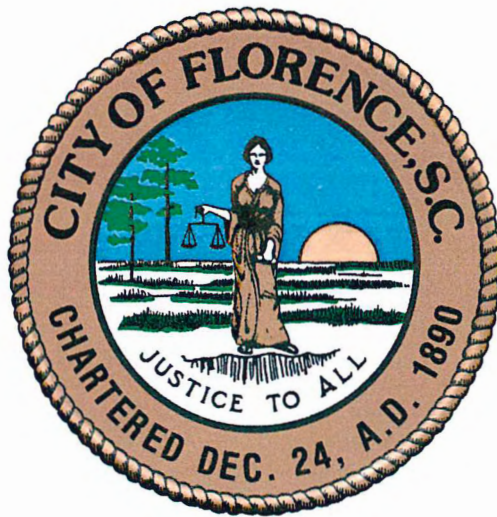


REGULAR MEETING  
OF  
FLORENCE CITY COUNCIL



COUNCIL CHAMBERS  
324 W. EVANS STREET  
FLORENCE, SOUTH CAROLINA

MONDAY  
FEBRUARY 12, 2018  
1:00 P.M.

**REGULAR MEETING OF FLORENCE CITY COUNCIL**

**MONDAY, FEBRUARY 12, 2018 – 1:00 P.M.**

**CITY CENTER – COUNCIL CHAMBERS**

**324 WEST EVANS STREET**

**FLORENCE, SOUTH CAROLINA**

**I. CALL TO ORDER**

**II. INVOCATION**

*Pledge of Allegiance to the American Flag*

**III. APPROVAL OF MINUTES**

*January 8, 2018 – Regular Meeting*

**IV. HONORS AND RECOGNITIONS**

**SERVICE RECOGNITIONS**

*Matthew Jackson – 10 years – Fire*

*Christopher Derrick – 10 years – Fire*

*Billy Matthews – 15 years – Public Works / Athletic Programs*

*Gregory Brown – 20 years – Planning, Research & Development / Engineering*

*Michael Orange – 20 years – Utilities / Stormwater Operations*

*Joe Batista – 40 years – Public Works / Beautification & Facilities*

**EDUCATIONAL RECOGNITIONS**

*Coley Moore – Passed the “A” Water Operator Certification Exam*

**V. APPEARANCE BEFORE COUNCIL**

- a. Ms. Buquilla Ervin-Cannon – North Florence Community History and Heritage Initiative and Ms. Suzanne M. LaRochelle, Action of the Pee Dee – 50<sup>th</sup> Anniversary of the Assassination of Dr. Martin Luther King, Jr.**

**VI. INTRODUCTION OF ORDINANCES**

- a. **Bill No. 2018-01 – First Reading**  
*An Ordinance to annex and zone property located at 131 North Lakewood Drive, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 90009-04-011.*
- b. **Bill No. 2018-02 – First Reading**  
*An Ordinance to amend the City of Florence Unified Development Ordinance Sections 1-2.7.2, 1-2.8.2, and 2-6.1.1.*
- c. **Bill No. 2018-03 – First Reading**  
*An Ordinance revising the Sewer and Water Tap Fee Schedule for the City of Florence, South Carolina.*

**VII. INTRODUCTION OF RESOLUTION**

- a. **Resolution No. 2018 - 01**  
*A Resolution in Recognition of the Trinity Byrnes Athletic Teams.*
- b. **Resolution No. 2018 - 02**  
*A Resolution to amend Resolution 2012-27 outlining the Wrecker Policy of the City of Florence and to adopt the Wrecker and Storage Fee Schedule developed and updated annually by the South Carolina Highway Patrol.*
- c. **Resolution No. 2018 - 03**  
*A Resolution of City Council approving Downtown Redevelopment Grant for Third Quarter, FY 18.*  
*(NOTE: This Resolution will be discussed in Executive Session)*

**VIII. REPORT TO COUNCIL**

- a. **Appointments to Boards and Commissions**
  - 1. **Construction and Maintenance Board of Adjustments and Appeals**

**IX. EXECUTIVE SESSION**

- a. **Discussion of negotiations incident to matters relating to a proposed Economic Development [30-4-70(a)(5)].**  
  
*After returning to open session, Council may take action on matters discussed in Executive Session.*

**X. ADJOURN**

**REGULAR MEETING OF FLORENCE CITY COUNCIL  
MONDAY, JANUARY 8, 2018 – 1:00 P.M.  
CITY CENTER – COUNCIL CHAMBERS  
324 WEST EVANS STREET  
FLORENCE, SOUTH CAROLINA**

**MEMBERS PRESENT:** Mayor Wukela called the regular meeting of January 8, 2018 to order at 1:05 p.m. with the following members present: Councilman George D. Jebaily; Councilwoman Teresa Myers-Ervin; Councilwoman Octavia Williams-Blake; Councilman Glynn F. Willis and Councilwoman Pat Gibson-Hye Moore.

**MEMBER ABSENT:** Mayor Pro tem Frank J. “Buddy” Brand was absent.

**ALSO PRESENT:** Mr. Drew Griffin, City Manager; Mrs. Dianne Rowan, Municipal Clerk; Mr. James W. Peterson, Jr., City Attorney; Chief Allen Heidler, Florence Police Department; Mr. Scotty Davis, Director of Community Services; Mr. Chuck Pope, Director of Public Works; Mr. Thomas Chandler, Director of Finance; Mr. Michael Hemingway, Director of Utilities; Chief Randy Osterman, Florence Fire Department; Mr. Jerry Dudley, Planning Manager; and Mr. Clint Moore, Development Manager.

**MEDIA PRESENT:** Mr. Joshua Lloyd of the Morning News and Ms. Kiahna Patterson of WBTW TV-13 were present for the meeting.

**INVOCATION**

Councilwoman Ervin gave an invocation for the meeting. The Pledge of Allegiance to the American Flag followed the invocation.

**APPROVAL OF MINUTES**

Councilman Jebaily made a motion to adopt the minutes of the December 11, 2017 Regular Meeting. Councilwoman Ervin seconded the motion, which carried unanimously.

**HONORS AND RECOGNITIONS**

**SERVICE RECOGNITIONS**

Mayor Wukela presented Lt. Charles “Chuck” Hobgood of the Florence Police Department, a Certificate of Recognition acknowledging the completion of 25 years of service with the City of Florence.

Kevin Rawlinson received a Certificate of Recognition for completing 15 years of service with the City of Florence Finance Department.

Andy Jones received a Certificate of Recognition for completing 15 years of service with the Public Works Department/Athletic Programs.

Mayor Wukela presented Randolph “Rodney” Myers a Certificate of Recognition in acknowledgement of completing 10 years of service with the Florence Fire Department.

**EDUCATIONAL RECOGNITIONS**

Kevin Dozier and James Joyce received an educational recognition for passing the “E” Water Operator Certification Exam on December 1, 2017.

Robert Hyman received an educational recognition for passing the “E” Water Operator Certification Exam on December 13, 2017.

Keith Harris received an educational recognition for passing the “D” Water Operator Certification Exam on December 21, 2017.

**ORDINANCES IN POSITION**

**BILL NO. 2017-44 – SECOND READING**

**AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, AND ENDING JUNE 30, 2018.**

An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2017, and ending June 30, 2018 was adopted on second reading.

Councilman Willis made a motion to adopt Bill No. 2017-44 on second reading. Councilwoman Ervin seconded the motion.

City Council voted unanimously to adopt Bill No. 2017-44 on second reading.

**BILL NO. 2017-45 – SECOND READING**

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY LOCATED AT 2322 WEST HERON DRIVE, SAID PROPERTY BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS TAX MAP PARCEL 90009-04-004.**

An Ordinance to annex and zone property located at 2322 West Heron Drive, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 90009-04-004 was adopted on second reading.

Councilman Jebaily made a motion to adopt Bill No. 2017-45. Councilwoman Williams-Blake seconded the motion which carried unanimously.

Bill No. 2017-45 was adopted unanimously by City Council on second reading.

**BILL NO. 2017-46 – SECOND READING**

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY CEDAR CREST DEVELOPERS, LLC, TAX MAP NUMBER 00098-01-022 AND KATE WEAVER, PORTION TAX MAP NUMBERS 00098-01-016 AND 00098-01-024.**

An Ordinance to annex and zone property owned by Cedar Crest Developers, LLC, Tax Map Number 00098-01-022 and Kate Weaver, portion of Tax Map Numbers 00098-01-016 and 00098-01-024 was adopted on second reading.

Councilman Jebaily made a motion to adopt Bill No. 2017-46 on second reading. Councilwoman Moore seconded the motion.

Council voted unanimously to adopt Bill No. 2017-46 on second reading.



**REGULAR MEETING OF FLORENCE CITY COUNCIL  
JANUARY 8, 2018 – PAGE 3**

**BILL NO. 2017-47 – SECOND READING**

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY LOCATED AT 2483 PARSONS GATE, SAID PROPERTY BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS TAX MAP PARCEL 01221-01-306.**

An Ordinance to annex and zone property located at 2483 Parsons Gate, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 01221-01-306 was adopted on second reading.

Councilwoman Moore made a motion to adopt Bill No. 2017-47 on second reading. Councilman Jebaily seconded the motion, which carried unanimously.

**BILL NO. 2017-48 – SECOND READING**

**AN ORDINANCE TO ADOPT THE CITY OF FLORENCE UNIFIED DEVELOPMENT ORDINANCE AND ASSOCIATED LAND USE MAPS.**

An Ordinance to adopt the City of Florence Unified Development Ordinance and associated Land Use Maps was adopted by Council on second reading.

Councilwoman Moore made a motion to adopt Bill No. 2017-48 on second reading. Councilwoman Ervin seconded the motion.

City Council voted unanimously to adopt Bill No. 2017-48 on second reading.

**INTRODUCTION OF RESOLUTION**

**RESOLUTION NO. 2018-01**

**A RESOLUTION IN RECOGNITION OF THE TRINITY BYRNES ATHLETIC TEAMS.**

Councilwoman Williams-Blake requested Resolution No. 2018-01 be deferred to the February 13, 2018 City Council meeting.

There was no objection.

**REPORT TO COUNCIL**

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**CONSTRUCTION AND MAINTENANCE BOARD  
OF ADJUSTMENTS AND APPEALS**

Councilman Jebaily deferred his appointment for the Construction and Maintenance Board of Adjustments and Appeals to the February 13, 2018 City Council meeting.

**EXECUTIVE SESSION**

Mayor Wukela stated an Executive Session has been requested for the discussion of negotiations incident to proposed contractual arrangements [30-4-70(a)(2)] and to negotiations incident to matters relating to proposed economic development projects [30-4-70(a)(5)].

Councilman Willis made a motion to enter into Executive Session. Councilwoman Moore seconded the motion.

Without objection Council entered into Executive Session at 1:32 p.m.

**REGULAR MEETING OF FLORENCE CITY COUNCIL  
JANUARY 8, 2018 – PAGE 4**

Mayor Wukela reconvened the regular meeting at 2:56 p.m.

Mayor Wukela stated two different economic development matters were discussed in Executive Session.

No action was requested and no action was taken on the first matter discussed.

As relates to the second matter discussed, Councilwoman Ervin made a motion to authorize the City Manager to sign an amended Conditional Grant Agreement and/or Operating Agreement with respect to the Sav-a-Lot Project to properly document that the City will fund an additional \$432,000 and \$70,000 to be used to cover the gap in the construction costs for the grocery store building in return for the City holding an equity position in the grocery store building in partnership with Palmetto Housing Corporation. Councilwoman Moore seconded the motion, which carried unanimously.

