

K. G. "Rusty" Smith, Jr.
District #1

Ken Ard
District #2

Alphonso Bradley
District #3

Mitchell Kirby
District #4

Johnnie D. Rodgers, Jr.
District #5

Russell W. Culberson
District #6

Waymon Mumford
District #7

James T. Schofield
District #8

H. Morris Anderson
District #9

AGENDA
FLORENCE COUNTY COUNCIL
REGULAR MEETING
COUNTY COUNCIL CHAMBERS, ROOM 803
180 NORTH IRBY STREET
FLORENCE, SOUTH CAROLINA
THURSDAY, SEPTEMBER 17, 2009
9:00 A. M.

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- I. **CALL TO ORDER:** K. G. RUSTY SMITH, JR., CHAIRMAN
- II. **INVOCATION:** H. MORRIS ANDERSON, SECRETARY/CHAPLAIN
- III. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG:**
 WAYMON MUMFORD, VICE CHAIRMAN
- IV. **WELCOME:** K. G. RUSTY SMITH, JR., CHAIRMAN

- V. **MINUTES:**
- MINUTES OF THE AUGUST 20, 2009 REGULAR MEETING** [1]
Council Is Requested To Approve The Minutes Of The August 20, 2009
Regular Meeting Of County Council.

- VI. **PUBLIC HEARINGS:** [13]
- Council will hold public hearing on the following item:
- ORDINANCE NO. 07-2009/10**
An Ordinance To Adopt A New Land Use Element For The Florence County
Comprehensive Plan In Accordance With The 1976 South Carolina Code Of
Laws, As Amended, Title 6, Chapter 29, Section 510.

VII. APPEARANCES:

A. JILL HEIDEN – FLORENCE-DARLINGTON TECHNICAL COLLEGE [14]

Ms. Heiden Requests To Appear Before Council To Provide A Very Short Presentation Of Nuclear Energy Initiative, A Short Discussion Of The Department Of Defense Partnership, And Results And Request For Discover Manufacturing Camp Sponsor, Emphasis On Science And Math For The Year 2010.

B. ED LOVE, CHAIR – FLORENCE COUNTY LEGISLATIVE DAY COMMITTEE [16]

Mr. Love Requests To Appear Before Council To Brief Council On The Plans For The 2010 Florence County Legislative Day Event.

C. KEVIN YOKIM, FINANCE DIRECTOR [18]

The County Administrator Requested Mr. Yokim Appear Before Council To Discuss Proposed Resolution No. 05-2009/10 Regarding Florence County's Participation In The South Carolina Procurement Card Program.

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)

June 18, 2009

Ordinance No.35-2008/09 (Revisions to Procurement Section of County Code)

Public Services & County Planning

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

January 17, 2008

Zoning Ordinance Amendment (Was Ordinance No. 18-2007/08)

February 5, 2009

Voter Registration/Election Office Building

April 2, 2009

Enforcement Of The Portable Sign Regulation Section 30-202 and 30-205, Including Table VII

June 4, 2009

Ordinance No. 31-2008/09 (Definitions for Incidental Signs)

Justice & Public Safety

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

April 16, 2009

Ordinance No. 25-2008/09 (Ambulance Services)

Education, Recreation, Health & Welfare

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

October 16, 2008

Air Quality

Agriculture, Forestry, Military Affairs & Intergovernmental Relations

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

Ad Hoc Water Study Committee

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

City-County Conference Committee

(Council members Alphonso Bradley/Co-Chair, Russell W. Culberson, and Johnnie D. Rodgers, Jr.)

IX. RESOLUTIONS:

A. RESOLUTION NO. 05-2009/10

[20]

A Resolution To Authorize Florence County To Participate In The South Carolina Procurement Card Program, To Authorize Establishment Of Policies And Procedures Regulating The County's Participation In This Program, And To Address Other Matters Related Thereto.

B. RESOLUTION NO. 06-2009/10

[35]

A Resolution To Establish The Florence County Identity Theft Prevention Policy In Order To Comply With The South Carolina Financial Identity Fraud And Identity Theft Protection Act Of 2008 And The Federal Trade Commission Identity Theft Rules.

X. ORDINANCES IN POSITION:

A. THIRD READING

1. **ORDINANCE NO. 31-2008/09** [41]
An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Signs On Private Property, Tables VII And VIII And Article X, Definitions, Section 30-311, Definitions.
(Planning Commission approved 9 – 0.)

2. **ORDINANCE NO. 03-2009/10** [50]
An Ordinance To Rezone Property Owned By Young Brothers Properties Located At I-95, Florence County From RU-1, Rural Community District To B-3, General Commercial District Shown On Florence County Tax Map No. 00075, Block 01, Parcel 005 Consisting Of 7.2 Acres.
(Planning Commission approved 9 – 0.) (Council District 9)

3. **ORDINANCE NO. 04-2009/10** [62]
An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Section 30-8, Previously Zoned Map Designations And Sections 30-29, 30-111 And 30-311 For Minor Text Corrections.
(Planning Commission approved 6 – 0.)

B. SECOND READING

1. **ORDINANCE NO. 05-2009/10** [71]
An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article IX, Applications For Change And/Or Relief, Section 30-297. Administrative Procedures, Action.
(Planning Commission approved 11 – 0.)

2. **ORDINANCE NO. 06-2009/10** [80]
An Ordinance To Amend Florence County Code, Chapter 30. Zoning Ordinance, Sections 30-91, 30-95, and 30-292 For Text Corrections; And Sections 30-294 And 30-295 For Minor Text Updates.
(Planning Commission approved 11 – 0.)

3. **ORDINANCE NO. 07-2009/10** [85]
An Ordinance To Adopt A New Land Use Element For The Florence County Comprehensive Plan In Accordance With The 1976 South Carolina Code Of Laws, As Amended, Title 6, Chapter 29, Section 510.
(Planning Commission approved 6 – 0.)

4. **ORDINANCE NO. 08-2009/10** [91]
 An Ordinance To Amend Florence County Code, Chapter 9.5 Drainage And Stormwater Management Ordinance, Section 9.5-16, Regarding Requirements For Land Disturbing Activity And Section 9.5-72, Regarding Clarification Of Close Out Processes For Commercial And Residential Projects.
(Planning Commission approved 6 – 0.)

5. **ORDINANCE NO. 10-2009/10** [98]
(Deferred Pending Planning Commission Recommendation)
 An Ordinance To Amend Chapter 30. Zoning Ordinance, Section 30-28. Table I: Schedule Of Permitted And Conditional Uses And Off-Street Parking Requirements For Residential Districts Of The Florence County Code To Add New Zoning Districts R-3A (Single Family Residential District) And R-5A (Multi-Family Residential District) With The Same Uses As The Current R-3 And R-5 Districts Except No Manufactured Housing Will Be Allowed In Either Of The New Districts.

6. **ORDINANCE NO. 11-2009/10** [100]
 An Ordinance To Develop A Jointly Owned And Operated Industrial/Business Park In Conjunction With Williamsburg County; Such Industrial/Business Park To Be Geographically Located In Florence County And Established Pursuant To Section 4-1-170 Of The Code Of Laws Of South Carolina 1976, As Amended; To Provide For A Written Agreement With Williamsburg County To Provide For The Expenses Of The Park, The Percentage Of Revenue Application, And The Distribution Of Fees In Lieu Of Ad Valorem Taxation; And Other Matters Related Thereto.

7. **ORDINANCE NO. 12-2009/10** [101]
 An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Florence County, South Carolina, And Project Element, With Respect To Certain Economic Development Property, Whereby Such Property Will Be Subject To Certain Payments In Lieu Of Taxes; To Provide For A Lease And Sale Of Land For The Project And Other Matters Related Thereto.

C. **INTRODUCTION**

1. **ORDINANCE NO. 13-2009/10** [102]
 An Ordinance To Establish Policies And Procedures Related To The Abatement Of Unsafe Structures As Florence County Code, Chapter 21, Nuisances, Article II, Unsafe Structure Abatement And Other Matters Related Thereto.
(Planning Commission approved 6 – 0.)

2. **ORDINANCE NO. 14-2009/10** [119]
 An Ordinance To Rezone Property Owned By The Gospel Temple Inc., Located At 3987 West Palmetto Street, Florence County From RU-1, Rural Community District To PD, Planned Development District Shown On Florence County Tax Map No. 00076, Block 01, Parcel 001 Consisting Of 19.32 Acres.
(Planning Commission approved 9 – 0.) (Council District 4)

3. **ORDINANCE NO. 15-2009/10** [131]
 An Ordinance To Zone Property Owned By James D. & Patsy F. McCutcheon Located At 755 E. Hampton St., Olanta To R-1, Single Family Residential District Shown On Florence County Tax Map No. 00045, Block 03, Parcel 116 Consisting Of 4 Acres.
(Planning Commission approved 9 – 0.) (Council District 5)

XI. APPOINTMENTS TO BOARDS & COMMISSIONS:

- BOARDS AND COMMISSIONS LIST** [143]
 A List Of Current And Approaching Vacancies For Calendar Year 2009 On Boards And Commissions Was Previously Provided To Council.

XII. REPORTS TO COUNCIL:

A. ADMINISTRATION

- FLORENCE REGIONAL ARTS ALLIANCE** [144]
 Approve The Temporary Use Of The Former Library By The Arts Alliance For HolidayFest 2009 And Authorize The County Administrator To Execute A Temporary Letter-Form, Lease Agreement, Subject To Review By The County Attorney.

B. LIBRARY

1. **AWARD BID #01-09/10** [146]
 Award Bid #01-09/10 For Landscaping And Maintenance At The Olanta And Timmons ville Branch Libraries To Cut-M-Up Landscape, Columbia, SC, In The Amount Of \$29,626.00. *(17 Compliant Bids Received)*

2. **GRANT AWARD – INSTITUTE OF MUSEUM AND LIBRARY SERVICES** [151]
Accept An Award From The Institute Of Museum And Library Services (IMLS) As A Congressionally Directed Grant, Log Number CL-00-09-0004, In The Amount Of \$48,000 For Enhancements At The New Johnsonville Library.

C. PARKS & RECREATION DEPARTMENT

1. **AWARD BID #03-09/10** [153]
Award Bid #03-09/10 For Fencing Of The Dixie Boys Field At Greenwood Athletic Park To Seegars Fence Company, Inc., Fayetteville, NC, In The Amount Of \$28,664.00. (*4 compliant bids*)
2. **AWARD BID #04-09/10** [156]
Authorize The County Administrator To Award Bid #04-09/10 – Tour Events To The Low Bidders For Each Individual Trip To Be Funded By The Participants If The Minimum Participation Numbers Are Met. (*2 compliant bids*)

D. PROCUREMENT

1. **APPOINTMENT OF MEMBER** [159]
Appoint A Member Of Council To Serve On The Environmental Services Office Design And Bid/Evaluation Committee.
2. **DECLARATION OF SURPLUS PROPERTY** [160]
Declare (2) Vehicles, (1) Van, (2) Ambulances, (1) Dump Truck, (1) Cat Pan, (1) Lowboy, (1) Trailer, And (1) Four-Wheeler As Surplus Property For Disposal Through Public Internet Auction Via GovDeals.
3. **PRE-QUALIFICATION OF ENGINEERING FIRMS** [162]
Approve The Following Seven (7) Engineering Firms For Pre-Qualification For Future County Projects In The County As Recommended By The Professional Engineering Services Request For Qualifications Review Panel: Alliance Consulting Engineers, Columbia, SC; BP Barber, Columbia, SC; Castles Engineering, Myrtle Beach, SC; Collins Engineers, Inc., Charleston, SC; Davis And Brown, Quinby, SC; Dennis Corp, Columbia, SC; And TranSystems, N. Charleston, SC.

E. SHERIFF OFFICE

GRANT AWARD UNITED STATES DEPARTMENT OF JUSTICE [164]
Accept Grant Award #2009-DJ-BX-0872 In The Amount Of \$66,383 Under The BJA FY09 Edward Byrne Memorial Justice Assistance (JAG) Grant Program Local Solicitation From The United States Department Of Justice (USDOJ) For The Florence County Sheriff Office To Assist With Costs Associated With Purchase Of Needed Law Enforcement Equipment.

XIII. OTHER BUSINESS:

A. INFRASTRUCTURE

1. **CANDLEBERRY ROAD** [166]
Approve The Expenditure Of Up To \$9,375.00 From Council District 1 Infrastructure Funding Allocation To Pay For The Cost Of Putting MBC Stone And Crushed Asphalt On Candleberry Road.

2. **LAKE CITY AIRPORT** [167]
Approve The Expenditure Of Up To \$2,500.00 From Council District 1 Infrastructure Funding Allocation To Assist The City Of Lake City With The Construction Of An Observation Deck, Consisting Of A 30' x 31' Concrete Slab For A Seating Area For The Public To Observe Incoming And Outgoing Aircraft, At The Lake City Airport.

3. **SOUTH LYNCHES FIRE DEPARTMENT** [169]
Approve The Expenditure Of Up To \$45,000.00 From Council Districts 1, 2, and 5 Infrastructure Funding Allocations (\$15,000 From Each District) To Assist The South Lynchs Fire Department In Replacing Primary "Jaws Of Life" Equipment.

4. **NORWOOD LANE** [171]
Approve The Expenditure Of Up To \$2,500.00 From Council District 3 Infrastructure Funding Allocation To Pay For The Cost Of Replacing A Portion Of Driveway At 1746 Norwood Lane. (*This Estimate Is To Replace Concrete Driveway From Edge Of Asphalt Pavement To The Edge Of Road Right Of Way.*)

5. SPAULDING HEIGHTS COMMUNITY PARK [172]
Approve The Expenditure Of Up To \$400.00 From Council District 7 Infrastructure Funding Allocation To Assist With The Purchase Of A Bicycle Rack At Spaulding Heights Community Park.

B. ROAD SYSTEM MAINTENANCE FEE (RSMF)

1. N. SIMMONS STREET [173]
Approve The Expenditure Of Up To \$17,043.00 From Council District 3 RSMF Funding Allocation To Fund The Cost Of 1½” Type C Hot Laid Asphalt For N. Simmons Street; Contingent Upon Acquiring Encroachment Permit From The Proper Entity (SCDOT Or City Of Florence).
2. W. WASHINGTON STREET [174]
Approve The Expenditure Of Up To \$14,800.50 From Council District 3 RSMF Funding Allocation To Fund The Cost Of 1½” Type C Hot Laid Asphalt For W. Washington Street; Contingent Upon Acquiring Encroachment Permit From The Proper Entity (SCDOT Or City Of Florence).
3. ST. ANDREWS ROAD [175]
Approve The Expenditure Of Up To \$31,395.00 From Council District 9 RSMF Funding Allocation To Fund 1 ½” Of Hot Laid Asphalt On St. Andrews Road (S21-1293).

XIV. EXECUTIVE SESSION:

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

- contractual matter concerning an economic development project
- personnel matter concerning the Solicitor Office
- personnel matter concerning the Finance Department
- personnel matter concerning the Chief Magistrate Office
- pending real property contractual matters

XV. INACTIVE AGENDA:

A. ORDINANCE NO. 19-2008/09

At its regular meeting of February 19, 2009 Council deferred second reading of Ordinance No. 19-2008/09: An Ordinance Establishing Regulations For The Securing And Disposition Of Solid Waste, Establishing Procedures For Violations, And Other Matters Relating Thereto.

B. ORDINANCE NO. 25-2008/09

At its regular meeting of April 2, 2009 Council referred this Ordinance to the Committee on Justice & Public Safety: An Ordinance To Amend Florence County Code, Chapter 5, Ambulance Services, In Its Entirety To Establish Procedures Relating To Private Ambulance Services And Other Matters Relating Thereto.

C. ORDINANCE NO. 35-2008/09

At its regular meeting of June 18, 2009, Council referred this Ordinance to the Committee on Administration & Finance: An Ordinance To Re-Establish And Revise Florence County Procurement Policies and Procedures As Chapter 25.5, Procurement, And To Delete All Conflicting Sections Of The Code; And Other Matters Relating Thereto.

D. ORDINANCE NO. 02-2009/10

[176]

At its regular meeting of August 20, 2009, Council unanimously denied second reading of this Ordinance: An Ordinance To Rezone Property Owned By Dorothy Martin Tate Properties Located Off Of E. Macree Terrace And Gable Terrace, Florence County From R-2, Single-Family Residential District To R-4, Multi-Family Residential District Shown On Florence County Tax Map No. 01812, Block 1, Parcels 344, 345, 346, 347, 348, 349, 350, 351, 353, 357, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 375, 377 Consisting Of 6.6 Acres.

(Planning Commission denied 8 – 1.) (Council District 5)

XVI. ADJOURN:

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Minutes

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Council is requested to approve the minutes of the August 20, 2009 regular meeting of County Council.

OPTIONS:

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

ATTACHMENTS:

Copy of proposed Minutes.

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, AUGUST 20, 2009, 6:00 P.M., COUNCIL CHAMBERS
ROOM 803, CITY-COUNTY COMPLEX, 180 N. IRBY STREET,
FLORENCE, SOUTH CAROLINA**

PRESENT:

K. G. "Rusty" Smith, Jr., Chairman
Waymon Mumford, Vice-Chairman
Mitchell Kirby, Council Member
Russell W. Culberson, Council Member
Johnnie D. Rodgers, Jr., Council Member
J. Ken Ard, Council Member
Alphonso Bradley, 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 Yokim, Finance Director
Dusty Owens, Emergency Management Department Director
William H. Hoge, Planning Director
Robert Franks, IT Director
Ryon Watkins, EMS Director
Sheriff Kenney Boone
Ray McBride, Library Director
David Alford, Voter Registration/Elections Director
Chuck Tomlinson, Morning News Staff Writer

ABSENT:

H. Morris Anderson, Secretary-Chaplain

A notice of the regular meeting of the Florence County Council appeared in the August 19, 2009 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, the Doctors Bruce and Lee Foundation Public Library, and on the County's website (www.florenceco.org).

Chairman Smith called the meeting to order. In the absence of Secretary-Chaplain Anderson (due to illness), Councilman Kirby gave the invocation. Vice Chairman Mumford led the Pledge of Allegiance 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 July 16, 2009 regular meeting of County Council. Councilman Rodgers seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

There were no public hearings required or held.

APPEARANCES:

B. KENDALL HILLER

Mr. Hiller presented a brief power point presentation regarding a rezoning request for Dorothy Martin Tate (Ordinance No. 02-2009/10).

HOUSING AUTHORITY OF FLORENCE

Danny Roseborough, Assistant Director for the Housing Authority of Florence and Reginal Barner, Sr., President of the Barner Group, LLC provided a follow-up to a project presentation provided to Council at its regular meeting of July 15, 2009 to formally present Council with a list of options to consider in supporting the project. Councilman Mumford made a motion Council Approve The Expenditure Of Funds From Council Districts 3 And 7 Infrastructure/Utility Funding Allocations In An Amount Up To \$200,000 (\$100,000 From Each District) To Assist The Housing Authority Of Florence With Infrastructure/Capital For A Project Under The American Recovery And Reinvestment Act Capital Fund Recovery Competition Grants Program For Affordable Housing; Pending Approval Of The Grant From The Department Of Housing And Urban Development. Councilman Bradley seconded the motion, which was approved unanimously.

SHERIFF KENNEY BOONE

Sheriff Boone provided an update on the Siren Project at the Florence County Law Enforcement Center in Effingham. The Siren was scheduled to be tested once a month and area residents would be provided prior notification of the testing schedule.

CHIEF SAM BROCKINGTON – SOUTH LYNCHES FIRE DEPARTMENT

Chief Brockington appeared before Council to recognize the cooperative effort of local emergency response providers to an incident in which a child was choking. First Responders of the South Lynches Fire Department, Florence County Central Dispatch and Florence County EMS employees, and Carolina's Hospital Emergency Room physician and staff were present at the meeting and recognized for cooperative efforts to save the life of 14-month old Shane Cox. Chief Brockington commended the cooperative efforts of all involved and expressed appreciation for the continued efforts of all to form a cohesive team to save lives in Florence County.

The following item was an addition to the agenda:

RESOLUTION OF APPRECIATION AND RECOGNITION

Councilman Ard published in its entirety and presented a framed Resolution of Appreciation and Recognition to Carol Hugh Calcutt and Service Motor Co., Inc. of Pamplico in recognition of outstanding service and contributions to the citizenry of Florence County. Service Motor Co., Inc., the oldest GM dealership in South Carolina, has been in business since 1922 and, out of 7,800 dealerships in the nation, was one of 3,600 dealerships that retained their dealership during all of the recent closings by the GM corporate office. Councilman Mumford made a motion Council approve the Resolution as presented. Motion was unanimously seconded and approved.

(Councilman Ard left the meeting after the presentation of the Resolution.)

COMMITTEE REPORTS:

COMMITTEE ON PUBLIC SERVICE & COUNTY PLANNING

Committee Chairman Schofield provided an update on the status of items before the committee. The Committee met prior to the regular meeting and discussed items relating to signage. He stated information relative to proposed revisions to the regulations currently in the County Code would be distributed to members of Council for review and encouraged Council to provide feedback on the proposed revisions or items of concern to Council. The land was purchased for the Voter Registration/Elections office and Department of Justice approved. The architect was on board and a planning meeting had been scheduled to move forward with the project.

RESOLUTIONS:

RESOLUTION NO. 02-2009/10

The Chairman published the title of Resolution No. 02-2009/10: A Resolution Authorizing The Cessation Of Maintenance On And Abandonment Of Wise Lane Located In The Johnsonville Area. Councilman Kirby made a motion Council approve the Resolution as presented. Councilman Rodgers seconded the motion, which was approved unanimously.

RESOLUTION NO. 03-2009/10

The Chairman published the title of Resolution No. 03-2009/10: A Resolution Authorizing The Cessation Of Maintenance On And Abandonment By Florence County Of A Portion Of Road No. S-12-1350, Also Known As Steel Road, Located In Florence County, South Carolina. Councilman Culberson made a motion Council approve the Resolution as presented. Councilman Rodgers seconded the motion, which was approved unanimously.

The following item was an addition to the agenda:

RESOLUTION NO. 04-2009/10

Councilman Bradley published the title of Resolution No. 04-2009/10 and made a motion to approve the Resolution as presented: A Resolution For Establishing A Moratorium On All Building Permits Within The West Sumter Street Community For Up To One (1) Year While The Planning Commission Studies The Potential Zoning In The Area. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:

ORDINANCE NO. 28-2008/09 – THIRD READING

The Clerk published the title of Ordinance No. 28-2008/09: An Ordinance To Amend Chapter 30, Zoning Ordinance, Article VII, General And Ancillary Regulations, Section 30-246, Accessory Buildings And Uses Of The Florence County Code To Enhance The Rules Regarding The Location Of Accessory Buildings And Uses. Councilman Mumford made a motion Council approve third reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

ORDINANCE NO. 38-2008/09 – THIRD READING

The Clerk published the title of Ordinance No. 38-2008/09: An Ordinance To Rezone Property Owned By Randy H. Coker Located On Devonshire Road, Lake City From R-1, Single-Family Residential District To R-2, Single-Family Residential District Shown On Florence County Tax Map No. 00167, Block 31, Parcel 127 Consisting Of 4.00 Acres. Councilman Rodgers made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 02-2009/10 – SECOND READING

The Clerk published the title of Ordinance No. 02-2009/10: An Ordinance To Rezone Property Owned By Dorothy Martin Tate Properties Located Off E. Macree Terrace And Gable Terrace, Florence County From R-2, Single-Family Residential District To R-4, Multi-Family Residential District Shown On Florence County Tax Map No. 01812, Block 1, Parcels 344, 345, 346, 347, 348, 349, 350, 351, 353, 357, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 375, 377 Consisting Of 6.6 Acres. Councilman Rodgers made a motion to **deny** second reading of the Ordinance. Councilman Kirby seconded the motion, which was approved unanimously.

ORDINANCE NO. 03-2009/10 – SECOND READING

The Clerk published the title of Ordinance No. 03-2009/10: An Ordinance To Rezone Property Owned By Young Brothers Properties Located At I-95, Florence County From RU-1, Rural Community District To B-3, General Commercial District Shown On Florence County Tax Map No. 00075, Block 01, Parcel 005 Consisting Of 7.2 Acres. Councilman Schofield made a motion to approve second reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCE NO. 04-2009/10 – SECOND READING

The Clerk published the title of Ordinance No. 04-2009/10: An Ordinance To Amend Chapter 30. Zoning Ordinance, Section 30-8 Regarding Zoning Map Designations And Sections 30-29; 30-111 And 30-311 Regarding The Correction Of Several Minor Text Errors Of The Florence County Code. Councilman Mumford made a motion Council approve second reading of the Ordinance. Councilman Schofield seconded the motion, which was approved unanimously.

ORDINANCE NO. 05-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 05-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Chapter 30. Zoning Ordinance, Section 30-297, Administrative Procedures, Action Of The Florence County Code To Update The Procedures For Planning Commission And Board Of Zoning Appeals Requests.

ORDINANCE NO. 06-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 06-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Chapter 30, Zoning Ordinance, For Several Small Text Corrections In Section 30-91, Section 30-95, Section 30-202 Table VIII, And Section 30-292, And Minor Text Updates In Section 30-294, And Section 30-295 Of The Florence County Code.

ORDINANCE NO. 07-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 07-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Adopt A New Land Use Element For The Florence County Comprehensive Plan In Accordance With The 1976 South Carolina Code Of Laws, As Amended, Title 6, Chapter 29, Section 510.

ORDINANCE NO. 08-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 08-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Chapter 9.5 Drainage And Stormwater Management Ordinance, Section 9.5-16 Regarding Requirements For Land Disturbing Activity And Section 9.5-72 Regarding Clarification Of Close Out Processes For Commercial And Residential Projects Of The Florence County Code.

The following three ordinances were additions to the agenda:

ORDINANCE NO. 10-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 10-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Chapter 30. Zoning Ordinance, Section 30-28. Table II: Schedule Of Permitted And Conditional Uses And Off-Street Parking Requirements For Residential Districts Of The Florence County Code To Add New Zoning Districts R-3A (Single Family Residential District) And R-5A (Multi-Family Residential District) With The Same Uses As The Current R-3 And R-5 Districts Except No Manufactured Housing Will Be Allowed In Either Of The New Districts.

ORDINANCE NO. 11-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 11-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Develop A Jointly Owned And Operated Industrial/Business Park In Conjunction With Williamsburg County; Such Industrial/Business Park To Be Geographically Located In Florence County And Established Pursuant To Section 4-1-170 Of The Code Of Laws Of South Carolina 1976, As Amended; To Provide For A Written Agreement With Williamsburg County To Provide For The Expenses Of The Park, The Percentage Of Revenue Application, And The Distribution Of Fees In Lieu Of Ad Valorem Taxation; And Other Matters Related Thereto.

ORDINANCE NO. 12-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 12-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Florence County, South Carolina, And Project Element, With Respect To Certain Economic Development Property, Whereby Such Property Will Be Subject To Certain Payments In Lieu Of Taxes; To Provide For A Lease And Sale Of Land For The Project And Other Matters Related Thereto.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

CITY-COUNTY MEMORIAL STADIUM COMMISSION

Councilman Culberson made a motion Council approve the recommendations for appointment/re-appointment to the City-County Memorial Stadium Commission as follows: Re-appoint Gerald Holley, representing Florence Public School District One to Seat 4 with term expiring November 2011; appoint Michael W. Richey for appointment to Seat 5 (replacing Ted Maxwell), representing American Legion, Fred H. Sexton Post 1, with term expiring November 2011; and, re-appoint O. J. Davis to Seat 6, representing American Legion, Fred H. Sexton Post 1, with term expiring November 2012. Councilman Mumford seconded the motion, which was approved unanimously.

BOARD OF ZONING APPEALS

Councilman Bradley made a motion Council appoint Marion McDowell to serve on the Board of Zoning Appeals, representing Council District 3 with appropriate expiration terms. Councilman Mumford seconded the motion, which was approved unanimously.

LIBRARY BOARD OF TRUSTEES

Councilman Rodgers made a motion Council re-appoint Nathaniel Lockhart to serve on the Florence County Library Board of Trustees, representing Council District 5 with appropriate expiration term. Councilman Culberson seconded the motion, which was approved unanimously.

REPORTS TO COUNCIL:

ADMINISTRATION

MONTHLY FINANCIAL REPORTS

Monthly Financial Reports Were Provided To Council For Fiscal Year 2010 Through July 31, 2009 As An Item For The Record.

PROGRESS ENERGY, INC. - EASEMENT

After some discussion, Councilman Rodgers made a motion Council **deny** A Request By Progress Energy, Inc., For A Permanent Easement Across The Florence County Parking Lot Located Across Irby Street, TMP# 90167-01-008, To Install Under Parking Surfaces A Primary Power Cable For Service To Progress Energy Customers. Councilman Kirby seconded the motion, which was approved unanimously.

WEST FLORENCE COMMUNITY ORGANIZATION

Councilman Bradley recognized and commended members of the West Florence Community Organization present at the meeting.

EMERGENCY MANAGEMENT DEPARTMENT

GRANT AWARD SOUTH CAROLINA BUDGET AND CONTROL BOARD

Councilman Mumford made a motion Council **Accept** Grant Award Made In Accordance With Proviso 80A.45 Of The 2008-2009 Appropriations Act In The Amount Of \$9,179.93 As Approved By The South Carolina Budget And Control Board To Cover Contract Costs For First Responder Interoperability Under Budget Code I140 (Service Contract 800 MHz) For The Florence County Emergency Management Department. Councilman Rodgers seconded the motion, which was approved unanimously.

GRANT AWARD SLED HS FFY08

Councilman Rodgers made a motion Council **Accept** A \$50,000 Grant Award From The South Carolina Law Enforcement Division (SLED) For Approved Homeland Security Equipment And Training To Be Used By The Florence County Emergency Management Department (EMD). Councilman Kirby seconded the motion, which was approved unanimously.

EMERGENCY MEDICAL SERVICES

GRANT AWARD SCDHEC EMS 2010 GRANT-IN-AID PROGRAM

Councilman Kirby made a motion Council **Accept** A EMS 2010 Grant-In-Aid Program Allocation From The South Carolina Department Of Health And Environmental Control (SCDHEC) For Approved Equipment And/Or Training In The Amount Of \$24,173.22 To Be Equally Divided Among Florence County Emergency Services (EMS) And The Rescue Squads Of Johnsonville, Pamplico And Timmons ville; With Provision That Any Entity Not In Need Of Its Full Share Has Agreed To Allow Further Distribution Of Remaining Funds. Councilman Culberson seconded the motion, which was approved unanimously.

PARKS & RECREATION DEPARTMENT

AWARD BID #02-09/10

Councilman Rodgers made a motion Council Authorize The County Administrator To Award Bid #02-09/10 – Tour Events To The Low Bidders For Each Individual Trip To Be Funded By The Participants If The Minimum Participation Numbers Are Met. Councilman Culberson seconded the motion, which was approved unanimously.

GRANT AWARD FLORENCE CONVENTION & VISITORS BUREAU

Councilman Rodgers made a motion Council Accept A Grant Award In The Amount Of \$1,000 From The Florence Convention & Visitors Bureau To Cover Costs Associated With The Annual Fall Frenzy At Lynches River County Park Hosted By The Florence County Parks & Recreation Department. Councilman Culberson seconded the motion, which was approved unanimously.

PROCUREMENT

DECLARATION OF SURPLUS PROPERTY

Councilman Culberson made a motion Council Approve The Purchase Of A 2007 Honda Odyssey Van In The Amount Of \$15,690.50 From General Fund Contingency For The Florence County Economic Development Partnership And Declare Surplus And Authorize The Sale Of A 2004 Jeep Grand Cherokee Via GovDeals In An Estimated Amount Of \$6,100 To Be Reimbursed To The General Fund For An Estimated Net Cost Of \$9,590.50. Councilman Rodgers seconded the motion, which was approved unanimously.

VOTER REGISTRATION AND ELECTIONS COMMISSION

DECLARATION OF SURPLUS PROPERTY

Councilman Mumford made a motion Council Declare 364 CES Votomatic Punch Card Voting Machines As Surplus Property And Authorize Disposal By Public Internet Auction On GovDeals As Requested By The Florence County Voter Registration And Election Commission. Councilman Culberson seconded the motion, which was approved unanimously.

The following item was an addition to the agenda:

ADMINISTRATION

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION

Councilman Rodgers made a motion Council Accept Allocations From The South Carolina Department Of Transportation (SCDOT) Under The Florence County Transportation Committee (FCTC) C Funds Program, PCN #39113, #39114, #39115, #39116, #39117, #39118, In The Amount Of \$278,600 For Various Projects In The County. Councilman Culberson seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE FUND

CITY OF LAKE CITY

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$20,000.00 From Council District 1 Infrastructure Funding Allocation To Assist The City Of Lake City with Roof Repair, Painting, And Other Enhancements/Renovations Of The Lake City Chamber Of Commerce Office Located In The Historic Lake City Railroad Depot. Councilman Kirby seconded the motion, which was approved unanimously.

FLORENCE COUNTY SCHOOL DISTRICT FIVE

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$3,500.00 From Council District 2 Infrastructure Funding Allocation For Five (5) Loads Of Crushed Asphalt To Be Stock Piled At Florence County School District Five Maintenance Department Grounds Located At 156 East Marion Street, Johnsonville. Councilman Culberson seconded the motion, which was approved unanimously.

PEE DEE CHAPTER AMERICAN RED CROSS

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$20,288.45 From Council Districts' Infrastructure Funding Allocations (\$2,500 from Council Districts 1, 2, 5, 6, and 7; \$1,000 from Council Districts 4 and 8; and, \$5,789 from Council District 3) To Assist The American Red Cross Pee Dee Chapter With The Replacement Of Three Heating/Air Conditioning Units And Associated Costs At The Building Located At 1601 West Lucas Street. Councilman Kirby seconded the motion, which was approved unanimously.

PEE DEE COMMUNITY ACTION PARTNERSHIP TRANSITIONAL SHELTER

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$10,000.00 From Council Districts 3 And 7 Infrastructure Funding Allocations (\$5,000 From Each District) To Assist The Pee Dee Transitional Shelter In Completing Renovations On The Kitchen And Food Pantry At The Shelter. Councilman Bradley seconded the motion, which was approved unanimously.

HOWE SPRINGS FIRE DISTRICT

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$2,540.00 From Council Districts 2, 3, 4, 5 and 7 Infrastructure Funding Allocations (\$500 Each From Council Districts 2, 3, 5 And 7 And \$540 From Council District 4) To Assist The Howe Springs Fire District With The Purchase Of Forcible Entry Tools And A Vent Saw. Councilman Mumford seconded the motion, which was approved unanimously.

ROAD SYSTEM MAINTENANCE FEE (RSMF) FUND

MCKENNEY COURT

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$60,000.00 From Council District 3 RSMF Funding Allocation For The Cost Of 6" Of Reclamation And 1 ½" Type C Hot Laid Asphalt For McKenney Court. Councilman Mumford seconded the motion, which was approved unanimously.

PISGAH ROAD

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$50,665.75 From Council District 3 RSMF Funding Allocation For The Cost Of Putting MBC Stone And Crushed Asphalt On Pisgah Road. Councilman Schofield seconded the motion, which was approved unanimously.

DEVON ROAD

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$20,000.00 From Council District 5 RSMF Funding Allocation To Resurface Devon Road With 1 ½" Of Hot Laid Asphalt. *(The Total Estimate For Resurfacing The Road Is \$40,000; \$20,000 Has Been Appropriated By The Florence County Transportation Committee.)* Councilman Kirby seconded the motion, which was approved unanimously.

LOWELL STREET, YVONNE STREET AND SUNDANCE STREET

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$85,000.00 From Council District 7 RSMF Funding Allocation For The Resurfacing Of Lowell Street (S-21-1503), Yvonne Street (S-21-1525), And Sundance Street (S-12-1504); Contingent Upon Encroachment Permits From The SCDOT. Councilman Kirby seconded the motion, which was approved unanimously.

