



**REGULAR MEETING OF FLORENCE CITY COUNCIL  
MONDAY, NOVEMBER 4, 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**

October 14, 2019 – Regular Meeting

**IV. HONORS AND RECOGNITIONS**

**SERVICE RECOGNITIONS**

Jeffrey Delung – 30 years – Fire  
Keith Creel – 20 years – Police  
Lynwood Givens – 20 years – Finance  
Terrance Ford – 20 years – Police  
Sheldon Shelley – 10 years - Police

**V. APPEARANCE BEFORE COUNCIL**

**a. Mr. Mark Bailey, President and Mr. Bryant Moses, President Emeritus -  
Wilson High School Alumnae Association**

To give a report on Homecoming 2019.

**b. Ms. Buquilla Cannon**

To speak on the American Red Cross National Recruitment Campaign.

**VI. ORDINANCES IN POSITION**

**a. Bill No. 2019-34 – Second Reading**

An ordinance authorizing the issuance of Taxable and Tax-Exempt General  
Obligation Bond Anticipation Notes.

**b. Bill No. 2019-35 – Second Reading**

An ordinance to annex and zone RU and OSR properties located along Southborough Road and I-20; portions of Florence County Tax Map Parcels 00051-01-001, 00074-01-188, 00074-01-131, 00074-01-007, and 00073-01-013.

**c. Bill No. 2019-36 – Second Reading**

An ordinance to annex and zone NC-15 property located at 2334 Hoffmeyer Road; Florence County Tax Map Parcel 90008-02-004.

**d. Bill No. 2019-37 – Second Reading**

An ordinance to amend Table 3-8.1.1 and Section 3-8.1.9 of the Unified Development Ordinance regarding setbacks and location and compatibility requirements for accessory buildings in residential areas.

*(Staff may request to defer this item.)*

**e. Bill No. 2019-38 – Second Reading**

An ordinance to establish standards for the placement of small wireless facilities within the City limits of Florence.

**f. Bill No. 2019-39 – Second Reading**

An ordinance to abandon interest of the City of Florence right-of-way to include the unopened portion of Greenway Drive adjacent to Florence County Tax Map Parcels 90026-06-012 and 90036-10-002.

**VII. INTRODUCTION OF ORDINANCES**

**a. Bill No. 2019-40 – First Reading**

An ordinance to annex and zone RG-1 property located along Alligator Road; a portion of Florence County Tax Map Parcel 00077-01-215.

**b. Bill No. 2019-41 – First Reading**

An ordinance to annex and zone NC-10 property located at 3781 West Pointe Drive; Florence County Tax Map Parcel 07517-01-023.

**c. Bill No. 2019-42 – First Reading**

An ordinance to declare Florence County Tax Map Parcel 01812-01-060 as surplus property and authorize the conveyance to Life Giving Ministries for the purpose of combining with Florence County Tax Map Parcel 01812-01-001.

**VIII. INTRODUCTION OF RESOLUTIONS**

**a. Resolution No. 2019-24**

A resolution declaring December 6, 2019 as Arbor Day.

**b. Resolution No. 2019-25**

A resolution for the Municipal State Highway Project Agreement regarding the Phase II construction of the S-107 Alligator Road at US 52/301 South Irby Street widening project.

**c. Resolution No. 2019-26**

A resolution of City Council approving Downtown Redevelopment Grants for 2<sup>nd</sup> Quarter, FY20.

*(Note: To be discussed in Executive Session.)*

**IX. REPORTS TO COUNCIL**

**a. Appointments to Boards and Commissions.**

**X. EXECUTIVE SESSION**

**a. Discussion of matters relating to a proposed economic development project located within the Historic District [30-4-70(a)(5)].**

**b. To receive legal advice and discussion of matters relating to a proposed Economic Development Project located within the downtown area [30-4-70(a)(5)].**

**c. To receive legal advice [30-4-70(a)(2)].**

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

**XI. ADJOURN**



**REGULAR MEETING OF FLORENCE CITY COUNCIL  
MONDAY, OCTOBER 14, 2019 – 1:00 P.M.  
CITY CENTER – COUNCIL CHAMBERS  
324 WEST EVANS STREET  
FLORENCE, SOUTH CAROLINA**

**MEMBERS PRESENT:**

Mayor Stephen J. Wukela, Mayor Pro tem Frank J. “Buddy” Brand, Councilman George Jebaily, Councilwoman Teresa M. Ervin, Councilman Glynn F. Willis and Councilwoman Pat Gibson-Hye Moore.

**MEMBERS ABSENT:**

Councilwoman Octavia Williams-Blake

**ALSO PRESENT:**

Mr. Drew Griffin, City Manager; Mr. James W. Peterson, Jr., City Attorney; Mrs. Amanda P. Pope, City Manager’s Office Administrator; Mrs. Casey Moore, Assistant City Clerk; Chief Allen Heidler, Florence Police Department; Mr. Scotty Davis, Director of General Services; Mr. Michael Hemingway, Director of Utilities; Chief Randy Osterman, Florence Fire Department; Mr. Jerry Dudley, Director of Planning and Mr. Clint Moore, Director of Development.

**MEDIA PRESENT:**

Mr. Matthew Christian of the Morning News.

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

**CALL TO ORDER:**

Mayor Wukela called the October 14, 2019 regular meeting of Florence City Council to order at 1:00 p.m.

**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:**

Pro tem Brand made a motion to adopt the minutes of the September 9, 2019 Regular City Council meeting. Councilman Jebaily seconded the motion. The minutes were unanimously adopted.



**FLORENCE CITY COUNCIL  
REGULAR MEETING – OCTOBER 14, 2019**

**HONORS AND RECOGNITIONS**

**SERVICE RECOGNITIONS:**

Mayor Wukela recognized Robbie Mott for 35 years of service with the City of Florence Surface Water Production. Robbie began his career with the city on October 31, 1984.

Mayor Wukela recognized Wilson Deas for 15 years of service with the City of Florence Recreation Department. Wilson began his career with the city on October 4, 2004.

Mayor Wukela recognized George Clark for 15 years of service with the City of Florence Police Department. George began his career with the city on October 25, 2004.

**APPEARANCE BEFORE COUNCIL**

**Mr. Paul Beard, Director of the Florence Center**

Mr. Beard and Mrs. Lisa Holmes, Director of Finance reported the Florence Center's operating revenues and operating expenses were about the same (each approximately \$1.4 million) leaving \$69.00 under budget. Banquets continue to be the largest type of event in the Florence Center and events such as Fairs, Carnivals and Food Truck Rodeos bring in the largest attendance. Last year, the Florence Center had a \$52 million dollar economic impact.

**Mr. Don Strickland, Interim Director of the Pee Dee Regional Transportation Authority**

Mr. Strickland reported that there is now a PDRTA User APP that can be downloaded and used on smart phones. The App is very informative and user friendly and utilizes real time GPS live tracking for bus routes. Since last year, the PDRTA has experienced about a 20% growth in ridership. Mr. Strickland said and increase in frequency may need to be addressed in the near future.

**Ms. Ruth Carson**

Ms. Carson reported that she is a former student of Holmes Elementary School, one of the first African-American schools in Florence. She requested that a Historical marker be placed on the site of the former Holmes Elementary School (currently the site of Mt. Zion AME Church).

Council gave unanimous consent to allow staff to move forward with the Historical marker request.

**Reverend Calvin and Ann Robinson, Trinity Baptist Church – on behalf of the Pee Dee Coalition Against Domestic Violence and Sexual Assault**

Reverend Robinson reported October is Domestic Violence Awareness Month. The Pee Dee Coalition continues to do tremendous work in the local community to help families affected by domestic violence.



**ORDINANCES IN POSITION**

**Bill No. 2019-31 – Second Reading**

**An ordinance to annex and zone NC-15 the property located at 304 East Sam Harrell Road, TMN 00175-01-130.**

Councilwoman Moore made a motion to adopt Bill No. 2019-31 on second reading and Councilwoman Ervin seconded the motion.

Council voted unanimously to adopt Bill No. 2019-31.

**Bill No. 2019-32 – Second Reading**

**An ordinance to rezone from IL, Light Industrial to CA, Campus the property located at 1020 West Darlington Street; TMN 90045-04-014.**

Councilwoman Moore made a motion to adopt Bill No. 2019-32 on second reading and Councilwoman Ervin seconded the motion.

Councilwoman Ervin commented that she met with Bryan Braddock of House of Hope on her concerns for a rear exit in the “tiny homes.” New plans have been submitted that have added a second egress from each unit.

Council voted unanimously to adopt Bill No. 2019-32.

**Bill No. 2019-33 – Second Reading**

**An ordinance to annex and zone PDD property located in The Grove subdivision located on Pine Needles Road; a portion of TMN 00075-02-219.**

Pro tem Brand made a motion to adopt Bill No. 2019-33 on second reading and Councilman Willis seconded the motion.

Council voted unanimously to adopt Bill No. 2019-33.

**INTRODUCTION OF ORDINANCES**

**Bill No. 2019-34 – First Reading**

**An ordinance to provide for the issuance and sale of a not exceeding \$3,050,000 General Obligation Bond Anticipation Note, Taxable Series 2019A, of the City of Florence, South Carolina and a not exceeding \$4,350,000 General Obligation Bond Anticipation Note, Tax-exempt Series 2019B, of the City of Florence, South Carolina, the proceeds of which shall be used to pay at maturity amounts due on two series of bond anticipation notes dated December 5, 2018, the proceeds of which were used to defray the cost of certain economic and development efforts in the city’s downtown area; to pay costs of issuance; to provide for the payment hereof; and other matters relating thereto.**

Councilman Jebaily made a motion to pass Bill No. 2019-34 on first reading and Councilwoman Moore seconded the motion.



FLORENCE CITY COUNCIL  
REGULAR MEETING – OCTOBER 14, 2019

Mayor Wukela explained that these Bonds are being extended for downtown redevelopment, more specifically the former site of the Florentine building.

Drew Griffin, City Manager said the notes are split in two because \$3.05 is taxable, while the rest is not.

Mr. Charlton deSaussure, bond attorney reported the 2018 bond obligation notes that were issued by the city has reached maturity, so the city is extending the note for another year.

Council voted unanimously to pass Bill No. 2019-34.

**Bill No. 2019-35 – First Reading**

**An ordinance to annex and zone RU and OSR properties located along Southborough Road and I-20; portions of Florence County Tax Map Parcels 00051-01-001, 00074-01-188, 00074-01-131, 00074-01-01-007, and 00073-01-013.**

Councilman Willis made a motion to pass Bill No. 2019-35 on first reading and Pro tem Brand seconded the motion.

Mr. Jerry Dudley, Planning Director reported connectivity will be provided via 10 foot strips from Florence School District One property. The proposed parcel to be developed is approximately 50 acres and a single family development is proposed. The proposed zoning, pending annexation, is Residential Urban (RU) for the area to be developed, and Open Space & Recreation (OSR) for the 10 foot strips providing contiguity to existing city limits.

The parcel is currently vacant. City water is currently available to the parcels to be developed. City sewer will be provided by the developer.

On September 10, 2019, the City of Florence Planning Commission held a public hearing on this matter and voted 8-0 to recommend the zoning request of Residential Urban (RU) and Open Space & Recreation (OSR), pending annexation approval.

Council voted unanimously to pass Bill No. 2019-35.

**Bill No. 2019-36 – First Reading**

**An ordinance to annex and zone NC-15 property located at 2334 Hoffmeyer Road; Florence County Tax Map Parcel 90008-02-004.**

Councilman Willis made a motion to pass Bill No. 2019-36 on first reading and Pro tem Brand seconded the motion.

Mr. Dudley reported the property is currently the site of a single family detached home. The proposed zoning is Neighborhood Conservation-15 (NC-15). City water and sewer services are currently available to the parcel.

On September 10, 2019 Planning Commission held a public hearing on this matter and voted 8-0 to recommend the zoning request, pending annexation approval.



Council voted unanimously to pass Bill No. 2019-36.

**Bill No. 2019-37 – First Reading**

**An Ordinance amend Table 3-8.1.1 and Section 3-8.1.9 of the Unified Development Ordinance regarding setbacks and location and compatibility requirements for accessory buildings in residential areas.**

Pro tem Brand made a motion to pass Bill No. 2019-37 and Councilman Jebaily seconded the motion.

Mr. Dudley reported currently the rear setback is 5 feet for buildings that are less than 120 square feet in area and less than 10 feet in height, and 10 feet for all other accessory buildings. The side setback is based upon the location of the primary structure and the accessory structure must be behind the principal building without extending beyond the plane of the rear or side wall of the principal building.

The amendment would allow accessory buildings larger than 120 square feet to be placed 5 feet from the rear property line; however, for buildings greater than 10 feet in height the 10 foot rear setback would remain. The amendment would still require accessory buildings to be located behind the rear plane of the principle building, but would allow the side setback to be that of the zoning district, regardless of the actual siting of the principal building.

The amendment would also change the compatibility requirements for an accessory structure in relation to the principal building. Current code requires accessory buildings to specifically match the principal building's materials and roof type while the amendment would promote, but not require, specific compatibility with the principal building.

On September 10, 2019 Planning Commission voted, 7-1, to recommend the proposed Unified Development Ordinance changes be adopted as amended.

Councilwoman Moore expressed concern on amending the Unified Development Ordinance when so much time and consideration was given to its development. Mayor Wukela explained the Unified Development Ordinance is a comprehensive ordinance that took years to develop and very few amendments have been made.

The motion passed 5-1 with Councilwoman Williams-Blake being absent from the meeting. Voting in favor of the motion were Pro tem Brand, Councilman Jebaily, Mayor Wukela, Councilman Willis and Councilwoman Ervin. Voting in opposition was Councilwoman Moore.

**Bill No. 2019-38 – First Reading**

**An ordinance to establish standards for the placement of small wireless facilities within the City limits of Florence.**

Councilwoman Moore made a motion to pass Bill No. 2019-38 on first reading and Pro tem Brand seconded the motion.

Mr. Clint Moore, Development Director reported the purpose of this ordinance is to provide policies and procedures for the placement of small wireless facilities in covered areas within the jurisdiction of the city.



**FLORENCE CITY COUNCIL  
REGULAR MEETING – OCTOBER 14, 2019**

This ordinance will set standards for appearance and aesthetics. Height varies depending on residential or commercial areas: facilities may be attached to existing utility poles; however, it is not permitted to be more than 10 feet higher than the existing pole. Small cell facilities must be colored to reasonably blend with any existing utility poles located within the same general area. Per the Federal Communications Commission (FCC), the city is not allowed to regulate the frequency of placement of these small wireless facilities. If the wireless facility is located within an overlay district, it is subject to review by the Design Review Board.

Councilwoman Ervin and Councilwoman Moore expressed concern on the potential associated health risks to the community and asked that the various wireless agencies involved educate the community.

Mr. Jack Mitchell, AT&T Regional Director for External and Legislative Affairs said AT&T does not currently have public education programs in place, but they could be considered. Mr. Mitchell also recommended some amendments to the ordinance and asked that staff take them into consideration.

Council voted unanimously to pass Bill No. 2019-38.

**Bill No. 2019-39 – First Reading**

**An ordinance to abandon interest of the City of Florence right-of-way to include the unopened portion of Greenway Drive adjacent to Florence County Tax Map Parcels 90026-06-012 and 90036-10-002.**

Pro tem Brand made a motion to pass Bill No. 2019-39 on first reading and Councilman Willis seconded the motion.

Mr. Dudley reported this portion of right-of-way is undeveloped and utilized as driveways for homes located at 903 and 823 Greenway Drive. All city departments were contacted regarding the abandonment of the right-of-way, none of which found any reason to maintain the city's interest in this portion of Greenway Drive. A 20 foot City of Florence Utility Easement will need to be recorded on the unopened portion of Greenway Drive.

Council voted unanimously to pass Bill No. 2019-39.

**INTRODUCTION OF RESOLUTIONS**

**Resolution No. 2019-21**

**A Resolution to express the City of Florence's opposition to offshore drilling activities and seismic testing.**

Councilwoman Ervin made a motion to adopt Resolution No. 2019-21 and Councilwoman Moore seconded the motion.

Council voted unanimously to adopt Resolution No. 2019-21.



**Resolution No. 2019-22**

**A Resolution of Recognition for the Florence Country Club 12 and under Junior Team Tennis team.**

Councilman Jebaily made a motion to adopt Resolution No. 2019-22 and Councilwoman Moore seconded the motion.

Councilwoman Moore presented the Resolution to the Florence Country Club 12 and under Junior Team Tennis team and congratulated them on their success.

Council voted unanimously to adopt Resolution No. 2019-22.

**Resolution No. 2019-23**

**A Resolution to City Council approving Downtown Redevelopment Grants in the Downtown H-1 Overlay District.**

**(To be discussed in Executive Session.)**

**REPORTS TO COUNCIL**

**APPOINTMENTS TO BOARDS AND COMMISSIONS:**

**Accommodations Tax Advisory Committee**

This nomination is scheduled for Councilwoman Williams-Blake. Due to her absence, this appointment is deferred.

**Planning Commission**

Councilwoman Ervin nominated Betty Gregg to be reappointed for a 3 year term expiring on June 30, 2022. Ms. Gregg was reappointed by unanimous consent.

Councilman Jebaily nominated Andrew Chaplin to be reappointed for 3 year term expiring on June 30, 2022. Mr. Chaplin was reappointed by unanimous consent.

**Board of Zoning Appeals**

Mayor Wukela nominated Ruben Chico to fill an unexpired term, to expire June 30, 2020. Mr. Chico was appointed by unanimous consent.

**Design Review Board**

Being no qualified applicants, Pro tem Brand deferred his appointment.

**Construction and Maintenance Board of Adjustments and Appeals**

Mayor Wukela nominated Kacy Gunter to fill a 4 year term, expiring June 30, 2023. Mr. Gunter was appointed by unanimous consent.



FLORENCE CITY COUNCIL  
REGULAR MEETING – OCTOBER 14, 2019

**Veterans Park Committee**

Councilwoman Ervin nominated James McLaughlin to be reappointed for a 5 year term expiring June, 30 2024. Mr. McLaughlin was reappointed by unanimous consent.

**Parks and Beautification Commission**

Pro tem Brand nominated Anna Wentzell to be reappointed for a 5 year term expiring June, 30, 2024. Mrs. Wentzell was reappointed by unanimous consent.

**APPROPRIATION OF ACCOMMODATIONS TAX FUNDS FOR FY 2019-20:**

Mr. Daniel Paola, member of the Accommodations Tax Advisory Committee reported the Accommodations Tax Advisory Committee is responsible for making recommendations to City Council for the expenditure of the 65 % of funds for accommodations tax received from the state. Funds for this year are estimated to be \$722,000 are available to be distributed for the use of tourism promotion.

Based on state laws and city guidelines, the committee reviewed a total of 24 organizations and events based on their past, present and future ability to create tourism in the community and increase the overall quality of life to the citizens of Florence.

The committee was able to fund approximately 92% of the \$784,600 in requests and are confident the allocations recommended are fiscally responsible investments back into the community.

\*The list of recommendations is attached and made part of these minutes.

**EXECUTIVE SESSION**

Without objection, Council entered into Executive Session at 3:07 p.m. for a discussion of matters relating to a proposed economic development project located within the Historic District, to receive legal advice and discussion of matters relating to economic development projects within the Historic District, a discussion of matters relating to a proposed economic development project and to receive legal advice and discussion of matters relating to a proposed economic development project located within the downtown area.

Council reconvened the regular session at 4:23 p.m.

Council took action on the following items:

**Resolution No. 2019-23**

**A Resolution to City Council approving Downtown Redevelopment Grants in the Downtown H-1 Overlay District.**

Councilman Willis made a motion to adopt Resolution No. 2019-23 and Councilman Jebaily seconded the motion.

Council voted unanimously to adopt Resolution No. 2019-23.



**FLORENCE CITY COUNCIL  
REGULAR MEETING – OCTOBER 14, 2019**

**ADJOURN**

Without objection, the Regular meeting of City Council was adjourned at 4:24 p.m.

Dated this 4<sup>th</sup> day of November, 2019.

