

REGULAR MEETING OF FLORENCE CITY COUNCIL

MONDAY, OCTOBER 13, 2008 - 1:00 P.M.

CITY-COUNTY COMPLEX, CITY COUNCIL CHAMBERS, ROOM 604

FLORENCE, SOUTH CAROLINA

AGENDA

I. CALL TO ORDER

II. INVOCATION

Pledge of Allegiance to the American Flag

III. APPROVAL OF MINUTES

Special Meeting - August 28, 2008

Regular Meeting - September 8, 2008

IV. SPECIAL HONORS AND RECOGNITIONS

Service Certificates

Phillip A. Coker - 35 years - Public Works Department

Betty Gee - 35 years - Fire Department

Rocky Rietkovich - 25 years - Parks Department

Teresa Simons - 20 years - Parks Department

Allen Rouse - 15 years - Fire Department

Lonnie N. Lee - 10 years - Public Works Department

V. APPEARANCE BEFORE COUNCIL

a. Mr. Kyle Edney - Economic Development - to make a presentation to Council

b. Mr. John Chase - to make a presentation regarding Florence County Legislative Day 2009

c. Mr. Gary Finklea - to speak on behalf of Strengthening Florence Families

d. Mrs. Barbara Burgess - to address Council regarding a municipal issue

VI. PUBLIC HEARING

To solicit citizen's input on the utilization of unused CDBG funds from the grant years of 2002, 2003, 2004.

VI. ORDINANCES IN POSITION

- a. **Bill No. 2008-13 - Second Reading**
An Ordinance to amend Section 2.5-Table III, Section 3.21, Section 5.2-Table VIII, Section 7.6, and Section 7.7 of the City of Florence Zoning Ordinance for setbacks, text errors, accessory structure rules and commercial and industrial property access.
(Note: Staff has requested this item be deferred to a future meeting)
- b. **Bill No. 2008-16 - Second Reading**
An Ordinance to amend Section 2.9 of the Consolidated Zoning Ordinance by adding to the existing Ordinance in order to create the Wilson Road Residential Overlay District associated with Design Guidelines and to provide for their enforcement and administration.
- c. **Bill No. 2008-45 - Second Reading**
An Ordinance authorizing the sale of a parcel containing approximately 1.84 acres and being more fully shown on a plat of said parcel made for Florence County by Heller and Associates, Inc. dated November 29, 1989 and recorded in the Office of the Clerk of Court for Florence County in Plat Book 36 at page 38 and being the parcel designated as Tax Map 246-01-030 in the records of the Florence County Tax Assessor.
- d. **Bill No. 2008-47 - Second Reading**
An Ordinance to annex and zone property owned by Mr. Rodney Moody, located at 601 N. Wiltshire Drive.
- e. **Bill No. 2008-48 - Second Reading**
An Ordinance to annex property owned by South Florence Developers, LLC, located on Third Loop Road.
- f. **Bill No. 2008-49 - Second Reading**
An Ordinance to annex property owned by South Florence Developers, LLC, and Mr. F. Prosser, located on Howe Springs Road.

VII. INTRODUCTION OF ORDINANCES

- a. **Bill No. 2008-50 - First Reading**
An Ordinance to amend the Budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2008, and ending June 30, 2009.

- b. *Bill No. 2008-51 - First Reading***
An Ordinance to provide for a Public Referendum to be held to determine whether or not the City of Florence shall amend Chapter 2 of its City Code to change its method of electing the Mayor and City Council Members from partisan elections to nonpartisan plurality elections as authorized by Section 5-15-61 of the South Carolina Code of Laws.

VIII. *REPORTS TO COUNCIL*

- a. *Appointments to Boards and Commissions***
- b. *A report on the recommendations of the Accommodations Tax Advisory Committee***
- c. *A report by Mr. David N. Williams, City Manager, regarding a request to declare surplus city-owned property located at 1001 Haskell Road.***

IX. *EXECUTIVE SESSION*

- a. *Contractual Matter***

X. *ADJOURN*

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
THURSDAY, AUGUST 28, 2008 - 4:30 P.M.
CITY OF FLORENCE SURFACE WATER TREATMENT FACILITY
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT: Mayor Pro tem Billy D. Williams called the special meeting to order at 4:32 p.m. The following members were present for the meeting: Councilman Frank J. Brand, II; Councilman William C. Bradham, Jr.; Councilman Ed Robinson; and Councilman Robert C. Holland, Jr.

Mayor Frank E. Willis and Councilman Richard L. Woodard were absent.

ALSO PRESENT: David N. Williams, City Manager; Mr. James W. Peterson, Jr., City Attorney; Mrs. Linda Edwards, Gignilliat, Savitz and Bettis Law Firm; Tom Shearin, Special Services Administrator; Scotty Davis, Director of Community Services; Chief Randy Osterman, Florence Fire Department; Drew Griffin, Director of Public Works and Utilities; Darene Stankus, Director of Human Resources; Chief Anson Shells, Florence Police Department; Phillip Lookadoo, Director of Urban Planning and Development; and Thomas Chandler, Director of Finance.

Notices of this special meeting were sent to the media informing them of the date, place and time of the special meeting. No one from the media was present.

INTRODUCTION OF ORDINANCES

BILL NO. 2008-46 - FIRST READING

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF TWO PARCELS DESIGNATED AS TAX MAP PARCELS 90168-02-009 AND 90168-02-011 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR TO THE FLORENCE DOWNTOWN DEVELOPMENT CORPORATION AND FURTHER AUTHORIZING THE GRANTING OF AN OPTION TO PURCHASE FOR ONE YEAR TO THE FLORENCE DOWNTOWN DEVELOPMENT CORPORATION COVERING A PARCEL CONTAINING 1.0 ACRE AND BEING THE PARCEL DESIGNATED AS TAX MAP 90168-02-005 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR.

An Ordinance authorizing the conveyance of two parcels designated as Tax Map parcels 90168-02-009 and 90168-02-011 in the records of the Florence County Tax Assessor to the Florence Downtown Development Corporation and further authorizing the granting of an option to purchase for one year to the Florence Downtown Development Corporation covering a parcel containing 1.0 acre and being the parcel designated as Tax Map 90168-02-005 in the records of the Florence County Tax Assessor was passed on first reading.

Mr. David Williams, City Manager reported that City Council had directed Staff to prepare an Ordinance, for their review, following a request made by Mr. George Jebaily, representing the Downtown Development Corporation (DDC), to transfer certain properties downtown to the DDC to allow them to be marketed and hopefully developed. Parcels designated as 90168-02-009 and 90168-02-011 would be transferred to the DDC at no cost. As part of the transfer, these properties could not be conveyed to another party without the consent of City Council. Also, the sales price could not be less than fair market value. The request also includes the parcel designated as Tax Map 90168-02-005 and is also known as the old McLeod property. The request of the DDC is for the City to grant them an option to purchase this

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property. This option would allow the DDC to have up to a one year period to purchase the property for the appraised price of \$500,000.

Mr. Jim Peterson, City Attorney clarified that in this Ordinance the first two parcels listed would not require the DDC to come back to Council and get their authorization in order to convey the property to another party unless they were conveying it for less than fair market value. The concern raised at an earlier meeting was that City Council did not want the DDC to convey this property to someone else without City Council knowing the development plans for it.

Councilman Holland asked if during the year the City is approached and asked to sell any portion of this 1.0 acre parcel would City Council have to go to the DDC and have them release the City from that option to purchase.

Mr. Peterson responded that City Council would have to work with the DDC to have them release the City from the option to purchase if the City wanted to sell any of the parcel.

Councilman Brand asked if City Council could convey the two properties at 117 and 119 S. Dargan Street, shown as Tax Map Parcels 90168-02-009 and 90168-02-011, to the DDC and remove the old McLeod property (Parcel 01-68-02-005) from the agreement at this time.

Mr. Peterson responded that this could be done by amending the Ordinance.

Councilman Holland made a motion to amend the Ordinance to eliminate all references to Tax Map Parcel 90168-02-005 (old McLeod property). Councilman Brand seconded the motion, which carried unanimously.

Councilman Brand made a motion to approve the Ordinance as amended. Councilman Holland seconded the motion, which carried unanimously.

(Mayor Frank E. Willis and Councilman Rick Woodard were absent from the meeting).

INTRODUCTION OF RESOLUTION

RESOLUTION NO. 2008-11

A RESOLUTION APPROVING THE ADOPTION OF A REVISED EMPLOYEE HANDBOOK

Mr. David N. Williams, City Manager stated that this meeting provides Staff an opportunity to discuss the revised changes that have been made to the Employee Handbook. The City of Florence had a handbook for many years but no revisions have been made for a number of years. There have been changes with regards to State and Federal Legislation and court cases that have made it necessary to revise the handbook. Mr. Jim Peterson, City Attorney and Mrs. Linda Edwards of Gignilliat, Savitz & Bettis, the City's Labor Attorney, will review the changes regarding state and federal legislation.

Mr. Williams stated that the purpose of a handbook is to clearly communicate information that is relevant and important to employees; to provide management an opportunity to educate employees about the organization; and to provide consistency in administering the organization's policies and procedures. Employees receive a copy of the handbook at the time they are hired by the City and are required to sign a disclaimer stating they are in receipt of the City's Personnel Handbook.

Reasons for updating the handbook are:

- 1) To incorporate language applicable to new federal laws: e.g.
 - a) Family and Medical Leave Act;
 - b) Americans with Disabilities Act;
 - c) Civil Rights Act Amendments of 1991;

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- 2) Court decisions;
- 3) Changes within the organization; and
- 4) Minimize liability issues.

Differences between the old Employee Handbook (dated 1988) and the proposed new edition:

- 1) Format: The new format addresses all of the relevant issues; however, in a more concise manner; and
- 2) Inclusions: The new handbook includes up-to-date language applicable to new Federal laws and court cases.

Items that were excluded from the new handbook due to duplication in other operating policies and procedures:

- 1) Job examination/assessments;
- 2) Position description;
- 3) Reevaluation of positions;
- 4) Classification reassignment;
- 5) Training and Upward Mobility and Award Programs;
- 6) Detailed description of exit interview, retirement process, reinstatement process;
- 7) Detailed description of benefits;
- 8) Travel Policy;
- 9) Use of City Property and Safety Programs;
- 10) Employee Participation Programs; and
- 11) Miscellaneous Programs.

Topics maintained in the 2008 Handbook:

General Policies:

- 1) Equal Employment Opportunity statement;
- 2) Anti-Harassment statement;
- 3) Sexual Harassment statement;
- 4) Complaint Procedure and Investigation.

Included Topics are:

Employment Guidelines:

- 1) Hiring/Recruiting;
- 2) Nepotism/Employment of Relatives;
- 3) Employment Status;
- 4) Probationary Period;
- 5) Outside Employment;
- 6) Conflict of Interest;
- 7) Gifts and Gratuities;
- 8) Political Activity;
- 9) Workplace Privacy/Computer & Internet Abuse;
- 10) Events that Necessitate Office Closing

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Wages & Hours of Work:

- 1) Classification System;
- 2) Hours of Work;
- 3) Overtime and Compensatory Time;
- 4) Payment of Wages;
- 5) Performance Evaluation;
- 6) Holidays

Leave Policies:

- 1) Annual (General) Leave;
- 2) Sick Leave;
- 3) Military Leave;
- 4) Jury Duty;
- 5) Physical Disability and Personal Leave (FMLA)

Benefits:

- 1) General Statement;
- 2) Workers' Compensation;
- 3) Drug Free Workplace Policy

Employee Conduct

Complaint Review Process.

Mrs. Linda Edwards stated it was important for the City to have good policies that explains things to employees but can remain flexible so that the City can operate. Mrs. Edwards reviewed the Equal Employment Opportunity Policy, the Anti-Harassment Policy; the Employee Conduct Policy and the Complaint Review Process. One of the newer policies is the Workplace Privacy/Computer and Internet Abuse Policy. This policy gives the City the right to see how an employee is using his city-issued computer and equipment.

Councilman Holland made a motion to adopt the City of Florence Handbook as revised. Councilman Brand seconded the motion, which carried unanimously. (Mayor Frank Willis and Councilman Rick Woodard were absent from the meeting).

ADJOURN

Councilman Holland made a motion to adjourn the meeting. Councilman Brand seconded the motion, which carried unanimously.

The meeting was adjourned at 5:18 p.m.

Dated this _____ day of October, 2008.

Dianne M. Rowan, Municipal Clerk

Frank E. Willis, Mayor

**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, SEPTEMBER 8, 2008 - 1:00 P.M.
CITY-COUNTY COMPLEX, CITY COUNCIL CHAMBERS, ROOM 604
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT: Mayor Frank E. Willis called the regular meeting to order at 1:00 p.m. The following members were present for the meeting: Councilman Frank J. Brand, II; Councilman Rick Woodard; Councilman William C. Bradham, Jr.; Councilman Ed Robinson; Mayor Pro tem Billy D. Williams; and Councilman Robert C. Holland, Jr.

ALSO PRESENT: David N. Williams, City Manager; Dianne M. Rowan, Municipal Clerk; James W. Peterson, Jr., City Attorney; Phillip Lookadoo, Director of Urban Planning and Downtown Development; Thomas Chandler, Director of Finance; Scotty Davis, Director of Community Services; Chief Anson Shells, Florence Police Department; and Drew Griffin, Director of Public Works.

Notices of this regular meeting were sent to the media informing them of the date, place and time of the meeting. Chuck Tomlinson of the Morning News was present. Also present from the media were Tonya Brown of WPDE TV-15 and a representative of WBTW TV-13.

INVOCATION

Mayor Pro tem Billy D. Williams gave the invocation, which was followed by the Pledge of Allegiance to the American Flag.

APPROVAL OF MINUTES

Councilman Bradham made a motion to approve the minutes of the Special Meeting of August 7, 2008; the Regular Meeting of August 11, 2008 and the Special Meeting of August 14, 2008. Councilman Holland seconded the motion, which carried unanimously.

SPECIAL HONORS AND RECOGNITIONS

Mayor Willis presented Tommy Rotan with a certificate recognizing his 35 years of service with the City of Florence Public Works Department.

Edward Johnson was recognized for completing 25 years of service with the City of Florence Public Works Department.

Mayor Willis presented Jimmy Brown a certificate recognizing 15 years of service with the City of Florence Public Works Department.

APPEARANCE BEFORE COUNCIL

MRS. LORI PHILLIPS, SOUTH CAROLINA DHEC - TO MAKE A BRIEF EDUCATIONAL/INFORMATIONAL PRESENTATION REGARDING THE ISSUE OF A SMOKE FREE ORDINANCE FOR THE CITY OF FLORENCE.

Mrs. Phillips reported to Council the status of the smoke free ordinances within the state of South Carolina and encouraged City Council to move forward with one for the City of Florence.

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In 2006 the Surgeon General of the United States issued a report on the consequences of involuntary exposure to tobacco smoke. The main conclusions of the report were: 1) Second hand smoke exposure is harmful to your health; 2) there is no risk-free level of second hand smoke; and 3) the only way to fully protect non-smokers from the exposure to second hand smoke in indoor spaces is by eliminating smoking. In March 2008 the S.C. Supreme Court ruled in favor of the City of Greenville's smoke free ordinance. This ordinance does not allow for smoking inside any indoor work site in the City of Greenville. Since the ordinance for Greenville was upheld, there have been many municipalities in the state that have gone forward with smoke free ordinances at the local level. There are currently 19 municipalities that are protecting their workers from second hand smoke in their work sites.

Mayor Willis thanked Mrs. Phillips for her presentation.

MR. JIM CROOKS - TO SPEAK ON BEHALF OF STRENGTHENING FLORENCE FAMILIES - "KEEP SUNDAY SAFE & SOBER - VOTE NO" ON THE REFERENDUM TO ALLOW SUNDAY ALCOHOL SALES.

Mr. Jim Crooks addressed Council on behalf of a group of people who are concerned about the referendum that will appear on the November ballot to allow the sale of alcoholic beverages in restaurants in the City of Florence. The group, Strengthening Florence Families, has concerns regarding how this was accomplished without this group being provided the opportunity to speak against the proposal in an appropriate manner. In a previous Council meeting, Mr. Tim Norwood, representing the Greater Florence Chamber of Commerce, reported that the restaurants in the City of Florence are projected to receive \$650,000 per month in revenue if the referendum passes in November. Mr. Crooks stated that from that figure the City of Florence would receive \$13,000 from the 2% sales tax. Mr. Crooks stated that a survey had been done of approximately 40 restaurants to see who would buy the \$3,100 yearly liquor license. The City would receive \$280,000 a year in revenue from the \$650,000 a month that is projected to be received by the restaurant owners. Mr. Crooks stated that he was not aware of any cost analysis conducted by the City to determine what costs would be incurred by EMS, the Police and Fire Departments for accidents, and property damages. Mr. Crooks stated that he felt this amount would far out weigh the benefits of the \$280,000 that the City would receive each year. Mr. Crooks said this information was based on their research and he would like to find out if this would be true. With the large number of DUI instances that happen in Florence between Friday and Saturday, adding another 16 hours of alcoholic consumption to the City's restaurants would not do anything but exacerbate that problem. Mr. Crooks stated that the group felt like it was City Council's responsibility to protect not only the special interest people, but to protect everyone in the City who have a valid interest in this issue. Mr. Crooks stated that he would have liked to have been given proper notice of this issue and been given a period of time to respond and to do proper research on the effects this legislation will have on the citizens of the City of Florence. Mr. Crooks requested that if anything of this magnitude comes before Council in the future, Strengthening Florence Families would like to be notified.

Councilman Woodard requested the City Manager to validate the statistics as best as possible.

Mayor Willis thanked Mr. Crooks for his presentation.

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MR. GEORGE JEBAILY, DOWNTOWN DEVELOPMENT CORPORATION - TO DISCUSS THE POSSIBILITY OF THE CITY OF FLORENCE PROVIDING FUNDING FOR THE PURCHASE OF A DOWNTOWN PROPERTY.

Mr. Jebaily addressed Council on behalf of the Florence Downtown Development Corporation regarding a request for funding for the purchase of the Kimbrell's building by the Downtown Development Corporation. Mr. Jebaily stated that by previous action, City Council has given first reading to an ordinance that would convey the properties located at 117 and 119 S. Dargan Street to the Downtown Development Corporation (DDC). The purchase of the Kimbrell's building will give the DDC full control of this block, except for the drugstore and the façade building. The idea being to do a focused development master plan of this one-half block of Dargan Street.

Councilman Robinson stated he had some questions about the proposed development as relates to other things that would benefit minorities. Councilman Robinson asked Mr. Jebaily to highlight some of the things in the plan and how it relates to other parts of the City. One project that Councilman Robinson is very interested in is the Teen Center. He would like to see the Teen Center included in the development of downtown.

Mr. Jebaily stated he would be happy to discuss with the Board the request to assist the city with the feasibility study of the Teen Center. Other projects that the DDC are considering: 1) The creation of a Business Incubator and; 2) the clean-up of the old Bush Recycling site. Mr. Jebaily stated that the DDC would like to focus their efforts on the Evans/Dargan Street corner of the Historical District.

Mayor Pro tem Williams asked what could be done to expedite the Teen Center?

Mr. David Williams responded that the City's financial advisor is putting together a Capital Plan that will include the teen center. Staff is looking at several capital projects that will need funding approval from City Council.

Mayor Pro tem Williams made a motion to authorize the DDC to move forward with assisting the City with a feasibility study for the teen center. Councilman Holland seconded the motion, which carried unanimously.

The request for funding for the Kimbrell's building is \$300,000.

Councilman Holland made a motion to approve the request for funding in the amount of \$300,000 to purchase the Kimbrell's building. Mayor Pro tem Williams seconded the motion, which carried unanimously.

ORDINANCES IN POSITION

BILL NO. 2008-13 - SECOND READING

AN ORDINANCE TO AMEND SECTION 2.5 TABLE III, SECTION 3.21, SECTION 5.2-TABLE VIII, SECTION 7.6 AND SECTION 7.7 OF THE CITY OF FLORENCE ZONING ORDINANCE FOR SETBACKS, TEXT ERRORS, ACCESSORY STRUCTURE RULES AND COMMERCIAL AND INDUSTRIAL PROPERTY ACCESS

An Ordinance to amend Section 2.5 Table III, Section 3.21, Section 5.2-Table III, Section 7.6 and Section 7.7 of the City of Florence Zoning Ordinance for Setbacks, Text Errors, Accessory Structure Rules and Commercial and Industrial Property Access was deferred on second reading.

