

**REGULAR MEETING
OF
FLORENCE CITY COUNCIL**



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

**MONDAY
FEBRUARY 10, 2025
1:00 P.M.**



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, FEBRUARY 10, 2025 – 1:00PM
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA**

I. CALL TO ORDER

II. INVOCATION

Pledge of Allegiance to the American Flag

III. APPROVAL OF MINUTES

January 13, 2025 – Regular Meeting

IV. APPEARANCES BEFORE COUNCIL

a. Gloria Jones

To speak to Council regarding several concerns, including the water system and infrastructure provided by the City of Florence.

b. Thomas Mitchell

To speak to Council regarding concerns with small businesses located downtown.

c. John Cox

To speak to Council regarding the homeless and litter in the community.

d. Millicent Newman

To speak to Council regarding concerns with the city's utility billing system.

Note: Each person who gives notice to speak may be limited to a five (5) minute presentation at the discretion of the presiding officer, City of Florence Code of Ordinances, Section 2-24(h).

V. ORDINANCES IN POSITION

a. Bill No. 2024-22 – Second Reading

An Ordinance to amend Article I Chapter 3 of the City of Florence Code of Ordinances to add provisions related to prohibiting ownership or keeping of livestock and wild animals and other matters related thereto.

(Note: Staff has requested that this item be deferred.)

b. Bill No. 2025-01 – Second Reading

An Ordinance to annex and zone IL the property located at 1228 North Cashua Drive, identified as Florence County Tax Map Number 00122-01-040.

c. Bill No. 2025-02 – Second Reading

An Ordinance to rezone from CG to IL a portion of Florence County Tax Map Number 00147-01-023.

d. Bill No. 2025-03 – Second Reading

An Ordinance to amend Chapter 4 of the Code of Ordinances of the City of Florence entitled “Buildings, Construction and Related Activities”, to establish Article XV “Vacant and Abandoned Residential, Commercial and Industrial Building Registration. *(Note: Staff has requested that this item be deferred.)*

e. Bill No. 2025-04 – Second Reading

An Ordinance finding certain dwellings exist that are unfit for human habitation due to dilapidation; defects increasing the hazards of fire, accidents, or other calamities; lack of ventilation, light, or sanitary facilities; or other conditions rendering such dwellings unsafe, unsanitary, or dangerous, and other matters relating thereto including, without limitation, the enforcement of proceedings pertaining dwellings deemed unfit.

VI. INTRODUCTION OF ORDINANCES

a. Bill No. 2025-05 – First Reading

An Ordinance to annex and zone NC-15 the properties located at 924, 928, and 932 Barclay Drive, identified as Florence County Tax Map Numbers 07212-01-043, 07212-01-037, and 07212-01-042.

b. Bill No. 2025-06 – First Reading

An ordinance to annex and zone CG the property located at Gilbert Drive and Freedom Boulevard, identified as Florence County Tax Map Number 00178-01-244.

c. Bill No. 2025-07 – First Reading

An ordinance to annex and zone RG-3 the properties located at 1001 Tunbridge Place and 3740 West Lake Drive, identified as Florence County Tax Map Numbers 00751-01-279 & 00751-01-282.

d. Bill No. 2025-08 – First Reading

An Ordinance to adopt the updated Downtown Design Standards for the City of Florence.

e. Bill No. 2025-09 – First Reading

An Ordinance to amend the City of Florence Unified Development Ordinance relating to the flood hazard district to maintain compliance with the current Federal Emergency Management Agency (FEMA) regulations and adopt the revised Flood Insurance Rate Map (FIRM).

f. Bill No. 2025-10 – First Reading

An Ordinance of the City Council of the City of Florence, South Carolina, imposing a temporary moratorium on final approval of development plans and other approvals relating to properties that contain cemeteries for the purpose of enabling consideration by city council of recommendations relating to amendments to development regulations of the City regarding cemeteries, and further invoking the pending ordinance doctrine with respect to such temporary moratorium in anticipation of such amendments.

(Note: This item may be discussed in Executive Session.)

VII. INTRODUCTION OF RESOLUTIONS

a. Resolution No. 2025-04

A Resolution to proclaim February 23 – March 1, 2025 as Montessori Education Week in the City of Florence.

b. Resolution No. 2025-05

A Resolution to adopt the Municipal Association of South Carolina 2025 Advocacy Initiatives.

c. Resolution No. 2025-06

A Resolution authorizing the City Manager of the City of Florence to execute an agreement between the City of Florence and the South Carolina Office of Resiliency.

d. Resolution No. 2025-07

A Resolution approving Downtown Redevelopment Grants for Third Quarter, Fiscal Year 2025.

(Note: This item may be discussed in Executive Session.)

VIII. REPORT TO COUNCIL

a. Appointments to Boards and Commissions

(Note: This item may be discussed in Executive Session.)

IX. CITY MANAGER'S REPORT

X. MAYORAL REPORT

XI. COMMITTEE REPORTS

a. Business Development Committee

b. Community Development Committee

c. Finance, Audit and Budget Committee

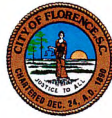
XII. EXECUTIVE SESSION

a. To receive legal advice regarding a moratorium [30-4-70(a)(2)].

- b. For a discussion regarding a proposed Economic Development Project [30-4-70(a)(5)].
- c. For a discussion regarding appointments to city Boards and Commissions [30-4-70(a)(1)].
- d. For a discussion regarding a contractual matter regarding property located near the City of Florence Sports Complex [30-4-70(a)(2)].
- e. For a discussion regarding a contractual matter regarding Timrod Park [30-4-70(a)(2)].
- f. To receive an update regarding Project Urban Square [30-4-70(a)(5)].
- g. To receive legal advice regarding South Carolina Senate Bill 244: Tort Reform [30-4-70(a)(2)].

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

XIII. ADJOURN



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, JANUARY 13, 2025 – 1:00 P.M.
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT

Mayor Lethonia Barnes, Mayor Pro Tempore George Jebaily, Councilman Chaquez T. McCall, Councilman Bryan A. Braddock, Councilwoman LaShonda NeSmith-Jackson and Councilman J. Lawrence Smith, II

ALSO PRESENT

Mr. Scotty Davis, City Manager; Mr. Ronald Scott, City Attorney; Mrs. Casey Moore, Municipal Clerk; Mr. Clint Moore, Assistant City Manager of Development; Chief Allen Heidler, Florence Police Department; Chief Shannon Tanner, Florence Fire Department; Mr. Michael Hemingway, Director of Utility Planning and Economic Development; Mr. Jerry Dudley, Director of Planning; Mr. Adam Swindler, Director of Public Works; Mrs. Amanda Pope, Director of Marketing/Communications and Municipal Services; Mr. Joshua Whittington, Director of Utilities; Mrs. Victoria Nash, Director of Parks, Recreation, and Sports Tourism; Mr. Glenn Bodenheimer, Interim Finance Director and Ms. Patrice Rankin, Administrative Coordinator

MEDIA PRESENT

Mr. Seth Taylor with the Post and Courier, Mr. Matthew Robertson with the Florence Morning News, and Mrs. Tonya Brown with WPDE News Channel 15 were present for the meeting.

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

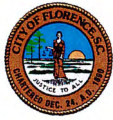
CALL TO ORDER

Mayor Barnes called the January 13, 2025 Regular meeting of Florence City Council to order at 1:02pm.

INVOCATION

Mayor Barnes gave the invocation for the meeting. The pledge of allegiance to the American Flag followed the invocation and was led by Chief Allen Heidler, Florence Police Department.

Mayor Barnes acknowledged the passing of former President Jimmy Carter and former Councilwoman Patricia Gibson-Hye Moore, as well as the tragic wildfires in California. A moment of silence was held in memory of President Carter, Councilwoman Moore, and the lives that were lost in the California wildfires.



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APPROVAL OF MINUTES

Councilman McCall made a motion to adopt the minutes of the December 9, 2024 Regular Meeting and Pro tem Jebailly seconded the motion. The minutes were unanimously (6-0) adopted.

SERVICE RECOGNITIONS

Mr. Shannon Tanner, Fire Chief, recognized David Weatherly for 10 years of service with the Florence Fire Department.

Mr. Shannon Tanner, Fire Chief, recognized Thomas Blackmon for 10 years of service with the Florence Fire Department.

ORDINANCES IN POSITION

Bill No. 2024-22 – Second Reading

An Ordinance to amend Article I Chapter 3 of the City of Florence Code of Ordinances to add provisions related to prohibiting ownership or keeping of livestock and wild animals and other matters related thereto.

Mayor Barnes said without objection, this item will be deferred. Without objection, this item will be deferred.

Bill No. 2024-25 – Second Reading

An Ordinance to annex and zone RG-3 the property located at 2501 Alligator Road, identified as Florence County Tax Map Number 00125-01-004.

Pro tem Jebailly made a motion to adopt Bill No. 2024-25 on second reading and Councilman Smith seconded the motion.

Council voted unanimously (6-0) in favor of the motion. Bill No. 2024-25 was adopted.

INTRODUCTION OF ORDINANCES

Bill No. 2025-01 - First Reading

An Ordinance to annex and zone IL the property located at 1228 North Cashua Drive, identified as Florence County Tax Map Number 00122-01-040.

Pro tem Jebailly made a motion to pass Bill No. 2025-01 on first reading and Councilman Smith seconded the motion.

Mr. Jerry Dudley, Planning Director, said the property is located north of the New Spring Church on Cashua Drive and is approximately forty-four acres. The proposed zoning is Light Industrial which permits office park uses but doesn't permit heavy manufacturing. The adjacent property to the south is in the city limits and a buffer would be required. The property to the right is currently zoned Commercial General; however, the property owner submitted a request for it to be rezoned to Light Industrial as well. The adjacent county properties are zoned General Commercial to the north and Light Industrial to the south. Planning Commission voted unanimously (9-0) to recommend the zoning request.



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Councilman Smith inquired about the owner's plans for the property. Mr. Dudley said planning staff is currently not aware of any specific plans for the property. Mr. Scotty Davis, City Manager, clarified that he met with the property owners but is unable to share any details on the plans due to a nondisclosure agreement.

Council voted unanimously (6-0) in favor of the motion. Bill No. 2025-01 was passed on first reading.

Bill No. 2025-02 - First Reading

An Ordinance to rezone from CG to IL a portion of Florence County Tax Map Number 00147-01-023.

Pro tem Jebaily made a motion to pass Bill No. 2025-02 on first reading and Councilman Braddock seconded the motion.

Mr. Jerry Dudley, Planning Director, explained that this request is in congruence with the previous zoning request. The property in question is the adjacent parcel that is currently within the city limits. There are currently two zoning designations for this parcel: the larger portion, approximately 103 acres, is zoned General Commercial, while the smaller portion is zoned Destination Services, a commercial use. Once approved, these parcels will combine into a large parcel designated for Light Industrial use. Planning Commission voted unanimously (9-0) to recommend the rezoning request.

Pro Tem Jebaily asked for clarification on whether all the parcels are currently within the city limits or if this request involves annexation and zoning. Mr. Dudley clarified that all parcels in this request are already within the city limits and the request pertains to rezoning a portion of one large parcel.

Council voted unanimously (6-0) in favor of the motion. Bill No. 2025-02 was passed on first reading.

Bill No. 2025-03 - First Reading

An Ordinance to amend Chapter 4 of the Code of Ordinances of the City of Florence entitled "Buildings, Construction and Related Activities", to establish Article XV "Vacant and Abandoned Residential, Commercial and Industrial Building Registration.

Councilwoman NeSmith-Jackson made a motion to pass Bill No. 2025-03 on first reading and Councilman Smith seconded the motion.

Mr. Clint Moore, Assistant City Manager of Development, explained that this ordinance will require all vacant and abandoned residential and commercial properties to be registered with the city. The ordinance outlines three categories to determine if a property qualifies as vacant or abandoned. There are several exceptions to the registry, including: properties actively being marketed for sale or lease, government-owned properties, properties actively being pursued for demolition to address code enforcement issues, and vacant or abandoned properties that have no code enforcement violations and are not contributing to blight. Under this ordinance, property owners must provide their contact information, and city staff will conduct inspections to determine the property's classification. Owners are also required to place a "No Trespassing" placard on the property, allowing action to be taken against unauthorized individuals. The ordinance introduces an escalating fee structure for the registry, with additional fees for inspections and penalties for noncompliance if a property is not registered. City staff reviewed similar ordinances from various municipalities across the state and took portions that are applicable to the City of Florence's needs. The ordinance aligns with the city's Comprehensive Plan, the Neighborhood Revitalization Plan, and initiatives for improving commercial areas.



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Pro tem Jebaily asked for examples of the challenges the city faces with vacant and abandoned properties and why current ordinances are insufficient. Mr. Moore explained this ordinance will enable city staff to assess and address the habitability of residences. Vacant and abandoned buildings have been a significant source of blight in the community, undermining revitalization efforts. The city's strategic plan emphasizes leveraging ordinances like this one to tackle these issues and further neighborhood and commercial revitalization.

Councilman McCall made a motion to move this ordinance to Executive Session to seek legal advice and Councilman Smith seconded the motion.

Without objection, this matter will be discussed in Executive Session. There being no objection, this matter will be discussed in Executive Session.

Bill No. 2025-04 - First Reading

An Ordinance finding certain dwellings exist that are unfit for human habitation due to dilapidation; defects increasing the hazards of fire, accidents, or other calamities; lack of ventilation, light, or sanitary facilities; or other conditions rendering such dwellings unsafe, unsanitary, or dangerous, and other matters relating thereto including, without limitation, the enforcement of proceedings pertaining dwellings deemed unfit.

Pro tem Jebaily made a motion to pass Bill No. 2025-04 on first reading and Councilman McCall seconded the motion.

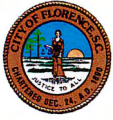
Mr. Clint Moore, Assistant City Manager, explained this ordinance authorizes the city's Building Official to determine whether a building is habitable. The determination will be based on a set of guidelines, which include requirements for proper ingress and egress from the building and bedrooms, access to fresh water and sanitary waste disposal, functioning electricity, a heat source from October 1st through May 1st, locks on all exterior doors, and any habitability violation with International Property Maintenance Code. The ordinance establishes clear regulations for the Building Official to follow when making these determinations and outlines the process for enforcing code compliance as needed.

Councilman Braddock inquired about an appeal process. Mr. Moore confirmed that an appeal process is in place for all city actions. Property owners can first appeal to city staff, and if dissatisfied, they can escalate the appeal to the Construction and Maintenance Board of Adjustments and Appeals. If still unsatisfied, they can appeal to Circuit Court. Councilman Braddock also asked if property owners can rehabilitate their homes and bring them into compliance, to which Mr. Moore responded yes.

Pro tem Jebaily asked for clarification on whether the ordinances work in conjunction to enhance the city's ability to enforce property owners to rehabilitate properties or allow the city to obtain the property. Mr. Moore responded yes.

Councilwoman NeSmith-Jackson thanked city staff for this ordinance and said this ordinance will address the issue with dilapidated homes in the city's target areas.

Council voted unanimously (6-0) in favor of the motion. Bill No. 2025-04 was passed on first reading.



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INTRODUCTION OF RESOLUTIONS

Resolution No. 2025-01

A Resolution to rename South Park to Jebaily Park.

Councilwoman NeSmith-Jackson made a motion to pass Resolution No. 2025-01 and Councilman Braddock seconded the motion.

Pro tem Jebaily said he would recuse himself from voting on this item. The recusal statement is attached to and made a part of the minutes.

Mayor Barnes presented the Resolution to the Jebaily family. Mr. Ron Jebaily spoke on behalf of the Jebaily family and thanked Council for honoring his family with this recognition.

Council voted unanimously (5-0) to pass Resolution No. 2025-01, with Pro tem Jebaily recusing himself. Resolution No. 2025-01 was passed.

Resolution No. 2025-02

A Resolution to rename Northwest Park to Mordecai C. Johnson Park.

Pro tem Jebaily made a motion to pass Resolution No. 2025-02 and Councilman McCall seconded the motion.

Councilwoman NeSmith-Jackson raised a point of information, questioning how this item was added to the agenda after being deferred by the Planning Commission at its last meeting. She referred to the minutes from that meeting where it was noted that the Northwest Community had expressed a desire to provide input in the naming of Northwest Park. She emphasized that neither the neighborhood association nor she, as the representative of the district where the park is located, was informed about the proposed renaming. She added that a called community meeting was held on December 30, 2024, for the Northwest Community to discuss and express their concerns with the renaming process.

Mr. Davis explained the matter was brought to city staff by Mayor Barnes and subsequently presented to the Planning Commission by Mr. Dudley. The Planning Commission deferred the matter and a community meeting was called, which both he and Mayor Barnes attended, to discuss the park renaming process. He clarified that naming facilities after living individuals is guided by an internal city policy, which was explained during the meeting. He further noted that the Planning Commission serves as an advisory board to Council, and Council retains the discretion to move forward with renaming the park.

Councilwoman NeSmith-Jackson asked if it is standard procedure to bypass the Planning Commission's recommendations, particularly when a matter has been deferred. She shared feedback from the community, stating they were not necessarily opposed to renaming the park after Mordecai C. Johnson but felt excluded from the process.

Pro Tem Jebaily spoke in support of the Resolution and requested Mr. Davis read the Resolution to highlight Mr. Johnson's contributions to the city. Mr. Davis read Resolution No. 2025-02. Pro Tem Jebaily also asked for confirmation that the park is in District 1, which Councilwoman NeSmith-Jackson represents. Mr. Davis responded yes.

Councilman McCall also spoke in favor of the Resolution and shared additional achievements of Mordecai C. Johnson.



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Councilman Smith also spoke in favor of the Resolution.

