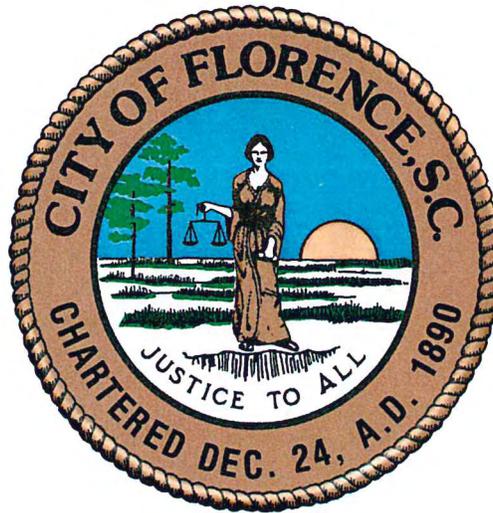


REGULAR MEETING
OF
FLORENCE CITY COUNCIL



COUNCIL CHAMBERS
324 W. EVANS STREET
FLORENCE, SOUTH CAROLINA

MONDAY
JULY 11, 2016
1:00 P.M.

REGULAR MEETING OF FLORENCE CITY COUNCIL

MONDAY, JULY 11, 2016 – 1:00 P.M.

CITY CENTER – COUNCIL CHAMBERS

324 W. EVANS STREET

FLORENCE, SOUTH CAROLINA

AGENDA

I. CALL TO ORDER

II. INVOCATION

III. APPROVAL OF MINUTES

June 1, 2016 – Special Meeting

June 13, 2016 – Regular Meeting

IV. HONORS AND RECOGNITIONS

SERVICE RECOGNITIONS

Derrick Harps – 10 years – Collection Operations

Alder “Leroy” Johnson – 15 years – Equipment Maintenance

Michael Morris – 15 years – Wastewater Operations

V. APPEARANCE BEFORE COUNCIL

a. Ms. Sandra Carter – New Ebenezer Summer Camp

b. Mr. James Kennedy – Follow-up from the community on issues raised at the June 13, 2016 City Council meeting.

VI. PUBLIC HEARING

- a. *A Public Hearing will be held on the Edward Byrne Memorial Justice Assistance Grant regarding the purchase of a traffic message board and a portable driver feedback sign.***
- b. *A Public Hearing to receive comments on amending the 2015-2016 Community Development Block Grant Annual Action Plan.***

VII. ORDINANCES IN POSITION

- a. *Bill No. 2016-16 – Second Reading***
An Ordinance to declare surplus property owned by the City of Florence and to convey the property to Sisters 4 the Future.
- b. *Bill No. 2016-23 – Second Reading***
An Ordinance for a text amendment to City of Florence Zoning Ordinance Section 3.14 to set forth conditional use regulations for unattended donation receptacles.
- c. *Bill No. 2016-26 – Second Reading***
An Ordinance amending Ordinance No. 2006-43 in order to supplement the plan for the redevelopment of such area by describing the Redevelopment Projects and to extend the maximum term of maturity of obligations to be issued under the plan and thus extend the duration of the Redevelopment Plan, each as established by Ordinance No. 2006-43.
- d. *Bill No. 2016-27 – Second Reading***
An Ordinance to adopt Section 19-18 and 19-19 of the City of Florence Code of Ordinances to establish on-street parking regulations.
- e. *Bill No. 2016-28 – Second Reading***
An Ordinance to annex and zone property owned by Ray Kelsey, Tax Map Number 01801-04-011.
- f. *Bill No. 2016-29 – Second Reading***
An Ordinance to annex property owned by The Grove at Ebenezer, LLC, specifically a 40.5 acre portion of TMN 00075-01-221..
- g. *Bill No. 2016-30 – Second Reading***
An Ordinance to approve a Lease of property known as 314 W. Pine Street and designated in the Florence County Tax Records as Tax Parcel 90075-04-020 to Pee Dee Healthy Start, Inc. under the terms and conditions set out in the Lease attached as Exhibit A to the ordinance.

- h. Bill No. 2016-31 – Second Reading**
An Ordinance authorizing the transfer of land to C.V. Flowers, specifically a portion of Tax Parcel 90038-07-014.

VIII. INTRODUCTION OF ORDINANCES

- a. Bill No. 2016-32 – First Reading**
An Ordinance to amend the Planned Development District Ordinance 2016-01 to rezone and add the parcel identified as Tax Map Number 00075-01-036, and amend the text within the development standards of the PDD, said properties being specifically designated in the Florence County Tax Records as Tax Map Parcels 00075-01-219; 00075-01-220; 00075-01-221; 00075-01-222; and 00075-01-214.
- b. Bill No. 2016-33 – First Reading**
An Ordinance to declare tax parcel 00099-01-182 as surplus and authorize the transfer of land to PR Magnolia, LLC.

IX. INTRODUCTION OF RESOLUTION

- a. Resolution No. 2016-18**
A Resolution to amend the 2015-2016 Community Development Block Grant Annual Action Plan.

X. ADJOURN

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
WEDNESDAY, JUNE 1, 2016 – 4:30 P.M.
SURFACE WATER TREATMENT FACILITY
2598 FLORENCE HARLLEE BLVD.
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT: Mayor Wukela called the special meeting to order at 4:50 p.m. with the following members present: Mayor Pro tem Frank J. Brand, II, Councilman Robby Hill; Councilwoman Octavia Williams-Blake and Councilwoman Teresa Myers Ervin.

ALSO: Councilman George Jebaily arrived at 5:18 p.m.

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

Notices of this special meeting were sent to the media and individuals requesting a copy of the agenda informing them of the date, time and location of this special meeting.

MEDIA PRESENT

There was no one from the media present for the meeting.

INVOCATION

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

WORKSESSION

FINAL PRESENTATION FOR FY 2016-2017 CITY OF FLORENCE BUDGET

Mr. Drew Griffin, City Manager stated that the following items would be discussed:

**FY 2016-17 Budget
Presentation Agenda**

- ▶ Budget Totals By Fund Review
- ▶ Operating Millage Increase (Millage Cap) Review and Update
- ▶ Compensation & Benefits Review
- ▶ Issues Impacting Current and Future Budgets
 - ▶ New Department of Labor Overtime Rules
 - ▶ Annexations
 - ▶ Parks and Recreation Maintenance and New Facilities
 - ▶ Road and Street Maintenance
 - ▶ Fire Department Equipment and Facilities
 - ▶ Recommended Action for FY 2016-17 Proposed Budget
 - ▶ Areas of Near-Term Focus

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
JUNE 1, 2016 – PAGE 2**

Mr. Griffin stated that the budget is very close, but not exactly what has already been presented to Council. Mr. Griffin addressed the difference that is principally only in the area of the millage cap to the issue that the City is not able to raise the proposed 4.5 mills to help provide a compensation package to City employees. This will be accomplished over a period of two years instead of one.

The **General Fund** is slightly over \$33 million. There is a **General Fund Debt Service Fund** in the amount of \$440,200 that is a General Obligation Bond. The **Hospitality Fund** is healthy and growing (\$6,055,000). This fund is inflated by the Bruce and Lee Foundation \$2 million grant. The **Water and Sewer Utilities Enterprise Fund** (\$32,965,000) almost always mirrors the General Fund. It is also a strong fund and it is starting to see some growth with new tap applications. The **Stormwater Utility Enterprise Fund** (\$1,365,000) is a very steady fund with a flat fee that is applied. The **Water and Sewer Utilities Construction Fund** (\$7,669,000) is the fund that is used for large maintenance items but mostly used to extend water and sewer services. The **Stormwater Utility Construction Fund** (\$707,000) is a depleting fund. If the City is going to continue to have a Stormwater Utility Construction Fund, either next year or the year after, staff will recommend an increase in fees to provide \$2-300,000 if Council wants to be able to address stormwater issues in the community. The **Water and Sewer Utilities Equipment Replacement Fund** (\$1,234,800) is a separate fund that is managed and cash is transferred into it every year. This is the rolling stock that is associated with Utilities. The **Stormwater Equipment Replacement Fund** (\$400,000) is maintained in the same way. The total of all funds is \$84,166,000.

**Proposed FY 2016-17
Budgets by Fund**

General Fund	\$	33,330,000
General Fund Debt Service Fund		440,200
Hospitality Fund		6,055,000
W/S Utilities Enterprise Fund		32,965,000
Stormwater Utility Enterprise Fund		1,365,000
W/S Utilities Construction Fund		7,669,000
Stormwater Utility Construction Fund		707,000
W/S Utilities Equipment Replacement Fund		1,234,800
Stormwater Equipment Replacement Fund		400,000
ALL FUNDS	\$	84,166,000

Operating millage increase (millage cap) review & update

There is a formula that is governed by South Carolina Code of Laws that the City must follow in order to raise millage. The percentage determined by the formula is applied to the City's current millage rate of 53.7 operating mills and gives the amount that the millage can be raised. If millage has not been raised for three years, the State allows the city to capture those previous three years. The cumulative total of the FY 2016 millage cap plus the previous three years millage increase allowed by State law, but not previously imposed, equals 6.89% or 3.7 mills. Staff earlier proposed a 4.5 millage increase. That means the City will only be able to collect \$600,000 instead of the \$720,000 that was proposed with the 4.5 millage increase. This results in a \$120,000 shortage in that budget.

Fy 2016-17 operating millage update

Staff is proposing a 3.7 mill increase this year. Included in the ordinance this year is to increase the revenue, $3.7 \times .8 = 4.5$ mills. It would be a two year increase with the .8 being approved this year but it would also be reapproved in the budget for next year. This action will result in a total of a 4.5 mill increase.

Fy 2016-17 compensation & benefits review

FY 2016-17

Compensation & Benefits Review

- ▶ Cost of Living and Merit pay increase eligibility effective January 1, 2017
- ▶ Annual Longevity Recognition Pay
- ▶ Projected 7% Health Insurance premium increase for City effective January 1, 2017
- ▶ Retirement System contribution increase .5% for the city and employees in FY 2016-17
- ▶ Proposed adjustment to Medicare supplement paid for retirees by City. The last change in Medicare supplement was in 2008.

We have talked about the Cost of Living and Merit pay increase which the city does on January 1. For many years the city has given annual longevity recognition. Staff has projected a 7% health insurance premium increase for the City effective January 1, 2017. Recently we received notification that the retirement system contribution would increase .5% for the city and the employees in FY 2016-17. Staff is recommending an adjustment for the Medicare supplement that is paid by the city for retirees. The last change in the supplement was in 2008.

Those are the only changes in the budget that are different than what we originally presented: the millage, the limitation which is created by the limitation of the millage cap, the reduction of total revenues as a result of that that we are going to pare down by those items that I spoke about, road maintenance and some recreational maintenance. Other than that the budget is in essence as presented.

ISSUES IMPACTING CURRENT AND FUTURE BUDGETS

New Department of Labor Rules for Overtime

Recently there was a U. S. Department of Labor regulatory announcement which is the final rule on the threshold for employees exempt from overtime requirements. The new rule goes into effect December 1, 2016. The final rule stipulates that exempt employee salary level will be \$47,476 or they have to be paid overtime. The estimated cost to the City from November 1, 2016 through June 30, 2017 is approximately \$47,500. The total cost to the General Fund would be approximately \$34,300.

Recommended adjustments to become effective November 1, 2016 include:

- ▶ Upgrading the current exempt positions to grade 22, step 1 which meets the new threshold limit of \$47,476.
- ▶ Adjusting other exempt positions that are currently below a grade 22 but are above the salary threshold.
- ▶ Reclassifying all other exempt positions by one grade (closet to current salary without going below current salary)

Future Growth Operational Impacts

Staff anticipates several potential large annexations over the next five years; some of which include numerous fully developed parcels. Some include significant future development.

These annexation present operational and cost impacts and challenges such as:

- ▶ Fire and Police protection, services, and response times.
- ▶ Street maintenance and lighting
- ▶ Sanitation collection and disposal services
- ▶ Water service and sewer collection/disposal and connectivity
- ▶ Stormwater collection and maintenance

PARKS & RECREATION MAINTENANCE AND NEW FACILITIES

Recreation Maintenance

These are things that need to be done throughout the City and staff will make recommendations over the course of the next year to address these needs.

Freedom Florence Recreational Complex:

- ▶ Picnic Shelter Roof Replacement
- ▶ Paint Lower and Upper Complex Pavilions/Dugouts
- ▶ Canopies over Complex Picnic Areas, Concessions & Gymnastics Replaced
- ▶ Outfield Fencing Replacement for 9 Fields
- ▶ Backstop Fencing Replaced on 4 Lower Complex Fields
- ▶ Concessions Equipment Updated
- ▶ Softball/Baseball Restroom Fixtures Replaced and Updated
- ▶ Football Concessions/Restrooms Renovated and Enlarged
- ▶ Wireless Public Address System on 9 Ball Fields
- ▶ Pave Maintenance Road and the Access Road to Science South

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Levy Park

- ▶ Resurface 2 Basketball Courts
- ▶ Update Playground Equipment, Borders and Surfacing Material

Dr. Iola Jones Park

- ▶ Update Playground Equipment, Borders and Surfacing Material
- ▶ Landscape Improvements

Lucas Park

- ▶ Construction of Walking Path through the Park
- ▶ Landscape Improvements
- ▶ Update Playground Equipment, Borders and Surfacing Material

McLeod Park

- ▶ Update Playground Equipment, Borders and Surfacing Material
- ▶ Replace and Construct 2 Picnic Shelters at McLeod Park
- ▶ Replace and Update Skate Park Apparatuses at McLeod Park
- ▶ Resurface 3 Basketball Courts and Install New Backboards/Goals
- ▶ Parking Area Resurfaced with Curb & Gutter

Northside Park

- ▶ Update Playground Equipment, Borders and Surfacing Material
- ▶ Fence Installation around Playground Area
- ▶ Backstop Replacement on 2 Baseball Fields
- ▶ Dugout Replacement (4) on both Baseball Fields

Northwest Park

- ▶ Update Playground Equipment, Borders and Surfacing Material
- ▶ Parking Area Resurfaced with Curb & Gutters

Barnes Street Activity Center & Admin Offices

- ▶ Paint for Exterior of Facility

Other Park Improvements

- ▶ Park Signage for all Park Entrances
- ▶ Park “Rule & Policies” Signage for all Parks
- ▶ Re-Construction of Timrod Park Amphitheater
- ▶ Update Playground Equipment, Borders and Surfacing Material
at South Park and Timrod Park
- ▶ Resurface Walking Path at Southpark

Recreation Capital

Future park improvement requests are based on input from Neighborhood Associations, Citizens, and the Parks and Beautification Commission. This is a list of the more pressing issues.

- ▶ Construction of a Community Center for Senior Adults at Dr. Iola Jones Park
(This is one of the most pressing requests that staff receives on a regular basis)
- ▶ Master Plan and Construction of new Baseball and Football Facilities

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
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- ▶ Inclusive Playground (Surfacing, Borders and Play Apparatuses)
(The city has been able to set aside \$60,000 for this and there will also be a \$60,000 matching grant. This playground will be a part of the new gymnasium development.
- ▶ Park Signage for all Parks and Entrances
- ▶ Urban Trail Connectors
- ▶ Boardwalk connection from new Florence Soccer Complex to Rail Trail
- ▶ Construction of Dog Park(s)
(Urban Development requires Dog Parks)
- ▶ Renovation of Maple Park Community Center
(This center is too small and not conducive to community development programs. The existing building needs to be demolished and a new building constructed.)
- ▶ Update Playground Equipment, Borders and Surfacing Material at All Parks
(All rules have changed at playgrounds facilities. One third of all playgrounds must now be ADA compliant. There is only one park (Timrod) in the City that is so equipped)

ROAD AND STREET MAINTENANCE ISSUES

Road and Street Maintenance

Unless the state does something about road maintenance the city will continue to have problems with deteriorating roads. There is no mechanism for the city to raise money except through a road maintenance fee. The State collects funds and uses those funds exclusively for repairs to state owned roads/streets.

The City receives no appropriation from the State (from the gasoline excise tax) for street maintenance and/or repair. In addition, Florence County collects a \$30.00 road maintenance fee per vehicle for the maintenance of roads and bridges in the County – these funds are expended in a manner approved by Florence County Council.

The DOT stopped accepting roads into their system in 1984. Any road built in the City limits since 1984 is a city owned road. This includes major commercial streets and roads as well. The City owns approximately 108 miles of roads/streets.

The following illustrates funds that are collected by the County and funds that could be raised for the City if a road maintenance fee was imposed on vehicles registered within the city.

City Road Maintenance

Florence County Road System Maintenance Fee
Vehicles assessed within Florence County – 103,000
Vehicles assessed within the City of Florence – 34,500

Revenue generated @ \$30 per vehicle	\$3,090,000
City vehicle revenue generated @ \$30 per vehicle	\$1,035,000

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
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A City Road Maintenance Fee Based on 34,500 registered vehicles would generate revenue as follows:

Per Vehicle Rate	Revenue
\$5.00	\$172,500
\$10.00	\$345,000
\$15.00	\$517,500
\$20.00	\$690,000
\$30.00	\$1,035,000

FIRE DEPARTMENT EQUIPMENT AND FACILITIES

To maintain a Class I ISO Rating the Fire Department must maintain a 5 minute response to an incident within 90% of the time. This is about a 3½ mile distance from the Fire Department.

Staff is looking at long term planning in the range of 2-10 years. Staff is trying to create infield development within the context of the growth boundary as determined by the Comprehensive Plan. Mr. Griffin and Chief Osterman explained to Council the challenges the City will be facing with maintaining the Class I ISO rating with the amount of growth that is predicted over the next 5-10-20 years. At present, the Fire Department can respond everywhere within the City, and keep the Class I rating, except for one area. Given the current Fire Department orientation, the City is now not being able to provide service to a lot of people.

Monitoring & Evaluating City Growth

- ▶ Planning to Ensure
 - ◆ Efficient Use of Fire Department Resources
 - ◆ Effective Fire Department Responses
 - ◆ 5 Minutes/90% of the Time
 - ◆ Maintain ISO Class I Rating
- ▶ Long Term Planning
 - ◆ 2-10 years

PLANNING AS WE GROW

If the City grows as illustrated by the growth boundary, how will the City be able to provide the same level of service that is provided for those that are currently inside the city limits?

- ▶ Potential Action Based on Growth
 - ◆ Relocation of Ben Dozier Fire Station to Hoffmeyer Road no further west than Dunbarton Road
 - ◆ Utilizing existing equipment and manpower
 - ◆ Additional Fire Station – W. Palmetto/Ebenezer Road
 - ◆ Requires additional equipment and manpower

REPLACEMENT APPARATUS PLANNING

- ▶ Replacement in FY 2017-2018
 - ◆ Two Pumpers
 - ◆ Approximately \$1,000,000

- ◆Rescue/Service Truck
- ◆Approximately \$300,000

Currently there are two pumper trucks that are 26 years old and others that are 13 years old. The 13 year old trucks will be used to replace the 26 year old pumper trucks as reserve trucks. The City needs to purchase two new trucks. Staff is looking at funding in next year's budget about \$1.3 million for some replacement trucks.

INTRODUCTION OF ORDINANCE

BILL NO. 2016-25 – FIRST READING

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, AND ENDING JUNE 30, 2017.

An Ordinance to raise revenue and adopt a budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2016, and ending June 30, 2017 was passed on first reading.

Mayor Pro tem Brand made a motion to pass Bill No. 2016-25 on first reading. Councilwoman Ervin seconded the motion, which carried unanimously.

Areas of Near-Term Focus

- This is a list of areas of near term focus:
- ▶ Economic Development
 - ▶ \$20 million street upgrades & enhancements – Funded by Countywide Capital Projects One Penny Sales Tax (Dargan Street, Neighborhood Development Projects, Sidewalks on Park to Chestnut Street, Woody Jones, Radio Drive)
 - ▶ \$35 million of Tax Increment financing funded downtown redevelopment projects (includes additional downtown projects – parking, etc.)(This involves relationship with schools, parking, redesign of streets, pocket parks, incubator, food corridor district, Farmer's Market)
 - ▶ \$10 million for Neighborhood Planning & Redevelopment – Countywide Capital Projects One Penny Sales Tax and special General Fund Allocations (Neighborhood strategies, \$6 million in road projects, complete streets on Sumter, Vista, Alexander and some on Pine Street, \$3 million of city allocated funds, implementation funds, \$700,000 Community Loan Fund. Putting out RFQ for contractors, working with FMU on training session for minority based contractors)
 - ▶ North Dargan Innovation Center partnership with FMU
 - ▶ Design and construction of a \$4.5 million regional gymnasium facility
 - ▶ Design and construction of a \$7 million soccer complex
 - ▶ Emphasize Downtown Development Manager in the areas of growth, development, and retail & service-related marketing and recruitment
 - ▶ Develop strategies for water & sewer extensions in unserved areas (this is an issue for redevelopment activities, particularly residential based)
 - ▶ Community perceptions (Corridor improvements, community planning and activities)
 - ▶ Develop partnership with PDRTA in support of transportation and parking related issues in the downtown core area (have them develop a plan that is user friendly, partner with HopeHealth, McLeod and possibly some businesses downtown)

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- ▶ Recreation
 - ▶ Construction management of regional gymnasium facility
 - ▶ Construction management of soccer complex
 - ▶ Determine funding for deferred maintenance and related improvements associated with parks and recreation facilities
 - ▶ Expand pedestrian and trail connections within the urban area (connect parks to downtown and important public services – library, museum. This creates good places to live)

- ▶ Community Planning and Wellness Initiatives
 - ▶ Comprehensive Plan Update, Adoption of Unified Development Ordinance, and Food Operations Overlay District to include year-round Farmers Market
 - ▶ Develop partnership with HopeHealth and McLeod in support of community wellness initiatives
 - ▶ Refocus the Mayor’s Coalition in support of collaborative community efforts directed at homeless, and community & neighborhood relationships
 - ▶ Continue focus on Neighborhood Planning and Related Activities (Is a part of the catalytic neighborhoods but could branch out into the other neighborhoods)
 - ▶ Develop partnership with PDRTA in support of transportation issues related to HopeHealth, Inc. (also issues related to the Food Corridor District, state and county services)

- ▶ Employee Development and Wellness
 - ▶ Employee training and development in the areas of difficult to hire positions
 - ▶ Employee wellness and related programs (Must continue to develop this. Whether it is built into health insurance programs or create incentives)
 - ▶ Rewarding for performance – emphasis on merit-based compensation
 - ▶ Employee satisfaction assessments

INTRODUCTION OF RESOLUTION

RESOLUTION NO. 2016-12

A RESOLUTION AMENDING RESOLUTION 2008-09 PERTAINING TO THE CITY OF FLORENCE RETIREMENT BENEFITS PROGRAM FOR SHARED PURCHASE OF HEALTH INSURANCE.

A Resolution amending Resolution 2008-09 pertaining to the City of Florence Retirement Benefits Program for Shared Purchase of Health Insurance was adopted by Council.

Councilman Hill made a motion to adopt Resolution No. 2016-12. Councilwoman Williams-Blake seconded the motion, which carried unanimously.

REPORT TO COUNCIL

TO DISCUSS ISSUES RELATED TO THE DECLARATION OF SURPLUS PROPERTY OWNED BY THE CITY OF FLORENCE AND TO CONVEY THE PROPERTY TO SISTERS 4 THE FUTURE.

Mr. Griffin stated that staff has continued to have conversations with Sisters 4 the Future regarding identifying a parcel of land that the City could convey to them. Sisters 4 The Future intends to relocate a house that was donated to them to be used to offer services to women and children who are

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
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victims of domestic violence. Previously the City identified a surplus parcel of land but it did not meet the zoning requirements needed for the services Sisters 4 the Future would like to provide to the community.

Mr. Griffin stated that a parcel of property that staff would feel very comfortable recommending for their use is the old Dr. Beck property, which is the last property going up North Dargan Street on the HopeHealth side of North Dargan Street. This property is presently owned by the City of Florence, it is a vacant lot and it meets the land use code for their activities. This is the only piece of property that the City owns that meets their needs.

Councilman Jebaily stated he is in agreement with trying to find property to help Sisters 4 the Future, however, he feels the City needs to be careful as the City is running out of commercial property in the downtown area. If there is the ability to have contiguous property along North Dargan Street that is owned by the City that is available to be developed, it may be shortsighted to give one of those pieces of property away. It may affect the City's ability to do something significant with that property.

Councilwoman Ervin spoke in favor of the location.

Mayor Wukela stated he is supportive of Councilwoman Ervin's position on this issue and that it is a reasonable adjunct to HopeHealth.

Following a lengthy discussion regarding this particular parcel of property and how it would impact future development in that area if it was conveyed to Sisters 4 the Future, Mayor Pro tem Brand suggested considering a five year lease. Within those five years, if the City has an opportunity to develop that tract of land, the City would relocate Sisters 4 the Future to another parcel.

Mr. Griffin stated he does not disagree with Councilman Jebaily's position on this issue. However he is in favor of the compromised position that Councilman Brand has offered. This would allow staff to move forward and if it does cause a relocation, staff can address that at that particular time.

Councilwoman Ervin made a motion to direct staff to offer this compromise to Sisters 4 the Future and to develop an Ordinance that would reflect a five year lease. Councilwoman Williams-Blake seconded the motion, which carried unanimously.

ADJOURN

The meeting was adjourned at 6:53 p.m.

Dated this 11th day of July, 2016.

Dianne M. Rowan, Municipal Clerk

Stephen J. Wukela, Mayor

REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, JUNE 13, 2016 – 1:00 P.M.
CITY CENTER – COUNCIL CHAMBERS
324 W. EVANS STREET
FLORENCE, SOUTH CAROLINA

MEMBERS PRESENT: Mayor Wukela called the regular meeting to order at 1:05 p.m. with the following members present: Mayor Pro tem Frank J. Brand, II; Councilwoman Teresa Myers Ervin; Councilwoman Octavia Williams-Blake; Councilman Robby L. Hill; and Councilman George D. Jebaily.

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. Michael Hemingway, Director of Utilities; Mr. Chuck Pope, Director of Public Works; Chief Allen Heidler, Florence Police Department; Chief Randy Osterman, Florence Fire Department; Mr. Scotty Davis, Director of Community Services; Mr. Ray Reich, Downtown Development Manager; and Mr. Thomas Chandler, Director of Finance.

Notices of this regular meeting were sent to the media and individuals requesting a copy of the agenda, informing them of the date, time and location of the meeting.

MEDIA PRESENT

Mr. Joshua Lloyd of the Morning News was present for the meeting.

INVOCATION

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

APPROVAL OF MINUTES

Mayor Pro tem Brand made a motion to adopt the minutes of the May 3, 2016 Special Meeting and the May 9, 2016 Regular Meeting. Councilman Hill seconded the motion, which carried unanimously.

HONORS AND RECOGNITIONS

RETIREMENT RECOGNITION

Mayor Wukela presented Ernest Hickmon a Retirement Plaque in recognition of his retirement from the City of Florence.

Ernest worked with the City of Florence Public Works Sanitation Division. He began working with the City on April 8, 1991 and retired on April 8, 2016 after serving 25 years.

SERVICE RECOGNITIONS

Wallace “Ed” Wingate received a Certificate of Recognition from Mayor Wukela for completing 20 years of service with the City of Florence.

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EDUCATIONAL RECOGNITIONS

Matthew Brown received an educational recognition for passing his “E” Water Operator Certification exam on May 16, 2016.

Coley Moore received an educational recognition for passing his “D” Water Operator Certification exam on May 27, 2016.

ANNOUNCEMENT

Councilwoman Ervin made the announcement that Bishop Blue, with Christian Covenant Fellowship Ministries, would be at the Civic Center June 22-25, 2016. Councilwoman Ervin encouraged everyone to attend the event at the Civic Center.

