

REGULAR MEETING OF FLORENCE CITY COUNCIL

MONDAY, DECEMBER 8, 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

Regular Meeting - November 10, 2008

Special Meeting - November 17, 2008

Swearing In Ceremony - November 17, 2008

IV. SPECIAL HONORS AND RECOGNITIONS

Service Certificates

Elizabeth (Liz) Shaw - 15 years - Urban Planning

Educational Recognition

*Marshall Miles - Completed his "D" Water Treatment Operator
Certification*

*Brian Matthews - Completed his "C" Water Treatment Operator
Certification*

V. ELECTION OF MAYOR PRO TEMPORE

VI. APPEARANCES BEFORE COUNCIL

- a. Ms. Pat Gibson-Hye and Mr. Michael Hawkins - to discuss community and Levy Park concerns and issues.**

VII. 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.
(Note: Staff has requested this item be deferred to a future meeting)
- c. **Bill No. 2008-54 - Second Reading**
An Ordinance to amend the Planned Development District for The Reserve at Ebenezer Subdivision.
- d. **Bill No. 2008-55 - Second Reading**
An Ordinance to annex and zone property owned by Nigel and Shannon Watt, 2483 West Andover Road.
- e. **Bill No. 2008-56 - Second Reading**
An Ordinance to annex and zone property owned by David Wach, 2699 Trotter Road.
- f. **Bill No. 2008-57 - Second Reading**
An Ordinance to amend the City of Florence Zoning Ordinance relating to Sign Regulations.

VIII. INTRODUCTION OF ORDINANCES

- a. **Bill No. 2008-58 - First Reading**
An Ordinance to annex property owned by Jane Rhoden located at 1615 Southwood Court.
- b. **Bill No. 2008-59 - First Reading**
An Ordinance to repeal Ordinance number 2008-47 adopted October 20, 2008 which provided 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 Councilman members from partisan election to the nonpartisan election and run-off election method as authorized by Section 5-15-62 of the South Carolina Code of Laws.

IX. INTRODUCTION OF RESOLUTION

- a. ***Resolution No. 2008-13
A Resolution authorizing participation in the South Carolina
Other Retirement Benefits Employer Program***

X. REPORTS TO COUNCIL

- a. ***Councilman William C. Bradham, Jr. - to give consideration for a
third Christmas holiday for City employees***
- b. ***A report by Staff to City Council concerning nuisance abatement and
code enforcement activities.
(Mrs. Carol Dawson will address Council regarding this issue)***
- c. ***A report on the recommendations of the Accommodations Tax
Advisory Committee***
- d. ***Appointments to Boards and Commissions***
 - 1. Design Review Board***
 - 2. Civic Center***
- e. ***Councilman Edward Robinson - a discussion regarding
Resolution No. 2008-02 - A Resolution urging a moratorium on
home foreclosures.***

XI. EXECUTIVE SESSION

- a. ***Personnel Matter***

XII. ADJOURN

REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, NOVEMBER 10, 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; Drew Griffin, Director of Public Works; Tom Shearin, Special Services Administrator; Darene Stankus, Director of Human Resources; and Chief Randy Osterman, Florence Fire Department.

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.

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 Regular Meeting of October 13, 2008, the Special Meeting/Work Session of October 20, 2008, and the Special Meeting of October 27, 2008. Councilman Brand seconded the motion, which carried unanimously.

SPECIAL HONORS AND RECOGNITIONS

Mayor Willis presented a certificate to Stephen Joyner in recognition of 15 years of service with the City of Florence Fire Department.

Sarah Hoffman received a certificate from Mayor Willis in recognition of 10 years of service with the City of Florence Police Department.

APPEARANCE BEFORE COUNCIL

Mr. George Jebaily appeared before Council on behalf of the Florence Downtown Development Corporation to give a special recognition to Mayor Willis, Councilman Rick Woodard and Councilman Bobby Holland for all that they have done on behalf of the citizens of the City of Florence, downtown and the Downtown Development Corporation.

Mr. Jebaily and Mr. Tom Ewart, Chairman of the Downtown Development Corporation, presented Mayor Willis, Councilman Rick Woodard and Councilman Bobby Holland with a plaque in recognition of their support of the Florence Downtown Development Corporation.

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.

(Note: Staff has requested this item be deferred to a future meeting)

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 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.

Councilman Woodard left the meeting at 9:24 a.m.

BILL NO. 2008-50 - SECOND 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.

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 was adopted on second reading.

Mr. David N. Williams, City Manager, reported to Council at the October 13, 2008 Regular Council meeting that each year staff brings a budget amendment to Council, the purpose of which is to bring forward projects or purchases that were pending as of June 30th of the previous fiscal year. Funds were already appropriated during the previous fiscal year; however those purchases or projects could not be completed before the close of the fiscal year. This Ordinance will bring forward funds into the current year's budget to provide for those projects to be completed.

Councilman Brand made a motion to adopt Bill No. 2008-50 on second reading. Councilman Bradham seconded the motion, which carried unanimously. (Councilman Woodard was not present for the vote).

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BILL NO. 2008-53 - SECOND READING

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF TWO PARCELS DESIGNATED AS TAX MAP PARCELS 90168-02-005 AND A PORTION OF 90168-02-038 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR OF FLORENCE COUNTY.

An Ordinance authorizing the conveyance of two parcels designated as Tax Map Parcels 90168-02-005 and a portion of 90168-02-038 in the records of the Florence County Tax Assessor of Florence County was adopted on second reading.

Mr. George Jebaily, Chairman of the Downtown Development Corporation appeared before Council at the Special Meeting of October 27, 2008, and presented a report on the proposed development of the old McLeod property.

After a discussion in Executive Session, Councilman Brand made a motion to pass Bill No. 2008-53 on first reading. Councilman Holland seconded the motion.

Mayor Pro tem Williams made a motion to amend the Ordinance that would allow the City to give the County one acre of land. Councilman Robinson seconded the motion.

Voting aye for the amendment was Councilman Robinson and Mayor Pro tem Williams.

Voting no were Mayor Willis, Councilman Brand, Councilman Bradham, Councilman Holland, and Councilman Woodard.

The motion to amend Bill No. 2008-53 failed with a vote of 5-2.

Councilman Robinson stated that he was dissatisfied with the development of Florence, particularly in Districts 1 and 2. Councilman Robinson stated he could not understand why there was so much reluctance towards development in his community and that Districts 1 and 2 needed help to see their communities grow. Councilman Robinson feels that the City is equitable in its distribution of funding for these areas but these areas do not see equitable funding from Senator Leatherman and the Drs. Bruce and Lee Foundation.

Voting aye for the original motion were Councilman Brand, Councilman Woodard, Councilman Bradham, Mayor Willis, Councilman Robinson and Councilman Holland.

Voting no was Mayor Pro tem Williams.

At the November 10, 2008 Regular City Council meeting, Councilman Bradham made a motion to adopt Bill No. 2008-53 on second reading. Councilman Holland seconded the motion, which carried unanimously. (Councilman Woodard was not present for the vote).

INTRODUCTION OF ORDINANCES

BILL NO. 2008-54 - FIRST READING

AN ORDINANCE TO AMEND THE PLANNED DEVELOPMENT DISTRICT FOR THE RESERVE AT EBENEZER SUBDIVISION.

An Ordinance to amend the Planned Development District for The Reserve at Ebenezer Subdivision was passed on first reading.

Mr. Phillip Lookadoo, Director of Urban Planning and Development, reported that a request has been received by the developers of The Reserve at Ebenezer to amend their Planned Development District.

As property has developed in this area, several requests to allow pools in the rear yards have been received. The setback that was given for pools in that original planned development district was 10 feet. Since then they have had problems being able to fit those pools into that area in the rear yards. The request is to reduce that setback to 4 feet. Staff has reviewed the request

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and was concerned with the safety from property to property. There is a requirement that the developer actually has to install a fence in the rear yard on all these properties. With that required provision, staff felt the safety issue was taken care of and staff recommended approval of the request.

This request was also unanimously approved by the City of Florence Planning Commission at their October 14, 2008 meeting.

Councilman Brand made a motion to pass Bill No. 2008-54 on first reading. Councilman Holland seconded the motion, which carried unanimously. (Councilman Woodard was not present for the vote).

Councilman Woodard returned to the meeting at 9:32 a.m.

BILL NO. 2008-55 - FIRST READING
AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY NIGEL AND SHANNON WATT, 2483 WEST ANDOVER ROAD

An Ordinance to annex and zone property owned by Nigel and Shannon Watt, 2483 West Andover Road was passed on first reading.

Mr. Phillip Lookadoo, Director of Urban Planning and Development reported that an annexation and zoning request has been received by Nigel and Shannon Watt for property located at 2483 W. Andover Road (Windsor Forest Subdivision). The property is shown more specifically on Florence County Tax Map 01221-01-094 and 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 October 14, 2008 meeting.

Councilman Brand made a motion to pass Bill No. 2008-55 on first reading. Councilman Bradham seconded the motion, which carried unanimously.

BILL NO. 2008-56 - FIRST READING
AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY DAVID WACH, 2699 TROTTER ROAD

An Ordinance to annex and zone property owned by David Wach, 2609 Trotter Road was passed on first reading.

Mr. Phillip Lookadoo, Director of Urban Planning and Development reported that an annexation and zoning request has been received by David Wach for property located at 2699 Trotter Road (Grove Park Subdivision). The property is shown more specifically on Florence County Tax Map 00984-01-020 and 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 October 14, 2008 meeting.

Councilman Bradham made a motion to pass Bill No. 2008-56 on first reading. Councilman Holland seconded the motion, which carried unanimously.

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BILL NO. 2008-57 - FIRST READING
AN ORDINANCE TO AMEND THE CITY OF FLORENCE ZONING ORDINANCE
RELATING TO SIGN REGULATIONS

An Ordinance to amend the City of Florence Zoning Ordinance relating to Sign Regulations was passed on first reading.

Mr. Phillip Lookadoo, Director of Urban Planning and Development reported that on July 1, 2008, the City of Florence adopted its own Zoning Ordinance to be administered by the Urban Planning and Development Department.

Shortly after July 1, 2008, Raldex, Inc. requested that the department consider amending the current sign ordinance to allow more than 2 wall signs for a new Hampton Inn and Suites currently under construction located on Highway 52. Upon receiving the request, the Planning Commission appointed a subcommittee on text amendments to work with department staff in determining if a text amendment was in order. Once the subcommittee determined that an amendment was needed, staff prepared sample amendments for the committee to review. The subcommittee voted on an amendment modeled after the Greenville, SC ordinance with modifications to fit Florence.

The Planning Commission then reviewed and unanimously approved the amendment at a special meeting on October 27, 2008.

The amendment applies not only to hotels, but buildings that would be in line of site of a major thoroughfare or interstate.

The amendment states: One projection sign or wall sign may be allowed per tenant wall, not above the roof line and meeting the following size requirement: front and rear walls = 20% of wall area not to exceed 200 square feet; side walls = 20% of wall area not to exceed 100 square feet. This provision shall apply to structure within line of site of interstate highways and major thoroughfares.

Councilman Holland made a motion to pass Bill No. 2008-57 on first reading. Councilman Woodard seconded the motion, which carried unanimously.

REPORTS TO COUNCIL

PRESENTATION OF THE CITY OF FLORENCE, SC COMPREHENSIVE ANNUAL FINANCIAL REPORT AND AUDITED FINANCIAL STATEMENTS BY THE INDEPENDENT AUDIT FIRM OF BURCH, OXNER, SEALE COMPANY, CPA'S P.A.

Mr. Roy Burch of Burch, Oxner, Seale Company, CPA's P.A. reported that in the General Fund, for the City of Florence, there was an excess in revenues over expenditures in the amount of \$241,148. The budget called for expenses to exceed revenues by \$1,273,000 so the City ended up with a positive variance. Approximately 65% of the General Fund revenue is made up from the Local Option Sales Tax, Business Licenses, and Franchise Fees.

In the Enterprise Fund there was a net income of \$7,210,409. This is the type of cash flow that is needed to pay off the debt the City has, as well as to start reserving some funds for the construction of the new Wastewater Treatment Plant.

As the City has gone to more of a sales oriented revenue stream, and with the economy slowing up on a national basis, this is certainly something that will have to be monitored locally for this budget, as well as for when the 2009-2010 budget is drawn up, because a good percentage of the revenue is now coming from sales oriented transactions.

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Councilman Williams left the meeting at 9:43 a.m.