Mayor Barnes explained the reasons for choosing to honor Mordecai C. Johnson, stating that he is highly deserving of this recognition. She noted that she had consulted with community leaders and others about the matter. However, she expressed disapproval of the miscommunication with the community and emphasized that this recognition is something the entire community should be proud of.

Mayor Barnes presented the Resolution to the Johnson family. Mr. Johnson's son spoke on behalf of the Johnson family and thanked Council for honoring his father with this recognition.

Rev. Dr. Ralph W. Canty also spoke in favor of the Resolution.

Council voted (5-1) to pass Resolution No. 2025-02, with Councilwoman NeSmith-Jackson voting against the Resolution. Resolution No. 2025-02 was passed.

Resolution No. 2025-03

A Resolution to approve a Conditional Grant and Development Agreement located within the Downtown Redevelopment District for a development located at 189 Warley Street.

Mayor Barnes said without objection, this item will be discussed in Executive Session. Without objection, this item will be discussed in Executive Session.

REPORT TO COUNCIL

Appointments to Boards and Commissions

Mayor Barnes said this item may be discussed in Executive Session. Without objection, this item will be discussed in Executive Session.

CITY MANAGER'S REPORT

Mr. Scotty Davis, City Manager, thanked city staff and Council for a productive work retreat. Mr. Davis referenced Bill No. 2025-04, which addresses dilapidated homes, noting that if the proposed bill is adopted on second reading, it will have budgetary impacts. Budgetary impacts will be outlined for Council in the upcoming budget discussions.

Mayor Barnes inquired on the availability of funds for demolitions. Mr. Davis confirmed that there are available funds, which are currently being utilized for voluntary demolitions. He mentioned that the city is also dealing with several involuntary demolitions, and the proposed bill would enable the city to proceed with demolishing unsafe and uninhabitable homes where property owners have resisted demolition efforts. When the city demolishes a home, a lien is placed on the property for five years. However, if the owner redevelops the property during that time, the lien is removed. The city also considers income guidelines in which no lien is placed on properties owned by individuals whose income falls below a certain threshold. Mr. Davis noted that the city's efforts have not been as successful as hoped, given the significant number of vacant and dilapidated structures in the community. He stressed that the focus is on removing homes that are literally falling and pose significant safety hazards.



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MAYORAL REPORT

Mayor Barnes thanked city staff and Council for a successful work retreat. She also announced, “Fireside Chat with the Mayor,” an open house to learn more about the city’s community centers and hear and/or share ideas on how to improve neighborhoods. The first open house will be held at the Northwest Community Center on January 27, 2025 at 6pm.

COMMITTEE REPORTS

Business Development Committee, Chaired by Pro tem Jebaily

Pro tem Jebaily said the committee received a presentation from AECOM at the last meeting. He announced the completion of the Executive Summary for the city’s Stormwater Master Plan, a project three years in the making. AECOM is scheduled to present the full plan to Council at the February 10th meeting. The master plan includes a total of 51 projects, with an estimated cost of \$72 million.

Community Development Committee, Chaired by Councilwoman Barnes

Mayor Barnes said the committee did not meet due to the holiday season. The next meeting is scheduled for Wednesday, January 29, 2025 at 3:00pm.

Finance, Audit and Budget Committee, Chaired by Councilman McCall

Councilman McCall said the committee did not meet due to the Christmas holiday. The next meeting is scheduled for Wednesday, January 29, 2025 at 4:00pm.

EXECUTIVE SESSION

Mayor Barnes said Council will be entering into Executive Session for a discussion of matters related to an Economic Development Project, a discussion regarding appointments to Boards and Commissions, to receive legal advice for Bill No. 2025-03 and for a discussion on a personnel matter regarding the City Manager’s contract.

Council made a motion to enter into Executive Session and Council seconded the motion. Council voted unanimously (6-0) to enter into Executive Session at 2:19pm.

Council resumed open session at 4:08pm and took action on the following items:

Bill No. 2025-03 - First Reading

An Ordinance to amend Chapter 4 of the Code of Ordinances of the City of Florence entitled “Buildings, Construction and Related Activities”, to establish Article XV “Vacant and Abandoned Residential, Commercial and Industrial Building Registration.

Councilwoman NeSmith-Jackson made a motion to pass Bill No. 2025-03 on first reading and Councilman Smith seconded the motion.

Councilmen McCall made a motion to amend the ordinance to create separate fees for residential and commercial structures and to change the effective date of the registry from July 1, 2025 to January 1, 2026. The fees for residential structures will be amended to read as follows: Initial registration – \$250; first annual renewal – \$500; second annual renewal – \$750; third annual renewal \$1,000; and the annual



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renewal each year thereafter – \$1,250. The fees for commercial structures will be amended to read as follows: Initial registration – \$500, first annual renewal – \$1,000, second annual renewal – \$2,000, third annual renewal – \$3,000, and the annual renewal each year thereafter – \$4,000. Pro tem Jebaily seconded the motion. Council voted unanimously (6-0) in favor of the motion to amend the ordinance.

Council voted unanimously (6-0) in favor of the motion to pass Bill No. 2025-03, as amended. Bill No. 2025-03 was passed on first reading, as amended.

Resolution No. 2025-03

A Resolution to approve a Conditional Grant and Development Agreement located within the Downtown Redevelopment District for a development located at 189 Warley Street.

Pro tem Jebaily made a motion to pass Resolution No. 2025-03 and Councilman McCall seconded the motion.

Council voted unanimously (6-0) in favor of the motion. Resolution No. 2025-03 was passed.

Appointments to Boards and Commissions

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

Civic Center Commission

Councilwoman NeSmith-Jackson deferred her nomination to the Board.

Councilman Smith clarified that the appointment of Clara Brockington made at the December 9, 2024 Council meeting will replace the seat currently held by Allen Griffin on the Civic Center Commission.

Accommodations Tax Advisory Committee

Councilman Smith made a motion to reappoint Jacquelyn Campbell to the Accommodations Tax Advisory Committee and the motion carried unanimously. Jacquelyn Campbell was reappointed to the Accommodations Tax Advisory Committee for a term to begin immediately and expire on June 30, 2027.

Design Review Board

Councilman McCall deferred his nomination to the Board.

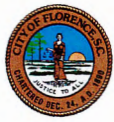
Construction & Maintenance Board of Adjustments and Appeals

Mayor Barnes deferred all nominations to the Board.

Parks and Beautification Commission

Pro tem Jebaily deferred his nomination to the Board.

Councilman Smith made a motion to appoint Kiana Brown to the Parks and Beautification Commission and the motion carried unanimously. Kiana Brown was appointed to the Parks and Beautification Commission for a term to begin immediately and expire on June 30, 2029.



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Councilman Smith made a motion to appoint Terrance Legette to the Parks and Beautification Commission and the motion carried unanimously. Terrence Legette was appointed to the Parks and Beautification Commission for a term to begin immediately and expire on June 30, 2029.

Veterans Park Committee

Mayor Barnes deferred her nomination to the Board.

Resilience & Sustainability Advisory Committee

The two nominations to the Board were deferred.

Personnel Matter

Councilman Smith made a motion to approve the City Manager's contract as discussed in Executive Session with such changes to be advised by legal counsel and executed by the Mayor. Pro tem Jebailly seconded the motion.

Council voted unanimously (6-0) in favor of the motion. The motion was passed.

ADJOURN

Without objection, the January 13, 2025 Regular meeting of City Council was adjourned at 4:15pm.

Dated this 10th day of February 2025.

Casey C. Moore, Municipal Clerk

Lethonia Barnes, Mayor

RECUSAL STATEMENT

Member Name: George Jebaily

Meeting Date: 1.13.2025

Agenda Item: Resolution Section Number: 2025-01

Topic: A Resolution to rename Sater Park to
Jebaily Park

The Ethics Act, SC Code §8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37.) A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.

Justification to Recuse:

☐ Professionally employed by or under contract with principal

☐ Owns or has vested interest in principal or property

☒ Other: Related to recipient of Resolution.

Date: 1/13/25

[Signature]
Member

Approved by Parliamentarian: [Signature]

FLORENCE CITY COUNCIL MEETING

DATE: December 9, 2024

AGENDA ITEM: Ordinance

DEPARTMENT/DIVISION: Police Department

I. ISSUE UNDER CONSIDERATION:

Amending Ordinance No. 2024-22 which was presented at the City Council meeting on November 18, 2024. Ordinance No. 2024-22 added provisions to the City Code related to prohibiting ownership or keeping of livestock, wild, or feral animals in Section 3-7.1 and deleted the current definition of "Wild animal" in Section 3-2.

The proposed amendments include: 1) addition of a definition of "Wild animal" in Exhibit B, 2) removal of the word "Feral" in the Ordinance, 3) provision of Unified Development Ordinance exceptions and 4) alteration of the impoundment and euthanization processes by the addition of a reasonableness standard to be applied on a case-by case basis in order to provide law enforcement better direction on how to handle certain situations.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

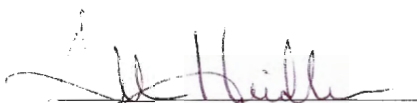
1. Ordinance No. 2024-22 deleted the definition of "Wild animals".
2. Ordinance No. 2024-22 prohibits a broad range of potentially dangerous animals and provides an all-encompassing definition of "Wild animal".
3. Ordinance No. 2024-22 provides law enforcement the ability to seize, impound, or humanely euthanize animals while the trial is pending and the proposed amendments will provide better clarity on the proper action law enforcement should take.

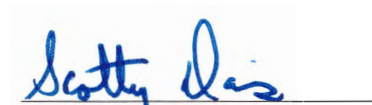
III. POINTS TO CONSIDER:

1. City staff had an issue with using the word "Feral" in the ordinance and felt that "Wild animal" was sufficient. The new definition of "Wild animal" is extensive enough to encompass all of the animals that Ordinance No. 2024-22 does not specifically list but is intended to prohibit.
2. Applying a reasonableness standard on a case-by-case basis will allow law enforcement to take into consideration a number of factors when determining if impoundment or euthanization is the proper avenue to take under the circumstances. Such factors include: 1) the degree of aggression such animal exhibits, 2) the level of threat the animal poses to the community, 3) the ability of law enforcement to transport such animal to another location safely, and 4) the animal owner's willingness to relocate with such animal outside the City limits.
3. This Ordinance does not apply to dogs or cats.

IV. ATTACHMENTS:

1. Ordinance


Allen Heidler
Chief of Police


Scotty Davis
City Manager

ORDINANCE NO. 2024 - _____

AN ORDINANCE TO AMEND ARTICLE I CHAPTER 3 OF THE CITY CODE OF THE CITY OF FLORENCE TO ADD PROVISIONS RELATED TO PROHIBITING OWNERSHIP OR KEEPING OF LIVESTOCK AND WILD ANIMALS AND OTHER MATTERS RELATED THERETO.

WITNESSETH:

WHEREAS, the City of Florence; South Carolina (the “City”) seeks to protect its residents from the harmful ramifications associated with the ownership and keeping of livestock, wild, and dangerous animals;

WHEREAS, the ownership and keeping of livestock, wild, and dangerous animals present foreseeable risks and potential safety hazards within the City; and

WHEREAS, the City Council of the City (“the City Council”) desires to regulate ownership or keeping of livestock, wild, and dangerous animals within the City by adding to the Code of Ordinances within the City (“the Code”) provisions related thereto;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City in meeting duly assembled that:

- a. There is added to Article I Chapter 3 of the Code a Section 3-7.1 entitled “Prohibited Ownership or Keeping of Livestock and Wild Animals,” such section being set forth in the attached Exhibit A.
- b. The definitions of “Feral animal” and “Wild animals” in Section 3-2 of the Code are deleted.
- c. A new definition of “Wild animal” is added to Section 3-2 of the Code, such provision being set forth in the attached Exhibit B.
- c. This Ordinance shall become effective upon its approval and adoption by the City Council of the City.

ADOPTED this __ day of _____, 2024

Approved as to form:

BENJAMIN T. ZEIGLER
CITY ATTORNEY

LETHONIA BARNES
MAYOR

ATTEST:

CASEY C. MOORE
MUNICIPAL CLERK

EXHIBIT A

Section 3- 7.1 Prohibited Ownership or Keeping of Livestock and Wild Animals

1) The purpose of this ordinance is to ensure the safety, health, and welfare of the citizens of Florence by regulating and prohibiting the ownership and keeping of livestock and wild animals within the City.

Except as allowed in Article 2, Division I-2.8 of the Unified Development Ordinance

2) It shall be unlawful for any person to keep, maintain, or possess within the City any live livestock, including but not limited to the following:

- a) Any Porcine animal, including without limitation swine, pigs, and hogs;
- b) Any Equine animal, including without limitation horses, ponies, mules, and donkeys;
- c) Any Bovine animal, including without limitation cows, buffalo, bulls, calves, sheep, goats, rams, and lambs;
- d) Any Camelid animal, including without limitation camels, llamas, and alpacas.

3) It shall be unlawful for any person to have, keep, maintain, or possess within the City any wild animal, including but not limited to:

- a) Baboons, chimpanzees, gorillas, orangutans, or other non-human primates;
- b) Bears, cheetahs, leopards, lions, tigers, jaguars, pumas, or other large cats (including without limitation Servals);
- c) Wolves, coyotes, foxes, or any hybrids of these species with domestic dogs where the proportion of wild animals exceeds one-eighth;
- d) Crocodilians twelve (12) inches or larger;
- e) Constricting snakes greater than 3 feet, including, but not limited to, reticulated pythons, python reticulatus; Burmese/Indian rock pythons, python molurus; rock pythons, python sebae, and anacondas, eunectes murinus (green anacondas);
- f) Venomous/poisonous reptiles, amphibians, or serpents;
- g) Raccoons, hyenas, badgers, wolverines, skunks, weasels (not to include ferrets);
- h) Porcupines;
- i) Piranhas or other dangerous aquatic species;
- j) Nondomestic members of the family Felidae (cats);
- k) Bats;
- l) Rodents greater than 5 pounds;
- m) Members of the Cervidae family (deer).

Except as allowed in Article 2, Division 1-2.8 of the Unified Development Ordinance

4) It shall be unlawful for any person to keep, maintain, or possess within the City any large birds or waterfowl, including but not limited to the following:

- a) Ostriches;
- b) Emus;
- c) Rheas;
- d) Cassowaries;
- e) Peafowl (peacocks and peahens);
- f) Swans;
- g) Geese;
- h) Ducks;
- i) Herons;
- j) Cranes;
- k) Roosters;
- l) Penguins.

5) The following persons and entities may be exempt from the prohibitions outlined in subsections 2, 3, and 4, provided such entities are licensed by the City and all other applicable governmental or regulatory bodies, and provide to the satisfaction of the City evidence of appropriate containment and supervision:

- a) Zoos;
- b) Circuses or traveling attractions;
- c) Wildlife rehabilitation centers, including without limitation veterinarian, animal medical centers, and humane societies;
- d) Educational institutions;
- e) Licensed research facilities;
- f) Pet stores and agricultural supply stores, provided that the keeping and sale of any wild animals listed in subsection (3) above must be expressly approved by the City.

6) Any person found in violation of this ordinance shall be subject to fines, penalties, or both, as prescribed in Section 1-7 of the Code. Each day of violation constitutes a separate offense.

7) If a law enforcement agent or animal control officer has probable cause to believe that any of the aforementioned animals are being harbored or housed in violation of this section, the agent or officer may seize, impound, or humanely euthanize the animal while the trial is pending. A reasonableness standard shall be applied on a case-by-case basis by such agent or officer in determining if impoundment or euthanization is appropriate under the circumstances. Factors to take into account include, but are not limited to, the level of aggression such animal exhibits, the level of threat to the community, the ability of an agent or officer to transport such animal to another location safely, and such animal owner's willingness to relocate and establish new residence with such animal outside the City limits. If an agent or officer determines that euthanization is appropriate under the circumstances, any such euthanization may only be by order of the municipal court after not less than 5 days written notice to the owner of the animal in question, if any, to appear and contest such proposed euthanization. If said owner does not appear to contest such proposed euthanization, or if the owner appears and the municipal court orders such euthanization, such euthanization may proceed subject to the owner's right of appeal pursuant to Section 6-11 of this Code.

8) The provisions of this Section 3-7.1 shall be in addition to and not in lieu of Section 3-11 of this Code.

EXHIBIT B

Wild animal:

- 1) Any animal of wild nature or exotic disposition;
- 2) Any animal which is capable of killing, inflicting serious injury upon, or causing disease among, human beings or domestic animals and having a known propensity as a species to do so;
- 2) This definition shall not apply to dogs (*Canis lupus familiaris*) and cats (*Felis catus*).

FLORENCE CITY COUNCIL MEETING

DATE: January 13, 2025

AGENDA ITEM: An Ordinance to annex and zone Light Industrial (IL) 1228 North Cashua Drive, TMN 00122-01-040.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 1228 North Cashua Drive, Tax Map Number 00122-01-040, into the City of Florence and assign it the zoning designation of Light Industrial (IL). The request is being made by the property owners.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On December 10, 2024, the City of Florence Planning Commission held a public hearing on this matter and voted unanimously, 9-0, to recommend the zoning designation of Light Industrial.