The following item was an addition to the agenda:

LAKE CITY AIRPORT

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$4,000.00 From Council District 1 Infrastructure Funding Allocation To Pay For The Cost Of MBC Stone And Crushed Asphalt For The Road At The Lake City Airport. Councilman Culberson seconded the motion, which was approved unanimously.

UTILITY FUND

CITY OF JOHNSONVILLE

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$2,168.64 From Council District 2 Utility Funding Allocation For The City Of Johnsonville In Order To Pay For 2 – 20" Catch Basins And 2 – 4X4 Concrete Risers, To Meet Drainage Requirements Specified By The SC Department Of Transportation. Councilman Kirby seconded the motion, which was approved unanimously.

FLORENCE SCHOOL DISTRICT ONE – WILLIAMS MIDDLE SCHOOL

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$6,500.00 From Council District 3 Utility Funding Allocation To Pay For The Cost Of 1 ½” Type C Hot Laid Asphalt Overlay For Williams Middle School Basketball Court. Councilman Mumford seconded the motion, which was approved unanimously.

HOWE SPRINGS FIRE DEPARTMENT

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$3,000.00 From Council District 4 Utility Funding Allocation For The Installation Of A Fire Hydrant At The Howe Springs Fire Station On Meadow Prong Road. Councilman Rodgers seconded the motion, which was approved unanimously.

TOWN OF OLANTA

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$21,000.00 From Council District 5 Utility Funding Allocation For Sand Filter And Installation (In An Amount Up To \$6,500) And Pumps For Lift Station (In An Amount Up To \$14,500) To Assist The Town Of Olanda. Councilman Kirby seconded the motion, which was approved unanimously.

NORTH VISTA ELEMENTARY SCHOOL

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$40,000.00 From Council District 7 Utility Funding Allocation To Put 1 ½” Of Hot Laid Asphalt On North Vista Elementary School Parking Area. Councilman Bradley seconded the motion, which was approved unanimously.

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

COUNCIL MEETING ADJOURNED AT 7:19 P.M.

H. MORRIS ANDERSON
SECRETARY-CHAPLAIN

CONNIE Y. HASELDEN
CLERK TO COUNTY COUNCIL

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Public Hearings

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Council will hold public hearing to receive public comment with regard to the following:

ORDINANCE NO. 07-2009/10

An Ordinance To Adopt A New Land Use Element For The Florence County Comprehensive Plan In Accordance With The 1976 South Carolina Code Of Laws, As Amended, Title 6, Chapter 29, Section 510.

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Appearances Before Council
Jill Heiden, VP for Institutional Advancement
Florence-Darlington Technical College

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Ms. Heiden Requests To Appear Before Council To Provide A Very Short Presentation Of Nuclear Energy Initiative, A Short Discussion Of The Department Of Defense Partnership, And Results And Request For Discover Manufacturing Camp Sponsor, Emphasis On Science And Math For The Year 2010.

ATTACHMENT:

Copy of the Request

Subject: Agenda Item Sept 17 County Council Meeting

Connie,

FDTC

Very short presentation of Nuclear Energy Initiative

Short discussion of Dept of Defense Partnership

Results and request for Discover Manufacturing Camp sponsor, emphasis on science and math for the year 2010 .

Keeping kids off the streets during the summer months.

- a. Disadvantaged middle school students
- b. Building race cars, working on roller coasters, rocket classes, team building, chemistry experiments
- c. Campers used CAD Drawings, Computer Numeric Controls machines, Water Jet Cutting and Rapid Prototyping to design and make their products.
- d. No cost to students..all done with scholarship/sponsor dollars.

Thanks for the opportunity to present this material and exciting programs.

Best Regards,

jill

jill d heiden

VP for Institutional Advancement

Florence-Darlington Technical College

Phone:843-661-8003

BB: 843-250-5820

Fax 843-661-8011

jill.heiden@fdtc.edu

FLORENCE COUNTY COUNCIL MEETING

August 20, 2009

AGENDA ITEM: Appearances Before Council
Ed Love, Chairman
Florence County Legislative Day Committee

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Mr. Love Requests To Appear Before Council To Brief Council On The Plans For The 2010 Florence County Legislative Day Event.

ATTACHMENT:

Copy of the Request



July 22, 2009

Connie Haselden
Florence County Council
180 N. Irby Street, MSC-G
Florence, SC 29501

Dear Clerk to Council:

Mr. Ed Love, chairman of the Florence County Legislative Day Committee, requests to make an appearance at the September 17, 2009 meeting of Florence County Council. He would like to brief council on the plans for the 2010 event.

Sincerely,

Jessica G. Brown
Communications & Membership Relations Manager

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Appearance Before Council
Kevin Yokim, Finance Director

DEPARTMENT: Administration
Finance

ISSUE UNDER CONSIDERATION:

Mr. Yokim Has Been Requested By the County Administrator To Appear Before Council To Discuss Resolution No. 5-2009/10 Regarding Florence County's Participation In The South Carolina Procurement Card Program.

ATTACHMENT:

Copy of the Request to Appear

MEMO

TO: Connie Haselden, Clerk to Council
FROM: Kevin Yokim, Finance Director
DATE: September 1, 2009
RE: Appearance Before Council – September 17th meeting
CC: Richard Starks, County Administrator

The County Administrator has requested that I appear before County Council at the September 17, 2009 meeting to brief the members of Council as to the provisions of Resolution No. 5-2009/10 regarding Florence County's participation in the South Carolina Procurement Card Program.

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Resolution No. 5-2009/10

DEPARTMENT: Administration
Finance

ISSUE UNDER CONSIDERATION:

(To Authorize Florence County To Participate In The South Carolina Procurement Card Program, To Authorize Establishment Of Policies And Procedures Regulating The County's Participation In This Program, And To Address Other Matters Related Thereto.)

POINTS TO CONSIDER:

1. Ordinance No. 01-2009/2010, the annual budget Ordinance for Florence County, requires specific authorization by resolution to permit the use of credit cards.
2. Florence County is currently exposed to a certain amount of financial risk by having open charge accounts at various vendors throughout the County, a necessity for many small purchases.
3. It is becoming increasingly inefficient to do business without some form of credit card program.
4. The SC Procurement Card Program contains various controls, including the ability to program each card with dollar and transaction limits per day or per month, the ability to restrict the type of vendor at which the card may be used, the ability to electronically monitor transactions in real time, the ability to cancel cards instantly via the Internet, and the coverage by the program of all fraudulent transactions and the provision of \$100,000 per cardholder liability insurance by VISA.
5. The SC Procurement Card Program has been in existence for approximately ten years, is currently being used by almost fifty local governments, including eleven counties, and has handled over 1,000,000 transactions in 2008, totaling more than \$244,000,000.
6. Initial participation in the Card Program will be limited to the Public Works Department, the Human Resources Department, the Recreation Department, the Clerk to Council, the Sheriff's Office, and the Facilities Management Department.
7. This Resolution authorizes Florence County to participate in the SC Procurement Card program and directs the County Administrator to execute the necessary contracts to enter into the program.
8. This Resolution authorizes the County Administrator to develop policies and procedures regarding the County's participation in the Program.

OPTIONS:

1. *(Recommended)* Approve Resolution No. 5-2009/10
2. Provide An Alternate Directive

ATTACHMENT:

1. Resolution No. 5-2009/10
2. List of local governments currently participating in the SC Procurement Card Program
3. Selected slides describing features of the SC Procurement Card Program

Sponsor(s)/Department : Administration/Finance
Adopted: : September 17, 2009
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 05-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(To Authorize Florence County To Participate In The South Carolina Procurement Card Program, To Authorize Establishment Of Policies And Procedures Regulating The County's Participation In This Program, And To Address Other Matters Related Thereto.)

WHEREAS:

1. Section 8f of Ordinance No. 01-2009/10, the annual budget Ordinance for Florence County, states in part, "Credit cards which obligate Florence County are not permitted unless specifically authorized by written resolution of County Council;" and
2. Florence County is currently exposed to a certain amount of financial risk by having open charge accounts at various vendors throughout the County, a necessity for many small purchases; and
3. It is becoming increasingly inefficient to do business without some form of credit card program: One such recent example of inefficiency being that the South Carolina Law Enforcement Division (SLED) no longer extends credit for the cost of employment background checks, but requires credit card payment. Since the County currently does not conduct business using credit cards, payment has to be made with a check in advance, which delays the County's hiring process by as much as an additional three weeks; and
4. The per-transaction processing cost of a typical purchase order system such as Florence County's is estimated to be in excess of \$75 per purchase; whereas the same per-transaction processing cost for the SC Procurement Card Program is less than \$25 per purchase; and
5. The SC Procurement Card Program contains various controls, including the ability to program each card with dollar and transaction limits per day or per month, the ability to restrict the type of vendor at which the card may be used, the ability to electronically monitor transactions in real time, the ability to cancel cards instantly via the Internet, and the coverage by the program of all fraudulent transactions and the provision of \$100,000 per cardholder liability insurance by VISA; and
6. The SC Procurement Card Program has been in existence for approximately ten years, is currently being used by about fifty local governments, including eleven counties, and has handled over 1,000,000 transactions in 2008, totaling more than \$244,000,000; and
7. Initial participants in the Card Program would be:

Public Works Department
Recreation Department
Sheriff Office

Human Resources Department
Clerk to Council
Facilities Management

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

1. Florence County is hereby authorized to participate in the South Carolina Procurement Card Program.
2. The County Administrator is hereby directed to execute the necessary contracts for the County to enter the Program.
3. The County Administrator is hereby authorized to develop policies and procedures as necessary to effectively manage the County's participation in the Program, including issuance of cards, dollar and per day transaction limits, type of purchase restrictions, and all other procedures necessary to ensure each card is used solely for official, authorized use, reconciled timely, and fully accounted for at all times.

ATTEST:

Connie Y. Haselden, Council Clerk

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

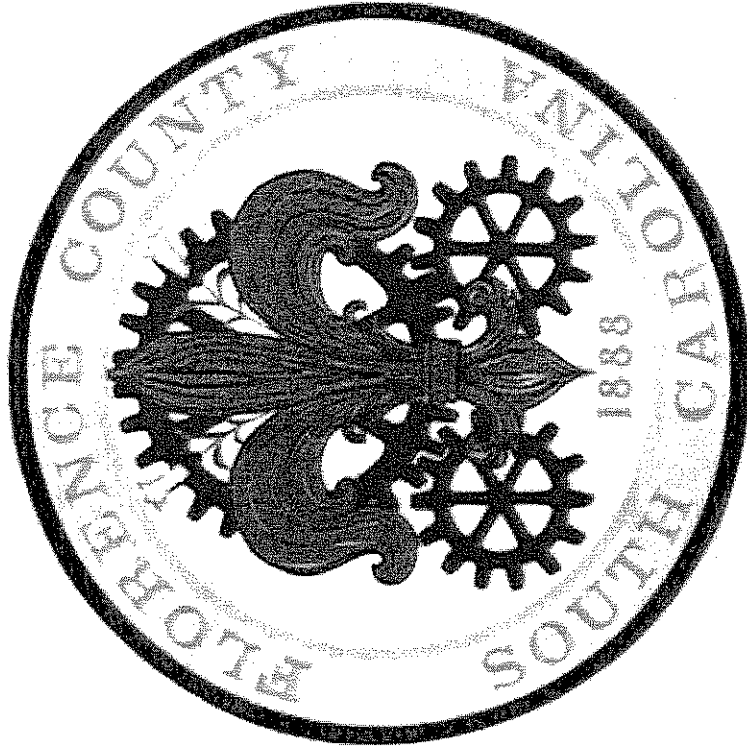
ABSENT:

DRAFT

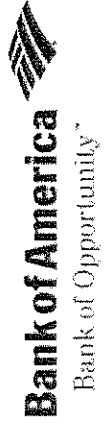
Local Governments using SC Procurement Card Program

Aiken County
Aiken County Schools
Anderson School District 5
Beaufort County
Beaufort County School District
Berkeley County
Berkeley County Water & Sewer
Berkeley County School District
Charleston County
Charleston County School District
Charleston Public Works
Chesterfield County School District
City of Aiken
City of Anderson
City of Beaufort
City of Charleston
City of N Charleston
City of Rock Hill
Clarendon County
Colleton County School District
Dorchester County
Dorchester County School District 2
Florence School Dist 3
Fort Mill School District #4
Georgetown County
Grand Strand Water and Sewer
Greenville County
Greenwood County
Guilford County Schools
Hilton Head Island
Hilton Head Public Service District #1
Horry County Schools
Horry County
Lancaster County School District
Lexington School District 2
Lexington/Richland School District # 5
Oconee School District
Patriots Point Development Authority
Pickens County
Pickens County Schools
Port Royal
Richland County School District #1
Richland County School District 2
Rock Hill School District #3
SC Patriots Point Development Authority
Sea Grant
Spartanburg County School District 7
Spartanburg Water and Sewer

SC Procurement Card Program



Florence County





Agenda

Introductions

Highlights of the State of SC PCard Program

Rebate

Performance

Why Purchasing Cards

Works Demo



State of SC Rebate Incentive for User's

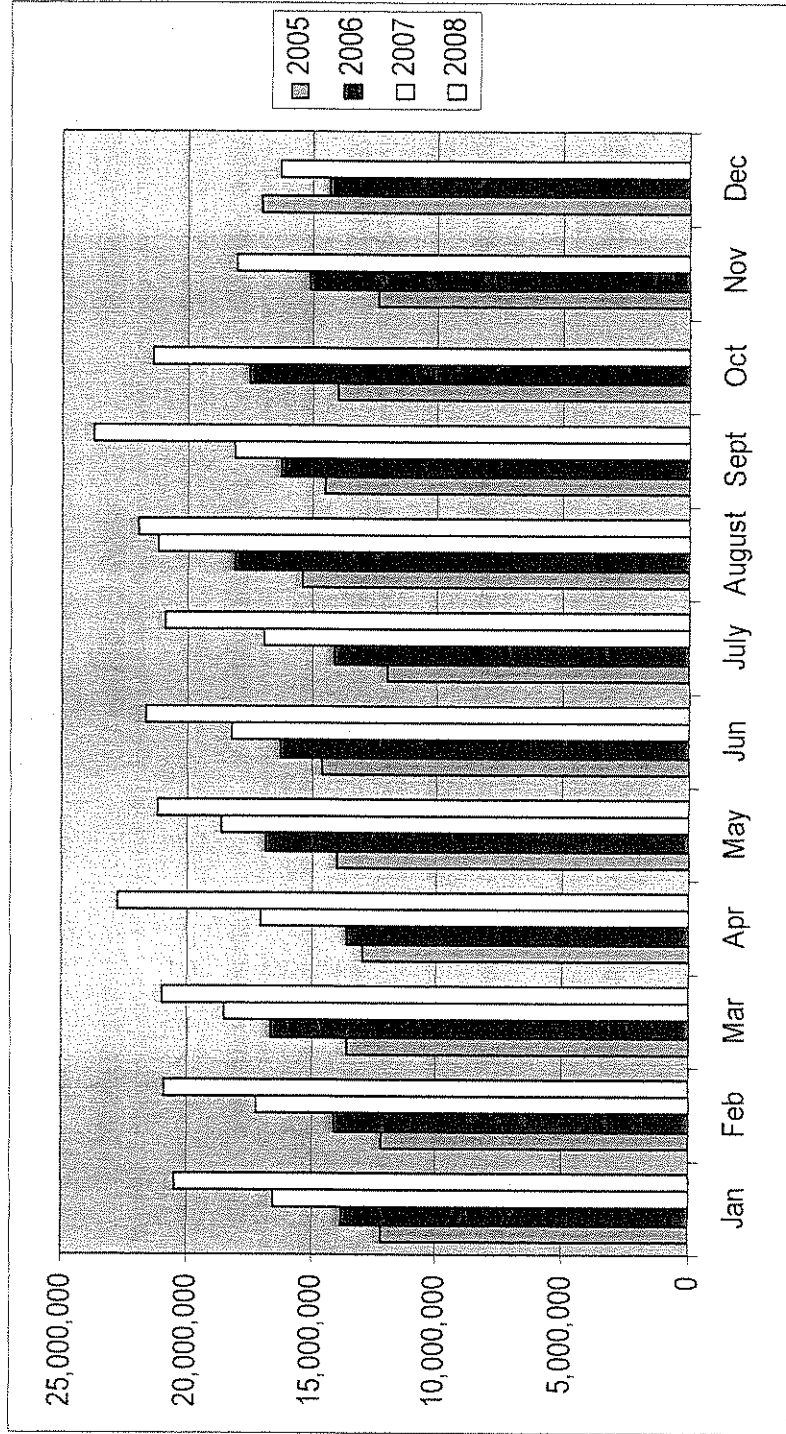
Less than \$1MM	Do Not Qualify	Rebate Minimum
\$1MM- \$2.9MM	50 bps	\$5,000
\$3MM- \$4.9MM	55 bps	\$16,500
\$5MM-\$9.9MM	60 bps	\$30,000
\$10MM- \$14.9MM	65 bps	\$65,000
\$15MM-\$19.9MM	70 bps	\$105,000
\$20MM - \$29.9MM	85 bps	\$170,000
\$30MM +	90 bps	\$270,000



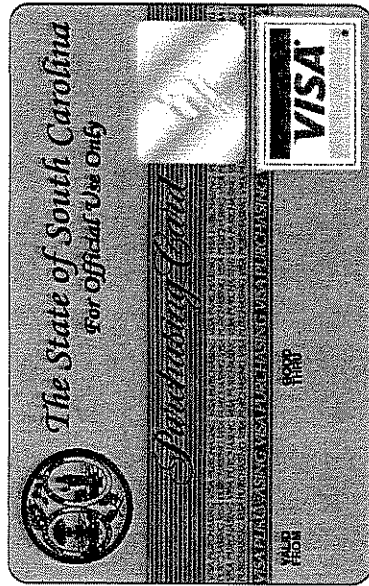
State Volume Growth

Volume Growth by Year

Transactions	
2008 total	1,017,426
2007 total	963,363
2006 total	871,333
2005 total	788,212
2004 total	728,734
2003 total	622,927
2002 total	561,086
2001 total	495,551
2000 total	393,716
Charge Volume	
2008 total	244MM
2007 total	217MM
2006 total	186MM
2005 total	164MM
2004 total	169MM
2003 total	146MM
2002 total	123MM
2001 total	100MM
2000 total	73MM



Why Purchasing Cards





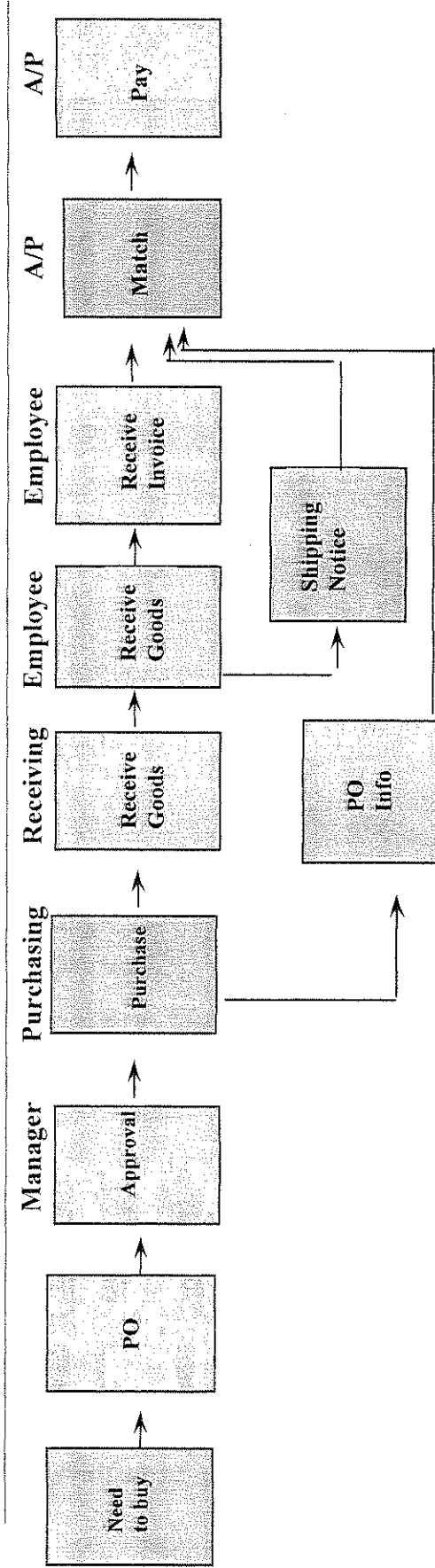
Benefits

- Reduce costs associated with small dollar purchases
 - Streamline purchasing and payment procedures
 - Reduce the administrative burden
- Small dollar purchases defined as any purchase under \$5,000 (\$2,500NB)
- Typically, 80% of transactions only represent 20% of total dollars spent
- Original Objective – Move 90% of check purchases to Purchasing Card. How many small dollar checks do you still write?

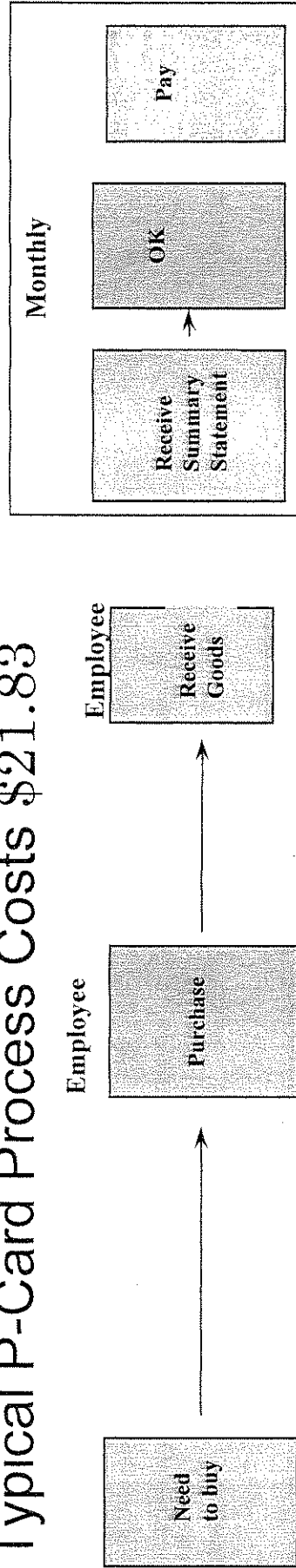


Product Definition & Highlights

Typical PO Process Costs \$89.21



Typical P-Card Process Costs \$21.83





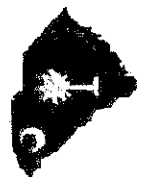
State of SC - Examples


■ SCDOT

- * Analysis when starting program
 - * \$175 for PO/Check process
 - * \$15 for PCard

■ MUSC

- * Analysis when starting program
 - * \$133 for PO/Check process
 - * \$15 - \$20 for PCard





Features

The Purchasing Card Offers:

■ Flexible Authorization Parameters (Hard Controls)

- ☛ Establish Control Using Any Combination of:
 - ☛ Dollars per transaction, month, billing cycle or day
 - ☛ Number of transactions per day, month or billing cycle
 - ☛ Supplier type - MCC

■ Detective Controls:

- ☛ Policies & Procedures
- ☛ Cardholder Agreements
- ☛ Back end reporting and monitoring

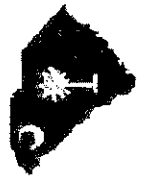




Purchasing Card Features

Limits and Controls:

- No Liability for Fraudulent Transactions
- Fraud Detection System
- **VISA** Liability Insurance - \$100,000 per cardholder





Purchasing Card Benefits

Your Agency Benefits Through:

- Reduced labor, improve cycle times for purchases
- Greater control of purchase authorization
- Ability to leverage new technologies with electronic reporting capabilities
- Better information management
- Greater leverage for negotiating vendor discounts
 - * Vendor's paid in 72 hours.
- Liability coverage against fraud



FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Resolution No. 6-2009/10

DEPARTMENT: Administration
Finance

ISSUE UNDER CONSIDERATION:

(To Establish The Florence County Identity Theft Prevention Policy In Order To Comply With The South Carolina Financial Identity Fraud And Identity Theft Protection Act Of 2008 And The Federal Trade Commission Identity Theft Rules.)

POINTS TO CONSIDER:

1. The State of South Carolina has enacted the Financial Identity Fraud and Identity Theft Protection Act of 2008, also referred to as Act 190 of 2008, which specifically provides procedures for state and local governments to ensure the protection of personal identifying information belonging to members of the public that are in their possession.
2. The Federal Trade Commission has adopted Identity Theft Rules requiring the creation of certain policies relating to the use of consumer reports, suspicious address changes, and the detection, prevention, and mitigation of identity theft.
3. This Resolution establishes an Identity Theft Prevention Program in compliance with state law and federal regulation as required above.
4. This Resolution charges the Florence County Administrator with the responsibility of the development, implementation, oversight, and continued administration of the Identity Theft Prevention Program.

OPTIONS:

1. *(Recommended)* Approve Resolution No. 6-2009/10
2. Provide An Alternate Directive

ATTACHMENT:

Resolution No. 6-2009/10

Sponsor(s)/Department : County Council
Adopted: : September 17, 2009
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 06-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(To Establish The Florence County Identity Theft Prevention Policy In Compliance With The South Carolina Financial Identity Fraud And Identity Theft Protection Act Of 2008 And The Federal Trade Commission Identity Theft Rules.)

WHEREAS:

1. The State of South Carolina has enacted the Financial Identity Fraud and Identity Theft Protection Act of 2008, also referred to as Act 190 of 2008; and
2. Article 3, Chapter 2, Title 30 of Act 190 specifically provides procedures for state and local governments to ensure the protection of personal identifying information belonging to members of the public that are in their possession; and
3. Pursuant to federal law, the Federal Trade Commission adopted Identity Theft Rules requiring the creation of certain policies relating to the use of consumer reports, suspicious address changes, and the detection, prevention, and mitigation of identity theft; and
4. The Federal Trade Commission regulations, codified at 16 CFR § 681.2, require creditors – as defined by 15 U.S.C. § 168a(r)(5) – to adopt red flag policies to prevent and mitigate identity theft with respect to covered accounts; and
5. 15 U.S.C. § 1681a(r)(5) cites 15 U.S.C. § 1691a, which defines a creditor as a person that extends, renews, or continues credit, and defines “credit” in part as the right to purchase property or services and defer payment therefore; and
6. Florence County is a creditor with respect to 16 CFR § 681.2 by accepting payment for county services in arrears; and
7. The Federal Trade Commission regulations define “covered account” in part as an account that a creditor provides for personal, family, or household purposes that is designed to allow multiple payments or transactions; and
8. The Federal Trade Commission regulations require each creditor to adopt an Identity Theft Prevention Program which will use red flags to detect, prevent, and mitigate identity theft related to information used in covered accounts.

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

I. BACKGROUND

Identity theft is a growing problem in the United States and South Carolina. In an attempt to combat this problem, the Federal Trade Commission, other Federal Agencies, and the South Carolina Legislature have mandated certain policies and procedures to detect, prevent, and mitigate identity theft by detecting identity theft red flags and applying a consistent response to prevent identity theft for its citizens.

II. PURPOSE

Florence County hereby establishes an Identity Theft Prevention Policy designed to detect, prevent, minimize, and mitigate identity theft in connection with the opening of a covered account or an existing covered account in order to provide for continued administration of the Policy in compliance with Part 681 of Title 16 of the Code of Federal Regulations implementing sections 114 and 315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003, and the South Carolina Act 190 of 2008, the Financial Identity Fraud and Identity Theft Protection Act.

III. DEFINITIONS

1. Covered Account: means an account that an entity or department of the County offers or maintains, primarily for personal, family, or household purposes that involves or is designed to permit multiple payments of transactions for which there is a reasonably foreseeable risk to customers or to the safety and soundness of account information from identity theft, including financial, operational, compliance, reputation, or litigation risks.
2. Financial Identity Fraud: as defined in S.C. Code of Laws § 16-13-510.
3. Identity Theft: means fraud committed or attempted using the identifying information of another person without authority, and includes any terms and definitions as defined in S.C. Code of Laws § 16-13-510.
4. Personal Identifying Information: means personal information as defined in S.C. Code of Laws § 16-13-510(D). It does not mean information about vehicular accidents, driving violations, and driver's status.
5. Red Flag: means a pattern, practice, or specific activity that indicates the existence of possible identity theft.
6. Security Breach: means an incident of unauthorized access to and acquisition of records or data that was not rendered unusable through encryption, redaction, or other methods containing personal identifying information that compromises the security, confidentiality, or integrity of personal identifying information maintained by a person when illegal use of the information has occurred or is reasonably likely to occur or use of the information creates a material risk of harm to the consumer.

IV. GOALS

The County establishes an Identity Theft Prevention Policy to detect, prevent, and mitigate identity theft. This policy is intended to:

1. Identify relevant red flags for covered accounts the County offers or maintains;
2. Detect potential red flags;
3. Respond appropriately to any red flags that are detected to prevent and mitigate identity theft;
4. Eliminate risk factors that are determined to increase the risk of a security breach;
5. Minimize the instances that lawfully obtained personal identifying information is disseminated as required pursuant to applicable portions of S.C. Act No. 190 of 2008; and
6. Update the policy periodically to reflect changes in risks of identity theft.

V. ADMINISTRATION

1. The County Administrator shall be responsible for the development, implementation, oversight, and continued administration of the policy;
2. The County shall train staff as deemed necessary, to effectively implement the County policy; and
3. The County shall exercise appropriate and effective oversight of service provider arrangements.

VI. MANAGEMENT AND SECURITY OF PERSONAL IDENTIFYING INFORMATION

Each Department Director and Elected and Appointed Department Head shall establish procedures to manage and secure lawfully obtained personal identifying information so that it shall only be disseminated internally for use by County employees for legitimate business reasons, and externally to the general public only for reasons authorized by state, federal, or local statutes. The following are examples of best practices to comply with this section. This is not an exhaustive list, and each Department Director and Elected and Appointed Department Head by law must implement procedures to address specific risks of identity theft and fraud within his or her respective department.

1. The County will not print more than 4 digits of Social Security Numbers on any materials to be mailed to an individual, unless state or federal law requires the Social Security Number to be on the document to be mailed.
2. The County shall segregate a Social Security Number from the rest of the record, or as otherwise appropriate, so that the Social Security Number may be easily redacted pursuant to a public records request.
3. The County will not keep personal credit card or debit card information on file. After completion of transactions, credit and debit card information will be shredded or otherwise destroyed timely.
4. The County will maintain a password protected data network system. Authorized users shall choose a unique password. Passwords must be changed by the user on a regular basis. Passwords are to be deactivated immediately upon employee termination.
5. All County employees must lock their computers whenever the employee is leaving his or her work station unattended for an extended period of time.
6. The County's servers shall be housed in a secure and locked environment. Access shall be limited to authorized individuals.
7. The County will sanitize technology hardware such as computers that contain personal and confidential information before such hardware is disposed or transferred to a third party.
8. The County shall dispose of its records that contain personal identifying information by modifying, shredding, erasing, or other means, so that the information is unreadable and undecipherable.

9. County employees are responsible for securing personal identifying information on their desk and in their office. Personal identifying information that is not, or will not be, under the employee's direct control for any length of time must be properly secured in a locked drawer, cabinet, or office.
10. At the discretion of their supervisor, some employees are provided with laptop computers in performance of their duties. Except for Mobile Data Terminals and other devices used by law enforcement and Emergency Medical Services, personal identifying information, confidential or sensitive data should not be stored or placed onto laptop computers. Under no circumstances should employees load personal identifying information, sensitive, or confidential information from a County system onto a laptop and remove it from County property where it may be subject to being lost or stolen.

VII. DISCLOSING BREACH OF SECURITY DATA

Florence County and each department shall disclose a breach of security data to individuals whose unencrypted and un-redacted personal identifying information was, or is reasonably believed to have been, acquired by an unauthorized person, whether illegal use of the information has occurred or is reasonably likely to occur. Disclosure shall be done in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement as provided in S.C. Code Ann. § 1-11-490(C), or with measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

VIII. IDENTIFICATION OF RED FLAGS

The following "red flags" are noted as potential indicators of identity fraud or identity theft under this Policy:

1. Alerts, notifications, or other warnings received from consumer reporting agencies or service providers, such as fraud detection services;
2. Presentation of suspicious documents – Examples of suspicious documents include but are not limited to: documents that appear to have been altered or forged; photograph, physical description, or other information on the identification that is not consistent with the appearance of the applicant or customer; information on the identification that is not consistent with readily accessible information that is on file with the County;
3. Presentation of suspicious personal identifying information – Examples of suspicious personal identifying information include but are not limited to: presentation of Social Security Number listed as belonging to a deceased individual or has not been issued;
4. Unusual use of or other suspicious activity related to a covered account;
5. Notice from customers, victims of identity theft, law enforcement authorities, state, federal, or local government entities, or other persons regarding possible identity theft in connection with covered accounts;
6. Receipt of notice of discrepancy from a nationwide consumer reporting agency indicating the data given by the consumer differs from data contained in the consumer report.

IX. DETECTION OF RED FLAGS

The County and each department shall undertake a policy that utilizes reasonable means of detecting red flags in connection with the opening of covered accounts and existing covered accounts, by:

1. Obtaining identifying information, and verifying the identity of a person opening a covered account; and
2. Authenticating identity of individuals, monitoring transactions, and verifying the validity of change of account information requests in the case of an existing covered account.

X. RESPONSE TO POTENTIAL RED FLAGS

The County and each department shall appropriately respond to detected red flags to prevent and mitigate identity theft. The response shall be commensurate with the degree of risk posed. Appropriate responses may include:

1. Investigating occurrences of red flag alerts,
2. Utilizing third-party resources to verify information,
3. Contacting the customer/affected person,
4. Notifying the County Risk Manager for determination of the appropriate steps,
5. Notifying law enforcement, and
6. Determining that no response is warranted under the circumstances.

XI. SERVICE PROVIDER AGREEMENTS

The County and each department shall take steps to ensure that the activity of a service provider is conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft whenever a service provider is engaged to perform an activity in connection with one or more covered accounts.

XII. OVERSIGHT

The County Administrator shall implement this policy and propose revisions to the policy as necessary to address changing risks of identity theft.

ATTEST:

Connie Y. Haselden, Council Clerk

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:
OPPOSED:
ABSENT:

FLORENCE COUNTY COUNCIL MEETING
Thursday, September 17, 2009

AGENDA ITEM: Ordinance No.31-2008/09
Third Reading

DEPARTMENT: Planning and Building Inspections

William H. Hoge

ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Signs On Private Property, Tables VII And VIII, And Article X, Definitions, Section 30-311, Definitions.] (*Planning Commission Approved 9-0; All Council Districts*)

POINTS TO CONSIDER:

1. Periodically amendments need to be made in order to continue to provide the most efficient and accurate customer service possible.
2. The above-referenced sections of the Zoning Ordinance for administering the criteria established for incidental signs requires clarification.
3. *Incidental signs* is requested to be amended to read *directional signs*. No revisions will be made to the definition itself.
4. Though incidental signs are allowed without prior permitting, certain zoning conditions are established prior to placement of these signs, and two tables need amendments to specifically reflect these conditions to more clearly convey the current requirements to readers.

OPTIONS:

1. (*Recommended*) Approve as Presented.
2. Provide An Alternate Directive.

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No.31-2008/09, w/markup shown.
2. Ordinance No.31-2008/09, final format.

Sponsor(s) : Planning Commission
 Planning Commission Consideration : January 22, 2008
 Planning Commission Public Hearing : January 22, 2008
 Planning Commission Recommendation : January 22, 2008[Approved9-0]
 First Reading/Introduction : May 7, 2009
 Committee Referral : June 4, 2009
 Second Reading : June 4, 2009
 Third Reading : September 17, 2009
 Effective Date : Immediately

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

ORDINANCE NO. 31-2008/09

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Signs On Private Property, Tables VII And VIII, And Article X, Definitions, Section 30-311, Definitions.]

