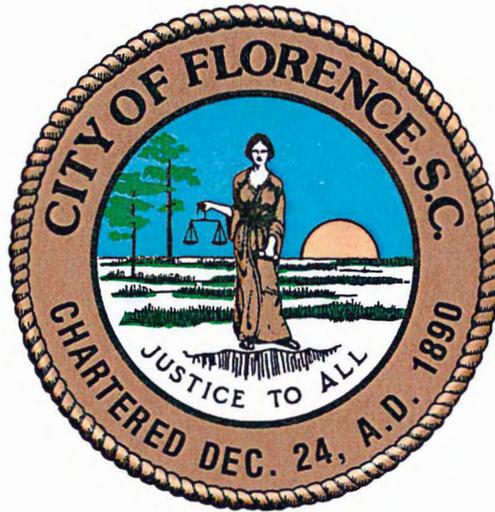


REGULAR MEETING  
OF  
FLORENCE CITY COUNCIL



COUNCIL CHAMBERS  
324 W. EVANS STREET  
FLORENCE, SOUTH CAROLINA

MONDAY  
MAY 13, 2019  
1:00 P.M.



**REGULAR MEETING OF FLORENCE CITY COUNCIL  
MONDAY, MAY 13, 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**

April 11, 2019 – Regular Meeting

**IV. HONORS AND RECOGNITIONS**

**RETIREMENT RECOGNITIONS**

**Patrick Green** – 25 years - February 1, 1994 – February 15, 2019.

**Dianne Rowan** – 23 years - November 10, 1995 – March 15, 2019

**John Lochart** – 25 years - March 21, 1994 – March 22, 2019.

**SERVICE RECOGNITIONS**

**Sandra Hanner** – 15 years – Utility Finance

**V. PUBLIC HEARING**

- a. **A Public Hearing will be held to receive input on the City of Florence Fiscal Year Budget 2019-2020.**
- b. **A Public Hearing will be held to receive input on the City of Florence Community Development Block Grant Budget for fiscal year 2019-2020.**

**VI. APPEARANCE BEFORE COUNCIL**

- a. **Councilman Brand** – Commentary

## VII. ORDINANCES IN POSITION

**a. 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.

**b. Bill No. 2019-09 – Second 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 (As Amended for Second Reading).

**c. Bill No. 2019-10 – Second 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.

**d. Bill No. 2019-11 – Second 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. *(This item is being deferred at Staff's request.)*

**e. Bill No. 2019-12 – Second 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. *(This item has been amended to reflect a change in the buffer requirement to add a 300 foot buffer surrounding the H-1 District.)*

**f. Bill No. 2019-13 – Second 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.

**g. Bill No. 2019-14 – Second Reading**

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

## VIII. INTRODUCTION OF ORDINANCES

**a. Bill No. 2019-15 – First Reading**

An Ordinance to Raise Revenue and Adopt a Budget for the City of Florence, South Carolina, for the Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020.

**b. Bill No. 2019-16 – First Reading**

An Ordinance to amend Chapter 3, Section 3.3 of the Animal Care and Control Ordinance to prohibit the unlawful sale or transfer of animals, pets, or livestock.

- c. **Bill No. 2019-17 – First Reading**  
An Ordinance to annex and zone property owned by Meredith Bailey and located at 154 North Lakewood Drive, TMN 90009-04-009.
- d. **Bill No. 2019-18 – First Reading**  
An Ordinance to amend the Planned Development District for property located at 2670 David H. McLeod Boulevard, TMN 00099-01-077.
- e. **Bill No. 2019-19 – First Reading**  
An Ordinance to annex and zone property owned by Floyd Family Properties, LLC and located at Howe Springs Road and Canal Drive, TMN 00180-01-111.
- f. **Bill No. 2019-20 – First Reading**  
An Ordinance to rezone from PDD, Planned Development District to CA, Campus District the property located at 1840 Second Loop Road, TMN 90029-02-022.
- g. **Bill No. 2019-21 – First Reading**  
An Ordinance to amend Division 1-2.4, Downtown Design Districts, of the City of Florence Unified Development Ordinance and amend the City of Florence Design Guidelines to add the Irby Street Corridor Overlay District.

## **IX. INTRODUCTION OF RESOLUTIONS**

- a. **Resolution 2019-11**  
A Resolution designating May, 2019 as Lupus Awareness Month.
- b. **Resolution 2019-12**  
A Resolution to adopt the Community Development Block Grant budget for fiscal year 2019-2020.
- c. **Resolution 2019-13**  
A Resolution of City Council approving Downtown Redevelopment Grants in the Downtown H-1 Overlay District.  
*(Note: To be discussed in Executive Session)*

## **X. EXECUTIVE SESSION**

- a. **Discussion of negotiations incident to matters relating to a proposed Economic Development [30-4-70(a)(5)].**
- b. **Personnel matter [30-4-70(a)(1)].**

*After returning to open session, Council may take action on matters discussed in Executive Session.*

## **XI. ADJOURN**



**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**

**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, Councilwoman Octavia Williams-Blake and Councilwoman Pat Gibson-Hye Moore.

**ALSO PRESENT:**

Mr. Drew Griffin, City Manager; Mr. James W. Peterson, Jr., City Attorney; Mrs. Casey Moore, Assistant City Clerk; 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; Ms. Tonya Brown of WPDE News 15; Ms. Briana Fernandez of WBTW News 13.

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 March 11, 2019 Regular City Council meeting. Councilwoman Ervin seconded the motion. The minutes were unanimously adopted.

**HONORS AND RECOGNITIONS:**

**SERVICE RECOGNITIONS:**

Sgt. Stephen Starling was presented a Certificate of Recognition by Mayor Wukela for completing 10 years of service with the City of Florence.



**RETIREMENT RECOGNITION:**

Mayor Wukela presented Sgt. Eric Jacobs a Retirement Plaque in recognition of his recent retirement from the City of Florence. Sgt. Jacobs served 25 years with the Florence Police Department from December 2, 1994 until his retirement on December 20, 2018.

**APPEARANCE BEFORE COUNCIL:**

**MS. KATY BROWN AND MS. MARTHA MCCALL, PEE DEE COALITION AGAINST DOMESTIC AND SEXUAL ASSAULT – TO MAKE A PRESENTATION TO COUNCIL.**

Ms. Katy Brown, Prevention Coordinator with Durant Children's Center and Ms. Martha McCall, Director of Community Victim Services, spoke to Council on April being Sexual Assault Awareness month and Child Abuse Prevention month and services that are provided by the Coalition.

**MS. CAMERON PACKETT, MEMBERSHIP RELATIONS MANAGER, FLORENCE COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP - TO MAKE A PRESENTATION TO COUNCIL REGARDING FLORENCE COUNTY LEGISLATIVE DAY.**

Ms. Cameron Packett thanked Council for their continued support of Florence County Legislative Day. This was one of the most successful Florence County Legislative Days as of yet and Ms. Packett thanked Council for their attendance.

**MR. ROGER MALFATTI, CHAIRMAN, PARKS & BEAUTIFICATION COMMISSION – PARKS COMMISSION ANNUAL REPORT.**

Mr. Roger Malfatti appeared before Council on behalf of the Parks and Beautification Commission and introduced Ms. Nikki Player, Vice Chair of the Commission, to introduce the report on the Commission's endeavors since the last report in April of 2018.

**Mr. Jerry Keith:** Reported on the following:

**Arbor Day and Tree Plantings:** The City celebrated Arbor Day December 7, 2018 on the Barnes Street Recreational Campus. Multiple trees were planted at the new, inclusive playground, two of which were dedicated in the memory of fallen officers Sergeant Terrence Carraway and Investigator Farrah Turner. The City was once again recognized as a Tree City USA for the 38<sup>th</sup> consecutive year by the Arbor Day Foundation.

**Barnes Street:** Pearl Moore Basketball Center opened on April 12, 2018 and has hosted not only our local youth and adult basketball leagues but also has attracted several tournaments and special events. In addition, on March 29, 2019, the city's first inclusive playground was opened as "BK's" Playground, named in honor of Brian Kelly, one of the founding board members of the I Play Florence group who collaborated with the City to build the playground.

**Athletics:** Eight of the youth programs – football, basketball, cheerleading, baseball, and soccer - all saw an increase in participation from the previous year. A youth volleyball league was also added in the summer of 2018 with the opening of the Pearl Moore Basketball Center. There has also been a continued



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interest in adult programming. In 2018, the department saw increased interest in basketball, softball, flag-football and kick-ball. Cricket is now housed at the Soccer Complex with local Cricket teams from the Florence Cricket Club playing intramurals as well as some tournaments that bring guests from Charlotte, Charleston, Columbia, Myrtle Beach and Orangeburg.

**Tennis/Pickleball:** The tennis program enjoyed significant improvement among juniors in 2018. The eight week grant program increased from 130 participants in 2017 to 151 in 2018. There has been a demand for more certified instructors in 2019; there are now a total of seven instructors on the teaching staff. The participation rates of tennis tournaments also continued to rise. In 2017 a total of 3,705 participants registered and participated in organized tournament play and in 2018, there were 4,294 participants. The 2018 economic impact of tennis tournament play was \$4,322,163.00.

Pickleball continues to maintain positive growth. Membership in the local association went from 60 in 2016, and 115 in 2017, to 185 in 2018. For purposes of economic impact, staff planned four major pickleball tournaments in 2018 and those events resulted in an economic impact of \$425,685 to the local economy.

**Freedom Florence:** In 2018 Freedom Florence hosted the 2018 SCAP Eastern District All-Star Football Tournament, several South Florence High School cross-country meets, 30 plus baseball/softball tournaments, and the FloTown 5K Race that utilizes the Freedom Florence Trails.

**Gymnastics:** The level of training has continued to yield high results and participation in the recreation classes has averaged just over 250 participants. In 2019, the city submitted a bid to host the South Carolina State Gymnastics Meet for what would be the first time for Florence. This is a collaborative effort between the City of Florence, the Florence Center, and the Florence Gymnastics Booster Club along with assistance from the Convention and Visitors Bureau.

**Youth Programming:** The After School and Teen Programs continue to provide fun, engaging opportunities at Levy Park, Maple Park, Northwest Park and Barnes St. Activity Center. WiFi has been added to all facilities and has helped further the ability of staff to assist participants with organizing and completing homework assignments on the Chromebooks that were provided to all FSD1 students. The Dr. Iola Jones Park Community Center was also completed in early Fall 2019. In the summer of 2018, the city's first Tween Summer Camp opened for ages 13-15. The camp was so successful, it will become an annual program.

**Senior Adult Programs:** Two programs will be offered for the senior adult population. The traditional Lifelong Recreation program and Levy Park and Northwest Park Community Centers offer a range of fitness and social programs. Additionally, the OWLS (Older, Wiser, and Livelier Seniors) programs is designed for those seniors who are physically active and is one of the department's fastest growing programs.

**Annual Tour of Parks:** On March 16, 2019, the commission participated in the annual bus tour of City parks and facilities to review the status of each park and gauge participation levels.

**Annual Retreat:** This year, the retreat was on January 26, 2019 at the Dr. Eddie Floyd Florence Tennis Center Staff covered such things as tennis initiatives, programming, Freedom Florence tournaments, economic impacts of sports tourism, and an update on projects around the City.



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**Mr. Walter Sallenger:** Reviewed the annual plan with Council members. A community center is underway at the Iola Jones Park, as well as a replacement community center for Maple Park, and the community center at Northwest Park is being remodeled. Playground equipment is being replaced at Iola Jones Park, Jefferies Creek Park and Levy Park. The skate park at Mcleod Park is being replaced with the help of fundraising efforts from a citizens group. In the coming year there are expectations to build a central building at the Soccer Complex, develop a Track and Field Complex and support I Play Florence to establish an inclusive park at a public park. One of the biggest changes to the annual plan is to provide long, safe cycling routes with protected paths rather than painted lanes. Continued extension of the Rail Trail could provide recreational cycling, while creation of Urban Connections linking large commercial developments, downtown and medical centers could enhance community mobility by creating a viable transportation alternative.

**Mr. James McLaughlin:** Reported on the state of the Florence Veterans Park. The Veterans Park continues to gain international attention and remains a place of art, history, relevance and beauty.

During the 2018 calendar year, a variety of requests for use of the park were entertained by the committee, including military ceremonies, a wedding, several youth events and the regular 9-11 ceremony which attracted more than 700 attendees. At Christmas, the Florence Veterans Resource Center had a ceremony there in conjunction with the National Cemetery's laying of the wreaths. A large wreath was placed at the Armed Forces Monument and it remained there through the Christmas holidays.

Last year, the Vietnam monument that was dedicated in 2017 was recognized by the American Institute of Commemorative Art as the second best park monument in North America.

In closing, Mr. Malfatti thanked staff and Council for their support of the Parks Commission.

**ORDINANCES IN POSITION:**

**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.**

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 adopted on second reading.

Councilman Willis made a motion to adopt Bill No. 2019-07 on second reading. Councilwoman Ervin seconded the motion, which carried unanimously.

**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. (THIS ITEM IS TO BE DEFERRED AT THE PETITIONER'S REQUEST.)**



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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 deferred at the petitioner's request.

**INTRODUCTION OF ORDINANCES:**

**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.**

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 was passed on first reading.

Mayor Pro tem Brand made a motion to pass Bill No. 2019-09 and Councilman Jebaily seconded the motion.

Mr. Thomas Chandler, Finance Director, reported the objective of the proposed ordinance is to amend the General Fund budget to appropriate funding for the following projects and purchases not currently included in the fiscal year 2018-19 budget:

1. acquisition of up to ten new patrol vehicles in the Police Department;
2. replacement of a damage traffic signal pole and mast arm on the corner of Irby and 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 Street;
7. restriping of Celebration Boulevard roadway; and
8. providing for the donation of a James Allen sculpture to be placed in the James Allen Plaza..

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

Council voted unanimously to pass Bill No. 2019-09.

**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 900123-06-002.**

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 900123-06-002 was passed on first reading.

Mayor Wukela said this matter came before Council last meeting and was denied unanimously based on the economic feasibility study; however, a fire hydrant was located in proximity to the property which would allow for fire protection.



Councilman Willis made a motion to pass Bill No. 2019-10 and Councilwoman Moore seconded the motion.

Mr. Jerry Dudley, Planning Director, reported at the last meeting, Council voted unanimously not to annex the property based on an economic feasibility study to provide a water extension for fire protection. Subsequent to this action, the City identified an existing fire hydrant located within the appropriate distance to provide fire protection and an extension of services is longer needed.

Council voted unanimously to pass Bill No. 2019-10.