A REPORT ON THE RECOMMENDATIONS OF THE ACCOMMODATIONS TAX ADVISORY COMMITTEE

Councilman Brand made a motion to defer this item until the December, 2008 meeting. Councilman Bradham seconded the motion, which carried unanimously.

A REPORT ON THE ANNUAL PROGRESS REPORT ON FLOODPLAIN MANAGEMENT AND COMMUNITY RATING SYSTEM

Mr. Phillip Lookadoo, Director of Urban Planning and Development reported that the Pee Dee Regional Hazard Mitigation Plan was adopted by City Council in November 2005. Communities must adopt an approved plan to be eligible for future hazard mitigation funds. The plan is also used for credit under the National Flood Insurance Community Rating System.

City of Florence initiatives include maintaining operation of water and sewer services. Generators have been installed on Highway 327 sewer lift stations; there is a 15 million gallon water reservoir at the water treatment plant; and generator connectivity is required at all new lift stations.

The City of Florence is currently a Class 8 community which means a 10% reduction in flood insurance premiums for city residents. Currently, premium savings are a total of \$2,631 annually. There are 102 policy holders in the City of Florence. Improving the City of Florence's CRS rating is identified as a goal in the Hazard Mitigation Plan. Work is underway on this goal which will give policy holders larger discounts.

CRS activities include maintaining elevation certificates; provide flood map information to property owners, realtors, lenders, insurance agents and publicize this service; annual mail out of information to property owners in the floodplain; articles on flood insurance in the "Florence Fountain"; provide flood information on the City's website; use GIS mapping in floodplain management; and continue acquisition of areas in the floodplain to be used for passive recreation and open space. In addition, stormwater management activities under NPDES Phase II regulations will assist in floodplain protection; Zoning Ordinance additions adding Open Space Development District, Jeffries Creek Protection District and Riparian Buffers; the City continues to maintain ditches and streams and documents these activities; and the City also enforces and publicizes stream dumping regulations.

APPOINTMENTS TO BOARDS AND COMMISSIONS

PARKS, BEAUTIFICATION AND LEISURE SERVICES COMMISSION

Councilman Bradham made a motion to appoint Mr. Larry Welch to serve on the Parks, Beautification and Leisure Services Commission. Councilman Brand seconded the motion, which carried unanimously.

Mr. Larry Welch was appointed to serve on the Parks, Beautification and Leisure Services Commission for a term to begin immediately and expire June 30, 2013.

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**MAYOR PRO TEM BILLY D. WILLIAMS - A DISCUSSION REGARDING SIX
SINGLE MEMBER DISTRICTS IN THE CITY OF FLORENCE**

Mayor Pro tem Williams had requested that the City Attorney draw up a petition form to be used to gather signatures from the qualified voters in the City of Florence in order for a referendum to be placed on an upcoming ballot that would allow for the City to change its method of election from three single member districts and three at-large districts to six single member districts.

No action was required of Council for this issue.

EXECUTIVE SESSION

Councilman Brand made a motion to enter into Executive Session. Councilman Holland seconded the motion, which carried unanimously.

Council entered into Executive Session at 9:50 a.m.

Mayor Willis reconvened the meeting at 10:37 a.m.

Councilman Holland made a motion to give the part-time City Court Judge, Judge Cheveron Scott, a performance evaluation based on this past year's performance as discussed in Executive Session. Councilman Holland also called for a special meeting of City Council to be held Monday, November 17, 2008 at 1:00 p.m. to re-evaluate ongoing discussions concerning City Court. Councilman Bradham seconded the motion, which carried unanimously.

(Mayor Pro tem Billy D. Williams was not present for this vote).

Mayor Willis stated regarding the other issue, no action was requested and no action was taken.

ADJOURN

There being no further business to bring before Council, Councilman Holland made a motion to adjourn the meeting. Councilman Brand seconded the motion, which carried unanimously.

The meeting was adjourned at 10:38 a.m.

Dated this _____ day of December, 2008.

Dianne M. Rowan, Municipal Clerk

Stephen J. Wukela, Mayor

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
MONDAY, NOVEMBER 17, 2008 - 1:00 P.M.
CITY MANAGER'S CONFERENCE ROOM, 605
FLORENCE, SOUTH CAROLINA**

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

ALSO PRESENT: David N. Williams, City Manager; Dianne M. Rowan, Municipal Clerk; and James W. Peterson, Jr., City Attorney.

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.

INVOCATION

Mayor Pro tem Billy D. Williams gave an invocation.

Mayor Pro tem Williams presented Mayor Frank E. Willis, Councilman Robert C. Holland, Jr., and Councilman Richard L. Woodard with a plaque recognizing their thirteen years of service on the Florence City Council. Mayor Pro tem Williams thanked each outgoing member for their service and leadership on City Council.

EXECUTIVE SESSION

Councilman Holland made a motion for Council to enter into Executive Session. Councilman Bradham seconded the motion, which carried unanimously.

Council entered into Executive Session at 1:08 p.m.

Mayor Willis reconvened the meeting at 1:48 p.m.

Mayor Willis stated that after a discussion in Executive Session that no action was recommended and no action will be taken.

ADJOURN

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

The special meeting was adjourned at 1:51 p.m.

Dated this _____ day of November, 2008.

Dianne M. Rowan, Municipal Clerk

Stephen J. Wukela, Mayor

**SWEARING IN CEREMONY
FLORENCE CITY COUNCIL
ELEVENTH FLOOR COURTROOM
CITY-COUNTY COMPLEX
FLORENCE, SOUTH CAROLINA
NOVEMBER 17, 2008 - 6:00 P.M.**

Stephen J. Wukela was sworn in as Mayor of the City of Florence at a ceremony that began at 6:00 p.m. on November 17, 2008 in the courtroom on the eleventh floor of the City County Complex. Judge Ralph King Anderson, Jr. administered the oath of office to Mayor Stephen J. Wukela. Assisting with the swearing in was Mrs. Laura Wukela, Stephen J., Thomas and William Wukela.

Octavia Williams-Blake was sworn in as an At-Large Councilwoman on November 17, 2008 in the eleventh floor courtroom of the City County Complex. Mr. Ken Jackson administered the oath of office to Councilwoman Octavia Williams-Blake. Assisting with the swearing in was Mr. Charlie Blake and Hannah Blake.

Stephen C. Powers was sworn in as an At-Large Councilman on November 17, 2008 in the eleventh floor courtroom of the City County Complex. Mr. George Jebaily administered the oath of office to Councilman Steve Powers. Assisting with the swearing in was Mrs. Susan Powers, Jason and Jennifer Powers.

After the swearing in, a reception was held in the lobby of the City County Complex for the new members of City Council.

Dianne M. Rowan, Municipal Clerk

Stephen J. Wukela, 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(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

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)(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 (F)	N	1:1,200 (F)	1:1,200 (F)	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'
Accessory 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

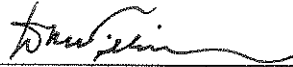
- a. This action involves possible legal issues which should be addressed by the City Attorney in executive session prior to action being taken.
- b. The proposed ordinance establishes a residential overlay district and adopts applicable Design guidelines, the guidelines addressing solely use restrictions.
- 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

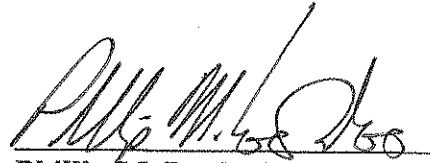
Staff recommends consideration of the Amended Ordinance after legal advise. If approved, this will be forwarded to the Planning Commission for their recommendation before the second reading.

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

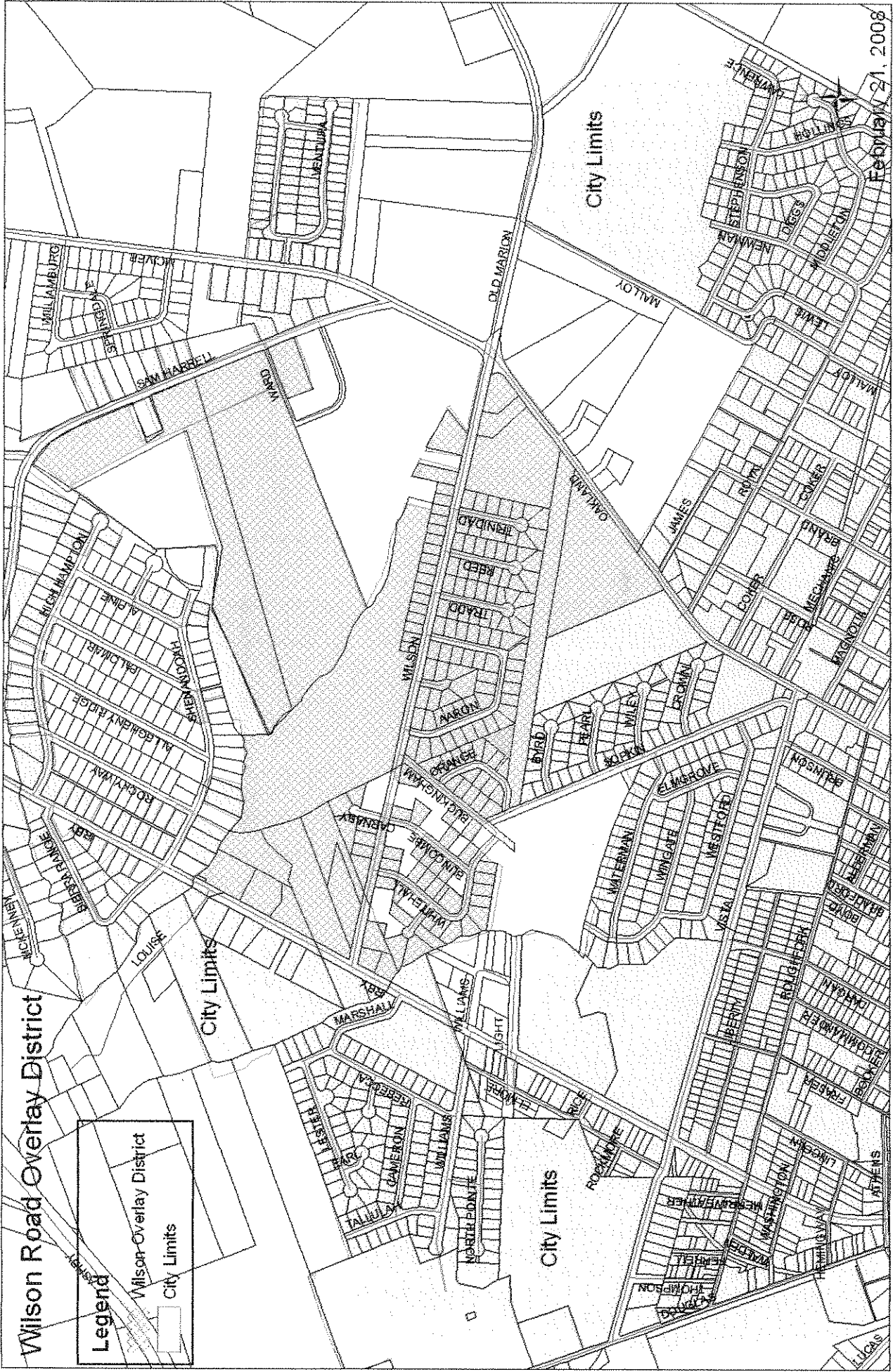
B. Design Guidelines for Overlay Districts Florence, South Carolina

1. Chapter 2 --Overlay District Guidelines
Requirements:

Wilson Road Overlay District

Legend

- Wilson-Overlay District
- City Limits



February 21, 2008

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~~ (~~6~~5) 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

CITY OF FLORENCE COUNCIL MEETING

DATE: November 10, 2008

AGENDA ITEM: Ordinance
First Reading

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

I. ISSUE UNDER CONSIDERATION:

An amendment to the Planned Development District for The Reserve at Ebenezer to allow pools to be four feet from the rear property line and five feet from the side property lines in the rear yard only.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

This residential subdivision is under development and was zoned as a Planned Development District. All rear yards are required to be fenced, however, some are not large enough to accommodate a pool and meet the normal ten foot setback for pools in residential areas.

This request was approved unanimously by the City of Florence Planning Commission at their October 14, 2008 meeting.

III. POINTS TO CONSIDER:

The applicant is requesting an amendment to the Planned Development District which will only be applicable to the residential subdivision known as "The Reserve at Ebenezer".