**ADJOURN**

There being no further business on the agenda, the meeting was adjourned without objection at 2:57 p.m.

Dated this 13<sup>th</sup> day of February, 2018.

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Dianne M. Rowan, Municipal Clerk

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Stephen J. Wukela, Mayor

**FLORENCE CITY COUNCIL MEETING**

**DATE:** February 12, 2018

**AGENDA ITEM:** Ordinance to Annex and Zone Property Owned by William Gary Taylor, TMN 90009-04-011

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

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**I. ISSUE UNDER CONSIDERATION:**

Request to annex property located at 131 North Lakewood Dr., Tax Map Number 90009-04-011, into the City of Florence and to zone (NC-15) Neighborhood Conservation-15 District. The request is being made by the property owner, William Gary Taylor.

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

(1) On December 12, 2017 Planning Commission held a public hearing on this matter, and voted unanimously, 6-0 to recommend the zoning of R-1, Single-Family Residential District. At the time of the hearing, the Unified Development Ordinance had not yet been adopted; however, it was noted that property in the Lakewood Subdivision would have the new zoning designation of NC-15, Neighborhood Conservation-15, which is synonymous with the R-1 zoning designation.

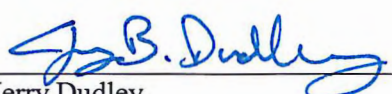
**III. POINTS TO CONSIDER:**


- (1) Request is being considered for first reading.
- (2) The lot is currently the site of a single-family dwelling.
- (3) City water and sewer services are currently available; there is no cost to extend utility services.
- (4) City Staff recommends annexation and concurs with Planning Commission's recommendation to zone the property NC-15, Neighborhood Conservation-15, which is synonymous with the previous R-1, Single-Family Residential district.

**IV. PERSONAL NOTES:**

**V. ATTACHMENTS:**

- (1) Ordinance
- (2) Map showing the location of the property
- (3) Petition for Annexation form

  
\_\_\_\_\_  
Jerry Dudley  
Planning Manager

  
\_\_\_\_\_  
Andrew H. Griffin  
City Manager



**Attachment 2:  
Location Map 131 N. Lakewood Dr. Florence, SC 29501**

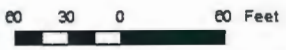


**Legend**

- Proposed Parcel
- Address Points
- Manhole
- Gravity Main
- Water Main
- Roads
- City Limits
- Parcels



**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.



Attachment 3: Petition for Annexation form

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 petitioner(s) 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

3. Annexation is being sought for the following purposes.

To receive 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 \_\_\_\_\_  
Race \_\_\_\_\_  
Total 18 and Over \_\_\_\_\_  
Total Registered to Vote \_\_\_\_\_

Date 11/13/17

Walter Alan Jay  
Petitioner

Date \_\_\_\_\_

Petitioner

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date 11/15/17	Alfred Conrady

ORDINANCE NO. 2018 \_\_\_\_\_

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY WILLIAM GARY TAYLOR, TMN 90009-04-011**

**WHEREAS,** a Public Hearing was held in the Council Chambers on December 12, 2017 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS,** application by William Gary Taylor, owners of TMN 90009-04-011, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated in the city limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and adding the zoning district classification of (NC-15) Neighborhood Conservation-15 District:

**The property requesting annexation is shown more specifically on Florence County Tax Map 90009, block 04, parcel 011 (0.512 acres).**

**Any portions of public rights-of-way abutting the above described property will be also 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 \_\_\_\_\_, 2018**  
**Approved as to form:**

\_\_\_\_\_  
**James W. Peterson, Jr.**  
City Attorney

\_\_\_\_\_  
**Stephen J. Wukela,**  
Mayor

Attest:

\_\_\_\_\_  
**Dianne M. Rowan**  
Municipal Clerk

**FLORENCE CITY COUNCIL MEETING**

**DATE:** February 12, 2018

**AGENDA ITEM:** Ordinance to amend the City of Florence Unified Development Ordinance Sections 1-2.7.2, 1-2.8.2, and 2-6.1.1

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

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**I. ISSUE UNDER CONSIDERATION:**

Proposed text amendment to the City of Florence Unified Development Ordinance Sections 1-2.7.2, 1-2.8.2, and 2-6.1.1 to clarify the intent of the ordinance.

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

(1) Planning Commission will hold a public hearing on February 13, 2018 regarding the matter.

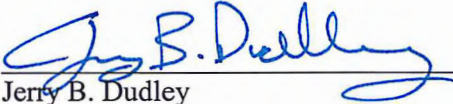
**III. POINTS TO CONSIDER:**

- (1) As expected during staff's initial application of the Unified Development Ordinance in the review of proposed projects, there is a need for minor text amendments to clarify intent and correct oversights.
- (2) Therefore, text amendments have been prepared by the Planning, Research and Development Department in an effort to clarify the intent of the ordinance and allow for reasonable development within the City.
- (3) Amendments to Sections 1-2.7.2 and 1-2.8.2 clarify the conditions related to the use and development standards for multi-family housing. Additionally, it raises the number of units allowed per floor from eight (8) to twenty-four (24). This increase will allow for development conducive to the market and trends for multi-family housing within the City and throughout the Southeast.
- (4) Amendment to Section 2-6.1.1 will add height requirements and alternate setback requirements for the Activity Center (AC), General Commercial (CG), Campus (CA), Light Industrial (IL), Heavy Industrial (IH), and Agricultural/Rural (AR) zoning districts. Section F is referenced in the "Height Requirements" column of Table 2-6.1.1 but was inadvertently omitted from the text of the ordinance. The proposed text is similar to the City's previous zoning ordinance in that it allows structures above the maximum allowed height with an increase in side and rear setback requirements. The City Fire Department was contacted regarding the proposed text and had no concerns.
- (5) City staff recommends the proposed text amendments as they guide development in a manner consistent with the stated purpose of the Unified Development Ordinance.

**IV. PERSONAL NOTES:**

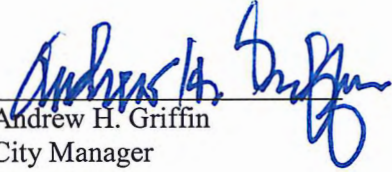
**V. ATTACHMENTS:**

- (1) Proposed Amendment
- (2) Ordinance



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Jerry B. Dudley  
Planning Manager



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Andrew H. Griffin  
City Manager



**Attachment 1: Proposed Amendments to the City of Florence Unified Development Ordinance**

Deletions have been struck through.  
 Additions have been underlined.

**Sec. 1-2.7.2 Residential and Commercial Uses of the Home**

Set out in **Table 1-2.7.2-a, Residential and Commercial Uses of the Home** and **Table 1-23732-b, Neighborhood Conservation Residential Uses of the Home**, are which residential and commercial uses of the home are allowed in each zoning district.

Table 1-2.7.2-a Residential and Commercial Uses of the Home																
Land Use	Zoning Districts															
	Residential					Business Commercial			Mixed- Use			Industrial		Agricultural & Open Space		
	RE	RS	RG	RU	NC <sup>3</sup>	CR	CA	CG	CBD	AC	DS	IL	IH	OSR	AR	
<b>Residential Uses</b>																
Single Family Detached	P	P	P	P	<sup>3</sup>	P	-	-	-	-	-	-	-	-	-	P
Lot Line Home	-	C	C	C	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Patio Home <sup>2</sup>	-	C	C	C	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Townhome	-	P <sub>B</sub>	P <sub>B</sub>	P <sub>B</sub>	<sup>3</sup>	-	-	P <sub>B</sub>	P <sub>B</sub>	P <sub>B</sub>	-	-	-	-	-	-
Cottage	-	C	C	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Duplex	-	-	P <sub>B</sub>	P <sub>B</sub>	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Manufactured Home <sup>1,2</sup>	-	-	-	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Multiplex (triplex or quadraplex)	-	-	P <sub>B</sub>	P <sub>B</sub>	<sup>3</sup>	P <sub>B</sub>	-	-	P <sub>B</sub>	-	P <sub>B</sub>	-	-	-	-	-
Multifamily <sup>2</sup>	-	-	C	C	<sup>3</sup>	-	-	C	C	C	C	-	-	-	-	-
Live - Work Units	-	-	-	-	<sup>3</sup>	C	-	-	P	C	P	C	-	-	-	-
<b>Residential Neighborhoods</b>																
Single Family Cluster	P	P	P	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	P
Mixed Housing Cluster	-	P	P	P	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Manufactured Home Park or Subdivision	-	-	-	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
<b>Commercial Use of the Home</b>																
Bed and Breakfast Inn	C	C	-	-	<sup>3</sup>	C	-	-	C	C	C	-	-	-	-	C
Child Care Services	C	C	C	-	<sup>3</sup>	C	-	-	-	-	-	-	-	-	-	-
Group Home	C	C	C	-	<sup>3</sup>	C	-	-	-	-	-	-	-	-	-	-
Home Occupation	C	C	C	C	<sup>3</sup>	C	-	-	C	C	-	-	-	-	-	-
<b>TABLE NOTES:</b>																
<sup>1</sup> Permitted only in a manufactured home park or manufactured home subdivision.																
<sup>2</sup> Refer to Appendix A, Best Building and Site Design Practices ( <u>preferred, but not required</u> ).																
<sup>3</sup> Refer to Table 1-2.7.2-b for Neighborhood Conservation Residential Uses of the Home																
RE (Estate Residential), RS (Suburban Residential), RG (General Residential), RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Re-use), CA (Campus), CG (Commercial General), CBD (Central Business District), AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH ( Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional Use), SE (Permitted Special Exception Use), - (Prohibited Use), B (subscript, Special site and Building Development Standards)																

**Table 1-2.7.2-b  
Neighborhood Conservation Residential Uses of the Home**

Land Use	Zoning Districts					
	Residential					
	NC-15	NC-10	NC-6.1	NC-6.2	NC-6.3	NC-4
<b>Residential Uses</b>						
Single Family Detached	P	P	P	P	P	P
Lot Line Home	-	-	-	C	C	-
Patio Home <sup>2</sup>	-	-	-	C	C	-
Townhome	-	-	-	-	P <sub>B</sub>	-
Cottage	-	-	-	-	-	-
Duplex	-	-	-	P <sub>B</sub>	P <sub>B</sub>	P <sub>B</sub>
Manufactured Home <sup>1,2</sup>	-	-	-	-	-	-
Multiplex (triplex or quadraplex)	-	-	-	-	P <sub>B</sub>	-
Multifamily <sup>2</sup>	-	-	-	-	C	-
Live - Work Units	-	-	-	-	-	-
<b>Residential Neighborhoods</b>						
Single Family Cluster	-	-	-	-	-	-
Mixed Housing Cluster	-	-	-	-	-	-
Manufactured Home Park or Subdivision	-	-	-	-	-	-
<b>Commercial Use of the Home</b>						
Bed and Breakfast Inn	-	-	C	C	C	-
Child Care Services	C	C	C	C	C	C
Group Home	-	-	-	-	C	-
Home Occupation	C	C	C	C	C	C

**TABLE NOTES:**

<sup>1</sup>Permitted only in a manufactured home park or manufactured home subdivision.

<sup>2</sup>Refer to Appendix A, Best Building and Site Design Practices (preferred, but not required).

