

AN ORDINANCE TO AMEND CHAPTER 7, ANNEXATIONS, OF THE  
CODE OF THE CITY OF ROCK HILL, SO AS TO PROVIDE FOR THE  
ANNEXATION, ZONING, AND WARD DESIGNATION OF  
PORTER ROAD/OAK POND ROAD AREA I LYING  
ADJACENT TO THE CITY LIMITS OF THE  
CITY OF ROCK HILL, S. C.

BE IT ORDAINED by the Governing Body of the City of Rock Hill, in Council assembled:

Section 1. That Chapter 7, Annexations, of the Code of the City of Rock Hill, be and the same is hereby amended as follows:

(A) By adding a new section to said Chapter as a part of Chapter 7 - Annexations, as follows:

"Sec. 7-423 Porter Road/Oak Pond Road Area I Annexation.

The area lying adjacent to the City Limits of the City of Rock Hill, identified and described in a Petition dated August 12, 2021, entitled "Petition For Annexation To The City Of Rock Hill Of Porter Road/Oak Pond Road Area I Lying Adjacent To The City Limits Of The City of Rock Hill, S.C., as Shown On Map Dated August 11, 2021," and filed with the Municipal Clerk, has been duly annexed to and is a part of the City of Rock Hill, S.C."

Section 2. That the Porter Road/Oak Pond Road Area I is being annexed responsive to a Petition signed by all persons owning real estate in the area requesting annexation, which Petition is duly approved by City Council under and pursuant to the authority of Section 5-3-150, Code of Laws of South Carolina for 1976.

Section 3. That all available City services shall be commenced in said area as soon as practicable, as and where needed and required, and the same shall become subject to all applicable City property taxes effective from the 1st day of January next following the date of final passage of this annexation ordinance.

Section 4. That, in accordance with Chapter 1 of the Zoning Ordinance of the City of Rock Hill, and incident to and as a part of the annexation proceedings, said annexation area is hereby classified for zoning purposes as Industry General (IG) as shown on a map entitled, "Porter Road/Oak Pond Road Area I Annexation To The City Of Rock Hill," dated August 11, 2021, and prepared by Shawn Carson; with the following additional conditions for any City services to be imposed upon the property owner, lessor(s), lessee(s), and developer, as applicable:

(a) The IG zoning classification assigned to the annexation area (including all uses thereunder) shall remain in effect and unchanged, and is and will be considered as lawful and conforming under the Zoning Ordinance, notwithstanding any changes to the Zoning Ordinance, absent the consent of the property owner with respect to initial development of the Property.

(b) As to the IG zoning classification pertaining to the annexation area, applications by the property owner for, and approval by the City of, "special exception uses" thereunder shall be treated instead as "conditional uses."

(c) Up to 2 million square feet of industrial distribution/warehouse/office uses will be allowed in concept.

(d) Future development proposals will be reviewed using the development and design standards in place at the date of final passage of this Ordinance.

(e) If the property owner or developer should apply to York County (or any other appropriate taxing jurisdiction), to the extent such application may apply to the annexation area and to future development and use thereof, (i) for an agreement to pay a fee in lieu of taxation, or (ii) for "Special Source Revenue Credits," the City will reasonably cooperate with the property owner in its application therefor.

(f) If the property owner or developer constructs a public roadway in order to serve/access the annexation area and to provide a connection to Interstate Highway 77, the City shall reimburse such developer for the reasonable hard costs thereof upon the following conditions: (i) when the City identifies a private investment stemming from the development of such tax parcel which shall generate incremental tax revenues reasonably sufficient to cover such costs, the City

will allocate such incremental revenue to cover such reasonable reimbursement; (ii) the property owner or developer shall have completed said roadway; and (iii) the private investment that is generating the subject incremental tax revenues shall have been issued a certificate of occupancy.

Notwithstanding the foregoing, the City understands and agrees that the above referenced project is a public project in that the City is willing to assist with any necessary right of way or easement acquisitions subject to the above limitations. Further, in the event that the above referenced incremental revenues are insufficient to fund said project, the City will work in good faith to help find other funding for such reimbursement from applicable grant, state, and federal sources.

(g) The City will reimburse the property owner or developer for the reasonable hard costs of constructing public electric, water, and sewer infrastructure to serve the annexation area upon the following conditions: (i) when the City identifies a private investment from such tax parcel generating incremental tax revenues reasonably sufficient to cover such reimbursement, the City will allocate such incremental revenue to cover such reasonable reimbursement; (ii) the lines for said infrastructure shall have been installed by the property owner or developer; and (iii) the private investment that is generating the subject incremental

tax revenues shall have been issued a certificate of occupancy. The City shall also serve the annexation area with electric, water, and sewer services, so long as all of the City's normal rules, procedures, and policies in effect at such time are followed; and further assuming the City has sufficient capacity and ability to serve such area at the time such service is requested.