IV. OPTIONS:

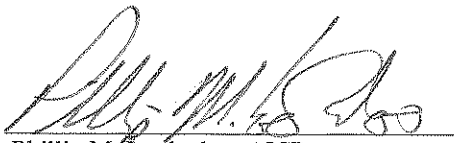
City Council may:

- (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 subdivision.
Zoning Map
Ordinance*

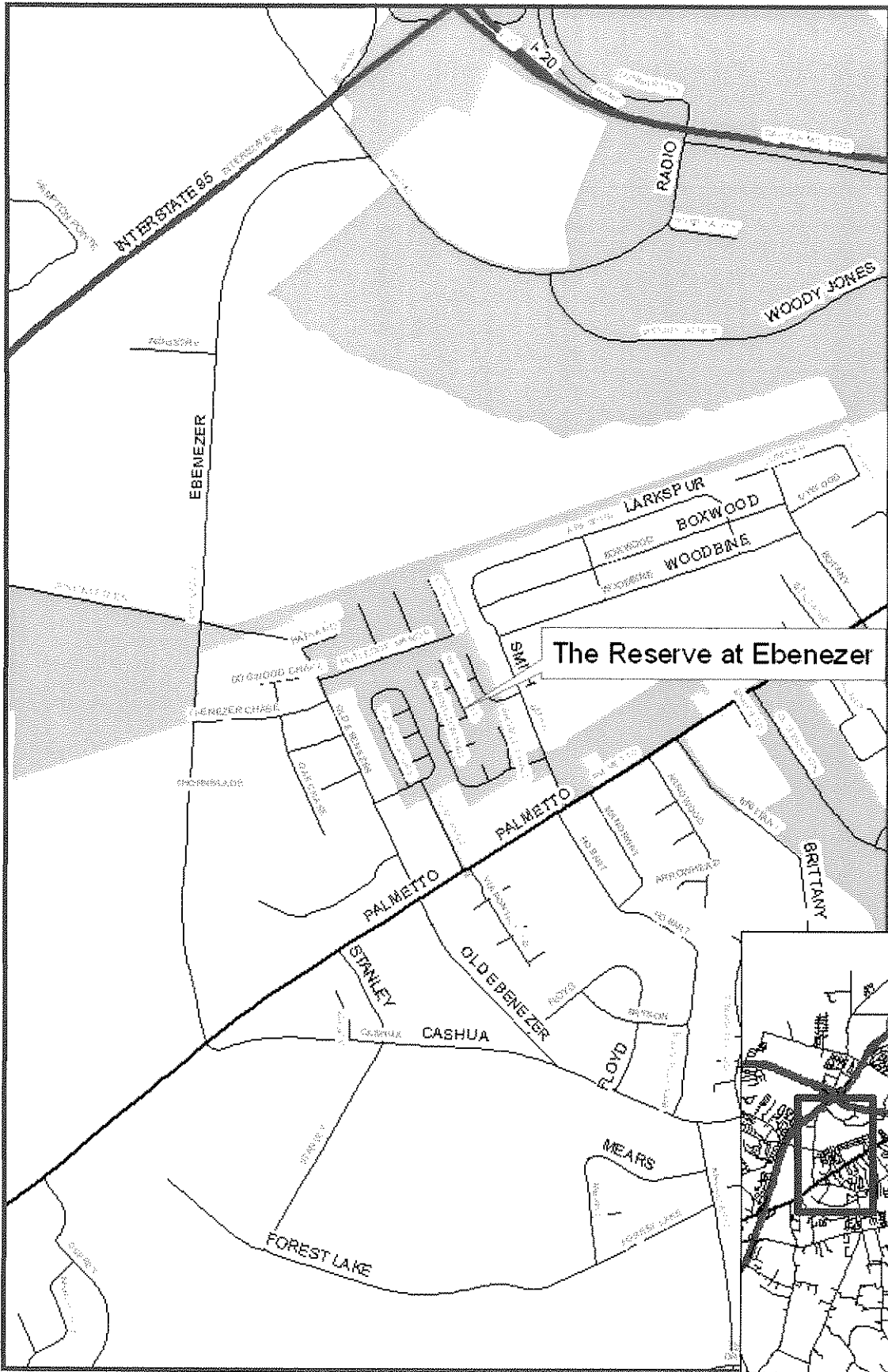
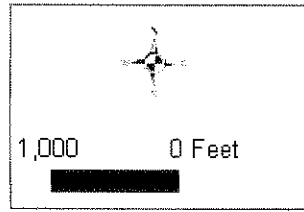


Phillip M. Lookadoo, AICP
Urban Planning and Development Director



David N. Williams
City Manager

AMENDMENT TO PLANNED DEVELOPMENT DISTRICT



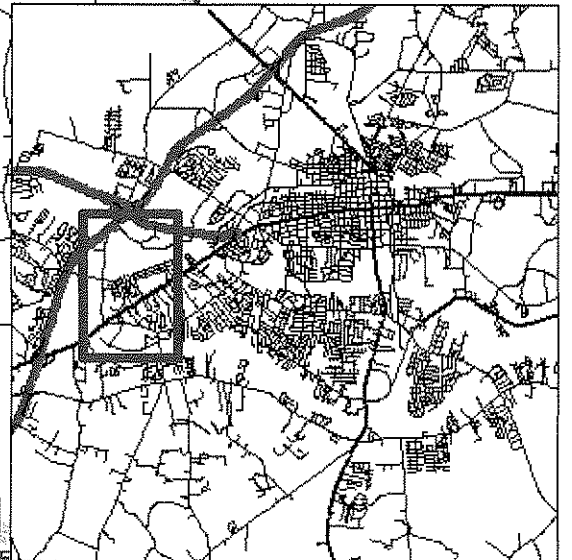
Legend

Roads

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

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

DISCLAIMER:
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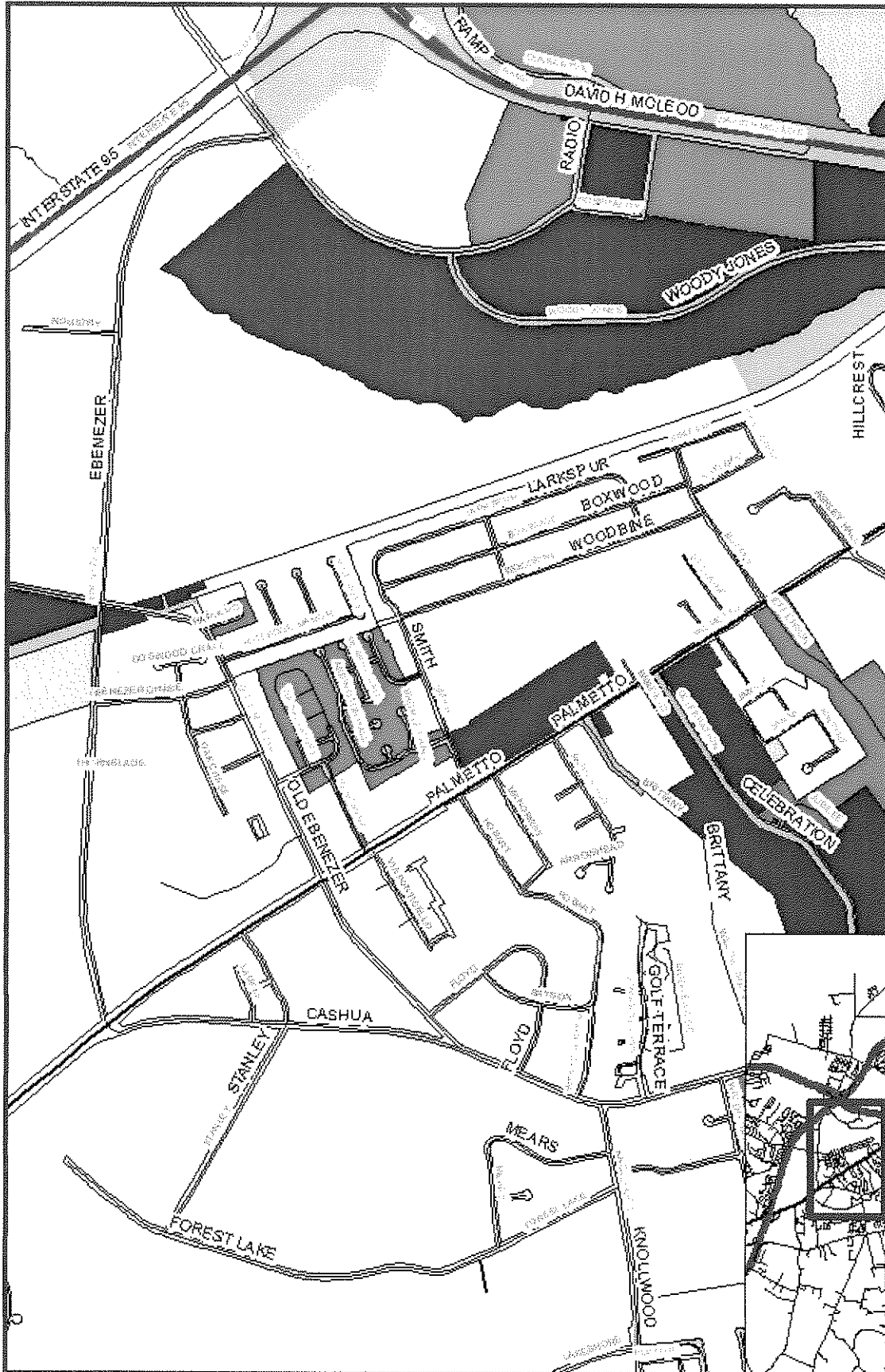
ZONING DISTRICTS



1,000 0 Feet



Urban Planning & Development Department



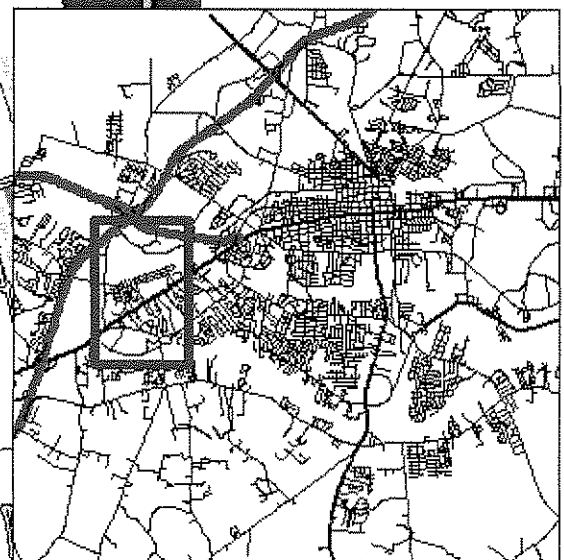
Legend

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, 6,000 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:
LE Shaw
Urban Planning & Development Department
Aug 01, 2008
REVISION NUMBER/DATE:
August 1, 2008

DISCLAIMER:
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ORDINANCE NO. 2008 _____

AN ORDINANCE TO AMEND THE PLANNED DEVELOPMENT DISTRICT FOR THE RESERVE AT EBENEZER SUBDIVISION.

WHEREAS, a Public Hearing was held in Room 603 of the City-County Complex on October 14, 2008 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, an application by Ebenezer Development LLC requesting an amendment to the City of Florence Zoning Atlas by changing the Planned Development District for The Reserve at Ebenezer Subdivision, and

WHEREAS, the amendment would allow pools in rear yards only to be located no closer than four (4) feet to the rear property line and five (5) from the side property lines. All rear yards are required to be fenced in this development.

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 by amending the Planned Development District zoning for The Reserve at Ebenezer to allow pools in rear yards only to be four (4) feet from the rear property line and five (5) feet from the side property line.
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

Stephen J. Wukela, Mayor

Attest:

Dianne M. Rowan, Municipal Clerk

VII. d.
Bill No. 2008-55
Second Reading

CITY OF FLORENCE COUNCIL MEETING

DATE: November 10, 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 Nigel & Shannon Watt for property located at 2483 W. Andover Road (Windsor Forest Subdivision) and shown more specifically on Tax Map 01221-01-094.