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

## Section 1-2.8.2 Residential and Commercial Use of the Home Standards

### G. Multifamily is permitted if it is demonstrated that:

1. They conform to the lot and building standards set out in *Table 2-4.1.3, Lot and Building Standards by Housing Type*.
2. The development is separated from an adjoining residential district or use by either a local street or a Type C bufferyard, unless a more opaque bufferyard is required by Article 10, *Landscaping and Buffering*.
3. ~~They are~~ Vehicular access for the development is not located closer than 300 feet to NC district boundaries, unless separated by a collector or arterial street. The distance must be measured by following the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the vehicular access of the multi-family development to the nearest boundary of a NC district.
4. Buildings are designed such that there are not more than ~~eight~~ 24 dwelling units per floor; and
5. In the CBD (Central Business District), AC (Activity Center), and DS (Destination / Select Use) districts:
  - a. Vehicular access to the units is provided via an alley, parking structure, or parking court; and
  - b. The use provides a courtyard that is visible from the street or a plaza that is accessible from the sidewalk



## Division 2-6.1 Development Standards

### Sec. 2-6.1.1 General Development Standards

- A. **Generally.** The standards that are applicable to nonresidential and mixed-use development are provided in **Table 2-6.1.1, Nonresidential and Mixed Use Lot and Building Standards**. The table includes provisions for the minimum lot width, minimum building setbacks, maximum building height, and minimum landscape surface ratio for each district and general use type. Where **Division 1-2.8, Conditional and Permitted Special Exception Use Standards** sets out standards for lot or site area or width, setbacks, separation, or other regulatory provisions, the standards of that Division supersede the standards of this Section.
- B. **Standards.** The lot width, building setbacks and heights, and minimum landscape surface ratio shall be as set out in Table 2-6.1.1, Nonresidential and Mixed Use Lot and Building Standards.

Table 2-6.1.1 Nonresidential and Mixed Use Lot and Building Standards							
District / General Use Type	Lot Width <sub>1</sub>	Minimum Setback <sup>2</sup>				Minimum Landscape Surface Ratio	Maximum Building Height
		Build-to Line	Front	Side (Min./Total)	Rear		
<b>Estate Residential (RE)</b>							
Public Assembly	300'	N/A	100'	50' / 100'	75'	40%	38'; 100 non-habitable building extensions
All Other Uses	600'	N/A	150'	25' / 60'	100'	60%	27'
<b>Suburban Residential (RS)</b>							
Institutional Residential	150'	N/A	30'	10' / 20'	35'	35%	27'
Public Assembly	300'	N/A	50'	25' / 60'	75'	40%	38'
All Other Uses	85'	N/A	30'	10' / 20'	35'	50%	27'
<b>General Residential (RG)</b>							
Institutional Residential	150'	N/A	25'	5' / 10'	20'	20%	27'
Public Assembly	300'	N/A	50'	25' / 60'	75'	40%	38'
All Other Uses	85'	N/A	25'	5' / 10'	20'	40%	27'

**Table 2-6.1.1  
Nonresidential and Mixed Use Lot and Building Standards**

District / General Use Type	Lot Width <sup>1</sup>	Minimum Setback <sup>2</sup>				Minimum Landscape Surface Ratio	Maximum Building Height
		Build-to Line	Front	Side (Min./Total)	Rear		
<b>Urban Residential (RU)</b>							
Institutional Residential	N/A	15'	N/A	3.5' / 7'	5'; 20' to alley	15%	Min. 2 story or 38'
Public Assembly	100'	5'; N/A with courtyard or plaza	30' for front entrance; 0 other building sections	N/A	N/A	20%	Min. 2 story or 38'
<b>Neighborhood Conservation (NC)</b>							
Public Assembly	150'	N/A	25'	25' / 60'	75'	55%	38'
All uses	2 X yards for single-family in the applicable subdistrict					40%	27'
<b>Commercial Re-Use (CR)</b>							
Retail	50'	25'	N/A	5' / 10'	20'	35%	27'
Office / Service	50'	25'	N/A	5' / 10'	20'	35%	27'
All other uses	50'	25'	N/A	10' / 20'	20'	35%	27'
<b>Activity Center (AC)</b>							
Retail	200'	15'	See C., Below.	10' / 20'	40'	20%	45' - See F., Below.
Office / Overnight Accommodations	200'	15'		10' / 20'	40'	20%	
Services	150'	15'		10' / 20'	40'	20%	
All Other Uses	100'	15'		10' / 20'	40'	20%	
<b>General Commercial (CG)</b>							
Retail	200'	N/A	50'	20' / 50'	40'	15%	45' - See F., Below.
Office / Overnight Accommodations	200'	N/A	50'	20' / 50'	40'	15%	
All Other Uses	100'	N/A	50'	20' / 50'	40'	15%	
<b>Central Business District (CBD)</b>							
Mixed Use	25'	0'5	See D. and E., Below.			N/A	See Design Guidelines for Downtown Florence
All Other Uses	25'	0'5				N/A	
<b>Campus (CA)</b>							
Office	200'	N/A	50'	25' / 50'	40'	30%	45' - See F., Below.
All Other Uses	100'	N/A	50'	15' / 30'	40'	30%	
<b>Destination / Select Use (DS)</b>							
Commercial Amusements	NA	NA	50	50	50		100
All Other Uses	NA	NA	25	25	25		50
<b>Light Industrial (IL)</b>							
All Uses	125'	N/A	35'	15 / 30	30	20%	50' See F., Below.
<b>Heavy Industrial (IH)</b>							
All Uses	200'	N/A	50'	25	5	15%	75' - See F., Below.
<b>Open Space and Recreation (OSR)</b>							
All uses	N/A	N/A	50'	50'	50'	98%	N/A
<b>Agricultural / Rural (AR)</b>							
Grain Elevators	N/A	N/A	100	100' / 200'	100'	80%	90' - See F., Below.
All Other Uses	500'	N/A	50'	25' / 50'	50'	80%	

**TABLE NOTES:**

<sup>1</sup>Along collector and arterial roadways, frontages in excess of the minimum lot width may be required to meet all other access and development requirements.

<sup>2</sup>If the required bufferyard width is greater than that specified, the setback or build-to line shall be the width of the required bufferyard. All build-to lines shall apply to any public street frontage whether or not they are front or side property lines.

<sup>5</sup>Buildings shall be constructed to a build-to line that allows sufficient room for a 10' wide sidewalk. If a 10' wide sidewalk can be constructed entirely within the right-of-way, then the build-to line shall be the property line.



**C. Special Yard Restrictions in the AC district.** The following standards apply in the AC (Activity Center) district:

1. Driveway Access.

- a. No driveway aisles shall be installed between the front or side street wall of the building(s) and the front or side street property lines;
- b. Driveways to interior parking areas may traverse through the area described above in order to reach interior parking areas.
- c. No other paving is permitted in the area described in a., or b., above, which is reserved for landscaping.

2. Parking areas. Parking areas shall be located at least 10' farther from the front or side street property line than the actual front or side street wall of the building(s).

**D. CBD Setbacks.**

1. Generally. Building setbacks in the CBD (Central Business District) shall be subject to the Design Guidelines for Downtown Florence.

2. Build-to Line. For all development in the CBD district, primary structures shall be built on the front property line (the "build-to line"). Portions of the façade that are recessed for recessed front entrances are permitted to be set back from the build-to line by up to three feet. All buildings shall meet these requirements, except under the following conditions:

a. Where there is an existing public sidewalk, adjacent to the development, the building must be set back in order to provide the additional space to extend the sidewalk onto the private lot to construct a sidewalk of the same width as existing and in no case less than eight feet in width. In this case, the building shall be constructed to a build-to line that is coterminous with the edge of the sidewalk that is provided on the private lot.

b. Where the use is established in an existing building that exceeds the build-to line as of the effective date of this Unified Development Ordinance. In this case, the existing building may:

1. Remain in its current location, utilizing the front setback as:

- a. A yard or courtyard;
- b. Public plaza or outdoor service area (e.g., outdoor seating for a restaurant, outdoor display area for a retail store, etc.); or
- c. Off-street parking provided it was used for parking as of the effective date of this Unified Development Ordinance.

2. Be extended to the build-to line provided it:

- a. Meets all other requirements and standards of this Unified Development Ordinance;
- b. Is a conforming use; and
- c. Complies with a. above (e.g., provision for a public sidewalk).

c. Where the average setback of buildings along the block front or, in the instance of a corner lot, along one or both block fronts, exceeds the build-to line. In this case, the building may be:

1. Constructed at the build-to line; or

2. Set back to match the average front setback along the same side of the same street segment in the same zoning district, provided that the lot proposed for development or redevelopment is not counted in the calculation.

d. Buildings may be set back up to a distance of 20 feet from the build-to line in order to provide a designated public plaza or outdoor service area according to the following standards:

1. The public plaza or outdoor service area shall be designated upon development approval and

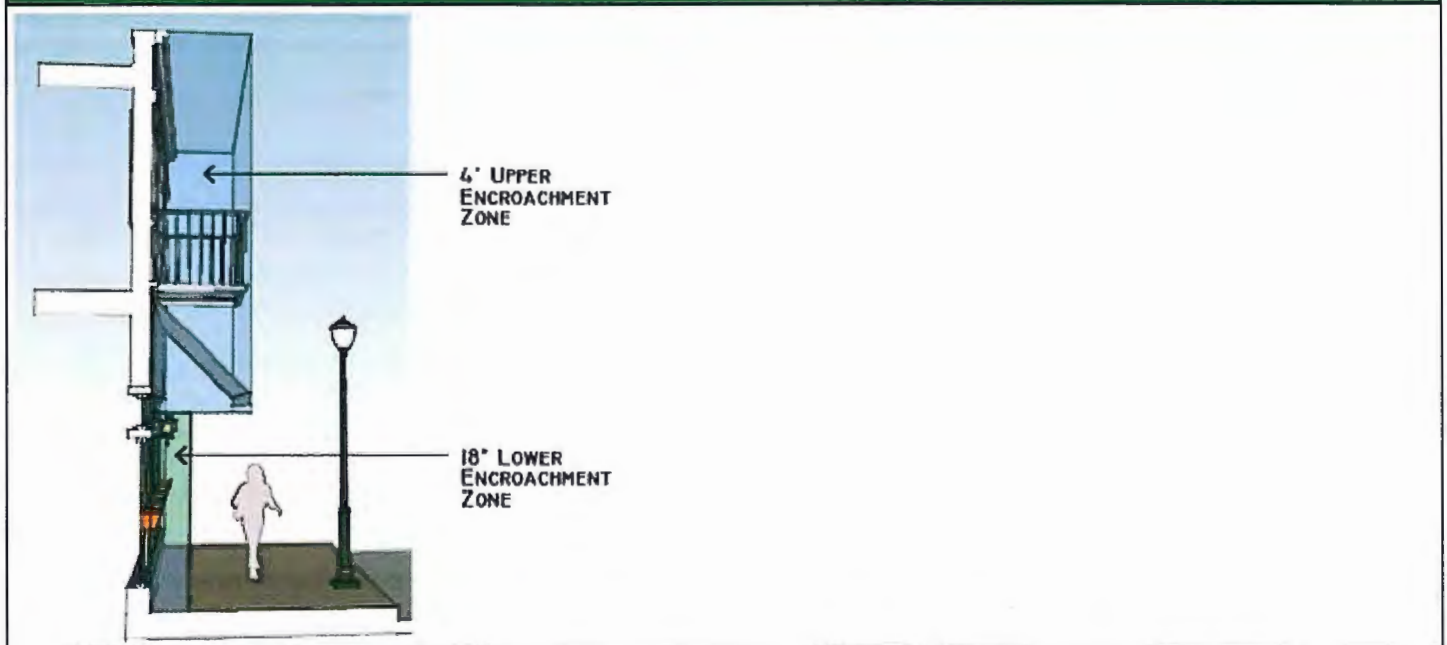
maintained as a publically accessible space.