BILL NO. 2008-16 - SECOND READING

AN ORDINANCE TO AMEND SECTION 2.9 OF THE CONSOLIDATED ZONING ORDINANCE BY ADDING TO THE EXISTING ORDINANCE IN ORDER TO CREATE THE WILSON ROAD RESIDENTIAL OVERLAY DISTRICT ASSOCIATED WITH DESIGN GUIDELINES AND TO PROVIDE FOR THEIR ENFORCEMENT AND ADMINISTRATION

An Ordinance to amend Section 2.9 of the Consolidated Zoning Ordinance by adding to the existing Ordinance in order to create the Wilson Road Residential Overlay District associated with Design Guidelines and to provide for their enforcement and administration was deferred on second reading.

BILL NO. 2008-42 - SECOND READING

AN ORDINANCE TO ABANDON UNOPENED RIGHT-OF-WAY ON NORTH GUERRY STREET.

An Ordinance to abandon unopened right-of-way on North Guerry Street was adopted on second reading.

Mr. Phillip Lookadoo, Director of Urban Planning and Development reported to Council at the August 11, 2008 regular council meeting, that this is a request by Shaw Lumber Company to abandon the northern end of the right-of-way of North Guerry Street. The street dead ends into the railroad right-of-way and is currently unopened.

The right-of-way in question is unopened and has been used for many years by Shaw Lumber Company as part of their work space. It appears that some buildings even extend into the right-of-way. The owners of Shaw Lumber Company have recently established ownership of both sides of this unopened portion of the street. Access will continue to be available to all other properties located on North Guerry Street. There are no city utilities located within this section of North Guerry Street.

Public notice of this request has been published in the Morning News three times as required by Section 2-28 of the City of Florence Code of Ordinances.

The applicant is requesting that the City abandon its interest in the unopened 40 foot right-of-way extending south from the CSX right-of-way for approximately 200 feet which is contiguous to properties on either side owned by Shaw Lumber Company.

Councilman Holland made a motion to adopt Bill No. 2008-42 on second reading. Councilman Bradham seconded the motion, which carried unanimously.

BILL NO. 2008-43 - SECOND READING

AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN ORDER TO FUND A PORTION OF THE COSTS ASSOCIATED WITH SOIL REMEDIATION OF THE FORMER BUSH RECYCLING CENTER; TO AUTHORIZE THE EXECUTION AND DELIVERY OF THOSE DOCUMENTS IN CONNECTION THEREWITH; AND OTHER MATTERS RELATING THERETO.

An Ordinance to authorize the execution and delivery of various documents in order to fund a portion of the costs associated with soil remediation of the former Bush Recycling Center; to authorize the execution and delivery of those documents in connection therewith; and other matters relating thereto was adopted on second reading.

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Mr. David N. Williams, City Manager reported to Council at the regular council meeting held on August 11, 2008, that in November of 2007 City Council adopted an Ordinance authorizing a loan in the amount of \$625,000 to fund a portion of the contaminated soil remediation activities at the Bush Recycling Center site. As explained in an earlier meeting, some additional contamination was encountered at the site and it requires the City to borrow an additional \$400,000 from the same source of funding for this low interest loan. This Ordinance will replace the previous financing to allow the City to make the loan in the larger amount to cover most of the cost of the clean up of the site.

Councilman Holland made a motion to adopt Bill No. 2008-43 on second reading. Councilman Bradham seconded the motion.

BILL NO. 2008-46 - SECOND READING
AN ORDINANCE AUTHORIZING THE CONVEYANCE OF TWO PARCELS DESIGNATED AS TAX MAP PARCELS 90168-02-009 AND 90168-02-011 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR TO THE FLORENCE DOWNTOWN DEVELOPMENT CORPORATION.

An Ordinance authorizing the conveyance of two parcels designated as Tap Map Parcels 90168-02-009 and 90168-02-011 in the records of the Florence County Tax Assessor to the Florence Downtown Development Corporation was adopted on second reading.

Councilman Brand made a motion to adopt Bill No. 2008-46 on second reading. Councilman Bradham seconded the motion, which carried unanimously.

INTRODUCTION OF ORDINANCES

BILL NO. 2008-45 - FIRST READING
AN ORDINANCE AUTHORIZING THE SALE OF A PARCEL CONTAINING APPROXIMATELY 1.84 ACRES AND BEING MORE FULLY SHOWN ON A PLAT OF SAID PARCEL MADE FOR FLORENCE COUNTY BY HELLER AND ASSOCIATES, INC. DATED NOVEMBER 29, 1989 AND RECORDED IN THE OFFICE OF THE CLERK OF COURT FOR FLORENCE COUNTY IN PLAT BOOK 36 AT PAGE 38 AND BEING THE PARCEL DESIGNATED AS TAX MAP 246-01-030 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR.

An Ordinance authorizing the sale of a parcel containing approximately 1.84 acres and being more fully shown on a plat of said parcel made for Florence County by Heller and Associates, Inc. dated November 29, 1989 and recorded in the Office of the Clerk of Court for Florence County in Plat Book 36 at Page 38 and being the parcel designated as Tax Map 246-01-030 in the records of the Florence County Tax Assessor was passed on first reading.

Mr. David N. Williams, City Manager reported that at an earlier meeting Council had declared this piece of property as surplus. The City was approached by an adjacent property owner regarding the possibility of purchasing the property after council declared it surplus. It was offered for sale under the City's normal procurement procedures and a request was received from Mr. Malloy McEachin to purchase the property. All of the requirements, including the minimum price was met in the offer. In order to actually make the sale, it has to be approved by City Council in an Ordinance.

Councilman Holland made a motion to pass Bill No. 2008-45 on first reading. Councilman Bradham seconded the motion, which carried unanimously.

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BILL NO. 2008-47 - FIRST READING

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY MR. RODNEY MOODY, LOCATED AT 601 N. WILTSHIRE DRIVE.

An Ordinance to annex and zone property owned by Mr. Rodney Moody, located at 601 N. Wiltshire Drive was passed on first reading.

Mr. Phillip Lookadoo, Director of Urban Planning and Development, reported to Council that an annexation and zoning request has been received by Mr. Rodney Moody for property located at 601 N. Wiltshire Drive, shown more specifically on Florence County Tax Map 0221-01-242. The property is contiguous to the city limits with water and sewer services available.

A public hearing for the zoning request for R-1, Single-Family Residential District was held on August 12, 2008 by the City of Florence Planning Commission and was approved unanimously.

Councilman Brand made a motion to pass Bill No. 2008-47 on first reading. Councilman Robinson seconded the motion, which carried unanimously.

BILL NO. 2008-48 - FIRST READING

AN ORDINANCE TO ANNEX PROPERTY OWNED BY SOUTH FLORENCE DEVELOPERS, LLC, LOCATED ON THIRD LOOP ROAD.

An Ordinance to annex property owned by South Florence Developers, LLC, located on Third Loop Road was passed on first reading.

Mr. Phillip Lookadoo, Director of Urban Planning and Development, reported to Council that an annexation request has been received by South Florence Developers, Inc. for undeveloped property located on Third Loop Road, shown more specifically on Tax Map 00151-01-234 and consisting of approximately 7.78 acres.

The property is contiguous to the city limits with water and sewer services available. There is a cost of \$74,000 to the city to provide additional infrastructure improvements designed to alleviate existing flooding issues in the adjacent Abbeys and Cloister developments.

Councilman Holland asked where the \$74,000 would come from and if it should be the responsibility of the developer?

Mr. David Williams, City Manager responded that there is \$74,000 available within the Utility Construction Fund.

Mr. Drew Griffin added that there are flooding issues within the Abbey Subdivision and in the Cloister Subdivision. The City will actually be paying to upsize the pipes from the Abbey pond. The city is also asking the developer to enlarge the detention pond to hold more water for adjoining properties. This has been designed and is being recommended to assist already developed property.

Councilman Holland made a motion to pass Bill No. 2008-48 on first reading. Councilman Robinson seconded the motion, which carried unanimously.

BILL NO. 2008-49 - FIRST READING

AN ORDINANCE TO ANNEX PROPERTY OWNED BY SOUTH FLORENCE DEVELOPERS, LLC, AND MR. F. PROSSER, LOCATED ON HOWE SPRINGS ROAD.

An Ordinance to annex property owned by South Florence Developers, LLC, and Mr. F. Prosser, located on Howe Springs Road was passed on first reading.

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Mr. Phillip Lookadoo, Director of Urban Planning and Development, reported that an annexation request has been received by South Florence Developers, Inc. and Ferrell Prosser for properties located off Howe Springs Road and shown more specifically on Tax Map 00180-01-010 (42.27 acres) and 00180-01-017 & 008 (10 foot strip for contiguity).

The property is contiguous to the city limits with both water and sewer services available. There is a reimbursement cost of \$87,000 to the developer for the lift station and force main. The larger property requesting annexation is a 90 lot subdivision (Spring Haven) which is under development.

This property is currently zoned R-1, Single-Family Residential and RU-1, Rural Community District by previous action of Florence County Council.

Councilman Holland made a motion to pass Bill No. 2008-49 on first reading. Councilman Brand seconded the motion, which carried unanimously.

REPORTS TO COUNCIL

APPOINTMENTS TO BOARDS AND COMMISSIONS

HISTORICAL COMMISSION

Mayor Pro tem Williams made a motion to reappoint Mr. Andrew Kampiziones to serve on the Historical Commission. Councilman Woodard seconded the motion, which carried unanimously.

Mr. Andrew Kampiziones was reappointed to serve on the Historical Commission for a term to begin immediately and end June 30, 2012.

PARKS, BEAUTIFICATION, AND LEISURE SERVICES COMMISSION

Mayor Pro tem Williams made a motion to defer appointments to this Commission. Councilman Holland seconded the motion, which carried unanimously.

MR. DAVID WILLIAMS - A REPORT ON A REQUEST FOR FUNDING FOR ROOF IMPROVEMENTS BY THE BOYS AND GIRLS CLUB.

Mr. Williams reported that a few months ago, Mr. Neal Zimmerman gave a report to Council on the renovations and improvements for the Boys and Girls Club. At that time Mr. Zimmerman informally indicated to Council that if the City were in a position to assist with the roof improvements that are needed, any assistance would be appreciated. The repairs were estimated to be \$75,000. At that time funds were not available and Council took no action. Also, at the time the budget was put together for this year, Council was unable to find funds for the project. Since then the City has determined that in the CDBG budgets from the grant years of 2002, 2003 and 2004, there are still some remaining funds that had originally been earmarked for downtown redevelopment. Because these funds have not been used, staff is recommending to council, the funds from those three grant years, be reallocated and used for the roof improvements at the Boys and Girls Club, which is a CDBG eligible expense. In order to do that, a public hearing would need to be held before Council could take any action to reallocate these funds. A public hearing could be scheduled for the October 13, 2008 meeting.

Mayor Pro tem Williams made a motion to approve a public hearing for October 13, 2008. Councilman Holland seconded the motion, which carried unanimously.

**REGULAR MEETING OF FLORENCE CITY COUNCIL
SEPTEMBER 8, 2008 - PAGE 8**

ADJOURN

There being no further business, Councilman Holland made a motion to adjourn the meeting. Mayor Pro tem Williams seconded the motion, which carried unanimously.

The meeting was adjourned at 1:47 p.m.

Dated this _____ day of October, 2008.

Dianne M. Rowan, Municipal Clerk

Frank E. Willis, Mayor

**STAFF REPORT
TO THE
FLORENCE CITY COUNCIL
December 3, 2007
PC#2007-63**

SUBJECT: Request for amendments to Section 2.5-Table III, Section 3.21, Section 5.2-Table VIII, Section 7.6, and Section 7.7 of the Consolidated Zoning Ordinance for setbacks, text errors, accessory structure rules and commercial and industrial property access.

APPLICANT: Florence County/Municipal Planning Department Staff

STAFF ANALYSIS:

During recent reviews of continuing issues in the community for setbacks and buffers between conflicting land uses, the Planning Commission and staff have determined that several changes should be made.

1. The amendments to Section 2.5 Table III (a) shall re-establish the minimum rear and side yard setback requirements between development of non-residential uses in the commercial zoning districts and adjacent residential zoning districts to lessen the potential negative impact between these uses. Non-residential use development adjacent to like uses shall observe the current setbacks and (b) shall correct typographical errors to the lot width requirements for the B-5, B-6, RU-1 and RU-2 Zoning Districts.
2. The amendment to Section 5.2-Table VIII shall delete reference to information that has been removed from the Ordinance as a part of the amendment process.
3. The amendment to Section 3.21 shall establish minimum required setbacks for all other uses other than commercial and industrial uses in unzoned areas.
4. The amendment to Section 7.6 shall specifically establish a maximum square footage of accessory structures in residential districts.
5. The amendment to Section 7.7 shall establish criteria for prohibiting access to commercial and industrial properties by way of residential zones.
6. If adopted, the amendment for Section 2.5 Table III shall become effective June 1, 2008. All other amendments shall be effective upon adoption.

NOTE:

Text amendments to the Sections for revisions to current text shall be designated by strikethrough and with amended text in bold. Amendment to the text of the Sections for additions shall be designated by bold lettering only.

AMENDMENT REQUEST (1):

A. The current text of Section 2.5 Table III: Schedule of Lot Area, Yard, Setback, Height, Density, Floor area, and Impervious Surface Requirements for Residential, Business and Rural Districts reads as follows:

District	Minimum Lot Area (a)		Lot Width (ft)	Front Yard Setback (b)	Side Yard Setback		Rear Yard Setback		Max Hgt. (ft) (c)	Max Impervious Surface Ratio (%)	Max. Floor Area Ratio: Non-Res. Uses (d)
	Residential	Non-Residential			Res	Non Res	Res	Non Res			
R-1	15,000	30,000	100	25	10	50	30	60	38	40	0.25
R-2	10,000	20,000	80	25	8	25	25	50	38	45	0.30
R-3	6,000	12,000	50	25	5	25	25	50	38	45	0.30
R-4	6,000	12,000	50	25	5	25	20	40	38	45	0.30
R-5	6,000	12,000	50	25	5	25	20	40	4 stories	70	0.30
B-1	5,000	5,000	50	35	5	5	20	20	38	70	0.30
B-2	5,000	5,000	50	35	5	5	20	20	38	80	0.50
B-3	5,000	5,000	50	35	5	5	20	20	(e)	90	None
B-4	NA	None	None	None	NA	None	NA	None	(e)	100	None
B-5	NA	10,000	10,000	35	NA	10	NA	25	(e)	90	None
B-6	NA	10,000	10,000	35	NA	10	NA	25	(e)	90	None
RU-1	15,000	15,000	15,000	35	10	10	30	30	38	40	0.25
RU-2	87,120	43,560	43,560	35	15	50	30	60	38	20	0.15

Notes to Table III

a – Lot area is expressed in square feet.

b – Measurement from front property line.

c – Measurement from average elevation of finished grade of the front of the structure.

d – Total floor measured as a percent of total lot area

e – There is no maximum: provided side and rear setbacks shall increase by one (1) foot for each two (2) feet in height over thirty-five (35) feet for buildings outside of the B-4 District; further provided that approval of buildings over thirty-five (35) feet shall be based on fire ladder capabilities as determined by the Fire Department with jurisdiction.

N/A = Not Applicable

B. The amended text to Section 2.5 Table III: Schedule of Lot Area, Yard, Setback, Height, Density, Floor area, and Impervious Surface Requirements for Residential, Business and Rural Districts for setbacks requirements and corrections for typographical errors shall read as follows:

District	Minimum Lot Area (a)		Lot Width (ft)	Front Yard Setback (b)	Side Yard Setback		Rear Yard Setback		Max Hgt. ft (c)	Max Impervious Surface Ratio (%)	Max. Floor Area Ratio: Non-Res. Uses (d)
	Residential	Non Residential			Res	Non Res	Res	Non Res			
R-1	15,000	30,000	100	25	10	50	30	60	38	40	0.25
R-2	10,000	20,000	80	25	8	25	25	50	38	45	0.30
R-3	6,000	12,000	50	25	5	25	25	50	38	45	0.30
R-4	6,000	12,000	50	25	5	25	20	40	38	45	0.30
R-5	6,000	12,000	50	25	5	25	20	40	4 stories	70	0.30
B-1	5,000	5,000	50	35(j)	5	5(f)	20	20(f)	38	70	0.30
B-2	5,000	5,000	50	35(j)	5	5(g)	20	20(g)	38	80	0.50
B-3	5,000	5,000	50	35(j)	5	5(0)(h)	20	20(h)	(e)	90	None
B-4	NA	None	None	None	NA	None	NA	None	(e)	100	None
B-5	NA	10,000	10,000 100	35	NA	10(i)	NA	25(i)	(e)	90	None
B-6	NA	10,000	10,000 100	35	NA	10(i)	NA	25(i)	(e)	90	None
RU-1	15,000	15,000	15,000 100	35	10	10	30	30	38	40	0.25
RU-2	87,120	43,560	43,560 200	35	15	50	30	60	38	20	0.15

Notes to Table III

a – Lot area is expressed in square feet.

b – Measurement from front property line.

c – Measurement from average elevation of finished grade of the front of the structure.

d – Total floor measured as a percent of total lot area

e – There is no maximum: provided side and rear setbacks shall increase by one (1) foot for each two (2) feet in height over thirty-five (35) feet for buildings outside of the B-4 District; further provided that approval of buildings over thirty-five (35) feet shall be based on fire ladder capabilities as determined by the Fire Department with jurisdiction.

The following side and rear yard setbacks shall be observed in the commercial zoning districts when non-residential development is proposed adjacent to a residential zoning district:

f – 20 feet

g – 20 feet

h – 30 feet

i – 100 feet

j – The minimum front yard setback requirement shall be 20' if parking is established either in the side or rear of the property.

N/A = Not Applicable

AMENDMENT REQUEST (2):

A. The current text reads as follows:

**Table VIII
Number, Dimension, and Location of Permitted Signs,
By Zoning District**

	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (B)	UZ (1)
Freestanding										
Number Permitted (E)										
Per Lot										
Billboards	N	N	N	NA	N	NA	NA	N	N	NA
Other	1 (A)	1	1	1	1	1	1	1 (A)	1	NA
Per Feet of St. Frontage										
Billboards (C)	N	N	N	1:1,200 (J)	N	1:1,200 (J)	1:1,200 (J)	N	N	1:1,200
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
Maximum Sign Area (s.f.)										
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	20	NA
Minimum Setback from Property Line										
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	NA
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
Building Signs										
Number Permitted	1	1	2	2	2	2	2	1	1	NA
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
Maximum Wall Area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
Temporary Signs (2)	See Section 5.5									

Table Notes: NA = Not Applicable N= Not Allowed s.f. = Square Feet

- A** – One-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation.
- B** – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the Zoning Ordinance in residential zoning district, i.e. churches, schools, parks, etc.
- C** – Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.
- D** – One per lot or one for each 300 linear feet of street frontage, whichever is less.
- E** – Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F** – 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. from W. Evans to I-95.
- G** – Not to exceed 160 square feet.
- H** – Maximum height of billboards shall not exceed 100 feet. Where located within 600 feet of Interstate ROW, shall not exceed 40 feet.
- I** – Un-zoned areas – Billboards must be within 600 feet of business operation for 12 months, with at least one employee available to public at least 36 hours per week for four (4) days. Business to be equipped with all utilities, including restroom and permanent floor.

