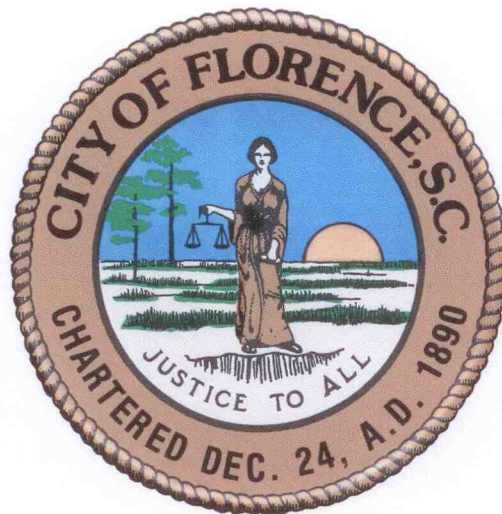


REGULAR MEETING
OF
FLORENCE CITY COUNCIL



COUNCIL CHAMBERS
ROOM 604, CITY-COUNTY COMPLEX
FLORENCE, SOUTH CAROLINA

MONDAY
NOVEMBER 12, 2012
1:00 P.M.

REGULAR MEETING OF FLORENCE CITY COUNCIL

MONDAY, NOVEMBER 12, 2012 - 1:00 P.M.

CITY-COUNTY COMPLEX, COUNCIL CHAMBERS, ROOM 604

FLORENCE, SOUTH CAROLINA

AGENDA

I. CALL TO ORDER

II. INVOCATION

Pledge of Allegiance

III. APPROVAL OF MINUTES

September 26, 2012 – Special Meeting

October 8, 2012 – Regular Meeting

IV. HONORS AND RECOGNITIONS

Service Recognitions

Chris Eason – 25 years – Fire

Timothy Young – 25 years – Fire

Joseph Todd – 15 years – Fire

Thomas Chandler – 15 years – Finance

Everett McMillan – 15 years – Equipment Maintenance

Bryan Molina – 10 years – Fire

Brenda Echandy – 10 years – Surface Water

V. APPEARANCE BEFORE COUNCIL

a. Mr. Andrew Kampiziones – to make a presentation to Mayor Wukela.

b. Mrs. Jennifer Lee – to make a report on issues regarding the Henry Timrod Schoolhouse.

c. Mr. Tom Ewart and Mr. Ray Reich - A report from the Downtown Development Corporation on developments taking place in downtown Florence.

VI. ORDINANCES IN POSITION

- a. Bill No. 2012-24 – Second Reading**
An Ordinance to amend the Zoning Ordinance for the City of Florence by amending Section 2.3, Table 1 and Section 2.4, Table 2 and by adding a new Section 3.24 in order to establish new Design Standards for Duplexes, Triplexes, Quadrplexes and Townhouses built within the City limits.
- b. Bill No. 2012-30 – Second Reading**
An Ordinance to annex and zone property owned by Earthe Ray, 209 Wilson Road.
- c. Bill No. 2012-31 – Second Reading**
An Ordinance to amend Article X, Definitions in the Zoning Ordinance to add Institutional Uses.

VII. INTRODUCTION OF ORDINANCES

- a. Bill No. 2012-33 – First Reading**
An Ordinance amending the City of Florence, SC Business License Ordinance provisions for insurance companies.
- b. Bill No. 2012-34 – First Reading**
An Ordinance to rezone 0.35 acres, identified by Florence County Tax Map 90103-01-011, from R-4 Multi-Family, Limited District to B-3 General Commercial District.
- c. Bill No. 2012-35 – First Reading**
An Ordinance authorizing the transfer of property interests in the City County Complex to Florence County and to acquire property located at 324 W. Evans Street designated as Tax Parcel 90074-05-001.

VIII. INTRODUCTION OF RESOLUTIONS

- a. Resolution No. 2012-29**
A Resolution to declare November 12-18, 2012 as Eastern Carolina Community Foundation Week.
- b. Resolution No. 2012-30**
A Resolution to proclaim November 10-18, 2012 as National Hunger and Homelessness Awareness Week.
- c. Resolution No. 2012-31**
A Resolution to designate November 2012 as Epilepsy Awareness Month.

- d. Resolution No. 2012-32
A Resolution to designate the month of November as National Hospice and Palliative Care Month.*

IX. REPORT TO COUNCIL

- a. Mr. Scotty Davis, Director of General Services - To make a report to declare approximately 18 acres of real property adjacent to the Florence National Cemetery as surplus property.*
- b. Councilman Robinson would like to request that the City create an African-American Historical Commission.*

X. EXECUTIVE SESSION

- a. Contractual Matter (2)*
- b. Legal Matter (2)*

XI. ADJOURN

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
MONDAY, SEPTEMBER 26, 2012 - 4:00 P.M.
SURFACE WATER TREATMENT FACILITY
2598 FLORENCE HARLEE BOULEVARD
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT: Mayor Wukela called the special meeting to order at 4:10 p.m. with the following members present: Mayor Pro tem Buddy Brand; Councilwoman Teresa Myers Ervin; Councilman Steve Powers; Councilman Ed Robinson; Councilwoman Octavia Williams-Blake; and Councilman Glynn F. Willis.

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

MEDIA PRESENT: Notices of this special meeting of the Florence City Council were sent to the media informing them of the date, time and location of the meeting. Mr. John Sweeney of the Morning News was present for the meeting.

INVOCATION

Councilwoman Teresa Myers Ervin gave the invocation for the meeting, which was followed by the pledge of allegiance to the American Flag.

WORKSESSION

Mr. Ernie Boughman, Senior Project Manager with URS Corporation gave a summary presentation on the Neighborhood Action Plans. Also, Inga Kennedy, President, Planners for Environmental Quality.

Mr. Boughman began his report by stating that the Comprehensive Plan that was completed not too long ago identified neighborhoods as a key integrated piece of the City. Basically the thought was that the perception of the city is greatly affected by the perception of the neighborhoods. The focus was on the neighborhoods and the action that wanted to be looked at was the revitalization and stabilization and the maintaining of the neighborhoods surrounding the core of the City. The outcome of this is, if the City has successful neighborhoods then the City has a sustainable, long-term vision for the City as a whole.

The consultant team was tasked with the assignment to go out and meet with the communities and come back with two things. One was a list of needs and desires; what were the core issues for each community and to determine the priority of those issues. The team developed unique lists for each of the neighborhoods. From those lists the team was tasked with developing strategies to actually respond to those needs and issues.

The four neighborhoods that were worked with directly were Northwest Florence, North Florence, East Florence and downtown.

The process was started with a kickoff which was a combined meeting where the neighborhoods were brought together to try to get a feeling of where the neighborhoods were. Not only of the perception of themselves but also the perception of the city as a whole. This process began in February 2012.

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SEPTEMBER 26, 2012 – PAGE 2**

The next item was conducting neighborhood tours. The consultant team and city staff was taken by bus on guided tours through the neighborhoods led by the residents. The downtown was a walking tour guided by property owners. On these tours, the residents and property owners were asked to point things out that were concerns or issues that would allow the consultants to document them in a geographical context so they could be understood. This process took place in March, 2012.

Focus Sessions followed the tours and the group was expanded to about 150 people from across the four neighborhoods. In the focus sessions, the process of clarifying the issues and concerns was begun. What was heard during the initial kickoff and the guided tours was brought back to the focus sessions and presented back to the communities. An individual focus session was done with each neighborhood.

The final component of this process was four individual public meetings held in June, 2012. The strategies were brought forth and that is what will be presented today.

The priority needs of the neighborhoods (Northwest, North and East) consisted of abandoned homes and properties; corridor improvements (complete streets); safe street/neighborhoods; drainage/flooding; lack of neighborhood trail; property maintenance ordinances; and city/county “edge” issues. The needs that were identified with the downtown were downtown as “center”; inviting/attractive environment; get the “good word” out about vision; properties overvalued for sale; stronger merchant association/connection to FDDC; and expand investment among young people/professionals. Most of the issues dealt with were either 1) the physical environment, i.e., either an infrastructure, drainage issue or something that dealt with the physical qualities of the neighborhood or; 2) a feeling safe issue; either real or perceived.

From these needs the consultants began to look at a methodology of implementation:

- Neighborhood Strategies have multi-community applications
 - Individual lists – overarching issues
- Identification and allocations of resources in response to priorities
 - Can be implemented independently
 - Most effective when pursued cooperatively
- Process – no easy fix
 - Funding, implementation of funded strategies, neighborhood interaction
 - Continuous – ongoing and build upon itself in order to gain needed momentum

Ms. Inga Kennedy presented the following neighborhood improvement strategies:

▪**Neighborhood Planning Program**

▪**Issue:** Participation of residents in community issues is a key factor in the long term sustainability of neighborhoods.

▪**Strategy:** Expand on the successes of the initial Neighborhood Action Plan process through the establishment of a formal Neighborhood Planning Program. This Program would provide opportunities for residents to actively and continuously participate in planning and other community initiatives through ongoing dialogue and input. It would allow the citizens to express ideas and comment on City plans and proposals while assisting the City in developing plans that best meet the needs of their respective neighborhoods.

▪**Actions:** The Neighborhood Planning Program would be housed within Planning & Development but would be a joint/coordinated effort between both the Planning & Development and Community Services Departments.

▪**Benefits:** Ongoing, two-way communication.

▪**Community Capacity Building**

▪**Issue:** Many of the older, in-town neighborhoods have lost population over time and are left with a need for increased organization and capacity.

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▪**Strategy:** Build capacity, pride and motivation of the neighborhoods through a systematic approach.

▪**Actions:** Conduct a series of capacity building workshops/exercise for participating neighborhood residents. Encourage cross-training among themselves and increase communication between neighborhoods. Train and mentor the next generation of leaders to understand the important role participation plays in stable communities. Key topics: 1) Membership and Board Recruitment; 2) Government Relations; 3) Land Use/Zoning; 4) Partnering Opportunities.

▪**Benefits:** Organizational education; community pride; responsibility.

▪**City-County Capacity Building**

▪**Issue:** Residents are confused about local government boundaries, which often appear arbitrary, and responsibilities for land use, infrastructure, and other services that affect their quality of life.

▪**Strategy:** Strengthen City-County coordination to provide success for citizens of both jurisdictions.

▪**Actions:** Conduct a roundtable discussion with City and County officials to identify jurisdictional/geographical responsibilities and real and perceived conflicts over neighborhood services. The discussion should focus on: 1) Establishing ongoing communication between City and County offices; 2) Clear identification of City/County geographical boundaries and islands with potential conflicts; 3) Potential for “common sense” annexations; and 4) Prepare a memorandum of understanding that outlines roles and responsibilities; goal of working together to create successful neighborhoods.

▪**Benefits:** Working relationship between City and County officials; understanding of jurisdictional responsibilities by residents; Stronger more cohesive neighborhoods.

▪**Community Development Corporation**

▪**Issue:** Florence’s core neighborhoods face many issues, including those related to illegal activity, disrespect of private property, safety, property maintenance, and quality of life.

▪**Strategy:** Community Development Corporations (CDCs) are not-for-profit organizations established by and for local communities to address housing, education, employment, crime, and other issues. CDCs enable and empower local residents to take control of their communities and their futures. Key to a successful CDC is that residents realize that programs and projects should address the greater good of the community and be focused on the individual needs of residents.

▪**Actions:** 1) Investigate basic interest among residents for the establishment of a CDC in their community; 2) To determine if a CDC would benefit Florence’s neighborhoods, a type of pilot program could be undertaken through a partnership with the Santee Lynches Community Dev. Corp.(SLCDC), an established CDC with a track record of success; 3) If the initial assistance from (SLCDC) is deemed successful, the resources and expertise of the S.C. Assn. of Comm. Dev. Corp.(SCACDC) could be leveraged to assist in the establishment of dedicated CDCs for interested communities.

▪**Benefits:** 1) Empower communities to take control of their futures; 2) Mechanism for generating participation, education, and funding potential; 3) Directly address the root causes of issues and develop long-term sustainable solutions.

▪**Downtown Business Capacity Building**

▪**Issue:** The successful revitalization of Downtown Florence is dependent on active and involved business and property owners. The City has assigned resources to stimulate more business activity in the downtown core by establishing the Florence Downtown

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Dev. Corp. The FDDC is a non-profit organization whose mission is to foster revitalization in the downtown area. The Downtown Merchants Assn. is a separate organization whose mission is to foster revitalization and generate interest in growing more business in the downtown area. The mission of the two organizations is very similar; however, very little coordination exists between them. Both organizations would benefit from some level of collaboration.

▪**Strategy:** Coordinated capacity building for and between the FDDC and the Downtown Merchants Assn. could foster a greater understanding of the efforts and focus of each and lead to greater synergy in the downtown area.

▪**Actions:** 1) Conduct a facilitated discussion with both organizations to help assist with maximizing the opportunities and benefits of a collaborative effort; 2) Recognition should be given to the strengths and weaknesses of each group and determine how each can support and supplement the other to make both stronger; 3) Consider and evaluate the establishment of a Business Improvement District as allowed/defined by SC Law.

▪**Benefits:** 1) Heightened awareness of downtown revitalization initiatives; 2) More cohesiveness between downtown interests and stakeholders; 3) Accomplishment of more project related activities; and 4) Stronger partnerships with the City of Florence.

▪**Vacant & Abandoned Property Ordinance/Maintenance Ordinance**

▪**Issue:** A large number of vacant, abandoned, and poorly maintained properties exist within Florence's core neighborhoods. The attractiveness, safety, and quality of life of the neighborhoods is diluted by such properties, impacting the value of surrounding properties, eroding community pride, breeding pest and rodent issues, and encouraging illegal activity. The City currently places some requirements on such properties but a more comprehensive approach would provide the necessary foundation to begin to transform these detrimental properties into community assets.

▪**Strategy:** Implement a comprehensive approach of policy, legal ordinances, and enforcement to address vacant, abandoned, and poorly maintained properties. Enforcement procedures would either compel owners to, at a minimum, stabilize their properties, but more desirable would be improvement of properties. Tools to assist the City in the acquisition and rehabilitation of critically neglected properties should also be included.

▪**Actions:** 1) Develop and adopt a registration program for vacant properties; 2) Contact owners of long-term vacant properties to determine if any are interested in donating property in exchange for a tax benefit; 3) Evaluate the feasibility of a "single point of contact" protocol for the disposition of abandoned properties; 4) Investigate the possibility of establishing a land bank for tax foreclosed properties; 5) Establish an asset management plan for those properties that the City does own; 6) When first acquired, at least one pest control treatment should be performed; 7) All properties should receive a windshield inspection at least once a quarter to ensure that windows and doors remain secured, and that no unauthorized vehicles or other nuisances are within the property; 8) For those units that are occupied, the City should coordinate with the tenant to perform periodic inspections of the unit; 9) The Police Department should be notified in writing on a quarterly basis of units that are in the inventory, with the intent that these properties be placed on standard patrol, as feasible; 10) Develop a list of properties that require lawn maintenance on an appropriate periodic basis; 11) Develop a list of properties that are approved for demolition; 12) Identify focus areas with the most critical needs and employ a targeted and expanded "Fix-A-Block" program. In addition, a longer ranging master

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plan of just the abandoned and vacant parcels could be cataloged with a proposed phasing plan shown; 13) To further leverage existing “in-neighborhood” resources, enlist CAT patrols to identify and catalog maintenance and upkeep issues; 14) To reduce dumping and outdoor “storage” of old appliances, furniture, and other large items, expand the Sanitation Division’s annual amnesty day – making it a quarterly or monthly program; and 15) Coordinate with “Community Capacity Building” strategy to train community leaders to conduct clean-ups, monitor and report code violations, etc.

▪**Benefits:** 1) Enhanced aesthetics; 2) Reduction of illegal activity through removal of areas that encourage such activity; 3) Stabilization and greater likelihood for the redevelopment of marginal properties; 4) Improved property areas; 5) Increase civic pride; 6) Improved quality of life; 7) Identifying both short and long term plans for vacant and abandoned properties should help to establish trust with the public and build momentum for greater revitalization efforts.

Mr. Boughman reported on the following Neighborhood Improvement Strategies:

▪**Infrastructure Improvements**

▪**Issue:** The core neighborhoods of Florence represent some of the oldest in the City and therefore the infrastructure is some of the oldest within the City.

▪**Strategy:** Recommend that there be a comprehensive program of evaluation of the infrastructure and then a plan for the rehabilitation and/or implementation of new infrastructure.

