

**REGULAR MEETING
OF
FLORENCE CITY COUNCIL**



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

**MONDAY
May 9, 2022
1:00 P.M.**



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, MAY 9, 2022 – 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

April 11, 2022 – Regular Meeting

IV. APPEARANCES BEFORE COUNCIL

a. Mr. Kevin Crawford, Resident

To speak to Council regarding mental illness and incarceration.

b. Reverend Leo Woodberry, Executive Director – New Alpha CDC

To provide an update on cease fire zones in the City of Florence.

c. Ms. Charlotte Smith, Representing Jeffries Creek Association of Neighbors

Pastor Peter Rivera, Representing Immanuel Baptist Church

Dr. Wendy Richardson, Representing Briggs Neighborhood Watch

To speak on an Irby Street development project.

d. Mr. Chris Handley, Executive Director – Helping Florence Flourish

To speak to Council regarding appropriations for Helping Florence Flourish.

V. PUBLIC HEARING

- a. A Public Hearing will be held to receive input on the City of Florence Community Block Grant Budget for fiscal year 2022-2023.**

VI. ORDINANCES IN POSITION

a. Bill No. 2022-09 – Second Reading

An Ordinance to annex and zone NC-10 the parcel located at 1142 Annelle Dive; identified as Florence County Tax Map Parcel 01794-03-009.

b. Bill No. 2022-11 – Second Reading

An Ordinance to amend Chapter 4 Article XIV of the Code of Ordinances of the City of Florence entitled “Single-Family and Multi-Family Residential Rental Housing Registration”.

VII. INTRODUCTION OF ORDINANCES

a. Bill No. 2022-04 – First Reading

An Ordinance to rezone from NC-6.2 to NC-6.3 the parcel located at 706 Norfolk Street; identified as Florence County Tax Map Parcel 90100-03-001.

(Note: The applicant has requested to withdraw this item.)

b. Bill No. 2022-07 – First Reading

An Ordinance to rezone from PDD to AC a portion of the parcel located on Second Loop Road; identified as Florence County Tax Map Parcel 90030-02-007.

c. Bill No. 2022-12 – First Reading

An Ordinance to annex and zone CG the parcel located at 3648 South Irby Street and identified as Florence County Tax Map Parcel 00152-01-029.

(Note: The applicant has requested to withdraw this item.)

d. Bill No. 2022-13 – First Reading

An Ordinance to rezone from NC-15 to NC-6.3 the parcel located at 2150 Fernleaf Drive and identified as Florence County Tax Map Parcel 90018-07-003.

e. Bill No. 2022-14 – First Reading

An Ordinance to rezone from NC-6.1 to NC-6.2 the parcel located at 1309 West Dixie Street and identified as Florence County Tax Map Parcel 90044-01-005.

f. Bill No. 2022-15 – First Reading

An Ordinance to abandon interest in property identified as “Parkway” adjacent to Florence County Tax Map Parcel 90037-03-013 and Mimosa Drive.

g. Bill No. 2022-16 – First Reading

An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

h. Bill No. 2022-17 – First Reading

An Ordinance to amend Section 9-20 of the Code of Ordinance of the City of Florence entitled “Littering”.

VIII. INTRODUCTION OF RESOLUTIONS

a. Resolution No. 2022-14

A Resolution of City Council approving Downtown Redevelopment Grants for Fourth Quarter, FY22.

(Note: To be discussed in Executive Session.)

b. Resolution No. 2022-15

A Resolution to adopt a Community Development Block Grant Budget for fiscal year 2022-2023.

(Note: It is requested that this item be deferred.)

IX. REPORTS TO COUNCIL

a. Appointments to Boards and Commissions

X. COMMITTEE REPORTS

a. Business Development Committee

b. Community Development Committee

c. Marketing and Public Relations Committee

d. Finance, Audit and Budget Committee

(Note: Action may be taken during Committee Reports.)

XI. EXECUTIVE SESSION

a. Discussion of matters relating to proposed economic development projects [30-4-70(a)(5)].

(Note: Action may be taken upon return to Open Session.)

b. Personnel matter [30-4-70(a)(1)].

(Note: Action may be taken upon return to Open Session.)

c. To receive legal advice concerning the provision of sewer services [30-4-70(a)(2)].

XII. ADJOURN



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, APRIL 11, 2022 – 1:00 P.M.
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT

Mayor Teresa Myers Ervin, Mayor Pro Tempore George Jebaily, Councilwoman Lethonia Barnes, Councilwoman Pat Gibson-Hye Moore, Councilman Chaquez T. McCall, Councilman Bryan A. Braddock and Councilman C. William Schofield.

ALSO PRESENT

Mr. Randall S. Osterman, City Manager; Mr. James W. Peterson, Jr., City Attorney; Mrs. Casey Moore, Municipal Clerk; Mr. Scotty Davis, Deputy City Manager; Mr. Clint Moore, Assistant City Manager of Development; Mr. Kevin Yokim, Assistant City Manager of Administration/Finance; Chief Allen Heidler, Florence Police Department; Chief Shannon Tanner, Florence Fire Department; Mrs. Jennifer Krawiec, Director of Human Resources; Mr. Jerry Dudley, Director of Planning; Mr. Michael Hemingway, Director of Utilities; Mrs. Amanda Pope, Director of Marketing/Communications and Municipal Services; and Mr. Chuck Pope, Director of Public Works.

MEDIA PRESENT

Mr. Chris Day of the Florence Morning News and Mr. Jack Bilyeu of WBTW News Channel 13 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 Ervin called the April 11, 2022 regular meeting of Florence City Council to order at 1:00 p.m.

INVOCATION

Mayor Ervin gave the invocation for the meeting. The pledge of allegiance to the American Flag followed the invocation.

APPROVAL OF MINUTES

Councilwoman Barnes made a motion to adopt the minutes of the March 14, 2022 regular meeting and Councilwoman Moore seconded the motion with a correction. The minutes indicated she was both present and absent from the March 14, 2022 meeting and she was not present for the meeting. The minutes were unanimously adopted, as corrected.



ADDENDUM TO THE AGENDA

Mayor Ervin said there is an addendum to the agenda before Council for consideration.

ADDENDUM:

APPEARANCE BEFORE COUNCIL

Mr. Gary Finklea

To speak to Council concerning the provision of sewer service to Florence County Tax Map Parcel 00175-01-224. (See below under Appearance Before Council.)

Without objection, the addendum was added to the April 11, 2022 regular meeting agenda.

APPEARANCE BEFORE COUNCIL

Ms. Ellen Hamilton, Executive Director – Pee Dee Coalition Against Domestic Violence and Sexual Assault

Police Chief Allen Heidler joined Ms. Hamilton in the presentation. On April 1, 1987, the Pee Dee Coalition began providing 24-hour crisis response to area hospitals in three counties. This could not have been accomplished without the support of the City and the Police Department. She thanked Council for 35 years of continuous support. Chief Heidler said there were few resources available prior to the Pee Dee Coalition being in place and thanked Ms. Hamilton for their contributions to the community.

Mr. Gary Finklea

Mr. Finklea said he has owned a parcel of land located in East Florence for approximately fifteen years. Development plans began on this property at the time of purchase and he wishes to continue with the plans to develop this 46 acre parcel into residential homes. When he annexed this property into the city, he was under the understanding the city would provide water and sewer services to the property. In his opinion, providing water and sewer services means bringing it to his property. In this instance, sewer is across the street and it is a \$40,000 venture to bring the line across to his property. He asked Council to help bring this development into fruition and do what he thought was going to be done when he annexed the property, which is to provide sewer service to his property line. This property is located in a CDBG area and Council has expressed a desire to have private development in this area. He is investing a lot of money in this project and there is a lot of risk with development. Mr. Finklea said he believes residential homes will do well in this location. Residential development is crucial to Florence, and he appreciates any consideration Council will give to his request. Pro tem Jebaily said this is an appropriate matter to be taken up in Executive Session and asked Jim Peterson, City Attorney, if this can be added to today's Executive Session since it is not on the agenda to do so. Mr. Peterson responded it would be more appropriate to wait until the next meeting. In accordance with the Freedom of Information Act, there should be a notation on the agenda anytime Council feels something may need to be discussed in Executive Session. Councilman Braddock said the Community Development Committee has the agenda to clean-up lots and abandoned homes but to also develop incentives for construction in the north/east Florence area. Perhaps Council can consider appropriating funding to help developers build neighborhoods in these areas. Councilman Braddock asked what the average size home and the cost of homes in this development. Mr. Finklea said he imagined the homes to be a minimum of 1,500 square feet with a price of approximately \$180,000.



ORDINANCES IN POSITION

Bill No. 2022-06 – Second Reading

An Ordinance to annex the Bluffs at Mill Creek, identified as Florence County Tax Map Parcel 00152-01-021.

Pro tem Jebaily made a motion to adopt Bill No. 2022-06 on second reading and Councilwoman Barnes seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2022-06.

Bill No. 2022-08 – Second Reading

An Ordinance to abandon any City interest in the right-of-way located behind 900 and 902 Oakland Avenue, identified as Florence County Tax Map Parcels 90114-13-01 and 90114-13-013.

Pro tem Jebaily made a motion to adopt Bill No. 2022-08 on second reading and Councilman McCall seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2022-08.

INTRODUCTION OF ORDINANCES

Bill No. 2022-04 – First Reading

An Ordinance to rezone from NC-6.2 to NC-6.3 the parcel located at 706 Norfolk Street; identified as Florence County Tax Map Parcel 90100-03-001.

Mayor Ervin said the applicant has requested that this item be deferred. Without objection, this item was deferred.

Bill No. 2022-07 – First Reading

An Ordinance to rezone from PDD to AC a portion of the parcel located on Second Loop Road and identified as Florence County Tax Map Parcel 90030-02-007.

Councilman Schofield made a motion to defer Bill No. 2022-07 and Pro tem Jebaily seconded the motion. Council voted 5-2 in favor of the motion to defer first reading of Bill No. 2022-07, with Mayor Ervin and Councilwoman Moore voting against.

Mayor Ervin said individuals have requested to speak on this item. Ms. Mary Jane Weir, representing the Tarleton West neighborhood, spoke and presented Council with a packet of information on the Windsor Pointe Development impact. *(This packet is attached to and made part of the minutes.)* Tarleton West is concerned with the impact this development will have on the neighborhood regarding traffic, flooding, sewer, stormwater, trash, police, etc. Tarleton West was built in the 1970s when Second Loop Road was only two lanes. Traffic has increased in the area and the neighborhood has become a cut-through. A masterplan should be completed to address the impact on neighborhoods from various proposed developments. Florence already has one of the highest rental rates in South Carolina and all the proposed multi-family housing projects going on in the city will only make this worse. Councilman Braddock said a reason for his vote for deferral on this matter is to allow the opportunity for the residents and the developer to meet and discuss concerns with the project, similar to that of the Harmony Street project. Ms. Weir said they did have the opportunity to speak to the developer and they have no opposition towards the developer, the city needs to have a better plan in place on how to handle growth.



FLORENCE CITY COUNCIL
REGULAR MEETING – APRIL 11, 2022

Councilwoman Barnes said she agrees with Councilman Braddock and she would like to see the residents and the developer meet to discuss their concerns before she votes on this matter. Pro tem Jebaily said he attended the meeting between the residents and the developer of the Harmony Street project and noted how successful the meeting went. That particular developer addressed the community's concerns of multi-family dwellings by including single-family residential homes as a part of the project. Mayor Ervin mentioned the Harmony Street project is located in one of the city's catalytic areas that has transitioned to a majority of rental units from homeownership, leading to a downward decline in the community. The area in question on Harmony Street is already zoned for single-family residential, and the developer has asked for a zoning change in order to accommodate multi-family housing.

Mr. Kevin Connelly, developer of the project, spoke next. The size of the site allowed for very little opportunity to adapt their plan. Conversations were had with the neighbors, and it seems there's a misconception among the multi-family versus single-family and that developers aren't paying attention to the community. He said he owns approximately 60 apartment communities in various municipalities, and he owns a property in Florence that has been in existence and is maintained. They have a zero-tolerance policy on crime and drugs and they control what happens on their properties to the best of their ability. Mr. Connelly spoke of other projects he has completed and the positive impacts those developments have had on the community. There is a lot that can be done with communication, and he is happy to have discussions with the community and look at other options, but he doesn't want people to think this development is a bad thing; communities need a mix of housing that is affordable to people. The majority of rental properties in Florence are single-family homes, with only 17% of the rentals being apartments. Pro tem Jebaily thanked Mr. Connelly for his willingness to work with the community. Councilwoman Moore said apartment buildings begin to deteriorate over time as people move in and out. Mr. Connelly admitted this is true, many developers build apartments and then sell them. He still owns the first multi-family development he developed, and he continues to maintain all his properties. The properties will remain in his ownership and cannot be sold for at least fifteen years.

No. 2022-09 – First Reading

An Ordinance to annex and zone NC-10 the parcel located at 1142 Annelle Drive; identified as Florence County Tax Map Parcel 01794-03-009.

Councilwoman Moore made a motion to pass Bill No. 2022-09 on first reading and Councilwoman Barnes seconded the motion.

Mr. Jerry Dudley, Planning Director, reported this is the site of a single-family residential home and water and sewer services are currently available.

Council voted unanimously (7-0) to pass Bill No. 2022-09.

Bill No. 2022-10 – First Reading

An Ordinance to rezone from NC-15 to NC-6.3 the parcel located at 402 Thomas Road; identified as Florence County Tax Map Parcel 90018-07-004.

Councilwoman Barnes made a motion to pass Bill No. 2022-10 on first reading and Councilwoman Moore seconded the motion.

Mr. Dudley reported the proposed zoning of NC-6.3 will allow for a more dense development of the property to also include townhomes, multiplex and multifamily development. At the March Planning Commission meeting, the Neighborhood Association for Country Club Forest brought forth protective covenants for the neighborhood, to include this parcel. The protective covenants only allow construction



FLORENCE CITY COUNCIL
REGULAR MEETING – APRIL 11, 2022

of single-family detached homes. The Planning Department does not typically enforce restrictive covenants; however, when presented knowledge of protective covenants that would prohibit the proposed activity, zoning permits may not be issued unless permission has been given by the association or court order. No such permission has been given for this property at this time. Based on this information, Planning Commission voted 5-1 to deny the rezoning request.

Council voted unanimously (7-0) to deny the rezoning request.

Bill No. 2022-11 – First Reading

An Ordinance to amend Chapter 4 Article XIV of the Code of Ordinances of the City of Florence entitled “Single-Family and Multi-Family Residential Rental Housing Registration”.

Pro tem Jebaily made a motion to pass Bill No. 2022-11 on first reading and Councilman Schofield seconded the motion.

Mr. Randall Osterman, City Manager, reported in October 2020, Council adopted the rental registry ordinance. The ordinance that was passed has led to confusion and the proposed amendments have the intent to clarify some of the confusion and state what the city has already been doing in the administration of the ordinance. The amendments in no way lessen the responsibilities of the property owners or the responsible representatives.

Council voted unanimously (7-0) to pass Bill No. 2022-11.

INTRODUCTION OF RESOLUTIONS

Resolution No. 2022-13

A Resolution to support the passing of the “Creating a Respectful and Open World for Natural Hair” (CROWN) Act.

Mayor Ervin made a motion to adopt Resolution No. 2022-13 and Councilwoman Barnes seconded the motion.

Mr. Scotty Davis, Deputy City Manager, reported the CROWN Act was introduced in the SC House in January 2020 and is currently residing the SC House Committee on Judiciary. Fourteen states have adopted the CROWN Act or similar legislation. This bill will prohibit discrimination based on a person’s hair texture or hairstyle if that style or texture is commonly associated with a particular race or national origin.

Council voted unanimously (7-0) to adopt Resolution No. 2022-13.

REPORTS TO COUNCIL

Appointments to Boards and Commissions

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

Board of Zoning Appeals

Councilman McCall deferred his appointment to this Board.



FLORENCE CITY COUNCIL
REGULAR MEETING – APRIL 11, 2022

Construction & Maintenance Board of Adjustments and Appeals

Mayor Ervin made a motion to appoint Michael Henry, Jr. to the Construction and Maintenance Board of Adjustments and Appeals. Without objection, Mr. Henry was appointed to the Board to fill the role of an Engineer with a term to begin immediately and expire on June 30, 2025.

Being no additional applicants, the remaining appointment to this Board was deferred.

Aesthetics Advisory Committee

Being no applicants, remaining appointments were deferred.

Resilience and Sustainability Advisory Committee

Councilwoman Moore made a motion to appoint Lenora Rabon to the Resilience and Sustainability Advisory Committee as a representative of District 3. Without objection, Ms. Rabon was appointed to the Committee with a term to begin immediately and expire on June 30, 2024.

