

VI. PUBLIC HEARINGS:

No public hearings required.

VII. APPEARANCES:

None requested at the time the agenda was prepared.

VIII. COMMITTEE REPORTS:

(Items assigned to the Committees in italics. Revisions by Committee Chair requested.)

Administration & Finance

(Council members K. G. "Rusty" Smith, Jr./Chair, Russell W. Culberson, Waymon Mumford and James T. Schofield)

Public Services & County Planning

(Council members James T. Schofield/Chair, Mitchell Kirby, and Ken Ard)

January 18, 2007

*Ordinance No 23-2006/07 – Special Exceptions
County facilities*

Justice & Public Safety

(Council members Waymon Mumford/Chair, Johnnie D. Rodgers, Jr. and Al Bradley)

June 7, 2007

Litter Enforcement

Education, Recreation, Health & Welfare

(Council members H. Morris Anderson/Chair, Johnnie D. Rodgers, Jr., and Al Bradley)

Agriculture, Forestry, Military Affairs & Intergovernmental Relations

(Council members Russell W. Culberson, Morris Anderson and Ken Ard)

Ad Hoc Water Study Committee

(Council members Mitchell Kirby, Russell W. Culberson, Johnnie D. Rodgers, Jr., and Ken Ard)

IX. RESOLUTIONS:

RESOLUTION NO. 15-2007/08 [10]

A Resolution Establishing A Grievance Procedure In Order To Enhance Compliance With The Americans With Disabilities Act (ADA) Requirement For The Prompt And Equitable Resolution Of Complaints Alleging Discrimination In Access To Florence County's Facilities, Programs, Or Services And Other Matters Related Thereto.

X. ORDINANCES IN POSITION:

A. THIRD READING

1. ORDINANCE NO. 14-2007/08 [13]

An Ordinance To Rezone Property Owned By Sarah W. Johnson, Etal Located At 2518 Alligator Road, Florence From R-1, Single-Family Residential District To B-2, Convenience Business District Shown On Florence County Tax Map 126, Block 1, Parcel 54 Consisting Of .94 Acres.

(Planning Commission approved 9 – 0.) (Council District 5)

2. ORDINANCE NO. 15-2007/08 [24]

An Ordinance For A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Property In Florence County Located On Pocket Road Shown On Florence County Tax Map No. 202, Block 1, The Portion Of Parcel 72 Consisting Of Approximately 72.58 Acres That Is Currently Business/Industrial To Existing Residential; The Remaining Portion Of The Parcel Consisting Of Approximately 20.5 Acres That Is Currently Business/Industrial To Remain Business/Industrial.

(Planning Commission approved 9 – 0.) (Council District 7)

B. INTRODUCTION

1. ORDINANCE NO. 16-2007/08 [31]

An Ordinance To Zone Properties Owned By Twenty-Four Property Owners Located On Hazel Drive, Florence To R-2, Single Family Residential District Shown On Florence County Tax Map No. 101-1, Block 1, Parcels 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, and 29.

(Planning Commission approved 9 – 0.) (Council District 9)

2. **ORDINANCE NO. 17-2007/08** [48]
An Ordinance To Amend The Florence County Code To Provide For The Appointment Of Planning Commission And Board Of Zoning Appeals Members; And To Establish The Effective Date For Such Appointments.

3. **ORDINANCE NO. 18-2007/08** [55]
An Ordinance To Amend The Zoning Ordinance Of Florence County Section 2.5-Table III, Section 3.21, Section 5.2-Table VIII, Section 7.6 And Section 7.7 For Setbacks, Text Errors, Accessory Structure Rules And Commercial And Industrial Property Access.
*(Planning Commission **approved** 9 – 0.)*

4. **ORDINANCE NO. 19-2007/08** [71]
An Ordinance To Amend Article 9 Of The Zoning Ordinance Of Florence County To Provide For The Composition Of The Planning Commission And Board Of Zoning Appeals For Florence County.
*(Planning Commission **approved** 9 – 0.)*

5. **ORDINANCE NO. 20-2007/08** [76]
An Ordinance Amending Florence County Code Chapter 6 – Animals And Fowl, In Its Entirety To Clarify Animal Care And Control Regulations.

XI. APPOINTMENTS TO BOARDS & COMMISSIONS:

- A. **COMMISSION ON ALCOHOL & DRUG ABUSE** [91]
The Commission on Alcohol & Drug Abuse requests Council’s consideration of the appointment of Mr. Randy McDonald to fill At-Large Seat 3, replacing William McDaniel, who resigned.

- B. **BOARDS AND COMMISSIONS LIST** [94]
List of current and approaching vacancies on Boards and Commissions.

XII. REPORTS TO COUNCIL:

A. ADMINISTRATION

- MONTHLY FINANCIAL REPORTS** [106]
Monthly financial reports were provided to Council for fiscal year 2008 through November 30, 2007 as an item for the record.

B. EMERGENCY MANAGEMENT DEPARTMENT

GRANT AWARD SC EMERGENCY MANAGEMENT DIVISION [113]

Accept the SCEMD HMEP Planning grant #HMESC7042150 award from the SC Emergency Management Division in the amount of \$6,000 to be used to develop, print, and distribute the County Local Emergency Planning Committee (LEPC) brochure/pamphlet as specified under the HMEP Planning Grant program and authorize the designation of appropriate general ledger accounts within the Grant Fund.

C. FINANCE/HUMAN RESOURCES

MEMORANDUM OF AGREEMENT [113]

Approve the execution of a Memorandum of Agreement for the County's continued participation in the South Carolina Association of Counties Workers' Compensation Deductible Plan and authorize the County Administrator to execute all related documents.

D. LIBRARY

SOLE SOURCE AWARD [118]

Accept the sole source request and award the purchase of an Eco-Master Disc Repair System from Research Technology International Company for the Library in the amount of \$17,545 to be funded with \$12,987 from Fund 42 Grants, Department 929 South Carolina Education Lottery Funds and \$4,558 from Fund 42, Grants, Department 700 Video Fine Fees; and authorize the County Administrator to execute all associated documents for this purchase.

E. PLANNING

BID AWARD [121]

Accept the lowest compliant bid from Boykin Contracting, Inc., of West Columbia, SC, for construction repairs and renovations on the interior of the new Planning Building in the amount of \$149,000; and authorize the County Administrator to execute all associated documents to proceed. (5 compliant bids received/9 non-compliant bids received.)

F. PURCHASING AND FACILITIES MANAGEMENT DEPARTMENT

DECLARATION OF SURPLUS PROPERTY [123]

Declare the vehicles (1 – 1996 Ford Van; 1 – 2005 Ford Crown Vic; 4 – 2002 Ford Crown Vics; 5 – 2001 Ford Crown Vics) as surplus property and authorize the County Administrator to dispose of said property in the most advantageous manner.

XIII. OTHER BUSINESS:

A. INFRASTRUCTURE

PROSSER FIELD, JOHNSONVILLE

[125]

Approve the expenditure of funds from Council District 2 Infrastructure funding allocation in an amount up to \$9,000.00 to assist with renovations to public restrooms at Prosser Field in Johnsonville.

XIV. EXECUTIVE SESSION:

Pursuant to Section 30-4-70 of the South Carolina Code of Laws 1976, as amended.

- Contractual matters concerning real property transactions;
- Contractual matters concerning consulting agencies.

XV. INACTIVE AGENDA:

A. ORDINANCE NO. 23-2006/07

At its regular meeting of January 18, 2007, County Council unanimously voted to refer this item to the Committee on Public Service & County Planning. An Ordinance To Amend Article 3 Conditional Use Regulations Of The Consolidated Zoning Ordinance Of Florence County To Create Provisions For Special Exceptions.

(Planning Commission approved 10 – 0.)

B. RESOLUTION NO. 12-2007/08

At its regular meeting of September 13, 2007, County Council deferred action on this item. A Resolution Authorizing The Cessation Of Maintenance On And Abandonment Of Carroll Road Located In Scranton.

C. **ORDINANCE NO. 25-2006/07** (*Owner requested Deferral of Second Reading*) [127]

An Ordinance To Rezone Property Located At 2729 DeGroat Road, Effingham From R-1, Single-Family Residential District To B-2, Convenience Business District By Amending The Zoning Atlas Of The County of Florence. At its regular meeting of January 18, 2007, County Council denied the request on second reading of the Ordinance. At its regular meeting of February 1, 2007, County Council recalled the item and voted unanimously to remand the item to the Planning Commission for further review. The Planning Commission further reviewed the rezone request and unanimously denied the request. At its regular meetings of August 16, 2007, September 13, 2007, October 18, 2007, November 15, 2007, and December 6, 2007 the property owner requested Council defer second reading of the Ordinance.

*(On November 28, 2006 the Planning Commission **denied** 10 – 0.)*

(Introduced by County Council at its meeting of January 4, 2007.)

*(On July 24, 2007 the Planning Commission **denied** 9 – 0.)*

XVI. ADJOURN:

FLORENCE COUNTY COUNCIL MEETING

January 3, 2008

AGENDA ITEM: Minutes

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Council is requested to approve the minutes of the December 6, 2007 regular meeting of County Council.

OPTIONS:

1. Approve minutes as presented.
2. Provide additional directive, should revisions be necessary.

ATTACHMENTS:

Copy of proposed Minutes.

DRAFT

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, DECEMBER 6, 2007, 9:00 A.M., COUNCIL
CHAMBERS, ROOM 803, CITY-COUNTY COMPLEX, 180 N. IRBY
ST., FLORENCE, SOUTH CAROLINA**

PRESENT:

K. G. "Rusty" Smith, Jr., Chairman
Waymon Mumford, Vice-Chairman
H. Morris Anderson, Secretary-Chaplain
Mitchell Kirby, Council Member
Russell W. Culberson, Council Member
Johnnie D. Rodgers, Jr., Council Member
J. Ken Ard, Council Member
James T. Schofield, Council Member
Richard A. Starks, County Administrator
James C. Rushton, III, County Attorney
Connie Y. Haselden, Clerk to Council

ALSO PRESENT:

Kevin V. Yokim, Finance Director
Ray McBride, Library Director
Connie Reel-Shearin, Clerk of Court
Marianne Gregg, Deputy Clerk of Court
Sheriff Kenney Boone
Barbara Coker, Administrative Manager, Sheriff's Office
Chuck Tomlinson, Morning News Staff Writer

ABSENT:

Alphonso Bradley, Council Member

A notice of the regular meeting of the Florence County Council appeared in the December 5, 2007 edition of the **MORNING NEWS**. Copies of the agenda were faxed to members of the media and posted in the lobby of the City-County Complex and on the County's website (www.florenceco.org).

Chairman Smith called the meeting to order. Secretary-Chaplain Anderson gave the invocation and Vice-Chairman Mumford led the Pledge of Alliance to the American Flag. Chairman Smith welcomed everyone attending the meeting.

APPROVAL OF MINUTES:

Councilman Kirby made a motion Council approve the minutes of the November 15, 2007 regular meeting of County Council. Councilman Culberson seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

Chairman Smith opened the public hearing to receive public comment and the Clerk published the title of the following:

ORDINANCE NO. 15-2007/08

An Ordinance For A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Property In Florence County Located On Pocket Road Shown On Florence County Tax Map No. 202, Block 1, The Portion Of Parcel 72 Consisting Of Approximately 72.58 Acres That Is Currently Business/Industrial To Existing Residential; The Remaining Portion Of The Parcel Consisting Of Approximately 20.5 Acres That Is Currently Business/Industrial To Remain Business/Industrial.

APPEARANCES:

RESOLUTION OF RECOGNITION

Chairman Smith stated that there were no scheduled appearances however Councilman Ard had a special presentation to make. Councilman Ard published, in its entirety, a *Resolution of Appreciation* for Colonel Bruce Bennett and the 218th Brigade Combat Team of the South Carolina Army National Guard in recognition of meritorious service, personal sacrifice and commitment to serving others. Councilman Mumford made a motion to approve the Resolution and present to Colonel Bennett. Councilman Anderson seconded the motion, which was approved unanimously. Councilman Ard presented Colonel Bennett with a framed copy of the Resolution. Colonel Bennett expressed his appreciation to Council for the recognition and for Council's support. He stated it was an honor and a privilege to serve the citizens through his service in the National Guard.

COMMITTEE REPORTS:

EDUCATION, RECREATION, HEALTH & WELFARE

Committee Chairman Anderson stated he knew it appeared that things were moving slow with the Environmental Services facility, but progress was being made toward the construction of the facility.

AD HOC WATER STUDY COMMITTEE

Committee Chairman Ard stated he didn't have a report, but for the record he wanted to state that he was discouraged at the County's inability to run water in the rural areas. He asked Council to make the securing of water a priority for the next year.

ORDINANCES IN POSITION:

ORDINANCE NO. 10-2007/08 – THIRD READING

The Chairman published the title of Ordinance No. 10-2007/08: An Ordinance Declaring Real Property Identified As Tax Map 202, Block 01, Parcel 49, Florence, SC As Surplus And Authorizing The Public Sale Thereof, Including A First Right Of Refusal, And Other Matters Relating Thereto. Councilman Kirby made a motion Council approve third reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCE NO. 11-2007/08 – THIRD READING

The Chairman published the title of Ordinance No. 11-2007/08: An Ordinance To Zone Property Owned By MGL Development Company Located On South Cashua Drive, Florence To B-3, General Commercial District Shown On Florence County Tax Map 75, Block 1, Parcel 9 Consisting Of 11.83 +/- Acres. Councilman Mumford made a motion Council approve third reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCE NO. 12-2007/08 – THIRD READING

The Chairman published the title of Ordinance No. 12-2007/08: An Ordinance To Amend Chapter 5, Ambulance Services, Section 5-6.1(E) Of The Florence County Code To Remove The Ongoing Ten Thousand (\$10,000) Dollar Performance Bond Requirement. Councilman Mumford made a motion Council approve third reading of the Ordinance. Councilman Schofield seconded the motion, which was approved unanimously.

ORDINANCE NO. 13-2007/08 – THIRD READING

The Chairman published the title of Ordinance No. 13-2007/08: An Ordinance Authorizing The Execution And Delivery Of An Amended Fee Agreement By And Between Florence County, South Carolina And Johnson Controls Battery Group, Inc., Its Affiliates And Assigns, To Provide For An Amendment To The Existing Fee In Lieu Of Ad Valorem Taxes Incentive, To Include The Grant Of Certain Infrastructure Credits As Part Of The Fee-In-Lieu Of Taxes Arrangement, And Other Matters Thereto Related. Councilman Culberson made a motion Council approve third reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

There being no signatures on the sign-in sheet, Chairman Smith closed the public hearing.

ORDINANCE NO. 25-2006/07 – SECOND READING

The Chairman stated second reading of Ordinance No. 25-2006/07 was deferred: An Ordinance To Rezone Property Located At 2729 DeGroat Road, Effingham From R-1, Single-Family Residential District To B-2, Convenience Business District By Amending The Zoning Atlas Of The County Of Florence.

ORDINANCE NO. 14-2007/08 – SECOND READING

The Chairman published the title of Ordinance No. 14-2007/08: An Ordinance To Rezone Property Owned By Sarah W. Johnson, etal. Located At 2518 Alligator Road, Florence From R-1, Single-Family Residential District To B-2, Convenience Business District Shown On Florence County Tax Map 126, Block 1, Parcel 54 Consisting of .94 Acres. Councilman Anderson made a motion Council approve second reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

ORDINANCE NO. 15-2007/08 – SECOND READING

The Chairman published the title of Ordinance No. 15-2007/08: An Ordinance For A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Property In Florence County Located On Pocket Road Shown On Florence County Tax Map No. 202, Block 1, The Portion Of Parcel 72 Consisting Of Approximately 72.58 Acres That Is Currently Business/Industrial To Existing Residential; The Remaining Portion Of The Parcel Consisting Of Approximately 20.5 Acres That Is Currently Business/Industrial To Remain Business/Industrial. Councilman Mumford made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

There were no appointments.

REPORTS TO COUNCIL:

ADMINISTRATION

MONTHLY FINANCIAL REPORTS

Monthly financial reports were provided to Council for fiscal year 2008 through October 31, 2007 as an item for the record.

2008 CALENDAR OF MEETINGS AND OFFICIAL HOLIDAY SCHEDULE

Councilman Culberson made a motion Council approve the schedule of County Council meeting dates for 2008. Councilman Anderson seconded the motion, which was approved unanimously.

FLORENCE COUNTY FORWARD PROJECT

Councilman Kirby made a motion Council authorize the use of general engineering and “on-call” consultants requested and recommended by SCDOT to accelerate the Florence County Forward Project and authorize the County Administrator to execute all related documents. Councilman Ard seconded the motion, which was approved unanimously.

EMERGENCY MANAGEMENT DEPARTMENT

800 MHZ FREQUENCY REBANDING PROPOSAL (FRP)

Councilman Anderson made a motion Council authorize the County Administrator to sign the 800 MHz Frequency Rebanding Proposal (FRP) contract agreed upon by the County, Motorola, and Sprint/Nextel, part of the national radio frequency rebanding program, at no cost to the County.. Councilman Schofield seconded the motion, which was approved unanimously.

LIBRARY

GRANT AWARD MARY AC INGRAM CHARITABLE LEAD UNITRUST

Councilman Ard made a motion Council accept the grant from the Mary AC Ingram Charitable Lead Unitrust in the amount of \$10,000 to be used to purchase books for use in the Florence County Library and authorize the designation of appropriate general ledger accounts within the Grant Fund. Councilman Anderson seconded the motion, which was approved unanimously.

PARKS AND RECREATION

GRANT AWARD 2007 USTA PUBLIC FACILITY

Councilman Ard made a motion Council accept the combined 2007 USTA Public Facility grant award from the United States Tennis Association in the amount of \$5,000 and the \$400 contribution from the Florence Area Tennis Association and authorize the designation of appropriate general ledger accounts within the Grant Fund for the refurbishment of Johnsonville Middle School tennis courts used for County Recreation. Councilman Anderson seconded the motion, which was approved unanimously.

SHERIFF'S OFFICE

BID AWARD

Councilman Schofield made a motion Council accept the lowest compliant bid from Central Equipment Company for the purchase of two (2) Industrial Washers and Dryers for the Law Enforcement Center in the amount of \$52,275.28; and authorize the County Administrator to execute all associated documents to proceed. Councilman Ard seconded the motion, which was approved unanimously.

SOLE SOURCE AWARD

Councilman Anderson made a motion Council accept the sole source request and award the purchase of a digital video recorder system and five (5) in-car digital cameras from L3 Communications Mobile-Visions, Inc. in the amount of \$59,775.84 to be funded from Grant Fund 42, Justice Assistance Grant (JAG) #2007-DJBX-0719; and authorize the County Administrator to execute all associated documents for this purchase. Councilman Ard seconded the motion, which was approved unanimously.

ADMINISTRATOR

SCAC

County Administrator Richard Starks informed Council that the South Carolina Association of Counties (SCAC) tentatively scheduled March 4, 2008 as the date for Florence County to work with legislators in Columbia on issues of interest.

TREASURER – DELINQUENT TAX DIVISION

DELINQUENT TAX DIVISION

Pursuant to policies approved September 17, 1998 and amended June 5, 2003, the Florence County Treasurer's Office – Delinquent Tax Division provided Council with quarterly reports on properties coded "I" for investigation and tax notices processed as nulla bona. Additionally, the Treasurer provided Council with information from the October 1, 2007 tax sale. No action was required by Council.

CHAIRMAN'S COMMENTS:

Chairman Smith expressed appreciation to County employees for their hard work and dedication and wished them all a Merry Christmas. Councilman Mumford made a motion Council approve Wednesday, December 26, 2007 as an additional holiday for County employees. Councilman Anderson seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE FUND

BROOKGREEN

Councilman Rodgers made a motion Council approve the expenditure of funds from Council District 3 Infrastructure funding allocation in an amount up to \$2,188.26 for 136 feet of RCP Pipe to be used for the Brookgreen Pipe Project. Councilman Mumford seconded the motion, which was approved unanimously.

ROAD SYSTEM MAINTENANCE FEE (RSMF) FUND

JASMINE STREET

Councilman Ard made a motion Council approve the expenditure of funds from Council District 2 Infrastructure funding allocation in an amount up to \$5,610.52 for MBC stone and crushed asphalt for Jasmine Street. Councilman Rodgers seconded the motion, which was approved unanimously.

UTILITY SYSTEM FUND

TOWN OF TIMMONSVILLE

Councilman Kirby made a motion Council approve the expenditure of funds from Council District 4 Utility System funding allocation in an amount up to \$21,598.00 to assist the Town of Timmons ville in purchasing/replacing a well pump for the Main Street well. Councilman Mumford seconded the motion, which was approved unanimously.

(The following items were additions to the agenda.)

UTILITY SYSTEM FUND

MEADOW PRONG ROAD

Councilman Kirby made a motion Council approve the expenditure of funds from Council Districts 4 and 7 Utility System funding allocations in an amount up to \$73,383.00 (\$36,691.50 from each district) to assist the City of Florence in providing a water main extension to residents along Meadow Prong Road. Councilman Mumford seconded the motion, which was approved unanimously.

INFRASTRUCTURE FUND

PAMPLICO FIRE STATION

Councilman Ard made a motion Council approve the expenditure of funds from Council District 2 Infrastructure funding [corrected] allocation in an amount up to \$2,995.20 for MBC stone to be used at the Pamplico Fire Station. Councilman Kirby seconded the motion, which was approved unanimously.

EXECUTIVE SESSION:

Councilman Kirby made a motion Council enter executive session pursuant to Section 30-4-70 of the South Carolina Code of Laws 1976, as amended, to discuss contractual matters concerning possible real estate transactions. Councilman Schofield seconded the motion, which was approved unanimously.

Council entered executive session at 9:33 a.m.

Council reconvened at 10:05 a.m.

LEASE – MERCY MEDICINE CLINIC

Councilman Mumford made a motion Council approve the lease request of Mercy Medicine Clinic to lease the former Lake City DHEC Building identified as Florence County Tax Map 80008, Block 12, Parcel 008 to serve as a satellite office for the primary clinic in Florence for one-dollar (\$1) per year and authorize the County Administrator to execute a lease agreement, subject to review by the County Attorney. Councilman Kirby seconded the motion, which was approved unanimously.

COUNCILMAN MUMFORD

Councilman Mumford congratulated the Wilson High School Tigers Football Team for recently winning the State Championship, its first Championship win since 1953.

There being no further business to come before Council, Councilman Anderson made a motion Council adjourn. Councilman Ard seconded the motion, which was approved unanimously.

COUNCIL MEETING ADJOURNED AT 10:08 A.M.

**H. MORRIS ANDERSON
SECRETARY-CHAPLAIN**

**CONNIE Y. HASELDEN
CLERK TO COUNTY COUNCIL**

DRAFT

FLORENCE COUNTY COUNCIL MEETING

Item for Meeting on: January 3, 2008

AGENDA ITEM: Resolution #15-2007/08

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:

(Establishing A Grievance Procedure In Order To Enhance Compliance With The Americans Disabilities Act (ADA) Requirement For The Prompt And Equitable Resolution Of Complaints Alleging Discrimination In Access To Florence County's Facilities, Programs, Or Services And Other Matters Related Thereto)

POINTS TO CONSIDER:

1. The County of Florence continues to enhance its compliance with the Americans with Disabilities Act (ADA) requiring public entities with fifty (50) or more employees to establish procedures for resolving complaints or violations of Title I and II.
2. The County of Florence is required to adopt a public grievance procedure, incorporating due process standards and providing for the prompt and equitable resolution of complaints alleging discrimination in access to its facilities, programs, services, etc.

OPTIONS:

1. *(Recommended)* Approve Resolution No. 15-2007/08.
2. Provide an alternate directive.

ATTACHEMENTS:

A copy of Resolution No. 15-2007/08.

Sponsor(s)/Department : County Council
Adopted: : January 3, 2008
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

RESOLUTION NO. 15-2007/08

(Establishing A Grievance Procedure In Order To Enhance Compliance With The Americans Disabilities Act (ADA) Requirement For The Prompt And Equitable Resolution Of Complaints Alleging Discrimination In Access To Florence County's Facilities, Programs, Or Services And Other Matters Related Thereto)

WHEREAS:

1. The County of Florence continues to enhance its compliance with the Americans with Disabilities Act (ADA) requiring public entities with fifty (50) or more employees to establish procedures for resolving complaints or violations of Title I and II; and
2. The County of Florence is required to adopt a public grievance procedure, incorporating due process standards and providing for the prompt and equitable resolution of complaints alleging discrimination in access to its facilities, programs, services, etc.

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

The grievance procedure providing for the prompt and equitable resolution of complaints alleging discrimination in access to its facilities, programs, or services shall read as follows:

1. Any individual who believes that he or she has been subjected to discrimination on the basis of disability in the provision of services, activities, programs or benefits by Florence County may file a complaint. Complaints are to contain information about the alleged discrimination, including but not limited to, name, address, phone number of complainant and location, date and description of the alleged discrimination and any other pertinent supporting details. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request. The complaint should be submitted by the grievant and/or his designee as soon as possible but no later than 180 calendar days after the alleged discrimination. All complaints should be submitted in writing to: ADA Coordinator, Florence County Human Resources Department, 180 North Irby Street MSC-S, Florence, South Carolina 29501, 843-665-3054.
2. The ADA Coordinator, upon receiving a written complaint, may refer all Category I complaints involving alleged discrimination in access to public facilities to the Florence County Procurement and Facilities Director. All Category II complaints, such as alleged discrimination against applicants and other issues will be handled by the ADA Coordinator.
3. The ADA Coordinator or Procurement and Facilities Director will meet with the complainant, if necessary, within 15 calendar days after receipt of the complaint to discuss the complaint and possible resolutions. The ADA Coordinator or Procurement and Facilities Director will respond in writing via certified mail within 15 calendar days after the meeting. The response will state the position of

Florence County and offer options for substantive resolution of the complaint.

4. If the response by the ADA Coordinator or Procurement and Facilities Director does not satisfactorily resolve the issue, the complainant and/or his designee may appeal the decision to the County Administrator within 15 calendar days after receipt of the response.
5. Within 15 calendar days after the receipt of the appeal, the County Administrator will schedule a meeting with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the County Administrator will respond in writing via certified mail with a final resolution of the complaint.
6. Florence County will maintain all complaints for a period of three years.
7. The County Administrator may appoint a designee to handle any and all complaints filed with the ADA Coordinator as needed.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

DRAFT

FLORENCE COUNTY COUNCIL MEETING

Item For Meeting On: Thursday, January 3, 2008

AGENDA ITEM: Ordinance No.14-2007/08
Third Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Rezone Property Owned By Sarah W. Johnson, Etal Located At 2518 Alligator Road, Florence From R-1, Single-Family Residential District to B-2, Convenience Business District Shown On Florence County Tax Map 126, Block 1, Parcel 54 Consisting Of .94 acres.]

POINTS TO CONSIDER:

1. The property is located in Council District 5.
2. The subject property currently contains a single-family residence and detached garage.
3. The subject property is currently zoned R-1, Single-Family Residential District.
4. The applicant wishes to utilize the existing garage as a computer service and repair and scooter repair facility.
5. The applicant indicated that the garage was previously used as an auto repair garage.
6. The property is surrounded by residentially developed and vacant properties.
7. This property is designated as a Rural Community Node area as established by the Land Use Element of the Comprehensive Plan and the request complies with the Comprehensive Plan.