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 October 14, 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:

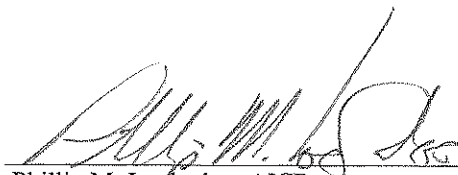
VI. ATTACHMENTS:

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

ZONING

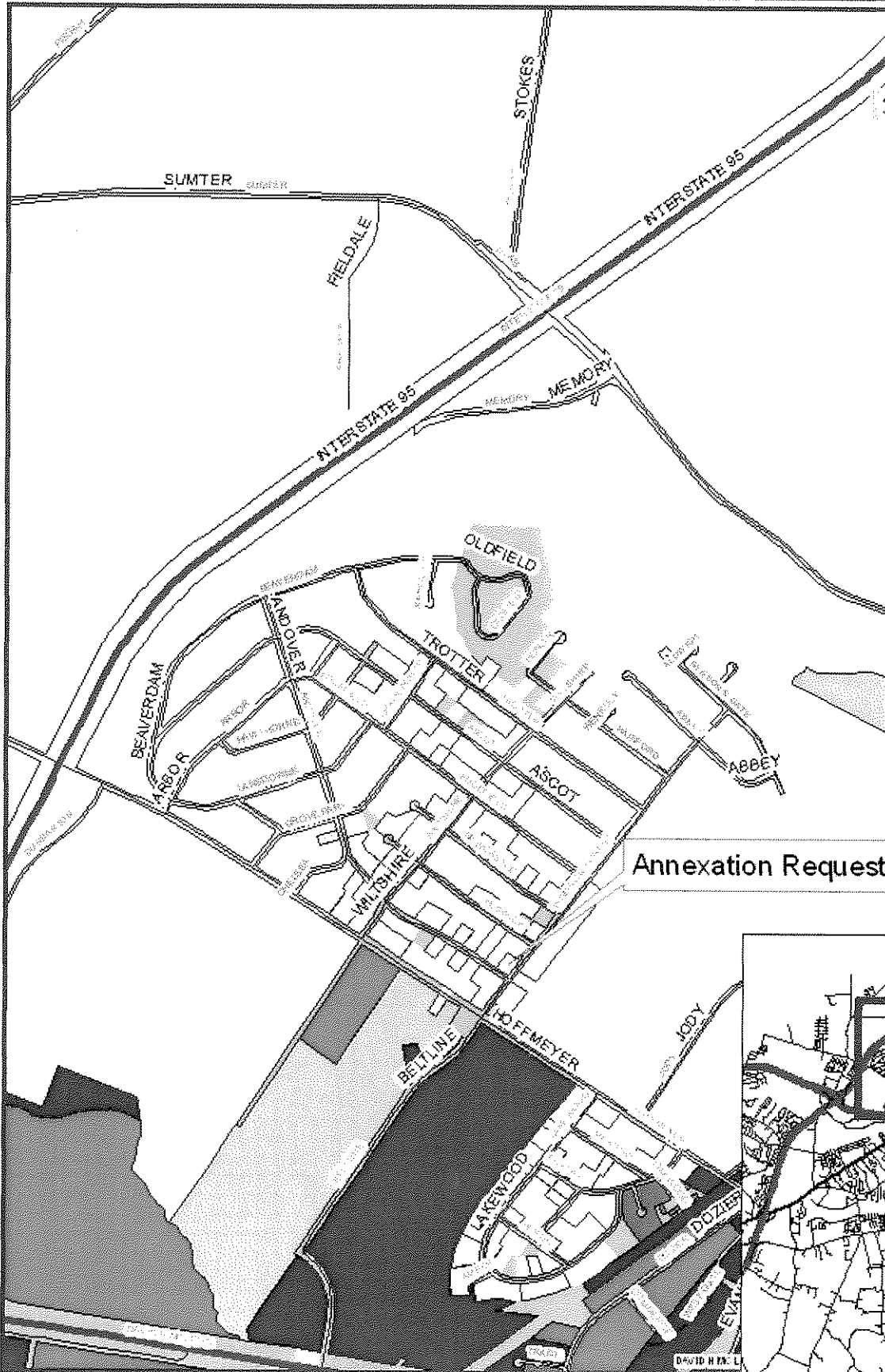
2483W Andover Rd



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, 6,000 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:

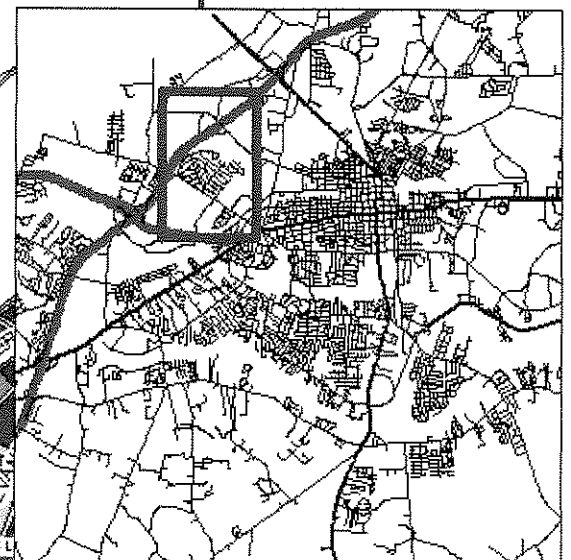
This map was prepared by:
LE Shaw

Urban Planning & Development Department at
August 1, 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 of compilation, as produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.

Annexation Request



CITY OF FLORENCE

ANNEXATION CHECKLIST

Date: September 9, 2008

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

1. Party requesting annexation: Nigel & Shannon Watt
2. Location and acreage of property: 2483 W Andover Rd
3. Tax Map reference: 01221-01-094
4. Contact name & phone number: 665-6573

SERVICE AVAILABILITY INFORMATION

INITIALS	YES/NO	IF NO, COST ESTIMATE FOR CITY TO PROVIDE
6. <u>S.H.A.</u> Water Line	Yes.	
7. <u>S.H.A.</u> Sewer Line	Yes.	
8. <u>S.H.A.</u> Storm Drainage	Yes.	
9. <u>S.H.A.</u> Paved Street SCDOT _____ Other _____	Yes	
Length of existing curb and gutter.	0 ft	
10. <u>S.H.A.</u> Traffic Control devices, including street name signs	Yes,	
10a. <u>AD</u> Fire Hydrants	Yes	

* Economic Feasibility Analysis attached

11. Requested Zoning : R-1, Single-Family Residential
12. Date of Petition: August 22, 2008
13. Party informed of costs and requirements of annexation: Yes
14. Residents: Total: 4 18 and over: 2
Registered Voters by Race: 2 Caucasian

Annexation Checklist reviewed by:

Date:

Urban Planning & Development Director	_____	
Engineering Department Manager	<i>Blair H. Allen</i>	9-9-08
Public Works Director	<i>Andrew W. [unclear]</i>	9-9-08
Police Chief	<i>A. Hill</i>	09-10-08
Fire Chief	<i>R. Votaw</i>	9-11-08
City Manager	<i>[unclear]</i>	9-15-08

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



Annexation Request
2483 W. Andover Rd

ORDINANCE NO. 2008_____

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY NIGEL AND SHANNON WATT, 2483 WEST ANDOVER ROAD.

WHEREAS, a Public Hearing was held in Room 603 of the City-County Complex on October 14, 2008 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, an application by Nigel and Shannon Watt, owners of 2483 W. Andover Road 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 094.

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

Stephen J. Wukela, Mayor

Attest:

Dianne M. Rowan, Municipal Clerk

CITY OF FLORENCE COUNCIL MEETING

DATE: November 10, 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 David Wach for property located at 2699 Trotter Road (Grove Park Subdivision) and shown more specifically on Tax Map 00984-01-020.

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 October 14, 2008 meeting.

III. POINTS TO CONSIDER:

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

IV. OPTIONS:

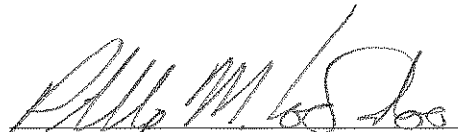
City Council may:

