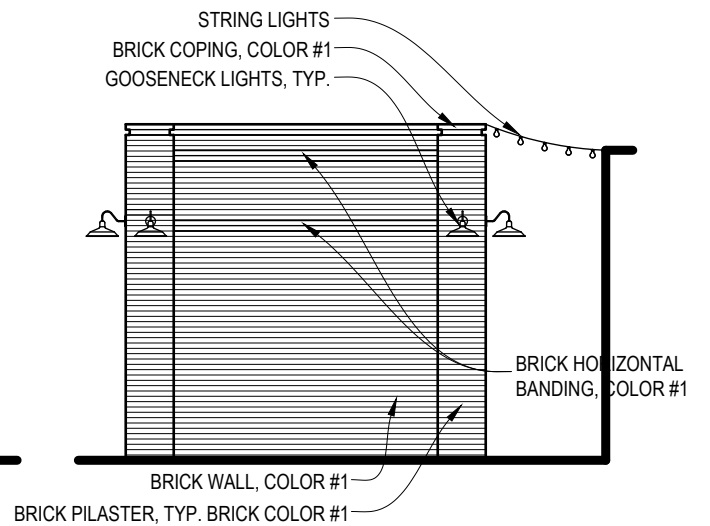
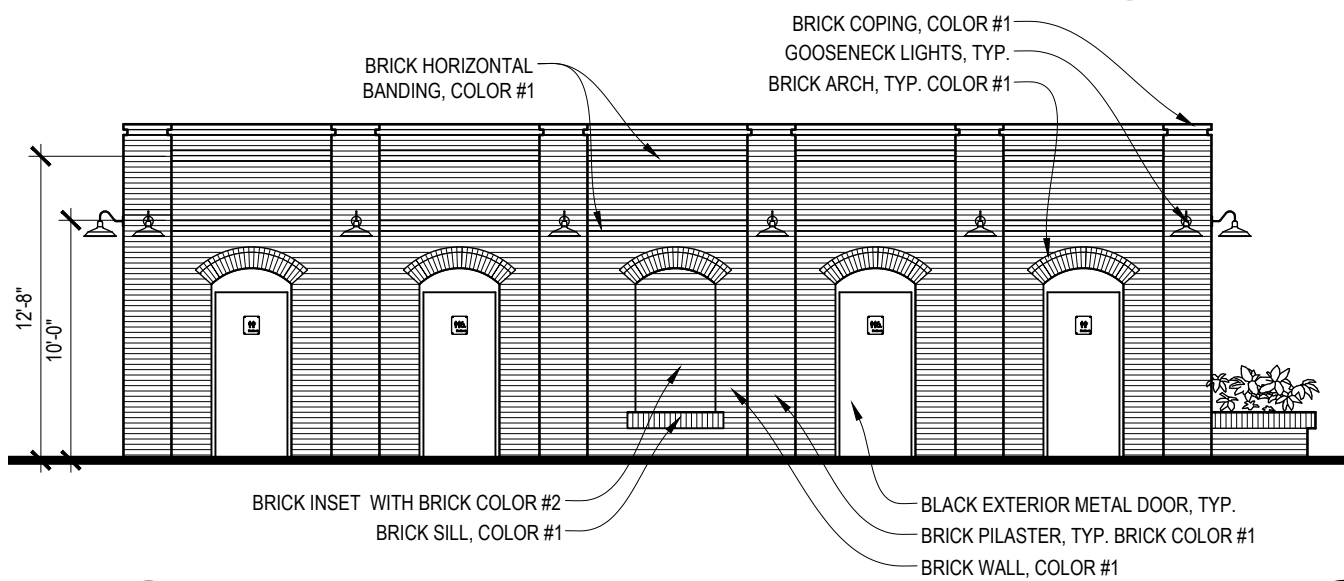
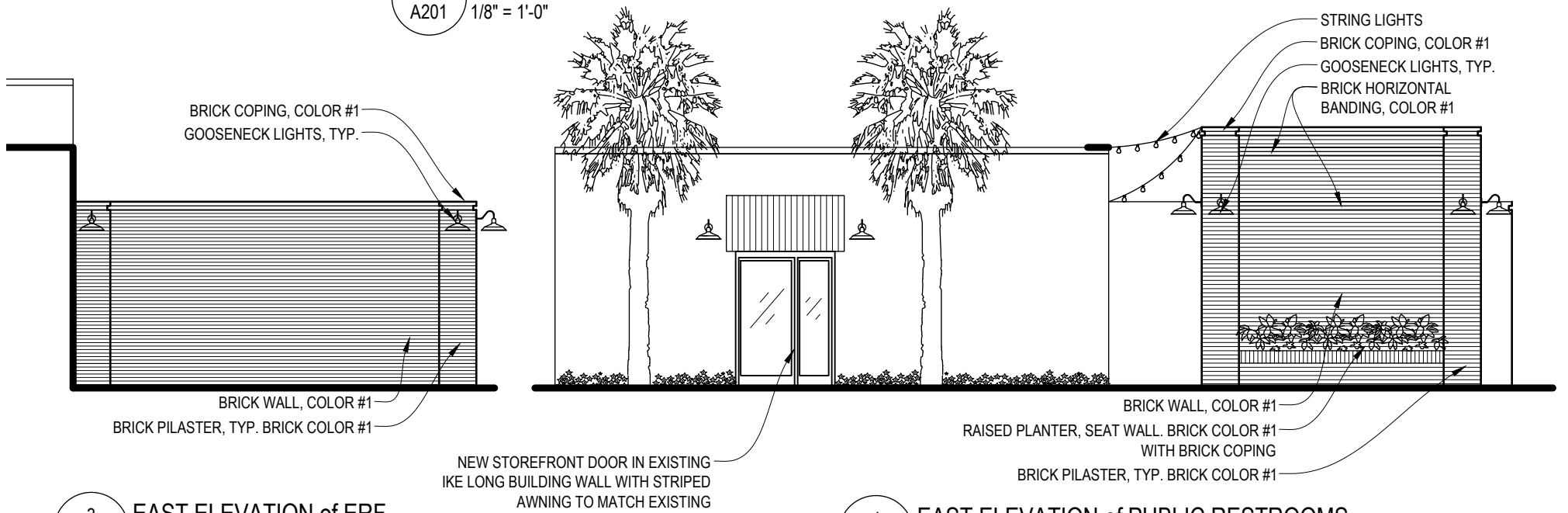
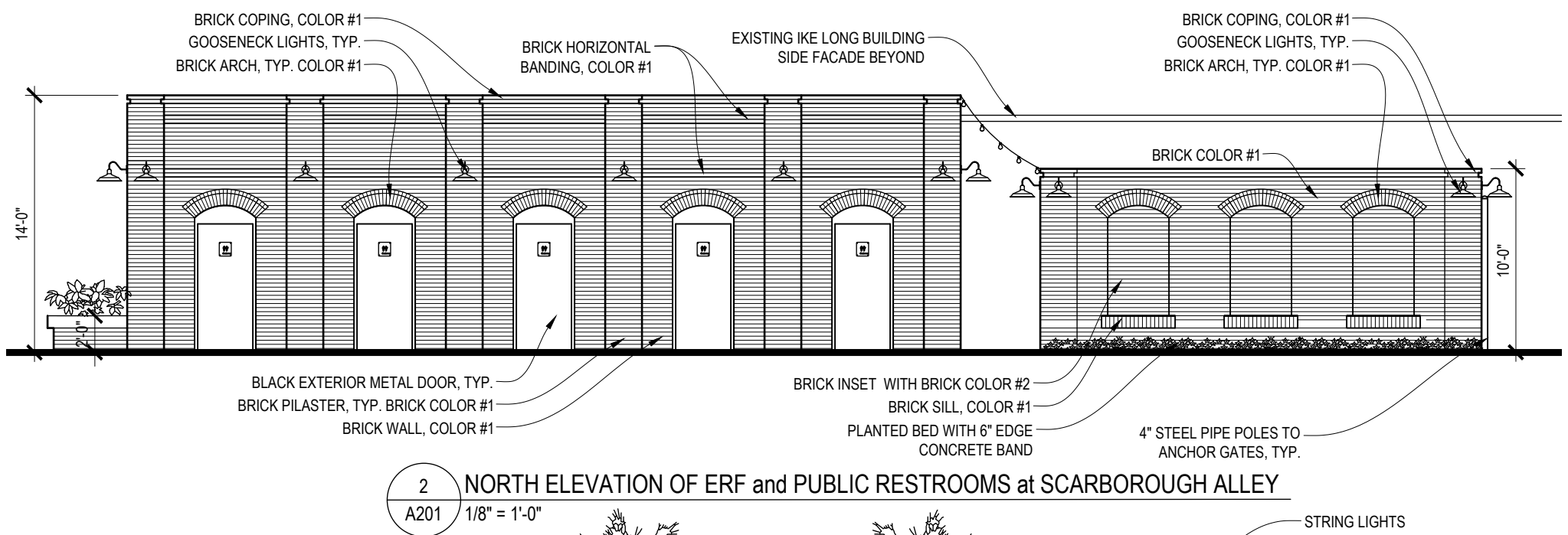
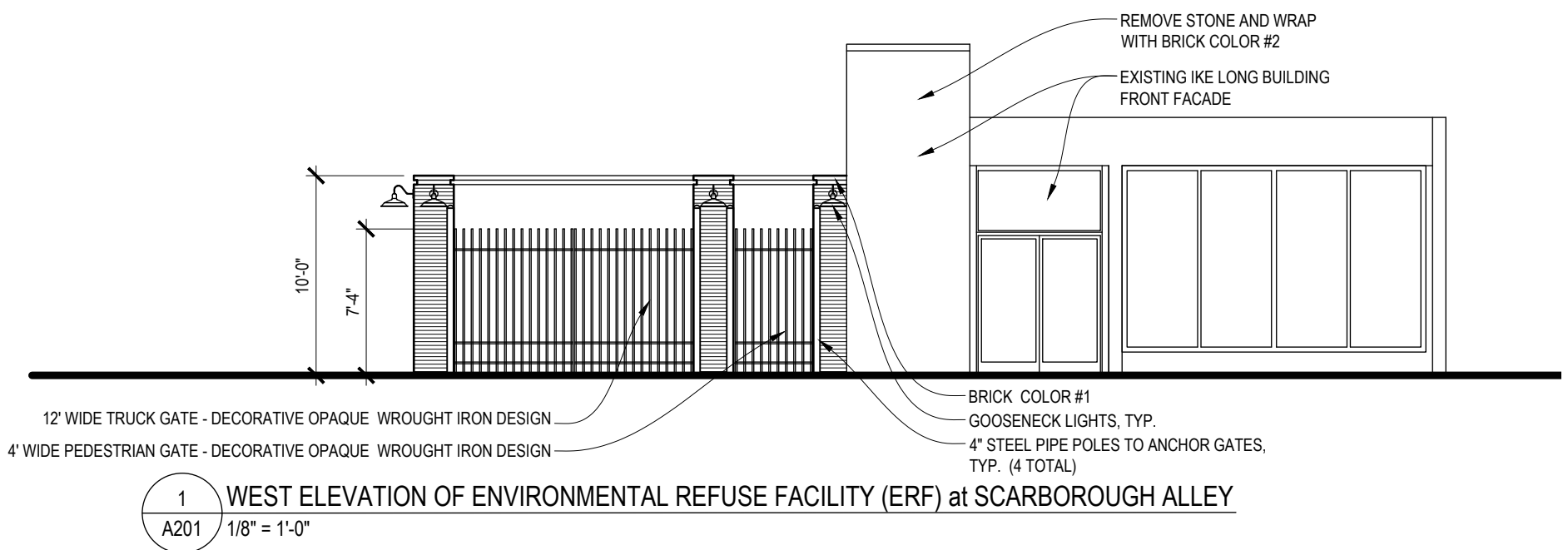
3 EAST ELEVATION of ERF
A201 1/8" = 1'-0"