**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,**  
**AND 7-25.2.**

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 was passed on first reading.

Mayor Pro Tem Brand made a motion to pass Bill No. 2019-11 and Councilman Willis seconded the motion.

Mr. Dudley began his report by defining Short Terms Rentals as a furnished residential unit that is rented out by the property owner for financial gain for a period of no more than 30 days. Short Term Rentals will be a permitted as a conditional use in residential zoning districts and a permitted by right use in commercial zoning districts.

The proposed amendment to *Tables 1-2.7.2-a and 1-2.7.2-b* of the *Unified Development Ordinance* illustrate the Residential and Commercial zoning districts in which Short Term Rentals will be permitted.

The following are the proposed additions to *Section 1-2.8.2 Residential and Commercial Use of the Home Standards* of the *Unified Development Ordinance*:

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

- 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).*



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- 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.*

The proposed addition to the Unified Development Ordinance, *Section 7-25.2 Definitions* will add the definition of Short Term Rentals.

Council members expressed concern on the enforcement and monitoring of these conditions. Mr. Drew Griffin, City Manager, said there will be a listing of all the properties that are permitted and Codes Enforcement officers will be checking on them periodically for adherence to the rules. Councilman Willis made a recommendation to Council to amend the ordinance to require a guest registry at each residence with identifying information (name, telephone number, etc.) that would be made available to city codes enforcement and made a motion. Councilwoman Ervin seconded the motion, which carried unanimously.

Another recommendation was made by Councilwoman Williams-Blake to amend the ordinance, identified as item 'a.' in *Section 1-2.8.2* above, to read "the owner is a full-time resident of the property and the property is the owner's primary residence." There was lengthy discussion among Council regarding owner occupancy during guest stay and the proposed length of stay of no more than 30 days. Following the discussion, further amendment recommendations were presented from Council. Councilman Willis suggested an amendment to require contact information from the property owner (name, address, telephone number, etc.) and Councilman Jebaily suggested an amendment to the frequency of the rental and an annual cap on number of rentals.

Mayor Wukela suggested Council pass the Bill on first reading, with the amendment to require a guest registry, and allow staff time to take the information presented from Council and amend the ordinance accordingly before being brought back to Council for second reading.

Mayor Wukela made a motion to pass Bill no. 2019-11 on first reading, with the amendment to add a guest registry, and Mayor Pro tem Brand seconded the motion. Council voted unanimously to pass Bill No. 2019-11.

**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.**

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 was passed on first reading.

Mayor Pro tem Brand made a motion to pass Bill No. 2019-12 and Councilman Willis seconded the motion.

Mr. Dudley reported current food trucks operate with a peddler's license through the Business Licensing Department but with growing popularity there is a need for regulations. The amendment provides 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.



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The proposed amendment to *Table 1-2.7.4* of the *Unified Development Ordinance* illustrates Mobile Food Vendors being reclassified from Special Exception to Conditional Use.

The following are the proposed additions to the *Unified Development Ordinance, Section 1-2.8.4* (*Conditional and Permitted Special Exception Use Standards – Commercial Use Standards*):

*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.*



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- 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.*

The proposed additions to the *Unified Development Ordinance, Section 7-25.2, Definitions* will add the definitions for Cart, Commissary, Food Truck and Mobile Food Vendor.

There was discussion among Council on the locations and Districts the food carts and trucks would or would not be permitted and potential amendments to the proposal. Mayor Wukela suggested Council pass Bill No. 2019-12 on first reading, as presented, and asked staff to provide maps for Council prior to second reading to review the boundaries.

Council voted unanimously to pass Bill No. 2019-12.

**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.**

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 was passed on first reading.

Mayor Pro tem Brand made a motion to pass Bill No. 2019-13 and Councilman Willis seconded the motion.

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.

Council voted unanimously to pass Bill No. 2019-13.



**BILL NO. 2019-14 – FIRST READING**  
**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY CAROLYN GRIFFIN,**  
**TMN 90006-02-007.**

An Ordinance to annex and zone property owned by Carolyn Griffin, TMN 90006-02-007 was passed on first reading.

Councilman Willis made a motion to pass Bill No. 2019-14 and Councilwoman Ervin seconded the motion.

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

City staff recommends the annexation and concurs with the Planning Commission's recommendation to zone the parcel Neighborhood Conservation-15 (NC-15) as requested.

Council voted unanimously to pass Bill No. 2019-14.

**INTRODUCTION OF RESOLUTIONS:**

**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 TEACHER.**

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 teacher was adopted by Council.

Councilwoman Ervin made a motion to adopt Resolution No. 2019-09 and Councilwoman Moore seconded the motion. Council voted unanimously to adopt Resolution No. 2019-09.

Councilman Jebaily read the Proclamation and presented it to Christine Fisher.

**ADDENDUM TO THE AGENDA:**

**RESOLUTION NO. 2019-10**  
**A RESOLUTION TO HONOR MR. LEON W. RUSSELL, CHAIRMAN OF THE NAACP**  
**NATIONAL BOARD OF DIRECTORS, RECOGNIZING HIM FOR HIS YEARS OF SERVICE**  
**AND AS A KEYNOTE SPEAKER FOR THE 2019 ANNUAL FLORENCE BRANCH NAACP**  
**FREEDOM FUND DINNER.**

Councilwoman Moore made a motion to approve this addition to the agenda and Councilman Jebaily seconded the motion which carried unanimously.



**FLORENCE CITY COUNCIL  
REGULAR MEETING - APRIL 8, 2019**

A Resolution to honor Mr. Leon W. Russell, Chairman of the NAACP National Board of Directors, recognizing him for his years of service and as the keynote speaker for the 2019 annual Florence Branch NAACP Freedom Fund Dinner was adopted by Council.

Councilwoman Ervin made a motion to adopt Resolution No. 2019-10 and Councilwoman Moore seconded the motion. Council voted to unanimously adopt Resolution No. 2019-10.

Councilwoman Ervin read the Resolution and it will be presented to Mr. Leon Russell at the 2019 Annual Florence Branch Freedom Fun Dinner.

**ADJOURN**

Councilman Willis made a motion to adjourn the regular Council meeting and Councilwoman Moore seconded the motion. Without objection, the meeting was adjourned at 3:15 p.m.

Dated this 13<sup>th</sup> day of May, 2019.

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Amanda P. Pope, Municipal Clerk

---

Stephen J. Wukela, Mayor

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 the 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.
- (2) The property is currently zoned IH Heavy Industrial and is vacant.
- (3) The initially proposed zoning district was RG Residential General. This designation is one of only two which currently permits assisted living facilities.
- (4) The City is asking to amend the *Unified Development Ordinance* to allow assisted living facilities as a Conditional Use in the CG Commercial General District on March 11, 2019.
- (5) The request to rezone this parcel to CG will be taken to the Planning Commission on April 9, 2019.

**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:**

**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 \_\_\_\_\_, 2019**

**Approved as to form:**

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

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

**Attest:**

\_\_\_\_\_  
Amanda P. Pope  
Municipal Clerk

**PC 2019-03**  
**Location Map - 451 West Lucas Street**



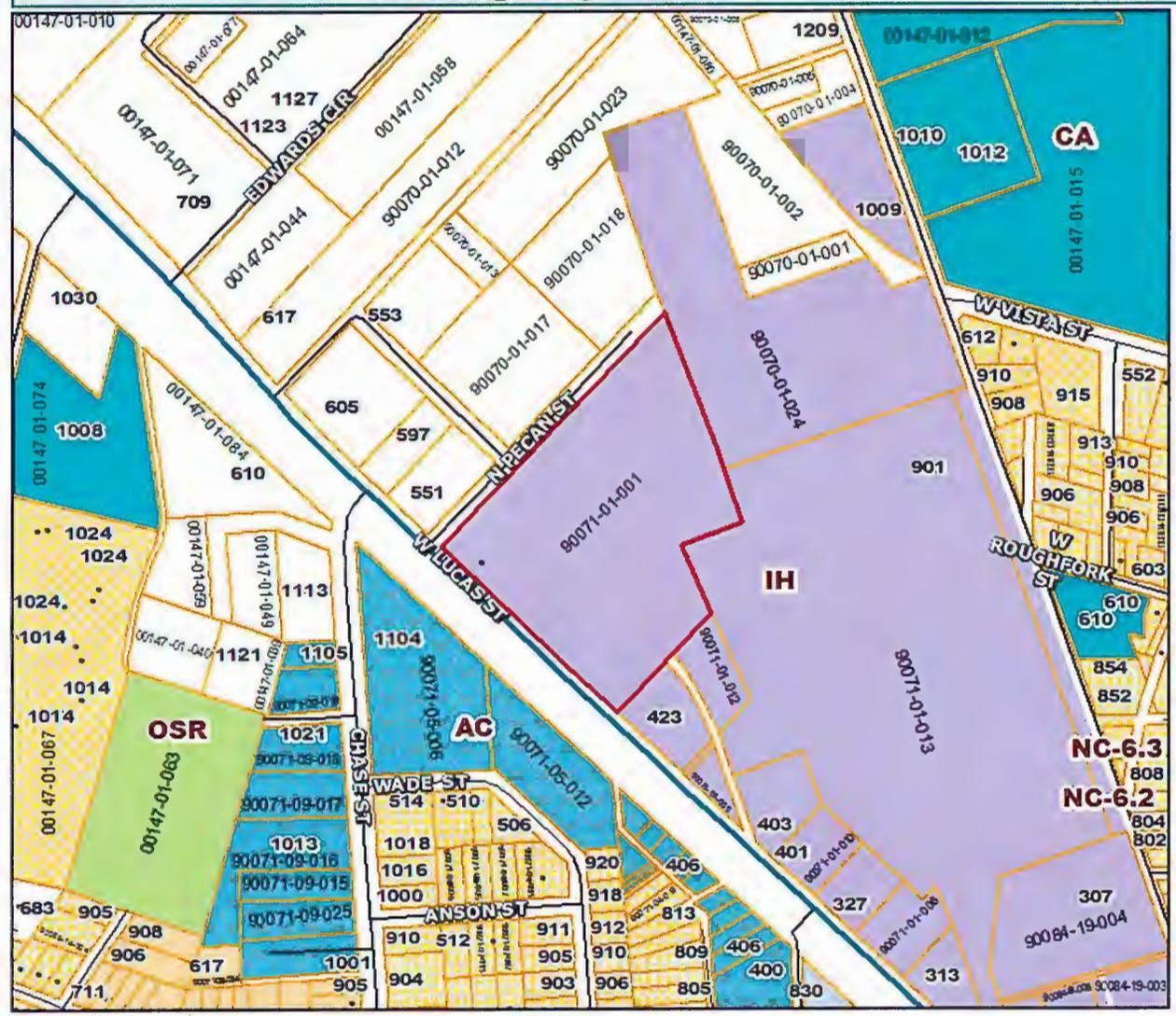
- Legend**
- City Limits
  - Parcels



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# PC 2019-03 Current Zoning Map - 451 W. Lucas St.



- Legend**
- Parcel
  - Zoning District
  - Agricultural and Open Space Districts
    - AR
    - OSR
  - Residential Districts
    - RS
    - RS-1
    - RS-2
    - RS-3
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  - Neighborhood Conservation Sub-Districts
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  - Business and Commercial Districts
    - CB
    - CA
    - CS
  - Neighborhood Districts
    - ND
    - AC
    - CS
  - Industrial Zoning Districts
    - I
    - IN
  - Unzoned Area

FULL LIFE, FULL FORWARD.  
**FLORENCE**  
SOUTH CAROLINA

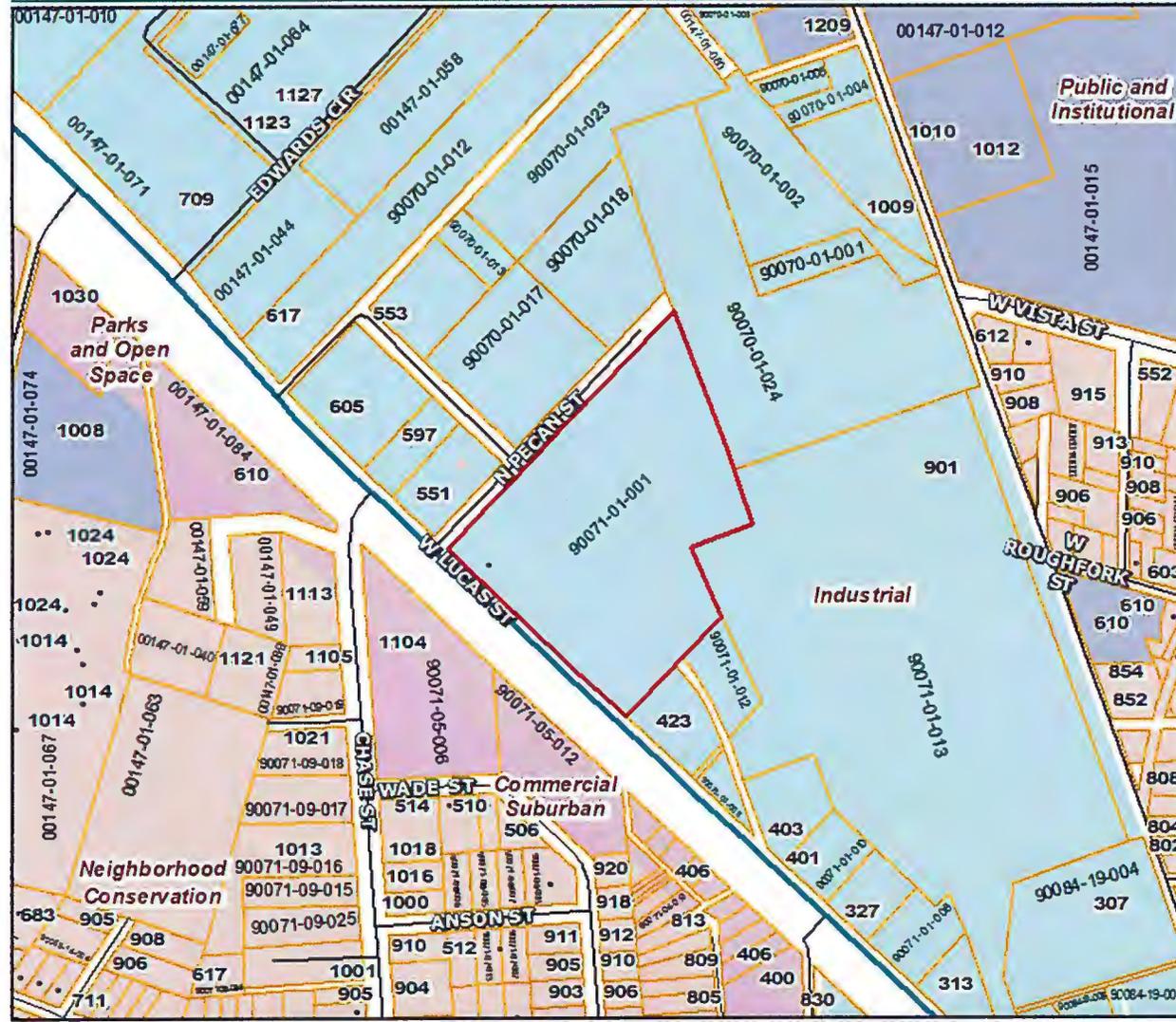
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400 200 0 400 Feet

Date: 1/25/2019

# PC 2019-03

## Future Land Use - 451 W. Lucas St.



- Legend**
- Parcel
  - Future Land Use 2010
  - 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



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Date: 1/25/2019

**FLORENCE CITY COUNCIL MEETING**

**DATE:** May 13, 2019

**AGENDA ITEM:** An ordinance amending the FY 2018-19 budget – As Amended on Second Reading to correct a scrivener's error in Section 2 of the original FY 2018-19 budget ordinance to correct the fiscal period to properly reflect the period as July 1, 2018, and ending July 1, 2019.