III. POINTS TO CONSIDER:

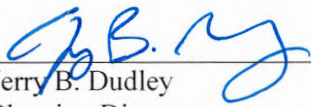
- (1) City water and sewer services are currently available; there is no cost to extend utilities.
- (2) A Public Hearing for zoning was held at the December 10, 2024 Planning Commission meeting.
- (3) The owner requests the zoning designation of Light Industrial. Light Industry is defined in the *Unified Development Ordinance* to mean uses that involve research and development, assembly, compounding, packaging, testing, or treatment of products from previously prepared materials, with limited outside storage and limited external impacts or risks; or wholesale uses; or rental or sale of large items that are stored outside. For illustrative purposes, light industry uses include:
 - a. Assembly, testing, or refurbishing of products, instruments, electronics, office and computing machines, and fixtures from pre-manufactured components;
 - b. Offices of general contractors, specialty subcontractors, or tradesmen which include:
 - i. Bay door access to indoor storage of tools, parts, and materials;
 - ii. Parking of commercial vehicles; or
 - iii. Outdoor storage areas that are smaller than the area of the first floor of the building that are used for storage of materials or vehicles that are less than 12 feet in height.
 - c. Communications facilities, except wireless telecommunications facilities;
 - d. Data centers, server farms, telephone exchange buildings, and telecom hotels;
 - e. Food production and packaging other than meat and seafood processing and restaurants;
 - f. Furniture making or refinishing;
 - g. Manufacture of textiles or apparel;

- h. Screen printing of apparel;
 - i. Printing and publishing, except copy centers (which are commercial and personal services), and except printing presses that require a Stationary Source permit or Title V permit for air emissions (which are heavy industry);
 - j. Research and development, scientific testing, and product testing;
 - k. Disassembly of consumer electronics and / or appliances into component parts, where all operations and storage are within an enclosed building;
 - l. Manufacture or compounding of pharmaceutical products, dietary supplements, health and beauty products, and herbal products; and
 - m. Packaging of products.
- (4) Land uses of adjacent parcels include recreational facilities, a church, railroad tracks, equipment rentals, a wholesale beverage distributor, and a variety of auto sales and service establishments.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- A) Ordinance
- B) Vicinity Map
- C) Annexation Petitions


Jerry B. Dudley
Planning Director


Scotty Davis
City Manager

ORDINANCE NO. 2025 - _____

**AN ORDINANCE TO ANNEX AND ZONE LIGHT INDUSTRIAL
1228 NORTH CASHUA DRIVE, TMN 00122-01-040.**

WHEREAS, a Public Hearing was held in the Council Chambers on December 10, 2024 at 6:00 P.M. before the City of Florence Planning Commission, and notice of said hearing was duly given;

WHEREAS, application by Philip A. Andrews, Virginia A. Ward, and Norman C. Andrews, owners of TMN 00122-01-040, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated into the City limits of the City of Florence under the provisions of Section 5-3-150(3) of the 1976 Code of Laws of South Carolina and given the zoning district classification of Light Industrial:

The property requesting annexation is shown more specifically on Florence County Tax Map 00122, block 01, parcel 040 (44.348955 acres).

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

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

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

1. That an Ordinance is hereby adopted annexing into the City Limits of the City of Florence the aforesaid property and amending the Zoning Atlas to the aforesaid zoning classifications.
2. That this Ordinance shall become effective in 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 _____, 2025

Approved as to form:

Benjamin T. Zeigler,
City Attorney

Lethonia Barnes,
Mayor

Attest:




Casey C. Moore,
Municipal Clerk

PC-2024-27

Vicinity Map - 1228 North Cashua Drive



Legend

-  City Limits
-  Parcels
-  Proposed Parcel



DISCLAIMER:
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500 250 0 500 Feet

Date: 10/11/2024

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

Petition requesting Florence City Council to enact an Ordinance annexing the area described below, that area being the same property as shown by the map prepared by the City of Florence Planning, Research, and Development Department, attached and incorporated by reference herein:

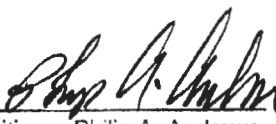
The undersigned freeholder property owner(s) hereby respectfully certifies, petitions, and requests of the City Council of Florence as follows:

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
2. That the petitioner(s) desires to annex the property more particularly described below:
1228 N. Cashua Dr., Florence
Florence County Tax Map 00122-01-040
3. Annexation is being sought for the following purposes:
to combine with Parcel 00147-01-023
4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

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

Total Residents 0
Race _____
Total 18 and Over _____
Total Registered to Vote _____

Date 8-19-2024


Petitioner: Philip A. Andrews

Date _____

Petitioner

Certification as to ownership on the date of petition:

FOR OFFICAL USE ONLY

Date 8/10/24

az

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

PETITION FOR ANNEXATION

Petition requesting Florence City Council to enact an Ordinance annexing the area described below, that area being the same property as shown by the map prepared by the City of Florence Planning, Research, and Development Department, attached and incorporated by reference herein:

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

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
2. That the petitioner(s) desires to annex the property more particularly described below:
1228 N. Cashua Dr., Florence
Florence County Tax Map 00122-01-040
3. Annexation is being sought for the following purposes:
To combine with parcel 00147-01-023
4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

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

Total Residents
Race
Total 18 and Over
Total Registered to Vote

0

Date 8-20-2024

Virginia A. Ward
Petitioner Virginia A. Ward

Date _____

Petitioner

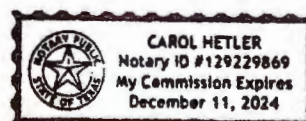
Certification as to ownership on the date of petition:

FOR OFFICIAL USE ONLY

Date 10/8/24

03

Notary Name: Carol Hetler
County: Bexar
Expiration: 11 December 2024



STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

Petition requesting Florence City Council to enact an Ordinance annexing the area described below, that area being the same property as shown by the map prepared by the City of Florence Planning, Research, and Development Department, attached and incorporated by reference herein:

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

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.

2. That the petitioner(s) desires to annex the property more particularly described below:

1228 N. Cashua Dr., Florence

Florence County Tax Map 00122-01-040

3. Annexation is being sought for the following purposes:

To Combine with parcel 00147-01-023

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

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

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

Date 8-19-2024

Date _____

Norman Curtis Andrews
Petitioner: Norman Curtis Andrews
(by Philip A. Andrews as P.R.)

Petitioner _____

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date <u>10/8/24</u>	<u>AB</u>

FLORENCE CITY COUNCIL MEETING

DATE: January 13, 2025

AGENDA ITEM: Ordinance to Rezone from CG and DS to IL a portion of a parcel located along Jennie O'Bryan Avenue, TMN 00147-01-023.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

A request to rezone from Commercial General (CG) and Destination/Select Use (DS) to Light Industrial (IL) a portion of a parcel located along Jennie O'Bryan Avenue, said property being specifically designated in the Florence County Tax Records as Tax Map Number 00147-01-023. The request is being made by the property owner, Floyd Family Properties, LLC.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On December 10, 2024, the City of Florence Planning Commission voted unanimously (9-0) to approve the zoning designation of Light Industrial for the portions of the parcel indicated on the attached Location Map.

III. POINTS TO CONSIDER:

- (1) The portion of the property on the north side of Jennie O'Bryan is currently zoned Commercial General (CG); the portion on the southeast side along the railroad tracks and West Lucas Street is zoned Destination/Select Use (DS). These zoning designations permit most commercial uses.
- (2) The owner requests the zoning designation of Light Industrial. Light Industry is defined in the *Unified Development Ordinance* to mean uses that involve research and development, assembly, compounding, packaging, testing, or treatment of products from previously prepared materials, with limited outside storage and limited external impacts or risks; or wholesale uses; or rental or sale of large items that are stored outside. For illustrative purposes, light industry uses include:
 - a. Assembly, testing, or refurbishing of products, instruments, electronics, office and computing machines, and fixtures from pre-manufactured components;
 - b. Offices of general contractors, specialty subcontractors, or tradesmen which include:
 - i. Bay door access to indoor storage of tools, parts, and materials;
 - ii. Parking of commercial vehicles; or
 - iii. Outdoor storage areas that are smaller than the area of the first floor of the building that are used for storage of materials or vehicles that are less than 12 feet in height.
 - c. Communications facilities, except wireless telecommunications facilities;
 - d. Data centers, server farms, telephone exchange buildings, and telecom hotels;
 - e. Food production and packaging other than meat and seafood processing and restaurants;
 - f. Furniture making or refinishing;
 - g. Manufacture of textiles or apparel;
 - h. Screen printing of apparel;
 - i. Printing and publishing, except copy centers (which are commercial and personal services),

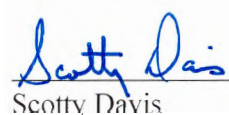
- and except printing presses that require a Stationary Source permit or Title V permit for air emissions (which are heavy industry);
- j. Research and development, scientific testing, and product testing;
 - k. Disassembly of consumer electronics and / or appliances into component parts, where all operations and storage are within an enclosed building;
 - l. Manufacture or compounding of pharmaceutical products, dietary supplements, health and beauty products, and herbal products; and
 - m. Packaging of products.
- (3) Land uses of adjacent parcels include recreational facilities, a church, railroad tracks, equipment rentals, a wholesale beverage distributor, and a variety of auto sales and service establishments.
- (4) Section 6-21.7.12 of the *Unified Development Ordinance* requires that within 14 days, City Council shall:
- a. Approve the zone change by ordinance;
 - b. Approve the zone change by ordinance with modifications;
 - c. Deny the zone change; or
 - d. Refer the zone change back to the Planning Commission, the Director, to a committee of Council, or an ad hoc committee for further consideration.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

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


Jerry B. Dudley
Planning Director


Scotty Davis
City Manager

ORDINANCE NO. 2025-_____

AN ORDINANCE TO REZONE A PORTION OF THE PROPERTY ALONG JENNIE O'BRYAN AVENUE IDENTIFIED AS TAX MAP NUMBER 00147-01-023 FROM COMMERCIAL GENERAL AND DESTINATION/SELECT USE ZONING DISTRICT TO LIGHT INDUSTRIAL ZONING DISTRICT:

WHEREAS, a Public Hearing was held in City Council Chambers on December 10, 2024 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, Floyd Family Properties LLC made application to rezone a portion of the lot from Commercial General and Destination/Select Use to Light Industrial Zoning District;

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

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

1. That an Ordinance is hereby adopted by amending the Zoning Atlas of the City of Florence for the aforesaid property to Light Industrial;
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 _____, 2025

Approved as to form:

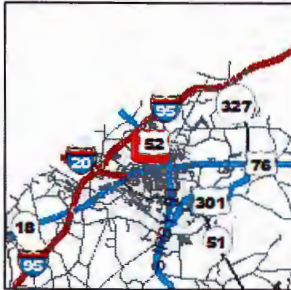
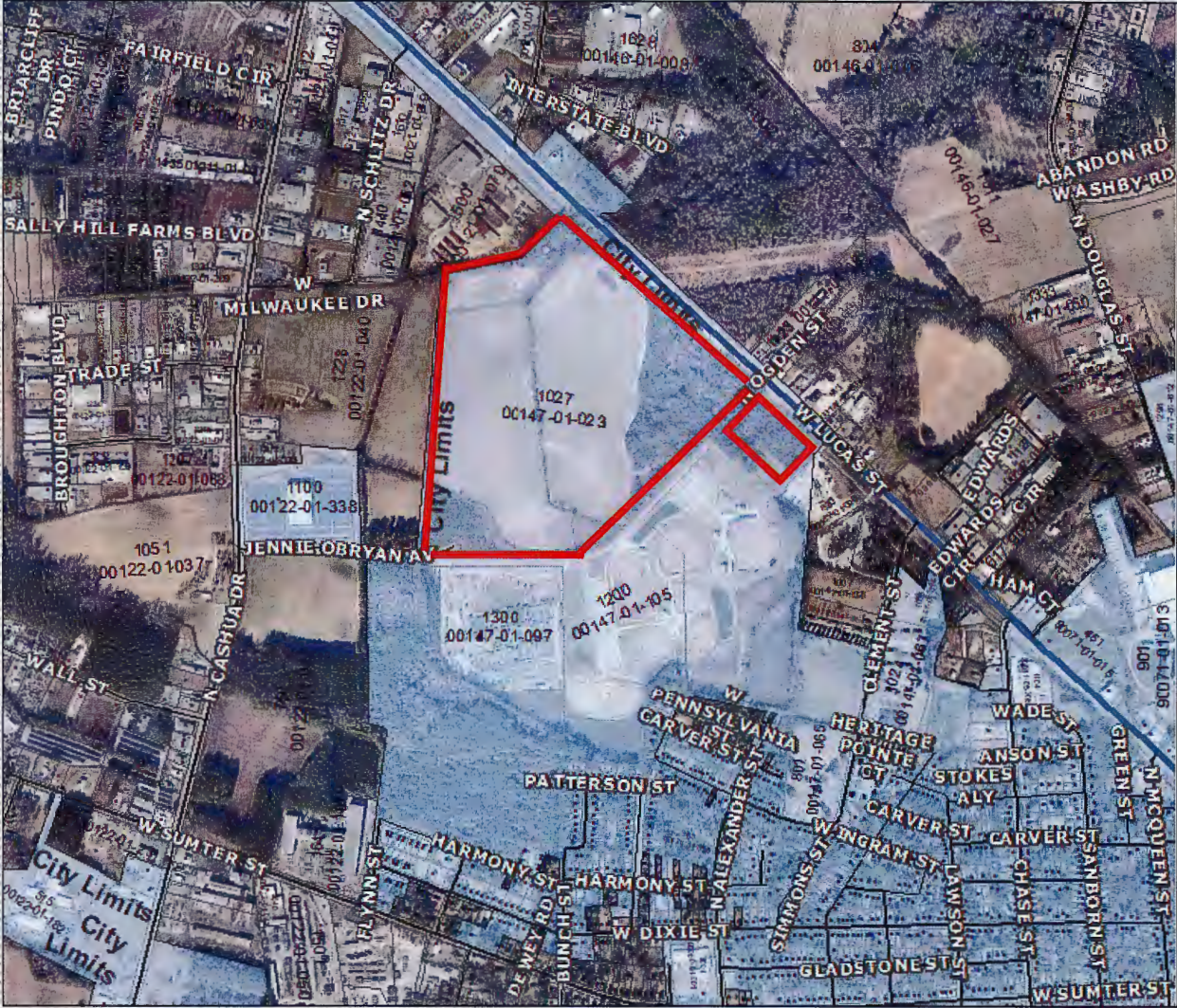
Benjamin T. Zeigler,
City Attorney

Lethonia Barnes,
Mayor




Attest:

Casey C. Moore,
Municipal Clerk

Vicinity Map - Jennie O'Bryan Boulevard



Legend

-  City Limits
 Parcels
 Proposed Parcel

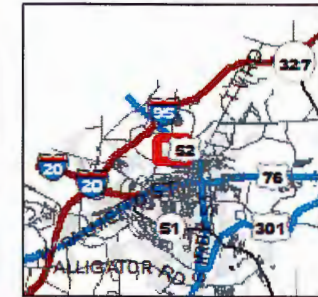
FULL LIFE. FULL FORWARD.
FLORENCE
SOUTH CAROLINA

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


3000 1500 0 3000 Feet

Date: 12/16/2024

Location Map - Jennie O'Bryan Boulevard



Legend

-  City Limits
-  Parcels
-  Proposed Parcel

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FLORENCE
 SOUTH CAROLINA

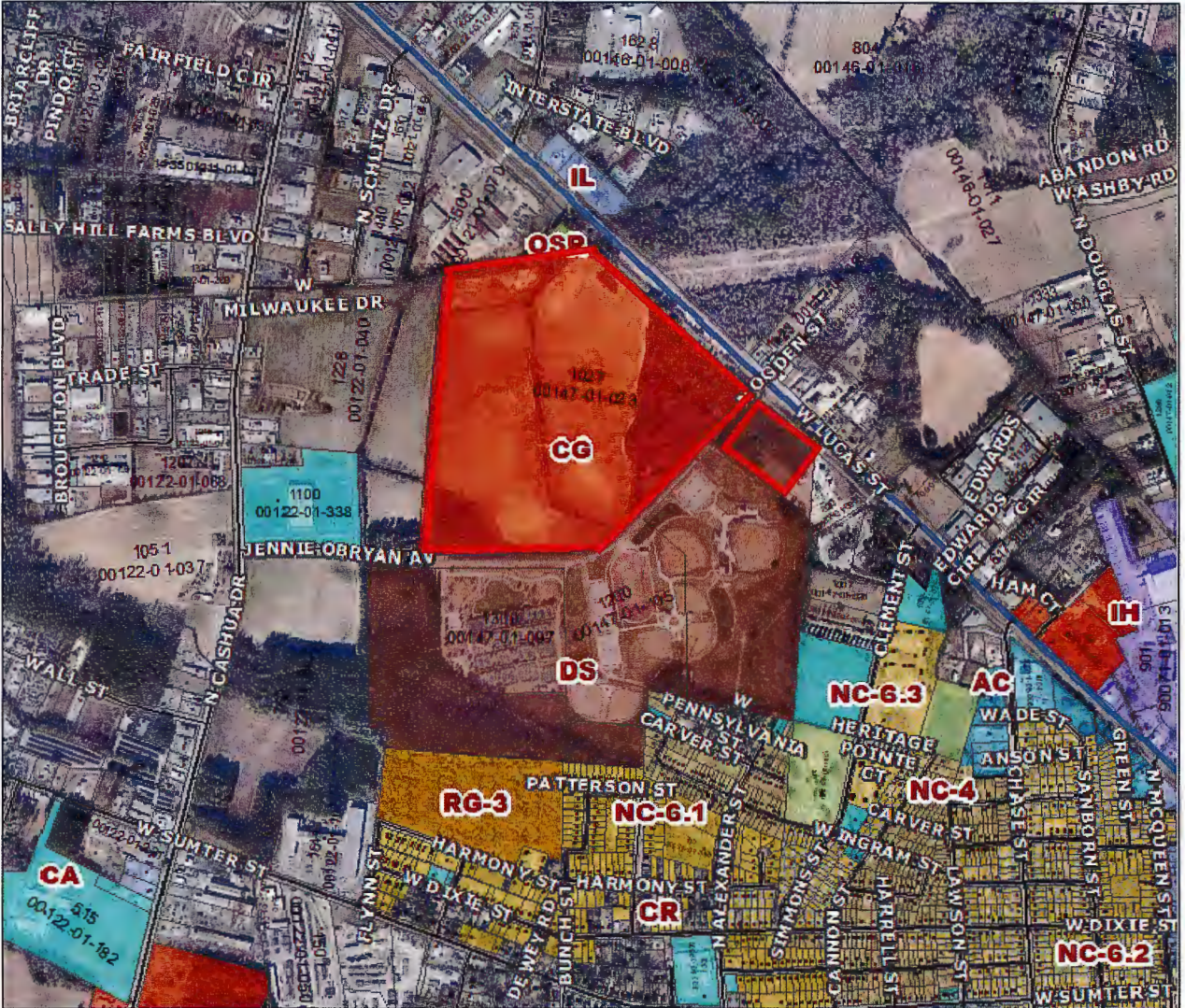
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3000 1500 0 3000 Feet



