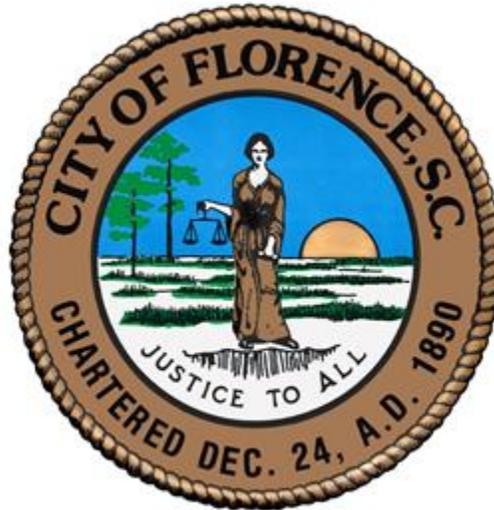


**REGULAR MEETING  
OF  
FLORENCE CITY COUNCIL**



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

**MONDAY  
APRIL 12, 2021  
1:00 P.M.**



**REGULAR MEETING OF FLORENCE CITY COUNCIL  
MONDAY, APRIL 12, 2021 – 1:00PM  
CITY CENTER – COUNCIL CHAMBERS  
324 WEST EVANS STREET  
FLORENCE, SOUTH CAROLINA**

**This meeting will be conducted through Zoom Video Conferencing**

**I. CALL TO ORDER**

**II. INVOCATION**

Pledge of Allegiance to the American Flag

**III. APPROVAL OF MINUTES**

March 8, 2021 – Regular Meeting

**IV. APPEARANCE BEFORE COUNCIL**

**a. Mr. Irby Wilson, Pee Dee Coalition**

To speak to Council on Sexual Assault Awareness and Child Abuse Prevention Month.

**b. Ms. Samantha Siegel, South Carolina Oceana Representative**

To speak to Council on single use plastics.

**V. PUBLIC HEARING**

**a. A Public Hearing will be held to receive input on the City of Florence Community Block Grant Budget for fiscal year 2021-2022.**

## **VI. ORDINANCES IN POSITION**

### **a. Bill No. 2021-06 – Second Reading**

An Ordinance to replace the existing Emergency Ordinance No. 2021-07 and to extend emergency measures put in place previously by Emergency Ordinance No. 2020-28, which consolidated Emergency Ordinance Nos. 2020-12, 2020-13 and 2020-20 in response to the COVID-19 emergency.

### **b. Bill No. 2021-07 – Second Reading**

An Ordinance to annex and zone the parcel located at 1541 Palomar Parkway, identified as Florence County Tax Map Parcel 90113-01-067.

### **c. Bill No. 2021-09 – Second Reading**

An Ordinance to rezone the parcel located at 607 Second Loop Road, identified as Florence County Tax Map Parcel 90079-03-008.

## **VII. INTRODUCTION OF ORDINANCES**

### **a. Bill No. 2021-08 – First Reading**

An Ordinance to rezone three parcels located at 900 Oakland Avenue and 607 Maxwell Street, identified as Florence County Tax Map Parcels 90114-13-001, 90114-13-002, and 90114-13-013.

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

### **b. Bill No. 2021-10 – First Reading**

An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2020 and ending June 30, 2021.

## **VIII. INTRODUCTION OF RESOLUTIONS**

### **a. Resolution No. 2021-08**

A Resolution designating April as Fair Housing Month.

### **b. Resolution No. 2021-09**

A Resolution to amend the Conditional Grant and Development Agreement dated November 25, 2019 between the City of Florence and ASK Investments and Holdings, LLC.

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

## **IX. REPORT TO COUNCIL**

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

**X. EXECUTIVE SESSION**

- a. Discussion of matters relating to a proposed Economic Development project [30-4-70(a)(5)].**
- b. To obtain legal advice regarding the rezoning of the 900 Block of Oakland Avenue and 607 Maxwell Street. [30-4-70(a)(2)].**

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

**XI. ADJOURN**



**REGULAR MEETING OF FLORENCE CITY COUNCIL  
MONDAY, MARCH 8, 2021 – 1:00 P.M.  
CITY CENTER – COUNCIL CHAMBERS  
324 WEST EVANS STREET  
FLORENCE, SOUTH CAROLINA  
MEETING CONDUCTED THROUGH ZOOM VIDEO CONFERENCING**

**MEMBERS PRESENT**

Mayor Teresa Myers Ervin, Mayor Pro Tempore George Jebaily, Councilwoman Pat Gibson-Hye Moore, Councilwoman Lethonia Barnes and Councilman Chaquez T. McCall.

**ALSO PRESENT**

Mr. Randall S. Osterman, City Manager; Mr. James W. Peterson, Jr., City Attorney; Mrs. Amanda P. Pope, Municipal Clerk; Mrs. Casey Moore, Assistant City 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. Michael Hemingway, Director of Utilities; Mr. Chuck Pope, Director of Public Works; and Mr. Jerry Dudley, Director of Planning.

**MEDIA PRESENT**

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 March 8, 2021 regular meeting of Florence City Council to order at 1:08 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**

Pro tem Jebaily made a motion to adopt the minutes of the February 8, 2021 Regular City Council meeting and Councilwoman Barnes seconded the motion. The minutes were unanimously adopted.

**APPEARANCE BEFORE COUNCIL**

**Ms. Jenny Boulware, Municipal Association of South Carolina**

Ms. Boulware spoke on behalf of Main Street South Carolina. She congratulated the city and downtown Florence for becoming the fifth city in South Carolina to receive State and National Main Street America accreditation.



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REGULAR MEETING – MARCH 8, 2021

Pro tem Jebaily said he is excited about the future of the city and downtown Florence. State and national accreditation is an expression of recognition for how far the city has come.

**ORDINANCES IN POSITION**

**Bill No. 2021-01 – Second Reading**

**An Ordinance to adopt a model business license ordinance in accordance with the business license bill (H4431) passed by the South Carolina Legislature in September 2020.**

Councilman McCall made a motion to adopt Bill No. 2021-01 on second reading and Councilwoman Moore seconded the motion.

Council voted unanimously (5-0) to adopt Bill No. 2021-01.

**Bill No. 2021-03 – Second Reading**

**An Ordinance to declare surplus and authorize the conveyance of real estate known as Florence County Tax Map Parcel 90076-04-016 to Silver Leaf Investments.**

Councilwoman Barnes made a motion to adopt Bill No. 2021-03 on second reading and Councilman McCall seconded the motion.

Council voted unanimously (5-0) to adopt Bill No. 2021-03.

**Bill No. 2021-04 – Second Reading**

**An Ordinance to amend Sections 2-6.1.1 and 6-19.3.2 of the Unified Development Ordinance regarding setbacks in the CG district.**

Councilwoman Moore made a motion to adopt Bill No. 2021-04 on second reading and Councilman McCall seconded the motion.

Council voted unanimously (5-0) to adopt Bill No. 2021-04.

**INTRODUCTION OF ORDINANCES**

**Bill No. 2021-05 – First/Final Reading**

**An Emergency Ordinance to extend emergency measures put in place previously by Emergency Ordinance Nos. 2020-12, 2020-13, and 2020-20, as consolidated in Emergency Ordinance No. 2020-28, to include the requirement established that individuals wear face coverings in establishments open to the public and foodservice establishments, and other matters related in response to the COVID-19 emergency.**

Councilwoman Moore made a motion to adopt Bill No. 2021-05 on the first and final reading and Councilwoman Barnes seconded the motion.

Pro tem Jebaily said mask wearing is working and making a difference. While South Carolina has begun the process of vaccinations, the medical community has cautioned that it is not the time to back off and become complacent. The South Carolina Department of Health and Environmental Services (SCDHEC) has provided a vaccination dashboard on their website which displays information regarding the



**FLORENCE CITY COUNCIL  
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distribution of the vaccine. Councilman Jebaily requested that a link for this dashboard be placed on the city website.

Councilwoman Barnes expressed concern for the businesses and the confusion that could arise when the city is still requiring face masks, but the state is opening back up. Mr. Jim Peterson, City Attorney, said nothing has really changed on the state level. Throughout the entirety of the COVID-19 pandemic, the state never mandated a mask order. The state targeted specific businesses and buildings (restaurants and state buildings) in which masks were required. The state lifted this requirement; however, from the beginning of the pandemic, it has been individual cities taking the lead on mask mandates. From a legal standpoint, the continuance of a face covering ordinance is completely valid.

Councilwoman Moore voiced her support of the mask ordinance and requested for the media to report that the mask mandate is still in effect.

Mayor Ervin encouraged the community to continue wearing masks. Even though vaccinations have started, Coronavirus can mutate and cause various strains to arise. Mayor Ervin said this is a medical crisis, not a political science debate.

Council voted unanimously (5-0) to adopt Bill No. 2021-05.

**Bill No. 2021-06 – First Reading**

**An Ordinance to replace the existing Emergency Ordinance (Bill No. 2021-05) and to extend emergency measures put in place previously by Emergency Ordinance No. 2020-28, which consolidated Emergency Ordinance Nos. 2020-12, 2020-13 and 2020-20 in response to the COVID-19 emergency.**

Councilwoman Barnes made a motion to pass Bill No. 2021-06 on first reading and Councilman McCall seconded the motion.