2. Any service uses that take place in the designated setback area must directly relate to the activity of the primary ground floor use (e.g., outdoor seating for a restaurant, outdoor display area for a retail store, etc.)
3. When the area is not being used as an outdoor service area, it shall remain generally accessible to the public and function as an extension of the public sidewalk environment.

**E. CBD, AC, or DS District Encroachments.** In the CBD (Central Business District), AC (Activity Center), or DS districts (Destination / Select Use) the City may permit, by recorded license agreement, encroachments into the public right-of-way if the encroachments meet all of the following standards (see **Figure 2-6.1.1A, Permitted Encroachments**):

1. Encroachments up to 18 inches into the right-of-way are permitted, subject to public agency approval, below an elevation of eight feet above grade if it is demonstrated that:
  - a. The encroachment does not impact the general functionality of the public sidewalk; and
  - b. The encroachment does not make the sidewalk noncompliant with the requirements of the South Carolina Standards of Accessibility or the Americans with Disabilities Act.
2. Encroachments up to four feet are permitted, subject to public agency approval, above an elevation of eight feet above grade if it is demonstrated that:
  - a. The encroachment does not impact the general functionality of the public sidewalk;
  - b. The encroachment is set back at least one foot from the face of the curb; and
  - c. The encroachment does not create unsafe clearances from other elements of the right-of-way (e.g., street lighting, landscaping, vehicular movement, etc.).

Figure 2-6.1.1A  
Permitted Encroachments



**F. AC, CG, CA, IL, IH, and AR District Height.** In the AC (Activity Center), CG (General Commercial), CA (Campus), IL (Light Industrial), IH (Heavy Industrial), and AR (Agricultural/Rural) districts the maximum building height as listed in Table 2-6.1.1 may be exceeded provided that side and rear setbacks shall increase by one (1) foot for each two (2) feet in height in excess of the listed maximum building height.

**ORDINANCE NO. 2018-\_\_\_\_\_**

**AN ORDINANCE TO AMEND THE CITY OF FLORENCE UNIFIED DEVELOPMENT  
ORDINANCE SECTIONS 1-2.7.2, 1-2.8.2, AND 2-6.1.1**

**WHEREAS**, a public hearing will be held in Council Chambers of the City Center located at 324 West Evans Street on February 13, 2018 before the Municipal Planning Commission, and notice of said hearing was duly given; and

**WHEREAS**, the amendments contained herein will clarify the intent of the Unified Development Ordinance in a manner consistent with the stated purpose of the ordinance.



THEREFORE, Section 1-2.7.2 of the City of Florence Unified Development Ordinance, shall read as follows:

**Sec. 1-2.7.2 Residential and Commercial Uses of the Home**

Set out in Table 1-2.7.2-a, Residential and Commercial Uses of the Home and Table 1-23732-b, Neighborhood Conservation Residential Uses of the Home, are which residential and commercial uses of the home are allowed in each zoning district.

Table 1-2.7.2-a Residential and Commercial Uses of the Home																
Land Use	Zoning Districts															
	Residential					Business Commercial			Mixed- Use			Industrial		Agricultural & Open Space		
	RE	RS	RG	RU	NC <sup>3</sup>	CR	CA	CG	CBD	AC	DS	IL	IH	OSR	AR	
<b>Residential Uses</b>																
Single Family Detached	P	P	P	P	<sup>3</sup>	P	-	-	-	-	-	-	-	-	-	P
Lot Line Home	-	C	C	C	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Patio Home <sup>2</sup>	-	C	C	C	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Townhome	-	P <sub>B</sub>	P <sub>B</sub>	P <sub>B</sub>	<sup>3</sup>	-	-	P <sub>B</sub>	P <sub>B</sub>	P <sub>B</sub>	-	-	-	-	-	-
Cottage	-	C	C	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Duplex	-	-	P <sub>B</sub>	P <sub>B</sub>	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Manufactured Home <sup>1,2</sup>	-	-	-	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Multiplex (triplex or quadraplex)	-	-	P <sub>B</sub>	P <sub>B</sub>	<sup>3</sup>	P <sub>B</sub>	-	-	P <sub>B</sub>	-	P <sub>B</sub>	-	-	-	-	-
Multifamily <sup>2</sup>	-	-	C	C	<sup>3</sup>	-	-	C	C	C	C	-	-	-	-	-
Live - Work Units	-	-	-	-	<sup>3</sup>	C	-	-	P	C	P	C	-	-	-	-
<b>Residential Neighborhoods</b>																
Single Family Cluster	P	P	P	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	P
Mixed Housing Cluster	-	P	P	P	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
Manufactured Home Park or Subdivision	-	-	-	-	<sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-
<b>Commercial Use of the Home</b>																
Bed and Breakfast Inn	C	C	-	-	<sup>3</sup>	C	-	-	C	C	C	-	-	-	-	C
Child Care Services	C	C	C	-	<sup>3</sup>	C	-	-	-	-	-	-	-	-	-	-
Group Home	C	C	C	-	<sup>3</sup>	C	-	-	-	-	-	-	-	-	-	-
Home Occupation	C	C	C	C	<sup>3</sup>	C	-	-	C	C	-	-	-	-	-	-

**TABLE NOTES:**

<sup>1</sup>Permitted only in a manufactured home park or manufactured home subdivision.

<sup>2</sup>Refer to Appendix A, Best Building and Site Design Practices (preferred, but not required).

<sup>3</sup>Refer to Table 1-2.7.2-b for Neighborhood Conservation Residential Uses of the Home

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

**Table 1-2.7.2-b  
Neighborhood Conservation Residential Uses of the Home**

Land Use	Zoning Districts					
	Residential					
	NC-15	NC-10	NC-6.1	NC-6.2	NC-6.3	NC-4
<b>Residential Uses</b>						
Single Family Detached	P	P	P	P	P	P
Lot Line Home	-	-	-	C	C	-
Patio Home <sup>2</sup>	-	-	-	C	C	-
Townhome	-	-	-	-	P <sub>B</sub>	-
Cottage	-	-	-	-	-	-
Duplex	-	-	-	P <sub>B</sub>	P <sub>B</sub>	P <sub>B</sub>
Manufactured Home <sup>1,2</sup>	-	-	-	-	-	-
Multiplex (triplex or quadraplex)	-	-	-	-	P <sub>B</sub>	-
Multifamily <sup>2</sup>	-	-	-	-	C	-
Live - Work Units	-	-	-	-	-	-
<b>Residential Neighborhoods</b>						
Single Family Cluster	-	-	-	-	-	-
Mixed Housing Cluster	-	-	-	-	-	-
Manufactured Home Park or Subdivision	-	-	-	-	-	-
<b>Commercial Use of the Home</b>						
Bed and Breakfast Inn	-	-	C	C	C	-
Child Care Services	C	C	C	C	C	C
Group Home	-	-	-	-	C	-
Home Occupation	C	C	C	C	C	C

**TABLE NOTES:**

<sup>1</sup>Permitted only in a manufactured home park or manufactured home subdivision.

<sup>2</sup>Refer to Appendix A, Best Building and Site Design Practices (preferred, but not required).

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



THEREFORE, Section 1-2.8.2 of the City of Florence Unified Development Ordinance, shall read as follows:

Section 1-2.8.2 Residential and Commercial Use of the Home Standards

G. Multifamily is permitted if it is demonstrated that:

- 1. They conform to the lot and building standards set out in Table 2-4.1.3, Lot and Building Standards by Housing Type.
2. The development is separated from an adjoining residential district or use by either a local street or a Type C bufferyard, unless a more opaque bufferyard is required by Article 10, Landscaping and Buffering.
3. Vehicular access for the development is not located closer than 300 feet to NC district boundaries, unless separated by a collector or arterial street. The distance must be measured by following the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the vehicular access of the multi-family development to the nearest boundary of a NC district.
4. Buildings are designed such that there are not more than 24 dwelling units per floor; and
5. In the CBD (Central Business District), AC (Activity Center), and DS (Destination / Select Use) districts:
a. Vehicular access to the units is provided via an alley, parking structure, or parking court; and
b. The use provides a courtyard that is visible from the street or a plaza that is accessible from the sidewalk

THEREFORE, Section 2-6.1.1 of the City of Florence Unified Development Ordinance, shall read as follows:

**Sec. 2-6.1.1 General Development Standards**

A. **Generally.** The standards that are applicable to nonresidential and mixed-use development are provided in **Table 2-6.1.1, Nonresidential and Mixed Use Lot and Building Standards.** The table includes provisions for the minimum lot width, minimum building setbacks, maximum building height, and minimum landscape surface ratio for each district and general use type. Where **Division 1-2.8, Conditional and Permitted Special Exception Use Standards** sets out standards for lot or site area or width, setbacks, separation, or other regulatory provisions, the standards of that Division supersede the standards of this Section.

B. **Standards.** The lot width, building setbacks and heights, and minimum landscape surface ratio shall be as set out in Table 2-6.1.1, Nonresidential and Mixed Use Lot and Building Standards.

Table 2-6.1.1 Nonresidential and Mixed Use Lot and Building Standards							
District / General Use Type	Lot Width 1	Minimum Setback <sup>2</sup>				Minimum Landscape Surface Ratio	Maximum Building Height
		Build-to Line	Front	Side (Min./Total)	Rear		
<b>Estate Residential (RE)</b>							
Public Assembly	300'	N/A	100'	50' / 100'	75'	40%	38'; 100 non-habitable building extensions
All Other Uses	600'	N/A	150'	25' / 60'	100'	60%	27'
<b>Suburban Residential (RS)</b>							
Institutional Residential	150'	N/A	30'	10' / 20'	35'	35%	27'
Public Assembly	300'	N/A	50'	25' / 60'	75'	40%	38'
All Other Uses	85'	N/A	30'	10' / 20'	35'	50%	27'
<b>General Residential (RG)</b>							
Institutional Residential	150'	N/A	25'	5' / 10'	20'	20%	27'
Public Assembly	300'	N/A	50'	25' / 60'	75'	40%	38'
All Other Uses	85'	N/A	25'	5' / 10'	20'	40%	27'



**Table 2-6.1.1   
 Nonresidential and Mixed Use Lot and Building Standards**

District / General Use Type	Lot Width <sup>1</sup>	Minimum Setback <sup>2</sup>				Minimum Landscape Surface Ratio	Maximum Building Height
		Build-to Line	Front	Side (Min./Total)	Rear		
<b>Urban Residential (RU)</b>							
Institutional Residential	N/A	15'	N/A	3.5' / 7'	5'; 20' to alley	15%	Min. 2 story or 38'
Public Assembly	100'	5'; N/A with courtyard or plaza	30' for front entrance; 0 other building sections	N/A	N/A	20%	Min. 2 story or 38'
<b>Neighborhood Conservation (NC)</b>							
Public Assembly	150'	N/A	25'	25' / 60'	75'	55%	38'
All uses	2 X yards for single-family in the applicable subdistrict					40%	27'
<b>Commercial Re-Use (CR)</b>							
Retail	50'	25'	N/A	5' / 10'	20'	35%	27'
Office / Service	50'	25'	N/A	5' / 10'	20'	35%	27'
All other uses	50'	25'	N/A	10' / 20'	20'	35%	27'
<b>Activity Center (AC)</b>							
Retail	200'	15'	See C., Below.	10' / 20'	40'	20%	45' -See F., Below.
Office / Overnight Accommodations	200'	15'		10' / 20'	40'	20%	
Services	150'	15'		10' / 20'	40'	20%	
All Other Uses	100'	15'		10' / 20'	40'	20%	
<b>General Commercial (CG)</b>							
Retail	200'	N/A	50'	20' / 50'	40'	15%	45' -See F., Below.
Office / Overnight Accommodations	200'	N/A	50'	20' / 50'	40'	15%	
All Other Uses	100'	N/A	50'	20' / 50'	40'	15%	
<b>Central Business District (CBD)</b>							
Mixed Use	25'	0'5	See D. and E., Below.			N/A	See Design Guidelines for Downtown Florence
All Other Uses	25'	0'5				N/A	
<b>Campus (CA)</b>							
Office	200'	N/A	50'	25' / 50'	40'	30%	45' - See F., Below.
All Other Uses	100'	N/A	50'	15' / 30'	40'	30%	
<b>Destination / Select Use (DS)</b>							
Commercial Amusements	NA	NA	50	50	50		100
All Other Uses	NA	NA	25	25	25		50
<b>Light Industrial (IL)</b>							
All Uses	125'	N/A	35'	15 / 30	30	20%	50' See F., Below.
<b>Heavy Industrial (IH)</b>							
All Uses	200'	N/A	50'	25	5	15%	75' - See F., Below.
<b>Open Space and Recreation (OSR)</b>							
All uses	N/A	N/A	50'	50'	50'	98%	N/A
<b>Agricultural / Rural (AR)</b>							
Grain Elevators	N/A	N/A	100	100' / 200'	100'	80%	90' - See F., Below.
All Other Uses	500'	N/A	50'	25' / 50'	50'	80%	

**TABLE NOTES:**

<sup>1</sup>Along collector and arterial roadways, frontages in excess of the minimum lot width may be required to meet all other access and development requirements.

