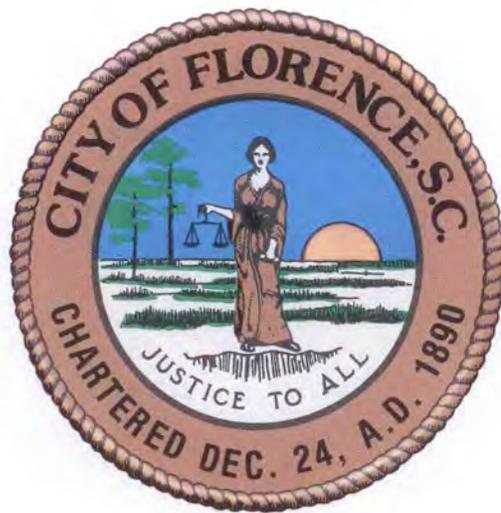


REGULAR MEETING  
OF  
FLORENCE CITY COUNCIL



LAWSON-RAINES CHAPEL  
FIRST PRESBYTERIAN CHURCH  
700 PARK AVENUE  
FLORENCE, SOUTH CAROLINA

MONDAY  
MARCH 12, 2012  
6:00 P.M.

**REGULAR MEETING OF FLORENCE CITY COUNCIL**

**MONDAY, MARCH 12, 2012 - 6:00 P.M.**

**LAWSON-RAINES CHAPEL, FIRST PRESBYTERIAN CHURCH**

**700 PARK AVENUE, FLORENCE, SOUTH CAROLINA**

**AGENDA**

**I. CALL TO ORDER**

**II. INVOCATION**

*Pledge of Allegiance*

**III. APPROVAL OF MINUTES**

*February 13, 2012 – Regular Meeting*

**IV. HONORS AND RECOGNITIONS**

*Citizen of the Month – Mrs. Peggy Key, Center Day School*

*Recognition of Recreation & Parks Association State Champions*

**V. ORDINANCES IN POSITION**

**a. Bill No. 2012-06 – Second Reading**

*An Ordinance to amend the City of Florence Zoning Ordinance, Article 2, Section 2.4, Table II.*

**b. Bill No. 2012-08 – Second Reading**

*An Ordinance amending Chapter 9, Article V, Section 9-80 (c) of the City of Florence Code of Ordinances pertaining to the per month garbage collection fee.*

**c. Bill No. 2012-09 – Second Reading**

*An Ordinance to amend the General Fund and Hospitality Fund budgets for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2011 and ending June 30, 2012.*

**d. Bill No. 2012-10 – Second Reading**

*An Ordinance to amend the General Fund Budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2011 and ending June 30, 2012.*

- e. **Bill No. 2012-11 – Second Reading**  
*An Ordinance to revise Chapter 4 of the City Code by deleting Article II Electrical and establishing Article II Maintenance and Appearance Code for downtown Florence.*
- f. **Bill No. 2012-12 – Second Reading**  
*An Ordinance authorizing the fourth addendum to the lease with Palmetto Petro, LLC.*

## **VI. INTRODUCTION OF ORDINANCES**

- a. **Bill No. 2011-24 – First Reading**  
*An Ordinance to rezone 616 South Coit Street, Tax Map #90088-07-038, from B-1, Limited Business to B-2, Convenience Business District.*
- b. **Bill No. 2012-04 – First Reading**  
*An Ordinance to annex and zone property owned by Jim Stroud, 3084-3098 S. Cashua Drive.*
- c. **Bill No. 2012-13 – First Reading**  
*An Ordinance approving amendments to existing loan agreements relating to City of Florence Water and Sewerage System Revenue Debt identified as South Carolina Drinking Water Revolving Fund Loan Numbers 3-003-99-2110001-02, 3-008-00-2110001-01 and 3-014-02-2110001-04 and South Carolina Water Pollution Control Revolving Fund Loan Number S1-121-09-378-19; to provide for certain changes to the debt service reserve fund funding requirements therein; and other matters relating thereto.*
- d. **Bill No. 2012-14 – First Reading**  
*An Ordinance amending an Ordinance entitled “An Ordinance Authorizing the Lease-Purchase Financing of Capital Projects to be Located in the City of Florence; Authorizing the City of Florence, South Carolina to Execute Documents Including the Base Lease by and Between the City of Florence, South Carolina and BB&T Governmental Finance and the Lease Agreement by and Between BB&T Governmental Finance and the City of Florence, South Carolina; and Other Matters Relating Thereto.”*

## **VII. INTRODUCTION OF RESOLUTIONS**

- a. **Resolution No. 2012 – 07**  
*A Resolution designating May 15, 2012 as Peace Officers’ Memorial Day*
- b. **Resolution No. 2012 – 08**  
*A Resolution designating March 12 – 18, 2012 as Multiple Sclerosis Awareness Week*
- c. **Resolution No. 2012 -09**  
*A Resolution to designate March 25, 2012 as Greek Independence Day*

## **VIII. ADJOURN**

**REGULAR MEETING OF FLORENCE CITY COUNCIL  
MONDAY, FEBRUARY 13, 2012 - 1:00 P.M.  
CITY-COUNTY COMPLEX, COUNCIL CHAMBERS, ROOM 604  
FLORENCE, SOUTH CAROLINA**

**MEMBERS PRESENT:** Mayor Wukela called the regular meeting to order at 1:03 p.m. with the following members present: Mayor Pro tem Buddy Brand; Councilwoman Teresa Myers Ervin; Councilman Steve Powers; Councilman Edward Robinson; Councilwoman Octavia Williams-Blake; and Councilman Glym Willis.

**ALSO PRESENT:** Mr. Drew Griffin, City Manager; Mrs. Dianne M. Rowan, Municipal Clerk; Mr. James W. Peterson, Jr., City Attorney; Mrs. Darene Stankus, Director of Human Resources; Mr. Scotty Davis, Director of Community Services; Chief Randy Osterman, Florence Fire Department; Mr. Chuck Pope, Director of Public Works; Mr. Thomas Chandler, Director of Finance; Mr. Ray Reich, Downtown Development Manager; Mr. Michael Hemingway, Director of Utilities; and Mr. Phillip Lookadoo, Director of Planning, Research and Development.

**MEDIA PRESENT:** Notices of this regular meeting of Florence City Council were sent to the media informing them of the date, time and location of the meeting.

Mr. Dwight Dana from the Morning News was present for the meeting.

**INVOCATION**

Councilwoman Teresa Myers Ervin gave the invocation for the meeting. The Pledge of Allegiance to the American Flag followed the invocation.

**APPROVAL OF MINUTES**

Mayor Pro tem Brand made a motion to adopt the minutes of the Special Meeting of January 5, 2012 and the Regular Meeting of January 9, 2012. Councilman Powers seconded the motion, which carried unanimously.

**HONORS AND RECOGNITIONS**

Vicki Suggs was recognized by Mayor Wukela for completing 30 years of service with the City of Florence Fire Department. Vicki currently serves as Battalion Chief and is responsible for the day to day supervision of 25 employees at Fire Station One. Vicki will retire from the city at the end of 2012.

Mayor Wukela recognized Allen Davis for completing 30 years with the City of Florence. Allen is an operator with the Groundwater Division where his principle responsibility is to collect and sample the city's drinking water to ensure that the citizens of Florence have high quality drinking water.

Ted Hanna began his career with the City as a firefighter and currently holds the position of Caption, supervising a crew at Station 5. Mayor Wukela recognized Ted for completing 25 years of service with the City. Ted will retire from the City at the end of February 2012.

Mayor Wukela recognized Terry Joyner for completing 25 years of service with the City. Terry is the Collection Operations Division Manager. He manages the day to day collection of both stormwater and sanitary sewer for the City of Florence. Terry is instrumental to the City's ability to remain in compliance with Stormwater and Wastewater discharge permits.

**REGULAR MEETING OF FLORENCE CITY COUNCIL  
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Russell Davis was recognized for completing 15 years of service with the City in the Public Works Department. Russell has worked in several capacities in the division and currently serves as a Sanitation Recycling Handler.

**ORDINANCES IN POSITION**

**BILL NO. 2012-01 – SECOND READING**

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY ALLYN SIMMONS, 1312 NORTH IRBY STREET.**

An Ordinance to annex and zone property owned by Allyn Simmons, 1312 North Irby Street was adopted on second reading.

Mayor Pro tem Brand made a motion to adopt Bill No. 2012-01 on second reading. Councilman Willis seconded the motion, which carried unanimously.

**BILL NO. 2012-02 – SECOND READING**

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY JAMES FLEMING, 2515 KINGSTON DRIVE.**

An Ordinance to annex and zone property owned by James Fleming, 2515 Kingston Drive was adopted on second reading.

Mr. Phillip Lookadoo, Director of Planning, Research and Development reported to Council that this is a rezoning request that is associated with an annexation petition. The recommended zoning district is R-1, Single Family Residential District.

Mayor Pro tem Brand made a motion to adopt Bill No. 2012-02 on second reading. Councilman Willis seconded the motion, which carried unanimously.

**BILL NO. 2012-03 – SECOND READING**

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY THOMAS NEWTON, JR., 2535 TROTTER ROAD.**

An Ordinance to annex and zone property owned by Thomas Newton, Jr., 2535 Trotter Road was adopted on second reading.

Mayor Pro tem Brand made a motion to adopt Bill No. 2012-03 on second reading. Councilman Willis seconded the motion, which carried unanimously.

**BILL NO. 2012-05 - SECOND READING**

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY THE CITY OF FLORENCE.**

An Ordinance to annex and zone property owned by the City of Florence was adopted on second reading.

Mayor Pro tem Brand made a motion to adopt Bill No. 2012-05 on second reading. Councilman Willis seconded the motion, which carried unanimously.

**BILL NO. 2012-06 – SECOND READING**  
**AN ORDINANCE TO AMEND THE CITY OF FLORENCE ZONING ORDINANCE, ARTICLE 2, SECTION 2.4, TABLE II.**

An Ordinance to amend the City of Florence Zoning Ordinance, Article 2, Section 2.4, Table II was deferred on second reading.

Councilman Willis stated this Ordinance relates to a new zoning designation and feels that discussions with the neighborhoods and the Urban Planning, Research and Development Department need to continue.

Councilman Willis made a motion to defer Bill No. 2012-06. Councilman Powers seconded the motion which carried unanimously.

**INTRODUCTION OF ORDINANCES**

**BILL NO. 2011-24 – FIRST READING**  
**AN ORDINANCE TO REZONE 616 SOUTH COIT STREET, TAX MAP #90088-07-038, FROM B-1, LIMITED BUSINESS TO B-2, CONVENIENCE BUSINESS DISTRICT.**

An Ordinance to rezone 616 South Coit Street, Tax Map #90088-07-038, from B-1, Limited Business to B-2, Convenience Business District was deferred by Council.

Councilman Willis made a motion to defer Bill No. 2011-24 on first reading. Councilman Powers seconded the motion, which carried unanimously.

**BILL NO. 2012-04 – FIRST READING**  
**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY JIM STROUD, 3084-3098 S. CASHUA DRIVE.**

An Ordinance to annex and zone property owned by Jim Stroud, 3084-3098 S. Cashua Drive was deferred on first reading.

Mr. Phillip Lookadoo, Director of Urban Planning, Research and Development reported to Council that at the last Council meeting this was an annexation and zoning petition for property off of South Cashua. Staff recommended the property be zoned R-3. After public comments were heard, the Planning Commission voted to recommend the zoning be R-4, based on land use considerations. There were discussions at the January 13<sup>th</sup> City Council meeting to bring the property into the City under a non-conforming status. Mr. Lookadoo reported that from a use standpoint, the property could come into the city under R-3, R-4 or R-5 as conforming. Under dimensional standards, the most compliant the property could be would be with an R-5 designation. If the property was developed within the city, the land subdivision and development regulations would be reviewed by staff. The two biggest areas of non-conformity if the property came into the city as R-5 are the maximum driveway width of 24' and the required distance of 40' from an intersection. There are varying differences if it came in as R-4 or R-3.

It was determined that the Planning Commission did not have all the information they needed to make a recommendation when this matter was reviewed.

Councilman Willis made a motion that this issue be referred back to the City Planning Commission for further evaluation. Mayor Pro tem Brand seconded the motion, which carried unanimously.

**BILL NO. 2012-08 – FIRST READING**

**AN ORDINANCE AMENDING CHAPTER 9, ARTICLE V, SECTION 9-80 (c) OF THE CITY OF FLORENCE CODE OF ORDINANCES PERTAINING TO THE PER MONTH GARBAGE COLLECTION FEE.**

An Ordinance amending Chapter 9, Article V, Section 9-80 (c) of the City of Florence Code of Ordinances pertaining to the per month garbage collection fee was passed on first reading.

Mr. Thomas Chandler, Director of Finance reported that as a result of the annual audit that was presented to Council in December, 2011, a recent change to the reporting requirements of Governmental Accounting Standards Board 54 (GASB 54) was identified with regards to the reclassification of certain funds. The roll cart replacement fee was previously a part of the General Fund Balance. As a result of the audit the roll cart fee is now considered a Special Revenue Fund and staff has been discussing the best way to utilize the funds. Staff is recommending that the 75¢ monthly garbage fee be considered for not only roll cart and recycle bin replacement but other capital equipment to include sanitation trucks as well.

Councilwoman Octavia Williams-Blake made a motion to pass Bill No. 2012-08 on first reading. Mayor Pro tem Brand seconded the motion, which carried unanimously.

**BILL NO. 2012-09 – FIRST READING**

**AN ORDINANCE TO AMEND THE GENERAL FUND AND HOSPITALITY FUND BUDGETS FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012.**

An Ordinance to amend the General Fund and Hospitality Fund budgets for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2011 and ending June 30, 2012 was passed on first reading.

Mr. Thomas Chandler, Director of Finance stated the objective of the proposed ordinance is to amend both the General Fund and Hospitality Fund budgets for FY 2011-12. The General Fund is being amended to include grant revenues and related expenditures. The grant funds have been or are anticipated to be received and expended but were not included as part of the original budget ordinance. The General Fund is further being amended to include insurance claim revenues and repair related expenditures resulting from fire damage to Fire Station #3. The Hospitality Fund budget is being amended to include revenue from Unappropriated Surplus and offsetting expenditures to provide for building demolition and construction of a breezeway access from Dargan Street to the City's recently constructed parking lot. The Hospitality Fund budget is being further amended to include revenue from Unappropriated Surplus and offsetting expenditures for the payoff of a REDLG loan used for the breezeway construction on Irby Street. Funding made available from the release of REDLG loan collateralization in the General Fund will be used to finance a downtown incentive package discussed by City Council at the January 5, 2012 work session.

Mayor Pro tem Brand made a motion to pass Bill No. 2012-09 on first reading. Councilman Powers seconded the motion, which carried unanimously.

**BILL NO. 2012-10 – FIRST READING**

**AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012.**

An Ordinance to amend the General Fund Budget for the City of Florence, South Carolina for the fiscal year beginning July 1, 2011 and ending June 30, 2012 was passed on first reading.

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Mr. Thomas Chandler, Director of Finance stated this Ordinance is presented as a result of the City's annual mid-year review process whereby the city takes a look at all of its operating funds; specifically the General Fund. The objective of the proposed ordinance is to more closely align budgeted amounts with actual revenues and expenditures. As a result of this mid-year review, staff is recommending a reduction in the General Fund operating revenues and expenditures in the amount of \$591,000.

Mayor Pro tem Brand made a motion to pass Bill No. 2012-10 on first reading. Councilman Willis seconded the motion, which carried unanimously.

**BILL NO. 2012-11 – FIRST READING**  
**AN ORDINANCE TO REVISE CHAPTER 4 OF THE CITY CODE BY DELETING ARTICLE II ELECTRICAL AND ESTABLISHING ARTICLE II MAINTENANCE AND APPEARANCE CODE FOR DOWNTOWN FLORENCE.**

An Ordinance to revise Chapter 4 of the City Code by deleting Article II Electrical and establishing Article II Maintenance and Appearance Code for downtown Florence was passed on first reading.

Mr. Drew Griffin, City Manager reported that one of the first things that the Downtown Master Plan and the Comprehensive Plan recommend is that the City adopts a Maintenance and Appearance Code for downtown Florence. Staff has presented the Maintenance and Appearance Code to the Stormwater Advisory Board, to City Council in a worksession and to the merchants downtown. One important thing that downtown maintenance codes do is they help stabilize a downward trend. They cause the owner to start looking at their property in a different light and try to put some money back toward maintenance of their building.

Mayor Pro tem Brand asked how the City would market this Code to the property owners so they will understand how to apply for grants or low interest loans.

Mr. Griffin responded that a lot of it would be through notification. Through the Code, the city can grant up to 3 1/2 years to come into compliance. Even though you may not be able to help everyone initially, the idea is to bring everyone in over time.

Mr. Ray Reich, Downtown Development Manager stated that once the Code is adopted by Council, a review of every building that is in the H-1 District will be done using a worksheet that reflects the items in the Maintenance Code. This will be followed by a courtesy letter to the property owner along with that worksheet listing the violations based on the Maintenance and Appearance Code. The property owner will be asked to contact Mr. Reich to discuss the violations and to answer any questions they may have pertaining to what they need to do and an acceptable time table to get their building into compliance.

Mr. Griffin added that the City is also proposing to have funds set aside in the current year's budget for neighborhood planning. Four neighborhoods will be created with the fourth neighborhood being the downtown core.

Mayor Wukela pointed out that the grants that are being proposed are not based on credit worthiness and that the Design Review Board's role in this process is not one of an enforcement role but rather to give approval to the repairs required by the Maintenance Code.

Mayor Pro tem Brand made a motion to pass Bill No. 2012-11 on first reading. Councilman Powers seconded the motion.

Councilman Robinson stated that he is not clear on a lot of what is being proposed and that the merchants downtown are also not sure of what is being proposed. Councilman Robinson feels that some kind of educational workshop between the downtown development staff and city council needs to take place. Councilman Robinson added that he doesn't feel there has been enough interaction with Council, the downtown development corporation and the business community downtown.

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FEBRUARY 13, 2012 – PAGE 6**

Mr. Griffin responded the point of making downtown as one of the neighborhoods is to do what Councilman Robinson is speaking to. Staff is going to address each of the owners downtown through this neighborhood process and Mr. Reich and his staff will work one-on-one with those individuals.

Mayor Wukela stated this is far from being a strict code and urged the councilmembers to vote in favor of the ordinance.

Voting in favor of Bill No. 2012-11 was Councilwoman Ervin, Councilman Powers, Mayor Wukela, Mayor Pro tem Brand, Councilwoman Williams-Blake and Councilman Willis.

Voting in opposition to Bill No. 2012-11 was Councilman Robinson.

**BILL NO. 2012-12 – FIRST READING**  
**AN ORDINANCE AUTHORIZING THE FOURTH ADDENDUM TO THE LEASE WITH**  
**PALMETTO PETRO, LLC.**

An Ordinance authorizing the fourth addendum to the lease with Palmetto Petro, LLC was passed on first reading.

Mayor Wukela requested that this item be addressed in Executive Session in order to consider advice from Legal Counsel in regard to the lease. Council will consider this after Executive Session. There was no objection to this request.

Following Executive Session, Councilman Robinson made a motion to pass Bill No. 2012-12 on first reading. Councilman Powers seconded the motion, which carried unanimously.

**INTRODUCTION OF RESOLUTIONS**

**RESOLUTION NO. 2012 – 03**  
**A RESOLUTION IN SUPPORT OF THE MUNICIPAL ASSOCIATION’S 2012 LEGISLATIVE**  
**AGENDA TO DIRECT MORE LOCAL DECISION MAKING TO THE LOCAL ELECTED**  
**OFFICIALS THAT GOVERN THE STATE’S CITIES AND TOWNS.**

A Resolution in support of the Municipal Association’s 2012 Legislative Agenda to direct more local decision making to the local elected officials that govern the state’s cities and towns was adopted by Council.

Mayor Pro tem Brand made a motion to adopt Resolution No. 2012-03. Councilman Willis seconded the motion, which carried unanimously.

**RESOLUTION NO. 2012 – 04**  
**A RESOLUTION APPROVING DOWNTOWN INCENTIVES TO ENCOURAGE THE**  
**REVITALIZATION OF DOWNTOWN FLORENCE BY EXISTING PROPERTY OWNERS**  
**AND POTENTIAL DEVELOPERS.**

A Resolution approving downtown incentives to encourage the revitalization of downtown Florence by existing property owners and potential developers was adopted by Council.

Mr. Drew Griffin, City Manager stated this Resolution is in reference to Council’s previous discussions regarding the downtown incentives. Mr. Griffin stated that the City Attorney may want to speak to the low interest loan program that is a part of the incentives as there are certain stipulations that the city will have to work through to make the program lawful.

Mr. Jim Peterson, City Attorney reported that the city has been working with the Haynesworth Sinkler and Boyd Law Firm to make sure that all of these incentive packages are done in a way that will comply fully with state and federal requirements. The one that will need to be addressed when

**REGULAR MEETING OF FLORENCE CITY COUNCIL  
FEBRUARY 13, 2012 – PAGE 7**

implemented is the low interest loan program. The fact that the city will actually handle a loan is something that staff feels may run into some issues regarding the prohibition against investments and it is anticipated there is a process by which the city would make a grant that would help fund this program. The low interest loan program is one that would be bank driven and the city would have to work within the requirements of state law to ensure that it is handled correctly. Staff wanted Council to be aware of that issue and that is why language has been proposed that the incentives be implemented in accordance with the requirements of state law.

Mayor Wukela made a motion that, using the proposed language, that Resolution No. 2012-04 be adopted on the condition that the various incentives approved are implemented by staff in a manner that is consistent with the requirements of state law. Councilman Powers seconded the motion.

Councilman Robinson asked how would the incentive loans work?

Mr. Ray Reich, Downtown Development Manager responded that there are three different loan programs someone could qualify for. The first is the low interest loan program whereby a participating bank offers the loan with an investments made by the business owner of 10%. The second is the micro enterprise loan program that has money that came to the corporation through USDA. And the third comes through USDA and is in partnership with the bank; the City is only a facilitator on this. Owners and non-owners would be eligible for these loans along with the façade grants, the sign grants and the design assistance grants.

Voting in favor of the Resolution was Councilwoman Ervin, Councilman Powers, Mayor Wukela, Mayor Pro tem Brand, Councilwoman Williams-Blake and Councilman Willis.

Voting in opposition to the Resolution was Councilman Robinson.

**RESOLUTION NO. 2012 – 05**

**A RESOLUTION ASKING THE HOUSING AUTHORITY OF FLORENCE TO REQUEST THE FUNDING SOURCE OF THE MCGOWAN COMMONS TO USE AS MANY LOCAL VENDORS/WORKERS AS FEASIBLE FOR MATERIALS, LABOR AND SUPPLIES FOR THE CONSTRUCTION OF THAT COMPLEX.**

A Resolution asking the Housing Authority of Florence to request the funding source of the McGowan Commons to use as many local vendors/workers as feasible for materials, labor and supplies for the construction of that complex was adopted by Council.

Councilman Willis made a motion to adopt Resolution No. 2012 – 05. Councilman Powers seconded the motion.

Councilman Willis stated in reviewing this issue he understands that there has been no discussion regarding local vendors having an opportunity to bid on the construction supplies for this project. In the future he would like to see that local vendors have the opportunity to bid on projects of this nature.

Councilwoman Williams-Blake proposed a motion that a Resolution be adopted to ensure that local vendors be considered on all projects when city dollars are used and not to have a Resolution for just one particular project. Mayor Pro tem Brand seconded the motion.

Mr. Drew Griffin, City Manager informed Council that this is a HUD project and federal funds are being used on this project. With the use of those funds there are many restrictions regarding procurement policies. Basically bids are encouraged from all over the United States. Mr. Griffin recommended that Council request staff to prepare a more formal policy for Council's consideration that local preference be given whenever possible.

In light of Mr. Griffin's recommendation, Mayor Wukela requested that Councilwoman Williams-Blake withdraw her motion and to direct the City Manager to develop a policy as outlined.

Councilwoman Williams-Blake withdrew her motion and Mayor Pro tem Brand withdrew his second.

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Councilwoman Williams-Blake made a motion to direct the City Manager to develop a policy as outlined by the City Manager. Mayor Pro tem Brand seconded the motion, which carried unanimously. Voting in favor of Resolution No. 2012-05 as drafted was unanimous.

**REPORTS TO COUNCIL**

**MR. TERRY JAMES – TO GIVE A REPORT ON HISTORICAL MARKERS FOR LOCAL AFRICAN-AMERICANS.**

Mr. Terry James, a lifelong resident of Florence and also a part of the SC African American Heritage Commission appeared before Council to request help with funding for several historical markers to recognize notable African Americans in the City of Florence. The cost of the markers are between \$1,500 and \$1,700. Mr. James suggested the following to be considered for markers: Moo the Rooster; Dr. R. N. Beck; Dr. Grant; Dr. Dunmore; Ms. Vashti Smith; Mordecai Johnson; and the Kress Building in downtown Florence. The Commission is also working with a local church that may be up for consideration to be placed on the national register of historic places.

Mayor Wukela asked Mr. James to provide a list of the properties and individuals and the cost associated with the markers to Council and added that perhaps the appropriate way for Council to consider this request would be during the budget process. Mayor Wukela stated he felt there was a majority of Council interested in making sure that the request be included in this year's budget.

**A REPORT BY COUNCILMAN ROBINSON ON STATE STATISTICS REGARDING SCHOOL GRADES OF AFRICAN-AMERICAN CHILDREN.**

Councilman Robinson provided a breakdown in performance for students based on race from the State of South Carolina which showed that African American students were far behind the other students in Math, English and Science. Councilman Robinson stated his purpose of presenting this report was so staff could understand why he constantly pushes the fact that if the City is going to do a recreational program there has to be a strong vocational and educational component to it. Councilman Robinson further stated that the number of arrests according to race and the unemployment rates for African Americans, is all related to the low educational performance. Councilman Robinson feels that education must be first and foremost in order to correct the problem in the African American community.

Councilwoman Williams-Blake provided some statistics from the S.C. Department of Education for the City of Florence that contradicted the statistics given by Councilman Robinson. Out of the 20 schools in Florence, 7 met the AYP (Annual Yearly Progress) standards that schools are judged on. Of those 7 schools, one was North Vista Elementary which is 98% African American. North Vista met 13 out of 13 objectives in math and science. Councilwoman Williams-Blake stated she did not agree with Councilman Robinson that the African American children in the City of Florence are not doing well in school.

Councilwoman Ervin stated she felt that athletics and education could go hand-in-hand.

Mayor Wukela concluded the discussion by stating that Councilman Robinson makes a fair point and that it must be understood. An African American student in some parts of the state does not get the same education as a White student in another part of the state. Mayor Wukela stated that the City Council has within its power and has an obligation to create a recreational system that both energizes young people's bodies as well as moves and challenges their minds.

**A REPORT BY COUNCILMAN POWERS ON THE MEETING OF THE CITY COUNTY  
CONFERENCE COMMITTEE.**

Councilman Powers informed Council that the City County Conference Committee met on February 8, 2012. Mr. Kendall Wall, Executive Director of the Civic Center and Mrs. Peggy McLean, Chairman of the Civic Center Commission presented their 2010-2011 Annual Report and also discussed the needs of the Civic Center. Mrs. McLean also spoke about the composition of the Civic Center Commission. Mrs. McLean requested the two Councils to consider appointing citizens with strong skill sets in the areas of legal, business, banking, marketing and industrial. Mr. Wall and Mrs. McLean discussed capital needs for the Civic Center to bring it up to date with current facilities. More meeting rooms are one of the greatest needs. They recommended that a feasibility analysis be conducted to provide the Councils direction for the future.