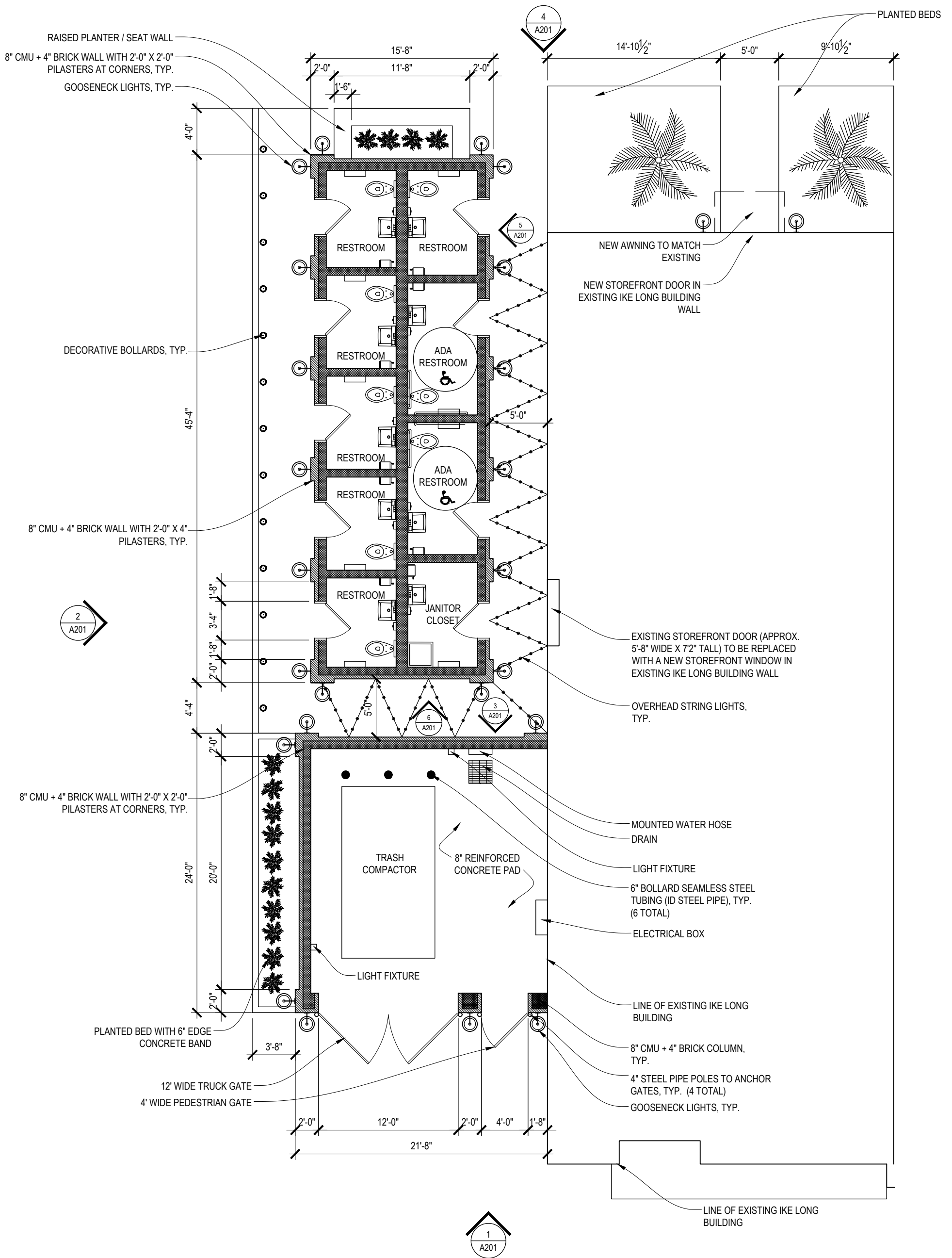
4 EAST ELEVATION of PUBLIC RESTROOMS
A201 1/8" = 1'-0"



5 SOUTH ELEVATION OF PUBLIC RESTROOMS at SCARBOROUGH ALLEY
A201 1/8" = 1'-0"

6 WEST ELEVATION of PUBLIC RESTROOMS
A201 1/8" = 1'-0"





1 FLOOR PLAN OF ENVIRONMENTAL REFUSE FACILITY (ERF) and PUBLIC RESTROOMS at SCARBOROUGH ALLEY
 A101 1/8" = 1'-0"

DATE: JULY 17, 2023

ITEM: IX.A.

ISSUE:

Public Hearing and First Reading of Ordinance #2023-08-07 (A) to amend the City of Conway Municipal Code to Implement a new Industrial Incentive, which aims to provide economic incentives to the development of industrial use businesses in the City of Conway.

BACKGROUND:

City staff has been approached and informed that there is a need and a market to attract more industrial business uses to the City of Conway.

Therefore, an incentive for industrial development would provide more of an incentive to these larger businesses to come to the City of Conway rather than a neighboring jurisdiction. This incentive would help in providing a more sustainable work force and produce economic development for our growing population.

To attract quality industrial style businesses throughout the City of Conway, the new **Industrial Incentive** program would include:

- Reimbursement of building permit fees
- Reimbursement of business license fees for the first 2 years
- Expedited review period of 15 days instead of 30 days
- A reduction in landscape requirements by 1 letter, unless abutting a residential zoning district.

Other incentives could be stacked with this one to offer reimbursements of capital recovery fees, hospitality fees, and property taxes.

The proposed ordinance is provided in your packet.

RECOMMENDATION:

Review the Industrial Incentive and provide feedback to staff.

ORDINANCE #2023-08-07 (A)

**ARTICLE K, CHAPTER 5 – AN INDUSTRIAL INCENTIVE PROGRAM IN THE CITY
OF CONWAY**

WHEREAS, City staff was approached with the need for more industrial style businesses within the City of Conway and;

WHEREAS, The need for an increase in local employment, which would result in the expand of the tax base, and create new wealth opportunities in the community; and

WHEREAS, City Council created a new Industrial Incentive program that allows reimbursement of building permit fees, reimbursement of business license fees, landscape requirement reductions and expedited review period of 15 days instead of 30 days; and

WHEREAS, To attract these types of businesses, this new incentive could be stacked with existing incentives to additionally provide reimbursement of capital recovery fees, building permit fees, and business license fees; and

WHEREAS, City Council has determined it is in the best interest of the City and its citizens to amend the hotel incentive program: 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: _____

Article K

Industrial Incentive

Sec. 1-5-131 Applicability.

This incentive applies to any person, firm or corporation establishing a new business or expanding an existing business in the City limits. It is the responsibility of the person, firm or corporation applying for the incentive to demonstrate that they are a new or expanding business to be eligible. All eligibility is subject to review and approval by City Council.

Sec. 1-5-132 Incentives.

City council, at its discretion, and on a case-by-case basis, may enter into an agreement to reimburse any person, firm or corporation any or all or any portion of the following fees:

- (1) The building permit fees collected by the City of Conway.
- (2) The Business license fees collected by the City of Conway for as many as two (2) years.
- (3) Expedited City of Conway review period of 15 days in lieu of the typical 30 days.
- (4) A reduction in landscape requirements by 1 letter, unless abutting residential zoning districts.

Sec. 1-5-133 Reimbursement.

City council shall set a reimbursement cap for any and all reimbursements on a case-by-case basis and the reimbursement clock shall begin on the date of the issuance of a business license. Reimbursement of building permit fees may be requested separately from the other applicable incentives using the Reimbursement Request Form. All other reimbursements for any calendar year shall be applied for by submitting the Reimbursement Request Form between May 1 and May 31 of the following year. Failure to provide a Reimbursement Request Form by the May 31 deadline shall result in forfeiture of reimbursements for that year as outlined in the agreement. Requests for reimbursement must contain proof of fees and or taxes paid in the previous calendar year. The city shall pay all reimbursement requests within 60 days of receiving the Reimbursement Request Form. Reimbursements shall be made only to the person, firm or corporation who is the agreement holder. No partial reimbursements will be made. The business in the subject building or storefront must be actively operating to receive reimbursement under this article.

Sec 1-5-134 Agreement required.

No reimbursement shall be made without an agreement signed by the interested person, firm or corporation and Conway City Council prepared in accordance with the terms outlined in this article. A signed agreement must be in place prior to the issuance of a certificate of occupancy (CO). No agreements may be applied retroactively.

Sec. 1-5-135 Transferability.

No reimbursement agreements entered into under this article are transferrable to any other person, firm, or corporation. If a business is established and an agreement is signed in accordance with this ordinance and the subject business closes, the agreement becomes null and void. The City shall not pay further reimbursements once the subject business has ceased to operate for a period exceeding 30 days.

Sec. 1-5-136 Severability.

The reimbursement of fees program and any participants in the program provided for herein shall be full subject to the impact of any changes in the tax laws of the City of Conway which may be imposed by the State of South Carolina or the United States. If any provisions of this article are deemed unenforceable or invalid, the remainder of the provisions herein shall remain in full force and effect. Conway City Council hereby declares that it would have adopted this article and each section, subsection, sentence, clause and provision herein without the section(s), subsection(s), sentence(s), clause(s), or provision(s) that are held to be enforceable or invalid.

Sec. 1-5-137 Conflict.

All ordinances or parts of ordinances in conflict herewith are repealed to the extent necessary to give the provisions of this article full force and effect.

Sec. 1-5-138 Effective date.

This article shall become effective upon adoption by the council of the City of Conway.

Table 9.1

Table 9.1 Required Landscaping type								Zoning of Adjacent Property							
	R RA RR R-1 R-2 R-3 R-4	P NC CC CBD WRD HC	IN	LI	HI	FA CP	MU PD								
R-2	B	B	A	A	A	A	B								
R-3															
R-4															
P	B	A	A	A	A	A	B								
NC															
CC															
IN	B	A	A	A	A	A	B								
HC	B	A	A	A	A	A	C								
LI	C	B	B	A	A	B	C								
HI	D	C	C	B	A	C	D								
FA	A	A	A	A	A	A	A								
CP															
Notes	1	Any R or R-1 zoned development shall be exempt from the buffering requirements herein.													
	2	Where a proposed development adjacent to a developed single-family detached dwelling, two-family dwelling, or semi-attached dwelling, the required Planting area shall be more strict and increased by one (1) letter (Ex: from A to B).													
	3	Landscape requirements for proposed MU, PD, and WRD developments shall be determined by the Planning Commission, Community Appearance Board, or City Council, depending on the location.													
	4	Where parcels zoned NC or HC are currently used for single-family residential uses in a legal nonconforming manner, adjacent NC or HC parcels shall install twice the required plant material in the same size buffer to adequately protect the residential use.													
	5	Residential developments containing lots with double frontage shall adhere to the Type B Landscape Buffer Requirements, or install a berm, as specified in <i>Section 9.3.1, J. Buffer / berm</i> must be located behind the lots that would otherwise have double frontage and be platted separately as a landscape buffer / berm, to be owned and maintained by the HOA/POA.													
	6	Stand-alone parking lots shall meet the buffering requirements in Section 5.1.33													
	7	Amphitheaters and/or band shells shall meet the buffering requirements in Section 5.1.34													

[Amended 6.15.15 #ZA2015-06-15 (D)]; [Amended 10.3.16 #ZA2016-10-3(D)]; [Amended 12.17.18 #ZA2018-12- 17(A)]

[Amended 9.21.20 #ZA2020-09-21(B);] [Amended 6.21.21 #ZA2021-06-21(A)]; [Amended 7.6.21 #ZA2021-07-06(E)]

Table 9.2 Landscaping Rate Chart				
Landscaping Type	Minimum Width (ft.)	Canopy Tree Rate	Understory Tree Rate	Tall Shrub Rate
Street	8	2 per 100 linear feet**	N/A	15 per 100 linear feet
Parking Lot***	5	1 per 8 Parking Spaces**	N/A	25 per 100 linear feet
Type A	5	N/A	2 per 100 linear feet	18 per 100 linear feet
Type B	15*	2 per 100 linear feet**	3 per 100 linear feet	20 per 100 linear feet
Type C	25*	3 per 100 linear feet	5 per 100 linear feet	25 per 100 linear feet
Type D****	25	4 per 100 linear feet on center	8 per 100 linear feet on center	30 per 100 linear feet on center

*Walls and fences, a minimum of 5 feet in height (constructed of masonry, stone, pressure treated lumber) may be used to reduce the widths of landscaping by 5 feet in Type B and C landscaping.

**Understory trees may be substituted for canopy trees at the rate of two (2) understory trees for each required canopy tree in street yards, parking lots, and Type B yards.

*** Stand-alone parking lots shall meet the requirements in **Section 5.1.33**.

*** Amphitheaters and/or Band Shells shall meet the requirements in **Section 5.1.34**
[Amended 7.6.21 #ZA2021-07-06(E)]

Notes:

1. One understory tree may be substituted for each required canopy tree if the TRC determines that there would be a major conflict with overhead utility lines.
2. If a fence is used instead of a buffer, then the TRC may reduce the quantity of landscaping materials.
3. If the required parking lot landscaping type is located between the parking lot and any structure, canopy trees will not be required.

