

**CITY OF FLORENCE, SOUTH CAROLINA**  
**PLANNING COMMISSION**  
**JUNE 8, 2021 AT 6:00 PM VIA ZOOM**  
**AGENDA**

- I. Call to Order**
  
- II. Invocation**
  
- III. Approval of Minutes** Regular meeting on May 11, 2021.
  
- IV. Public Hearing and Matter in Position for Action**  
  
PC-2021-19 Request to zone CA, pending annexation, the parcel located at 2924 West Palmetto Street, specifically identified as Florence County Tax Map Number 00100-01-030.
  
- V. Public Hearing and Matter in Position for Action**  
  
PC-2021-20 Request to zone RG-2, pending annexation, a section of the Palms Golf Course, specifically identified as a portion of Florence County Tax Map Number 00751-01-049.
  
- VI. Matter in Position for Action**  
  
PC-2021-21 Request for sketch plan review of Phase I of Northgate Subdivision, specifically identified as a portion of Florence County Tax Map Number 00175-01-224.
  
- VII. Public Hearing and Matter in Position for Action**  
  
PC-2021-22 Request to amend the Unified Development Ordinance regarding conditional use requirements within the Commercial Reuse zoning district.
  
- VIII. Adjournment** Next meeting is scheduled for July 13, 2021.

**CITY OF FLORENCE PLANNING COMMISSION MINUTES  
VIA ZOOM REMOTE MEETING  
TUESDAY, MAY 11, 2021 AT 6:00 PM**

**MEMBERS PRESENT:** Derrick Owens and Robby Hill (in person); Thurmond Becote, Betty Gregg, Dorothy Hines, Bryant Moses, and Vanessa Murray (via Zoom).

**MEMBERS ABSENT:** Drew Chaplin and Charles Howard.

**STAFF PRESENT:** Jerry Dudley, Derek Johnston, and Alane Zlotnicki.

**APPLICANTS PRESENT:** Jesse Wiles, Deborah Jensen, Eunung Chang, Elizabeth Barr (via Zoom).

**CALL TO ORDER:** Acting Chairman Derrick Owens called the May 11, 2021 regular meeting to order at 6:25 p.m. following some technical difficulties.

\*\*\* Due to technical difficulties, the meeting was not recorded. Minutes are based on notes taken during the meeting by staff members. \*\*\*

**APPROVAL OF MINUTES AND INVOCATION:**

Chairman Owens asked Commissioners if any changes needed to be made to the April 13, 2021 meeting minutes. There being none, Mr. Hill made a motion to approve the minutes and Mr. Becote seconded the motion. The motion passed unanimously (7-0).

Chairman Owens asked Mr. Moses to provide the invocation, which he did.

**MATTERS IN POSITION FOR ACTION:**

**PC-2021-14 Request to zone NC-15, pending annexation, the parcel located at 2495 Hoffmeyer Road, specifically identified as Florence County Tax Map Number 01221-01-109.**

Chairman Owens read the introduction to PC 2021-14 and asked staff for their report. Mrs. Zlotnicki gave the staff report as submitted to the Planning Commission.

There being no one to speak for or against the request, and no questions for staff, Chairman Owens called for a motion. Mr. Hill moved that the request be approved as submitted; Ms. Murray seconded, and the motion passed unanimously (7-0).

**PC-2021-15 Request to zone RG, pending annexation, the parcel located at 3802 Lake Oakdale Drive, specifically identified as Florence County Tax Map Number 00751-01-307.**

Chairman Owens read the introduction to PC 2021-15 and asked staff for their report. Mrs. Zlotnicki gave the staff report as submitted to the Planning Commission.

There being no one to speak for or against the request, and no questions for staff, Chairman Owens called for a motion. Mr. Hill moved that the request be approved as submitted; Mr. Moses seconded, and the motion passed unanimously (7-0).

**PC-2021-16 Request to rezone from NC-6.2 to CBD four parcels located at 113 & 115 East Pine Street and 319 & 321 Railroad Avenue, specifically identified as Florence County Tax Map Numbers 90087-06-001, 90087-06-002, 90087-06-005, and 90087-06-006.**

Chairman Owens read the introduction to PC 2021-16 and asked staff for their report. Mrs. Zlotnicki gave the staff report as submitted to the Planning Commission. She explained that the City owns these lots and the design of the townhouses will be going to the Design Review Board on May 12, 2021.

There being no one to speak for or against the request, and no questions for staff, Chairman Owens called for a motion. Mr. Becote moved that the request be approved as submitted; Mr. Moses seconded, and the motion passed unanimously (7-0).

**PC-2021-17 Request to zone NC-15, pending annexation, the parcels located at 2504 Abbey Way, 2513 Abbey Way, 2485 Parsons Gate, and 2502 Parsons Gate, specifically identified as Florence County Tax Map Numbers 01221-01-254, 01221-01-261, 01221-01-305, and 01221-01-283.**

Chairman Owens read the introduction to PC 2021-17 and asked staff for their report. Mr. Johnston gave the staff report as submitted to the Planning Commission. A commissioner clarified that all 4 lots are in the same neighborhood.

There being no one to speak for or against the request, and no other questions for staff, Chairman Owens called for a motion. Mr. Becote moved that the request be approved; Mr. Moses seconded, and the motion passed unanimously (7-0).

**PC-2021-18 Request to zone RG, pending annexation, the parcel located at 3136 Pisgah Road, specifically identified at Florence County Tax Map Number 00097-01-029.**

Chairman Owens read the introduction to PC 2021-18 and asked staff for their report. Mr. Johnston gave the staff report as submitted to the Planning Commission. He indicated that the applicant would be interested in tapping into City water and sewer once it was available through the incoming development next door at the Point at Pisgah.

There being no one to speak for or against the request, and no questions for staff, Chairman Owens called for a motion. Mr. Hill moved that the request be approved as submitted; Ms. Gregg seconded, and the motion passed unanimously (7-0).

**OTHER BUSINESS:**

Mr. Dudley explained the need to develop additional conditions within the Commercial Reuse zoning district in light of the rezoning request for 900 Oakland Avenue. He will be sending out information to the Commissioners and asked them to send in their own suggestions or questions over the following week.

**ADJOURNMENT:** There being no other business, Chairman Owens asked for a motion to adjourn. Mr. Moses so moved and Mr. Becote seconded the motion to adjourn. It passed unanimously and the meeting was adjourned at 7:05 p.m. The next meeting is scheduled for June 8, 2021.

Respectfully submitted,

*Alane Zlotnicki, AICP; Senior Planner*

**CITY OF FLORENCE PLANNING COMMISSION MEETING**

**DATE:** June 8, 2021

**AGENDA ITEM:** PC-2021-19 Request to zone CA, pending annexation, the parcel located at 2924 West Palmetto Street, specifically identified as Florence County Tax Map Number 00100-01-030.

**I. IDENTIFYING DATA:**

<b>Owner</b>	<b>Tax Map Number</b>
<b>Florence Adventist Church</b>	<b>00100-01-030</b>

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

This issue is before the Planning Commission for public hearing and recommendation to City Council. It has not been considered, nor has any previous action been taken, by the Planning Commission.

**III. GENERAL BACKGROUND DATA:**

**Current Zoning:** B-3 in the County  
**Proposed Zoning:** Campus (CA)  
**Current Use:** House of worship – Florence Adventist Church  
**Proposed Use:** House of worship – Florence Adventist Church

**IV. POINTS TO CONSIDER:**

- (1) The property is currently in the County and is zoned B-3, Business. It is the site of the Florence Adventist Church.
- (2) The proposed zoning, pending annexation, is Campus District. The CA district is intended for suburban campus settings for general, professional, and medical offices as well as educational and institutional facilities such as churches and schools.
- (3) The lot meets the dimensional requirements of the CA zoning district per the City of Florence *Unified Development Ordinance*. The existing building meets the setbacks required for the district.
- (4) The only uses that may be developed under the proposed zoning, per the City of Florence *Unified Development Ordinance*, are those permitted in the Campus zoning district. The property will be subject to the City of Florence codes and regulations.
- (5) Adjacent lots to the south, east, and west are vacant, in the County, and are unzoned.
- (6) The parcel across the street to the north is in the City, zoned Campus, and is the location of the First Assembly of God Church.
- (7) Future Land Use of the parcel is Commercial Autourban.

- (8) City water services are currently available but sewer service is not. The applicant has signed a sewer release form.
- (9) City staff recommends the parcel be zoned Campus as requested, contingent upon annexation into the City of Florence. This recommendation is based on the adjacent zoning, the existing use, and the character of the location.