OPTIONS:

1. *(Recommended)* Florence County Council's approval of Ordinance No.14-2007/08 as recommended by the nine members present at the Planning Commission meeting of October 23, 2007.
2. Provide an Alternative Directive

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No.14-2007/08
2. Staff report-PC#2007-70
3. Vicinity map
4. Location map
5. Comprehensive Land Use Plan Map
6. Zoning map
7. Aerial map
8. Comprehensive Plan information
9. Consolidated Zoning Ordinance information

Sponsor(s)	: Planning Commission	
Planning Commission Consideration	: October 23, 2007	I, _____,
Planning Commission Public Hearing	: September 25, 2007	Council Clerk, certify that this
Planning Commission Recommendation	: October 23, 2007 [Approved 9-0]	Ordinance was advertised for
First Reading/Introduction	: November 15, 2007	Public Hearing on _____.
Committee Referral	: N/A	
Second Reading	: December 6, 2007,	
Third Reading	: January 3, 2008	
Effective Date	: Immediately	

ORDINANCE NO. 14-2007/08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Rezone Property Owned By Sarah W. Johnson, Etal Located At 2518 Alligator Road , Florence From R-1, Single-Family Residential District To B-2, Convenience Business District Shown On Florence County Tax Map 126, Block 1, Parcel 54 Consisting Of .94 Acres.]

WHEREAS:

1. Article 9, Section 9.1 entitled "Intent" of the Consolidated Zoning Ordinance establishes that Florence County Council must be satisfied that applications for amendments to the Zoning Atlas of Florence County is not injurious from a public health, safety, and general welfare outlook and the effect of the change will not negatively impact the immediate environs or the County generally; and
2. Article 9, Section 9.5 entitled "Administrative Procedures, Action" of the Consolidated Zoning Ordinance for Florence County adopted April 1, 1999, provides a procedure for amending the Official Zoning Map of the County of Florence; and
3. The procedure has been followed by the Florence County/Municipal Planning Commission at a public hearing on October 23, 2007; and

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. Property located at 2518 Alligator Road bearing Tax Map Number 126, Block 1, Parcel 54 is hereby rezoned to B-2, Convenience Business District.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

 Connie Y. Haselden, Council Clerk

SIGNED:

 K. G. Rusty Smith, Jr., Chairman

 Approved as to Form and Content
 James C. Rushton, III, County Attorney

COUNCIL VOTE:
 OPPOSED:
 ABSENT:

**STAFF REPORT
TO THE
FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION
September 25, 2007
PC#2007-70**

Subject: Rezoning request from R-1, Single-Family Residential District to B-2, Convenience Business District

Location: 2518 Alligator Road

Tax Map Number: 126, Block 1, Parcel 54

Council District(s): 5; County Council

Owner of Record: Sarah W. Johnson, ET AL

Applicant: Shandra R. Johnson

Land Area: 0.94 acres

Existing Land Use and Zoning:

The subject property is a single family home with a garage and currently zoned R-1, Single-Family Residential District.

Proposed Land Use and Zoning:

The applicant requests that the subject parcel be rezoned to B-2, Convenience Business District, for future commercial and service needs as permitted within and by the standards of the B-2, Convenience Business District.

Surrounding Land Use and Zoning:

North: Vacant/R-3, Florence County
South: Residential Use/R-1, Florence County
East: Vacant/B-3, Florence County
West: Residential use/R-1, Florence County

Florence County Comprehensive Plan:

The subject property is currently designated as Rural Community Node as established by the Land Use of Element of the Comprehensive Plan.

Staff Analysis:

Access and Circulation - Present access to the property is by way of Alligator Road.

Water and Sewer Availability - Water services will be provided by the City of Florence. Currently the property has a septic tank.

Adjacent Waterways/Bodies of Water/Flood Zone - There does not appear to be any waterway/body of water adjacent to this property. It is not in a flood zone.

Traffic Review - Due to a business previously being at this location, traffic impact will be very minimal.

Background – The property is located at Alligator Road in the County of Florence and is currently zoned R-1, Single-Family Residential District

Florence County/Municipal Planning Commission Action: September 25, 2007

The Planning Commission held the public hearing on the rezoning request but took no action due to the lack of a quorum of members being present at the meeting held on September 25, 2007.

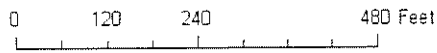
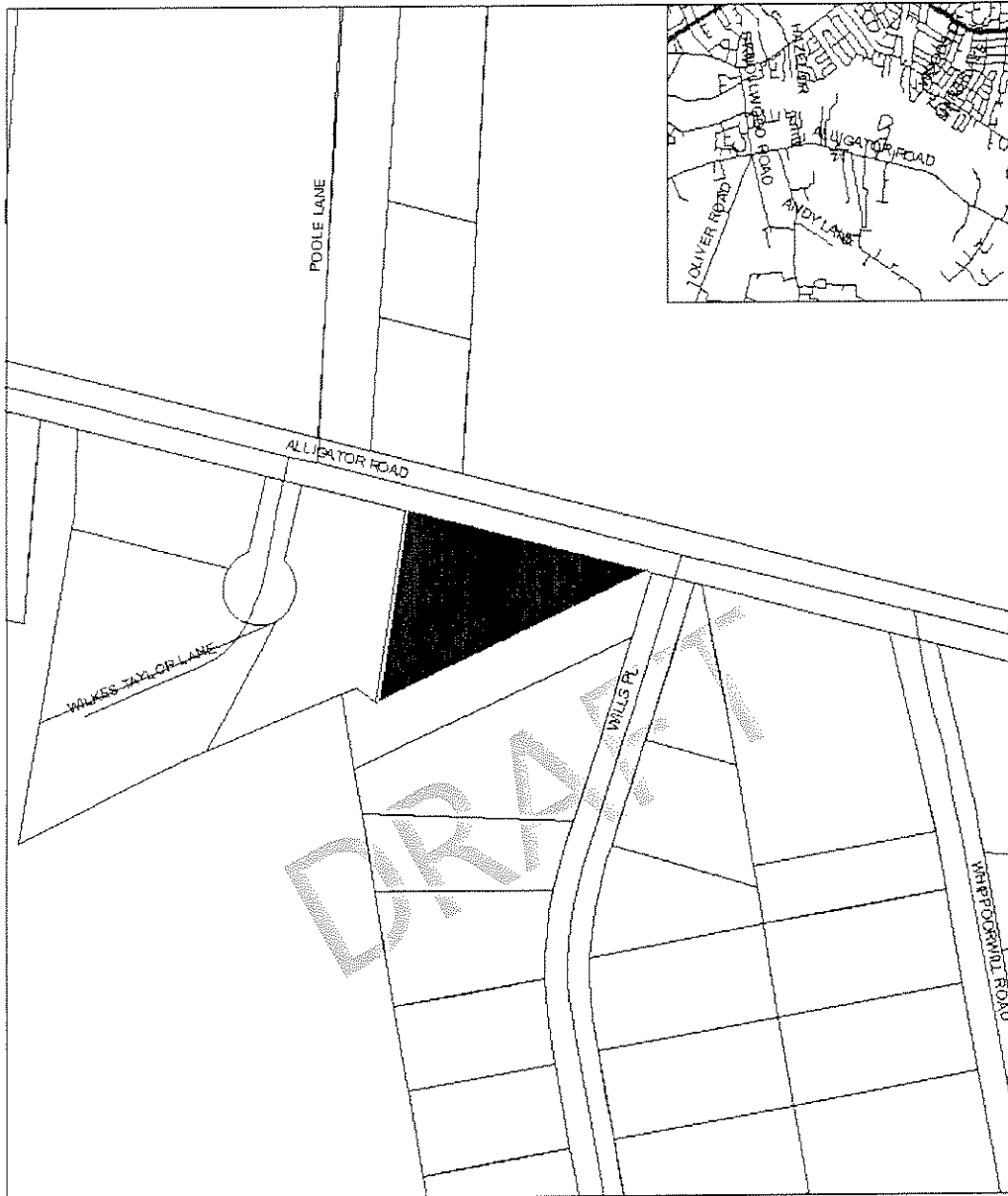
Florence County/Municipal Planning Commission Action: October 23, 2007

The nine Planning Commission members present approved the rezoning request with a unanimous vote at the meeting held on October 23, 2007.

Florence County/Municipal Planning Commission Recommendation:

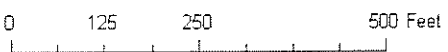
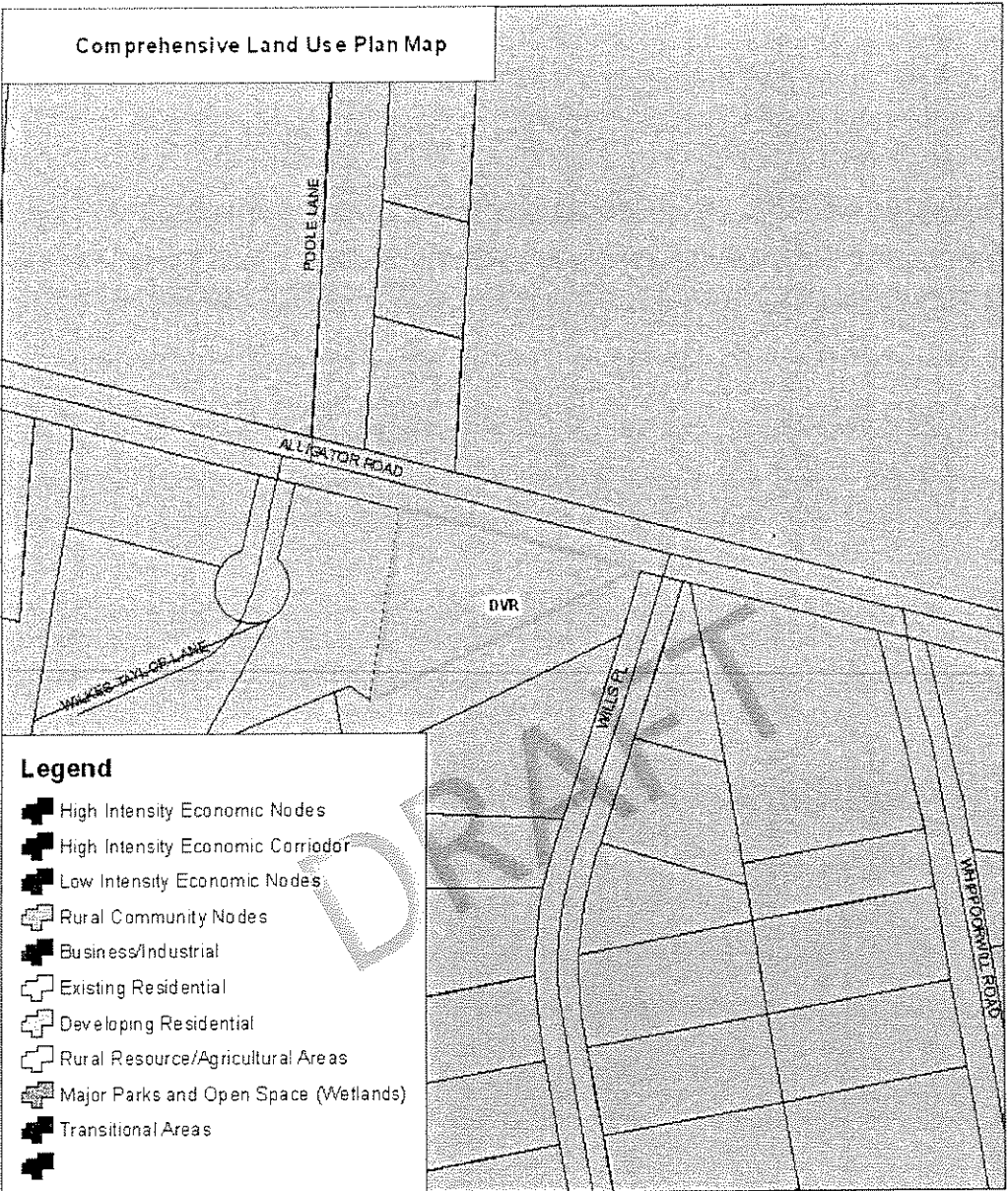
The Planning Commission recommends approval of rezoning request by Florence County Council based on its compliance with the Land Use Element of the Comprehensive Plan

DRAFT



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COUNTY COUNCIL DISTRICT(S): 5
 PC#2007-70



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 2007

COUNTY COUNCIL DISTRICT(S): 5
 PC#2007-70

Florence County 2003 Orthophotography Map



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Geographic Information Systems
2007

COUNTY COUNCIL DISTRICT(S): 5
PC#2007-70

Comprehensive Plan Attachment:

Economic Activity Areas Rural Community Nodes

Objective

The objective of this classification is to sustain and support rural community centers as an integral part of the rural environment, serving the commercial, service, social, and agricultural needs of nearby rural residents.

Strategy

- ✓ Promote clustering of development in rural areas, as opposed to striping rural routes.
- ✓ Promote mixed use development (i.e. commercial and residential) of such nodes, thereby strengthening the community concept.

Plan Compliance Matrix

PLAN MAP OBJECTIVES (SUMMARY)	USES IN ACCORD WITH PLAN MAP OBJECTIVES	USES AT VARIANCE WITH PLAN MAP OBJECTIVES
Sustain and strengthen rural community centers to serve and meet in part the needs of rural area residents, including commercial, service, social, and agricultural support needs	<ul style="list-style-type: none"> ❖ Small scale retail ❖ Residential single-family ❖ Small scale service & business uses ❖ Social and small scale institutional uses ❖ Agricultural support uses 	<ul style="list-style-type: none"> ❖ Multi-family residential ❖ Industrial ❖ Big box retail ❖ Wholesale

CONSOLIDATED ZONING ORDINANCE ATTACHMENT

B-2. Convenience Business District

The intent of this district is to meet the commercial and service needs generated by nearby residential areas. Goods and services normally available in these districts are of the “convenience variety.” The size of this district should relate to surrounding residential markets and the location should be at or near major intersections, in proximity to and/or on the periphery of residential areas.

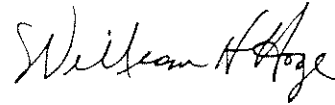
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FLORENCE COUNTY COUNCIL MEETING

Item for Meeting on: Thursday, January 3, 2008

AGENDA ITEM: Ordinance No. 15-2007/08
Third Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance For A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Property Located On Pocket Road In Florence County From Business/Industrial To Existing Residential Community Node.]

POINTS TO CONSIDER:

1. Council District(s): 7
2. The subject property is currently designated as a Business/Industrial area according to the Comprehensive Plan Land Use map. (see attached map)
3. This change meets the practical use of an Existing Residential designation due to the fact that the portion of the parcel consisting of approximately 72.58 acres is adjacent to Existing Residential according to the current Comprehensive Plan Land Use Map and reducing intensity of the use. (see attached map)
4. The portion of the parcel consisting of approximately 20.5 acres that is to remain Business/Industrial is adjacent to existing Business/Industrial according to the current Comprehensive Plan Land Use Map. (see attached map)
5. Changing the Comprehensive Land Use designation for this property as requested will better suit the intended uses and will create a designation that is appropriate for this area.

OPTIONS:

1. *(Recommended)* Approve Ordinance No. 15-2007/08 as unanimously recommended (9 – 0) by the Planning Commission at the October 23, 2007 meeting.
2. Provide an Alternate Directive

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 15-2007/08
2. Resolution from Planning Commission
3. Staff Report for PC#2007-79
4. Vicinity Map
5. Location Map
6. Comprehensive Plan Map

Sponsor(s)	: Planning Commission	
Planning Commission Consideration	: October 23, 2007 [Approved 9- 0]	I, _____,
Planning Commission Public Hearing	: October 23, 2007	Council Clerk, certify that this
Planning Commission Recommendation	: October 23, 2007	Ordinance was advertised for
First Reading/Introduction	: November 15, 2007	Public Hearing on _____.
Committee Referral	:	
Second Reading	: December 6, 2007	
Third Reading	: January 3, 2008	
Effective Date	: Immediately	

ORDINANCE NO.15-2007/08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance For A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Property Located On Pocket Road In Florence County From Business/Industrial To Existing Residential.]

WHEREAS:

1. The subject property is currently designated as a Business Industrial area according to the Comprehensive Plan Land Use map; and
2. This change meets the practical use of an Existing Residential designation due to the fact that the portion of the parcel consisting of approximately 72.58 acres is adjacent to Existing Residential according to the current Comprehensive Plan Land Use Map and reducing intensity of the use.
3. The portion of the parcel consisting of approximately 20.5 acres to remain Business/Industrial is adjacent to existing Business/Industrial according to the current Comprehensive Plan land Use Map.
4. Changing the Comprehensive Land Use designation for this property as requested will better suit the intended uses and will create a designation that is appropriate for this area.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. An ordinance is hereby adopted to amend the Land Use Map of the Comprehensive Plan by changing the Land Use Map designation for property located on Pocket Road shown more specifically on Tax Map No. 202, Block 1, a portion of Parcel 72 from Business/Industrial to Existing Residential.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

Approved as to Form and Content
James C. Rushton, III, County Attorney

COUNCIL VOTE:
OPPOSED:
ABSENT:

RESOLUTION FOR PC#2007-79

FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION

[A Resolution Recommending A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Property In Florence County Located On Pocket Road Shown On Florence County Tax Map No. 202, Block 1, The Portion Of Parcel 72 Consisting Of Approximately 72.58 Acres That Is Currently Business/Industrial To Existing Residential. The Remaining Portion Of The Parcel Consisting Of Approximately 20.5 Acres That Is Currently Business/Industrial To Remain Business / Industrial]

WHEREAS:

1. The subject property has one designation as established by the Land Use Element of the Comprehensive Plan.
2. A request has been made to change the designation of the front portion of this property to Existing Residential and the rear portion to remain Business/Industrial.
3. This request for the change of the front portion of the property is in line with the current conditions in the area.
4. Therefore, a change to the Comprehensive Plan Map Land Use Designation for this property is hereby recommended.

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION DULY ASSEMBLED THAT:

1. A Resolution is hereby adopted to recommend that the Florence County Council vote to amend the Florence County Comprehensive Plan Map Land Use Designation for Property in Florence County Located On Pocket Road Shown On Florence County Tax Map No. 202, Block 1, The Portion Of Parcel 72 Consisting Of Approximately 72.58 Acres That Is Currently Business/Industrial To Existing Residential. The Remaining Portion Of Parcel 72 Consisting Of Approximately 20.5 Acres That Is Currently Business / Industrial To Remain Business/Industrial.

ATTEST:

Angie Thomas
Angie Thomas, Secretary II

SIGNED:

Glynn Willis
Glynn Willis, Chairman

COMMISSION VOTE: 9-0

OPPOSED: None

ABSENT: D. Floyd
L. Fred
B. Lockhart
K. Lowery

**STAFF REPORT
TO THE
FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION
October 23, 2007
PC#2007-79**

Subject: Comprehensive Plan Map Amendment to change the Land Use Map designation for property in Florence County located on Pocket Road, shown on Florence County Tax Map No. 202, Block 1, a portion of Parcel 72 consisting of approximately 72.58 acres from Business / Industrial to Existing Residential. The remaining portion of the parcel consisting of approximately 20.5 acres that is currently Business/Industrial to remain Business/Industrial.

Location: Pocket Road

Tax Map Number: Tax Map No. 202, Block 1, A Portion Of Parcel 72

Applicant: Tripp Nealy

Owners of Record: Independent Builders Development, Inc.

Staff Analysis:

The subject property is currently designated as Business/Industrial according to the Comprehensive Plan Land Use map.

The applicant is proposing to change the designation of the front portion of the parcel consisting of approximately 72.58 acres on Pocket Road to Existing Residential. The applicant is requesting the designation of the remaining portion of the parcel consisting of approximately 20.5 acres remain Business/Industrial in accordance with the attached map.

Florence County/Municipal Planning Commission Action:

On October 23, 2007, The Florence County Municipal Planning Commission approved unanimously 9-0.

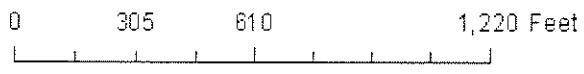
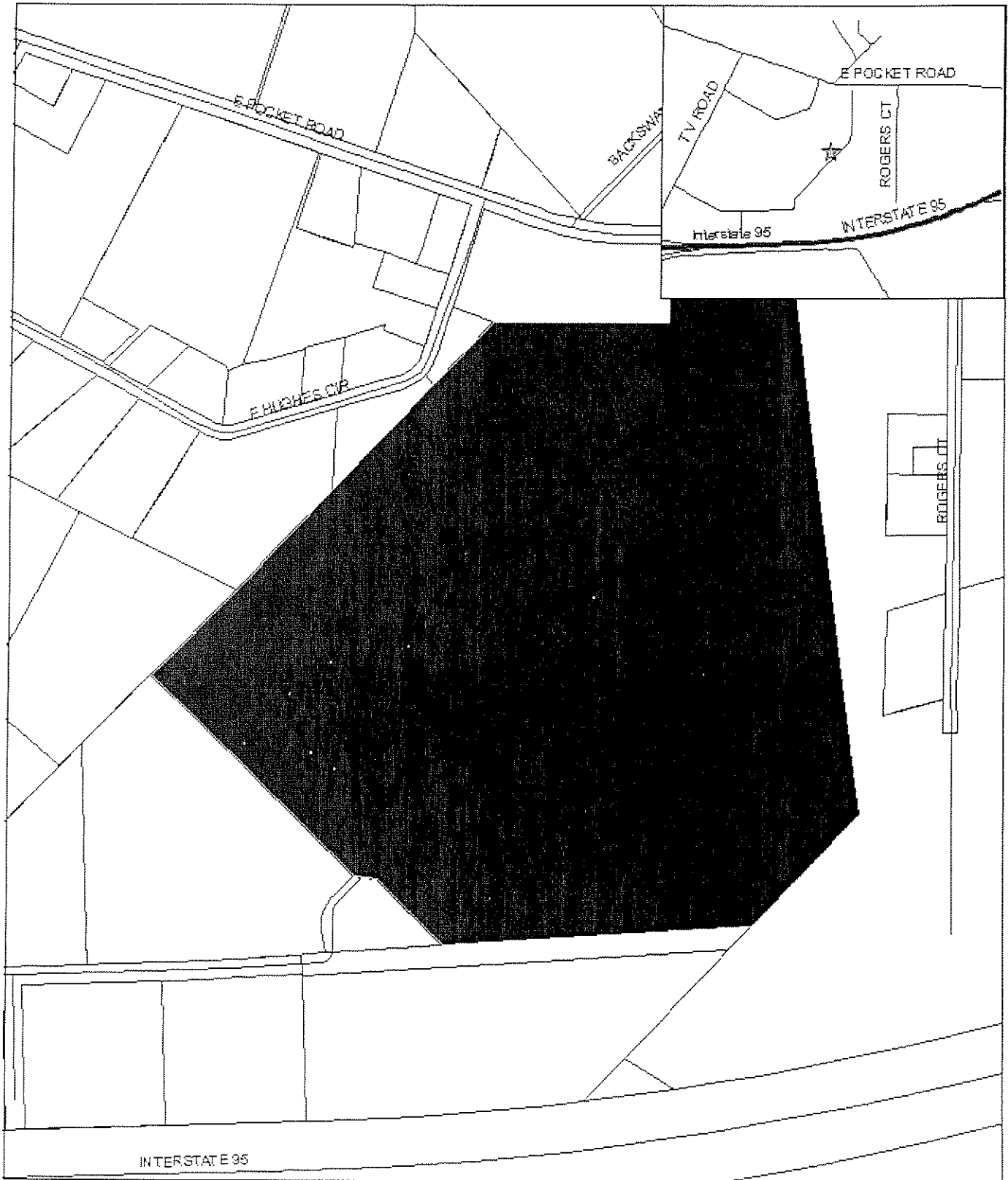


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 2007

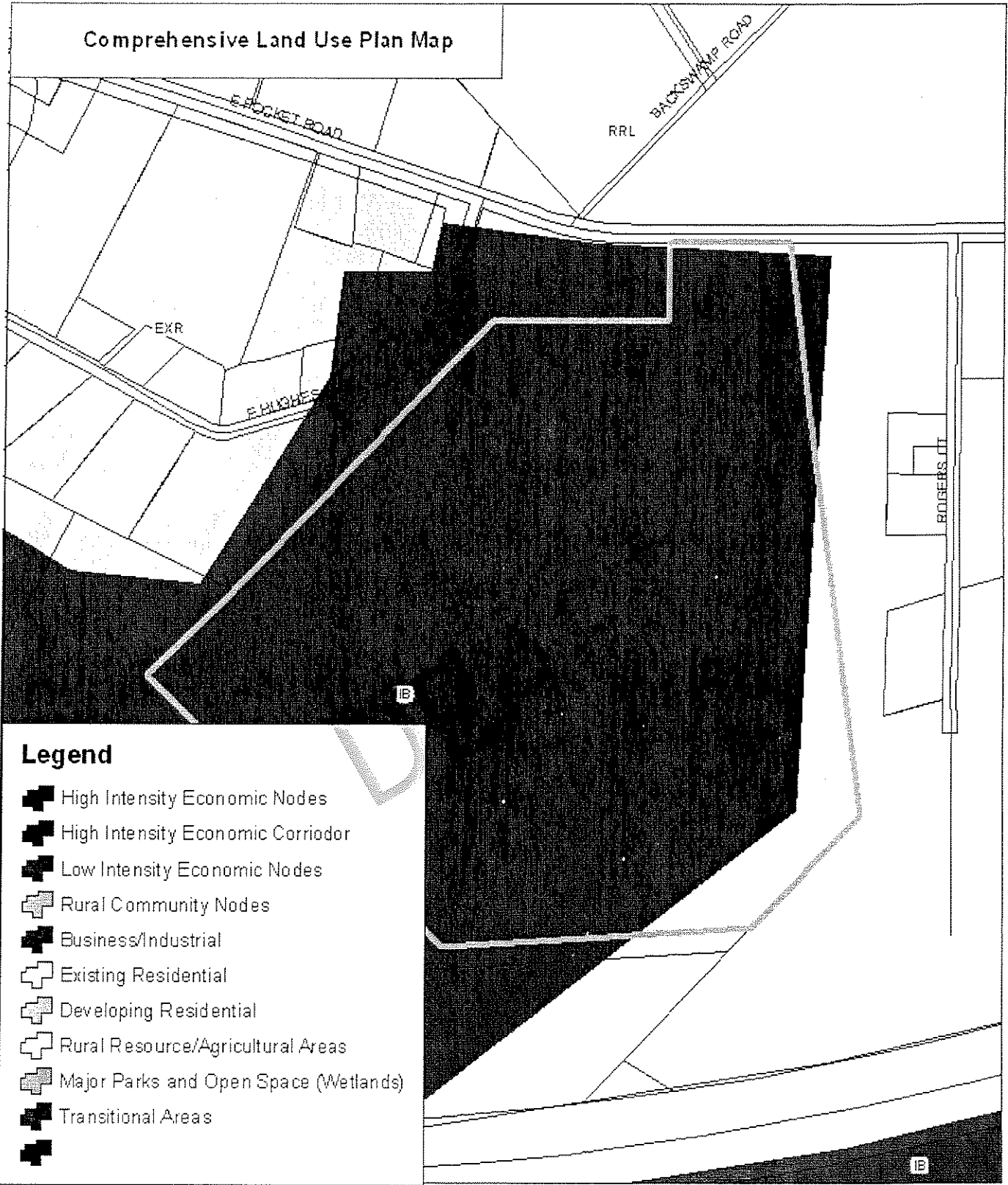
COUNTY COUNCIL DISTRICT(S): 7
 PC#2007-79



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Geographic Information Systems
2007

COUNTY COUNCIL DISTRICT(S): 7
PC#2007-79

Comprehensive Land Use Plan Map



Legend

- High Intensity Economic Nodes
- High Intensity Economic Corridor
- Low Intensity Economic Nodes
- Rural Community Nodes
- Business/Industrial
- Existing Residential
- Developing Residential
- Rural Resource/Agricultural Areas
- Major Parks and Open Space (Wetlands)
- Transitional Areas

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 2007

COUNTY COUNCIL DISTRICT(S): 7
 PC#2007-79

FLORENCE COUNTY COUNCIL MEETING

Item For Meeting On: Thursday, January 3, 2008

AGENDA ITEM: Ordinance No.16-2007/08
Introduction

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Zone Properties Owned By Twenty-Four Property Owners Located On Hazel Drive, Florence To R-2, Single Family Residential District Shown On Florence County Tax Map No. 101-1, Block 1, Parcels 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, and 29.]