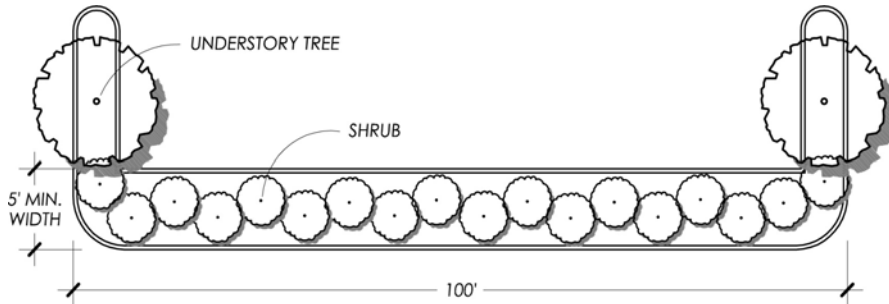
9.2.3 Landscaping Types

A. Type A Landscaping

Buffer width: 5' minimum buffer width, 10' maximum buffer width

Plantings: 2 Understory trees per 100 linear feet

18 shrubs per 100 linear feet



B. Type B Landscaping

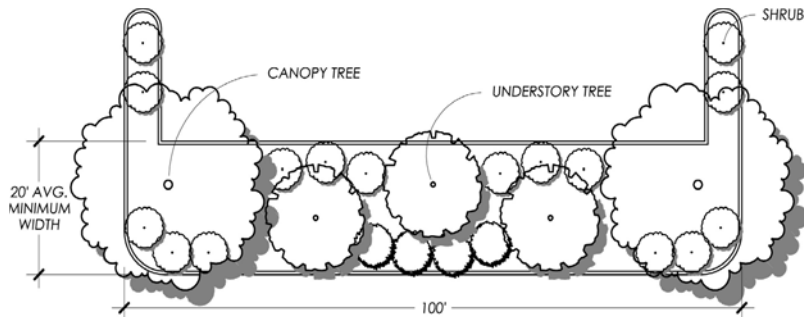
Buffer width: 15' minimum buffer width, 40' maximum buffer width

Plantings: 2 Canopy trees per 100 feet on center

3 Understory trees per 100 feet on center

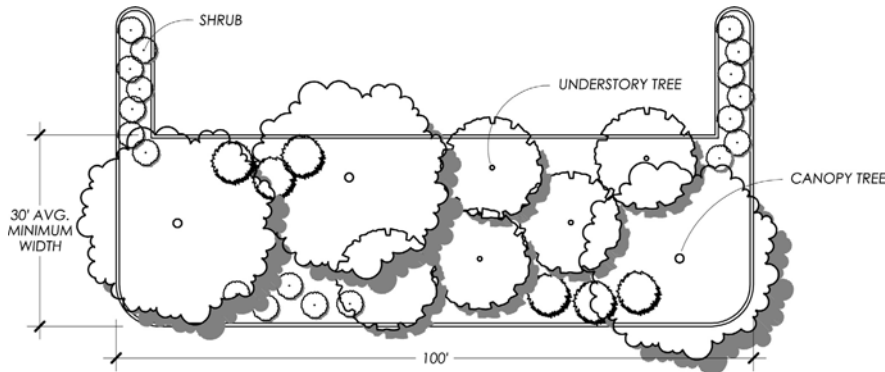
20 shrubs per 100 feet on center

Fencing: Optional



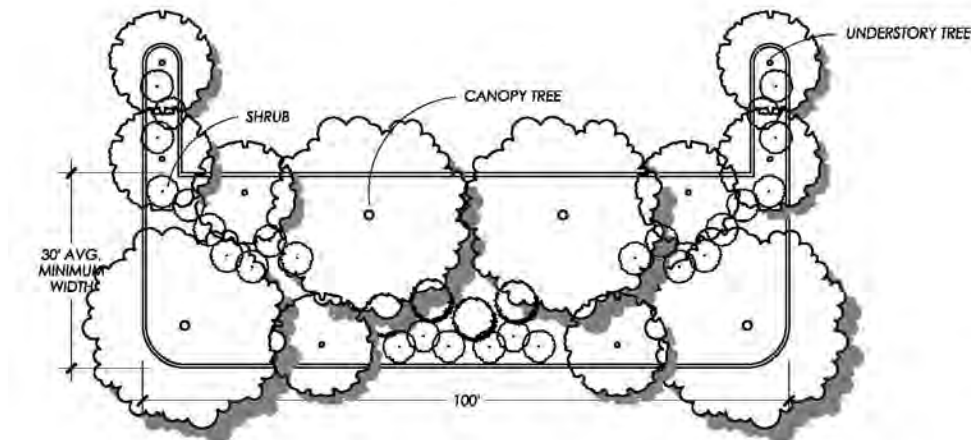
C. Type C Landscaping

Buffer width: 25' minimum, 50' maximum width
 Plantings: 3 canopy trees per 100 feet on center
 5 understory trees per 100 feet on center
 25 shrubs per 100 feet on center
 Fencing: Optional



D. Type D Landscaping

Buffer width: 25' minimum, 60' maximum
 Plantings: 4 canopy trees per 100' on center
 8 understory trees per 100' on center
 30 shrubs per 100' on center
 Fencing: Required



ISSUE:

Public Hearing and First Reading of Ordinance #2023-08-07 (B) to amend the City of Conway Municipal Code to Update Article F, an incentive program which provides economic incentives for the development of family entertainment facilities in the City of Conway.

BACKGROUND:

City staff has identified some aspects within the current ordinance that needs better clarification to allow for a smoother process for both the applicants as well as city staff.

These clarifications include:

- Implementation of a **Reimbursement Request Form**.
- Adding clarification of when the time clock of the incentive begins.
- Allowing separate reimbursement requests within Article F.
- Clarifying who receives the reimbursement from the City of Conway.
- Correct the wording in Section 1-5-79 of Article F for agreement requirements.

All of these changes are included in your packet.

RECOMMENDATION:

Staff recommends approval of the proposed changes.

ORDINANCE #2023-08-07 (B)

**AMENDING ARTICLE F, CHAPTER 5 – CINEMAS, BOWLING CENTERS AND
OTHER FAMILY ENTERTAINMENT FACILITIES INCENTIVE OF THE CONWAY
MUNICIPAL CODE IN THE CITY OF CONWAY**

WHEREAS, The City of Conway, South Carolina, adopted a Cinemas, Bowling centers and other Family Entertainment Facilities Incentive in 2008 to lessen the burden of opening or expanding a new business endeavor and to help stimulate development of family entertainment establishments; and

WHEREAS, Since the creation of the ordinance, City staff has addressed inconsistencies within the ordinance in relation to the application of the intent of the incentives, and have added clarification on the start date for the reimbursement clock, the reimbursement request time frame, application and reimbursement request procedures; and

WHEREAS, City Council has determined it is in the best interest of the City and its citizens to amend the Cinemas, Bowling Centers and Family Entertainment Facilities incentive program: 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: _____

ARTICLE F
Cinemas, Bowling Centers and Other Family Entertainment Facilities Incentive Program

Sec. 1-5-76 Applicability.

This incentive applies to any person, firm or corporation establishing a cinema, bowling center or other family entertainment facility in the city limits of Conway through annexation, redevelopment or new construction. All eligibility is subject to review and approval by city council. (Ord. No. 2008-12-08(C), 12/8/08)

Sec. 1-5-77 Incentives.

City council, at its discretion, and on a case-by-case basis, may enter into an agreement to reimburse any person, firm, or corporation any or all or any portion of the following fees:

1. The applicable water and sewer capital recovery fees up to one-half (½) of the total required fee paid.
2. The required building permit fee paid.
3. The business license fees collected by the City of Conway for as many as five (5) years.
4. The hospitality fees collected by the City of Conway for as many as five (5) years.
5. The property taxes collected by the City of Conway for as many as five (5) years. (Ord. No. 2008-12-08(C), 12/8/08)

Sec. 1-5-78 Reimbursement.

City council shall set a reimbursement cap for any and all reimbursements on a case-by-case basis **and the reimbursement clock shall begin on the date of the issuance of a business license.** ~~All reimbursements for any calendar year shall be applied for in writing between January 1 and January 31 of the following year. Failure to apply for reimbursement by the January 31 deadline shall result in forfeiture of reimbursements for that year as outlined in the agreement. The city shall pay all qualified reimbursement requests within 60 days of receipt.~~ **Reimbursement of building permit fees and capital recovery fees may be requested separately from the other applicable incentives using the Reimbursement Request Form. All other reimbursements for any calendar year shall be applied for by submitting the Reimbursement Request Form between May 1 and May 31 of the following year. Failure to provide a Reimbursement Request Form by the May 31 deadline shall result in forfeiture of reimbursements for that year as outlined in the agreement. Requests for reimbursement must contain proof of fees and or taxes paid in the previous calendar year. The city shall pay all reimbursement requests within 60 days of receiving the Reimbursement Request Form.** Reimbursements shall be made only to the person, firm or corporation who is ~~a party to the agreement holder. and only to the person, firm, or corporation who paid the applicable fee.~~ No partial reimbursements will be made. The business in the subject building or storefront must be actively operating to receive reimbursement under this article. (Ord. No. 2008-12-08(C), 12/8/08)

Sec. 1-5-79 Agreement required.

No reimbursement shall be made without an agreement signed by the interested person, firm or corporation and Conway City Council prepared in accordance with the terms outlined in this article. A signed agreement must be in place prior to the issuance of a ~~business license or building permit~~ **certificate of occupancy (CO)**. No agreements may be applied retroactively. (Ord. No. 2008-12-08(C), 12/8/08)

Sec. 1-5-80 Transferability.

No reimbursement agreements entered into under this article are transferrable to any other person, firm or corporation. If a business is established and an agreement **is** signed in accordance with this ordinance and the subject business closes, the agreement becomes null and void. The city shall not pay further reimbursements once the subject business has ceased to operate for a period exceeding 30 days. (Ord. No. 2008-12-08(C), 12/8/08)

Sec. 1-5-81 Severability.

The reimbursement of fees program and any participants in the program provided for herein shall be fully subject to the impact of any changes in the tax laws of the City of Conway which may be imposed by the State of South Carolina or the United States. If any provisions of this article are deemed unenforceable or invalid, the remainder of the provisions herein shall remain in full force and effect. Conway City Council hereby declares that it would have adopted this article and each section, subsection, sentence, clause and provision herein without the section(s), subsection(s), sentence(s), clause(s), or provisions(s) that are held to be enforceable or invalid. (Ord. No. 2008-12-08(C), 12/8/08)

Sec. 1-5-82 Conflict.

All ordinances or parts of ordinances in conflict herewith are repealed to the extent necessary to give the provisions of this article full force and effect. (Ord. No. 2008-12-08(C), 12/8/08)

Secs. 1-5-83—1-5-100. reserved.

ISSUE:

Public Hearing and First Reading of Ordinance #2023-08-07 (C) to amend the City of Conway Municipal Code to update Article G, an existing incentive program which provides economic incentives for the redevelopment of existing vacant commercial buildings 25,000 sq. ft. or greater in the City of Conway.

BACKGROUND:

City staff has identified some aspects within the current ordinance that needs better clarification to allow for a smoother process for both the applicants as well as city staff.

These clarifications include:

- Implementation of a Reimbursement Request Form.
- Adding clarification of when the time clock of the incentive begins.
- Allowing separate reimbursement requests within Article G.
- Clarifying who receives the reimbursement from the City of Conway.
- Correct the wording in Section 1-5-79 of Article G for signed agreement requirements.

All of these changes are included in your packet.

RECOMMENDATION:

Staff recommends approval of the proposed changes.

ORDINANCE #2023-08-07 (C)

**AMENDING ARTICLE G, CHAPTER 5 – REDEVELOPMENT OF EXISTING
VACANT COMMERCIAL BUILDINGS 25,000 SQUARE FEET OR GREATER
INCENTIVE OF THE CONWAY MUNICIPAL CODE IN THE CITY OF CONWAY**

WHEREAS, The City of Conway, South Carolina, adopted a Redevelopment of Existing Vacant Commercial Buildings 25,000 square feet or greater incentive in 2009 to lessen the burden of opening or expanding a new business endeavor to help stimulate development or redevelopment in larger vacant commercial buildings; and

WHEREAS, Since the creation of the ordinance, City staff has addressed inconsistencies within the ordinance in relation to the application of the intent of the incentives, and have added clarification on the start date for the reimbursement clock, the reimbursement request time frame, application and reimbursement request procedures; and

WHEREAS, City Council has determined it is in the best interest of the City and its citizens to amend the redevelopment of existing vacant commercial buildings 25,000 square feet or greater incentive program: 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: _____

ARTICLE G
Redevelopment of Existing Vacant Commercial Buildings 25,000 Square Feet or Greater Incentive Program

Sec. 1-5-101 Applicability.

This incentive program applies to any person, firm or corporation redeveloping and fully occupying an existing vacant commercial building or storefront 25,000 square feet and greater in the city limits of Conway. A vacant building shall be defined as any building or storefront which has been vacant for a period exceeding six (6) continuous months. It is the responsibility of the person, firm or corporation applying for the incentive to show that the vacancy requirement has been met. In order to be eligible for this program, the building and lot must meet all applicable current Conway Zoning Ordinance. All eligibility is subject to review and approval by city council. (Ord. No. 2008-12-08(D), 12/8/08)

Sec. 1-5-102 Incentives.

