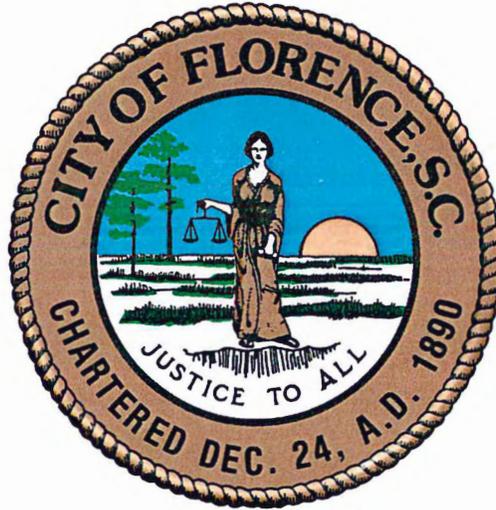


REGULAR MEETING
OF
FLORENCE CITY COUNCIL



COUNCIL CHAMBERS
324 W. EVANS STREET
FLORENCE, SOUTH CAROLINA

MONDAY
APRIL 8, 2019
1:00 P.M.

REGULAR MEETING OF FLORENCE CITY COUNCIL

MONDAY, APRIL 8, 2019 – 1:00 P.M.

CITY CENTER – COUNCIL CHAMBERS

324 WEST EVANS STREET

FLORENCE, SOUTH CAROLINA

I. CALL TO ORDER

II. INVOCATION

Pledge of Allegiance to the American Flag

III. APPROVAL OF MINUTES

March 11, 2019 – Regular Meeting

IV. HONORS AND RECOGNITIONS

RETIREMENT RECOGNITIONS

Eric Jacobs – Police

Alvin Ard – Distribution Operations

SERVICE RECOGNITIONS

Stephen Starling – 10 years - Police

V. APPEARANCE BEFORE COUNCIL

a. Ms. Katy Brown and Ms. Martha McCall, Pee Dee Coalition Against Domestic and Sexual Assault – To make a presentation to Council.

b. Ms. Cameron Packett, Membership Relations Manager, Florence County Economic Development Partnership – to make a presentation to Council regarding Florence County Legislative Day.

c. Mr. Roger Malfatti, Chairman, Parks & Beautification Commission – Parks Commission Annual Report.

VI. ORDINANCES IN POSITION

a. Bill No. 2019-07 – Second Reading

An Ordinance to amend the Unified Development Ordinance to allow Assisted Living/Congregate Care Facilities and Nursing Homes as a Conditional Use in the CG-Commercial General zoning district.

b. Bill No. 2019-08 – Second Reading

An Ordinance to rezone the property located at 451 West Lucas Street and specifically identified as Florence County Tax Map Number 90071-01-001, from IH-Heavy Industrial to CG-Commercial General.

(The Petitioner has requested that this be deferred)

VII. INTRODUCTION OF ORDINANCES

a. Bill No. 2019-09 – First Reading

An Ordinance To Amend the Budget for the City Of Florence, South Carolina, for the Fiscal Year Beginning July 1, 2018 and Ending June 30, 2019.

b. Bill No. 2019-10 – First Reading

An Ordinance to zone NC-10, pending annexation, the property located at 2715 Nob Hill Drive and specifically identified as Florence County Tax Map Number 90123-06-002.

(A motion to reconsider)

c. Bill No. 2019-11 – First Reading

An Ordinance to amend the Unified Development Ordinance to provide land use regulations for short term rentals, Sections 1-2.7.2-a, 1-2.7.2-b, 1-2.8.2, and 7-25.2.

d. Bill No. 2019-12 – First Reading

An Ordinance to amend the Unified Development Ordinance to provide land use regulations for mobile food vendors, Sections 1-2.7.4, 1-2.8.4 and 7-25.2.

e. Bill No. 2019-13 – First Reading

An Ordinance to amend the Planned Development District for property located on South Thomas Road, TMN's 90019-01-023, 90019-01-035, 90019-01-036, 90019-01-037, 90019-01-038, 90019-01-039, 90019-01-040, and 90019-01-041.

f. Bill No. 2019-14 – First Reading

An Ordinance to annex and zone property owned by Carolyn Griffin, TMN 90006-02-007.

VIII. INTRODUCTION OF RESOLUTIONS

a. Resolution No. 2019-09

A Resolution of Appreciation to Christine Fisher for her work on behalf of the Arts in Basic Curriculum (ABC) Project for South Carolina and years as a music educator.

IX. EXECUTIVE SESSION

X. ADJOURN



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, MARCH 11, 2019 – 1:00 P.M.
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT:

Mayor Stephen J. Wukela called the regular meeting to order at 1:00 p.m. with the following members present: Mayor Pro tem Frank J. “Buddy” Brand, Councilman George Jebaily, Councilwoman Teresa M. Ervin, Councilman Glynn F. Willis and Councilwoman Pat Gibson-Hye Moore.

MEMBERS ABSENT:

Councilwoman Octavia Williams-Blake.

ALSO PRESENT:

Mr. Drew Griffin, City Manager; Mrs. Dianne Rowan, Municipal Clerk; Mrs. Casey Moore, Assistant City Clerk; Mr. James W. Peterson, Jr., City Attorney; Chief Allen Heidler, Florence Police Department; Mr. Scotty Davis, Director of Community Services; Mr. Thomas Chandler, Director of Finance; Mr. Chuck Pope, Director of Public Works; Mr. Michael Hemingway, Director of Utilities; Deputy Shannon Tanner, Florence Fire Department; Mr. Ray Reich, Downtown Development Manager; Mr. Jerry Dudley, Director of Planning and Mr. Clint Moore, Director of Development.

MEDIA PRESENT:

Mr. Matthew Christian of the Morning News.

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

INVOCATION

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

APPROVAL OF MINUTES

Mayor Pro tem Brand made a motion to adopt the minutes of the February 11, 2019 Regular City Council meeting. Councilwoman Moore seconded the motion. The minutes were unanimously adopted.

HONORS AND RECOGNITIONS:

SERVICE RECOGNITIONS

Lee Ross was presented a Certificate of Recognition by Mayor Wukela for completing 20 years of service with the City of Florence.



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REGULAR MEETING - MARCH 11, 2019

Terry McFadden was presented a Certificate of Recognition by Mayor Wukela for completing 20 years of service with the City of Florence.

EDUCATIONAL RECOGNITIONS

Keith Harris received an Educational Recognition for successfully passing his "C" Water Operator Certification Exam on January 15, 2019.

Scott Miles received an Educational Recognition for successfully passing his "B" Water Operator Certification Exam on February 7, 2019.

SPECIAL RECOGNITION

Councilwoman Ervin read a Proclamation that was presented to Ms. Eula Mae Graham Cummings on February 17, 2019 from her church. The Proclamation recognized Ms. Cummings on her contributions to her family, church and the community, as well as her 104th birthday.

ORDINANCES IN POSITION:

BILL NO. 2019-05 – SECOND READING

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF THE REAL ESTATE KNOWN AS TAX MAP PARCEL 90060-02-010, DESCRIBED MORE FULLY ON EXHIBIT "A" ATTACHED TO THE ORDINANCE, TO ROSEZINA MCCRAE.

An Ordinance authorizing the conveyance of the real estate known as tax map parcel 90060-02-010, described more fully on exhibit "A" attached to the ordinance, to Rosezina McCrae was adopted on second reading.

Mayor Pro tem Brand made a motion to adopt Bill No. 2019-05 on second reading. Councilwoman Ervin seconded the motion, which carried unanimously.

INTRODUCTION OF ORDINANCES:

BILL NO. 2019-06 – FIRST READING

AN ORDINANCE TO ZONE NC-10, PENDING ANNEXATION, THE PROPERTY LOCATED AT 2715 NOB HILL DRIVE AND SPECIFICALLY IDENTIFIED AS FLORENCE COUNTY TAX MAP NUMBER 90123-06-002.

An Ordinance to zone NC-10, pending annexation, the property located at 2715 Nob Hill Drive and specifically identified as Florence County Tax Map Number 90123-06-002 was denied.

On February 12, 2019 Planning Commission held a public hearing on this matter and voted unanimously (6-0) to recommend the zoning request of NC-10, Neighborhood Conservation.

Mr. Jerry Dudley, Planning Director, reported this property has double-frontage on Pine Forest Drive as well. The applicant is seeking annexation for water/sewer connectivity; however, water/sewer services



FLORENCE CITY COUNCIL
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are not available on Nob Hill Drive, but the applicant does have connectivity at the rear of the property off of Pine Forest Drive. Mr. Dudley pointed out that there is another property located on Nob Hill Drive in the city limits, also with double frontage, that was annexed in 1980. Since then, the city's annexation policy has changed to include an economic feasibility analysis with regard to providing water, sewer and other city services. In this case, the Fire Department found there was not a fire hydrant available to serve Nob Hill Drive for fire protection. According to the economic feasibility analysis, the cost to extend water lines and provide fire protection on Nob Hill Drive is approximately \$111,000. The potential revenues received for water extension and fire protection over the next twenty years from the properties located on Nob Hill Drive would be approximately \$30,000. In order to be economically feasible, an additional \$81,000 would be required for this project.

Mayor Wukela stated the concern in allowing annexation for these properties is that fire protection will need to be provided by extending the water service line, which is an expensive endeavor. The property owner will still be able to access water and sewer from the rear of the property, regardless of annexation into the city.

Mayor Wukela made a motion to decline the request for annexation due to water and sewer connectivity being available from the rear of the property and providing fire protection being cost prohibitive. Councilman Willis seconded the motion.

Council voted unanimously to decline Bill No. 2019-06.

BILL NO. 2019-07 – FIRST READING
AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TO ALLOW ASSISTED LIVING/CONGREGATE CARE FACILITIES AND NURSING HOMES AS A CONDITIONAL USE IN THE CG-COMMERCIAL GENERAL ZONING DISTRICT.

An Ordinance to amend the Unified Development Ordinance to allow Assisted Living/Congregate Care Facilities and Nursing Homes as a Conditional Use in the CG-Commercial General zoning district was passed on first reading.

Councilwoman Moore made a motion to pass Bill No. 2019-07 and Councilman Willis seconded the motion.

Mr. Dudley reported the Unified Development Ordinance currently only allows assisted living/congregate care facilities and nursing homes in Residential General and Residential Urban zoning designations. Staff recommends an amendment to the Unified Development Ordinance to allow these facilities in the Commercial General zoning district as a Conditional Use based on their character, where they were allowed in the old zoning code, where they currently exist in the city (prior to the adoption of the Unified Development Ordinance) and where they are allowed in other municipalities throughout the state. The Conditional Use standards that will apply are the site is to be a minimum of three acres, primary access to the site is from a collector or arterial street and buffer requirements are in place when in proximity to residential districts.

Mr. Dudley stated Planning Commission will hear this text amendment request at their March 12, 2019 meeting and their recommendation will be brought back to Council for second reading.



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Councilman Willis noted the importance of this text amendment, as it is not only affects economic development opportunities, but also affects the standard of living and quality of life for Senior Citizens.

Council voted unanimously to pass Bill No. 2019-07.

BILL NO. 2019-08 – FIRST READING

AN ORDINANCE TO REZONE THE PROPERTY LOCATED AT 451 WEST LUCAS STREET AND SPECIFICALLY IDENTIFIED AS FLORENCE COUNTY TAX MAP NUMBER 90071-01-001, FROM IH-HEAVY INDUSTRIAL TO CG-COMMERCIAL GENERAL.

An Ordinance to rezone the property located at 451 West Lucas Street and specifically identified as Florence County Tax Map Number 90071-01-001, from IH-Heavy Industrial to CG-Commercial General was passed on first reading.

Councilman Jebaily made a motion to pass Bill No. 2019-08 and Councilman Willis seconded the motion.

Mr. Dudley reported Planning Commission initially approved the zoning request of IH-Heavy Industrial to RG-Residential General in order to accommodate the development of an assisted living facility. Subsequent to this request, staff proposed an amendment to the Unified Development Ordinance to allow assisted living facilities in the CG-Commercial General zoning district. City staff recommends that the property be rezoned CG-Commercial General contingent on the amendment of the Unified Development Ordinance to allow assisted living facilities and nursing homes as a conditional use within the district. Planning Commission will hear this request at their April 9, 2019 meeting and their recommendation will be brought back to Council prior to second reading.