Mr. Drew Griffin, City Manager also reported on the concept of the city and the county working together toward common goals. This concept has long been a desire of this community to have the city and the county work together positively, not always on the same thing because the County has their interests and the City has their interests, as well. Recreation and downtown development will require an investment by both and the more positive that we move in that direction the better off the community will be.

Councilman Powers concluded with stating that the only other part of the discussion was the interest in keeping focus on the exit off I-95 and the infrastructure there with adding sidewalks and other amenities for their customers and guests of the hotels around the Civic Center.

**EXECUTIVE SESSION**

Mayor Wukela requested that Council enter into Executive Session to discuss a contractual matter related to Palmetto Petro's ongoing lease and for an economic development matter related to properties downtown.

Councilman Willis made a motion to enter into Executive Session at 2:48 p.m. There was no objection.

Mayor Wukela reconvened the regular meeting at 3:23 p.m.

Mayor Wukela stated that in Executive Session Council discussed a contractual matter related to Palmetto Petro and an economic development matter.

There was no action requested and no action taken on the economic development matter.

In regards to Palmetto Petro, Councilman Robinson made a motion to pass Bill No. 2012-12 on first reading. Councilman Powers seconded the motion, which carried unanimously.

**ADJOURN**

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

The meeting was adjourned at 3:24 p.m.

Dated this 12<sup>th</sup> day of March, 2012.

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Dianne M. Rowan, Municipal Clerk

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Stephen J. Wukela, Mayor

FLORENCE CITY COUNCIL MEETING

**DATE:** January 9, 2011 (Amended February 8, 2012)  
**AGENDA ITEM:** Second Reading, Text amendment to the Zoning Ordinance  
**DEPARTMENT/DIVISION:** Urban Planning & Development

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**I. ISSUE UNDER CONSIDERATION**

Text amendment to Article 2, Section 2.4, Table II of the Zoning Ordinance creating a new zoning district.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

On December 13, 2011, Planning Commission held public hearing on this matter. Planning Commissioners recommended 8-0 to approve the text amendment establishing a new B-1(A) Zoning District.

**III. POINTS TO CONSIDER**

1. The proposed text amendment originates from a previous request to rezone 616 South Coit Street.
2. In an attempt to reach a compromise between community residents and the 616 South Coit Street property owner, Mr. Gary Finklea wrote a letter requesting that a new zoning district be created.
3. On November 14<sup>th</sup>, City Council deferred first reading on rezoning 616 South Coit Street so that Planning Commission would have an opportunity to review and recommend a new zoning district.
4. On December 13<sup>th</sup>, Planning Commission recommended creating a new zoning district to be named B-1(A). This new district would permit some additional neighborhood-friendly uses not currently permitted in the B-1, Limited Business District.
5. These uses would also comply with the future land use plan and proposed zoning designation as found in the recently adopted Comprehensive Plan.
6. Council voted unanimously to pass the proposed Ordinance on first reading at the Council Meeting on January 9, 2012.
7. The proposed ordinance has been amended pursuant to advice of the City Attorney in order to make sure that it covers all sections of the Zoning Ordinance that need revision to accomplish the desired change. The changes reflected on the attached amended ordinance are not substantive, but are designed to make sure that the change is noted throughout the

Zoning Ordinance. The Table II in Article 2, Section 2.4 is the same as the one passed on January 9, 2012.

#### IV. OPTIONS

City Council may:

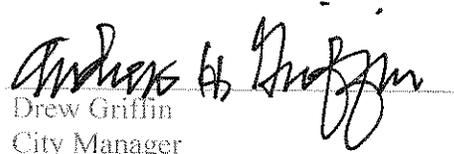
1. Approve the request as presented based on the information submitted.
2. Defer the request should additional information be needed.
3. Suggest other alternatives
4. Deny the request.

#### IV. ATTACHMENTS

1. Ordinance as amended for second reading.
2. Staff Report.



Phillip M. Lookadoo, AICP  
Planning, Research & Development Director



Drew Griffin  
City Manager

# ZONING PETITION STAFF CHECKLIST

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PC#2011-18

December 13, 2011

## BACKGROUND

This staff report is a continuation of the 616 South Coit Street rezoning request. The applicant, Gary Finklea, made application to rezone 616 South Coit Street, Tax Map Number 90088-07-038, from B-1, Limited Business District to B-2, Convenience Business District. Mr. Finklea submitted the request acting as the agent for the property owner, Katmar Properties, LLC. Katmar Properties wanted to rezone the property to B-2 in order to allow a greater flexibility of uses. There had been various business owners wanting to lease the space, but because of the limited uses permitted in the B-1 Zoning District, they could not. Therefore, the applicant, on behalf of the property owner, requested rezoning.

Planning Commission held public hearing on this matter on September 13, 2011. During that time, two residents from the Timrod Park Neighborhood spoke in opposition to the request. Because Coit Street serves as a buffer between high-intensity uses along Irby Street and the Timrod Park residences, the opposition stemmed from the impact rezoning may have on the residential properties. Some of the concerns mentioned were perceived adverse affects of uses like a boarding house or gas station; confusion about the Future Land Use Map designation; and, the potential for the rezoning to erode sense of community within Timrod Park.

Staff recommended approval of the rezoning request. Staff's recommendation was based on the rezoning meeting the intended purpose statement for the B-2 Zoning District, as referenced in the Zoning Ordinance:

*The intent of this district is to meet the commercial and service needs generated by nearby residential areas. Goods and services normally available in these districts are of the "convenience variety." The size of this district should relate to surrounding residential markets and the location should be at or near major intersections, in proximity to and/or on the periphery of residential areas.*

Also, the request meets the intent of the Downtown Future Land Use Designation, allowing additional uses that could serve the abutting neighborhood. Lastly, B-2 zoning complements the transition that has already occurred in the area without hampering any residential properties that remain.

In a 6-2 vote, Planning Commission recommended approval of the rezoning request. The item then went to the October 10, 2011 City Council meeting. Council deferred first reading on the matter so that the Design Review Board (DRB) could hold public hearing. Although the DRB holding public hearing on land use requests is in the process of being amended, rezoning 616 South Coit Street was required to go before this Board because it is within the D-1, Redevelopment Overlay District. DRB voted 4-2 to approve the rezoning request.

## ZONING PETITION STAFF CHECKLIST

Prior to the request going to City Council a second time, Mr. Finklea submitted a letter asking that a new zoning district be created. A new district would permit some additional uses that would allow the flexibility of uses the property owner seeks, and the neighborhood preservation that some of the Timrod Park Neighborhood residents desire. Therefore at the November 14, 2011 City Council meeting, Council deferred first reading again so that Planning Commission can review and recommend a new zoning district.

Staff proposes that the new zoning district be named B-1(A). Some of the neighborhood convenience uses currently not permitted in the B-1, Limited Business District, would be permitted under this new district. These uses would also comply with the future land use and zoning designation as found in the recently adopted Comprehensive Plan. See recommended uses below:

### Section 2.4 Table II: Schedule of Permitted and Conditional Uses and Off-Street Parking Requirements for Business & Rural Districts

	NAICS	B-1	B-1A	B-2	B-3	B-4	B-5	B-6	RU-1	RU-2	Off-Street Parking Requirements
<b>Sector 11: Agriculture, Forestry, Fishing, and Hunting</b>											
Agricultural Production, crops	111	P	P	P	P	N	P	P	P	P	None
Agricultural Production, Livestock, animals	112										
Livestock, except feedlots	112111	N	N	N	N	N	N	N	P	P	None
Feedlots	112112	N	N	N	N	N	N	N	N	P	None
Poultry & eggs	1123	N	N	N	N	N	N	N	N	P	None
Animal specialties	1129	N	N	N	N	N	N	N	N	P	None
Horses & other equine	11292	N	N	N	N	N	N	N	P	P	None
General Farms	11299	N	N	N	N	N	P	P	P	P	None
Fishing, Hunting, Trapping	1141-2	N	N	N	P	N	N	P	P	P	None
Agricultural Services	115	N	N	N	N	N	N	N	P	P	None
Forestry	11531	N	N	N	P	N		P	P	P	1.0 per 1,000 s.f. GFA
<b>Sector 21: Mining</b>											
Mining	212	N	N	N	N	N	N	P	N	P	None
<b>Sector 22: Utilities</b>											
Electric, gas, & sanitary services	221										
Electric	2211										
Generation	22111	N	N	N	N	N	N	P	N	N	1.0 per 500 s.f. GFA
Transmission	22112	P	P	P	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Natural gas distribution	2212	P	P	P	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Water supply systems	22131										
Storage/Treatment	22131	N	N	N	P	N	P	P	P	P	1.0 per 500 s.f. GFA
Transmission	22131	P	P	P	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Sewerage systems	22132										
Collection	22132	P	P	P	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Treatment	22132	N	N	N	P	N	P	P	N	P	1.0 per 500 s.f. GFA
Steam & Air Conditioning supply	22133	N	N	N	P	N	P	P	N	N	1.0 per 500 s.f. GFA

## ZONING PETITION STAFF CHECKLIST

Sector 23: Construction												
Bldg. Construction – general contract & operative builders	233	N	N	N	P	N	N	P	N	N	1.0 per 1,000 s.f. GFA	
Heavy construction other than building construction-contractors	234	N	N	N	P	N	N	P	N	N	1.0 per 1,000 s.f. GFA	
Special Trade Contractors	235	N	N	N	P	N	N	P	N	N	1.0 per 1,000 s.f. GFA	
Sector 31-33: Manufacturing												
Food	311	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA	
Beverage & Tobacco	312	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA	
Textile mill products	313	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA	
Textile Product Mills	314	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA	
Apparel	315	N	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA	
Leather & allied products	316	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA	
Wood products	321	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA	
Paper & allied products	322	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA	
Petroleum products	324	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA	
Chemical products	325	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA	
	NAICS	B-1	B-1A	B-2	B-3	B-4	B-5	B-6	RU-1	RU-2	Off-Street Parking Requirements	
Sector 31-33: Manufacturing – cont'd												
Plastic & Rubber	326	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA	
Nonmetallic Mineral products	327	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA	
Primary Metal Industry	331	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA	
Fabricated metal products	332	N	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA	
Machinery	333	N	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA	
Computer & Electronic Products	334	N	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA	
Electrical equipment, Appliances & components	335	N	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA	
Transportation equipment	336	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA	
Furniture & related products	337	N	N	N	P	N	P	P	N	P	1.0 per 500 s.f. GFA	
Misc. manufacturing Indus.	339	N	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA	
Sector 42: Wholesale Trade												
Wholesale trade-durable goods	421	N	N	N	P	P	P	P	N	P	1.0 per 5,000 s.f. GFA	
Recycle materials (Sec. 3.12)	42193	N	N	N	N	N	N	C	N	N	1.0 per 5,000 s.f. GFA	
Wholesale trade-nondurable goods	422	N	N	N	P	P	P	P	N	P	1.0 per 5,000 s.f. GFA	
Sector 44-45: Retail Trade												
Motor vehicle & parts	441	N	N	N	P	P	N	N	N	N	1.0 per 600 s.f. GFA	
Automotive dealers	4411	N	N	N	P	P	N	N	N	N	1.0 per 600 s.f. GFA	
Other motor vehicle dealers	4412	N	N	N	P	P	N	N	N	N	1.0 per 600 s.f. GFA	
Automotive parts	4413	N	N	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA	
Furniture & home furnishings	442	N	P	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA	
Electronics & Appliances	443	N	P	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA	
Building materials, garden supplies	444											
Building materials & supplies	4441	N	N	N	P	N	N	N	P	N	1.0 per 1,000 s.f. GFA	
Paint & wallpaper	44412	N	P	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA	
Hardware stores (Sec. 3.13)	44413	N	P	P	P	P	N	N	C	N	1.0 per 350 s.f. GFA	
Lawn & garden equipment & supplies stores	4442	N	P	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA	
Food stores (3.13)	445	N	P	P	P	P	N	N	C	N	1.0 per 350 s.f. GFA	

## ZONING PETITION STAFF CHECKLIST

Bear, Wine, & Liquor stores (Sec 3.13)	4453	N	N	N	P	P	N	N	C	N	1.0 per 350 s.f. GFA
Health & Personal care (Sec. 3.13)	446	N	P	P	P	P	N	N	C	N	1.0 per 350 s.f. GFA
Gasoline stations	447	N	N	P	P	P	N	N	P	P	1.0 per 600 s.f. GFA
Truck stops	44719	N	N	N	P	N	N	N	N	N	1.0 per 600 s.f. GFA
Clothing & accessory stores	448	N	P	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Sporting goods, Hobbies, Books, & Music	451	N	P	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA
General Merchandise, except pawn shops & flea markets (Sec. 3.13)	452	N	P	P	P	P	N	N	C	N	1.0 per 350 s.f. GFA
Miscellaneous retail	453	N	P	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Used merchandise, except pawn shops & flea markets (Sec. 3.13)	4533	N	P	P	P	P	N	N	C	N	1.0 per 350 s.f. GFA
Flea Markets	4533	N	N	N	P	N	N	N	P	N	1.5 per stall
Retail not elsewhere classified except grave monuments, fireworks, sexually oriented businesses	4539	N	N	N	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Manufactured home dealers	45393	N	N	N	P	N	N	N	N	N	1.0 per 600 s.f. GFA
Fireworks	453998	N	N	N	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Gravestones, monuments	443998	N	N	N	P	N	N	P	N	N	1.0 per 500 s.f. GFA
	NAICS	B-1	B-1A	B-2	B-3	B-4	B-5	B-6	RU-1	RU-2	Off-Street Parking Requirements
Miscellaneous retail	45399	N	N	N	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Non-store retailers	454	N	P	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Fuel Dealers	45431	N	N	N	P	N	N	P	N	N	1.0 per 500 s.f. GFA
<b>Sector 48-49: Transportation Warehousing</b>											
Air Transportation	481	N	N	N	P	N	P	P	N	N	1.0 per 250 s.f. GFA
Rail Transportation	482	N	N	N	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Truck Transportation	484	N	N	N	P	P	P	P	N	N	1.0 per 500 s.f. GFA
Transit and ground passenger transportation	485	N	N	N	P	P	P	P	N	N	1.0 per 500 s.f. GFA
Scenic & Sightseeing Transportation	487	P	P	P	P	P	P	P	N	N	1.0 per 500 s.f. GFA
Support Activities for Transportation	488	N	N	N	P	P	P	P	N	N	1.0 per 500 s.f. GFA
U.S. Postal Service	491	P	P	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA
Couriers & Messengers	492	P	P	P	P	P	P	P	N	N	1.0 per 500 s.f. GFA
Warehousing & Storage	493	N	N	N	P	P	P	P	P	P	1.0 per 1,000 s.f. GFA
<b>Sector 51: Information</b>											
Publishing Industries	511	N	N	P	P	P	P	P	N	P	1.0 per 500 s.f. GFA
Motion pictures & Sound Industries	51	N	N	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Motion picture theaters	512131	N	N	P	P	P	N	N	N	N	1.0 per 5 seats
Broadcasting & Telecommunications	513	N	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Communication Tower & Ant. (Sec. 3.11)	5131	N	N	C	C	C	C	C	C	C	None
Info. Services & Data Processing	514	N	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Libraries	51212	P	P	P	P	P	P	N	P	N	1.0 per 350 s.f. GFA
<b>Sector 52: Finance &amp; Insurance</b>											
Banks	521	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Credit Intermediation	522	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Pawn Shops	522298	N	N	N	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Security & commodity contracts, financial investments	523	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Insurance Carriers & related activities	524	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA

## ZONING PETITION STAFF CHECKLIST

Funds, Trust, & other financial vehicles	525	P	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
<b>Sector 53: Real Estate &amp; Rental &amp; Leasing</b>												
Real Estate	531	P	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Mini-warehouses	53113	N	N	N	P	P	P	P	N	N	N	1.0 per storage units
Rental & Leasing Services	532	N	N	N	P	P	P	P	N	N	N	1.0 per 500 s.f. GFA
Video tape rental (Sec. 3.13)	53223	N	P	P	P	P	N	N	C	N	N	1.0 per 350 s.f. GFA
<b>Sector 53: Real Estate &amp; Rental &amp; Leasing</b>												
Professional, Scientific, Technical Svcs.	541	N	N	P	P	P	P	N	P	N	N	1.0 per 300 s.f. GFA
Display advertising – Signs	54185											
Legal services	5411	P	P	P	P	P	P	N	P	N	N	1.0 per 350 s.f. GFA
Engineering, accounting, research management & related services	5412-9	P	P	P	P	P	P	P	N	N	N	1.0 per 350 s.f. GFA
Tax return prep. service	541213	P	P	P	P	P	N	N	P	N	N	1.0 per 500 s.f. GFA
<b>Sector 54: Professional, Scientific, Technical Services – cont'd</b>												
Photographic studios, portraits	54192	P	P	P	P	P	N	N	N	N	N	1.0 per 300 s.f. GFA
Veterinary Services	54194	N	N	N	P	N	N	P	P	P	P	1.0 per 1,000 s.f. GFA
<b>Sector 55: Management of Companies and Enterprises</b>												
Mgmt. Of Companies and Enterprises	551	P	P	P	P	P	P	P	N	N	N	1.0 per 350 s.f. GFA
<b>Sector 56: Administrative and Support and Waste Management and Remediation Services</b>												
Administrative & support services	561	P	P	P	P	P	P	P	P	P	P	1.0 per 750 s.f. GFA
	NAICS	B-1	B-1A	B-2	B-3	B-4	B-5	B-6	RU-1	RU-2		Off-Street Parking Requirements
Landscape services	56173	N	P	P	P	N	P	P	P	P	P	1.0 per 1,000 s.f. GFA
Refuse systems (Sec. 3.14)	562	N	N	N	C	N	N	C	N	C	C	1.0 per 500 s.f. GFA
<b>Sector 61: Educational Services</b>												
Educational Services	6117	P	P	P	P	P	N	N	N	N	N	1.0 per 200 s.f. GFA
Elementary Schools	6111	P	P	P	P	P	N	N	P	P	P	2.0 per classroom plus 5 admin. Spaces
Secondary Schools	6111	P	P	P	P	P	N	N	P	P	P	5.0 per classroom plus 10 admin. Spaces
Jr. Colleges, Colleges, Universities, professional schools	6112-3	P	P	P	P	P	P	P	N	N	N	5.0 per classroom plus 2 per admin. Office
Business schools, Computer, & Management Training	6114-5	P	P	P	P	P	P	P	N	N	N	5.0 per classroom plus 2 per admin. Office
Other schools and instruction	6116	P	P	P	P	P	P	P	N	N	N	5.0 per classroom plus 2 per admin. Office
Education Support Services	6117	P	P	P	P	P	P	P	N	N	N	1.0 per 200 s.f. GFA
<b>Sector 62: Health Care and Social Assistance</b>												
Ambulatory Health Care Services	62	P	P	P	P	P	P	N	N	N	N	1.0 per 150 s.f. GFA
Medical & dental laboratories	6215	N	N	N	P	P	P	P	N	N	N	1.0 per 500 s.f. GFA
Home health care services	6216	P	P	P	P	P	P	N	P	N	N	1.0 per 500 s.f. GFA
Hospitals	622	N	N	N	P	P	P	N	N	N	N	0.7 per bed
Nursing & residential care facilities	623	P	P	P	P	P	P	N	P	P	P	0.4 per bed
Nursing Care Facilities	623	N	N	N	P	N	N	N	P	P	P	1.0 per 500 s.f. GFA
Community Care for Elderly	623	P	P	P	P	P	P	N	P	P	P	0.4 per bed
Social Services	624	N	N	N	P	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Individual & Family Social Services	6241	N	P	P	P	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Community, Food & Housing & Emergency & Relief services	6242	N	N	N	P	P	P	N	N	N	N	
Rehabilitation services	6243	N	N	N	P	P	P	P	N	N	N	1.0 per 350 s.f. GFA
Day care services	6244	P	P	P	P	P	P	P	P	P	P	1.0 per 200 s.f. GFA

## ZONING PETITION STAFF CHECKLIST

Sector 71: Arts, Entertainment, and Recreation											
Performing Arts & Spectator Sports	711	N	N	N	P	P	N	N	N	N	1.0 per 300 s.f. GFA
Performing Art Companies	7111	P	P	P	P	N	N	N	N	N	1.0 per 200 s.f. GFA
Spectator Sports	7112	N	N	N	P	P	N	N	N	N	By individual review
Museums, Historical sites, & Similar Institutions	712	P	P	P	P	P	N	N	N	N	1.2 per 1,000 s.f. GFA
Sector 71: Arts, Entertainment, and Recreation – cont'd											
Amusement, Gambling, & Recreation	713	N	N	N	P	N	N	N	N	N	By individual review
Amusement Parks & Arcades	71311	N	N	N	P	N	N	N	N	N	By individual review
Coin operated amusement, cash payouts more than 5 machines (Sec. 3.17)	7132	N	N	N	C	N	N	N	N	N	1.0 per 200 s.f. GFA
Golf courses & Country Clubs	71391	N	N	N	P	N	P	P	N	P	5.0 per hole
Marinas	71392	N	N	N	N	N	P	P	P	P	1.0 per slip
Public parks & playgrounds	71394	P	P	P	P	P	P	P	P	P	1% land area
Physical fitness facilities	71394	N	P	P	P	P	P	P	N	N	1.0 per 300 s.f. GFA
Bowling centers	71395	N	N	N	P	P	N	N	N	N	5.0 per lane
Coin operated amusement non-cash payouts	71399	N	N	P	P	P	N	N	N	N	1.0 per 200 s.f. GFA
All other Amusement & Recreational Industries	71399	N	N	N	P	N	N	N	N	N	1.0 per 200 s.f. GFA
Sector 72: Accommodation and Food Services	NAICS	B-1	B-1A	B-2	B-3	B-4	B-5	B-6	RU-1	RU-2	Off-Street Parking Requirements
Accommodations	721										
Hotels & motels	72111	N	N	N	P	P	P	N	N	N	1.0 per rental unit
Bed and Breakfast Inns (Sec. 3.3)	721191	C	C	N	P	P	P	N	C	C	1.5 per bedroom
Camps & recreational vehicle parks	721191	N	N	N	C	N	N	N	N	C	Not applicable
Rooming & boarding houses, dormitories, group housing	72121	N	N	N	P	N	N	N	N	N	1.0 per bedroom
Eating Places	7221-3	N	P	P	P	P	P	P	P	N	1.0 per 150 s.f. GFA
Drinking Places (Sec. 3.20)	7224	N	N	N	C	C	N	N	N	N	1.0 per 150 s.f. GFA
Sector 81: Other Services (except Public Administration)											
Auto repair & maintenance (Sec. 3.13)	8111	N	N	N	P	P	N	N	C	N	1.0 per 500 s.f. GFA
Car washes (multiple bays)	811192	N	N	N	P	N	N	N	N	N	None
Other Repair (Sec. 3.13)	8112-4	N	N	P	P	P	N	P	C	N	1.0 per 350 s.f. GFA
Shoe repair, shoe shine shops	81143	N	N	P	P	P	N	N	N	N	1.0 per 300 s.f. GFA
Personal & Laundry services	812										
Personal Care Services	81221	N	P	P	P	P	N	N	P	N	2.5 per chair basin
Tattoo Facilities (Sec. 3.23)	812199	N	N	N	C	N	N	N	N	N	1.0 PER 150 s.f. GFA
Funeral Homes & Services	81221	P	P	P	P	P	N	N	N	N	5.0 plus 1.0 per 2 seats main assembly
Cemeteries	81221	N	N	N	P	N	N	N	P	P	None
Crematories	81222	N	N	N	N	N	N	P	N	N	1.0 per 500 s.f. GFA
Laundry & Dry Cleaning Services	8123	N	N	N	P	P	N	P	N	N	1.0 per 500 s.f. GFA
Coin operated laundries/dry cleaning	81231	N	P	P	P	P	N	N	P	N	1.0 per 250 s.f. GFA
Pet Care	81291	N	N	N	P	N	N	P	P	P	1.0 per 1,000 s.f. GFA
Automotive parking lots & garages	81293	N	N	P	P	P	P	P	N	N	None
Sexually oriented business (Sec. 3.15)	81299	N	N	N	C	N	N	N	N	N	1.0 per 350 s.f. GFA
All other personal services	81299	N	P	P	P	P	N	N	N	N	1.0 per 300 s.f. GFA

## ZONING PETITION STAFF CHECKLIST

Religious, fraternal, professional, political, civic, business organizations	813	P	P	P	P	P	P	P	P	P	P	1.0 per 250 s.f. GFA
Religious Organizations	81211	P	P	P	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA
All Other Organizations	8132-9	N	P	P	P	P	N	N	N	N	N	1.0 per 500 s.f. GFA
<b>Sector 92: Public Administration</b>												
Executive, legislative, & general govt.	921	P	P	P	P	P	P	N	N	N		1.0 per 350 s.f. GFA
Justice, public order & safety	922	N	N	N	P	P	P	P	N	P		1.0 per 350 s.f. GFA
Courts	92211	N	N	N	P	P	N	N	P	P		1.0 per 350 s.f. GFA
Police Protection	82212	P	P	P	P	P	P	P	P	P		1.0 per 350 s.f. GFA
Correctional institution	92214	N	N	N	P	P	N	P	N	P		1.0 per jail cell, plus 1.0 per 250 s.f. GFA
Fire Protection	92216	P	P	P	P	P	P	P	P	P		4.0 per bay
Administration of human resources	923	P	P	P	P	P	P	P	N	N		1.0 per 350 s.f. GFA
Ad. of environ. Quality & housing prog.	924-5	P	P	P	P	P	P	P	N	N		1.0 per 350 s.f. GFA
Administration of economic programs	926	P	P	P	P	P	P	P	N	N		1.0 per 350 s.f. GFA
Space Research & Technology	927	N	N	N	P	P	P	P	N	N		
National Security & Internal Affairs	928	N	N	N	P	P	P	P	N	N		
<b>Residential Uses</b>												
Site Built Dwellings	NA											
	NAICS	B-1	B-1A	B-2	B-3	B-4	B-5	B-6	RU-1	RU-2		Off-Street Parking Requirements
Single-family detached	NA	P	P	P	P	N	N	N	P	P		None
Duplex	NA	N	N	N	N	N	N	N	P	N		2.0 spaces per unit
Multi-family, apts. (Sec. 3.19)	NA	N	N	N	P	C	P	N	N	N		1.5 spaces per unit
Rooming & Boarding houses	72131	N	N	P	P	P	N	N	N	N		1.0 spaces per bedroom
Manufactured Dwellings	NA											
Residential designed (Sec. 3.4)	NA	N	N	N	N	N	N	N	C	C		2.0 spaces per unit
Standard designed (Sec. 3.4)	NA	N	N	N	N	N	N	N	C	C		2.0 spaces per unit
Mobile Homes (Sec. 3.5)	NA	N	N	N	N	N	N	N	N	N		2.0 spaces per unit
Modular Homes	NA	P	P	P	P	N	N	N	P	P		2.0 spaces per unit
<b>Accessory Uses to Residential Uses</b>												
Bathhouses & cabanas	NA	P	P	P	P	N	NA	NA	P	P		None
Domestic animal shelters	NA	P	P	P	P	N	NA	NA	P	P		None
Non-commercial greenhouses	NA	P	P	P	P	P	NA	NA	P	P		None
Private garage & carport	NA	P	P	P	P	P	NA	NA	P	P		None
Storage building	NA	P	P	P	P	P	NA	NA	P	P		None
Swimming pool, tennis courts	NA	P	P	P	P	P	NA	NA	P	P		None
Auxiliary shed, workshop	NA	P	P	P	P	N	NA	NA	P	P		None
Home occupation (Sec. 3.8)	NA	P	P	P	P	P	NA	NA	C	C		None
Horticulture, gardening	NA	P	P	P	P	P	NA	NA	P	P		None
Family day care home	NA	P	P	P	P	P	NA	NA	P	P		None
Satellite dishes, etc.	NA	P	P	P	P	P	NA	NA	P	P		None
<b>Accessory Uses to Residential Uses</b>												
Buildings, structures	NA	P	P	P	P	P	P	P	P	P		None
Open storage (Sec. 3.18)	NA	N	N	N	C	N	C	C	C	N		None
<b>Temporary Uses</b>												
All Temporary Uses (Sec. 3.9)	NA	C	C	C	C	C	C	C	C	C		None

**Notes:**

a. Off street parking is not required in the B-4 District.

