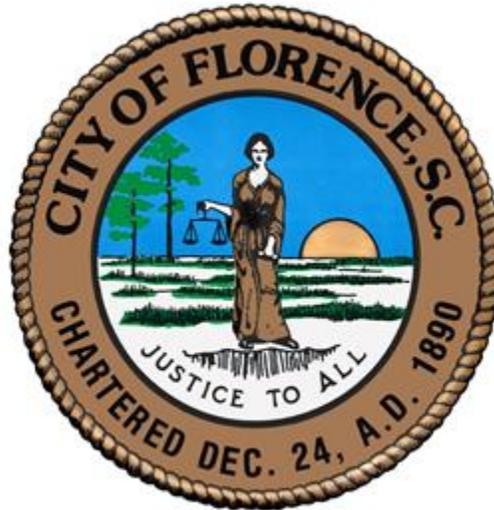


**REGULAR MEETING  
OF  
FLORENCE CITY COUNCIL**



**COUNCIL CHAMBERS  
324 W. EVANS STREET  
FLORENCE, SOUTH CAROLINA**

**MONDAY  
March 14, 2022  
1:00 P.M.**



**REGULAR MEETING OF FLORENCE CITY COUNCIL  
MONDAY, MARCH 14, 2022 – 1:00PM  
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**

February 14, 2022 – Regular Meeting

**IV. APPEARANCES BEFORE COUNCIL**

- a. Dr. Jermaine Ford – President, Florence-Darlington Technical College**  
To make an introduction to Council.
- b. Mr. John Harrington – Resident**  
To speak to Council on the Alter-Native Program to drugs, alcohol and violence.
- c. Minister Marcus Simmons – My Brother’s Keeper Shelter**  
To give a presentation on My Brother’s Keeper.

**V. ORDINANCES IN POSITION**

- a. Bill No. 2022-03 – Second Reading**  
An Ordinance to amend the *Unified Development Ordinance* regarding portable donation receptacles.

**b. Bill No. 2022-05 – Second Reading**

An Ordinance to call for a public referendum to be held at the general election in November, 2022, to determine whether or not to authorize the Department of Revenue to issue temporary permits for a period not to exceed twenty-four hours to allow for the sale of beer and wine at permitted off-premises locations without regard to the days or hours of sales in the City of Florence pursuant to South Carolina Code §61-6-2010.

**VI. INTRODUCTION OF ORDINANCES**

**a. Bill No. 2022-04 – First Reading**

An Ordinance to rezone from NC-6.2 to NC-6.3 the parcel located at 706 Norfolk Street; identified as Florence County Tax Map Parcel 90100-03-001.

**b. Bill No. 2022-06 – First Reading**

An Ordinance to annex the Bluffs at Mill Creek, identified as Florence County Tax Map Parcel 00152-01-021.

**c. Bill No. 2022-07 – First Reading**

An Ordinance to rezone from PDD to AC a portion of the parcel located on Second Loop Road and identified as Florence County Tax Map Parcel 90030-02-007.

**d. Bill No. 2022-08 – First Reading**

An Ordinance to abandon any City interest in the right-of-way located behind 900 and 902 Oakland Avenue, identified as Florence County Tax Map Parcels 90114-13-01 and 90114-13-013.

**VII. INTRODUCTION OF RESOLUTIONS**

**a. Resolution No. 2021-41**

A Resolution to allow the City of Florence to lease city-owned property located at 719 Walnut Street to the Pee Dee Community Action Agency Partnership as part of their homeless prevention program.

**b. Resolution No. 2022-09**

A Resolution designating April as Fair Housing Month.

**c. Resolution No. 2022-10**

A Resolution honoring Lil Jazzi's contributions to the efforts to revitalize downtown Florence.

**VIII. REPORTS TO COUNCIL**

- a. Appointments to Boards and Commissions**
- b. Appointments to the Finance, Audit and Budget Committee of Council**

**IX. COMMITTEE REPORTS**

- a. Business Development Committee**
- b. Community Development Committee**
- c. Marketing and Public Relations Committee**

*(Note: Action may be taken during Committee Reports.)*

**X. EXECUTIVE SESSION**

- a. To receive legal advice concerning the Council-Manager form of government [30-4-70(a)(2)].**

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

**XI. ADJOURN**



**REGULAR MEETING OF FLORENCE CITY COUNCIL  
MONDAY, FEBRUARY 14, 2022 – 1:00 P.M.  
CITY CENTER – COUNCIL CHAMBERS  
324 WEST EVANS STREET  
FLORENCE, SOUTH CAROLINA**

**MEMBERS PRESENT**

Mayor Teresa Myers Ervin, Mayor Pro Tempore George Jebaily, Councilwoman Lethonia Barnes, Councilwoman Pat Gibson-Hye Moore, Councilman Chaez T. McCall, Councilman Bryan A. Braddock and Councilman C. William Schofield.

**ALSO PRESENT**

Mr. Randall S. Osterman, City Manager; Mr. James W. Peterson, Jr., City Attorney; Mrs. Casey Moore, Municipal Clerk; Mr. Scotty Davis, Deputy City Manager; Mr. Clint Moore, Assistant City Manager of Development; Mr. Kevin Yokim, Assistant City Manager of Administration/Finance; Chief Allen Heidler, Florence Police Department; Chief Shannon Tanner, Florence Fire Department; Mr. Jerry Dudley, Director of Planning; Mrs. Jennifer Krawiec, Director of Human Resources; Mr. Michael Hemingway, Director of Utilities; Mrs. Amanda Pope, Director of Marketing/Communications and Municipal Services; and Mr. Chuck Pope, Director of Public Works.

**MEDIA PRESENT**

Mr. Matthew Christian of the Florence Morning News, Mr. Carlos Flores of WPDE News and Ms. Lacey Lee of WBTW News were present for the meeting.

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 Ervin called the February 14, 2022 regular meeting of Florence City Council to order at 1:05 p.m.

**INVOCATION**

Mayor Ervin gave the invocation for the meeting. The pledge of allegiance to the American Flag followed the invocation.

**APPROVAL OF MINUTES**

Councilwoman Moore made a motion to adopt the minutes of the January 10, 2022 Regular Meeting and Councilman Schofield seconded the motion. The minutes were unanimously adopted.

**ADDENDUM TO THE AGENDA**



**FLORENCE CITY COUNCIL  
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Mayor Ervin said there are two addendums to the agenda before Council for consideration.

**Resolution No. 2022-07**

A Resolution authorizing the Mayor and City Council to execute a Community Development Block Grant-Mitigation (CDBG-MIT) subrecipient agreement between the City of Florence and the South Carolina Office of Resilience to fund an infrastructure improvement project that will mitigate the impact of future disasters.

Without objection, Resolution No. 2022-07 was added to the agenda. (See action taken below under Introduction of Resolutions.)

**Resolution No. 2022-08**

A Resolution to support Autism Awareness and recognize All 4 Autism for their contributions in the City of Florence.

Without objection, Resolution No. 2022-08 was added to the agenda. (See action taken below under Introduction of Resolutions.)

**APPEARANCE BEFORE COUNCIL**

**Ms. Betty Williamson, Resident**

Ms. Betty Williamson appeared before Council to speak on abandoned homes in District One. Ms. Williamson lives next door to an abandoned house and requested assistance from Council. Mayor Ervin said the Codes Enforcement Division has a listing of homes that are scheduled for potential demolition and Council did approve of funds for demolition. In order to demolish homes, the city must have the property owner's permission and there is a process that must be followed.

**Ms. Stephanie Bosch, Assistant Director – Florence County Economic Development Partnership**

Ms. Stephanie Bosch appeared before Council to provide an update on the Florence County Economic Development Partnership. The role of the Florence County Economic Development Partnership is to recruit new industry to Florence and support existing industry. In 2021, it was announced that 700 new jobs will be added over the next five years, in addition to 97 million in new capital investment. Two major industries in the county have recently expanded: QVC distribution facility (360 new jobs) and Performance Food Service (150 new jobs). Santee Electric and Pee Dee Electric committed to new investment in infrastructure throughout the county and Innovative Construction Group has recently located to the Pee Dee Commerce Park. The City plays a key role in economic development as the water and wastewater provider for the majority of the industrial parks and through downtown revitalization. In February, 2020 Florence County Council approved the issuance of a \$22 million bond for economic development and is taking an active effort to invest in different industrial sites throughout all of Florence. Ms. Bosch thanked Council for their support in economic development in Florence. Pro tem Jebaily said Florence is seeking to bring in high-wage jobs, and asked Ms. Bosch to elaborate. Ms. Bosch said the Florence County average wage is approximately \$20/hour and the goal is to recruit at or above the county average.

**Mr. James Kennedy, Resident**

Mr. James Kennedy appeared before Council to speak on housing concerns. Mr. Kennedy said he understands there is approximately \$500,000 in funding to demolish vacant homes. The houses in these



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neighborhoods have character and are a depiction of where the community came from. Demolishing these homes would be destroying their identity. The homes should be remodeled and made into affordable housing. The community has had to fight for everything they have, and he pleaded with Council not to destroy the neighborhood. Mayor Ervin thanked Mr. Kennedy and said many of the things he is speaking of has been considered. She agreed that there is new home development, but homes are also being revitalized. However, it is not financially feasible to rehabilitate some of the homes. Councilman McCall said Council is making an effort to sustain the community, but it takes a long time for this to occur. The Community Redevelopment Committee took a bus tour of the community and the biggest complaint they heard from the community was regarding abandoned homes. The city will follow the process in contacting property owners to ask if they want help removing the homes. Councilwoman Barnes spoke, saying this money gives assistance to people that cannot afford to demolish the homes themselves.

**ORDINANCES IN POSITION**

**Bill No. 2022-02 – Second Reading**

**An Ordinance to annex and zone 1146 Annelle Drive; identified as Florence County Tax Map Parcel 01794-03-010.**

Councilman Schofield made a motion to adopt Bill No. 2022-02 on second reading and Councilwoman Moore seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2022-02.

**INTRODUCTION OF ORDINANCES**

**Bill No. 2021-12 – First Reading**

**An Ordinance to annex and zone a portion of Lake Oakdale and the Lake Oakdale dam, identified as a portion of Florence County Tax Map Parcel 00751-01-049.**

Mayor Ervin stated the applicant has requested to withdraw this item from the agenda, with the possibility that the applicant may apply in the future.

Without objection, Bill No. 2021-12 has been withdrawn from the agenda.

**Bill No. 2022-03 – First Reading**

**An Ordinance to amend the *Unified Development Ordinance* regarding portable donation receptacles.**

Councilman Schofield made a motion to pass Bill No. 2022-03 on first reading and Pro tem Jebaily seconded the motion.

Mr. Jerry Dudley, Planning Director, reported this ordinance will add language to the Unified Development Ordinance (UDO) to address donation bins. Donation bins are defined as an unattended container, box, or similar device that is used for soliciting and collecting donations, including but not limited to: clothing, footwear, books, and other salvageable household goods. In 2016, this proposal went before Planning Commission and City Council and was added to the old zoning ordinance to address unattended donation bins. When the UDO was adopted, this language was not carried over. This language is the same language that was originally adopted. The proposed ordinance gives guidance on



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the location of donation bins, requires language specific to the ownership to be located on the bins, and gives Codes Enforcement a mechanism to address the receptacles and remove them if necessary.

Councilman Braddock said this initiative began by local non-profit agencies several years ago. Non-profits depend on donations from these bins to support their operations. Since the UDO did not include this language upon its adoption bins from out of state have resurfaced, taking resources from local agencies that support the community. Pro tem Jebaily thanked Councilman Braddock for bringing this to Council's attention several years ago.

Council voted unanimously (7-0) to pass Bill No. 2022-03.

**Bill No. 2022-04 – First Reading**

**An Ordinance to rezone from NC-6.2 to NC-6.3 the parcel located at 706 Norfolk Street; identified as Florence County Tax Map Parcel 90100-03-001.**

Mayor Ervin said the applicant has requested that this item be deferred. Without objection, this item was deferred.

**Bill No. 2022-05 – First Reading**

**An Ordinance to call for a public referendum to be held at the general election in November, 2022, to determine whether or not to authorize the Department of Revenue to issue temporary permits for a period not to exceed twenty-four hours to allow for the sale of beer and wine at permitted off-premises locations without regard to the days or hours of sales in the City of Florence pursuant to South Carolina Code §61-6-2010.**

Councilman Schofield made a motion to pass Bill No. 2022-05 on first reading and Councilwoman Barnes seconded the motion.

Mr. Jim Peterson, City Attorney, reported this ordinance would give citizens of the City the opportunity to vote in November at the general election on a referendum to determine whether or not to authorize the Department of Revenue to issue permits for the sale of beer and wine on Sundays at off-premises locations. In 2008, the city held a referendum, and the citizens of Florence chose to allow the Department of Revenue to issue permits to allow alcoholic drinks by the drink in restaurants on Sunday. Many surrounding communities, including Hartsville and Darlington, allow Sunday alcohol sales.

Councilman Braddock said he works with people struggling with addiction and there's a concern that allowing this will cause more drinking; however, only a daily personal relationship with Jesus Christ will keep individuals from drinking on a Sunday. He said he supports giving people the opportunity to choose and decide how they would like to govern themselves.

Mayor Ervin said she is not in favor of Sunday sales of alcohol but she is in favor of the citizens of Florence having the right to choose.

Council voted unanimously (7-0) to pass Bill No. 2022-05.

**INTRODUCTION OF RESOLUTIONS**

**Resolution No. 2021-41**



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**A Resolution to allow the City of Florence to lease city-owned property located at 719 Walnut Street to the Pee Dee Community Action Agency Partnership as part of their homeless prevention program.**

Mayor Ervin stated it is requested that this item be deferred. Without objection, this item was deferred.

**Resolution No. 2022-05**

**A Resolution to designate additional public spaces within the City of Florence in which the possession, sale, service, consumption and distribution of beer and wine at special events may be permitted.**

Councilman Schofield made a motion to adopt Resolution No. 2022-05 and Councilman McCall seconded the motion.