Council voted unanimously to pass Bill No. 2019-08.

INTRODUCTION OF RESOLUTIONS:

RESOLUTION NO. 2019 – 06

A RESOLUTION TO UPHOLD AND RECOGNIZE THE EXTRAORDINARY CONTRIBUTIONS OF THE PROFESSION OF SOCIAL WORK WITHIN HOPEHEALTH, INC.'S FEDERALLY QUALIFIED HEALTH CENTER AND THE COMMUNITY.

A Resolution to uphold and recognize the extraordinary contributions of the profession of social work within HopeHealth, Inc.'s Federally Qualified Health Center and the community was adopted by Council.

Councilwoman Moore made a motion to adopt Resolution No. 2019-06 and Councilman Jebaily seconded the motion. Council voted unanimously to adopt Resolution No. 2019-06.

RESOLUTION NO. 2019-07

A RESOLUTION DESIGNATING APRIL AS FAIR HOUSING MONTH.

A Resolution to designate April as Fair Housing Month was adopted by Council.

Councilwoman Moore made a motion to adopt Resolution No. 2019-07 and Councilwoman Ervin seconded the motion. Council voted to unanimously adopt Resolution No. 2019-07.



RESOLUTION NO. 2019 – 08
A RESOLUTION AND CONDITIONAL GRANT AGREEMENT TO PROVIDE AN INCENTIVE FOR THE DEVELOPMENT OF NEW HOUSING WITHIN THE OLD CARVER STATION SUBDIVISION PROJECT AS PART OF THE ONGOING NEIGHBORHOOD REDEVELOPMENT PROJECT.

This Resolution will be discussed in Executive Session.

REPORT TO COUNCIL

Mr. Thomas Chandler, Finance Director, reported that the City of Florence currently contracts for its annual auditing services through a request for proposals process. The City's fiscal year ending June 30, 2018 marked the end of the current five year contract for the auditing services with Burch, Oxner, Seale Co, CPA's PA. On January 11, 2019 proposals were requested by the City from certified accounting firms for independent audits for the city's financial statements for fiscal years ending June 30, 2019 through June 30, 2023. Advertisements were run in a variety of media soliciting proposals. On February 5, 2019, the City received and opened three proposals. An Audit Evaluation Committee of 5 members, represented by individuals from City staff and a member of City Council, met on February 7 and February 21, 2019 to review and discuss the proposals. A recommendation was made by the Audit Evaluation Committee that City Council award the five year contract for auditing services for fiscal years ending June 30, 2019 through June 30, 2023 to Burch, Oxner, Seale Co, CPA's PA.

Based on the selection criteria used to determine which of the three firms would be awarded the five year contract, Mayor Pro tem Brand made a motion to recommend the five year contract be award to Burch, Oxner, Seale Co, CPA's PA. Councilman Willis seconded the motion, which carried unanimously.

EXECUTIVE SESSION

Mayor Wukela said the following items will be discussed in Executive Session:

- To receive information related to an economic development incentive associated with the City's Neighborhood Redevelopment project.
- To receive legal advice incident to matters relating to a proposed Economic Development Project [30-4-70(a)(5)].
- To receive legal advice incident to proposed contractual arrangements [30-4-70(a)(2)].

Councilman Willis made a motion to enter into executive session and Councilwoman Moore seconded the motion. The motion carried unanimously.

Council entered into executive session at 1:44p.m.

Mayor Wukela reconvened the regular meeting at 3:18p.m.



COUNCIL TOOK ACTION ON THE FOLLOWING ITEM:

RESOLUTION 2019-08

A RESOLUTION AND CONDITIONAL GRANT AGREEMENT TO PROVIDE AN INCENTIVE FOR THE DEVELOPMENT OF NEW HOUSING WITHIN THE OLD CARVER STATION SUBDIVISION PROJECT AS PART OF THE ONGOING NEIGHBORHOOD REDEVELOPMENT PROJECT.

The only item that requires action is Resolution 2019-08. A Resolution and Conditional Grant and Development Agreement to provide an incentive for the development of new housing within the Old Carver Station subdivision project as part of the ongoing Neighborhood Redevelopment project was adopted by Council.

Councilwoman Ervin made a motion to adopt Resolution No. 2019-08 and Councilwoman Moore seconded the motion.

Mayor Wukela commended city staff, members of Council and the Neighborhood Redevelopment Committee, as this marks the first Conditional Grant on private investment in Neighborhood Redevelopment.

Councilwoman Ervin also commended city staff, the City Manager and the Community Services Department for their commitment and support to Neighborhood Redevelopment.

The motion to adopt Resolution 2019-08 was unanimous.

ADJOURN

Councilman Willis made a motion to adjourn the regular Council meeting and Councilwoman Ervin seconded the motion. Without objection, the meeting was adjourned at 3:23 p.m.

Dated this 8th day of April, 2019.

Amanda P. Pope, Municipal Clerk

Stephen J. Wukela, Mayor

FLORENCE CITY COUNCIL MEETING

DATE: March 11, 2019

AGENDA ITEM: Ordinance to amend the *City of Florence Unified Development Ordinance Table 1-2.7.3.*

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Proposed text amendment to the *City of Florence Unified Development Ordinance Table 1-2.7.3* to allow Assisted Living/Congregate Care Facilities and Nursing Homes as a Conditional Use in the CG Commercial General zoning district.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) On March 12, 2019 the Planning Commission will hold a public hearing on the proposal to amend the text.

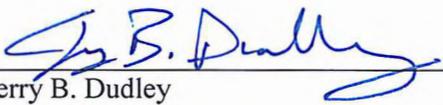
III. POINTS TO CONSIDER:

- (1) The text amendment has been prepared by the Planning, Research and Development Department in an effort to clarify the intent of the ordinance.
- (2) The amendments to Table 1-2.7.3 allows Assisted Living/Congregate Care Facilities and Nursing Homes as a Conditional Use in the CG-Commercial General zoning district.
- (3) Currently, the Ordinance only allows Assisted Living/Congregate Care Facilities and Nursing Homes as a Conditional Use in the RG-Genera Residential and RU-Urban Residential districts.
- (4) City staff recommends that the proposed text amendments be approved to address the need to allow Assisted Living/Congregate Care Facilities and Nursing Homes as a Conditional Use in the CG Commercial General district. These uses would benefit from adjacent amenities provided by a commercially developed area and would not adversely affect the character of the General Commercial District.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Proposed amendment
- (2) Ordinance



Jerry B. Dudley
Planning Director



Andrew H. Griffin
City Manager

Attachment 1: Proposed Amended Table 1-2.7.3 (addition of “C” to note the uses as conditional).

Table 1-2.7.3 Institutional, Recreation, and Amusement Uses																
Land Uses	Zoning Districts															
	Residential					Business Commercial			Mixed- Use			Industrial		Agriculture & Open Space		
	RE	RS	RG	RU	NC	CR	CA	CG	CBD	AC	DS	IL	IH	OSR	AR	
Institutional Uses																
Assisted Living / Congregate Care Facilities	-	-	C	C	-	-	-	C	C	-	-	-	-	-	-	-
Nursing Homes	-	-	C	C	-	-	-	C	-	-	-	-	-	-	-	-
Hospital / Walk-In Clinic / Birthing Center / Surgical Facility	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-
College / University / Vo-Tech	-	-	-	-	-	C	P	P	P	P	P	P	-	-	C	
Public Assembly (places of worship; preschools; elementary, middle, and high schools; libraries; community centers; child or adult day care)	C	C	C	C	C	C	P	P	P	P	P	-	-	-	P	
Private Club	C	C	C	C	C	P	P	P	P	C	P	-	-	-	-	
Post Office	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	
Police or Fire Station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Prison/ Protective Custody	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	
Recreation and Amusement Uses																
Indoor Commercial Amusement	-	-	-	-	-	-	P	P	SE	P	P	P	-	-	-	
Indoor Recreation/ Personal Fitness	SE	SE	SE	SE	-	-	-	-	P	P	P	P	-	-	-	
Outdoor Commercial Amusement (amphitheaters, arenas, outdoor performing facilities)	-	-	-	-	-	-	-	SE	SE	SE	SE	SE	-	SE	-	
Outdoor Recreation	P	P	P	P	P	P	P	P	P	P	P	-	-	P	P	
Outdoor Shooting or Archery Range	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	
Recreational Vehicle Parks and Camps	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	SE	
Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	CB	-	-	-	
RE (Estate Residential), RS (Suburban Residential), RG (General Residential), RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Re-use), CA (Campus), CG (Commercial General), CBD (Central Business District), AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH (Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional Use), SE (Permitted Special Exception Use), - (Prohibited Use), B (subscript, Special site and Building Development Standards)																

Existing Conditional Use Standards (Section 1-2.8.3):

A. Assisted Living / Congregate Care Facilities are permitted if it is demonstrated that:

1. The use will be operated in accordance with all applicable laws and, if a state permit is required, such permit shall be obtained prior to beginning operation;
2. The site is a minimum of three acres ;
3. Primary access to the site is from a collector or arterial street;
4. The site has a minimum landscape surface area of 20 percent;

5. The use is not located closer than 100 feet to the boundaries of the Neighborhood Conservation (NC) districts;
6. If the gross floor area of the facility is more than 5,000 square feet, the use is separated from residential district or use by a Type B bufferyard; and
7. In the RU district, the site is a minimum of one-half acre.

E. Nursing Homes are permitted if it is demonstrated that:

1. The use will be operated in accordance with all applicable laws and, if a state permit is required, such permit shall be obtained prior to beginning operation;
2. The site is a minimum of three acres;
3. Primary access to the site is from a collector or arterial street;
4. The site has a minimum landscape surface area of 20 percent;
5. The use is not located closer than 100 feet to the boundaries of the Neighborhood Conservation (NC) districts;
6. If the gross floor area of the facility is more than 5,000 square feet, the use is separated from all residential districts or uses by a Type B bufferyard;

Definitions (Section 7-25.2):

Assisted Living Facility means a residential facility that makes available to three or more adults room and board and at least the following services: Personal services; protective oversight; social care due to impaired capacity to live independently; and regular supervision that is available on a twenty-four-hour basis, but not to the extent that regular twenty-four-hour medical or nursing care is required. This phrase does not include any facility licensed in this state as a residential care facility.

Nursing Home means a residential facility that is maintained primarily for the care and treatment of inpatients under the direction of a physician. The patients in such a facility require supportive, therapeutic, or compensating services and the availability of a licensed nurse for observation or treatment on a twenty-four-hour basis. Nursing care may include but is not limited to terminal care; extensive assistance or therapy in the activities of daily living; continual direction, supervision, or therapy; extensive assistance or therapy for loss of mobility; nursing assessment and services which involve assessment of the total needs of the patient, planning of patient care, and observing, monitoring, and recording the patient's response to treatment; and monitoring, observing, and evaluating the drug regimen. "Nursing home" includes intermediate nursing facilities for the mentally retarded or developmentally disabled.