WHEREAS:

1. Periodically amendments need to be made in order to continue to provide the most efficient and accurate customer service possible; and
2. The above-referenced sections of the Zoning Ordinance for administering the criteria established for incidental signs requires clarification; and
3. *Incidental signs* is requested to be amended to read *directional signs*. No revisions will be made to the definition itself; and
4. Though incidental signs are allowed without prior permitting, certain zoning conditions are established prior to placement of these signs, and two tables need amendments to specifically reflect these conditions to more clearly convey the current requirements to readers.

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

1. Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Signs on Private Property, Table VII, Regulation of Signs by Type, Characteristics and Zoning Districts and its Notes are amended in its entirety as follows:

[AMENDMENT FOLLOWS ON NEXT PAGE]

Sec. 30-202. Table VII: Regulation of Signs by Type, Characteristics and Zoning Districts.

1.	Sign Type	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (3)	UZ (5)
2.	Permanent										
3.	Freestanding										
4.	Billboards(4)	N	N	N	P	N	P	P	N	N	P
5.	Other	P(1)	P(1)	P	P	P	P	P	P(1)	P	NA
6.	Incidental-Directional(6)	N	A	A	A	A	A	A	A	A	NA
7.	Building										
8.	Canopy	N	P	P	P	P	P	P	P	N	NA
9.	Identification	A	A	A	A	A	A	A	A	A	NA
10.	Incidental-Directional(6)	N	A	A	A	A	A	A	A	A	NA
11.	Marquee	N	N	P	P	P	P	P	N	N	NA
12.	Projecting	N	N	P	P	P	P	P	N	N	NA
13.	Roof	N	N	P	P	P	P	P	N	N	NA
14.	Roof, integral	N	N	P	P	P	P	P	N	N	NA
15.	Wall	N	P	P	P	P	P	P	P	N	NA
16.	Window	N	A	A	A	A	A	A	A	A	NA
17.	Temporary (2)										
18.	A-frame	N	N	A	A	A	A	A	N	N	NA
19.	Banner	N	N	P	P	P	P	P	N	N	NA
20.	Posters	A	A	A	A	A	A	A	A	A	NA
21.	Portable	N	N	N	P	N	N	P	P	N	NA
22.	Inflatable	N	N	P	P	N	N	P	N	N	NA
23.	Pennant	N	N	P	P	N	P	P	N	N	NA
24.	Identification	A	A	A	A	A	A	A	A	A	NA
25.	Sign characteristics										
26.	Animated	N	N	P	P	P	P	P	N	N	NA
27.	Changeable copy	N	A	A	A	A	A	A	A	A	NA
28.	Illumination indirect	A	A	A	A	A	A	A	A	A	NA
29.	Illumination internal	A	A	A	A	A	A	A	A	A	NA
30.	Illumination, exposed bulbs or neon	N	N	N	N	N	N	N	N	N	NA

Table VII Notes

1. Signs identifying or announcing land subdivisions, residential projects, or agricultural operations, where permitted.
- 2 - See section 30-205.
- 3 - This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted in residential zoning districts, i.e., churches, schools, parks, etc., and includes historical markers.
- 4 - Where permitted by Table VII, billboards may be established only on lots or parcels fronting or within 600 feet of Interstate ROW as defined by Table VIII and U.S. designated highways.
- 5 - Un-zoned area of county.
- 6 - Though allowed w/o prior permitting, must meet the conditional requirements of Table VIII. Directional signs are allowed for conforming, non-residential uses in residential zones.
- NA - Regulation not applicable in un-zoned area of county.

3. Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Signs on Private Property, Table VIII: Number, Dimension and Location of Permitted Signs by Zoning District and all narrative below Table VIII are hereby amended in their entirety to read as follows:

[AMENDMENT FOLLOWS ON NEXT PAGE]

Sec.30-202. Table VIII: Number, Dimension and Location of Permitted Signs by Zoning District.

1.	Sign Type	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS(B)	UZ(1)
2.	Freestanding										
3.	Number permitted per lot(E)										
4.	Per Lot										
5.4.	Billboards	N	N	N	NA	N	NA	NA	N	N	NA
6.5.	Other (J)	1(A)	1	1	1	1	1	1	1(A)	1	NA
7.6.	Per feet of st. frontage										
8.7.	Billboards(C)	N	N	N	1:1,200(F)	N	1:1,200(F)	1:1,200(F)	N	N	1:1,200
9.8.	Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
10.9.	Maximum sign area (s.f.)										
11.10.	Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
12.11.	Other	20	20	32	3 s.f. for each ft. st. frontage(G)	80	80	32	20	20	NA
13.12.	Minimum setback from property line										
14.13.	Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
15.14.	Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	NA
16.15.	Maximum height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
17.16.	Building signs (J)										
18.17.	Number permitted	1	1	2	2	2	2	2	1	1	NA
19.18.	Maximum sign area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
20.19.	Maximum wall area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
21.20.	Temporary signs(2)	See Section 30-205									

Table VIII Notes: NA - Not applicable N - Not allowed s.f. - square feet

A- One-use identification sign, not exceeding 20 s.f. each, is 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 Highway as defined above (measured from the average roadway grade level); maximum height of other signs and billboards not on Interstate ROW shall not exceed 40 feet.

I - Un-zoned areas - Billboards must be within 600 feet of a business in operation for 12 months, with at least one employee available to public at least 36 hours per week for four days. Business to be equipped with all utilities, including restroom and permanent floor.

J - Directional signs shall meet the following conditional criteria:

1. The display surface area of directional signs shall not exceed 23 square feet per sign.
2. A limit of three signs stacked may be utilized and shall not exceed 69 square feet total
3. The height of a directional sign shall not exceed five feet in height measured from the ground up.
4. The sign cannot intrude into the required site triangle.

5. Company colors and/or logo may be used but no commercial message may be displayed.

4. Florence County Code, Chapter 30, Zoning Ordinance, Article X, Definitions, Section 30-311, Definitions, Sign, Incidental is hereby amended to read as follows:

Sign, ~~Incidental~~ Directional- A sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking", "entrance", "loading only", "telephone", and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered ~~incidental~~ directional.

5. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
6. 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:

Sponsor(s) : Planning Commission
 Planning Commission Consideration : January 22, 2008
 Planning Commission Public Hearing : January 22, 2008
 Planning Commission Recommendation : January 22, 2008[Approved9-0]
 First Reading/Introduction : May 7, 2009
 Committee Referral : June 4, 2009
 Second Reading : June 4, 2009
 Third Reading : September 17, 2009
 Effective Date : Immediately

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

ORDINANCE NO. 31-2008/09

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Signs On Private Property, Tables VII And VIII, And Article X, Definitions, Section 30-311, Definitions.]

WHEREAS:

1. Periodically amendments need to be made in order to continue to provide the most efficient and accurate customer service possible; and
2. The above-referenced sections of the Zoning Ordinance for administering the criteria established for incidental signs requires clarification; and
3. *Incidental signs* is requested to be amended to read *directional signs*. No revisions will be made to the definition itself; and
4. Though incidental signs are allowed without prior permitting, certain zoning conditions are established prior to placement of these signs, and two tables need amendments to specifically reflect these conditions to more clearly convey the current requirements to readers.

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

1. Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Signs on Private Property, Table VII, Regulation of Signs by Type, Characteristics and Zoning Districts and its Notes are amended in its entirety as follows:

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2.	Permanent										
3.	Freestanding										
4.	Billboards(4)	N	N	N	P	N	P	P	N	N	P
5.	Other	P(1)	P(1)	P	P	P	P	P	P(1)	P	NA
6.	Directional(6)	N	A	A	A	A	A	A	A	A	NA
7.	Building										
8.	Canopy	N	P	P	P	P	P	P	P	N	NA
9.	Identification	A	A	A	A	A	A	A	A	A	NA
10.	Directional(6)	N	A	A	A	A	A	A	A	A	NA
11.	Marquee	N	N	P	P	P	P	P	N	N	NA
12.	Projecting	N	N	P	P	P	P	P	N	N	NA
13.	Roof	N	N	P	P	P	P	P	N	N	NA
14.	Roof, integral	N	N	P	P	P	P	P	N	N	NA
15.	Wall	N	P	P	P	P	P	P	P	N	NA
16.	Window	N	A	A	A	A	A	A	A	A	NA
17.	Temporary (2)										
18.	A-frame	N	N	A	A	A	A	A	N	N	NA
19.	Banner	N	N	P	P	P	P	P	N	N	NA
20.	Posters	A	A	A	A	A	A	A	A	A	NA
21.	Portable	N	N	N	P	N	N	P	P	N	NA
22.	Inflatable	N	N	P	P	N	N	P	N	N	NA
23.	Pennant	N	N	P	P	N	P	P	N	N	NA
24.	Identification	A	A	A	A	A	A	A	A	A	NA
25.	Sign characteristics										
26.	Animated	N	N	P	P	P	P	P	N	N	NA
27.	Changeable copy	N	A	A	A	A	A	A	A	A	NA
28.	Illumination indirect	A	A	A	A	A	A	A	A	A	NA
29.	Illumination internal	A	A	A	A	A	A	A	A	A	NA
30.	Illumination, exposed bulbs or neon	N	N	N	N	N	N	N	N	N	NA

Table VII Notes

1. Signs identifying or announcing land subdivisions, residential projects, or agricultural operations, where permitted.
- 2 - See section 30-205.
- 3 - This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted in residential zoning districts, i.e., churches, schools, parks, etc., and includes historical markers.
- 4 - Where permitted by Table VII, billboards may be established only on lots or parcels fronting or within 600 feet of Interstate ROW as defined by Table VIII and U.S. designated highways.
- 5 - Un-zoned area of county.
- 6 - Though allowed w/o prior permitting, must meet the conditional requirements of Table VIII. Directional signs are allowed for conforming, non-residential uses in residential zones.
- NA - Regulation not applicable in un-zoned area of county.

3. Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Signs on Private Property, Table VIII: Number, Dimension and Location of Permitted Signs by Zoning District and all narrative below Table VIII are hereby amended in their entirety to read as follows:

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1.	Sign Type	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS(B)	UZ(1)
2.	Freestanding										
3.	Number permitted per lot(E)										
4.	Billboards	N	N	N	NA	N	NA	NA	N	N	NA
5.	Other (J)	1(A)	1	1	1	1	1	1	1(A)	1	NA
6.	Per feet of st. frontage										
7.	Billboards(C)	N	N	N	1:1,200	N	1:1,200	1:1,200	N	N	1:1,200
8.	Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
9.	Maximum sign area (s.f.)										
10.	Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
11.	Other	20	20	32	3 s.f. for each ft. st. frontage(G)	80	80	32	20	20	NA
12.	Minimum setback from property line										
13.	Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
14.	Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	NA
15.	Maximum height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
16.	Building signs (J)										
17.	Number permitted	1	1	2	2	2	2	2	1	1	NA
18.	Maximum sign area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
19.	Maximum wall area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
20.	Temporary signs(2)	See Section 30-205									

Table VIII Notes: NA - Not applicable N - Not allowed s.f. - square feet

A- One-use identification sign, not exceeding 20 s.f. each, is 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.

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 Highway as defined above (measured from the average roadway grade level); maximum height of other signs and billboards not on Interstate ROW shall not exceed 40 feet.

I - Un-zoned areas - Billboards must be within 600 feet of a business in operation for 12 months, with at least one employee available to public at least 36 hours per week for four days. Business to be equipped with all utilities, including restroom and permanent floor.

J - Directional signs shall meet the following conditional criteria:

1. The display surface area of directional signs shall not exceed 3 square feet per sign.
2. A limit of three signs stacked may be utilized and shall not exceed 9 square feet total
3. The height of a directional sign shall not exceed five feet in height measured from the ground up.
4. The sign cannot intrude into the required site triangle.

5. Company colors and/or logo may be used but no commercial message may be displayed.
4. Florence County Code, Chapter 30, Zoning Ordinance, Article X, Definitions, Section 30-311, Definitions, Sign, Incidental is hereby amended to read as follows:

Sign, Directional- A sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking", "entrance", "loading only", "telephone", and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered directional.

5. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
6. 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

FLORENCE COUNTY COUNCIL MEETING
Thursday, September 17, 2009

AGENDA ITEM: Ordinance No.03-2009/10
Third Reading

DEPARTMENT: Planning and Building Inspections

William A. Hoye

ISSUE UNDER CONSIDERATION:

[An Ordinance To Rezone Property Owned By Young Brothers Properties Located On I-95, Florence County From RU-1, Rural Community District To B-3, General Commercial District Shown On Florence County Tax Map No. 00075, Block 01, Parcel 005 Consisting Of 7.2 Acres.] *(Planning Commission approved 9-0; Council District 9)*

POINTS TO CONSIDER:

1. The property is located in Council District 9.
2. The subject property is currently being used as a driving range
3. The property is currently zoned RU-1, Rural Community District.
4. The applicant wishes to rezone the property to a B-3, General Commercial District.
5. The applicant wishes to develop the property commercially.
6. The property is surrounded by single-family residential and vacant lots.
7. The property is presently designated as Existing Residential area and does not comply with the current Comprehensive Plan.
8. The subject property according to the Future Land Use Map is designated as a Commercial Growth Preservation area.
9. Therefore, the applicant's request to rezone this property to B-3 will comply with the Future Comprehensive Plan Land Use Map.

OPTIONS:

1. *(Recommended)* Approve as Presented.
2. Provide An Alternate Directive.

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 03-2009/10
2. Staff report for PC#2009-27
3. Vicinity map
4. Location map
5. Comprehensive Land Use Plan map
6. Zoning map
7. Aerial photograph
8. Comprehensive Plan information
9. Zoning Ordinance information

Sponsor(s) : Planning Commission
 Planning Commission Consideration : June 23, 2009
 Planning Commission Public Hearing : June 23, 2009
 Planning Commission Recommendation : June 23, 2009[Approved 9-0]
 First Reading/Introduction : July 16, 2009
 Committee Referral : N/A
 Second Reading : August 20, 2009
 Third Reading : September 17, 2009
 Effective Date : Immediately

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

ORDINANCE NO. 03-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Rezone Property Owned By Young Brothers Properties Located On I-95 Florence County From RU-1, Rural Community District To B-3, General Commercial District Shown On Florence County Tax Map No. 00075, Block 01, Parcel 005 Consisting Of 7.2 Acres.]

WHEREAS:

1. Section 30-291 of the Florence County Code establishes that Florence County Council must be satisfied that applications for amendments to the Zoning Atlas of Florence County are 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. Section 30-297 of the Florence County Code republished January 2008, 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 Planning Commission at a public hearing on June 23, 2009.

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

1. Property located on I-95 bearing Tax Map 00075, Block 01, Parcel 005 is hereby rezoned to B-3, General Commercial 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

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

COUNCIL VOTE:
 OPPOSED:
 ABSENT:

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
JUNE 23, 2009
PC#2009-27
ORDINANCE NO. 03-2009/10**

Subject: Rezoning request from RU-1, Rural Community District to B-3 General Commercial District

Location: Property located at I-95, Florence County

Tax Map Number: 00075, Block 01, Parcel 005

Council District(s): 9; County Council

Owner of Record: Young Brothers Properties

Applicant: Hal Coker or Robert L. Weaver

Land Area: 7.2 acres

Existing Land Use and Zoning:

The subject property is currently used as a driving range.

Proposed Land Use and Zoning:

The applicant is proposing to rezone the subject property to B-3, General Commercial District for future commercial development.

Surrounding Land Uses and Zoning

North: Single-family residential/R-2/ Florence County
South: Vacant/ Unzoned/ Florence County
East: Vacant/ Unzoned/ Florence County
West: Single-family residential/R-2/ Florence County

Florence County Comprehensive Plan:

The subject property is located in an Existing Residential area according to the Existing Comprehensive Plan Land Use Map. While the applicant has requested to rezone this property from RU-1 to B-3, this request does not comply with the Comprehensive Plan. The proposed land use designation for the subject property on the Comprehensive Plan Map is currently in the process of being updated to Commercial Growth Preservation.

Staff Analysis:

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

Water and Sewer Availability- There is no water and sewer services available.

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.

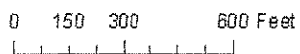
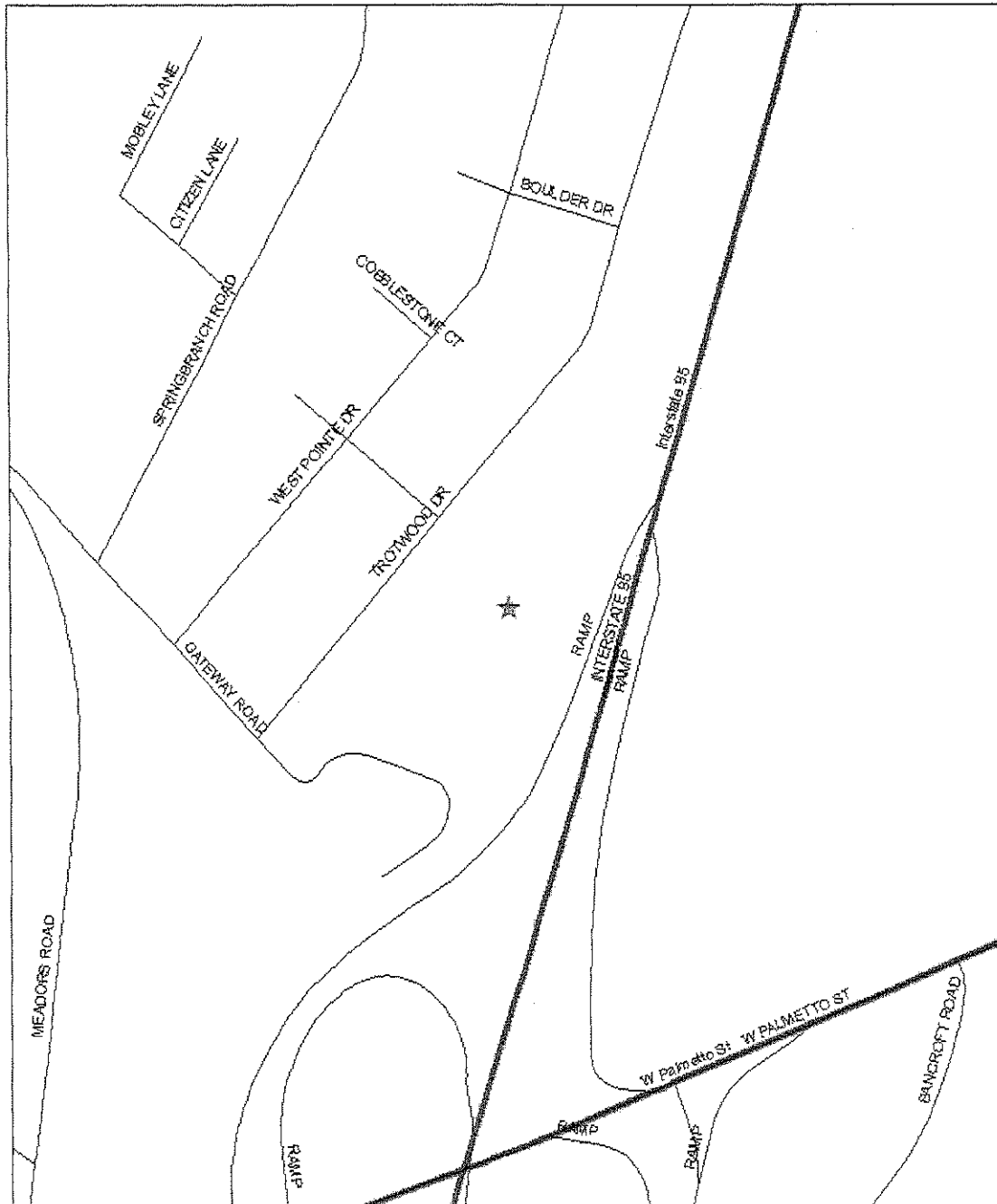
Background- The request is to rezone the subject property to B-3, General Commercial District.

Florence County Planning Commission Action: June 23, 2009

The nine Planning Commission members present approved the rezoning request unanimously based on the request being in compliance with the Commercial Growth Preservation designation of the Future Land Use Map of the Comprehensive Plan at the meeting held on June 23, 2009.

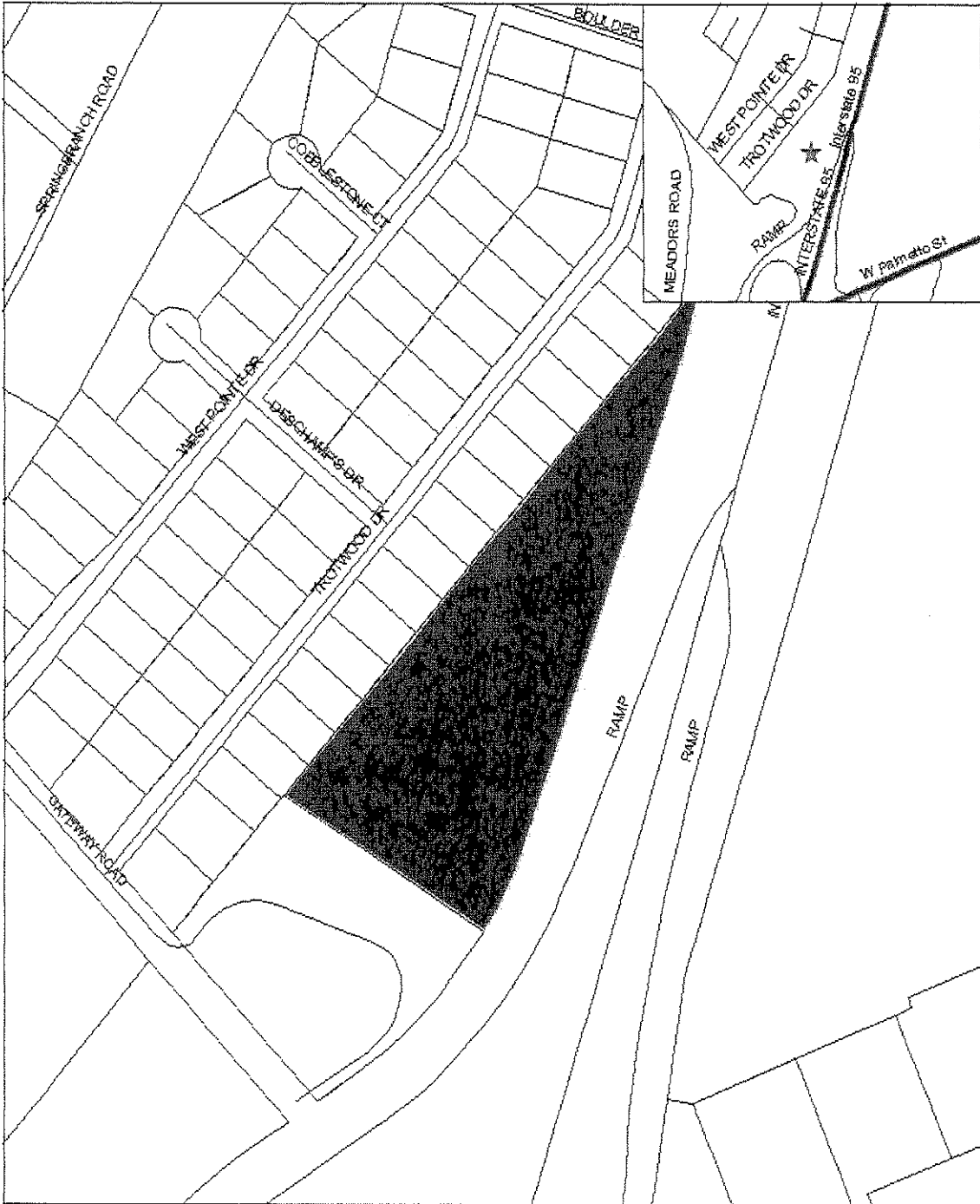
Florence County Planning Commission Recommendation:

The Planning Commission recommends approval of the rezoning request by Florence County Council based on the fact that the subject property will be located in a Commercial Growth Preservation area and will be in compliance with the Future Land Use Map of Comprehensive Plan.



Map Prepared by: RWE
 Copyright 2007: Florence County/Municipal Planning
 & Building Inspections Department
 Geographic Information Systems
 2007

COUNTY COUNCIL DISTRICT(S): 9
 PC#2009-27



0 162.5 325 650 Feet

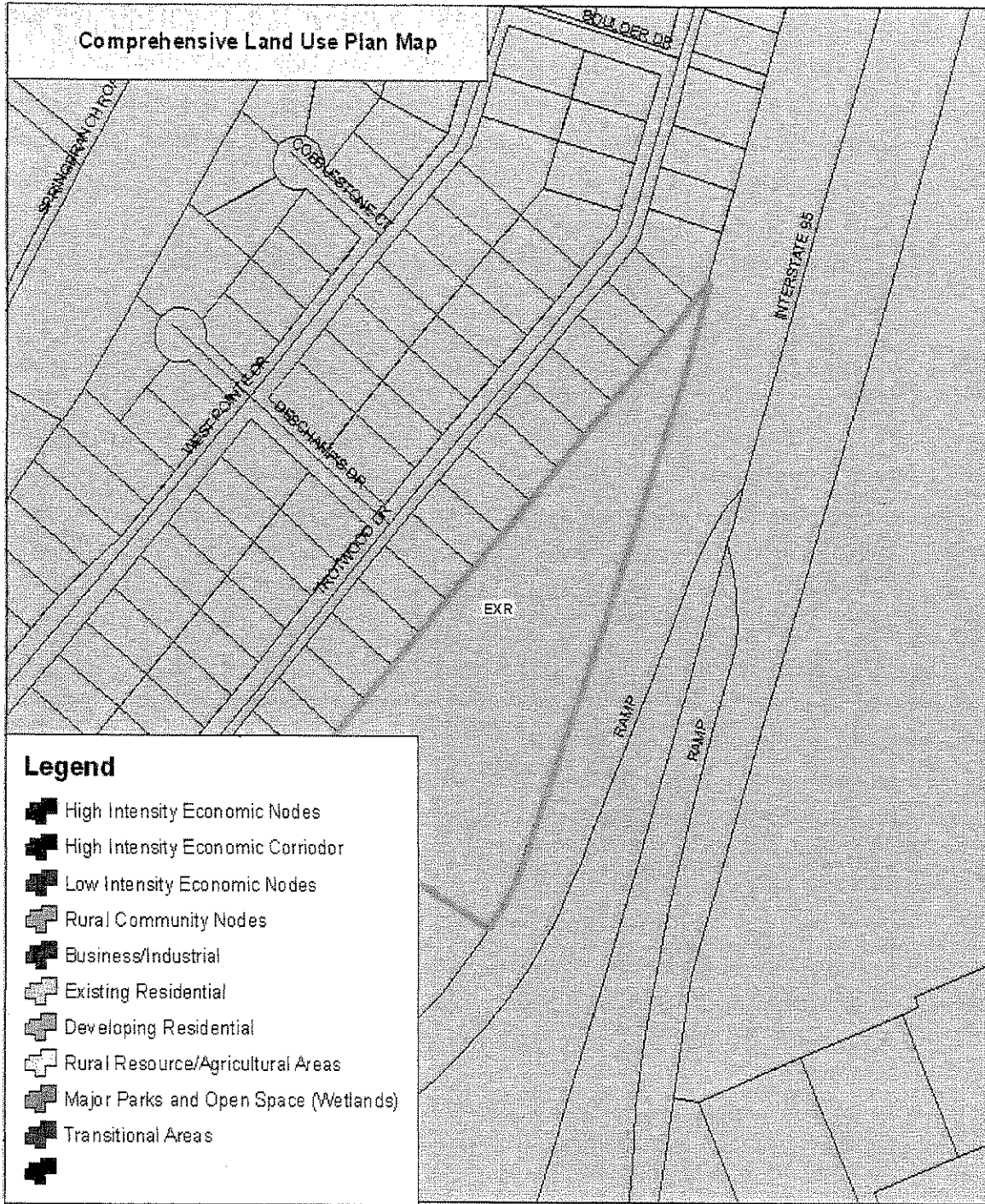


N



Map Prepared by: RWE
 Copyright 2007: Florence County/Municipal Planning
 & Building Inspections Department
 Geographic Information Systems
 2007

COUNTY COUNCIL DISTRICT(S): 9
PC#2009-27

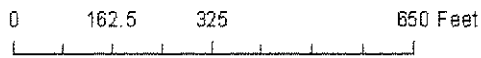
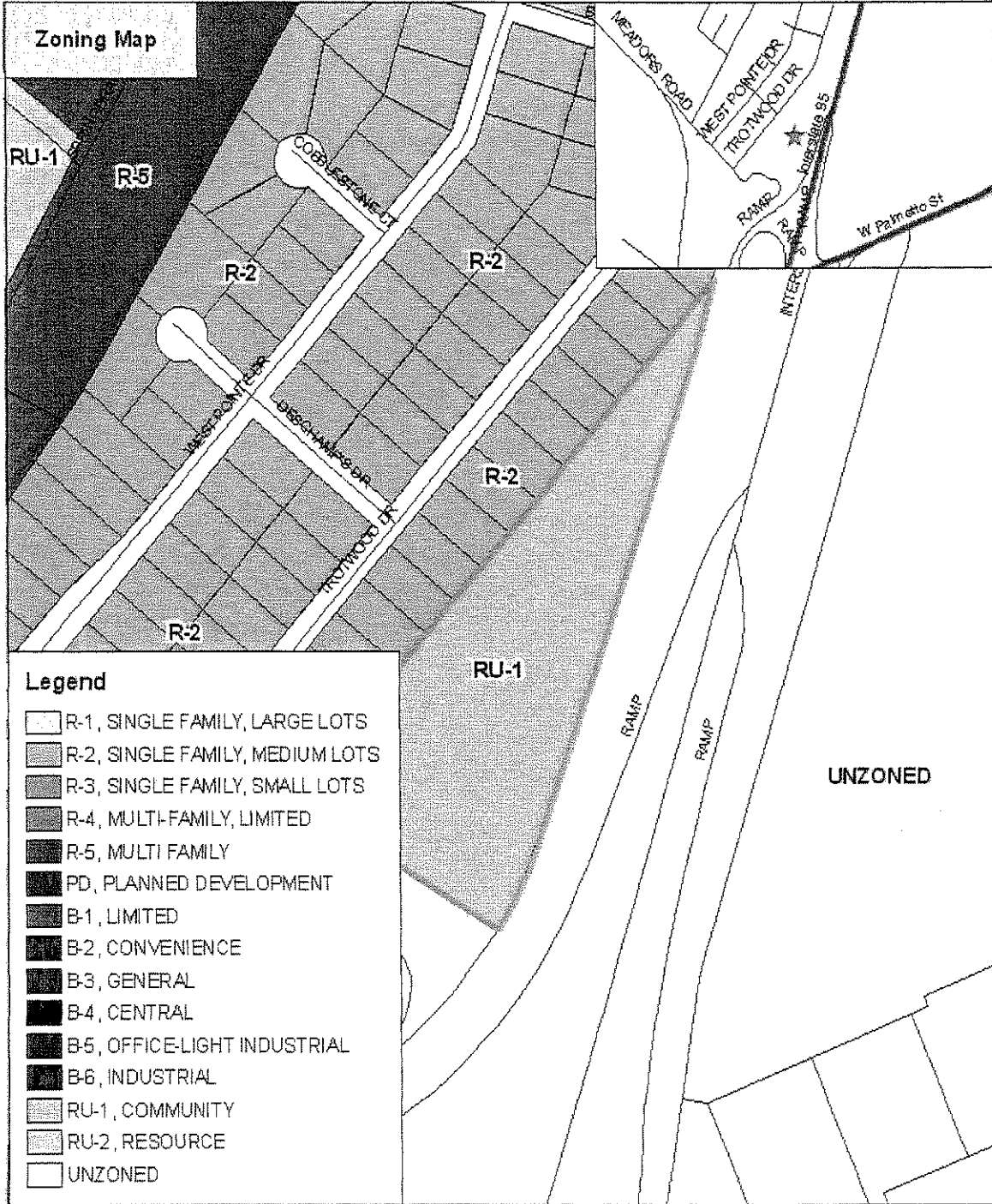


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Map Prepared by: RWE
 Copyright 2007: Florence County/Municipal Planning
 & Building Inspections Department
 Geographic Information Systems
 2007

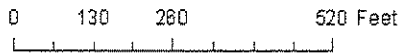
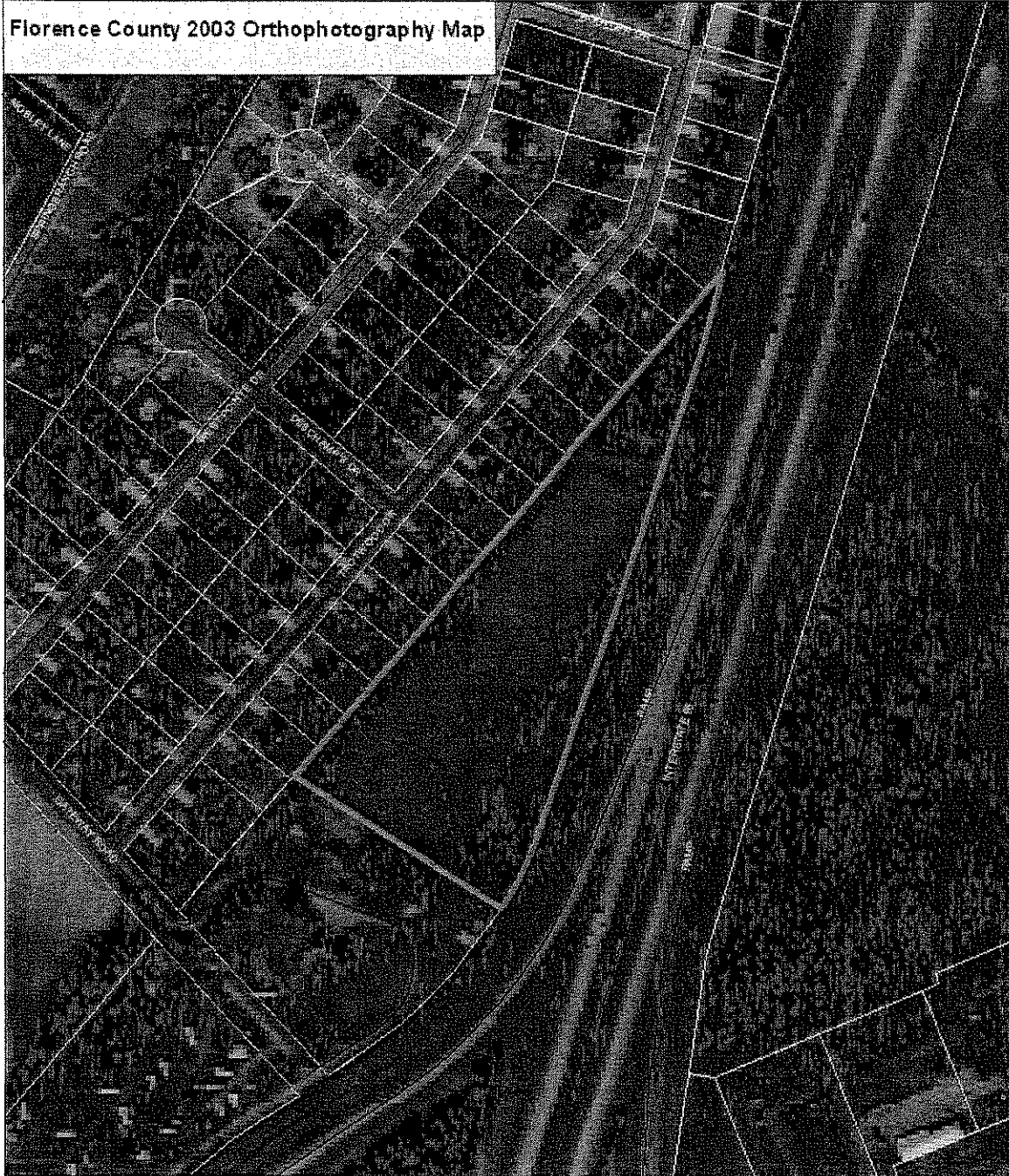
COUNTY COUNCIL DISTRICT(S): 9
PC#2009-27



Map Prepared by: RWE
 Copyright 2007: Florence County/Municipal Planning
 & Building Inspections Department
 Geographic Information Systems
 2007

COUNTY COUNCIL DISTRICT(S): 9
PC#2009-27

Florence County 2003 Orthophotography Map



Map Prepared by: RWE
Copyright 2007: Florence County/Municipal Planning
& Building Inspections Department
Geographic Information Systems
2007



COUNTY COUNCIL DISTRICT(S): 9
PC#2009-27

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

Comprehensive Plan Attachment
Future Land Use Plan Map Designation

Commercial Growth and Preservation: (CGP)

Protect and sustain existing commercial areas, including property values and amenities, and provide areas along important corridors or at key community points that are expected to have increasing economic significance.