City council, at its discretion, and on a case-by-case basis, may enter into an agreement to reimburse any person, firm, or corporation any or all or any portion of the following fees:

1. The applicable water and sewer capital recovery fees up to one-half (½) of the total required fee paid.
2. The required building permit fee paid.
3. The business license fees collected by the City of Conway for as many as five (5) years.
4. The hospitality fees collected by the City of Conway for as many as five (5) years.
5. The property taxes collected by the City of Conway for as many as five (5) years. (Ord. No. 2008-12-08(D), 12/8/08)

Sec. 1-5-103 Reimbursement.

City council shall set a reimbursement cap for any and all reimbursements on a case-by-case basis and the reimbursement clock shall begin on the date of the issuance of a business license. All reimbursements for any calendar year shall be applied for in writing between January 1 and January 31 of the following year. Failure to apply for reimbursement by the January 31 deadline shall result in forfeiture of reimbursements for that year as outlined in the agreement. The city shall pay all qualified reimbursement requests within 60 days of receipt. Reimbursement of building permit fees and capital recovery fees may be requested separately from the other applicable incentives using the Reimbursement Request Form. All other reimbursements for any calendar year shall be applied for by submitting the Reimbursement Request Form between May 1 and May 31 of the following year. Failure to provide a Reimbursement Request Form by the May 31 deadline shall result in forfeiture of reimbursements for that year as outlined in the agreement. Requests for reimbursement must contain proof of fees and or taxes paid in the previous calendar year. The city shall pay all reimbursement requests within 60 days of receiving the Reimbursement Request Form. Reimbursements shall be made only to the person, firm or corporation who is a party to the agreement holder, and only to the person, firm, or corporation who paid the

~~applicable fee.~~ No partial reimbursements will be made. The business in the subject building or storefront must be actively operating to receive reimbursement under this article. (Ord. No. 2008-12-08(D), 12/8/08)

Sec. 1-5-104 Agreement required.

No reimbursement shall be made without an agreement signed by the interested person, firm or corporation and Conway City Council prepared in accordance with the terms outlined in this article. A signed agreement must be in place prior to the issuance of a ~~business license or building permit~~ **certificate of occupancy (CO)**. No agreements may be applied retroactively. (Ord. No. 2008-12-08(D), 12/8/08)

Sec. 1-5-105 Transferability.

No reimbursement agreements entered into under this article are transferrable to any other person, firm or corporation. If a business is established and an agreement **is** signed in accordance with this ordinance and the subject business closes, the agreement becomes null and void. The city shall not pay further reimbursements once the subject business has ceased to operate for a period exceeding 30 days. (Ord. No. 2008-12-08(D), 12/8/08)

Sec. 1-5-106 Severability.

The reimbursement of fees program and any participants in the program provided for herein shall be fully subject to the impact of any changes in the tax laws of the City of Conway which may be imposed by the State of South Carolina or the United States. If any provisions of this article are deemed unenforceable or invalid, the remainder of the provisions herein shall remain in full force and effect. Conway City Council hereby declares that it would have adopted this article and each section, subsection, sentence, clause and provision herein without the section(s), subsection(s), sentence(s), clause(s), or provision(s) that are held to be enforceable or invalid. (Ord. No. 2008-12-08(D), 12/8/08)

Sec. 1-5-107 Conflict.

All ordinances or parts of ordinances in conflict herewith are repealed to the extent necessary to give the provisions of this article full force and effect. (Ord. No. 2008-12-08(D), 12/8/08)

ISSUE:

Public Hearing and First Reading of Ordinance #2023-08-07 (D) to amend the City of Conway Municipal Code to update Article H, an incentive program which provides economic incentives to businesses occupying existing vacant buildings located in the Central Business District (CBD) in the City of Conway.

BACKGROUND:

City staff has identified some aspects within the current ordinance that needs better clarification to allow for a smoother process for both the applicants as well as city staff.

These clarifications include:

- Implementation of a Reimbursement Request Form.
- Adding wording to be consistent with other incentives.
- Allowing separate reimbursement requests within Article H.
- Clarifying who receives the reimbursement from the City of Conway.
- Implementation of Agreement requirement to be consistent with other incentives.
- With the addition of this section all subsequent sections will all but amended to be numerically correct.
- Updates to the transferability sections to include clarification on requirements for the incentive including when the agreement would or could become null and void.

All of these changes are included in your packet.

RECOMMENDATION:

Staff recommends approval of the proposed changes.

ORDINANCE #2023-08-07 (D)

**AMENDING ARTICLE H, CHAPTER 5 – REDEVELOPMENT OF EXISTING
VACANT BUILDINGS LOCATED IN THE CENTRAL BUSINESS DISTRICT
INCENTIVE OF THE CONWAY MUNICIPAL CODE IN THE CITY OF CONWAY**

WHEREAS, The City of Conway, South Carolina, adopted a Redevelopment of Existing Vacant Buildings located in the Central Business District Incentive in 2009 to lessen the burden of opening or expanding a new business endeavor within a building that had been vacant for more than 3 months in the Central Business Districts to help stimulate development or redevelopment in the downtown area; and

WHEREAS, Since the creation of the ordinance, City staff has addressed inconsistencies within the ordinance in relation to the application of the intent of the incentives, and have added clarification on the start date for the reimbursement clock, the reimbursement request time frame, application and reimbursement request procedures; and

WHEREAS, City Council has determined it is in the best interest of the City and its citizens to amend the redevelopment of existing vacant buildings in the Central Business District incentive program: 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: _____

ARTICLE H

An Incentive Program to Reimburse Certain Fees in Connection with Occupancy in Existing Vacant Buildings Located in the Central Business District

Sec. 1-5-108 Applicability.

This incentive applies to any person, firm, or corporation establishing a new business in a previously vacant building in the central business district. The central business district shall be defined as any property in the central business district zone as shown on the city's official zoning map. A vacant building shall be defined as any building or storefront which has been vacant and ready for occupancy for a period exceeding three (3) months. It is the responsibility of the person, firm or corporation applying for the incentive to show that the vacancy requirement has been met. All eligibility is subject to review and approval by the city administrator.

Incentives: The city administrator on behalf of the City of Conway may reimburse any person, firm, or corporation the following fees:

1. The required building permit fees.
2. The business license fees collected by the City of Conway for two (2) years. (Ord. No. 2008-08-10(A), 8/10/09)

Sec. 1-5-109 Reimbursement.

City council shall set a reimbursement cap for any and all reimbursements on a case-by-case basis and the reimbursement clock shall begin on the date of the issuance of a business license. ~~All fees shall be reimbursed within 60 days of payment~~ Reimbursement of building permit fees may be requested separately from the other applicable incentive(s) using the Reimbursement Request Form. All other reimbursements for any calendar year shall be applied for by submitting the Reimbursement Request Form between May 1 and May 31 of the following year. Failure to provide a Reimbursement Request Form by the May 31 deadline shall result in forfeiture of reimbursements for that year as outlined in the agreement. Requests for reimbursement must contain proof of fees and or taxes paid in the previous calendar year. The city shall pay all reimbursement requests within 60 days of receiving the Reimbursement Request Form. Reimbursements shall be made only to the person, firm, or corporation who paid the applicable fee ~~is the agreement holder~~. No partial reimbursements will be made. The business in the subject building or storefront must be actively operating in the central business district to receive reimbursement under this article. (Ord. No. 2008-08-10(A), 8/10/09)

Sec. 1-5-110 Agreement required.

No reimbursement shall be made without an agreement signed by the interested person, firm or corporation and the City of Conway prepared in accordance with the terms outlined in this article. A signed agreement must be in place prior to the issuance of a certificate of occupancy (CO). No agreements may be applied retroactively. (Ord. No. 2008-12-08(D), 12/8/08)

Sec. 1-5-110~~1~~ Transferability.

No reimbursement ~~agreements entered into provided~~ under this article are transferrable to any other person, firm, or corporation. ~~If a business is established and an agreement is signed in accordance with this ordinance and the subject business closes, the agreement becomes null and void.~~ The city shall not pay further reimbursements once the subject business has ceased to operate for a period exceeding 30 days. (Ord. No. 2008-08-10(A), 8/10/09)

Sec. 1-5-111~~2~~ Severability.

The reimbursement of fees program and any participants in the program provided for herein shall be fully subject to the impact of any changes in the tax laws of the City of Conway which may be imposed by the State of South Carolina or the United States. If any provisions of this article are deemed unenforceable or invalid, the remainder of the provisions herein shall remain in full force and effect. Conway City Council hereby declares that it would have adopted this article and each section, subsection, sentence, clause and provision herein without the section(s), subsection(s), sentence(s), clause(s), or provision(s) that are held to be enforceable or invalid. (Ord. No. 2008-08-10(A), 8/10/09)

Sec. 1-5-112~~3~~ Conflict.

All ordinances or parts of ordinances in conflict herewith are repealed to the extent necessary to give the provisions of this article full force and effect. (Ord. No. 2008-08-10(A), 8/10/09)

Sec. 1-5-113~~4~~ Effective date.

This article shall become effective upon adoption by the Council of the City of Conway. (Ord. No. 2008-08-10(A), 8/10/09)

ISSUE:

Public Hearing and First reading of Ordinance #2023-08-07 (E) to amend the City of Conway Municipal Code to update Article I, the Redevelopment Enhancement Incentive Program, which provides economic incentives to develop or expand commercial businesses in the City of Conway.

BACKGROUND:

The request today is to end the Redevelopment Enhancement Incentive prior to the expiration date only within the Waccamaw River Districts (WRD-1 and WRD-2), Central Business District (CBD) and Core Commercial (CC) zoning districts. Staff also requests to amend the ordinance to include an agreement requirement as well as update the wording in the ordinance to be consistent with other Incentive Ordinances and processes.

This program allows the City to reimburse any person, firm, or corporation up to 100 percent of the capital recovery fees. This incentive was originally implementing in 2016 and has since been renewed twice. Each renewal granted an extension of three additional years. The first renewal was in 2019 and the most recent was in 2022 placing the expiration date as February 21, 2025.

Through this incentive the City has reimbursed roughly \$333,411 in capital recovery fees. There are existing agreements in place that have not yet been collected on as construction is still underway or is pending approvals.

Staff feels that this incentive has accomplished its original intent in the downtown districts by incentivizing businesses to occupy storefronts and in doing so has reached the extent of its purpose and design within these districts. Staff also feels that allowing this incentive to remain in place along Hwy 378 (Wright Blvd) and Hwy 701 (Main St/4th Ave) will allow these corridors the opportunity to grow a flourish through redevelopment just as the downtown districts have.

In addition to this staff is requesting to amend the ordinance to provide clarification on the reimbursement processes and require a signed agreement to remain consistent with all other incentives offered.

- Implementation of a Reimbursement Request Form.
- Wording clean ups to be consistent with other incentives, and clarification on who reimbursements are to be made to.
- Update the wording to coincide with the approved districts of eligibility.
- The implementation of a signed agreement to be consistent with other incentives.

All of these updates are included in your packet.

RECOMMENDATION:

Staff recommends honoring existing approvals and/or agreements but supports the termination of the incentive in the CBD, CC, WRD 1 and WRD 2 districts and all aforementioned amendments.

ORDINANCE #2023-08-07 (E)

**AMENDING ARTICLE I, CHAPTER 5 – REDEVELOPMENT ENCHANCEMENT
INCENTIVE OF THE CONWAY MUNICIPAL CODE IN THE CITY OF CONWAY**

WHEREAS, The City of Conway, South Carolina, adopted a Redevelopment Enhancement Incentive in 2016 to lessen the burden of opening or expanding a new business endeavor within commercial zoning districts that have shown a need for a boost to help stimulate development or redevelopment; and

WHEREAS, This development incentive program was renewed for 3 years in 2019, and 2022; and

WHEREAS, In Spring 2023, City Council determined, due to the success of the incentive, to amend the ordinance to exclude the Central Business District (CBD), Core Commercial (CC), and Waccamaw River Districts 1 and 2 (WRD1, WRD2) from the applicable zoning districts; and

WHEREAS, Since the last amendment, City staff has addressed inconsistencies within the ordinance in relation to the application of the intent of the incentives, and have added clarification on the reimbursement request time frame, application and reimbursement request procedures; and

WHEREAS, To allow the incentive to apply to the commercial properties located on Highway 378 (Wright Blvd) and Highway 701 (Main Street/4th Avenue); and

WHEREAS, City Council has determined it is in the best interest of the City and its citizens to amend the redevelopment enhancement incentive program: 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: _____

ARTICLE I

Redevelopment Enhancement Incentive

Sec. 1-5-1145 Applicability.

This incentive applies to any person, firm, or corporation establishing a new business or expanding an existing business in ~~a the Central Business District (CBD), Core Commercial (CC) or commercial property fronting Highway 378 (Wright Boulevard) or Highway 701 (Main Street/4th Avenue), and Waccamaw River Districts (WRD 1 and WRD 2).~~ These locations shall be defined as any property ~~in the Central Business District zone, Core Commercial zone or any property~~ with a commercial zoning designation with frontage on Highway 378 (Wright Blvd) or Highway 701 (Main Street/4th Avenue) as shown on the city's official zoning map. It is the responsibility of the person, firm or corporation applying for the incentive to demonstrate that they are a new or expanding business to be eligible. All eligibility is subject to review and approval by city council.