**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**

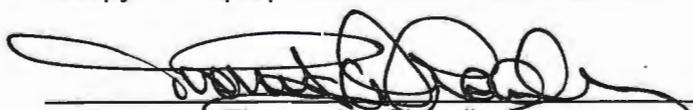
- A. The objective of the proposed ordinance is to amend the General Fund budget for FY 2018-19 to appropriate funding for the following projects and purchases not currently included in the FY 2018-19 budget:
1. acquisition of up to ten (10) new patrol vehicles in the Police Department;
  2. replacement 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. a sculpture of James Allen to be placed in the James Allen Plaza funded by donations.
- 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 (AS AMENDED FOR SECOND READING)**

**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.

**BE IT FURTHER ORDAINED** by the City Council of the City of Florence, South Carolina, that Section 2 of the original City of Florence, South Carolina budget ordinance for Fiscal Year 2018-2019, adopted by City Council on June 28, 2018 is hereby amended to correct a scrivener's error. Section 2 of the original budget ordinance for Fiscal Year 2018-19 shall be amended to read in full as follows:

In accordance with § 6-1-320 of the South Carolina Code of Laws (as amended), a tax for general operating purposes for the period from July 1, 2018, and ending June 30, 2019, for the sums and in the amount hereinafter mentioned, is and shall be levied, collected and paid into the treasury of the City of Florence for the operational use and service thereof. A tax of fifty eight and one-tenth (58.1) mills upon each one dollar (\$1.00) in value of real estate and personal property of every description owned and used in the City of Florence, South Carolina, is and shall be levied and paid into the City treasury for the credit to the City of Florence for the corporate purposes, improvements, and for the purpose of paying current operating expenses of said municipality. Such tax, set at the same operating millage rate as the previous fiscal year, is levied on property assessed for taxation for County and State purposes.

**FY 2018-2019 Budget Amendment Ordinance (continued)**

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:**

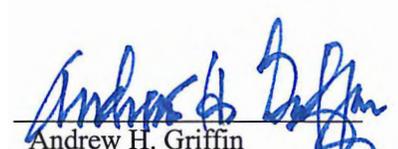
**V. ATTACHMENTS:**

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



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Jerry B. Dudley  
Planning Director



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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:

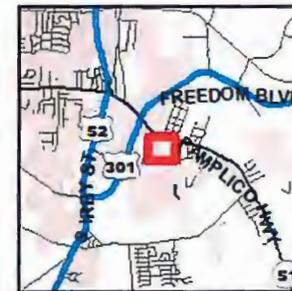
\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

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

Attest:

\_\_\_\_\_  
Amanda P. Pope  
Municipal Clerk

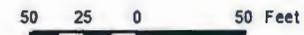
**PC 2019-02**  
**Vicinity Map - 2715 Nob Hill Drive**



- 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



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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	1
Race	white
Total 18 and Over	1
Total Registered to Vote	1

Date 12/18/18

Darius D. D. [Signature]  
Petitioner

Date \_\_\_\_\_

\_\_\_\_\_  
Petitioner

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date 12/19/18	[Signature]

**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

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**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	
<b>Residential Uses</b>																
Single Family Detached	P	P	P	P	<sup>3</sup>	P	-	-	-	-	-	-	-	-	-	P
Lot Line Home	-	C	C	C	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Patio Home <sup>2</sup>	-	C	C	C	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Townhome	-	PB	PB	P	<sup>3</sup>	-	-	PB	P	PB	-	-	-	-	-	-
Cottage	-	C	C	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Duplex	-	-	PB	P	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Manufactured Home <sup>1,2</sup>	-	-	-	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Multiplex (triplex or quadraplex)	-	-	PB	P B	<sup>3</sup>	PB	-	-	P B	-	PB	-	-	-	-	-
Multifamily <sup>2</sup>	-	-	C	C	<sup>3</sup>	-	-	C	C	C	C	-	-	-	-	-
Live - Work Units	-	-	-	-	<sup>3</sup>	C	-	-	P	C	P	C	-	-	-	-
<b>Residential Neighborhoods</b>																
Single Family Cluster	P	P	P	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	P
Mixed Housing Cluster	-	P	P	P	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Manufactured Home Park or	-	-	-	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
<b>Commercial Use of the Home</b>																
Bed and Breakfast Inn	C	C	-	-	<sup>3</sup>	C	-	-	C	C	C	-	-	-	-	C
Child Care Services	C	C	C	-	<sup>3</sup>	C	-	-	-	-	-	-	-	-	-	-
Group Home	C	C	C	-	<sup>3</sup>	C	-	-	-	-	-	-	-	-	-	-
Home Occupation	C	C	C	C	<sup>3</sup>	C	-	-	C	C	-	-	-	-	-	-
Short Term Rental	C	C	C	C	<sup>3</sup>	P	P	P	P	P	P	-	-	-	-	-
<b>TABLE NOTES:</b>																
<sup>1</sup> Permitted only in a manufactured home park or manufactured home subdivision.																
<sup>2</sup> 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)																
<sup>3</sup> 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
<b>Residential Uses</b>						
Single Family Detached	P	P	P	P	P	P
Lot Line Home	-	-	-	C	C	-
Patio Home <sup>2</sup>	-	-	-	C	C	-
Townhome	-	-	-	-	PB	-
Cottage	-	-	-	-	-	-
Duplex	-	-	-	PB	PB	PB
Manufactured Home <sup>1,2</sup>	-	-	-	-	-	-
Multiplex (triplex or quadriplex)	-	-	-	-	PB	-
Multifamily <sup>2</sup>	-	-	-	-	C	-
Live - Work Units	-	-	-	-	-	-
<b>Residential Neighborhoods</b>						
Single Family Cluster	-	-	-	-	-	-
Mixed Housing Cluster	-	-	-	-	-	-
Manufactured Home Park or	-	-	-	-	-	-
<b>Commercial Use of the Home</b>						
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
<b>Short Term Rental</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>

**TABLE NOTES:**

<sup>1</sup>Permitted only in a manufactured home park or manufactured home subdivision.

<sup>2</sup>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)

## 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 <sup>3</sup>	CR	CA	CG	CB	AC	DS	IL	IH	OS	AR	
<b>Residential Uses</b>																
Single Family Detached	P	P	P	P	<sup>3</sup>	P	-	-	-	-	-	-	-	-	-	P
Lot Line Home	-	C	C	C	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Patio Home <sup>2</sup>	-	C	C	C	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Townhome	-	PB	PB	PB	<sup>3</sup>	-	-	PB	PB	PB	-	-	-	-	-	-
Cottage	-	C	C	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Duplex	-	-	PB	PB	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Manufactured Home <sup>1,2</sup>	-	-	-	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Multiplex (triplex or quadraplex)	-	-	PB	PB	<sup>3</sup>	PB	-	-	PB	-	PB	-	-	-	-	-
Multifamily <sup>2</sup>	-	-	C	C	<sup>3</sup>	-	-	C	C	C	C	-	-	-	-	-
Live - Work Units	-	-	-	-	<sup>3</sup>	C	-	-	P	C	P	C	-	-	-	-
<b>Residential Neighborhoods</b>																
Single Family Cluster	P	P	P	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	P
Mixed Housing Cluster	-	P	P	P	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Manufactured Home Park or Subdivision	-	-	-	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
<b>Commercial Use of the Home</b>																
Bed and Breakfast Inn	C	C	-	-	<sup>3</sup>	C	-	-	C	C	C	-	-	-	-	C
Child Care Services	C	C	C	-	<sup>3</sup>	C	-	-	-	-	-	-	-	-	-	-
Group Home	C	C	C	-	<sup>3</sup>	C	-	-	-	-	-	-	-	-	-	-
Home Occupation	C	C	C	C	<sup>3</sup>	C	-	-	C	C	-	-	-	-	-	-
Short Term Rental	C	C	C	C	<sup>3</sup>	P	P	P	P	P	P	-	-	-	-	-
<b>TABLE NOTES:</b>																
<sup>1</sup> Permitted only in a manufactured home park or manufactured home subdivision.																
<sup>2</sup> 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)																
<sup>3</sup> 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
<b>Residential Uses</b>						
Single Family Detached	P	P	P	P	P	P
Lot Line Home	-	-	-	C	C	-
Patio Home <sup>2</sup>	-	-	-	C	C	-
Townhome	-	-	-	-	PB	-
Cottage	-	-	-	-	-	-
Duplex	-	-	-	PB	PB	PB
Manufactured Home <sup>1,2</sup>	-	-	-	-	-	-
Multiplex (triplex or quadriplex)	-	-	-	-	PB	-
Multifamily <sup>2</sup>	-	-	-	-	C	-
Live - Work Units	-	-	-	-	-	-
<b>Residential Neighborhoods</b>						
Single Family Cluster	-	-	-	-	-	-
Mixed Housing Cluster	-	-	-	-	-	-
Manufactured Home Park or Subdivision	-	-	-	-	-	-
<b>Commercial Use of the Home</b>						
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
<b>TABLE NOTES:</b>						
<sup>1</sup> Permitted only in a manufactured home park or manufactured home subdivision.						
<sup>2</sup> 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.

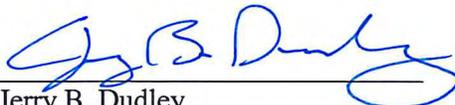
**III. POINTS TO CONSIDER:**

- (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. Map of Downtown
- C. 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; additions addressing City Council concerns in blue).

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	
<b>Commercial Uses</b>																
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) <sup>1</sup>	-	-	-	-	-	-	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 and with the exception of its overlap with the Food, Artisan, and Warehouse District, a mobile food vendor shall not operate within a 300 ft distance of the H-1, Historic Overlay District (measured from the perimeter of the 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. In certain cases to include but not limited to publicly sanctioned events and festivals, mobile food vendors may be allowed, with written permission, to operate within the prohibited areas.
10. 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.
11. If the mobile food vendor operates after dark, the vendor shall provide appropriate lighting limited to the parcel on which the vendor is located.
12. 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.

13. 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.
14. 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.
15. The vendor must comply with all applicable municipal utility requirements per Chapter 12 of the City of Florence Code of Ordinances
16. 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.
17. 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**

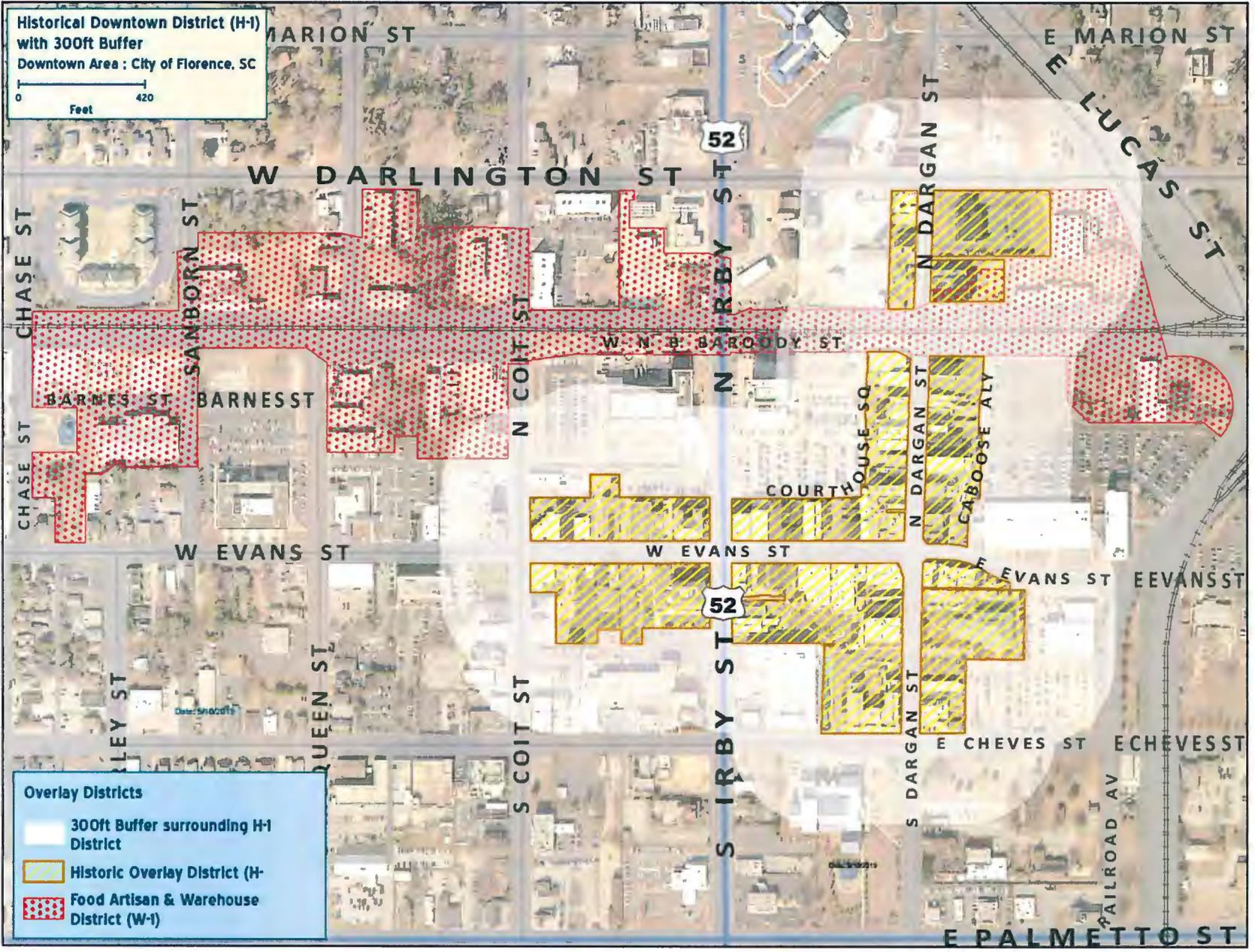
**Cart** means any portable vending device, pushcart, or any other wheeled vehicle or device which is moved without assistance of a motor and which is not required to be licensed and registered by the South Carolina Department of Motor Vehicles, used for the displaying, storing, or transporting of articles 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.