▪**Actions:** The key areas that the strategy focuses on are: 1) Stormwater or Drainage; 2) Roads; 3) Lighting. In most of these neighborhoods lighting is very minimal if it exists at all; 4) Sidewalks. Either repair what is there or in most cases new sidewalks. In many of these cases there will need to be coordination with other entities; and 5) Residential Improvement Districts. If there is a level of willingness for the establishment of Residential Improvement Districts, work with City Attorney to determine potential issues/pitfalls of such districts and the most appropriate method for implementation.

▪**Benefits:** 1) Stabilization and improvement of critical infrastructure; 2) Improved safety and quality of life, both real and perceived; 3) Enhancement of property values; and 4) Potential for new funding sources through implementation of Residential Improvement District and securing of Transportation Enhancement funds.

▪**Employer Assisted Initiatives:**

▪**Issue:** Neighborhoods would like to see businesses within their neighborhoods investing in the neighborhoods.

▪**Strategy:** If you can educate local employers on the importance of assisting the neighborhoods so that when the neighborhoods become revitalized and stronger that will benefit the businesses that are in the neighborhoods.

▪**Actions:** Establish a marketing campaign to promote greater awareness of redevelopment successes and the vision for the future. Enlist the assistance of business leaders and property owners to serve as champions to speak to larger business community and express enthusiasm and excitement for what is happening in their neighborhood. Best practices and case studies in employee assisted initiatives should be developed to be used in marketing to employers.

▪**Benefits:** 1) Engagement and investment of employers in communities; 2) Return on investment to employers through improved communities; 3) Improved perception of community by existing and future businesses; and 4) Improved perception of existing employers by residents.

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Neighborhoods as Gateways to Downtown

▪**Issue:** While the neighborhoods of East, North, and Northwest Florence surround Downtown, they are not currently connected to one another. This lack of connectivity inhibits these areas from working together for their combined greater good.

▪**Strategy:** Each neighborhood has critical corridors that run through them and serve as major roadway connections to/through Downtown. By accentuating these corridors and attracting retail uses, the neighborhoods will be enhanced both aesthetically and economically and be elevated as gateways to Downtown.

▪**Actions:** Identify critical corridors to be elevated to “gateway” status. Such corridors will be primary routes in and through the City and might include Palmetto, Irby and Lucas Streets. The idea is to connect these neighborhoods to the downtown through the beautification of these corridors that hopefully will attract retail uses. Downtown will benefit from the improved connection to the neighborhoods.

▪**Benefits:** 1) Stabilization and beautification of critical gateway corridors; 2) Improved quality of life, both real and perceived; 3) Enhancement of property values; 4) Enhanced image of neighborhoods, Downtown and Florence as a whole; 5) Interconnection and coordination between neighborhoods and Downtown; and 6) Increased promotion of Downtown.

Downtown Branding/Marketing

▪**Issue:** While the FDDC has made great strides to improve downtown and attract new investment, poor perception of downtown by those outside the revitalization efforts continues to be an issue. The downtown must overcome issues of poor perception if it wishes to engender widespread support.

▪**Strategy:** Building off recent successes of the FDD, expand and formalize a branding and marketing initiative for the downtown area. This should include both traditional efforts such as promotional materials and advertising. In addition there should be a more subtle and strategic effort that seeks to instill quiet confidence in the downtown and get the “good word” out.

▪**Actions:** Recommend a “speakers’ bureau” where folks that are already investing in downtown getting them out to talk to other business leaders in community oriented settings to talk about why this is being done.

▪**Benefits:** 1) Improved perceptions of downtown; and 2) Increased support and investment in downtown.

Downtown Appearance/Urban Design

▪**Issue:** While downtown has seen a number of improvements in recent years, it continues to have many appearance challenges.

▪**Strategy:** Building on current initiatives in Downtown and other strategies recommended here and encourage a higher level of urban design and appearance quality.

▪**Actions:** Advertise the positive impacts of the “Vacant and Abandoned Property Ordinance/Maintenance Ordinance” on improving the investment that people are making in downtown. Also recommended is refinement to the Design Grant component. There is currently a \$500 Architectural Design Grant in place. Most communities that are highly successful with their façade grants actually integrate the architecture into the Grant Program so that the City ends up with an architect that does all of the design for downtown. It eliminates each property owner from having to go out and get an architect on their own and it begins to make that process smoother for them. When major infrastructure and streetscape improvements are planned for downtown, engage property and business owners in a dialogue regarding how such improvements may affect them.

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▪**Benefits:** 1) Improved appearance of downtown properties and surroundings;
2) Improved relationships between the City and downtown business/property owners;
3) Greater potential for business/property owners to take advantage of appearance programs; and 4) Reduced impacts of construction on business/property owners.

▪**Highest and Best Use of Property**

▪**Issue:** A number of properties in Downtown are not currently utilized in a manner that encourages redevelopment to flourish. Basically at the core, is to try and increase the mix of uses in Downtown. A proliferation of any single use type is not a good idea for the development of a vibrant, diverse downtown environment.

▪**Strategy:** To realize a broad revitalization of Downtown, the City should take steps to encourage the highest and best use of property.

▪**Actions:** Communicate with property owners to understand why they are currently using their properties in the manner they do today. Provide owners with alternative use scenarios and tenants that meet their needs but also promote the vision of Downtown. City Planning staff, along with the City Attorney, should investigate the most appropriate means to address issues surrounding the proliferation of a single use type in the downtown.

▪**Benefits:** 1) Use of downtown properties in a manner that supports the overall vision for revitalization; 2) Mutual understanding of the desires of the City and property owners; and 3) Stronger communication between the City and property owners.

Mr. Boughman introduced a model project concept to Council. The idea behind a model project is to try to identify ways that you can utilize and expend your resources, both the time and the talent, and also the money that has to go into this in such a way that you get a larger impact. Find a way to put it into a more compact area that benefits multiple neighborhoods but yet leverage it to show more impact. This would involve looking at a number of the strategies simultaneously so you don't end up chasing one at a time. In order to begin the model project, the City will need to identify some geographical areas. There are certain areas (corridors) where the neighborhoods come together where if the City were to focus some of the energy into these corridors you would be able to get benefit to multiple neighborhoods but have a higher degree of impact.

In closing, Mr. Boughman presented the next steps in this process. The consultant team and city staff have talked with the neighborhoods, gotten their priorities, and developed strategies to address those priorities. The consultant team will put together a concise document that not only has the strategies but documents the process that occurred. The capacity building strategies that were presented need to begin occurring as soon as possible to keep the momentum going. The next step is to establish a multi-year funded capital plan for the strategies. The last step is to implement the model project(s).

Mayor Wukela thanked Mr. Boughman and Ms. Kennedy for their comprehensive report.

INTRODUCTION OF ORDINANCE

BILL NO. 2012-32 – FIRST READING

AN ORDINANCE TO AMEND SECTION 20-103 OF THE CITY CODE WHICH REGULATES THE TOWING OF VEHICLES FROM COMMERCIAL PRIVATE PROPERTY WITHIN THE MUNICIPAL LIMITS OF THE CITY OF FLORENCE.

An Ordinance to amend Section 20-103 of the City Code which regulates the towing of vehicles from commercial private property within the municipal limits of the City of Florence was passed on first reading.

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SEPTEMBER 26, 2012 – PAGE 8**

Mayor Wukela reported that an Ordinance has already been passed related to the towing of vehicles; however there are some minor changes to that Ordinance as a result of discussions with County Council.

Mr. Jim Peterson, City Attorney reviewed the changes with Council.

Mayor Pro tem Brand made a motion to pass Bill No. 2012-32 on first reading. Councilman Willis seconded the motion, which carried unanimously.

INTRODUCTION OF RESOLUTION

RESOLUTION NO. 2012-27

A RESOLUTION TO AMEND RESOLUTION 2012-13 TO CORRECT A CLERICAL ERROR THEREIN AND TO UPDATE THE WRECKER POLICY OF THE CITY OF FLORENCE TO BRING CURRENT THE ORIGINAL POLICY ADOPTED IN 1986 AND TO INCORPORATE ALL CHANGES SINCE THE ORIGINAL RESOLUTION.

A Resolution to amend Resolution 2012-13 to correct a clerical error therein and to update the wrecker policy of the City of Florence to bring current the original policy adopted in 1986 and to incorporate all changes since the original resolution was adopted by Council.

Councilwoman Ervin made a motion to adopt Resolution No. 2012-27. Councilman Willis seconded the motion, which carried unanimously.

REPORT TO COUNCIL

A REPORT FROM THE BUDGET COMMITTEE REGARDING THREE FUNDING REQUESTS RECEIVED DURING THE SEPTEMBER 10, 2012 CITY COUNCIL MEETING:

1. **Florence Men's Choral Society**
2. **Weed and Seed Program**
3. **Pee Dee Area Stand Down Event**

Councilman Brand reported that the Florence Men's Choral Society requested \$5,000. The committee reviewed the request and is recommending an allocation of \$1,000.

Councilman Powers made a motion to approve \$1,000 for the Florence Men's Choral Society. Councilman Willis seconded the motion, which carried unanimously.

The Weed and Seed Program requested \$25,000 in funding, through Councilman Robinson, to be used for heating, cooling and utilities. The majority of the committee approved the \$25,000 request.

Councilman Powers made a motion to fund \$20,900 for direct reimbursement and direct payment for rent and utilities and up to \$9,100 for direct reimbursement, for programming. Mr. Griffin added that the funding would be allocated in the same format as the City requires the CDBG sub-recipients be paid. Councilman Robinson seconded the motion.

Mayor Wukela made a motion to amend to provide for \$20,900 for rent and utilities on a direct pay or reimbursement basis. This motion failed for lack of a second.

Councilwoman Ervin stated she would like to see the city foster this program on a long term basis. Councilman Powers and Councilwoman Williams-Blake agreed.

Mayor Pro tem Brand stated that it was suggested at the Budget Committee meeting that any organization that requests funding from the City would need to submit a financial statement to the City Manager, who would then forward it to the committee for review and recommendation. The committee would then present their recommendation to the full Council.

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Councilwoman Williams-Blake stated going forward, any organization requesting funding should first submit a written request and a financial statement to the City. The committee would then decide who would receive funding and in what amount.

Voting in favor of the principle motion was Councilman Robinson, Councilwoman Ervin, Councilman Powers and Councilman Willis.

Voting in opposition of the principle motion was Councilman Williams-Blake, Mayor Wukela and Mayor Pro tem Brand.

The request for the Pee Dee Area Stand Down Event was withdrawn.

ADJOURN

Councilman Willis made a motion to adjourn the meeting. Councilman Powers seconded the motion, which carried unanimously.

The meeting was adjourned at 6:15 p.m.

Dated this 12th day of November, 2012.

Dianne M. Rowan, Municipal Clerk

Stephen J. Wukela, Mayor

**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, OCTOBER 8, 2012 - 1:00 P.M.
CITY COUNTY COMPLEX, COUNCIL CHAMBERS, ROOM 605
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 Ed Robinson; Councilwoman Octavia Williams-Blake; and Councilman Glynn F. Willis.

ALSO PRESENT: Mr. Drew Griffin, City Manager; Mrs. Dianne M. Rowan, Municipal Clerk; Mr. James W. Peterson, Jr., City Attorney; Mr. Phillip Lookadoo, Director of Planning, Research and Development; Mr. Scotty Davis, Director of General Services; Chief Anson Shells, Florence Police Department; Mr. Michael Hemingway, Director of Utilities; Mr. Chuck Pope, Director of Public Works; Mr. Ray Reich, Downtown Development Manager; and Mr. Thomas W. Chandler, Director of Finance.

MEDIA PRESENT: Notices of this regular meeting of the Florence City Council were sent to the media informing them of the date, time and location of the meeting. Mr. John Sweeney of the Morning News was present for the meeting.

INVOCATION

Councilwoman Teresa Myers Ervin gave the invocation for the meeting, which was followed by the pledge of allegiance to the American Flag.

APPROVAL OF MINUTES

Mayor Pro tem Brand made a motion to adopt the September 10, 2012 Regular Meeting minutes. Councilman Powers seconded the motion, which carried unanimously.

HONORS AND RECOGNITIONS

Citizen of the Month

Councilwoman Ervin recognized Mr. Levern B. Swinton as the Citizen of the Month for October, 2012.

Service Recognitions

Mayor Wukela presented Tony Smith with a certificate recognizing his 25 years of service with the City of Florence Fire Department.

Tricia Todd received a certificate from Mayor Wukela in recognition of completing 25 years with the City of Florence Police Department.

Terrence Carraway was presented a certificate by Mayor Wukela in recognition of completing 25 years with the City of Florence Police Department.

Mayor Wukela presented Shannon Hill a certificate in recognition of completing 20 years of service with the City of Florence Police Department.

Alan Walden received a certificate in recognition of completing 15 years of service with the City of Florence Fire Department from Mayor Wukela.

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OCTOBER 8, 2012 – PAGE 2**

Alton Cooper was presented a certificate by Mayor Wukela in recognition of completing 10 years of service with the City of Florence Fire Department.

Howard Wynn received a certificate in recognition of completing 10 years of service with the Florence Police Department from Mayor Wukela.

Mayor Wukela presented Steve Morganti a certificate in recognition of completing 10 years of service with the Parks Department.

Mayor Wukela presented Michael Morris an educational recognition for obtaining his “B” Biological Wastewater Operator Certification.

APPEARANCE BEFORE COUNCIL

Regina Huff, Ranger, Woods Bay State Park – to promote a program at the State Park.

Ms. Huff was not present for the meeting.

ORDINANCES IN POSITION

BILL NO. 2012-28 – SECOND READING

AN ORDINANCE TO PROVIDE FOR WHOLESALE WATER AND SEWER BILLING RATES FOR SALES TO OUTSIDE CITY MUNICIPAL SYSTEMS AND PUBLIC WATER/SEWER AUTHORITIES.

An Ordinance to provide for wholesale water and sewer billing rates for sales to outside city municipal systems and public water/sewer authorities was adopted on second reading.

Mayor Pro tem Brand made a motion to adopt Bill No. 2012-28 on second reading. Councilman Willis seconded the motion, which carried unanimously.

BILL NO. 2012-32 – SECOND READING

AN ORDINANCE TO AMEND SECTION 20-103 OF THE CITY CODE WHICH REGULATES THE TOWING OF VEHICLES FROM COMMERCIAL PRIVATE PROPERTY WITHIN THE MUNICIPAL LIMITS OF THE CITY OF FLORENCE.

An Ordinance to amend Section 20-103 of the City Code which regulates the towing of vehicles from commercial private property within the municipal limits of the City of Florence was adopted on second reading.

Councilman Willis made a motion to adopt Bill No. 2012-32 on second reading. Mayor Pro tem Brand seconded the motion, which carried unanimously.

INTRODUCTION OF ORDINANCES

BILL NO. 2012-30 – FIRST READING

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY EARTHE RAY, 209 WILSON ROAD.

An Ordinance to annex and zone property owned by Earthe Ray, 209 Wilson Road was passed on first reading.

**REGULAR MEETING OF FLORENCE CITY COUNCIL
OCTOBER 8, 2012 – PAGE 3**

Mr. Phillip Lookadoo, Director of Planning, Research and Development reported that this is a zoning request for 209 Wilson Road. The property is shown more specifically on Florence County Tax Map 90097-01-007. The request is to rezone the property to R-2, Single Family Residential District.

City water services are available to the property.

A public hearing was held at the May 8, 2012 Planning Commission. There was no one present to speak in favor or against the request.

The Planning Commission members voted 9-0 to recommend the rezoning request of R-2, Single Family Residential District.

City staff recommends annexation and concurs with the Planning Commission's recommendation to zone the property R-2 Single Family Residential District.

Mayor Pro tem Brand made a motion to pass Bill No. 2012-30 on first reading. Councilman Powers seconded the motion, which carried unanimously.

BILL NO. 2012-31 – FIRST READING

AN ORDINANCE TO AMEND ARTICLE X, DEFINITIONS IN THE ZONING ORDINANCE TO ADD INSTITUTIONAL USES.

An Ordinance to amend Article X, Definitions in the Zoning Ordinance to add Institutional Uses was passed on first reading.

Mr. Phillip Lookadoo, Director of Planning, Research and Development reported this is an amendment to Article X, Tables VII and VIII of the Zoning Ordinance. Language has been added into sections of the Ordinance to refer to the definition that is located in Article X of the Zoning Ordinance. That institutional definition would read "public, semi-public and private elementary schools, high schools, civic buildings, community buildings and uses and public utility uses including substations, government buildings, churches, museums, art galleries, firehouses, post offices, police stations, reservoirs, libraries, parks, essential services, hospitals, and similar uses."

Mayor Pro tem Brand made a motion to pass Bill No. 2012-31 on first reading. Councilwoman Williams-Blake seconded the motion, which carried unanimously.