POINTS TO CONSIDER:

1. The properties are located in Council District 9.
2. Occupied single-family residences presently exist on the properties and are currently unzoned.
3. The applicant on behalf of the property owners wishes to zone the properties to R-2, Single Family Residential District.
4. The properties are surrounded by residentially-developed, institutionally-developed, commercially –developed and wooded properties.
5. This properties are designated in as Existing Residential according to the Comprehensive Plan.
6. This request does comply with the Comprehensive Plan.
7. A zoning petition containing the signatures of all property owners requesting zoning of their respective properties is attached and shall be referenced as “Attachment A”.

OPTIONS:

1. (*Recommended*) Florence County Council’s approval of Ordinance No. 16-2007/08 as recommended by the nine members present at the Planning Commission meeting of November 27, 2007.
2. Provide An Alternative Directive

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No.16-2007/08
2. Staff report for PC#2007-87
3. Zoning Petition
4. Vicinity map
5. Location map
6. Comprehensive Land Use Plan map
7. Zoning map
8. Aerial photograph
9. Comprehensive Plan information
10. Consolidated Zoning Ordinance information

Sponsor(s)	: Planning Commission	
Planning Commission Consideration	: November 27, 2007	I, _____,
Planning Commission Public Hearing	: November 27, 2007	Council Clerk, certify that this
Planning Commission Recommendation	: November 27, 2007[Approved 9-0]	Ordinance was advertised for
First Reading/Introduction	: January 3, 2008	Public Hearing on _____.
Committee Referral	: N/A	
Second Reading	: January 17, 2008	
Third Reading	: February 7, 2008	
Effective Date	: Immediately	

ORDINANCE NO. 16-2007/08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Zone Properties Owned By Twenty-Four Property Owners In The Westbrook Subdivision Located Off Hazel Drive, Florence To R-2, Single-Family Residential District Shown On Florence County Tax Map No. 101-1, Block 1, Parcels 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, and 29.]

WHEREAS:

1. Article 9, Section 9.1 entitled "Intent" of the Consolidated Zoning Ordinance establishes that Florence County Council must be satisfied that applications for amendments to the Zoning Atlas of Florence County is not injurious from a public health, safety, and general welfare outlook and the effect of the change will not negatively impact the immediate environs or the County generally; and
2. Article 9, Section 9.5 entitled "Administrative Procedures, Action" of the Consolidated Zoning Ordinance for Florence County adopted April 1, 1999, provides a procedure for amending the Official Zoning Map of the County of Florence; and
3. The procedure has been followed by the Florence County/Municipal Planning Commission at a public hearing on November 27, 2007; and

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. Properties located on Hazel Drive bearing Tax Map Number 101-1, Block 1, Parcels 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, and 29 are hereby zoned to R-2, Single-Family Residential District.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

Connie Y. Haselden, Council Clerk

SIGNED:

K. G. Rusty Smith, Jr., Chairman

Approved as to Form and Content
James C. Rushton, III, County Attorney

COUNCIL VOTE:
OPPOSED:
ABSENT:

DRAFT

**STAFF REPORT
TO THE
FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION
November 27, 2007
PC#2007-87**

Subject: Zoning requests to R-2, Single-Family Residential District

Location: Properties located off Hazel Drive, Florence County

Tax Map Number: 101-1, Block 1, Parcels 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, and 29

Council District(s): 9; County Council

Owner of Record: See Reference Information Attached

Applicant: Allison Andrews on behalf of the Property Owners

Land Area: 24 Parcels

Existing Land Use and Zoning:

The subject properties are currently developed with single-family residences.

Proposed Land Use and Zoning:

There has been no indication of any proposed land use changes at this time. The property owners are proposing to zone the subject properties to R-2, Single-Family Residential District.

Surrounding Land Use and Zoning:

North: Commercial uses/Institutional use/Unzoned/Florence County

South: Wooded property/Unzoned/Florence County

East: Single-family residential uses/Unzoned/Florence County

West: Single-family residential uses/R-2/Florence County

Florence County Comprehensive Plan:

The subject property is currently designated as Existing Residential as established by the Land Use Element of the Comprehensive Plan. The request does comply with the Comprehensive Plan.

Staff Analysis:

Access and Circulation- Present access to the property is by way of Hazel Drive off of South Cashua Drive

Water and Sewer Availability- Water and sewer services are currently provided by the City of Florence.

Adjacent Waterways/Bodies of Water/Flood Zone- There does not appear to be a waterway/body of water adjacent to the property.

Background- The applicant on behalf of the property owners is requesting zoning of the subject properties to R-2, Single-Family Residential District.

Florence County/Municipal Planning Commission Action: November 27, 2007

The nine Planning Commission members present approved the request unanimously at the meeting held on November 27, 2007.

Florence County/Municipal Planning Commission Recommendation:

The Planning Commission recommends approval of the zoning request by Florence County Council based on the request being in compliance with the Comprehensive Plan.

DRAFT

Westbrook at Hazel Drive
Zoning petition

Please print your name address and telephone #
and signature and date.

Emmie Euline Cottros BAGGOTT

Emmie Euline Cottros-Baggott - 662-0968 - 10-2-07

Robert Wiger 1807 Hazel Dr. 662-0226

R. J. Legas, Jr.

Bennie PARKER 1816 HAZEL D 669-0306

Bennie Parker

Sally Sims 1819 Hazel DR. 662-7773

Sally Sims 10/2/07

SALEEM-G- COTTROS 1718 HAZEL DR, 662 6059

Saleem G. Cottros 10-2-2007

Page 3. Westbrook at Hazel Drive
Zoning Petition

~~664~~
D.C. HAYES 1711 HAZEL 24499

D.C. HAYES 10-2-07

Josephine JENKINS 1615 HAZEL DR

Josephine Jenkins 10-2-07

Joseph D Welch 1701 HAZEL DR.

Joseph D Welch 662-4229 10-2-07

Edna STARLING 1804 HAZEL DR. 669-6226

Edna Starling 10/2/07

FRANCES J. CRAVEN 1811 HAZEL DR. 662-5299

Frances J. Craven 10.2.07

THOMAS POHL 1823 HAZEL DR 843-662-2569

Thomas Pohl 10/2/07

George Anderson 1808 HAZEL DR. 843-664-9323

George Anderson 10/2/07

Kelly Anderson 1808 HAZEL DR. 843-664-9323

Kelly Anderson 10/2/07

Page 4. Westbrook at Hazel Drive
Zoning Petition

Clifton Davis Lee 1702 Hazel dr 669-4088

Clifton Davis Lee 10-2-07

843-317-9276

JEFFREY A. WILES 1619 HAZEL DR.

Jeffrey A. Wiles 10-2-07

Lauren Spring 1791 Hazel Drive 669-2541

Lauren Spring 10/3/07

Ch H/A Chris Blum 1801 Hazel Dr. 629-8776

Ch H/A 10/3/07

MR & MRS D. W. WELCH 1722 HAZEL DR. 843662461.

Mrs D. W. Welch - 10-3-07

WILMA BENNETT 1812 669-7198

Wilma Bennett 10-3-07

Morris & Rita Andrews 1707 HAZEL Drive Florence, SC 295
Rita A. Andrews 662-2991 or 669-1216 10/4/07

Pg. 3

Westbrook at Hazel Drive
Zoning petition

Please print your name address and telephone #
and signature and date.

DANIEL T. GOLDSTON

1824 HAZEL DR. 665-5957

FLORENCE, SC 29501

Daniel T. Goldston 10/4/07

David W. Tilley

1805 Hazel Dr 319-0091

Florence, SC 29501

David W. Tilley 10/7/07

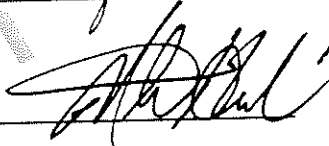
Pg. 3

Westbrook at Hazel Drive
Zoning petition

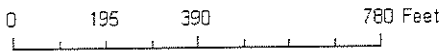
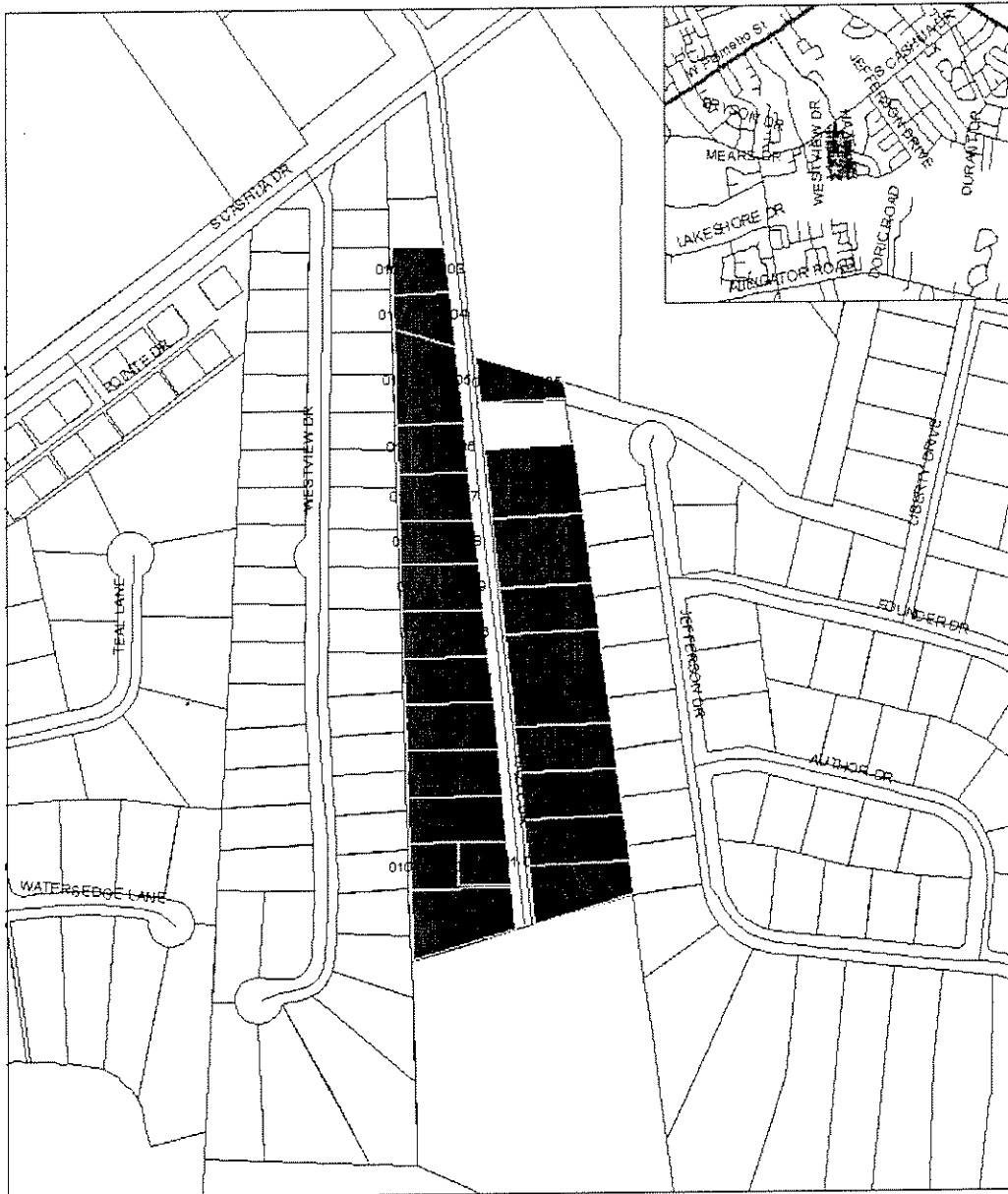
Please print your name address and telephone #
and signature and date.

Laura King 1813 Hazel Dr. Florence, SC 29501

676-0393 Laura King 10/7/07

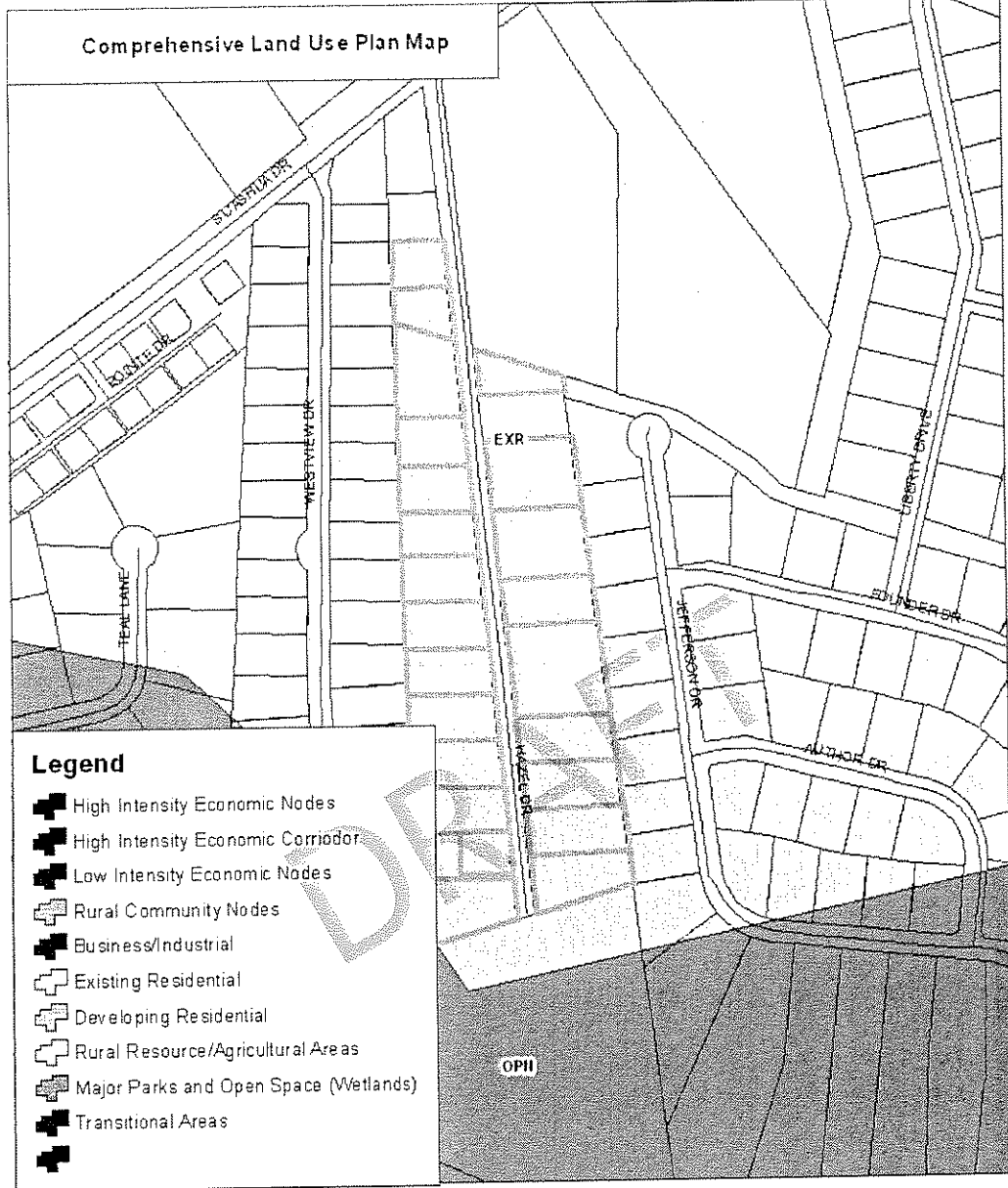
MIKE HULON 1715 HAZEL DR.  10-10-07

MAILING ADDRESS: 3740 PALMER DR. FLO, SC 29506



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 Geographic Information Systems
 2007

COUNTY COUNCIL DISTRICT(S): 9
 PC#2007-87



- Legend**
- High Intensity Economic Nodes
 - High Intensity Economic Corridor
 - Low Intensity Economic Nodes
 - Rural Community Nodes
 - Business/Industrial
 - Existing Residential
 - Developing Residential
 - Rural Resource/Agricultural Areas
 - Major Parks and Open Space (Wetlands)
 - Transitional Areas

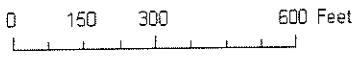
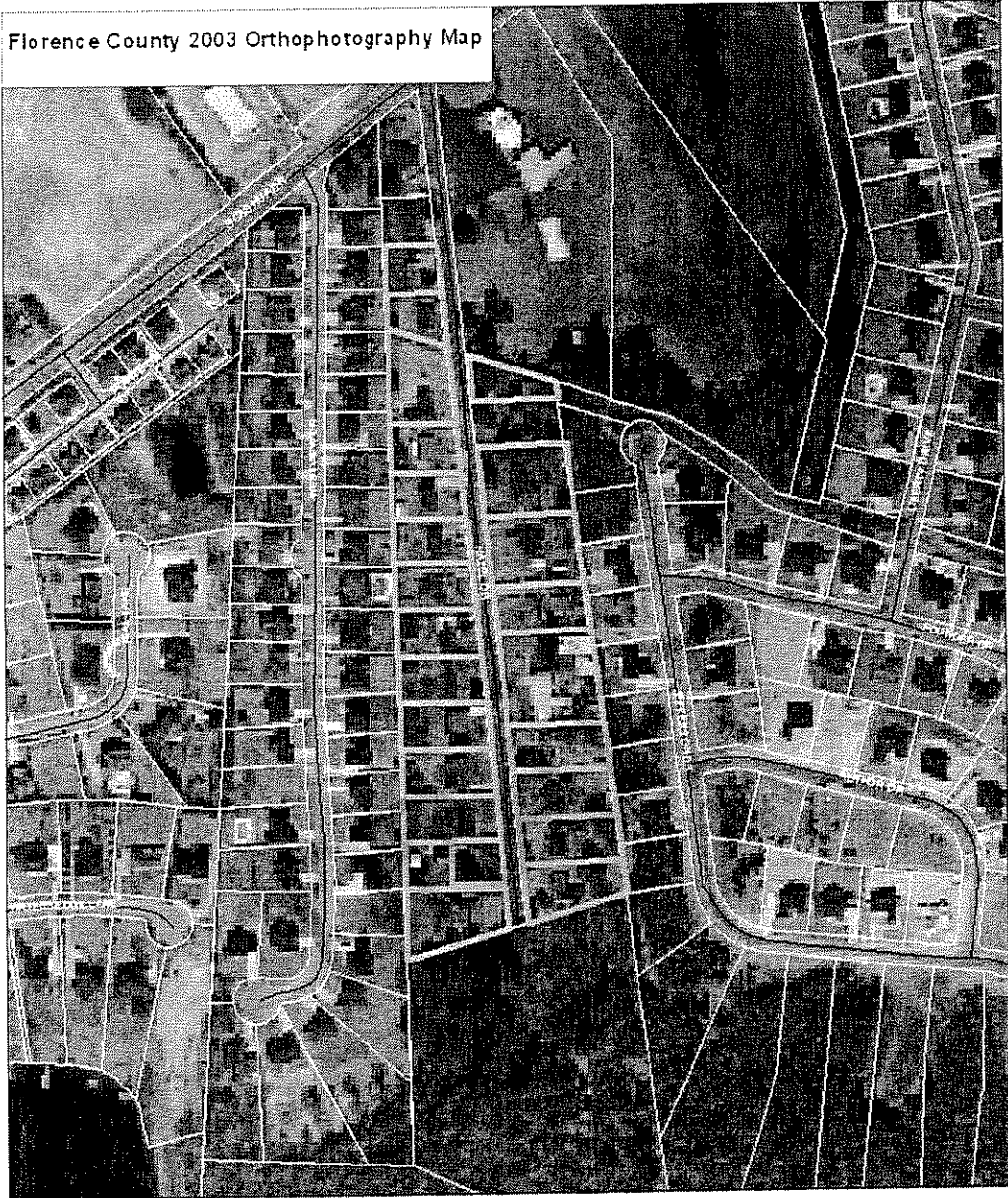
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 & Building Inspections Department
 Geographic Information Systems
 2007

COUNTY COUNCIL DISTRICT(S): 9
 PC#2007-87

Florence County 2003 Orthophotography Map



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& Building Inspections Department
Geographic Information Systems
2007

COUNTY COUNCIL DISTRICT(S): 9
PC#2007-87

Comprehensive Plan Attachment:

Residential Areas Existing Residential

Existing residential areas represent one of the most important resources in the county. As such, the retention and protection of such areas are paramount.

Objective

The objective of this designation is to identify and protect the character and present use of residential resources (existing neighborhoods and subdivisions) and to prohibit development which would compromise or infringe on the prevailing character or continued use of such resources for residential purposes. Also, this designation is designed to promote in-filling of such areas with like uses as an efficient means of meeting future housing demands, and limiting sprawl.

Strategy

The following strategies are designed to implement the objective of this classification.

- ✓ Identify and map such areas.
- ✓ Structure and apply zoning and development regulations aimed at protecting the use and integrity of such areas.
- ✓ Monitor existing subdivisions for sign of change of use and/or deteriorating conditions, and take appropriate action to stabilize and/or revitalize such areas for continued residential use.

Plan Compliance Matrix

PLAN MAP OBJECTIVES (Summary)	USE IN ACCORD WITH PLAN MAP OBJECTIVES	USES AT VARIANCE WITH PLAN MAP OBJECTIVES
Protect and sustain existing residential areas, including property values and amenities	<ul style="list-style-type: none"> ❖ Single-family detached, site built dwellings ❖ Manufactured housing compatible with design characteristics, safety, and habitability standards required of site built housing ❖ Institutional uses in support of and compatible with residential uses, e.g. schools, churches, parks, and recreation facilities 	<ul style="list-style-type: none"> ❖ Most non-residential uses, including commercial, industrial, and business uses ❖ Multi-family residential uses ❖ Mobile and Manufactured homes not meeting standards for inclusion with single-family site built dwellings

CONSOLIDATED ZONING ORDINANCE ATTACHMENT

R-1, R-2, and R-3 Single-Family Residential Districts

Aside from differences in lot sizes and densities, these districts are intended to foster, sustain, and protect areas in which the principal use of land is for single-family dwellings and related support uses.

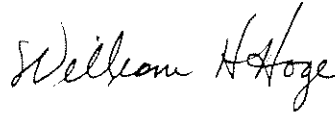
DRAFT

FLORENCE COUNTY COUNCIL MEETING

Item For Meeting On: Thursday, January 3, 2008

AGENDA ITEM: Ordinance No. 17-2007/08
Introduction

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend The Florence County Code To Provide For The Appointment Of Planning Commission And Board Of Zoning Appeals Members; And To Establish The Effective Date For Such Appointments.]

POINTS TO CONSIDER:

1. The Florence County Planning Commission shall consist of up to eleven (11) members. Nine (9) members shall be appointed by County Council with one (1) appointee nominated by each County Council Member for consideration.
 - Nine (9) members shall be appointed by County Council with one (1) appointee nominated by each County Council Member for consideration.
 - Additionally, two (2) members shall be nominated from the five (5) municipalities with the majority voted nominee to serve a four (4) year term and the other nominee to serve a two (2) year term.
2. The Florence County Board of Zoning Appeals shall consist of nine (9) members. As such, one appointee nominated by each County Council Members for consideration.
3. Serving terms for each category are:
 - Three (3) appointees for a four (4) year term expiring on June 30, 2012.
 - Three (3) appointees for a three (3) year term expiring on June 30, 2011.
 - Three (3) appointees for a two (2) year term expiring on June 30, 2010.
4. Therefore, all terms thereafter will be four years. Members shall serve until their term expires or they are replaced, whichever is later.

OPTIONS:

1. *(Recommended)* Florence County Council's approval of the portion of Ordinance No. 17-2007/08 to amend the Florence County Code to Provide for the Appointment of Board of Zoning Appeals Members; and to Establish Date for Such Appointments as recommended by the eight members present at the Planning Commission meeting on December 18, 2007.
2. *(Recommended)* Florence County Council Provide an Alternative Directive to the portion of Ordinance No. 17-2007/08 to amend the Florence County Code to Provide for the Appointment of Planning Commission Members and to Establish Date for Such Appointments as recommended by the eight members present at the Planning Commission meeting on December 18, 2007.
3. Provide An Alternative Directive

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No.17-2007/08
2. Staff Report for PC#2007-86
3. Resolution for PC#2007-86

Sponsor(s) : Planning Commission
Planning Commission Consideration : November 27, 2007
Planning Commission Public Hearing : November 27, 2007
Planning Commission Recommendation : December 18, 2007
First Reading/Introduction : January 3, 2008
Committee Referral : N/A
Second Reading : January 17, 2008
Third Reading : February 7, 2008
Effective Date : July 1, 2008

I, _____,
Council Clerk, certify that this
Ordinance was advertised for
Public Hearing on _____.

ORDINANCE NO. 17-2007/08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend The Florence County Code To Provide For The Appointment Of Planning Commission And Board Of Zoning Appeals Members; And To Establish The Effective Date For Such Appointments.]

WHEREAS:

As a consequence of the deconsolidation of planning and building inspections services within Florence County and as a result of the new contractual arrangement available to municipalities within Florence County, the Zoning Ordinance of Florence County requires revision to provide for the appointment of Planning Commission and Board of Zoning Appeals members and to set criteria for their membership.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. Chapter 25 Article II of the County Code of Florence is hereby deleted in its entirety and replaced with the following language:

Article II. Planning Commission

Section 25-21. Established.

Pursuant to S.C. Code 6-29-320, and an ordinance of Florence County, there is established a Planning Commission, which shall perform all planning functions in the area of jurisdiction of the County and any municipality contracting with the County for planning services, including the revision of the comprehensive plan, which shall conform to the requirements of the Comprehensive Planning Enabling Act of 1994 (the act).

Section 25-22. Membership and Terms of Membership.

As established in the Zoning Ordinance of Florence County, the Florence County Planning Commission shall consist of up to eleven (11) members. Nine (9) members shall be appointed by County Council with one (1) appointee nominated by each County Council Member for consideration serving the following terms:

- The initial term of three (3) appointees from Districts 1, 4, and 7 shall be effective July 1, 2008, expiring on June 30, 2012.
- The initial term of three (3) appointees from Districts 2, 5, and 8 shall be effective July 1, 2008, expiring on June 30, 2011.
- The initial term of three (3) appointees from Districts 3, 6, and 9 shall be effective July 1, 2008, expiring on June 30, 2010.