Attachment B. Map of Downtown Florence (including H-1, W-1, and 200 ft buffer area)



**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
<b>Commercial Uses</b>															
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	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 and with the exception of its overlap with the Food, Artisan, and Warehouse District, a mobile food vendor shall not operate within a 300 ft distance of the H-1, Historic Overlay District (measured from the perimeter of the 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. In certain cases to include but not limited to publicly sanctioned events and festivals, mobile food vendors may be allowed, with written permission, to operate within the prohibited areas.
10. 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.
11. If the mobile food vendor operates after dark, the vendor shall provide appropriate lighting limited to the parcel on which the vendor is located.
12. 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.
13. 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.

14. 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.
15. The vendor must comply with all applicable municipal utility requirements per Chapter 12 of the City of Florence Code of Ordinances
16. 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.
17. 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.

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**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**

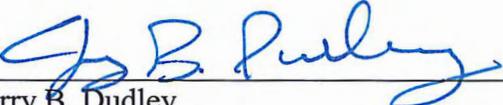
City Council may:

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:**

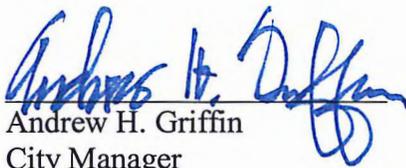
**VI. ATTACHMENTS:**

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



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Jerry B. Dudley  
Planning Director



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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:**

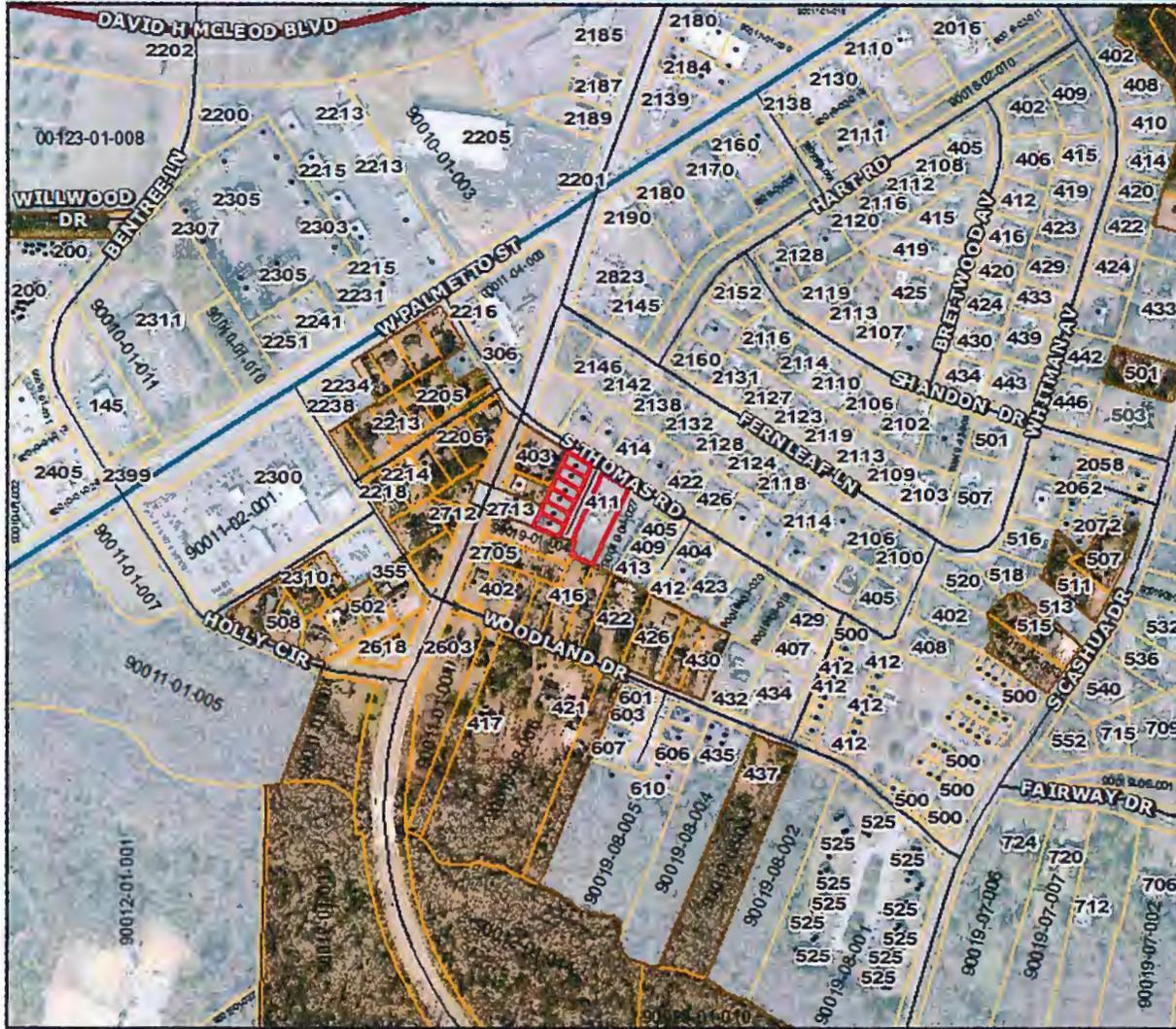
\_\_\_\_\_  
James W. Peterson, Jr.  
**City Attorney**

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

**Attest:**

\_\_\_\_\_  
Amanda P. Pope  
**Municipal Clerk**

# PC 2019-05 Vicinity Map - Thomas Road



### Legend

-  City Limits
-  Parcels

FULL LIFE. FULL FORWARD.  
**FLORENCE**  
SOUTH CAROLINA

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

100 50 0 100 Feet

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

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**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.

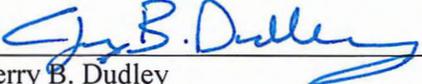
**III. POINTS TO CONSIDER:**

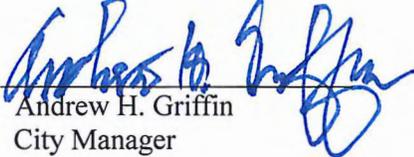
- (1) This request is being considered for first reading.
- (2) The property seeking annexation is zoned R-1 in Florence County.
- (3) The property is currently the site of a single family home.
- (4) The proposed zoning, pending annexation, is Neighborhood Conservation-15 (NC-15).
- (5) The only uses 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:

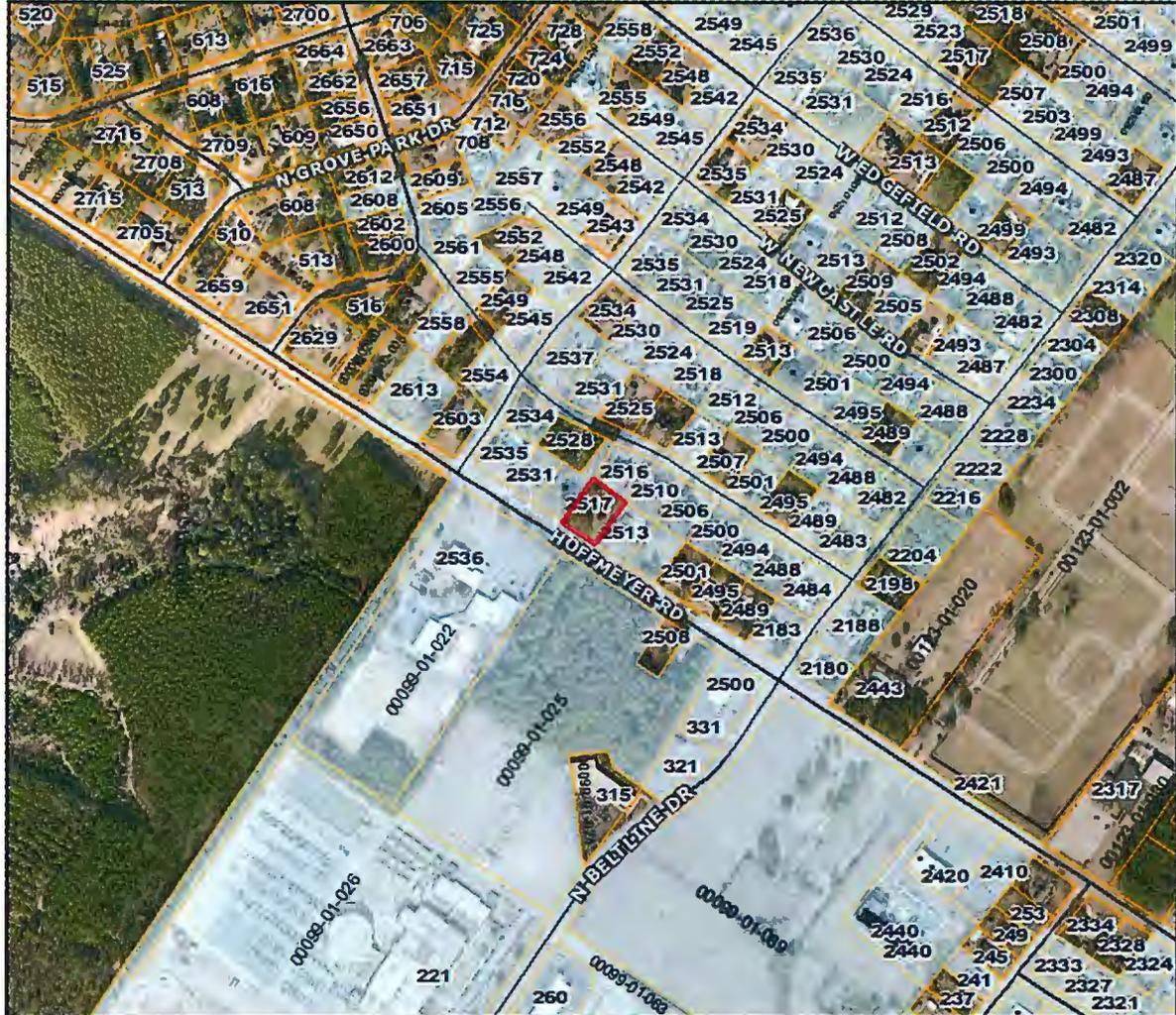
\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

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

Attest:

\_\_\_\_\_  
Amanda P. Pope  
Municipal Clerk

### Vicinity Map - 2517 Hoffmeyer Road



- Legend**
- City Limits
  - Parcels



**DISCLAIMER:**  
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Date: 3/28/2011

### Location Map - 2517 Hoffmeyer Road



- Legend**
- City Limits
  - Parcels



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Date: 3/28/2011

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

Lance D. Guphi  
Petitioner

Date \_\_\_\_\_

\_\_\_\_\_  
Petitioner

Certification as to ownership on the date of petition: Date <u>2-19-19</u>	FOR OFFICIAL USE ONLY <u>03</u>
---	------------------------------------

FLORENCE CITY COUNCIL MEETING

**DATE:** May 13, 2019  
**AGENDA ITEM:** FY 2019-20 Budget Ordinance  
**DEPARTMENT/DIVISION:** Finance

**I. ISSUE UNDER CONSIDERATION**

For consideration is the adoption of Fiscal Year 2019-20 Budgets for the City of Florence.

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

FY 2019-20 budget development began in January and continued through March and April with the preparation of revenue estimates, wages and benefits data development, the submission of departmental budget requests, and departmental budget meetings with the City Manager. Council work sessions were held to review budget related issues.

**III. POINTS TO CONSIDER**

The General Fund, General Fund Debt Service Fund, Water & Sewer Enterprise Fund, Stormwater Enterprise Fund, Water and Sewer Utilities Construction Fund, Stormwater Utility Construction Fund, Water and Sewer Utilities Equipment Replacement Fund, Stormwater Utility Equipment Replacement Fund, and the Hospitality Fund budgets for the fiscal year ending June 30, 2020, recommended for adoption by the City Council are enclosed for your review.

**IV. OPTIONS**

Adopt the budgets.

Modification of the budgets as presented.

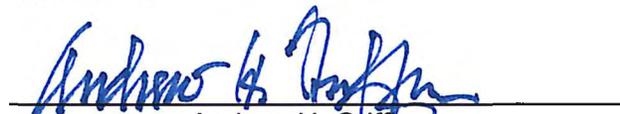
**III. STAFF RECOMMENDATION**

Adopt the FY 2019-20 recommended budgets as amended.

**IV. ATTACHMENTS**

The FY 2019-20 budget ordinance is attached as amended.

  
Thomas W. Chandler  
Finance Director

  
Andrew H. Griffin  
City Manager

**ORDINANCE NO. 2019- \_\_\_\_\_**

**AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2020.**

**WHEREAS**, § 5-7-260 of the South Carolina Code of Laws (as amended) requires that a Municipal Council shall act by ordinance to adopt budgets and levy taxes pursuant to public notice.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Florence in Council duly assembled and by the authority of the same:

**Section 1**

- (a) There is hereby adopted a General Fund budget for the City of Florence for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein, providing for revenues and appropriations in a total amount of \$38,489,000.
- (b) Further, there is hereby adopted a General Fund Debt Service Fund budget for the City of Florence for fiscal year beginning July 1, 2019, and ending June 30, 2020, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein, providing for revenues and appropriations in the total amount of \$455,000.
- (c) Further, there is hereby adopted a Water and Sewer Utilities Enterprise Fund budget for the City of Florence for fiscal year beginning July 1, 2019, and ending June 30, 2020, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein, providing for revenues and appropriations in a total amount of \$35,660,000.
- (d) Further, there is hereby adopted a Stormwater Utility Enterprise Fund budget for the City of Florence for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein providing for revenues and appropriations in the total amount of \$1,400,000.
- (e) Further, there is hereby adopted a Water and Sewer Utilities Construction Fund budget for the City of Florence for fiscal year beginning July 1, 2019, and ending June 30, 2020, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein, providing for revenues and appropriations in a total amount of \$10,307,000.
- (f) Further, there is hereby adopted a Stormwater Utility Construction budget for the City of Florence for fiscal year beginning July 1, 2019, and ending June 30, 2020, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein, providing for revenues and appropriations in a total amount of \$240,000.