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 2012-26

A RESOLUTION AUTHORIZING THE CITY MANAGER TO COMPLETE, AND THE MAYOR TO EXECUTE AND SUBMIT AN APPLICATION TO THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY FOR A LOW INTEREST LOAN FROM THE WATER POLLUTION CONTROL REVOLVING LOAN FUND IN AN AMOUNT OF APPROXIMATELY \$11,396,000 TO FINANCE A PORTION OF THE CONSTRUCTION OF THE FLORENCE REGIONAL WASTEWATER MANAGEMENT FACILITY (WWMF) AT THE EXISTING FACILITY SITE.

A Resolution authorizing the City Manager to complete, and the Mayor to execute and submit an application to the South Carolina Water Quality Revolving Fund Authority for a low interest loan from the Water Pollution Control Revolving Loan Fund in an amount of approximately \$11,396,000 to finance a portion of the construction of the Florence Regional Wastewater Management Facility (WWMF) at the existing facility site was adopted by Council.

Mr. Thomas Chandler, Director of Finance reported that the Wastewater Treatment Facility has been under construction since 2009. In 2008 the design was completed and within the design the construction was conceived as a multi-phased project. The first phase included two contracts. That was

**REGULAR MEETING OF FLORENCE CITY COUNCIL
OCTOBER 8, 2012 – PAGE 4**

done to take advantage in 2009 of some stimulus money that was available. The first contract was funded in the amount of \$18.9 million by a State Revolving Fund (SRF) Loan approved by City Council on June 15, 2009. The second contract was funded in the amount of \$68,000,000 with water and sewer system revenue bonds.

These two contracts representing Phase I, upon estimated completion in the summer of 2013, will increase the capacity of the wastewater treatment facility from 15 mgd to 18 mgd.

This Resolution authorizes the completion and submittal of an application for loan funding to the State Revolving Fund where the City received the first contract funding. The requested amount is approximately \$11.4 million at an interest rate of 2.25%. This represents the second phase of the construction process and it will increase the capacity from 18 mgd to 22 mgd, resulting in an increase from 15 mgd to 22 mgd.

If approved for funding, an ordinance authorizing the borrowing of these funds will also need to be adopted by City Council.

Councilman Willis made a motion to adopt Resolution No. 2012-26. Mayor Pro tem Brand seconded the motion, which carried unanimously.

RESOLUTION NO. 2012-27

A RESOLUTION IN RECOGNITION OF MR. RUAN WESTRAAD OF SEXTON DENTAL CLINIC FOR DENTAL SERVICES RENDERED.

A Resolution in recognition of Mr. Ruan Westraad of Sexton Dental Clinic for dental services rendered was adopted by Council.

Councilman Powers made a motion to adopt Resolution No. 2012-27. Councilman Willis seconded the motion, which carried unanimously.

REPORTS TO COUNCIL

A REPORT ON THE APPROPRIATIONS OF THE ACCOMMODATIONS TAX FUNDS FOR FY 2012-2013.

Mrs. Lyles Cooper Lyles, Chairwoman of the Accommodations Tax Advisory Committee presented the findings of the Committee to Council. The Committee met in August and September to review the 22 funding requests that were received. Based on preliminary projections, the Committee will have \$546,000 to allocate for the 2012-2013 fiscal year.

The Committee recommends 30% of the funds be allocated to the Florence Conventions and Visitors Bureau for tourism promotion and the remaining 65% of the funds, \$383,000, be distributed as outlined in their report. (By reference, the list of proposed allocations are attached and are incorporated into these minutes.)

Councilman Willis made a motion to approve the allocations as presented. Councilman Powers seconded the motion, which carried unanimously.

COUNCILMAN ED ROBINSON – TO MAKE A REPORT ON WEATHERIZATION

Councilman Robinson stated he wanted to bring to light the weatherization program that is available for Florence residents. If you own a house and are 80% below the median income you would qualify for this program. Veterans are eligible for \$15,000 that can be used for renovations to their home. The program must be administered through a bank that is a member of the Federal Home Loan Bank of Atlanta.

**REGULAR MEETING OF FLORENCE CITY COUNCIL
OCTOBER 8, 2012 – PAGE 5**

Mr. Scotty Davis, Director of General Services reported that applicants can apply through that program for funds to do home repairs and even apply for down payment money. There is also some foreclosure money available and monies in the amount of \$15,000 set-aside for veterans. Member banks pay a fee to join the Federal Home Loan Bank of Atlanta. They act as a sponsor, so non-profits and developers can access those funds through member agency banks. The individual would come to a non-profit, the city or any other agency, to access those funds. The City cannot access those funds directly. Currently the City has First Reliance Bank in Florence as a sponsor.

Mr. Davis stated that if the partnership with First Reliance Bank is established, the homeowner would submit an application to the City of Florence. The City would take the application to First Reliance Bank where it would be reviewed and then sent to Atlanta for approval. The Home Loan Bank would then send the fund back to First Reliance for disbursement. The City would work with First Reliance to pay off the work that is done by the contractors.

In closing, Councilman Robinson stated he would like to see City Council support this concept and to do what can be done as relates to securing funds from the federal government to help uplift the quality of life for the low income residents.

EXECUTIVE SESSION

Mayor Wukela stated there is an Executive Session on the agenda for the purpose of receiving legal advice from the City Attorney.

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

Council entered into Executive Session at 1:38 p.m.

Mayor Wukela reconvened the regular meeting at 2:47 p.m.

Mayor Wukela reported that Council received legal advice in Executive Session and that no action was taken and no action was requested while in Executive Session.

ADJOURN

Mayor Wukela asked if there were any objections to adjourning the meeting. There were no objections.

The meeting was adjourned at 2:53 p.m.

Dated this 8th day of October, 2012

Dianne M. Rowan, Municipal Clerk

Stephen J. Wukela, Mayor

CITY OF FLORENCE, SC
 ACCOMMODATIONS TAX REQUESTS AND APPROPRIATIONS REPORT
 FISCAL YEAR 2012-2013

ORGANIZATION	Appropriated 2011-12	Requested 2012-13	Committee Recommended ¹	Appropriated 2012-13
A. 30% Funds for Tourism Promotion				
1. Florence Convention & Visitors Bureau	<u>\$138,000</u>	<u>\$145,000</u>	<u>\$163,000</u> ²	
B. 65% Funds				
1. Florence Regional Arts Alliance & Pee Dee Arts	\$6,100	\$20,000	\$10,100	
2. The Masterworks Choir, Inc.	\$3,500	\$5,000	\$3,900	
3. Florence Little Theatre	\$11,100	\$15,000	\$13,100	
4. eBushua Foundation	\$3,100	\$0	\$0	
5. Florence Symphony Orchestra	\$6,100	\$10,000	\$7,500	
6. Florence Museum	\$4,800	\$5,000	\$5,000	
7. Arts International Festival	\$14,100	\$40,000	\$23,000	
8. Sankofa Festival	\$3,500	\$25,000	\$3,100	
9. SC Dance Theatre	\$3,900	\$10,000	\$5,100	
10. Carolina Classic Basketball Tournament	\$6,500	\$8,000	\$7,300	
11. Freedom Florence & Tennis Center	\$31,300	\$75,000	\$58,500	
12. Florence Convention & Visitors Bureau	\$76,500	\$140,000	\$90,600	
13. May Fly Air Show	\$19,900	\$0	\$0	
14. Florence Tennis Association	\$9,800	\$15,000	\$13,100	
15. Florence Pecan Festival	\$14,000	\$35,000	\$15,400	
16. Florence City-County Civic Center	\$46,400	\$92,500	\$69,000	
17. Florence International Basketball Tournament	\$11,100	\$18,500	\$12,000	
18. Car Haulers Parade	\$5,250	\$10,000	\$5,600	
19. Florence Area Sports Council	\$11,200	\$20,000	\$13,600	
20. Pee Dee Tourism Commission	\$20,000	\$20,000	\$20,000	
21. Martin Luther King March and Rally	\$1,400	\$0	\$0	

CITY OF FLORENCE, SC
 ACCOMMODATIONS TAX REQUESTS AND APPROPRIATIONS REPORT
 FISCAL YEAR 2012-2013

ORGANIZATION	Appropriated 2011-12	Requested 2012-13	Committee Recommended ¹	Appropriated 2012-13
22. SC Senior Sports Classic	\$1,850	\$5,000	\$2,700	
23. Pee Dee Arts	\$6,100	\$0	\$0	
24. Art Trail Gallery	\$1,600	\$2,500	\$2,200	
25. Wreaths Across America	\$0	\$200	\$100	
26. Hwy 52 Frontage Road Beautification	\$0	\$10,000	\$2,100	
Total -- 65% Funds	<u>\$319,100</u>	<u>\$581,700</u>	<u>\$383,000</u>	<u>\$0</u>

Note 1: Including carryover funds from FY 2011-12, it is anticipated that the amount available for distribution to the requesting agencies of "65% funds" will be approximately \$383,000. The "30% funds" for tourism promotion is estimated to be approximately \$163,000.

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

FLORENCE CITY COUNCIL MEETING

DATE: November 12, 2012

AGENDA ITEM: Second reading of an ordinance to amend the Zoning Ordinance for the City of Florence by amending Section 2.3, Table 1 and Section 2.4, Table 2, and by adding a new Section 3.24 in order to establish new design criteria for duplexes, triplexes, quadplexes, and townhouses built within the city limits of the city and, pursuant to the pending ordinance doctrine, to recognize a moratorium on the issuance of building permits in the City of Florence for duplexes, triplexes, quadplexes, and townhouses during the pendency of the process for adopting this ordinance in order to give the city time to properly refer this change to the planning commission and adopt new design criteria for these structures

DEPARTMENT/DIVISION: Department of Planning, Research and Development and City Attorney

I. ISSUE UNDER CONSIDERATION

This Ordinance seeks to establish design criteria for the construction of duplexes, triplexes, quadplexes, and townhouses within the City. The ordinance has been designed to proceed with the passage of design criteria that are currently part of the Uniform Development Ordinance (hereinafter referred to as the UDO) which has been the subject extended study through a citizens workshop approach through which City Staff has been meeting with citizens for many months to discuss in detail the concepts and wording of the UDO.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

1. At the June 26, 2012 Special Council Meeting, City Council passed the above referenced ordinance on first reading. Upon passage the city ceased issuing zoning compliances and building permits pending second and final adoption of the ordinance within the City pursuant to the Pending Ordinance Doctrine.

2. Planning Commission held six work sessions, July 10, 17 and 30, 2012; August 14 and 20, 2012 and October 3, 2012 concerning the proposed ordinance.

3. A public hearing was held on September 11, 2012 to take public comment. Members of the public were present both in support of and opposed to the ordinance as presented.

4. Planning Commission, at their regular meeting held on October 9, 2012, voted to recommend the attached amendments to the current zoning ordinance.

III. POINTS TO CONSIDER

1. Planning Commission discussed the pending ordinance on six occasions outside of the required public hearing. Public comment was taken at these meetings as well as at the public hearing.
2. Planning Commission recommended substantive changes to the original ordinance adopted on first reading in the following areas:
 - a. Gives applicant ability to have project approved by staff or Planning Commission.
 - b. Parking will be allowed in all areas of the driveway, excluding right-of-way.
 - c. Primary entrance must have a must be covered by a front porch, however, the department director must approve the architectural design which must be in conformance with the surrounding area.
 - d. Minimum floor elevation reduced to eight inches (8") as opposed to eighteen inches (18").
 - e. Materials added to front façade approved list including pressure treated woods and vinyl.
 - f. Exception provided for triplexes, quadraplexes and town houses located on lots in excess of two acres.
 - g. Roofing materials to be compatible with surrounding area and allows three tab shingles.

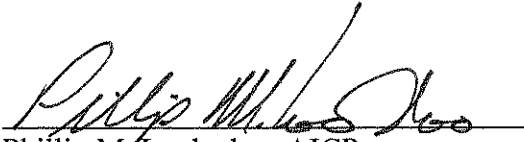
IV. OPTIONS

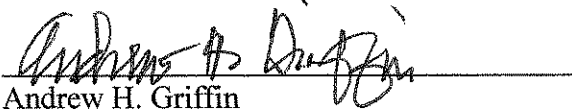
1. Adopt the Ordinance as presented on presented on first reading.
2. Adopt the Ordinance as recommended by Planning Commission.
3. Amend the Ordinance to accomplish the same goals and refer to Planning Commission for review.
4. Defeat the Ordinance.

IV. ATTACHMENTS

Proposed Ordinance 2012-_____

Proposed Ordinance 2012-_____ as recommended by Planning Commission


Phillip M. Lookadoo, AICP
Director of Planning Research and Development


Andrew H. Griffin
City Manager

ORDINANCE NO. 2012-_____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE FOR THE CITY OF FLORENCE BY AMENDING SECTION 2.3, TABLE 1 AND SECTION 2.4, TABLE 2, AND BY ADDING A NEW SECTION 3.24 IN ORDER TO ESTABLISH NEW DESIGN STANDARDS FOR DUPLEXES, TRIPLEXES, QUADRAPLEXES, AND TOWNHOUSES BUILT WITHIN THE CITY LIMITS OF THE CITY AND, PURSUANT TO THE PENDING ORDINANCE DOCTRINE, TO RECOGNIZE A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS IN THE CITY OF FLORENCE FOR DUPLEXES, TRIPLEXES, QUADRAPLEXES, AND TOWNHOUSES DURING THE PENDENCY OF THE PROCESS FOR ADOPTING THIS ORDINANCE IN ORDER TO GIVE THE CITY TIME TO PROPERLY REFER THIS CHANGE TO THE PLANNING COMMISSION AND ADOPT NEW DESIGN STANDARDS FOR THESE STRUCTURES.

Incident to consideration and adoption of this Ordinance, City Council ("Council") makes the following findings of fact:

a. Over the last several years there have been numerous issues in the City of Florence that have arisen regarding the development and building of duplexes, triplexes, quadraplexes and townhouses which have presented difficult issues because of a lack of regulations addressing design criteria for such developments.

b. The City of Florence is currently working on a comprehensive revision to its Zoning Ordinance and Development Codes to bring these documents into full consistency with the Comprehensive Plan recently adopted, said revision to be embodied in a new Uniform Development Ordinance, hereinafter referred to as the UDO.

c. In order to fully involve the citizens in the development of the UDO, the City has undertaken an interested citizens workshop approach through which City Staff has been meeting with citizens for many months to discuss in detail the concepts and wording of the UDO.

d. It is anticipated that this process will result in the finalization of the UDO which will be presented to City Council through the Planning Commission by the end of 2012.

e. The UDO will contain design standards for duplexes, triplexes, quadraplexes and townhouses, and the citizens committee and staff has finished their detailed discussions regarding this portion of the UDO.

f. That in the current economic climate, we are seeing numerous projects involving the construction of duplexes, triplexes, quadplexes and townhouses, and it is in the best interest

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of the citizens of Florence that these design standards be enacted as soon as possible instead of waiting until the end of the year and the completion of the study and passage of the entire UDO.

g. That the introduction of this Ordinance, its passage on first reading, and its referral to the Planning Commission is done with the full intention that it shall be treated as a pending ordinance for the purposes of the Pending Ordinance Doctrine, and, as a result, Council hereby establishes a moratorium upon the issuance of any zoning compliance or building permit for any construction project involving the construction of one or more duplexes, triplexes, quadraplexes and townhouses in the City of Florence, SC during the pendency of this Ordinance.

h. That, pursuant to the requirements of §6-1-110 of the South Carolina Code of Laws, as amended, notice of the intention of the City to adopt this ordinance and thereby impose a moratorium on construction projects involving the construction of duplexes, triplexes, quadraplexes and townhouses has been duly published in the Morning News once per week for two weeks.

NOW, THEREFORE, BASED UPON THE FINDINGS OF FACT SET OUT ABOVE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED, AND BY THE AUTHORITY THEREOF AS FOLLOWS:

A. That Section 2.3, Table 1 of the Zoning Ordinance is hereby amended to conditionally permit the following uses; duplex in the R-4 and R-5 zoning districts, tri-plex in the R-5 zoning district, quadraplex in the R-5 zoning district, and townhouse in the R-3, R-4, and R-5 zoning districts.

B. That Section 2.4, Table 2 of the Zoning Ordinance is hereby amended to conditionally permit duplex in the RU-1 zoning district.

C. That the new section designated as Section 3.24 is hereby added to the Zoning Ordinance, and said section shall read verbatim as follows:

Section 3.24: Design Standards for Duplex, Tri-plex, Quadraplex, and Townhouse.