Incentives: The city administrator, on behalf of the City of Conway, may reimburse any person, firm, or corporation 100 percent of capital recovery fees.

Sec. 1-5-1156 Reimbursement.

~~All fees shall be reimbursed within 60 days of payment.~~ **Reimbursement shall be made within 60 days of receiving a Reimbursement Request Form.** Reimbursements shall be made only to the person, firm, or corporation who **is the agreement holder.** ~~paid the applicable fee.~~ No partial reimbursements will be made. The applicant or business must be actively operating in the **qualifying** ~~Central Business District, Core Commercial District or on~~ commercially zoned property fronting Highway 378 (Wright Boulevard) or Highway 701 (Main Street/4th Avenue) to receive reimbursement under this article.

Sec. 1-5-1167 Expiration.

The incentive offering shall expire on the third anniversary of the passing of final reading of this article unless renewed or otherwise amended by city council prior to expiration.

(Ord. No. 2016-04-04(D), 4/18/16)

Sec. 1-5-118 Agreement required.

No reimbursement shall be made without an agreement signed by the interested person, firm or corporation and the City of Conway prepared in accordance with the terms outlined in this article. A signed agreement must be in place prior to the issuance of a certificate of occupancy (CO). No agreements may be applied retroactively. (Ord. No. 2008-12-08(D), 12/8/08)

Sec. 1-5-1179 Transferability.

No reimbursement agreements entered into ~~provided~~ under this article are transferrable to any other person, firm, or corporation. If a business is established and an agreement is signed in accordance with this ordinance and the subject business closes, the agreement becomes null and void. The city shall not pay further reimbursements once the subject business has ceased to operate for a period exceeding 30 days.

(Ord. No. 2016-04-04(D), 4/18/16)

Sec. 1-5-118~~20~~ Severability.

The reimbursement of fees program and any participants in the program provided for herein shall be fully subject to the impact of any changes in the tax laws of the City of Conway which may be imposed by the State of South Carolina or the United States. If any provisions of this article are deemed unenforceable or invalid, the remainder of the provisions herein shall remain in full force and effect. Conway City Council hereby declares that it would have adopted this article and each section, subsection, sentence, clause and provision herein without the section(s), subsection(s), sentence(s), clause(s), or provision(s) that are held to be enforceable or invalid.

(Ord. No. 2016-04-04(D), 4/18/16)

Sec. 1-5-119~~21~~ Conflict.

All ordinances or parts of ordinances in conflict herewith are repealed to the extent necessary to give the provisions of this article full force and effect.

(Ord. No. 2016-04-04(D), 4/18/16)

Sec. 1-5-120~~22~~ Effective date.

This article shall become effective upon adoption by the council of the City of Conway.

(Ord. No. 2016-04-04(D), 4/18/16)

ISSUE:

Public Hearing and First reading of Ordinance #2023-08-07 (F) Article J, to amend the City of Conway Municipal Code to update Article J, the Hotel/Short-term Rental Incentive Program, which provides economic incentives to develop hotels, motels, inns, and commercial short-term rentals in the City of Conway.

BACKGROUND:

City staff has identified some aspects within the current ordinance that need better clarification to allow for a smoother process for both the applicants as well as city staff.

These clarifications include:

- Implementation of a Reimbursement Request Form. With the updates requested each of the ordinances will require written documentation for reimbursement. To provide consistent documentation for each aspect of the incentives. This will provide a faster process and better record keeping while providing a simplified request for the applicant for all approved reimbursements. The Reimbursement Request Form is included in your packet.
- Adding clarification of when the time clock of the incentive begins.
- Staff is proposing alternative language to change the reimbursement request dead line be changed to May, which will coincide with the business license renewal period and will be easier to track.
- Clarifying who receives the reimbursement from the City of Conway.
- Correct the wording in Section 1-5-126 of Article J to prevent any delays in the review progress. Staff requests to amend the incentive to allow the expedited review period be redeemable upon council's decision of eligibility.

All of these changes are included in your packet.

RECOMMENDATION:

Staff recommends approval of the proposed changes.

ORDINANCE #2023-08-07 (F)

**AMENDING ARTICLE J, CHAPTER 5 – A HOTEL INCENTIVE PROGRAM OF THE
CITY OF CONWAY MUNICIPAL CODE WHICH PROVIDES ECONOMIC
INCENTIVES TO DEVELOP HOTELS AND SHORT-TERM RENTALS IN THE CITY
OF CONWAY**

WHEREAS, City Council has expressed the need to attract more hotels in Conway, and more specifically, in the downtown in the Central Business District (CBD) and Core Commercial (CC) zoning districts; and

WHEREAS, Hotel developments would increase local employment, expand the tax base, and create new wealth opportunities in the community; and

WHEREAS, In Spring 2022, City Council created a new Hotel Incentive program that allows reimbursement of property taxes, reimbursement of hospitality taxes, and expedited review period of 15 days instead of 30 days; and

WHEREAS, To attract hotels downtown, this new incentive could be stacked with existing incentives to additionally provide reimbursement of capital recovery fees, building permit fees, and business license fees; and

WHEREAS, Since approval, the Conway Chamber of Commerce has met with hotel developers. From these meetings, a few amendments have been suggested, including 7 years of reimbursement for the first year of the program, and clarification on the start date for the reimbursement clock; and

WHEREAS, Since the last amendment, City staff has addressed inconsistencies within the ordinance in relation to the application of the intent of the incentives, and have added clarification on the start date for the reimbursement clock, the reimbursement request time frame, application and reimbursement request procedures; and

WHEREAS, City Council has determined it is in the best interest of the City and its citizens to amend the hotel incentive program: 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: _____

ARTICLE J

Hotel Incentive

Sec. 1-5-121~~3~~ Applicability.

This incentive applies to any person, firm or corporation establishing a hotel or commercial short-term rentals with a minimum of eight (8) units in the City of Conway. All eligibility is subject to review and approval by city council.

Sec. 1-5-122~~4~~ Incentives.

City council, at its discretion, and on a case-by-case basis, may enter into an agreement to reimburse any person firm, or corporation any or all or any portion of the following fees (city council expressed the desire to provide more incentives for boutique hotels):

- (1) The hospitality fees collected by the City of Conway for as many as seven (7) years. On the first anniversary of the passing of final reading of this article, the hospitality fees collected by the City of Conway will convert to hospitality fees collected for as many as five (5) years.
- (2) The property taxes collected by the City of Conway for as many as seven (7) years. On the first anniversary of the passing of final reading of this article, the hospitality fees collected by the City of Conway will convert to property taxes collected for as many as five (5) years.
- (3) Expedited City of Conway review period of 15 days in lieu of the typical 30 days.

Sec. 1-5-123~~5~~ Reimbursement.

City council shall set a reimbursement cap for any and all reimbursements on a case-by- case basis and the reimbursement clock shall begin on the date of the **issuance of a business license, certificate of occupancy (CO) with the exception of Section 1-5-124 (3) of this ordinance.** ~~All reimbursements for any calendar year shall be applied for in writing between January 1 and January 31 of the following year. Applications for reimbursement will contain proof of taxes paid in the previous calendar year. Failure to apply for reimbursement by the January 31 deadline shall result in forfeiture of reimbursements for that year as outlined in the agreement. The city shall pay all qualified reimbursement requests within 60 days of receipt.~~ **Reimbursements for any calendar year shall be applied for by submitting the Reimbursement Request Form between May 1 and May 31 of the following year. Failure to provide a Reimbursement Request Form by the May 31 deadline shall result in forfeiture of reimbursements for that year as outlined in the agreement. Requests for reimbursement must contain proof of taxes paid in the previous calendar year. The city shall pay all reimbursement requests within 60 days of receiving the Reimbursement Request Form.** Reimbursements shall be made only to the person, firm or corporation who is a ~~party to the agreement~~ **holder**. No partial reimbursements will be made. The hotel or short-term rental units must be actively operating to receive reimbursement under this article.

Sec. 1-5-124~~6~~ Agreement required.

No reimbursement shall be made without an agreement signed by the interested person, firm or corporation and Conway City Council prepared in accordance with the terms outlined in this article, **with the exception of Section 1-5-124 (3).** A signed agreement must be in place prior to the issuance of a ~~business license or certificate of occupancy (CO).~~ No agreements may be applied retroactively. (Ord. No. 2008-12-08(D), 12/8/08)

Sec. 1-5-1257 Transferability.

No reimbursement ~~agreements entered into~~ provided under this article are transferrable to any other party, person, firm, or corporation. ~~If a business is established and na agreement is signed in accordance with this ordinance and the subject business closes, the agreement becomes null and void.~~ The city shall not pay further reimbursements once the subject business has ceased to operate for a period exceeding 30 days.

Sec. 1-5-1268 Severability.

The reimbursement of fees program and any participants in the program provided for herein shall be fully subject to the impact of any changes in the tax laws of the City of Conway which may be imposed by the State of South Carolina or the United States. If any provisions of this article are deemed unenforceable or invalid, the remainder of the provisions herein shall remain in full force and effect. Conway City Council hereby declares that it would have adopted this article and each section, subsection, sentence, clause and provision herein without the section(s), subsection(s), sentence(s), clause(s), or provision(s) that are held to be enforceable or invalid.

Sec. 1-5-1279 Conflict.

All ordinances or parts of ordinances in conflict herewith are repealed to the extent necessary to give the provisions of this article full force and effect.

Sec. 1-5-12830 Effective date.

This article shall become effective upon adoption by the council of the City of Conway.

DATE: JULY 17, 2023
ITEM: X.A.

ISSUE:

Amendment of Section 1-8-3(a)2 of the Code of Ordinances, Nonpartisan elections; procedure, to update the fees for municipal elections.

BACKGROUND & ANALYSIS:

During the 2023 Budget Retreat, council conducted a review of various fees charged by the City. Included in that analysis was a review of filing fees for municipal elections. Currently, it costs \$560 to run for mayor and \$325 to run for council. Those fees have not been changed in at least 12 years. Council indicated during the retreat that their preference was to raise the filing fees for the office of Mayor to \$700, while raising the fees for Council to \$425.

Both of these adjustments represent an increase slightly below the rate of inflation since the last ordinance update in 2011.

RECOMMENDATION

Approve increase of filing fees for municipal elections

ORDINANCE #2023-08-07 (G)

AMENDING TITLE 1, CHAPTER 8, SECTION 1-8-3 (a) (2), NONPARTISAN ELECTIONS, PROCEDURE, 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, upon review of various fees charged by the City, the council determined that municipal election filing fees need adjustment relative to inflation; Therefore, be it

ORDAINED, that Title 1, Chapter 8, Section 1-8-3 (a) (2), Nonpartisan elections; procedure, is hereby amended as follows:

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: _____

Sec. 1-8-3 Nonpartisan elections; procedure.

(a) All regular and special elections for the offices of mayor and city council for the city held after adoption of this code shall be nonpartisan elections using the nonpartisan election and runoff election method pursuant to section 5-15-60 of the 1976 Code of Laws of South Carolina.

(1) Candidate qualifications. A candidate filing for municipal office must be a registered voter and shall have resided within the city for at least four months prior to the date of the election in which he is a candidate. The candidate shall offer proof of such residency as may be required by the municipal election commission at the time of filing.

(2) Filing fees. Filing fees for municipal offices shall be ~~\$560~~ **\$700** for mayor and ~~\$325~~ **\$425** for council and shall be turned in to the city clerk at the time the statement of candidacy is submitted.

DATE: JULY 17, 2023

ITEM: X.B.

ISSUE:

First Reading of Ordinance #ZA2023-08-07 (H), to annex a 1.17-acre tract and 1.21-acre tract of properties, totaling *approximately* 2.38 acres, located at 588 Hwy 544 (Parcel B-1) (PIN 382-04-04-0001) and the adjacent property, Parcel B-2 (PIN 382-05-01-0001), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Low-Density Residential (R) district.

BACKGROUND:

The annexation application was submitted by Chris Cummings (applicant), Stef Properties, LLC, as a requirement to connect to city water/sewer service at 588 Hwy 544 (parcel B-1). Stef Properties, LLC also owns the adjacent property (PIN 382-05-01-0001), which abuts the Aptitude CCU student housing development (zoned Institutional), making Parcel B-2 contiguous. Per *Section 4-1-12 (e)* of the City's Code of Ordinances, "*Any person, firm, corporation, or subdivider requesting an extension of water and/or sewer connection for land outside the corporate limits of the city as a condition of service of water and/or sewer shall be required to annex said land **and all property of the owner contiguous to said land into the city.***"

There is an existing single-family structure on the property located at 588 Hwy 544 (Parcel B-1). Restrictive covenants were recorded for this property (PIN 382-04-04-0001) on June 21st, 2023.