---

Amanda P. Pope, Municipal Clerk

---

Stephen J. Wukela, Mayor

**CITY OF FLORENCE, SC  
ACCOMMODATIONS TAX REQUESTS, RECOMMENDATIONS AND APPROPRIATIONS REPORT  
FISCAL YEAR 2019-20**

	<b>ORGANIZATION</b>	<b>Appropriated 2018-19</b>	<b>Requested 2019-20</b>	<b>Committee Recommended <sup>1</sup></b>	<b>Appropriated 2019-20</b>
<b>A. 30% Funds for Tourism Promotion</b>					
1.	Florence Convention & Visitors Bureau	\$245,000	\$235,000	\$292,000	
<b>B. 65% Funds</b>					
1.	Florence Regional Arts Alliance & Pee Dee Arts	\$10,300	\$14,500	\$13,800	
2.	The Masterworks Choir, Inc.	\$3,300	\$5,000	\$4,700	
3.	Florence Little Theatre	\$11,600	\$20,000	\$19,400	
4.	Florence Symphony Orchestra	\$7,100	\$10,000	\$9,100	
5.	Arts International Festival	\$13,200	\$25,000	\$22,000	
6.	Sankofa Festival	\$5,600	\$12,000	\$10,300	
7.	SC Dance Theatre	\$4,700	\$10,000	\$8,400	
8.	Lucky Shamrock Festival	\$400	\$2,500	\$800	
9.	Kickin' Chicken Wing and Chili Cookoff	\$600	\$2,000	\$1,500	
10.	Florence Museum	\$20,400	\$35,000	\$33,600	
11.	Carolina Classic Basketball Tournament	\$5,300	\$8,000	\$8,000	
12.	Freedom Florence, FTC, Soccer Complex & Gym	\$56,200	\$86,000	\$85,100	
13.	Florence Convention & Visitors Bureau	\$144,800	\$195,000	\$193,500	
14.	Florence Tennis Association	\$14,200	\$15,000	\$15,000	
15.	South Carolina Pecan Festival	\$18,400	\$35,000	\$28,500	
16.	Florence Center	\$101,700	\$120,000	\$116,800	
17.	Florence International Basketball Tournament	\$19,000	\$35,000	\$28,300	
18.	Car Haulers Parade	\$7,100	\$10,000	\$9,400	
19.	Florence Area Sports Council	\$19,300	\$20,000	\$20,000	
20.	Pee Dee Tourism Commission	\$15,900	\$20,000	\$20,000	
21.	SC Senior Sports Classic	\$4,000	\$4,000	\$4,000	
22.	Hwy 52 Frontage Road Beautification	\$6,700	\$15,000	\$13,800	

**CITY OF FLORENCE, SC  
ACCOMMODATIONS TAX REQUESTS, RECOMMENDATIONS AND APPROPRIATIONS REPORT  
FISCAL YEAR 2019-20**

ORGANIZATION	Appropriated 2018-19	Requested 2019-20	Committee Recommended <sup>1</sup>	Appropriated 2019-20
23. PDRTA Hotel Shuttle Service	\$16,700	\$0	\$0	
24. Miss Pee Dee & Miss Pee Dee Teen Pageant	\$1,400	\$3,600	\$1,400	
25. Wilson High Alumni Assn Homecoming Event	\$26,500	\$82,000	\$54,600	
26. Museum of the Moon Touring Artwork	\$600	\$0	\$0	
<b>Total - 65% Funds</b>	<b>\$535,000</b>	<b>\$784,600</b>	<b>\$722,000</b>	<b>\$0</b>

**Note 1:** Including carryover funds from FY 2018-19, it is anticipated that the amount available for distribution to the requesting agencies of "65% funds" will be approximately \$722,000. The "30% funds" for tourism promotion is estimated to be approximately \$292,000.

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

FLORENCE CITY COUNCIL MEETING

**DATE:** November 4, 2019

**AGENDA ITEM:** An ordinance authorizing the issuance of Taxable and Tax-Exempt General Obligation Bond Anticipation Notes

**DEPARTMENT:** Finance

**I. ISSUE UNDER CONSIDERATION**

For City Council consideration is an ordinance authorizing the issuance and sale of two General Obligation Bond Anticipation Notes (BANs) in a total amount not exceeding \$7,365,000 (A Taxable Series in the amount of not exceeding \$3,025,000 and a Tax-Exempt Series in the amount of not exceeding \$4,340,000). The proceeds of the Series 2019 BANs will be used to pay at maturity amounts due on two series of BANs dated December 5, 2018 which were used to defray the costs of certain economic and development efforts in the City's downtown area, and other matters related thereto.

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

A. In 2018 City Council was informed of a significant development project in the City's Downtown Redevelopment District.

B. This development, which is anticipated to result in a private investment of over \$40 million and a public investment of approximately \$17 million, will contribute to development in downtown Florence, and will have an appreciable impact on job creation and the generation of substantial fees and related revenues for the City.

C. City Council was informed at the September 2018 Council meeting that the economic development project will require that the City issue bonds to defray public infrastructure costs including, but not limited to, property acquisitions, parking, building demolition, and streetscape additions and improvements.

D. To reimburse the City for the costs incurred the City's financial advisor recommended in 2018 that the City issue short-term, interim financing in the form of a Bond Anticipation Note (BAN).

E. On November 13, 2018 City Council adopted an ordinance authorizing the issuance and sale of two General Obligation BANs in a total amount not exceeding \$7,100,000 (A Taxable Series in the amount of not exceeding \$2,900,000 and a Tax-Exempt Series in the amount of not exceeding \$4,200,000).

F. This funding was issued for up to one year and provided interim funding as reimbursement of monies already expended by the City for the economic development project.

G. The BANs were closed on December 5, 2018 with a maturity date of December 2, 2019.

**III. POINTS TO CONSIDER**

- A. With the issuance of the Series 2018 BANs, it was anticipated that a long-term financing would be issued before the December 2, 2019 maturity date to repay the short-term BANs and to fund additional costs by the City for parking construction and streetscape development.
- B. However, the project has not yet been finalized by the developers, and it will be necessary to extend the use of interim funding for up to a period of one additional year.
- C. With the issuance of new taxable and tax exempt BANs, the original BANs, plus interest that has accrued over the last twelve months, will be paid in full.
- D. It is expected that the newly issued BANs will, in turn, be paid in full through the issuance of long-term financing in 2020 to repay these short term BANs, and to fund additional costs by the City for parking construction and streetscape development.
- E. On October 11, 2019 the City distributed a Request for Proposals (RFP) document soliciting competitive interest rates from banking institutions to provide both taxable and tax-exempt funding for short-term, interim BAN financing.
- F. On October 28, 2019, the City obtained competitive bank proposals from interested financial institutions to provide BAN financing of not exceeding \$7.4 million for certain land acquisition costs and additional expenses for property acquisition, building demolition and infrastructure design.
- G. Of the total not exceeding \$7.4 million, proposals were required to include interest cost and loan conditions for a taxable BAN in the amount of not exceeding \$3.05 million and a tax-exempt, bank qualified BAN in the amount of not exceeding \$4.35 million.
- H. The City received proposals from three financial institutions – BB&T, First Citizens Bank, and PNC Bank.
- I. For the not exceeding \$3.025 million taxable BAN, the best overall interest cost and related loan conditions was submitted by PNC Bank at a fixed rate of 2.16% with a “make whole” prepayment penalty and \$1,000 in legal fees.
- J. For the not exceeding \$4.34 million tax-exempt, bank qualified BAN, the best overall interest cost and related loan conditions was submitted by PNC Bank at a fixed rate 1.70% with a “make whole” prepayment penalty and \$1,000 in legal fees.
- K. Based on the timetable outlined in the attached financing schedule, both the Series 2019A BAN and the Series 2019B BANs are scheduled to close on November 26, 2019.
- L. Both BANs will be mature on December 1, 2020.
- M. Adoption of an ordinance authorizing the issuance of the taxable and tax-exempt General Obligation Bond Anticipation Notes is required prior to the issuance and sale of these bonds.

**IV. STAFF RECOMMENDATION**

Staff recommends approval and adoption of the proposed ordinance to provide for the issuance of taxable and tax-Exempt General Obligation Bond Anticipation Note, and other matters related thereto.

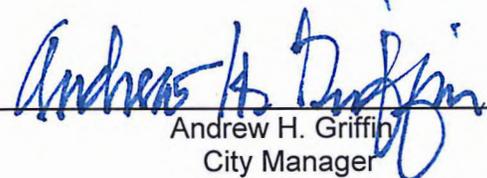
**V. ATTACHMENTS**

- A. An Ordinance authorizing the issuance of the General Obligation Bond Anticipation Notes.
- B. The financing schedule for the borrowing.



---

Kevin Yokim  
Assistant City Manager



---

Andrew H. Griffin  
City Manager

**AN ORDINANCE**

**TO PROVIDE FOR THE ISSUANCE AND SALE OF A \$3,025,000 GENERAL OBLIGATION BOND ANTICIPATION NOTE, TAXABLE SERIES 2019A, OF THE CITY OF FLORENCE, SOUTH CAROLINA AND A \$4,340,000 GENERAL OBLIGATION BOND ANTICIPATION NOTE, TAX-EXEMPT SERIES 2019B, OF THE CITY OF FLORENCE, SOUTH CAROLINA, THE PROCEEDS OF WHICH SHALL BE USED TO PAY AT MATURITY AMOUNTS DUE ON TWO SERIES OF BOND ANTICIPATION NOTES DATED DECEMBER 5, 2018, THE PROCEEDS OF WHICH WERE USED TO DEFRAY THE COST OF CERTAIN ECONOMIC AND DEVELOPMENT EFFORTS IN THE CITY'S DOWNTOWN AREA; TO PAY COSTS OF ISSUANCE; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO.**

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

As an incident to the enactment of this Ordinance and the issuance of the notes provided for herein, the City Council of the City of Florence, South Carolina ("**City Council**"), the governing body of the City of Florence, South Carolina (the "**City**"), finds that the facts set forth herein exist and the statements made with respect thereto are true and correct.

**WHEREAS**, by virtue of the Municipal Bond Act (Article 5, Chapter 21, Title 5 Code of Laws of South Carolina 1976, as amended) and Section 11-27-40 of the Code of Laws of South Carolina 1976, as amended (the "**Enabling Act**"), the City Council is authorized to issue general obligation bonds of the City for any purpose which is a public purpose and a corporate purpose of the City in any amount not exceeding the constitutional debt limit applicable to the City; and

**WHEREAS**, by Section 11-17-10 to 11-17-120, inclusive, of the Code of Laws of South Carolina 1976, as amended (the "**BAN Act**"), the City Council is authorized to issue notes in anticipation of the issuance of general obligation bonds; and

**WHEREAS**, pursuant to the authorizations of Article X of the South Carolina Constitution and the Enabling Act and the BAN Act, the City Council by Ordinance adopted November 13, 2018 determined to defray the cost of certain economic and development efforts in the City's downtown area including, but not limited to, property acquisitions, parking, building demolition and streetscape additions and improvements (the "**Project**"); and

**WHEREAS**, certain of the economic and development aspects of the Project include both public and private parties and therefore merit the analysis set forth in *Byrd v. County of Florence* (281 S.C. 402, 315 SE2d 804, 1984) to determine if the Project satisfies the public purpose requirement of the South Carolina Constitution; and

**WHEREAS**, that analysis requires that City Council "first determine the ultimate goal or benefit to the public intended by the project. Second...whether public or private parties will be the primary beneficiaries. Third, the speculative nature of the project must be considered. Fourth...analyze and balance the probability that the public interest will be ultimately served and to what degree;" and

**WHEREAS**, City Council determined and found that the Project satisfies such four-part test and therefore is a public purpose as required by the South Carolina Constitution; and

**WHEREAS**, City Council in the Ordinance adopted November 13, 2018, authorized the issuance of a \$2,900,000 General Obligation Bond Anticipation Note, Taxable Series 2018A (the "**Series 2018A Note**") and a \$4,200,000 General Obligation Bond Anticipation Note, Tax-Exempt Series 2018B (the "**Series 2018B Note**" and, together with the Series 2018A Note, the "**Series 2018 Notes**"), the proceeds of which have been expended for the Project; and

**WHEREAS**, the Series 2018 Notes mature on December 2, 2019, but are subject to prepayment at any time without penalty.

**NOW, THEREFORE**, on the basis of the foregoing authorizations and for the purpose of raising the sum necessary to be expended to pay amounts due on the Series 2018 Notes and to pay costs of issuance, the City Council enacts this Ordinance to effect the issuance and sale of the City's \$3,025,000 General Obligation Bond Anticipation Note, Taxable Series 2019A (the "**Series 2019A Note**") and the City's \$4,340,000 General Obligation Bond Anticipation Note, Tax-Exempt Series 2019B (the "**Series 2019B Note**" and, together with the Series 2019A Note, the "**Notes**").

## ARTICLE I

### ISSUANCE OF NOTES

#### Section 1      Authorization of Notes.

Pursuant to the provisions of the Enabling Act and the BAN Act and for the purposes set forth above, there shall be issued the Series 2019A Note and the Series 2019B Note. The Notes shall be originally dated the date of their delivery and shall be in fully-registered form, and shall be payable, both principal and interest, no later than their first anniversary.

Section 14 of Article X of the South Carolina Constitution provides that a city may incur general obligation indebtedness without referendum if such indebtedness, together with then outstanding indebtedness subject to the limitation, does not exceed 8% of the assessed value of all taxable property in the City. The most recent final assessed value of all taxable property in the City is not less than \$176,412,475. Eight percent of this sum equals \$14,112,998. As of July 1, 2019, outstanding indebtedness, other than the 2018 Notes, subject to the 8% limit is \$3,695,778. Consequently, the City may incur the Notes without referendum.

#### Section 2      Award of Notes.

By Request of Proposals, the City solicited bids for the Notes, resulting in the receipt of three responses. Upon a canvas of those proposals, it was determined that the proposal of PNC Bank, National Association was the most advantageous to the City. Therefore, the Series 2019A Note and the Series 2019B Note are awarded to PNC Bank, National Association.

#### Section 3      Interest Rate on Notes; Prepayment.

The Series 2019A Note shall bear interest at the rate of 2.16% and the Series 2019B Note shall bear interest at the rate of 1.70%. The Note is subject to prepayment at any time at a price of par plus the Cost of Prepayment (as described in the form of the Note appearing at Exhibit A).

Section 4      Medium of Payment.

Both the principal of and interest on the Notes shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for the payment of public and private debts.

Section 5      Place of Payments.

Principal of and interest on the Series 2019A Note and the Series 2019B Note shall be payable at PNC Bank, National Association, Raleigh, North Carolina, or at such other place as designated by PNC Bank, National Association.

Section 6      Execution of Notes.

The Notes shall be executed in the name of the City by the Mayor by his manual signature, and attested by the Clerk, by her manual signature, and the seal of the City shall be impressed or reproduced on the Notes. The Notes shall be executed in respect of any manual signature by the person or persons holding office when the Notes are ready for delivery. The execution of the Notes in this fashion shall be valid and effectual notwithstanding changes in the personnel of any of the above offices subsequent to their execution. No authentication of the Notes is required.

Section 7      Form of Notes.

The Notes shall be issued in fully registered form, and all principal and interest due thereunder shall be payable only to the registered owner thereof. The form of the Notes shall be substantially as set forth in Exhibit A attached hereto and made a part of this Ordinance.

**ARTICLE II**

**SECURITY FOR NOTES**

Section 1      Pledge of Full Faith, Credit, and Taxing Power.

For the payment of the principal of and interest on the Notes when due, the full faith, credit, and taxing power of the City are irrevocably pledged. It is specifically provided, however, in lieu of the foregoing pledge, principal and interest on the Notes may be paid from any other funds applicable therefor for the payment of the Notes.

**ARTICLE III**

**SALE OF NOTES; DISPOSITION OF PROCEEDS OF SALE**

Section 1      Sale of Notes.

The Notes shall be sold as described at Section 2 of Article I.

Section 2      Disposition of Proceeds of Sale of Notes.

The proceeds derived from the sale of the Notes issued pursuant to this Ordinance shall be deposited with the Assistant City Manager of the City and shall be expended and made use of by the City Council as permitted by the BAN Act.

**ARTICLE IV**

**STATE TAX EXEMPTION OF NOTES; FEDERAL TAX EXEMPTION  
OF THE SERIES 2019B NOTE**

Section 1      State Tax Exemption of Notes; Federal Tax Exemption of the Series 2019B Note.

Both the principal of and interest on the Notes shall be exempt from all state, county, municipal, school district and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, transfer or certain franchise taxes. The Series 2019B Note shall be excludable from gross income for federal income tax purposes under existing statutes, regulations and judicial decisions.

Section 2      Compliance with the Internal Revenue Code of 1986.

The City shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause the Series 2019B Note to be "Federally guaranteed" within the meaning of Section 149(b) of the Code and the Regulations promulgated thereunder.

The City will comply with all requirements of the Internal Revenue Code of 1986 (the "Code") in order to preserve the tax-exempt status of the Series 2019B Note, including without limitation, (i) the requirement to file the information report with the Internal Revenue Service, and (ii) the requirement to rebate certain arbitrage earnings to the United States Government pursuant to Section 148(f) of the Code. In this connection, the City covenants to execute any and all agreements, certificates and other documentation as it may be advised by bond counsel will enable it to comply with this Section.

The City hereby represents and covenants that it will not take any action which will, or fail to take any action which failure will, cause interest on the Series 2019B Note to become includable in the gross income of the bidder thereof for federal income tax purposes pursuant to the provisions of the Code and regulations promulgated thereunder in effect on the original issue date of the Series 2019B Note.

Section 3      Ability to Meet Arbitrage Requirements.

Careful consideration has been given to the time in which the expenditures will be made. It has been ascertained that all of the money received from the proceeds of the Series 2019B Note will be expended within the limitations imposed by Section 148 of the Code and the Treasury regulations promulgated pursuant thereto.

The Notes are not "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended.

## ARTICLE V

### MISCELLANEOUS

#### Section 1      Execution of Closing Documents and Certificates.

The Mayor and the Clerk are fully authorized and empowered to take such further action and to execute and deliver such closing documents and certificates as may be necessary and proper in order to complete the issuance of the Notes herein authorized and the action of such officers or any one or more of them in executing and delivering any of such documents, in such form as he or they shall approve, is hereby fully authorized, their signature to be conclusive evidence of such approval. It is specifically provided that the Mayor Pro Tem is authorized to take any and all actions granted to the Mayor herein.

#### Section 2      Benefits of Ordinance Limited to the City and Holder of the Notes.

With the exception of rights or benefits herein expressly conferred, nothing expressed or mentioned in or to be implied from this Ordinance or the Notes is intended or should be construed to confer upon or give to any person other than the City and the holder of the Notes, any legal or equitable right, remedy or claim under or by reason of or in respect to this Ordinance or any covenant, condition, stipulation, promise, agreement or provision herein contained. This Ordinance and all of the covenants, conditions, stipulations, promises, agreements and provisions hereof are intended to be and shall be for and inure to the sole and exclusive benefit of the City and the holder from time to time of the Notes as herein and therein provided.

#### Section 3      Ordinance Binding Upon Successors or Assigns of the City.

All the terms, provisions, conditions, covenants, warranties and agreements contained in this Ordinance shall be binding upon the successors and assigns of the City and shall inure to the benefit of the holder of the Notes.

#### Section 4      Effect of Saturdays, Sundays and Legal Holidays.

Whenever this Ordinance requires any action to be taken on a Saturday, Sunday, legal holiday or bank holiday in the State of South Carolina, such action shall be taken on the first business day occurring thereafter. Whenever in this Ordinance the time within which any action is required to be taken or within which any right will lapse or expire shall terminate on a Saturday, Sunday, legal holiday or bank holiday, in the State of South Carolina, such time shall continue to run until midnight on the next succeeding business day.

#### Section 5      Partial Invalidity.

(a) If any one or more of the covenants or agreements or portions thereof provided in this Ordinance on the part of the City to be performed should be determined by a court of competent jurisdiction to be contrary to law, then such covenant or covenants, or such agreement or agreements, or such portions thereof, shall be deemed severable from the remaining covenants and agreement or portions thereof provided in this Ordinance and the invalidity thereof shall in no way affect the validity of the other provisions of this Ordinance or of the Notes, but the holders of the Notes shall retain all the rights and benefits accorded to them hereunder and under any applicable provisions of law.

(b) If any provisions of this Ordinance shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions, or in all cases because it conflicts with any constitution or statute or rule of public

policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever.

Section 6      Law and Place of Enforcement of the Ordinance.

This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina, and all suits and actions arising out of this Ordinance shall be instituted in a court of competent jurisdiction in such State.