It is the intent of design standards to cause development to be compatible with the existing built environment. Good design ensures neighborhood compatibility by appropriate scale and massing adjacent to existing houses. The provisions of this section shall apply to all duplex, tri-plex, quadraplex, and townhouse developments throughout the City. These standards shall supersede existing regulations elsewhere in the Zoning Ordinance and Land Development and Subdivision Ordinance when in conflict with this section. The provisions of this section shall apply to all new duplex, tri-plex, quadraplex, and townhouse construction and; additions or alterations to an existing duplex, tri-plex, quadraplex, or townhouse, totaling 25 percent or more of the gross floor area of

the existing building. Interior-only improvements may be excluded. Only the portions of the building or site being altered or added to shall be required to integrate design standards into the design of the alteration or addition. The provisions of this section shall apply to all use conversions to duplex, tri-plex, quadruplex, and townhouse where conditionally permitted. In order to provide flexibility and creativity of project designs; departures from these standards may be permitted subject to the approval of the Director of Planning, Research, and Development. In making this determination the director shall find that the departure creates a project design that meets or exceeds the overall purpose and intent of the design standards. The Director may require such plans as necessary to render such a decision. The following design standards are intended to implement the City's vision for housing as set forth in the Comprehensive Plan.

Section 3.24-1: Duplex

A duplex is a building that contains two dwelling units. Duplex design is either standard or over-under. A standard duplex has side-by-side dwelling units and an over-under duplex has dwelling units on separate floors.

1. Site Standards

- a. Standard and over-under duplexes that take vehicular access from the street may provide a separate hard surface driveway for each unit that shall be no more than 20 feet wide or provide a shared hard surface driveway for both units no greater than 27 feet wide.
- b. Open parking shall be located to the side or rear of the building.
- c. Vehicles shall be parked only in designated areas.
- d. One tree shall be planted within four feet of the extension of the plane of the party wall for standard duplexes.
- e. The schedule of lot requirements follows the City of Florence Zoning Ordinance Section 2.5 Table III with the exception that the rear setback for a standard duplex shall be 15 feet.

2. Building Development Standards

- a. Front facing garage doors shall not be greater than 12 feet wide and be separated by at least 18 inches. Garages accessed from an alley or if oriented perpendicular to the street are exempt from width and dimension requirements.

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- b. Primary entrance(s) into the building shall be oriented to face the street. Standard and over-under duplexes may share a building entrance with access to each unit.
- c. Primary entrance(s) shall be sheltered by a covered front porch that is not less than three feet in any horizontal dimension.
- d. The roof of the covered porch shall be attached to the building and compatible with the architecture of the building.
- e. Primary building entrances shall be separated by at least three feet.
- f. Each primary door shall be lit by an external source fixed to the building.
- g. The architecture of the buildings shall include features that are repetitive or similar to architectural features of the existing buildings of the area.
- h. Building facades, defined as the street front face of the building, shall be articulated for visual interest. The following are examples of features that may be used to accomplish this standard:
 - (1) Building offsets.
 - (2) Interesting fenestration and roof lines
 - (3) Front porches to encourage eyes on the street.
- i. If more than 50 percent of the existing single family residential buildings on the same street have an elevated first floor then the duplex shall be elevated not less than 18 inches above the finished grade across the front building line.
- j. Windows shall be incorporated into the façade and shall be accented with shutters, awnings, or decorative framing, or shall be articulated with an offset of at least four inches. At least 20 percent of the vertical planes of the façade shall be composed of windows. Where the façade includes a garage door, at least 10 percent of the vertical planes shall be composed of windows.
- k. The façade shall include the following wall finish material: cementous siding (e.g. hardi-plank, permastone, etc.), brick, and stucco. If more than 50 percent of the existing single family residential buildings on the same street have an alternate siding then the alternate siding may be used.
- l. Roofing materials shall be architectural shingles, concrete tile, slate, or building integrated photovoltaics.

3. Sidewalks

- a. Sidewalks not less than three feet in width shall be provided along the front property line of each project building where at least 50 percent of the existing block has front sidewalks or either adjacent lot has a sidewalk.
- b. A sidewalk not less than 3 feet in width shall connect the primary building entrance to the driveway, street front sidewalk, or rear parking area.

Section 3.24-2: Tri-plex and Quadraplex

The principle design for tri-plex and quadraplex is single family detached. A tri-plex is a building that contains three separate dwelling units that share a primary front building entrance. A quadraplex is a building that contains four separate dwelling units that share a primary front building entrance. Alternate entrances to each unit may be located on the side or rear of the building.

1. Site Standards

- a. The schedule of lot requirements follows the City of Florence Zoning Ordinance Section 2.5 Table III with the exception that the minimum lot area shall be 9,000 square feet with a minimum lot width of 90 feet.
- b. Open parking shall be located to the rear or side of the building.
- c. Vehicles shall be parked only in designated areas.
- d. Parking areas that extend beyond the rear width of the building shall be screened where visible from the street with vegetation a minimum of 4 feet in height.
- e. Parking areas adjacent to residential land use not already occupied by a garage are required to have a vegetative screen or brick wall at least 3 feet in height.

2. Building and Development Standards

- a. Front facing garage doors shall not be greater than 12 feet in width and be separated by at least 18 inches. Garages accessed from an alley or if oriented perpendicular to the street are exempt from this requirement.
- b. Primary entrance into the building shall be oriented to face the street.

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c. A garage including the frame shall not be greater than 50 percent of the horizontal plane of the façade.

d. If more than 50 percent of the existing single family residential buildings on the same street have an elevated first floor then the tri-plex or quadraplex shall be elevated not less than 18 inches above the finished grade across the front building line.

e. Windows shall be incorporated into the façade and shall be accented with shutters, awnings, or decorative framing, or shall be articulated with an offset of at least four inches. At least 20 percent of the vertical planes of the façade shall be composed of windows. Where the façade includes a garage door, at least 10 percent of the vertical planes shall be composed of windows.

f. The façade shall include the following wall finish material: cementous siding (e.g. hardi-plank, permastone, etc.), brick, and stucco. If more than 50 percent of the existing single family residential buildings on the same street have an alternate siding then the alternate siding may be used.

g. Roofing materials shall be architectural shingles, concrete tile, slate, or building integrated photovoltaics.

3. Sidewalks

a. Sidewalks not less than three feet in width shall be provided along the front property line of each project building where at least 50 percent of the existing block has front sidewalks or either adjacent lot has a sidewalk.

b. A sidewalk not less than 3 feet in width shall connect the primary building entrance to the driveway, street front sidewalk, or rear parking area.

Section 3.24-4: Townhouse

Townhouse design is a single-family attached unit in a building containing two or more units, contiguous to each other only by the sharing of one common bearing wall; such buildings are of the townhouse or rowhouse type as contrasted to multiple dwelling apartment structures. No single building shall contain in excess of eight units and each unit shall have separate and individual front and rear entrances.

1. Site Standards

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Follows City of Florence Zoning Ordinance Section 3.1

- a. A minimum of 3 connected units shall be oriented to each street adjacent to the development. Two unit buildings shall only be permitted in the interior of a lot.
- b. Lot width may be reduced to 16 feet.

2. Building Development Standards

- a. Built in first floor garages for each unit shall not be greater than 12 feet wide and be separated by at least 18 inches. Garages accessed from an alley are exempt from width and dimension requirements.
- b. Primary entrance into the building shall be oriented to face the street.
- c. All primary entrances shall be sheltered by a covered front porch.
- d. Primary unit entrances shall be separated by at least three feet.
- e. Each unit door shall be lit by an external source fixed to the building.
- f. Open parking shall be located on the interior of the lot to the rear of the front building(s).
- g. Vehicles shall be parked only in designated areas.
- h. Parking areas adjacent to residential land use not already occupied by a garage are required to have a vegetative screen or brick wall at least 3 feet in height.
- i. Windows shall be incorporated into the façade and shall be accented with shutters, awnings, or decorative framing, or shall be articulated with an offset of at least four inches. At least 20 percent of the vertical planes of the façade shall be composed of windows. Where the façade includes a garage door, at least 10 percent of the vertical planes shall be composed of windows.
- j. The façade shall include the following wall finish material: cementous siding (e.g. hardi-plank, permastone, etc.), brick, and stucco.

3. Sidewalks

- a. A sidewalk not less than 3 feet in width shall connect the primary

ATTACHMENT A

building entrance to the driveway, street front sidewalk, or rear parking area.

D. This Ordinance shall become effective immediately upon its approval and adoption on Second Reading.

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

ORDINANCE NO. 2012-_____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE FOR THE CITY OF FLORENCE BY AMENDING SECTION 2.3, TABLE 1 AND SECTION 2.4, TABLE 2, AND BY ADDING A NEW SECTION 3.24 IN ORDER TO ESTABLISH NEW DESIGN STANDARDS FOR DUPLEXES, TRIPLEXES, QUADRAPLEXES, AND TOWNHOUSES BUILT WITHIN THE CITY LIMITS OF THE CITY AND, PURSUANT TO THE PENDING ORDINANCE DOCTRINE, TO RECOGNIZE A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS IN THE CITY OF FLORENCE FOR DUPLEXES, TRIPLEXES, QUADRAPLEXES, AND TOWNHOUSES DURING THE PENDENCY OF THE PROCESS FOR ADOPTING THIS ORDINANCE IN ORDER TO GIVE THE CITY TIME TO PROPERLY REFER THIS CHANGE TO THE PLANNING COMMISSION AND ADOPT NEW DESIGN STANDARDS FOR THESE STRUCTURES.

Incident to consideration and adoption of this Ordinance, City Council ("Council") makes the following findings of fact:

a. Over the last several years there have been numerous issues in the City of Florence that have arisen regarding the development and building of duplexes, triplexes, quadraplexes and townhouses which have presented difficult issues because of a lack of regulations addressing design criteria for such developments.

b. The City of Florence is currently working on a comprehensive revision to its Zoning Ordinance and Development Codes to bring these documents into full consistency with the Comprehensive Plan recently adopted, said revision to be embodied in a new Uniform Development Ordinance, hereinafter referred to as the UDO.

c. In order to fully involve the citizens in the development of the UDO, the City has undertaken an interested citizens workshop approach through which City Staff has been meeting with citizens for many months to discuss in detail the concepts and wording of the UDO.

d. It is anticipated that this process will result in the finalization of the UDO which will be presented to City Council through the Planning Commission by the end of 2012.

e. The UDO will contain design standards for duplexes, triplexes, quadraplexes and townhouses, and the citizens committee and staff has finished their detailed discussions regarding this portion of the UDO.

f. That in the current economic climate, we are seeing numerous projects involving the construction of duplexes, triplexes, quadplexes and townhouses, and it is in the best interest

of the citizens of Florence that these design standards be enacted as soon as possible instead of waiting until the end of the year and the completion of the study and passage of the entire UDO.

g. That the introduction of this Ordinance, its passage on first reading, and its referral to the Planning Commission is done with the full intention that it shall be treated as a pending ordinance for the purposes of the Pending Ordinance Doctrine, and, as a result, Council hereby establishes a moratorium upon the issuance of any zoning compliance or building permit for any construction project involving the construction of one or more duplexes, triplexes, quadraplexes and townhouses in the City of Florence, SC during the pendency of this Ordinance.

h. That, pursuant to the requirements of §6-1-110 of the South Carolina Code of Laws, as amended, notice of the intention of the City to adopt this ordinance and thereby impose a moratorium on construction projects involving the construction of duplexes, triplexes, quadraplexes and townhouses has been duly published in the Morning News once per week for two weeks.

NOW, THEREFORE, BASED UPON THE FINDINGS OF FACT SET OUT ABOVE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED, AND BY THE AUTHORITY THEREOF AS FOLLOWS:

A. That Section 2.3, Table 1 of the Zoning Ordinance is hereby amended to conditionally permit the following uses; duplex in the R-4 and R-5 zoning districts, tri-plex in the R-5 zoning district, quadraplex in the R-5 zoning district, and townhouse in the R-3, R-4, and R-5 zoning districts.

B. That Section 2.4, Table 2 of the Zoning Ordinance is hereby amended to conditionally permit duplex in the RU-1 zoning district.

C. That the new section designated as Section 3.24 is hereby added to the Zoning Ordinance, and said section shall read verbatim as follows:

Section 3.24: Design Standards for Duplex, Tri-plex, Quadraplex, and Townhouse.

It is the intent of design standards to cause development to be compatible with the existing built environment. Good design ensures neighborhood compatibility by appropriate scale and massing adjacent to existing houses. The provisions of this section shall apply to all duplex, tri-plex, quadraplex, and townhouse developments throughout the City. These standards shall supersede existing regulations elsewhere in the Zoning Ordinance and Land Development and Subdivision Ordinance when in conflict with this section. In all cases, compatibility with the neighborhood shall govern. The provisions of this section shall apply to all new duplex, tri-plex, quadraplex, and townhouse construction and; additions or alterations to an existing duplex, tri-plex, quadraplex, or

townhouse, totaling 25 percent or more of the gross floor area of the existing building. Interior-only improvements may be excluded. Only the portions of the building or site being altered or added to shall be required to integrate design standards into the design of the alteration or addition. The provisions of this section shall apply to all use conversions to duplex, tri-plex, quadraplex, and townhouse where conditionally permitted.

In order to provide flexibility and creativity of project designs and to promote development that is more compatible with the existing built environment, departures from these standards may be permitted subject to the approval of the Director of Planning, Research, and Development. In making this determination the director shall find that the departure creates a project design that meets or exceeds the overall purpose and intent of the design standards and replicates the design features existing within the surrounding area¹. The Director may require such plans as necessary to render such a decision. The applicant may request to have their request for departure from these standards reviewed by the Planning Commission. In such cases, the Director shall determine whether the application is sufficient and therefore complete. In the event the Director makes the determination that the application is incomplete; the applicant may request that the Chairman of the Planning Commission review the application for sufficiency and completeness. In those cases, the decision of the Planning Commission Chairman shall govern. In all cases the Director may, at his discretion, refer the request from departure from these standards to the Planning Commission for review and approval.

The following design standards are intended to implement the City's vision for housing as set forth in the Comprehensive Plan.

Section 3.24-1: Duplex

A duplex is a building-structure that contains two dwelling units constructed on a single lot. ~~Duplex design is either standard or over-under. A standard duplex has side-by-side dwelling units and an over-under duplex has dwelling units on separate floors.~~

1. Site Standards

- a. ~~Standard and over-under d~~Duplexes that ~~take~~have vehicular access from the street may provide a separate hard surface driveway for each unit that shall be no more than 20 feet wide or provide a shared hard surface driveway for both units no greater than 27 feet wide.
- b. Parking shall only be allowed in designated areas which may be

¹ The term surrounding area as used throughout Section 3.24 is defined as the area within the shorter distance of the same block or five hundred (500) feet in each direction, as measured from the corners of the front property line and including properties that are whole or in part within the aforementioned distance.

~~inclusive of the driveways~~ Open parking shall be located to the side or rear of the building.

~~e. Vehicles shall be parked only in designated areas.~~

~~e.c. One~~ A minimum of one tree shall be planted within four feet of the extension of the plane of the party wall ~~for standard duplexes. If the garage wall is the party wall, the tree may be planted within eight (8) feet of either side property line.~~

~~e.d.~~ The schedule of lot requirements follows the City of Florence Zoning Ordinance Section 2.5 Table III with the exception that the rear setback for a standard duplex shall be 15 feet.

2. Building Development Standards

a. Front facing garage doors shall not be greater than ~~12~~ sixteen (16) feet wide and be separated by at least ~~24~~ eighteen (18) inches. Garages accessed from an alley or if oriented perpendicular to the street are exempt from width and dimension requirements.

b. Primary entrance(s) into the building shall be oriented to face the street. ~~Standard and over-under~~ Duplexes may share a primary building entrance with interior access to each unit.

c. Primary building entrances shall be separated by at least three feet.

d. Primary entrance(s) shall be sheltered by a covered front porch ~~that is not less than three feet in any horizontal dimension. The director may approve a design to accommodate the architectural design of the structure so long as it maintains the integrity of the surrounding area as defined in footnote 1.~~

e. The roof of the covered porch shall be attached to the building and compatible with the architecture of the building.