## EXHIBIT A

**Section 2.4 Table II: Schedule of Permitted and Conditional Uses and Off-Street Parking Requirements for Business & Rural Districts**

	NAICS	B-1	B-1A	B-2	B-3	B-4	B-5	B-6	RU-1	RU-2	Off-Street Parking Requirements
<b>Sector 11: Agriculture, Forestry, Fishing, and Hunting</b>											
Agricultural Production, crops	111	P	P	P	P	N	P	P	P	P	None
Agricultural Production, Livestock, animals	112										
Livestock, except feedlots	112111	N	N	N	N	N	N	N	P	P	None
Feedlots	112112	N	N	N	N	N	N	N	N	P	None
Poultry & eggs	1123	N	N	N	N	N	N	N	N	P	None
Animal specialties	1129	N	N	N	N	N	N	N	N	P	None
Horses & other equine	11292	N	N	N	N	N	N	N	P	P	None
General Farms	11299	N	N	N	N	N	P	P	P	P	None
Fishing, Hunting, Trapping	1141-2	N	N	N	P	N	N	P	P	P	None
Agricultural Services	115	N	N	N	N	N	N	N	P	P	None
Forestry	11531	N	N	N	P	N	P	P	P	P	1.0 per 1,000 s.f. GFA
<b>Sector 21: Mining</b>											
Mining	212	N	N	N	N	N	N	P	N	P	None
<b>Sector 22: Utilities</b>											
Electric, gas, & sanitary services	221										
Electric	2211										
Generation	22111	N	N	N	N	N	N	P	N	N	1.0 per 500 s.f. GFA
Transmission	22112	P	P	P	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Natural gas distribution	2212	P	P	P	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Water supply systems	22131										
Storage/Treatment	22131	N	N	N	P	N	P	P	P	P	1.0 per 500 s.f. GFA
Transmission	22131	P	P	P	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Sewerage systems	22132										
Collection	22132	P	P	P	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Treatment	22132	N	N	N	P	N	P	P	N	P	1.0 per 500 s.f. GFA
Steam & Air Conditioning supply	22133	N	N	N	P	N	P	P	N	N	1.0 per 500 s.f. GFA
<b>Sector 23: Construction</b>											
Bldg. Construction – general & operative builders contract	233	N	N	N	P	N	N	P	N	N	1.0 per 1,000 s.f. GFA
Heavy construction other than building construction-contractors	234	N	N	N	P	N	N	P	N	N	1.0 per 1,000 s.f. GFA
Special Trade Contractors	235	N	N	N	P	N	N	P	N	N	1.0 per 1,000 s.f. GFA
<b>Sector 31-33: Manufacturing</b>											
Food	311	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Beverage & Tobacco	312	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Textile mill products	313	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Textile Product Mills	314	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Apparel	315	N	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA
Leather & allied products	316	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA

Wood products	321	N	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Paper & allied products	322	N	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Petroleum products	324	N	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Chemical products	325	N	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
	NAICS	B-1	B-1A	B-2	B-3	B-4	B-5	B-6	RU-1	RU-2		Off-Street Parking Requirements
<b>Sector 31-33: Manufacturing – cont'd</b>												
Plastic & Rubber	326	N	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Nonmetallic Mineral products	327	N	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Primary Metal Industry	331	N	N	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Fabricated metal products	332	N	N	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA
Machinery	333	N	N	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA
Computer & Electronic Products	334	N	N	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA
Electrical equipment, Appliances & components	335	N	N	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA
Transportation equipment	336	N	N	N	N	N	N	P	N	N	P	1.0 per 500 s.f. GFA
Furniture & related products	337	N	N	N	P	N	N	P	P	N	P	1.0 per 500 s.f. GFA
Misc. manufacturing Indus.	339	N	N	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA
<b>Sector 42: Wholesale Trade</b>												
Wholesale trade-durable goods	421	N	N	N	P	P	P	P	N	N	P	1.0 per 5,000 s.f. GFA
Recycle materials (Sec. 3.12)	42193	N	N	N	N	N	N	C	N	N	N	1.0 per 5,000 s.f. GFA
Wholesale trade-nondurable goods	422	N	N	N	P	P	P	P	N	N	P	1.0 per 5,000 s.f. GFA
<b>Sector 44-45: Retail Trade</b>												
Motor vehicle & parts	441	N	N	N	P	P	N	N	N	N	N	1.0 per 600 s.f. GFA
Automotive dealers	4411	N	N	N	P	P	N	N	N	N	N	1.0 per 600 s.f. GFA
Other motor vehicle dealers	4412	N	N	N	P	P	N	N	N	N	N	1.0 per 600 s.f. GFA
Automotive parts	4413	N	N	P	P	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Furniture & home furnishings	442	N	P	P	P	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Electronics & Appliances	443	N	P	P	P	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Building materials, garden supplies	444											
Building materials & supplies	4441	N	N	N	P	N	N	N	P	N	N	1.0 per 1,000 s.f. GFA
Paint & wallpaper	44412	N	P	P	P	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Hardware stores (Sec. 3.13)	44413	N	P	P	P	P	N	N	C	N	N	1.0 per 350 s.f. GFA
Lawn & garden equipment & supplies stores	4442	N	P	P	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA
Food stores (3.13)	445	N	P	P	P	P	N	N	C	N	N	1.0 per 350 s.f. GFA
Beer, Wine, & Liquor stores (Sec 3.13)	4453	N	N	N	P	P	N	N	C	N	N	1.0 per 350 s.f. GFA
Health & Personal care (Sec. 3.13)	446	N	P	P	P	P	N	N	C	N	N	1.0 per 350 s.f. GFA
Gasoline stations	447	N	N	P	P	P	N	N	P	P	N	1.0 per 600 s.f. GFA
Truck stops	44719	N	N	N	P	N	N	N	N	N	N	1.0 per 600 s.f. GFA
Clothing & accessory stores	448	N	P	P	P	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Sporting goods, Hobbies, Books, & Music	451	N	P	P	P	P	N	N	N	N	N	1.0 per 350 s.f. GFA
General Merchandise, except pawn shops & flea markets (Sec. 3.13)	452	N	P	P	P	P	N	N	C	N	N	1.0 per 350 s.f. GFA
Miscellaneous retail	453	N	P	P	P	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Used merchandise, except pawn shops & flea markets (Sec. 3.13)	4533	N	P	P	P	P	N	N	C	N	N	1.0 per 350 s.f. GFA
Flea Markets	4533	N	N	N	P	N	N	N	P	N	N	1.5 per stall
Retail not elsewhere classified except grave monuments, fireworks, sexually oriented businesses	4539	N	N	N	P	N	N	N	N	N	N	1.0 per 350 s.f. GFA

Manufactured home dealers	45393	N	N	N	P	N	N	N	N	N	1.0 per 600 s.f. GFA
Fireworks	453998	N	N	N	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Gravestones, monuments	443998	N	N	N	P	N	N	P	N	N	1.0 per 500 s.f. GFA
	<b>NAICS</b>	<b>B-1</b>	<b>B-1A</b>	<b>B-2</b>	<b>B-3</b>	<b>B-4</b>	<b>B-5</b>	<b>B-6</b>	<b>RU-1</b>	<b>RU-2</b>	<b>Off-Street Parking Requirements</b>
Miscellaneous retail	45399	N	N	N	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Non-store retailers	454	N	P	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Fuel Dealers	45431	N	N	N	P	N	N	P	N	N	1.0 per 500 s.f. GFA
<b>Sector 48-49: Transportation Warehousing</b>											
Air Transportation	481	N	N	N	P	N	P	P	N	N	1.0 per 250 s.f. GFA
Rail Transportation	482	N	N	N	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Truck Transportation	484	N	N	N	P	P	P	P	N	N	1.0 per 500 s.f. GFA
Transit and ground passenger transportation	485	N	N	N	P	P	P	P	N	N	1.0 per 500 s.f. GFA
Scenic & Sightseeing Transportation	487	P	P	P	P	P	P	P	N	N	1.0 per 500 s.f. GFA
Support Activities for Transportation	488	N	N	N	P	P	P	P	N	N	1.0 per 500 s.f. GFA
U.S. Postal Service	491	P	P	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA
Couriers & Messengers	492	P	P	P	P	P	P	P	N	N	1.0 per 500 s.f. GFA
Warehousing & Storage	493	N	N	N	P	P	P	P	P	P	1.0 per 1,000 s.f. GFA
<b>Sector 51: Information</b>											
Publishing Industries	511	N	N	P	P	P	P	P	N	P	1.0 per 500 s.f. GFA
Motion pictures & Sound Industries	51	N	N	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Motion picture theaters	512131	N	N	P	P	P	N	N	N	N	1.0 per 5 seats
Broadcasting & Telecommunications	513	N	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Communication Tower & Ant. (Sec. 3.11)	5131	N	N	C	C	C	C	C	C	C	None
Info. Services & Data Processing	514	N	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Libraries	51212	P	P	P	P	P	P	N	P	N	1.0 per 350 s.f. GFA
<b>Sector 52: Finance &amp; Insurance</b>											
Banks	521	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Credit Intermediation	522	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Pawn Shops	522298	N	N	N	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Security & commodity contracts, financial investments	523	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Insurance Carriers & related activities	524	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Funds, Trust, & other financial vehicles	525	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
<b>Sector 53: Real Estate &amp; Rental &amp; Leasing</b>											
Real Estate	531	P	P	P	P	P	P	P	P	N	1.0 per 350 s.f. GFA
Mini-warehouses	53113	N	N	N	P	P	P	P	N	N	1.0 per storage units
Rental & Leasing Services	532	N	N	N	P	P	P	P	N	N	1.0 per 500 s.f. GFA
Video tape rental (Sec. 3.13)	53223	N	P	P	P	P	N	N	C	N	1.0 per 350 s.f. GFA
<b>Sector 53: Real Estate &amp; Rental &amp; Leasing</b>											
Professional, Scientific, Technical Svcs.	541	N	N	P	P	P	P	N	P	N	1.0 per 300 s.f. GFA
Display advertising – Signs	54185										
Legal services	5411	P	P	P	P	P	P	N	P	N	1.0 per 350 s.f. GFA
Engineering, accounting, research management & related services	5412-9	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Tax return prep. service	541213	P	P	P	P	P	N	N	P	N	1.0 per 500 s.f. GFA
<b>Sector 54: Professional, Scientific, Technical Services – cont'd</b>											
Photographic studios, portraits	54192	P	P	P	P	P	N	N	N	N	1.0 per 300 s.f. GFA
Veterinary Services	54194	N	N	N	P	N	N	P	P	P	1.0 per 1,000 s.f. GFA

Sector 55: Management of Companies and Enterprises												
Mgmt. Of Companies and Enterprises	551	P	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Sector 56: Administrative and Support and Waste Management and Remediation Services												
Administrative & support services	561	P	P	P	P	P	P	P	P	P	P	1.0 per 750 s.f. GFA
	NAICS	B-1	B-1A	B-2	B-3	B-4	B-5	B-6	RU-1	RU-2		Off-Street Parking Requirements
Landscape services	56173	N	N	P	P	N	P	P	P	P		1.0 per 1,000 s.f. GFA
Refuse systems (Sec. 3.14)	562	N	N	N	C	N	N	C	N	C		1.0 per 500 s.f. GFA
Sector 61: Educational Services												
Educational Services	6117	P	P	P	P	P	N	N	N	N		1.0 per 200 s.f. GFA
Elementary Schools	6111	P	P	P	P	P	N	N	P	P		2.0 per classroom plus 5 admin. Spaces
Secondary Schools	6111	P	P	P	P	P	N	N	P	P		5.0 per classroom plus 10 admin. Spaces
Jr. Colleges, Colleges, Universities, professional schools	6112-3	P	P	P	P	P	P	P	N	N		5.0 per classroom plus 2 per admin. Office
Business schools, Computer, & Management Training	6114-5	P	P	P	P	P	P	P	N	N		5.0 per classroom plus 2 per admin. Office
Other schools and instruction	6116	P	P	P	P	P	P	P	N	N		5.0 per classroom plus 2 per admin. Office
Education Support Services	6117	P	P	P	P	P	P	P	N	N		1.0 per 200 s.f. GFA
Sector 62: Health Care and Social Assistance												
Ambulatory Health Care Services	62	P	P	P	P	P	P	N	N	N		1.0 per 150 s.f. GFA
Medical & dental laboratories	6215	N	N	N	P	P	P	P	N	N		1.0 per 500 s.f. GFA
Home health care services	6216	P	P	P	P	P	P	N	P	N		1.0 per 500 s.f. GFA
Hospitals	622	N	N	N	P	P	P	N	N	N		0.7 per bed
Nursing & residential care facilities	623	P	P	P	P	P	P	N	P	P		0.4 per bed
Nursing Care Facilities	623	N	N	N	P	N	N	N	P	P		1.0 per 500 s.f. GFA
Community Care for Elderly	623	P	P	P	P	P	P	N	P	P		0.4 per bed
Social Services	624	N	N	N	P	P	N	N	N	N		1.0 per 350 s.f. GFA
Individual & Family Social Services	6241	N	P	P	P	P	N	N	N	N		1.0 per 350 s.f. GFA
Community, Food & Housing & Emergency & Relief services	6242	N	N	N	P	P	P	N	N	N		
Rehabilitation services	6243	N	N	N	P	P	P	P	N	N		1.0 per 350 s.f. GFA
Day care services	6244	P	P	P	P	P	P	P	P	P		1.0 per 200 s.f. GFA
Sector 71: Arts, Entertainment, and Recreation												
Performing Arts & Spectator Sports	711	N	N	N	P	P	N	N	N	N		1.0 per 300 s.f. GFA
Performing Art Companies	7111	P	P	P	P	N	N	N	N	N		1.0 per 200 s.f. GFA
Spectator Sports	7112	N	N	N	P	P	N	N	N	N		By individual review
Museums, Historical sites, & Similar Institutions	712	P	P	P	P	P	N	N	N	N		1.2 per 1,000 s.f. GFA
Sector 71: Arts, Entertainment, and Recreation – cont'd												
Amusement, Gambling, & Recreation	713	N	N	N	P	N	N	N	N	N		By individual review
Amusement Parks & Arcades	71311	N	N	N	P	N	N	N	N	N		By individual review
Coin operated amusement, cash payouts more than 5 machines (Sec. 3.17)	7132	N	N	N	C	N	N	N	N	N		1.0 per 200 s.f. GFA
Golf courses & Country Clubs	71391	N	N	N	P	N	P	P	N	P		5.0 per hole
Marinas	71392	N	N	N	N	N	P	P	P	P		1.0 per slip
Public parks & playgrounds	71394	P	P	P	P	P	P	P	P	P		1% land area
Physical fitness facilities	71394	N	P	P	P	P	P	P	N	N		1.0 per 300 s.f. GFA
Bowling centers	71395	N	N	N	P	P	N	N	N	N		5.0 per lane

Coin operated amusement non-cash payouts	71399	N	N	P	P	P	N	N	N	N	1.0 per 200 s.f. GFA
All other Amusement & Recreational Industries	71399	N	N	N	P	N	N	N	N	N	1.0 per 200 s.f. GFA
<b>Sector 72: Accommodation and Food Services</b>	<b>NAICS</b>	<b>B-1</b>	<b>B-1A</b>	<b>B-2</b>	<b>B-3</b>	<b>B-4</b>	<b>B-5</b>	<b>B-6</b>	<b>RU-1</b>	<b>RU-2</b>	<b>Off-Street Parking Requirements</b>
Accommodations	721										
Hotels & motels	72111	N	N	N	P	P	P	N	N	N	1.0 per rental unit
Bed and Breakfast Inns (Sec. 3.3)	721191	C	C	N	P	P	P	N	C	C	1.5 per bedroom
Camps & recreational vehicle parks	721191	N	N	N	C	N	N	N	N	C	Not applicable
Rooming & boarding houses, dormitories, group housing	72121	N	N	N	P	N	N	N	N	N	1.0 per bedroom
Eating Places	7221-3	N	P	P	P	P	P	P	P	N	1.0 per 150 s.f. GFA
Drinking Places (Sec. 3.20)	7224	N	N	N	C	C	N	N	N	N	1.0 per 150 s.f. GFA
<b>Sector 81: Other Services (except Public Administration)</b>											
Auto repair & maintenance (Sec. 3.13)	8111	N	N	N	P	P	N	N	C	N	1.0 per 500 s.f. GFA
Car washes (multiple bays)	811192	N	N	N	P	N	N	N	N	N	None
Other Repair (Sec. 3.13)	8112-4	N	N	P	P	P	N	P	C	N	1.0 per 350 s.f. GFA
Shoe repair, shoe shine shops	81143	N	N	P	P	P	N	N	N	N	1.0 per 300 s.f. GFA
Personal & Laundry services	812										
Personal Care Services	81221	N	P	P	P	P	N	N	P	N	2.5 per chair basin
Tattoo Facilities (Sec. 3.23)	812199	N	N	N	C	N	N	N	N	N	1.0 PER 150 s.f. GFA
Funeral Homes & Services	81221	P	P	P	P	P	N	N	N	N	5.0 plus 1.0 per 2 seats main assembly
Cemeteries	81221	N	N	N	P	N	N	N	P	P	None
Crematories	81222	N	N	N	N	N	N	P	N	N	1.0 per 500 s.f. GFA
Laundry & Dry Cleaning Services	8123	N	N	N	P	P	N	P	N	N	1.0 per 500 s.f. GFA
Coin operated laundries/dry cleaning	81231	N	P	P	P	P	N	N	P	N	1.0 per 250 s.f. GFA
Pet Care	81291	N	N	N	P	N	N	P	P	P	1.0 per 1,000 s.f. GFA
Automotive parking lots & garages	81293	N	N	P	P	P	P	P	N	N	None
Sexually oriented business (Sec. 3.15)	81299	N	N	N	C	N	N	N	N	N	1.0 per 350 s.f. GFA
All other personal services	81299	N	P	P	P	P	N	N	N	N	1.0 per 300 s.f. GFA
Religious, fraternal, professional, political, civic, business organizations	813	P	P	P	P	P	P	P	P	P	1.0 per 250 s.f. GFA
Religious Organizations	81211	P	P	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA
All Other Organizations	8132-9	N	P	P	P	P	N	N	N	N	1.0 per 500 s.f. GFA
<b>Sector 92: Public Administration</b>											
Executive, legislative, & general govt.	921	P	P	P	P	P	P	N	N	N	1.0 per 350 s.f. GFA
Justice, public order & safety	922	N	N	N	P	P	P	P	N	P	1.0 per 350 s.f. GFA
Courts	92211	N	N	N	P	P	N	N	P	P	1.0 per 350 s.f. GFA
Police Protection	82212	P	P	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA
Correctional institution	92214	N	N	N	P	P	N	P	N	P	1.0 per jail cell, plus 1.0 per 250 s.f. GFA
Fire Protection	92216	P	P	P	P	P	P	P	P	P	4.0 per bay
Administration of human resources	923	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Ad. of environ. Quality & housing prog.	924-5	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Administration of economic programs	926	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Space Research & Technology	927	N	N	N	P	P	P	P	N	N	
National Security & Internal Affairs	928	N	N	N	P	P	P	P	N	N	
<b>Residential Uses</b>											

Site Built Dwellings	NA											
	NAICS	B-1	B-1A	B-2	B-3	B-4	B-5	B-6	RU-1	RU-2	Off-Street Parking Requirements	
Single-family detached	NA	P	P	P	P	N	N	N	P	P	None	
Duplex	NA	N	N	N	N	N	N	N	P	N	2.0 spaces per unit	
Multi-family, apts. (Sec. 3.19)	NA	N	N	N	P	C	P	N	N	N	1.5 spaces per unit	
Rooming & Boarding houses	72131	N	N	P	P	P	N	N	N	N	1.0 spaces per bedroom	
<b>Manufactured Dwellings</b>	NA											
Residential designed (Sec. 3.4)	NA	N	N	N	N	N	N	N	C	C	2.0 spaces per unit	
Standard designed (Sec. 3.4)	NA	N	N	N	N	N	N	N	C	C	2.0 spaces per unit	
Mobile Homes (Sec. 3.5)	NA	N	N	N	N	N	N	N	N	N	2.0 spaces per unit	
Modular Homes	NA	P	P	P	P	N	N	N	P	P	2.0 spaces per unit	
<b>Accessory Uses to Residential Uses</b>												
Bathhouses & cabanas	NA	P	P	P	P	N	NA	NA	P	P	None	
Domestic animal shelters	NA	P	P	P	P	N	NA	NA	P	P	None	
Non-commercial greenhouses	NA	P	P	P	P	P	NA	NA	P	P	None	
Private garage & carport	NA	P	P	P	P	P	NA	NA	P	P	None	
Storage building	NA	P	P	P	P	P	NA	NA	P	P	None	
Swimming pool, tennis courts	NA	P	P	P	P	P	NA	NA	P	P	None	
Auxiliary shed, workshop	NA	P	P	P	P	N	NA	NA	P	P	None	
Home occupation (Sec. 3.8)	NA	P	P	P	P	P	NA	NA	C	C	None	
Horticulture, gardening	NA	P	P	P	P	P	NA	NA	P	P	None	
Family day care home	NA	P	P	P	P	P	NA	NA	P	P	None	
Satellite dishes, etc.	NA	P	P	P	P	P	NA	NA	P	P	None	
<b>Accessory Uses to Residential Uses</b>												
Buildings, structures	NA	P	P	P	P	P	P	P	P	P	None	
Open storage (Sec. 3.18)	NA	N	N	N	C	N	C	C	C	N	None	
<b>Temporary Uses</b>												
All Temporary Uses (Sec. 3.9)	NA	C	C	C	C	C	C	C	C	C	None	

Notes:

- a. Off street parking is not required in the B-4 District.

**ORDINANCE NO. 2012-\_\_\_\_\_**  
(As Amended after First Reading)

**AN ORDINANCE TO AMEND ARTICLE I, SECTION 1.1 AND SECTION 1.2, AND ARTICLE 2, SECTION 2.4, TABLE II OF THE CITY OF FLORENCE ZONING ORDINANCE IN ORDER TO ESTABLISH A NEW ZONING DISTRICT REFERRED TO AS B-1A.**

**WHEREAS**, a Public Hearing was held in Room 603 of the City-County Complex on December 13, 2011 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS**, this text amendment originates from Mr. Gary Finklea requesting that a new zoning district be created;

**WHEREAS**, the text amendment establishes a new B-1(A) Zoning District that permits additional neighborhood-friendly uses not currently permitted in the B-1, Limited Business District;

**WHEREAS**, Planning Commission recommended by unanimous vote, 8-0, to amend the text;

**WHEREAS**, Florence City Council concurs in the aforesaid application, findings and recommendations;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Florence that Article 1, Sections 1.1 and 1.2, and Article 2, Section 2.4, Table II, of the Zoning Ordinance for the City of Florence, South Carolina be, and are hereby, amended as follows:

1. Article 1, Section 1.1 of the Zoning Ordinance is hereby amended in its entirety to read as follows:

**Section 1.1 Establishment of Districts**

For purposes of this Ordinance, the following zoning districts are hereby established:

<b>Residential Districts</b>	<b>Business Districts</b>	<b>Rural Districts</b>	<b>Special Purpose Districts</b>
R-1, Single-Family, Large lots	B-1, Limited B-1A, Neighborhood	RU-1, Community	PDD, Planned Development
R-2, Single-Family, Medium lots	B-2, Convenience	RU-2, Resource	FH, Flood Hazard
R-3, Single-Family,	B-3 General		AC, Airport Compatibility

Small lots			
R-4, Multi-Family, Limited	B-4, Central		
R-5, Multi-Family	B-5, Office-Light Industrial		
	B-6, Industrial		

2. Article 1, Section 1.2 of the Zoning Ordinance is hereby amended to add the language set out below verbatim under the sub-heading “**Business Districts**” immediately following the paragraph entitled “**B-1 Limited Business District:**” and immediately before the paragraph entitled “**B-2 Convenience Business District:**”.

**B-1A Neighborhood Business District:** The intent of this district is to provide low-impact commercial and service uses within residential settings or within close proximity to residential areas. This district is especially intended for corridors in transition that include adaptive re-use of residential buildings. It may include a mix of residential, commercial and service uses.

3. Article 2, Section 2.4, Table II of the Zoning Ordinance is hereby amended in its entirety to read as set out on Exhibit A hereto.
4. That this Ordinance shall become effective immediately.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

Approved as to form:

\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

\_\_\_\_\_  
Stephen J. Wukela,  
Mayor

Attest:

\_\_\_\_\_  
Dianne M. Rowan  
Municipal Clerk

**V. b.**  
**Bill No. 2012-08**  
**Second Reading**

**FLORENCE CITY COUNCIL MEETING**

**DATE:** February 13, 2012  
**AGENDA ITEM:** Ordinance – First Reading  
**DEPARTMENT/DIVISION:** Finance

**I. ISSUE UNDER CONSIDERATION**

An ordinance amending Section 9-80 (c) of the City of Florence, SC Code of Ordinances pertaining to the City's seventy-five cent (\$0.75) per month garbage collection fee.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN**

The City's code of ordinances currently provides for a per month collection fee of \$0.75 from each user of the rollcart collection system. The ordinance states that the fee is to cover the costs associated with the repair and replacement of rollcarts within the City.

**III. POINTS TO CONSIDER**

- A. The \$0.75 monthly garbage collection fee is collected and accounted for by the City in a Special Revenue Fund separate from the General Fund.
- B. This fee has been used by the City exclusively for the repair and replacement of rollcarts and recycling bins.
- C. When this fee was adopted no provision was made for use of these funds for the repair and replacement of other capital equipment that is equally essential to the collection of residential garbage such as sanitation trucks. Therefore, all such repairs and replacements have been funded from the General Fund.
- D. It is reasonable that the City's ordinance should be revised to provide that this monthly fee should be used not only for the repair and replacement of rollcarts and recycling bins, but also for repair and replacement of other capital equipment for residential garbage collection (i.e., sanitation trucks, etc.).

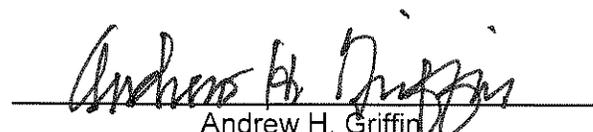
**IV. STAFF RECOMMENDATION**

Approval and adoption of the proposed ordinance.