B. The amended text shall read as follows after the deletion of reference to information that has been removed from the Ordinance as a part of the Planning Department's ongoing amendment process:

**Table VIII
Number, Dimension, and Location of Permitted Signs,
By Zoning District**

	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (B)	UZ (1)
Freestanding										
Number Permitted (E)										
Per Lot										
Billboards	N	N	N	NA	N	NA	NA	N	N	NA
Other	1 (A)	1	1	1	1	1	1	1 (A)	1	NA
Per Feet of St. Frontage										
Billboards (C)	N	N	N	1:1,200 (J)	N	1:1,200 (J)	1:1,200 (J)	N	N	1:1,200
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
Maximum Sign Area (s.f.)										
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	20	NA
Minimum Setback from Property Line										
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	NA
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
Building Signs										
Number Permitted	1	1	2	2	2	2	2	1	1	NA
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
Maximum Wall Area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
Temporary Signs (2)	See Section 5.5									

Table Notes: NA = Not Applicable N= Not Allowed s.f. = Square Feet

- A** – One-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation.
- B** – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the Zoning Ordinance in residential zoning district, i.e. churches, schools, parks, etc.
- C** – Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.
- D** – One per lot or one for each 300 linear feet of street frontage, whichever is less.
- E** – Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F** – 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. from W. Evans to I-95.
- G** – Not to exceed 160 square feet.
- H** – Maximum height of billboards shall not exceed 100 feet. Where located within 600 feet of Interstate ROW, shall not exceed 40 feet.
- I** – Un-zoned areas – Billboards must be within 600 feet of business operation for 12 months, with at least one employee available to public at least 36 hours per week for four (4) days. Business to be equipped with all utilities, including restroom and permanent floor.

AMENDMENT REQUEST(3)

A. The current text of Section 7.6 reads as follows:

Section 7.6 Accessory Buildings and Uses

Section 7.6-1 Accessory Uses to Observe Required Setbacks

Unless specifically provided herein, all accessory uses and structures shall observe all required setbacks, yard, and other requirements applicable to the principal building or use for the district within which they are located.

Section 7.6-2 General Requirements

Residential Districts

1. The number of accessory uses shall not exceed two on any lot or parcel.
2. The combined gross floor area (GFA) of all accessory uses shall not exceed 50 percent of the principal use.
3. The height of accessory buildings shall not exceed 20 feet.
4. No mobile home or standard design manufactured home shall be used as an accessory building.

All Other Districts

1. There is no limit to the number of accessory buildings however such buildings shall occupy no more than 30 percent of the total lot area.
2. If located within the buildable area, accessory buildings shall observe the height limits for the district within which they are located. If located in a required setback area, said buildings shall not exceed 20 feet in height.
3. Accessory uses may be allowed within 3 feet of a side or rear property line, except where contiguous to a residential zone, in which case the accessory use shall observe the setback requirement of the principal use.

B. The proposed text amendment shall read as follows:

Section 7.6 Accessory Buildings and Uses

Section 7.6-1 Accessory Uses to Observe Required Setbacks

Unless specifically provided herein, all accessory uses and structures shall observe all required setbacks, yard, and other requirements applicable to the principal building or use for the district within which they are located.

Section 7.6-2 General Requirements

Residential Districts

1. The number of accessory uses shall not exceed two on any lot or parcel.
2. The combined gross floor area (GFA) of all accessory uses shall not exceed **50 percent of the principal use-1000 square feet.**
3. The height of accessory buildings shall not exceed 20 feet.
4. No mobile home or standard design manufactured home shall be used as an accessory building.
5. **Setbacks of three feet from side and rear property lines shall be observed.**

All Other Districts

1. There is no limit to the number of accessory buildings however such buildings shall occupy no more than 30 percent of the total lot area.
2. If located within the buildable area, accessory buildings shall observe the height limits for the district within which they are located. If located in a required setback area, said buildings shall not exceed 20 feet in height.
3. Accessory uses may be allowed within 3 feet of a side or rear property line, except where contiguous to a residential zone, in which case the accessory use shall observe the setback requirement of the principal use.

AMENDMENT REQUEST(4):

An addition shall be made to Section 7.7 Access to Property and shall read as follows:

Access to Commercial and Industrial Zoned Property Prohibited From Residential Zones

Where a commercial or industrial zoning district is bounded by a residential zoning district, access to such industrial or commercial properties, including off-street parking and loading areas, shall be restricted to streets and alleys within the respective commercial or industrial districts in which such uses are located; and no commercial or industrial vehicles or parking in connection with an industrial or commercial use shall occupy a public street or right-of-way separating commercial or industrial districts from residential districts.

AMENDMENT REQUEST (5):

An addition shall be made to Section 3.21 Development Standards for Unzoned Areas §7 Setbacks and shall read as follows:

7) Setbacks

Proposed Use	Front	Rear	Side
Commercial	25'	20'	10'
Industrial/Warehousing/ Storage	25'	50'	50'
Office/Institutional	25'	20'	20'
Accessory Use All Other Uses	25'	5'	5'

Florence County/Municipal Planning Commission Action: August 28, 2007

The nine Planning Commission members voted unanimously to defer the request for a work session to be scheduled at a time in September prior to the September 25, 2007 Planning Commission meeting.

Planning Commission Work Session: September 12, 2007

The Planning Commission held a work session for discussion of the amendment as presented.

Florence County/Municipal Planning Commission Action: September 25, 2007

No action was taken on the text amendments at the meeting held on September 25, 2007 due to the lack of a quorum of Planning Commission members.

In addition, prior to the Planning Commission meeting scheduled for October 23, 2007 and based on subsequent discussions after the work session of September 12, 2007, staff has been directed to research for amendments to the Zoning Ordinance Section 3.21 for establishing setbacks for all other uses in an unzoned area and to Section 7.7 to establish criteria for accessing commercial and industrial properties through residential zones.

Florence County/Municipal Planning Commission Action: October 23, 2007

The nine Planning Commission members present at the meeting voted to defer the request for amendments for further study until the next month's meeting by a vote of 5-4 in favor to defer.

Florence County/Municipal Planning Commission Action: November 27, 2007

Prior to the Chairman's request to the Planning Commission members for a vote on the motion to approve the text amendments, he asked if persons from the public who wished, to stand indicating their support of the text amendments with revisions and likewise those who were in opposition to the request. There were twenty persons who stood in support of the amendment and none to stand in opposition.

The nine Planning Commission members present voted unanimously to approve the text amendments as revised at the meeting on November 27, 2007.

Florence County/Municipal Planning Commission Recommendation:

The Planning Commission recommends approval of the text amendments with revisions by Florence City Council.

ATTACHMENTS:

1. Ordinance



David N. Williams, City Manager

Florence County/Municipal Planning Commission Action: October 23, 2007

The nine Planning Commission members present at the meeting voted to defer the request for amendments for further study until the next month's meeting by a vote of 5-4 in favor to defer.

Florence County/Municipal Planning Commission Action: November 27, 2007

Prior to the Chairman's request to the Planning Commission members for a vote on the motion to approve the text amendments, he asked if persons from the public who wished, to stand indicating their support of the text amendments with revisions and likewise those who were in opposition to the request. There were twenty persons who stood in support of the amendment and none to stand in opposition.

The nine Planning Commission members present voted unanimously to approve the text amendments as revised at the meeting on November 27, 2007.

Florence County/Municipal Planning Commission Recommendation:

The Planning Commission recommends approval of the text amendments with revisions by Florence City Council.

ATTACHMENTS:

1. Ordinance



David N. Williams, City Manager

ORDINANCE NO. 2008 - _____

AN ORDINANCE TO AMEND SECTION 2.5-TABLE III, SECTION 3.21, SECTION 5.2-TABLE VIII, SECTION 7.6, AND SECTION 7.7 OF THE CITY OF FLORENCE ZONING ORDINANCE FOR SETBACKS, TEXT ERRORS, ACCESSORY STRUCTURE RULES AND COMMERCIAL AND INDUSTRIAL PROPERTY ACCESS.

WHEREAS, a Public Hearing was held in Room 803 of the City-County Complex on November 27, 2007 at 6:30 P.M. before the Florence County/Municipal Planning Commission and notice of said hearing was duly given; and

WHEREAS, requests were presented to the Planning Commission for amendments to the text of the City of Florence Zoning Ordinance as follows:

1. The amendments to Section 2.5 Table III (a) shall re-establish the minimum rear and side yard setback requirements between development of non-residential uses in the commercial zoning districts and adjacent residential zoning districts to lessen the potential negative impact between these uses. Non-residential use development adjacent to like uses shall observe the current setbacks and (b) shall correct typographical errors to the lot width requirements for the B-5, B-6, RU-1 and RU-2 Zoning Districts.
2. The amendment to Section 5.2-Table VIII shall delete reference to information that has been removed from the Ordinance as a part of the amendment process.
3. The amendment to Section 3.21 shall establish minimum required setbacks for all other uses other than commercial and industrial uses in unzoned areas.
4. The amendment to Section 7.6 shall specifically establish a maximum square footage of accessory structures in residential districts.
5. The amendment to Section 7.7 shall establish criteria for prohibiting access to commercial and industrial properties by way of residential zones.
6. If adopted, the amendment for Section 2.5 Table III shall become effective June 1, 2008. All other amendments shall be effective upon adoption.

Text amendments to the Sections for revisions to current text shall be designated by strikethrough and with amended text in bold. Amendment to the text of the Sections for additions shall be designated by bold lettering only.

WHEREAS, the Florence County/Municipal Planning Commission and Florence City Council concur in the aforesaid applications, findings and recommendations;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE AT MEETING DULY ASSEMBLED, BY THE AUTHORITY VESTED THEREIN:

1. That an Ordinance entitled Zoning Ordinance by the City of Florence effective April 19, 1999 is hereby amended as follows:

TEXT AMENDMENT (1)

The amended text to Section 2.5 Table III: Schedule of Lot Area, Yard, Setback, Height, Density, Floor area, and Impervious Surface Requirements for Residential, Business and Rural Districts for setbacks requirements and corrections for typographical errors shall read as follows:

District	Minimum Lot Area (a)		Lot Width (ft)	Front Yard Setback (b)	Side Yard Setback		Rear Yard Setback		Max Hgt. ft (c)	Max Impervious Surface Ratio (%)	Max. Floor Area Ratio: Non-Res. Uses (d)
	Residential	Non Residential			Res	Non Res	Res	Non Res			
R-1	15,000	30,000	100	25	10	50	30	60	38	40	0.25
R-2	10,000	20,000	80	25	8	25	25	50	38	45	0.30
R-3	6,000	12,000	50	25	5	25	25	50	38	45	0.30
R-4	6,000	12,000	50	25	5	25	20	40	38	45	0.30
R-5	6,000	12,000	50	25	5	25	20	40	4 stories	70	0.30
B-1	5,000	5,000	50	35(j)	5	5(f)	20	20(f)	38	70	0.30
B-2	5,000	5,000	50	35(j)	5	5(g)	20	20(g)	38	80	0.50
B-3	5,000	5,000	50	35(j)	5	5(h)	20	20(h)	(e)	90	None
B-4	NA	None	None	None	NA	None	NA	None	(e)	100	None
B-5	NA	10,000	10,000 100	35	NA	10(i)	NA	25(i)	(e)	90	None
B-6	NA	10,000	10,000 100	35	NA	10(i)	NA	25(i)	(e)	90	None
RU-1	15,000	15,000	15,000 100	35	10	10	30	30	38	40	0.25
RU-2	87,120	43,560	43,560 200	35	15	50	30	60	38	20	0.15

Notes to Table III

- a – Lot area is expressed in square feet.
- b – Measurement from front property line.
- c – Measurement from average elevation of finished grade of the front of the structure.
- d – Total floor measured as a percent of total lot area
- e – There is no maximum: provided side and rear setbacks shall increase by one (1) foot for each two (2) feet in height over thirty-five (35) feet for buildings outside of the B-4 District; further provided that approval of buildings over thirty-five (35) feet shall be based on fire ladder capabilities as determined by the Fire Department with jurisdiction.

The following side and rear yard setbacks shall be observed in the commercial zoning districts when non-residential development is proposed adjacent to a residential zoning district:

- f – 20 feet
- g – 20 feet
- h – 30 feet
- i – 100 feet
- j – The minimum front yard setback requirement shall be 20' if parking is established either in the side or rear of the property.
- N/A = Not Applicable

TEXT AMENDMENT (2):

The amended text shall read as follows after the deletion of reference to information that has been removed from the Ordinance as a part of the Planning Department’s ongoing amendment process:

Table VIII
Number, Dimension, and Location of Permitted Signs,
By Zoning District

	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (B)	UZ (1)
Freestanding										
Number Permitted (E)										
Per Lot										
Billboards	N	N	N	NA	N	NA	NA	N	N	NA
Other	1 (A)	1	1	1	1	1	1	1 (A)	1	NA
Per Feet of St. Frontage										
Billboards (C)	N	N	N	1:1,200 (J)	N	1:1,200 (J)	1:1,200 (J)	N	N	1:1,200
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
Maximum Sign Area (s.f.)										
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	20	NA
Minimum Setback from Property Line										
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	NA
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
Building Signs										
Number Permitted	1	1	2	2	2	2	2	1	1	NA
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
Maximum Wall Area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
Temporary Signs (2)	See Section 5.5									

Table Notes: NA = Not Applicable N= Not Allowed s.f. = Square Feet

- A** – One-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation.
- B** – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the Zoning Ordinance in residential zoning district, i.e. churches, schools, parks, etc.
- C** – Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.
- D** – One per lot or one for each 300 linear feet of street frontage, whichever is less.
- E** – Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F** – 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. from W. Evans to I-95.
- G** – Not to exceed 160 square feet.
- H** – Maximum height of billboards shall not exceed 100 feet. Where located within 600 feet of Interstate ROW, shall not exceed 40 feet.
- I** – Un-zoned areas – Billboards must be within 600 feet of business operation for 12 months, with at least one employee available to public at least 36 hours per week for four (4) days. Business to be equipped with all utilities, including restroom and permanent floor.

TEXT AMENDMENT (3)

Section 7.6 Accessory Buildings and Uses

Section 7.6-1 Accessory Uses to Observe Required Setbacks

Unless specifically provided herein, all accessory uses and structures shall observe all required setbacks, yard, and other requirements applicable to the principal building or use for the district within which they are located.

Section 7.6-2 General Requirements

Residential Districts

1. The number of accessory uses shall not exceed two on any lot or parcel.
2. The combined gross floor area (GFA) of all accessory uses shall not exceed **50 percent of the principal use-1000 square feet.**
3. The height of accessory buildings shall not exceed 20 feet.
4. No mobile home or standard design manufactured home shall be used as an accessory building.
5. **Setbacks of three feet from side and rear property lines shall be observed.**

All Other Districts

1. There is no limit to the number of accessory buildings however such buildings shall occupy no more than 30 percent of the total lot area.
2. If located within the buildable area, accessory buildings shall observe the height limits for the district within which they are located. If located in a required setback area, said buildings shall not exceed 20 feet in height.
3. Accessory uses may be allowed within 3 feet of a side or rear property line, except where contiguous to a residential zone, in which case the accessory use shall observe the setback requirement of the principal use.

TEXT AMENDMENT (4):

An addition shall be made to Section 7.7 Access to Property and shall read as follows:

Access to Commercial and Industrial Zoned Property Prohibited From Residential Zones

Where a commercial or industrial zoning district is bounded by a residential zoning district, access to such industrial or commercial properties, including off-street parking and loading areas, shall be restricted to streets and alleys within the respective commercial or industrial districts in which such uses are located; and no commercial or industrial vehicles or parking in connection with an industrial or commercial use shall occupy a public street or right-of-way separating commercial or industrial districts from residential districts.

TEXT AMENDMENT (5):

An addition shall be made to Section 3.21 Development Standards for Unzoned Areas §7 Setbacks and shall read as follows:

7) Setbacks

Proposed Use	Front	Rear	Side
Commercial	25'	20'	10'
Industrial/Warehousing/ Storage	25'	50'	50'
Office/Institutional	25'	20'	20'
Aecessory Use All Other Uses	25'	5'	5'

2. That this Ordinance shall become effective this _____ day of _____, 2008 upon its adoption by the City Council of the City of Florence.

ADOPTED THIS _____ DAY OF _____, 2008.

Approved as to form:

James W. Peterson, Jr., City Attorney

Frank E. Willis, Mayor

Attest:

Dianne Rowan, Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: April 8, 2008

AGENDA ITEM: Amendment to Section 2.9 of the Consolidated Zoning Ordinance to create the Wilson Road Residential Overlay District and establish the applicable Design Guidelines

DEPARTMENT/DIVISION: Urban Planning and Development

I. ISSUE UNDER CONSIDERATION

The purpose of this amendment is to consider establishing a new overlay district to be known as the Wilson Road Residential Overlay District and adopt the Design Guidelines applicable to the new overlay district.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

- a. The attached amendment to Section 2.9 is designed to establish a new overlay district to be known as the Wilson Road Residential Overlay District.
- b. In 2005 City Council adopted an ordinance creating four (4) Downtown Overlay Districts and establishing the Design Guidelines applicable to those Districts.
- c. In 2007 City Council adopted an ordinance which amended Section 2.9 to add a residential overlay district known as Timrod Park Residential Overlay District and establishing the Design Guidelines applicable to that District.
- d. Interested residents from the residential area around Wilson Road have requested that City Council create a residential overlay district in their area in order to preserve the residential character of that location.
- e. The interested residents have worked with staff to create the proposal being considered.
- f. The Florence County - Municipal Planning Commission will consider this matter at their regularly scheduled meeting on May 27, 2008.

III. POINTS TO CONSIDER

- a. This action involves possible legal issues which should be addressed by the City Attorney in executive session prior to action being taken.
- b. The proposed ordinance establishes a residential overlay district and adopts applicable Design guidelines, the guidelines addressing solely use restrictions.
- c. Adjacent to this area is property located outside the City and the residents have requested that the County consider similar action regarding that property.

IV. STAFF RECOMMENDATION

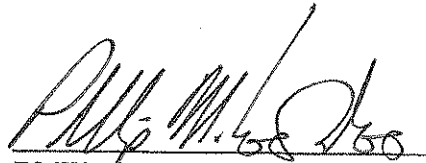
Staff recommends consideration of the Amended Ordinance after legal advise. If approved, this will be forwarded to the Planning Commission for their recommendation before the second reading.

V. ATTACHMENTS

Copy of the proposed Amended Ordinance.



David N. Williams
City Manager



Phillip M. Lookadoo, Director
Urban Planning and Development



FLORENCE COUNTY
PLANNING, BUILDING INSPECTION, ENGINEERING
AND CODE ENFORCEMENT DEPARTMENT

June 30, 2008

Florence City Council
City-County Complex
180 North Irby Street
Florence, South Carolina 29501

RE: Text Amendment to the Florence County/Municipal Zoning Ordinance-Section 2.9 to Create the Wilson Road Residential Overlay District and Establish the Applicable Design Guidelines.

To Florence City Council:

The Florence County/Municipal Planning Commission voted unanimously to reconsider the above-referenced request by the City of Florence Urban and Planning Department on Tuesday, June 24, 2008.

The nine Planning Commission members present voted unanimously to recommend that City Council defer second reading of the text amendment request and to refer the request to the City of Florence Planning Commission to conduct another public hearing and study the proposal.

Should you have any questions or need additional information, please do not hesitate to contact our office.

Sincerely,

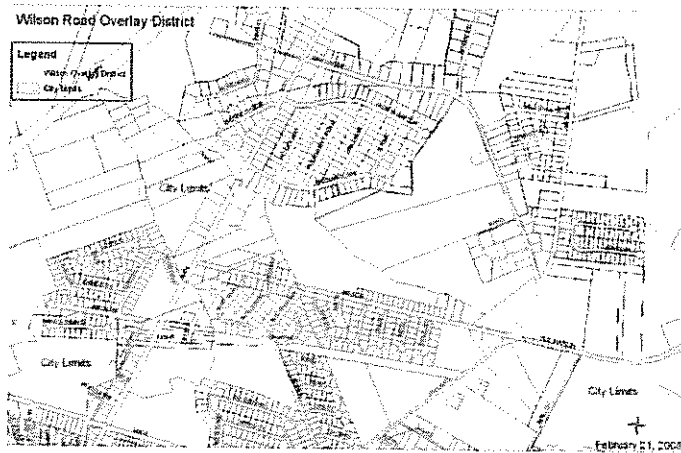
William H. Hoge
Director, Planning and Building Inspections Department

Cc: Phillip Lookadoo, Director, City of Florence Urban and Planning Department
Dianne Rowan, Municipal Clerk, City of Florence

EXHIBIT 1

Design Guidelines

2: Wilson Road Residential District Design Guidelines & Requirements



Please Note: This section sets out land uses and certain guidelines for the redevelopment, construction, renovation or restoration of buildings located within the Timrod Park Residential District. A Certificate of Appropriateness is required for any change in use, construction or redevelopment within this District.