APPEARANCE BEFORE COUNCIL

MR. JAMES KENNEDY

Mr. Kennedy spoke about his concerns regarding the deterioration of some of the neighborhoods in Florence. Mr. Kennedy stated he would like to see the City dedicate \$100 million to the needs of poor people in the City of Florence to uplift the neighborhoods. With so much money being spent in downtown, Mr. Kennedy feels the City should do something for the poor people of Florence. Also, Mr. Kennedy requested that the City of Florence change the name of Pine Street to Ed Robinson Blvd. in memory of Florence City Councilman Ed Robinson. In addition, Mr. Kennedy would like for some of the \$100 million to be used to renovate some of the old, historical homes located on Pine Street.

RESOLUTION NO. 2016-16

A RESOLUTION HONORING THE CONTRIBUTIONS OF VIP MAGAZINE TO THE EFFORTS TO REVITALIZE DOWNTOWN FLORENCE.

A Resolution honoring the contributions of VIP Magazine to the efforts to revitalize downtown Florence was adopted by Council.

After reading the Resolution, Councilman Hill made a motion to adopt Resolution No. 2016-16. Councilwoman Ervin seconded the motion, which carried unanimously.

REV. CHRIS HANDLEY AND MR. ERIC MARECHAL

Rev. Chris Handley spoke about the movement “ServeFlo”. It will take place in the City of Florence from June 12-26, 2016. On June 18th approximately 200 people will be in some of the Florence area schools and parks doing various things to bring people of faith and good will together to do things that will bless the community. Mr. Handley spoke briefly about “Open Table”. They are trying to promote the concept of Open Table as a means by which a relationship can be built with those who are in poverty to help bring them through that season of life and get them up on their feet. They have been working with agencies, the government, and faith based organizations in the community that will make a real difference in a person’s life.

Mr. Eric Marechal spoke to Council about Helping Florence Flourish. A survey conducted in Florence among 70 Christian community leaders identified four things that Florence needs to address to make Florence flourish. In no particular order the issues identified were 1) Homelessness; 2) Restoration of the Family; 3) Racial bridging and the need for unity among races in the community; and 4) Education.

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Helping Florence Flourish will host City Convene on September 19-20, 2016. It is expected that 70 to 100 leaders from throughout the southeast cities to attend who are engaged in similar movements as is Helping Florence Flourish. Mr. Marechal stated he anticipates 70 to 100 local interested volunteers to participate and be a part of this event. Topics that will be discussed at the Convene are Racial Reconciliation, Servant Leadership in the Market Place, Building a Coalition, Jobs for Life, Church and School Partnerships and Cross Sector Partnerships that Change Cities. Mr. Marechal asked for 1) encouragement from the City Council to host this event, 2) to appoint an attendee(s) from City Council to participate during City Convene and 3) on the evening of September 19 Mr. Marechal requested that the Mayor or his appointee formally welcome the 70-100 leaders from outside the City to the community.

Mayor Wukela thanked Mr. Marechal and Rev. Handley for what they have done and are doing for the community.

PUBLIC HEARING

A PUBLIC HEARING WILL BE HELD ON THE APPROVAL OF AMENDMENTS IN THE NATURE OF THE TAX INCREMENT FINANCING DISTRICT REDEVELOPMENT PLAN, INCLUDING REDEVELOPMENT PROJECTS, AND THE MAXIMUM TERM OF MATURITY OF OBLIGATIONS TO BE ISSUED UNDER THE PLAN PURSUANT TO THE PROVISION OF SECTION 31-6-80 OF SOUTH CAROLINA TAX INCREMENT FINANCING LAW.

Mr. Drew Griffin, City Manager reported since the adoption of the 2006 TIF Redevelopment Plan, additional public improvements have been identified. Changes to the 2006 TIF will require that the City revise the 2006 TIF Redevelopment Plan to extend the duration of the Redevelopment Plan and include new projects which were not included in the Redevelopment Plan adopted by the TIF Ordinance in 2006. A 2016 TIF bond obligation will be needed to refund the 2006 TIF bond and add “new money” to the bond issue for additional projects and change the maximum term of maturity of the original TIF bond from a 20-year maturity expiring 2026 to a 40-year maturity expiring in 2046.

As required by state law, the City notified Florence County and Florence County School District One on April 28, 2016 of the City’s intent pertaining to the TIF. If a taxing district does not file an objection to the redevelopment plan at or prior to the public hearing, the taxing district is considered to have consented to the plan. Florence County informed the City in writing that the County will not be participating beyond 2026 in either the downtown redevelopment plan or in the extension of the TIF district plan. On May 17, 2016 the City acknowledged to Florence County receipt of their notification of objection to participation beyond 2026, and further informed them that their objection would be recorded in the minutes of the June 13, 2016 City Council meeting. As previously set out in Resolution No. 2016-01 and the resulting MOU with the school district, FSD1 has consented to the revised and extended Redevelopment Plan and funding.

Projects that will be incorporated into the new redevelopment plan are:

1. Florence School District One Projects
2. Development of Food Hub/Node & Farmers Market
3. Improvements to Business Incubator & Public Transportation Facilities
4. Streetscapes, Pocket Parks, Public Open Space & Underground Utilities
5. Construction or Improvements of Parking Lots and/or Structures
6. Ingress and Egress Improvements

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This is the activities calendar for the TIF Amendatory Ordinance:

Date	Activity
February 8, 2015	MOU adopted by City Council for 20-year TIF term extension and revised Redevelopment Plan
April 28, 2016	Not less than 45-day Notice of Public Hearing given to County and Florence School District 1 taxing districts
May 27, 2016	15-day publication requirement for Notice of Public Hearing published in the Florence Morning News
June 13, 2016	Public Hearing and First Reading consideration to TIF Amendatory Ordinance by City Council
July 11, 2016	Second Reading consideration given to Amendatory Ordinance by City Council
July 12, 2016	Notice of Adoption of Amendatory Ordinance Published in Florence Morning News
August 2, 2016	20 days following publication of Notice of Adoption of Amendatory Ordinance, no challenge may be made to Amendatory Ordinance Adoption

Mr. Chandler, Director of Finance stated that the bond issue is scheduled tentatively for October 26, 2016 and requires a separate calendar of events. In 2014 there was a borrowing from the 2006 TIF. It was a bank placed borrowing for 12 years for a number of projects for \$12.9 million. That will be completely refunded. That was for 12 years and this borrowing will be for 30 years, part of which is the refunding of the \$12.9 million. This will be a negotiated sale that has been solicited for proposals from underwriting firms. They will be received this week and reviewed by a committee and an underwriter will be selected to sell the bonds. The process of the development of bond documents takes about 60 days. It is anticipated that first reading on the Bond Ordinance will be held at the September 12, 2016 City Council meeting. Following that there will be presentations made to the rating agencies and the City will then receive the bond ratings on October 5th. Second Reading on the Bond Ordinance is anticipated for October 10th and the bond closing will be October 26th.

This is the Activities Calendar for the TIF Bond Issue*

Date	Activity
May 25, 2016	Underwriter RFP distributed for negotiated sale of TIF Bonds
June 15, 2016	Underwriter RFPs received and underwriter selected by June 29 th
Aug-Sept. 2016	Development of Bond documents
Sept. 12, 2016	First Reading of Bond Ordinance
Week of Sept. 26, 2016	Rating Agency Presentations
Oct. 5, 2016	Receive Bond Ratings
Oct. 10, 2016	Second Reading of Bond Ordinance
Oct. 26, 2016	Bond Closing

*Dates listed from August 2016 through October 26, 2016 Bond Closing Date are Tentative

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This will be approximately a \$36 million dollar financing. This chart details the projects and costs for the 2016 TIF bond issue.

Sources of Funds	New Money	Refunding	Total
Total Sources	22,527,000	13,291,000	35,818,000
Uses of Funds	New Money	Refunding	Total
School District Project	12,000,000		12,000,000
East Evans Realignment/Parking	2,000,000		2,000,000
City Projects	6,000,000		6,000,000
Refunding of Series 2014		13,094,394	13,094,394
Capitalized Interest	2,194,036		2,194,036
Cost of Issuance	220,125	129,875	350,000
Underwriter's Fee	112,635	66,455	179,090
Additional Proceeds	204	276	480
Total Uses	22,527,000	13,291,000	35,818,000

The estimated interest rate hopefully will be below 5%.

Mayor Wukela opened the public hearing at 1:40 p.m.

Mr. Tim Waters spoke on behalf of a group of citizens from then North Florence area. Mr. Waters stated that the TIF is a big funding tool to help the City of Florence. Mr. Waters is very appreciative of the direction of the TIF to help with the schools, the community and the children in the community.

Mayor Wukela declared the public hearing closed at 1:44 p.m.

Mayor Wukela stated this is the first step towards the consummation of the Memorandum of Understanding that City Council passed with the School District in February 2016 with regard to three main projects: 1) Poynor Adult Education building redevelopment; 2) the McClenaghan building redevelopment; and 3) the razing and rebuilding of the Beck Early Childhood Education facility. Essentially, this is the financing mechanism (TIF) for those projects.

Councilman Jebaily made a motion to pass Bill No. 2016-26 on first reading. Councilman Hill seconded the motion, which carried unanimously.

ORDINANCES IN POSIITON

BILL NO. 2016-17 – SECOND READING

AN ORDINANCE FOR TEXT AMENDMENT TO CITY OF FLORENCE ZONING ORDINANCE SECTION 2.9 TO ADD SECTION 2.9-12 EXPIRATION OF CERTIFICATE APPROPRIATENESS, TO SET FORTH EXPIRATION ON APPROVED CERTIFICATES OF APPROPRIATENESS WITHIN THE ESTABLISHED FLORENCE DOWNTOWN OVERLAY DISTRICTS.

An Ordinance for text amendment to City of Florence Zoning Ordinance Section 2.9 to add Section 2.9-12 Expiration of Certificate of Appropriateness, to set forth expiration on approved Certificates of Appropriateness within the established Florence Downtown Overlay Districts was adopted on second reading.

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Mayor Pro tem Brand made a motion to adopt Bill No. 2016-17. Councilman Jebaily seconded the motion, which carried unanimously.

BILL NO. 2016-18 – SECOND READING
AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY CORBETT NORRIS RENTAL, LLC, TMN 90029-02-016.

An Ordinance to annex and zone property owned by Corbett Norris Rental, LLC, TMN 90029-02-016 was adopted on second reading.

Mayor Pro tem Brand made a motion to adopt Bill No. 2016-18. Councilman Hill seconded the motion. Council voted unanimously to adopt Bill No. 2016-18 on second reading.

BILL NO. 2016-19 – SECOND READING
AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY FIRST RELIANCE BANKSHARES, TMN'S 90010-01-003 AND 90010-01-004.

An Ordinance to annex and zone property owned by First Reliance Bankshares, TMN's 90010-01-003 and 90010-01-004 was adopted on second reading.

Councilman Hill made a motion to adopt Bill No. 2016-19 on second reading. Mayor Pro tem Brand seconded the motion, which carried unanimously.

BILL NO. 2016-20 – SECOND READING
AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY DETROIT DIALS, TMN 90045-01-010.

An Ordinance to annex and zone property owned by Detroit Dials, TMN 90045-01-010 was adopted by Council on second reading.

Councilman Hill made a motion to adopt Bill No. 2016-20. Mayor Pro tem Brand seconded the motion. Council voted unanimously to adopt Bill No. 2016-20 on second reading.

BILL NO. 2016-21 – SECOND READING
AN ORDINANCE TO REZONE TAX MAP NUMBER 90104-01-003, 90104-01-004, 90104-01-005 AND 90104-01-010, LOCATED ON BARRINGER STREET, CHURCH STREET, AND COHEN STREET, FROM B-1, LIMITED BUSINESS DISTRICT AND R-4, MULTI-FAMILY RESIDENTIAL LIMITED TO B-5, OFFICE AND LIGHT INDUSTRIAL.

An Ordinance to rezone Tax Map Number 90104-01-003, 90104-01-004, 90104-01-005 and 90104-01-010, located on Barringer Street, Church Street, and Cohen Street, from B-1, Limited Business District and R-4, Multi-Family Residential Limited to B-5, Office and Light Industrial was adopted on second reading.

Mayor Wukela stated this is the petition with regard to the House of Hope development and is in conjunction with Bill No. 2016-24 that appears on today's agenda.

Mayor Pro tem Brand who serves on the Board of Directors for McLeod asked if he should recuse himself from this issue as well as Councilwoman Williams-Blake and Councilwoman Ervin who are employed by McLeod, because of a potential conflict of interest.

Mr. Jim Peterson, City Attorney stated that the second issue (Bill No. 2016-24) would be the one to give consideration to for recusal.

(Council entered into Executive Session to receive Legal Advice)

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EXECUTIVE SESSION

Mayor Pro tem Brand made a motion to enter into Executive Session to receive Legal Advice from the City Attorney regarding Bill No. 2016-21. Councilwoman Williams-Blake seconded the motion, which carried unanimously.

Council entered into Executive Session at 1:50 p.m.

Mayor Wukela reconvened the regular meeting at 2:08 p.m.

Following the Executive Session, Mayor Wukela asked if there were any members who would like to recuse themselves from matters relating to Bill No. 2016-21. There were no requests from the members to be recused.

Councilman Jebaily made a motion to adopt Bill No. 2016-21 on second reading. Mayor Pro tem Brand seconded the motion.

Mayor Wukela reviewed action taken during first reading of Bill No. 2016-21. Following the passage of Bill No. 2016-21 on first reading by a vote of 5-1, Council requested that Mr. Bryan Braddock speak to some concerns raised by Mr. Bryant Moses at the previous council meeting. Those concerns were principally about this being a shelter that will operate in the evening hours and that residences would not be available for those individuals from approximately 9:00 a.m. until 9:00 p.m. There were concerns from Mr. Moses and others in the neighborhood regarding releasing a large number of people onto the street for those hours and how will that be addressed.

Mr. Bryant Moses stated he is not against helping the homeless. His concern is what will the House of Hope do for the homeless in lieu of putting them out onto the street. Would there be any programs available for them. Mr. Moses stated that there has been considerable effort by the residents in this area to clean up their neighborhood and they are concerned that if a large number of homeless individuals are released each morning with no where to go, it will be create problems. Mr. Moses also asked if another area could be considered for the location of the shelter instead of on Church Street. Mr. Moses referenced an abandoned hotel that is located on East Palmetto Street that could be renovated to accommodate this type of facility.

Mrs. Pat Gibson-Hye Moore spoke in favor of providing for the homeless and is not in opposition to the shelter being located on Church Street. Mrs. Moore stated that the facility on East Palmetto Street is located in the County and is beyond repair. In addition, the building on Church Street was previously used by an organization that provided very similar services that are being proposed by the House of Hope.

Mr. Bryan Braddock, Director of House of Hope thanked Council and Mr. Moses for expressing their concerns. Mr. Braddock stated that as a community supportive organization, they want to meet the needs of the community first and foremost. In regards to Mr. Moses' biggest concern as to releasing the residents in the mornings, it was always the intent of the House of Hope, as a transitional home to offer in addition to Biblical counseling, and mentoring, to also offer job training, financial training, parenting classes and life skill recovery classes. This is their purpose and their mission. Mr. Braddock stated there is a huge need to meet the emergency shelter needs of the homeless in the area. It was always their intention to offer more services; however they are limited by their budget and the funding they currently have. However, knowing the concerns that Mr. Moses and the neighborhood has, they are going to have the shelter open during the day for case management. They will also provide transportation so people can get to different areas of the city for different services. The shelter will not be open during the day for people to sleep or pass time but will be open during the day for them to receive services, to work with them to find out what their needs are and what their barriers are to having shelter. The hours of the shelter will be from 5:00 p.m. until 8:00 a.m. the following morning as far as shelter is concerned. To address the concern regarding Church Street and the corridor coming into the City of Florence, the property will be well maintained and will not be an eyesore to the neighborhood. The front entrances will

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be for the public, volunteers and for people coming in during the day. Mr. Braddock stated they have plans to up fit the back entrance to make it look nice and also include an enclosed park area in the back with shelter. In addition, Who So Ever Church is going to relocate into a building beside them. It will cost an additional \$75,000 to \$100,000 to be open during the day. The House of Hope intended to offer these services in the future but knowing the concerns of the community they are going to move forward with them now.

Councilwoman Ervin asked Mr. Moses if the proposed plan as stated by Mr. Braddock addressed his concerns. Mr. Moses agreed with what Mr. Braddock is proposing.

Councilwoman Ervin stated that one of her major concerns is when working with a community, there is the need to be able to communicate with the community; to listen and address the concerns of the neighborhood. Councilwoman Ervin thanked Mr. Moses for bringing forth the concerns of the community and thanked Mr. Braddock for addressing the concerns.

Councilman Jebaily thanked everyone involved in this process for raising the concerns and for being open-minded and for working in a collaborative way to finding a resolution that is in the best interest of all concerned, the homeless, as well as the neighborhood.

Council voted unanimously (6-0) to adopt Bill No. 2016-21.

BILL NO. 2016-22 - SECOND READING

AN ORDINANCE FOR A TEXT AMENDMENT TO CITY OF FLORENCE ZONING ORDINANCE SECTION 2.9-4 REGARDING REQUIREMENT OF A CERTIFICATE OF APPROPRIATENESS FOR THE REMOVAL OF TREES AND/OR SHRUBS OF A CERTAIN SIZE WITHIN THE ESTABLISHED FLORENCE DOWNTOWN OVERLAY DISTRICTS.

An Ordinance for a text amendment to City of Florence Zoning Ordinance Section 2.9-4 regarding Requirement of Certificate of Appropriateness for the removal of trees and/or shrubs of a certain size within the established Florence Downtown Overlay Districts was adopted on second reading.

Mayor Pro tem Brand made a motion to adopt Bill No. 2016-22 on second reading. Councilman Hill seconded the motion.

Council voted unanimously (6-0) to adopt Bill No. 2016-22 on second reading.

BILL NO. 2016-23 – SECOND READING

AN ORDINANCE FOR A TEXT AMENDMENT TO CITY OF FLORENCE ZONING ORDINANCE SECTION 3.14 TO SET FORTH CONDITIONAL USE REGULATIONS FOR UNATTENDED DONATION RECEPTACLES.

An Ordinance for a text amendment to City of Florence Zoning Ordinance Section 3.14 to set forth Conditional Use Regulations for Unattended Donation Receptacles was deferred on second reading.

Bill No. 2016-23 has been referred back to the Planning Commission for further review.

Councilman Jebaily presented a letter of support on this issue from the Greater Florence Habitat for Humanity to be entered into the record.

BILL NO. 2016-24 – SECOND READING

AN ORDINANCE TO DECLARE PROPERTY LOCATED AT 90087-06-009 SURPLUS AND TO CONVEY PROPERTY TO THE MCLEOD REGIONAL MEDICAL CENTER.

An Ordinance to declare property located at 90087-06-009 surplus and to convey property to the McLeod Regional Medical Center was adopted on second reading.

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Mayor Wukela stated this is the conveyance of a separate piece of property to McLeod Regional Medical Center, who is separately supporting the House of Hope property purchase.

Councilwoman Ervin, Councilwoman Williams-Blake and Mayor Pro tem Brand recused themselves from the vote on this matter.

As a result of those recusals, the vote required for adoption of Bill No. 2016-24 will be a majority of the three remaining members of Council. A majority of two will be required of the three remaining members for adoption of Bill No. 2016-24.

Councilman Jebaily made a motion to adopt Bill No. 2016-24 on second reading. Councilman Hill seconded the motion, which carried unanimously (3-0).

BILL NO. 2016-25 – SECOND READING

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, AND ENDING JUNE 30, 2017.

An Ordinance to raise revenue and adopt a budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2016, and ending June 30, 2017 was adopted on second reading.

Councilman Hill made a motion to adopt Bill No. 2016-25 on second reading. Councilwoman Williams-Blake seconded the motion, which carried unanimously.

INTRODUCTION OF ORDINANCES

BILL NO. 2016-16 – FIRST READING

AN ORDINANCE TO DECLARE SURPLUS PROPERTY OWNED BY THE CITY OF FLORENCE AND TO CONVEY THE PROPERTY TO SISTERS 4 THE FUTURE.

An Ordinance to declare surplus property owned by the City of Florence and to convey the property to Sisters 4 the Future was passed on first reading.

Mr. Jim Peterson, City Attorney provided Council with a copy of an amended Ordinance for Council's consideration.

Mr. Drew Griffin stated that during the City Council Worksession of June 1, 2016, Council recommended a five year lease with some provisions relative to reauthorization if the project does not go forward. Those recommendations have been incorporated into the amended Ordinance.

Mr. Scotty Davis, Director of Community Services has spoken with individuals from the company that will relocate the house for Sisters 4 the Future and the City will assist and coordinate as much as possible for them.

Councilman Jebaily asked if there was a provision in the amended lease that would allow action to be taken by Council in less than five years if the donated property was needed for a different use.

Mr. Jim Peterson, City Attorney responded there are two provisions within the lease that addresses action within less than five years. The first is if for some reason Sisters 4 the Future is unable to accomplish their plans within the next year of having the building moved to this site, this would cause the lease to be terminated. The second is if they are able to accomplish having the building relocated but before the end of the five year period their plans change and they no longer need the property, it would call for an immediate termination of the lease. Obviously at any point, and there is a provision within the lease, that the two parties can work out an arrangement where the two parties agree to a change in the lease. Mr. Peterson added that if something came up and there was another need for the property, the City

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would reach out to Sisters 4 the Future and work with them to come up with a mechanism that was agreeable to both parties to move them to another site.

Councilwoman Ervin pointed out a typographical error in the Lease regarding the amount of rent to be paid by Sisters 4 the Future. The proposed Lease states \$10.00 and it should read \$5.00.

In response to a concern raised by Councilman Jebaily regarding the possibility of a provision in the Lease that would allow for an early “buy-out” of the lease if the City should have an opportunity to develop this parcel, Mr. Peterson responded that anything the two parties agreed on could be incorporated into the Lease Agreement before second reading.

Councilwoman Ervin made a motion to pass Bill No. 2016-16 on first reading with the amended language and the correction of the amount of rent from \$10.00 to \$5.00. Councilman Jebaily seconded the motion, which carried unanimously.

BILL NO. 2016-26 – FIRST READING

AN ORDINANCE AMENDING ORDINANCE NO. 2006-43 IN ORDER TO SUPPLEMENT THE PLAN FOR THE REDEVELOPMENT OF SUCH AREA BY DESCRIBING THE REDEVELOPMENT PROJECTS AND TO EXTEND THE MAXIMUM TERM OF MATURITY OF OBLIGATION TO BE ISSUED UNDER THE PLAN AND THUS EXTEND THE DURATION OF THE REDEVELOPMENT PLAN, EACH AS ESTABLISHED BY ORDINANCE NO. 2006-43.

An Ordinance amending Ordinance No. 2006-43 in order to supplement the plan for the redevelopment of such area by describing the redevelopment projects to extend the maximum term of maturity of obligation to be issued under the plan and thus extend the duration of the Redevelopment Plan, each as established by Ordinance No. 2006-43 was passed on first reading.

Councilman Jebaily made a motion to pass Bill No. 2016-26 on first reading. Councilman Hill seconded the motion, which carried unanimously.

(Bill No. 2016-26 was presented by staff and discussed by council during the public hearing that was held earlier in this meeting.)

BILL NO. 2016-27 – FIRST READING

AN ORDINANCE TO ADOPT SECTION 19-18 AND 19-19 OF THE CITY OF FLORENCE CODE OF ORDINANCES TO ESTABLISH ON-STREET PARKING REGULATIONS.

An Ordinance to adopt Section 19-18 and 19-19 of the City of Florence Code of Ordinances to establish on-street parking regulations was passed on first reading.

Mayor Pro tem Brand made a motion to pass Bill No. 2016-27 on first reading. Councilwoman Williams-Blake seconded the motion.

Mr. Phillip Lookadoo, Director of Planning, Research and Development reported that the existing Section 19-4 of the Municipal Code allows the Chief of Police, when so directed by a Resolution of City Council, to regulate the operation of vehicles within the City by erecting and placing proper signs or markers indicating limited or prohibited parking, angle parking, parking of official vehicles or parking of public service vehicles. This Ordinance allows for the regulation of on-street designated parking within the city. This Ordinance will amend two sections, the first of which is Section 19-18, which would read, “When signs are erected in each block giving notice thereof, no person shall park a vehicle between the hours so designated on any day except Sundays and public holidays”. And then Section 19-19 would read, “For parking time limited and designated places when signs are erected in each block, giving notice thereof, no person shall park a vehicle for longer than the period and between the hours so designated, except on Sundays and public holidays”.

Council voted unanimously (6-0) to pass Bill No. 2016-27.

BILL NO. 2016-28 – FIRST READING

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY RAY KELSEY, TAX MAP NUMBER 01801-04-011.

An Ordinance to annex and zone property owned by Ray Kelsey, Tax Map Number 01801-04-011 was passed on first reading.

Mayor Pro tem Brand made a motion to pass Bill No. 2016-28 on first reading. Councilman Hill seconded the motion.

Mr. Phillip Lookadoo, Director of Planning, Research and Development reported this is a request to annex property at 2527 Kingston Drive. At the May 10, 2016 Planning Commission meeting, the members voted unanimously (6-0) to recommend the zoning request of R-1, Single-Family Residential District. The lot is currently the site of a single-family dwelling. It is surrounded by R-1 zoning in the County. It is designated in the Future Land Use to be Neighborhood Conservation, which is to preserve the character of the neighborhood.

City staff recommends annexation and concurs with the recommendation of the Planning Commission to zone the property R-1. Water and sewer services are available at no cost to extend.

Council voted unanimously (6-0) to pass Bill No. 2016-28.

BILL NO. 2016-29 – FIRST READING

AN ORDINANCE TO ANNEX PROPERTY OWNED BY THE GROVE AT EBENEZER, LLC, SPECIFICALLY A 40.5 ACRE PORTION OF TMN 00075-01-221.

An Ordinance to annex property owned by The Grove at Ebenezer, LLC, specifically a 40.5 acre portion of TMN 00075-01-221 was passed on first reading.

Councilman Jebaily made a motion to pass Bill No. 2016-29 on first reading. Mayor Pro tem Brand seconded the motion.

Mr. Phillip Lookadoo, Director of Planning, Research and Development reported this is a 40.5 acre tract that is a portion of Tax Map Number 00075-01-221 and is specifically shown as Tract 3 on a plat dated April 7, 2016 and recorded April 15, 2016 in Florence County plat book 104-page 431.

The referenced property is proposed to be developed per the Planned Development District approved by City Council on May 9, 2016.

City staff recommends approval.

Council voted unanimously (6-0) to pass Bill No. 2016-29 on first reading.

BILL NO. 2016-30 – FIRST READING

AN ORDINANCE TO APPROVE A LEASE OF PROPERTY KNOWN AS 314 W. PINE STREET AND DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS TAX PARCEL 90075-04-020 TO PEE DEE HEALTHY START, INC. UNDER THE TERMS AND CONDITIONS SET OUT IN THE LEASE ATTACHED AS EXHIBIT A TO THE ORDINANCE.

An Ordinance to approve a lease of property known as 314 W. Pine Street and designated in the Florence County Tax Records as Tax Parcel 90075-04-020 to Pee Dee Healthy Start, Inc. under the terms and conditions set out in the lease attached as Exhibit A to the Ordinance was passed on first reading.

Councilwoman Ervin made a motion to pass Bill No. 2016-30 on first reading. Councilwoman Williams-Blake seconded the motion.

Mr. Scotty Davis, Director of Community Services reported that the City purchased property at 314 W. Pine Street on March 1, 2016. The property is now being rented by Pee Dee Healthy Start, Inc. This Ordinance will allow the City to lease the property to Pee Dee Healthy Start, Inc., rent free provided

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they continue to operate the program and meet the terms and conditions of the Lease. The leasing of the premises for this program will be in lieu of providing any additional financial support for the ongoing expenses of the program. The lease requires Pee Dee Healthy Start, Inc. to be responsible for all maintenance, repairs, utility cost, tax cost, and associated expenses related to the premises and their operation thereon. The property will remain titled to the City and will be an asset of the City.

Mr. Davis has spoken with the Director of the Pee Dee Healthy Start, Ms. Madie Robinson and their Financial Director, and they are in favor of the Lease as presented.