ORDINANCE NO. 2019-_____

**AN ORDINANCE TO AMEND THE CITY OF FLORENCE UNIFIED DEVELOPMENT ORDINANCE
TABLE 1-2.7.3:**

WHEREAS, a Public Hearing is scheduled in City Council Chambers on March 12, 2019 at 6:00 P.M. before the City of Florence Planning Commission;

WHEREAS, the amendments contained herein will set zoning districts for land uses associated with assisted living/congregate care facilities and nursing homes;

THEREFORE, Table 1-2.7.3 of the City of Florence Unified Development Ordinance, shall read as follows:

Table 1-2.7.3 Institutional, Recreation, and Amusement Uses																
Land Uses	Zoning Districts															
	Residential					Business Commercial			Mixed- Use			Industrial		Agriculture & Open Space		
	RE	RS	RG	RU	NC	CR	CA	CG	CBD	AC	DS	IL	IH	OSR	AR	
Institutional Uses																
Assisted Living / Congregate Care Facilities	-	-	C	C	-	-	-	C	C	-	-	-	-	-	-	
Nursing Homes	-	-	C	C	-	-	-	C	-	-	-	-	-	-	-	
Hospital / Walk-In Clinic / Birthing Center / Surgical Facility	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	
College / University / Vo-Tech	-	-	-	-	-	C	P	P	P	P	P	P	-	-	C	
Public Assembly (places of worship; preschools; elementary, middle, and high schools; libraries; community centers; child or adult day care)	C	C	C	C	C	C	P	P	P	P	P	-	-	-	P	
Private Club	C	C	C	C	C	P	P	P	P	C	P	-	-	-	-	
Post Office	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	
Police or Fire Station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Prison/ Protective Custody	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	
Recreation and Amusement Uses																
Indoor Commercial Amusement	-	-	-	-	-	-	P	P	SE	P	P	P	-	-	-	
Indoor Recreation/ Personal Fitness	SE	SE	SE	SE	-	-	-	-	P	P	P	P	-	-	-	
Outdoor Commercial Amusement (amphitheaters, arenas, outdoor performing facilities)	-	-	-	-	-	-	-	SE	SE	SE	SE	SE	-	SE	-	
Outdoor Recreation	P	P	P	P	P	P	P	P	P	P	P	-	-	P	P	
Outdoor Shooting or Archery Range	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	
Recreational Vehicle Parks and Camps	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	SE	
Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	Cb	-	-	-	

RE (Estate Residential), RS (Suburban Residential), RG (General Residential), RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Re-use), CA (Campus), CG (Commercial General), CBD (Central Business District), AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH (Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional Use), SE (Permitted Special Exception Use), - (Prohibited Use), B (subscript, Special site and Building Development Standards)

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 Unified Development Ordinance as shown above.
2. That this Ordinance shall become effective immediately.

ADOPTED THIS _____ DAY OF _____, 2019

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: March 11, 2019

AGENDA ITEM: An Ordinance to rezone from IH to CG property located at 451 West Lucas Street, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 90071-01-001.

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

I. ISSUE UNDER CONSIDERATION:

Request to rezone the property located at 451 West Lucas Street, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 90071-01-001. The request is being made by the property owner, the City of Florence.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On February 12, 2019, The Planning Commission held a public hearing on this matter and voted 5 to 0 to approve the rezoning request from IH Heavy Industrial District, to RG Residential General District, in order to accommodate the development of an assisted living facility. On April 9, 2019, the Planning Commission will reconsider the request based on the proposal to amend the *Unified Development Ordinance* to allow assisted living facilities in the CG Commercial General District.

III. POINTS TO CONSIDER:

- (1) This request is being considered for first reading. Second reading will occur subsequent to Planning Commission taking action on the matter.
- (2) The property is currently zoned IH Heavy Industrial and is vacant. It is the site of the former Young's Pecan facility.
- (3) Initially, the proposed zoning district was RG Residential General. This designation is one of only two which currently permits assisted living facilities.
- (4) Subsequent to this request, staff has proposed an amendment the *Unified Development Ordinance* to allow assisted living facilities and nursing homes as a Conditional Use in the CG Commercial General District on March 11, 2019.
- (5) City staff recommends that the property be rezoned to the CG Commercial General contingent amendment of the *Unified Development Ordinance* to allow assisted living facilities and nursing homes as a conditional within the district. As the Lucas Street corridor redevelops, it should be characterized by commercial, institutional, and light industrial development. Such uses and amenities will complement the proposed development for this site.

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.PERSONAL NOTES:

VI. ATTACHMENTS:

- (1) Ordinance
- (2) Location
- (3) Zoning Map
- (4) Future Land Use Map



Jerry B. Dudley
Planning Director



Andrew H. Griffin
City Manager

ORDINANCE NO. 2019-_____

AN ORDINANCE TO REZONE PROPERTY IDENTIFIED AS TAX MAP NUMBER 90071-01-001 LOCATED AT 451 WEST LUCAS STREET FROM IH HEAVY INDUSTRIAL DISTRICT TO CG COMMERCIAL GENERAL DISTRICT:

WHEREAS, a Public Hearing is scheduled in the City Center Council Chambers on April 9, 2019 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing will be duly given;

WHEREAS, the City of Florence will make application to rezone the property identified as Tax Map Number 90071-01-001, from IH Heavy Industrial District to CG Commercial General District;

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

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

1. That an Ordinance is hereby adopted by amending the Zoning Atlas of the City of Florence for the aforesaid property to CG Commercial General District;
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.

ADOPTED THIS _____ DAY OF _____, 2018

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Dianne M. Rowan
Municipal Clerk

PC 2019-03
Location Map - 451 West Lucas Street



- Legend**
- City Limits
 - Parcels

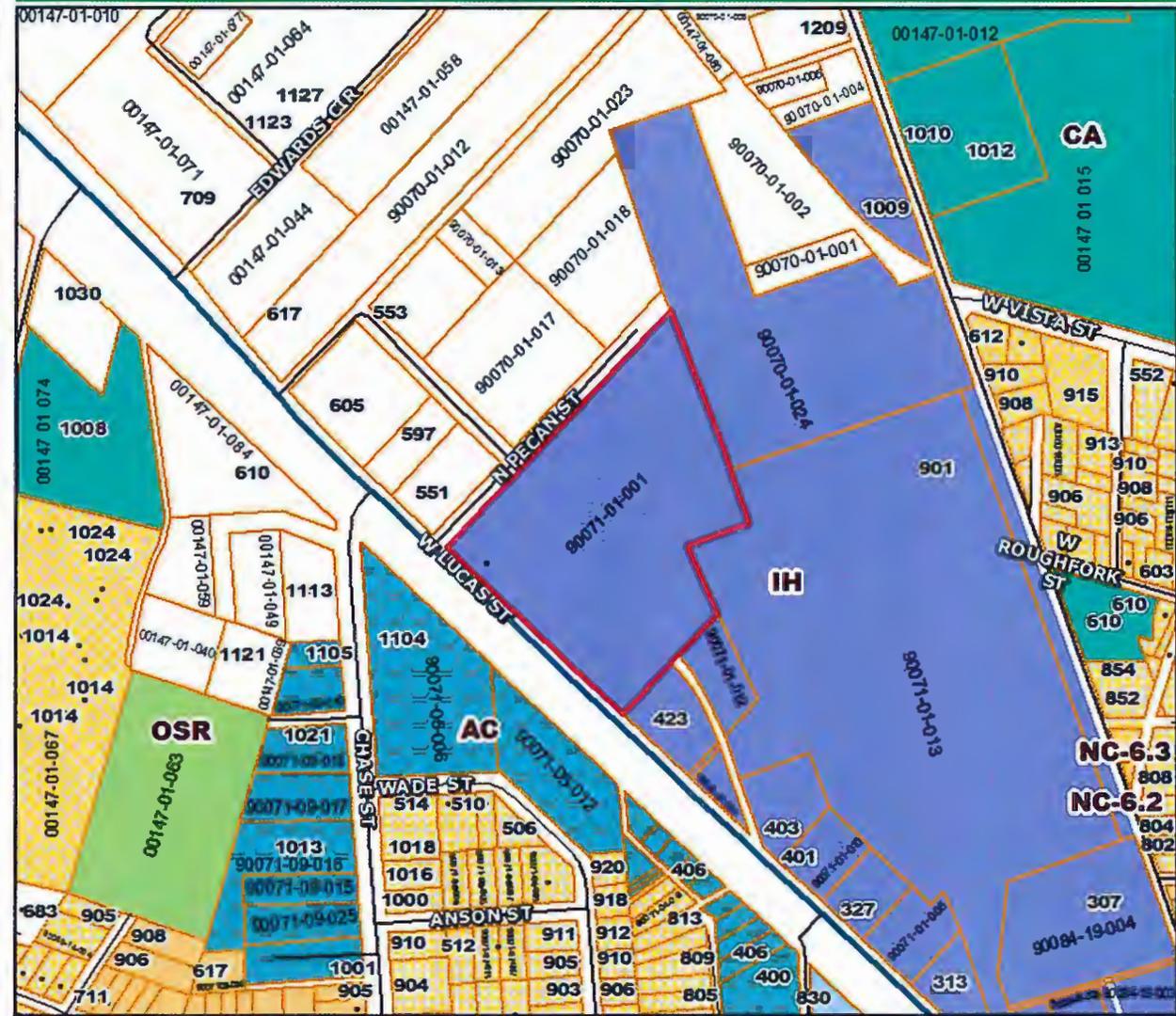
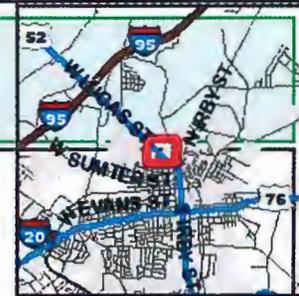


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PC 2019-03

Current Zoning Map - 451 W. Lucas St.



- Legend**
- Parcel
 - Zoning District
 - Agreement or Special Use District
 - AR
 - OSR
 - Neighborhood Districts
 - RG
 - RS
 - RO
 - RO-2
 - RU
 - PD
 - Neighborhood Conservation Sub-Districts
 - NC-3
 - NC-4
 - NC-6.1
 - NC-6.2
 - NC-6.3
 - NC-4
 - Business and Commercial Districts
 - CB
 - CA
 - CC
 - Neighborhood Districts
 - CB
 - AC
 - DS
 - Industrial Zoning Districts
 - I
 - IH
 - Unzoned Area
 - UZ

FULL LIFE. FULL FORWARD.

FLORENCE

SOUTH CAROLINA

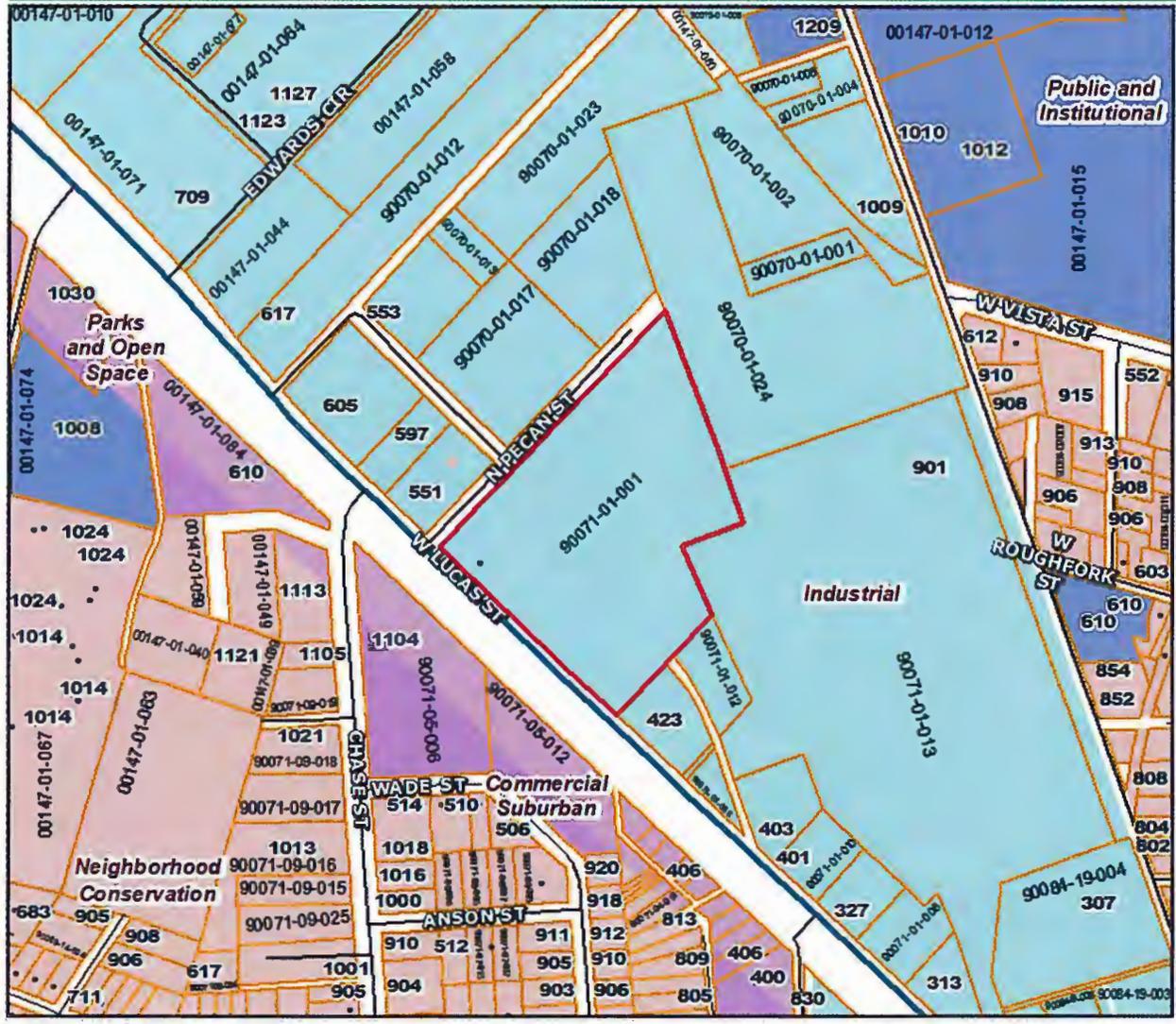
DISCLAIMER:
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Date: 1/25/2019

PC 2019-03

Future Land Use - 451 W. Lucas St.