- (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

LOCATION MAP

2699 Trotter Rd



1,000 0 Feet

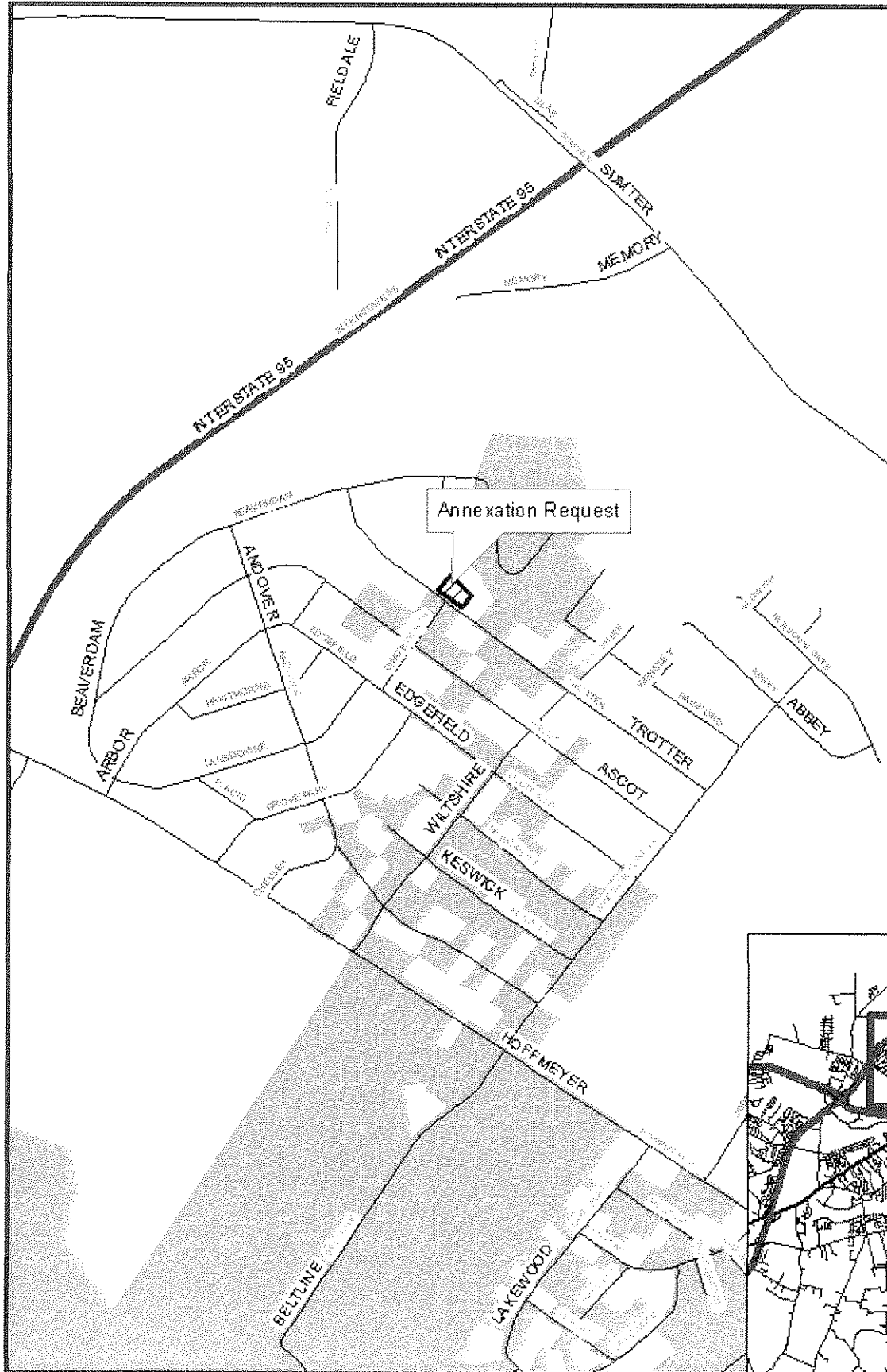


Urban Planning & Development Department

Legend

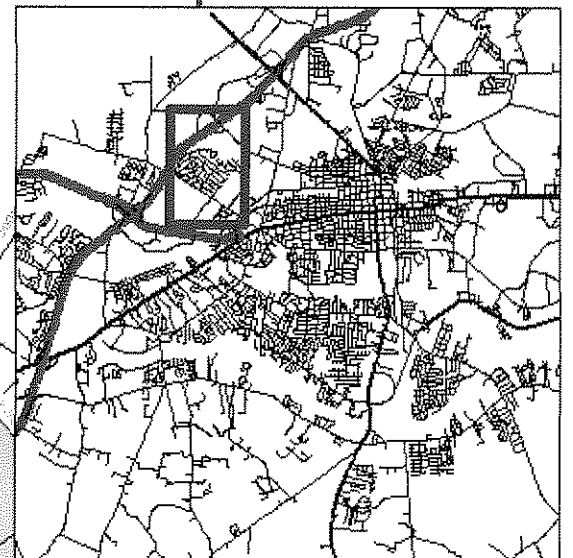
Roads

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



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

DISCLAIMER:
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ZONING

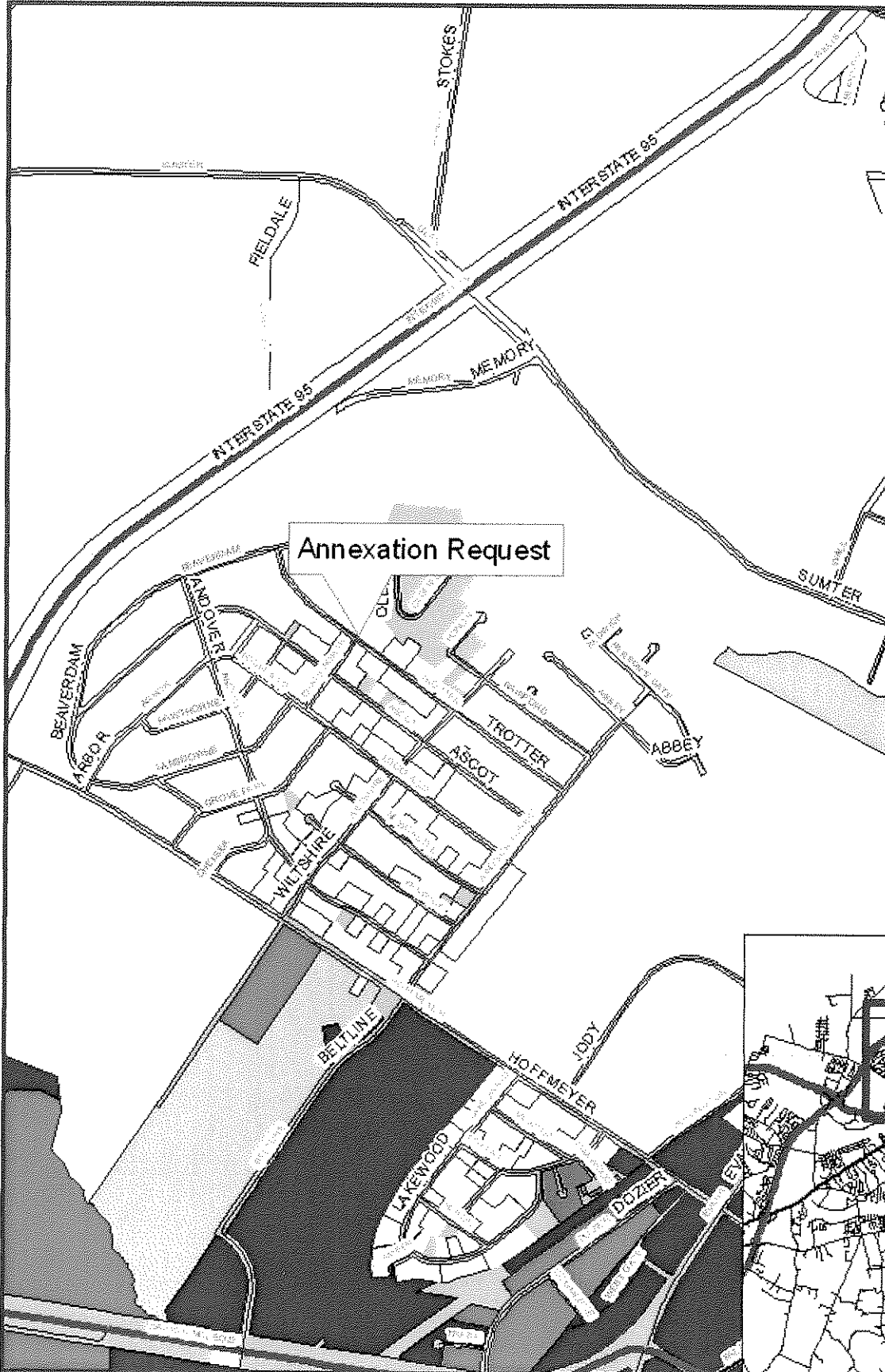
2699 Trotter Rd



1,000 0 Feet



Urban Planning & Development Department



Legend

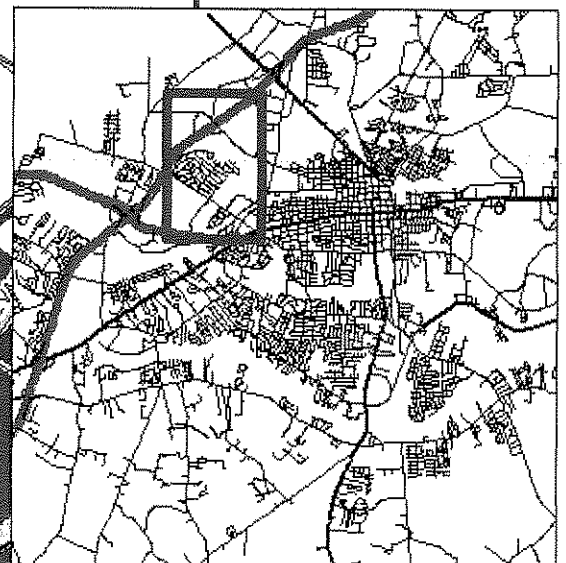
Roads

- 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, 6,000 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:
LESLAW
Urban Planning & Development Department
Aug 01, 2008
REVISION NUMBER DATE:
August 1, 2008

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CITY OF FLORENCE
ANNEXATION CHECKLIST

Date: July 30, 2008

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

1. Party requesting annexation: David Wach
2. Location and acreage of property: 2699 Trotter Rd(Windsor Forest)
3. Tax Map reference: 00984-01-020
4. Contact name & phone number: David Wach

SERVICE AVAILABILITY INFORMATION

INITIALS	YES/NO	IF NO, COST ESTIMATE FOR CITY TO PROVIDE
6. <u>S.H.A.</u> Water Line	Yes.	
7. <u>S.H.A.</u> Sewer Line	Yes	
8. <u>S.H.A.</u> Storm Drainage	Yes	
9. <u>S.H.A.</u> Paved Street SCDOT _____ Other _____	Yes	
Length of existing curb and gutter.	0 ft	
10. <u>S.H.A.</u> Traffic Control devices, including street name signs	Yes.	
10a. <u>JW</u> Fire Hydrants	yes	

* Economic Feasibility Analysis attached

- 11. Requested Zoning : R-1, Single-Family Residential
- 12. Date of Petition: July 15, 2008
- 13. Party informed of costs and requirements of annexation: Yes
- 14. Residents: Total: 4 18 and over: 3
Registered Voters by Race: 3 Caucasian

Annexation Checklist reviewed by:

Date:

Urban Planning & Development Director

Phillip M. [Signature] 7/30/08

Engineering Department Manager

[Signature] 8-25-08

Public Works Director

Andrew H. [Signature]

Police Chief

[Signature] 08-26-08

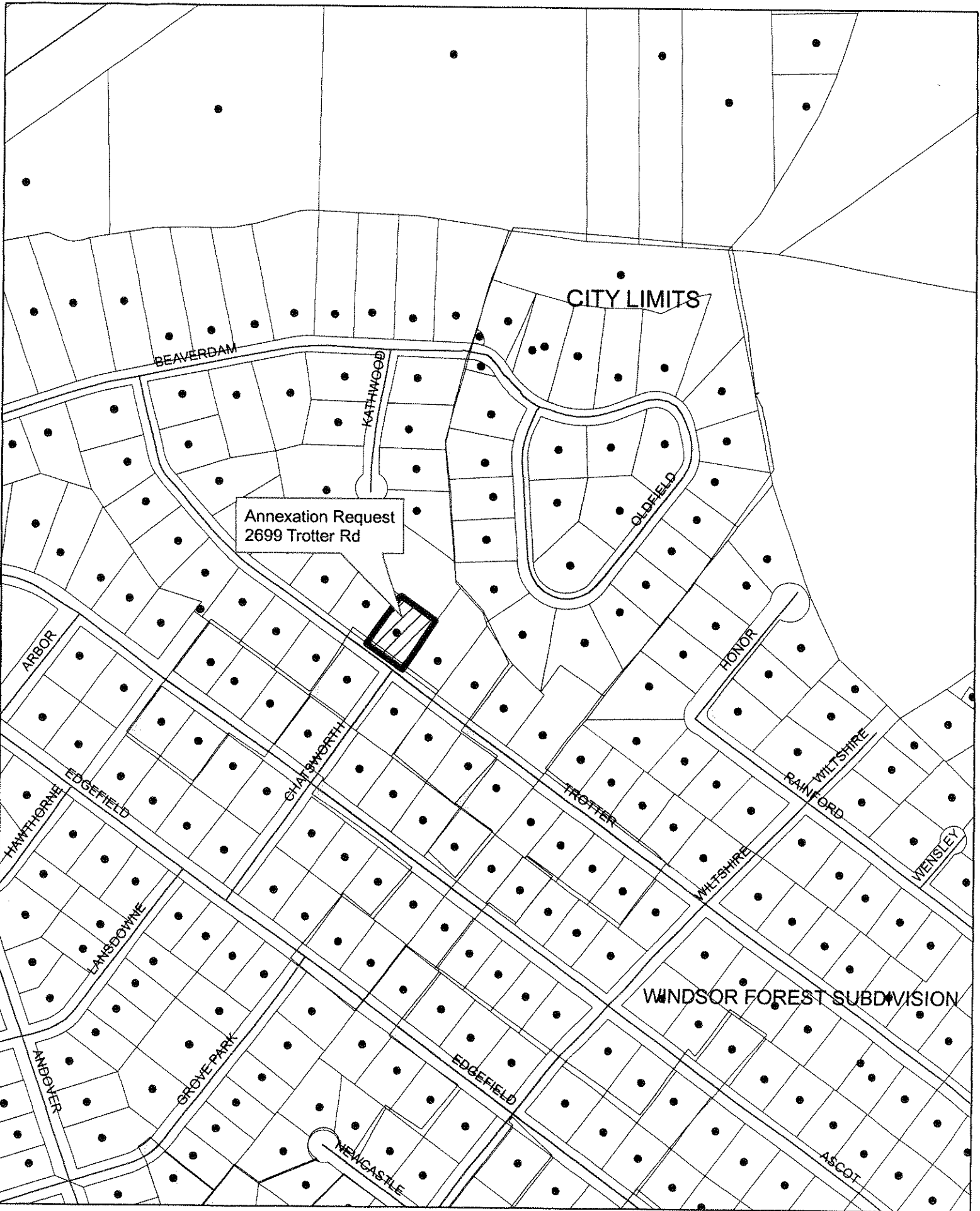
Fire Chief

Randall S. Oster 8.27.08

City Manager

[Signature] 8-28-08

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



CITY LIMITS

Annexation Request
2699 Trotter Rd

Oldfield

WINDSOR FOREST SUBDIVISION

BEAVERDAM

KATHWOOD

ARBOR

HONOR

HAWTHORNE

EDGEFIELD

CHALSWORTH

TROTTER

RAINFORD

WILTSHIRE

WENSLEY

LANSDOWNE

WILTSHIRE

LANOVER

GROVE PARK

EDGEFIELD

ASCOT

NEWCASTLE

ORDINANCE NO. 2008_____

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY DAVID WACH, 2699 TROTTER ROAD.

WHEREAS, a Public Hearing was held in Room 603 of the City-County Complex on October 14, 2008 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, an application by David Wach, owner of 2699 Trotter Road 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 00984-01-020.

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

Stephen J. Wukela, Mayor

Attest:

Dianne M. Rowan, Municipal Clerk

FLORENCE CITY COUNCIL MEETING

VII. f.
Bill No. 2008-57
Second Reading

DATE: November 10, 2008
AGENDA ITEM: First Reading: Amendment to City of Florence Zoning Ordinance
DEPARTMENT/DIVISION: Urban Planning & Development

I. ISSUE UNDER CONSIDERATION

Amend Article 5, Table VIII of the Sign Regulations as found in the City of Florence Zoning Ordinance.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN


1. On July 1, 2008, the City of Florence adopted its own Zoning Ordinance to be administered by the Urban Planning and Development Department.
2. Raldex Inc. requested that the department consider amending the current sign ordinance to allow more than 2 wall signs for a new Hampton Inn and Suites currently under construction.
3. Upon receiving the request, the Planning Commission appointed a subcommittee on text amendments to work with department staff in determining if a text amendment was in order.
4. Once the subcommittee determined that an amendment was needed, staff prepared sample amendments for the committee to review.
5. The subcommittee voted on an amendment modeled after the Greenville, South Carolina ordinance with modifications to fit Florence.
6. The Planning Commission then reviewed and unanimously approved the amendment at a special meeting on October 27, 2008.