Mr. Davis said Council is tasked with appointing the first chair of the Resilience and Sustainability Advisory Committee. Three committee members are requesting consideration to chair the committee: Lauren Piner, Leo Woodberry and Mindy Taylor. Councilwoman Moore nominated Reverend Woodberry and Councilwoman Barnes nominated Mindy Taylor as the chair. Council voted 6-1 to appoint Mindy Taylor as the first chair of the committee with Councilman Schofield, Councilman McCall, Pro tem Jebaily, Mayor Ervin, Councilman Braddock and Councilwoman Barnes voting for Mrs. Taylor and Councilwoman Moore voting for Reverend Woodberry.

COMMITTEE REPORTS

Business Development Committee, Chaired by Pro tem Jebaily

Pro tem Jebaily said the committee was presented with additional information from Mr. Clint Moore, Assistant City Manager of Development, regarding gateways into the City, specifically the I-20, Oakland Avenue, North Irby/TV Road and East Palmetto Street gateways. This is a long-term issue what will need to be addressed comprehensively over a period of time. The Comprehensive Plans for both the City and the County are being completed by the same consultant and will work to address some of these issues. The City and the County have also completed the 76 Corridor Study to address issues.

Community Development Committee, Chaired by Councilwoman Barnes

Councilwoman Barnes said the Committee has been working on a gun violence initiative and involving the community with summer events in the park. Mingle of the Pee Dee will facilitate the summer events in hopes to bring the community together. The events will tentatively take place on the third Sunday of the month, with the first event in May at Iola Jones Park. There are also plans to incorporate a recognition at the event to celebrate the lives of those lost to gun violence.

Councilwoman Moore announced that keep Florence Beautiful will be helping to clean up Walnut Street on April 26th beginning at 11:00am. Anyone interested in helping may contact her for more information.

Marketing and Public Relations Committee, Chaired by Councilman Braddock



**FLORENCE CITY COUNCIL
REGULAR MEETING – APRIL 11, 2022**

Councilman Braddock said the committee discussed ways to market and present “Government 101” and how to inform the general public and the community on committees. They discussed different avenues to disperse this information, including social media and a potential community broadcast. Staff has met with the radio station and the committee will receive their report at the next committee meeting.

Finance, Audit and Budget Committee, Chaired by Councilman McCall

Councilman McCall said there is nothing to report at this time.

ADJOURN

Without objection, the April 11, 2022 Regular meeting of City Council was adjourned at 4:07 p.m.

Dated this 9th day of May 2022.

Casey C. Moore, Municipal Clerk

Teresa Myers Ervin, Mayor

Windsor Pointe Area Impact

Mary Jane Weir

1437 Dorchester Rd, Florence SC 29501

Overview

Notes below are focused on 2nd Loop Proposal for Windsor Pointe. However, as a city, we need to focus on total impact of all developments for city.

- Are developers paying for costs related to infrastructure impacts? (water, sewage, schools, roads, noise, etc.)
- City of Florence does not have sufficient guidelines for new developments. Provides opportunity for investors to build and profit from lack of governance, with citizens paying for consequences.
- Contingency fund: are we requiring contingency funds to be set aside for any additional costs that the city incurs due to development? This would include schools, traffic, utilities, public safety, etc.
 - Create contingent account for issues that arise after development is complete (10 years)
- Impact on surrounding communities – non-existent
 - Studies needed:
 - Traffic studies
 - Noise abatement
 - Utility consumption
 - Incremental growth of apartments
 - Multi-family rental units outpacing single family home growth in city
 - Have we reviewed long term impacts over many years?
- Notification of local neighborhoods impacted by developments
 - Public has impression that many of these apartment developments are approved in a “stealth” environment, and those impacted are unaware.
 - Ex: Tarleton West was unaware of development across 2nd Loop from neighborhood. This neighborhood will be greatly impacted by development per points outlined below. (Being separated by 4-lane road does not eliminate impact.)
 - Why do we allow outside developers to profit at expense of long established neighborhoods? Are there additional benefits to city of which the public is not aware?
- Studies presented to city for new apartment developments state that there is a great need, and they will be immediately filled.
 - Are there studies to determine from where the “new” occupants moved?
 - “Shiny & New” Effect: How do we determine whether or not occupants are simply relocating from an older complex to one that is shiny and new within the city of Florence?

Planning Commission Rezoning

- [Proposal presenting to Planning Commission for rezoning on 2/8/2022 \(attachment\)](#)
- [Approved by Planning Commission on 3/8/2022 \(attachment\)](#)

City Council Meeting

- Delayed decision pending additional information @ 3/14/2022 meeting

REGULAR MEETING OF FLORENCE CITY COUNCIL
 MONDAY, MARCH 14, 2022 – 1:00PM
 CITY CENTER – COUNCIL CHAMBERS
 324 WEST EVANS STREET
 FLORENCE, SOUTH CAROLINA

c. Bill No. 2022-07 – First Reading

An Ordinance to rezone from PDD to AC a portion of the parcel located on Second Loop Road and identified as Florence County Tax Map Parcel 90030-02-007.

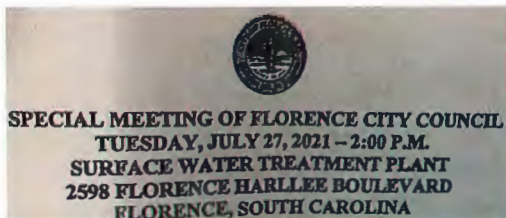
Proposal:

Windsor Pointe
1714 2nd Loop Rd, Florence SC
75 unit 3-story apartments

People	Average	2.5
	Units	75
	Total	188

1. Florence is already higher than state average for rental population, as presented to council in 2021:
 - a. Note: totals do not include new total of additional 616 proposed units for 6 developments:

Housing Rental	Florence	41.5%
	SC	29.7%
	US	35.9%



Housing:

Florence has a relatively high renter population of 41.5%. The National average is 35.9% and the average in South Carolina is 29.7%. 2/3 of the current housing in the city (of all types) are 30 years or older, creating a challenge to the community. Among renters in Florence, 50.3% are paying more than 30% of their monthly income on housing.

A key review point for company relocation to an area is rental rates. With Florence having high rentals, it is less appealing to attract new businesses for much needed economic development.

Housing needs specify more affordable homes vs. apartments (from July 2021 meeting):

<u>Housing Needs</u>	
• Smaller size homes for "down-sizing" and/or affordability	% 40.1
• "Move-up" mid-level housing beyond "starter" homes	37.8
• More large-lot housing for people who want to live in the city, but with more space and separation from neighbors	35.2
• More rental options (beyond developments targeted to seniors and others)	34.6
• Downtown residential (such as upper floor units above street-level commercial space)	32.9
• Homes within "master-planned developments" that include a mix of housing types plus more amenities for residents	30.0
• More housing options to enable retirees and seniors to stay in Florence	29.4
• A separate living area within a home (for elderly parents, young adult children, or others), or in a separate building on the same property	25.7
• "Live/work units" in appropriate locations for those who can live where they also operate a business	20.8
• More attached housing types other than apartments (such as patio homes, townhomes, etc.)	20.5
• Others	10.1

Daily totals for new development based on population – can existing infrastructure handle this? Has there been a study to review current capacities and any additional costs? Below are DAILY per-person totals for single development on 2nd Loop, in addition to others:

	National Stats for Daily PP	2 nd Loop Total (188)	+ Total Proposed Apts (1591)
Wastewater (G)	60	11,250	95,460
Trash (pds)	4.9	919	7,796
Water (G)	90	16,875	143,190

- **Example: Garbage Truck capacity: 12-14 tons=24,000-28,000 pounds: Average 26,000 pds**
 - 2nd Loop: 6,433 pds/week: 25% of capacity of 1 truck
 - Proposed: 54,572 pds/week: 210% capacity of 1 truck

Key concerns for Streets and Infrastructure (from July 2021 meeting):

<u>Streets and Infrastructure</u>	
<u>Key Issues</u>	
Stormwater & Drainage Issues	% 31.0
Poor General Infrastructure	23.1
Deteriorating Streets	21.8
Walkability and Connectivity	15.7
Long Construction Times	7.0

Stormwater drain has overflowed numerous times at Jefferies Creek along Hillside. Photo below is from video. Will new complex contribute to this over use?



Top priority is Infrastructure condition and capacity (from July 2021 meeting):

<u>Priorities</u>	
1. Infrastructure condition and capacity	% 59.5
2. Recreation amenities	35.2
3. Public safety	28.9
4. Ongoing downtown enhancement and improvement	27.3
5. Economic development for employment and tax base needs	23.8
6. Revitalizing older neighborhoods	23.1
7. Traffic congestion and safety	22.0
8. Workforce development	20.7
9. Community appearance and beautification, especially at entries into the city	15.4
10. Managing growth and development, especially just outside the city's jurisdiction	13.2
11. Better "connectivity" across a spread-out city	11.7
12. Protection of the area's natural resources and landscapes	10.8
13. Equity in providing public services and making public investments	9.0
14. Florence's image and identity	8.1
15. More land area for growth and economic development	4.6

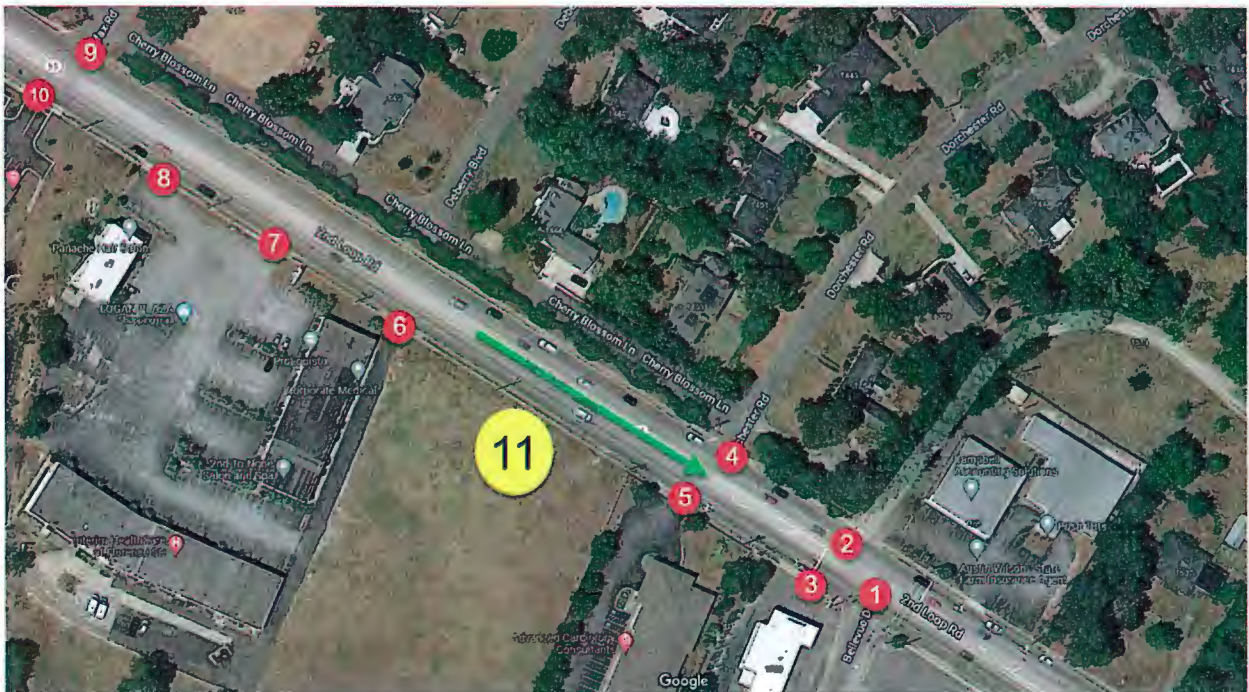
Traffic Impacts in Area

Additional vehicles estimated for Windsor Pointe

Vehicles	Household avg:	1.88
	Total	141

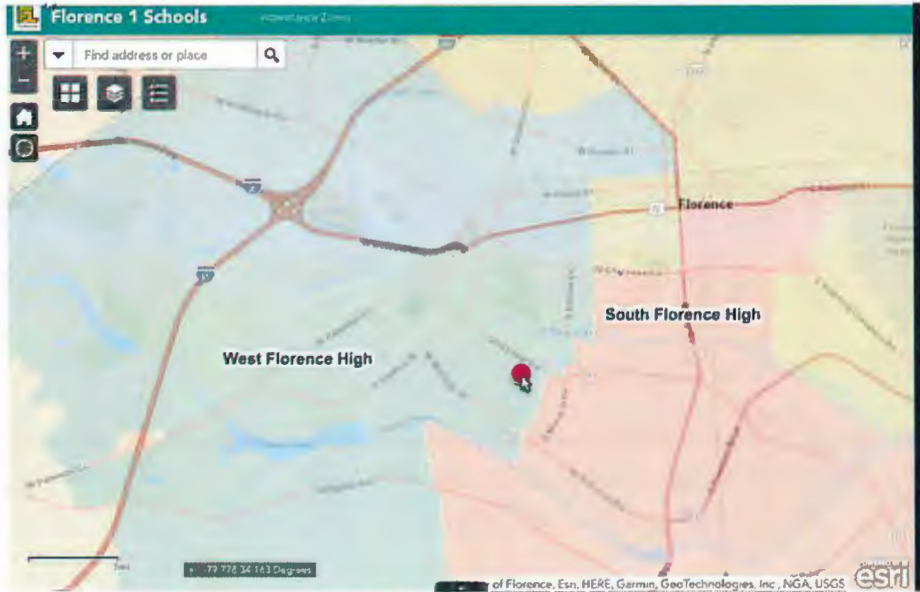
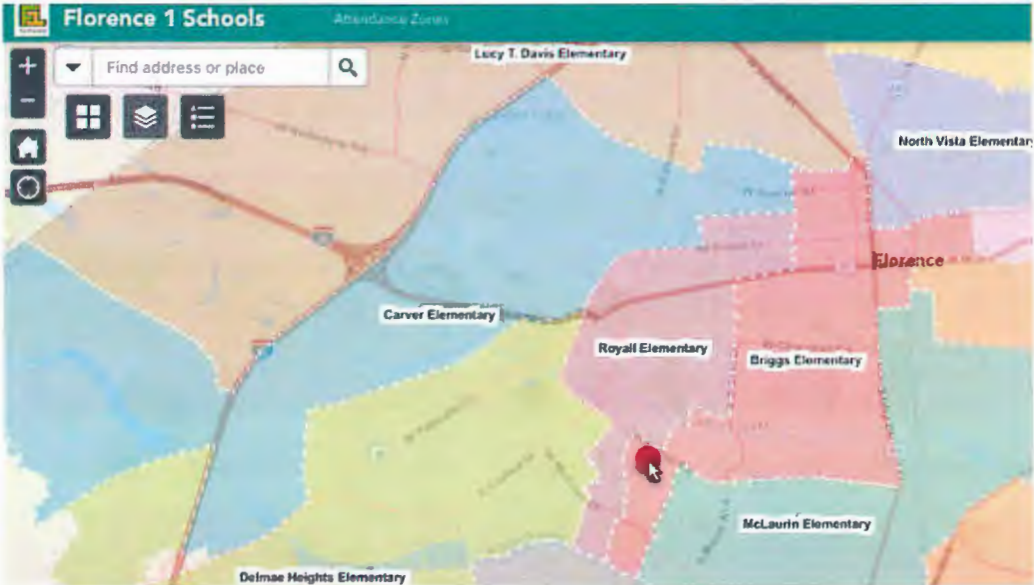
Second Loop Rd.

- Tarleton West was built prior to 2nd Loop becoming 5 lanes. Development has continued to encroach upon established neighborhood
- Traffic noise in neighborhood has greatly increased over past 10 years
- Area already congested with 10 access points.
 - Approximately 300 yards of road
- Adding 11th access point with high volume of vehicles will further deteriorate traffic patterns
- East-bound 2nd Loop left turn lane for Dorchester entrance #4 is situated completely in front of proposed development - per site layout of new complex, entry would be in middle of turn lane for Dorchester.
 - already conflicts with traffic turning into #5 – cardiology practice.
- Turning left from any access point onto 2nd Loop is dangerous/impossible during most of the day (except #1 traffic light)
- Tarleton West (#4 & #9) are already used as residential cut-thru for vehicles, especially for school access to Royall/Briggs and Cherokee to 2nd Loop – apartments would only increase traffic cut-thru in residential area
- What are proposed solutions for traffic remediation on 2nd Loop and Tarleton West?
 - Close one or both Tarleton entrances to 2nd Loop?
 - Turn lane redirection?
 - Who pays costs?



Schools

- Has population impact been reviewed for current schools?
 - FS1 involvement?
 - New apartments proposed in various locations within city – how does this impact various schools?
 - Same developer also proposing apartments off of Irby - Briggs & South Florence impacted
 - Do Briggs & West Florence have capacities for individuals from apartments?