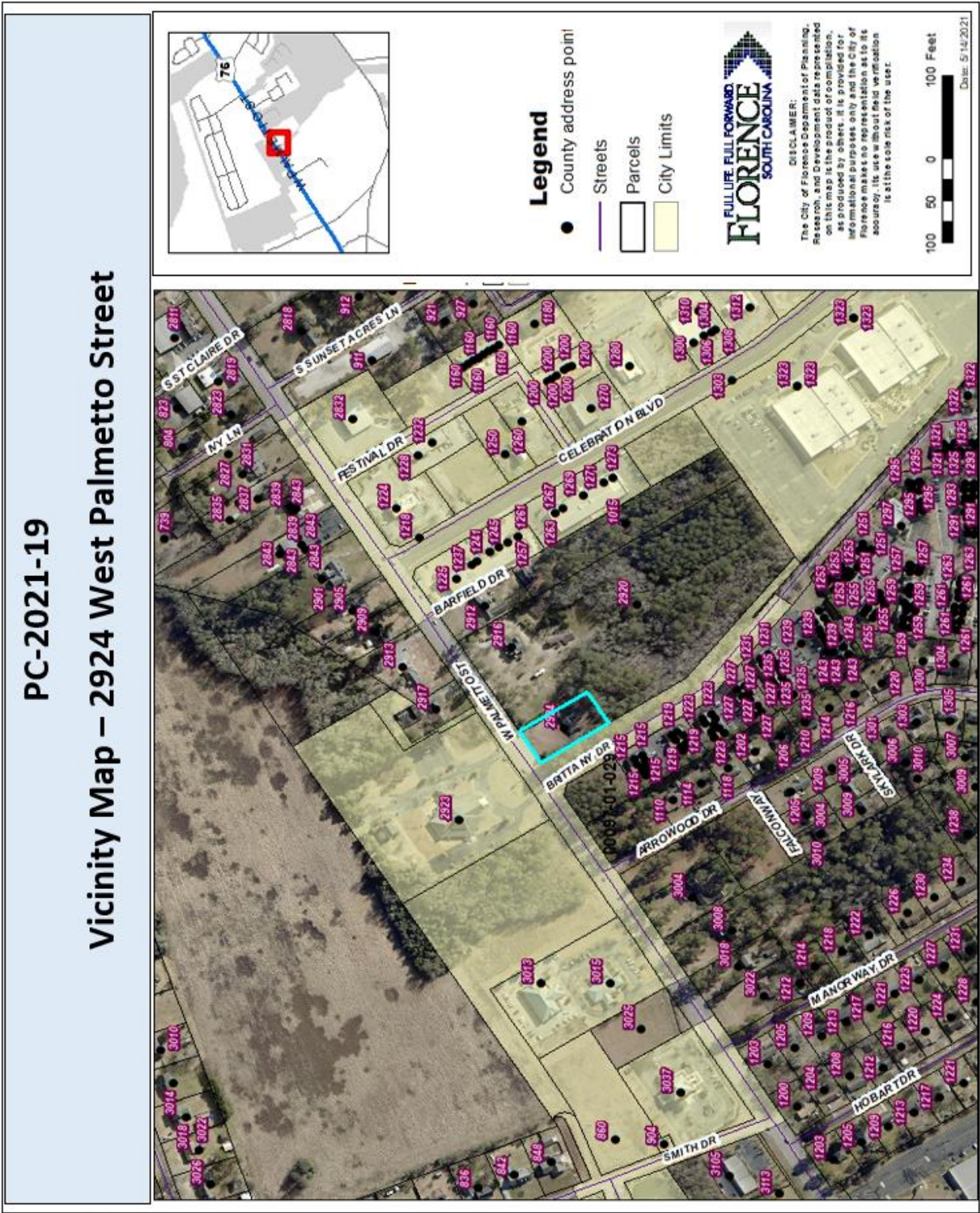
**V. OPTIONS:**

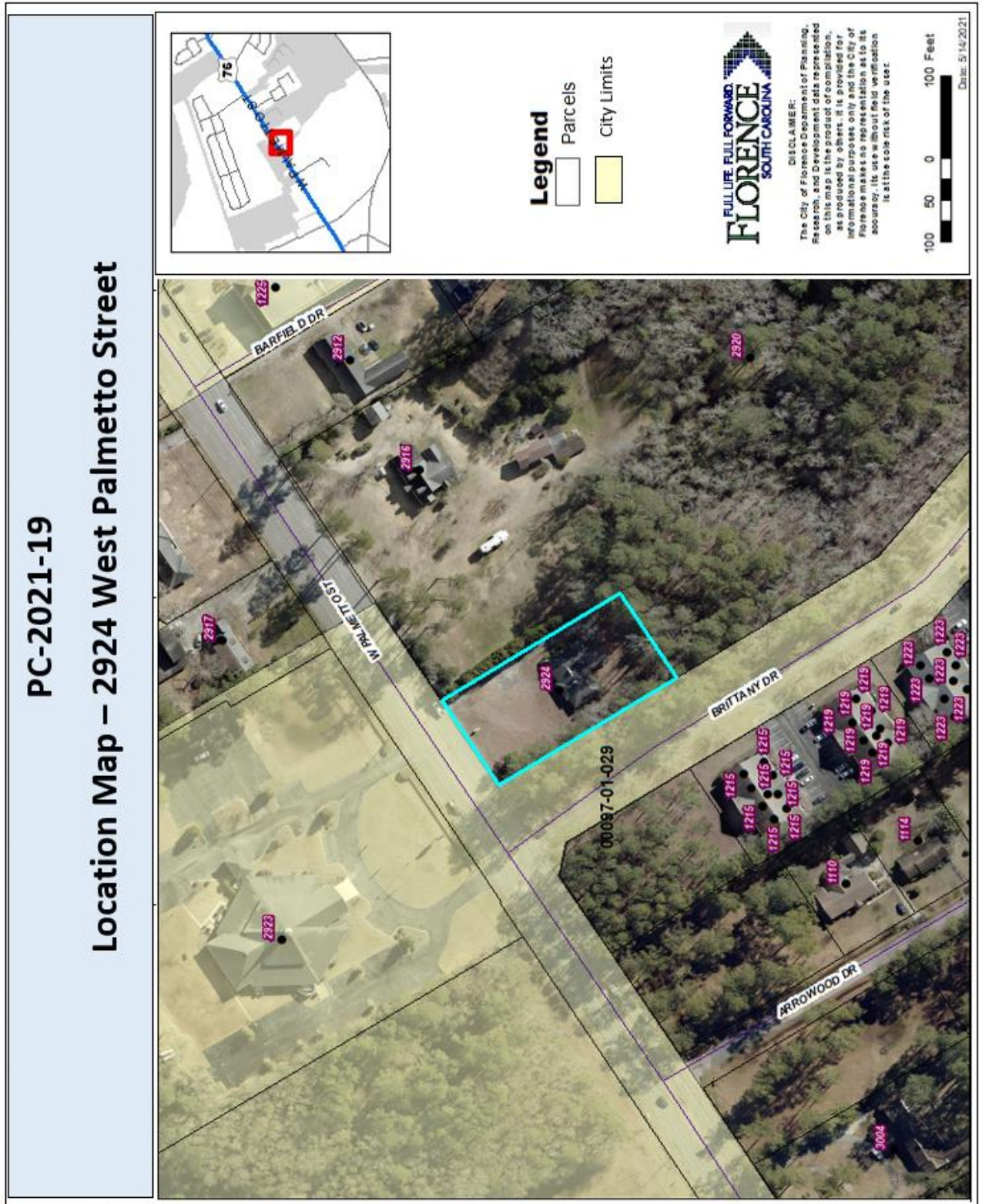
Planning Commission may:

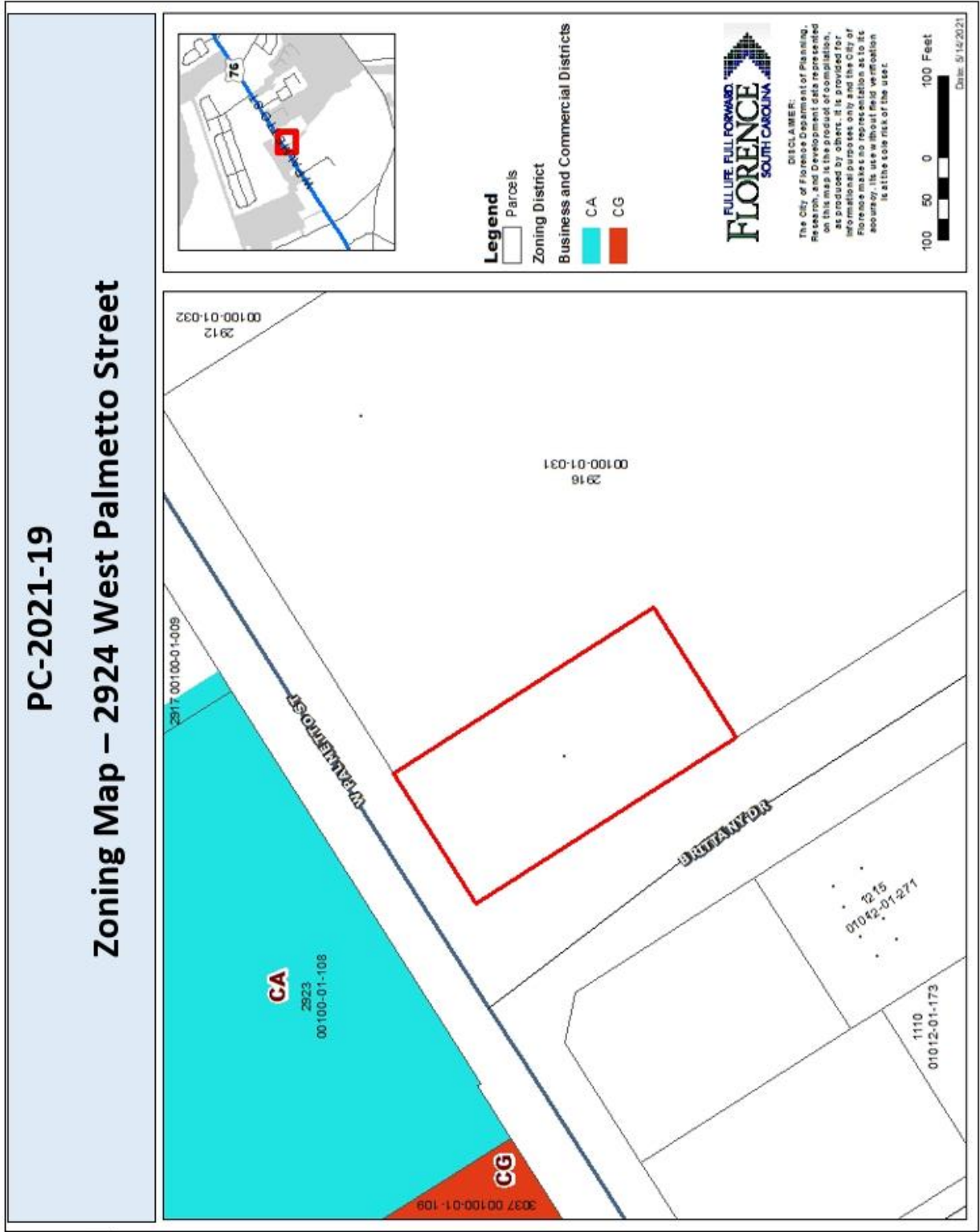
- (1) Recommend approval of the request as presented based on the information submitted.
- (2) Defer the request should additional information be needed.
- (3) Suggest other alternatives.
- (4) Recommend denial of the request based on information submitted.

**VI. ATTACHMENTS:**

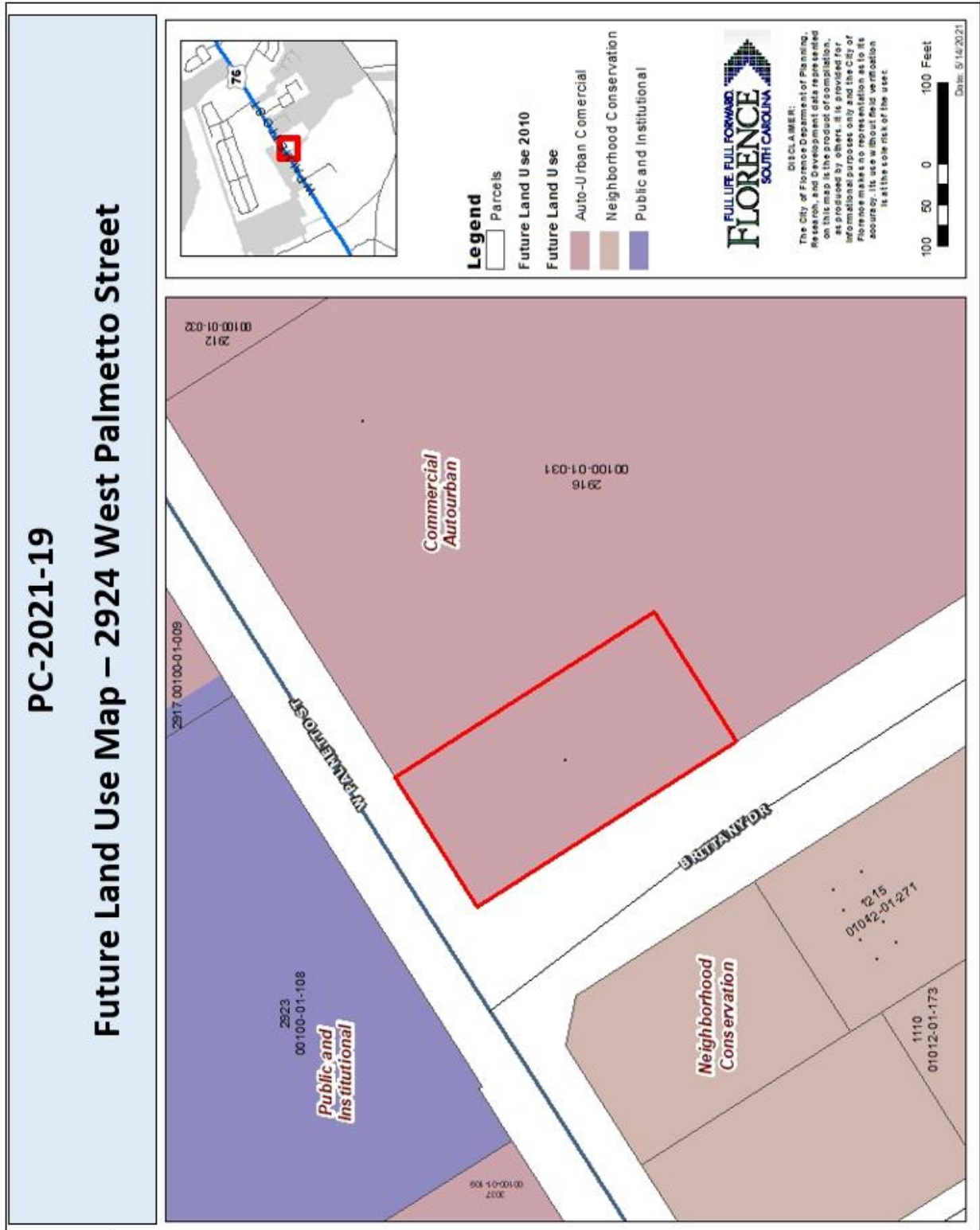
- A) Vicinity Map
- B) Location Map
- C) Zoning Map
- D) Future Land Use Map
- E) Site Photo