- Legend**
- Parcels
 - Future Land Use 2019
 - Future Land Use
 - Auto-Urban Commercial
 - Business Parks
 - Central Business District
 - Industrial
 - Neighborhood Conservation
 - Parks and Open Space
 - Public and Institutional
 - Residential Auto-Urban
 - Residential Estate
 - Residential Sub-Urban
 - Residential Transition
 - Residential Urban
 - Rural
 - Sub-Urban Commercial



DISCLAIMER:
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Date: 1/25/2019

FLORENCE CITY COUNCIL MEETING

VII. a.
Bill No. 2019-09
First Reading

DATE: April 8, 2019
AGENDA ITEM: Ordinance
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

For City Council consideration is an ordinance to amend the FY 2018-19 City of Florence Budget.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

No previous action has been taken on this ordinance.

III. POINTS TO CONSIDER

A. The objective of the proposed ordinance is to amend the General Fund budget for FY 2018-19 to appropriate funding for the following projects and purchases not currently included in the FY 2018-19 budget:

1. acquisition of up to ten (10) new patrol vehicles in the Police Department;
2. replacement of a damaged traffic signal pole & mast arm on the corner of Irby & Evans Streets;
3. repairs to various City parks facilities due to Hurricane Florence damage;
4. acquisition of property located at 558 and 600 Spruce Street;
5. demolition of the building located downtown at 141 North Dargan Street;
6. demolition of buildings located at 434 and 442 West Evans Streets;
7. restriping of the Celebration Boulevard roadway; and
8. providing for the donation of a James Allen sculpture to be placed in the James Allen Plaza.

B. Additionally, the Water and Sewer Enterprise Fund budget is being amended to cover the expenses for contracted meter reading services this fiscal year not currently included in the original FY 2018-19 budget.

IV. STAFF RECOMMENDATION

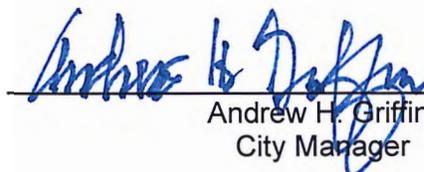
Approve and adopt the proposed ordinance.

V. ATTACHMENTS

A copy of the proposed ordinance is attached.



Thomas W. Chandler
Finance Director



Andrew H. Griffin
City Manager

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019

BE IT ORDAINED by the City Council of the City of Florence, South Carolina, in a meeting duly assembled, that the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2018 and ending June 30, 2019, is hereby amended as follows:

Section 1. That the budgeted revenues of the General Fund are hereby amended by the following additional appropriations:

- 100325-430000 Miscellaneous Revenues is increased in the amount of \$35,600 to provide for funding from donations for the acquisition of a sculpture of James Allen to be placed in the James Allen Plaza on Dargan Street.
- 100375-425040 Insurance Reimbursements is increased in the amount of \$76,600 to provide for insurance reimbursement funding for the replacement of a damaged traffic signal pole and mast arm on the corner of Irby and Evans Streets (\$40,000) and for insurance reimbursement funding for the repairs to various City parks facilities due to Hurricane Florence Damage (36,600).
- 100375-435010 From Unappropriated Reserve is increased in the amount of \$870,000 from unassigned fund balance for projects and purchases which are not currently included in FY 2018-19 budget.

Section 2. That the budgeted expenditures of the General Fund are hereby amended by the following additional appropriations:

- 10042100-580040 Auto Equipment (Police) is increased in the amount of \$390,000 to provide for the acquisition of up to ten (10) new police patrol vehicles in the Police Department.
- 10043024-534100 Northwest Park Maintenance (Recreation Services/Sports Tourism) is increased in the amount of \$13,900 for repairs to damages at the Northwest Park Community Center caused by Hurricane Florence.
- 10043024-534900 Other Facility Maintenance (Recreation Services/Sports Tourism) is increased in the amount of \$21,700 for repairs to damages caused by Hurricane Florence as follows: McLeod Picnic Shelter (\$16,600); McLeod Dixie Youth Press Box Roof (\$1,200); and Northside Park Restroom Roof (\$3,900).
- 10043025-534030 Tennis Facility Maintenance (Athletics) is increased in the amount of \$1,000 for repairs to damages at the tennis facility caused by Hurricane Florence.
- 10049300-594080 Special Projects (Non-Departmental) is increased in the amount of \$40,000 to provide for the replacement of a damaged traffic signal pole and mast arm on the corner of Irby

FY 2018-2019 Budget Amendment Ordinance (continued)

and Evans Streets which will be funded by an insurance reimbursement.

- 10049300-594160 Property Acquisition (Non-Departmental) is increased in the amount of \$455,000 to provide for the acquisition of property located at 558 and 600 Spruce Street (\$360,000); demolition of the building located downtown at 141 North Dargan Street (\$80,000); and demolition of buildings located at 434 and 442 West Evans Street (\$15,000)..
- 10049300-594200 Celebration Boulevard Restriping (Non-Departmental) is budgeted in the amount of \$25,000 to provide for restriping of the Celebration Boulevard roadway.
- 10049300-598040 Downtown Improvements (Non-Departmental) is increased in the amount of \$35,600 to provide for a James Allen sculpture to be placed in the James Allen Plaza, being funded by donations to the City for this project.

Section 3. That the budgeted revenues of the Water and Sewer Utilities Enterprise Fund are hereby amended by the following additional appropriations:

- 200375-435010 From Unappropriated Reserve is increased in the amount of \$600,000 from unrestricted Water and Sewer Utilities Enterprise funds to provide funding for the costs related to contracted meter reading services this fiscal year not currently included in the original FY 2018-19 budget.

Section 4. That the budgeted expenditures of the Water and Sewer Utilities Enterprise Fund are hereby amended by the following additional appropriations:

- 20041506-531000 Professional Services (Utility Finance) is budgeted in the amount of \$600,000 to cover the expenses for contracted meter reading services this fiscal year not currently included in the original FY 2018-19 budget.

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

ADOPTED THIS _____ DAY OF _____, 2019.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Amanda P. Pope
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: April 8, 2019

AGENDA ITEM: Ordinance to annex and zone property owned by Danielle Hicks located at 2715 Nob Hill Drive, TMN 90123-06-002

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 2715 Nob Hill Drive, namely Tax Map Number 90123-06-002, into the City of Florence and zone it NC-10. The request is being made by the property owner, Danielle Hicks.

II. CURRENT STATUS AND PREVIOUS ACTION TAKEN:

- (1) On February 12, 2019, the City of Florence Planning Commission held a public hearing on this matter.
- (2) The Planning Commission voted 6-0 to recommend the zoning request of Neighborhood Conservation-10 (NC-10), pending annexation approval.
- (3) On March 11, 2019 City Council voted not to annex the property based upon an economic feasibility study to provide a water extension for fire protection. Subsequent to this action, the City has identified an existing fire hydrant within the appropriate distance to provide fire protection. The applicant has asked for a motion to reconsider the request to annex.

III. POINTS TO CONSIDER:

- (1) The property is currently zoned R-2 in the County, which is a residential use.
- (2) The proposed zoning, pending annexation, is Neighborhood Conservation-10 District. The primary use permitted under the proposed zoning is single-family residential characterized by medium sized lots.
- (3) The lot is currently the site of a single-family dwelling and meets the dimensional requirements of the NC-10 zoning district per the City of Florence *Unified Development Ordinance*.
- (4) City water and sewer service is not currently available on Nob Hill Drive; however, because the lot in question has double frontage, the applicant is able to tap onto water and sewer service from the rear of the property via Pine Forest Drive. A fire hydrant is available within the required distance to properly provide fire protection for this property.
- (5) City staff recommends the annexation and concurs with the Planning Commission's recommendation to zone the parcels Neighborhood Conservation-10 (NC-10) as requested. This recommendation is based on the current use and the character of the neighborhood.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- A. Ordinance
- B. Vicinity Map of Proposed Annexation
- C. Location Map of Proposed Annexation
- D. Petition for Annexation Forms



Jerry B. Dudley
Planning Director



Andrew H. Griffin
City Manager

ORDINANCE NO. 2019 _____

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY DANIELLE HICKS; TMN 90123-06-002.

WHEREAS, a Public Hearing was held in the Council Chambers on February 12, 2019 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, application by Danielle Hicks, owner of TMN 90123-06-002 to be zoned NC-10 was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated into 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 add the zoning district classification of Neighborhood Conservation-10 Zoning District;

The property requesting annexation is shown more specifically on Florence County Tax Map 90123, block 06, parcel 002 (0.344406 acres).

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

EXECUTED ON ONE (1) ADDITIONAL PAGE

Ordinance No. 2019 - _____
Page 2

ADOPTED THIS _____ DAY OF _____, 2019

Approved as to form:

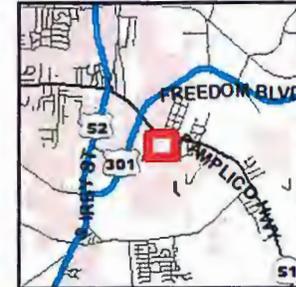
James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Amanda P. Pope
Municipal Clerk

PC 2019-02 Vicinity Map - 2715 Nob Hill Drive



Legend

- City Limits
- Parcels



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Date: 1/15/2019

PC 2019-02
Location Map - 2715 Nob Hill Drive



- Legend**
-  City Limits
 -  Parcels



DISCLAIMER:
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Date: 1/25/2019

Attachment D: Petition for Annexation Form

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 90123-06-002

3. Annexation is being sought for the following purposes: City water + sewer

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	<u>1</u>
Race	<u>White</u>
Total 18 and Over	<u>1</u>
Total Registered to Vote	<u>1</u>

Date 12/18/18

Darius D. Thomas
Petitioner

Date _____

Petitioner

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date 12/19/18	<u>RT</u>

FLORENCE CITY COUNCIL MEETING

DATE: April 8, 2019

AGENDA ITEM: Ordinance to amend the *City of Florence Unified Development Ordinance* Tables 1-2.7.2 a and b, and Sections 1-2.8.2 and 7-25.2.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Proposed text amendment to the *City of Florence Unified Development Ordinance* Tables 1-2.7.2 a and b, and Sections 1-2.8.2 and 7-25.2 to provide land use regulations for short term rentals.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) On December 11, 2018 the Planning Commission held a public hearing on this matter and voted unanimously, 6-0, to recommend the text amendment.

III. POINTS TO CONSIDER:

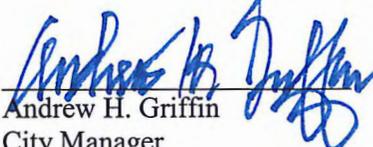
- (1) The text amendments have been prepared by the Planning, Research and Development Department in an effort to clarify the intent of the ordinance and reduce the potential for conflict between uses within the City.
- (2) The amendments to Tables 1-2.7.2 a and b and Sections 1-2.8.4 and 7-25.2 provide land use regulations for short term rentals within the City of Florence as well as define short term rentals for the purposes of the Ordinance.
- (3) City staff recommends that the proposed text amendments be approved to address the regulation of short term rentals in a manner consistent with the stated purpose of the Unified Development Ordinance.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- A. Proposed amendments to the *City of Florence Unified Development Ordinance*
- B. Ordinance


Jerry B. Dudley
Planning Director


Andrew H. Griffin
City Manager

Attachment A: Proposed amendment to the City of Florence Unified Development Ordinance (additions are in red).