Council passed Bill No. 2016-30 unanimously (6-0).

BILL NO. 2016-31 – FIRST READING
AN ORDINANCE AUTHORIZING THE TRANSFER OF LAND TO C.V. FLOWERS,
SPECIFICALLY A PORTION OF TAX PARCEL 90038-07-014.

An Ordinance authorizing the transfer of land to C.V. Flowers, specifically a portion of Tax Parcel 90038-07-014 was passed on first reading.

Mayor Pro tem Brand made a motion to pass Bill No. 2016-31 on first reading. Councilwoman Williams-Blake seconded the motion.

Mr. Phillip Lookadoo, Director of Planning, Research and Development reported that Mr. Flowers had a survey of his property conducted that found his accessory structure extended over his rear (southern) property line constituting an encroachment onto City of Florence owned property.

Mr. Flowers has made a request that the City transfer the amount of property necessary to correct the encroachment as well as to afford him compliance with the City of Florence Zoning Ordinance.

The portion of Tax Map 90038-07-014 to be conveyed is to be surveyed, subdivided and recorded by C. V. Flowers.

Compensation for the property would be determined by reviewing recent sales prices of properties in the near vicinity of the subject property.

Mr. Lookadoo stated the amount of land to be conveyed will be the portion of Florence County Tax Parcel 90038-07-014 that extends south 8.32 feet from the southwest corner of Florence County Tax Parcel 90038-07-016 and east from that proposed corner, parallel to the existing accessory structure for 42.5 feet and north 12.5 feet to the existing property line. Staff feels this is the minimum amount he will need however; it is subject to a survey that has to be completed to determine that.

The motion to pass Bill No. 2016-31 on first reading passed unanimously.

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 2016-13
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 (“SRF”) FOR A LOW INTEREST
LOAN FROM THE DRINKING WATER REVOLVING LOAN FUND IN AN AMOUNT OF
APPROXIMATELY \$3 MILLION TO FINANCE THE IMPROVEMENTS TO THE
TIMMONSVILLE WATER SYSTEM.

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 (“SRF”) for a low interest loan from the Drinking Water Revolving Loan Fund in an amount of approximately \$3 million to finance the improvements to the Timmons ville Water System was adopted by Council.

**REGULAR MEETING OF FLORENCE CITY COUNCIL
JUNE 13, 2016 – PAGE 13**

Councilwoman Ervin made a motion to adopt Resolution No. 2016-13. Councilman Hill seconded the motion.

Mr. Thomas Chandler, Director of Finance reported that the Timmonsville Water and Sewer System was conveyed to the City of Florence on January 9, 2014.

The original estimated cost of these repairs and upgrades was \$12.5 million. Since the City's acquisition of the Timmonsville system, City Council has approved the use of \$2.5 million in additional grant funding sources for upgrades to this system, bringing the total estimated cost of improvements to \$15 million.

Of the estimated total cost, the Timmonsville water system will require approximately \$7.2 million in improvements.

A portion of the financing for these improvements will be provided through grants from CDBG, EDA, the SC Transportation Infrastructure Bank, the SC Rural Infrastructure Authority, and USDA Rural Development in a total of approximately \$3.2 million.

The remaining financing in the approximate amount of \$4 million will be provided through SRF in the form of a principal forgiveness loan (effectively a grant) in the amount of \$1 million, and a Drinking Water SRF Loan in the amount of approximately \$3 million at an interest rate of approximately 1%.

In August 2015, City Council approved a Resolution to submit an application to the South Carolina Water Quality Revolving Fund Authority (SRF) for a low interest loan from the Drinking Water Revolving Loan Fund to finance the improvements to the Timmonsville Water System.

Because the scope of many of the proposed projects in the loan application were not finalized before the end of the loan funding fiscal year, the loan application was not submitted in the 2015 funding fiscal year, and is now being submitted as updated in the 2016 funding year.

The adoption of a Resolution is required to authorize the City Manager to complete, and the Mayor to execute and submit the loan application to SRF.

Following loan approval by SRF, an Ordinance; authorizing the borrowing of the Loan funds will also need to be adopted by City Council.

Mr. Michael Hemingway, Director of Utilities reported there are currently 15 water projects of which 10 are complete, two are 90% complete, and the final three will be going out for bid later this year. It is anticipated that all of the projects for the water system will be completed by the fall of next year (2017). Six projects have been completed on the wastewater side of the system. With EPA's approval of the City's plans, the remaining projects will go out for bid later this year. The wastewater system is scheduled to be completed by the spring of 2018.

Council voted unanimously to adopt Resolution No. 2016-13.

RESOLUTION NO. 2016-14

A RESOLUTION AUTHORIZING THE LOCAL MATCH TO THE STATE OF SOUTH CAROLINA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR A COMMUNITY INFRASTRUCTURE GRANT TO PROVIDE WATER INFRASTRUCTURE UPGRADES FOR THE TOWN OF TIMMONSVILLE SERVICE AREA.

A Resolution authorizing the local match to the State of South Carolina Community Development Block Grant (CDBG) Program for a Community Infrastructure Grant to provide water infrastructure upgrades for the Town of Timmonsville service area was adopted by Council.

Mayor Pro tem Brand made a motion to adopt Resolution No. 2016-14. Councilwoman Ervin seconded the motion.

Mr. Thomas Chandler, Director of Finance reported in 2013 the SC Department of Commerce awarded CDBG funds through the Community Infrastructure Program to Florence County for the

**REGULAR MEETING OF FLORENCE CITY COUNCIL
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Timmonsville Highway 403 Water Treatment Plant upgrade, and to provide for a water connection to the City of Florence.

Because the City is not eligible for state CDBG funding, the CDBG funds were requested by and awarded to Florence County for assistance with the Timmonsville water system infrastructure upgrades.

Florence County has again applied for CDBG funding through the Community Infrastructure Program on behalf of the City of Florence in the amount of \$737,449 to be used for the Timmonsville water system, specifically for the construction of a new Highway 403 offsite well.

This CDBG grant represents one of several Timmonsville water system improvement grants.

Funding for the project, in the total amount of \$819,943 requires a 10% funding match of \$82,494, and as the owner of the Timmonsville Water and Sewer System, the City will be responsible for the match.

The adoption of this Resolution authorizing the City to provide the local funding match for a Community Development Block Grant through the Community Infrastructure Program is required to finalize the grant application.

Council voted unanimously to adopt Resolution No. 2016-14.

RESOLUTION NO. 2016-15

A RESOLUTION AUTHORIZING AND APPROVING THE ACCEPTANCE OF CERTAIN LOAN ASSISTANCE MONIES FROM THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY; AUTHORIZING THE MAYOR TO EXECUTE THAT CERTAIN LOAN ASSISTANCE AGREEMENT BETWEEN THE CITY OF FLORENCE AND THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY; AND OTHER MATTERS RELATING THERETO.

A Resolution authorizing and approving the acceptance of certain loan assistance monies from the South Carolina Water Quality Revolving Fund Authority; authorizing the Mayor to execute that certain Loan Assistance Agreement between the City of Florence and the South Carolina Water Quality Revolving Fund Authority; and other matters relating thereto was adopted by Council.

Councilwoman Ervin made a motion to adopt Resolution No. 2016-15. Councilman Hill seconded the motion.

Mr. Thomas Chandler, Director of Finance reported this Resolution relates to the wastewater portion of the Timmonsville system. It is for a principal forgiveness loan (a grant) from SRF in the amount of \$1 million.

Of the estimated repair and upgrade total cost, the Timmonsville sewer system will require approximately \$8.2 million in improvements and repairs. These projects have been divided into two funding phases.

In August 2014 SRF funded the total cost of the first phase of sewer system improvements in the approximate amount of \$2.7 million with \$966,368 provided as SRF funds issued as a principal forgiveness loan. The remaining balance of approximately \$1.75 million was financed in September 2014 through an SRF loan over a blended period of 20 years at an interest rate of 1% and 30 years at an interest rate of 1.1%.

The second phase will include approximately \$5.5 million of sewer system improvements. The first part of this process is to request City Council to approve a Resolution to receive \$1 million in all principal forgiveness funds (a grant). The remaining \$4.5 million will be financed through an SRF Loan over a blended period of 20 years at an interest rate of 1% and 30 years at an interest rate of 1.1%.

Council voted unanimously to adopt Resolution No. 2016-15.

RESOLUTION NO. 2016-17

A RESOLUTION TO RE-DESIGNATE TWO HOUR PARKING IN THE H-1, HISTORIC OVERLAY DISTRICT OF THE DOWNTOWN AREA; TO DESIGNATE THREE, 30 MINUTE ON-STREET PARKING SPACES IN FRONT OF THE BUILDING LOCATED AT 122 TO 130 SOUTH IRBY STREET; AND TO DESIGNATE A LOADING ZONE ON SOUTH IRBY STREET TO THE EAST SIDE OF THE BUILDING LOCATED AT 200 WEST EVANS STREET.

A Resolution to re-designate two hour parking in the H-1, Historic Overlay District of the downtown area; to designate three, 30 minute on-street parking spaces in front of the building located at 122 to 130 South Irby Street; and to designate a Loading Zone on South Irby Street to the east side of the building located at 200 West Evans Street was adopted by Council.

Mr. Phillip Lookadoo, Director of Planning, Research and Development reported that Ordinance No. 88-51 established two hour parking on the 100 blocks of North Dargan and South Dargan and also the 100 and 200 blocks of West Evans Street. In addition to that, staff is proposing on the 100 block of South Irby Street, four spaces on the east side of the street adjacent to Florence County Tax Parcel 90168-02-027 to be designated as two hour and on the 100 block of South Irby Street, three spaces on the east side of the street in front of the buildings located at 122 to 130 South Irby Street shown more specifically on Florence County Tax Map Parcels 90168-02-028, 90168-02-029, and 90168-02-030, to be designated as 30 minutes. In addition, on the 100 block of South Irby Street, a length of 96 feet located on the west side of South Irby Street to the east side of the building located at 200 West Evans Street (Francis Marion Health Sciences Center) shown more specifically on Florence County Tax Parcel 90168-01-006, to be designated as a loading zone.

Councilman Jebaily made a motion to adopt Resolution No. 2016-17. Councilwoman Williams-Blake seconded the motion, which carried unanimously.

REPORT TO COUNCIL

TREE CITY PRESENTATION

Mr. Chuck Pope, Director of Public Works reported to Council that in order to qualify as a Tree City USA community, a town or city must meet four standards established by The Arbor Day Foundation and the National Association of State Foresters. The four standards are:

- 1) A Tree Board or Department (City of Florence Parks and Beautification Commission)
- 2) A Tree Care Ordinance
- 3) A community Forestry Program with an annual budget of at least \$2.00 per capita
- 4) An Arbor Day Observance and Proclamation

The City of Florence does meet all of these standards.

The Tree City USA Growth Award is awarded by the Arbor Day Foundation to recognize higher levels of tree care by participating Tree City USA communities. The Growth Award highlights innovative programs and projects as well as increased commitment of resources for urban forestry.

The City of Florence began its Tree City USA program in 1980 and the Growth Award program in 2005.

Mr. Pope presented Mayor Wuklea with an award from the National Arbor Day Foundation in recognition of the City of Florence's 36 continuous years as a Tree City USA participant and 11 years for the Tree City USA Growth Award.

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EXECUTIVE SESSION

Mayor Wukela stated an Executive Session has been requested to discuss negotiations incident to matters relating to a proposed economic development pursuant to Section 30-4-70(a)(.2) of the South Carolina Code and discussion of employment and compensation of city employees pursuant to Section 30-4-65(a)(1) of the Code.

Mayor Pro tem Brand made a motion to enter into Executive Session. Councilman Hill seconded the motion, which carried without objection.

Council entered into Executive Session at 3:40 p.m.

Mayor Wukela reconvened the regular meeting at 4:38 p.m.

Mayor Wukela stated the first matter discussed in Executive Session was the reappointment of the municipal and associate judges.

Mayor Pro tem Brand made a motion to reappoint Associate Judges Lloyd Willcox, and Rangeley Bailey and Municipal Judges Nick Lewis, Linward Edwards and Taft Guiles for a two year term on recommendation of the Chief Judge. Councilwoman Ervin seconded the motion, which carried unanimously.

Councilwoman Ervin made a motion to reappoint Chief Administrative Judge Debbie Jackson for an additional three year term. Councilwoman Williams-Blake seconded the motion, which carried unanimously.

The next matter for Council's consideration was the issue of another improvement grant under the established program by the City. There is a recommendation by staff that the full amount of the grant be approved. Councilman Jebaily made a motion to approve the recommendation made by staff. Councilman Hill seconded the motion, which carried unanimously.

ADJOURN

Mayor Pro tem Brand made a motion to adjourn the meeting. The meeting was adjourned at 4:40 p.m. without objection.

Dated this 11th day of July, 2016.

Dianne M. Rowan, Municipal Clerk

Stephen J. Wukela, Mayor

FLORENCE CITY COUNCIL MEETING

DATE: May 9, 2016

AGENDA ITEM: Public Hearing and Ordinance to declare as surplus and authorize the transfer of a parcel fronting on Layton Street and containing approximately 0.17 acres and designated as tax map 90100-04-015.

DEPARTMENT/DIVISION: General Services/Community Services

I. ISSUE UNDER CONSIDERATION:

To declare as surplus and authorize the conveyance of land, located on Layton Street and totaling approximately 0.17 acres, to Sisters 4 the Future as amended to include property on North Dargan Street (see Exhibit A).

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

- (1) The Sister 4 the Future organization appeared before City Council on April 11, 2016 to request the conveyance of the aforementioned parcel.
- (2) City Council requested that staff investigate the request.

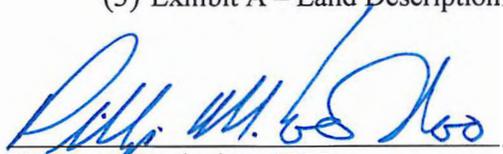
III. POINTS TO CONSIDER:

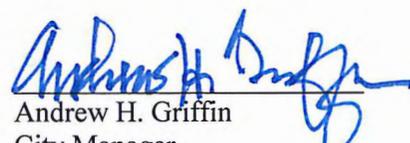
- (1) Request is being considered for first reading.
- (2) Sisters 4 the Future is a 501(3)(C) non-profit organization. The organization's mission is to house battered women in the Florence community.
- (3) The State of South Carolina has donated a house to Sister 4 the Future that is proposed to be relocated to the lot on Layton Street and used to house battered women and children. The City will not incur any expenses in the relocation of this house.
- (4) Upon closer investigation into the propose use, it was found that the proposed parcel is not zoned properly to allow a battered women's shelter.
- (5) Staff is researching other properties owned by the City that are appropriately zoned for the proposed use.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Agreement of Lease
- (3) Exhibit A – Land Description


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


Andrew H. Griffin
City Manager

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

AGREEMENT OF LEASE

This agreement entered into this ___ day of _____, 2016 by and between the **City of Florence**, an incorporate municipality State of South Carolina, herein after called the “LANDLORD”, and **Sisters 4 the Future**, a South Carolina nonprofit corporation, hereinafter collectively called the “TENANT”.

WITNESSETH:

The LANDLORD, for and in consideration of the covenants and agreements hereinafter set forth, to be kept and performed by the TENANT, demises and leases unto the TENANT and the TENANT does hereby hire and rent from the LANDLORD the premises hereinafter described, for the period, at the rental, and upon the terms and conditions hereinafter specifically set forth.

1. **Description of Premises:** LANDLORD leases to TENANT the property described on Exhibit “A” attached hereto and incorporated herein by reference. Said property is known as 403 North Dargan Street and is further identified as Florence County Tax Map Parcel No. 90085-11-002.

2. **Term:** The term of this lease is for 60 months (five years), beginning July 1, 2016 and terminating on June 30, 2021. With the consent of the LANDLORD, the TENANT shall have the option to renew this Agreement for successive five year terms. The LANDLORD shall have final approval over the renewability of the Agreement and said approval shall not be withheld unreasonably.

3. **Rent:** The TENANT shall pay the LANDLORD rent in the amount of One Dollar (\$1.00) per year, said rental to be paid in one lump sum of Five and no/100th (\$5.00) Dollars at the time of the execution of this Lease, the receipt of which is hereby acknowledged.

4. **Maintenance, Repairs, Improvement, and Use of Premises:** The Premises is currently a vacant lot. TENANT shall be allowed to move a home onto the Premises at TENANT’S sole expense. Furthermore, since the rent being paid by TENANT is nominal, it shall be the responsibility of the TENANT to maintain the Premises and any building added to the Premises at the TENANT’S sole expense. This maintenance obligation specifically includes, but is not limited to, all repairs and maintenance and replacement as needed of the structural elements of the building, the roof, the HVAC, and all other aspects of the premises. Any and all alterations and improvements of the Premises shall also be the responsibility of the TENANT, but any such alterations and improvements shall require the prior written consent of the LANDLORD. LANDLORD agrees that it will not unreasonably withhold its consent to requested alterations and improvements. The expenses and costs related to repairs, maintenance, alteration(s), or

improvement(s) are the sole responsibility of the TENANT, and no liens, mortgages, or other legal liabilities shall be attach to leased property as a result of repairs, maintenance, alteration(s), or improvement(s) by the TENANT. The Premises shall be used by the TENANT exclusively as follows:

- (a) The TENANT will use the leased premises to operate the **Sisters 4 the Future** programming to provide battered women with resources, support, and housing.
- (b) Should the TENANT be unsuccessful in its efforts to relocate a building to the Premises within the next 12 months, or should the TENANT at any time during the Term of this Lease cease to operate the **Sisters 4 the Future** programming as described in (a) above, this Lease shall immediately terminate and TENANT agrees that it will vacant the Premises and return possession of the Premises to LANDLORD.

5. **Assignment and Subletting of Lease:**

(a) The TENANT may not assign this Lease without the LANDLORD's consent; any contemplated assignment shall be negotiated between the parties and the LANDLORD shall have the sole authority for providing consent for such an agreement and the LANDLORD shall approve any agreement between the TENANT and its proposed assignee.

(b) No assignment shall be valid or effective until there is delivered to the LANDLORD a duplicate original of the written instrument of assignment, in recordable form, containing the name and address of the Assignee, and an assumption by the Assignee of the Lease and of all obligations under this Lease to be performed by the TENANT, although TENANT remains liable as herein set forth. Such assumption need relate only to obligations thereafter to be performed by the TENANT.

6. **Entry to Premises by Landlord:** LANDLORD reserves the right to enter the premises at reasonable time and with advanced notice for inspection.

7. **Utilities:** Utilities shall be the responsibility of the TENANT.

8. **Taxes and Assessments:** All ad valorem taxes, assessments, liens or charges on the land or improvements, that may be against or levied upon the demised premises, shall be the responsibility of the TENANT. LANDLORD will cooperate to obtain exempt status from ad valorem taxes if an exemption is applicable.

9. **Insurance:** TENANT shall at all times provide appropriate insurance through insurance carriers licensed to do business in South Carolina to include hazard insurance covering the Premises, commercial general liability insurance and automobile liability insurance with minimum limits of \$1,000,000.00 covering its activities and for its protection relating to its use

of the facility, and worker's compensation insurance coverage for its employees and agents with minimum coverage limits required by law, but in no event less than \$100,000.00 per accident for employers liability, and \$100,000.00/\$500,000.00 for disease coverage. TENANT shall name LANDLORD as an additional insured on said insurance policies and shall at all times provide LANDLORD with a current copy of said insurance policies. LANDLORD may, but is not required to, obtain any additional insurance it deems appropriate.

10. **Compliance with Applicable Laws:** The TENANT, at its sole expense, shall comply with all laws, orders, and regulations of Federal, State, and Municipal authorities, and with any direction of any public officer, pursuant to the law, which imposes any duty upon the TENANT with respect to the leased property. The TENANT, at its sole expense, shall obtain all licenses or permits which may be required by the conduct of its business within the terms of this Lease or for the making of repairs, alterations, improvements or additions. The TENANT shall comply with the requirements of all policies of public liability, hazard, and all other types of insurance in force with respect to the buildings and other improvements on the leased property.

11. **Surrender of Premises:** The TENANT shall, on the last day of the term, peaceably and quietly surrender the leased property to the LANDLORD, including any improvements placed thereon by either LANDLORD or TENANT.

12. **Condemnation:** If the entire premises are condemned or taken in any manner for public or quasi-public use, including, but not limited to, a conveyance or assignment in lieu of a condemnation, this Lease shall automatically terminate on the earlier of the date when title vests or the TENANT is dispossessed by the condemnation or other taking. If a part of the premises is condemned or taken, this Lease shall automatically terminate as to that portion of the premises so taken. If such condemnation of a portion of the premises renders the remaining portion unusable for the business of the TENANT, the TENANT may, with ninety days written notice to the LANDLORD terminate the Lease on the remaining portion. Such termination shall be without prejudice to the rights of either the LANDLORD or the TENANT to recover compensation from the condemning authority of any loss or damage caused by such condemnation. Neither the LANDLORD nor the TENANT shall have any rights in any award made to the other by condemning authority.

13. **Destruction of Premises:** If all or any part of the leased property is damaged or destroyed by fire or other casualty so that the demised premises are unfit for use, the TENANT shall have the option within thirty (30) days after the date of such casualty to elect to terminate this lease or to repair and rebuild the damaged part.

14. **Default:** If TENANT shall be in default in the performance of any conditions hereof, and fail to correct and rectify any such default within thirty (30) days after TENANT receives written notice adequately identifying a default; and with receipt of a written registered notice, LANDLORD may repossess same as if this Lease had not been made, and shall thereupon have the right to cancel this Lease without prejudice. LANDLORD, waives all rights of distraint against the equipment, personal property, inventory, furniture, and fixtures of the TENANT.

15. **Performance of Landlord's Obligation:** If the LANDLORD shall breach any of the conditions required to be performed by it under the Lease, and shall fail to correct same within thirty (30) days of written registered notice to the LANDLORD of its intention to do so, in which event this lease shall terminate upon the date fixed in such notice, unless the LANDLORD shall meanwhile cure the default.

16. **Subordination to Mortgage:** This Lease is subject and subordinate to any Mortgage which may now or hereafter encumber the demised premises; and to all renewals, modifications, consolidations, replacements and extensions thereon. This clause shall be self-operative and no further instrument of subordination need be required by any mortgagee. In confirmation of such subordination, however, TENANT shall, at LANDLORD's request provide written confirmation of such.

17. **Estoppel Certificate:** TENANT will, at any time, and from time to time, upon not less than ten (10) days prior request by LANDLORD, execute, acknowledge, and deliver to LANDLORD without additional consideration, a statement in writing executed by TENANT certifying that TENANT is in possession of the premises under the terms of this Lease; that the Lease is unmodified and in full effect; or if there have been modifications, that this Lease is in full effect as modified, and setting forth such modifications; and the dates to which rent has been paid, and either stating that to the knowledge of the TENANT, no default exists hereunder or specifying each such default to which TENANT may have knowledge; and such other matters as may be reasonably requested by LANDLORD, it being intended that any such statement by TENANT be relied upon by any prospective purchaser or mortgagee of the property.

18. **Notices:** Any notice under this lease must be made in writing and must be sent by registered or certified mail to the last address of the party to whom the notice is given as designated by such party in writing.

The LANDLORD hereby designates its address as:

City of Florence
Attn: City Manager
324 West Evans Street
Florence, SC 29501

The TENANT hereby designates its address as:

Sisters 4 the Future
Attn: Executive Director
3008 Canal Drive, Lot 2
Florence, South Carolina 29505

19. **Waiver:** Failure of either party to insist upon strict performance of any covenant or condition of this Lease, in any or more instances, shall not be construed as a waiver for the future of any such covenant or condition, but, the same shall be and remain in full force and effect.

20. **Binding Effect:** The covenants, terms, conditions, provisions and undertakings in this Lease, or in any renewals thereof, shall extend to, and be binding upon, the heirs and executors administrators, and successors and assigns of the respective parties hereto, as if they were in every case named and expressed, and, shall be construed as covenants running with the land, and, whenever reference is made to either of the parties hereto, it shall be held to include and apply also to the heirs, executors, administrators, successors and assigns of such party, as if in each case so expressed.

21. **Warranty of Authority and Title:** Both parties, whose signatures are below inscribed, expressly warrant that they have full express authority to bind the respective parties on whose behalf they are signing, to the terms of this Agreement of Lease. LANDLORD warrants that it has good marketable title and that it will not interfere with the TENANT’S use of the Premises as described herein.

22. **Entire Agreement, Modification, and Severability:** This Lease contains the entire agreement between the parties, and shall not be modified in any manner except by an instrument in writing, executed by the parties. If any term or provision of this Lease, or the application thereof, to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Lease, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Lease shall be valid and shall be enforced to the fullest extent permitted by law.

IN WITNESS WHEREOF, the LANDLORD and TENANT subscribed their names and affixed their seals the day and year first above written.

WITNESSES:

LANDLORD:

City of Florence, SC

By: _____
ANDREW H. GRIFFIN
City Manager

TENANT:

Sisters 4 the Future

By: _____
Its: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROBATE
(City of Florence)

Before me, a notary public, personally appeared the undersigned witness, who, being duly sworn, deposed and said as follows: s/he is not a party or beneficiary of the transaction for which this instrument has been executed; s/he saw Andrew H. Griffin as City Manager of the **City of Florence** who s/he personally knows or has identified through satisfactory evidence, sign, seal and deliver the foregoing **Lease** as the act and deed of the **City of Florence** that s/he together with the second subscribing witness witnessed the execution thereof.

Signature of Witness

SWORN TO and subscribed before me
this ____ day of _____, 2016

_____(SEAL)
Notary Public for South Carolina
My Commission Expires: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROBATE
(Sisters 4 the Future)

Before me, a notary public, personally appeared the undersigned witness, who, being duly sworn, deposed and said as follows: s/he is not a party or beneficiary of the transaction for which this instrument has been executed; s/he saw _____ as _____ of **Sisters 4 the Future** who s/he personally knows or has identified through satisfactory evidence, sign, seal and deliver the foregoing **Lease** as the act and deed of the **Sisters 4 the Future** and that s/he together with the second subscribing witness witnessed the execution thereof.

Signature of Witness

SWORN TO and subscribed before me
this ____ day of _____, 2016

_____(SEAL)
Notary Public for South Carolina
My Commission Expires: _____

EXHIBIT A
Property Description

All that certain piece, parcel and lot of land with improvements thereon situate, lying and being in the City and County of Florence, State of South Carolina situate in the City and County of Florence, State of South Carolina, fronting 106 feet, more or less, on the West side of North Dargan Street, and being in depth 30 feet, more or less, bounded on the North by Anna Dora Andrews and railroad right-of-way; West by the right-of-way of the curve track of the C. and D. Railroad; on the East by Dargan Street; and South by property now or formerly of the City of Florence.

This being the same property conveyed to the City of Florence by deed of Celeste Beck Abdallah, recorded on March 30, 2009 in Deed Book B237 at page 1028 in the office of the Clerk of Court for Florence County.

This property is known as 403 North Dargan Street and is further identified as Florence County Tax Map Parcel No. 90085-11-002.

ORDINANCE NO. 2016-__

AN ORDINANCE AUTHORIZING THE CITY TO LEASE OF THE VACANT REAL ESTATE KNOWN AS 403 NORTH DARGAN STREET AND DESIGNATED AS TAX PARCEL 90085-11-002 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR TO SISTERS 4 THE FUTURE UNDER THE TERMS AND CONDITIONS SET OUT IN THE WRITTEN LEASE ATTACHED AS EXHIBIT A TO THIS ORDINANCE.

WHEREAS, after due consideration, the City has concluded that the real estate described in the Lease set out in Exhibit "A" attached hereto and incorporated herein by reference is not presently needed for City use;

WHEREAS we hereby find that use of said real estate for the operation of the Sisters 4 the Future which is a 501(c)(3) corporation that provides battered women with resources, support, and housing they need to be in the best interest and to the benefit of the citizens of the City of Florence; and

WHEREAS the Sisters 4 the Future have coordinated with other public agencies to acquire a house which it intends to move to the City lot, which is currently vacant, for use in carrying out its mission of supporting battered women;

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 Lease attached hereto as Exhibit A and such other documentation as needed in order to lease the property described in said Lease to Sisters 4 the Future in order to facilitate the continuation of the Sisters 4 the Future as described in the Lease.