Council voted unanimously (5-0) to pass Bill No. 2021-06.

**Bill No. 2021-07 – First Reading**

**An Ordinance to annex and zone the parcel located at 1541 Palomar Parkway, identified as Florence County Tax Map Parcel 90113-01-067.**

Councilwoman Moore made a motion to pass Bill No. 2021-07 on first reading and Councilwoman Barnes seconded the motion.

Mr. Jerry Dudley, Planning Director, reported this property plans to zone Neighborhood Conservation-6.1 (NC-6.1) which is in congruence with the surrounding zoning. City water and sewer services are currently available.

A public hearing was held on February 9, 2021 regarding this matter in which Planning Commission voted unanimously to recommend the zoning request of NC-6.1.

Council voted unanimously (5-0) to pass Bill No. 2021-07.



FLORENCE CITY COUNCIL  
REGULAR MEETING – MARCH 8, 2021

**Bill No. 2021-08 – First Reading**

**An Ordinance to rezone three parcels located at 900 Oakland Avenue and 607 Maxwell Street, identified as Florence County Tax Map Parcels 90114-13-001, 90114-13-002, and 90114-13-013.**

Councilman McCall made a motion to pass Bill No. 2021-08 on first reading and Councilwoman Moore seconded the motion.

Mr. Dudley reported these parcels are located adjacent to Iola Jones Park. Two of the parcels currently have buildings: an existing convenience store on one and an abandoned garage on the other, and the third lot is vacant. The adjacent developed properties are a mixture of single-family detached homes, multi-family homes, institutional, recreational, and commercial uses.

The current zoning is NC-6.1 which is characterized by single-family detached development with 6,000 square feet minimum lot areas and 60 feet minimum lot widths. Prior to the adoption of the Unified Development Ordinance, the lots were zoned B-2, Convenience Business District and have historically contained a small convenience store. The existing use of the convenience store is considered an existing nonconforming use and may continue per the nonconforming use requirements of the Unified Development Ordinance.

The applicant's original rezoning request was for the properties to be rezoned Commercial General (CG) to conditionally permit a fueling station; however, site limitations, adjacent land uses, and buffering requirements severely limited the feasibility of this request. The applicant's new request is to rezone to Commercial Reuse (CR) in order to demolish the existing building and construct a new convenience store on the combined lots. The CR district is intended to provide for low-impact commercial uses that are small-scale and may be appropriate in certain residential settings, as well as adaptive re-use of residential buildings for limited commercial uses along major corridors. The new construction would require compliance with the Unified Development Ordinance including setbacks, parking, landscaping, and bufferyards.

Planning Commission held a public hearing on this matter on February 9, 2021 and voted 4-2 to recommend the rezoning request of CR.

Mayor Ervin said there are some individuals that have called in to speak on this matter and recognized Mr. Raj Patel, the applicant. Mr. Patel said they are grandfathered in and are able to continue running the store as is; however, their intent is to demolish the current building and construct a new one in its place. They will provide the same services as the current convenience store, but the rezoning will allow them to construct a new building.

Councilman McCall asked the applicants if they had any intent on placing any sort of club or private club on the site, to which the applicant replied no. Councilman McCall asked if the purpose of the rezoning is simply to renovate and improve the current building, which is seemingly in a dilapidated state. Mr. Patel replied yes, the current building is inefficient, and he wishes to provide a better space.

Councilwoman Moore asked what they intend to do with the adjacent property, currently the location of an abandoned building. Mr. Patel replied it would stay as is for the time being, but their intent is to open a laundry mat in the future. Councilwoman Moore asked Mr. Patel if he would be willing to put into writing and in a contract that their only intent with the adjacent property is a laundry mat. Mr. Patel replied yes, they would be willing to submit to the City a contract indicating their intentions.



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Councilman McCall asked what they would do with the convenience store should Council deny their rezoning request. Mr. Patel said he's invested in the business and they would still operate the convenience store, but they would prefer to renovate the building. Councilman McCall addressed Mr. Dudley and asked if they would still be able to sell beer and wine if the rezoning request is denied. Mr. Dudley said they would, they are permitted as a convenience/retail store and can sell beer and wine for off premises consumption as long as alcohol sales aren't their primary (more than 50%) service. If the rezoning request is denied, the applicant would not be able to demolish the current building and rebuild it as a convenience store. If they demolished the building in the current zoning, the zoning converts back to the underlying zoning of Neighborhood Conservation-6.1 (NC-6.1) and a convenience store would not be permitted. Current zoning would, however, allow for limited interior renovations of the current building.

Pro tem Jebaily said the zoning for the entire block is zoned NC-6.1 and all the other properties surrounding the parcels in question are all single-family residential. Rezoning these parcels would be introducing the CR zoning to the block. Councilman Jebaily expressed concern with the sale of alcohol across from the Iola Jones Park and asked Mr. Peterson if limitations could be placed in a deed for the property in the event the property is sold to prevent the future use of a private club, for example. While the current owners have not expressed interest in opening a private club, that use would be allowed if the property is rezoned. For clarity, Pro tem Jebaily asked Mr. Dudley if the serving of alcohol would be allowed in a private club if rezoned to CR. Mr. Dudley said it does not totally exclude alcohol from being served but there are limitations. Mr. Dudley then referenced the Unified Development Ordinance which defines a private club as "organizations or associations of persons for some common purpose, such as a fraternal, social, educational or recreational purpose, but not including clubs organized primarily for-profit or to render a service which is customarily carried on as a business. Examples of private clubs include (but are not limited to) 4-H Clubs, veterans organizations, Boy Scout and Girl Scout facilities, Elks Lodges, YMCA, YWCA, private community clubhouses, golf clubhouses, and fraternities and sororities that do not include residential facilities. The phrase "private club" does not include organizations with a principal purpose of serving alcoholic beverages to its members or others."

Pro tem Jebaily said across the street on Oakland Avenue the zoning is CR and a club was operating there in which alcohol was being served, so the change in zoning could allow for alcohol to be served on-premises, as opposed to sold for off-premises consumption. Pro tem Jebaily said the current owners have agreed to enter into a contract indicating their intended use of the property and asked Mr. Peterson if it were possible for the agreement to carry with the property in the event it is sold. Mr. Peterson said he has always advised Council to look at what's allowed under the rezoning and be sure they would be comfortable with any of those uses before they approve it. He said he will do some research and see if he can come up with a mechanism that would allow for limitations.

Pro tem Jebaily made a motion to defer to allow Mr. Peterson to conduct research on the matter and to allow for the contractual arrangement with Mr. Patel. Mayor Ervin said she would like to hear from the other caller before any discussion of motions are made.

Councilman McCall said he endorses the idea of a mechanism that will control the future use of the property and noted that he is perplexed by the situation. He said he understands the argument against the rezoning in order to protect the future use of the property; however, this is potentially one of the first investments in this neighborhood and denying the rezoning would stifle that investment. He said the store is more than likely always going to be there, whether the zoning is changed or not, and right now, there is a potential investor with intentions to improve the property.

Mayor Ervin thanked Mr. Patel and invited Mr. Tim Waters into the meeting.



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Mr. Waters said he is against the rezoning request, not against the store itself. He said the lot is zoned NC and the proposed zoning is CR. According to the Unified Development Ordinance, a private club is permitted in the CR zoning district. Mr. Waters said that, while the current owners may intend to continue operating a store, the zoning change would allow for a private club. He said making an exception this time would open up Pandora's Box and allow other zoning districts into neighborhoods. He said the neighborhood just got a brand-new Community Center and the neighborhood is on the rise, to change the zoning to CR could be detrimental to the community. He further said every African American park in the city is inundated with ABC stores or allows zoning that is negative for the community.

Councilman McCall referenced the zoning maps attached in Council's agenda packet and said there is currently a CR zoning designation right across Oakland Avenue from the parcels in question. Councilman McCall asked Mr. Dudley if it were possible to find out when that block was rezoned to CR, as they were not initially that zoning. He further asked for clarification on the zoning districts in which private clubs are permitted. Mr. Dudley said private clubs are also allowed in Residential districts. Even if the rezoning request is denied, a private club could still be conditionally permitted. Mr. Dudley referenced the conditions in the Unified Development Ordinance and said private clubs are permitted if it is demonstrated that:

1. The use will be operated in accordance with all applicable laws, and if a state permit is required, such permit shall be obtained prior to beginning operation;
2. The use will be operated in accordance with all other applicable provisions of the city's Code of Ordinances; and
3. Primary access to the site is from a collector or arterial street.

Mr. Dudley said number three of the conditions is the most limiting to the site. He said Oakland Avenue would be considered a collector or arterial street, but not necessarily Maxwell Street.

Councilman McCall referenced the attached zoning maps again and noted the current CG zoning designation along the block on the corner of Oakland Avenue and Roughfork Street. He said these are residential homes and asked if Council approved the CG zoning at some point. Mr. Dudley said the zoning was applied in the conversion to the Unified Development Ordinance. Councilman McCall expressed concern with the CG zoning in the middle of a residential neighborhood. He said Council is arguing over the rezoning of a business that has been part of the neighborhood for over 20 years, when they should be more concerned with the CG zoning across the street. Councilman McCall asked Mr. Dudley if a club would be permitted in the CG district to which Mr. Dudley replied yes, an establishment with on-site alcohol consumption would be allowed.