Table 1-2.7.2-a Residential and Commercial Uses of the Home															
Land Use	Zoning Districts														
	Residential					Business Commercial			Mixed-Use			Industrial		Agricultural & Open Space	
	RE	RS	RG	R	NC	CR	CA	CG	CB	AC	DS	IL	IH	OSR	AR
Residential Uses															
Single Family Detached	P	P	P	P	³	P	-	-	-	-	-	-	-	-	P
Lot Line Home	-	C	C	C	³	-	-	-	-	-	-	-	-	-	-
Patio Home ²	-	C	C	C	³	-	-	-	-	-	-	-	-	-	-
Townhome	-	PB	PB	P	³	-	-	PB	P	PB	-	-	-	-	-
Cottage	-	C	C	-	³	-	-	-	-	-	-	-	-	-	-
Duplex	-	-	PB	P	³	-	-	-	-	-	-	-	-	-	-
Manufactured Home ^{1,2}	-	-	-	-	³	-	-	-	-	-	-	-	-	-	-
Multiplex (triplex or quadraplex)	-	-	PB	P B	³	PB	-	-	P B	-	PB	-	-	-	-
Multifamily ²	-	-	C	C	³	-	-	C	C	C	C	-	-	-	-
Live - Work Units	-	-	-	-	³	C	-	-	P	C	P	C	-	-	-
Residential Neighborhoods															
Single Family Cluster	P	P	P	-	³	-	-	-	-	-	-	-	-	-	P
Mixed Housing Cluster	-	P	P	P	³	-	-	-	-	-	-	-	-	-	-
Manufactured Home Park or	-	-	-	-	³	-	-	-	-	-	-	-	-	-	-
Commercial Use of the Home															
Bed and Breakfast Inn	C	C	-	-	³	C	-	-	C	C	C	-	-	-	C
Child Care Services	C	C	C	-	³	C	-	-	-	-	-	-	-	-	-
Group Home	C	C	C	-	³	C	-	-	-	-	-	-	-	-	-
Home Occupation	C	C	C	C	³	C	-	-	C	C	-	-	-	-	-
Short Term Rental	C	C	C	C	³	P	P	P	P	P	P	-	-	-	-
TABLE NOTES:															
¹ Permitted only in a manufactured home park or manufactured home subdivision.															
² Refer to Appendix A, Best Building and Site Design Practices. (Preferred but not required).															
RE (Estate Residential), RS (Suburban Residential), RG (General Residential), RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Re-use), CA (Campus), CG (Commercial General), CBD (Central Business District), AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH (Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional Use), SE (Permitted Special Exception Use), – (Prohibited Use), B (subscript, Special site and Building Development Standards)															
³ Refer to Table 1-2.7.2-b for Neighborhood Conservation Residential Uses of the Home															

**Table 1-2.7.2-b
Neighborhood Conservation Residential Uses of the Home**

Land Use	Zoning Districts					
	Residential					
	NC-15	NC-10	NC-6.1	NC-	NC-6.3	NC-4
Residential Uses						
Single Family Detached	P	P	P	P	P	P
Lot Line Home	-	-	-	C	C	-
Patio Home ²	-	-	-	C	C	-
Townhome	-	-	-	-	PB	-
Cottage	-	-	-	-	-	-
Duplex	-	-	-	PB	PB	PB
Manufactured Home ^{1,2}	-	-	-	-	-	-
Multiplex (triplex or quadriplex)	-	-	-	-	PB	-
Multifamily ²	-	-	-	-	C	-
Live - Work Units	-	-	-	-	-	-
Residential Neighborhoods						
Single Family Cluster	-	-	-	-	-	-
Mixed Housing Cluster	-	-	-	-	-	-
Manufactured Home Park or	-	-	-	-	-	-
Commercial Use of the Home						
Bed and Breakfast Inn	-	-	C	C	C	-
Child Care Services	C	C	C	C	C	C
Group Home	-	-	-	-	C	-
Home Occupation	C	C	C	C	C	C
Short Term Rental	C	C	C	C	C	C

TABLE NOTES:

¹Permitted only in a manufactured home park or manufactured home subdivision.

²Refer to Appendix A, Best Building and Site Design Practices. (Preferred but not required).

RE (Estate Residential), RS (Suburban Residential), RG (General Residential), RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Re-use), CA (Campus), CG (Commercial General), CBD (Central Business District), AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH (Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional Use), SE (Permitted Special Exception Use), – (Prohibited Use), B (subscript, Special site and Building Development Standards)

Sec. 1-2.8.2 Residential and Commercial Use of the Home Standards

The standards of this Section apply to residential and commercial uses of the home that are specified in Table 1-2.7.2, Residential and Commercial Uses of the Home as conditional (C) or permitted special exception (SE).

F. Short Term Rentals are permitted if it is demonstrated that:

1. Zoning districts: RE, RS, RG, RU, NC
 - a. The owner is a full-time resident of the property and must be present during the lodgers' entire stay on the property.
 - b. The homeowner may rent out no more than 2 bedrooms as short term rentals in the primary residence.
 - c. A motor vehicle may not park in the front yard or side yard of a residential property, except in a driveway or on an improved surface such as concrete, asphalt, pavers, brick, or other material as approved by the Planning Director. The total area designated for parking shall not exceed 25% of the front and/or side yard area. There shall be no parking of motor vehicles on grass or the street.
 - d. No exterior signage is permitted.
 - e. No activities other than lodging shall be allowed as part of a short term rental (e.g. weddings, parties, conferences).
 - f. The Noise and Vibration provisions of this Ordinance, Section 4.11.2.1, as well as the City of Florence Code of Ordinances Sections 10-9, 10-10, and 10-11 shall apply to all permitted short term rentals.

Division 7-25.2 Definitions

Short Term Rentals means a furnished residential unit that is rented out by the property owner for financial gain for a period of no more than 30 days.

ORDINANCE NO. 2019-_____

AN ORDINANCE TO AMEND THE CITY OF FLORENCE UNIFIED DEVELOPMENT ORDINANCE TABLES 1-2.7.2 A AND B AND SECTIONS 1-2.8.2 AND 7-25.2 TO ESTABLISH LAND USE REGULATIONS FOR SHORT TERM RENTALS

WHEREAS, a Public Hearing was held in City Council Chambers on December 11, 2018 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, the amendments contained herein will set forth conditions for land uses associated with short term rentals;

THEREFORE, Table 1-2.7.2a of the City of Florence Unified Development Ordinance, shall read as follows:

Table 1-2.7.2-a Residential and Commercial Uses of the Home																
Land Use	Zoning Districts															
	Residential					Business Commercial			Mixed- Use			Industrial		Agricultural & Open Space		
	RE	RS	RG	RU	NC ³	CR	CA	CG	CB	AC	DS	IL	IH	OS	AR	
Residential Uses																
Single Family Detached	P	P	P	P	³	P	-	-	-	-	-	-	-	-	-	P
Lot Line Home	-	C	C	C	³	-	-	-	-	-	-	-	-	-	-	-
Patio Home ²	-	C	C	C	³	-	-	-	-	-	-	-	-	-	-	-
Townhome	-	PB	PB	PB	³	-	-	PB	PB	PB	-	-	-	-	-	-
Cottage	-	C	C	-	³	-	-	-	-	-	-	-	-	-	-	-
Duplex	-	-	PB	PB	³	-	-	-	-	-	-	-	-	-	-	-
Manufactured Home ^{1,2}	-	-	-	-	³	-	-	-	-	-	-	-	-	-	-	-
Multiplex (triplex or quadraplex)	-	-	PB	PB	³	PB	-	-	PB	-	PB	-	-	-	-	-
Multifamily ²	-	-	C	C	³	-	-	C	C	C	C	-	-	-	-	-
Live - Work Units	-	-	-	-	³	C	-	-	P	C	P	C	-	-	-	-
Residential Neighborhoods																
Single Family Cluster	P	P	P	-	³	-	-	-	-	-	-	-	-	-	-	P
Mixed Housing Cluster	-	P	P	P	³	-	-	-	-	-	-	-	-	-	-	-
Manufactured Home Park or Subdivision	-	-	-	-	³	-	-	-	-	-	-	-	-	-	-	-
Commercial Use of the Home																
Bed and Breakfast Inn	C	C	-	-	³	C	-	-	C	C	C	-	-	-	-	C
Child Care Services	C	C	C	-	³	C	-	-	-	-	-	-	-	-	-	-
Group Home	C	C	C	-	³	C	-	-	-	-	-	-	-	-	-	-
Home Occupation	C	C	C	C	³	C	-	-	C	C	-	-	-	-	-	-
Short Term Rental	C	C	C	C	³	P	P	P	P	P	P	-	-	-	-	-
TABLE NOTES:																
¹ Permitted only in a manufactured home park or manufactured home subdivision.																
² Refer to Appendix A, Best Building and Site Design Practices. (Preferred but not required).																
RE (Estate Residential), RS (Suburban Residential), RG (General Residential), RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Re-use), CA (Campus), CG (Commercial General), CBD (Central Business District), AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH (Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional Use), SE (Permitted Special Exception Use), - (Prohibited Use), B (subscript, Special site and Building Development Standards)																
³ Refer to Table 1-2.7.2-b for Neighborhood Conservation Residential Uses of the Home																

THEREFORE, Table 1-2.7.2b of the City of Florence Unified Development Ordinance, shall read as follows:

Table 1-2.7.2-b Neighborhood Conservation Residential Uses of the Home						
Land Use	Zoning Districts					
	Residential					
	NC-15	NC-10	NC-6.1	NC-6.2	NC-6.3	NC-4
Residential Uses						
Single Family Detached	P	P	P	P	P	P
Lot Line Home	-	-	-	C	C	-
Patio Home ²	-	-	-	C	C	-
Townhome	-	-	-	-	PB	-
Cottage	-	-	-	-	-	-
Duplex	-	-	-	PB	PB	PB
Manufactured Home ^{1,2}	-	-	-	-	-	-
Multiplex (triplex or quadriplex)	-	-	-	-	PB	-
Multifamily ²	-	-	-	-	C	-
Live - Work Units	-	-	-	-	-	-
Residential Neighborhoods						
Single Family Cluster	-	-	-	-	-	-
Mixed Housing Cluster	-	-	-	-	-	-
Manufactured Home Park or Subdivision	-	-	-	-	-	-
Commercial Use of the Home						
Bed and Breakfast Inn	-	-	C	C	C	-
Child Care Services	C	C	C	C	C	C
Group Home	-	-	-	-	C	-
Home Occupation	C	C	C	C	C	C
Short Term Rental	C	C	C	C	C	C
TABLE NOTES:						
¹ Permitted only in a manufactured home park or manufactured home subdivision.						
² Refer to Appendix A, Best Building and Site Design Practices. (Preferred but not required).						
RE (Estate Residential), RS (Suburban Residential), RG (General Residential), RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Re-use), CA (Campus), CG (Commercial General), CBD (Central Business District), AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH (Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional Use), SE (Permitted Special Exception Use), – (Prohibited Use), B (subscript, Special site and Building Development Standards)						

THEREFORE, Section 1-2.8.2 of the City of Florence Unified Development Ordinance, shall read as follows:

Sec. 1-2.8.2 Residential and Commercial Use of the Home Standards

The standards of this Section apply to residential and commercial uses of the home that are specified in Table 1-2.7.2, Residential and Commercial Uses of the Home as conditional (C) or permitted special exception (SE).

F. **Short Term Rentals** are permitted if it is demonstrated that:

2. Zoning districts: RE, RS, RG, RU, NC
 - g. The owner is a full-time resident of the property and must be present during the lodgers' entire stay on the property.
 - h. The homeowner may rent out no more than 2 bedrooms as short term rentals in the primary residence.
 - i. A motor vehicle may not park in the front yard or side yard of a residential property, except in a driveway or on an improved surface such as concrete, asphalt, pavers, brick, or other material as approved by the Planning Director. The total area designated for parking shall not exceed 25% of the front and/or side yard area. There shall be no parking of motor vehicles on grass or the street.
 - j. No exterior signage is permitted.
 - k. No activities other than lodging shall be allowed as part of a short term rental (e.g. weddings, parties, conferences).
 - l. The Noise and Vibration provisions of this Ordinance, Section 4.11.2.1, as well as the City of Florence Code of Ordinances Sections 10-9, 10-10, and 10-11 shall apply to all permitted short term rentals.