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

ADOPTED THIS ____ DAY OF _____, 2016.

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: July 11, 2016

AGENDA ITEM: Public Hearing and Ordinance for a text amendment to City of Florence Zoning Ordinance Section 3.14 to set forth conditional use regulations for unattended donation receptacles

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Proposed text amendment to City of Florence Zoning Ordinance Section 3.14 to set forth conditional use regulations for unattended donation receptacles

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

- (1) On December 15, 2015 Planning Commission held a public hearing on this matter, and a committee composed of three Planning Commission members was formed to further develop the amendment. After several deferrals and consultation with the City Attorney Jim Peterson, on April 25, 2015 Planning Commission voted (5-3) to recommend an amendment to Section 3.14 of the City of Florence Zoning Ordinance.
- (2) City Council, at their May 9, 2016 meeting, voted to pass the first reading of the ordinance with the amendment that donation bins be prohibited in the D-1, Downtown Redevelopment Overlay District.
- (3) City Council also inquired about the possibility of an amendment that would allow for the removal of a receptacle by the City in the event that the court process has been exhausted as well as the standardization of receptacle design (dimensions, appearance, color, etc.). City Council asked that staff take the issue back before Planning Commission such that additional research can be conducted prior to second reading.
- (4) On June 14, 2016 Planning Commission met regarding the proposed changes and voted unanimously (6-0) to recommend the attached amendment.

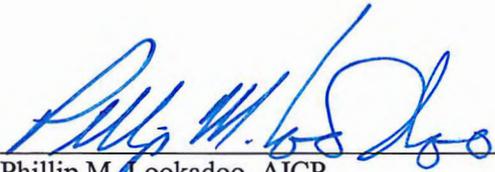
III. POINTS TO CONSIDER:

- (1) Request is being considered for second reading.
- (2) Concerns from the community regarding unattended donation receptacles were brought to the attention of Planning Commission at the November 14, 2015 meeting and a request for action was made.
- (3) The proposed ordinance allows donation receptacles as a conditional use in the B-3, General Commercial; B-6, Industrial; and RU-1, Rural Resource Zoning Districts per the conditions set forth in Section 3.14 of the City of Florence Zoning Ordinance.
- (4) Additionally, the attached ordinance reflects both City Council's motion to prohibit donation receptacles in the D-1, Downtown Redevelopment Overlay District as well as recommendations from Planning Commission to require written permission from property owners for the placement of a donation receptacle and to allow for the City to remove, store, and dispose of receptacles in the case where the property owner has been found guilty of violating the Zoning Ordinance and has taken no action to achieve compliance or remove the receptacle.

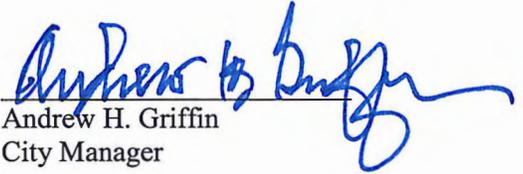
IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Proposed Amendment
- (2) Ordinance

A handwritten signature in blue ink, appearing to read "Phillip M. Lookadoo".

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

A handwritten signature in blue ink, appearing to read "Andrew H. Griffin".

Andrew H. Griffin
City Manager

Attachment 1: Proposed Amendment to Section 3.14

Deletions have been struck through.

Additions have been underlined.

Additions per City Council motion have been underlined and highlighted in yellow.

Additions recommended by Planning Commission have been underlined and highlighted in blue.

Section 3.14 Refuse Systems

Due to environmental concerns and consideration for public health and safety, refuse systems where conditionally permitted as a principal use by Table II shall be limited to the following and shall comply with the supplemental development standards of this Section.

Sanitary Landfills - Inert Landfills Recycling Drop -Off Stations Donation Receptacles

1. Sanitary Landfills
 - a. Sanitary landfills shall be located no closer than 1,000 feet to any existing residential, recreational, religious, educational, medical, or public use (measured in a straight line).
 - b. A geotechnical engineering firm approved by the Zoning Administrator shall render a written opinion that, to the best professional judgment, the formations being used to contain the waste are impermeable and that surrounding ground water sources will not be contaminated.
 - c. A drainage and sedimentation plan shall accompany the request, showing all off-site run off.
 - d. The facility shall be enclosed by an opaque fence or wall structure illustrated by Section 4.2-4, on all sides visible from the street serving the facility and an opaque cyclone fence on the remaining unexposed boundaries.
 - e. A plan showing restoration of the site on completion of use as a landfill shall accompany the request.

2. Inert Landfill

- a. An inert landfill may be located up to, but no closer than, 100 feet from any property line, except such landfill shall not be located closer than 300 feet from any dwelling, school building, day care center, religious, recreational, or medical facility.
- b. No material shall be placed in open storage or areas in such a manner that it is capable of being transferred out by wind, water, or other causes.
- c. All materials and activities shall be screened in such fashion as not to be visible from off-site. The provisions of this subsection may be waived by the Zoning Administrator where such facility will be utilized for a period not to exceed 90 days.
- d. The site shall be restored and re-vegetated on completion of use as a landfill.

3. Recycling Drop -Off Stations

- a. Definition. A recycling drop-off center is a location that provides for the drop-off and collection of recyclable household refuse, including but not limited to: plastic, glass, metal, paper, cardboard, batteries, oil, and grease. This does not include donation receptacles used for soliciting and collecting donations, including but not limited to: clothing, footwear, books, and other salvageable household goods; such receptacles are addressed in Section 3.14-4 below.
- b. All exterior storage of material shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition, or shall be baled or pelletized.
- c. The site shall be maintained free of litter and any other undesirable materials, shall be cleaned of loose debris on a daily basis, and shall be secured from unauthorized entry and removal of materials when attendants are not present.
- d. Space shall be provided on site for the anticipated peak load of customers to circulate, park, and deposit recyclable materials. If the facility is open to the public, space shall be provided for a minimum of ten (10) customers or the peak load, whichever is higher, except where the Zoning Administrator determines that allowing overflow

traffic is compatible with surrounding business and public safety.

- e. Where a facility is to be located within 500 feet of property in a residential zone, it shall not be in operation between 7:00 p.m. and 7:00 a.m.
- f. No collection containers shall be located closer than 100 feet of any residential property line.
- g. Donation areas shall be kept free of litter and debris. Containers shall be clearly marked to identify the type of material that may be deposited. The facility shall display a notice stating that no material shall be left outside the recycling containers.

4. Donation Receptacles

- a. Definition. A donation receptacle means any unattended container, box, or similar device that is used for soliciting and collecting donations, including but not limited to: clothing, footwear, books, and other salvageable household goods.
- b. Donation receptacles shall not be allowed within the boundaries of the D-1, Downtown Redevelopment District as established in Section 2.9-2 of this Ordinance.
- c. Donation receptacle requirements, where allowed as a conditional use:
 - (1) Donation receptacles shall not be placed on any property without written permission of the property owner;
 - (2) Donation receptacles shall either be placed within the required side or rear setback area, and the receptacle shall not interfere with sight-triangles, on-site circulation, buffer-yards, landscaping, parking, or any other requirements that may have been imposed as part of the site plan approval for the premises;
 - (3) Donation receptacles shall not be placed within a designated parking space;
 - (4) Donation receptacles shall not be placed in such a manner as to cause an obstruction for pedestrians or motorists;

- (5) Only one donation receptacle shall be permitted per lot and shall only be permitted on properties that contain a primary permitted use;
 - (6) Donation receptacles shall not exceed 6.5 feet in height;
 - (7) Signage on donation receptacles shall not exceed five-inch letter height;
 - (8) The following information must be clearly and conspicuously displayed on the exterior of the donation receptacle: The name and address of the property owner who owns the receptacle, and the name of any entity which may share, profit, or benefit from any donations collected via the receptacle.
- d. Donation receptacle maintenance. Donation receptacles shall be maintained in good condition and appearance with no structural damage, holes, or visible rust, and shall be kept free of graffiti. All Donation Boxes shall be free of debris and shall be serviced regularly so as to prevent overflow of donations or the accumulation of junk, debris, or other material. All donation receptacles must be maintained in a manner that prohibits individuals from being able to open or enter the donation receptacle without the consent of the donation receptacle owner or the property owner.
- e. Non-compliant Donation Receptacles – Penalties and Removal by the City. Any person(s) or entity found guilty of either placing a donation receptacle in violation of the provisions of this Ordinance or of allowing a donation receptacle in violation of the provisions of this Ordinance to be placed on property owned or controlled by the person shall be penalized pursuant to Section 8.14 of this Ordinance. In addition, the Court finding such person guilty shall further order that the subject donation receptacle be brought into full compliance with this ordinance or be removed from the premises within 14 days of the guilty finding. If the person(s) fails to either bring the donation receptacle into compliance or to remove the donation receptacle within said 14 days, then the City shall take possession of and remove the donation bin. The noncompliant donation bin will be stored at Public Works for a period of 60 days to allow the owner of the bin to reclaim it, after which, said bin may be disposed of by the City.

ORDINANCE NO. 2016-_____

AN ORDINANCE TO AMEND THE CITY OF FLORENCE ZONING ORDINANCE SECTION 3.14 TO SET FORTH CONDITIONAL USE REGULATIONS FOR UNATTENDED DONATION RECEPTACLES

WHEREAS, a public hearing was held in Council Chambers of the City Center located at 324 West Evans Street on December 15, 2015 before the Municipal Planning Commission, and notice of said hearing was duly given; and

WHEREAS, the City of Florence Zoning Ordinance currently allows Refuse Systems as a conditional use in the B-3, General Commercial; B-6, Industrial; and RU-2, Rural Resource Districts. According to the North American Industry Classification System (NAICS), Recyclable Material Collection is a subcategory of Refuse Systems and can therefore be classified as such; and,

WHEREAS, the amendments contained herein will conditionally permit unattended donation receptacles in the aforementioned zoning districts per the conditions set forth in Section 3.14 of the City of Florence Zoning Ordinance; and,

THEREFORE, Section 3.14 of the City of Florence Zoning Ordinance, shall read as follows:

Section 3.14 Refuse Systems

Due to environmental concerns and consideration for public health and safety, refuse systems where conditionally permitted as a principal use by Table II shall be limited to the following and shall comply with the supplemental development standards of this Section.

Sanitary Landfills - Inert Landfills

Recycling Drop -Off Stations

Donation Receptacles

1. Sanitary Landfills
 - a. Sanitary landfills shall be located no closer than 1,000 feet to any existing residential, recreational, religious, educational, medical, or public use (measured in a straight line).
 - b. A geotechnical engineering firm approved by the Zoning Administrator shall render a written opinion that, to the best professional judgment, the formations being used to contain the waste are impermeable and that surrounding ground water sources will not be contaminated.
 - c. A drainage and sedimentation plan shall accompany the request, showing all off-site run off.
 - d. The facility shall be enclosed by an opaque fence or wall structure illustrated by Section 4.2-4, on all sides visible from the street serving the facility and an opaque cyclone fence on the remaining unexposed boundaries.

- e. A plan showing restoration of the site on completion of use as a landfill shall accompany the request.

2. Inert Landfill

- a. An inert landfill may be located up to, but no closer than, 100 feet from any property line, except such landfill shall not be located closer than 300 feet from any dwelling, school building, day care center, religious, recreational, or medical facility.
- b. No material shall be placed in open storage or areas in such a manner that it is capable of being transferred out by wind, water, or other causes.
- c. All materials and activities shall be screened in such fashion as not to be visible from off-site. The provisions of this subsection may be waived by the Zoning Administrator where such facility will be utilized for a period not to exceed 90 days.
- d. The site shall be restored and re-vegetated on completion of use as a landfill.

3. Recycling Drop -Off Stations

- a. Definition. A recycling drop-off center is a location that provides for the drop-off and collection of recyclable household refuse, including but not limited to: plastic, glass, metal, paper, cardboard, batteries, oil, and grease. This does not include donation receptacles used for soliciting and collecting donations, including but not limited to: clothing, footwear, books, and other salvageable household goods; such receptacles are addressed in Section 3.14-4 below.
- b. All exterior storage of material shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition, or shall be baled or pelletized.
- c. The site shall be maintained free of litter and any other undesirable materials, shall be cleaned of loose debris on a daily basis, and shall be secured from unauthorized entry and removal of materials when attendants are not present.
- d. Space shall be provided on site for the anticipated peak load of customers to circulate, park, and deposit recyclable materials. If the facility is open to the public, space shall be provided for a minimum of ten (10) customers or the peak load, whichever is higher, except where the Zoning Administrator determines that allowing overflow traffic is compatible with surrounding business and public safety.
- e. Where a facility is to be located within 500 feet of property in a residential zone, it shall not be in operation between 7:00 p.m. and 7:00 a.m.

- f. No collection containers shall be located closer than 100 feet of any residential property line.
- g. Donation areas shall be kept free of litter and debris. Containers shall be clearly marked to identify the type of material that may be deposited. The facility shall display a notice stating that no material shall be left outside the recycling containers.

4. Donation Receptacles

- a. Definition. A donation receptacle means any unattended container, box, or similar device that is used for soliciting and collecting donations, including but not limited to: clothing, footwear, books, and other salvageable household goods.
- b. Donation receptacles shall not be allowed within the boundaries of the D-1, Downtown Redevelopment District as established in Section 2.9-2 of this Ordinance.
- c. Donation receptacle requirements, where allowed as a conditional use:
 - (1) Donation receptacles shall not be placed on any property without written permission of the property owner;
 - (2) Donation receptacles shall either be placed within the required side or rear yard, and the receptacle shall not interfere with sight-triangles, on-site circulation, buffer-yards, landscaping, parking, or any other requirements that may have been imposed as part of the site plan approval for the premises;
 - (3) Donation receptacles shall not be placed within a designated parking space;
 - (4) Donation receptacles shall not be placed in such a manner as to cause an obstruction for pedestrians or motorists;
 - (5) Only one donation receptacle shall be permitted per lot and shall only be permitted on properties that contain a primary permitted use;
 - (6) Donation receptacles shall not exceed 6.5 feet in height;
 - (7) Signage on donation receptacles shall not exceed five-inch letter height;
 - (8) The following information must be clearly and conspicuously displayed on the exterior of the donation receptacle: The name and address of the property owner who owns the receptacle, and the name of any entity which may share, profit, or benefit from any donations collected via the receptacle.

- d. Donation receptacle maintenance. Donation receptacles shall be maintained in good condition and appearance with no structural damage, holes, or visible rust, and shall be kept free of graffiti. All Donation Boxes shall be free of debris and shall be serviced regularly so as to prevent overflow of donations or the accumulation of junk, debris, or other material. All donation receptacles must be maintained in a manner that prohibits individuals from being able to open or enter the donation receptacle without the consent of the donation receptacle owner or the property owner.

- e. Non-compliant Donation Receptacles – Penalties and Removal by the City. Any person(s) or entity found guilty of either placing a donation receptacle in violation of the provisions of this Ordinance or of allowing a donation receptacle in violation of the provisions of this Ordinance to be placed on property owned or controlled by the person shall be penalized pursuant to Section 8.14 of this Ordinance. In addition, the Court finding such person guilty shall further order that the subject donation receptacle be brought into full compliance with this ordinance or be removed from the premises within 14 days of the guilty finding. If the person(s) fails to either bring the donation receptacle into compliance or to remove the donation receptacle within said 14 days, then the City shall take possession of and remove the donation bin. The noncompliant donation bin will be stored at Public Works for a period of 60 days to allow the owner of the bin to reclaim it, after which, said bin may be disposed of by the City.

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

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

1. That an Ordinance is hereby adopted by amending the Zoning Ordinance as shown above.

2. That this Ordinance shall become effective immediately.

ADOPTED THIS _____ DAY OF _____, 2016

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: June 13, 2016

AGENDA ITEM: TIF District Redevelopment Plan Supplement and Extension of the Maximum Term of Maturity Ordinance

DEPARTMENT: City Manager

I. ISSUE UNDER CONSIDERATION

Attached is an ordinance amending Ordinance No. 2006-43 to supplement the TIF District Redevelopment Plan and to extend the maximum term of Maturity of TIF obligations and the duration of the Redevelopment plan.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

A. On December 18, 2006, City Council adopted Ordinance No. 2006-43 establishing a Redevelopment Plan and Redevelopment Project Area (TIF District in Downtown Florence). As established by the ordinance, the City had until December 2016 to issue TIF obligation bonds to fund public improvements and until December 2026 to repay the bonds.

B. On May 12, 2014 City Council approved an ordinance authorizing the issuance of a Series 2014 Tax Increment Revenue Bond in the principal amount of \$12,936,000 for downtown capital improvements. On May 28, 2014 the Tax Increment Revenue bond was issued through the year 2026.

III. POINTS TO CONSIDER

A. In addition to the redevelopment projects established in the original TIF District adoption, other public infrastructure improvements have now been identified due to significant public and private redevelopment and growth that has occurred since May 2014.

B. Section 31-6-80(F)(2) of the Tax Increment Financing Law provides that subsequent to the adoption of an ordinance approving a redevelopment plan a municipality is permitted to among other things, "make changes to the proposed use of the proceeds of the obligations in relationship to the redevelopment plan, or to extend the maximum amount or term of obligations to be issued under the redevelopment plan in accordance with the procedures provided in this chapter for the initial approval of a redevelopment project and designation of a redevelopment project area."

C. The needed additional infrastructure improvements, which will total approximately \$20 million, include parking, street improvements, the development of a food/hub node and farmers market, and other essential infrastructure enhancements. This total amount also includes \$12 million for the revitalization and redevelopment of three Florence School District One facilities as agreed upon in a Memorandum of Understanding authorized for execution by Resolution of City Council on February 9, 2016.

D. Because the Florence School District One projects and certain other improvements were not specifically included in the Redevelopment plan adopted by the TIF district ordinance in 2006, the original redevelopment plan will have to be revised and extended.

E. To finance these additional public infrastructure projects with future TIF funding, City staff, the City's Bond Attorney and the City's Financial Advisor have determined that it will be necessary to alter the

TIF District Redevelopment Plan Supplement and Extension of the Maximum Term of Maturity Ordinance – Page 2

maximum term of maturity of TIF obligations and supplement the Redevelopment plan, and thus extend its duration, from the original 20-year maturity of 2026 to a 40-year maturity expiring in 2046.

F. Changes to the 2006 TIF Redevelopment plan and maximum term of maturity of TIF obligations will require the adoption of an ordinance by City Council to amend Ordinance No. 2006-43.

G. State law requires that adoption of such ordinance must be done in accordance with procedures required for the initial approval of the City's Redevelopment Plan in 2006. These procedures include the requirement that the City must hold a public hearing after publication of notice of the hearing in a newspaper of general circulation in Florence County. This notice was published in the *Florence Morning News* on Friday, May 27, 2016.

H. State law also requires that prior to adopting an ordinance to supplement the TIF District Redevelopment Plan and to extend the maximum term of Maturity of TIF obligations and the duration of the Redevelopment plan, the City must notify Florence County and Florence County School District One of the City's intent at least 45 days prior to final ordinance adoption.

I. This notification, which was hand-delivered to both Florence County and School District One on April 28, 2016, provides the County and the School District with the option to file an objection to these actions at or prior to the date of the public hearing.

J. State law provides that "If a taxing district does not file an objection to the redevelopment plan at or prior to the date of the public hearing, the taxing district is considered to have consented to the redevelopment plan.... The tax increment for a taxing district that does not consent to the redevelopment plan must not be included in the special tax allocation fund."

K. The City of Florence received notification from Florence County informing the City that the County will not be participating in the amended downtown redevelopment plan beyond 2026 or in the extension of the TIF district beyond that date.

L. On May 17, 2016 the City acknowledged to Florence County receipt of their notification of objection to participation beyond 2026, and further informed them that their objection would be recorded in the minutes of the June 13, 2016 City Council meeting.

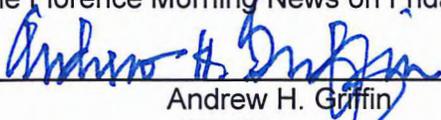
M. The City has received no notification of objection to the revised and extended Redevelopment plan and maximum term of maturity of TIF obligations from Florence School District One.

IV. STAFF RECOMMENDATION

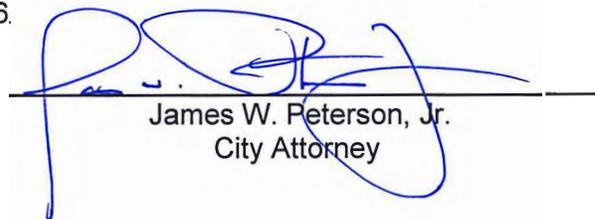
Approve and adopt of the proposed ordinance.

V. ATTACHMENTS

Attached is an ordinance and related attachments amending Ordinance No. 2006-43 to supplement the TIF District Redevelopment Plan and to extend the maximum term of Maturity of TIF obligations and the duration of the Redevelopment Plan. Also attached is a copy of the public hearing notice published in the *Florence Morning News* on Friday, May 27, 2016.



Andrew H. Griffin
City Manager



James W. Peterson, Jr.
City Attorney

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 2006-43 IN ORDER TO SUPPLEMENT THE PLAN FOR THE REDEVELOPMENT OF SUCH AREA BY DESCRIBING THE REDEVELOPMENT PROJECTS AND TO EXTEND THE MAXIMUM TERM OF MATURITY OF OBLIGATIONS TO BE ISSUED UNDER THE PLAN AND THUS EXTEND THE DURATION OF THE REDEVELOPMENT PLAN, EACH AS ESTABLISHED BY ORDINANCE NO. 2006-43.

INCIDENT TO THE ADOPTION OF THIS ORDINANCE, CITY COUNCIL MAKES THE FOLLOWING FINDINGS OF FACT:

1. During its 1984 Session, the General Assembly of South Carolina adopted the "Tax Increment Financing Law" codified at Section 31-6-10 to 31-6-120, Code of Laws of South Carolina, as amended (the "Tax Increment Financing Law").

2. The General Assembly provided in the Tax Increment Financing Law a method for paying a portion of the costs of public infrastructure improvements from incremental tax revenues generated by properties within redevelopment project areas.

3. The Supreme Court of South Carolina upheld the Tax Increment Financing Law in a case arising out of the City's Cooper River Waterfront Redevelopment Project Area. The Supreme Court of South Carolina held:

"Tax increment financing acts have been established and upheld by many states.... They allow local government officials to administer development without the restrictions which often accompany federal and state grants.... South Carolina's Tax Increment Financing Act, as presently drawn, is constitutionally sound."

4. Pursuant to the Tax Increment Financing Law, City Council of the City of Florence, South Carolina ("City Council") by Ordinance No. 2006-43 established the Florence Downtown Redevelopment Project Area (the "Redevelopment Project Area") and established for that area a Redevelopment Plan, including Redevelopment projects, all as contemplated by the Tax Increment Financing Law.

5. City Council is permitted by Section 31-6-80(F)(2) of the Tax Increment Financing Law, subsequent to the adoption of an ordinance approving a redevelopment plan, to, "among other things, make changes to the proposed use of the proceeds of the obligations in relationship to the redevelopment plan, or to extend the maximum amount or term of obligations to be issued under the redevelopment plan in accordance with the procedures provided in this chapter for the initial approval of a redevelopment project and designation of a redevelopment project area."

6. City Council is now minded to alter the "maximum term of maturity of obligations to be issued under the plan" and thus extend the duration of the Redevelopment plan to 2046 pursuant to the procedures described above. In addition to those Redevelopment projects previously described, City Council herein identifies additional public infrastructure improvements as Redevelopment projects, the cost of which may be defrayed from incremental tax revenues as permitted by the Tax Increment Financing Law.

7. City Council finds a need exists for the proposed use of the obligations to be issued hereunder in relationship to the Redevelopment plan as herein amended.

8. City Council is further minded to avail itself of the authorization contained in the Tax Increment Financing Law in order to describe the additional Redevelopment projects authorized to be undertaken in order to accomplish the goals of the Tax Increment Financing Law.

9. All prerequisites having been accomplished, it is now appropriate and necessary in order to proceed with this supplement to Ordinance No. 2006-43.

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

SECTION 1. City Council confirms all the findings of fact contained in the recitals of this Ordinance.

SECTION 2. City Council affirms the Tax Increment Finance Plan previously adopted in Ordinance 2006-43 setting forth the need and the proposed use of tax increment financing in relationship to the Redevelopment plan as amended as set forth herein.

SECTION 3. City Council approves the supplement to the Redevelopment projects to be included and other matters related to the Tax Increment Finance Plan as set forth in Exhibit A attached hereto which supplement includes cost estimates of new elements of the redevelopment program and additions to the capital improvements to be undertaken with the proceeds of incremental tax revenues all as set forth in Exhibit A attached hereto and incorporated herein. The projected sources of revenue to be used to meet the cost including estimates of tax increment revenues and the amount of indebtedness to be incurred are set forth in Exhibit A. The information referenced in this Section 3 as well as the preceding section and the findings above satisfies the requirements of Section 31-6-80(A)(1), (2) and (3).

SECTION 4. Section 31-6-80(A)(4) requires that a "list of all real property in the Development Project Area" be supplied. City Council hereby confirms such list as set forth in the Ordinance described above with such changes as may have resulted from subdivision or consolidation of certain parcels. Section 31-6-80(A)(5) requires that "the duration of the Redevelopment Plan" be set forth. Inasmuch as the maximum term of obligations is being extended herein to the 40th anniversary of Ordinance No. 2006-43, City Council hereby determines the duration of this Tax Increment Financing Plan is also extended to such date. Section 31-6-80(A)(6) requires that a statement of the "estimated impact of the Redevelopment Plan upon the revenues of all taxing districts in which a Redevelopment Project Area is located" be provided. City Council hereby confirms such statement of estimated impact contained in the Ordinance described above. Section 31-6-80(A)(7) requires certain findings that are contained in Ordinance No. 2006-43. City Council hereby confirms those findings.

SECTION 5. It is specifically recognized that the term of obligations to be issued under the Redevelopment Plan contained in Ordinance No. 2006-43 is 20 years. Pursuant to an Ordinance adopted by City Council on May 12, 2014, the City issued a not exceeding \$12,936,000 Tax Increment Bond (Florence Downtown Redevelopment Project Area), Series 2014, dated May 28, 2014, the final maturity of which is December 1, 2026. City Council hereby extends the maximum term of maturity of Obligations to be issued under the Redevelopment Plan to the 40th anniversary of Ordinance No. 2006-43 which term is equal to the duration of the plan as described above.

SECTION 6. As required by Section 31-6-80(B) of the Tax Increment Financing Law, a public hearing was held June 13, 2016, after publication of notice of such hearing in the *Florence Morning News* on May 27, 2016. The form of such notice is set forth at Exhibit B.

SECTION 7. As required by Section 31-6-80 of the Tax Increment Financing Law, notice of the adoption of this ordinance shall be published in the *Florence Morning News*, a newspaper having general circulation in the affected taxing districts. The form of such notice is set forth at Exhibit C.

SECTION 8. Let a copy of this ordinance and its exhibits be mailed to representatives of Florence County and School District No. 1 of Florence County.

SECTION 9. This Ordinance shall become effective upon ratification.

ADOPTED BY CITY COUNCIL THIS 11TH DAY OF JULY 2016.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela, Jr.
Mayor

Attest:

Dianne Rowan
Municipal Clerk

First Reading and Public Hearing: June 13, 2016
Second Reading: July 11, 2016

REDEVELOPMENT PLAN, REDEVELOPMENT PROJECT, MAXIMUM TERM OF
MATURITY OF OBLIGATIONS TO BE ISSUED UNDER THE PLAN

NOTICE OF PUBLIC HEARING

By ordinance adopted December 18, 2006, City Council of the City of Florence, South Carolina ("City Council") (the "Ordinance") established the Florence Downtown Redevelopment Project Area (the "District" or the "Project Area") as permitted by the Tax Increment Financing Law (the "Act") set forth at Sections 31-6-10 to 31-6-110, Code of Laws of South Carolina, 1976, as amended.