The map above shows the Wilson Road Residential District (in Blue and City Limits in Grey).

Comments

The intent of this District is to maintain the general quality and appearance of the neighborhood and to encourage development while preserving and promoting the cultural, economic and general welfare of the public. The District does so by providing a mechanism for the identification, recognition, preservation, maintenance, protection and enhancement of existing structures and other properties which make up the Wilson Road Residential District. Similar to other Districts, the goal is to implement and enable redevelopment by providing compatible residential development in the greater Wilson Road Area.

Of basic importance to this effort is the maintenance, restoration, and careful development of the residential area known as the Wilson Road Neighborhood. The boundaries of the Wilson Road Residential District are shown on the preceding page.

Within the Wilson Road Residential District the permitted uses are generally determined by the "underlying" or primary zoning district. All zoning and/or change in zoning requests shall be heard and acted upon by the City-County Planning Commission in compliance with the Consolidated Zoning Ordinance.

General Guidelines

For the Wilson Road Residential District, Zoning Compliances are issued by the Zoning Administrator of the County-Municipal Consolidated Zoning Ordinance.

Zoning Compliance, Criteria for Issuance

In considering the issue of compliance for the District, the Zoning Administrator shall use the following criteria:

1. All the regulations set forth in the Consolidated Zoning Ordinance; and
2. No duplexes, multi-family housing or town homes as defined in the Consolidated Zoning Ordinance shall be allowed in the district.

Certificate of Appropriateness, Application Requirements

The procedures for the administration and approval of a Zoning Compliance are contained within the following sections of the Consolidated Zoning Ordinance,:

A. County Municipal Consolidated Zoning Ordinance

1. Section 2.9 – Florence Downtown Overlay District

B. Design Guidelines for Overlay Districts Florence, South Carolina

1. Chapter 2 --Overlay District Guidelines
Requirements:



Wilson Road Overlay District

Legend

- Wilson-Overlay District
- City Limits

ORDINANCE NO. 2008-_____

AN ORDINANCE TO AMEND SECTION 2.9 OF THE CONSOLIDATED ZONING ORDINANCE BY ADDING TO THE EXISTING ORDINANCE IN ORDER TO CREATE THE WILSON ROAD RESIDENTIAL OVERLAY DISTRICT ASSOCIATED WITH DESIGN GUIDELINES AND TO PROVIDE FOR THEIR ENFORCEMENT AND ADMINISTRATION.

WHEREAS, a public hearing was held in room number 803 of the City County Complex on May 27, 2008 before the Florence County - Municipal Planning Commission and notice of said hearing was duly given;

WHEREAS, the City of Florence wishes to protect and preserve an area that contains predominantly single family homes;

WHEREAS, the Florence County - Municipal Planning Commission, and the Florence City Council concur in the aforesaid application and findings;

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

I.

That the provisions of the Consolidated Zoning Ordinance applicable to the City of Florence be, and the same are hereby, amended to amend Section 2.9, et seq., which will read in whole as follows:

Sec. 2.9. Florence Overlay Districts.

Sec. 2.9-1. A Purpose and Intent.

In order to promote the economic and general welfare of the City of Florence and of the public generally, the City of Florence seeks to promote and control preservation, redevelopment, restoration, and revitalization in its traditional downtown core and throughout the city limits and seeks to ensure the harmonious, orderly, and efficient growth and redevelopment of the City.

History demonstrates that the promotion of these goals requires that the City take action to preserve the qualities relating to the history of the Downtown area and to create a harmonious outward appearance of structures by emphasizing the preservation and restoration of the historic areas and buildings in both the

downtown area and the City in general. The continued construction of buildings in historic styles and with general harmony as to the style, form, color, proportion, texture, and material between the buildings within the surrounding area thereby fostering civic pride and the orderly efficient growth and redevelopment within the City.

The creation of Overlay Districts for the City of Florence is done in order to establish a mechanism for the accomplishment of these objectives.

Sec. 2.9-2. Establishing Florence Downtown Overlay Districts.

(A) There are hereby established ~~five~~ six (~~65~~) overlay districts in the ~~Downtown~~ City of Florence area, those districts being designated as follows:

D-1. Downtown Redevelopment District: The intent of this district is to promote the cultural, economic, and general welfare of the public by providing a mechanism for the identification, recognition, preservation, maintenance, protection, and enhancement of existing architecturally valuable structures, properties, and neighborhoods which make up the district. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference.

D-2. Downtown Central District: The intent of this district is to promote good urban design and to establish and maintain a unified, improved identity for Downtown Florence. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference. .

D-3. Downtown Arts and Cultural District: The intent of this district is to promote good urban design and to build on the attractive and significant architecture that exists through new infill development. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference.

D-4 Timrod Park Residential District: The intent of this district is to promote good urban residential design and to maintain and build upon the attractive

and significant historic architecture that exists throughout the District. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference.

H-1. Florence Historic District: The intent of this district is to respect and build on the historic character of Downtown Florence and to establish the initial parameters for the possible pursuit of National Register Historic District designation. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference.

WRRD. Wilson Road Residential District: The intent of this district is to promote good urban residential design and to maintain and build upon the architecture that exists throughout the District. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference.

- (B) The boundaries for the overlay districts hereby established shall be shown on an amendment to the Consolidated Zoning Map, and the boundaries hereby established are set forth below:

D-1. Downtown Redevelopment District: The boundaries of the Downtown Redevelopment District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 1.

D-2. Downtown Central District: The boundaries of the Downtown Central District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 2.

D-3. Downtown Arts and Cultural District: The boundaries of the Downtown Arts and Cultural District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 3.

D-4. Timrod Park Residential District: The boundaries of the Timrod Park Residential District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 4.

H-1. Florence Historic District: The boundaries of the Florence Historic District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 5.

WRRD. Wilson Road Residential District: The boundaries of the Wilson Road Residential District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 6.

- (C) The overlay districts referred to above shall be incorporated into the Consolidated Zoning Map and shall be maintained in both the Florence County - Municipal Planning Department and in the office of the Florence ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development.
- (D) Variances for residential uses on any lot or parcel, including mixed use developments, may be permitted within the Downtown Redevelopment District as a Special Exception by the City-County Board of Zoning Appeals. To ensure conformity to the Consolidated Zoning Ordinance and compatibility with the intent of the overlay district for which that use is proposed, a Certificate of Appropriateness is required from the Design Review Board and a variance must be obtained from the City-County Board of Zoning Appeals. Prior to submitting a request for a variance from the City-County Board of Zoning Appeals the owner must first obtain a Certificate of Appropriateness which shall be used to determine that the proposed residential use is compatible with the purposes of the Overlay District for which it is proposed.

Sec. 2.9-3. Adoption of Design Guidelines.

In the interest of promoting the cultural, economic, and general welfare of the public by providing a mechanism for the identification, recognition, preservation, maintenance, protection, and enhancement of the existing architecturally valuable structures and to promote the redevelopment and revitalization of the traditional Downtown Area and throughout the City of Florence by insuring the harmonious,

orderly, and efficient growth and redevelopment of the City, the City of Florence hereby adopts and incorporates by reference the Design Guidelines attached hereto as Appendix 7.

Sec. 2.9-4. Actions Requiring a Certificate of Appropriateness.

Within any of the designated overlay districts established herein, an application must be submitted to the Design Review Board through the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development and a Certificate of Appropriateness issued before any of the following activities can be undertaken:

- (A) The issuance of a permit by the Building Official and/or Zoning Administrator for erection, alteration, improvement, demolition, or moving of such structure, building, or signage.
- (B) All requests related to land use.
- (C) Landscape changes which include either the removal of any tree four (4) inches in caliper, or greater, or the removal of any hedge or shrub group that is at least thirty (30) inches in height
- (D) Exterior modifications or maintenance which may change or impact the appearance of the structure, including, but not limited to, roofing, façade repairs, fencing, grading or paving, awnings, shutters or window replacement.

Sec. 2.9-5. Powers of Design Review Board.

Toward this objective, The Design Review Board shall have the following powers and duties:

- (A) To adopt procedural regulations;
- (B) To conduct and/or maintain an ongoing survey to identify historically and architecturally significant properties, structures, and areas that exemplify the cultural, social, economic, political, or architectural history of the City;
- (C) To keep a register of all properties and structures that have been designated as landmarks or historic districts, including all information required for each such designation;
- (D) To advise and assist owners of all properties or structures within the overlay districts on the physical and financial aspects of preservation,

renovation, rehabilitation, and reuse and, where appropriate, to advise such owners of the procedures of the inclusion of structures on the National Register of Historic Places;

- (E) To work in conjunction with the Downtown Redevelopment Coordinator to inform and educate the citizens of Florence concerning the Downtown historic and architectural heritage by publishing appropriate maps, newsletters, brochures, and pamphlets; by holding programs and seminars; and through media exposure;
- (F) To consider, analyze, and make a determination with respect to all applications for a Certificate of Appropriateness by applying the Design Guidelines herein adopted to the project and property in question;
- (G) To make recommendations for amendments to the Design Guidelines for any of the overlay districts with final approval of the Design Guidelines to be accomplished by the City Council by resolution. Once approved, to implement any amendments to the Design Guidelines.
- (H) To assist the public entities in the development of streetscapes within the overlay districts which are consistent with the information contained in the Design Guidelines.
- (I) To hear and act upon appeals regarding the acceptance and granting of a Certificate of Compliance by the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development.

Sec. 2.9-6. Certificates of Appropriateness, Criteria for Issuance.

In considering the issue of appropriateness of a particular project, the Design Review Board shall be guided by the Design Guidelines adopted herein by reference.

Sec. 2.9-7. Design Review Board; Rules of Procedure.

- (A) **Officers:** The officers of The City of Florence Design Review Board shall be a chairman and a vice-chairman elected for one (1) year at the first meeting of the Design Review Board in each calendar year. The officers of the Design Review Board may serve four (4) consecutive terms. The ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development for the City of Florence shall serve as the staff representative to the Design Review Board. The City Manager will assign a member of the staff of the City to serve as secretary to the Design Review Board. The

designated officers of the Design Review Board shall have the following authority, duties, and responsibilities:

- (1) **Chairman:** The Chairman shall be a voting member of the Design Review Board and shall:
 - (a) Call meetings of the Design Review Board;
 - (b) Preside at meetings;
 - (c) Act in conjunction with the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development as a spokesperson for the Design Review Board;
 - (d) Sign documents for the Design Review Board;
 - (e) Perform other duties approved by the Design Review Board.
- (2) **Vice-Chairman:** The Vice-Chairman shall be a voting member of the Design Review Board and shall exercise the duties of the chairman in the absence, disability, or disqualification of the Chairman. In the absence of the Chairman and the Vice-Chairman, an acting Chairman shall be elected by the members present.
- (3) **Secretary to the Design Review Board:** The Secretary to the Design Review Board shall:
 - (a) Provide notice of all meetings;
 - (b) Assist the Chairman in the preparation of agendas;
 - (c) Keep minutes of meetings and hearings;
 - (d) Maintain the Design Review Board's records as public records;
 - (e) Attend to Design Review Board correspondence;
 - (f) Perform any other duties normally carried out by a Secretary.

(B) **Meetings**

- (1) **Time and place:** An annual schedule of regular monthly meetings shall be adopted, published, and posted at the City-County Complex in January of each year. Special meetings may be called by the Chairman upon twenty-four (24) hour notice, posted, and delivered to all members of the Design Review Board and the local media. Meetings shall be held in a place to be stated in the notice, and shall be open to the public.
- (2) **Agenda:** A written agenda shall be furnished by the Secretary to each member of the Design Review Board and to the news media, and it shall be posted at least four (4) days prior to each regular meeting and at least twenty-four (24) hours prior to a special meeting. Items may be added to the agenda at a meeting by a majority vote of the members present.
- (3) **Quorum:** A majority of the members of the Design Review Board shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling a meeting.
- (4) **Voting:** A member must be present to vote. Each member shall vote on every question unless disqualified by law. The question of disqualification shall be decided by the member(s) affected, and any such member so affected shall announce the reasons for disqualifications, have it placed in the minutes, and shall refrain from deliberation or voting on the question.
- (5) **Public Input:** Except for public hearings and additional public input sought by the Design Review Board, no person shall speak at a Design Review Board meeting unless invited to do so by the Design Review Board. The presiding officer at the Design Review Board meeting reserves the right to determine the amount of public input desired.
- (6) **Minutes:** The Secretary to the Design Review Board shall prepare minutes of each meeting for approval by the Design Review Board at the next regular meeting. Minutes shall be maintained as a public record.

- (7) **Attendance:** The minutes shall show the members in attendance at each meeting and the reason for absence submitted by any member. The Design Review Board shall recommend to the Mayor and City-Council the removal for cause of any member who is absent from three (3) consecutive meeting without adequate reason.

Sec. 2.9-8. Design Review Board, Application Requirements for a Certificate of Appropriateness.

- (A) **Applications for a Certificate of Appropriateness shall be submitted through the office of the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development.**

Prior to the placement of an item on the agenda for the Design Review Board, an application for a Certificate of Appropriateness must be "complete" as determined by the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development and must be submitted with the details as set forth in the Design Guidelines which are attached hereto and incorporated herein by reference. In the event that the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development has made a determination that the application for a Certificate of Appropriateness is not "complete" but the owner believes that the project application is "complete", the owner may make a written request to place the application on the agenda. To have the application placed on the agenda, the owner must provide the Chairman of the Design Review Committee with a letter outlining and documenting the reasons and facts which the owner contends make the application "complete". The applicant has five (5) working days from the notification of denial from the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development to provide the letter requesting placement on the agenda.

Unless specified elsewhere, at the time of consideration of a proposed project, the Design Review Board shall approve, approve with modifications, or disapprove the application. Additionally, action may be deferred by the Design Review Board to the next monthly meeting, but only upon concurrence of the owner/developer/agent.

- (B) **Certificate of Appropriateness, Application Fee:** Upon presentation of a signed application, the owner/agent must pay the required application fee of \$100.00 in order for the application to be considered. Once received by the City of Florence, the application fee is not refundable. An application fee will not be required from any local, state, or federal governmental entity. Additionally, an application fee will not be required of any owner or

developer for a project which is approved by the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development pursuant to the authority under subparagraph (F) below.

- (C) **Option for Preliminary Plan Approval:** The applicant may submit for consideration by the Design Review Board a "Preliminary Plan" of the proposed project. Such a submittal shall be submitted and considered in accordance with the provisions of the Design Guidelines adopted herein.
- (D) **Certificate of Appropriateness, Public Hearing Requirement:** A public hearing shall be required when an application for a Certificate of Appropriateness is to be considered by the Design Review Board. The time and location of the public hearing shall be published in a newspaper of general circulation in The City of Florence at least fifteen (15) days prior to the public hearing. The property in question shall be posted for the same period as the newspaper notice. The manner of posting shall follow the same signage/notification requirements as specified in The Florence County-Municipal Consolidated Ordinance.
- (E) **Certificate of Appropriateness, Demolition:** When it is determined by the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development that demolition is a part of a project covered by an application for a Certificate of Appropriateness, the Design Review Board may, if in their judgment the public is best served, postpone action for not more than two (2) scheduled monthly meetings. The initial hearing before the Design Review Board shall be counted as the first of the two monthly meetings. At the end of the above referenced deferral period the Design Review Board shall approve, disapprove, or approve with modifications. Additionally, action may be deferred further by the Design Review Board to the next monthly meeting, but only upon concurrence of the owner/developer or agent.
- (F) **Certificate of Appropriateness, Approval by the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development:** The ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development is hereby granted the authority to approve and issue a Certificate of Appropriateness administratively, without going before the Design Review Board, provided that the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development specifically determines that the materials, paint color, design, architectural features, or style of the project or signage conforms to the applicable district in the following situations:

- (1) Any project or signage for which the total cost does not exceed \$5,000 in which a specific determination is made by the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development that the project in question is not a part of a larger project:
- (2) Interior modifications/maintenance or exterior maintenance, which does not change or impact the appearance of the structure, including, but not limited to, roofing, façade repairs, awnings, shutters or window replacement. This power does not extend to those properties and structures within the H-1 Historic District or those listed on the State or National Register of Historic Places.
- (3) For emergency and/or permanent repairs relating to the incident to any structure resulting from a Force Majeur, fire or accident beyond the control of the property owner or tenant as long as the repair in question does not exceed 25% of the value of the structure as determined by the tax assessor and the materials used in the repairs are consistent with the Design Guidelines for the District in which it is located.
- (4) In the Wilson Road Residential District all applications for a Certificate of Appropriateness may be issued by the Director of Urban Planning and Development.

In all cases, the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development may, in his discretion, refer the application to the Design Review Board for review and consideration with particular attention being paid to properties and structures within the H-1 Historic district.

- (G) **Certificate of Appropriateness, Resubmission of a Denied Application:** A property owner or agent may resubmit the same application for a Certificate of Appropriateness affecting the same parcel or project after twelve (12) months have passed. If, in the opinion of the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development, there are substantial changes and improvements in the application for a project, the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development shall allow an owner to resubmit an application for Certificate of Appropriateness affecting the same parcel or lot after a waiting period of ten (10) days from the date of the initial denial. The applicant is required to meet the forty-five (45) day submittal schedule as outlined in the Design Guidelines.

and requirements contained in the Certificate of Appropriateness. In the event a Certificate of Compliance is denied by the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development the owner may appeal the decision by writing to the Design Review Board. In the event of an appeal, the Design Review Board shall consider and act on the appeal at its next regularly scheduled meeting.

Sec. 2.9-10. Appeal from the Design Review Board.

- (A) Any person with a substantial interest in any final decision of the Design Review Board may appeal from any decision of the Design Review Board to the City Council for the City of Florence by filing a Petition in Writing with the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development setting forth plainly, fully, and distinctly why the decision of the Design Review Board is contrary to law. Any such appeal must be filed within thirty (30) days after the affected party receives actual notice of the decision Design Review Board. City Council shall hold a hearing on said appeal within forty-five (45) days after receipt of the Petition. Council's decision on said appeal shall be by majority vote, and the Petitioner shall be notified of the decision in writing.
- (B) Any person with substantial interest in any decision of City Council on the appeal from the Design Review Board may appeal from said decision of City Council to the Court of Common Pleas for Florence County by filing a Petition in Writing with Clerk of Court for Florence County setting forth plainly, fully, and distinctly why the decision of City Council on appeal is contrary to law. Any such appeal to the Court of Common Pleas must be filed within thirty (30) days after the affected party receives written notice of the decision of City Council under Paragraph "A" of this section.

Sec. 2.9-11. Administrative Officer and Responsibilities.

- (A) The ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development shall be the administrative officer who shall have the responsibility for implementation and enforcement of all of the provisions relating to the overlay districts and the Design Guidelines. The ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development may delegate duties to subordinate officials to assist in such administration and implementation and to represent the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development as needed. Ultimate responsibility to the City Manager for such implementation, enforcement, and representation shall remain with the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development.

- (B) The ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development shall accept and examine all applications for a Certificate of Appropriateness and shall coordinate with the Florence County - Municipal Planning Department and the Building Official to ensure that all applications for new construction, renovation, rehabilitation, and demolition shall require a Certificate of Appropriateness if the property involved is located within the overlay districts. For landscape changes involving the removal of trees four (4) inches in caliper or greater or the removal of any hedge or shrub group exceeding thirty (30) inches in height, the owner/developer/agent shall submit an application for a Certificate of Appropriateness if the property involved is located within the overlay districts. Failure to comply with this requirement shall subject the owner/developer/agent to penalties as set forth in Section 1.7 of the Code of Ordinances, City of Florence, South Carolina.
- (C) If the ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development shall find that any of the provisions of this ordinance are being violated within the overlay districts, he/she shall notify the person responsible for such violation in writing, indicating the nature of the violation and ordering the action necessary to correct it. The ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development shall order the discontinuance of any unlawful uses of land, and (in full cooperation with the Building Official) the discontinuance of any unlawful building or demolition activity within the overlay districts or shall take any other action authorized by this ordinance or any other ordinance adopted by the City of Florence to ensure compliance with or to prevent violations of its provisions.
- (D) The ~~Downtown Planning Coordinator~~ Director of Urban Planning and Development shall have the authority and duty to accomplish all other tasks and responsibilities assigned to that position in the Design Guidelines which are incorporated herein.