Public Safety

Florence ranks as the most dangerous metro area in South Carolina and one of the most dangerous nationwide. There were a total of 1,764 violent crimes reported in the metro area in 2020, or 860 for every 100,000 people. Nov 9, 2021

Equates to .01 violent crimes per person

What is impact on total population of new proposed apartments? ([see attachment](#))

Do we have sufficient public safety personnel in budget? Per statistics, Florence may need to hire additional public safety personnel to handle added cases. Who will pay for this?

CrimeGrade.org	Per 1000	Per 1	+Other Proposed	
			2nd Loop	Apts
Overall	61.38	0.061	188	1591
Property Crime	43.01	0.043	11.6	97.1
Violent Crime	9.96	0.010	8.1	68.4

Florence City Planning Commission Submission



**CITY OF FLORENCE, SOUTH CAROLINA
PLANNING COMMISSION
FEBRUARY 8, 2022 AGENDA**

- I. Call to Order**
- II. Invocation**
- III. Approval of Minutes** Regular meeting on January 11, 2022.
- IV. Public Hearing and Matter in Position for Action**
 - PC-2022-04 Request to consider the abandonment of City right-of-way located behind 900 and 902 Oakland Avenue, identified as Florence County Tax Map Numbers 90114-13-001 and 90114-13-013.
- V. Matter in Position for Action**
 - PC-2022-05 Request for sketch plan review of a townhouse development to be located on Encino Road, identified as Florence County Tax Map Number 15110-01-110.
- VI. Matter in Position for Action**
 - PC-2022-07 Request for sketch plan review of a subdivision to be located on Howe Springs Road, identified as Florence County Tax Map Number 00152-01-021.
- VII. Public Hearing and Matter in Position for Action**
 - PC-2022-08 Request to rezone from PDD to AC a portion of the parcel located on Second Loop Road, identified as Florence County Tax Map Number 90030-02-007.

CITY OF FLORENCE PLANNING COMMISSION MEETING

DATE: February 8, 2022

AGENDA ITEM: PC-2022-08 Request to rezone from PDD to AC a portion of the parcel located on Second Loop Road, specifically identified as Florence County Tax Map Number 90030-02-007

**I. IDENTIFYING DATA:**

Owner	Tax Map Number
Connelly Development	90030-02-007

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 AND SURROUNDING ZONING & LAND USE:

Current Zoning: Planned Development District (PDD) and Activity Center (AC)
Proposed Zoning: Activity Center (AC)
Current Use: Vacant Land
Proposed Use: Apartments

North: NC-15; single family residential
South: NC-6.1 and NC-15; single family residential
East: AC and NC-15; commercial and single family residential
West: PD, AC, and NC-6.1; commercial and single family residential

IV. POINTS TO CONSIDER:

- (1) The 4 acre lot is currently zoned both Planned Development District and Activity Center (see Attachments C and E). The split zoning resulted from a 2005 rezoning when TMN 90030-02-007 consisted of two separate lots, 90030-02-001 and -007. Lot -001 was rezoned at that time from R-1 to PDD, and -007 remained B-2. The two parcels were combined at a later date, but the disparate zoning districts were not corrected at that time. When the *Unified Development Ordinance* zoning map was applied in 2018, the B-2 section was designated AC and the PDD portion remained.
- (2) The applicant wishes to rezone the portion that is currently PDD to AC to match the portion of the lot that abuts Second Loop Road. The intended use of the parcel following rezoning is to construct three story apartment buildings with a separate clubhouse/office space, which is a permitted use in the AC.
- (3) The lot meets the dimensional requirements of the AC zoning district per the City of Florence *Unified Development Ordinance*.
- (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 AC district. The property is subject to the City of Florence codes and regulations.

v3

- (5) Land uses of the adjacent properties are a mixture of single-family residential and commercial.
- (6) Upon development, the installation of a 25 foot wide landscaped buffer including a minimum 3 foot high fence will be required against the adjacent single-family development.
- (7) The Future Land Use Map designates this parcel as Commercial Autourban.
- (8) City water and sewer services are available.
- (9) City staff recommends the parcel be rezoned AC as requested. This recommendation is based on the adjacent zoning and character of the built environment and its agreement with the Future Land Use designation.

V.OPTIONS:

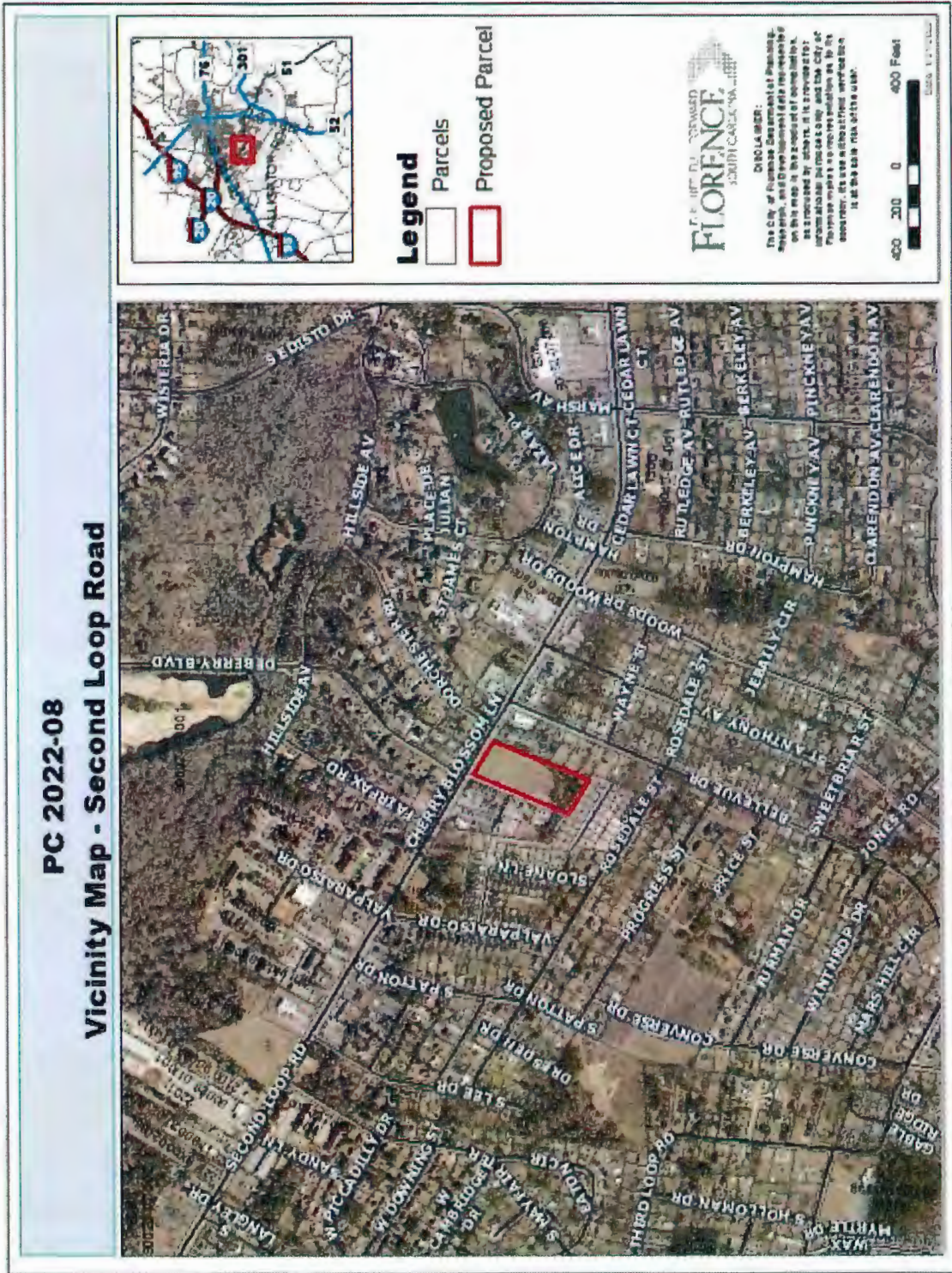
Planning Commission may:

- (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) Original Ordinance 2005-31 and Zoning Map
- F) Site Photos

Attachment A: Vicinity Map



Attachment B: Location Map



Attachment D: Future Land Use Map



Florence City Planning Approval**CITY OF FLORENCE, SOUTH CAROLINA
PLANNING COMMISSION
MARCH 8, 2022 AGENDA****PC-2022-08 Request to rezone from PDD to AC a portion of the parcel located on Second Loop Road, identified as Florence County Tax Map Number 90030-02-007.**

Chairman Chaplin read the introduction to PC-2022-08 and asked staff for their report. Mrs. Zlotnicki gave the staff report as submitted to the Planning Commission.

Chairman Chaplin asked how Staff chose which zoning designation to assign the parcel. Mrs. Zlotnicki stated it is case specific, and in this case the surrounding area is commercial with a shopping center and daycare nearby. The area then transitions into residential uses so in this case the Activity Center was the most logical choice because information on the PD was not available.

There being no further questions for staff, Chairman Chaplin opened the public hearing.

There being no one to speak in favor of or against the request, Chairman Chaplin closed the public hearing and called for a motion. Mr. Moses moved that the request be approved as submitted; Ms. Gregg seconded, and the motion passed unanimously (7-0).

FLORENCE CITY COUNCIL MEETING

DATE: April 11, 2022

AGENDA ITEM: Ordinance to Annex and Zone NC-10 1142 Annelle Drive, TMN 01794-03-009

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 1142 Annelle Drive, Tax Map Number 01794-03-009, into the City of Florence and zone to NC-10, Neighborhood Conservation 10. The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On March 8, 2022, Planning Commission held a public hearing on this matter, and voted unanimously, 7-0, to recommend the zoning request of NC-10, Neighborhood Conservation 10.

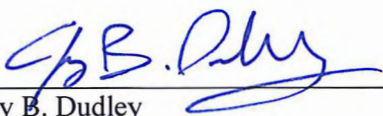
III. POINTS TO CONSIDER:

- (1) Request is being considered for first reading.
- (2) City water and sewer services are currently available; there is no cost to extend utility services.
- (3) City staff recommends annexation and concurs with Planning Commission's recommendation to zone the property NC-10 Neighborhood Conservation 10.

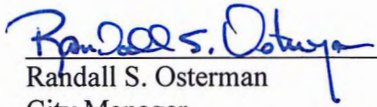
IV. PERSONAL NOTES:

V. ATTACHMENTS:

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



Jerry B. Dudley
Planning Director



Randall S. Osterman
City Manager

ORDINANCE NO. 2022-_____

AN ORDINANCE TO ANNEX AND ZONE 1142 ANNELLE DRIVE, TMN 01794-03-009.

WHEREAS, a Public Hearing was held in the Council Chambers on March 8, 2022 at 6:00 P.M. before the City of Florence Planning Commission, and notice of said hearing was duly given;

WHEREAS, application by John and Marilyn Gagner, owners of TMN 01794-03-009, 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-10:

The property requesting annexation is shown more specifically on Florence County Tax Map 01794, block 03, parcel 009 (0.293051 acre).

Any portions of public rights-of-way abutting the property described above will also 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 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 _____, 2022

Approved as to form:

James W. Peterson, Jr.
City Attorney

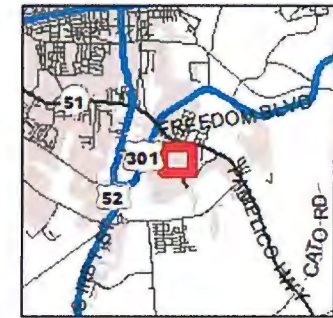
Teresa Myers Ervin,
Mayor

Attest:

Casey C. Moore
Municipal Clerk

PC 2022-09

Vicinity Map - 1142 Annelle Drive

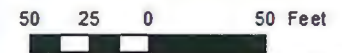


Legend

- City Limits
- Parcels
- Proposed Parcel



DISCLAIMER:
 The City of Florence Department of Planning, Research, and Development data represented on this map is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.



Date: 1/24/2022

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: 01794 - 03 - 009
3. Annexation is being sought for the following purposes: City Services
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 2 Race AA/Black
 Total 18 and Over 2 Total Registered to Vote 2

APPLICANT (S) (Please print or type):

Name(s): John & Marilyn Gagner

Address: 1142 Annette Dr.

Telephone Numbers: 843-206-2686 [John work] 843-472-9333 [home] Marilyn

Email Address: sistergirlmvr@hotmail.com

Signature John & Marilyn Gagner Date 1-24-22

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date <u>1/24/22</u>	<u>[Signature]</u>

FLORENCE CITY COUNCIL MEETING

DATE: April 11, 2022
AGENDA ITEM: Ordinance
DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

An ordinance to amend Chapter 4, Article XIV of the Code of Ordinances of the City of Florence entitled "Single-family and Multi-family Residential Rental Housing Registration".

II. PREVIOUS ACTION TAKEN:

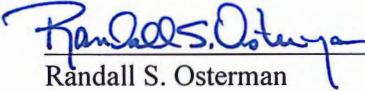
1. Ordinance No. 2020-35, adopted by City Council on October 12, 2020, amended the City of Florence Code of Ordinances to add a Single-family and Multi-family Residential Rental Housing Registration.

III. POINTS TO CONSIDER:

1. The proposed amendments will clarify certain aspects of the Ordinance in order to be consistent with actions already being taken by the city in its administration of the ordinance.
2. This ordinance is in concurrence with the South Carolina Landlord and Tenant Act and encourages landlords and tenants to maintain housing that is habitable.

IV. ATTACHMENTS:

1. Proposed Ordinance
2. Exhibit A


Randall S. Osterman
City Manager

ORDINANCE NO. 2022-_____

AN ORDINANCE TO AMEND CHAPTER 4, ARTICLE XIV OF THE CODE OF ORDINANCES OF THE CITY OF FLORENCE ENTITLED “SINGLE-FAMILY AND MULTI-FAMILY RESIDENTIAL RENTAL HOUSING REGISTRATION”.

WHEREAS, the City of Florence commits to advancing efforts to ensure a safe and habitable environment of all residential rental properties throughout our community; and

WHEREAS, the City previously established registration, renewal registration, and registry update for all single-family and multi-family rental properties within the municipal limits by adopting Ordinance No. 2020-35; and

WHEREAS, this ordinance is in concurrence with the South Carolina Landlord and Tenant Act and encourages landlords and tenants to maintain housing that is habitable,

WHEREAS, certain minor amendments to the Ordinance adopted in 2020 to clarify certain aspects of the Ordinance consistent with the actions already being taken by the City pursuant to its administration of the 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 an Ordinance is hereby adopted to amend Chapter 4, Article XIV of the Code of Ordinances of the City of Florence entitled “Single-family and Multi-family Residential Rental Housing Registration” as shown on the “tracked” version of said Article attached hereto as Exhibit A and incorporated herein by reference;
2. That this Ordinance shall become effective upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.

[Signatures on Next Page]

ADOPTED THIS _____ DAY OF _____, 2022

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin,
Mayor

Attest:

Casey C. Moore
Municipal Clerk

Exhibit "A"

Article XIV. Single-Family and Multi-Family Residential Rental Housing Registration

Sec. 4-900. Definitions.

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.

Dwelling unit means a building or portion thereof, designed for occupancy for residential purposes and having individual cooking facilities and sanitary facilities for each leased space.

Landlord means any person who owns or controls a dwelling, dwelling unit, or rental unit and rents such unit, either personally or through a designated agent, to any person.

Occupant means a family as defined by the City of Florence Unified Development Ordinance, or an individual unrelated by blood to a second degree of consanguinity, marriage, adoption, or guardianship to any other occupant of the dwelling unit. A family of related persons shall be counted as one occupant.

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.

Owner-occupied rental unit means a rental unit that is occupied in whole or in part at the subject property by an individual or individuals whose name(s) appears on the deed for the property on which the rental unit is located provided said individual(s) has designated the subject property as his/her legal voting address and the address of his/her driver's license.

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.

Professional management company means any company, corporation, or legal entity identified as the responsible representative for any residential unit(s) licensed by South Carolina Department of Labor, Licensing and Regulation as a real estate broker or property manager and holding the appropriate current City of Florence Business License.

Professional property manager means any person identified as the responsible representative for any residential rental unit(s), holding the appropriate permit and current City of Florence Business License, if required.

Residential rental unit means that portion of a dwelling or building for which payment or other consideration, including performance of general maintenance, payment of utilities or other fees, or similar in-kind services, is being made to an owner, agent, or manager for the use and occupancy of that portion as a living facility. For purposes of this article, the term "rental unit" 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. Whenever the words "rental unit" are stated in this Code, they shall be construed as though they were followed by the words "or any part thereof". Exceptions shall be the following:

- (1) Dwellings occupied for residency for over one hundred twenty (120) days by employees of that organization which are owned by a firm, corporation, religious organization or another incorporated organization;
- (2) Dwellings occupied by individuals who are under a written, recorded contract to purchase the residence in which a significant portion of the rent applies to the purchase price;
- (3) Dwellings owned and operated by the United States of America, the State of South Carolina, or any agency thereof;
- (4) Owner-occupied rental dwellings, including, but not limited to duplexes, over and under duplexes, and accessory dwelling units, that are consistent with the City of Florence Unified Development Ordinance.