**V. ATTACHMENTS**

- A. Proposed amending ordinance
- B. Current ordinance

  
\_\_\_\_\_  
Thomas W. Chandler  
Finance Director

  
\_\_\_\_\_  
Andrew H. Griffin  
City Manager

ORDINANCE NO. 2012-\_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 9, ARTICLE V, SECTION 9-80 (c) OF THE CITY OF FLORENCE CODE OF ORDINANCES PERTAINING TO THE PER MONTH GARBAGE COLLECTION FEE

**WHEREAS**, Chapter 9, Article V, Section 9-80 (c) of the City of Florence Code of Ordinances (“the Code”) provides for a seventy-five (\$0.75) per month garbage collection fee to cover costs associated with the repair and replacement of rollcarts within the municipal limits of the City; and

**WHEREAS**, no provision was made for use of these funds for the repair and replacement of other capital equipment equally essential to the collection of residential garbage, and

**WHEREAS**, all such repairs and replacements to other sanitation collection capital equipment, including sanitation trucks, have been funded from the General Fund; and

**WHEREAS**, it is deemed appropriate that the City’s ordinance should be revised to provide that this monthly fee should be used not only for the repair and replacement of rollcarts and recycling bins, but also for repair and replacement of other capital equipment for residential garbage collection.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Florence, South Carolina that Chapter 9, Article V, Section 9-80 (c) of the City of Florence Code of Ordinances be amended to read as follows:

**Sec. 13-63. Monthly fee—Generally; exception.**

There shall be an additional seventy-five cent (\$0.75) per month garbage collection fee for each commercial and residential user of the rollcart collection system within the municipal limits of the city to cover costs associated with the repair and replacements of rollcarts, recycling bins, and residential garbage collection capital equipment.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

Approved as to form:

\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

\_\_\_\_\_  
Stephen J. Wukela  
Mayor

Attest:

\_\_\_\_\_  
Dianne Rowan  
Municipal Clerk

The city manager shall adjust the residential rate based upon a periodical review of the landfill disposal fee income and expense and make adjustments in billings to reflect the actual cost.

(c) There shall be an additional seventy-five cent (\$0.75) per month garbage collection fee for each commercial (per rollcart) and residential user of the rollcart collection system to cover costs associated with the repair and replacement of rollcarts within the municipal limits of the city.

(d) These fees shall be levied, collected, and paid in the same manner as utility fees. (Ord. No. 88-34, §§ 1, 2, 6-30-88; Ord. No. 94-24, §§ 1, 2, 4-25-94; Ord. No. 96-09, 3-11-96; Ord. No. 96-11, 4-8-96; Ord. No. 99-24, 6-14-99)

**Cross reference**—Schedule of rates for water service inside city, § 12-161(1).

**Sec. 9-81. Same—Bulk containers.**

(a) There shall be a collection fee for bulk containers containing solid wastes. The fee shall include, but not be limited to, those bulk containers located at multifamily dwelling units, commercial, institutional and industrial establishments.

(b) A monthly fee shall be charged as per the following rate schedule (applicable to containers not subject to mechanical compaction):

<i>Size of Container</i>	<i>Once per week or less collection</i>	<i>More than once, not to exceed twice per week collection</i>	<i>More than twice, not to exceed three times per week collection</i>
2 cu. yd.	\$ 4.88	\$ 9.76	\$ 14.64
4 cu. yd.	9.76	19.52	29.28
6 cu. yd.	14.64	29.28	43.92
8 cu. yd.	19.52	39.04	58.56
10 cu. yd.	24.40	48.80	73.20
40 cu. yd.	97.60	195.20	292.80

(c) Containers utilizing mechanical compaction devices shall be charged at a rate of four (4) times the standard monthly rate based on container size and collection frequency. Other rates will be determined according to the above rate schedule.

(Ord. No. 88-49, §§ 1, 2, 9-12-88; Ord. No. 89-50, §§ 1, 2, 7-10-89; Ord. No. 91-21, §§ 1, 2, 6-10-91; Ord. No. 92-25, §§ 1, 2, 6-22-92)

FLORENCE CITY COUNCIL MEETING

DATE: March 12, 2012  
AGENDA ITEM: Ordinance – Updated for Second Reading  
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

Amendment to the FY 2011-12 City of Florence General Fund and Hospitality Fee Fund Budgets.

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 amend both the General Fund and Hospitality Fund budgets for FY 2011-12 as follows:

A. The General Fund is being amended to include grant revenues and related expenditures which, during the course of the current fiscal year, the grant funds have been or are anticipated to be received and expended but were not included as part of the original budget ordinance.

**B. The General Fund is being further amended to include insurance claim revenues and repair related expenditures resulting from the fire related damage to Fire Station # 3 which occurred in October 2011.**

C. The Hospitality Fund budget is being amended to include revenue from Unappropriated Surplus and offsetting expenditures to provide for building demolition and construction of a breezeway access from Dargan Street to the City's recently constructed parking lot.

D. The Hospitality Fund budget is being further amended to include revenue from Unappropriated Surplus and offsetting expenditures for the payoff of a REDLG loan used for the breezeway construction on Irby Street. Funding made available from the release of REDLG loan collateralization in the General Fund will be used to finance a downtown incentive package discussed by City Council in their January 5, 2012 work session.

IV. STAFF RECOMMENDATION

Approval and adoption of the proposed ordinance.

VI. ATTACHMENTS

Copy of the proposed ordinance.

  
Thomas W. Chandler  
Finance Director

  
Andrew H. Griffin  
City Manager

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND THE GENERAL FUND AND HOSPITALITY FUND BUDGETS FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012**

**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, 2011 and ending June 30, 2012, is hereby amended as follows:

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

100120-790000      Miscellaneous Grants is increased in the amount of \$131,000 to provide for grant funds from Smoke Free Florence and the Drs. Bruce and Lee Foundation.

100325-430000      Miscellaneous Revenue is increased in the amount of \$72,000 to provide for insurance claim revenues received as reimbursement for fire damage at Fire Station # 3.

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

10042200-580010      Buildings & Fixed Equipment (Fire) is increased in the amount of \$59,500 for fire damage demolition and repairs at Fire Station # 3.

10042200-550299      Other Supplies & Equipment (Fire) is increased in the amount of \$2,500 for the replacement of kitchen and dayroom equipment and contents destroyed by fire at Fire Station # 3.

10049100-592020      Small Claims (General Insurance/Claims) is increased in the amount of \$10,000 to provide for payment of the insurance claim deductible related to the fire damage at Fire Station # 3.

10049300-574110      Smoke-Free Florence Grant Expenses (Non-Departmental) is funded in the amount of \$30,000 to provide for grant-funded expenditures related to the advertising and promotion of Smoke-Free Florence.

10049300-574120      Tennis Center Capital Expenses (Non-Departmental) is funded in the amount of \$101,000 to provide for Bruce and Lee Foundation grant funded expenditures for additional capital equipment and facilities at the Florence Tennis Center.

**FY 2011-2012 Budget Amendment Ordinance (continued)**

**Section 3.** That the revenues of the Hospitality Fund in said budget is hereby amended by the additional appropriations as follows:

400390-435010 Unappropriated Surplus is increased in the total amount of \$307,000 from reservations of fund balance from the prior fiscal year.

**Section 4.** That the expenditures of the Hospitality Fund in said budget is hereby amended by the additional appropriations as follows:

400-598040 Downtown Parking/Streetscapes (Hospitality Fund Expenditures) is increased in the amount of \$150,000 to provide funding for capital expenses related to downtown improvements.

400-598070 REDLG Loan Repayment (Hospitality Fund Expenditures) is increased in the amount of \$157,000 to pay off REDLG loan used for the Irby Street breezeway.

**Section 5.** 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.

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

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.**

**Approved as to form:**

\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

\_\_\_\_\_  
Stephen J. Wukela  
Mayor

**Attest:**

\_\_\_\_\_  
Diane Rowan  
Municipal Clerk

**FLORENCE CITY COUNCIL MEETING**

**DATE:** February 13, 2012  
**AGENDA ITEM:** Ordinance – First Reading  
**DEPARTMENT/DIVISION:** Finance

**I. ISSUE UNDER CONSIDERATION**

Amendment to the FY 2011-12 City of Florence General Fund 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.

Based on a midyear review of projections in the General Fund for FY 2011-12, budget reductions are proposed in the revenues and expenditures to ensure that the City maintains a realistic and balanced budget wherein revenues and expenditures are appropriately aligned.

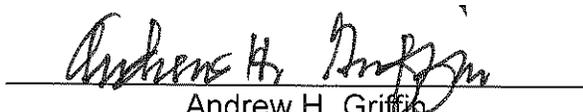
**IV. STAFF RECOMMENDATION**

Approval and adoption of the proposed ordinance.

**VI. ATTACHMENTS**

Copy of the proposed ordinance and a summary of recommended revenue budget reductions by category and expenditure budget reductions by department.

  
\_\_\_\_\_  
Thomas W. Chandler  
Finance Director

  
\_\_\_\_\_  
Andrew H. Griffin  
City Manager

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012.**

**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, 2011 and ending June 30, 2012, is hereby amended as follows:

**Section 1.** That the revenues of the General Fund in said budget is hereby amended by revising line item appropriations in all categories for a net reduction in total General Fund revenues of \$591,000.

**Section 2.** That the expenditures of the General Fund in said budget is hereby amended by revising departmental and non-departmental expenditures for a net reduction in total General Fund expenditures of \$591,000.

A summary of recommended revenue budget reductions by category and expenditure budget reductions by department is attached hereto and is incorporated by reference as a permanent part of this Ordinance.

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

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

Approved as to form:

\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

\_\_\_\_\_  
Stephen J. Wukela  
Mayor

Attest:

\_\_\_\_\_  
Diane Rowan  
Municipal Clerk



**FLORENCE CITY COUNCIL MEETING**

**DATE:** February 13, 2012

**AGENDA ITEM:** Introduction of Ordinances

**DEPARTMENT/DIVISION:** City Manager's Office/Downtown Economic  
Development

**ISSUE UNDER CONSIDERATION:**

An ordinance to revise Chapter 4 of the City Code by deleting Article II Electrical and establishing Article II Maintenance and Appearance. This proposed ordinance establishes maintenance and appearance codes for the H-1 Florence Historic Overlay District.

**CURRENT STATUS/PREVIOUS ACTION TAKEN:**

1. Over the past 10 years the City of Florence has completed a number of studies and developed a Downtown Master Plan which specifies and recommended a number of actions to cause the redevelopment of downtown Florence.
2. The implementation schedule for the Downtown Master Plan as contained in the Comprehensive Plan calls for the adoption of drafting and adoption of property maintenance codes.
3. A draft of the proposed property and maintenance codes have been discussed and provided to the UDO/Stormwater Advisory Board.
4. A draft of the proposed property and maintenance codes were discussed and provide to members of City Council during a work session dated January 5, 2012.
5. A draft of the proposed property and maintenance codes were presented and discussed before owners and merchants of the H-1 Historic Overlay District on January 25, 2012.

**POINTS TO CONSIDER:**

1. Many of the buildings located in downtown Florence are underutilized and are currently in a state of disrepair with declining tax values.
2. In general, property and maintenance codes start the process of stabilizing property values within a given area or district.

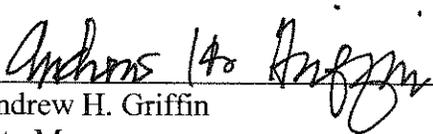
3. In addition, property and maintenance codes provide for investor confidence by helping to protect the value of new projects against the blighting influence of vacant or abandon buildings.
4. An application of more rigorous code enforcement with property and appearance codes will assist in the protection of the current inventory of buildings within downtown Florence. As properties improve, tax values for downtown properties will begin to increase and it is more likely that other investments will follow. As property values increase the City is in a better position to activate the TIF District.
5. The City recognizes that code enforcement activity is not singly the answer to ending disinvestment in downtown Florence. Increased code enforcement must be balance with grant programs and other business related incentives that assists business owners in compliance or reduces uncertainly associated with new projects.
6. To that end the City is also proposing a list of business related incentives as well as funding to finance the proposed incentives.

**STAFF RECOMMENDATION:**

Staff recommends the adoption of the proposed Ordinance.

**ATTACHMENTS:**

Copy of the proposed Ordinance.

  
\_\_\_\_\_  
Andrew H. Griffin  
City Manager

**ORDINANCE NO. 2012- \_\_\_\_\_**

**AN ORDINANCE TO REVISE CHAPTER 4 OF THE CITY CODE BY DELETING ARTICLE II ELECTRICAL AND ESTABLISHING ARTICLE II MAINTENANCE AND APPEARANCE CODE FOR DOWNTOWN FLORENCE.**

**WHEREAS**, S.C. Code grants municipalities the authority to adopt codes and other regulatory means directed at redevelopment and the limitation of blighted conditions within specific areas of a municipality; and

**WHEREAS**, the City has completed a downtown master plan which found the downtown core business district to have elements of blight and in need of additional consideration to assist in removing the blighted conditions; and

**WHEREAS**, the Comprehensive Plan for the City of Florence establishes both programs and specific projects directed at assisting the redevelopment of downtown Florence, which includes the adoption of maintenance and appearance codes;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council for the City of Florence that Article II Electrical is hereby deleted in its entirety and that Article II Maintenance and Appearance is established.

**ARTICLE II. MAINTENANCE AND APPEARANCE**

**4-10. Purpose.**

It is the purpose of the provisions of this Code to provide a practical method whereby buildings or structures, which diminish property values or detract from the appropriate appearance of the Florence Downtown Historic District, may be required to be repaired. The Downtown Historic District is deemed by the City of Florence to require supplemental regulations because of its special economic importance. This area is deemed to constitute an “overlay zone” as defined in S.C. Code 6-29-720(C). The provisions of this Code are cumulative, and in addition to

any other remedy provided by law, including the current editions of standard codes adopted by the City of Florence.

**Sec 4-11. Scope.**

The provisions of this Code shall apply to all commercial buildings or structures whether occupied or vacant within the designated area. The City Manager or his designee shall be responsible for carrying out the provisions of this Article.

**Sec. 4-12. Boundaries of the Florence Historic District.**

The boundaries and parcels of the Florence Historic District shall be the same as the H-1 Florence Historic Overlay District.

**Sec. 4-13. Responsibilities of the Florence Design Review Board.**

In matters related to this Article the rules and procedures governing the approval of repairs or work shall be the Design Guidelines for Downtown Florence.

**Sec. 4-14. General duties and responsibilities of the owner.**

It shall be the duty and responsibility of the owner to ensure that buildings and structures affected by this Article are maintained and repaired per the following:

- (a) The exterior of the structure is to be maintained in good repair. In general, the term good repair shall mean that the structure(s) shall be free from broken glass from exposed windows; failed, failing or unattached gutter systems; failed or failing exposed wood elements that are either an architectural feature, a structural element, or placed on the structure for some other purpose; and/or other failed or failing plastic, metal, brick, stone or other building materials found on the exterior of the structure(s).
- (b) All structures and decorative elements of building fronts, sides and rears shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials or as approved.
- (c) Structures at the rear of buildings, attached or unattached to the principal structure, which are structurally deficient, shall be repaired or demolished upon approval.
- (d) All extraneous elements on building walls and roofs and surrounding premises which serve no useful or aesthetic purpose, such as empty electrical or other conduits, unused sign brackets, etc., shall be removed.

- (e) If the building is used for storage, the contents shall be masked from view of the public from the street right-of-way, public parking lots, or pedestrian corridors.
- (f) If the building is unoccupied, the owner shall cause the building to be maintained in such a way as to prevent it from looking abandoned. In general, it is the intent of this paragraph to cause the building to blend in with other occupied buildings within the immediate area. In addition, the building shall remain broom clean with all debris and other waste removed from inside the building.
- (g) The owner shall also be responsible for compliance with other sections of the City Code as they relate to nuisances and the abatement of nuisance conditions.

**4-15. Specific duties and responsibilities of the owner.**

- (a) *Walls* – In the event that a wall of a building has become exposed as a result of demolition of adjacent buildings, all doors, windows, vents or other similar openings exposed by the demolition must be either restored or closed. It shall be the responsibility of the property owner or agent causing the exposure of the wall to make required repairs and bring the building into compliance. Additional work required and time schedule allowed shall be the following:
  - a. The removal of any protruding or loose materials.
  - b. The owner or agent causing the exposure shall submit an application and schedule for compliance to the City within sixty (60) days of demolition.
- (b) *Windows* – In general, all windows shall be in good repair. For the purpose of this section, the term good repair shall mean that windows are tight fitting and have sashes of proper size and design. In addition, sashes with rotten wood, broken joints, or broken or loose mullions shall be replaced. Good repair shall also mean that exposed wood is sealed or otherwise protected and that the window is free of broken or cracked glass. For windows that are four (4) square feet or larger and are broken, the following rule shall apply:
  - A glass pane is not required to be replaced, if the largest single portion of the pane which is free of cracks, is 80% or greater of the total surface area of the glass pane.

- a. First-floor - Existing windows shall be maintained as windows, complete with sills, lintels, frame and glass, unless changes are specifically approved by the Design Review Board.
- b. Upper floor(s) - Existing windows may be closed as approved by the Design Review Board.
- c. Signage and display windows – The following regulations shall apply to window advertising and/or display window space:
  - i. No more than 25% of a storefront window may be covered by advertising signs. This restriction shall not apply to signs permanently painted on or etched into the window that serve as the business' identification sign.
  - ii. The interior area of enclosed display window space(s) shall be maintained in a manner free of dirt, debris and clutter. If the display window space is not enclosed, the area measured from the bottom of the window to 24 inches inside the building shall be considered the display window space.
  - iii. Temporary signage shall not be placed on the exterior of any building or structure. All temporary signage must be on the inside of the window and shall be considered when calculating the 25% allowance for window signage. For the purpose of this section temporary signage shall be defined by the City of Florence Zoning Code and/or the Design Guidelines.
  - iv. All other signage shall be in conformity with the City of Florence Zoning Code and/or the Design Guidelines.
- d. Allowable exceptions - The following exceptions for window treatments are available if approved by the Design Review Board.
  - i. Upper Story Windows -
    - 1. Use of inoperable glass inserts.
    - 2. Use of painted wooden shutters.
    - 3. Use of public art.
    - 4. Other options as approved.
  - ii. Alley Windows -
    - 1. Use of painted wooden shutters.
    - 2. Other options as approved.
  - iii. Back Streets –
    - 1. Use of painted wooden shutters.

2. Other options as approved.

- (c) *Protection of exterior surfaces and facades* - All exterior surfaces which require painting or sealing to protect the underlying surface(s) from deterioration shall be so painted or sealed. As a matter of regulation, when 25% or more of the aggregate exterior surface of any wall face has peeling or flaking paint the entire area shall be repainted. An exception to this regulation may be granted by the City where the owner or owner representative, as a matter or design maintains the underlying paint, advertising sign or art work in a satisfactory manner.
- (d) *Advertising structures, signs, and awnings* - All advertising structures and awnings and their accompanying supporting members shall be maintained in good repair and shall be in compliance with the development codes for the City of Florence. Non complying signs, billboards, marquees, or awnings shall, together with their supporting members, be removed. It is the intent of this section, to cause the removal of all abandon signs or like structures within the H-1 District.

For awnings or marquees which are made of cloth, plastic or similar material, such awnings, or marquees shall be maintained so as not to show evidence of excessive tearing, ripping, and unsightly conditions. For the purpose of this section, excessive tearing shall be defined as a tear in excess of six (6) inches in length. In the event that the awning covering has been removed, the supporting members may remain in place for a period not to exceed four (4) months if the intent is to replace the covering.

- (e) *Cornices* – All cornices shall be structurally sound and maintained/protected. Rotten or weakened portions shall be removed and/or replaced to match as close as possible the original patterns as approved by the Design Review Board.
- (f) *Downspouts* – Sheet metal gutters and downspouts shall be functional, replaced or repaired as necessary and shall be properly located and securely installed.

**Sec. 4-16. Notice of violation and penalties.**

Any violation of the provisions of this Article is hereby declared a public nuisance and shall be corrected or abated as required by this Article. Further, violation(s) of this Article shall be subject to the provisions of the Florence City Code governing such nuisances, including reimbursing the city for any costs incurred in removing, abating or remedying said nuisance. When an owner is found to be in violation of this Article, the city may serve upon such person a written notice stating the nature of the violation.

Within thirty (30) days from the date of receipt of the notice of violaiton, the owner shall submit to the City a plan for the satisfactory correction of the violation - which shall include acceptable milestones and other remedies to abate the violation. Within two weeks of submittal, the City shall review the correction plan and respond in writing to the owner of its acceptance, rejection, or recommended modification(s) to the plan.

Upon acceptance of the plan by the City the owner shall abate the public nuisance in a manner consistent with the approved plan. The City's duly appointed official may amend the plan, upon a written request by the owner or the owner's representative. All amendments shall be in writing and upon acceptance by the city shall be made part of the accepted correction plan. A phased schedule approach toward compliance may be acceptable. However, if a phased schedule approach is proposed it shall not exceed 36 months from the date of acceptance by the City.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.**

**Approved as to form:**

\_\_\_\_\_  
**James W. Peterson, Jr.**  
**City Attorney**

\_\_\_\_\_  
**Stephen J. Wukela**  
**Mayor**

**Attest:**

\_\_\_\_\_  
**Dianne M. Rowan**  
**Municipal Clerk**

## FLORENCE CITY COUNCIL MEETING

**DATE:** February 6, 2012  
**AGENDA ITEM:** Ordinance No. 2012-  
**DEPARTMENT/DIVISION:** City Manager / City Attorney

### I. ISSUE UNDER CONSIDERATION

As approved by City Council this past fall, staff has prepared a Fourth Addendum to the Lease with Palmetto Petro which permanently amends the Lease by both changing the rent charged and by changing the description of the property being leased to the company operating Palmetto Petro. This ordinance approves the revised lease provisions.

### II. CURRENT STATUS/PREVIOUS ACTION TAKEN

This ordinance comes before Council for first reading on February 13, 2012. If passed on first reading, it will be back on the agenda for the next Council Meeting.

### III. POINTS TO CONSIDER

(a) Section 5-7-260(6) of the South Carolina Code of Laws and Section 2-26(8) of the Code of Ordinances for the City of Florence provides, in pertinent part, that property owned by the City can be leased only after approval by ordinance. Since this property is presently subject to a leasehold interest, and the Fourth Addendum to the Lease materially changes both the description of the property being leased (reduces the property subject to the lease) and the rent charged for the balance of the Lease, this action requires the passage of an ordinance. The proposed Ordinance is attached as Attachment A.

(b) The property presently being leased to Palmetto Petro, LLC under the Lease is described on Attachment B hereto. The Lessee (tenant) has requested that the rent called for under the Lease be reduced from the \$5,000.00 per month designated in the Lease, and to accomplish this, the Lessee is willing to significantly reduce the amount of property being leased. The property proposed to be leased to Palmetto Petro, LLC under the Fourth Addendum to the Lease is described on Attachment C hereto.

(c) Pursuant to the discussions with Council in the fall, staff has finalized an agreement which reduces the property leased to the property described on Attachment B

hereto and reduces the monthly rental as authorized by Council. The Plat referred to in the new description of the leased premises is attached as Attachment C hereto.

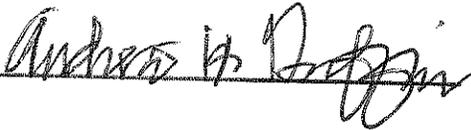
(d) If Council decides it is in the City's best interest to amend the Lease of the subject property, the proposed ordinance should be considered on first reading.

#### IV. STAFF RECOMMENDATION

Staff recommends approval of the Ordinance authorizing the Fourth Addendum of the Lease and stands ready to proceed in accordance with council's wishes.

#### V. ATTACHMENTS

- (a) Attachment A is a copy of the proposed ordinance with attached exhibit.
- (b) Attachment B is the description of the property presently being leased to Palmetto Petro, LLC under the Lease.
- (c) Attachment C is the description of the reduced property to be leased to Palmetto Petro, LLC under the Fourth Addendum of the Lease.

  
\_\_\_\_\_

ATTACHMENT A

Proposed Ordinance

## ORDINANCE NO. 2012-

AN ORDINANCE AUTHORIZING THE FOURTH ADDENDUM TO THE LEASE WITH PALMETTO PETRO, LLC TO ADJUST BOTH THE PROPERTY LEASED AND THE RENT CHARGED WITH RESPECT TO THE PARCEL LOCATED AT THE CORNER OF N. IRBY STREET AND DARLINGTON STREET FOR PARCEL A, WHICH IS A LOT AS SHOWN ON A PLAT FOR ERNEST L. PENNELL MADE BY ERVIN ENGINEERING CO., INC. DATED JUNE 14, 1989 AND RECORDED IN THE OFFICE OF THE CLERK OF COURT FOR FLORENCE COUNTY IN PLAT BOOK 34 AT PAGE 414, SAID LOT BEING DESIGNATED AS TAX PARCEL 90086-02-003 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR, AND FOR PARCEL B, WHICH IS A LOT DESIGNATED AS LOTS 120, 121, 103, 104, AND THE WESTERMOST PORTION OF LOT 105 AS SHOWN ON A PLAT FOR ERNEST L. PENNELL AND CROMWELL C. RAWLS, III MADE BY LIND, HICKS AND ASSOCIATES, SURVEYORS, INC. DATED MARCH 20, 2001 AND RECORDED IN THE OFFICE OF THE CLERK OF COURT FOR FLORENCE COUNTY IN PLAT BOOK 76 AT PAGE 228, SAID LOT BEING DESIGNATED AS TAX PARCEL 90086-02-004 AND 005 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR.

WHEREAS, Asset Holdings Trust, LLC previously gave said property to the City subject to a leasehold interest held by Palmetto Petro, LLC; and

WHEREAS, Palmetto Petro has requested that the rent charged under the Lease be reduced and the property subject to the Lease be reduced; and

WHEREAS, it is hereby determined that the reduction of the rent by reducing the size of the premises leased to Palmetto Petro, LLC greatly increases the potential for the property continuing as an ongoing business in the downtown area while freeing up significant property for use by the City or for possible lease by the City to an additional tenant, thereby making the change one that is in the best interest of the City of Florence and to the benefit of the citizens of the City of Florence;

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 the necessary documentation to enter into the Fourth Addendum to the Lease with Palmetto Petro, LLC, a copy of said Fourth Addendum being attached hereto as Attachment 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 \_\_\_\_\_, 2012.

Approved as to form:

\_\_\_\_\_  
JAMES W. PETERSON, JR.  
City Attorney

\_\_\_\_\_  
STEPHEN J. WUKELA  
Mayor

Attest:

\_\_\_\_\_  
DIANNE M. ROWAN  
Municipal Clerk



leased is hereby changed by substituting the Exhibit "A-1" attached hereto and incorporated herein by reference for the original Exhibit "A", this new Exhibit "A-1" now constituting the description of the leased premises.

2. Paragraph 2 of the original Lease, as amended, is hereby further amended by removing Paragraph 2 in its entirety and substituting the following as the new Paragraph 2:

**Rental.** The rental of the Premises shall be payable in equal monthly installments in advance on the first day of each month during the term of this Lease. In the event that the initial term does not commence on the first day of a month, the first payment shall be prorated on a daily basis. The monthly rental for the Lease effective December 1, 2011 shall be Two Thousand Five Hundred and no/100th (\$2,500.00) Dollars per month plus real estate taxes on the leased premises and upkeep, including repairs. The rental upon the renewal on March 1, 2015, if exercised, shall increase to Three Thousand Five Hundred and no/100th (\$3,500.00) Dollars per month on the leased premises and upkeep, including repairs, for the additional five (5) year period authorized by Paragraph 1 of the Lease. Furthermore, in consideration of the rental reductions set out herein, Palmetto Petro, LLC agrees that any future requests by it to amend the rental amounts under this Lease must include an agreement to pay an administrative and legal fee to offset the costs incurred by the City to consider its request.

3. Except for the change to Exhibit "A-1" for the description of the Leased premises and the amendment of Paragraph 2 set out in detail above, all remaining provisions of the original Lease, as amended by the Addendums dated May 6, 2010, March, \_\_\_\_, 2011, August 2, 2011, and the Amendment dated November 1, 2010, shall remain in full force and effect.