Mrs. Amanda Pope, Director of Marketing, Communications and Municipal Services, reported the Resolution is in accordance with an ordinance approved in 2014 which allowed for the possession and consumption of beer and wine in certain limited public rights-of-way, parking lots, courtyards, laws, and plazas. Current permitted areas include rights-of-way and parking areas within the downtown redevelopment overlay district, West Evans Street Breezeway, James Allen Plaza, William H. Johnson Renaissance Dining Courtyard and the lawn outside the gate at the Florence Tennis Center. The purpose of the ordinance is to allow consumption of alcohol at events such as the Pecan Festival and Florence After Five. The city has developed new facilities where there is a desire for the allowance of alcoholic beverages for some events. This Resolution will authorize the service of alcoholic beverages at additional city properties to include City Center Market, Lawton-Chase House and lawn, Florence Soccer Pavilion and lawn, and the Florence Sports Complex Stadium.

Council voted unanimously (7-0) to adopt Resolution No. 2022-05.

**Resolution No. 2022-06**

**A Resolution adopting the SC Municipal Association 2021-2022 Advocacy Initiatives.**

Councilman McCall made a motion to adopt Resolution No. 2022-06 and Councilman Schofield seconded the motion.

Mr. Scotty Davis, Deputy City Manager, reported the 2021-2022 Advocacy Initiatives represent solutions to challenges that can be addressed through changes to state law. 2021-2022 Initiatives include broadband expansion, enclave annexation, law enforcement reform, code enforcement, abandoned buildings tax credits, local government fund, firefighter healthcare benefit plan, PTSD funding, zero millage, municipal capital projects penny, expansion of naloxone and Textiles Communities Revitalization Act.

Councilman McCall said two of these initiatives will be beneficial to Florence, one being enclave annexation. Enclave annexation will allow Florence to close the many doughnut holes throughout the City. Additionally, municipal capital projects penny will allow the city to grow by giving the people the opportunity to vote and approve capital projects in Florence.

Councilman Braddock asked for more detail on the law enforcement reform initiative. Mr. Davis said this initiative is supporting reform measures to aspects of law enforcement training and duties.

Council voted unanimously (7-0) to adopt Resolution No 2022-06.



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**Resolution No. 2022-07**

**A Resolution authorizing the Mayor and City Council to execute a Community Development Block Grant-Mitigation (CDBG-MIT) subrecipient agreement between the City of Florence and the South Carolina Office of Resilience to fund an infrastructure improvement project that will mitigate the impact of future disasters.**

Councilman Schofield made a motion to adopt Resolution No. 2022-07 and Pro tem Jebaily seconded the motion.

Mr. Clint Moore, Assistant City Manager of Development, reported approximately \$3 million will be awarded for the N. Church and Oakland Project in the vicinity of North Church Street and Oakland Avenue and involves the upgrade of stormwater infrastructure to include pipe, inlets and junction boxes. Work should begin in approximately 12-18 months.

Pro tem Jebaily asked if this work will address the catch basins in this area where water goes nowhere. Mr. Moore replied the state did a project several years ago to include sidewalk improvement and street resurfacing. Due to funding, minimal stormwater improvements were able to be completed. This project will be completely geared towards infrastructure improvements to help address much of the standing water issues.

Councilman Schofield said Council recently passed a \$7 million bond for improvements and Oakland Avenue was included on the list of areas to be improved with those monies. He asked if the bond money will be added to the grant funding or will it free up funding to complete additional projects. Mr. Moore replied the surveying and engineering for the Oakland Avenue Project will begin soon. If the \$3 million grant is enough to cover the costs of the entire project, then the funds from the bond can go to other projects. This will be determined as they move through the project.

Council voted unanimously (7-0) to adopt Resolution No. 2022-07.

**Resolution No. 2022-08**

**A Resolution to support Autism Awareness and recognize All 4 Autism for their contributions in the City of Florence.**

Councilwoman Moore made a motion to adopt Resolution No. 2022-08 and Councilman Schofield seconded the motion.

Councilman Schofield read the Resolution and presented it to Jessica Brown, Executive Director of All 4 Autism. Ms. Brown said the Pee Dee is number four in the state of those with an autism diagnosis. She saw a need in the region for resources and support for those with autism and began All 4 Autism. Council thanked Ms. Brown for all she's doing with the community.

Council voted unanimously (7-0) to adopt Resolution No. 2022-08.

**REPORTS TO COUNCIL**

**Appointments to Boards and Commissions**

Mr. Davis presented the packet of appointments to Boards and Commissions to Council.



**Board of Zoning Appeals**

Councilman McCall deferred his appointment to this Board.

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

Being no applicants, remaining appointments were deferred

**Aesthetics Advisory Committee**

Being no applicants, remaining appointments were deferred.

**Resilience and Sustainability Advisory Committee**

Being no applicants, remaining appointments were deferred.

Mr. Davis said Council is tasked with appointing the first chair of the Resilience and Sustainability Advisory Committee. Seven of the nine members of this Committee have been appointed and the Committee has had their first meeting. Three committee members have indicated they desire to chair the committee and these names have been provided to Council for consideration. Councilwoman Moore made a motion to nominate Reverend Leo Woodberry as the chair and Mayor Ervin seconded the motion. Councilman Schofield then made a motion to defer nominations due to having just received the list of names before the meeting. Mayor Ervin asked Mr. Peterson to clarify parliamentary procedure. Mr. Peterson said procedurally Council should vote on the motion to defer, and if it fails then vote on nominations. Councilman Braddock seconded the motion to defer. Councilman McCall asked if the Committee would be hindered by the deferral. Mr. Davis said once the Chairperson is appointed, that individual will appoint a vice-chair and a secretary. Until the Chair is appointed, staff will work in those capacities.

Council voted 5-2 in favor of the motion to defer nominations until the next meeting, with Councilwoman Moore and Mayor Ervin voting nay.

**Councilman Chavez McCall**

To discuss Council Committees.

Councilman McCall said he desires to start a budget and finance committee in order for Council to have a better understanding of the budget and finance process. Under the Council-Manager form of government, the City Manager prepares and presents the budget to Council, who then adopts the budget. Councilman McCall said he recently attended the Municipal Association's Legislative Action Day where he spoke with councilmembers from other municipalities who found that a budget and finance committee was beneficial to their organization. Mayor Ervin asked Councilman McCall if he had prepared any documents pertaining to this committee for Council's review, to which Councilman McCall replied he did not. Mayor Ervin said the Municipal Association offers courses for elected officials that may help them understand the process if they choose to attend. Mayor Ervin asked that Councilmembers meet with Mr. Kevin Yokim, Assistant City Manager of Finance/Administration, if they need a better understanding of the budgeting process. If there is further understanding needed after meeting with Mr. Yokim, then establishing the committee can be revisited at that time.

Councilman Braddock said the other Council committees (Business Development Committee, Community Development Committee and Marketing and Public Relations Committee) were established



**FLORENCE CITY COUNCIL  
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by motion and asked Mr. Peterson to confirm if that were the case. Mr. Peterson confirmed those committees were established by motion.

Councilman McCall said the other council committees were not created in writing. Mayor Ervin said the other committees were formed from a work session Council attended. Council also receives a monthly financial report from the City and if Council has questions, they can contact Mr. Yokim or Mr. Osterman. She again requested information on this committee in writing so Council has the opportunity to review it before a vote. She does not feel the need to vote and establish a committee when there's no guidelines in place.

Councilman Braddock said this proposal is not to undermine the City Manager or Finance Director, he simply wants a reporting board to report monthly on the financials from a Council perspective. Councilman Braddock made a motion to establish a Finance, Audit, and Budget Committee to review matters related to City finances, internal and external audit and budget, and to report to council on a monthly basis and Councilman Schofield seconded the motion. Pro tem Jebaily made a motion to amend the motion to appoint Councilman McCall as the Chair of the committee and Councilman Schofield seconded the motion. Council voted unanimously (7-0) on the motion to amend.

Council voted 5-2 in favor of the motion to form the Finance, Audit, and Budget Committee, as amended, with Mayor Ervin and Councilwoman Moore voting nay.

**[BREAK: 3:10 – 3:22]**

**COMMITTEE REPORTS**

**Business Development Committee, Chaired by Pro tem Jebaily**

Pro tem Jebaily said the committee met and had various discussions on the needs of the city, as well as how the city can partner with other entities and work together. They addressed a number of topics including the corridors, stormwater issues and traffic impacts with certain developments. Hannah Davis, Downtown Development Manager, attended the committee meeting and gave a presentation on population and growth in the City. They also discussed the website and how the City can make it more informative and user-friendly.

**Community Development Committee, Chaired by Councilwoman Barnes**

Councilwoman Barnes said the Community Development Corporation (CDC) has been established and Board members have been appointed. One member indicated they were unable to fulfill the duties of the Board and this position will need to be replaced. Councilwoman Barnes made a motion to appoint Terrance Thomas to the Board and Councilwoman Moore seconded the motion. Council voted unanimously (7-0) to appoint Terrance Thomas to the CDC Board.

**Marketing and Public Relations Committee, Chaired by Councilman McCall**

Councilman McCall reported conversations continued on annexations into the City with the goal to reach 50,000 population utilizing a smart growth approach.

**EXECUTIVE SESSION**

Mayor Ervin said Council will be entering into Executive Session for a personnel matter. Without objection, Council entered into Executive Session at 3:30 p.m.



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REGULAR MEETING – FEBRUARY 14, 2022**

Council resumed Open Session at 3:40 p.m. Councilman McCall said the evaluation committee met regarding the City Manager's evaluation. Councilman McCall made a motion to increase the City Manager's salary as discussed in Executive Session and Pro tem Jebaily seconded the motion. The motion carried unanimously (7-0).

**ADJOURN**

Without objection, the February 14, 2022 Regular meeting of City Council was adjourned at 3:43 p.m.

Dated this 14<sup>th</sup> day of March 2022.

\_\_\_\_\_  
Casey C. Moore, Municipal Clerk

\_\_\_\_\_  
Teresa Myers Ervin, Mayor

FLORENCE CITY COUNCIL MEETING

**DATE:** February 14, 2022

**AGENDA ITEM:** An Ordinance to amend Table 1-2.7.5, Section 1-2.8.4, and Division 7-25.2 of the *Unified Development Ordinance* regarding donation receptacles.

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

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**I. ISSUE UNDER CONSIDERATION:**

Request to amend Table 1-2.7.5, “Industrial, Logistics, and Storage Uses”; Section 1-2.8.4, “Commercial Use Standards”; and Division 7-25.2, “Definitions” of the *Unified Development Ordinance* regarding donation receptacles. The request is being made by staff.

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

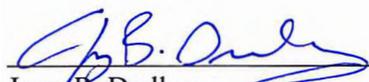
1. On January 11, 2022 Planning Commission held a public hearing on this matter and voted unanimously, 6-0, to amend Table 1-2.7.5, “Industrial, Logistics, and Storage Uses”; Section 1-2.8.4, “Commercial Use Standards”; and Division 7-25.2, “Definitions” of the *Unified Development Ordinance* regarding donation receptacles.
2. The 2008 Zoning Ordinance was amended in June 2016 to address the placement of unattended donation bins throughout the City. This provision was not included in the text of the *Unified Development Ordinance* that was adopted on January 15, 2018, replacing the 2008 Zoning Ordinance.

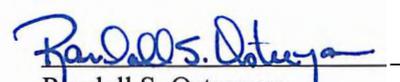
**III. POINTS TO CONSIDER:**

1. The request is being considered for first reading.
2. The text amendments are based on the 2008 Zoning Ordinance in order to provide conditions in the *Unified Development Ordinance* for the placement of donation receptacles.
3. Under the proposed amendments, donation receptacles as defined in Division 7-25.2 would be permitted in the zoning districts indicated in Table 1-2.7.5 under the conditions set forth in Section 1-2.8.4 of the *Unified Development Ordinance*.
4. City staff concurs with Planning Commission’s recommendation to amend the *Unified Development Ordinance* in order to provide guidance regarding unattended donation receptacles.

**IV. ATTACHMENTS:**

1. Ordinance
2. Proposed amendments to Table 1-2.7.5, “Industrial, Logistics, and Storage Uses” of the *Unified Development Ordinance*
3. Proposed amendments to Section 1-2.8.4, “Commercial Use Standards” of the *Unified Development Ordinance*
4. Proposed amendments to Division 7-25.2, “Definitions” of the *Unified Development Ordinance*

  
Jerry B. Dudley  
Planning Director

  
Randall S. Osterman  
City Manager

**ORDINANCE NO. 2022-\_\_\_\_\_**

**AN ORDINANCE TO AMEND TABLE 1-2.7.5, SECTION 1-2.8.4, AND DIVISION 7-25.2 OF THE UNIFIED DEVELOPMENT ORDINANCE REGARDING DONATION RECEPTACLES**

**WHEREAS,** the regulation of unattended donation receptacles was not addressed in the Unified Development Ordinance adopted on January 15, 2018; and

**WHEREAS,** the amendments contained herein were part of the 2008 City of Florence Zoning Ordinance;

**THEREFORE,** Table 1-2.7.5, Section 1-2.8.4, and Division 7-25.2 of the City of Florence Unified Development Ordinance shall read as follows:

**Table 1-2.7.5 Industrial, Logistics, and Storage Uses**

Table 1-2.7.5 Industrial, Logistics, and Storage Uses															
Land Use	Zoning Districts														
	Residential					Business & Commercial			Mixed-Use			Industrial		Agricultural & Open Space	
	RE	RS	RG	RU	NC	CR	CA	CG	CBD	AC	DS	IL	IH	OSR	AR
<b>Industrial Uses and Logistics</b>															
Light Industry	-	-	-	-	-	-	C	-	-	-	-	P	P	-	-
Research / Testing Laboratory	-	-	-	-	-	-	C	-	-	-	-	CL	P	-	-
Recycling Collection Facility	-	-	-	-	-	-	-	-	-	-	-	CB	CB	-	-
Composting Facility	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	SE
Salvage Yard	-	-	-	-	-	-	-	-	-	-	-	SE	C	-	-
Heavy Industry	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-
Warehousing and Logistics / Distribution Centers	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-
<b>Storage Uses</b>															
Self-Storage/Moving Vehicle Rental	-	-	-	-	-	-	-	CB	-	-	-	CB	-	-	-
<b>Donation Receptacles</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>C</b>	<b>C</b>	<b>-</b>	<b>-</b>
Rail Yard	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-
Storage Yard	-	-	-	-	-	-	-	-	-	-	-	SE	C	-	-
RE (Estate Residential), RS (Suburban Residential), RG (General Residential, RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Reuse) CA (Campus), CG (Commercial General), CBD (Central Business District, AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH (Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional Use), SE (Permitted Special Exception Use), - (Prohibited Use), B (subscript, Special Site and Building Development Standards)															

**Section 1-2.8.4 Commercial Use Standards**

**I. Donation Receptacles** are permitted if it is demonstrated that:

1. Donation receptacles shall not be allowed within the boundaries of the D-1, Downtown

Redevelopment District as established in Section 1-2.4.2 of this Ordinance.