Responsible representative means a person, professional property manager, or professional management company designated by the property owner as the agent available for service and responsible for operating such property in compliance with the ordinances adopted by the city. For the purposes of this article, the term "agent" shall refer to the responsible representative. The representative must be willing to assume the duties and responsibilities of an owner, specifically in an emergency or urgent situation even if the owner cannot be contacted by the responsible representative.

Short-term residential rental means a furnished residential unit that is rented by the property owner for financial gain for a period of no more than twenty-nine (29) consecutive days and not to exceed seventy-two (72) days in the aggregate during any calendar year, as defined and regulated within the Unified Development Ordinance of the City of Florence.

Tenant means any individual who has the temporary use and occupation of real property owned by another person in subordination to that other person's title and with that other person's consent; for example, a person who rents or leases a dwelling, dwelling unit, or rental unit from a landlord.

Townhome means three (3) or more attached dwelling units that are arranged in rows with common side walls.

Violation means breach of law, except, for the purposes of this section, any laws related to S.C. Code ch. 25 of tit. 16, and any code and/or ordinance related to the condition of and/or occupancy of premises, including, but not limited to, the City of Florence Codes and Ordinances, the Fair Housing Act, the International Property Maintenance Code (IPMC), and the South Carolina Residential Landlord and Tenant Act.

Sec. 4-901. Rental permit required to establish Rental Registry.

- (a) All property owners or responsible representatives, whether a person, firm, corporation, or other form of legal entity, that operates residential rental unit(s), as defined in section 4-900, shall be required to obtain a rental permit with the City of Florence before renting a residential rental unit.
- (b) Effective July 1, 2021, a property owner or responsible representative shall apply for rental permit(s) on an application form designated by the City of Florence which identifies all residential rental units identified by address it owns or manages. The application shall set forth the owner's name, address, e-mail, and telephone number, and additional information as outlined on the application for a rental permit. If the owner uses a responsible representative, the same contact information shall be provided for the responsible representative. An application under this section can cover one permit for one residential rental unit, or it can cover multiple permits for multiple residential rental units.
- (cb) A rental permit for an individual residential rental unit will not be issued until the owner and/or responsible representative certifies, after personal inspection and to the best of the person's knowledge, that the unit complies with the applicable codes, or until the unit passes the voluntary inspection requested of the City of Florence.
- (de) Permits issued under this article are non-transferable. In the event of the sale or other transfer of the residential rental unit covered by the permit, the successor must obtain the permit required by this article before commencing business or operations.
- (ed) A rental permit is required for each residential rental unit that a property owner rents or responsible representative manages on behalf of a property owner. The city shall, per written policy, allow certain residential rental units with the same address or tax map designation be grouped under an individual or single permit.
- (fe) Renewals of rental permits shall be required to be filed annually before July 1. After sixty (60) days of the expiration date of a prior year's rental permit, a rental unit will be assessed a late penalty fee of ten dollars (\$10.00) per month, for the initial and all subsequent months. If the permit fee is not paid after 90 days following the expiration of the permit and the property is occupied as a rental unit, the City of Florence shall then issue a uniform ordinance summons to the property owner and/or the responsible representative for appearance in municipal court charging the owner with a violation of this article as provided in section 4-913, and the property owner and representative are subject to revocation of business license as outlined within Chapter 13 of the City of Florence Code of Ordinances. In the event a responsible representative fails to pay for the rental permit, the owner shall be notified of the representative's violation and has thirty days after notification to comply with the requirements of this Ordinance. In the event the responsible representative no longer manages an owner's rental unit, the responsible representative shall notify the City before the expiration of a rental permit and if so, will not be subject to penalty under this provision. Renewals of rental permits after sixty (60) days of the expiration date will be assessed a late penalty fee of ten dollars (\$10.00) per month, for the initial and all subsequent months.
- (f) ~~If the permit fee is not paid after one hundred twenty (120) days following the expiration of the permit and the property is occupied as a rental unit, the City of Florence shall then issue a uniform ordinance summons to the property owner and/or the responsible representative for appearance in municipal court charging the owner with a violation of this article as provided in section 4-914, and the property owner and representative are subject to revocation of business license as outlined within chapter 13 of the City of Florence Code of Ordinances.~~

Sec. 4-902. Business license required.

- (a) No owner or responsible representative, whether a person, firm, or corporation, shall operate a residential rental unit within the municipal limits of the City of Florence without obtaining a business license as required by the City of Florence Code of Ordinances.
- (b) Before a business license can be issued, the owner or responsible representative must first obtain a rental permit as outlined within section 4-901 in this article.
- (c) The business license requirement shall not apply, if:
 - (1) The owner or responsible representative has less than five (5) residential rental units that are owned or managed by an individual and not by a business, corporation, or limited liability partnership or other like legal entity.
 - (2) This exemption does not apply to short-term rental properties as defined in this article and outlined within the Unified Development Ordinance and does not exempt any owner or responsible representative from obtaining a rental permit.

Sec. 4-903. Application.

~~Applications for a permit to operate a residential rental unit(s), and for renewal thereof, shall be on a form provided by the City of Florence. Such form shall set forth the owner's name, address, e-mail, and telephone number, the residential rental unit(s), and additional information as outlined on the application for rental housing. If the owner uses a responsible representative, the same contact information shall be provided for the responsible representative.~~

Sec. 4-9034. Issuance or refusal of rental permit.

The City of Florence shall issue a rental permit for rental housing to the applicant upon proof of the following:

- (1) The property has passed the rental housing inspection conducted by the City of Florence at the owners or responsible representatives request, or the owner or responsible representative has submitted written certification after inspection, to the best of the person's knowledge that the subject property complies with all applicable codes and ordinances of the City of Florence on the certification form provided by the city;
- (2) All fees have been paid as required by section 4-~~916-915~~ of this article.
- (3) Pursuant to section 4-902 of this article, a business license may be required in addition to the rental permit. Per section 4-902 of this article, the issuance of a rental permit does not negate the requirement of a business license. Please see section 4-902 for further clarification.

(Ord. No. 2020-35, § 1(Attch.), 10-12-2020)

Sec. 4-9045. Responsibilities of Property owner, responsible local representative, ~~and occupant.~~

- (a) It is the sole responsibility of the applicant for the rental unit permit~~property owner~~ to maintain current contact information as it relates to the owner and responsible representative, if any. If the property owner applicant fails to notify the city of a change in personal contact information or a change of responsible representative, it shall be considered failing to meet the rental housing ordinance and is subject to revocation of the rental permit ~~and business license.~~

- ~~(b) The property owner, responsible representative, and/or occupants shall be responsible for occupancy violations within rental residences under their control or in which they are located.~~
- (be) For every residential rental unit, the owner and/or responsible representative shall be responsible for responding to emergency needs. The property owner and/or the responsible representative shall make reasonable efforts to hire a licensed contractor or provide the services to correct the emergency. Nothing in this Ordinance prohibits the owner, responsible representative or tenant from contractually shifting responsibility of maintenance of the property if otherwise legally permissible. The owner and/or responsible representative, however, will be the party ultimately responsible to the City for maintaining the property in compliance with the International Property Maintenance Code and the South Carolina Landlord Tenant Act.
- (cd) Any and all occupancy violations, maintenance, repair, replacement, damages and/or expenses which occur to the structure and property shall be the responsibility of the property owner and/or responsible representative of the residential rental unit(s).
- (de) The owner or responsible representative shall provide each tenant the names, addresses, e-mails, and telephone numbers of such owner and/or responsible representative.

Sec. 4-9056. Violations.

- (a) It shall be unlawful for a person, firm or corporation to be in conflict with, or in violation of, any of the provisions of this article. Violation(s) shall include any citation, offense, and/or adjudication of guilt, finding of guilt with adjudication withheld, waiver of right to contest the violation, or pleas of no contest (including, but not limited to, payment of fine) for any violation of any code and/or ordinance related to the condition of and/or occupancy of premises, including, but not limited to, the City of Florence Codes and Ordinances, the Fair Housing Act, the International Property Maintenance Code (IPMC), and the South Carolina Residential Landlord and Tenant Act.
- (b) In the event of a violation, the building official, or its designee, shall serve a notice of violation in accordance with section 4-9067 of this article.
- ~~(c) Any person operating residential rental unit(s), as defined in Section 4-900 failing to comply with a notice of violation or order served in accordance with this article without the required rental permit shall be deemed guilty of a misdemeanor or civil infraction as determined by the City of Florence, and the violation shall be deemed a strict liability offense. Any person who shall violate a provision of this code this provision, or fail to comply therewith, or with any of the requirements thereof, may be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~
- (d) If ~~the a~~ notice of violation is not complied with, the building official, or its designee, may institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto. Any action taken by the City of Florence shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.
- ~~(d) Any person who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, may be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

- (e) The imposition of the penalties herein prescribed shall not preclude the City of Florence from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure, or premises.
- (f) Residential rental units where repeated criminal activity by a tenant, household member, guest, or other person under tenant's control, including criminal activity that threatens the health, safety or right to peaceful enjoyment of the residential unit including any drug-related criminal activity will be considered a violation. In order for this to constitute a violation, the City of Florence shall notify the owner or responsible representative of the repeated criminal activity and provide incident reports, criminal records and other appropriate information. The owner and/or responsible representative shall be given service of such information as outlined in section ~~4-907~~ 906 of this article. The owner or responsible representative shall notify the City of Florence Building Official, or its designee, if they disagree that the violation rises to the level required to evict the tenant or if there are alternative remedies such as only evicting the individual(s) engaged in such criminal activity and not the entire household. In the event the City of Florence and owner or responsible representative cannot reach an agreement as to how to proceed, a violation shall be assigned to the rental permit for that unit. Should the owner and/or responsible representative disagree with the assignment of a violation, the appeal procedure contained in section ~~4-909~~ 908 of this article shall be followed.
- (g) Both the Unified Development Ordinance and the International Property Maintenance Code address occupancy and use limitations. Occupants are directly responsible for occupancy violations. Responsible representatives and owners are secondarily responsible for occupancy violations. In the event of an occupancy violation, the City follow the Notice of Violation procedure set out in Sec. 4-905 by serving both the occupants and the owner and/or responsible representative. If the occupancy violation is not resolved pursuant to the Notice of Violation with the occupants, the City of Florence shall serve the owner or responsible representative with a second Notice of Violation of the occupancy violation and provide the appropriate information confirming the violation in order to provide the owner and/or responsible representative an opportunity to resolve the matter.

Sec. ~~4-9076~~. Notice and method of service.

- (a) Any notice called for in this article shall be in accordance with section 107.2 of the IPMC, which provides as follows:
 - (1) Be in writing.
 - (2) Include a description of the real estate sufficient for identification.
 - (3) Include a statement of the violation or violations and why the notice is being issued.
 - (4) Include a correction order allowing a reasonable time to make repairs and improvements required to bring the unit into compliance.
 - (5) Include the right to request an informal conference with the Building Official or City Designee to discuss the violation for purposes of resolving the conditions giving rise to the notice.
 - ~~(6)~~ Inform the property owner or responsible representative of the right to appeal.

- (b) Method of service of any notice shall be in accordance with section 107.3 of the IPMC, which provides as follows:
- (1) Delivered personally; or
 - (2) Sent by certified or first-class mail addressed to the last known address and emailed to the address provided with the rental application; or
 - (3) 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. 4-907~~8~~. Revocation of rental permit.

In the event an owner and/or responsible representative fails to correct a violation after notice, the building official, or its designee, may refer the matter to the city manager with a recommendation that the rental permit be revoked. If the city manager approves the revocation, a notice of revocation will be served to the owner and/or responsible representative, pursuant to section 4-~~907~~906.

Sec. 4-90~~8~~9. Appeal.

- (a) Any person directly affected by a decision or notice of the City of Florence 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 10 days if an informal conference with the Building Official has been requested and scheduled within the initial 20-day period.
- (b) An application for 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.
- (cb) 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.
- (de) The city manager, or its designee shall provide notice of the final decision within five (5) days of the date of the decision.
- (ed) ~~The final decision of the city is subject to certiorari review in a court of competent jurisdiction in Florence County, South Carolina. 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, responsible representative, or violator a fixed amount of time to cure the violation.~~
- (f) In the event the owner, responsible representative or violator fails to cure after losing the appeal, the process to revoke the rental permit pursuant to Section 4-907 may be initiated by the City of Florence.
- (g) The final decision of the city is subject to certiorari review in a court of competent jurisdiction in Florence County, South Carolina.

Sec. 4-~~90~~909. Effect of revocation.

- (a) Upon the commencement of revocation of the rental permit for a residential rental unit, no permit shall be granted to another responsible representative or owner for the operation of that residential rental unit(s) until all citations and/or notice of violations are remedied. Any residential tenants

under a lease in existence at the time of the commencement of revocation shall have all rights afforded to them under applicable local, state, and federal law.

- (b) If the permit is revoked under these procedures, the owner or responsible representative shall have fourteen (14) days from the date of the final decision to commence recovering possession of the rental unit. If the tenant(s) do not voluntarily agree to vacate the premises, the owner or agent shall diligently pursue the process of eviction to completion. The owner or agent shall provide copies of all documents provided to the tenants or filed with the court concerning the eviction process to the city manager, or its designee. If the owner ~~collects any rent from the tenants following permit revocation~~, fails to comply with these provisions or fails to abide with the final decision of the city, the city may seek criminal relief by citing the owner for violation of Section 4-901 and Section 4-902, or seek other available legal or equitable relief.
- (1) In addition to the above-described procedures, the city attorney is authorized to file for injunctive relief to abate the public nuisance at common law or noxious use of private property pursuant to law.
 - (2) Subject to conditions, the City of Florence may take further action which may result in the discontinuance of use of the water meter, revocation of the business license and ability to operate the residential rental unit(s), and any other action the City of Florence deems appropriate.

Sec. 4-9101. Notification exemption.

Residential rental properties are exempt from the notification requirements, as given in the codes, when they have not obtained a valid permit for rental housing as required by this article. Properties operating without a valid rental permit and business license shall receive one written warning and twenty (20) working days to comply. If an owner is convicted of a violation of section 4-902 of the City of Florence Code of Ordinances, the property shall not be eligible for a rental housing permit for a period of three (3) months after the conviction. The property owner and/or agent that operates without a business license is subject to violations and penalties outlined within chapter 13 of the City of Florence Code of Ordinances. However, a subsequent purchaser who properly obtains a permit and otherwise complies with this article may obtain a permit.

Sec. 4-9112. Operating without a permit a public nuisance.

If a person operates as a landlord without a rental permit or business license (when applicable) as set forth in this section, such shall constitute a public nuisance and be in violation of this article.

Sec. 4-9123. Complaints and inspections.

- (a) Complaints: Each complainant shall be requested to state his/her name and addresses and give a statement of the facts giving rise to the complainant's belief that the provisions of this article are being violated. Such information may be obtained orally or in writing. Upon receipt of a complaint the City will do an informal investigation to determine whether there is probable cause to believe there may be a violation. If probable cause is found, the City will provide written notice of the complaint to the owner or responsible representative prior to scheduling a formal inspection. Unless the City deems the complaint to be an emergency situation, the owner or responsible representative will be given 10 days to remedy the complaint before an inspection or investigation is done. If resolved, the complaint will be dismissed. A complainant may be subpoenaed to appear in a revocation or denial proceeding to provide evidence or testimony.

- (b) Inspections: By applying for a permit, the owner agrees to allow inspection of the unit for violations of this article, as well as violations of the International Property Maintenance Code at any reasonable time; however, this provision shall not be interpreted as authorizing the city to conduct an inspection of an occupied rental unit without obtaining either the consent of an occupant or a warrant.

Sec. 4-9134. Criminal penalties.

Any person failing to comply with a notice of violation or order served in accordance with this ordinance ~~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. 4-9145. Denial of permit and appeal.

- (a) The building official, or its designee, may deny issuance of any permit applied for under this section if it is determined that either the owner or agent has made material misrepresentations about the condition of his/her property or status of ownership, or that the occupancy of the property is in violation of any city ordinances, or that the owner has otherwise violated a provision of this article.
- (b) If the building official, or its designee, determines there is reasonable cause to believe that there are grounds to deny a permit, the administrator or designee shall provide notice of the denial, including the grounds for the denial based upon findings of fact.
- (c) The owner or responsible representative may appeal this denial pursuant to section 4-~~909-908~~ of this article.
- (d) The planning director, or its designee, may deny issuance of any permit applied for under this section if it is determined that the property is not in compliance with City of Florence zoning regulations. Such permit denials however shall not be subject to the appeals procedure outlined in this section. Upon an owner's request to appeal the administrator's decision to deny a permit due to noncompliance, the appeal shall be made to the board of zoning appeals in accordance with the procedure set forth in sections 6-20.2.3 and 6-22.1.1 of the Unified Development Ordinance.
- (e) The final decision of the city is subject to certiorari review in a court of competent jurisdiction in Florence County, South Carolina.
- (f) If a permit is denied under this section, the owner shall not be issued a permit for the subject residential rental unit(s) or property(s) until remediation of the identified violation(s) is provided to the City of Florence.