As required by Section 31-6-80(g)1 of the Act, notice is hereby given that on Monday, June 13, 2016, at 1:00 p.m. in Council Chambers, City Hall, 324 W. Evans Street, Florence, South Carolina, City Council will conduct a public hearing on the approval of amendments to the nature of the Redevelopment plan of the District, including Redevelopment projects, as well as the maximum term of maturity of obligations to be issued under the plan pursuant to the provisions of Section 31-6-80 of the Act.

As required by Section 31-6-80(B)3 of the Act, notification is given that all interested persons will be given an opportunity to be heard at the public hearing.

As required by Section 31-6-80(B)4 of the Act, the public infrastructure capital improvements which will supplement the redevelopment plan and redevelopment project in the Ordinance are improvements to include the redevelopment of the historic buildings known as the former McClenaghan High School and Poyner School by Florence School District One; Development of a Food Hub/Node and Farmers Market; Improvements to Business Incubator and Public Transportation Station; Streetscapes, Pocket Parks, Public Open Space, and Underground Utilities; Construction and/or Improvements of Parking Lots and/or Structures; and Ingress/Egress Improvements. As required by Section 31-6-80(B)5 of the Act, notice is given that the maximum term of obligations to be issued under the redevelopment plan will be extended from the current term to December 18, 2046.

Funding for these projects is expected to come from a variety of sources and the availability of public or private moneys for one or more of these undertakings may beneficially affect the source of funding for the remaining improvements. The City expects incremental tax revenues of the District to be used to defray the cost of the above specific Redevelopment projects as well as the other projects described in the Ordinance. Other funding sources may include general obligation bonds, tax increment bonds, accommodations and hospitality taxes and private fundraising efforts.

The Redevelopment plan describes the City of Florence's expectation that the investment of public money to provide the sort of facilities described above and in the Ordinance will make the area increasingly attractive for private investment. It is anticipated that as a result of the public investment in the District, blight, deterioration and other problems will be ameliorated. Under-utilized and vacant buildings and properties will be rehabilitated. New buildings will be built and parking facilities will be constructed. There are a number of properties the City has identified which it expects will be renovated/developed by the private sector. Please contact the City Manager's Office at 843-665-3113 or the Planning and Development Office at 843-665-2047 for additional information about the redevelopment plan or to request a copy of such plan.

Clerk, City Council of the City of Florence

Date of Publication: May 27, 2016

NOTICE OF ADOPTION OF ORDINANCE

Notice is hereby given that by Ordinance effective July 11, 2016, the City Council of the City of Florence has approved amendments to the Florence Downtown Redevelopment Project Area Redevelopment Plan.

Notice is further given that the provisions of Section 31-6-80, Code of Laws of South Carolina, 1976, provide that any interested party may, within twenty days after the date of publication of this notice of adoption of the redevelopment plan, but not afterwards, challenge the validity of such adoption by action de novo in the Court of Common Pleas of Florence County.

By order of the City Council of the City of Florence.

Clerk, City of Florence, South Carolina

Date of Publication:

July 12, 2016

**Redevelopment Plan, Redevelopment Project, Maximum Term of Maturity of
Obligations To Be Issued Under The Plan**

The Redevelopment Plan contained in Ordinance No. 2006-43 is hereby amended to extend the maximum term of maturity of obligations to be issued under the plan for the purposes described in detail herein.

In the late 1990's the City of Florence began a planning effort directed at revitalizing downtown Florence. In 2006, following significant public input and the development of a Downtown Master Plan the City established by ordinance a Redevelopment Plan and Tax Increment Financing District (TIF) in downtown Florence to provide a means for funding needed public improvements.

In February of 2011 the City of Florence adopted a comprehensive plan entitled Comprehensive Plan 2010 as required by the Code of Laws of South Carolina Title 6, Chapter 29. The Downtown Master Plan was included as an appendix and referred by an executive summary of the Comprehensive Plan 2010 document. This master plan was written to build on previous planning efforts for downtown and create an implementation schedule for the goals and strategies contained therein. The 2010 Master Plan was updated in 2014 and is included as Appendix A hereto. Also in 2014, the City issued a \$12.9 million Tax Increment Revenue Bond for downtown public infrastructure improvements.

Since adoption of the Master Plan and issuance of the Tax Increment Revenue Bond, over \$100,000,000 has been invested in the TIF District by the public and private sectors. Much of the early investment was made by the public sector, including the \$37,000,000 Francis Marion University (FMU) Performing Arts Center in 2011. It became the catalyst for the private sector development of Hotel Florence and Victor's Restaurant which opened in 2013. Within the Historic District the success of the hotel and restaurant project along with various City of Florence initiatives provided the impetus that downtown needed to spur substantial development in just a few years.

A focus on recruiting dining and entertainment to the downtown historic district has spawned six new restaurants in the past three years with three more coming in 2016. In addition to Victor's, restaurants that have opened during the past several years are The

Clay Pot Coffee Shop, Dolce Vita Wine & Chocolate Bar, 1031 American Grill, The Library, Wholly Smokin' and Fiasco.

Developing professional office space has also been a priority to get people working in the downtown area. The Waters Building, a \$4,000,000 renovation was completed in 2014 and construction is underway on a mixed use project that includes the renovation of several historic buildings.

The former Royal Knight building renovation was completed in January, 2016. The building, now known as 100 West Evans, houses the new offices for the Florence Chamber of Commerce and Key Architecture, and the second floor has been renovated to provide an expansion of Hotel Florence providing the hotel sixteen additional hotel rooms. Construction will be completed in June, 2016 at the corner of West Evans & Irby Streets for the new \$15,000,000 FMU Health Science Facility, which will accommodate third and fourth year medical students from the USC School of Medicine in Columbia as well as FMU health science students in the fields of nurse practitioner, physician assistant and other healthcare professions.

Hope Health, a community healthcare facility, recently completed phase one of the construction of a new facility on North Irby Street and recently began phase two. The Stokes Regional Eye Center started construction in the 300 block of West Evans Street of their new building which is scheduled to be completed in November, 2016. These healthcare related projects create jobs and traffic for restaurants and downtown merchants.

Florence County has begun construction of their new Judicial Center on North Irby Street, across from the County Complex. The project will be completed in late 2017 and will represent another major investment in the downtown historic district.

Streetscape projects are underway on Dargan Street, Evans Street, and Irby Street. The streetscape projects are scheduled to be completed by June, 2016.

Med-Enroll, a private sector company recently completed a multi-million dollar renovation of the historic Rainwater Building located at 151 West Evans for its new headquarters. The company is planning to expand to 150 employees over the next several years. Additionally, Carolina Bank will soon move their headquarters from Darlington County to downtown Florence. The project will involve a multi-million

dollar renovation of the historic building at 185 West Evans will result in approximately fifty new jobs in downtown Florence.

The Art Trail Gallery, which was housed in the building that will become the Carolina Bank headquarters, will move to a new location at 142 North Dargan Street. Renovations to that building will be completed in late 2016.

Construction of an eighty-three unit urban boutique apartment project will be completed in September, 2016. This project, coupled with the sixteen loft apartments that are a part of the Kress project, will create the entry into downtown living in Florence.

The projects referenced above represent an investment of over \$70,000,000 in downtown Florence. Other projects in the planning stages, but not yet announced, will create another \$15,000,000 to \$20,000,000 of investment.

The growth that has occurred has created a need for more parking and improvements in the downtown infrastructure. The original TIF District projects are creating the revenues needed to construct parking facilities, improvements to water and sewer infrastructure, and to make streetscape improvements as outlined in the original redevelopment plan. In addition, other City funds are being used to incentivize development of vacant parcels as well as redevelop abandoned, underused and blighted existing buildings and renovate facades of existing buildings.

While significant redevelopment has occurred in the City's Historic Overlay District (H-1) portion of the TIF District, the TIF District continues to be significantly blighted and pocketed with underused and abandoned properties and buildings.

The Downtown Redevelopment District Project Area as set forth for the purposes of the Tax Increment Financing Law includes the geographic area identified as the Downtown Redevelopment District (D-1). In this regard, the City Council of Florence makes the following findings of fact:

The Downtown Redevelopment Project Area is illustrated on the attached "Proposed TIF District" map (Appendix B) and consists of the entire area studied in the Downtown Florence Revitalization Strategy. The area referenced as the Redevelopment Area in Florence consists of approximately 500 acres (approximately 3.77% of the city's

total land area), and is bounded by Church Street on the East, Lucas Street on the North, McQueen Street, Chase Street, Kuker Street, Graham Street on the West, and Cherokee Road on the South. Nine acres within this area have been designated as a Brownfield site by the United States Environmental Protection Agency (EPA). Multiple properties surrounding the designated site and containing an additional eleven acres have been identified as potential Brownfield sites. There are also a number of properties being monitored by South Carolina Department of Health and Environmental Control (SCDHEC) using their Geo-Hydrological Tracking System.

Prior to the recent development discussed above, the Downtown Redevelopment District (DRD) experienced a forty year period of neglect and blight that began with the development of strip centers and enclosed malls in the early 1970's. In the late 1990's, the City of Florence, Florence County, the Florence Chamber of Commerce and others created a committee to create Vision 2010.

Public infrastructure, especially the nexus of streets, was built to accommodate pedestrian and horse traffic. With the advent of the automobile and subsequent increased dependency on vehicular transportation, adequate and appropriate parking has become a central issue to conducting business downtown. Parking has been identified as a critical issue in both the master plan and revitalization strategy. In spite of the parking structure currently being built, the density of development in the district necessitates that additional parking be provided so that individuals may park their automobiles in one spot and shop, work, or otherwise conduct business in the downtown. In addition, water and sewer infrastructure, and accommodations such as pedestrian connectivity, open space, and parks are required to support a downtown living environment throughout the district

City Council further finds that, despite significant progress within the H-1 District described above, revitalization of the TIF District remains threatened by the following current conditions of blight within the area.

A. Dilapidation and Deterioration of Buildings

The area that makes up the traditional downtown of Florence and its immediate environs has been in a state of decline since the mid 1960's. Despite efforts at

revitalization and the successes described above, the conditions of blight are still evident. A significant number of the structures located within the boundaries of the Downtown Redevelopment District were constructed during the latter portion of the 19th century and the early years of the 20th century. During this era, downtown and its immediately surrounding area were the primary places to live, work, and conduct business. With the suburbanization that occurred in the mid 1960's, demand for commercial space declined, and the rental value of properties decreased. The decline in rental income contributed to reduced maintenance and code noncompliance which has resulted in vacant and abandoned properties. Therefore, a large number of buildings in the overall district, both commercial and residential, have deteriorated to a level of substantial blight, and extensive rehabilitation appears to be the sole option for re-use. Some buildings actually pose a threat to the health, safety, and welfare of the public, and razing may be the best option. Such was the case with the former Holiday Inn on West Palmetto Street, the former Investors Savings Bank on West Cheves Street, and the former Florence Trust Building at the southwest corner of Evans and Irby Streets.

B. Vacancies

It is estimated that a total of 1,015 tax parcels exist in the TIF District. A significant percentage of those are vacant, due in part to dilapidated conditions of the buildings. A majority of both the residential and commercial structures in the TIF District require significant maintenance and renovation to comply with current building and fire codes, specifically including codes relating to life safety issues. In addition, most of the structures were constructed prior to adoption and implementation of the Americans with Disabilities Act (ADA) and are subject to lead and asbestos issues. Obsolescence is, therefore, a primary contributing factor to the blight in this area.

C. Negative Environmental Conditions of Vacant and Abandoned Properties

The TIF District includes numerous properties that are currently being monitored by SCDHEC using their Geo-Hydrological Tracking System. These properties include a variety of sites impacted by underground storage tanks, dry cleaning operations, a scrap

metal recycling facility, manufactured gas producers, railroad-related properties, and other similar industrial land uses.

In light of the aforementioned findings, the City of Florence has identified certain measures to alleviate the blighting conditions in the DRD Project Area as recommended in the original Downtown Master Plan and the Downtown Florence Revitalization Strategy as well as the currently adopted Downtown Master Plan. These studies revealed that effective downtown revitalization and redevelopment will continue to require substantial public investment that will serve as a catalyst for renewed private sector investment.

City Council and City staff have studied the current state of redevelopment and find that stimulating development into other areas of the TIF District and extending activities beyond the current focus area are critical to remove blighting conditions of the greater DRD as well as to ensure the redevelopment efforts to date are sustainable. A logical expansion is to proceed south on Dargan Street as there are multiple opportunities for renovations to existing historic buildings as well as the possibility to create new construction on available land in that area. Other areas in need of significant attention include the northern portions of Dargan (including the Food Operations Overlay District) and the commercial corridor of South Irby Street.

City Council further finds that an extension of the maximum term of maturity of obligations to be issued under the redevelopment plan in order to facilitate continued investments is needed. TIF Investments that have been identified include:

Redevelopment of the historic buildings known as the former McClenaghan High School and Poyner School by Florence School District One

Redevelopment of the historic buildings known as the former McClenaghan High School and Poyner School by Florence School District One will require extensive public investment to make the redevelopment feasible. The proposed projects involve a partnership with Florence School District One which currently owns the original historic McClenaghan building, the District's Administration Office, and the Poyner building, all of which front South Dargan Street in the developing "Cultural and Arts Corridor" area

of downtown Florence. Together, these structures offer a variety of opportunities for adaptive re-use and would act as catalyst projects to encourage reuse of adjacent and surrounding vacant, under-utilized, and abandoned structures.

The McClenaghan property would be renovated to house both the Adult Education program that is currently at Poyner School and most of the District's administrative offices. The Poyner property would be redeveloped into a magnet high school for the performing arts and health sciences. The existing School District One Administration Office would be renovated to house a Technology Center.

Development of Food Hub/Node and Farmers Market

The City intends to renovate an existing warehouse and establish a farmers market in support of a food hub to cause the aggregation, distribution and marketing of food products primarily from local and regional producers. In the support of this activity, the City has created the Food Operation Overlay District (FOOD) to redevelop an existing industrial/warehouse district contained within the DRD and adjacent to the historic downtown. The district was also created to encourage job growth within the DRD through an incubator approach, to combat the food desert situation in the areas adjacent to and included in the DRD, and to cause adaptive reuse or redevelopment of abandoned, vacant, and dilapidated structures.

Improvements to Business Incubator and Public Transportation Facilities

To ensure the success of revitalizing the DRD, the Florence Downtown Development Corporation (FDDC), in conjunction with the City of Florence and Francis Marion University, will continue efforts associated with the business incubator that provides needed assistance to new, existing, and dislocated businesses. Funding will be required for land acquisition and "bricks and mortar" phases of development of an incubator.

Pedestrian access to and through the DRD is a primary goal of the Downtown Master Plan. To accomplish this goal, in conjunction with the business incubator, public funds will continue to be used to encourage mixed-use and transit-oriented development. Local, regional, and through traffic will be facilitated by this type of development. Funding derived in part from sources permitted under the Tax Increment Financing Law may be

necessary for costs related to property evaluation, property acquisition, master planning, and facility construction.

Streetscapes, Pocket Parks, Public Open Space, and Underground Utilities

A primary goal of the Downtown Master Plan has been to encourage residential uses and pedestrian activity in the DRD. Streetscapes are essentially the “public realm” of the downtown. Therefore, public funds will be necessary to develop the streetscapes to make downtown a destination for residents and visitors alike. Catalyst projects such as the FMU Performing Arts Center, the Florence Little Theater, and the Drs. Bruce and Lee Foundation Library have been, and will continue to be, a draw to downtown. Additional publicly funded projects will be needed to continue redevelopment of the downtown. These projects include streetscapes and pedestrian corridors as recommended in the City’s Downtown Master Plan, the adopted City Comprehensive Plan, Design Guidelines, or in support of privately funded redevelopment projects. These projects provide a connection between parking facilities and new redevelopment. Funding derived in part from sources permitted under the Tax Increment Financing Law may be necessary for road construction, right-of-way acquisition, sidewalk construction, pocket parks, and relocation of utilities. For bicycle and pedestrian modes of transportation it will be necessary to provide suitable and safe access between bicycle lanes, sidewalks and streets. Overhead utilities compound the appearance of blight in a declining area, and relocation underground, albeit expensive, is a high priority in the DRD.

Construction and/or Improvements of Parking Lots and/or Structures

Modern development patterns reflect our dependency on the automobile. Revitalized downtowns across the nation reflect the trend of parking structures constructed in downtowns with surface parking in suburban commercial developments. The adequate provision of safe and convenient parking facilities (parking structures, surface and on-street parking) is essential to encourage pedestrian traffic and render the DRD an attractive location for property development, conducting business, shopping, dining, and entertainment. The parking facilities must be strategically located for the benefit of the entire DRD. Funding derived in part from sources permitted under the Tax Increment

Financing Law may be necessary for planning and feasibility analysis, property acquisition, and design and construction services related to parking. While this process has begun, it must continue.

Ingress/Egress Improvements

Improved ingress and egress to properties and facilities, including sidewalks will be necessary to support the mix of commercial, retail, office, residential, and institutional uses envisioned for the DRD. Projects such as mid-block breezeways/courtyards have been established, and similar improvements will be needed as additional growth occurs. Also necessary will be construction of inter- and intra-lot travel lanes to provide ease of flow in and around parking spaces and lots while having a minimal effect on traffic flow within the DRD. In addition to these facilities it will be necessary to provide ADA compliant access for handicapped persons through the use of handicap accessible aprons. Funding derived in part from sources permitted under the Tax Increment Financing Law may be necessary for planning and feasibility analysis, property acquisition, and design and construction services related to ingress and egress improvements.

These projects will serve as the catalyst for job creation, new services, and new housing opportunities, and will ensure that existing residents and tenants of the area are the beneficiaries of redevelopment. Proceeds from tax increment financing will complement private investment that will provide access to businesses and facilitate employment opportunities which. Such public improvements translate to a higher quality of life for the residents of Florence and the surrounding area.

City Council further finds that additional public investment in the DRD is needed and such investment is not feasible without extension of the maximum term of maturity of obligations to be issued under the redevelopment plan in order to facilitate continued investments. Without public investment in the DRD:

- It will be impossible to continue fostering a private market atmosphere within the redevelopment area.

- Some 80% to 90% of the general population is likely to continue to conduct their business elsewhere in the community.
- Pedestrian access will be limited.
- Lack of parking opportunities and poor traffic circulation will discourage construction of new buildings and redevelopment of existing properties.
- Existing businesses and new business startups will be at a competitive disadvantage.
- The support base for newly constructed and proposed cultural facilities will be eroded.
- The trend of static and/or decreased property values will continue.
- Lost opportunities for residential redevelopment in the downtown will result.

Consequently, the City of Florence, the County of Florence, and the entire Pee Dee region will be placed at a competitive disadvantage with other communities in attracting new commercial and industrial employers to the area.

Duration of Plan, Project Costs and Funding

As a consequence of the term of obligations being extended to the 40th anniversary of the Ordinance adopted December 18, 2006, the duration of the amended Redevelopment plan is extended a like period. Estimated redevelopment project costs are approximately \$20,000,000 to \$40,000,000. Appendix C contains a list of proposed projects and estimated associated costs of the amended Redevelopment Plan. It is anticipated that the initial amount of new tax increment financing indebtedness that will be incurred to implement this plan will be approximately \$22,000,000.

The approved 2006 Redevelopment Plan estimated the appraised value of all real estate within the Redevelopment Project Area as \$132,566,400, and the current appraised value of real estate within the Redevelopment Project area is estimated to be \$160,143,000. As a result of progress realized from the 2006 Redevelopment Plan and anticipated under the amended Redevelopment Plan, it is estimated that the appraised value will be approximately \$357,500,000 (this amount includes a growth calculation of approximately 3% starting in 2019). It is not expected that the redevelopment project

will result in any displacement or relocation of residents in the Redevelopment Project Area.

An extension of the Tax Increment Finance District for the DRD is necessary to fund public improvements needed to leverage the substantial private investment that will occur in the DRD over the term of the Redevelopment plan.



McLeod Regional
Medical Center Expansion
\$130 million / 2013



Hotel Florence and
Victor's Bistro
\$8 million / 2013



Francis Marion University's
Performing Arts Center
\$37 million / 2011



Facade Grant Program
\$5 million / 2012 - 2014



Evans and North
Dargan Streetscapes
\$800,000 / 2012 - 2013



James Allen Plaza and
Renaissance Dining Court
\$250,000 / 2013

Downtown Opportunity Analysis

August 2014



North Gateway Focus Area

- Master planned re-development
- Greenspace and pedestrian features
- Extend redevelopment area north of Lucas
- Accented cross-walks and trails connecting to surrounding neighborhoods
- Streetscape accents at North Dargan and Darlington intersection
- Gateway monumentation, wayfinding, and signage

West Gateway Focus Area

- Redevelop/reposition land between new Francis Marion University's Health Sciences Center and City Center
- Expand downtown footprint westward along Evans and Cheves
 - Landscaping/streetscape
 - Land acquisition
- Rezone/redevelop Baroody corridor for trail development
- Acquire back-of-building easements for trail link to the Barnes Street Activity Center
- Design/build new parking structures to accommodate day and night traffic
- Construct a parking garage adjacent to the Florence County Museum.
- Establish a water feature and plaza adjacent to garage. (see images to right)
- Establish an additional greenspace incorporating and interactive water feature.
- Housing incentives for upper floors
- Facade grants

South Gateway Focus Area

- Creation of professional services node to include
 - Site assembly and control
 - Developer recruitment
- Unify "Cultural Campus"
- South Dargan "Grand Boulevard"
- Pedestrian connections to Timrod Park
- Redevelopment of 1960s office buildings
- Redesigned streetscape

East Gateway Focus Area

- North Dargan primary streetscape; Irby secondary streetscape
- Ongoing code enforcement and façade grants
- Housing incentives for upper floors
- Inventory of available space
- Business incubation at the North Dargan Innovation Center
 - Business organization-building
- Through-block passageway to facilitate downtown pedestrian connection development
- Reconstruct and pedestrianize East Evans with lighting, arts-related streetscape, stylized bus shelter, and up-/under-lighting overpass
- Link the McLeod Regional Medical Center via a pedestrian and vehicular connector to be known as "The ARtery" that will feature public art. The corridor will serve the general public, medical students from the FMU/USC Health Science Facility and help create a walk-to-work initiative for McLeod employees that will live in downtown housing
- Marketing materials
- Live-work development opportunities



RECENT CATALYST PROJECTS

- 1 Colt Village Housing (2006)
- 2 Art Trail Gallery Relocation (2012)
- 3 Police Department Expansion (2012)
- 4 City Center Relocation (2013)
- 5 Hotel Florence and Victor's Bistro (2013)
- 6 James Allen Plaza (2013)
- 7 McLeod Regional Medical Center Expansion (2013)
- 8 Culinary District's "Restaurant Row" and Renaissance Dining Court (2012 - 2013)
- 9 Francis Marion University's Performing Arts Center (2011)
- 10 Florence Little Theater (2006)
- 11 Drs. Bruce and Lee Foundation Library Restoration (2011)

ONGOING DOWNTOWN PROJECTS

- A Hope Health
- B Barnes Street Gymnasium
- C North Irby Parking Garage
- D North Dargan Innovation Center
- E Kress Building Mixed-Use Redevelopment
- F Francis Marion University's Health Sciences Center
- G Royal Knight Redevelopment
- H South Irby Parking Garage
- I Waters Building Redevelopment
- J Florence County Museum

Florence Downtown Plan Update Implementation Program

	2014	2015	2016
Capital Improvements and Financing			
Facade Grant Implementation and Code Enforcement	Ongoing		
Hope Health Project	Ongoing	Project Completion	
TIF District	Activated	Ongoing	
FMU's Health Sciences Center	Site Selection	Begin Construction	Ongoing
North Dargan Redevelopment	Initiation	Ongoing	
Public Parking Garage	Design Garage and Streetscape Improvements and Solidify Funding	Begin Construction	Ongoing
North Gateway	Create Redevelopment Plan	Begin Construction	Ongoing
North Downtown Rear-Block Trail Segment	Easement Acquisition	Begin Construction	Ongoing
North Dargan Streetscape	Design, Construction, and Solidify Funding	Project Completion	
East Evans Streetscape	Preliminary Design and Capital Programming	Begin Construction	Ongoing
North/East of Lucas		Land Acquisition and Developer Recruitment	Implementation
South Dargan, Cheves, and West Evans		Design and Programming	Begin Construction
West Evans Public Gateway Investments			Initiation
Programming and Further Study			
Rear-Building Façade Grants	Implementation	Ongoing	
Downtown Signing and Wayfinding Program	Planning and Design	Implementation	
North Dargan Incubator	Funding and Programming	Implementation	Ongoing
Downtown Housing Market Study	Initiation	Inventory Available Housing Sites and Develop Housing Developer Recruitment Package	Ongoing
Upper-Floor Housing Program		Initiation and Testing	Implementation
Downtown Business/Available Space Inventory and Create New Marketing Platforms		Initiation	Ongoing
Shops to Docs Patient-Visitor Linkage Program		Initiation, City-Hospital Agreement, and Implementation	Walk-to-Work Incentive Program
Downtown Focused Loan and Mentorship Program		Initiation	Ongoing
Recruitment of Medical Offices		Initiation	Ongoing
Retail Recruitment			Initiation

General Approach

The next three years of plan implementation activities will involve the aggressive continuation of the City's successful joint façade grant/code enforcement program; the start of several important TIF-funded public improvement projects; and the full incorporation of the McLeod Hospital and Francis Marion University (FMU) campuses within the "sphere" of Downtown. This period will also be marked by the City taking a proactive role in facilitating and "packaging" public-private development deals of currently blighted property, and helping to leverage alternative forms of financing at the state and federal levels. In keeping with prudent fiscal practice, the construction of public improvements will be coordinated with private development to the maximum extent possible.

A strong emphasis during this period will be placed on building up the Downtown housing market as a necessary precondition of attracting new Downtown retail. Major civic design projects will include new streetscaping to both extend and unify the Downtown; the reconstruction (pedestrianization) of East Evans Street and the creation of an ornamental public space and structured parking in the interior of the "museum block."