II.

That the provisions of the Consolidated Zoning Ordinance applicable to the City of Florence be, and the same are hereby, amended to add the Design Guidelines applicable to the Wilson Road Residential Overlay District which are attached hereto as Exhibit 1, said Design Guidelines to be added to Appendix 7 to Section 2.9-3 of the Consolidated Zoning Ordinance.

III.

That this Ordinance, and the amendments contained herein, shall become effective immediately upon its approval and adoption.

ADOPTED THIS DAY OF _____, 2008.

Approved as to Form:

James W. Peterson, Jr.
City Attorney

Frank E. Willis
Mayor

Attest:

Dianne Rowan
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: September 8, 2008

AGENDA ITEM: Reports to Council

DEPARTMENT/DIVISION: City Manager – Special Services Division

I. ISSUE UNDER CONSIDERATION

An ordinance authorizing the sale of real property previously declared as surplus by City Council

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

- A. The subject property is identified as a 1.84 tract conveyed to the City of Florence by deed from the County of Florence, dated December 12, 2002, in conjunction with the transfer of the County's water system to the City of Florence. The property is further identified by the office of the Florence County Tax Assessor as Tax Map 246, Block 01, Parcel 030.
- B. The subject property once contained an abandoned water tank previously disposed of by the City and is approximately 4.2 miles southeast of the city limits of the City of Florence located on the north side of Flowers Road, just west of its intersection with Willow Creek Road.
- C. At its June 9, 2008 meeting, City Council declared the subject real property as surplus and authorized the City Manager to initiate the disposal of the subject surplus property.
- D. In accordance with City of Florence Purchasing and Contracting Policies and Procedures, the subject property's minimum selling price (consisting of the appraised value plus all expenses of the sale) was established and a request for offers-to-buy was publicly advertised twice
- E. On the publicly advertised date, one sealed offer-to-buy was received and opened.
- F. Mr. D. Malloy McEachin, Jr. submitted the offer-to-buy which complied with the minimum selling price and all conditions of the sale.

III. POINTS TO CONSIDER

- A. Section 2-26(a)(8) of the City Code of Ordinances and Section 5-7-260 of the South Carolina Code of Laws require that the conveyance of land owned by a municipality be done by ordinance adopted by City Council.

IV. OPTIONS

- A. Accept the offer-to-buy and approve and adopt the attached proposed ordinance authorizing the sale of the subject property.
- B. Instruct staff to take other action.
- C. Take no action.

V. STAFF RECOMMENDATION

- A. Accept the offer-to-buy and approve and adopt the attached proposed ordinance authorizing the sale of the subject property.

VI. ATTACHMENTS:

- A. Proposed ordinance authorizing the sale of the subject property.



Thomas B. J. Shearin, CPA
Special Services Administrator



David N. Williams
City Manager

ORDINANCE NO. 2008-_____

AN ORDINANCE AUTHORIZING THE SALE OF A PARCEL CONTAINING APPROXIMATELY 1.84 ACRES AND BEING MORE FULLY SHOWN ON A PLAT OF SAID PARCEL MADE FOR FLORENCE COUNTY BY HELLER AND ASSOCIATES, INC. DATED NOVEMBER 29, 1989 AND RECORDED IN THE OFFICE OF THE CLERK OF COURT FOR FLORENCE COUNTY IN PLAT BOOK 36 AT PAGE 38 AND BEING THE PARCEL DESIGNATED AS TAX MAP 246-01-030 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR.

WHEREAS, after due consideration, City Council voted on June 9, 2008 to declare that the parcel of land more particularly described on Exhibit "A" attached hereto and incorporated herein by reference, is surplus land to the City and is property that should be sold; and

WHEREAS, the City has had said property appraised and has, through a public bidding process, obtained a high bid for said property from D. Malloy McEachin which exceeds the appraised value ; and

WHEREAS, it is hereby determined that the conveyance of said property to D. Malloy McEachin for the amount of his bid is in the best interest 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 Agreement to Buy and Sell Real Estate, Deed, and other documentation in order to convey title to the property described on Exhibit "A" attached hereto to D. Malloy McEachin in return for the purchase price of Twenty Thousand and no/100 (\$20,000.00) Dollars, plus all cost associated with the transfer of title and the sales process.

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 _____, 2008.

Approved as to form:

JAMES W. PETERSON, JR.
City Attorney

FRANK E. WILLIS
Mayor

Attest:

DIANNE M. ROWAN
Municipal Clerk

VI. d.
Bill No. 2008-47
Second Reading

CITY OF FLORENCE COUNCIL MEETING

DATE: September 8, 2008

AGENDA ITEM: Ordinance
First Reading

DEPARTMENT/DIVISION: City of Florence Urban Planning & Development Department

I. ISSUE UNDER CONSIDERATION:

An annexation and zoning request by Rodney Moody for property located at 601 N. Wiltshire Drive and shown more specifically on Tax Map 0221-01-242.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

The property is contiguous to the City limits with both water and sewer available.

A Public Hearing for the zoning request for R-1, Single-Family Residential District was approved unanimously by the City of Florence Planning Commission at their August 12, 2008 meeting.

III. POINTS TO CONSIDER:

The applicant is requesting that their property be annexed into the city.

IV. OPTIONS:

City Council may:

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

V. PERSONAL NOTES:

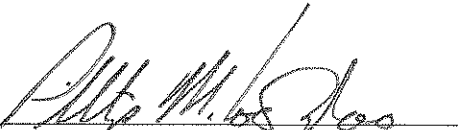
VI. ATTACHMENTS:

Map showing the location of the property.


Zoning Map

Annexation checklist

Ordinance



Phillip M. Lookadoo, AICP
Urban Planning and Development Director



David N. Williams
City Manager

CITY OF FLORENCE

ANNEXATION CHECKLIST

Date: July 14, 2008

Instructions: Engineering Department completes items #6 thru 10
 Fire Department completes # 10a

1. Party requesting annexation: Rodney Moody
2. Location and acreage of property: 601 N Wilshire Dr
3. Tax Map reference: 0221-01-242
4. Contact name & phone number:

SERVICE AVAILABILITY INFORMATION

INITIALS	YES/NO	IF NO, COST ESTIMATE FOR CITY TO PROVIDE
6. <u>DB</u> Water Line ✓	YES	
7. <u>DB</u> Sewer Line ✓	YES	
8. <u>DB</u> Storm Drainage ✓	YES	
9. <u>DB</u> Paved Street SCDOT _____ Other ✓	YES	
Length of existing curb and gutter.	350 ft	
10. <u>DB</u> Traffic Control devices, including street name signs ✓	YES	
10a. <u>JD</u> Fire Hydrants	YES	

* Economic Feasibility Analysis attached

- 11. Requested Zoning : R-1, SDingle-Family Residential
- 12. Date of Petition: July 14, 2008
- 13. Party informed of costs and requirements of annexation: Yes
- 14. Residents: Total: 0 18 and over:
Registered Voters by Race:

Annexation Checklist reviewed by:

Date:

Urban Planning & Development Director

Engineering Department Manager

Public Works Director

Police Chief

Fire Chief

City Manager

[Handwritten signatures and dates]
 7/17/08
 8-25-08
 08-26-08
 8-27-08
 8-28-08

Please return completed form to: Liz Shaw, Urban Planning & Development Department

ZONING PETITION STAFF CHECKLIST

IDENTIFYING DATA

Name of Owner: Rodney Moody

Address of Property: 601 N Wiltshire Drive

Tax Parcel Number(s): 01221-01-242

Date: July 14, 2008

GENERAL BACKGROUND DATA

Current Zoning: Unzoned

Proposed Zoning: Single-Family Residential (R-1)

Current Use: Residential Single Family
(under construction)

Proposed Use: Residential Single Family

DIMENSIONAL REQUIREMENTS

Current Zoning

Proposed Zoning

Lot Area:

Proposed Lot Area: 15,000

Lot Width

Proposed Lot Width: 100

Front Setback

Proposed Front Setback: 25

Side Yards

Proposed Side Yards: 10

Rear Yards

Proposed Rear Yards: 30

Max. Height

Proposed Max. Height: 38

Open Space

Proposed Open Space: N/A

Comments:

ZONING PETITION STAFF CHECKLIST

MISCELLANEOUS PROVISIONS

Is any portion of this property in floodplain? No

Are there any known zoning violations on this site? No

If so, explain:

Tax records indicate the owner(s) as: Rodney E. Moody

This application is submitted by: the owner listed above
 an agent for the owner
 other

If agent or other, what documentation has been provided from owner or is none required?

LAND USE PLAN CONFORMANCE

Is there any discrepancy between current or proposed zoning and the Land Use Plan? If so, what is the discrepancy?

No; the Current Land Use Plan shows the above parcel being located in an area planned for residential use.

Land Use Plan elements that impact the subject property:

The objective of this designation is to identify and protect the character and present use of residential resources (existing neighborhoods and subdivisions) and to prohibit development which would compromise or infringe on the prevailing character or continued use of such resources for residential purposes.

ADDITIONAL CRITERIA FOR CONSIDERATION

1. What changes have, or are, occurring in the area to justify a change in zoning?
The property exists in the Windsor Forest Subdivision, which consists of single-family dwellings. Three other parcels existing in this subdivision have recently been annexed into the City under the R-1 zoning district. Additionally, other properties within the subdivision that have been annexed into the City have all been zoned R-1.

ZONING PETITION STAFF CHECKLIST

2. What are adjacent properties zoned, and what are adjacent land uses?

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	Unzoned	Single Family Residential
Northeast	Unzoned	Vacant residential lot
East	Unzoned	Vacant residential lot
Southeast	Unzoned	Single-Family Residential
South	Unzoned	Single-Family Residential
Southwest	R-1	Single Family Residential
West	R-1	Single Family Residential
Northwest	R-1	Single Family Residential

3. What are development plans in the area – roads, schools, future commercial development, etc.?
The subdivision is currently being developed as a single-family neighborhood.
4. Is there a reason the current land use cannot continue to be feasible as it now exists?
No.
5. List some potential uses under existing zoning.
Because the property is currently unzoned, any use would be permitted under the Florence County Zoning Ordinance. However, this property is located in an established residential subdivision which has private restrictive covenants.
6. List some potential uses under proposed zoning.
The only primary use permitted under the proposed zoning is a single-family dwelling and accessory and support uses relevant to single-family dwellings.
7. Are any of these uses inappropriate for this location, and if so, why?
No.
8. (a) What is applicant's stated reason for requesting zoning?
The zoning request is associated with annexation into the City of Florence.
9. (a) What will be the benefits to the surrounding properties?
Per the City of Florence Zoning Ordinance, the only use that may be developed within the R-1 zoning district is a single-family dwelling. The property will be subject to the City of Florence codes and regulations.
- (b) What will be the detriments to the surrounding properties?

ZONING PETITION STAFF CHECKLIST

NA

10. Is a traffic study required for this petition?

No.

If so, what are the recommendations of the study?

NA

11. What does the purpose statement of the proposed zoning district say?

Single-family Residential Districts “are intended to foster, sustain, and protect areas in which the principal use of land is for single-family dwellings and related support uses.” Section 1.2, Zoning Ordinance of the City of Florence

12. Will this proposal meet the intent of the above purpose statement?

Yes.

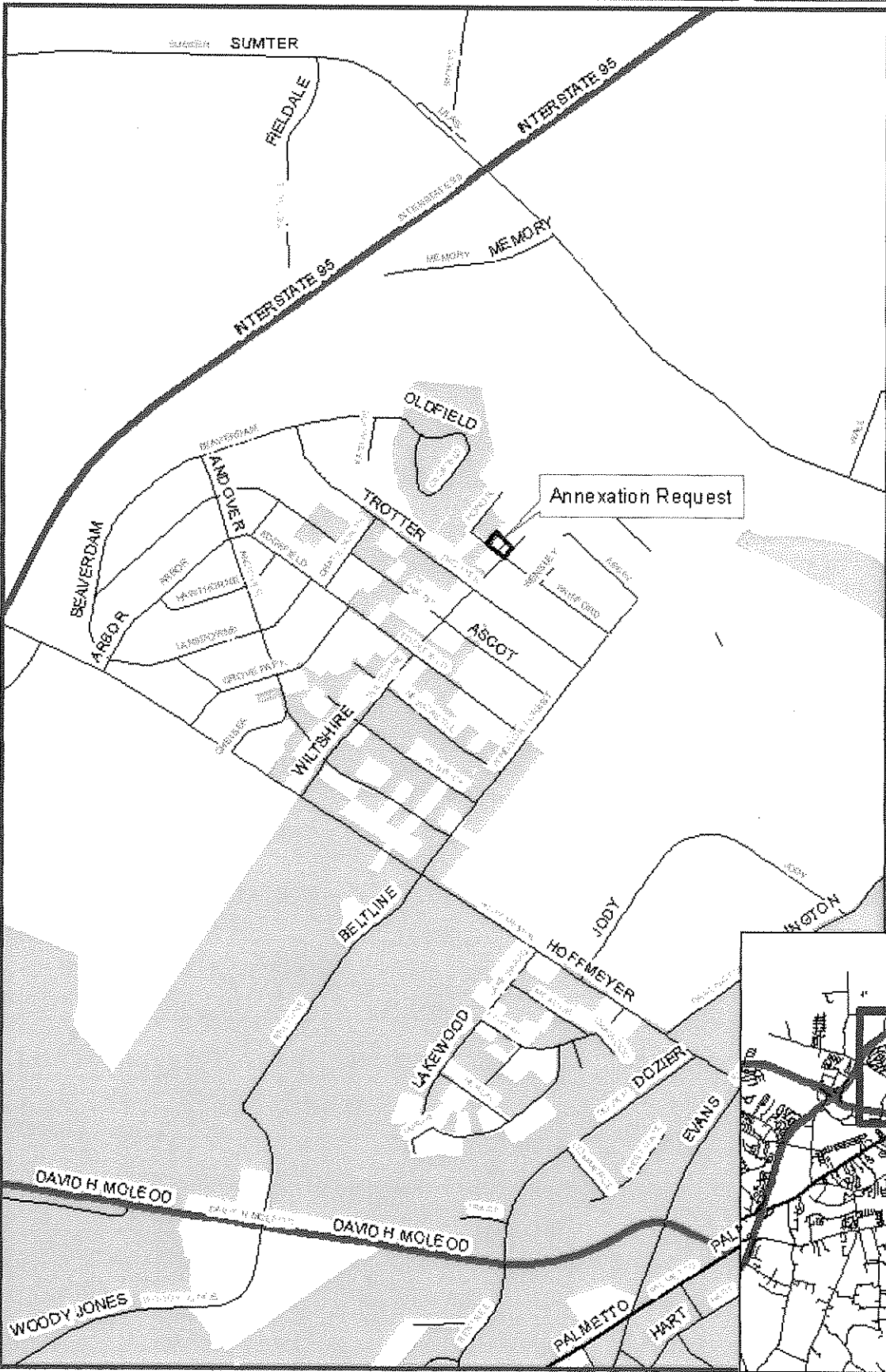
ANNEXATION 601 N. Wiltshire Rd



1,000 0 Feet



Urban Planning & Development Department



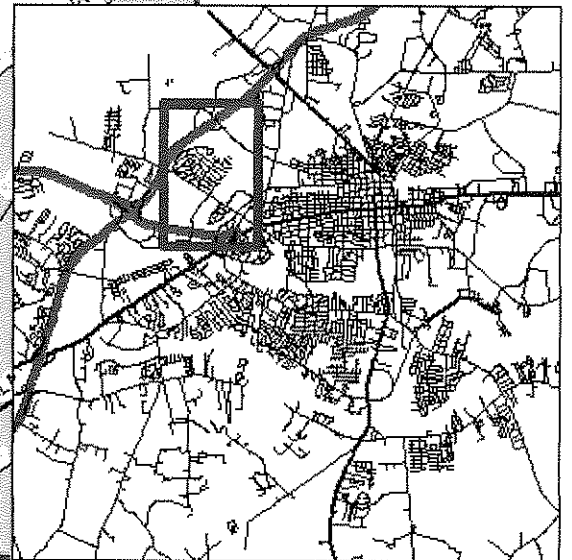
Legend

Roads

- City Maintained
- State Street
- Interstate
- US Highway
- City Boundary

ORIGINAL PREPARATION DATE:
This map was prepared by:
LCS Law
Urban Planning & Development Department
Aug 01, 2008
REVISION NUMBER/DATE:
August 1, 2008

DISCLAIMER:
The City of Florence Urban Planning and Development Department data represented on this map or plan is the product 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.



ZONING

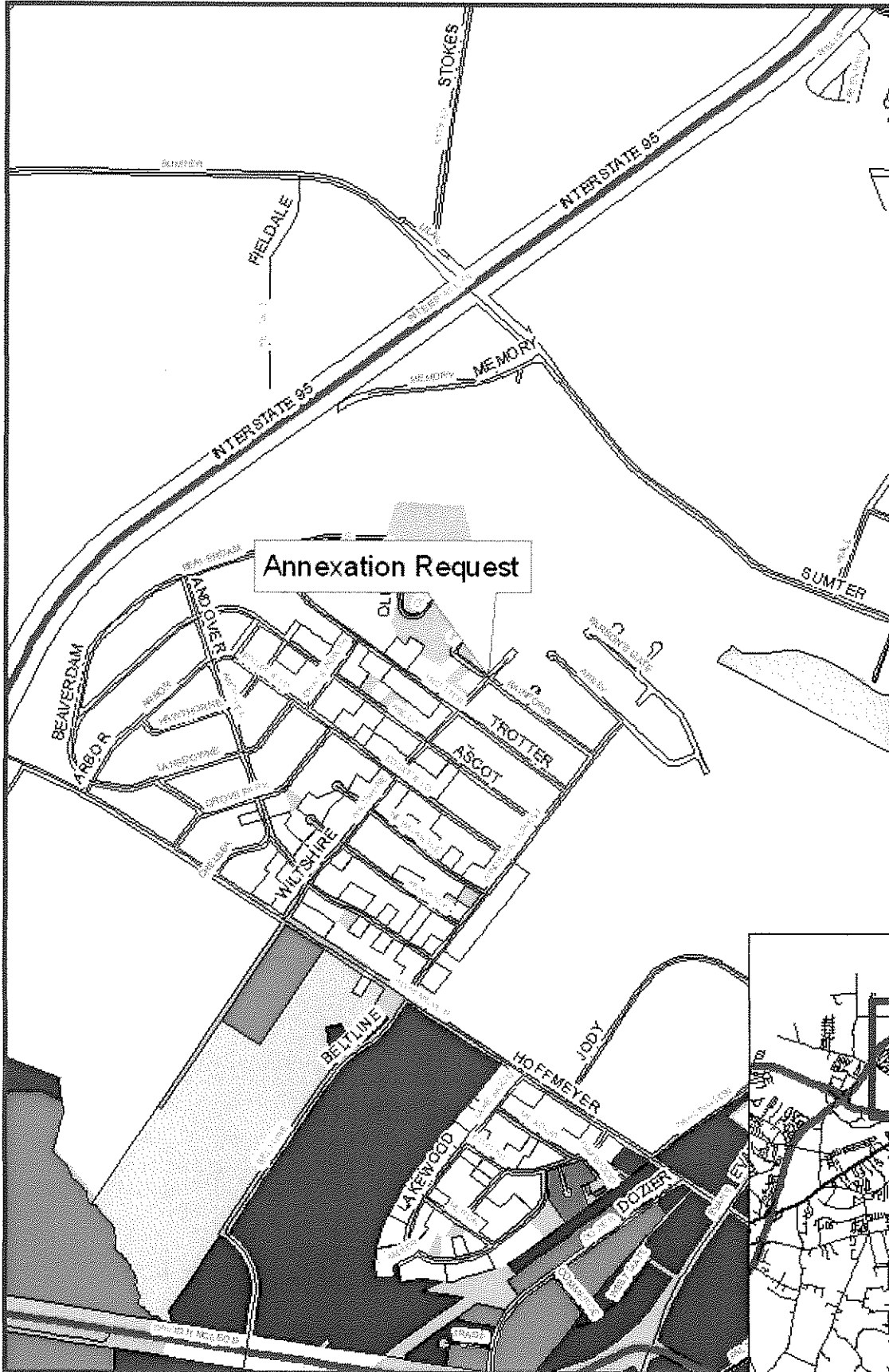
601 N Wiltshire



1,000 0 Feet



Urban Planning & Development Department



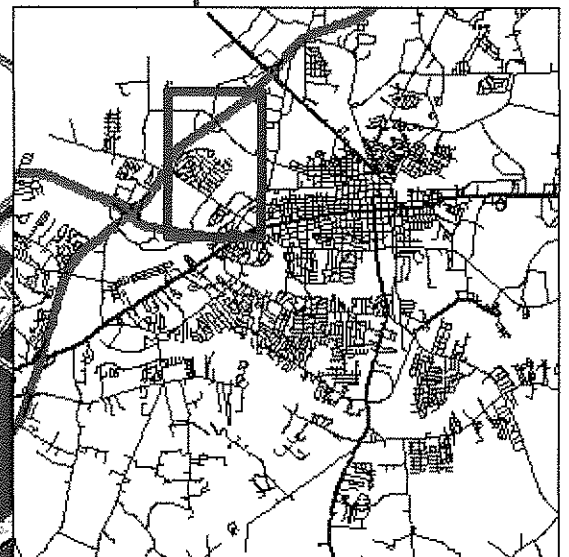
Legend

Roads

- City Maintained
- State Street
- Interstate
- US Highway
- R-1, Single Family, 15,000 sf
- R-2, Single Family, 10,000 sf
- R-3, Single Family, 8,000 sf
- R-4, Multi-Family
- R-5, Multi-Family
- PDD
- B-1, Limited
- B-2, Convenience
- B-3, General
- B-4, Central
- B-5, Office - Light Industrial
- B-6, Industrial
- RU-1, Community 15,000 sf
- RU-2, Resource 87, 120 sf
- Unzoned
- City Boundary