WITNESSES:

CITY OF FLORENCE, Successor Lessor

By: \_\_\_\_\_  
ANDREW H. GRIFFIN, City Manager

\_\_\_\_\_  
\_\_\_\_\_

PALMETTO PETRO, LLC, Lessee

By: \_\_\_\_\_  
THAKOR PATEL

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
RUPESH PATEL

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
THAKOR PATEL, Personal Guarantor

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
RUPESH PATEL, Personal Guarantor





## Exhibit "A-1"

### Primary Leased Premises

All that certain piece, parcel or lot of land, with improvements thereon, situate, lying, and being in the City and County of Florence, State of South Carolina, shown and designated as "Parcel A" containing 1.03 acres on a plat for the City of Florence by Gregory A. Brown, P. L. S., dated January 27, 2012 and recorded in Plat Book \_\_\_ at Page \_\_\_ in the Office of the Clerk of Court for Florence County, reference being made to the above mentioned plat for a more thorough and complete description of said property.

### Non-Exclusive Easement for Access, Parking and Solid Waste Collection

A non-exclusive easement and right-of-way for the purpose of parking, ingress and egress, and the maintenance of a solid waste collection location on and across that certain piece, parcel or lot of land, with improvements thereon, situate, lying, and being in the City and County of Florence, State of South Carolina, shown and designated as "Access, Parking and Solid Waste Collection Easement" on a plat for the City of Florence by Gregory A. Brown, P. L. S., dated January 27, 2012 and recorded in Plat Book \_\_\_ at Page \_\_\_ in the Office of the Clerk of Court for Florence County, reference being made to the above mentioned plat for a more thorough and complete description of the property subject to the non-exclusive easement. This easement being leased for the term of the Lease shall allow the Lessee to use and maintain the current parking as lined on the pavement and to use and maintain the current location for the solid waste collection site thereon, but the Lessee may not in any way expand the parking or the solid waste collection site without first obtaining written permission from the City of Florence.

### Non-Exclusive Easement for Ingress and Egress

A non-exclusive easement and right-of-way for the sole purpose of ingress and egress on and across that certain piece, parcel or lot of land, with improvements thereon, situate, lying, and being in the City and County of Florence, State of South Carolina, shown and designated as "Parcel B" containing 1.30 acres on a plat for the City of Florence by Gregory A. Brown, P. L. S., dated January 27, 2012 and recorded in Plat Book \_\_\_ at Page \_\_\_ in the Office of the Clerk of Court for Florence County, reference being made to the above mentioned plat for a more thorough and complete description of the property subject to the non-exclusive easement. This easement being leased for the term of the Lease shall allow the Lessee the

non-exclusive use of said Parcel B for ingress and egress to and from the primary leased premises described above, but in no case may the Lessee's use of Parcel B limit or restrict the full use of said Parcel B by the City of Florence or its successors and assigns.

The parcels described herein were conveyed to the Grantor herein by Drs. Bruce and Lee Foundation by deed dated December 23, 2009 and recorded December 30, 2009, in Deed Book B-282, Page 1689, Office of the Clerk of Court, Florence County, S.C.

**Property Address:** 247 N. Irby Street, Florence, South Carolina

## ATTACHMENT B

**PARCEL A:** All that certain piece, parcel or lot of land lying, being and situate in the City and County of Florence, State of South Carolina, shown and designated as 0.8865 acres, on a plat for Ernest L. Pennell by Ervin Engineering Co., dated June 14, 1989 and recorded in Plat Book 34 at Page 414 in the Office of the Clerk of Court for Florence County whereon said parcel is shown as bounded on the North by West Darlington Street whereon it fronts and measures 149.84 feet; on the East by North Irby Street whereon it measures 257.34 feet; on the South by lands designated Zion Tabernacle Holiness Church and Hams Feed & Seed whereon it measures 149.88 feet; and on the West by land designated Zion Tabernacle Holiness Church whereon it measures the aggregate distance of 258.06 feet. Reference being made to the above mentioned plat for a more thorough and complete description.

**PARCEL B:** That certain piece, parcel or lot of land situate, lying and being in the City of Florence, County of Florence, State of South Carolina, on the South side of West Darlington Street, and designated as Lots 120, 121, 103, 104 and the westernmost portion of Lot 105, as shown on a plat of Lind, Hicks & Associates, Surveyors, Inc., dated March 20, 2001 made for Ernest L. Pennell and Cromwell C. Rawls, III, and being recorded in the Office of the Clerk of Court for Florence County in Plat Book 76 at Page 228; said parcel being more particularly described as follows: Commencing at an iron pin at a point which marks the boundary separating the subject parcel and Lot 119 on the south side of Darlington Street and running along the south side of Darlington Street east for a distance of 74.96 feet to an iron pin; continuing east for a distance of 74.35 feet to an iron pin; thence south for a distance of 198.23 feet to an iron pin; continuing south for a distance of 59.90 feet to an iron pin; thence east for a distance of 25 feet to an iron pin; thence south for a distance of 139.96 feet to an iron pin; thence west for a distance of 175.49 feet to an iron pin; thence north for a distance of 200.01 feet to an iron pin; and continuing north for a distance of 198.86 feet to the starting position. Said parcel being bounded as follows: on the North by Darlington Street; on the East by Lot No. 122, being other property now or formerly of Ernest Pennell and Cromwell C. Rawls, III; and by the remaining portion of Lot No. 105, being the property of Michael Ballenger, et al; on the South by the right-of-way of C.S.X. Railroad Company; and on the West by Lots Nos. 102 and 119, being property of Hugh L. Willcox, Jr., as shown on the above referenced plat. Reference being made thereto for a more complete description.

Together with all rights, easements, appurtenances, royalties, mineral rights, oil gas rights, crops, timber, all diversion payments or third party payments made to crop producers and existing and future improvements, structures, fixtures, and replacements that may now, or at any time in the future, be part of the real estate described.

PARCELS A and B were conveyed to the Grantor herein by Drs. Bruce and Lee Foundation by deed dated December 23, 2009 and recorded December 30, 2009, in Deed Book B-282, Page 1689, Office of the Clerk of Court, Florence County, S.C.

Tax Map No. 90086-02-003 (Parcel A)  
90086-02-004 and 005 (Parcel B)

Property Address: 247 N. Irby Street, Florence, South Carolina

## ATTACHMENT C

### Primary Leased Premises

All that certain piece, parcel or lot of land, with improvements thereon, situate, lying, and being in the City and County of Florence, State of South Carolina, shown and designated as "Parcel A" containing 1.03 acres on a plat for the City of Florence by Gregory A. Brown, P. L. S., dated January 27, 2012 and recorded in Plat Book \_\_\_ at Page \_\_\_ in the Office of the Clerk of Court for Florence County, reference being made to the above mentioned plat for a more thorough and complete description of said property.

### Non-Exclusive Easement for Access, Parking and Solid Waste Collection

A non-exclusive easement and right-of-way for the purpose of parking, ingress and egress, and the maintenance of a solid waste collection location on and across that certain piece, parcel or lot of land, with improvements thereon, situate, lying, and being in the City and County of Florence, State of South Carolina, shown and designated as "Access, Parking and Solid Waste Collection Easement" on a plat for the City of Florence by Gregory A. Brown, P. L. S., dated January 27, 2012 and recorded in Plat Book \_\_\_ at Page \_\_\_ in the Office of the Clerk of Court for Florence County, reference being made to the above mentioned plat for a more thorough and complete description of the property subject to the non-exclusive easement. This easement being leased for the term of the Lease shall allow the Lessee to use and maintain the current parking as lined on the pavement and to use and maintain the current location for the solid waste collection site thereon, but the Lessee may not in any way expand the parking or the solid waste collection site without first obtaining written permission from the City of Florence.

### Non-Exclusive Easement for Ingress and Egress

A non-exclusive easement and right-of-way for the sole purpose of ingress and egress on and across that certain piece, parcel or lot of land, with improvements thereon, situate, lying, and being in the City and County of Florence, State of South Carolina, shown and designated as "Parcel B" containing 1.30 acres on a plat for the City of Florence by Gregory A. Brown, P. L. S., dated January 27, 2012 and recorded in Plat Book \_\_\_ at Page \_\_\_ in the Office of the Clerk of Court for Florence County, reference being made to the above mentioned plat for a more thorough and complete description of the property subject to the non-exclusive easement. This easement being leased for the term of the Lease shall allow the Lessee the

non-exclusive use of said Parcel B for ingress and egress to and from the primary leased premises described above, but in no case may the Lessee's use of Parcel B limit or restrict the full use of said Parcel B by the City of Florence or its successors and assigns.

The parcels described herein were conveyed to the Grantor herein by Drs. Bruce and Lee Foundation by deed dated December 23, 2009 and recorded December 30, 2009, in Deed Book B-282, Page 1689, Office of the Clerk of Court, Florence County, S.C.

**Property Address:** 247 N. Irby Street, Florence, South Carolina

**FLORENCE CITY COUNCIL MEETING**

**DATE:** December 12, 2011

**AGENDA ITEM:** First Reading, Ordinance to amend the Zoning Ordinance

**DEPARTMENT/DIVISION:** Urban Planning & Development

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**I. ISSUE UNDER CONSIDERATION**

Request to rezone 616 South Coit Street, TM# 90088-07-038, from B-1, Limited Business District to B-2, Convenience Business District.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

On September 13, 2011, Planning Commission held a public hearing on this matter. Planning Commissioners recommended approval of Staff's recommendation, 6-2, to rezone the property to B-2, Convenience Business District. Also, on October 12, 2011, the Design Review Board held a public hearing and voted 4-2 in favor of the rezoning request.

**III. POINTS TO CONSIDER**

1. The B-2 rezoning request was made to permit a greater flexibility of uses at this location.
2. This property is currently surrounded by B-1 and B-3 Zoning Districts.
3. The request to rezone the property to B-2, Convenience Business District, is consistent with the recently adopted Future Land Use Map;
4. Coit Street serves as a buffer between high-intensity commercial properties fronting Irby Street and the Timrod Park Overlay District.
5. The applicant, Mr. Gary Finklea, submitted a letter requesting that a new zoning district be created.
6. City Council deferred first reading of the item at their November 14, 2011 regular meeting to give staff and the Planning Commission an opportunity to research and recommend a solution which could include a new zoning district.
7. Staff recommends developing a new Zoning District that complies with the Comprehensive Plan.
8. Staff requests deferral in order to give Planning Commission opportunity to review and recommend new zoning district.

**IV. OPTIONS**

City Council may:

1. Defer the matter to the regular January City Council Meeting.
2. Approve the request as presented based on the information submitted.

**Approved as to form:**

\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

\_\_\_\_\_  
Stephen J. Wukela,  
Mayor

**Attest:**

\_\_\_\_\_  
Dianne M. Rowan  
Municipal Clerk

# ZONING PETITION STAFF CHECKLIST

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PC#2011-10

September 13, 2011

## IDENTIFYING DATA

Name of Owner: Katmar Properties, LLC

Address: 616 South Coit Street

Tax Parcel Number(s): 90088-07-038

Proposed Zoning Change: B-2, Convenience Business District

Current Use: Vacant – previous use was law office

Proposed Use: Undetermined

## BACKGROUND

The applicant has submitted an application to rezone 616 South Coit Street from B-1, Limited Business District to B-2, Convenience Business District. The applicant, Gary Finklea, has been designated as the agent to represent the property owner's request. In the past, the property owner has been approached by others wanting to operate various businesses not permitted at that location because of the zoning district. Therefore, the applicant, on behalf of the property owner, has requested rezoning in order to allow a greater flexibility of uses. Currently, the property is vacant and is listed for sale.

Some permitted uses under the B-2 Zoning District not permitted in the B-1 Zoning District include limited retail uses, restaurants, beauty salons and barber shops, and dry cleaners. A complete list of allowable uses is included with this staff report.

## ZONING REQUIREMENTS

If the rezoning request were to be approved, additional zoning requirements would include compliance with the off-street parking and buffering regulations, and if necessary, interior upfit as required by the International Building Code.

## MISCELLANEOUS PROVISIONS

Is any portion of this property in floodplain? No

Are there any known zoning violations on this site? No

Tax records indicate the owner(s) is/are: Katmar Properties, LLC

This application is submitted by:           \_\_\_ the owner(s) listed above  
  X an agent for the owner  
  \_\_\_ other

# ZONING PETITION STAFF CHECKLIST

## LAND USE PLAN CONFORMANCE

The Future Land Use Plan designates this parcel and the surrounding area as Downtown. A B-2 zoning district would conform to the Future Land Use Plan, as the Downtown designation is a proposed mixed-use district. See description below:

**Table 2.5: Florence Zoning Districts (from the Comprehensive Plan)**

<i>Future Land Use</i>	<i>Zoning District Name</i>	<i>Character</i>	<i>Description</i>
<i>Downtown Central</i>	<i>Central Business District (CBD)</i>	<i>Urban</i>	<i>Development, redevelopment, and reuse of residential, commercial, and mixed-use buildings downtown. Zoning regulations will include design standards for specific sub-areas referenced in the Downtown Master Plan as Cultural Campus, Irby Street Financial, and Cheves Street Hospitality.</i>

## ADDITIONAL CRITERIA FOR CONSIDERATION

1. What changes have, or are, occurring in the area to justify a change in zoning?

This area is largely in a state of transition. It primarily consists of professional office uses. Coit Street is a buffer between the high-intensity commercial properties fronting Irby Street and the Timrod Park Neighborhood. Properties along Coit Street are mostly zoned B-1, but there are a handful of lots zoned B-3. Two of these are in the vicinity of 616 South Coit; the others are closer to the Palmetto Street intersection.

2. What are adjacent properties zoned, and what are adjacent land uses?

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	B-1	Vacant
Northeast	B-3	Greyhound parking and loading
East	B-3	Greyhound parking and loading
Southeast	B-3	Church
South	B-1	Vacant lot for Whisenhunt parking
Southwest	B-1	Medical office
West	B-1	Construction office
Northwest	B-1	Construction office parking

## ZONING PETITION STAFF CHECKLIST

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3. What are development plans in the area – roads, schools, future commercial development, etc.?

There are no development plans currently on file for this area.

4. Is there a reason the current land use cannot continue to be feasible as it now exists?

The current land use is practical for the area.

5. List some potential uses under existing zoning.

The B-1 Zoning District currently permits by right florists, professional offices, and limited service uses. A complete list of uses has been included with this staff report, *Section 2.4 – Table II of the Zoning Ordinance*.

6. List some potential uses under proposed zoning.

Some uses that would be permitted under the B-2 Zoning District include limited retail, restaurants, automotive repair shops, beauty and barber shops, nail salons and dry cleaners.

7. Are any of these uses inappropriate for this location, and if so, why?

There may be some uses that could adversely impact the area with traffic congestion and other nuisances, but that would be restricted by off-street parking requirements that must be met for each potential use. Additionally, the purpose of the B-2 Zoning District is to meet expedient commercial and service needs generated by neighborhoods (see item 11 below).

8. What is applicant's stated reason for requesting zoning?

The applicant would like greater flexibility of uses. As of yet, a specific use has not been determined.

9. (a) What will be the benefits to the surrounding properties?

The proposed may allow some uses that could be beneficial to the area.

(b) What will be the detriments to the surrounding properties?

The proposed change may also allow some uses that could be detrimental to the area.

10. Is a traffic study required for this petition?

## ZONING PETITION STAFF CHECKLIST

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The rezoning application does not meet the requirements of a traffic study as stated in the Land Development and Subdivision Ordinance, Article 5.1-G.

11. What does the purpose statement of the proposed zoning district say?

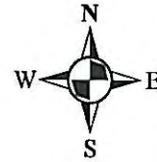
*B-2 Convenience Business District: The intent of this district is to meet the commercial and service needs generated by nearby residential areas. Goods and services normally available in these districts are of the "convenience variety." The size of this district should relate to surrounding residential markets and the location should be at or near major intersections, in proximity to and/or on the periphery of residential areas.*

12. Will this proposal meet the intent of the above purpose statement?

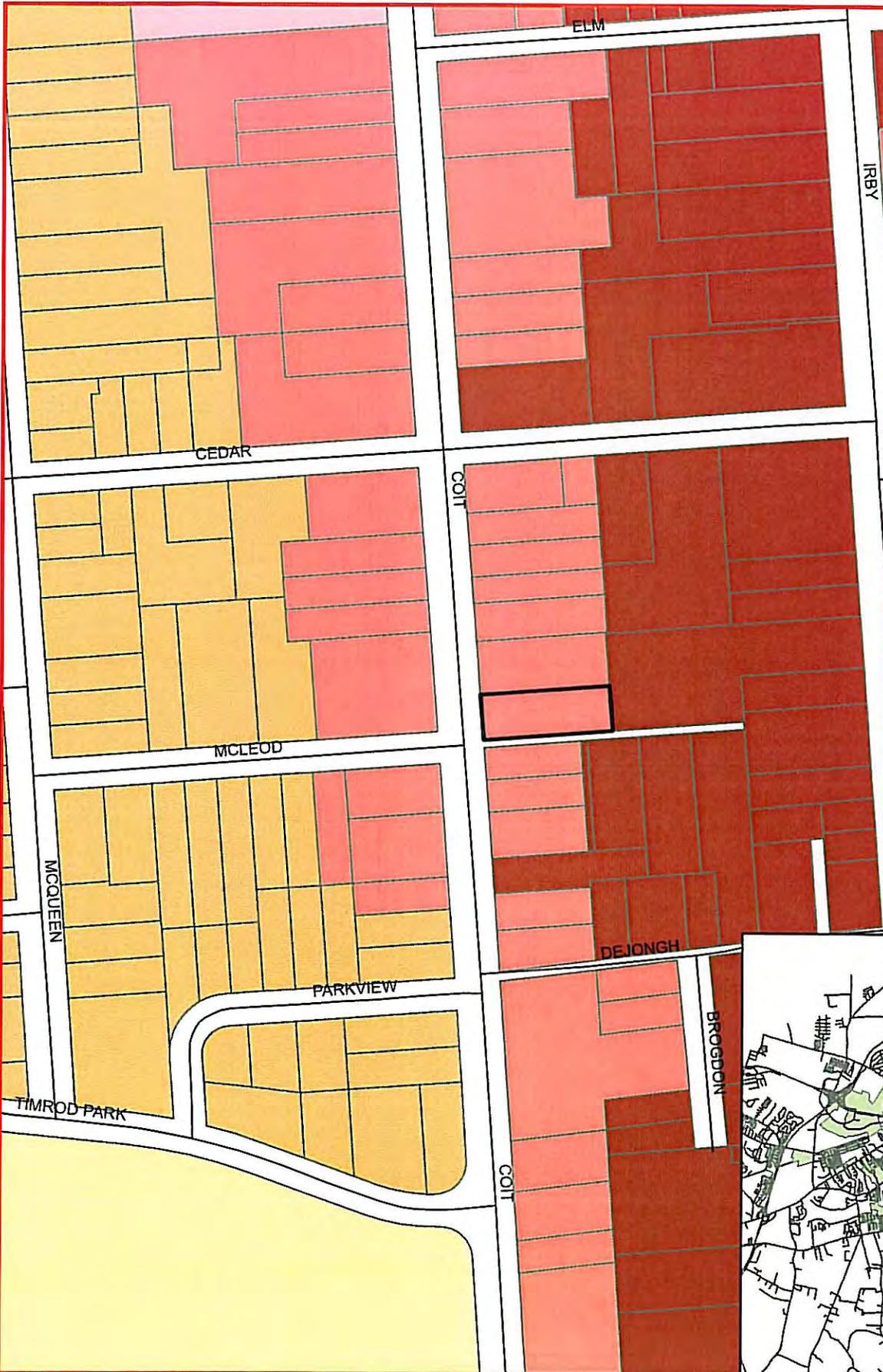
Staff recommends that this property be rezoned. The B-2 Zoning District would meet the intended purpose statement above. It would also meet the intent of the Downtown Future Land Use Designation, and would allow a greater number of uses that can serve the abutting neighborhood. Additionally, B-2 zoning complements the transition that has already occurred in the area without hampering any residential properties that may remain.

Please note the following included with this staff report: Zoning Map, Future Land Use Map, Coit St. vs. Commercial Properties Map, *Section 2.4, Table II: Schedule of Permitted and Conditional Uses* of the City of Florence Zoning Ordinance and site pictures.

# ZONING MAP



Urban Planning &  
Development Department



**Legend**

- Re-zone request
- RoadSegment
- Parcels

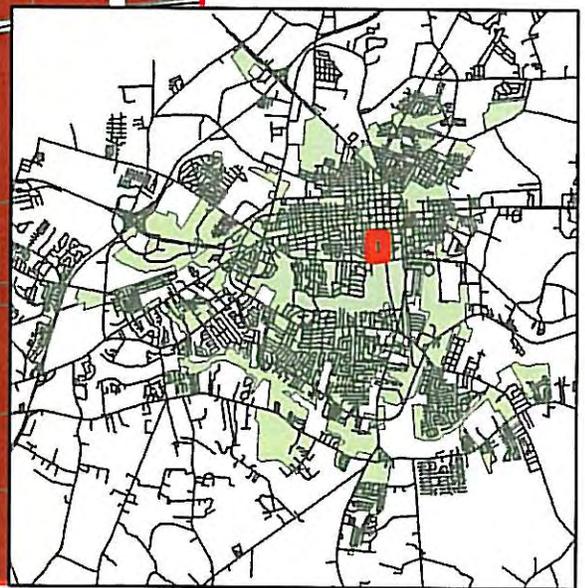
**Zoning**

**ZONECODE**

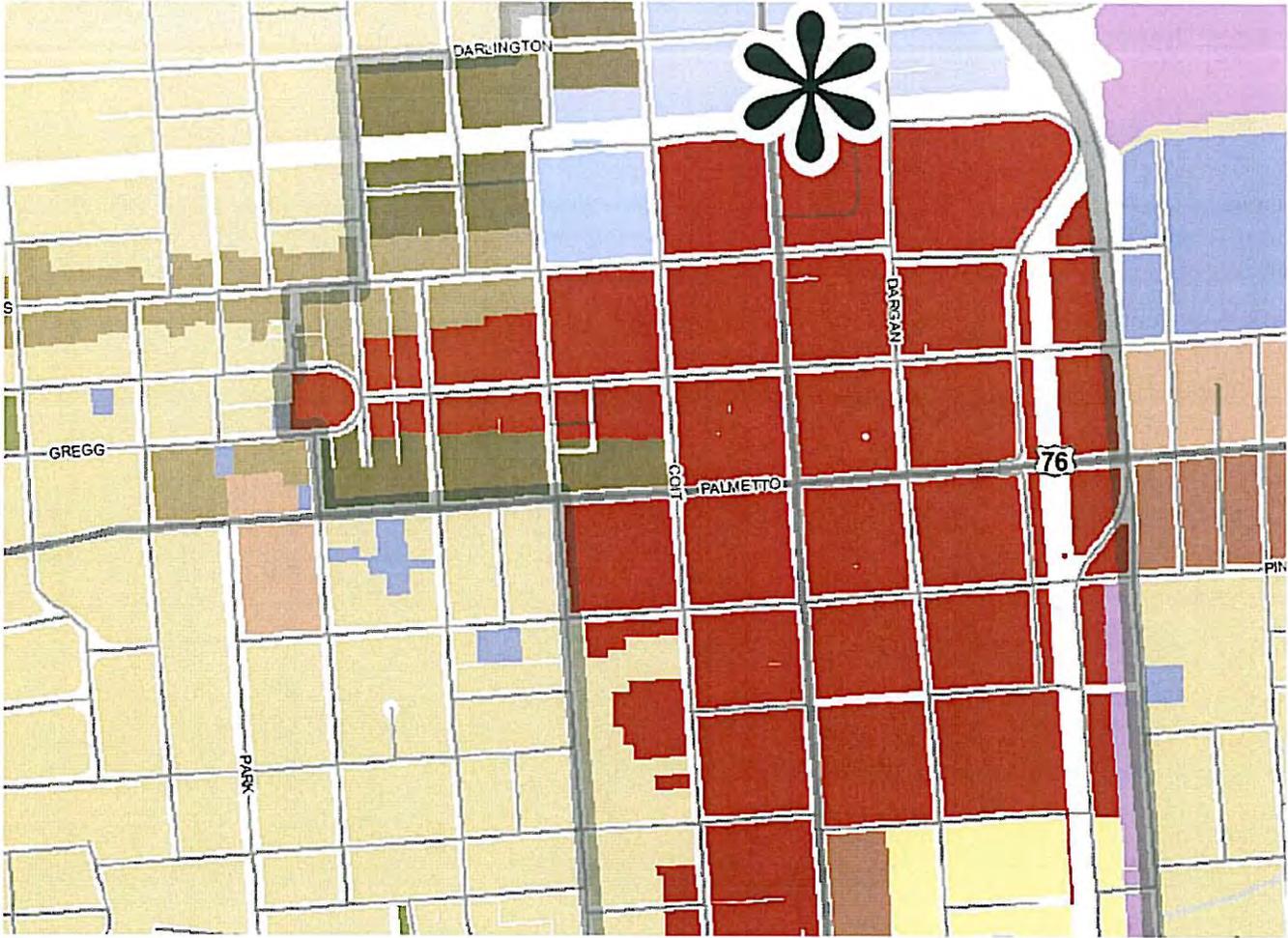
- B-1, LIMITED
- B-2, CONVENIENCE
- B-3 GENERAL
- B-4, CENTRAL
- B-5, OFFICE-LIGHT INDUSTRIAL
- B-6, INDUSTRIAL
- PD, PLANNED DEVELOPMENT
- R-1, SINGLE-FAMILY, LARGE LOTS
- R-2, SINGLE-FAMILY, MEDIUM LOTS
- R-3, SINGLE-FAMILY, SMALL LOTS
- R-4, MULTI-FAMILY, LIMITED
- R-5, MULTI-FAMILY
- RU-1, COMMUNITY
- RU-2, RESOURCE
- UNZONED