Date: 12/16/2024

Zoning Map - Jennie O'Bryan Avenue



Legend

-
- Parcels**
- Zoning District**
- Agricultural and Open Space Districts**
- OSR
- Residential Districts**
- RG-3
- PD
- Neighborhood Conservation Sub-Districts**
- NC-6.1
- NC-6.2
- NC-6.3
- NC-4
- Business and Commercial Districts**
- CR
- CA
- CG
- Mixed-Use Districts**
- AC
- DS
- Industrial Zoning Districts**
- IL
- IH
- Proposed Parcel**

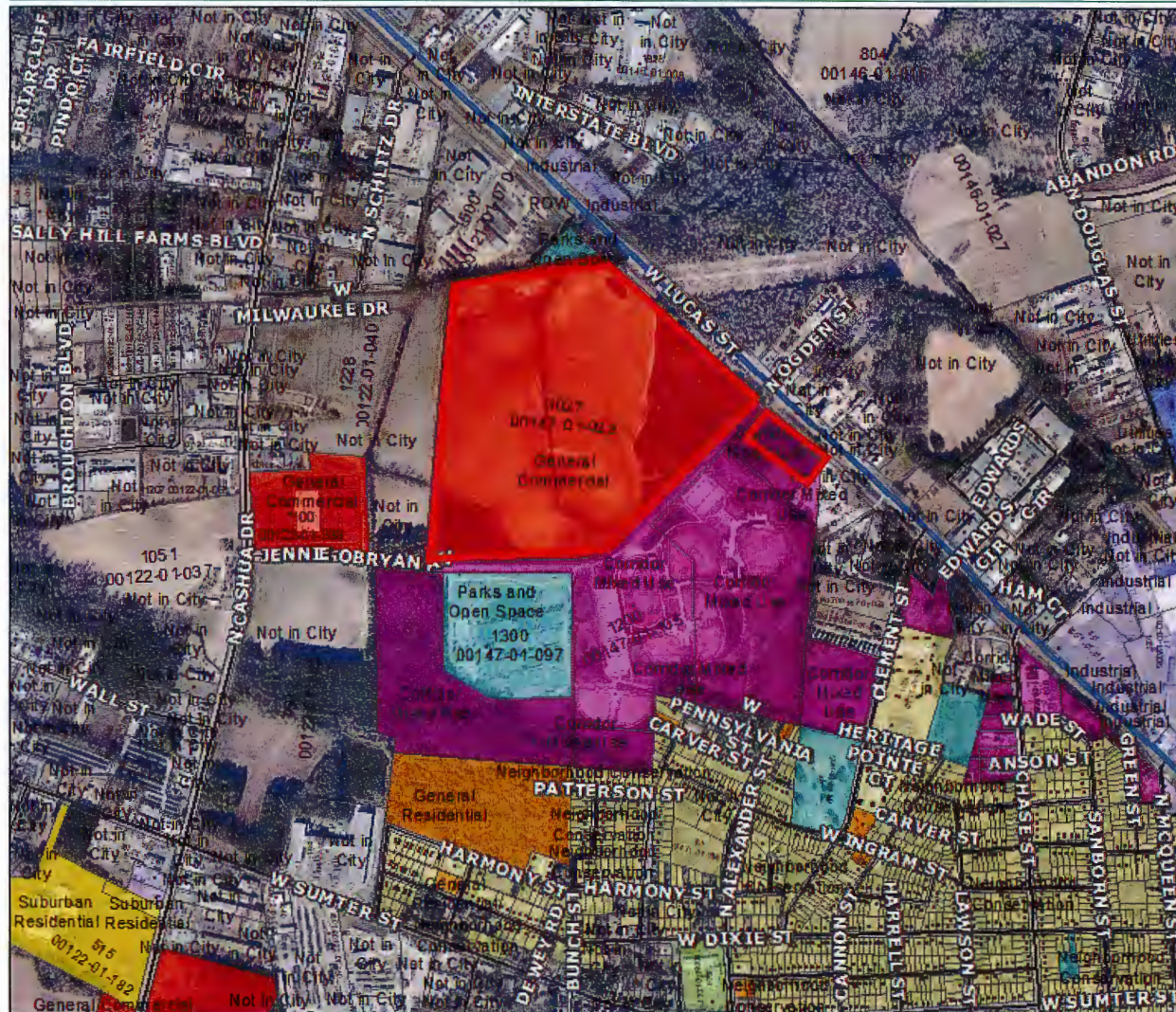
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3000 1500 0 3000Feet

Date: 12/18/2024

Future Land Use Map - Jennie O'Bryan Avenue



Legend

- Parcels
- Proposed Parcel

Future Land Use and Character 2023

FLU_1

- Parks and Open Space
- Suburban Residential
- General Residential
- Urban Residential
- Neighborhood Conservation
- Suburban Commercial
- General Commercial
- Corridor Mixed Use
- Urban Downtown
- Suburban Campuses
- Industrial
- Utilities

FULL LIFE. FULL FORWARD.
FLORENCE
SOUTH CAROLINA

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3000 1500 0 3000 Feet



Date: 12/16/2024

Proposed Zoning Map - Jennie O'Bryan Avenue



Legend

Parcels

Zoning District

Agricultural and Open Space Districts

OSR

Residential Districts

RG-3

PD

Neighborhood Conservation Sub-Districts

NC-0.1

NC-0.2

NC-0.3

NC-4

Business and Commercial Districts

CR

CA

CG

Mixed-Use Districts

AC

DS

Industrial Zoning Districts

IL

IH

Proposed Parcel

FULL LIFE FULL FORWARD
FLORENCE
SOUTH CAROLINA

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3000 1500 0 3000 Feet

Date: 12/18/2024

FLORENCE CITY COUNCIL MEETING

DATE: January 13, 2025

AGENDA ITEM: An Ordinance to amend Chapter 4 of the Code of Ordinances of the City of Florence entitled “Buildings, Construction and related activities”, to establish Article XV. “Vacant and Abandoned Residential, Commercial and Industrial building registration”.

DEPARTMENT/DIVISION: Department of Planning, Research, and Development

I. ISSUE UNDER CONSIDERATION:

II. An Ordinance to amend Chapter 4 of the Code of Ordinances of the City of Florence entitled “Buildings, Construction and related activities”, to establish Article XV. “Vacant and Abandoned Residential, Commercial and Industrial building registration”.

III. CURRENT STATUS/PREVIOUS ACTION TAKEN:


1. No current or previous action has occurred.

III. POINTS TO CONSIDER:

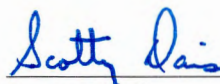
1. As established within multiple sections of the City of Florence Comprehensive Plan, stabilization and reinvestment within our neighborhoods and commercial areas is a key initiative in making Florence more attractive for new investments and protecting the community for our residents.
2. This ordinance will require owners to register vacant and abandoned buildings within municipal limits where the owner is not pursuing stabilization, renovation, rehabilitation, or marketing the sale of the property.
3. It is the purpose of this code to establish procedures for identification and registration of vacant and/or abandoned residential, commercial and industrial buildings; determining the responsibilities of owners of vacant and/or abandoned residential, commercial and industrial buildings; and providing for administration, enforcement, and penalties.

IV. ATTACHMENTS:

1. Proposed Ordinance



Clint Moore
Assistant City Manager



Scotty Davis
City Manager

ORDINANCE NO. 2025 - _____

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CODE OF ORDINANCES OF THE CITY OF FLORENCE ENTITLED “BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES”, TO ESTABLISH ARTICLE XV. “VACANT AND ABANDONED RESIDENTIAL, COMMERCIAL AND INDUSTRIAL BUILDING REGISTRATION”.

W I T N E S E T H

WHEREAS, the City of Florence is committed in advancing its efforts, as recommended within the Comprehensive Plan, to ensure the health, safety, and welfare of the residents of the City of Florence; and

WHEREAS, the City of Florence will establish a registration for all vacant and abandoned buildings, including residential, commercial, and industrial; and

WHEREAS, the City of Florence has the unique role to make Florence more attractive for investment and must first undertake efforts to stabilize and improve the integrity of our neighborhoods and commercial areas; and

WHEREAS, this ordinance will provide the City the authority to assist in the remedy of vacant and abandoned buildings that are impacting the community; and

WHEREAS, pursuant to S.C. Code of Laws 6-9-60, the City of Florence previously adopted codes the South Carolina Building Codes Council has recognized as optional, to include property maintenance; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Florence in meeting duly assembled that:

- a. City Code Sections 4-970 through 4-982 of Chapter 4, Article VIII, are hereby adopted and such language prescribed on Exhibit A attached hereto is hereby incorporated into said section in form thereof.
- b. This Ordinance shall become effective upon its approval and adoption by the City Council of the City of Florence.

ADOPTED this ____ day of _____, 2025

Approved as to form:

BENJAMIN T. ZEIGLER
CITY ATTORNEY

LETHONIA BARNES
MAYOR

ATTEST:

CASEY MOORE
MUNICIPAL CLERK

EXHIBIT A

Article XV. Vacant and Abandoned Residential, Commercial and Industrial Building Registration

Sec. 4-970. - Definitions.

It is the purpose of the provisions of this code to establish procedures for identification and registration of vacant and/or abandoned residential, commercial and industrial buildings; determining the responsibilities of owners of vacant and/or abandoned residential, commercial and industrial buildings; and providing for administration, enforcement, and penalties.

Unless otherwise expressly stated, the following terms shall, for the purposes of this Code, have the meanings shown in this section. Where terms are not defined, through the methods authorized by this section, such terms shall have ordinarily accepted meaning such as the context implies.

Citation: means a charge or formal written accusation of violation of a municipal, state or federal law, regulation or ordinance, including any violations of the International Property Maintenance Code, as adopted by the City of Florence.

Multifamily building: means a building that includes three or more dwelling units, which is not designed as townhomes or multiplex buildings. Multifamily also means two or more residential units that are located on the upper floors of a mixed-use building. For the purposes of this article a multifamily building shall follow the requirements of a commercial building.

Occupancy violation: means a violation of the permitted number of persons that may occupy a single-family or multi-family residential unit as defined by the City of Florence Unified Development Ordinance.

Offense: means any violation of local, state, or federal statutes or ordinances which results in a forfeiture of bond, plea of guilty, no contest, acceptance into pre-trial intervention, alcohol education program or a determination of guilt by a court or a jury. For purposes of this article, all violations for which charges are made during one response by law enforcement officers which result in a forfeiture of bond, acceptance into a pre-trial intervention program, alcohol education program, conviction, or a plea of guilty or no contest collectively shall be deemed one offense.

Owner: means any person, firm, corporation, or legal entity having a legal or equitable title in the property; or recorded in the official records of the state, county or municipality as holding title.

Person: means any natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation or receiver, executor, personal representative, trust, trustee, conservator or other representative appointed by order of any court.

Premises: means a lot, plot or parcel of land, including the buildings or structures thereon, which also includes dwelling units and dwellings.

Residential building: means a building that is established for residential occupancy. For purposes of this article, the term "residential building" may be a single-family detached dwelling unit(s), single-family attached dwelling unit(s), duplex, townhouse, and multi-unit structures used for residential purposes.

Secure: a building or portion of a building is closed or locked for entry by normal means other than boarding.

Unoccupied: A building which is not being used for legal occupancy.

Vacant Building: Any residential, commercial or industrial structure built for occupancy of residential, commercial or industrial uses that is unoccupied for more than sixty (60) days.

Violation: means breach of law, except, for the purposes of this section, any laws related to Chapter 25 of Title 16 of the Code of Laws of South Carolina.

Sec.4-971. - Vacant Building Categorical Classification Standards.

The following classification standards apply to a building or a portion of a building:

1. Category I. No current code violations on the structure or the premises.
 - a) The building is secure, not boarded.
 - b) The building is structurally sound with no code violations.
 - c) The premises is maintained in compliance with Section 4, Article VIII. Property Maintenance Code of the City of Florence.
2. Category II. Minimal code violations.
 - a) The building is secure and boarded in compliance with Section 4, Article VIII. Property Maintenance Code of the City of Florence.
 - b) The building is structurally sound with minor code violations.
3. Category III. Severe code violations.
 - a) The building is harboring feces of bats, rodents, birds, or other vermin such as but not limited to droppings, parasites, fungus, harmful bacteria, unsanitary conditions and hazardous odors detrimental to the life, health and safety of the public.
 - b) Structural deficiencies are evident.
 - c) History of criminal activity.
 - d) Illegally occupied.

Sec.4-972. – Registration of vacant and/or abandoned residential, commercial and industrial buildings.

1. Except as provided in Section 4-972(2) below, all vacant buildings shall be registered with the Code Enforcement Department within forty-five (45) days of becoming vacant as defined in Section 4-970 of this ordinance. Registration is valid for twelve (12) months and must be renewed annually from date the building became vacant.
2. Buildings are exempt from registration upon notification that one or more of the items below are applicable to the property:
 - a. Buildings that are actively being marketed for sale or rent. Must be maintained to minimum code for the duration on the market. The property shall be listed on a multiple listing service (MLS) information, an equivalent service provider similar to the MLS or published advertisements offering the property on the market up to one (1) year, longer by appeal to the City Manager or it's appointee;
 - b. Buildings that are actively being renovated and have an active building permit with the City of Florence.
 - c. Buildings that serve as a primary residence in which the owner is away for an extended period of time for work, vacation, military or medical reason. Building and property must be maintained to minimum code;
 - d. Buildings that fall under the classification of Category I, as defined within Section 4-971 of this code.

- e. Government owned buildings; and/or
 - f. Buildings that are structurally deficient that have been ordered by the city to be demolished and removed, in which the owner has provided consent to the city to demolish, and the city has accepted the consent. Liens are to be placed against the property to cover the cost of demolition pursuant to Section 4, Article 1 of the City of Florence Code of Ordinances.
- 3. If the building is vacant at the expiration of any registration period, the owner shall re-register such building and pay the applicable annual registration.
- 4. The owner registering a vacant building shall supply the following information on an authorized form provided by the Code Enforcement Department:
 - a. Name, address, and telephone number of the owner;
 - b. Name, address and telephone number of any responsible party, if applicable;
 - c. Name, address and telephone number of any local agent or representative of the owner, required if the owner's residence or business address is more than forty-five (45) miles from vacant building;
 - d. Name, address and telephone number of all persons with any legal interest in the property, building or premises including mortgagees and successors in interest;
 - e. Legal description and tax parcel identification number of the premises on which the building is situated;
 - f. The common address of the building;
 - g. Date on which the building became vacant along with any supporting documentation; and
 - h. Vacant building plan in accordance with Section 4-973.
- 5. Following the registration of the vacant building, the City of Florence Building Department representative and/or other authorized representative(s) shall conduct a complete inspection of the property and premises to determine any code violations or nuisances and report such findings to the Code Enforcement Division in order to verify the vacant building category.
 - a. A status report will be provided to the owner of the building with the findings and current condition of the property.
 - b. It will include any found violations and assign a category to the building.
- 6. All vacant buildings must remain secure and/or boarded in accordance with Section 4, Article 1 of the City of Florence Code of Ordinances as adopted and amended by the City of Florence City Council. Notwithstanding any provision of this code it shall be unlawful for any person to cover the window or door openings of any building with any material other than materials conforming with the provisions of the latest edition of the International Building Code, Property Maintenance Code and related codes as approved and amended by the South Carolina Building Codes Council without first obtaining a City of Florence building permit and/or approval from the City of Florence Design Review Board for buildings located within the designated Overlay Districts.
- 7. Owner shall post "No Trespass" placards on the premises.
- 8. Vacant building owners must designate a responsible local representative ("agent") if their place of residence or business is more than forty-five (45) miles from the vacant building. The responsible local representative shall act as agent for the property owner for purposes of accepting legal service; however, the vacant building owner remains personally liable in criminal prosecutions for code violations. The responsible local representative must be available at the number listed at all times in the event of an emergency.