2014 Implementation Goals

- Activate Downtown TIF District
- Create site for the new FMU's Health Sciences Center at the SW corner of Irby and Evans
- Facade grant implementation and code enforcement on North Dargan
- Conduct Downtown housing market study
- Initiation of redevelopment of blighted properties on North Dargan
- Design public parking garage and streetscape improvements for Dargan and interior block plaza adjacent to parking garages
- North Dargan streetscape design and construction
- Work with FMU to fully develop/fund programming of incubator
- Expedite redevelopment in North Gateway
- Begin easement acquisition for North Downtown rear-block trail segment
- Offer rear building façade grants for buildings backing onto the civic plaza
- Solidify funding for public parking garage and streetscape improvements
- Design and develop comprehensive Downtown signing and wayfinding program



2015 Implementation Goals

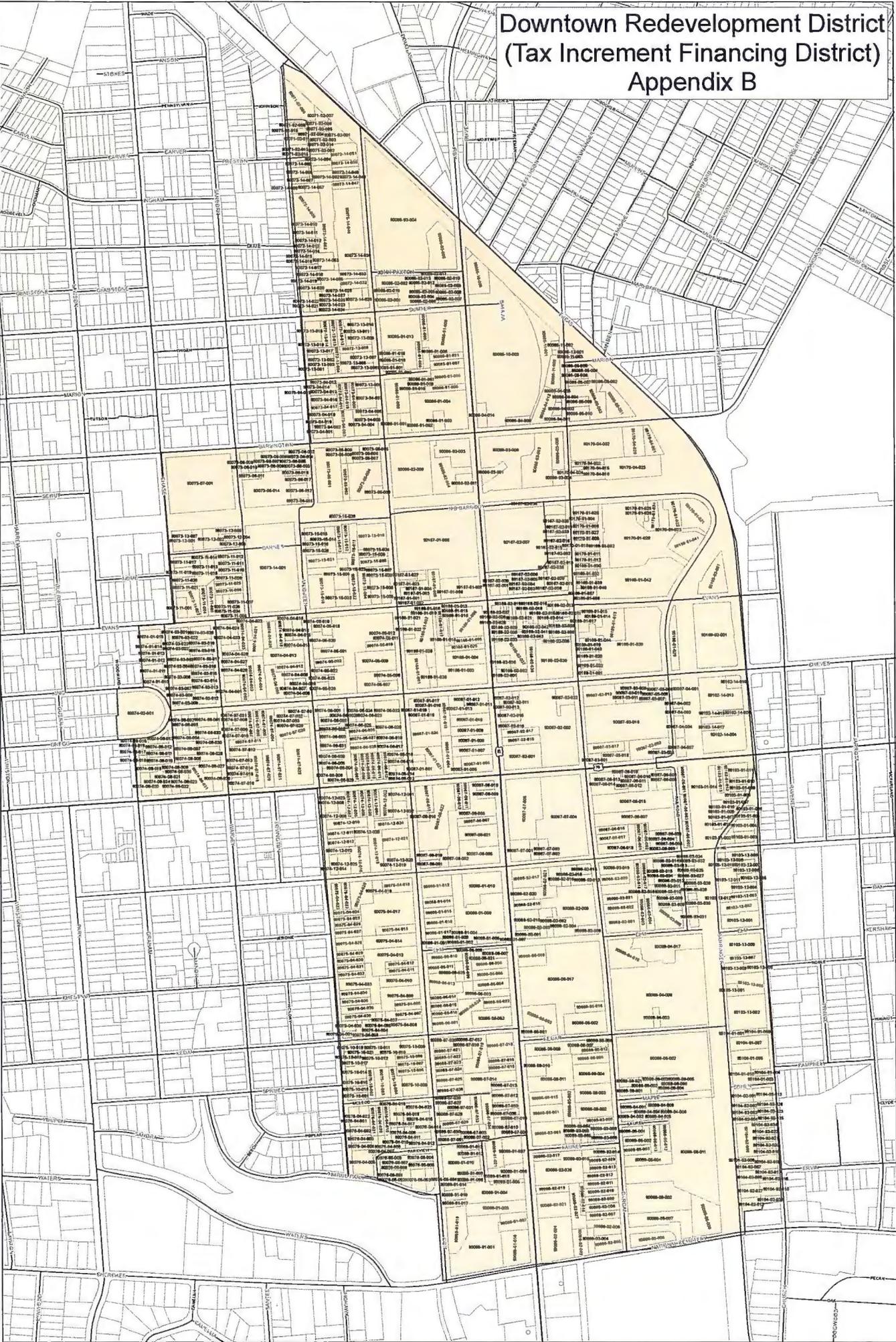
- Preliminary design and capital programming for East Evans reconstruction
- Begin construction for new FMU Health Science school
- Complete HopeHealth project on North Dargan
- Begin North Gateway developments
- Conduct Downtown business/available space inventory and create new marketing platforms (web and print)
- Begin to engage McLeod Hospital on "shops to docs" patient-visitor linkage program (e.g., transit, streetscape, internal/external wayfinding, walk-to-work, business-to-business referral, and preferred vendor programs)
- Continue opportunistic land and easement acquisitions in targeted investment areas
- Develop and test developer/owner interest in upper-floor housing program
- Develop Downtown focused micro/seed loan and mentorship program for Downtown businesses (in conjunction with FCEDC and FMU incubator)
- Identify available housing sites and develop housing developer recruitment package
- Work to recruit more medical offices to TIF District
- Begin construction of public parking garages and streetscape projects
- Begin reconstruction of East Evans
- Implement comprehensive wayfinding program
- Continue design, programming for streetscape: South Dargan, Cheves, and West Evans
- Formalize cooperative agreement for Downtown-Hospital linkage program with McLeod Hospital
- Begin to implement Downtown-hospital linkage program: (mid-day trolley)



2016 Implementation Goals

- Begin streetscape construction: South Dargan, West Evans, and Cheves
- Implement upper-floor housing incentive program
- Expand land acquisitions and begin developer recruitment for area north/east of Lucas
- Begin retail recruitment efforts focusing initially on incubator graduates and regional chains
- Work with McLeod on walk-to-work incentive program
- Establish forgivable grant/loan program for new "renovator-residents"
- Refocus on land assembly, civic design, and other new public investments on West Evans
- Downtown gateway

Downtown Redevelopment District (Tax Increment Financing District) Appendix B



**City of Florence
Amended Redevelopment Plan
TIF Project Cost Estimates**

Project	Amounts
Florence District One Projects	\$12,000,000 - \$12,000,000
Development of Food Hub/Node and Farmers Market	\$750,000 - \$1,000,000
Improvements to Business Incubator and Public Transportation Facilities	\$250,000 - \$2,000,000
Streetscapes, Pocket Parks, Public Open Space, and Underground Utilities	\$1,500,000 - \$10,000,000
Construction or Improvements of Parking Lots and/or Structures	\$5,000,000 - \$10,000,000
Ingress and Egress Improvements	\$2,000,000 - \$5,000,000
Estimated Total	\$21,500,000 - \$40,000,000

NOTICE OF PUBLIC HEARING

By ordinance adopted December 18, 2006, City Council of the City of Florence, South Carolina ("City Council") (the "Ordinance") established the Florence Downtown Redevelopment Project Area (the "District" or the "Project Area") as permitted by the Tax Increment Financing Law (the "Act") set forth at Sections 31-6-10 to 31-6-110, Code of Laws of South Carolina, 1976, as amended.

As required by Section 31-6-80(g)1 of the Act, notice is hereby given that on Monday, June 13, 2016, at 1:00 p.m. in Council Chambers, City Hall, 324 W. Evans Street, Florence, South Carolina, City Council will conduct a public hearing on the approval of amendments to the nature of the Redevelopment plan of the District, including Redevelopment projects, as well as the maximum term of maturity of obligations to be issued under the plan pursuant to the provisions of Section 31-6-80 of the Act.

As required by Section 31-6-80(B)3 of the Act, notification is given that all interested persons will be given an opportunity to be heard at the public hearing.

As required by Section 31-6-80(B)4 of the Act, the public infrastructure capital improvements which will supplement the redevelopment plan and redevelopment project in the Ordinance are improvements to include the redevelopment of the historic buildings known as the former McClenaghan High School and Poyner School by Florence School District One; Development of a Food Hub/Node and Farmers Market; Improvements to Business Incubator and Public Transportation Station; Streetscapes, Pocket Parks, Public Open Space, and Underground Utilities; Construction and/or Improvements of Parking Lots and/or Structures; and Ingress/Egress Improvements. As required by Section 31-6-80(B)5 of the Act, notice is given that the maximum term of obligations to be issued under the redevelopment plan will be extended from the current term to December 18, 2046.

Funding for these projects is expected to come from a variety of sources and the availability of public or private moneys for one or more of these undertakings may beneficially affect the source of funding for the remaining improvements. The City expects incremental tax revenues of the District to be used to defray the cost of the above specific Redevelopment projects as well as the other projects described in the Ordinance. Other funding sources may include general obligation bonds, tax increment bonds, accommodations and hospitality taxes and private fundraising efforts.

The Redevelopment plan describes the City of Florence's expectation that the investment of public money to provide the sort of facilities described above and in the Ordinance will make the area increasingly attractive for private investment. It is anticipated that as a result of the public investment in the District, blight, deterioration and other problems will be ameliorated. Under-utilized and vacant buildings and properties will be rehabilitated. New buildings will be built and parking facilities will be constructed. There are a number of properties the City has identified which it expects will be renovated/developed by the private sector. Please contact the City Manager's Office at 843-665-3113 or the Planning and Development Office at 843-665-2047 for additional information about the redevelopment plan or to request a copy of such plan.

Clerk, City Council of the City of Florence

957044-01

FLORENCE CITY COUNCIL MEETING

DATE: June 13, 2016

AGENDA ITEM: Consideration of an ordinance to adopt section 19-18 and 19-19 of the City of Florence Code of Ordinances to establish on-street parking regulations

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Consideration of an ordinance to adopt section 19-18 and 19-19 of the City of Florence Code of Ordinances to establish on-street parking regulations

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

None

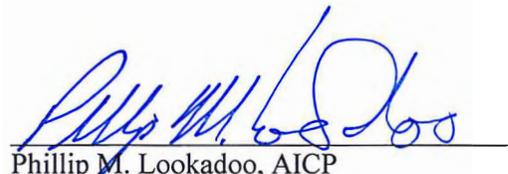
III. POINTS TO CONSIDER:

- (1) Ordinance is being considered for first reading.
- (2) For the purposes of maintaining economic vitality, it is necessary to limit parking in portions of downtown.
- (3) Section 19-4 of the Code of Ordinances allows the chief of police, when so directed by resolution of City Council, to regulate the operation of vehicles within the City by erecting or placing of proper signs or markers indicating limited or prohibited parking, angle parking, parking of official vehicles, or parking of public service vehicles.
- (4) The proposed ordinance will allow for the regulation of on-street, designated parking within the City.

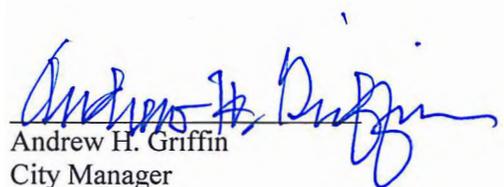
IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Proposed Sections 19-18 and 19-19
- (2) Ordinance



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



Andrew H. Griffin
City Manager

Attachment 1: Proposed Sections 19-18 and 19-19 of the Code of Ordinances

Section 19-18 Parking prohibited during certain hours in designated places.

When signs are erected in each block giving notice thereof, no person shall park a vehicle between the hours so designated on any day except Sundays and public holidays.

Section 19-19 Parking time limited in designated places.

When signs are erected in each block giving notice thereof, no person shall park a vehicle for longer than the period and between the hours so designated except on Sundays and public holidays.

ORDINANCE NO. 2016-_____

**AN ORDINANCE TO ADOPT SECTION 19-18 AND 19-19 OF THE CITY OF FLORENCE
CODE OF ORDINANCES TO ESTABLISH ON-STREET PARKING REGULATIONS**

WHEREAS, the City Council of the City of Florence seeks to provide both an effective and safety-oriented means of on-street parking within the municipal limits of the City and;

WHEREAS, for the purposes of maintaining economic vitality it is necessary to limit on-street parking in portions of the City and;

WHEREAS, Section 19-4 of the City of Florence Code of Ordinances allows the chief of police, when so directed by resolution of City Council, to regulate the operation of vehicles within the City by erecting or placing of proper signs or markers indicating limited or prohibited parking, angle parking, parking of official vehicles, or parking of public service vehicles and;

WHEREAS, the ordinance contained herein will allow for the regulation of on-street, designated parking within the City and;

WHEREAS, the City Council of the City of Florence wishes to set forth continuous and unified regulations for the enhancement of safe on-street parking.

THEREFORE, Sections 19-18 and 19-19 of the City of Florence Code of Ordinances shall read as follows:

Section 19-18 Parking prohibited during certain hours in designated places.

When signs are erected in each block giving notice thereof, no person shall park a vehicle between the hours so designated on any day except Sundays and public holidays.

Section 19-19 Parking time limited in designated places.

When signs are erected in each block giving notice thereof, no person shall park a vehicle for longer than the period and between the hours so designated except on Sundays and public holidays.

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 to establish Sections 19-18 and 19-19 of the Code of Ordinances as shown above.
2. That this Ordinance shall become effective immediately.

ADOPTED THIS _____ DAY OF _____, 2016

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: June 13, 2016

AGENDA ITEM: Public Hearing and Ordinance to Annex and Zone Property Owned by Ray Kelsey, TMN 01801-04-011

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 2527 Kingston Drive, Tax Map Number 01801-04-011, into the City of Florence and zone to R-1, Single-Family Residential District. The request is being made by the property owner, Ray Kelsey

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) On May 10, 2016 Planning Commission held a public hearing on this matter, and voted unanimously, 6-0 to recommend the zoning request of R-1, Single-Family Residential District.

III. POINTS TO CONSIDER:

- (1) Request is being considered for first reading.
- (2) The lot is currently the site of a single-family dwelling.
- (3) City water and sewer services are currently available; there is no cost to extend utility services.
- (4) City Staff recommends annexation and concurs with Planning Commission's recommendation to zone the property R-1, Single-Family Residential District.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Map showing the location of the property
- (3) Petition for Annexation form

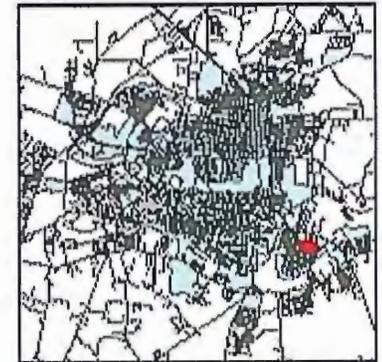


Phillip M. Lookadoo, AICP
Planning, Research, & Development Director



Andrew H. Griffin
City Manager

Location Map 2527 Kingston Drive

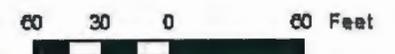


Legend

- Proposed Parcel
- Address Points
- Manhole
- Gravity Main
- Water Mains
- Roads
- City Limits
- Parcels



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



Planning Commission
May 10th @ 6:30
324 W. Evans

2527 Kingston Drive

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

Petition requesting Florence City Council to enact an Ordinance annexing the area described below, that area being the same property as shown by the map prepared by the City of Florence Planning, Research, and Development Department, attached and incorporated by reference herein:

The undersigned freeholder property owner(s) hereby respectfully certifies, petitions, and requests of the City Council of Florence as follows:

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
2. That the petitioner(s) desires to annex the property more particularly described below:

Florence County Tax Map

01801-04-011

3. Annexation is being sought for the following purposes:

★

Reduced Annual Expenses

4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

To the Petitioner: The following information needs to be completed for submittal to the City of Florence and other government agencies for records prior to and after annexation.

★

Total Residents

2

Race

C

Total 18 and Over

1

Total Registered to Vote

1

★

Date 4/1/16

Ray Kelsey
Petitioner

Date _____

Petitioner

Certification as to ownership on the date of petition:

FOR OFFICAL USE ONLY

Date 4/4/16

JRD

ORDINANCE NO. 2016 _____

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY RAY KELSEY,
TMN 01801-04-011**

WHEREAS, a Public Hearing was held in the Council Chambers on May 10, 2016 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, application by Ray Kelsey, owner of TMN 01801-04-011, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated in the city limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and adding the zoning district classification of R-1, Single-Family Residential District:

The property requesting annexation is shown more specifically on Florence County Tax Map 01801, block 04, parcel 011 (0.41 acres).

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

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

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

- 1. That an Ordinance is hereby adopted annexing into the City Limits of the City of Florence the aforesaid property and amending the Zoning Atlas to the aforesaid zoning classifications.**
- 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 _____, 2016
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: June 13, 2016

AGENDA ITEM: Public Hearing and Ordinance to Annex Property Owned by the Grove at Ebenezer, LLC, a portion of TMN 00075-01-221

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex 40.5 acres of property located along Ebenezer Road, into the City of Florence, said property specifically shown as Tract 3 on a plat dated April 7, 2016 recorded April 15, 2016 in Florence County plat book 104 – page 431. The request is being made by the property owner, The Grove at Ebenezer, LLC.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) No previous action has been taken regarding annexation; however, on May 9, 2016 City Council voted to approve the zoning request of Planned Development District.

III. POINTS TO CONSIDER:

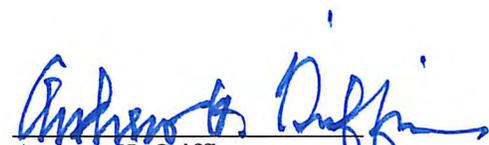
- (1) Request is being considered for first reading.
- (2) The 40.5 acre tract is a portion of tax map number 00075-01-221 and is specifically shown as Tract 3 on a plat dated April 7, 2016 recorded April 15, 2016 in Florence County plat book 104 – page 431 (Attachment 3).
- (3) The referenced property is proposed to be developed per the Planned Development District approved by City Council on May 9, 2016 (Attachment 4).

IV. PERSONAL NOTES:

V. ATTACHMENTS:

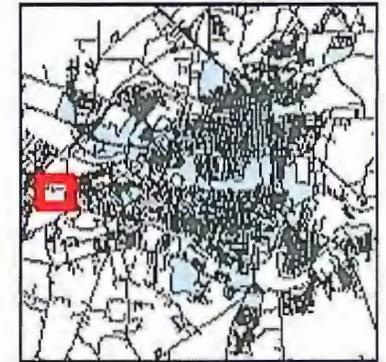
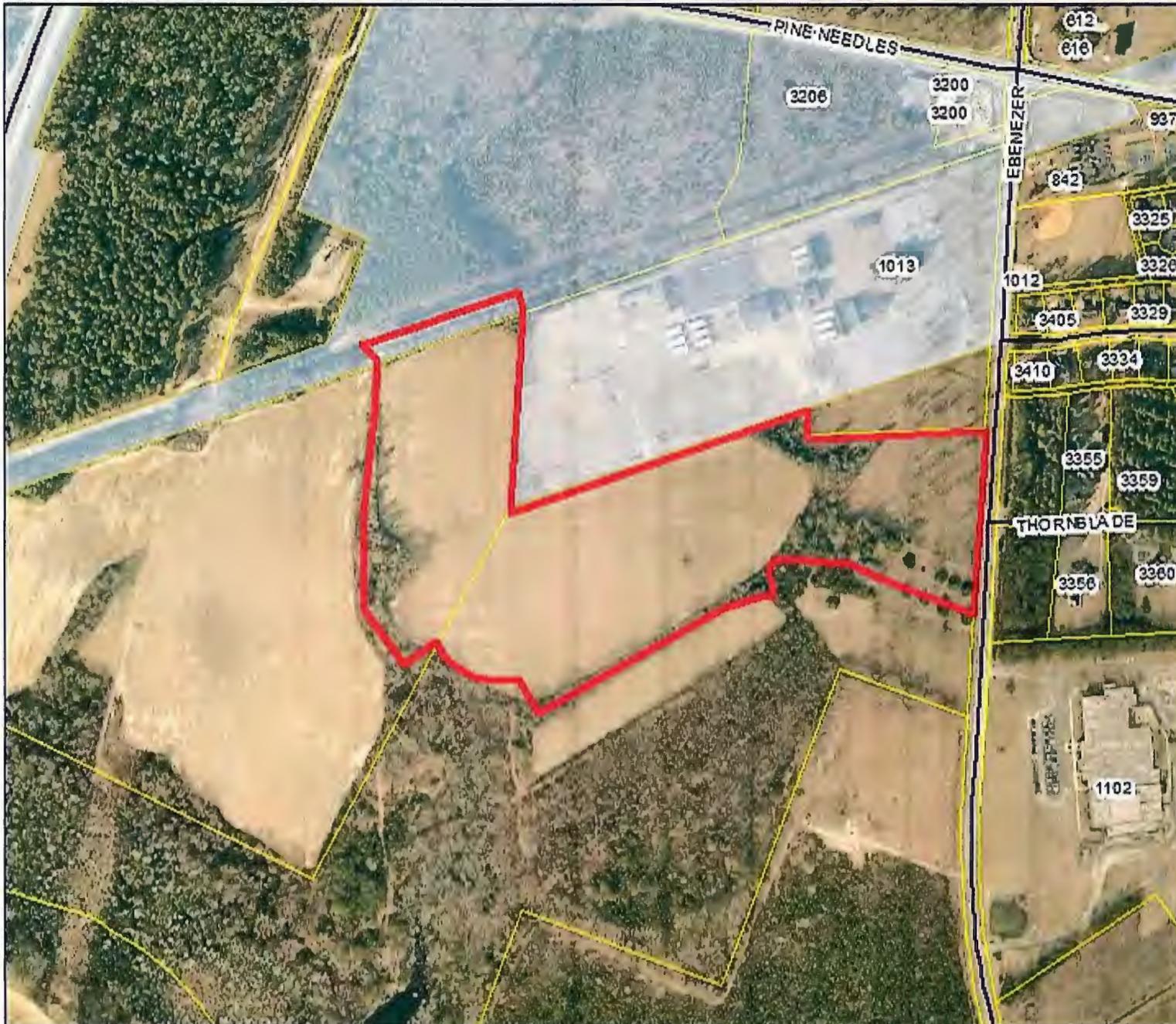
- (1) Ordinance
- (2) Map showing the location of Tract 3
- (3) Plat of property showing specific location of Tract 3
- (4) Site plan as approved for the Planned Development District


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


Andrew H. Griffin
City Manager

Location Map

Portion of TMN 00075-01-221



Legend

- Tract 3
- Address Points
- Roads
- City Limits
- Parcels



DISCLAIMER:
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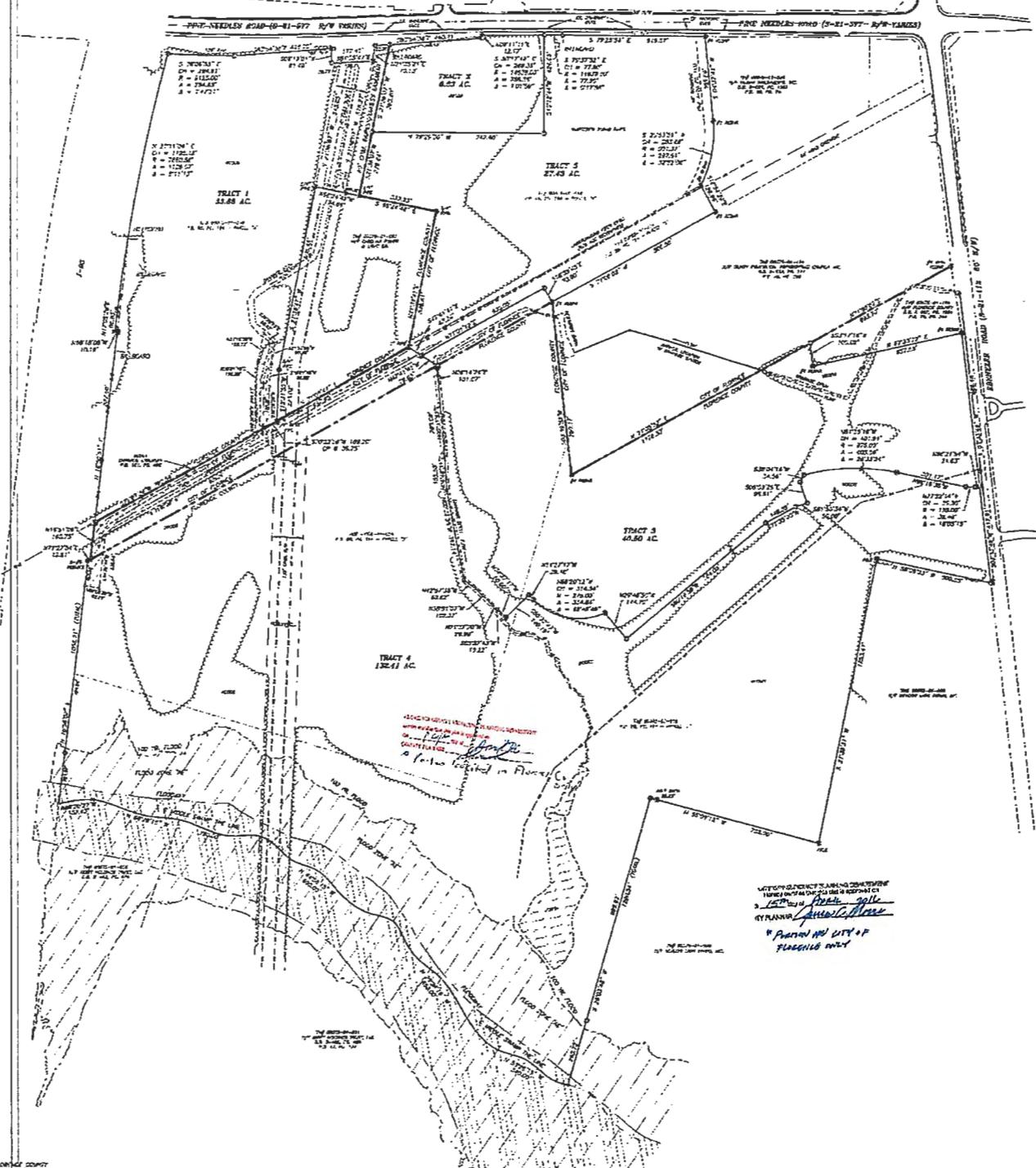
TRACT 7, A PORTION OF TRACT 3 AND A TRAIL AND ROAD 7.50
 AND TRACT 8 ARE LOCATED FROM THE PLANS CITY 1077

TRACT 7
 75-21-219
 75-21-218
 75-21-217

TRACT 3
 75-21-220
 75-21-216
 75-21-215

TRACT 5
 75-21-221
 75-21-222
 75-21-223
 75-21-224

LEGEND
 ● SHOW PIN POINTS
 (TYPE & SIZE AS NOTED)
 ■ CONCRETE FOUNDATION FOUND
 ○ AS NOTED BY
 (UNLESS OTHERWISE NOTED)
 * EXISTING FENCE



SECTION 10, TOWNSHIP 21S, RANGE 21E, COUNTY OF FLORENCE, SOUTH CAROLINA.
 A portion located in Florence Co.

PLAT
 OF FIVE (5) TRACTS OF LAND (TOTALING 243.75 ACRES) LOCATED IN FLORENCE COUNTY, SOUTH CAROLINA, BEING THE
 PROPERTIES SHOWN AS THE PARCELS NUMBERED 0002-01-018 (BOOK 9-MR. PAGE 1774), 0002-01-024 (BOOK 9-
 MR. PAGE 1782), 0002-01-014 (BOOK 9-MR. PAGE 1774), 0002-01-024 (BOOK 9-MR. PAGE 1782) AND 0002-01-014 (BOOK 9-MR. PAGE 1774) BEING FURTHER DESCRIBED AS PARCELS A & B
 SHOWN ON PLAT BOOK 9, PAGE 1784, SOUTH CAROLINA.