Attachment E: Site Photos



View from West Palmetto Street. Parking is in the rear of the building.

**CITY OF FLORENCE PLANNING COMMISSION MEETING**

**DATE:** June 8, 2021

**AGENDA ITEM:** PC-2021-20 Request to zone RG-2, pending annexation, a section of the Palms Golf Course, specifically identified as a portion of Florence County Tax Map Number 00751-01-049.

**I. IDENTIFYING DATA:**

<b>Owner</b>	<b>Tax Map Number</b>
<b>Claussen Developers</b>	<b>00751-01-049 (portion)</b>

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

This parcel is before the Planning Commission for public hearing and recommendation to City Council. It has not been considered, nor has any previous action been taken, by the Planning Commission.

**III. GENERAL BACKGROUND DATA:**

**Current Zoning:** R-1 (County)  
**Proposed Zoning:** RG-2  
**Current Use:** Golf course  
**Proposed Use:** Single family subdivision

**IV. POINTS TO CONSIDER:**

- (1) The property is currently in the County and is zoned R-1, a residential single-family designation. It includes the portion of the parcel that is west of South Dunes Drive that was part of the now defunct Palms Golf Course.
- (2) Contiguity with existing City limits will be provided through Lake Oakdale.
- (3) The north side of the lake and the dam were recommended for annexation with the zoning designation of OSR by Planning Commission on April 13, 2021 as case PC-2021-09. That request was deferred at the May 10, 2021 City Council meeting so that the current request can accompany and complement the proposed lake and dam annexation.
- (4) The south side of the lake was annexed in May 2018 and zoned OSR.
- (5) The proposed zoning, pending annexation, is RG-2, Residential General-2. The RG-2 district is intended to provide for a variety of residential housing and neighborhood types with an auto-urban or new-urban character.
- (6) No uses may be developed under the proposed zoning, per the City of Florence *Unified Development Ordinance*, other than those permitted in the RG-2 zoning district. All future development will be subject to the City of Florence codes and regulations.

- (7) Land use of the adjacent properties is single-family residential. Lots in the County are zoned R-1, single family residential with large lots.
- (8) Future Land Use of the parcel is Parks and Open Space, although this designation was determined by its previous use as a golf course. Adjacent single-family properties are designated as Neighborhood Conservation.
- (9) City water and sewer service feasibility is being determined by engineering staff.
- (10) City staff recommends the parcel be zoned RG-2 as requested, contingent upon annexation into the City of Florence. This recommendation is based on the character of the surrounding area and the intended future development as a single family subdivision.

## **V. OPTIONS:**

Planning Commission may:

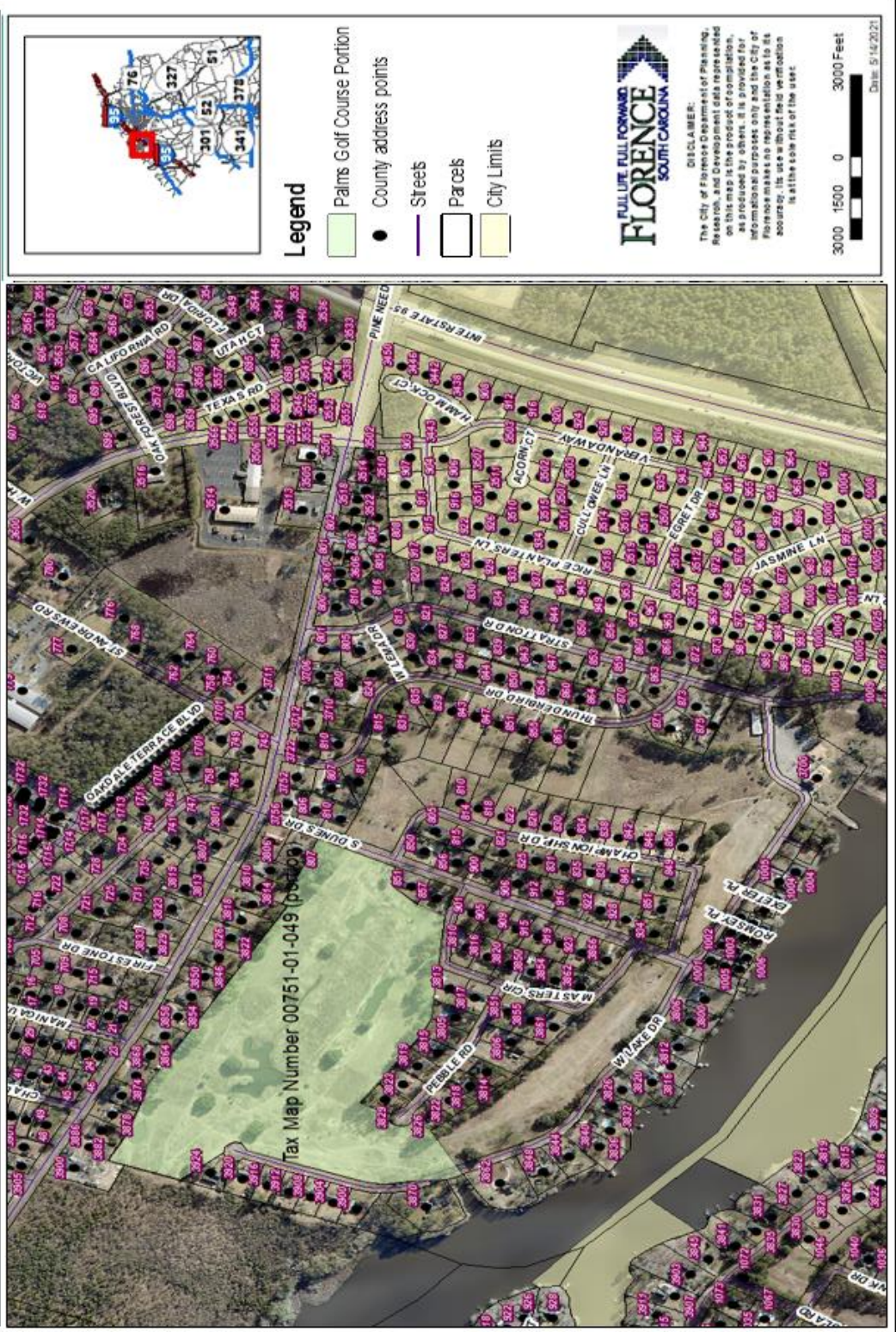
- (1) Recommend approval of the request as presented based on the information submitted.
- (2) Defer the request should additional information be needed.
- (3) Suggest other alternatives.
- (4) Recommend denial of the request based on information submitted.

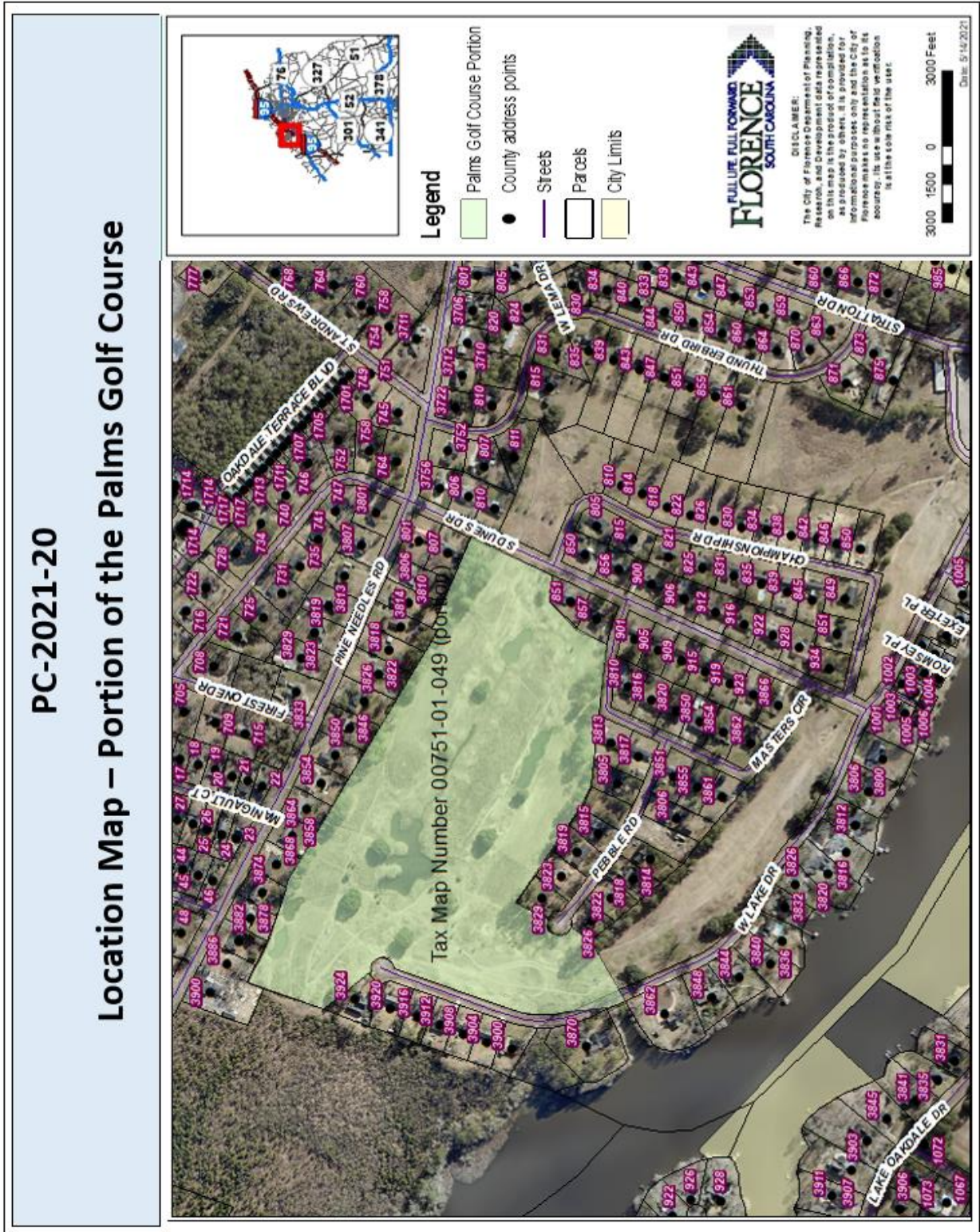
## **VI. ATTACHMENTS:**

- A) Vicinity Map
- B) Location Map
- C) Zoning Map
- D) Future Land Use Map
- E) Site Photos
- F) Previously Approved Annexation Request