## **Fiscal Year 2019-20 Budget Ordinance (continued)**

- (g) Further, there is hereby adopted a Water and Sewer Utilities Equipment Replacement Fund budget for the City of Florence for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein providing for revenues and appropriations in the total amount of \$982,000.
- (h) Further, there is hereby adopted a Stormwater Utility Equipment Replacement Fund budget for the City of Florence for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein providing for revenues and appropriations in the total amount of \$150,000.
- (i) Further, there is hereby adopted a Hospitality Fund budget for the City of Florence for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein providing for revenues and appropriations in the total amount of \$5,165,000. Authorized as part of this ordinance and incorporated into the Hospitality Fund budget is a commitment by the City of Florence to contribute to the operations and maintenance costs of the Florence County Museum for the fiscal year beginning July 1, 2019, and ending June 30, 2020, and for future fiscal years through June 30, 2025 pursuant to the Memorandum of Understanding Between Florence County and the City of Florence dated April 25, 2013.

### **Section 2**

In accordance with § 6-1-320 of the South Carolina Code of Laws (as amended), a tax for general operating purposes for the period from July 1, 2019, and ending June 30, 2020, for the sums and in the amount hereinafter mentioned, is and shall be levied, collected and paid into the treasury of the City of Florence for the operational use and service thereof. A tax of fifty eight and one-tenth (58.1) mills upon each one dollar (\$1.00) in value of real estate and personal property of every description owned and used in the City of Florence, South Carolina, is and shall be levied and paid into the City treasury for the credit to the City of Florence for the corporate purposes, improvements, and for the purpose of paying current operating expenses of said municipality. Such tax, set at the same operating millage rate as the previous fiscal year, is levied on property assessed for taxation for County and State purposes.

### **Section 3**

In accordance with of § 6-1-320 of the South Carolina Code of Laws (as amended), a tax for general obligation bond indebtedness for the period from July 1, 2019, and ending June 30, 2020, for the sums and in the amount hereinafter mentioned, is and shall be levied, collected and paid into the treasury of the City of Florence for the purpose of meeting general obligation bond debt service requirements. A tax of up to, but not exceeding, four (4.0) mills upon each one dollar (\$1.00) in value of real estate and personal property of every description owned and used in the City of Florence, South Carolina, is and shall be levied and paid into the City treasury for the credit to the City of Florence for the purpose of

## **Fiscal Year 2019-20 Budget Ordinance (continued)**

providing and paying for general obligation bond debt of the municipality. Such tax is levied on property that is assessed for taxation for County and State purposes.

### **Section 4**

In accordance with § 23-47-10 through § 23-47-80 of the South Carolina Code of Laws (as amended), and § 14-93 through § 14-98 of the City of Florence, SC Code of ordinances (as amended), funding is and shall be provided to allow for the operation, maintenance, and enhancements of the E-911 system through a monthly charge of seventy-seven cents (\$0.77) upon each local exchange access line in the area served by or which would be served by the E-911 service and/or system of the City. Such charges are specifically enforceable under § 23-47-50 (B) of the SC Code of Laws. E-911 fees collected by the City of Florence shall be used to fund the acquisition of Police and Fire communications equipment in compliance with § 23-47-40 (B) of the South Carolina Code of Laws, as amended. Funding in the total amount of \$560,000 is hereby appropriated and allocated in increments of approximately \$80,000 per year over a seven-year period, from fiscal year beginning July 1, 2015 through fiscal year ending June 30, 2022 as part of a multi-year communications equipment budget provided pursuant to the Florence City Council adoption of Resolution No. 2015-13.

### **Section 5**

The City Manager shall administer the budget and may authorize the transfer of appropriate funds within and between departments as necessary to achieve the goals of the budget. The City Manager is authorized to assign fund balance intended to be used for specific purposes.

### **Section 6**

The City Manager or his designee is authorized to execute all necessary documents relating to the lease-purchase financing of equipment specifically authorized in the budget as presented or amended by City Council for fiscal year beginning July 1, 2019, and ending June 30, 2020. This action further constitutes a resolution of City Council authorizing and approving such equipment for lease-purchase acquisition, and this ordinance shall serve as representation of this resolution.

### **Section 7**

If for any reason, any sentence, clause or provision of this Ordinance shall be declared invalid, such shall not affect the remaining provisions thereof.

### **Section 8**

That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed, insofar as the same affect this Ordinance.

**Fiscal Year 2019-20 Budget Ordinance (continued)**

**Section 9**

That this Ordinance shall become effective on July 1, 2019.

**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**

VIII. b.  
Bill No. 2019-16  
First Reading

**DATE:** May 13, 2019

**AGENDA ITEM:** Animal Care and Control Ordinance Amendment

**DEPARTMENT / DIVISION:** Public Works Department

**I. ISSUE UNDER CONSIDERATION:**

An Ordinance to amend Chapter 3, Section 3.3 of the Animal Care and Control Ordinance to prohibit the unlawful sale or transfer of animals, pets, or livestock.

**II. PREVIOUS ACTION:**

The current Animal Care and Control Ordinance 2015-35 was updated and adopted on December 14, 2015.

**III. POINTS TO CONSIDER:**

1. This amendment will add Section 3-3.1 (Prohibiting the unlawful sale of Animals, Pets, or Livestock) and Section 3-3.2 (Prohibiting the Give Away of Animals as Prizes or Inducements) to the current Ordinance Section 3-3 (Animal Care).
2. This ordinance amendment has been requested and is supported by the Florence Area Humane Society. City staff has met with representatives of the Florence Area Humane Society to hear their ideas and suggestions regarding the revised ordinance.
3. The United States Humane Society states that a number of puppies, kittens, and other type pets come from inhumane breeding facilities where the health and welfare of the animals are not adequately provided for. This often leads to no recourse for the residents who may find the animal sick or with other conditions due to poor breeding practices.
4. This ordinance amendment will restrict the sale of non-vetted animals in public spaces, flea markets, garage sales, and the like. This ordinance amendment will protect the animals and ensure they are being treated humanely and responsibly.

**IV. OPTIONS:**

1. Approve the revised and amended ordinance.

**V. STAFF RECOMMENDATION:**

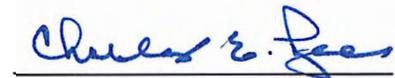
1. Staff recommends approval of Ordinance 2019 – 16.

**VI. ATTACHMENTS:**

1. A copy of Ordinance 2019 – 16.



Andrew H. Griffin  
City Manager



Charles E. Pope  
Public Works Director

**ORDINANCE NO. 2019 - 16**

**AN ORDINANCE TO AMEND THE CITY OF FLORENCE CODE OF ORDINANCES, CHAPTER 3, ANIMAL CARE AND CONTROL; SECTION 3-3.**

**WHEREAS**, the City of Florence provides a variety of animal care and control services in the municipal limits, many of which are mandated by state law; and

**WHEREAS**, pursuant to South Carolina State Code, Section 47-3-20; the governing body of each county or municipality in this state may enact ordinances and promulgate regulations for the care and control of dogs, cats, and other animals and to prescribe penalties for violations; and

**WHEREAS**, the City of Florence Code of Ordinances currently allows the sale of animals, pets, and/or livestock on public and private property in Chapter 3 – Animal Care and Control; and

**WHEREAS**, in an attempt to restrict the sale of non-vetted animals in public spaces in order to reduce the risk of public safety; and

**WHEREAS**, the City of Florence deems it necessary for cats and dogs to be weaned at the appropriate time, no less than seven weeks, to ensure the animal is accustomed to taking food or nourishment other than by nursing; and,

**WHEREAS**, it is the intent of the City of Florence to ensure that animals are treated humanely and responsibly through public education and through exercise of the powers vested to municipalities through the State of South Carolina; and

**WHEREAS**, the amendments contained herein will conditionally restrict the sale of animals, pets, and/or livestock on public and private property; and

**WHEREAS**, the City Council of the City of Florence, South Carolina is authorized and empowered to adopt such resolutions;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Florence, South Carolina, hereby amends Chapter 3, Section 3-3, Animal Care, of the City of Florence Code of Ordinance.

**ADOPTED THIS** \_\_\_\_\_ **day of June 2019**

**APPROVED AS TO FORM:**

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

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

**ATTEST:**

\_\_\_\_\_  
**AMANDA P. POPE**  
**MUNICIPAL CLERK**

## **Chapter 3    Animal Care and Control**

### **Sec. 3-3.1    Sale of animals, pets, or livestock.**

Prohibiting selling animals on roadside, garage sales, flea markets and festivals.

- (a) It shall be unlawful for any person to sell, trade, barter, exchange, auction, lease, rent, give away, or display for commercial purpose, any live animal or pet on a roadside, public right-of-way, or public property.
- (b) It shall also be unlawful for any person not properly licensed to sell, trade, barter, exchange, auction, lease, rent, give away, or display for commercial purpose, any live animal or pet on a commercial parking lot (inclusive of means of ingress/egress), or at any flea market, fair, carnival, or similar event.
  1. In order to become a licensed breeder, one must follow the necessary process to obtain said license. This does not apply to “hobby breeders” who happen to own two or less animals and breed a litter or two every few years. The standard practice for the litter of animals of the “hobby breeder” is to give away or raise the litter at home but the litter is not being used for profit.
  2. Breeding License Applications are obtained from the municipal Animal Shelter (Jayne H. Boswell Animal Shelter at 1434 McCurdy Road).
  3. A complete license application includes:
    - Breeding License Application Form,
    - A \$10.00 Application Fee,
    - License Renewal Fee is due each year by June 30<sup>th</sup>,
    - Applicants are required to provide documentation and records for a Program of Veterinary Care which is a written plan that has been signed by your Attending Veterinarian. This plan should include and meet the basic standards of care as defined by the (AWA) Animal Welfare Act of 1966 which is enforced by the United States Department of Agriculture.
    - Applicants are also required to provide a Certificate of Health signed by your Attending Veterinarian to include age and records of shots and vaccines to date.
    - A Pre-Inspection by a City of Florence Animal Control Officer (or Designee). The inspector that is assigned to your application will review all the documents. The Animal Control Officer will contact you within 10 days from the date they received the application to schedule the pre-license inspection. You are always free to contact the inspector during this waiting period if you have any questions. The pre-license inspection is the only one that will be scheduled with an inspector. The best way to prepare for the inspection is by being aware and understanding the regulatory standards as well as ensuring your facility complies with official Animal Welfare Act (AWA) requirements. The inspector will inspect the facility in order to determine if it meets the AWA requirements.

- The AWA requires that basic standards of care and treatment be provided for animals bred and sold for use as pets, used in biomedical research, transported commercially, or exhibited to the public. Individuals who operate facilities in these categories must provide their animals with adequate care and treatment in the areas of housing, handling, sanitation, nutrition, water, veterinary care, and protection from extreme weather and temperatures.
  - After you are licensed, all of the other inspections will be unannounced. Therefore, it is important that you carefully prepare and maintain all your records as well as your facility according to the Animal Welfare Act and Animal Welfare Regulations.
- (c) No person shall sell, offer for sale, or give away any pet under seven (7) weeks of age, except as surrender to a municipal and/or county animal care facility or to a licensed pet rescue organization.
- (d) Pet shops and Veterinarian Facilities properly licensed by the City of Florence (City of Florence Business License), municipal and/or county animal care facilities, and licensed pet rescue organizations are exempt from the requirements of this section.
- (e) It shall be unlawful for any person to dye or color artificially any animal or fowl, including but not limited to rabbits, baby chickens, and ducklings, or to bring any dyed or colored animal or fowl into the City of Florence.
- (f) In circumstances where the sell, trade, barter, exchange, auction, lease, rent, give away, or display for commercial purpose of any live animal is allowed, the seller/owner shall provide the “necessities of life” at the site in which these actions are taking place for the animal(s) as described in the City of Florence Code of Ordinances, Section 3-3. Animal Care.

**Sec. 3-3.2 Prohibiting the transfer (giving away) animals as prizes or inducements**

- (a) It shall be unlawful for any person to give a way, or to offer to give away, any animal as a prize for, or as an inducement to enter, any contest, game or other competition, or as an inducement to enter a place of amusement; or offer such animal as an incentive to enter into any business agreement whereby the offer was for the purpose of attracting trade.
- (b) It shall be unlawful for any person to offer a pet as an inducement to purchase a product, commodity, or service.

Upon receipt of a complaint, the animal control officer or other law enforcement officers shall investigate the complaint to determine whether there is a violation of these sections of the ordinance.

If a violation of Section 3-3.1 and/or 3-3.2 has occurred, the owner violating any provision of this section shall be subject to a notice of violation of this ordinance and/or the animal(s) shall be subject to seizure and impoundment at the discretion of the investigating animal control officer(s) or other law enforcement officer(s). Upon impoundment, a notice of violation will be provided to the animal owner. Animals impounded under this section may be reclaimed by the owner as described in the City of Florence Code of Ordinances Section 3-8, Impoundment or Seizure and Section 3-9, Redemption.

**FLORENCE CITY COUNCIL MEETING**

**DATE:** May 13, 2019

**AGENDA ITEM:** Ordinance to Annex and Zone Property Owned by Meredith Bailey, located at 154 North Lakewood Drive, TMN 90009-04-009.

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

**I. ISSUE UNDER CONSIDERATION:**

Request to annex property located at 154 North Lakewood Drive, Tax Map Number 90009-04-009, into the City of Florence and zone Neighborhood Conservation-15 (NC-15).