Mr. Waters spoke again and said Council should look at what is best for the community when considering zoning and rezoning requests. Mr. Waters said he owns property in the area that he has attempted to clean-up over the last five years to do something positive for the community and rezoning the property in question will be detrimental to the community. He said the fringes of every African American district are converted into commercial uses and he would like to see them return to residential zoning in order to build up the community with single family homes.

Councilwoman Moore said the property should be upgraded, but she doesn't want to see the zoning changed. Council would be taking a chance on rezoning and that isn't necessary to upgrade the property. She said she had been advocating for a community center at Iola Jones park for over 25 years and she doesn't want to see the zoning changed. Economic Development should benefit the community, not just the property owner.



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Pro tem Jebaily made a motion to defer to allow staff the opportunity to research and explore the ability to put in place the necessary language that was agreed upon verbally by the applicant to prevent the future use of the property, should Council approve of the rezoning.

Mayor Ervin summarized the situation at hand and reiterated that the store will be able to continue its operation of a convenience store in its current zoning of NC.

Mayor Ervin asked if there is a second to Pro tem Jebaily's motion to defer. Councilwoman Moore made a motion to amend the motion to defer to also request that staff prepare for Council what all would be permitted under a CR district in the event the current owners decide to sell and Pro tem Jebaily seconded the motion to amend. Council voted unanimously (5-0) to defer Bill No. 2021-08, as amended.

**Bill No. 2021-09 – First Reading**

**An Ordinance to rezone the parcel located at 607 Second Loop Road, identified as Florence County Tax Map Parcel 90079-03-008.**

Councilwoman Moore made a motion to pass Bill No. 2021-09 on first reading and Pro tem Jebaily seconded the motion.

Mr. Dudley reported this property is currently zoned Commercial Reuse (CR) and the proposed zoning is Commercial General (CG) and is the site of the newly constructed Bela Dentistry office. The primary purpose for the proposed rezoning is to allow for signage along the street that is more in line with the CG district.

A public hearing was held on February 9, 2021 regarding this matter and Planning Commission voted 6-0 to recommend the rezoning request contingent upon the dental office increasing their buffers to meet the CG requirements if they do change their sign.

Councilman McCall said this is a business district and he is perplexed as to how CG zoning is being allowed along Second Loop Road in a highly residential area. Mayor Ervin said this is commercial zoning along a major thoroughfare and the property in question already has a commercial zoning designation; however, CG would allow for different signage in the front and buffers in the rear of the property.

Pro tem Jebaily referenced the future land use map and asked if the parcel in question is the parcel that is directly connected to the Neighborhood Conservation (NC) zoning in front of the Sheffield Drive community or if there is a lot in between. Mr. Dudley replied there is a lot on the corner of Sheffield and Second Loop currently the site of a McLeod medical facility, which was approved as part of the Sheffield community Planned Development. This lot is zoned Planned Development (PD) with an underlying future land use of NC. One lot would remain zoned CR in between the proposed CG parcel and the underlying NC future land use/PD parcel. Pro tem Jebaily said there is a half lot beside Bela Dentistry that is undeveloped and asked if this zoning request would affect that lot. Mr. Dudley clarified that the rezoning request does not include the half lot and it would remain zoned CR.

Council voted unanimously (5-0) to pass Bill No. 2021-09.



## **INTRODUCTION OF RESOLUTIONS**

### **Resolution No. 2021-04**

**A Resolution to authorize a Memorandum of Understanding between the City of Florence and Florence School District One to facilitate the expansion of the Farm to School Program.**

### **Resolution No. 2021-05**

**A Resolution to amend the Conditional Grant and Development Agreement with Swinton Builders, LLC to provide incentives for the development of new housing within the Old Carver Station subdivision project as part of the ongoing Neighborhood Redevelopment Project.**

### **Resolution No. 2021-06**

**A Resolution to amend a Conditional Grant Agreement dated July 22, 2011 between the City of Florence and Downtown Hospitality Group, LLC.**

Discussion for Resolution Nos. 2021-04, 2021-05 and 2021-06 will occur in Executive Session. Action will be taken once Council resumes Open Session.

### **Resolution No. 2021-07**

**A Resolution in support of the Ron James Youth Tennis Program.**

Councilwoman Moore made a motion to adopt Resolution No. 2021-07 and Councilwoman Barnes seconded the motion.

Council voted unanimously (5-0) to adopt Resolution No. 2021-07.

## **REPORTS TO COUNCIL**

### **Appointments to Boards and Commissions**

#### **FLATS Committee**

Mayor Ervin appointed Councilwoman Moore to the FLATS Committee. There was no objection.

#### **Housing Authority**

Councilwoman Barnes nominated Linda Williams to fill the unexpired term of John Etheridge, to expire June 30, 2023. Ms. Williams was appointed by unanimous consent.

## **EXECUTIVE SESSION**

Councilman McCall made a motion to enter into Executive Session and Councilwoman Barnes seconded the motion. Without objection, Council entered into Executive Session at 2:41 p.m. for: a discussion of matters relating to a proposed economic development project located within an Overlay District; discussion of negotiations incident to proposed contractual arrangements; discussion of matters relating to economic development incentives associated with the city's Neighborhood Redevelopment Project; discussion of matters relating to a proposed economic development project and the receipt of legal advice.



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REGULAR MEETING – MARCH 8, 2021**

Council reconvened Open Session at 3:21 p.m. and took action on the following item:

**Resolution No. 2021-04**

**A Resolution to authorize a Memorandum of Understanding between the City of Florence and Florence School District One to facilitate the expansion of the Farm to School Program.**

Councilwoman Moore made a motion to adopt Resolution No. 2021-04 and Councilman McCall seconded the motion.

Council voted unanimously (5-0) to adopt Resolution No. 2021-04.

**Resolution No. 2021-05**

**A Resolution to amend the Conditional Grant and Development Agreement with Swinton Builders, LLC to provide incentives for the development of new housing within the Old Carver Station subdivision project as part of the ongoing Neighborhood Redevelopment Project.**

Councilwoman Barnes made a motion to adopt Resolution No. 2021-05 and Councilwoman Moore seconded the motion.

Council voted unanimously (5-0) to adopt Resolution No. 2021-05.

**Resolution No. 2021-06**

**A Resolution to amend a Conditional Grant Agreement dated July 22, 2011 between the City of Florence and Downtown Hospitality Group, LLC.**

Councilwoman Barnes made a motion to adopt Resolution No. 2021-06 and Councilman McCall seconded the motion.

Council voted unanimously (5-0) to adopt Resolution No. 2021-06.

**ADJOURN**

Without objection, the March 8, 2021 Regular meeting of City Council was adjourned at 3:25 p.m.

Dated this 12<sup>th</sup> day of April 2021.

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Amanda P. Pope, Municipal Clerk

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Teresa Myers Ervin, Mayor

FLORENCE CITY COUNCIL MEETING

**DATE:** March 8, 2021  
**AGENDA ITEM:** Ordinance  
**DEPARTMENT/DIVISION:** City Administration

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**I. ISSUE UNDER CONSIDERATION:**

An Ordinance to replace the existing Emergency Ordinance (Bill No. 2021-05) and to extend emergency measures put in place previously by Emergency Ordinance No. 2020-28, which consolidated Emergency Ordinance Nos. 2020-12, 2020-13 and 2020-20 in response to the COVID-19 emergency.

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

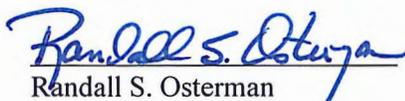
1. On September 14, 2020 City Council adopted Emergency Ordinance No. 2020-28, which consolidated Emergency Ordinance Nos. 2020-12, 2020-13 and 2020-20, to extend emergency measures put in place in response to the COVID-19 emergency.
2. On November 9, 2020 City Council adopted Resolution No. 2020-21 to extend the term of Emergency Ordinance No. 2020-28 by an additional 60 days.
3. On January 11, 2021 City Council adopted Resolution No. 2021-01 to extend Emergency Ordinance 2020-28 by an additional 60 days, with an expiration date of March 12, 2021.

**III. POINTS TO CONSIDER:**

1. The Ordinance will replace the existing Emergency Ordinance and extend the emergency measures set forth in the Emergency Ordinance on a more permanent basis.
2. The Ordinance shall expire automatically upon either the issuance of a Resolution by City Council declaring COVID-19 is no longer a serious threat to the public health, safety and welfare of the citizens of the City of Florence or upon the expiration of the Executive Orders of the Governor of South Carolina declaring a State of Emergency due to COVID-19, whichever event occurs first.