ORIGINAL PREPARATION DATE:
 This map was prepared by:
 LC Clark
 Urban Planning & Development Department
 Aug 01, 2008
 REVISION NUMBER/DATE:
 August 1, 2008

DISCLAIMER:
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ORDINANCE NO. 2008 _____

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY MR
RODNEY MOODY, 601 N. WILTSHIRE DRIVE.**

WHEREAS, a Public Hearing was held in Room 603 of the City-County Complex on August 12, 2005 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, an application by Mr. Rodney Moody, owner of 601 N. Wiltshire Drive was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated in 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 adding the zoning district classification of R-1, Single-Family Residential District and described as follows:

**The property requesting annexation is shown more specifically on
Florence County Tax Map 0122-1, block 01, parcel 242.**

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

WHEREAS, Florence City Council concur 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 and annexing the aforesaid properties to R-1, Single-Family Residential District and incorporating them into the City Limits of the City of Florence
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 _____, 2008

Approved as to form:

James W. Peterson, Jr.
City Attorney

Frank E. Willis, **Mayor**

Attest:

Dianne Rowan
Municipal Clerk

VI. e.
Bill No. 2008-48
Second Reading

CITY OF FLORENCE COUNCIL MEETING

DATE: September 8, 2008

AGENDA ITEM: Ordinance
First Reading

DEPARTMENT/DIVISION: City of Florence Urban Planning & Development Department

I. ISSUE UNDER CONSIDERATION:

An annexation request by South Florence Developers Inc. for undeveloped property located on Third Loop Road and shown more specifically on Tax Map 00151-01-234(7.78 acres).

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

The property is contiguous to the City limits with both water and sewer available. There is a cost of \$74,000.00 to the city to provide additional infrastructure improvements designed to alleviate existing flooding issues in the adjacent Abbeys and Cloister developments.

This property is currently zoned R-5, Multi-Family Residential District by previous action of Florence County Council.

III. POINTS TO CONSIDER:

The applicant is requesting that their property be annexed into the city.

IV. OPTIONS:

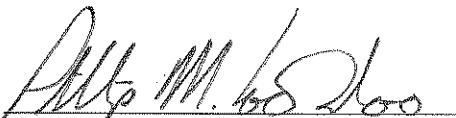
City Council may:

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

V. PERSONAL NOTES:

VI. ATTACHMENTS:

Map showing the location of the property.
Annexation checklist



Phillip M. Lookadoo, AICP
Urban Planning and Development Director



David N. Williams
City Manager

CITY OF FLORENCE

ANNEXATION CHECKLIST

Date: July 14, 2008

Instructions: Engineering Department completes items #6 thru 10
 Fire Department completes # 10a

1. Party requesting annexation: South Florence Developers LLC
2. Location and acreage of property: 7.78 acres off Third Loop Rd
3. Tax Map reference: 00151001-~~001~~²³⁴ **ENCINO DEVELOPMENT**
4. Contact name & phone number: **GARY FINKLEA, 317-4900**

SERVICE AVAILABILITY INFORMATION

INITIALS	YES/NO	IF NO, COST ESTIMATE FOR CITY TO PROVIDE
6. <u>AB</u> Water Line	Yes	
7. <u>AB</u> Sewer Line	YES	
8. <u>AB</u> Storm Drainage	YES	OPEN DITCH. DEV.'S RESPONSIBILITY FOR IMPROVEMENTS
9. <u>AB</u> Paved Street SCDOT <u>L</u> Other _____ Length of existing curb and gutter.	YES 0 ft	
10. <u>AB</u> Traffic Control devices, including street name signs	YES	SIGNS FOR NEW ROADS ARE DEV.'S RESPONSIBILITY.
10a. _____ Fire Hydrants	NO	PROPERTY NOT DEVELOPED AT THIS TIME

\$74,000.00



* Economic Feasibility Analysis attached

* Cost to City for additional infrastructure improvements designed to alleviate existing local flooding issues in Abbeys/Cloisters.

- 11. Requested Zoning : R-5, Multi-Family Residential District
- 12. Date of Petition: July 3, 2008
- 13. Party informed of costs and requirements of annexation: see petition
- 14. Residents: Total: 0 18 and over:
Registered Voters by Race:

Annexation Checklist reviewed by:

Date:

Urban Planning & Development Director *[Signature]* *08-25-08*

Engineering Department Manager *[Signature]* *08-25-08*

Public Works Director *[Signature]*

Police Chief *[Signature]* *08-27-08*

Fire Chief *[Signature]* *9.2.08*

City Manager *[Signature]*

Please return completed form to: Liz Shaw, Urban Planning & Development Department

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 Urban Planning 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:
7.78 acres identified at Tax Map Number 151-01-~~001~~²³⁴ and as described on the attachment.
3. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

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

Total Residents _____
 Race _____
 Total 18 and Over _____
 Total Registered to Vote _____

Date: July 3, 2008

 South Florence Developers, LLC
 By: Gary I. Finklea
 Petitioner

*** Petitioners request reimbursement from the City for an agreed upon portion of the cost to construct a community detention pond and upon approving the subdivision plan currently approved by the County of Florence for Encino Subdivision with the exception that an emergency access lane will be constructed between the northern end of Encino Drive to the current gravel drive serving the Abbey's detention pond from Cloister's Court.

Certification as to ownership on the date of petition:	FOR OFFICAL USE
ONLY	
Date <u>7-16-08</u>	<i>Liz Shaw</i>

GARY I. FINKLEA
Attorney & Counselor at Law
Post Office Box 1317
Florence, SC 29503

STATE OF SOUTH CAROLINA)

COUNTY OF FLORENCE)

2016 FEB 27 P 3:30

DEED



STATE FEE 180.⁰⁰

COUNTY FEE 300.⁰⁰

Grantee's Address:
FLORENCE COUNTY

KNOW ALL MEN BY THESE PRESENTS, that MARY SEBREY MCLAUGHLIN CLARK and MARIAN GREGG MCLAUGHLIN HORNSBY, hereinafter called "Grantors", of the State aforesaid, for and in consideration of the sum of Three Hundred Thousand and no/100 Dollars (\$300,000.00) paid by SOUTH FLORENCE DEVELOPERS, LLC, hereinafter called "Grantee", the receipt of which is hereby acknowledged, have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release, unto the Grantee, its successors and assigns:

All that tract of land situate in the City and County of Florence, State of South Carolina, on the north side of Third Loop Road containing 7.78 acres, more or less, subject to the easements running with said tract. The tract extends back on its eastern border 1027.33 feet, more or less, and on its northern border 169.38 feet, more or less; on its western border 748.96 feet, more or less, to a point and thence 246.68 feet, more or less, to the northern or back edge of the tract; and 324.03 feet, more or less, along Third Loop Road, all as more fully appears by reference to a plat made by Engineering Consultants, Inc. filed in the office of the Clerk of Court for Florence County in Plat Book 88 at page 287.

The above described property was conveyed to the Grantors by Deed of Gregg McLaughlin, as Substitute Trustee under the Last Will and Testament of S. T. Burch, deceased, dated January 29, 1969, recorded January 30, 1969, in Deed Book A-67 at page 54, in the office of the Clerk of Court for Florence County.

Tax Map No. 151-01-001
Property Address: Third Loop Road, Florence, SC

This conveyance is made subject to easements and restrictions of record and otherwise affecting the property.

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the premises before mentioned unto the said SOUTH FLORENCE DEVELOPERS, LLC, its successors or assigns forever.

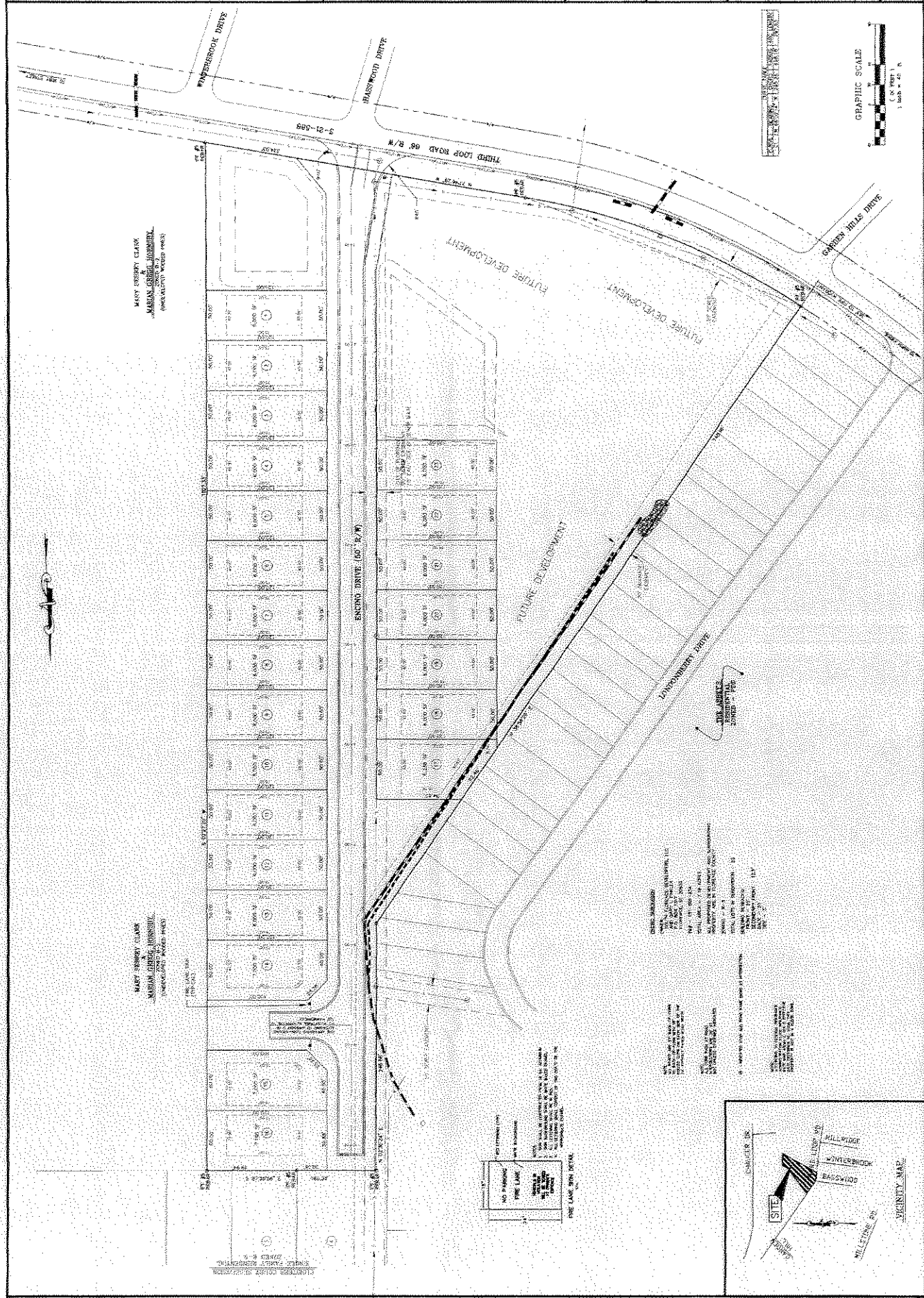
And the Grantors do hereby bind themselves and their heirs, to warrant and forever defend all and singular the said premises unto the Grantee, its successors and assigns against themselves and their heirs and against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

A991-1062

1063

THIS PROPERTY DESIGNATED AS
MAP 151-01-001 PARCEL 001
GRANTEE'S ADDRESS:
FLORENCE COUNTY TAX MAPS
SPLIT FROM
FLORENCE COUNTY TAX MAPS

DATE	11/11/2022
PROJECT	ENDO SUBDIVISION
SCALE	AS SHOWN
BY	MARY SHERRY CLARK
CHECKED BY	MARION JENSE JENSEN
DATE	11/11/2022
PROJECT	ENDO SUBDIVISION
SCALE	AS SHOWN
BY	MARY SHERRY CLARK
CHECKED BY	MARION JENSE JENSEN
DATE	11/11/2022

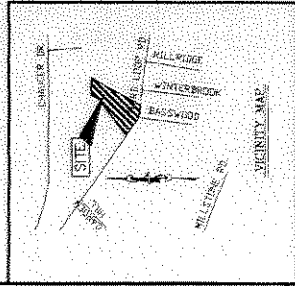


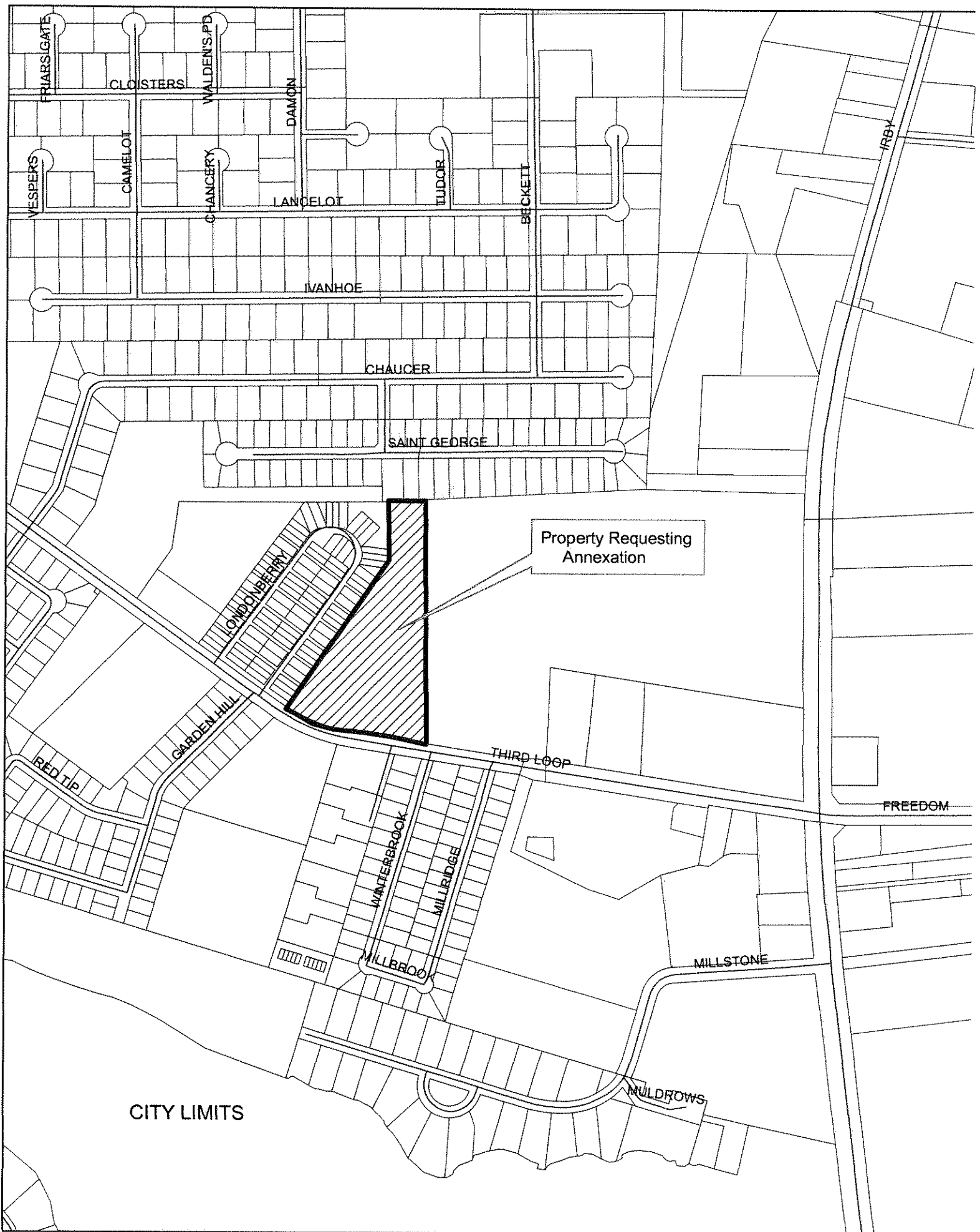
MARY SHERRY CLARK
 MARION JENSE JENSEN
 REGISTERED PROFESSIONAL ENGINEERS

MARY SHERRY CLARK
 MARION JENSE JENSEN
 REGISTERED PROFESSIONAL ENGINEERS

ENDS SUBDIVISION
 PROJECT NO. 22-0001
 DATE: 11/11/2022
 SCALE: AS SHOWN
 BY: MARY SHERRY CLARK
 CHECKED BY: MARION JENSE JENSEN

NO PARKING
 FIRE LANE
 FIRE LANE SIGN DETAIL





Property Requesting
Annexation

CITY LIMITS

FRIARSGATE

CLOISTERS

WALDEN'S PK

DAMON

VESPERS

CAMELOT

CHANCERY

LANCELOT

TUDOR

BECKETT

IVANHOE

CHAUCER

SAINT GEORGE

LONDONBERRY

GARDEN HILL

RED TIP

THIRD LOOP

FREEDOM

WATERBROOK

MILLRIDGE

MILLBROOK

MILLSTONE

MULDROWS

ORDINANCE NO. 2008_____

AN ORDINANCE TO ANNEX PROPERTY OWNED BY SOUTH FLORENCE DEVELOPERS LLC LOCATED ON THIRD LOOP ROAD.

WHEREAS, an application by South Florence Developers LLC., owner of property located on Third Loop Road was presented requesting the aforesaid property be incorporated in 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** :

The properties requesting annexation are shown more specifically on Florence County Tax Map 00151, block 01, parcel 234(7.78 acres).

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

WHEREAS, Florence City Council concur 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 and annexing the aforesaid properties and incorporating them into the City Limits of the City of Florence
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence.

ADOPTED THIS _____ DAY OF _____, 2008

Approved as to form:

James W. Peterson, Jr.

Frank E. Willis, Mayor

City Attorney

Attest:

Dianne Rowan
Municipal Clerk

VI. f.
Bill No. 2008-49
Second Reading

CITY OF FLORENCE COUNCIL MEETING

DATE: September 8, 2008
AGENDA ITEM: Ordinance
First Reading
DEPARTMENT/DIVISION: City of Florence Urban Planning & Development Department

I. ISSUE UNDER CONSIDERATION:

An annexation request by South Florence Developers Inc. and Ferrell Prosser for properties located off Howe Springs Road and shown more specifically on Tax Maps 00180-01-010(42.27 acres) and 00180-01-017 & 008(10 foot strip for contiguity).