**ORIGINAL PREPARATION**  
This map was prepared by:  
City of Florence  
Urban Planning & Development Department

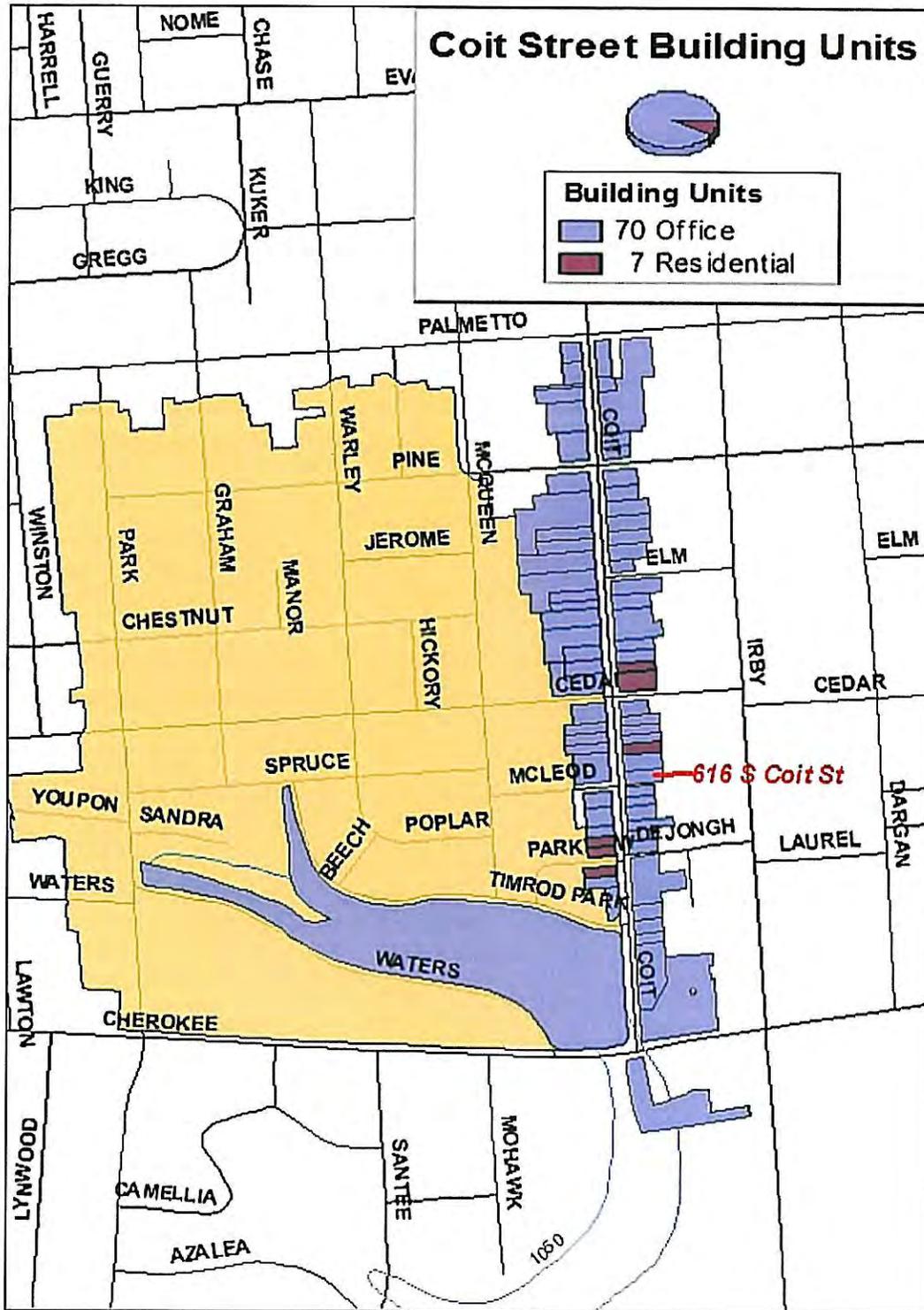
**DISCLAIMER:**  
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# Future Land Use Map

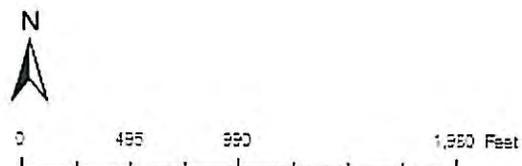


# Coit St. Residential vs. Commercial Properties



**Legend**

- Coit St. Properties
- Timrod Park Overlay District
- Roads



## Section 2.4 Table II: Schedule of Permitted and Conditional Uses and Off-Street Parking Requirements for Business & Rural Districts

	NAICS	B-1	B-2	B-3	B-4	B-5	B-6	RU-1	RU-2	Off-Street Parking Requirements
<b>Sector 11: Agriculture, Forestry, Fishing, and Hunting</b>										
Agricultural Production, crops	111	P	P	P	N	P	P	P	P	None
Agricultural Production, Livestock, animals	112									
Livestock, except feedlots	112111	N	N	N	N	N	N	P	P	None
Feedlots	112112	N	N	N	N	N	N	N	P	None
Poultry & eggs	1123	N	N	N	N	N	N	N	P	None
Animal specialties	1129	N	N	N	N	N	N	N	P	None
Horses & other equine	11292	N	N	N	N	N	N	P	P	None
General Farms	11299	N	N	N	N	P	P	P	P	None
Fishing, Hunting, Trapping	1141-2	N	N	P	N	N	P	P	P	None
Agricultural Services	115	N	N	N	N	N	N	P	P	None
Forestry	11531	N	N	P	N	P	P	P	P	1.0 per 1,000 s.f. GFA
<b>Sector 21: Mining</b>										
Mining	212	N	N	N	N	N	P	N	P	None
<b>Sector 22: Utilities</b>										
Electric, gas, & sanitary services	221									
Electric	2211									
Generation	22111	N	N	N	N	N	P	N	N	1.0 per 500 s.f. GFA
Transmission	22112	P	P	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Natural gas distribution	2212	P	P	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Water supply systems	22131									
Storage/Treatment	22131	N	N	P	N	P	P	P	P	1.0 per 500 s.f. GFA
Transmission	22131	P	P	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Sewerage systems	22132									
Collection	22132	P	P	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Treatment	22132	N	N	P	N	P	P	N	P	1.0 per 500 s.f. GFA
Steam & Air Conditioning supply	22133	N	N	P	N	P	P	N	N	1.0 per 500 s.f. GFA
<b>Sector 23: Construction</b>										
Bldg. Construction – general contract & operative builders	233	N	N	P	N	N	P	N	N	1.0 per 1,000 s.f. GFA
Heavy construction other than building construction-contractors	234	N	N	P	N	N	P	N	N	1.0 per 1,000 s.f. GFA
Special Trade Contractors	235	N	N	P	N	N	P	N	N	1.0 per 1,000 s.f. GFA
<b>Sector 31-33: Manufacturing</b>										
Food	311	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Beverage & Tobacco	312	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Textile mill products	313	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Textile Product Mills	314	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Apparel	315	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA
Leather & allied products	316	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Wood products	321	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Paper & allied products	322	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Petroleum products	324	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Chemical products	325	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA

	NAICS	B-1	B-2	B-3	B-4	B-5	B-6	RU-1	RU-2	Off-Street Parking Requirements
<b>Sector 31-33: Manufacturing – cont'd</b>										
Plastic & Rubber	326	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Nonmetallic Mineral products	327	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Primary Metal Industry	331	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Fabricated metal products	332	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA
Machinery	333	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA
Computer & Electronic Products	334	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA
Electrical equipment, Appliances & components	335	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA
Transportation equipment	336	N	N	N	N	N	P	N	P	1.0 per 500 s.f. GFA
Furniture & related products	337	N	N	P	N	P	P	N	P	1.0 per 500 s.f. GFA
Misc. manufacturing Indus.	339	N	N	N	N	P	P	N	P	1.0 per 500 s.f. GFA
<b>Sector 42: Wholesale Trade</b>										
Wholesale trade-durable goods	421	N	N	P	P	P	P	N	P	1.0 per 5,000 s.f. GFA
Recycle materials (Sec. 3.12)	42193	N	N	N	N	N	C	N	N	1.0 per 5,000 s.f. GFA
Wholesale trade-nondurable goods	422	N	N	P	P	P	P	N	P	1.0 per 5,000 s.f. GFA
<b>Sector 44-45: Retail Trade</b>										
Motor vehicle & parts	441	N	N	P	P	N	N	N	N	1.0 per 600 s.f. GFA
Automotive dealers	4411	N	N	P	P	N	N	N	N	1.0 per 600 s.f. GFA
Other motor vehicle dealers	4412	N	N	P	P	N	N	N	N	1.0 per 600 s.f. GFA
Automotive parts	4413	N	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Furniture & home furnishings	442	N	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Electronics & Appliances	443	N	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Building materials, garden supplies	444									
Building materials & supplies	4441	N	N	P	N	N	N	P	N	1.0 per 1,000 s.f. GFA
Paint & wallpaper	44412	N	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Hardware stores (Sec. 3.13)	44413	N	P	P	P	N	N	C	N	1.0 per 350 s.f. GFA
Lawn & garden equipment & supplies stores	4442	N	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA
Food stores (3.13)	445	N	P	P	P	N	N	C	N	1.0 per 350 s.f. GFA
Beer, Wine, & Liquor stores (Sec 3.13)	4453	N	N	P	P	N	N	C	N	1.0 per 350 s.f. GFA
Health & Personal care (Sec. 3.13)	446	N	P	P	P	N	N	C	N	1.0 per 350 s.f. GFA
Gasoline stations	447	N	P	P	P	N	N	P	P	1.0 per 600 s.f. GFA
Truck stops	44719	N	N	P	N	N	N	N	N	1.0 per 600 s.f. GFA
Clothing & accessory stores	448	N	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Sporting goods, Hobbies, Books, & Music	451	N	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA
General Merchandise, except pawn shops & flea markets (Sec. 3.13)	452	N	P	P	P	N	N	C	N	1.0 per 350 s.f. GFA
Miscellaneous retail	453	N	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Used merchandise, except pawn shops & flea markets (Sec. 3.13)	4533	N	P	P	P	N	N	C	N	1.0 per 350 s.f. GFA
Flea Markets	4533	N	N	P	N	N	N	P	N	1.5 per stall
Retail not elsewhere classified except grave monuments, fireworks, sexually oriented businesses	4539	N	N	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Manufactured home dealers	45393	N	N	P	N	N	N	N	N	1.0 per 600 s.f. GFA
Fireworks	453998	N	N	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Gravestones, monuments	443998	N	N	P	N	N	P	N	N	1.0 per 500 s.f. GFA
	<b>NAICS</b>	<b>B-1</b>	<b>B-2</b>	<b>B-3</b>	<b>B-4</b>	<b>B-5</b>	<b>B-6</b>	<b>RU-1</b>	<b>RU-2</b>	<b>Off-Street Parking</b>

											Requirements
Miscellaneous retail	45399	N	N	P	N	N	N	N	N	N	1.0 per 350 s.f. GFA
Non-store retailers	454	N	P	P	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Fuel Dealers	45431	N	N	P	N	N	P	N	N	N	1.0 per 500 s.f. GFA
<b>Sector 48-49: Transportation Warehousing</b>											
Air Transportation	481	N	N	P	N	P	P	N	N	N	1.0 per 250 s.f. GFA
Rail Transportation	482	N	N	P	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Truck Transportation	484	N	N	P	P	P	P	N	N	N	1.0 per 500 s.f. GFA
Transit and ground passenger transportation	485	N	N	P	P	P	P	N	N	N	1.0 per 500 s.f. GFA
Scenic & Sightseeing Transportation	487	P	P	P	P	P	P	N	N	N	1.0 per 500 s.f. GFA
Support Activities for Transportation	488	N	N	P	P	P	P	N	N	N	1.0 per 500 s.f. GFA
U.S. Postal Service	491	P	P	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA
Couriers & Messengers	492	P	P	P	P	P	P	N	N	N	1.0 per 500 s.f. GFA
Warehousing & Storage	493	N	N	P	P	P	P	P	P	P	1.0 per 1,000 s.f. GFA
<b>Sector 51: Information</b>											
Publishing Industries	511	N	P	P	P	P	P	N	P	N	1.0 per 500 s.f. GFA
Motion pictures & Sound Industries	51	N	P	P	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Motion picture theaters	512131	N	P	P	P	N	N	N	N	N	1.0 per 5 seats
Broadcasting & Telecommunications	513	N	P	P	P	P	P	N	N	N	1.0 per 350 s.f. GFA
Communication Tower & Ant. (Sec. 3.11)	5131	N	C	C	C	C	C	C	C	C	None
Info. Services & Data Processing	514	N	P	P	P	P	P	N	N	N	1.0 per 350 s.f. GFA
Libraries	51212	P	P	P	P	P	N	P	N	N	1.0 per 350 s.f. GFA
<b>Sector 52: Finance &amp; Insurance</b>											
Banks	521	P	P	P	P	P	P	N	N	N	1.0 per 350 s.f. GFA
Credit Intermediation	522	P	P	P	P	P	P	N	N	N	1.0 per 350 s.f. GFA
Pawn Shops	522298	N	N	P	P	N	N	N	N	N	1.0 per 350 s.f. GFA
Security & commodity contracts, financial investments	523	P	P	P	P	P	P	N	N	N	1.0 per 350 s.f. GFA
Insurance Carriers & related activities	524	P	P	P	P	P	P	N	N	N	1.0 per 350 s.f. GFA
Funds, Trust, & other financial vehicles	525	P	P	P	P	P	P	N	N	N	1.0 per 350 s.f. GFA
<b>Sector 53: Real Estate &amp; Rental &amp; Leasing</b>											
Real Estate	531	P	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Mini-warehouses	53113	N	N	P	P	P	P	N	N	N	1.0 per storage units
Rental & Leasing Services	532	N	N	P	P	P	P	N	N	N	1.0 per 500 s.f. GFA
Video tape rental (Sec. 3.13)	53223	N	P	P	P	N	N	C	N	N	1.0 per 350 s.f. GFA
<b>Sector 53: Real Estate &amp; Rental &amp; Leasing</b>											
Professional, Scientific, Technical Svcs.	541	N	P	P	P	P	N	P	N	N	1.0 per 300 s.f. GFA
Display advertising – Signs	54185	See Article V									
Legal services	5411	P	P	P	P	P	N	P	N	N	1.0 per 350 s.f. GFA
Engineering, accounting, research management & related services	5412-9	P	P	P	P	P	P	N	N	N	1.0 per 350 s.f. GFA
Tax return prep. service	541213	P	P	P	P	N	N	P	N	N	1.0 per 500 s.f. GFA
<b>Sector 54: Professional, Scientific, Technical Services – cont'd</b>											
Photographic studios, portraits	54192	P	P	P	P	N	N	N	N	N	1.0 per 300 s.f. GFA
Veterinary Services	54194	N	N	P	N	N	P	P	P	P	1.0 per 1,000 s.f. GFA
<b>Sector 55: Management of Companies and Enterprises</b>											
Mgmt. Of Companies and Enterprises	551	P	P	P	P	P	P	N	N	N	1.0 per 350 s.f. GFA
<b>Sector 56: Administrative and Support and Waste Management and Remediation Services</b>											
Administrative & support services	561	P	P	P	P	P	P	P	P	P	1.0 per 750 s.f. GFA

	NAICS	B-1	B-2	B-3	B-4	B-5	B-6	RU-1	RU-2	Off-Street Parking Requirements
Landscape services	56173	N	P	P	N	P	P	P	P	1.0 per 1,000 s.f. GFA
Refuse systems (Sec. 3.14)	562	N	N	C	N	N	C	N	C	1.0 per 500 s.f. GFA
<b>Sector 61: Educational Services</b>										
Educational Services	6117	P	P	P	P	N	N	N	N	1.0 per 200 s.f. GFA
Elementary Schools	6111	P	P	P	P	N	N	P	P	2.0 per classroom plus 5 admin. Spaces
Secondary Schools	6111	P	P	P	P	N	N	P	P	5.0 per classroom plus 10 admin. Spaces
Jr. Colleges, Colleges, Universities, professional schools	6112-3	P	P	P	P	P	P	N	N	5.0 per classroom plus 2 per admin. Office
Business schools, Computer, & Management Training	6114-5	P	P	P	P	P	P	N	N	5.0 per classroom plus 2 per admin. Office
Other schools and instruction	6116	P	P	P	P	P	P	N	N	5.0 per classroom plus 2 per admin. Office
Education Support Services	6117	P	P	P	P	P	P	N	N	1.0 per 200 s.f. GFA
<b>Sector 62: Health Care and Social Assistance</b>										
Ambulatory Health Care Services	62	P	P	P	P	P	N	N	N	1.0 per 150 s.f. GFA
Medical & dental laboratories	6215	N	N	P	P	P	P	N	N	1.0 per 500 s.f. GFA
Home health care services	6216	P	P	P	P	P	N	P	N	1.0 per 500 s.f. GFA
Hospitals	622	N	N	P	P	P	N	N	N	0.7 per bed
Nursing & residential care facilities	623	P	P	P	P	P	N	P	P	0.4 per bed
Nursing Care Facilities	623	N	N	P	N	N	N	P	P	1.0 per 500 s.f. GFA
Community Care for Elderly	623	P	P	P	P	P	N	P	P	0.4 per bed
Social Services	624	N	N	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Individual & Family Social Services	6241	N	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA
Community, Food & Housing & Emergency & Relief services	6242	N	N	P	P	P	N	N	N	
Rehabilitation services	6243	N	N	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Day care services	6244	P	P	P	P	P	P	P	P	1.0 per 200 s.f. GFA
<b>Sector 71: Arts, Entertainment, and Recreation</b>										
Performing Arts & Spectator Sports	711	N	N	P	P	N	N	N	N	1.0 per 300 s.f. GFA
Performing Art Companies	7111	P	P	P	N	N	N	N	N	1.0 per 200 s.f. GFA
Spectator Sports	7112	N	N	P	P	N	N	N	N	By individual review
Museums, Historical sites, & Similar Institutions	712	P	P	P	P	N	N	N	N	1.2 per 1,000 s.f. GFA
<b>Sector 71: Arts, Entertainment, and Recreation – cont'd</b>										
Amusement, Gambling, & Recreation	713	N	N	P	N	N	N	N	N	By individual review
Amusement Parks & Arcades	71311	N	N	P	N	N	N	N	N	By individual review
Coin operated amusement, cash payouts more than 5 machines (Sec. 3.17)	7132	N	N	C	N	N	N	N	N	1.0 per 200 s.f. GFA
Golf courses & Country Clubs	71391	N	N	P	N	P	P	N	P	5.0 per hole
Marinas	71392	N	N	N	N	P	P	P	P	1.0 per slip
Public parks & playgrounds	71394	P	P	P	P	P	P	P	P	1% land area
Physical fitness facilities	71394	N	P	P	P	P	P	N	N	1.0 per 300 s.f. GFA
Bowling centers	71395	N	N	P	P	N	N	N	N	5.0 per lane
Coin operated amusement non-cash payouts	71399	N	P	P	P	N	N	N	N	1.0 per 200 s.f. GFA
All other Amusement & Recreational Industries	71399	N	N	P	N	N	N	N	N	1.0 per 200 s.f. GFA

<b>Sector 72: Accommodation and Food Services</b>	NAICS	B-1	B-2	B-3	B-4	B-5	B-6	RU-1	RU-2	Off-Street Parking Requirements
Accommodations	721									
Hotels & motels	72111	N	N	P	P	P	N	N	N	1.0 per rental unit
Bed and Breakfast Inns (Sec. 3.3)	721191	C	N	P	P	P	N	C	C	1.5 per bedroom
Camps & recreational vehicle parks	721191	N	N	C	N	N	N	N	C	Not applicable
Rooming & boarding houses, dormitories, group housing	72121	N	N	P	N	N	N	N	N	1.0 per bedroom
Eating Places	7221-3	N	P	P	P	P	P	P	N	1.0 per 150 s.f. GFA
Drinking Places (Sec. 3.20)	7224	N	N	C	C	N	N	N	N	1.0 per 150 s.f. GFA
<b>Sector 81: Other Services (except Public Administration)</b>										
Auto repair & maintenance (Sec. 3.13)	8111	N	N	P	P	N	N	C	N	1.0 per 500 s.f. GFA
Car washes (multiple bays)	811192	N	N	P	N	N	N	N	N	None
Other Repair (Sec. 3.13)	8112-4	N	P	P	P	N	P	C	N	1.0 per 350 s.f. GFA
Shoe repair, shoe shine shops	81143	N	P	P	P	N	N	N	N	1.0 per 300 s.f. GFA
Personal & Laundry services	812									
Personal Care Services	81221	N	P	P	P	N	N	P	N	2.5 per chair basin
Tattoo Facilities (Sec. 3.23)	812199	N	N	C	N	N	N	N	N	1.0 PER 150 s.f. GFA
Funeral Homes & Services	81221	P	P	P	P	N	N	N	N	5.0 plus 1.0 per 2 seats main assembly
Cemeteries	81221	N	N	P	N	N	N	P	P	None
Crematories	81222	N	N	N	N	N	P	N	N	1.0 per 500 s.f. GFA
Laundry & Dry Cleaning Services	8123	N	N	P	P	N	P	N	N	1.0 per 500 s.f. GFA
Coin operated laundries/dry cleaning	81231	N	P	P	P	N	N	P	N	1.0 per 250 s.f. GFA
Pet Care	81291	N	N	P	N	N	P	P	P	1.0 per 1,000 s.f. GFA
Automotive parking lots & garages	81293	N	P	P	P	P	P	N	N	None
Sexually oriented business (Sec. 3.15)	81299	N	N	C	N	N	N	N	N	1.0 per 350 s.f. GFA
All other personal services	81299	N	P	P	P	N	N	N	N	1.0 per 300 s.f. GFA
Religious, fraternal, professional, political, civic, business organizations	813	P	P	P	P	P	P	P	P	1.0 per 250 s.f. GFA
Religious Organizations	81211	P	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA
All Other Organizations	8132-9	N	P	P	P	N	N	N	N	1.0 per 500 s.f. GFA
<b>Sector 92: Public Administration</b>										
Executive, legislative, & general govt.	921	P	P	P	P	P	N	N	N	1.0 per 350 s.f. GFA
Justice, public order & safety	922	N	N	P	P	P	P	N	P	1.0 per 350 s.f. GFA
Courts	92211	N	N	P	P	N	N	P	P	1.0 per 350 s.f. GFA
Police Protection	82212	P	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA
Correctional institution	92214	N	N	P	P	N	P	N	P	1.0 per jail cell, plus 1.0 per 250 s.f. GFA
Fire Protection	92216	P	P	P	P	P	P	P	P	4.0 per bay
Administration of human resources	923	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Ad. of environ. Quality & housing prog.	924-5	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Administration of economic programs	926	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Space Research & Technology	927	N	N	P	P	P	P	N	N	
National Security & Internal Affairs	928	N	N	P	P	P	P	N	N	

<b>Residential Uses</b>										
<b>Site Built Dwellings</b>	NA									
	NAICS	B-1	B-2	B-3	B-4	B-5	B-6	RU-1	RU-2	Off-Street Parking Requirements
Single-family detached	NA	P	P	P	N	N	N	P	P	None
Duplex	NA	N	N	N	N	N	N	P	N	2.0 spaces per unit
Multi-family, apts. (Sec. 3.19)	NA	N	N	P	C	P	N	N	N	1.5 spaces per unit
Rooming & Boarding houses	72131	N	P	P	P	N	N	N	N	1.0 spaces per bedroom
<b>Manufactured Dwellings</b>	NA									
Residential designed (Sec. 3.4)	NA	N	N	N	N	N	N	C	C	2.0 spaces per unit
Standard designed (Sec. 3.4)	NA	N	N	N	N	N	N	C	C	2.0 spaces per unit
Mobile Homes (Sec. 3.5)	NA	N	N	N	N	N	N	N	N	2.0 spaces per unit
Modular Homes	NA	P	P	P	N	N	N	P	P	2.0 spaces per unit
<b>Accessory Uses to Residential Uses</b>										
Bathhouses & cabanas	NA	P	P	P	N	NA	NA	P	P	None
Domestic animal shelters	NA	P	P	P	N	NA	NA	P	P	None
Non-commercial greenhouses	NA	P	P	P	P	NA	NA	P	P	None
Private garage & carport	NA	P	P	P	P	NA	NA	P	P	None
Storage building	NA	P	P	P	P	NA	NA	P	P	None
Swimming pool, tennis courts	NA	P	P	P	P	NA	NA	P	P	None
Auxiliary shed, workshop	NA	P	P	P	N	NA	NA	P	P	None
Home occupation (Sec. 3.8)	NA	P	P	P	P	NA	NA	C	C	None
Horticulture, gardening	NA	P	P	P	P	NA	NA	P	P	None
Family day care home	NA	P	P	P	P	NA	NA	P	P	None
Satellite dishes, etc.	NA	P	P	P	P	NA	NA	P	P	None
<b>Accessory Uses to Residential Uses</b>										
Buildings, structures	NA	P	P	P	P	P	P	P	P	None
Open storage (Sec. 3.18)	NA	N	N	C	N	C	C	C	N	None
<b>Temporary Uses</b>										
All Temporary Uses (Sec. 3.9)	NA	C	C	C	C	C	C	C	C	None

Notes:

- a. Off street parking is not required in the B-4 District.



616

08/31/2011



D. CLAY BROWN, P.C.

PARKING FOR  
WHEATST  
AND  
MCKISSICK

08/31/2011



08/31/2011



McLEOD ALLEY  
200

McLEOD

08/31/2011



08/31/2011

ORDINANCE NO. 2011-\_\_\_\_\_

**AN ORDINANCE TO REZONE 616 South Coit Street, TM# 90088-07-038, from B-1, Limited Business to B-2, Convenience Business District:**

**WHEREAS**, a Public Hearing was held in Room 603 of the City-County Complex on September 13, 2011 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS**, the property owner made application to rezone 616 South Coit Street from B-1, Limited Business to B-2, Convenience Business District;

**WHEREAS**, the rezoning request was made to allow a greater flexibility of uses;

**WHEREAS**, Planning Commission recommended rezoning the property to B-2, Convenience Business District.

**WHEREAS**, Florence City Council concurs 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 for the aforesaid property to B-2, Convenience Business District.
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 \_\_\_\_\_, 2011

**Approved as to form:**

---

**James W. Peterson, Jr.**  
**City Attorney**

---

**Stephen J. Wukela,**  
**Mayor**

**Attest:**

---

**Dianne M. Rowan**  
**Municipal Clerk**

**VI. b.**  
**Bill No. 2012-04**  
**First Reading**

**CITY OF FLORENCE COUNCIL MEETING**

**DATE:** January 9, 2012

**AGENDA ITEM:** Ordinance  
First Reading

**DEPARTMENT/DIVISION:** City of Florence Planning, Research, & Development Department

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**I. ISSUE UNDER CONSIDERATION:**

Request to annex and zone 3084-3098 S. Cashua Drive from unzoned to R-5 Multi-Family Residential District, pending annexation into the City of Florence. Tax Map 00101-01-021. The request is being made by the owner, Jim Stroud.

Water and Sewer services are already available, no cost to extend utility services.

**II. POINTS TO CONSIDER:**

This item is being introduced for first reading only.

**III. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

No previous action has been taken on this request. A Public Hearing for rezoning was held at the December 13, 2012 Planning Commission meeting. City Staff recommended R-3 Single Family Residential District. Planning Commission members voted 7-1 to recommend the property be zoned R-4 Multi-Family Residential District, Limited.