III. POINTS TO CONSIDER

1. The current sign regulations allow a total of two (2) signs per building in the B-2 through B-6 and RU-1 zoning districts;
2. The Urban Planning and Development Department receives frequent requests to place signs on all sides of buildings;
3. The allowable size of signs per this amendment is scalable and therefore fits each building or storefront appropriately;
4. Requests stem from applicants wanting visibility from interstates and major thoroughfares for their businesses.

IV. STAFF RECOMMENDATION

Approval and adoption of the proposed ordinance.



Phillip M. Lookadoo, Director
Urban Planning & Development



David N. Williams
City Manager

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)
Freestanding									
Number Permitted (E)									
Per Lot									
Billboards	N	N	N	NA	N	NA	NA	N	N
Other (J)	1(A)	1	1	1	1	1	1	1 (A)	1
Per Feet of St. Frontage									
Billboards	N	N	N	1:1,200	N	1:1,200	1:1,200	N	N
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA
Maximum Sign Area (s.f.)									
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	20
Minimum Setback from Property Line									
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'
Building Signs (J)									
Number Permitted (7)	1	1	2	2	2	2	2	1	1
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12
Maximum Wall Area (%) (7)	NA	NA	25%	25%	25%	15%	25%	NA	NA
Temporary Sign (2)	See Section 5								

1 – Signs identifying or announcing land subdivisions, residential projects, or agricultural operations, where permitted.

2 – See Section 5.5

3 – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted in residential zoning districts, i.e., churches, schools, parks, etc., and includes historical markers.

4 – Where permitted by Table VII, billboards may be established only on lots or parcels fronting or within 600 feet of Interstate ROW as defined by Table VIII and U.S. designated highways.

5 – Un-zoned area of County.

6 – Though allowed w/o prior permitting, must meet the conditional requirements of Table VIII

7 – One projection sign or wall sign may be allowed per tenant wall, not above the roof line and meeting the following size requirement: front and rear walls = 20% of wall area not to exceed 200 square feet; side walls = 20% of wall area not to exceed 100 square feet. This provision shall apply to structures within line of site of interstate highways and major thoroughfares.

ORDINANCE NO. 2008 - _____

AN ORDINANCE TO AMEND THE CITY OF FLORENCE ZONING ORDINANCE RELATING TO SIGN REGULATIONS.

WHEREAS, the Zoning Ordinance was adopted on July 1, 2008 to regulate and guide development within the City of Florence; and

WHEREAS, the City of Florence Planning Commission wishes to amend Article 5, Table VIII of the Sign Regulations as found in the Zoning Ordinance; and

WHEREAS, the City of Florence Planning Commission and the Florence City Council concur in the aforesaid application and findings.

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

1. That sections of Article 5 of the Sign Regulations, which are attached hereto are hereby amended.
2. That this Ordinance, and the amendments contained herein, shall become effective immediately upon its approval and adoption.

ADOPTED THIS DAY _____ OF DECEMBER, 2008.

Approved as to form:

James W. Peterson, Jr., City Attorney

Stephen J. Wukela, Mayor

Attest:

Dianne M. Rowan, Municipal Clerk

VIII. a.
Bill No. 2008-58
First Reading

CITY OF FLORENCE COUNCIL MEETING

DATE: December 8, 2008

AGENDA ITEM: Ordinance
First Reading

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

I. ISSUE UNDER CONSIDERATION:

An annexation request by Ms Jane Rhoden, 1615 Southwood Court. The property is shown more specifically on Florence County Tax Map 90080, block 01, parcels 082.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

The property is contiguous to the City limits with both water and sewer services currently available. There have been several other recent annexations on this street.

This property has been previously zoned R-3, Single-Family Residential District by 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:

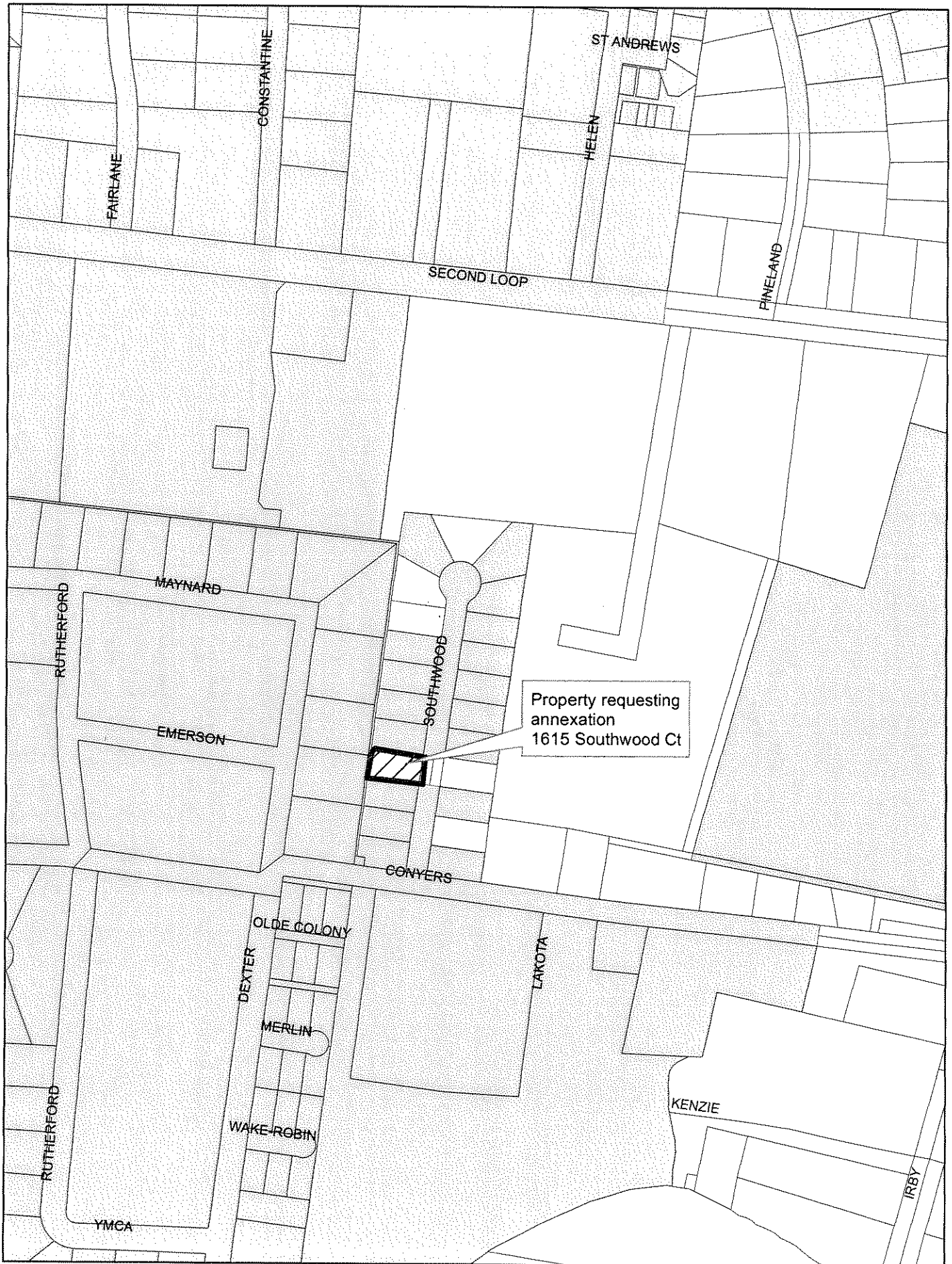
Map showing the location of the properties.
Annexation checklist



Phillip M. Lookadoo, AICP
Urban Planning and Development Manager



David N. Williams
City Manager



Property requesting
annexation
1615 Southwood Ct

CITY OF FLORENCE

ANNEXATION CHECKLIST

Date: November 13, 2008

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

1. Party requesting annexation: Jane Rhoden
2. Location and acreage of property: 1615 Southwood Ct
3. Tax Map reference: 90080-01-082
4. Contact name & phone number: Jane Rhoden

SERVICE AVAILABILITY INFORMATION

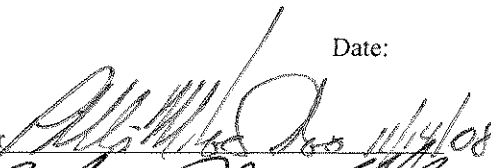
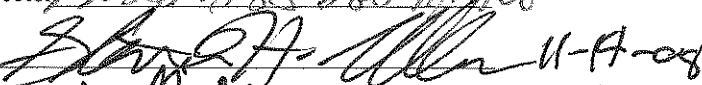
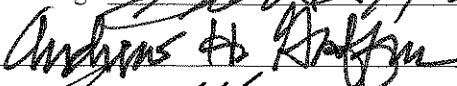

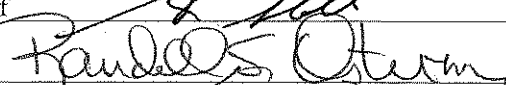
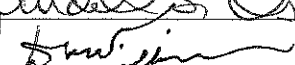
INITIALS	YES/NO	IF NO, COST ESTIMATE FOR CITY TO PROVIDE
6. <u>S.H.A.</u> Water Line	Yes.	
7. <u>S.H.A.</u> Sewer Line	Yes.	
8. <u>S.H.A.</u> Storm Drainage	Yes.	
9. <u>S.H.A.</u> Paved Street SCDOT _____ Other <u>e</u> _____	Yes	
Length of existing curb and gutter.	100 ft	
10. <u>S.H.A.</u> Traffic Control devices, including street name signs	Yes	
10a. <u>RSO</u> Fire Hydrants	Yes	

* Economic Feasibility Analysis attached

11. Requested Zoning : Zoned R-3, Single-Family Residential by Florence County
12. Date of Petition: November 6, 2008
13. Party informed of costs and requirements of annexation: Yes
14. Residents: Total: 2 18 and over: 2
- Registered Voters by Race: 1 Caucasian

Annexation Checklist reviewed by:

Date:

Urban Planning & Development Director		11/4/08
Engineering Department Manager		11-17-08
Public Works Director		11-14-2008
Police Chief		11-18-08
Fire Chief		11.20.08
City Manager		11-21-08

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

ORDINANCE NO. 2008 _____

**AN ORDINANCE TO ANNEX PROPERTY OWNED BY JANE RHODEN
LOCATED AT 1615 SOUTHWOOD COURT.**

WHEREAS, an application by Jane Rhoden for property located at 1615 Southwood Court be incorporated into 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 90080, block 01, parcels 082.

Any portions of South Carolina Department of Transportation rights-of-way and any other 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 to incorporate the aforesaid property into the city limits of the City of Florence. This property has been zoned as R-3, Single-Family Residential District by action of Florence County.
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

FLORENCE CITY COUNCIL MEETING

DATE: December 8, 2008
AGENDA ITEM: Ordinance No. 2008-____
DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION

An ordinance to repeal Ordinance No. 2008-47 which was adopted on October 20, 2008 to provide for a public referendum to be held in order to determine whether or not the City of Florence will amend Chapter 2 of its City Code to change its method of electing the mayor and city council members from partisan elections to the nonpartisan election and run-off election method as authorized by Section 5-15-62 of the South Carolina Code of Laws.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

The attached Ordinance 2008-____ is designed to repeal Ordinance No. 2008-47, eliminating the previous call for a referendum to allow a vote by the registered voters in the City to determine whether to change from partisan to non partisan elections. The current ordinance would call for a special referendum to be held within 90 days after Pre-clearance by the Department of Justice. If this ordinance repealing 2008-47 is adopted, there will be no referendum, and the mayor and council members will continue to be elected in partisan elections.

III. STAFF RECOMMENDATION

Staff stands ready to carry out the wishes of Council.

V. ATTACHMENTS

1. Copy of the proposed Ordinance 2008-____.
2. Copy of Ordinance 2008-47 adopted on October 20, 2008.

ORDINANCE NO. 2008 - _____

AN ORDINANCE TO REPEAL ORDINANCE NUMBER 2008-47 ADOPTED OCTOBER 20, 2008 WHICH PROVIDED 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 ELECTION TO THE NONPARTISAN ELECTION AND RUN-OFF ELECTION METHOD AS AUTHORIZED BY SECTION 5-15-62 OF THE SOUTH CAROLINA CODE OF LAWS.