Section 7.      Direction to Publish

The Clerk of the City Council of the City is hereby directed to publish at the appropriate time notice to comply with the provisions of Paragraph 8 of Section 11-27-40, Code of Laws of South Carolina, 1976, as amended, the form of which is attached hereto as Exhibit B.

DONE IN MEETING DULY ASSEMBLED, this 4<sup>th</sup> day of November, 2019.

**Approved as to form:**

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

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

Attest:

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

First Reading: October 14, 2019  
Second Reading: November 4, 2019

UNITED STATES OF AMERICA  
STATE OF SOUTH CAROLINA  
CITY OF FLORENCE  
GENERAL OBLIGATION BOND ANTICIPATION NOTE,  
[TAXABLE SERIES 2019A/TAX-EXEMPT SERIES 2019B]

NO. R-1

Interest Rate (\_\_\_\_ %)

Original Date of Issue: November 26, 2019

Registered Owner: PNC Bank, National Association

Principal Sum: \_\_\_\_\_ Dollars

**KNOW ALL MEN BY THESE PRESENTS**, that the **CITY OF FLORENCE, SOUTH CAROLINA** (the "**City**"), a body politic and corporate and a municipal corporation under the laws of the State of South Carolina, is justly indebted, and, for value received, hereby promises to pay to the Registered Owner or registered assigns hereof the Principal Sum set forth above, together on November 24, 2020, and interest (computed on the basis of a 360-day year consisting of twelve 30-day months) on such Principal Sum from the Original Debt of Issue set forth above, at the Interest Rate per annum specified above. The principal of and interest on this note, when due, shall be payable at the principal office of PNC Bank, National Association, in the City of Raleigh, State of North Carolina. Both the principal of and interest on this note are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for the payment of public and private debts.

This Note is issued in anticipation of the issuance of general obligation bonds and is payable both principal and interest from the proceeds thereof. It shall at all times be lawful for the City to utilize any other funds applicable therefor for the payment of the principal and interest on the Note. For the prompt payment hereof, both principal and interest, as the same shall become due, the full faith, credit and taxing power of the City.

This Note and the interest hereon are exempt from all state, county, municipal, school district, and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, transfer or certain franchise taxes.

This Note is issued pursuant to and for purposes authorized by the Municipal Bond Act (Article 5, Chapter 21, Title 5, Code of Laws of South Carolina 1976, as amended) and Section 11-27-40 of the Code of Laws of South Carolina 1976, as amended, and an Ordinance (the "**Ordinance**"), enacted by the City Council of the City of Florence, South Carolina, in order to obtain funds with which to defray the cost of certain economic and development efforts in the City's downtown area including, but not limited to, property acquisitions, parking, building demolition and streetscape additions and improvements, together with costs of issuance.

The Note is subject to prepayment at any time at a price of par plus the Cost of Prepayment. "Cost of Prepayment" means an amount equal to the present value, if positive, of the product of (a) the difference between (i) the yield, on the beginning date of the applicable interest period, of a U.S. Treasury obligation with a maturity similar to the applicable interest period, minus (ii) the yield on the prepayment date, of a U.S. Treasury obligation with a maturity similar to the remaining maturity of the applicable interest period, and (b) the principal amount to be prepaid, and (c) the number of years, including fractional years, from the prepayment date to the end of the applicable interest period. The yield on any U.S. Treasury obligation shall be determined by reference to Federal Reserve Statistical Release H.15 (519) "Selected Interest Rates." For purposes of making present value calculations, the yield to maturity of a similar maturity U.S. Treasury obligation on the prepayment date shall be deemed the discount rate. The Costs of Prepayment shall also apply to any payments made after acceleration of the maturity of this Credit Facility. Notwithstanding the foregoing, any prepayment of in whole or in part, will be subject to a minimum prepayment fee of 0.50% of the amount being prepaid.

All principal, interest or other amounts due hereunder shall be payable only to the Registered Owner hereof. This note may not be transferred or assigned. Any purported assignment in contravention of the foregoing requirements shall be, as to the City, absolutely null and void. The person in whose name this note shall be registered shall be deemed and regarded as the absolute owner hereof for all purposes, and payment of the principal of and interest on this note shall be made only to or upon the order of the Registered Owner or his legal representative. All such payments shall be valid and effective to satisfy and discharge the liability of the City upon this note to the extent of the sum or sums so paid. No person other than the Registered Owner shall have any right to receive payments, pursue remedies, enforce obligations or exercise or enjoy any other rights under this note against the City. Notwithstanding the foregoing, nothing herein shall limit the rights of a person having a beneficial interest in this note as against a person (including the Registered Owner) other than the City, as in the case where Registered Owner is a trustee or nominee for two or more beneficial owners of an interest in this note.

**IT IS HEREBY CERTIFIED AND RECITED** that all acts, conditions, and things required by the Constitution and Laws of the State of South Carolina to exist, to happen, and to be performed precedent to or in the issuance of this note exist, have happened, and have been done and performed in regular and due time, form, and manner; that the total indebtedness of the City, including this note, does not exceed any constitutional or statutory limitation thereon; and that provision has been made for the levy and collection of sufficient taxes, without limit, for the payment of the principal and interest hereof, as the same shall fall due.

**IN WITNESS WHEREOF, THE CITY OF FLORENCE, SOUTH CAROLINA**, has caused this Note to be signed in its name by the Mayor Pro Tem of the City of Florence, by his manual signature, attested by the Clerk of the City Council of the City of Florence, by her manual signature, under the Seal of the City of Florence impressed or reproduced hereon, and this Note to be dated the 26<sup>th</sup> day of November, 2019.

**CITY OF FLORENCE, SOUTH CAROLINA**

(SEAL)

By: \_\_\_\_\_  
Mayor Pro Tem

**ATTEST:**

\_\_\_\_\_  
Clerk of City Council



**EXHIBIT B**

**NOTICE OF ADOPTION OF ORDINANCE  
AUTHORIZING \$7,365,000 GENERAL OBLIGATION BOND ANTICIPATION NOTES OF THE CITY  
OF FLORENCE, SOUTH CAROLINA**

Notice is hereby given that by Ordinance effective November 4, 2019, the City Council of the City of Florence has made provision for the issuance and sale of \$7,365,000 General Obligation Bond Anticipation Notes.

The proceeds of the Notes will be used to pay at maturity amounts due on two series of bond anticipation notes dated December 5, 2018, the proceeds of which were used to defray the cost of certain economic and development efforts in the City's downtown area and to pay the cost of issuance of the Notes.

Notice is further given that the provisions of Section 5-17-20, Code of Laws of South Carolina, 1976, as amended, permitting the filing of a petition seeking a referendum to effect the repeal of the foregoing Ordinance will not be applicable unless as provided by paragraph 8 of Section 11-27-40, Code of Laws of South Carolina, 1976, as amended, notice of intention to seek such a referendum be filed by not less than five qualified electors with either the Office of the Clerk of Court of Florence County and with the City Clerk of the City of Florence within twenty days from the date of publication of this Notice.

By order of the City of Florence.

Mayor, City of Florence, South Carolina

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF FLORENCE )

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

That the foregoing is a true, correct and verbatim copy of an Ordinance unanimously adopted by the said City Council, having been read at two duly called and regularly held meetings at which a quorum attended and remained throughout on each of October 14 and November 4, 2019.

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

IN WITNESS WHEREOF, I have hereunto set my Hand this \_\_\_\_ day of November, 2019.

\_\_\_\_\_  
Municipal Clerk

**CITY OF FLORENCE, SOUTH CAROLINA**  
 General Obligation Bond Anticipation Note, Series 2019A (Taxable)  
 General Obligation Bond Anticipation Note, Series 2019B (Tax-exempt)  
**FINANCING SCHEDULE**

Sep-19							Oct-19						Nov-19								
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
1	2	3	4	5	6	7			1	2	3	4	5							1	2
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9	
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16	
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23	
29	30						27	28	29	30	31			24	25	26	27	28	29	30	

DATE	TASK	RESPONSIBILITY
September 20	▪ Circulate draft of Bank RFP	FTA
October 14	▪ City Council gives 1st reading	City
October 11	▪ First Tryon distributes Notice of Sale/Bank RFP to Banks	FTA/BC
October 28	▪ Bank proposals due to the City	FTA
October 29	▪ Select Winning Bidder (subject to 2nd reading)	City/FTA/BC
November 4	▪ City Council gives 2nd reading	City
November 5	▪ Publish Notice of Adoption	BC
November 26	▪ Close GO BAN Issue	Working Group

\*City Council meets on the 2<sup>nd</sup> Monday of each month

**RESPONSIBILITY LEGEND:**

Role	Entity	Defined
Issuer	City of Florence, South Carolina	"City"
Bond Counsel	Haynsworth Sinkler Boyd	"BC"
Financial Advisor	First Tryon Advisors	"FTA"

FLORENCE CITY COUNCIL MEETING

**DATE:** October 14, 2019

**AGENDA ITEM:** Ordinance to Annex and Zone the properties located along Southborough Road and I-20, and specifically identified as portions of Florence County Tax Map Numbers 00051-01-001, 00074-01-188, 00074-01-131, 00074-01-007, and 00073-01-013.

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

---

**I. ISSUE UNDER CONSIDERATION:**

Request to annex the properties located along Southborough Road and I-20, and specifically identified as portions of Florence County Tax Map Numbers 00051-01-001, 00074-01-188, 00074-01-131, 00074-01-007, and 00073-01-013, and zone them Residential Urban (RU) and Open Space & Recreation (OSR).

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

- (1) On September 10, 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 Residential Urban (RU) and Open Space & Recreation (OSR), pending annexation approval.

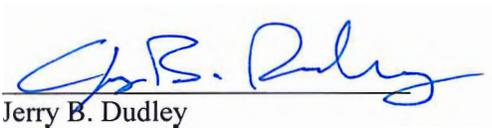
**III. POINTS TO CONSIDER:**

- (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. The proposal is for single family development.
- (4) The proposed zoning, pending annexation, is Residential Urban (RU) for the area to be developed, and Open Space & Recreation (OSR) for the 10 foot strips providing contiguity to existing city limits.
- (5) City water is currently available to the parcels to be developed.
- (6) City sewer will be provided by the developer.
- (7) City staff recommends the annexation and concurs with the Planning Commission's recommendation to zone the parcel Residential Urban (RU) and Open Space & Recreation (OSR) as requested. This recommendation is based on the proposed development and the character of the existing neighborhood.

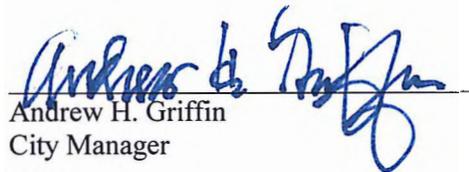
**IV. PERSONAL NOTES:**

**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 LOCATED ALONG SOUTHBOROUGH ROAD AND I-20, AND SPECIFICALLY IDENTIFIED AS PORTIONS OF FLORENCE COUNTY TAX MAP NUMBERS 00051-01-001, 00074-01-188, 00074-01-131, 00074-01-007, AND 00073-01-013.**

**WHEREAS,** a Public Hearing was held in the Council Chambers on September 10, 2019 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS,** application by Baker Myers, owner of TMN 00074-01-188 (portion), to be zoned OSR; Robert Thomas Jr. and Robert Thomas III, owners of TMN 00074-01-131 (portion) and 00074-01-007 (portion), to be zoned OSR; Epworth Children's Home, owner of TMN 00073-01-013 (portion), to be zoned OSR; and West Florence Investment Group, owner of TMN 00051-01-001 (portion), to be zoned RU; was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid properties 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 Residential Urban (RU) and Open Space and Recreation (OSR);

The properties requesting annexation are shown more specifically on Florence County Tax Map 00074, block 01, parcel 188 (0.12 acres); Tax Map 00074, block 01, parcel 131 and Tax Map 00074, block 01, parcel 007 (0.45 acres); Tax Map 00073, block 01, parcel 013 (1.12 acres); and Tax Map 00051, block 01, parcel 001 (49.32 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





Attachment D: Annexation Petitions

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 petitioner(s) 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 00074-01-188
3. Annexation is being sought for the following purposes: Contiguity
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.
5. The petitioner(s) shall have the right to withdraw this petition for annexation prior to the second reading of the Ordinance to annex and zone said property.

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	N/A
Race	N/A
Total 18 and Over	N/A
Total Registered to Vote	N/A

Date 7-25-19

[Signature]  
Petitioner

Date \_\_\_\_\_

\_\_\_\_\_  
Petitioner

The City of Florence acknowledges that the petitioner(s) shall have the right to withdraw this petition for annexation prior to the second reading of the Ordinance to annex and zone said property.

Date \_\_\_\_\_

\_\_\_\_\_  
City Manager

Certification as to ownership on the date of petition: Date <u>8-19-19</u>	FOR OFFICIAL USE ONLY <u>az</u>
---	------------------------------------

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 00074-01-007 + -131

3. Annexation is being sought for the following purposes: Contiguity
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.
5. The petitioner(s) shall have the right to withdraw this petition for annexation prior to the second reading of the Ordinance to annex and zone said property.

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	N/A
Race	N/A
Total 18 and Over	N/A
Total Registered to Vote	N/A

Date 7-25-14

X [Signature] Petitioner

Date 7-25-14

X [Signature] Petitioner

The City of Florence acknowledges that the petitioner(s) shall have the right to withdraw this petition for annexation prior to the second reading of the Ordinance to annex and zone said property.

Date \_\_\_\_\_

\_\_\_\_\_  
City Manager

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date 8-19-14	[Signature]

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 00073-01-013

3. Annexation is being sought for the following purposes: City services, Contiguity

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.

5. The petitioner(s) shall have the right to withdraw this petition for annexation prior to the second reading of the Ordinance to annex and zone said property.

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 N/A
Race N/A
Total 18 and Over N/A
Total Registered to Vote N/A

Date 7-9-19

Tara Jones
Petitioner

Date

Petitioner

The City of Florence acknowledges that the petitioner(s) shall have the right to withdraw this petition for annexation prior to the second reading of the Ordinance to annex and zone said property.

Date

City Manager

Certification of ownership on the date of petition: FOR OFFICIAL USE ONLY
Date 8-19-19 AZ

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 petitioner(s) 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 00051-01-001
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.
5. The petitioner(s) shall have the right to withdraw this petition for annexation prior to the second reading of the Ordinance to annex and zone said property.

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	N/A
Race	N/A
Total 18 and Over	N/A
Total Registered to Vote	N/A

Date 7/26/19

  
Petitioner

Date \_\_\_\_\_

\_\_\_\_\_  
Petitioner

The City of Florence acknowledges that the petitioner(s) shall have the right to withdraw this petition for annexation prior to the second reading of the Ordinance to annex and zone said property.

Date \_\_\_\_\_

\_\_\_\_\_  
City Manager

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date 8-19-19	AB

**FLORENCE CITY COUNCIL MEETING**

**DATE:** October 14, 2019

**AGENDA ITEM:** Ordinance to Annex and Zone Property Owned by Jackee Johnston and Samuel Anderson, located at 2334 Hoffmeyer Road, TMN 90008-02-004.

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

---

**I. ISSUE UNDER CONSIDERATION:**

Request to annex property located at 2334 Hoffmeyer Road, Tax Map Number 90008-02-004, into the City of Florence and zone Neighborhood Conservation-15 (NC-15).

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

- (1) On September 10, 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.

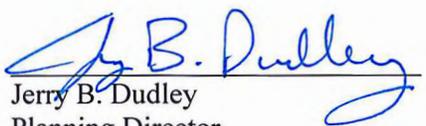
**III. POINTS TO CONSIDER:**

- (1) This request is being considered for first reading.
- (2) The property seeking annexation is unzoned in Florence County.
- (3) The property is currently the site of a single family detached home.
- (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 the lot's dimensions and the character of the existing 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 JACKEE JOHNSTON AND SAMUEL ANDERSON; TMN 90008-02-004.**

**WHEREAS,** a Public Hearing was held in the Council Chambers on September 10, 2019 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS,** application by Jackee Johnston and Samuel Anderson, owners of TMN 90008-02-004, 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 90008, block 02, parcel 004 (0.667536 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:

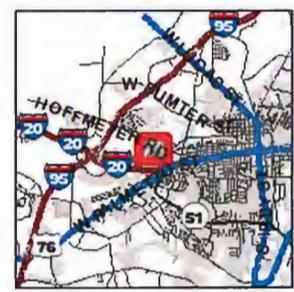
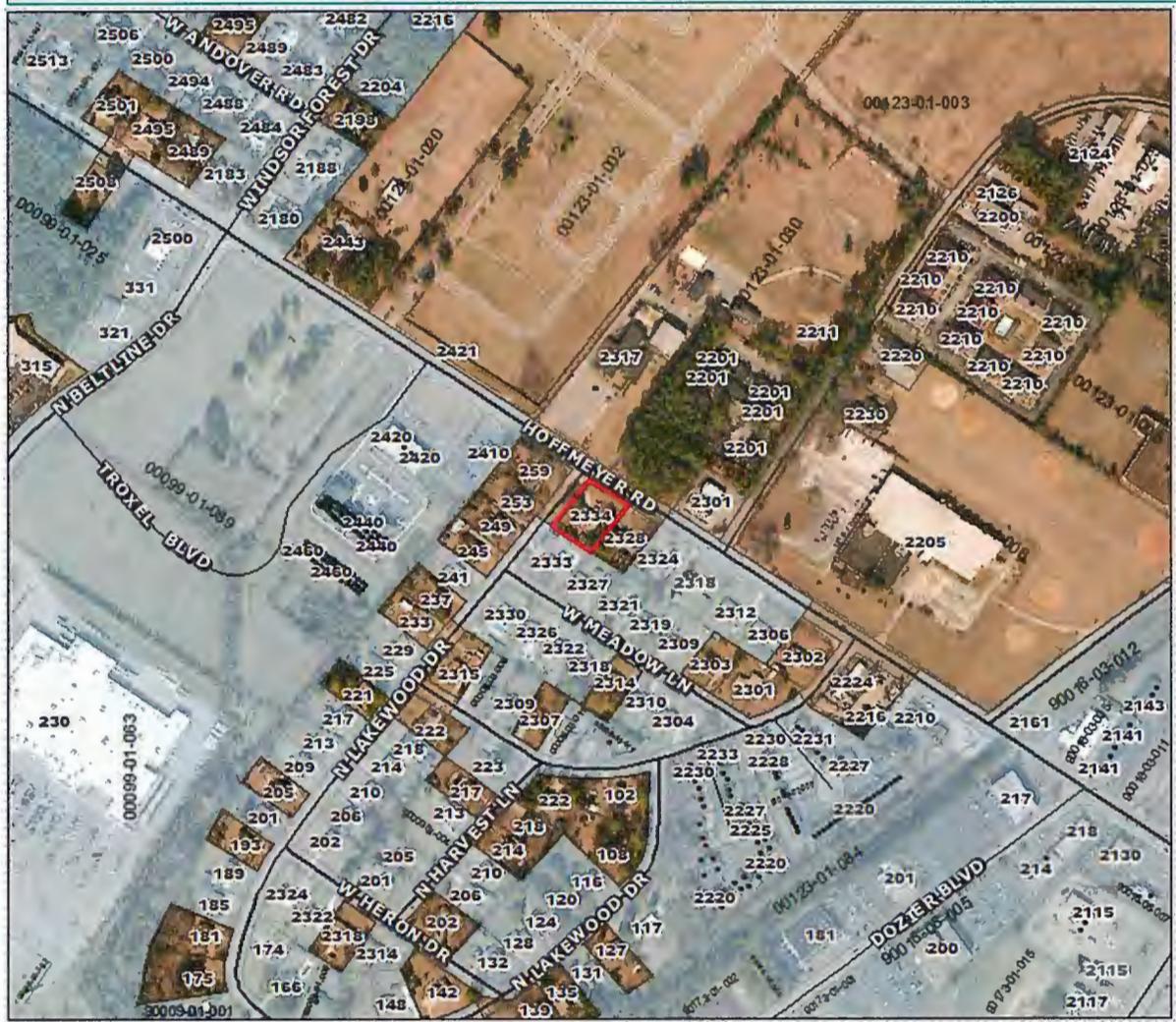
\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

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

Attest:

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

**PC 2019-27**  
**Vicinity Map - 2334 Hoffmeyer Road**



**Legend**

-  City Limits
-  Parcels

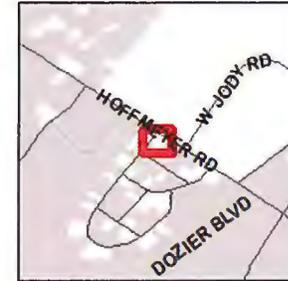


**DISCLAIMER:**  
 The City of Florence Department of Planning, Research, and Development data represented on this map is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to its accuracy. Its use without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



Date: 8/22/2019

# PC 2019-27 Location Map - 2334 Hoffmeyer Road



### Legend

-  City Limits
-  Parcels



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



Date: 8/22/2019

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  
90008 - 02 - 004

3. Annexation is being sought for the following purposes:

City services including utilities

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>4</u>
Race	<u>W</u>
Total 18 and Over	<u>4</u>
Total Registered to Vote	<u>          </u>

Date 8/12/19

*Jaqueline Agon*  
Petitioner

Date 08/20/2019

*J. Agon*  
Petitioner

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date <u>8-22-19</u>	<u>AG</u>

FLORENCE CITY COUNCIL MEETING

DATE: November 4, 2019

AGENDA ITEM: **Addendum** - Proposed text amendments to the City of Florence Unified Development Ordinance Table 3-8.1.1 and Section 3-8.1.9 regarding accessory buildings in residential districts.