Per *Section 3.2.17 – Low-Density Residential (R)*, of the UDO, "*the intent of the R district is to provide for the preservation and expansion of areas for low-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.*"

There is one property on West Cox Ferry Rd that was annexed into the City earlier this year as Low-Density Residential (R), which is located closely behind the subject property, but with one parcel separating them; therefore, it would not be considered contiguous.

SURROUNDING USES / ZONING:

There is a majority of student / multifamily housing in the immediate area. Some of the multifamily development (directly across the subject property) is still within the county's jurisdiction. There are also 2 gas stations in the vicinity, and CCU is across Hwy 544. The dominant city zoning in the immediate area is Institutional (IN), with a couple of parcels zoned Highway Commercial (HC) and Mixed Use (MU).

The surrounding County zoning designations are mainly Highway Commercial and one property across Hwy 544 zoned (Horry County) **GR** (General Residential).

CITY OF CONWAY COMPREHENSIVE PLAN:

The Future Land Use Map of the *Comprehensive Plan* identifies this property as **Highway Commercial (HC)**. Per Section 3.2.10 of the UDO, “*The intent of the 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.*”

STAFF RECOMMENDATION:

Section 6.1.4 – Minimum Area of Zoning District of the UDO states the following:

“No tract(s) of land shall hereafter be rezoned for a zoning classification different from that of the surrounding properties unless such tract(s) is a minimum of 3 acres in area. Tract(s) less than 3 acres in area annexed into the city limits, may be zoned for a classification different from that of the surrounding in-city properties provided such zoning classification is consistent with the Future Land Use Map of the City’s Comprehensive Plan.”

The *requested* zoning classification – Low-Density Residential (R), is neither consistent with the surrounding properties OR the city’s Future Land Use Map, which classifies both parcels as Highway Commercial (HC). The “R” zoning classification is better suited for Parcel B-1 (588 Hwy 544), based on the current use of the property, as the HC district does not permit residential uses. If annexed into the City as HC, the existing home would become a legal nonconforming use and structure on the property, and would be subject to the requirements of *Article 12 – Nonconformities*, of the UDO.

Staff supports the zoning shown on the City’s Future Land Use Map of the Comprehensive Plan, which is designated as Highway Commercial (HC). In accordance with *Section 6.1.3 – Designation of Zoning for Annexed Areas*, of the UDO, in order for the property to be zoned HC upon annexation, Planning Commission must hold a public hearing on the request and provide a recommendation to Council.

ORDINANCE #ZA2023-08-07 (H)

AN ORDINANCE TO ANNEX APPROXIMATELY 2.38 ACRES OF PROPERTY LOCATED AT 588 HWY 544 (PIN 382-04-04-0001 [1.21 ACRES] AND THE ADJACENT PROPERTY (PIN 382-05-01-0001 [1.17 ACRES]), AND REQUEST TO REZONE FROM THE HORRY COUNTY HIGHWAY COMMERCIAL (HC) DISTRICT TO THE CITY OF CONWAY LOW-DENSITY RESIDENTIAL (R) 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 2.38 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 2.38 acres, located at 588 Hwy 544 Parcel B-1 (PIN 382-04-04-0001) and Parcel B-2 (PIN 382-05-01-0001), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Low-Density Residential (R) district.

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-Density Residential District (R) 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

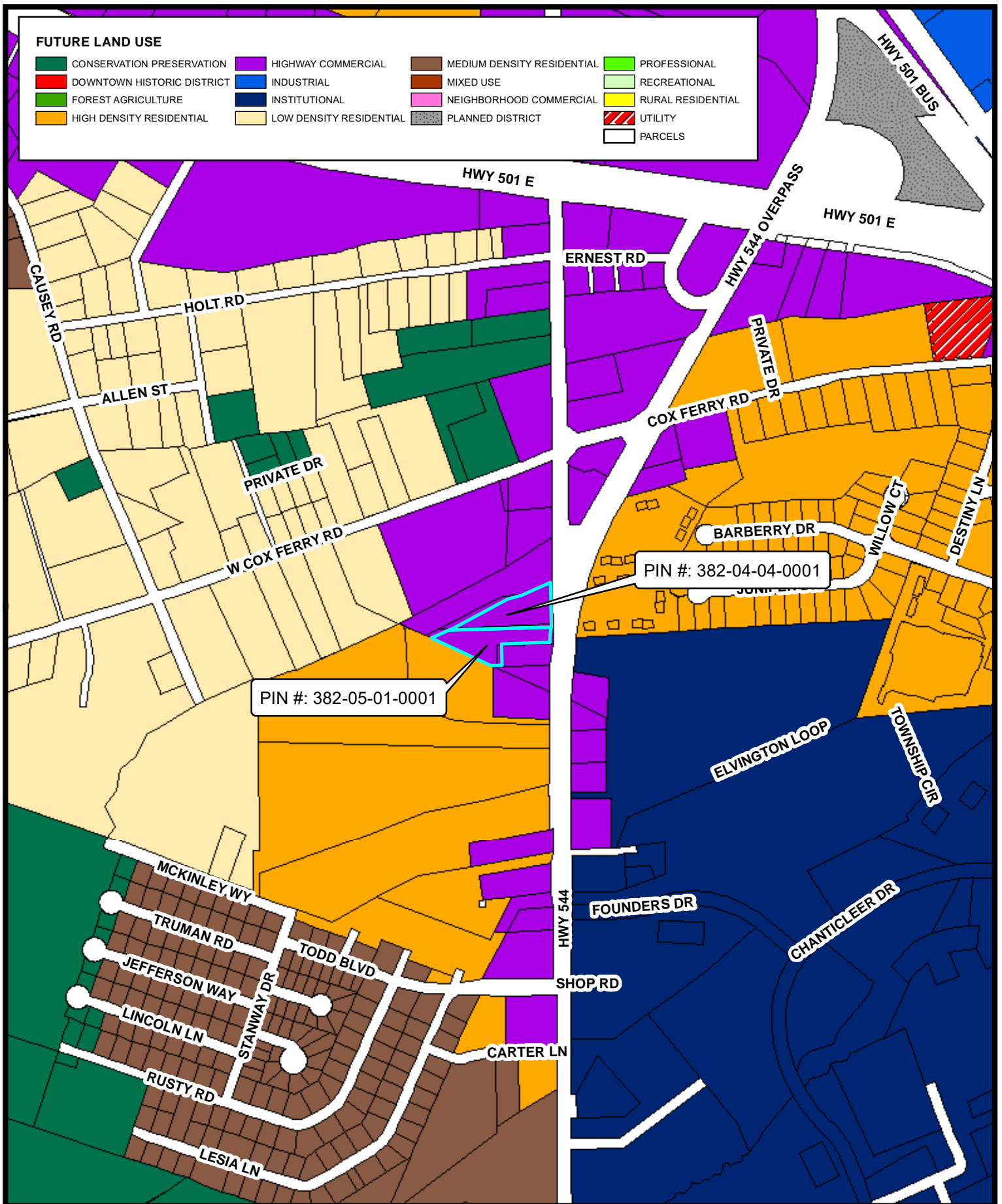
ATTEST: Alicia Shelley, City Clerk

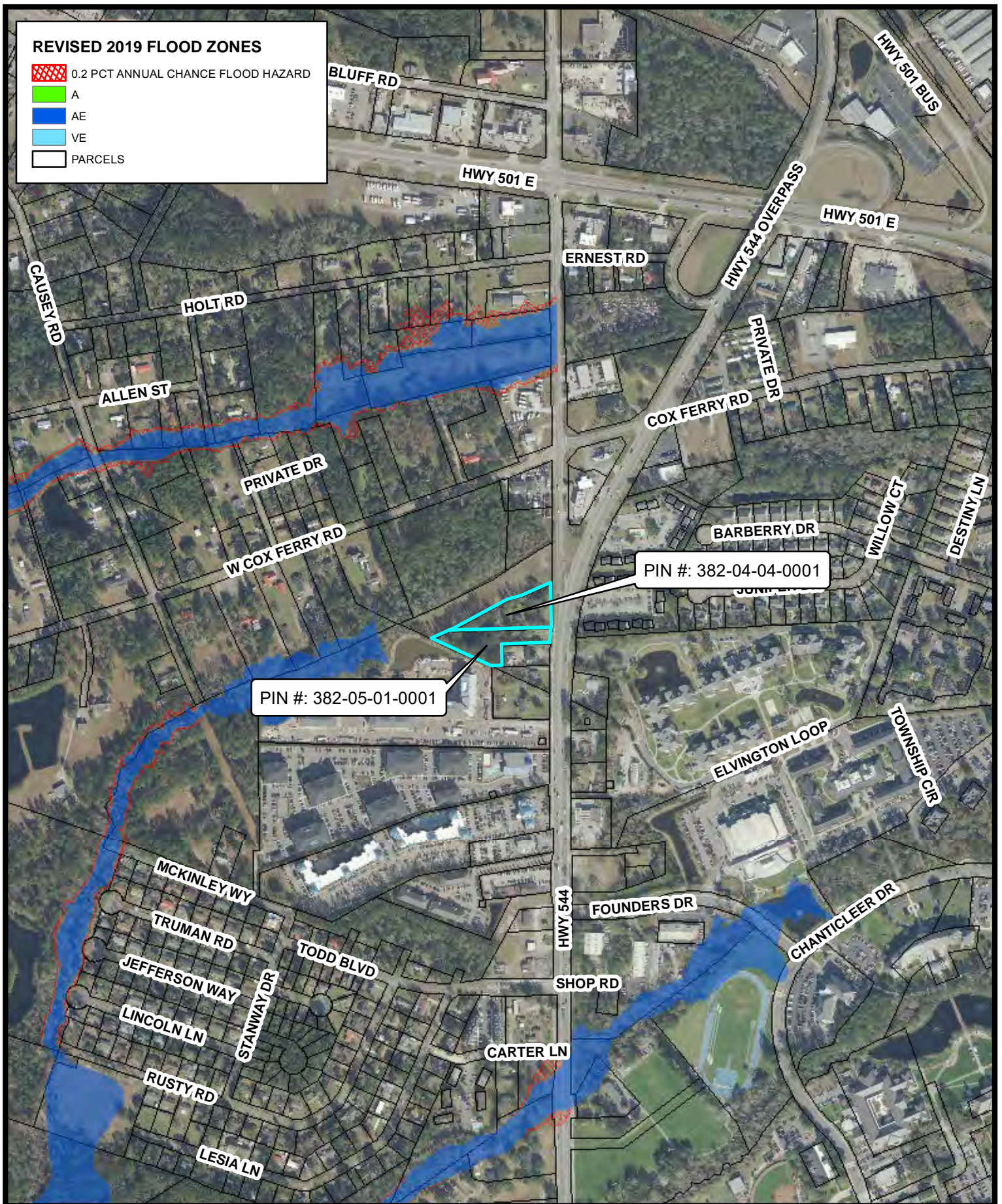
First Reading: _____

Final Reading: _____









DATE: JULY 17, 2023

ITEM: XI.A.

ISSUE:

Approval of name for new subdivision located on Hwy 548, called “*Colonial Farms*.”

BACKGROUND:

The proposed development is currently being reviewed by the Technical Review Committee. The preliminary plans call for this development to consist of 131 Single Family homes and 97 Town Homes, containing a total of 228 units. The applicant, DN Engineering, requests to name the proposed subdivision “*Colonial Farms*” upon plan approval (PIN 326-00-00-0027, and -0047).

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:

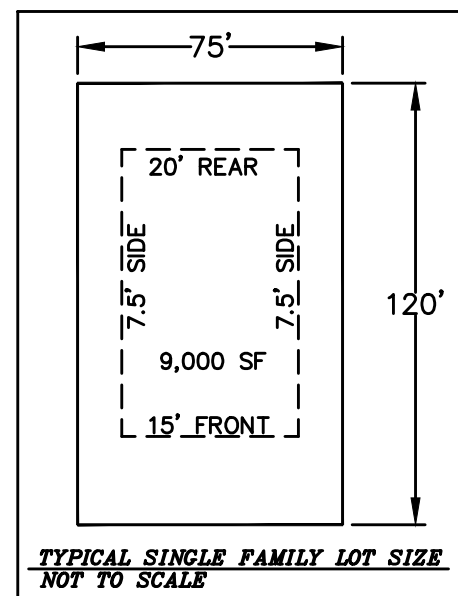
Approve “*Colonial Farms*” as the name of the proposed development as requested by the applicant.