Sec. 4-9156. Rental permit fee and annual permit fee.

- (a) The rental permit fee shall be twenty-five dollars (\$25.00) per application, upon approval. An application hereunder may be for one or multiple rental permits without changing the amount of the permit fee.
- (b) The annual permit fee for the owner and/or responsible representative is twenty-five dollars (\$25.00) regardless of the point in the year that a permit is obtained. The permitting year runs from July 1 to June 30 of the following year. All rental permits expire on June 30 each year. No registration fees are to be prorated or refunded.

- (c) Upon determination that a rental property owner has failed to obtain a rental housing permit, an administrative fine shall be assessed at four hundred dollars (\$400.00) each year the unpermitted occupancy has occurred for each residential rental unit.
- (d) An inspection fee of twenty-five dollars (\$25.00) shall be included in the permit fee for properties that fail to pass inspection after the second inspection.
- (e) All required fines shall be paid before a permit is issued, including any past due fines assessed for work abated by the city.
- (f) After the first year of permitting the annual permit fee is not required, if:
 - (1) The applicant is a professional management company or professional property manager applying on behalf of an owner as a responsible party; or
 - (2) The applicant is licensed by the City of Florence through the business license office to conduct the business of being a landlord; and
 - (3) The applicant is in good standing per this article.

Sec. 4-9167. Release of liability of responsible representative.

In the event the responsible representative has exercised due diligence in performance if its responsibilities under this article 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~~ shall 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 without consent of the City Manager or his designee. 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 article.

Sec. 4-9178. 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. 4-9189. 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. 4-91920. Effective date.

The provisions of this section shall become effective July 1, 2021.

FLORENCE CITY COUNCIL MEETING

DATE: February 14, 2022

AGENDA ITEM: An ordinance to rezone from NC-6.2 to NC-6.3 the parcel located at 706 Norfolk Street; identified as Tax Map Number 90100-03-001.

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

I. ISSUE UNDER CONSIDERATION:

A request to rezone from NC-6.2 to NC-6.3 the parcel located at 706 Norfolk Street, said property being specifically designated in the Florence County Tax Records as Tax Map Number 90100-03-001.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On January 11, 2022, the City of Florence Planning Commission held a public hearing on this matter and voted 5-0 to deny the parcel be rezoned from NC-6.2 to NC-6.3.

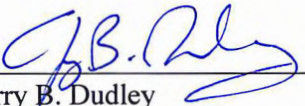
III. POINTS TO CONSIDER:

1. The property is currently zoned Neighborhood Conservation – 6.2 (NC-6.2), which permits residential uses such as single family detached and duplex. The current zoning conditionally permits limited commercial uses accessory to homes such as home occupations and in-home childcare.
2. The proposed zoning is Neighborhood Conservation – 6.3 (NC-6.3) and permits the same uses as the NC-6.2, with the added conditional uses of Multiplex and Multifamily.
3. The parcel meets the minimum dimensional requirements for the NC-6.3 zoning district per the City of Florence Unified Development Ordinance. New construction would have to conform to the specifications of the NC-6.3 zoning district including lot and building standards for the desired housing type.
4. A multiplex in the Unified Development Ordinance is defined as, “a residential building that is constructed to look like a large single-family detached residence.” A multiplex can contain three (3) separate dwelling units (triplex) or four (4) separate dwelling units (quadraplex) within. The parcel’s dimensions could reasonably support this style of development.
5. Multifamily is defined as, “...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.” The conditional requirements for multifamily would limit the feasibility of this style of development on such a small parcel adjacent to single-family development.
6. The site is currently an undeveloped vacant lot. Aerial images show this lot has been vacant since at least 1998. The current zoning of Neighborhood Conservation - 6.2 (NC-6.2) was adopted with the land use maps associated with the adoption of the Unified Development Ordinance in 2018 in keeping with the parcel’s historic zoning.
7. Land use of the adjacent properties is all residential except for the CSX Railyard to the south (Attachment C).

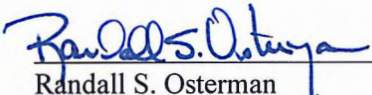
8. Future Land Use of the parcel is shown as “Public and Institutional” but will most likely remain “Neighborhood Conservation” unless purchased and rezoned by CSX or a government entity.
9. City staff agrees with Planning Commission and does not recommend the parcel to be rezoned. The current zoning (NC-6.2) allows single-family attached and detached housing types while the proposed zoning (NC-6.3) extends the allowed uses to include townhomes, multiplexes, and multifamily. The NC-6.3 zoning does not align with the character of single-family dwellings in the vicinity of this neighborhood street.

IV. ATTACHMENTS:

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



Jerry B. Dudley
Planning Director



Randall S. Osterman
City Manager

ORDINANCE NO. 2022-_____

AN ORDINANCE TO REZONE PARCEL IDENTIFIED AS 706 NORFOLK STREET, TAX MAP NUMBER 90100-03-001 FROM NEIGHBORHOOD CONSERVATION-6.2 ZONING DISTRICT TO NEIGHBORHOOD CONSERVATION-6.3 ZONING DISTRICT.

WHEREAS, a Public Hearing was held in City Council Chambers on January 11, 2022 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, the property owners made application to rezone from NC-6.2, Neighborhood Conservation-6.2 to NC-6.3, Neighborhood Conservation-6.3.

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 CBI**
- 2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.**

EXECUTED ON ONE (1) ADDITIONAL PAGE

Ordinance No. 2022-_____

Page 2

ADOPTED THIS _____ DAY OF _____, 2021

Approved as to form:

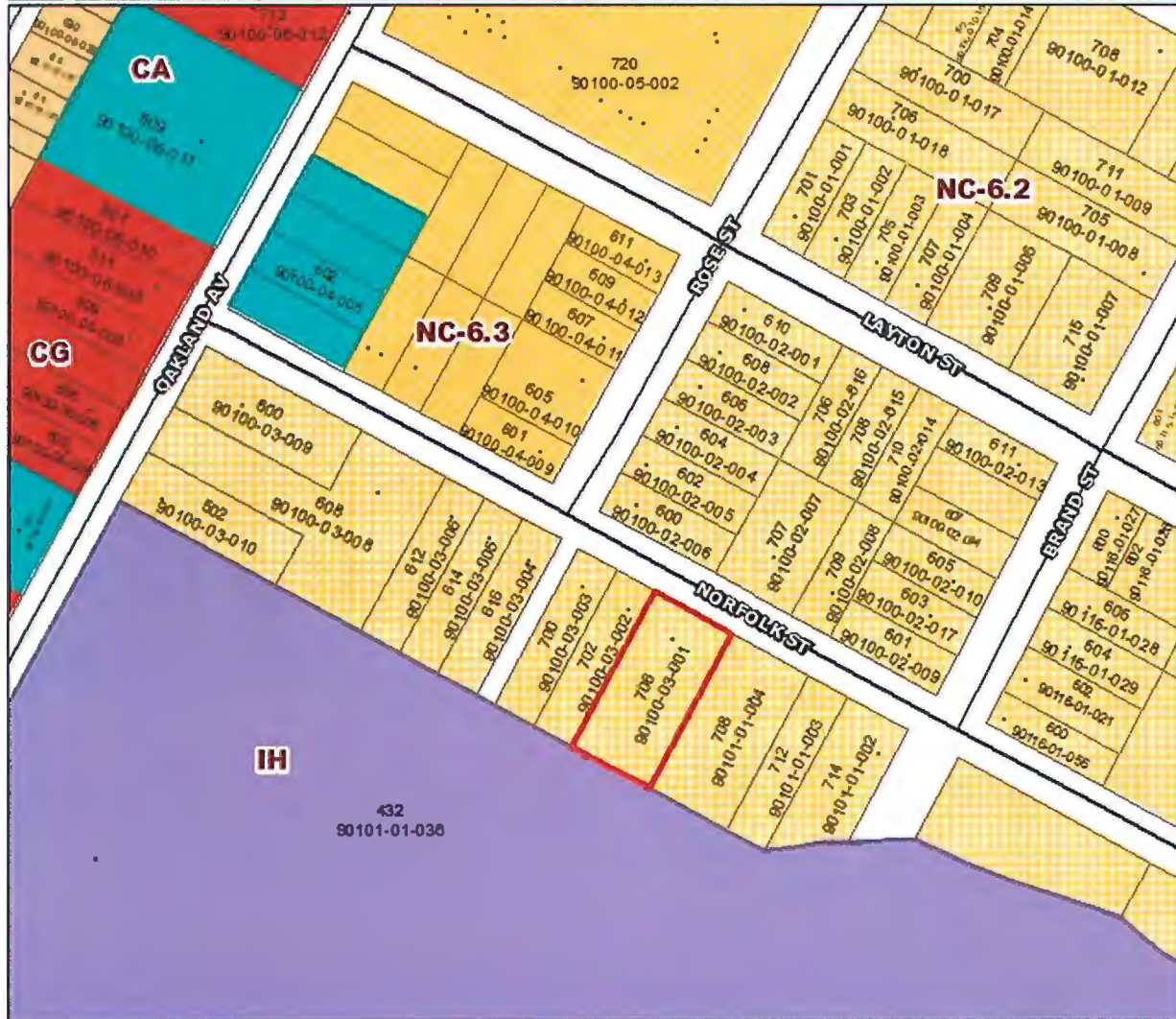
James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

706 Norfolk Street Current Zoning Map



- Legend**
- ▭ Parcels
 - Zoning District**
 - Neighborhood Conservation Sub-Districts**
 - NC-6.2
 - NC-6.3
 - NC-4
 - Business and Commercial Districts**
 - CA
 - CG
 - Industrial Zoning Districts**
 - IH



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Date: 2/3/2022

706 Norfolk Street Future Land Use

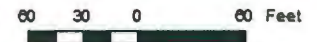


Legend

- Parcels
- Future Land Use 2010**
- Future Land Use**
- Industrial
- Neighborhood Conservation
- Public and Institutional
- Rural



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Date: 2/3/2022

FLORENCE CITY COUNCIL MEETING

DATE: March 14, 2022

AGENDA ITEM: Ordinance to Rezone from PDD to AC a portion of the parcel located on Second Loop Road, TMN 90030-02-007

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

A request to rezone from PDD to AC a portion of the parcel located on Second Loop Road, said property being specifically designated in the Florence County Tax Records as Tax Map Number 90030-02-007. The request is being made by the developer on behalf of the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On February 8, 2022, the City of Florence Planning Commission held a public hearing on this matter and voted 7-0 to recommend the parcel be rezoned from PDD to AC.

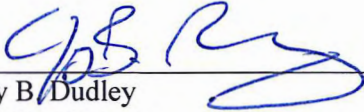
III. POINTS TO CONSIDER:

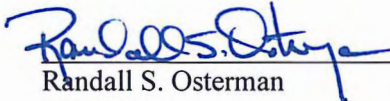
- (1) The 4 acre lot is currently zoned both Planned Development District and Activity Center. The split zoning resulted from a 2005 rezoning when TMN 90030-02-007 consisted of two separate lots, 90030-02-001 and -007. Lot -001 was rezoned at that time from R-1 to PDD, and -007 remained B-2. The two parcels were combined at a later date, but the disparate zoning districts were not corrected at that time. When the *Unified Development Ordinance* zoning map was applied in 2018, the B-2 section was designated AC and the PDD portion remained.
- (2) The applicant wishes to rezone the portion that is currently PDD to AC to match the portion of the lot that abuts Second Loop Road. The intended use of the parcel following rezoning is to construct apartment buildings, which is a permitted use in the AC.
- (3) The request is for first reading.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

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


Jerry B. Dudley
Planning Director


Randall S. Osterman
City Manager

ORDINANCE NO. 2022 - _____

AN ORDINANCE TO REZONE PROPERTY IDENTIFIED AS A PORTION OF A LOT ON SECOND LOOP ROAD, TAX MAP NUMBER 90030-02-007 FROM PLANNED DEVELOPMENT DISTRICT TO ACTIVITY CENTER ZONING DISTRICT:

WHEREAS, a Public Hearing was held in City Council Chambers on February 8, 2022 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, the property owner made application to rezone a portion of the lot from PDD Planned Development District to AC Activity Center;

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 AC;
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.

EXECUTED ON ONE (1) ADDITIONAL PAGE

ADOPTED THIS _____ DAY OF _____, 2022

Approved as to form:

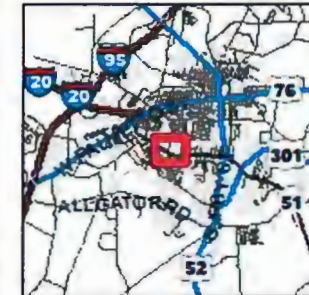
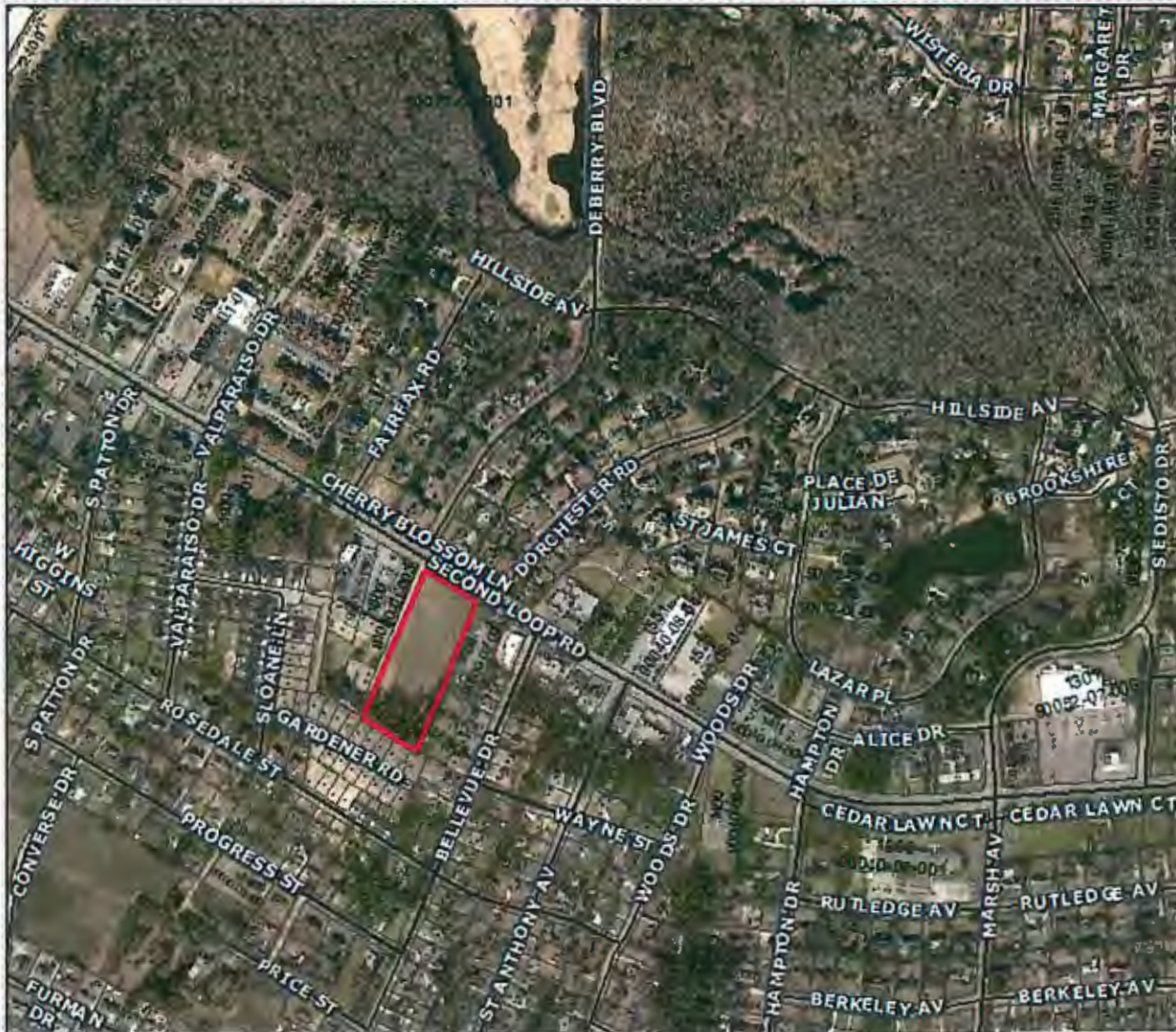
James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor



Attest:

Casey C. Moore
Municipal Clerk

Vicinity Map - Second Loop Road



Legend

-  Parcels
-  Proposed Parcel



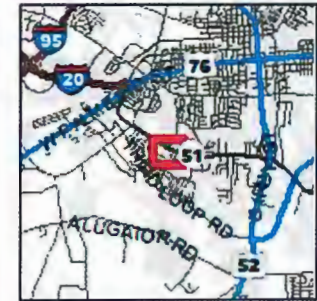
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400 200 0 400 Feet





Date: 2/23/2022

Location Map - Second Loop Road



Legend

-  Parcels
-  Proposed Parcel

F.I.L. I.F.F. F.U.L. T.O.R.W.A.R.D.
FLORENCE
 SOUTH CAROLINA

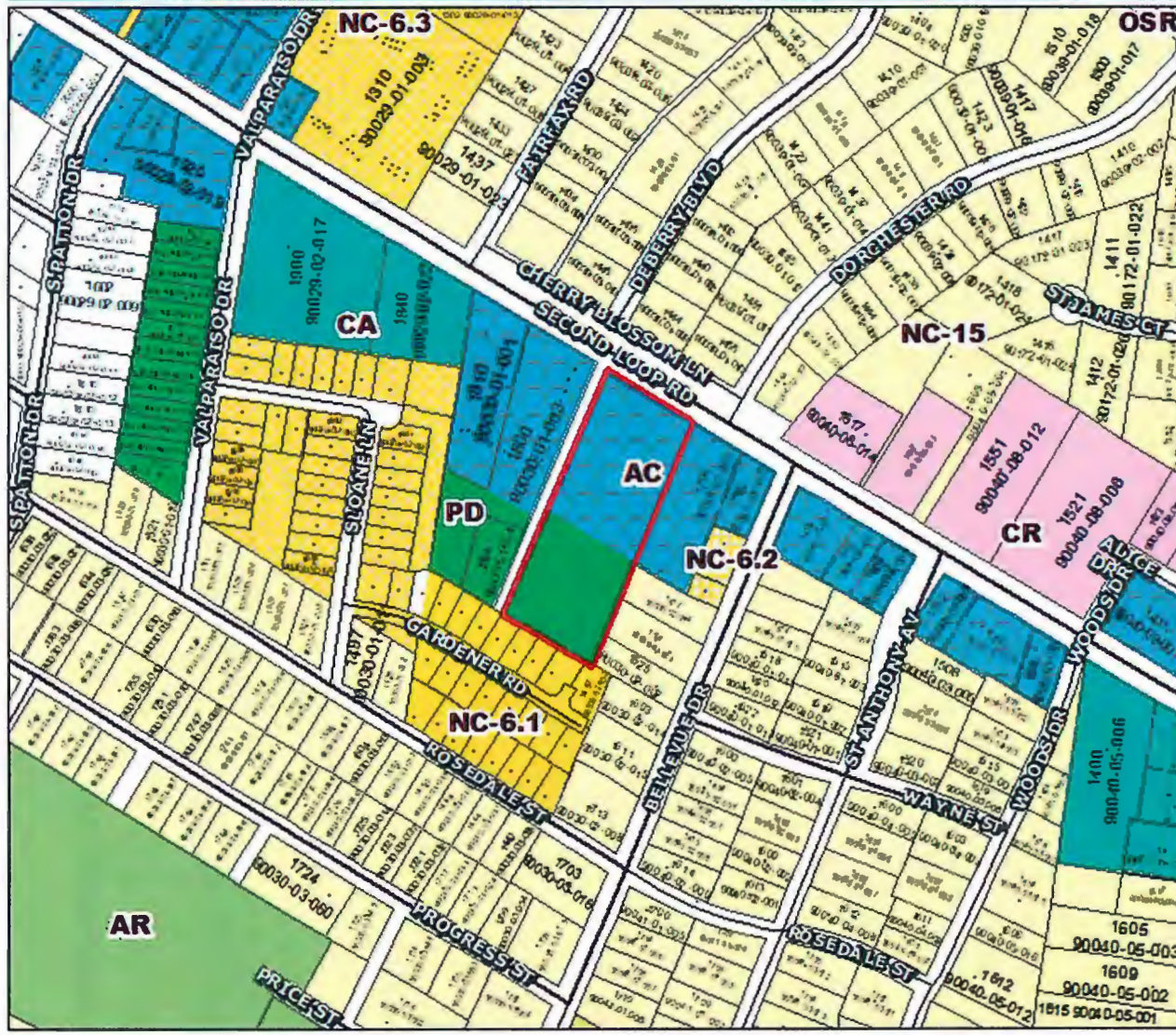
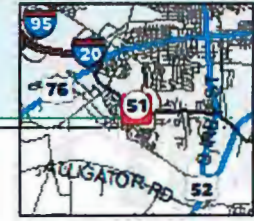
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Date: 2/23/2022

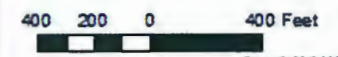
Current Zoning - Second Loop Road



- Legend**
- Parcels
 - Zoning District
 - Agricultural and Open Space Districts
 - AR
 - OSR
 - Residential Districts
 - PD
 - Neighborhood Conservation Sub-Districts
 - NC-15
 - NC-10
 - NC-8.1
 - NC-6.2
 - NC-6.1
 - Business and Commercial Districts
 - CR
 - CA
 - Mixed-Use Districts
 - AC

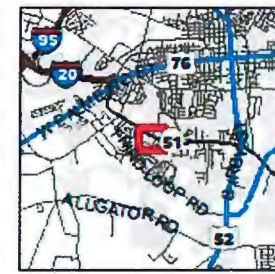
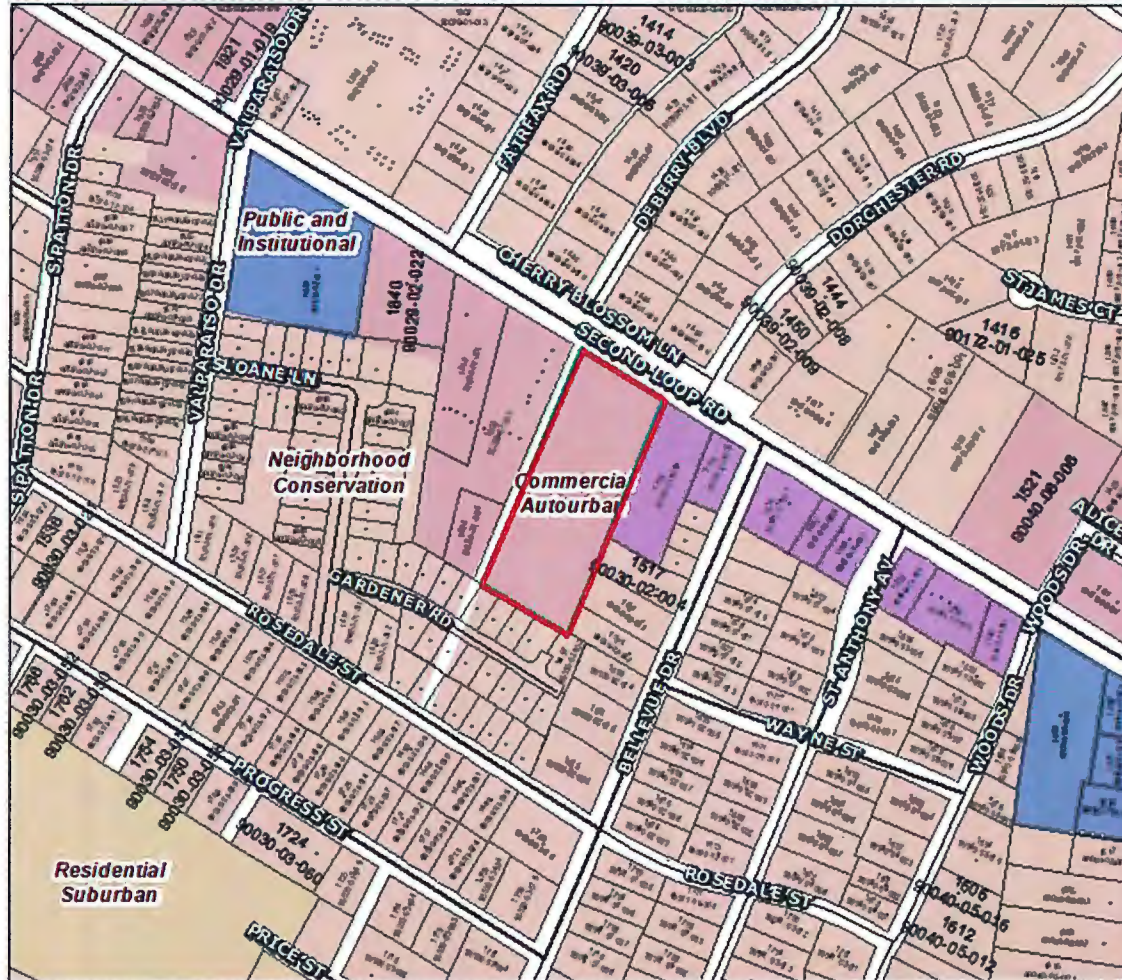


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Date: 2/23/2022

Future Land Use - Second Loop Road

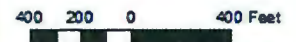


Legend

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



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Date: 2/23/2022

FLORENCE CITY COUNCIL MEETING

DATE: May 9, 2022

AGENDA ITEM: Ordinance to Annex and Zone CG 3648 South Irby Street, TMN 00152-01-029

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 3648 South Irby Street, Tax Map Number 00152-01-029, into the City of Florence and zone to CG Commercial General. The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On March 8, 2022, Planning Commission held a public hearing on this matter, and voted unanimously, 7-0, to recommend the zoning request of CG Commercial General.

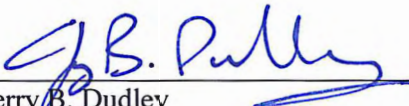
III. POINTS TO CONSIDER:


- (1) Request is being considered for first reading.
- (2) City water services are currently available.
- (3) City sewer service is available on Rosemount Drive.
- (4) An easement providing access to sewer services on Rosemount Drive needs to be established prior to annexation. The property owner is working to procure the easement from the owner of the intervening lot.
- (5) City staff concurs with Planning Commission's recommendation to zone the property CG Commercial General.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

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


Jerry B. Dudley
Planning Director


Randall S. Osterman
City Manager

ORDINANCE NO. 2022-_____

AN ORDINANCE TO ANNEX AND ZONE 3648 SOUTH IRBY STREET, TMN 00152-01-029.

WHEREAS, a Public Hearing was held in the Council Chambers on March 8, 2022 at 6:00 P.M. before the City of Florence Planning Commission, and notice of said hearing was duly given;

WHEREAS, application by Kay Summerford, owner of TMN 00152-01-029, 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 00152, block 01, parcel 029 (1.427429 acre).

Any portions of public rights-of-way abutting the property described above will also 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 classification.**
- 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 _____, 2022

Approved as to form:

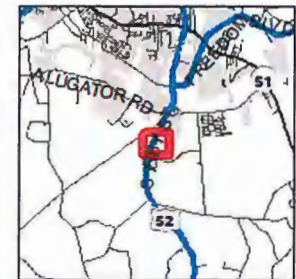
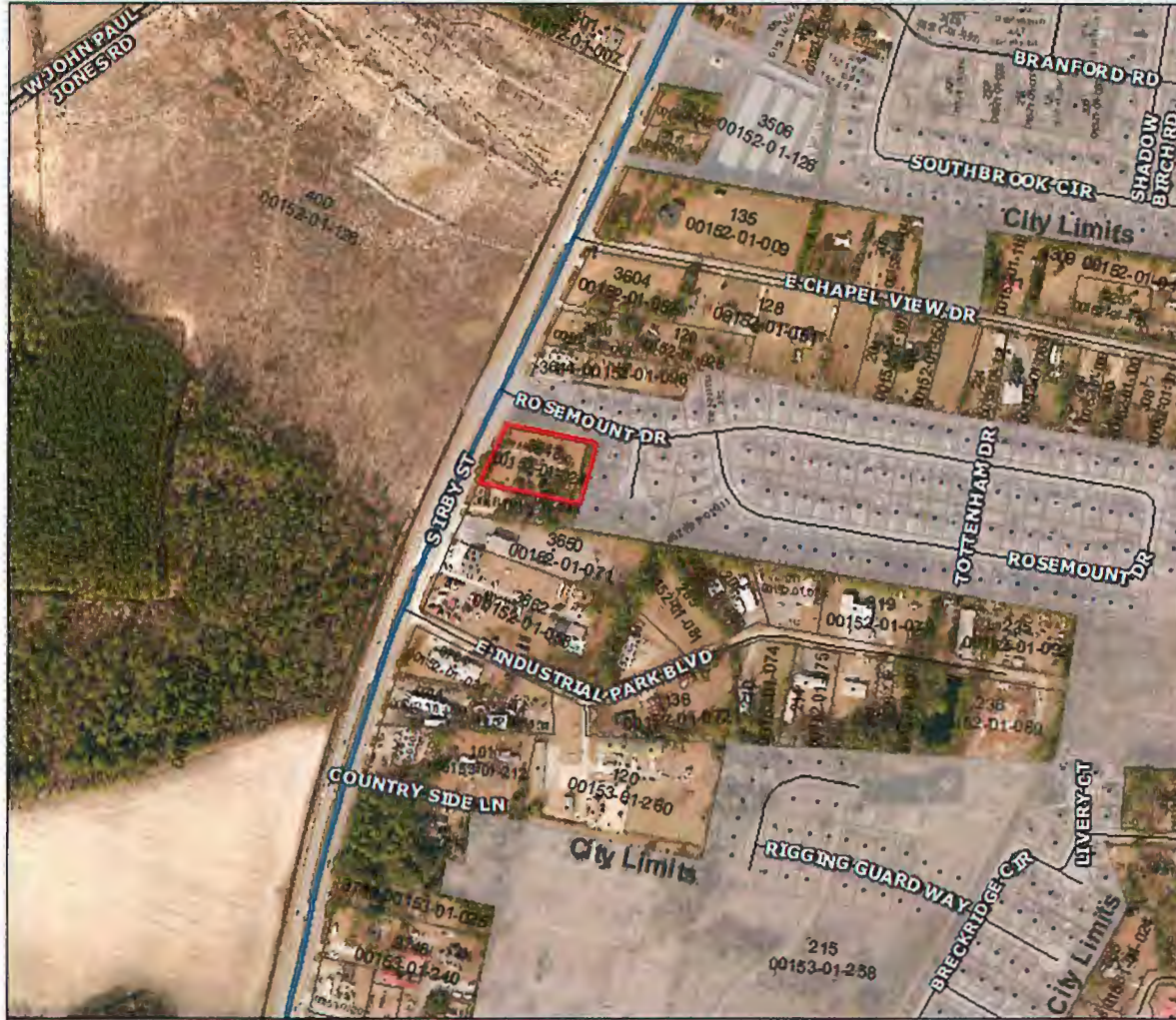
James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin,
Mayor



Attest:

Casey C. Moore
Municipal Clerk

Vicinity Map - 3648 S. Irby St.

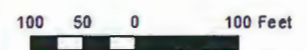


Legend

-  City Limits
-  Parcels
-  Proposed Parcel



DISCLAIMER:
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Date: 4/22/2022

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: 00152-01-029

3. Annexation is being sought for the following purposes:

To match surrounding businesses

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: 2/21/2022 Petitioner Signature: Marilyn K. Summerford

Date: 2/21/2022 Petitioner Signature: Douglas W. Summerford (Husband)

APPLICANT(S) (Please print or type): Name(s): Marilyn K. Summerford, Douglas W. Summerford

Address: 1325 Jackson Ave.

Telephone Number: [cell] 843-615-4388 [home]

Email Address: d.Summerford1954@gmail.com

Certification as to ownership on the date of petition: FOR OFFICIAL USE ONLY
Date: 2/21/22 AB

FLORENCE CITY COUNCIL MEETING

DATE: May 9, 2022

AGENDA ITEM: An ordinance to rezone from NC-15 to NC-6.3 the parcel located at 2150 Fernleaf Lane and identified as Tax Map Number 90018-07-003.

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

I. ISSUE UNDER CONSIDERATION:

A request to rezone from NC-15 to NC-6.3 the parcel located at 2150 Fernleaf Lane, said property being specifically designated in the Florence County Tax Records as Tax Map Number 90018-07-003.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On April 12, 2022, the City of Florence Planning Commission held a public hearing on this matter and voted unanimously 6-0 to deny the parcel be rezoned from NC-15 to NC-6.3.