WHEREAS, City Council has reconsidered its earlier decision to call for a special public referendum pursuant to the provisions of South Carolina Code §5-15-30 in order to determine whether or not the City of Florence will amend Chapter 2 of its City Code to change its method of electing the mayor and city council members from partisan elections to the nonpartisan election and run-off election method as authorized by Section 5-15-62 of the South Carolina Code of Laws;

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 Ordinance Number 2008-47 previously adopted by City Council on October 20, 2008, is hereby repealed meaning that no referendum will be held and the partisan election system currently in place in the City of Florence for the election of the Mayor and Council Members shall remain in effect.
2. 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

STEPHEN J. WUKELA
Mayor

Attest:

DIANNE M. ROWAN
Municipal Clerk

IX. a.
Resolution No.
2008-13

FLORENCE CITY COUNCIL MEETING

DATE: December 8, 2008

AGENDA ITEM: Resolution

DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

A Resolution to participate in the South Carolina Other Retirement Employer Benefits Program (SC ORBET), sponsored and coordinated by the Municipal Association of South Carolina (MASC) to fund Other Post-Employment Benefits (OPEB) liabilities reported in accordance with the Governmental Accounting Standards Board Statement No. 45 (GASB 45). The City's membership in the newly formed SC ORBET program will replace the membership in the South Carolina Other Retirement Insurance Benefits Program (SC ORBIT) which was recently dissolved.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

No previous action has been taken on this resolution.

III. POINTS TO CONSIDER

A. On February 18, 2008 City Council was presented with information concerning Governmental Accounting Standards Board Statement 45 (GASB 45) - Accounting and Financial Reporting by Employers for Other Post Employment Benefits (OPEB) by representatives of MASC.

B. Other Post Employment Benefits include medical and dental insurance that the City provides to its retirees which the City has, in the past, maintained on a "pay-as-you-go" basis. Each year, the City paid the cost of retiree benefits in that year.

D. GASB 45 now requires that the City, beginning in FY 2008-09, actuarially calculate and record the cost of OPEB earned by employees during the time they are actually employed. If this calculated cost is not funded, the liability will appear on the City's annual financial statement as a liability, which, if allowed to grow, could negatively affect the City's ability to borrow funds.

E. On July 14, 2008, the City Council of the City of Florence adopted Resolution No. 2008-08 to participate in the SC Other Retirement Benefits Investment Trust (SC ORBIT), a program sponsored and coordinated by MASC, to assist municipalities who join the program to implement, fund, and manage the requirements of GASB 45 related to OPEB (see related minutes in **Attachment 1**). This assistance includes technical and actuarial support, funds investment and administration, and on-going compliance and administrative support.

F. On August 18, 2008, the South Carolina Supreme Court, in a ruling on the case *O'Brien v. South Carolina Orbit, et. al.*, ordered that SC ORBIT be dissolved (see information provided by MASC in **Attachment 2**).


G. The South Carolina Other Retirement Benefits Employer Trust (SC ORBET) program has been established by MASC to replace SC ORBIT, given its required dissolution. This replacement program will assist municipalities in the implementation, funding, and management of GASB 45 requirements related to OPEB.


IV. STAFF RECOMMENDATION

Approval and adoption of the proposed resolution to participate in the SC ORBET, a program established following the dissolution of SC ORBIT, sponsored and coordinated by MASC.

V. ATTACHMENTS

Proposed Resolution, Attachment 1, and Attachment 2


Thomas W. Chandler
Finance Director


David N. Williams
City Manager

RESOLUTION NO. 2008-_____

**A RESOLUTION AUTHORIZING PARTICIPATION IN THE
SOUTH CAROLINA OTHER RETIREMENT BENEFITS EMPLOYER PROGRAM**

WHEREAS, it is determined to be in the best interest of the City of Florence, South Carolina ("City") to participate in the SOUTH CAROLINA OTHER RETIREMENT EMPLOYER BENEFITS PROGRAM ("Program") to pre-fund Other Post-Employment Benefits ("OPEB") liabilities reported in accordance with the Governmental Accounting Standards Board Statement No. 45 ("GASB 45"); and

WHEREAS, the SOUTH CAROLINA OTHER RETIREMENT BENEFIT EMPLOYER PROGRAM, comprised of the South Carolina Other Retirement Benefits Employer Trust Agreement ("Trust") and the South Carolina Other Retirement Benefits Employer Program Plan Document ("Plan") is intended to be tax-exempt under Internal Revenue Code Section 115 and an irrevocable trust under the applicable law of the State of South Carolina. The Trust will be the funding vehicle in which are held all assets of the Program.

NOW, THEREFORE, BE IT RESOLVED:

1. The Florence City Council ("City Council") does hereby elect to become a Participating Employer in the Program and adopts the SOUTH CAROLINA OTHER RETIREMENT BENEFITS EMPLOYER TRUST AGREEMENT and the SOUTH CAROLINA OTHER RETIREMENT BENEFITS EMPLOYER PROGRAM PLAN DOCUMENT effective December 8, 2008; and
2. The Trust's Governing Board does hereby appoint the Municipal Association of South Carolina ("MASC") as the initial Program Administrator to act on the City's behalf in all matters involving the Plan and Trust. The Program Administrator may only be removed by a two-thirds vote of the Governing Board; and
3. City Council hereby authorizes its City Manager, or his designee, to execute the Participation Agreement on behalf of the City; and
4. City Council hereby appoints the City Manager, or his successor or designee, as Local Government Administrator for the Program; and
5. City Council hereby authorizes the City Manager and all other officers and officials of the City to implement the Program and to take whatever additional actions are necessary to maintain the City's participation in the Program, and to execute such documents and to perform such acts as he, in his judgment, deems necessary or desirable to effectuate the intent of this Resolution, the Participation Agreement, the Plan and Trust, and to maintain compliance with relevant rules issued or as may be issued; and
6. The City agrees to abide by the terms and Rules of the Plan and the Trust, including all investment, administrative and service agreements of the Program, and all applicable provisions of the Code and other applicable law; and

7. The City agrees that all benefit disbursements will be solely used to provide health and welfare benefits to eligible retirees, and in accord with the requirements of GASB 45 and Sections 79, 101, 104, 105, and 106 of the Internal Revenue Code. The Program provides no guaranty of the tax consequences of any disbursements; therefore, it is the City's responsibility to determine taxability of such disbursements.
8. On July 14, 2008, City Council adopted Resolution No. 2008-08 to participate in the South Carolina Other Retirement Benefit Insurance Trust (SC ORBIT), the predecessor to the South Carolina Other Retirement Benefit Employer Trust (SC ORBET). On August 18, 2008 the South Carolina Supreme Court, in a ruling on the case *O'Brien v. South Carolina ORBIT, et. al.*, ordered that SC ORBIT be dissolved, and the City has determined that membership in the SC ORBET trust is necessary given the dissolution of SC ORBIT.

The foregoing resolution, on motion of _____, seconded by _____, was duly passed and adopted this _____ day of _____, 2008.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Dianne M. Rowan
Municipal Clerk

**REGULAR MEETING OF FLORENCE CITY COUNCIL
JULY 14, 2008 - PAGE 10**

Tax Map 90096, Block 5, Parcel 3 and consists of approximately 0.685 acres. The property is contiguous to the city limits with water and sewer services provided by the City of Florence. The zoning request to R-3, Single-Family Residential District was approved unanimously at the Florence County/Municipal Planning Commission meeting held June 24, 2008.

Mayor Pro tem Williams made a motion to pass Bill No. 2008-40 on first reading. Councilman Brand seconded the motion, which carried unanimously.

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 2008-08

A RESOLUTION TO PARTICIPATE IN THE SOUTH CAROLINA OTHER RETIREMENT BENEFITS PROGRAM, SPONSORED AND COORDINATED BY THE MUNICIPAL ASSOCIATION OF SOUTH CAROLINA (MASC) TO FUND OTHER POST-EMPLOYMENT BENEFITS (OPEB) LIABILITIES REPORTED IN ACCORDANCE WITH THE GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENT NO. 45 (GASB 45).

A Resolution to participate in the South Carolina Other Retirement Benefits Program, sponsored and coordinated by the Municipal Association of South Carolina (MASC) to fund Other Post Employment Benefits (OPEB) liabilities reported in accordance with the Governmental Accounting Standards Board statement No. 45 (GASB 45) was adopted by Council.

Mr. David Williams reported that the Resolution before Council is a requirement of the Municipal Association of South Carolina if the City of Florence is to participate in their program that was set up to take care of cities and towns across the state that are impacted by the Other Post Employment Benefits Program (OPEB), which Council has already funded as a part of the budget.

GASB 45 requires that the City of Florence set aside funds for the future payment of retirement health insurance benefits. The trust that has been established by the Municipal Association, SC ORBIT (South Carolina Other Retirement Benefit Investment Trust) currently has 9 cities and/or entities enrolled with 18 other entities anticipated to join.

Councilman Bradham made a motion to adopt Resolution No. 2008-08. Councilman Holland seconded the motion, which carried unanimously.

RESOLUTION NO. 2008-09

A RESOLUTION TO AMEND RESOLUTION NO. 98-05 PERTAINING TO THE CITY OF FLORENCE RETIREMENT BENEFITS PROGRAM FOR THE SHARED PURCHASE OF HEALTH INSURANCE.

A Resolution to amend Resolution No. 1998-05 pertaining to the City of Florence Retirement Benefits Program for the Shared Purchase of Health Insurance was adopted by Council.

Mr. David N. Williams, City Manager reported that Resolution No. 2008-09 relates to the previous Resolution in that in 1998 City Council adopted a Resolution that set up the retiree health insurance benefit for retired City of Florence employees. This Resolution would amend Resolution No. 98-05 to bring it into compliance with the SC ORBIT requirements of having only 2 tiers of eligibility for participation for retirees related to the number of years of service. Basically it would require an employee to have 20 years of continuous service with the City of

New Trust Formed for GASB 45

In mid-August, the South Carolina Supreme Court issued an opinion on the *O'Brien, vs. South Carolina ORBIT, et al.* case stating that without a change to the constitution SC ORBIT could not invest in equities and ordered the trust dissolved. A petition for rehearing was filed in late August on the dissolution order. To date, no response has been received from the court.

For those local governments that must remit an annual required contribution by year-end it is important for a qualified trust to be available as soon as possible. Therefore, the Board felt it was prudent for the petition for rehearing to be withdrawn. The SC ORBIT Board met on November 19 and adopted a resolution to comply with the Court's dissolution order. The Board's action dissolves the trust and requires disbursements of the trust assets back to participating employers.

A new trust, the South Carolina Other Retirement Benefits Employer Trust (SC ORBET), was established by action of the MASC Executive Committee. The trust is limited to the same types of investments as permitted in the state constitution and statutes. The trust documents were approved by the SC ORBET Board on November 19 and SC ORBET is now available for membership.

Source: *Municipal Association of South Carolina Uptown Update E-Newsletter, November 24, 2008*

FLORENCE CITY COUNCIL MEETING

DATE: December 8, 2008

AGENDA ITEM: Report to Council

DEPARTMENT/DIVISION: City Council -
Councilman William C. Bradham, Jr.

I. ISSUE UNDER CONSIDERATION:

To give consideration for a third Christmas holiday for City employees

**X. b.
Report To Council
Nuisance Abatement and
Code Enforcement Activities**

FLORENCE CITY COUNCIL MEETING

DATE: December 8, 2008
AGENDA ITEM: Report to Council
DEPARTMENT/DIVISION: Community Services

I. ISSUE UNDER CONSIDERATION:

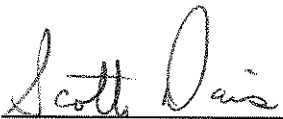
Staff has been asked to make a presentation to the Florence City Council concerning nuisance abatement and code enforcement activities.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

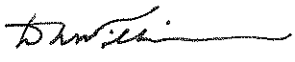
III. POINTS TO CONSIDER:

IV. PERSONAL NOTES:

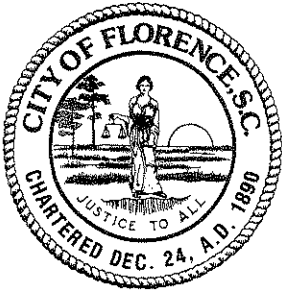
V. ATTACHMENTS



Scotty Davis
Director of Community Services



David N. Williams
City Manager



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

**X. d.
Report to Council
Appointments to Boards
and Commissions**

FLORENCE CITY COUNCIL MEETING

DATE: December 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:

- 1) There is one vacancy on the Design Review Board.
- 2) A City Designee needs to be appointed to the Civic Center Commission.