Colonial Farms Subdivision location





ZONING TABLE	
TMS #	120-00-02-079
PIN #	326-00-00-0027
CURRENT OWNER	ALLEY CLAUDE FREDERICK JR ETAL
PROPOSED ZONING	R2
OVERLAY	N/A
AREA	65.44 ACRES± 2,850,566 SQ.FT.±
# OF LOTS	133
DENSITY	2.03 LOTS PER ACRE

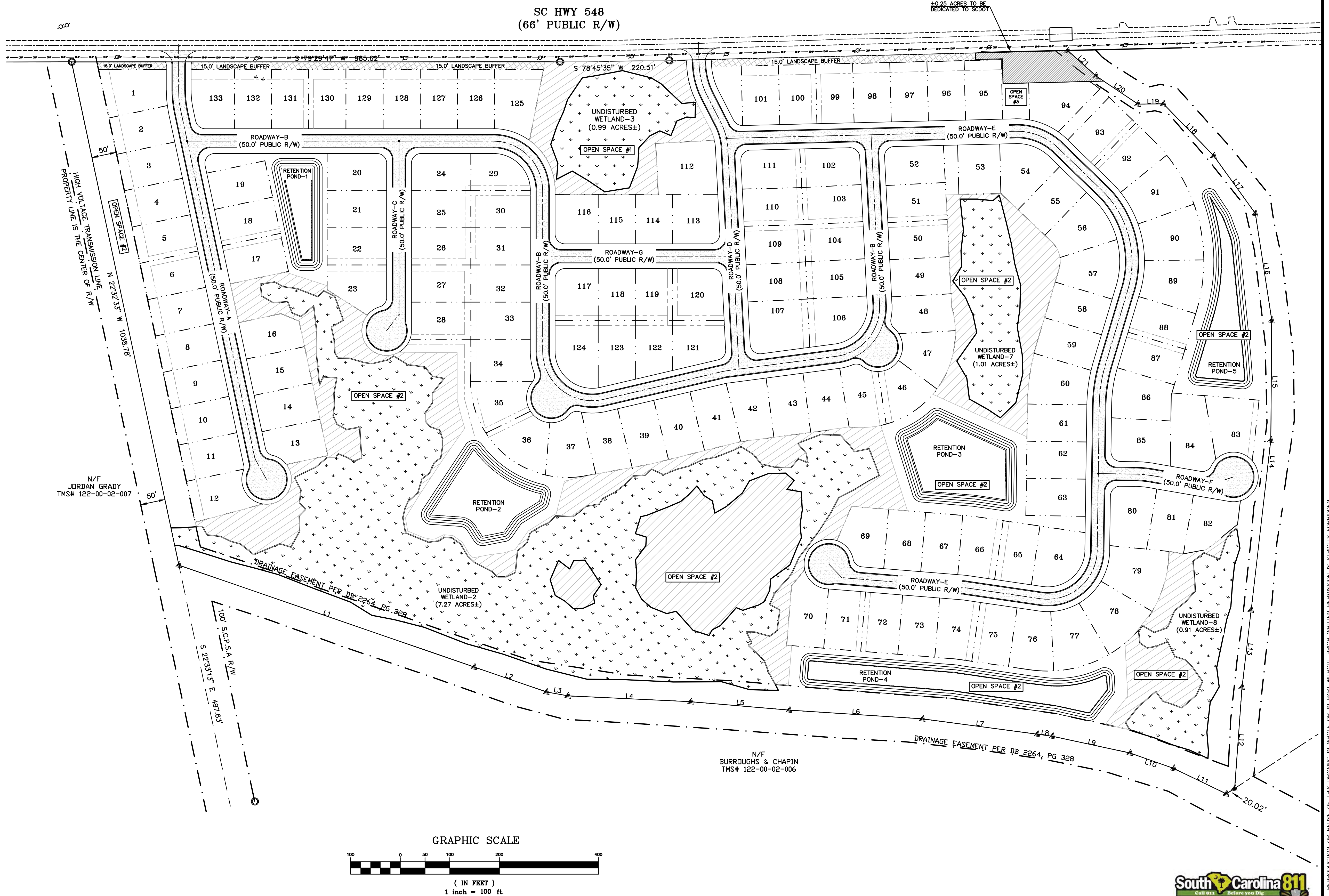


C1: MASTER PLAN
C2: VIEW KEY PLAN
C3: PROPOSED ROADWAY PLAN (VIEW #1)
C4: PROPOSED ROADWAY PLAN (VIEW #2)
C5: PROPOSED ROADWAY PLAN (VIEW #3)
C6: PROPOSED ROADWAY PLAN (VIEW #4)
C7: PROPOSED ROADWAY PROFILES
C8: PROPOSED ROADWAY PROFILES
C9: PROPOSED ROADWAY PROFILES
C10: PROPOSED ROADWAY PROFILES
C11: ROADWAY CONSTRUCTION DETAILS
C12: PROPOSED DRAINAGE PLAN (VIEW #1)
C13: PROPOSED DRAINAGE PLAN (VIEW #2)
C14: PROPOSED DRAINAGE PLAN (VIEW #3)
C15: PROPOSED DRAINAGE PLAN (VIEW #4)
C16: PROPOSED DRAINAGE PROFILES
C17: PROPOSED DRAINAGE PROFILES
C18: PROPOSED OUTFALL STRUCTURES
C19: PROPOSED LOT GRADING PLAN (VIEW #1)
C20: PROPOSED LOT GRADING PLAN (VIEW #2)
C21: PROPOSED LOT GRADING PLAN (VIEW #3)
C22: PROPOSED LOT GRADING PLAN (VIEW #4)
C23: EROSION CONTROL PLAN-STAGE I
C24: EROSION CONTROL PLAN-STAGE II (VIEW #1)
C25: EROSION CONTROL PLAN-STAGE II (VIEW #2)
C26: EROSION CONTROL PLAN-STAGE II (VIEW #3)
C27: EROSION CONTROL PLAN-STAGE II (VIEW #4)
C28: EROSION CONTROL PLAN-STAGE III
C29: CONSTRUCTION DETAILS
C30: SCDOT CONSTRUCTION DETAILS
C31: SCDOT CONSTRUCTION DETAILS
C32: SCDOT CONSTRUCTION DETAILS
C33: WATERLINE DISTRIBUTION PLAN (VIEW #1)
C34: WATERLINE DISTRIBUTION PLAN (VIEW #2)
C35: WATERLINE DISTRIBUTION PLAN (VIEW #3)
C36: WATERLINE DISTRIBUTION PLAN (VIEW #4)
C37: WATERLINE CONSTRUCTION DETAILS
C38: PROPOSED GRAVITY SEWER PLAN (VIEW #1)
C39: PROPOSED GRAVITY SEWER PLAN (VIEW #2)
C40: PROPOSED GRAVITY SEWER PLAN (VIEW #3)
C41: PROPOSED GRAVITY SEWER PLAN (VIEW #4)
C42: PROPOSED GRAVITY SEWER PROFILES
C43: PROPOSED GRAVITY SEWER PROFILES
C44: PROPOSED GRAVITY SEWER PROFILES
C45: SEWER CONSTRUCTION DETAILS
L1: PROPOSED LANDSCAPING PLAN (VIEW #1)
L2: PROPOSED LANDSCAPING PLAN (VIEW #2)
L3: PROPOSED LANDSCAPING PLAN (VIEW #3)
L4: PROPOSED LANDSCAPING PLAN (VIEW #4)
L5: PROPOSED LANDSCAPING DETAILS

PROPOSED ROADWAY TABLE		
ROAD NAME	LENGTH	SPEED LIMIT
ROADWAY A	1,898 LF	15 MPH
ROADWAY B	2,250 LF	15 MPH
ROADWAY C	391 LF	15 MPH
ROADWAY D	670 LF	15 MPH
ROADWAY E	2,165 LF	15 MPH
ROADWAY F	277 LF	15 MPH
ROADWAY G	385 LF	15 MPH

NOTE: ALL PROPOSED ROADWAYS ARE TO BE PUBLICLY OWNED

OPEN SPACE CALCULATIONS
 OPEN SPACE REQUIRED:
 # OF LOTS * AVG HOUSEHOLD SIZE * 0.008
 133 LOTS
 2.52 AVG. HOUSEHOLD SIZE (US CENSUS)
 $133 * 2.5 * 0.008 = 2.66$ ACRES
 OPEN SPACE PROVIDED
 OPEN SPACE #1: 1.65 ACRES±
 OPEN SPACE #2: 25.63 ACRES±
 OPEN SPACE #3: 0.09 ACRES±
 TOTAL OPEN SPACE: 27.37 ACRES±

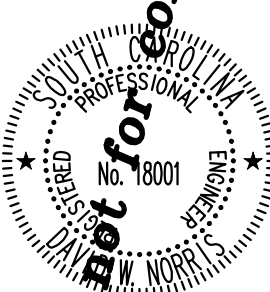
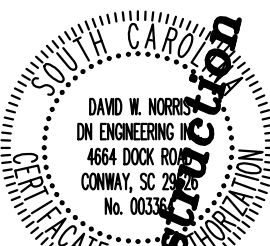


DN ENGINEERING INC.
4664 DOCK ROAD
CONWAY, SC 29526
PHONE: 843-365-0187
EMAIL: DNORRIS@DNENGINEERING.COM



MASTER PLAN
COLONIAL FARMS
NEW RESIDENTIAL SUBDIVISION
LOCATED OFF SC HWY 548, WEST OF US HWY
IN THE CITY OF CONWAY, SOUTH CAROLINA
PREPARED FOR:
BEVERLY HOMES, LLC

SCALE: SEE PLAN
JOB NO. COLONIAL-FARMS
SIGNED BY: M.NORRIS
DRAWN BY: M.NORRIS
CHECKED BY: D.NORRIS
DATE: DEC 13, 2022

[illegible]

SHEET NUMBER:

C1
OF 50



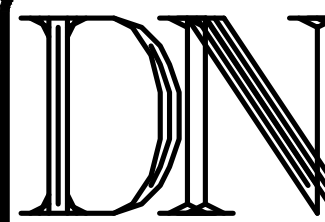
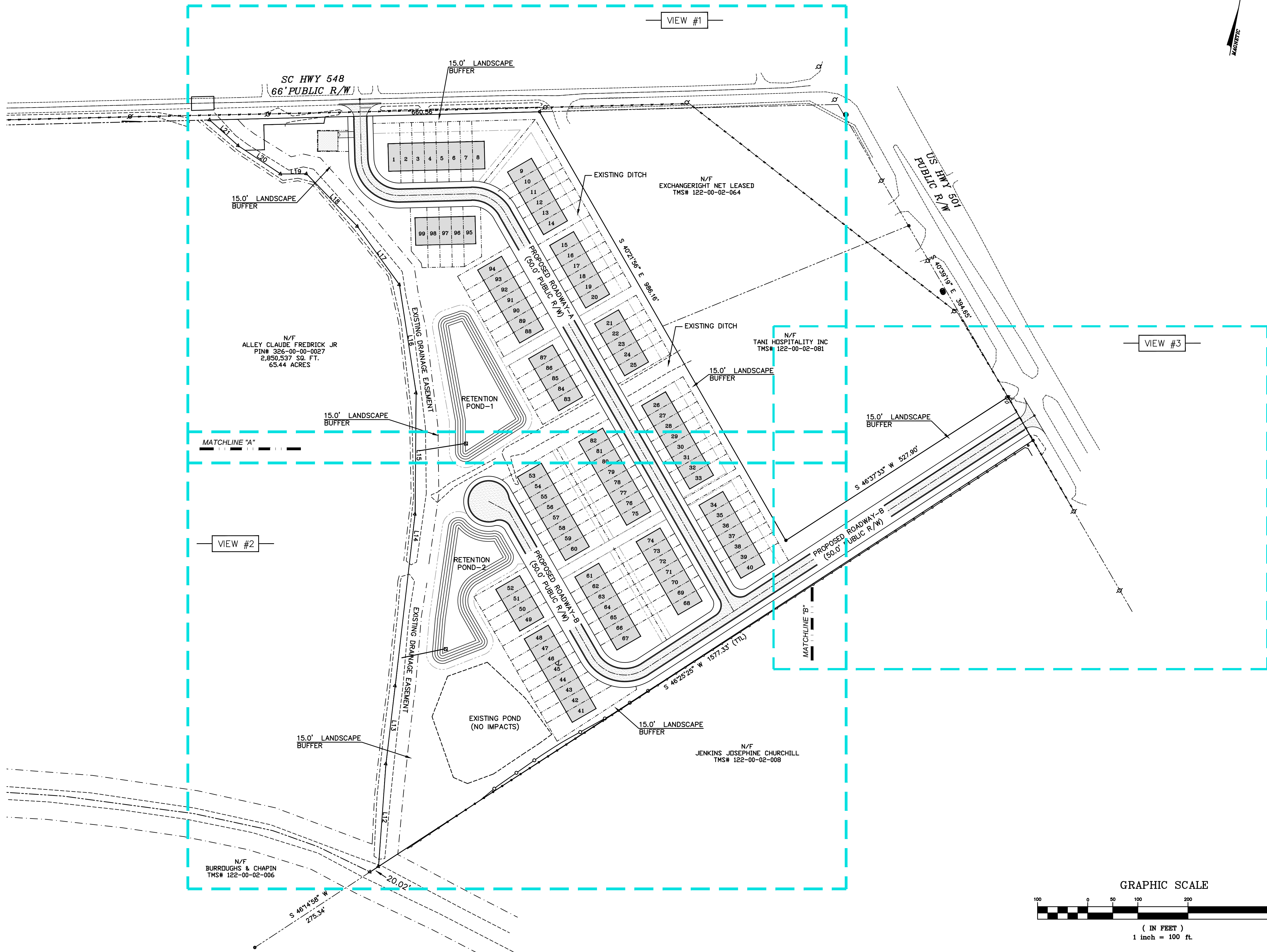
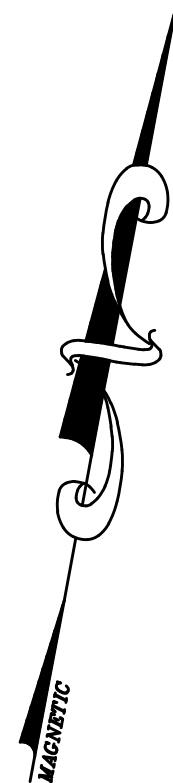
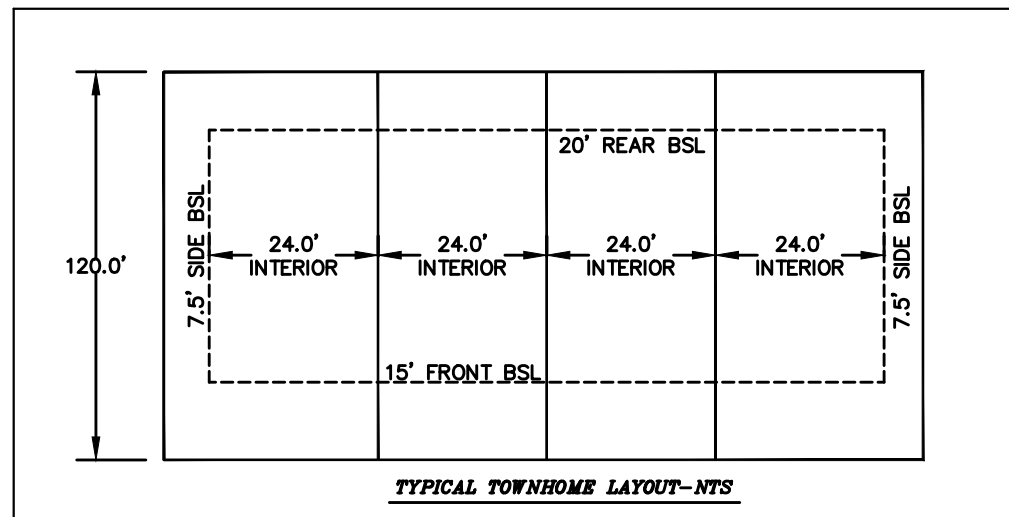
ZONING TABLE-TOWNHOMES	
TMS #	N/A
PIN #	326-00-00-0047
CURRENT OWNER	ALLEY CLAUDE FREDERICK JR ETAL
PROPOSED ZONING	R2
OVERLAY	N/A
AREA	19.15 ACRES±
	834,174 SQ.FT.±
DISTURBED AREA	17.0 ACRES±
# OF LOTS	99
DENSITY	5.17 THs PER ACRE
TYPICAL LOT SIZE	2,880 SQ.FT.
TYPICAL LOT WIDTH	24.0'
TYPICAL LOT DEPTH	120.0'
SETBACKS	15.0' FRONT
	7.5' SIDE
	20.0' REAR