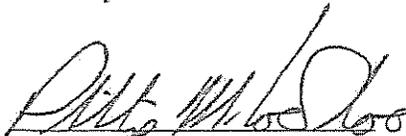
**IV. OPTIONS:**

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. ATTACHMENTS:**

Map showing the location of the property.  
Zoning Map  
Comprehensive Plan Map  
Staff Report

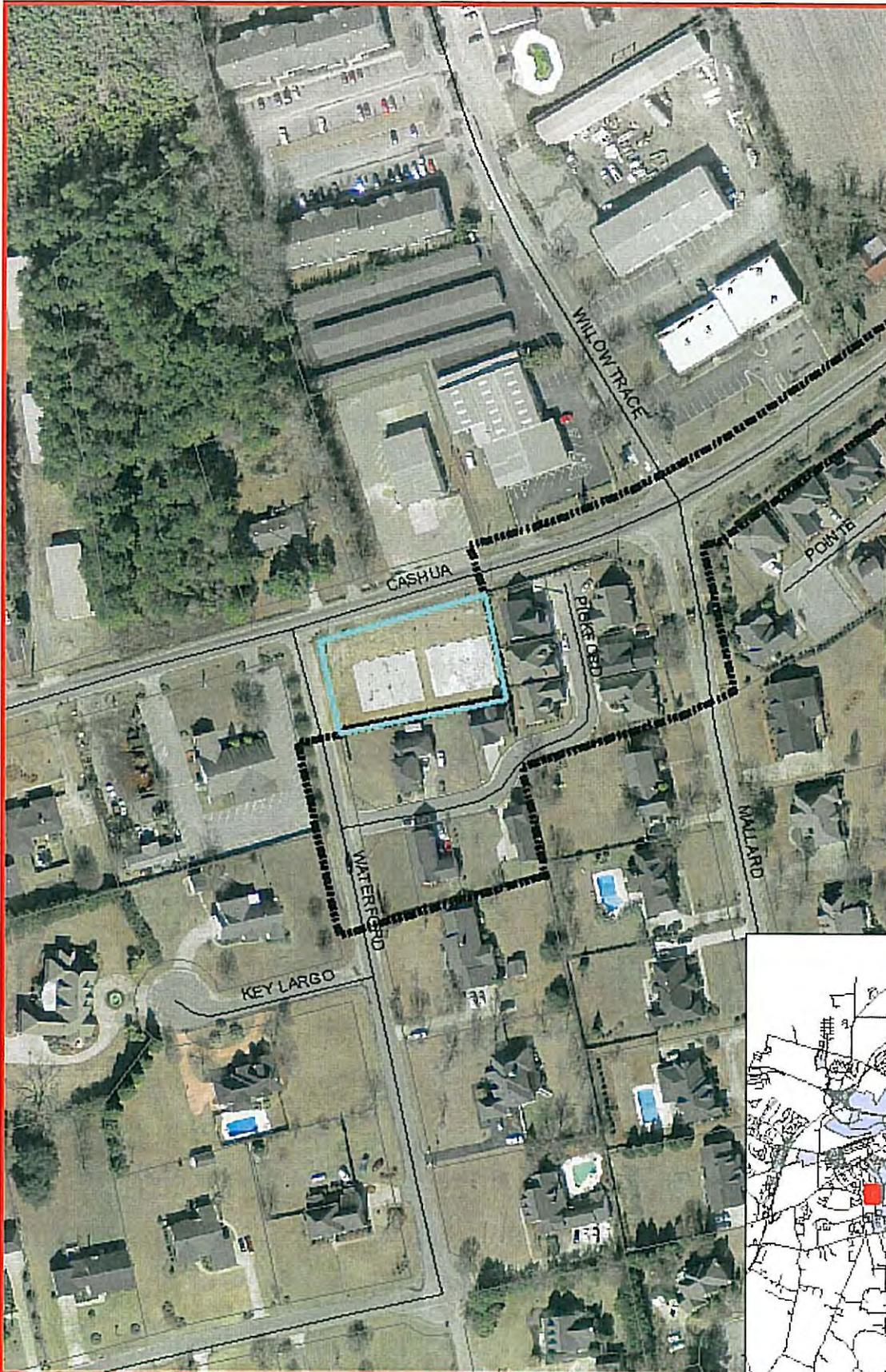
  
Phillip M. Lookadoo, AICP  
Planning, Research, & Development Director

  
Drew Griffin  
City Manager

# 3084-3098 S. Cashua Location



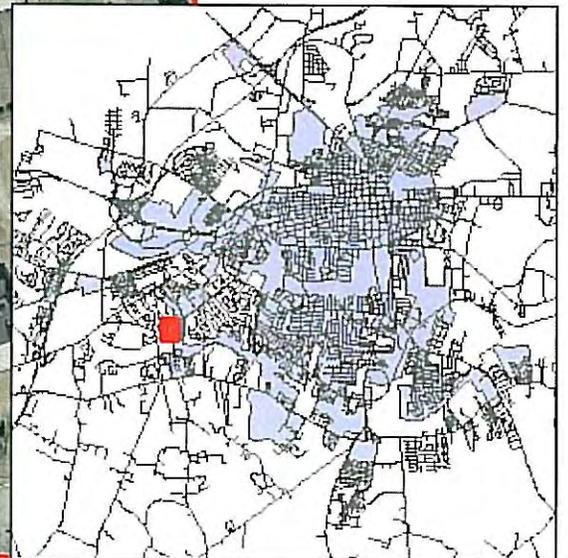
Urban Planning &  
Development Department



**Legend**  
[Blue dashed box] Zoning Request  
[Black dashed line] City Limits

**ORIGINAL PREPARATION**  
This map was prepared by:  
City of Florence  
Urban Planning & Development Department

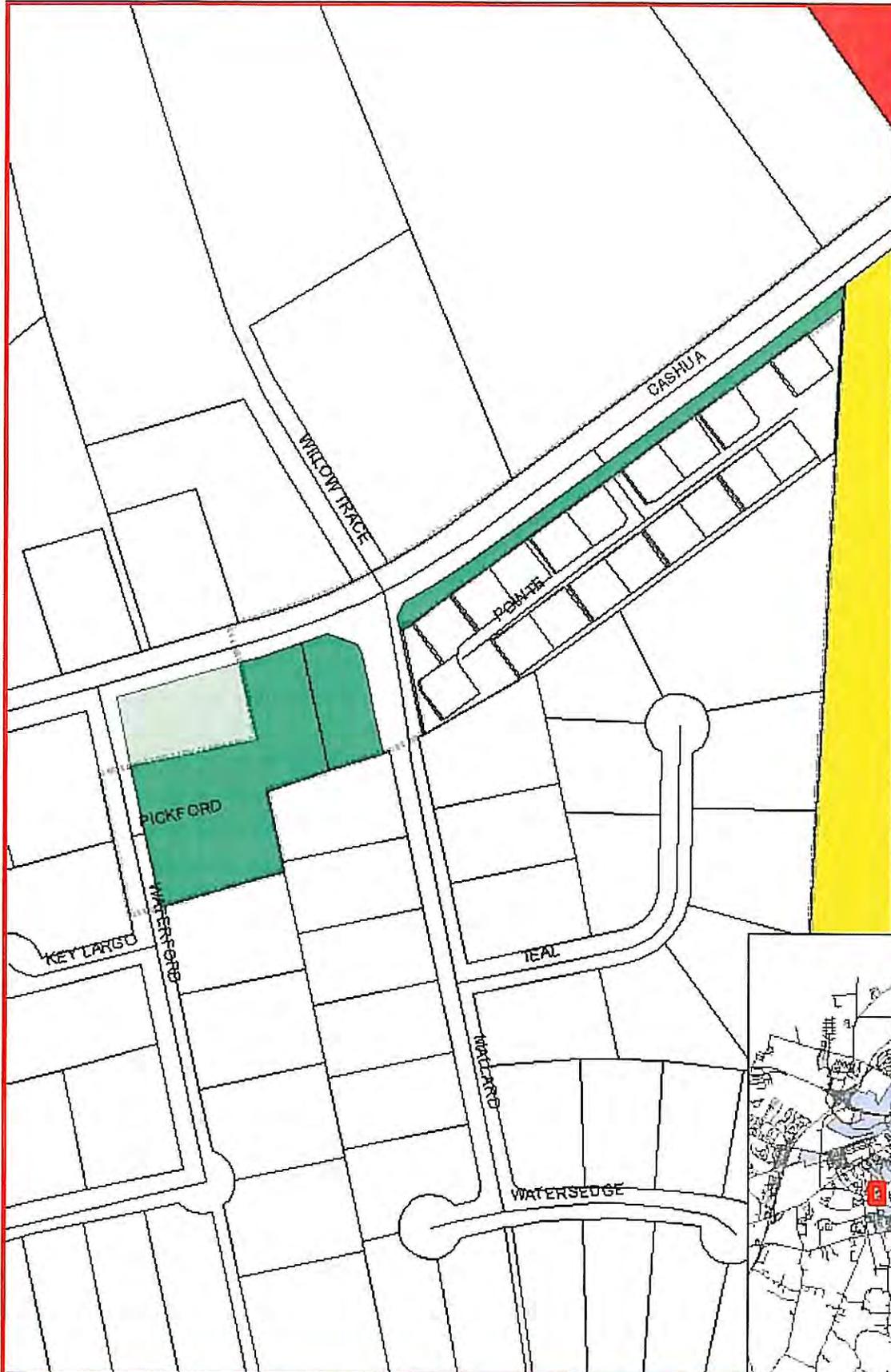
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# 3084-3098 S. Cashua Rd. Zoning Map



Urban Planning &  
Development Department

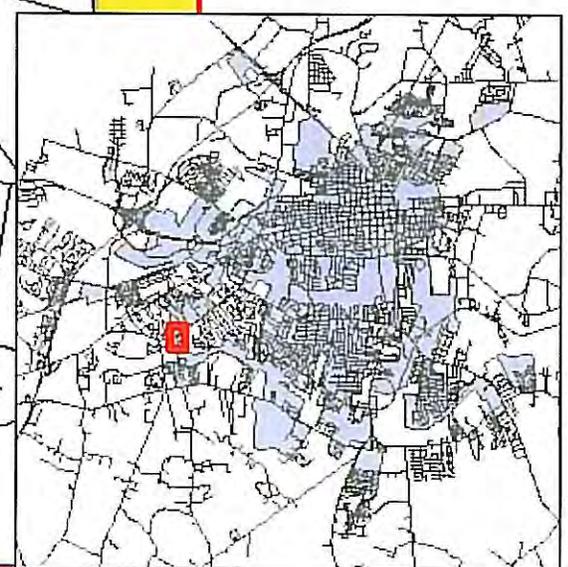


**Legend**

- City Limits
- Zoning Request
- R-1, SINGLE FAMILY, LARGE LOTS
- R-2, SINGLE FAMILY, MEDIUM LOTS
- R-3, SINGLE FAMILY, SMALL LOTS
- R-4, MULTI-FAMILY, LIMITED
- R-5, MULTI FAMILY
- PD, PLANNED DEVELOPMENT
- B-1, LIMITED
- B-2, CONVENIENCE
- B-3, GENERAL
- B-4, CENTRAL
- B-5, OFFICE-LIGHT INDUSTRIAL
- B-6, INDUSTRIAL
- RU-1, COMMUNITY
- RU-2, RESOURCE
- UNZONED

**ORIGINAL PREPARATION**  
This map was prepared by:  
City of Florence  
Urban Planning & Development Department

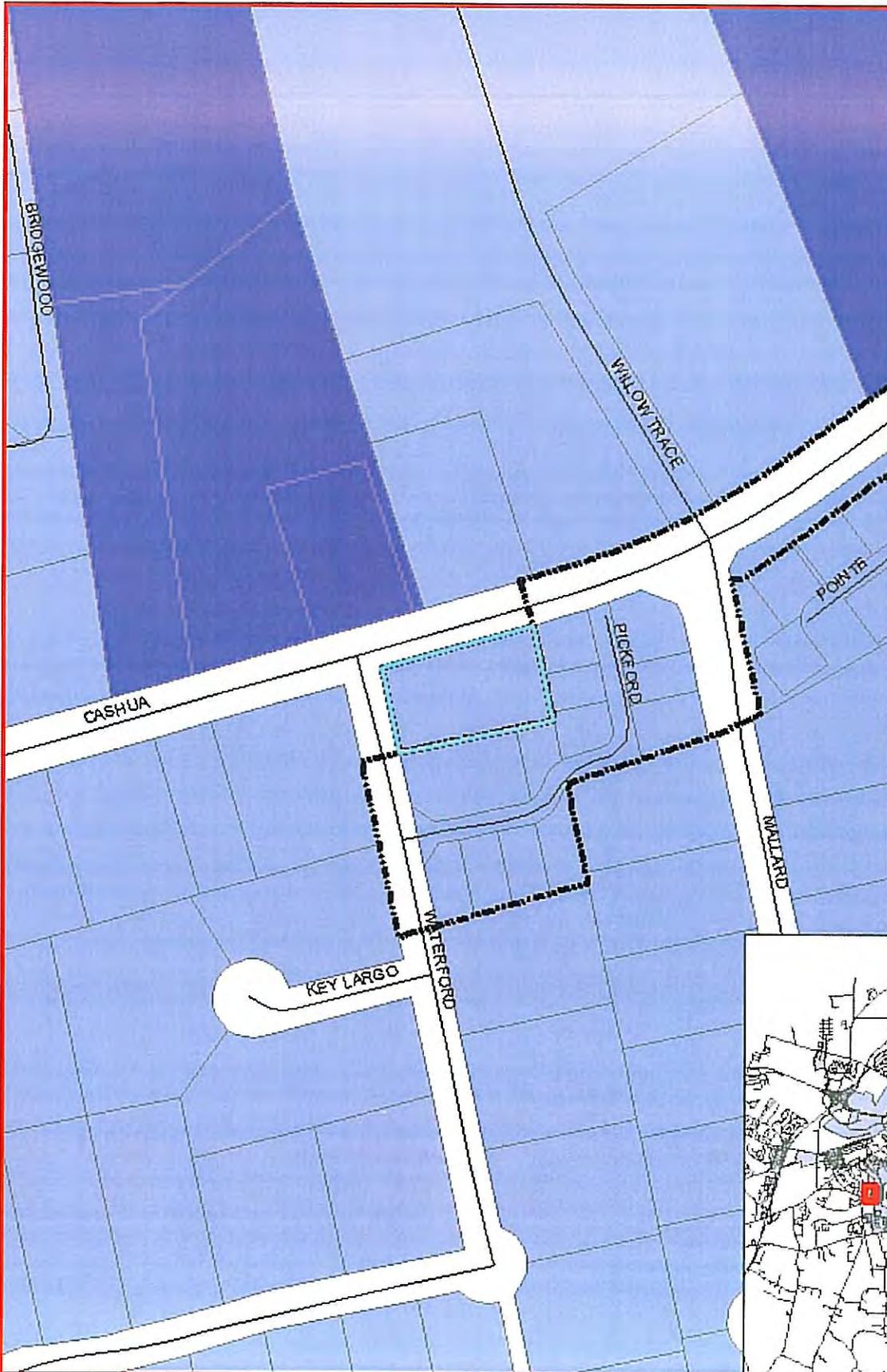
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# Future Land Use



Urban Planning &  
Development Department



### Legend

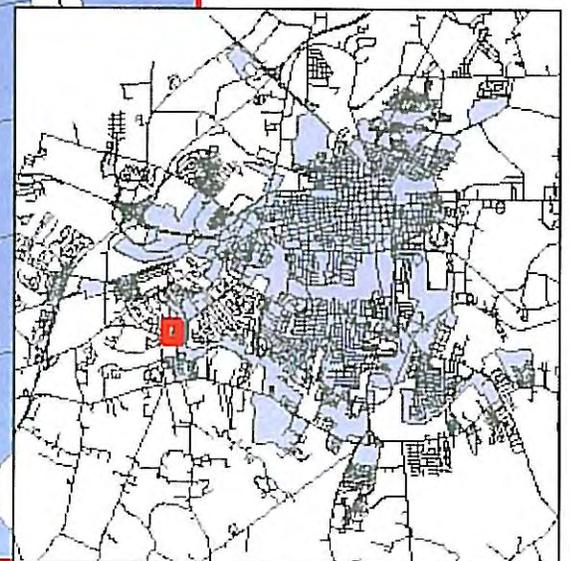
- Zoning Request
- City Limits
- Future Land Use 2011

### Future

- Business Parks
- Commercial Autourban
- Commercial Suburban
- Downtown
- Industrial
- Neighborhood Conservation
- Parks and Open Space
- Public and Institutional
- Residential Autourban
- Residential Estate
- Residential Suburban
- Residential Transition
- Residential Urban
- Rural

ORIGINAL PREPARATION  
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City of Florence  
Urban Planning & Development Department

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## ZONING PETITION STAFF CHECKLIST

### IDENTIFYING DATA

Name of Owner: Jim Stroud

Address of Properties: 3084- 3098 S. Cashua Dr.

Tax Parcel Number(s): 00101-01-021

Date: December 13, 2011

### GENERAL BACKGROUND DATA

Current Zoning: Unzoned

Proposed Zoning: R-5 Multi-Family Residential

Current Use: Quadplex

Proposed Use: Quadplex

### DIMENSIONAL REQUIREMENTS

#### Current Zoning

#### Proposed Zoning

Lot Area:

Proposed Lot Area: 6,000

Lot Width

Proposed Lot Width: 50

Front Setback

Proposed Front Setback: 25

Side Yards

Proposed Side Yards: 5

Rear Yards

Proposed Rear Yards: 20

Max. Height

Proposed Max. Height: 4 stories

Open Space

Proposed Open Space: 30%

Comments:

# ZONING PETITION STAFF CHECKLIST

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## MISCELLANEOUS PROVISIONS

Is any portion of the property in floodplain? No

Are there any known zoning violations on this site? No

If so, explain:

Tax records indicate the owner(s) as: Jim Stroud

This application is submitted by:             the owners listed above  
    an agent for the owner  
    other

If agent or other, what documentation has been provided from owner or is none required?

## LAND USE PLAN CONFORMANCE

Is there any discrepancy between current or proposed zoning and the Land Use Plan? If so, what is the discrepancy?

Yes; the adopted Future Land Use Plan is for Neighborhood Conservation. The applicants requested R-5 zoning allows for more intense residential uses than recommended in Neighborhood Conservation.

Land Use Plan elements that impact the subject property:

The objective of this designation is to protect the character and function of established neighborhoods depending on existing lot size. The adjacent NC properties are single family in character on south side of S. Cashua Dr.

## ADDITIONAL CRITERIA FOR CONSIDERATION

1. What changes have, or are, occurring in the area to justify a change in zoning?  
The zoning request coincides with a request for annexation. The incorporation of the parcel requires assigning a city zoning classification.

## ZONING PETITION STAFF CHECKLIST

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2. What are adjacent properties zoned, and what are adjacent land uses?

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	Unzoned	Institutional
Northeast	Unzoned	Commercial
East	PDD	Single-Family Residential
Southeast	PDD	Single-Family Residential
South	PDD	Single-Family Residential
Southwest	PDD	Single Family Residential
West	Unzoned	Single Family Residential
Northwest	Unzoned	Single Family Residential

3. What are development plans in the area – roads, schools, future commercial development, etc.?

Florence Area Transportation Study (FLATS) policy members have approved funding for the widening of S. Cashua Dr. The plans or anticipated start time have not been determined. A public hearing will be scheduled in Spring of 2012.

4. Is there a reason the current land use cannot continue to be feasible as it now exists?

No.

5. List some potential uses under existing zoning.

Because the properties are currently unzoned, any use would be permitted under the Florence County Zoning Ordinance.

6. List some potential uses under proposed zoning.

R-5 is intended to provide for residential development at higher densities. R-5 is the only residential zoning district which permits multi-family housing.

7. Are any of these uses inappropriate for this location, and if so, why?

Yes. There are several multi-family developments in close proximity on the north side of S. Cashua Dr. permitted under R-5 that are inappropriate for the character south of S. Cashua Dr.

8. (a) What is applicant's stated reason for requesting zoning?

The zoning request is associated with annexation into the City of Florence.

9. (a) What will be the benefits to the surrounding properties?

The property will be subject to the City of Florence codes and regulations.

## ZONING PETITION STAFF CHECKLIST

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- (b) What will be the detriments to the surrounding properties?  
Future development of non compatible higher density residential uses  
may be permitted in R-5

10. Is a traffic study required for this petition?

No.

If so, what are the recommendations of the study?

NA

11. What does the purpose statement of the proposed zoning district say?

**R-5 Multi-Family Residential District:** This district is intended to accommodate higher density residential development and a variety of housing types on small lots or in project settings in areas accessible by major streets and in proximity to commercial uses, employment opportunities, and community facilities. It is further intended to permit development flexibility in meeting the demands and preferences of a changing housing market, and doing so in an orderly, compatible manner.

12. Will this proposal meet the intent of the above purpose statement?

Yes.

## ZONING PETITION STAFF CHECKLIST

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### Staff recommendation

Staff recommend a **R-3** zoning classification. The Comprehensive Plan Land Use map designates the area as NC. R-3 encourages softer residential uses than permitted under R-5 that appear to be more in character with the adjacent properties on the south side of S. Cashua Dr.

Laluna  
Town Homes  
1600 sq. ft.  
3 BR 2.5 Bath  
Jacuzzi • Tile Floors  
Granite Counter Tops  
**\$1250.00**  
843.472.0390  
843.229.8391



**PUBLIC**  
City of Florence  
Notice of Proposed **PLUM TO 6**  
Location **1004 37th S. CASANOVA**  
Public Hearing **DECEMBER 12, 2011**  
City County Complex, Room 604  
180 N. City Street  
**HEARING**  
843-665-2047

11/23/2011



ORDINANCE NO. 2012 \_\_\_\_\_

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY JIM STROUD, 3084-3098 S. CASHUA DRIVE.**

WHEREAS, a Public Hearing was held in Room 603 of the City-County Complex on December 13, 2011 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, an application by Jim Stroud, owner of 3084-3098 S. Cashua Drive was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid properties 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-4, Multi-Family Residential District, Limited:

**The properties requesting annexation are shown more specifically on Florence County Tax Map 00101, block 01, parcel 021. (0.53 Acres)**

**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 zoning the aforesaid properties to R-4, Multi-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 \_\_\_\_\_, 2012

**Ordinance No. 2012 - \_\_\_\_\_**  
**Page 2 – January, 2012**

**Approved as to form:**

\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

\_\_\_\_\_  
Stephen J. Wukela,  
Mayor

**Attest:**

\_\_\_\_\_  
Dianne Rowan  
Municipal Clerk

**VI. c**  
**Bill No. 2012-13**  
**First Reading**

**FLORENCE CITY COUNCIL MEETING**

**DATE:** March 12, 2012  
**AGENDA ITEM:** Ordinance – First Reading  
**DEPARTMENT/DIVISION:** Finance

**I. ISSUE UNDER CONSIDERATION**

An Ordinance approving an amendment to the Loan Agreements relating to the City's water and sewerage system revenue debt with the South Carolina State Revolving Loan (SRF) Fund.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN**

- A. The City of Florence has four outstanding SRF loans, issued in 1999, 2000, 2003, and 2009, for a variety of water and sewerage improvements.
- B. In October, 2011, SRF issued a Fiscal Year 2012 amendment to all prior SRF loan policies providing an opportunity through June 30, 2012 to lower the interest rate on outstanding SRF loans from the current rate to a rate of 2.25%. The City has taken advantage of the loan reduction for these loans, realizing savings over the life of the loans in excess of \$1.5 million.
- C. The amendment also provides that the debt service reserve fund requirement for entities with a Standard & Poor's and/or Moody's bond rating in the "A" category can be reduced to the level of one half of the maximum annual debt service instead of the current requirement for one times the current maximum annual debt service.
- D. City Council received information about these amendments in a memo dated October 28, 2011.

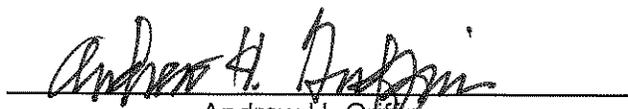
**III. POINTS TO CONSIDER**

- A. Currently, the City maintains on each of these loans the required debt service reserve of one times the maximum annual debt service. The total amount held in reserve for these four loans is \$1,902,796.
- B. With a Standard & Poor's rating of A+ and a Moody's rating of Aa2, the City qualifies for the reduction in annual debt service to one half of the maximum annual debt service as noted in II. C. above.
- C. The amended debt service reserve requirement will result in approximately \$1 million currently held in reserve for the SRF Loans being available to the City for water and sewer utility projects.
- D. The reduction to the debt service reserve requirement must be made by an ordinance adopted by City Council to amend the Loan Agreements for these outstanding loans.

**IV. STAFF RECOMMENDATION**

Approval and adoption of the proposed ordinance.

  
\_\_\_\_\_  
Thomas W. Chandler  
Finance Director

  
\_\_\_\_\_  
Andrew H. Griffin  
City Manager

AN ORDINANCE

APPROVING AMENDMENTS TO EXISTING LOAN AGREEMENTS RELATING TO CITY OF FLORENCE WATER AND SEWERAGE SYSTEM REVENUE DEBT IDENTIFIED AS SOUTH CAROLINA DRINKING WATER REVOLVING LOAN FUND LOAN NUMBERS 3-003-99-2110001-02, 3-008-00-2110001-01 AND 3-014-02-2110001-04 AND SOUTH CAROLINA WATER POLLUTION CONTROL REVOLVING FUND LOAN NUMBER S1-121-09-378-19; TO PROVIDE FOR CERTAIN CHANGES TO THE DEBT SERVICE RESERVE FUND FUNDING REQUIREMENTS THEREIN; AND OTHER MATTERS RELATING THERETO.

In connection with the adoption of this Ordinance, City Council ("City Council") of the City of Florence, South Carolina (the "City") makes the following findings of fact:

1. City Council has made general provision for the issuance of Combined Waterworks and Sewerage System Revenue Bonds through the means of an ordinance entitled "AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS OF THE CITY OF FLORENCE, SOUTH CAROLINA, AND OTHER MATTERS RELATING THERETO," adopted on October 24, 1989, as amended (the "Bond Ordinance").

2. Pursuant to the Bond Ordinance, as well as borrowing specific series ordinances, the City and the South Carolina Water Quality Revolving Fund Authority (the "Authority") have entered into the Loan Agreements described above (collectively, the "Agreements").

3. Each of the borrowings to which the Agreements relate are secured in part by Series specific Debt Service Reserve Funds in an amount equal to the maximum amount due on the Note issued under the respective Agreements during any full calendar year (the "Reserve Requirement"). The Authority has advised that the amount of the Reserve Requirement has been amended as generally described in the "FY 2012 AMENDMENT TO ALL PRIOR SRF LOAN POLICIES" dated October 3, 2011, attached hereto as Exhibit A (the "SRF Amendment").

4. The Authority is the Holder (as defined in the Bond Ordinance) of the borrowings to which the Agreements relate. The SRF Amendment constitutes the written consent contemplated by Section 12.02 of the Bond Ordinance to modify or alter the amount of the Reserve Requirement in the Agreements.

5. The result of the SRF Amendment is a reduction in the amount of the Reserve Requirement and as a consequence is advantageous to the City inasmuch as it will cause certain of the amounts held in the several Debt Service Reserve Funds to be released to the City.

6. Pursuant to the SRF Amendment, the City and the Project Sponsor are preparing the amendment to the Agreements to effect the action of the Authority described in Paragraph 3 above (the "Amendment to Loan Agreements").

7. City Council has determined to approve the Amendment to Loan Agreements and to authorize the appropriate City officials to enter into an amendment of each of the Agreements and to execute such documents and to take such action as may be necessary in connection therewith.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA:

1. The Amendment to Loan Agreements in substantially the form attached hereto as Exhibit B is hereby approved, with such changes as the executing officer shall approve (his execution to

be conclusive evidence of such approval). The Amendment to Loan Agreements shall be evidenced by amendment to each of the Agreements, which amendments shall be executed on behalf of the City by the Mayor and attested by the City Clerk.

2. The Mayor and/or City Manager are authorized to take any further action as may be required in connection with the above purpose. The Mayor is further authorized to execute, in addition to each of the Agreements, such documents as may be necessary in connection with the Amendment to Loan Agreements, his execution thereof shall be conclusive evidence of the City's approval and authorization.

3. This Ordinance shall become effective upon its adoption.

**DONE, RATIFIED AND ADOPTED** this 9<sup>th</sup> day of April, 2012.

CITY OF FLORENCE, SOUTH CAROLINA

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk

**FY 2012 AMENDMENT TO ALL PRIOR SRF  
LOAN POLICIES**

for

**STATE WATER POLLUTION CONTROL REVOLVING FUND  
CWSRF**

and

**STATE DRINKING WATER REVOLVING LOAN FUND  
DWSRF**

by

**SOUTH CAROLINA WATER QUALITY REVOLVING  
FUND AUTHORITY**

Contents:

- I. Rationale
- II. Interest Rates
- III. Debt Service Reserve Fund

Note: Inquiries should be directed to the Office of Local Government, SC Budget and Control Board, which administers the SRF Funds for the Authority.

