

REGULAR MEETING OF FLORENCE CITY COUNCIL

MONDAY, NOVEMBER 10, 2008 - 9:00 A.M.

CITY-COUNTY COMPLEX, CITY COUNCIL CHAMBERS, ROOM 604

FLORENCE, SOUTH CAROLINA

AGENDA

I. CALL TO ORDER

II. INVOCATION

Pledge of Allegiance to the American Flag

III. APPROVAL OF MINUTES

Regular Meeting - October 13, 2008

Special Meeting/Work Session - October 20, 2008

Special Meeting - October 27, 2008

IV. SPECIAL HONORS AND RECOGNITIONS

Service Certificates

Stephen Joyner -15 years - Fire Department

Sarah Hoffman -10 years - Police Department

V. ORDINANCES IN POSITION

a. Bill No. 2008-13 - Second Reading

An Ordinance to amend Section 2.5-Table III, Section 3.21, Section 5.2-Table VIII, Section 7.6, and Section 7.7 of the City of Florence Zoning Ordinance for setbacks, text errors, accessory structure rules and commercial and industrial property access.

(Note: Staff has requested this item be deferred to a future meeting)

b. Bill No. 2008-16 - Second Reading

An Ordinance to amend Section 2.9 of the Consolidated Zoning Ordinance by adding to the existing Ordinance in order to create the Wilson Road Residential Overlay District associated with Design Guidelines and to provide for their enforcement and administration.

- c. **Bill No. 2008-50 - Second Reading**
An Ordinance to amend the Budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2008, and ending June 30, 2009.
- d. **Bill No. 2008-53 - Second Reading**
An Ordinance authorizing the conveyance of two parcels designated as Tax Map parcels 90168-02-005 and a portion of 90168-02-038 in the records of the Florence County Tax Assessor to Florence County.

VI. INTRODUCTION OF ORDINANCES

- a. **Bill No. 2008-54 - First Reading**
An Ordinance to amend the Planned Development District for The Reserve at Ebenezer Subdivision.
- b. **Bill No. 2008-55 - First Reading**
An Ordinance to annex and zone property owned by Nigel and Shannon Watt, 2483 West Andover Road.
- c. **Bill No. 2008-56 - First Reading**
An Ordinance to annex and zone property owned by David Wach, 2699 Trotter Road.
- d. **Bill No. 2008-57 - First Reading**
An Ordinance to amend the City of Florence Zoning Ordinance relating to Sign Regulations.

VII. REPORTS TO COUNCIL

- a. **Presentation of the City of Florence, SC Comprehensive Annual Financial Report and audited financial statements by the independent audit firm of Burch, Oxner, Seale Company, CPA's P.A.**
- b. **A report on the recommendations of the Accommodations Tax Advisory Committee**
- c. **A report on the Annual Progress Report on Floodplain Management and Community Rating System**
- d. **Appointments to Boards and Commissions**
- e. **Mayor Pro tem Billy D. Williams - a discussion regarding six single member districts in the City of Florence.**

VIII. EXECUTIVE SESSION

a. Personnel Matter

IX. ADJOURN

**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, OCTOBER 13, 2008 - 1:00 P.M.
CITY-COUNTY COMPLEX, CITY COUNCIL CHAMBERS, ROOM 604
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT: Mayor Frank E. Willis called the regular meeting to order at 1:00 p.m. The following members were present for the meeting: Councilman Frank J. Brand, II; Councilman Rick Woodard; Councilman William C. Bradham, Jr.; Councilman Ed Robinson; Mayor Pro tem Billy D. Williams; and Councilman Robert C. Holland, Jr.

ALSO PRESENT: David N. Williams, City Manager; Dianne M. Rowan, Municipal Clerk; James W. Peterson, Jr., City Attorney; Phillip Lookadoo, Director of Urban Planning and Downtown Development; Thomas Chandler, Director of Finance; Scotty Davis, Director of Community Services; Chief Anson Shells, Florence Police Department; Drew Griffin, Director of Public Works; Tom Shearin, Special Services Administrator; Darene Stankus, Director of Human Resources; and Chief Randy Osterman, Florence Fire Department.

Notices of this regular meeting were sent to the media informing them of the date, place and time of the meeting. Chuck Tomlinson of the Morning News was present. Also present from the media was Tonya Brown of WPDE TV-15.

INVOCATION

Mayor Pro tem Billy D. Williams gave the invocation, which was followed by the Pledge of Allegiance to the American Flag.

APPROVAL OF MINUTES

Councilman Bradham made a motion to approve the minutes of the Special Meeting of August 28, 2008 and the Regular Meeting of September 8, 2008. Councilman Holland seconded the motion, which carried unanimously.

SPECIAL HONORS AND RECOGNITIONS

Mayor Willis presented Phillip A. Coker with a certificate recognizing his 35 years of service with the City of Florence Public Works Department.

Betty Gee was recognized for completing 35 years of service with the City of Florence Fire Department.

Mayor Willis presented Rocky Rietkovich a certificate recognizing 25 years of service with the City of Florence Parks, Beautification and Leisure Services Department.

Teresa Simons received a certificate in recognition of completing 20 years of service with the Parks, Beautification and Leisure Services Department.

Mayor Willis presented Allen Rouse a certificate in recognition of 15 years of service with the City of Florence Fire Department.

Lonnie Lee was presented a certificate in recognition of 10 years of service with the City of Florence Public Works Department.

APPEARANCE BEFORE COUNCIL

Mr. Kyle Edney - Assistant Director, Florence County Economic Development Partnership

Mr. Edney appeared before Council on behalf of the staffing Board of the Florence County Economic Development Partnership to say thank you to the City of Florence for their contributions to the announcement made earlier in the year by the H. J. Heinz Company to locate a new frozen food manufacturing facility in Florence. This is the first new manufacturing facility by Heinz in over 30 years. This facility will create 350 new quality jobs for this area. Mr. Edney thanked Council for all they did to make it possible for H. J. Heinz to locate in Florence County.

Mr. John Chase, Chairman of the Florence County Legislative Day Committee - to make a presentation regarding Florence County Legislative Day 2009

Mr. Chase reported that the 7th annual Florence County Legislative Day would be held on March 24, 2009 in Columbia. The Committee is currently working on a theme for this year's event. Mr. Chase reported that a record number of 412 visitors came to the reception last year.

Mr. Chase made a formal request for funding in the amount of \$10,000 for this event.

Councilman Holland made a motion to approve the request. Councilman Bradham seconded the motion, which carried unanimously.

Mr. Gary Finklea, President of Strengthening Florence Families - to speak on behalf of Strengthening Florence Families

Mr. Finklea reported that a group of concerned residents had organized Strengthening Florence Families to raise awareness and to communicate truthful and accurate information regarding the referendum on the November 4 ballot regarding Sunday alcohol sales. Strengthening Florence Families is not in favor of the referendum to allow sales of alcohol on Sundays in the City of Florence.

Mr. Robbie Hill of HillSouth spoke in favor of the November 4 referendum.

Mrs. Barbara Burgess - to speak to Council regarding a municipal issue

Mrs. Burgess spoke to council regarding a traffic violation involving her disabled adult son. Mrs. Burgess requested Council to consider having the case dismissed.

Mayor Willis stated that Council would look into this issue.

PUBLIC HEARING

TO SOLICIT CITIZEN'S INPUT ON THE UTILIZATION OF UNUSED CDBG FUNDS FROM THE GRANT YEARS OF 2002, 2003, 2004.

Mayor Willis declared the public hearing open at 2:00 p.m.

Mr. Scotty Davis, Director of Community Services, reported that the City of Florence receives Community Development Block Grant funds each year. There is approximately \$74,507.85 from previous year's budgets in unexpended funds. Mr. Davis stated that staff will prepare a Resolution with their recommendation for the allocation of these funds for Council's consideration.

Mayor Willis closed the public hearing at 2:02 p.m.

ORDINANCES IN POSITION

BILL NO. 2008-13 - SECOND READING

AN ORDINANCE TO AMEND SECTION 2.5-TABLE III, SECTION 3.21, SECTION 5.2-TABLE VIII, SECTION 7.6, AND SECTION 7.7 OF THE CITY OF FLORENCE ZONING ORDINANCE FOR SETBACKS, TEXT ERRORS, ACCESSORY STRUCTURE RULES AND COMMERCIAL AND INDUSTRIAL PROPERTY ACCESS.

(Note: Staff has requested this item be deferred to a future meeting)

An Ordinance to amend Section 2-5-Table III, Section 3.21, Section 5.2-Table VIII, Section 7.6, and Section 7.7 of the City of Florence Zoning Ordinance for Setbacks, Text Errors, Accessory Structure Rules and Commercial and Industrial Property Access was deferred on second reading.

BILL NO. 2008-16 - SECOND READING

AN ORDINANCE TO AMEND SECTION 2.9 OF THE CONSOLIDATED ZONING ORDINANCE BY ADDING TO THE EXISTING ORDINANCE IN ORDER TO CREATE THE WILSON ROAD RESIDENTIAL OVERLAY DISTRICT ASSOCIATED WITH DESIGN GUIDELINES AND TO PROVIDE FOR THEIR ENFORCEMENT AND ADMINISTRATION.

An Ordinance to amend Section 2.9 of the Consolidated Zoning Ordinance by adding to the existing ordinance in order to create the Wilson Road Residential Overlay District associated with Design Guidelines and to provide for their enforcement and administration was deferred on second reading.

BILL NO. 2008-45 - SECOND READING

AN ORDINANCE AUTHORIZING THE SALE OF A PARCEL CONTAINING APPROXIMATELY 1.84 ACRES AND BEING MORE FULLY SHOWN ON A PLAT OF SAID PARCEL MADE FOR FLORENCE COUNTY BY HELLER AND ASSOCIATES, INC. DATED NOVEMBER 29, 1989 AND RECORDED IN THE OFFICE OF THE CLERK OF COURT FOR FLORENCE COUNTY IN PLAT BOOK 36 AT PAGE 38 AND BEING THE PARCEL DESIGNATED AS TAX MAP 246-01-030 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR.

An Ordinance authorizing the sale of a parcel containing approximately 1.84 acres and being more fully shown on a plat of said parcel made for Florence County by Heller and Associates, Inc. dated November 29, 1989 and recorded in the Office of the Clerk of Court for Florence County in Plat Book 36 at Page 38 and being the parcel designated as Tax Map 246-01-030 in the record of the Florence County Tax Assessor was adopted on second reading.

Mr. David N. Williams, City Manager reported to Council at the September 8, 2008 Regular City Council meeting that at an earlier meeting Council had declared this piece of property as surplus. The City was approached by an adjacent property owner regarding the possibility of purchasing the property after council declared it surplus. It was offered for sale under the City's normal procurement procedures and a request was received from Mr. Malloy McEachin to purchase the property. All of the requirements, including the minimum price was met in the offer. In order to actually make the sale, it has to be approved by City Council in an Ordinance.

**REGULAR MEETING OF FLORENCE CITY COUNCIL
OCTOBER 13, 2008 - PAGE 4**

Councilman Holland made a motion to adopt Bill No. 2008-45 on second reading. Councilman Brand, seconded the motion, which carried unanimously.

BILL NO. 2008-47 - SECOND READING

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY MR. RODNEY MOODY, LOCATED AT 601 N. WILTSHIRE DRIVE.

An Ordinance to annex and zone property owned by Mr. Rodney Moody, located at 601 N. Wiltshire Drive was adopted on second reading.

Mr. Phillip Lookadoo, Director of Urban Planning and Development, reported to Council at the September 8, 2008 Regular City Council meeting, that an annexation and zoning request has been received by Mr. Rodney Moody for property located at 601 N. Wiltshire Drive, shown more specifically on Florence County Tax Map 0221-01-242. The property is contiguous to the city limits with water and sewer services available.

A public hearing for the zoning request for R-1, Single-Family Residential District was held on August 12, 2008 by the City of Florence Planning Commission and was approved unanimously.

Councilman Bradham made a motion to adopt Bill No. 2008-47 on second reading. Councilman Brand seconded the motion, which carried unanimously.

BILL NO. 2008-48 - SECOND READING

AN ORDINANCE TO ANNEX PROPERTY OWNED BY SOUTH FLORENCE DEVELOPERS, LLC, LOCATED ON THIRD LOOP ROAD.

An Ordinance to annex property owned by South Florence Developers, LLC, located on Third Loop Road was adopted on second reading.

Mr. Phillip Lookadoo, Director of Urban Planning and Development, reported to Council at the September 8, 2008 Regular City Council meeting, that an annexation request has been received by South Florence Developers, Inc. for undeveloped property located on Third Loop Road, shown more specifically on Tax Map 00151-01-234 and consisting of approximately 7.78 acres.

The property is contiguous to the city limits with water and sewer services available. There is a cost of \$74,000 to the city to provide additional infrastructure improvements designed to alleviate existing flooding issues in the adjacent Abbeys and Cloister developments.

Councilman Holland asked where the \$74,000 would come from and if it should be the responsibility of the developer?

Mr. David Williams, City Manager responded that there is \$74,000 available within the Utility Construction Fund.

Mr. Drew Griffin added that there are flooding issues within the Abbey Subdivision and in the Cloister Subdivision. The City will actually be paying to upsize the pipes from the Abbey pond. The city is also asking the developer to enlarge the detention pond to hold more water for adjoining properties. This has been designed and is being recommended to assist already developed property.

Mayor Pro tem Williams made a motion to adopt Bill No. 2008-48 on second reading. Councilman Brand seconded the motion, which carried unanimously.

BILL NO. 2008-49 - SECOND READING
AN ORDINANCE TO ANNEX PROPERTY OWNED BY SOUTH FLORENCE DEVELOPERS, LLC, AND MR. F. PROSSER, LOCATED ON HOWE SPRINGS ROAD.

An Ordinance to annex property owned by South Florence Developers, LLC, and Mr. F. Prosser, located on Howe Springs Road was adopted on second reading.

Mr. Phillip Lookadoo, Director of Urban Planning and Development, reported to Council at their regular meeting of September 8, 2008, that an annexation request had been received by South Florence Developers, Inc. and Ferrell Prosser for properties located off Howe Springs Road and shown more specifically on Tax Map 00180-01-010 (42.27 acres) and 00180-01-017 & 008 (10 foot strip for contiguity).

The property is contiguous to the city limits with both water and sewer services available. There is a reimbursement cost of \$87,000 to the developer for the lift station and force main. The larger property requesting annexation is a 90 lot subdivision (Spring Haven) which is under development.

This property is currently zoned R-1, Single-Family Residential and RU-1, Rural Community District by previous action of Florence County Council.

Councilman Bradham made a motion to adopt Bill No. 2008-49 on second reading. Councilman Holland seconded the motion, which carried unanimously.

INTRODUCTION OF ORDINANCES

BILL NO. 2008-50 - FIRST READING
AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, AND ENDING JUNE 30, 2009.

An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2008, and ending June 30, 2009 was passed on first reading.

Mr. David N. Williams, City Manager, reported that each year staff brings a budget amendment to Council, the purpose of which is to bring forward projects or purchases that were pending as of June 30th of the previous fiscal year, and the funds were already appropriated during the previous fiscal year but we were unable to complete those purchases or projects at the close of the fiscal year. So we bring them forward into the current year's budget to provide the funding this year for those projects to be completed.

Councilman Holland made a motion to pass Bill No. 2008-50 on first reading. Mayor Pro tem Williams seconded the motion, which carried unanimously.

BILL NO. 2008-51 - FIRST READING
AN ORDINANCE TO PROVIDE FOR A PUBLIC REFERENDUM TO BE HELD TO DETERMINE WHETHER OR NOT THE CITY OF FLORENCE SHALL AMEND CHAPTER 2 OF ITS CITY CODE TO CHANGE ITS METHOD OF ELECTING THE MAYOR AND CITY COUNCIL MEMBERS FROM PARTISAN ELECTIONS TO NONPARTISAN PLURALITY ELECTIONS AS AUTHORIZED BY SECTION 5-15-61 OF THE SOUTH CAROLINA CODE OF LAWS.

An Ordinance to provide for a Public Referendum to be held to determine whether or not the City of Florence shall amend Chapter 2 of its City Code to change its method of electing the

**REGULAR MEETING OF FLORENCE CITY COUNCIL
OCTOBER 13, 2008 - PAGE 6**

Mayor and City Council Members from Partisan Elections to Nonpartisan Plurality Elections as authorized by Section 5-15-61 of the South Carolina Code of Laws was passed on first reading.

Councilman Brand made a motion to pass Bill No. 2008-51 on first reading. Councilman Bradham seconded the motion, which carried unanimously.

Mayor Pro tem Williams requested that this item be deferred until Council could hold a work session to discuss further.

Councilman Brand was in agreement with holding a work session and a public hearing, but felt that first reading could be given to the Ordinance today.

Councilman Robinson stated that he felt Council needed to have the input from the public before first reading and didn't understand the urgency of having first reading today.

Mayor Pro tem Williams stated that he felt this would be divisive for the City and requested that the City Attorney look into the process of changing from 3 single-member council seats and 3 at-large council seats to six single-member council seats for the City of Florence.

Councilman Woodard stated that he has favored non-partisan elections for a long time and feels that if the elections had been non-partisan for the last election the problems encountered with the election would have been eliminated.

Voting aye for Bill No. 2008-51 were Mayor Frank Willis, Councilman Buddy Brand, Councilman Rick Woodard, Councilman Bobby Holland and Councilman Bill Bradham.

Voting no for Bill No. 2008-51 were Councilman Ed Robinson and Mayor Pro tem Billy D. Williams.

(Mayor Pro tem Williams left the meeting at 2:30 p.m.)

REPORTS TO COUNCIL

APPOINTMENTS TO BOARDS AND COMMISSIONS

PARKS, BEAUTIFICATION AND LEISURE SERVICES COMMISSION

Appointments to this Commission were deferred.

A REPORT ON THE RECOMMENDATIONS OF THE ACCOMMODATIONS TAX ADVISORY COMMITTEE

Council requested this item be deferred until the November meeting.

A REPORT BY MR. DAVID N. WILLIAMS, CITY MANAGER, REGARDING A REQUEST TO DECLARE SURPLUS CITY-OWNED PROPERTY LOCATED AT 1001 HASKELL ROAD.

Mr. Williams reported that the City currently owns a parcel of property that is located outside the city limits in the Brookgreen Subdivision. The adjacent property owner has made a request of the possibility of purchasing that parcel of property. The City has no plans to use the property. Before the city can offer for sale any city-owned property, the property must be declared surplus by City Council. The request before Council is to declare the property surplus so that staff can proceed with the possible sale of the property.

Councilman Holland made a motion to declare the property surplus. Councilman Bradham seconded the motion, which carried unanimously. (Mayor Pro tem Williams was not present for this vote).

**REGULAR MEETING OF FLORENCE CITY COUNCIL
OCTOBER 13, 2008 - PAGE 7**

EXECUTIVE SESSION

Mayor Willis stated there was one Contractual Matter listed on the agenda to be discussed in Executive Session.

Councilman Brand made a motion for Council to enter into Executive Session. Councilman Bradham seconded the motion, which carried unanimously.

Council entered into Executive Session at 2:33 p.m.

Mayor Willis reconvened the regular meeting at 3:08 p.m.

Councilman Brand made a motion to allow the City Manager and the City Attorney to work closely with Florence County Council on the contractual matter discussed in Executive Session. Councilman Holland seconded the motion, which carried unanimously.

(Mayor Pro tem Williams was not present for this vote.)

ADJOURN

There being no further business to discuss, Councilman Robinson made a motion to adjourn the regular meeting. Councilman Brand seconded the motion, which carried unanimously.

The meeting was adjourned at 3:10 p.m.

Dated this _____ day of November, 2008.

Dianne M. Rowan, Municipal Clerk

Frank E. Willis, Mayor

**SPECIAL MEETING/WORK SESSION OF FLORENCE CITY COUNCIL
MONDAY, OCTOBER 20, 2008 - 3:00 P.M.
CITY-COUNTY COMPLEX, CITY COUNCIL CHAMBERS, ROOM 604
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT: Mayor Frank E. Willis called the special meeting to order at 3:00 p.m. The following members were present for the meeting: Councilman Frank J. Brand, II; Councilman Rick Woodard; Councilman William C. Bradham, Jr.; Councilman Ed Robinson; Mayor Pro tem Billy D. Williams; and Councilman Robert C. Holland, Jr.

ALSO PRESENT: David N. Williams, City Manager; Dianne M. Rowan, Municipal Clerk; James W. Peterson, Jr., City Attorney; Phillip Lookadoo, Director of Urban Planning and Downtown Development; and Tom Shearin, Special Services Administrator.

Notices of this special meeting/work session were sent to the media informing them of the date, place and time of the meeting. Chuck Tomlinson of the Morning News was present.

INVOCATION

Mayor Pro tem Billy D. Williams gave an invocation.

PUBLIC HEARING

A PUBLIC HEARING TO RECEIVE PUBLIC INPUT RELATED TO A PROPOSED CHANGE FROM PARTISAN TO NONPARTISAN ELECTIONS (TO BE EFFECTIVE AFTER 2008).

Mayor Willis declared the public hearing open at 3:04 p.m.

Mr. Joe Webb, a resident of Florence, spoke in favor of the proposal for the City of Florence to change its method of electing the Mayor and members of City Council to nonpartisan.

Mr. Murray Jordan, spoke in favor of nonpartisan elections. However, Mr. Jordan feels the winner should be declared by a majority of votes and not by the plurality method.