Notwithstanding the foregoing, the City understands and agrees that that the above referenced project is a public project in that the City is willing to assist with any necessary right of way or easement acquisitions, subject to the above limitations. Further, in the event that the above referenced incremental revenues are insufficient to fund such project, the City will work in good faith to help find other funding for such reimbursement from applicable grant, state, and federal sources.

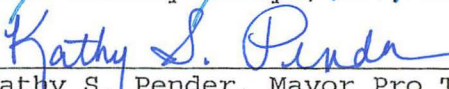
Section 5. That, in accordance with Section 14-9 of the Code of the City of Rock Hill, and incident to and as a part of these annexation proceedings, said annexation area is hereby added to the Ward System Map identified in said section and made a part of Ward No. 5 of the 2021 Ward Plan.

Section 6. That all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

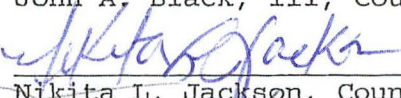
Section 7. That this Ordinance shall be and become finally binding immediately after same shall have received first and second readings, given in the manner required by law.

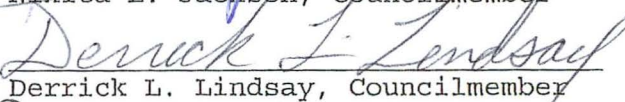
DONE AND RATIFIED in Council assembled on this the 8<sup>th</sup> day of November, 2021.

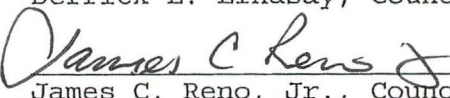
  
John Pressly Gettys, Jr., Mayor

  
Kathy S. Pender, Mayor Pro Tempore

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John A. Black, III, Councilmember

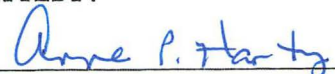
  
Nikita L. Jackson, Councilmember

  
Derrick L. Lindsay, Councilmember

  
James C. Reno, Jr., Councilmember

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Kevin H. Sutton, Councilmember

ATTEST:

  
Anne P. Harty  
Municipal Clerk





**ANNEXATION PROPERTY OWNER**

Map #	Tax Parcel	Owner Name
1	6740000003	THE CATO CORPORATION

**ADJACENT PROPERTY OWNERS**

Map #	Tax Parcel	Owner Name
2	6740000019	PALMETTO ALTERNATIVE SEPTIC SYSTEMS LLC
3	6740000016	SLOAN DARREN K
4	6220000003	CONCRETE SUPPLY CO LLC
5	6220000016	GITI PROPERTIES LLC
6	6760000031	BETHEL BAPTIST CHURCH OF ROCK HILL INC
7	6760000014	REEVES CHRISTOPHER L ETAL
8	6760000012	BAILEY JOHNNIE W TRUSTEE & MARY KATHRYN
9	6760000011	REEVES CHRISTOPHER ETAL
10	6760000010	REEVES CHRISTOPHER L ETAL
11	6760000008	REEVES CHRISTOPHER L ETAL
12	6760000007	REEVES CHRISTOPHER L ETAL
13	6760000015	BAILEY JOHNNIE W TRUSTEE & MARY KATHRYN
14	6760000032	STATE FARM MUTUAL AUTO INSURANCE COMPANY % CORP TAX DEPT- RE 965
15	6760000003	BAILEY JOHNNIE W TRUSTEE & MARY KATHRYN
16	6760000016	ARROWOOD LISA K
17	6770000026	WFRI LLC
18	6770000018	PTACEK MARK DANIEL PTACEK MELANIE DAWN
19	6750000151	YORK COUNTY
20	6740000018	MACKEY MICHAEL O & BRENDA E
21	6740000012	CALDWELL WILLIE C ETAL
22	6740000009	CHEATHAM JAMES E & JOHNSIE J
23	6740000011	MITCHELL CHARLES E
24	6740000015	DAWKINS WAYNE DARRIN
25	6740000014	SCHOFIELD DAVID E
26	6740000017	BARBER JANIE B
27	6740000022	OAK POND PROPERTIES LLC % VISION SCAPE LLC
28	6740000005	LAWRENCE JUDSON R
29	6740000024	OLD DOMINION FRIEGHT LINE INC
30	6740000006	OMELI DEVELOPMENT LLC % PHUONG NGUYEN