~~f. Primary building entrances shall be separated by at least three feet.~~ Each primary entry door shall be lit by an external ~~source~~ light fixture fixed to the building.

g. The architecture of the buildings shall include features that are repetitive or similar to architectural features of the existing buildings of the surrounding area as defined in footnote 1.

h. Building facades, defined as the street front face of the building, shall be articulated for visual interest. The following are examples of features that may be used to accomplish this standard:

- (1) Building offsets.
- (2) Interesting fenestration and roof lines
- (3) Front porches to encourage eyes on the street.

i. If more than fifty (50) percent of the existing single-family residential buildings/principal structures in the surrounding area, on the same street as defined in footnote 1, have an elevated first floor, then the first floor of the duplex shall be elevated above the finished grade across the front building line to an average of the principal structures as defined. Provided, however, in no event shall the first floor be elevated not less than the higher of eight +8 inches or the minimum elevation of the first floor as required in the current version of the building code enforced by the City of Florence. The foundation shall be skirted with a brick, stucco or split faced block curtain wall, above the finished grade across the front building line.

j. Windows shall be incorporated into the façade and shall be accented with shutters, awnings, or decorative framing, or shall be articulated with an offset of at least four inches. At least 20 percent of the vertical planes of the façade shall be composed of windows. Where the façade includes a garage door, at least 10 percent of the vertical planes shall be composed of windows.

k. The front façade shall include be comprised of one or more of the following wall finish materials: cementous siding (e.g. hardi-plank, permastone, etc.), brick, eternal woods (pressure treated), and stucco, vinyl or other material as may become available². If more than 50 percent of the existing single family residential buildings on the same street have an alternate siding then the alternate siding may be usedIn all cases related to the façade, compatibility with the surrounding area, as defined in footnote 1, shall be maintained.

l. Roofing materials shall be architectural shingles, three tab shingles, concrete tile, slate, or building integrated photovoltaics. If the existing principal structures in the surrounding area, defined in footnote 1, have alternate roofing materials then the alternate roofing materials may be used.

² Other material as may become available must be approved by the Planning Commission.

3. Sidewalks

a. Sidewalks, ~~not less than three feet in width compliant with standards as set forth in the current Americans with Disabilities Act and current requirements of SCDOT,~~ shall be provided along the front property line of each project building where at least ~~50-forty (40)~~ percent of the ~~existing blocks~~ surrounding area as defined in footnote 1 has front sidewalks or either adjacent lot has a sidewalk.

b. A sidewalk, compliant with standards as set forth in the current Americans with Disabilities Act and current requirements of SCDOT, ~~not less than 3 feet in width~~ shall connect the primary building entrance to the driveway, street front sidewalk, or rear parking area.

Section 3.24-2: Tri-plex and Quadraplex

The principle design for tri-plex and quadraplex is single family detached. A tri-plex is a building that contains three separate dwelling units that share a primary front building entrance. A quadraplex is a building that contains four separate dwelling units that share a primary front building entrance. Alternate entrances to each unit may be located on the side or rear of the building. These standards for triplexes and quadraplexes shall only apply for infill developments. For purposes of this section, infill development shall be defined as development on lots containing less than two (2) acres and not fronting a private street or parking lot. However, in cases where lots are in excess of (2) acres; the Director shall only approve development applications if in his determination, they maintain the character of the surrounding area as defined in footnote 1.

1. Site Standards

a. The schedule of lot requirements follows the City of Florence Zoning Ordinance Section 2.5 Table III with the exception that the minimum lot area shall be 9,000 square feet with a minimum lot width of 90 feet.

b. Parking shall only be allowed in designated areas which may be inclusive of the driveways~~Open parking shall be located to the rear or side of the building.~~

e. ~~Vehicles shall be parked only in designated areas.~~

d.c. ~~Parking areas that extend beyond the rear width of the building shall be screened where visible from the street with vegetation a minimum of 4 feet in height. A continuous landscape screen³, a minimum of three feet in height and a maximum of four (4) feet in height, shall be required~~

³ The materials for the landscape screen shall be approved by the Director.

along the perimeter of the parking area or area affected by parking in those areas that adjoin existing residential uses or a publicly maintained street.

e.d. Parking areas adjacent to residential land use not already occupied by a garage are required to have a vegetative screen or brick wall at least 3 feet in height.

2. Building and Development Standards

a. ~~Front facing garage doors shall not be greater than 12 feet in width and be separated by at least 18 inches. Garages accessed from an alley or if oriented perpendicular to the street are exempt from this requirement~~ Front facing garage doors shall not be greater than 16 feet wide and be separated by at least eighteen (18) inches. Garages accessed from an alley or oriented perpendicular to the street are exempt from width and dimension requirements.

b. Primary entrance into the building shall be oriented to face the street.

c. A garage including the frame shall not be greater than 50 percent of the horizontal plane of the façade.

d. ~~If more than 50 percent of the existing single family residential buildings on the same street have an elevated first floor then the tri-plex or quadraplex shall be elevated not less than 18 inches above the finished grade across the front building line. If more than fifty (50) percent of the existing principal structures in the surrounding area, as defined in footnote 1, have an elevated first floor, then the first floor of the duplex shall be elevated above the finished grade across the front building line to an average of the principal structures as defined. Provided, however, in no event shall the first floor be elevated less than the higher of eight (8) inches or the minimum elevation of the first floor as required in the current building code enforced by the City of Florence. The foundation shall be skirted with a brick, stucco or split faced block curtain wall~~

e. Windows shall be incorporated into the façade and shall be accented with shutters, awnings, or decorative framing, or shall be articulated with an offset of at least four inches. At least 20 percent of the vertical planes of the façade shall be composed of windows. Where the façade includes a garage door, at least 10 percent of the vertical planes shall be composed of windows.

f. ~~The façade shall include the following wall finish material: cementous siding (e.g. hardi-plank, permastone, etc.), brick, and stucco. If more than 50 percent of the existing single family residential buildings on the same street have an alternate siding then the alternate siding may be used~~ The front façade shall be comprised of one or more of the following wall

finish materials: cementous siding (e.g. hardi-plank or permastone), brick, eternal woods (pressure treated), stucco, vinyl or other material as may become available, if approved by the Planning Commission. In all cases related to the façade, compatibility with the surrounding area as defined in footnote 1 shall be maintained.

g. Roofing materials shall be architectural shingles, concrete tile, slate, or building integrated photovoltaics. Roofing materials shall be architectural shingles, three tab shingles, concrete tile, slate, or building integrated photovoltaics. If the existing principal structures in the neighborhood as defined in footnote 1 have alternate roofing materials, then the alternate roofing materials may be used.

3. Sidewalks

a. Sidewalks not less than three feet in width shall be provided along the front property line of each project building where at least 50 percent of the existing block has front sidewalks or either adjacent lot has a sidewalk. Sidewalks, compliant with standards as set forth in the current Americans with Disabilities Act and current requirements of SCDOT, shall be provided along the front property line of each project where at least forty (40) percent of the surrounding area as defined in footnote 1 has front sidewalks or either adjacent lot has a sidewalk.

b. A sidewalk not less than 3 feet in width shall connect the primary building entrance to the driveway, street front sidewalk, or rear parking area. A sidewalk, compliant with standards as set forth in the current Americans with Disabilities Act and current requirements of SCDOT, shall connect the primary building entrance to the driveway, street front sidewalk, or rear parking area.

Section 3.24-4: Townhouse

Townhouse design is a single-family attached unit in a building containing two or more units, contiguous to each other only by the sharing of one common bearing wall; such buildings are of the townhouse or rowhouse type as contrasted to multiple dwelling apartment structures. All townhouses in the City of Florence must comply with the requirements of zoning ordinance Section 3.1 unless altered by applicable provisions set out below. No single building shall contain in excess of eight units and each unit shall have separate and individual front and rear entrances. These standards for townhouses shall only apply for infill developments. For purposes of this section, infill development shall be defined as development on lots less than two (2) acres. However, in cases where lots are in excess of (2) acres; the Director shall only approve development applications if in his determination, they maintain the character of the surrounding area, as defined in footnote 1.

1. Site Standards

~~Follows City of Florence Zoning Ordinance Section 3.1~~

~~a. Shall follow City of Florence Zoning Ordinance Section 3.1, unless altered by applicable provisions set out below and~~

~~a.b. A minimum of 3 connected units shall be oriented to each street adjacent to the development. Two unit buildings shall only be permitted in the interior of a lot.~~

~~b.c. Lot width may be reduced to 16 feet.~~

2. Building Development Standards

a. Built in first floor garages for each unit shall not be greater than 12 feet wide and be separated by at least 18 inches. Garages accessed from an alley are exempt from width and dimension requirements.

b. Primary entrance into the building shall be oriented to face the street.

c. All primary entrances shall be sheltered by a covered front porch.

d. Primary unit entrances shall be separated by at least three feet.

e. Each unit door shall be lit by an external ~~source fixed~~ light fixture to the building.

~~f. Open parking shall be located on the interior of the lot to the rear of the front building(s) Parking shall only be allowed in designated areas which may be inclusive of the driveways.~~

~~g. Vehicles shall be parked only in designated areas.~~

~~h.g. Parking areas adjacent to residential land use not already occupied by a garage are required to have a vegetative screen or brick wall at least 3 feet in height. A continuous landscape screen, as defined in footnote 3, a minimum of three (3) feet in height and a maximum of four (4) feet in height, shall be required along the perimeter of the parking area or area affected by parking in those areas that adjoin existing residential uses or a publicly maintained street.~~

~~h.h. Windows shall be incorporated into the façade and shall be accented with shutters, awnings, or decorative framing, or shall be articulated with an offset of at least four inches. At least 20 percent of the vertical planes of the façade shall be composed of windows. Where the façade includes a garage door, at least 10 percent of the vertical planes shall be composed of windows.~~

~~j.i. The façade shall include the following wall finish material: cementous siding (e.g. hardi-plank, permastone, etc.), brick, and stucco. The front façade shall include one or more of the following wall finish materials: cementous siding (e.g. hardi-plank or permastone), brick, eternal woods (pressure treated), stucco, vinyl or other material as may become available, if approved by the Planning Commission. In all cases related to the façade, compatibility with the surrounding area as defined in footnote 1 shall be maintained.~~

3. Sidewalks

a. ~~A sidewalk not less than 3 feet in width shall connect the primary building entrance to the driveway, street front sidewalk, or rear parking area.~~ A sidewalk, compliant with current standards as set forth in the current Americans with Disabilities Act and current requirements of the SCDOT, shall connect the primary building entrance to the driveway, street front sidewalk, or rear parking area.

D. This Ordinance shall become effective immediately upon its approval and adoption on Second Reading.

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

CITY OF FLORENCE COUNCIL MEETING

DATE: October 8, 2012

AGENDA ITEM: Ordinance
First Reading

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex 209 Wilson Road, Tax Map 90097-01-007, into the City of Florence and zone to R-2 Single Family Residential District. The request is being made by the owner, Earthe Ray

II. POINTS TO CONSIDER:


- (1) Request is being considered for first reading.
- (2) City water services are already available.
- (3) City sewer service extension Revenue/ Cost Ration equals 1.
- (4) A Public Hearing for rezoning was held at the May 8, 2012 Planning Commission meeting. No one was present to voice concerns or support the request.
- (5) Planning Commission members voted 9-0 to recommend the zoning request of R-2 single Family Residential District.
- (6) City Staff recommends annexation and concurs with Planning Commission's recommendation to zone the property R-2 Single Family Residential District.

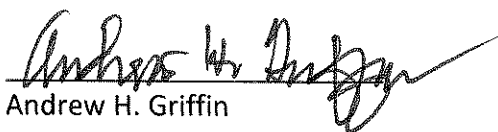
III. CURRENT STATUS/PREVIOUS ACTION TAKEN:

- (1) No previous action has been taken by City Council on this request.

IV. ATTACHMENTS:

- (1) Ordinance and map showing the location of the property.


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


Andrew H. Griffin
City Manager

ORDINANCE NO. 2012 _____

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY EARTHE RAY, 209 WILSON ROAD.

WHEREAS, a Public Hearing was held in Room 603 of the City-County Complex on May 8, 2012 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, an application by Earthe Ray, owner of 209 Wilson Road 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-2, Single Family Residential District:

The properties requesting annexation are shown more specifically on Florence County Tax Map 90097, block 01, parcel 007. (0.34 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 annexing the aforesaid properties to R-2, Single Family Residential District and incorporating them into the City Limits of the City of Florence
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.

ADOPTED THIS _____ DAY OF _____, 2012

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

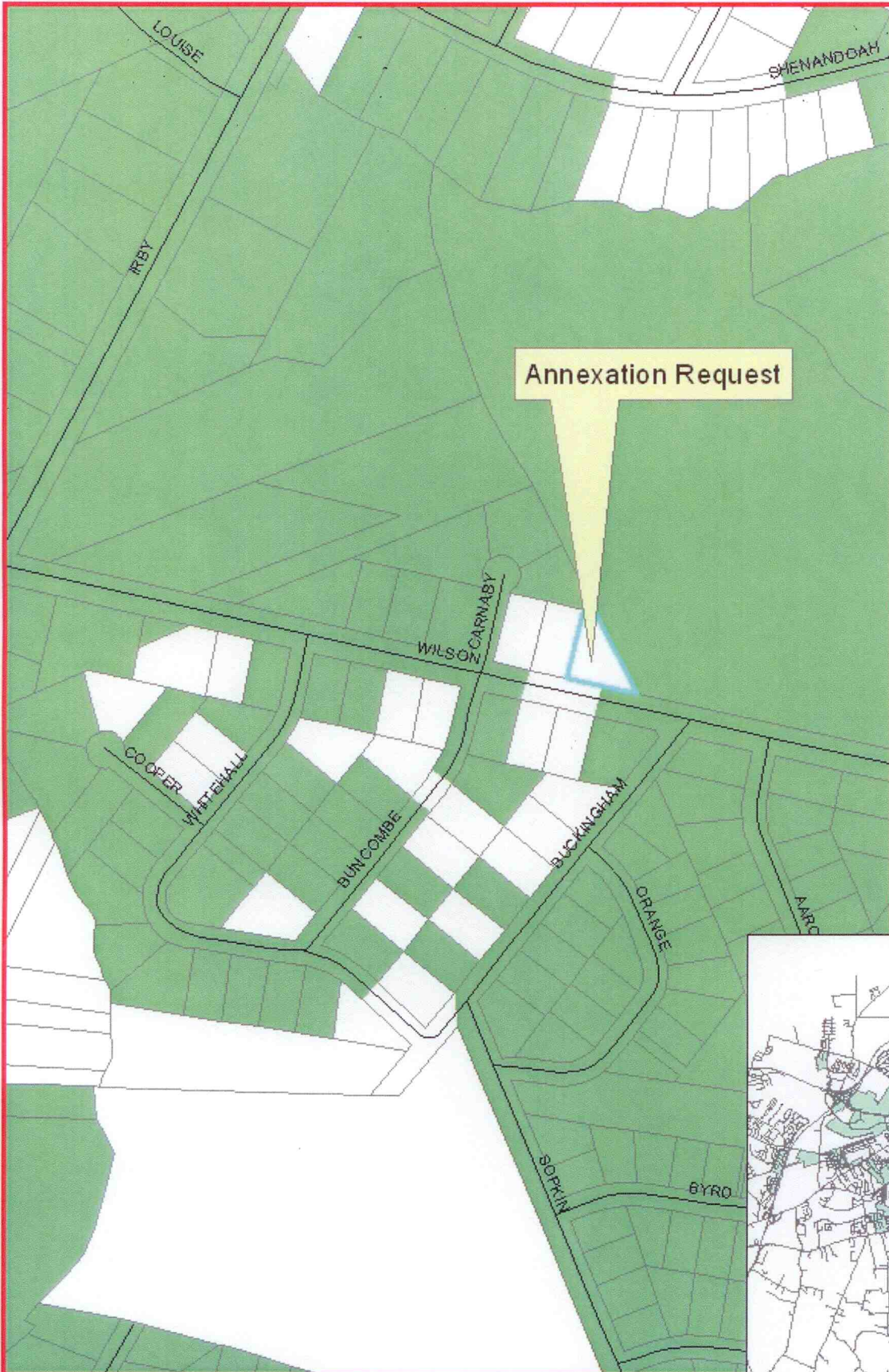
Attest:

Dianne Rowan
Municipal Clerk

Location Map 209 Wilson Road

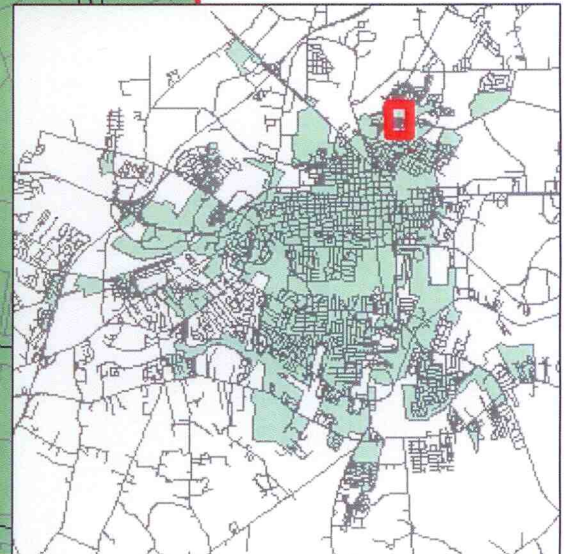


Urban Planning &
Development Department



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

DISCLAIMER:
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CITY OF FLORENCE COUNCIL MEETING

DATE: October 8, 2012

AGENDA ITEM: Ordinance
First Reading

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Text amendment to the Zoning Ordinance Article X Definitions, for the addition of *Institutional Use*.