1. **Sec. 4-973. – Vacant Building Plan.** When a building is registered as required by this article, the owner shall submit, or cause to be submitted, for approval a vacant building plan. The plan shall contain the following:
 - a. The reasonably expected period of vacancy;
 - b. A plan to make the building ready for occupancy with sufficient detail regarding the proposed repair and/or rehabilitation of the building to enable the City of Florence authorized representative(s) to determine the adequacy of such plan;
 - c. A notarized letter of written consent by the owner allowing city officials to enter and inspect the premises for the period in which the vacant building plan is in effect;
 - d. For buildings or structures which are identified as being or containing public nuisances, then the vacant building plan shall contain a plan of action to remedy such public nuisances;
 - e. For each required plan, a time schedule shall be submitted identifying a date of commencement of repair and/or rehabilitation and schedule for completion of repair and/or rehabilitation for each building or structure identified nuisance;
 - f. When the owner proposes to occupy, sell, lease or demolish the vacant building, then the owner shall submit a plan and time schedule for such action; and
 - g. A plan of action to secure, monitor and maintain the building and premises thereof in conformance with the provisions of this section.
2. If the property is subject to a vacant building plan and the plan has been properly approved by city officials, the transferee is subject to the terms of the vacant building plan. The transferee may apply to the city to be released from the requirements of the vacant building plan.
3. Donation of the premises to the jurisdiction. In the event the owner elects to donate the premises in lieu of the Vacant Building Plan, such donation may be made to the jurisdiction upon review and approval by the City Manager. The City of Florence shall obtain ownership and clear title to the property within 90 days, unless otherwise directed by the City Manager, or the Codes Enforcement Officer shall proceed with the action outlined within Section 4-975 of this ordinance.

Sec. 4-974. - Vacant Building Fees.

1. Annual registration fees are based on the number of years that a building has been vacant (after the effective date of this section). All fees are due at the time of registration or renewal. The fees are as follows for all structures:
 - a. Initial registration: \$250.
 - b. First annual renewal: \$500.
 - c. Second annual renewal: \$750.
 - d. Third annual renewal: \$1,000.
 - e. Each year thereafter is: \$1,250.
2. An annual compliance inspection fee of fifty dollars (\$50) is required on all vacant buildings. The fee shall be paid at the time of registration.
3. Upon determination of a vacant building that hasn't been registered in accordance with this section, additional penalties may apply in addition to the fees due at time of registration or renewal in accordance to Section 4-975.
4. Delinquent registration fees shall be applied as a lien. After the owner is given notice of the amount of the registration fee due, except for those owners that have properly applied for an appeal pursuant to Section 4-978, and the owner fails to pay the amount due, said amount shall constitute a debt due and owing to the city, and the city may commence a civil action to collect the unpaid debt.
5. If a vacant building becomes occupied within sixty (60) days following an annual registration date and remains occupied for at least six (6) months, the owner of the vacant building can appeal to

have the most recent annual registration fee refunded. This excludes any fees from penalties, initial registration, or compliance inspections.

Sec. 4-975. - Enforcement and penalties.

1. Upon determination that a vacant building owner has failed to register or update information in accordance with this section, an administrative penalty of five hundred dollars (\$500) in addition to the registration fee will be assessed if not in compliance within thirty (30) days after notice.
2. Failure by the owner to submit a vacant building plan or comply with a vacant building plan that has been approved by the city under this section or pay the fees as required under this section is a violation of the code and may be remedied by any of the following:
 - a. An administrative penalty of five hundred dollars (\$500); or
 - b. Acquisition of the property by eminent domain in accordance with state law.

Sec. 4-976. – Notice and Method of Service.

1. Any notice called for in this ordinance shall be in accordance with Section 107.2 of the IPMC, which provides as follows:
 - a. Be in writing.
 - b. Include a description of the real estate sufficient for identification.
 - c. Include a statement of the violation or violations and why the notice is being issued.
 - d. Include a correction order allowing a reasonable time to make repairs and improvements required to bring the unit into compliance.
 - e. Inform the property owner or responsible representative of the right to appeal.
2. Method of service of any notice shall be in accordance with Section 107.3 of the IPMC, which provides as follows:
 - a. Delivered personally; or
 - b. Sent by certified or first-class mail addressed to the last known address; or
 - c. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

Sec. 4-977. – Appeal.

1. Any person directly affected by a decision or notice issued under this article shall have the right to appeal to the Construction Maintenance Board of Adjustment and Appeals, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice, or order was served. The time to appeal shall be extended for ten (10) days if an informal conference with the Codes Enforcement official has been requested and scheduled within the initial twenty (20) day period.
2. An application for the appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or the requirements of this Code are adequately satisfied by other means.
3. The membership, term of members, quorum, appeal procedure, and decisions of the Construction Maintenance Board of Adjustment and Appeals shall be in accordance with Chapter 4, Article 2 of the City of Florence Code of Ordinances.
4. The Codes Enforcement officer shall provide notice of the final decision within five (5) days of the date of the decision.

5. In the event the determination by the Codes Enforcement officer that the structure is vacant and/or abandoned or any part thereof is upheld on appeal, the Construction Maintenance Board of Adjustment and Appeals shall provide the owner a determined amount of time to cure the violation.
6. In the event the owner fails to cure after losing the appeal, the public officer shall proceed with the actions outlined within Section 4-976 of this section.

Sec. 4-978. – Criminal Penalties.

Any person violating any provision of this article shall be deemed guilty of a misdemeanor offense and shall be subject to the penalties outlined in the City of Florence Code of Ordinances. Each day of violation may be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent taxes, penalties, and costs provided for in this article.

Sec. 4-979. – Release of liability of responsible representative.

In the event the responsible representative has exercised due diligence in performance if its responsibilities under this ordinance, but the property owner is not cooperating, the responsible representative may resign as the responsible representative of said owner and provide notice to the owner and City of Florence. The notice of resignation must confirm the current contact information of the owner. The responsible representative should consequently not have any violations assigned to the properties he or she represents. The responsible representative shall be precluded from representing said owner for a period of six (6) months. The City of Florence shall recognize this action and find the responsible representative was diligent and took reasonable steps to perform its duties under this ordinance.

Sec. 4-980. - Severability.

The provisions of this article are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this article. It is hereby declared that the intent of the council is that this article would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Sec. 4-981. - Existing rights unaffected.

Nothing contained in this article is intended to affect the rights and responsibilities of property owners or tenants under the laws of the United States of America or the State of South Carolina as outlined by the South Carolina Landlord Tenant Act, the Americans with Disabilities Act, the Violence Against Women Act, the Fair Housing Act or any other provision of federal or state law regulating housing.

Sec. 4-982. - Effective date.

The provisions of this section shall become effective July 1st, 2025.

Sec. 4-983 – 4-999. Reserved

FLORENCE CITY COUNCIL MEETING

DATE: January 13, 2025

AGENDA ITEM: An Ordinance finding certain dwellings exist that are unfit for human habitation due to dilapidation; defects increasing the hazards of fire, accidents, or other calamities; lack of ventilation, light, or sanitary facilities; or other conditions rendering such dwellings unsafe, insanitary, or dangerous, and other matters relating thereto including, without limitation, the enforcement of proceedings pertaining dwellings deemed unfit.

DEPARTMENT/DIVISION: Department of Planning, Research, and Development

I. ISSUE UNDER CONSIDERATION:

An Ordinance finding certain dwellings exist that are unfit for human habitation due to dilapidation; defects increasing the hazards of fire, accidents, or other calamities; lack of ventilation, light, or sanitary facilities; or other conditions rendering such dwellings unsafe, insanitary, or dangerous, and other matters relating thereto including, without limitation, the enforcement of proceedings pertaining dwellings deemed unfit.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

1. No current or previous action has occurred.

III. POINTS TO CONSIDER:

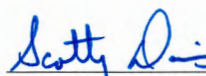
1. In support of the goals and initiatives outlined within the Comprehensive Plan, specifically the section addressing Housing and Neighborhoods, this ordinance will provide the regulation needed to address the structures within municipal limits that is uninhabitable and a blight on our community.
2. By addressing structures that are not fit for human habitation, contribute to blight within our communities, and increase health and human safety concerns, the City of Florence will be able to implement actions to protect the health, safety, and welfare of the residents.
3. Section 31-15-20 of the South Carolina Code of Laws of 1976, as amended (the "South Carolina Code") confers authority upon the City to adopt subsequent ordinances affecting and exercise its police power in relation to the Unfit Dwelling within the City's jurisdictional limits, all as more particularly described in Section 31-15-30 of the South Carolina Code

IV. ATTACHMENTS:

1. Proposed Ordinance



Clint Moore
Assistant City Manager



Scotty Davis
City Manager

ORDINANCE NO. 2025 - _____

AN ORDINANCE FINDING CERTAIN DWELLINGS EXIST THAT ARE UNFIT FOR HUMAN HABITATION DUE TO DILAPIDATION; DEFECTS INCREASING THE HAZARDS OF FIRE, ACCIDENTS, OR OTHER CALAMITIES; LACK OF VENTILATION, LIGHT, OR SANITARY FACILITIES; OR OTHER CONDITIONS RENDERING SUCH DWELLINGS UNSAFE, INSANITARY, OR DANGEROUS, AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, THE ENFORCEMENT OF PROCEEDINGS PERTAINING DWELLINGS DEEMED UNFIT.

WITNESSETH

WHEREAS, various parcels of real property along with improvements thereon exist in The City of Florence (the "City") that, due to the lack of maintenance, passage of time, or other such external factors, are unfit for human habitation due to (a) dilapidation, (b) defects increasing the hazards of fire, accidents or other calamities, (c) lack of ventilation, light or sanitary facilities or (d) other conditions rendering such dwellings unsafe or insanitary, dangerous or detrimental to the health, safety or morals or otherwise inimical to the welfare of the residents of the City (collectively, "Unfit Dwellings");

WHEREAS, upon the adoption of an ordinance finding that such Unfit Dwellings exist in its jurisdictional limits, Section 31-15-20 of the South Carolina Code of Laws of 1976, as amended (the "South Carolina Code") confers authority upon the City to adopt subsequent ordinances affecting and exercise its police power in relation to the Unfit Dwelling within the City's jurisdictional limits, all as more particularly described in Section 31-15-30 of the South Carolina Code; and

WHEREAS, the City Council of the City ("City Council") desires to adopt the instant ordinance in accordance with and in satisfaction of the provisions of Section 31-15-30 of the South Carolina Code to make a finding that such Unfit Dwellings of the conditions described in Section 31-15-20 of the South Carolina Code exist in the City's jurisdictional limits (this "Ordinance"), the language of this Ordinance to be added to and incorporated into the Code of Ordinances of the City (the "City Code") in such form prescribed herein as *Sections 4-413 through 4-437 of Chapter 4, Article VIII*.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Florence in meeting duly assembled that:

- a. City Code Sections 4-413 through 4-437 of Chapter 4, Article VIII, are hereby adopted and such language prescribed on **Exhibit A** attached hereto is hereby incorporated into said section in form thereof.
- b. This Ordinance shall become effective upon its approval and adoption by the City Council of the City of Florence.

ADOPTED this _____ day of _____, 2025

Approved as to form:

BENJAMIN T. ZEIGLER
CITY ATTORNEY

LETHONIA BARNES
MAYOR

ATTEST:

CASEY MOORE
MUNICIPAL CLERK

EXHIBIT A

SECTION 1 – UNFIT DWELLINGS GENERALLY

Sec. 4-413. – Dwellings Unfit for Human Habitation.

In accordance with § 31-15-20 of the South Carolina Code of Laws of 1976, as amended, the city hereby finds that there exists in its jurisdictional limits dwellings which are unfit for human habitation due to (a) dilapidation, (b) defects increasing the hazards of fire, accidents or other calamities, (c) lack of ventilation, light or sanitary facilities or (d) other conditions rendering such dwellings unsafe or insanitary, dangerous or detrimental to the health, safety or morals or otherwise inimical to the welfare of the residents of such municipality. The city desires to exercise its police powers to repair, close or demolish any such dwellings.

Reference is hereby made to Sec. 4-411 through 4-412 such that the city hereby reaffirms the adoption of that certain code known as the International Property Maintenance Code, as promulgated and as most recently adopted by the South Carolina Building Codes Council, along with the corresponding Administrative Chapter 1 and any amendments thereto promulgated by Sec. 4-412 (collectively, the “International Property Maintenance Code”), such that the International Property Maintenance Code shall govern except where the provisions of Sections 4-413 through 4-436 explicitly dictate otherwise or provide specific exceptions or modifications. In any case where there is a conflict between Sections 4-412 through 4-436 and the International Property Maintenance Code, the provisions of Sections 4-412 through 4-436 shall prevail. Sections 4-412 through 4-436 are intended to complement the International Property Maintenance Code, ensuring that local requirements are met while maintaining the standards set forth by the International Property Maintenance Code.

Sec. 4-414. – Definitions.

The following words and terms wherever used and referred to in this article shall have the following respective meanings for the purpose of the article, unless a different meaning clearly appears in the context:

Authorized officer. The term “authorized officer” shall mean the public safety and housing officer or their designee.

Dwelling. The word “dwelling” shall mean any building, structure or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith.

Governing body. The term “governing body” shall mean the City Council of the City of Florence.

Municipality. The word “municipality” shall mean the City of Florence.

Occupant. The word “occupant” shall mean any person(s) living and sleeping, either or both, in a dwelling or rooming unit.

Owner. The “owner” shall mean the holder of the title in fee simple and every mortgagee of record.

Parties in interest. The term “parties in interest” shall mean all individuals, associations, corporations and others who have interest of record in a dwelling and any who are in possession thereof.

Public authority. The term “public authority” shall mean any housing authority or any officer who is in charge of any department or branch of the government of the city or the state relating to health, fire, building regulations, or to other activities concerning dwellings in the city.

Public officer. The term “public officer” shall mean the public safety and housing officer, as designated by the City Manager, who is authorized by this article to exercise the power prescribed by this article and by §§ 31-15-10 through 31-15-120 of the South Carolina Code of Laws of 1976, as amended.

Reasonable cost. The term “reasonable cost” shall mean the repair, alteration or improvement of the dwelling to make it fit for human habitation, such that, the cost to make said repairs be under 50% of the value of the building as determined by the most recent assessed value by the Tax Assessor.

Unsafe equipment. The term “unsafe equipment” shall mean any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the dwelling which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or dwelling.

Unsafe dwelling. The term “unsafe dwelling” shall mean a dwelling that is found to be dangerous to the life, health, property or safety of the public or the occupants of the dwelling by not providing the minimum safeguards to protect or warn occupants in the event of fire, or because such dwelling contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Where terms are not defined in this article and are defined in the International Property Maintenance Code or any applicable building code(s) adopted by the state, they shall have the meanings ascribed to them in such materials.

Where terms are not defined under the provisions of this article; or the International Property Maintenance Code; or any applicable building code(s) adopted by the state, they shall have ascribed to them their ordinarily accepted meanings or such as the context herein may imply.

Sec. 4-415. Construction of article.

Nothing in this article shall be construed to abrogate or impair the powers of the court or of any department of the city to enforce any provisions of its chapter or its ordinances or regulations, nor to prevent or to punish violations thereof; and the powers conferred by this article shall be in addition and supplemental to the powers conferred by any other ordinance or law.

Sec. 4-416. Designated public safety and housing officer.

The chief building official or other public official as designated by the city manager shall be the public safety and housing officer. The fact that the designated person might also serve the city in some other capacity shall not, in itself, disqualify that person from otherwise serving as the public

safety and housing officer. It shall be the duty and responsibility of the public safety and housing officer to enforce the provisions of this article.

Sec. 4-417. Powers and duties of public safety and housing officer.

The public safety and housing officer is hereby authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this article, including the following powers in addition to others hereinbefore and hereinafter granted:

- (1) To investigate the dwelling conditions in the city in order to determine which dwellings t herein are unfit for human habitation;
- (2) To administer oaths, affirmations, examine witnesses, and receive evidence;
- (3) To enter upon premises for the purpose of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession;
- (4) To appoint and fix the duties of such officers, agents, and employees as he deems necessary to carry out the purposes of this article; and
- (5) To delegate any of his functions and powers under this article to such officer and agents as he may designate.

Sec. 4-418. Funds for examination and investigation; examination, investigations and enforcement; appropriations, grants and donations.

The city council shall prepare an estimate of the annual expenses or costs to provide the equipment, personnel and supplies necessary for periodic examinations and accept and apply grants or donations to assist it in carrying out the provisions of this article.

Sec. 4-419. Failure to comply with lawful notice or order.

It shall be unlawful for the owner of any dwelling unit unfit for human habitation under the provisions of this article to fail to comply with any notice or order to repair, vacate or demolish such dwelling issued by any person authorized by this article to issue such notice or order.

Sec. 4-420. Injuring, removing, or defacing posted notices.

It shall be unlawful for any person to remove or deface any notice posted on any dwelling by any authorized officer under the terms of this article.

Sec. 4-421. Receipt of rental payments after expiration of time limit in notice or order.

It shall be unlawful for any person, individually or as the representative of any person, to demand or receive rent payments after the expiration of any time limit set forth in any notice or order issued by the public safety and housing officer for any period during which a dwelling has been declared unfit for human habitation.

Sec. 4-422. Interference with enforcement of article.

- (a) It shall be unlawful for any person, individually or as the representative of any person, to interfere in any way with the enforcement of any of terms or provisions of this article.

- (b) It shall be unlawful for any person, individually or as the representative of any person, to cause a reduction in services or utilities, to increase rents or cause rents to be increased, in retaliation for any tenant's reporting of a violation of this article.
- (c) It shall be unlawful for any person, individually or as the representative or agent of any person, to allow a vacant dwelling which has been declared unfit for human habitation to be used or occupied during any period in which the public safety and housing officer has found such vacant dwelling to be unfit for human habitation and of which notice is given to the owner or his agent.
- (d) It shall be unlawful for any person, individually or as the representative of any person, to evict or cause to be evicted any inhabitant or tenant in retaliation for reporting a violation of this article to the public safety and housing officer or any other public authorities.
- (e) It shall be unlawful for any person to enter a dwelling unit which has been declared unfit for human habitation except for the purpose of making the required repairs or demolishing such structure.

Sec. 4-423. Damaging facilities in unfit dwellings.

It shall be unlawful for any person individual, or as the representative of any person, to damage, mutilate or remove, or cause to be damaged, mutilated or removed, any of the facilities in a dwelling, as referred to in this article or the code adopted by this article.