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

---

**I. ADDENDUM TO POINTS TO CONSIDER:**

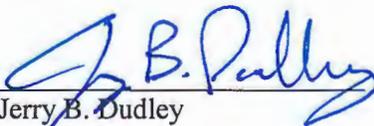
1) City staff recommends the addition of the following text (underlined and highlighted) to Section 3-8.1.9 of the City of Florence Unified Development Ordinance:

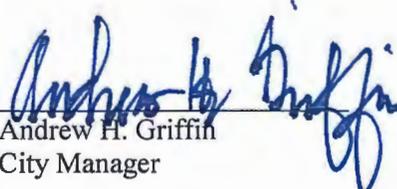
**I. Other Detached Accessory Buildings (Excluding Accessory Dwelling Units).**

1. *Maximum Size.* Detached accessory buildings shall not cover an area that is larger than 25 percent of the gross floor area of the principal building, or 1,500 square feet, whichever is smaller, nor shall a detached accessory building's length (measured as the total building length along the side closest in parallel to the rear property line) be in excess of 25 percent of the width of the rear property line, except that:

- a. In the OSR or AR districts, accessory buildings and structures are permitted as needed to support recreational or agricultural uses;
- b. Buildings that are accessory to individual townhome, duplex, and multiplex units (except garages) are limited to 120 square feet per unit.
- c. Accessory buildings in the RE (Residential Estate) and the NC-15 subdistrict shall not cover an area that is more than 15 percent of the lot area.

2) Addition of the above language in conjunction with the proposed amendments would allow flexibility in the placement of an accessory building and prevent excessive massing of a building against a rear lot line.

  
Jerry B. Dudley  
Planning Director

  
Andrew H. Griffin  
City Manager

## FLORENCE CITY COUNCIL MEETING

**DATE:** October 14, 2019

**AGENDA ITEM:** Proposed text amendments to the City of Florence Unified Development Ordinance Table 3-8.1.1 and Section 3-8.1.9 regarding accessory buildings in residential districts.

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

**SPONSOR:**

---

**I. ISSUE UNDER CONSIDERATION:**

Proposed text amendments to the City of Florence Unified Development Ordinance Table 3-8.1.1 “Permitted Encroachments”, and Section 3-8.1.9 “Accessory Buildings and Structures” regarding the location, setbacks, and compatibility requirements for accessory buildings in residential districts.

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

- 1) On September 10, 2019 the Planning Commission voted (7 to 1) to recommend the proposed Unified Development Ordinance changes be adopted as amended to Florence City Council

**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 allow for reasonable development within the City.
- 2) Currently the rear setback is 5 feet for buildings that are less than 120 square feet in area and less than 10 feet in height, and 10 feet for all other accessory buildings. The current side setback is prescribed based upon the location of the principal building such that the accessory building shall be located to the rear of the building and not to extend beyond the plane of the rear or side wall of the principal building (i.e., behind the house).
- 3) An amendment to Table 3-8.1.1 would allow accessory buildings larger than 120 square feet to be placed 5 feet from the rear property line; however, for buildings greater than 10 feet in height the 10 foot rear setback would remain. An Amendment to Section 3-8.1.9D, Accessory Buildings and Structures, would still require accessory buildings to be located behind the rear plane of the principle building, but would allow the side setback to be that of the zoning district, regardless of the actual siting of the principle building.
- 4) An amendment to Section 3-8.1.9-I.5, Accessory Buildings and Structures, would change the compatibility requirements for an accessory structure in relationship to the principal building. Currently the code requires accessory buildings to specifically match the principal building’s materials and roof type while the amendment would promote, but not require, specific compatibility with the principal building.
- 5) City staff recommends the proposed text amendments as they guide development in a manner consistent with the stated purpose of the Unified Development Ordinance.

**IV. OPTIONS:**

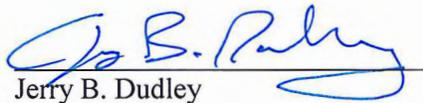
City Council may:

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

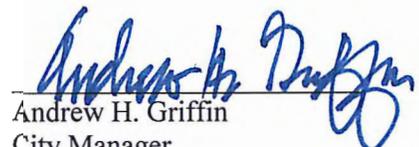
**V. PERSONAL NOTES:**

**VI. ATTACHMENTS:**

- 1) Proposed amendments to the Unified Development Ordinance



Jerry B. Dudley  
Planning Director



Andrew H. Griffin  
City Manager

**Attachment 1: Proposed Amendments to the City of Florence Unified Development Ordinance**

**Deletions have been struck through.  
Additions have been underlined and highlighted.**

Table 3-8.1.1 Permitted Encroachments		
Structure or Projection	Permitted Encroachments	
	Into Required Yard	From Lot Line
Rear Setback		
Accessory Building (except detached garages)	N/A	5' for buildings that are less than 120-sf. <del>And</del> less than 10ft. in height; 10' for all other accessory buildings
Interior Side Setback or Street Side Setback		
<u>Accessory Building (except detached garages)</u>	<u>N/A</u>	<u>Shall comply with the principal building setback for the district</u>

**Sec. 3-8.1.9 Accessory Buildings and Structures**

**D. Location**

1. No accessory building or structure of any type shall be located in a front yard, side yard (extended to ~~rear property line~~ the rear plane of the principal building), or street side yard (extended to ~~rear property line~~ the rear plane of the principal building), except as may be specifically allowed by this Division.
2. Accessory buildings shall not be located in a required bufferyard area.
3. Accessory buildings must be located on the same lot as the principal building or use to which they relate

**I. Other Detached Accessory Buildings (Excluding Accessory Dwelling Units).**

1. *Maximum Size.* Detached accessory buildings shall not cover an area that is larger than 25 percent of the gross floor area of the principal building, or 1,500 square feet, whichever is smaller, except that:
  - a. In the OSR or AR districts, accessory buildings and structures are permitted as needed to support recreational or agricultural uses;
  - b. Buildings that are accessory to individual townhome, duplex, and multiplex units (except garages) are limited to 120 square feet per unit.
  - c. Accessory buildings in the RE (Residential Estate) and the NC-15 subdistrict shall not cover an area that is more than 15 percent of the lot area.

2. *Height.* Detached accessory buildings shall not exceed the height of the primary structure or 20' in height, whichever is less.
3. *Number of Accessory Buildings.* The number of accessory buildings is limited by the more restrictive of:
  - a. Any applicable building coverage or floor area ratio limitation for the lot or parcel proposed for development;
  - b. The floor area limitation of Subsection I.1., above; or
  - c. One accessory buildings (other than a detached garage) per single-family residential lot; or
  - d. One accessory building (other than a detached garage) per individual townhome, duplex, or multiplex unit.
4. *Building Spacing.* Accessory buildings shall be separated from principal buildings and other accessory buildings by no less than six feet.
5. *Compatibility.* Accessory buildings shall be designed to be compatible with the principal building in terms of:
  - a. Color, which shall be the same as or compliment the principal building;
  - b. Materials which shall be the same **or complimentary to** as those used on the principal building, ~~and in the case of siding or brick, shall be installed with the same patterns as on the principal building.~~
  - c. Roof pitch, materials, and color, which shall be the same as **complimentary to** the principal building; and
  - d. Fenestration, if windows are provided, they should be of a type and aspect ratio that is similar to those on the principal building.
6. *Small Shed Exemption.* Small sheds are exempt from the compatibility requirements of Subsection I.5., if they are:
  - a. Located in a residential zoning district;
  - b. Not installed over a utility or access easement;
  - c. 120 square feet or less in floor area; and
  - d. 10 feet or less in height, measured from the base of the shed to the peak of the roof.

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

**AN ORDINANCE TO AMEND THE CITY OF FLORENCE UNIFIED DEVELOPMENT ORDINANCE TABLE 3-8.1.1 AND SECTION 3-8.1.9 REGARDING ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS.**

**WHEREAS**, the purpose of the Unified Development Ordinance is to implement the Comprehensive Plan adopted February 14, 2011 and updated May 8, 2017, guide development in accordance with existing and future needs, and promote the public health, safety, convenience, order, appearance, prosperity, and general welfare, as well as providing for the orderly development of land within the territorial jurisdiction of the City of Florence;

**WHEREAS**, the text amendments have been prepared by the Planning, Research and Development Department in an effort to clarify the intent of the ordinance, preserve the character of existing residential districts regarding accessory building standards and placement, and allow for reasonable development within the City;

**WHEREAS**, the Planning Commission and City staff recommend the proposed text amendments to the accessory building standards as they guide development in a manner consistent with the stated purpose of the Unified Development Ordinance.

**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 text of the City of Florence Unified Development Ordinance Table 3-8.1.1 “Permitted Encroachments” of Part 3, Article 8, Division 3-8.1 Supplemental Residential Standards will read in whole as follows:

**TABLE 3-8.1.1 PERMITTED ENCROACHMENTS**

Table 3-8.1.1 Permitted Encroachments		
Structure or Projection	Permitted Encroachments	
	Into Required Yard	From Lot Line
Rear Setback		
Accessory Building (except detached garages)	N/A	5' for buildings that are less than 10ft. in height; 10' for all other accessory buildings
Interior Side Setback or Street Side Setback		
Accessory Building (except detached garages)	N/A	Shall comply with the principal building setback for the district

2. That the text of the City of Florence Unified Development Ordinance Section 3-8.1.9 of Part 3, Article 8, Division 3-8.1 “Supplemental Residential Standards” will read in whole as follows:

**Sec. 3-8.1.9 Accessory Buildings and Structures**

A. **Generally.** The standards of this Section apply to accessory buildings and structures that are not specifically addressed elsewhere in this Unified Development Ordinance.

B. **Building Coverage.** Accessory buildings are counted in the calculation of building coverage.

C. **Timing of Construction.** No accessory building shall be constructed unless the principal building has already been constructed, or the principal building is simultaneously under construction, unless:

1. The accessory building or accessory structure is necessary for the construction of the principal building; or
2. No principal building is planned, and the accessory building is necessary for the proposed use of the property (e.g., restroom facilities at a park).

D. **Location**

1. No accessory building or structure of any type shall be located in a front yard, sideyard (extended to the rear plane of the principal building), or street side yard (extended to the rear plane of the principal building), except as may be specifically allowed by this Division.
2. Accessory buildings shall not be located in a required bufferyard area.
3. Accessory buildings must be located on the same lot as the principal building or use to which they relate

E. **Residential Occupancy.** Accessory buildings shall not be occupied for residential purposes unless they comply with standards of Section 1-2.10.1, Residential Accessory Uses. A mobile home or manufactured home shall not be used as an accessory building.

F. **Attached Accessory Buildings.** Accessory buildings, including storage sheds, supplemental

living spaces, and garages, that are structurally attached to a principal building shall conform to all standards that are applicable to the principal building, except as provided in Section 3-8.1.1, Permitted Encroachments. Covered (but otherwise unenclosed) walkways that do not have wall connections between buildings shall not be considered attachments for the purposes of this Subsection.

**G. Detached Garages.** Detached garages are permitted only for the following housing types:

1. *Single-Family Detached.* Detached garages on single-family detached lots may be single-story buildings or two-story buildings that include second floor workshop or storage space (subject to Section 1-2.10.1, *Residential Accessory Uses*).
  - a. One-story detached garages may be set back as allowed by Section 3-8.1.1, *Permitted Encroachments*.
  - b. Two-story detached garage buildings shall be set back according to the requirements that apply to the principal building. For the purposes of this Subsection, garages with doors that are taller than eight feet are considered two-story.
2. *Duplexes.* Detached garages on duplex lots are permitted, provided that the garages are one-story and located behind the principal building. In the locations where they are allowed, the garages may be set back as allowed by Section 3-8.1.1, Permitted Encroachments.
3. *Townhomes and Multifamily.* Detached garages that serve townhomes and multifamily developments shall be one-story buildings. They may be:
  - a. Located on the same lot as the townhome; or
  - b. In the interior of a multifamily development, such that the garage doors are screened from view from rights-of-way by buildings and landscaping; and/or
  - c. Along the perimeter of the development, integrated into a perimeter bufferyard (as a wall), provided that:
    1. The development is located in either the RS, RG, or RU district;
    2. The wall of the garages that faces abutting property or rights-of-way is clad with masonry;
    3. The landscaped portion of the bufferyard is located between the garages and the property line;
    4. No garage building is wider than 80 feet; and
    5. Garage buildings are separated from each other by at least 10 feet (fencing may be used to span the area between garage buildings).

**H. Carports, Car Covers, and Porte-Cocheres.**

1. *Where Allowed.*
  - a. Generally. Carports, car covers, and porte-cocheres are allowed:
    1. Within the areas available for construction of principal and accessory buildings on all properties that are developed with detached or attached dwelling units (except multi-family dwelling units).
    2. Within parking areas (and in the case of porte-cocheres, passenger loading areas) of multi-family, nonresidential, and mixed-use development.
2. *Additional Alternatives* in the NC Districts. Carports and car covers may be constructed outside of the building envelope, as follows:
  - a. Support posts shall not be closer than:
    1. Three feet to any side property line; or
    2. 10 feet from a rear property line; and
    3. 10 feet from a front or street side property line;

- b. They shall not encroach upon or extend over a public sidewalk or sidewalk adjacent to a private roadway easement;
  - c. The canopy or roof structure (including overhang) shall not extend past the support posts by more than two feet;
  - d. Carports, car covers, trellises, arbors, porte-cocheres, and similar structures shall be open on all sides unless backing and/or siding to the primary structure. Under no situation or condition may a structure side, front, or back be enclosed or covered in whole or in part in any way; and
  - e. Carports and car covers shall not be used for storage of any items that can be viewed from a public street, except motor vehicles. Storage of any items within a carport shall be within a fully enclosed cabinet or closet that is located adjacent to the principal structure and with a depth of no greater than 30 inches.
- 3. *Encroachment.* Carports, car covers, and porte-cocheres shall not encroach into easements unless written permission is granted from the owner or lessee of the easement and proof of such permission is provided to the City prior to the issuance of permits or clearances for such structures.
  - 4. *Survey Required.* A copy of the most recent plat of the property along with a survey or scaled drawing showing all existing buildings on the lot or parcel of land where the carport, car cover, or porte-cochere is proposed to be located shall be submitted with the required zoning compliance application.
  - 5. *Height.* Carports, car covers, and porte-cocheres shall not exceed one story or 16 feet in height, whichever is less.
  - 6. *Construction Methods.* Carports, car covers, porte-cocheres, and their support structures shall be firmly anchored to the ground and shall meet applicable building codes, including wind loading requirements. Drainage runoff from the structure shall not impact adjacent properties.
  - 7. *Design and Appearance.* All structures shall be permanent structures that are built on-site. Structures that can be viewed from a public street shall be constructed so that supporting posts, fascia, soffits, and roof and roof slope are of the same materials and color and resemble the principal structure. Exceptions to this requirement are allowed if the roof portion is approved as a trellis, arbor, or similar open-roof structure.
  - 8. *Applicable Building Standards.* Carports, car covers, and porte-cocheres are subject to all applicable building codes, as amended from time to time.
  - 9. *Building Permit Required.* As permanent structures, carports, car covers, and porte-cocheres shall make application for a building permit.

**I. Other Detached Accessory Buildings (Excluding Accessory Dwelling Units).**

- 1) *Maximum Size.* Detached accessory buildings shall not cover an area that is larger than 25 percent of the gross floor area of the principal building, or 1,500 square feet, whichever is smaller, except that:
  - a. In the OSR or AR districts, accessory buildings and structures are permitted as needed to support recreational or agricultural uses;
  - b. Buildings that are accessory to individual townhome, duplex, and multiplex units (except garages) are limited to 120 square feet per unit.
  - c. Accessory buildings in the RE (Residential Estate) and the NC-15 subdistrict shall not cover an area that is more than 15 percent of the lot area.

- 2) *Height*. Detached accessory buildings shall not exceed the height of the primary structure or 20' in height, whichever is less.
- 3) *Number of Accessory Buildings*. The number of accessory buildings is limited by the more restrictive of:
  - a. Any applicable building coverage or floor area ratio limitation for the lot or parcel proposed for development;
  - b. The floor area limitation of Subsection I.1., above; or
  - c. One accessory buildings (other than a detached garage) per single-family residential lot; or
  - d. One accessory building (other than a detached garage) per individual townhome, duplex, or multiplex unit.
- 4) *Building Spacing*. Accessory buildings shall be separated from principal buildings and other accessory buildings by no less than six feet.
- 5) *Compatibility*. Accessory buildings shall be designed to be compatible with the principal building in terms of:
  - a. Color, which shall be the same as or compliment the principal building;
  - b. Materials which shall be the same or complimentary to those used on the principal building.
  - c. Roof pitch, materials, and color, which shall be complimentary to the principal building; and
  - d. Fenestration, if windows are provided, they should be of a type and aspect ratio that is similar to those on the principal building.
- 6) *Small Shed Exemption*. Small sheds are exempt from the compatibility requirements of Subsection I.5., if they are:
  - a. Located in a residential zoning district;
  - b. Not installed over a utility or access easement;
  - c. 120 square feet or less in floor area; and
  - d. 10 feet or less in height, measured from the base of the shed to the peak of the roof.

3. That this Ordinance, and the amendments contained herein, shall become effective immediately upon its approval and adoption by the City Council of the City of Florence.

**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:** November 4, 2019

**AGENDA ITEM:** An Ordinance to establish the standards for the placement of Small Wireless Facilities in covered areas in the City of Florence, South Carolina; and for other purposes.

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

---

**I. ISSUE UNDER CONSIDERATION:**

An Ordinance to establish the standards for the placement of Small Wireless Facilities in covered areas in the City of Florence, South Carolina; and for other purposes.

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

- (1) City Council voted unanimously on the first reading of this ordinance.

**III. POINTS TO CONSIDER:**

- (1) Request is being considered for second reading.
- (2) It is recognized that multiple providers will be implementing small wireless facilities to provide better access to broadband, 9-1-1 services, and wireless connectivity.
- (3) This ordinance establishes appearance and installation standards for the infrastructure and new technology to protect the character and public interest of the City's residential and commercial districts.
- (4) This ordinance grants municipal consent to the provider to place infrastructure within the municipal limits and rights of way, and establishes a standard application process for implementation and installation.
- (5) The ordinance addresses multiple aspects of this infrastructure requiring facilities to: match the color of existing utility poles; contain all hardware and antennae within an enclosure no greater than 6 cubic feet; limits the height in residential areas to 40 ft. and in commercial areas to 50 ft., matching the height of existing utility poles; causes all supply wiring to be placed underground; and must go before the Design Review Board if located within any overlay district.
- (6) Any damage to the City's utility system and/or to the right of way including the sidewalk, asphalt, or other features will be the responsibility of the provider to repair and/or replace in-kind.
- (7) FCC regulations do not permit this ordinance to regulate the number of providers or the frequency of their infrastructure within the right of way, but does recommend that multiple providers collocate on one facility to the extent technically feasible.
- (8) Amendments to the original ordinance were made to Section 17-104(a)(vi) adding more specific language on the placement and attachment of wiring and cables; and to Section 17-104(d) making an amendment to the language that causes the provider to be responsible for the repairs and allows the provider to recover those costs from the contractor.