**IV. ATTACHMENTS:**

1. Proposed Ordinance

  
Randall S. Osterman  
City Manager

**ORDINANCE NO. 2021-\_\_\_\_\_**

**AN ORDINANCE TO REPLACE THE EXISTING EMERGENCY ORDINANCE 2021-\_\_\_\_\_ AND TO EXTEND EMERGENCY MEASURES PUT IN PLACE PREVIOUSLY BY EMERGENCY ORDINANCES NO. 2020-28, WHICH CONSOLIDATED EMERGENCY ORDINANCES NOS. 2020-12, 2020-13 AND 2020-20 IN RESPONSE TO THE COVID-19 EMERGENCY.**

**WHEREAS**, the 2019 Novel Coronavirus (“COVID-19”) is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person;

**WHEREAS**, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020;

**WHEREAS**, the Centers for Disease Control and Prevention (the “CDC”) has warned of the high public health threat posed by COVID-19 globally and in the United States;

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under Section 391 of the Public Health Service Act;

**WHEREAS**, on March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency, which began on March 1, 2020;

**WHEREAS**, also on March 13, 2020, the Governor of the State of South Carolina (the “State”) issued Executive Order 2020-08, declaring a State of Emergency based on a determination that the COVID-19 poses an actual or imminent public health emergency for the State;

**WHEREAS**, the Governor of the State has subsequently declared a continued State of Emergency in Executive Orders 2020-15 (March 28, 2020), and it has been repeatedly extended with the latest being Executive Order 2021-08 issued on February 6, 2021;

**WHEREAS**, the State and the Florence area have continued to experience an increase in the number of identified new COVID-19 cases, and the South Carolina Department of Health and Environmental Control (“DHEC”) has reported that the continuation emergency measures to include face covering requirements is making a significant impact on slowing the spread of COVID-19 cases;

**WHEREAS**, health authorities, including the CDC, the Surgeon General of the United States, and DHEC have recommended the use of face coverings as a means of preventing the spread of COVID-19;

**WHEREAS**, the South Carolina Attorney General, on June 25, 2020, issued a public statement that enacting local mask requirements is within the police power of municipalities and is not preempted by state law;

**WHEREAS**, the Florence City Council has previously unanimously adopted Emergency Ordinances designed to properly react to the emergency presented by the pandemic including, but not limited to Emergency Ordinance No. 2020-28, which consolidated Emergency Ordinance No. 2020-13, Emergency Ordinance No. 2020-12, and Emergency Ordinance No. 2020-20; and

**WHEREAS**, it has been determined by the City Council that the extension of the emergency measures set forth in the Emergency Ordinances on a more permanent basis is needed in recognition of the extended duration of the emergency conditions caused by COVID-19;

**NOW, THEREFORE**, it is hereby ordained by the City Council of the City of Florence as follows:

**Section 1. Remote Meetings During the COVID-19 Crisis.** The provisions of this Section shall apply to Council and to any and all boards, commissions, committees, or other subsidiary, related, or delegated bodies of the City (collectively, “Boards and Commissions”). Until the termination of this Ordinance pursuant to Section 10 below, the Council and all of its Boards and Commissions shall be entitled to conduct all regular and special meetings by telephone or other electronic means, provided that:

- a) Members attending by electronic means shall be able to hear any and all comments made by the public, staff, and other council members;
- b) All public participants and attendees, staff, and other members shall be able to hear the comments, motions, and votes of the members attending such meeting by electronic means;
- c) Other than establishing the electronic connections, there shall be no communications among the members attending electronically, unless such communication is part of the meeting and can be heard by all public participants or attendees; and
- d) The comments, motions, and votes of the members attending electronically shall be recorded in the minutes of the meeting.

Collectively, these conditions are referred to as the “Participation Requirements.”

**Section 2. Physical Presence Not Required to be Counted as Part of a Quorum.** The provisions of this section shall apply to Council and to all of its Boards and Commissions. During the Emergency Term, and notwithstanding any other provision of applicable State or local law, a member attending a meeting of Council or any of its Boards and Commissions by telephone or electronic means in compliance with the Participation Requirements, whether physically present or not, shall be counted as present in determining the quorum for such meeting.

**Section 3. Suspension of Deadlines.** The City Manager is authorized to suspend all deadlines imposed by City Ordinance, applicable to the municipality or applicant during the duration of the emergency conditions caused by COVID-19.

**Section 4. Plan for Continuity of Government Services.** The City Manager is authorized to develop and enact a plan to ensure continuity in the delivery of government services in light of the COVID-19 outbreak.

**Section 5. Special Events Permits.** The City Manager is authorized to cancel and revoke any special events permits issued prior to the date of this ordinance for events scheduled to take place during this state of emergency period.

**Section 6. Use of Face Coverings.** Effective immediately:

- a) All persons entering any Establishment Open to the Public or Foodservice Establishment as defined below in the City of Florence must wear a face covering while inside the establishment. For purposes of this Ordinance, the term “Establishment Open to the Public” shall mean any organization, establishment, facility, or retail business open to the public within the City of Florence. “Foodservice Establishment” shall mean any establishment within the City of Florence that sells prepared food on a dine-in, delivery, carry-out, or drive-through basis. The business shall not have responsibility for enforcing this requirement, but it shall post conspicuous signage at all entrances informing its patrons of the requirements of this section.
- b) All Establishments Open to the Public and Foodservice Establishments in the City shall require their staff and employees to wear a face covering at all times while having face to face interaction with the public and while working in areas open to the general public and areas in which interactions with other staff are likely in which social distancing of at least six feet cannot be observed.
- c) “Face Covering” as used herein means a uniform piece of cloth, fabric, or other material that securely covers a person’s nose and mouth and remains affixed in place without the use of one’s hands. Face Coverings include, but are not limited to, bandanas, medical masks, cloth masks, scarves, and gaiters, provided they are worn such that they securely cover the person’s nose and mouth.

**Section 7. Exemptions.** Face Coverings shall not be required as follows:

- a) in outdoor or unenclosed areas appurtenant to Establishments Open to the Public or Foodservice Establishments in which social distancing of at least six feet is possible and observed;
- b) for people whose religious beliefs prevent them from wearing a Face Covering;
- c) for those who cannot wear a Face Covering due to a medical or behavioral condition;

- d) for children under six (6) years old, provided that adults accompanying children age two (2) through five (5) shall use reasonable efforts to cause those children to wear Face Coverings while inside the enclosed area of any Establishments Open to the Public or Foodservice Establishment;
- e) for patrons of Foodservice Establishments while they are dining;
- f) in private offices and workspaces in which social distancing of at least six feet is possible and observed;
- g) when complying with directions of law enforcement officers;
- h) in settings where it is not practical or feasible to wear a Face Covering, including when obtaining or rendering goods or services such as the receipt of dental services or while swimming; and/or
- i) while exclusively with members of a family or the same household, and no person other than such family or household is within the same enclosed area.

**Section 8. Civil Infraction.**

- a) Any person violating the provisions of Section 6(a) of this Ordinance by failing to wear a Face Covering when required shall be guilty of a civil infraction, punishable by a penalty of \$25.00. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense.
- b) A person who fails to comply with Section 6(b) of this Ordinance shall be guilty of a civil infraction, punishable by a fine of not more than \$100.00. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense. Repeated violations of this Ordinance are additionally hereby declared to be a public nuisance, which may be abated by the City by restraining order, preliminary and permanent injunction, or other means provided for by the laws of this State. The foregoing notwithstanding, every effort shall be made to bring the business into voluntary compliance with the terms of this Ordinance prior to the issuance of any citation. For the purposes of Section 6(b) of this Ordinance, “person” shall be defined as any individual associated with the business who has the control or authority and ability to enforce the requirements of the Ordinance within the business, such as an owner, manager or supervisor. “Person” may also include an employee or other designee that is present at the business but does not have the title of manager, supervisor, etc. but has the authority and ability to ensure that the requirements of this Ordinance are met while the business is open to the public.

**Section 9. Suspension of Contrary Local Provisions.** During the term of this Ordinance, any ordinance, resolution, policy, or bylaw of the City of Florence that conflicts with the provisions hereof shall be and is hereby suspended and superseded.

**Section 10. Termination of Ordinance.** This Ordinance shall expire automatically upon either the issuance of a Resolution by the City Council of the City of Florence declaring that COVID-19 is no longer a serious threat to the public health, safety and welfare of the citizens of the City of Florence or upon the expiration of the Executive Orders of the Governor of South Carolina declaring a State of Emergency due to COVID-19, whichever event occurs first.

**Section 11. Severability.** Should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.

**Effective Date and Time.** This Ordinance shall take immediately upon its adoption on second reading by City Council.

**ADOPTED** this \_\_\_\_ day of April, 2021.

Approved as to form:

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

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

**Attest:**

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

FLORENCE CITY COUNCIL MEETING

**DATE:** March 8, 2021

**AGENDA ITEM:** Ordinance To Annex and Zone 1541 Palomar Parkway, TMN 90113-01-067.

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

**I. ISSUE UNDER CONSIDERATION:**

Request to annex property located at 1541 Palomar Parkway, Tax Map Number 90113-01-067, into the City of Florence and zone to NC-6.1, Neighborhood Conservation 6.1. The request is being made by the property owner.

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

On February 9, 2021, Planning Commission held a public hearing on this matter, and voted unanimously, 6-0, to recommend the zoning request of NC-6.1, Neighborhood Conservation 6.1.

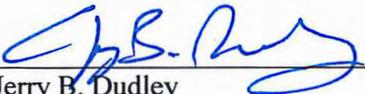
**III. POINTS TO CONSIDER:**

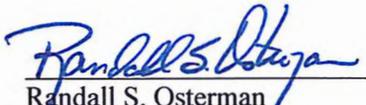
- (1) Request is being considered for first reading.
- (2) City water and sewer services are currently available; there is no cost to extend utility services.
- (3) A Public Hearing for zoning was held at the February 9, 2021 Planning Commission meeting.
- (4) City staff recommends annexation and concurs with Planning Commission's recommendation to zone the property NC-6.1 Neighborhood Conservation 6.1.