Mayor Willis declared the public hearing closed at 3:16 p.m.

ORDINANCES IN POSITION

BILL NO. 2008-51 - SECOND READING

AN ORDINANCE TO PROVIDE FOR A PUBLIC REFERENDUM TO BE HELD TO DETERMINE WHETHER OR NOT THE CITY OF FLORENCE SHALL AMEND CHAPTER 2 OF ITS CITY CODE TO CHANGE ITS METHOD OF ELECTING THE MAYOR AND CITY COUNCIL MEMBERS FROM PARTISAN ELECTIONS TO NONPARTISAN PLURALITY ELECTIONS AS AUTHORIZED BY SECTION 5-15-61 OF THE SOUTH CAROLINA CODE OF LAWS.

An Ordinance to provide for a public referendum to be held to determine whether or not the City of Florence shall amend Chapter 2 of its City Code to change its method of electing the Mayor and City Council members from partisan elections to nonpartisan plurality elections as

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
OCTOBER 20, 2008 - PAGE 2**

authorized by Section 5-15-61 of the South Carolina Code of Laws was adopted on second reading.

Councilman Brand made a motion to adopt Bill No. 2008-51 on second reading. Councilman Holland seconded the motion.

Councilman Robinson stated he felt this would be an injustice to the minority community if the election process is changed to nonpartisan. Councilman Robinson would like for the election system to remain as partisan. The change will cause District 1 and District 2 to be less represented and will take away the ability of the minority community to elect who they want to elect.

Councilman Williams had requested at an earlier meeting for the City Attorney to research the process for the City of Florence to have six single member districts. Mr. Peterson, City Attorney stated that he had that information and would present it to Council. Mayor Pro tem Williams also asked if this change would have to be pre-cleared by the Justice Department. Mr. Peterson responded that if the Ordinance passes it would be sent to the Justice Department for pre-clearance before the referendum is voted on.

Mr. Peterson reported to Council that a change to six single member districts from the present 3 single member districts and 3 at-large districts is clearly defined under Section 5-15-20 of the South Carolina Code as a change in the method of election. To accomplish this it is required to go through a similar process as the change from partisan to non-partisan elections. Under Section 5-15-30 it would be done with a referendum. The referendum can be called for by a majority of Council voting to pass an ordinance to ask for a referendum to consider changing to 6 single member districts or by petition. 15% of the qualified voters from the City of Florence can sign a petition to bring about a referendum. The referendum would be a change in the method of election. So once again, it would have to be pre-cleared by the Justice Department and then the referendum would be held. It would be required to have two referendums. One for the partisan to non-partisan elections and one referendum to change to six single member districts.

Mayor Pro tem Williams is in favor of having the public decide regarding changing to six single member districts.

Mayor Willis asked if the partisan to non-partisan issue had to be by the plurality method.

Mr. Peterson stated it did not. The three options available are: The plurality method, the non-partisan election and runoff election method; and the non-partisan primary election and general election method. The proposed Ordinance is based on the plurality method.

Councilman Woodard made a motion to amend the Ordinance to reflect that to be declared a winner of an election a candidate must receive a majority of the votes cast. (Section 5-15-62 of the State Code). Councilman Bradham seconded the motion.

Voting aye on the amendment were Mayor Willis, Councilman Brand, Councilman Bradham, Councilman Holland and Councilman Woodard.

Voting no was Mayor Pro tem Williams and Councilman Robinson.

Councilman Bradham stated that he was in favor of non-partisan elections because it would allow for the best people to be elected to serve on Council.

Voting aye for the original Ordinance as amended was Mayor Willis, Councilman Brand, Councilman Bradham, Councilman Woodard and Councilman Holland.

Voting no was Councilman Robinson and Mayor Pro tem Williams.

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
OCTOBER 20, 2008 - PAGE 3**

INTRODUCTION OF ORDINANCES

BILL NO. 2008-52 - FIRST READING

AN ORDINANCE TO AMEND SECTION 2-21 OF THE CITY OF FLORENCE, SOUTH CAROLINA CODIFIED ORDINANCES ENTITLED COMPENSATION.

An Ordinance to amend Section 2-21 of the City of Florence, South Carolina Codified Ordinances entitled Compensation was passed on first reading.

Councilman Robinson stated that he is requesting that City Council's compensation be brought up to the same level as County Council's compensation. This request is in light of the increase in expenses required for City Council members to do the work they are expected to do. This Ordinance would allow for the Mayor's compensation to increase from \$17,625 to \$18,266 and each Council member's compensation would increase from \$10,940 to \$15,810.

Councilman Robinson made a motion to pass Bill No. 2008-52 on first reading. Mayor Pro tem Williams seconded the motion.

Councilman Woodard made a motion to amend the Ordinance to provide for the compensation to be made over a three year period.

The amendment failed for lack of a second.

Councilman Brand stated that because of the state of the economy he would have a difficult time voting for an increase

After a discussion, Councilman Holland made a motion to amend the Ordinance to provide for the increase in compensation to be made over a three year period in equal installments, with the first increase to be made December 1, 2008, the second increase on December 1, 2009, and the third and final increase on December 1, 2010. Councilman Woodard seconded the motion.

Voting aye for the amendment were Mayor Willis, Mayor Pro tem Williams, Councilman Robinson, and Councilman Bradham.

Voting no was Councilman Brand and Councilman Holland.

Voting aye for Bill No. 2008-52 as amended was Mayor Willis, Mayor Pro tem Williams, Councilman Robinson and Councilman Bradham.

Voting no was Councilman Brand and Councilman Holland.

INTRODUCION OF RESOLUTION

RESOLUTION NO. 2008-12

A RESOLUTION TO REALLOCATE \$74,507.85 IN UNEXPENDED COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM FY 2002-2004.

A Resolution to reallocate \$74,507.85 in unexpended Community Development Block Grant Funds from FY 2002-2004 was adopted by Council.

Mayor Pro tem Williams made a motion to adopt Resolution No. 2008-12. Councilman Holland seconded the motion, which carried unanimously.

REPORT TO COUNCIL

A REPORT REGARDING THE AVAILABILITY OF HEALTH INSURANCE FOR COUNCIL MEMBERS WHO LEAVE COUNCIL WITH A MINIMUM NUMBER OF YEARS.

Councilman Robinson made a motion that would allow City Council members to have their health insurance paid 100% by the City if they leave Council after serving 13 years. Mayor Pro tem seconded the motion.

Councilman Brand asked the City Manager what would be the length of time for a City employee to work for the City before he would be eligible for the health insurance benefit.

Mr. David Williams, City Manager responded that a Resolution was adopted by Council in July 2008 that provides for a retiree of the City of Florence, with a minimum of 20 years of service, to be eligible for 50% of the health insurance costs to be paid by the City. In addition, the employee would have to meet the requirements of the State Retirement System. If an employee has 25 or more years of service, the City would pay 100% of the health insurance costs.

Councilman Brand stated that he could not see how Council could hold themselves any higher than any of the other City employee and felt like this would be setting different standards for Council versus the city employees. Councilman Brand stated he could not support this request.

Councilman Robinson stated that he felt that Council deserves this benefit.

Voting aye were Councilman Robinson and Mayor Pro tem Williams.

Voting no were Mayor Willis, Councilman Brand, Councilman Bradham, Councilman Holland, and Councilman Woodard.

EXECUTIVE SESSION

Councilman Bradham made a motion to enter into Executive Session. Councilman Holland seconded the motion.

Council entered into Executive Session at 4:14 p.m.

Mayor Pro tem Williams left the meeting at 4:50 p.m.

Mayor Willis reconvened the meeting at 5:09 p.m.

Councilman Brand made a motion to authorize the City Attorney and the City Manager to enter into a contractual agreement with the County of Florence, stating that the City will abide by the contractual matter, as presented to the City, with the exception that the period of time to close on this issue, to be 6 months instead of 18 months. Councilman Holland seconded the motion, which carried unanimously. (Mayor Pro tem Williams was not present for the vote).

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
OCTOBER 20, 2008 - PAGE 5**

ADJOURN

Councilman Brand made a motion to adjourn the meeting at 5:10 p.m. Councilman Holland seconded the motion, which carried unanimously.

Dated this _____ day of November, 2008.

Dianne M. Rowan, Municipal Clerk

Frank E. Willis, Mayor

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
MONDAY, OCTOBER 27, 2008 - 4:00 P.M.
CITY-COUNTY COMPLEX, CITY COUNCIL CHAMBERS, ROOM 604
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT: Mayor Frank E. Willis called the special meeting to order at 4:00 p.m. The following members were present for the meeting: Councilman Frank J. Brand, II; Councilman Rick Woodard; Councilman William C. Bradham, Jr.; Councilman Ed Robinson; Mayor Pro tem Billy D. Williams; and Councilman Robert C. Holland, Jr.

ALSO PRESENT: David N. Williams, City Manager; Dianne M. Rowan, Municipal Clerk; James W. Peterson, Jr., City Attorney; Phillip Lookadoo, Director of Urban Planning and Downtown Development; and Mr. George Jebaily, Downtown Development Corporation.

Notices of this special meeting/work session were sent to the media informing them of the date, place and time of the meeting. Chuck Tomlinson of the Morning News was present.

INVOCATION

Mayor Pro tem Billy D. Williams gave an invocation.

ORDINANCES IN POSITION

BILL NO. 2008-52 - SECOND READING

(AS AMENDED ON FIRST READING ON OCTOBER 20, 2008)

AN ORDINANCE TO AMEND SECTION 2-21 OF THE CITY OF FLORENCE, SOUTH CAROLINA CODIFIED ORDINANCES ENTITLED COMPENSATION.

An Ordinance to amend Section 2-21 of the City of Florence, South Carolina Codified Ordinances entitled Compensation was adopted by Council on second reading.

Mayor Pro tem Williams made a motion to adopt Bill No. 2008-52 on second reading. Councilman Robinson seconded the motion,

Councilman Brand stated he is not in favor of this Ordinance. Councilman Brand stated that the City of Florence could hire a new police officer and provide him with a new motorcycle for the same amount of money as the proposed increase in Council's compensation.

Voting aye were Mayor Willis, Councilman Bradham, Councilman Woodard, Councilman Robinson and Mayor Pro tem Williams.

Voting no was Councilman Brand and Councilman Holland.

INTRODUCTION OF ORDINANCES

BILL NO. 2008-52 - FIRST READING

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF TWO PARCELS DESIGNATED AS TAX MAP PARCELS 90168-02-005 AND A PORTION OF 90168-02-038 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR.

An Ordinance authorizing the conveyance of two parcels designated as Tax Map Parcels 90168-02-005 and a portion of 90268-02-038 in the records of the Florence County Tax Assessor was passed on first reading.

Mr. George Jebaily, Chairman of the Downtown Development Corporation appeared before Council and presented a report on the proposed development of the old McLeod property.

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
OCTOBER 27, 2008 - PAGE 2**

EXECUTIVE SESSION

Mayor Pro tem Williams made a motion to enter into Executive Session. Councilman Holland seconded the motion, which carried unanimously.

Council entered into Executive Session at 4:14 p.m.

Mayor Willis reconvened the meeting at 4:57 p.m.

Regarding Bill No. 2008-52, Councilman Brand made a motion to pass Bill No. 2008-52 on first reading. Councilman Holland seconded the motion.

Mayor Pro tem Williams made a motion to amend the Ordinance that would allow the City to give the County one acre of land. Councilman Robinson seconded the motion.

Voting aye for the amendment was Councilman Robinson and Mayor Pro tem Williams.

Voting no were Mayor Willis, Councilman Brand, Councilman Bradham, Councilman Holland, and Councilman Woodard.

The motion to amend Bill No. 2008-52 failed with a vote of 5-2.

Councilman Robinson stated that he was dissatisfied with the development of Florence, particularly in Districts 1 and 2. Councilman Robinson stated he could not understand why there was so much reluctance towards development in his community and that Districts 1 and 2 needed help to see their communities grow. Councilman Robinson feels that the City is equitable in its distribution of funding for these areas but these areas do not see equitable funding from Senator Leatherman and the Drs. Bruce and Lee Foundation.

Voting aye for the original motion were Councilman Brand, Councilman Woodard, Councilman Bradham, Mayor Willis, Councilman Robinson and Councilman Holland.

Voting no was Mayor Pro tem Williams.

ADJOURN

Mayor Pro tem Williams made a motion to adjourn the meeting. Councilman Brand seconded the motion, which carried unanimously.

The meeting was adjourned at 5:04 p.m.

Dated this _____ day of November, 2008.

Dianne M. Rowan, Municipal Clerk

Frank E. Willis, Mayor

**STAFF REPORT
TO THE
FLORENCE CITY COUNCIL
December 3, 2007
PC#2007-63**

**V. a.
Bill No. 2008-13
Second Reading**

SUBJECT: Request for amendments to Section 2.5-Table III, Section 3.21, Section 5.2-Table VIII, Section 7.6, and Section 7.7 of the Consolidated Zoning Ordinance for setbacks, text errors, accessory structure rules and commercial and industrial property access.

APPLICANT: Florence County/Municipal Planning Department Staff

STAFF ANALYSIS:

During recent reviews of continuing issues in the community for setbacks and buffers between conflicting land uses, the Planning Commission and staff have determined that several changes should be made.

1. The amendments to Section 2.5 Table III (a) shall re-establish the minimum rear and side yard setback requirements between development of non-residential uses in the commercial zoning districts and adjacent residential zoning districts to lessen the potential negative impact between these uses. Non-residential use development adjacent to like uses shall observe the current setbacks and (b) shall correct typographical errors to the lot width requirements for the B-5, B-6, RU-1 and RU-2 Zoning Districts.
2. The amendment to Section 5.2-Table VIII shall delete reference to information that has been removed from the Ordinance as a part of the amendment process.
3. The amendment to Section 3.21 shall establish minimum required setbacks for all other uses other than commercial and industrial uses in unzoned areas.
4. The amendment to Section 7.6 shall specifically establish a maximum square footage of accessory structures in residential districts.
5. The amendment to Section 7.7 shall establish criteria for prohibiting access to commercial and industrial properties by way of residential zones.
6. If adopted, the amendment for Section 2.5 Table III shall become effective June 1, 2008. All other amendments shall be effective upon adoption.

NOTE:

Text amendments to the Sections for revisions to current text shall be designated by strikethrough and with amended text in bold. Amendment to the text of the Sections for additions shall be designated by bold lettering only.

AMENDMENT REQUEST (1):

A. The current text of Section 2.5 Table III: Schedule of Lot Area, Yard, Setback, Height, Density, Floor area, and Impervious Surface Requirements for Residential, Business and Rural Districts reads as follows:

District	Minimum Lot Area (a)		Lot Width (ft)	Front Yard Setback (b)	Side Yard Setback		Rear Yard Setback		Max Hgt. (ft) (c)	Max impervious Surface Ratio (%)	Max. Floor Area Ratio: Non-Res. Uses (d)
	Residential	Non-Residential			Res	Non Res	Res	Non Res			
R-1	15,000	30,000	100	25	10	50	30	60	38	40	0.25
R-2	10,000	20,000	80	25	8	25	25	50	38	45	0.30
R-3	6,000	12,000	50	25	5	25	25	50	38	45	0.30
R-4	6,000	12,000	50	25	5	25	20	40	38	45	0.30
R-5	6,000	12,000	50	25	5	25	20	40	4 stories	70	0.30
B-1	5,000	5,000	50	35	5	5	20	20	38	70	0.30
B-2	5,000	5,000	50	35	5	5	20	20	38	80	0.50
B-3	5,000	5,000	50	35	5	5	20	20	(e)	90	None
B-4	NA	None	None	None	NA	None	NA	None	(e)	100	None
B-5	NA	10,000	10,000	35	NA	10	NA	25	(e)	90	None
B-6	NA	10,000	10,000	35	NA	10	NA	25	(e)	90	None
RU-1	15,000	15,000	15,000	35	10	10	30	30	38	40	0.25
RU-2	87,120	43,560	43,560	35	15	50	30	60	38	20	0.15

Notes to Table III

a – Lot area is expressed in square feet.

b – Measurement from front property line.

c – Measurement from average elevation of finished grade of the front of the structure.

d – Total floor measured as a percent of total lot area

e – There is no maximum: provided side and rear setbacks shall increase by one (1) foot for each two (2) feet in height over thirty-five (35) feet for buildings outside of the B-4 District; further provided that approval of buildings over thirty-five (35) feet shall be based on fire ladder capabilities as determined by the Fire Department with jurisdiction.

N/A = Not Applicable

B. The amended text to Section 2.5 Table III: Schedule of Lot Area, Yard, Setback, Height, Density, Floor area, and Impervious Surface Requirements for Residential, Business and Rural Districts for setbacks requirements and corrections for typographical errors shall read as follows:

District	Minimum Lot Area (a)		Lot Width (ft)	Front Yard Setback (b)	Side Yard Setback		Rear Yard Setback		Max Hgt. (ft) (c)	Max Impervious Surface Ratio (%)	Max. Floor Area Ratio: Non-Res. Uses (d)
	Residential	Non Residential			Res	Non Res	Res	Non Res			
R-1	15,000	30,000	100	25	10	50	30	60	38	40	0.25
R-2	10,000	20,000	80	25	8	25	25	50	38	45	0.30
R-3	6,000	12,000	50	25	5	25	25	50	38	45	0.30
R-4	6,000	12,000	50	25	5	25	20	40	38	45	0.30
R-5	6,000	12,000	50	25	5	25	20	40	4 stories	70	0.30
B-1	5,000	5,000	50	35(j)	5	5(f)	20	20(f)	38	70	0.30
B-2	5,000	5,000	50	35(j)	5	5(g)	20	20(g)	38	80	0.50
B-3	5,000	5,000	50	35(j)	5	5(h)	20	20(h)	(e)	90	None
B-4	NA	None	None	None	NA	None	NA	None	(e)	100	None
B-5	NA	10,000	100	35	NA	10(i)	NA	25(i)	(e)	90	None
B-6	NA	10,000	100	35	NA	10(i)	NA	25(i)	(e)	90	None
RU-1	15,000	15,000	100	35	10	10	30	30	38	40	0.25
RU-2	87,120	43,560	200	35	15	50	30	60	38	20	0.15

Notes to Table III

a – Lot area is expressed in square feet.

b – Measurement from front property line.

c – Measurement from average elevation of finished grade of the front of the structure.

d – Total floor measured as a percent of total lot area

e – There is no maximum: provided side and rear setbacks shall increase by one (1) foot for each two (2) feet in height over thirty-five (35) feet for buildings outside of the B-4 District; further provided that approval of buildings over thirty-five (35) feet shall be based on fire ladder capabilities as determined by the Fire Department with jurisdiction.

The following side and rear yard setbacks shall be observed in the commercial zoning districts when non-residential development is proposed adjacent to a residential zoning district:

f – 20 feet

g – 20 feet

h – 30 feet

i – 100 feet

j – The minimum front yard setback requirement shall be 20' if parking is established either in the side or rear of the property.

N/A = Not Applicable

AMENDMENT REQUEST (2):

A. The current text reads as follows:

**Table VIII
Number, Dimension, and Location of Permitted Signs,
By Zoning District**

	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (B)	UZ (1)
Freestanding										
Number Permitted (E)										
Per Lot										
Billboards	N	N	N	NA	N	NA	NA	N	N	NA
Other	1 (A)	1	1	1	1	1	1	1 (A)	1	NA
Per Feet of St. Frontage										
Billboards (C)	N	N	N	1:1,200 (J)	N	1:1,200 (J)	1:1,200 (J)	N	N	1:1,200
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
Maximum Sign Area (s.f.)										
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	20	NA
Minimum Setback from Property Line										
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	NA
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
Building Signs										
Number Permitted	1	1	2	2	2	2	2	1	1	NA
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
Maximum Wall Area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
Temporary Signs (2)	See Section 5.5									

Table Notes: NA = Not Applicable N= Not Allowed s.f. = Square Feet

- A** – One-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation.
- B** – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the Zoning Ordinance in residential zoning district, i.e. churches, schools, parks, etc.
- C** – Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.
- D** – One per lot or one for each 300 linear feet of street frontage, whichever is less.
- E** – Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F** – 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. from W. Evans to I-95.
- G** – Not to exceed 160 square feet.
- H** – Maximum height of billboards shall not exceed 100 feet. Where located within 600 feet of Interstate ROW, shall not exceed 40 feet.
- I** – Un-zoned areas – Billboards must be within 600 feet of business operation for 12 months, with at least one employee available to public at least 36 hours per week for four (4) days. Business to be equipped with all utilities, including restroom and permanent floor.