Sec. 4-424. – Violations.

It shall be unlawful for any person, individually or as the representative of any person, to violate any of the terms or provisions of this article.

SECTION 2 - DETERMINING HABITABILITY OF DWELLING STRUCTURES

Sec. 4-425. Minimum standards, generally.

- (a) A dwelling shall be determined to be unfit for human occupancy whenever it is found that such dwelling is to be an unsafe dwelling, or unlawful, or because of the degree to which the dwelling is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment or features required by the International Property Maintenance Code (or such amendments thereto, if applicable, prescribed by Section 4-412 of this article), or because the location of the dwelling constitutes a hazard to the occupants of the dwelling or to the public.
- (b) At a minimum, all dwelling structures shall have:
 - (1) Access to a code compliant exit from the building and every room used for sleeping;
 - (2) Fresh water from a South Carolina Department of Health and Environmental Control approved well or from a public water system supplied to the individual building through an onsite water meter;

- (3) On-site sanitary waste disposal provided by a South Carolina Department of Health and Environmental Control approved septic system or from an approved private or public wastewater system;
- (4) Electricity from the public utility company provided through an on-site electric meter or a city-approved alternative power source;
- (5) An approved source of heat from October 1st through May 1st that maintains a minimum temperature within the building set forth within the International Property Maintenance Code; and
- (6) A lock for all exterior doors.
- (7) Any violation related to the habitability of the structure as defined within City of Florence Codes and Ordinances, the International Property Maintenance Code (IPMC), the Fair Housing Act, and the South Carolina Residential Landlord and Tenant Act.

Sec. 4-426. Complaint of building unfit for human habitation; notice of hearing thereon.

Whenever a petition is filed with the public safety and housing officer by a public authority or by at least five (5) residents of the city charging that any dwelling is unfit for human habitation or whenever it appears to the public safety and housing officer (on his own motion) that any dwelling is unfit for human habitation, the public safety and housing officer shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such dwelling, a complaint stating the charges in that respect and containing a notice that a hearing will be held before the public safety and housing officer (or his designated agent) at a place therein fixed not less than ten (10) days nor more than thirty (30) days after the serving of such complaint.

Sec. 4-427. Right to answer.

The owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the time and place fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the public safety and housing officer.

Sec. 4-428. Determination of unfitness for human habitation; order to repair, alter, improve or demolish.

If, after notice and hearing, as provided for in Section 4-426, the public safety and housing officer determines that the dwelling under consideration is unfit for human habitation he shall state in writing his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order:

- (1) If the repair, alteration or improvement of the dwelling can be made at a reasonable cost in relation to the value of the dwelling, requiring the owner, within the time specified in the order, to repair, alter, or improve such dwelling to render it fit for human habitation or to vacate and close the dwelling as a human habitation; or

- (2) If the repair, alteration or improvement of such dwelling cannot be made at a reasonable cost in relation to the value of the dwelling, requiring the owner, within the time specified in the order, to remove or demolish such dwelling.

Sec. 4-429. Repair , vacate or closing of building when owner fails to comply with order; posting of placard indicating that building is closed.

If the owner fails to comply with an order to repair, alter or improve or to vacate and close the dwelling, as provided in Section 4-428, the public safety and housing officer may cause such dwelling to be repaired, altered, or improved or to be vacated and closed; and the public safety and housing officer may cause to be posted on the main entrance of any dwelling so closed, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful.

Sec. 4-430. Removal or demolition of building when owner fails to comply with order.

If the owner fails to comply with an order to remove or demolish the dwelling, as provided in Section 4-428, the public safety and housing officer may cause such dwelling to be removed or demolished.

Sec. 4-431. Cost of demolition or repair as lien; sale of material upon demolition of building; council's powers to declare nuisance.

The amount of the cost of repairs, alterations, or improvements, or vacating and closing, or removal and demolition by the public safety and housing officer, under Sections 4-428 and 4-429 shall be a lien against the real property upon which such cost was incurred. If the dwelling is removed or demolished by the public safety and housing officer, the public safety and housing officer must make determination of any materials within the property is of value. If it is determined that any material is of value he shall sell the materials of such dwelling and shall credit the proceeds of such sale against the cost of the removal and demolition and any balance remaining shall be deposited in the circuit court by the public safety and housing officer, shall be secured in such manner as may be directed by such court, and shall be disbursed by such court to the person found to be entitled thereto by final order or decree of such court; provided, however, that nothing in this article shall be construed to impair or limit in any way the power of the city council to define and declare nuisances and to cause their removal or abatement, by summary proceedings or otherwise.

Sec. 4-432. Service of complaints and orders; posting of copy of complaint or order; copy of complaint or order to be filed with clerk of county; effect of such filing as lis pendens.

Complaints or orders issued by the public safety and housing officer pursuant to this article shall be served upon persons either personally or by registered mail, but if the whereabouts of such persons is unknown and the same cannot be ascertained by the public safety and housing officer in the exercise of reasonable diligence, and the public safety and housing officer shall make an affidavit to that effect, then the serving of such complaint or order upon such persons may be made by publishing the same once each week for two (2) consecutive weeks in a newspaper printed and published in the city. In addition to publication, a copy of such complaint or order shall be posted in a conspicuous place on the premises affected by the complaint or order. A copy of such complaint or order shall also be filed with the clerk of the county and the county register of deeds office, and such filing of the complaint or order shall have the same force and effect as other lis pendens notices provided by law.

Sec. 4-433. Appeal

- (a) Any person directly affect by a decision or notice of the public safety and housing officer issued under this article shall have the right to appeal to the Construction Maintenance Board of Adjustment and Appeals, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice, or order was served. The time to appeal shall be extended for ten (10) days if an informal conference with the Public Officer has been requested and scheduled within the initial twenty (20) day period.
- (b) An application for the appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or the requirements of this Code are adequately satisfied by other means.
- (c) The membership, term of members, quorum, appeal procedure, and decisions of the Construction Maintenance Board of Adjustment and Appeals shall be in accordance with Chapter 4, Article 2 of the City of Florence Code of Ordinances.
- (d) The public safety and housing officer shall provide notice of the final decision within five (5) days of the date of the decision.
- (e) In the event the notice of violation or any part thereof is upheld on appeal, the Construction Maintenance Board of Adjustment and Appeals shall provide the owner a determined amount of time to cure the violation.
- (f) In the event the owner fails to cure after losing the appeal, the public officer shall proceed with the actions outlined within Section 4-428 thru Section 4-431 of this ordinance.

Sec. 4-434. Injunctive relief against public officer; damages not to flow from order of public safety and housing committee.

- (a) Any person affected by an order issued by the public safety and housing officer or by the Construction Maintenance Board of Adjustment and Appeals may petition the circuit court for an injunction restraining the public safety and housing officer from carrying out the provisions of the order, and the court may, upon such petition, issue a temporary injunction restraining the public safety and housing officer pending the final disposition of the case, provided, however, that within sixty (60) days after the posting and service of the order of the public safety and housing officer such persons shall petition such court. Hearings shall be had by the court on such petitions within twenty (20) days or as soon thereafter as possible.
- (b) The court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. In all such proceedings the findings of the public safety and housing officer as to facts, if supported by evidence, shall be conclusive. Costs shall be in the discretion of the court. The remedies herein provided shall be exclusive remedies and no person affected by an order of the public safety and housing officer shall be entitled to recover any damages for action taken pursuant to any order of the public safety and housing officer, or because of compliance by the chief building official, the director of code enforcement, or the fire chief with any order of the public safety and housing officer.

Sec. 4-435. Immunity of enforcement personnel from liability.

Except as may otherwise be provided by statute or local law or ordinance, no officer, agent or employee of the municipality charged with the enforcement of this article shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this article. No person who institutes, or assists in the prosecution of, a criminal proceeding under this article shall be liable to damages hereunder unless he acted with actual malice and without reasonable grounds for believing that the person accused or prosecuted was guilty of an unlawful act or omission. Any suit brought against any officer, agent, or employee of the municipality, as a result of any act required or permitted in the discharge of his duties under this article, shall be defended by the legal representative of the municipality until the final determination of proceedings therein.

Sec. 4-436. Article provisions are cumulative.

Nothing in this article shall be construed to abrogate or impair the powers of the courts or of any department of any municipality to enforce any provisions of its charter or its ordinances or regulations, or to prevent or punish violations thereof and the powers conferred by this article shall be in addition and supplemental to the powers conferred by any other law.

Sec. 4-437. Severability.

It is declared the intent of city council that the sections, subsections, paragraphs, sentences, clauses and phrases of this article are severable; and if any such provision shall be declared unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, it shall not affect the validity or enforceability of any remaining provisions of this article, and it is the intent of city council that such provisions shall continue in full force and affect.

Sec. 4-438-480. Reserved.

FLORENCE CITY COUNCIL MEETING

DATE: February 10, 2025

AGENDA ITEM: An Ordinance to annex and zone Neighborhood Conservation – 15 (NC-15) the lots at 924, 928, and 932 Barclay Drive, TMNs 07212-01-043, 07212-01-037, and 07212-01-042.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex three lots located at 924, 928, and 932 Barclay Drive, identified as Florence County Tax Map Numbers 07212-01-043, 07212-01-037, and 07212-01-042, into the City of Florence and assign them the zoning designation of Neighborhood Conservation – 15 (NC-15). The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On January 14, 2025, the City of Florence Planning Commission held a public hearing on this matter, and voted unanimously, 7-0, not to recommend the zoning request of NC-15, Neighborhood Conservation-15.

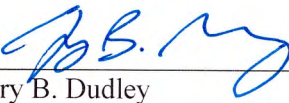
III. POINTS TO CONSIDER:

- (1) City water and sewer services are currently available; there is no cost to extend utilities.
- (2) During staff's evaluation of the proposed annexation, the following concerns were noted:
 - Vintage Place subdivision has significant degradation of the roadways as well as stormwater drainage infrastructure and outfall failures.
 - Provision of sanitation services will create a lack of efficiency due to the location and current service area as well as increase road degradation.
 - The parcels do not meet the City requirement for lot width.
- (3) A Public Hearing for zoning was held at the January 14, 2025 Planning Commission meeting. Residents of Vintage Place expressed similar concerns to the those identified by staff. Additionally, residents noted a past attempt (2016) to conduct a 75% method annexation of the entire subdivision which failed to receive the necessary petitions from residents of Vintage Place.
- (4) City staff does not recommend annexation and concurs with Planning Commission's recommendation to deny the request to zone the property NC-15, Neighborhood Conservation-15.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

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



Jerry B. Dudley
Planning Director



Scotty Davis
City Manager

ORDINANCE NO. 2025 - _____

**AN ORDINANCE TO ANNEX AND ZONE NEIGHBORHOOD CONSERVATION – 15 (NC-15)
924, 928, AND 932 BARCLAY DRIVE, TMNs 07212-01-043, 07212-01-037, AND 07212-01-042.**

WHEREAS, a Public Hearing was held in the Council Chambers on January 14, 2025 at 6:00 P.M. before the City of Florence Planning Commission, and notice of said hearing was duly given;

WHEREAS, application by Stroud Holdings, LLC, owner of TMNs 07212-01-043, 07212-01-037, and 07212-01-042, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated into the City limits of the City of Florence under the provisions of Section 5-3-150(3) of the 1976 Code of Laws of South Carolina and given the zoning district classification of NC-15:

The properties requesting annexation are shown more specifically on Florence County Tax Map 07212, block 01, parcel 043 (0.863498 acre); Florence County Tax Map 07212, block 01, parcel 037 (1.057291 acre); and Florence County Tax Map 07212, block 01, parcel 042 (0.936146 acre).

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

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

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

- 1. That an Ordinance is hereby adopted annexing into the City Limits of the City of Florence the aforesaid property and amending the Zoning Atlas to the aforesaid zoning classifications.**
- 2. That this Ordinance shall become effective in 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 _____, 2025

Approved as to form:

Benjamin T. Zeigler,
City Attorney

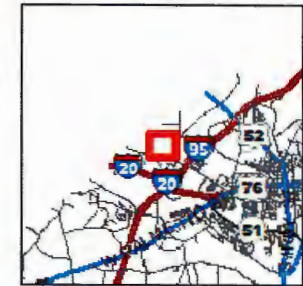
Lethonia Barnes,
Mayor

Attest:

Casey C. Moore,
Municipal Clerk

PC-2025-03

Vicinity Map - 924, 928, & 932 Barclay Drive



Legend

- City Limits
- Parcels



DISCLAIMER:
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200 100 0 200 Feet

Date: 12/18/2023

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

Petition requesting Florence City Council to enact an Ordinance annexing the area described below, that area being the same property as shown by the map prepared by the City of Florence Planning, Research, and Development Department, attached and incorporated by reference herein:

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

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
2. That the petitioner(s) desires to annex the property more particularly described below:

Florence County Tax Map

07212-01-042, -037, -043

3. Annexation is being sought for the following purposes:

City water and sewer

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

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

Total Residents
Race
Total 18 and Over
Total Registered to Vote

Date 11-21-24

W. K. C. Jr.
Petitioner

Date _____

Petitioner

Certification as to ownership on the date of petition:

FOR OFFICIAL USE ONLY

Date 11/21/24

A3

FLORENCE CITY COUNCIL MEETING

DATE: February 10, 2025

AGENDA ITEM: An Ordinance to annex and zone Commercial General (CG) the lot located at the intersection of Gilbert Drive and Freedom Boulevard, TMN 00178-01-244.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex the lot located at the intersection of Gilbert Drive and Freedom Boulevard, with Tax Map Number 00178-01-244, into the City of Florence and assign it the zoning designation of Commercial General (CG). The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On January 14, 2025, the City of Florence Planning Commission held a public hearing on this matter, and voted unanimously, 7-0, to recommend the zoning designation of Commercial General (CG).


III. POINTS TO CONSIDER:

- (1) The parcel is immediately adjacent to commercially zoned property also owned by the developers of the Freedom Estates subdivision.
- (2) City water service is available along Freedom Boulevard; however, City sewer service is not available and will be extended by the developer.
- (3) A Public Hearing for zoning was held at the January 14, 2025 Planning Commission meeting.
- (4) City staff recommends annexation and concurs with Planning Commission's recommendation to approve the request to zone the property Commercial General (CG).

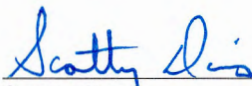
IV. PERSONAL NOTES:

V. ATTACHMENTS:

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



Jerry B. Dudley
Planning Director



Scotty Davis
City Manager

ORDINANCE NO. 2025 - _____

**AN ORDINANCE TO ANNEX AND ZONE COMMERCIAL GENERAL (CG) THE PARCEL AT
GILBERT DRIVE AND FREEDOM BOULEVARD, TMN 00178-01-244.**

WHEREAS, a Public Hearing was held in the Council Chambers on January 14, 2025 at 6:00 P.M. before the City of Florence Planning Commission, and notice of said hearing was duly given;

WHEREAS, application by Palmetto Corporation of Conway, owner of TMN 00178-01-244, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated into the City limits of the City of Florence under the provisions of Section 5-3-150(3) of the 1976 Code of Laws of South Carolina and given the zoning district classification of CG:

The property requesting annexation is shown more specifically on Florence County Tax Map 00178, block 01, parcel 244 (0.648692 acre).

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

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

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

- 1. That an Ordinance is hereby adopted annexing into the City Limits of the City of Florence the aforesaid property and amending the Zoning Atlas to the aforesaid zoning classifications.**
- 2. That this Ordinance shall become effective in 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 _____, 2025

Approved as to form:

Benjamin T. Zeigler,
City Attorney

Lethonia Barnes,
Mayor

Attest:

Casey C. Moore,
Municipal Clerk



City Limits
Parcels
Proposed Parcel

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FLORENCE
SOUTH CAROLINA

DISCLAIMER:
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100 50 0 100 Feet

Doc. 02 1272752024

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

Petition requesting Florence City Council to enact an Ordinance annexing the area described below, that area being the same property as shown by the map prepared by the City of Florence Planning, Research, and Development Department, attached and incorporated by reference herein:

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

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
2. That the petitioner(s) desires to annex the property more particularly described below:

Florence County Tax Map Number: 00178-01-244

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

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

Total Residents	<u>0</u>	Race	<u>0</u>
Total 18 and Over	<u>0</u>	Total Registered to Vote	<u>0</u>

APPLICANT (S) (Please print or type):

Name(s): Shawn Godwin, Palmetto Corp of Conway

Address: PO Box 346, Conway SC 29528

Telephone Numbers: 843-458-6748 [work] [home]

Email Address: wkennard@palmettocorp.com

Signature Shawn Godwin Date 12/11/24

Certification as to ownership on the date of petition	FOR OFFICIAL USE ONLY
Date <u>12/11/24</u>	<u>AJ</u>

FLORENCE CITY COUNCIL MEETING

DATE: February 10, 2025

AGENDA ITEM: An Ordinance to annex and zone General Residential-2 (RG-2) the lots located at 1001 Tunbridge Place and 3740 West Lake Drive, TMNs 00751-01-279 and 00751-01-282.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex the lots located at 1001 Tunbridge Place and 3740 West Lake Drive, with Tax Map Numbers 00751-01-279 and 00751-01-282, into the City of Florence and assign them the zoning designation of General Residential-2 (RG-2). The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On January 14, 2025, the City of Florence Planning Commission held a public hearing on this matter, and voted unanimously, 7-0, to recommend the zoning designation of General Residential-2 (RG-2).