PHILIP LOWE - TRACTS 1-4
DILMAR INVESTMENTS, INC. - TRACT 5 104-431

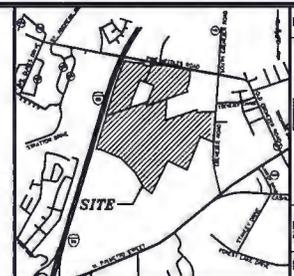
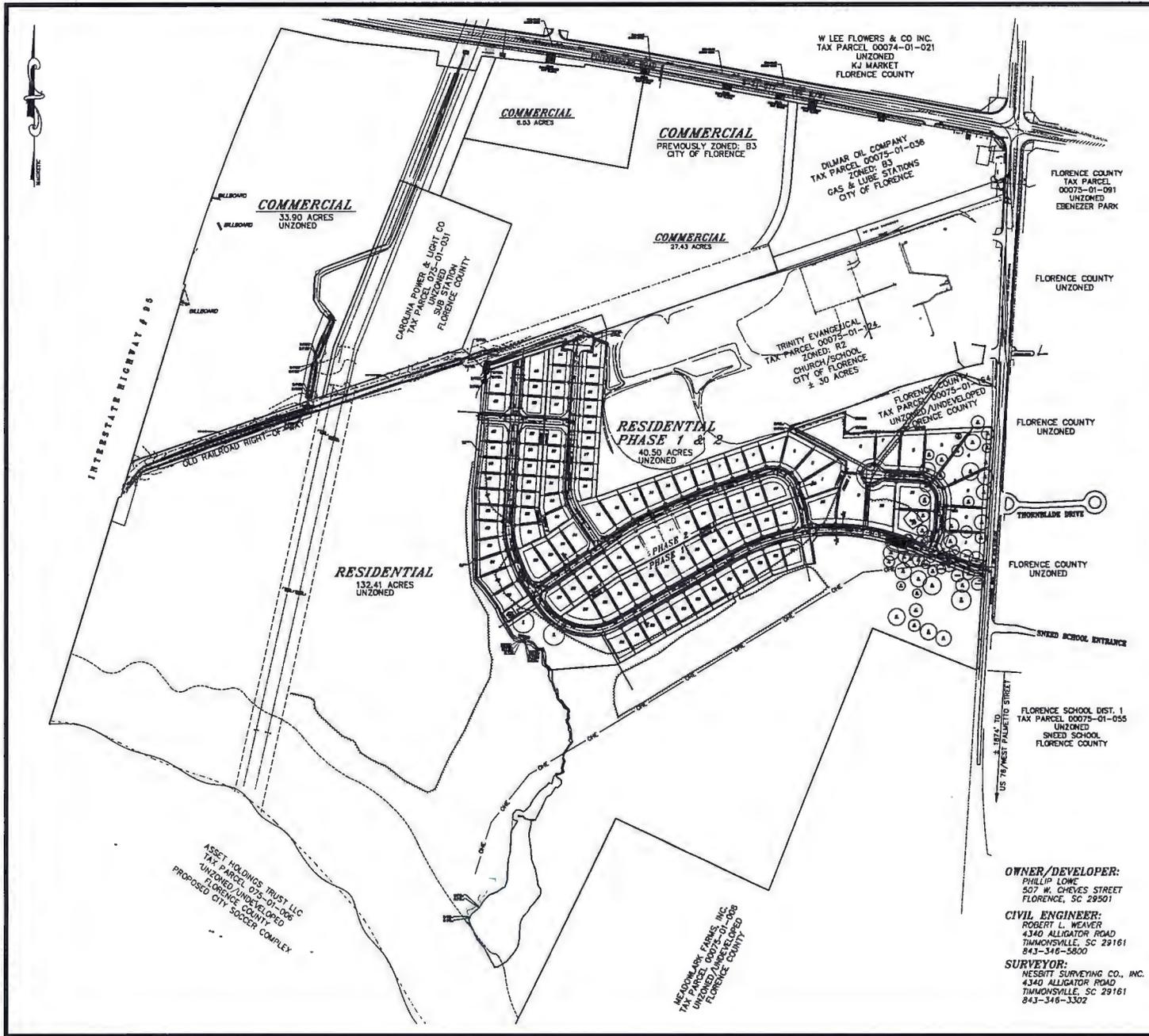
SECURITY SURVEYING CO., INC.
 4304 ALLEGATOR ROAD
 FLORENCE, S.C. 29501
 PHONE 678-336-1000
 FAX 678-336-1002

DATE: APRIL 2, 2018
 JOB NO: 18011
 DEDICATED TO THE PUBLIC RECORDS OF FLORENCE COUNTY, SOUTH CAROLINA
 BY ORDER OF THE CLERK OF COURTS
 # 0002-01-014
 # 0002-01-024

SCALE 1" = 200 FT
 GRAPHIC SCALE

JOSEPH W. WILSON
 722.45.9472

FILED
 FLORENCE COUNTY, SOUTH CAROLINA



LOCATION MAP SCALE 1"=2000'

SITE DATA
 TAX MAP NO'S: 00075-01-018, 00075-01-034, & 00075-01-214
 TOTAL ACREAGE 240.75 ACRES
 PHASE 1 AND PHASE 2 - 40.50 ACRES

NUMBER OF LOTS: PHASE 1 - 86
 PHASE 2 - 47
 TOTAL TITS

ZONED: PLANNED DEVELOPMENT DISTRICT (POD)

PHASE 1 & 2 BUILDING SETBACK LINES:
 FRONT - 20' - 25'
 SIDE - 5'
 REAR - 20'
 SIDE STREET - 10'

A PORTION OF THIS PARCEL LIES IN FLOOD ZONE "AE" AS SHOWN ON FLOOD INSURANCE MAP NUMBER 45041C0138E DATED 12/18/14.
 PLANNED DEVELOPMENT DISTRICT (POD)

- DEVELOPMENT STANDARDS**
- TOTAL ACRES ± 240.78
 - DENSITY**
 COMMERCIAL
 70 ACRES AT 11,000 SQUARE FEET COMMERCIAL SPACE PER ACRE WITH LAND USES PRIMARILY FOUND IN THE B-3 ZONING DISTRICT PER 2016 CITY OF FLORENCE ZONING ORDINANCE. SEE ATTACHED SCHEDULE A PROPERTY MARKED COMMERCIAL MAY ALSO INCLUDE ANY OF THE RESIDENTIAL DISTINCTIONS LISTED IN THE RESIDENTIAL AREAS DESCRIBED BELOW, PROVIDED A MIXTURE OF COMMERCIAL AND RESIDENTIAL USES WILL BE MAINTAINED.
 RESIDENTIAL
 140 ACRES OF SINGLE-FAMILY AVERAGE DENSITY OF 3.5 UNITS PER ACRE. INCLUDED IN THE RESIDENTIAL ACREAGE IS A MAXIMUM OF 24 ACRES FOR MULTI-FAMILY RESIDENTIAL TO INCLUDE CONDOS, TOWNHOUSES, AND APARTMENTS, DUPLEX, TRIPLEX, QUADREPLEX AND ANY FORM OF RESIDENTIAL HOUSING DEEMED APPROPRIATE BY DEVELOPER, AT AN AVERAGE DENSITY 18 UNITS PER ACRE. DEVELOPMENT STANDARDS CAN BE FOUND WITHIN THE ADOPTED POD 2016-01.
 MULTI-FAMILY
 92 ACRES OF MULTIFAMILY WITH AN AVERAGE DENSITY OF 18 UNITS PER ACRE. DEVELOPMENT STANDARDS ARE LISTED IN THE ADOPTED POD 2016-01 (C/D/H/B/D). MULTIFAMILY USE IS PERMITTED WITHIN COMMERCIAL AND RESIDENTIAL SECTIONS OF POD 2016-01. THE TOTAL 92 ACRES CONSIST OF 24 ACRES WITHIN THE RESIDENTIAL SECTION, AND 68 ACRES OF THE COMMERCIAL SECTION.
 * DENSITIES ARE EXCLUSIVE OF THE 31-- ACRES IDENTIFIED AS OPEN SPACE.

- OVERALL SITE DESIGN**
 OVERALL SITE DESIGN SHALL BE HARMONIOUS IN TERMS OF LANDSCAPING, ENCLOSURE OF PRINCIPAL AND ACCESSORY USES, SIZE OF STRUCTURES, STREET PATTERNS, AND USE RELATIONSHIPS. VARIETY IN BUILDING TYPES, HEIGHTS, FACADES, SETBACKS, AND SIZE OF OPEN SPACES SHALL BE ENCOURAGED.
- PHASES AND SUB-PHASES OF DEVELOPMENT SHALL BE SUBMITTED TO STAFF OF THE CITY OF FLORENCE DEPARTMENT OF PLANNING RESEARCH AND DEVELOPMENT. ALL BOUNDARIES OF PHASES AND SUB-PHASES SHALL BE IDENTIFIED ON AN AMENDED MAP OF POD 2016-01 ALSO KNOWN AS "THE GROVE". A PLAT SHALL BE SUBMITTED PRIOR TO DEVELOPMENT OF ANY PHASE OR SUB-PHASE OF THIS DEVELOPMENT. EACH PLAT SHALL IDENTIFY ON SAID PLAT WITH WHICH DISTRICT CONTAINED WITHIN POD 2016-01 THAT PARTICULAR PHASE OR SUB-PHASE WILL BE DEVELOPED.
- PARKING & LOADING** - SEE ATTACHED SCHEDULE A POD 2016-01.
- BUFFER AREAS** - THE OLD RAILROAD RIGHT-OF-WAY WILL BE USED AS A BUFFER BETWEEN THE COMMERCIAL PROPERTY AND RESIDENTIAL PROPERTIES. NO BUFFERS WILL BE REQUIRED WITHIN THE RESIDENTIAL PROPERTY. PERMITS/ BUFFERS ALONG I95 AND EBENEZER ROAD WILL BE INCLUDED IN THE LOTS AT A MINIMUM OF 25 FEET.
- LANDSCAPE AND COMMON OPEN SPACE** - COMMERCIAL AND APARTMENT PROPERTY SHALL FOLLOW REQUIREMENTS OF SECTION 4.3 AND 4.4 IN THE ZONING ORDINANCE DATED OCTOBER 2013.

OWNER/DEVELOPER:
 PHILLIP LOWE
 507 W. CHEVES STREET
 FLORENCE, SC 29501

CIVIL ENGINEER:
 ROBERT L. WEAVER
 4340 ALLIGATOR ROAD
 TIMMONSVILLE, SC 29161
 843-346-5800

SURVEYOR:
 HESSITT SURVEYING CO., INC.
 4340 ALLIGATOR ROAD
 TIMMONSVILLE, SC 29161
 843-346-3302

- SIGNAGE**
 SIGNAGE WITHIN THE COMMERCIAL SECTION OF THIS PLANNED DEVELOPMENT WILL MEET THE POD AND B-2 STANDARDS OF THE CITY OF FLORENCE ZONING ORDINANCE AT THE DATE OF THE ADOPTED POD 2016-01. THE DEVELOPER HAS THE OPTION TO VARY SIGNAGE BASED ON REQUIREMENTS OF TENANTS AND OVERALL DEVELOPMENT CONCEPT.
- MAXIMUM IMPERVIOUS RATIOS:** A. COMMERCIAL IS 80%
 B. SINGLE FAMILY RESIDENTIAL IS 70%
 C. MULTIFAMILY IS 75%
- FOR ADDITIONAL SITE INFORMATION SEE SCHEDULES A AND B.
- SEE ATTACHED SCHEDULE B POD 2016-01 FOR PERMITTED LAND USES.



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ORDINANCE NO. 2016 _____

AN ORDINANCE TO ANNEX PROPERTY OWNED BY THE GROVE AT EBENEZER, LLC, SPECIFICALLY A 40.5 ACRE PORTION OF TMN 00075-01-221

WHEREAS, a Public Hearing was held in the Council Chambers on May 10, 2016 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, application by The Grove at Ebenezer, LLC, owner of TMN 00075-01-221, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated in the city limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina:**

The property requesting annexation is shown more specifically as a portion of Florence County Tax Map 00075, block 01, parcel 221 shown as Tract 3 (40.5 acres) on a plat dated April 7, 2016 recorded April 15, 2016 in Florence County plat book 104 – page 431.

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

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

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

- 1. That an Ordinance is hereby adopted annexing into the City Limits of the City of Florence the aforesaid property.**
- 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 _____, 2016
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: June 7, 2016

AGENDA ITEM: Bill No. 2016-30 authorizing the City to lease of the real estate known as 314 W. Pine Street and designated as Tax Parcel 90075-04-002 in the records of the Florence County Tax Assessor to Pee Dee Healthy Start, Inc. under the terms and conditions set out in the written lease attached as Exhibit A to this ordinance.

DEPARTMENT/DIVISION: City Manager and City Attorney

I. ISSUE UNDER CONSIDERATION:

Whether to authorize the leasing of the real estate known as 314 W. Pine Street and designated as Tax Parcel 90075-04-002 in the records of the Florence County Tax Assessor to Pee Dee Healthy Start, Inc. under the terms and conditions set out in the written lease attached as Exhibit A to this ordinance.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) The City acquired parcel of land in question on March 1, 2016 pursuant to Council's authorization for the purpose of providing Pee Dee Healthy Start, Inc. with their current location to continue their programming of providing financially challenged pregnant women and babies with resources, support, and help they need to have a healthy baby.

III. POINTS TO CONSIDER:

(1) The Lease provides the premises to the Pee Dee Healthy Start, Inc. rent free provided they continue to operate the program and meet the terms and conditions of the Lease attached as Exhibit A to the Ordinance and incorporated therein by reference.

(2) The provision of the premises for this program will be in lieu of providing any additional financial support for the ongoing expenses of the program.

(3) The Lease requires Pee Dee Healthy Start, Inc. to be responsible for all maintenance, repairs, utility cost, tax cost, and associated expenses related to the premises and their operations thereon.

(4) The property will remain titled to the City and will be an asset of the City.

IV. STAFF RECOMMENDATION:

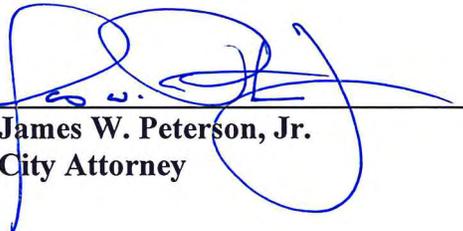
Staff recommends that City Council adopt the proposed ordinance authorizing the City Manager to execute the Lease to carry out the purposes previously approved by Council when it directed Staff to purchase the premises in question.

V. ATTACHMENTS:

Proposed Bill No. 2016-30 with Exhibit A.



Andrew H. Griffin
City Manager



James W. Peterson, Jr.
City Attorney

ORDINANCE NO. 2016-

AN ORDINANCE AUTHORIZING THE CITY TO LEASE OF THE REAL ESTATE KNOWN AS 314 W. PINE STREET AND DESIGNATED AS TAX PARCEL 90075-04-002 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR TO PEE DEE HEALTHY START, INC. UNDER THE TERMS AND CONDITIONS SET OUT IN THE WRITTEN LEASE ATTACHED AS EXHIBIT A TO THIS ORDINANCE.

WHEREAS, after due consideration, the City has concluded that the real estate described in the Lease set out in Exhibit "A" attached hereto and incorporated herein by reference is not presently needed for City use; and

WHEREAS we hereby find that use of said real estate for the continued operation of the Pee Dee Healthy Start Program which provides financially challenged pregnant women and babies with resources, support, and help they need to have a healthy baby to be in the best interest and to the benefit of the citizens of the City of Florence;

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

1. That, pursuant to §5-7-260(6) of the South Carolina Code of Laws, as amended, and §2-26(8) of the Code of Ordinances of the City of Florence, the City Manager of the City of Florence is hereby authorized to execute the Lease attached hereto as Exhibit A and such other documentation as needed in order to lease the property described in said Lease to Pee Dee Healthy Start, Inc. in order to facilitate the continuation of the Pee Dee Healthy Start Program as described in the Lease.

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

ADOPTED THIS _____ DAY OF _____, 2016.

Approved as to form:

JAMES W. PETERSON, JR.
City Attorney

STEPHEN J. WUKELA
Mayor

Attest:

DIANNE M. ROWAN
Municipal Clerk

Exhibit A
To
Bill No. 2016-30

Lease from City of Florence to Pee Dee Healthy Start, Inc. for 314 W. Pine Street

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

AGREEMENT OF LEASE

This agreement entered into this ___ day of _____, 2016 by and between the **City of Florence**, an incorporate municipality State of South Carolina, herein after called the “LANDLORD”, and **Pee Dee Healthy Start, Inc.**, a South Carolina nonprofit corporation, hereinafter collectively called the “TENANT”.

WITNESSETH:

The LANDLORD, for and in consideration of the covenants and agreements hereinafter set forth, to be kept and performed by the TENANT, demises and leases unto the TENANT and the TENANT does hereby hire and rent from the LANDLORD the premises hereinafter described, for the period, at the rental, and upon the terms and conditions hereinafter specifically set forth.

1. **Description of Premises:** LANDLORD leases to TENANT the property described on Exhibit “A” attached hereto and incorporated herein by reference. Said property is known as 314 W. Pine Street and is further identified as Florence County Tax Map Parcel No. 90075-04-020.
2. **Term:** The term of this lease is for 120 months (ten years), beginning July 1, 2016 and terminating on June 30, 2026. With the consent of the LANDLORD, the TENANT shall have the option to renew this Agreement for successive five year terms. The LANDLORD shall have final approval over the renewability of the Agreement and said approval shall not be withheld unreasonably.
3. **Rent:** The TENANT shall pay the LANDLORD rent in the amount of One Dollar (\$1.00) per year, said rental to be paid in one lump sum of Ten and no/100th (\$10.00) Dollars at the time of the execution of this Lease, the receipt of which is hereby acknowledged.
4. **Maintenance, Repairs, Improvement, and Use of Premises:** Since the rent being paid by TENANT is nominal, it shall be the responsibility of the TENANT to maintain the Premises in its current condition at the TENANT’S sole expense. This maintenance obligation specifically includes, but is not limited to, all repairs and maintenance and replacement as needed of the structural elements of the building, the roof, the HVAC, and all other aspects of the premises. Any and all alterations and improvements of the Premises shall also be the responsibility of the TENANT, but any such alterations and improvements shall require the prior written consent of the LANDLORD. LANDLORD agrees that it will not unreasonably withhold its consent to requested alterations and improvements. The expenses and costs related to repairs, maintenance, alteration(s), or improvement(s) are the sole responsibility of the TENANT, and no liens, mortgages, or other legal liabilities shall be attach to leased property as a result of repairs, maintenance, alteration(s), or improvement(s) by the TENANT. The Premises shall be used by

the TENANT exclusively as follows:

- (a) The TENANT will use the leased premises to operate the Pee Dee Healthy Start Program to provide financially challenged pregnant women and babies with resources, support, and help they need to have a healthy baby.
- (b) Should the TENANT at any time during the Term of this Lease cease to operate the Pee Dee Healthy Start as described in (a) above, this Lease shall immediately terminate and TENANT agrees that it will vacate the Premises and return possession of the Premises to LANDLORD.

5. **Assignment and Subletting of Lease:**

(a) The TENANT may not assign this Lease without the LANDLORD's consent; any contemplated assignment shall be negotiated between the parties and the LANDLORD shall have the sole authority for providing consent for such an agreement and the LANDLORD shall approve any agreement between the TENANT and its proposed assignee.

(b) No assignment shall be valid or effective until there is delivered to the LANDLORD a duplicate original of the written instrument of assignment, in recordable form, containing the name and address of the Assignee, and an assumption by the Assignee of the Lease and of all obligations under this Lease to be performed by the TENANT, although TENANT remains liable as herein set forth. Such assumption need relate only to obligations thereafter to be performed by the TENANT.

6. **Entry to Premises by Landlord:** LANDLORD reserves the right to enter the premises at reasonable time and with advanced notice for inspection.

7. **Utilities:** Utilities shall be the responsibility of the TENANT.

8. **Taxes and Assessments:** All ad valorem taxes, assessments, liens or charges on the land or improvements, that may be against or levied upon the demised premises, shall be the responsibility of the TENANT. LANDLORD will cooperate to obtain exempt status from ad valorem taxes if an exemption is applicable.

9. **Insurance:** TENANT shall at all times provide appropriate insurance through insurance carriers licensed to do business in South Carolina to include hazard insurance covering the Premises, commercial general liability insurance and automobile liability insurance with minimum limits of \$1,000,000.00 covering its activities and for its protection relating to its use of the facility, and worker's compensation insurance coverage for its employees and agents with minimum coverage limits required by law, but in no event less than \$100,000.00 per accident for employers liability, and \$100,000.00/\$500,000.00 for disease coverage. TENANT shall name LANDLORD as an additional insured on said insurance policies and shall at all times provide LANDLORD with a current copy of said insurance policies. LANDLORD may, but is not

required to, obtain any additional insurance it deems appropriate.

10. **Compliance with Applicable Laws:** The TENANT, at its sole expense, shall comply with all laws, orders, and regulations of Federal, State, and Municipal authorities, and with any direction of any public officer, pursuant to the law, which imposes any duty upon the TENANT with respect to the leased property. The TENANT, at its sole expense, shall obtain all licenses or permits which may be required by the conduct of its business within the terms of this Lease or for the making of repairs, alterations, improvements or additions. The TENANT shall comply with the requirements of all policies of public liability, hazard, and all other types of insurance in force with respect to the buildings and other improvements on the leased property.

11. **Surrender of Premises:** The TENANT shall, on the last day of the term, peaceably and quietly surrender the leased property to the LANDLORD, including any improvements placed thereon by either LANDLORD or TENANT.

12. **Condemnation:** If the entire premises are condemned or taken in any manner for public or quasi-public use, including, but not limited to, a conveyance or assignment in lieu of a condemnation, this Lease shall automatically terminate on the earlier of the date when title vests or the TENANT is dispossessed by the condemnation or other taking. If a part of the premises is condemned or taken, this Lease shall automatically terminate as to that portion of the premises so taken. If such condemnation of a portion of the premises renders the remaining portion unusable for the business of the TENANT, the TENANT may, with ninety days written notice to the LANDLORD terminate the Lease on the remaining portion. Such termination shall be without prejudice to the rights of either the LANDLORD or the TENANT to recover compensation from the condemning authority of any loss or damage caused by such condemnation. Neither the LANDLORD nor the TENANT shall have any rights in any award made to the other by condemning authority.

13. **Destruction of Premises:** If all or any part of the leased property is damaged or destroyed by fire or other casualty so that the demised premises are unfit for use, the TENANT shall have the option within thirty (30) days after the date of such casualty to elect to terminate this lease or to repair and rebuild the damaged part.

14. **Default:** If TENANT shall be in default in the performance of any conditions hereof, and fail to correct and rectify any such default within thirty (30) days after TENANT receives written notice adequately identifying a default; and with receipt of a written registered notice, LANDLORD may repossess same as if this Lease had not been made, and shall thereupon have the right to cancel this Lease without prejudice. LANDLORD, waives all rights of distraint against the equipment, personal property, inventory, furniture, and fixtures of the TENANT.

15. **Performance of Landlord's Obligation:** If the LANDLORD shall breach any of the conditions required to be performed by it under the Lease, and shall fail to correct same within thirty (30) days of written registered notice to the LANDLORD of its intention to do so, in which event this lease shall terminate upon the date fixed in such notice, unless the LANDLORD shall meanwhile cure the default.

16. **Subordination to Mortgage:** This Lease is subject and subordinate to any Mortgage which may now or hereafter encumber the demised premises; and to all renewals, modifications, consolidations, replacements and extensions thereon. This clause shall be self-operative and no further instrument of subordination need be required by any mortgagee. In confirmation of such subordination, however, TENANT shall, at LANDLORD's request provide written confirmation of such.

17. **Estoppel Certificate:** TENANT will, at any time, and from time to time, upon not less than ten (10) days prior request by LANDLORD, execute, acknowledge, and deliver to LANDLORD without additional consideration, a statement in writing executed by TENANT certifying that TENANT is in possession of the premises under the terms of this Lease; that the Lease is unmodified and in full effect; or if there have been modifications, that this Lease is in full effect as modified, and setting forth such modifications; and the dates to which rent has been paid, and either stating that to the knowledge of the TENANT, no default exists hereunder or specifying each such default to which TENANT may have knowledge; and such other matters as may be reasonably requested by LANDLORD, it being intended that any such statement by TENANT be relied upon by any prospective purchaser or mortgagee of the property.

18. **Notices:** Any notice under this lease must be made in writing and must be sent by registered or certified mail to the last address of the party to whom the notice is given as designated by such party in writing.

The LANDLORD hereby designates its address as:

City of Florence
Attn: City Manager
324 West Evans Street
Florence, SC 29501

The TENANT hereby designates its address as:

Pee Dee Healthy Start, Inc.
Attn: Executive Director
314 W. Pine Street
Florence, South Carolina 29501

19. **Waiver:** Failure of either party to insist upon strict performance of any covenant or condition of this Lease, in any or more instances, shall not be construed as a waiver for the future of any such covenant or condition, but, the same shall be and remain in full force and effect.

20. **Binding Effect:** The covenants, terms, conditions, provisions and undertakings in this Lease, or in any renewals thereof, shall extend to, and be binding upon, the heirs and executors administrators, and successors and assigns of the respective parties hereto, as if they were in every case named and expressed, and, shall be construed as covenants running with the land, and, whenever reference is made to either of the parties hereto, it shall be held to include and

apply also to the heirs, executors, administrators, successors and assigns of such party, as if in each case so expressed.

21. **Warranty of Authority and Title:** Both parties, whose signatures are below inscribed, expressly warrant that they have full express authority to bind the respective parties on whose behalf they are signing, to the terms of this Agreement of Lease. LANDLORD warrants that it has good marketable title and that it will not interfere with the TENANT'S use of the Premises as described herein.

22. **Entire Agreement, Modification, and Severability:** This Lease contains the entire agreement between the parties, and shall not be modified in any manner except by an instrument in writing, executed by the parties. If any term or provision of this Lease, or the application thereof, to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Lease, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Lease shall be valid and shall be enforced to the fullest extent permitted by law.

IN WITNESS WHEREOF, the LANDLORD and TENANT subscribed their names and affixed their seals the day and year first above written.

WITNESSES:

LANDLORD:

City of Florence, SC

By: _____
ANDREW H. GRIFFIN
City Manager

TENANT:

Pee Dee Healthy Start, Inc.

By: _____
Its: _____

EXHIBIT A
Property Description

All that certain piece, parcel and lot of land with improvements thereon situate, lying and being in the County of Florence, State of South Carolina containing 0.6805 acres, more or less, as shown on a plat prepared by Ervin Engineering Company dated October 1, 1998 and recorded in plat book 69 at page 195, records of Florence County. Aforesaid Plat is specifically incorporated herein and reference is craved thereto for a more complete and accurate description of the metes, bounds, courses and distances of the property concerned herein. This description is in lieu of metes and bounds, as permitted by law under Section 30-5-250 of the 1976 Code of Laws of South Carolina, as amended. Be all measurements a little more or a little less and according to said plat.

This being the same property conveyed to the City of Florence by deed of Mary K. Rickenbaker, Trustee, recorded on March 1, 2016 in Deed Book B618 at page 1506 in the office of the Clerk of Court for Florence County.

This property is known as 314 W Pine Street and is further identified as Florence County Tax Map Parcel No. 90075-04-020.

FLORENCE CITY COUNCIL MEETING

DATE: June 13, 2016

AGENDA ITEM: An Ordinance to declare a portion of tax parcel 90038-07-014 as surplus and authorize the transfer of land to C. V. Flowers for the purposes of correcting an encroachment and setback violation of a structure located on tax parcel 90038-07-016

DEPARTMENT/DIVISION: Planning, Research and Development

I. ISSUE UNDER CONSIDERATION:

To declare as surplus and authorize the conveyance of land, being a portion of Tax Parcel 90038-07-014, to C.V. Flowers for the purposes of correcting an encroachment and setback violation of an accessory structure located on tax parcel 90038-07-016. The land to be conveyed will be the portion of Florence County tax parcel 90038-07-014 that extends south 8.32 ft. from the southwest corner of Florence County tax parcel 90038-07-016 and east from that proposed corner, parallel to the existing accessory structure for 42.5 ft. and north 12.5 feet to the existing property line.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

None

III. POINTS TO CONSIDER:

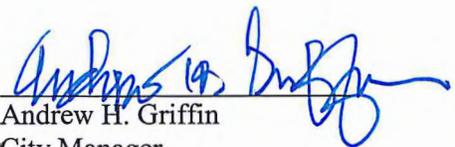
- (1) Request is being considered for first reading.
- (2) Mr. Flowers, having had survey of his property conducted found that his accessory structure extended over his rear (southern) property line constituting an encroachment onto City of Florence owned property.
- (3) Mr. Flowers requests that the city transfer the amount of property necessary to correct the encroachment as well as to afford him compliance with the City of Florence Zoning Ordinance. (See Attachment A)
- (4) The portion of tax map 90038-07-014 to be conveyed is to be surveyed, subdivided and recorded by C.V. Flowers.
- (5) Compensation for the property will established by reviewing recent sales prices of properties in the near vicinity of the subject property.

IV. PERSONAL NOTES:

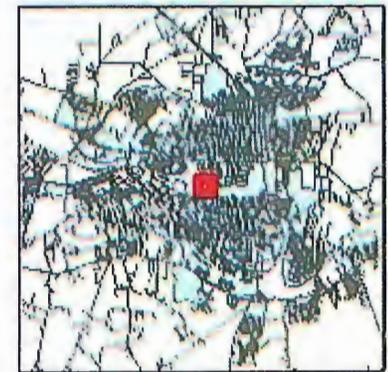
V. ATTACHMENTS:

- (1) Ordinance
- (2) Location Map
- (3) Plat showing proposed land to be transferred.