B. The amended text shall read as follows after the deletion of reference to information that has been removed from the Ordinance as a part of the Planning Department's ongoing amendment process:

**Table VIII
Number, Dimension, and Location of Permitted Signs,
By Zoning District**

	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (B)	UZ (1)
Freestanding										
Number Permitted (E)										
Per Lot										
Billboards	N	N	N	NA	N	NA	NA	N	N	NA
Other	1 (A)	1	1	1	1	1	1	1 (A)	1	NA
Per Feet of St. Frontage										
Billboards (C)	N	N	N	1:1,200 (J)	N	1:1,200 (J)	1:1,200 (J)	N	N	1:1,200
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
Maximum Sign Area (s.f.)										
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	20	NA
Minimum Setback from Property Line										
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	NA
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
Building Signs										
Number Permitted	1	1	2	2	2	2	2	1	1	NA
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
Maximum Wall Area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
Temporary Signs (2)	See Section 5.5									

Table Notes: NA = Not Applicable N= Not Allowed s.f. = Square Feet

- A** – One-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation.
- B** – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the Zoning Ordinance in residential zoning district, i.e. churches, schools, parks, etc.
- C** – Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.
- D** – One per lot or one for each 300 linear feet of street frontage, whichever is less.
- E** – Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F** – 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. from W. Evans to I-95.
- G** – Not to exceed 160 square feet.
- H** – Maximum height of billboards shall not exceed 100 feet. Where located within 600 feet of Interstate ROW, shall not exceed 40 feet.
- I** – Un-zoned areas – Billboards must be within 600 feet of business operation for 12 months, with at least one employee available to public at least 36 hours per week for four (4) days. Business to be equipped with all utilities, including restroom and permanent floor.

AMENDMENT REQUEST(3)

A. The current text of Section 7.6 reads as follows:

Section 7.6 Accessory Buildings and Uses

Section 7.6-1 Accessory Uses to Observe Required Setbacks

Unless specifically provided herein, all accessory uses and structures shall observe all required setbacks, yard, and other requirements applicable to the principal building or use for the district within which they are located.

Section 7.6-2 General Requirements

Residential Districts

1. The number of accessory uses shall not exceed two on any lot or parcel.
2. The combined gross floor area (GFA) of all accessory uses shall not exceed 50 percent of the principal use.
3. The height of accessory buildings shall not exceed 20 feet.
4. No mobile home or standard design manufactured home shall be used as an accessory building.

All Other Districts

1. There is no limit to the number of accessory buildings however such buildings shall occupy no more than 30 percent of the total lot area.
2. If located within the buildable area, accessory buildings shall observe the height limits for the district within which they are located. If located in a required setback area, said buildings shall not exceed 20 feet in height.
3. Accessory uses may be allowed within 3 feet of a side or rear property line, except where contiguous to a residential zone, in which case the accessory use shall observe the setback requirement of the principal use.

B. The proposed text amendment shall read as follows:

Section 7.6 Accessory Buildings and Uses

Section 7.6-1 Accessory Uses to Observe Required Setbacks

Unless specifically provided herein, all accessory uses and structures shall observe all required setbacks, yard, and other requirements applicable to the principal building or use for the district within which they are located.

Section 7.6-2 General Requirements

Residential Districts

1. The number of accessory uses shall not exceed two on any lot or parcel.
2. The combined gross floor area (GFA) of all accessory uses shall not exceed **50 percent of the principal use-1000 square feet.**
3. The height of accessory buildings shall not exceed 20 feet.
4. No mobile home or standard design manufactured home shall be used as an accessory building.
5. **Setbacks of three feet from side and rear property lines shall be observed.**

All Other Districts

1. There is no limit to the number of accessory buildings however such buildings shall occupy no more than 30 percent of the total lot area.
2. If located within the buildable area, accessory buildings shall observe the height limits for the district within which they are located. If located in a required setback area, said buildings shall not exceed 20 feet in height.
3. Accessory uses may be allowed within 3 feet of a side or rear property line, except where contiguous to a residential zone, in which case the accessory use shall observe the setback requirement of the principal use.

AMENDMENT REQUEST(4):

An addition shall be made to Section 7.7 Access to Property and shall read as follows:

Access to Commercial and Industrial Zoned Property Prohibited From Residential Zones

Where a commercial or industrial zoning district is bounded by a residential zoning district, access to such industrial or commercial properties, including off-street parking and loading areas, shall be restricted to streets and alleys within the respective commercial or industrial districts in which such uses are located; and no commercial or industrial vehicles or parking in connection with an industrial or commercial use shall occupy a public street or right-of-way separating commercial or industrial districts from residential districts.

AMENDMENT REQUEST (5):

An addition shall be made to Section 3.21 Development Standards for Unzoned Areas §7 Setbacks and shall read as follows:

7) Setbacks

Proposed Use	Front	Rear	Side
Commercial	25'	20'	10'
Industrial/Warehousing/ Storage	25'	50'	50'
Office/Institutional	25'	20'	20'
Accessory Use All Other Uses	25'	5'	5'

Florence County/Municipal Planning Commission Action: August 28, 2007

The nine Planning Commission members voted unanimously to defer the request for a work session to be scheduled at a time in September prior to the September 25, 2007 Planning Commission meeting.

Planning Commission Work Session: September 12, 2007

The Planning Commission held a work session for discussion of the amendment as presented.

Florence County/Municipal Planning Commission Action: September 25, 2007

No action was taken on the text amendments at the meeting held on September 25, 2007 due to the lack of a quorum of Planning Commission members.

In addition, prior to the Planning Commission meeting scheduled for October 23, 2007 and based on subsequent discussions after the work session of September 12, 2007, staff has been directed to research for amendments to the Zoning Ordinance Section 3.21 for establishing setbacks for all other uses in an unzoned area and to Section 7.7 to establish criteria for accessing commercial and industrial properties through residential zones.

Florence County/Municipal Planning Commission Action: October 23, 2007

The nine Planning Commission members present at the meeting voted to defer the request for amendments for further study until the next month's meeting by a vote of 5-4 in favor to defer.

Florence County/Municipal Planning Commission Action: November 27, 2007

Prior to the Chairman's request to the Planning Commission members for a vote on the motion to approve the text amendments, he asked if persons from the public who wished, to stand indicating their support of the text amendments with revisions and likewise those who were in opposition to the request. There were twenty persons who stood in support of the amendment and none to stand in opposition.

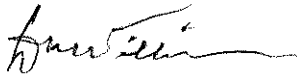
The nine Planning Commission members present voted unanimously to approve the text amendments as revised at the meeting on November 27, 2007.

Florence County/Municipal Planning Commission Recommendation:

The Planning Commission recommends approval of the text amendments with revisions by Florence City Council.

ATTACHMENTS:

1. Ordinance



David N. Williams, City Manager

ORDINANCE NO. 2008 - _____

AN ORDINANCE TO AMEND SECTION 2.5-TABLE III, SECTION 3.21, SECTION 5.2-TABLE VIII, SECTION 7.6, AND SECTION 7.7 OF THE CITY OF FLORENCE ZONING ORDINANCE FOR SETBACKS, TEXT ERRORS, ACCESSORY STRUCTURE RULES AND COMMERCIAL AND INDUSTRIAL PROPERTY ACCESS.

WHEREAS, a Public Hearing was held in Room 803 of the City-County Complex on November 27, 2007 at 6:30 P.M. before the Florence County/Municipal Planning Commission and notice of said hearing was duly given; and

WHEREAS, requests were presented to the Planning Commission for amendments to the text of the City of Florence Zoning Ordinance as follows:

1. The amendments to Section 2.5 Table III (a) shall re-establish the minimum rear and side yard setback requirements between development of non-residential uses in the commercial zoning districts and adjacent residential zoning districts to lessen the potential negative impact between these uses. Non-residential use development adjacent to like uses shall observe the current setbacks and (b) shall correct typographical errors to the lot width requirements for the B-5, B-6, RU-1 and RU-2 Zoning Districts.
2. The amendment to Section 5.2-Table VIII shall delete reference to information that has been removed from the Ordinance as a part of the amendment process.
3. The amendment to Section 3.21 shall establish minimum required setbacks for all other uses other than commercial and industrial uses in unzoned areas.
4. The amendment to Section 7.6 shall specifically establish a maximum square footage of accessory structures in residential districts.
5. The amendment to Section 7.7 shall establish criteria for prohibiting access to commercial and industrial properties by way of residential zones.
6. If adopted, the amendment for Section 2.5 Table III shall become effective June 1, 2008. All other amendments shall be effective upon adoption.

Text amendments to the Sections for revisions to current text shall be designated by strikethrough and with amended text in bold. Amendment to the text of the Sections for additions shall be designated by bold lettering only.

WHEREAS, the Florence County/Municipal Planning Commission and Florence City Council concur in the aforesaid applications, findings and recommendations;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE AT MEETING DULY ASSEMBLED, BY THE AUTHORITY VESTED THEREIN:

1. That an Ordinance entitled Zoning Ordinance by the City of Florence effective April 19, 1999 is hereby amended as follows:

TEXT AMENDMENT (1)

The amended text to Section 2.5 Table III: Schedule of Lot Area, Yard, Setback, Height, Density, Floor area, and Impervious Surface Requirements for Residential, Business and Rural Districts for setbacks requirements and corrections for typographical errors shall read as follows:

District	Minimum Lot Area (a)		Lot Width (ft)	Front Yard Setback (b)	Side Yard Setback		Rear Yard Setback		Max Hgt. ft (c)	Max Impervious Surface Ratio (%)	Max. Floor Area Ratio: Non-Res. Uses (d)
	Residential	Non Residential			Res	Non Res	Res	Non Res			
R-1	15,000	30,000	100	25	10	50	30	60	38	40	0.25
R-2	10,000	20,000	80	25	8	25	25	50	38	45	0.30
R-3	6,000	12,000	50	25	5	25	25	50	38	45	0.30
R-4	6,000	12,000	50	25	5	25	20	40	38	45	0.30
R-5	6,000	12,000	50	25	5	25	20	40	4 stories	70	0.30
B-1	5,000	5,000	50	35(j)	5	5(f)	20	20(f)	38	70	0.30
B-2	5,000	5,000	50	35(j)	5	5(g)	20	20(g)	38	80	0.50
B-3	5,000	5,000	50	35(j)	5	5(h)	20	20(h)	(e)	90	None
B-4	NA	None	None	None	NA	None	NA	None	(e)	100	None
B-5	NA	10,000	10,000 100	35	NA	10(i)	NA	25(i)	(e)	90	None
B-6	NA	10,000	10,000 100	35	NA	10(i)	NA	25(i)	(e)	90	None
RU-1	15,000	15,000	15,000 100	35	10	10	30	30	38	40	0.25
RU-2	87,120	43,560	43,560 200	35	15	50	30	60	38	20	0.15

Notes to Table III

- a – Lot area is expressed in square feet.
- b – Measurement from front property line.
- c – Measurement from average elevation of finished grade of the front of the structure.
- d – Total floor measured as a percent of total lot area
- e – There is no maximum: provided side and rear setbacks shall increase by one (1) foot for each two (2) feet in height over thirty-five (35) feet for buildings outside of the B-4 District; further provided that approval of buildings over thirty-five (35) feet shall be based on fire ladder capabilities as determined by the Fire Department with jurisdiction.

The following side and rear yard setbacks shall be observed in the commercial zoning districts when non-residential development is proposed adjacent to a residential zoning district:

- f – 20 feet
- g – 20 feet
- h – 30 feet
- i – 100 feet
- j – The minimum front yard setback requirement shall be 20' if parking is established either in the side or rear of the property.
- N/A = Not Applicable

TEXT AMENDMENT (2):

The amended text shall read as follows after the deletion of reference to information that has been removed from the Ordinance as a part of the Planning Department’s ongoing amendment process:

Table VIII
Number, Dimension, and Location of Permitted Signs,
By Zoning District

	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (B)	UZ (1)
Freestanding										
Number Permitted (E)										
Per Lot										
Billboards	N	N	N	NA	N	NA	NA	N	N	NA
Other	1 (A)	1	1	1	1	1	1	1 (A)	1	NA
Per Feet of St. Frontage										
Billboards (C)	N	N	N	1:1,200 (J)	N	1:1,200 (J)	1:1,200 (J)	N	N	1:1,200
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
Maximum Sign Area (s.f.)										
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	20	NA
Minimum Setback from Property Line										
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	NA
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
Building Signs										
Number Permitted	1	1	2	2	2	2	2	1	1	NA
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
Maximum Wall Area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
Temporary Signs (2)	See Section 5.5									

Table Notes: NA = Not Applicable N= Not Allowed s.f. = Square Feet

- A – One-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation.
- B – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the Zoning Ordinance in residential zoning district, i.e. churches, schools, parks, etc.
- C – Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.
- D – One per lot or one for each 300 linear feet of street frontage, whichever is less.
- E – Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F – 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. from W. Evans to I-95.
- G – Not to exceed 160 square feet.
- H – Maximum height of billboards shall not exceed 100 feet. Where located within 600 feet of Interstate ROW, shall not exceed 40 feet.
- I – Un-zoned areas – Billboards must be within 600 feet of business operation for 12 months, with at least one employee available to public at least 36 hours per week for four (4) days. Business to be equipped with all utilities, including restroom and permanent floor.

TEXT AMENDMENT (3)

Section 7.6 Accessory Buildings and Uses

Section 7.6-1 Accessory Uses to Observe Required Setbacks

Unless specifically provided herein, all accessory uses and structures shall observe all required setbacks, yard, and other requirements applicable to the principal building or use for the district within which they are located.

Section 7.6-2 General Requirements

Residential Districts

1. The number of accessory uses shall not exceed two on any lot or parcel.
2. The combined gross floor area (GFA) of all accessory uses shall not exceed **50 percent of the principal use-1000 square feet.**
3. The height of accessory buildings shall not exceed 20 feet.
4. No mobile home or standard design manufactured home shall be used as an accessory building.
5. **Setbacks of three feet from side and rear property lines shall be observed.**

All Other Districts

1. There is no limit to the number of accessory buildings however such buildings shall occupy no more than 30 percent of the total lot area.
2. If located within the buildable area, accessory buildings shall observe the height limits for the district within which they are located. If located in a required setback area, said buildings shall not exceed 20 feet in height.
3. Accessory uses may be allowed within 3 feet of a side or rear property line, except where contiguous to a residential zone, in which case the accessory use shall observe the setback requirement of the principal use.

TEXT AMENDMENT (4):

An addition shall be made to Section 7.7 Access to Property and shall read as follows:

Access to Commercial and Industrial Zoned Property Prohibited From Residential Zones

Where a commercial or industrial zoning district is bounded by a residential zoning district, access to such industrial or commercial properties, including off-street parking and loading areas, shall be restricted to streets and alleys within the respective commercial or industrial districts in which such uses are located; and no commercial or industrial vehicles or parking in connection with an industrial or commercial use shall occupy a public street or right-of-way separating commercial or industrial districts from residential districts.

TEXT AMENDMENT (5):

An addition shall be made to Section 3.21 Development Standards for Unzoned Areas §7 Setbacks and shall read as follows:

7) Setbacks

Proposed Use	Front	Rear	Side
Commercial	25'	20'	10'
Industrial/Warehousing/ Storage	25'	50'	50'
Office/Institutional	25'	20'	20'
Acessory Use All Other Uses	25'	5'	5'

2. That this Ordinance shall become effective this _____ day of _____, 2008 upon its adoption by the City Council of the City of Florence.

ADOPTED THIS _____ DAY OF _____, 2008.

Approved as to form:

James W. Peterson, Jr., City Attorney

Frank E. Willis, Mayor

Attest:

Dianne Rowan, Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: April 8, 2008

AGENDA ITEM: Amendment to Section 2.9 of the Consolidated Zoning Ordinance to create the Wilson Road Residential Overlay District and establish the applicable Design Guidelines

DEPARTMENT/DIVISION: Urban Planning and Development

I. ISSUE UNDER CONSIDERATION

The purpose of this amendment is to consider establishing a new overlay district to be known as the Wilson Road Residential Overlay District and adopt the Design Guidelines applicable to the new overlay district.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

- a. The attached amendment to Section 2.9 is designed to establish a new overlay district to be known as the Wilson Road Residential Overlay District.
- b. In 2005 City Council adopted an ordinance creating four (4) Downtown Overlay Districts and establishing the Design Guidelines applicable to those Districts.
- c. In 2007 City Council adopted an ordinance which amended Section 2.9 to add a residential overlay district known as Timrod Park Residential Overlay District and establishing the Design Guidelines applicable to that District.
- d. Interested residents from the residential area around Wilson Road have requested that City Council create a residential overlay district in their area in order to preserve the residential character of that location.
- e. The interested residents have worked with staff to create the proposal being considered.
- f. The Florence County - Municipal Planning Commission will consider this matter at their regularly scheduled meeting on May 27, 2008.

III. POINTS TO CONSIDER

- a. This action involves possible legal issues which should be addressed by the City Attorney in executive session prior to action being taken.
- b. The proposed ordinance establishes a residential overlay district and adopts applicable Design guidelines, the guidelines addressing solely use restrictions.
- c. Adjacent to this area is property located outside the City and the residents have requested that the County consider similar action regarding that property.

IV. STAFF RECOMMENDATION

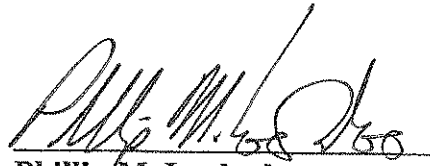
Staff recommends consideration of the Amended Ordinance after legal advise. If approved, this will be forwarded to the Planning Commission for their recommendation before the second reading.

V. ATTACHMENTS

Copy of the proposed Amended Ordinance.



David N. Williams
City Manager



Phillip M. Lookadoo, Director
Urban Planning and Development



FLORENCE COUNTY
PLANNING, BUILDING INSPECTION, ENGINEERING
AND CODE ENFORCEMENT DEPARTMENT

June 30, 2008

Florence City Council
City-County Complex
180 North Irby Street
Florence, South Carolina 29501

RE: Text Amendment to the Florence County/Municipal Zoning Ordinance-Section 2.9 to Create the Wilson Road Residential Overlay District and Establish the Applicable Design Guidelines.

To Florence City Council:

The Florence County/Municipal Planning Commission voted unanimously to reconsider the above-referenced request by the City of Florence Urban and Planning Department on Tuesday, June 24, 2008.

The nine Planning Commission members present voted unanimously to recommend that City Council defer second reading of the text amendment request and to refer the request to the City of Florence Planning Commission to conduct another public hearing and study the proposal.

Should you have any questions or need additional information, please do not hesitate to contact our office.

Sincerely,

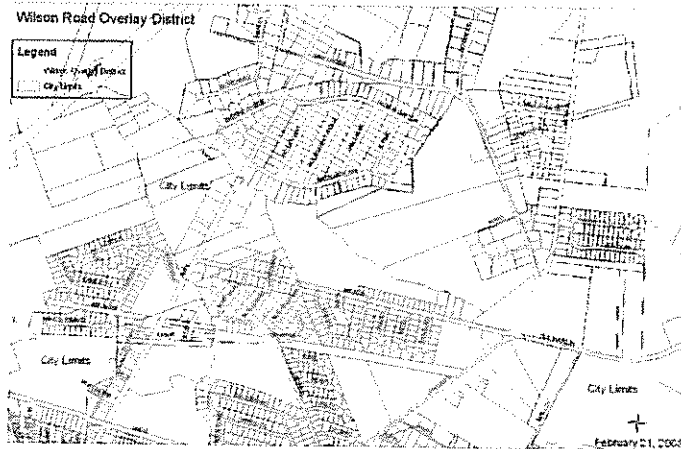
William H. Hoge
Director, Planning and Building Inspections Department

Cc: Phillip Lookadoo, Director, City of Florence Urban and Planning Department
Dianne Rowan, Municipal Clerk, City of Florence

EXHIBIT 1

Design Guidelines

2: Wilson Road Residential District Design Guidelines & Requirements



Please Note: This section sets out land uses and certain guidelines for the redevelopment, construction, renovation or restoration of buildings located within the Timrod Park Residential District. A Certificate of Appropriateness is required for any change in use, construction or redevelopment within this District.

The map above shows the Wilson Road Residential District (in Blue and City Limits in Grey).

Comments

The intent of this District is to maintain the general quality and appearance of the neighborhood and to encourage development while preserving and promoting the cultural, economic and general welfare of the public. The District does so by providing a mechanism for the identification, recognition, preservation, maintenance, protection and enhancement of existing structures and other properties which make up the Wilson Road Residential District. Similar to other Districts, the goal is to implement and enable redevelopment by providing compatible residential development in the greater Wilson Road Area.

Of basic importance to this effort is the maintenance, restoration, and careful development of the residential area known as the Wilson Road Neighborhood. The boundaries of the Wilson Road Residential District are shown on the preceding page.

Within the Wilson Road Residential District the permitted uses are generally determined by the "underlying" or primary zoning district. All zoning and/or change in zoning requests shall be heard and acted upon by the City-County Planning Commission in compliance with the Consolidated Zoning Ordinance.

General Guidelines

For the Wilson Road Residential District, Zoning Compliances are issued by the Zoning Administrator of the County-Municipal Consolidated Zoning Ordinance.

Zoning Compliance, Criteria for Issuance

In considering the issue of compliance for the District, the Zoning Administrator shall use the following criteria:

1. All the regulations set forth in the Consolidated Zoning Ordinance; and
2. No duplexes, multi-family housing or town homes as defined in the Consolidated Zoning Ordinance shall be allowed in the district.