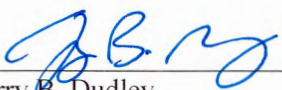
III. POINTS TO CONSIDER:

- (1) City water and sewer services are currently available, with no cost to extend utilities.
- (2) A Public Hearing for zoning was held at the January 14, 2025 Planning Commission meeting.
- (3) The applicant is proposing a single-family detached home to be constructed on each lot. The City of Florence Unified Development Ordinance allows for construction of the two homes similar to the existing built environment. This is the applicant's primary purpose for annexation.
- (4) City staff recommends annexation and concurs with Planning Commission's recommendation to approve the request to zone the properties General Residential-2 (RG-2).

IV. PERSONAL NOTES:

V. ATTACHMENTS:

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


Jerry B. Dudley
Planning Director


Scotty Davis
City Manager

ORDINANCE NO. 2025 - _____

AN ORDINANCE TO ANNEX AND ZONE GENERAL RESIDENTIAL -2 (RG-2) THE LOTS AT 1001 TUNBRIDGE PLACE AND 3740 WEST LAKE DRIVE, TMNs 00751-01-279 AND 00751-01-282.

WHEREAS, a Public Hearing was held in the Council Chambers on January 14, 2025 at 6:00 P.M. before the City of Florence Planning Commission, and notice of said hearing was duly given;

WHEREAS, application by Tri Point Properties LLC, owner of TMNs 00751-01-279 and 00751-01-282, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated into the City limits of the City of Florence under the provisions of Section 5-3-150(3) of the 1976 Code of Laws of South Carolina and given the zoning district classification of RG-2:

The properties requesting annexation are shown more specifically on Florence County Tax Map 00751, block 01, parcel 279 (0.144629 acre) and Tax Map 00751, block 01, parcel 282 (0.173579 acre).

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

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

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

- 1. That an Ordinance is hereby adopted annexing into the City Limits of the City of Florence the aforesaid property and amending the Zoning Atlas to the aforesaid zoning classifications.**
- 2. That this Ordinance shall become effective in 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 _____, 2025

Approved as to form:

Benjamin T. Zeigler,
City Attorney

Lethonia Barnes,
Mayor

Attest:

Casey C. Moore,
Municipal Clerk

PC 2025-05

Vicinity Map - 1001 Tunbridge Place & 3740 West Lake Drive



Legend

- City Limits
- Parcels
- Proposed Parcel

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FLORENCE
SOUTH CAROLINA

DISCLAIMER:
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40 20 0 40 Feet

Date: 1/27/2024

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

Petition requesting Florence City Council to enact an Ordinance annexing the area described below, that area being the same property as shown by the map prepared by the City of Florence Planning, Research, and Development Department, attached and incorporated by reference herein:

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

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
2. That the petitioner(s) desires to annex the property more particularly described below:

Florence County Tax Map

00751-01-279
00751-01-282

3. Annexation is being sought for the following purposes:

Build 3 Single Family Residences

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

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

Total Residents
Race
Total 18 and Over
Total Registered to Vote

Date 12-11-24

Dawn Kennedy
Petitioner

Date _____

Petitioner

Certification as to ownership on the date of petition:

Date 12/11/24

FOR OFFICIAL USE ONLY

03

FLORENCE CITY COUNCIL MEETING

DATE: February 10, 2025

AGENDA ITEM: An ordinance to amend Section 4-16.3.1 of the City of Florence Unified Development Ordinance, and to adopt The City of Florence Downtown Design Standards.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

The adoption of the recently updated City of Florence Downtown Design Standards and amendment of Section 4-16.3.1 of the Unified Development Ordinance which references the City of Florence Downtown Design Standards.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

- (1) On January 8, 2025, the City of Florence Design Review Board held a public hearing on the updated City of Florence Downtown Design Standards and voted unanimously (6-0) to recommend that the City of Florence Downtown Design Standards be adopted.
- (2) On January 14, 2025, the City of Florence Planning Commission held a public hearing on this matter and voted unanimously (7-0) to recommend that the updated City of Florence Downtown Design Standards be adopted and Section 4-16.3.1 of the Unified Development Ordinance be amended in reference.

III. POINTS TO CONSIDER:

- (1) The purpose of the Unified Development Ordinance is to implement the Comprehensive Plan adopted June 12, 2023, guide development in accordance with existing and future needs, and promote the public health, safety, convenience, order, appearance, prosperity, and general welfare, as well as providing for the orderly development of land within the territorial jurisdiction of the City of Florence.
- (2) The Unified Development Ordinance adopts and incorporates design guidelines and standards for development within the City's historic overlay districts by reference.
- (3) The previous Design Guidelines for Downtown Florence, SC were originally written in 2005 and adopted in 2008.
- (4) City staff worked with the consulting firm Bolton & Menk, Inc. to development and design updated standards for the historic overlay districts. The process included public input sessions as well as input and review sessions with a steering committee comprised of key stakeholders.
- (5) The updated standards provide clarity and direction to property owners and developers within those districts and provide guidance for staff and the Design Review Board in their task to approve projects within those districts.
- (6) The proposed City of Florence Downtown Design Standards can be viewed online at: https://www.cityofflorence.com/sites/default/files/uploads/24-1211-florence_design_standards_draft_pages.pdf

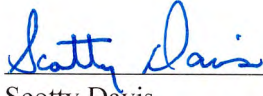
IV. PERSONAL NOTES:

V. ATTACHMENTS:

A) Ordinance



Jerry Dudley
Planning Director



Scotty Davis
City Manager

ORDINANCE NO. 2025-_____

AN ORDINANCE TO AMEND SECTION 4-16.3.1 OF THE CITY OF FLORENCE UNIFIED DEVELOPMENT ORDINANCE AND ADOPT THE CITY OF FLORENCE DOWNTOWN DESIGN STANDARDS:

WHEREAS, a Public Hearing was held in City Council Chambers on January 8, 2025 before the City of Florence Design Review Board and notice of said hearing was duly given;

WHEREAS, a Public Hearing was held in City Council Chambers on January 14, 2025 before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, the purpose of the Unified Development Ordinance is to implement the Comprehensive Plan adopted June 12, 2023, guide development in accordance with existing and future needs, and promote the public health, safety, convenience, order, appearance, prosperity, and general welfare, as well as providing for the orderly development of land within the territorial jurisdiction of the City of Florence;

WHEREAS, the Design Review Board, Planning Commission, and City Staff recommend the adoption of the City of Florence Downtown Design Standards and the proposed text amendment as they guide development in a manner consistent with the stated purpose of the Unified Development Ordinance.

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

1. That the City of Florence Downtown Design Standards are hereby adopted as an amendment to the Unified Development Ordinance;
2. That the Unified Development Ordinance applicable to the City of Florence hereby amends Section 4-16.3.1, which will read in whole as follows:

“In the interest of promoting the cultural, economic, and general welfare of the public by providing a mechanism for the identification, recognition, conservation, maintenance, protection, and enhancement of the existing architecturally valuable structures and to promote the redevelopment and revitalization of the City’s traditional downtown area by ensuring its harmonious, orderly, and efficient growth and redevelopment, the design guidelines ~~standards~~ are adopted and incorporated by reference.”

ADOPTED THIS _____ DAY OF _____, 2025

Approved as to form:

Benjamin T. Zeigler
City Attorney

Lethonia Barnes
Mayor

Attest:

Casey C. Moore
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: February 10, 2025

AGENDA ITEM: An Ordinance to amend the City of Florence Unified Development Ordinance to maintain compliance with the current Federal Emergency Management Agency (FEMA) regulations relating to the flood hazard area and to adopt the revised Flood Insurance Rate Map (FIRM).

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Proposed text amendments to the City of Florence Unified Development Ordinance Section 4-12.5.1 Riparian Buffer Requirements, B. Boundaries and Specifications; Section 4-12.6.1 Adoption of Flood Hazard Area Maps; Section 4-12.6.3 Provisions for Flood Hazard Reduction, 1. General Standards; and Division 7-25.2 Definitions (N).

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

- (1) On January 14, 2025, the City of Florence Planning Commission held a public hearing on this matter and voted unanimously (7-0) to recommend the proposed amendments.


III. POINTS TO CONSIDER:

- (1) The Federal Emergency Management Agency (FEMA) periodically evaluates flood hazards within municipalities to update and maintain accurate Flood Insurance Rate Maps (FIRM) which identify Special Flood Hazard Areas (SFHAs). The maps have been revised and will become effective on March 25, 2025.
- (2) To maintain eligibility in the National Flood Insurance Program (NFIP), the City of Florence is required to adopt the updated FIRM maps and FEMA's floodplain management regulations.
- (3) Preliminary flood hazard maps for the Lower Pee Dee region were released in 2022 and three Open House meetings were held in Darlington and Florence Counties. Local Certified Floodplain Managers, representatives from the SC State Floodplain Office, and professional consultants from the mapping team were available to answer questions and address concerns regarding the revised maps.
- (4) A 90-day appeal period was held from December 5, 2023 to March 4, 2024 to provide residents and property owners a formal opportunity to review and provide feedback on the preliminary flood hazard maps. No appeals were received regarding the revised map withing the City of Florence.
- (5) The following sections of the City of Florence Unified Development Ordinance require updates to maintain compliance with FEMA regulations:
 - a. Section 4-12.5.1 Riparian Buffer Requirements B. Boundaries and Specifications,
 - b. Section 4-12.6.1 Adoption of Flood Hazard Area Maps,
 - c. Section 4-12.6.3 Provisions for Flood Hazard Reduction, 1. General Standards,
 - d. Division 7-25.2 Definitions (N).

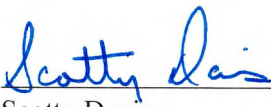
IV. PERSONAL NOTES:

V. ATTACHMENTS:

A) Ordinance



Jerry Dudley
Planning Director



Scotty Davis
City Manager

ORDINANCE NO. 2025-_____

**AN ORDINANCE TO AMEND THE CITY OF FLORENCE UNIFIED DEVELOPMENT
ORDINANCE RELATING TO THE FLOOD HAZARD AREA TO MAINTAIN COMPLIANCE
WITH CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)
REGULATIONS AND ADOPT THE REVISED FEMA FLOOD INSURANCE RATE MAP
(FIRM)**

WHEREAS, a Public Hearing was held in City Council Chambers on January 14, 2025 before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, the Federal Emergency Management Agency (FEMA) has completed a re-evaluation of the flood hazards within the City of Florence necessitating a revised Flood Insurance Rate Map (FIRM), which will become effective March 25, 2025;

WHEREAS, the City of Florence is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt the revised FIRM and floodplain management regulations established by FEMA;

WHEREAS, the Planning Commission and City Staff recommend the proposed text amendments as they guide development in a manner consistent with the stated purpose of the Unified Development Ordinance.

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

- 1. That the provisions of the Unified Development Ordinance applicable to the City of Florence be, and the same are hereby amending Section 4-12.5.1.B.1; Section 4-12.6.1; Section 4-12.6.3.1; and Division 7-25.2 (N) et seq., which will read in whole as follows;**

Division 4-12.5.1 Riparian Buffers Requirement

B. Boundaries and Specifications. The riparian buffer requirements associated with each type of water body are as follows:

1. Level I Water Bodies. Level I water bodies include Black Creek, Jeffries Creek, and Middle Swamp.

- a. The Jeffries Creek riparian buffer is a non-development overlay district.
- b. A buffer shall be maintained within the floodway, and 20 feet outside of the floodway, as delineated on the Flood Insurance Rate Map (FIRM), dated ~~December 16, 2014~~, **March 25, 2025**, as amended from time to time.
- c. Improvements or other activities that are recognized to disturb land, increase the impervious area, or degrade water quality are not permitted unless demonstrated that said impacts provide for a net reduction of impervious area, contribute to an increased improvement in water quality, preservation of the overall scenic beauty and wildlife habit and floodplain functionality.
- d. Exceptions may be granted for water access (e.g. boardwalks, docks, etc.) or permitted by the Director of Utilities when disturbance is necessary to facilitate drainage in unusual circumstances.
- e. The riparian buffer for Level I water bodies are divided into the following zones:
 1. Zone 1. A riparian buffer of at least 20 feet is required on each (outer) side of the floodway. This 20-foot offset area shall consist of forest, small trees/shrubs, grassed areas, walking paths, and/or other passive recreational areas.
 2. Zone 2. A riparian buffer of at least 20 feet is also required on each (inner) side of the floodway, if available. Clear-cutting is not permitted within the 20-foot offset area. It shall consist of naturally landscaped areas including canopy trees and small trees/shrubs.
 3. Zone 3. All remaining areas within the established floodway shall be left undisturbed in perpetuity.

Section 4-12.6.1 Adoption of Flood Hazard Area Maps

1. This ordinance shall apply to all areas of special flood hazard within the jurisdiction of the City of Florence as identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study, dated ~~December 16, 2014~~ **March 25, 2025** with accompanying maps and other supporting data that are hereby adopted by reference and declared to be a part of this ordinance.

2. Upon annexation, any special flood hazard areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study for the unincorporated areas of Florence County, with accompanying map and other data are adopted by reference and declared part of this ordinance.

Section 4-12.6.3 Provisions for Flood Hazard Reduction

1. General Standards

Development may not occur in the Special Flood Hazard Area (SFHA) where alternative locations exist due to the inherent hazards and risks involved. Before a permit is issued, the applicant shall demonstrate that new structures cannot be located out of the SFHA and that encroachments onto the SFHA are minimized. In all areas of special flood hazard the following provisions are required:

a. Reasonably Safe from Flooding - Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding.

a. b. Anchoring - All new construction and substantial improvements shall be anchored to prevent flotation, collapse, and lateral movement of the structure.

b. c. Flood Resistant Materials and Equipment - All new construction and substantial improvements shall be constructed with flood resistant materials and utility equipment resistant to flood damage in accordance with Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, dated 8/08, and available from the Federal Emergency Management Agency.

e. d. Minimize Flood Damage - All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damages,

d. e. Critical Development - shall be elevated to the 500 year flood elevation or be elevated to the highest known historical flood elevation (where records are available), whichever is greater. If no data exists establishing the 500 year flood elevation or the highest known historical flood elevation, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates 500 year flood elevation data,

e. f. Utilities - Electrical, ventilation, plumbing, heating and air conditioning equipment (including ductwork), and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of the base flood plus one foot (freeboard).

f. g. Water Supply Systems - All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system,

g. h. Sanitary Sewage Systems – New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding,

h. i. Gas Or Liquid Storage Tanks – All gas or liquid storage tanks, either located above ground or buried, shall be anchored to prevent floatation and lateral movement resulting from hydrodynamic and hydrostatic loads.

i. j. Alteration, Repair, Reconstruction, Or Improvements - Any alteration, repair, reconstruction, or improvement to a structure that is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance. This includes post-FIRM development and structures.

j. k. Non-Conforming Buildings or Uses - Non-conforming buildings or uses may not be enlarged, replaced, or rebuilt unless such enlargement or reconstruction is accomplished in conformance with the provisions of this ordinance. Provided, however, nothing in this ordinance shall prevent the repair, reconstruction, or replacement of an existing building or structure located totally or partially within the floodway, provided that the bulk of the building or structure below base flood elevation in the floodway is not increased and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance,

k. l. American with Disabilities Act (ADA) - A building must meet the specific standards for floodplain construction outlined in Section 4-12.6.3, as well as any applicable ADA requirements. The ADA is not justification for issuing a variance or otherwise waiving these requirements. Also, the cost of improvements required to meet the ADA provisions shall be included in the costs of the improvements for calculating substantial improvement.

Division 7-25.2 Definitions (N)

New manufactured home park or subdivision - a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs) is completed on or after December 01, 1981.

ADOPTED THIS _____ DAY OF _____, 2025

Approved as to form:

Benjamin T. Zeigler
City Attorney

Lethonia Barnes
Mayor

Attest:

Casey C. Moore
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: February 10, 2025

AGENDA ITEM: Resolution

DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

A Resolution to proclaim February 23 - March 1, 2025 as Montessori Education Week in the City of Florence.

II. POINTS TO CONSIDER:

1. Founded by Dr. Maria Montessori, the Montessori Method is a child-centered educational approach based on scientific observations of children from birth to adulthood.
2. Montessori Education Week is an annual event that celebrates the Montessori philosophy and its approach to learning.
3. The Montessori School of Florence began in 1976 with the mission to make available to the children and families of Florence, SC and its surrounding area, both pre-school and elementary education of the highest quality, consistent with the method and principles of Montessori education.

III. ATTACHMENTS:

1. Proposed Resolution



Scotty Davis
City Manager

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

RESOLUTION 2025-04

**A RESOLUTION TO PROCLAIM FEBRUARY 23 – MARCH 1, 2025
AS MONTESSORI EDUCATION WEEK IN THE CITY OF FLORENCE.**

WHEREAS, based on her observations of children and the manner by which they learn, Dr. Maria Montessori developed an innovative philosophy of education in the early 1900s that continues to influence learning across our city, state and nation; and

WHEREAS, the Montessori program is a system for the education of children from birth through the age of eighteen that uses materials, techniques, and observations that support the students' natural development; encourage their learning, independence, and self-confidence; and advance the principles of peace through responsible citizenship; and

WHEREAS, the Montessori Method allows students in multi-age groupings to learn and grow at their own pace through individualized instruction, small and large group learning, and cooperative peer learning situations in an environment that nurtures the needs and potential of each child.

NOW, THEREFORE BE IT RESOLVED, WE, the City Council of the City of Florence, do hereby proclaim February 23 – March 1, 2025 as Montessori Education Week throughout the City of Florence and we encourage all citizens to recognize our Montessori schools, students, and educators for their contributions to education in Florence.

RESOLVED THIS 10th DAY OF FEBRUARY 2025.