THEREFORE, Section 7-25.2 of the City of Florence Unified Development Ordinance, shall read as follows:

Division 7-25.2 Definitions

Short Term Rentals means a furnished residential unit that is rented out by the property owner for financial gain for a period of no more than 30 days.

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 Unified Development Ordinance as shown above.
2. That this Ordinance shall become effective immediately.

ADOPTED THIS _____ DAY OF _____, 2019

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Amanda P. Pope
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: April 8, 2019

AGENDA ITEM: Ordinance to amend the City of Florence Unified Development Ordinance Table 1-2.7.4 and Sections 1-2.8.4 and 7-25.2.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Proposed text amendment to the City of Florence Unified Development Ordinance Table 1-2.7.4 and Sections 1-2.8.4 and 7-25.2 to provide land use regulations for mobile food vendors.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) On December 11, 2018 the Planning Commission held a public hearing on this matter and voted unanimously, 7-0, to recommend the text amendment.

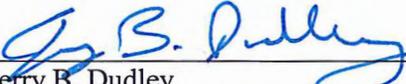
III. POINTS TO CONSIDER:

- (1) The text amendments have been prepared by the Planning, Research and Development Department in an effort to clarify the intent of the ordinance and reduce the potential for conflict between uses within the City.
- (2) The amendments to Table 1-2.7.4 and Sections 1-2.8.4 and 7-25.2 provide land use regulations for mobile food vendors within the City of Florence as well as define mobile food vendors for the purposes of the Ordinance.
- (3) City staff recommends that the proposed text amendments be approved to address the regulation of mobile food vendors in a manner consistent with the stated purpose of the Unified Development Ordinance.

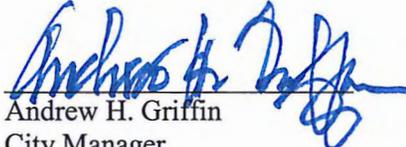
IV. PERSONAL NOTES:

V. ATTACHMENTS:

- A. Proposed text amendments to the *City of Florence Unified Development Ordinance*
- B. Ordinance



Jerry B. Dudley
Planning Director



Andrew H. Griffin
City Manager

Attachment A: Proposed text amendments to the *City of Florence Unified Development Ordinance* (additions in red)

Table 1-2.7.4 Commercial Uses															
Land Use	Zoning Districts														
	Residential					Business & Commercial			Mixed-Use			Industrial		Agricultural & Open Space	
	RE	RS	RG	RU	NC	CR	CA	CG	CBD	AC	DS	IL	IH	OSR	AR
Commercial Uses															
Alcoholic Beverage Sales (Offsite Consumption)	-	-	-	-	-	-	-	P	P	-	P	-	-	-	-
Alcoholic Beverage Sales (Onsite Consumption)	-	-	-	-	-	-	-	C	C	C	P	-	-	-	-
Animal Boarding Facilities, Small Animal	-	-	-	-	-	-	-	C	SE	SE	-	P	-	-	P
Animal Grooming Facilities	P	-	-	-	-	C	-	P	C	C	-	P	-	-	-
Animal Veterinary, Small Animal	-	-	-	-	-	-	-	P	C	-	C	P	-	-	P
Animal Veterinary, Large Animal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Automobile Sales, Rental and Service Establishments	-	-	-	-	-	-	-	P	-	SE	-	-	-	-	-
Automobile Repairs, Heavy	-	-	-	-	-	-	-	C	-	-	-	P	P	-	-
Automobile Repairs, Light	-	-	-	-	-	-	-	P	-	P	-	P	P	-	-
Nursery, Retail	-	-	-	-	-	-	-	P	-	-	-	P	-	-	-
Overnight Accommodations(hotels, motels, commercial inns) ¹	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-
Commercial Retail (Business Services; Personal Services; Shopping Centers)	-	-	-	-	-	C	C	P	P	P	P	C	C	-	-
Fueling Station / Car Wash	-	-	-	-	-	-	-	CB	-	CB	-	PB	PB	-	-
Truck Stops and Truck Washes	-	-	-	-	-	-	-	-	-	-	-	-	PB	-	-
General Professional/ Medical Office	-	-	-	-	-	C	P	P	P	P	P	P	-	-	-
Restaurant; No Drive-In or Drive-Through	-	-	-	-	-	C	P	P	P	P	P	C	C	-	-
Restaurant; Drive-In or Drive Through	-	-	-	-	-	-	-	PB	-	SEB	-	PB	-	-	-
Specialty Use	-	-	-	-	-	-	-	C	C	C	C	-	-	-	-
Mobile Food Vendor	-	-	-	-	-	-	-	C	SE C	SE C	SE C	C	SE C	SE C	C
Event Facility / Banquet Hall / Dance Hall / Lodge	-	-	-	-	-	-	-	C	P	C	C	-	-	-	-
Tattoo Facilities	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-
Heavy Retail/Home Center	-	-	-	-	-	-	-	C	-	-	-	C	C	-	-
Wholesale	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-

RE (Estate Residential), RS (Suburban Residential), RG(General Residential), RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Re-use), CA (Campus), CG (Commercial General), CBD (Central Business District), AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH (Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional), SE (Permitted Special Exception Use), – (Prohibited Use), B (subscript, Special site and Building Development Standards)

Section 1-2.8.4 Conditional and Permitted Special Exception Use Standards – Commercial Use Standards

L. Mobile food vendors are permitted to operate within the CG, CBD, AC, CA, DS, OSR, IL, and IH zoning districts if it is demonstrated that:

1. The mobile food vendor shall have the written approval of the property owner or authorized lease holder of the property upon which the food truck/cart is located. The vendor must maintain within the food truck/cart proof of written permission to occupy each vending location.
2. The mobile food vendor shall not locate on a property with a residential use.
3. With the exception of food carts as defined by this ordinance, a mobile food vendor shall not operate within the H-1, Historic Overlay District with the exception of its overlap with the Food, Artisan, and Warehouse District.
4. The food truck/cart shall be positioned at least 200 feet from the primary customer entrance of an existing eating establishment during its hours of operation measured by pedestrian travel path, unless the mobile food vendor provides documentation that the restaurant owner supports a closer proximity.
5. No mobile food vendor shall operate between the hours of 9:00 p.m. and 9:00 a.m. if the parcel upon which the vendor is located is within 400 feet of any residential district or use (measured from the shortest distance between parcel lines).
6. No mobile food vendor shall operate within 200 feet of a private or public school during school hours (measured from the shortest distance between parcel lines) with the exception of a recognized special event with written permission from the school district. A mobile food vendor may operate on school grounds during non-instructional hours with the written permission of the school district.
7. The food truck/cart shall be positioned within designated parking spaces or driveways only and shall accommodate necessary customer parking per Article 9 of this ordinance. The vending location shall not interfere with the movement of motor vehicles. Alternative parking may be approved by the Planning Director for special events or a non-reoccurring vending location.
8. Mobile food vendors are prohibited from operating on any public right-of-way to include but not limited to streets, sidewalks, allies, or trails.
9. A mobile food vendor shall only operate as a walk-up vendor. It is expressly prohibited to operate as a drive-in window. The vendor is not required to provide tables and/or seating for customers.
10. If the mobile food vendor operates after dark, the vendor shall provide appropriate lighting limited to the parcel on which the vendor is located.
11. No signage shall be allowed other than signs permanently attached to the motor vehicle or cart and a portable menu sign no more than six (6) square feet in a display area on the ground in the customer waiting area. Illuminated and animated signs shall be subject to the following provisions:
 - a. Illuminated and animated signs shall not directly shine on abutting properties.
 - b. No illumination or animation simulating traffic control devices or emergency vehicles shall be used, nor shall lights which are intermittently switched on and off, changed in intensity or color, or otherwise displayed to create the illusion of flashing or movement be permitted.
 - c. No flood lights shall be utilized nor shall any sign otherwise reflect or emit a glaring light so as to impair driver vision.
 - d. In no case shall an illuminated sign be located closer than 60 feet from the property line of an adjacent residential property.
12. The vendor may operate in any zoning district or land use when operating in a catering capacity for the property owner and not selling to the general public.

13. Upon leaving the site, all materials associated with the business must be removed from the parcel to include but not limited to signage, trash, trash receptacles, equipment, etc.
14. The vendor must comply with all applicable municipal utility requirements per Chapter 12 of the City of Florence Code of Ordinances
15. The Noise and Vibration provisions of this Ordinance, Section 4.11.2.1, as well as the City of Florence Code of Ordinances Sections 10-9, 10-10, and 10-11 shall apply to all permitted mobile food vendors. No mobile food vendor shall sound any device which produces an offensive or loud noise to attract customers, and vendors shall not use any public address system on the vehicle to broadcast or advertise products.
16. The Mobile Food Vendor will be operated in accordance with all other applicable provisions of this Unified Development Ordinance and the City's Code of Ordinances as well as applicable Federal and State requirements.

Division 7-25.2 Definitions

Cart means any portable vending device, pushcart, or any other wheeled vehicle or device which is moved without assistance of a motor and which is not required to be licensed and registered by the South Carolina Department of Motor Vehicles, used for the displaying, storing, or transporting of articles offered for sale by a vendor and which does not exceed four (4) feet in width, six (6) feet in length, and five (5) feet in height, excluding canopy or cover. A Cart shall be appropriately licensed by S.C. Department of Health and Environmental Control.

Commissary means a sanitary food prep business appropriately licensed by S.C. Department of Health and Environmental Control which leases space to multiple mobile businesses. Once the food is prepared at the commissary, it can be cooked in the mobile truck or cart.

Food Truck means a motorized wheeled vehicle, distinct from push carts, trailers (towed carts), and other retail vendors, currently registered with the S.C. Department of Motor Vehicles, which may or may not have on board power, refrigeration, and food prep facilities, which is designed and equipped to serve food or beverages and is appropriately licensed by S.C. Department of Health and Environmental Control.

Mobile Food Vendor means a person who sells food and/or beverages from a non-permanent venue such as a truck, cart, or trailer.

ORDINANCE NO. 2019-_____

AN ORDINANCE TO AMEND THE CITY OF FLORENCE UNIFIED DEVELOPMENT ORDINANCE TABLE 1-2.7.4 AND SECTIONS 1-2.8.4 AND 7-25.2:

WHEREAS, a Public Hearing was held in City Council Chambers on December 11, 2018 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, the amendments contained herein will set forth conditions for land uses associated with mobile food vendors;

THEREFORE, Table 1-2.7.4 of the City of Florence Unified Development Ordinance, shall read as follows:

Table 1-2.7.4 Commercial Uses															
Land Use	Zoning Districts														
	Residential					Business & Commercial			Mixed-Use			Industrial		Agricultural & Open Space	
	RE	RS	RG	RU	NC	CR	CA	CG	CBD	AC	DS	IL	IH	OSR	AR
Commercial Uses															
Alcoholic Beverage Sales (Offsite Consumption)	-	-	-	-	-	-	-	P	P	-	P	-	-	-	-
Alcoholic Beverage Sales (Onsite Consumption)	-	-	-	-	-	-	-	C	C	C	P	-	-	-	-
Animal Boarding Facilities, Small Animal	-	-	-	-	-	-	-	C	SE	SE	-	P	-	-	P
Animal Grooming Facilities	P	-	-	-	-	C	-	P	C	C	-	P	-	-	-
Animal Veterinary, Small Animal	-	-	-	-	-	-	-	P	C	-	C	P	-	-	P
Animal Veterinary, Large Animal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Automobile Sales, Rental and Service Establishments	-	-	-	-	-	-	-	P	-	SE	-	-	-	-	-
Automobile Repairs, Heavy	-	-	-	-	-	-	-	C	-	-	-	P	P	-	-
Automobile Repairs, Light	-	-	-	-	-	-	-	P	-	P	-	P	P	-	-
Nursery, Retail	-	-	-	-	-	-	-	P	-	-	-	P	-	-	-
Overnight Accommodations(hotels, motels, commercial inns) ¹	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-
Commercial Retail (Business Services; Personal Services; Shopping Centers)	-	-	-	-	-	C	C	P	P	P	P	C	C	-	-
Fueling Station / Car Wash	-	-	-	-	-	-	-	CB	-	CB	-	PB	PB	-	-
Truck Stops and Truck Washes	-	-	-	-	-	-	-	-	-	-	-	-	PB	-	-
General Professional/ Medical Office	-	-	-	-	-	C	P	P	P	P	P	P	-	-	-
Restaurant; No Drive-In or Drive-Through	-	-	-	-	-	C	P	P	P	P	P	C	C	-	-
Restaurant; Drive-In or Drive Through	-	-	-	-	-	-	-	PB	-	SEB	-	PB	-	-	-
Specialty Use	-	-	-	-	-	-	-	C	C	C	C	-	-	-	-
Mobile Food Vendor	-	-	-	-	-	-	-	C	C	C	C	C	C	C	-
Event Facility / Banquet Hall / Dance Hall / Lodge	-	-	-	-	-	-	-	C	P	C	C	-	-	-	-
Tattoo Facilities	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-
Heavy Retail/Home Center	-	-	-	-	-	-	-	C	-	-	-	C	C	-	-
Wholesale	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-