Certificate of Appropriateness, Application Requirements

The procedures for the administration and approval of a Zoning Compliance are contained within the following sections of the Consolidated Zoning Ordinance,:

A. County Municipal Consolidated Zoning Ordinance

1. Section 2.9 – Florence Downtown Overlay District

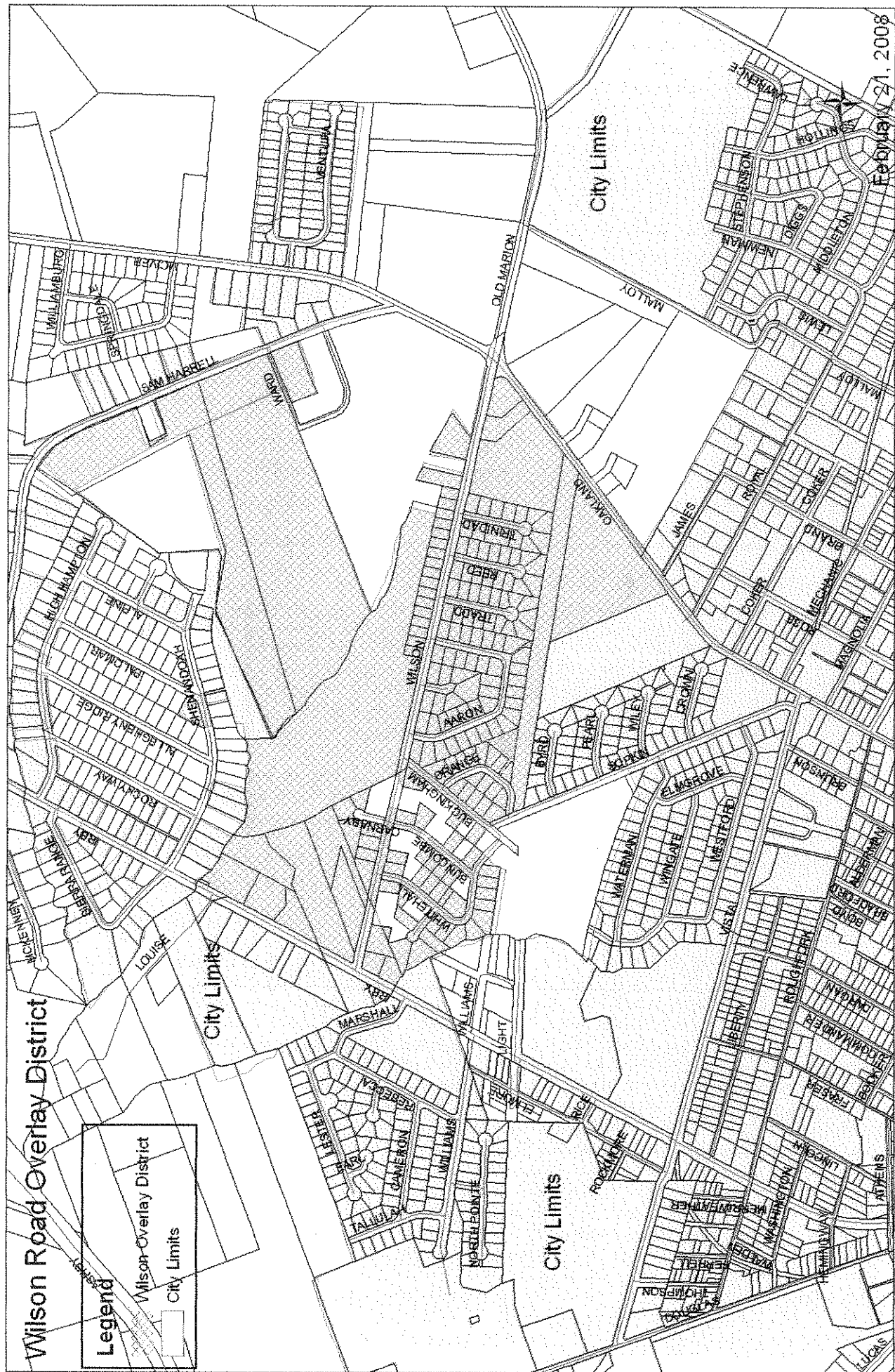
B. Design Guidelines for Overlay Districts Florence, South Carolina

1. Chapter 2 --Overlay District Guidelines
Requirements:

Wilson Road Overlay District

Legend

- Wilson-Overlay District
- City Limits



February 21, 2008

ORDINANCE NO. 2008-_____

AN ORDINANCE TO AMEND SECTION 2.9 OF THE CONSOLIDATED ZONING ORDINANCE BY ADDING TO THE EXISTING ORDINANCE IN ORDER TO CREATE THE WILSON ROAD RESIDENTIAL OVERLAY DISTRICT ASSOCIATED WITH DESIGN GUIDELINES AND TO PROVIDE FOR THEIR ENFORCEMENT AND ADMINISTRATION.

WHEREAS, a public hearing was held in room number 803 of the City County Complex on May 27, 2008 before the Florence County - Municipal Planning Commission and notice of said hearing was duly given;

WHEREAS, the City of Florence wishes to protect and preserve an area that contains predominantly single family homes;

WHEREAS, the Florence County - Municipal Planning Commission, and the Florence City Council concur in the aforesaid application and findings;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED, AND BY THE AUTHORITY THEREOF AS FOLLOWS:

I.

That the provisions of the Consolidated Zoning Ordinance applicable to the City of Florence be, and the same are hereby, amended to amend Section 2.9, *et seq.*, which will read in whole as follows:

Sec. 2.9. Florence Overlay Districts.

Sec. 2.9-1. A Purpose and Intent.

In order to promote the economic and general welfare of the City of Florence and of the public generally, the City of Florence seeks to promote and control preservation, redevelopment, restoration, and revitalization in its traditional downtown core and throughout the city limits and seeks to ensure the harmonious, orderly, and efficient growth and redevelopment of the City.

History demonstrates that the promotion of these goals requires that the City take action to preserve the qualities relating to the history of the Downtown area and to create a harmonious outward appearance of structures by emphasizing the preservation and restoration of the historic areas and buildings in both the

downtown area and the City in general. The continued construction of buildings in historic styles and with general harmony as to the style, form, color, proportion, texture, and material between the buildings within the surrounding area thereby fostering civic pride and the orderly efficient growth and redevelopment within the City.

The creation of Overlay Districts for the City of Florence is done in order to establish a mechanism for the accomplishment of these objectives.

Sec. 2.9-2. Establishing Florence Downtown Overlay Districts.

(A) There are hereby established ~~five~~ six (~~05~~) overlay districts in the ~~Downtown~~ City of Florence area, those districts being designated as follows:

D-1. Downtown Redevelopment District: The intent of this district is to promote the cultural, economic, and general welfare of the public by providing a mechanism for the identification, recognition, preservation, maintenance, protection, and enhancement of existing architecturally valuable structures, properties, and neighborhoods which make up the district. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference.

D-2. Downtown Central District: The intent of this district is to promote good urban design and to establish and maintain a unified, improved identity for Downtown Florence. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference. .

D-3. Downtown Arts and Cultural District: The intent of this district is to promote good urban design and to build on the attractive and significant architecture that exists through new infill development. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference.

D-4 Timrod Park Residential District: The intent of this district is to promote good urban residential design and to maintain and build upon the attractive

and significant historic architecture that exists throughout the District. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference.

H-1. Florence Historic District: The intent of this district is to respect and build on the historic character of Downtown Florence and to establish the initial parameters for the possible pursuit of National Register Historic District designation. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference.

WRRD. Wilson Road Residential District: The intent of this district is to promote good urban residential design and to maintain and build upon the architecture that exists throughout the District. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference.

- (B) The boundaries for the overlay districts hereby established shall be shown on an amendment to the Consolidated Zoning Map, and the boundaries hereby established are set forth below:

D-1. Downtown Redevelopment District: The boundaries of the Downtown Redevelopment District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 1.

D-2. Downtown Central District: The boundaries of the Downtown Central District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 2.

D-3. Downtown Arts and Cultural District: The boundaries of the Downtown Arts and Cultural District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 3.

D-4. Timrod Park Residential District: The boundaries of the Timrod Park Residential District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 4.

H-1. Florence Historic District: The boundaries of the Florence Historic District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 5.

WRRD. Wilson Road Residential District: The boundaries of the Wilson Road Residential District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 6.

- (C) The overlay districts referred to above shall be incorporated into the Consolidated Zoning Map and shall be maintained in both the Florence County - Municipal Planning Department and in the office of the Florence ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development.
- (D) Variances for residential uses on any lot or parcel, including mixed use developments, may be permitted within the Downtown Redevelopment District as a Special Exception by the City-County Board of Zoning Appeals. To ensure conformity to the Consolidated Zoning Ordinance and compatibility with the intent of the overlay district for which that use is proposed, a Certificate of Appropriateness is required from the Design Review Board and a variance must be obtained from the City-County Board of Zoning Appeals. Prior to submitting a request for a variance from the City-County Board of Zoning Appeals the owner must first obtain a Certificate of Appropriateness which shall be used to determine that the proposed residential use is compatible with the purposes of the Overlay District for which it is proposed.

Sec. 2.9-3. Adoption of Design Guidelines.

In the interest of promoting the cultural, economic, and general welfare of the public by providing a mechanism for the identification, recognition, preservation, maintenance, protection, and enhancement of the existing architecturally valuable structures and to promote the redevelopment and revitalization of the traditional Downtown Area and throughout the City of Florence by insuring the harmonious,

orderly, and efficient growth and redevelopment of the City, the City of Florence hereby adopts and incorporates by reference the Design Guidelines attached hereto as Appendix 7.

Sec. 2.9-4. Actions Requiring a Certificate of Appropriateness.

Within any of the designated overlay districts established herein, an application must be submitted to the Design Review Board through the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development and a Certificate of Appropriateness issued before any of the following activities can be undertaken:

- (A) The issuance of a permit by the Building Official and/or Zoning Administrator for erection, alteration, improvement, demolition, or moving of such structure, building, or signage.
- (B) All requests related to land use.
- (C) Landscape changes which include either the removal of any tree four (4) inches in caliper, or greater, or the removal of any hedge or shrub group that is at least thirty (30) inches in height
- (D) Exterior modifications or maintenance which may change or impact the appearance of the structure, including, but not limited to, roofing, façade repairs, fencing, grading or paving, awnings, shutters or window replacement.

Sec. 2.9-5. Powers of Design Review Board.

Toward this objective, The Design Review Board shall have the following powers and duties:

- (A) To adopt procedural regulations;
- (B) To conduct and/or maintain an ongoing survey to identify historically and architecturally significant properties, structures, and areas that exemplify the cultural, social, economic, political, or architectural history of the City;
- (C) To keep a register of all properties and structures that have been designated as landmarks or historic districts, including all information required for each such designation;
- (D) To advise and assist owners of all properties or structures within the overlay districts on the physical and financial aspects of preservation,

renovation, rehabilitation, and reuse and, where appropriate, to advise such owners of the procedures of the inclusion of structures on the National Register of Historic Places;

- (E) To work in conjunction with the Downtown Redevelopment Coordinator to inform and educate the citizens of Florence concerning the Downtown historic and architectural heritage by publishing appropriate maps, newsletters, brochures, and pamphlets; by holding programs and seminars; and through media exposure;
- (F) To consider, analyze, and make a determination with respect to all applications for a Certificate of Appropriateness by applying the Design Guidelines herein adopted to the project and property in question;
- (G) To make recommendations for amendments to the Design Guidelines for any of the overlay districts with final approval of the Design Guidelines to be accomplished by the City Council by resolution. Once approved, to implement any amendments to the Design Guidelines.
- (H) To assist the public entities in the development of streetscapes within the overlay districts which are consistent with the information contained in the Design Guidelines.
- (I) To hear and act upon appeals regarding the acceptance and granting of a Certificate of Compliance by the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development.

Sec. 2.9-6. Certificates of Appropriateness, Criteria for Issuance.

In considering the issue of appropriateness of a particular project, the Design Review Board shall be guided by the Design Guidelines adopted herein by reference.

Sec. 2.9-7. Design Review Board; Rules of Procedure.

- (A) **Officers:** The officers of The City of Florence Design Review Board shall be a chairman and a vice-chairman elected for one (1) year at the first meeting of the Design Review Board in each calendar year. The officers of the Design Review Board may serve four (4) consecutive terms. The ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development for the City of Florence shall serve as the staff representative to the Design Review Board. The City Manager will assign a member of the staff of the City to serve as secretary to the Design Review Board. The

designated officers of the Design Review Board shall have the following authority, duties, and responsibilities:

- (1) **Chairman:** The Chairman shall be a voting member of the Design Review Board and shall:
 - (a) Call meetings of the Design Review Board;
 - (b) Preside at meetings;
 - (c) Act in conjunction with the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development as a spokesperson for the Design Review Board;
 - (d) Sign documents for the Design Review Board;
 - (e) Perform other duties approved by the Design Review Board.
- (2) **Vice-Chairman:** The Vice-Chairman shall be a voting member of the Design Review Board and shall exercise the duties of the chairman in the absence, disability, or disqualification of the Chairman. In the absence of the Chairman and the Vice-Chairman, an acting Chairman shall be elected by the members present.
- (3) **Secretary to the Design Review Board:** The Secretary to the Design Review Board shall:
 - (a) Provide notice of all meetings;
 - (b) Assist the Chairman in the preparation of agendas;
 - (c) Keep minutes of meetings and hearings;
 - (d) Maintain the Design Review Board's records as public records;
 - (e) Attend to Design Review Board correspondence;
 - (f) Perform any other duties normally carried out by a Secretary.

(B) **Meetings**

- (1) **Time and place:** An annual schedule of regular monthly meetings shall be adopted, published, and posted at the City-County Complex in January of each year. Special meetings may be called by the Chairman upon twenty-four (24) hour notice, posted, and delivered to all members of the Design Review Board and the local media. Meetings shall be held in a place to be stated in the notice, and shall be open to the public.
- (2) **Agenda:** A written agenda shall be furnished by the Secretary to each member of the Design Review Board and to the news media, and it shall be posted at least four (4) days prior to each regular meeting and at least twenty-four (24) hours prior to a special meeting. Items may be added to the agenda at a meeting by a majority vote of the members present.
- (3) **Quorum:** A majority of the members of the Design Review Board shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling a meeting.
- (4) **Voting:** A member must be present to vote. Each member shall vote on every question unless disqualified by law. The question of disqualification shall be decided by the member(s) affected, and any such member so affected shall announce the reasons for disqualifications, have it placed in the minutes, and shall refrain from deliberation or voting on the question.
- (5) **Public Input:** Except for public hearings and additional public input sought by the Design Review Board, no person shall speak at a Design Review Board meeting unless invited to do so by the Design Review Board. The presiding officer at the Design Review Board meeting reserves the right to determine the amount of public input desired.
- (6) **Minutes:** The Secretary to the Design Review Board shall prepare minutes of each meeting for approval by the Design Review Board at the next regular meeting. Minutes shall be maintained as a public record.

- (7) **Attendance:** The minutes shall show the members in attendance at each meeting and the reason for absence submitted by any member. The Design Review Board shall recommend to the Mayor and City-Council the removal for cause of any member who is absent from three (3) consecutive meeting without adequate reason.

Sec. 2.9-8. Design Review Board, Application Requirements for a Certificate of Appropriateness.

- (A) **Applications for a Certificate of Appropriateness shall be submitted through the office of the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development.**

Prior to the placement of an item on the agenda for the Design Review Board, an application for a Certificate of Appropriateness must be "complete" as determined by the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development and must be submitted with the details as set forth in the Design Guidelines which are attached hereto and incorporated herein by reference. In the event that the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development has made a determination that the application for a Certificate of Appropriateness is not "complete" but the owner believes that the project application is "complete", the owner may make a written request to place the application on the agenda. To have the application placed on the agenda, the owner must provide the Chairman of the Design Review Committee with a letter outlining and documenting the reasons and facts which the owner contends make the application "complete". The applicant has five (5) working days from the notification of denial from the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development to provide the letter requesting placement on the agenda.

Unless specified elsewhere, at the time of consideration of a proposed project, the Design Review Board shall approve, approve with modifications, or disapprove the application. Additionally, action may be deferred by the Design Review Board to the next monthly meeting, but only upon concurrence of the owner/developer/agent.

- (B) **Certificate of Appropriateness, Application Fee:** Upon presentation of a signed application, the owner/agent must pay the required application fee of \$100.00 in order for the application to be considered. Once received by the City of Florence, the application fee is not refundable. An application fee will not be required from any local, state, or federal governmental entity. Additionally, an application fee will not be required of any owner or

developer for a project which is approved by the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development pursuant to the authority under subparagraph (F) below.

- (C) **Option for Preliminary Plan Approval:** The applicant may submit for consideration by the Design Review Board a "Preliminary Plan" of the proposed project. Such a submittal shall be submitted and considered in accordance with the provisions of the Design Guidelines adopted herein.
- (D) **Certificate of Appropriateness, Public Hearing Requirement:** A public hearing shall be required when an application for a Certificate of Appropriateness is to be considered by the Design Review Board. The time and location of the public hearing shall be published in a newspaper of general circulation in The City of Florence at least fifteen (15) days prior to the public hearing. The property in question shall be posted for the same period as the newspaper notice. The manner of posting shall follow the same signage/notification requirements as specified in The Florence County-Municipal Consolidated Ordinance.
- (E) **Certificate of Appropriateness, Demolition:** When it is determined by the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development that demolition is a part of a project covered by an application for a Certificate of Appropriateness, the Design Review Board may, if in their judgment the public is best served, postpone action for not more than two (2) scheduled monthly meetings. The initial hearing before the Design Review Board shall be counted as the first of the two monthly meetings. At the end of the above referenced deferral period the Design Review Board shall approve, disapprove, or approve with modifications. Additionally, action may be deferred further by the Design Review Board to the next monthly meeting, but only upon concurrence of the owner/developer or agent.
- (F) **Certificate of Appropriateness, Approval by the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development:** The ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development is hereby granted the authority to approve and issue a Certificate of Appropriateness administratively, without going before the Design Review Board, provided that the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development specifically determines that the materials, paint color, design, architectural features, or style of the project or signage conforms to the applicable district in the following situations:

- (1) Any project or signage for which the total cost does not exceed \$5,000 in which a specific determination is made by the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development that the project in question is not a part of a larger project:
- (2) Interior modifications/maintenance or exterior maintenance, which does not change or impact the appearance of the structure, including, but not limited to, roofing, façade repairs, awnings, shutters or window replacement. This power does not extend to those properties and structures within the H-1 Historic District or those listed on the State or National Register of Historic Places.
- (3) For emergency and/or permanent repairs relating to the incident to any structure resulting from a Force Majeur, fire or accident beyond the control of the property owner or tenant as long as the repair in question does not exceed 25% of the value of the structure as determined by the tax assessor and the materials used in the repairs are consistent with the Design Guidelines for the District in which it is located.
- (4) In the Wilson Road Residential District all applications for a Certificate of Appropriateness may be issued by the Director of Urban Planning and Development.

In all cases, the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development may, in his discretion, refer the application to the Design Review Board for review and consideration with particular attention being paid to properties and structures within the H-1 Historic district.

- (G) **Certificate of Appropriateness, Resubmission of a Denied Application:** A property owner or agent may resubmit the same application for a Certificate of Appropriateness affecting the same parcel or project after twelve (12) months have passed. If, in the opinion of the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development, there are substantial changes and improvements in the application for a project, the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development shall allow an owner to resubmit an application for Certificate of Appropriateness affecting the same parcel or lot after a waiting period of ten (10) days from the date of the initial denial. The applicant is required to meet the forty-five (45) day submittal schedule as outlined in the Design Guidelines.

and requirements contained in the Certificate of Appropriateness. In the event a Certificate of Compliance is denied by the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development the owner may appeal the decision by writing to the Design Review Board. In the event of an appeal, the Design Review Board shall consider and act on the appeal at its next regularly scheduled meeting.

Sec. 2.9-10. Appeal from the Design Review Board.

- (A) Any person with a substantial interest in any final decision of the Design Review Board may appeal from any decision of the Design Review Board to the City Council for the City of Florence by filing a Petition in Writing with the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development setting forth plainly, fully, and distinctly why the decision of the Design Review Board is contrary to law. Any such appeal must be filed within thirty (30) days after the affected party receives actual notice of the decision Design Review Board. City Council shall hold a hearing on said appeal within forty-five (45) days after receipt of the Petition. Council's decision on said appeal shall be by majority vote, and the Petitioner shall be notified of the decision in writing.
- (B) Any person with substantial interest in any decision of City Council on the appeal from the Design Review Board may appeal from said decision of City Council to the Court of Common Pleas for Florence County by filing a Petition in Writing with Clerk of Court for Florence County setting forth plainly, fully, and distinctly why the decision of City Council on appeal is contrary to law. Any such appeal to the Court of Common Pleas must be filed within thirty (30) days after the affected party receives written notice of the decision of City Council under Paragraph "A" of this section.

Sec. 2.9-11. Administrative Officer and Responsibilities.

- (A) The ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development shall be the administrative officer who shall have the responsibility for implementation and enforcement of all of the provisions relating to the overlay districts and the Design Guidelines. The ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development may delegate duties to subordinate officials to assist in such administration and implementation and to represent the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development as needed. Ultimate responsibility to the City Manager for such implementation, enforcement, and representation shall remain with the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development.