Approved as to form:

BENJAMIN T. ZEIGLER
CITY ATTORNEY

LETHONIA BARNES
MAYOR

ATTEST:

CASEY C. MOORE
MUNICIPAL CLERK

FLORENCE CITY COUNCIL MEETING

DATE: February 10, 2025
AGENDA ITEM: Resolution
DEPARTMENT/DIVISION: City Council
Sponsored by Councilman Chaquez McCall

I. ISSUE UNDER CONSIDERATION:

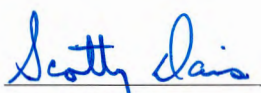
A Resolution to adopt the South Carolina Municipal Association 2025 Advocacy Initiatives.

II. POINTS TO CONSIDER:

1. The Municipal Association of South Carolina identified major challenges facing cities and towns in the state through an all-inclusive process involving hundreds of municipal officials.
2. The 2025 Advocacy Initiatives represent solutions to challenges that can be addressed through changes to state law.

III. ATTACHMENTS:

1. Proposed Resolution
2. 2025 Advocacy initiatives



Scotty Davis
City Manager

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

Resolution No. 2025-05

A Resolution to adopt the South Carolina Municipal Association 2025 Advocacy Initiatives.

WHEREAS, cities and towns in South Carolina are the government closest to the people providing the core services residents and businesses demand for an exceptional quality of life; and

WHEREAS, local decisions affecting residents and local businesses should be made by local leaders; and

WHEREAS, cities and towns seek to make numerous small changes in current state law to support new and existing local industry and businesses, changes in public health and safety, and continuity of service delivery; and

WHEREAS, cities and towns seek to support legislation that adds more tools to the toolbox for local governments to expand and create programs to help residents and businesses; and

WHEREAS, the City of Florence fully supports the 2025 advocacy initiatives set forth by the Municipal Association of SC board of directors for city and town councils to govern effectively and efficiently; and

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Florence affirms its support for the Municipal Association's 2025 advocacy initiatives for the benefit of all of South Carolina's 271 cities and towns.

RESOLVED THIS 10th DAY OF FEBRUARY 2025.

Approved as to form:

CITY ATTORNEY

LETHONIA BARNES
MAYOR

ATTEST:

CASEY C. MOORE
MUNICIPAL CLERK

2025 MASC Advocacy Initiatives

- **Protect the authority of cities and towns to regulate short-term rentals within municipal boundaries.**

Local leaders, working with residents, neighborhoods and businesses, know best how to regulate and manage short-term rentals. Local regulation of short-term rental properties is critical for public health and safety, as well as the general viability and preservation of neighborhoods. A one-size-fits-all statewide approach in diverse South Carolina cities and towns is not the solution. Local leaders working with residents and businesses are at the best level of government to determine the level of regulation of short-term rentals.

- **Allow cities and towns with no property tax millage to impose a millage within certain limitations.**

Millage is a vital tool for cities and towns to generate revenue for law enforcement, emergency and fire services, road maintenance, parks and community programs. Legislation codifying that cities and towns have the ability to impose an operating millage will allow communities to generate much-needed revenue that will improve and maintain quality of life for local residents. This legislation would clarify that cities and towns without an operating millage may impose a millage within certain limitations.

- **Support additional funding in the state budget and other resources for mental health services.**

Officials in cities and towns know firsthand how the lack of mental health services can impact a community. Additional mental health funding and resources would give cities and towns more opportunities to offer services to help residents. Mental health issues affect people of all ages, backgrounds and socioeconomic statuses. Prioritizing mental health can help address hardships in the community and improve public health outcomes across the board.

- **Allow cities and towns to close doughnut holes, or enclaves, in their municipal limits through a local annexation process while preserving current annexation powers.**

Enclaves, or doughnut holes, are unincorporated areas surrounded by a municipality. Enclaves are a logistical nightmare for city and county officials, who have to duplicate services to pick up garbage, fill in potholes and provide other local services. They pose a danger to public safety because police and firefighters have to determine emergency response. The duplicative services they create also drive up the cost of government. The Association will continue to advocate for legislation to close doughnut holes and fight against any legislation that preempts municipalities' authority from current annexation laws.

- **Support efforts to help solve the liquor liability insurance burden on small businesses.**

The rising cost of liquor liability insurance in South Carolina is negatively impacting small businesses and forcing businesses to close. A statewide solution is needed to solve this problem that is creating burdensome circumstances for local restaurants.

Downtowns are a vital place in cities and towns. Local officials work tirelessly to attract businesses, including restaurants, to downtowns where residents and visitors can enjoy a positive quality of life. The increasing insurance costs are causing restaurants to close and leave abandoned buildings in downtowns.

- **Allow cities and towns to place a Municipal Project Sales Tax penny on a referendum for city residents to vote on additional revenue for capital projects in their city.**

Adequate revenue to address challenges posed by population growth is crucial for the sustained health of South Carolina cities and towns. Having the ability to place a municipal project sales tax penny on a referendum allows local governments to generate dedicated funding for essential projects without solely relying on property taxes. This financing method can be more equitable, as it spreads the tax burden across residents and visitors alike. Additionally, a referendum gives residents a direct voice in funding decisions, fostering community engagement and accountability.

- **Increase flexibility for cities and towns for local accommodations tax revenue.**

State law requires certain cities and towns to expend 30% of local accommodations taxes on advertising and promotion of tourism to develop and increase tourist attendance. Municipalities with abundant tourism attendance should be able to spend 30% on other needs specific to their area instead, such as other critical tourism infrastructure needs. State law also provides for the first \$25,000 to be allocated to the local government's general fund. The amount allocated to the general fund should be increased to reflect current local government needs.

- **Support legislation that clarifies terms of office for local elected officials.**

The right to protest an election is a fundamental element of civic engagement, but when it is misused, it undermines the democratic process, inhibits the legitimate voices of constituents and, in recent elections, prevents rightly elected officials from beginning their term until the protest has been decided in a court of law.

Legislation that requires courts to give election appeals the priority of consideration strikes a right balance between upholding the right to protest and preserving the right of duly elected municipal officials to begin their term.

- **Protect the local election process.**

The Municipal Association supports the continued authority and autonomy for cities and towns to administer elections according to minimum standards that foster transparency and accountability. Striking a balance between increasing efficiency in the municipal election process and minimizing undue burdens and overreach is also crucial to ensure that local issues are prioritized and addressed effectively.

- **Support funding for police equipment and infrastructure.**

State support for funding police equipment for local law enforcement is crucial because it allows agencies to acquire necessary tools and technology to effectively protect their communities, maintain officer safety, respond to evolving criminal tactics and build public trust by ensuring officers are equipped to handle modern challenges, all while potentially reducing crime rates. Well-equipped police forces can better serve and safeguard their jurisdictions.

- **Support legislation that allows retirees to return to work with no earnings cap placed on their retirement benefits.**

The Association has supported this initiative in the past and will continue to advocate for a permanent change in the law to allow retirees to return to work. Allowing retirees to return to work without an earnings cap would help local law enforcement by alleviating the burden of municipalities not being fully staffed. There are tremendous benefits in allowing a retiree to return to work because of the collective experience and institutional knowledge they provide for less-experienced officers.

FLORENCE CITY COUNCIL MEETING

DATE: February 10, 2025

AGENDA ITEM: A Resolution authorizing the City Manager of the City of Florence to execute an agreement between the City of Florence and the South Carolina Office of Resiliency.

DEPARTMENT/DIVISION: Department of Planning, Research, and Development

I. ISSUE UNDER CONSIDERATION:

A Resolution authorizing the City Manager of the City of Florence to execute an agreement between the City of Florence and the South Carolina Office of Resiliency.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

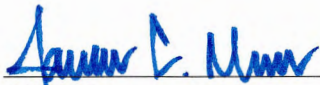
1. City Council previously passed a Resolution authorizing the City Manager to execute the sub-recipient agreement with the South Carolina Office of Resilience for the West Cedar and North McQueen stormwater mitigation project.
2. The current resolution will increase the award amount for North McQueen by \$1,717,456.30 for a total award amount of \$4,402,790.30.
3. Additionally, the Resolution will increase the award amount for West Cedar by \$331,656.23 for a total award amount of \$1,695,133.23.

III. POINTS TO CONSIDER:

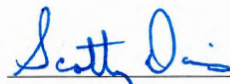
1. The grants were made available through the American Rescue Plan Act and are distributed through the South Carolina Office of Resilience, Disaster Recovery Division.
2. The scope of the Stormwater Mitigation Project involves the upgrade of stormwater infrastructure (pipe, inlets, and junction boxes) within the Gully Branch watershed.
3. This project will improve drainage and upgrade failing infrastructure throughout the watershed.

IV. ATTACHMENTS:

1. Proposed Resolution



Clint Moore
Assistant City Manager



Scotty Davis
City Manager

RESOLUTION NO. 2025-____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF FLORENCE AND THE SOUTH CAROLINA OFFICE OF RESILIENCY.

WHEREAS, the City of Florence agreed to conform to the terms of the May 24, 2021 Award Determination Letter the South Carolina Office of Resilience ARPA-Funded Stormwater Infrastructure Program (ASIP) Policy and Procedure Manual, the terms of this resolution, and the Subrecipient Agreement between the City of Florence and SCOR; and

WHEREAS, all references in the initial sub-recipient agreement to the City of Florence ARPA-funded stormwater infrastructure project's Award Determination Letter terms and conditions shall be for the modified Award Determination Letter as amended; and

WHEREAS, the City of Florence recognizes in this amended Resolution and by signature of the Addendum to Subrecipient Agreement by applicant and governing body, full responsibility for any and all cost overruns in excess of the total amount granted, not to exceed \$4,402,790.30 for North McQueen Street and \$1,695,133.23 for West Cedar Street; and

WHEREAS, the City of Florence will continue to participate in updating the South Carolina Office of Resilience throughout the duration of the grant; and

WHEREAS, the City of Florence acknowledges and accepts responsibility for the management and monitoring of contractors and their respective projects; and

WHEREAS, the City of Florence acknowledges and accepts ownership and responsibility for the ongoing operation and maintenance for the life of the improvement; and

WHEREAS, the City of Florence will uphold these infrastructure improvements in a manner that conforms to all health and safety requirements;

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

1. That the City of Florence respectfully accepts the additional funding provided by the South Carolina Disaster Recovery Office through the ARPA Stormwater Infrastructure Program to fund infrastructure improvements that will mitigate the impact of future flooding.

2. That the City of Florence respectfully accepts responsibility for completion of the Project, any defects or failures, and the long-term maintenance after completion.

AND IT IS SO RESOLVED, this _____ day of _____, 2025.

ADOPTED THIS _____ day of _____, 2025.

Approved as to form:

City Attorney

Lethonia Barnes
Mayor

Attest:

Casey C. Moore
Municipal Clerk



HENRY D. MCMASTER, *Governor*
BENJAMIN I. DUNCAN II, *Chief Resilience Officer*

**ADDENDUM TO SUBRECIPIENT AGREEMENT
CITY OF FLORENCE
IP-20-2101-01 McQueen Street**

This Addendum to the Subrecipient Agreement (the “**Agreement**”) is made and entered into on November 12, 2024, by and between the South Carolina Office of Resilience (“**SCOR**”); referred to as the “grantee” and the City of Florence; referred to as the “awardee.” The SC Office of Resilience and the City of Florence shall herein collectively be referred to as the “parties” and generically as a “party”.

This Agreement amends and modifies the Subrecipient Agreement (“**Agreement**”) dated May 1, 2021, and amended March 14, 2024, made and entered into by the parties hereto as follows:

Attachment A of the Subrecipient Agreement is herein amended to reflect a total funding increase of **\$1,717,456.30**, agreed upon by the parties. The amended award amount is now **\$4,402.790.30**; with a local cost share of **\$213,695.00**, to be deducted from the first construction invoice submitted to SCOR for payment.

All other provisions of the Agreement remain in full force and effect, other than any provision that conflicts with the terms and spirit of this Agreement, which shall be deemed to be amended appropriately in order to be consistent with this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement addendum on the date first written above.

Benjamin I. Duncan II **Date**
SCOR Chief Resilience Officer

Lethonia Barnes **Date**
City of Florence Mayor



HENRY D. MCMASTER, *Governor*
BENJAMIN I. DUNCAN II, *Chief Resilience Officer*

November 4, 2024

Mayor Lethonia Barnes
City of Florence
324 W. Evans Street
Florence, SC 29501

RE: CDBG-MITIGATION INFRASTRUCTURE PROJECT AWARD INCREASE FOR MCQUEEN STREET

Dear Mayor Barnes,

This Project Application Award Determination (Award Letter) amends and supersedes any disparity of terms and conditions as may exist in the original March 31, 2021, Award Letter. In the event of any conflict between the March 2021 Award Letter and this Amended Award Letter, this November 2024 Amended Award Letter shall control.

As provided in the original March 2021 Award Letter, the McQueen Street Project was selected for a HUD CDBG-Mitigation Infrastructure grant for \$2,685,334.00. The total CDBG-MIT award amount has been increased by \$1,717,456.30 to a total of **\$4,402,790.30**. As part of the request for additional funds, the City of Florence agrees to provide \$213,695.00 in local leverage funds to complete the McQueen Street Project. An Amended Resolution is attached for the City's use in drafting a resolution for City Council approval.

At no time will Eminent Domain powers be applicable to this project. The City of Florence must take ownership of and maintain the completed drainage improvements in perpetuity.

To accept additional funding, the City of Florence must provide the following to SCOR within 30 days of receipt of this amended award letter:

- Signed and Acknowledged Amended Award Letter
- Signed Amended Resolution
- Commitment of Funds Letter for the **\$213,695.00** Local Cost Share

If additional time is needed for the above-described documents, please notify Pam Kendrick by email at pam.kendrick@scor.sc.gov. Thank you for the time and effort expended by your office in the preparation of your successful proposal and the management of the project thus far. We look forward to continuing our working in partnership with you to successfully implement and complete this infrastructure project.

Sincerely,

Phleisha Lewis, Mitigation Department Director
South Carolina Office of Resilience

ACKNOWLEDGED AND AGREED

The City of Florence will fully cooperate with the South Carolina Office of Resilience in the implementation and execution of the Mitigation Infrastructure Project. The City of Florence agrees that it will take ownership of the drainage improvements in perpetuity.

Lethonia Barnes, Mayor
City of Florence

Date



HENRY D. MCMASTER, Governor
BENJAMIN I. DUNCAN II, Chief Resilience Officer

November 12, 2024

Lethonia Barnes
City of Florence
324 W. Evans Street
Florence, SC 29501

RE: CDBG-MITIGATION INFRASTRUCTURE PROJECT AWARD INCREASE FOR WEST CEDAR STREET

Dear Mayor Barnes,

This Project Application Award Determination (Award Letter) amends and supersedes any disparity of terms and conditions as may exist in the original March 31, 2021, Award Letter. In the event of any conflict between the March 2021 Award Letter and this Amended Award Letter, this November 2024 Amended Award Letter shall control.

As provided in the original March 2021 Award Letter, West Cedar Street was selected for a HUD CDBG-Mitigation Infrastructure grant for \$1,363,477.00. The total CDBG-MIT award amount has been increased by \$331,656.23 to a total of **\$1,695,133.23**. As part of the request for additional funds, the City of Florence agrees to provide \$24,113.00 in local leverage funds to complete the West Cedar Street Project. An Amended Resolution is attached for the City's use in drafting a resolution for City Council approval.

At no time will Eminent Domain powers be applicable to this project. The City of Florence must take ownership of and maintain the completed drainage improvements in perpetuity.

To accept additional funding, the City of Florence must provide the following to SCOR within 30 days of receipt of this amended award letter:

- Signed and Acknowledged Amended Award Letter
- Signed Amended Resolution
- Commitment of Funds Letter for the **\$24,113** Local Cost Share

If additional time is needed for the above-described documents, please notify Pam Kendrick by email at pam.kendrick@scor.sc.gov. Thank you for the time and effort expended by your office in the preparation of your successful proposal and the management of the project thus far. We look forward to continuing our working in partnership with you to successfully implement and complete this infrastructure project.

Sincerely,

A handwritten signature in blue ink that reads "Phleisha E. Lewis".

Phleisha Lewis, Mitigation Department Director
South Carolina Office of Resilience

ACKNOWLEDGED AND AGREED

The City of Florence will fully cooperate with the South Carolina Office of Resilience in the implementation and execution of the Mitigation Infrastructure Project. The City of Florence agrees that it will take ownership of the drainage improvements in perpetuity.

Lethonia Barnes, Mayor
City of Florence

Date



HENRY D. MCMASTER, Governor
BENJAMIN I. DUNCAN II, Chief Resilience Officer

**ADDENDUM TO SUBRECIPIENT AGREEMENT
CITY OF FLORENCE
IP-20-2101-02 West Cedar**

This Addendum to the Subrecipient Agreement (the “**Agreement**”) is made and entered into on November 12, 2024, by and between the South Carolina Office of Resilience (“**SCOR**”); referred to as the “grantee” and the City of Florence; referred to as the “awardee.” The SC Office of Resilience and the City of Florence shall herein collectively be referred to as the “parties” and generically as a “party”.

This Agreement amends and modifies the Subrecipient Agreement (“**Agreement**”) dated May 1, 2021, and amended March 14, 2024, made and entered into by the parties hereto as follows:

Attachment A of the Subrecipient Agreement is herein amended to reflect a total funding increase of **\$331,656.23**, agreed upon by the parties. The amended award amount is now **\$1,695,133.23**; with a local cost share of **\$24,113.00**, to be deducted from the first construction invoice submitted to SCOR for payment.

All other provisions of the Agreement remain in full force and effect, other than any provision that conflicts with the terms and spirit of this Agreement, which shall be deemed to be amended appropriately in order to be consistent with this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement addendum on the date first written above.

Benjamin I. Duncan II **Date**
SCOR Chief Resilience Officer

Lethonia Barnes **Date**
City of Florence Mayor