**IV. PERSONAL NOTES:**

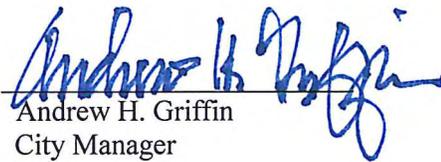
**V. ATTACHMENTS:**

(1) Ordinance



---

Clint Moore  
Development Director



---

Andrew H. Griffin  
City Manager

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

**AN ORDINANCE TO ESTABLISH THE STANDARDS FOR  
THE PLACEMENT OF SMALL WIRELESS FACILITIES IN  
COVERED AREAS IN THE CITY OF FLORENCE, SOUTH  
CAROLINA; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Florence (“City”) permits wireless infrastructure investment and provides a fair and predictable process for the deployment of Small Wireless Facilities while managing Public Rights-of-Way in a manner that promotes the interests of the public health, safety and welfare; and,

**WHEREAS**, the City recognizes that Small Wireless Facilities including facilities commonly referred to as small cell and distributed antenna systems are critical to delivering wireless access to advanced technology, broadband, and 9-1-1 services to residences, businesses, and schools within the City; and,

**WHEREAS**, the City recognizes that Small Wireless Facilities together with high capacity transport medium such as fiber optic cabling may be effectively deployed in Public Rights-of-Way; and,

**WHEREAS**, this Ordinance is intended to grant municipal consent to use of Rights-of-Way and establish a standard application process to streamline the issuance of necessary permits in a manner that is not a barrier to competition, and does not unnecessarily delay the implementation and installation of Small Wireless Facilities,

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA**, that Section 17 of the City Code is hereby amended to add a new Article V entitled “Standards for Placement of Small Wireless Facilities in Covered Areas,” to read as follows:

**Sec. 17-100. Definitions.**

**“Antenna”** means communication equipment that transmits or receives electromagnetic radio frequency signals used in the provision of Wireless Services.

***“Applicable Codes”*** means uniform building, energy, electrical, plumbing, mechanical, gas, and fire codes in Title 6, Chapter 9 of the South Carolina Code of Laws, local amendments to those codes authorized by state law, and local codes or ordinances which impose requirements defined in Section 5 of this Ordinance including objective design and concealment standards to regulate location, context, material, color, stealth and concealment standards on a uniform and nondiscriminatory basis.

***“Applicant”*** means any person who submits an Application to a City and is a Wireless Services Provider or a Wireless Infrastructure Provider.

***“Application”*** means a request submitted by an Applicant for a permit to (i) Collocate Small Wireless Facilities; or, (ii) construct, install, maintain, operate, replace or modify a Utility Pole or Wireless Support Structure.

***“Cable, Communications, Fiber or Electric Easement”*** means an easement, granted to a cable or video service provider, a communications service provider (including without limitation a telephone utility), a fiber optics cable services provider, or an electric services provider created or authorized by state law to provide such services, that runs parallel to and abuts or within a Rights-of-Way and is occupied by existing Utility Poles or Wireless Support Structures carrying electric distribution lines, wires, cable, conduit, fiber optic cable for telecommunications, cable or electric service or supporting municipal street lights, or security lights. The term Cable, Communications, Fiber or Electric Easement excludes easements for service drops or lines connecting the customer’s premises to the cable, communications, fiber or electrical provider.

***“City-Owned Pole”*** means (i) a Utility Pole owned or operated by the City in Covered Areas, including a Utility Pole that provides lighting or traffic control functions, or other law enforcement functions, including light poles, traffic signals, and structures for signage, and (ii) a pole or similar structure owned or operated by the City in a Covered Area that supports only Wireless Facilities. The term does not include a Utility Pole owned or operated by and accounted for as an asset of a municipal electric utility.

***“City-Owned Property”*** any property in which the City of Florence has exclusive rights, control, and/or fee simple ownership.

***“Collocate”*** means to install, mount, maintain, modify, operate, or replace one or more Wireless Facilities on, under, within, or adjacent to an existing Wireless Support Structure or

Utility Pole located in Covered Areas within the jurisdiction of the City. **“Collocation”** has a corresponding meaning.

**“Covered Areas”** means the surface of, and the space above and below, any public “Rights-of-Way,” “ROW,” “City Rights-of-Way,” “Public Rights-of-Way,” “Easement dedicated to the City of Florence and/or “City-Owned Property” as those terms are defined herein.

**“Day”** means calendar day unless the last day for the City or an Applicant to take action under this Ordinance ends on a weekend, holiday, or time when all but City emergency services are closed due to weather or some unforeseen situation.

**“Decorative Pole”** means a Utility Pole specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than specially designed informational or directional signage or a temporary holiday or special event attachments, have been placed or are permitted to be placed according to nondiscriminatory municipal practices.

**“Design District”** means an area that is zoned, or otherwise designated by municipal ordinance, and for which the City maintains and enforces unique design and aesthetic standards on a uniform and nondiscriminatory basis.

**“Fee”** means a one-time charge.

**“Historic District”** means an area that is zoned or otherwise designated as a Historic District under municipal, state or federal law and for which the City maintains and enforces unique design and aesthetic standards on a uniform and nondiscriminatory basis.

**“Micro Wireless Facility”** means a Small Wireless Facility that meets the following qualifications: (i) is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height; and, (ii) any exterior antenna is no longer than 11 inches.

**“Person”** means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including the City.

**“Rate”** means a recurring charge.

**“Rights-of-Way” or “ROW” or “City Rights-of-Way” or “Public Rights-of-Way”** means that area on, below, or above a public roadway, highway, street, sidewalk, alley dedicated to, the responsibility of, or controlled by the City, County or the State of South Carolina, , in the City.

**“Routine Maintenance”** for the purposes of this ordinance, routine maintenance shall be defined as expenditures made for the regular upkeep of physical properties of the wireless facility

including recurring, preventive and on-going maintenance necessary to delay or prevent the failure of critical and non-critical systems and equipment.

**“Small Wireless Facility”** means a Wireless Facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than six (6) cubic feet in volume, or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of not more than six (6) cubic feet; and (ii) all other wireless equipment associated with the facility is cumulatively no more than twenty-eight (28) cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.

**“Stealth antennae” or “Slick antennae”** means a wireless facility or small wireless facility which completely conceals any associated antennae, wires, apparatus and all other associated hardware.

**“Substantial change”** A modification greater than 10% to the characteristics of the existing wireless facility as outlined in Section 5 of this Ordinance.

**“Transmission Pole”** means a pole or similar structure that is used in whole or in part to carry electric transmission (as opposed to distribution) lines.

**“Underground District”** means an area that is designated by ordinances, zoning regulations, state law, private deed restrictions, and other public or private restrictions, that prohibit installing above ground structures in a Covered Area and for which the City maintains and enforces standards on a uniform and nondiscriminatory basis.

**“Utility Pole”** means a pole or similar structure that is used in whole or in part for the purpose of carrying electric distribution lines or cables or wires for telecommunications, cable or electric service, or for lighting, traffic control devices, traffic control or directional signage, or a similar function regardless of ownership, including City-Owned Poles. Such term shall not include structures supporting only Wireless Facilities, nor shall it include Wireless Support Structures.

**“Wireless Facility”** means equipment at a fixed location that enables Wireless Services between user equipment and a communications network, including: (i) equipment associated with wireless communications; (ii) radio transceivers, Antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration.

The term includes Small Wireless Facilities. The term does not include the structure or improvements on, under, or within which the equipment is Collocated, wireline backhaul facilities, coaxial or fiber optic cable that is between Wireless Support Structures or Utility Poles or coaxial or fiber optic cable that is otherwise not immediately adjacent to, or directly associated with, an Antenna.

**“Wireless Infrastructure Provider”** means any Person including a Person authorized to provide telecommunications service in the State, that builds, installs or maintains Utility Poles, wireless communication transmission equipment, Wireless Facilities or Wireless Support Structures.

**“Wireless Services”** means any services provided using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, delivered to the public using Wireless Facilities.

**“Wireless Services Provider”** means a Person who provides Wireless Services.

**“Wireless Support Structure”** means a freestanding structure, such as a monopole or, other existing or proposed structure designed to support or capable of supporting Wireless Facilities. Such term shall not include a Utility Pole.

**Sec. 17-101. Purpose and Scope.**

(a) The purpose of this Ordinance is to provide policies and procedures for the placement of Small Wireless Facilities in Covered Areas within the jurisdiction of the City.

(b) It is the intent of this Ordinance to establish uniform standards including, but not limited to:

- (i) Prevention of interference with the use of public streets, sidewalks, alleys, parkways, traffic light poles or other light poles, and other Covered Areas;
- (ii) Prevention of visual and physical obstructions and other conditions that are hazardous to vehicular and pedestrian traffic;
- (iii) Prevention of interference with other facilities and operations of facilities lawfully located in Covered Areas or public property;
- (iv) Preservation of the character of neighborhoods where facilities are installed to ensure consistency with said character as outlined within the Unified Development Ordinance of the City of Florence;

- (v) Preservation of the character of historic structures, or historic neighborhoods, including but not limited to such structures or neighborhoods listed on the National Register of Historic Places or locally designated Historic Districts; and,
- (vi) Facilitation of the deployment of Small Wireless Facilities to provide the citizens with the benefits of advanced Wireless Services.

**Sec. 17-102. *Permitted Use; Application Process and Fees.***

- (a) **Permitted Use and Consent.** Collocation of a Small Wireless Facility on an existing Utility Pole or Wireless Support Structure, or a new or modified Utility Pole or Wireless Support Structure installed within the City of Florence shall be a permitted use. Within the City of Florence’s overlay districts the application is subject to review by the Design Review Board, and must meet the conditions and other requirements in Section 5. In accord with Article VIII, Section 15 of the State Constitution and related municipal code and ordinance provisions, the City consents to the use of Public Rights-of-Way by permit holders acting in compliance with this Ordinance. The placement of a Small Wireless Facility shall not conflict with the City of Florence utility system or future placement of utility system per the requirements outlined within Section 7 of this ordinance.
- (b) **Permit Required.** No person shall place a Small Wireless Facility within city limits without first filing a Small Wireless Facility Application and obtaining a permit, except as otherwise provided in this Ordinance.
- (c) **Permit Applications.** All Small Wireless Facility Applications filed pursuant to this Ordinance shall be on a form, paper or electronic, as required by the City. The Applicant may designate portions of its Application materials that it reasonably believes contain proprietary or confidential information as “proprietary” or “confidential” by clearly marking each page of such materials accordingly, and the City shall endeavor to protect materials so designated from public disclosure to the fullest extent permitted by state law.
- (d) **Application Requirements.** The Small Wireless Facility permit Application shall be made by the Applicant, or its duly authorized representative as noted in a notarized statement from a Person with the Applicant with authority to make such

an authorization, and shall contain the following items prior to being considered a complete application:

- (i) The Applicant's name, address, telephone number and e-mail address;
- (ii) Facility owner's name, address, telephone number and email address, if different from Applicant;
- (iii) Intended facility use: owner operated or owner leased capacity;
- (iv) The names, addresses, telephone numbers, and e-mail addresses of all consultants, if any, acting on behalf of the Applicant with respect to the filing of the Application;
- (v) A general description of the proposed scope of work for the Collocation of the Small Wireless Facility. The scope and detail of such description shall be appropriate to the nature and character of the work to be performed, with special emphasis on those matters, including but not limited to sub-surface utilities, likely to be affected or impacted by the work proposed;
- (vi) Identification of any consultant that is acting on behalf of the Applicant and that is authorized to speak with the City, or a designee of the City, on the area of consultation for the Applicant even if the Applicant cannot be available;
- (vii) Verification from an appropriate representative of the Applicant that the Small Wireless Facility shall comply with all Applicable Codes;
- (viii) Verification of payment of the annual municipal consent or administrative fee for telecommunications companies to use Public Rights-of-Ways pursuant to Section 58-9-2230;
- (ix) Verification of local business license;
- (x) Evidence the Applicant is duly authorized to do business in South Carolina;
- (xi) Evidence the Applicant has received any necessary certificate of public convenience and necessity or other required authority from the South Carolina Public Service Commission or the Federal Communications Commission or evidence that it is not required;
- (xii) A copy of an approved South Carolina Department of Transportation encroachment permit and all documents required by SCDOT as part of the

encroachment permit application, if the proposed location is within a SCDOT Right-of-Way; and,

(xiii) If the proposed location is outside of a Covered Area, the application shall be subject to review under the Unified Development Ordinance of the City of Florence.

(xiv) The application shall include signed and sealed drawings from a Registered Engineer, providing the location of the proposed Small Wireless Facility and a statement either confirming no conflict with existing utilities or identifying any conflict with existing utilities.

a. Should the proposed Small Wireless Facility conflict with any City of Florence existing utilities, if approved by the City of Florence and permitted by SCDHEC, the applicant shall be responsible for the cost of relocating such existing utilities.

b. If approved by the City of Florence, any relocation shall meet all requirements within Section 12 of the City of Florence Code of Ordinances.

(e) **Routine Maintenance.** An Application shall not be required for routine maintenance, provided however, that;

(i) Any alterations to the size, color, appearance, height or characteristics outlined within Section 5 of this ordinance will require an application.

(f) **Information Updates.** Any amendment to information contained in a permit Application shall be submitted in writing to the City within ten (10) business days after the change necessitating the amendment.

(g) **Consolidated Application.** An Applicant seeking to collocate multiple Small Wireless Facilities may, at the Applicant's discretion, file a consolidated Application and receive a single permit for up to twenty (20) Small Wireless Facilities. Provided, however, the City's denial of any site or sites within a single Application shall not affect other sites submitted in the same Application. The City shall grant a permit for any and all sites in a single Application that it does not deny subject to the requirements of this Section.

(h) **Application Fees.** Unless otherwise provided by law, and except as to telecommunication companies exempted pursuant to S.C. Code § 58-9-2230, all Applications for

permits pursuant to this Ordinance shall be accompanied by a Fee of \$100.00 for each Small Wireless Facility, except that the Fee for Small Wireless Facilities addressed in a consolidated Application shall be \$100.00 each for the first five Small Wireless Facilities and \$50.00 for each additional Small Wireless Facility up to a maximum of twenty (20) Small Wireless Facilities. For clarity, any Applicant that pays either a franchise, consent Fee, or administrative Fee pursuant to the requirements of S.C. Code § 58-9-2230 shall not be required to pay any building permit Fee, zoning permit Fee, encroachment Fee, degradation Fee, or any other Fee assessed on a telecommunications provider for its occupation of or work within the ROW.

(i) **Interference with Public Safety Equipment.** A Small Wireless Facility shall be operated and maintained in a manner that does not interfere with public safety (police, traffic control, fire and emergency services) equipment.

**Sec. 17-103. Action on Permit Application.**

(a) **Review of Small Wireless Facility Applications.** The City shall review the Application for a Small Wireless Facility permit for conformity with applicable requirements of this Ordinance, and shall issue a permit on nondiscriminatory terms and conditions subject to the following requirements:

(i) Within ten (10) days of receiving an Application, the City must determine and notify the Applicant whether the Application is complete; or if an Application is incomplete, the City must specifically identify the missing information. The City must also notify the Applicant if the location of the wireless facility is located within an overlay district.

(ii) The City must make its final decision to approve or deny the Application within thirty (30) days of submission of a completed Application.

(iii) If the wireless facility is located within an overlay district of the City of Florence it is subject to a public hearing and review by the City of Florence Design Review Board, and City shall be given an additional thirty (30) days for review and application. If the Design Review Board makes the decision for deferment of the application for amendments to the submittal, or further information, the City shall be given the additional time required for the Design Review Board to make its final decision as defined in Section 4(b) below.

(iv) Notify the Applicant in writing of its final decision, and if the Application is denied, specify the basis for a denial, including citations to federal, state or local code provisions and/or statutes on which the denial was based.

(v) Notwithstanding an initial denial, the Applicant may cure the deficiencies identified by the City and resubmit the Application within thirty (30) days of the denial, and the City shall approve or deny the revised Application within thirty (30) days of receipt of it. The subsequent review by the City shall be limited to the deficiencies cited in the original denial.

(vi) All wireless facilities located within an overlay district are subject to review by the City of Florence Design Review Board under its rules of procedures.

(b) **Review Deadline.** If the City fails to act on an Application within the thirty (30) day review period (or within the thirty (30) day review period for an amended Application), the Applicant may provide notice that the time period for acting has lapsed and the Application is then deemed approved. If the application is made for a facility located within any of the City's overlay districts, an additional thirty (30) day review period, for a total sixty (60) day review period, shall be provided to the City upon receipt of a complete application for review by the Design Review Board. Should the Design Review Board take action that requires an additional review period(s), then the review period(s) shall be granted. All applications are subject to the rules of procedures of the Design Review Board as outlined within the Unified Development Ordinance.

(c) **Review of Eligible Facilities Requests.** Notwithstanding any other provisions of this Ordinance, the City shall approve and may not deny Applications that constitute eligible facilities requests for modification of an eligible support structure that does not substantially change the physical dimensions as provided in 47 CFR 1.40001, within sixty (60) days according to the procedures established under 47 CFR 1.40001(c).

(d) **Compensation.** Subject to the limitations set forth in Section 3(h) herein, every permit shall include as a condition the Applicant's agreement to pay such lawful franchise Fees, business license taxes, administrative Fees and consent Fees as are permitted under applicable South Carolina and federal law. The Applicant shall also pay all applicable ad valorem taxes, service Fees, sales taxes, or other taxes and Fees as may now or hereafter be lawfully imposed on other businesses within the City.

**Sec. 17-104. *Requirements for Small Wireless Facilities within Covered Area.***

(a) **Administrative Review.** The City shall perform an administrative review of all permit Applications including the location or installation of new, modified, or replacement Utility Poles and/or Wireless Support Structures and the attachment of Wireless Facilities and equipment on Utility Poles or Wireless Support Structures. Review factors, in addition to location, shall include the size, shape, color, texture, and materials of the structures and attachments, and are listed out below. If the facility is located within any overlay district within the City of Florence, the facility is subject to review by the Design Review Board of the City of Florence.

i. **Maximum Size of Permitted Use.**

- a. The height of an Antenna of a Collocated Small Wireless Facility shall be limited to ten (10) feet above (a) the height of an existing or modified Utility Pole or Wireless Support Structure; or (b) the height of a new Utility Pole or Wireless Support Structure as provided in (ii) below.
- b. The height of a new or modified Utility Pole, or Wireless Support Structure is limited to the greater of (a) the tallest Utility Pole, excluding Transmission Poles, or Wireless Support Structures located in the same Covered Area, measured from grade, in place within five hundred (500) linear feet on the same Covered Area as the subject Utility Pole or Wireless Support Structure as of the effective date of this Ordinance; or (b) in the absence of any such Utility Pole, either (i) forty (40) feet in any area having single family residential use, or (ii) fifty (50) feet in commercial or industrial zoned areas.
- c. Collocation is not allowed on a Decorative Pole less than twenty (20) feet in height.

ii. **Color**

To the extent technically feasible: (i) Any new Utility Pole or support structure for the use of a Small Wireless Facility must be colored to reasonably blend with any existing utility poles located within the same general area. (ii) All Small Wireless Facilities must use have a finish and color that reasonably blend with that of the Utility Pole or support structure.

- iii. **Lighting.** Wireless Facilities must not be artificially lighted, unless required by the FAA or other applicable authority. Subject to approval by the FAA, obstruction lights must strobe in the daytime and must be red, and non-flashing from dusk until dawn. If lighting is required, the lighting alternatives and design must result in the minimum disturbance to surrounding views.
- iv. **Identification.** The Wireless Facility must provide identification on the outside of the facility displaying the identity of the owner and contact information.
- v. **Collocation.** New Wireless Facilities should be designed to accommodate the present and future needs of the owner and additional users to encourage collocation between multiple providers.
- vi. **Appearance.** Wiring and cables may be located on the exterior of existing wooden, concrete or other solid utility poles in which interior placement of such wiring and cables are not compatible, but must be placed within a conduit that reasonably blends with the appearance of the utility pole. All small cell wireless facilities shall locate all hardware (i.e. antennae, wiring, control hardware, etc...) either inside the pole, underground within a traffic rated pull box, and/or within a pole mounted cabinet that is similar in shape, diameter and color of the utility pole, so as to reduce the visual impact and obtrusiveness to protect the character of its surroundings.
- vii. **Underground wiring.** All wiring including fiber optic, electric, and all other lines carrying electrical current distributed to a newly installed utility pole shall be placed underground. This includes all wiring to the wireless facility, meter base, or any other appurtenance to the wireless facility. Nothing in this section shall prohibit the use or replacement of existing Utility Poles or Small Cell Wireless Support Structures for the Collocation of Small Wireless Facilities, subject to administrative review, appropriate design and concealment.

viii. **Wireless Facilities located within Overlay District.** Collocated Small Wireless Facilities and new or modified Utility Poles or Wireless Support Structures located within any of the City's overlay districts shall be subject to review by the City staff and the City of Florence Design Review Board. All facilities are subject to the design and aesthetic requirements outlined within the Design Guidelines in addition to the requirement of this Ordinance. The City also reserves its right to make recommendation of the following types of supplemental standards to the Design Review Board within the Overlay Districts.