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

- (1) On April 9, 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-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 unzoned in Florence County.
- (3) The property is currently vacant.
- (4) The proposed zoning, pending annexation, is Neighborhood Conservation-15 (NC-15).
- (5) City water and sewer services are currently available to the parcel.
- (6) 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 existing zoning within the subdivision 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 MEREDITH BAILEY; TMN 90009-04-009.**

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

**WHEREAS,** application by Meredith Bailey, owner of TMN 90009-04-009, 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 90009, block 04, parcel 009 (0.561248 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 classification.
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

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019

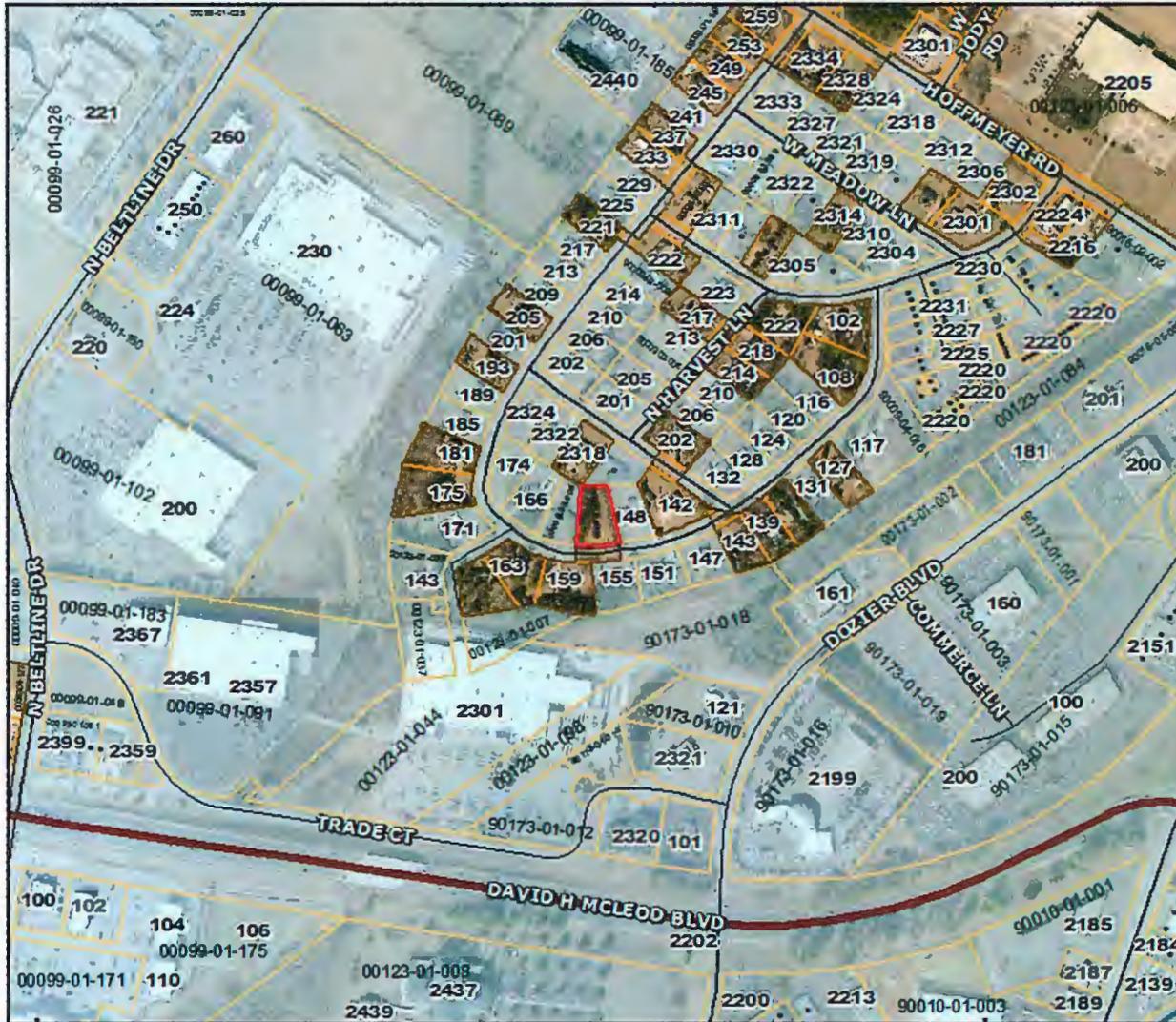
Approved as to form:

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

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

Attest:

\_\_\_\_\_  
Amanda P. Pope  
Municipal Clerk



**Legend**

- City Limits
- Parcels

FULL LIFE. FULL FORWARD.  
**FLORENCE**  
 SOUTH CAROLINA

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



Date: 3/28/2011



**Legend**

-  City Limits
-  Parcels



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Date: 3/28/2019

Attachment D: Annexation Petition

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 90009-04-009

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

city services

- 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>0</u>
Race	<u>          </u>
Total 18 and Over	<u>          </u>
Total Registered to Vote	<u>0</u>

Date 3-6-19

J. Smith  
Petitioner

Date 5-6-19

Meredith Bailey  
Petitioner

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date <u>3-6-19</u>	<u>13</u>

**FLORENCE CITY COUNCIL MEETING**

**DATE:** May 13, 2019

**AGENDA ITEM:** An ordinance to amend the Planned Development District for property located at 2670 David H. McLeod Boulevard, TMN 00099-01-077.

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

---

**I. ISSUE UNDER CONSIDERATION:**

An Ordinance to amend the Crossroads Shopping Center PDD, for an outparcel located at 2670 David H. McLeod Boulevard, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 00099-01-077.

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

- (1) On April 9, 2019, the City of Florence Planning Commission held a public hearing on this matter and voted 6-0 to recommend the amendment to the PDD.

**III. POINTS TO CONSIDER:**

- (1) The property is currently zoned Planned Development District (PDD). It is an outparcel of the Crossroads Shopping Center.
- (2) The applicant proposes the addition of a small restaurant to the rear of the Nail Artisans Tan and Spa side of the building, with an accompanying enclosed restaurant entrance.
- (3) The proposal adds a unit to the original PDD as well as changes the footprint of the building, decreasing the rear and side setbacks of the southwest corner of the building by six feet. The rear setback will be 20 feet; the side setback will be 47 feet.
- (4) The airlock/foyer addition is required to meet building codes for restaurants.
- (5) Signage and parking requirements within the PDD follows the B-3 requirements as set forth in the *Zoning Ordinance of the City of Florence*, adopted July 2008.
- (6) City staff recommends that the amendment to the PDD be approved. The proposed use is in character with the existing Planned Development District and does not substantially affect the footprint of the building.

**IV. PERSONAL NOTES:**

- V.      **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 FOR PROPERTY LOCATED AT 2670 DAVID H. MCLEOD BOULEVARD, TMN 00099-01-077 TO ALLOW FOR DEVELOPMENT PLAN REVISIONS:**

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

**WHEREAS**, Hoang N. Pham made application to amend the Planned Development District to allow the addition of a restaurant to an existing building;

**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 addition of a restaurant;
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:**

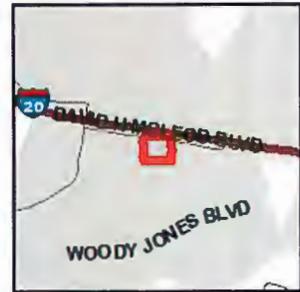
\_\_\_\_\_  
James W. Peterson, Jr.  
**City Attorney**

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

**Attest:**

\_\_\_\_\_  
Amanda P. Pope  
**Municipal Clerk**





**Legend**

 Parcels

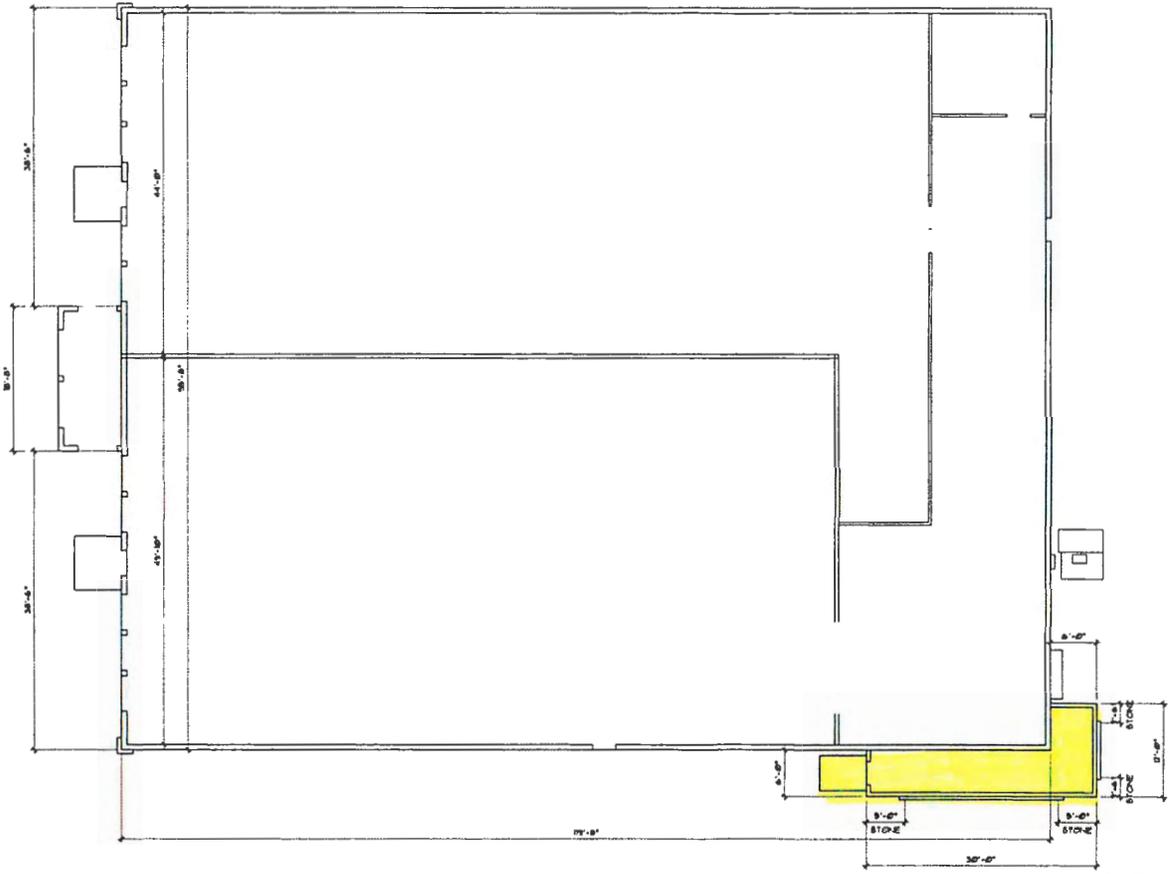


**DISCLAIMER:**  
The City of Florence Department of Planning, Research, and Development data represented on this map is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to its accuracy. Its use without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

60 30 0 60 Feet

Date: 3/28/2011

Attachment D: PDD Site Plan



1 SCHEMATIC FLOOR PLAN  
A1.1 SCALE: 1/8" = 1' - 0"

*enti*  
← 1.1

**FLORENCE CITY COUNCIL MEETING**

**DATE:** May 13, 2019

**AGENDA ITEM:** An ordinance to annex and zone property owned by Floyd Family Properties, LLC and located at Howe Springs Road and Canal Drive, TMN 00180-01-111.

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

---

**I. ISSUE UNDER CONSIDERATION:**

Request to annex property located at the southwest corner of the intersection of Howe Springs Road and Canal Drive, Tax Map Number 00180-01-111, into the City of Florence and zone to Neighborhood Conservation-6.3 (NC-6.3).

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

- (1) On April 9, 2019, the City of Florence Planning Commission held a public hearing on this matter and voted 6-0 to recommend the zoning request of Neighborhood Conservation-6.3 (NC-6.3), pending annexation approval.

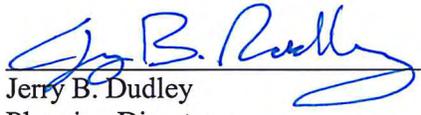
**III. POINTS TO CONSIDER:**

- (1) This request is being considered for first reading.
- (2) The property seeking annexation is unzoned in Florence County.
- (3) The 2.56 acre parcel is currently vacant.
- (4) The proposed zoning, pending annexation, is Neighborhood Conservation-6.3 (NC-6.3).
- (5) City water and sewer services are currently available to the parcel.
- (6) Adjacent properties are zoned Commercial General, Campus, and Planned Development.
- (7) City staff recommends the annexation and concurs with the Planning Commission's recommendation to zone the parcel Neighborhood Conservation-6.3 (NC-6.3) as requested. This recommendation is based on the future land use designation as well as the lot's dimensions, the proposed use, and the character of the adjacent parcels.

**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 FLOYD FAMILY PROPERTIES LLC; TMN 00180-01-111.**

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

**WHEREAS**, application by Tanner Garrett on behalf of Floyd Family Properties, owner of TMN 00180-01-111, to be zoned NC-6.3 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-6.3 (NC-6.3);

The property requesting annexation is shown more specifically on Florence County Tax Map 00180, block 01, parcel 111 (2.560044 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 classification.
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

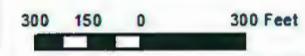
Attachment B: Vicinity Map



- Legend**
- City Limits
  - Parcels



**DISCLAIMER:**  
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Date: 3/29/2011



**Legend**

- City Limits
- Parcels



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300 150 0 300 Feet



Date: 3/23/2011

Attachment C: Location Map

Attachment D: Annexation Petition

STATE OF SOUTH CAROLINA  
COUNTY OF FLORENCE)

PETITION FOR ANNEXATION

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

00180-01-111

3. Annexation is being sought for the following purposes:

city services

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 \_\_\_\_\_  
 Race \_\_\_\_\_  
 Total 18 and Over \_\_\_\_\_  
 Total Registered to Vote \_\_\_\_\_

0  
 \_\_\_\_\_  
 \_\_\_\_\_

Date April 8 2019

Date \_\_\_\_\_

Petitioner

Edward B. Floyd  
Petitioner

Certification as to ownership on the date of petition:

FOR OFFICIAL USE ONLY

Date 4-8-19

03

VIII. f.  
Bill No. 2019-20  
First Reading

**FLORENCE CITY COUNCIL MEETING**

**DATE:** May 13, 2019

**AGENDA ITEM:** An Ordinance to rezone from PD to CA property located at 1840 Second Loop Road, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 90029-02-022.

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

**IV. ISSUE UNDER CONSIDERATION:**

A request to rezone from PD to CA property located at 1840 Second Loop Road, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 90029-02-022. The request is being made by the property owner, Bryan Patterson.

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

- (1) On April 9, 2019, the City of Florence Planning Commission held a public hearing on this matter and voted 6-0 to recommend the parcel be rezoned from PDD to CA.