(Zoning Districts Permitted: B-3, B-4, PD)

ZONING ORDINANCE ATTACHMENT

B-3. General Commercial District

The intent of this district is to provide for the development and maintenance of commercial and business uses strategically located to serve the community and the larger region in which it holds a central position.

FLORENCE COUNTY COUNCIL MEETING
Thursday, September 17, 2009

AGENDA ITEM: Ordinance No.04-2009/10
Third Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Section 30-8, Previously Zoned Map Designations and Sections 30-29, 30-111, And 30-311 For Minor Text Corrections.] *(Planning Commission approved 6-0; All Council Districts)*

POINTS TO CONSIDER:

1. Council District(s): All Florence County Council Districts.
2. The amendment to Section 30-8 will integrate the previously zoned map designation chart for the Town of Pamplico.
3. The amendment to Section 30-29, Table II will correct NAICS code references.
4. The amendments to Sections 30-111 and 30-311 will correct an ordinance reference for Florence County's Planning Commission and Board of Zoning Appeals references.

OPTIONS:

1. *(Recommended)* Approve as Presented.
2. Provide An Alternate Directive.

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 04-2009/10, w/markup shown.
2. Ordinance No.04-2009/10, final format.

Sponsor(s) : Planning Commission
 Planning Commission Consideration : May 26, 2009
 Planning Commission Public Hearing : May 26, 2009
 Planning Commission Recommendation : May 26, 2009 [Approved 6-0]
 First Reading/Introduction : July 16, 2009
 Committee Referral : N/A
 Second Reading : August 20, 2009
 Third Reading : September 17, 2009
 Effective Date : Immediately

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

ORDINANCE NO. 04-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Section 30-8, Previously Zoned Map Designations and Sections 30-29, 30-111, And 30-311 For Minor Text Corrections.]

WHEREAS:

1. The amendment to Section 30-8 will integrate the previously zoned map designation chart for the Town of Pamplico; and
2. The amendment to Section 30-29, Table II will correct NAICS code references; and
3. The amendments to Sections 30-111 and 30-311 will correct an ordinance reference for Florence County's Planning Commission and Board of Zoning Appeals references.

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

[CONTINUED ON NEXT PAGE]

1. Florence County Code, Chapter 30, Zoning Ordinance, Article I, Establishment, Purpose, Rules for The Interpretation of Zoning Districts and Zoning Annexed Property, Section 30-8, Previously Zoned Map Designations is hereby amended in its entirety to read as follows:

Sec. 30-8. Previously zoned map designations.

The existing zoning maps of each participating government adopting this chapter are hereby amended to change and reestablish the map designations in accord with the following conversion table, specifying a corresponding designation established by Section 30-1 of this chapter.

Previously Zoned Map Designations									Corresponding Zone Map Designations Established by section 30-1
1	Florence	Florence County	Johnsonville	Olanta	<u>Pamplico</u>	Scranton	Timmonsville	Quinby	
Residential Districts									Residential Districts
2	R-12	RS-1		R-1	<u>R-1</u>	R-1	<u>R-1</u>	R-1	R-1, Single-Family
3	R-9	RS-2	R-10		<u>R-2</u>	R-2			R-2, Single-Family
4	R-7.5	RS-3	R-6				R-2, R-3		R-3, Single-Family
5	R-6/R-4.4	RG-1, RG-2	APT	R-2		R-3		R-2	R-4, Multi-Family
6	RMF-4.4-20,000	MH	MH	R-3	<u>R-3</u>	MH	GR	R-3	R-5, Multi-Family
Business Districts									Business Districts
7	OPB	C-1			<u>OC</u>				B-1, Limited
8	NB	C-2	NC, NCR			NC			B-2, Convenience
9	GB	C-3		GC	<u>GC</u>	<u>HNC</u>	C-1	GC	B-3, General
10	CB		CC		<u>CC</u>		CB		B-4, Central
11		M-1	LI	LI	<u>LI</u>			LI	B-5, Office - Light Industrial
12	IND	M-2	BI				BI		B-6, Industrial
Rural Districts									Rural Districts
13	AO-12,000	RU, D-1	FA, CP	AR			FA	AR	RU-1, Community
14					<u>AR</u>				RU-2, Resource
Special Purpose Districts									Special Purpose
15	PD	<u>PUD</u>							PD, Planned Development
16	FH								FH, Flood Hazard
17									AC, Airport Compatibility

2. Florence County Code, Chapter 30, Zoning Ordinance, Article II, Zoning District Regulations, Division I, Generally, Section 30-29. Table II: Schedule of Permitted and Conditional Uses and Off-Street Parking Requirements for Business & Rural Districts, Sectors 44-45: Retail Trade; Sector 54: Professional, Scientific, Technical Services; Sector 61: Educational Services; Sector 81: Other Services (Except Public Administration) and Sector 92: Public Administration-only the sections of the Sectors of Table II as indicated below are hereby amended to read as follows. All other portions of the above-referenced Sectors and all other Sectors of Section 30-29 Table II shall remain as they exist.

Sector 44-45: Retail Trade										
Gravestones, monuments	45399844 3998	N	N	P	N	N	P	N	N	1.0 per 500 s.f. GFA

Sector 51: Information										
Motion pictures & sound industries	51512	N	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA

Sector 54: Professional, Scientific, Technical Services										
Professional, Scientific, Technical Svcs.	541	N	P	P	P	P	N	P	N	1.0 per 300 s.f. GFA
Display advertising - Signs	54185	See article V								
Legal services	5411	P	P	P	P	P	N	P	N	1.0 per 350 s.f. GFA
Engineering, accounting, research management & related services	5412-9	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Tax return prep. service	541213	P	P	P	P	N	N	P	N	1.0 per 500 s.f. GFA
Sector 54: Professional, Scientific, Technical Services - Cont'd.										
Photographic studios, portraits	54192	P	P	P	P	N	N	N	N	1.0 per 300 s.f. GFA
Veterinary services	54194	N	N	P	N	N	P	P	P	1.0 per 1,000 s.f. GFA

Sector 61: Educational Services										
Educational Services	6116147	P	P	P	P	N	N	N	N	1.0 per 200 s.f. GFA

Sector 81: Other Services (except Public Administration)										
Religious organizations	81211 81311	P	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA

Sector 92: Public Administration										
Police protection	92212 82212	P	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA

3. Florence County Code, Chapter 30, Zoning Ordinance, Article III, Conditional Use Regulations, Section 30-111, Development Standards for Unzoned Areas, Subsection (2)(g), Minimum Lot Dimensions, is hereby amended to read as follows:

g. The lot width of the parcel must be in accordance with the Florence County Land Development ~~Regulations~~ and Subdivision Ordinance.

4. Florence County Code, Chapter 30, Zoning Ordinance, Article X, Definitions, Section 30-311, Definitions, paragraph 9-term for "planning commission" and paragraph 12-term for "board of zoning appeals" only shall be amended to read as follows:

The term "planning commission" refers to the ~~Florida~~ Florence County Planning Commission as established by the Florence County Code of Ordinances, as amended.

The term "board of zoning appeals" refers to the ~~Florida~~ Florence County Board of Zoning Appeals as established by the Florence County Code Of Ordinances.

5. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.

6. 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:

Sponsor(s) : Planning Commission
Planning Commission Consideration : May 26, 2009
Planning Commission Public Hearing : May 26, 2009
Planning Commission Recommendation : May 26, 2009 [Approved 6-0]
First Reading/Introduction : July 16, 2009
Committee Referral : N/A
Second Reading : August 20, 2009
Third Reading : September 17, 2009
Effective Date : Immediately

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

ORDINANCE NO. 04-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Section 30-8, Previously Zoned Map Designations and Sections 30-29, 30-111, And 30-311 For Minor Text Corrections.]

WHEREAS:

1. The amendment to Section 30-8 will integrate the previously zoned map designation chart for the Town of Pamplico; and
2. The amendment to Section 30-29, Table II will correct NAICS code references; and
3. The amendments to Sections 30-111 and 30-311 will correct an ordinance reference for Florence County's Planning Commission and Board of Zoning Appeals references.

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

[CONTINUED ON NEXT PAGE]

1. Florence County Code, Chapter 30, Zoning Ordinance, Article I, Establishment, Purpose, Rules for The Interpretation of Zoning Districts and Zoning Annexed Property, Section 30-8, Previously Zoned Map Designations is hereby amended in its entirety to read as follows:

Sec. 30-8. Previously zoned map designations.

The existing zoning maps of each participating government adopting this chapter are hereby amended to change and reestablish the map designations in accord with the following conversion table, specifying a corresponding designation established by Section 30-1 of this chapter.

Previously Zoned Map Designations									Corresponding Zone Map Designations Established by section 30-1
1	Florence	Florence County	Johnsonville	Oianta	Pamplico	Scranton	Timmonsville	Quinby	
Residential Districts									Residential Districts
2	R-12	RS-1		R-1	R-1	R-1	R-1	R-1	R-1, Single-Family
3	R-9	RS-2	R-10		R-2	R-2			R-2, Single-Family
4	R-7.5	RS-3	R-6				R-2, R-3		R-3, Single-Family
5	R-6/R-4.4	RG-1, RG-2	APT	R-2		R-3		R-2	R-4, Multi-Family
6	RMF-4.4-20,000	MH	MH	R-3	R-3	MH	GR	R-3	R-5, Multi-Family
Business Districts									Business Districts
7	OPB	C-1			OC				B-1, Limited
8	NB	C-2	NC, NCR			NC			B-2, Convenience
9	GB	C-3		GC	GC	HNC	C-1	GC	B-3, General
10	CB		CC		CC		CB		B-4, Central
11		M-1	LI	LI	LI			LI	B-5, Office - Light Industrial
12	IND	M-2	BI				BI		B-6, Industrial
Rural Districts									Rural Districts
13	AO-12,000	RU, D-1	FA, CP	AR			FA	AR	RU-1, Community
14					AR				RU-2, Resource
Special Purpose Districts									Special Purpose
15	PD	PUD							PD, Planned Development
16	FH								FH, Flood Hazard
17									AC, Airport Compatibility

2. Florence County Code, Chapter 30, Zoning Ordinance, Article II, Zoning District Regulations, Division I, Generally, Section 30-29. Table II: Schedule of Permitted and Conditional Uses and Off-Street Parking Requirements for Business & Rural Districts, Sectors 44-45: Retail Trade; Sector 54: Professional, Scientific, Technical Services; Sector 61: Educational Services; Sector 81: Other Services (Except Public Administration) and Sector 92: Public Administration-only the sections of the Sectors of Table II as indicated below are hereby amended to read as follows. All other portions of the above-referenced Sectors and all other Sectors of Section 30-29 Table II shall remain as they exist.

Sector 44-45: Retail Trade										
Gravestones, monuments	453998	N	N	P	N	N	P	N	N	1.0 per 500 s.f. GFA

Sector 51: Information										
Motion pictures & sound industries	512	N	P	P	P	N	N	N	N	1.0 per 350 s.f. GFA

Sector 54: Professional, Scientific, Technical Services										
Professional, Scientific, Technical Svcs.	541	N	P	P	P	P	N	P	N	1.0 per 300 s.f. GFA
Display advertising - Signs	54185	See article V								
Legal services	5411	P	P	P	P	P	N	P	N	1.0 per 350 s.f. GFA
Engineering, accounting, research management & related services	5412-9	P	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Tax return prep. service	541213	P	P	P	P	N	N	P	N	1.0 per 500 s.f. GFA
Photographic studios, portraits	54192	P	P	P	P	N	N	N	N	1.0 per 300 s.f. GFA
Veterinary services	54194	N	N	P	N	N	P	P	P	1.0 per 1,000 s.f. GFA

Sector 61: Educational Services										
Educational Services	611	P	P	P	P	N	N	N	N	1.0 per 200 s.f. GFA

Sector 81: Other Services (except Public Administration)										
Religious organizations	81311	P	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA

Sector 92: Public Administration										
Police protection	92212	P	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA

3. Florence County Code, Chapter 30, Zoning Ordinance, Article III, Conditional Use Regulations, Section 30-111, Development Standards for Unzoned Areas, Subsection (2)(g), Minimum Lot Dimensions, is hereby amended to read as follows:

g. The lot width of the parcel must be in accordance with the Florence County Land Development and Subdivision Ordinance.

4. Florence County Code, Chapter 30, Zoning Ordinance, Article X, Definitions, Section 30-311, Definitions, paragraph 9-term for "planning commission" and paragraph 12-term for "board of zoning appeals" only shall be amended to read as follows:

The term "planning commission" refers to the Florence County Planning Commission as established by the Florence County Code of Ordinances, as amended.

The term "board of zoning appeals" refers to the Florence County Board of Zoning Appeals as established by the Florence County Code Of Ordinances.

5. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.

6. 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:

FLORENCE COUNTY COUNCIL MEETING
Thursday, September 17, 2009

AGENDA ITEM: Ordinance No.05-2009/10
Second Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article IX, Applications For Change And/Or Relief, Section 30-297, Administrative Procedures, Action.]
(Planning Commission approves 11-0; All Council Districts)

POINTS TO CONSIDER:

1. Periodically amendments need to be made in order to continue to provide the most efficient and accurate customer service possible.
2. The current text for the administrative procedures for the Planning Commission and Board of Zoning Appeals is confusing and mixes the two together in the text.
3. The amendment will divide the two entities and make the procedures easier to use and understand.
4. The amendment to the text of Section 297, Administrative Procedures shall delete all current text and replace with new language.

OPTIONS:

1. *(Recommended)* Approve as Presented.
2. Provide An Alternate Directive

ATTACHMENTS:

Copies of the following are attached:
Ordinance No.05-2009/10, w/ markup shown.

Sponsor(s) : Planning Commission
 Planning Commission Consideration : April 28, 2009
 Planning Commission Public Hearing : April 28, 2009
 Planning Commission Recommendation : April 28, 2009 [Approved 11-0]
 First Reading/Introduction : August 20, 2009
 Committee Referral : N/A
 Second Reading : September 17, 2009
 Third Reading : October 15, 2009
 Effective Date : Immediately

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

ORDINANCE NO. 05-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article IX, Applications For Change And/Or Relief, Section 30-297, Administrative Procedures, Action.]

WHEREAS:

1. The current text for the administrative procedures for the Planning Commission and Board of Zoning Appeals is confusing and mixes the two together in the text; and
2. The amendment will divide the two entities and make the procedures easier to use and understand; and
3. The amendment to the text of Section 297. Administrative procedures action, shall delete all current text and replace with new language.

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

1. Florence County Code, Chapter 30, Zoning Ordinance, Article IX, Applications for Change and/or Relief, Section 30-297, Administrative Procedures, Action is hereby amended in its entirety to read as follows:

~~Sec. 30-297. Administrative procedures, action.~~

~~Step 1. Administrative examination.~~

~~Upon receipt of an application, the zoning administrator shall examine it for completeness, and shall, within ten days, either return the application for additional information or forward it to the responsible governmental authority for review and action.~~

~~Step 2. Public notice.~~

~~All applications.~~

~~Public notice shall include announcing the application for change or relief in a newspaper of general circulation in Florence County at least 15 days prior to the time the application is scheduled for a public hearing. The notice shall state the nature of the change and the time, date, and place of the hearing.~~

~~Application for zoning map change.~~

In addition to the above, notice of an application for a map change (amendment) shall include posting the affected property. The zoning administrator shall post one hearing notice for every 400 feet of street frontage or portion thereof. Such notice shall be posted at least 15 days prior to the hearing and shall indicate the nature of the change proposed, identification of the property affected, and time, date, and place of the hearing.

Where one or more blocks are affected in one application, one hearing notice per block shall be sufficient.

Application for a variance.

In addition to public notice in a newspaper of general circulation, notice of an application for a variance shall be given to all parties of interest.

Step 3. Public hearing.

The Florence County Planning Commission shall conduct a public hearing on all applications for change involving the text of the zoning ordinance, and the zoning map.

The Florence County Board of Zoning Appeals (BZA) shall conduct a public hearing on all applications for relief involving variances and appeals.

Step 4. Review and action.

By the planning commission.

- ~~(1) The planning commission shall act on a completed application within 30 days after receipt thereof (1) to defer not more than 30 days or (2) to recommend either denial or approval. The decision shall be determined by a majority of those voting. Failure to act within said time frame shall constitute a recommendation of approval.~~
- ~~(2) The commission shall evaluate the proposed amendment relative to the following:
 - ~~a. How it relates to and affects the comprehensive plan.~~
 - ~~b. Changes in conditions since the adoption of the plan or ordinance.~~
 - ~~c. The need to correct an error or deficiency in the ordinance or the plan.~~
 - ~~d. Any benefits which would be derived from the amendment.~~
 - ~~e. Any cost to the government generated by the amendment in terms of expenditures for public improvements, facilities, and services.~~
 - ~~f. Public interest and input.~~~~

~~The commission shall forward its recommendation to the council of jurisdiction for final action.~~

By the council of jurisdiction.

~~The council of jurisdiction shall consider the recommendation of the planning commission and vote to approve, deny, or modify a proposed amendment, or refer it back to the planning commission for further study, or take other action as it may deem necessary.~~

By the board of zoning appeals

Applications for a variance shall be evaluated by the board of zoning appeals on the basis of the regulations set forth in section 30-293 of this chapter.

Where an application for a variance is within a flood hazard area, the board, in addition to the above, shall consider the following in its deliberations:

1. The danger that materials may be swept onto other lands to the injury of others;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage;
4. The importance of the services provided by the proposed facility to the community;
5. The necessity of the facility to a waterfront location, in the case of a functionally dependent facility;
6. The availability of alternative locations, not subject to flooding or erosion damage;
7. The safety of access to the property in times of flood;
8. The expected heights, velocity, duration, rate of rise, and sediment transport of flood waters; and
9. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities.

Applications appealing decisions of the zoning administrator shall be heard and decided by the zoning board of appeals based on information presented by the applicant and the zoning administrator relative to the specific ordinance provision being appealed.

Step 5. Notification:

All applicants for change or relief from the provisions of this chapter shall be notified in writing of final action taken by the authorized governmental authority.

An approved amendment by the council of jurisdiction shall become effective immediately after such adoption and any such amendment to the zoning map(s) shall be made by the zoning administrator within seven days thereafter.

An approved variance or appeal shall be accompanied by an order of the zoning board of appeals to direct the issuance of a permit.

Step 6. Appeals:

Applications for a variance shall be evaluated by the board of zoning appeals on the basis of the regulations set forth in section 30-293 of this chapter.

Sec. 30-297. Administrative procedures, action. (Planning Commission and Board of Zoning Appeals)

A. Planning Commission:

1. Applications for the following requested actions will be heard by the Planning Commission and forwarded to Council with a recommendation for final action. Note: Requests for subdivisions, subdivision variances, and private road names are processed through the Florence County Land Development Regulations.
 - a. Zoning
 - b. Rezoning
 - c. Zoning Ordinance Text Change
 - d. Comprehensive Plan Map District Change
 - e. Comprehensive Plan Text Change
 - f. Planned Development
2. In order for action to be taken on any of the above requests, the owner/citizen shall follow the steps outlined below except as noted:
 - a. Contact the Planning Department staff to discuss the request (recommended).
 - b. Complete the application form provided by the staff or available on the Florence County Web Site on the Planning Page.
 - (1) For Zoning, Rezoning, and Planned Development requests, the current property owner(s) must sign the application.
 - (2) Multiple parcels may be combined on one application if the request is the same.
 - c. Submit the application form and applicable fee to the Planning Department staff. Due to Public Hearing notice requirements, the application suspense for a Planning Commission meeting is 28 days prior to meeting.
 - d. Receive notice of the Planning Commission and Public Hearing date and time. Planned Developments will have a technical review 15 days prior to the Planning Commission meeting.
 - e. Attend the Planning Commission and Public Hearing meeting (recommended).
 - f. Receive notice of Planning Commission recommendation and date and time of County Council meeting. Approval from County Council requires three readings at three separate County Council Meetings.
 - g. Attend County Council meetings (recommended).
 - h. Receive notice of final action taken by County Council. Request complete.
 - i. Appeals for County Council decisions shall follow the procedures established in the Florence County Code.
3. For the request listed above, the Planning Department staff will take the following actions:
 - a. Meet with the owner/citizen to discuss the potential action, if requested.
 - b. Receive the completed application form and fee.
 - c. Within 10 days, review the application for completeness and either request additional information or forward for staff action.
 - d. Publish in a paper of general circulation notice of Public Hearing to be conducted for the request. Notice shall be published at least 15 days prior to the Public Hearing. The notice shall state the nature of the change, and time, date, and place of the Hearing.
 - e. Post the affected property, if applicable. The Zoning Administrator shall post the property so that the notice is visible from each thoroughfare abutting the property. The notice shall be posted at least 15 days prior to the Public Hearing and shall indicate the nature of the change requested, identification of the property, and time, date, and place of the hearing.

- f. Mail notices to owners of property that are adjacent to the affected property with the requested change and time, date, and place of the hearing. Notices shall be mailed at least 15 days prior to the hearing.
- g. Mail notices to any agencies, groups, or individuals who request Public Hearing notice.
- h. Mail notice of the meeting date, time, and place to the applicant(s).
- i. Receive comments from any interested party and forward to the Planning Commission.
- j. At the Planning Commission meeting, the staff shall present the request to the Commission and report any public comments received prior to the meeting.
- k. The Planning Commission shall act on a completed application within thirty (30) days after receipt thereof (1) to defer not more than 30 days or (2) recommend either denial or approval. The decision shall be determined by a majority of those voting. Failure to act in said timeframe shall constitute a recommendation of approval.
- l. The Commission shall evaluate the proposed amendment relative to the following:
 - (1) How it relates to and affects the Comprehensive Plan.
 - (2) Changes in conditions since the adoption of the Plan or Ordinance.
 - (3) The need to correct an error or deficiency in the Ordinance or the Plan.
 - (4) Any benefits which would be derived from the amendment.
 - (5) Any cost to the government generated by the amendment in terms of expenditures for public improvements, facilities, and services.
 - (6) Public interest and input.
- m. The Commission shall forward its recommendation to the County Council for final action. Florence County Council shall consider the recommendation of the Planning Commission and vote to approve, deny, or modify a proposed amendment, or refer to the Committee on Public Services and County Planning or Planning Commission for further study, or take other action as it may deem necessary.
- n. After Council action, the staff shall mail to the applicant(s) the final results.

B. Board of Zoning Appeals:

- 1. Applications for the following requested actions will be heard by the Florence County Board of Zoning Appeals:
 - a. Variances of Zoning Ordinance requirements
 - b. Appeals of Zoning Administrator decisions
 - c. Requests for Special Exceptions
- 2. In order for action to be taken on any of the above requests, the applicant shall follow the steps outlined below except as noted:
 - a. Contact the Planning Commission staff to discuss the request (recommended).
 - b. Complete the application form provided by the staff or available on the Florence County Web Site on the Planning Page. Multiple parcels may be combined on one application if the request is the same.
 - c. Submit the application form and applicable fee to the Planning Department staff. Due to the Public Hearing notice requirements, the application suspense for the Board of Zoning Appeals is 28 days prior to the meeting.
 - d. Receive notice of the Board of Zoning Appeals and Public Hearing date, time, and location.
 - e. Attend the Board of Zoning Appeals and Public Hearing meeting (recommended).
 - f. Receive notice of the Board of Zoning Appeals decision.

g. Appeals of Board of Zoning Appeals decisions shall follow the procedures in Section 30-293 (e) of this Ordinance.

3. For the requests listed above, the Planning Department staff will take the following actions:

- a. Meet with the owner/citizen to discuss the potential action, if requested.
- b. Receive the completed application form and fee.
- c. Within 10 days, review the application for completeness and either request additional information or forward for staff action.
- d. Publish in a paper of general circulation notice of Public Hearing to be conducted for the request. Notice shall be published at least 15 days prior to the Public Hearing. The notice shall state the nature of the change, and time, date, and place of the Hearing.
- e. Post the affected property, if applicable. The Zoning Administrator shall post the property so that the notice is visible from each thoroughfare abutting the property. The notice shall be posted at least 15 days prior to the Public Hearing and shall indicate the nature of the change requested, identification of the property, and time, date, and place of hearing.
- f. Mail notices to owners of property that are adjacent to the affected property with the requested change and time, date, and place of the hearing. Notices shall be mailed at least 15 days prior to the hearing.
- g. Mail notices to any agencies, groups, or individuals who request Public Hearing notice.
- h. Mail notice of the meeting date, time, and place to the applicant(s).
- i. Receive comments from any interested party and forward to the Board of Zoning Appeals.
- j. At the Board of Zoning Appeals meeting, the staff shall present the request to the Board and report any public comments received prior to the meeting.
- k. The Board of Zoning Appeals will hear and decide appeals for variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship.
 - (1) A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property.
 - (b) These conditions do not generally apply to other property in the vicinity.
 - (c) Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
 - (d) The authorization of a variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
 - (e) The Board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance.
 - (2) Where an application for a variance is within a Flood Hazard Area, the Board, in addition to the above, shall consider the following in its deliberations:
 - (a) The danger that materials may be swept onto other lands to the injury of others;
 - (b) The danger to life and property due to flooding or erosion damage, and the safety of access to the property in times of flood for ordinary and emergency vehicles;

- (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (d) The importance of the services provided by the proposed facility to the community;
 - (e) The necessity to the facility of a waterfront location, where applicable;
 - (f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (g) The compatibility of the proposed use with existing and anticipated development, and the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - (h) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
 - (i) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges;
 - (j) Agricultural structures must be located in wide, expansive floodplain areas, where no other alternative location for the agricultural structure exists. The applicant must demonstrate that the entire farm acreage, consisting of a contiguous parcel of land on which the structure is to be located, must be in the Special Flood Hazard Area and no other alternative locations for the structure are available.
- (3) Upon consideration of the factors listed above and the purposes of this ordinance, the appeal board may attach such conditions to the granting of variances within a Flood Hazard Area as it deems necessary to further the purposes of this ordinance. The following conditions shall apply to all variances:
- (a) Variances may not be issued when the variance will make the structure in violation of other federal, state, or local laws, regulations, or ordinances;
 - (b) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;
 - (c) Variances shall only be issued upon a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship, and a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;
 - (d) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and a written statement that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. Such notification shall be maintained with a record of all variance actions;
 - (e) The local administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request;
 - (f) Variances shall not be issued for un-permitted development or other development that is not in compliance with the provisions of this ordinance. Violations must be corrected in accordance with Section 30-265 of this ordinance.
- l. All applicants for a variance shall be sent a notice of final action taken by the Board of Zoning Appeals. All findings of fact and conclusions of law must be separately stated in final decisions or orders of the Board.
- m. The Board of Zoning Appeals shall not reconsider an application for change or relief to the same lot, parcel or portion thereof, within a period of one year from the date of final determination and notification.

n. Any person who may have a substantial interest in any decision of the Board of Zoning Appeals may appeal said decision to the Circuit Court in and for the County of Florence by filing with the clerk of such court a petition in writing setting forth plainly, fully, and distinctly wherein such decision is contrary to law. Such appeal shall be filed within thirty (30) days after the decision of the Board is rendered.

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

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

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

DRAFT

FLORENCE COUNTY COUNCIL MEETING

Thursday, September 17, 2009

AGENDA ITEM: Ordinance No.06-2009/10
Second Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Sections 30-91, 30-95, and 30-292 For Text Corrections; and Sections 30-294 And 30-295 For Minor Text Updates.] *(Planning Commission approves 11-0; All Council Districts)*

POINTS TO CONSIDER:

1. Periodically amendments need to be made in order to continue to provide the most efficient and accurate customer service possible.
2. The amendment to the text of Sections 30-91, Townhouses; 30-95, Mobile homes and 30-292, Planning commission shall correct text errors.
3. The amendments to the text of Sections 30-294, Types of applications and 30-295, Eligible applicants shall delete some of the current text and replace with or add new text.

OPTIONS:

1. *(Recommended)* Approve as Presented.
2. Provide An Alternate Directive

ATTACHMENTS:

Copies of the following are attached:

Ordinance No.06-2009/10, w/markup shown.

Sponsor(s) : Planning Commission
 Planning Commission Consideration : April 28, 2009
 Planning Commission Public Hearing : April 28, 2009
 Planning Commission Recommendation : April 28, 2009[Approved11-0]
 First Reading/Introduction : August 20, 2009
 Committee Referral : N/A
 Second Reading : September 17, 2009
 Third Reading : October 15, 2009
 Effective Date : Immediately

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

ORDINANCE NO. 06-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Sections 30-91, 30-95, and 30-292 For Text Corrections; and Sections 30-294 And 30-295 For Minor Text Updates.]

WHEREAS:

1. The amendment is to correct the text of Sections 30-91, Townhouses; 30-95, Mobile homes and 30-292, Planning commission; and
2. The amendment to the text of Sections 30-91, Townhouses; 30-95, Mobile homes and 30-292, Planning commission, deletes the words "Municipal" and "Consolidation" to make the text reflect the Florence County Planning Commission; and
3. The amendment to the text of Section 30-202, Table VIII deletes the "whichever is less" conflicting wording for free-standing signs; and
4. The amendments to the text of Sections 30-294, Types of applications and 30-295, Eligible applicants, clarifies Commission and Board responsibilities, establishes Florence County Council as the sole authority to approve amendments, and adds those eligible to request changes to the Comprehensive Plan and Map.

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

1. Florence County Code, Chapter 30, Zoning Ordinance, Article III, Conditional Use Regulations, Section 30-91, Townhouses, Subsections (1)(a) and (1)(b) are hereby amended to read as follows:

Sec. 30-91. Townhouses.

1. Due to the unique design features of townhouses, the following design and dimensional requirements are hereby imposed for all such projects:

A. Lot size. All projects shall meet the following:

- (1) A minimum of 0.5 acres, except for those being developed in a Planned Development District (PD), which require a minimum of two (2) acres per

section 30-43 of this chapter.

- (2) Minimum lot width per unit shall be 18 feet.
- (3) In addition, all units must be established on single lots and so arranged to ensure public access. As such, townhouse units may be initially established on separate parcels or must be designed to accommodate future subdivision of property as determined by the Florence County ~~Municipal~~ Planning Department.

2. Florence County Code, Chapter 30, Zoning Ordinance, Article III, Conditional Use Regulations, Section 30-95, Mobile Homes, is hereby amended in its entirety to read as follows:

Sec. 30-95. Mobile homes.

1. Mobile homes constructed before June 15, 1976 shall be permitted, established, or reestablished within the jurisdiction of this Ordinance only when the following requirements are met:
 - A. The mobile home must be currently set up and registered with the tax assessor's office or have any taxes from the previous year and the current year paid and must also pay any permits currently due prior to approval of requests to relocate, or if no relocation is required, before a power permit is issued;
 - B. The mobile home must be habitable pursuant to all applicable federal, state, and local law pursuant to Chapter 79 Section 43 of the South Carolina Code of Regulations; a county building inspector will do a basic review of the home for compliance with above standard.
 - C. An applicant must provide acceptable proof to the planning department that the mobile home has been continuously located within Florence County for the past five years based on the tax assessor records or other official records. Based upon accepted, documented hardship, the planning director may allow this time to be reduced to two years.
 - D. The mobile home must meet all applicable federal, state and local zoning and safety standards;
 - E. In order for a permit to be issued to install a Mobile Home in Florence County, installation shall be in accordance with Section 30-94, manufactured homes of the Florence County ~~Consolidation~~ Zoning Ordinance.
3. Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Table VIII: Number, Dimension and Location of Permitted Signs by Zoning District, is hereby amended to only change Note "D" as shown:

D - One per lot or one for each 300 linear feet of street frontage, ~~whichever is less.~~

4. Florence County Code, Chapter 30, Zoning Ordinance, Article IX, Applications for Change and/or Relief, Section 30-292, Planning Commission Subsection (h), Appeals, second line of the first paragraph only is hereby amended in its entirety to read as follows:

Sec. 292. Planning Commission.

(h) *Appeals.* Staff action, if authorized, to approve or disapprove a land development plan may be appealed to the Florence County/Municipal Planning Commission by any party in interest. The planning commission must act on the appeal within sixty days, and the action of the planning commission is final.

5. Florence County Code, Chapter 30, Zoning Ordinance, Article IX, Applications for Change and/or Relief, Section 30-294, Types of Application, is hereby amended in its entirety to read as follows:

Sec. 30-294. Types of applications.

1. Applications for legislative changes: Amendments. These are the changes that require review and a recommendation from the Planning Commission and approval by County Council. They involve amendments to the text of the Zoning Ordinance and Comprehensive Plan and changes to the maps for zoning and Comprehensive Plan.

~~These are changes that must be approved by the respective governing councils of the participating jurisdictions. They involve amendments to the text of the ordinance and changes to the official zoning maps.~~

2. Applications for relief: Variances, appeals. These are the procedures for securing relief from the requirements of the ordinance or clarification of the terms of the ordinance and are approved by the Board of Zoning Appeals.

~~These are procedures for securing relief from the requirements of the ordinance or clarification of the terms of the ordinance.~~

6. Florence County Code, Chapter 30, Zoning Ordinance, Article IX, Applications for Change and/or Relief, Section 30-295, Eligible Applicants is hereby amended in its entirety to read as follows:

Sec. 30-295. Eligible applicants.

1. Parties and individuals eligible to initiate an application for change and/or relief from the requirements of this chapter are identified on Table IX.

2. Parties not listed may petition the planning commission and/or council to initiate a change, but the petitioned party is not bound to act on behalf of the petitioner.

Table IX Parties Eligible To Apply For Change And/Or Relief From The Requirements Of This Ordinance Petition for Legislative Change Petition for Relief

Eligible Applicants	Map Changes (Zoning, Rezoning, and Comprehensive Plan)	Text Changes (Zoning Ordinance & Comprehensive Plan)	Variance	Appeal
Property owners	YES	NO	YES	YES
Agent of property owner	YES	NO	YES	YES
Option holder	YES	NO	NO	NO
Aggrieved person or party	NO	NO	NO	YES
Officials administering this chapter	NO	YES	NO	YES
Planning commission*	YES	YES	NO	NO
Governing council*	YES	YES	NO	NO

*A petition initiated by the planning commission or council of jurisdiction shall not relieve the property owner, or agent, or ~~option holder~~ of the responsibility of furnishing all required information to support the petition.

7. Provisions in other Florence County Ordinances in conflict with this Ordinance are hereby repealed.
8. 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:

FLORENCE COUNTY COUNCIL MEETING
Thursday, September 17, 2009

AGENDA ITEM: Ordinance No. 07-2009/10
Second Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Adopt A New Land Use Element For The Florence County Comprehensive Plan In Accordance With The 1976 South Carolina Code Of Laws, As Amended, Title 6, Chapter 29, Section 510.] *(Planning Commission approved 6-0: All Council Districts)*

POINTS TO CONSIDER:

1. Council District(s): All Florence County Council Districts.
2. According to state law, a new Florence County Comprehensive Plan must be developed every ten years.
3. The original passage date of the Land Use Element was March 4, 1999.
4. Passage of this element will fulfill state law requirements and provide goals to incorporate the analysis and future strategy of several previously adopted elements and emphasize sustainability and prudence as the priority objective for growth. To maintain a healthy community while providing quality services for our residents, businesses and visitors, a diversity of land uses should be provided.