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

The property is contiguous to the City limits with both water and sewer available. There is a reimbursement cost of \$87,000.00 to the developer for the lift station and force main. The larger property requesting annexation is a 90 lot subdivision (Spring Haven) which is under development.

This property is currently zoned R-1, Single-Family Residential and RU-1, Rural Community District by previous action of Florence County Council.

III. POINTS TO CONSIDER:

The applicant is requesting that their property be annexed into the city.

IV. OPTIONS:

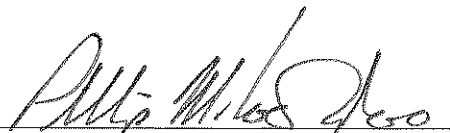
City Council may:

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

V. PERSONAL NOTES:

VI. ATTACHMENTS:

Map showing the location of the property.
Annexation checklist
Annexation Petition



Phillip M. Lookadoo, AICP
Urban Planning and Development Director



David N. Williams
City Manager

CITY OF FLORENCE

ANNEXATION CHECKLIST

Date: July 8, 2008

Instructions: Engineering Department completes items #6 thru 10
 Fire Department completes # 10a

1. Party requesting annexation: Southbrook Properties and Ferrell Prosser
2. Location and acreage of property: Howe Springs Village Subdivision(42.27 acres) and
 10' strip on Prosser properties for contiguity(00180-01-017 & 00180-01-008)
3. Tax Map reference: 00180-01-010, 00180-01-017(10' strip) & 00180-01-008910' strip)
4. Contact name & phone number: Gary Finklea

SERVICE AVAILABILITY INFORMATION

INITIALS	YES/NO	IF NO, COST ESTIMATE FOR CITY TO PROVIDE
6. <u>S.H.A.</u> Water Line	Yes.	By developer.
7. <u>S.H.A.</u> Sewer Line	Yes.	By developer. Requests \$187,000 reimbursement of L.S. & F.M.
8. <u>S.H.A.</u> Storm Drainage	Yes	By developer.
9. <u>S.H.A.</u> Paved Street SCDOT _____ Other _____	7200 L.F. Yes	By Developer
Length of existing curb and gutter.	Yes ft	By Developer
10. <u>S.H.A.</u> Traffic Control devices, including street name signs	Yes.	By Developer
10a. _____ Fire Hydrants		By Developer

* Economic Feasibility Analysis attached

- 11. Requested Zoning : Zoned R-1 and RU-1 by Florence County
- 12. Date of Petition: June 26, 2008
- 13. Party informed of costs and requirements of annexation: yes
- 14. Residents: Total: 0 18 and over:

Registered Voters by Race:

Annexation Checklist reviewed by:

Date:

Urban Planning & Development Director *[Signature]* *9/4/08*

Engineering Department Manager *[Signature]* *9-3-08*

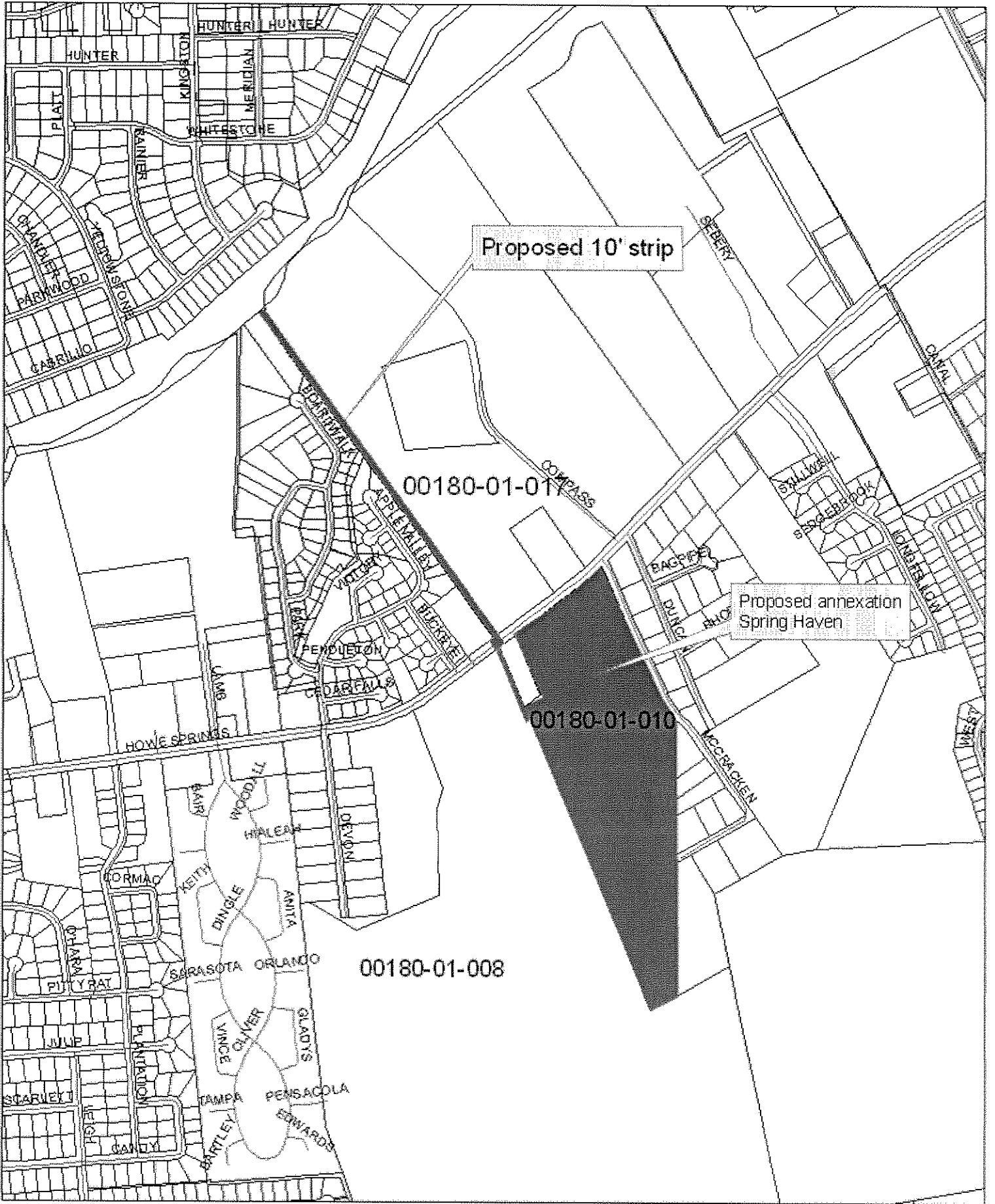
Public Works Director *[Signature]*

Police Chief *[Signature]* *09-04-08*

Fire Chief *[Signature]*

City Manager *[Signature]*

Please return completed form to: Liz Shaw, Urban Planning & Development Department



Proposed 10' strip

Proposed annexation
Spring Haven

00180-01-011

00180-01-010

00180-01-008

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 Urban Planning Department, attached and incorporated by reference herein:

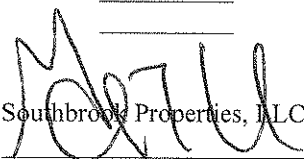
The undersigned freeholder property owner(s) hereby respectfully certifies, petitions, and requests of the City Council of Florence as follows:

- 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:
42.27 acres identified at Tax Map Number 00180-01-010 and as described on the attachment.
- 3. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

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


Total Residents _____
 Race _____
 Total 18 and Over _____
 Total Registered to Vote _____

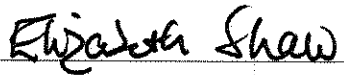
Date: June 26, 2008


 Southbrook Properties, LLC
 By: Gary I. Finklea
 Petitioner

Date _____

Petitioner

*** Petitioners request reimbursement from the City for the costs of construction of the lift station.
 Florence main. \$87,000.00 

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date <u>7.8.08</u>	

SPRING HAVEN SUBDIVISION
(formerly HOWE SPRINGS VILLAGE)
(CURRENTLY OUTSIDE CITY LIMITS)

WATER / SEWER ECONOMIC FEASIBILITY ANALYSIS
FOR ANNEXATION REQUEST
(BOTH WATER AND SEWER REVENUE; AND INSIDE, FY08 RATES)

SEWER REIMBURSEMENT COSTS

<u>\$87,000</u> X 1.00 =	<u>\$87,000</u>
<i>LIFT STATION AND FORCE MAIN COSTS</i>	
TOTAL PRESENT WORTH OF COST = <u>\$87,000</u>	

SEWER REVENUES

TAP FEES:

<u>35</u> X <u>\$180</u> =	\$6,300
<i>PAID CUSTOMERS</i>	
<u>55</u> X 0.5 X <u>\$180</u> X 0.6139 =	\$3,039
<i>OTHER CUSTOMERS</i>	

SEWER BILLINGS:

<u>35</u> X <u>\$27.78</u> X 12 X 0.30 X 12.4622 =	\$43,621
<i>PAID CUSTOMERS</i> <small>FY08 RATE</small>	
<u>55</u> X 0.5 X <u>\$31.19</u> X 12 X 0.30 X 7.7217 X 0.6139 =	\$14,637
<i>OTHER CUSTOMERS</i> <small>FY10 RATE</small>	

WATER REVENUES

TAP FEES:

<u>35</u> X <u>\$340</u> =	\$11,900
<i>PAID CUSTOMERS</i>	
<u>55</u> X 0.5 X <u>\$340</u> X 0.6139 =	\$5,740
<i>OTHER CUSTOMERS</i>	

WATER BILLINGS:

<u>35</u> X <u>\$18.85</u> X 12 X 0.25 X 12.4622 =	\$24,666
<i>PAID CUSTOMERS</i> <small>FY08 RATE</small>	
<u>55</u> X 0.5 X <u>\$21.17</u> X 12 X 0.25 X 7.7217 X 0.6139 =	<u>\$8,279</u>
<i>OTHER CUSTOMERS</i> <small>FY10 RATE</small>	

TOTAL PRESENT WORTH OF REVENUES \$118,182

$$\frac{\$118,182}{\text{TOTAL REVENUES}} \div \frac{\$87,000}{\text{TOTAL COST}} = \frac{1.36}{\text{REVENUE / COST RATIO}}$$

IF REVENUE / COST RATIO IS 1.0 OR GREATER, RECOMMEND PROJECT
 IF REVENUE / COST RATIO IS LESS THAN 1.0, REJECT PROJECT

NOTE: THE ABOVE ANALYSIS IS DESIGNED TO BE USED ONLY AS A GUIDE FOR THE STUDY OF ECONOMIC FEASIBILITY IN THE CONSIDERATION OF THE EXTENSION OF SEWER SERVICE TO A PROSPECTIVE CUSTOMER (S) IN THE CITY'S SERVICE AREA.

September 3, 2008

ORDINANCE NO. 2008_____

AN ORDINANCE TO ANNEX PROPERTY OWNED BY SOUTH FLORENCE DEVELOPERS LLC AND MR. F. PROSSER LOCATED ON HOWE SPRINGS ROAD.

WHEREAS, an application by South Florence Developers LLC., and Mr. F. Prosser owners of properties located on Howe Springs Road was presented requesting the aforesaid property be incorporated in 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** :

The properties requesting annexation are more specifically a 10 foot strip running from the current city limits along the western property line of Tax Map 00180, block 01, parcel 017 for approximately 2608 feet, southeast towards the Howe Springs Road right-of-way; a 10 foot strip running from the Howe Springs right-of-way along the eastern property line of Tax Map 00180, block 01, parcel 008 for approximately 520 feet in a south, south east direction to Florence County Tax Map 00180, block 01, parcel 010 (42.27 acres);

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

WHEREAS, Florence City Council concur 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 and annexing the aforesaid properties and incorporating them into the City Limits of the City of Florence
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence.

ADOPTED THIS _____ DAY OF _____, 2008

Approved as to form:

James W. Peterson, Jr.
City Attorney

Frank E. Willis, **Mayor**

Attest:

Dianne Rowan
Municipal Clerk

VII. a.
Bill No. 2008-50
First Reading

FLORENCE CITY COUNCIL MEETING

DATE: October 13, 2008
AGENDA ITEM: Ordinance – First Reading
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

Amendment to the 2008-2009 City of Florence Budget.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

No previous action has been taken on this ordinance.

III. POINTS TO CONSIDER

The objective of the proposed ordinance is to more closely align budgeted amounts with actual revenues and expenditures thereby eliminating or reducing significant variances between budgeted and actual amounts in both revenue and expenditure categories. Funds are being re-appropriated from fiscal year 2007-08 to 2008-09 to complete transactions which were incomplete at the end of fiscal year 2007-08. Additional funds are also being budgeted as revenues and expenditures which, during the course of the current fiscal year, have been or are anticipated to be received and expended but were not included as part of the original budget ordinance.

IV. STAFF RECOMMENDATION

Approval and adoption of the proposed ordinance.

VI. ATTACHMENTS

Copy of the proposed ordinance.



Thomas W. Chandler
Finance Director



David N. Williams
City Manager

ORDINANCE NO. ____

**AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF FLORENCE,
SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, AND
ENDING JUNE 30, 2009.**

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, 2008, and ending June 30, 2009, is hereby amended as follows:

Section 1. That the category of revenues of the General Fund in said budget is hereby amended by the additional appropriations as follows:

- 10-336-0200 Miscellaneous Grants is increased in the amount of \$146,000 to provide for anticipated EPA Brownfields assessment grant funds.
- 10-372-0500 Loan/Lease Purchase Proceeds is funded in the amount of \$678,500 to provide for loan proceeds for the purchase of two sanitation trucks (\$392,500) and Brownfields Cleanup Revolving Fund loan revenue (\$286,000).
- 10-377-1000 Unappropriated Surplus is funded in the amount of \$1,666,900 from undesignated fund balance.

Section 2. That the category of expenditures of the General Fund in said budget is hereby amended by the additional appropriations as follows:

- 10-419-0084 Auto Equipment (Community Services) is funded in the amount of \$23,000 to provide for a vehicle for the Community Development Specialist.
- 10-421-0082 Furniture & Fixtures (Police) is funded in the amount of \$500 to provide for the purchase of storage racks.
- 10-421-0083 Office Machines (Police) is funded in the amount of \$25,000 for the purchase of 15 replacement computers.
- 10-421-0086 Other Equipment (Police) is funded in the amount of \$66,500 for the purchase of weapons and traffic control equipment.
- 10-431-0084 Auto Equipment (Streets & Beautification) is funded in the amount of \$36,000 to provide for replacement of pickup truck # 327 (\$18,000) and pickup truck # 328 (\$18,000).

FY 2008-2009 Budget Amendment Ordinance (continued)

- 10-432-0050 Compost Supplies (Sanitation) is increased in the amount of \$1,500 to provide for matching funds for a recycling grant.
- 10-432-0084 Auto Equipment (Sanitation) is increased in the amount of \$792,500 to provide for the acquisition of 4 replacement sanitation trucks.
- 10-432-0086 Other Equipment (Sanitation) is funded in the amount of \$10,000 to provide for the purchase of 2 recycling trailers.
- 10-433-0026 Maintenance & Service Contracts (Equipment Maintenance) is increased in the amount of \$1,200 to provide for routine compressor service and repair.
- 10-433-0086 Other Equipment (Equipment Maintenance) is funded in the amount of \$8,000 for a replacement steam cleaner.
- 10-451-0065 Professional Services (Parks & Leisure Services) is increased in the amount of \$16,400 to provide for Summer Youth Program funding.
- 10-451-0084 Auto Equipment (Parks & Leisure Services) is funded in the amount of \$25,000 for the replacement of van # 925.
- 10-451-0085 Machines and Equipment (Parks & Leisure Services) is funded in the amount of \$2,000 for the replacement of weed trimmers and blowers.
- 10-453-0086 Other Equipment (Athletic Programs) is funded in the amount of \$18,000 for the purchase of a turf top dressing attachment (\$15,000) and a replacement of golf cart # 970 (\$3,000).
- 10-453-0087 Upgrade and Painting (Athletic Programs) is funded in the amount of \$20,000 for painting at Freedom Florence.
- 10-463-0065 Professional Services (Urban Planning) is funded in the amount of \$300,000 for the development of a comprehensive plan.
- 10-463-0086 Other Equipment (Urban Planning) is increased in the amount of \$51,300 for costs related to relocating the computer network system from the Sanborn Street location to the 218 West Evans Street location (\$23,000) and for the purchase of an ARC special data engine (\$28,300).
- 10-493-0440 Lot Clearing and Demolition (Non-Departmental) is funded in the amount of \$278,100 to provide for the clearing and

FY 2008-2009 Budget Amendment Ordinance (continued)

demolition of lots and abandoned structures within the city limits.

- 10-493-0500 City County Complex Operations (Non-Departmental) is increased in the amount of \$30,000 to provide the General Fund portion of a brick wall barrier for the new Complex cooling tower.
- 10-493-0546 Brownfield Cleanup Loan Expense (Non-Departmental) is funded in the amount of \$357,000 to provide for loan-funded cleanup expenditures at the former Bush Recycling site.
- 10-493-0549 EPA Assessment Grant 2006 (Non-Departmental) is funded in the amount of \$146,000 to provide for grant-funded Brownfields assessment expenditures.
- 10-493-0572 SC Land Acquisition Grant Match (Non-Departmental) is funded in the amount of \$12,900 to provide matching funds for the grant acquisition of land for trail and green space development.
- 10-493-0576 IT Upgrade (Non-Departmental) is increased in the amount of \$7,500 to provide additional funds for the General Fund portion of citywide IT upgrades.
- 10-493-5520 Gateways & Beautification (Non-Departmental) is funded in the amount of \$43,000 to provide for funding for gateways and beautification projects.
- 10-493-5550 Special Projects (Non-Departmental) is increased in the amount of \$100,000 to provide for funding for specialized equipment and projects in the Community Services, Police, Fire, Public Works, and Parks Departments.
- 10-493-5580 218 West Evans Building Upgrade (Non-Departmental) is funded in the amount of \$120,000 to provide the General Fund portions of renovations required for the relocation of the Urban Planning and Development Department and the Utility Finance Division.

Section 3. That the category of revenues of the Water and Sewer Enterprise Fund in said budget is hereby amended by the additional appropriations as follows:

- 20-377-1000 Unappropriated Surplus is funded in the total amount of \$548,100 from reservations of retained earnings from the prior fiscal year.

FY 2008-2009 Budget Amendment Ordinance (continued)

Section 4. That the category of expenses of the Water and Sewer Enterprise Fund in said budget is hereby amended as follows:

- 20-441-0065 Professional Services (Engineering) is increased in the amount of \$30,000 to fund GIS development and stormwater analysis.
- 20-441-0086 Other Equipment (Engineering) is funded in the amount of \$4,000 for the purchase of a utilities locator device.
- 20-442-0082 Furniture and Fixtures (Utility Finance) is funded in the amount of \$25,000 for the purchase furniture and fixtures to relocate the Utility Finance Division to the 218 West Evans Street facility.
- 20-442-0083 Office Machines (Utility Finance) is funded in the amount of \$7,100 to fund costs associated with development and relate equipment for a computer based credit card posting system.
- 20-442-0086 Buildings & Fixed Equipment (Utility Finance) is funded in the amount of \$14,000 for the acquisition of inventory monitoring equipment.
- 20-443-0027 Machine and Equipment Repairs (Wastewater Treatment) is increased in the amount of \$107,500 to provide for Cashua Drive Lift Station pump bases and other miscellaneous plant maintenance and repairs.
- 20-443-0087 Upgrade and Painting (Wastewater Treatment) is increased in the amount of \$90,000 for the Pine Forest Lift Station upgrade.
- 20-446-0085 Machines & Equipment (Utility Operations) is increased in the amount of \$48,000 for the purchase of a fusing machine (\$23,000) and two underground piercing tools (\$25,000).
- 20-493-0500 City County Complex Operations (Non-Departmental) is increased in the amount of \$30,000 to provide the W/S Enterprise Fund portion of a brick wall barrier for the new Complex cooling tower.
- 20-493-0576 IT Upgrade (Non-Departmental) is increased in the amount of \$22,500 to provide additional funds for the W/S Enterprise Fund portion of citywide IT upgrades.
- 20-493-5550 Special Projects (Non-Departmental) is increased in the amount of \$50,000 to provide funding for water and sewer facilities maintenance and improvements.