<sup>2</sup>If the required bufferyard width is greater than that specified, the setback or build-to line shall be the width of the required bufferyard. All build-to lines shall apply to any public street frontage whether or not they are front or side property lines.

<sup>3</sup>Buildings shall be constructed to a build-to line that allows sufficient room for a 10' wide sidewalk. If a 10' wide sidewalk can be constructed entirely within the right-of-way, then the build-to line shall be the property line.

**C. Special Yard Restrictions in the AC district.** The following standards apply in the AC (Activity Center) district:

1. Driveway Access.
  - a. No driveway aisles shall be installed between the front or side street wall of the building(s) and the front or side street property lines;
  - b. Driveways to interior parking areas may traverse through the area described above in order to reach interior parking areas.
  - c. No other paving is permitted in the area described in a., or b., above, which is reserved for landscaping.
2. Parking areas. Parking areas shall be located at least 10' farther from the front or side street property line than the actual front or side street wall of the building(s).

**D. CBD Setbacks.**

1. Generally. Building setbacks in the CBD (Central Business District) shall be subject to the Design Guidelines for Downtown Florence.
2. Build-to Line. For all development in the CBD district, primary structures shall be built on the front property line (the "build-to line"). Portions of the façade that are recessed for recessed front entrances are permitted to be set back from the build-to line by up to three feet. All buildings shall meet these requirements, except under the following conditions:
  - a. Where there is an existing public sidewalk, adjacent to the development, the building must be set back in order to provide the additional space to extend the sidewalk onto the private lot to construct a sidewalk of the same width as existing and in no case less than eight feet in width. In this case, the building shall be constructed to a build-to line that is coterminous with the edge of the sidewalk that is provided on the private lot.
  - b. Where the use is established in an existing building that exceeds the build-to line as of the effective date of this Unified Development Ordinance. In this case, the existing building may:
    1. Remain in its current location, utilizing the front setback as:
      - a. A yard or courtyard;
      - b. Public plaza or outdoor service area (e.g., outdoor seating for a restaurant, outdoor display area for a retail store, etc.); or
      - c. Off-street parking provided it was used for parking as of the effective date of this Unified Development Ordinance.
    2. Be extended to the build-to line provided it:
      - a. Meets all other requirements and standards of this Unified Development Ordinance;
      - b. Is a conforming use; and
      - c. Complies with a. above (e.g., provision for a public sidewalk).

c. Where the average setback of buildings along the block front or, in the instance of a corner lot, along one or both block fronts, exceeds the build-to line. In this case, the building may be:

- 1. Constructed at the build-to line; or
2. Set back to match the average front setback along the same side of the same street segment in the same zoning district, provided that the lot proposed for development or redevelopment is not counted in the calculation.

d. Buildings may be set back up to a distance of 20 feet from the build-to line in order to provide a designated public plaza or outdoor service area according to the following standards:

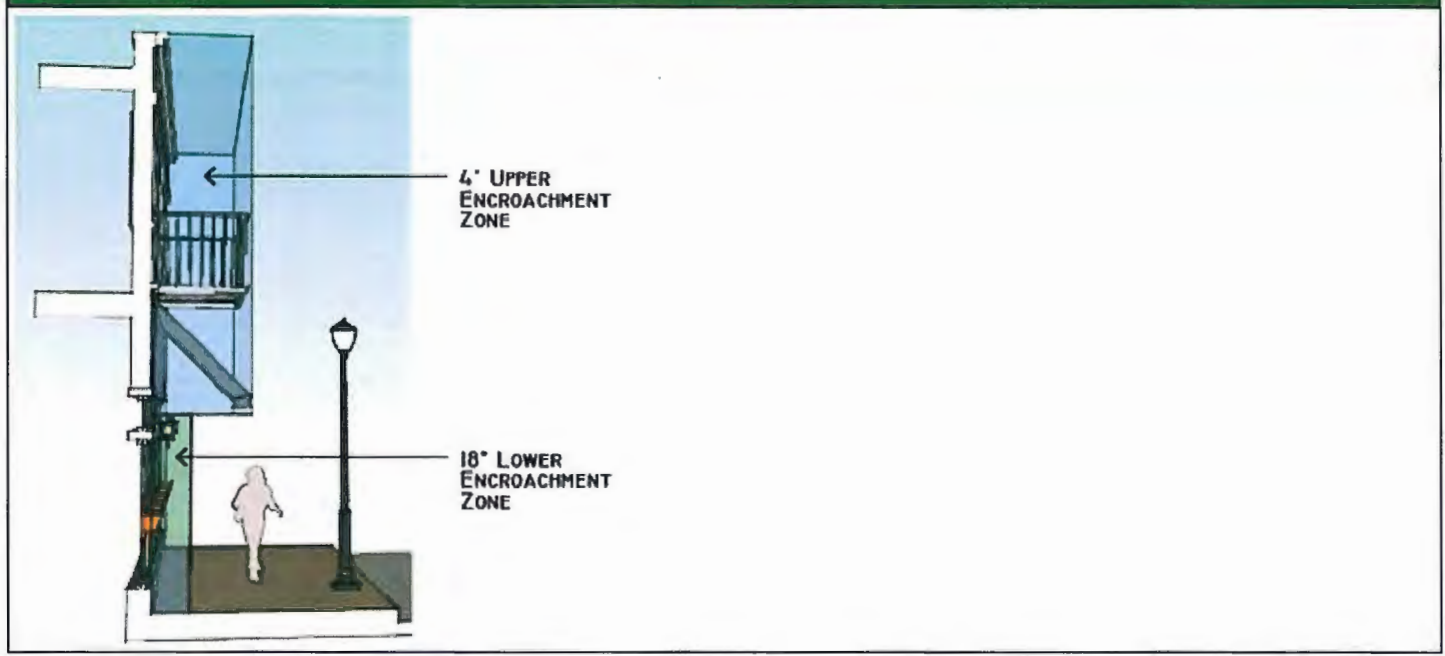
- 1. The public plaza or outdoor service area shall be designated upon development approval and maintained as a publically accessible space.
2. Any service uses that take place in the designated setback area must directly relate to the activity of the primary ground floor use (e.g., outdoor seating for a restaurant, outdoor display area for a retail store, etc.)
3. When the area is not being used as an outdoor service area, it shall remain generally accessible to the public and function as an extension of the public sidewalk environment.

E. CBD, AC, or DS District Encroachments. In the CBD (Central Business District), AC (Activity Center), or DS districts (Destination / Select Use) the City may permit, by recorded license agreement, encroachments into the public right-of-way if the encroachments meet all of the following standards (see Figure 2-6.1.1A, Permitted Encroachments):

- 1. Encroachments up to 18 inches into the right-of-way are permitted, subject to public agency approval, below an elevation of eight feet above grade if it is demonstrated that:
a. The encroachment does not impact the general functionality of the public sidewalk; and
b. The encroachment does not make the sidewalk noncompliant with the requirements of the South Carolina Standards of Accessibility or the Americans with Disabilities Act.
2. Encroachments up to four feet are permitted, subject to public agency approval, above an elevation of eight feet above grade if it is demonstrated that:
a. The encroachment does not impact the general functionality of the public sidewalk;
b. The encroachment is set back at least one foot from the face of the curb; and
c. The encroachment does not create unsafe clearances from other elements of the right-of-way (e.g., street lighting, landscaping, vehicular movement, etc.).



Figure 2-6.1.1A
Permitted Encroachments



F. AC, CG, CA, IL, IH, and AR District Height. In the AC (Activity Center), CG (General Commercial, CA (Campus), IL (Light Industrial), IH (Heavy Industrial, and AR (Agricultural/Rural) districts the maximum building height as listed in Table 2-6.1.1 may be exceeded provided that side and rear setbacks shall increase by one (1) foot for each two (2) feet in height in excess of the listed maximum building height.

**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 Unified Development Ordinance as shown above.
2. That this Ordinance shall become effective immediately.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016**

**Approved as to form:**

\_\_\_\_\_  
James W. Peterson, Jr.  
**City Attorney**

\_\_\_\_\_  
Stephen J. Wukela,  
**Mayor**

**Attest:**

\_\_\_\_\_  
Dianne M. Rowan  
**Municipal Clerk**

**FLORENCE CITY COUNCIL MEETING**

**DATE:** February 12, 2018  
**AGENDA ITEM:** Ordinance – First Reading  
**DEPARTMENT/DIVISION:** City Manager/Finance/Utilities

**I. ISSUE UNDER CONSIDERATION**

For consideration is an ordinance revising the sewer and water tap rate schedules to address three separate and distinct issues that impact these schedules.

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

**A. Sewer and Water Tap Connections Requiring Additional Effort and Cost:**

1. In some cases sewer and water connections requested by a customer must cross, or be bored under, an SCDOT or other public street. The installation of a tap in such cases may require more than the usual and customary effort and cost due to encroachment permit requirements for road resurfacing, boring and encasement work, night work, etc.

2. Additionally, installation of a connection to a sewer main with depth greater than six feet involves more than the typical and routine work and cost.

**B. Water Tap Fee Increase for “Radio Read” (Advanced Metering Infrastructure) Expansion:**

1. In 2016, the City of Florence completed the installation of an Advanced Metering Infrastructure (AMI) system in the Timmonsville service area acquired by the City in 2013. The AMI system provides for remote monitoring of the Timmonsville service area.

2. The AMI system provides accurate hourly data measurement, monthly bills based on actual (not estimated) usage, more efficient billing question resolution, remote customer meter leak identification, and the monitoring of meter tampering and water theft.

3. The City will be expanding the AMI system infrastructure during the fiscal years ending June 30, 2018 and 2019 to provide coverage for water system customers outside the Timmonsville service area. The expansion will incorporate the installation of four additional “Tower Gateway Base Stations” throughout the remaining City service area.

4. The expansion will require the conversion of each service connection to meter boxes, meters, and transceiver units that are compatible with the AMI system.

**C. Update to Unit Contributory Loading Chart:**

In May of 2015 the South Carolina Department of Health and Environmental Control updated the hydraulic loading (Gallons per day) unit contributory loading to all domestic wastewater treatment facilities chart.