OPTIONS:

1. *(Recommended)* Approve as presented.
2. Provide an Alternative Directive

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 07-2009/10
2. Executive Summary of the Land Use Plan Development
3. Staff Report for PC#2009-25
4. Resolution for PC#2009-25
5. Proposed Land Use Element (Enclosed Separately)

Sponsor(s) : Planning Commission
 Planning Commission Consideration : July 28, 2009 [Approved 6-0]
 Planning Commission Public Hearing : July 28, 2009
 Planning Commission Recommendation : July 28, 2009
 First Reading/Introduction : August 20, 2009
 Committee Referral : N/A
 Second Reading : September 17, 2009
 County Council Public Hearing : September 17, 2009
 Third Reading : October 15, 2009
 Effective Date : Immediately

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

ORDINANCE NO. 07-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Adopt A New Land Use Element For The Florence County Comprehensive Plan In Accordance With The 1976 South Carolina Code Of Laws, As Amended, Title 6, Chapter 29, Section 510.]

WHEREAS:

1. South Carolina Code §6-29-510 requires a new Florence County Comprehensive Plan be developed every ten years; and
2. The original passage date of the Land Use Element was March 4, 1999; and
3. Passage of this element will fulfill state law requirements, and provide goals to incorporate the analysis and future strategy of several previously adopted elements and emphasize sustainability and prudence as the priority objective for growth. To maintain a healthy community while providing quality services for our residents, businesses and visitors, a diversity of land uses should be provided.

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

1. The Florence County Comprehensive Plan Land Use Element attached hereto, is hereby adopted and implemented, and supersedes all other versions of this Element which were adopted previously.
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

Executive Summary of the Land Use Plan Development

August 25, 2009

The Local Government Comprehensive Planning Enabling Act of 1994 provides for the Comprehensive Plan and the Land Use element. This law prescribes a ten year update cycle with reviews completed at least every five years. The original Future Land Use plan was completed for Florence County in 1997. This proposed plan, together with updates to eight other elements that began in 2007, represents the County's first update.

The preparation of the Florence County Land Use Element began over two years ago with input from all municipalities and Florence County residents. In addition to meeting with municipal administration and staff, County staff presented background and proposed maps to the public, oftentimes during municipal Council meetings. Every municipality in the County was visited. Further, the proposed plan was presented to other jurisdictions, Florence County Economic Development, Pee Dee Realtors Association, Pee Dee Home Builders Association, and the Pee Dee Council of Governments for their information and feedback.

To further increase the depth of public outreach, County staff employed a wide range of interactive, personal and electronic media. Interactive maps which enabled patrons to choose areas to discuss around the County were distributed throughout the library system. County staff compiled interactive web pages where visitors could review the land use map and document and leave comments. Email correspondence and one-on-one meetings with participating stakeholders also played significant roles in finalizing the document. Overall, more than 2,800 people participated in our 21 public meetings, 10 planning meetings and websites.

The Florence County Planning Commission was an integral part of shaping the current Land Use document. The Planning Commission held two workshops, a public meeting and two public hearings for this document. All citizen requests for changes were addressed including designation of a 'Flood Hazard District' based strictly on the 100-year FEMA flood zone designation. The final public hearing, which also resulted in a positive and unanimous recommendation to the County Council, included very favorable comments from those residents speaking. Also present at the hearing were citizens that previously opposed some aspects of the plan, but were instrumental in the final draft contents.

This Element describes a variety of actions, concerns and land uses to ensure a growing and healthy community while providing quality services for residents, businesses and visitors. These land uses include a variety of residential densities along with commercial, industrial, schools, parks, a hazard district (Flood Hazard District) and other community components. The goal of this element is to categorize land uses in a geographic manner to promote increased quality of life for Florence County residents while promoting industrial growth and preserving the County's natural resources.

This element includes a Future Land Use Map and finishes with 21 goals that will keep Florence County at the forefront of growth in South Carolina and the Southeast United States.

The Land Use element is the seventh element to be presented to the County Council. Two more elements will follow shortly: the Transportation and Priority Investment elements. Both of these State directed elements are new to the Comprehensive Plan for this update cycle.

The Florence County Comprehensive Plan is a community vision for a strong and vibrant Florence County and the Florence County Planning Commission has recommended approval of this latest Element based on their extensive involvement.

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
JULY 28, 2009
PC#2009-25
ORDINANCE NO. 07-2009/10**

Subject: Adoption of a Resolution recommending the updated **Land Use Element** of the Comprehensive Plan

Staff Analysis:

According to state law, a new comprehensive plan must be developed every ten years. The seven elements of the current plan were passed by all participating jurisdictions on various dates between December 1997 and April of 1999.

The seventh element to be adopted in accordance with this calendar to meet the ten-year requirement is the Land Use Element. The Planning Commission advertised for and held workshops on May 21, 2009 and June 9, 2009 to discuss this issue.

Element Information:

The Land Use Element examines the characteristics of the existing land uses, recent development activity and projections for future growth. This element incorporates the analyses and future strategies of many existing elements of the Florence County Comprehensive Plan.

Florence County Planning Commission Action: June 23, 2009:

Planning Commission deferred action until a land use training session could be held with public input. A Land Use Night School was advertised and held on July 16, 2009.

Florence County Planning Commission Action: July 28, 2009:

The six Planning Commission members present voted unanimously to adopt a resolution recommending that County Council adopt the Land Use Element with staff edits.

Attachments:

Copies of the following are attached:

1. Proposed Land Use Element
2. Resolution of Recommendation

RESOLUTION FOR PC#2009-25
FLORENCE COUNTY PLANNING COMMISSION

(A Resolution Recommending The Updated Land Use Element Of The Comprehensive Plan)

WHEREAS:

1. According to state law, a new Florence County Comprehensive Plan must be developed every ten years; and
2. The seventh element to be adopted according to the ten-year schedule is the Land Use Element; and
3. The Planning Commission advertised for and held workshops on May 21, 2009 and June 9, 2009; and
4. The Planning Commission advertised for and held a Land Use Night School for public input on July 16, 2009; and
5. Following the passage of this resolution by the majority of the entire membership of the Planning Commission, the Land Use Element must be adopted by ordinance after a public hearing by Florence County.

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

1. A Resolution is hereby adopted to recommend that Florence County adopt by ordinance the update to the Florence County Comprehensive Plan Land Use Element as presented by the Planning Commission.

ATTEST:

Angela C. Thomas
Angela Thomas, Secretary

SIGNED:

Peter M. Kistler
Chairman

COMMISSION VOTE: 6-0

OPPOSED: None

ABSENT: C. Cunka

T. Greene

D. Hobbs

J. Lane

D. Lockhart

FLORENCE COUNTY COUNCIL MEETING
Thursday, September 17, 2009

AGENDA ITEM: Ordinance No. 08-2009/10
Second Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend Florence County Code, Chapter 9.5, Drainage And Stormwater Management Ordinance, Section 9.5-16, Regarding Requirements For Land Disturbing Activity And Section 9.5-72, Regarding Clarification Of Close Out Processes For Commercial and Residential Projects.] *(Planning Commission approved 6-0: All Council Districts)*

POINTS TO CONSIDER:

1. Council District(s): All Florence County Council Districts.
2. The amendment to Section 9.5-16 is in response to DHEC's annual review of the Municipal Separate Storm Sewer System (MS4) Program for Florence County.
3. The purpose of the MS4 program is to safeguard the quality of stormwater discharged to waters of the state.
4. DHEC's review identified concerns about the County's regulatory mechanism listed in Construction Site Storm Water Runoff Control (4.2.4) section "A" of the South Carolina NPDES Permit SCR03000.
5. This amendment will strengthen the County's MS4 program to meet the requirements of the SCR03000.
6. The amendment to Section 9.5-72 further defines "As Built or Record Documents" requirements for land disturbing activity and further clarifies actions that can be taken when performing the closeout processes for commercial and residential projects.

OPTIONS:

1. *(Recommended)* Approve as Presented.
2. Provide An Alternate Directive.

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 08-2009/10, w/markup shown.
2. Executive Summary.

Sponsor(s) : Planning Commission
 Planning Commission Consideration : July 28, 2009
 Planning Commission Public Hearing : July 28, 2009
 Planning Commission Recommendation : July 28 2009[Approved 6-0]
 First Reading/Introduction : August 20, 2009
 Committee Referral : N/A
 Second Reading : September 17, 2009
 Third Reading : October 15, 2009
 Effective Date : Immediately

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

ORDINANCE NO. 08-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend Florence County Code, Chapter 9.5, Drainage And Stormwater Management Ordinance, Section 9.5-16, Regarding Requirements For Land Disturbing Activity And Section 9.5-72, Regarding Clarification Of Close Out Processes For Commercial and Residential Projects.]

WHEREAS:

1. DHEC conducted its annual review of Florence County Municipal Separate Storm Sewer System (MS4) Program which is the program that safeguards the quality of stormwater discharged to waters of the state; and
2. This year's review identified concerns about the County's regulatory mechanism listed in Construction Site Storm Water Runoff Control (4.2.4) section "A" of the South Carolina NPDES Permit SCR03000; and
3. The amendment to Section 9.5-16 will strengthen the County's MS4 program to meet the requirements of the SCR03000; and
4. The amendment to Section 9.5-72 will further define "As Built or Record Documents" requirements for land disturbing activity and clarify actions that can be taken when performing the closeout processes for commercial and residential projects.

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

[CONTINUED ON NEXT PAGE]

1. Florence County Code, Chapter 9.5, Drainage And Stormwater Management, Article I, General, Division 2, General, Section 9.5-16 Finding of Fact, is hereby amended in its entirety to read as follows:

Sec. 9.5-16. Finding of fact.

(a) The county council finds and declares that the matters set forth in the recitals hereof are in all respects correct.

(b) The County is required by federal law [33 U.S.C 1342(p) and 40 CFR 122.261] to obtain a NPDES permit from the South Carolina Department of Health and Environmental Control (SCDHEC) for stormwater discharges from the Florence County Stormwater System. The NPDES permit requires the County to impose controls to reduce the discharge of pollutants in stormwater to the maximum extent practicable using management practices, control techniques and system, design and engineering methods, and such other provisions that are determined to be appropriate for the control of such pollutants. The permit should be in compliance with the following, except as modified by more stringent requirements of this ordinance:

- (1) Standards of Stormwater Management and Sediment Reduction Regulation 72-305 "Permit Application and Approval Process" and 72-307 "Specific Design Criteria, Minimum Standards, and Specifications".
- (2) NPDES General Permit for Stormwater Discharges from Large and Small Construction Activities [Permit No. SCR 100000].
- (3) NPDES General Permit for Stormwater Discharges from Regulated Small Municipal Separate Storm Sewer Systems (MS4s) [Permit No. SCR03000].

Additionally, certain facilities that discharge stormwater associated with an industrial activity, including land-disturbing activities, are required to obtain their own respective NPDES permits. Also, the South Carolina Stormwater Management and Sediment Reduction Act [S.C. Code 48-14-10 et seq.] requires the County to obtain a permit for certain land-disturbing activities.

2. Florence County Code, Chapter 9.5 Drainage and Stormwater Management, Article II, Drainage and Stormwater Management, Division 2, Sediment and Erosion Control, Section 9.5-72(c) and (d) Inspection and Enforcement are hereby amended in their entirety and shall read as follows:

[CONTINUED ON NEXT PAGE]

~~(c) The person responsible for the land disturbing activity shall notify the county before initiation of construction. The applicant shall notify the county engineer before commencing any work for a preconstruction meeting prior to implementing the stormwater management and sediment control plan for all projects greater than one (1) acre. The County may also request a preconstruction meeting for selected projects under one (1) acre. The county shall also be notified upon project completion, when a final inspection will be conducted to ensure compliance with the approved stormwater management and sediment control plan.~~

(d) The person responsible for the land disturbing activity shall, if required by the county during the plan approval process, submit "As Built or Record Document" plans. In addition, the person responsible for level II and III land disturbing activities shall be required to submit written certification from the professional engineer, landscape architect, or tier B land surveyor responsible for the filed supervision of the land disturbing activity that the land disturbing activity was accomplished according to the approved stormwater management and sediment control plan or approved changes. When "As Built" plans are submitted, the minimum information to be provided on those "as-built" plans shall include the following:

- (1) Boundary, phase, and lot lines.
- (2) Lot numbers and street names.
- (3) Easements.
- (4) Road locations with centerline stationing and curve data.
- (5) Road centerline elevations at one-hundred-foot intervals.
- (6) Drainage structures with elevations.
- (7) Drainage pipes with size, material, length, slope, and invert elevations.
- (8) Ponds or lakes with average bottom and water surface elevations, storage capacity in acre-feet, and any control structures shall be shown in detail.
- (9) Drainage ditches and swales with elevations at one-hundred-foot intervals.
- (10) Water and sewer as-built information as required by the appropriate utility company.

3. Florence County Code, Chapter 9.5, Drainage and Stormwater Management, Article II. Drainage and Stormwater Management, Division 2, Sediment and Erosion Control, Section 9.5-72, Inspection and Enforcement insert new subparagraphs (h), (i), and (j) and re-letter the remaining subparagraphs to read as follows:

(h) For commercial projects, the Notice of Termination process per the NPDES General Permit for Stormwater Discharges from Large and Small Construction Activities, Parts 5.1 – 5.3, must be initiated by the applicant so that it shall be completed by the county engineering division prior to any of the following actions, as applicable:

- (1) The use or occupancy of any newly constructed components of the site.
- (2) Release of any bond held by Florence County if applicable.

(i) For residential projects, a project closeout process must be initiated by the applicant so that it shall be completed by the county engineering division prior to any of the following actions, as applicable:

- (1) The use or occupancy of any newly constructed components of the site.
 - (2) Final acceptance of any road into the Florence county road maintenance system or designation of road owner and associated stormwater management system.
 - (3) Release of any bond held by Florence County if applicable.
 - (4) Approval and/or acceptance for recording of map, plat, or drawing, the intent of which is to cause a division of a single parcel of land into two or more parcels.
- (j) A Notice of Termination shall then be submitted once the requirement of the NPDES General Permit for Stormwater Discharges from Large and Small Construction Activities, Parts 5.1 – 5.3, have been met.
- (k) The county may, in addition to its enforcement options, refer a site violation to the department of health and environmental control for review.
- (l) Referral of a site violation to the department of health and environmental control may initiate a department of health and environmental control construction inspection of the site to verify site conditions. That construction inspection may result in the following actions:
- (1) Notification through appropriate means to the person engaged in a land disturbing activity to comply with the approved plan within a specified time frame; and
 - (2) Notification of plan inadequacy, with a time frame for the person engaged in a land disturbing activity to submit a revised stormwater management and sediment control plan to the county and to receive its approval with respect thereto.
- (m) Failure of the person engaged in the land disturbing activity to comply with department of health and environmental control requirements may result in the following actions in addition to other penalties as provided in S.C. Code 1976, Tit. 48, Ch. 14, as amended.
- (1) The department of health and environmental control may direct the county to order any person violating any provision of chapter 14 and/or these regulations to cease and desist from any site work activity other than those actions necessary to achieve compliance with any administrative order.
 - (2) The department of health and environmental control may direct the county to refrain from issuing any further building or land disturbance permits to the person having outstanding violations until those violations have been remedied.
 - (3) The department of health and environmental control may recommend fines to be levied by the county.
- (n) The county may utilize "stop work orders" as a part of its inspection and enforcement program in accordance with the following procedures:
- (1) The county may issue a stop work order if it is found that a land disturbing activity is being conducted in violation of this chapter or of any regulation adopted or order issued pursuant to, in connection with or otherwise related to this chapter and that either:
 - i. Off-site sedimentation resulting from non-compliance with the approved stormwater management and sediment control plan has eliminated or severely degraded a use in a lake or natural waterway or that such degradation is imminent.

- ii. Off-site sedimentation resulting from non-compliance with the approved stormwater management and sediment control plan has caused severe damage to adjacent land.
- iii. The land disturbing activity is being conducted without the required approved plan.
- iv. Sediment leaving a site is entering a "common" stormwater control/conveyance device(s) and is restricting design capacity flow.

(2) The stop work order shall be in writing and shall state what work is to be stopped and/or what measures are required to abate the violation. The order shall include a statement of the findings made by the county pursuant to paragraph (1) of this section and shall list the conditions under which work may be resumed. The delivery of equipment and material which does not contribute to the violation may continue while the stop work order is in effect. A copy of this section shall be attached to the order.

(3) The stop work order shall be served by a county person duly authorized by law to serve process, and shall be served on the person at the site of the land disturbing activity who is in operational control of the land disturbing activity. The person serving process shall post a copy of the stop work order in a conspicuous place at the site of the land disturbing activity. The county shall also deliver a copy of the stop work order to any person that the county has reason to believe may be responsible for the violation.

(4) The directives of a stop work order become effective upon service of the order. Thereafter, any person notified of the stop work order who violated any of the directives set out in the order may be assessed a civil penalty as provided in section 9.5-74.

(5) The county shall designate an employee to monitor compliance with the stop work order. The name of the employee so designated shall be included in the stop work order. The employee so designated shall rescind the stop work order if all the violations for which the stop work order are issued are corrected, no other violations have occurred, and all measures necessary to abate the violations have been taken.

(6) The issuance of a stop work order shall be a final decision subject to judicial review in the same manner as an order in a contested case pursuant to S.C. Code 1976, § 1-23-380. The petition for judicial review shall be filed in the circuit court of the county in which the land disturbing activity is being conducted.

- 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:

Executive Summary

Ordinance 08-2009/10

Drainage and Stormwater Management Ordinance Chapter 9.5 of the Florence County Code

1. In September 2007, Florence County was granted the permit for Storm Water Management in the unincorporated portions of the County and in Quinby.
2. The Permit issued by SCDHEC includes an annual review of the entire Florence County program including regulations, reviews and permitting, inspections, and enforcement.
3. In March 2009, SCDHEC conducted a review of the County program and found several items that needed corrections.
4. During the internal review to address the required corrections from SCDHEC, two additional areas were found for action.
5. Ordinance 08-2009/10 addresses those corrections in the following manner:
 - a. Section 9.5-16: This change adds the additional construction standards and practices required to meet the SCDHEC review of our County Code and comply with Section 4.2.4.A of the SC NPDES Permit SCR03000. It adds those standards and practices by adopting the approved SCDHEC Regulations 72-305 and 72-307 so that Florence County is always current with any updates made at the state level.
 - b. Section 9.5-72: The two changes are to make the process work better by doing the following:
 - i. Rather than the person doing the land disturbance notifying the County, the applicant will now have a meeting with the County Engineering prior to starting work so that they are fully aware of all the requirements and the details of the plan.
 - ii. Under certain conditions, "As-built" documents are required, but there was no list of the items required in those documents. This change adds the list of required items when "As-built" documents are required so that the process is easier and quicker, and to reduce any confusion over the details required.
 - c. Section 9.5-72: All permits issued for Storm Water Management under the SCDHEC Permit SCR03000 require a Notice of Termination (NOT) at the end of the project. In many cases, this is not being done and the inspection requirements on the applicant and Florence County remain in place. To help reduce costs for the applicant and to better document the completion of construction, this change highlights the need for the NOT and the steps needed to start the termination process. It also establishes the NOT requirement before other activities may commence on the affected parcel.
6. These changes are required for Florence County to comply with the SCDHEC review in March of this year and to ensure our compliance with the SCDHEC and EPA Permits and Regulations.

FLORENCE COUNTY COUNCIL MEETING
Thursday, September 17, 2009

AGENDA ITEM: Ordinance No. 10-2009/10
Second Reading-Deferred Pending Planning Commission Recommendation

DEPARTMENT: Planning and Building Inspections

William H. Hoge

ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend Chapter 30. Zoning Ordinance, Section 30-28. Table I: Schedule Of Permitted And Conditional Uses And Off-Street Parking Requirements For Residential Districts Of The Florence County Code To Add New Zoning Districts R-3A (Single-Family Residential District) And R-5A (Multi-Family Residential District) With The Same Uses As The Current R-3 And R-5 Districts Except No Manufactured Housing Will Be Allowed In Either Of The New Districts.]

POINTS TO CONSIDER:

1. Council District(s): All Florence County Council Districts.
2. The amendment to Section 30-28. Table I: Schedule of parking and conditional uses and off-street parking requirements for residential districts will keep all the current uses in the R-3 district except manufactured housing in the new R-3A single-family residential district.
3. The amendment to Section 30-28. Table I: Schedule of parking and conditional uses and off-street parking requirements for residential districts will keep all the current uses in the R-5 district except manufactured housing in the new R-5A multi-family residential district.
4. The new R-3A and R-5A districts will be available for use in all jurisdictions where the Florence County Zoning Ordinance (Chapter 30 of the Florence County Code) is used.
5. The new R-3A district will be requested for areas in Johnsonville currently zoned R-3 and for the unzoned area of West Sumter Street.
6. Introduction is by "Title Only".
7. The Planning Commission and Planning Department staff will develop the amendments to the ordinance and provide the recommendation to County Council within twelve (12) months.

OPTIONS:

1. (*Recommended*) Approve as Presented.
2. Provide An Alternate Directive.

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 10-2009/10
2. Updated West Florence Unzone Prop

Sponsor(s) : Planning Commission
 Planning Commission Consideration :
 Planning Commission Public Hearing :
 Planning Commission Recommendation :
 First Reading/Introduction : August 20, 2009
 Committee Referral : N/A
 Second Reading :
 Third Reading :
 Effective Date : Immediately

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

ORDINANCE NO. 10-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend Chapter 30. Zoning Ordinance, Section 30-28. Table I: Schedule Of Permitted And Conditional Uses And Off-street Parking Requirements For Residential Districts Of The Florence County Code To Add New Zoning Districts R-3A (Single Family Residential District) and R-5A (Multi-family Residential District) With The Same Uses As The Current R-3 and R-5 Districts Except No Manufactured Housing Will Be Allowed In Either Of The New Districts.]

WHEREAS:

1. Florence County has enacted a Comprehensive Plan and Zoning Ordinance to guide land use throughout the County; and
2. The West Sumter Street Community is very concerned about the growth and character of their neighborhood, and the zoning of their property.

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

1. New zoning Districts R-3A and R-5A are created that have all the same permitted and conditionally allowed uses as R-3 and R-5 respectively excluding manufactured housing.
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:

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Second Reading - Ordinance No. 11-2009/10

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(An Ordinance To Develop A Jointly Owned And Operated Industrial/Business Park In Conjunction With Williamsburg County. Such Industrial/Business Park To Be Geographically Located In Florence County And Established Pursuant To Sec. 4-1-170 Of The Code Of Laws Of South Carolina 1976, As Amended; To Provide For A Written Agreement With Williamsburg County To Provide For The Expenses Of The Park, The Percentage Of Revenue Application, And The Distribution Of Fees In Lieu Of Ad Valorem Taxation; And Other Matters Related Thereto.)

OPTIONS:

1. *(Recommended)* Approve Second Reading of Ordinance No. 11-2009/10.
2. Provide an Alternate Directive

ATTACHMENTS:

None - Full text of Ordinance to be provided prior to the meeting

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Second Reading - Ordinance No. 12-2009/10

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Florence County, South Carolina, And Project Element, With Respect To Certain Economic Development Property, Whereby Such Property Will Be Subject To Certain Payments In Lieu Of Taxes; To Provide For A Lease And Sale Of Land For The Project And Other Matters Related Thereto.)

OPTIONS:

1. *(Recommended)* Approve Introduction of Ordinance No. 12-2009/10.
2. Provide an Alternate Directive

ATTACHMENTS:

None – Full text of Ordinance to be provided prior to the meeting

FLORENCE COUNTY COUNCIL MEETING

Thursday, September 17, 2009

AGENDA ITEM: Ordinance No. 13-2009/10
Introduction

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Establish Policies and Procedures Related To The Abatement Of Unsafe Structures As Florence County Code, Chapter 21, Nuisances, Article II, Unsafe Structure Abatement And Other Matters Related Thereto.] *(Planning Commission approved 6-0; All Council Districts)*

POINTS TO CONSIDER:

1. Council District(s): All Florence County Council Districts.
2. Considerable interest has been indicated regarding the negative effect of neglected buildings on the community.
3. Law enforcement agencies are often able to identify structures that contribute significantly to criminal activities in local communities.
4. County Council wishes to assist in addressing these concerns where dilapidated and unsafe structures exist.

OPTIONS:

1. *(Recommended)* Approve as Presented.
2. Provide An Alternate Directive.

ATTACHMENTS:

Copies of the following are attached:

Ordinance No. 13-2009/10 (Change from Planning Commission version shown in markup).

Sponsor(s) : Planning Commission
 Planning Commission Consideration : May 26, 2009
 Planning Commission Public Hearing : March 24, 2009
 Planning Commission Recommendation : May 26, 2009[Approved 6-0]
 First Reading/Introduction : September 17, 2009
 Committee Referral : N/A
 Second Reading : October 15, 2009
 Third Reading : November 19, 2009
 Effective Date : Immediately

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

ORDINANCE NO. 13-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Establish Policies and Procedures Related To The Abatement Of Unsafe Structures As Florence County Code Chapter 21, Nuisances, Article II, Unsafe Structure Abatement And Other Matters Related Thereto.]

WHEREAS:

1. Considerable interest has been indicated regarding the negative effect of neglected buildings on the community; and
2. Law enforcement agencies are often able to identify structures that contribute significantly to criminal activities in local communities; and
3. County Council wishes to assist in addressing these concerns where dilapidated and unsafe structures exist.

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

1. Florence County Code Chapter 21, Nuisances, Article II, Unsafe Structure Abatement, is hereby established with the language attached hereto and incorporated 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 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:

CHAPTER 21

NUISANCES

ARTICLE II.

UNSAFE STRUCTURE ABATEMENT

DIVISION 1.

GENERALLY

Sec. 21-16. Title. These regulations shall be known as the *Unsafe Structure Abatement Code of Florence County*, hereinafter referred to as “this code.”

Sec. 21-17. Scope. The provisions of this ordinance shall apply to all residential and nonresidential structures and constitute minimum safeguards for structures, and facilities for life safety, safety from fire and other hazards; the responsibility of owners; the occupancy of existing structures, and for administration, enforcement and penalties.

Sec. 21-18. Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare in so far as they are affected by the continued occupancy and maintenance of structures. Structures that do not comply with these provisions shall be altered, repaired, removed, or demolished to provide a minimum level of health and safety as required herein.

Secs. 21-19 – 21-22. Reserved.

DIVISION 2.

APPLICABILITY

Sec. 21-23. General. The provisions of this code shall apply to all matters affecting or relating to structures, as set forth herein. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

Sec. 21-24. Maintenance. Safeguards required by this code or a previous regulation or code under which the structure was constructed, altered or repaired shall be maintained in minimum mechanical working order. Except as otherwise specified herein, the owner or the owner’s designated agent shall be responsible for the maintenance, repair, alteration, removal, or demolition of building and structures. Property managers who are not responsible through contracts or other agreements shall notify the owners or responsible agents when such violations are cited by the code official.

Sec. 21-25. Application of other codes. Repairs, additions, alterations, and demolition to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the codes adopted and mandated for enforcement by the legislative body of South Carolina. Nothing in this code shall be construed to cancel, modify or set aside any provision of Chapter 30, Zoning Ordinance of the Florence County Code.

Sec. 21-26. Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction relating to repair, removal, or demolition of any structure which is dangerous, unsafe and insanitary.

Sec. 21-27. Hazardous materials and sites. Hazardous materials and sites which are not covered by this code shall be subject to all federal, state, and local laws and ordinances.

Sec. 21-28. Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of a structure for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

Sec. 21-29. Historic buildings. The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare. Historic buildings are those which are:

1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places; or
2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as a historic district; or
3. Designated as historic under a state or local historic preservation program.

Secs. 21-30 – 21-40. Reserved.

DIVISION 3.

CODE ENFORCEMENT OFFICIAL

Sec. 21-41. General. The division of Building Codes and the executive official in charge thereof shall be known as the code official.

Sec. 21-42. Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to delegate authority and duties to other related technical officers, inspectors and other employees.

Sec. 21-43. Liability. The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the division of Building Codes, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

Sec. 21-44. Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be established by resolution by the Florence County Council.

Secs. 21-45 – 21-49. Reserved.

DIVISION 4.

DUTIES AND POWERS OF THE CODE OFFICIAL

Sec. 21-50. General. The code official shall enforce the provisions of this code only when a written complaint of a structure in violation of this Code is received from a law enforcement agency of Florence County.

Sec. 21-51. Rule-making authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and procedures; to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this or other legally binding codes.

Sec. 21-52. Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.

Sec. 21-53. Right of entry. The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.

Sec. 21-54. Identification. The code official shall carry proper identification when inspecting structures in the performance of duties under this code.

Sec. 21-55. Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with this code.

Sec. 21-56. Department records. The code official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records as long as the building or structure to which such records relate remains in existence, unless otherwise provided for by other regulations.

Secs. 21-57 – 21-60. Reserved.

DIVISION 5.

VIOLATIONS

Sec. 21-61. Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

Sec. 21-62. Notice of violation. The code official shall serve a notice of violation or order in accordance with Division 6, Notices and Orders.

Sec. 21-63. Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with this chapter shall be deemed guilty of a misdemeanor. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a tax lien upon such real estate.

Sec. 21-64. Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by local law. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Sec. 21-65. Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building or structure.

Secs. 21-66 – 21-72. Reserved.

DIVISION 6.

NOTICES AND ORDERS

Sec. 21-73. Notice to person responsible. Whenever the code official receives a proper written complaint and determines that there has been a violation of this code, notice shall be given in the manner prescribed herein to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Division 7, Unsafe Structures.

Sec. 21-74. Form. Such notice prescribed herein shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the structure into compliance with the provisions of this code.
5. ~~Include The notice will inform the property owner of the possibility of entering into an Abatement Agreement as outlined within this section.~~
6. Inform the property owner of the right to appeal.
7. Include a statement of the right to file a lien in accordance with Division 5, Violations.

Sec. 21-75. Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

Sec. 21-76. Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Division 5, Violations.

Sec. 21-77. Transfer of ownership. It shall be unlawful for the owner of any structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice

of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections, repairs, or demolition required by such compliance order or notice of violation.

Sec. 21-78. Optional Abatement Agreement.

1. The property owner must request to be considered for an optional Abatement Agreement to establish a reasonable timeframe to correct the violation and provide for the extension of time if necessary.

2. The Planning Director must make a determination on the record that the violation is not a public health or safety hazard, and not a repeat offense, and that the property owner intends to comply, but needs additional time due to specified circumstances.

3. The initial timeframe to correct the violation shall not exceed six (6) months, but can be less based on the work and circumstances.

4. The Code Official may grant one extension not exceeding six (6) months total, including the initial timeframe, if progress is being made.

5. If a second extension is requested by the property owner, the Construction Board of Appeals may grant one (1) additional extension of the timeframe to correct the violation and that extension shall not exceed six (6) months unless there are additional requirements as part of corrective action that are based on state or federal laws/regulations.

6. Upon signing execution of the agreement, the person-property owner responsible for the violation agrees that the violation exists as defined by the Code Official and waives the right to later appeal the Code official's decision.

7. Failure to comply with the terms of the Abatement Agreement shall result in prosecution of the violation and the property owner waives any right of appeal of his prosecution. The property owner and his property shall be subject to a lien by the County for costs incurred directly or indirectly in abatement of the violation, including legal costs.

Secs. 21-79 – 84. Reserved.

DIVISION 7.

UNSAFE STRUCTURES

Sec. 21-85. General. When a structure is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

Sec. 21-86. Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Sec. 21-87. Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful, or because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

Sec. 21-88. Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

Sec. 21-89. Closing of vacant structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

Sec. 21-90. Notice. Whenever the code official has condemned a structure under the provisions of this section, the notice shall be in the form prescribed, posted in a conspicuous place in or about the structure affected by such notice and served on the owner in accordance with Division 6, Notices and Orders.

Sec. 21-91. Placarding. Upon failure of the owner to comply with the notice provisions within the time given, the code official shall post on the premises a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, or removing the placard.

Sec. 21-92. Placard removal. The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

Sec. 21-93. Prohibited occupancy. Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises and any owner and any person responsible for the premises who shall let anyone occupy a placarded premises shall be liable for the penalties provided by this code.

Secs. 21-94 – 21-100. Reserved.

DIVISION 8.

EMERGENCY MEASURES

Sec. 21-101. Imminent danger. When acting upon the written complaint from law enforcement and, in the opinion of the code official, there is imminent danger of failure or collapse of a structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: **"THIS STRUCTURE IS UNSAFE AND ITS OCCUPANCY HAS BEEN PROHIBITED BY THE CODE OFFICIAL."** It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

Sec. 21-102. Temporary safeguards. Notwithstanding other provisions of this code, except where proper complaint procedures have been taken, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

Sec. 21-103. Closing streets. When necessary for public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

Sec. 21-104. Emergency repairs. For the purposes of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

Sec. 21-105. Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

Sec. 21-106. Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

Secs. 21-107 – 21-112. Reserved.

DIVISION 9.

DEMOLITION

Sec. 21-113. General. Upon receipt of the proper complaint letter, the code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two (2) years, to demolish and remove such structure.

Sec. 21-114. Notices and orders. All notices and orders shall comply with Division 6, Notices and Orders.

Sec. 21-115. Failure to comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Secs. 21-116 – 21-120. Reserved.

DIVISION 10.

APPEAL

Sec. 21-121. Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Sec. 21-122. Membership of board. The Florence County Construction Board of Adjustment and Appeals shall serve for appeals of the Code Official's interpretations.

Sec. 21-123. Notice of meeting. The board shall meet upon notice from the chairman within thirty (30) days of the filing of an appeal.

Sec. 21-124. Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

Sec. 21-125. Board decision. The board shall modify or reverse the decision of the code official only by a concurring vote of a majority of the total number of appointed board members.

Sec. 21-126. Records and copies. The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the code official.

Sec. 21-127. Administration. The code official shall take immediate action in accordance with the decision of the board.

Sec. 21-128. Stays of enforcement. Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

Secs. 21-129 – 21-135. Reserved.

DIVISION 11.

DEFINITIONS

Sec. 21-136. Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

Sec. 21-137. Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

Sec. 21-138. Terms defined in other codes. Where terms are not defined in this code and are defined in the *International Building Code*, *International Fire Code*, *International Zoning Code*, *International Plumbing Code*, *International Mechanical Code*, *ICC Electrical Code*, or any code or ordinance of Florence County, such terms shall have the meanings ascribed to them as stated in those codes.

Sec. 21-139. Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

Sec. 21-140. Parts. Whenever the words “dwelling unit,” “dwelling,” “premises,” “building,” “rooming house,” “rooming unit,” “housekeeping unit,” or “story” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”

Sec. 21-141. General Definitions.

Approved. Approved by the code official.

Basement. That portion of a building which is partly or completely below grade.

Bathroom. A room containing plumbing fixtures including a bathtub or shower.

Bedroom. Any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.

Code Official. The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

Condemn. To adjudge unfit for occupancy.

Dwelling Unit. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Exterior Property. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

Guard. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

Habitable Space. Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

Imminent Danger. A condition which could cause serious or life-threatening injury or death at any time.

Labeled. Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

Let For Occupancy Or Let. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

Occupancy. The purpose for which a building or portion thereof is utilized or occupied.

Occupant. Any individual living or sleeping in a building, or having possession of a space within a building.

Openable Area. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

Operator. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

Owner. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Person. An individual, corporation, partnership or any other group acting as a unit.