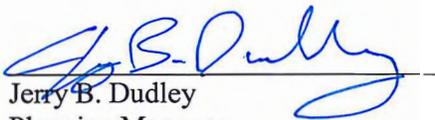
**II. POINTS TO CONSIDER:**

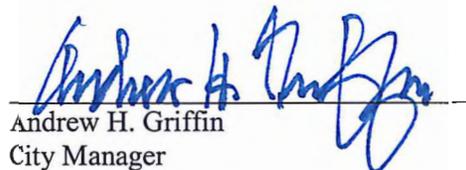
- (1) This request is being considered for first reading.
- (2) The property is currently zoned PDD Planned Development District; it was zoned to PDD from B-2 Limited Business on October 17, 2005 as the commercial component of the Hampton Park planned development. Since this time, residential components of this PDD have been rezoned to conventional residential zoning designations, leaving this remnant without clear development standards.
- (3) City staff recommends that the rezoning request be approved to accommodate the proposed use such that the site can develop subject to the standards of the *City of Florence Unified Development Ordinance*.

**V. PERSONAL NOTES:**

**VI. ATTACHMENTS:**

- A) Ordinance
- B) Location Map
- C) Zoning Map
- D) Future Land Use Map

  
Jerry B. Dudley  
Planning Manager

  
Andrew H. Griffin  
City Manager

**ORDINANCE NO. 2019-\_\_\_\_\_**

**AN ORDINANCE TO REZONE PROPERTY IDENTIFIED AS TAX MAP NUMBER 90029-02-022 LOCATED AT 1840 SECOND LOOP ROAD FROM PDD PLANNED DEVELOPMENT DISTRICT TO CA CAMPUS DISTRICT:**

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

**WHEREAS**, Bryan Patterson made application to rezone from PDD, Planned Development District to CA, Campus 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 CA Campus 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.

**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

Attachment B: Location Map



**Legend**

 Parcels



**DISCLAIMER:**  
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200 100 0 200 Feet



Date: 3/28/2011





- Legend**
- Parcels
  - Future Land Use 2010
  - 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

FULL LIFE. FULL FORWARD.  
**FLORENCE**  
 SOUTH CAROLINA

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Date: 3/28/2011

CITY OF FLORENCE CITY COUNCIL MEETING

**DATE:** May 13, 2019

**AGENDA ITEM:** An ordinance to amend Section 1-2.4.2, Establishment of Downtown Overlay Districts, of the City of Florence Unified Development Ordinance and proposed amendment to the City of Florence Design Guidelines to establish the Irby Street Corridor Overlay District.

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

**I. ISSUE UNDER CONSIDERATION:**

Proposed text amendment to Section 1-2.4.2 Establishment of Downtown Overlay Districts of the City of Florence Unified Development Ordinance and proposed amendment to the City of Florence Design Guidelines to establish the Irby Street Corridor Overlay District.

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

- 1) On April 9, 2019, the City of Florence Planning Commission held a public hearing on this matter and voted 6-0 to recommend the text amendments.
- 2) On April 10, 2019, the City of Florence Design Review Board voted 7-0 to recommend the additional of the Irby Street Corridor Overlay District with further amendments to include the prohibition of additional billboards within the district and the application of Section 1-2.7.8 of the *City of Florence Unified Development Ordinance* as related to functionally similar uses and the list of prohibited land uses within the district.

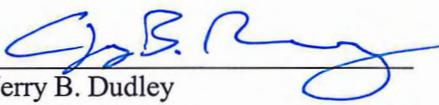
**III. POINTS TO CONSIDER:**

- 1) Text amendment is being considered for first reading.
- 2) Current zoning of the properties include CG, General Commercial; AC, Activity Center; CBD, Central Business; CR, Commercial Reuse; and CA, Campus zoning districts.
- 3) Future Land Use of the properties include Commercial Autourban, Business Parks, Industrial, and Downtown districts
- 4) The text amendment was prepared by the Planning, Research & Development Department for the purpose of creating and maintaining a safe, efficient, functional and attractive corridor through the City of Florence Downtown.
- 5) Strategically located to assist in the redevelopment of properties along the U.S. Hwy 52/Irby Street Corridor.
- 6) This overlay district is inclusive of and builds upon downtown overlay districts as adopted in 2005 as part of the revitalization of Downtown Florence.
- 7) City staff recommends approval

**IV. PERSONAL NOTES:**

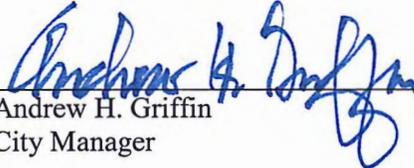
**V. ATTACHMENTS:**

- 1) Proposed Amendment
- 2) Location Map
- 3) Ordinance



---

Jerry B. Dudley  
Planning Director



---

Andrew H. Griffin  
City Manager

## **Attachment 1: Proposed additions to the City of Florence Unified Development Ordinance and the Design Guidelines**

### **Amendments to the *City of Florence Unified Development Ordinance*:**

#### Sec. 1-2.4.2 Establishment of Downtown Overlay Districts

##### 8. IS-COD - Irby Street Corridor Overlay District

- a. The intent of the Irby Street Corridor Overlay District is to foster redevelopment of properties adjacent to the US Highway 52/ Irby Street Corridor for the purpose of creating and maintaining a safe, efficient, functional and attractive corridor through the City of Florence Downtown. This overlay district is inclusive of and builds upon downtown overlay districts as adopted in 2005 as part of the revitalization of Downtown Florence. Furthermore, the overlay will encourage redevelopment of existing structures in a manner which enhances the character of the corridor, reduces conflict between pedestrian and vehicular traffic, and promotes economic development of the community.
- b. Development and redevelopment projects in the Irby Street Corridor Overlay District will be subject to the design standards of guidelines of Division 4-16.3, *Downtown Design District Site Development Guidelines*.

### **Text amendments to the *Design Guidelines for Downtown Florence*:**

#### **Purpose and intent**

The intent of the Irby Street Corridor Overlay District is to foster redevelopment of properties adjacent to the US Highway 52/ Irby Street Corridor for the purpose of creating and maintaining a safe, efficient, functional and attractive corridor through the City of Florence Downtown. This overlay district is inclusive of and builds upon downtown overlay districts as adopted in 2005 as part of the revitalization of Downtown Florence. Furthermore, this overlay district will encourage redevelopment of existing structures in a manner which enhances the character of the corridor, reduces conflict between pedestrian and vehicular traffic, and promotes a viable commercial corridor through Downtown Florence.

#### **Irby Street Corridor Overlay District – Underlying Overlay Districts**

Portions of the Irby Street Corridor District are also incorporated into the D-1, Downtown Redevelopment District; D-2, Downtown Central District; and D-3, Arts and Cultural District. In the event that the provisions of the Irby Street Corridor Overlay District conflict with the underlying

overlay district; or, if they address subject matter not addressed by this district, the more restrictive provision shall control.

**Irby Street Corridor Overlay District - Area**

The boundary of the Irby Street Corridor Overlay District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 6 of the Design Guidelines.

**Irby Street Corridor Overlay District - Land Uses**

The district shall allow all uses permitted in the underlying zoning district with the exception of heavy automobile repair, outdoor vehicular or building supply display areas, and self-storage/moving vehicle rental. Land use decisions shall take into account functionally similar per Section 1-2.7.8 of the *City of Florence Unified Development Ordinance*.

**Irby Street Corridor Overlay District - Materials**

- a. The following materials are to be used on the exterior of the building:
  - Brick
  - Stone
  - Stucco
  - Glass
  - Cementitious siding
  - Split shakes (as a complementary feature)
  - Board and Batten wood (exterior)
  - Architectural Block
  - Combination of these materials

Exterior building materials shall not include the following:

- Rough sawn wood
- Heavily textured stucco
- Field painted or pre-finished corrugated metal siding
- “Mirrored” or opaque glass

- Standard single or double tee concrete system
  - Exposed unfinished cinder block or similar materials
  - Vinyl, as an accent material, may be approved by the Design Review Board
- b. Awnings: Awnings are an excellent way to introduce color and texture into the commercial street/building environment. Within this district, only fabric awnings are recommended. Awning colors should be compatible with the proposed color scheme of the project and complement the intent of the district. Backlit or plastic awnings are not permitted.
- c. Color: The color of buildings in the Irby Street Corridor Overlay District should complement the colors of adjacent buildings. Buildings should use primarily earth tones, with light and bright colors used only as minor accents.

### **Irby Street Corridor Overlay District - Landscape**

Landscape requirements will help define commercial spaces and soften the visual impact of site improvements. These requirements shall comply with the underlying zoning district per the city's *Unified Development Ordinance*, the purpose of which is to reduce visibility of paved areas from the public right-of-way and adjacent properties as well as enhance public safety by creating a division between pedestrian and vehicular traffic.

It is recommended that additional landscaping be provided along and against all buildings. The site should incorporate canopy trees that coordinate with the placement of signage and storefront windows. At the time of development or redevelopment a landscape plan is required for all projects. Landscape areas may include trees, shrubs, flowering perennials, ornamental tall grass, vegetative groundcovers, fountains, water features, decorative stonework, planters, sculpture, and decorative paving.

### **Irby Street Corridor Overlay District – Fencing and Screening**

Fencing and screening devices are to be utilized to protect the privacy of adjacent permitted uses and reduce visual clutter according to the following standards:

- a. Dumpsters and mechanical or utility equipment shall be screened from view from any public right-of-way and shall not be located in the front or street-side yards.
- i. Dumpster screening shall comply with the following standards:
1. Dumpsters shall be located no more than 200 feet (walking distance) from the individual uses that they are intended to serve;
  2. Dumpsters shall be fully enclosed by an opaque wall constructed of brick, stone, or stucco-finished concrete block, to a height of one foot above the top of the dumpster.

3. The enclosures shall provide the following types of access:
    - a) Service gates which remain closed at all times except when the dumpster or garbage bins are being serviced; and
    - b) Separate pedestrian access gates or a pedestrian access opening that screens the dumpster from view.
  4. Mechanical or utility equipment shall be screened from view from any public right-of-way by an opaque wall constructed of brick, stone, or stucco-finished concrete block; a vegetative screen of sufficient height and opacity to screen the equipment within three years of installation; or a combination of the aforementioned methods.
- b. Fences and walls shall comply with the following standards:
- i. Fence and wall height, setback, and transparency requirements shall follow Division 3-8.2.2 of the *Unified Development Ordinance*.
  - ii. Materials for fences and walls shall include wood, ornamental wrought iron or powder-coated aluminum; cement fiberboard; composite materials; masonry; or a combination of these materials.
  - iii. Stockade, unfinished concrete block, sheet metal, vinyl or plastic, and chain link fences are prohibited.

### **Irby Street Corridor Overlay District - Signs**

It is the intent of this section to provide for appropriate and adequate signage in an effort to promote creative signage design while limiting the number, size, and height of signage. Signs shall be an integral part of the building elevation and site plan. Attached wall signs and freestanding monument signs be harmonious with one another as well as the architecture of the building and surrounding buildings.

- a. Signage shall comply with the following standards:
- i. Sign material shall be:
    1. wood (carved, sandblasted, etched, and properly sealed, primed, and painted or stained);
    2. metal (formed, etched, cast, engraved, and properly primed and painted or factory coated to protect against corrosion);
    3. high density pre-formed foam, channel lettering, or routed vinyl lettering may be appropriate if properly designed in a manner consistent with these guidelines and painted or otherwise finished to complement the architecture;
    4. Custom neon tubing, in the form of graphics or lettering, may be incorporated into several of the above permitted sign types;
    5. Sign material should be compatible with the design of the face of the façade where it is to be placed.
  - ii. Flashing signs are not permitted. Back-lit and internally lit signs may be used if approved by the Design Review Board and will be allowed only when they

complement the existing façade and surrounding structures, and are consistent with the objectives of the Design Guidelines

iii. Attached (building) signs:

1. Each tenant shall be allowed a maximum of two attached signs. Attached signs shall be above a building entrance or at other locations that are consistent with the architectural features of a building.
2. Building signs may consist of wall signs, awning signs, canopy signs, or projecting signs covering a maximum of 10 percent of the surface area of the façade to which it is attached (per tenant wall).
3. Any projecting sign mounted perpendicular to a building wall shall not exceed 12 square feet in area. Projecting signs shall not project more than 4 feet from the building face, with a minimum clearance of 8 feet.

iv. Freestanding signs:

1. Freestanding signs on properties within the district, which also intersect with the D-2 or D-3 overlay districts, shall be of monument style and shall comply with the following standards:
  - a) Monument signs shall have a minimum setback of 5 feet from all property lines and not exceed 80 square feet in area with maximum dimensions (to include base and surrounds or supports) of 12 feet in width, and 8 feet in height.
  - b) Monument signs shall be primarily constructed of materials matching the principle building.
  - c) The area surrounding the base of the monument sign shall be landscaped with perennials, ornamental grasses and or shrubs to a minimum of two feet in depth and 80 percent of the width of the sign on the facing sides.
  - d) Electronic or digital components as a design element of a sign may be allowed if it comprises less than 20 percent of the sign face. Fully electronic, digital, flashing, motorized signs, or changeable copy panels are not allowed.
2. Freestanding signs on properties within the district, which only intersect with the D-1 overlay district, shall comply with the freestanding sign standards for the CBD zoning district per Part 5 "Sign Regulations" of the *City of Florence Unified Development Ordinance*.
3. Billboards shall not be allowed within the district.



**ORDINANCE NO. 2019-\_\_\_\_\_**

**AN ORDINANCE TO AMEND SECTION 1-2.4.2, ESTABLISHMENT OF DOWNTOWN OVERLAY DISTRICTS OF THE CITY OF FLORENCE UNIFIED DEVELOPMENT ORDINANCE AND AMEND THE CITY OF FLORENCE DESIGN GUIDELINES TO ADD THE OVERLAY DISTRICT TO BE REFERRED TO AS THE “IRBY STREET CORRIDOR OVERLAY DISTRICT”:**

**WHEREAS**, a Public Hearing was held in the City Center Council Chambers on April 9, 2019 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS**, The City of Florence wishes to create and maintain a safe, efficient, functional and attractive corridor through the Downtown Florence and build upon downtown overlay districts as adopted in 2005 as part of the revitalization of Downtown Florence;

**WHEREAS**, The City of Florence is focused on assisting in the redevelopment of properties along the U.S. Hwy 52/Irby Street Corridor;

**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 the provisions of the Zoning Ordinance applicable to the City of Florence be, and the same are hereby amending Section 1-2.4.2, et seq., which will read in whole as follows:
2. That the provisions of the Zoning Ordinance applicable to the City of Florence be, and the same are hereby amending the Design Guidelines, et seq., which will read in whole as follows:

***Amendments to the City of Florence Unified Development Ordinance:***

Sec. 1-2.4.2 Establishment of Downtown Overlay Districts

8. IS-COD - Irby Street Corridor Overlay District

- a. The intent of the Irby Street Corridor Overlay District is to foster redevelopment of properties adjacent to the US Highway 52/ Irby Street Corridor for the purpose of creating and maintaining a safe, efficient, functional and attractive corridor through the City of Florence Downtown. This overlay district is inclusive of and builds upon

downtown overlay districts as adopted in 2005 as part of the revitalization of Downtown Florence. Furthermore, the overlay will encourage redevelopment of existing structures in a manner which enhances the character of the corridor, reduces conflict between pedestrian and vehicular traffic, and promotes economic development of the community.