### III. POINTS TO CONSIDER

#### A. Sewer and/or Water Tap Connections Requiring Additional Effort and Cost:

1. The present City sewer and tap fee schedules are based on the costs of customary and traditional connections without special requirements and restrictions.

2. When a sewer and/or water connection requested by a customer must cross, or be bored under a SCDOT or other public street, or a sewer connection involves connection to a sewer main with depth greater than six feet, the installation of a tap by the City requires more than normal efforts and costs.

3. For these special connections it is recommended that the sewer and water tap fee schedule be revised to authorize the City to charge tap fees to include actual costs.

#### B. Water Tap Fee Increase for "Radio Read" (Advanced Metering Infrastructure) Expansion:

1. The AMI system provides for more accurate billing and allows improved work efficiency by affording the meter reading staff more time for infrastructure maintenance. Additionally, the automated system assists in the reduction of system water loss by identifying water leaks on service connections and assists in more quickly detecting occurrences of meter tampering and water theft.

2. Through the expanded use of the AMI system, the City will be in a position to deliver better customer service, rendering improved customer satisfaction.

3. To utilize the benefits of the investment in the AMI system, the meter box and the meter and transmitter at each customer service connection must be updated with AMI compliant components. The installation cost of this equipment requires that the water tap fee rates be revised to reflect increased costs of such components.

#### C. Update to Unit Contributory Loading Chart:

To be consistent with the South Carolina Department of Health and Environmental Control loading guidelines, city staff recommends an update to the City's current Unit Contributory Loading Chart.

D. The last change to City sewer and water tap fee rate schedule was approved by City Council in June 2007 and became effective January 1, 2008. A water and sewer rate schedule for the Timmons ville system acquired by the City was added in November 2013.

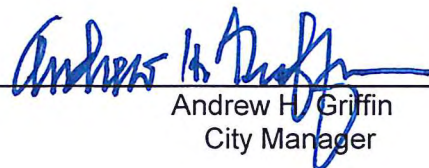
E. The proposed sewer and water tap rates schedule, to become effective immediately upon City Council adoption, is recommended to address and offset these costs.

### IV. STAFF RECOMMENDATION

Approve and adopt the proposed ordinance.



Thomas W. Chandler  
Finance Director



Andrew H. Griffin  
City Manager



ORDINANCE NO. 2018-\_\_\_\_\_

**AN ORDINANCE REVISING THE SEWER AND WATER TAP FEE SCHEDULE FOR THE CITY OF FLORENCE, SOUTH CAROLINA**

**WHEREAS**, operational efficiency, reliability, water conservation and improved customer service of the combined water and sewer system of the City of Florence is important and necessary for the health, welfare, and public good of the citizens; and

**WHEREAS**, the City recognizes that more than the usual and customary effort and cost may be involved when a sewer or water connection requested by a customer requires that the installation of the tap must cross, or be bored under, an SCDOT or other public street; and

**WHEREAS**, the City recognizes that the installation of a connection to a sewer main with depth greater than six feet also involves more than usual and customary work and cost; and

**WHEREAS**, the City has concluded that a revision of the sewer and water tap fee schedule is necessary to ensure an equitable allocation of costs for water and sewer taps that require more than the usual and customary effort and cost; and

**WHEREAS**, the City also recognizes the benefits of the Advanced Metering Infrastructure (AMI) system currently operating in the Timmons ville service area; and

**WHEREAS**, the City has the desire to expand the AMI system to all customers of the combined water and sewer system of the City of Florence; and

**WHEREAS**, the City has concluded that in order to effectively utilize all the benefits of the investment of an expanded AMI system, a revision of the water tap fee rates is necessary to produce sufficient revenues to support the required replacement of certain water and sewer system components with AMI compliant equipment; and

**WHEREAS**, the City has concluded that a revision of the water tap fee rates is necessary to allocate costs equitably and produce sufficient revenues to improve the water system and generate the required funding levels to support future growth and development; and

**WHEREAS**, the City, in the effort to comply and be consistent with SCDHEC guidelines, must update the Unit Contributory Loading Chart;

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the City of Florence, South Carolina, that the following sections of the City of Florence Code of Ordinances be revised, and either the complete section or noted subsections of said sections are hereby amended or added where noted to read as stated below. Subsections not noted in the sections below shall remain unchanged as written.

**Sec. 12-67. – Charges for connection generally.**

(e) For a sewer connection inside the, or in the Town of Timmons ville designated service area, the following charges apply if the tap is to be done by the city:

- |   |          |
|---|----------|
| (1) For a 4-inch tap.....                   | \$550.00 |
| (2) For a 6-inch tap with manhole.....      | 5,000.00 |
| (3) For a 6-inch tap without a manhole..... | 2,000.00 |
| (4) For a 8-inch tap with manhole.....      | 6,000.00 |
| (5) For a 8-inch tap without manhole.....   | 3,000.00 |
- (6) In some cases a sewer connection requested by a customer must cross, or be bored under, an SCDOT or other public street. The installation of a tap in such cases may involve more than the usual and customary effort and cost due to encroachment permit requirements for road resurfacing, boring and encasement work, night work, etc. Also, any installation that requires the use of specialized equipment which is not in the City's inventory, or that involves a connection to a sewer main with depth greater than six feet, entails more than the usual, reasonable and customary work and cost shall be deemed not feasible.

Where, in the sole discretion of the City, installation of a tap by city crews is not feasible the owner (customer) may choose to engage a South Carolina-licensed utility contractor to install the tap.

Should the owner (customer) decide to move forward with City installation, the City Manager or his designee will determine the City's additional cost associated with the installation of the tap. This amount will be in addition to the charges shown in items (1) through (5), above, and must be paid before the City will undertake work on the tap installation.

In addition, a connection fee will be charged at sixty cents per gallon per day based on the unit contributory loading chart of estimated daily flows if the tap is located in the city corporate limits. If the tap is located within the Town of Timmonsville designated service area, the sixty cents per gallon per day connection fee does not apply, and the charges will be based only on the prices shown in items (1) through (6), above.

Tap sizes to be approved by the City.

If the owner (customer) has a South Carolina-licensed utility contractor make the tap under an encroachment permit issued by the City Engineering division, then the charges shown in items (1) through (6), above, do not apply. Taps in the City will then be based solely on sixty cents per gallon per day as obtained from the unit contributory loading chart. The City is to be notified at least two working days before the tap is to be made. When a customer engages a contractor, rather than the City, to install a sewer tap, the customer and his contractor are responsible for obtaining all necessary permits and paying all costs associated with the installation.

(f) For a sewer connection outside the City, the connection fee will be three dollars per gallon per day based on the unit contributory loading chart of estimated daily flows plus the following if the tap is to be done by the City:

- |  |          |
|--|----------|
| (1) For a 4-inch tap.....              | \$825.00 |
| (2) For a 6-inch tap with manhole..... | 7,500.00 |

- (3) For a 6-inch tap without a manhole..... 3,000.00
- (4) For a 8-inch tap with manhole..... 9,000.00
- (5) For a 8-inch tap without manhole..... 4,500.00
- (6) In some cases a sewer connection requested by a customer must cross, or be bored under, an SCDOT or other public street. The installation of a tap in such cases may involve more than the usual and customary effort and cost due to encroachment permit requirements for road resurfacing, boring and encasement work, night work, etc. Also, any installation that requires the use of specialized equipment which is not in the City's inventory, or that involves a connection to a sewer main with depth greater than six feet, entails more than the usual, reasonable and customary work and cost shall be deemed not feasible.

Where, in the sole discretion of the City, installation of a tap by city crews is not feasible the owner (customer) may choose to engage a South Carolina-licensed utility contractor to install the tap.

Should the owner (customer) decide to move forward with City installation, the City Manager or his designee will determine the City's additional cost associated with the installation of the tap. This amount will be in addition to the charges shown in items (1) through (5), above, and must be paid before the City will undertake work on the tap installation.

In addition, a connection fee will be charged at three dollars per gallon per day based on the unit contributory loading chart of estimated daily flows if the tap is located outside the city corporate limits. If the tap is located within the Town of Timmonsville designated service area, the three dollars per gallon per day connection fee does not apply, and the charges will be based only on the prices shown in items (1) through (6), above.

Tap sizes to be approved by the City.

If the owner (customer) has a South Carolina-licensed utility contractor make the tap under an encroachment permit issued by the City Engineering division, then the charges shown in items (1) through (6), above, do not apply. Taps outside the City will then be based solely on three dollars per gallon per day as obtained from the unit contributory loading chart. The City is to be notified at least two working days before the tap is to be made. When a customer engages a contractor, rather than the City, to install a sewer tap, the customer and his contractor are responsible for obtaining all necessary permits and paying all costs associated with the installation.

(g) Unit contributory loading chart.

<i>Type of Establishment</i>	<i>Gallons Per Day</i>
Airport	
Each employee .....	8
Each passenger .....	4
Apartments	

3-bedroom (per unit) .....	300
2-bedroom (per unit) .....	225
1-bedroom (per unit) .....	150
Assembly Halls	
Per seat .....	4
Barber Shop	
Per employee .....	8
Per chair .....	75
Bars	
Each employee .....	8
Each seat (excluding restaurant) .....	30
Beauty Shop	
Per employee .....	8
Per chair .....	94
Boardinghouse, Dormitory	
Per resident .....	38
Bowling alley	
Per employee .....	8
Per lane (no restaurant, bar, or lounge) .....	94
Additional for bars and cocktail lounges .....	3
Camps	
Resort, Luxury (per person) .....	75
Summer (per person) .....	38
Day, with central bathhouse (per person) .....	26
Travel trailer (per site) .....	131
Car Wash	
Per car washed .....	56
Churches	
Per seat .....	2
Clinics, Doctor's Office	
Per staff employee .....	11
Per patient .....	4
Country club, Fitness Center, Spa	
Per member .....	38
Dentists Office	
Per employee .....	11
Per chair .....	6
Per suction unit; standard unit .....	278
Per suction unit; recycling unit .....	71
Per suction unit; air generated unit.....	0
Factories	
Per employee (no showers) .....	19
Per employee (with showers) .....	26
Per employee (with kitchen facilities) .....	30
Per employee (with showers and kitchen facilities) .....	34



Fairgrounds, average attendance	
Per person .....	4
Grocery Stores	
Per person, no restaurant or food preparation .....	19
Hospitals	
Per bed .....	150
Per resident staff .....	75
Hotels, per bedroom (no restaurant) .....	75
Institutions, per resident .....	75
Laundries, self service, per machine .....	300
Mobile homes	
Per unit .....	225
Motels, per unit (no restaurant) .....	75
Nursing Homes	
Per bed (no laundry) .....	75
Per bed (with laundry) .....	113
Offices, Small stores, Business administration Buildings	
Per person (no restaurant) .....	19
Picnic parks, average attendance	
Per person .....	8
Residences	
Per house, unit .....	300
Rest homes	
Per bed (no laundry) .....	75
Per bed (with laundry) .....	113
Restaurants, food service operations	
Ordinary restaurant (not 24 hours), per seat .....	30
24-hour restaurant (per seat) .....	53
Curb service (drive-in), per car space .....	30
Vending machine, walk-up deli or food preparation .....	30
Schools	
Per person (no showers, gym, cafeteria) .....	8
Per person with cafeteria (no gym, showers) .....	11
Per person with cafeteria, gym and showers .....	15
Service stations	
Per employee .....	8
Per car served .....	8
Per car washed .....	56
First bay (per day) .....	1,000
Each additional bay (per day) .....	500
Shopping centers,	
Per 1,000 sq. ft. space (no restaurant) .....	200
Per person (no restaurant) .....	19

Stadiums, Coliseums	
Per seat (no restaurant) .....	4
Swimming Pools	
Per person, with sewer facilities and showers .....	8
Theaters	
Drive-in, stall .....	4
Indoor, seat .....	4

**BE IT ORDAINED FURTHER**, by the Mayor and Council of the City of Florence, South Carolina, that the following sections of the City of Florence Code of Ordinances be revised, and either the complete section or noted subsections of said sections are hereby amended or added where noted to read as stated below. Subsections not noted in the sections below shall remain unchanged as written.