PC-2021-20

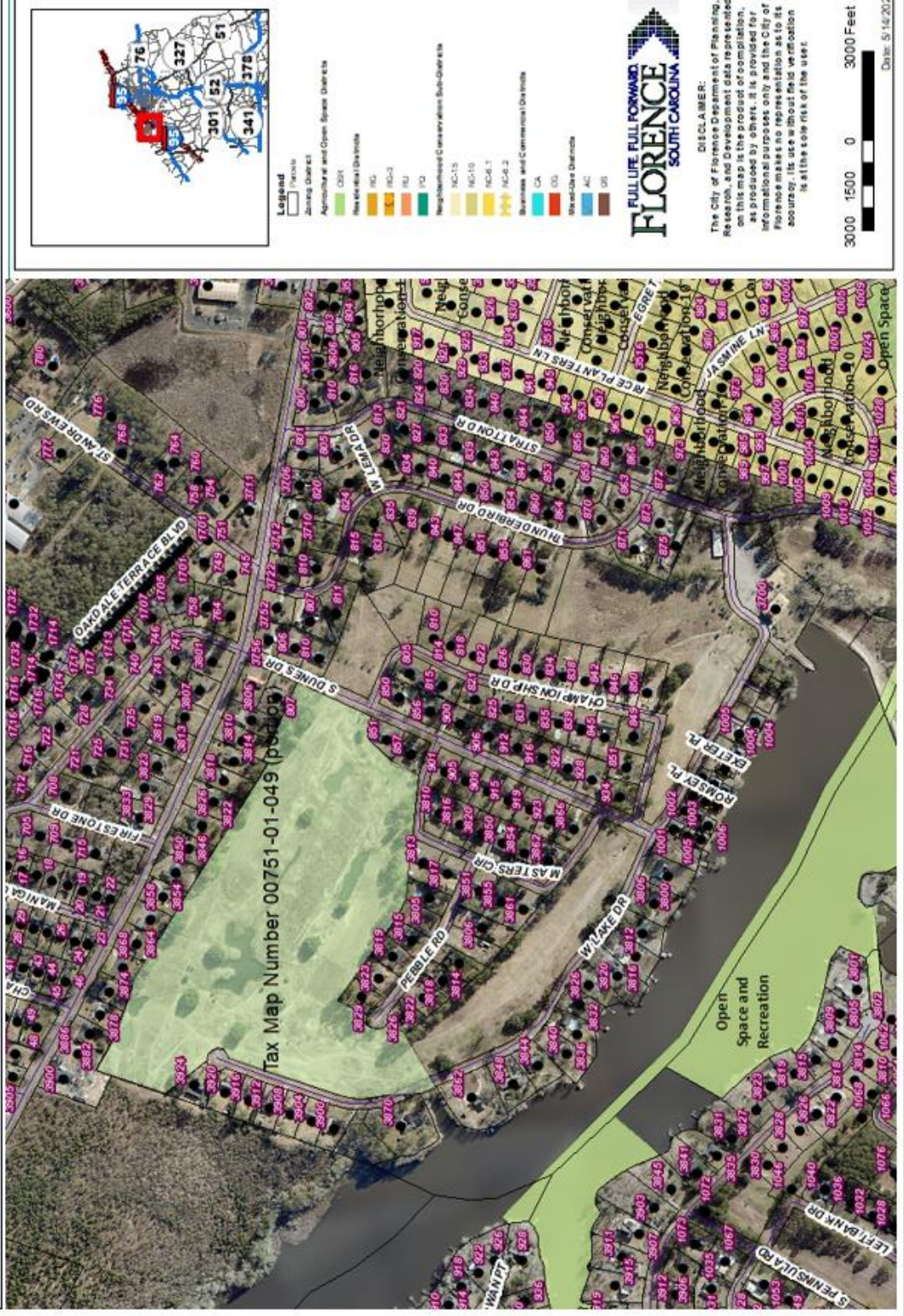
Vicinity Map – Portion of the Palms Golf Course

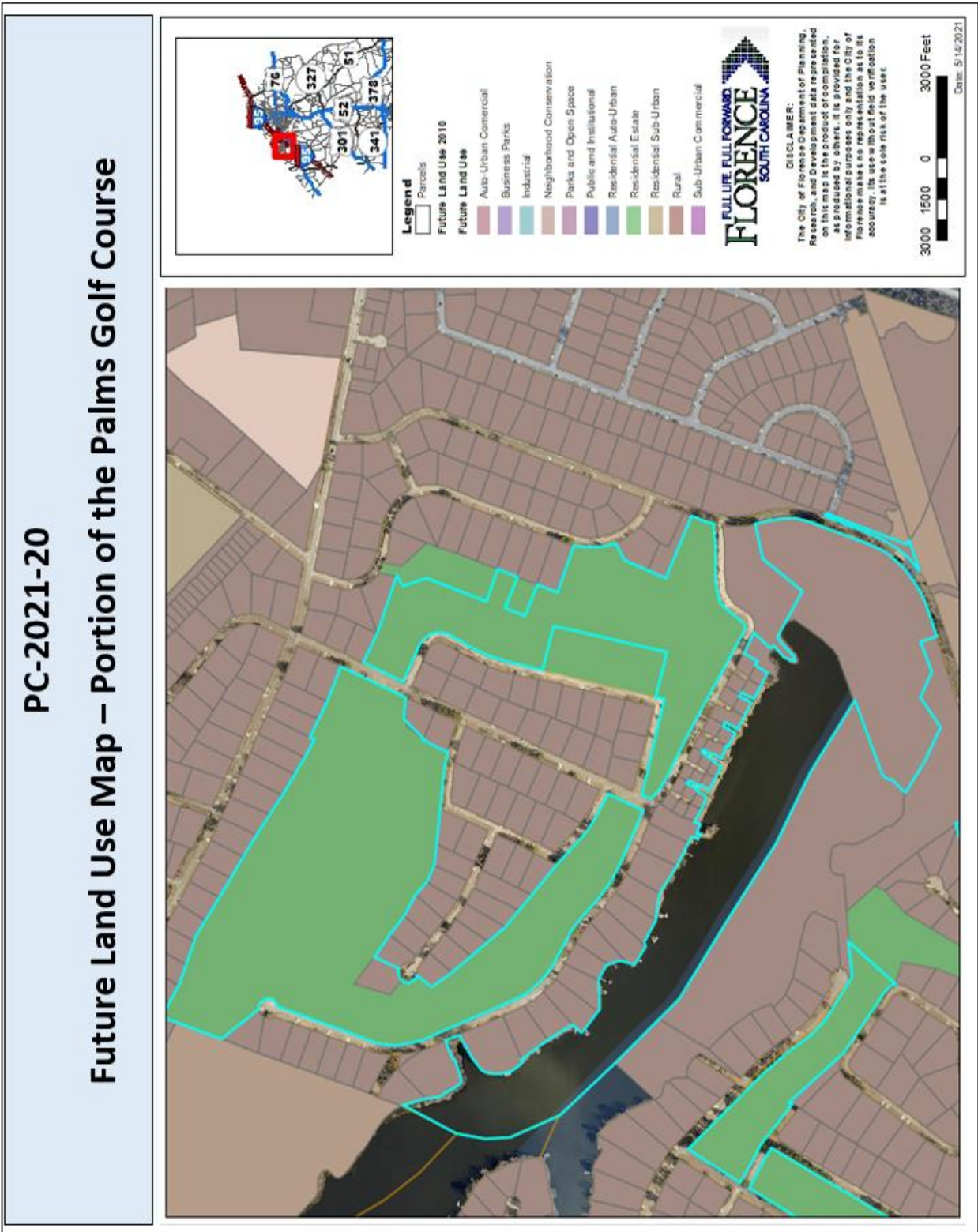




# PC-2021-20

## Zoning Map – Portion of the Palms Golf Course





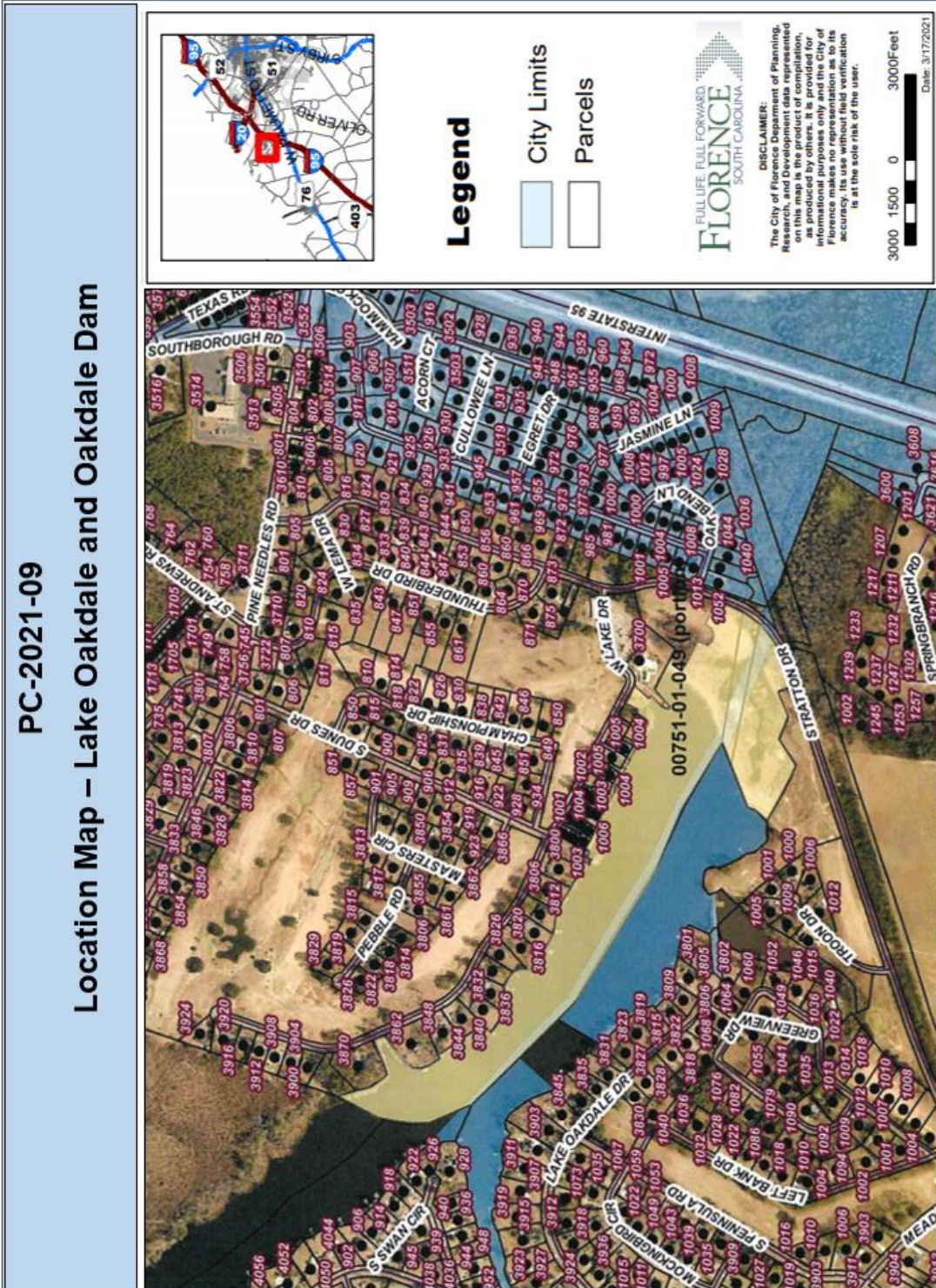


Attachment E: Site Photos



Attachment F: Previously Approved Annexation Request

This parcel will be taken to City Council simultaneously with the current request to provide contiguity with City limits.