- (B) The ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development shall accept and examine all applications for a Certificate of Appropriateness and shall coordinate with the Florence County - Municipal Planning Department and the Building Official to ensure that all applications for new construction, renovation, rehabilitation, and demolition shall require a Certificate of Appropriateness if the property involved is located within the overlay districts. For landscape changes involving the removal of trees four (4) inches in caliper or greater or the removal of any hedge or shrub group exceeding thirty (30) inches in height, the owner/developer/agent shall submit an application for a Certificate of Appropriateness if the property involved is located within the overlay districts. Failure to comply with this requirement shall subject the owner/developer/agent to penalties as set forth in Section 1.7 of the Code of Ordinances, City of Florence, South Carolina.
- (C) If the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development shall find that any of the provisions of this ordinance are being violated within the overlay districts, he/she shall notify the person responsible for such violation in writing, indicating the nature of the violation and ordering the action necessary to correct it. The ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development shall order the discontinuance of any unlawful uses of land, and (in full cooperation with the Building Official) the discontinuance of any unlawful building or demolition activity within the overlay districts or shall take any other action authorized by this ordinance or any other ordinance adopted by the City of Florence to ensure compliance with or to prevent violations of its provisions.
- (D) The ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development shall have the authority and duty to accomplish all other tasks and responsibilities assigned to that position in the Design Guidelines which are incorporated herein.

II.

That the provisions of the Consolidated Zoning Ordinance applicable to the City of Florence be, and the same are hereby, amended to add the Design Guidelines applicable to the Wilson Road Residential Overlay District which are attached hereto as Exhibit 1, said Design Guidelines to be added to Appendix 7 to Section 2.9-3 of the Consolidated Zoning Ordinance.

III.

That this Ordinance, and the amendments contained herein, shall become effective immediately upon its approval and adoption.

ADOPTED THIS DAY OF _____, 2008.

Approved as to Form:

James W. Peterson, Jr.
City Attorney

Frank E. Willis
Mayor

Attest:

Dianne Rowan
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: October 13, 2008
AGENDA ITEM: Ordinance – First Reading
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

Amendment to the 2008-2009 City of Florence Budget.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

No previous action has been taken on this ordinance.

III. POINTS TO CONSIDER

The objective of the proposed ordinance is to more closely align budgeted amounts with actual revenues and expenditures thereby eliminating or reducing significant variances between budgeted and actual amounts in both revenue and expenditure categories. Funds are being re-appropriated from fiscal year 2007-08 to 2008-09 to complete transactions which were incomplete at the end of fiscal year 2007-08. Additional funds are also being budgeted as revenues and expenditures which, during the course of the current fiscal year, have been or are anticipated to be received and expended but were not included as part of the original budget ordinance.

IV. STAFF RECOMMENDATION

Approval and adoption of the proposed ordinance.

VI. ATTACHMENTS

Copy of the proposed ordinance.



Thomas W. Chandler
Finance Director



David N. Williams
City Manager

ORDINANCE NO. ____

**AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF FLORENCE,
SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, AND
ENDING JUNE 30, 2009.**

BE IT ORDAINED by the City Council of the City of Florence, South Carolina, in a meeting duly assembled and by the authority thereof that the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2008, and ending June 30, 2009, is hereby amended as follows:

Section 1. That the category of revenues of the General Fund in said budget is hereby amended by the additional appropriations as follows:

- 10-336-0200 Miscellaneous Grants is increased in the amount of \$146,000 to provide for anticipated EPA Brownfields assessment grant funds.
- 10-372-0500 Loan/Lease Purchase Proceeds is funded in the amount of \$678,500 to provide for loan proceeds for the purchase of two sanitation trucks (\$392,500) and Brownfields Cleanup Revolving Fund loan revenue (\$286,000).
- 10-377-1000 Unappropriated Surplus is funded in the amount of \$1,666,900 from undesignated fund balance.

Section 2. That the category of expenditures of the General Fund in said budget is hereby amended by the additional appropriations as follows:

- 10-419-0084 Auto Equipment (Community Services) is funded in the amount of \$23,000 to provide for a vehicle for the Community Development Specialist.
- 10-421-0082 Furniture & Fixtures (Police) is funded in the amount of \$500 to provide for the purchase of storage racks.
- 10-421-0083 Office Machines (Police) is funded in the amount of \$25,000 for the purchase of 15 replacement computers.
- 10-421-0086 Other Equipment (Police) is funded in the amount of \$66,500 for the purchase of weapons and traffic control equipment.
- 10-431-0084 Auto Equipment (Streets & Beautification) is funded in the amount of \$36,000 to provide for replacement of pickup truck # 327 (\$18,000) and pickup truck # 328 (\$18,000).

FY 2008-2009 Budget Amendment Ordinance (continued)

- 10-432-0050 Compost Supplies (Sanitation) is increased in the amount of \$1,500 to provide for matching funds for a recycling grant.
- 10-432-0084 Auto Equipment (Sanitation) is increased in the amount of \$792,500 to provide for the acquisition of 4 replacement sanitation trucks.
- 10-432-0086 Other Equipment (Sanitation) is funded in the amount of \$10,000 to provide for the purchase of 2 recycling trailers.
- 10-433-0026 Maintenance & Service Contracts (Equipment Maintenance) is increased in the amount of \$1,200 to provide for routine compressor service and repair.
- 10-433-0086 Other Equipment (Equipment Maintenance) is funded in the amount of \$8,000 for a replacement steam cleaner.
- 10-451-0065 Professional Services (Parks & Leisure Services) is increased in the amount of \$16,400 to provide for Summer Youth Program funding.
- 10-451-0084 Auto Equipment (Parks & Leisure Services) is funded in the amount of \$25,000 for the replacement of van # 925.
- 10-451-0085 Machines and Equipment (Parks & Leisure Services) is funded in the amount of \$2,000 for the replacement of weed trimmers and blowers.
- 10-453-0086 Other Equipment (Athletic Programs) is funded in the amount of \$18,000 for the purchase of a turf top dressing attachment (\$15,000) and a replacement of golf cart # 970 (\$3,000).
- 10-453-0087 Upgrade and Painting (Athletic Programs) is funded in the amount of \$20,000 for painting at Freedom Florence.
- 10-463-0065 Professional Services (Urban Planning) is funded in the amount of \$300,000 for the development of a comprehensive plan.
- 10-463-0086 Other Equipment (Urban Planning) is increased in the amount of \$51,300 for costs related to relocating the computer network system from the Sanborn Street location to the 218 West Evans Street location (\$23,000) and for the purchase of an ARC special data engine (\$28,300).
- 10-493-0440 Lot Clearing and Demolition (Non-Departmental) is funded in the amount of \$278,100 to provide for the clearing and

FY 2008-2009 Budget Amendment Ordinance (continued)

demolition of lots and abandoned structures within the city limits.

- 10-493-0500 City County Complex Operations (Non-Departmental) is increased in the amount of \$30,000 to provide the General Fund portion of a brick wall barrier for the new Complex cooling tower.
- 10-493-0546 Brownfield Cleanup Loan Expense (Non-Departmental) is funded in the amount of \$357,000 to provide for loan-funded cleanup expenditures at the former Bush Recycling site.
- 10-493-0549 EPA Assessment Grant 2006 (Non-Departmental) is funded in the amount of \$146,000 to provide for grant-funded Brownfields assessment expenditures.
- 10-493-0572 SC Land Acquisition Grant Match (Non-Departmental) is funded in the amount of \$12,900 to provide matching funds for the grant acquisition of land for trail and green space development.
- 10-493-0576 IT Upgrade (Non-Departmental) is increased in the amount of \$7,500 to provide additional funds for the General Fund portion of citywide IT upgrades.
- 10-493-5520 Gateways & Beautification (Non-Departmental) is funded in the amount of \$43,000 to provide for funding for gateways and beautification projects.
- 10-493-5550 Special Projects (Non-Departmental) is increased in the amount of \$100,000 to provide for funding for specialized equipment and projects in the Community Services, Police, Fire, Public Works, and Parks Departments.
- 10-493-5580 218 West Evans Building Upgrade (Non-Departmental) is funded in the amount of \$120,000 to provide the General Fund portions of renovations required for the relocation of the Urban Planning and Development Department and the Utility Finance Division.

Section 3. That the category of revenues of the Water and Sewer Enterprise Fund in said budget is hereby amended by the additional appropriations as follows:

- 20-377-1000 Unappropriated Surplus is funded in the total amount of \$548,100 from reservations of retained earnings from the prior fiscal year.

FY 2008-2009 Budget Amendment Ordinance (continued)

Section 4. That the category of expenses of the Water and Sewer Enterprise Fund in said budget is hereby amended as follows:

- 20-441-0065 Professional Services (Engineering) is increased in the amount of \$30,000 to fund GIS development and stormwater analysis.
- 20-441-0086 Other Equipment (Engineering) is funded in the amount of \$4,000 for the purchase of a utilities locator device.
- 20-442-0082 Furniture and Fixtures (Utility Finance) is funded in the amount of \$25,000 for the purchase furniture and fixtures to relocate the Utility Finance Division to the 218 West Evans Street facility.
- 20-442-0083 Office Machines (Utility Finance) is funded in the amount of \$7,100 to fund costs associated with development and relate equipment for a computer based credit card posting system.
- 20-442-0086 Buildings & Fixed Equipment (Utility Finance) is funded in the amount of \$14,000 for the acquisition of inventory monitoring equipment.
- 20-443-0027 Machine and Equipment Repairs (Wastewater Treatment) is increased in the amount of \$107,500 to provide for Cashua Drive Lift Station pump bases and other miscellaneous plant maintenance and repairs.
- 20-443-0087 Upgrade and Painting (Wastewater Treatment) is increased in the amount of \$90,000 for the Pine Forest Lift Station upgrade.
- 20-446-0085 Machines & Equipment (Utility Operations) is increased in the amount of \$48,000 for the purchase of a fusing machine (\$23,000) and two underground piercing tools (\$25,000).
- 20-493-0500 City County Complex Operations (Non-Departmental) is increased in the amount of \$30,000 to provide the W/S Enterprise Fund portion of a brick wall barrier for the new Complex cooling tower.
- 20-493-0576 IT Upgrade (Non-Departmental) is increased in the amount of \$22,500 to provide additional funds for the W/S Enterprise Fund portion of citywide IT upgrades.
- 20-493-5550 Special Projects (Non-Departmental) is increased in the amount of \$50,000 to provide funding for water and sewer facilities maintenance and improvements.

FY 2008-2009 Budget Amendment Ordinance (continued)

20-493-5580 218 West Evans Building Upgrade (Non-Departmental) is funded in the amount of \$120,000 to provide the W/S Enterprise Fund portions of renovations required for the relocation of the Urban Planning and Development Department and the Utility Finance Division.

Section 5. That the category of revenues of the Hospitality Fee Fund in said budget is hereby amended by the additional appropriations as follows:

26-377-1000 Unappropriated Surplus is increased in the total amount of \$563,700 from reservations of fund balance from the prior fiscal year.

Section 6. That the category of expenditures of the Hospitality Fee Fund in said budget is hereby amended by the additional appropriations as follows:

26-465-0120 Bush Site Improvements (Hospitality Fund General Expenditures) is funded in the amount of \$161,000 to provide funding for matching funds for the cleanup of the former Bush Recycling site.

26-465-0125 Downtown Parking/Plaza (Hospitality Fund General Expenditures) is funded in the amount of \$83,000 for the Downtown Parking/Plaza capital expenses.

26-465-0140 Timrod Park Improvements (Hospitality Fund General Expenditures) is funded in the amount of \$10,000 for Timrod Park capital improvements.

26-465-0160 Celebration Boulevard Traffic Signal (Hospitality Fund General Expenditures) is funded in the amount of \$40,500 for the addition of a traffic signal at Celebration Boulevard.

26-465-0185 Veterans Park Monument (Hospitality Fund General Expenditures) is funded in the amount of \$269,200 to provide advance funding for costs related to the monument to be erected at the Veterans Park, such funds to be reimbursed to the City through memorial tile sales.

Section 7. That the category of revenues of the Equipment Replacement Fund in said budget is hereby amended by the additional appropriations as follows:

40-377-1000 Unappropriated Surplus is funded in the total amount of \$462,000 from reservations of fund balance from the prior fiscal year.

FY 2008-2009 Budget Amendment Ordinance (continued)

Section 8. That the category of expenses of the Equipment Replacement Fund in said budget is hereby amended by the additional appropriations as follows:

- 40-441-0083 Office Machines (Engineering Equipment Replacement) is increased in the amount of \$10,000 to provide funding for the purchase of a plotter.
- 40-443-0084 Auto Equipment (Wastewater Treatment Equipment Replacement) is funded in the amount of \$15,000 to provide funding for the purchase of an 8 passenger minivan.
- 40-443-0085 Machines & Equipment (Wastewater Treatment Equipment Replacement) is funded in the amount of \$12,000 to provide funding for the purchase of a 6" trash pump.
- 40-444-0084 Auto Equipment (Surface Water Production Equipment Replacement) is increased in the amount of \$18,000 to provide funding for the purchase of a replacement for a full size pickup # 730.
- 40-444-0085 Machines & Equipment (Surface Water Production Equipment Replacement) is funded in the amount of \$50,000 to provide funding for the purchase of a replacement emergency generator.
- 40-445-0084 Auto Equipment (Ground Water Production Equipment Replacement) is increased in the amount of \$19,000 to provide funding for the purchase of a replacement for a full size pickup # 703.
- 40-446-0084 Auto Equipment (Utility Operations Equipment Replacement) is increased in the amount of \$70,000 to provide funding for the purchase of a replacement for bucket truck # 652.
- 40-446-0085 Machines and Equipment (Utility Operations Equipment Replacement) is increased in the amount of \$248,000 to provide funding for the purchase of a replacement for a wash/vacuum truck.
- 40-446-0086 Other Equipment (Utility Operations Equipment Replacement) is increased in the amount of \$20,000 to provide funding for the purchase of a replacement 6" trash pump.

Section 9. That all ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

FY 2008-2009 Budget Amendment Ordinance (continued)

This Ordinance shall become effective immediately upon its approval and adoption by the City Council of the City of Florence.

ADOPTED THIS _____ DAY OF _____, 2008.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Frank E. Willis
Mayor

Attest:

Diane Rowan
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: October 27, 2008

AGENDA ITEM: Ordinance to Approve Conveyance of Downtown Property
to Florence County

DEPARTMENT/DIVISION: City Council / City Attorney

I. ISSUE UNDER CONSIDERATION

This ordinance would authorize the conveyance of two parcels designated as tax map parcels 90168-02-005 and a portion of 90168-02-038 in the records of the Florence County Tax Assessor to Florence County for the development and maintenance of a new Florence County Museum.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

No action has been taken on this ordinance.

III. POINTS TO CONSIDER

- A. Section 2-26(a)(8) of the City Code of Ordinances and Section 5-7-260 of the South Carolina Code of Laws require that the conveyance of land owned by a municipality be done by ordinance adopted by City Council.
- B. City Council previously authorized the City Manager to negotiate an agreement with Florence County for the conveyance of the property in question.

IV. ATTACHMENT:

Copy of proposed ordinance.

James W. Peterson, Jr.
City Attorney

ORDINANCE NO. 2008-_____

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF TWO PARCELS DESIGNATED AS TAX MAP PARCELS 90168-02-005 AND A PORTION OF 90168-02-038 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR TO FLORENCE COUNTY.

WHEREAS, after due consideration, the City has concluded and hereby declares that it is in the public's best interest that the parcels of land more particularly described on Exhibit "A" attached hereto and incorporated herein by reference that should be conveyed to the County for the development and maintenance of a new Florence County Museum; and

WHEREAS, the City has determined that it is in the best interest of the City and its citizens that it convey control of the property described herein to the said Florence County in the fashion described below to benefit the museum and to encourage appropriate economic development of the downtown area ;

NOW, THEREFORE, be it ordained by the City Council of the City of Florence in meeting duly assembled and by the authority thereof:

1. That, pursuant to §5-7-260(6) of the South Carolina Code of Laws, as amended, and §2-26(8) of the Code of Ordinances of the City of Florence, the City Manager of the City of Florence is hereby authorized to execute and deliver the Option to Purchase the subject properties attached hereto as Exhibit "A".

2. This Ordinance shall become effective immediately upon its approval and adoption by the City Council of the City of Florence, South Carolina.

ADOPTED THIS ____ DAY OF _____, 2008.

FRANK E. WILLIS
Mayor

Approved as to form:

Attest:

JAMES W. PETERSON, JR.
City Attorney

DIANNE M. ROWAN
Municipal Clerk

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

**OPTION TO PURCHASE
REAL ESTATE**

In consideration of an earnest money payment of Five Thousand and No/100 (\$5,000.00) Dollars paid to The City of Florence, South Carolina, hereinafter referred to as "Seller", does hereby give and grant to Florence County, South Carolina, hereinafter referred to as "Purchaser", its successors and assigns, the exclusive option to purchase the real estate described below and located in the City of Florence, State of South Carolina, more particularly described as follows:

All of that property described on the Florence County Tax Assessor's Map as Parcel No. 90168-02-005 and a portion of Parcel No. 90168-02-038 as depicted in the highlighted portion of Tax Map 90168 as attached hereto. The parcel to be transferred will measure One Hundred Eighty-Five (185') feet in frontage on Cheves Street and run back with its western line paralleling the right-of-way of South Dargan Street to the boundary of Tax Parcel No. 90168-02-006.

The option is given on the following terms and conditions:

**SECTION ONE
Price and Terms of Payment**

The purchase price for the property shall be Two Hundred Thousand and No/100 (\$200,000.00) Dollars, to include the earnest money payment, which shall be paid in cash on the exercise of this option by the Purchaser.

**SECTION TWO
Period of Option and Extension**

This option may be exercised by giving notice thereof to the Seller at any time from the execution of the date of this option and extending for a period of six (6) months. Subject to the contingencies below, if the Option is not exercised, the Five Thousand and No/100 (\$5,000.00) Dollar earnest money will be forfeited by the Purchaser to the Seller.

**SECTION THREE
Contingencies**

The Purchaser's obligations under this Option are contingent upon the following:

- (a) The Performing Arts Center being constructed, and the Seller constructing and completing a parking facility adjacent to the optioned tract which will be

suitable for the joint and unrestricted use of the Performing Arts Center and the Florence County Museum.

The Seller's obligations under this Option are contingent upon the following:

- (a) The Purchaser agreeing to use the above described property exclusively for the construction and operation of the Florence County Museum.
- (b) The conveyance being subject to the clause addressing a resale of the property to the Seller set out in Section Four below.

SECTION FOUR

Title

If the option is exercised, the Seller shall within thirty (30) days after the delivery to it of the notice of the exercise, submit to Purchaser a deed conveying good merchantable title in the property described above. If Seller fails to do so, Purchaser may terminate the contract by giving ten (10) days notice to the Seller.

Title to be conveyed as herein provided shall be merchantable title, free and clear of all liens, encumbrances, restrictions, and easements. The title conveyed shall contain a clause requiring the Purchaser to convey the property back to the Seller at the same purchase price should the Seller fail to construct the Florence County Museum on said property within four (4) years from the date of the conveyance, said Museum to be constructed in accordance with the applicable Design Guidelines and all applicable building codes.

SECTION FIVE

Closing

At closing, the Seller will be responsible for delivering a full warranty deed to the Purchaser, and taxes, if any, for the current year shall be prorated. The deed will be subject to the clause addressing a resale of the property to the Seller set out in Section Four above.

SECTION SIX

Possession

The Seller shall continue in possession of the property until the time of closing.

**SECTION SEVEN
Entire Agreement**

This Agreement, when combined with the Development Agreement dated even date herewith, contains the entire agreement and understanding of the parties and may be amended only if done so in writing and executed in the same formality as this Agreement.

WITNESS the parties' hands and seals this _____ day of _____, 2008.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

**PURCHASER
COUNTY OF FLORENCE**

By: _____
**RICHARD A. STARKS
Administrator**

**SELLER
CITY OF FLORENCE**

By: _____
**DAVID N. WILLIAMS
City Manager**

CITY OF FLORENCE COUNCIL MEETING

DATE: November 10, 2008

AGENDA ITEM: Ordinance
First Reading

DEPARTMENT/DIVISION: City of Florence Urban Planning & Development Department

I. ISSUE UNDER CONSIDERATION:

An amendment to the Planned Development District for The Reserve at Ebenezer to allow pools to be four feet from the rear property line and five feet from the side property lines in the rear yard only.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

This residential subdivision is under development and was zoned as a Planned Development District. All rear yards are required to be fenced, however, some are not large enough to accommodate a pool and meet the normal ten foot setback for pools in residential areas.

This request was approved unanimously by the City of Florence Planning Commission at their October 14, 2008 meeting.

III. POINTS TO CONSIDER:

The applicant is requesting an amendment to the Planned Development District which will only be applicable to the residential subdivision known as "The Reserve at Ebenezer".

IV. OPTIONS:

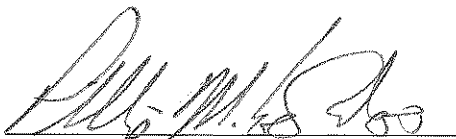
City Council may:

- (1) Approve request as presented based on information submitted.*
- (2) Defer request should additional information be needed.*
- (3) Suggest other alternatives.*
- (4) Deny request.*

V. PERSONAL NOTES:

VI. ATTACHMENTS:

Map showing the location of the subdivision.
Zoning Map
Ordinance



Phillip M. Lookadoo, AICP
Urban Planning and Development Director



David N. Williams
City Manager

ORDINANCE NO. 2008 _____

AN ORDINANCE TO AMEND THE PLANNED DEVELOPMENT DISTRICT FOR THE RESERVE AT EBENEZER SUBDIVISION.