2. Donation receptacles shall not be placed on any property without the written permission of the property owner.
3. Donation receptacles shall either be placed within the required side or rear yard, and the receptacles shall not interfere with sight-triangles, on-site circulation, buffer-yards, landscaping, parking, or any other requirements that may have been imposed as part of the site plan approval for the premises.
4. Donation receptacles shall not be placed within a designated parking space.
5. Donation receptacles shall not be placed in such a manner as to cause an obstruction for pedestrians or motorists.
6. Only one donation receptacle shall be permitted per lot, and shall only be permitted on properties that contain a primary permitted use.
7. Donation receptacles shall not exceed 6.5 feet in height.
8. Signage on donation receptacles shall not exceed five-inch letter height.
9. The following information must be clearly and conspicuously displayed on the exterior of the donation receptacle: The name and address of the property owner who owns the receptacle, and the name of any entity which may share, profit, or benefit from any donations collected via the receptacle.
10. Donation receptacles shall be maintained in good condition and appearance with no structural damage, holes, or visible rust, and shall be kept free of graffiti.
11. All donation receptacles shall be free of debris and shall be serviced regularly so as to prevent the overflow of donations or the accumulation of junk, debris, or other material.
12. All donation receptacles must be maintained in a manner that prohibits individuals from being able to open or enter the donation receptacle without the consent of the donation receptacle owner or the property owner.
13. Non-compliant donation receptacles - Penalties and removal by the City:
  - a. Any person(s) or entity found guilty of either placing a donation receptacle in violation of the provisions of this Ordinance or of allowing a donation receptacle in violation of the provisions of this Ordinance to be placed on property owned or controlled by the person shall be penalized pursuant to Division 6-23.1 of this Ordinance.
  - b. In addition, the Court finding such person guilty shall further order that the subject donation receptacle be brought into full compliance with this Ordinance or be removed from the premises within 14 days of the guilty finding.
  - c. If the person fails to either bring the donation receptacle into compliance or to remove the donation receptacle within said 14 days, then the City shall take possession of and remove the donation bin. The noncompliant donation bin will be stored at Public Works for a period of 60 days to allow the owner of the bin to reclaim it, after which said bin may be disposed of by the City.

### **Division 7-25.2 Definitions**

**Donation receptacle** means any unattended container, box, or similar device that is used for soliciting and collecting donations, including but not limited to: clothing, footwear, books, and other salvageable household goods.

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

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

- 1. That an Ordinance is hereby adopted by amending the Unified Development Ordinance as shown above.
- 2. That this Ordinance shall become effective immediately.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

Approved as to form:

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

\_\_\_\_\_  
**Teresa Myers Ervin,**  
Mayor

Attest:

\_\_\_\_\_  
**Casey C. Moore**  
Municipal Clerk

**Attachment 2: Proposed Amendment to Table 1-2.7.5, “Industrial, Logistics, and Storage Uses” of the Unified Development Ordinance**

Addition is highlighted in yellow.

**Table 1-2.7.5 Industrial, Logistics, and Storage Uses**

Table 1-2.7.5 Industrial, Logistics, and Storage Uses																
Land Use	Zoning Districts															
	Residential					Business & Commercial			Mixed-Use			Industrial		Agricultural & Open Space		
	RE	RS	RG	RU	NC	CR	CA	CG	CBD	AC	DS	IL	IH	OSR	AR	
<b>Industrial Uses and Logistics</b>																
Light Industry	-	-	-	-	-	-	C	-	-	-	-	P	P	-	-	
Research / Testing Laboratory	-	-	-	-	-	-	C	-	-	-	-	CL	P	-	-	
Recycling Collection Facility	-	-	-	-	-	-	-	-	-	-	-	CB	CB	-	-	
Composting Facility	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	SE	
Salvage Yard	-	-	-	-	-	-	-	-	-	-	-	SE	C	-	-	
Heavy Industry	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	
Warehousing and Logistics / Distribution Centers	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	
<b>Storage Uses</b>																
Self-Storage/Moving Vehicle Rental	-	-	-	-	-	-	-	Cb	-	-	-	Cb	-	-	-	
Donation Receptacles	!	!	!	!	!	C	C	C	!	!	!	C	C	!	!	
Rail Yard	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	
Storage Yard	-	-	-	-	-	-	-	-	-	-	-	SE	C	-	-	
RE (Estate Residential), RS (Suburban Residential), RG (General Residential, RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Reuse) CA (Campus), CG (Commercial General), CBD (Central Business District, AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH (Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional Use), SE (Permitted Special Exception Use), - (Prohibited Use), B (subscript, Special site and Building Development Standards)																

**Attachment 3: Proposed Amendment to Section 1-2.8.4, “Commercial Use Standards” of the Unified Development Ordinance**

**I. Donation Receptacles are permitted if it is demonstrated that:**

1. Donation receptacles shall not be allowed within the boundaries of the D-1, Downtown Redevelopment District as established in Section 1-2.4.2 of this Ordinance.
2. Donation receptacles shall not be placed on any property without the written permission of the property owner.
3. Donation receptacles shall either be placed within the required side or rear yard, and the receptacles shall not interfere with sight-triangles, on-site circulation, buffer-yards, landscaping, parking, or any other requirements that may have been imposed as part of the site plan approval for the premises.
4. Donation receptacles shall not be placed within a designated parking space.
5. Donation receptacles shall not be placed in such a manner as to cause an obstruction for pedestrians or motorists.

6. Only one donation receptacle shall be permitted per lot, and shall only be permitted on properties that contain a primary permitted use.
7. Donation receptacles shall not exceed 6.5 feet in height.
8. Signage on donation receptacles shall not exceed five-inch letter height.
9. The following information must be clearly and conspicuously displayed on the exterior of the donation receptacle: The name and address of the property owner who owns the receptacle, and the name of any entity which may share, profit, or benefit from any donations collected via the receptacle.
10. Donation receptacles shall be maintained in good condition and appearance with no structural damage, holes, or visible rust, and shall be kept free of graffiti.
11. All donation receptacles shall be free of debris and shall be serviced regularly so as to prevent the overflow of donations or the accumulation of junk, debris, or other material.
12. All donation receptacles must be maintained in a manner that prohibits individuals from being able to open or enter the donation receptacle without the consent of the donation receptacle owner or the property owner.
13. Non-compliant donation receptacles - Penalties and removal by the City:
  - a. Any person(s) or entity found guilty of either placing a donation receptacle in violation of the provisions of this Ordinance or of allowing a donation receptacle in violation of the provisions of this Ordinance to be placed on property owned or controlled by the person shall be penalized pursuant to Division 6-23.1 of this Ordinance.
  - b. In addition, the Court finding such person guilty shall further order that the subject donation receptacle be brought into full compliance with this Ordinance or be removed from the premises within 14 days of the guilty finding.
  - c. If the person fails to either bring the donation receptacle into compliance or to remove the donation receptacle within said 14 days, then the City shall take possession of and remove the donation bin. The noncompliant donation bin will be stored at Public Works for a period of 60 days to allow the owner of the bin to reclaim it, after which said bin may be disposed of by the City.

#### **Attachment 4: Proposed Amendment to Division 7-25.2 “Definitions”**

**Donation receptacle** means any unattended container, box, or similar device that is used for soliciting and collecting donations, including but not limited to: clothing, footwear, books, and other salvageable household goods.

FLORENCE CITY COUNCIL MEETING

**DATE:** February 14, 2022  
**AGENDA ITEM:** Ordinance  
**DEPARTMENT/DIVISION:** City Council

---

**I. ISSUE UNDER CONSIDERATION:**

An ordinance to provide for a public referendum to be held at the general election in November, 2022, to determine whether or not to authorize temporary permits for the retail sale of alcoholic beverages for off-premises consumption on Sunday in the City of Florence pursuant to South Carolina Code §61-6-2010.

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

- (1) By Ordinance No. 2008-039 and the resulting Referendum held on November 4, 2008, the City of Florence previously authorized the Department of Revenue to issue temporary permits to bona fide nonprofit organizations and business establishments otherwise authorized to be licensed in the City of Florence to allow the sale of alcoholic liquors by the drink on any day of the week, including Sunday.
- (2) The attached ordinance would authorize a Referendum to be held during the upcoming general election on November 8, 2022 to allow the citizens of the City of Florence to determine whether or not to allow the SC Department of Revenue to also authorize temporary permits for the retail sale of alcoholic beverages for off-premises consumption on Sunday in the City of Florence pursuant to South Carolina Code §61-6-2010.

**III. POINTS TO CONSIDER:**

- (1) Section 61-6-2010 of the South Carolina Code of Laws very specifically provides the mechanism in South Carolina for this issue to be addressed. The legislature has provided that Sunday sales of alcoholic beverages by the drink can be authorized only by vote of the citizens at a referendum held at a general election, and the statute specifies the question to be submitted to the citizens in such a referendum. This was accomplished in Florence in 2008.
- (2) Section 61-6-2010 additionally allows municipalities to authorize the SC Department of Revenue to also authorize temporary permits for the retail sale of alcoholic beverages for off-premises consumption on Sunday if approved by a referendum held during a general election.
- (3) Section 7-13-355 of the South Carolina Code of Laws establishes that August 15<sup>th</sup> as the deadline for submission of any question to be addressed in a referendum at the time of the general election.

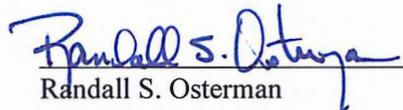
- (4) Since 2008, several of our surrounding communities have authorized retail sale of alcoholic beverages for off-premises consumption on Sunday which arguably puts businesses located in the City of Florence at a competitive disadvantage.

**IV. STAFF RECOMMENDATION**

Staff stands ready to carry out the wishes of Council.

**V. ATTACHMENTS**

Proposed Ordinance

  
Randall S. Osterman  
City Manager

ORDINANCE NO. 2022 - \_\_\_\_\_

**AN ORDINANCE TO PROVIDE FOR A PUBLIC REFERENDUM TO BE HELD AT THE GENERAL ELECTION IN NOVEMBER, 2022, TO DETERMINE WHETHER OR NOT TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ISSUE TEMPORARY PERMITS FOR A PERIOD NOT TO EXCEED TWENTY-FOUR HOURS TO ALLOW THE SALE OF BEER AND WINE AT PERMITTED OFF-PREMISES LOCATIONS WITHOUT REGARD TO THE DAYS OR HOURS OF SALES IN THE CITY OF FLORENCE PURSUANT TO SOUTH CAROLINA CODE §61-6-2010.**

WHEREAS, by Ordinance No. 2008-039 and the resulting Referendum held on November 4, 2008, the City of Florence previously authorized the Department of Revenue to issue temporary permits to bona fide nonprofit organizations and business establishments otherwise authorized to be licensed in the City of Florence to allow the sale of alcoholic liquors by the drink on any day of the week, including Sunday;

WHEREAS, in addition to sales of alcohol by the drink as referenced above, §61-6-2010 of the South Carolina Code of Laws authorizes municipalities to pass an ordinance calling for a referendum to allow its citizens to decide whether or not to authorize the Department of Revenue to issue temporary permits for a period not to exceed twenty four hours to allow the sale of beer and wine at permitted off premises locations without regard to the days or hours of sales;

WHEREAS, the inability to sell beer and wine for off premises consumption on Sunday causes businesses in the City of Florence to loose potential customers and business to competitors located outside of but near to the City of Florence since many surrounding counties and municipalities allow such sales;

WHEREAS, the inability to sell beer and wine for off premises consumption on Sunday in the City of Florence has potentially discouraged quality businesses from locating within the city limits;

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

1. That a public referendum be held at the general election in November, 2022, pursuant to the provisions of South Carolina Code §61-6-2010, to determine whether or not to authorize the Department of Revenue to issue temporary permits for a period not to exceed twenty four hours to allow the sale of beer and wine at permitted off premises locations without regard to the days or hours of sales.
  
2. That the referendum to be conducted on November 8, 2022, pursuant to and in accordance with the provisions of §61-6-2010, shall pose the following question to the citizens of the City of Florence:

"Shall the Department of Revenue be authorized to issue temporary permits in this (county) (municipality) for a period not to exceed twenty-four hours to allow the sale of beer and wine at permitted off-premises locations without regard to the days or hours of sales?"
  
3. This ordinance shall be effective immediately upon its adoption by City Council on second reading.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

**Approved as to form:**

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

\_\_\_\_\_  
**TERESA MYERS ERVIN**  
Mayor

**Attest:**

\_\_\_\_\_  
**CASEY C. MOORE**  
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

**DATE:** February 14, 2022

**AGENDA ITEM:** An ordinance to rezone from NC-6.2 to NC-6.3 the parcel located at 706 Norfolk Street; identified as Tax Map Number 90100-03-001.

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

---

**I. ISSUE UNDER CONSIDERATION:**

A request to rezone from NC-6.2 to NC-6.3 the parcel located at 706 Norfolk Street, said property being specifically designated in the Florence County Tax Records as Tax Map Number 90100-03-001.

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

On January 11, 2022, the City of Florence Planning Commission held a public hearing on this matter and voted 5-0 to deny the parcel be rezoned from NC-6.2 to NC-6.3.