II. POINTS TO CONSIDER:

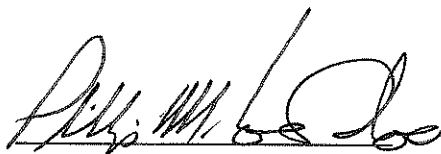
- 1) Text amendment is being considered for first reading.
- 2) The text amendment was prepared by the Planning, Research & Development Department after request for clarification of *institutional use* by City Council.
- 3) The proposed text amendment adds *institutional use* to the definitions section of the Zoning Ordinance and by reference in Tables VII & VIII.
- 4) A public hearing was held at the September 11, 2012 Planning Commission meeting. No one was present to voice concerns or support the request.
- 5) Planning Commission members voted 7-0 to recommend the text amendment.

III. CURRENT STATUS/PREVIOUS ACTION TAKEN:

- (1) City Council requested further clarification of institutional uses at their June 11, 2012 meeting.

IV. ATTACHMENTS:

Ordinance



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



Andrew H. Griffin
City Manager

Ordinance No. 2012-
October 8, 2012

Illumination Internal	A	A	A	A	A	A	A	A	A	NA
Illumination, Exposed bulbs	N	N	N	N	N	N	N	N	N	NA

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

2 – See Section 5.5

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

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

5 – Un-zoned area of County.

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

7- Animated signs shall comply with South Carolina State Code 63-354, subsections (E), (F), and (I). Illumination should not shine directly on adjacent properties. Where permitted in the INS illumination shall not be displayed during evening hours where visible from adjacent residential properties.

NA – Regulation not applicable in un-zoned area of county.

*ORD 2010-10

** ORD 2012-20

Table VIII Regulation of Signs by Type, Characteristics, and Zoning District

	All	B-1	B-2	B-3	B-4	B-5/B-	RU-1	RU-2	INS (B)
FREESTANDING SIGNS									
Number Permitted									
Billboards	N	N	N	NA	N	NA	NA	N	N
Other (J)	1(A)	1	1	1	1	1	1	1 (A)	2**
Per Feet of St. Frontage									
Billboards	N	N	N	1:1,200	N	1:1,200	1:1,200	N	N
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	(L)
Maximum Sign Area (s.f.)									
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	(M)
Minimum Setback from									
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'
BUILDING SIGNS									
Number Permitted (K)	1	1	2	2	2	2	2	1	2
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	90 (M)
Maximum Wall Area (K)	NA	NA	25	25%	25%	15%	25%	NA	20%
TEMPORARY SIGNS	See Section 5								

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

A – One-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation

* - Two-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation for the City of Florence only.

Ordinance No. 2012-
October 8, 2012

- B** – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the Zoning Ordinance in residential zoning district, i.e. churches, schools, parks, etc.
- C** – Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.
- D** – One per lot or one for each 300 linear feet of street frontage, whichever is less.
- E** – Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F** – 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. From W. Evans to I-95.
- G** – Not to exceed 160 square feet.
- H** - Maximum height of billboards shall not exceed 100 feet where located within 600 feet of Interstate Highway as defined above (measured from the average roadway grade level; maximum height of other signs and billboards not on Interstate ROW shall not exceed forty (40) feet.
- I** – Un-zoned areas – Billboards must be within 600 feet of business operation for 12 months, with at least one employee available to public at least 36 hours per week for four (4) days. Business to be equipped with all utilities, including restroom and permanent floor.
- J** – Directional signs shall meet the following conditional criteria:
- (1) The display surface area of directional signs shall not exceed 2 square feet per sign.
 - (2) A limit of three signs stacked may be utilized and shall not exceed five feet in height measured from the ground up.
 - (3) The height of a directional sign shall not exceed five feet in height measured from the ground up.
 - (4) Sign cannot intrude into the required site triangle.
 - (5) Company colors and/or logo may be used but no commercial message may be displayed.
- K** - One projection or wall sign may be allowed per tenant wall, not above the roof line, meeting the following size requirement and not to exceed 4 tenant walls; Front and rear walls=20% of wall area not to exceed 200 square feet; side walls=20% of wall areas not to exceed 100 square feet. **This provision shall apply to structures within line of sight of interstate highways and major thoroughfares.**
- L**- One Additional freestanding sign may be permitted per lot meeting a separation of 300 linear feet per sign.***
- M**- Up to a 20 square foot minimum may be permitted and a maximum of 1 square foot for each 2 feet of street frontage up to 90 square feet for building signs and 60 square feet for free standing signs.***

** ORD 2010-10

*** ORD 2012-20

2. Proposed text with additions highlighted:

ZO: Table VII Number, Dimension, and Location of Permitted Signs, By Zoning District

Sign Type	All Residential	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (3)	UZ (5)
Permanent										
Freestanding										
Billboards (4)	N	N	N	P	N	P	P	N	N	P
Other	P (1)	P (1)	P	P	P	P	P	P (1)	P	NA
Directional (6)	N	A	A	A	A	A	A	A	A	NA
Building										
Canopy	N	P	P	P	P	P	P	P	N	NA
Identification	A	A	A	A	A	A	A	A	A	NA
Directional	N	A	A	A	A	A	A	A	A	NA
Marquee	N	N	P	P	P	P	P	N	N	NA
Projecting	N	N	P	P	P	P	P	N	N	NA
Roof	N	N	P	P	P	P	P	N	N	NA
Roof, Integral	N	N	P	P	P	P	P	N	p**	NA
Wall	N	P	P	P	P	P	P	P	p**	NA
Window	N	A	A	A	A	A	A	A	A	NA
Temporary (2)										
A-Frame	N	N	A	A	A	A	A	N	N	NA

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Banner	N	N	P	P	P	P	P	N	P*	NA
Posters	A	A	A	A	A	A	A	A	A	NA
Portable	N	N	N	P	N	N	P	P	N	NA
Inflatable	N	N	P	P	N	N	P	N	N	NA
Pennant	N	N	P	P	N	P	P	N	N	NA
Identification	A	A	A	A	A	A	A	A	A	NA
Sign Characteristics										
Animated (7)**	N	N	P	P	P	P	P	N	P	NA
Changeable Copy	N	A	A	A	A	A	A	A	A	NA
Illumination Indirect	A	A	A	A	A	A	A	A	A	NA
Illumination Internal	A	A	A	A	A	A	A	A	A	NA
Illumination, Exposed bulbs	N	N	N	N	N	N	N	N	N	NA

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

2 – See Section 5.5

3 – This column does not represent a zoning district. It applies to institutional uses, as defined in Article 10 Definitions, and other non-residential uses permitted in residential zoning districts, i.e., churches, schools, parks, etc., and includes historical markers.

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

5 – Un-zoned area of County.

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

7- Animated signs shall comply with South Carolina State Code 63-354, subsections (E), (F), and (I). Illumination should not shine directly on adjacent properties. Where permitted in the INS illumination shall not be displayed during evening hours where visible from adjacent residential properties.

NA – Regulation not applicable in un-zoned area of county.

*ORD 2010-10

** ORD 2012-20

Table VIII Regulation of Signs by Type, Characteristics, and Zoning District

	All	B-1	B-2	B-3	B-4	B-5/B-	RU-1	RU-2	INS (B)
FREESTANDING SIGNS									
Number Permitted									
Billboards	N	N	N	NA	N	NA	NA	N	N
Other (J)	1(A)	1	1	1	1	1	1	1 (A)	2**
Per Feet of St. Frontage									
Billboards	N	N	N	1:1,200	N	1:1,200	1:1,200	N	N
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	(L)
Maximum Sign Area (s.f.)									
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	(M)
Minimum Setback from									
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'

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BUILDING SIGNS									
Number Permitted (K)	1	1	2	2	2	2	2	1	2
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	90 (M)
Maximum Wall Area (K)	NA	NA	25	25%	25%	15%	25%	NA	20%
TEMPORARY SIGNS									
See Section 5									

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

- A – One-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation
- * - Two-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation for the City of Florence only.
- B – This column does not represent a zoning district. It applies to institutional uses; as defined in Article 10, Definitions and other non-residential uses permitted under the Zoning Ordinance in residential zoning district, i.e. churches, schools, parks, etc.
- C – Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.
- D – One per lot or one for each 300 linear feet of street frontage, whichever is less.
- E – Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F – 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. From W. Evans to I-95.
- G – Not to exceed 160 square feet.
- H - Maximum height of billboards shall not exceed 100 feet where located within 600 feet of Interstate Highway as defined above (measured from the average roadway grade level; maximum height of other signs and billboards not on Interstate ROW shall not exceed forty (40) feet.
- I – Un-zoned areas – Billboards must be within 600 feet of business operation for 12 months, with at least one employee available to public at least 36 hours per week for four (4) days. Business to be equipped with all utilities, including restroom and permanent floor.
- J – Directional signs shall meet the following conditional criteria:
 - (1) The display surface area of directional signs shall not exceed 2 square feet per sign.
 - (2) A limit of three signs stacked may be utilized and shall not exceed five feet in height measured from the ground up.
 - (3) The height of a directional sign shall not exceed five feet in height measured from the ground up.
 - (4) Sign cannot intrude into the required site triangle.
 - (5) Company colors and/or logo may be used but no commercial message may be displayed.
- K - One projection or wall sign may be allowed per tenant wall, not above the roof line, meeting the following size requirement and not to exceed 4 tenant walls; Front and rear walls=20% of wall area not to exceed 200 square feet; side walls=20% of wall areas not to exceed 100 square feet. **This provision shall apply to structures within line of sight of interstate highways and major thoroughfares.**
- L- One Additional freestanding sign may be permitted per lot meeting a separation of 300 linear feet per sign.***
- M- Up to a 20 square foot minimum may be permitted and a maximum of 1 square foot for each 2 feet of street frontage up to 90 square feet for building signs and 60 square feet for free standing signs.***

** ORD 2010-10

*** ORD 2012-20

Article 10 Definitions

Institutional Use - Public, semipublic, and private elementary schools, high schools, civic buildings, community buildings and uses, and public utility uses including substations, government buildings, churches, museums, art galleries, fire houses, post offices, police stations, reservoirs, libraries, parks, essential services, hospitals, and similar uses.

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

Ordinance No. 2012-
October 8, 2012

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 Ordinance as shown above.
2. 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 Rowan
Municipal Clerk

VII. a.
Bill No. 2012-33
First Reading

FLORENCE CITY COUNCIL MEETING

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

I. ISSUE UNDER CONSIDERATION

An ordinance amending the City of Florence, SC Business License ordinance provisions for insurance companies.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

The Municipal Association of South Carolina (MASC) collects all current and delinquent business license taxes due from insurance companies licensed in this state for participating municipalities. Since July 1993 the City of Florence has participated in the Insurance Tax Collection Program through an agreement with MASC for the collection of current and delinquent license taxes from insurance companies and non-admitted insurance brokers.

III. POINTS TO CONSIDER

- A. As a result of legislation passed in the 2012 by the South Carolina General Assembly, all cities must amend their business license ordinance for insurance companies and non-admitted insurance brokers. Cities must also renew their agreement with MASC to collect these taxes on their behalf.
- B. The state legislation was necessary and supported by municipalities because of a recent change in federal law known as the "Dodd-Frank" Act which provides that the "placement of non-admitted insurance is subject to the statutory and regulatory requirements solely of the insured's home state." It also states that only the "home state" may require the payment of premium tax for non-admitted insurance.
- C. In response to this change in federal law, on June 29, 2012, Governor Haley signed into law legislation that designates a single tax rate of 6 percent for the broker's premium tax in South Carolina. The new state law fully complies with the new federal regulations and preserves the designation and collection of a 4 percent state tax and a 2 percent municipal broker's premium tax.
- D. The new law requires the South Carolina Department of Insurance to collect the brokers' premium tax and deposit all revenue collected into a special fund. The law also authorizes the Municipal Association of South Carolina to serve as the municipal agent to receive the funds from the Department of Insurance and distribute the funds to municipalities. The Department of Insurance is required to give the Association a full accounting, including, but not limited to, the name and address of the broker, amount collected from each broker, and information as to the location of the risk covered by the insurance.
- E. The ordinance does **not** change the City's current business license rate for insurance companies.

- F. MASC has informed all municipalities participating in the Insurance Tax Collection Program that the original signed agreement and a certified copy of the adopted amended ordinance must be received by the association by December 12, 2012 in order to collect a business license tax from insurance companies based on the new legislation.

IV. STAFF RECOMMENDATION


Approve and adopt the proposed ordinance.

V. ATTACHMENTS

- A. Memo from MASC pertaining to Insurance & Brokers Tax Collection Program changes
- B. Ordinance amending the City of Florence, SC business license ordinance for insurance companies
- C. Agreement with MASC for collection of business license taxes from insurance companies and administration as municipal agent of municipal brokers premium tax



Thomas W. Chandler
Finance Director



Andrew H. Griffin
City Manager



1411 Gervais Street, P.O. Box 12109
Columbia, SC 29211
tel: 803.799.9574
fax: 803.933.1299
www.masc.sc

Advocacy. Service. Innovation.

Date: September 25, 2012
To: Mayors, Managers, Administrators, Attorneys, Clerks and
Insurance Tax Collection Program Primary Contacts
From: Miriam Hair, Executive Director *MH*
Re: Insurance and Brokers Tax Collection Programs – IMMEDIATE ACTION REQUIRED

As a result of legislation passed in the 2012 session of the South Carolina General Assembly, all cities must immediately amend their business license ordinance for insurance companies and non-admitted insurance brokers. Cities must also renew their agreement with the Municipal Association of South Carolina to collect these taxes on their behalf.

The state legislation was necessary and supported by cities and towns because of a recent change in federal law known as the “Dodd-Frank” Act. Within the Act is a provision, The Non-admitted and Reinsurance Reform Act of 2010, which states that the “placement of non-admitted insurance is subject to the statutory and regulatory requirements solely of the insured’s home state.” It goes further to state only the “home state” may require the payment of premium tax for non-admitted insurance.

In response to this change in federal law, on June 29, 2012, Governor Nikki Haley signed into law legislation that designates a single tax rate of 6 percent for the broker’s premium tax in South Carolina. The new state law fully complies with the new federal regulations while preserving the designation and collection of a 4 percent state tax and a 2 percent municipal broker’s premium tax. The law further states that a municipality may not impose any additional license fee or tax based upon a percentage of premium.

The new law requires the South Carolina Department of Insurance to collect the brokers’ premium tax and deposit all revenue collected into a special fund, separate and distinct from the General Assembly’s general fund. The law also authorizes the Municipal Association of South Carolina to serve as the municipal agent to receive the funds from the Department of Insurance and distribute the funds to municipalities. The Department of Insurance is required to give the Association a full accounting, including, but not limited to, the name and address of the broker, amount collected from each broker, and information as to the location of the risk covered by the insurance.

In order to comply with the new state law, it is imperative your municipality adopt the enclosed ordinance and agreement exactly as written. It can be found on the Association’s website (www.masc.sc – keyword: collections ordinance) in Word or PDF format. You may also call (803.933.1229) or email Myan Jencks (MJencks@masc.sc) to have it emailed directly to you.

The Association must have the original signed agreement and a certified copy of your amended ordinance by Wednesday, December 12, 2012. We will send you a copy of the final agreement with my signature for your file. If you require an original signed agreement for your files, provide two signed agreements to the Association.

Please let me bring to your attention that changes also appear in the amended ordinance with regard to the administration of the business license tax for insurance companies. The changes are only made to clarify the intent of your current ordinance. If you have any questions concerning the amended ordinance or agreement, please contact Gail Hampton, Collection Programs Manager, at 803.933.1213.

MOH/mw

Encl:as

ORDINANCE NO. 2012 - _____

**AN ORDINANCE AMENDING THE CITY OF FLORENCE, SC BUSINESS LICENSE
ORDINANCE PROVISIONS FOR INSURANCE COMPANIES**

WHEREAS, the South Carolina General Assembly, in order to ensure consistency with the federal Non-admitted and Reinsurance Reform Act of 2010 ("NRRRA"), ratified an act (Rat # 283) on June 28, 2012, amending S. C. Code §§ 38-7-16 and 38-45-10 through 38-45-195; and

WHEREAS, the act establishes a blended broker's premium tax rate of 6 percent comprised of a 4 percent state broker's premium tax and a 2 percent municipal broker's premium tax; and

WHEREAS, the act states a municipality may not impose on brokers of non-admitted insurance in South Carolina an additional license fee or tax based upon a percentage of premiums; and

WHEREAS, the act authorizes the Municipal Association of South Carolina to act as the municipal agent for purposes of distributing to municipalities the municipal brokers tax collected by the South Carolina Department of Insurance; and

WHEREAS, it is necessary to amend the Business License Ordinance to conform to the State law as amended;

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Florence, South Carolina, that the Business License Ordinance is amended by changing the provisions for insurance companies as follows:

SECTION 1.