FY 2008-2009 Budget Amendment Ordinance (continued)

20-493-5580 218 West Evans Building Upgrade (Non-Departmental) is funded in the amount of \$120,000 to provide the W/S Enterprise Fund portions of renovations required for the relocation of the Urban Planning and Development Department and the Utility Finance Division.

Section 5. That the category of revenues of the Hospitality Fee Fund in said budget is hereby amended by the additional appropriations as follows:

26-377-1000 Unappropriated Surplus is increased in the total amount of \$563,700 from reservations of fund balance from the prior fiscal year.

Section 6. That the category of expenditures of the Hospitality Fee Fund in said budget is hereby amended by the additional appropriations as follows:

26-465-0120 Bush Site Improvements (Hospitality Fund General Expenditures) is funded in the amount of \$161,000 to provide funding for matching funds for the cleanup of the former Bush Recycling site.

26-465-0125 Downtown Parking/Plaza (Hospitality Fund General Expenditures) is funded in the amount of \$83,000 for the Downtown Parking/Plaza capital expenses.

26-465-0140 Timrod Park Improvements (Hospitality Fund General Expenditures) is funded in the amount of \$10,000 for Timrod Park capital improvements.

26-465-0160 Celebration Boulevard Traffic Signal (Hospitality Fund General Expenditures) is funded in the amount of \$40,500 for the addition of a traffic signal at Celebration Boulevard.

26-465-0185 Veterans Park Monument (Hospitality Fund General Expenditures) is funded in the amount of \$269,200 to provide advance funding for costs related to the monument to be erected at the Veterans Park, such funds to be reimbursed to the City through memorial tile sales.

Section 7. That the category of revenues of the Equipment Replacement Fund in said budget is hereby amended by the additional appropriations as follows:

40-377-1000 Unappropriated Surplus is funded in the total amount of \$462,000 from reservations of fund balance from the prior fiscal year.

FY 2008-2009 Budget Amendment Ordinance (continued)

Section 8. That the category of expenses of the Equipment Replacement Fund in said budget is hereby amended by the additional appropriations as follows:

- 40-441-0083 Office Machines (Engineering Equipment Replacement) is increased in the amount of \$10,000 to provide funding for the purchase of a plotter.
- 40-443-0084 Auto Equipment (Wastewater Treatment Equipment Replacement) is funded in the amount of \$15,000 to provide funding for the purchase of an 8 passenger minivan.
- 40-443-0085 Machines & Equipment (Wastewater Treatment Equipment Replacement) is funded in the amount of \$12,000 to provide funding for the purchase of a 6" trash pump.
- 40-444-0084 Auto Equipment (Surface Water Production Equipment Replacement) is increased in the amount of \$18,000 to provide funding for the purchase of a replacement for a full size pickup # 730.
- 40-444-0085 Machines & Equipment (Surface Water Production Equipment Replacement) is funded in the amount of \$50,000 to provide funding for the purchase of a replacement emergency generator.
- 40-445-0084 Auto Equipment (Ground Water Production Equipment Replacement) is increased in the amount of \$19,000 to provide funding for the purchase of a replacement for a full size pickup # 703.
- 40-446-0084 Auto Equipment (Utility Operations Equipment Replacement) is increased in the amount of \$70,000 to provide funding for the purchase of a replacement for bucket truck # 652.
- 40-446-0085 Machines and Equipment (Utility Operations Equipment Replacement) is increased in the amount of \$248,000 to provide funding for the purchase of a replacement for a wash/vacuum truck.
- 40-446-0086 Other Equipment (Utility Operations Equipment Replacement) is increased in the amount of \$20,000 to provide funding for the purchase of a replacement 6" trash pump.

Section 9. 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.

FY 2008-2009 Budget Amendment Ordinance (continued)

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

ADOPTED THIS _____ DAY OF _____, 2008.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Frank E. Willis
Mayor

Attest:

Diane Rowan
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: October 7, 2008
AGENDA ITEM: Ordinance No. 2008-____
DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION

An ordinance to provide for a public referendum to be held to determine whether or not the City of Florence shall amend Chapter 2 of its City Code to change its method of electing the mayor and city council members from partisan elections to nonpartisan plurality elections as authorized by Section 5-15-61 of the South Carolina Code of Laws.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

The attached Ordinance 2008-____ is designed to cover the matters discussed above. If Council chooses, a Public Hearing to obtain input on this issue can be scheduled before Council on November 10, 2008 at the regular meeting of Council. Councilman Brand requested that this matter be brought before Council for its consideration. Should Council pass this ordinance placing this issue before the citizens of Florence, the special referendum would be scheduled immediately after the Pre Clearance process with the Department of Justice is completed, and it is anticipated that the referendum would be held during the first quarter of 2009.

III. POINTS TO CONSIDER

- (a) The attached ordinance chooses one of the three nonpartisan methods of election recognized by the South Carolina Code of Laws. The three methods are the following:
 - (1) §5-15-61 recognizes determining the election results under the plurality method. This means when more than one person is seeking a single office, the candidate receiving the highest number of votes will be declared the winner. More than

one office is being filled and there are more people seeking election to those offices than there are offices to be filled, the candidates receiving the highest number of votes, equal to the number of offices to be filled, are declared the winners.

(2) §5-15-62 deals with the determination of election results under the non-partisan election and runoff election method. This means that, to be declared a winner of an election a candidate must receive a majority of the votes cast. The term majority is defined in great detail. If no candidate receives a majority, then a run-off election is held between the candidates receiving the highest vote.

(3) §5-15-63 provides for determining election results under a non-partisan primary election and general election method. This means that a non-partisan primary election is held in order to reduce the number of candidates to two candidates for a single office or to the group of candidates receiving the highest number of votes equal to twice the number of positions to be filled. Those candidates are declared nominated, and the general election is decided by the candidates receiving the highest number of votes.

- (b) It is clear that any such change in Florence requires that we both follow the statutory requirements found in Title 5 of the South Carolina Code and that we comply with the requirements of the U.S. Justice Department.
- (c) Following a conservative approach to the legal issues set out in the earlier legal advice provided to Council, the holding a referendum to obtain the decision of the citizens of Florence on this issue is the preferred method to address this issue.
- (d) If Council desires to take this step, the attached ordinance would need to pass two readings in order to authorize the referendum.
- (e) If the ordinance is adopted, the matter will be submitted to the Department of Justice for pre-clearance before going to the expense of a referendum. Once submitted, the Department of Justice has sixty (60) days to respond to the request.

IV. STAFF RECOMMENDATION

Staff stands ready to carry out the wishes of Council.

V. ATTACHMENTS

Copy of the proposed Ordinance 2008-_____.

ORDINANCE NO. 2008 - _____

AN ORDINANCE TO PROVIDE FOR A PUBLIC REFERENDUM TO BE HELD TO DETERMINE WHETHER OR NOT THE CITY OF FLORENCE SHALL AMEND CHAPTER 2 OF ITS CITY CODE TO CHANGE ITS METHOD OF ELECTING THE MAYOR AND CITY COUNCIL MEMBERS FROM PARTISAN ELECTIONS TO NONPARTISAN PLURALITY ELECTIONS AS AUTHORIZED BY SECTION 5-15-61 OF THE SOUTH CAROLINA CODE OF LAWS.

WHEREAS, it is a goal of the City to encourage more citizens to participate in local government;

WHEREAS, nonpartisan elections are specifically authorized by Title 5 of the South Carolina Code of Laws and are the method of election utilized by the vast majority of cities and towns in South Carolina;

WHEREAS, many citizens of Florence have approached various members of Council requesting an opportunity for the citizens to determine whether nonpartisan elections would be preferred by the citizens for the election of Mayor and Council Members;

WHEREAS, the party primaries being conducted by the local political parties have been an ongoing source of confusion and controversy with the parties coming to the City requiring assistance and funding while indicating their inability to properly conduct such primaries; and

WHEREAS, Council has sought and considered public input on this issue at a duly advertised Public Hearing on November 10, 2008.

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 special public referendum be held pursuant to the provisions of South Carolina Code §5-15-30 to determine whether or not The City of Florence shall amend Chapter 2 of its City Code to change its method of electing the mayor and city council members from partisan elections to nonpartisan plurality elections as authorized by Section 5-15-61 of the South Carolina Code of Laws.

2. That the referendum shall be conducted as soon as possible, in no event more than ninety (90) days after receiving clearance from the United States Department of Justice to hold the referendum, and the referendum shall pose the following question to the citizens of the City of Florence:

“Shall the Municipality of Florence amend Chapter 2 of its City Code to change its method of electing its Mayor and Members of Council from partisan elections to nonpartisan plurality elections as authorized by Section 5-15-61 of the South Carolina Code of Laws?”

3. To effect the change described above, a majority of the votes cast by the qualified electors in the referendum must be in favor of the change.
4. In all other respects, the ordinances governing elections in the City of Florence shall remain in full force and effect.
5. This ordinance shall be effective immediately upon its adoption by City Council on second reading.

ADOPTED THIS _____ DAY OF _____, 2008.

Approved as to form:

JAMES W. PETERSON, JR.
City Attorney

FRANK E. WILLIS
Mayor

Attest:

DIANNE M. ROWAN
Municipal Clerk

VIII. a.
Appointments to
Boards/Commissions

FLORENCE CITY COUNCIL MEETING

DATE: October 8, 2008

AGENDA ITEM: Appointments to Boards and Commissions

DEPARTMENT/DIVISION: Administration/City Council

ISSUE UNDER CONSIDERATION: To fill vacancies on the City's Boards and Commissions.

CURRENT STATUS: There is one Commission with one vacancy

OPTIONS:

- 1) Make appointments or reappointments for the vacancies
- 2) Defer the appointments until a later council meeting.

ATTACHMENTS:

- 1) A copy of the Board or Commission with vacancies

PARKS, BEAUTIFICATION, AND LEISURE SERVICES COMMISSION

**One Vacancy
October 13, 2008**

There is one vacancy on the Parks, Beautification, and Leisure Services Commission.

Revised 06/30/2008

PARKS, BEAUTIFICATION, AND LEISURE SERVICES COMMISSION

The Park Commission will be composed of twelve (12) members, resident electors of the city, to be elected by City Council to serve five (5) year terms.

The present composition of the Park Commission is as follows:

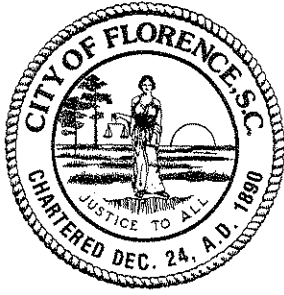
<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
Mr. Walter W. Sallenger Photographer 412 Spruce Street Florence, SC 29501 (W&H) 843-413-1794 W/M	06/30/2013
Mr. Michael Hawkins 909 Harmony Street Florence, SC 29501 (H) 661-7339 B/M	06/30/2012
Ms. Vanessa Munn Communications Manager 1815 Meadow Green Place Florence, SC 29502 (W) 843-673-6713 (H) 843-229-4855 W/F	06/30/2009
Ms. Jeanne Downing Developer P.O. Box 6222 Florence, SC 29502-6222 3201 Spiral Lane Effingham, SC 29541 (W/H) 667-4496 (cell) 615-2800 W/F	06/30/2009
Mr. Zavon Felton Retired 1908 E. Sandhurst Drive Florence, SC 29505 (H) 665-1908 B/M	06/30/2013

Ms. Bettie Ann McCrae 1009 West Darlington Street Florence, SC 29501 (H) 843-665-2201 B/F	06/30/2009
Mr. Larry E. Hooks 717 Wimbledon Avenue Florence, SC 29505 (H) 667-1221 W/M	06/30/2009
Vacancy	06/30/2008
Mrs. Helen Sims 318 Ballard Street Florence, SC 29506 (H) 662-6097 or 662-7192 B/F	06/30/2010
Mr. Jamie Young General Manager, Florence RedWolves 340 Stadium Road (W) 843-629-0700 712 King Avenue Florence, SC 29501 (H) 843-667-6632 W/M	06/30/2013
Mr. William Mullholand Retired 1507 Damon Drive Florence, SC 29505 (843) 669-4555 W/M	06/30/2009
Ms. Barbara B. Jenkinson Sonographer Women's Complete Health Care 410 S. Coit Street Florence, SC 29501 1218 Madison Avenue Florence, SC 29501 (H) 669-7708 W/F	06/30/2009

HONORARY MEMBERS

Mr. A. E. Kunz
523 Laurel Lane
Florence, SC 29501
662-4083

Mrs. Ainslie M. Taylor
Methodist Manor
2100 Twin Church Road
Florence, SC 29501
(H) 669-4946



VIII. b.
Accommodations Tax
Advisory Report

City of Florence, SC Memorandum

To: Mayor Willis and Members of City Council
From: City of Florence Accommodations Tax Advisory Tax Committee
Subject: **Funding Recommendations for FY 2008-2009**
Date: October 13, 2008

The Accommodations Tax Advisory Committee held meetings in August and September 2008 for the purpose of receiving and evaluating Accommodations Tax funding requests for fiscal year 2008-2009. Requests were received from twenty (20) organizations requesting "65% funds" and one (1) organization requesting "30% funding."

The Committee has studied these requests carefully, closely examining the critical needs expressed by the representatives of the requesting agencies, and evaluating the impact these agencies have on the tourism in the Florence community.

Preliminary projections indicate that approximately \$205,000 of the "65% funds" will be available for allocation to requesting agencies and an additional \$94,500 for tourism promotion in the "30% funds."

The Accommodations Tax Advisory Committee is again recommending to City Council that the 2008-2009 appropriations to the various arts organizations be routed through the Florence Area Arts Alliance to enable that organization to receive additional grant funding through the South Carolina Arts Commission. The Florence Area Arts Alliance will then disburse the Accommodations Tax funds directly to the funded arts organizations in the amounts appropriated by City Council. This arrangement enables the Arts Alliance to substantially increase its level of grant funding from the South Carolina Arts Commission for its Small Grants Program which benefits a large number of arts organizations in the Florence area. The organizations which will be funded in this manner include: **The Masterworks Choir, Florence Little Theatre, eBushua Foundation, Florence Symphony Orchestra, Art's Alive, Florence Museum, Pee Dee International Festival, and the Sankofa Festival**, in addition to the independent funding of the Florence Area Arts Alliance.

Attached you will find the Accommodations Tax Request for FY 2008-2009 report listing all organizations requesting funds for this year; the amount of funding received by these organizations for FY 2006-07 and FY 2007-08; the amount of funds actually requested by the organizations for FY 2008-09; and the recommendations of the Advisory Committee (**Attachment 1**). You will also find attached an Accommodations Tax Financial Report for fiscal year ending June 30, 2008 (**Attachment 2**). In addition, an Accommodations Tax Projection of Receipts for FY 2008-09 is included for your information (**Attachment 3**). Also enclosed is a copy of the public notice printed in local newspapers providing information concerning application for Accommodations Tax Funding (**Attachment 4**).

CITY OF FLORENCE, SC
ACCOMMODATIONS TAX REQUESTS AND APPROPRIATIONS REPORT
FISCAL YEAR 2008-2009

ORGANIZATION	Appropriated 2006-07	Appropriated 2007-08	Requested 2008-09	Committee Recommended ¹	Appropriated 2008-09
A. 30% Funds for Tourism Promotion					
1. Florence Convention & Visitors Bureau	<u>\$72,000</u>	<u>\$96,000</u>	<u>\$113,000</u>	<u>\$94,500</u> ²	
B. 65% Funds					
1. Florence Regional Arts Alliance	\$6,800	\$8,000	\$10,000	\$7,500	
2. The Masterworks Choir, Inc.	\$3,000	\$4,000	\$5,000	\$4,000	
3. Florence Little Theatre	\$5,100	\$7,800	\$15,000	\$7,800	
4. eBushua Foundation	\$6,300	\$7,200	\$15,000	\$4,400	
5. Florence Symphony Orchestra	\$6,100	\$6,600	\$7,500	\$6,100	
6. Art's Alive	\$7,800	\$9,800	\$15,000	\$9,400	
7. Florence Museum	\$6,400	\$6,500	\$5,000	\$5,000	
8. Carolina Classic Basketball Tournament	\$6,300	\$7,100	\$8,000	\$7,100	
9. Freedom Florence	\$26,400	\$35,000	\$40,000	\$30,000	
10. Pee Dee International Festival	\$8,400	\$10,700	\$13,000	\$9,600	
11. Sankofa Festival	\$5,500	\$6,200	\$10,000	\$4,500	
12. Florence Convention & Visitors Bureau	\$19,500	\$47,200	\$75,000	\$33,400	
13. Pee Dee Regional Air Show	\$16,700	\$20,500	\$0	\$0	
14. Florence Tennis Association	\$7,000	\$8,000	\$8,000	\$7,000	
15. Florence Pecan Festival	\$9,100	\$12,500	\$40,000	\$12,500	
16. Pride Youth Hockey Association	\$6,100	\$5,000	\$0	\$0	
17. Florence City-County Civic Center	\$21,100	\$24,000	\$55,735	\$34,700	
18. Florence International Basketball Tournament	\$7,000	\$8,000	\$10,500	\$8,000	
19. Juneteenth Celebration	\$7,400	\$7,400	\$10,000	\$0	
20. Car Haulers Parade	\$0	\$0	\$15,000	\$5,000	
21. SC Dance Theatre	\$0	\$0	\$5,000	\$4,000	
22. The American Soldier--A Photographic Tribute	\$0	\$0	\$15,000	\$5,000	
Total -- 65% Funds	<u>\$182,000</u>	<u>\$241,500</u>	<u>\$377,735</u>	<u>\$205,000</u>	<u>\$0</u>

Note 1: Including carryover funds from FY 2007-08, it is anticipated that the amount available for distribution to the requesting the agencies of "65% funds" will be approximately \$205,000. The "30% funds" for tourism promotion is estimated to be approximately \$94,500.

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

**City of Florence, SC
Accommodations Tax Financial Report
Fiscal Year Ending June 30, 2008**

Total Accommodations Funds Received	\$333,998.78
Plus Carryover Funds from Prior Year	\$40,109.00
Plus Interest Earned on Carryover Funds	\$989.97
Less General Fund Standard Allocation	<u>-\$25,000.00</u>
Balance	\$350,097.75
Less 5% Funds Paid to General Fund	-\$15,449.94
Less 30% Funds Paid for Advertising/Promotion	-\$92,699.65
Balance = 65% Funds Available for Tourism	\$241,948.16
Less Appropriations Paid to Tourism Agencies	<u>-\$240,958.19</u>
Year End Balance	\$989.97

**City of Florence, SC
Accommodations Tax
Projections for FY 2008-2009**

Accommodations Tax Funds Projected	\$340,000.00
Less \$25,000 to General Fund	-\$25,000.00
Subtotal	\$315,000.00
Less 5% of Balance to General Fund	-\$15,750.00
Less 30% of balance to Advertising/Promotion	-\$94,500.00
Balance for 65% Funds Distribution	\$204,750.00
Plus Carryover from Prior Year	\$989.97
Total Available for Tourism Expenditures	\$205,739.97

**City of Florence, SC
PUBLIC NOTICE**

The City of Florence has 2008-2009 Accommodations Tax application packets available for distribution to agencies with a not-for-profit designation interested in applying for funding. Requests for application packets should be addressed to Finance Director, City of Florence, City-County Complex BB, Room 602, Florence, South Carolina 29501, Telephone 665-3162. **Applications must be received by the Finance Director no later than Friday, August 1, 2008 to be eligible for funding consideration.**

The above ad was printed in the approximate size in the following newspapers on the dates indicated:

Morning News: July 13, 2008

News Journal: July 16, 2008

Community Times: July 17, 2008

VIII. c.
1001 Haskell Road

FLORENCE CITY COUNCIL MEETING

DATE: October 8, 2008

AGENDA ITEM: A Report to Council

DEPARTMENT/DIVISION: Administration/City Manager

ISSUE UNDER CONSIDERATION: A request to declare city-owned property located at 1001 Haskell Road surplus

ATTACHMENTS:

- 1) A map showing the property that is being requested to be declared surplus.