- a) **Underground Facilities.** A Wireless Services Provider or a Wireless Infrastructure Provider shall comply with requirements that prohibit electric utilities, telecommunications or cable providers from installing above-ground structures in the Covered Area in these districts. Nothing in this section shall prohibit the use or replacement of existing Utility Poles or Wireless Support Structures in Overlay Districts for the Collocation of Small Wireless Facilities subject to review by city staff and the Design Review Board. However, appropriate design and concealment and a finding that such use does not increase the height by more than three (3) feet must be met and approved by staff and the board.
- b) **Decorative Poles.** As a condition for approval of new Small Wireless Facilities or new Wireless Support Structure in an Overlay District, the City shall require that a Wireless Services Provider or a Wireless Infrastructure Provider comply with the design and aesthetic standards of the Overlay District to minimize the impact to the aesthetics, and may result in the use of a decorative pole. If design and concealment treatments are determined on review by the City or Design Review Board to be insufficient to mitigate harm to the Historic District or Design District, the Application may be denied.

This section may not be construed to limit a municipality's authority to enforce historic preservation zoning regulations consistent with the preservation of local zoning authority under 47 U.S.C. Section 332(c)(7), the requirements for facility modifications under 47 U.S.C. Section 1455(a), or the National Historic Preservation Act of 1966 (54 U.S.C. Section 300101 et seq.), and the regulations adopted to implement those laws.

(b) **Appeals, and Variance Requirements.** Appeals of administrative decisions and requests for variances from the provisions of this Ordinance, when strict application would result in an unnecessary hardship or in the inability to deploy needed Small Wireless Facilities, shall be heard and decided by the City of Florence Board of Zoning Appeals.

(c) **Overlay Districts.** Overlay Districts approved by the City as of the effective date of this Ordinance are listed within Unified Development Ordinance of the City of Florence. Chapter 16 of the City of Florence Code of Ordinances authorizes the districts, applicable design guidelines or manual, review authority and appeal jurisdiction. Nothing in this Ordinance shall prohibit or otherwise limit the City from establishing additional supplemental review districts, provided however, that facilities and structures for which a permit was approved or deemed approved pursuant to this Ordinance prior to the establishment of the additional supplemental review district remain subject to the provisions of this Ordinance, including routine maintenance and replacement of those facilities and structures as set out in Section 3(e) of this Ordinance, and not to any provisions otherwise applicable to the additional supplemental review district. If a Wireless Services Provider or a Wireless Infrastructure Provider voluntarily replaces such facilities in a manner that does not comply with Section 3(e) of this Ordinance, or if a Wireless Services Provider or a Wireless Infrastructure Provider voluntarily relocates such facilities, such replacement or relocation is subject to the then-existing provisions and requirements of the additional supplemental review district.

(d) **Repair of Damage.** A Small Cell Wireless Services Provider or a Small Cell Wireless Infrastructure Provider shall be responsible for the repair of all damage to the Right-of-Way directly caused by the activities of the company or its contractor, while occupying, installing, repairing, or maintaining Wireless Facilities, Wireless Support Structures, or Utility Poles and to return the Right-of-Way to its functional and aesthetic equivalence before the damage. If the Small Cell Wireless Services Provider or the Small Cell Wireless Infrastructure Provider fails to make the repairs required by the City within forty-five (45) days after written notice, unless the City and the Small Cell Wireless Services Provider or the Small Cell Wireless Infrastructure Provider agree in writing to a longer time period, the City may undertake those repairs and charge the applicable party the reasonable and documented cost of the repairs. The City may maintain an action to recover the costs of the repairs. If a Small Cell Wireless Services Provider or a Small Cell Wireless Infrastructure Provider causes damage to the water and sewer utility, the utility must be repaired

immediately by a South Carolina-licensed utility contractor and coordinated with the Engineering Division of the City of Florence. The Small Cell Wireless Services Provider or Small Cell Wireless Infrastructure Provider shall be solely responsible for any damage to the rights of way, or utility system of the City of Florence.

**Sec. 17-105. *Effect of Permit.***

(a) **Authority Granted: No Property Right or Other Interest Created.** A permit from the City authorizes an Applicant to undertake only certain activities in accordance with the Ordinance, and does not create a property right or grant any authority whatsoever to the Applicant to impinge upon the rights of others who may already have an interest in the Covered Area.

(b) **Duration.** Unless construction has actually begun and is diligently pursued to completion at that point, no permit for construction issued under this Ordinance shall be valid for a period longer than twelve (12) months unless both City and Applicant agree to a reasonable extension and all required Fees are paid for the term regardless of construction. The inability of the Applicant to obtain electrical power or backhaul transport services to serve the Wireless Facility such that it is operational within the twelve (12) months due to the action or inaction of third-party utility providers shall not result in the invalidity of the permit.

**Sec. 17-106. *Removal, Relocation or Modification of a Small Wireless Facility in the ROW.***

(a) **Notice.** Within ninety (90) days following written notice from the City, a Wireless Services Provider or a Wireless Infrastructure Provider shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any Wireless Facilities or Wireless Support Structures within the Rights-of-Way whenever the City, in its reasonable discretion, has determined that such removal, relocation, change or alteration, is reasonably necessary for the construction, repair, maintenance, or installation of any City improvement in or upon, or the operations of the City in or upon, the Rights-of-Way.

(b) **Emergency Removal or Relocation of Facilities.** The City retains the right to cut or move any Wireless Facility or Wireless Support Structure located within the Rights-of-Way as the City, in its reasonable discretion, may determine to be necessary, appropriate, or useful in response to any public health or safety emergency. If circumstances permit, the City shall notify the Wireless Services Provider or the Wireless Infrastructure Provider and provide opportunity to

move its own Wireless Facilities or Wireless Support Structure prior to the City cutting or removing a Wireless Facility or Wireless Support Structure and the City shall notify the Wireless Services Provider or the Wireless Infrastructure Provider after cutting or removing a Wireless Facility.

(c) **Abandonment of Facilities.** Upon abandonment of a Wireless Facility or Wireless Support Structure within the City Rights-of-Way, the Wireless Services Provider or the Wireless Infrastructure Provider shall notify the City within sixty (60) days of such abandonment. Following receipt of such notice the City may direct the Wireless Services Provider or the Wireless Infrastructure Provider to remove all or any portion of the Wireless Facility or Wireless Support Structure if the City, in its sole discretion, determines that such removal will be in the best interests of the public health, safety, and welfare.

(d) **Abandonment by Inaction.** At any point when a Wireless Services Provider or a Wireless Infrastructure Provider fails to pay any required Fee, or annual payment to the City, and fails to respond within sixty (60) days to a written inquiry from the City as to whether the Wireless Services Provider or the Wireless Infrastructure Provider intends to continue to operate a Wireless Facility or Wireless Support Structure, for whatever reason, the Wireless Facility shall be deemed abandoned and the City may, at its sole option, remove all or any portion of the Wireless Facility or Wireless Support Structure, or take other action as authorized by law, including recovery of actual costs incurred in removing the Wireless Facility or Wireless Support Structure.

**Sec. 17-107. Attachment to City-Owned Utility Poles in the Covered Areas.**

(a) **Annual Rate.** The rate to place a Small Wireless Facility on a City-Owned Pole in Covered Areas shall be fifty (\$50.00) dollars per year per wooden pole or two hundred (\$200.00) dollars per year for all other City-Owned Poles. This rate is in addition to reimbursement to the City for any expenses for make-ready work. The City reserves the right to require a pole attachment agreement to further define the terms and conditions of attachments to City-Owned Poles. The rates specified in this section shall not apply to poles owned, or operated and accounted for as an asset of, a municipal electric utility.

(b) **Cease Payment.** A Wireless Services Provider or a Wireless Infrastructure Provider is authorized to remove its facilities at any time from a City-Owned Pole in Covered Areas and cease paying the annual rate to the City as of the next due date for payment following the removal.

(c) **Make-Ready.** For City-owned Utility Poles in Covered Areas, the Applicant shall reimburse the City for expenses for any reasonable make-ready work. The City shall provide a good faith estimate for any make-ready work necessary to enable the pole to support the requested Small Wireless Facility, including pole replacement if necessary, within sixty (60) days after receipt of a completed request. Make-ready work including any pole replacement shall be completed within sixty (60) days of written acceptance of the good faith estimate by the Wireless Services Provider or the Wireless Infrastructure Provider.

**Sec. 17-108. Severability.**

In the event any title, subtitle, section, subsection, subdivision, paragraph, subparagraph, item, sentence, clause, phrase, or work of this Ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the Ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this Ordinance.

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

1. That an Ordinance is hereby adopted to establish the standards for the placement of small wireless facilities in covered areas in the City of Florence, South Carolina; and for other purposes;
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 Code of Ordinances.

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

**DATE:** October 14, 2019

**AGENDA ITEM:** An ordinance to abandon interest of the City of Florence in right-of-way to include the unopened portion of Greenway Drive adjacent to Florence County Tax Parcels 90026-06-012 and 90036-10-002.

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

**I. ISSUE UNDER CONSIDERATION:**

Abandonment of the City of Florence Right of Way, specifically a portion of Greenway Drive bounded on the North by 903 Greenway Drive and 823 Greenway Drive, and the South by Florence Country Club.

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

- (1) On August 13, 2019, the City of Florence Planning Commission held a public hearing on this matter.
- (2) The Planning Commission voted 7-0 to recommend the abandonment of the unopened portion of Greenway Drive adjacent to Florence County Tax Parcels 90026-06-012 and 90036-10-002.

**III. POINTS TO CONSIDER:**

- (1) This portion of right-of-way is undeveloped and utilized as driveway/yard for homes located at 903 and 823 Greenway Drive.
- (2) A 20' City of Florence Utility Easement will need to be recorded on the unopened portion of Greenway Drive.
- (3) The following City of Florence departments were contacted regarding the abandonment of the right-of-way: Fire; Police; Public Works; Utilities; and Planning, Research, and Development. None of the aforementioned departments found any reason to maintain the City's interest in this section of Greenway Drive.
- (4) City Staff recommends abandonment of the City's portion of Greenway Drive as it allows private ownership of an undeveloped right-of-way.

**IV. PERSONAL NOTES**

**V. ATTACHMENTS:**

- (A) Ordinance
- (B) Location Map
- (C) Vicinity Map



---

Jerry B. Dudley  
Planning Director



---

Andrew H. Griffin  
City Manager

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

**AN ORDINANCE TO ABANDON INTEREST OF THE CITY OF FLORENCE IN RIGHT-OF-WAY TO INCLUDE THE UNOPENED PORTION OF GREENWAY DRIVE ADJACENT TO FLORENCE COUNTY TAX PARCELS 90026-06-012 AND 90036-10-002**

**WHEREAS**, a request has been made for the City to abandon its interest in the unopened portions of Greenway Drive adjacent to Florence County Tax Parcels 90026-06-012 and 90036-10-002, and;

**WHEREAS**, a Public Hearing was held in the City Center Council Chambers on August 13, 2019 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS**, a public notice was published three times in the Morning News prior to the October 14, 2019 City Council meeting as required by City Code Section 2-28(b) and adjacent property owners and utility providers were notified, and:

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

1. That the City of Florence abandons its interest in the rights-of-way which will then revert to the abutting property owners after the necessary legal documents have been properly executed.
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence.

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

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

Approved as to form:

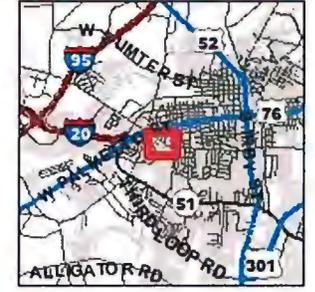
\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

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

Attest:

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

### PC-2019-25 Greenway Drive Right-of-Way Abandonment Attachment A Location Map

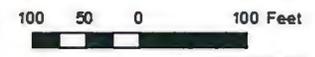


#### Legend

-  Roads
-  Parcels



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



Date: 8/1/2019

### PC-2019-25 Greenway Drive Right-of-Way Abandonment Attachment B Vicinity Map

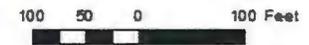


### Legend

-  Roads
-  Parcels



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



Date: 8/1/2019

FLORENCE CITY COUNCIL MEETING

**DATE:** November 4, 2019

**AGENDA ITEM:** Ordinance to Annex and Zone Property Owned by Lowe Investments, LLC, located along Alligator Road; specifically identified as a portion of Tax Map Number 00077-01-215.

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

---

**I. ISSUE UNDER CONSIDERATION:**

Request to annex property located along Alligator Road, a portion of Tax Map Number 00077-01-215, into the City of Florence and zone Residential General-1 (RG-1).

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

- (1) On October 8, 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 Residential General-1 (RG-1), pending annexation approval.

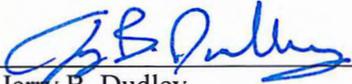
**III. POINTS TO CONSIDER:**

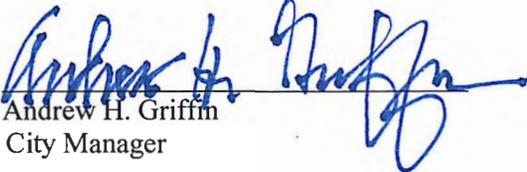
- (1) This request is being considered for first reading.
- (2) The property proposed for annexation is a 3.94 acre portion of TMN 0007-01-215 fronting along Alligator Road.
- (3) The property seeking annexation is unzoned in Florence County.
- (4) The proposed zoning, pending annexation, is Residential General-1 (RG-1). The owner is proposing subdivision of the property into five lots, all meeting the requirements of the RG-1 zoning designation.
- (5) City water service is currently available. Sewer service is not available; however, the applicant has signed a sewer release form and provided verification of SCDHEC approval for septic tank installation.
- (6) City staff recommends the parcel be zoned RG-1 as requested, contingent upon annexation into the City of Florence.

**IV. PERSONAL NOTES:**

**V. ATTACHMENTS:**

- A) Ordinance
- B) Vicinity Map of Proposed Annexation
- C) Plat of Five Lots
- 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 LOWE INVESTMENTS, LLC LOCATED ON ALLIGATOR ROAD; TMN 00077-01-215 (PORTION).**

**WHEREAS**, a Public Hearing was held in the Council Chambers on October 8, 2019 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS**, application by Phillip and David Lowe, owners of TMN 00077-01-215, to be zoned RG-1, 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 Residential General-1 (RG-1);

The property requesting annexation is shown more specifically as a portion of Florence County Tax Map 00077, block 01, parcel 215 (3.94 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:

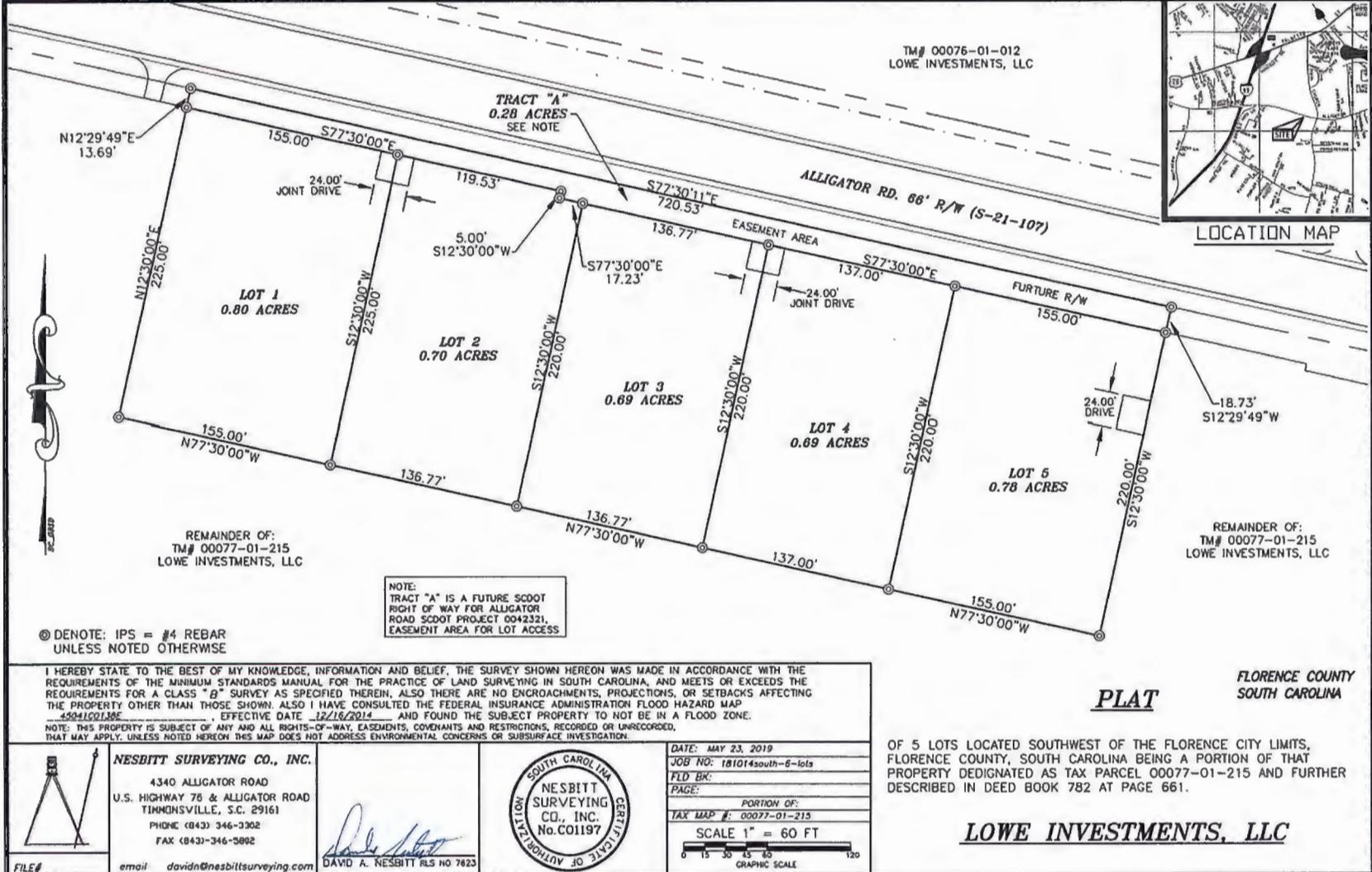
\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

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

Attest:

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





TM# 00076-01-012  
LOWE INVESTMENTS, LLC



N12°29'49"E  
13.69'

TRACT "A"  
0.28 ACRES  
SEE NOTE

ALLIGATOR RD. 66' R/W (S-21-107)

LOT 1  
0.80 ACRES

LOT 2  
0.70 ACRES

LOT 3  
0.69 ACRES

LOT 4  
0.69 ACRES

LOT 5  
0.78 ACRES

REMAINDER OF:  
TM# 00077-01-215  
LOWE INVESTMENTS, LLC

REMAINDER OF:  
TM# 00077-01-215  
LOWE INVESTMENTS, LLC

NOTE:  
TRACT "A" IS A FUTURE SCODT  
RIGHT OF WAY FOR ALLIGATOR  
ROAD SCODT PROJECT 0042321.  
EASEMENT AREA FOR LOT ACCESS

© DENOTE: IPS = #4 REBAR  
UNLESS NOTED OTHERWISE

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY AS SPECIFIED THEREIN, ALSO THERE ARE NO ENCROACHMENTS, PROJECTIONS, OR SETBACKS AFFECTING THE PROPERTY OTHER THAN THOSE SHOWN. ALSO I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD MAP EFFECTIVE DATE 12/18/2014 AND FOUND THE SUBJECT PROPERTY TO NOT BE IN A FLOOD ZONE.  
NOTE: THIS PROPERTY IS SUBJECT OF ANY AND ALL RIGHTS-OF-WAY, EASEMENTS, COVENANTS AND RESTRICTIONS, RECORDED OR UNRECORDED, THAT MAY APPLY. UNLESS NOTED HEREON THIS MAP DOES NOT ADDRESS ENVIRONMENTAL CONCERNS OR SUBSURFACE INVESTIGATION.