Premises. A lot, plot or parcel of land, easement or public way, including any structures thereon.

Public Way. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

Sleeping Unit. A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

Strict Liability Offense. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

Structure. That which is built or constructed or a portion thereof.

Tenant. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

Toilet Room. A room containing a water closet or urinal but not a bathtub or shower.

Workmanlike. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

Secs. 21-142 – 21-145. Reserved.

DIVISION 12.

GENERAL REQUIREMENTS

Sec. 21-146. Scope - Generally. The provisions of this division shall govern the minimum conditions and the responsibilities of persons for upkeep of structures.

1. *Responsibility.* The owner of the premises shall maintain the structures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a safe condition and which do not comply with the requirements of this chapter.

2. *Vacant structures.* All vacant structures shall be maintained in a safe and secure condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

Sec. 21-147. Exterior Structure - Generally. The exterior of a structure shall be structurally sound and not pose a threat to the public health, safety or welfare.

1. *Exterior Protection.* All exterior surfaces, including but not limited to, walls, roofs, doors, door and window frames, porches, balconies, decks and fences shall be maintained in a good structural condition.

2. *Structural members.* All structural members shall be maintained free from deterioration and shall be capable of safely supporting the imposed dead and live loads.

3. *Foundation walls.* All foundation walls shall be maintained and free from open cracks and breaks and kept in such condition so as to prevent the entry of rodents and other pests.

4. *Overhang extensions.* All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition.

5. *Chimneys and towers.* All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair.

6. *Handrails and guards.* Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

Sec. 21-148. Interior Structure – Generally. The interior of a structure and equipment therein shall be structurally sound.

1. *Structural members.* All structural members shall be maintained structurally sound and be capable of supporting the imposed loads.

2. *Stairs and walking surfaces.* Every stair, ramp, landing, balcony, deck or other walking surface shall be maintained in sound condition and good repair.

3. *Handrails and guards.* All handrails and guards shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in sound condition.

Sec. 21-149. Fire Protection Systems. The provisions of this section shall govern the minimum conditions and standards for fire safety relating to structures, including fire safety facilities and equipment to be provided.

1. *General.* All systems, devices and equipment to detect fire and/or smoke, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition that concurs with the code that was in effect at the time of construction.

2. *Responsibility.* The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with code. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.

3. *Means Of Egress.* A safe, continuous and unobstructed path of travel shall be provided from any point in a structure to the public way.

4. *Aisles.* The required width of aisles in accordance with the code that was in effect at the time of construction and shall be unobstructed.

5. *Locked doors.* All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *International Building Code*.

6. *Emergency escape openings.* Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

7. *Fire-resistance-rated assemblies.* The required fire resistance rating of fire-resistance-rated assemblies, fire stops, and shaft enclosures shall be maintained.

8. *Opening protectives.* Required opening protectives shall be maintained in an operative condition. All fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

Sec. 21-150. Swimming Pools, Spas and Hot Tubs – Generally.

1. *Swimming pools.* Swimming pools shall be maintained in a clean and sanitary condition.

2. *Enclosures.* Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

3. *Exception.* Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

DRAFT

FLORENCE COUNTY COUNCIL MEETING
Thursday, September 17, 2009

AGENDA ITEM: Ordinance No.14-2009/10
Introduction

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Rezone Property Owned By The Gospel Temple Inc., Located At 3987 West Palmetto Street, Florence County From RU-1, Rural Community District To PD, Planned Development District Shown On Florence County Tax Map No. 00076, Block 01, Parcel 001 Consisting of 19.32 Acres.] (Planning Commission approved 9-0; Council District 4)

POINTS TO CONSIDER:

1. The property is located in Council District 4.
2. The subject property is currently being used for a church.
3. The property is currently zoned RU-1, Rural Community District.
4. The applicant wishes to rezone the property to a PD, Planned Development District.
5. The applicant wishes to continue use as a church and church uses.
6. The property is surrounded by vacant land and commercial lots.
7. The property is presently designated as Existing Residential area and does comply with the current Comprehensive Plan.
8. The subject property according to the Future Land Use Map is designated as an Existing Residential area.
9. Therefore, the applicant's request to rezone this property to PD will comply with the Future Comprehensive Plan Land Use Map.

OPTIONS:

1. *(Recommended)* Approve as Presented.
2. Provide An Alternate Directive.

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No.14-2009/10
2. Staff report for PC#2009-30
3. Vicinity map
4. Location map
5. Comprehensive Land Use Plan map
6. Zoning map
7. Aerial photograph
8. Comprehensive Plan information
9. Zoning Ordinance information

Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: August 25, 2009	Council Clerk, certify that this
Planning Commission Public Hearing	: August 25, 2009	Ordinance was advertised for
Planning Commission Recommendation	: August 25, 2009 [Approved 9-0]	Public Hearing on _____
First Reading/Introduction	: September 17, 2009	
Committee Referral	: N/A	
Second Reading	: October 15, 2009	
Third Reading	: November 19, 2009	
Effective Date	: Immediately	

ORDINANCE NO. 14-2009/10

[An Ordinance To Rezone Property Owned By The Gospel Temple Inc., Located At 3987 West Palmetto Street, Florence County From RU-1, Rural Community District To PD, Planned Development District Shown On Florence County Tax Map No. 00076, Block 01, Parcel 001 Consisting of 19.32 Acres.]

WHEREAS:

1. Section 30-291 of the Florence County Code establishes that Florence County Council must be satisfied that applications for amendments to the Zoning Atlas of Florence County are 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. Section 30-297 of the Florence County Code republished January 2008, 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 Planning Commission at a public hearing on August 25, 2009.

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

1. Property located at 3987 West Palmetto Street bearing Tax Map 00076, Block 01, Parcel 001 is hereby rezoned to PD, Planned Development District.
- I. The Planned Development rezoning shall be with the following conditions:

Allowed Uses (NAICS):

Church (813110)
 Day Care (624410)
 Community Centers (71394)

Setback Requirements:

Minimum 25 Feet Front Setback
 Minimum 5 Feet Side Setback
 Minimum 25 Feet Rear Setback

Signs

All signs to be compliant with B-3, General Commercial zoning district.

Site Plan

A church building and sign are currently the only structures on property. When additional structures are added, an amendment to this ordinance will be required.

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

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 PLANNING COMMISSION
August 25, 2009
PC#2009-30
ORDINANCE NO. 14-2009/10**

Subject: Rezoning request to PD, Planned Development District from RU-1, Rural Community District.

Location: Property located at 3987 West Palmetto St.
Florence County

Tax Map Number: 00076, Block 01, Parcel 001

Council District(s): 4, County Council

Owner of Record: The Gospel Temple Inc.

Applicant: Tim Howell

Land Area: Approximately 19.32 acres

Existing Land Use and Zoning:

The subject property is currently occupied by a church and is accessed from West Palmetto Street. The property is currently zoned RU-1, Rural Community District.

Proposed Land Use and Zoning:

The applicant proposes to zone the subject property to PD, Planned Development to facilitate a land use of a church and church related uses.

Surrounding Land Use and Zoning:

North: Undeveloped property / RU-1, Florence County

South: Residential / unzoned, Florence County

East: Undeveloped and Business / B-3 and RU-1, Florence County

West: Undeveloped and Business / B-3 and RU-1, Florence County

Florence County Comprehensive Plan:

The subject property currently has a land use designation of Existing Residential. The applicant has requested to re-zone this property as a PD. This request complies with the Comprehensive Plan.

Staff Analysis:

Access and Circulation- Emergency access to the property will be by way of West Palmetto Street.

Water and Sewer Availability- These services will be provided by the City of Florence Public Works.

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 applicant is requesting to change the zoning of the property from RU-1, Rural Community District to PD, Planned Development District.

Traffic Review- The proposed change in zoning should have little effect on the traffic flow.

Technical Review Committee Meeting Action: August 10, 2009

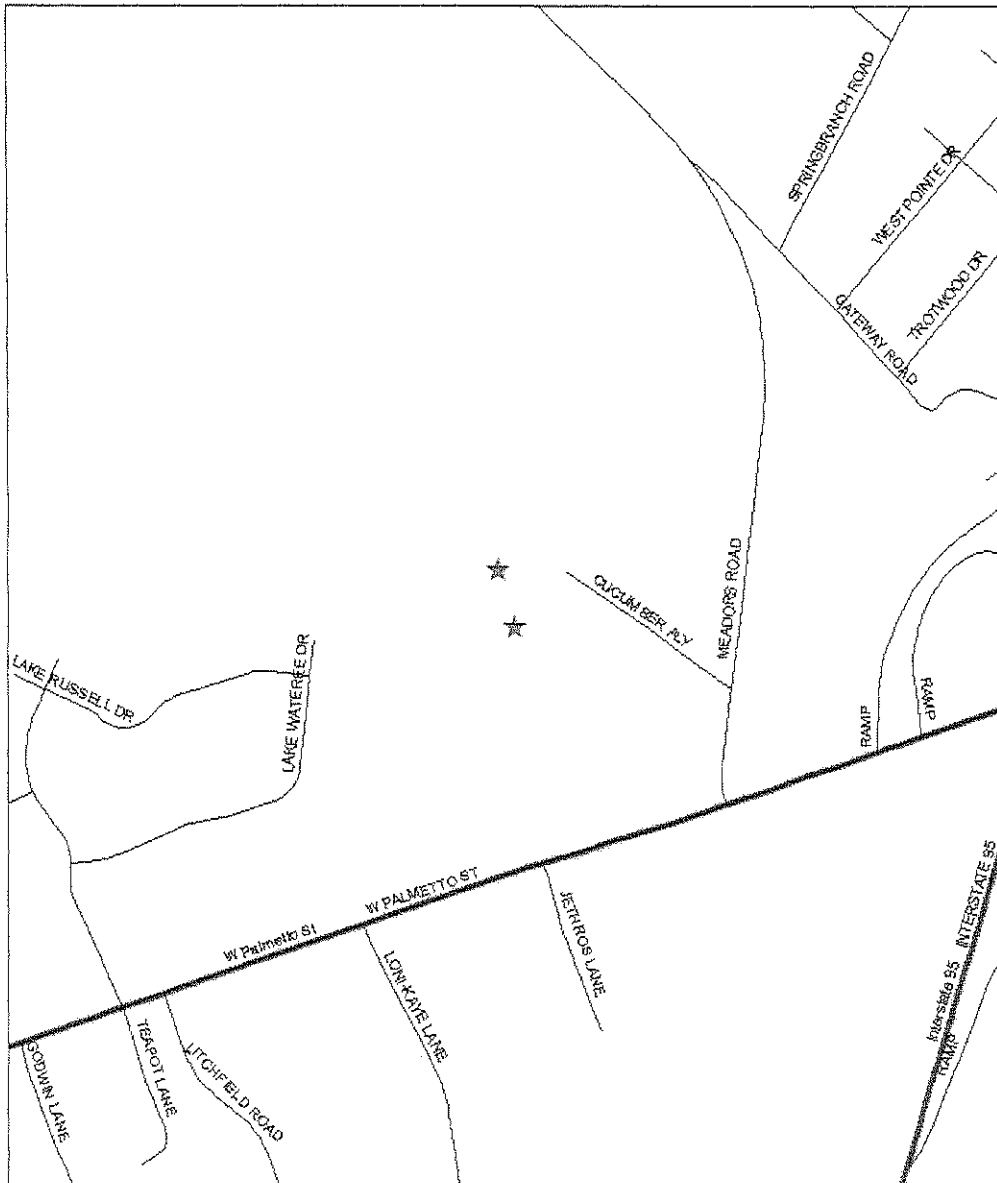
The Technical Review Committee recommended approval of the PD, Planned Development zoning ordinance.

Florence County Planning Commission: August 25, 2009

The nine Planning Commission members present approved the rezoning request unanimously based on the request being in compliance with the Commercial Growth Preservation designation of the Future Land Use Map of Comprehensive Plan at the meeting held on August 25, 2009.

Florence County Planning Commission Recommendation:

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

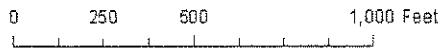
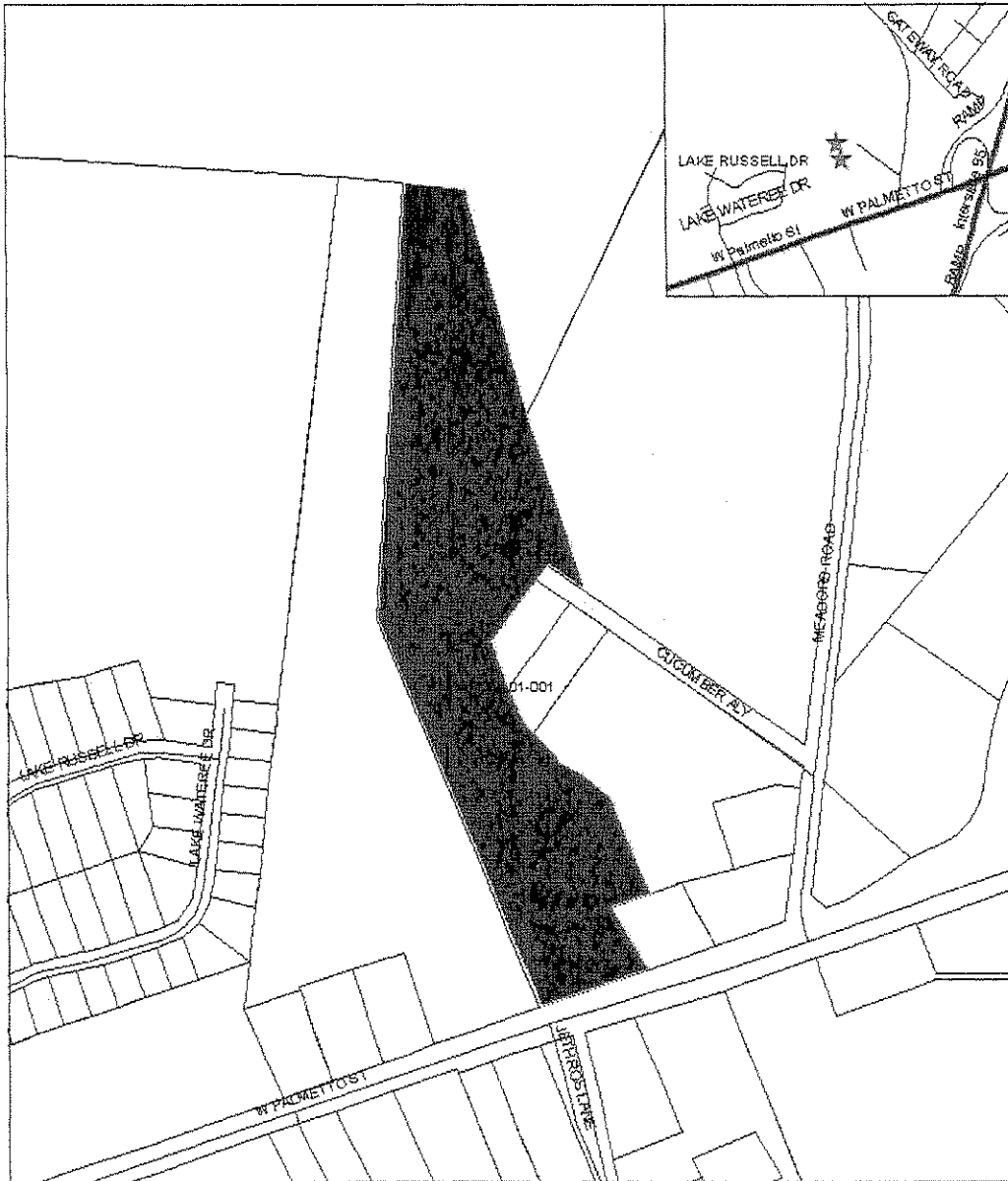


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COUNTY COUNCIL DISTRICT(S): 4
PC#2009-30



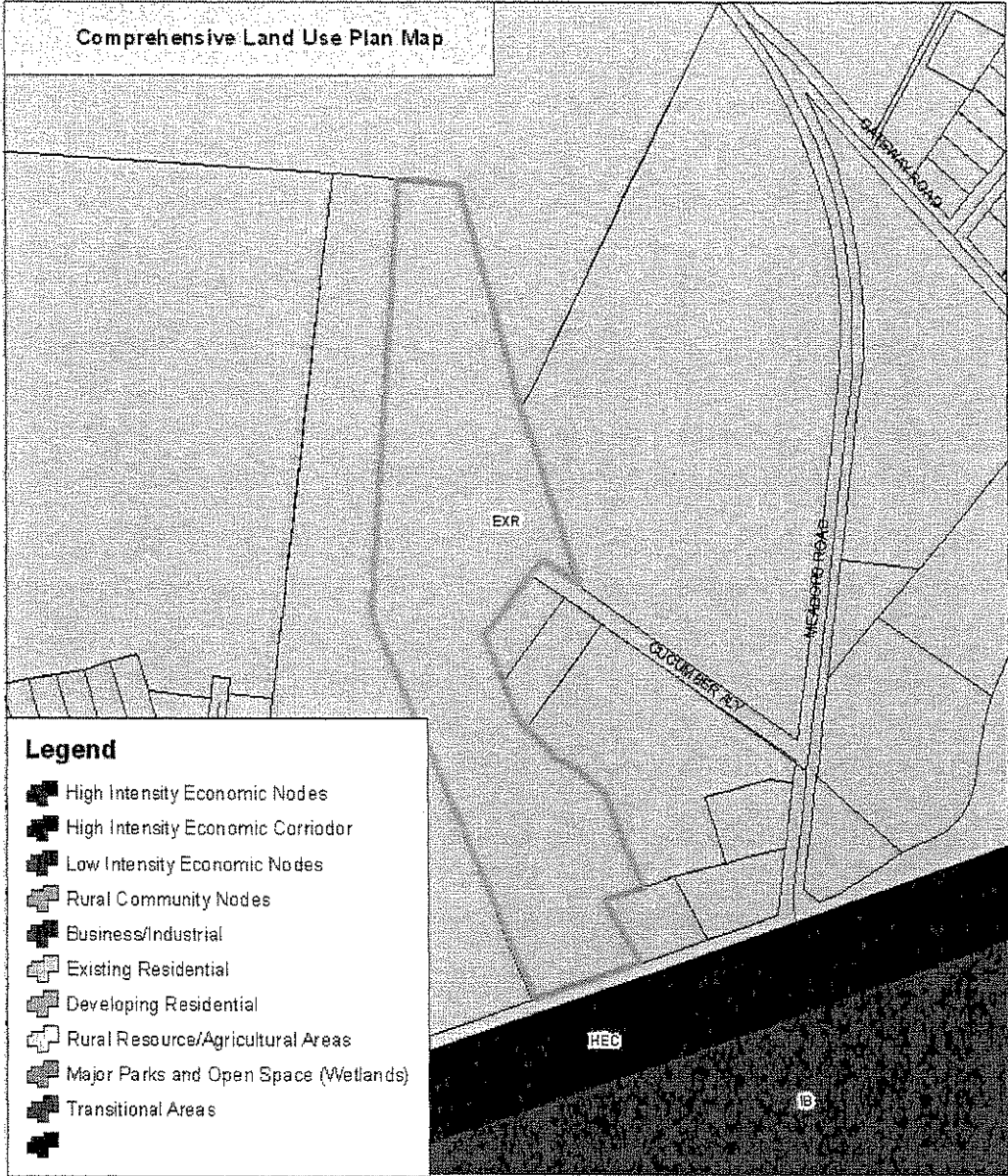
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COUNTY COUNCIL DISTRICT(S): 4
 PC#2009-30

Comprehensive Land Use Plan Map



Legend

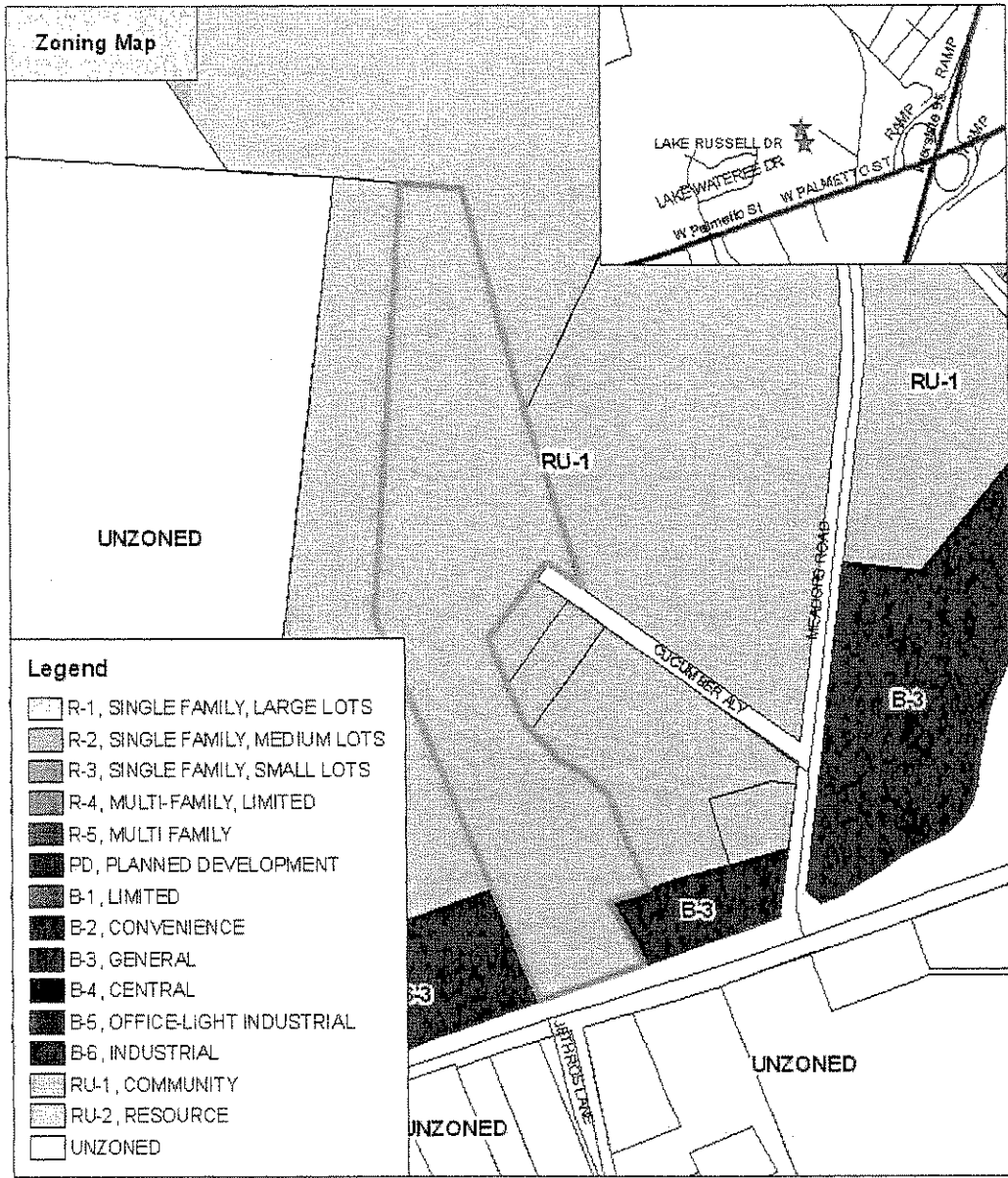
- High Intensity Economic Nodes
- High Intensity Economic Corridor
- Low Intensity Economic Nodes
- Rural Community Nodes
- Business/Industrial
- Existing Residential
- Developing Residential
- Rural Resource/Agricultural Areas
- Major Parks and Open Space (Wetlands)
- Transitional Areas
-

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COUNTY COUNCIL DISTRICT(S): 4
PC#2009-30



- Legend**
- R-1, SINGLE FAMILY, LARGE LOTS
 - R-2, SINGLE FAMILY, MEDIUM LOTS
 - R-3, SINGLE FAMILY, SMALL LOTS
 - R-4, MULTI-FAMILY, LIMITED
 - R-5, MULTI FAMILY
 - PD, PLANNED DEVELOPMENT
 - B-1, LIMITED
 - B-2, CONVENIENCE
 - B-3, GENERAL
 - B-4, CENTRAL
 - B-5, OFFICE-LIGHT INDUSTRIAL
 - B-6, INDUSTRIAL
 - RU-1, COMMUNITY
 - RU-2, RESOURCE
 - UNZONED

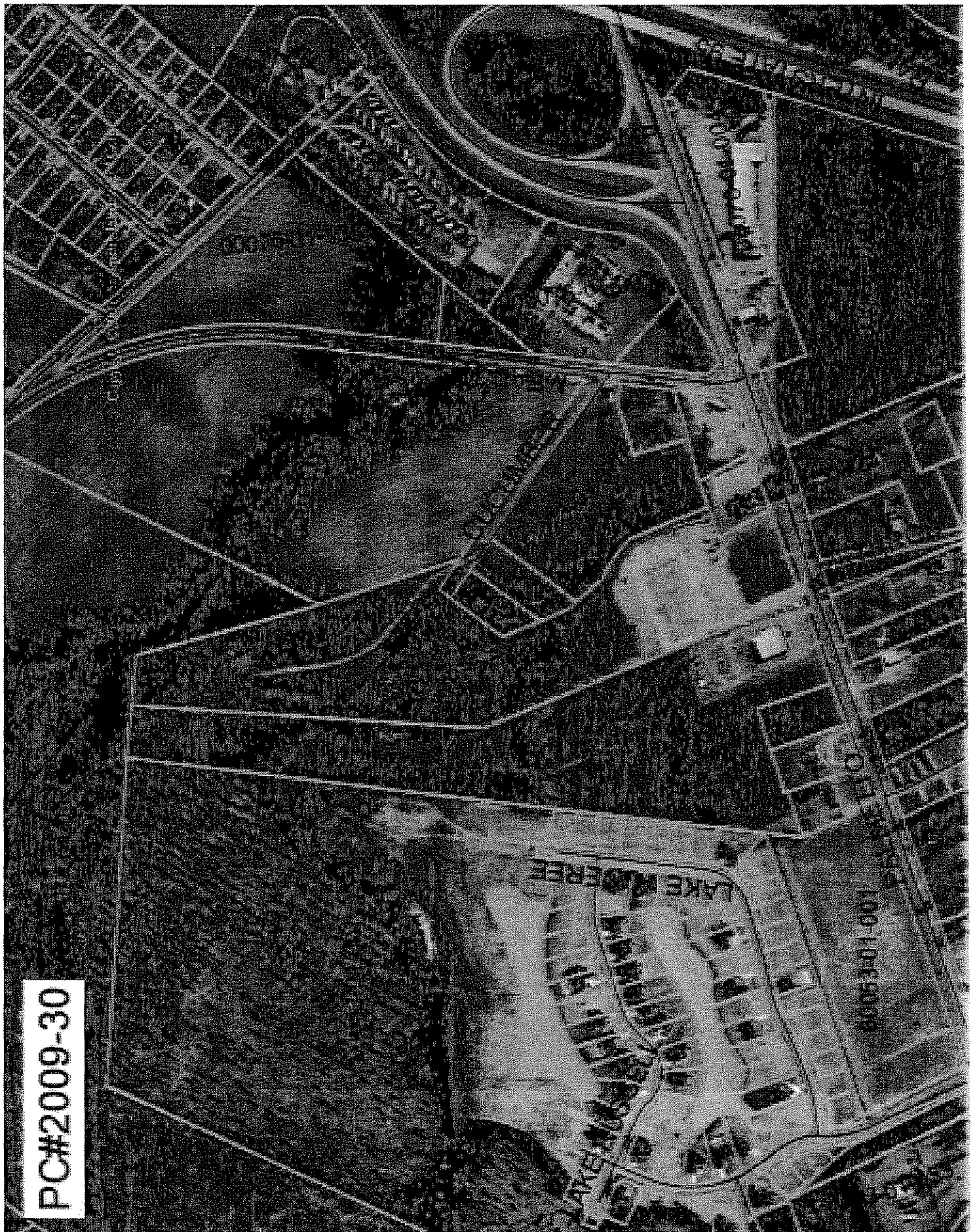
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COUNTY COUNCIL DISTRICT(S): 4
 PC#2009-30

PC#2009-30



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

ZONING ORDINANCE ATTACHMENT

PD, Planned Development District

The intent of the Planned Development District is to encourage flexibility in the development of land in order to promote its most appropriate use; and to do so in a manner that will enhance public health, safety, morals, and general welfare.

Within the PD, regulations adapted to unified planning and development are intended to accomplish the purpose of zoning and other applicable regulations to an equivalent or higher degree than where such regulations are designed to control unscheduled development on individual lots or tracts, promote economical and efficient land use, provide an improved level of amenities, foster a harmonious variety of uses, encourage creative design, and produce a better environment.

In view of the substantial public advantage of “planned development”, it is the intent of these regulations to promote and encourage or require development in this form where appropriate in character, timing, and location, particularly in large undeveloped tracts.

FLORENCE COUNTY COUNCIL MEETING

Thursday, September 17, 2009

AGENDA ITEM: Ordinance No.15-2009/10
Introduction

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Zone Property Owned By James D. & Patsy F. McCutcheon Located At 755 E. Hampton St., Olanta To R-1, Single-Family Residential District Shown on Florence County Tax Map No. 00045, Block 03, Parcel 116 Consisting Of 4 Acres.] *(Planning Commission approved 9-0; Council District 5)*

POINTS TO CONSIDER:

1. The property is located in Council District 5.
2. The property is currently unzoned.
3. The subject property is currently being used as residential and wooded area.
4. The property is surrounded by single-family residential and wooded area.
5. The applicant wishes to zone the property to R-1, Single-Family Residential District.
6. On July 7, 2009, the Town of Olanta annexed the property into its Town Limits without a Public Hearing by the Planning Commission and without a specific zoning designation.
7. The property is presently designated as Developing Residential area and Rural Resource which does comply with the current Comprehensive Plan.
8. Therefore, the applicant's request to zone this property to R-1 will comply with the Comprehensive Plan Land Use Map.

OPTIONS:

1. *(Recommended)* Approve as Presented.
2. Provide An Alternate Directive.

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No15-2009/10
2. Staff report for PC#2009-31
3. Vicinity map
4. Location map
5. Comprehensive Land Use Plan map
6. Zoning map
7. Aerial photograph
8. Comprehensive Plan information
9. Zoning Ordinance information

Sponsor(s) : Planning Commission
 Planning Commission Consideration : August 25, 2009
 Planning Commission Public Hearing : August 25, 2009
 Planning Commission Recommendation : August 25, 2009 [Approved 9-0]
 First Reading/Introduction : September 17, 2009
 Committee Referral : N/A
 Second Reading : October 15, 2009
 Third Reading : November 19, 2009
 Effective Date : Immediately

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

ORDINANCE NO. 15-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Zone Property Owned By James D. & Patsy F. McCutcheon Located At 755 E. Hampton St, Olanta To R-1, Single-Family Residential District Shown On Florence County Tax Map No. 00045, Block 03, Parcel 116 Consisting Of 4 Acres.]

WHEREAS:

1. Section 30-291 of the Florence County Code establishes that Florence County Council must be satisfied that applications for amendments to the Zoning Atlas of Florence County are 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. Section 30-297 of the Florence County Code republished January 2008, 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 Planning Commission at a public hearing on August 25, 2009.

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

1. Property located on 755 E. Hampton St. bearing Tax Map 00045, Block 03, Parcel 116 is hereby zoned to R-1, 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

COUNCIL VOTE:

OPPOSED:

ABSENT:

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

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
AUGUST 25, 2009
PC#2009-31
ORDINANCE NO. 15-2009/10**

Subject: Zoning request to R-1, Single-Family Residential District

Location: Property is located 755 E. Hampton St., Town of Olanta

Tax Map Number: 00045, Block 3, Parcel 116

Council District(s): 5; County Council

Owner of Record: James D. & Patsy F. McCutcheon

Applicant: James D. & Patsy F. McCutcheon

Land Area: 4 acres

Existing Land Use and Zoning

The property is currently unzoned and located in Town of Olanta. The property is a mixture of a single-family residential home and wooded area.

Proposed Land Use and Zoning:

The proposal is to zone the subject property to R-1, Single-Family Residential District. The proposed use is to continue as residential.

Surrounding Land Uses and Zoning:

North: Wooded area/UZ/Town of Olanta

South: Single-family residential/Wooded area/ UZ/Town of Olanta

East: Wooded area/UZ/Town of Olanta

West: Wooded area/UZ/Town of Olanta

Florence County Comprehensive Plan:

The northern portion of the subject property is located in a Rural Resource area and the southern portion is located in a Developing Residential area according to the current Comprehensive Plan. While the applicant has requested to zone this property to R-1, this does comply with the current Comprehensive Plan.

Staff Analysis:

Access and Circulation- Present access to the property are by way of E. Hampton Street.

Water and Sewer Availability- The water services are provided by the Town of Olanta.
No public sewer at this time.

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

Background- On July 7, 2009 – the Town of Olanta annexed the property into its Town Limits without a Public Hearing by the Planning Commission and without a specific zoning designation. The request is to zone the subject property to R-1, Single-Family Residential District.

Staff Recommendation:

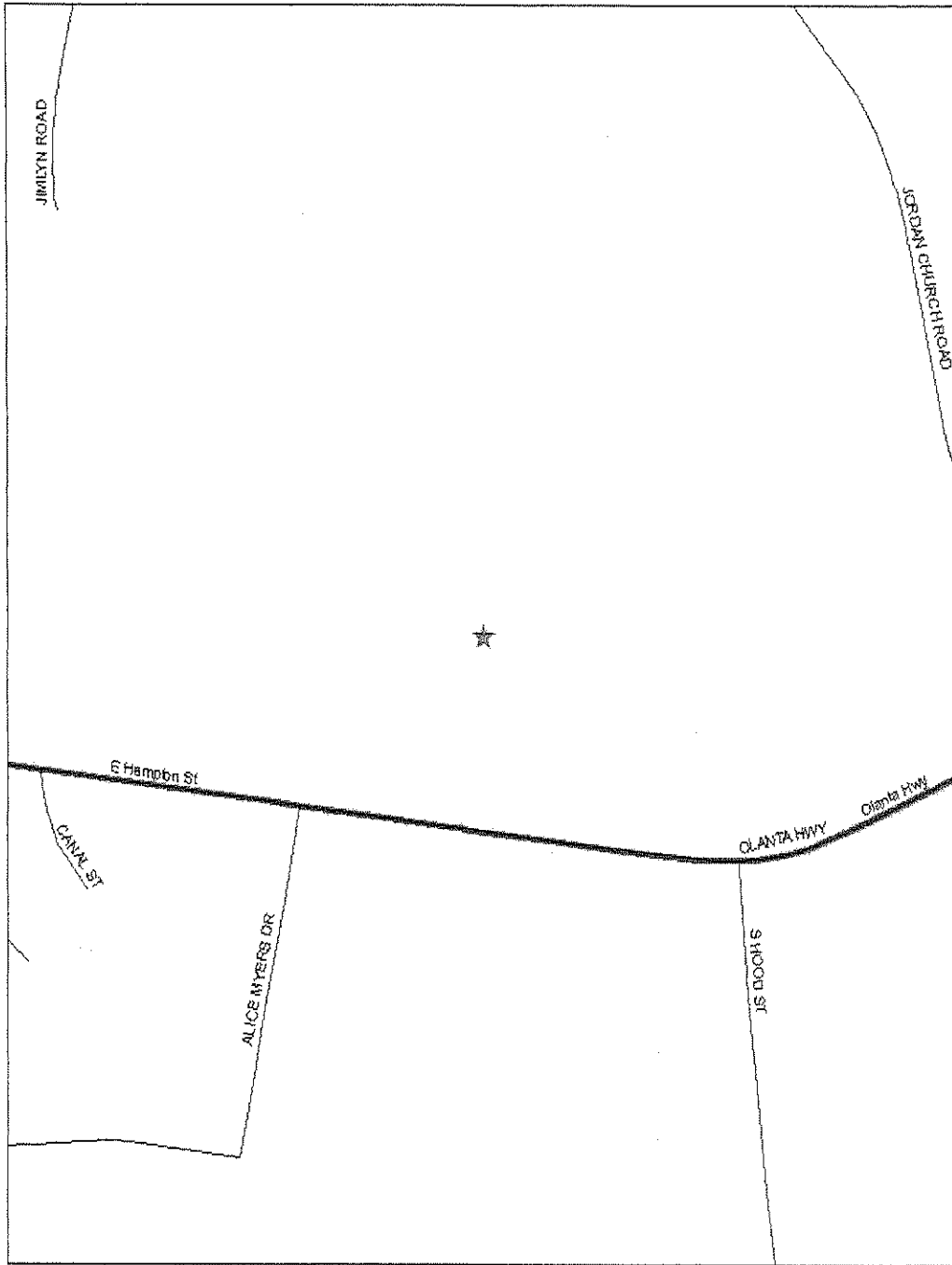
Staff recommends approval of the zoning request to R-1, Single-Family Residential District based on its compliance with the Comprehensive Plan Land Use Map.