OPTIONS:

- 1) Make an appointment to the Design Review Board and a City Designee for the Civic Center Commission.
- 2) Defer the appointments until a later council meeting.

ATTACHMENTS:

- 1) A copy of the Design Review Board

CITY OF FLORENCE DESIGN REVIEW BOARD

**One Vacancy
December 8, 2008**

There is one vacancy on the City of Florence Design Review Board.

Mr. George J. Wilds - Would like to be appointed.

Mr. Justin Hardee - Would like to be appointed.

NOTE: You must be a resident of the City of Florence to qualify as an appointee.

CITY OF FLORENCE
BOARD/COMMISSION APPOINTEE RECOMMENDATION FORM

LIST BOARD OR COMMISSION

City of Florence Design Review Board

NAME OF APPOINTEE

George J. Wilds

SEX

Male

RACE

Caucasian

OCCUPATION

Commercial Real Estate Broker
Coldwell Banker Commercial Seaboard Properties

BUSINESS ADDRESS

720 S. Coit St. Florence 2950

BUSINESS PHONE NUMBER

843 665-8803 ext 106

RESIDENCE ADDRESS

1434 Dorchester Rd. Florence

** (SEE BELOW)

Street (Do Not List PO Box)

29501

RESIDENCE PHONE NUMBER

843 665-5636

Please state any and all Boards and Commissions this Appointee may serve on, including City, State, and/or County Boards and/or Commission:

Florence County Economic Development Partnership, Florence YMCA, Boys & Girls Club, Florence Little Theater, Wachovia Regional Advisory

Does the Nominee desire to resign from the other Boards/Commissions subsequent to the appointment being sought? If so, please state Board(s)/Commission(s).

No

**ALL PERSONS APPOINTED TO ANY BOARD OR COMMISSION SHALL BE RESIDENTS OF THE CITY, EXCEPT IN THOSE CASES WHERE PROFESSIONAL QUALIFICATIONS ARE REQUIRED FOR A POSITION AND, IN THE COUNCIL'S OPINION, THERE ARE NO ACCEPTABLE AND QUALIFIED RESIDENTS TO FILL THE VACANCY.

NOTE: You must be a resident of the City of Florence to qualify as an appointee.

CITY OF FLORENCE
BOARD/COMMISSION APPOINTEE RECOMMENDATION FORM

LIST BOARD OR COMMISSION: Design Review Board
NAME OF APPOINTEE: R. Justin Hardee
SEX: Male
RACE: White
OCCUPATION: Real Estate Developer
BUSINESS ADDRESS: POB 50007 Columbia SC 29250
BUSINESS PHONE NUMBER: (843) 319-2292
RESIDENCE ADDRESS: 1210 Glaremont Avenue 29501
**(SEE BELOW) Street (Do Not List PO Box)
Florence SC 29501
RESIDENCE PHONE NUMBER: (843) 669-7792

Please state any and all Boards and Commissions this Appointee may serve on, including City, State, and/or County Boards and/or Commission:

N/A

Does the Nominee desire to resign from the other Boards/Commissions subsequent to the appointment being sought? If so, please state Board(s)/Commission(s).

**ALL PERSONS APPOINTED TO ANY BOARD OR COMMISSION SHALL BE RESIDENTS OF THE CITY, EXCEPT IN THOSE CASES WHERE PROFESSIONAL QUALIFICATIONS ARE REQUIRED FOR A POSITION AND, IN THE COUNCIL'S OPINION, THERE ARE NO ACCEPTABLE AND QUALIFIED RESIDENTS TO FILL THE VACANCY.

* Recommended by Buddy Brand & Steve Powers
* I'm a property owner in the Downtown Historic District

Revised 7/01/2008

CITY OF FLORENCE DESIGN REVIEW BOARD

BOARD MEETS: Second Wednesday of each month

The City of Florence Design Review Board shall perform the functions with respect to the overlay districts established within the jurisdiction of the City of Florence and follow procedures as set out in Ordinance No. 2005-23. The Board shall consist of 10 members appointed by the Mayor and City Council of Florence, SC and 1 member from City Staff, who shall be the City Manager or the City Manager's designee. Membership on the Board shall be composed as follows: 1 professional architect; 1 person either specifically qualified by reason of education, training, or experience in the financing of commercial and residential real property or in the area of real estate; 1 person actively engaged in business, commerce, or industry; 1 commercial general contractor licensed by the State of South Carolina; 1 professional structural engineer; 1 person specifically qualified by reason of education, training, or experience in landscape design; 1 member of City Staff who shall be either the City Manager or a staff member designated in writing by the City Manager; 2 at-large residents of the City of Florence and 2 persons actively engaged in business, commerce, or industry within the Downtown Central District. At all times, at least 6 members of the Design Review Board shall be residents of the City of Florence.

Initial appointees shall serve staggered terms as follows: Two (2) appointees shall serve two (2) years; four (4) appointees shall serve four (4) years and four (4) appointees shall serve three (3) years. After completion of the initial terms, all members of the Design Review Board appointed by City Council shall serve four (4) year terms. Members may be appointed to succeed themselves up to a maximum of three (3) full terms. Thereafter, such members may be appointed only after they have been off of the Design Review Board for at least one (1) year.

APPOINTMENT

TERM TO EXPIRE

Cary M. Andrews, Chairman
Appointment: Professional Engineer
Socar, Inc.
2527 E. National Cemetery Road
Florence, SC 29506
(843) 669-5183
721 Brockington Lane
Florence, SC 29501
(843) 665-5741
W/M
Resident

06/30/2012

Vacancy
Appointment: Business, Commerce or Industry within
Downtown Central District
Resident

06/30/2009

Cedrick Brigman 06/30/2009
Appointment: Business, Commerce or Industry within
Downtown Central District
Swole's Barbershop
170 W. Evans Street
Florence, SC 29501
(843) 673-9044
200 Lakeshore Drive
Timmons ville, SC 29161
B/M
Non-Resident

Gary Brown 06/30/2012
Appointment: Professional Architect
Goforth Brown & Associates
1413 W. Evans Street
Florence, SC 29501
(843) 665-5868
526 S. Edisto Drive
Florence, SC 29505
(843) 665-7954 Ext. 3032
W/M
Resident

Julia Buyck 06/30/2009
Appointment: At-large Resident
1439 Cherokee Road
Florence, SC 29505
(843) 662-4214
W/F
Resident

Johnny Mashack 06/30/2012
Appointment: Landscape Design
Mashack's Landscape and Maintenance
3321 Hugo Lane
Timmons ville, SC 29161
(843) 346-5191
3321 Hugo Lane
Timmons ville, SC 29161
(843) 669-7702
B/M
Non-Resident

Nathaniel Mitchell
Appointment: At-large Resident
909 E. Pine Street
Florence, SC 29506
(843) 667-9871
B/M
Resident

06/30/2009

Billy Poston
Appointment: Qualified in financing of commercial and residential
real property or in real estate

06/30/2011

Poston Realty
1407 W. Evans Street
Florence, SC 29501
(843) 665-6262
1401 Woods Road
Florence, SC 29501
(843) 669-3083
W/M
Resident

John M. Scott, III
Appointment: Actively engaged in Business, Commerce or Industry
Scott & Associates PC
1807 Cherokee Road
Florence, SC 29501
(843) 662-8204
338 Country Club Blvd.
Florence, SC 29501
(843) 673-9156
W/M
Resident

06/30/2012

George Thomas
Appointment: General Contractor
3611 Allen Road
Effingham, SC 29541
(843) 6789623
3611 Allen Road
Effingham, SC 29541
(843) 667-4511
B/M
Non-Resident

06/30/2011

CIVIC CENTER COMMISSION

December 8, 2008

The Florence City Mayor and Florence County Council Chairman, or their council designee, with the approval of the respective council, shall also serve as voting members on the Civic Center Commission.

Councilman Bobby Holland was serving as the council designee on the Civic Center Commission for the City of Florence. A new city designee will need to be appointed to serve on this Commission.

FLORENCE CITY COUNCIL MEETING

DATE: December 8, 2008

AGENDA ITEM: Report to Council

DEPARTMENT/DIVISION: City Council -
Councilman Edward Robinson

I. ISSUE UNDER CONSIDERATION:

A discussion regarding Resolution No. 2008-02 - a Resolution urging a moratorium on home foreclosures.

II. ATTACHMENT:

Resolution No. 2008-02

RESOLUTION NO. 2008-02

**A RESOLUTION URGING A MORATORIUM ON HOME FORECLOSURES
AND CONGRESSIONAL ENACTMENT OF A HOMEOWNERS AND
BANK PROTECTION ACT**

WHEREAS, a financial crisis involving home mortgages, debt instruments and the United States banking system threatens economic stability; and

WHEREAS, the financial crisis threatens the integrity of federal and chartered banks such that consumer deposits and life savings are jeopardized; and

WHEREAS, financial investments and home ownership is the fabric of economic stability and the stability of financial institutions; and

WHEREAS, millions of Americans and thousands of South Carolina residents are facing foreclosures on their homes; and

WHEREAS, historically the federal government has intervened to protect financial institutions and home ownership and to provide guarantees of social and economic stability; and

WHEREAS, the quality of life in any community can be directly related to the responsiveness of government and its ability to meet the needs and expectations of its citizens; and

WHEREAS, the citizens of South Carolina and the City of Florence, understand the connection and elect local leaders with certain expectations regarding the service they will provide and the role they will play in their lives; and

WHEREAS, those elected to serve the citizens of South Carolina and the City of Florence accept the privilege of service with the understanding of their responsibility and the expectation of the community; and

WHEREAS, the accountability for the city's viability, prosperity and overall well-being lies with those elected to serve local government.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE:

SECTION 1. The City Council call upon the United States Congress to take emergency action to protect homeowners by enacting a Homeowners and Banks Protection Act specifically to:

- (1) Establish a federal agency to place Federal and State chartered banks under protection, freezing all existing home mortgages for a period of time, adjusting mortgage values to fair prices, restructuring existing mortgages at appropriate interest rates and writing off speculative debt obligations of mortgage-backed securities, financial derivatives and other forms of financial pyramid schemes that have brought the banking system to the point of bankruptcy;
- (2) Declare a moratorium on all home foreclosures for the duration of the transitional period, allowing families to retain their homes;
- (3) Require affordable monthly home mortgage payments, the equivalent of "rental payments," to be made to designated banks for use as collateral in normal lending practices for recapitalization of the banking industry and to factor such affordable

payments into new mortgages thereby deflating the housing bubble, establishing appropriate property valuation and reducing fixed mortgage interest rates;

(4) Provide an interim period during which homeowners may not be evicted from their homes and protection to banks pending the resumption of traditional banking functions, including serving local communities and facilitating credit for investment in productive entities; and

(5) Authorize state governors to administer the implementation of programs, including provisions for "rental" assessments payable to specific banks and with provisions for necessary federal guarantees and credits to assure successful transition in all matters to the extent legally feasible and possible.

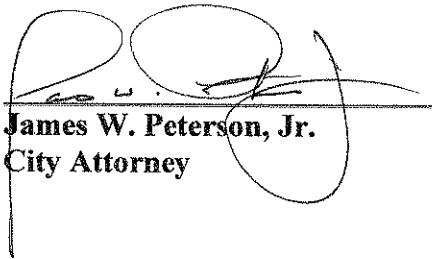
SECTION 2. BE IT FURTHER RESOLVED, that this Resolution serve as notice that the City Council has been, is, and shall be vigilant as guardians of the public interest of the citizens of South Carolina in all matters to the extent legally feasible and possible.

SECTION 3. The Clerk of the Council is hereby directed to transmit a true and correct copy of the adopted Resolution to members of the United States Senate and the House of Representatives.

SECTION 4. This Resolution shall be in full force and effect upon adoption.

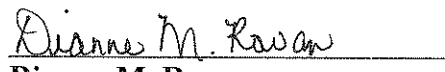
ADOPTED this 11th day of February, 2008.

Approved as to form:


James W. Peterson, Jr.
City Attorney


Frank E. Willis
Mayor

Attest:


Dianne M. Rowan
Municipal Clerk