**PLAT**

FLORENCE COUNTY  
SOUTH CAROLINA

OF 5 LOTS LOCATED SOUTHWEST OF THE FLORENCE CITY LIMITS, FLORENCE COUNTY, SOUTH CAROLINA BEING A PORTION OF THAT PROPERTY DESIGNATED AS TAX PARCEL 00077-01-215 AND FURTHER DESCRIBED IN DEED BOOK 782 AT PAGE 661.

**LOWE INVESTMENTS, LLC**



**NESBITT SURVEYING CO., INC.**  
4340 ALLIGATOR ROAD  
U.S. HIGHWAY 76 & ALLIGATOR ROAD  
TIMMONSVILLE, S.C. 29161  
PHONE (843) 346-3302  
FAX (843) 346-3892

*David A. Nesbitt*  
DAVID A. NESBITT RLS NO 7623



DATE: MAY 23, 2019  
JOB NO: 181014south-6-lots  
FLD BK:  
PAGE:  
PORTION OF:  
TAX MAP #: 00077-01-215  
SCALE 1" = 60 FT  
GRAPHIC SCALE

FILE#

email davidn@nesbittsurveying.com

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:  
*Portion of Florence County Tax Map 00077-01-215 as referenced on Plat by Nospitt Surveying Co.*
- 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	_____
Total 18 and Over	_____
Total Registered to Vote	_____

Date 9-9-19

*[Signature]*  
Petitioner

Date \_\_\_\_\_

\_\_\_\_\_  
Petitioner

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date <u>9-9-19</u>	<u>AG</u>

**FLORENCE CITY COUNCIL MEETING**

**DATE:** November 4, 2019

**AGENDA ITEM:** Ordinance to Annex and Zone Property Owned by Evelyn Fulmore, located at 3781 West Pointe Drive; TMN 07517-01-023.

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

---

**I. ISSUE UNDER CONSIDERATION:**

Request to annex property located at 3781 West Pointe Drive, Tax Map Number 07517-01-023, into the City of Florence and zone Neighborhood Conservation-10 (NC-10).

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

- (1) On October 8, 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.

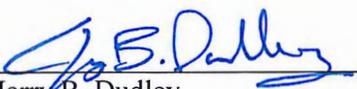
**III. POINTS TO CONSIDER:**

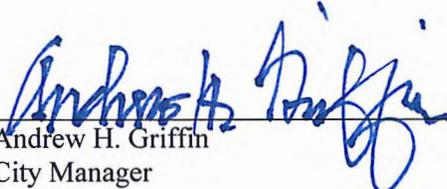
- (1) This request is being considered for first reading.
- (2) The property seeking annexation is in the County and zoned R-2.
- (3) A single family house is currently on the parcel.
- (4) The proposed zoning, pending annexation, is Neighborhood Conservation-10 (NC-10).
- (5) City water and sewer service is currently available.
- (6) City staff recommends the parcel be zoned Neighborhood Conservation-10 as requested, contingent upon annexation into the City of Florence.

**IV. PERSONAL NOTES:**

**V. ATTACHMENTS:**

- A) Ordinance
- B) Vicinity Map of Proposed Annexation
- C) Annexation Petition

  
Jerry B. Dudley  
Planning Director

  
Andrew H. Griffin  
City Manager

ORDINANCE NO. 2019 \_\_\_\_\_

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY EVELYN FULMORE LOCATED AT 3781 WEST POINTE DRIVE; TMN 07517-01-023.**

**WHEREAS**, a Public Hearing was held in the Council Chambers on October 8, 2019 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS**, application by Evelyn Fulmore, owner of TMN 07517-01-023, 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 (NC-10).

The property requesting annexation is shown more specifically as Florence County Tax Map 07517, block 01, parcel 023 (0.317349 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:

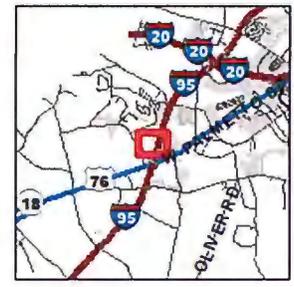
\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

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

Attest:

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

**PC 2019-34**  
**Vicinity Map - 3781 West Pointe Drive**



- Legend**
-  City Limits
  -  Parcels



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



Date: 9/25/2019

Attachment C: 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 07517-01-023

- 3. Annexation is being sought for the following purposes: *Trash pickup, city and police protection, Redwood water and sewer rate*
- 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	African American
Total 18 and Over	1
Total Registered to Vote	1

Date 9/16/19

*Evelyn Fulmore*  
Petitioner

Date 9/16/19

EVELYN FULMORE  
Petitioner

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date <i>03</i>	<i>9-16-19</i>

FLORENCE CITY COUNCIL MEETING

**DATE:** November 4, 2019

**AGENDA ITEM:** An Ordinance to declare Tax Parcel 01812-01-060, as surplus and authorize the transfer of land to Life Worth Giving Ministries.

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

**I. ISSUE UNDER CONSIDERATION:**

To declare as surplus and authorize the conveyance of land, designated as Florence County Tax Parcel 01812-01-060, to Life Worth Giving Ministries for the purpose of expanding their existing campus on the adjacent parcel.

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

It has not been considered, nor has any previous action been taken, by Florence City Council

**III. POINTS TO CONSIDER:**

- (1) Request is being considered for first reading.
- (2) Life Worth Giving Ministries has requested the transfer of property to accommodate the future development of the property.
- (3) The City will donate the surplus property to Life Worth Giving Ministries, and the property is to be surveyed and recorded by Life Worth Giving Ministries.

**IV. PERSONAL NOTES:**

**V. ATTACHMENTS:**

- A. Ordinance
- B. Location Map

  
\_\_\_\_\_  
Jerry B. Dudley  
Planning Director

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

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

**AN ORDINANCE AUTHORIZING THE TRANSFER OF LAND TO LIFE WORTH GIVING MINISTRIES, SPECIFICALLY TAX PARCEL 01812-01-060**

**WHEREAS**, after due consideration, the City has concluded that the land designated as Florence County tax parcel 01812-01-060 is surplus land to the City, and conveyance of said property to Life Worth Giving Ministries is in the best interest and to the benefit of the citizens of the City of Florence and;

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

1. That, pursuant to §5-7-260(6) of the South Carolina Code of Laws, as amended, and §2-26(8) of the Code of Ordinances of the City of Florence, the City Manager of the City of Florence is hereby authorized to execute the necessary Deed, and other documentation in order to convey title to the property described above to Life Worth Giving Ministries

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

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

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

Approved as to form:

Attest:

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

\_\_\_\_\_  
AMANDA P. POPE  
Municipal Clerk

Attachment B: Location Map

**Surplus & Transfer - Life Worth Giving Ministries  
Location Map TMP: 01812-01-060**



**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.



Date: 10/29/2015

FLORENCE CITY COUNCIL MEETING

VIII. a.  
Resolution  
2019-24

**DATE:** November 4, 2019  
**AGENDA ITEM:** Resolution / Arbor Day  
**DEPARTMENT / DIVISION:** Public Works Department  
Beautification & Facilities Division

**I. ISSUE UNDER CONSIDERATION:**

A request to proclaim Friday, December 6, 2019 as Arbor Day in the City of Florence.

**II. PREVIOUS ACTION:**

The City of Florence began its Tree City USA program in 1980 and the Growth Award program in 2005. City Council has previously designated the first Friday in the month of December each year as Arbor Day in the City of Florence.

**III. POINTS TO CONSIDER:**

1. In order for the City to be eligible for the Tree City USA award, the National Arbor Day Foundation requires that the City sponsor an Arbor Day celebration.
2. The Tree City USA® program, sponsored by the Arbor Day Foundation in cooperation with the USDA Forest Service and the National Association of State Foresters, provides direction, technical assistance, public attention, and national recognition for urban and community forestry programs in thousands of cities.
3. The City of Florence has been recognized by the national Arbor Day Foundation as a Tree City USA for 39 consecutive years.

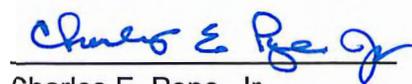
**IV. STAFF RECOMMENDATION:**

1. Staff recommends City Council approve the Resolution and proclaim Friday, December 6, 2019 as Arbor Day in the City of Florence.

**V. ATTACHMENTS:**

1. Resolution Number 2019 - 24

  
Andrew H. Griffin  
City Manager

  
Charles E. Pope, Jr.  
Public Works Director

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

**RESOLUTION NO. 2019-24**

**WHEREAS,** In 1872 the first Arbor Day was observed with the planting of more than a million trees in Nebraska; and  
**WHEREAS,** Arbor Day is now observed throughout the nation and the world; and  
**WHEREAS,** trees can reduce erosion, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and  
**WHEREAS,** trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and  
**WHEREAS,** trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and  
**WHEREAS,** trees are a source of joy and spiritual renewal; and  
**WHEREAS,** Florence has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree planting ways.

**NOW, THEREFORE, BE IT RESOLVED,** that the City Council of the City of Florence, South Carolina, hereby declares December 6, 2019 as

**ARBOR DAY**

in the City of Florence, and all citizens are urged to support efforts to care for our trees and woodlands and to support our City's community forestry program.

**AND IT IS SO RESOLVED,** the 4th day of November, 2019.

**ADOPTED THIS** 4<sup>th</sup> day of November, 2019.

**APPROVED AS TO FORM:**

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

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

**ATTEST:**

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

**CITY OF FLORENCE COUNCIL MEETING**

**VIII. b.  
Resolution  
2019-25**

**DATE:** November 4<sup>th</sup>, 2019

**AGENDA ITEM:** Resolution for the Municipal State Highway Project Agreement with SCDOT  
First Reading

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

**I. ISSUE UNDER CONSIDERATION:**

A Resolution for the Municipal State Highway Project Agreement regarding the Phase II construction of the S-107 Alligator Road at US 52/301 South Irby Street road widening project.

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

This issue is before the City Council for resolution. It has not been considered, nor has any previous action been taken.

**III. POINTS TO CONSIDER:**

- (1) The proposed resolution will enter the City of Florence in to a Municipal Agreement prescribed in the attached referenced resolution from the South Carolina Department of Transportation.
- (2) Per S.C. Code Ann. §57-5-820 (1991), this resolution will give SCDOT the city's consent to the construction or improvements to Alligator Road from the bridge located west of Woodside Drive to US-76 and require the City of Florence to relocate its water and sewer infrastructure within Phase II.
- (3) The estimated construction cost for the in-kind water and sewer relocation in Phase II is approximately \$4,000,000.00 (see Attachment #3). The City will be reimbursed by the County of Florence in accordance with the MOU (see Attachment #2). Any betterment of the City's utility system will not be reimbursed.
- (4) The engineering design services for Phase II is \$363,790.00. Reimbursement for the design fees associated with this project and phase is not available.
- (5) Construction is expected to begin summer 2020 and conclude summer 2023.
- (6) The total construction cost for Phase I of this project was \$965,519.00 and was reimbursed by the County of Florence.
- (7) The total engineering fee for Phase I was \$88,342.00 and was not available for reimbursement.

**IV. OPTIONS**

City Council may:

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

**V. NOTES:**

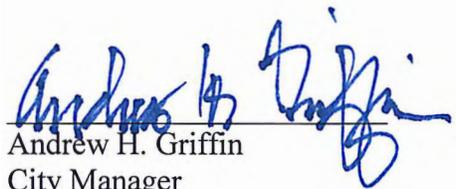
**VI. ATTACHMENTS:**

- (1) Resolution
- (2) Memorandum of Understanding for Reimbursement Letter
- (3) Construction Estimate
- (4) Location Map
- (5) Municipal Highway State Project Agreement



---

Clint Moore  
Development Director



---

Andrew H. Griffin  
City Manager



# *Florence County*

## *South Carolina*

---

July 1, 2019

Mr. Michael Barbee  
SCDOT Director of Right of Way  
South Carolina Department of Transportation  
955 Park Street Room 422  
Columbia, South Carolina 29202

RE: US 301 Bypass/S-107 (Alligator Road) Widening Phase II – Florence County  
Forward Component Project #6 – Project ID 0042321 – Reimbursement of City of  
Florence Non Prior Rights Facilities with Project Funds

Dear Mr. Barbee:

The final utility report for Phase II of the Alligator Road widening project has identified conflicts with the City of Florence's water and sewer facilities. The relocation of these facilities, of which the City does not have prior rights, is estimated to cost \$4,916,420. Due to financial constraints, the City of Florence has requested that Florence County utilize the project funds cover the cost to relocate their facilities.

The Intergovernmental Agreement (IGA) between Florence County, the South Carolina Department of Transportation (SCDOT), and the South Carolina Transportation Infrastructure Bank (SCTIB), specifies in Section 5.6.2 that, "Where the utility cannot establish a prior right of occupancy, the utility will be required to relocate at its own expense. However, in some cases, the County may elect to use project funds for all or part of such utility costs."

Therefore, based on the terms of the IGA, Florence County is hereby authorizing the requested use of project funds to reimburse the City of Florence for the cost to relocate the existing facilities on this project. Any cost associated with upgrading the facilities will be the financial responsibility of the City. By signing and dating below, SCDOT and the SCTIB concur with Florence County's authorization to proceed in the above outlined manner.

Florence County appreciates the opportunity to work with SCDOT and the SCTIB on this important project. Please direct any questions or requests for additional information to SCDOT Program Manager Brian Dix, at 803-737-1085. If I may be of any service, please let me know.

Sincerely,



K.G. Rusty Smith, Jr.  
County Administrator

Enclosures

cc: Cedric Keitt, SCDOT Assistant Director of Right of Way for Utilities and Railroads  
Kyle Berry, SCDOT District 5 Engineering Administrator  
Clint Moore, City of Florence  
Brian Dix, SCDOT Program Manager

SCDOT concurs with the use of the project funds to cover the City of Florence's utility relocation costs.

*ack*  
Signature: Michael W. Barber Date: 7/3/2019

SCTIB concurs with the use of project funds to cover the City of Florence's utility relocation costs subject to review and approval of invoices and draw requests.

Signature: James B. Moore Date: 7/12/19



**CONCEPTUAL OPINION OF CONSTRUCTION COST  
FOR RELOCATION OF EXISTING WATER AND SEWER FORCE MAIN LINES**

Alligator Road Widening Phase II  
for  
The City of Florence, SC

October 30, 2019

<b>WATER</b>						
<u>Item</u>	<u>Est. Qty.</u>	<u>Unit</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total</u>	
1	1	LS	Staking & Layout	\$12,000.00	\$12,000.00	
2	11,253	LF	12" PVC Water Main	\$40.00	\$450,120.00	
3	231	LF	12" RJ DIP Water Main In Casing	\$83.00	\$19,173.00	
4	8,461	LF	10" PVC Water Main	\$36.00	\$304,596.00	
5	132	LF	10" RJ DIP Water Main In Casing	\$65.00	\$8,580.00	
6	19,035	LF	8" PVC Water Main	\$21.00	\$399,735.00	
7	962	LF	8" RJ DIP Water Main In Casing	\$51.00	\$49,062.00	
8	4,480	LF	6" PVC Water Main	\$29.00	\$129,920.00	
9	676	LF	6" RJ DIP Water Main In Casing	\$52.00	\$35,152.00	
10	934	LF	3" PVC Water Main	\$15.00	\$14,010.00	
11	124	LF	3" RJ DIP Water Main In Casing	\$30.00	\$3,720.00	
12	51	LF	2" PVC Water Main	\$12.00	\$612.00	
13	56	LF	2" HDPE Directional Bore	\$35.00	\$1,960.00	
14	14	EA	12" 90° RJ Bend	\$1,400.00	\$19,600.00	
15	11	EA	12" 45° RJ Bend	\$1,313.00	\$14,443.00	
16	1	EA	12" 22½° RJ Bend	\$1,300.00	\$1,300.00	
17	12	EA	10" 90° RJ Bend	\$1,105.00	\$13,260.00	
18	26	EA	10" 45° RJ Bend	\$1,035.00	\$26,910.00	
19	46	EA	8" 90° RJ Bend	\$511.00	\$23,506.00	
20	45	EA	8" 45° RJ Bend	\$566.00	\$25,470.00	
21	1	EA	8" 22½° RJ Bend	\$465.00	\$465.00	
22	1	EA	8" 11¼° RJ Bend	\$465.00	\$465.00	
23	21	EA	6" 90° RJ Bend	\$600.00	\$12,600.00	
24	27	EA	6" 45° RJ Bend	\$575.00	\$15,525.00	
25	4	EA	6" 22½° RJ Bend	\$565.00	\$2,260.00	
26	9	EA	3" 90° RJ Bend	\$350.00	\$3,150.00	
27	14	EA	3" 45° RJ Bend	\$350.00	\$4,900.00	
28	1	EA	2" 90° RJ Bend	\$325.00	\$325.00	
29	5	EA	12" Gate Valve w/ Box	\$2,853.00	\$14,265.00	
30	6	EA	10" Gate Valve w/ Box	\$2,636.00	\$15,816.00	
31	13	EA	8" Gate Valve w/ Box	\$1,585.00	\$20,605.00	
32	1	EA	6" Gate Valve w/ Box	\$1,212.00	\$1,212.00	
33	14	EA	12" RJ Plug	\$955.00	\$13,370.00	
34	10	EA	10" RJ Plug	\$710.00	\$7,100.00	
35	13	EA	8" RJ Plug	\$808.00	\$10,504.00	
36	20	EA	6" RJ Plug	\$352.00	\$7,040.00	
37	10	EA	3" RJ Plug	\$350.00	\$3,500.00	
38	1	EA	2" RJ Plug	\$325.00	\$325.00	
39	231	LF	Open Cut 24" Casing	\$253.00	\$58,443.00	
40	46	LF	Open Cut 20" Casing	\$225.00	\$10,350.00	