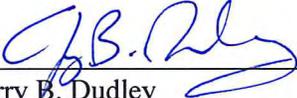
**III. POINTS TO CONSIDER:**

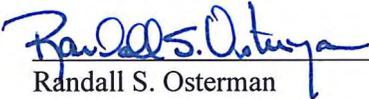
1. The property is currently zoned Neighborhood Conservation – 6.2 (NC-6.2), which permits residential uses such as single family detached and duplex. The current zoning conditionally permits limited commercial uses accessory to homes such as home occupations and in-home childcare.
2. The proposed zoning is Neighborhood Conservation – 6.3 (NC-6.3) and permits the same uses as the NC-6.2, with the added conditional uses of Multiplex and Multifamily.
3. The parcel meets the minimum dimensional requirements for the NC-6.3 zoning district per the City of Florence Unified Development Ordinance. New construction would have to conform to the specifications of the NC-6.3 zoning district including lot and building standards for the desired housing type.
4. A multiplex in the Unified Development Ordinance is defined as, “a residential building that is constructed to look like a large single-family detached residence.” A multiplex can contain three (3) separate dwelling units (triplex) or four (4) separate dwelling units (quadraplex) within. The parcel’s dimensions could reasonably support this style of development.
5. Multifamily is defined as, “...a building that includes three or more dwelling units, which is not designed as townhomes or multiplex buildings. Multifamily also means two or more residential units that are located on the upper floors of a mixed-use building.” The conditional requirements for multifamily would limit the feasibility of this style of development on such a small parcel adjacent to single-family development.
6. The site is currently an undeveloped vacant lot. Aerial images show this lot has been vacant since at least 1998. The current zoning of Neighborhood Conservation - 6.2 (NC-6.2) was adopted with the land use maps associated with the adoption of the Unified Development Ordinance in 2018 in keeping with the parcel’s historic zoning.
7. Land use of the adjacent properties is all residential except for the CSX Railyard to the south (Attachment C).

8. Future Land Use of the parcel is shown as “Public and Institutional” but will most likely remain “Neighborhood Conservation” unless purchased and rezoned by CSX or a government entity.
9. City staff agrees with Planning Commission and does not recommend the parcel to be rezoned. The current zoning (NC-6.2) allows single-family attached and detached housing types while the proposed zoning (NC-6.3) extends the allowed uses to include townhomes, multiplexes, and multifamily. The NC-6.3 zoning does not align with the character of single-family dwellings in the vicinity of this neighborhood street.

**IV. ATTACHMENTS:**

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

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

  
\_\_\_\_\_  
Randall S. Osterman  
City Manager

**ORDINANCE NO. 2022-\_\_\_\_\_**

**AN ORDINANCE TO REZONE PARCEL IDENTIFIED AS 706 NORFOLK STREET, TAX MAP NUMBER 90100-03-001 FROM NEIGHBORHOOD CONSERVATION-6.2 ZONING DISTRICT TO NEIGHBORHOOD CONSERVATION-6.3 ZONING DISTRICT.**

**WHEREAS**, a Public Hearing was held in City Council Chambers on January 11, 2022 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS**, the property owners made application to rezone from NC-6.2, Neighborhood Conservation-6.2 to NC-6.3, Neighborhood Conservation-6.3.

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

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

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

EXECUTED ON ONE (1) ADDITIONAL PAGE

Ordinance No. 2022-\_\_\_\_\_

Page 2

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021

Approved as to form:

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

\_\_\_\_\_  
**Teresa Myers Ervin**  
**Mayor**

**Attest:**

\_\_\_\_\_  
**Casey C. Moore**  
**Municipal Clerk**

# Location Map

## 706 Norfolk Street



### Legend

 Parcels

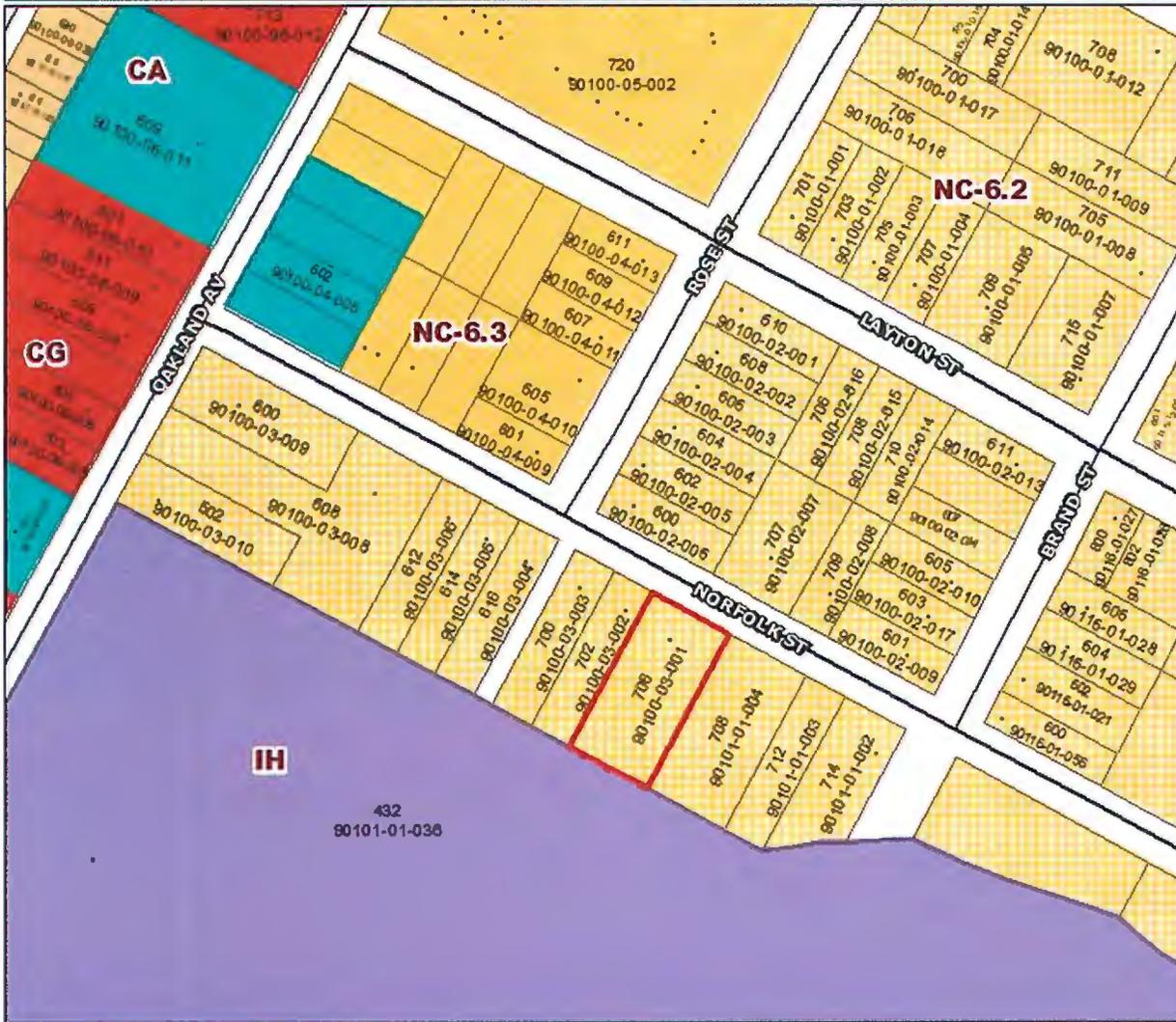


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00 30 0 60 Feet

Date: 2/3/2022

# 706 Norfolk Street Current Zoning Map



- Legend**
- Parcels
  - Zoning District
  - Neighborhood Conservation Sub-Districts
    - NC-6.2
    - NC-6.3
    - NC-4
  - Business and Commercial Districts
    - CA
    - CG
  - Industrial Zoning Districts
    - IH

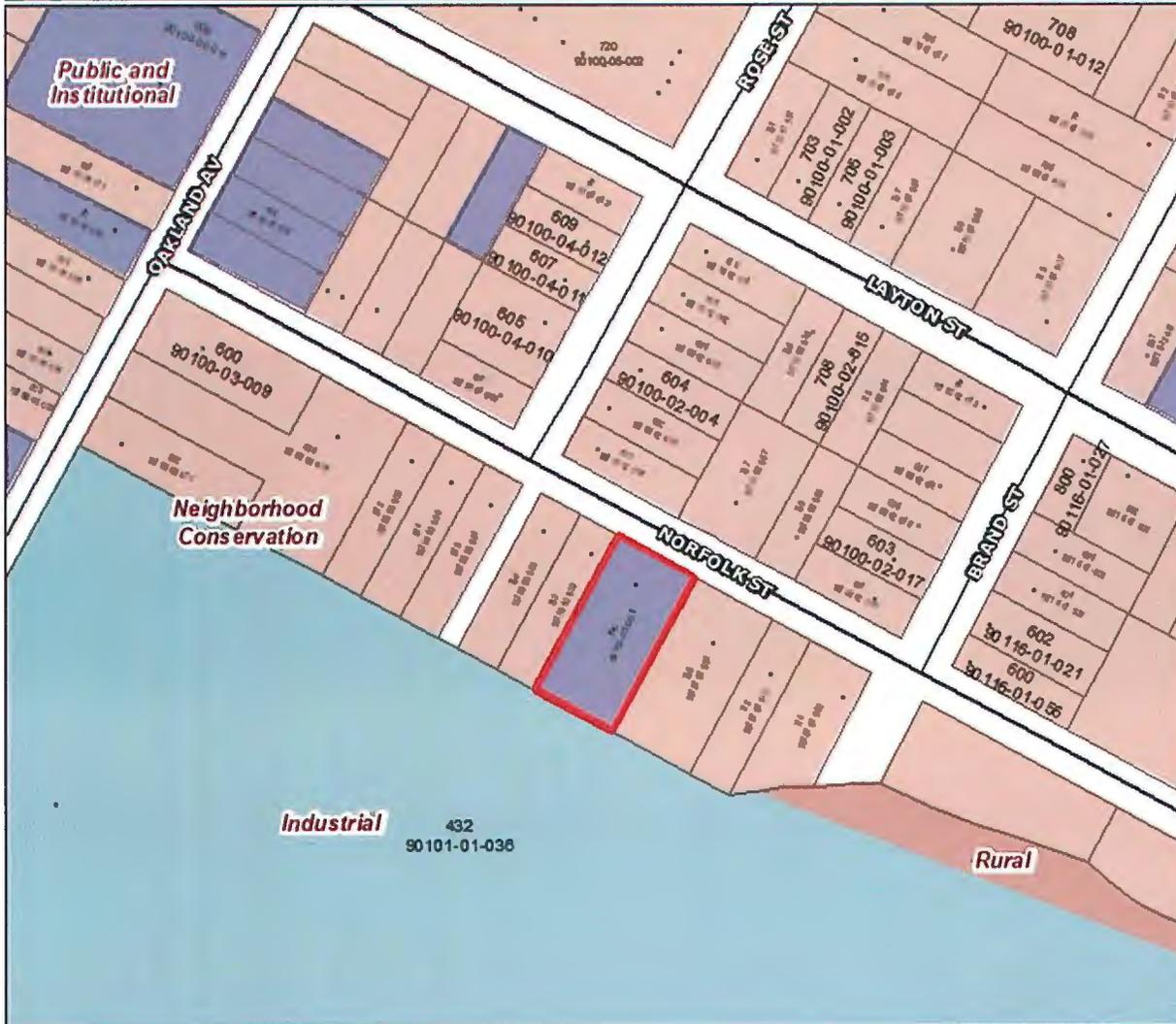


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Date: 2/3/2022

## 706 Norfolk Street Future Land Use



### Legend

Parcels

Future Land Use 2010

Future Land Use

Industrial

Neighborhood Conservation

Public and Institutional

Rural



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Date: 2/3/2022

VI. b.  
Bill No. 2022-06  
First Reading

FLORENCE CITY COUNCIL MEETING

**DATE:** March 14, 2022

**AGENDA ITEM:** Ordinance to Annex the Bluffs at Mill Creek, located on Howe Springs Road, TMN 00152-01-021

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

---

**I. ISSUE UNDER CONSIDERATION:**

Request to annex 106 acres on Howe Springs Road at Redbud Lane identified as Tax Map Number 00152-01-021 into the City of Florence to develop the Bluffs at Mill Creek subdivision. The request is being made on behalf of the developer/future owner.

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

- (1) On September 14, 2021, the Planning Commission held a public hearing on this matter, and voted unanimously, 6-0, to assign the zoning designation of RG-3 to the parcel.
- (2) On September 14, 2021, the Planning Commission held a public hearing on this matter, and voted unanimously, 6-0, to approve a Development Agreement between the City of Florence and the Developer/Property Owner. The development agreement requires annexation of the property prior to development activity.
- (3) On October 11, 2021, City Council approved the Development Agreement, and it was adopted on November 8, 2021 as Ordinance 2021-34.
- (4) Public hearings were held on September 14, 2021 and October 11, 2021 regarding the zoning and development agreement.

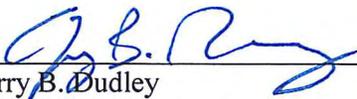
**III. POINTS TO CONSIDER:**

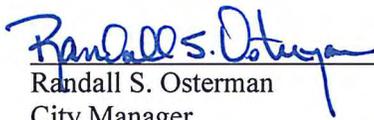
- (1) The request for annexation is being considered for first reading.
- (2) The parcel is currently vacant and undeveloped.
- (3) The intended development of the parcel is a single-family residential subdivision to be constructed in three phases.
- (4) Water service is currently available to the parcel. The developer is extending the sewer service per the development agreement with the City.

**IV. PERSONAL NOTES:**

**V. ATTACHMENTS:**

- (1) Ordinance
- (2) Vicinity Map
- (3) Annexation Petition

  
Jerry B. Dudley  
Planning Director

  
Randall S. Osterman  
City Manager

ORDINANCE NO. 2022 - \_\_\_\_\_

**AN ORDINANCE TO ANNEX THE BLUFFS AT MILL CREEK, LOCATED ON HOWE SPRINGS ROAD AND IDENTIFIED AS TAX MAP NUMBER 00152-01-021.**

**WHEREAS,** a Public Hearing was held in Council Chambers on September 14, 2021 at 6:00 P.M. before the City of Florence Planning Commission, and notice of said hearing was duly given;

**WHEREAS,** application by Tri-Zenith Company, owner of TMN 00152-01-021, 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 given the zoning district classification of **RG-3** upon annexation;

**WHEREAS,** the second of two Public Hearings was held in Council Chambers on October 11, 2021 at 1:00 p.m. before the City of Florence City Council, and notice of said hearing was duly given;

**WHEREAS,** the City of Florence entered into a development agreement with the Developer/Future Owner of the Bluffs at Mill Creek property upon annexation;

**The property requesting annexation is shown more specifically on Florence County Tax Map 00152, block 01, parcel 021 (106.097786 acres) and on the plat filed in Plat Book 771 at page 1138.**

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

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

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

1. That an Ordinance is hereby adopted annexing into the City Limits of the City of Florence the aforesaid property and amending the Zoning Atlas to the aforesaid zoning classifications.
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.