Two (2) additional members shall be appointed if contractual arrangements for planning services exist between the County and a municipality therein according to the following:

- A. Two (2) additional members shall be appointed as follows if a contractual arrangement for planning services exists with at least two (2) municipalities, with the members being selected from separate municipalities:
 1. The initial term of one (1) appointee chosen by majority vote of the municipalities participating in a contractual arrangement with the County for planning services shall be effective 30 days after the agreement with the second municipality is signed expiring four (4) years from that date. In the

event that additional municipalities contract with the County for planning services after the initial appointment of this member, they shall be provided the opportunity to participate in the appointment process after the initial four (4) year term has expired. All municipalities that have signed contractual arrangements for planning services at the time of the initial appointment shall participate in the initial appointment process.

2. The initial term of one (1) appointee chosen by majority vote of the municipalities participating in a contractual arrangement with the County for Planning services shall be effective 30 days after the agreement with the second municipality is signed expiring two (2) years from that date.
- B. Two additional (2) members shall be appointed as follows if a contractual arrangement for planning services exists with only one (1) municipality:
1. The initial term of one (1) appointee chosen by the municipality participating in a contractual arrangement with the County for planning services shall be effective 30 days after the agreement is signed expiring four (4) years from that date. In the event that additional municipalities contract with the County for planning services after the initial appointment of this member, they shall be provided the opportunity to participate in the appointment process after the initial four (4) year term has expired.
 2. The initial term of one (1) appointee chosen by majority vote of the County Council shall be effective 30 days after the agreement with the municipality is signed expiring two (2) years from that date.
 3. If additional municipalities sign contractual agreements with the County before the initial appointment of this member, the appointment process shall follow the procedures set forth in Section 25-22 A of this article.

All subsequent appointments shall be for four-year terms. All vacancies shall be filled by appointment in the same manner as the original appointment for the remainder of the unexpired term. Members of the commission shall serve until their successors are appointed and qualified. Any member appointed may be removed for cause by majority vote of the appointing body, either County Council or the contracting municipalities.

Secs. 25-23—25-24. Reserved.

2. Chapter 2 Article V Division 9 of the County Code of Florence is hereby deleted in its entirety and replaced with the following language:

Division 9. Board of Zoning Appeals.

Section 2-171. Established.

Pursuant to S.C. Code 6-29-780(A) and an ordinance of Florence County, there is established a Board of Zoning Appeals, which shall perform all functions prescribed by the act in the area of jurisdiction of the County and any municipality contracting with the County for planning services under the existing and all future zoning ordinances adopted by the County.

Section 2-172. Membership and Terms of Membership.

As established in the Zoning Ordinance of Florence County, the Florence County Board of Zoning Appeals shall consist of nine (9) members. As such, one appointee nominated by each County Council Member for consideration shall serve the following terms:

- The initial term of three (3) appointees from Districts 1, 4, and 7 shall be effective July 1, 2008, expiring on June 30, 2013.
- The initial term of three (3) appointees from Districts 2, 5, and 8 shall be effective July 1, 2008, expiring on June 30, 2012.
- The initial term of three (3) appointees from Districts 3, 6, and 9 shall be effective July 1, 2008, expiring on June 30, 2011.

All subsequent appointments shall be for four-year terms. All vacancies shall be filled by appointment in the same manner as the original appointment for the remainder of the unexpired term. Members of the board shall

serve until their successors are appointed and qualified. Any member appointed may be removed for cause by majority vote of the County Council.

Secs. 2-173—2-180. Reserved.

3. The terms for the current appointees to the Planning Commission and Board of Zoning Appeals shall terminate effective June 30, 2008.
4. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
5. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

Connie Y. Haselden, Council Clerk

Approved as to Form and Content
James C. Rushton, III, County Attorney

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

DRAFT

**STAFF REPORT
TO THE
FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION
November 15, 2007
PC#2007-86 (Florence County)**

Subject: Amend The Florence County Code to Provide for the Appointment of Planning Commission and Board of Zoning Appeals members; and to establish date for such appointments.

Staff Analysis:

As a consequence of the deconsolidation of planning and building inspections services within Florence County and as a result of the new contractual arrangement available to municipalities within Florence County, the Florence County Code requires revision to provide for the appointment of Planning Commission and Board of Zoning Appeals members and to set criteria for their membership.

All current members of the Planning Commission and Board of Zoning Appeals will have their terms expire on June 30, 2008.

As established in the Florence County Code, the Florence County Planning Commission shall consist of up to eleven (11) members. Nine (9) members shall be appointed by County Council with one (1) appointee nominated by each County Council Member for consideration.

Two (2) additional members shall be appointed if contractual arrangements for planning services exist between the County and a municipality therein according to the following:

- A. Two (2) additional members shall be appointed as follows with the members being selected from separate municipalities:
 1. The initial term of one (1) appointee chosen by majority vote of the municipalities participating in a contractual arrangement with the County for planning services shall be effective 30 days after the agreement with the second municipality is signed expiring four (4) years from that date. In the event that additional municipalities contract with the County for planning services after the initial appointment of this member, they shall be provided the opportunity to participate in the appointment process after the initial four (4) year term has expired. All municipalities that have signed contractual arrangements for planning services at the time of the initial appointment shall participate in the initial appointment process.
 2. The initial term of one (1) appointee chosen by majority vote of the municipalities participating in a contractual arrangement with the County for Planning services shall be effective 30 days after the agreement with the second municipality is signed expiring two (2) years from that date.

Also As established in the Florence County Code, the Florence County Board of Zoning Appeals shall consist of nine (9) members. As such, one appointee nominated by each County Council Member for consideration.

Serving terms for each category are as follows:

- The initial term of three (3) appointees from Districts 1, 4, and 7 shall be effective July 1, 2008, expiring on June 30, 2012.
- The initial term of three (3) appointees from Districts 2, 5, and 8 shall be effective July 1, 2008, expiring on June 30, 2011.
- The initial term of three (3) appointees from Districts 3, 6, and 9 shall be effective July 1, 2008, expiring on June 30, 2010.

Therefore, all terms thereafter will be four years. Members shall serve until their term expires or they are replaced, whichever is later. There is no limit on the number of terms a member may serve.

Staff Recommendation:

Staff recommends approval of this request because the Florence County Code requires a revision as a consequence of the withdrawal of the City of Florence from the planning functions of the Florence County/Municipal Planning and Building Department.

Florence County/Municipal Planning Commission Action: December 18, 2007:

Planning Commission approved portion to amend the Florence County Code to Provide for the Appointment of Board of Zoning Appeals Members and rejected portion to amend the Florence County Code to Provide for the Appointment of the Planning Commission Members. (Unanimously 8-0)

Florence County Council Meeting Schedule:

Introduction: Thursday, January 3, 2007 @ 9:00 a.m. in room 803 of the City-County Complex

Second Reading/Public Hearing: Thursday, January 17, 2008 @ 9:00 a.m. in room 803 of the City-County Complex

Third Reading: Thursday, February 7, 2008 @ 9:00 a.m. in room 803 of the City-County Complex

Attachments:

Copies of the following are attached:

1. Resolution

RESOLUTION FOR PC#2007-86

FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION

[A Resolution Recommending To Amend The Florence County Code To Provide For The Appointment Of Planning Commission And Board Of Zoning Appeals Members; And To Establish Date For Such Appointments.]

WHEREAS:

1. All current members of the Planning Commission and Board of Zoning Appeals will have their terms expire on June 30, 2008.
2. As established in the Zoning Ordinance of Florence County, the Florence County Planning Commission shall consist of up to eleven (11) members. Nine (9) members shall be appointed by County Council with one (1) appointee nominated by each County Council Member for consideration. Two (2) additional members will be appointed by the five (5) participating municipalities.
3. Also as established in the Zoning Ordinance of Florence County, the Florence County Board of Zoning Appeals shall consist of nine (9) members. As such, one appointee nominated by each County Council Member for consideration.
4. Serving terms for each category are as follows:
 - The initial term of three (3) appointees from Districts 1, 4, and 7 shall be effective July 1, 2008, expiring on June 30, 2012.
 - The initial term of three (3) appointees from Districts 2, 5, and 8 shall be effective July 1, 2008, expiring on June 30, 2011.
 - The initial term of three (3) appointees from Districts 3, 6, and 9 shall be effective July 1, 2008, expiring on June 30, 2010.
5. Therefore, all terms thereafter will be four years. Members shall serve until their term expires or they are replaced, whichever is later. There is no limit on the number of terms a member may serve.

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION DULY ASSEMBLED THAT:

1. A Resolution is hereby adopted to recommend that the Florence County Council vote to amend the Florence County Code to Provide for the Appointment of Board of Zoning Appeals Members; and to Establish Date for Such Appointments. In addition, recommend that the Florence County Council Provide an Alternative Directive to amend the Florence County Code to Provide for the Appointment of Planning Commission Members and to Establish Date for Such Appointments.

ATTEST:

Angie Thomas
Angie Thomas, Secretary II

SIGNED
Glyn W. Willis
Glyn Willis, Chairman

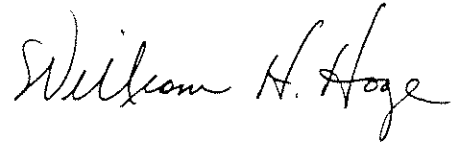
COMMISSION VOTE: 8-0
OPPOSED: NONE
ABSENT: D. Chaplin
D. Floyd
L. Fred
D. Hines

FLORENCE COUNTY COUNCIL MEETING

Item for Meeting on: Thursday, January 3, 2008

AGENDA ITEM: Ordinance No.18-2007/08
Introduction

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend The Zoning Ordinance Of Florence County Section 2.5-Table III, Section 3.21, Section 5.2-Table VIII, Section 7.6 And Section 7.7 For Setbacks, Text Errors, Accessory Structure Rules And Commercial And Industrial Property Access.]

POINTS TO CONSIDER:

1. Council District(s): All Florence County Council Districts
2. The amendments to Section 2.5 Table III (a) shall re-establish the minimum rear and side yard setback requirements between development of non-residential uses in the commercial zoning districts and adjacent residential zoning districts to lessen the potential negative impact between these uses.
3. Non-residential use development adjacent to like uses shall observe the current setbacks and (b) shall correct typographical errors to the lot width requirements for the B-5, B-6, RU-1 and RU-2 Zoning Districts.
4. The amendment to Section 5.2-Table VIII shall delete reference to information that has been removed from the Ordinance as a part of the amendment process.
5. The amendment to Section 3.21 shall establish minimum required setbacks for all other uses other than commercial and industrial uses in unzoned areas.
6. The amendment to Section 7.6 shall specifically establish a maximum square footage of accessory structures in residential districts.
7. The amendment to Section 7.7 shall establish criteria for prohibiting access to commercial and industrial properties by way of residential zones.
8. If adopted, the amendment for Section 2.5 Table III shall become effective June 1, 2008. All other amendments shall be effective upon adoption.

OPTIONS:

1. ***(Recommended)*** Florence County Council's approval of Ordinance No. 18-2007/08 as unanimously recommended by the Planning Commission at the meeting of November 27, 2007.

2. Provide an Alternate Directive

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 18-2007/08
2. Staff Report for PC#2007-63

Sponsor(s) : Planning and Building Inspections
 Planning Commission Consideration : November 27, 2007[Approved 9-0]
 Planning Commission Public Hearing : November 27, 2007[Approved 9-0]
 Planning Commission Recommendation : November 27, 2007
 First Reading/Introduction : January 3, 2008
 Committee Referral : N/A
 Second Reading : January 17, 2008
 Third Reading : February 7, 2008
 Effective Date : Immediately

I, _____,
 Council Clerk, certify that this
 Ordinance was advertised for
 Public Hearing on _____.

ORDINANCE NO. 18-2007/08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend The Zoning Ordinance Of Florence County Section 2.5-Table III, Section 3.21, Section 5.2-Table VIII, Section 7.6, And Section 7.7 For Setbacks, Text Errors, Accessory Structure Rules And Commercial And Industrial Property Access.]

WHEREAS:

1. During recent reviews of continuing issues in the community for setbacks and buffers between conflicting land uses, the Planning Commission and staff have determined that several changes should be made.
2. The amendments to Section 2.5 Table III (a) shall re-establish the minimum rear and side yard setback requirements between development of non-residential uses in the commercial zoning districts and adjacent residential zoning districts to lessen the potential negative impact between these uses.
3. Non-residential use development adjacent to like uses shall observe the current setbacks and (b) shall correct typographical errors to the lot width requirements for the B-5, B-6, RU-1 and RU-2 Zoning Districts.
4. The amendment to Section 5.2-Table VIII shall delete reference to information that has been removed from the Ordinance as a part of the amendment process.
5. The amendment to Section 3.21 shall establish minimum required setbacks for all other uses other than commercial and industrial uses in unzoned areas.
6. The amendment to Section 7.6 shall specifically establish a maximum square footage of accessory structures in residential districts.
7. The amendment to Section 7.7 shall establish criteria for prohibiting access to commercial and industrial properties by way of residential zones.
8. If adopted, the amendment for Section 2.5 Table III shall become effective June 1, 2008. All other amendments shall be effective upon adoption.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

AMENDMENT (1):

The amended text to Section 2.5 Table III: Schedule of Lot Area, Yard, Setback, Height, Density, Floor area, and Impervious Surface Requirements for Residential, Business and Rural Districts for setbacks requirements and corrections for typographical errors shall read as follows:

District	Minimum Lot Area (a)		Lot Width (ft)	Front Yard Setback (b)	Side Yard Setback		Rear Yard Setback		Max Hgt. ft (c)	Max Impervious Surface Ratio (%)	Max. Floor Area Ratio: Non-Res. Uses (d)
	Residential	Non Residential			Res	Non Res	Res	Non Res			
R-1	15,000	30,000	100	25	10	50	30	60	38	40	0.25
R-2	10,000	20,000	80	25	8	25	25	50	38	45	0.30
R-3	6,000	12,000	50	25	5	25	25	50	38	45	0.30
R-4	6,000	12,000	50	25	5	25	20	40	38	45	0.30
R-5	6,000	12,000	50	25	5	25	20	40	4 stories	70	0.30
B-1	5,000	5,000	50	35(j)	5	5(f)	20	20(f)	38	70	0.30
B-2	5,000	5,000	50	35(j)	5	5(g)	20	20(g)	38	80	0.50
B-3	5,000	5,000	50	35(j)	5	5(o)(h)	20	20(h)	(e)	90	None
B-4	NA	None	None	None	NA	None	NA	None	(e)	100	None
B-5	NA	10,000	10,000 100	35	NA	10(i)	NA	25(i)	(e)	90	None
B-6	NA	10,000	10,000 100	35	NA	10(i)	NA	25(i)	(e)	90	None
RU-1	15,000	15,000	15,000 100	35	10	10	30	30	38	40	0.25
RU-2	87,120	43,560	43,560 200	35	15	50	30	60	38	20	0.15

Notes to Table III

a – Lot area is expressed in square feet.

b – Measurement from front property line.

c – Measurement from average elevation of finished grade of the front of the structure.

d – Total floor measured as a percent of total lot area

e – There is no maximum: provided side and rear setbacks shall increase by one (1) foot for each two (2) feet in height over thirty-five (35) feet for buildings outside of the B-4 District; further provided that approval of buildings over thirty-five (35) feet shall be based on fire ladder capabilities as determined by the Fire Department with jurisdiction.

The following side and rear yard setbacks shall be observed in the commercial zoning districts when non-residential development is proposed adjacent to a residential zoning district:

f – 20 feet

g – 20 feet

h – 30 feet

i – 100 feet

j – The minimum front yard setback requirement shall be 20' if parking is established either in the side or rear of the property.

AMENDMENT (2):

The amended text shall read as follows after the deletion of reference to information that has been removed from the Ordinance as a part of the Planning Department's ongoing amendment process:

**Table VIII
Number, Dimension, and Location of Permitted Signs,
By Zoning District**

	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (B)	UZ (1)
Freestanding										
Number Permitted (E)										
Per Lot										
Billboards	N	N	N	NA	N	NA	NA	N	N	NA
Other	1 (A)	1	1	1	1	1	1	1 (A)	1	NA
Per Feet of St. Frontage										
Billboards (C)	N	N	N	1:1,200 (J)	N	1:1,200 (J)	1:1,200 (J)	N	N	1:1,200
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
Maximum Sign Area (s.f.)										
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	20	NA
Minimum Setback from Property Line										
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	NA
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
Building Signs										
Number Permitted	1	1	2	2	2	2	2	1	1	NA
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
Maximum Wall Area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
Temporary Signs (2)	See Section 5.5									

Table Notes: NA = Not Applicable N= Not Allowed s.f. = Square Feet

- A** – One-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation.
- B** – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the Zoning Ordinance in residential zoning district, i.e. churches, schools, parks, etc.
- C** – Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.
- D** – One per lot or one for each 300 linear feet of street frontage, whichever is less.
- E** – Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F** – 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. from W. Evans to I-95.
- G** – Not to exceed 160 square feet.
- H** – Maximum height of billboards shall not exceed 100 feet. Where located within 600 feet of Interstate ROW, shall not exceed 40 feet.
- I** – Un-zoned areas – Billboards must be within 600 feet of business operation for 12 months, with at least one employee available to public at least 36 hours per week for four (4) days. Business to be equipped with all utilities, including restroom and permanent floor.

AMENDMENT (3)

The amendment shall read as follows:

Section 7.6 Accessory Buildings and Uses

Section 7.6-1 Accessory Uses to Observe Required Setbacks

Unless specifically provided herein, all accessory uses and structures shall observe all required setbacks, yard, and other requirements applicable to the principal building or use for the district within which they are located.

Section 7.6-2 General Requirements

Residential Districts

1. The number of accessory uses shall not exceed two on any lot or parcel.
2. The combined gross floor area (GFA) of all accessory uses shall not exceed **50 percent of the principal use-1000 square feet.**
3. The height of accessory buildings shall not exceed 20 feet.
4. No mobile home or standard design manufactured home shall be used as an accessory building.
5. **Setbacks of three feet from side and rear property lines shall be observed.**

All Other Districts

1. There is no limit to the number of accessory buildings however such buildings shall occupy no more than 30 percent of the total lot area.
2. If located within the buildable area, accessory buildings shall observe the height limits for the district within which they are located. If located in a required setback area, said buildings shall not exceed 20 feet in height.
3. Accessory uses may be allowed within 3 feet of a side or rear property line, except where contiguous to a residential zone, in which case the accessory use shall observe the setback requirement of the principal use.

AMENDMENT (4):

An addition shall be made to Section 7.7 Access to Property and shall read as follows:

Access to Commercial and Industrial Zoned Property Prohibited From Residential Zones

Where a commercial or industrial zoning district is bounded by a residential zoning district, access to such industrial or commercial properties, including off-street parking and loading areas, shall be restricted to streets and alleys within the respective commercial or industrial districts in which such uses are located; and no commercial or industrial vehicles or parking in connection with an industrial or commercial use shall occupy a public street or right-of-way separating commercial or industrial districts from residential districts.

AMENDMENT (5):

An addition shall be made to Section 3.21 Development Standards for Unzoned Areas §7 Setbacks and shall read as follows:

7) Setbacks

Proposed Use	Front	Rear	Side
Commercial	25'	20'	10'
Industrial/Warehousing/ Storage	25'	50'	50'
Office/Institutional	25'	20'	20'
Accessory Use All Other Uses	25'	5'	5'

2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.
3. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.

ATTEST:

Connie Y. Haselden, Council Clerk

Approved as to Form and Content
James C. Rushton, III, County Attorney

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

**STAFF REPORT
TO THE
FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION
August 28, 2007
PC#2007-63
Ordinance No. 16-2007/08**

SUBJECT: Request for amendments to Section 2.5-Table III, Section 3.21, Section 5.2-Table VIII, Section 7.6, and Section 7.7 of the Consolidated Zoning Ordinance for setbacks, text errors, accessory structure rules and commercial and industrial property access.

APPLICANT: Florence County/Municipal Planning Department Staff

STAFF ANALYSIS:

During recent reviews of continuing issues in the community for setbacks and buffers between conflicting land uses, the Planning Commission and staff have determined that several changes should be made.

1. The amendments to Section 2.5 Table III (a) shall re-establish the minimum rear and side yard setback requirements between development of non-residential uses in the commercial zoning districts and adjacent residential zoning districts to lessen the potential negative impact between these uses. Non-residential use development adjacent to like uses shall observe the current setbacks and (b) shall correct typographical errors to the lot width requirements for the B-5, B-6, RU-1 and RU-2 Zoning Districts.
2. The amendment to Section 5.2-Table VIII shall delete reference to information that has been removed from the Ordinance as a part of the amendment process.
3. The amendment to Section 3.21 shall establish minimum required setbacks for all other uses other than commercial and industrial uses in unzoned areas.
4. The amendment to Section 7.6 shall specifically establish a maximum square footage of accessory structures in residential districts.
5. The amendment to Section 7.7 shall establish criteria for prohibiting access to commercial and industrial properties by way of residential zones.
6. If adopted, the amendment for Section 2.5 Table III shall become effective June 1, 2008. All other amendments shall be effective upon adoption.

NOTE:

Text amendments to the Sections for revisions to current text shall be designated by strikethrough and with amended text in bold. Amendment to the text of the Sections for additions shall be designated by bold lettering only.

AMENDMENT REQUEST (1):

A. The current text of Section 2.5 Table III: Schedule of Lot Area, Yard, Setback, Height, Density, Floor area, and Impervious Surface Requirements for Residential, Business and Rural Districts reads as follows:

District	Minimum Lot Area (a)		Lot Width (ft)	Front Yard Setback (b)	Side Yard Setback		Rear Yard Setback		Max Hgt. (ft) (c)	Max Impervious Surface Ratio (%)	Max. Floor Area Ratio: Non-Res. Uses (d)
	Residential	Non-Residential			Res	Non Res	Res	Non Res			
R-1	15,000	30,000	100	25	10	50	30	60	38	40	0.25
R-2	10,000	20,000	80	25	8	25	25	50	38	45	0.30
R-3	6,000	12,000	50	25	5	25	25	50	38	45	0.30
R-4	6,000	12,000	50	25	5	25	20	40	38	45	0.30
R-5	6,000	12,000	50	25	5	25	20	40	4 stories	70	0.30
B-1	5,000	5,000	50	35	5	5	20	20	38	70	0.30
B-2	5,000	5,000	50	35	5	5	20	20	38	80	0.50
B-3	5,000	5,000	50	35	5	5	20	20	(e)	90	None
B-4	NA	None	None	None	NA	None	NA	None	(e)	100	None
B-5	NA	10,000	10,000	35	NA	10	NA	25	(e)	90	None
B-6	NA	10,000	10,000	35	NA	10	NA	25	(e)	90	None
RU-1	15,000	15,000	15,000	35	10	10	30	30	38	40	0.25
RU-2	87,120	43,560	43,560	35	15	50	30	60	38	20	0.15

Notes to Table III

a – Lot area is expressed in square feet.

b – Measurement from front property line.

c – Measurement from average elevation of finished grade of the front of the structure.

d – Total floor measured as a percent of total lot area

e – There is no maximum: provided side and rear setbacks shall increase by one (1) foot for each two (2) feet in height over thirty-five (35) feet for buildings outside of the B-4 District; further provided that approval of buildings over thirty-five (35) feet shall be based on fire ladder capabilities as determined by the Fire Department with jurisdiction.

N/A = Not Applicable

B. The amended text to Section 2.5 Table III: Schedule of Lot Area, Yard, Setback, Height, Density, Floor area, and Impervious Surface Requirements for Residential, Business and Rural Districts for setbacks requirements and corrections for typographical errors shall read as follows:

District	Minimum Lot Area (a)		Lot Width (ft)	Front Yard Setback (b)	Side Yard Setback		Rear Yard Setback		Max Hgt (ft) (c)	Max Impervious Surface Ratio (%)	Max. Floor Area Ratio: Non-Res. Uses (d)
	Residential	Non Residential			Res	Non Res	Res	Non Res			
R-1	15,000	30,000	100	25	10	50	30	60	38	40	0.25
R-2	10,000	20,000	80	25	8	25	25	50	38	45	0.30
R-3	6,000	12,000	50	25	5	25	25	50	38	45	0.30
R-4	6,000	12,000	50	25	5	25	20	40	38	45	0.30
R-5	6,000	12,000	50	25	5	25	20	40	4 stories	70	0.30
B-1	5,000	5,000	50	35(j)	5	5(f)	20	20(f)	38	70	0.30
B-2	5,000	5,000	50	35(j)	5	5(g)	20	20(g)	38	80	0.50
B-3	5,000	5,000	50	35(j)	5	5(h)	20	20(h)	(e)	90	None
B-4	NA	None	None	None	NA	None	NA	None	(e)	100	None
B-5	NA	10,000	40,000 100	35	NA	10(i)	NA	25(i)	(e)	90	None
B-6	NA	10,000	40,000 100	35	NA	10(i)	NA	25(i)	(e)	90	None
RU-1	15,000	15,000	15,000 100	35	10	10	30	30	38	40	0.25
RU-2	87,120	43,560	43,560 200	35	15	50	30	60	38	20	0.15

Notes to Table III

a - Lot area is expressed in square feet.

b - Measurement from front property line.

c - Measurement from average elevation of finished grade of the front of the structure.

d - Total floor measured as a percent of total lot area

e - There is no maximum; provided side and rear setbacks shall increase by one (1) foot for each two (2) feet in height over thirty-five (35) feet for buildings outside of the B-4 District; further provided that approval of buildings over thirty-five (35) feet shall be based on fire ladder capabilities as determined by the Fire Department with jurisdiction.

The following side and rear yard setbacks shall be observed in the commercial zoning districts when non-residential development is proposed adjacent to a residential zoning district:

f - 20 feet

g - 20 feet

h - 30 feet

i - 100 feet

j - The minimum front yard setback requirement shall be 20' if parking is established either in the side or rear of the property.

N/A = Not Applicable

AMENDMENT REQUEST (2):

A. The current text reads as follows:

**Table VIII
Number, Dimension, and Location of Permitted Signs,
By Zoning District**

	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (B)	UZ (1)
Freestanding										
Number Permitted (E)										
Per Lot										
Billboards	N	N	N	NA	N	NA	NA	N	N	NA
Other	1 (A)	1	1	1	1	1	1	1 (A)	1	NA
Per Feet of St. Frontage										
Billboards (C)	N	N	N	1:1,200 (J)	N	1:1,200 (J)	1:1,200 (J)	N	N	1:1,200
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
Maximum Sign Area (s.f.)										
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	20	NA
Minimum Setback from Property Line										
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	NA
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
Building Signs										
Number Permitted	1	1	2	2	2	2	2	1	1	NA
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
Maximum Wall Area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
Temporary Signs (2)	See Section 5.5									

Table Notes: NA = Not Applicable N= Not Allowed s.f. = Square Feet

- A** – One-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation.
- B** – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the Zoning Ordinance in residential zoning district, i.e. churches, schools, parks, etc.
- C** – Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.
- D** – One per lot or one for each 300 linear feet of street frontage, whichever is less.
- E** – Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F** – 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. from W. Evans to I-95.
- G** – Not to exceed 160 square feet.
- H** – Maximum height of billboards shall not exceed 100 feet. Where located within 600 feet of Interstate ROW, shall not exceed 40 feet.
- I** – Un-zoned areas – Billboards must be within 600 feet of business operation for 12 months, with at least one employee available to public at least 36 hours per week for four (4) days. Business to be equipped with all utilities, including restroom and permanent floor.