**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. 2021 \_\_\_\_\_**

**AN ORDINANCE TO ANNEX AND ZONE 1541 PALOMAR PARKWAY, TMN 90113-01-067.**

**WHEREAS,** a Public Hearing was held in the Council Chambers on February 9, 2021 at 6:00 P.M. before the City of Florence Planning Commission via Zoom, and notice of said hearing was duly given;

**WHEREAS,** application by Rosa May Eleby, owner of TMN 90113-01-067, 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 NC-6.1:

**The property requesting annexation is shown more specifically on Florence County Tax Map 90113, block 01, parcel 067 (0.271491 acre).**

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

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

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

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

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

Approved as to form:

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

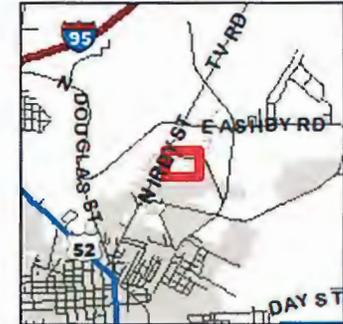
\_\_\_\_\_  
**Teresa Myers Ervin,**  
Mayor

**Attest:**

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

# PC 2021-02

## Vicinity Map - 1541 Palomar Parkway



### Legend

- City Limits
- Parcels



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Date: 1/22/2021

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: 90113-01-067
- 3. Annexation is being sought for the following purposes:
- 4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

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

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

APPLICANT (S) (Please print or type):

Name(s): ROSA M ELEBY

Address: 1541 PALOMAR PKWY FLORENCE, S.C. 29506

Telephone Numbers: 843-245-6694 [work]; 203-631-7551 [home] ✓

Email Address: \_\_\_\_\_

Signature Rosa M Eleby Date 1-12-21

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date <u>1/21/2021</u>	<u>AS</u>

**FLORENCE CITY COUNCIL MEETING**

**DATE:** March 8, 2021

**AGENDA ITEM:** Ordinance to Rezone from CR to CG the parcel located at 607 Second Loop Road, TMN 90079-03-008.

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

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**I. ISSUE UNDER CONSIDERATION:**

A request to rezone from CR to CG the parcel located at 607 Second Loop Road, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 90079-03-008. The request is being made by the property owner.

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

On February 9, 2021, the City of Florence Planning Commission held a public hearing on this matter and voted 6-0 to recommend the parcels be rezoned from CR to CG.

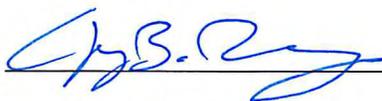
**III. POINTS TO CONSIDER:**

- (1) This request is being considered for first reading.
- (2) The lot is the site of the newly constructed Bela Dentistry office.
- (3) The property is currently zoned CR Commercial Reuse District. The requested zoning is CG Commercial General District.
- (4) City staff recommends that the rezoning request be approved with the contingency that the existing buffer be intensified to the CG level upon redevelopment to CG standards.

**IV. PERSONAL NOTES:**

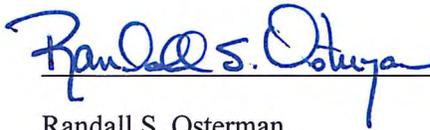
**V. ATTACHMENTS:**

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



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Jerry B. Dudley  
Planning Manager



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Randall S. Osterman  
City Manager

ORDINANCE NO. 2021-\_\_\_\_\_

**AN ORDINANCE TO REZONE PROPERTY IDENTIFIED AS 607 SECOND LOOP ROAD, TAX MAP NUMBER 90079-03-008 FROM COMMERCIAL REUSE ZONING DISTRICT TO COMMERCIAL GENERAL ZONING DISTRICT:**

**WHEREAS**, a Public Hearing was held in City Council Chambers on February 9, 2021 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS**, Vineyard Dental, LLC made application to rezone from CR, Commercial Reuse District to CG, Commercial General District;

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

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

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

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

Approved as to form:

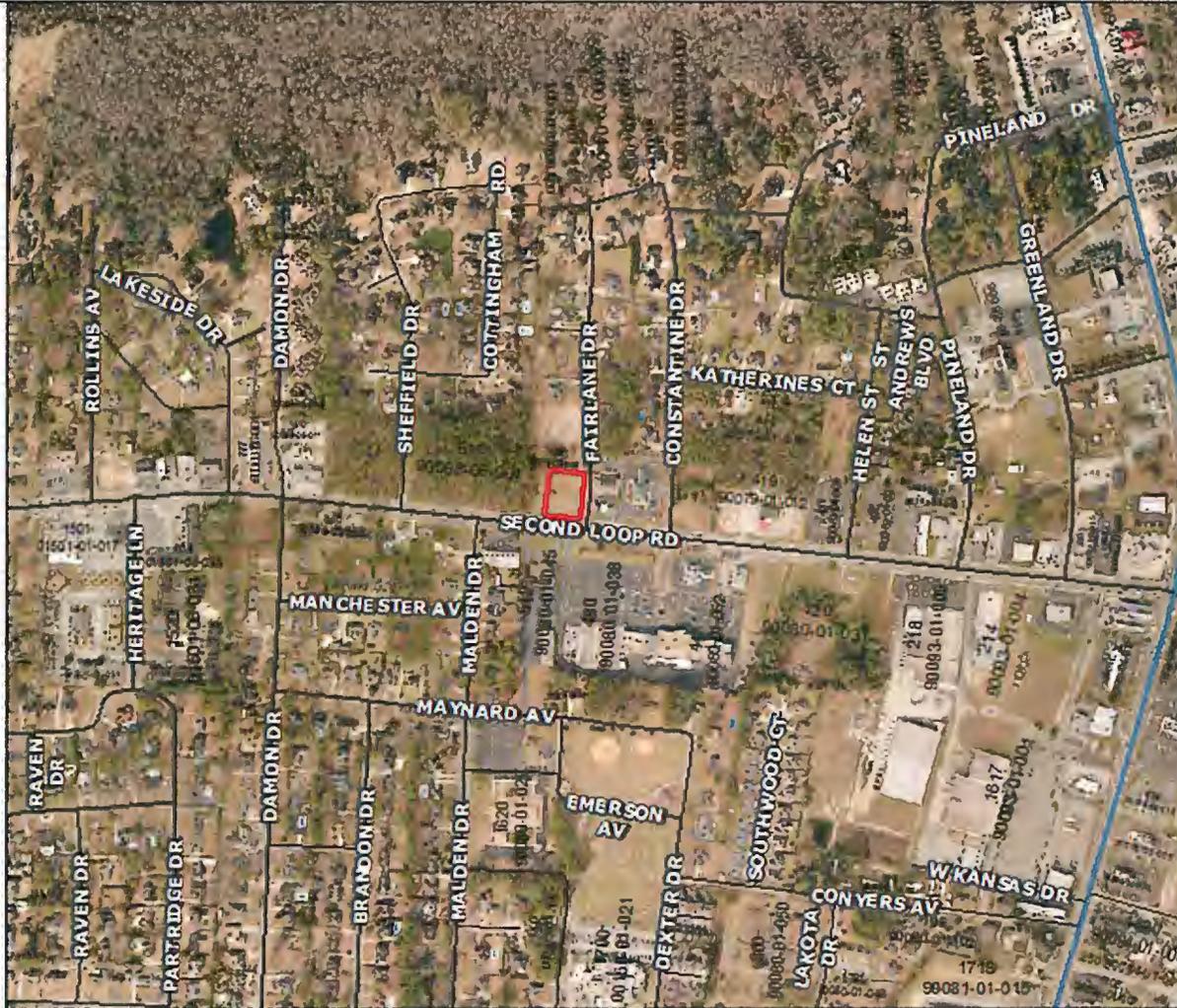
\_\_\_\_\_  
**James W. Peterson, Jr.**  
City Attorney

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

Attest:

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

# Vicinity Map – 607 Second Loop Road TMN 90079-03-008



### Legend

Proposed Parcel

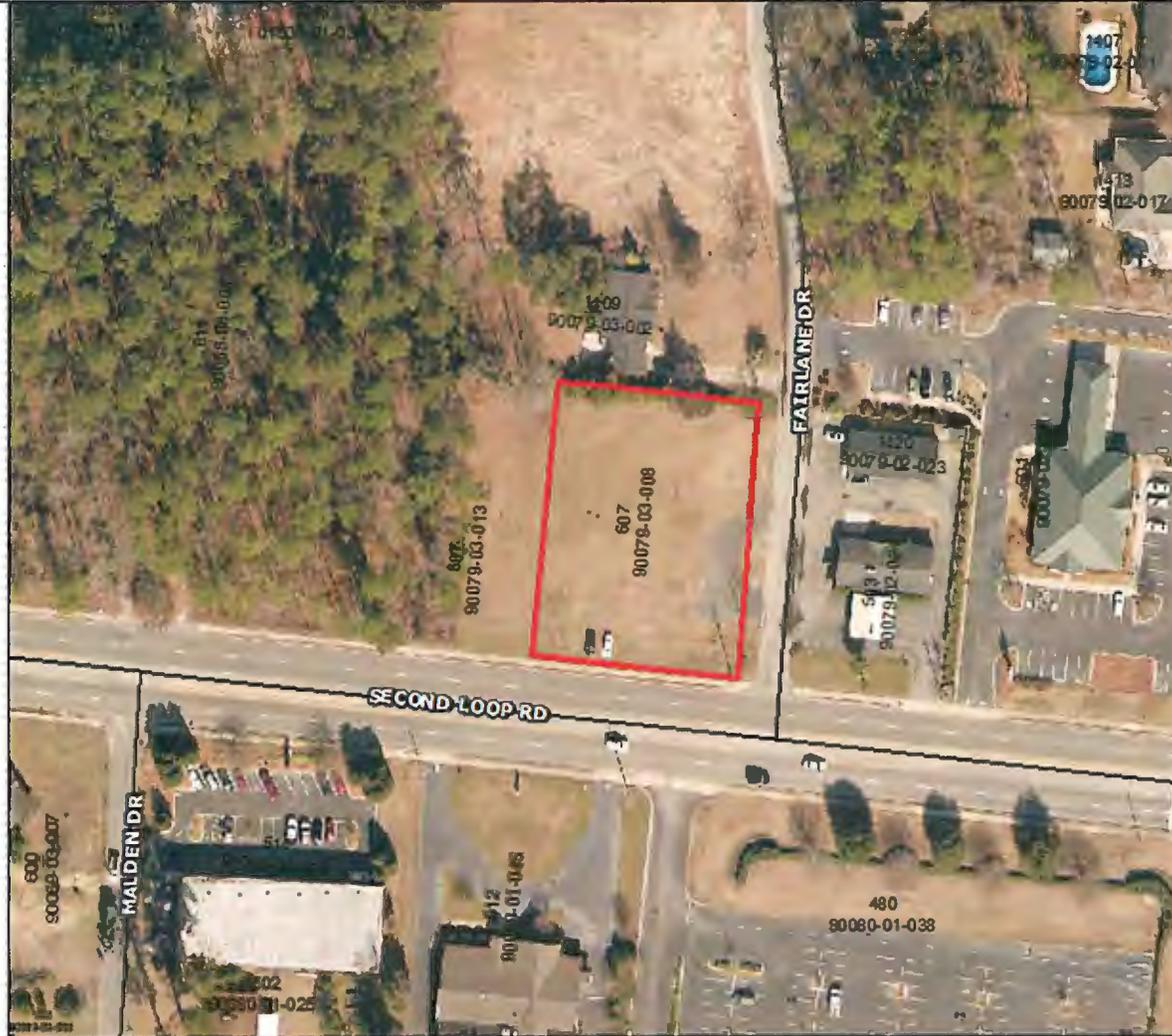


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100 50 0 100 Feet

 Date: 1/28/2021

# Location Map – 607 Second Loop Road TMN 90079-03-008



### Legend

 Proposed Parcel

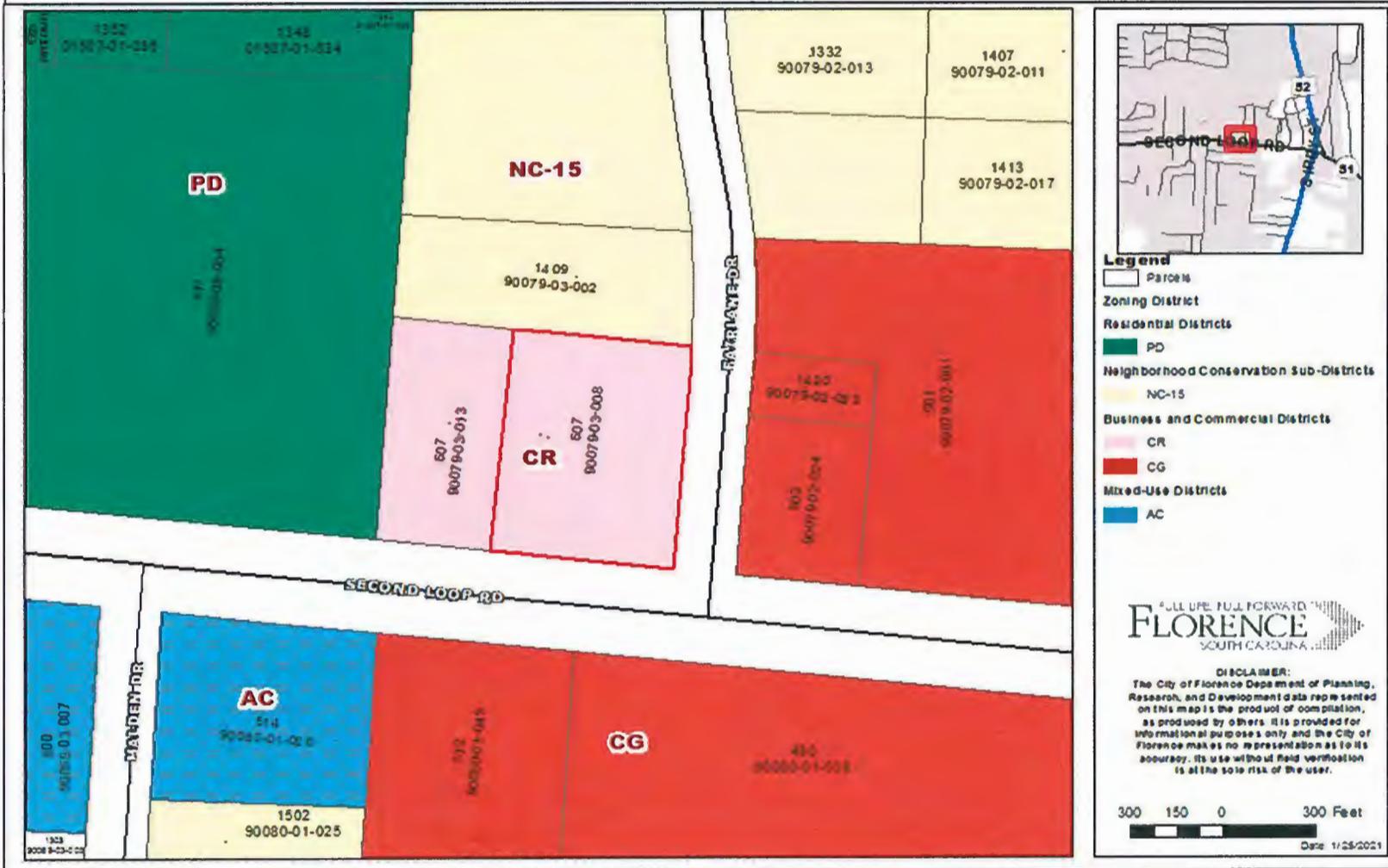


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100 50 0 100 Feet

Date: 1/28/2021

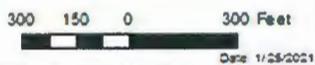
# Current Zoning Map – 607 Second Loop Road TMN 90079-03-008



- Legend**
- Parcel
  - Zoning District
  - Residential Districts
    - PD
  - Neighborhood Conservation Sub-Districts
    - NC-15
  - Business and Commercial Districts
    - CR
    - CG
  - Mixed-Use Districts
    - AC