**CITY OF FLORENCE PLANNING COMMISSION MEETING  
VIA ZOOM REMOTE ACCESS**

**DATE:** June 8, 2021

**AGENDA ITEM:** PC-2021-21 Request for sketch plan review of Northgate Subdivision Phase I, located on Sam Harrell Road, and specifically identified as a portion of Florence County Tax Map Number 00175-01-224.

**I. IDENTIFYING DATA:**

<b>Owner</b>	<b>Tax Map Number</b>
<b>Gary Finklea</b>	<b>00175-01-224</b>

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

The sketch plan is before the Planning Commission for approval.

**III. GENERAL BACKGROUND DATA:**

**Current Zoning:** RG-2  
**Current Use:** Vacant  
**Proposed Use:** 8 Single-Family Residential Lots

**IV. POINTS TO CONSIDER:**

1. The applicant is presenting a request for sketch plan review of the subdivision of 2 acres out of a 44 acre parcel into 8 individual lots.
2. The applicant is proposing to develop 8 lots for single family detached housing, resulting in a density of 4 units per acre. The density and housing styles are consistent with the requirements of the *Unified Development Ordinance* for the RG-2 district.
3. The setbacks proposed include a front setback of 25 feet; interior side setbacks of 8 feet; and rear setbacks of 25 feet.
4. City water and sewer are available through Sam Harrell Road.
5. Following sketch plan approval, the developer will be required to submit a full Development Plan for staff review prior to any construction taking place.

**V. OPTIONS:**

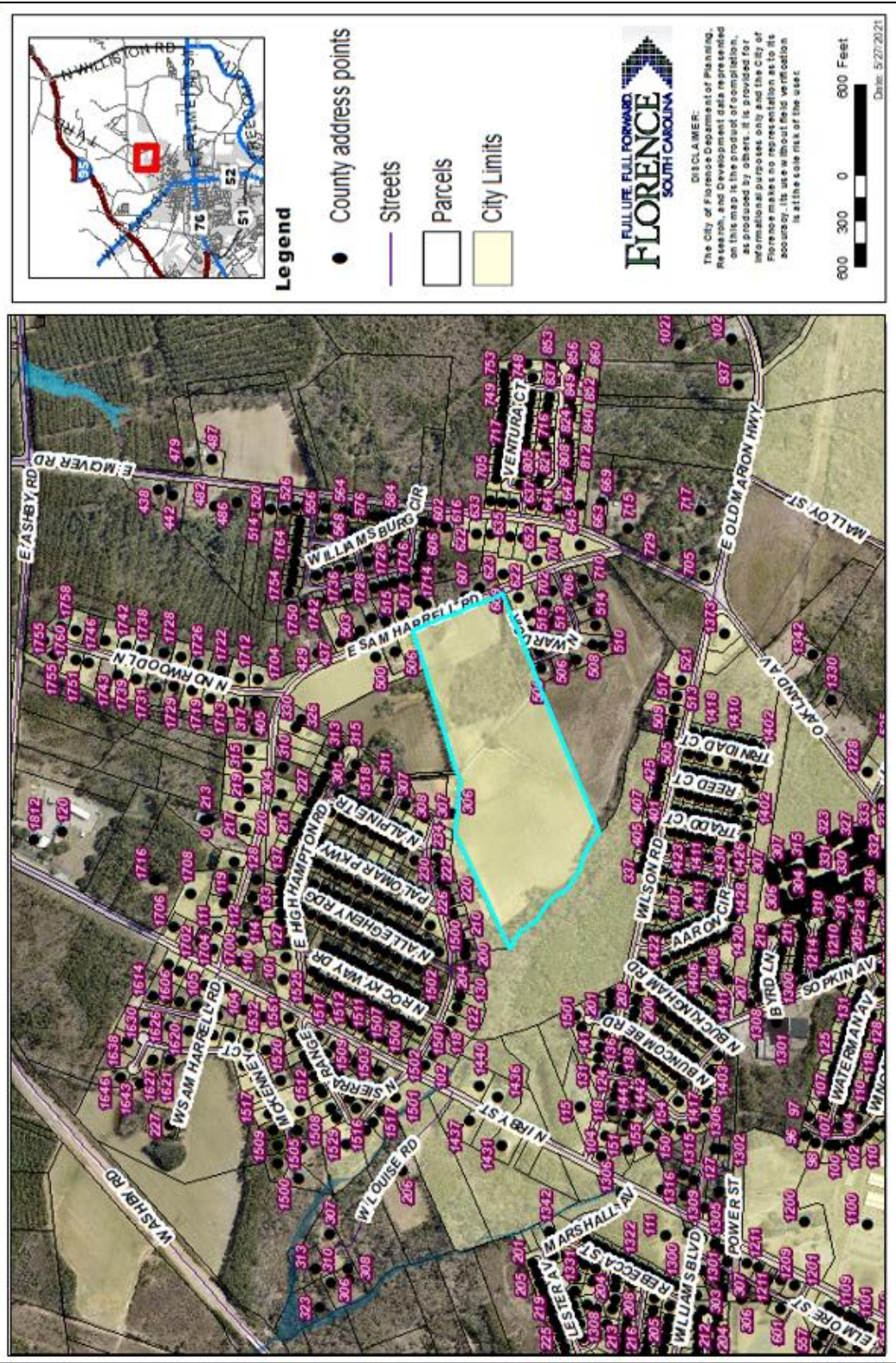
Planning Commission may:

- (1) Recommend approval of the request as presented based on the information submitted.
- (2) Defer the request should additional information be needed.
- (3) Suggest other alternatives.
- (4) Recommend denial of the request based on information submitted.

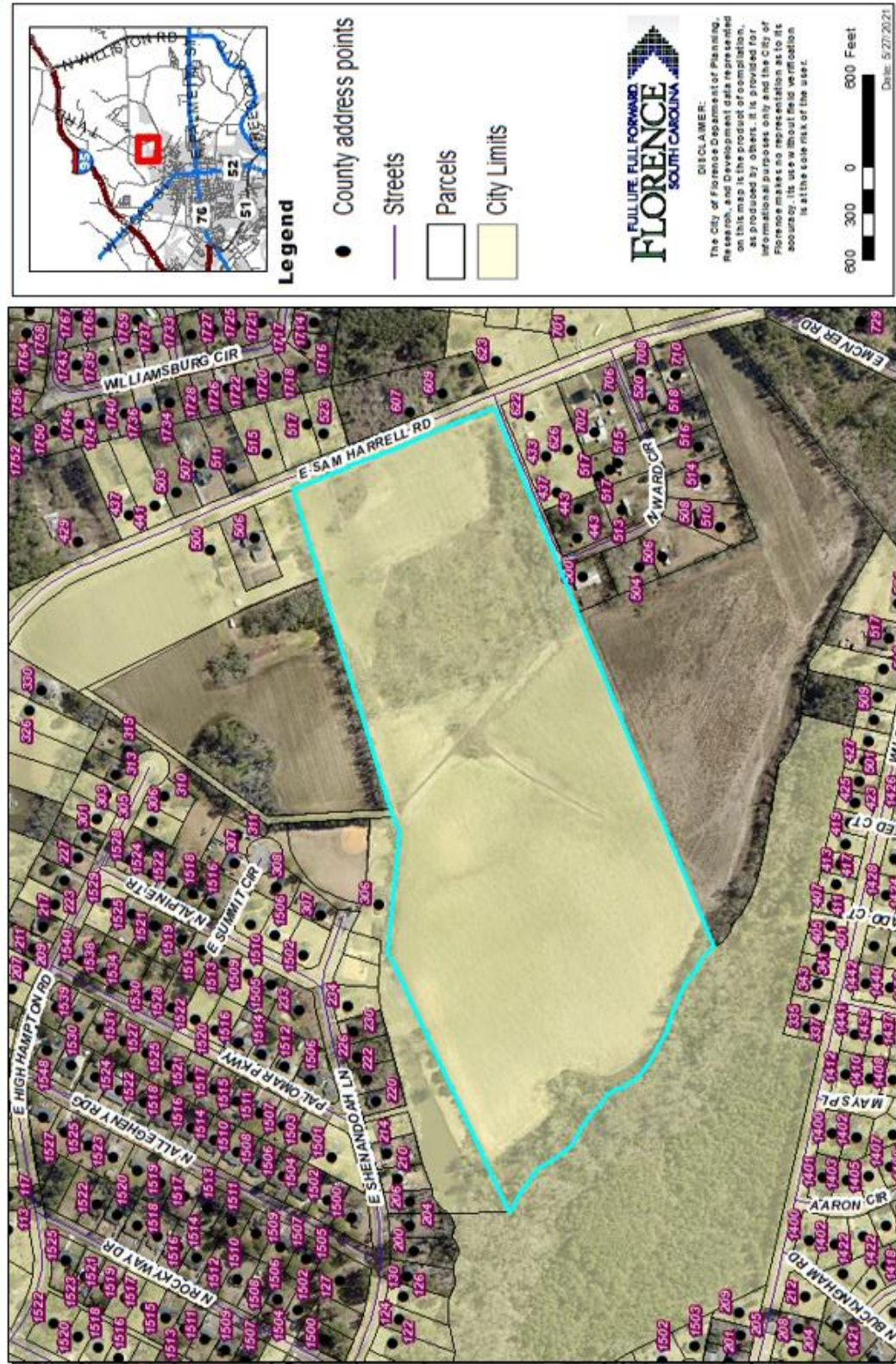
**VI. ATTACHMENTS:**

- A) Vicinity Map
- B) Location Map
- C) Zoning Map
- D) Future Land Use Map
- E) Summary Plat
- F) Plat on Site