B. The amended text shall read as follows after the deletion of reference to information that has been removed from the Ordinance as a part of the Planning Department's ongoing amendment process:

Table VIII
Number, Dimension, and Location of Permitted Signs,
By Zoning District

	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (B)	UZ (1)
Freestanding										
Number Permitted (E)										
Per Lot										
Billboards	N	N	N	NA	N	NA	NA	N	N	NA
Other	1 (A)	1	1	1	1	1	1	1 (A)	1	NA
Per Feet of St. Frontage										
Billboards (C)	N	N	N	1:1,200 (J)	N	1:1,200 (J)	1:1,200 (J)	N	N	1:1,200
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
Maximum Sign Area (s.f.)										
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
Other	20	20	32	3 s.f. for each ft. frontage (G)	80	80	32	20	20	NA
Minimum Setback from Property Line										
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	NA
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
Building Signs										
Number Permitted	1	1	2	2	2	2	2	1	1	NA
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
Maximum Wall Area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
Temporary Signs (2)	See Section 5.5									

Table Notes: NA = Not Applicable N= Not Allowed s.f. = Square Feet

- A – One-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation.
- B – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the Zoning Ordinance in residential zoning district, i.e. churches, schools, parks, etc.
- C – Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.
- D – One per lot or one for each 300 linear feet of street frontage, whichever is less.
- E – Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F – 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. from W. Evans to I-95.
- G – Not to exceed 160 square feet.
- H – Maximum height of billboards shall not exceed 100 feet. Where located within 600 feet of Interstate ROW, shall not exceed 40 feet.
- I – Un-zoned areas – Billboards must be within 600 feet of business operation for 12 months, with at least one employee available to public at least 36 hours per week for four (4) days. Business to be equipped with all utilities, including restroom and permanent floor.

AMENDMENT REQUEST(3)

A. The current text of Section 7.6 reads as follows:

Section 7.6 Accessory Buildings and Uses

Section 7.6-1 Accessory Uses to Observe Required Setbacks

Unless specifically provided herein, all accessory uses and structures shall observe all required setbacks, yard, and other requirements applicable to the principal building or use for the district within which they are located.

Section 7.6-2 General Requirements

Residential Districts

1. The number of accessory uses shall not exceed two on any lot or parcel.
2. The combined gross floor area (GFA) of all accessory uses shall not exceed 50 percent of the principal use.
3. The height of accessory buildings shall not exceed 20 feet.
4. No mobile home or standard design manufactured home shall be used as an accessory building.

All Other Districts

1. There is no limit to the number of accessory buildings however such buildings shall occupy no more than 30 percent of the total lot area.
2. If located within the buildable area, accessory buildings shall observe the height limits for the district within which they are located. If located in a required setback area, said buildings shall not exceed 20 feet in height.
3. Accessory uses may be allowed within 3 feet of a side or rear property line, except where contiguous to a residential zone, in which case the accessory use shall observe the setback requirement of the principal use.

B. The proposed text amendment shall read as follows:

Section 7.6 Accessory Buildings and Uses

Section 7.6-1 Accessory Uses to Observe Required Setbacks

Unless specifically provided herein, all accessory uses and structures shall observe all required setbacks, yard, and other requirements applicable to the principal building or use for the district within which they are located.

Section 7.6-2 General Requirements

Residential Districts

1. The number of accessory uses shall not exceed two on any lot or parcel.
2. The combined gross floor area (GFA) of all accessory uses shall not exceed ~~50 percent of the principal use~~ **1000 square feet**.
3. The height of accessory buildings shall not exceed 20 feet.
4. No mobile home or standard design manufactured home shall be used as an accessory building.
5. **Setbacks of three feet from side and rear property lines shall be observed.**

All Other Districts

1. There is no limit to the number of accessory buildings however such buildings shall occupy no more than 30 percent of the total lot area.
2. If located within the buildable area, accessory buildings shall observe the height limits for the district within which they are located. If located in a required setback area, said buildings shall not exceed 20 feet in height.
3. Accessory uses may be allowed within 3 feet of a side or rear property line, except where contiguous to a residential zone, in which case the accessory use shall observe the setback requirement of the principal use.

AMENDMENT REQUEST(4):

An addition shall be made to Section 7.7 Access to Property and shall read as follows:

Access to Commercial and Industrial Zoned Property Prohibited From Residential Zones

Where a commercial or industrial zoning district is bounded by a residential zoning district, access to such industrial or commercial properties, including off-street parking and loading areas, shall be restricted to streets and alleys within the respective commercial or industrial districts in which such uses are located; and no commercial or industrial vehicles or parking in connection with an industrial or commercial use shall occupy a public street or right-of-way separating commercial or industrial districts from residential districts.

AMENDMENT REQUEST (5):

An addition shall be made to Section 3.21 Development Standards for Unzoned Areas §7 Setbacks and shall read as follows:

7) Setbacks

Proposed Use	Front	Rear	Side
Commercial	25'	20'	10'
Industrial/Warehousing/ Storage	25'	50'	50'
Office/Institutional	25'	20'	20'
Accessory Use All Other Uses	25'	5'	5'

Florence County/Municipal Planning Commission Action: August 28, 2007

The nine Planning Commission members voted unanimously to defer the request for a work session to be scheduled at a time in September prior to the September 25, 2007 Planning Commission meeting.

Planning Commission Work Session: September 12, 2007

The Planning Commission held a work session for discussion of the amendment as presented.

Florence County/Municipal Planning Commission Action: September 25, 2007

No action was taken on the text amendments at the meeting held on September 25, 2007 due to the lack of a quorum of Planning Commission members.

In addition, prior to the Planning Commission meeting scheduled for October 23, 2007 and based on subsequent discussions after the work session of September 12, 2007, staff has been directed to research for amendments to the Zoning Ordinance Section 3.21 for establishing setbacks for all other uses in an unzoned area and to Section 7.7 to establish criteria for accessing commercial and industrial properties through residential zones.

Florence County/Municipal Planning Commission Action: October 23, 2007

The nine Planning Commission members present at the meeting voted to defer the request for amendments for further study until the next month's meeting by a vote of 5-4 in favor to defer.

Florence County/Municipal Planning Commission Action: November 27, 2007

Prior to the Chairman's request to the Planning Commission members for a vote on the motion to approve the text amendments, he asked if persons from the public who wished, to stand indicating their support of the text amendments with revisions and likewise those who were in opposition to the request. There were twenty persons who stood in support of the amendment and none to stand in opposition.

The nine Planning Commission members present voted unanimously to approve the text amendments as revised at the meeting on November 27, 2007.

Florence County/Municipal Planning Commission Recommendation:

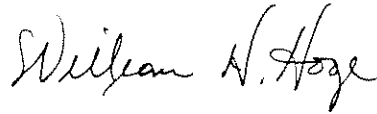
The Planning Commission recommends approval of the text amendments with revisions by Florence County Council.

FLORENCE COUNTY COUNCIL MEETING

Item For Meeting On: Thursday, January 3, 2008

AGENDA ITEM: Ordinance No. 19-2007/08
Introduction

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend Article 9 Of The Zoning Ordinance Of Florence County To Provide For The Composition Of The Planning Commission And Board Of Zoning Appeals For Florence County.]

POINTS TO CONSIDER:

1. The Florence County Planning Commission shall consist of eleven (11) members.
 - Members of the commission first to serve must be appointed for staggered terms as described in the agreement of organization and shall serve until their successors are appointed and qualified.
2. The Florence Board of Zoning Appeals shall consist of nine (9) members.
 - The terms shall be four (4) years or after that time until their successors are appointed except for initial appointees.

OPTIONS:

1. *(Recommended)* Florence County Council's approval of Ordinance No. 19-2007/08 as recommended by the nine members present at the Planning Commission meeting of November 27, 2007.
2. Provide An Alternative Directive

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No.19-2007/08
2. Staff Report for PC#2007-85
3. Resolution for PC#2007-85

Sponsor(s)	: Planning Commission	
Planning Commission Consideration	: November 27, 2007	I, _____,
Planning Commission Public Hearing	: November 27, 2007	Council Clerk, certify that this
Planning Commission Recommendation	: November 27, 2007[Approved 9-0]	Ordinance was advertised for
First Reading/Introduction	: January 3, 2008	Public Hearing on _____.
Committee Referral	: N/A	
Second Reading	: January 17, 2008	
Third Reading	: February 7, 2008	
Effective Date	: Immediately	

ORDINANCE NO.19-2007/08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Article 9 Of The Zoning Ordinance Of Florence County To Provide For The Composition Of The Planning Commission And Board Of Zoning Appeals For Florence County.]

WHEREAS:

1. The Florence County Planning Commission shall consist of eleven (11) members.
 - No member of a Planning Commission may hold an elected public office in the municipality or county from which appointed.
 - A local planning commission serving three or more political jurisdictions shall have a membership not greater than four times the number of jurisdictions it serves.
 - Members of the commission first to serve must be appointed for staggered terms as described in the agreement of organization and shall serve until their successors are appointed and qualified; and
2. The Florence Board of Zoning Appeals shall consist of nine (9) members.
 - The terms for the Board of Zoning Appeals members shall be four years or after that time until their successors are appointed except for initial appointees. The vacancy in the membership must be filled for the unexpired term in the same manner as the initial appointment. There is no limit to the number of terms that may be served.
3. The references made in Section 9.5 to the "City-County Planning Commission" and the "City-County Board of Zoning Appeals (ZBA)" shall be changed to read "County Planning Commission" and "County Board of Zoning Appeals (BZA)"; and

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

Connie Y. Haselden, Council Clerk

Approved as to Form and Content
James C. Rushton, III, County Attorney

SIGNED:

K. G. Rusty Smith, Jr., Chairman
COUNCIL VOTE:
OPPOSED:
ABSENT:

DRAFT

**STAFF REPORT
TO THE
FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION
November 15, 2007
Ordinance No. -19-2007/08**

Subject: Amend Article 9 of The Zoning Ordinance of Florence County to provide for the Composition of the Planning Commission and Board of Zoning Appeals for Florence County.

Staff Analysis:

As a consequence of the deconsolidation of planning and building inspections services within Florence County and as a result of the new contractual arrangement available to municipalities within Florence County, the Zoning Ordinance of Florence County requires revision to provide for a new Planning Commission and Board of Zoning Appeals.

The Florence County Planning Commission shall consist of eleven (11) members.

- No member of a Planning Commission may hold an elected public office in the municipality or county from which appointed.
- A local planning commission serving three or more political jurisdictions shall have a membership not greater than four times the number of jurisdictions it serves.
- Members of the commission first to serve must be appointed for staggered terms as described in the agreement of organization and shall serve until their successors are appointed and qualified.

The Florence Board of Zoning Appeals shall consist of nine (9) members.

- The terms for the Board of Zoning Appeals members shall be four years or after that time until their successors are appointed except for initial appointees. A vacancy in the membership must be filled for the unexpired term in the same manner as the initial appointment. There is no limit to the number of terms that may be served.

The references made in Section 9.5 to the "City-County Planning Commission" and the "City-County Board of Zoning Appeals (ZBA)" shall be changed to read "County Planning Commission" and "County board of Zoning Appeals (BZA)".

Staff Recommendation:

Staff recommends approval of this request because the Zoning Ordinance of Florence County requires a revision as a consequence of the withdrawal of the City of Florence from the planning functions of the Florence County/Municipal Planning and Building Department.

Florence County/Municipal Planning Commission Action: November 27, 2007:

Planning Commission unanimously approved. (9-0)

Florence County Council Meeting Schedule:

Introduction: January 3, 2008

Second Reading/Public Hearing: January 17, 2008

Third Reading: February 7, 2008

Attachments:

Copies of the following are attached:

1. Resolution

RESOLUTION FOR PC#2007-85

FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION

[A Resolution Recommending To Amend Article 9 Of The Zoning Ordinance Of Florence County To provide For The Composition Of The Planning Commission And Board Of Zoning Appeals For Florence County.]

WHEREAS:

The Florence County Planning Commission shall consist of eleven (11) members.

- No member of a Planning Commission may hold an elected public office in the municipality or county from which appointed.
- A local planning commission serving three or more political jurisdictions shall have a membership not greater than four times the number of jurisdictions it serves.
- Members of the commission first to serve must be appointed for staggered terms as described in the agreement of organization and shall serve until their successors are appointed and qualified.

The Florence Board of Zoning Appeals shall consist of nine (9) members.

- The terms for the Board of Zoning Appeals members shall be four years or after that time until their successors are appointed except for initial appointees. The vacancy in the membership must be filled for the unexpired term in the same manner as the initial appointment. There is no limit to the number of terms that may be served.

WHEREAS: The references made in Section 9.5 to the "City-County Planning Commission" and the "City-County Board of Zoning Appeals (ZBA)" shall be changed to read "County Planning Commission" and County Board of Zoning Appeals (BZA)."

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION DULY ASSEMBLED THAT:

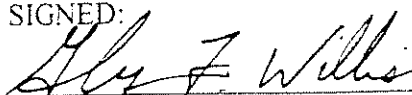
1. A Resolution is hereby adopted to recommend that the Florence County Council vote to amend the Zoning Ordinance of Florence County to provide for the Composition of the Planning Commission and Board of Zoning Appeals for Florence County.

ATTEST:



Angie Thomas, Secretary II

SIGNED:



Glynn Willis, Chairman

COMMISSION VOTE: 9-0

OPPOSED: None

ABSENT: L. Bergman
C. Cunha
L. Freed

FLORENCE COUNTY COUNCIL MEETING

January 3, 2008

AGENDA ITEM: Ordinance No. 20-2007/08 - Introduction

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:

(An Ordinance Amending Florence County Code Chapter 6 – Animals And Fowl, In Its Entirety To Clarify Animal Care And Control Regulations.)

OPTIONS:

1. (*Recommended*) Approve Ordinance No. 20-2007/08
2. Provide an Alternative Directive

ATTACHMENTS:

A copy of Ordinance No. 20-2007/08

Sponsor(s)	: County Council	
First Reading/Introduction	: January 3, 2008	I, _____,
Committee Referral	: N/A	Council Clerk, certify that this
Committee Consideration Date	: N/A	Ordinance was advertised for
Committee Recommendation	: N/A	Public Hearing on _____.
Public Hearing	:	
Second Reading	:	
Third Reading	:	
Effective Date	:	

ORDINANCE NO. 20-2007/08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance Amending Florence County Code Chapter 6 – Animals And Fowl, In Its Entirety To Clarify Animal Care And Control Regulations.)

WHEREAS:

1. Section 47-3-20 of the Code of Laws of South Carolina, 1976, as amended, grants authority to Florence County to enact an ordinance for the care and control of dogs, cats, and other animals and to prescribe penalties for violations; and
2. Florence County Council has determined it is in the best interest of the citizens of Florence County to amend the animal control regulations by replacing Florence County Code Chapter 6, Animals and Fowl, in its entirety it with language contained herein, which shall hereafter be known as the Florence County Animal Care and Control Ordinance.

NOW, THEREFORE BE IT ORDAINED BY FLORENCE COUNTY COUNCIL DULY ASSEMBLED, THAT:

1. In order to clarify animal care and control regulations, Florence County Code, Chapter 6, Animals and Fowl, is hereby replaced in its entirety with the language attached hereto and incorporated herein by reference.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect with the invalid provision or application and to this end, the provisions of this Ordinance is severable.

ATTEST:

SIGNED:

 Connie Y. Haselden, Council Clerk

 K. G. Rusty Smith, Jr., Chairman

 Approved as to Form and Content
 James C. Rushton, III, County Attorney

COUNCIL VOTE:
 OPPOSED:
 ABSENT:

Chapter 6

ANIMAL CARE AND CONTROL

SEC. 6-1 Animal Care

- A. No owners shall fail to provide domesticated or constrained animals or pets with proper shelter, sustenance or veterinary care when needed to prevent suffering.
- B. When a pet or animal is found in a condition which evidences a first-time violation of any paragraph of Section 6-1 of this Chapter, the Environmental Services Officer (ESO) shall issue a "Notice of Violation" to its owner, if known. The owner shall then have twenty-four hours to correct the violation.
- C. If this violation occurs a second or subsequent time, or if the owner does not correct or remedy the first-time violation within twenty-four hours, or if the person violates any other section of this Chapter, the ESO shall issue a "Summons" to such person and the matter shall be heard before a court of competent jurisdiction. However, nothing in this Chapter shall limit an ESO from taking immediate action, when it is deemed to be in the best interest of the pet or animal.
- D. No person shall sell, trade, or give away as a pet any carnivorous animal that is normally not domesticated. Such animal shall include, but not be limited to those listed in Section 6-16 Definitions, Wild Animals.
- E. Any person violating any provision of this Section shall be subject to a civil fine as follows:
 - 1. For a first offense the person, upon conviction, shall be ined \$100 plus all related court costs and assessments.
 - 2. For second or subsequent offenses, the person, upon conviction, shall be ined \$250 plus all related court costs and assessments.
 - 3. Each day's violation of any provision of this chapter shall constitute a separate offense.

SEC. 6-2 Animal Cruelty

- A. No person shall beat, cruelly treat, torment, overload, overwork, abuse, or intentionally commit an act of cruelty or torture that causes an animal to suffer serious injury or death or that inflicts or subjects an animal to unreasonable physical pain, suffering, or agony, or fails to provide a constant supply of fresh water or appropriate sustenance. No person shall cause, instigate, or permit any dog fight or other combat between animals or between animals and humans.
- B. No owner of an animal shall abandon it.

- C. No person, except a licensed veterinarian who is qualified to perform such operations, shall crop a dog's or a cat's ears, or crop a dog's or cat's tail, or neuter or spay any pet.
- D. No person shall expose any **known poisonous substance, whether mixed with food** or not, such that it may be eaten by any animal. It shall not be unlawful for a person to expose on their own property common rat poison mixed according to the manufacturer's recommendations.
- E. No owner or person shall **confine** any animal **in a motor vehicle or other enclosed containment** in such a manner that places it in a potentially life threatening situation. In order to protect the health and safety of an animal, the ESO or other law enforcement officer, who has probable cause to believe that this Section is being violated and the animal may be in danger, shall have the authority **to enter such motor vehicle or containment** by any reasonable means under the circumstances after making a **reasonable effort to locate the owner** or other person responsible.
- F. Persons reporting violations of this Chapter shall provide identification, which shall remain confidential to the agency receiving the report unless such report provides for the release the name or subsequent release of the name is formally required by rules of evidentiary hearings or a judge in a court having jurisdiction in the matter. Identification may be released pursuant to the South Carolina Freedom of Information Act as applicable.
- G. Nothing in this Chapter shall be construed to limit any person from bringing a private cause of action against the owner of a pet or animal for violation under the Chapter.
- H. The court may order a person charged with any violation of this Chapter to provide necessary food, water, shelter, and care for any animal(s) that are the basis of the charge without the removal of the animal(s) from their existing location and until the charges against the person are adjudicated. Until a final disposition is rendered, any ESO or any law enforcement officer, may be authorized by the court to make regular visits to the place where the animal(s) are being kept to ascertain if the animal(s) are receiving necessary food, water, shelter, and care. Nothing in this Section prevents any ESO or law enforcement officer from applying for a warrant under this Section to seize any animal(s) being held by the person charged pending adjudication of the charges if it is determined that the animal(s) are not receiving the necessary food, water, shelter, or care.
- I. Nothing in this Chapter shall be construed to prevent the voluntary, permanent relinquishment of any animal by its owner to Environmental Services or to an approved animal humane organization in lieu of proceeding to a forfeiture hearing. Voluntary relinquishment shall have no effect on other charges that may be pursued by appropriate authorities.
- J. **Any person violating this Section** shall be charged with a misdemeanor and upon conviction shall be subject to a **fine of \$500** plus any related court assessments and costs **and/or imprisoned for thirty days** for each violation. **However, nothing** in this Chapter **shall limit** an ESO from **also taking immediate action**, which includes **immediate seizure** of the pet or animal, when it is deemed to be in the **best interest** of the **pet or animal**.

- K. In the case of continuous violations such as failure to feed, water or house animals, each day's violation of any provision of this Chapter shall constitute a separate offense.
- L. For the purposes of this section, cruelty nor animal torture shall not include any alteration or destruction of any animal done by any person or unit of government pursuant to statute, ordinance, court order, or the direction of a licensed veterinarian. Such alteration or destruction shall include, but not be limited to: castration, culling, declawing, defanging, ear cropping, euthanasia, gelding, neutering, shearing, shoeing, slaughtering, spaying, and tail docking.
- M. Any licensed veterinarian who is presented with an animal for treatment of injuries or wounds resulting from fighting where there is reasonable possibility that the animal was engaged in or utilized for a fighting event for the purpose of sport, wagering, or entertainment shall file a report with Environmental Services and shall cooperate by furnishing the owners' names, dates, and descriptions of the animal(s) involved.

SEC. 6-3. Running at Large - Animals

- A. It shall be unlawful for any owner or custodian of any pet or animal to permit same to run at large at any time upon any street or highway or other property within Florence County, except upon property owned or rented by the owner or custodian.
- B. Any animal running at large or any animal determined to be abandoned may be picked up or trapped by an ESO and transported to the Environmental Services Facility and there confined until redeemed or disposed of as hereinafter provided. In the case of livestock, Environmental Services may place such animals with individuals, agencies, veterinary hospitals, or others for the impoundment period.
- C. Within twenty-four hours after impounding any animal, the ESO shall exercise due diligence to ascertain the owner of such animal and to inform the owner of the conditions whereby he or she can regain custody of the animal.
- D. No pet or animal shall be permitted to be on school grounds or in a shopping area or similar public place unless on a leash and muzzled at all times.
- E. Upon receipt of a written complaint signed by a resident of the county, the ESO shall investigate the complaint and may impound the animal and issue a notice of ordinance violation.
- F. Each day's violation of any provision of this Chapter shall constitute a separate offense.
 - A. First Offense - Warning Ticket
 - B. Second Offense - \$75.00 fine plus court costs.
 - C. Third Offense - \$100 fine plus court costs.
 - D. Fourth and subsequent Offenses - \$250.00 fine plus court costs
 - E. All citations written under this section will remain active for a period of twenty-four (24) months.

G. Refer to Section 6-6 for animal redemption fees and policies.

SEC. 6-4. Public Nuisance

A. No person shall own, keep, possess, or maintain an animal in such a manner so as to constitute a public nuisance. By way of example, and not of limitation, the following acts or actions by an owner or possessor of any animal are hereby declared to be a public nuisance and are, therefore, unlawful:

- 1) Allowing or permitting an animal to damage the property of anyone other than its owner
- 2) Maintaining an animal that is diseased and dangerous to the public health.
- 3) Maintaining an animal that habitually or repeatedly chases, snaps at, or attacks, pedestrians, bicycles, or vehicles.

B. Any animal, which has been determined to be an habitual nuisance by an ESO, may be impounded and shall not be returned to the owner until said owner can produce evidence to demonstrate that the situation creating the nuisance has been abated and until such owner has paid all impoundment, redemption, and boarding fees accrued as defined in Section 6-7.

C. Any person violating any provision of this Section shall be subject to a civil fine as follows:

- 1) For a first offense the person, upon conviction, shall be fined \$100.00 plus any related court costs
- 2) For second or subsequent offenses, the person, upon conviction, shall be fined \$250.00 plus any related court costs.
- 3) Each day's violation of any provision of this section shall constitute a separate offense.

SEC. 6-5 Impoundment or Seizure

A. Any pet or animal impounded with a severe, contagious, or life-threatening medical condition may be isolated, treated by a veterinarian, or immediately euthanized at the discretion of Environmental Services, and such medical condition shall be documented in the records of the Environmental Services.

B. Pets or animals impounded pursuant to this Section shall remain impounded at the Environmental Services Facility for a period of not less than five days subject to other provisions of this Chapter.

C. Following seizure of an animal, the ESO shall issue to the owner, if known, a notice of ordinance violation. The hearing shall be set not more than five days from the date of the seizure to determine whether the owner, if known, is able to provide adequately for the animal. The ESO shall cause to be served upon the owner, if known and residing within the jurisdiction wherein the animal was found, written notice at least twenty four (24) hours prior

to the hearing of the time and place of the hearing. If the owner is not known or cannot be found, the ESO shall post a copy of the notice at the property where the animal was seized. The Magistrate shall make the final determination as to whether the animal is returned to the owner or transferred to the Environmental Services facility where the animal may be put up for adoption or euthanized. The pet or animal shall remain in the custody and care of the Environmental Services until such matter is heard before the Magistrate. If the Magistrate orders the return of the animal to its owner, the ESO shall release the animal upon receipt from the owner of all redemption fees as described in Section 6-6, of this Chapter, if ordered by the magistrate. ~~If the owner does not pay the redemption fees and redeem the animal within five days of the Magistrate's order, the animal shall become the property of Environmental Services and may be placed for adoption or euthanized.~~ However, nothing in this Chapter shall be construed to prohibit the euthanasia for humane purposes of a critically injured or ill animal.

- D. If the Magistrate orders that the animal be released to Environmental Services, in addition to any penalties and fines, the owner will be made to pay any fees related to Section 6-6.
- E. ~~If an animal is impounded as the result of an action taken by state, federal or other local law enforcement against the animal's owner, Environmental Services will hold that animal for fifteen (15) days.~~ If the owner or his designee does not make arrangements for the care and custody of the animal before the expiration of that fifteen-day period, the animal shall become the property of Environmental Services and may be placed for adoption or euthanized at the discretion of Environmental Services. However, any animal impounded in this manner with a severe, contagious, or life-threatening medical condition may be isolated, treated by a veterinarian, or immediately euthanized at the discretion of Environmental Services. Such medical condition shall be documented in the records of Environmental Services.

SEC. 6-6. Redemption

- A. The owner shall be entitled to resume possession of an impounded pet or animal within five days from the date of impoundment upon compliance with all requirements as set forth below. If all such requirements are not met within the five day time period, the pet or animal shall be deemed abandoned and shall immediately and irrevocably become the property of Environmental Services to adopt or humanely euthanized at their discretion.
- B. ~~Identifiable animals or pets,~~ not appearing to be abandoned or feral as determined by Environmental Services, ~~shall be held for five days.~~ Thereafter such animal or pet shall become the property of Florence County and may be placed for adoption or humanely euthanized at the discretion of Environmental Services.
- C. For the purposes of this Section, it shall be deemed that, the owner is notified when the ESO makes telephone contact with the owner, or notification is left on the door of the best known address of the owner. Such notification shall at a minimum identify the animal, advise the owner of how and where to redeem the animal, and indicate that if, within the five-day time period from the date of impoundment, the owner does not pay all redemption fees and redeem the animal, then the animal shall become the property of Florence County for disposition.

- 1) The owner must identify the animal by giving detailed verbal, written, photographic, or other acceptable description of the animal to the ESO.
- 2) Payment of all fees due, which include but are not limited to the following:
 - (a) Minimum redemption fees set by County Council are as follows, which may be adjusted by Chapter or resolution of the Council in subsequent years:
 - (1) First impoundment - \$25.00 per animal
 - (2) Second impoundment - \$50.00 per animal
 - (3) Third and subsequent impoundments - \$100.00 per animal
 - (b) A boarding fee of \$10.00 per day per animal or such fee as may be set by County Council.
 - (c) A pickup fee of \$10.00 per animal or such fee as may be set by County Council.
 - (d) Veterinary costs and/or medically necessary costs if Environmental Services incurred any expenses for the medical care of the animal while it was impounded in the custody of the Department.

D. Fees collected for impoundment shall be turned over, in accordance with established County policies, to the Florence County Treasurer, who shall make monthly accounting of such funds.