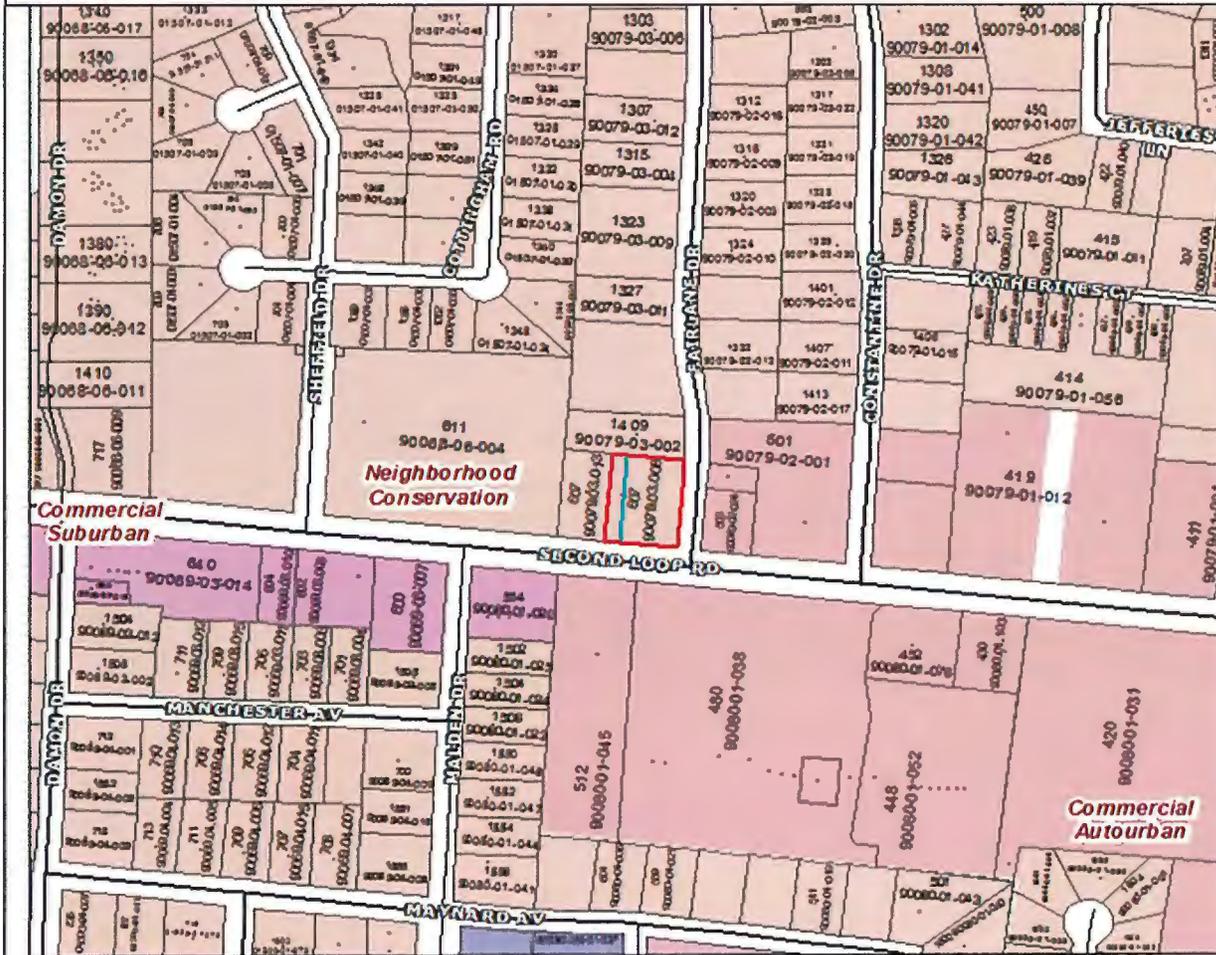


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Date: 1/25/2021

# Future Land Use Map – 607 Second Loop Road TMN 90079-03-008



### Legend

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



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FLORENCE CITY COUNCIL MEETING

**DATE:** March 8, 2021

**AGENDA ITEM:** An ordinance to rezone three parcels located at 900 Oakland Avenue and 607 Maxwell Street, identified as TMNs 90114-13-001, 90114-13-002, and 90114-13-013.

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

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**I. ISSUE UNDER CONSIDERATION:**

Request to rezone from Neighborhood Conservation 6.1 (NC-6.1) to Commercial Reuse (CR) approximately 0.526 acres located on Oakland Avenue and Maxwell Street, specifically identified as Florence County Tax Map Numbers 90114-13-001, 90114-13-002, and 90114-13-013. The request is being made by the property owner, Purnimal LLC.

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

- (1) On February 9, 2021 Planning Commission held a public hearing on this matter and voted four (4) to two (2) to recommend the rezoning request of CR, the Commercial Reuse District.

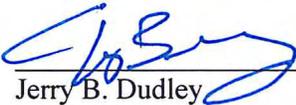
**III. POINTS TO CONSIDER:**

- (1) The rezoning request is being considered for first reading.
- (2) The parcel is currently zoned NC-6.1 which is characterized by single-family detached development with 6,000 square feet minimum lot areas and 60 feet minimum lot widths. The adjacent developed properties are a mixture of single-family detached homes, multifamily homes, institutional, recreational, and commercial uses.
- (3) The Commercial Reuse (CR) District is intended to provide for low-impact commercial uses that are small-scale and thus, may be appropriate in certain residential settings, as well as adaptive re-use of residential buildings for limited commercial uses along major corridors.
- (4) Prior to the adoption of the Unified Development Ordinance, the lots were zoned B-2, Convenience Business District and has historically contained a small convenience/grocery store.
- (5) The existing use of convenience/grocery store is considered an existing nonconforming use and may continue per the nonconforming use requirements of the Unified Development Ordinance.
- (6) The owner's original rezoning request was for the properties to be rezoned Commercial General (CG) to conditionally permit a gas station; however, site limitations, adjacent land uses, and buffering requirements severely limited the feasibility of this request.
- (7) The owner agreed that the CR District would be more appropriate for the properties based upon the historic character of the built environment, the historic B-2 zoning designation, the current and proposed use of the property as well as its proximity to surrounding residences and Dr. Iola Jones Park.
- (8) The owner's new future plan is to demolish the existing building and construct a new convenience/grocery store on the combined lots. The new construction would require compliance with the Unified Development Ordinance including setbacks, parking, landscaping, and bufferyards.

**IV. PERSONAL NOTES:**

**V. ATTACHMENTS:**

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



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Jerry B. Dudley  
Planning Director



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Randall S. Osterman  
City Manager

ORDINANCE NO. 2021-\_\_\_\_\_

**AN ORDINANCE TO REZONE PROPERTY IDENTIFIED AS TAX MAP NUMBERS 90114-13-001, 90114-13-002, and 90114-13-013 LOCATED ALONG OAKLAND AVENUE AND MAXWELL STREET FROM NC-6.1 NEIGHBORHOOD CONSERVATION-6.1 ZONING DISTRICT TO CR COMMERCIAL REUSE ZONING DISTRICT**

**WHEREAS**, a Public Hearing was held in City Council Chambers on February 9, 2021 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS**, Purnimal LLC made application to rezone from NC-6.1, Neighborhood Conservation-6.1 District to CR, Commercial Reuse District;

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

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

1. That an Ordinance is hereby adopted by amending the **Zoning Atlas** of the City of Florence for the aforesaid property to Commercial Reuse, CR;
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 \_\_\_\_\_, 2021**

**Approved as to form:**

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

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

**Attest:**

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

**PC 2021-03 Attachment B**  
**Location Map 900, 902 Oakland Ave. & 607 Maxwell St**



**Legend**

 Parcels

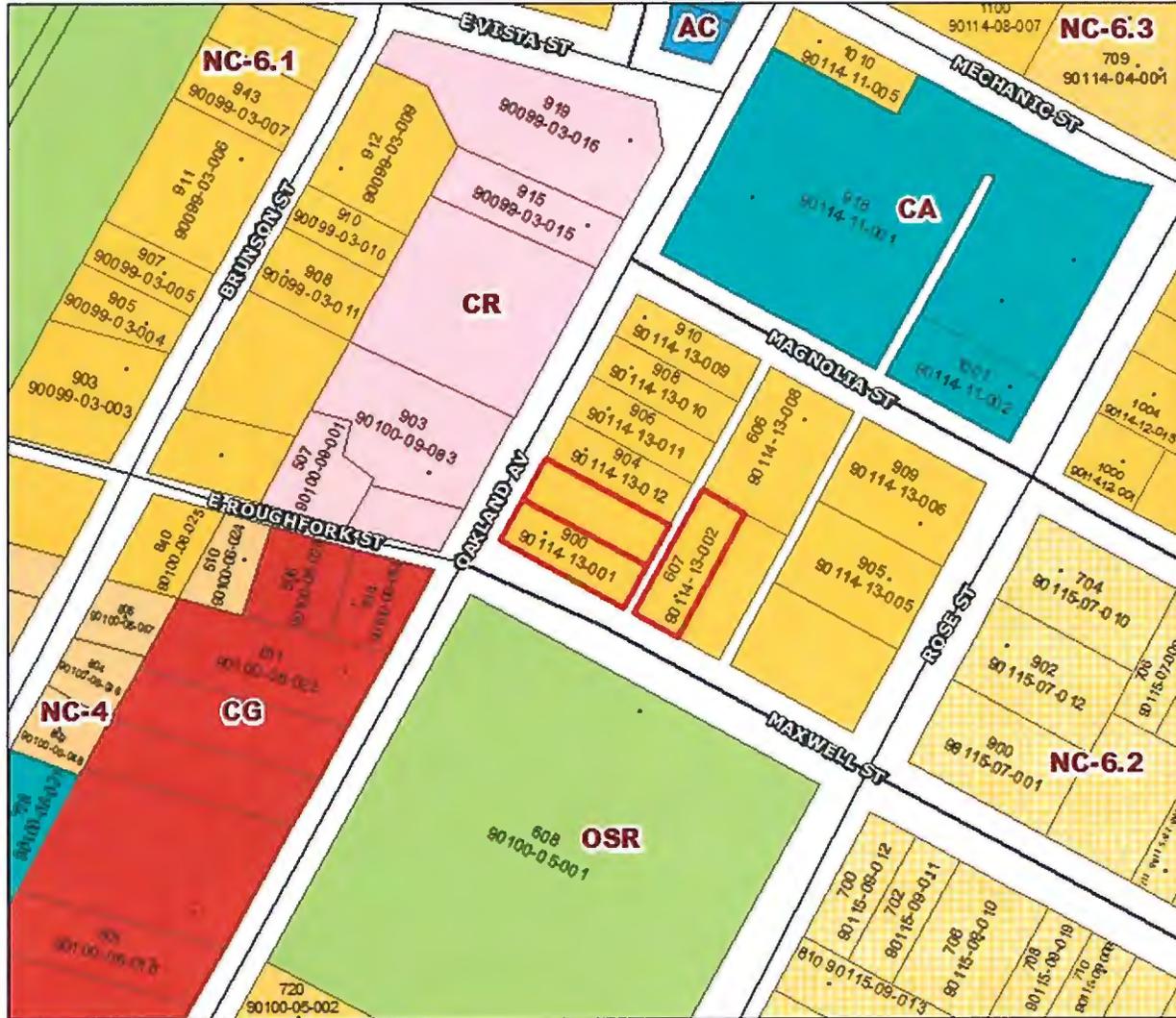


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Date 1/28/2021

# PC 2021-03 Attachment C Zoning Map



- Legend**
- Parcels
  - Zoning District
  - Agricultural and Open Space Districts
    - OSR
  - Neighborhood Conservation Sub-Districts
    - NC-6.1
    - NC-6.2
    - NC-6.3
    - NC-4
  - Business and Commercial Districts
    - CR
    - CA
    - CG
  - Mixed-Use Districts
    - AC



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### PC 2021-03 Attachment D Future Land Use



- Legend**
- Parcels
  - Future Land Use 2010
  - Future Land Use
    - Neighborhood Conservation
    - Parks and Open Space



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Date 1/28/2021

VII. b.  
Bill No. 2021-10  
First Reading

FLORENCE CITY COUNCIL MEETING

**DATE:** April 12, 2021  
**AGENDA ITEM:** FY 2020-21 Budget Amendment Ordinance  
**DEPARTMENT/DIVISION:** Finance

---

**I. ISSUE UNDER CONSIDERATION:**

An amendment to the FY 2020-21 City of Florence Budget is presented to update the current year budget.