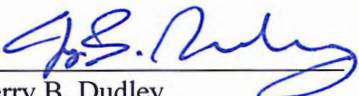
III. POINTS TO CONSIDER:

1. Request is being considered for first reading.
2. The property is currently zoned Neighborhood Conservation – 15 (NC-15), which exclusively permits single-family detached for residential uses. The current zoning conditionally permits limited commercial uses accessory to homes such as home occupations and in-home childcare.
3. The proposed zoning is Neighborhood Conservation – 6.3 (NC-6.3) and permits the same uses as the NC-15, with the added conditional uses of Townhome, Multiplex and Multifamily.
4. The parcel meets the minimum dimensional requirements for the NC-6.3 zoning district per the City of Florence Unified Development Ordinance.
5. The Country Club Forest Subdivision, which includes this parcel, has protective covenants in place that prevent construction of any building other than single-family detached.
6. The South Carolina Local Government Comprehensive Planning Enabling Act of 1994 Section 6-29-1145 states if the Planning Department is made aware of restrictive covenants that would prohibit the proposed activity, "...the local planning agency must not issue the permit unless the local planning agency receives confirmation from the applicant that the restrictive covenant has been released for the tract or parcel of land by action of the appropriate authority or property holders or by court order." No such release has been granted at this time.
7. The site is currently an undeveloped wooded lot. The current zoning of Neighborhood Conservation - 15 (NC-15) was adopted with the land use maps associated with the adoption of the Unified Development Ordinance in 2018 in keeping with the parcel's proximity to surrounding residential uses.
8. Land use of the adjacent properties is mostly residential with commercial uses along Second Loop Road (Attachment C).

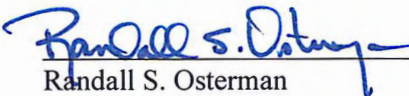
9. Future Land Use of the parcel is shown as "Neighborhood Conservation" consistent with adjacent properties and the proposed rezoning.
10. Based upon the South Carolina Government Comprehensive Planning Enabling Act of 1994 and presentation of the Country Club Forest Restrictive Covenants, the City of Florence would be unable to permit any use for the property other than a single-family detached home without permission from the homeowner's association or a court order, irrespective of the zoning designation of the property.

IV. ATTACHMENTS:

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



Jerry B. Dudley
Planning Director



Randall S. Osterman
City Manager

ORDINANCE NO. 2022-_____

AN ORDINANCE TO REZONE PARCEL IDENTIFIED AS 2150 FERNLEAF LANE, TAX MAP NUMBER 90018-07-003 FROM NEIGHBORHOOD CONSERVATION-15 ZONING DISTRICT TO NEIGHBORHOOD CONSERVATION-6.3 ZONING DISTRICT.

WHEREAS, a Public Hearing was held in City Council Chambers on April 12, 2022 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, the property owner made application to rezone from NC-15, Neighborhood Conservation-15 to NC-6.3, Neighborhood Conservation-6.3.

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 NC-6.3**
- 2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.**

EXECUTED ON ONE (1) ADDITIONAL PAGE

ADOPTED THIS _____ DAY OF _____, 2022

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

Location Map 2150 Fernleaf Lane



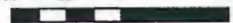
Legend

 Parcels



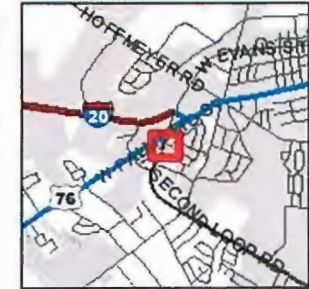
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Date: 4/29/2022

Current Zoning Map



- Legend**
- Parcels
 - Zoning District**
 - Agricultural and Open Space Districts**
 - OSR
 - Residential Districts**
 - PD
 - Neighborhood Conservation Sub-Districts**
 - NC-15
 - NC-10
 - NC-6.3
 - Business and Commercial Districts**
 - CG
 - Mixed-Use Districts**
 - AC

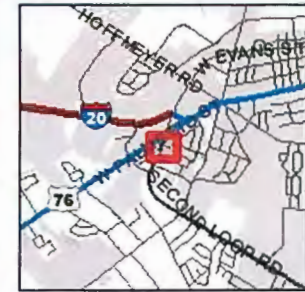


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Date: 4/29/2022

Future Land Use



Legend

▭ Parcels

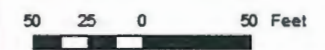
Future Land Use 2010

Future Land Use

- Auto-Urban Commercial
- Neighborhood Conservation
- Sub-Urban Commercial



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Date: 4/23/2022

FLORENCE CITY COUNCIL MEETING

DATE: May 9, 2022

AGENDA ITEM: Ordinance to Rezone from NC-6.1 to NC-6.2 the parcel located at 1309 West Dixie Street, TMN 90044-01-005

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

A request to rezone from NC-6.1 to NC-6.2 the parcel located at 1309 West Dixie Street, said property being specifically designated in the Florence County Tax Records as Tax Map Number 90044-01-005. The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On April 12, 2022, the City of Florence Planning Commission held a public hearing on this matter and voted 6-0 to deny the request to rezone the parcel from NC-6.1 to NC-6.2.

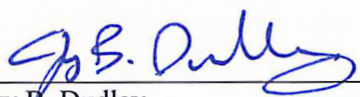
III. POINTS TO CONSIDER:

- (1) The request is for first reading.
- (2) The current zoning designation of NC-6.1 permits single family detached houses only.
- (3) The proposed zoning designation of NC-6.2 permits duplexes in addition to single family detached housing.
- (4) The lot meets the dimensional requirements of the NC-6.1 and NC-6.2 zoning districts.
- (5) The Planning Commission voted to deny the request to rezone the lot in order to maintain the limitation to single family uses in the district.

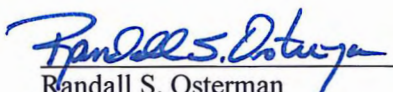
IV. PERSONAL NOTES:

V. ATTACHMENTS:

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



Jerry B. Dudley
Planning Director



Randall S. Osterman
City Manager

ORDINANCE NO. 2022 - _____

AN ORDINANCE TO REZONE PROPERTY IDENTIFIED AS 1309 WEST DIXIE STREET, TAX MAP NUMBER 90044-01-005 FROM THE NC-6.1 TO THE NC-6.2 ZONING DISTRICT:

WHEREAS, a Public Hearing was held in City Council Chambers on April 12, 2022 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, the property owner made application to rezone 1309 West Dixie Street from NC-6.1 to NC-6.2;

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 NC-6.2;
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 _____, 2022

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

Vicinity Map - 1309 West Dixie Street



Legend

-  City Limits
-  Parcels
-  Proposed Parcel

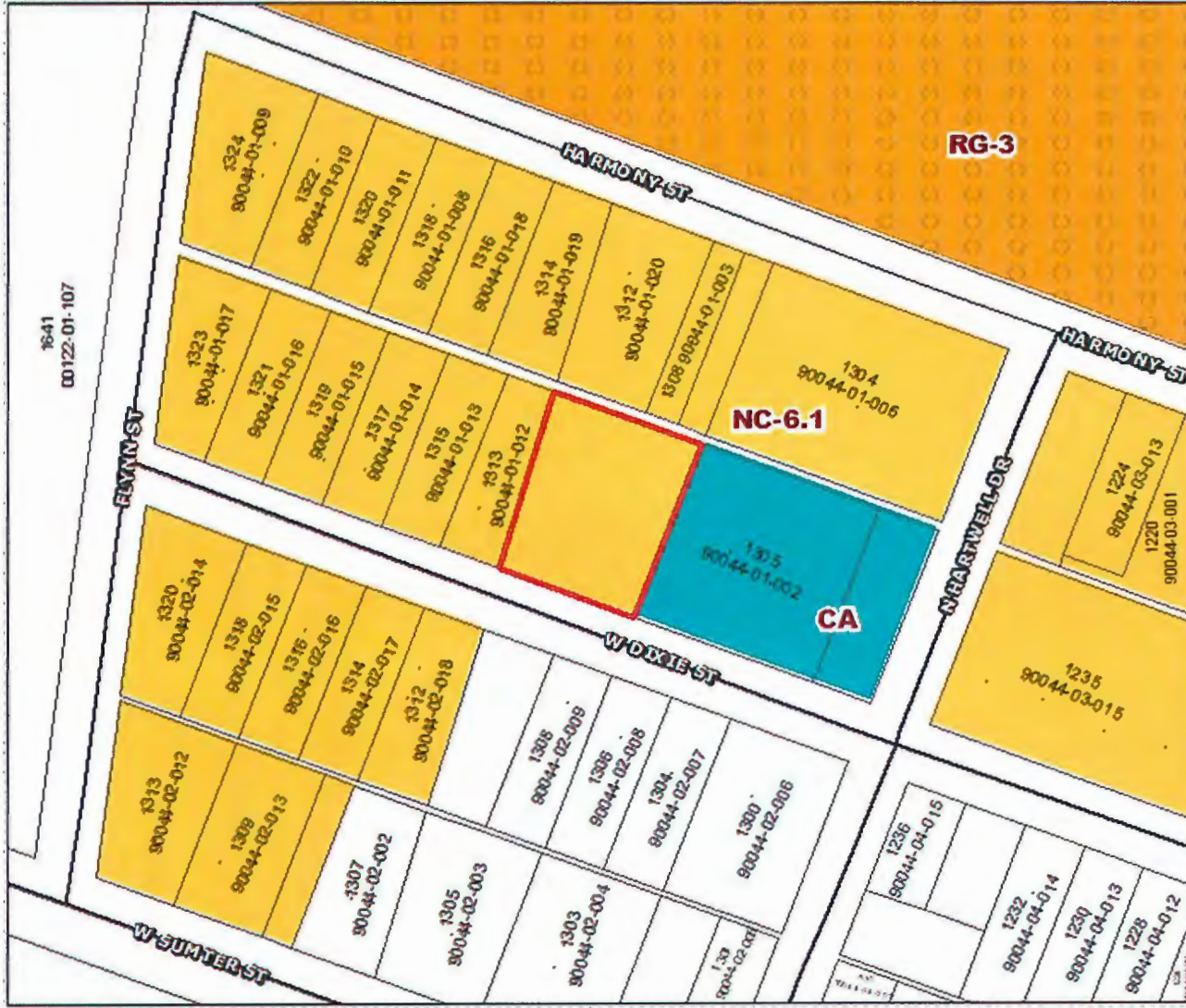
PLU LIFE FL FORWARD
FLORENCE
SOUTH CAROLINA

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City - 4/22/2022

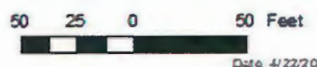
Current Zoning Map - 1309 West Dixie Street



- Legend**
- ▭ Parcels
 - Zoning District**
 - Residential Districts**
 - ▭ RG-3
 - Neighborhood Conservation Sub-Districts**
 - ▭ NC-6.1
 - Business and Commercial Districts**
 - ▭ CA
 - ▭ Proposed Parcel

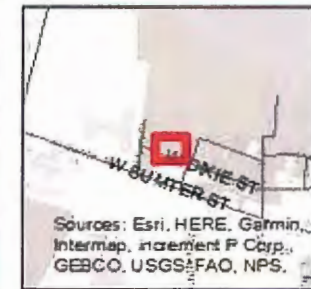
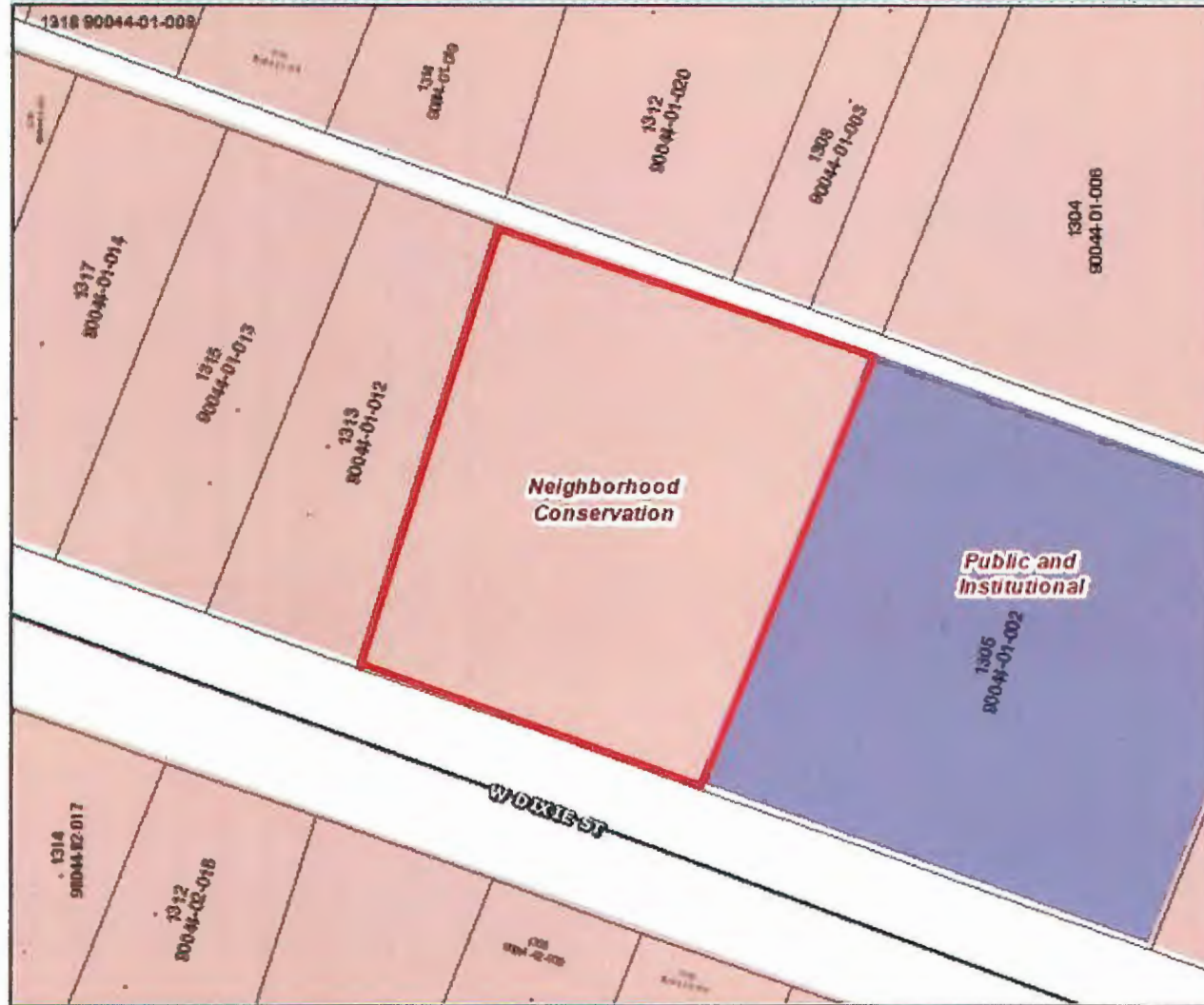


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Date: 4/22/2022

Future Land Use - 1309 West Dixie Street



Legend

Parcels

Future Land Use 2010

Future Land Use

Neighborhood Conservation

Public and Institutional

Proposed Parcel

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50 25 0 50 Feet

Date: 4/22/2022

FLORENCE CITY COUNCIL MEETING

DATE: May 9, 2022

AGENDA ITEM: An ordinance to abandon interest in property identified as “Parkway” adjacent to tax parcel 90037-03-013 and Mimosa Drive

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Abandonment of any City of Florence interest in a 5-foot wide approximately 50-foot long strip of land, specifically an unopened and undeveloped portion east of Mimosa Drive. The property is bounded on the north by an extension of the northern property line of 907 Sherwood Drive; on the south by a line perpendicular to Mimosa Drive at the northernmost corner of 904 Mimosa Drive; on the west by Mimosa Drive proper; and on the east by 907 Sherwood Drive.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On April 12, 2022, the City of Florence Planning Commission held a public hearing on this matter and voted unanimously 6-0 to recommend abandonment.

III. POINTS TO CONSIDER:

- (1) Request is being considered for first reading.
- (2) The request was made by the property owner of 907 Sherwood Drive. The owner would like access to Mimosa Drive via a new driveway. Mimosa Drive is a SCDOT maintained road requiring the property owner to have their permission for the driveway. SCDOT is unable to grant permission until the City abandons any interest it may have in the parcel.
- (3) Only the portion of undeveloped parcel adjacent to 907 Sherwood Drive is being proposed for abandonment.
- (4) A survey from 1947 shows the property in question as “parkway”. The parkway seems to be a 5’ wide pathway connecting pocket parks within the subdivision. Through the years, the pocket parks and sections of the connecting parkway have been combined with adjacent properties. A few fragments of the original parkway, including this one, remain.
- (5) The following City of Florence departments were contacted regarding the abandonment of the right-of-way: Fire; Police; Public Works; Utilities; and Planning, Research, and Development. None of the aforementioned departments found any reason to maintain the City’s interest in this section of Mimosa Drive and no City of Florence utilities are present within the property.
- (6) If the property is abandoned by City Council, the property can be conveyed to adjacent property owner utilizing the quit-claim deed process, thus placing the property into private ownership.