E. Pursuant to Section 47-3-780 of the SC Code of Laws, 1976 as amended, any animal adopted from Environmental Services must be spayed or neutered by a licensed veterinarian within 30 days of adoption of a sexually mature pet or within 12 weeks of a non-sexually mature animal. Written verification from a licensed veterinarian is required for proof of spaying or neutering and this proof must be provided to Environmental Services. Failure to provide proof of spaying or neutering will result in a \$50.00 fine plus court costs, and the immediate forfeiture of same animal.

SEC. 6-7. Public Animal Adoption Policies

- A. There will be a \$40.00 adoption fee for any animal adopted from Environmental Services.
- B. Any sexually mature animal adopted is required to be spayed or neutered within 30 days. Any non-sexually mature animal is required to be spayed or neutered with twelve (12) weeks.
- C. If proof of spaying or neutering of the adopted animal is presented to Environmental Services within 30 days of adoption, the \$40.00 adoption fee will be refunded.
- D. Animals adopted from Environmental Services are adopted on an as-is basis with no guarantee, neither written nor implied, as to the temperament, mental or physical condition of the adopted animal.
- E. Any animal that has demonstrated any aggressiveness toward any person or other animal shall be considered by Environmental Services to be unadoptable.

SEC. 6-8. Animal Rescue Agency Adoption Policies

- A. Animal Rescue Agencies can participate in a no fee adoption of animals provided that the following requirements are met by the rescue agency:
- 1) Documentation that identifies the rescue agency as a non-profit organization.
 - (a) Certificate of incorporation for a 501 C 3 non-profit organization.
 - (b) A tax-exempt certificate from the IRS
 - 2) The name, address and telephone number of the non-profit rescue agency.
 - 3) The address of where the animal(s) will be housed while the rescue agency attempts to find a third-party adopter.
 - 4) A list of names of members of the non-profit rescue agency who are authorized to sign for and pick up animal(s).
 - 5) Any approved non-profit rescue organization agrees to allow a representative of Florence County to inspect their facility at the County's request.
 - 6) Each animal rescue agency must agree to provide written proof to Environmental Services of spay or neuter and rabies vaccination (by a state licensed veterinarian) of sexually mature animals prior to a third party adoption. (Exceptions - non-sexually mature pets must be spayed or neutered and vaccinated no later than three (3) months post adoption from Environmental Services.
 - 7) Each animal rescue agency must agree to have all animals, adopted from Environmental Services, micro chipped prior to a third party adoption.
 - 8) The rescue agency may have ten (10) or less sexually mature animals adopted from Environmental Services that are non-spayed or non-neutered, unvaccinated animals in their inventory. Once this limit has been reached, adoptions to that agency will be suspended until such time that the agency has ten (10) or less non-spayed or non-neutered, unvaccinated sexually mature animals in their inventory.
 - 9) The rescue agency may have fifteen (15) or less non-sexually mature animals adopted from Environmental Services in their inventory. Once this limit has been reached, adoptions of non-sexually mature animals to that agency will be suspended until such time that the agency has fifteen (15) or less non-sexually mature animals in their inventory.
 - 10) All animals adopted from Environmental Services are on "as is" condition and Environmental Services makes no guarantee, either written nor implied, as to the health, condition or temperament of any animal.
 - 11) The non-profit organization is solely responsible for any and all medical and/or veterinary care of any animal adopted from Environmental Services.

12) The non-profit organization agrees to provide documentation of the final adoption for all animal(s) adopted from Environmental Services upon request. The documentation must include the name of the person adopting the animal, the person's address, phone number and a copy of the adoption agreement between the person adopting the animal and the non-profit organization.

13) There will be no charge for animals adopted from Environmental Services if all the above requirements are satisfied. If all requirements are not satisfied at any time, then the non-profit rescue organization will be removed from the list of agencies authorized to adopt from Environmental Services at no costs.

14) Any animal that has demonstrated any aggressiveness toward any person or animal shall be considered by Environmental Services to be unadoptable.

SEC. 6-9. Owner Relinquishment

- A. In the case of an owner relinquishing a pet or animal to Environmental Services, the owner shall be required to:
- 1) Complete a Relinquishment Form, which shall include at least the following information:
 - (a) Name, address and phone number of relinquishing owner
 - (b) Name, age, breed, sex, and spay/neuter status of pet or animal
 - (c) Veterinary data
 - (d) Any behavioral or medical problems of pet or animal
- B. Immediately upon completion of relinquishment procedures, the pet or animal shall become the property of the Environmental Services and may be placed for adoption or euthanized at the discretion of Environmental Services.

SEC. 6-10. **Injured or Dead Animals**

Any person who strikes a pet or domestic animal with a motor vehicle or bicycle and injures or kills the animal must immediately notify Environmental Services. Environmental Services shall then take the necessary steps to notify the owner, if known of the injuries to the pet.

SEC. 6-11. Rabies Control

- A. It shall be unlawful for any person to own, keep, or harbor any dog, cat or ferret within the County where such dog, cat or ferret is older than four months of age unless such animal has been inoculated against rabies as provided herein. A person shall have thirty days from the time they acquire a dog or cat or ferret, four months of age or older, to obtain the necessary rabies inoculation.

- B. The penalty for violating this section shall be \$50.00 per violation, payable to Environmental Services; provided however, that proof of vaccination shall be accepted in lieu of the fine, for first offense, within three (3) days (seventy-two (72) hours) from the date of issuance of notice of violation. Each day the animal remains unvaccinated will constitute a separate violation.
- C. The owner of a dog, cat or ferret must have it inoculated against rabies at a frequency to provide continuous protection of the animal from rabies using a vaccine approved by the South Carolina Department of Health and Environmental Control (SCDHEC) and licensed by the United States Department of Agriculture, Veterinary Biology Division.
- D. Evidence of rabies inoculation is a certificate signed by a licensed veterinarian. This certificate shall be in a form approved by the South Carolina Department of Health and Environmental Control (SCDHEC) and will be issued by a licensed veterinarian for each animal stating the name and address of the owner; the name, breed, color and markings, age, and sex of animal; the veterinary or pharmaceutical control number of the vaccine; and the name and address of the licensed veterinarian administering the vaccination.
- E. Coincident with the issuance of the certificate, the licensed veterinarian shall also furnish a serially numbered metal license tag bearing the same number and year as the certificate and including the name and telephone number of the veterinarian, veterinary practice or hospital.
- F. It is unlawful in Florence County for any person or organization, other than a licensed veterinarian or someone under his/her direct control, to sell or administer rabies vaccine; provided, however, the sale of the rabies vaccine to a registered veterinarian is not precluded by this Section.
- G. It shall be the duty of every physician or other health practitioner to report to SCDHEC or Environmental Services the name and address of persons treated for bites inflicted by animals. Such other information that will be helpful in rabies control shall also be reported.
- H. The Florence County Sheriff is requested to forward immediately to both Environmental Services and SCDHEC a copy of each report involving an animal bite.
- I. When, in the opinion of SCDHEC's regional medical director, an animal with or without identification tags and suspected of having rabies, is involved in a human bite incident, such director shall have the prerogative of ordering the animal to be euthanized and its head submitted for examination to determine if the rabies virus has been transmitted to the bite victim.
- J. Any animal under ten-day quarantine at Environmental Services or any approved alternate location shall not be released unless such release is authorized by South Carolina DHEC.

SEC. 6-12. Dangerous/Vicious Animal Enforcement

A. No person owning or harboring or having the care or custody of a dangerous animal may permit the animal to go unconfined on his premises. A dangerous animal is "unconfined" as used in this section if the animal is not confined securely indoors or confined in a securely enclosed fence or securely enclosed and locked pen or run area upon the person's premises. The pen or run area must be clearly marked as containing a dangerous animal and must be designed to prevent the entry of the general public, including children, and to prevent the escape or release of the animal. However, this section does not apply to an animal owned by a licensed security company and on patrol in a confined area.

B. No person owning or harboring or having the care or custody of a dangerous animal may permit the animal to go beyond his premises unless the animal is safely restrained with a properly sized leash or lead, a halter, and properly muzzled suitable to maintain complete control of the animal.

C. The owner shall confine within a building or secure enclosure, any and all pets or animals that meet the definition of "dangerous/vicious animal" (see Section 6-16 Definitions). The owner shall not take such pet or animal out of such building or enclosure unless the pet or animal is securely muzzled and under restraint.

D. A person owning a dangerous animal shall register the animal with Environmental Services. Such registration information must include:

- 1) Name, address, and phone number of the owner
- 2) Breed, color, sex, weight, and age of the animal
- 3) Address of premises on which the animal is confined
- 4) Description of pen or run area in which animal is confined outdoors.

Environmental Services shall provide the owner registering the dangerous animal with a microchip.

E. The owner of a dangerous/vicious animal must pay a dangerous/vicious animal registration fee of \$200.00. In addition, the animal must be spay/neutered and must be vaccinated for rabies.

F. The registration must be accompanied by proof of liability insurance or surety bond of at least \$150,000 per incident insuring or securing the owner for personal injuries inflicted by the dangerous animal.

G. A person who violates this section or who is the owner of a dangerous animal which attacks and injures a domestic animal is guilty of a misdemeanor and, upon conviction, for a first offense must be fined a minimum of \$200 and a maximum of \$500 or imprisoned not more than thirty days, and upon conviction of a subsequent offense, must be fined \$1,000 none of which may be suspended.

H. A person who is the owner of a dangerous animal which attacks and injures a human being:

1) For a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not less than \$1,000 and not more than \$2,500 or imprisoned not more than one year,

2) For a second or subsequent offense, is guilty of a felony in accordance with the South Carolina Code of Laws and, upon conviction, must be fined not less than \$5,000 and not more than \$10,000 or imprisoned not less than one year and not more than five years.

I. A dangerous animal which attacks a human being or domestic animal must be ordered destroyed when, in the Court's judgment, the dangerous animal represents a continued threat of serious harm to human beings or domestic animals.

J. A person found guilty of violating this section shall pay all expenses, including, but not limited to, shelter, food, veterinary expenses for boarding and veterinary expenses necessitated by the seizure of an animal for the protection of the public, direct medical treatment and medical follow-up expenses incurred by a victim of an attack from a dangerous animal and those of any County employee incurred as a result of the seizure and handling of the animal and other expenses required for the destruction of the animal.

K. Nothing in this Section shall abrogate any civil remedies available under statutory, common, or other superior law.

SEC. 6-13. Disposition of Seized Animals

- A. If a person is found to be in violation of this Chapter, all animal(s) seized from him, if not previously ordered forfeited or previously forfeited by operation of law, are forfeited to Environmental Services and must be put up for adoption or humanely euthanized. Any outstanding costs incurred by Environmental Services for boarding and treating the animal(s) pending disposition of the case and any costs incurred in disposing of the animal(s) must be paid by the person found in violation.
- B. Any person authorized by this Section to care for animal(s), to treat animal(s), or to attempt to restore animal(s) to good health and who is acting in good faith is immune from any liability that may result from his other actions pursuant to this Chapter.

SEC. 6-14: Enforcement

- A. Environmental Services operates in the unincorporated areas by Agreement. The ESOs shall have the authority to enforce all applicable laws concerning animal control as set forth by this article or other laws and such additional duties, procedures, and responsibilities as the County Administrator or County Council shall establish. At its discretion, the County may contract any portion or all of the enforcement and administration of this article, as it deems appropriate. However, nothing herein shall abridge or limit the right and duty of local law enforcement authorities to enforce the provisions of this or any other law.

B. No person shall interfere with, hinder, or molest the duly authorized ESO or his equipment or any such agent of the County in the performance of his duty, or seek to release animals in the custody of the duly authorized ESO or any agent of the County. As public employees, Environmental Services Officers are protected pursuant to Section 16-3-1040 of the SC Code of Laws, 1976, as amended, and any other applicable statute.

SEC. 6-15. Definitions

Abandonment: Deserting, forsaking, or intending to give up absolutely an animal without securing another owner for it or without providing adequate food, water, shelter, and care.

Animal: Any live, vertebrate creature, domestic or wild.

Environmental Services Officer (ESO): Any person or persons designated by the County Administrator and all person or persons commissioned by County Council to perform animal control functions under the laws of the State of South Carolina and charged with the enforcement of this chapter.

Environmental Services: Any department or division of Florence County Government, designated by the County Administrator or commissioned by County Council to perform animal control functions under the laws of the State of South Carolina and charged with the enforcement of this chapter.

Environmental Services Facility: Any facility owned and operated by the Florence County Government for the purpose of impounding, harboring, care, adoption, or euthanasia of seized, stray, homeless, abandoned, or unwanted dogs, cats, or other animals.

Dangerous/Vicious Animal: Any animal of the canine, feline, or wild animal family:

1. Which the owner knows or reasonably should know has a propensity, tendency, or disposition to attack unprovoked, cause injury, or otherwise endanger the safety of human beings or domestic animals or livestock; or
2. Which makes an unprovoked attack that causes bodily injury to a human being or another domestic animal or livestock and the attack occurs in a place other than the place where the animal is confined; or
3. Which commits unprovoked acts in a place other than the place where the animal is confined and those acts cause a person to reasonably believe that the animal will attack and cause bodily injury to a human being or another domestic animal or livestock; or
4. Which is owned or harbored primarily or in part for the purpose of fighting or which is trained for fighting.

Domestic Animal: Any animal whose usual and customary habitat is within the control of human beings; animals which are not wild.

Feral Animal: Any animal that is untamed or wild by nature or any animal that has reverted to a wild state.

Owner: Any person, partnership, or corporation that (a) has a right of property in a pet; (b) keeps or harbors a pet or who has it in his care or acts as its custodian, or (c) permits a pet to remain on or about any premises occupied or owned by him. All owners are subject to any applicable requirements under other County Chapters, i.e. setbacks, buffer zones, etc.

Pet: Any animal kept for pleasure rather than utility.

Restraint: Animals secured by a properly sized leash or a lead and halter or collar suitable to maintain complete control; or within the real property limits of its owner.

Running At Large: Any animal that is off of the property of the owner and not under restraint.

Shelter: A structure that reasonably may be expected to protect an animal from physical suffering or impairment of health due to exposure to the elements or adverse weather or temperatures.

Sustenance: Adequate food provided at suitable intervals of quantities of wholesome foodstuffs suitable for the species and age, sufficient to maintain a reasonable level of nutrition to allow for proper growth and weight; and adequate water provided with constant access to a supply of clean fresh water provided in a suitable manner for the species.

Veterinary Hospital: Any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis, and treatment of diseases and injuries of animals.

Wild Animals: All animals commonly accepted as being “wild” including, but not limited to, the following, no matter how domesticated they may be:

1. Alligators and crocodiles
2. Bears
3. Bobcats, tigers, leopards, lions, and panthers,
4. Coyotes, foxes, wolves, including the offspring of one (1) of the foregoing with a domestic dog wherein the proportion of wild animal exceeds one eighth.
5. Porcupine
6. Non-human primates
7. Raccoon
8. Skunks
9. Venomous snakes, constrictor snakes
10. Venomous lizards
11. Weasels, except ferrets.
12. Members of the cervidae (deer) family.

FLORENCE COUNTY COUNCIL MEETING

January 3, 2008

AGENDA ITEM: Boards & Commissions
Commission on Alcohol & Drug Abuse

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Council is requested to consider the appointment of James R. "Randy" McDonald to fill the At-Large Seat 3 on the Commission on Alcohol & Drug Abuse, replacing Dr. William D. McDaniel, who resigned.

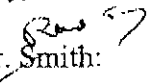
ATTACHMENTS:

1. A copy of the recommendation from the Charles Lee Young, Executive Director of Circle Park Behavioral Health Services.
2. A copy of the letter of resignation from Dr. McDaniel.

COPY

December 3, 2007

Mr. K. G. "Rusty" Smith, Jr., Chairman
Florence County Council - District Number 1
Post Office Box 369
Lake City, South Carolina 29560

Dear Mr.  Smith:

Dr. William D. McDaniel, your appointee to our At-Large Board seat representing Business/Law, has tendered his resignation due to other obligations that prevented effective service.

We would like for you to consider appointing James R. "Randy" McDonald, 319 Scotland Road, Lake City, South Carolina 29560. Mr. McDonald is in charge of the Williamsburg First National Bank and his knowledge in financial matters would be an asset for us. I do not know Mr. McDonald but he comes highly recommended by our Board Chairman, Don Coker, and according to him, Mr. McDonald is enthusiastic and willing to serve on our Board.

Enclosed is the original of Dr. McDaniel's resignation letter.

Thank you for your continuing interest in our program, and I hope that you have a great Holiday Season!

Sincerely,



Charles Lee Young
Chief Executive Officer

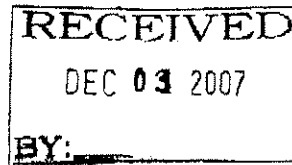
Enclosure

LAKE CITY FAMILY DENTISTRY

804 WEST MAIN STREET
LAKE CITY, SOUTH CAROLINA 29560
(843) 374-2021 OR (843) 374-8010
FAX (843) 374-2030

WILLIAM D. MCDANIEL, D.M.D. • J. WILLIAM BURCH, D.D.S., PA • JAMES M. RICHARDSON, JR., D.M.D.

November 29, 2007



Dear Mr. Charles,

After much consideration, I regret to inform you that I must resign my position as a Board Member for Circle Park. I wanted you to know how much I have enjoyed my time with you, your staff, and other Board Members. You run a first class operation and I am proud to have been a part of it.

Due to family obligations, I feel that I can no longer be an effective member of your Board. It is not fair to you and your organization for me not be present when I am sure a capable replacement could be found and would be willing to attend.

Again, please know that you and your staff have my deepest respect for the jobs that you do and the manner in which you do them. I wish all of you the best and I thank you for allowing me to be a part of your wonderful organization.

Sincerely,

A handwritten signature in black ink, appearing to read "William D. McDaniel".

FLORENCE COUNTY COUNCIL MEETING

January 3, 2008

AGENDA ITEM: Boards & Commissions

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Filling vacancies on Boards and Commissions.

POINTS TO CONSIDER:

1. Citizen involvement on boards, commissions and committees of Florence County is extremely important.
2. Many boards/commissions/committees currently have vacancies or have approaching vacancies.

OPTIONS:

1. Review the attached list of vacancies and make appropriate appointments.
2. Provide alternate directive.

ATTACHMENTS:

List of Boards and Commissions with vacancies and approaching vacancies.

BOARDS AND COMMISSIONS

ACCOMMODATIONS TAX ADVISORY COMMITTEE

TERM OF OFFICE: 3 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1	9	Hal Coker	2006 June
2	8	Gregg Parsons	2009 June
3	3	Kanti Patel	2009 June
4	7	James Byrd	2010 June
5		Vacant	2007 June
6		Shelby Kirby	2009 June
7	AT LARGE	Holly Young-Happel	2006 June

FLORENCE CITY-COUNTY AGRICULTURE COMMISSION

TERM OF OFFICE: 3 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1		Eben D. "Bucky" Godbold	2010 June

COMMISSION ON ALCOHOL AND DRUG ABUSE

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1	7	Elizabeth Thomas	2010 June
2	1	Bishop Oscar Hardman	2005 June
3	3	Audrey Davis	2011 June
4	4	Ben McInville	2011 June
5	5	Don Coker	2006 June
6	3	Marshall T. Rainey	2009 June
7	6	Mary Martha Gibson	2006 June
8	8	Katherine Wilcox	2008 June
9	9	David P. Milligan	2011 June

FLORENCE COUNTY BOARD OF ASSESSMENT APPEALS

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
	1	Ted Walter	2009 June
	2	A.C. Allen	2009 June
	3	Thomas W. Northern	2005 June
	4	Joseph "Joey" M. Brown, Jr.	2006 June
	5	David S. Kelley	2006 June
	6	Stoney Moore	2006 June
	7	Roland Briggs	2007 June
	8	Susan Snow	2007 June
	9	Dwight Hyman	2011 June

FLORENCE COUNTY ATHLETIC COMMISSION

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1		Bobby Montrose	2003 June
2		Peter Tanner	1999 June
3		D. Ward Singletary	2001 June
4		Wilbur Cole	2001 June
5		Mike Palumbo	2001 June

BUILDING COMMISSION OF THE CITY AND COUNTY OF FLORENCE

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1		Brandin C. Norman (Appt. pending)	2010 June
2		Rothy Allison, Jr.	2010 June
3		C.B. Askins, Jr.	2010 June
4		D.R. Granger, Sr.	1998-June
5		Darien Jacobs	2000 June

CAPITAL PROJECT SALES TAX COMMISSION

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
		James Tanner	
		Allie Brooks	
		Henry Johnson	

CITY-COUNTY CIVIC CENTER COMMISSION

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1		Emery Higgs	2006 June
2		Jeff Coggin	2006 June
3		Gary Cooper	2008 June
4		Michael Falcone	2008 June

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
	1	Greg Moore	2010 June
	2	Richard Miller, Jr.	2006 June
	3	Robert Davis, Jr.	2006 June
	4	Roscoe Fountain	2007 June
	5	Judy Boone	2007 June
	6	M. Ernest Smith	2007 June
	7	Kenneth Cooper	2008 June
	8	Scott Collins	2008 June
	9	Irvin H. Ulmer	2008 June
ALTERNATES:			
	1	John Benton	2006 June
	2	Gary W. Brown	2006 June

FLORENCE COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1	1	Stewart Altman	2007 June
2	2	Frank James	2011 June
3	3	Larry Jackson	2011 June
4	4	Jeff Helton	2005 June
5	5	LaRue Kirby	2005 June
6	6	Dr. Charlie Gould	2009 June
7	7	Odell Spears	2009 June
8	8	Herbert F. Ames	2011 June
9	9	Thomas C. Ewart, Sr.	2007 June

HANNAH/SALEM/FRIENDFIELD BOARD OF FIRE CONTROL

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1		Theodore Allison	2009 June
2		Rev. Joe Cagle	2008 June
3		Randolph Bazen	2008 June
4		Ron Hart	2007 June
5		W. Grant Stone	2007 June
6		Lory Edward Belflower	2006 June
7		Edd Poston	2010 June

BOARD OF FIRE CONTROL: HOWE SPRINGS FIRE DISTRICT

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1		Wallace R. "Rudy" Lewis	2007 Sept.
2		Teddy Hawley	2006 Sept.
3		W.E. Liner	2009 Sept.
4		George Rhames	2008 Sept.
5		Shannon Smith	2008 Sept.

JOHNSONVILLE FIRE DISTRICT BOARD

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1		Randy Hartfield	2010 March
2		Jeffrey B. Humphries	2007 March
3		Rudy C. Cook	2010 March
4		Vernon M. Tanner	2009 March
5		Harry E. Evans	2009 March

WEST FLORENCE RURAL VOL. FIRE DISTRICT BOARD OF FIRE CONTROL

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>			
1		Charles T. Tolson	2011 June
2		Gerald L. Hendrix, Jr.	2011 June
3		Jason E. Smith	2010 June
4		Pete Collier	2010 June
5		Linda Lang Gipko	2009 June

WINDY HILL/OLANTA RURAL VOL. FIRE DISTRICT BOARD OF FIRE CONTROL

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>			
1	(Windy Hill)	Bryan Michaux	2011 June
2	(Olanta)	James (Jimmy) Coker	2011 June
3	(Windy Hill)	Gary Pace	2010 June
4	(Olanta)	Warren Coker	2010 June
5	(Windy Hill)	David Hobbs	2009 June

SARDIS-TIMMONSVILLE RURAL FIRE DISTRICT

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1		Tommy Doriety	2007 March
2		Brad Joyner	2007 March
3		George Tolson	2007 March
4		David Strother	2008 March
5		Earl Copeland	2008 March
6		Dennis Dorriety	2001 March
7		Leon Yarborough	2009 March
8		Will Ward	2010 March
9		Tony Saverence	2010 March

COUNTY BOARD OF HEALTH

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1	1	Clarence W. "Pete" Bowman	2007 June
2	2	Harriett Carroway	2007 June
3	3	Janice King	2009 June
4	4	Clarence Joe	2010 June
5	5	Debbie Kay Matthews	2007 June
6	6	Robert Hinshelwood	2009 June
7	7	Lucille Windom	2008 June
8	8	Nelda Coleman	2006 June
9	9	B. John Calcutt	2008 June

FLORENCE COUNTY HISTORICAL COMMISSION

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1	6	Ms. Marshall Yarborough (Appt. pending)	2007 June
2	1	Mr. Kent Daniels	2007 June
3	9	Mrs. Peggy Brown	2009 June
4	4	Randy McAllister	2009 June
5	8	John A. "Sandy" Kendall (Appt. pending)	2005 June

FLORENCE COUNTY LIBRARY BOARD OF TRUSTEES

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1	2	Lacy Saunders	2011 April
2	4	Frank Chisholm	2008 April
3	7	Margie Smith	2009 April
4	8	Angela Lorenz	2008 April
5	9	Janice Gause	2009 April
6	3	Yvette Pierce	2008 April
7	5	Nathaniel Lockhart	2005 April
8	6	Janis Munnerlyn	2008 April
9	1	Dr. Julia Mims	2008 April

LOWER FLORENCE COUNTY HOSPITAL BOARD OF DIRECTORS

TERM OF OFFICE: 5 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1		Vacant	2010 March
2		Joseph C. Landrum	2006 March
3		Vacant	2008 March
4		James "Jimmy" H. Clarke, III	2009 March
5		Vacant	2011 March

FLORENCE COUNTY MUSEUM COMMISSION

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
	3	Dr. Wayne Pruitt	1998 July
	4	Ms. Renita Fraley	2000 July
	7	Ms. Ruby B. Sanders	2010 July

PEE DEE OFFICE OF COMMUNITY SERVICES

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1		Jimmy Wilson	
2		Vandroth Backus	
3		Vacant	

PEE DEE MENTAL HEALTH CENTER BOARD

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1		J.M. Lawhon	2007 Dec.
2		Mrs. Sally M. Malambri (Appt. pending)	2006 Dec.
3		Thornell Kirven	2010 Dec.
4		Dr. Cecilia Farina-Morin, M.D.	2009 Dec.
5		Derek C. Brown (Appt. pending)	2009 Dec.
6		Mr. Kernard E. Redmond	2008 Dec.
7		Charles Stevens McLaurin	2009 Dec.
8		Nadine Livingston	2009 Dec.

PEE DEE REGIONAL AIRPORT AUTHORITY

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1		E. Leroy Nettles, Jr.	2008 June
2		Eralphia Echols (Appt. pending)	2010 June
3		Roy F. Burch, Jr.	2010 June

PEE DEE REGIONAL TRANSPORTATION AUTHORITY

TERM OF OFFICE: 3 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
		Rev. Bennie King, Jr.	2009 Feb.

FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1	9	Linda Borgman	2010 June
2	7	Cecil Cunha	2011 June
3	4	Vacant	2011 June
4	4	William "Bill" Lockhart	2008 June
5	6	David Hobbs	2009 June
6	3	DeCar Brown	2009 June

POLICY COMMISSION ON RECREATION

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1		Eric Sebnick	2011 June
2		Robert E. Sullivan, Jr.	2010 June
3		Kenny Lovette	2009 June
4		Vacant	2011 June
5		Daryl Jackson	2010 June
6		William L. Breeden, Jr.	2009 June
7		John Gilbert, Jr.	2011 June
8		Shelby Phillips	2010 June
9		G. Geer Ward, Jr.	2009 June
At-Large		Paige W. Skinner	2011 June

SENIOR CENTER COMMISSION

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1	3	John Miller	2009 June
2	9	Mrs. Jean McPherson	2009 June
3	4	Mrs. Bettie Huggins	2011 June
4	8	Earl Dawkins	2011 June

FLORENCE CITY-COUNTY MEMORIAL STADIUM COMMISSION

TERM OF OFFICE: 5 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1	City Council	Chappell Jones	2010 Nov.
2	City Council	Rob Cooksey	2011 Nov.
3	School Dist. # 1	Vacant	2006 Nov.
4	School Dist. # 1	Gerald D. Holley	2007 Nov.
5	American Legio	Ted Maxwell	2007 Nov.
6	American Legio	Oliver J. Davis	2004 Nov.
7	County Council	Thomas Steven Reaves	2007 Nov.
8	County Council	Il. Mack Dixon	2009 Nov.