WHEREAS, a Public Hearing was held in Room 603 of the City-County Complex on October 14, 2008 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, an application by Ebenezer Development LLC requesting an amendment to the City of Florence Zoning Atlas by changing the Planned Development District for The Reserve at Ebenezer Subdivision, and

WHEREAS, the amendment would allow pools in rear yards only to be located no closer than four (4) feet to the rear property line and five (5) feet from the side property lines. All rear yards are required to be fenced in this development.

WHEREAS, Florence City Council concur in the aforesaid application, findings and recommendations:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

1. That an Ordinance is hereby adopted by amending the Zoning Atlas of the City of Florence by amending the Planned Development District zoning for The Reserve at Ebenezer to allow pools in rear yards only to be four (4) feet from the rear property line and five (5) feet from the side property line.
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.

ADOPTED THIS _____ DAY OF _____, 2008

Approved as to form:

James W. Peterson, Jr.
City Attorney

Frank E. Willis, **Mayor**

Attest:

Dianne Rowan
Municipal Clerk

AMENDMENT TO PLANNED DEVELOPMENT DISTRICT



1,000 0 Feet



Urban Planning & Development Department

Legend

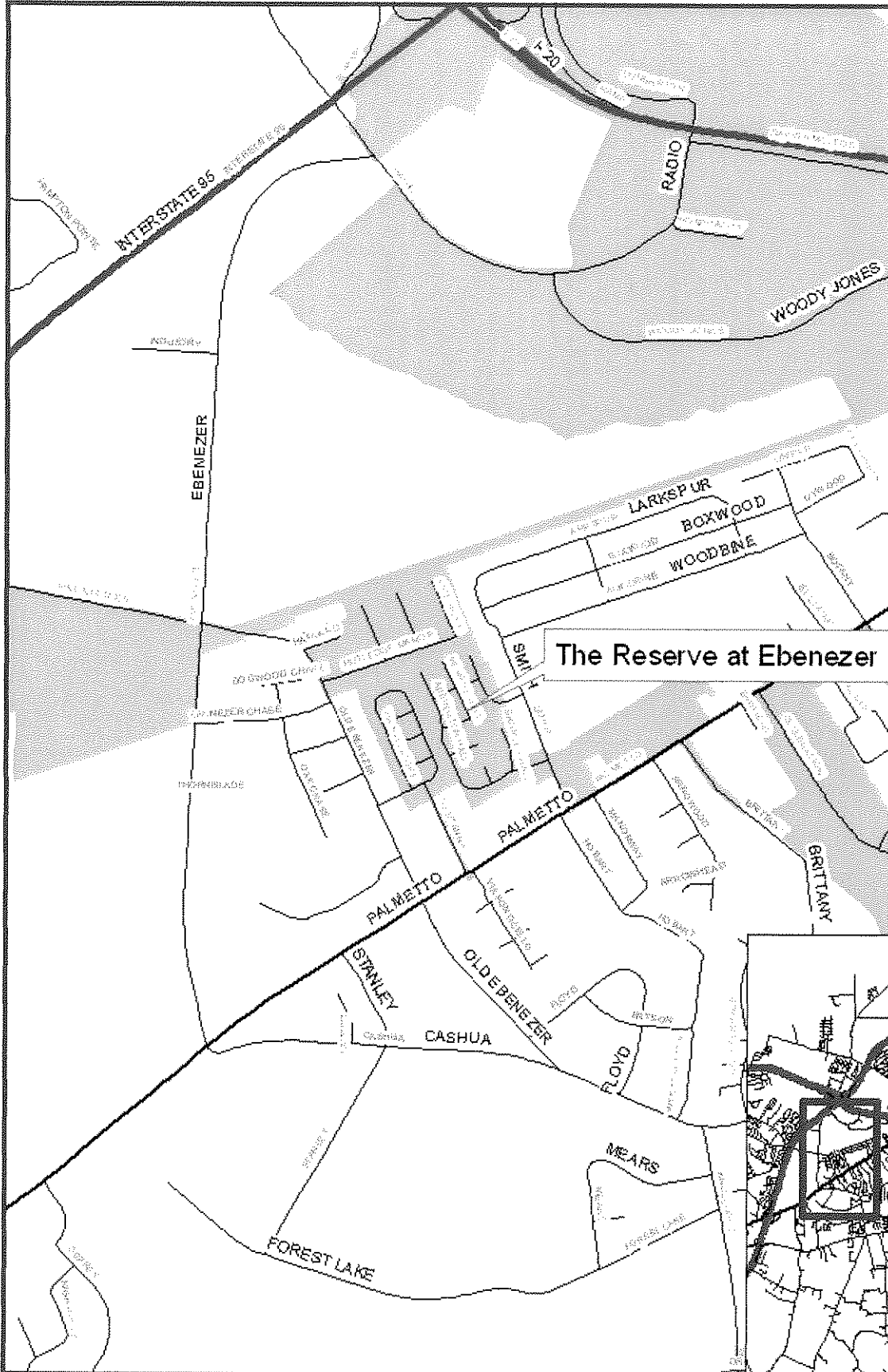
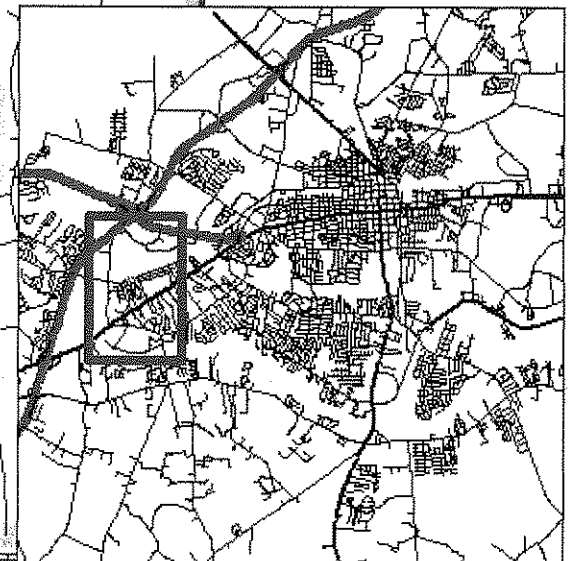
Roads

- City Maintained
- State Street
- Interstate
- US Highway
- City Boundary

The Reserve at Ebenezer

ORIGINAL PREPARATION/DATE:
 This map was prepared by:
 LE CLAW
 Urban Planning & Development Department
 Aug 01, 2008
 REVISION NUMBER/DATE:
 August 1, 2008

DISCLAIMER:
 The City of Florence Urban Planning and Development Department data represented on this map or plan is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.



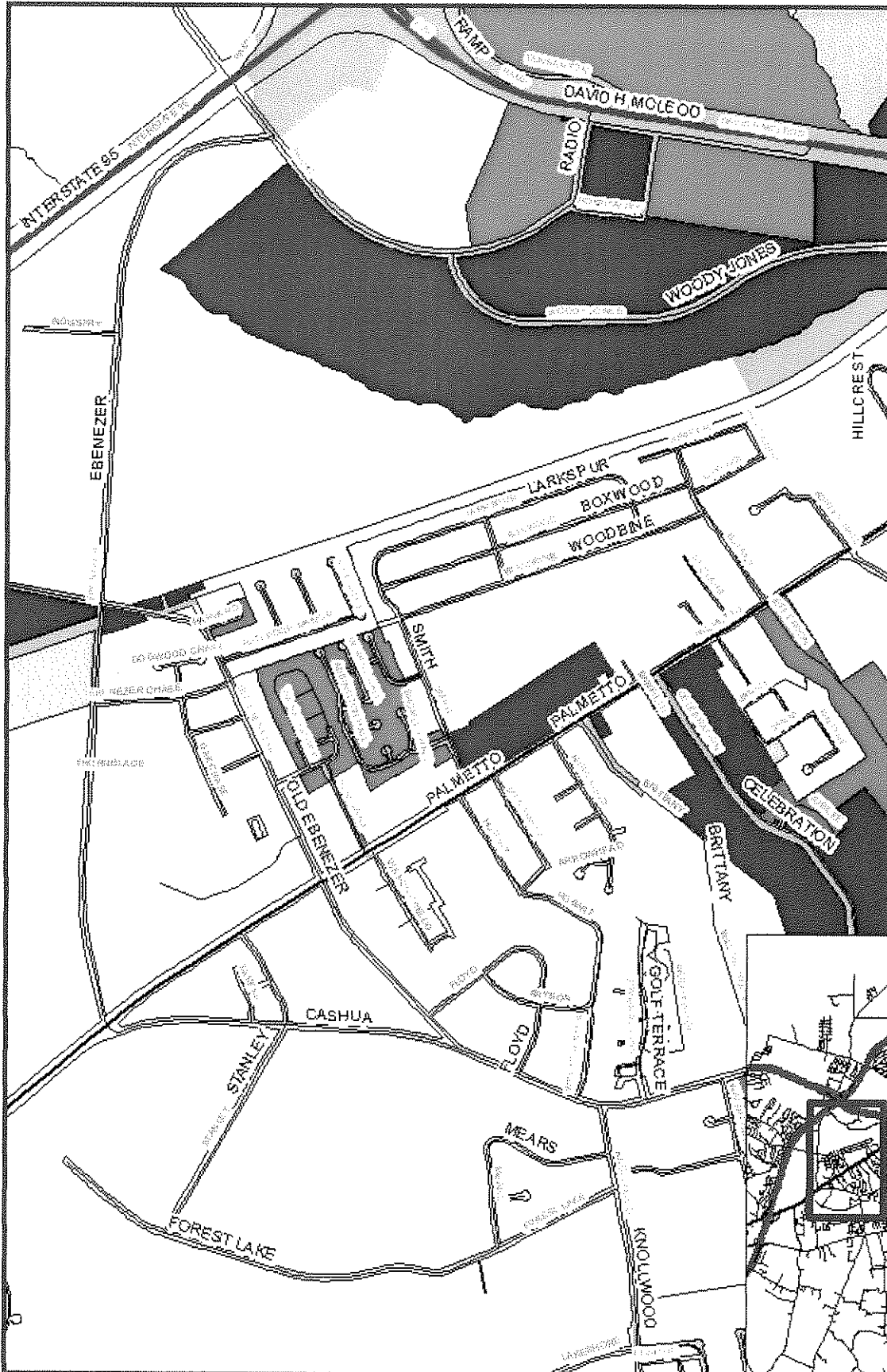
ZONING DISTRICTS



1,000 0 Feet



Urban Planning & Development Department



Legend

Roads

- City Maintained
- State Street
- Interstate
- US Highway
- R-1, Single Family, 15,000 sf
- R-2, Single Family, 10,000 sf
- R-3, Single Family, 6,000 sf
- R-4, Multi-Family
- R-5, Multi-Family
- PDD
- B-1, Limited
- B-2, Convenience
- B-3, General
- B-4, Central
- B-5, Office - Light Industrial
- B-6, Industrial
- RU-1, Community 15,000 sf
- RU-2, Resource 87,120 sf
- Unzoned
- City Boundary

ORIGINAL PREPARATION DATE:

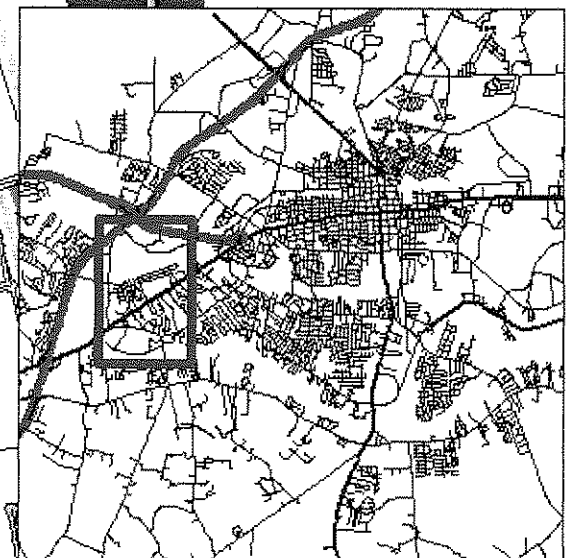
This map was prepared by:
LE CLAW

Urban Planning & Development Department
Aug 01, 2008

REVISION NUMBER/DATE:
August 1, 2008

DISCLAIMER:

The City of Florence Urban Planning and Development Department data represented on this map or plan is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to accuracy. Its use without field verification is at the sole risk of the user.



VI. b.
Bill No. 2008-55
First Reading

CITY OF FLORENCE COUNCIL MEETING

DATE: November 10, 2008

AGENDA ITEM: Ordinance
First Reading

DEPARTMENT/DIVISION: City of Florence Urban Planning & Development Department

I. ISSUE UNDER CONSIDERATION:

An annexation and zoning request by Nigel & Shannon Watt for property located at 2483 W. Andover Road (Windsor Forest Subdivision) and shown more specifically on Tax Map 01221-01-094.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

The property is contiguous to the City limits with both water and sewer available.

A Public Hearing for the zoning request for R-1, Single-Family Residential District was approved unanimously by the City of Florence Planning Commission at their October 14, 2008 meeting.

III. POINTS TO CONSIDER:

The applicant is requesting that their property be annexed into the city.

IV. OPTIONS:

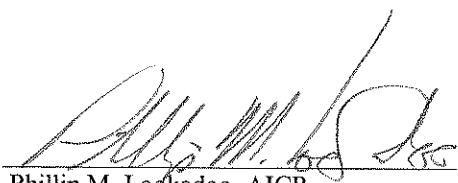
City Council may:

- (1) Approve request as presented based on information submitted.*
- (2) Defer request should additional information be needed.*
- (3) Suggest other alternatives.*
- (4) Deny request.*

V. PERSONAL NOTES:

VI. ATTACHMENTS:

Map showing the location of the property.
Zoning Map
Annexation checklist
Ordinance



Phillip M. Lookadoo, AICP
Urban Planning and Development Director



David N. Williams
City Manager

CITY OF FLORENCE

ANNEXATION CHECKLIST

Date: September 9, 2008

Instructions: Engineering Department completes items #6 thru 10
Fire Department completes # 10a

1. Party requesting annexation: Nigel & Shannon Watt
2. Location and acreage of property: 2483 W Andover Rd
3. Tax Map reference: 01221-01-094
4. Contact name & phone number: 665-6573

SERVICE AVAILABILITY INFORMATION

INITIALS	YES/NO	IF NO, COST ESTIMATE FOR CITY TO PROVIDE
6. <u>S.H.A.</u> Water Line	Yes.	
7. <u>S.H.A.</u> Sewer Line	Yes.	
8. <u>S.H.A.</u> Storm Drainage	Yes.	
9. <u>S.H.A.</u> Paved Street SCDOT _____ Other _____	Yes	
Length of existing curb and gutter.	0 ft	
10. <u>S.H.A.</u> Traffic Control devices, including street name signs	Yes.	
10a. <u>D</u> Fire Hydrants	Yes	

* Economic Feasibility Analysis attached

- 11. Requested Zoning : R-1, Single-Family Residential
- 12. Date of Petition: August 22, 2008
- 13. Party informed of costs and requirements of annexation: Yes
- 14. Residents: Total: 4 18 and over: 2
Registered Voters by Race: 2 Caucasian

Annexation Checklist reviewed by:

Date:

Urban Planning & Development Director	_____	
Engineering Department Manager	<i>[Signature]</i>	9-9-08
Public Works Director	<i>[Signature]</i>	9-9-08
Police Chief	<i>[Signature]</i>	09-10-08
Fire Chief	<i>[Signature]</i>	9-11-08
City Manager	<i>[Signature]</i>	9-15-08

Please return completed form to: Liz Shaw, Urban Planning & Development Department



Annexation Request
2483 W. Andover Rd

ZONING

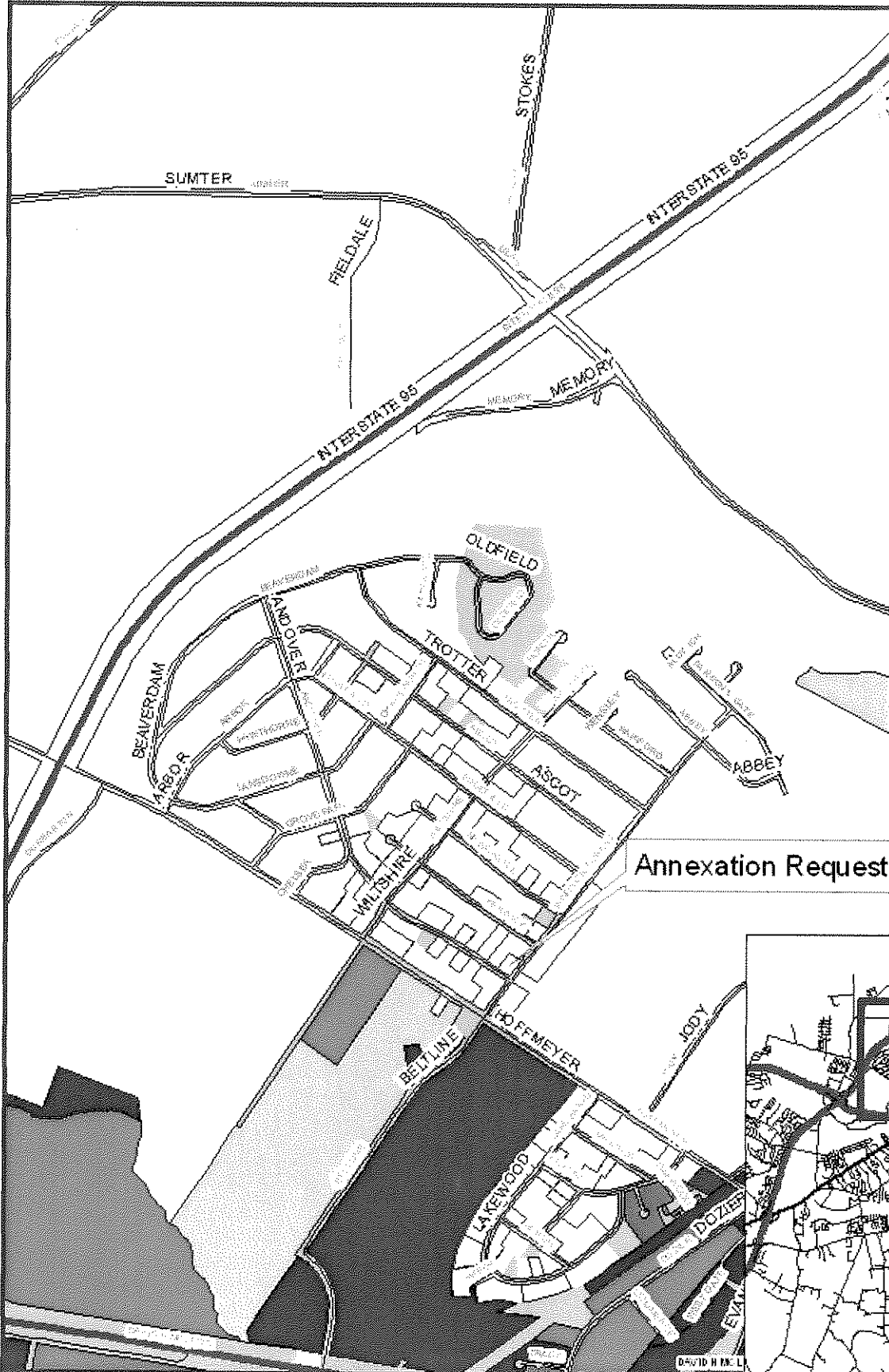
2483W Andover Rd



1,000 0 Feet



Urban Planning & Development Department



Legend

Roads

- City Maintained
- State Street
- Interstate
- US Highway
- R-1, Single Family, 15,000 sf
- R-2, Single Family, 10,000 sf
- R-3, Single Family, 6,000 sf
- R-4, Multi-Family
- R-5, Multi-Family
- PDD
- B-1, Limited
- B-2, Convenience
- B-3, General
- B-4, Central
- B-5, Office - Light Industrial
- B-6, Industrial
- RU-1, Community 15,000 sf
- RU-2, Resource 87, 120 sf
- Unzoned
- City Boundary

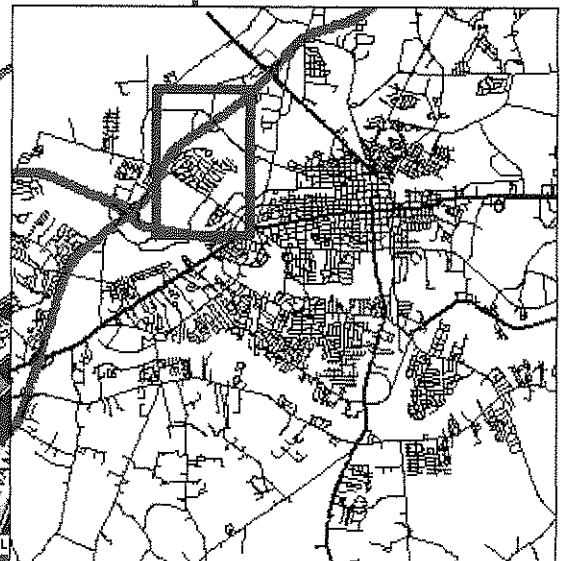
ORIGINAL PREPARATION DATE:

This map was prepared by:
LE Chan
Urban Planning & Development Department
Aug 01, 2008
REVISION NUMBER/DATE:
August 1, 2008

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Annexation Request



ORDINANCE NO. 2008 _____

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY NIGEL AND SHANNON WATT, 2483 WEST ANDOVER ROAD.