**Sec. 12-150. - Same—Schedule.**

a) For water taps in the City of Florence service area which involve the usual, reasonable and customary effort and cost to install, charges for service connections to the waterworks system shall be as shown hereafter. Meters are supplied by the City. Owner (customer) installation, if desired, is to be by a South Carolina-licensed utility contractor under an encroachment permit issued by the City Engineering Division. The City is to be notified at least two working days before the tap is to be made.

Size Meter (inches)	Inside City with Owner Installation of Tap, Meter Box and Piping	Inside City with City Installation of Tap, Meter Box and Piping	Outside City with Owner Installation of Tap, Meter Box and Piping	Outside City with City Installation of Tap, Meter Box and Piping
¾	\$400.00	\$1,500.00	\$1,000.00	\$2,500.00
1	500.00	2,300.00	1,400.00	3,300.00
1½	1,700.00	4,200.00	2,400.00	4,700.00
2	2,000.00	4,600.00	2,900.00	5,500.00
4	6,100.00	14,300.00	11,000.00	22,600.00
6	11,800.00	21,800.00	21,600.00	36,000.00
8	20,400.00	33,100.00	38,700.00	56,900.00

(b) For water taps in the Town of Timmonsville designated service area which involve the usual, reasonable and customary effort and cost to install, charges for service connections to the waterworks system shall be as shown hereafter. Meters are supplied by the City. Owner (customer) installation, if desired, is to be by a South Carolina-licensed utility contractor under an encroachment permit issued by the City Engineering Division. The City is to be notified at least two working days before the tap is made.

Meter Size (inches)	City Installation	Owner Installation
5/8 x 3/4	\$375.00	\$150.00
1	505.00	350.00
1½	800.00	475.00
2	3,100.00	1,400.00
4	21,040.00	8,700.00
6	33,930.00	22,150.00

(c) In some cases a water connection requested by a customer must cross, or be bored under, an SCDOT or other public street. The installation of a tap in such cases may involve more than the usual, reasonable and customary effort and cost due to encroachment permit requirements for road resurfacing, boring and encasement work, night work, etc. Also, any installation that requires the use of specialized equipment which is not in the City's inventory, or that involves a connection to a sewer main with depth greater than six feet, entails more than the usual, reasonable and customary work and cost shall be deemed not feasible.

Where, in the sole discretion of the City, installation of a tap by city crews is not feasible the owner (customer) may choose to engage a South Carolina-licensed utility contractor to install the tap.

Should the owner (customer) decide to move forward with City installation, the City Manager or his designee will determine the City's additional cost associated with the installation of the tap. This amount will be in addition to the charges shown in the "City Installation" and "Owner Installation" columns shown in items (a) and (b), above, and must be paid before the City will undertake work on the tap installation.

Following approval and adoption by City Council, this ordinance shall become effective immediately upon adoption.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.**

**Approved as to form:**

\_\_\_\_\_  
James W. Peterson, Jr.  
**City Attorney**

\_\_\_\_\_  
Stephen J. Wukela  
**Mayor**

**Attest:**

\_\_\_\_\_  
Dianne Rowan  
**Municipal Clerk**

**VII. a.  
Resolution  
No. 2018-01**

**FLORENCE CITY COUNCIL MEETING**


**DATE:** February 12, 2018

**AGENDA ITEM:** Resolution No. 2018 – 01

**DEPARTMENT/DIVISION:** City Council – Councilwoman Octavia Williams-Blake

**ISSUE UNDER CONSIDERATION:** A Resolution honoring Trinity-Byrnes  
Collegiate School Athletic Program.

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\_\_\_\_\_  
**Andrew H. Griffin**  
City Manager



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

## RESOLUTION NO. 2018 – 01

**WHEREAS,** The Trinity-Byrnes Collegiate School Girls Varsity Tennis team achieved an undefeated season and won the South Carolina Independent School Association (SCISA) State Championship by defeating Spartanburg Day School. The team was coached by Jeff Murrell; and

**WHEREAS,** The Trinity-Byrnes Collegiate School Boys Varsity Golf team achieved an undefeated season and won the South Carolina Independent School Association (SCISA) Class 2A State Championship by defeating Hilton Head Prep. The team was coached by Michael Hawk; and

**WHEREAS,** The Trinity-Byrnes Collegiate School Boys Varsity Football team played First Baptist of Charleston in the South Carolina Independent School Association (SCISA) 2A State Championship game. In the game, played at Benedict College the Titans achieved the title of State Runner-Up. The team was coached by Jared Amell; and

**WHEREAS,** The Trinity-Byrnes Collegiate School Boys Varsity Basketball team defeated several local and regional teams to advance to the finals of the local Gatorade Turkey Shootout. The team defeated West Florence High School to achieve the title of Tournament Champions. The team was coached by Larry Cullinane; and

**WHEREAS,** Many of the Student-Athletes at Trinity-Byrnes Collegiate School live in the City of Florence and started their athletic careers through participation in the City of Florence Youth Recreational programs.

**NOW, THEREFORE, BE IT RESOLVED,** that the Trinity-Byrnes Collegiate School Athletic program is hereby honored today, for their outstanding accomplishments in 2017.

**DATED** this 12<sup>th</sup> day of February, 2018.

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**Stephen J. Wukela, Mayor**

**ATTEST:**

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**Dianne M. Rowan, Municipal Clerk**

**FLORENCE CITY COUNCIL MEETING**

**DATE:** February 12, 2018

**AGENDA ITEM:** Resolution No. 2018-02

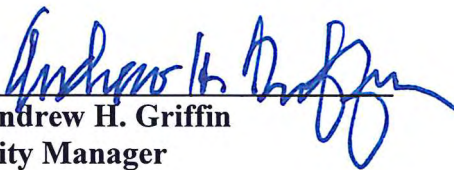
**DEPARTMENT/DIVISION:** Police


**I. ISSUE UNDER CONSIDERATION:**

Amendment to Resolution No. 2012-27, updating the Wrecker Policy of the City of Florence adopting the Wrecker and Storage Fee Schedule developed and revised annually by the South Carolina Highway Patrol.

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

1. City Council adopted an Ordinance to regulate wrecking and towing services in the City in December 1986.
2. Subsequently, various Resolutions have been adopted amending and updating certain sections of the policy.
3. City Council adopted an Ordinance in October 2009 asserting and reaffirming its continuing plan to establish a Wrecker Policy by Resolution and to amend the policy from time to time through the adoption of resolutions that are consistent with the ordinance regulating wrecker and towing services.
4. Recently, the City has received requests from vendors recommending that the policy be updated by adopting the Wrecker and Storage Fee Schedule developed and revised annually by the South Carolina Highway Patrol.

  
Andrew H. Griffin  
City Manager

  
Allen L. Heidler  
Chief of Police

**RESOLUTION NO. 2018-02**

**A RESOLUTION TO AMEND RESOLUTION NO. 2012-27 UPDATING  
THE WRECKER POLICY OF THE CITY OF FLORENCE ADOPTING THE  
WRECKER AND STORAGE FEE SCHEDULE DEVELOPED AND REVISED  
ANNUALLY BY THE SOUTH CAROLINA HIGHWAY PATROL**

**WHEREAS**, on December 15, 1986, the City Council of the City of Florence adopted Ordinance No. 1986-66 to regulate wrecking and towing services in the City; and

**WHEREAS**, on October 12, 2009 City council adopted Ordinance No. 2009-31 asserting and reaffirming its continuing plan to establish a detailed “Wrecker Policy” by resolution and to amend that “Wrecker Policy” by resolution as long as the policy is consistent with the requirements of this ordinance; and

**WHEREAS**, the City of Florence desires to further amend and update the Wrecker Policy by adopting the Wrecker and Storage Fee Schedule developed and revised annually by the South Carolina Highway Patrol.

**NOW, THEREFORE**, be it resolved by the City Council of Florence, duly assembled, that the Wrecker Policy of the City of Florence be amended to read in its entirety as set out on Exhibit A attached hereto.

**AND IT IS SO RESOLVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.**

**Approved as to form:**

\_\_\_\_\_  
**JAMES W. PETERSON, JR.**  
**CITY ATTORNEY**

\_\_\_\_\_  
**STEPHEN J. WUKELA**  
**MAYOR**

**Attest:**

\_\_\_\_\_  
**DIANNE M. ROWAN**  
**MUNICIPAL CLERK**

# Exhibit A

## WRECKER POLICY

### **Section 1. Emergency wrecker services.**

The Police Dispatcher shall call any wrecker service having a business license issued by the City requested by the owner of a vehicle damaged or disabled in a street or public place. If no wrecker service is designated by the vehicle owner, the Police Dispatcher shall call the wrecker service as provided in Section 2 and 3 below.

### **Section 2. Rotation for police-requested towing.**

The Chief of Police shall have prepared an alphabetical list of all firms meeting the requirements of this chapter for police-requested towing which shall be used by the Dispatcher for rotation of calls in order. Additions to the list shall be inserted alphabetically. Calls for heavy duty wreckers shall be rotated among those firms having heavy duty equipment without regard to the normal rotation for regular calls. Copies of the Dispatcher's list for the previous month will, for a nominal cost, be made available to the public upon written request within ten (10) days.

### **Section 3. Eligibility for police-requested towing.**

Any firm having a valid business license to operate in the City shall become eligible to participate in the assignment of service calls by the Police Department if it conforms to the rules and requirements established herein. The application of a firm to participate in emergency police towing operations shall be made to the Chief of Police and shall contain the following information:

(a) Name of Firm. Indicate whether owned by individual, corporation, or partnership, list names and addresses of all parties having a financial interest in said towing firm, and state number of years business has been established.

(b) Attendants and Drivers. List names and addresses of all attendants and drivers who will conduct the police towing service.

(c) Equipment. Describe available equipment to be used in police towing services, particularly in terms of comparative qualities or capacities as related to minimum eligibility requirements.



(d) Communications. Describe the method of operation of the communications system between place of business and operating tow trucks, as well as the means utilized for insuring prompt dispatch of trucks upon receipt of call from the Police Department. All such companies shall maintain a twenty-four hour communication capacity to enable contact if necessary at any time.

(e) Primary Business Location. List location of primary business operation, including dimensions, and type of facilities available.

(f) Storage Lot. List location of storage lot(s), dimensions thereof, relationship to primary business operation, type of protection afforded, and screening and maintenance provided at said lot(s) and provide proof that the lot, if located in the City Limits, complies with applicable zoning regulations.

(g) Provide proof of insurance coverage as specified in Section 5.

**Section 4. Minimum standards for equipment.**

(a) Every emergency wrecker proposed to be used by an applicant shall be subject to inspection in a manner determined by the Chief of Police and every such wrecker, other than an emergency heavy duty wrecker, shall comply with the following minimum requirements.

- (1) Each wrecker shall be equipped with a power operated winch, winch line and boom, with a factory rated lifting capacity of not less than 8,000 pounds single line capacity.
- (2) Each wrecker shall carry as standard equipment: tow sling, tow bar, towing dollies, safety chains, a fire extinguisher, wrecker bar, broom, shovel, and approved warning devices. Such devices shall include amber flashing warning lights or any additional devices that may be required by state law or state regulations.
- (3) Each wrecker and all of its equipment shall be in a safe and good working condition.
- (4) Each wrecker must have the name, address, and phone number of the wrecker company displayed on both sides of the vehicle.