Ordinance No. 2022 - \_\_\_\_\_

Page 2

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

Approved as to form:

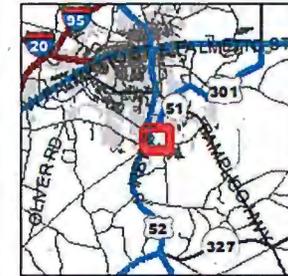
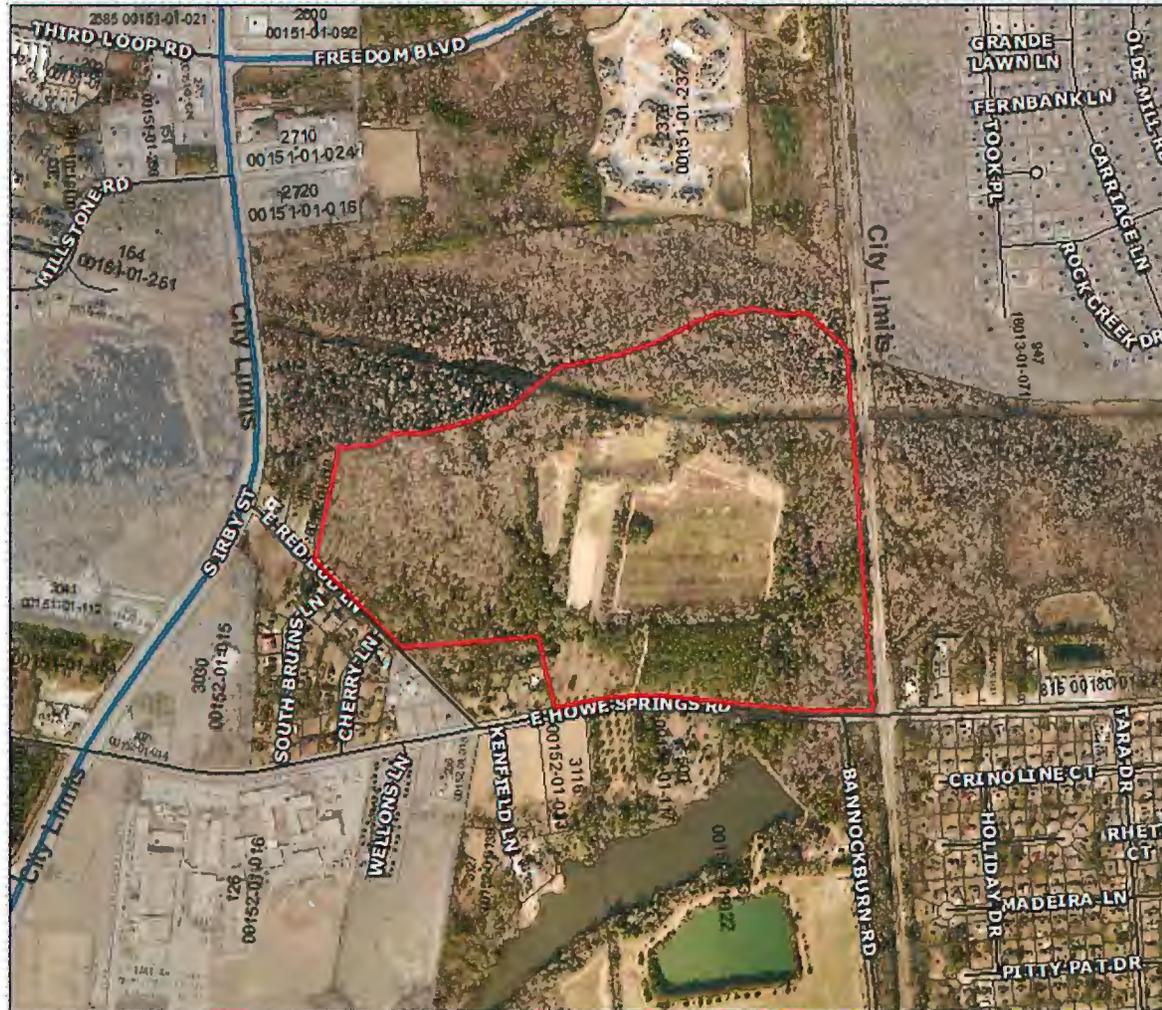
\_\_\_\_\_  
**James W. Peterson, Jr.**  
City Attorney

\_\_\_\_\_  
**Teresa Myers Ervin,**  
Mayor

**Attest:**

\_\_\_\_\_  
**Casey C. Moore**  
Municipal Clerk

## Vicinity Map - The Bluffs at Mill Creek



### Legend

-  City Limits
-  Parcels
-  Proposed Parcel



**DISCLAIMER:**  
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Date: 3/4/2022

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 Number: 000152-01-021
3. Annexation is being sought for the following purposes: Residential subdivision
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 0 Race \_\_\_\_\_  
 Total 18 and Over \_\_\_\_\_ Total Registered to Vote \_\_\_\_\_

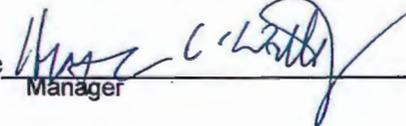
APPLICANT (S) (Please print or type):

Name(s): Tri-Zenith Company, LLC

Address: 248 West Evans Street, Florence, SC 29501

Telephone Numbers: 843-662-3258 [work] \_\_\_\_\_ [home]

Email Address: hwillcox@willcoxlaw.com

Signature  Date 2/8/22  
 Manager

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date <u>2/8/22</u>	<u></u>

FLORENCE CITY COUNCIL MEETING

**DATE:** March 14, 2022

**AGENDA ITEM:** Ordinance to Rezone from PDD to AC a portion of the parcel located on Second Loop Road, TMN 90030-02-007

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

---

**I. ISSUE UNDER CONSIDERATION:**

A request to rezone from PDD to AC a portion of the parcel located on Second Loop Road, said property being specifically designated in the Florence County Tax Records as Tax Map Number 90030-02-007. The request is being made by the developer on behalf of the property owner.

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

On February 8, 2022, the City of Florence Planning Commission held a public hearing on this matter and voted 7-0 to recommend the parcel be rezoned from PDD to AC.

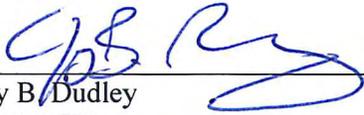
**III. POINTS TO CONSIDER:**

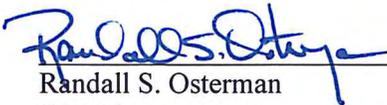
- (1) The 4 acre lot is currently zoned both Planned Development District and Activity Center. The split zoning resulted from a 2005 rezoning when TMN 90030-02-007 consisted of two separate lots, 90030-02-001 and -007. Lot -001 was rezoned at that time from R-1 to PDD, and -007 remained B-2. The two parcels were combined at a later date, but the disparate zoning districts were not corrected at that time. When the *Unified Development Ordinance* zoning map was applied in 2018, the B-2 section was designated AC and the PDD portion remained.
- (2) The applicant wishes to rezone the portion that is currently PDD to AC to match the portion of the lot that abuts Second Loop Road. The intended use of the parcel following rezoning is to construct apartment buildings, which is a permitted use in the AC.
- (3) The request is for first reading.

**IV. PERSONAL NOTES:**

**V. ATTACHMENTS:**

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

  
Jerry B. Dudley  
Planning Director

  
Randall S. Osterman  
City Manager

**ORDINANCE NO. 2022 - \_\_\_\_\_**

**AN ORDINANCE TO REZONE PROPERTY IDENTIFIED AS A PORTION OF A LOT ON SECOND LOOP ROAD, TAX MAP NUMBER 90030-02-007 FROM PLANNED DEVELOPMENT DISTRICT TO ACTIVITY CENTER ZONING DISTRICT:**

**WHEREAS**, a Public Hearing was held in City Council Chambers on February 8, 2022 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS**, the property owner made application to rezone a portion of the lot from PDD Planned Development District to AC Activity Center;

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

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

1. That an Ordinance is hereby adopted by amending the Zoning Atlas of the City of Florence for the aforesaid property to AC;
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 \_\_\_\_\_, 2022

Approved as to form:

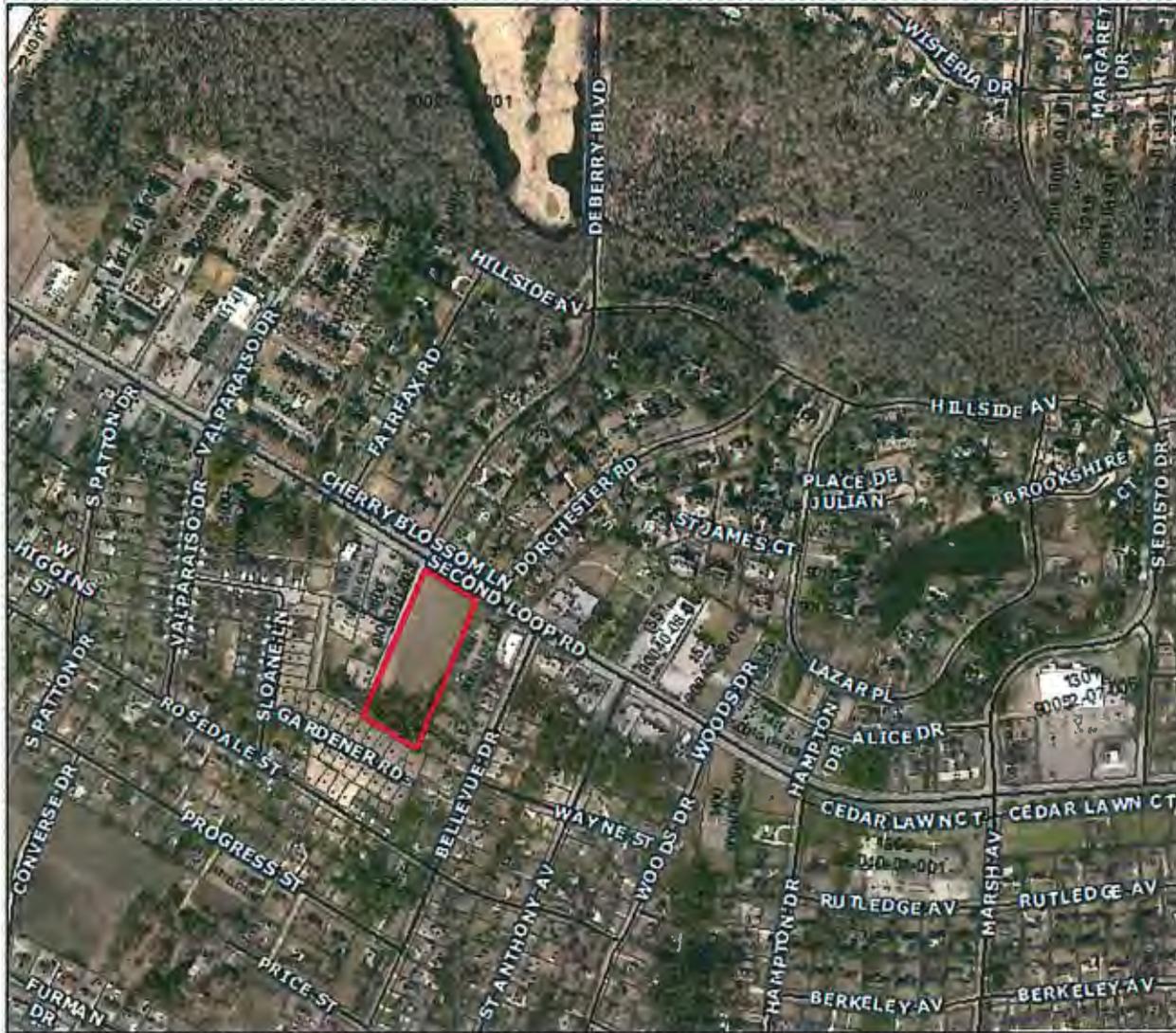
\_\_\_\_\_  
**James W. Peterson, Jr.**  
City Attorney

\_\_\_\_\_  
**Teresa Myers Ervin**  
Mayor

**Attest:**

\_\_\_\_\_  
**Casey C. Moore**  
Municipal Clerk

## Vicinity Map - Second Loop Road



### Legend

-  Parcels
-  Proposed Parcel



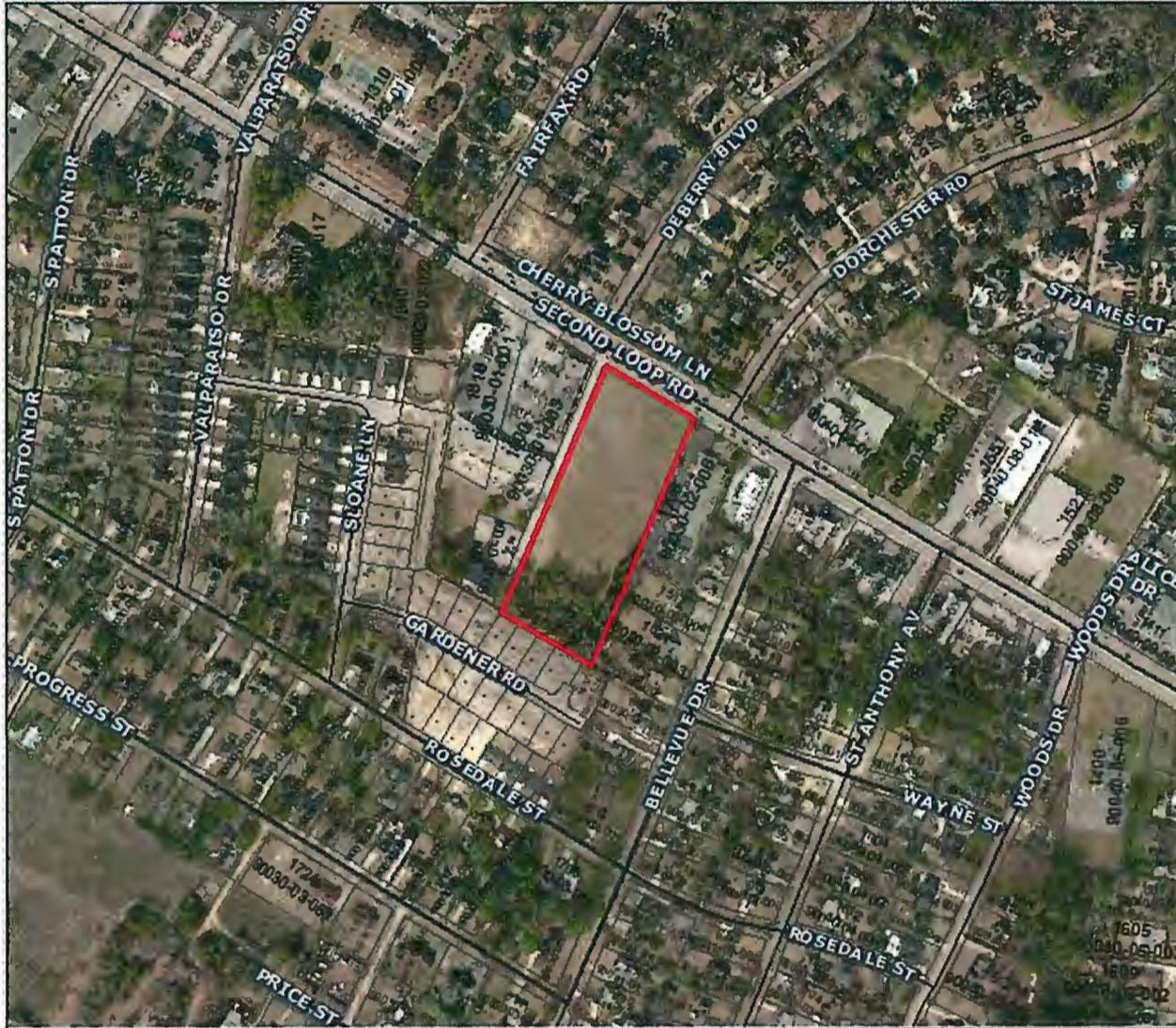
**DISCLAIMER:**  
 The City of Florence Department of Planning, Research, and Development data represented on this map is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to its accuracy. Its use without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