RE (Estate Residential), RS (Suburban Residential), RG(General Residential), RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Re-use), CA (Campus), CG (Commercial General), CBD (Central Business District), AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH (Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional), SE (Permitted Special Exception Use), – (Prohibited Use), B (subscript, Special site and Building Development Standards)

THEREFORE, Section 1-2.8.4 of the City of Florence Unified Development Ordinance, shall read as follows:

L. Mobile food vendors are permitted to operate within the CG, CBD, AC, CA, DS, OSR, IL, and IH zoning districts if it is demonstrated that:

1. The mobile food vendor shall have the written approval of the property owner or authorized lease holder of the property upon which the food truck/cart is located. The vendor must maintain within the food truck/cart proof of written permission to occupy each vending location.
2. The mobile food vendor shall not locate on a property with a residential use.
3. With the exception of food carts as defined by this ordinance, a mobile food vendor shall not operate within the H-1, Historic Overlay District with the exception of its overlap with the Food, Artisan, and Warehouse District.
4. The food truck/cart shall be positioned at least 200 feet from the primary customer entrance of an existing eating establishment during its hours of operation measured by pedestrian travel path, unless the mobile food vendor provides documentation that the restaurant owner supports a closer proximity.
5. No mobile food vendor shall operate between the hours of 9:00 p.m. and 9:00 a.m. if the parcel upon which the vendor is located is within 400 feet of any residential district or use (measured from the shortest distance between parcel lines).
6. No mobile food vendor shall operate within 200 feet of a private or public school during school hours (measured from the shortest distance between parcel lines) with the exception of a recognized special event with written permission from the school district. A mobile food vendor may operate on school grounds during non-instructional hours with the written permission of the school district.
7. The food truck/cart shall be positioned within designated parking spaces or driveways only and shall accommodate necessary customer parking per Article 9 of this ordinance. The vending location shall not interfere with the movement of motor vehicles. Alternative parking may be approved by the Planning Director for special events or a non-reoccurring vending location.
8. Mobile food vendors are prohibited from operating on any public right-of-way to include but not limited to streets, sidewalks, allies, or trails.
9. A mobile food vendor shall only operate as a walk-up vendor. It is expressly prohibited to operate as a drive-in window. The vendor is not required to provide tables and/or seating for customers.
10. If the mobile food vendor operates after dark, the vendor shall provide appropriate lighting limited to the parcel on which the vendor is located.
11. No signage shall be allowed other than signs permanently attached to the motor vehicle or cart and a portable menu sign no more than six (6) square feet in a display area on the ground in the customer waiting area. Illuminated and animated signs shall be subject to the following provisions:
 - a. Illuminated and animated signs shall not directly shine on abutting properties.
 - b. No illumination or animation simulating traffic control devices or emergency vehicles shall be used, nor shall lights which are intermittently switched on and off, changed in intensity or color, or otherwise displayed to create the illusion of flashing or movement be permitted.
 - c. No flood lights shall be utilized nor shall any sign otherwise reflect or emit a glaring light so as to impair driver vision.
 - d. In no case shall an illuminated sign be located closer than 60 feet from the property line of an adjacent residential property.
12. The vendor may operate in any zoning district or land use when operating in a catering capacity for the property owner and not selling to the general public.

13. Upon leaving the site, all materials associated with the business must be removed from the parcel to include but not limited to signage, trash, trash receptacles, equipment, etc.
14. The vendor must comply with all applicable municipal utility requirements per Chapter 12 of the City of Florence Code of Ordinances
15. The Noise and Vibration provisions of this Ordinance, Section 4.11.2.1, as well as the City of Florence Code of Ordinances Sections 10-9, 10-10, and 10-11 shall apply to all permitted mobile food vendors. No mobile food vendor shall sound any device which produces an offensive or loud noise to attract customers, and vendors shall not use any public address system on the vehicle to broadcast or advertise products.
16. The Mobile Food Vendor will be operated in accordance with all other applicable provisions of this Unified Development Ordinance and the City's Code of Ordinances as well as applicable Federal and State requirements.

THEREFORE, Section 7-25.2 of the City of Florence Unified Development Ordinance, shall read as follows:

Division 7-25.2 Definitions

Cart means any portable vending device, pushcart, or any other wheeled vehicle or device which is moved without assistance of a motor and which is not required to be licensed and registered by the South Carolina Department of Motor Vehicles, used for the displaying, storing, or transporting of articles offered for sale by a vendor and which does not exceed four (4) feet in width, six (6) feet in length, and five (5) feet in height, excluding canopy or cover. A Cart shall be appropriately licensed by S.C. Department of Health and Environmental Control.

Commissary means a sanitary food prep business appropriately licensed by S.C. Department of Health and Environmental Control which leases space to multiple mobile businesses. Once the food is prepared at the commissary, it can be cooked in the mobile truck or cart.

Food Truck means a motorized wheeled vehicle, distinct from push carts, trailers (towed carts), and other retail vendors, currently registered with the S.C. Department of Motor Vehicles, which may or may not have on board power, refrigeration, and food prep facilities, which is designed and equipped to serve food or beverages and is appropriately licensed by S.C. Department of Health and Environmental Control.

Mobile Food Vendor means a person who sells food and/or beverages from a non-permanent venue such as a truck, cart, or trailer.

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 Unified Development Ordinance as shown above.
2. That this Ordinance shall become effective immediately.

ADOPTED THIS _____ DAY OF _____, 2019

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Amanda P. Pope
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: April 8, 2019

AGENDA ITEM: Ordinance to amend Planned Development District Ordinance 2019-05.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

An Ordinance to amend PDD 2019-05, for lots located at 411 South Thomas Road, said property being specifically designated in the Florence County Tax Records as Tax Map Parcels 90019-01-023, 90019-01-035, 90019-01-036, 90019-01-037, 90019-01-038, 90019-01-039, 90019-01-040, and 90019-01-041.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

The property was annexed into the City on February 11, 2019 and zoned to PDD. The currently proposed PDD amendment, which includes an updated development plan, was recommended by the Planning Commission on March 12, 2019, by a vote of 7 to 1.

III. POINTS TO CONSIDER:

1. Development proposals within PDD 2019-05 are reviewed by staff per the development guidelines within the adopted ordinance as well as the referenced ordinances (both the *City of Florence Zoning Ordinance* as well as the *Land and Subdivision Ordinance*) in effect at the time of adoption.
2. The applicant is proposing an amendment to PDD 2019-05 to add three duplex units to the development.
3. Adjacent properties are zoned NC-15 and unzoned in the county. Adjacent uses include single-family, multi-family, and commercial.
4. City staff recommends the PDD (Ordinance 2019-05) be amended to include the additional three duplex buildings.

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.

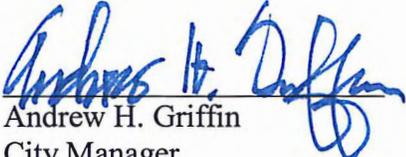
V. NOTES:

VI. ATTACHMENTS:

- A) Ordinance
- B) Vicinity Map
- C) Location Map
- D) PDD Site Plan



Jerry B. Dudley
Planning Director



Andrew H. Griffin
City Manager

ORDINANCE NO. 2019-_____

AN ORDINANCE TO AMEND THE PLANNED DEVELOPMENT DISTRICT ORDINANCE FOR LOTS LOCATED AT 411 SOUTH THOMAS ROAD, SAID PROPERTY BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS TAX MAP PARCELS 90019-01-023, 90019-01-035, 90019-01-036, 90019-01-037, 90019-01-038, 90019-01-039, 90019-01-040, AND 90019-01-041, TO ALLOW FOR DEVELOPMENT PLAN REVISIONS:

WHEREAS, a Public Hearing was held in City Council Chambers on March 12, 2019 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, Hugh Leatherman, LLC made application to amend the Planned Development District Ordinance to update the development plan to allow the addition of three duplexes;

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 to update the development plan to allow the proposed addition of three duplexes;
2. That this Ordinance shall become effective seven days upon its approval adoption by the City Council of the City of Florence and posting of this amendment in the official **Zoning Atlas.**

EXECUTED ON ONE (1) ADDITIONAL PAGE

Ordinance No. 2019-_____
Page 2

ADOPTED THIS _____ DAY OF _____, 2019

Approved as to form:

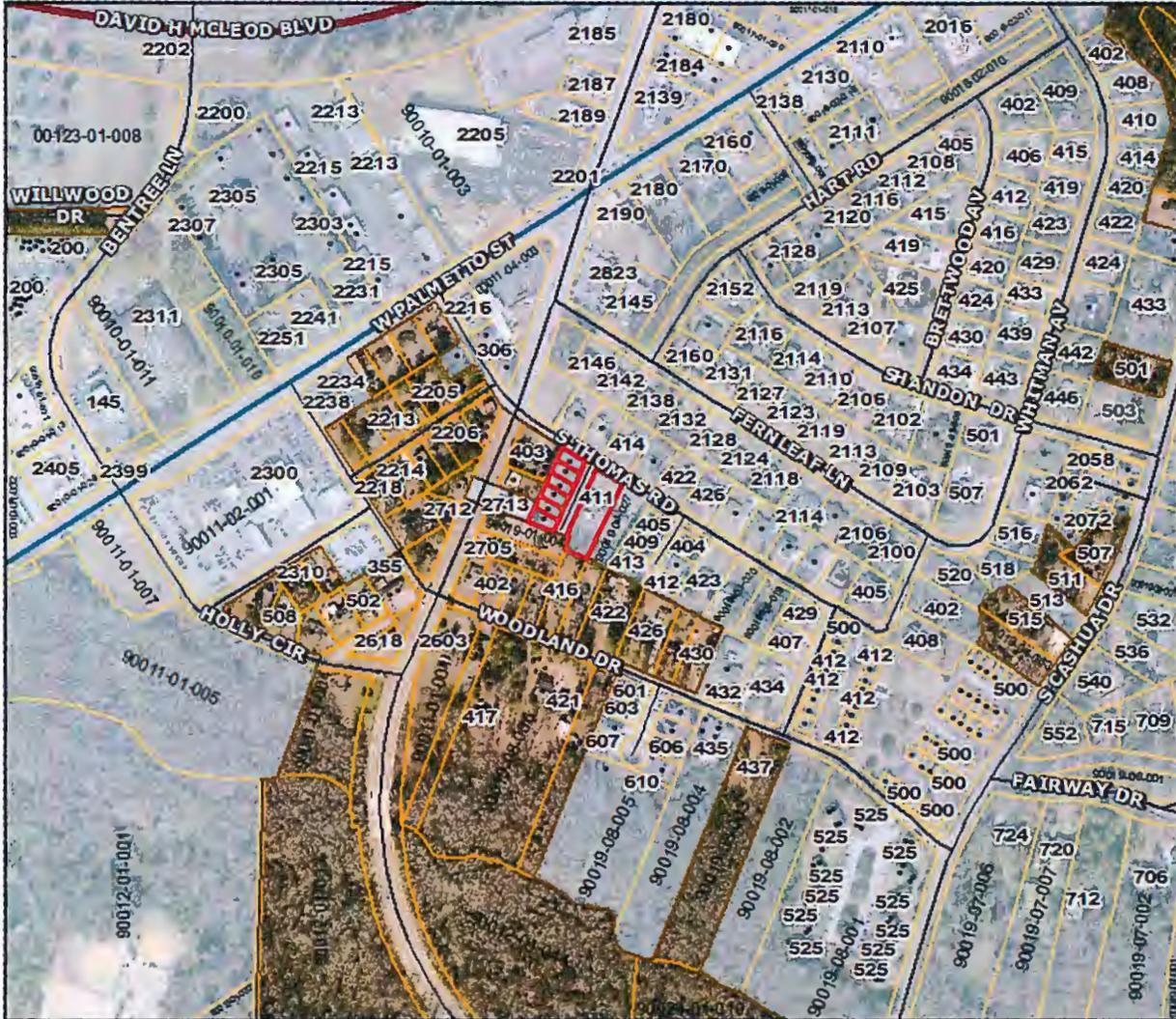
James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Amanda P. Pope
Municipal Clerk

PC 2019-05 Vicinity Map - Thomas Road

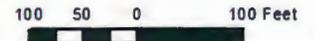


Legend

- City Limits
- Parcels



DISCLAIMER:
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Date: 2/23/2011

PC 2019-05 Location Map - Thomas Road



- Legend**
- City Limits
 - Parcels



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Date: 2/28/2019

FLORENCE CITY COUNCIL MEETING

DATE: April 8, 2019

AGENDA ITEM: Ordinance to Annex and Zone Property Owned by Carolyn Griffin, located at 2517 Hoffmeyer Road, TMN 90006-02-007.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 2517 Hoffmeyer Road, Tax Map Number 90006-02-007, into the City of Florence and zone it Neighborhood Conservation-15 (NC-15). The request is being made by the property owner.