FLORENCE CITY-COUNTY ZONING BOARD

TERM OF OFFICE: 4 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
1	2	Vacant	2007 June
2	2	Vacant	2008 June
3	5	Mrs. Lynn K. Fitch	2005 June

WORKFORCE INVESTMENT BOARD

TERM OF OFFICE: 3 YEARS

<u>SEAT</u>	<u>DIST.</u>	<u>APPOINTEE</u>	<u>TERM TO EXPIRE</u>
		Jill Heiden	2009 June
		Max Welch	2010 June
		Ms. Cindy Bryant	2009 June
		Carole Anderson	2009 June
		Connie Ford	2009 June
		Mr. Will McLeod	2009 June
		Richard Harrington	2005 June
		Sandra Cashwell	2010 June
		t	2008 June
		Kyle Edney	2008 June
		Bill Sebnick	2008 June

PEE DEE REGIONAL COUNCIL OF GOVERNMENTS

K. G. Rusty Smith, Jr.
Russell W. Culberson
Evelyn B. Guile
Marshall Munn

COPY

FLORENCE COUNTY COUNCIL MEETING

January 3, 2008

AGENDA ITEM: Reports to Council
Monthly Financial Reports

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:

Monthly financial reports are provided to Council for fiscal year 2008 through November 30, 2007 as an item for the record.

ATTACHMENTS:

Copies of the monthly financial reports.

DRAFT

**FLORENCE COUNTY GOVERNMENT
GENERAL FUND
REVENUE & EXPENDITURE REPORT FY07
7/1/07 TO 11/30/07**

	YEAR-TO-DATE			
	BUDGETED REVENUE	ACTUAL REVENUE	REMAINING BALANCE	PCT
REVENUES				
Taxes	29,325,427	26,182,242	3,143,185	10.72%
Licenses & Permits	1,582,628	558,100	1,024,528	64.74%
Fines & Fees	4,183,773	1,565,895	2,617,878	62.57%
Intergovernmental	8,516,663	2,253,479	6,263,184	73.54%
Sales and Other Functional	3,971,691	1,618,648	2,353,043	59.25%
Miscellaneous	579,000	173,404	405,596	70.05%
Operating Transfers	(2,742,904)	-	(2,742,904)	100.00%
Addition to Fund Balance	(500,000)	-	(500,000)	100.00%
TOTAL	44,916,278	32,351,768	12,564,510	27.97%

		YEAR-TO-DATE			
		BUDGETED EXPENDITURE	ACTUAL EXPENDITURE	REMAINING BALANCE	PCT
EXPENDITURES					
401	County Library	3,457,189	1,407,540	2,049,649	59.29%
402	County Council	319,921	91,606	228,315	71.37%
403	Legal Services	85,000	31,137	53,863	63.37%
404	Administrator	608,366	217,561	390,805	64.24%
405	Finance	694,915	252,287	442,628	63.70%
406	Treasurer	799,392	304,925	494,467	61.86%
407	Information Technology	1,254,302	585,821	668,481	53.30%
408	Auditor	465,975	167,980	297,995	63.95%
409	Tax Assessor	1,161,366	435,958	725,408	62.46%
410	County Associations	23,200	2,619	20,581	88.71%
412	Procurement & Facilities	213,194	82,512	130,682	61.30%
414	Clerk of Court	929,104	380,076	549,028	59.09%
415	General Sessions Court	171,042	51,682	119,360	69.78%
416	Solicitor	904,990	379,017	525,973	58.12%
418	Human Resources	228,924	80,402	148,522	64.88%
420	Family Court	649,049	241,693	407,356	62.76%
421	Judge of Probate	496,938	181,018	315,920	63.57%
422	Public Defender	613,884	238,892	374,992	61.09%
423	Master in Equity	48,608	19,790	28,818	59.29%
425	Magistrates	2,066,856	810,696	1,256,160	60.78%
432	County Radio System	291,142	198,612	92,530	31.78%
433	Central Dispatch	1,738,809	642,661	1,096,148	63.04%
434	Coroner	273,219	106,543	166,676	61.00%
435	Sheriff's Department	7,154,253	3,320,314	3,833,939	53.59%
436	Building Department	1,781,460	660,341	1,121,119	62.93%
437	GIS	200,863	73,558	127,305	63.38%
438	Central Maintenance	1,014,935	406,415	608,520	59.96%
441	Health Department	86,000	34,430	51,570	59.96%
442	Environmental Services	584,288	183,058	401,230	68.67%
443	Voter Registration	375,495	169,909	205,586	54.75%

**FLORENCE COUNTY GOVERNMENT
GENERAL FUND
REVENUE & EXPENDITURE REPORT FY07
7/1/07 TO 11/30/07**

444	Elections	105,000	-	105,000	100.00%
445	EMS	4,064,289	1,370,521	2,693,768	66.28%
446	Rescue Squads	383,052	194,427	188,625	49.24%
447	Emergency Preparedness	244,684	90,212	154,472	63.13%
448	MIAP Administration	445,139	204,570	240,569	54.04%
450	Veteran's Affairs	139,967	51,764	88,203	63.02%
451	Recreation	988,018	392,222	595,796	60.30%
452	Florence Senior Center	175,493	68,310	107,183	61.08%
453	DSS	51,780	22,621	29,159	56.31%
454	Stadium Commission	3,500	2,625	875	25.00%
456	Pee Dee CAA	10,000	2,500	7,500	75.00%
457	Pee Dee COG	75,457	37,728	37,729	50.00%
459	Soil & Water Conservation	3,817	954	2,863	75.00%
462	Airport Commission	75,457	18,864	56,593	75.00%
464	Lynches River Park	314,580	130,594	183,986	58.49%
465	Non-Department Fringe	1,044,225	325,516	718,709	68.83%
467	Contingency Fund	260,000	5,000	255,000	98.08%
468	PDRTA	5,000	-	5,000	100.00%
469	Employee Tort Insurance	283,928	236,882	47,046	16.57%
470	Humane Society	5,000	-	5,000	100.00%
471	County Agent	5,000	1,250	3,750	75.00%
472	Buildings and Grounds	938,142	317,284	620,858	66.18%
473	Complex	1,180,855	439,603	741,252	62.77%
474	General Phone System	13,000	2,248	10,752	82.71%
475	County Audit	75,000	20,500	54,500	72.67%
478	Mental Health Association	3,000	-	3,000	100.00%
479	PD Coalition	10,000	-	10,000	100.00%
480	Pauper's Funerals	7,000	2,800	4,200	60.00%
481	Legislative Delegation Office	5,000	5,000	-	0.00%
482	Rural Fire Departments	15,000	3,492	11,508	76.72%
483	PD Speech and Hearing	3,000	-	3,000	100.00%
484	DSN Board	4,950	-	4,950	100.00%
485	Literacy Council	4,950	1,238	3,713	75.00%
486	Lake City Senior Center	160,000	18,514	141,486	88.43%
487	Senior Citizens' Association	10,000	5,000	5,000	50.00%
489	PD Mental Health Center	4,950	-	4,950	100.00%
490	Museum Commission	10,000	-	10,000	100.00%
491	Employee Blanket Bond	850	824	26	3.10%
711	County Jail	5,918,300	2,325,677	3,592,623	60.70%
714	Sheriff's Special Projects	32,000	34,329	(2,329)	-7.28%
715	Special Enforcement Unit	381,972	146,231	235,741	61.72%
716	DEA	57,374	-	57,374	100.00%
717	Delinquent Tax	370,370	128,628	241,742	65.27%

TOTAL 46,581,778 18,366,978 28,214,800 60.57%

Ideal Remaining % = 58.33%

FLORENCE COUNTY
 BUDGET REPORT - OTHER FUNDS
 CURRENT PERIOD: 7/1/2007 TO 11/30/2007

	BUDGETED EXPENDITURE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT	BUDGETED REVENUE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT
8 Law Library Fund	90,000	13,725	76,275	84.75%	90,000	20,460	69,540	77.27%
9 Landfill Fund	3,813,100	1,178,626	2,634,474	69.09%	3,813,100	531,525	3,281,575	86.06%
11 Utility System Fund	3,105,610	41,754	3,063,856	98.66%	3,105,610	-	3,105,610	100.00%
17 Economic Development Partnership Fund	460,000	212,201	247,799	53.87%	460,000	47,030	412,970	89.78%
20 Road System Maintenance Fee Fund	3,625,869	963,312	2,662,557	73.43%	3,625,869	1,323,197	2,302,672	63.51%
27 Capital Improvement Fund	1,450,000	227,566	1,222,434	84.31%	1,450,000	-	1,450,000	100.00%
28 E911 System Fund	650,003	106,568	543,435	83.60%	650,003	131,660	518,343	79.74%
29 Victim/Witness Assistance Fund	497,384	182,441	314,943	63.32%	497,384	129,796	367,588	73.90%
34 Local Accommodations Tax Fund	2,686,661	1,124,804	1,561,857	58.13%	2,686,661	434,148	2,252,513	83.84%
4 County Debt Service Fund	3,902,000	778,385	3,123,615	80.05%	3,902,000	3,458,295	443,705	11.37%
TOTALS	20,280,627	4,829,382	15,451,245	76.19%	20,280,627	6,076,111	14,204,516	70.04%

IDEAL REMAINING PERCENT: 58.33%

DRAFT

Florence County Council
Allocation Balances by District
November 30, 2007

Council District #	Type of Allocation	Beginning Budget FY08	Commitments & Current Year Expenditures	Current Available Balances
1	Infrastructure	228,947.00	407.00	228,540.00
	Paving	72,551.00	64,532.01	8,018.99
	Utility	228,335.00	-	228,335.00
	In-Kind	19,800.00	3,960.37	15,839.63
2	Infrastructure	104,099.00	42,940.36	61,158.64
	Paving	98,805.00	-	98,805.00
	Utility	5,335.00	-	5,335.00
	In-Kind	19,800.00	-	19,800.00
3	Infrastructure	58,678.00	8,614.52	50,063.48
	Paving	395,179.00	-	395,179.00
	Utility	143,187.00	-	143,187.00
	In-Kind	19,800.00	1,352.41	18,447.59
4	Infrastructure	249,200.00	2,700.00	246,500.00
	Paving	266,044.00	134,555.54	131,488.46
	Utility	128,736.00	40,524.00	88,212.00
	In-Kind	19,800.00	-	19,800.00
5	Infrastructure	79,678.00	9,656.20	70,021.80
	Paving	46,667.00	-	46,667.00
	Utility	112,281.00	13,000.00	99,281.00
	In-Kind	19,800.00	-	19,800.00
6	Infrastructure	216,739.00	5,000.00	211,739.00
	Paving	134,782.00	-	134,782.00
	Utility	155,556.00	-	155,556.00
	In-Kind	19,800.00	5,597.87	14,202.13
7	Infrastructure	97,318.00	10,555.31	86,762.69
	Paving	293,903.00	-	293,903.00
	Utility	273,335.00	-	273,335.00
	In-Kind	19,800.00	168.58	19,631.42
8	Infrastructure	50,301.00	-	50,301.00
	Paving	47,336.00	-	47,336.00
	Utility	43,510.00	-	43,510.00
	In-Kind	19,800.00	-	19,800.00
9	Infrastructure	140,899.00	-	140,899.00
	Paving	100,419.00	-	100,419.00
	Utility	273,335.00	2,119.00	271,216.00
	In-Kind	19,800.00	1,805.80	17,994.20

Infrastructure funds to be used for capital projects or equipment purchases. See guidelines adopted by Council.
Paving funds to be used for paving or rocking roads. See guidelines in County code.
Utility funds to be used for water and sewer projects.

FLORENCE COUNTY COUNCIL MEETING

Item For Meeting on: January 3, 2008

AGENDA ITEM: Grant Award South Carolina Emergency Management Division
HMEP Planning Grant

DEPARTMENT: Florence County Emergency Management Department
Grants Department

ISSUE UNDER CONSIDERATION:

Acceptance of a \$6,000 grant award from the South Carolina Emergency Management Division (SCEMD) for the approved development, printing, and distribution of County Local Emergency Planning Committee (LEPC) brochure/pamphlet as specified in the HMEP grant application and with prescribed distribution as created by the Florence County Emergency Management Department (EMD).

POINTS TO CONSIDER:

1. The Emergency Management Department will develop, print and distribute the County Local Emergency Planning Committee (LEPC) brochure/pamphlet as specified under the HMEP Planning grant program, grant assignment #HMESC7042150, to assist in emergency operations.
2. The Emergency Management Division will utilize the grant funds to develop, print and distribute the County LEPC brochure/pamphlet.
3. Matching funds will be provided in the form of personnel salary/fringe.

FUNDING FACTORS:

1. \$6,000 = Total one-time costs for the SCEMD HMEP Planning grant.
2. Required match = To be provided through personnel salary/fringe in budgeted funds in the General Fund.

OPTIONS:

1. *(Recommended)* Accept the SCEMD HMEP Planning grant #HMESC7042150 award from the South Carolina Emergency Management Division in the amount of \$6,000 to be used to develop, print, and distribute the County Local Emergency Planning Committee (LEPC) brochure/pamphlet as specified under the HMEP Planning Grant program and authorize the designation of appropriate general ledger accounts within the Grant Fund.
2. Provide an Alternate Directive.

ATTACHMENTS:

1. Copy of the HMEP grant award #HMESC7042150 from South Carolina Emergency Management Division.

SOUTH CAROLINA
EMERGENCY MANAGEMENT DIVISION
2779 Fish Hatchery Road
West Columbia, SC 29172

GRANT AWARD

SUB-GRANTEE: Florence County

DATE OF AWARD: 10/31/2007

PROGRAM NAME: HMEP Planning Grant

CFDA NO: 20.703

GRANT PERIOD: 09/30/2007-07/31/2008

GRANT NO: HMESC7042150

AWARD FOR THIS TRANSACTION: \$6,000.00

PRIOR AWARD: \$000.00

CURRENT TOTAL AWARD: \$6,000.00

Under the Department of Transportation (DOT) Assistance Agreement No. HMESC7042150, the South Carolina Emergency Management Division, Office of the Adjutant General, hereby awards to the aforementioned Sub-Grantee, a federal grant in the amount shown above for the development, printing, and distribution of county LEPC brochure/pamphlet as specified in the HMEP Grant application.

Please remember to submit a schedule of events that are supported by this grant as soon as possible, and that a summary of your project(s), and/or a sample of your project(s) should be submitted to the South Carolina Emergency Management Division upon completion.

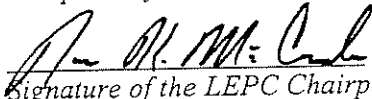
The grant shall become effective, as of the date of award and upon return of an original signed copy of this document by the Sub-Grantee's designated official(s), to the South Carolina Emergency Management Division. Budgeted expenditures incurred prior to execution of this grant agreement but within the grant period are allowable. **The funds for this grant must be obligated by July 31, 2008.**

The Sub-Grantee, hereby assures and certifies that it will comply with the regulations, policies, guidelines and requirements set forth in the Code of Federal Regulations (CFR) 49, OMB Circular Nos. A-102, A-87 and A-128 and the signed Standard Assurances, which are on file, as they relate to the application, acceptance, and use of federal funds. In addition, the Sub-Grantee agrees to comply with the progress report requirements as set out by the South Carolina Emergency Management Division. At the end of the grant period the HAZMAT Program Coordinator or Area Coordinator for your county will conduct a review of the completed HMEP Planning Projects in order to comply with federal auditing requirements.



Ronald C. Osborne, Director
South Carolina Emergency Management Division
Office of the Adjutant General

Acceptance for the Sub-Grantee:



Signature of the LEPC Chairperson
Director/Coordinator

11/20/07
Date

Cf: Mr. Dusty Owens, Director

FLORENCE COUNTY COUNCIL MEETING

January 3, 2008

AGENDA ITEM: Report to Council

DEPARTMENT: Finance
Human Resources

ISSUE UNDER CONSIDERATION:

Memorandum of Agreement authorizing Florence County's continued participation in the South Carolina Association of Counties Workers' Compensation deductible plan.

POINTS TO CONSIDER:

Since July 1, 2006, Florence County has participated in the workers' compensation deductible plan. The current annual premium for the deductible plan is \$343,764 including the costs of the second injury fund assessment and the self-insurance taxes. The current premium for the full coverage plan is \$984,998 annually.

FUNDING FACTORS:

1. \$343,764 = Total annual costs for workers' compensation deductible plan premium.
2. \$699,930 = Total annual budget for workers' compensation including the deductible plan premium (above) and claims of less than \$100,000. Under the deductible current plan, Florence County is responsible for all individual workers' compensation claims of less than \$100,000. Claims costs exceeding \$100,000 are fully insured by the South Carolina Association of Counties.
3. \$683,000 of the above costs are funded from the Human Resources Department, 10- 465 for FY 08.
4. \$397 of the above costs are funded from the Delinquent Tax Department, 10-717 for FY 08.
5. \$13,298 of the above costs are funded from Grant Fund Departments 42-702, 42-705, 42-716, 42-742, 42-743, 42-899, 42-900, 42-901, 42-902, 42-947, 42-951, 42-952 and 42-955 for FY 08.
6. \$3,235 of the above costs are funded from Victim Witness Fund Departments 52-416 and 52-435 for FY 08.

OPTIONS:

1. (*recommended*) Approve the execution of a Memorandum of Agreement for the County's continued participation in the South Carolina Association of Counties Workers' Compensation Deductible Plan and authorize the County Administrator to execute all related documents.
2. Provide an alternate directive.

ATTACHMENTS:

1. Memorandum of Agreement.
2. Resolution No. 3-2005/06 approving participation in the SCAC Worker's Compensation Deductible Plan.

WHEREAS the County of Florence ("the County," hereafter), has elected to participate in the South Carolina Counties Workers' Compensation Trust's ("the Trust," hereafter), **deductible**¹ plan; and

WHEREAS the County agrees to pay its own taxes and Second Injury Fund assessment; and

WHEREAS the County has elected a **deductible coverage** in the amount specified below:

- X \$100,000.00 per accident
- \$150,000.00 per accident
- \$200,000.00 per accident
- \$250,000.00 per accident
- \$300,000.00 per accident; and

WHEREAS the County and the Trust desire to make as specific as possible the rights and responsibilities of the parties under this **deductible coverage** plan, they now execute this Memorandum of Agreement for that purpose.

THEREFORE the following terms will have the meanings as set out below in interpreting this Agreement and in administering the County's **deductible coverage** plan:

The term "**deductible**" or "**deductible coverage**" means first dollar amount, per accident, per injured employee, for which the County has elected to retain the liability in place of the Trust. Liability for amounts less than the **deductible** amount will be retained by the County; amounts greater than **deductible** will be indemnified by the Trust. First dollar coverage includes all allocated loss adjustment expenses paid arising out of any claim made against the County and payable under the South Carolina Workers' Compensation Law (Title 42 to the South Carolina Code). Such expenses include, but are not limited to, indemnity and medical payments to the claimant and expenses incurred in investigating and defending the claim. For the purposes of this agreement, the parties intend that the County will assume the same liabilities that the Trust normally retains, for all claims up to the **deductible** amount. The use of the term "accident" and "claims," etc., are not intended to convey any greater rights or obligations to the County than are normally retained by the Trust; furthermore, there is no intention to convey any rights upon third parties.

The term "**factor**" means the percentage of the **normal contribution**, as determined by the outside actuary retained by the Trust and approved by the Trust's Board of Trustees, which the County will tender as its contribution, based on the size of the **deductible** selected by the County.

¹ Bold faced terms are defined in this Agreement.

The term "**normal contribution**" means the amount of contribution that would have been required of the County to participate in the Trust, if no **deductible** had been elected.

FURTHER, the parties agree that the County will be responsible for the cost of claims and allocated loss adjustment expenses, up to the chosen **deductible** amount, normally associated with the claims that occur during the term of participation, regardless of when the claims are reported or paid. The trust will regularly invoice the County for moneys disbursed from the Trust for the payment of appropriate claims costs.

FURTHER, the parties agree that the Trust does not intend to make recommendations regarding whether the County should elect a **deductible coverage** or, if elected, regarding the **deductible** amount.

IT IS FURTHER AGREED that such **deductible coverage** shall run year-to-year effective July 1, 2007, the commencement of the current policy year. **Deductible premium factors**, as shown above, will change year to year, base on the recommendations of the Trust's actuary, as approved by the Board of Trustees, and notice of such changes will be provided each year at renewal. With the exception of the **deductible factors**, this MEMORANDUM of AGREEMENT will remain in effect until rescinded by either party, in accordance with the By-Laws of the Trust.

ATTESTED:

(Name)

(Title)

For the County:

By: _____

Its: _____

Dated this ____ Day of _____, ____

For the Trust:

By: _____

Its: _____

DRAFT

occur during the term of participation, regardless of when the claims are reported or paid. The Trust will regularly invoice the County for monies disbursed from the Fund for the payment of appropriate claim costs.

Further, the parties agree that the Trust did not intend to make recommendations regarding whether the County should elect a deductible coverage, or if deductible coverage were elected by the County, regarding a deductible amount; or, if such recommendations were made by individual agents representing the Trust, that any such recommendations made were not the recommendations of the Trust and that the County did not reply on such recommendations, if any were made.

IT IS FURTHER AGREED that such deductible coverage shall run year-to-year beginning on the next renewal date of July 1. The parties agree that the factor may change year to year as determined by The Trust's Actuary.

NOW, THEREFORE, BE IT RESOLVED that the Florence County Council during its regular meeting on August 18, 2005 authorized the County to elect deductible coverage in the amount specified above, and under the terms specified in this Agreement.

BE IT FURTHER RESOLVED that the County Administrator is authorized to sign all documents required for the County to participate in the deductible program of the South Carolina Counties Workers' Compensation Trust.

FLORENCE COUNTY COUNCIL

K.G. Rusty Smith, Jr.
K. G. RUSTY SMITH, JR., CHAIRMAN

ATTEST:

Connie Y. Haselden
CONNIE Y. HASELDEN
CLERK TO COUNCIL

For the County:

By: *Shahi J. R...*

Its: County Administrator

Dated this 18th of August, 2005

For the Trust:

By: _____

Its: _____

Dated this ____ of _____, 2005

FLORENCE COUNTY COUNCIL MEETING

January 3, 2008

AGENDA ITEM: Reports to Council
Sole Source Award

DEPARTMENT: Library
(Purchasing and Facilities Management Department)

ISSUE UNDER CONSIDERATION: Sole Source Award for the purchase of an optical disc repair system for music compact disc's (music CDs) and digital video disc (movie DVDs) for the Library

POINTS TO CONSIDER:

- 1) The Sole Source request for an Eco-Master Disc Repair System is for the original manufacturer, Research Technology International Company. (Letter attached)
- 2) The library requests a Sole Source award to purchase an optical disc repair system to clean and repair severely scratched CDs and DVDs. The library system currently discards and reorders hundreds that become unusable through normal use by patrons over time. The projected savings is estimated at \$5,000 per year.
- 3) Research Technology International Company of Lincolnwood, IL, is the sole manufacturer and distributor of RTI DiscCheck ECO disc repair equipment at \$17,545.
- 4) The Library Director recommends this award.

FUNDING FACTORS:

- 1) \$17,545 = Total cost to be funded for this project with \$12,987 from Fund 42 Grants, Department 929 South Carolina Education Lottery Funds and \$4,558 from Fund 42 Grants, Department 700 Video Fine Fees.
- 2) \$0 = Estimated total recurring cost in the next complete fiscal year and subsequent fiscal years incurred directly as a result of this action.

OPTIONS:

- 1) *(Recommended)* Accept the sole source request and award the purchase an Eco-Master Disc Repair System from Research Technology International Company for the Library in the amount of \$17,545 to be funded with \$12,987 from Fund 42 Grants, Department 929 South Carolina Education Lottery Funds and \$4,558 from Fund 42 Grants, Department 700 Video Fine Fees; and authorize the County Administrator to execute all associated documents for this purchase.
- 2) Provide an Alternative Directive

ATTACHMENTS:

- 1) November 20, 2007, Sole Source Request Letter from Library Director
- 2) November 16, 2007, Research Technology International Company Letter

Florence County Library System

Doctors Bruce and Lee Foundation Headquarters Library

509 S. Dargan St. Florence, SC 29506 Phone: (843) 662-8424 Fax: (843) 661-7544
www.florenceclibrary.org

November 20, 2007

SUBJECT: Letter of Recommendation

Request that the Florence County Library System be authorized to purchase one Eco-Master Disc Repair System. This machine cleans and repairs compact discs (music) and digital video discs (movies) that are severely scratched or damaged. Currently the library system must discard and reorder hundreds of DVD's and CD's that become unusable through normal use by patrons over time. The purchase and use of this machine will save the library system an estimated \$5,000 per year.



Ray McBride
Director

DRAFT

Johnsonville Branch
Marion & Hampton St.
Johnsonville, SC 29555
Phone: (843) 386-2052

Lake City Branch
211 E. Main St.
Lake City, SC 29560
Phone: (843) 394-8071

Olanta Branch
404 E. Hampton St.
Olanta, SC 29114
Phone: (843) 396-4287

Pamlico Branch
180 Main St.
Pamlico, SC 29583
Phone: (843) 493-5441

Timmonsville Branch
111 S. Warren St.
Timmonsville, SC 29161
Phone: (843) 346-2941



Research Technology International Co.

4700 Chase, Lincolnwood, IL 60712-1689 USA • Phone: 847-677-3000 • Fax: 847-677-1311 • E-mail: inbox@RTIco.com

November 16, 2007

Mr. Ray McBride
Florence County Library
319 S. Irby Street
Florence, SC 29501

Dear Mr. McBride:

I am writing to you regarding the *sole source* nature of the **RTI DiscChek™ ECO** disc repair and maintenance equipment. RTI is the sole distributor in the United States, Mexico, and Canada of DiscChek equipment for CDs, DVDs, CD-ROMs, Books on Disc, and Game Discs. Each machine is custom manufactured per order through our corporate headquarters and plant in Lincolnwood, Illinois.

RTI markets the equipment on a factory direct basis only. We do not have dealers or manufacturer's representatives who handle our products in the United States.

I hope this information will be of help to you. Should you have any other needs or questions, please do not hesitate to call me on our toll-free number (800) 323-7520. Thank you for this opportunity to be of service.

Sincerely,

Scott Jahnke
Sales Manager



FLORENCE COUNTY COUNCIL MEETING

January 3, 2008

AGENDA ITEM: Reports to Council
Bid Award

DEPARTMENT: Planning
(Purchasing and Facilities Management Department)

ISSUE UNDER CONSIDERATION: Award Bid #10-07/08 for construction repairs and renovations on the interior of the new Planning Building (old Transouth)

POINTS TO CONSIDER:

- 1) Bid #10-07/08 was publicly offered.
- 2) Five (5) compliant bids meeting the specifications were received.
- 3) Boykin Contracting, Inc., of West Columbia, SC, was the lowest compliant bidder at \$149,000.
- 4) The planning director recommends this award.
- 5) The bid expires February 11, 2008.