NAICS

CODE

5241

Insurance Companies: Except as to fire insurance, "gross premiums" means gross premiums written for policies for property or a risk located within the municipality. In addition, "gross premiums" shall include premiums written for policies that are sold, solicited, negotiated, taken, transmitted, received, delivered, applied for, produced or serviced by (1) the insurance company's office located in the municipality, (2) the insurance company's employee conducting business within the municipality, or (3) the office of the insurance company's licensed or appointed producer (agent) conducting business within the municipality, regardless of where the property or risk is located, provided no tax has been paid to another municipality in which the property or risk is located based on the same premium.

Solicitation for insurance, receiving or transmitting an application or policy, examination of a risk, collection or transmitting of a premium, adjusting a claim, delivering a benefit, or doing any act in connection with a policy or claim shall constitute conducting business within the municipality, regardless of whether or not an office is maintained in the municipality.

As to fire insurance, "gross premiums" means gross premiums (1) collected in the municipality, and/or (2) realized from risks located within the limits of the municipality.

Gross premiums shall include all business conducted in the prior calendar year.

Gross premiums shall include new and renewal business without deductions for any dividend, credit, return premiums or deposit.

Declining rates shall not apply.

52411	<u>Life, Health and Accident</u>	0.75% of Gross Premiums
524126	<u>Fire and Casualty</u>	2% of Gross Premiums
524127	<u>Title Insurance</u>	2% of Gross Premiums

SECTION 2.

Notwithstanding any other provisions of this ordinance, license taxes for insurance companies shall be payable on or before May 31 in each year without penalty. The penalty for delinquent payments shall be 5% of the tax due per month, or portion thereof, after the due date until paid.

SECTION 3.

Any exemptions in the business license ordinance for income from business in interstate commerce are hereby repealed. Gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax.

SECTION 4.

Pursuant to S.C. Code Ann. §§ 38-45-10 and 38-45-60, the Municipal Association of South Carolina is designated the municipal agent for purposes of administration of the municipal broker's premium tax. The agreement with the Association for administration and collection of current and delinquent license taxes from insurance companies as authorized by S.C. Code § 5-7-300 and administration of the municipal broker's premium tax in the form attached hereto is approved, and the Mayor is authorized to execute it.

All ordinances in conflict with this ordinance are hereby repealed.

This ordinance shall be effective on the date of final reading.

ADOPTED THIS _____ DAY OF _____, 2012.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Dianne Rowan
Municipal Clerk

AGREEMENT

For Collection Of All Business License Taxes From Insurance Companies and Administration as Municipal Agent of Municipal Brokers Premium Tax

WHEREAS, the MUNICIPAL ASSOCIATION OF SOUTH CAROLINA (hereinafter "the Association") has developed a program for statewide collection of all current and delinquent business license taxes due from insurance companies licensed in this state; and

WHEREAS, participating municipalities have adopted uniform rates and delinquent penalties for insurance companies and a uniform due date of May 31 for such license taxes; and

WHEREAS, municipalities are authorized to contract for assistance in collection of business license taxes pursuant to S.C. Code Ann. § 5-7-300; and

WHEREAS, the Association's collection of business license taxes from brokers for non-admitted surplus lines insurers is now governed by S.C. Code Ann. § 38-45-10, et seq., which is incorporated herein by reference; now therefore,

WITNESSETH

THIS AGREEMENT is made between the Municipal Association of South Carolina ("the Association") and the City of Florence, South Carolina ("the Municipality").

It is agreed between the parties as follows:

I. BUSINESS LICENSE TAXES FROM INSURANCE COMPANIES

1. The Association will make the necessary investigations, develop a database for the Municipality, establish procedures for determining the amount of business license taxes due, communicate with insurance companies subject to the taxes, and collect all current and delinquent business license taxes due from insurers on an annual basis.
2. The Association will bear all expenses incurred in connection with the services rendered.
3. The Association will deposit all funds received in an appropriate account for which accurate records will be maintained. Taxes collected for the municipality, less the service charge herein agreed to, will be disbursed to the Municipality as collections permit.
4. The Association is hereby designated as the exclusive agent of the Municipality for assessment and collection of the said business license taxes and penalties utilizing all

procedures and actions authorized by ordinance or State law, and such procedures and actions may be invoked in the name of the Municipality without further approval by the Municipality.

5. The Association will notify all insurance companies licensed in the State of this agreement and the requirement that all business license taxes be paid to the Association.
6. The Municipality acknowledges that it is an essential element of the programs for all such taxes to be paid to the Association, and no such taxes will be accepted, waived or compromised by the Municipality directly from or with an insurer. All communications from insurance companies will be sent to the Association. Payments accepted by the Municipality will be included in the computation of compensation to the Association.
7. The Municipality agrees that the Association shall retain 4 percent of all funds collected for the Municipality pursuant to this agreement, together with any interest earned on funds held on deposit prior to disbursement, as compensation for the services rendered.

II. Municipal Brokers Premium Tax

1. On behalf of its municipalities, the Association will communicate with brokers for non-admitted insurance companies subject to the tax in S.C. Code Ann. § 38-45-10, et seq. and will communicate with the South Carolina Department of Insurance on all issues related to the taxes due from brokers per S.C. Code Ann. § 38-45-10, et seq.
2. The Association will bear all expenses incurred in connection with the services rendered.
3. Per S.C. Code Ann. § 38-45-10 and ordinance adopted by the Municipality, the Association is designated as the municipal agent to act on behalf of the municipality for the purposes set out in S.C. Code Ann. §38-45-10, et. seq.
4. S.C. Code Ann. § 38-45-10, et seq., governs the Association's receipt from the South Carolina Department of Insurance ("DOI") and distribution to the municipality of all municipal premium taxes from brokers for non-admitted surplus lines insurance. Upon receipt of the taxes from the DOI, the Association will deposit all funds received in an appropriate account for which accurate records will be maintained. Taxes will be disbursed to the municipality, less the service charge herein agreed to, as collections permit.
5. The Municipality agrees that the Association shall retain 4 percent of all funds collected or received by the Association for the Municipality pursuant to this agreement, together with any interest earned on funds held on deposit prior to disbursement, as compensation for the services rendered.

III. TERM AND LEGALITY

1. The Municipality represents that this agreement has been approved by ordinance duly adopted pursuant to S.C. Code Ann. § 5-7-300.
2. This Agreement is effective until December 31, 2022, and shall continue from year to year thereafter until terminated by either party upon 90 days notice in writing given prior to December 31.

MUNICIPAL ASSOCIATION OF SOUTH CAROLINA

By: _____
Miriam O. Hair
Executive Director

CITY OF FLORENCE, SOUTH CAROLINA

By: _____
Mayor

DATE: _____, 20__

**VII. b.
Bill No. 2012-34
First Reading**

CITY OF FLORENCE COUNCIL MEETING

DATE: November 12, 2012

AGENDA ITEM: Ordinance
First Reading

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to rezone 0.35 acres identified by Florence County Tax Map 90103-01-011, from R-4 Multi-Family Residential, Limited to B-3 General Commercial. The request is being made by the owner, Heritage Community Bank.

II. POINTS TO CONSIDER:

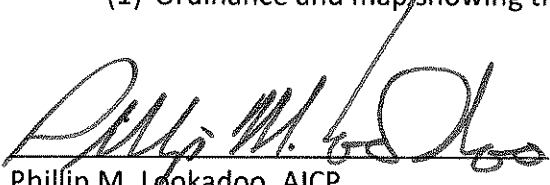
- (1) The future land use map of the Florence 2010 Comprehensive Plan designates the subject properties as Downtown.
- (2) The objective of the Downtown land use designation is for the development, redevelopment, and reuse of residential, commercial, and mixed-use buildings downtown. The current R-4 zoning does not allow for commercial development of the site. The requested B-3 zoning permits a higher intensity of uses which includes both residential and commercial.
- (3) The land is currently vacant after the demolition of three residential structures in 2006.
- (4) The parcel is located in the D-1 Downtown Redevelopment District. Development of the site is subject to the Design Guidelines and approval by the Design Review Board.

III. CURRENT STATUS/PREVIOUS ACTION TAKEN:

- (1) Planning Commission members voted 5-0 to recommend the rezoning.
- (2) A public hearing was held at the October 9, 2012 Planning Commission meeting. No one was present to voice concerns or support the request.

IV. ATTACHMENTS:

- (1) Ordinance and map showing the location of the property.


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


Andrew H. Griffin
City Manager

ORDINANCE NO. 2012 _____

AN ORDINANCE TO REZONE 0.35 ACRES, IDENTIFIED BY FLORENCE COUNTY TAX MAP 90103-01-011, FROM R-4 MULIT-FAMILY, LIMITED DISTRICT TO B-3 GENERAL COMMERCIAL DISTRICT.

WHEREAS, a Public Hearing was held in Room 603 of the City-County Complex on October 9, 2012 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, an application by Heritage Bank, owner of Florence County Tax Map 90103-01-011 was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid properties be rezoned to a B-3 General Commercial District classification:

The land is shown more specifically on Florence County Tax Map 90103, block 01, parcel 011. (0.35 Acre)

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 rezoning the aforesaid properties to B-3, General Commercial 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 _____, 2012

Ordinance No. 2012 - _____
Page 2 – November, 2012

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Dianne Rowan
Municipal Clerk

Location Map

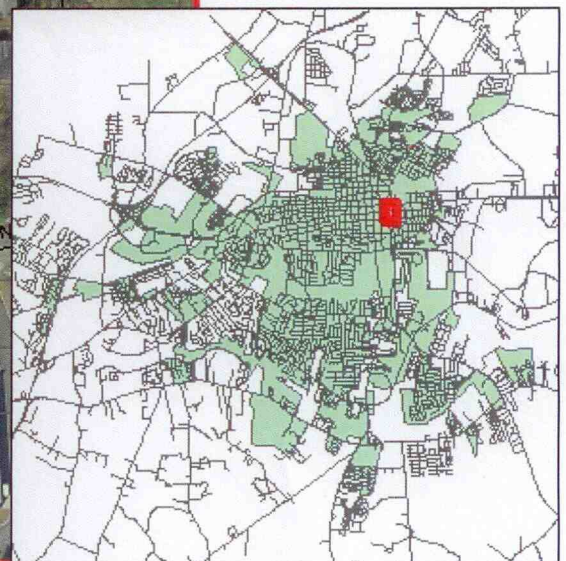


Urban Planning &
Development Department



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

DISCLAIMER:
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Re-zone Request

FLORENCE CITY COUNCIL MEETING

DATE: November 6, 2012
AGENDA ITEM: Ordinance No. 2012-034
DEPARTMENT/DIVISION: City Council , City Staff, and City Attorney

I. Issue under Consideration

An Ordinance to authorize the following action:

- a. The City, pursuant to §5-7-260(6) of the South Carolina Code of Laws and §2-26(8) of the Code of Ordinances of the City of Florence, to Execute an Agreement with the County that will result in the termination of the current Agreement and Lease of the City-County Complex between the City, the County, and the Building Commission of the City and County of Florence, and the conveyance of the City's interests in the City-County Complex (Tax Parcel 90-167-02-007) to the County of Florence in order to facilitate the City's moving out of the Complex and establishing a new City Hall location at 324 West Evans Street (Tax Parcel 90074-05-001).
- b. The City to execute the documents necessary to acquire possession of the building and property designated as 324 West Evans Street (Tax Parcel 90074-05-001) and to up-fit said location in order to use this location as a new stand alone city hall.

II. Current Status/previous Action Taken

The attached Ordinance is before Council for consideration on First Reading. As always, the ultimate passage of the Ordinance requires two readings. Since the Ordinance requires approval of two separate contractual matters which are currently being negotiated, those contracts (referred to as Exhibits "A" and "B" in the Ordinance) will be discussed in executive session before being attached to and incorporated into the Ordinance. This will be accomplished before Council votes on First Reading.

III. Points to Consider

- a. The City-County Complex and associated land, which is designated in the Florence County Tax Records as Tax Parcel 90167-02-007, is currently titled in the name of the Building Commission of the City and County of Florence, and said facilities are currently operated and maintained by the said Building Commission and shared by the City and the County under an Agreement and Lease dated June 29, 1970. The City currently occupies 28% of the space in the Complex and pays rent based upon 28% of the cost for operating and maintaining the Complex.
- b. The bonded indebtedness in the amount of \$5,000,000.00 incurred for the construction of the Complex has long since been paid off with the City and the County paying their pro-rata share, and the bonded indebtedness is retired.
- c. Both the City and the County, in the four decades that have passed since the Agreement and Lease on the Complex, have significantly grown to the point that their respective requirements for space for administrative and governmental offices have greatly increased.
- d. The ability of the City to establish its separate identity and the need for additional space by both the City and County has created a situation in which Council needs to determine whether it is in best interest of the citizens of both the City and the County to separate the physical properties utilized by the City and the County by terminating the agreement, utilizing the current Complex building for the sole use of the County, and having the City move its physical location to a separate city hall.
- e. The City has located a property and building within the downtown area of the City of Florence at 324 West Evans Street (Tax Parcel 90074-05-001) which it can acquire and utilize for the establishment of a separate city hall in which it can consolidate city offices.
- f. Pursuant to paragraph 14 of the aforementioned Agreement and Lease dated June 29, 1970, it is specifically provided that the aforesaid agreement "... shall continue until it is agreed by both the City of Florence and the County of Florence that the same be terminated..."; and pursuant to paragraph 15 of the aforementioned Agreement and Lease dated June 29, 1970, it is specifically provided that "[A]t any time after the aforementioned Five Million (\$5,000,000) Dollar bonded indebtedness has been retired, the Commission,

upon receiving a written request so to do from both the City and the County, shall forthwith and without consideration deed all of its right, title, and interest in all lands held by it, together with all improvements thereon, to the City and the county jointly.” These provisions, when taken together, allow the City and the County to mutually agree to end the current arrangement regarding the Complex.

- g. The City entered into a Real Estate Purchase Agreement on September 17, 2012 which provides for the purchase of 324 West Evans Street (Tax Parcel 90074-05-001) contingent upon the City’s ninety (90) day due diligence period and the approval by City Council and County Council to termination of the current arrangement regarding the Complex.
- h. The City has now completed an extensive due diligence process which has included a careful study of the financial impact of such a step, the appropriateness of the premises at 324 West Evans Street for use as a City Hall, the needed up-fits for the building, the availability of other appropriate properties, the best available options for financing the acquisition, the position of the County on termination of the current arrangement on the Complex, the impact of the proposed move on redevelopment efforts downtown, the benefits to both citizens and city employees of establishing a separate city hall location, and many other factors.
- i. Based upon this process and study, City Staff is convinced that the termination of the aforesaid Agreement and Lease on the Complex, the separation of the physical location of the administrative offices for the County and the City, and the creation by the City of a separate city hall building are in the best interest of and will be of significant benefit to the citizens of both the City and the County of Florence.
- j. This Ordinance is before Council for First Reading.

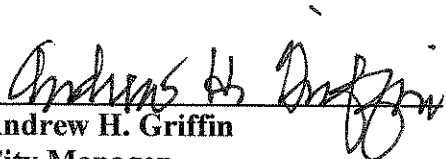
IV. Staff Recommendation

Staff recommends approval of the Ordinance.

V. Attachments

- a. Copy of Ordinance proposed for First Reading.

- b. Copy of Exhibit "A" to Ordinance which will be attached after discussion in Executive Session.
- c. Copy of Exhibit "B" to Ordinance which will be attached after discussion in Executive Session.



Andrew H. Griffin
City Manager

ORDINANCE NO. 2012-034

AN ORDINANCE AUTHORIZING THE TRANSFER OF THE INTERESTS OF THE CITY IN THE CITY-COUNTY COMPLEX AND ALL ASSOCIATED LAND TO THE COUNTY, SAID LAND PARCELS TOTALING 6.26 ACRES, MORE OR LESS, BEING THE PARCEL DESIGNATED IN THE TAX RECORDS FOR FLORENCE COUNTY AS TAX PARCEL 90167-02-007 AND FURTHER AUTHORIZING THE CITY TO TAKE STEPS NEEDED TO ACQUIRE THE PROPERTY CURRENTLY KNOWN AS THE CITY CENTER LOCATED AT 324 WEST EVANS STREET AND DESIGNATED AS TAX PARCEL 90074-05-001, TO UP FIT SAID PROPERTY AS A NEW CITY HALL, AND TO MOVE ALL CITY OFFICES TO THIS NEW CITY HALL.