Florence County Planning Commission Action: August 25, 2009

The nine Planning Commission members present approved the zoning request unanimously at the meeting held on August 25, 2009

Florence County Planning Commission Recommendation:

The Planning Commission recommends approval of this request by the Florence County Council due to the rezoning being in compliance with the Comprehensive Plan Land Use Map.



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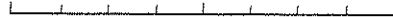


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COUNTY COUNCIL DISTRICT(S): 5
PC#2009-31



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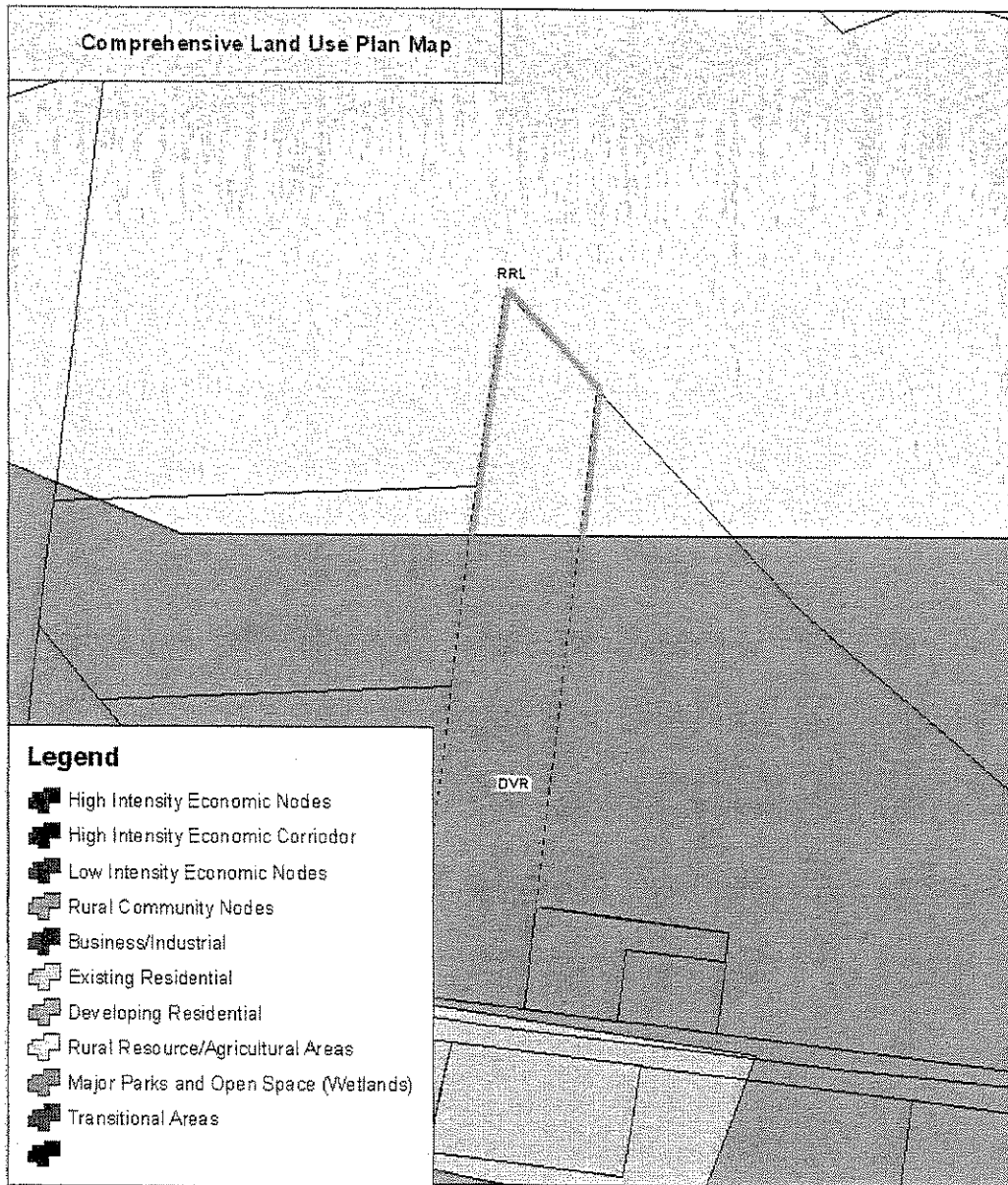


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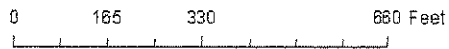
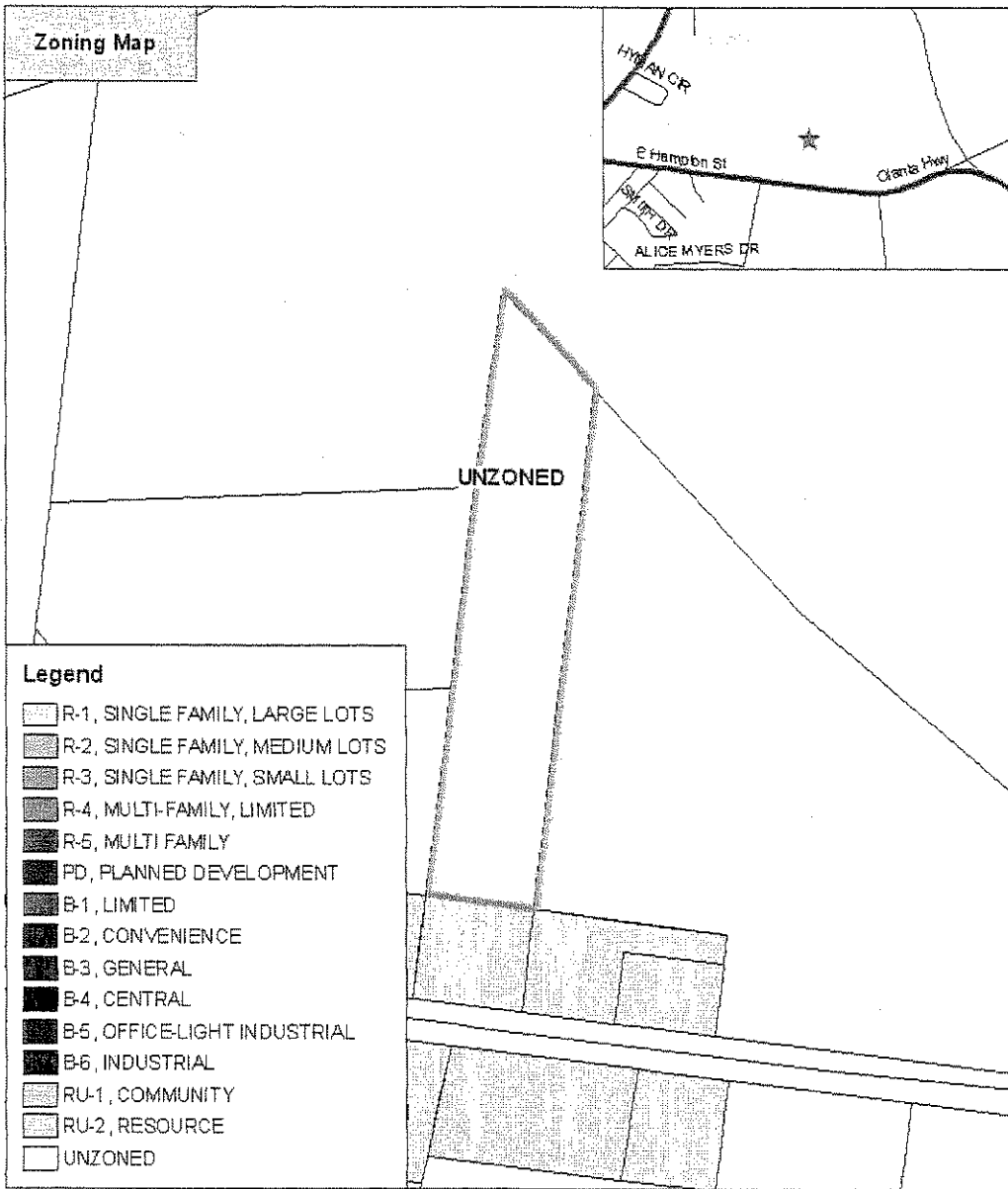
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COUNTY COUNCIL DISTRICT(S): 5
 PC#2009-31



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COUNTY COUNCIL DISTRICT(S): 5
PC#2009-31



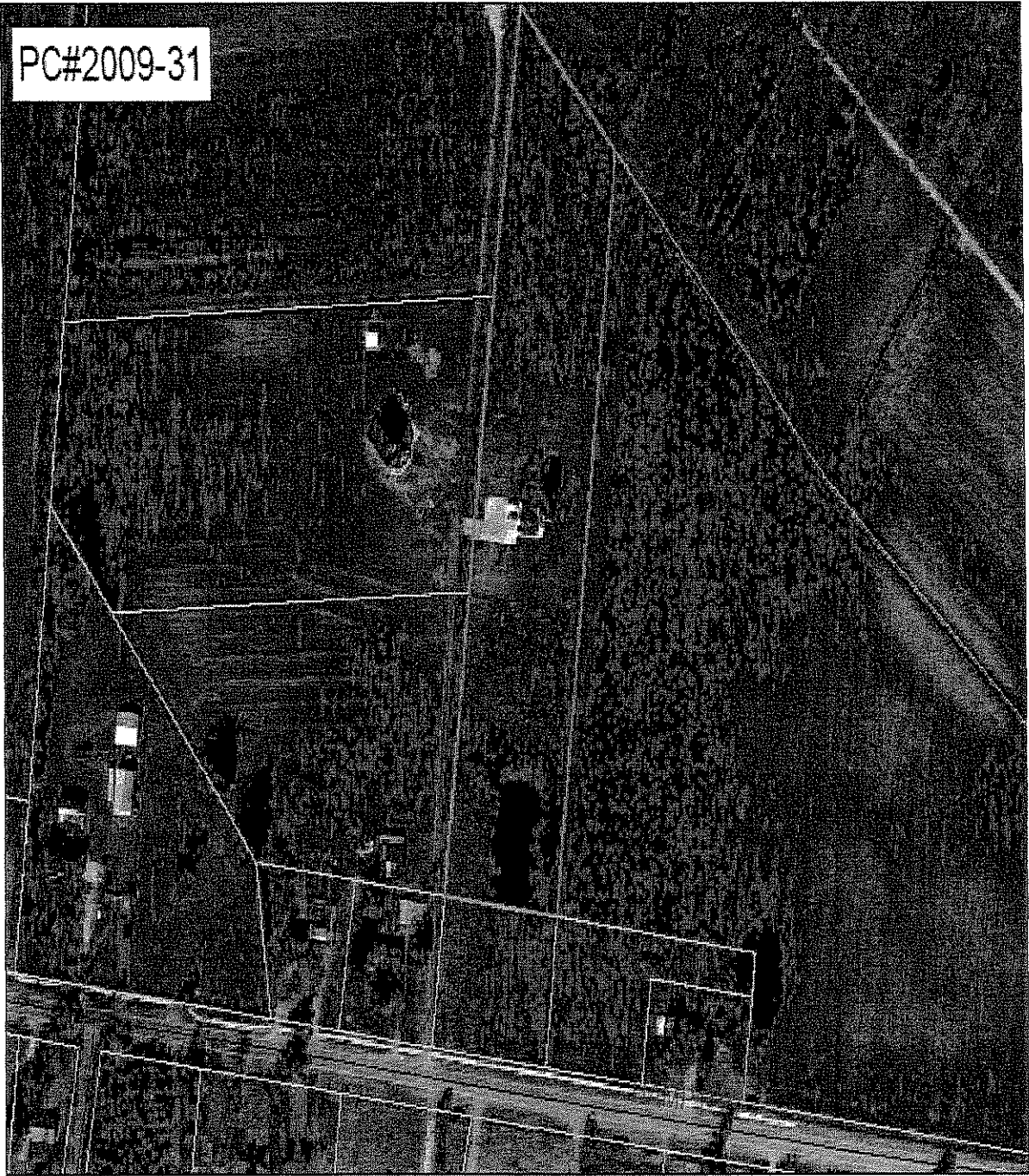
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 2007

COUNTY COUNCIL DISTRICT(S): 5
 PC#2009-31

PC#2009-31



Comprehensive Plan Attachment:

Rural Resource / Agricultural Areas

Most areas shown on the Plan Map generally are outside the path of projected development, characteristically rural and predominately undeveloped or in agricultural use at this time. Moreover, few changes to these areas are anticipated during the life of this Plan, provided urban sprawl is kept in check. The retention of open lands, woodlands, and wetlands which make up a large part of this area, are essential for clean air, water, wildlife, many natural cycles, and a balanced environment among other things. Even more essential from an economic perspective are the agricultural lands and farming operations in this area. These areas also provide a **rural environment** preferred by many people over subdivisions and higher density urban or community settings.

Objective

The objective of this classification is to conserve rural characteristics and resources, particularly agricultural, and maintain a balanced rural-urban environment.

Strategy

Strategies designed to implement this objective include:

- ✓ Setting an urban growth boundary which would limit urban intrusions into such areas.
- ✓ Monitoring and mitigating proposed changes which would alter or compromise the rural character of such area.
- ✓ Amending subdivision regulations to encourage cluster development with open space-agricultural land set aside as an alternative to large lot development.
- ✓ Prohibit through zoning high intensity development from the area.

Plan Compliance Matrix

PLAN MAP OBJECTIVES (Summary)	USE IN ACCORD WITH PLAN MAP OBJECTIVES	USES AT VARIANCE WITH PLAN MAP OBJECTIVES
Conserve rural characteristics and resources and maintain a balanced rural-urban environment	<ul style="list-style-type: none"> ❖ Single-family site built and manufactured dwellings ❖ Agricultural uses ❖ Small scale retail uses ❖ Agricultural related industrial uses ❖ Institutional uses 	<ul style="list-style-type: none"> ❖ High density residential uses ❖ Big Box retail ❖ Uses generally in conflict with rural values and characteristics

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

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.

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

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. Make appropriate appointments.
2. Take no action.

(A copy of the list of current and approaching vacancies for 2009 was previously provided to Council. Additional copies are available upon request.)

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Report to Council

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:

Florence Regional Arts Alliance requests the use of the former Florence County Public Library for HolidayFest 2009 to be held from Thursday, October 29, 2009 through Sunday, November 1, 2009, plus approximately two (2) weeks for set up and takedown time.

POINTS TO CONSIDER:

1. The Regional Arts Alliance has agreed to maintain general liability insurance for the event, naming Florence County as an additional insured, and to indemnify and hold harmless the County. A letter of agreement constituting a temporary conditional lease will be executed prior to allowing the use of the facility.
2. The Arts Alliance held ArtsFest 2008 in the former Florence County Public Library building.
3. Council permission is required to permit a portion of the facility to be temporarily leased for this limited purpose.

OPTIONS:

1. *(Recommended)* Approve the temporary use of the former Library by the Arts Alliance for HolidayFest 2009 and authorize the County Administrator to execute a temporary letter-form, lease agreement, subject to review by the County Attorney.
2. Decline to approve the use of the facility.

ATTACHMENTS:

A copy of the request from Frank H. Crow, Jr., Executive Director, Florence Regional Arts Alliance.



FLORENCE REGIONAL ARTS ALLIANCE

Located at 412 South Dargan Street
PO Box 3871 - Florence, SC 29502-3871
Phone: 843-665-2787 - Fax: 843-665-2098
www.FlorenceWeb.com/ArtsAlliance
FlorenceArts@aol.com

September 3, 2009

Richard Starks, Administrator
Florence County
180 North Irby Street MSC-G
Florence, SC 29501

Via email to rstarks@florenceco.org

Dear Richard:

Pursuant to our last telephone conversation, I write to request permission to use the former Florence County Public Library building for an arts show and sale. Because our previous use of the facility for a similar purpose has increased in complexity over recent years, The Arts Alliance is separating the component activities during Fiscal Year 2009-2010 and desires to schedule use of the building for the Exhibition and Sale Component under the name HolidayFest 2009 on October 29, 30, 31, and November 1.

Although the event continues to be a celebration of the visual arts and fine crafts produced by artists from Florence, the Pee Dee, and the Eastern Carolinas, The Arts Alliance feels very strongly that a change of date from February to October will more effectively address the exhibition, marketing, and retail sale needs of the visual arts community, particularly in light of current economic conditions. The Arts Alliance has always felt that use of the building for an event like the one proposed provides the community with a warm and wonderful evening followed by three subsequent days in a much cherished community landmark. For the short period that our event takes place, the former Florence County Library building seems to shine like the wonderful architectural statement that it is, an architectural statement that is filled with art and that for a brief moment in time takes on new, but not inappropriate, life and purpose for the citizenry of this community, area, and region.

According to the plans currently being developed, participating artists would move their works in on Saturday and Sunday, October 24 and 25. HolidayFest 2009 would open on Thursday, October 29 with a Gala Preview Opening featuring live music and light to medium hors d'oeuvres. HolidayFest 2009 would be open to the public on Friday, Saturday, and Sunday, October 30, 31, and November 1. We would most likely use only the available space on the first floor. In order to prepare the facility for the event, we would need access for approximately one week prior to move in, or by October 16. My best estimate is that the building would be clear within three to five days of the event's closing on November 1.

The Arts Alliance sincerely appreciates the previous support of County Council over the past three years. We believe HolidayFest, as its precursor ArtsFest, provides both an appropriate use of the facility as well as an opportunity for many citizens to stroll down memory lane and remember their various associations with the building over the many years of its existence. A response within the next two weeks or by September 17 would be appreciated so that required materials can be prepared and mailed to prospective artists. Thank you in advance for your ongoing support.

Sincerely,

Frank H. Crow, Jr.

Frank H. Crow, Jr.
Executive Director

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Reports to Council
Bid Award

DEPARTMENT: Library
Procurement Department

ISSUE UNDER CONSIDERATION: Award Bid #01-09/10 for landscaping and maintenance at the Olanta and Timmonsville Branch Libraries to Cut-M-Up Landscape in the amount of \$29,626.00.

POINTS TO CONSIDER:

- 1) Bid #01-09/10 was publicly offered.
- 2) Twenty (20) bids were received; seventeen (17) were compliant.
- 3) Cut-M-Up Landscape, Columbia, South Carolina was the lowest compliant bidder for landscaping and maintenance at \$29,626.00.
- 4) The Library Director recommends this award.
- 5) The bid expires October 19, 2009.

FUNDING FACTORS:

- 1) \$29,626 = Total cost for the landscaping and maintenance of the Olanta and Timmonsville Branch Libraries to be funded from previously approved construction funds.

OPTIONS:

- 1) *(Recommended)* Approve as presented. *(17 compliant bids received)*
- 2) Provide An Alternate Directive.

ATTACHMENTS:

- 1) Bid Tabulation Sheet.
- 2) August 28, 2009 Recommendation Letter from Library Director.

Florence County/Olanta & Timmonsville Branch Libraries
 Landscaping & Irrigation Project
 Invitation-to-Bid #01-09/10

Bid Opening Date: 8/18/2009 Pg. 1 of 3
 Time: 11:00 AM
 Advertis Date: MN-7/26/09 SCBO-7/27/09
 Invitations to Bids Distributed: 36
 Bid Expiration Date: 10/19/2009

Name of Bidder	Base Bid	Maintenance	Bid Security	Meets Bid Requirements	Total Bid	Total Non-Local (+2%)
Cut-M-Up Landscape Columbia, SC	\$21,826.00	\$7,800.00	Yes	Yes	\$29,626.00	\$30,218.52
Hatchell Landscape, Inc. Florence, SC	\$34,800.00	\$7,200.00	Yes	Yes	\$42,000.00	
Connelly Landscaping Florence, SC	\$33,009.20	\$11,028.00	Yes	Yes	\$44,037.20	
Environmental Lawn Care, LLC Columbia, SC	\$36,270.00	\$10,800.00	Yes	Yes	\$47,070.00	\$48,011.40
Piedmont Landscape Hilton Head, SC	\$37,666.31	\$14,400.00	Yes	Yes	\$52,066.31	\$53,107.63
Granger Landscapes, Inc. Florence, SC	\$43,489.00	\$10,800.00	Yes	Yes	\$54,289.00	
Green Acres Services, Inc. St. George, SC	\$42,905.20	\$14,393.00	Yes	Yes	\$57,298.20	\$58,444.16

Notes:

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

Florence County/Olanta & Timmons ville Branch Libraries
 Landscaping & Irrigation Project
 Invitation-to-Bid #01-09/10

Bid Opening Date: 8/18/2009
 Time: 11:00 AM
 Advertis ed Date: MN-7/26/09 SCBO-7/27/09
 Invitations to Bids Distributed: 36
 Bid Expiration Date: 10/19/2009

Pg. 2 of 3

Name of Bidder	Base Bid	Maintenance	Bid Security	Meets Bid Requirements	Total Bid	Total Non-Local (+2%)
Davis Lawn Care Grovelown, GA	\$25,120.50	\$33,000.00	Yes	Yes	\$58,120.50	\$59,282.91
Super Green of Clarendon, Inc. Turbeville, SC	\$38,024.00	\$24,000.00	Yes	Yes	\$62,024.00	\$63,264.48
Sodfather, Inc. Spartanburg, SC	\$55,057.41	\$7,700.00	Yes	Yes	\$62,757.41	\$64,012.55
Taylor Garden & Gift Shop Florence, SC	\$50,861.00	\$16,110.00	Yes	Yes	\$66,971.00	
Thomas Brothers Nursery & Landscaping Greenville, SC	\$49,061.50	\$18,000.00	Yes	Yes	\$67,061.50	\$68,402.73
Cooper & Son Landscaping, Inc. Effingham, SC	\$54,248.00	\$26,000.00	Yes	Yes	\$80,248.00	
J & S Care Aynor, SC	\$24,798.00	NO BID	Yes	Yes	\$24,798.00	

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

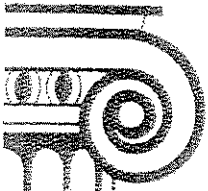
Florence County/Olanta & Timmonsville Branch Libraries
 Landscaping & Irrigation Project
 Invitation-to-Bid #01-09/10

Bid Opening Date: 8/18/2009 Pg. 3 of 3
 Time: 11:00 AM
 Advertised Date: MN-7/26/09 SCBO-7/27/09
 Invitations to Bids Distributed: 36
 Bid Expiration Date: 10/19/2009

Name of Bidder	Base Bid	Maintenance	Bid Security	Meets Bid Requirements	Total Bid	Total Non-Local (+2%)
S&R Turf & Irrigation Equip, LLC Galivants Ferry, SC	\$39,203.00	NO BID	Yes	Yes	\$39,203.00	
Springdate Outdoor Services, Inc Blythewood, SC	\$44,800.00	NO BID	Yes	Yes	\$44,800.00	
Sellers Lawn Care Florence, SC	NO BID	\$6,036.00	Yes	Yes	\$6,036.00	
Unique LandWorks Florence, SC	\$38,129.00	\$8,700.00	No	No	\$46,829.00	
Pee Dee Landscaping Florence, SC	\$45,750.00	\$8,100.00	No	No	\$53,850.00	
Byron Hanna Lawn & Tractor Blythewood, SC	\$69,225.00	\$9,900.00	No	No	\$79,125.00	
Plant'N'Thyme Florence, SC	No Bid	No Bid			No Bid	

Notes:

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



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.florencelibrary.org

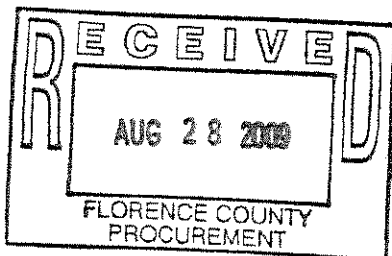
August 28, 2009

Mazie Abraham
Purchasing Director
Florence County

Dear Mazie,

I have reviewed the bid documents and references for Cut-M-Up Lawn Services. I have also verified the specifications of the project with their project manager. As the lowest responsive qualified bidder for the landscaping and irrigation for the new Timmons ville and Olanta branch libraries, I recommend awarding them the project.

Ray McBride
Director



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. Hampron St.
Olanta, SC 29114
Phone: (843) 396-4287

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

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

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Report to Council

DEPARTMENT: Florence County Library System
Grants Department

ISSUE UNDER CONSIDERATION:

Acceptance of an award from the Institute of Museum and Library Services (IMSL) as a Congressionally Directed Grant, Log Number CL-00-09-0004, in the amount of \$48,000 for enhancements at the new Johnsonville Library.

POINTS TO CONSIDER:

1. Florence County Library System will utilize the IMLS funds to provide three receipt printers, router/switches for the main wiring closet, a security camera system and twenty-eight computers for the new Johnsonville Library.
2. The grant has no matching fund requirement.
3. Acceptance of the grant includes authorization of appropriate general ledger accounts within the Grant Fund to account for the grant.

FUNDING:

\$48,000 = IMLS Grant amount to be used for printers, routers/switches, security camera system, and computers for the Johnsonville Library.

OPTIONS:

1. *(Recommended)* Approve as presented.
2. Provide an alternate directive.

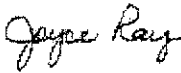
ATTACHMENTS:

Award Notification from the Institute of Museum and Library Services.



**Official Award Notification for Grants and
Cooperative Agreements**

Date of Award August 17, 2009

Awardee Name and Address Florence County Org. Unit: Johnsonville Public Library 180 North Irby Street MSC-G Florence, SC 29501-3456	Cong. Setasides, Libraries
	Congressional Library
	Award Number CL-00-09-0004-09
Authorizing Official Richard Starks Florence, SC	Award Period From August 01, 2009 To July 31, 2010
Project Director Milton McBride 509 South Dargan Street Florence, SC 29506-2549	Total Award Amount \$ 48,000.00 08/17/2009 \$48,000.00 Original Award
Basic Award Information 1. The Institute of Museum and Library Services (IMLS) provides this grant support pursuant to 20 USC § 9101 et seq. 2. The award is made in support of the purposes set forth in the original application or, if noted in the special terms and conditions of the award, in a revised plan of work that has been approved by IMLS program staff. 3. The administration of this grant and the expenditure of grant funds are subject to the special terms and conditions of this award, which appear on the second page of the award notification, and the General Terms and Conditions for IMLS Discretionary Awards. The latter document incorporates by reference the audit requirements of OMB Circular A-133 and the applicable uniform administrative requirements and cost principles promulgated by the Office of Management and Budget. (For further details on the uniform administrative requirements and cost principles, see Articles 3 and 4 of the General Terms and Conditions for IMLS Discretionary Awards.) 4. The first request for payment will indicate the grantee's acceptance of the award. 5. The schedule of due dates for financial and performance reports is attached as the final page of the award notification.	
IMLS Authorizing Official Signature 	Name and Title Joyce Ray Associate Deputy Director for Library Services
Accounting code: CFDA Number: 45.312	TIN No. - 576000351 DUNS No. - 104577106

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Reports to Council
Bid Award

DEPARTMENT: Recreation
Procurement Department

ISSUE UNDER CONSIDERATION: Award Bid #03-09/10 for fencing of the Dixie Boys field at Greenwood Athletic Park to Seegars Fence Company, Inc. in the amount of \$28,664.00.

POINTS TO CONSIDER:

- 1) Bid #03-09/10 was publicly offered.
- 2) Five (5) bids were received; four (4) were compliant.
- 3) Seegars Fence Company, Inc., Fayetteville, North Carolina was the lowest compliant bidder at \$28,664.00.
- 4) The Recreation Director recommends this award.
- 5) The bid expires October 13, 2009.

FUNDING FACTORS:

- 1) \$28,664 = Total cost for the fencing of the Dixie Boys Field at Greenwood Athletic Park to be funded from Capital Project funds previously approved by Council.

OPTIONS:

- 1) *(Recommended)* Approve as presented. *(4 compliant bids received)*
- 2) Provide An Alternate Directive.

ATTACHMENTS:

- 1) Bid Tabulation Sheet.
- 2) August 27, 2009 Recommendation Letter from Recreation Director.

Parks & Recreation
Fencing Project, Greenwood Dixie Boys Baseball Field
Invitation-to-Bid #03-09/10

Bid Opening Date: August 25, 2009
Time: 11:00 AM
Advertised Date: MN-8/2/09 SCBO-8/3/09
Invitations to Bids Distributed: 18
Bid Expiration Date: 10/13/2009

Name of Bidder	Base Bid	Bid Security	Meets Bid Requirements	Total Bid	Total Non-Local (+2%)
Seegars Fence Co., Inc. Fayetteville, NC	\$28,664.00	Yes	Yes	\$28,664.00	\$29,237.28
Fence It Florence, SC	\$29,988.00	Yes	No	\$29,988.00	
Henley's Construction Co., Inc. Cheraw, SC	\$29,999.00	Yes	Yes	\$29,999.00	\$30,598.98
Ideal Landscaping, Inc. Holly Springs, NC	\$36,600.00	Yes	Yes	\$36,600.00	\$37,332.00
Eddins Electric Company, Inc. W. Columbia, SC	\$59,780.00	Yes	Yes	\$59,780.00	\$60,975.60

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



FLORENCE COUNTY
Recreation

Memorandum

To: Mazie Abraham, Interim Director of Procurement
From: Joe Eason, Parks and Recreation Director
Date: 08/27/09
Re: Award of Bid #03-09/10

I have reviewed the bids for fencing of the Dixie Boys field at Greenwood Athletic Park and recommend Seegars Fence Company, Inc. to perform for the work. The vendor has successfully completed another project for our Department in the past and is qualified to perform the specified work. Your assistance in processing this information for Council on behalf of our Department is greatly appreciated.

1

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Reports to Council
Bid Award

DEPARTMENT: Recreation
Procurement Department

ISSUE UNDER CONSIDERATION: Authorize the County Administrator to award Bid #04-09/10 - Tour Events to the low bidders for each individual trip to be funded by the participants if the minimum participation numbers are met.

POINTS TO CONSIDER:

- 1) Bid #04-09/10 was publicly offered.
- 2) Two (2) compliant bids were received.
- 3) PML Tours, Marlton, NJ was the lowest compliant bidder for the Canada and New England Cruise and the Nashville, TN trip.
- 4) The Recreation Director recommends this award.
- 5) The bid expires October 13, 2009.
- 6) The Recreation Department coordinates trips for citizens interested in trips to various locations.
- 7) Participants pay all costs associated with the trips.

FUNDING FACTORS:

- 1) \$0 = Total cost to the County.

OPTIONS:

- 1) *(Recommended)* Approve as presented. *(2 Compliant Bids Received)*
- 2) Provide An Alternate Directive.

ATTACHMENTS:

- 1) Bid Tabulation Sheet.
- 2) August 27, 2009 Recommendation Letter from the Recreation Director.

Parks & Recreation
 Tour Trips (2 Ea.)
 Invitation-to-Bid #04-09/10

Bid Opening Date: August 25, 2009
 Time: 11:30 AM
 Advertised Date: MN-8/9/09 SCBO-8/13/09
 Invitations to Bids Distributed: 5
 Bid Expiration Date: 10/13/2009

Name of Bidder	CANADA & NEW ENGLAND CRUISE						NASHVILLE, TN
	Inside-low deck	Inside-high deck	Promenade	Outside	Balcony		
PML Tours Marlton, NJ	\$1,140.00 DBL. OCCUP	\$1,160.00 DBL. OCCUP	\$1,270.00 DBL. OCCUP	\$1,440.00 DBL. OCCUP	\$1,699.00 DBL. OCCUP	\$599.00 DBL. OCCUP	
	\$1,740.00 SGL. OCCUP	\$1,770.00 SGL. OCCUP	\$2,020.00 SGL. OCCUP	\$2,390.00 SGL. OCCUP	\$2,949.00 SGL. OCCUP	\$684.00 SGL. OCCUP	
	Inside-low deck No Bid DBL. OCCUP	Inside-high deck \$1,297.00 DBL. OCCUP	Promenade \$1,736.00 DBL. OCCUP	Outside \$1,577.00 DBL. OCCUP	Balcony \$1,832.00 DBL. OCCUP	\$614.00 DBL. OCCUP	
White Star Tours Reading, Pa.	No Bid SGL. OCCUP	\$1,897.00 SGL. OCCUP	\$2,711.00 SGL. OCCUP	\$2,427.00 SGL. OCCUP	\$2,932.00 SGL. OCCUP	\$773.00 SGL. OCCUP	

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



FLORENCE COUNTY

Recreation

Memorandum

To: Mazie Abraham, Interim Facilities and Procurement Director

From: Joe Eason, Parks and Recreation Director

Date: 08/27/09

Re: Award of Bid #04-09/10

My staff and I have reviewed the bids to coordinate travel to Canada/New England (October 13 – 23, 2010) and Nashville, TN (December 6 – 10, 2010) and recommend award to the low responsive bidder, P.M.L. Travel Tours of Marlton, New Jersey. The company coordinated similar overnight travel for the County in the past and is qualified for this job. Your assistance in processing this information for Council on behalf of our Department is greatly appreciated.

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Reports to Council

DEPARTMENT: Procurement Department

ISSUE UNDER CONSIDERATION:

Request the appointment of a Council member to serve on the Environmental Services Office Design and Bid/Evaluation Committee.

POINTS TO CONSIDER:

1. The Environmental Services Department offices have been housed in three older mobile home/trailers for approximately 22 years.
2. Funding was approved for the replacement of the offices in FY 10 budget.
3. The proposed office will provide approximately 1,800 square feet of basic office and storage space.
4. The facility is being considered to be done through a design/build public offering.

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Report to Council
Declaration of Surplus Property

DEPARTMENT: Procurement Department

ISSUE UNDER CONSIDERATION:

Declaration of (2) Vehicles, (1) Van, (2) Ambulances, (1) Dump Truck, (1) Cat pan, (1) Lowboy, (1) Trailer, and (1) Four-wheeler as surplus property for disposal through public internet auction via GovDeals.

POINTS TO CONSIDER:

1. Attached listing of vehicles and equipment is recommended to be declared surplus by the using department.
2. The vehicles and equipment 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. The vehicles and equipment have been offered to all county fire departments, rescue squads, municipalities, and school districts.
6. Disposal by internet auction is efficient and requires significantly less staff time/coordination than other public offer methods.

FUNDING FACTORS:

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

OPTIONS:

1. *(Recommended)* Approve as presented.
2. Provide Alternate Directive.

ATTACHMENTS:

List of vehicles and equipment.