FUNDING FACTORS:

- 1) \$149,000 = Total cost to be funded for this project from the FY07 general obligation bond authorized for issuance in the FY07 budget ordinance.
- 2) \$0 = Estimated total recurring cost in the next complete fiscal year and subsequent fiscal years incurred directly as a result of this action, which approximates .00 of a mil.

OPTIONS:

- 1) (*Recommended*) Accept the lowest compliant bid from Boykin Contracting, Inc., for construction repairs and renovations on the interior of the new Planning Building in the amount of \$149,000; and authorize the County Administrator to execute all associated documents to proceed. (5 compliant bids received/ 0 non-compliant bids received)
- 2) Decline

ATTACHMENTS:

Bid Tabulation

Dept: Florence County Planning Building Interior Renovations & Repairs Invitation-to-Bid #10-07/08		Bid Opening Date: December 11, 2007 11:00 AM		Morn News-11-4&7-07 SCBO-11-5-07 13 Monday, February 11, 2008		
		Time:				
		Advertised Date:				
		Invitations to Bids Distributed:				
		Bid Expiration Date:				
Name of Bidder	Base Bid	Fixed Profit	Bid Security	Meets Specs	Total Bid	Total Non-Local (+2%)
Boykin Contracting, Inc. W. Columbia, SC	\$122,000.00	\$27,000.00	Yes	Yes	\$149,000.00	\$151,980.00
Carolina Construction, Inc. Cheraw, SC	\$124,000.00	\$40,000.00	Yes	Yes	\$164,000.00	\$167,280.00
G & M Builders, Inc. Lake City, SC	\$175,000.00	\$19,000.00	Yes	Yes	\$194,000.00	
Welch Construction, Inc. Surfside Beach, SC	\$194,200.00	\$31,700.00	Yes	Yes	\$225,900.00	\$230,418.00
Gilbert Construction Florence, SC	\$290,677.00	\$23,255.00	Yes	Yes	\$313,932.00	

Notes:
2% Local Preference Florence County Code, Section 11-62

FLORENCE COUNTY COUNCIL MEETING

January 3, 2008

AGENDA ITEM: Report to Council
Declaration of Surplus Property

DEPARTMENT: Purchasing and Facilities Management Department

ISSUE UNDER CONSIDERATION:

Declaration of eleven vehicles as surplus property for disposal through public internet auction via GovDeals.

POINTS TO CONSIDER:

1. Attached listing of vehicles is recommended to be declared surplus by the using department.
2. The vehicles have little value or are obsolete to the using department.
3. Disposal will not impact on-going operations.
4. Florence County Code requires County Council approval for disposal of surplus property.
5. Disposal by internet auction is efficient and requires significantly less staff time/coordination than other public offer methods.
6. A local news ad is also placed to encourage local bidders to participate via the internet.

FUNDING FACTORS:

\$0=Cost of disposal by internet auction via GovDeals is 7% of highest winning bid paid.

OPTIONS:

1. (*Recommended*) Declare the vehicles as surplus property and authorize the County Administrator to dispose of said property in the most advantageous manner.
2. Provide alternate instructions.

ATTACHMENTS:

Vehicle List

JANUARY 2008 SURPLUS LIST

<u>UNIT</u>	<u>MAKE</u>	<u>MODEL</u>	<u>YEAR</u>	<u>MILEAGE</u>
V0423	FORD	VAN	1996	97,390
V0759	FORD	CROWN VIC	2005	107,538
V0834	FORD	CROWN VIC	2002	131,560
V0841	FORD	CROWN VIC	2002	155,179
V0859	FORD	CROWN VIC	2002	148,352
V0862	FORD	CROWN VIC	2002	132,450
V1222	FORD	CROWN VIC	2001	118,711
V1238	FORD	CROWN VIC	2001	140,469
V1266	FORD	CROWN VIC	2001	114,814
V1270	FORD	CROWN VIC	2001	90,211
V1284	FORD	CROWN VIC	2001	116,675

DRAFT

FLORENCE COUNTY COUNCIL MEETING

January 3, 2008

AGENDA ITEM: Other Business
Council District 2

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approve authorization of an expenditure of up to \$9,000 to assist with renovations to public restrooms at Prosser Field in Johnsonville, said funds to be paid from the County Council District 2 Infrastructure funds allocation.

ATTACHMENTS:

A copy of the memo from Councilman Ard indicating verbal approval (signature pending).

DRAFT

FLORENCE COUNTY COUNCIL MEETING

January 3, 2008

AGENDA ITEM: Inactive Agenda
Ordinance No. 25-2006/07

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Second Reading of Ordinance No. 25-2006/07: [An Ordinance To Rezone Property Located At 2729 DeGroat Road, Effingham From R-1, Single-Family Residential District To B-2, Convenience Business District By Amending The Zoning Atlas Of The County of Florence.]

POINTS TO CONSIDER:

1. On November 28, 2006, the Planning Commission denied the request 10 – 0.
2. At its regular meeting of January 18, 2007, County Council denied the request on second reading of the Ordinance.
3. At its regular meeting of February 1, 2007, County Council recalled the item and voted unanimously to remand the item to the Planning Commission for further review.
4. At its meeting on July 24, 2007, the Planning Commission further reviewed the rezone request and unanimously denied the request 9-0.
5. The property owner requested County Council defer second reading of the Ordinance at its regular meetings of August 16, 2007, September 13, 2007, October 18, 2007 and November 15, 2007, and December 6, 2007.

ATTACHMENTS:

1. A copy of the letter received from Ms. Shirley Barr dated October 17, 2007 requesting deferral.
2. A copy of the information included in the December 6, 2007 agenda package.

17 October 2007

Florence County Council
Florence County Complex
180 North Irby Street
Florence, South Carolina 29501

OCT 17 2007

To Whom It May Concern:

Due to reasons beyond my control, I (Ms. Shirley Barr) will be unable to attend the agenda/meeting on 18 October 2007 at 9:00 AM. I appreciate your patient and I'm requesting that you defer Ordinance No. 25-2006/07 until November/December 2007.

If you have any concerns or questions you may forward all correspondence to:

Ms. Shirley Barr
P. O. Box 723
Florence, South Carolina 29503

Thanking you in advance,

MS. SHIRLEY BARR

CC: Florence County Council Members
Richard A. Starks County Administrator
Planning/Zoning

DRAFT

Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: July 24, 2007	Council Clerk, certify that this
Planning Commission Public Hearing	: July 24, 2007	Ordinance was advertised for
Planning Commission Recommendation	: July 24, 2007[Denied 9 - 0]	Public Hearing on _____.
First Reading/Introduction	: January 4, 2007	
Committee Referral	: N/A	
Second Reading	:	
Third Reading	:	
Effective Date	:	

ORDINANCE NO. 25-2006/07

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance To Rezone Property Owned By Shirley Barr Located At 2729 DeGroat Road, Effingham From R-1, Single Family Residential District To B-2, Convenience Business District Shown On Florence County Tax Map 102, Block 1, Parcel 160 Consisting Of .69 Acres.)

WHEREAS:

1. Article 9, Section 9.1 entitled "Intent" of the Consolidated Zoning Ordinance establishes that Florence County Council must be satisfied that applications for amendments to the Zoning Atlas of Florence County is not injurious from a public health, safety, and general welfare outlook and the effect of the change will not negatively impact the immediate environs or the County generally; and
2. Article 9, Section 9.5 entitled "Administrative Procedures, Action" of the Consolidated Zoning Ordinance for Florence County adopted April 1, 1999, provides a procedure for amending the Official Zoning Map of the County of Florence; and
3. The procedure has been followed by the Florence County/Municipal Planning Commission at a public hearing on July 24, 2007; and

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. Property located at 2729 DeGroat Road bearing Tax Map Number 102, Block 1, Parcel 160 is hereby rezoned to B-2, Convenience Business District.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

Approved as to Form and Content
James C. Rushton, III, County Attorney

FLORENCE COUNTY/MUNICIPAL PLANNING DEPARTMENT
STAFF REPORT
TO THE
FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION
November 28, 2006
PC# 2006-11-02

Subject: Rezoning request from R-1, Single Family Residential District to B-2, Convenience Business District

Location: 2729 DeGroat Road

Tax Map Number: 102, Block 1, Parcel 160

Council District: 5; County Council District

Owner of Record: Shirley Ann Barr

Applicant: Shirley Ann Barr

Land Area: .69 acres

Existing Land Use and Zoning:

The subject property is a vacant single-family home and currently zoned R-1, Single Family Residential District.

Proposed Land Use and Zoning:

The applicant proposes to rezone the proposed property to B-2, Convenience Business for development of a catering business.

Surrounding Land Use and Zoning:

North: Vacant/R-1, Florence County
East: Residential use/R-3, Florence County
South: Vacant/R-1, Florence County
West: Residential use/R-1, Florence County

Florence County Comprehensive Plan:

This property is designated as a Developing Residential area according to the Comprehensive Plan. This request does not comply with the Comprehensive Plan.

Comprehensive Planning Guide for Local Governments:

Zoning a small parcel as an island surrounded by a district with different zoning may be spot zoning. The Supreme Court stated that invalid "spot zoning" is the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area to benefit the owners of such property and the detriment of other owners. *Bob Jones University, Inc. v. City of Greenville*, 243 S.C. 351, 133 S.E. 2d 843 (1963). The mere fact that business property adjoins residential property does not mean that the commercial zoning is invalid spot zoning. See *Talbot v. Myrtle Beach Board of Adjustment*, 222 S.C. 165, 72 S.E. 2d 66 (1952); *Knowles v. City of Aiken*, 305 S.C. 291, 407 S.E. 2d 639 (1991).

Small areas may be rezoned as long as the action is not arbitrary or unreasonable. Courts will not pass upon the wisdom or expediency of municipal ordinances which are presumed to be valid. To help avoid the problem of spot zoning, many zoning ordinances include a provision prohibiting some types of freestanding districts of less than two acres.

Staff Analysis:

Access and Circulation- Present access to the property is by way of 2729 DeGroat Road and zoned R-1, Single Family Residential District.

Water and Sewer Availability- Currently the property has a well and septic tank.

Adjacent Waterways/Bodies of Water/Flood Zone- There does not appear to be any waterway/body of water adjacent to the property. The property is not located in a flood zone.

Background- The subject property is located on 2729 DeGroat Road and zoned R-1, Single-Family Residential District.

Traffic Review – Although no traffic count is currently available for this section of DeGroat Road, development of this property for commercial use would most likely have limited impact on the Level of Service of the road.

Staff Recommendation:

Staff recommends denial of this request due to the fact that it does not comply with the Comprehensive Plan. Additionally, based on the parcel size of less than 2 acres and surrounding property use, this would be spot zoning and it reinforces the staff recommendation of denial.

Florence County/Municipal Planning Commission Action: November 28, 2006

The ten Planning Commission members present unanimously denied the request at the meeting held on November 28, 2006.

Florence County Council Meeting: January 18, 2007

Florence County Council denied the rezoning request on second reading.

Florence County Council Public Services and Planning Committee:

The Florence County Council's Public Services and Planning Committee remanded the rezoning request back to the Planning Commission for consideration.

Florence County/Municipal Planning Commission Action: February 27, 2007

A letter of request to defer the rezoning request until the March 27, 2007 meeting was submitted to the Planning Commission by the attorney on behalf of applicant. The Planning Commission voted unanimously to accept the letter of request to defer for placement on the agenda for the March 27, 2007 meeting.

Florence County/Municipal Planning Commission Action: March 27, 2007

Planning Commission deferred action on the rezoning request pending action on the Comprehensive Plan amendment request.

Florence County/Municipal Planning Commission Action: April 24, 2007

Planning Commission denied the Comprehensive Plan amendment request.

Florence County Council Meeting: June 7, 2007

At the June 7th meeting, County Council denied 2nd reading of the Comprehensive Plan change and remanded the rezoning request back to Planning Commission for consideration of a new recommendation based on the Comp Plan not changing.

Florence County/Municipal Planning Commission Action: July 24, 2007

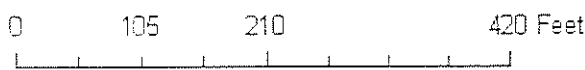
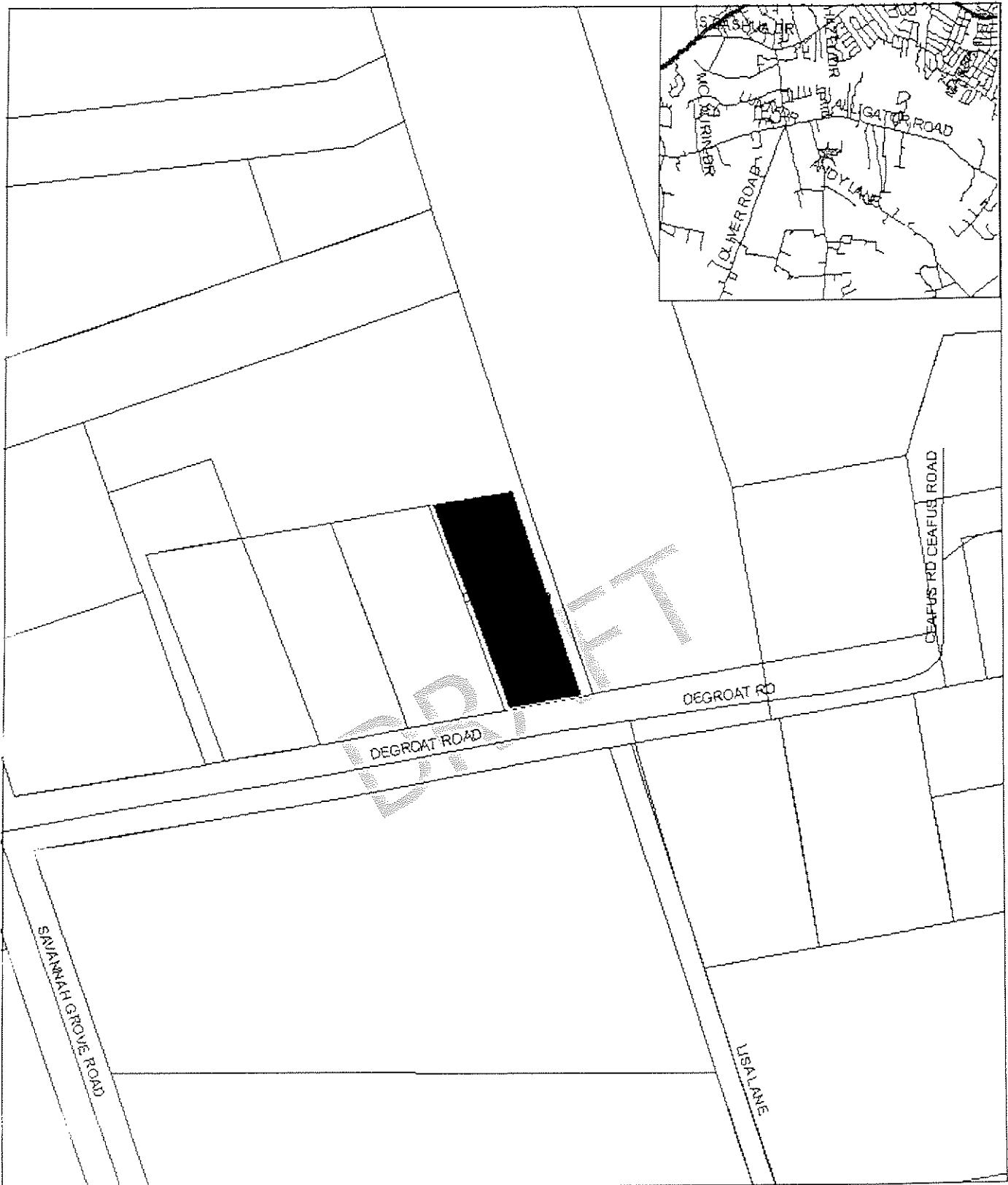
The nine Planning Commission members present unanimously denied the request at the meeting held on July 24, 2007.

Florence County Council Meeting: August 16, 2007

The applicant requested deferral of the rezoning request on second reading by County Council until the meeting of October 18, 2007.

County Council voted to defer action on the request for second reading.

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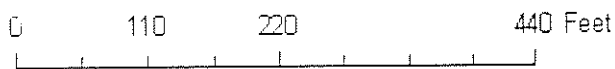
COUNTY COUNCIL DISTRICT(S): 5
 PC#2006-11-02
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Comprehensive Land Use Plan Map



Legend

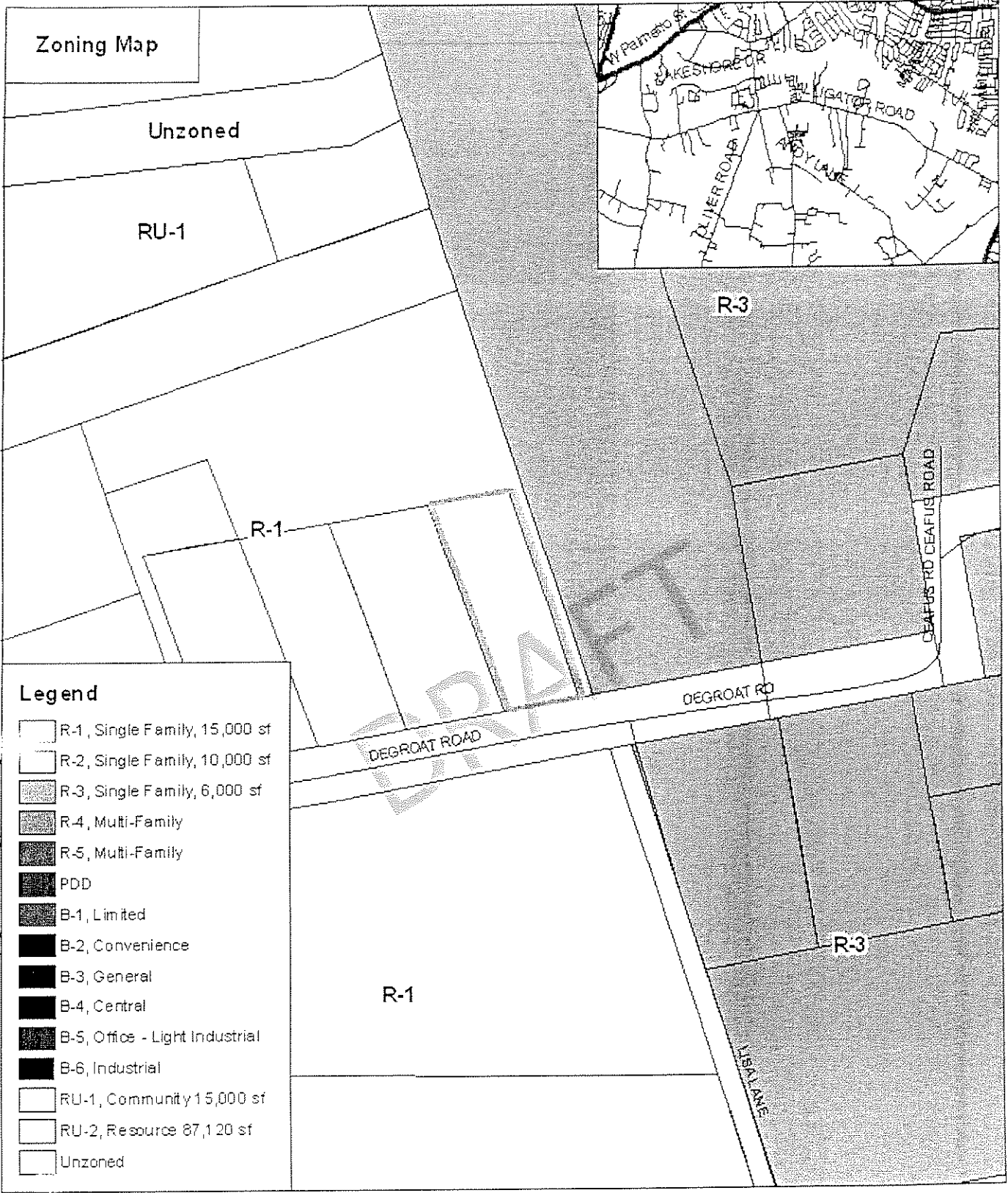
- High Intensity Economic Nodes
- High Intensity Economic Corridor
- Low Intensity Economic Nodes
- Rural Community Nodes
- Business/Industrial
- Existing Residential
- Developing Residential
- Rural Resource/Agricultural Areas
- Major Parks and Open Space (Wetlands)
- Transitional Areas



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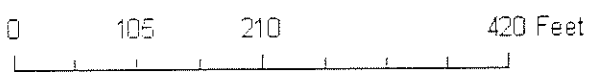
COUNTY COUNCIL DISTRICT(S): 5
 PC#2006-11-02

Zoning Map



Legend

- R-1, Single Family, 15,000 sf
- R-2, Single Family, 10,000 sf
- R-3, Single Family, 6,000 sf
- R-4, Multi-Family
- R-5, Multi-Family
- PDD
- B-1, Limited
- B-2, Convenience
- B-3, General
- B-4, Central
- B-5, Office - Light Industrial
- B-6, Industrial
- RU-1, Community 15,000 sf
- RU-2, Resource 87,120 sf
- Unzoned



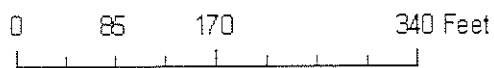
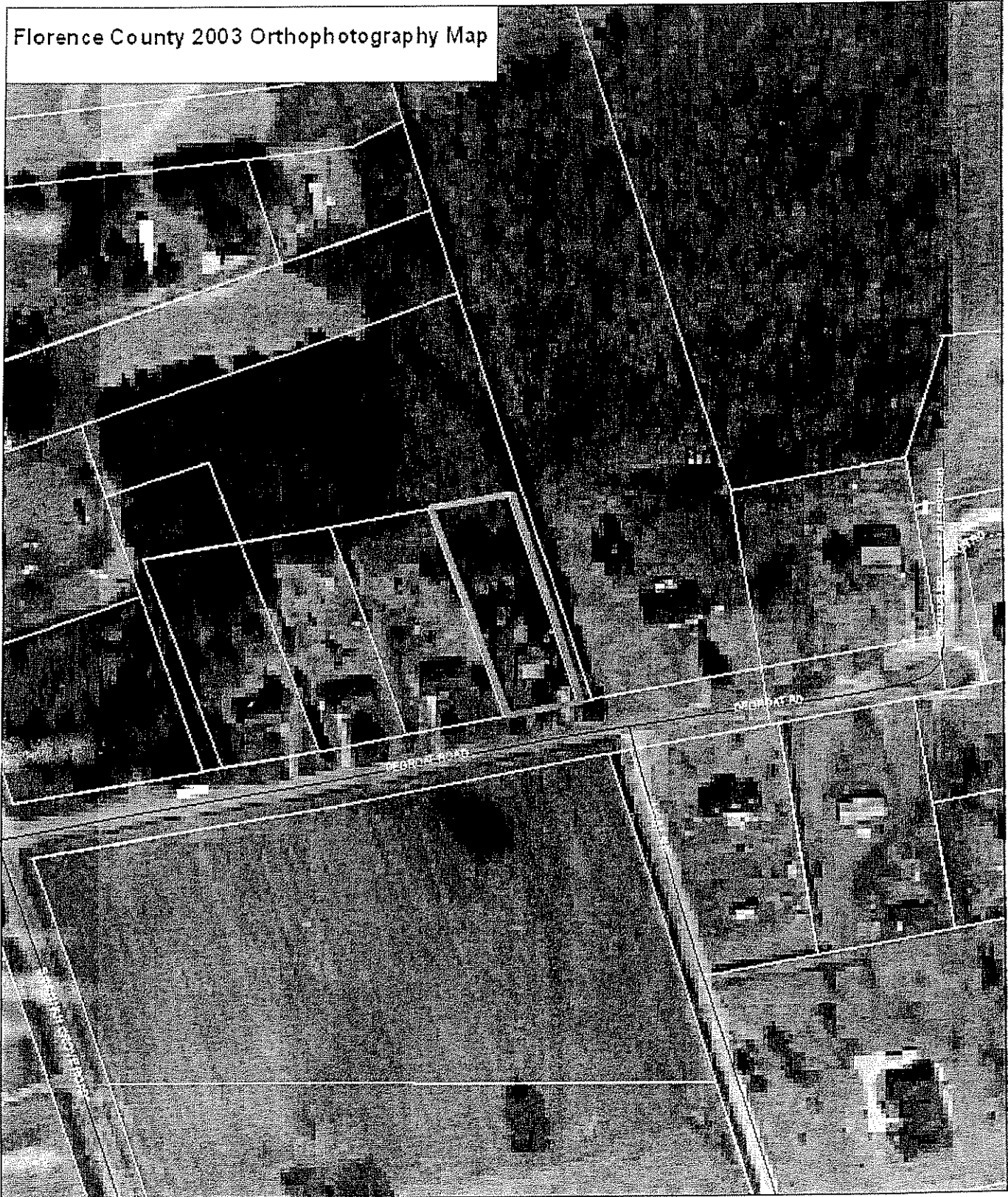
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COUNTY COUNCIL DISTRICT(S): 5
 PC#2006-11-02

Florence County 2003 Orthophotography Map



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COUNTY COUNCIL DISTRICT(S): 5
PC#2006-11-02

Comprehensive Plan Attachment:

Residential Areas Developing Residential

This is where most future residential development is expected to take place based on trends, availability of existing and/or planned infrastructure, and environmental conditions.

Objective

The objective of this designation is to promote and accommodate in an orderly manner residential development in areas so designated.

Strategy

The following strategies are recommended for implementing the above objective:

- ✓ Regulate development within such areas to ensure land use compatibility.
- ✓ Back residential subdivisions along arterial streets; discourage strip residential development and control curb cuts along such streets.
- ✓ Enact habitability, siting, and safety standards for manufactured homes, and promote compatibility with conventional dwellings.
- ✓ Amend subdivision regulations to address conservation of on-site resources and the integration of such resources into site design.
- ✓ Ensure that the level and type of proposed residential development will be compatible with the physical limitations of the land and established land uses in the surrounding area.
- ✓ Provide opportunities for an appropriate mix of dwelling types, sites, and prices in order to meet current and projected housing needs of county residents in keeping with their financial capabilities and preferences.
- ✓ Promote new and innovative approaches to residential development which will expand the variety of housing opportunities and/or minimize public and private costs.

Plan Compliance Matrix

PLAN MAP OBJECTIVES (Summary)	USE IN ACCORD WITH PLAN MAP OBJECTIVES	USES AT VARIANCE WITH PLAN MAP OBJECTIVES
Promote and accommodate in an orderly manner new residential development, and permit the housing industry to respond to changing market demands for various types of housing at varying densities	<ul style="list-style-type: none"> ❖ Residential uses, including single-family, multi-family, townhouses, patio homes, manufactured homes. ❖ Institutional uses in support of and compatible with residential development, e.g. school, churches, recreation facilities 	<ul style="list-style-type: none"> ❖ Non-residential uses, including commercial, industrial, and business uses

CONSOLIDATED ZONING ORDINANCE ATTACHMENT

B-2. Convenience Business District

The intent of this district is to meet the commercial and service needs generated by nearby residential areas. Goods and services normally available in these districts are of the “convenience variety.” The size of this district should relate to surrounding residential markets and the location should be at or near major intersections, in proximity to and/or on the periphery of residential areas.

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