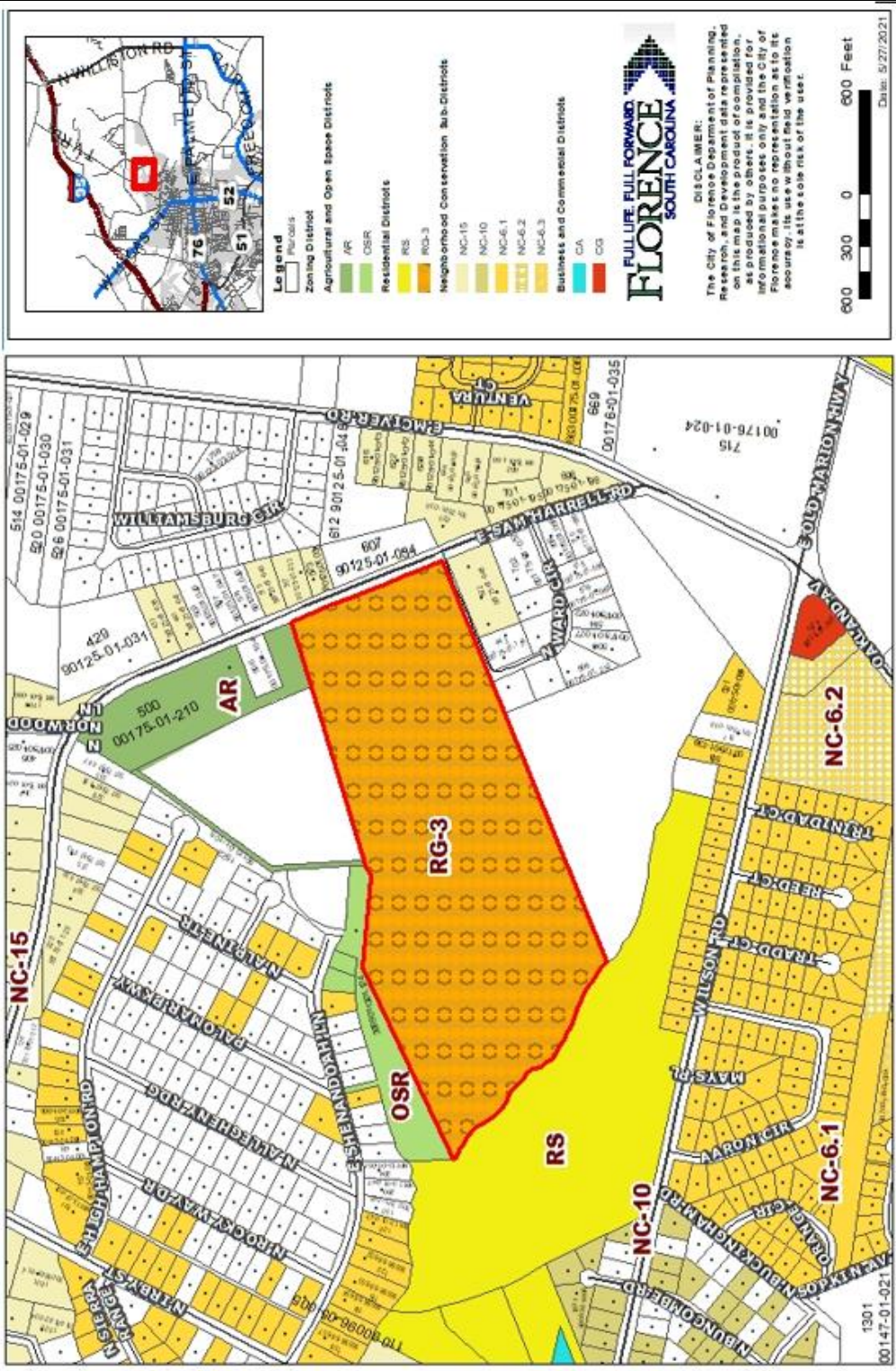
# PC-2021-21 Vicinity Map – Northgate Phase I



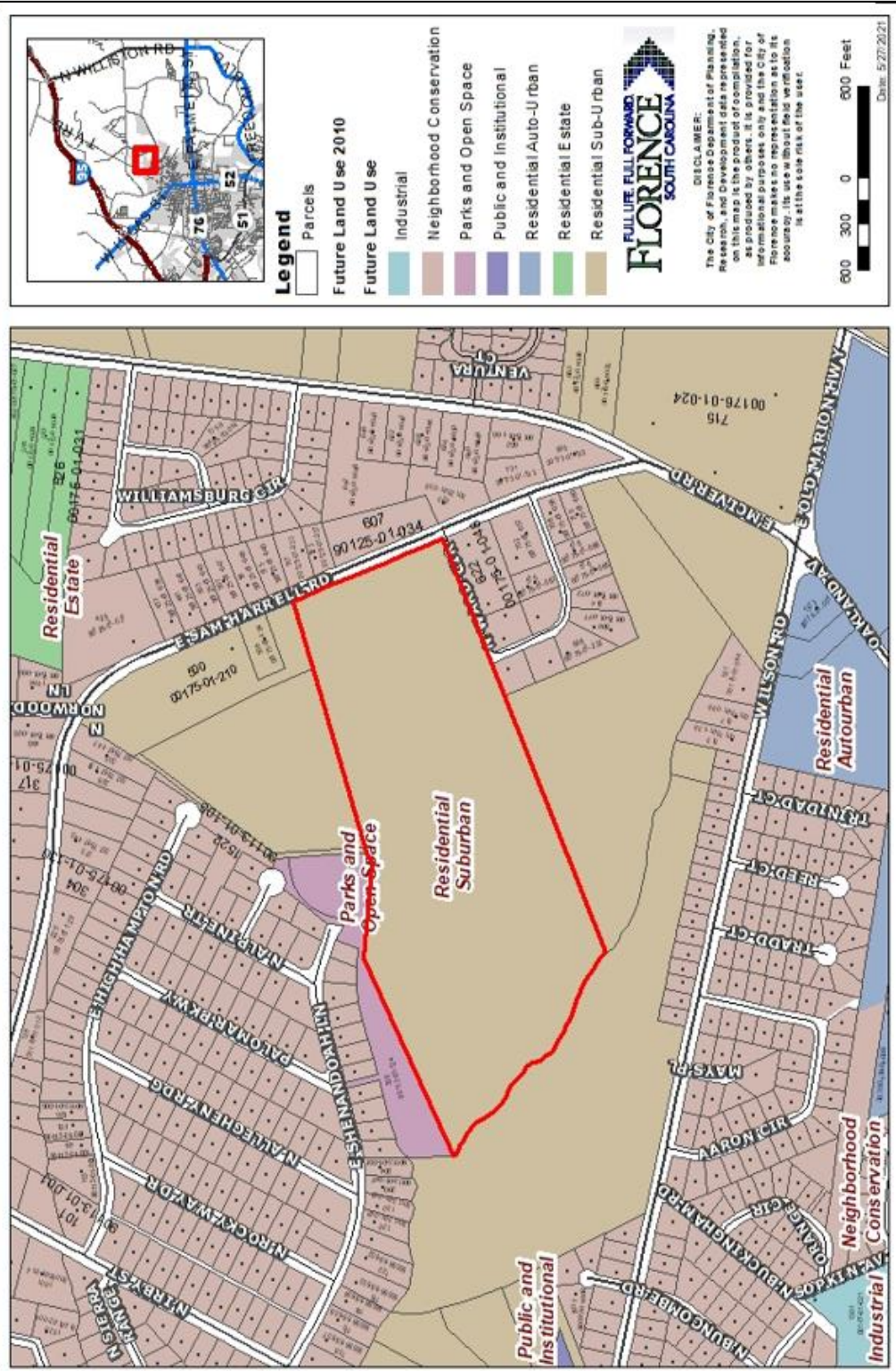
PC-2021-21  
 Location Map – Northgate Phase I



# PC-2021-21 Zoning Map – Northgate Phase I

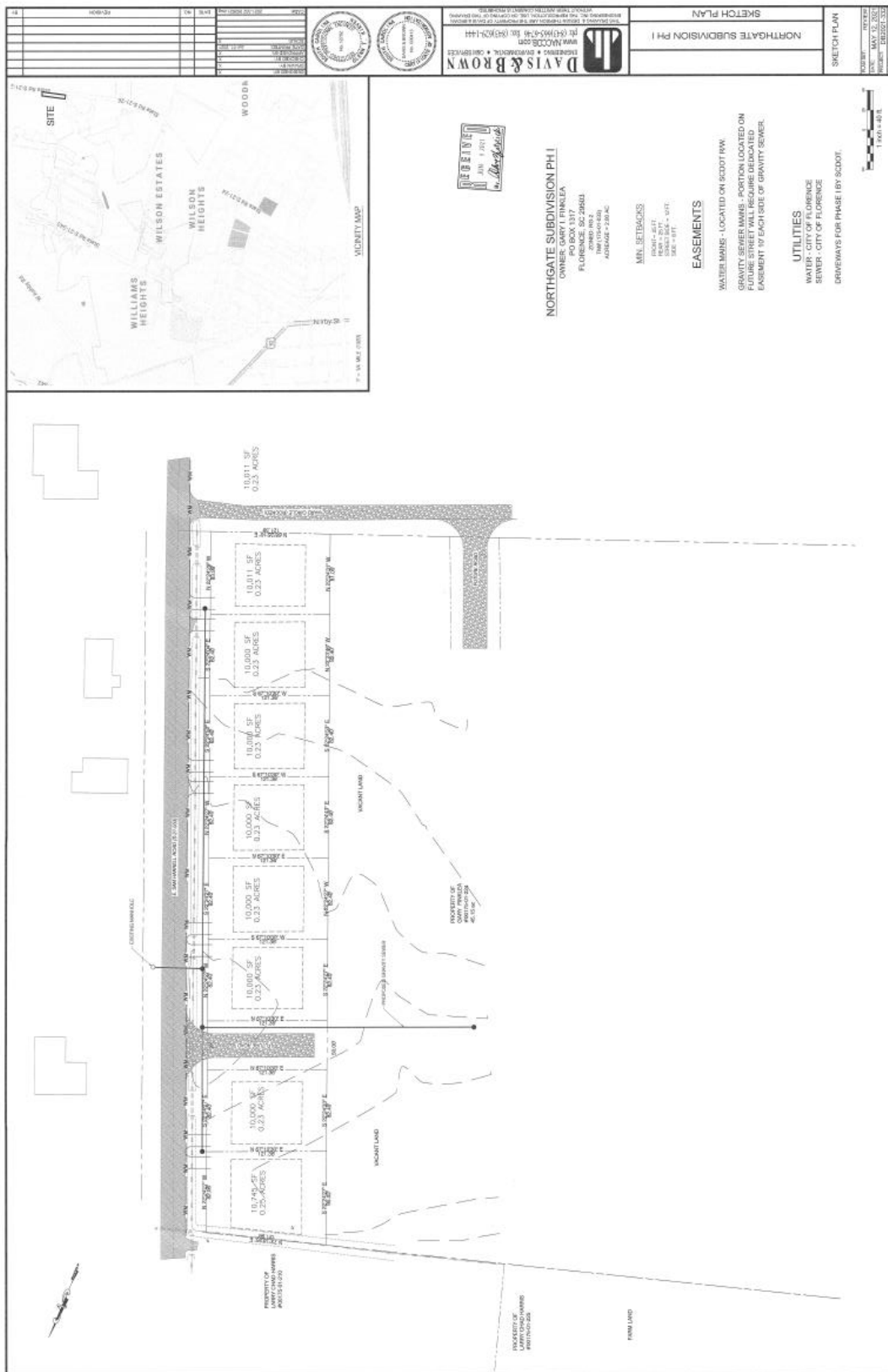


# PC-2021-21 Future Land Use Map – Northgate Phase I





Attachment E: Summary Plat



Attachment F: Plat on Site



## CITY OF FLORENCE PLANNING COMMISSION MEETING

**DATE:** June 8, 2021

**AGENDA ITEM:** PC-2021-22 Proposed text amendments to the City of Florence *Unified Development Ordinance* to add Conditional Use Standards for Commercial Retail, Business Services, Personal Services, and Shopping Centers & Restaurants, No Drive-Ins or Drive-Throughs in the Commercial Reuse Zoning District

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

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### I. ISSUE UNDER CONSIDERATION:

Proposed text amendments to the City of Florence *Unified Development Ordinance*: Section 1-2.8.4.H, “Commercial Retail, Business Services, Personal Services, and Shopping Centers” & Restaurants, No Drive-Ins or Drive-Throughs within the Commercial Reuse (CR) Zoning District.