WHEREAS, the City-County Complex and associated land, which is designated in the Florence County Tax Records as Tax Parcel 90167-02-007, is currently titled in the name of the Building Commission of the City and County of Florence and said facilities are currently operated and maintained by the said Building Commission and shared by the City and the County under an Agreement and Lease dated June 29, 1970;

WHEREAS, all parties to the aforementioned Agreement and Lease have complied with all of the terms and conditions of the Agreement and Lease since its inception in 1970;

WHEREAS, the bonded indebtedness in the amount of \$5,000,000.00 incurred for the construction of the Complex has long since been paid off with the City and the County paying their pro-rata share, and said bonded indebtedness is retired;

WHEREAS, both the City and the County, in the four decades that have passed since the aforementioned Agreement and Lease, have significantly grown to the point that their respective requirements for space for administrative and governmental offices have greatly increased;

WHEREAS, we hereby find and conclude that both the need for the City to establish a separate identity and the need for additional space by both the City and County has created a situation in which it is in the best interest of the citizens of both the City and the County to

separate the physical properties utilized by the City and the County by terminating the agreement, utilizing the current complex building for the sole use of the County, and having the City move its physical location to a separate city hall;

WHEREAS, the City and the County are authorized to enter into contracts and cooperative agreements, provided the governing bodies for both the City and the County take all necessary action to authorize the execution of the Agreement and Termination of Lease attached hereto as Exhibit A;

WHEREAS, pursuant to paragraph 14 of the aforementioned Agreement and Lease dated June 29, 1970, it is specifically provided that the aforesaid agreement "... shall continue until it is agreed by both the City of Florence and the County of Florence that the same be terminated...";

WHEREAS, pursuant to paragraph 15 of the aforementioned Agreement and Lease dated June 29, 1970, it is specifically provided that " [A]t any time after the aforementioned Five Million (\$5,000,000) Dollar bonded indebtedness has been retired, the Commission, upon receiving a written request so to do from both the City and the County, shall forthwith and without consideration deed all of its right, title, and interest in all lands held by it, together with all improvements thereon, to the City and the county jointly.";

WHEREAS, the City has located a property and building within the downtown area of the City of Florence at 324 West Evans Street, which is designated in the Florence County Tax Records as Tax Parcel 90074-05-001, that it can acquire and utilize for the establishment of a separate city hall in which it can consolidate city offices;

WHEREAS, the City entered into a Real Estate Purchase Agreement on September 17, 2012 which provides for the purchase of 324 West Evans Street (Tax Parcel 90074-05-001) contingent upon the City's ninety (90) day due diligence period and the approval by City Council and County Council to termination of the current arrangement regarding the Complex;

WHEREAS, the City has now completed an extensive due diligence process which has included a careful study of the financial impact of such a step, the appropriateness of the premises at 324 West Evans Street for use as a City Hall, the needed up-fits for the building, the availability of other appropriate properties, the best available options for financing the acquisition, the position of the County on termination of the current arrangement on the Complex, the impact of the proposed move on redevelopment efforts downtown, the benefits to both citizens and city employees of establishing a separate city hall location, and many other factors; and

WHEREAS, the City finds and concludes that the termination of the aforesaid Agreement and Lease, the separation of the physical location of the administrative offices for the County and the City, and the acquisition by the City of a separate city hall building is in the best interest of, and will be of significant benefit to, the citizens of both the City and the County 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 Agreement and Termination of Lease attached hereto as Exhibit "A" with the County, and a Deed and other documentation in order to convey all of the City's interest in the property known as the City-County Complex (Tax Parcel 90167-02-007) to Florence County and to carry out the other terms and conditions contained in said Agreement and Termination of Lease.

2. That the City Manager is hereby authorized to execute such agreements and documents as may be necessary for the City to acquire the use of property and building located at 324 West Evans Street (Tax Parcel 90074-05-001), including, but not limited to the Lease Agreement attached hereto as Exhibit "B", and that the City shall use said property for the

establishment of a separate city hall.

3. That 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.

STEPHEN J. WUKELA
Mayor

Approved as to form:

Attest:

JAMES W. PETERSON, JR.
City Attorney

DIANNE M. ROWAN
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: November 12, 2012
AGENDA ITEM: Introduction of Resolution
DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

Passage of Resolution to designate November 12-18, 2012 as Eastern Carolina Foundation Week.

II. PREVIOUS ACTION:

1. No previous action; this is the original request.

III. POINTS TO CONSIDER:

1. Eastern Carolina Foundation is celebrating five years of service in the Pee Dee.
2. They have distributed over \$500,000 to nonprofit organizations, as well as to educational and religious institutions since 2007.

ATTACHMENTS:

Resolution No. 2012 – 29



Andrew H. Griffin
City Manager

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

RESOLUTION NO. 2012 - 29

**A RESOLUTION TO DESIGNATE NOVEMBER 12-18, 2012
AS EASTERN CAROLINA FOUNDATION WEEK**

WHEREAS, Throughout our nation’s history, individual Americans have voluntarily joined together to meet important needs in their communities. This generosity and willingness to work together toward a common goal is a hallmark of the American character; and

WHEREAS, today, private voluntary associations across the country make substantial contributions to our nation’s well-being and many of these associations are community foundations – charitable organizations formed to attract and distribute endowment funds; and

WHEREAS, directed by volunteers, community foundations provide effective leadership in communities throughout the United States, and are one of the fastest-growing forms of philanthropy in the United States; and

WHEREAS, here in the Pee Dee, Eastern Carolina Community Foundation celebrates five years of service and has distributed over \$500,000 to nonprofit organizations, as well as educational and religious institutions since 2007; and

WHEREAS, in grateful recognition, the Florence City Council recognizes Eastern Carolina Community Foundation’s charitable service and the concerned individuals who donate their time, talent, and material resources to the Foundation.

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

The week of November 12-18, 2012 is hereby recognized as

Eastern Carolina Community Foundation Week

in the City of Florence, South Carolina.

RESOLVED THIS 12TH DAY OF November, 2012.

APPROVED AS TO FORM:

JAMES W. PETERSON, JR.
CITY ATTORNEY

STEPHEN J. WUKELA
MAYOR

ATTEST:

DIANNE M. ROWAN
MUNICIPAL CLERK

**VIII. b.
Resolution No.
2012-30**

FLORENCE CITY COUNCIL MEETING

DATE: November 12, 2012

AGENDA ITEM: Introduction of Resolution No. 2012-30

DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

Passage of Resolution to designate November 10-18, 2012 as National Hunger and Homelessness Awareness Week.

II. PREVIOUS ACTION:


1. No previous action; this is the original request.

III. POINTS TO CONSIDER:

1. The City of Florence recognizes that hunger and homelessness continues to be a serious problem for many.
2. The purpose of the Resolution is to educate the public about the many reasons people are hungry and homeless.
3. Many organizations, such as, Lighthouse Ministries, House of Hope and Pee Dee Community Action Partnership are committed to providing services for the homeless.
4. National Hunger and Homeless Awareness Week is consistent with the activities of Lighthouse Ministries, House of Hope and Pee Dee Community Action Partnership.

ATTACHMENTS:

Resolution No. 2012 – 30



Andrew H. Griffin
City Manager

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

RESOLUTION NO. 2012 – 30

**A RESOLUTION TO DESIGNATE NOVEMBER 10-18, 2012
AS NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK**

- WHEREAS,** For the past several years the National Coalition for the Homeless and National Student Campaign Against Hunger and Homelessness have sponsored National Hunger and Homeless Awareness Week; and
- WHEREAS,** the purpose of the resolution is to educate the public about the many reasons people are hungry and homeless including the shortage of affordable housing for very low income residents; and to encourage support for homeless assistance service providers as well as community service opportunities for students and school service organizations; and
- WHEREAS,** there are many organizations committed to sheltering, providing supportive services as well as meals and food supplies to the homeless including: Lighthouse Ministries, House of Hope of the Pee Dee and the Pee Dee Community Action Partnership Transitional Shelter; and
- WHEREAS,** the theme of National Hunger and Homeless Awareness Week 2012 is “Bringing America Home,” and
- WHEREAS,** the City of Florence recognizes that hunger and homelessness continue to be a serious problem for many individuals and families in the City of Florence; and
- WHEREAS,** the intent of National Hunger and Homeless Awareness Week is consistent with the activities of Lighthouse Ministries, House of Hope of the Pee Dee and the Pee Dee Community Action Partnership Transitional Shelter.

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

The week of November 10-18, 2012 is hereby recognized as

National Hunger and Homeless Awareness Week

in the City of Florence, South Carolina.

RESOLVED THIS 12TH DAY OF November, 2012.

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: November 12, 2012

AGENDA ITEM: Introduction of Resolution No. 2012-31

DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

Passage of Resolution to designate the month of November, 2012 as Epilepsy Awareness Week.

PREVIOUS ACTION:

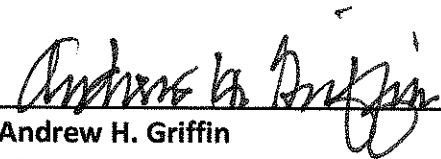
1. No previous action; this is the original request.

III. POINTS TO CONSIDER:

1. Epilepsy is one of the most common neurological conditions, estimated to affect over 50 million people worldwide.
2. Epilepsy affects over 3 million people in the United States.
3. Epilepsy Awareness Month will increase understanding, reduce stigma, and improve the quality of life for people with epilepsy throughout the country.

ATTACHMENTS:

Resolution No. 2012 – 31



Andrew H. Griffin
City Manager

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

RESOLUTION NO. 2012 – 31

**A RESOLUTION TO DESIGNATE NOVEMBER 2012
AS EPILEPSY AWARENESS MONTH**

- WHEREAS**, November is the month dedicated to promoting epilepsy awareness in the United States; and
- WHEREAS**, Epilepsy is one of the most common neurological conditions, estimated to affect over 50 million people worldwide and over 3 million in the United States; and
- WHEREAS**, One in twenty-six persons will be diagnosed with epilepsy and one in ten persons will have at least one seizure during his or her lifetime; and
- WHEREAS**, Epilepsy is more common than Parkinson’s disease, multiple sclerosis, muscular dystrophy and cerebral palsy combined; and
- WHEREAS**, The public is often unable to recognize common seizure types, or how to respond with appropriate first aid; and
- WHEREAS**, Epilepsy Awareness Month will be celebrated in November annually, to increase understanding, reduce stigma, and improve the quality of life for people with epilepsy throughout the country.

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

The month of November, 2012 is hereby recognized as

Epilepsy Awareness Month

in the City of Florence, South Carolina.

RESOLVED THIS 12TH DAY OF November, 2012.

APPROVED AS TO FORM:

JAMES W. PETERSON, JR.
CITY ATTORNEY

STEPHEN J. WUKELA
MAYOR

ATTEST:

DIANNE M. ROWAN
MUNICIPAL CLERK

**VIII. d.
Resolution No.
2012-32**

FLORENCE CITY COUNCIL MEETING

DATE: November 12, 2012

AGENDA ITEM: Introduction of Resolution No. 2012-32

DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

Passage of Resolution No. 2012-32 to designate November, 2012 as National Hospice and Palliative Care Month.

II. PREVIOUS ACTION:


1. No previous action; this is the original request.

III. POINTS TO CONSIDER:

1. More than 1.6 million Americans that are living with life-limiting illness receive care from the nation's hospice programs in communities throughout the United States every year.
2. Hospice and palliative care reaffirms our belief that every stage of human life deserves to be treated with the utmost respect and care.
3. Through this Resolution, hospice and palliative care providers will encourage people to learn more about the options available to the community.

ATTACHEMENT:

Resolution No. 2012-32



Andrew H. Griffin
City Manager

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

RESOLUTION NO. 2012 – 32

**A RESOLUTION TO DESIGNATE THE MONTH OF NOVEMBER
AS NATIONAL HOSPICE AND PALLIATIVE CARE MONTH**

- WHEREAS,** Hospice and palliative care provide the highest quality of care to patients and families and bring comfort, love and respect for all those they serve in communities across the nation and here in Florence, South Carolina; and
- WHEREAS,** hospice and palliative care professionals, including physicians, nurses, social workers, therapists, counselors, health aides, and clergy, providing comprehensive and compassionate care that make the wishes of each patient and family a priority; and
- WHEREAS,** through pain management and symptom control, caregiver training and assistance, and emotional and spiritual support, allowing patients to live fully up until the final moments, surrounded and supported by the faces of loved ones, friends, and committed caregivers; and
- WHEREAS,** the provision of quality hospice and palliative care reaffirms our belief in the essential dignity of every person, regardless of age, health, or social status, and that every stage of human life deserves to be treated with the utmost respect and care; and
- WHEREAS,** every year more than 1.6 million Americans living with life-limiting illness, and their families, received care from the nation’s hospice programs in communities throughout the United States; and
- WHEREAS,** more than 468,000 trained volunteers contribute 22 million hours of service to hospice program annually; and
- WHEREAS,** hospice and palliative care providers encourage all people to learn more about options of care and to share their wishes with family, loved ones, and their healthcare professionals.

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

That the month of November 2012 is hereby recognized as *National Hospice and Palliative Care Month* in the City of Florence, South Carolina.

RESOLVED THIS 12TH DAY OF November, 2012.

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: November 12, 2012

AGENDA ITEM: Report to Council

DEPARTMENT/DIVISION: General Services

I. ISSUE UNDER CONSIDERATION

To declare as surplus property, land totaling approximately 18 acres located immediately adjacent to the Florence National Cemetery.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

- 1) During 2006-2007, the City of Florence purchased a number of individual parcels (40) which totaled approximately 18 acres. The parcels are located between City owned land (SWIM Project) and the Florence National Cemetery.
- 2) The land was acquired to build an affordable housing subdivision.

III. POINTS TO CONSIDER

- 1) Due to the economic downturn in 2008 and the continued decrease in CDBG funding levels the City has not been able to fund the housing project. There are no immediate plans to develop the property.
- 2) The City owned property which consists of a large number of different parcels is located north of National Cemetery Road and immediately adjacent to the Cemetery.
- 3) During the past year the City completed a series of neighborhood meetings and developed a neighborhood planning program which set neighborhood priorities. In each neighborhood the residents spoke to the need for programs that preserved and strengthened existing neighborhoods and improved upon existing infrastructure and city owned facilities.
- 4) It would be staff's recommendation that any funds received from the sale of these properties be redirected to meet the stated neighborhood priorities.

- 5) Several years ago the City developed an affordable housing subdivision located off of Williams Blvd. Currently, out of the 27 developed lots the City has constructed and sold 4 housing units and therefore we still have 23 available properties to develop into new affordable housing units.
- 6) Since purchasing the property located off of National Cemetery Road the City has discovered that the National Cemetery has generally allocated its inventory of land and is therefore in need of additional property so that it may continue to provide burial services for veterans and their families. The National Cemetery is also considered an important regional landmark and therefore has considerable value to the Florence community.
- 4) Because of this need for additional land, the staff at the National Cemetery informed the City that they have an interest in purchasing the city owned property.
- 5) The land was purchased for \$272,700 (fair market value).

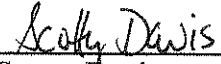
IV. STAFF RECOMMENDATION:

Staff recommends that City Council declare the property surplus and offer to convey the property to the Department of Veterans Affairs (United States of America) at a value equal to the purchase price of the property paid by the City of Florence.

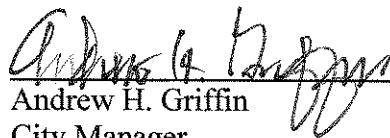
V. PERSONAL NOTES:

VI. ATTACHMENTS

Location Map



Scotty Davis
Director of General Services



Andrew H. Griffin
City Manager



Tax Map Numbers
of City Owned Property

90119-04-001	90119-06-004
90119-04-002	90119-06-005
90119-04-003	90119-06-006
90119-04-004	90119-06-007
90119-04-005	90119-06-008
90119-04-008	90119-06-009
90119-04-009	90119-07-002
90119-04-010	90119-07-003
90119-04-011	90119-07-004
90119-04-012	90119-07-005
90119-04-013	90119-07-006
90119-04-014	90119-07-007
90119-04-015	90119-07-008
90119-05-001	90119-08-001
90119-05-002	90119-08-002
90119-05-003	90119-08-003
90119-05-004	90119-08-004
90119-05-005	90119-08-005
90119-06-001	90119-08-006
90119-06-003	90119-08-007
90119-06-010	

Legend

-  SWMM
-  National Cemetery
-  City Owned Property
-  Property Lines