P1:	MASTER PLAN
C2:	PRELIMINARY PLAT
C3:	PROPOSED GRADING PLAN (VIEW #1)
C4:	PROPOSED GRADING PLAN (VIEW #2)
C5:	PROPOSED GRADING PLAN (VIEW #3)
C6:	PROPOSED ROADWAY PROFILES
C7:	PROPOSED ROADWAY PROFILES
C8:	ROADWAY CONSTRUCTION DETAILS
C9:	PROPOSED DRAINAGE PLAN (VIEW #1)
C10:	PROPOSED DRAINAGE PLAN (VIEW #2)
C11:	PROPOSED DRAINAGE PLAN (VIEW #3)
C12:	PROPOSED DRAINAGE PROFILES
C13:	DRAINAGE CONSTRUCTION DETAILS
C14:	EROSION CONTROL PLAN-STAGE I
C15:	EROSION CONTROL PLAN-STAGE II (VIEW #1)
C16:	EROSION CONTROL PLAN-STAGE II (VIEW #2)
C17:	EROSION CONTROL PLAN-STAGE II (VIEW #3)
C18:	EROSION CONTROL PLAN-STAGE III
C19:	EROSION CONTROL DETAILS
C20:	SCDOT CONSTRUCTION DETAILS
C21:	SCDOT CONSTRUCTION DETAILS
C22:	SCDOT CONSTRUCTION DETAILS
C23:	GRAVITY SEWER PLAN (VIEW #1)
C24:	GRAVITY SEWER PLAN (VIEW #2)
C25:	GRAVITY SEWER PROFILES
C26:	WATERLINE DISTRIBUTION PLAN (VIEW #1)
C27:	WATERLINE DISTRIBUTION PLAN (VIEW #2)
C28:	WATERLINE DISTRIBUTION PLAN (VIEW #3)
C29:	WATER/SEWER CONSTRUCTION DETAILS
C30:	PUMPSTATION DETAILS
C31:	PUMPSTATION DETAILS
C32:	PROPOSED FORCEMAIN PLAN
L1:	PROPOSED FORCEMAIN PROFILE
L2:	PROPOSED LANDSCAPING PLAN (VIEW #1)
L3:	PROPOSED LANDSCAPING PLAN (VIEW #2)
L3:	PROPOSED LANDSCAPING PLAN (VIEW #3)



ANY INFORMATION SHOWN ON THESE DRAWINGS PERTAINING TO THE EXISTENCE, LOCATION OR ELEVATION OF EXISTING UTILITIES HAS BEEN TAKEN FROM THE RECORDS OF THE UTILITY SUPPLYING AGENCY. THE CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY THE ACCURACY OF THIS INFORMATION. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO CONTACT THE APPROPRIATE UTILITY AGENCIES TO OBTAIN THE LOCATION AND DEPTH OF ANY UTILITIES THAT MAY BE IN THE VICINITY OF THE PROPOSED WORK. THE CONTRACTOR SHALL VERIFY, BY FIELD MEASUREMENT, THE LOCATION AND ELEVATION OF ANY UTILITIES SHOWN ON THESE DRAWINGS. IF THE CONTRACTOR OBSERVES ANY DISCREPANCIES, THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES BETWEEN THE INFORMATION AS SHOWN ON THE DRAWINGS AND THAT OBTAINED BY FIELD MEASUREMENT. IF THE CONTRACTOR OBSERVES ANY DISCREPANCIES BETWEEN THE PROPOSED WORK, THE ENGINEER SHALL BE ALLOWED THE TIME NECESSARY TO MAKE ANY REVISIONS REQUIRED TO MINIMIZE OR ELIMINATE DISCREPANCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.

AREA BREAKDOWN TABLE	
TOTAL AREA	19.27 ACRES±
LOT AREA	8.12 ACRES±
RIGHT OF WAY AREA	3.25 ACRES±
AREA TO BE DEEDED TO SCDOT	0.13 ACRES±
EXISTING CANAL & DRAIN EASEMENT	1.43 ACRES±
LANDSCAPE BUFFER	3.18 ACRES±
EXISTING POND AREA	0.82 ACRES±
RETENTION POND AREA	1.25 ACRES±
OPEN SPACE AREA (REMAINING)	1.09 ACRES±



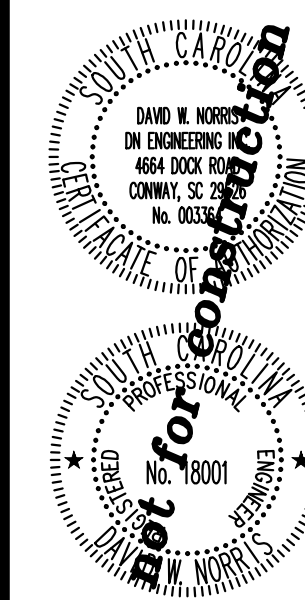
DN ENGINEERING INC.
4664 DOCK ROAD
CONWAY, SC 29526
PHONE: 843-365-0187
EMAIL: DNORRIS@DNENGINEERING.COM



MASTER PLAN

COLONIAL FARMS TH
TOWNHOME DEVELOPMENT
LOCATED OFF SC HWY 548, WEST OF US HWY
IN THE CITY OF CONWAY, SOUTH CAROLINA
PREPARED FOR:
BEVERLY HOMES, LLC

SCALE: SEE PLAN
JOB NO. COLONIAL-FARM
DESIGNED BY: M.NORRIS
DRAWN BY: M.NORRIS
CHECKED BY: D.NORRIS
DATE: JAN. 31, 202

[illegible]

SHEET NUMBER:

C1
1 OF 3

DATE: JULY 17, 2023

ITEM: XI.B.

ISSUE:

Consideration of a Hotel and Short-Term Rental Incentive Application for Cypress Inn Property, LLC, located at PIN 367-01-04-0042.

BACKGROUND:

Cypress Inn Property, LLC (Orit Deverell, applicant) has applied for a ***Hotel and Short-Term Rental Incentive*** for their hotel/short-term rental proposed at PIN 367-01-04-0042, beside 16 Elm Street.

The request today is to receive City Council approval to include the subject property in the incentive program as an eligible property.

This incentive applies to any person, firm or corporation establishing a hotel or commercial short-term rentals with a minimum of 8 units in the City of Conway. All eligibility is subject to review and approval by City Council.

The program allows the City to reimburse any person, firm, or corporation for the hospitality fees and property taxes collected by the City of Conway for a period of up to seven (7) years.

RECOMMENDATION:

Approve Cypress Inn Property, LLC application to be qualified as an eligible property for the Hotel and Short-Term Rental Incentive program.

Incentive Application



PHYSICAL ADDRESS OF PROPERTY: 16 Elm Street PIN #: 36701040042

WAS BUILDING VACANT BEFORE OCCUPANCY: YES () NO (☒) IF YES, HOW LONG? N/A

NAME OF PROPERTY OWNER(S) IF DIFFERENT FROM APPLICANT: No

MAILING ADDRESS OF PROPERTY OWNER(S) IF DIFFERENT FROM APPLICANT:
1418 Saint Thomas Cir. Myrtle Beach, SC 29577

IS THIS A NEW BUSINESS: YES (☒) NO (☐) IF NO, LIST PREVIOUS LOCATION: N/A

BUILDING SQ. FT: 14,000 TYPE OF BUSINESS: Hotel BUSINESS NAME: Cypress Inn Property LLC

BOUTIQUE HOTEL: YES () NO () NUMBER OF PROPOSED UNITS: 22 NAME OF HOTEL: TBD

APPLICANT NAME (PRINT): Orit Deverell (Cypress Inn Property) PHONE #: 843-222-4252

APPLICANT EMAIL ADDRESS: oritdeverell@gmail.com

MAILING ADDRESS OF APPLICANT: Same

Please select all Incentives you wish to apply for at the above referenced property:

- ☐ Article E- Preservation Tax Incentive (separate application required)
- ☐ Article F- Cinemas, Bowling Centers and Other Family Entertainment Facilities
- ☐ Article G- Redevelopment of Existing Vacant Commercial Buildings 25,000 sqft or greater
- ☐ Article H- Occupancy in Existing Vacant Buildings Located in the Central Business District
- ☐ Article I- Redevelopment Enhancement Incentive
- ☒ Article J- Hotel/Short-Term Rental Incentive

Applicant requests approval of the following offered Incentives:

- ☐ Building Permit Fees
- ☒ 15-Day Plan Review
- ☐ Business License Fees: 2 years ☐ 5 Years ☐
- ☐ Capital Recovery Fees (Water and/or Sewer): 1/2 of W&S ☐ 100% of W&S ☐
- ☒ Hospitality Fees: 5 Years ☐ 7 Years ☒
- ☒ Property Taxes: 2 years ☐ 5 Years ☐ 7 Years ☒

*Reimbursements are Incentive specific please be sure you meet all requirements prior to application submittal.

I hereby certify that all information provided herein is correct, accurate, and complete to the best of my knowledge.

Orit Deverell Digitally signed by Orit Deverell
Date: 2023.06.28 18:14:34 -04'00'

6/28/23

APPLICANT'S SIGNATURE

DATE

FOR OFFICE USE ONLY

PZE# (S): 923 - 0198

Date Received: 6-29-23 Planning Concierge: K ~ D ~

Planning & Development Director: [Signature]

Building Official: [Signature]

Finance Director: [Signature]

City Administrator: [Signature]

City Council Approval Date: _____

Reimbursement Approvals:

Expedited Review: Yes () No ()

Hospitality Fees, # of Years: _____

Property Taxes, # of Years: _____