WHEREAS, a Public Hearing was held in Room 603 of the City-County Complex on October 14, 2008 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, an application by Nigel and Shannon Watt, owners of 2483 W. Andover Road was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated in the city limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and adding the zoning district classification of R-1, Single-Family Residential District and described as follows:

The property requesting annexation is shown more specifically on Florence County Tax Map 0122-1, block 01, parcel 094.

Any portions of public rights-of-way abutting the above described property will be also included in the annexation.

WHEREAS, Florence City Council concur in the aforesaid application, findings and recommendations:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

1. That an Ordinance is hereby adopted by amending the Zoning Atlas of the City of Florence and annexing the aforesaid properties to R-1, Single-Family Residential District and incorporating them into the City Limits of the City of Florence
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.

ADOPTED THIS _____ DAY OF _____, 2008

Approved as to form:

James W. Peterson, Jr.
City Attorney

Frank E. Willis, **Mayor**

Attest:

Dianne Rowan
Municipal Clerk

CITY OF FLORENCE COUNCIL MEETING

DATE: November 10, 2008

AGENDA ITEM: Ordinance
First Reading

DEPARTMENT/DIVISION: City of Florence Urban Planning & Development Department

I. ISSUE UNDER CONSIDERATION:

An annexation and zoning request by David Wach for property located at 2699 Trotter Road (Grove Park Subdivision) and shown more specifically on Tax Map 00984-01-020.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

The property is contiguous to the City limits with both water and sewer available.

A Public Hearing for the zoning request for R-1, Single-Family Residential District was approved unanimously by the City of Florence Planning Commission at their October 14, 2008 meeting.

III. POINTS TO CONSIDER:

The applicant is requesting that their property be annexed into the city.

IV. OPTIONS:

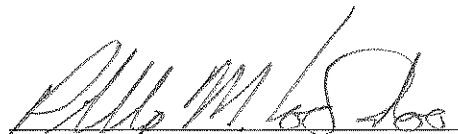
City Council may:

- (1) Approve request as presented based on information submitted.*
- (2) Defer request should additional information be needed.*
- (3) Suggest other alternatives.*
- (4) Deny request.*

V. PERSONAL NOTES:

VI. ATTACHMENTS:

Map showing the location of the property.
Zoning Map
Annexation checklist
Ordinance



Phillip M. Lookadoo, AICP
Urban Planning and Development Director



David N. Williams
City Manager

CITY OF FLORENCE

ANNEXATION CHECKLIST

Date: July 30, 2008

Instructions: Engineering Department completes items #6 thru 10
Fire Department completes # 10a

1. Party requesting annexation: David Wach
2. Location and acreage of property: 2699 Trotter Rd(Windsor Forest)
3. Tax Map reference: 00984-01-020
4. Contact name & phone number: David Wach

SERVICE AVAILABILITY INFORMATION

INITIALS	YES/NO	IF NO, COST ESTIMATE FOR CITY TO PROVIDE
6. <u>S.H.A.</u> Water Line	Yes.	
7. <u>S.H.A.</u> Sewer Line	Yes	
8. <u>S.H.A.</u> Storm Drainage	Yes	
9. <u>S.H.A.</u> Paved Street SCDOT _____ Other _____	Yes	
Length of existing curb and gutter.	0 ft	
10. <u>S.H.A.</u> Traffic Control devices, including street name signs	Yes.	
10a. <u>JW</u> Fire Hydrants	yes	

* Economic Feasibility Analysis attached

- 11. Requested Zoning : R-1, Single-Family Residential
- 12. Date of Petition: July 15, 2008
- 13. Party informed of costs and requirements of annexation: Yes
- 14. Residents: Total: 4 18 and over: 3
Registered Voters by Race: 3 Caucasian

Annexation Checklist reviewed by:

Date:

Urban Planning & Development Director

Phillip M. [Signature] 7/30/08

Engineering Department Manager

[Signature] 8-25-08

Public Works Director

Andrew H. [Signature]

Police Chief

[Signature] 08-26-08

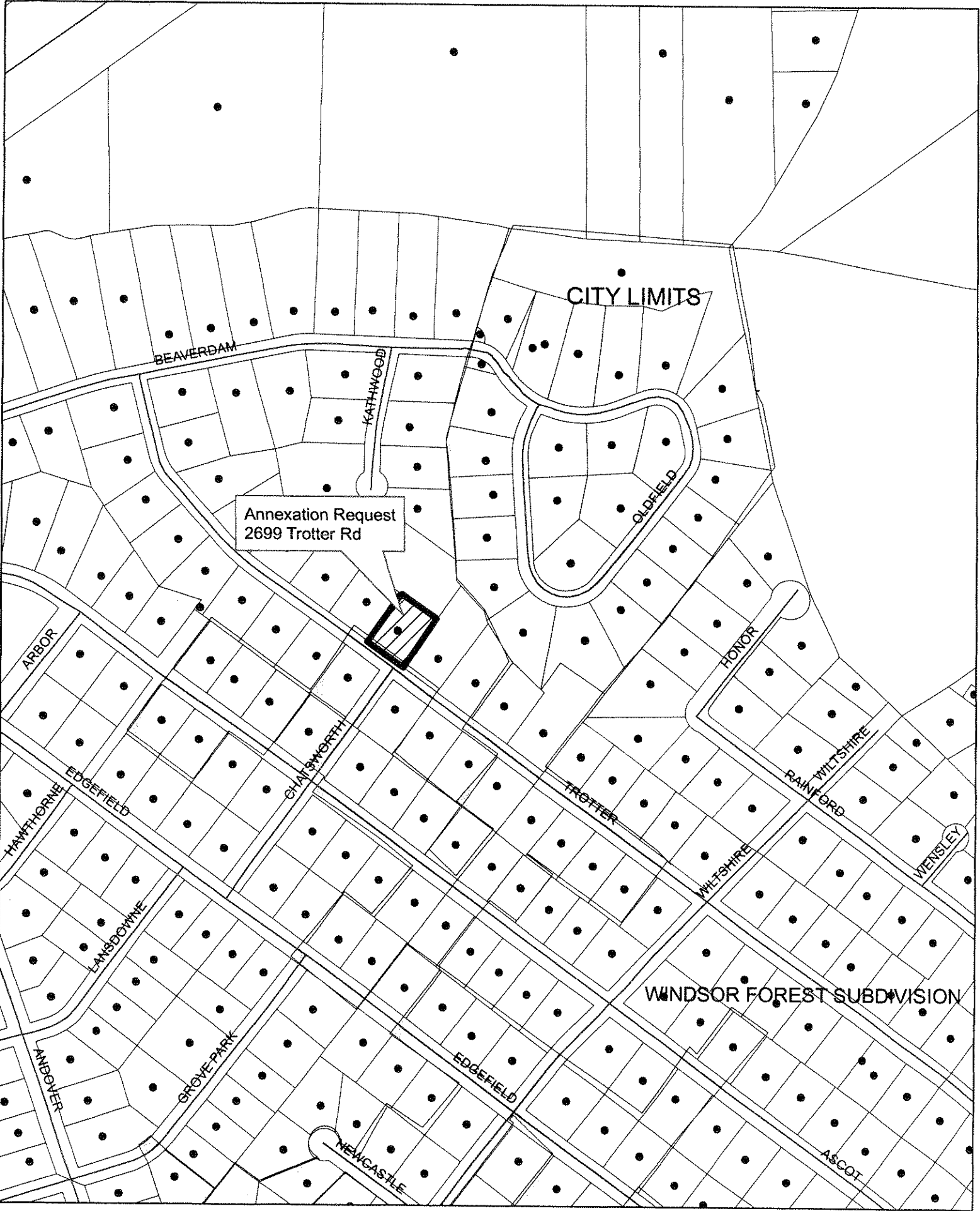
Fire Chief

Randall S. Oster 8-27-08

City Manager

[Signature] 8-28-08

Please return completed form to: Liz Shaw, Urban Planning & Development Department



CITY LIMITS

Annexation Request
2699 Trotter Rd

WINDSOR FOREST SUBDIVISION

BEAVERDAM

KATHWOOD

OLDFIELD

ARBOR

HONOR

HAWTHORNE
EDGEFIELD

RAINFORD
WILTSHIRE

CHALSWORTH

TROTTER

LANSDOWNE

WILTSHIRE

WENSLEY

ANDOVER

GROVE PARK

EDGEFIELD

NEWCASTLE

ASCOT

LOCATION MAP

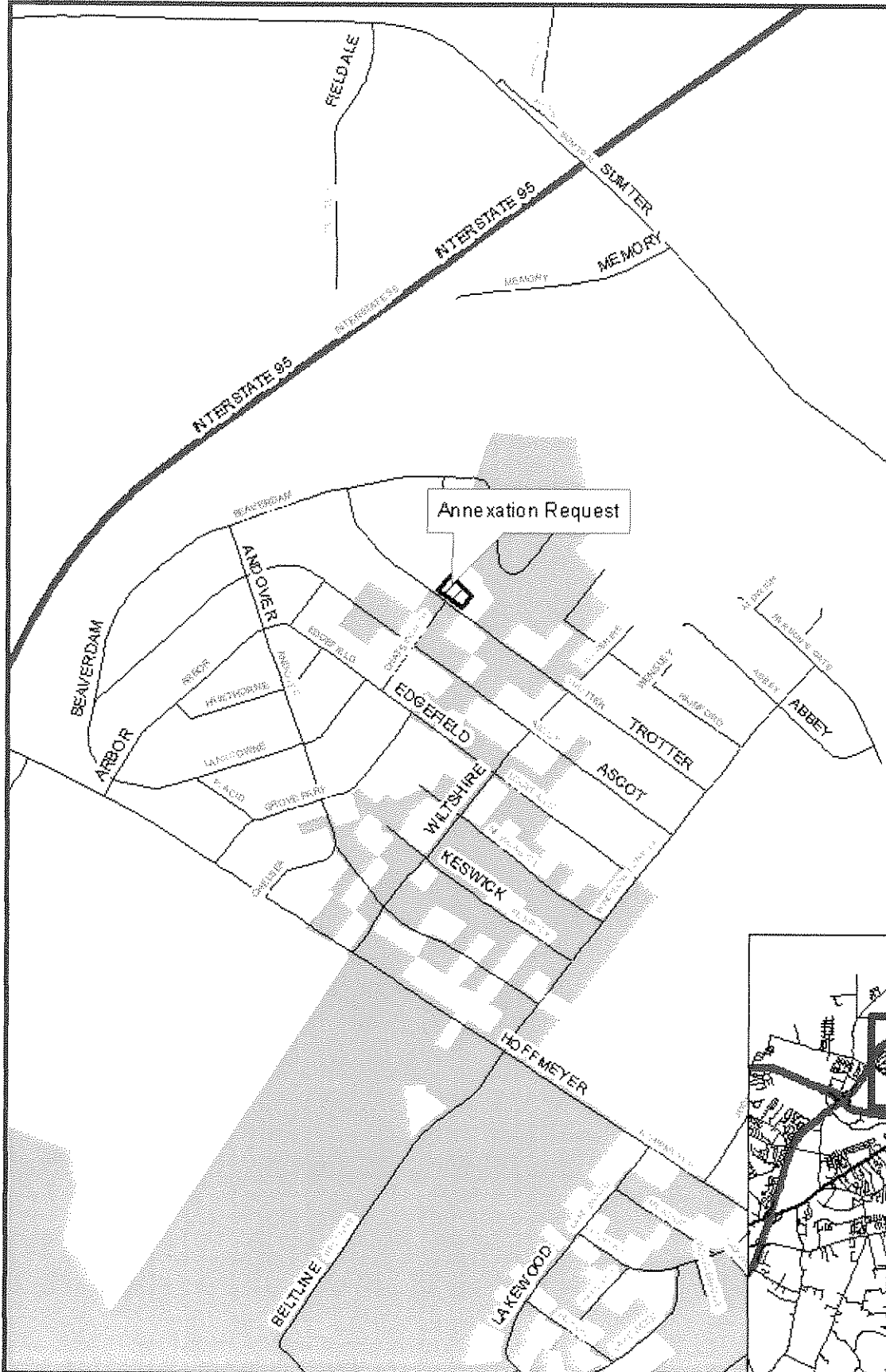
2699 Trotter Rd



1,000 0 Feet



Urban Planning &
Development Department



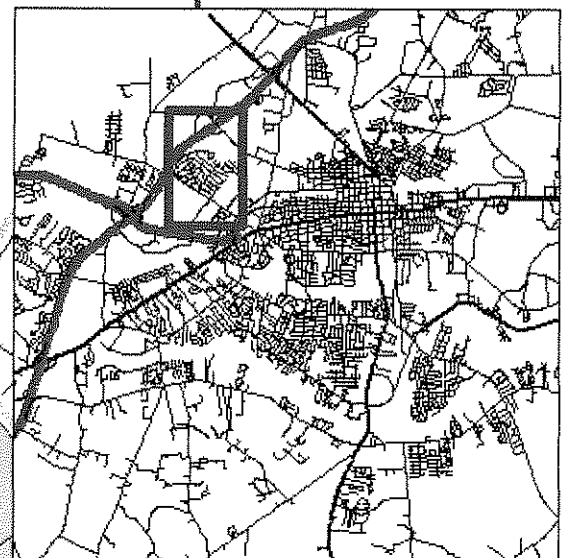
Legend

Roads

- City Maintained
- State Street
- Interstate
- US Highway
- City Boundary

ORIGINAL PREPARATION DATE:
This map was prepared by:
LEE CHAW
Urban Planning & Development Department
Aug 01, 2008
REVISION NUMBER/DATE:
August 1, 2008

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ZONING

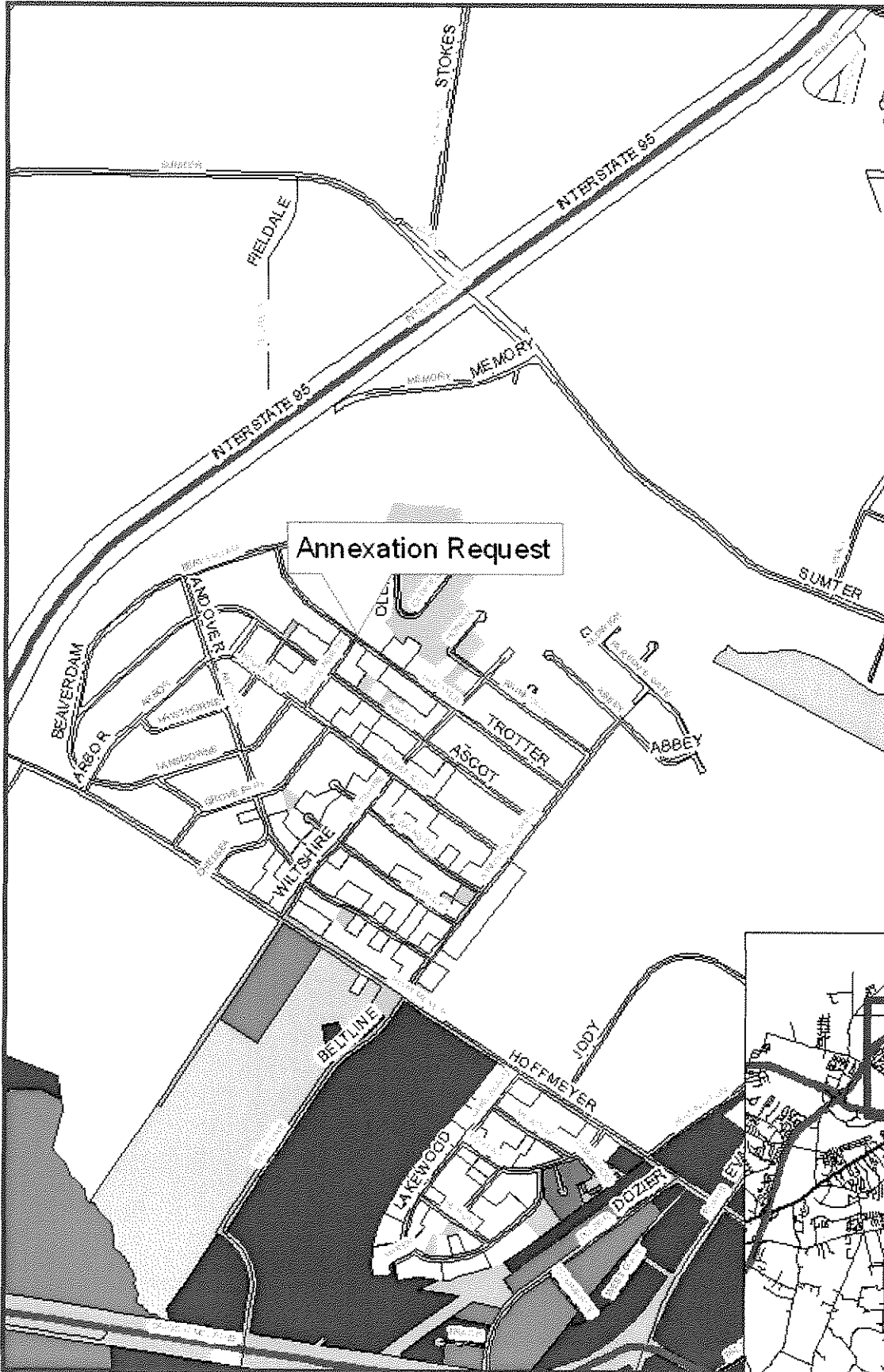
2699 Trotter Rd



1,000 0 Feet



Urban Planning & Development Department



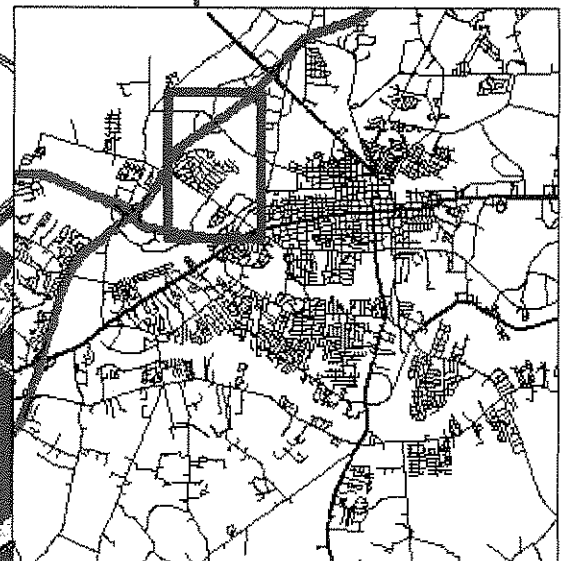
Legend

Roads

- City Maintained
- State Street
- Interstate
- US Highway
- R-1, Single Family, 15,000 sf
- R-2, Single Family, 10,000 sf
- R-3, Single Family, 8,000 sf
- R-4, Multi-Family
- R-5, Multi-Family
- PDD
- B-1, Limited
- B-2, Convenience
- B-3, General
- B-4, Central
- B-5, Office - Light Industrial
- B-6, Industrial
- RU-1, Community 15,000 sf
- RU-2, Resource 87,120 sf
- Unzoned
- City Boundary

ORIGINAL PREPARATION/DATE:
 This map was prepared by:
 LESLIE
 Urban Planning & Development Department
 Aug 01, 2008
 REVISION NUMBER/DATE:
 August 1, 2008

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ORDINANCE NO. 2008_____

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY DAVID WACH, 2699 TROTTER ROAD.

WHEREAS, a Public Hearing was held in Room 603 of the City-County Complex on October 14, 2008 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, an application by David Wach, owner of 2699 Trotter Road was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated in the city limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and adding the zoning district classification of R-1, Single-Family Residential District and described as follows:

The property requesting annexation is shown more specifically on Florence County Tax Map 00984-01-020.

Any portions of public rights-of-way abutting the above described property will be also included in the annexation.

WHEREAS, Florence City Council concur in the aforesaid application, findings and recommendations:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

1. That an Ordinance is hereby adopted by amending the Zoning Atlas of the City of Florence and annexing the aforesaid properties to R-1, Single-Family Residential District and incorporating them into the City Limits of the City of Florence
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.

ADOPTED THIS _____ DAY OF _____, 2008

Approved as to form:

James W. Peterson, Jr.
City Attorney

Frank E. Willis, **Mayor**

Attest:

Dianne Rowan
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

VI. d.
Bill No. 2008-57
First Reading

DATE: November 10, 2008
AGENDA ITEM: First Reading: Amendment to City of Florence Zoning Ordinance
DEPARTMENT/DIVISION: Urban Planning & Development

I. ISSUE UNDER CONSIDERATION

Amend Article 5, Table VIII of the Sign Regulations as found in the City of Florence Zoning Ordinance.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

1. On July 1, 2008, the City of Florence adopted its own Zoning Ordinance to be administered by the Urban Planning and Development Department.
2. Raldex Inc. requested that the department consider amending the current sign ordinance to allow more than 2 wall signs for a new Hampton Inn and Suites currently under construction.
3. Upon receiving the request, the Planning Commission appointed a subcommittee on text amendments to work with department staff in determining if a text amendment was in order.
4. Once the subcommittee determined that an amendment was needed, staff prepared sample amendments for the committee to review.
5. The subcommittee voted on an amendment modeled after the Greenville, South Carolina ordinance with modifications to fit Florence.
6. The Planning Commission then reviewed and unanimously approved the amendment at a special meeting on October 27, 2008.