400 200 0 400 Feet



Date: 2/23/2022

## Location Map - Second Loop Road



### Legend

-  Parcels
-  Proposed Parcel



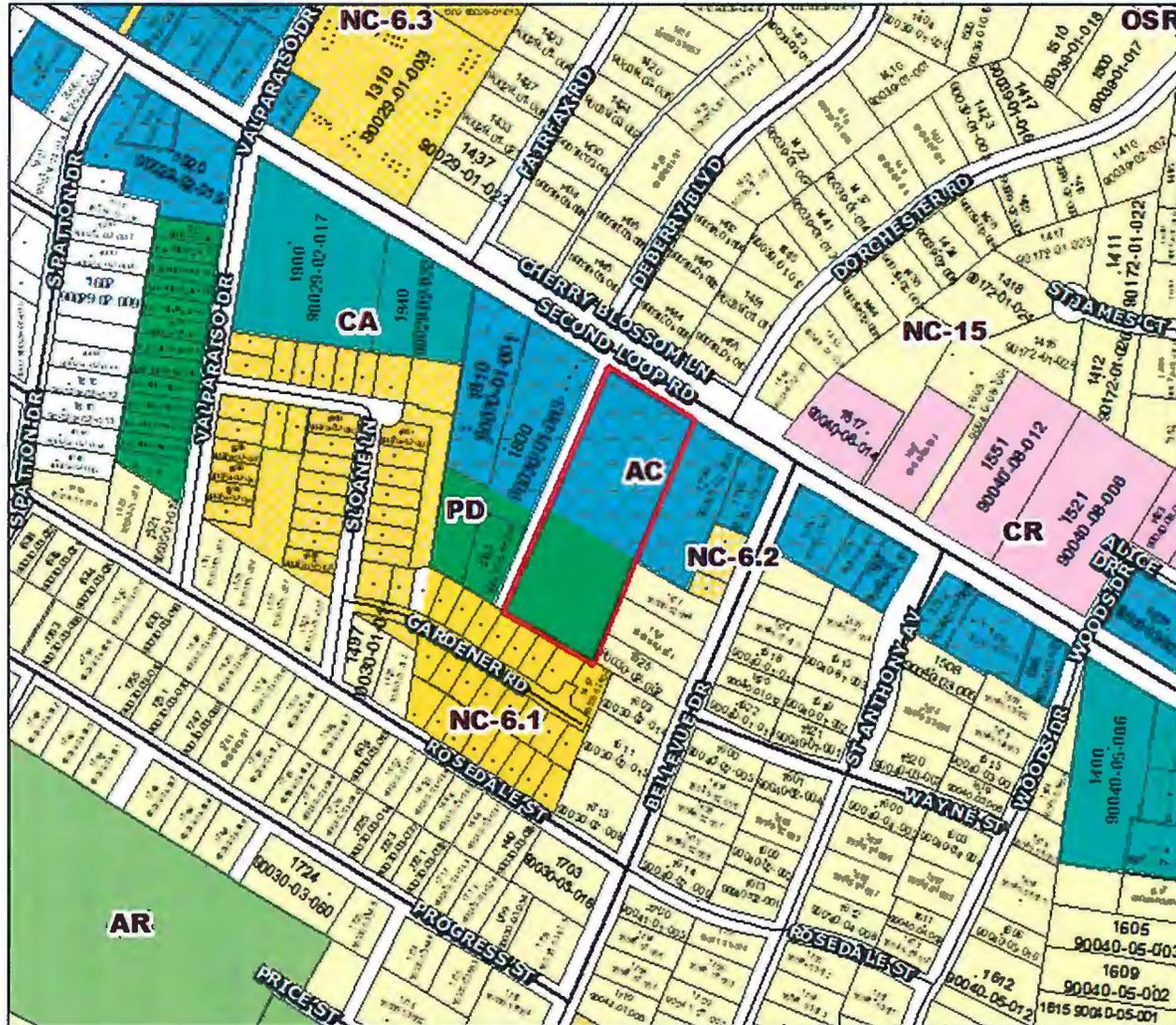
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400 200 0 400 Feet



Date: 2/23/2022

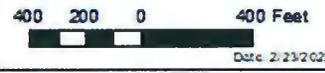
# Current Zoning - Second Loop Road



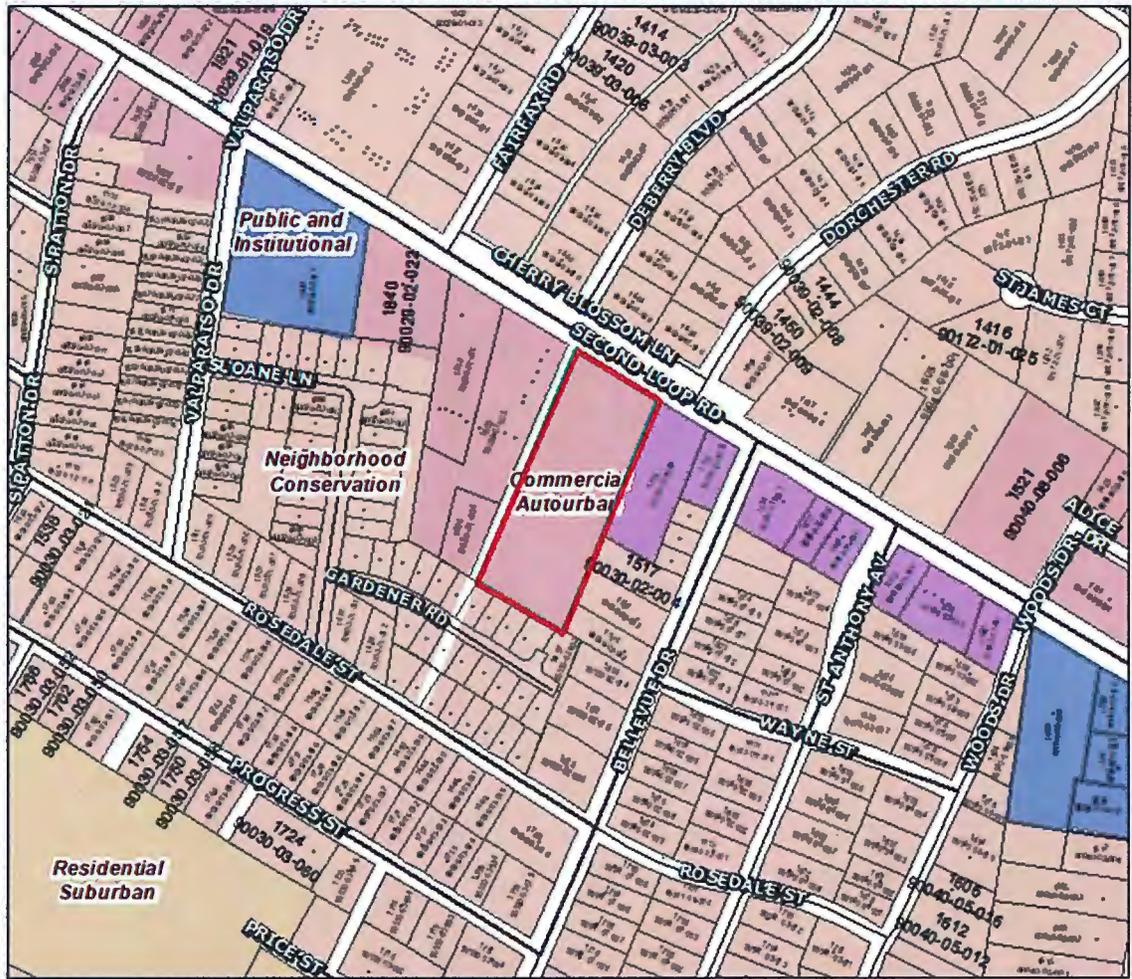
- Legend**
- ▭ Parcels
  - Zoning District**
  - Agricultural and Open Space Districts**
  - AR
  - OSR
  - Residential Districts**
  - PD
  - Neighborhood Conservation Sub-Districts**
  - NC-15
  - NC-10
  - NC-6.1
  - NC-6.2
  - NC-6.3
  - Business and Commercial Districts**
  - CR
  - CA
  - Mixed-Use Districts**
  - AC



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## Future Land Use - Second Loop Road



- Legend**
- Parcels
  - Future Land Use 2010**
  - Future Land Use**
  - Auto-Urban Commercial
  - Neighborhood Conservation
  - Parks and Open Space
  - Public and Institutional
  - Residential Sub-Urban
  - Sub-Urban Commercial



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Date: 2/23/2022

FLORENCE CITY COUNCIL MEETING

**DATE:** March 14, 2022

**AGENDA ITEM:** Request to consider the abandonment of City right-of-way located behind 900 and 902 Oakland Avenue, identified as Florence County Tax Map Numbers 90114-13-001 and 90114-13-013.

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

---

**I. ISSUE UNDER CONSIDERATION:**

An Ordinance for the abandonment of the City of Florence right of way, specifically a portion of an unopened and undeveloped portion adjacent to 900 and 902 Oakland Avenue. The property is bounded on the North by an extension of the northern property line of Tax Map Number 90114-13-013; Maxwell Street proper to the South; Tax Map Numbers 90114-13-001 and 90114-13-013 to the West; and Tax Map Number 90114-13-002 to the East.

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

(1) On February 8, 2022 the City of Florence Planning Commission held a public hearing on this matter, and voted unanimously, 7-0 to recommend the right-of-way abandonment to City Council.

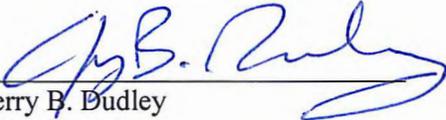
**III. POINTS TO CONSIDER:**

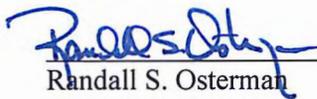
- (1) Request is being considered for first reading.
- (2) The request was made by the owner of 900 Oakland Avenue, 902 Oakland Avenue, and 607 Maxwell Street.
- (3) Only the portion of undeveloped and unopened right-of-way between 900 Oakland Avenue, 902 Oakland Avenue, and 607 Maxwell Street is being proposed for abandonment.
- (4) This approximately 15' wide, 100' long right-of-way appears to have been part of the road network and may have acted as a service alley for homes and businesses.
- (5) 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 right-of-way.
- (6) If the right-of-way is abandoned by the City, the property can be conveyed to the adjacent property owner, thus placing the right-of-way into private ownership.

**IV. PERSONAL NOTES:**

**V. ATTACHMENTS:**

- A. Ordinance
- B. Vicinity Map
- C. Location Map
- D. Utility Map

  
Jerry B. Budley  
Planning Director

  
Randall S. Osterman  
City Manager

**ORDINANCE NO. 2022-\_\_\_\_\_**

**AN ORDINANCE TO ABANDON INTEREST IN THE CITY OF FLORENCE RIGHT-OF-WAY LOCATED BEHIND 900 AND 902 OAKLAND AVENUE, IDENTIFIED AS FLORENCE COUNTY TAX MAP NUMBERS 90114-13-001 AND 90114-13-013. THE PROPERTY IS BOUNDED ON THE NORTH BY AN EXTENSION OF THE NORTHERN PROPERTY LINE OF TAX MAP NUMBER 90114-13-013; MAXWELL STREET PROPER TO THE SOUTH; TAX MAP NUMBERS 90114-13-001 & 90114-13-013 TO THE WEST; AND TAX MAP NUMBER 90114-13-002 TO THE EAST.**

**WHEREAS**, a request has been made for the City to abandon its interest in the unopened portion of the right-of-way adjacent to Florence County Tax Map Numbers 90114-13-001 and 90114-13-013, and;

**WHEREAS**, a Public Hearing was held in the City Center Council Chambers on February 8, 2022 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 March 14, 2022 City Council meeting as required by City Code Section 2-28(b) and adjacent property owners and utility providers were notified;

**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 portion of right-of-way so described, which will convey to the abutting property owner 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 \_\_\_\_\_, 2022

Approved as to form:

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

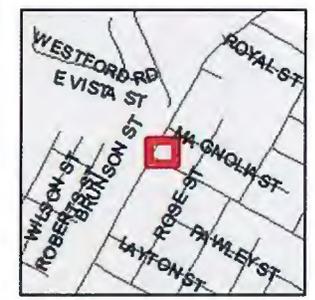
\_\_\_\_\_  
Teresa Myers Ervin  
Mayor

Attest:

\_\_\_\_\_  
Casey C. Moore  
Municipal Clerk



### Location Map 900 & 902 Oakland Avenue



**Legend**  
[ ] Parcels

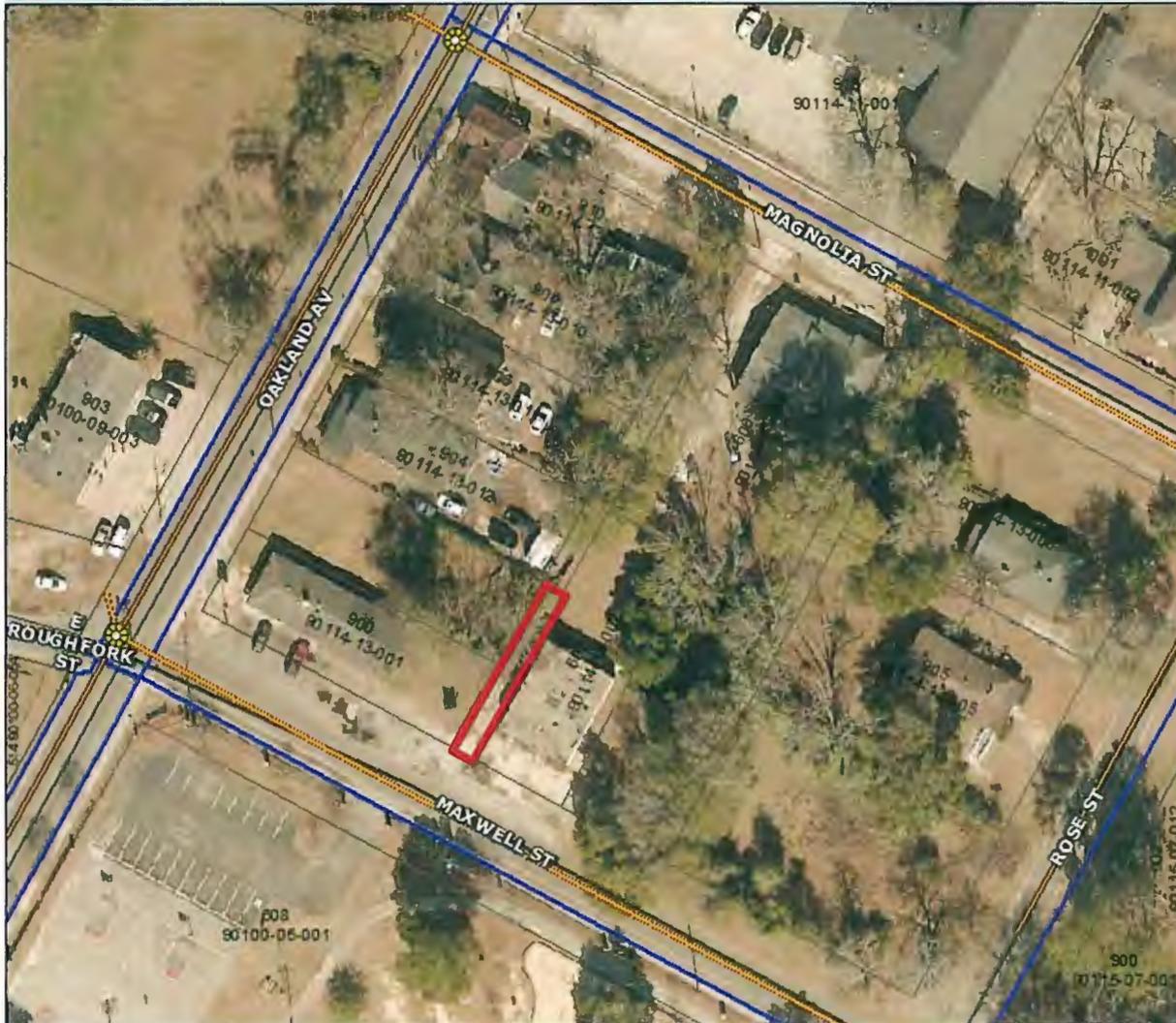


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Date: 2/24/2022

### 900 & 902 Oakland Avenue ROW Abandonment Utility Map



#### Legend

-  Manhole
-  Gravity Main
-  Water Mains
-  Parcels



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Date: 2/24/2022

**FLORENCE CITY COUNCIL MEETING**

**VII. a.  
Resolution No.  
2021-41**

**DATE:** November 08, 2021  
**AGENDA ITEM:** Resolution  
**DEPARTMENT/DIVISION:** City Manager's Office

**I. ISSUE UNDER CONSIDERATION**

A resolution to authorize staff to lease property located at 719 Walnut Street to the Pee Dee Community Action Agency to be used in their Transitional Shelter Program.

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

1. In 2009, the City of Florence allowed the Pee Dee Community Action Agency to use the house at 719 Walnut Street in their housing program for approximately three (3) years when they experienced a fire at their transitional housing shelter.
2. The City of Florence leased 719 Walnut Street to the Pee Dee Community Action Agency in January 2012 for five (5) years with an automatic renewed for one additional term of five (5) years.
3. The current lease expires in January 2022.
4. The Pee Dee Community Action Agency has requested to renew the lease on 719 Walnut Street.

**III. POINTS TO CONSIDER**

1. The Community Action Agency is a non-profit organization that has a Transitional Shelter Program that assists the homeless population.
2. Historically, the City of Florence has assisted the Pee Dee Community Action Agency and its Transitional Shelter.
3. As required by the City Code of Ordinances, City Council must approve of the City Manager to execute the necessary documentation to lease city-owned property.

4. The lease will be for five (5) years and shall be automatically renewed for one additional term of five (5) years under the same terms and conditions as the initial lease.
5. The lease will require the Pee Dee Community Action Agency to be solely responsible for the maintenance and upkeep of the property and maintain insurance on the property.

**IV. OPTIONS:**

City Council may:

1. Approve and adopt the Resolution as presented.
2. Defer should additional information be needed.
3. Suggest an alternative Resolution.
4. Deny the Resolution.

**V. PERSONAL NOTES:**

**VI. ATTACHMENTS**

1. Proposed Resolution
2. Proposed Lease
3. Letter of request from the Community Action Agency



\_\_\_\_\_  
Scotty Davis  
Deputy City Manager



\_\_\_\_\_  
Randall Osterman  
City Manager

October 20, 2021

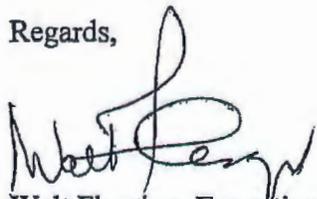
RE: 719 Walnut Street Residence

Dear Mr. Davis

Over the past several years, PDCAP has utilized the residence located at 719 Walnut Street to provide housing for homeless clients. During that time, the agency has been able to assist countless individuals and families that were not able to receive shelter due to capacity. Along with regular maintenance, there has been extensive repairs made for the upkeep of the home.

It is with hope that the agency can continue to utilize the home to provide a safe haven for homeless individuals and families. Please accept this letter as a formal request to extend the current agreement for an additional 10 years.

Regards,



Walt Fleming, Executive Director

**Serving: Florence / Marion / Dillon Counties**

2685 S. Irby Street Post Office Box 12670 Florence, South Carolina 29505

Office:(843) 678-3400 Fax (843) 678-3404



Reverend Robert B. Cooper, Sr., Board Chair  
Walter Fleming, Jr. Executive Director

---

December 6, 2021

Alberta Durant  
Pee Dee Community Action Partnership  
2685 South Irby Street  
Florence SC, 29501

Scotty Davis  
Deputy City Manager  
324 West Evans Street  
Florence, SC 29501

Dear Scotty,

As you know the Emergency Shelter has changed Directors twice since Rev. Mack Hines left in FY 2013. Due to Personal Identifiable Information (PII), we are unable to disclose names of the Emergency Shelter residents.

Initially we used the house on Walnut Street to house families in emergency situations. However, in the last few years we have used the house for our Rapid Rehousing Program which is used as permanent housing under our Emergency Shelter Grant funded by OEO.

Regards

A handwritten signature in black ink, appearing to read 'Alberta Durant'. The signature is fluid and cursive.

Alberta Durant, Fiscal Director

---

Serving: Florence / Marion / Dillon Counties

2685 S. Irby Street Post Office Box 12670 Florence, South Carolina 29505  
Office:(843) 678-3400 Fax (843) 678-3404 Email: info@peedeeccap.org



**RESOLUTION NO. 2021-**

**WHEREAS**, that certain real property consisting of a house and lot in the City of Florence known as 719 Walnut Street and being designated as tax map parcel 90-118-13-020 in the records of the Florence County Tax Assessor; and

**WHEREAS**, said property is surplus property and not being used by the City of Florence; and

**WHEREAS**, the Pee Dee Community Action Agency has leased said property from the City of Florence and used it in their Transitional Shelter Program since 2012; and

**WHEREAS**, The Pee Dee Community Action Agency has proposed to continue to lease said property to use the home to house a family pursuant to its Transitional Shelter Program; and

**WHEREAS**, it is hereby determined that the leasing of said property for use in this program will accomplish the goal of the City to provide good and affordable housing to deserving but financially challenged families and is in the best interest of the City of Florence and to the benefit of the citizens of the City of Florence;

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

1. That, pursuant to §5-7-260(6) of the South Carolina Code of Laws, as amended, and §2-26(8) of the Code of Ordinances of the City of Florence, the City Manager of the City of Florence is hereby authorized to execute the necessary documentation to lease the property described above, including but not limited to the Lease attached hereto.
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 \_\_\_\_\_, 2021.**

Approved as to form:

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

\_\_\_\_\_  
TERESA MYERS ERVIN  
Mayor

Attest:

\_\_\_\_\_  
CASEY MOORE  
Municipal Clerk



**ARTICLE V**  
**Place of Payment and Notices**

Unless notified in writing to the contrary by the Lessor, all payments and notices hereunder by Lessee shall be made to the Lessor at:

Office of the City Manager  
Florence City-Center  
324 West Evans Street  
Florence, South Carolina 29501.

The address and contact for Lessee, Unless notified in writing to the contrary by the Lessee, shall be: Pee Dee Community Action Agency.

**ARTICLE VI**  
**Quiet Possession**

Lessor covenants and warrants that if Lessee discharges the obligation herein set forth to be performed by the Lessee, the Lessee shall have and enjoy during the term of this lease the quiet and undisturbed possession of the leased premises together with all appurtenances thereto without hindrance from the Lessor.

**ARTICLE VII**  
**Subletting Pursuant to the Transitional Shelter Program**

The Lessee may sublet the leased premises to a family pursuant to the Pee Dee Community Action – Transitional Shelter

**ARTICLE**  
**Taxes**

It is understood and agreed by and between the parties hereto that in each year during the term of this lease the Lessee shall be responsible for payment of any city and county ad valorem taxes due on said premises.

**ARTICLE IX**  
**Insurance**

Lessor will during the term of this lease, keep the building on the leased premises insured by a responsible and reputable insurance company against loss or damage by fire and extended coverage. Lessee shall be solely responsible for maintaining proper and adequate insurance upon the contents of said building and upon all its property located within the said building. Lessee shall further maintain general liability coverage with limits of not less than One Million and no/100 (\$1,000,000.00) Dollars, protecting itself and the Lessor herein from liability for injuries to persons or property which may occur upon the leased premises.

**ARTICLE X**  
**Improvements and Repairs**

Lessee shall keep and maintain the interior and exterior of said building including, but not limited to, wiring, plumbing, heating and air conditioning, the interior and exterior walls, equipment, and roof at its own expense and shall keep the same in good order and repair. All glass, including windows and doors, of the building shall be the responsibility of the Lessee. At the end of the lease term shall surrender such premises and improvements in good condition to the Lessor with normal wear and tear excepted.

#### **ARTICLE XI Damage and Destruction**

Should the whole or any part of the building or other improvements on the leased premises be partially or totally destroyed by fire or other cause, if Lessor determines that repair or replacement of the building is financially unwise and not in the best interest of either or both parties to this lease, the Lessor shall have the option of notifying the Lessee that it will not repair or replace the building and in such event this lease shall terminate as of the date of such damage or destruction.

#### **ARTICLE XII Indemnity**

Lessor shall not be liable to Lessee or to any other person for any personal injury, loss or damage to any personal property in or upon the leased premises and Lessee assumes all liability for or on account of any such injury, loss or damage and shall save the Lessor harmless therefrom.

#### **ARTICLE XIII Title to Improvements**

In the event of default or termination of this lease for any reason, either at the end of said lease or during the term of said lease, all improvements constructed upon the leased premises shall become the property of the Lessor.

#### **ARTICLE XIV Default**

Every provision of this lease is a condition and covenant on the part of the Lessee and Lessor and failure to comply with any of said provisions shall constitute default and shall give the Lessor the right of cancellation of this lease in the following manner:

- (a) Upon notice of Lessee's default in any other condition of this lease, the Lessor shall give the Lessee written notice of such default and if such default continues for a period of thirty (30) days following the receipt of said notice by the Lessee, the Lessor shall have the full right at its election to enter the leased premises and building thereon and take immediate possession thereof.
- (b) In the event the Lessee shall have filed against it or for it a petition in bankruptcy alleging insolvency for reorganization or for appointment of a receiver or any proceeding of a similar type the Lessor shall have the right to cancel this lease in the manner described heretofore as though a provision of this lease had been violated by the Lessee and

default had occurred.

**ARTICLE XV  
Ordinances**

The Lessee shall at its own cost and expense, promptly observe and comply with all laws, rules, orders, ordinances and regulations of the federal, state, and city government and any and all of their departments and bureaus including all environmental regulations, and will use no part of said premises in any manner so as to create a nuisance or for any unlawful purpose.

**ARTICLE  
Paragraph Headings**

The headings used herein for each paragraph are used only for convenience and are not intended to explain the nature or contents of each paragraph.

**ARTICLE XVII  
No Estate in Land**

This contract shall create the relationship of landlord and tenant between the Lessor and Lessee; no estate shall pass out of the Lessor; the Lessee has only a usufruct, not subject to levy and sale.

**ARTICLE XVIII  
Holding over**

If the Lessee remains in possession after expiration of the terms hereof, with the Lessor's acquiescence and without any distinct agreement of parties, the Lessee shall be a tenant at will, and there shall be no renewal of this lease by operation of law.

**ARTICLE XIX  
Save Harmless**

The Lessee shall be liable for and shall hold the Lessor harmless in respect of damage or injury to the leased premises, or the person or property of the Lessor, or anyone else, if due to act of neglect of the Lessee or anyone under its control or its employ.