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

No previous action has been taken on this ordinance.

**III. POINTS TO CONSIDER:**

1. The objective of the proposed ordinance is to align budgeted amounts more closely with actual revenues and expenditures thereby eliminating or reducing significant variances between budgeted and actual amounts in both revenue and expenditure categories.
2. Funds are being appropriated from fund balance to provide funding from Unappropriated Reserves for FY 2020-21 in the Water and Sewer Construction Fund to provide funding for additional projects.

**IV. STAFF RECOMMENDATION:**

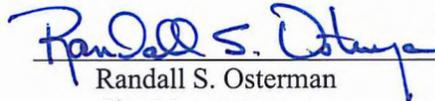
Approve and adopt the proposed ordinance.

**V. ATTACHMENTS:**

A copy of the proposed ordinance is attached.



Kevin V. Yokim  
Assistant City Manager



Randall S. Osterman  
City Manager

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

**AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2020, AND ENDING JUNE 30, 2021**

**BE IT ORDAINED** by the City Council of the City of Florence, South Carolina, in a meeting duly assembled and by the authority thereof that the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2020, and ending June 30, 2021, is hereby amended as follows:

**Section 1.** That the category of revenues of the Water and Sewer Construction Fund in said budget is hereby amended by the additional appropriations as follows:

220375-435010 From Unappropriated Reserve is increased in the amount of \$1,320,400 from Unassigned Fund Balance to appropriate monies for additional water and sewer construction projects.

**Section 2.** That the category of expenditures of the Water & Sewer Construction Fund in said budget is hereby amended by the additional appropriations as follows:

22049900-586010-W0062 S. Cashua Utilities Relocation is funded in the amount of \$52,400 to provide construction costs.

22049900-586010-W0085 W. Florence/Timmonsville Sewer Master Plan is increased in the amount of \$28,000 to provide for the study and recommendation regarding the flow, treatment, and discharge of sewage for West Florence and Timmonsville to relieve the Jeffries Creek Interceptor of excess flow.

22049900-586010-W0127 I-95 Utilities Extension is funded in the amount of \$216,600 to provide for I-95 crossing to Asset Holdings Site.

22049900-586010-W0129 Alligator West Development is increased in the amount of \$496,000 to provide for construction costs.

22049900-586010-W0133 Thomas Road Water and Sewer is funded in the amount of \$15,200 to provide for construction costs.

22049900-586010-W0139 FMU Nature Center Water & Sewer Extension is increased in the amount of \$320,000 to provide water and sewer services to FMU's Nature Center.

22049900-586010-W0144 Pee Dee Commerce Park Spec Building is increased in the amount of \$153,200 to provide water and sewer services to a spec building.

22049900-586010-W0146 Mauldin Drive Sewer is funded in the amount of \$6,000 to provide for construction costs.

22049900-586010-W0147 Cecil Road Water & Sewer Extension is funded in the amount of \$18,000 to provide for construction costs.

22049900-586010-W0149 South Church Street Water Line Relocation is funded in the amount of \$15,000 to provide water and sewer services to a spec building.

**FY 2020-2021 Budget Amendment Ordinance (continued)**

**Section 3.** That all ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

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

**Signature page follows.**

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

**Approved as to form:**

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

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

**Attest:**

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

FLORENCE CITY COUNCIL MEETING

**DATE:** April 12, 2021  
**AGENDA ITEM:** Resolution  
**DEPARTMENT/DIVISION:** City Council

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**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. According to a 2010 evaluation of Analysis of Impediments (AI) reports done by the Government Accountability Office, enforcement is particularly inconsistent across local jurisdictions.

**IV. ATTACHMENTS:**

1. Proposed Resolution

  
Jerry B. Dudley  
Planning Director

  
Randall S. Osterman  
City Manager

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

**RESOLUTION 2021-08**

**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 12<sup>TH</sup> DAY OF APRIL, 2021.

APPROVED AS TO FORM:

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

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

Attest:

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

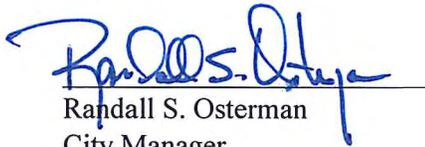
IX.  
Report to Council  
Boards/Commissions

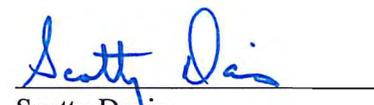
FLORENCE CITY COUNCIL MEETING

**DATE:** April 12, 2021  
**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 is one Board or Commission that has a vacancy.
- III. ATTACHMENTS:**  
(1) Spreadsheet of Council Nominations to Boards and Commissions.  
(2) Nomination Packet.

  
Randall S. Osterman  
City Manager

  
Scotty Davis  
Deputy City Manager

**SCHEDULE OF COUNCIL NOMINATIONS TO BOARDS AND COMMISSIONS - APRIL 2021**

	District 1	District 2	District 3	At-Large 1	At-Large 2	At-Large-3	Mayor
	Schofield	Moore	Braddock	Jebaily	Barnes	McCall	Ervin
<b>Housing Authority</b>							x

## HOUSING AUTHORITY

### **I. NOMINATIONS:**

There is one (1) vacancy\* on the Housing Authority.

\*Angela Myers has resigned her position on the Housing Authority. Ms. Myers served as the Resident Commissioner of the Housing Authority. The appointee will be filling the unexpired term of Ms. Myers, to expire 06/30/2022.

### **II. BOARD REQUIREMENTS:**

This appointment requires an individual who is directly assisted by the Housing Authority.

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

- Mayor Ervin – The Mayor shall appoint the person directly assisted by the Authority.

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

- Elishann Redden

### **V. ATTACHMENTS:**

- Resignation transmittal
- Letter of recommendation
- Applications received



**Angela Myers**

To You

Mar 1

...

**I no longer wish to be a commissioner on  
Florence H.A.**

...



# Housing Authority of Florence

Post Office Drawer 969 / 400 East Pine Street  
Florence, South Carolina 29503  
Phone (843) 669-4163 / TTY (800) 877-8339 / Fax (843) 679-2626

April 1, 2021

Mayor Teresa Myers Ervin & Council  
City of Florence  
City-County Complex  
P. O. Drawer AA  
Florence, SC 29503

It is with regret that I am informing you that Ms. Angela Barrett Myers (Resident Commissioner) has resigned from the Board of Commissioners of the Housing Authority of Florence.

Therefore, I am requesting consideration of Ms. Elishann Redden, 2460 Hoffmeyer Rd, Apartment 105, Florence, SC to be appointed to the Board as the "Resident Commissioner".

I am requesting that you appoint her to fill this vacancy as soon as possible.

Sincerely,

HOUSING AUTHORITY OF FLORENCE

Mrs. Clamentine V. Elmore  
Executive Director

CVE/dcg



Entry #: 10

Date Submitted: 4/2/2021 1:46 PM

Board or Commission for which you are applying:  
Housing Authority

Your Name  
Elishann Redden

County  
Florence

Council District  
District 1

Email Address  
elishannredden@gmail.com

Residential Address  
2460 Hoffmeyer Rd Apt 105, Florence, South Carolina 29501

Mailing Address  
2460 Hoffmeyer Rd Apt 105, Florence, South Carolina 29501

Your Occupation - Title

Business Phone

Residence Phone  
(843) 269-4029

Employer Name  
Housing Authority Commissioner

Employer Address  
400 E Pine St

City  
Florence

State  
South Carolina

**General Qualifications**

Are you a resident of the City?  
Yes

If so, how Long?  
14

Why would you like to serve?  
To be a voice for the people and enteract with the people.

Do you presently serve on any Commissions/ Boards of the City/ County/ State?  
No

If so, please list:

Have you formerly served on any Commissions/ Boards of the City/ County/ State?  
No

If so, please list:

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?  
No

If so, please list:

What are your goals and objectives if appointed to the Commission/Board?  
My goal is to be available to assist with the needs in the community and help to solve any problems that may arise.

I certify that the information above is true and correct.

Today's Date  
4/2/2021



Information on this form will be considered public.

Today's Date  
4/2/2021