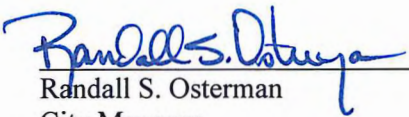
IV. PERSONAL NOTES:

V. ATTACHMENTS:

- 1) Ordinance
- 2) Vicinity Map
- 3) Location Map
- 4) Utility Map
- 5) Site Photo



Jerry B. Dudley
Planning Director



Randall S. Osterman
City Manager

ORDINANCE NO. 2022-_____

AN ORDINANCE TO ABANDON CITY OF FLORENCE INTEREST TO INCLUDE AN UNDEVELOPED PORTION OF A PARCEL EAST OF MIMOSA DRIVE. THE PROPERTY IS BOUNDED ON THE NORTH BY AN EXTENSION OF THE NORTHERN PROPERTY LINE OF 907 SHERWOOD DRIVE; ON THE SOUTH BY A LINE PERPENDICULAR TO MIMOSA DRIVE AT THE NORTHERNMOST CORNER OF 904 MIMOSA DRIVE; ON THE WEST BY MIMOSA DRIVE PROPER; AND ON THE EAST BY 907 SHERWOOD DRIVE.

WHEREAS, a request has been made for the City to abandon its interest in property identified as “Parkway” adjacent to tax parcel 90037-03-013 and Mimosa Drive. The property is bounded on the north by an extension of the northern property line of 907 Sherwood Drive; on the south by a line perpendicular to Mimosa Drive at the northernmost corner of 904 Mimosa Drive; on the west by Mimosa Drive proper; and on the east by 907 Sherwood Drive.

WHEREAS, a public notice was published three times in the Morning News prior to the May 9, 2022 City Council meeting as required by City Code Section 2-28(b) and adjacent property owners and utility providers were notified, and:

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 abandons its interest in the rights-of-way which will then revert to the abutting property owners after the necessary legal documents have been properly executed.
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence.

EXECUTED ON ONE (1) ADDITIONAL PAGE

ADOPTED THIS _____ DAY OF _____, 2022

Approved as to form:

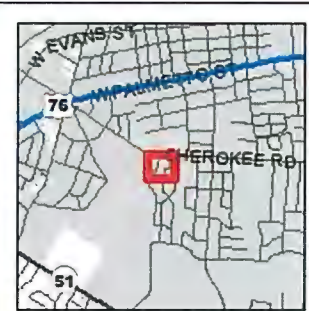
James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

Vicinity Map
Mimosa Drive Property Abandonment

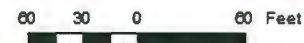


Legend

 Parcels



DISCLAIMER:
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Date: 4/29/2022

Location Map Mimosa Drive Property Abandonment



Legend

 Parcels



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60 30 0 60 Feet

Date: 4/29/2022



*Rear of 907 Sherwood Drive showing current dirt driveway
giving owner access to Mimosa Drive*

FLORENCE CITY COUNCIL MEETING

DATE: May 9, 2022
AGENDA ITEM: An ordinance amending the FY 2021-22 budget
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

For City Council consideration is an ordinance to amend the FY 2021-22 City of Florence Budget.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

No previous action has been taken on this ordinance.

III. POINTS TO CONSIDER


1. The objective of the proposed ordinance is to amend the General Fund budget for FY 2021-22 to appropriate funding for corridor improvements from funds received from two local private foundations and to correct a scrivener's error in the original budget and to amend the Water and Sewer Utilities Enterprise Fund budget to appropriate funding to transfer the property on Evans Street to a private developer to construct the various buildings for the Urban Square project.

IV. STAFF RECOMMENDATION

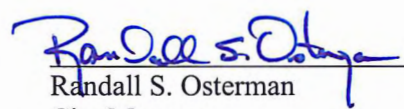
Approve and adopt the proposed ordinance.

V. ATTACHMENTS

A copy of the proposed ordinance is attached.



Kevin V. Yokim
Assistant City Manager



Randall S. Osterman
City Manager

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022

BE IT ORDAINED by the City Council of the City of Florence, South Carolina, in a meeting duly assembled, that the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2021 and ending June 30, 2022, is hereby amended as follows:

Section 1. That the budgeted revenues of the General Fund are hereby amended by the following additional appropriations:

100120-790000 Miscellaneous Grants is increased in the amount of \$717,000 to recognize funding received from two local private foundations for corridor improvements.

Section 2. That the budgeted expenditures of the General Fund are hereby amended by the following additional appropriations:

10049300-594160 Property Acquisition (Non-Departmental) is funded in the amount of \$717,000 for corridor improvements.

10042200-580010 Building & Fixed Equipment (Fire Department) is funded in the amount of \$8,000 to correct a scrivener's error in the original budget.

Section 3. That the budgeted revenues of the Water and Sewer Utilities Enterprise Fund are hereby amended by the following additional appropriations:

200390-435500 Interfund Transfer is increased in the amount of \$6,184,600 from unassigned fund balance to fund the transfer of property for the Urban Square Project.

Section 4. That the budgeted expenditures of the General Fund are hereby amended by the following additional appropriations:

20049300-594125 Economic Development (Non-Departmental) is funded in the amount of \$6,184,600 for the transfer of property for the Urban Square Project.

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

ADOPTED THIS _____ DAY OF _____, 2022.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: May 9, 2022

AGENDA ITEM: Ordinance

DEPARTMENT/DIVISION: City Manager

I. ISSUE UNDER CONSIDERATION:

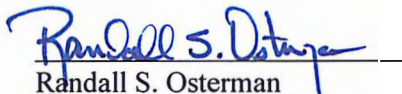
An Ordinance to amend Section 9-20 of the Code of Ordinances of the City of Florence entitled "Littering".

II. POINTS TO CONSIDER:

1. The current Section 9-20 is approximately thirty years old and contains outdated provisions.
2. The City of Florence commits to advancing efforts to ensure a safe, clean, litter free and habitable environment of all people throughout the community.

III. ATTACHMENTS:

1. Ordinance
2. Exhibit A


Randall S. Osterman
City Manager

ORDINANCE NO. 2022-_____

AN ORDINANCE TO AMEND SECTION 9-20 OF THE CODE OF ORDINANCES OF THE CITY OF FLORENCE ENTITLED "LITTERING".

WHEREAS, the City of Florence commits to advancing efforts to ensure a safe, clean, litter free and habitable environment of all people throughout our community; and

WHEREAS, the current Section 9-20 is approximately thirty (30) years old and contains outdated provisions;

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

1. That an Ordinance is hereby adopted to amend Section 9-20 of the Code of Ordinances of the City of Florence entitled "Littering," and to replace said code section with a new code section entitled "Littering Prohibited; Removal; Penalties" which shall read in its entirety as set forth on Exhibit A hereto which is incorporated herein by reference;
2. That this Ordinance shall become effective upon its approval and adoption on second reading by the City Council of the City of Florence.

ADOPTED THIS _____ DAY OF _____, 2022

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

EXHIBIT A

Sec. 9-20. Littering Prohibited; Removal; Penalties.

- (a) No person shall dump, throw, drop, deposit, discard or otherwise dispose of litter or other solid waste upon any public property in the city or upon private property in this city or in the waters of this city whether from a vehicle or otherwise, including but not limited to any public highway, public park, campground, forest land, recreational area, trailer park, highway, road, street or alley except:
 - (1) When such property is designated by the city for the disposal of litter and other solid waste and such person is authorized to use such property for such purpose;
 - (2) Into a litter receptacle in such a manner that the litter will be prevented from being carried away or deposited by the elements upon any part of such private or public property or waters.
- (b) Persons with trash receptacles on their property shall be responsible for insuring that the receptacle is in a condition that prevents litter from being carried away or deposited by the elements upon any part of such private or public property or waters. When the receptacle fails to prevent the spread of litter or when the owner fails to empty the receptacle and thereby allows the spread of litter upon any part of private or public properties, the owner of the property upon which the receptacle is located shall be in violation of this ordinance. The removal of litter from property or receptacles shall be upon the owner of the property where the receptacle is located.
- (c) No person shall throw or place any refuse, paper, trash, glass, nails, tacks, wire, bottles, cans, yard trash, landscape waste, concrete, earthen fill, garbage, containers or litter or other debris in any ditch, stream, river, creek, pond, lagoon, channel, canal or retention basin that regularly or periodically carries surface water run-off.
- (d) Failure of any driver or operator of any motor vehicle to cover and secure any loose material which is being transported or hauled upon the streets or other rights-of-way in the city so as to cause such material to blow, fall, spill or drop and thereby litter any street or other property within the city shall constitute a violation of this section.
- (d) Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each offense. The court, in lieu of any monetary fine imposed, may direct the substitution of litter-gathering labor under the supervision of the court, not to exceed one (1) hour for each five dollars (\$5.00) of fine imposed. In addition to any other punishment authorized by this section, in the sound discretion of any court in which conviction is obtained, such person may be directed by the judge to pick up and remove from any public place or any private property, with prior permission of the legal owner upon which it is established by competent evidence that such person had deposited litter, any or all litter deposited thereon by anyone prior to the date of execution of sentence.

(Code 1973, § 18-54; Ord. No. 92-30, 7-13-92)

Cross reference— Offenses and miscellaneous provisions, [Ch. 14](#); spillage from vehicles, §§ [9-67](#), [9-70](#), [17-2](#).

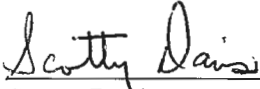
State Law reference— Littering, S.C. Code 1976, § 16-11-700.

IX. a.
Appts. To Boards
And Commissions

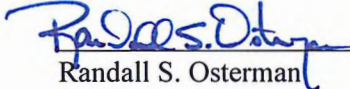
FLORENCE CITY COUNCIL MEETING

DATE: May 9, 2022
AGENDA ITEM: Report to Council
DEPARTMENT/DIVISION: City Council

- I. ISSUE UNDER CONSIDERATION:**
Council will consider nominations for City Boards and/or Commissions.
- II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**
There are four (4) Boards or Commissions that have either vacancies and/or expired terms.
- III. ATTACHMENTS:**
(1) Spreadsheet of Council Nominations to Boards and Commissions.
(2) Nomination Packet.



Scotty Davis
Deputy City Manager



Randall S. Osterman
City Manager

SCHEDULE OF COUNCIL NOMINATIONS TO BOARDS AND COMMISSIONS - MAY 2022

	District 1	District 2	District 3	At-Large 1	At-Large 2	At-Large-3	Mayor
	Schofield	Moore	Braddock	Jebaily	Barnes	McCall	Ervin
City of Florence Board of Zoning Appeals						x	
Construction & Maintenance Board							x
Aesthetics Advisory Committee		x					x
Resilience and Sustainability Advisory Committee				x			

CITY OF FLORENCE BOARD OF ZONING APPEALS

I. NOMINATIONS:

There is one (1) vacancy on the Board of Zoning Appeals.

Ms. Shelanda Deas has resigned her position on this Board. The unexpired term of Ms. Deas will expire on 6/30/2023.

II. COUNCILMEMBER(S) TO MAKE NOMINATION:

- Councilman McCall

III. NEW APPLICANT(S):

- Michael (Tommy) Phillips
- Miriam James-Singley

IV. ATTACHMENTS:

- Resignation Letter
- Applications received

Casey Moore

From: Casey Moore
Sent: Thursday, January 27, 2022 10:05 AM
To: Casey Moore
Subject: FW: Board of Zoning Appeals resignation

From: Shelanda Deas <shelanda.deas@yahoo.com>
Sent: Sunday, January 16, 2022 1:36 PM
To: Alane Zlotnicki <azlotnicki@cityofflorence.com>
Subject: Board of Zoning Appeals

CAUTION: This email originated from outside the City of Florence. Maintain caution when opening external links/attachments

January 16, 2022

City of Florence
Attn: Planning Department
Board of Zoning Appeals
324 West Evans Street
Florence, SC. 29501

Dear: City of Florence
Board of Zoning Appeals

I hope you are having a great day. I am writing to inform you that I have to resign from the Board of Zoning Appeals. I have relocated and started a new job. I would love to continue to serve on the Board of Zoning Appeals and really do not want to resign. I know I have to, however, I would love to stay and do virtual until you find a replacement.

It has been my pleasure to serve on this board and work with a dynamic group. I wish only the best and regret any inconvenience my resignation may cause.

Please let me know if I could be of any assistance during this transition. I will reach out to your office on Tuesday, January 18, 2022.

Thanks

Shelanda Deas

[Sent from Yahoo Mail on Android](#)

Entry #: 34

Date Submitted: 7/23/2021 5:40 PM

Board or Commission for which you are applying:
City of Florence Board of Zoning Appeals

Your Name
Phillips, Michael T. (Tommy)

County
Florence

Council District
District 3

Email Address
mtommyp@att.net

Residential Address
1703 Pineland Ave., Apt A, Florence, South Carolina 29501

Mailing Address
Same as residence, Florence, South Carolina 29501

Your Occupation - Title
Semi retired

Business Phone
(843) 661-0995

Residence Phone
(843) 669-4432

Employer Name
A Bail Bonds, Notary Public, B and L Properties, LLC, Silver Haired Legislature.

Employer Address
1703 Pineland Ave., Apt A

City
Florence

State
South Carolina

General Qualifications

Are you a resident of the City?
Yes

If so, how Long?
1958

Why would you like to serve?
I believe that my knowledge and experience with the city of Florence, will help me be of service to the City.

Do you presently serve on any Commissions/ Boards of the City/ County/ State?
Yes

If so, please list:
Silver Haired Legislature

Have you formerly served on any Commissions/ Boards of the City/ County/ State?
Yes

If so, please list:
Florence City Planning Com.
Florence Airport Com.

Are you currently in a position of responsibility with an organization or board that has received or is seeking funding from the City of Florence?

Yes/No
No

If so, list the position and date:

Are you involved in any Community Activities?
Yes

If so, please list:
Past:
Completed the Citizen's Police Academy
Completed the "Leadership Florence" Program with the Chamber of Commerce
Chairman for the Florence County Republican (4 terms)

What are your goals and objectives if appointed to the Commission/Board?
Use my experience and knowledge to help make Florence a better place to live.

I certify that the information above is true and correct.

Today's Date
7/23/2021

Information on this form will be considered public.

Today's Date
7/23/2021

CONSTRUCTION AND MAINTENANCE BOARD OF ADJUSTMENTS AND APPEALS

I. NOMINATIONS:

There is one (1) vacancy on the Construction and Maintenance Board of Adjustments and Appeals.

- Gary Bullard has resigned his position. Mr. Bullard served as a Mechanical Contractor. The unexpired term of Mr. Bullard will expire on 06/30/2023.

II. APPOINTMENT REQUIREMENTS:

(A) 1 – Mechanical Contractor

III. COUNCILMEMBER(S) TO MAKE NOMINATION:

- Mayor Ervin will make all nominations to this Board, per City Code.

IV. NEW APPLICANT(S):

There are currently no applicants for this Board.

V. ATTACHMENTS

AESTHETICS ADVISORY COMMITTEE

I. NOMINATIONS:

There are two (2) seats to be filled on the Aesthetics Advisory Committee. Terms of the initial appointees shall be staggered, as follows:

- Seats designated as seats 5, 6 & 7 will serve initial terms of three (3) years.

After the completion of initial terms, all members appointed shall serve three (3) year terms.

II. APPOINTMENT REQUIREMENTS:

Members must reside or be employed within the city limits.

III. COUNCILMEMBER(S) TO MAKE NOMINATION:

- Mayor Ervin (Seat 5 – 3-year term)
- Councilwoman Moore (Seat 7 – 3-year term)

IV. NEW APPLICANT(S):

There are currently no applicants for this Committee.

V. ATTACHMENTS

RESILIENCE & SUSTAINABILITY ADVISORY COMMITTEE

I. NOMINATIONS:

There is one (1) seat to be filled on the Resilience and Sustainability Advisory Committee. Terms of the initial appointees shall be staggered, as follows:

- Seats designated as seats 1, 2 & 3 will serve initial terms of one (1) year.

After the completion of initial terms, all members appointed shall serve three (3) year terms.

II. APPOINTMENT REQUIREMENTS:

Members must reside or be employed within the city limits.

Memberships will consist of the following:

(A) 1 – Representative from District 2

III. COUNCILMEMBER(S) TO MAKE NOMINATION:

- Pro tem Jebaily (Seat 2 – 1-year term)

IV. NEW APPLICANT(S):

- There are currently no qualified applicants for this Committee.