**ARTICLE XX  
Amendment**

It is hereby agreed that none of the terms or conditions of this lease may be changed or amended except by written agreement signed by all parties hereto.

**ARTICLE XXI  
Binding Effect**

All parties hereto agree that this lease shall be binding upon each respective party and their heirs, successors and assigns.

**ARTICLE XXII**  
**Entire Agreement**

This lease contains the entire agreement of the parties and no representations, inducements, promises or agreements, oral or otherwise, between the parties not embodied herewith shall be of any force or effect.

All rights, powers and privileges conferred hereunder upon the parties hereto shall be cumulative but not restrictive to those given by law.

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seals this \_\_\_\_\_ day of November, 2021.

**IN THE PRESENCE OF:**

\_\_\_\_\_

\_\_\_\_\_  
(As to Lessor)

**LESSOR:**

City of Florence

By: \_\_\_\_\_ (Seal)

**IN THE PRESENCE OF:**

\_\_\_\_\_

\_\_\_\_\_  
(As to Lessee)

**LESSEE:**

Pee Dee Community Action Agency

By: \_\_\_\_\_ (Seal)

FLORENCE CITY COUNCIL MEETING

**DATE:** March 14, 2022  
**AGENDA ITEM:** Resolution  
**DEPARTMENT/DIVISION:** City Council

---

**I. ISSUE UNDER CONSIDERATION:**

A Resolution to proclaim the month of April as Fair Housing Month in the City of Florence.

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

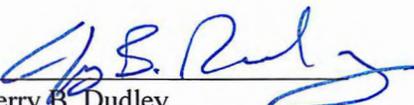
1. The Fair Housing Act was enacted as Title VIII of the Civil Rights Act of 1968, and codified at 42 U.S.C. 3601-3619, with penalties for violation at 42 U.S.C. 3631. It is enforced by the United States Department of Housing and Urban Development.

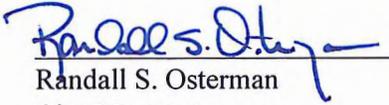
**III. POINTS TO CONSIDER:**

1. The Fair Housing Act is intended to protect the buyer or renter of a dwelling from seller or landlord discrimination. Its primary prohibition makes it unlawful to refuse to sell, rent to, or negotiate with any person because of that person's inclusion in a protected class. The goal is a unitary housing market in which a person's background – as opposed to financial resources – does not arbitrarily restrict access.
2. The legislation was the culmination of a civil rights campaign against housing discrimination in the United States and was approved by President Lyndon B. Johnson.
3. The Fair Housing Act has been strengthened since its adoption in 1968, but enforcement continues to be a concern among housing advocates.

**IV. ATTACHMENTS:**

1. Proposed Resolution

  
Jerry B. Dudley  
Planning Director

  
Randall S. Osterman  
City Manager

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

**RESOLUTION 2022-09**

**WHEREAS,** Title VIII of the Civil Rights Act of 1968, prohibits discrimination in housing and declares it a national policy to provide for fair housing in the United States; and

**WHEREAS,** The principle of Fair Housing is not only national law and national policy, but a fundamental human concept and right for all Americans; and

**WHEREAS,** National Fair Housing Law, during the month of April, provides an opportunity for all Americans to recognize that the issue of fair housing continues to be a problem for many families of all races and that complete success can only be accomplished with the help and cooperation of all Americans; and

**WHEREAS,** The City of Florence in its commitment to Fair Housing, proclaim the Month of April as Fair Housing Month, and urge all of our citizens to join in this effort to reaffirm our individual commitment to support the practice and the spirit of the Fair Housing Law.

**NOW THEREFORE BE IT RESOLVED,** the City Council of the City of Florence, in the State of South Carolina, do hereby proclaim the month of April as

**“Fair Housing Month”**

RESOLVED THIS 14<sup>TH</sup> DAY OF MARCH, 2022.

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Teresa Myers-Ervin  
Mayor

Attest:

\_\_\_\_\_  
Casey C. Moore  
Municipal Clerk

VII. c.  
Resolution No.  
2022-10

FLORENCE CITY COUNCIL MEETING

**DATE:** March 14, 2022  
**AGENDA ITEM:** Resolution  
**DEPARTMENT/DIVISION:** City Council  
Sponsored by Councilman McCall

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**I. ISSUE UNDER CONSIDERATION:**

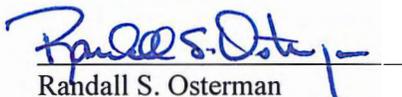
A Resolution honoring Lil Jazz's contributions to the efforts to revitalize downtown Florence.

**II. POINTS TO CONSIDER:**

1. The investment by Lil Jazz's in Florence is playing a role in the continued development of Florence's Downtown Business District.
2. Upon recommendation from the Greater Florence Chamber of Commerce, Florence City Council recognizes businesses that have made contributions to the development of downtown.

**III. ATTACHMENTS:**

1. Proposed Resolution

  
\_\_\_\_\_  
Randall S. Osterman  
City Manager

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

**RESOLUTION NO. 2022-10**

**A RESOLUTION HONORING LIL JAZZI'S CONTRIBUTIONS TO THE EFFORTS TO  
REVITALIZE DOWNTOWN FLORENCE**

- WHEREAS,** the owner of Lil Jazzi's, Mrs. Andrena Mullins, and her family have established a locally owned and operated eating establishment in Downtown Florence and are small business owners and pillars of the community; and
- WHEREAS,** the investment by Lil Jazzi's is welcomed and is playing a role in the continued development of Florence's Downtown Business District, and
- WHEREAS,** the owners are contributors to the community's growth through their community service, customer engagement, and inviting atmosphere; and
- WHEREAS,** the Greater Florence Chamber of Commerce has requested that the City recognize the business efforts of Lil Jazzi's and its contributions to our community; and

**NOW, THEREFORE, BE IT RESOLVED:**

**THAT,** upon the petition of the Greater Florence Chamber of Commerce and in recognition of Lil Jazzi's contributions to the continued efforts to revitalize downtown Florence, the City Council of the City of Florence hereby declares the months of January through March, the Lil Jazzi's quarter.

**AND IT IS SO RESOLVED,** this 14<sup>th</sup> day of March, 2022.

\_\_\_\_\_  
TERESA MYERS ERVIN, MAYOR

\_\_\_\_\_  
GEORGE D. JEBAILY, MAYOR PRO TEM

\_\_\_\_\_  
C. WILLIAM SCHOFIELD, DISTRICT 1

\_\_\_\_\_  
PAT GIBSON-HYE MOORE, DISTRICT 2

\_\_\_\_\_  
BRYAN A. BRADDOCK, DISTRICT 3

ATTEST:

\_\_\_\_\_  
LETHONIA BARNES, AT-LARGE

\_\_\_\_\_  
CASEY C. MOORE, MUNICIPAL CLERK

\_\_\_\_\_  
CHAQUEZ T. MCCALL, AT-LARGE

APPROVED AS TO FORM:

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

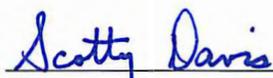
VIII. a.  
Report to Council  
Boards & Commissions

FLORENCE CITY COUNCIL MEETING

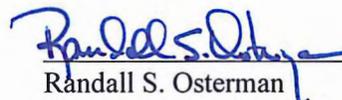
**DATE:** March 14, 2022  
**AGENDA ITEM:** Report to Council  
**DEPARTMENT/DIVISION:** City Council

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- I. ISSUE UNDER CONSIDERATION:**  
Council will consider nominations for City Boards and/or Commissions.
- II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**  
There are four (4) Boards or Commissions that have either vacancies and/or expired terms.
- III. ATTACHMENTS:**  
(1) Spreadsheet of Council Nominations to Boards and Commissions.  
(2) Nomination Packet.



Scotty Davis  
Deputy City Manager



Randall S. Osterman  
City Manager

**SCHEDULE OF COUNCIL NOMINATIONS TO BOARDS AND COMMISSIONS - MARCH 2022**

	District 1	District 2	District 3	At-Large 1	At-Large 2	At-Large-3	Mayor
	Schofield	Moore	Braddock	Jebaily	Barnes	McCall	Ervin
City of Florence Board of Zoning Appeals						x	
Construction & Maintenance Board							x <sup>2</sup>
Aesthetics Advisory Committee							x
		x					
Resilience and Sustainability Advisory Committee		x		x			

## CITY OF FLORENCE BOARD OF ZONING APPEALS

### **I. NOMINATIONS:**

There is one (1) vacancy on the Board of Zoning Appeals.

Ms. Shelanda Deas has resigned her position on this Board. The unexpired term of Ms. Deas will expire on 6/30/2023.

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

- Councilman McCall

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

- Michael (Tommy) Phillips

### **IV. ATTACHMENTS:**

- Resignation Letter
- Applications received

## Casey Moore

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**From:** Casey Moore  
**Sent:** Thursday, January 27, 2022 10:05 AM  
**To:** Casey Moore  
**Subject:** FW: Board of Zoning Appeals resignation

**From:** Shelanda Deas <[shelanda.deas@yahoo.com](mailto:shelanda.deas@yahoo.com)>  
**Sent:** Sunday, January 16, 2022 1:36 PM  
**To:** Alane Zlotnicki <[azlotnicki@cityofflorence.com](mailto:azlotnicki@cityofflorence.com)>  
**Subject:** Board of Zoning Appeals

**CAUTION:** This email originated from outside the City of Florence. Maintain caution when opening external links/attachments

January 16, 2022

City of Florence  
Attn: Planning Department  
Board of Zoning Appeals  
324 West Evans Street  
Florence, SC. 29501

Dear: City of Florence  
Board of Zoning Appeals

I hope you are having a great day. I am writing to inform you that I have to resign from the Board of Zoning Appeals. I have relocated and started a new job. I would love to continue to serve on the Board of Zoning Appeals and really do not want to resign. I know I have to, however, I would love to stay and do virtual until you find a replacement.

It has been my pleasure to serve on this board and work with a dynamic group. I wish only the best and regret any inconvenience my resignation my cause.

Please let me know if I could be of any assistance during this transition. I will reach out to your office on Tuesday, January 18, 2022.

Thanks

Shelanda Deas

[Sent from Yahoo Mail on Android](#)

Entry #: 34

Date Submitted: 7/23/2021 5:40 PM

Board or Commission for which you are applying:  
City of Florence Board of Zoning Appeals

Your Name  
Phillips, Michael T. (Tommy)

County  
Florence

Council District  
District 3

Email Address  
mtommyp@att.net

Residential Address  
1703 Pineland Ave., Apt A, Florence, South Carolina 29501

Mailing Address  
Same as residence, Florence, South Carolina 29501

Your Occupation - Title  
Semi retired

Business Phone  
(843) 661-0995

Residence Phone  
(843) 669-4432

Employer Name  
A Bail Bonds, Notary Public, B and L Properties, LLC, Silver Haired Legislature.

Employer Address  
1703 Pineland Ave., Apt A

City  
Florence

State  
South Carolina

### General Qualifications

Are you a resident of the City?  
Yes

If so, how Long?  
1958

Why would you like to serve?  
I believe that my knowledge and experience with the city of Florence, will help me be of service to the City.

Do you presently serve on any Commissions/ Boards of the City/ County/ State?  
Yes

If so, please list:  
Silver Haired Legislature

Have you formerly served on any Commissions/ Boards of the City/ County/ State?  
Yes

If so, please list:  
Florence City Planning Com.  
Florence Airport Com.

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?

Yes/No  
No

If so, list the position and date:

Are you involved in any Community Activities?  
Yes

If so, please list:  
Past:  
Completed the Citizen's Police Academy  
Completed the "Leadership Florence" Program with the Chamber of Commerce

Chairman for the Florence County Republican (4 terms)

What are your goals and objectives if appointed to the Commission/Board?  
Use my experience and knowledge to help make Florence a better place to live.

I certify that the information above is true and correct.

Today's Date  
7/23/2021

Information on this form will be considered public.

Today's Date  
7/23/2021

## CONSTRUCTION AND MAINTENANCE BOARD OF ADJUSTMENTS AND APPEALS

### **I. NOMINATIONS:**

There are two (2) vacancies on the Construction and Maintenance Board of Adjustments and Appeals.

- William Wilcox has indicated that he would not like to be considered for reappointment. Mr. Wilcox served as an Engineer.
- Gary Bullard has resigned his position. Mr. Bullard served as a Mechanical Contractor. The unexpired term of Mr. Bullard will expire on 06/30/2023.

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

- (A) 1 – Engineer
- (B) 1 – Mechanical Contractor

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

- Mayor Ervin will make all nominations to this Board, per City Code.

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

- There are currently no qualified applicants for this Board.

### **V. ATTACHMENTS**

## AESTHETICS ADVISORY COMMITTEE

### **I. NOMINATIONS:**

There are two (2) seats to be filled on the Aesthetics Advisory Committee. Terms of the initial appointees shall be staggered, as follows:

- Seats designated as seats 5, 6 & 7 will serve initial terms of three (3) years.

After the completion of initial terms, all members appointed shall serve three (3) year terms.

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

Members must reside or be employed within the city limits.

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

- Mayor Ervin (Seat 5 – 3-year term)
- Councilwoman Moore (Seat 7 – 3-year term)

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

There are currently no applicants for this Committee.

### **V. ATTACHMENTS**

## RESILIENCE & SUSTAINABILITY ADVISORY COMMITTEE

### **I. NOMINATIONS:**

There are two (2) seats to be filled on the Resilience and Sustainability Advisory Committee. Terms of the initial appointees shall be staggered, as follows:

- Seats designated as seats 1, 2 & 3 will serve initial terms of one (1) year.
- Seats designated as seats 4, 5 & 6 will serve initial terms of two (2) years.
- Seats designated as seats 7, 8 & 9 will serve initial terms of three (3) years.

After the completion of initial terms, all members appointed shall serve three (3) year terms.

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

Members must reside or be employed within the city limits.

Remaining memberships will consist of the following:

- (A) 1 – Representative from District 2
- (B) 1 – Representative from District 3

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

- Councilwoman Moore (Seat 7 – 3-year term)
- Pro tem Jebaily (Seat 2 – 1-year term)

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

There are currently no applicants for this Committee.

### **V. APPOINTMENT OF CHAIRPERSON TO COMMITTEE**

The initial chairperson shall be selected by city council and shall serve for two years.