- b. Development and redevelopment projects in the Irby Street Corridor Overlay District will be subject to the design standards of guidelines of Division 4-16.3, *Downtown Design District Site Development Guidelines*.

### **Text amendments to the *Design Guidelines for Downtown Florence*:**

#### **Purpose and intent**

The intent of the Irby Street Corridor Overlay District is to foster redevelopment of properties adjacent to the US Highway 52/ Irby Street Corridor for the purpose of creating and maintaining a safe, efficient, functional and attractive corridor through the City of Florence Downtown. This overlay district is inclusive of and builds upon downtown overlay districts as adopted in 2005 as part of the revitalization of Downtown Florence. Furthermore, this overlay district will encourage redevelopment of existing structures in a manner which enhances the character of the corridor, reduces conflict between pedestrian and vehicular traffic, and promotes a viable commercial corridor through Downtown Florence.

#### **Irby Street Corridor Overlay District – Underlying Overlay Districts**

Portions of the Irby Street Corridor District are also incorporated into the D-1, Downtown Redevelopment District; D-2, Downtown Central District; and D-3, Arts and Cultural District. In the event that the provisions of the Irby Street Corridor Overlay District conflict with the underlying overlay district; or, if they address subject matter not addressed by this district, the more restrictive provision shall control.

#### **Irby Street Corridor Overlay District - Area**

The boundary of the Irby Street Corridor Overlay District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 6 of the Design Guidelines.

### **Irby Street Corridor Overlay District - Land Uses**

The district shall allow all uses permitted in the underlying zoning district with the exception of heavy automobile repair, outdoor vehicular or building supply display areas, and self-storage/moving vehicle rental. Land use decisions shall take into account functionally similar per Section 1-2.7.8 of the *City of Florence Unified Development Ordinance*.

### **Irby Street Corridor Overlay District - Materials**

a. The following materials are to be used on the exterior of the building:

- Brick
- Stone
- Stucco
- Glass
- Cementitious siding
- Split shakes (as a complementary feature)
- Board and Batten wood (exterior)
- Architectural Block
- Combination of these materials

Exterior building materials shall not include the following:

- Rough sawn wood
- Heavily textured stucco
- Field painted or pre-finished corrugated metal siding
- “Mirrored” or opaque glass
- Standard single or double tee concrete system
- Exposed unfinished cinder block or similar materials
- Vinyl, as an accent material, may be approved by the Design Review Board

b. Awnings: Awnings are an excellent way to introduce color and texture into the commercial street/building environment. Within this district, only fabric awnings are recommended. Awning colors should be compatible with the proposed color scheme of the project and complement the intent of the district. Backlit or plastic awnings are not permitted.

- c. Color: The color of buildings in the Irby Street Corridor Overlay District should complement the colors of adjacent buildings. Buildings should use primarily earth tones, with light and bright colors used only as minor accents.

### **Irby Street Corridor Overlay District - Landscape**

Landscape requirements will help define commercial spaces and soften the visual impact of site improvements. These requirements shall comply with the underlying zoning district per the city's *Unified Development Ordinance*, the purpose of which is to reduce visibility of paved areas from the public right-of-way and adjacent properties as well as enhance public safety by creating a division between pedestrian and vehicular traffic.

It is recommended that additional landscaping be provided along and against all buildings. The site should incorporate canopy trees that coordinate with the placement of signage and storefront windows. At the time of development or redevelopment a landscape plan is required for all projects. Landscape areas may include trees, shrubs, flowering perennials, ornamental tall grass, vegetative groundcovers, fountains, water features, decorative stonework, planters, sculpture, and decorative paving.

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  - i. Dumpster screening shall comply with the following standards:
    1. Dumpsters shall be located no more than 200 feet (walking distance) from the individual uses that they are intended to serve;
    2. Dumpsters shall be fully enclosed by an opaque wall constructed of brick, stone, or stucco-finished concrete block, to a height of one foot above the top of the dumpster.
    3. The enclosures shall provide the following types of access:
      - a) Service gates which remain closed at all times except when the dumpster or garbage bins are being serviced; and
      - b) Separate pedestrian access gates or a pedestrian access opening that screens the dumpster from view.
    4. Mechanical or utility equipment shall be screened from view from any public right-of-way by an opaque wall constructed of brick, stone, or stucco-finished concrete block; a vegetative screen of sufficient height and opacity to screen the equipment within three years of installation; or a combination of the aforementioned methods.

- b. Fences and walls shall comply with the following standards:
  - i. Fence and wall height, setback, and transparency requirements shall follow Division 3-8.2.2 of the *Unified Development Ordinance*.
  - ii. Materials for fences and walls shall include wood, ornamental wrought iron or powder-coated aluminum; cement fiberboard; composite materials; masonry; or a combination of these materials.
  - iii. Stockade, unfinished concrete block, sheet metal, vinyl or plastic, and chain link fences are prohibited.

### **Irby Street Corridor Overlay District - Signs**

It is the intent of this section to provide for appropriate and adequate signage in an effort to promote creative signage design while limiting the number, size, and height of signage. Signs shall be an integral part of the building elevation and site plan. Attached wall signs and freestanding monument signs be harmonious with one another as well as the architecture of the building and surrounding buildings.

- a. Signage shall comply with the following standards:
  - i. Sign material shall be:
    - 1. wood (carved, sandblasted, etched, and properly sealed, primed, and painted or stained);
    - 2. metal (formed, etched, cast, engraved, and properly primed and painted or factory coated to protect against corrosion);
    - 3. high density pre-formed foam, channel lettering, or routed vinyl lettering may be appropriate if properly designed in a manner consistent with these guidelines and painted or otherwise finished to complement the architecture;
    - 4. Custom neon tubing, in the form of graphics or lettering, may be incorporated into several of the above permitted sign types;
    - 5. Sign material should be compatible with the design of the face of the façade where it is to be placed.
  - ii. Flashing signs are not permitted. Back-lit and internally lit signs may be used if approved by the Design Review Board and will be allowed only when they complement the existing façade and surrounding structures, and are consistent with the objectives of the Design Guidelines
  - iii. Attached (building) signs:
    - 1. Each tenant shall be allowed a maximum of two attached signs. Attached signs shall be above a building entrance or at other locations that are consistent with the architectural features of a building.
    - 2. Building signs may consist of wall signs, awning signs, canopy signs, or projecting signs covering a maximum of 10 percent of the surface area of the façade to which it is attached (per tenant wall).

3. Any projecting sign mounted perpendicular to a building wall shall not exceed 12 square feet in area. Projecting signs shall not project more than 4 feet from the building face, with a minimum clearance of 8 feet.
- iv. Freestanding signs:
1. Freestanding signs on properties within the district, which also intersect with the D-2 or D-3 overlay districts, shall be of monument style and shall comply with the following standards:
    - a) Monument signs shall have a minimum setback of 5 feet from all property lines and not exceed 80 square feet in area with maximum dimensions (to include base and surrounds or supports) of 12 feet in width, and 8 feet in height.
    - b) Monument signs shall be primarily constructed of materials matching the principle building.
    - c) The area surrounding the base of the monument sign shall be landscaped with perennials, ornamental grasses and or shrubs to a minimum of two feet in depth and 80 percent of the width of the sign on the facing sides.
    - d) Electronic or digital components as a design element of a sign may be allowed if it comprises less than 20 percent of the sign face. Fully electronic, digital, flashing, motorized signs, or changeable copy panels are not allowed.
  2. Freestanding signs on properties within the district, which only intersect with the D-1 overlay district, shall comply with the freestanding sign standards for the CBD zoning district per Part 5 "Sign Regulations" of the *City of Florence Unified Development Ordinance*.
  3. Billboards shall not be allowed within the district.

**EXECUTED ON ONE (1) ADDITIONAL PAGE**

**Ordinance No. 2019 - \_\_\_\_\_**  
**Page 2 – June 2019**

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017**

**Approved as to form:**

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

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

**Attest:**

\_\_\_\_\_  
Amanda Pope  
**Municipal Clerk**

FLORENCE CITY COUNCIL MEETING

**DATE:** May 13, 2019  
**AGENDA ITEM:** Resolution  
**DEPARTMENT/DIVISION:** City Administration

**I. ISSUE UNDER CONSIDERATION**

A Resolution designating May, 2019 as Lupus Awareness Month.

**CURRENT STATUS/PREVIOUS ACTION TAKEN**

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

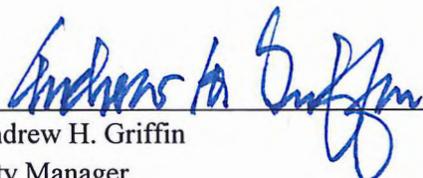
**II. POINTS TO CONSIDER**

- A. Lupus is an autoimmune disease that affects more people than AIDS, Cerebral Palsy, Sickle Cell Anemia and Multiple Sclerosis combined. One out of every 185 Americans has it.
- B. Educating the public and the health care community throughout the state on the devastating disease is of paramount importance and is in every respect in the public interest and to the benefit of all residents of the State of South Carolina and the City of Florence.
- C. Lighthouse for Lupus CG and many other organizations, in partnership with other agencies throughout the state, have led the way in raising awareness throughout South Carolina.
- D. Barbara Lee Cahoon, co-creator and Administrator of Lighthouse for Lupus, battled the disease for many years. Barbara was an advocate for awareness and continued to help individuals in the group up until the night she passed away on April 1<sup>st</sup>, 2018.

**III. PERSONAL NOTES**

**IV. ATTACHMENTS**

Resolution No. 2019-11

  
\_\_\_\_\_  
Andrew H. Griffin  
Cty Manager

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

**RESOLUTION NO. 2019-11**

- WHEREAS,** Lupus is an autoimmune disease that affects more people than AIDS, Cerebral Palsy, Sickle Cell Anemia and Multiple Sclerosis combined. One out of every 185 Americans has it; and
- WHEREAS,** Lupus affects approximately 1.5 million Americans where 90% of people diagnosed are women; 90% develop it between the ages of 15-44 and it is 2-3 times more prevalent among people of color; and
- WHEREAS,** Lupus can affect any part of the body, including internal organs, skin and joints. It has many different symptoms and, because of that, affects each person differently; and
- WHEREAS,** educating the public and the health care community throughout the state on the devastating disease is of paramount importance and is in every respect in the public interest and to the benefit of all residents of the State of South Carolina and the City of Florence; and
- WHEREAS,** Lighthouse for Lupus CG and many other organizations, in partnership with other agencies throughout the state, have led the way in raising awareness throughout South Carolina; and
- WHEREAS,** Lighthouse for Lupus is a Facebook Support Group/Community with over 4,500 members worldwide providing support, vital information and raising awareness for 9 years as of May 19<sup>th</sup>, 2019; and
- WHEREAS,** Barbara Lee Cahoon, co-creator and Administrator of Lighthouse for Lupus, battled the disease for many years. Barbara was an advocate for awareness and continued to help individuals in the group up until the night she passed away on April 1<sup>st</sup>, 2018.

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Florence, South Carolina, in Honor of Barbara Lee Cahoon, hereby designates May, 2019 as

***Lupus Awareness Month***

RESOLVED THIS 13<sup>th</sup> DAY OF MAY, 2019.

Approved as to form:

ATTEST:

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

\_\_\_\_\_  
AMANDA P. POPE  
MUNICIPAL CLERK

FLORENCE CITY COUNCIL MEETING

**DATE:** May 13, 2019  
**AGENDA ITEM:** Resolution  
**DEPARTMENT/DIVISION:** General Services

**I. ISSUE UNDER CONSIDERATION**

A resolution to adopt the Community Development Block Grant budget for fiscal year 2019-2020.

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

The City of Florence will receive **\$264,749** in Community Development Block Grant funding for FY 2019-2020. Staff met with community members and neighborhood leaders on four separate occasions during the month of February to gather input on the use of these funds. Staff informed Council of all of the community funding requests that were received.

**III. POINTS TO CONSIDER**

- A. The City of Florence will receive **\$264,749** in Community Development Block Grant funding for FY 2019-2020. This represents a decrease of \$12,067 from last year's allocation of **\$276,816**.
- B. City staff held public meetings to receive input on the Community Development Block Grant funding at the following times and locations:
- |                |  |
|----------------|--|
| March 4, 2019  | 6:30 pm - House of God Keith Dominion Church |
| March 5, 2019  | 6:30 pm - New Harvest Presbyterian Church    |
| March 7, 2019  | 5:00 pm - Boys and Girl Club                 |
| March 13, 2019 | 6:00 pm - Levy Park                          |
| March 14, 2019 | 6:00 pm - Maxwell Baptist Church             |
| March 19, 2019 | 6:00 pm - Northwest Community Center         |
| March 20, 2019 | 3:00 pm - City Council Chambers              |
- C. CDBG funding can only be used to meet three national objectives: aid in the elimination of slum and blight; benefit to low-moderate income persons; and meeting a need having particular urgency.

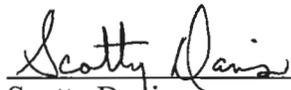
**IV. STAFF RECOMMENDATION**

Approve and adopt the CDBG budget as presented.

**V. PERSONAL NOTES:**

**VI. ATTACHMENTS**

2019-2020 CDBG Budget Resolution

  
\_\_\_\_\_  
Scotty Davis  
Director of General Services

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

**Resolution No. 2019**

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

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

**WHEREAS**, the City of Florence will receive approximately **\$264,749** in Community Development Block Grant funding from the United States Department of Housing and Urban Development for fiscal year 2019-2020; and

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

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Florence, South Carolina in a meeting duly assembled do hereby adopt the following Community Development Block Grant budget for fiscal year 2019-2020:

Planning and Admin	\$ 52,900
Emergency Rehabilitation	\$ 100,000
Down payment assistance	\$ 40,000
Demolition	\$ 32,849
Recreation	\$ 39,000
<b>TOTAL</b>	<b>\$ 264,749</b>

ADOPTED, this 13th day of May, 2019.

**Approved as to form:**

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

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

**Attest:**

\_\_\_\_\_  
Amanda Pope  
Municipal Clerk