(b) Every emergency heavy duty wrecker of not less than two and one-half (2 ½) tons in size, shall meet the requirements in subsection (a) of this section, and in addition thereto, shall be equipped with a power operated winch, winch line and boom, with a factory rating lifting capacity of not less than 32,000 pounds, single or double line capacity, and a tow sling.

**Section 5. Insurance.**

(a) An applicant shall procure and keep in full force and effect a policy of public liability and property damage insurance issued by a casualty insurance company authorized to do business in the state and in the standard form approved by the Insurance Commissioner of the state, with the insured provision of such policy including the City as an insured, and the coverage provision insuring the public from any loss or damage that may arise to any person or property by reason of the operation of an emergency wrecker of such applicant and providing that the amount of recovery on each emergency wrecker shall be in limits of not less than the following sums:

- (1) For damages resulting in bodily injury or death of one (1) person in any one (1) accident, \$250,000.00.
- (2) For any damages arising out of any one occurrence, \$500,000.00.
- (3) For injury to or destruction of property in any one (1) accident, \$25,000.00.

(b) An applicant shall procure liability insurance in the amount of \$100,000 to cover damages arising out of bodily injury or death to persons and in the amount of \$25,000 for damages for injury to or destruction of property caused by vehicles in tow, under possession of, or in control of a wrecker operated and maintained by the applicant.

(c) Every policy mentioned in (a) above shall contain an endorsement providing for 30 days notice to the City in the event of any material change or cancellation of the policy.

(d) The applicant shall also provide proof of the above referenced insurance annually through a certificate of insurance filed with the Police Department.

**Section 6. Storage lot requirements.**

(a) Lot. The wrecker service shall maintain a safe storage area for all vehicles towed which shall be approved by the Florence Police Department. This may be a locked building or a secured fenced-in area where the stored vehicles and other property shall not be accessible to the public. The owner of any approved storage facility and the wrecker license holder whose wrecker tows a vehicle to an approved storage facility and the wrecker license holder whose wrecker tows a vehicle to an approved storage facility shall be jointly and severally responsible for any damages or losses inflicted to vehicles which have been left at any such approved storage facility; provided however, that the foregoing liability and responsibility shall extend only to damage or losses caused by negligence of said storage facility, said wrecker service license holder, either of their agents, or by improper maintenance of such storage facility. Before any storage facility shall be approved by the Florence Police Department, an affidavit acknowledging the liability, and responsibility, shall be executed by the person applying to have the storage facility approved by the Florence Police Department. These approved facilities shall be located within the City Limits or within one (1) mile adjacent to the City Limits. Those storage facilities

located in the City Limits shall have proof of compliance with city zoning regulations. The City of Florence shall assume no liability for storage of the vehicle.

**Section 7. Wrecker and storage charges.**

(a) When a vehicle is towed by a wrecker service selected under Section 2 and 3 of this Policy, the fees charged for the service shall be dictated by the then current South Carolina Highway Patrol Wrecker and Storage Fee Schedule that is developed and updated annually. These fees shall be maximum allowable charges by any wrecker operator or company and no other fees or charges of any kind shall be required by the vehicle owner in order to recover the vehicle. As of February, 2018, the South Carolina Highway Patrol Wrecker and Storage Fee Schedule provides for the following:

(1) Class A Wrecker (Tow vehicles under 7,000 lbs):

Standard Towing - (per tow) \$219.00 flat fee

Special Operations - \$132.00 per hour (billed at a per hour rate in ½ hour increments)<sup>1</sup>

No Tow - shall be 50% of the towing fee.<sup>2</sup>

After Hours Vehicle Release - \$35.00 per release.<sup>3</sup>

(2) Class B Wrecker (Tow vehicles between 7,001 and 17,000 lbs):

Standard Towing – (per tow) \$311.00 flat fee

Special Operations - \$199.00 per hour (billed at a per hour rate in ½ hour increments)<sup>1</sup>

No Tow – shall be 50% of the towing fee<sup>2</sup>.

After Hours Vehicle Release - \$35.00 per release<sup>3</sup>.

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<sup>1</sup> Special Operations are operations involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle and/or the recovery of a load which has spilled, or the off-loading and reloading of a load from an overturned vehicle performed to right the vehicle.

<sup>2</sup> If the owner of such vehicle appears before his vehicle is towed away and makes claim to his vehicle after the wrecker has been ordered to remove such vehicle, the vehicle shall be released to the owner upon settlement with the wrecker service for 50% of the towing fee, provided the owner shall satisfy all charges against the vehicle at police headquarters.

<sup>3</sup> Normal business hours for wrecker and storage businesses governed by this Policy shall be Monday through Friday from 7:00 a.m. until 6:00 p.m. A wrecker service operator is not required to return a vehicle to an owner after the company's normal business hours pursuant to Section 56-5-2525 of the South Carolina Code of Laws, as amended. Should the operator elect to provide for after hour request to pick up vehicles, the operator may charge no more than the amount specified in Section 7 (a) and (b) above.

(3) Class C Wrecker (Tow vehicles over 17,001 lbs):

Standard Towing – (per tow) \$470.00 per hour

Special Operations – No Special Operations fee is set for Class C tows, a wrecker service may recover the actual cost of rented/subcontracted equipment or labor necessary to accomplish the job. Proof of these actual costs in the form of an itemized invoice or receipt from each third party providing such equipment or labor must accompany the tow bill. Description of services, labor, and equipment follows<sup>4</sup>:

<b>Description of Service, Labor, or Equipment</b>	<b>Rates/Fees (per hour)</b>
Additional Wrecker	\$464.00
Dump Truck, Dump Trailer, or Drop Dumpster	\$226.00
Rotator/Crane or equivalent	\$661.00
Truck Tractor with Box Trailer or equivalent	\$263.00
Truck Tractor with Flat Trailer or equivalent	\$267.00
Truck Tractor with Landoll/Lowboy/Tilt Trailer or equivalent	\$292.00
Skid Steer or equivalent	\$240.00
Forklift or equivalent	\$235.00
Backhoe or equivalent	\$271.00
Service Truck (includes all tools and equipment on board)	\$172.00
Tower Light System	\$158.00
Complete Air Bag Unit	\$781.00
Additional Labor (General)	\$83.00
Additional Labor (Specialized)	\$116.00

(b) When a vehicle is towed by a wrecker service selected under Section 2 and 3 of this Policy, no storage charge shall be assessed for the first 24 hours after the towing. After the first 24 hours, the maximum storage charges on stored and impounded vehicles weighing under 7,000 pounds shall be \$33.00 dollars per day for storage of vehicles and or trailers. After the first 24 hours, the maximum storage charges on stored and impounded vehicles weighing between 7,000 and 17,000 pounds shall be \$41.00 dollars per day for storage of vehicles and or trailers. After the first 24 hours, the maximum storage charges on stored and impounded vehicles weighing more than 17,000 pounds shall be \$58.00 per day for storage of vehicles and or trailers.

(c) All towing and storage charges will be itemized on an invoice or receipt when the

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<sup>4</sup> Special Operations are operations involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle and/or the recovery of a load which has spilled, or the off-loading and reloading of a load from an overturned vehicle performed to right the vehicle.



charges are paid. No charges other than the towing or storage charges allowed in Section 7 (a) and (b) above may be made on any vehicle towed by a wrecker service selected under Section 2 and 3 of this Policy without the prior written approval of the owner or his agent.

**Section 8. Penalties.**

The business license of the owner or operator of any wrecker service who shall violate any of the applicable provisions of this chapter shall be subject to immediate suspension upon written notification by the Chief of Police for a period of up to fifteen (15) days, or permanent suspension by City Council after public hearing, in addition to prosecution for each violation of this chapter as a separate offense. Any deviation from the policies herein established or failure to provide reasonable, quick, and efficient service may result in removal of a wrecker service from this rotation list by the Chief of Police. A wrecker service shall be automatically removed from this rotation list upon failure to respond to two consecutive calls, unless the Chief of Police shall determine after investigation that unusual circumstances were responsible for the company's failure to perform the requested towing service.

**Section 9. Liability.**

The City of Florence, its agents and employees, shall not be liable for any personal injury or property damage caused by negligence or failure of the wrecker or towing service to exercise reasonable prudent care in responding to a call or in towing a vehicle for storage or in any damage that may occur while the vehicle is in storage.

**Section 10. Incorporation of applicable ordinances.**

All of the provisions of Article III, Chapter 20 of the Code of Ordinances for the City of Florence regulating wrecker service companies are fully incorporated by reference as is repeated below.

**Section 11. Personal property in towed vehicle.**

The tow truck operator must permit the vehicle owner to remove at all times health and human care related devices such as, but not limited to, car seats, strollers, walkers, crutches and the like, medications, prescriptions, personal handbags, and personal and identity papers from the vehicle without charge and without regard to any towing or storage charge owed on the vehicle. If the tow truck operator has removed this personal property from the vehicle, he must return it to the vehicle owner when requested without charge and without regard to any towing or storage charge owed on the vehicle.

**FLORENCE CITY COUNCIL MEETING**

**DATE:** February 12, 2018

**AGENDA ITEM:** Approval of Redevelopment Grants

**DEPARTMENT:** Downtown Development

**I. ISSUE UNDER CONSIDERATION**


A Resolution of City Council approving Downtown Redevelopment Grants for Third Quarter, FY 18.


**II. BACKGROUND INFORMATION**

- A. On October 10, 2011, Florence City Council approved an Ordinance to establish economic development incentives for the City of Florence.
- B. In February, 2012, City Council adopted Resolution No. 2012-04 to establish incentives to be available in the H-1 Overlay District and in February, 2015 City Council adopted Resolution 2015-03 expanding the incentives to include additional incentives. These additional incentives provided Redevelopment Grants up to \$30,000 per applicant. The grants are awarded utilizing an established scoring criteria. Applications are taken the first week of each fiscal quarter, reviewed and scored by a grants committee comprised of the City Manager, Finance Director, Downtown Development Manager and Community Services/HR Director. The scoring and recommendations are then referred to City Council for adoption or modifications of the committee recommendations.

**III. STAFF RECOMMENDATION**

Attached is a Resolution to approve Redevelopment Grants that meet the minimum scoring criteria.

  
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**Raymond F. Reich**  
Downtown Development Manager

  
\_\_\_\_\_  
**Andrew H. Griffin**  
City Manager

**VIII. a.  
Report To Council  
Appointment to Board**

**FLORENCE CITY COUNCIL MEETING**

**DATE:** February 12, 2018

**AGENDA ITEM:** Report to Council / Boards & Commissions

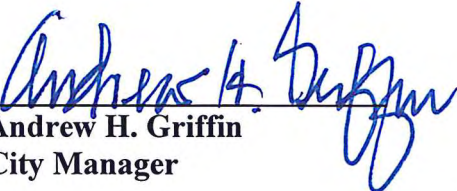
**DEPARTMENT/DIVISION:** City Council

**I. ISSUE UNDER CONSIDERATION:**

Council will consider nominations for the Construction and Maintenance Board of Adjustments and Appeals for a Mechanical Contractor.

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

There is one vacancy left to fill on this Board

  
\_\_\_\_\_  
Andrew H. Griffin  
City Manager

**Construction and Maintenance Board  
of Adjustments and Appeals**

**Current Board Member**

**Status**

**Councilmember to  
make appointment**

Vacancy (Mechanical Contractor)

Councilman Jebaily