### II. POINTS TO CONSIDER:

- 1) City of Florence Planning Staff has been tasked by City Council to amend the *Unified Development Ordinance* to mitigate possible nuisances caused by permitting Commercial Retail Uses in close proximity to residentially zoned areas.
- 2) In conducting research, City Staff discovered other municipalities in the state have also sought to address this issue through ordinance amendments creating specific zoning designations like Neighborhood Commercial or by adding additional conditional use standards to achieve permitting.
- 3) The text amendments have been prepared by the Planning, Research and Development Department in an effort to clarify the intent of the ordinance and allow for reasonable development within the City.
- 4) Amend *Table 1-2.7.3 Institutional, Recreation, and Amusement Uses* of the *Unified Development Ordinance* to make Private Clubs engaged in Alcoholic Beverage Sales or onsite consumption of alcohol in the Commercial Reuse District a Permitted Special Exception Use (SE).
- 5) Amend *Table 1-2.7.4 Commercial Uses* of the *Unified Development Ordinance* to make Commercial Retail Uses and Restaurants engaged in Alcoholic Beverage Sales or onsite consumption of alcohol in the Commercial Reuse District a Permitted Special Exception Use (SE).
- 6) Amendments to Section 1-2.8.4.H.2 of the *Unified Development Ordinance* place additional conditions on “Commercial Retail, Business Services, Personal Services, and Shopping Centers”.
- 7) Amendments to Section 1-2.8.4.Q.1 of the *Unified Development Ordinance* place additional conditions on “Restaurants, No Drive-Ins or Drive-Throughs”.
- 8) An amendment to Sec. 6-19.2.1.B.1.b Nonconforming Uses of the *Unified Development Ordinance* eliminates “on-premise consumption” making all Alcoholic Beverage Sales in Zoning Districts where prohibited a Major Nonconforming Use.
- 9) Amendments to Division 7-25.2 Definitions of the *Unified Development Ordinance* adds definitions for “convenience store” and “grocery store”.
- 10) Applicable terms from the *Unified Development Ordinance*, Division 7-25.2 “Definitions” can be found in *Attachment 2*.
- 11) City staff recommends the proposed text amendments as they guide development in a manner consistent with the stated purpose of the *Unified Development Ordinance*.

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

This issue is before the Planning Commission for public hearing and recommendation to City Council. The issue was considered at the July 14<sup>th</sup> meeting, but the proposed amendments were continued (deferred) until the August 11<sup>th</sup> meeting to provide additional time for review.

**IV. ATTACHMENT:**

- 1) Proposed amendments to the *Unified Development Ordinance*.
- 2) *Unified Development Ordinance*, Division 7-25.2 “Definitions”

**Table 1-2.7.3  
Institutional, Recreation, and Amusement Uses**

Land Uses	Zoning Districts															
	Residential					Business Commercial			Mixed- Use			Industrial		Agriculture & Open Space		
	RE	RS	RG	RU	NC	CR <sup>1</sup>	C	CG	CB	AC	DS	IL	IH	OSR	AR	
<b>Institutional Uses</b>																
Assisted Living / Congregate Care Facilities	-	-	C	C	-	-	-	C	C	-	-	-	-	-	-	
Nursing Homes	-	-	C	C	-	-	-	C	-	-	-	-	-	-	-	
Hospital / Walk-In Clinic / Birthing Center / Surgical Facility	-	-	-	-			P	P	P	-	-	-	-	-	-	
College / University / Vo-Tech	-	-	-	-	-	C	P	P	P	P	P	P	-	-	C	
Public Assembly (places of worship; preschools; elementary, middle, and high schools; libraries; community centers; child or adult day care)	C	C	C	C	C	C	P	P	P	P	P	-	-	-	P	
Private Club	C	C	C	C	C	C <sup>1</sup>	P	P	P	C	P	-	-	-	-	
Post Office	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	
Police or Fire Station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Prison/ Protective Custody	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	
<b>Recreation and Amusement Uses</b>																
Indoor Commercial Amusement	-	-	-	-	-	-	P	P	SE	P	P	P	-	-	-	
Indoor Recreation/ Personal Fitness	SE	SE	SE	SE	-	-	-	-	P	P	P	P	-	-	-	
Outdoor Commercial Amusement (amphitheaters, arenas, outdoor performing facilities)	-	-	-	-	-	-	-	SE	SE	SE	SE	SE	-	SE	-	
Outdoor Recreation	P	P	P	P	P	P	P	P	P	P	P	-	-	P	P	
Outdoor Shooting or Archery Range	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	
Recreational Vehicle Parks and Camps	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	SE	
Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	C <sub>B</sub>	-	-	-	
<sup>1</sup> Uses including alcohol sales or onsite alcohol consumption in the CR requires a Special Exception (SE) Use Approval (Sec. 6-21.7.11). RE (Estate Residential), RS (Suburban Residential), RG (General Residential), RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Re-use), CA (Campus), CG (Commercial General), CBD (Central Business District, , AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH ( Heavy Industrial, , OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional Use), SE (Permitted Special Exception Use), – (Prohibited Use), B (subscript, Special site and Building Development Standards)																

**Table 1-2.7.4  
Commercial Uses**

Land Use	Zoning Districts															
	Residential					Business & Commercial			Mixed-Use			Industrial		Agricultural & Open Space		
	RE	RS	RG	RU	NC	CR <sup>1</sup>	CA	CG	CB	AC	D	IL	I	OSR	AR	
<b>Commercial Uses</b>																
Alcoholic Beverage Sales (Offsite Consumption)	-	-	-	-	-	-	-	P	P	-	P	-	-	-	-	
Alcoholic Beverage Sales (Onsite Consumption)	-	-	-	-	-	-	-	C	C	C	P	-	-	-	-	
Animal Boarding Facilities, Small Animal	-	-	-	-	-	-	-	C	SE	SE	-	P	-	-	P	
Animal Grooming Facilities	P	-	-	-	-	C	-	P	C	C	-	P	-	-	-	
Animal Veterinary, Small Animal	-	-	-	-	-	-	-	P	C	-	C	P	-	-	P	
Animal Veterinary, Large Animal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	
Automobile Sales, Rental and Service Establishments	-	-	-	-	-	-	-	P	-	SE	-	-	-	-	-	
Automobile Repairs, Heavy	-	-	-	-	-	-	-	C	-	-	-	P	P	-	-	
Automobile Repairs, Light	-	-	-	-	-	-	-	P	-	P	-	P	P	-	-	
Brewpub	-	-	-	-	-	-	-	C	C	C	C	-	-	-	-	
Nursery, Retail	-	-	-	-	-	-	-	P	-	-	-	P	-	-	-	
Overnight Accommodations(hotels, motels, commercial inns)1	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-	
Commercial Retail (Business Services; Personal Services; Shopping Centers)	-	-	-	-	-	C <sup>1</sup>	C	P	P	P	P	C	C	-	-	
Fueling Station / Car Wash	-	-	-	-	-	-	-	C <sub>B</sub>	-	C <sub>B</sub>	-	C <sub>B</sub>	C <sub>B</sub>	-	-	
Truck Stops and Truck Washes	-	-	-	-	-	-	-	-	-	-	-	-	C <sub>B</sub>	-	-	
General Professional/ Medical Office	-	-	-	-	-	C	P	P	P	P	P	P	-	-	-	
Micro-brewery	-	-	-	-	-	-	-	C	C	C	C	C	C	-	-	
Micro-distillery	-	-	-	-	-	-	-	C	C	C	C	C	C	-	-	
Restaurant; No Drive-In or Drive-Through	-	-	-	-	-	C <sup>1</sup>	P	P	P	P	P	C	C	-	-	
Restaurant; Drive-In or Drive Through	-	-	-	-	-	-	-	P <sub>B</sub>	-	SE <sub>B</sub>	-	P <sub>B</sub>	-	-	-	
Specialty Use	-	-	-	-	-	-	-	C	C	C	C	-	-	-	-	
Mobile Food Vendor	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	
Event Facility / Banquet Hall / Dance Hall / Lodge	-	-	-	-	-	-	-	C	P	C	C	-	-	-	-	
Tattoo Facilities	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	
Heavy Retail/Home Center	-	-	-	-	-	-	-	C	-	-	-	C	C	-	-	
Wholesale	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	

<sup>1</sup>Uses including alcohol sales or onsite alcohol consumption in the CR requires a Special Exception (SE) Use Approval (Sec. 6-21.7.11).

RE (Estate Residential), RS (Suburban Residential), RG(General Residential), RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Re-use), CA (Campus), CG (Commercial General), CBD (Central Business District), AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH ( Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional), SE (Permitted Special Exception Use), - (Prohibited Use), B (subscript, Special site and Building Development Standards)

### **Sec. 1-2.8.4 Commercial Use Standards**

The standards of this Section apply to commercial uses that are specified in *Table 1-2.7.4, Commercial Uses* as conditional (C) or permitted special exception (SE).

**H. Commercial Retail, Business Services, Personal Services, and Shopping Centers** are permitted if it is demonstrated that:

1. In the IL and IH districts:

1. The use is subordinate to an institutional, office, light industrial, or industrial use in the same building, building complex, or campus, and is principally intended to serve the needs of the employees of the building, building complex, or campus (e.g., copy shop, professional plumbing or electrical supply store, etc.);
2. The use principally sells items that are manufactured on-site (e.g., furniture maker selling furniture); or
3. The use is incidental and accessory to another permitted use (e.g., convenience store associated with fueling station).