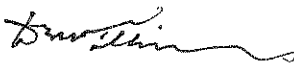
III. POINTS TO CONSIDER

1. The current sign regulations allow a total of two (2) signs per building in the B-2 through B-6 and RU-1 zoning districts;
2. The Urban Planning and Development Department receives frequent requests to place signs on all sides of buildings;
3. The allowable size of signs per this amendment is scalable and therefore fits each building or storefront appropriately;
4. Requests stem from applicants wanting visibility from interstates and major thoroughfares for their businesses.

IV. STAFF RECOMMENDATION

Approval and adoption of the proposed ordinance.


Phillip M. Lookadoo, Director
Urban Planning & Development



David N. Williams
City Manager

**Table VIII
Number, Dimension, and Location of Permitted Signs,
By Zoning District**

	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (B)
Freestanding									
Number Permitted (E)									
Per Lot									
Billboards	N	N	N	NA	N	NA	NA	N	N
Other (J)	1(A)	1	1	1	1	1	1	1 (A)	1
Per Feet of St. Frontage									
Billboards	N	N	N	1:1,200	N	1:1,200	1:1,200	N	N
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA
Maximum Sign Area (s.f.)									
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	20
Minimum Setback from Property Line									
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'
Building Signs (J)									
Number Permitted (7)	1	1	2	2	2	2	2	1	1
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12
Maximum Wall Area (%) (7)	NA	NA	25%	25%	25%	15%	25%	NA	NA
Temporary Sign (2)	See Section 5								

1 – Signs identifying or announcing land subdivisions, residential projects, or agricultural operations, where permitted.

2 – See Section 5.5

3 – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted in residential zoning districts, i.e., churches, schools, parks, etc., and includes historical markers.

4 – Where permitted by Table VII, billboards may be established only on lots or parcels fronting or within 600 feet of Interstate ROW as defined by Table VIII and U.S. designated highways.

5 – Un-zoned area of County.

6 – Though allowed w/o prior permitting, must meet the conditional requirements of Table VIII

7 – One projection sign or wall sign may be allowed per tenant wall, not above the roof line and meeting the following size requirement: front and rear walls = 20% of wall area not to exceed 200 square feet; side walls = 20% of wall area not to exceed 100 square feet. This provision shall apply to structures within line of site of interstate highways and major thoroughfares.

ORDINANCE NO. 2008-_____

AN ORDINANCE TO AMEND THE CITY OF FLORENCE ZONING ORDINANCE RELATING TO SIGN REGULATIONS.

WHEREAS, the Zoning Ordinance was adopted on July 1, 2008 to regulate and guide development within the City of Florence;

WHEREAS, the City of Florence Planning Commission wishes to amend Article 5, Table VIII of the Sign Regulations as found in the Zoning Ordinance;

WHEREAS, the City of Florence Planning Commission and the Florence City Council concur in the aforesaid application and findings;

NOW, THEREFORE, BE IT ORDAINED BY COUNCIL OF THE CITY OF FLORENCE, IN MEETING DULY ASSEMBLED, AND BY THE AUTHORITY THEREOF:

1. That sections of Article 5 of the Sign Regulations, which are attached hereto are hereby amended.
2. That this Ordinance, and the amendments contained herein, shall become effective immediately upon its approval and adoption.

ADOPTED THIS DAY OF _____, 2008.

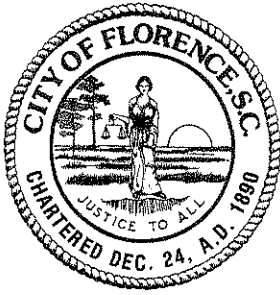
Approved as to form:

James W. Peterson, Jr.
City Attorney

Frank E. Willis
Mayor

Attest:

Dianne Rowan
Municipal Clerk



City of Florence, SC Memorandum

To: Mayor Willis and Members of City Council

From: City of Florence Accommodations Tax Advisory Tax Committee

Subject: **Funding Recommendations for FY 2008-2009**

Date: October 13, 2008

The Accommodations Tax Advisory Committee held meetings in August and September 2008 for the purpose of receiving and evaluating Accommodations Tax funding requests for fiscal year 2008-2009. Requests were received from twenty (20) organizations requesting "65% funds" and one (1) organization requesting "30% funding."

The Committee has studied these requests carefully, closely examining the critical needs expressed by the representatives of the requesting agencies, and evaluating the impact these agencies have on the tourism in the Florence community.

Preliminary projections indicate that approximately \$205,000 of the "65% funds" will be available for allocation to requesting agencies and an additional \$94,500 for tourism promotion in the "30% funds."

The Accommodations Tax Advisory Committee is again recommending to City Council that the 2008-2009 appropriations to the various arts organizations be routed through the Florence Area Arts Alliance to enable that organization to receive additional grant funding through the South Carolina Arts Commission. The Florence Area Arts Alliance will then disburse the Accommodations Tax funds directly to the funded arts organizations in the amounts appropriated by City Council. This arrangement enables the Arts Alliance to substantially increase its level of grant funding from the South Carolina Arts Commission for its Small Grants Program which benefits a large number of arts organizations in the Florence area. The organizations which will be funded in this manner include: **The Masterworks Choir, Florence Little Theatre, eBushua Foundation, Florence Symphony Orchestra, Art's Alive, Florence Museum, Pee Dee International Festival,** and the **Sankofa Festival**, in addition to the independent funding of the Florence Area Arts Alliance.

Attached you will find the Accommodations Tax Request for FY 2008-2009 report listing all organizations requesting funds for this year; the amount of funding received by these organizations for FY 2006-07 and FY 2007-08; the amount of funds actually requested by the organizations for FY 2008-09; and the recommendations of the Advisory Committee (**Attachment 1**). You will also find attached an Accommodations Tax Financial Report for fiscal year ending June 30, 2008 (**Attachment 2**). In addition, an Accommodations Tax Projection of Receipts for FY 2008-09 is included for your information (**Attachment 3**). Also enclosed is a copy of the public notice printed in local newspapers providing information concerning application for Accommodations Tax Funding (**Attachment 4**).

CITY OF FLORENCE, SC
ACCOMMODATIONS TAX REQUESTS AND APPROPRIATIONS REPORT
FISCAL YEAR 2008-2009

ORGANIZATION	Appropriated 2006-07	Appropriated 2007-08	Requested 2008-09	Committee Recommended ¹	Appropriated 2008-09
A. 30% Funds for Tourism Promotion					
1. Florence Convention & Visitors Bureau	<u>\$72,000</u>	<u>\$96,000</u>	<u>\$113,000</u>	<u>\$94,500</u> ²	
B. 65% Funds					
1. Florence Regional Arts Alliance	\$6,800	\$8,000	\$10,000	\$7,500	
2. The Masterworks Choir, Inc.	\$3,000	\$4,000	\$5,000	\$4,000	
3. Florence Little Theatre	\$5,100	\$7,800	\$15,000	\$7,800	
4. eBushua Foundation	\$6,300	\$7,200	\$15,000	\$4,400	
5. Florence Symphony Orchestra	\$6,100	\$6,600	\$7,500	\$6,100	
6. Art's Alive	\$7,800	\$9,800	\$15,000	\$9,400	
7. Florence Museum	\$6,400	\$6,500	\$5,000	\$5,000	
8. Carolina Classic Basketball Tournament	\$6,300	\$7,100	\$8,000	\$7,100	
9. Freedom Florence	\$26,400	\$35,000	\$40,000	\$30,000	
10. Pee Dee International Festival	\$8,400	\$10,700	\$13,000	\$9,600	
11. Sankofa Festival	\$5,500	\$6,200	\$10,000	\$4,500	
12. Florence Convention & Visitors Bureau	\$19,500	\$47,200	\$75,000	\$33,400	
13. Pee Dee Regional Air Show	\$16,700	\$20,500	\$0	\$0	
14. Florence Tennis Association	\$7,000	\$8,000	\$8,000	\$7,000	
15. Florence Pecan Festival	\$9,100	\$12,500	\$40,000	\$12,500	
16. Pride Youth Hockey Association	\$6,100	\$5,000	\$0	\$0	
17. Florence City-County Civic Center	\$21,100	\$24,000	\$55,735	\$34,700	
18. Florence International Basketball Tournament	\$7,000	\$8,000	\$10,500	\$8,000	
19. Juneteenth Celebration	\$7,400	\$7,400	\$10,000	\$0	
20. Car Haulers Parade	\$0	\$0	\$15,000	\$5,000	
21. SC Dance Theatre	\$0	\$0	\$5,000	\$4,000	
22. The American Soldier--A Photographic Tribute	\$0	\$0	\$15,000	\$5,000	
Total -- 65% Funds	<u>\$182,000</u>	<u>\$241,500</u>	<u>\$377,735</u>	<u>\$205,000</u>	<u>\$0</u>

Note 1: Including carryover funds from FY 2007-08, it is anticipated that the amount available for distribution to the requesting the agencies of "65% funds" will be approximately \$205,000. The "30% funds" for tourism promotion is estimated to be approximately \$94,500.

Note 2: The "30% funds" appropriation to the Florence Convention & Visitors Bureau includes \$15,000 designated specifically to the Civic Center for tourism marketing and promotion expenses, and an additional \$9,000 for a Business Development Fund to help promote the Civic Center for educational, religious, and other conferences.

**City of Florence, SC
Accommodations Tax Financial Report
Fiscal Year Ending June 30, 2008**

Total Accommodations Funds Received	\$333,998.78
Plus Carryover Funds from Prior Year	\$40,109.00
Plus Interest Earned on Carryover Funds	\$989.97
Less General Fund Standard Allocation	<u>-\$25,000.00</u>
Balance	\$350,097.75
Less 5% Funds Paid to General Fund	-\$15,449.94
Less 30% Funds Paid for Advertising/Promotion	-\$92,699.65
Balance = 65% Funds Available for Tourism	\$241,948.16
Less Appropriations Paid to Tourism Agencies	<u>-\$240,958.19</u>
Year End Balance	\$989.97

**City of Florence, SC
Accommodations Tax
Projections for FY 2008-2009**

Accommodations Tax Funds Projected	\$340,000.00
Less \$25,000 to General Fund	-\$25,000.00
Subtotal	\$315,000.00
Less 5% of Balance to General Fund	-\$15,750.00
Less 30% of balance to Advertising/Promotion	-\$94,500.00
Balance for 65% Funds Distribution	\$204,750.00
Plus Carryover from Prior Year	\$989.97
Total Available for Tourism Expenditures	\$205,739.97

**City of Florence, SC
PUBLIC NOTICE**

The City of Florence has 2008-2009 Accommodations Tax application packets available for distribution to agencies with a not-for-profit designation interested in applying for funding. Requests for application packets should be addressed to Finance Director, City of Florence, City-County Complex BB, Room 602, Florence, South Carolina 29501, Telephone 665-3162. **Applications must be received by the Finance Director no later than Friday, August 1, 2008 to be eligible for funding consideration.**

The above ad was printed in the approximate size in the following newspapers on the dates indicated:

Morning News: July 13, 2008

News Journal: July 16, 2008

Community Times: July 17, 2008

**VII. c.
Annual Progress Report
Floodplain Mgmt.**

FLORENCE CITY COUNCIL MEETING

DATE: November 10, 2008

AGENDA ITEM: Report to Council

DEPARTMENT/DIVISION: Urban Planning & Development

ISSUE UNDER CONSIDERATION: Annual Progress Report on Floodplain Management and Community Rating System

CURRENT STATUS/PREVIOUS ACTION TAKEN:

1. This report is an annual requirement of participation in the National Flood Insurance Community Rating System program.
2. Residents of the City of Florence are currently entitled to a 10% reduction of flood insurance premiums due to the Class 8 rating in the CRS program.

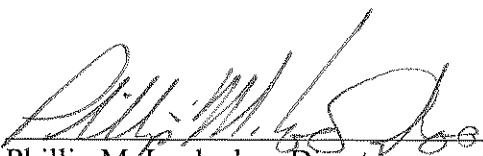
POINTS TO CONSIDER:

1. The Annual Report provides progress information on the activities undertaken as part of the CRS program.
2. An update on goals established by the City of Florence in the Pee Dee Hazard Mitigation Plan.

PERSONAL NOTES:

STAFF RECOMMENDATIONS/COMMENTS:

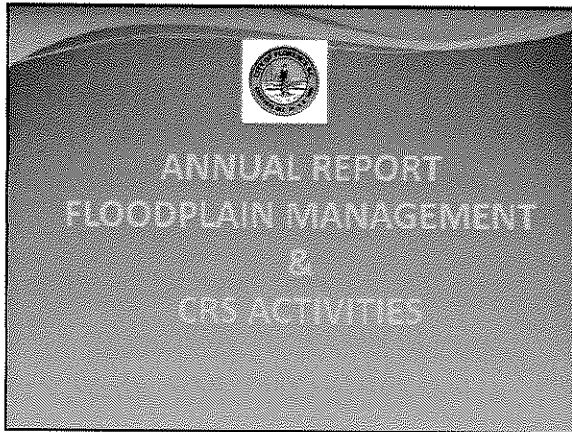
This report is being provided for information as required by the Community Rating System.

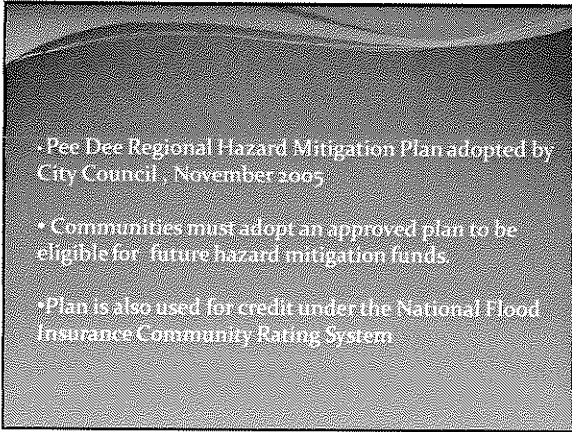


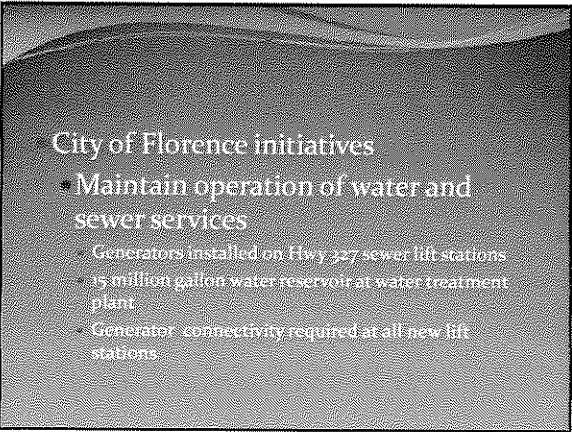
Phillip M. Lookadoo, Director
Urban Planning and Development



David N. Williams
City Manager





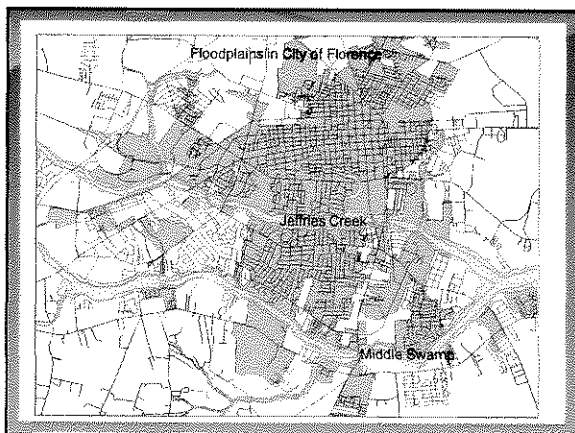


CRS Update

- City of Florence is currently a Class 8 community which means a 10% reduction in flood insurance premiums for city residents.
- Current premium savings are a total of \$2.631 annually.
- 102 policy holders
- Improving the City of Florence's CRS rating is identified as a goal in the Hazard Mitigation Plan. Work is underway on this goal which will give policy holders larger discounts.

CRS Activities

- Maintain elevation certificates.
- Provide flood map information to property owners, realtors, lenders, insurance agents and publicize this service.
- Annual mail out of information to property owners in the floodplain.
- Article on flood insurance in "Florence Fountain"
- Provide flood information on the City's website.
- Use GIS mapping in floodplain management.
- Continue acquisition of areas in the floodplain to be used for passive recreation and open space.



CRS activities - continued

- Stormwater management activities under NPDES Phase II regulations will assist in floodplain protection.
- Zoning Ordinance additions adding Open Space Development District, Jeffries Creek Protection District and Riparian Buffers.
- City continues to maintain ditches and streams and documents these activities.
- City also enforces and publicizes stream dumping regulations.

**VII. d.
Appointments to
Boards/Commissions**

FLORENCE CITY COUNCIL MEETING

DATE: November 10, 2008

AGENDA ITEM: Appointments to Boards and Commissions

DEPARTMENT/DIVISION: Administration/City Council

ISSUE UNDER CONSIDERATION: To fill vacancies on the City's Boards and Commissions.

CURRENT STATUS: There is one Boards and/or Commission with one vacancy.

OPTIONS:

- 1) Make appointments or reappointments for the vacancies
- 2) Defer the appointments until a later council meeting.

ATTACHMENTS:

- 1) A copy of the Board or Commission with vacancies
- 2) A copy of the response from the board/commission member who would like to be reappointed or to discontinue serving

PARKS, BEAUTIFICATION, AND LEISURE SERVICES COMMISSION

**One Vacancy
November 10, 2008**

There is one vacancy on the Parks, Beautification, and Leisure Services Commission.

Mr. Larry Welch - Would like to be appointed.

Revised 06/30/2008

PARKS, BEAUTIFICATION, AND LEISURE SERVICES COMMISSION

The Park Commission will be composed of twelve (12) members, resident electors of the city, to be elected by City Council to serve five (5) year terms.

The present composition of the Park Commission is as follows:

<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
Mr. Walter W. Sallenger Photographer 412 Spruce Street Florence, SC 29501 (W&H) 843-413-1794 W/M	06/30/2013
Mr. Michael Hawkins 909 Harmony Street Florence, SC 29501 (H) 661-7339 B/M	06/30/2012
Ms. Vanessa Munn Communications Manager 1815 Meadow Green Place Florence, SC 29502 (W) 843-673-6713 (H) 843-229-4855 W/F	06/30/2009
Ms. Jeanne Downing Developer P.O. Box 6222 Florence, SC 29502-6222 3201 Spiral Lane Effingham, SC 29541 (W/H) 667-4496 (cell) 615-2800 W/F	06/30/2009
Mr. Zavon Felton Retired 1908 E. Sandhurst Drive Florence, SC 29505 (H) 665-1908 B/M	06/30/2013

Ms. Bettie Ann McCrae
1009 West Darlington Street
Florence, SC 29501
(H) 843-665-2201
B/F

06/30/2009

Mr. Larry E. Hooks
717 Wimbledon Avenue
Florence, SC 29505
(H) 667-1221
W/M

06/30/2009

Vacancy

06/30/2008

Mrs. Helen Sims
318 Ballard Street
Florence, SC 29506
(H) 662-6097 or 662-7192
B/F

06/30/2010

Mr. Jamie Young
General Manager, Florence RedWolves
340 Stadium Road
(W) 843-629-0700
712 King Avenue
Florence, SC 29501
(H) 843-667-6632
W/M

06/30/2013

Mr. William Mullholand
Retired
1507 Damon Drive
Florence, SC 29505
(843) 669-4555
W/M

06/30/2009

Ms. Barbara B. Jenkinson
Sonographer
Women's Complete Health Care
410 S. Coit Street
Florence, SC 29501
1218 Madison Avenue
Florence, SC 29501
(H) 669-7708
W/F

06/30/2009

HONORARY MEMBERS

Mr. A. E. Kunz
523 Laurel Lane
Florence, SC 29501
662-4083

Mrs. Ainslie M. Taylor
Methodist Manor
2100 Twin Church Road
Florence, SC 29501
(H) 669-4946

NOTE: You must be a resident of the City of Florence to qualify as an appointee.

**CITY OF FLORENCE
BOARD/COMMISSION APPOINTEE RECOMMENDATION FORM**

LIST BOARD OR COMMISSION: Parks, Beautification & Leisure Services
NAME OF APPOINTEE: LARRY WELCH
SEX: Male
RACE: Caucasian
OCCUPATION: BANKER - VP WILLIAMSBURG FNB
BUSINESS ADDRESS: 2138 W. Palmetto St.
BUSINESS PHONE NUMBER: 843-678-8562
RESIDENCE ADDRESS: 1300 SHEFFIELD DRIVE
**(SEE BELOW) Street (Do Not List PO Box)
FLORENCE, SC 29505
RESIDENCE PHONE NUMBER: 843-292-8937

Please state any and all Boards and Commissions this Appointee may serve on, including City, State, and/or County Boards and/or Commission:

PDE DEE COALITION EXECUTIVE BOARD
KILWANIS

Does the Nominee desire to resign from the other Boards/Commissions subsequent to the appointment being sought? If so, please state Board(s)/Commission(s).

Larry Welch

****ALL PERSONS APPOINTED TO ANY BOARD OR COMMISSION SHALL BE RESIDENTS OF THE CITY, EXCEPT IN THOSE CASES WHERE PROFESSIONAL QUALIFICATIONS ARE REQUIRED FOR A POSITION AND, IN THE COUNCIL'S OPINION, THERE ARE NO ACCEPTABLE AND QUALIFIED RESIDENTS TO FILL THE VACANCY.**