Phillip M. Lookadoo
Director of Planning, Research and Development


Andrew H. Griffin
City Manager

Land Conveyance 1460 Wisteria Drive



Legend

-  Proposed Parcels
-  Address Points
-  Roads
-  Parcels



DISCLAIMER:

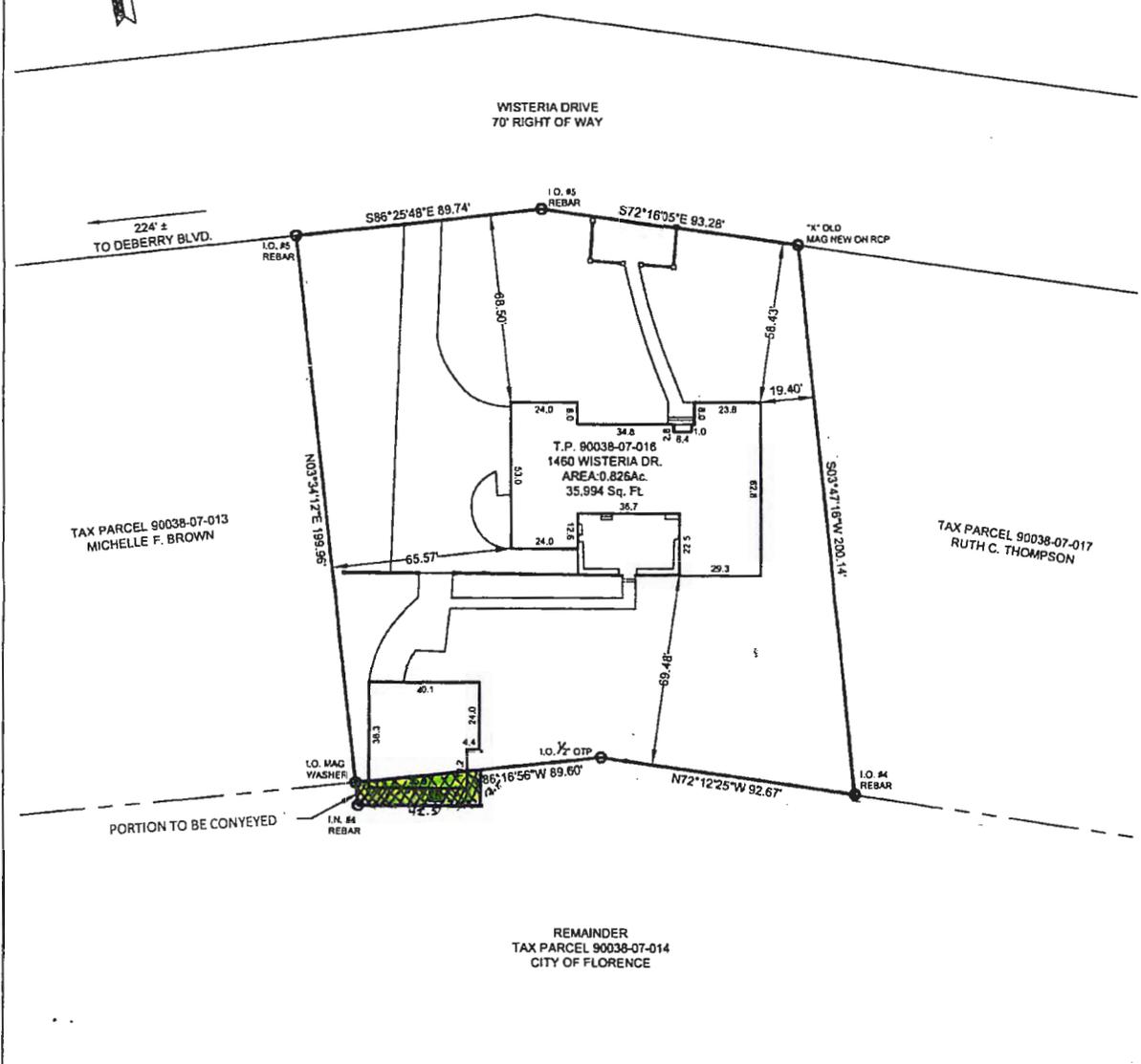
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3000 1500 0 3000 Feet





LOCATION SKETCH



SOUTH CAROLINA

CITY OF FLORENCE

PLAT

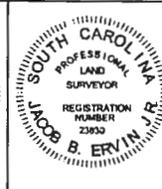
OF PROPERTY SURVEYED FOR
C.V. FLOWERS

A RESURVEY OF FLORENCE COUNTY TAX PARCEL 90038-07-016 CONTAINING 0.826 ACRES, THE SAME BEING LOT 3 AND A PORTION OF LOT 4, AS SHOWN ON A PLAT OF PINEMONT REALTY CO. BY FERRELL J. PROSSER, DATED MARCH 30, 1973, RECORDED IN PLAT BOOK 14 PAGE 242, ALONG WITH A SURVEY OF A PORTION OF TAX PARCEL 90038-07-014 CONTAINING 0.049 ACRES, TO BE ADDED TO TAX PARCEL 90038-07-016.

SURVEYED BY: **ERVIN ENGINEERING CO.**
341 WEST EVANS ST. - FLORENCE, S.C.
PH: 843-662-4941



DATE: 09-10-2015 DRAWN: KN SCALE: 1"=40'



I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN. WE ALSO STATE THAT TO THE BEST OF OUR KNOWLEDGE AND IN OUR PROFESSIONAL OPINION THE REFERENCE PROPERTY DOES NOT LIE IN A 100 YEAR FLOOD ZONE AS SHOWN ON FEMA MAP 45041C 0141E DATED 12-16-2014.

T:\V20150906 Flowers\20150906-FL\QW\RS.dwg

ORDINANCE NO. 2016-_____

AN ORDINANCE AUTHORIZING THE TRANSFER OF LAND TO C. V. FLOWERS, SPECIFICALLY A PORTION OF TAX PARCEL 90038-07-014

WHEREAS, after due consideration, the City has concluded that the land designated as the portion of Florence County tax parcel 90038-07-014 that extends south 8.32 ft from the southwest corner of Florence County tax parcel 90038-07-016 and extends east, parallel to the existing accessory structure for 42.5 ft and north 12.5 feet to the existing property line is surplus land to the City, and conveyance of said property to C. V. Flowers is in the best interest and to the benefit of the citizens of the City of Florence and;

WHEREAS, said portion of Florence County tax parcel 90038-07-014 is to be combined with Florence County tax parcel 90038-07-016.

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 Deed, and other documentation in order to convey title to the property described above to C. V. Flowers.

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

ADOPTED THIS _____ DAY OF _____, 2016.

STEPHEN J. WUKELA
Mayor

Approved as to form:

Attest:

JAMES W. PETERSON, JR.
City Attorney

DIANNE ROWAN
Municipal Clerk

CITY OF FLORENCE COUNCIL MEETING

DATE: July 11, 2016

AGENDA ITEM: Ordinance to amend Zoning Ordinance
First Reading

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

An ordinance to amend the Planned Development District Ordinance 2016-01 to rezone and add the parcel identified as tax map number 00075-01-036, and amend the text within the development standards of the PDD, said properties being specifically designated in the Florence County Tax Records as Tax Map Parcels 00075-01-219; 00075-01-220; 00075-01-221; 00075-01-222; and 00075-01-214.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

Planning Commission held a public hearing on June 14, 2016 regarding this matter. The Planning Commission voted (5-1) to recommend the request to rezone parcel 00075-01-036 and amend Schedule B of the PDD 2016-01 to remove the requirement of consent of the HOA and maintain B-2 sign standards within PDD 2016-01 with the exception that B-3 signage be permitted along Pine Needles Road at a depth of 100 feet from the right of way, south into the property.

III. POINTS TO CONSIDER:

- (1) The properties are currently zoned Planned Development District 2016-01.
- (2) The current owner of tax map parcels 00075-01-219, 00075-01-220, 00075-01-221, 00075-01-222, 00075-01-214, The Grove at Ebenezer, LLC, would like to amend the Planned Development to revise Schedule B- Development Standards Table A to remove the requirement of consent of the Home Owner's Association and amend the Signage section of Schedule B – Development Standards to meet B-3 standards.
- (3) The applicant and owner made request to rezone tax map parcel 00075-01-036 from B-3, General Commercial to the Planned Development District #2016-01.
- (4) The Future Land Use designation for the PDD is Residential Estate. Surrounding properties are designated as Residential Estate, Public and Institutional, Parks and Open Space, Residential Auto Urban, Business Parks, Commercial Suburban, and Neighborhood Conservation.
- (5) City staff recommends the rezoning of tax map number 00075-01-036 and the amendment to PDD 2016-01 as requested to remove the requirement of

consent from the Home Owner's Association for zero set-back within commercially zoned properties. This recommendation is based on the proposed amendments conformity with the Future Land Use Designation of the Comprehensive Plan.

- (6) City staff maintains their recommendation that the signage standards governing the commercial property be B-2. This recommendation is based on B-2 signage standards preserving the character and the compatibility with the existing and Future Land Use designations.

IV. OPTIONS

City Council may:

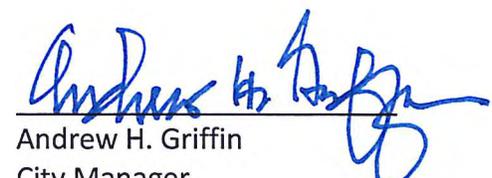
- (1) Approve the request as presented based on the information submitted.
- (2) Defer the request should additional information be needed.
- (3) Suggest other alternatives.
- (4) Deny the request.

V. NOTES:

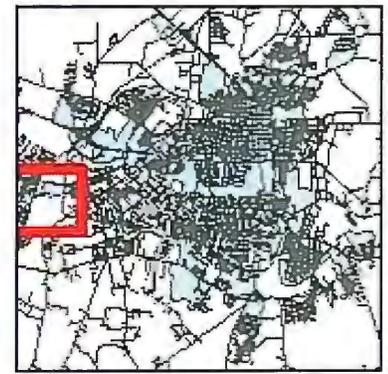
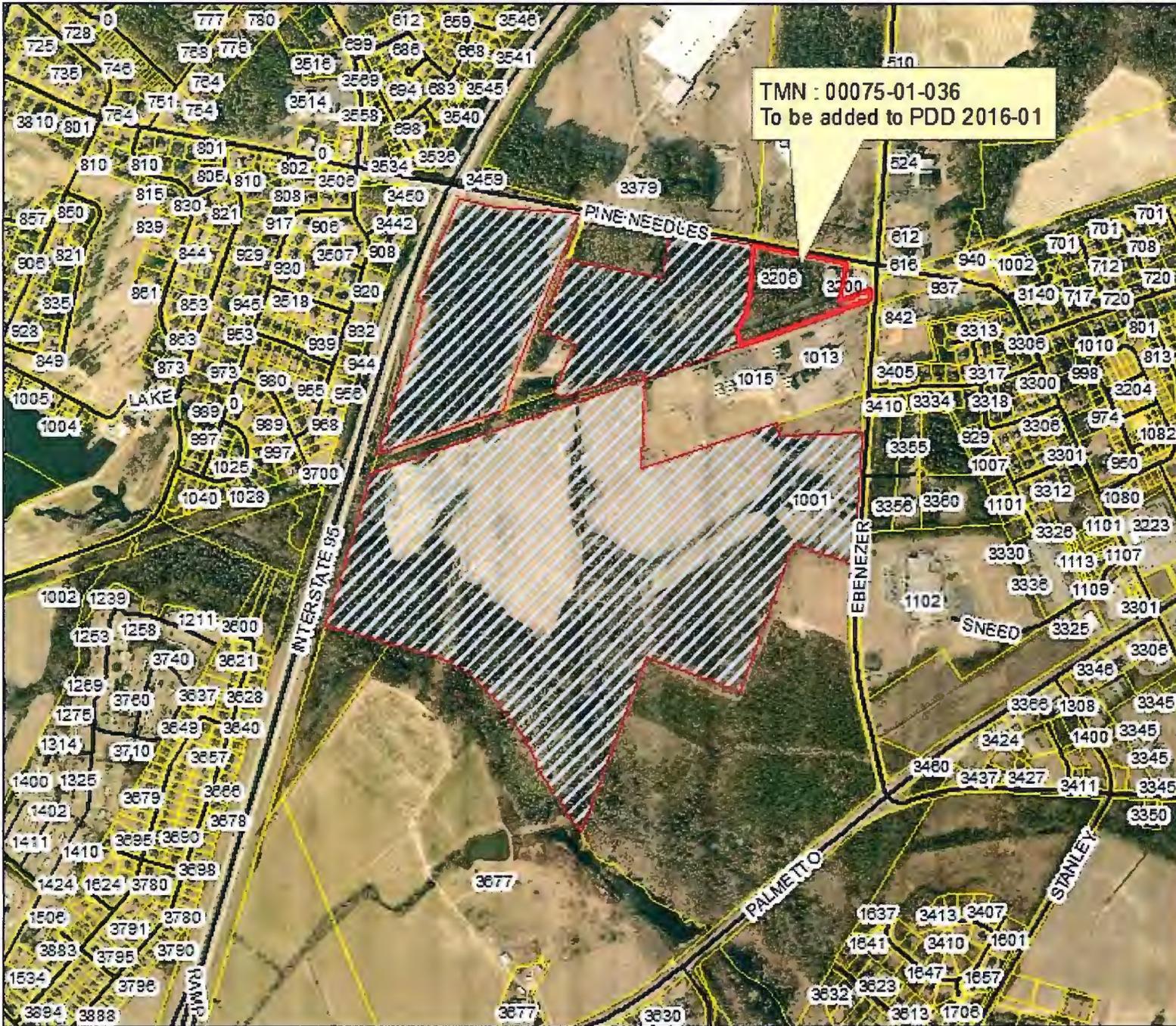
VI. ATTACHMENTS:

- (1) Ordinance
- (2) Location Map
- (3) PDD 2016-01 Schedule B


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


Andrew H. Griffin
City Manager

PC 2016-23 Attachment 2 Location Map The Grove PDD



Legend

- The Grove PDD
- Dimar Investments, Inc.
- Address Points
- Roads
- Parcels



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



Schedule B- Development Standards

Table A –Single Family Detached and Commercial

“The Grove” is a mixed use development consisting of various types of residential and commercial development. Development will occur in phases and be consistent with the development agreement identified as City of Florence Ordinance number 2016-___. Each phase will be submitted to staff of the Department of Planning, Research and Development for review and approval according to the zoning and development standards set forth herewith and attached to this document.

Table A

District	Minimum Lot Area (a)		Lot Width (ft) (b)	Front Yard Setback	Side Yard Setback		Rear Yard Setback Minimum		Max Hgt. (ft) (c)	Max Impervious Surface Ratio (%)
	Residential	Non-Residential			Res	Non Res	Res	Non Res		
Single Family Residential	6000	6000	50	20	5	5	15	25	48	70
Multi-Family	N/A		N/A	N/A	20	20	20	20	5 stories	75
Duplexes & Town Homes	2,200	2,200	22	20	0	0	20	20	48	75
Commercial	5,000	5,000	50	35(e)	5(e)	5(e)	20(e)	20(e)	(d)	90

Notes to Table A

- (a) Lot area is expressed in square feet.
- (b) Measurement from front property line.
- (c) Measurement from average elevation of finished grade of the front of the structure.
- (d) There is no maximum; provided side and rear setbacks shall increase by one (1) foot for each two (2) feet in height over thirty-five (35) feet for buildings; further provided that approval of buildings over thirty-five (35) feet shall be based on fire ladder capabilities as determined by the City of Florence Fire Department.
- (e) A minimum zero set-back may be allowed with approval of the Director of the Department of Planning, Research and Development, ~~upon receiving consent from the Home Owner’s Association president in writing.~~ Approval shall be based on site design and placement of buildings and subject to applicable fire and building codes.

NA=Not Applicable

DENSITY*

Commercial

70 acres at 11,000 square feet commercial space per acre with land uses primarily found in the B-3 Zoning District per 2016 City of Florence Zoning Ordinance. See attached Schedule A. Property marked Commercial may also include any of the residential distinctions listed in the residential areas described below, provided a mixture of commercial and residential uses will be maintained.

Residential

140 acres of Single-family average density of 3.5 units per acre. Included in the residential acreage is a maximum of 24 acres for Multi-family Residential to include condos, townhouses, and apartments, duplex, triplex, quadraplex and any form of residential housing deemed appropriate by Developer, at an average density 18 units per acre. Development standards can be found within the adopted PDD 2016-01.

Multi-family

92 acres of multifamily with an average density of 18 units per acre. Development standards are listed in the adopted PDD 2016-01 (Exhibit C). Multifamily use is permitted within Commercial and Residential sections of PDD 2016-01. The total 92 acres consist of 24 acres within the Residential section, and 68 acres of the Commercial section.

* Densities are exclusive of the 31+- acres identified as open space in the development agreement adopted as City of Florence Ordinance Number 2016 - _____.

PHASING

Phases and sub-phases of development shall be submitted to staff of the City of Florence Department of Planning, Research and Development. All boundaries of phases and sub-phases shall be identified on an amended map of PDD 2016-01 also known as "The Grove." A plat shall be submitted prior to development of any phase or sub-phase of this development. Each plat shall identify, on said plat, with which zoning district contained within PDD 2016-01 that particular phase or sub-phase will be developed.

BUFFERING

Buffering along property lines external to "The Grove" development shall be governed by Article 4 of the City of Florence Zoning Ordinance. Interior buffering to "The Grove" shall be provided and determined by the developer at time of development, and in accordance with PDD 2016-01 Buffer Plan.

PARKING

Parking shall be provided per use category as identified on Tables 2.3 and 2.4 of the City of Florence Zoning Ordinance, or a parking standard approved by the City of Florence which complies with current industry standards at time of development. Determination of number of parking spaces shall be consistent with the North American Industry Classification System (NAICS) code for each prescribed use in Schedule A of PDD 2016-01.

SIGNAGE

Signage within the commercial section of this Planned Development will meet the PDD and B-2 standards of the City of Florence Zoning Ordinance at the date of the adopted PDD 2016-01. **Sign standards for properties located along Pine Needles Road at a depth of 100 feet from the right of way will meet B-3 standards of the City of Florence Zoning Ordinance.** The developer has the option to submit an overall signage plan based on typical development standards and overall development concept.

*Items in red indicate the proposed changes

ORDINANCE NO. 2016-_____

AN ORDINANCE TO AMEND THE PLANNED DEVELOPMENT DISTRICT ORDINANCE 2016-01 TO REZONE AND ADD THE PARCEL IDENTIFIED AS TAX MAP NUMBER 00075-01-036, AND AMEND THE TEXT WITHIN THE DEVELOPMENT STANDARDS OF THE PDD, SAID PROPERTIES BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS TAX MAP PARCELS 00075-01-219; 00075-01-220; 00075-01-221; 00075-01-222; AND 00075-01-214:

WHEREAS, a Public Hearing was held in the City Center Council Chambers on June 14, 2016 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, the City of Florence Planning Commission made recommendation to amend the Planned Development District Schedule B as requested with the amendment that B-3 signage be limited to Pine Needles Road at a depth of 100 feet from the right of way;

WHEREAS, Dilmar Investments, Inc. made the request to rezone the property specifically designated in the Florence County Tax Records as tax map parcel 00075-01-036 from B-3, General Commercial to the Planned Development District #2016-01;

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

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

1. That an Ordinance is hereby adopted by amending the Planned Development District Ordinance 2016-01 to amend Schedule B- Development Standards Table A to remove the requirement of consent from the Home Owner's Association and amend the Signage section of Schedule B – Development Standards to meet B-3 standards solely along Pine Needles Road at a depth of 100 feet from the recorded right of way;

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 _____, 2016

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: July 11, 2016

AGENDA ITEM: Public Hearing and Ordinance to declare as surplus and authorize the transfer of land to PR Magnolia, LLC, specifically a tax parcel 00099-01-182

DEPARTMENT/DIVISION: Planning, Research, and Development

I. ISSUE UNDER CONSIDERATION:

To declare as surplus and authorize the conveyance of land, located on David H. McLeod Boulevard and specifically described as Florence County tax parcel 00099-01-182, to PR Magnolia, LLC.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) On January 12, 2015 City Council approved an amendment to the planned development district (Ordinance 2015-05) for the Magnolia Mall property which updated the development plan. The development plan allowed for the incorporation of adjacent rights-of-way into the mall property and the redirection of vehicular flow into the property.

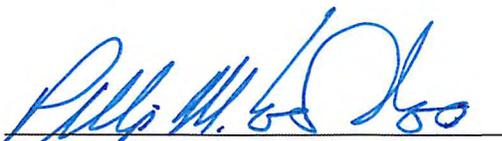
III. POINTS TO CONSIDER:

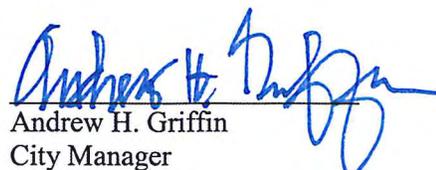
- (1) Request is being considered for first reading.
- (2) The land in question was formerly part of the SCDOT right-of-way for North Dunbarton Road; however, SCDOT policy prohibits the transfer of rights-of-way into private ownership. Therefore, the City of Florence is acting as a conduit for the transfer of ownership to PR Magnolia, LLC (Magnolia Mall).
- (3) The parcel will be combined with existing parcels in agreement with the approved development plan.

IV. PERSONAL NOTES:

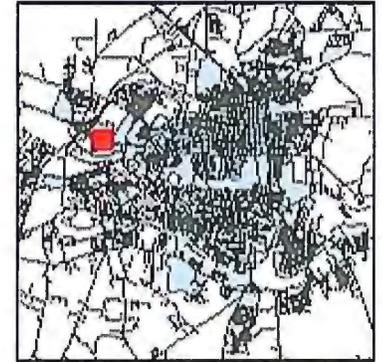
V. ATTACHMENTS:

- (1) Ordinance
- (2) Map
- (3) Magnolia Mall Development Plan approved per Ordinance 2015-05


Phillip M. Lookadoo
Planning, Research, and Development Director


Andrew H. Griffin
City Manager

Location Map TMP 00099-01-182

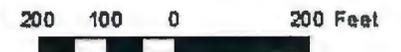


Legend

-  Proposed Parcel
-  Address Points
-  Roads
-  Parcels



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



ORDINANCE NO. 2016-_____

**AN ORDINANCE AUTHORIZING THE TRANSFER OF LAND TO PR
MAGNOLIA, LLC, SPECIFICALLY TAX PARCEL 00099-01-182**

WHEREAS, after due consideration, the City has concluded that the land designated as Florence County tax parcel 00099-01-182 is surplus land to the City, and conveyance of said property to PR Magnolia, LLC is in the best interest and to the benefit of the citizens of the City of Florence and;

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 Deed, and other documentation in order to convey title to the property described above to PR Magnolia, LLC.

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

ADOPTED THIS _____ DAY OF _____, 2016.

STEPHEN J. WUKELA
Mayor

Approved as to form:

Attest:

JAMES W. PETERSON, JR.
City Attorney

DIANNE ROWAN
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: July 11, 2016

AGENDA ITEM: Resolution to amend the 2015-2016 CDBG Annual Action Plan

DEPARTMENT/DIVISION: General Services/Community Services

I. ISSUE UNDER CONSIDERATION:

Staff is seeking to amend the City of Florence 2015-2016 CDBG Annual Action Plan and allocate \$96,877.84 to the Housing Assistance line item.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

City Council allocated \$274,008 for the 2015-2016 CDBG Budget Year.

III. POINTS TO CONSIDER:

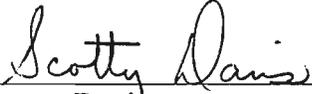
1. The City of Florence is an Entitlement Community and receives grant funding from the Department of Housing and Urban Development for community development activities benefitting the low-to-moderate-income community.
2. The City prepares an annual action plan for the allocation of such funding.
3. Staff has identified \$96,877.84 of unexpended funds from previous years that will be allocated to the Housing Assistance line item in FY 2015-2016.
4. This redistribution of funds requires an amendment to the 2015-2016 Annual Action Plan.
5. Staff published a legal notice in local newspapers from April 21 – May 25 inviting comments on amending the 2015-2016 CDBG Annual Action Plan. No comments were received during the public comment period.

IV. OPTIONS:

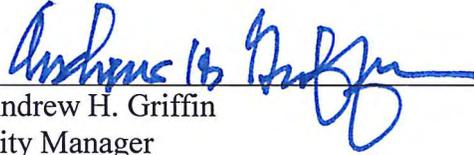
1. Approve the request as presented.
2. Defer the request should additional information be needed.
3. Suggest other alternatives.
4. Deny the request.

V. PERSONAL NOTES:

VI. ATTACHMENTS:
2015 CDBG Budget



Scotty Davis
Director of General Services



Andrew H. Griffin
City Manager

Resolution No. 2016-

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF FLORENCE, SOUTH CAROLINA**

WHEREAS, the City of Florence is an Entitlement Community receiving Community Development Block Grant (CDBG) funding from the United States Department of Housing and Urban Development (HUD); and,

WHEREAS, the City's Annual Action Plan outlines the allocation of CDBG funding; and,

WHEREAS, amendments to the CDBG Annual Action Plan must occur by public hearing following a 30-day comment period; and,

WHEREAS, the public comment period published through legal notice in local newspapers resulted in no comments from the general public;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Florence, South Carolina in a meeting duly assembled do hereby amend the 2015-2016 CDBG Annual Action Plan, allocating \$96,877.84 of redistributed funds to the "Down Payment Assistance" line item for the 2015 Program Year.

ADOPTED, this 11th Day of July 2016.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela, **Mayor**

Attest:

Dianne M. Rowan
Municipal Clerk

Resolution No. 2015-08

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF FLORENCE, SOUTH CAROLINA**

WHEREAS, the City of Florence is an Entitlement City as defined by the United States Department of Housing and Urban Development; and

WHEREAS, the City of Florence will receive approximately **\$274,008** in Community Development Block Grant funding from the United States Department of Housing and Urban Development for fiscal year 2015-2016; and

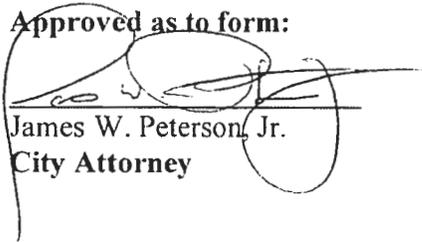
WHEREAS, the City of Florence is required by the United States Department of Housing and Urban Development to approve and adopt a Community Development Block Grant budget;

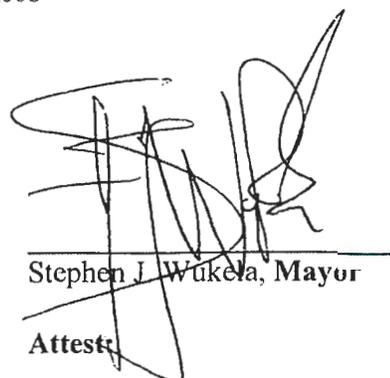
NOW THEREFORE BE IT RESOLVED by the City Council of the City of Florence, South Carolina in a meeting duly assembled do hereby adopt the following Community Development Block Grant budget for fiscal year 2015-2016:

Planning and Administration	\$ 54,800
Recreational Improvements – Sect 108	\$100,000
Emergency Rehabilitation	\$ 39,608
Down payment Assistance	\$ 39,600
Community Action Agency	\$ 20,000
Manna House	\$ 5,000
Salvation Army	\$ 5,000
Who So Ever	\$ 5,000
Lighthouse Ministries	\$ 5,000
TOTAL	\$274,008

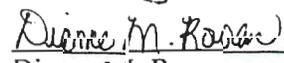
ADOPTED, this 23th day of April, 2015.

Approved as to form:


James W. Peterson, Jr.
City Attorney


Stephen J. Wukela, Mayor

Attest:


Dianne M. Rowan
Municipal Clerk