UNIT	MAKE	MODEL	YEAR	MILEAGE	COMMENTS	VIN #'S	Originally Assigned
*	HONDA	TRX300	1999		BLOWN ENG FOUR WHEELER	478TE1400XA019787	Sheriff's Office
V0182	CAT	DJB	1983	16,155	OLD,RUST, CAB AND LEAK	25DB6092	Public Works
V0870	FORD	CROWN VIC	2003	121,440		2FAFP71W93X202185	Sheriff's Office
V0887	MERCURY	MARQUIS	2003	132,943		2MEFM75W63X691754	Magistrate's Office
V1252	FORD	E-350 VAN	2001	30,757	LITTER VAN	1FBSS31L31HB54805	Environmental Services
V2010	FORD	L9000	1994	158,153	LOWBOY ENG REBUILT	1FTYY90XXRV/A02108	Public Works
V2118	FORD	F-350	2000	158,209	TYPE 1 AMBULANCE	1FDWVF36F3YED68298	EMS
V2120	FORD	F-350	2001	130,914	TYPE 1 AMBULANCE	1FDWVF36F11EC45234	EMS
V6004	PIONEER	LOADKING	1992		GOOSE NECK TRAILER	PHD100-3	Public Works
V9991	CAT	615 PAN	1986	6,016	CAB & FLOOR RUST OUT, LEAK	46Z01333	Public Works

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Reports to Council

DEPARTMENT: Procurement Department

ISSUE UNDER CONSIDERATION:

Approval of the following seven (7) engineering firms for pre-qualification for future county projects in the County as recommended by the Professional Engineering Services Request for Qualifications Review Panel: Alliance Consulting Engineers, Columbia, SC; BP Barber, Columbia, SC; Castles Engineering, Myrtle Beach, SC; Collins Engineers, Inc., Charleston, SC; Davis and Brown, Quinby, SC; Dennis Corp, Columbia, SC; and TranSystems, N. Charleston, SC.

POINTS TO CONSIDER:

- 1) Florence County recently solicited letters of interest and statements of qualifications from qualified professional engineering firms to provide future professional services in connection with various future county projects.
- 2) A panel was appointed to review the thirty-two (32) proposals received and select firms the County can pre-qualify for future county projects.
- 3) Seven (7) firms were recommended for future county projects by the Professional Engineering Services Request for Qualifications Review Panel.
- 4) Once the named firms are approved by Council, the County Administrator is authorized to select a firm in conjunction with the primary using department based on expertise, availability, and cost, and to enter into contracts to proceed on projects as engineering services are needed, subject to available appropriations.
- 5) County Attorney approval of will be obtained for formal contracts when applicable.

OPTIONS:

- 1) (*Recommended*) Approve as presented.
- 2) Provide an Alternate Directive.

ATTACHEMENT:

Professional Engineering Services Request for Qualifications Review Panel Recommendation.

PROFESSIONAL ENGINEERING SERVICES
REQUEST FOR QUALIFICATIONS
REVIEW PANEL RECOMMENDATION
(IN ALPHABETICAL ORDER)

Alliance Consulting Engineers
Columbia, SC

BP Barber
Columbia, SC

Castles Engineering, Inc.
Myrtle Beach, SC

Collins Engineers, Inc.
Charleston, SC

Davis & Brown
Quinby, SC

Dennis Corp.
Columbia, SC

TranSystems
N. Charleston, SC

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Grant Award
United States Department of Justice

DEPARTMENT: Florence County Sheriff Office
Grants Department

ISSUE UNDER CONSIDERATION:

Accept grant award #2009-DJ-BX-0872 in the amount of \$66,383 under the BJA FY 09 Edward Byrne Memorial Justice Assistance (JAG) Grant Program Local Solicitation from the United States Department of Justice (USDOJ) for the Florence County Sheriff's Office to assist with costs associated with purchase of needed law enforcement equipment.

POINTS TO CONSIDER:

1. Florence County will utilize the BJA FY 09 Edward Byrne Memorial Justice Assistance (JAG) Grant Program Local Solicitation to procure three (3) camera lens and an upgrade for Video Enhancing System, an Undercover Recording System, All Terrain Vehicles, Vehicle Supplies, Crime Prevention and Education Supplies, Interview Room Upgrades, an Emergency Restrain Chair, and an Ice Maker for the Detention Center.
2. The grant does not require matching funds.
3. Acceptance of the grant includes the authorization of appropriate general ledger accounts within the Grant Fund.

FUNDING FACTORS:

1. \$66,383 = Total one-time costs for the BJA FY 09 Edward Byrne Memorial Justice Assistance (JAG) Grant Program Local Solicitation.
2. No matching funds required.

OPTIONS:

1. *(Recommended)* Approve as presented.
2. Provide An Alternate Directive

ATTACHMENT:

Grant award notice from the USDOJ.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Grant

PAGE 1 OF 5

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) County of Florence 180 N. Irby Street, MSC-H Florence, SC 29501-3456		4. AWARD NUMBER: 2009-DJ-BX-0872	
		5. PROJECT PERIOD: FROM 10/01/2008 TO 09/30/2012 BUDGET PERIOD: FROM 10/01/2008 TO 09/30/2012	
1A. GRANTEE IRS/VENDOR NO. 576000351		6. AWARD DATE 08/25/2009	7. ACTION Initial
		8. SUPPLEMENT NUMBER 00	
		9. PREVIOUS AWARD AMOUNT \$ 0	
3. PROJECT TITLE FY 2009 Justice Assistance Grant Program		10. AMOUNT OF THIS AWARD \$ 66,383	
		11. TOTAL AWARD \$ 66,383	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under 42 U.S.C. 3751(a) (BJA - JAG Formula)			
15. METHOD OF PAYMENT PAPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL James H. Burch II Acting Director		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Richard Starks County Administrator	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	19A. DATE
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES		21. IDJUGT3893	
FISCAL YEAR	FUND CODE	BUD. ACT.	DIV. OFC.
			REG. SUB.
			POMS
			AMOUNT
X	B	DJ	80 00 00 66383

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)

Florence County Council Meeting

September 17, 2009

AGENDA ITEM: Other Business
Infrastructure Project
Council District #1

DEPARTMENT: County Council


ISSUE UNDER CONSIDERATION:

Approval of the expenditure of up to \$9,375.00 from Council District #1 funding allocations to pay for the cost of putting MBC stone and crushed asphalt on Candleberry Road.

The cost estimate was prepared by Florence County Public Works.

FUNDING SOURCE:

Infrastructure
 Road System Maintenance
 Utility

Signed: 
Requested by Councilmember: K G "Rusty" Smith, Jr.

Date: 9/1/09

ATTACHMENTS:

I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

Connie Y. Haselden, Clerk to Council

9/1/09

Florence County Council Meeting
September 17, 2009

AGENDA ITEM: Other Business
Infrastructure Project
Council District 1

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approve The Expenditure Of Up To \$2,500.00 From Council District 1 Infrastructure Funding Allocation To Assist The City Of Lake City With The Construction Of An Observation Deck, Consisting Of A 30' x 31' Concrete Slab For A Seating Area For The Public To Observe Incoming And Outgoing Aircraft, At The Lake City Airport.

FUNDING SOURCE:

Infrastructure
 Road System Maintenance
 Utility

Signed: verbally approved – signature pending

Requested by Councilmember: K. G. Rusty Smith, Jr.

Date: _____

ATTACHMENTS:

1. A copy of the request from City of Lake City.

I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

Connie Y. Haselden, Clerk to Council

CITY OF LAKE CITY

Lovith Anderson, Jr.
Mayor

William J. Sebnick
Mayor Pro Tem

Marion C. Lowder
City Administrator

John H. Whittleton, Sr., Esq.
Assistant City Administrator

Cherline L. Wolf, CMC
Clerk to Council



Members of Council

Billy H. Brown, Jr.

Sondra Fleming-Crosby

A. Russ Martin

Jason M. Springs

Gloria Tisdale

September 8, 2009

The Honorable K. G. "Rusty" Smith
Florence County Council Chairman
P. O. Box 369
Lake City SC 29560

Re: Lake City Airport

Dear Chairman Smith;

The City of Lake City is requesting funding in the amount of \$2,500.00 for the construction of an observation deck at the Lake City Airport. This will consist of a 30' x 31' concrete slab for a seating area for the public to observe incoming and outgoing aircraft.

Thank you for your assistance, and if you have any questions, please call.

Sincerely

Marion C. Lowder
City Administrator

cw

Florence County Council Meeting
September 17, 2009

AGENDA ITEM: Other Business
Infrastructure Project
Council Districts 1, 2 and 5

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approve The Expenditure Of Up To \$45,000.00 From Council Districts 1, 2, and 5 Infrastructure Funding Allocations (\$15,000 From Each District) To Assist The South Lynches Fire Department In Replacing Primary "Jaws Of Life" Equipment.

FUNDING SOURCE:

XXX Infrastructure _____ Road System Maintenance Fee _____ Utility

Requested by Councilmember:

Amount: \$15,000.00

Amount: \$15,000.00

Signed: verbally approved – signature pending
K. G. Rusty Smith, Jr.

Signed: verbally approved – signature pending
Ken Ard

Amount: \$15,000.00

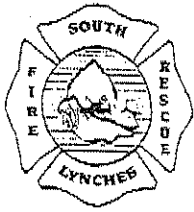
Signed: verbally approved – signature pending
Johnnie D. Rodgers, Jr.

ATTACHMENTS:

1. Copy of Request from South Lynches Fire Department.

I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

Connie Y. Haselden, Clerk to Council



SOUTH LYNCHES FIRE DEPARTMENT

STATION 1 - LAKE CITY
STATION 2 - COWARD
STATION 3 - CAMP BRANCH
STATION 4 - CADES
STATION 5 - LEO-CAMERONTOWN
STATION 6 - SCRANTON

September 4, 2009

*Chairman K. G. "Rusty" Smith, Jr.
Florence County Council
Post Office Box 369
Lake City, South Carolina 29560*

Dear Rusty:

The South Lynch Fire Department is undertaking a project to upgrade our rescue trucks and our ability to perform extrications. As we surveyed our equipment, we discovered that our main "jaws of life" tools are out of date, with some well over twenty years old. Therefore, we are requesting Florence County Council assist us in replacing our primary "jaws of life" equipment in the amount of \$45,000. Our department has committed \$45,000 to this project, but without your assistance it will not be possible to provide funding for this much needed equipment.

As you all know, nothing is more important than having the ability to save lives and property in Florence County.

Should you need any further details or have any questions concerning this project, please contact me.

Sincerely,

SOUTH LYNCHES FIRE DEPARTMENT

*S. K. Brockington, Jr.
Chief*

SKBjr:dba

*Copies: Councilman Johnnie Rodgers, Jr.
Councilman Ken Ard
County Administrator Richard Starks*

Florence County Council Meeting

September 17, 2009

AGENDA ITEM: Other Business
Infrastructure Project
Council District #3

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approval of the expenditure of up to \$2,500.00 from Council District #3 funding allocations to pay for the cost of replacing a portion of driveway at 1746 Norwood Lane. This estimate is to replace concrete driveway from edge of asphalt pavement to the edge of road right of way.

The cost estimate was prepared by Florence County Public Works.

FUNDING SOURCE:

Infrastructure
 Road System Maintenance
 Utility

Signed: 
Requested by Councilmember: Al Bradley

Date: 9-4-09

ATTACHMENTS:

I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

Connie Y. Haselden, Clerk to Council

8/27/09

Florence County Council Meeting
September 17, 2009

AGENDA ITEM: Other Business
Infrastructure Project
Council District 7

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approve the expenditure of up to \$400.00 from Council District 7 Infrastructure funding allocation to assist with the purchase of a bicycle rack at Spaulding Heights Community Park.

FUNDING SOURCE:

Infrastructure
 Road System Maintenance
 Utility

Signed: 
Requested by Council member: Waymon Mumford

Date: _____

ATTACHMENTS:

None

I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

Connie Y. Haselden, Clerk to Council

Florence County Council Meeting
September 17, 2009

AGENDA ITEM: Other Business
Infrastructure Project
Council District #3

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approval of the expenditure of up to \$17,043.00 from Council District #3 funding allocations to fund the cost of 1½" Type C hot laid asphalt for N. Simmons Street.

Contingent upon acquiring Encroachment Permit from the proper Entity (SCDOT or City of Florence).


The cost estimate was prepared by Florence County Public Works.

FUNDING SOURCE:

Infrastructure

Road System Maintenance

Utility

Signed: 

Requested by Councilmember: Al Bradley

Date: 9-4-09

ATTACHMENTS:

I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

Connie Y. Haselden, Clerk to Council

Florence County Council Meeting
September 17, 2009

AGENDA ITEM: Other Business
Infrastructure Project
Council District #3

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

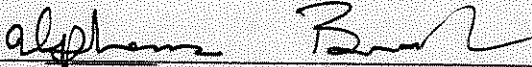
Approval of the expenditure of up to \$14,800.50 from Council District #3 funding allocations to fund the cost of 1½" Type C hot laid asphalt for W. Washington Street.

Contingent upon acquiring Encroachment Permit from the proper Entity (SCDOT or City of Florence)

The cost estimate was prepared by Florence County Public Works.

FUNDING SOURCE:

Infrastructure
 Road System Maintenance
 Utility

Signed: 

Requested by Councilmember: Al Bradley

Date: 9-4-09

ATTACHMENTS:

I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

Connie Y. Haselden, Clerk to Council

Florence County Council Meeting
September 17, 2009

AGENDA ITEM: Other Business
Infrastructure Project
Council District #9

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approval of the expenditure of up to \$31,395.00 from Council District #9 funding allocations to fund 1 1/2" of hot laid asphalt on St. Andrews Road (S21-1293).

In consideration that this is in the SCDOT Road Maintenance System, this project will be contingent upon obtaining encroachment permit from the SCDOT.

The cost estimate was prepared by Florence County Public Works.

FUNDING SOURCE:

- Infrastructure
 Road System Maintenance
 Utility

Signed: _____

Requested by Councilmember: Dr. H. Morris Anderson

Date: 9/4/09

ATTACHMENTS:

I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

Connie Y. Haselden, Clerk to Council

September 3, 2009

FLORENCE COUNTY COUNCIL MEETING

September 17, 2009

AGENDA ITEM: Inactive Agenda
Ordinance No. 02-2009/10

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

At its regular meeting of August 20, 2009 Council *denied* second reading of the following Ordinance:

Ordinance No. 02-2008/09: [An Ordinance To Rezone Property Owned By Dorothy Martin Tate Properties Located Off Of E. Macree Terrace And Gable Terrace, Florence County From R-2, Single-Family Residential District To R-4, Multi-Family Residential District Shown On Florence County Tax Map No. 01812, Block 1, Parcels 344, 345, 346, 347, 348, 349, 350, 351, 353, 357, 360, 361, 362, 363, 364, 365, 366, 366, 367, 368, 369, 370, 371, 375, 377 Consisting Of 6.6 Acres.]

ATTACHMENTS:

Copies of the information provided in the August 20, 2009 agenda package.

FLORENCE COUNTY COUNCIL MEETING
Thursday, August 20, 2009

AGENDA ITEM: Ordinance No.02-2009/10
Second Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Rezone Property Owned By Dorothy Martin Tate Properties Located Off of E. Macree Terrace and Gable Terrace, Florence County From R-2, Single-Family Residential District To R-4, Multi-Family Residential District Shown On Florence County Tax Map No. 01812, Block 1, Parcels 344, 345, 346, 347, 348, 349, 350, 351, 353, 357, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 375, 377 Consisting Of 6.6 Acres.]

POINTS TO CONSIDER:

1. The property is located in Council District 5.
2. The subject property is currently vacant.
3. The property is currently zoned R-2, Single-Family Residential District.
4. The applicant wishes to rezone the property to R-4, Multi-Family Residential District.
5. The applicant proposes to develop the property for the residential development of duplexes.
6. The property is surrounded by single and multi-family residential and vacant lots.
7. The property is presently designated as Developing Residential area and does comply with the current Comprehensive Plan.

OPTIONS:

1. *(Recommended)* Deny the Ordinance as Presented.
(Planning Commission denied 8-1)(Council District 5).
2. Provide An Alternate Directive.

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 02-2009/10
2. Staff report for PC#2009-26
3. Vicinity map
4. Location map
5. Comprehensive Land Use Plan map
6. Zoning map
7. Aerial photograph
8. Comprehensive Plan information
9. Zoning Ordinance information

Sponsor(s) : Planning Commission
 Planning Commission Consideration : June 23, 2009
 Planning Commission Public Hearing : June 23, 2009
 Planning Commission Recommendation : June 23, 2009 [Denied 8-1]
 First Reading/Introduction : July 16, 2009
 Committee Referral : N/A
 Second Reading : August 20, 2009
 Third Reading : September 17, 2009
 Effective Date : Immediately

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

ORDINANCE NO. 02-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Rezone Property Owned By Dorothy Martin Tate Properties Located Off of E. Macree Terrace and Gable Terrace, Florence County From R-2, Single- Family Residential District To R-4, Multi-Family Residential District Shown On Florence County Tax Map No. 01812, Block 1, Parcels 344, 345, 346, 347, 348, 349, 350, 351, 353, 357, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 375, 377 Consisting Of 6.6 Acres.]

WHEREAS:

1. Section 30-291 of the Florence County Code establishes that Florence County Council must be satisfied that applications for amendments to the Zoning Atlas of Florence County are 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. Section 30-297 of the Florence County Code republished January 2008, 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 Planning Commission at a public hearing on June 23, 2009.

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

1. Properties located Off of E. Macree Terrace and Gable Terrace, Florence County bearing Tax Map 01812, Block 1, Parcels 344, 345, 346, 347, 348, 349, 350, 351, 353, 357, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 375, 377 are hereby rezoned to R-4, Multi-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

COUNCIL VOTE:

OPPOSED:

ABSENT:

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

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
June 23, 2009
PC#2009-26
ORDINANCE NO.02-2009/10**

Subject: Rezoning request from R-2, Single-Family Residential District to R-4, Multi-Family Residential District

Location: Properties are located off of E. Macree Terrace and Gable Terrace, Florence County

Tax Map Numbers: 01812, Block 1, Parcels 344, 345, 346, 347, 348, 349, 350, 351, 353, 357, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 375, 377

Council District(s): 5; County Council

Owner of Record: Dorothy Martin Tate

Applicant: B. Kendall Hiller

Land Area: 6.6 acres

Existing Land Use and Zoning

These properties are currently zoned R-2, Single-Family Residential District and located in Florence County. The properties are currently vacant.

Proposed Land Use and Zoning:

The proposal is to rezone the subject properties to R-4, Multi-Family Residential District.

The proposed use is for residential duplexes.

Surrounding Land Uses and Zoning:

North: Mobile homes and single-family residential/R-5 and R-2/Florence County

South: Single-family residential/R-2/ Florence County

East: Vacant/RU-1/Florence County

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

Florence County Comprehensive Plan:

The subject parcels are located in a Developing Residential area according to the Comprehensive Plan Land Use Map. This request does comply with the Comprehensive Plan.

Traffic Review

The subject parcels are currently undeveloped. Based on the proposed multi-family use for these parcels, there will be a minimal effect on traffic flow for the area.

Staff Analysis:

Access and Circulation- Present access to the properties are by way of E. Macree Terrace and Gable Terrace.

Water and Sewer Availability- The water and sewer services are provided by the City of Florence Public Works Department.

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

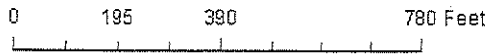
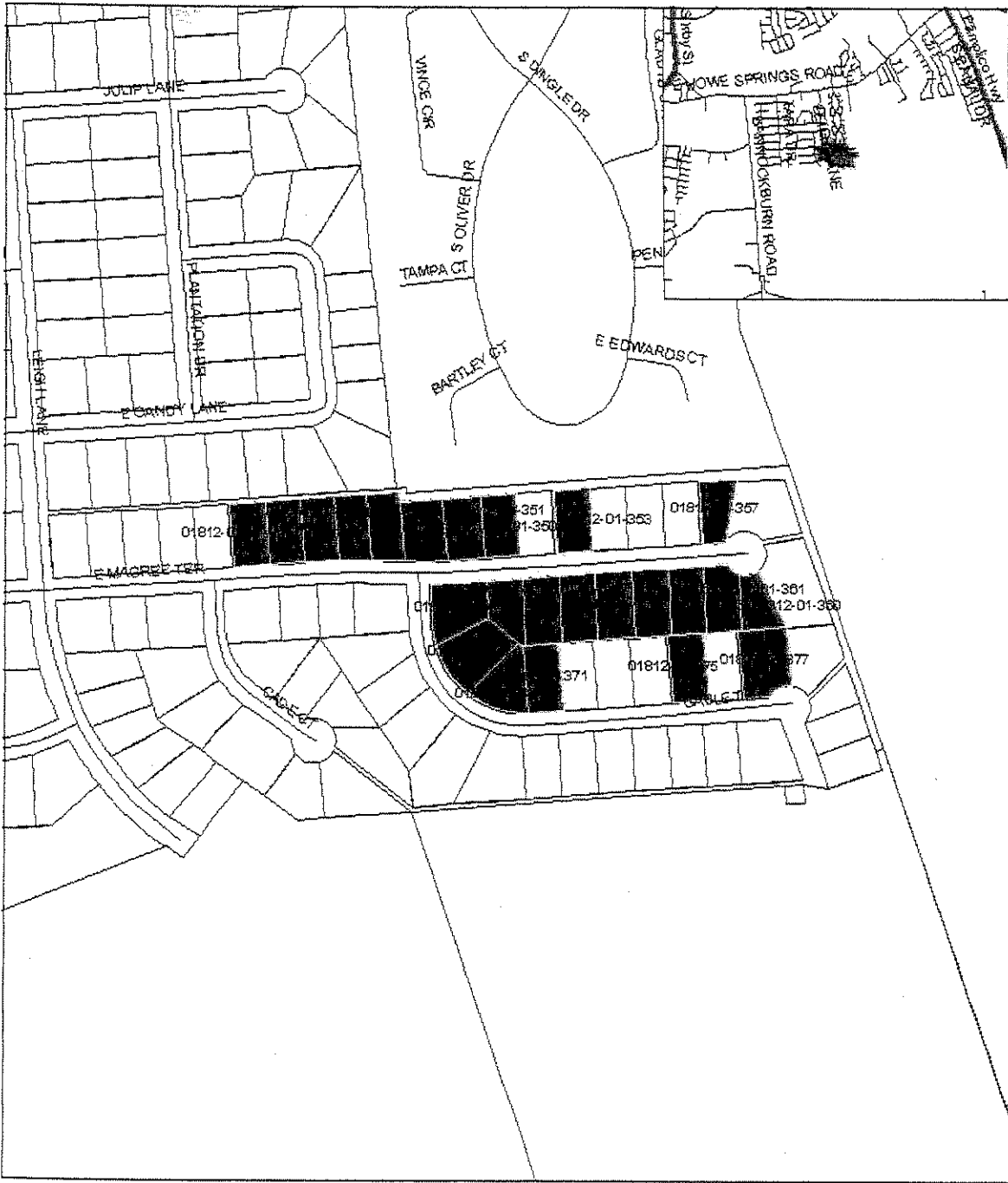
Background- The request is to rezone the subject properties to R-4, Multi-Family Residential District. Currently the properties are vacant and adjacent to a mixture of single family homes, duplexes and mobile homes. Currently there are approximately 13 duplexes in the Tara Village subdivision. There was only one duplex built in this subdivision since a zoning designation was established. This duplex was built as a replacement when the previous duplex on that parcel was damaged by fire.

Florence County Planning Commission Action: June 23, 2009

The nine Planning Commission members present denied the request with 8 members voting against the request and one member voting in favor of the request at the meeting held on June 23, 2009.

Florence County Planning Commission Recommendation:

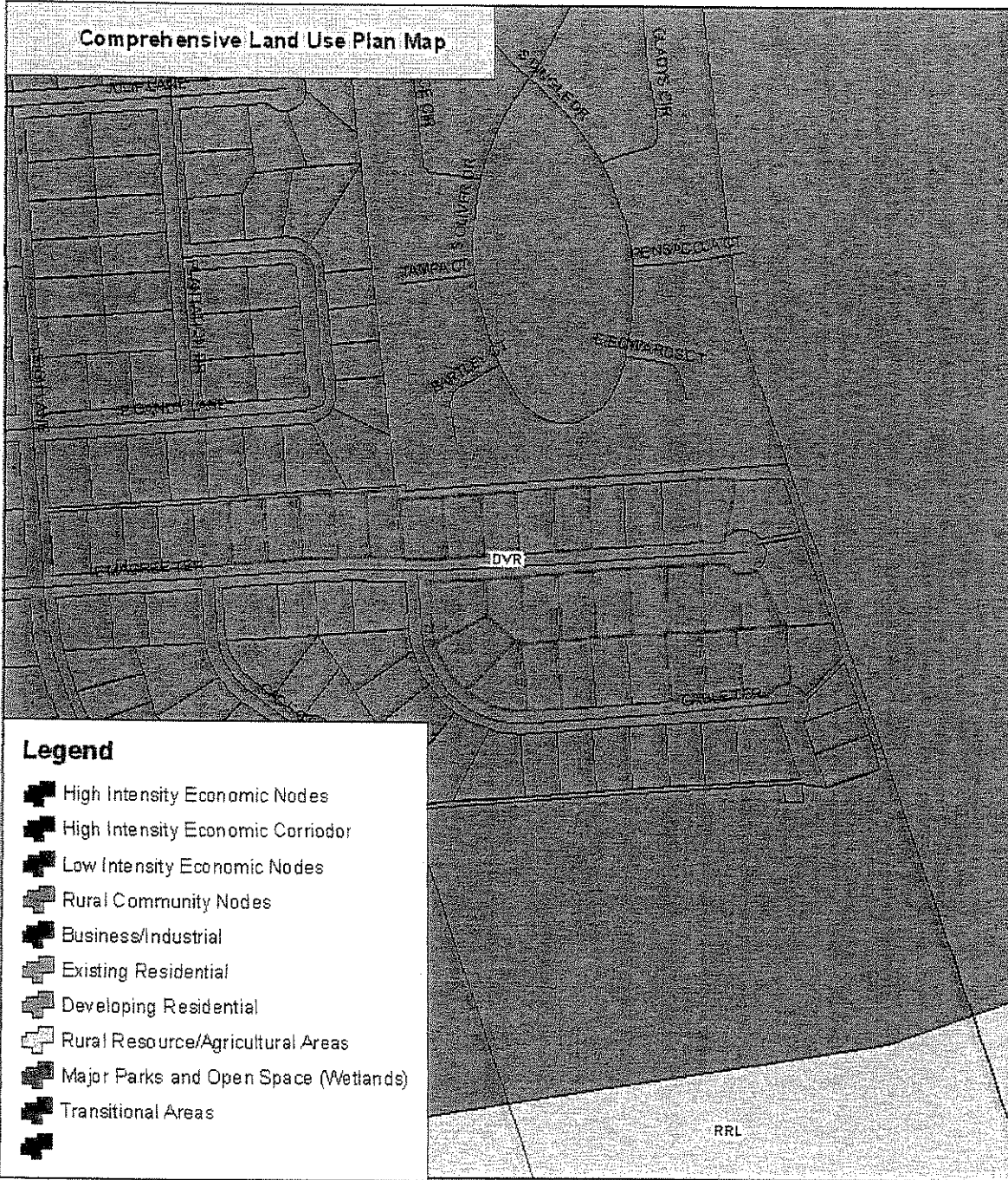
The Planning Commission recommends denial of the rezoning request by the Florence County Council.













Map Prepared by: RWE
 Copyright 2007: Florence County/Municipal Planning
 & Building Inspections Department
 Geographic Information Systems
 2007

COUNTY COUNCIL DISTRICT(S): 5
PC#2009-26

Comprehensive Land Use Plan Map



Legend

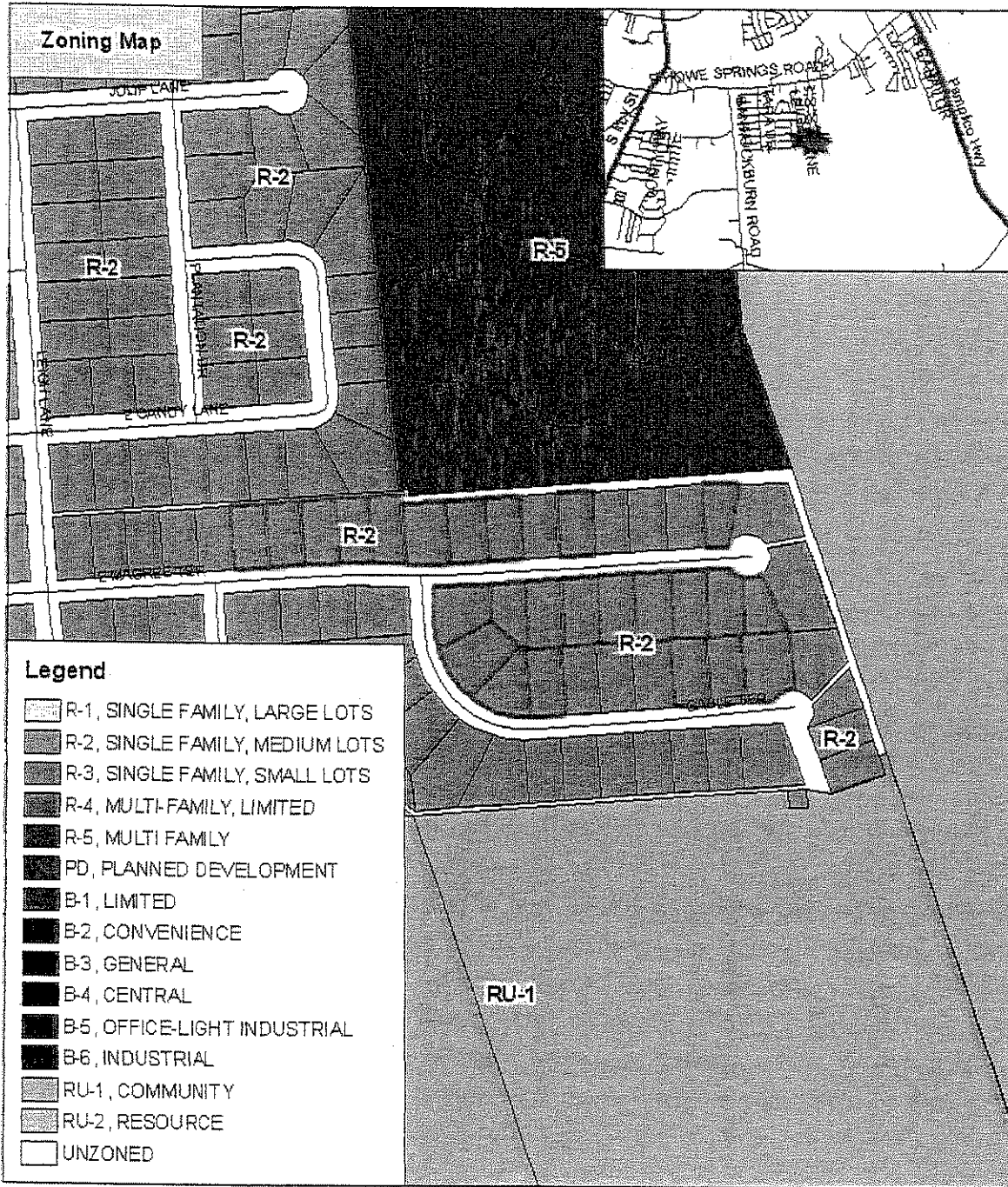
-  High Intensity Economic Nodes
-  High Intensity Economic Corridor
-  Low Intensity Economic Nodes
-  Rural Community Nodes
-  Business/Industrial
-  Existing Residential
-  Developing Residential
-  Rural Resource/Agricultural Areas
-  Major Parks and Open Space (Wetlands)
-  Transitional Areas

0 215 430 660 Feet

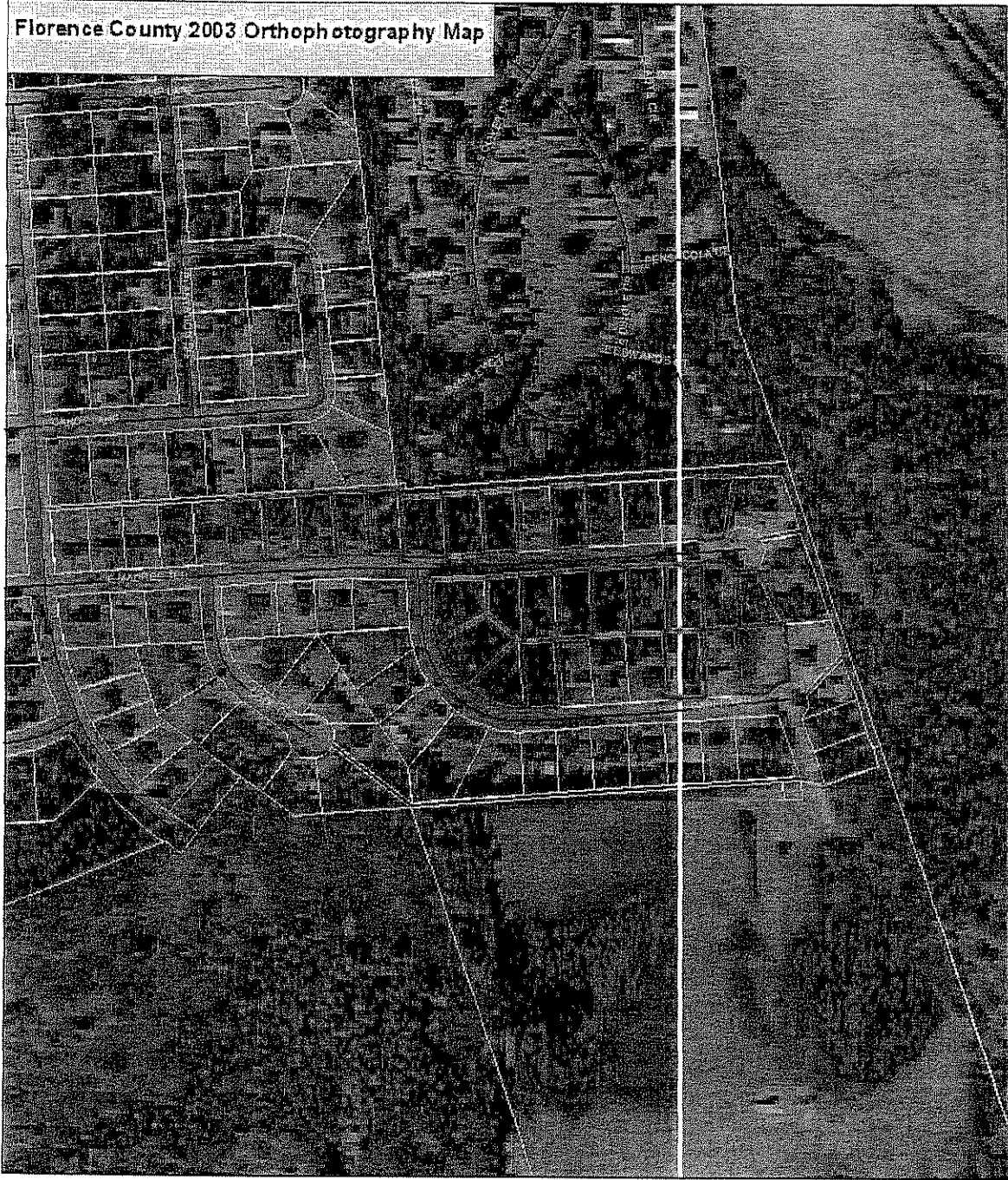


Map Prepared by: RWE
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 & Building Inspections Department
 Geographic Information Systems
 2007

COUNTY COUNCIL DISTRICT(S): 5
PC#2009-26



Florence County 2003 Orthophotography Map



0 155 310 620 Feet



Map Prepared by: RWE
Copyright 2007: Florence County/Municipal Planning
& Building Inspections Department
Geographic Information Systems
2007

COUNTY COUNCIL DISTRICT(S): 5
PC#2009-26

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

CHAPTER 30 - ZONING ORDINANCE ATTACHMENT

R-4 Multi-Family Residential District, Limited

This district is intended to promote and accommodate residential development consisting principally of single-family and two-family dwellings, and related support uses.