41	1,018	LF	Open Cut 16" Casing	\$150.00	\$152,700.00
42	313	LF	Open Cut 12" Casing	\$215.00	\$67,295.00
43	50	LF	Open Cut 6" Casing	\$225.00	\$11,250.00
44	33	LF	Jack & Bore 24" Casing	\$256.00	\$8,448.00
45	309	LF	Jack & Bore 12" Casing	\$250.00	\$77,250.00
46	35	LF	Jack & Bore 6" Casing	\$300.00	\$10,500.00
47	593	LF	12" HDPE Directional Bore	\$150.00	\$88,950.00
48	7,016	LF	Water Meter Service Lines	\$31.00	\$217,496.00
49	108	EA	Service Saddle	\$400.00	\$43,200.00
50	108	EA	Relocate Existing Water Meter and Reconnect Plumbing	\$500.00	\$54,000.00
51	1	EA	12" x 10" RJ Tee	\$1,525.00	\$1,525.00
52	1	EA	12" x 8" RJ Tee	\$1,475.00	\$1,475.00
53	3	EA	12" x 6" RJ Tee	\$1,420.00	\$4,260.00
54	1	EA	10" x 8" RJ Tee	\$1,300.00	\$1,300.00
55	1	EA	10" x 6" RJ Tee	\$1,200.00	\$1,200.00
56	2	EA	10" x 3" RJ Tee	\$1,000.00	\$2,000.00
57	1	EA	10" x 2" RJ Tee	\$900.00	\$900.00
58	1	EA	8" x 8" RJ Tee	\$800.00	\$800.00
59	6	EA	8" x 6" RJ Tee	\$750.00	\$4,500.00
60	1	EA	8" x 4" RJ Tee	\$700.00	\$700.00
61	8	EA	8" x 3" RJ Tee	\$700.00	\$5,600.00
62	2	EA	6" x 6" RJ Tee	\$715.00	\$1,430.00
63	13	EA	12" x 12" Tapping Sleeve & Valve	\$5,845.00	\$75,985.00
64	1	EA	12" x 8" Tapping Sleeve & Valve	\$5,500.00	\$5,500.00
65	10	EA	10" x 10" Tapping Sleeve & Valve	\$4,900.00	\$49,000.00
66	21	EA	8" x 8" Tapping Sleeve & Valve	\$3,700.00	\$77,700.00
67	20	EA	6" x 6" Tapping Sleeve & Valve	\$3,225.00	\$64,500.00
68	10	EA	3" x 3" Tapping Sleeve & Valve	\$2,500.00	\$25,000.00
69	1	EA	2" x 2" Tapping Sleeve & Valve	\$2,400.00	\$2,400.00
70	10	EA	Air Release Valve with Manhole	\$6,500.00	\$65,000.00
71	11,484	LF	Abandon & Flowable Fill Existing 12" Water Main	\$7.00	\$80,388.00
72	8,593	LF	Abandon & Flowable Fill Existing 10" Water Main	\$6.00	\$51,558.00
73	19,997	LF	Abandon & Flowable Fill Existing 8" Water Main	\$6.00	\$119,982.00
74	5,156	LF	Abandon & Flowable Fill Existing 6" Water Main	\$6.00	\$30,936.00
75	1,058	LF	Abandon & Flowable Fill Existing 3" Water Main	\$4.00	\$4,232.00
76	107	LF	Abandon & Flowable Fill Existing 2" Water Main	\$4.00	\$428.00
77	16	LF	Relocate Existing Fire Hydrant	\$6,500.00	\$104,000.00
78	1,300	LF	Open Cut and Replace Driveway	\$26.00	\$33,800.00
				<b>Subtotal (water):</b>	<b>\$3,302,537.00</b>
<b>FORCE MAIN</b>					
79	2,537	LF	8" PVC Force Main	\$40.00	\$101,480.00
80	152	LF	8" RJ DIP Force Main In Casing	\$55.00	\$8,360.00
81	951	LF	4" PVC Force Main	\$25.00	\$23,775.00
82	85	LF	4" RJ DIP Force Main In Casing	\$40.00	\$3,400.00
83	1,306	LF	3" PVC Force Main	\$15.00	\$19,590.00
84	27	LF	3" RJ DIP Force Main In Casing	\$30.00	\$810.00
85	2	EA	8" 90° RJ Bend	\$1,335.00	\$2,670.00
86	36	EA	8" 45° RJ Bend	\$1,270.00	\$45,720.00
87	2	EA	8" 22½° RJ Bend	\$1,290.00	\$2,580.00
88	2	EA	4" 90° RJ Bend	\$900.00	\$1,800.00
89	2	EA	3" 90° RJ Bend	\$800.00	\$1,600.00
90	2	EA	3" 45° RJ Bend	\$700.00	\$1,400.00

91	20	EA	8" RJ Plug	\$1,220.00	\$24,400.00
92	2	EA	3" RJ Plug	\$625.00	\$1,250.00
93	152	LF	Open Cut 16" Casing	\$200.00	\$30,400.00
94	38	LF	Open Cut 8" Casing	\$275.00	\$10,450.00
95	27	LF	Open Cut 6" Casing	\$260.00	\$7,020.00
96	47	LF	Jack & Bore 8" Casing	\$325.00	\$15,275.00
97	300	LF	4" HDPE Directional Bore	\$90.00	\$27,000.00
98	4	EA	Air Release Valve with Manhole	\$6,500.00	\$26,000.00
99	2,689	LF	Abandon & Flowable Fill Existing 8" Force Main	\$6.00	\$16,134.00
100	1,244	LF	Abandon & Flowable Fill Existing 4" Force Main	\$4.00	\$4,976.00
101	1,333	LF	Abandon & Flowable Fill Existing 3" Force Main	\$4.00	\$5,332.00
				<b>Subtotal (force main):</b>	<b>\$381,422.00</b>
				<b>Subtotal Estimated Construction Costs:</b>	<b>\$3,683,959</b>
				<b>Contingency (10%):</b>	<b>\$368,396</b>
				<b>Total Estimated Construction Costs:</b>	<b>\$4,052,355</b>

**Notes:**

1. This opinion of cost is based on current available cost data.
2. This opinion of cost does not include additional or upgrading of water and sewer force main lines.



MUNICIPAL STATE HIGHWAY PROJECT AGREEMENT

STATE OF SOUTH CAROLINA )  
 ) RESOLUTION  
COUNTY OF FLORENCE )

Road/Route S-107 Alligator Road  
File 0042321  
Item  
Project Alligator Road Widening  
Phase II  
PIN  
Tract

WHEREAS, the South Carolina Department of Transportation ("SCDOT") proposes to construct, reconstruct, alter, or improve the certain segments of the highway(s) in the State Highway System referenced above which are located within the corporate limits of the City of Florence (hereinafter, "the City").

WHEREAS, the City wishes to authorize the construction and improvements of the aforesaid highway(s) in accordance with plans to be prepared by the SCDOT ("the Project Plans").

NOW THEREFORE, BE IT RESOLVED that, pursuant to S.C. Code Ann. §57-5-820 (1991), the City does hereby consent to the construction or improvements of the aforesaid highway(s) within its corporate limits in accordance with the Project Plans. The foregoing consent shall be the sole approval necessary from the City for SCDOT to complete the project under the Project Plans and constitutes a waiver of any and all other requirements with regard to construction within the City's limits. The foregoing waiver and consent shall also extend to the benefit of utility companies engaged in relocating utility lines on account of the project. Further, the City shall exempt all existing and new right-of-way and all other properties purchased in connection with right-of-way for the highway(s) from any general or special assessment against real property for municipal services.

BE IT FURTHER RESOLVED, that the City will assist SCDOT in causing all water, sewer and gas pipes, manholes, or fire hydrants, and all power or telephone lines or poles located within the existing right-of-way to be relocated at the utility company's expense, except where the utility can demonstrate a prior right of occupancy. To the extent that City-owned utilities are to be relocated, those utility lines and/or appurtenances may be replaced upon the new highway right-of-way at such locations as may be approved by SCDOT. SCDOT shall not be liable for damages to property or injuries to persons as a consequence of the placing, maintenance, or removal of any utilities by the City or its contractors. Future utility installations by the City within the limits of the new right-of-way after project completion shall be pursuant to a standard utility encroachment permit obtained in the normal course and issued pursuant to SCDOT's "A Policy for Accommodating Utilities on Highway Rights-of-Way."

BE IT FURTHER RESOLVED, that the City hereby signifies its intention to faithfully observe the provisions of Chapter 5, Title 56, Code of Laws of South Carolina, 1976, and all amendments thereto relating to the regulation of traffic on the street, or streets, to be constructed, reconstructed, altered or improved as hereinabove identified and further agrees to refrain from placing or maintaining any traffic control devices upon any section of said street, or streets, without having first obtained written approval of the South Carolina Department of Transportation as required in S.C. Code §56-5-930 (1976, as amended), nor enacting any traffic regulation ordinances inconsistent therewith.

IN WITNESS WHEREOF, this Resolution is adopted and made a part of the Municipal records this \_\_\_\_ day of \_\_\_\_, 20 \_\_\_\_, and the original of this Resolution will be filed with the South Carolina Department of Transportation at Columbia.

Dated: \_\_\_\_\_, South Carolina  
Municipality

ATTEST: By: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IX. a.  
Reports to Council  
Boards & Commissions

FLORENCE CITY COUNCIL MEETING

DATE: November 4, 2019  
AGENDA ITEM: Report to Council/Boards & Commissions  
DEPARTMENT/DIVISION: City Council

---

**I. ISSUE UNDER CONSIDERATION**

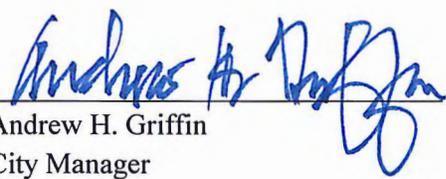
City Council will consider nominations for City Boards and/or Commissions.

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

There are **two** Boards or Commissions that have either a vacancy or an expired term.

**III. ATTACHMENTS**

- A. Spreadsheet of Council nominations to Boards and Commissions.
- B. Letters from current members indicating if they want to continue to serve.
- C. Applications received

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

**SCHEDULE OF COUNCIL NOMINATIONS TO BOARDS AND COMMISSIONS - NOVEMBER 2019**

	District 1	District 2	District 3	At-Large 1	At-Large 2	At-Large-3	Mayor
	Ervin	Moore	Brand	Jebaily	Wms-Blake	Willis	Wukela
Accommodations Tax Advisory Committee					<sup>1</sup> X		
City of Florence Design Review Board			<sup>2</sup> X				

<sup>1</sup>Hospitality (See attached highlighted sections of SC Code of Laws for committee member requirements)

<sup>2</sup>General Contractor

## ACCOMMODATIONS TAX ADVISORY COMMITTEE

### **I. NOMINATIONS:**

There is one expired term on the Accommodations Tax Advisory Committee.

### **II. APPOINTMENT REQUIREMENTS:**

This appointment requires an individual from the Hospitality industry:

Hospitality – Means persons directly involved in the service segment of the travel and tourism industry, including, but not limited to, business that primarily serve visitors such as lodging facilities, restaurants, attractions, recreational amenities, transportation facilities and services, and travel information and promotion entities.

\* At least 2 of the hospitality industry members must be from the lodging industry where applicable.

### **III. COUNCILMEMBER(S) TO MAKE NOMINATION:**

- a. Councilwoman Williams-Blake

### **IV. SEEKING REAPPOINTMENT:**

- a. Steven Doulaveris

### **V. NEW APPLICANT(S):**

- a. Ron Roberts

### **VI. ATTACHMENTS:**

- a. Section of SC Code of Laws
- b. Letters of interest from current board members
- c. Applications received

CHAPTER 4  
Allocation of Accommodations Tax Revenues

**SECTION 6-4-5. Definitions.**

As used in this chapter:

(1) "County area" means a county and municipalities within the geographical boundaries of the county.

(2) "Cultural", as it applies to members of advisory committees in Section 6-4-25, means persons actively involved and familiar with the cultural community of the area including, but not limited to, the arts, historical preservation, museums, and festivals.

(3) "Hospitality", as it applies to members of the committees in item (2), means persons directly involved in the service segment of the travel and tourism industry including, but not limited to, businesses that primarily serve visitors such as lodging facilities, restaurants, attractions, recreational amenities, transportation facilities and services, and travel information and promotion entities.

(4) "Travel" and "tourism" mean the action and activities of people taking trips outside their home communities for any purpose, except daily commuting to and from work.

HISTORY: 1991 Act No. 147, Section 1; 2001 Act No. 74, Section 2; 2002 Act No. 312, Section 2.

**SECTION 6-4-25. Advisory Committee; guidelines for expenditures; annual reports; reports to Accommodations Tax Oversight Committee.**

(A) A municipality or county receiving more than fifty thousand dollars in revenue from the accommodations tax in county areas collecting more than fifty thousand dollars shall appoint an advisory committee to make recommendations on the expenditure of revenue generated from the accommodations tax. The advisory committee consists of seven members with a majority being selected from the hospitality industry of the municipality or county receiving the revenue. At least two of the hospitality industry members must be from the lodging industry where applicable. One member shall represent the cultural organizations of the municipality or county receiving the revenue. For county advisory committees, members shall represent the geographic area where the majority of the revenue is derived. However, if a county which receives more in distributions of accommodations taxes than it collects in accommodations taxes, the membership of its advisory committee must be representative of all areas of the county with a majority of the membership coming from no one area.

(B) A municipality or county and its advisory committee shall adopt guidelines to fit the needs and time schedules of the area. The guidelines must include the requirements for applications for funds from the special fund used for tourism-related expenditures. A recipient's application must be reviewed by an advisory committee before it receives funds from a county or municipality.

(C) Advisory committees shall submit written recommendations to a municipality or county at least once annually. The recommendations must be considered by the municipality or county in conjunction with the requirements of this chapter.

(D) Municipalities and counties annually shall submit to the South Carolina Accommodations Tax Oversight Committee:

(1) end-of-the-year report detailing advisory committee accommodations tax recommendations;

(2) municipality's or county's action following the recommendations;

(3) list of how funds from the accommodations tax are spent, except for the first twenty-five thousand dollars and five percent of the balance in Section 6-4-10(2) allocated to the general fund. The list is due before October first and must include funds received and dispersed during the previous fiscal year;

(4) list of advisory committee members noting the chairman, business address if applicable, and representation of the hospitality industry including the lodging industry and cultural interests.

(E) The regional tourism agencies in Section 6-4-20 annually shall submit reports on their budgets and annual expenditure of accommodations tax funds pursuant to this chapter to the Accommodations Tax Oversight Committee.



CITY ADMINISTRATION

TEL: (843) 665-3113

FAX: (843) 665-3110

May 16, 2019

Mr. Steven Doulaveris  
1411 St. James Court  
Florence, SC 29501

Dear Mr. Doulaveris,

Our records indicate that your term on the Accommodations Tax Advisory Committee will expire on June 30, 2019. City Council will begin reviewing the vacancies on the Boards and Commissions at their July meeting.

If you wish to be considered for reappointment to the Accommodations Tax Advisory Committee or if you would like to discontinue serving, please indicate your choice by marking the appropriate blank below. Please sign and return this letter to our office and keep the enclosed copy for your records.

The City of Florence appreciates your past service on this Board. If you have any questions regarding this appointment, please feel free to contact me.

Sincerely,

Drew Griffin  
City Manager

I would like to be considered for reappointment to the Accommodations Tax Advisory Committee.

I do not want to be considered for reappointment to the Accommodations Tax Advisory Committee.

Mr. Steven Doulaveris



APPLICATION FOR BOARDS AND COMMISSIONS CITY OF FLORENCE SOUTH CAROLINA

Board or Commission for which you are applying: <b>Accommodation Tax Committee</b>			
Your Name (Last, First, Middle) <b>Roberts, Ron</b>	County <b>Florence</b>	Council District <b>South Florence-Alligator Road</b>	
Residential Address <b>3204 Spiral Lane</b>	City <b>Florence</b>	State <b>South Carolina</b>	Zip Code <b>29502</b>
Mailing Address <b>PO BOX 7551</b>	City <b>Florence</b>	State <b>South Carolina</b>	Zip Code <b>29502</b>
Your Occupation- Title <b>Counselor</b>	Business Phone <b>843-661-8084</b>	Residence Phone <b>843-453-3372</b>	
Employer Name <b>FDTC</b>	E-Mail Address <b>RON.ROBERTS@FDTC.EDU</b>		
Employer Address <b>NA</b>	City <b>Florence</b>	State <b>South Carolina</b>	Zip Code <b>29502</b>

**General Qualifications**

Are you a resident of the City?  Yes  No How long? 11 years

Why would you like to serve?  
To give back to the community and to make a difference

Do you presently serve on any Commissions/Boards of the City/County/State? If yes, please list below:  
yes

Have you formerly served on any Commissions/Boards of the City/County/State? If yes, please list below:  
yes

Are you currently in a position of responsibility with an organization or board that has received or is seeking funding from the City of Florence? If yes, list the position and date:  
no

Are you involved in any community activities? If yes, please list:  
Yes, Church, work and community events and Boards

What are your goals and objectives if appointed to the Commission/Board?  
To help build the community and to make a difference

**Please initial and date below:**

RR 06/29/2019 I certify that the information above is true and correct.

INITIAL DATE

RR 06/29/2019 I understand that the information on this form will be considered public information.

INITIAL DATE

**RETURN COMPLETED FORM TO:**

Office of the City Clerk  
City of Florence, City Center  
324 W. Evans Street  
Florence, SC 29501  
Phone: (843) 665-3113 Fax: (843) 665-3110  
Email: drowan@cityofflorence.com

**OFFICE USE ONLY**

Received:	7-26-19
Appointed to:	
Date:	

## DESIGN REVIEW BOARD

### **I. NOMINATIONS:**

There is one vacancy on the Design Review Board.

### **II. APPOINTMENT REQUIREMENTS:**

This appointment requires a licensed General Contractor.

### **III. COUNCILMEMBER(S) TO MAKE NOMINATION:**

- a. Pro tem Brand

### **IV. NEW APPLICANT(S):**

- a. James Ham – Does meet requirements
- b. Spring Attaway – Does not meet requirements

### **V. ATTACHMENTS:**

- a. Applications received



APPLICATION FOR BOARDS AND COMMISSIONS  
CITY OF FLORENCE  
SOUTH CAROLINA

Board or Commission for which you are applying: <b>City of Florence - Design Review Board</b>			
Your Name (Last, First, Middle) <b>James Arthur Ham, Jr.</b>	County <b>Florence</b>	Council District <b>3</b>	
Residential Address: <b>1050 W Roseneath Rd</b>	City <b>Florence</b>	State <b>South Carolina</b>	Zip Code <b>29501</b>
Mailing Address: <b>1050 W Roseneath Rd</b>	City <b>Florence</b>	State <b>South Carolina</b>	Zip Code <b>29501</b>
Your Occupation- Title <b>Real Estate Development, Partner</b>	Business Phone <b>843-687-5845</b>	Residence Phone <b>843-687-5845</b>	
Employer Name <b>SpringBridge Development</b>	E-mail Address <b>jay@springbridgedev.net</b>		
Employer Address <b>1943 Hoffmeyer Rd, Ste C</b>	City <b>Florence</b>	State <b>South Carolina</b>	Zip Code <b>29501</b>

**General Qualifications**

Are you a resident of the City? Yes  No  How Long? 25 yrs

Why would you like to serve?

To continue to support the revitalization of downtown Florence

Do you presently serve on any Commissions, Boards of the City, County, State? If so, please list:

No

Have you formerly served on any Commissions, Boards of the City, County, State? If so, please list:

Friends of the Florence Museum, SC Building Code Council

Are you currently in a position of responsibility with an organization or board that has received or is seeking funding from the City of Florence? If so, list the position and date:

No

Are you involved in any Community Activities? If so, please list:

Sr. Warden, St. Johns Church, Florence SC

What are your goals and objectives if appointed to the Commission, Board?

To continue to support the revitalization of downtown Florence

I certify that the information above is true and correct.  Initial JAH Date 10-22-19  
Information on this form will be considered public.  Initial JAH Date 10-22-19

RETURN COMPLETED FORM TO:

Office of the City Clerk  
City of Florence, City Center  
324 West Evans Street  
Florence, SC 29501  
Phone: 843-665-3113 Fax: 843-665-3110  
E-mail: ccmoores@cityofflorence.com

FOR OFFICE USE ONLY

Received:	10.22.19 
Appointed to:	
Date:	



APPLICATION FOR BOARDS AND COMMISSIONS CITY OF FLORENCE SOUTH CAROLINA

Board or Commission for which you are applying: <u>City of Florence Design Review Board</u>			
Your Name (Last, First, Middle) <u>Attaway Spring</u>		County <u>Florence</u>	Council District
Residential Address <u>1901 Furmen Dr.</u>		City <u>Florence</u>	State <u>South Carolina</u>
Mailing Address <u>A</u>		City	Zip Code
Your Occupation- Title <u>Admin. Assist.</u>		Business Phone <u>8436621771</u>	Residence Phone <u>8437994212</u>
Employer Name <u>Partnership Property Management</u>		E-Mail Address <u>springattaway@sc.rr.com</u>	
Employer Address <u>1831 W. Evans St #230</u>		City <u>Florence</u>	Zip Code <u>29501</u>

General Qualifications

Are you a resident of the City?  Yes  No How long? 5+ years

Why would you like to serve?  
Having taken a break for the last two years due to personal reasons, I am ready to return + serve.

Do you presently serve on any Commissions/Boards of the City/County/State? If yes, please list below:  
NO

Have you formerly served on any Commissions/Boards of the City/County/State? If yes, please list below:  
Yes, City of Florence, Planning member + chairperson in 2016 + 2017

Are you currently in a position of responsibility with an organization or board that has received or is seeking funding from the City of Florence? If yes, list the position and date:  
NO

Are you involved in any community activities? If yes, please list:  
NO

What are your goals and objectives if appointed to the Commission/Board?  
To assist in the interpretation and enforcement of the design regulations in order to better understand and assist in the implementation of the current planning ordinance.

Please initial and date below: SI 5/23/19 I certify that the information above is true and correct.

SI 5/23/19 I understand that the information on this form will be considered public information.

RETURN COMPLETED FORM TO:

Office of the City Clerk  
City of Florence, City Center  
324 W. Evans Street  
Florence, SC 29501  
Phone: (843) 665-3113 Fax: (843) 665-3110  
Email: drowan@cityofflorence.com

OFFICE USE ONLY

Received:	<u>5-23-19 CW</u>
Appointed to:	
Date:	