II. CURRENT STATUS AND PREVIOUS ACTION TAKEN:

- (1) On March 12, 2019, the City of Florence Planning Commission held a public hearing on this matter.
- (2) The Planning Commission voted 8-0 to recommend the zoning request of Neighborhood Conservation-15 (NC-15), pending annexation approval.

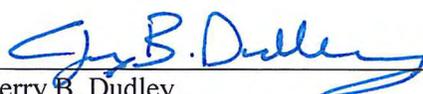
III. POINTS TO CONSIDER:

- (1) This request is being considered for first reading.
- (2) The property seeking annexation is zoned R-1 in Florence County.
- (3) The property is currently the site of a single family home.
- (4) The proposed zoning, pending annexation, is Neighborhood Conservation-15 (NC-15).
- (5) The only uses that may be developed under the proposed zoning, per the City of Florence *Unified Development Ordinance*, are those permitted in the Neighborhood Conservation-15 zoning district.
- (6) City water and sewer services are currently available to the parcel.
- (7) Adjacent properties are zoned Neighborhood Conservation-15 (NC-15).
- (8) City staff recommends the annexation and concurs with the Planning Commission's recommendation to zone the parcel Neighborhood Conservation-15 (NC-15) as requested. This recommendation is based on the current use and the character of the neighborhood.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- A. Ordinance
- B. Vicinity Map of Proposed Annexation
- C. Location Map of Proposed Annexation
- D. Petition for Annexation


Jerry B. Dudley
Planning Director


Andrew H. Griffin
City Manager

ORDINANCE NO. 2019 _____

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY CAROLYN GRIFFIN;
TMN 90006-02-007.**

WHEREAS, a Public Hearing was held in the Council Chambers on March 12, 2019 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, application by Carolyn Griffin, owner of TMN 90006-02-007, to be zoned NC-15 was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated into 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 add the zoning district classification of Neighborhood Conservation-15 (NC-15);

The property requesting annexation is shown more specifically on Florence County Tax Map 90006, block 02, parcel 007 (0.666278 acres),

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

EXECUTED ON ONE (1) ADDITIONAL PAGE

Ordinance No. 2019 - _____
Page 2

ADOPTED THIS _____ DAY OF _____, 2019

Approved as to form:

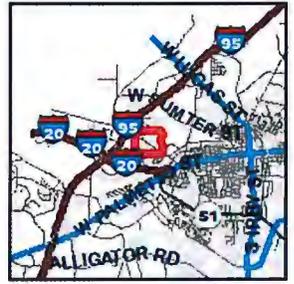
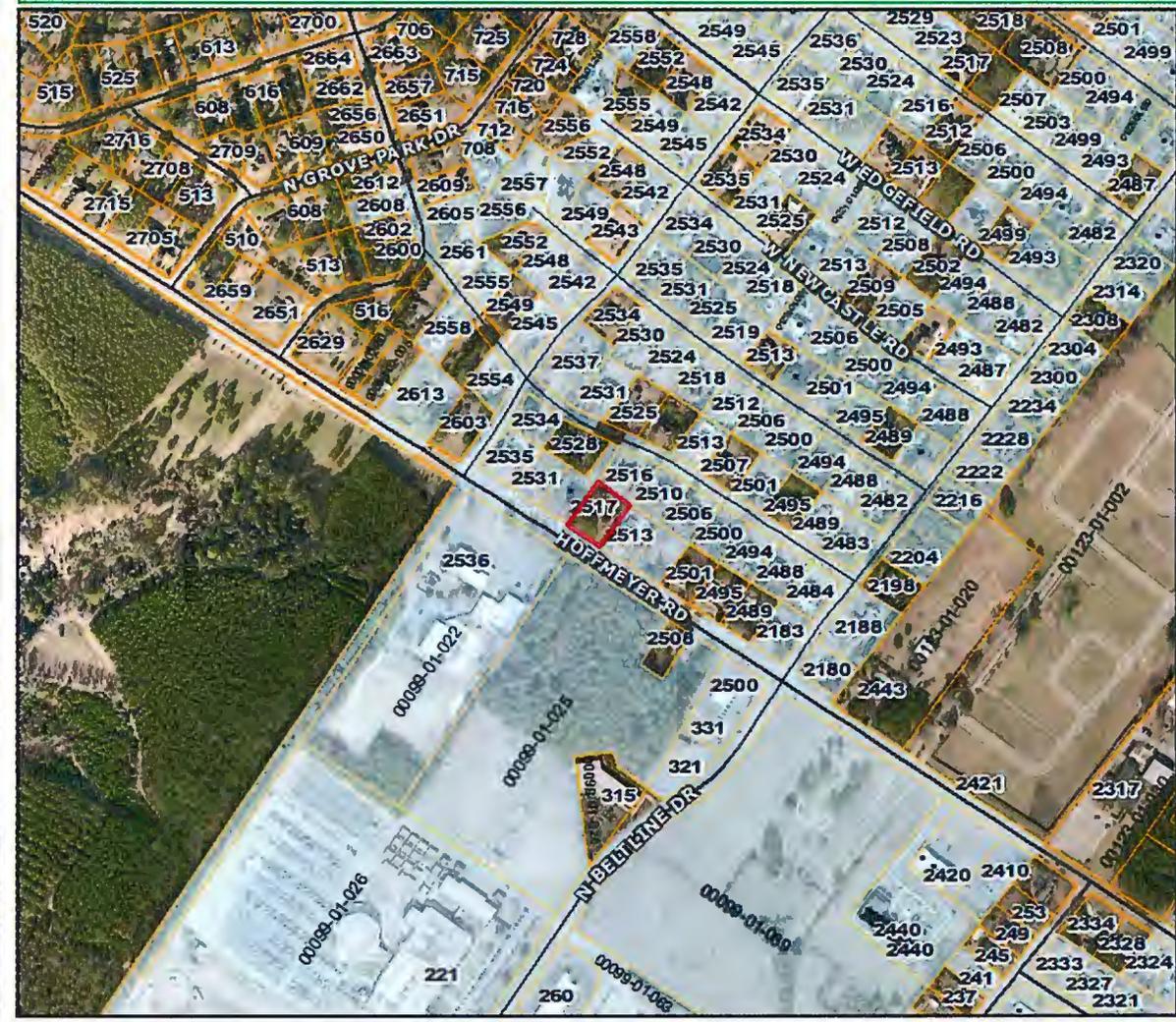
James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Amanda P. Pope
Municipal Clerk

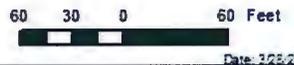
Vicinity Map - 2517 Hoffmeyer Road



- Legend**
- City Limits
 - Parcels



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Location Map - 2517 Hoffmeyer Road



- Legend**
- City Limits
 - Parcels



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Date: 2/28/2011

Attachment D: Petition for Annexation Form

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

90006-02-007

- 3. Annexation is being sought for the following purposes:

*

city water and sewer

- 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	<u>2</u>
Race	<u>C</u>
Total 18 and Over	<u>2</u>
Total Registered to Vote	<u>2</u>

*

Date 2-19-19

Lancey D. Guffie
Petitioner

Date _____
Petitioner

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date <u>2-19-19</u>	<u>AG</u>

FLORENCE CITY COUNCIL MEETING

DATE: April 8, 2019
AGENDA ITEM: Resolution
DEPARTMENT/DIVISION: City Administration

I. ISSUE UNDER CONSIDERATION

A resolution for the City of Florence of Appreciation to Christine Fisher for her work on behalf of the Arts in Basic Curriculum (ABC) Project for South Carolina.

CURRENT STATUS/PREVIOUS ACTION TAKEN

This is the initial consideration by City Council of this resolution.

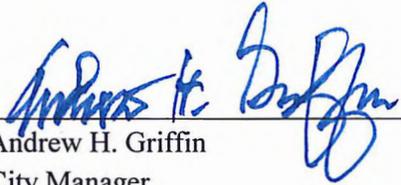
II. POINTS TO CONSIDER

- A. Ms. Christine Fisher retired from the Arts in Basic Curriculum (ABC) after spending 18 years working to provide comprehensive arts programs in schools across the state.
- B. Christine began her career in arts education as a classroom music teacher and was the recipient of the S.C. State Teacher of the Year in 1998.
- C. Christine became executive director of the ABC Project and works with schools and districts across the state to maintain and expand arts opportunities for all students.
- D. The S.C. Arts Commission awarded Christine South Carolina's highest arts award, the Elizabeth O'Neill Verner Governor's Award for the Arts, in 2006 and she received the Winthrop University Medal of Arts in 2012.

III. PERSONAL NOTES

IV. ATTACHMENTS

Resolution No. 2019-09 A resolution for the City of Florence of Appreciation to Christine Fisher for her work on behalf of the Arts in Basic Curriculum (ABC) Project for South Carolina and years as a music educator.



Andrew H. Griffin
City Manager

STATE OF SOUTH CAROLINA

CITY OF FLORENCE

RESOLUTION 2019 – 09

- WHEREAS,** Ms. Christine Fisher recently retired after 18 years as the director of the Arts in Basic Curriculum (ABC) Project where she grew the arts integration “ABC” schools in S.C. from 18 to 84 schools or districts to serve 171,000 students in the 2018-2019 school year. Prior, Christine spent 25 years as a classroom music teacher and was the recipient of the S.C. State Teacher of the Year in 1998; and
- WHEREAS,** Christine has managed the S.C. Dept. of Ed. summer arts institutes, revised and created new summer institutes and lead professional development sessions on both state and national levels. She assisted in creating the ABC Peer to Peer Arts Schools Principals networks and the Council of Arts Education Presidents helping S.C. arts education leaders improve collaboration efforts, and
- WHEREAS,** Christine created summer institutes to help retain new teachers and restarted the ABC Arts Higher Education Forum to address teacher shortages; and
- WHEREAS,** the S.C. Arts Commission awarded Christine South Carolina’s highest arts award, the Elizabeth O’Neill Verner Governor’s Award for the Arts, in 2006 and she received the Winthrop University Medal of Arts in 2012. Christine was inducted into the S.C. Music Educators Hall of Fame in 2009, received the President’s award from the S.C. Dance Association in 2005 and received the Distinguished Art Advocacy Award from the S.C. Art Association in 2004, and
- WHEREAS,** Christine has spent her entire career being a tireless advocate and supporter of arts based education in South Carolina changing thousands of young lives for the better by having experienced a quality, comprehensive arts education.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE:

The City recognizes and appreciates Christine Fisher for her work on behalf of the Arts in Basic Curriculum (ABC) Project for South Carolina and years as a music educator.

RESOLVED THIS 8th DAY OF APRIL, 2019.

Approved as to form:

ATTEST:

STEPHEN J. WUKELA
MAYOR

AMANDA P. POPE
MUNICIPAL CLERK