October 3, 2011

## **FY 2012 AMENDMENT TO ALL PRIOR SRF LOAN POLICIES**

### **CWSRF - DWSRF**

#### **I. RATIONALE**

Since 2008, extraordinary events of the sub-prime mortgage crisis and subsequent ripple effects on the economy and financial markets have resulted in significant changes in the municipal bond market. Such impacts include municipal credit rating criteria being revisited, changing market expectations on debt service reserve funds for some borrowers after the demise of most of the municipal bond insurance industry, modifications to some governing bond ordinances/resolutions to eliminate common debt service reserve funds and a mandatory reserve requirement for all parity debt, and historically low interest rates, particularly for short-to-mid term debt obligations.

It is due to these dramatically altered circumstances that the South Carolina Water Quality Revolving Fund Authority (Authority) is, by this action, retroactively authorizing a change of certain provisions of all prior Major Loan Policies for the Clean Water SRF (CWSRF) and Drinking Water SRF (DWSRF). The revisions relate to interest rates and debt service reserve funds on all currently outstanding SRF loans according to the following defined parameters.

#### **II. INTEREST RATES**

Interest rate reductions on existing Clean Water SRF (CWSRF) and Drinking Water SRF (DWSRF) loans are available during FY 2012 as a one-time opportunity until June 30, 2012 based on the following.

1. Any loan with a current interest rate or blended interest rate higher than 2.25% may have the interest rate reduced to the FY 2012 standard interest rate of 2.25%.
2. Such an interest rate change will re-amortize the outstanding principal balance at the lower rate for the remaining number of payments, but will not extend the term.
3. For any loan that has not reached its payment initiation date and is accruing interest on previously received disbursements at a higher interest rate, an interest rate change will not alter continued accrual of prior disbursements

at the higher interest rate. However, those disbursements made after a fully executed loan agreement amendment reducing the interest rate will accrue interest at the new rate.

4. If more than 20 years remain on the term of a DWSRF loan, the term will be shortened to the shortest remaining term possible without causing any material increase to annual debt service, unless the borrower requests an even shorter term.
5. Any interest rate reduction will only be effective at the beginning of a new repayment period and will only be accomplished through a fully executed amendment to the Loan Agreement.
6. For any change to occur, the borrower must send a letter requesting an interest rate reduction which must be received by the Office of Local Government no later than June 30, 2012, and such requests will be processed on a first-come, first served basis as expeditiously as staffing allows.

### **III. DEBT SERVICE RESERVE FUND REQUIREMENT**

All prior revenue loans may conform to the FY 2012 Debt Service Reserve Fund (DSRF) requirements that are contained in the FY 2012 Major Loan Policies for each loan program and based on the following.

1. The borrower's governing bond ordinance/resolution must allow usage of the DSRF provisions.
2. Any modification to DSRF requirements contained in an existing Loan Agreement may only occur through a properly executed amendment of such agreement that has been duly authorized by the borrower's adoption of an ordinance/resolution prepared by its bond counsel.
3. Any change to existing DSRF provisions of a Loan Agreement must be requested by the borrower in a letter submitted to the Office of Local Government.

\_\_\_\_\_ AMENDMENT TO LOAN AGREEMENT

between

**SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY**

and

**THE CITY OF FLORENCE, SOUTH CAROLINA**

Dated as of

\_\_\_\_\_, 2012

Relating to

South Carolina Drinking Water Revolving Loan Fund  
[OR]  
South Carolina Water Pollution Control Revolving Fund

Loan Number: \_\_\_\_\_

\_\_\_\_\_ **AMENDMENT TO LOAN AGREEMENT**

This \_\_\_\_\_ **AMENDMENT TO LOAN AGREEMENT** is entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2012, between the **SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY** (the "*Authority*") and **THE CITY OF FLORENCE, SOUTH CAROLINA** (the "*Project Sponsor*"), in amendment of the Loan Agreement dated as of \_\_\_\_\_, 20\_\_\_\_, as amended, between the Authority and the Project Sponsor (the "*Loan Agreement*") with respect to South Carolina Water Pollution Control Revolving Fund Loan No. \_\_\_\_\_ [OR] South Carolina Drinking Water Revolving Fund Loan No. \_\_\_\_\_ (the "*Loan*").

**WITNESSETH:**

**WHEREAS**, the Authority is authorized by Title 48, Chapter 5, Code of Laws of South Carolina, 1976, as amended (the "*Act*") to administer the South Carolina Water Pollution Control Revolving Fund and the State Drinking Water Revolving Loan Fund for the purpose of assisting Project Sponsors (as defined in the Act) in the construction of, among other things, public wastewater treatment and drinking water facilities; and

**WHEREAS**, pursuant to the Act and the terms of the Loan Agreement, and in order to finance the Project referred to in the Loan Agreement, the Authority extended the Loan to the Project Sponsor and, in connection therewith, the Project Sponsor delivered its Note (as defined in the Loan Agreement) to the Authority; and

**WHEREAS**, the Authority has adopted a Fiscal Year 2012 Amendment to all Prior Loan Policies (the "*Amended Loan Policies*"), which provide, among other things, for a reduction in certain circumstances of the debt service reserve requirements necessary to be maintained by borrowers in connection with loans made pursuant to the Act; and

**WHEREAS**, in accordance with the Amended Loan Policies, the Project Sponsor, which currently maintains published ratings by Standard & Poor's Rating Service and by Moody's Investors Services, Inc. of "A+" and "A1", respectively, on its publicly issued revenue bond obligations, desires to take advantage of its current ability to proceed under the Loan Agreement with a Reserve Requirement equal to one-half of the maximum amount due on the Note during any full calendar year, and, accordingly, the Project Sponsor and the Authority desire to cause the Loan Agreement to be amended to provide for the same, as well as to provide for the circumstances under which the Reserve Requirement may have to be subsequently funded;

**NOW, THEREFORE, BE IT AGREED AS FOLLOWS:**

The Project Sponsor and the Authority have determined to amend the Agreements as follows:

1. The following Section 3.6 is added to the Loan Agreement. In connection therewith, all existing Sections 3.6 through [3.14][3.15], inclusive, of the Loan Agreement are hereby renumbered as Sections 3.7 through [3.15][3.16], inclusive, including all subsections therein:

**SECTION 3.6. Ratings from Rating Agencies.** If the Reserve Requirement, as defined in Section 4.2.1 herein, is initially, or at any time during the term of the Loan, set at a level that is less than the maximum amount due on the Note during any full calendar year, the Project Sponsor shall submit to the Authority, no later than January 31 of each year, a copy of its latest long-term,

unenanced underlying rating, or affirmation thereof, on the System and/or any Parity Debt, as defined in Section 4.3.2 herein, from Standard & Poor's Rating Service, or its respective successors and assigns, ("S&P") or Moody's Investors Service, Inc., or its respective successors and assigns, ("Moody's"), and from each if both S&P and Moody's issued ratings. Additionally, the Project Sponsor shall immediately notify, and submit to, the Authority any commentaries, updated outlooks, CreditWatch placements, ratings downgrades, or other actions from S&P and/or Moody's with respect to the System and/or any Parity Debt.

2. Section 4.2 in each of the Agreements is deleted and the following substituted therefor:

SECTION 4.2. Establishment and Funding of Debt Service Reserve Fund.

4.2.1. The Project Sponsor shall establish, and there shall be maintained until payment in full of the Note, a Debt Service Reserve Fund to provide a reserve for payment of principal of and interest on the Note. Based on the Project Sponsor's receipt of a long-term, unenanced underlying rating on the System and/or any Parity Debt in the "A" category from S&P or Moody's, and from each if both S&P and Moody's issued ratings, and the submission of such to the Authority, the Debt Service Reserve Fund Requirement (the "Reserve Requirement") shall, on the effective date of this Amendment No. \_\_\_\_ [5 for 99 and 00 Loans, 6 for the 02 Loan and 4 for the 09 Loan] to the Agreement, equal one-half of the maximum amount due on the Note during any full calendar year and shall remain at such level subject to provisions of the following Section 4.2.2.

4.2.2. (a) The Project Sponsor fully complies with all requirements of Section 3.6 herein for annually submitting S&P/Moody's ratings/affirmations and for immediately providing any other rating agency actions related to the System and/or any Parity Debt, and all such ratings are maintained in the "A" category.

(b) If there is no longer any current rating or if either the S&P or Moody's rating is downgraded below the "A" category, the Reserve Requirement will immediately increase to the maximum annual amount due on the Note, and the Project Sponsor will be required to meet the new requirement within one year through twelve (12) equal monthly deposits, beginning in the month following any such downgrade or loss of the rating for the System and/or any Parity Debt.

(c) If the Project Sponsor should receive a long-term, unenanced underlying rating on the System and/or any Parity Debt in at least the "AA" or "Aa" category respectively from S&P or Moody's, and from each if both S&P and Moody's issue ratings, the Reserve Requirement may be reduced to zero with prior written approval of the Authority, subject to provisions comparable to (a) above. If either the S&P or Moody's rating is downgraded to an "A" category, the Reserve Requirement will immediately increase to the amount cited in Section 4.2.1 and the Project Sponsor will be required to meet the increased Reserve Requirement within six months through equal monthly deposits beginning in the month following any such downgrade. If there is no longer any current rating or if either the S&P or Moody's rating is downgraded below the "A" category, then the Project Sponsor shall comply with the provisions of (b) above.

4.2.3. The Debt Service Reserve Fund is intended to insure the timely payment of the principal of and interest on the Note. Money in the Debt Service Reserve Fund shall be used only to prevent a default in the payment of the Note, by reason of the fact that money in the Debt Service Fund is insufficient for such purposes.

4.2.4. The Project Sponsor shall deposit, or cause to be deposited, in the Debt Service Reserve Fund, if required to be established pursuant to provisions of this Section 4.2, funds in an amount, or investments permitted by Section 4.4.3 having a value, equal to the Reserve Requirement. In the event that the Reserve Requirement shall increase due to an increase in the Loan Amount pursuant to Section 1.4.2(c), the Project Sponsor shall immediately deposit, or cause to be deposited, in the Debt Service Reserve Fund, if required to be established, funds in an amount equal to such increase in the Reserve Requirement.

3. Section 4.3.3 is deleted and the following substituted therefor:

4.3.3. (a) In the event any amounts shall be withdrawn from the Debt Service Reserve Fund in order to provide for payment of any amounts due with respect to the Note, there shall be deposited in the Debt Service Reserve Fund not less than one-eleventh (1/11) of the amount of any such withdrawal and such deposits with respect to any such withdrawal shall begin in the month following such withdrawal and shall continue in each month thereafter until the amount on deposit in the Debt Service Reserve Fund shall equal at least the Reserve Requirement.

(b) In the event the Reserve Requirement for the Debt Service Reserve Fund is increased pursuant to any part of Section 4.2.2 herein, there shall be deposited in the Debt Service Reserve Fund not less than the monthly amount prescribed in Section 4.2.2 according to the circumstances applicable to the increased Reserve Requirement, and such deposits shall begin as required by Section 4.2.2 and shall continue in each month thereafter until the amount on deposit in the Debt Service Reserve Fund shall equal such increased Reserve Requirement.

(c) If the value of the Debt Service Reserve Fund is ever less than the Reserve Requirement, other than as provided in (a) or (b) above, there shall be deposited in the Debt Service Reserve Fund not less than one-eleventh (1/11) of an amount equal to the total Reserve Requirement deficiency, beginning in the month following such a determination. Such deposits shall continue to be made until the amount on deposit in the Debt Service Reserve Fund shall equal at least the Reserve Requirement.

4. All other terms and provisions of the Loan Agreement shall remain in full force and effect.

5. In accordance with the Amended Loan Policies and the aforesaid amendments, and based on the revenue bond ratings currently enjoyed by the Project Sponsor as recited above, the Authority will, promptly after the effective date of this \_\_\_\_\_ Amendment to Loan Agreement, direct The Bank of New York Mellon Trust Company, N.A., as custodian/trustee of the existing Debt Service Reserve Fund established pursuant to the Loan Agreement, to return funds on deposit therein to the Project Sponsor in such amount as will cause to remain in the Debt Service Reserve Fund one-half of the maximum amount due on the Note during any full calendar year.

6. This \_\_\_\_\_ Amendment to Loan Agreement shall be effective as of the date first above written.

IN WITNESS WHEREOF, the parties have executed this Amendment as of this \_\_\_\_ day of April, 2012.

CITY OF FLORENCE, SOUTH CAROLINA

By \_\_\_\_\_  
Name: Stephen J. Wukela  
Title: Mayor

Attest:

By \_\_\_\_\_  
Its City Clerk

SOUTH CAROLINA WATER QUALITY  
REVOLVING FUND AUTHORITY

By \_\_\_\_\_  
Ashlie Lancaster, Interim Director, Office of  
Local Government, South Carolina Budget and  
Control Board

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

I, the undersigned, Clerk of the City Council of the City of Florence, South Carolina, DO  
HEREBY CERTIFY:

That the foregoing is a true, correct and verbatim copy of an Ordinance unanimously adopted by  
the said City Council, having been read at two duly called and regularly held meetings at which a quorum  
attended and remained throughout on each of March 12 and April 9, 2012.

That the said Ordinance is now in full force and effect and has not been modified, amended,  
repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my Hand this 9<sup>th</sup> day of April, 2012.

\_\_\_\_\_  
Clerk

**VI. d.**  
**Bill No. 2012-14**  
**First Reading**

**FLORENCE CITY COUNCIL MEETING**

**DATE:** March 12, 2012  
**AGENDA ITEM:** Ordinance – First Reading  
**DEPARTMENT/DIVISION:** Finance

**I. ISSUE UNDER CONSIDERATION**

An ordinance to amend an ordinance authorizing lease-purchase financing in the amount of \$3,000,000 to pay costs associated with constructing infrastructure for the Veterans' Memorial Park and the widening of Radio Road.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN**

- A. On June 30, 2006 the City entered into a fifteen-year lease-purchase financing in the amount of \$3,000,000 at an interest rate of 4.18% with BB&T to finance the construction of the Veterans' Memorial Park and the widening of Radio Road.
- B. Debt service for this financing is paid from the Hospitality Fund.

**III. POINTS TO CONSIDER**

- A. Because interest rates have declined since the issuance of the 2006 Lease-Purchase Financing and because this lease-purchase financing allows for prepayment of the loan, BB&T has agreed to reduce the interest rate and allow for partial prepayment and a restructured amortization schedule for the remaining term of this borrowing.
- B. Prepayment in the amount of \$500,000 will be made on the loan from funds received from the Drs. Bruce and Lee Foundation. These funds come from a portion of a \$1.5 million grant received by the City which represent a reimbursement to the City for the funds previously expended for the construction of a tennis activity center.
- C. The final interest rate will be confirmed by second reading of the ordinance.
- D. The effect of these changes will likely produce a cash flow savings for the Hospitality Fund in excess of \$125,000 over the remaining life of the financing.
- E. Amending the interest rate and payment schedule on this financing requires the adoption of an amending ordinance for this lease-purchase financing.

**IV. STAFF RECOMMENDATION**

Adoption of the proposed amending ordinance.

**V. ATTACHMENTS**

Ordinance amending the 2006 Lease-Purchase Financing ordinance.

  
\_\_\_\_\_  
Thomas W. Chandler  
Finance Director

  
\_\_\_\_\_  
Andrew H. Griffin  
City Manager

AN ORDINANCE

AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE AUTHORIZING THE LEASE-PURCHASE FINANCING OF CAPITAL PROJECTS TO BE LOCATED IN THE CITY OF FLORENCE; AUTHORIZING THE CITY OF FLORENCE, SOUTH CAROLINA TO EXECUTE DOCUMENTS INCLUDING THE BASE LEASE BY AND BETWEEN THE CITY OF FLORENCE, SOUTH CAROLINA AND BB&T GOVERNMENTAL FINANCE AND THE LEASE AGREEMENT BY AND BETWEEN BB&T GOVERNMENTAL FINANCE AND THE CITY OF FLORENCE, SOUTH CAROLINA; AND OTHER MATTERS RELATING THERETO."

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED:

WHEREAS, the City Council ("City Council") of the City of Florence, South Carolina (the "City"), did, on June 26, 2006, adopt an Ordinance titled "An Ordinance Authorizing the Lease-Purchase Financing of Capital Projects to be Located in the City of Florence; Authorizing the City of Florence, South Carolina to Execute Documents Including the Base Lease By and Between the City of Florence, South Carolina and BB&T Governmental Finance and the Lease Agreement By and Between BB&T Governmental Finance and the City Of Florence, South Carolina; and Other Matters Relating Thereto" (the "2006 Ordinance"); and

WHEREAS, a \$3,000,000 Lease-Purchase Financing of the City dated June 30, 2006 (the "Lease") was sold to Branch Banking & Trust Company, which entity subsumes BB&T Governmental Finance (the "Purchaser") pursuant to and in compliance with the 2006 Ordinance; and

WHEREAS, the Purchaser has agreed to allow the City to prepay the principal amount of \$500,000 due on the Lease and has also agreed to reduce the rate of interest on the Lease from 4.18% to \_\_\_\_% on the terms and conditions as described in the correspondence dated \_\_\_\_\_, 2012 and attached hereto as Exhibit A; and

WHEREAS, the reduction in principal amount as well as the lowering of the interest rate benefits the City by reducing aggregate principal and interest expense to be paid on the Lease during a portion of the year 2012 and in each of the years 2013 through 2021; and

WHEREAS, the City has determined to apply \$500,000 of a total of a \$1,500,000 Grant it has received from the Drs. Bruce and Lee Foundation (the "Grant") to the prepayment of the Lease which sum represents a reimbursement to the City for funds previously expended for the capital project for which the Grant was received, the conditions of which have been fully satisfied by the City and therefore such sum may be used for the purpose described herein.

**NOW, THEREFORE**, City Council adopts this Ordinance to amend the 2006 Ordinance and the Lease as follows:

Section 1. Section 6.2 of the Project Lease is amended to change the rate of interest from 4.18% to \_\_\_\_%, which change in the rate of interest shall be effective as of April 10, 2012, or such other date as the City Manager and the Purchaser shall agree. Exhibit B of the Project Lease is amended to reflect the prepayment of \$500,000 of principal due on the Lease as well as the remaining payments due on the Lease to reflect the payment schedule resulting from the lower interest rate and reduced principal amount to be outstanding and, with such amendment, is attached hereto as Exhibit B. The Mayor is hereby authorized and directed to execute and deliver to the Purchaser an amendment to the Lease in the form attached hereto as Exhibit C (the "Amendment to Lease") and the Clerk is authorized and directed to attest the same, which

shall evidence the prepayment of principal as well as the reduction in the interest rate contemplated by this Ordinance.

Section 2. The Finance Director is authorized to take any further action as may be required in connection with the above amendments including, but not limited to, such filings as may be necessary with the United States Treasury Department, the Florence County Clerk of Court and the South Carolina State Treasurer's Office.

Section 3. All terms and provisions of the 2006 Ordinance, except as otherwise amended by this Ordinance, shall remain in full force and effect.

Section 4. This Ordinance shall become effective upon its adoption.

**DONE, RATIFIED AND ADOPTED** this 9<sup>th</sup> day of April, 2012.

CITY OF FLORENCE, SOUTH CAROLINA

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk

EXHIBIT A

LETTER FROM BB&T

NEW DEBT SERVICE SCHEDULE

AMENDMENT NO. 1 TO THE \$3,000,000 LEASE-PURCHASE FINANCING  
OF THE CITY OF FLORENCE, SOUTH CAROLINA

THIS AMENDMENT NO. 1 TO THE \$3,000,000 LEASE-PURCHASE FINANCING OF THE CITY OF FLORENCE, SOUTH CAROLINA (the "Amendment") is dated as of \_\_\_\_\_, 2012, and is executed and delivered by the CITY OF FLORENCE, SOUTH CAROLINA (the "City") to BRANCH BANKING & TRUST COMPANY ("Lessor").

FACTUAL BACKGROUND:

A. The City Council of the City ("City Council"), on June 26, 2006, adopted an ordinance titled "An Ordinance Authorizing the Lease-Purchase Financing of Capital Projects to be Located in the City of Florence; Authorizing the City of Florence, South Carolina to Execute Documents Including the Base Lease By and Between the City of Florence, South Carolina and BB&T Governmental Finance and the Lease Agreement By and Between BB&T Governmental Finance and the City Of Florence, South Carolina; and Other Matters Relating Thereto" (the "2006 Ordinance"). Pursuant to the 2006 Ordinance, the City issued its \$3,000,000 Lease Financing dated June 30, 2006 (the "Lease"). City Council adopted an ordinance on April 9, 2012 amending the 2006 Ordinance (the "Amendatory Ordinance") which approved a prepayment of \$500,000 of the principal amount of the Lease and a reduction in the rate at which interest accrues on the Lease.

B. In connection with its adoption of the Amendatory Ordinance, the City has requested that the Lessor reduce the rate at which interest accrues on the Lease and that the Lessor permit prepayment of \$500,000 of the principal amount of the Lease, and the Lessor has agreed to such request in accordance with the terms and conditions of this Amendment and the Amendatory Ordinance.

NOW, THEREFORE, in consideration of the mutual promises contained hereinbelow, the sum of Five and No/100s (\$5.00) Dollars and other good and valuable consideration, the City hereby agrees as follows:

1. The definitions therein are incorporated into, and are an integral part of, this Amendment. Capitalized terms used, but not defined herein, shall have the meanings ascribed to such terms in the 2006 Ordinance and the Lease.

2. The Lease is amended by deleting the rate of interest of 4.18% set forth in the Lease and by substituting in its place the rate of \_\_\_\_%.

3. The Lease is also amended to reflect the prepayment of \$500,000 of principal due on the Lease as well as the remaining payments due on the Lease to reflect the payment schedule resulting from the lower interest rate and reduced principal amount to be outstanding.

4. Except as modified by this Amendment and the Amendatory Ordinance, the terms of the 2006 Ordinance and the Lease shall remain in full force and effect.

5. The execution of this Amendment and any documents as contemplated by this Amendment and the consummation of any transaction contemplated by this Amendment shall constitute a modification to the Lease and shall not be construed as a novation.

6. This Amendment shall be governed by the Laws of the State of South Carolina.

IN WITNESS WHEREOF, the City has executed this Amendment to be effective as of the day and year first written above.

CITY OF FLORENCE, SOUTH CAROLINA

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

CONSENT AND ACCEPTANCE

The undersigned, as Lessor, hereby consents and agrees to this Amendment and the Amendatory Ordinance and accepts this Amendment.

BB&T GOVERNMENTAL FINANCE

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

I, the undersigned, Clerk of the City Council of the City of Florence, South Carolina, DO  
HEREBY CERTIFY:

That the foregoing is a true, correct and verbatim copy of an Ordinance unanimously adopted by  
the said City Council, having been read at two duly called and regularly held meetings at which a quorum  
attended and remained throughout on each of March 12 and April 9, 2012.

That the said Ordinance is now in full force and effect and has not been modified, amended,  
repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my Hand this 9<sup>th</sup> day of April, 2012.

\_\_\_\_\_  
Clerk

(STATE OF SOUTH CAROLINA)  
( )  
(CITY OF FLORENCE)

**VII. a.**  
**Resolution**  
**No. 2012-07**

**RESOLUTION NO. 2012 – 07**

**A RESOLUTION DESIGNATING MAY 15, 2012 AS PEACE OFFICERS' MEMORIAL DAY**

- Whereas,** The Congress and President of the United States have designated May 15, 2012 as Peace Officers' Memorial Day; and
- Whereas,** the members of the law enforcement agencies of the City of Florence play an essential role in protecting property and providing for secure and safe environs; and
- Whereas,** it is important that all citizens know and understand the duties, responsibilities and hazards of their law enforcement officers, and that law enforcement officers recognize their duty to serve the people of this community; and
- Whereas,** it is recognized that law enforcement officers of the City of Florence provide a vital public service.

**NOW, THEREFORE, BE IT RESOLVED,** as the Mayor and the City Council of the City of Florence, South Carolina, in meeting duly assembled and by the authority thereof, we direct that all flags on City buildings be flown at half staff on May 15, 2012, in recognition of Peace Officers' Memorial Day and in memory of those law enforcement officers, who through their work, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and to recognize those law enforcement officers presently serving the community.

**Resolved this 12<sup>th</sup> day of March, 2012.**

**Approved as to form:**

\_\_\_\_\_  
**James W. Peterson, Jr. City Attorney**

\_\_\_\_\_  
**Stephen J. Wukela, Mayor**

**Attest:**

\_\_\_\_\_  
**Dianne M. Rowan, Municipal Clerk**

(State of South Carolina)  
( )  
(City of Florence)

**VII. b.**  
**Resolution**  
**No. 2012-08**

**RESOLUTION NO. 2012 - 08**

- WHEREAS,** The week of March 12-18, 2012 has been designated as MS Awareness Week by the National Multiple Sclerosis Society; and
- WHEREAS,** MS Awareness Week is a national initiative that brings volunteers and communities together to recognize the impact and challenges of multiple sclerosis; and
- WHEREAS,** the National MS Society charges individuals to take action to raise awareness for multiple sclerosis in their communities; and
- WHEREAS,** National MS Society is a collective of passionate individuals who want to do something about MS now – to move together toward a world free of multiple sclerosis; and
- WHEREAS,** National MS Society helps each person address the challenges of living with MS through its 50-state network by funding cutting-edge research, driving change through advocacy, facilitating professional education, and providing programs and services that help people with MS and their families move their lives forward; and
- WHEREAS,** multiple sclerosis, an unpredictable and often disabling disease of the central nervous system, interrupts the flow of information within the brain, and between the brain and body; and

**NOW, THEREFORE, BE IT RESOLVED,** that the City Council of the City of Florence, South Carolina, hereby declares March 12 – 18, 2012 as

**MS AWARENESS WEEK**

in Florence, South Carolina in recognition of the thousands of families impacted with the daily challenges of multiple sclerosis, and those who want to do something about MSC NOW.

**AND IT IS SO RESOLVED,** this 12th day of March, 2012.

**Approved as to form:**

\_\_\_\_\_  
**James W. Peterson, City Attorney**

\_\_\_\_\_  
**Stephen J. Wukela, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Dianne M. Rowan, Municipal Clerk**

(STATE OF SOUTH CAROLINA)  
( )  
(CITY OF FLORENCE)

**RESOLUTION NO. 2012 – 09**

**A RESOLUTION TO DESIGNATE MARCH 25, 2012  
AS GREEK INDEPENDENCE DAY**

- WHEREAS,** The principles of freedom embodied in Greek Democracy continue to inspire citizens throughout South Carolina and the nation to protect and promote the ideals of liberty, equality, and community; and
- WHEREAS,** today the people of the United States and Greece enjoy a rich friendship based on strong ties of kinship and culture – ties fortified by our common devotion to the ideals of freedom and democracy; and
- WHEREAS,** the government of Greece has declared its solidarity with the American people through its pledge to support efforts to combat and eradicate terrorism in the aftermath of September 11<sup>th</sup>; and
- WHEREAS,** the citizens of the Palmetto State have reaped enormous economic and cultural benefits from the vibrant presence of our spirited Greek American community; and
- WHEREAS,** through their achievements in science, technology, medicine, government, politics, economics, architecture, literature, media, and the visual and performing arts, Greek Americans have helped secure America's continued status as a leader in the global marketplace; and
- WHEREAS,** March 25, 2012, marks the 191st anniversary of Greece's independence as a modern state, providing a unique opportunity for citizens throughout South Carolina and the nation to celebrate our shared bond of democracy, while recognizing the positive impact of Greek Americans on our rich and diverse history.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED:**

March 25, 2012 is hereby recognized as Greek Independence Day

**RESOLVED THIS 12<sup>TH</sup> DAY OF MARCH, 2012.**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**JAMES W. PETERSON, JR.**  
**CITY ATTORNEY**

\_\_\_\_\_  
**STEPHEN J. WUKELA**  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**DIANNE M. ROWAN**  
**MUNICIPAL CLERK**