2. In the CR district:

1. General:

1. No individual commercial space exceeds 10,000 square feet of gross floor area;
2. Delivery, waste collection, and similar commercial traffic is prohibited between the hours of 10 PM and 6 AM
3. Loitering, solicitation, and disorderly conduct is prohibited at all times; rules consistent with the provisions of the City of Florence Code of Ordinances and Unified Development Ordinance shall be enforced by the proprietors.
4. Exterior sound amplification is prohibited unless specifically granted by the Planning Director as part of the Conditional Use or Special Exception Use Permit, but at no time exceeds the standards of Division 4-11.2 Noise & Vibration.
5. Outdoor lighting shall be consistent with the standards of Division 4-11.1 Lighting
6. Outdoor display of merchandise shall be consistent with the standards of Section 3-8.2.6 Outdoor Display of Merchandise
7. No drive-thru facilities
8. The required permit, either Special Exception Use Permit or Conditional Use Permit, shall be limited to the applicant and shall not be transferrable.
9. In addition to applicable use-specific standards, the Planning Director may impose additional conditions intended to mitigate any negative impacts of the use relating to Section 1-2.7.8 Unlisted & Functionally Similar Uses.
- a. Commercial Uses with Alcoholic Beverage Sales or any other onsite alcohol consumption shall require a Special Exception (SE) Permit based on the criteria set forth in Sec. 6-21.7.11 Permitted Special Exception Use Approval and the following additional criteria:
  1. Uses with onsite consumption shall be at least 300 feet from a church, school, park, or playground
  2. Alcohol sales in relation to overall sales shall not exceed 30 percent;
  3. Total square footage dedicated to alcohol sales shall not exceed 30 percent;
- b. Convenience Stores:

1. The gross floor area shall not exceed 1500 square feet;
  2. Fuel sales shall not be allowed.
  3. Parking demand shall be established per Section 4-9.2.4 Special Studies
  4. Applicable District Bufferyard Standards per Section 4-10.3.2 shall be supplemented with an opaque fence 6' in height
  5. The use shall not be open to the public between the hours of 10 PM and 6 AM.
- c. Grocery Stores:
1. The gross floor area shall not exceed 5000 square feet;
  2. Parking demand shall be established per Section 4-9.2.4 Special Studies
  3. Applicable District Bufferyard Standards per Section 4-10.3.2 shall be supplemented with an opaque fence 6' in height
  4. The use shall not be open to the public between the hours of 10 PM and 6 AM.
- d. Personal Services & Professional Services:
1. The gross floor area shall not exceed 1500 square feet;
  2. The use shall not be open to the public between the hours of 7 PM and 7 AM.
- e. Other retail sales and services:
1. The gross floor area shall not exceed 1500 square feet;
  2. The use shall not be open to the public between the hours of 9 PM and 6 AM.

**Q. Restaurants, No Drive-Ins or Drive-Throughs** are permitted if it is demonstrated that:

1. In the CR (Commercial Re-Use) district:

- a. Uses with Alcoholic Beverage Sales or any other onsite alcohol consumption shall require a Special Exception (SE) Permit based on the criteria set forth in Sec. 6-21.7.11 Permitted Special Exception Use Approval and the following additional criteria:
  1. Uses with onsite consumption shall be at least 300 feet from a church, school, park, or playground
  2. Alcohol sales in relation to overall sales shall not exceed 30 percent;
  3. Total square footage dedicated to alcohol sales shall not exceed 30 percent;
- b. Applicable District Bufferyard Standards per Section 4-10.3.2 shall be supplemented with an opaque fence 6' in height
- c. The use shall not be open to the public between the hours of 10 PM and 6 AM.
- d. No individual commercial space exceeds 10,000 square feet of gross floor area;
- e. Delivery, waste collection, and similar commercial traffic is prohibited between the hours of 10 PM and 6 AM
- f. Loitering, solicitation, and disorderly conduct is prohibited at all times; rules consistent with the provisions of the City of Florence Code of Ordinances and Unified Development shall be enforced by the proprietors.
- g. Exterior sound amplification is prohibited unless specifically granted by the Planning Director as part of the Conditional Use or Special Exception Use Permit, but at no time exceeds the standards of Division 4-11.2 Noise & Vibration.
- h. Outdoor lighting shall be consistent with the standards of Division 4-11.1 Lighting
- i. Outdoor display of merchandise shall be consistent with the standards of Section 3-8.2.6 Outdoor Display of Merchandise
- j. The required permit, either Special Exception Use Permit or Conditional Use Permit, shall be limited to the applicant and shall not be transferrable.
- k. In addition to applicable use-specific standards, the Planning Director may impose additional conditions intended to mitigate any negative impacts of the use relating to Section 1-2.7.8 Unlisted & Functionally Similar Uses.
- l. Parking will be accommodated on-site or by an alternate parking plan, such as valet parking, and/or parking easements;



- m. The building is either:
  - 1. An adaptive reuse of an existing residential building; or
  - 2. A new building that is of a residential character and a [floor area ratio \(FAR\)](#) of not more than 0.20.
- 2. In the IL (Light Industrial) and IH (Heavy Industrial) districts:
  - a. The use is intended to serve the employees of and visitors to the district;
  - b. Its signage is not visible outside of the district; and
  - c. Its floor area is not more than 2,500 square feet.

## **Division 6-19.2 Classification of Nonconformities**

### **Sec. 6-19.2.1 Nonconforming Uses**

**A. Generally.** A nonconforming use is a use of land that was lawfully established (i.e., it was allowed and legally authorized, if legal authorization was required) on a parcel or lot before the effective date of this Unified Development Ordinance (or amendment hereto), that is no longer allowed after the effective date of this Unified Development Ordinance (or amendment hereto). The following uses are legally nonconforming uses:

1. Permitted Uses and Structures. Uses that were lawfully established but are not currently listed as Permitted, Conditional, or Permitted Special Exception Uses in the district in [Division 1-2.7, Land Uses](#), except that structures that were listed as uses of land prior to the effective date and are now regulated as accessory buildings or structures (see Article 8, Supplemental Standards) are either:
  - a. Conforming structures (if they comply with the requirements of this Unified Development Ordinance); or
  - b. Nonconforming structures (see Section [6-19.2.3, Nonconforming Structures](#)).
2. Conditional Uses. Uses that are listed as Conditional Uses in the district in [Division 1-2.7, Land Uses](#), but were lawfully established without a conditional use permit and do not comply with the applicable standards of [Division 1-2.8, Conditional and Permitted Special Exception Use Standards](#).
3. Permitted Special Exception Uses. Uses that are listed as Permitted Special Exception Uses in the district in [Division 1-2.7, Land Uses](#), but were lawfully established without a permitted special exception use permit. For these uses, the nonconforming use status may be removed by obtaining a permitted special exception use permit. See [Division 6-19.5, Conversion of Nonconformities](#).
4. Flood Prone Uses. Uses that were lawfully established within a floodplain or floodway, but are no longer permitted in the floodplain or floodway. See [Division 4-12.6, Flood Prevention](#).

**B. Classifications of Nonconforming Uses.** There are two classes of nonconforming uses. The classification of the nonconforming use affects whether it can be converted to a conforming use as set out in [Division 6-19.5, Conversion of Nonconformities](#). The classifications include:

1. Major Nonconforming Uses. Major nonconforming uses are those uses for which the nonconformity generates a nuisance per se (as such) or represents such incompatibility with adjacent uses and/or the Comprehensive Plan that public policy favors their elimination from the district if they are discontinued, abandoned, or destroyed. Major nonconforming uses include:
  - a. Adult businesses;

b. Alcoholic beverage sales, on-premise consumption and off-premise consumption

c. Auto repair;

d. Car washes;

e. Heavy commercial or industrial uses;

f. Manufactured home parks;

g. Mobile homes.

h. Pawn shops;

i. Recreational vehicle parks;

j. Salvage yards; and

k. Specialty uses.

2. Minor Nonconforming Uses. All nonconforming uses that are not classified as major nonconforming uses are minor nonconforming uses. Such uses may be converted to conforming uses as provided in [Division 6- 19.5](#), Conversion of Nonconformities.

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

##### (C)

**Convenience Store** means a general retail store, typically under 5,000 square feet, that sells a limited line of goods and services oriented to daily convenience and traveler's shopping needs that may include the sale of ready-to-eat food products (not intended for on-premises consumption). These stores may be part of a Fueling Station or an independent facility.

##### (G)

**Grocery Store** means a general retail store that sells fresh produce, meats, dairy, prepackaged foods as well as nonfood household goods like paper towels, toilet paper, cleaning products, over-the-counter medicines, personal care products, and typically bakery items normally utilizing a shopping cart to purchase goods a household may need for a significant period of time.

#### **Attachment 2: Unified Development Ordinance, Division 7-25.2 "Definitions"**

**Commercial Retail** means commercial and retail uses that do not include regular outside storage or sales. This phrase includes uses that are comparable to the following:

- A. Furniture and home furnishings stores;
- B. Electronics and appliance stores;
- C. Paint and wallpaper stores;
- D. Hardware stores;
- E. Food and beverage stores;
- F. Health and personal care stores;
- G. Clothing and clothing accessory stores;
- H. Sporting goods, hobby, book, and music stores;
- I. General merchandise stores; and
- J. Miscellaneous store retailers.

**Heavy Retail** means retail and/or service activities that have regular outside service or outside storage areas, larger than average enclosed floor areas devoted to commercial use, or partially enclosed structures, as listed below:

- A. Permanent retail operations that are located outside of enclosed buildings, except nurseries;
- B. Home centers;
- C. Lumber and other building materials;
- D. Lawn, garden equipment, and related supplies stores;
- E. Warehouse clubs and super stores;
- F. Recreational equipment rental where the equipment is stored outside;
- G. Heavy truck or recreational vehicle leasing or sales;
- H. Manufactured home sales; and
- I. Industrial or construction equipment leasing or sales.

**Office, General** means uses in which professional, outpatient medical, or financial services are provided. The term includes:

- A. Accounting, auditing and bookkeeping;
- B. Advertising and graphic design;
- C. Architectural, engineering, and surveying services;
- D. Attorneys and court reporters;
- E. Banks, mortgage companies; and financial services;
- F. Call centers;
- G. Computer programming;
- H. Corporate headquarters;
- I. Counseling services;
- J. Data processing and word processing services;
- K. Detective agencies;
- L. Government offices;
- M. Insurance;
- N. Interior design;
- O. Medical, dental, and chiropractic offices;
- P. Real estate sales;
- Q. Research and development that does not include on-site manufacturing;
- R. Retail catalog, internet, and telephone order processing, but not warehousing; and
- S. Virtual office services.

**Personal Services** means a use that provides non-medical services that generally used on a recurring basis, and generally require one-to-one interaction between the proprietor or employee and the customer in order to provide the service. Examples of personal services include beauty and barber shops and tailoring. The phrase does not include "professional services, instruction, or counseling."

**Professional Services, Instruction, or Counseling** means services that principally involve communication between the proprietor or employee and the client, and which may involve services to more than one client at a time by a single proprietor or employee, including music instruction, yoga instruction, dance instruction, martial arts instruction, marriage counseling, and financial planning. The phrase does not include "personal services."

**Services used alone** means commercial services, personal services, and professional services.

**Services, Commercial** means non-medical services that are, typically provided to the general public without the requirement of an appointment or membership, such as:

- A. Copy centers;*
- B. Social services, except those defined elsewhere in this Unified Development Ordinance;*
- C. Repair services and shops, except automobile, truck, large appliance, and heavy equipment repair;*
- D. Parcel service drop-off locations and mailbox services; and*
- E. Laundry and dry-cleaning services with customer pick-up and drop-off (does not include wholesale or centralized dry cleaner processing plants).*